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SENATE—*Friday, August 1, 1975*

(Legislative day of Thursday, July 31, 1975)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by Hon. QUENTIN N. BURDICK, a Senator from the State of North Dakota.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God, our Father, who rulest above all men and nations, by whose grace we are redeemed and under whose corrective judgment we live daily, hold this Nation securely in Thy keeping that our goodly heritage may pass undiminished from generation to generation. Keep us faithful, in our time of testing, to the precepts which make a nation great and good and strong.

Be with us in this Chamber, hour after hour, and minute by minute, to sustain us with patience, energy, and wisdom. When the day is done watch over us while we are absent one from the other. Grant journeying mercies to those who travel. To all give rest of body, renewal of mind, and peace of soul.

Now, may the Lord bless you, and keep you; the Lord make His face to shine upon you and be gracious unto you; the Lord lift up His countenance upon you, and give you peace. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 1, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. QUENTIN N. BURDICK, a Senator from the State of North Dakota, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. BURDICK thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, July 31, 1975, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Orders Nos. 333 and 335.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CARGO VESSEL CARRIAGE OF PASSENGERS IN EMERGENCY SITUATIONS

The bill (H.R. 5405) to amend the Merchant Marine Act of 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise, was considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 94–344), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 5405 is to permit cargo vessels, documented under the laws of the United States and operating in the domestic trade of the United States, to carry in excess of sixteen passengers in any case which the Secretary of the Department in which the Coast Guard is operating, finds that a transportation emergency so requires.

BACKGROUND

Section 26 of the Merchant Marine Act, 1920 (46 U.S.C. 882) limits the number of passengers which cargo ships documented under the laws of the United States may carry to sixteen. Ships designated as cargo vessels, although not exempt from the laws, rules, and regulations respecting life-saving equipment, are not subject to the more stringent inspection and certification statutes applicable to passenger ships.

This statutory limitation presents a serious obstacle to the Commonwealth of Virginia in its efforts to plan for emergency transportation in the event of any future closings of the bridge-tunnel complex which crosses the mouth of the Chesapeake Bay. The Chesapeake Bay Bridge-Tunnel is a vital link in highway transportation between the Delmarva (Delaware, Maryland, Virginia) peninsula and Norfolk, Virginia and points south. Since this facility was put into service on April 15, 1964, it has been closed to traffic on five occasions as a result of collisions by ships or barges.

Among the concerns addressed in the emergency plan prepared by the Virginia officials is the continued flow of commerce across the Chesapeake Bay. The estimated loss resulting from the last closing for a two-week period in September and October, 1972 was nearly $3.4 million.

A cargo ship operator has expressed its willingness to participate in the emergency plan by ferrying trucks across the Bay. Some of its ships can carry up to 24 trucks, but under the limitation in present law could carry only 16 truck drivers. Transporting the truck drivers by other means would increase the logistical and financial burdens.

On March 24, 1975, H.R. 5405, which would remove the sixteen passenger limitation in emergency situations so designated by the Secretary of the Department in which the Coast Guard is operating, (currently the Department of Transportation) was introduced in the House of Representatives. The House Committee on Merchant Marine and Fisheries held a public hearing on the bill on April 16, 1975, at which the U.S. Coast Guard expressed support for H.R. 5405 and foresaw no difficulties administering it. Favorable testimony also was received from officials from the Commonwealth of Virginia. On May 5, 1975, H.R. 5405 was passed by the House of Representatives by voice vote.

On May 27, 1975, the Committee announced that it was considering H.R. 5405 and requested interested parties to submit written comments on the bill. No comments were received.

On July 30, 1975, the Committee in executive session ordered H.R. 5405 favorably reported, without amendment.

GENERAL STATEMENT

H.R. 5405 is intended to increase the flexibility of transportation systems to permit an efficient response to transportation emergencies, such as the closing of the Chesapeake Bay Bridge-Tunnel or other similar facilities in the United States. The provisions of the bill apply on all navigable waters of the United States.

The bill is also limited to U.S.-flag vessels enagaged in domestic trade in order to avoid a conflict with the provisions of the International Convention for Safety of Life at Sea, 1960 (SOLAS) which defines a vessel which carries more than twelve passengers as a passenger vessel. However, this SOLAS definition is applicable only to vessels engaged on international voyages.

The authority under the bill to declare such a transportation emergency and the promulgation of any related regulations is placed with the Secretary of the Department in which the Coast Guard is operating. The waiver to be granted would extend only for the duration of the circumstances justifying the declaration of a transportation emergency.

COST OF THE LEGISLATION

Enactment of this legislation will not result in any cost to the Government.

VICTOR HENRIQUE CARLOS GIBSON

The bill (H.R. 1553) for the relief of Victor Henrique Carlos Gibson, was considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 94–346), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to an alien who applied for exemption from the draft in behalf of the husband of a citizen of the United States, thus enabling him to adjust his status in the United States to that of permanent residence. The bill also provides that the beneficiary shall not be exempt from those provisions of the Immigration and Nationality Act which bar from citizenship aliens who have requested and were granted relief from military service.

STATEMENT OF FACTS

The beneficiary of the bill is a 55-year-old native of the United States and a citizen of Peru. At the time of his birth, his parents were residing in Washington, D.C., his father being the Secretary of the Peruvian Embassy. He presently resides in Washington, D.C., with his U.S. citizen wife and their four citizen children. The beneficiary was first admitted to the United States for permanent residence, September 23, 1941, and after graduating from Harvard University in 1942, he was employed by the Rubber Development Corporation, an agency of the U.S. Government. He was assigned as transportation officer in Belem, Para, Brazil. He reentered the United States July 24, 1943, as a returning resident for business purposes and was approached by the U.S. Selective Service. On August 24, 1943, he applied for relief from military service at his father's request, since it was then against the laws of Peru for a Peruvian to join any foreign armed service. He departed from the United States in October 1943, and subsequently returned in 1944, in the Diplomatic Service of Peru where he remained until his position as minister-counsellor for financial affairs for the Embassy of Peru was terminated April 15, 1971, because his views were incompatible with official Peruvian Policy regarding financial matters between his country and the United States. An immediate relative petition submitted in his behalf by his spouse October 10, 1972, was approved. However, he is ineligible to receive an immigrant visa because he is statutorily barred from citizenship on the ground that he requested and was granted exemption from military service in 1943.

ORDER FOR RECOGNITION OF SENATORS BIDEN, BARTLETT, PROXMIRE, AND ROBERT C. BYRD TODAY

Mr. ROBERT C. BYRD. I ask unanimous consent that when the two leaders or their designees have been recognized under the standing order today, the following Senators be recognized for not to exceed 15 minutes each, and in the order stated: Messrs. Biden, Bartlett, Proxmire, and Robert C. Byrd.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, ordinarily orders are required to be obtained at least one session day in advance of the day on which Senators are to be recognized, but I forgot last night to get the orders for the other three Senators, and this being the last day of the session prior to the August recess, I felt obligated to obtain the orders this morning.

MILITARY PROCUREMENT CONFERENCE REPORT—ORDER OF PROCEDURE

Mr. ROBERT C. BYRD. I ask unanimous consent that when the Senate resumes consideration of the Military Procurement Conference Report today, that conference report be the business of the Senate to the exclusion of all other business until disposed of.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar, beginning with Order No. 207.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE

The second assistant legislative clerk proceeded to read sundry nominations in the Air Force and the Navy.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF COMMERCE

The second assistant legislative clerk proceeded to read sundry nominations in the Department of Commerce.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

The second assistant legislative clerk read the nomination of Howard D. Tipton, of California, to be Administrator.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The second assistant legislative clerk proceeded to read sundry nominations in the Department of Housing and Urban Development.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF TRANSPORTATION

The second assistant legislative clerk read the nomination of Robert E. Patricelli, of Connecticut, to be Urban Mass Transportation Administrator.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED NATIONS

The second assistant legislative clerk proceeded to read sundry nominations in the United Nations.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEPARTMENT OF STATE—NOMINATIONS PASSED OVER

The second assistant legislative clerk proceeded to read sundry nominations to the office of Career Minister in the Department of State.

Mr. ROBERT C. BYRD. Over, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be passed over.

DEPARTMENT OF THE TREASURY

The second assistant legislative clerk proceeded to read sundry nominations in the Department of the Treasury.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the nominations be considered and confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DISTRICT OF COLUMBIA COURT OF APPEALS—SUPERIOR COURT OF THE DISTRICT OF COLUMBIA—MISSISSIPPI RIVER COMMISSION—SECURITIES AND EXCHANGE COMMISSION—FEDERAL ENERGY ADMINISTRATION—NOMINATIONS PLACED ON THE SECRETARY'S DESK

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the remaining nominations on the executive calendar be considered and confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the President of the United States be notified of the confirmation of the several nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I make a similar request with respect to the nominations confirmed by the Senate on yesterday.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Does the Senator from Michigan seek recognition?

A PROUD DAY FOR THE SENATE

Mr. GRIFFIN. Mr. President, from time to time this Senator has been critical of the performance of this Congress. Because of that, I wish to indicate how pleased I am with the actions of the Senate on yesterday. Every Senator, whether he agreed or disagreed with the majority vote, could be proud of the Senate as an institution on this day.

One of the most important principles ever enunciated in this body, in my opinion, was expressed by another Senator from my State, Arthur Vandenberg, that in the field of foreign policy, partisanship stops at the water's edge.

That principle has served the country well, and it is important that it be preserved as it was yesterday in the Senate's performance.

In this connection, I wish to pay particular tribute to the distinguished majority leader, Mr. Mansfield, who did an outstanding job in a long series of negotiations on and off the floor. I also wish to pay my respects to the distinguished majority leader (Mr. Robert C. Byrd, who demonstrated at all times the very best in the leadership that the Senate and this Nation needs.

I believe that it will be unfortunate, of course, if the House of Representatives does not proceed to the consideration of the legislation. But even if that should not occur, I think the Nation's interest has been well served and the Senate stands a little taller today as a result of its operation and effectiveness.

Mr. ROBERT C. BYRD. Mr. President, will the distinguished Senator yield?

Mr. GRIFFIN. Yes, I am glad to yield.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished assistant Republican leader for his kind references to the distinguished majority leader and to me in respect to the vote on last evening late.

I, too, was exceedingly proud of the Senate for its demonstration of courage and realism, and I say this without any reflection or aspersions on any Senator or group of Senators as to how they voted. Every Senator voted his convictions, I am sure.

But my own concern with respect to the situation involving the Turkish-Greek dispute over Cyprus has grown.

I compliment the Republican leader and the assistant Republican leader for their good judgment as they attempted to go over the situation with the majority leadership several times during the day of yesterday to reach a determination as to whether or not to proceed with a vote on the matter, realizing that if the Senate had rejected the matter it would have been a slap at the President while he is meeting with important heads of other nations in Helsinki, and it would also have contributed to the further deterioration of relations between Greece and Turkey.

So, I thank him, and I thank all Senators, on both sides, particularly, of course, those who voted with the leadership on both sides of the aisle.

I ask unanimous consent, Mr. President, in this connection to have printed in the Record a letter written to the Honorable Carl Albert, Speaker of the House of Representatives, by Dean Alfange, past supreme president of the Order of Ahepa. The letter is dated July 30, 1975. I feel thaat this letter certainly demonstrates the kind of patriotism that our Greek-Americans constantly demonstrate as they view the problems that confront our country and the country of their forebearers.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Alfange & Friedman,
New York, N.Y., July 30, 1975.

Hon. Carl Albert,
Speaker of the House of Representatives, The Capitol, Washington, D.C.

Dear Mr. Speaker: As past Supreme President of the Order of Ahepa I support President Ford's plea for an acceptable compromise of the Turkish arms embargo in the hope that such compromise can lead the way toward a settlement of the awesome refugee problem and ultimately to a viable solution of the Cyprus issue.

Our first priority should be to mitigate the plight of 180,000 refugees who were driven from their homes by the Turkish invasion. Though this is strictly a humanitarian problem which justifies our involvement, in any event, in keeping with out traditions, I believe that a firm commitment on our part to its solution could possibly open the door to negotiations that would strengthen the strategic position of the United States in that critical sector of the world.

Such humane approach to the present crisis would, I think, lessen the prevailing pressures, the more so if it be made an integral part of any new proposal to be submitted to the Congress. I believe that amelioration of human suffering, on which I base my stand, is more important than anyone's political triumph.

I congratulate you on your determination to work out a solution of this difficult problem in the best interests of our country and everyone concerned.

Sincerely,

Dean Alfange.

PRIVILEGE OF THE FLOOR—H.R. 6674

Mr. HOLLINGS. Mr. President, I ask unanimous consent that during the consideration of H.R. 6674, the military procurement authorizations bill, Mary Jo Manning and Mike Joy, members of my staff, be accorded the privilege of the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENERGY RECORD OF THE 94TH CONGRESS

Mr. HOLLINGS. Mr. President, before yielding, while we are praising the distinguished majority leader, he had printed in the Record of the 94th Congress on yesterday material pertaining to the energy bill. I think that is also due equal high praise. It is quite a documentation. There will little bits and pieces and daily fights and confrontations about price or no price.

But that documentation by the distinguished majority leader is an excellent documentation actually found in yesterday's Record.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Delaware (Mr. Biden) is recognized for not to exceed 15 minutes.

SALE OF GRAIN TO THE SOVIET UNION

Mr. BIDEN. Mr. President, I rise this early hour in the Chamber of the U.S. Senate because I am becoming more and more disturbed by the articles I have read in the newspapers about the sale of grain to the Soviet Union and its effects on U.S. food prices.

I am aware that our colleagues, the Senator from Georgia (Mr. Talmadge), and the Senator from Kansas (Mr. Dole), have printed a reassuring memorandum from the Committee on Agriculture and Forestry designed to allay fears of many others on a repetition of the severe economic consequence over the grain sale to the Soviet Union in 1972.

The Department of Agriculture maintained that the Soviet grain transactions will have little or no effect on domestic food prices.

However, there seems to be some evidence to the contrary.

Moreover, Secretary Butz says that the Russian grain purchase this year will be as high as that of 1972 but that he is not really sure of the exact amount.

Soviet Foreign Minister, Mr. Gromyko, refused Secretary Kissinger's request for an exact certification of the size of the pending purchase.

At first, Mr. Butz said that the Soviet purchase would be about 10 million tons of wheat.

He has since revised that estimate and suggested that eventually the Soviets might buy 19 million tons of wheat, the same as that of the 1972 purchase.

Again, the grain transaction of 1972 should be remembered. The Russians made their purchase in two installments. They bought 12.5 million tons of grain during a 15-day period in July, and then they came back in the first week of August for the remaining 6½ million tons.

I had hoped that Congress, the American people, and most importantly the Agriculture Department has learned our lesson after the results of the grain sale to the Soviets 3 years ago.

As Senators may remember, the Russians purchased 19 million tons of American grain, and prices went soaring. Cereal, beef, bread, and other grain-related foods for American tables soared in price.

There is a saying that "once burned, twice shy," but in this case it would seem that the lesson has not been learned.

Already, as I have pointed out, prices are rising again, as we become involved in another grain transaction with the Soviets, and we are beginning to see the effects.

For instance, two of the Nation's largest food processors have already raised wholesale prices on food and sugar.

General Mills, Inc., and International Multi-Foods Corp., have already announced a 1.6 cent per pound increase for wholesale flour which translates into an 8 cent increase for a retail 5-pound bag of flour for the housewives of America.

Since July 1, when the Soviet wheat purchases began, wheat prices have risen 20 to 25 percent.

In June alone, Kansas City wheat futures have gone from $3.08 per bushel to as high as $3.97 per bushel.

Two days ago, Chairman Arthur Burns of the Federal Reserve Board predicted higher food prices as a result of the Russian wheat purchases. Burns said:

> There has already been a significant increase in grain prices.... they have already run up very sharply.

Secretary Butz has repeatedly stated that the country's bumper grain harvest could easily absorb any Russian purchases.

However, with the present drought in the Middle East, those projections are being revised now.

Iowa's own agriculture secretary estimates that 650 million bushels of corn could be lost if the dry weather persists.

State officials say that a soaking of 1 inch or so is needed this week to prevent at least a 10 to 15 percent reduction in Iowa corn yields.

I agree with those who say that it is time for the United States to stop being a buffer reserve for the Soviets to tap whenever their domestic climatic or productive inadequacies warrant it.

The Soviet party chief, Mr. Brezhnev, has every reason to sing the loudest:

Oh beautiful for spacious skies
For amber waves of grain...

The U.S. Agriculture Department has to stop acting as if it were an advocate for the Soviet purchasers and start looking out for the welfare of the American farmer and consumer.

The Russians neither maintain their own grain reserves nor support a world wide one.

It is time the United States stopped acting as a ready market for the Soviets.

I urge the Agriculture Department to delay approval of further grain sales to the Soviet Union until it is certain of the volume of our domestic grain harvest and, importantly, can ascertain the full extent of the Soviet Union's grain purchase.

I do not necessarily oppose grain sales to the Soviets if our reserves allow it and if it is not going to have a drastic effect on the American economy.

Americans have bitter recollections of the 1972 grain deal; and it causes me a little apprehension this year, when we again do not know the exact amount of the sale, number one, and, number two, we do not know the amount of our harvest. We do not know what we are going to have, although there are projections.

Our first priority is to the American farmer and the American consumer who has to buy food to put on the family table.

I worry about those people on low or fixed incomes who would be affected by these increases. I urge restraint and caution until all the facts are in. Any meaningful application of a policy of so-called detente assuredly must include the matter of grain sales to the Soviet Union.

Mr. President, I ask unanimous consent to have printed in the RECORD an article by Prof. Marshall Goldman, published in the New York Times, which echoes my sentiments about the wheat deal, be printed, together with an article by Eliot Janeway, published in the Washington Star on July 23, 1975, and a U.S. News & World Report article appearing in the August 4, 1975, issue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE RUSSIANS ARE BUYING!

(By Marshall I. Goldman)

CAMBRIDGE, MASS.—The reappearance of Soviet grain purchasers in American markets is a remarkable testimony to the rapidity of international economic change.

In 1972, when the Soviet Union purchased $1 billion worth of American grain, it found itself with a severe shortage of foreign currency.

Almost miraculously the situation was reversed in late 1973. First, Soviet harvests improved, eliminating the need to divert similar large sums for the importation of food. Second, and most important, in the wake of the Arab-Israeli war the Soviet Union earned hundreds of millions of dollars in windfall gains on the sale of its petroleum and natural gas.

In 1975, the situation has apparently changed again. As in 1972, because of the latest crop failure the Soviet Union may have had to divert another $1-billion from its machinery-import program. Moreover, on the basis of preliminary evidence for the last part of 1974 and the first quarter of 1975, Soviet export surpluses to the hard-currency countries—of the world have turned into striking deficits.

In particular, the surplus with Japan, which was almost $600 million in 1973, and exceeded $300 million in 1974, has reverted to an unprecedented deficit of $130 million in the first quarter of 1975.

Only in the United Kingdom does the Soviet Union sell significantly more than it buys, and even in England there has been a reduction of the Soviet surplus. The explanation is that apparently the worldwide recession has necessitated a drop in purchases from the Soviet Union that has not been reciprocated by the Soviet Union.

What is the significance of such a turn of events? The economic bargaining power of the Soviet Union has suffered. American foreign-policy makers and businessmen should be aware of this when negotiating with Soviet officials. Too often we fail to recognize Soviet weaknesses just as we sometimes fail to recognize strengths.

Furthermore, officials in the Department of Agriculture must include periodic Soviet purchases of great magnitude in their projections for the future.

As Soviet officials seek to build up livestock herds, most likely they will become regular purchasers of such American feedgrains as corn. The Soviet Union is too far north to grow its own corn supplies. In addition, the Soviet climate is such that every three or four years there is a drought that causes a shortfall in wheat, too.

The Soviet Union has found it convenient to use the American farmer as a buffer reserve for its own climatic and productive inadequacies. This means that we in the United States have to bear the cost of storing the grain until it is needed by the Soviet Union. Similarly, we also have to suffer the high prices set off when the episodic Soviet purchases deplete the normal reserves built up to satisfy our regular world and domestic needs.

Some way must be found to transfer some of this cost to the Soviet Union. Naturally, as long as it can play one private trader off against another, there is no reason why the Soviet Union should agree to any such financial commitment. Incomprehensibly, our Agriculture Department seems unperturbed by the present state of affairs.

Sometimes one wonders about the department. It was in large part responsible for failing to alert the country to the secret Soviet purchase in 1972, which in turn made it possible for the Russians to buy at low subsidized prices. It is true that this year the Russian purchase is not being subsidized. Yet, the Agriculture Department and Secretary of Agriculture Earl L. Butz in particular may again have made it possible for the Russians to buy at bargain prices.

For several days Mr. Butz let stand the impression that the total Soviet purchase in the United States would be only about 10 million tons of grain. If he had troubled to reflect on the 1972 situation, he would have discovered that the Russians had made their purchases in two parts.

The first one was made from July 5 to 20, when they purchased about 12.5 million tons of grain. That is not too different from what they have done this year.

But then in 1972, the Soviet grain purchasers returned home only to find that the hot, dry weather pattern had not changed and that the crop would be even worse than anticipated. This necessitated another trip to the grain market, from Aug. 1 to 9, when they acquired the remaining 40 per cent of their purchase. Since Soviet weather this year is very similar to that of 1972, it is entirely possible Soviet buyers may also return for more next month.

As someone who was involved in both 1972 and 1975, Mr. Butz had a responsibility to point out the similarities at the first hint of another large Soviet purchase a few weeks ago. If instead of protecting the Russians by insisting that their grain purchases would be limited he had at least raised the possibility that Soviet purchases might easily be of a scale comparable to that of 1972, grain prices would probably have increased more than they did initially. This in turn would have meant that the Russians would have had to share a part of this increase.

At it is now, if the Russians do re-enter the market the price may rise belatedly, but the Russians, as in 1972, will have purchased their grain at bargain prices. If this fear is correct, as before it will be the American, not the Russian consumer, who will be stuck with the price increase.

If something is not done to prevent the Russians from taking advantage of us in this way, then American resentment over these periodically disruptive purchases may create lasting damage to détente.

[From the Washington Star, July 23, 1975]

RUSSIA TRIPS U.S. AGAIN

(By Eliot Janeway)

The Kremlin is gradually letting Washington in on the biggest nonsecret in the world.

It can't operate without sending its buyers back into the Chicago grain markets. Now that the story is creeping into the headlines, even the CIA is on to it.

Guesstimating Russia's grain-buying needs is one of the CIA's more respectable assignments. Its batting average in tracking Russian harvests is even less impressive than it was in taking pot shots at Castro.

In fact, it is so bad that the U.S. Department of Agriculture feels free to make jokes about it. If ever there was a case of the pot calling the kettle black, that's it.

Secretary of Agriculture Butz has been understandably defensive about the great Russian wheat deal of 1972–73 ever since he ran out of alibis for it. He has spent the last three years denying that America would again face a grain-bargaining problem—or opportunity—with Russia. Until just a few weeks ago, he was insisting that there was nothing to the alert I have been sounding. Not even the accumulation of reports from the shipping trade of heavy Russian charterings swung him into action.

The evidence that Russia is caught short of grain all over again, while momentous, is only the second most important development shaping the political economy of the world in this turbulent year.

The evidence that the U.S. government has again been caught short of a bargaining policy is the most important. Washington stumbled into last week not knowing whether Russia's purchasing agents would show up with shopping bags big enough to hold 10 or 20 million tons of grain.

The week before last, Gromyko treated Kissinger highhandedly when he stonewalled Kissinger's repeated requests for clarification on the size of the pending purchase—as if Russia were doing us a favor by buying. Washington walked into the same trap by actually expressing gratitude to the Kremlin for lending a helping hand to America's depression-ridden farm economy.

More prudent second thoughts quickly followed with explanations that a 10 million-ton order from Russia would have, not the "zero impact" originally claimed, but only a "minimal impact on the price of bread here."

If Gerald Ford were as fast on his feet as all of his recent predecessors put together, he would still have a hard time staying out of trouble on this critical issue. His "nice guy" attitude has tolerated a level of amateurish staff support no President can work with—either in developing a bargaining stance against the Russians or in satisfying his adversaries in Congress that he means business against inflation.

Ford's advisers have now put him in the always vulnerable position of spouting double-talk.

Out of one side of his mouth, he is hoping that Russia will buy some grain, as if there were any doubt of their need. Out of the other, he is fearing the resultant pressure on food costs, as if it hadn't already started.

The preliminary shadow-boxing about a 10 million-ton order covered up the gnawing anxiety that it might turn out to be much bigger. Where a smaller order would be trouble-some, a larger one would be disastrous and indications are that this one will be at least 15 million tons. The impact on America's embattled food producers would be a mixed blessing.

The last runup in feed costs set in motion a disastrous slaughter of the country's meat, poultry and dairy populations. Another spiral now would squeeze farmers dependent on feed costs as cruelly as consumers.

Hogwash about bad Russian weather is a distraction. Exactly as in 1972–73 Russia needs corn and soybeans to feed her expanding animal and poultry population even more urgently then she needs wheat to feed her people. She cannot grow enough corn in good years, and she dare not divert more wheat for feed in bad years.

America is the only source of supply to which she can turn. Any deferral of her buying needs is a bargaining ploy aimed at winning an advantage over America's Grain Belt. Predictably, the Kremlin has shown its hand at the bottom of a big break in grain prices.

The surprise is that Moscow's confession of dependence has caught Washington off balance, and at a loss for a reciprocal advantage to bargain for.

Nevertheless, America is making some progress in learning how to deal with Russia.

She can be grateful to Sen. Byrd of Virginia, Sen. Jackson of Washington and Sen. Stevenson of Illinois for moving to lock the Eximbank cash box on Russia last winter.

Last time Russia was invited to turn up with a credit card; this time she will need to bring a checkbook.

[From U.S. News and World Report,
Aug. 4, 1975]

Sale of millions of tons of U.S. grain to Russia means that Americans will be paying higher prices for bread and other foods made from wheat. It also means that hopes for lower-priced beef roasts and steaks by the end of this year may well be fading.

Concern is growing in Washington that the latest Russian invasion of the U.S. market will have the same staggering impact on grain and food prices as in 1972. In that year, Soviet buyers quietly bought up 19 million tons of American grain before U.S. officials realized the full extent of Russian intentions, and prices went soaring.

Russian purchases this year may be "somewhere in the magnitude of 1972 sales," says Agriculture Secretary Earl L. Butz, depending on how hard the Soviet harvest is hit by fast-spreading crop failure.

Soviet buyers had signed for nearly 10 million metric tons of American grain as of July 25—4.2 million tons of wheat, 4.5 of corn and 1.1 of barley. Another 5 million tons had been bought from Canada, France and Australia.

Russians will need at least another 5 million tons of grain, by estimate of Agriculture Department officials on July 24. The bulk of that is expected to come from America. Other countries have little surplus remaining.

Under the spur of Soviet buying, the cash price of wheat in Kansas City rose from $3.08 to $3.86 a bushel from July 1 to July 25. Corn in Chicago jumped from $2.78 to $3.10 a bushel. A $1 increase in the cost of wheat translates into a rise of 1.5 cents in the price of a 1-pound loaf of bread. The higher cost of corn, the basic livestock feed, will keep the price of fattened cattle from dropping—or, at least from dropping as much as had been predicted.

CONGRESSIONAL RESISTANCE

There is rising demand in Congress for Secretary Butz to curb further sales to Russia in order to keep U.S. grain and food prices from going through the roof. His response is that with record-breaking crops in prospect, the U.S. will have adequate supplies for its needs and also for large sales to Russia. Mr. Butz also holds that farm exports are the best hope this country has of paying for high-cost foreign oil. Through May of this year, the total cost of oil imports has been 10.6 billion dollars. By comparison, farm exports have come to 9.6 billion.

U.S. officials say massive sales to Russia were anticipated this time, and market prices firmed in advance. Still, there is fear that Soviet buyers may outwit the U.S. again. Says one economist: "They may be using salami tactics, getting only a slice of their needs now, then moving unexpectedly back into the market."

Mr. BIDEN. Mr. President, the U.S. Department of Agriculture has to stop acting as if it were an advocate for the Soviet purchasers and start looking out for the welfare of the American people, as I said earlier.

The crucial point I am making is that, although I do not unequivocally oppose the sale of grain to the Soviet Union, I do oppose our continuing with a grain sale which may be of the magnitude of close to 20 million bushels, without knowing exactly what our harvest is going to be, without knowing the exact amount of the sale, and without the American people being afforded the knowledge of what is going to occur beforehand.

In summary, Mr. President, in their minds, the American people have been badly stung by the politicians of America. They believe that we do not tell them what they are reasonably to expect. We paint pictures brighter than they are, and then we go out of our way to see to it that when ugly facts rear their heads, we do not inform them immediately and candidly of what is in store for them.

That is what happened in 1972. That is what happened not only in the grain sale but also with a former American President and his conduct in office. That is what happened in the war in Vietnam. That is what happened time and again.

Now we are trying again in this body to regain the confidence of the American people. We keep saying, and every branch of Government says, that the most essential thing is to regain the confidence of the American people.

What do we think the American people are going to think? They have heard every major spokesman in this area stand up and say, "Don't worry; everything is going to be all right. We can afford the sale." Then, for whatever reason, in November or December of 1975, they find out that they are paying 8 cents, 10 cents, or 12 cents more for their bread; The Delaware chicken farmers find out that they have to start killing their livestock because they cannot make enough money because it costs too much to bring them to market—and it goes on and on.

I just want to make sure that we know what we are getting into. If it is going to cost the American people, we should know that. We still may want to make the decision to go ahead with the grain sale, anyway. But we should come to the American people and say that the price of détente is going to be x number of cents on a loaf of bread, x number of cents on a pound of chicken, or whatever. We should tell them flat out. They deserve to know. We in this body deserve to know that; and until we do have the exact facts, we should see to it that the grain sales cease.

Mr. President, I thank my few colleagues who at this hour of the morning have had to listen to my speech.

Mr. ROBERT C. BYRD. Mr. President, we thank our colleague from Delaware for making the speech. It was a good one.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized for 15 minutes.

Mr. BARTLETT. Mr. President, I say to my distinguished friend the Senator from Delaware that I, too, enjoyed his speech.

S. 2261—FLOOD CONTROL LEGISLATION

Mr. BARTLETT. Mr. President, I am introducing today a bill on behalf of my colleague from Oklahoma (Mr. BELLMON) which, if enacted, would greatly facilitate the construction of flood control projects in urban areas.

Although the impact of this bill would be realized by cities all over the country, the origin of the idea was prompted by the problem the city of Tulsa has had with Mingo Creek.

Mingo Creek, which runs through Tulsa, has a long and infamous history of flooding with the accompanying property damage as well as human injury and loss of life. In its most recent major flood in June 1974, Mingo Creek left its banks and did over $11 million in damage. The Corps of Engineers estimates average annual flood damage of $1,868,000 from Mingo Creek.

For years the people of Tulsa, and particularly those along the creek, have sought assistance in providing flood control. Unfortunately, for many years the cost-benefit ratio of the project was not sufficient to justify Federal assistance. Additionally, the city of Tulsa did not have sufficient funds to unilaterally handle the problem.

Finally, within the last year, the Corps of Engineers has projected a cost-benefit ratio sufficient to justify their assistance on the creek. Also, the city of Tulsa has decided to proceed with a limited flood control project with the funds they have available.

Although these decisions by the corps and the city would appear to solve the problem of Mingo Creek, unfortunately this is not true.

First, Mr. President, as Senators know, under existing law and procedures governing corps projects, the completion of this project could be as far as 15 years away. Obviously, this does not help the people who are going to suffer at the whim of Mingo Creek during that long period. Based on the corps projections, over $27 million worth of property would be destroyed during that time.

Additionally and compounding the problem, as the city of Tulsa goes ahead with a scaled-down flood control project, upon its completion the result would be that the Federal project would no longer have an adequate cost-benefit ratio to justify the authorization of the corps project. So the city of Tulsa finds itself in the Catch 22 situation of being hurt either way it goes.

As you know, Mr. President, under existing law the Corps of Engineers, after being alerted to a flood problem, does what they call a reconnaissance report. If this report indicates the need and potential viability of a Federal project, the corps then proceeds with an in-depth survey report which takes 2 or 3 years. The survey report is then submitted to Congress which then may take 2 or more years to study the project before proceeding with the authorization. Once Congress does authorize the proposal, the corps then goes into what they call phase I and phase II which is planning and design of the project. This ordinarily takes as much as 3 or more years. Finally, after all of these seemingly interminable steps, the construction begins, which should be the lengthy step, but, and this is an indictment of the rest of the procedure, it is the easiest step of all and may take less than 2 years.

Mr. President, district engineers have lived with these procedures for many years and have suffered the abuse of the many people who for good reason cannot understand a 10 or 15 year flood control project.

Col. Vernon Pinkey, a former District Engineer in Tulsa, came to me with a suggestion to expedite the whole procedure and at the same time to encourage cities to spend their own money to cooperate in this effort.

Under his plan the Corps would be authorized to proceed with phase I and II planning and design at the same time the survey report is being prepared for Congress. The result will be that once Congress authorizes the project the Corps can immediately begin construction.

Additionally, under his plan the cost-benefit ratio of a project would not suffer as a result of a city taking the initiative to spend money on the most urgently needed items of flood control.

Mr. President, with Colonel Pinkey's ideas and with the assistance of the Corps of Engineers and the staff of the Public Works Committee, we have proposed a bill which could greatly expedite Corps of Engineers flood control projects in urban areas. The bill could save 3 years or more, if properly monitored, and should not denigrate the efficiency of the project.

The advantages of such a procedure would be numerous. Some of them are:

First. Benefits would accrue at an earlier time.

Second. A current solution could be arrived at, not one which fits yesterday's conditions.

Third. Local interests could get design type information when it is needed.

Fourth. The ability of local interests to raise funds—including bond issues—would be greatly enhanced. People would know that a solution and project work was imminent rather than years in the future.

Fifth. Costs would be more accurately fixed without regard to inflation and escalating values.

Sixth. Expensive and time consuming review could be virtually eliminated.

It is my understanding that if this is approved the Corps will proceed with a pilot project to test the efficacy of the plan. Certainly, if it is selected, Mingo Creek would be an ideal site. It is in an urban area; it has serious annual flooding; and the city is participating with their own money on the urgent parts of the project. If the project is ultimately authorized, the city would then be given credit for their expenditures toward the construction of the balance of the project.

Mr. President, I urge swift consideration of this measure. It would most certainly be helpful to the many persons in urban areas of the United States who yearly must go through the trauma of the fear and actuality of floods, damage, and death.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Wisconsin is recognized for not to exceed 15 minutes.

UNITED STATES STEEL THREATENS NAVY SUBMARINE PROGRAMS

Mr. PROXMIRE. Mr. President, the United States Steel Corp. has attempted to blackmail the Navy by refusing to deliver critically needed steel for the Trident and SSN–683 submarine programs unless cost accounting standards are waived.

On July 14, 1975, just a few weeks ago, the Assistant Secretary of Defense for Installations and Logistics reported to the Cost Accounting Standards Board that United States Steel Corp. had "adamantly refused to accept the cost accounting standards clause in a number of subcontracts involving the construction of nuclear submarines" at General Dynamic's Electric Boat facility at Groton, Conn.

United States Steel alleged that application of the standards was unreasonable. Unless the waivers were granted, United States Steel said it would refuse new contracts on the high priority Trident and SSN–688 submarines.

Then United States Steel cut off deliveries of steel for 11 SSN–688 attack submarines and two Trident submarines.

Due to the nature of the steel and other components involved, only United States Steel is in a position to supply the materials. They are a sole source contractor in the case.

On July 28, the Cost Accounting Standards Board refused to grant the waiver for United States Steel. The Board's action is an all too infrequent example of integrity in Government decisions involving powerful interest groups.

I think I ought to take a minute to point out who is on the Cost Accounting Standards Board. This is not a group of superduper liberals, it is not a group of antibusiness radicals it is not even a group in the Defense Department concerned with holding down the costs of the Defense Department. This is a board of very competent accountants who recognize that if we are going to have any understanding and knowledge of what costs are, it is necessary to have uniform accounting standards. It is the only way we can tell what profits are and what costs are and whether or not the defense contractors are really living within their agreement and whether they are performing on the basis of the costs that have been agreed on in their contracts.

The Cost Accounting Standards Board is chaired by Elmer Staats, Comptroller General of the United States. I think that whether or not people have a personal feeling about Elmer Staats, and most of us like him, he is an extraordinarily able man, a man of absolute integrity, a man of nonpartisanship, a man who was appointed by President Eisenhower, and who has served without any partisan reference or without any critical attitude toward defense or any other agency, or, certainly, toward the private sector.

Also on the Cost Accounting Standards Board is Mr. Herman W. Bevis, a retired senior partner of Price, Waterhouse, a very distinguished accounting firm, a firm that, of course, is hired and paid primarily by private industry; Robert K. Mautz of Ernst and Ernst, another eminent accounting firm, whose clients are mostly big business; Terence McClary, Assistant Secretary of Defense in the Ford administration; and the only other member is John M. Walker of Texas Instruments.

This is a group of people who are business professionals; who are accountants; who are highly favorable toward the free enterprise system; who recognize the problems of our corporations; and who feel very strongly that United States Steel must comply, as every other firm should comply, with the cost accounting standards.

The Board's refusal to buckle under the pressure of this steel giant is an event with far-reaching implications. For many years United States Steel has used its monopolistic position to defy Government procurement regulations with which other contractors are required to conform.

CONTRACTORS ATTEMPT TO SUBVERT LAW

The United States Steel case represents a culmination of events over the past few years during which period some sectors of private industry and a few key elements within the Defense Department have sought to block promulgation, delay or water down cost accounting standards. Their opposition amounts to defiance of Congress, since it was Congress, after all, which established the Cost Accounting Standards Board in 1970 for the purpose of developing uniform accounting standards in connection with defense procurements.

As you will recall, Mr. President, these standards do not dictate what price contractors must charge; they are simply standards for measuring costs and profits, and thus enable the Government to assess the fairness of a contractor's price in circumstances where competitive market forces are not adequate to provide the assurance of a fair price. Of course, this is a prime example, since United States Steel is the sole supplier.

At first, contractors who resisted the standards confined their opposition to such tactics as intense lobbying for the dilution or shelving of standards for further study, but recently a few isolated contractors escalated their opposition by refusing to continue work or accept new work on contracts which are covered by the standards. These contractors insist that the Department of Defense get the Cost Accounting Standards Board to waive its requirements, despite the fact that there are no mitigating circumstances to justify these waivers in accordance with the pertinent legislation. These vendors simply refuse to comply with law. Because they are often the only available source for urgently needed material and equipment, their insistence on waivers amounts to an attempt to coerce the Government and the taxpayer.

COST ACCOUNTING BOARD FIGHTS BACK

Fortunately, the Cost Accounting Standards Board made up, as I have pointed out, of eminent businessmen, oriented throughout their lives to big business, was not intimidated by those heavyhanded tactics, and refused to accept United States Steel's "either/or" demand. In so doing, the Board served notice to United States Steel specifically and the defense industry generally that it would not collapse under outside pressures and that it intends to continue serving the purposes for which it was established by Congress.

To have granted a waiver on behalf of United States Steel would have dealt irreparable damage to the effectiveness of the Board, since some other contractors are equally adamant in their opposition to the standards and may also seek preferential treatment. Even contractors that heretofore have accepted and complied with cost accounting standards might be tempted to seek waivers if the Board had not held firm in dealing with United States Steel. In an effort to preclude this possibility, the Board explained that it could not condone selective application of the law as sought by a handful of influential and financially powerful defense contractors.

If United States Steel had its way, urgent defense projects would be held hostage until the company's self-interest prevailed at the expense of the national interest. This is out and out blackmail.

If there ever was any question as to where United States Steel placed its loyalty, the issue is now resolved. The company comes before the needs of the Nation.

The Cost Accounting Standards Board has protected the public interest for the time being. Its insistence upon equal treatment for all defense firms is a welcome event in defense contracting. I hope it will put some backbone in the Department of Defense.

In the meantime, however, construction of the Trident and SSN-688 submarines cannot continue unless United States Steel reverses its position.

I challenge United States Steel to place the needs of the country before its own corporate secrecy. The cost accounting standards are applied throughout the Defense Department for a sound purpose—to make sure that all contracts can be measured by the same yardstick.

If any individual American told the Government he would not pay his taxes or carry through on some contract unless the Government took some favorable action for him, that individual would be taken to court or even to jail. But the corporate giants have enough power to throw around to get away with it unless the public speaks out.

I am happy to report, Mr. President, that the Board continues to protect the public interest as Congress intended, despite the zealous efforts of a few powerful corporations, their lobbyists, and some in the Navy and the Department of Defense itself who seek to undercut the Board's work.

Other elements of the Government should emulate this example. Applicable laws and regulations should be enforced on an equal basis regardless of the power and influence of the groups involved. All too often the many champions of industry within and outside the Government succeed in circumventing these laws and regulations.

As recently as May 1975, Deputy Secretary of Defense Clements extolled the "military-industrial partnership" and noted:

> We in defense must always recognize the equities involved in all our contractual relationships, and treat our defense industries as partners in the security of our country.

Few would dispute the need for equitable cooperation between the military and industrial sectors but industry ploys to exploit the Nation's dependence on it must be repudiated. The insistence of the Cost Accounting Standards Board upon enforcement of the law is a welcome event in defense contracting today.

Mr. President, the actions of United States Steel in this regard stand in sharp contrast to the vast majority of responsible Government contractors who regularly comply with cost accounting standards.

United States Steel, however, is a separate case. Not only has the firm been involved in this ultimatum to the Navy, it also is currently being sued by the Federal Trade Commission to cease and desist from issuing identical bids on steel supplied to Newport News Shipbuilding & Dry Dock Co. The suit is pending in U.S. District Court for the District of Columbia.

In order to pursue this matter in greater depth, I intend to hold hearings during August to determine the potential impact on the shipbuilding program of the United States Steel refusal to supply sole source materials.

In the few remaining minutes I have, Mr. President, let me point out that United States Steel has no real alibi at all. What do they say, what reason do they give for violating the law? Well, No. 1, they say only one-half of 1 percent of their business is with the Government.

No. 2, they say they now have a complex accounting system.

No. 3, they say that in order to comply with the law it would be necessary, they think, to revise the accounting system and it might—it just might—be costly to them if they had to do so.

Now, Mr. President, I submit that this is a pitifully inadequate excuse for violating the law. The law requires very clearly that defense contractors must comply with certain cost accounting standards which are uniform so that it will be possible for the Defense Department, the Congress, the press, and others, to know what the costs are and what the profits are of these corporations.

United States Steel is really in the position of being able to wreck the Cost Accounting Standards Board, and it is my understanding, if they succeed in this, the Cost Accounting Standards Board will, in effect, be out of existence and out of business.

Mr. President, United States Steel has a long record of refusing to furnish costs or pricing data and, I might point out, that the General Accounting Office in 1965 found this:

> Since the enactment of the Truth in Negotiations Act, there has been a continuing

problem involving the inability of the Navy and its prime contractors to obtain costs or pricing data from United States Steel Corporation and Lukens Steel Company, as well as other steel companies. A GAO Report to the Congress of the United States dated June 28, 1965.

Then in 1972 came another GAO report, dated July 7, points out more refusals to furnish cost or pricing data for HY–80 steel by Armco and Bethlehem as well as a continuation of the refusals by United States Steel and Lukens Steel.

Mr. President, these companies are very important to our country. They provide many jobs. They serve an enormously important and useful purpose, a vital purpose, for our society and for our economy. But just because they are big and just because they are powerful and just because they are rich and just because they have friends in high places does not mean they should be allowed to violate the law.

Mr. President, I ask unanimous consent that certain correspondence involving this case be printed at this point in the Record.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

July 28, 1975.

Dr. John J. Bennett,
Acting Assistant Secretary of Defense (ISL), Department of Defense, Washington, D.C.

Dear Dr. Bennett: This is in response to your letter of July 14 , 1975, (H–75–17) which requested that waivers of the Cost Accounting Standards clause be approved for five subcontracts with United States Steel Corporation. The subcontracts, which are for air flasks, toroid rings and steel plate of HV–80 steel, are to be awarded under prime contracts for submarine construction placed by the U.S. Navy with the Electric Boat Division of General Dynamics Corporation.

The Board may grant exemptions and waivers to its requirements upon its determination that such exemptions and waivers are "appropriate and consistent with the purposes sought to be achieved" by Public Law 91–379. One of those purposes is "to achieve uniformity and consistency in the cost-accounting principles followed by defense contractors and subcontractors under Federal contracts." Any exemption or waiver which the Board determines to grant decreases from the purpose of consistency and unformity. So long as waivers have been seldom sought and granted only in unusual situations, the Board's actions, while not promoting uniformity and consistency, have been appropriate to the purposes of P.L. 91–379.

To grant the waiver requested for U.S. Steel might well encourage waiver requests by others in similar situations. If the Board were to grant such waivers, that could lead to the establishment of a commercially powerful group of industries who would be sole source suppliers of essential defense products, but who would have succeeded in gaining exemption from the CAS clause. On the other hand there would also exist a substantial group of contractors, in many cases also sole sources, who do accept the CAS requirements, to some extent because members of the latter group are dependent on Government business for continued existence. This situation would create a substantial departure from the statutory objectives of uniformity and consistency and would indicate that such waivers are not the kind contemplated by P.L. 91–379. In view of the foregoing and after considering the information furnished in support of the request for waivers for the U.S. Steel subcontracts, the Board has concluded that the request must be denied.

Sincerely yours,

Arthur Schoenhaut,
Executive Secretary.

July 30, 1975.

Hon. William Proxmire,
Chairman, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: In accordance with my letter of February 20, 1973, to the Chairman of the Committee on Banking, Housing and Urban Affairs, I am writing to report on a recent action taken by the Cost Accounting Standards Board on a request for waiver of the requirement to include the Cost Accounting Standards clause in five subcontracts to be placed with U.S. Steel Corporation by General Dynamics, Electric Boat Division, under prime contracts for nuclear submarines.

The circumstances surrounding the subcontracts and the action taken by the Board are as follow:

U.S. Steel Corporation—HY–80 Steel. Five subcontracts totaling $6,981,221 were involved in the request for waiver. The subcontracts are for air flasks, toroid rings and steel plate, all made of HY–80 steel and used in construction of the SSH 688 and Trident classes of submarines. There are no other sources available to satisfy the Government's requirements on a timely basis for these items, since possible other sources either lack the capability of manufacturing the particular items or presently hold contracts with the Government which require utilization of their existing capability for manufacture of HY–80 steel for the next two years. U.S. Steel has refused to accept the CAS provision on the grounds that only one half of one percent of its business is Government related, that it has a very elaborate corporate standardized accounting system at present and that the volume of Government business does not justify changes.

The Board denied the requested waiver on the grounds that such a waiver would not be consistent with the statutory objectives required by Public Law 91–379. A further explanation of the Board's position in this matter is contained in its letter to the Department of Defense replying to the request for waiver. A copy of this letter is attached together with a copy of the request from the Department of Defense.

Sincerely,

Elmer B. Staats,
Chairman.

July 14, 1975.

Hon. Elmer B. Staats,
Chairman, Cost Accounting Standards Board, Washington, D.C.

Dear Mr. Staats: Pursuant to 4 CFR 331.30 it is requested that waivers of the Cost Accounting Standards clause be approved for five subcontracts with United States Steel Corporation. The attached paper provides information required under 4 CFR 331.30(c) (1) as well as a description of the procurement situation existing at this time.

We would appreciate receiving a response from the CAS Board by the end of July 1975.

Sincerely,

John J. Bennett,
Acting Assistant Secretary of Defense (Installations and Logistics).

Attachment.

Information

In compliance with 4 CFR 331.30(c)(1), the following information is submitted:

a. *Subcontractor Refusal.* For the reasons hereinafter indicated in (h) (1) below, United States Steel Corporation has adamantly refused to accept the Cost Accounting Standards clause in a number of subcontracts involving the construction of nuclear submarines for the Naval Sea Systems Command by General Dynamics, Electric Boat Division, as prime contractor. Pertinent details of the relevant contractual arrangements are also set forth below.

b. *Prior Acceptance of CAS Clause.* Information recently coming to our attention shows that American Bridge Division of U.S. Steel Corporation accepted prime contract N–00025–74–c–0005 dated 16 August 1973—with the CAS clause. This contract was for repair of a 1200 foot VLF antenna that was in danger of collapse. The initial award was for $439,500 and final price was $736,000.

c. *Identification of Subcontracts.* The subcontracts here involved fall into three categories.

(1) The first of these involves the following two proposed subcontracts under prime contract N00024–74–C–0206, valued at $769,923,000, for the construction of eleven SSN 688 Class submarines:

Air Flasks, P.O. No. K–5077–701, $4,581,566.
Air Flasks, P.O. No. K–5235–102, $780,494.

Both of these proposed subcontracts have been unconditionally refused by United States Steel pending a satisfactory resolution of the CAS problem.

(2) The second category involves one subcontract, under the above SSN 688 prime contract, which was accepted by United States Steel on condition that a CAS waiver be obtained. This subcontract, upon which there has been some performance, is as follows:

Toroid Rings, P.O. No. K–5056–700, $1,019,518.

(3) The third category involves two subcontracts for HY–80 steel plate which were accepted by United States Steel on condition that a CAS waiver be obtained. One of them is under the above SSN 688 prime contract; and the other is under prime contract N00024–75–C–2014, valued at $759,200,000, for development and construction of the lead Trident submarine and two follow boats. They are identified as follows:

SSN 688, P.O. No. K–5065–700, $457,955.
Trident, P.O. No. K–7039–801, $141,588.

The purchase order for the Trident covers only the lead submarine and is needed to supplement initial quantities of HY–80 steel plate bought under long lead time authority prior to the effective date of the Cost Accounting Standards clause and some quantity of such plate already in stock at Electric Boat. Deliveries under this purchase order were originally scheduled to commence in December, 1974. Although the plate was put into production, deliveries were not commenced until March 1975. However, all remaining steel plate for the lead submarine has now been shipped. The purchase order for the SSN 688 Class covers the full quantity of plate needed for the eleven submarines covered by the prime contract. It is understood that plate for one and one half shipsets has been fabricated and delivered. Although the purchase order calls for deliveries of significant quantities every three to four months, with completion scheduled for November, 1977, Electric Boat does not know when United States Steel will resume deliveries.

d. *Prior Prime Contract Awards.* The totals of all Department of Defense prime contracts with United States Steel during the three prior fiscal years and for the first eight months of FY 1975 are as follows:

1972	$18,763,000
1973	71,714,000
1974	15,850,000
1975 (first 8 months)	4,968,000

e. *Nonavailability of Other Sources.* No other source is available to satisfy the Government's needs on a timely basis for HY–80 steel plate. The same is true for the toroid rings and the air flasks, both of which are made from HY–80 steel.

(1) *Steel Plate.* Although both Lukens Steel Company and Armco Steel Corporation have a present capability to produce HY–80

steel, their combined capacity is only about 20% that of United States Steel. They were, nevertheless, solicited by Electric Boat for the above purchase orders but did not submit offers. It is understood that both Lukens and Armco have a backlog of rated orders for HY–80 steel to cover ship overhauls and new construction in various Navy and commercial shipyards, which will take longer than two years to fill. These orders have been placed through the Defense Industrial Supply Center and it is understood that none of them involves an amount exceeding $100,000; and, so far, the acceptance of CAS has not surfaced as an issue with either of these companies. Although the Trident carries a DX priority rating, which would come ahead of other rated orders including the DO rating applicable to the SSN 655 contract, it would not be feasible for either of these sources to fill the Trident requirements for HY–80 steel plate in the wider (147" or wider) widths. Armco has never produced plates in the wider bands and has no facilities for such production. Although Lukens has produced plate in the wider bands, it has not done so in recent years. It has an old 186" plant not now in use and is now interested in producing only the narrow plate. Electric Boat recently explored the possibility of obtaining wide HY–80 plate from Lukens in order to ease pressure under the Trident contract.

However, this possibility was ruled out by Electric Boat because it was anticipated that use of the old plant would result in a greatly increased risk of rejection which Electric Boat was unwilling to assume because of the potential adverse impact on the Trident delivery schedule. A further complicating factor was Lukens' unwillingness to undertake this production unless it received protection from the cost impact of the increased rejection rate. Bethlehem Steel Corporation is the only other concern that has produced HY–80 steel plate, but it left the entire field of high yield steel products over eight years ago because of a number of factors including low demand and high environmental protection costs. In view of the nationwide steel shortage and allocation system, it is necessary to utilize all three of the currently available sources of HY–80 plate to satisfy the Navy's overall shipbuilding program.

(2) *Air Flasks.*—Electric Boat has advised that the development of capability in this area would require skilled metal workers and welders, the necessary experience, and unique tooling and facilities involving a major investment. To date, only United States Steel has manufactured these flasks which are very large high pressure steel bottles made of HY–80 steel and are sub-safe components. Several companies, including Lukens, Armco, and Taylor Forge, were considered to be capable of developing flask manufacturing capability and were solicited by Electric Boat. While bomb bodies are manufactured similarly and in the past smaller flasks have been made by converting bomb bodies, flasks for the Trident and 688 submarines are much larger and have tighter specifications than any bomb ever built in any quantity. Lukens and Armco elected not to bid because of lack of interest in developing a capability. Taylor bid but its bid was 83% higher than that of United States Steel. Because of Taylor's complete lack of experience in the field and its unreasonable price, Electric Boat did not consider the Taylor bid realistic. Moreover, since both of the bids received were for prices in effect at the time of delivery, Electric Boat properly did not consider that the subcontracts awarded to United States Steel could be considered as coming within the exception to the term "negotiated subcontract", as defined in 4 CFR 331.20(f); and, thus, the imposition of the Cost Accounting Standards is mandatory unless a waiver is granted.

(3) *Toroid Rings.*—The toroid rings are a part of the HY–80 steel skeleton of the submarine and are used to join the cylindrical portion of the inner pressure hull to the conical portion. The production of these rings requires a large capital investment for initial manufacture and extensive machining. Only Chicago Bridge and Iron Corporation, Boston, MA., has the necessary casting facility and machining capability to make these rings. It performs this work under a second-tier subcontract with United States Steel which furnishes the required HY–80 steel. This second-tier contractor has refused to perform this work for the other producers of HY–80 steel or any organization other than United States Steel.

f. Current Alternative Considerations.—

(1) United States Steel, because of a reduced demand in recent years coupled with environmental impact problems, has decided to cease production of wide plate at its Gary, Indiana, plant. Since it is not feasible to fill the existing Trident wide plate requirement for the two follow ships from any other source, it appears that it will be necessary to permit substitution of 112 inch HY–80 steel plate for the wide plate. Since this revision opens up the possibility of Lukens and Armco being considered as sources for this requirement, Electric Boat anticipates soliciting them along with United States Steel for this purpose. If either Lukens or Armco should receive an award the highest (DX) priority rating assigned to the Trident will cause delayed deliveries on other orders which these concerns have already received for other priority requirements. Furthermore, it is not known whether Lukens or Armco will be any more receptive to the Cost Accounting Standards than United States Steel. Based on past history, as recounted in h. (2) to (5) below, it would be surprising if they were. In order to meet the mandatory delivery date of April 1980, it will be necessary for all deliveries of HY–80 plate for the second submarine to be completed by early Spring 1976. The corresponding deadlines for the third submarine are eight months after those for the second submarine. In order to meet the mandatory delivery schedule for the two follow submarines, Electric Boat plans to make an award of a subcontract, following resolicitation, by August 1975. The estimated cost of this proposed procurement is $350,000.

(2) As indicated in e. (2) and e. (3) above, there appear to be no practical alternatives for meeting the current requirements of the Trident and SSN 688 contracts regarding air flasks and toroid rings.

g. *Future Procurements.*—On the basis of current knowledge, the Navy has little prospect of breaking away from major reliance on United States Steel in regard to the construction of nuclear submarines and other major Naval vessels even though it should become possible to introduce additional sources or increase procurement from existing sources for one or more of the items involved.

(1) *HY–80 Steel Plate*. There is no reasonable prospect of establishing additional sources of supply for future procurements of HY–80 steel plate. For example. Bethlehem has recently reaffirmed prior information that it is likely to be interested in again producing HY–80 steel plate even though it now has avaliable a basic oxygen furnace, employing a recently developed process which would permit production of HY–80 steel within EPA standards without incurring significant additional costs. While Bethlehem indicated that year-round production of HY–80 would be profitable, the quantities covered by the Navy's anticipated annual demand would require only a few days of unprofitable production even if Bethlehem received every award. Under these circumstances, it would, of course, be untimely to attempt to ascertain Bethlehem's attitude regarding the Cost Accounting Standards. Accordingly, and notwithstanding the reduction in the mandatory width of HY–80 steel plate for the two follow boats under the Trident contract and the consequent possible consideration of Lukens and Armco for this revised requirement, primary reliance on United States Steel will still be required for major shipbuilding programs and, particularly, for those calling for tight delivery schedules, such as the Trident and the SSN 688.

(2) *Air Flasks*. Since neither Lukens nor Armco appear to be interested in producing the air flasks and, with the single exception indicated in e. (2) above, bomb body and other manufacturers have not expressed an interest, it would be unrealistic to anticipate the establishment of any additional sources of supply for this item on future procurements.

(3)) *Toroid Rings*. In regard to the toroid rings, the question of obtaining this item by prime contract or direct first tier subcontract will be reexamined; however, it should be recalled that HY–80 steel from which they are manufactured will have to come from United States Steel unless Chicago Bridge and Iron Corporation can be induced to change its existing policy and Lukens or Armco is otherwise able to supply the steel.

h. *Other Background Information.*—

(1) *Subcontractors Position*. The United States Steel position in refusing to accept the Cost Accounting Standards clause is stated as follows:

(a) Only ½% of its business is Government related.

(b) It presently has a very elaborate standardized corporate accounting system. The imposition of the specific Cost Accounting Standards would require possibly far-reaching changes to the accounting system, the consequences of which cannot fully be evaluated at this time. The volume of Government business does not justify the possible consequences.

(c) The law is unreasonable when applied to this business situation.

(d) This is a fully considered corporate position relative to the Cost Accounting Standards.

(2) *Noncompetitive Practices; Cease and Desist Order*. The steel industry has had a long history of noncompetitive practices, including the identical mill pricing of alloy steels. As a result, the Federal Trade Commission, on August 10, 1951, acting under the Federal Trade Commission Act, as amended (15 U.S.C. §§ 41–58), issued its "Report, Findings as to the Facts, and Order" to cease and desist from price fixing practices in a proceeding wherein American Iron and Steel Institute, the four steel companies discussed herein, and many other steel companies as defendants, were charged with violating Section 5(a) of the Federal Trade Commission Act, as amended (15 U.S.C. Section 45(a)). The Commission's report, findings, and order (issued as a consent order), is reported in 48 F.T.C. 139, *et seq.*

(3) *Refusal to Furnish Cost or Pricing Data; 1965 GAO Report*. Since the enactment of the Truth in Negotiations Act (P.L. 87–653, 10 U.S.C. § 2306(f)), there has been a continuing problem involving the inability of the Navy and its prime contractors to obtain cost or pricing data from United States Steel Corporation and Lukens Steel Company, as well as other steel companies. A GAO Report to the Congress of the United States, dated June 28, 1965, (OSD case #2119) covered the five-year review of procurements by the Navy and its prime contractors valued at about $106 million, in support of the construction of nuclear submarines and other Navy vessels. The report disclosed that, on the basis of costs incurred, profits by United States Steel were 14.5 percent and by Lukens, 27 percent. The Navy's reply to this report states that it had regularly reported the pat-

tern of identical pricing to the Department of Justice and the Federal Trade Commission.

It also called attention to the fact that the Attorney General's report entitled "Identical Bidding in Public Procurement", dated July 1964, and covering calendar year 1962 purchases, reflects (in Table I, on page 13) the Federal Supply Classification Product Categories which most frequently experienced identical bidding; and the top item on that list is "Plate Sheet and Strip, Iron and Steel". The Navy noted that it was making this observation to suggest the possible need for Government-wide attention. It was also noted that, since the jurisdiction of the Department of Justice and the Federal Trade Commission overlaps to some extent in the antitrust field, it had been agreed between these agencies that the Federal Trade Commission would pursue the matter. Although the reply further stated that the Navy would make every effort to obtain certified cost or pricing data, neither the Navy nor its prime contractors have been able to obtain such data.

(4) *1972 GAO Report*. A further GAO Report (B–148722, dated July 7, 1972, OSD Case No. 3499), points out refusals to furnish cost or pricing data for HY-80 steel by Armco and Bethlehem as well as a continuation of the refusals by United States Steel and Lukens. It is further reported that, although mandatory orders could be issued under the Defense Production Act, neither that Act nor any other existing law compelled the furnishing of cost or pricing data to establish the reasonableness of the prices for products furnished under such orders. Attention is also called to the Navy's correspondence with the Federal Trade Commission relating to enforcement of the 1951 cease and desist order. Initially, the Commission investigation stemming from a 1964 Navy letter resulted in an opinion that there was insufficient evidence to prove a conspiracy in the submission of bids for HY-80 steel plate. However, following a further Navy letter in 1971, the Commission reopened the matter to determine whether there had been a violation of the 1951 order.

(5) *Suit to Enforce Cease and Desist Order*. On June 18, 1974, the Federal Trade Commission instituted a suit under Section 16 (b) of the Federal Trade Commission Act, as amended (15 U.S.C. 556(b)) against both United States Steel and Lukens; and, pursuant to Sections 5(l) and 5(m) of said Act, as amended (15 U.S.C. 5345(l) and and 45 (n)), it is seeking a permanent injunction to enforce the 1951 cease and desist order and exact civil penalties, which could amount to as much as $10,000 per day, for violations of said order allegedly extending over a period of at least five years. The complaint specifically alleges that both companies, in seeking subcontracts for HY-80 and HY-100 steel plate from Newport News Shipbuilding and Dry Dock Company "employed pricing and freight factors so as to insure that their bids were identical"; and it further alleges that, "pursuant to arrangements with and cooperation of Newport", these companies were permitted to "adjust said bids up or down after original submission so as to insure price identity and maintenance and the avoidance of pricing differentials on HY-80 and HY-100". This case is currently pending in the United States District Court for the District of Columbia, as Civil Action No. 74–926.

THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, to the extent that I have a minute or two left, on another subject, today marks the last day that the Senate will meet this summer. This has been a reasonably productive season, in my opinion. We have dealt with many of the important issues which have faced us since the beginning of the year.

However, we have not dealt with one of the most basic issues of human dignity which has faced us. The Genocide Convention has awaited action now for a generation: a quarter-century has passed since this treaty was first laid before this body. Think about that. A full generation has been born and grown to manhood while the Senate has procrastinated.

Mr. President, the action on the Genocide Treaty is the Senate's business. This President and five other Presidents have asked us to ratify the Genocide Convention. We have failed to act on the Genocide Treaty, although we can and we should, because it is the business of the Senate, and the Senate alone.

Mr. President, this body has long stood for certain basic principles. I think that we can all agree that the sanctity of human life, and the right of an ethnic or religious group to carry on its customs, are two of these principles. We ought to affirm these principles. To do less is to give to our younger successors less than they deserve. We should have ratified this treaty long ago. It is disgraceful that in all these years, the Senate has been unable to declare itself opposed to mass murder.

It is disgraceful that in all these years, with some 75 countries already having ratified the treaty, with every major country in the world having ratified the treaty, we will not outlaw genocide. What is genocide? It is the planned, premeditated destruction of a people. This treaty, which was initially promoted by the United States of America, was accepted by the United Nations at the instigation of President Harry Truman, has been supported, as I say, by every President since, has been languishing in the Senate for all these years.

I hope that our return after Labor Day will see us ready to promptly ratify that treaty. I might say not only has the Senator from New York (Mr. JAVITS) and the Senator from Idaho (Mr. CHURCH) worked very hard on it, but lately the new young Senator from Florida (Mr. STONE) has worked extremely hard; has talked to, I think, a number of Senators who are in positions to be helpful on this matter; has made some suggestions as to how we might modify the treaty with reservations to make it more acceptable, and I am hopeful that, with that kind of initiative and that kind of support, the treaty may be ratified.

Mr. President, I suggest the absence of a quorum.

Mr. ROBERT C. BYRD. Mr. President, if the Senator will withhold that——

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that I may have control of any time that was not used on the previous orders.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNITED STATES REPEATS MISTAKES OF 1972 SOVIET GRAIN DEAL

Mr. ROBERT C. BYRD. Mr. President, the United States, through its recent grain sales to the U.S.S.R., in July of this year, seems to be repeating the disastrous events of the 1972 "great grain robbery" all over again. To help illustrate this point, let me review the events of 1972.

The Soviet grain harvest for that year turned out to be unusually bad, less than 169 million tons, a drop of over 15 million tons from 1971. In order to meet increases in livestock production the Soviets turned to the United States and world grain markets to make up the deficit through large grain imports. U.S. grain companies, Cook, Cargill, Continental Grain and others, made secret contracts to sell the U.S.S.R. record amounts of grain at low prices, about $1.50 a bushel at that time.

So secret were the agreements, in fact, that the competing grain dealers were apparently unaware that there were several negotiations going on simultaneously and were therefore unaware of the overall dimensions of the total grain deal. When the agreements were concluded the U.S.S.R. had bought 29 million tons of grain from the United States, 19 million of that in wheat, almost one-quarter of the total U.S. wheat crop for 1972. As Secretary Butz and the Soviets warmly congratulated each other on "the spirit of détente," the resulting grain shortage in the United States caused wheat prices to skyrocket to over $2.50 a bushel and nearly scrape $6 at the end of 1973. This was the first large-scale dose of fuel to fire the double-digit inflation whose effects we are still living with.

In 1973 and 1974 the Soviet Union experienced record grain harvests but this year, a severe drought in Kazakhstan and other wheat producing areas has caused the Soviets to once again turn to the United States for a helping hand. Current estimates place Soviet grain production for 1975 at 185 million metric tons, a very considerable decrease from the initial prediction of 237 million tons made earlier, and there is no real assurance that the Soviets will succeed in producing 185 million tons. On July 16, Cook Industries Inc. sold the U.S.S.R. 2.2 million tons of winter wheat as Cargill Inc. announced it was completing arrangements for another 1.3 million tons to be sold to the Soviets. Continental Grain stepped into the act with large sales of corn, bringing total U.S. grain sales in 1975 to the Soviet Union as of July 31 to 10 million tons, 4.2 million tons of wheat, 4.5 million tons of corn and 1.1 million tons of barley—in expectation of sales, grain prices advanced quite sharply on the U.S. domestic market. Wheat is about $3.75 a bushel now compared with $3.05 on July 3 and corn stands at about $2.80, up from $2.57 on July 3. Now that the deals have been concluded, the rapid sale of 10 million tons of U.S. grain to the Soviets and the possibility of another 4–5 million being sold, raises the question of whose interest was at stake in those sales.

This country has a set of priorities it should respect in terms of demand for U.S. grain. Our first priority is unquestionably to ourselves, to meet domestic demand in all areas as adequately as possible and to insure adequate stockpiles in case of future crop failures. Once domestic demand is ascertained, exports should take place on an ordered basis. Our first foreign priorities are to our friends and allies in Western Europe for hard currency, then to "distress" nations of the third world which regularly face severe grain shortages and starvation, and lastly to our traditional adversaries, the Communist countries. In both cases, in 1972 and in 1975, the U.S. has acted in reverse order, putting the needs of the Soviet Union ahead of not only other foreign nations but even ahead of domestic demand. This raises serious questions about the wisdom of such a policy of discriminating in favor of the Soviet Union. One would think the U.S.S.R. to be the last nation which should receive priority in terms of our national interest.

I should like to point out however, in fairness, that there have been substantive changes in the law since 1972 specifically to prevent another grain robbery from happening. The Consumer Protection Act of 1973 authorizes the Secretary of Commerce to closely monitor exports of agricultural commodities to prevent exports of needed goods. By the provisions of the new laws, a grain exporter was to notify the Secretary of Agriculture of a major sale in excess of 100,000 tons on a weekly basis, and to prevent several sales of 95,000 tons each, must notify the Department if total weekly sales are in excess of 300,000 tons. An important amendment to the Export Administration Act in 1974 gives the President the right to use export controls to protect American consumers from increased demand by foreign countries, such as a crop failure in the Soviet Union. There are also changes in circumstance: The Soviet grain shortage is not as severe now as it was then and Secretary Butz has stated that the Soviets will probably buy no more than 10 million tons of grain, not the 29 million tons purchased in 1972. It also appears that the United States will have record wheat and corn crops this year unlike the crop shortages we experienced in 1972. There has been a reasonable degree of candor and openness about the July 1975 deal. The major grain companies reported their sales immediately this time even though they were given a week to do so. The U.S.S.R. has also purchased 3 million tons of wheat from Canada and Australia, suggesting that the United States does not have to bear the full brunt of a Soviet crop failure. There are also no Government credits involved this year—only a straight, "cash-on-the-bushel" deal. But notwithstanding, there are serious problems connected with this year's deal that smacks of the 1972 venture.

The Department of Agriculture on July 25, sharply raised the estimate of grain needed by the Soviets. Secretary Butz said that if bad weather persists, the U.S.S.R. might need to buy as much as the 29 million tons it bought in 1972. The Agriculture Department has changed its earlier estimates of the impact on domestic food prices large grain sales to the U.S.S.R. will have. The predictions of insignificant price bulges have now given way to higher, more vague predictions of price increases in light of the possibility that the Soviets need to purchase the same amount of grain as they did in 1972. Whatever those higher predictions actually are remain unclear. Also, on July 24, the Agriculture Department issued a report saying that U.S. stocks of wheat for 1975 were 319 million bushels, 27 percent below 2 years ago, and the second lowest level since 1952. Stocks of corn were put at 1.1 billion bushels, 21 percent less than 1 year ago, and the lowest figure since 1952. Clearly this raises questions of whether the United States can afford to sell large amounts of grain to the Soviets without incurring shortages and higher bread, cereal, and meat prices here at home. We seem to be in the same unfortunate position as we were in 1972; that is, in the middle of a grain deal we do not yet fully understand. Moreover the full domestic price impact cannot be assessed. According to Professor Goldman in a New York Times article of July 31, it is the American consumer, not the Soviet consumer, who will bear the full burden of increased grain prices.

In 1973 the United States and the U.S.S.R. signed the joint agreement for cooperation in the field of agriculture. Article II of the agreement provides for the mutual exchange of agricultural information such as the exchange of data on current and future production, consumption, and international trade. Despite this agreement the USDA has had great difficulty in getting the U.S.S.R. to provide adequate information on future crop estimates and when grain sales will be made. The July 1975 deal was a perfect example. The Russians approached U.S. grain corporations secretly and suddenly with little advance warning to the USDA. What one must conclude from these almost furtive attempts to buy grain from the United States is that the Soviet Union does not wish to cooperate fully in supplying the United States with necessary crop information. The U.S.S.R., the major variable in the world grain market, is simply not fully open to our assessments. The United States, then, should clearly tie prices and deliveries of grain to the right to obtain Soviet information on its own crop estimates and forecasts, and its minimum/maximum estimates on future grain purchases, and should stop selling grain to the U.S.S.R. at conditions detrimental to our national interest.

Mr. President, we need an effective mechanism for controlling and bargaining with the U.S.S.R. to counteract the power of the Soviet Government's monopoly. I am not going so far as to recommend the establishment of a Wheat Board, as is used in Canada, because I believe that would be an encroachment of the Government's power on the private sector, but that might be necessary in the final analysis, but I do believe that our trading policy with the U.S.S.R. should be revised to make it conform more to our own national interest. The Secretary of Agriculture and the large grain companies simply have not learned the lessons of 1972, and if necessary, Congress should consider additional legislation to rectify the situation, and current legislation on monitoring sales and controlling exports should be more effectively utilized in our national interest.

To this end I am submitting a Senate resolution calling on the President to use the statutory controls he has at his disposal to avoid an inflationary impact on the United States economy by any sales of wheat to the U.S.S.R.

REMARKS OF SENATOR MANSFIELD BEFORE THE SENATE DEMOCRATIC CONFERENCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement I made yesterday before the Senate Democratic Conference be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MIKE MANSFIELD (D., MONT.) BEFORE THE SENATE DEMOCRATIC CONFERENCE, THURSDAY, JULY 31, 1975

We meet for the first time for a luncheon caucus. The first thing to mention is a reminder. We agreed at our last meeting that each of us would limit our comments to 5 minutes on any measure discussed, including time yielded for questions. The secretary for the majority will keep time and signal the 5 minutes if any of us is carried away for longer by a run-on of our thoughts.

First, I want to say that I was delighted by the way the Senate and the Senate Democrats handled themselves on the voting rights measure. It was a difficult procedural situation but, once cloture was obtained, the subsequent resolution of the problem was orderly and proper and free of delay. I wish I could say the same for the New Hampshire affair. It was regrettable, in my judgment, that the Senate was unable to dispose of this matter in a timely fashion. In the end, we had to acknowledge that our own procedures made it impossible to fulfill our constitutional responsibilities to determine the outcome of the contested election. There was a winner in the November election but we were unable to bring ourselves to identify him. I am afraid that a very bad precedent has been set in this instance which will tend to weaken the Senate's stature and authority. But that is only one Senator's opinion.

With regard to the Culver proposal to establish a Blue Ribbon Commission to make an independent, impartial overall study of the Senate, the Senate adopted this proposal on Tuesday, unanimously. I want to thank Senator CULVER and the other members of the advisory committee, Senators METCALF, ROBERT C. BYRD, FORD, HASKELL, HUDDLESTON, PHILIP A. HART, and TALMADGE for their assistance in this matter. The minority has been completely cooperative. Senator SCOTT and I anticipate that we will be able to get this study underway very soon, to the end that the Commission's recommendations will be received in the Senate before the close of next year.

I should also like to mention a matter brought to my attention by Senator GARY HART concerning the possibility of greater leadership participation by junior Senators in the work of many subcommittees. At my suggestion, he is elaborating his thoughts in the form of specific proposals which the leadership will be glad to take up at a later conference. Those interested in this idea should talk with him while he is in the process of formulating his proposals. It has much merit.

At our meeting on June 12, the Democratic conference directed me to look into the feasibility of establishing a single committee to deal with energy questions. As a first step, I wrote to 21 Senate committee chairmen asking them to set forth what they conceive to be their committee's present scope of interest and jurisdiction in energy matters. Letters of response have been received from all committees. The study is in a very preliminary stage and a great deal of time will be required to make a thorough inquiry into the possibilities. I would anticipate appointing an advisory group to assist us in delineating a democratic position as soon as we return from the recess. In any event, I will keep the conference informed of progress as we go along, and I hope specific proposals can be advanced in time to be considered at the beginning of the next Congress.

Another matter I wish to bring up on my own, today, concerns the inclusion of junior Senators on Senate-House conference committees. In general, as you know, Senate conferees are chosen by the chairman and the ranking minority member of the committee which is seized of a measure. It would seem to me most desirable that as far as possible some junior members be included in each conference. In that fashion, the latter would begin promptly to gain experience in what can be the most difficult stage of the legislative process. I would like some reaction from the conference on this concept.

A final subject for possible discussion relates to a matter raised by Senator PROXMIRE at the Policy Committee on Tuesday. As I understand his suggestion, uniform minimum standards for questioning executive branch nominees would be established by the conference or the Senate for nominees before all committees. He used as an ideal model in this respect the Commerce Committee. He felt that under present practices whereby each committee handles interrogation as it sees fit without guidelines, the Senate as a whole is sometimes shortchanged on significant information pertinent to the confirmation of appointees. The discussion in the Policy Committee on Senator PROXMIRE's proposal was general and inconclusive and the matter is raised here only by way of introduction. Senator PROXMIRE will set forth his views at our next Conference.

At this time, I will call on the distinguished Senator from Maine (Mr. MUSKIE) to discuss the reason for calling this meeting: the Budget Committee and its responsibilities; Senator MUSKIE.

PRIVILEGE OF THE FLOOR—H.R. 6674

Mr. LEAHY. Will the Senator yield for a unanimous consent request?

Mr. ROBERT C. BYRD. I yield to the Senator.

Mr. LEAHY. Mr. President, I ask unanimous consent that during the debate on the military authorization conference committee report Paul Bruhn of my staff be granted privilege of the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATE RESOLUTION 234—SUBMISSION OF A RESOLUTION RELATING TO SALES FOR EXPORT OF WHEAT AND OTHER GRAIN

Mr. ROBERT C. BYRD. Mr. President, I offer a sense of the Senate resolution and ask unanimous consent that it be stated and placed directly on the calendar.

The PRESIDING OFFICER (Mr. LEAHY). Without objection, it is so ordered.

Mr. GRIFFIN. Mr. President, reserving the right to object, and I shall not object, the junior Senator from Michigan has no objection to this procedure, or even to the resolution, but there is objection on our side by one or more Senators to the passage of the resolution. The Senator from West Virginia very courteously consulted with me earlier as to whether or not he could get unanimous consent for the immediate consideration of the resolution. I indicated it would be necessary to object on behalf of another Senator.

So he is now exercising, in effect, what could be accomplished by the other route of asking unanimous consent for the immediate consideration, having it objected to, and then go over under the rule.

It seems to me that under those circumstances there is no reason to object to his request.

Mr. ROBERT C. BYRD. Mr. President, I thank the Senator.

The PRESIDING OFFICER. Without objection, the resolution will be stated.

The assistant legislative clerk read as follows:

Resolved, That it is the sense of the Senate that the President should require the Secretary of Agriculture to carefully monitor, pursuant to the authority contained in section 812 of the Agriculture Act of 1970 (Public Law 93–86), sales and proposed sales of wheat and other grain for export for the purpose of determining whether the quantities of such sales and proposed sales are likely to have a substantial inflationary impact in the United States on the cost of food products made in whole or in part from wheat and other grain or on the cost of meat and meat products.

SEC. 2. It is further the sense of the Senate that if the President determines, on the basis of the monitoring of such sales and proposed sales and on the basis of all other information available to him, that such sales and proposed sales will have a substantial inflationary impact in the United States on the cost of such products, he should promptly initiate action under section 4 of the Export Administration Act of 1969 to prohibit or curtail further exports of wheat or other grain to the extent necessary to avoid or minimize the inflationary impact on prices paid by consumers in the United States.

SEC. 3. The Secretary of the Senate shall promptly transmit a copy of this resolution to the President.

The PRESIDING OFFICER. Without objection, the resolution will be placed on the calendar.

Mr. ROBERT C. BYRD. Mr. President, I yield the floor.

THE ENERGY RECORD OF THE SENATE

Mr. MANSFIELD. Mr. President, the Senate has passed nearly every energy measure advocated in its program for energy sufficiency approved unanimously by the majority conference last February. There remain to be acted upon only a few of the issues advocated in the Senate's energy program. These include: First, the creation of a National Energy Production Board; second, a major mandatory coal conversion proposal; third, a pricing policy for oil, for natural gas and for utilities; and fourth, tax incentives and penalties that must complement the conservation and production objectives. These are the only major issues that remain. They will be acted upon soon after the Senate returns from the statutory recess.

What is remarkable is not what remains to be done, however, it is what the Senate has already achieved in terms of reaching our goal of energy sufficiency in order to obtain a substantial reduction in or dependence upon imports.

For the Senate, the record is magnificent. It is one in which all Senators may take great pride. To let that record speak for itself, I list those billls we have passed in connection with the goal they seek to achieve and I ask unanimous consent that the list may be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

STATUS OF ENERGY RELATED BILLS

Goal and task bill No. and title, and passed Senate:

I. Reduce dependence on foreign oil: H.R. 1767—Suspend President's authority to impose oil import fees for 90 days, Feb. 19, 1975, Vetoed, Mar. 4, 1975.

II. Protect against disruption in oil imports: S. 622—Standby energy authorities, Apr. 10, 1975.

S.J. Res. 48—Defense Production Act of 1950, extended until Dec. 31, 1975, Mar. 6, 1975, Public Law 94–9, Mar. 21, 1975.

H.R. 49—Develop petroleum reserves on public lands, July 30, 1975.

S. 677—Establish national Strategic Petroleum Reserve Office in the FEA, July 8, 1975.

S. 1849—Extend Emergency Petroleum Allocation Act to Mar. 1, 1976, July 15, 1975.

S. 2173—Permit limited production from NPR's in Colorado and Wyoming, July 29, 1975.

S. 1537—Extend Defense Production Act through Sept. 30, 1977, Aug. 1, 1975.

III. Restrain and reshape energy demand: H.R. 4485—Emergency Middle Income Housing Act (included building conservation as title III, dropped in Conference report), Apr. 24, 1975, June 11, 1975, (Vetoed, June 24, 1975).

H.R. 7014—Energy Conservation and Oil Policy Act (titles IV, V), Apr. 10, 1975.

S. 1730—Rail Transportation System, provide funds to repair, May 16, 1975.

S. 281/H.R. 2051—Regional Rail Reorganization Act, amended 1975, Jan. 29, 1975, Public Law 94–5, Feb. 28, 1975.

H.R. 8365—Department of Transportation appropriations through Sept. 30, 1976, July 25, 1975.

S. 852/H.R. 4975—Amtrak Improvement Act, supplemental funds for fiscal year 1975–77, May 13, 1975, Public Law 94–25, May 25, 1975.

H.R. 4481—Emergency employment appropriations (included $700,000,000 for railroad track repair, but deleted in final bill), Apr. 25, 1975, May 16, 1975, (Vetoed May 28, 1975).

H.R. 5899—Supplemental appropriations fiscal year 1975 (included $700,000,000 for railroad track repair, but deleted in final bill), May 20, 1975, June 11, 1975, Public Law 94–32, June 12, 1975.

S. 1518—Motor Vehicle Information and Cost Savings Act, June 5, 1975.

S. 349—Truth in Energy Act of 1975, July 11, 1975.

S. 1883—Auto Fuel Economy Act of 1975, July 15, 1975.

S. Res. 59—Energy Conservation Month, Feb. 5, 1975.

S. 2063—Home Energy Disclosure Act.

IV. Increase domestic energy supplies (including energy management and pricing issues): S. 7/H.R. 25—Strip Mining Control and Reclamation Act, Mar. 12, 1975, Mar. 20, 1975, May 5, 1975, (Vetoed, May 20, 1975).

S. 621—Petroleum price increase limitation (sets ceiling for all except "old" oil at Jan. 3, 1975 price, C. $11–$12 per barrel), May 1, 1975.

S. 622—Standby energy authorities (title I, increase ceiling on "old" oil produced by secondary territory recovery, and title III, conservation to other fuels), Apr. 10, 1975.

S. 994/H.R. 4224—Supplemental funds for improved nuclear safety measures, Nuclear Regulatory Commission, $50,200,000. Mar. 24, 1975. Public Law 94–18. Apr. 25, 1975.

H. Res. 427—Funding for study of OCS by Select Committee, July 30, 1975.

S. 521—Outer Continental Shelf develop ment. July 30, 1975.

S. 834—Amended the Mineral Leasing Act of 1920 to enable States to use funds from development of oil shale for purposes other than public roads and schools, Apr. 22, 1975.

S. 586—Coastal Zone Management Act amendments, July 16, 1975.

H.R. 2166—Tax Reduction Act (includes increase in investment tax credit including public utilities, repeal of oil and gas depletion allowance, and changes in foreign tax credits from foreign oil extraction, Mar. 22, 1975, Mar. 26, 1975, Public Law 94–12, Mar. 29, 1975.

H. Con. Res. 218—First Concurrent Resolution on the budget fiscal year 1976; Natural resources, environment and energy outlays assumed, $11,600,000, May 5, 1975.

H.R. 4035/H. Res. 351—Provide congressional review of Presidential decisions removing control on oil products, substituted S. 621, June 11, 1975, July 16, 1975, (Vetoed, July 21, 1975.)

H. Res. 605/H. Res. 613/S. Res. 145—Disapproving President's proposed amendment to end petroleum allocation and to decontrol price of old oil, July 30, 1975.

S. 323—Protect franchised dealers in petroleum products, June 20, 1975.

H.R. 3474/S. 598—Authorize ERDA Appropriations for fiscal year 1976, July 31, 1975.

S. 1716/H.R. 7001—Nuclear Reg. Commission, 1976, June 17, 1975.

H.R. 8122—Fiscal year 1976 appropriations, Public Works for water and power development and energy research, July 31, 1975.

S. Con. Res. 13/H. Con. Res. 115—Congressional approval of distribution of special nuclear material to International AEC, February 19, 1975.

S. 521—Outer Continental Shelf Lands Act, July 30, 1975.

S. Con. Res. 14/H. Con. Res. 116—Congressional approval of distribution of special nuclear material to EURATOM, Feb. 19, 1975.

S. Con. Res. 15/H. Con. Res. 114—Congressional approval to extend on existing atomic energy agreement between the United States and Israel, Feb. 19, 1975.

S. 391—Coal leasing amendments, July 31, 1975.

SENATE ACCOMPLISHMENTS, JANUARY 14–JULY 31, 1975

Mr. MANSFIELD. Mr. President, before the legislative recess, it benefits us to look at our record for the last 6½ months. We have dealt with some very important issues—several of which are very complicated and may be somewhat bewildering to the Nation. I refer, for example, to the contested New Hampshire Senate election and to the parliamentary tie-up connected with that issue, the voting rights bill, and, earlier this year, with the change in the cloture rule. Notwithstanding these matters, which have inner-Senate institutional implications and hence profound long-range national significance, the Senate has continued to carry out its more routine legislative responsibilities with some degree of effectiveness. It has not been an easy interlude, these past few months, to put it mildly but the results have been worthwhile. The following statistics which compare 1974 and 1975 in terms of output as of July 31 give some sense of the scope of the endeavor:

	1974	*1975*
Days in session	103	115
Hours in session	639:52	732:29
Total measures passed	405	409
Public laws	118	63
Private laws	36	16
Treaties	3	1
Record votes	327	373

With regard to the major issues of the economic recession and basic energy supply, the Democratic majority set forth a program of economic recovery and energy sufficiency in February under the able leadership of Senator Pastore's ad hoc committee. The Senate has proceeded to work diligently toward the enactment of this program as evidenced by the following list:

Congressional Program for Energy Sufficiency Status of Measures

1. Personal and Corporate Tax Reduction. Public Law 94–12.
2. Disapproval of Oil Excise Tax, H.R. 1767. Vetoed March 4.
3. Repeal of Oil Depletion Allowance ($3 billion gain for the taxpayers). Public Law 94–12.
4. Oil Price Control Extension, S. 1849. Cleared for President July 31.
5. Strip Mining, H.R. 25. Vetoed. Simliar provisions in S. 391, P/S July 31.
6. Coal Leasing, S. 391. P/S July 31.
7. Standby Energy Authorities Act, S. 622. In conference.
8. Appliance Labeling Act, S. 359. P/S; contained in H.R. 7014 under debate by House.
9. Automobile Fuel Economy, S. 1883. P/S; contained in H.R. 7014 under debate by House.
10. Strategic Energy Reserves, S. 677 (H.R. 49). Conference with House on H.R. 49.
11. Naval Petroleum Reserves, H.R. 49. In conference.
12. Coal Conversion Act Extension, S. 1849. Vetoed earlier and now in S. 1849 which has been cleared for the President July 31.
13. Mandatory Coal Conversion, S. 1777. To be reported to Senate.
14. Coastal Zone Amendments for Energy Facilities Siting, S. 586. P/S July 16.
15. Offshore Drilling amendments, S. 521. P/S July 30.
16. Natural Gas Reregulation, S. 692. On Senate calendar.
17. ERDA Authorization, H.R. 3474. In conference.
18. National Energy Production Board, S. 740. To be reported to Senate.
19. Industrial Conservation Act, S. 1908. To be reported to Senate.
20. Energy Taxes, H.R. 6860. To be reported to Senate.

Mr. MANSFIELD. You will note from the above list that almost all of these measures has passed the Senate at least once. Only a few bills remain for floor action in September: the creation of a national energy production board, a mandatory coal conversion program, an industrial energy conservation bill, a pricing policy for oil, natural gas and for utilities and tax incentives and penalties to complement conservation and production objections.

The Democratic program has helped to lay the basis for stopping the slide into depression and to point the way toward a solution to the energy shortage in ways other than devastating price increases as pressed by the administration.

Legislative achievements are seldom easy. This year we have had to deal not only with unusual procedural delays within the Senate but with a quick-on-the-trigger vetoing by the executive branch. Vetoes have totaled nine in 7 months—all on measures aimed at alleviating the distress of recession and high energy prices. The best that can be said for this practice is that it may represent a slight improvement over the 27 vetoes of the present administration in the last session. I would also note at this point that the only vote the Senate has taken to override a veto has succeeded. The health services—nurse training bill has now become law after being vetoed twice. Three other major bills vetoed by the President—housing, emergency unemployment appropriations and strip-mining—have been reworked and have repassed the Senate. The status of the nine vetoed measures follows:

Status of Presidential Vetoes (94th Congress)

1. H.R. 1767, Oil Import Fees, President's authority to impose. Vetoed March 4. Referred to Ways & Means. Relevant provisions contained in H.R. 4035.
2. H.R. 4296, Agricultural Price Supports. Vetoed May 1. House sustained veto on May 13. (Sec. of Agri. holds quarterly oversight meetings with Agriculture committees on subject.)
3. H.R. 25, Strip Mining. Vetoed May 20. House sustained veto June 10. Similar provisions passed Senate in S. 391 on July 31.
4. H.R. 5357, Tourist Promotion. Vetoed May 28. Referred to House Interstate and Foreign Commerce Committee. Similar measure, S. 2003, became Public Law 94–55.
5. H.R. 4481, Emergency Employment Appropriations. Vetoed May 28. House sustained June 4. Similar measure, H.J. Res. 492 became Public Law 94–36.
6. H.R. 4485, Emergency Middle-Income Housing. Vetoed June 24. House sustained June 25. Similar measure, H.R. 5398, became Public Law 94–50.
7. H.R. 4035, Oil Pricing—President's authority. Vetoed July 21. Referred to House Interstate & Foreign Commerce Committee. Related provisions included in H.R. 7014 which House is debating.
8. H.R. 5901, Education Appropriations. Vetoed July 25. House will vote to override on September 9.

9. S. 66, Health Services—Nurse Training. Vetoed July 26. Senate overrode July 26. House overrode July 29. Became Public Law 94-63.

Mr. MANSFIELD. A summary of measures passed by the Senate is contained in the report prepared by the staff of the Democratic Policy Committee. I ask unanimous consent that this report with its index as well as a status report on 1976 appropriations bills be inserted at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

APPROPRIATIONS, 1976

ENACTED OR CLEARED FOR PRESIDENT

Education—Vetoed July 25; House to vote on override September 9.

Legislative—Public Law 94-59

Summer Youth Employment—Public Law 94-36

Continuing, 1976—Public Law 94-41.

Treasury, Postal Service—Cleared for President July 30.

IN CONFERENCE

HUD
Agriculture
Transportation

PASSED HOUSE

Public Works—Hearings in progress.

Labor, HEW—Reported out of subcommittee July 29.

State, Justice, Commerce—On Senate calendar.

Interior—Hearings in progress.

AWAIT HOUSE COMMITTEE ACTION

Defense—Subcommittee mark up completed.

D.C.—In subcommittee.

Foreign Aid—In subcommittee.

Military Construction—In subcommittee.

SENATE LEGISLATIVE ACTIVITY INDEX (94TH CONGRESS—1ST SESSION) (BY SENATE DEMOCRATIC POLICY COMMITTEE)

SYMBOLS: P/H—Passed House; P/S—Passed Senate; *—Vetoed in 1975; (VV)—Passed by Voice Vote; numbers in parenthesis indicate number of record vote on passage, conference report, or reconsideration.

AGRICULTURE

African/Brazilian Honeybee Control (S. 18)
Disaster Loan Program (S. 555)
Food Stamp Increase (H.R. 1589)
Food Stamp Program Study (S. Res. 58)
Food Stamps—SSI Recipient Eligibility (S. 1662)
Forest Pest Control (S. 441)
Forestry Research (S. 1307) (S. 1529)
Insecticides (H.R. 6387)
Livestock Credit (S. 1236)
Peanut Distribution (S. Res. 101)
Plum Island Animal Disease Center (S. Res. 190)
Potato Stocks (S. Res. 122)
*Price Supports (H.R. 4296)
Watershed Projects (S. 1230)
Wheat Referendum (S. 435)
White Corn (S. Res. 155)

APPROPRIATIONS

1975

Continuing (H.J. Res. 219)
*Emergency Employment (H.R. 4481)
Foreign Assistance (H.R. 4592)
Summer Youth Employment and Recreation (H.J. Res. 492)
Supplemental (H.J. Res. 210) (H.R. 5899)
Veterans' Supplemental (H.J. Res. 375)
Vietnamese Refugee Aid (H.R. 6894)

1976

Agriculture (H.R. 8561)
Continuing (H.J. Res. 499)
Education (H.R. 5901)
HUD (H.R. 8070)
Legislative (H.R. 6950)
Transportation (H.R. 8365)
Treasury—Postal Service (H.R. 8597)

ATOMIC ENERGY

International Agreements:
Atomic Energy Cooperation Agreement With Israel (S. Con. Res. 15)
Enriched Uranium Distribution to EURATOM (S. Con. Res. 14)
Enriched Uranium Distribution to IAEA (S. Con. Res. 13)
Nuclear Regulatory Commission Authorizations (S. 994) (S. 1716)

BUDGET

Deferrals:

Energy Research and Development Administration (S. Res. 32), (S. Res. 75), (S. Res. 76), (S. Res. 77), (S. Res. 78), (S. Res. 79), (S. Res. 80).
HUD—Comprehensive Planning Grants (S. Res. 23).
Transportation—Highway Funds (S. Res. 69).
Youth Conservation Corps (S. Res. 205).

Rescissions:

HEW—Health and Medical Service Programs (H.R. 6573).
HUD—Homeownership Assistance (S. Res. 61).
Agriculture, Commerce, DOD, Executive Office, General Services, Justice, HEW, State, Treasury (H.R. 3260).
Agriculture, Commerce, Consumer Product Safety, DOD.

Resolutions:

First Budget Resolution (H. Con. Res. 218).

CONGRESS

August Recess (S. Con. Res. 54).
Congressional Paycheck Disbursement (H.R. 7405).
Guam and Virgin Islands Delegate Allowance (H.R. 4269).
Joint Committee on the Bicentennial (S. Con. Res. 44).
Supreme Court Chamber (S. Res. 164).

CONSUMER AFFAIRS

Consumer Fraud (S. 670).
Consumer Product Safety (S. 644).
Consumer Protection (S. 200).
Motor Vehicle Information and Cost Savings S. 1518).

CRIME-JUDICIARY

Bilingual Court Proceedings (S. 565).
Federal Rules of Criminal Procedure (H.R. 6799).
Federal Rules of Evidence (S. 1549).
Florida Judicial District (S. 723).
Pyramid Sales (S. 1509).
Robert E. Lee (S.J. Res. 23).
Three-Judge Courts (S. 537).

DEFENSE

Coast Guard Authorization (H.R. 5217).
Defense Production—Commission on Productivity and Work Quality (S.J. Res. 94).
Diego Garcia (S. Res. 160).
Military Construction Authorization (S. 1247).
Military Procurement Authorization (H.R. 6674).
Naval Museum (S. Con. Res. 9).
Nuclear-Trained Naval Officers Pay Bonus Extension (S. 2114).
Officer Graduate School Appointees (S. 1767).

DISTRICT OF COLUMBIA

Southeastern University (S. 611).

ECONOMY-FINANCE

Appalachian Regional Development (H.R. 4073)
Bank Acquisitions (S. 2209)
Commodity Futures (H.J. Res. 335)
Council on International Economic Policy (H.R. 5884), (S.J. Res. 97)
Council on Wage and Price Stability (S. 409)
Duty Suspensions:
Hopper Cars (H.R. 7731)
Istle Fiber—Child Support Funding (H.R. 7709)
Platinum and Carbon (H.R. 7728)
Watches—Child Support (H.R. 7710)
Zinc—Copper (H.R. 7716)
Lower Interest Rates (H. Con. Res. 133)
National Commission on Supplies and Shortages (S.J. Res. 27), (S.J. Res. 48), (S.J. Res. 560)
National Insurance Development Program (H.R. 4075)
Public Debt Limit Extensions (H.R. 2634), (H.R. 8030)
Public Works Employment (H.R. 5247)
Repatriated U.S. Citizens—SSI Recipient Food Stamp Eligibility (H.R. 6698)
Savings and Loan Associations (S.J. Res. 102)
Securities Acts Amendments (S. 249)
Social Security—Medicaid (H.R. 8109)
Stock Transfer Taxes (S. 2136)
Tax Rebate—State Taxation (S. Res. 158)
Tax Reduction (H.R. 2166)
Unemployment Compensation (H.R. 6900)
Variable Interest Rate Mortgages (S. Con. Res. 45)
Virgin Islands Unemployment Compensation—Railroad Retirement (H.R. 9091)

EDUCATION

College Work-Study Program Funds (H.R. 4221)
Handicapped Children (S. 6)
Lister Hill Scholarship (S. 1191)

ENERGY

Automobile Fuel Economy (S. 1883)
Coal Leasing—Strip Mining (S. 391)
Emergency Petroleum Allocation (S. 1849)
Energy Labeling and Disclosure (S. 349)
ERDA Authorization (H.R. 3475)
International Petroleum Exposition (S.J. Res. 59)
Naval Petroleum Reserves (H.R. 49)
*Oil Import Fees (H.R. 1767)
*Oil Pricing (H.R. 4035)
Oil Shale Revenues (S. 834)
Outer Continental Shelf Management (S. 521)
Petroleum Products Fair Marketing (S. 323)
Standby Energy Authority (S. 622)
Strategic Energy Reserves (S. 677)

ENVIRONMENT

Coastal Zone Management (S. 586)
Council on Environmental Quality—Environmental Policy (H.R. 6054)
Environmental Impact Statements (H.R. 3130)
National Advisory Committee on Oceans and Atmosphere (H.R. 5447)
Ocean Dumping (H.R. 5701)
Scrimshaw Art Preservation (S. 229)
*Strip Mining (H.R. 25)

GENERAL GOVERNMENT

American Legion Badges—Patent Renewals:
American Legion (S. 720)
American Legion Auxiliary (S. 721)
Sons of American Legion (S. 719)
Assistant Secretary of Commerce (S. 1622)
Attorney General's Salary (S. 58)
Barrier-Free Environment (S. Con. Res. 11)
Bikini Atoll (H.R. 5158)
F.B.I Director, Ten-Year Term for (S. 1172)
Federal Election Commission (S. 1434)
Federal Metal and Nonmetalic Mine Safety Board Abolishment (S. 1774)
General Federation of Women's Clubs (S. 240)
GSA Leases (S. 1260)
NASA Authorization (H.R. 4700)
National Arboretum (S. 1649)
National Guard Technicians' Retirement (S. 584)
National Portrait Gallery (S. 1657)
National Science Foundation Authorization (H.R. 4723)

Overseas Citizens Voting Rights (S. 95)
Patent Cooperation Treaty (S. 24)
Small Business Act Amendments (S. 1839)
Smithsonian Institution Museum Support Facilities (S. 907)
Smithsonian Institution Site (H.R. 5327)
Standard Reference Data Program (H.R. 37)
*Tourism Promotion (H.R. 5357), (S. 2003)
Trust Territory of the Pacific (S. 326)
Voting Rights (H.R. 6219)
War Risk Insurance (H.R. 8564)

GOVERNMENT EMPLOYEES

Cost of Living Increase—Postal Service OSHA Compliance (H.R. 2559)
Part-Time Government Employees (S. 792)
Travel Expenses (S. 172)

HEALTH

Communicable Disease Control—Consumer Health Education (S. 1466)
Developmentally Disabled Persons Assistance (H.R. 4005)
Drug Abuse Office and Treatment (S. 1608)
*Health Services—Nurse Training (S. 66)
Medical Device Safety (S. 510)
Older Americans (H.R. 3922)
School Lunch and Child Nutrition Program (S. 1310)
School Lunch Program (H.R. 4222)
Supplemental Food Programs (H.R. 7136)

HOUSING

Emergency Housing (H.R. 5398)
*Emergency Middle-Income Housing (H.R. 4485)

INDIANS

American Indian Policy Review Commission (S. 2073)
Indian Claims Commission (H.R. 3979)
Indian Health Care (S. 522)
Klamath Indian Land—Colonial Williamsburg (H.R. 83)
Pueblo of Laguna (S. 557)
Pueblo Tribe, New Mexico (S. 217)

INTERNATIONAL

Arts and Artifacts Indemnity (S. 1800)
Cambodia—Food Aid (S. Res. 94)
Israel (S. Res. 214)
Japan-U.S. Friendship Trust Fund (S. 824)
Middle East Dispute (S. Res. 119)
Nuclear Non-Proliferation Treaty (S. Res. 146)
Romania—Most Favored Nation Status (S. Res. 219), (S. Con. Res. 35)
Treaties:
International Office of Epizootics (Ex. M, 93d-2d)
United Nations Peacekeeping Forces in Middle East (S. 818)
Turkey—Military Assistance (S. 846)
Turkey—Military Assistance; Board for International Broadcasting (S. 2230)
Vietnam and Cambodia—Humanitarian Assistance (S. 1696)
Vietnam Assistance and Evacuation (H.R. 1484)
Vietnam Peace Negotiations (S. Res. 133)
Vietnamese Refugee Aid Authorization (H.R. 6755)
Vietnamese Refugees (S. Res. 187)
Vietnamese Refugees Welcome (S. Res. 148)
World Food Conference (S. Con. Res. 19)

MEMORIALS, TRIBUTES, AND MEDALS

Aleksandr I. Solzhenitsyn (S.J. Res. 36)
American Revolution Bicentennial Commemorative Medals (S. 371)
Apollo-Soyuz Test Project (S. Res. 222)
Bess Truman's Birthday (S. Res. 65)
Boys Scouts of America (S. Con. Res. 6)
Girl Scouts of America (S. Con. Res. 22)
International Ladies Garment Workers Union (S. Res. 194)
King Faisal, Death of (S. Res. 120)
Martin Luther King (S. Res. 14)
Rabbai Menachem Schneerson (S. Res. 22)
Roy Wilkins (S. Res. 35)
U.S. Flag Display (S.J. Res. 98)
Tom Steed Resvoir (S. 1531)
Veterans' Day (S. 331)
Vietnam Veterans (S. Res. 171)

NATURAL RESOURCES—NATIONAL HISTORIC SITES

American Falls Dam Replacement (S. 1152)
Assateague Island National Seashore, Maryland and Virginia (S. 82)
Franklin D. Roosevelt National Historic Site (H.R. 2808)
Grand Canyon National Park, Arizona (H.R. 4109)
Guadalupe Mountains National Park, Texas (S. 313)
Hells Canyon National Recreation Area (S. 322)
Indian Trails (S. 1123)
Indoor Recreation Facilities (S. 288)
Klondike Gold Rush National Historical Park, Washington and Alaska (S. 98)
Saline Water Authorization (H.R. 3109)
Volunteers in the Parks (S. 896)
Wilderness Areas:
  Eagles Nest Wilderness, Colorado (S. 268)
  Flat Tops Wilderness, Colorado (S. 267)
  Sheep Mountain Wilderness (S. 74)
  Snow Mountain DeFacto Wilderness (S. 1391)

NOMINATIONS (ACTION BY ROLLCALL VOTE)

Alexander P. Butterfield (S. 182)
Stanley K. Hathaway to be Secretary of Interior
Carla Anderson Hills to be Secretary of HUD
Thomas J. Meskill to be U.S. Circuit Judge

PROCLAMATIONS

American Business Day (S.J. Res. 15)
American Institute of Banking Week (S.J. Res. 58)
Buchenwald Concentration Camp (S.J. Res. 56), (S. Res. 123)
Car Care Month (S.J. Res. 57)
Child Abuse Awareness Week (S. Res. 43)
Earth Day (H.J. Res. 258)
Energy Conservation Month (S. Res. 59)
Historic Preservation Week (H.J. Res. 242)
Hobby Month (S.J. Res. 84)
Honor America (S.J. Res. 92)
Indian Day (S.J. Res. 44)
Music in Our Schools Day (S.J. Res. 18)
Newspaper Week (S.J. Res. 46)
Newspaper Carrier Day (S.J. Res. 46)
Norwegian-American Day (S. Res. 135)
Shut-In Day (S.J. Res. 79)
Space Observance (S. Con. Res. 47)
Youth Art Month (S.J. Res. 8)

SENATE

Cloture Rule (S. Res. 4)
Commission on the Operation of the Senate (S. Res. 277)
Committee Expenses (S. Res. 111), (S. Res. 191), S. Res. 207)
Committee Staffing (S. Res. 60), (S. Res. 182)
Floor Privileges (S. Res. 196)
Government Intelligence (S. Res. 231)
New Hampshire Senate Contest (S. Res. 177), (S. Res. 202)
New Hampshire Senate Vacancy—Select Committee on Nutrition and Human Needs (S. Res. 54)
Select Committee on Intelligence (S. Res. 21), (S. Res. 167), (S. Res. 165)
Senate Photograph (S. Res. 217), (S. Res. 218)
Witness Fees (S. Res. 17)

TRANSPORTATION-COMMUNICATIONS

Airport and Airway Development (S. 1972)
Amtrak—Penn Central (S. 281)
Amtrak Supplemental Authorization (H.R. 5975)
Cargo Vessels—Passengers (H.R. 5405)
Federal-Aid Highway Projects (H.R. 3786)
Maritime Authorizations (S. 332), (S. 1542)
Railroad Improvement and Employment (S. 1730)
Railroad Safety—Hazardous Materials Transportation Authorizations (S. 1462)
Railroad Temporary Operating Authority (Rock Island) (S. 917)
Railroad Unemployment and Sickness Benefits (H.R. 8714)
Shrimp Fisheries (H.R. 5709)
Tuna Fisheries (H.R. 5522)

VETERANS

Disability Compensation and Survivors Benefits (H.R. 7767)
Veterans' Physician Pay (H.R. 8240)

SENATE LEGISLATIVE ACTIVITY (94TH CONGRESS, 1ST SESSION) (BY SENATE DEMOCRATIC POLICY COMMITTEE)

Days in Session	116
Hours in Session	739 :49
Total Measures Passed	425
Private Laws	16
Treaties	1
Confirmations	28, 035
Record Votes	276
Vetoes	9

SYMBOLS: P/—Passed House; P/S—Passed Senate; *—Vetoed in 1975; (VV)—Passed by Voice Vote; numbers in parenthesis indicate numbers in parenthesis indicate number of record vote on passage, conference report, or reconsideration.

AGRICULTURE

African/Brazilian honeybee control: Amends the Act of 1922 regarding honeybees by prohibiting the importation of honeybees in all of their life stages (from germ plasm to adult) except under certain specified conditions and authorizing the Secretary of Agriculture to cooperate with State governments, organizations, individuals, and the governments of Mexico, Canada and the Central American countries to eradicate and control the spread of undesirable species of honeybees, including all forms of the African (or Brazilian) honeybee. S. 18. P/S June 16, 1975. (VV)

Disaster loan program: Amends the Consolidated Farm and Rural Development Act to simplify the procedures under which loans are made to victims of natural and major disasters or emergencies and make additional credit assistance available to them; eliminates the requirement that there be a general need for agricultural credit; clarifies the authority of the Secretary to delegate authority to State directors of the Farmers Home Administration to make emergency loans to an area if the director finds that a natural disaster has substantially affected twenty-five or less farming, ranching, or agriculture operations in the area; provides that loans would be made only to victims of a disaster who are unable to obtain sufficient credit elsewhere at reasonable rates and terms with respect to loan applications filed after July 9, 1975; makes emergency loans available for livestock (as well as crop) changes deemed desirable by the applicant as a result of shifts in market demand occurring after a disaster; authorizes loans in excess of the actual loss caused by the disaster provided that a rate of interest is charged for the amount in excess which is equal to the commercial rate charged for similar loans; requires that an applicant seeking an emergency loan based on production losses show that his operation sustained at least a 20 percent loss as a result of the disaster; requires the Secretary to accept as security for repayment of emergency loans collateral which has depreciated in value because of the disaster if the Secretary has confidence in the repayment ability of the applicant with such loans repayable at a time deemed justifiable by the needs of the applicant; provides annual subsequent loans for a period of up to 5 years when the borrowers need the credit to continue their operations and cannot obtain financing from other sources with interest rates for such loans at the commercial rate; authorizes the Secretary—for any disaster occurring after January 1, 1975—to make an emergency loan for an operating-type purpose for 20 years if it is determined that the applicant's financial need justified a longer payment term than that normally extended for operating loans in order to afford needed relief to victims of such severe disasters as the January 1975 blizzard in the Midwest; provides that loans made by the Small Business Administration in connection with disasters occurring after enactment of this act shall bear an interest rate not more than the average annual interest rate on all interest-bearing obligations of the United States; and requires the Secretary to testify before the House and Senate committees on Agriculture before February 15 of each year to provide justification in detail of amounts requested in the budget to be appropriated for the next fiscal year for the purposes authorized in the Consolidated Farm and Rural Development Act, and of the amounts estimated to be utilized during such fiscal year from the Agricultural Credit Insurance Fund and the Rural Development Insurance Fund. S. 555. Public Law 94– , approved 1975. (VV)

Food stamp increase: Suspends until December 30, 1975, the proposed administrative increase in the costs of coupons to food stamp recipients published in the Federal Register on January 22, 1975, (which would have the effect of increasing food stamp purchase requirements to 30 percent of net income for nearly all food stamp recipients by March 1, 1975), in order to give Congress an opportunity to pass on the merit of such an increase. H.R. 1589. Public Law 94–4, without approval Feb. 20, 1975. (8)

Food stamp program study: States the sense of the Senate that the Secretary of Agriculture should conduct a study of the food stamp program and report to Congress by June 30, 1975, recommendations for legislative changes which will (1) disqualify families who have adequate incomes; (2) reduce administrative complexities; (3) tighten accountability for procurement, shipping, and handling of food stamps; and (4) increase penalties for those who abuse the program, as well as any other recommendations he deems desirable. S. Res. 58. Senate adopted Feb. 5, 1975. (6)

Food stamps—SSI recipient eligibility: Continues through June 30, 1976, the provisions of law under which the Secretary of Agriculture issued his regulations governing the eligibility of SSI recipients (aged, blind and disabled) to receive food stamps and participate, where applicable, in the family commodity distribution program; permits eligible SSI food stamp recipients to use the stamps, where a need exists, to purchase meals prepared and delivered to them by private nonprofit organizations ("meals on wheels"); and directs the Secretary to provide certification procedures to allow a food stamp aid applicant to receive temporary certification and authorization to purchase food stamps on the same day the person applies. S. 1662. P/S June 10, 1975. (VV)

Forest pest control: Provides that funds appropriated for fiscal year 1975 to carry out the program of eradication and control of forest insect pests and diseases shall remain available until expended. S. 441. Public Law 94–40, approved June 20, 1975. (VV)

Forestry research: Amends the McIntyre-Stennis Act of 1962 to make privately endowed colleges eligible for the cooperative program of forest research under this act. S. 1307. P/S Mar. 24, 1975. (VV)

Amends the McIntyre-Stennis Act of 1962 to authorize the Secretary of Agriculture to make matching grants to private colleges and universities (that are ineligible under present law) which carried out a forestry and research program prior to enactment; authorizes such additional funds as necessary; and authorizes the Secretary to appoint officials of participating colleges and universities to the advisory committee. S. 1529. P/S Apr. 29, 1975. *NOTE:* (This bill is intended to clarify the purpose of S. 1307 which passed the Senate on Mar. 25, 1975.) (VV)

Insecticides: Extends the Federal Insecticide, Fungicide, and Rodenticide Act from July 1, 1975, through September 30, 1975, and authorize therefor $11,967,000. H.R. 6387. Public Law 94–51, approved July 2, 1975. (VV)

Livestock credit: Amends the Emergency Livestock Credit Act of 1974 to (1) extend financial assistance to a farmer or rancher primarily involved in the breeding, raising, fattening, or marketing of livestock including dairy cattle; (2) permit secondary financing of the guaranteed portion of livestock loans through the Federal Financing Bank; (3) provide that contracts of guarantee shall not require the Secretary of Agriculture to guarantee more than 90 percent of principal and interest on such loan; (4) provide that guaranteed loans shall be for the periods reasonably required by the needs of the borrower but not to exceed 7 years and may be renewed for not more than 3 years; (5) increase the guarantee of a line credit from $250,000 to $350,000 and limits the total outstanding loan guarantees to $1.5 billion; (6) authorize the payment of administrative expenses from any funds available including the Agriculture Credit Insurance Fund; (7) extend the act from July 25, 1975, until December 31, 1976; (8) require that action by the Department of Agriculture on each loan application be completed within 30 days; (9) require collateral adequate to protect the government's interest but allows collateral which has depreciated in value owing to temporary economic conditions; and (10) require an annual report on the effectiveness of the Act; and also amends the Consolidated Farm and Rural Development Act to provide that contracts of guarantee under that Act shall not require the Secretary to guarantee more than 90 percent of the principal and interest on such loans. S. 1236. Public Law 94–35, approved June 16, 1975. (VV)

Peanut distribution: Expresses the sense of the Senate that the Secretary of Agriculture immediately take steps to distribute excess peanut stocks in useful edible forms to needy persons at home and abroad under the domestic food assistance programs and the Public Law 480 program. S. Res. 101. Senate adopted Mar. 24, 1975. (VV)

Plum Island Animal Disease Center: States the sense of the Senate that the Office of Management and Budget should expedite its consideration of the supplemental budget request of the Department of Agriculture for $9.45 million for the expansion of animal quarantine facilities and diagnostic laboratories and for the construction of a pilot vaccine plant at the Plum Island, New York, Animal Disease Center, and forward this request to Congress for its consideration. S. Res. 190. Senate adopted June 19, 1975. (VV)

Potato stocks: States the sense of the Senate that the Secretary of Agriculture immediately take steps to distribute potato stocks, which are now in abundant supply, in useful edible forms to needy persons at home and abroad under the domestic food assistance programs and the Public Law 480 program to supplement protein deficiencies, the basic cause of malnutrition. S. Res. 122. Senate adopted May 16, 1975. (VV)

Price supports: Establishes an emergency price support program for the 1975 crop or commodity year for upland cotton, wheat, feed grains, soybeans and milk; increases the target price on cotton from 38 cents to 45 cents a pound, on corn from $1.38 a bushel to $2.25 and on other feed grains at comparable levels, on wheat from $2.05 a bushel to $3.41; increases the production loan levels on cotton from 34 to 38 cents per pound, on corn and feed grains from $1.10 a bushel to $1.87, and on wheat from $1.37 a bushel to $2.50; sets the support price of milk at no less than 85 percent of the parity price on the date of enactment and provides that the milk support price shall be adjusted quarterly thereafter, with this provision to remain in effect until April 1, 1976; and contains other provisions. H.R. 4296. Vetoed May 1, 1975. House sustained veto May 13, 1975. (116)

Watershed projects: Amends the Watershed Protection and Flood Prevention Act to require congressional approval of watershed projects where the estimated Federal contribution is in excess of $750,000 instead of $250,000 as under existing law. S. 1230. P/S June 21, 1975. (VV)

Wheat referendum: Amends the Agricultural Adjustment Act to change the marketing year for wheat from July 1–June 30, to June 1–May 31. S. 435. Public Law 94–61, approved July 25, 1975. (VV)

White corn: Expresses the sense of the Senate that the Department of Agriculture should continue the white corn survey, which provides the white corn industry with critical data for orderly production, marketing and processing, and make the survey reliable by obtaining data from all the significant white corn producing States. S. Res. 155. Senate adopted May 21, 1975. (VV)

APPROPRIATIONS

1975

Continuing: Extends the continuing resolution, which expires on February 28, 1975, to provide obligational authority for foreign assistance programs through March 25, 1975, and funding of activities under title IX of the Public Health Service Act through June 30, 1975, for the following programs within HEW and the Community Services Administration which did not achieve final enactment during the 93d Congress: Health revenue Sharing and Services; Nurse Training; Health Manpower; Development Disabilities Services and Construction; and the Regional Medical program. H.J. Res. 219. Public Law 94–7, approved Mar. 14, 1975. (VV)

Emergency employment: Appropriates a total of $5,306,508,000 in new budget authority, $485 million in loan authority and $92,362,000 in liquidation of contract authority for the acceleration of existing Federal programs and projects in order to increase immediately employment throughout the nation; provides two approaches to the unemployment problem: (1) $2,318,150,000 in direct creation of jobs as follows: $1.625 billion in public service jobs, $458,050,000 for summer youth employment and transportation, $30 million in jobs for older Americans, $119.8 million in work-study grants for college students, $70 million in the work incentive program to provide jobs, training and related child care for welfare recipients, and $15.3 million for the summer youth recreation program to be administered by the Community Services Administration which together with funds previously appropriated or available total about $3.5 billion; and (2) $2,988,358,000 for funding of projects which would stimulate jobs through acceleration of ongoing public works projects, increase of rural water and sewer grants, improvement and modernization of existing veterans' hospitals, increased maintenance of the national cemeteries, reforestation and timber stand improvement, expansion and upgrading of facilities in national parks, forests and other Federal lands, increased assistance to small businesses, major repairs and renovations of existing buildings, and purchase of automobiles used by Federal agencies. H.R. 4481. Vetoed May 28, 1975. House sustained veto June 4, 1975. (151)

Foreign assistance: Appropriates a total of $3,674,346,982 in new obligational authority, which is $175,926,982 more than the amount allowed by the House and $271,750,000 less than that allowed by the Senate, $272,113,927 less than the fiscal year 1975 amended budget estimate, and $193,637,982 more than the 1974 appropriations; and includes:

Appropriations for Foreign Assistance Act activities of $854,800,000 in new obligational authority for economic assistance, which includes $300 million for food and nutrition development assistance; $125 million for population planning and health development assistance; $125 million for international organizations and programs; $5 million for the United Nations Environment Fund; $500,000 earmarked for the National Association of the Partners of the Alliance skill exchange program among peoples of the Americas; $17.5 million for international narcotics control; $35 million for famine or disaster relief assistance; $25 million for assistance to Portugal and Portuguese colonies in Africa gaining independence; $440 million for Indochina Postwar Reconstruction Assistance; $100 million for the Middle East Special Requirements Funds; and $660 million for Security Supporting Assistance and Middle East peace programs;

Appropriations for military assistance of $450 million in new obligational authority, which equals the 1974 appropriation, and is $757 million below the budget estimate of $1,207,000,000 in new obligational authority, which, when added to other available funds, would support a proposed fiscal year 1975 program of $1,246,000,000;

Appropriations for foreign military credit sales of $300 million, which is $255 million less than the budget estimate of $555 million and, combined with outside credits, will support a total military credit sales program of up to $872.5 million, the ceiling established in the authorization bill;

Appropriations for other foreign assistance of $844,546,982, which is $355,813,927 less than the budget estimate of $1,200,360,909, and includes $77 million for the Peace Corps, $90 million for the Cuban Refugee Program, $8,420,000 for migration and refugee assistance, $40 million for Soviet Jewish immigrants to Israel, $10 million for assistance to Palestinian refugees, funds to the President for international financial institutions (Asian Development Bank, Inter-American Development Bank, and the International Development Association) of $619,126,982; and

Sets a limitation on use of corporate funds for the Export-Import Bank of $6,413,328,000 which is the same as the House amount and the budget estimate. H.R. 4592. Public Law 94–11, approved Mar. 26, 1975. (77)

Summer youth employment and recreation: Appropriates a total of $473,350,000 for the summer youth employment and recreation programs of which $15,300,000 is to be used for the recreation program. H. J. Res. 492. Public Law 94–36, approved June 16, 1975. (VV)

Supplemental: Appropriates a total of $143,175,000 in new budget authority for fiscal year 1975 of which $17,175,000 is for alteration, maintenance, furnishing, and protection of House office space, $1 million is for temporary parking facilities for the Senate and additional costs in acquiring the site for a Senate garage, and the remaining $125 million is for operating assistance for the Penn Central and other railroads in reorganization under the Regional Rail Reorganization Act of 1973, and contains an increase of $150 million in loan guarantees for these railroads upon which no appropriations action is required; and repeals the provisions of Public Law 93–554 which, in effect, amounted to a blanket 5 percent reduction in Government travel. H.J. Res. 210. Public Law 94–6, approved Feb. 28, 1975. (31)

Appropriates in title I, a total of $15,066,595,998 in new obligational authority for general program supplemental appropriations for fiscal year 1975, advance funding for fiscal 1976, and one small item for fiscal 1974; in addition, also provides $206,407,375 in transfer authority, $274,306,000 in increased limitations and $53,714,000 for liquidation of contract authority; in title II, provides for increased pay costs; and in title III, prohibits use of funds under this Act to force the busing of students in schools or school districts which are desegregated as defined in title IV of the Civil Rights Act of 1964, to abolish a desegregated school, or to force the transfer of students in desegregated schools, and prohibits the use of funds under this Act for busing of students or teachers in order to overcome racial imbalance in any school or school system or carry out a plan of racial desegregation of any school or school system; and contains other provisions. H.R. 5899. Public Law 94–32, approved June 12, 1975. (192, 194)

Veterans' supplemental: Appropriates an additional $638,038,000 for Veterans Administration readjustment benefits to fund the authorized increases contained in Public Law 93–337 which increased to 10 years the 8 year delimiting period for post-Korean veterans; in Public Law 93–358 which increased from $2,800 to $3,300 the maximum grant for specially equipped automobiles for disabled veterans and extended eligibility for training and adaptive equipment; in Public Law 93–356 which increased from $17,500 to $25,000 the housing grant for certain disabled veterans; and in Public Law 93–602 which increased from 18.2 percent to 22.7 percent the monthly allowance for vocational rehabilitation trainee programs makes a total VA appropriation of $4,125,738,000 for fiscal year 1975; and appropriates $500,000 for salaries and expenses of the Federal Election Commission. H.J. Res. 375. Public Law 94–17, approved Apr. 25, 1975. (140)

Vietnamese refugee aid: Appropriates $405 million to aid refugees from Cambodia and Vietnam—$305 million to the Department of State for relocation and resettlement costs and $100 million to the Department of Health, Education, and Welfare for income, medical and education assistance to refugees in the United States—and prohibits aid to the government of Vietnam. H.R. 6894. Public Law 94–24, approved May 24, 1975. (187)

1976 and transition period

Agriculture: Appropriates a total of $11,099,033,000 for fiscal year 1976 and $2,058,854,500 for the transition period July 1-September 30, 1976 for the Department of Agriculture and related agencies programs. H.R. 8561. P/H July 14, 1975; P/S amended July 25, 1975; Senate requested conference July 25, 1975. (333)

Continuing: Makes continuing appropriations for fiscal year 1976 which shall be available from July 1, 1975, and until enactment of the individual appropriations act or the sine die adjournment of the first session of this Congress, whichever occurs first. H.J. Res. 499. Public Law 94–41, approved June 27, 1975 (230).

*Education: Appropriates $7,480,312,952 for fiscal year 1976 and $464,683,000 for the transition period July 1–September 30, 1976, for education programs, including support to local school districts, aid to individuals attending institutions of higher learning, and special assistance to the needy and the handicapped. H.R. 5901. Public Vetoed July 25, 1975. House to consider September 9, 1975. (258,293)

HUD: Appropriates $1,792,614,000 for the Department of Housing and Urban Development and various independent agencies for fiscal year 1976 and $5,647,448,000 for the transition period July 1–September 30, 1976. H.R. 8070. P/H June 24, 1975; P/S amended July 26, 1975; Senate requested conference July 25, 1975. (338)

Legislative: Appropriates $827,546,570 for the legislative branch for fiscal year 1976 and $207,391,365 for the transition period July 1–September 30, 1976, which includes funds for the Architect of the Capitol to prepare studies and develop a master plan for future development within the Capitol grounds and to remove architectural barriers to the handicapped on Capitol Hill, funds for increases in salaries for top Senate officials and staff employees ($40,000 for the Secretary of the Senate, the Sergeant at Arms of the Senate, and the Legislative Council, $39,500 for the party Secretaries, and $38,000 for administrative assistants and top committee staff), and moneys for a full telecommunciations network to bring a comprehensive legislative information system into each Senator's office; freezes the salaries of Senate and House pages at their present level; and directs the Architect of the Capitol to recommend within 3 months a plan to reduce by at least 50 percent the number of elevator operators in the Capitol complex. H.R. 6950. Public Law 94–59, approved July 25, 1975. (266)

Transportation: Appropriates a total of $4,194,482,775 for the Department of Transportation and related agencies for the fiscal year ending June 30, 1976 and; July 1–September 30, 1976; $1,007,687,939 for the transition period; includes $300,000 for the Civil Aeronautics Board for analytical research to effect necessary regulatory reform of the airlines industry, $10 million for the Coast Guard Pollution Control Fund to insure clean up of oil spills, $10 million for a bikeway demonstration program, $450,000 for the National Highway Traffic Safety Administration demonstration projects for emergency medical services, and $3 million for rail passenger and terminal facilities at Baltimore Washington International Airport: limits obligations of appropriated Federal-aid highway funds to $9 million through September 30, 1976; and contains other provisions. H.R. 8365. P/H July 10, 1975; P/S amended July 25, 1975; Senate requested conference July 25, 1975. (232)

Treasury-Postal Service: Appropriates $6,314,070,000 for fiscal year 1976 and $1,275,352,000 for the transition period July 1–September 30, 1976, for the Treasury Department, the Postal Service, the Executive Office of the President, and certain other independent agencies. H.R. 8597. Public Law 94– , approved 1975. (334)

ATOMIC ENERGY

International agreements

Atomic energy cooperation agreement with Israel: Approves the proposed two year extension of the Agreement for Cooperation Between the United States and Israel which concerns peaceful research applications in the field of atomic energy. S. Con. Res. 15. Senate adopted Feb. 19, 1975; House adopted Mar. 11, 1975. (VV)

Enriched uranium distribution to EURATOM: Approves the proposed increase (from the present 35,000 megawatt ceiling to 55,000 megawatts) in the amount of enriched uranium which may be distributed by the United States to EURATOM under Section 54 of the Atomic Energy Act of 1954, as amended, to support the fuel cycle of power reactors in the Community, such transfers to be subject to the additional Agreement for Cooperation with EURATOM (which among other things, contains provisions for safeguards against the diversion of special nuclear material to military applications) and in accordance with our Non-Proliferation Treaty obligations. S. Con. Res. 14. Senate adopted Feb. 19, 1975; House tabled Mar. 17, 1975. (VV)

Enriched uranium distribution to the International Atomic Energy Agency: Approves the proposed increase in the amount of enriched uranium which may be distributed by the United States to the IAEA under Section 54 of the Atomic Energy Act of 1954, as amended, to allow for the support of fuel cycle of power reactors, to be purchased from U.S. manufacturers, located in member states of IAEA (2 in Mexico, 1 in Yugoslavia) having a total installed capacity of 2,015 megawatts of electrical energy. S. Con. Res.

13. Senate adopted Feb. 19, 1975; House tabled Mar. 17, 1975. (VV)

Nuclear Regulatory Commission authorizations: Authorizes supplemental appropriations of $50.2 million to the Nuclear Regulatory Commission for fiscal year 1975 which is in addition to the $90,765,000 fiscal year 1975 authorization for the Atomic Energy Commission (Public Law 93–276) and transferred to the Commission on January 19, 1975, when the Atomic Energy Commission was abolished pursuant to the Energy Reorganization Act of 1974 (Public Law 93–438) and its functions transferred to the Nuclear Regulatory Commission and Energy Research and Development Administration. S. 994. Public Law 94–18, approved Apr. 25, 1975. (VV)

Authorizes $222,935,000 for fiscal year 1976 and $52,750,000 for the transition period July 1–September 30, 1976, for the Nuclear Regulatory Commission; authorizes an additional 131 employees for nuclear safety inspection and enforcement; prohibits the shipment, by air transport, of any form of plutonium (except if it is contained in a medical device designed for individual human application) until the Commission has certified to the Joint Committee on Atomic Energy that a safe container has been developed which will not rupture under crash and explosion of a high-flying aircraft; and clarifies the commencing date for the terms of the members of the Commission. S. 1716. Public Law 94– , approved 1975. (VV)

BUDGET

Deferrals

Energy Research and Development Administration: Rescinds $66.5 million and disapproves $46.1 million of the $112.6 million deferral recommended by the President in his message of November 26, 1974, provided under the 1975 Public Works-AEC Appropriations Act (P.L. 93–393) for various programs within the Energy Research and Development Administration. By this action, deferral of budget authority was disapproved for the following programs: Biomedical and Environmental Research—Artificial Heart Research, $4 million (S. Res. 32); Nuclear Materials, $12 million (S. Res. 75); Laser Fusion Program, $4.7 million (S. Res. 76); Controlled Thermonuclear Research—Fusion Program, $8 million (S. Res. 77); Physical Research, $2.7 million (S. Res. 78); Gas Cool Fast Reactor Program, $6.7 million (S. Res. 79); and LMFBR Technology, $8 million (S. Res. 80). S. Res. 32, S. Res. 75, S. Res. 76, S. Res. 77, S. Res. 78, S. Res. 79, S. Res. 80. Senate adopted May 7, 1975. (VV)

HUD—Comprehensive planning grants: Disapproves the $50 million deferral for the HUD Comprehensive Planning Grant Program recommended by the President in his message of November 26, 1974. S. Res. 23. Senate adopted Mar. 13, 1975. (VV)

Transportation—highway funds: Disapproves the $9,136,590,427 deferral for Federal highway funds to the States recommended by the President in his message of September 20, 1974. S. Res. 69. Senate adopted Apr. 24, 1975. (149)

Youth Conservation Corps: Disapproves the $10 million deferral for the Forest Service Youth Conservation Corps program recommended by the President and reported by the Comptroller General in his letter of July 9, 1975. S. Res. 205. Senate adopted July 10, 1975. (VV)

Rescissions

HEW—Health and medical service programs: Disapproves $264,700,000 of the proposed rescission of $266,323,000 recommended by the President in his messages of April 8 and May 8, 1975, for the following programs of the Department of Health, Education and Welfare: Alcohol, Drug Abuse and Mental Health; D.C. medical facilities; Nurse training, allied and public health, and funding for medical facilities and construction; and emergency food and medical services, and summer youth sports; and approves the rescission of $1,623,000 for health services. H.R. 6573. P/H May 12, 1975; P/S amended June 10, 1975; House disagreed to Senate amendment June 12, 1975. (VV)

HUD—Homeownership assistance: Disapproves the $264,117,000 rescission for the HUD Homeownership Assistance Program recommended by the President in his message of October 4, 1974. S. Res. 61. Senate adopted Mar. 13, 1975. (VV)

Agriculture, Commerce, DOD, Executive Office, General Services, Justice, HEW, State, Treasury: Approves rescission of budget authority in the amount of $243,359,370, and disapproves $706,083,802 of the amounts proposed for rescission by the President, for the following departments:

Department of Agriculture: Approves a partial rescission of $7,856,470 for the Agriculture Stabilization and Conservation Service Water Programs, leaving available $13,356,470 for the wetlands and marshlands conservation program; disapproves rescissions of $14,921,000 for the Forest Service;

Department of Defense: Approves rescission of $60,300,000 for operations and real property maintenance; disapproves rescission of $5,700,000 for Army UH–IH utility helicopters procurement because rescission would result in no procurement of needed helicopters in fiscal year 1975; approves rescission of $122,900,000 for Air Force F–111F fighter aircraft; disapproves rescission of $29,600,000 for Air Force A–7D attack aircraft as being necessary for modernization of the Air National Guard;

Department of Health, Education, and Welfare: Disapproves rescission of $284,719,000 for Hill-Burton hospital bed construction;

Department of State: Approves rescissions of $2.1 million in savings;

Department of Justice: Disapproves rescission of $5,350,000, $1.3 million, and $2.4 million respectively for salaries and expenses of the FBI, Immigration and Naturalization Service, and the Drug Enforcement Administration on the basis that the rescission would adversely affect accomplishment of the purposes of these agencies; approves rescission of $7 million for the Bureau of Prisons in view of a lower than expected prison population and the possibility of acquiring a new facility at no cost;

Department of Commerce: Approves rescissions totaling $2.25 million for Social and Economic Statistics Administration, Trade Adjustment Assistance, U.S. Travel Service, the Patent Office and the marine data buoy project of the National Oceanic and Atmospheric Administration; disapproves rescission of $2 million for Economic Development Administration assistance programs which affect planning for areas of chronic, high unemployment; disapproves rescissions of $1.3 million, $500,000, and $500,000 respectively for National Oceanic and Atmospheric Administration, salmon and steelhead rearing ponds, three regional fisheries commissions under the National Fisheries Policy, and the marine ecosystems project in Puget Sound;

Department of the Treasury: Approves rescissions of $1.53 million affecting the Office of the Secretary, the Federal Law Enforcement Training Center, the Bureau of Accounts, and the Internal Revenue Service; disapproves rescission of $9,230,000 and $10,240,000 respectively, for accounts, collection, and taxpayer service and compliance in the Internal Revenue Service; disapproves rescission of $3 million for the Customs Service on the basis of adverse impact on its functions;

Executive Office of the President: Approves rescission of $2,240,000 for the Special Action Office for Drug Abuse Prevention as legislative authority for this office expires June 30, 1975 and other funding available is considered sufficient;

General Services Administration: Approves rescission of $20,022,900 for the Federal Buildings Fund which will be withdrawn from programmed low-priority work which has not been started. H.R. 3260. Public Law 94–14, approved Apr. 8, 1975. (68)

Agriculture, Commerce, Consumer Product Safety, DOD, HEW, Labor: Rescinds $16,454,704 ($10 million for Forestry Incentive Programs, $955,000 for Defense special foreign currency programs, $500,000 for the Consumer Product Safety Commission, and $4,999,704 for the Latin-American Cultural and Trade Center within the Department of Commerce) and disapproves $1,243,939,250 of the rescission of $1,260,393,954 recommended by the President in his message of January 30, 1975, and the communications of the Comptroller General of February 7 and 14, 1975, as follows: Department of Agriculture—$191,690,000; Consumer Product Safety Commission—$1,209,000; Community Service Employment for Older Americans in the Department of Labor—$12 million; Department of HEW—$936,030,250; and Department of Commerce—$125 million which is for the Job Opportunities Program which had been submitted as a deferral and reclassified by the Comptroller General as a rescission. H.R. 4075. Public Law 94–15, approved Apr. 8, 1975. (VV)

Resolutions

First budget resolution: Recommends budget outlays of $367 billion, estimated revenues of $298.18 billion and an estimated deficit of $68.82 billion as compared to the President's budget estimates of $355.6 billion in outlays adjusted as of April 4, estimated revenues of $297.5 billion, and a proposed deficit level of $60 billion; recommends, in order to achieve the revenue level suggested that revenues should be decreased by $3.4 billion; and, in making the revenue recommendations (1) assumes that major provisions of the Tax Reduction Act scheduled to expire December 31, 1975 will be extended by the Congress and thus lower revenues by $4.4 billion, (2) takes the position that additional revenues should be raised through enactment of tax reform legislation in the amount of $1 billion in fiscal year 1976, and (3) assumes that, as a result of recent tax collection experience, an additional $2 billion in revenues will be received during fiscal year 1976; does not contain the function-by-function allocations which will be reported in later years but is based on recommended outlays for budget programs by function for fiscal year 1976 as compared with the President's proposed budget outlays as follows:

National Defense: $91.2 billion in budget outlays as compared to $93.9;

International Affairs (conduct of foreign affairs, foreign information and exchange activities, the Peace Corps, Food for Peace, and foreign assistance except for military assistance): $4.9 billion as compared to an estimated $5.1 to $6.4 billion;

General Science, Space, and Technology: $4.6 billion, which is the same as that proposed in the President's budget;

Natural Resources, Environment, and Energy: $11.6 billion as compared to $10.2 billion;

Agriculture: $1.8 billion, which is the same as that in the President's budget:

Commerce and Transportation: $17.5 billion as compared to $14.7 billion;

Community and Regional Development: $8.65 billion as compared to $6 billion;

Education, Manpower, and Social Services: $19.85 billion as compared to $16.6 billion;

Health: $30.7 billion as compared to $28.4 billion;

Income Security (Social security and unemployment insurance, retirement systems for Federal and railroad employees and assistance programs for the needy): $125.3 billion as compared to $120.9 billion;

Veterans Benefits and Services: $17.5 billion as compared to $16.2 billion;

Law Enforcement and Justice: $3.4 billion as compared to $3.3 billion;

General Government: $3.3 billion as compared to $3.2 billion;

Revenue Sharing and General Purpose Fiscal Assistance: $7.2 billion, which is the same as that in the President's budget;

Interest: $35.3 billion as compared to $34.4 billion;

Allowances (includes energy tax equalization payments, civilian agency pay raises and contingencies): $1.2 billion as compared to $8.1 billion, caused mainly by the deduction of $7 billion included in the President's budget to equalize the impact of his original energy tax proposals based on the assumption that the President's program will not be approved by the Congress; and

Undistributed Offsetting Receipts (includes Federal Government contributions to the employee retirement funds, interest earned on trust funds and revenue from oil leases on the Outer Continental Shelf): Deduction of $16.2 billion in undistributed offsetting receipts from the budget total in 1976 as compared to $20.2 billion in the President's budget, in the Congressional budget difference being due to an estimate of $4 billion in receipts by the Committee from the sale of leases for offshore oil drilling and an estimate of $8 billion in such receipts in the President's budget. H. Con. Res. 218. House adopted May 1, 1975; Senate adopted amended May 5, 1975; House and Senate agreed to conference report May 14, 1975. (157).

CONGRESS

August recess: Provides for the adjournment of the Congress from Friday, August 1 until noon, Wednesday, September 3, unless reassembled by the House or Senate leadership, and authorizes the Secretary of the Senate and the Clerk of the House to receive messages, including veto messages, from the President during this time. S. Con. Res. 54. Senate adopted July 22, 1975; House adopted July 28, 1975. (307)

Congressional paycheck disbursements: Amends section 3620 of the Revised Statutes relating to payroll disbursements to give Congressional employees the same option as other Federal employees of having their pay sent to two or three different financial institutions of their choice effective when the Secretary of the Senate and the Clerk of the House respectively determines the feasibility of compliance for their employees but no later than July 1, 1976. H.R. 7405. Public Law 95–57, approved July 19, 1975. (VV)

Guam and Virgin Islands Delegate allowance: Provides that the clerk hire allowance and the transportation expenses subject to reimbursement under Federal law of the Delegates from Guam and the Virgin Islands shall be the same as allowed for Members of the House of Representatives. H.R. 4269. Public Law 94–26, approved May 27, 1975. (VV)

Joint Committee of the Bicentennial: Establishes a Joint Committee on Arrangements for the Commemoration of the Bicentennial, to be composed of 12 members (the majority and minority leaders of the Senate and House, the members of Congress who are members of the American Revolution, Bicentennial Board, 2 members appointed by the President of the Senate, and 2 members appointed by the Speaker of the House) to coordinate the planning and implementation of Bicentennial activities and events of the Congress with those of other groups; to consult with the Speaker of the House and President of the Senate to provide for congressional representation at appropriate Bicentennial events; and to develop and implement programs to inform and emphasize to the Nation the role of the Congress, as the representative of the people, over the past 200 years. S. Con. Res. 44. Senate adopted June 13, 1975; House adopted amended June 23, 1975; Senate agreed to House amendment with amendment July 30 ,1975. (VV)

Supreme Court Chamber: Declares officially open the Chamber of the Supreme Court which is located in the Capitol and extends congratulations and appreciation to the various people who contributed to the restoration of this Chamber. S. Res. 164. Senate adopted May 21, 1975. (VV)

CONSUMER AFFAIRS

Consumer fraud: Protects consumers and reduces the instances of consumer fraud by amending the United States Code in order to make the knowing commission of the following consumer frauds subject to criminal penalties: (1) offering or advertising of goods or services with the knowledge that they will not be sold as so offered or advertised; (2) utilization of false or misleading statements or advertising with respect to goods and services; (3) false description of goods; (4) refusal to return a price or deposit when goods have not been and will not be delivered or when services contracted for have not or will not be performed; and (5) use of physical force, threats, harassment or similar misconduct in the course of a sale or in an attempt to collect the purchase price of goods and services from a customer; imposes a maximum fine of $1,000 and/or 1 year imprisonment for first offenses and a $10,000 fine and/or 3 years imprisonment for second and subsequent offenses; allows a consumer to cancel any contract or agreement resulting from a transaction involving a proscribed unfair consumer practice; and authorizes the Attorney General of the United States and the attorney general of any State to seek an injunction to enjoin the commission of such unfair consumer practices. S. 670. P/S July 10, 1975. (VV)

Consumer product safety: Authorizes appropriations of $51 million for fiscal year 1976, $14 million for the transition period July 1–September 30, 1976, and $55 million for fiscal year 1977 for implementation of the Consumer Product Safety Act; contains provisions concerning the jurisdiction of the Consumer Product Safety Commission (CPSC) which: (1) eliminates pesticides from the Commission's jurisdiction under the Poison Prevention Packaging Act of 1970 as being duplicative of the Environmental Protection Agency's authority under the Federal Environmental Pesticide Control Act of 1972 to enforce pesticide-related packaging standards for the purpose of child protection: (2) provides that the Commission has no jurisdiction to regulate tobacco or tobacco products as being "hazardous substance" under the Federal Hazardous Substances Act, but provides that the Commission may regulate tobacco and tobacco products under the Consumer Product Safety Act to the extent that such products present an unreasonable risk of injury as a source of ignition; (3) provides that the Commission, under the Hazardous Substances Act, may not regulate ammunition as a "hazardous substance" but may continue to establish and enforce cautionary labeling requirements relative to storage in a household, and may continue to regulate fireworks as a "hazardous substance"; prohibits political clearance by the Executive Office of the President, the Office of Management and Budget, or other executive agency of any employee whose principal duties would involve significant participation in the determination of major Commission policies or who would serve as a personal assistant or adviser to any Commissioner; requires, in order to facilitate the identification of potential product hazards, that a product liability insurer or an independent testing laboratory which discovers a substantial product hazard in the course of its business must report that finding to its insured or its client and inform him of his obligations, if any, under the law; enlarges the enforcement authority of the Commission; provides a uniform Federal preemption clause for the Federal Hazardous Substances Act, the Flammable Fabrics Act and the Consumer Product Safety Act which provides that if the Commission has requirements in effect for a product, State or local requirements must conform to the Federal standard unless the State requirement does not cause the product to be in violation of the Federal standard and provides a significantly higher degree of protection without unduly burdening the manufacture or distribution of products in interstate commerce; gives courts the discretion to award attorney's fees to persons involved in obtaining judicial review under the Consumer Product Safety Act; and contains other provisions. S. 644. P/S July 18, 1975. (297)

Consumer protection: Protects the interests of consumers and promotes consumer-protection in the United States; creates an independent Agency for Consumer Advocacy (ACA) to represent and advocate the interests of consumers before other Federal agencies and Federal courts; authorizes the ACA to receive and transmit complaints from consumers and develop and disseminate information concerning interests of consumers;

Excepts from the jurisdiction of the ACA the following: the Central Intelligence Agency, the Federal Bureau of Investigation, or the National Security Agency, or the national security and intelligence functions of the Departments of State and Defense and the military weapons program of the Energy Research and Development Administration, as well as any Federal Communications Commission proceeding relating to renewals of radio or television broadcasting licenses, or any labor-management case before the National Labor Relations Board; prohibits intervention or participation by the ACA in any proceeding or activity directly affecting producers of livestock, poultry, agricultural crops or raw fish products; prohibits such intervention with respect to the granting or enforcement of any right-of-way or other authorization relating to the Alaska pipeline system of oil or natural gas; prohibits such intervention in proceedings relating to limiting the manufacture or sale of firearms or ammunition;

Requires the General Accounting Office to review all of ACA's activities and report to Congress thereon within 3 years; makes the provisions of the Freedom of Information Act applicable to the ACA; provides for the preparation of cost and benefit assessment statements by Federal agencies issuing rules or proposing legislation which have a substantial economic impact; and contains other provisions. S. 200. P/S May 15, 1975. (184)

Motor vehicle information and cost savings: Amends the Motor Vehicle Information and Cost Savings Act to authorize additional appropriations to implement the four titles of the bill for fiscal year 1976, the fiscal year transition period July 1–September 30, 1976, and fiscal year 1977 respectively, as follows: Title I, which requires the Secretary of Transportation to promulgate bumper standards applicable to all passenger motor vehicles: $500,000, $125,000 and $500,000; Title II, which provides for an automobile consumer information program: $2 million, $650,000 and $4 million; Title III, which provides for diagnostic inspection demonstration projects: $5 million, $1.5 million, $7.5 million; and Title IV, which sets odometer requirements: $450,000, $100,000 and $650,000; redefines the special motor vehicle diagnostic inspection demonstration project under title III to assure that the project will be designed for use by States for high volume inspection facilities to evaluate conditions of parts, components and repairs required to comply with State and Federal safety, noise and emission standards and to assist the owner in achieving the optimum fuel and maintenance economy and authorizes an additional $7.5 million for fiscal year 1978 to implement this program; provides the Secretary with additional authority to enforce the odometer anti-tampering provisions; and imposes a civil penalty of not to exceed $10,000 for each violation and criminal penalties of not more than $50,000 and/or 1 year in prison. S. 1518. P/S June 5, 1975. (VV)

CRIME—JUDICIARY

Bilingual court proceedings: Amends title 28, U.S.C., by adding a new section specifying the circumstances when an interpreter must be furnished to translate all or part of the court proceedings for the benefit of a non-English-speaking party or when a witness does not speak English and imposes administrative duties upon the Administrative Office of the U.S. Courts in relation to certification and use of interpreters. S. 565. P/S July 14, 1975. (VV)

Federal rules of criminal procedure: Approves and amends certain amendments to the Federal Rules of Criminal Procedure as proposed by the Supreme Court in its order of April 22, 1974, pursuant to statutes known as "rules enabling acts," to become effective on December 1, 1975. H.R. 6799. Public Law 94- , approved 1975. (VV)

Federal rules of evidence: Amends the Federal Rules of Evidence to make clear that nonsuggestive lineup, photographic and other identifications, made in compliance with the Constitution, are admissible in evidence. S. 1549. P/S June 19, 1975. (VV)

Florida judicial district: Transfers Madison County from the middle judicial district to the northern district of Florida to reduce the average travel time for Madison County residents. S. 723. P/S June 19, 1975. (VV)

Pyramid sales: Prohibits the use of any means or instrumentality of transportation or communication in interstate commerce or of the mails for sales, offers, or attempts to sell a participation or rights to participate in a "pyramid sales scheme" which is defined as an investment program based on inducing people to buy the right to sell similar rights to other people. S. 1509. P/S May 14, 1975. (VV)

Robert E. Lee: Restores posthumously full rights of citizenship to General Robert E. Lee, effective June 13, 1865, which were forfeited by him as General of the Army of Northern Virginia in the war between the States. S.J. Res. 23. Public Law 94- , approved 1975. (VV)

Three-judge courts: Eliminates the requirement for special three-judge courts in cases seeking to enjoin the enforcement of State or Federal laws on the grounds of unconstitutionality except when specifically required by act of Congress or in any case involving congressional reapportionment or the reapportionment of any statewide legislative body and clarifies the composition and procedure of three-judge courts in those cases where they are required. S. 537. P/S June 20, 1975. (VV)

DEFENSE

Coast Guard authorization: Authorizes $149,676,000 for fiscal year 1976 and the transition period (July 1–September 30, 1976) to the Coast Guard for the procurement of vessels and aircraft, construction of shore and offshore establishments including the Valdez, Alaska, vessel traffic control system and the Sitka, Alaska, Air Station to assure that the stations are operational upon the completion of the Trans-Alaska pipeline, and payment to bridge owners for the cost of alterations of railroad bridges and public highway bridges across the navigable waters of the United States; authorizes the year-end strength for active duty personnel and provides additional personnel for fishery surveillance and enforcement by helicopter; and authorizes the military training student loads. H.R. 5217. Public Law 94–54, approved July 7, 1975. (VV)

Defense production—Commission on Productivity and Work Quality: Extends the expiration date of the Defense Production Act of 1950 and funding for the National Commission on Productivity and Work Quality for 90 days, through September 30, 1975. S.J. Res. 94. Public Law 94–42, approved June 28, 1975. (VV)

Diego Garcia: Disapproves the proposed construction project on the island of Diego Garcia, the need for which was certified by the President and received by the Senate on May 12, 1975. S. Res. 160. Senate rejected July 28, 1975. (340)

Military construction authorization: Authorizes a total of $3,870,982,000 for fiscal year 1976 ($3,540,982,000) and the transition period July 1–September 30, 1976 ($330 million) to provide construction and other related authority for the military departments, and the office of the Secretary of Defense, within and outside the United States, and authority for construction of facilities for the Reserve Components; includes authorization of $13.8 million for construction and expansion of the naval base at Diego Garcia in the Indian Ocean subject to the provision added to last year's bill requiring the President to certify as to the necessity of the construction and allowing Congress 60 days to consider such certification before construction may begin; and contains other provisions. S. 1247. P/S June 9, 1975; P/H amended July 28, 1975; Senate requested conference July 31, 1975. (VV)

Military procurement authorization: Authorizes a total of $25,763,383,000 for fiscal year 1976 and $5,354,723,000 for the transition period of July 1, 1976 through September 30, 1976 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces; authorizes $380.5 million for six airborne warning and control system—AWACS—aircraft, $887 million for the B–1 bomber and $60 million for long-lead items for the nuclear strike cruiser; authorizes the personnel strength for military active duty components of the Armed Forces and makes a total reduction of 9,000 as directed by the Secretary of Defense; authorizes the annual average military training student load for each of the active and reserve components; authorizes the personnel strengths for the Selected Reserve of each of the Reserve components; provides a 23,000 total reduction of civilian personnel in the Department of Defense to be allocated among the military departments by the Secretary of Defense; contains provisions regarding discrimination in supplying petroleum products for the Armed Forces; may receive less retired or retainer pay than they would have received at and provides that no service members who retired after January 1, 1977 earlier date on or after January 1, 1971; reduces the number of enlisted service personnel who may be assigned as servants to officers; approves the admission of women to the service academies for the class beginning in 1976; extends until December 31, 1977 the President's authority to transfer aircraft and related equipment by sale, credit, or guarantee in order to maintain the military balance in the Middle East; and contains other provisions. H.R. 6674. P/H May 20, 1975; P/S amended June 6, 1975; House agreed to conference report July 30, 1975; Senate rejected conference report August 1, 1975. (214,374)

Naval museum: Expresses the approval of Congress with respect to the establishment by the State of South Carolina of the Naval and Maritime Museum in the city of Charleston, S. Con. Res. 9. Senate adopted Feb. 28, 1975. (VV)

Nuclear-trained naval officers pay bonus extension: Extends through fiscal year 1977, the authority under Public Law 92–581 to pay a $15,000 bonus to any nuclear-trained naval officer who prior to completion of 10 years of active service, agrees to remain on active duty for 4 years in addition to any other period of obligated active service. S. 2114. P/S July 26, 1975. (VV)

Officer graduate school appointees: Eliminates any period during which an officer was listed in a missing status for the purpose of computing the 6-year period in considering eligibility of appointees to officer graduate school. S. 1767. P/S May 1975. (VV)

DISTRICT OF COLUMBIA

Southeastern University: Insures the continued eligibility of Southeastern University for the benefits of the several acts providing for aid to higher education and amends its Charter to make possible the continued operation of the University as a nonprofit, tax-exempt educational institution under the provisions of section 501(c)(3) of the Internal Revenue Code. S. 611. P/S June 19, 1975. (VV)

ECONOMY—FINANCE

Appalachian regional development: Extends the Appalachian Regional Development Act for 2 years, until September 30, 1977, and authorizes therefor $267 million for essential health, education, and other public services; provides new demonstration authority to address the social, economic, and environmental effects of expanded energy production;

Extends the highway portion of the program until September 30, 1981, to facilitate completion of the Appalachian Development Highway System and authorizes therefor $1.02 billion;

Gives the Regional Commissions authorized by Title V of the Public Works and Economic Development Act of 1965 statutory status comparable to that enjoyed for the past decade by the Appalachian Regional Commission;

Extends Title V of the Public Works and Economic Development Act for one year beyond its present expiration date of June 30, 1976, and authorizes a total of $500 million for fiscal year 1976, the transition period and 1977; provides that such funds shall be apportioned among the seven regional commissions on a percentage formula based on equality, land area, population and per capita income; and contains other provisions. H.R. 4073. P/H May 19, 1975; P/S amended July 17, 1975. (295)

Bank acquisitions: Amends the Bank Holding Company Act of 1956, as amended, to allow the Federal Reserve Board to shorten the time requirements for notice to the respective primary bank supervisory authority from 30 days to 10 days if it finds that an emergency exists requiring expeditious action to prevent a probable failure of a bank or bank holding company, and shortens from 30 days to 5 days the Justice Department's period for comment on such acquisitions except that all notice requirements may be dispensed with if the Board needs to act immediately. S. 2209. P/S July 30, 1975. (VV)

Commodity futures: Extends for 90 days the following provisions of the Commodity Futures Trading Act of 1974 (Public Law 93–463) which becomes effective April 21, 1975: provisional designation as a contract market to any board of trade for commodities traded thereon; required Commission approval of contract market bylaws and rules; provisions and eventual permanent registration of any futures commission merchant, floor broker, associated person, commodity trading advisor, or commodity pool operator; and amends the Act to provide that the Commission will have 9 months instead of 6 months to determine whether trading by floor brokers and futures commission merchants for their own accounts and for their customers at the same time is permitted; provides the Commission 180 days instead of 90 days to define bona fide hedging transactions or positions; and delays the effective date to 15 months instead of 1 year of the provisions for handling customers' complaints. H.J. Res. 335. Public Law 94–16, approved Apr. 16, 1975. (VV)

Council on International Economic policy: Authorizes $400,000 for the period July 1–September 30, 1975, for the Council on International Economic Policy which as part of the Executive Office, brings the views of the various Federal agencies on international economic policy to the attention of the President and represents the Administration on these issues with Congress and the public. S.J. Res. 97. P/S June 21, 1975. (VV)

Authorizes $1,657,000 for fiscal year 1976 and $1,670,000 for fiscal year 1977 for the Council on International Economic Policy and provides that the staff of the Council shall be appointed without regard to provisions of law relating to employment and compensation of persons in Government service with supergrade positions limited to 8. H.R. 5884. Public Law 94– , approved 1975. (VV)

Council on Wage and Price Stability: Extends from August 15, 1975 to September 30, 1977 the expiration date of the Council on Wage and Price Stability, which was established on August 24, 1974 to monitor wage and price developments in the private economy, to review the inflationary impact of governmental programs and policies, and to recommend measures for containing inflation;

Provides for Senate confirmation of persons appointed as director of the Council in the future;

Gives the Council authority to require periodic information reports and subpena power regarding witnesses and the production of relevant books and other documents relating to wages, prices, costs, profits, and productivity by product line or by such other categories as the Council may prescribe; and contains other provisions. S. 409. Public Law 94– , approved 1975. (167)

Duty suspensions

Hopper Cars: Suspends until June 30, 1975, the column 1 rate of duty on open-top hopper cars exported for repairs or alterations and provides that, upon appropriate application, entries of such articles made after September 1, 1974, and before the date of enactment could be liquidated or reliquidated on a duty free basis. H.R. 7731. Public Law 94– , approved 1975. (VV)

Istle fiber—Child support funding: Extends from September 5, 1975 to June 30, 1978 the existing suspension of duty on processed istle fiber; and amends Public Law 93–647 to extend from July 1 to August 1, 1975 the effective date of the act in order to enable some 11 States to comply with the statutory child support regulations in order to receive Federal matching grants for their child support activities. H.R. 7709. Public Law 94–46, approved June 30, 1975. (VV)

Platinum and carbon: Suspends until October 31, 1975, the column 1 and column 2 rates of duty on catalysts of platinum and carbon imported for use in producing caprolactam; applies the suspension to imports of such catalysts entered, or withdrawn from warehouse, for consumption on or after the date of enactment; and provides for retroactive duty suspension on entries or withdrawals after October 1, 1973, upon appropriate request filed with the customs officer concerned within 120 days after the date of enactment. H.R. 7728. Public Law 94– , approved 1974. (VV)

Watches—Child support: Amends the Tariff Schedules of the United States to provide for the duty-free treatment of watches and watch movements manufactured in any insular possession of the United States by increasing to 70 percent the value of foreign materials contained in such watches and watch movements; applies the suspension to articles entered or withdrawn from warehouse after the date of enactment; and amends the child support law which becomes effective August 1, 1975 to protect States whose legislatures have not yet had time to meet the new requirements, and to protect assistance recipients from a reduction in income. H.R. 7710. PIH June 24, 1975: PIs amended August 1, 1975. (VV)

Zinc-copper: Suspends until June 30, 1978 the column 1 rates of duty on certain forms of zinc entered or withdrawn from warehouse for consumption on or after the date of enactment; and continues until June 30, 1978, the suspension of duties on copper waste and scrap, articles of copper and other metal waste and scrap. H.R. 7716. P/H June 24, 1975; P/S amended July 17, 1975. (VV)

Lower interest rates: States the sense of the Congress that the Federal Reserve Board and the Federal Open Market Committee (1) pursue policies in the first half of 1975 so as to encourage lower long term interest rates and expansion in the monetary and credit aggregates appropriate to facilitating prompt economic recovery and (2) maintain long-run growth of the monetary and credit aggregates commensurate with the economy's long-run potential to increase production so as to promote effectively the goals of maximum employment, stable prices and moderate long-term interest rates; and provides for semiannual oversight hearings by the House and Senate Banking committees wherein the Board of Governors of the Federal Reserve System and the Open Market Committee will consult with Congress with respect to the ranges of growth or diminution of monetary and credit aggregates in the upcoming 12 months. H. Con. Res. 113. House adopted Mar. 4, 1975; Senate adopted amended Mar. 17, 1975; Senate agreed to conference report Mar. 20, 1975; House agreed to conference report Mar. 24, 1975. (65)

National Commission on Supplies and Shortages: Amends section 720 of the Defense Production Act which created a National Commission on Supplies and Shortages to assure that certain conflict of interest provisions shall not apply to members appointed to the Commission from the private sector; extends from March 1, 1975, to June 30, 1975, the time in which the Commission must submit its report to the President and Congress with respect to institutional adjustments and from June 30, 1975, to December 31, 1975, the time for the Commission to prepare, publish and transmit such other reports it deems appropriate; provides that the $75,000 authorization for the advisory committee shall remain available until December 31, 1975; and extends the $500,000 authorization for the Commission from June 30, 1975, until December 31, 1975. S.J. Res. 27. P/S Feb. 5, 1975. (VV)

Amends section 720 of the Defense Production Act which created a National Commission on Supplies and Shortages to extend from March 1, 1975, to June 30, 1975, the time in which the Commission must submit its report to the President and Congress with respect to institutional adjustments and from June 30, 1975, to December 31, 1975, the time for the Commission to prepare, publish and transmit such other reports it deems appropriate: provides that the $75,000 authorization for the advisory committee shall remain available until December 31, 1975; and extends the $500,000 authorization for the Commission from June 30, 1975, until December 31, 1975. S.J. Res. 48. Public Law 94–9, approved Mar. 21, 1975. (VV)

Amends section 720 of the Defense Production Act which created a National Commission on Supplies and Shortages to extend to March 31, 1976, the time in which the Commission must submit its report to the President and Congress with respect to institutional adjustments and to October 1, 1976 the time for the Commission to prepare, publish and transmit such other reports it deems appropriate: provides that the $75,000 authorization for the advisory committee shall remain available until October 1, 1976; and extends the $500,000 authorization for the Commission until October 1, 1976. H.J. Res. 560. Public Law 94– , approved 1975. (VV)

National insurance development program: Extends the National Insurance Development Program, which would expire on April 30, for an additional 2 years so as to maintain the Federal Riot Reinsurance Program which reinsures the general property insurance business against the peril of riot and the Federal Crime Insurance Program which provides basic crime insurance coverage in States where it is needed. H.R. 2783. Public Law 94–13, approved Apr. 8, 1975. (VV)

Public debt limit increase: Increases the debt limit by $131 billion for a total temporary and permanent debt limit of $531 billion until June 30, 1975. H.R. 2634. Public Law 94–3, approved Feb. 19, 1975. (10)

Increases the debt limit by $46 billion for a total temporary and permanent debt limit of $577 billion until November 15, 1975. H.R. 8030. Public Law 94–47, approved June 30, 1975. (256)

Public works employment: Amends the Public Works and Economic Development Act of 1965 to provide $2.125 billion for anti-recessionary public works authorization for fiscal year 1976, including (1) $1 billion under Title I for grants to State and local governments for public works projects in the following order of priority (a) projects inactive because the applicant is unable to provide the local matching share, (b) projects halted after approval because inflation has pushed total project costs beyond the ability or willingness of agencies to provide the Federal share, and (c) projects initiated by State and local governments without other Federal financial participation; (2) a $125 million increase for working capital loans under the Economic Development Administration's business development program to prevent the loss of jobs in the private sector; and (3) $1 billion for the Job Opportunities Program to accelerate the job-creating impact of various Federal, State and local programs; limits the available authority to obligate funds for Title I grants and the Title X Job Opportunities Program when the national unemployment rate declines below 9 percent during the most recent calendar quarter by reducing the authority to obligate by one-fourth, up to $500 million, for each one-half of one percent by which the rate declines below 9 percent;

Provides a new formula for allocation to States of approximately $9 billion in previously impounded water pollution control funds for construction of waste treatment facilities which is based 50 percent on population and 50 percent on need instead of on relative State need only;

Authorizes appropriations for financial assistance to State and local governments when the national seasonally adjusted unemployment rate exceeds 6 percent in the amount of $125 million per calendar quarter plus $62.5 million multiplied by the number of one-half percentage points by which the seasonally adjusted national rate exceeds 6 percent; authorizes assistance from these amounts to States and local governments based upon their unemployment rate and level of tax revenue, as measures of recessionary impact and the level of services provided; and contains other provisions. H.R. 5247. P/H May 20, 1975; P/S amended July 29, 1975. (348)

Repatriated U.S. citizens—SSI recipient food stamp eligibility: Makes permanent the authority under section 1113 of the Social Security Act permitting the Secretary of Health, Education, and Welfare to provide temporary assistance to American citizens and their dependents who have been repatriated from foreign countries and limits the authorization to $8 million through September 30, 1976, and $300,000 for each subsequent fiscal year; and amends Public Law 93-233 to extend for an additional 12 month period, through June 30, 1976, the provision which makes needy, aged, blind and disabled people qualifying for benefits under the SSI program eligible to participate in the Food Stamp program. H.R. 6698. Public Law 94-44, approved June 28, 1975. (VV)

Savings and loan associations: Amends the Homeowners' Loan Act of 1933, as amended, to clarify section 5(c) of the Act to provide that Federally chartered saving and loan associations may act as custodians for Individual Retirement Accounts (IRA's) authorized pursuant to Public Law 93-406, the Employee Retirement Income Security Act of 1974. S.J. Res. 102. Public Law 94-60, approved July 25, 1975. (VV)

Securities acts amendments: Amends the Exchange Act, Securities Investor Protection Act, Investment Advisers Act, and Investment Company Act to make changes in the structure and regulation of the securities industry as follows:

National Securities Market System: Grants the Securities and Exchange Commission (SEC) broad, discretionary powers to oversee the development of a national market system encompassing all segments of the corporate securities markets including common and preferred stocks, bonds, debentures, warrants and options in order to provide greater investor protection and maintain a strong capital raising and allocating system; encourages maximum reliance on communication and data processing equipment consistent with justifiable costs and grants the SEC broad authority over the processing and distribution of market information; sets as a goal the establishment of trading rules and procedures for auction trading, trading in unlisted securities, and third market trading;

Self-Regulation and SEC Oversight: Consolidates and expands SEC oversight powers with respect to the self-regulatory exchange organizations, their members, and officers; confers upon the District courts the jurisdiction to command compliance with the act; clarifies the rule-making powers of SEC; and provides for judicial review of SEC actions in an appropriate court of appeals;

Municipal Securities: Extends Federal regulation to brokers and dealers trading exclusively in tax-exempt State and local bonds thus removing their exemption from the provisions of the Exchange Act; vests the ultimate authority and responsibility for the regulation of the municipal securities industry in SEC with the rulemaking responsibilities vested in a new self-regulatory agency, the Municipal Securities Rulemaking Board;

Clearing Agencies and Transfer Agents: Establishes a system for the development of an integrated national system for clearance and settlement of stock transactions in interstate commerce; centralizes in the SEC the authority and responsibility to regulate, coordinate and direct the operations of all persons involved in the securities handling process, and requires registration and reporting by clearing agencies and transfer agents; and empowers the SEC to review and amend the rules of such entities;

Securities Trading by Members of a National Securities Exchange: Prohibits stock exchange members from effecting any transaction on the exchange for its own account, the account of an associated person, or an account with respect to which the member or an associated person exercised investment discretion; provides exemptions from this prohibition for certain types of transactions which contribute to the fairness and orderliness of exchange markets or which have not given rise to serious problems, such as transactions by market makers, including specialists and block positions, bona fide arbitrage transactions, transactions for a member's own account and transactions for the account or estate of a natural person or a trust created by a natural person for himself or another person; authorizes the SEC to exempt any other transaction which is consistent with the purposes of these provisions and also to regulate or prohibit the exchange transactions which are specifically exempted; authorizes the SEC to extend the broad prohibition against the combination of money management and brokerage to the over-the-counter market to maintain fair and orderly markets, assure equal regulation or to protect investors; and provides for a 3-year phasein of these provisions following the date of enactment for exchange members who were members on May 1, 1975;

Commission Rates: Prohibits fixed commission rates after the date of enactment except that rates charged by members acting as brokers on the floor of an exchange for other members or as an odd-lot dealer may be fixed until May 1, 1976; permits the SEC to reimpose fixed rates, by rule, prior to November 1, 1976, and provides a procedure for continuing or reimposing fixed rates after that date;

Institutional Disclosure: Authorizes the Commission to require the disclosure of certain institutional portfolio holdings and transactions;

And contains other provisions. S. 249. Public Law 94-29, approved June 4, 1975. (VV)

Social security—medicaid: Makes permanent the temporary provision of law authorizing disregard of the 1972 Social Security increase in regard to medicaid eligibility, thus protecting the medicaid eligibility of those who would otherwise lose their eligibility because of the 1972 increase; and gives Puerto Rico, the Virgin Islands, and Guam, which deliver care to medically indigent people through their public health care systems, a permanent exemption from the freedom of choice requirement for obtaining medical services in order to alleviate the costs connected with private services. H.R. 8109. Public Law 94-48, approved July 1, 1975. (VV)

Stock transfer taxes: Amends section 28 (d) of the Securities Act of 1934 to restore to a State or political subdivision the ability to impose a transfer tax where the basis of the tax is the transfer and issuance of a new certificate by a registered transfer agent, and makes clear that such taxes cannot be imposed on transfer agents that transfer record ownership of securities by bookkeeping entry without physical issuance of securities certificates. S. 2136. P/S July 30, 1975. (VV)

Tax rebate—State taxation: Clarifies the intent of the Senate that the tax rebates provided under the Tax Reduction act of 1975 (Public Law 94-12) are not subject to State income tax. S. Res. 158. Senate adopted June 9, 1975. (VV)

Tax reduction: Amends the Internal Revenue Code of 1954 for a $22.8 billion net tax reduction as follows:

Individual taxes

1974 Tax Rebate: Provides a refund on 1974 tax liability to be paid in one installment within 45 to 60 days equal to 10 percent, ranging from $100 (or the amount of taxes paid if less than $100) to a maximum of $200 on an adjusted gross income of $20,000 which is scaled down to $100 when income reaches $30,000 and over;

1975 Standard Reduction: Increases the low income allowance on minimum standard deductions from $1,300 for single and joint returns to $1,600 for single and $1,900 for joint returns; increases the regular standard deduction to 16 percent of adjusted gross income up to a maximum of $2,300 for single and $2,600 for joint returns;

1975 Personal Exemption Credit: Provides a $30 tax credit for each member of the family in addition to the $750 personal exemptions;

1975 Earned Income Credit or Work Bonus: Provides a refundable credit of 10 percent of earned income up to a maximum of $400 to families with dependent children with a phase-out to zero when income rises from $4,000 to $8,000;

1975 Home Purchase Tax Credit: Provides a 5 percent credit against tax liability up to a maximum of $2,000 for individuals purchasing a newly constructed home including a mobile home, provided it was built or under construction by March 25, 1975;

Cash Payment to Social Security Recipients: Provides $50 cash payment from the Treasury at the earliest practicable date to each recipient of Social Security, railroad retirement, or Supplemental Security Income benefits;

Business taxes

1975-76 Investment Tax Credit: Increases the investment tax credit rate to 10 percent for taxpayers, including public utilities; provides an additional 1 percent and requires companies with investments of $10 million or more to use the 1 percent savings for an employee stock ownership plan; increases from $50,000 to $100,000 the cost of used property qualifying for the credit; for public utilities increases the amount of tax liability that may be offset in a year to 100 percent for a two year period which is reduced back to 50 percent over the next 5 years;

Depletion Allowance: Repeals the 22 percent depletion allowance for major oil and natural gas producers; retains the 22 percent depletion allowance for independent companies, who do not have retail outlets, on a daily maximum of 2,000 barrels of oil or 12 million cubic feet of natural gas which is phased down to 1,000 barrels or 6 million cubic feet of gas by 1980 and to a 15 percent depletion allowance on the first 1,000 barrels or 6 million cubic feet by 1984;

Foreign Source Income: Provides that the foreign tax credit for foreign oil and gas extraction income is limited to 10 percent above the normal U.S. tax rate for 1975, 5 percent for 1976 and 2 percent for 1977; provides that excess credits cannot be claimed as a credit only against foreign oil related income including interest and dividends; eliminates tax deferral for certain specified types of "tax-haven" income of multinational corporations provided it exceeds 10 percent of gross income; limits tax deferral for shipping income received by a foreign subsidiary to reinvestment in shipping operations only; ends the deferral for certain income earned abroad but reinvested in a less-developed country; repeals the "per-country" limitation for oil and gas related income; eliminates foreign tax credit for payments made to a sovereign government for the purchase of oil where the taxpayer has no economic interest in oil in place and buys or sells such oil at other than the market price; denies DISC (Domestic International Sales Corporation) benefits for the export of natural resources for scarce commodities; denies investment tax credit for drilling rigs used in international and territorial waters of the Southern Hemisphere;

1975 Corporate Surtax Exemption: Increases the present $25,000 surtax exemption to $50,000; provides a tax rate of 20 percent on the first $25,000, 22 percent on the next $25,000 and 48 percent on income over $50,000; increases the accumulated earnings tax from $100,000 to $150,000;

Federal Welfare Recipients Employment Incentive (W.I.N.) Tax Credit: Allows employers to hire a Federal welfare recipient for more than 30 days and obtain a tax credit equal to 20 percent of wages not to exceed $1,000 per individual, until July 1, 1976;

Miscellaneous

Extends unemployment compensation for those eligible under the 1974 Emergency Unemployment Act for an additional 3 months to June 30, 1975; allows a maximum of $4,800 in child care expenses to be deducted by families with an income up to $35,000 and phases out to zero such a deduction when income reaches $44,000; extends the tax deferment period for reinvestment in residences from the current 12 months to 18 months; and contains other provisions. H.R. 2166. Public Law 94–12, approved Mar. 29, 1975. (112,117)

Unemployment compensation: Extends the time for payment for the additional 13 weeks of unemployment compensation authorized by the Tax Reduction Act of 1975 for the Federal Supplemental Benefits (FSB) program established by the Emergency Unemployment Compensation Act of 1974, which authorized 26 weeks, thus making a total of up to 39 weeks of benefits payable in addition to regular unemployment compensation benefits (which averages 26 weeks) through March 1, 1977;

Changes, effective January 1, 1976, the rate of insured unemployment (which is about 2 percentage points less than the actual unemployment rate) which must be reached for payment so that, instead of payment when the rate is 4 percent or more nationally or in the State for all additional weeks, payment for benefits after the first 39 weeks (26 regular weeks and 13 additional weeks) will be made for the 39th to 52nd weeks when the insured unemployment rate is between 5 and 6 percent in an individual State and payment for the 53rd to 65th week may be made when the insured unemployment rate is 6 percent or over in the individual State;

Extends the Supplemental Unemployment Assistance (SUA) benefits program (payable to unemployed people who do not qualify for unemployment compensation) established by the Emergency Jobs and Unemployment Assistance Act of 1974 to permit payments through March 31, 1977, and increases the number of benefit weeks from 26 to 39; entitles the Virgin Islands to borrow money from Federal general revenues as necessary to continue its unemployment insurance program; and contains other provisions. H.R. 6900. Public Law 94–45, approved June 30, 1975. (240,257)

Variable interest rate mortgages: States the sense of the Congress that the Federal Home Loan Bank Board shall refrain from authorizing, by rule, regulation, or otherwise, a Federal savings and loan association to offer loans with variable interest rates and secured by one-to-four family homes or dwelling units unless Congress specifically, by law, authorizes such variable interest rates. S. Con. Res. 45. Senate adopted June 16, 1975. (VV)

Virgin Islands unemployment compensation funds—railroad retirement: Provides that certain unemployment compensation funds may be used for repayable loans not to exceed $5 million to the Virgin Islands; amends the railroad retirement tax act so that wages will be considered to be earned as of when they are paid unless the employee requests that they be treated on the basis of when they were actually earned. H.R. 9091. P/H Aug. 1, 1975. P/S amended Aug. 1, 1975.

EDUCATION

College work-study program funds: Permits the intrastate reallocation of funds appropriated for the College Work-Study program in cases where funds originally obligated to institutions are not needed and permits such funds to be expended in the succeeding fiscal year; extends the termination date of the National Advisory Council on Equality of Educational Opportunity from June 30, 1975 through the end of fiscal year 1976 to make it coterminous with its related program, the Emergency School Aid program; and authorizes the Commissioner to carry over into fiscal year 1976 Basic Educational Opportunity Grant funds for fiscal year 1975 which have not been paid to students entitled to such grants. H.R. 4221. Public Law 94–43, approved June 28, 1975. (VV)

Handicapped children: Amends and extends the Education of the Handicapped Act to aid in making an appropriate education available to all handicapped children; extends the present entitlement formula for payments to States through fiscal year 1976; establishes a new entitlement formula for payments in fiscal years 1977–79 which provides that the maximum amount to which a State is entitled shall be equal to $300 multiplied by the number of handicapped children, aged 3 to 21, who are receiving special education and related services in the State; assures each State a minimum base payment in each fiscal year equal to the amount it received in the previous fiscal year; provides that a State, in order to be eligible for funding, must have a "right to education" policy for all handicapped children and requires that a free appropriate public education must be made available to all handicapped children aged 3 to 18 by September 1, 1978, and to all handicapped children aged 3 to 21 by September 1, 1980, unless the application of this requirement would be inconsistent with State law or practice, or a court order; further extends the protections affected under present law assuring handicapped children and their parents of procedural safeguards in any decisions affecting the education of the children by providing for an individualized planning conference which is to be held a minimum of three times a year with the parents, an education agency representative, the teacher, and when appropriate, the child, to be present for the purposes of developing and reviewing a written statement of the educational program for the child; indicates provisions designed to strengthen the administration and evaluation process provided by the Office of Education; provides that all recipients of funds under this act take affirmative action to employ handicapped individuals; gives new authority to the Commissioner of education to make grants to State and local educational agencies for the removal of the architectural barriers; and contains other provisions. S. 6 P/S June 18, 1975; P/H amended July 29, 1975; Senate requested conference July 31, 1975. (27)

Lister Hill scholarships: Amends the Public Health Service Act to require the Secretary of Health, Education and Welfare to make grants to ten individuals a year, to be known as Lister Hill Scholars, who agree to enter into the family practice of medicine in shortage areas upon completion of their educational program, and authorizes therefor $60,000 for fiscal year 1975, $120,000 for fiscal year 1977, and $240,000 for fiscal year 1978. S. 1191, P/S June 13, 1975. (VV)

ENERGY

Automobile fuel economy: Establishes, in title I, a mandatory fuel economy standards program within the Department of Transportation; directs the Secretary of Transportation to establish yearly minimum standards applicable to each manufacturer's average production of new automobiles or new light-duty trucks, as appropriate, which are to apply to model years 1977 through 1985; provides that the standards are to be set to achieve a 50-percent improvement in fuel economy for automobiles by model year 1980 over that of 1974 models, or 21 miles per gallon as opposed to 14 miles a gallon for the 1974 model average, and a 100-percent improvement for at least 28 miles per gallon by model year 1985, and authorizes the Secretary to modify these goals if necessary; provides that the Secretary set standards separately for light-duty trucks, which are not placed under the 50- and 100-percent improvement goals for automobiles; provides civil penalties for violations; requires that each new automobile and light-duty truck have attached a manufacturer-prepared energy guide setting forth information on fuel economy and estimated annual fuel costs, and that dealers disclose estimated annual fuel costs to prospective purchasers prior to the completion of any purchase of an automobile or light-duty truck; directs the Secretary to conduct a study regarding the use of electric vehicles, including whether they should be included under this title;

Contains, in title II, provisions for an automotive research and development program within the Department of Transportation, in coordination with the Energy Research and Development Administration (ERDA), to develop production prototypes of advanced automobiles which represent the maximum practicable fuel efficiency attainable consistent with environmental, safety, and dameageability requirements; in title III, establishes not more than three motor vehicle diagnotic inspection demonstration projects;

And contains other provisions. S. 1883. P/S July 15, 1975. (285)

Coal leasing—strip mining: Makes basic changes in the Mineral Leasing Act of 1920 governing leasing of Federally owned coal. Which constitutes almost 50 percent of the recoverable coal reserves in the United States; provides that all leasing shall be done under a 5-year program to be developed by the Secretary of the Interior and designed to meet national needs for Federal coal in a manner consistent with (a) timely and orderly development of Federal coal resources, (b) environmental protection, and (c) receipt of fair market value for public resources; provides, in order to permit a wider opportunity for competition for Federal coal leases, that leases may be issued only by competitive bidding on either a royalty or bonus bidding basis;

Requires the preparation of land use plans where the United States owns both the surface and subsurface prior to sale of leases, and that, in cases where the surface is not Federally owned, no lease sale shall be held if the Secretary determines that development of such coal deposits would be inconsistent with an applicable State or local land use plan except where the Secretary finds that such development would be in the national interest;

Eliminates prospecting permits and preference right leases to prospectors as no longer appropriate or necessary since considerable information has been accumulated since 1920 about Federal coal resources which provides an adequate basis for leasing decisions; provides that coal leases shall be for a specified term of 20 years and so long thereafter as coal is produced instead of for indeterminant periods dependent upon diligent production as at present; requires a lessee, within 3 years after obtaining a coal lease and before significant environmental disturbance, to formulate and submit for approval a development plan showing the work to be done, the manner of extraction, how applicable environmental and health and safety standards would be met, and which must meet the reclamation standards set out in it title II of this bill;

Increases by 22½ percent (from 37½ to 60 percent) the share of lease revenues to the State in which the lease is located and specifies that the additional 22½ percent amount shall be used for planning, construction and maintenance of public facilities, and provision of public services in those areas suffering impact problems as a result of energy development;

In title II, the Federal Lands Surface Mining Control and Reclamation Act of 1975, applies to Federal lands and Federal coal the basic surface coal mining and reclamation standards of the recently-vetoed strip mining bill (H.R. 25); requires the Secretary to issue regulations for a Federal program implementing this Act; requires after enactment of this act that persons wishing to conduct any surface mining operations on Federal lands must obtain a permit from the Secretary; specifies the permit application information that must be given to demonstrate that the environmental protection provisions of this Act can be met, which includes submission of a reclamation plan; provides for the giving of public notice and the holding of public hearings in regard to an application; and contains other provisions. S. 391. P/S July 31, 1975. (364)

Emergency petroleum allocation: Extends the Emergency Petroleum Allocation Act, which contains the only presently existing authority for allocation and price control of oil, from August 31, 1975 to December 31, 1975; extends the authority of the Federal Energy Administration (FEA) under the Energy Supply and Environmental Coordination Act to require electric powerplants and major industrial facilities with the capability to utilize coal to convert from oil and natural gas to coal from June 30, 1975 to December 31, 1975; and requries the FEA to include in its quarterly energy information reports information on pricing and related developments in the coal industry and any other major energy industries not subject to Federal price regulation. S. 1849. Public Law 94– , approved 1975.

NOTE.—(Provisions contained in H.R. 4035, Oil Pricing, which was vetoed on July 21, 1975.) (281)

Energy labeling and disclosure: Amends the Federal Trade Commission Act to require that the energy characteristics and estimated annual operating costs of major energy-consuming household products and automobiles be disclosed to consumers prior to purchase so that consumers can readily compare and avoid buying products which unnecessarily waste energy;

Requires each manufacturer or importer of major energy-consuming household products and automobiles to include the estimated annual operating cost data and an applicable energy guide or an automobile energy guide as part of the material shipped with each product or automobile to suppliers; prohibits car dealers from selling any new automobile without disclosing the estimated annual operating cost to the buyer prior to sale; contains provisions regarding advertising; authorizes the Administrator of the Federal Energy Administration and the Federal Trade Commission to carry out a consumer education program with respect to annual operating costs, appliance and automobile energy guides, and the need for energy conservation; and contains other provisions. S. 349. P/S July 11, 1975. (275)

ERDA authorization: Authorizes $4,736,200,000 for fiscal year 1976 and $1,242,300,000 for the transition period July 1-September 30, 1976, for the Energy Research and Development Administration (ERDA) which was established by the Energy Reorganization Act of 1974 and is responsible for the nuclear programs formerly administered by the Atomic Energy Commission and which also has the leadership role in implementing nonnuclear energy research programs; includes, among the nuclear programs funded: basic physical research; fusion research; fission research, including the development of advanced reactors which will permit increased utilization of nuclear fuel resources—uranium and thorium; a nuclear materials program to assure a sufficient supply of enriched uranium to fuel civilian power reactors; a national security program to enable continued maintenance of a nuclear weapons capability; and environmental and safety research, which also includes work on the artificial heart and nuclear medicine; includes among the nonnuclear programs funded: fossil energy development programs in coal, oil and gas, and oil shale research and development; fusion, solar and geothermal energy programs; and advanced energy systems research programs; also, authorizes actions to accelerate demonstration projects in oil shale recovery and in the commercial-scale recovery of synthetic fuels from coal, oil shale, and nonconventional energy sources; and authorizes ERDA to establish a Federal loan guarantee program to stimulate commercial synthetic fuel enterprises. H.R. 3474. P/H June 20, 1975; P/S amended July 31, 1975. (371)

International petroleum exposition: Authorizes the President to invite the several States and foreign nations to participate in the International Petroleum Exposition at Tulsa, Oklahoma, from May 16 through May 22, 1976, for the purpose of exhibiting machinery, equipment, supplies, and other products used in the production and marketing of oil and gas, and bringing together buyers and sellers for the promotion of foreign and domestic trade and commerce in such products. S.J. Res. 59. P/S May 13, 1975. (VV)

Naval petroleum reserves: Amends chapter 64, title 10, United States Code to provide for the full exploration and development of the naval petroleum reserves and to permit limited production of Naval Petroleum Reserves 1—Elk Hills, No. 2—Buena Vista, and No. 3—Teapot Dome under the authority of the Secretary of the Navy;

Defines "national defense" for the purposes of permitting such production in terms broad enough to permit production to partially offset a situation such as the Arab embargo of 1973; provides that production will not exceed the maximum efficient rate determined in accordance with sound oilfield engineering practices of 350,000 barrels per day whichever is less; limits production to 5 years; makes production at Elk Hills contingent upon the Secretary reaching a binding agreement with Standard Oil Company of California, which owns approximately 20 percent of Elk Hills field that would protect the public interest; authorizes the President to direct that oil produced under the provisions of this act be placed in a strategic reserve as authorized by law;

Waives, for the period of production, the requirement that the Secretary consult with the Congress on every contract; retains the requirement that the sale of all production be by competitive bidding, establishes a special account in the Treasury to permit an accurate accounting for the accomplishment of the purposes of this legislation, which include operation of the naval reserves on a self-sustaining basis; requires the Administrator of the Federal Energy Administration to submit a written report within 180 days after enactment recommending procedures for the exploration, development and production of Reserve No. 4 in Alaska;

Contains provisions identical to the Strategic Energy Reserves Act of 1975 which the Senate passed on July 8, 1975 which provides for the establishment of national federally owned strategic reserves, regional petroleum reserves, and interim industry reserves under the management of the Federal Energy Administration; and contains other provisions. H.R. 48 (S. 2173). P/H July 8, 1975; P/S amended July 29, 1975. (342)

*Oil import fees: Suspends for the 90-day period beginning on the date of enactment any authority the President might have to adjust imports of petroleum and petroleum products; negates any Presidential action to adjust petroleum imports taken after January 15, 1975, and before the date of enactment, and also provides for the rebate of any duties or import fees or taxes levied and collected pursuant to any such action; provides that the suspension of this authority will cease if at any time during the 90-day period war is declared, a national emergency occurs, or certain situations involving the commitment of U.S. Armed Forces arise; and provides that the import license fee system on petroleum and petroleum products which the provisions of this bill provide shall not affect the import license fee system on petroleum and petroleum products which was in effect on January 15, 1975. H.R. 1767. Vetoed Mar. 4, 1975. House referred to Ways and Means Committee Mar. 11, 1975. (13)

*Oil pricing: Makes more effective the mechanism in existing law for congressional review and right of disapproval of Presidential proposals to exempt petroleum products from the allocation or pricing controls currently in effect under the Emergency Petroleum Allocation Act of 1973;

Expands the time for congressional review from 5 to 20 days and contains procedures for expediting review to assure that the question of approval or disapproval can be brought to the floor of either House within the 20-day review period;

Requires the President to administratively establish price controls for presently noncontrolled "new oil" (oil produced at levels above the 1972 volumes) with price ceilings no higher than the January 31, 1975 prevailing prices (which averaged $11.28 per barrel on a national basis); does not make this authority subject to congressional review unless the proposal would bring the price over this maximum ceiling;

Provides for congressional review of any proposal to permit the price of presently controlled "old oil" (oil from properties producing at, or less than, their 1972 production levels) to increase substantially above its national average price of $5.25; grants specific authority to alter present price controls to allow a price incentive to take account of natural declines in field production and to encourage the most costly use of secondary and tertiary recovery methods where the costs are significantly greater than the regular methods; requires congressional review only where the total incentives are of such a magnitude as to cause an increase in excess of 50 cents per barrel in the national average price of "old" crude oil;

Extends the Emergency Petroleum Allocation Act, which contains the only presently existing authority for price control and allocation of crude oil and petroleum products, from August 31 to December 31, 1975; extends the authority under the Energy Supply and Coordination Act of the Federal Energy Administration to issue coal conversion orders requiring facilities using oil or gas to convert to coal and the authority under that act to gather energy data from June 30 to December 31, 1975;

Provides a limited exemption for small refiners from the crude oil entitlements program in effect under current Federal Energy Administration regulations;

And contains other provisions. H.R. 4035. Vetoed July 21, 1975. House referred to Interstate and Foreign Commerce Committee July 23, 1975. (161,287)

Oil shale revenues: Amends the Mineral Leasing Act of 1920 to permit each State, after January 1, 1974, to use its share of oil shale revenues for planning, construction and maintenance of public facilities, and provision of public services. S. 834. P/S Apr. 22, 1975. (VV)

Outer continental shelf management: Amends the Outer Continental Shelf Lands Act of 1953 for the purpose of increasing production of oil and gas from the Outer Continental Shelf (OCS) in a manner which assures orderly resource development, protection of the environment, and receipt of fair market return for public resources and encourages development of new technology to increase human safety and eliminate or reduce environmental damage;

Directs the Secretary of the Interior to prepare a comprehensive advance planning program for leasing which would indicate the size, timing, and location of leasing activity which the Secretary believes would meet national energy needs over the next 5 years;

Contains provisions giving States and local governments and the general public a significant opportunity to participate in and comment on Federal OCS planning and policy decisions including the authorizing of the Governors of coastal States to establish regional OCS advisory board which would advise the Secretary on all matters related to OCS oil and gas development;

Contains provisions identical to the Coastal Zone Management Act amendments which passed the Senate on July 16, 1975, which amend the Act and establish a new coastal zone impact fund to assist coastal States in ameliorating adverse environmental impacts and controlling secondary economic and social impacts associated with OCS oil and gas development;

Requires a Federal lessee, upon finding oil and gas to, prior to development, prepare and submit to the Secretary, the Governors of affected coastal States and any regional OCS advisory board a development and production plan in order to give them an opportunity for review and to permit the coastal States to assess the potential impacts of the development and to resolve any problems with the Secretary and the lessee before they occur;

Directs the Secretary to conduct a survey of oil and gas resources of the OCS; also, authorizes the Secretary to conduct or contract for exploratory activities in order to obtain more information about the oil and gas resources on the OCS and for exploratory drilling on an experimental basis when needed for national security, environmental reasons, or to expedite development in frontier areas;

Puts into law the existing rule, established by Departmental regulation, that an OCS lessee is liable for the total cost of control and removal of spilled oil; also, creates a new strict liability rule for damages from OCS oil spills which imposes damage liability, except for acts of war, without regard to fault or to the ownership of the land or resource damaged if the land or resource is relied on for subsistence or economic purposes; makes the lessee or holder of a right of way liable for the first $22 million and the Offshore Oil Pollution Settlement Fund, created by the Act, liable for the balance; finances the fund by placing a fee of 2½ cents per barrel of oil produced from the OCS;

Requires any person holding a geological or geophysical exploration permit to submit to the government the data and information, including interpretive data, obtained during exploration, which would be kept confidential unless the Secretary determined that public availability of the data would not damage the competitive position of the permittee or lessee; directs the Secretary to establish safety and performance standards for all pieces of equipment pertinent to public health, safety or environmental protection;

Authorizes a wide variety of new bidding systems in addition to the cash bonus fixed royalty system which has been the historical method of OCS bidding; provides clear authority for the Federal government to take oil or natural gas royalties in kind and dispose of them in a manner to alleviate shortages; requires environmental baseline and monitoring studies before oil and gas drilling can begin on any OCS area not previously leased; increases criminal penalties for certain willful violations of the Act and imposes civil liability for violations which continue after notice and opportunity to correct violations; contains provisions designed to promote Federal interagency coordination and directs coordination with State and local government agencies;

Increases by 22½ percent the amount given to States from Federal mineral revenues derived under the Mineral Leasing Act of 1920 from coal, oil shale, oil and gas, and other public land mineral development, and provides that this additional amount shall be used by States socially or economically impacted by this development for planning, construction and maintenance of public facilities, and provision of public services; and contains other provisions. S. 521. P/S July 30, 1975. (362)

Petroleum products fair marketing: Prohibits the termination, cancellation, or nonrenewal of a petroleum products franchise unless the affected franchise failed to comply substantially with any essential and reasonable requirement of the franchise, failed to act in good faith in carrying out the terms of the franchise, or the supplier withdraws entirely from the sale of petroleum products in commerce; provides that a civil action may be brought against a distributor or refiner who is in violation of the act within 3 years of the date a termination or cancellation notice is rendered; and limits, on an equal basis, marketing activities of all major oil companies to restrict the expansion of distribution and retaining operations with personnel under their direct control. S. 323. P/S June 20, 1975. (VV)

Standby Energy Authority: Grants the President authority to ration fuels in the event of an acute energy shortage subject to congressional review and right of disapproval; authorizes the President to allocate materials and equipment for energy production if a critical shortage occurs; authorizes the President to (1) require production of designated domestic oil and gas fields at the maximum efficient rate and over that rate for a period of 90 days if he determines that the condition of a reservoir permits such production without excessive risk of losses in the later recovery of the remaining oil or gas, (2) utilize production on properties on Federal land, (3) require adjustment of processing operations of domestic refiners to produce refined products in amounts commensurate with national needs;

Authorizes priority fuel allocations to those engaged in the exploration, production and transportation of fuels and other minerals; authorizes the President to restrict exports of coal, natural gas, petroleum products, and petrochemical feedstocks, drill pipe, drilling rigs, and such supplies which he determines are necessary to further production or conservation of energy supplies;

Contains provisions for administrative procedure and judicial review; authorizes the collection of such energy information as is necessary to achieve the purposes of the above provisions; contains procedures for carrying out international voluntary energy agreements;

Extends the Emergency Petroleum Allocation Act from August 31, 1975, to March 1, 1976; makes any increases in the price of "old" oil (oil from wells existing in 1973 produced at a rate equal to 1972 production) and any proposed exemptions of crude oil, residual fuel oil, or a refined petroleum product from price controls subject to congressional review and approval; permits the pricing of oil recovered by secondary or tertiary methods up to $7.50 a barrel; sets a maximum price for "new" domestic crude oil at a level not to exceed that prevailing on January 31, 1975; exempts small refiners (100,000 barrels a day) for the first 50,000 barrels from the entitlements program under the oil allocation regulations;

Authorizes the President to institute interim energy conservation plans pending the promulgation of regulations to establish national energy conservation standards which include but are not limited to standards for: Federal buildings and for houses and buildings financed under any Federal loan guarantee or mortgage program; decorative and nonessential lighting; the increase of industrial efficiency in the use of energy; the better enforcement of the 55 mile per hour speed limit; the maximizing of use of carpools and public transportation; reasonable controls and restrictions on discretionary transportation activities; energy efficiency standards for Federal procurement; and low interest loans and loan guarantee programs to improve the thermal efficiency of individual residences;

Directs the Federal Energy Administration to issue the regulations containing the national standards, and makes such plans and standards subject to congressional review and the right of disapproval; provides for the development and implementation of approved State energy conservation programs with Federal technical and financial assistance, failing which, Federal standards shall apply;

Extends the Energy Supply and Environmental Coordination Act, which contains the Coal Conversion Act of 1974, from June 30, 1975, to December 31, 1975;

And contains other provisions. S. 622. P/S Apr. 10, 1975. (138)

Strategic energy reserves: Provides for the creation and maintenance over a 7-year period of strategic energy reserves equal to 90 days of imports, which would place an average total of 594 barrels in reserve and would compensate, based on the amount by which imports were reduced under the 1973–74 oil embargo, for import reduction for a period of 237 days;

Provides for the establishment and maintenance of a Strategic Energy Reserve system by the Federal Energy Administration (FEA) acting through a Strategic Energy Reserve Office within the FEA and: (1) requires the FEA to establish a national Federal owned crude oil storage program, which could include storage of crude oil from Federal lands, including the naval petroleum reserves, if authorized by Congress; (2) authorizes the creation of Federally owned regional petroleum product reserves of refined petroleum products and requires that a reserve be established for any fuel in any district where more than 25 percent of the demand for that fuel has been met by imports during the preceding 24 months, which presently covers residual fuel oil, and for No. 2 fuel—home heating oil—where more than 10 percent of the demand is met by imports, these fuels being a particular supply problem in eastern coast States; (3) authorizes the FEA to require interim industry storage reserves consisting of up to 3 percent of imports or refinery throughput of the previous calendar year until the total level under the 7-year national and regional programs is reached and, thereafter, to require industry to maintain stocks in an amount equal to the average readily available inventories for the corresponding month of the 3 preceding years; (4) provides for the inclusion of such other components as Congress may authorize;

Exempts materials in the interim industry reserves from any tariff or import license fee; authorizes the use of the reserves if petroleum imports have fallen or are within 30 days expected to fall by 10 percent or if required to do so under international agreement; provides that the Administrator is to establish price levels and allocation procedures for the oil withdrawn that are consistent with the objectives enumerated in the Emergency Petroleum Allocation Act; authorizes the FEA to adjust the processing operations of domestic refineries to produce refined products in proportions commensurate with national needs and consistent with the objectives of the Emergency Petroleum Allocation Act in the case of an embargo; and contains other provisions. S. 677. P/S July 8, 1975. (263)

ENVIRONMENT

Coastal zone management: Amends the Coastal Zone Management Act to assist States facing Outer Continental Shelf (OCS) oil and gas development or other energy-related developments and facilities affecting the coastal zone; provides assistance in the form of grants or loans to coastal States from a new coastal energy facility impact fund, which is to be available to States receiving or anticipating impacts in their coastal zones from the exploration, development, and production of energy resources, or from the location, construction, expansion or operation of any energy facility requiring a Federal license or permit: authorizes moneys for the fund at $250 million per year for 3 fiscal years and the 1976 transition period; provides that up to 20 percent of the moneys may be used for planning grants with the balance to be used for efforts to reduce or ameliorate adverse impacts from energy exploration and development or to provide public facilities and services necessitated by such activity; requires as a condition of eligibility to provide public facilities and services necessitated by such activity; requires as a condition of eligibility for assistance from the fund that the State must participate in a coastal zone management program and must experience or anticipate a temporary or net adverse impact or have experienced an adverse impact within the 3 years prior to enactment; authorizes automatic grants payable from the General Treasury to any State where OCS oil or natural gas is being directly landed (brought ashore); provides a Federal guarantee for State or local government bonds issued to pay for measures needed to reduce adverse coastal impacts; contains provisions to clarify that Federal leases must be consistent with approved coastal zone management programs of the affected States; raises the Federal share for coastal zone management funding from 66⅔ percent to 80 percent; amends the Mineral Leasing Act of 1920 to increase from 37½ percent to 60 percent the amounts returned to the States as reclamation funds from royalties paid to the Federal Government by mining companies extracting federally-owned minerals; and contains other provisions. S. 586. P/S July 16, 1975. *Note:* (Provisions contained in S. 521, Outer Continental Shelf Management.) (291)

Council on Environmental Quality—Environmental Policy: Authorizes $2 million for fiscal year 1976 and $500,000 for the transition period (July 1–September 30, 1976) for the Council on Environmental Quality and amends the National Environmental Policy Act of 1969 to permit the Council to accept certain reimbursements for domestic and international travel, and to make use of volunteer and uncompensated services. H.R. 6054. Public Law 94-52, approved July 3, 1975. (VV)

Environmental Impact Statements: Amends the Environmental Policy Act of 1969 to establish a single uniform procedure for environmental impact statements (EIS) prepared after January 1, 1970 on major projects funded under a program of Federal grants to States including, the Federal-aid highway program; permits State preparation of an EIS so long as the responsible Federal official guides and participates in the EIS preparation and independently evaluates the product before approving and adopting it; and requires the Federal official to prepare independently for the EIS the analysis of the impacts and alternatives of major interstate significance associated with the project or action which is the subject of the EIS. H.R. 3130. Public Law 94- , approved ——— 1975. (VV)

National Advisory Committee on Oceans and Atmosphere: Authorizes $445,000 for fiscal year 1976, $111,250 for the transition period July 1–September 30, 1976, and $445,000 for fiscal year 1977 for the National Advisory Committee on Oceans and Atmosphere. H.R. 5447. Public Law 94- , approved ——— 1975. (VV)

Ocean dumping: Amends the Marine Protection, Research, and Sanctuaries Act of 1972 to authorize appropriations for fiscal year 1976 and the transition period July 1–September 30, 1976 as follows: Title I, Ocean dumping permit program—$5.3 million for fiscal year 1976 and $1.325 million for the transition period; title II, research program on the effects of ocean dumping on the marine environment—$6 million for fiscal year 1976 and $1.5 million for the transition period; and title III, marine sanctuaries areas—$6.2 million for fiscal year 1976 and $1.55 for the transition period; and changes from January to March, the month in which the Secretary of Commerce must file his annual report on the effects of ocean dumping on the marine environment. H.R. 5701. Public Law 94-62, approved July 25, 1975. (VV)

Scrimshaw Art Preservation: Permits the Secretary of Commerce, who administers the Endangered Species Act with respect to whales, to grant exemptions for a limited period of time for the sale of finished scrimshaw (etched designs and carvings from whale bone) products in interstate commerce. S. 229. P/S Apr. 10, 1975. (VV)

*Strip mining: Establishes a program for the regulation of coal surface mining activities and the reclamation of coal mined lands in order to assure that surface coal mining operations—including exploration activities and the surface effects of underground mining—are conducted so as to prevent or minimize degradation to the environment, and that surface mining operations are not conducted where reclamation is not feasible according to the terms and conditions of the act;

Establishes the Office of Surface Mining Reclamation and Enforcement in the Department of the Interior to administer the programs for controlling surface coal mining operations, including the State programs which must be submitted for approval;

Requires the Corps of Engineers to approve the basic standards regulating mine waste disposal and review plans but with no responsibility for on-the-ground supervision and enforcement;

Establishes a fund and a program for the reclamation of abandoned mined lands and for relief of impacted areas; provides funding for such activities from reclamation fees collected at 35 cents per ton for surface mined coal, 15 cents per ton for all coal mined by underground methods or 10 percent of the value of the coal at the mine, whichever is less except that the fee will not exceed 5 percent of the value of lignite; provides that 50 percent of fees collected in any one State are to be expended in that State for reclamation or alleviating the impact of coal development in the area; provides that, in areas where there is relatively little damage from past coal mining, the States' share of the fees may be used for other purposes;

Sets a series of minimum uniform requirements for all coal surface mining operations on both Federal and State lands which deal with four basic issues—pre-planning, mining practices, post-mining reclamation and the protection of water resources; specifies that lands which cannot be reclaimed under the standards of the act and lands within the National Park, Wildlife Refuge, Wilderness and Wild and Scenic Rivers systems, National Recreation Areas, National Forests, and certain other areas may not be strip-mined; makes special provision for mining which affect alluvial valley farming land; provides for certain limited variances to the prescribed standards where such variances provide equal or better protection to the environment and result in a higher post-mining use;

Provides, in regard to rights of private surface owners, for obtaining consent as a condition of issuing a new Federal coal lease, and requires payment of all damages, including lost income, and payment of limited additional compensation to the surface owner;

Establishes a grant program to fund mining and mineral resources and research institutes in public colleges and universities to train qualified personnel in mine-related fields and to conduct research related to mining technology;

Provides for a study, to be completed by 1976, to determine the appropriate program for regulating surface coal mines in Indian lands and requires, in the interim, that all leases on Indian lands include certain performance standards at least as stringent as those in the Act; and contains enforcement and other provisions. S. 7. P/S March 12, 1975. (62) H.R. 25. Vetoed May 20, 1975. House sustained veto June 10, 1975. (VV)

GENERAL GOVERNMENT

American Legion Badges—Patent Renewals

American Legion: Renews and extends for 14 years design patent No. 54,296 for the protection of the emblem and insignia of the American Legion. S. 720. P/S May 13, 1975. (VV)

American Legion Auxiliary: Renews and extends for 14 years design patent No. 55,398 for the protection of the emblem and insignia of the American Legion Auxiliary. S. 721, P/S May 13, 1975. (VV)

Sons of the American Legion: Renews and extends for 14 years design patent No. 92,187 for the protection of the emblem and insignia of the Sons of the American Legion. S. 719. P/S May 13, 1975. (VV)

Assistant Secretary of Commerce: Authorizes an additional Assistant Secretary of Commerce who shall be appointed by the President with the advice and consent of the Senate. S. 1622. P/S June 27, 1975. (VV)

Attorney General's salary: Repeals Section 1 of Public Law 93-178 (enacted to remove the question concerning the impact of Article I, Section 6, Clause 2 of the Constitution on the President's nomination of Senator William B. Saxbe to be Attorney General of the United States) to restore to the Office of the Attorney General the annual rate of basic pay of $60,000 (Level I of the Executive Schedule) and provides that the act shall take effect February 4, 1975, following the February 3, 1975, resignation date of Attorney General William Saxbe. S. 58. Public Law 94-2, approved Feb. 18, 1975. (VV)

Barrier-free environment: Declares the sense of the Congress that there shall be a national policy to recognize the inherent right of all citizens, regardless of their physical disability, to the full development of their economic, social, and personal potential through the free use of the manmade environment, and that the adoption and implementation of this policy requires the mobilization of the resources of the private and public sectors to integrate handicapped people into their communities. S. Con. Res. 11. Senate adopted May 20, 1975. (VV)

Bikini atoll: Provides a $3 million ex gratia payment to the people of Bikini Atoll who were relocated to Kili Island in 1946 in order to provide a nuclear test site on the Atoll. H.R. 5158. Public Law 94-34, approved June 13, 1975. (VV)

FBI Director, 10-year term for: Amends the Omnibus Crime Control and Safe Streets Act of 1968 to provide for a ten-year term of service for the Director of the Federal Bureau of Investigation; limits the appointment of a Director to one 10-year term; and provides that the law regarding Federal mandatory retirement at age 70 shall apply to this appointment. S. 1172. P/S Mar. 17, 1975. (64)

Federal Election Commission: Extends the Federal Election Commission through December 31, 1976, and increases the authorization therefor from $10 million to $15 million. S. 1434. P/S June 18, 1975; P/H amended June 19, 1975. (VV)

Federal Metal and Nonmetallic Mine Safety Board abolishment: Abolishes the Federal Metal and Nonmetallic Mine Safety Board of Review which reviews appeals by non-coal mine operators from closure orders issued by the Department of Interior's Mining Enforcement and Safety Administration and transfers such functions to the Secretary of Interior. S. 1774. P/S June 24, 1975. (VV)

General Federation of Women's Clubs: Amends the Act granting a charter to the General Federation of Women's Clubs to delete the $1.5 million figure on real estate the Federation may hold under the charter, thus allowing the value of its real or personal property to be determined by current market value which has increased due to inflation. S. 240. P/S May 8, 1975. (VV)

GSA leases: Amends section 111 of the Federal Property and Administrative Services Act of 1949 to permit the Administrator of the General Services Administration (GSA) to enter into multiyear leases (not to exceed 10 years) of automatic data processing equipment including collateral maintenance, software and other kinds of supplies and services associated with such equipment, at amounts in excess of what is available in the fund, provided the balances of the fund are maintained in such amounts as are necessary at any time for cash disbursements. S. 1260. P/S July 14, 1975. (VV)

NASA authorization: Authorizes to the National Aeronautics and Space Administration $3,562,310,000 for fiscal year 1976 and $925,150,000 for the transition period July 1–September 30, 1976, for research and development, construction of facilities and research and program management including continued development of the space station and shuttle program. H.R. 4700. Public Law 94–39, approved June 19, 1975. (VV)

National arboretum: Authorizes the Secretary of Agriculture to accept and administer on behalf of the United States gifts or devises of real and personal property for the benefit of the National Arboretum which was established for purposes of research and education concerning tree and plant life. S. 1649. P/S July 25, 1975. (VV)

National Portrait Gallery: Amends the National Portrait Gallery Act of 1962 to redefine the term "portraiture" to permit the National Portrait Gallery to acquire photographs and other portrayals of individuals in additoin to "painted or sculpted likenesses". S. 1657. P/S July 25, 1975. (VV)

National Guard technicians' retirement: Amends title 5, U.S.C., to grant retirement credit for National Guard technician service performed before 1969 to all former technicians serving in any position subject to the retirement law on or after January 1, 1969, including those who have retired and whose annuities therefor would be subject to recomputation; allows credit for 100 percent of pre-1969 technician service for annuity computation purposes; and permits eligible technicians to pay the full amount rather than 55 percent otherwise owed as a deposit for pre-1969 technician service. S. 584. P/S June 16, 1975. (VV)

National Science Foundation authorization: Authorizes $787,000,000 to the National Science Foundation for fiscal year 1976 and an additional $4 million in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States. H.R. 4723. Public Law 94– , approved 1975. (VV)

Overseas citizens voting rights: Guarantees the right of otherwise qualified private U.S. citizens residing outside the United States to vote in Federal elections in the State of their last voting domicile; requires a citizen, voting under the bill, to state his intent to retain his prior State as his voting residence and domicile if he has not registered to vote and is not voting in any other State, territory or possession of the United States; adopts a uniform absentee registration and voting procedure including the requirement that election officials mail out balloting material as promptly as possible after receipt of a properly completed application; assures that Federal and State governments could not seek to impose taxes on a citizen which would cause him to lose any tax exemption solely on the basis of having exercised his right to register and vote absentee; and imposes a $10,000 fine and 5 years imprisonment for wilfully giving false information when registering or voting absentee. S. 95. P/S May 15, 1975. (VV)

Patents: Amends certain sections of title 35, U.S.C. to implement the Patent Cooperation Treaty (Ex. S, 92d–2d) which enables U.S. and foreign nationals to file international applications with the Patent Office which would act as a Receiving Office and process such applications and provides applicants filing applications for patents only in the U.S. with the same flexibility afforded to applicants filing under the treaty. S. 24. P/S June 21, 1975. (VV)

Small Business Act amendments: Increases from $725 million to $825 million the subceiling for the Small Business Investment Company loan and guarantee program; increases from $450 million to $525 million the subceiling for economic opportunity loan programs; increases from $35 million to $45 million the authorization for the Surety Bond Guarantee Fund and allows additional appropriations up to $15 million for the program; and clarifies the language in Public Law 93–501 to allow Small Business Investment Companies to charge an interest rate, in certain cases, that is in excess of the State usury law. S. 1839. P/S June 4, 1975. (VV)

Smithsonian Institution Museum support facilities: Enables the Smithsonian Institution to undertake planning of museum support facilities on federally owned land within the District of Columbia metropolitan area for the conservation, preparation, and study of the national collection of scientific, historical, and artistic objects and artifacts, and for the training of museum conservators. S. 907. P/S July 25, 1975. (VV)

Smithsonian Institution site: Reserves for future public use of the Smithsonian Institution that portion of the Mall bounded by Third Street, Maryland Avenue, Fourth Street, and Jefferson Drive in the District of Columbia. H.R. 5327. Public Law 94– , approved 1975. (VV)

Standard reference data program: Authorizes to the Department of Commerce $2.8 million for fiscal year 1976, $750,000 for the transition period July 1–September 30, 1976, $3 million for fiscal year 1977, and $3 million for fiscal year 1978 to carry out the purposes of the Standard Reference Data Act which provides the scientific community with accurate and accessible quantitative data needed in the physical sciences, together with critical evaluations thereof. H.R. 37. Public Law 94–48, approved July 2, 1975. (VV)

* Tourism promotion: Amends the International Travel Act to authorize funding for the United States Travel Service, Department of Commerce, which is charged with promoting travel and tourism to and within the United States as follows: for international tourism promotion—$5 million for the transition period July 1–September 30, 1976, $25 million for fiscal 1977, and $30 million in each fiscal 1978 and 1979; for domestic tourism promotion—$625,000 for the transition period July 1–September 30, 1976, and $2.5 million for each fiscal 1977 through 1979. H.R. 5357. Vetoed May 28, 1975. House referred to Committee on Interstate and Foreign Commerce June 20, 1975. (VV)

Amends the International Travel Act to authorize funding for the U.S. Travel Service, Department of Commerce, which is charged with promoting travel and tourism to and within the United States as follows: for international tourism promotion—$5 million for the transition period July 1-September 30, 1976, $25 million for fiscal 1977, and $30 million for each fiscal 1978 and 1979; for domestic tourism promotion—$2.5 million for fiscal 1976, $625,000 for the transition period July 1-September 30, 1916, and $2.5 million for each fiscal 1977 and 1978; and directs the Secretary of Commerce to promote travel within the United States and its possessions through activities that are in the public interest and which do not compete with those of any State, city or private agency. S. 2003. Public Law 94–55, approved July 9, 1975. (VV)

Trust Territory of the Pacific: Increases the fiscal year 1976 authorization for the activities of the civil government of the Trust Territory of the Pacific Islands from $60 to $75 million and authorizes an additional $1.5 million to fund the transition of the Mariana Islands District from the Trust Territory Government to a new commonwealth status as a territory of the United States, pusuant to an agreement signed on February 15, 1975, by the U.S. and the Marianas, if approved by Congress. S. 326. Public Law 94–27, approved May 28, 1975. (VV)

Voting Rights: Amends the Voting Rights Act to provide that States or political subdivisions which the Attorney General has determined have, in 1964 or 1968 (1) maintained a literacy or other test or device as a prerequisite for voting and (2) also had a record of less than 50 percent of the voting-age population registered or less than 50 percent voting, shall be covered for an additional 7 years through August 1982 (making the total period 17 years instead of 10 years) by the special provisions which require such a state or subdivision to preclear any voting changes it wishes to make with the U.S. District Court for the District of Columbia or the Attorney General of the United States, and which authorize the appointment of Federal examiners and of Federal observers to assure nondiscrimination on account of race or color in regard to voting rights; adds provisions which apply these special provisions to States or subdivisions which the Attorney General determines are covered because of conditions existing in 1972, with a coverage period of 10 years.

Makes the temporary ban which was placed by the 1970 amendments to the Voting Rights Act of 1965 on the use of literacy tests and other similar devices a permanent prohibition applicable to all States and political subdivisions;

Expands the coverage of the act to certain jurisdictions in which language minorities reside; provides in title II, which is designed to identify areas with the most serious problems of voting rights discrimination against language minorities such as the use of various forms of intimidation to prevent their participation in voting, that (1) a jurisdiction is deemed to employ a test or device as a prerequisite to voting if it provided election materials or assistance only in English and it had more than a 5-percent citizen population of any one language group, such as American Indians, Alaskan Natives, Asian Americans, or persons of Spanish heritage, and (2) that coverage of the act will apply if that jurisdiction also had less than 50 percent of the voting-age population registered or voting; mandates bilingual elections for covered areas for a 10-year period; requires preclearance of voting changes, and authorizes the appointment of Federal examiners and of Federal observers to oversee elections; provides a bailout process which operates in the same manner as the current provision in the act whereby a State or political subdivision may exempt itself by obtaining a declaratory judgment that English-only elections or any other "test or device" has not in fact been used in a discriminatory fashion against language minorities and other racial and ethnic groups for the 10 years preceding the filing of action; addresses in title III the problems of language minority groups in participating in the voting process which are caused by the lack of equal educational opportunities and illiteracy; brings a State or political subdivision under coverage of title III if a single language minority comprises 5 percent of the voting-age population and if the illiteracy rate of that group is greater than the national average; defines illiteracy for the purposes of this title as failing to complete the fifth primary grade, which is the level at which a minimum comprehension in English ordinarily would be achieved; provides a limited remedy for protected classes by requiring that the covered jurisdiction provide bilingual election materials and information in the language of the applicable minority group or groups; provides that a jurisdiction may be removed from coverage if it shows that the illiteracy rate of the language minority which triggered coverage has dropped below the national average, which it may do either by using Census Bureau data or by any reliable or valid survey;

Amends the act to permit private persons as well as the Attorney General to bring suit under the act and to allow a court to grant relief to private parties by suspending the use of literacy and other tests and devices, to impose preclearance restrictions and to appoint Federal examiners as it now may do in cases brought by the Attorney General; authorizes payment of attorney's fees to prevailing parties; and contains other provisions. H.R. 6219. P/H June 4, 1975; P/S amended July 24, 1975. (329)

War risk insurance: Amends the Federal Aviation Act of 1958 to extend the present authority of the Secretary of Transportation to issue war risk insurance until May 7, 1976; authorizes the investment of the aviation war risk insurance revolving fund in interest-bearing securities of the United States; and requires a study by the President of the possible expansion of the program to include losses and damage resulting from riots, civil disorder, hijacking or other similar acts and to report the results of the study together with his recommendations to Congress 90 days after enactment. H.R. 8564. Public Law 94- , approved 1975. (VV)

GOVERNMENT EMPLOYEES

Cost-of-living increase—Postal Service OSHA compliance: Authorizes an annual minimal salary adjustment for top executive, legislative and judicial officers and employees of the United States who last received an increase in compensation in March 1969, including each level of the Executive Schedule, the salary of the Vice President, rates of pay for members of Congress and officials of the legislative branch, and salaries in the judicial branch; provides that the adjustment is to become effective whenever a comparability adjustment is made in the rates of pay under the General Schedule (normally in October of each year) and shall equal the percentage of the comparability adjustment, rounded to the nearest $100;

Makes the Occupational Safety and Health Act of 1970 applicable by statute to the Postal Service, which is presently bound by its July 1973 collective bargaining agreement with the National Postal Unions to comply with the Act. H.R. 2559. Public Law 94- , approved 1975. (352)

Part-time Government employees: Declares as policy that a certain regulated proportion of all positions in the General Schedule (except positions in grades GS-16, GS-17, and GS-18) shall be made available on a part-time career employment basis (16 to 30 hours per week) for persons who are unable or do not wish to work full time; covers, with certain exceptions, executive and regulatory agencies subject to the rules of the Civil Service Commission; provides for a gradual phase-in of part-time career employment, with at least 2 percent of all positions in each grade in each agency to become available yearly until the 10 percent limit placed on part-time positions is reached; authorizes waivers of the percentage minimum by the Civil Service Commission in cases of need; prohibits the forcing of an employee to accept part-time employment as a condition of new or continued employment; gives part-time employees entitlement to the same proportionate fringe benefits as those vested in regular hour employees; and contains other provisions. S. 792. P/S June 23, 1975. (VV)

Travel expenses: Increases the per diem allowance (from $25 to a maximum of $35) and the actual daily expense reimbursement (from $40 to a maximum of $50) which may be paid to regular employees of the Federal Government, and to consultants and experts employed intermittently, who are traveling on official business within the continental United States; authorizes the President to establish the per diem allowance for travel outside the continental United States and authorizes the Administrator of General Services to prescribe the conditions under which an employee may be reimbursed for actual and necessary expenses (not to exceed $21 per day) in addition to the maximum per diem established for that locality; provides commensurate increases, under regulations established by the Senate Committee on Rules and Administration, in the per diem allowances and actual expense reimbursement for Senators and Senate employees and members of a Senator's personal staff traveling to and from the Senator's home State on official business; prohibits reimbursement for travel to or from a home State 120 days prior to a primary or general election in which the Senator is a candidate; increases the mileage rates for the use of privately owned vehicles used while traveling on official business (automobiles—from 12 cents to 15 cents; airplanes—from 12 cents to 18 cents; and motorcycles from 8 cents to 11 cents); requires the Administrator of General Services to make a determination with respect to the cost of travel and the operation of privately owned vehicles and adjust the rates at least once a year; and provides that the agency or branch of Government concerned must absorb expenses incurred during fiscal year 1975 as a result of increase in per diem and mileage allowances out of its existing funds. S. 172. Public Law 94-22, approved May 19, 1975. (VV)

HEALTH

Communicable disease control—consumer health education: Revises and extends expiring communicable and other disease control programs and the venereal disease prevention and control programs; and authorizes consumer health education and promotion programs through the establishment of an Office of Consumer Health Education and Promotion within HEW. S. 1466. P/S July 30, 1975. (VV)

Developmentally disabled persons assistance: Extends and improves the programs initiated under the Developmental Disabilities Services and Facilities Construction Act for five years through fiscal year 1980 and authorizes a total of $714.5 million for these programs over the five year period; expands the definition of a "developmental disability" to include autism, severe specific learning disabilities, and any condition closely related to mental retardation as well as mental retardation, cerebral palsy, and epilepsy; continues the University-Affiliated Facilities (UAF's) clinical facilities program and system of demonstration and training grants for professional personnel, with emphasis directed to accomplishing the provision of services to adults and children in programs of community care as alternatives to such services being provided in institutionalized settings; proposes the establishment of UAF Satellite Centers which would be primarily concerned with the delivery of clinical services; revises the organizational structure for administration of the act and continues formula grants to the States for planning, services and facilities; directs the Secretary of Health, Education, and Welfare to deevlop a model system for evaluation of services by February 1, 1977, which will specify a minimal evaluation system to be implemented by all States by October 1, 1977; directs the Secretary to issue final regulations not later than 90 days after enactment of this legislation; contains a bill of rights for the protection of the human and legal rights of developmentally disabled persons, including criteria for services, physical facilities, and assurance of individual attention for each person, and requires the establishment of a protective and personal advocacy agency in each State; and contains other provisions. H.R. 4005. P/H Apr. 10, 1975; P/S amended June 2, 1975; In conference. (VV)

Drug abuse office and treatment: Continues the current authorization of $45 million through fiscal year 1979 for drug abuse prevention and treatment programs; increases from $100 million to $200 million the figure used to determine the minimum formula grant to any State (currently $66,666, which would increase to $133,333 if there is no change in the ratio of actual to authorized appropriations); recognizes narcotic addiction and drug abuse as a serious, long-term problem requiring continuous effort; redesignates the Special Action Office for Drug Abuse Prevention as the Office of Drug Abuse Prevention Policy, and redefines its role as strictly that of coordination and policy direction; confirms and clarifies the programmatic role of the National Institute of Drug Abuse; broadens the prohibition on discrimination against drug abusers in hospital admissions to include all admissions instead of emergency admissions only; and contains other provisions. S. 1608. P/S June 26, 1975. (VV)

Health services—nurse training: Amends title VII of the Public Health Service Act to revise and extend the programs of assistance under that title for nurse training until fiscal year 1978 and to revise and extend programs of health revenue sharing and health services until fiscal year 1977;

Authorizes a total of $1.422 billion for health services and health revenue sharing programs for 2 years, including $15 million for each year for detection and treatment of hypertension (high blood pressure); extends the authorizations in title X regarding Family Planning Programs and specifies that population research shall be conducted under the authorities of that title and requires an annual report on family planning programs; extends the Community Health Centers program for 2 years authorizing grants for the planning, development and operation of community health centers, including existing neighborhood health centers; extends the Migrant Health Centers Program and authorizes planning, development and operation grants to such centers which offer a broad range of health services in an area in which not less than 6,000 migrants reside; includes a separate authorization to cover the reasonable costs of inpatient and outpatient hospital services for migrants; extends the Community Health Centers programs to continue progress toward the goal of establishing a center in each of the approximately 1,500 catchment areas across the Nation and to assure continued support of the 500 centers already begun; provides authorization to expand the types of disease control programs to include programs for diseases borne by rodents; establishes a demonstration program of start up grants to home health agencies and grants for training personnel to provide home health services; establishes a Committee on Mental Health and Illness of the Elderly for a one year period to review the mental health needs of the elderly and recommend policy for the care and treatment of mentally ill aged persons; establishes a Rape Prevention and Control Center within the National Institute for Mental Health to study the causes, control and treatment of rape and to establish a clearinghouse of information and provides support for demonstration projects in the prevention and control of rape; establishes a temporary Commission on Epilepsy to devise a national plan for the control of epilepsy and its consequences, the State and Federal role in research on epilepsy and on the identification, treatment and rehabilitation of persons with epilepsy; establishes a temporary Commission on Huntington's Disease to devise a comprehensive national plan similar to the one outlined for epilepsy; establishes a new Hemophilia Diagnosis and Treatment program and provides grants to establish treatment centers; sets a $1,000 fine and/or 1 year imprisonment for intimidating or coercing a person who has requested or is receiving welfare benefits to undergo an abortion or sterilization as a condition of receiving such benefits;

Extends through 1977 the nurse training authorities of title VIII at levels of $156 million in 1976, $181 million in 1977 and $201 million in 1978; includes authorization for: construction grants with priority funding to schools expanding their capacity to enroll nurses in advanced training programs; "capitation" grants to schools based on the number of nursing students enrolled but designating different amounts for different types of nursing schools to reflect more accurately the differential in costs between baccalaureate degree, associate degree, and diploma schools of nursing; special assistance to nursing schools that are in serious financial straits to meet operational costs for maintaining quality programs or their accreditation requirements; special project grants to assist schools in trying out better methods of teaching, better utilization of faculty, expanded enrollments and recruiting and retaining students from disadvantaged backgrounds; graduate and other advanced training programs for professional nurses to teach, serve as administrators or practice in nursing specialities; the nursing loan, scholarship and traineeship program to meet current demands and needs; and grants for programs for training nurse practitioners with specific emphasis on geriatrics and the care of nursing home patients; and contains other provisions. S. 66. Vetoed July 26, 1975. Senate overrode veto July 26, 1975; House overrode veto July 29, 1975. Public Law 94–63, without approval July 29, 1975. (132,337)

Medical device safety: Authorizes the Food and Drug Administration to regulate the development and marketing of medical devices; requires that medical devices used in life-supporting situations, including all implanted medical devices such as a heart valve, pacemaker or intrauterine device (IUD), shall be subject to premarket scientific testing; authorizes the Secretary of Health, Education, and Welfare to establish protocols for testing medical devices and requires that test data be submitted to HEW when a manufacturer seeks approval of a life-supporting medical device for marketing; provides that medical devices for which experts agree standard-setting is sufficient to protect the public health and safety need only meet performance standards; provides that the third classification of devices which are generally safe when used in accordance with their instructions, such as a tongue depressor, is exempted from either procedure; and contains other provisions. S. 510. P/S Apr. 17, 1975. (139)

Older Americans: Continues for an additional two years until September 30, 1977, authorizations for programs conducted under the Older Americans Act; increases the authorizations for nutrition projects for the elderly by 12½ percent to offset inflation; continues the authorization for the Older Workers Community Service Employment Program for three years through September 30, 1978 at increased levels; continues authorizations for special programs for the elderly under the Library Services and Construction Act, the Adult Education Act, the Higher Education Act, the Community Services Act, and the Vocational Education Act; creates a new program of grants to the States to establish programs of transportation, home services, and legal services to the aging; authorizes direct grants to Indian tribal organizations for the provision of services to elderly Indians; provides for a study of the subject of age discrimination to be conducted by the U.S. Commission on Civil Rights; and contains other provisions. H.R. 3922. P/H Apr. 8, 1975; P/S amended June 26, 1975; In conference. (VV)

School Lunch and Child Nutrition Program: Amends section 13 of the National School Lunch Act to continue the Special Food Service Program for children, which expires June 30, 1975, through September 30, 1975; authorizes 1975 summer meal reimbursement rates to be adjusted to account for increase in food costs this past year; and requires USDA, within 10 days following enactment, to issue its regulations pertaining to the option of this year's summer feeding program. S. 1310. Public Law 94–20, approved May 2, 1975. (VV)

School Lunch Program: Strengthens and improves all child nutrition programs; extends the school breakfast program, the summer food program for children, and the special supplemental food program for women, infants, and children (WIC) through September 30, 1977; establishes a new child care food program for children in nonresidential child care institutions, including day care centers, settlement houses, recreation centers, family day care programs, Head Start centers and Homestart programs; expands eligibility for the WIC program to include women up to 6 months post partum and children until their fifth birthday; expands the definition of "school" under the school lunch program and the school breakfast program to include any public or licensed nonprofit private residential child care institution, including orphanages and homes for the mentally retarded; revises the income poverty guidelines for determining eligibility for free and reduced price lunches so that eligibility will be determined on more current data; extends through September 30, 1977 the authority of the Secretary of Agriculture to purchase agricultural commodities for donation to child nutrition programs and programs for the elderly when acquisitions of commodities under other agricultural authorities are not available and permits States which phased out their commodity distribution facilities prior to July 1, 1974 to elect to receive cash in lieu of donated foods; and contains other provisions. H.R. 4222. P/H Apr. 28, 1975; P/S amended July 10, 1975; Conference report filed. (274)

Supplemental food programs: Extends through September 30, 1975, the special supplemental food program for women, infants, and children. H.R. 7136. Public Law 94–28, approved May 28, 1975 (VV)

HOUSING

Emergency housing: Contains provisions for mortgage foreclosure relief to homeowners who cannot meet their mortgage payment because of recession conditions; authorizes the Department of Housing and Urban Development (HUD) to co-insure mortgages in default or to make monthly payments of up to $250 for as long as 24 months when lenders are unwilling or unable to forbear on their loans; and authorizes $15 billion for co-insurance contracts and a maximum of $500 million for mortgage relief loans;

Provides for home purchase assistance which expands the President's authority to make mortgage credit available when housing starts are low; extends the existing Home Purchase Assistance Act to June 30, 1976; permits financing of condominiums and apartments, sets a maximum rate of interest at 7½ percent, and provides for additional housing financing by the Federal Finance Bank; and authorizes an additional $10 billion mortgage credit;

Includes provisions for housing rehabilitation and repair; continues the section 312 rehabilitation loan program through August 1976 at an authorized level of $100 million; and

Extends by 7 months, the time period during which certain purchasers of older inner-city housing insured by FHA can apply for compensation for correcting serious defects that were not detected at the time of purchase. H.R. 5398. Public Law 94–50, approved July 2, 1975 (225)

*Emergency middle-income housing: Authorizes emergency Federal assistance to stimulate housing construction, to increase employment and to provide critically needed housing for families now priced out of the housing market;

In title I, establishes a temporary emergency program in order to increase the present low level of housing starts and create jobs; gives homebuyers whose family income does not exceed 120 percent of the median income of their area three options to assist them in buying a home: (1) a 6 percent mortgage loan which will gradually increase to the market rate after 3 years; (2) a 7 percent mortgage for the life of the contract; or (3) a $1,000 cash grant to be used to defray the downpayment expenses on a newly constructed house; provides that no new commitment or contract for assistance can be entered into after June 30, 1976;

In title II, authorizes $500 million to the Secretary of Housing and Urban Development to make repayable, emergency mortgage relief payments up to $250 per month for a period of no longer than 2 years on behalf of homeowners who are delinquent in their mortgage payments as a result of a substantially reduced income because of involuntary unemployment or underemployment;

In title III, contains miscellaneous provisions extending the section 312 rehabilitation loan program until August 22, 1977 and authorizing therefor $35 million for each of the two years; increasing the set-aside of contract authority for projects to be owned by public housing agencies from $150 million to $300 million; extending the section 235 homeownership assistance program until July 1, 1977; extending by seven months the period during which owners of FHA-insured houses which have serious structural defects can request assistance from HUD to repair such defects; extending until January 1, 1976 the date after which Federal financial assistance will be denied to flood-prone areas unless the community is participating in the National Flood Insurance Program; and contains other provisions. H.R. 4485. Vetoed June 24, 1975. House sustained veto June 25, 1975. (148,221)

American Indian Policy Review Commission: Authorizes the American Indian Policy Review Commission to accept and use donations of money, property, and uncompensated services from Government and private sources and to procure the temporary or intermittent services of experts and consultants at a rate of compensation not in excess of that paid to employees of the Senate; authorizes the reimbursement for travel, subsistence, and other necessary expenses incurred by a person providing voluntary and uncompensated services in the performance of their service; and permits the Commission to use the frank of any member of Congress who is serving as Chairman of the Commission for mailing materials. S. 2073. Public Law 94– , approved 1975. (VV).

Indian Claims Commission: Authorizes $1,550,000 for fiscal year 1976 for the Indian

Claims Commission; extends the life of the Commission for an additional 3 years, from April 10, 1977 to April 10, 1980; and provides that cases still pending upon the expiration date of the Commission shall be turned over to the Court of Claims for final adjudication. H.R. 3979. P/H June 16, 1975; P/S amended August 1, 1975. (VV)

Indian Health Care: Provides the direction and financial resources to overcome the inadequacies in the existing Federal Indian health care program and invite the greatest possible participation of Indians and Alaska Natives in directing and managing that program;

Establishes, in title I, the Indian Health Manpower Program and authorizes: a grant program to recruit and aid Indians in pursuing health careers; a preparatory scholarship program for the final two academic years of any pre-professional health education curriculum; a health professions scholarship program; a program to facilitate employment by the Indian Health Service (IHS) of medical students to further expand their opportunities for training; education and training programs in environmental health, health education, and nutrition; and a continuing education allowances program, for the purpose of assuring an adequate health manpower base for proper Indian health services and a sufficient cadre of Indian professional and health workers to permit Indian communities to have a maximum voice in shaping those services;

Provides, in title II, for a planned growth of the Indian Health Service's delivery system and facilities and authorizes funds to remove the backlogs in direct patient care and dental care, improve field health services, mental health care and services, treatment centers for the children, and other unmet health needs;

Authorizes, in title III, funds for construction of modern, efficient hospitals and other health care facilities serving Indians where none exist and to renovate existing facilities, most of which are in a state of general deterioration, and to remedy the lack of safe water and sanitary waste disposal facilities in the Indian environment;

Meets, in title IV, the problem of limited access by Indians to services supported by Medicare or Medicaid due to most Indians living on remote reservation lands, by authorizing payments under the two programs to be made to qualified Indian Health Service hospitals and long-term care facilities for services rendered to Medicare and Medicaid patients, and provides 100 percent Federal Medicaid matching funds for services provided to any eligible Indian in an IHS facilitiy;

Establishes, in title V, programs in urban areas to make health services more accessible to the urban Indian population and assist them in making the difficult transition from traditional reservation life to the urban world;

Authorizes a total of $1.6 billion for fiscal years 1977 through 1983; and changes the various Secretarial reporting requirements to assist Congress in undertaking a thorough review of all expenditures at the end of the fiscal year in order to review authorization levels if appropriate. S. 522. P/S May 16, 1975. (VV)

Klamath Indian Land—Colonial Williamsburg: Gives tribal members receiving moneys from gains from the sale of lands in trust the same exclusion from Federal taxation as was afforded to tribal members who withdrew from the tribe in 1959 and received tax free cash payments for their interests; and amends the Internal Revenue Code to add a provision affecting the situation of Colonial Williamsburg, a tax-exempt foundation, which provides the same treatment regarding depreciation recapture to a tax-exempt organization as to a taxable organization where assets are received through liquidation of a subsidiary and are used in an unrelated taxable trade or business. H.R. 83. P/H June 26, 1975; P/S amended July 11, 1975; House agreed to Senate amendments with amendment July 25, 1976; Senate disagreed to House amendment August 1, 1975.

Pueblo of Laguna: Declares that 480 acres of land used for cattle grazing by the Pueblo of Laguna Indians be held in trust for the tribe by the United States, and provides for the trust transfer of 39.9 acres of land which was omitted from other lands transferred to the Pueblo pursuant to the Act of August 13, 1949. S. 557. P/S May 21, 1975. (VV)

Pueblo Tribe, New Mexico: Repeals a 1926 statute which subjects Pueblo tribal lands to condemnation pursuant to State law. S. 217. P/S May 21, 1975. (VV)

INTERNATIONAL

Arts and artifacts indemnity: Authorizes the Federal Council on the Arts and the Humanities to make indemnity agreements against loss or damage of specified art works and artifacts brought into this country for exhibitions which the Secretary of State or his designee deem to be in the national interest. S. 1800. P/S July 25, 1975. (VV)

Cambodia—food aid: States as the sense of the Senate that 50 percent of the food commodities which the President has budgeted for Cambodia under title I of the Agricultural Trade Development and Assistance Act of 1954 which is delivered after the date this resolution is agreed to and prior to July 1, 1975, be made available for humanitarian purposes under Public Law 480 title II humanitarian grant assistance and be administered by voluntary agencies already established in Cambodia. S. Res. 94. Senate adopted Mar. 10, 1975. (VV)

Israel: Expresses the displeasure of the Senate with respect to the attempts by some of the nonalined Third World nations to expel Israel from membership in the United Nations and states the Senate's intent to review all present United States commitments to the Third World nations involved in the event of Israel's expulsion as well as its continued membership in the United Nations. S. Res. 214. Senate adopted June 18, 1975. (VV)

Japan-U.S. Friendship Trust Fund: Creates a Japan-U.S. Friendship Trust Fund to support a variety of mutual educational and cultural studies, facilities, exchanges, and other activities between Japan and the U.S.; authorizes therefor the transfer of $32 million from the proceeds of the Okinawa Reversion Agreement and approximately $14 million from U.S. accounts in Japan under the G.A.R.I.O.A. (Government and Relief in Occupied Areas) of which the interest and up to 5 percent of the principal may be used annually to support these activities; and establishes a Commission to administer the program. S. 824. P/S June 13, 1975. (VV)

Middle East dispute: Endorses the efforts of and commends the Secretary of State and the President in trying to achieve a peaceful resolution of the Middle East disputes and urges the Secretary to continue to use his good auspices to help the parties in dispute abandon intransigence and see the wisdom of these objectives. S. Res. 119. Senate adopted Mar. 24, 1975. (VV)

Nuclear Non-Proliferation Treaty: Endorses the purpose of the conference or parties in Geneva reviewing the operation of the Nuclear Non-Proliferation Treaty to assure that its purposes and provisions are being realized and commends the President for his commitment to furthering the objectives of this Treaty. S. Res. 146. Senate adopted May 6, 1975. (VV)

Romania—most favored nation status: States the sense of the Senate that the President should certify to Congress that he will use his authority under the Trade Act of 1974 to terminate by Executive order most favored nation status to Romania if Romania engages in discriminatory emigration practices as detailed in sections 402 and 409 of the Trade Act. S. Res. 219. Senate adopted July 25, 1975. (VV)

Approves the extension of non-discriminatory treatment with respect to the products of the Socialist Republic of Romania transmitted by the President to the Congress on April 25, 1975. S. Con. Res. 35. Senate adopted July 25, 1975; House adopted July 28, 1975. (330)

Treaties

International Office of Epizootics: Established an International Information Office of Epizootics to report on the outbreak of animal diseases, provide an exchange of technical information on the control of animal diseases and provide uniform sanitary codes for the movement of livestock and other animals in international trade. Ex. M, 93d–2d. Resolution of ratification agreed to May 5, 1975. (162)

Turkey—Military assistance: Amends the Foreign Assistance Act of 1961—and related continuing resolutions (the terms of which have expired)—to make possible on a contingent basis the resumption of United States military assistance to Turkey, and to provide that the President shall make monthly reports to the Congress on progress toward the conclusion of a negotiated solution of the Cyprus conflict. S. 846. P/S May 19, 1975; House rejected July 23, 1975. (190)

Turkey—Military assistance; Board for International Broadcasting: Authorizes resumption of the sale of arms to Turkey under the Foreign Military Sales Act upon certification to Congress by the President that the furnishing of defense items to Turkey is important to the national security interest of the United States, with the provision that this authority shall be effective only while Turkey shall observe the cease-fire and shall neither increase its forces on Cyprus nor transfer to Cyprus any U.S. supplied implements of war; requests the President to initiate discussions with Greece to determine the most urgent needs of Greece for economic and military assistance and requires a report by him to Congress within 60 days after enactment of this act on such discussions together with his recommendations for such assistance; also requires a report from the President within 60 days on the progress made during this period toward the conclusion of a negotiated solution of the Cyprus conflict; and

Authorizes appropriations for the Board for International Broadcasting for fiscal year 1976 in the amount of $65,640,000. S. 2230. P/S July 31, 1975. (373)

United Nations peacekeeping forces in Middle East: Authorizes such appropriations as may be necessary for the payment of the United Nations peacekeeping forces in the Middle East for the period beginning October 25, 1974, and $5.7 million in supplemental payments for the period prior to October 25, 1974, to meet the U.S. share of peacekeeping expenses in excess of those originally anticipated. S. 818. Public Law 94–37, approved June 19, 1975. (VV)

Vietnam and Cambodia—humanitarian assistance: Authorizes the President to use any noncommitted funds available for military assistance for South Vietnam and Cambodia for humanitarian assistance for South Vietnamese and Cambodian refugees. S. 1696. P/S May 8, 1975. (VV)

Vietnam—assistance and evacuation: Authorizes (1) the use of the armed forces, if the President determines such use is necessary, in the expeditious withdrawal of the remaining American citizens and dependents from South Vietnam and the withdrawal of such foreign nationals as may be brought out along with U.S. citizens and their dependents; (2) $177 million in unappropriated balances of previous authorizations for economic aid to Indochina which will be available for humanitarian assistance to and evacuation programs from South Vietnam; and (3) additional humanitarian assistance in South Vietnam in the amount of $150 million to be dispersed through international organizations and voluntary relief agencies to the extent feasible; requires a quarterly report from the President to the Congress regarding the amount and nature of assistance, the expected recipients, the organizations involved in the distribution and the means of distribution; and contains other provisions. H.R. 6096 (S. 1484). P/H Apr. 24, 1975; P/H Apr. 24, 1975; P/S amended Apr. 24, 1975; Senate agreed to conference report Apr. 25, 1975; House rejected conference report May 1, 1975. NOTE: (The conference report was rejected by the House because American evacuation of South Vietnam had been completed.) (145, 152)

Vietnam—peace negotiations: Calls upon the President to request all Vietnamese parties to reopen discussion toward the implementation of the Agreement on Ending the War and Restoring Peace in Vietnam, to encourage those elements seeking a political settlement, and to make known that American assistance to all Vietnamese will depend on the degree of good faith efforts made by them to obtain a cease-fire and political solution to the conflict; and directs the President to report to the Senate, within 30 days, on the steps he has taken. S. Res. 133. Senate adopted Apr. 21, 1975. (VV)

Vietnamese refugee aid authorization: Authorizes $455 million, without fiscal year limitation, for assistance to and in behalf of Cambodian and Vietnamese refugees utilizing procedures and administrative machinery established under the Migration and Refugee Assistance Act of 1962; requires the President to keep the appropriate committees of Congress fully and currently informed regarding the use of funds and the exercise of activities carried out pursuant to this act and requires submission of a plan for their resettlement or return, and further requires the President to submit periodic reports on the status of his efforts to retrieve all amounts previously authorized for assistance to South Vietnam and Cambodia excluding the $98 million allocated to the State Department for the movement of refugees. H.R. 6755. Public Law 94–23, approved May 23, 1975. (186)

Vietnamese refugees: States as the sense of the Senate that State and local governments, with the assistance of voluntary and civic organizations, should join with the Federal Government in assuming responsibility for the sponsorship, resettlement and assimilation of Indochinese refugees into American communities. S. Res. 187. Senate adopted June 18, 1975. (VV)

Vietnamese refugees welcome: Welcomes on behalf of the Senate the latest exiles to American shores—the refugees from South Vietnam and Cambodia. S. Res. 148. Senate adopted May 8, 1975. (168)

World Food Conference: Endorses the World Food Conference of 1976 to be held in Ames, Iowa from June 27 through July 1, 1976, and commends the Iowa State University of Science and Technology for a humanitarian undertaking of international significance. S. Con. Res. 19. Senate adopted Apr. 25, 1975; House adopted June 17, 1975. (VV)

MEMORIALS, TRIBUTES, AND MEDALS

Aleksandr I. Solzhenitsyn: Authorizes the President to declare by proclamation that Aleksandr I. Solzhenitsyn shall be an honorary citizen of the United States. S.J. Res. 36. P/S Mar. 20, 1975. (VV)

American Revolution Bicentennial commemorative medals: Authorizes the Secretary of the Treasury to strike and furnish to the American Revolution Bicentennial Administration a maximum of 25,000 medals commemorating up to 21 ethnic heroes of the American Revolution to be selected by the Bicentennial Administration. S. 371. P/S June 6, 1975. (VV)

Apollo-Soyuz test project: Congratulates the National Aeronautics and Space Administration and the Soviet Academy of Sciences on the joint Apollo-Soyuz test project. S. Res. 222. Senate adopted July 26, 1975. (VV)

Bess Truman's birthday: Extends best wishes to Elizabeth Wallace Truman on the occasion of her ninetieth birthday. S. Res. 65. Senate adopted Feb. 7, 1975. (VV)

Boy Scouts of America: Pays tribute to the Boy Scouts of America on the occasion of its 65th anniversary. S. Con. Res. 6. Senate adopted Jan. 28, 1975. (VV)

Girl Scouts of America: Pays tribute to the Girl Scouts of America on the occasion of the 63d anniversay of its founding. S. Con. Res. 22. Senate adopted Mar. 6, 1975. (VV)

International Ladies Garment Workers Union: Commends the International Ladies Garment Workers on its 75th anniversary. S. Res. 194. Senate adopted June 25, 1975. (VV)

King Faisal, death of: Expresses the sorrow of the Senate upon the death of King Faisal of Saudi Arabia. S. Res. 120. Senate adopted Mar. 26, 1975. (VV)

Martin Luther King: Commemorates the forty-sixth anniversary of the birth of the Reverend Doctor Martin Luther King, Jr., on January 15, 1929, and honors his contributions to the cause of social progress and economic justice for all Americans. S. Res. 14. Senate adopted Jan. 16, 1975. (VV)

Rabbi Menachem Schneerson: Congratulates Rabbi Menachem Schneerson on the observance of his twenty-fifth anniversary, January 22, 1975, as leader of the Movement of Lubavitch. S. Res. 22. Senate adopted Jan. 21, 1975. (VV)

Roy Wilkins: Honors Roy Wilkins, Executive Director of the NAACP, on the occasion of his being named "American of the Year" by the American Religious Town Hall Meeting, Inc., in Dallas, Texas. S. Res. 35. Senate adopted Jan. 27, 1975. (VV)

Tom Steed Reservoir: Designates the Mountain Park Reservoir, Oklahoma, as the Tom Steed Reservoir. S. 1531. P/S August 1, 1975. (VV)

U.S. flag display: Provides that the American flag may be flown for 24 hours of each day in Valley Forge State Park, Valley Forge, Pa. S.J. Res. 98. Public Law 94–53, approved July 3, 1975. (VV)

Veterans' Day: Redesignates effective January 1, 1978, November 11 of each year as Veterans' Day and makes such day a legal public holiday. S. 331. P/S Mar. 13, 1975. (VV)

Vietnam veterans: Commends those Americans, living and dead, who participated in the Southeast Asian conflict and extends gratitude to them and their families. S. Res. 171. Senate adopted May 22, 1975. (VV)

NATURAL RESOURCES—NATIONAL HISTORIC SITES

American Falls Dam replacement: Amends the Act authorizing the replacement of the American Falls Dam through the use of non-Federal financing by the American Falls Reservoir District, Idaho, to provide that the dam and related facilities constitute solely water facilities for purposes of section 103 of the Internal Revenue Code thus assuming that bonds issued by the reservoir district to finance such construction are tax exempt. S. 1152. P/S July 7, 1975. (VV)

Assateague Island National Seashore, Maryland and Virginia: Amends the 1965 law which provided for the establishment of Assateague Island National Seashore in the States of Maryland and Virginia to repeal sections 7 and 9 mandating the construction of roads and overnight and other public accommodations on the island and authorizes the Secretary of the Interior to hold hearings and make payments to the County of Worcester, Maryland, on claims for compensation for damages or other losses incurred by the county as a result of the repeal of these sections. S. 82. P/S June 4, 1975. (VV)

Franklin D. Roosevelt National Historic Site: Authorizes the acceptance of additional lands for the home of the Franklin D. Roosevelt National Historic Site in Hyde Park, New York, and authorizes an additional amount, not to exceed $104,000, for development purposes. H.R. 2808. Public Law 94–19, approved Apr. 30, 1975. (VV)

Grand Canyon National Park, Arizona: Provides for a study of the enlarged Grand Canyon National Park for possible inclusion in the wilderness system pursuant to the provisions of the Wilderness Act. H.R. 4109. Public Law 94–31, approved June 10, 1975. (VV)

Guadalupe Mountains National Park, Texas: Authorizes the exchange of certain lands within the Guadalupe Mountains National Park, Texas, for other lands which will provide an improved access road to the McKittrick Canyon portion of the park. S. 313. P/S June 4, 1975.

Hells Canyon National Recreation Area: Establishes the Hells Canyon National Recreation Area in the States of Idaho, Oregon, and Washington to be comprised of an approximate 100-mile area with specified parts designated as recreational, scenic and wild; and deauthorizes the Asotin Dam which was authorized under the provisions of the Flood Control Act of 1962. S. 322. P/S June 2, 1975. (VV)

Indian trails: Provides for the study of the Indian Nations Trail in Oklahoma for possible designation as a National Trail under the National Trails System Act. S. 1123. P/S May 21, 1975. (VV)

Indoor recreation facilities: Amends the Land and Water Conservation Fund Act by adding new authority which permits a State to use not more than 25 percent of its total annual allocation from the Fund for the planning and development of sheltered recreational facilities within specified areas thus permitting the enclosure of swimming pools, ice skating rinks, tennis courts, and similar outdoor facilities for year-round use where climate now controls the season or where there is a shortage of available land. S. 288. P/S May 21, 1975. (VV)

Klondike Gold Rush National Historic Park, Washington and Alaska: Authorizes the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park, an area of approximately 13,271 acres consisting of the following four units: Pioneer Square, Seattle, Washington and the Skagway, Chilkoot Trail, and White Pass units in Alaska. S. 98. P/S June 4, 1975. (VV)

Saline water authorization: Authorizes $4.1 million for fiscal year 1976 for the Federal saline water conversion program conducted by the Secretary of the Interior including $250,000 for completion of research on the freeze crystallization process of water purification which was developed as an advanced water desalination process. H.R. 3109. Public Law 94–38, approved June 19, 1975. (VV)

Volunteers in the parks: Increases the annual authorization for the Volunteers in the Parks Program from $100,000 to $250,000. S. 896. P/S May 1, 1975. (VV)

Wilderness areas

Eagles Nest Wilderness, Colorado: Designates a 128,084 acre area in the Arapaho and White River National Forests, Colorado as the Eagle Nest Wilderness. S. 268. P/S June 5, 1975. (VV)

Flat Tops Wilderness, Colorado: Designates a 235,230 acre area in the Routt and White River National Forests, Colorado, as the Flat Tops Wilderness. S. 267. P/S June 5, 1975. (VV)

Sheep Mountain Wilderness: Designates a 52,000 acre area in the Angeles and San Bernardino National Forests as the Sheep Mountain Wilderness. S. 74. P/S August 1, 1975. (VV)

Snow Mountain DeFacto Wilderness: Designates an approximate 37,000 acre area in the Mendocino National Forest, California, known as the "Snow Mountain DeFacto Wilderness Area" for study for possible inclusion in the National Wilderness Preservation System. S. 1391. P/S August 1, 1975. (VV)

NOMINATIONS

(Action by roll call vote)

Alexander P. Butterfield: Authorizes the President to appoint Alexander P. Butterfield (formerly a retired colonel, United States Air Force, until he resigned his commission in order to meet the eligibility requirements that the Administrator of the Federal Aviation Administration be a civilian at the time of his nomination) to the grade of colonel on the retired list of the Regular Air Force with pay and other benefits based on a retirement date of February 1, 1969. S. 182. Senate rejected May 20, 1975. (193)

Stanley K. Hathaway, of Wyoming, to be Secretary of Interior: Nomination confirmed June 11, 1975. (220)

Carla Anderson Hills, of California, to be Secretary of Housing and Urban Development: Nomination confirmed Mar. 5, 1975. (44)

Thomas J. Meskill, of Connecticut, to be U.S. Circuit Judge for the Second Circuit: Nomination confirmed Apr. 22, 1975. (141)

PROCLAMATIONS

American Business Day: Designates May 13 of each year as "American Business Day". S.J. Res. 15. P/S Mar. 20, 1975. (VV)

American Institute of Banking Week: Proclaims the week of May 25 to 31, 1975, as "National American Institute of Banking Week". S.J. Res. 58. P/S Apr. 18, 1975. (VV)

Buchenwald concentration camp: Proclaims April 6, 1975, as a day of observance of the liberation of the survivors of the Buchenwald concentration camp. S.J. Res. 56. P/S Mar. 20, 1975. (VV)

Proclaims April 6, 1975, as a day of observance of the liberation of the survivors of the Buchenwald concentration camp. S. Res. 123. Senate adopted Mar. 26, 1975. (VV)

Car care month: Designates May 1975 as "National Car Care Month". S.J. Res. 57. P/S Mar. 20, 1975. (VV)

Child Abuse Awareness Week: Designates the period of January 9 through January 15, 1975, as "National Child Abuse Awareness Week". S. Res. 43. Senate adopted Feb. 3, 1975. (VV)

Earth Day: Designates March 21, 1975, as "Earth Day". H.J. Res. 258. Public Law 94-8, approved Mar. 21, 1975. (VV)

Energy Conservation Month: Declares the period from February 16 to March 15, 1975, as "Energy Conservation Month"; requests the President to report to Congress by March 31, 1975, on the steps taken to promote energy conservation and their results and on any recommendations for legislation necessary to implement a continuing program of energy conservation; and requests the President to report monthy to the American people and Congress on the status of energy conservation initiatives and their effectiveness, domestic energy supplies and shortages, energy imports and the impact of available supplies or shortages on the economy of and employment in the United States. S. Res. 59. Senate adopted Feb. 5, 1975 (VV)

Historic Preservation Week: Designates the week beginning May 12, 1975, as "National Historic Preservation Week". H.J. Res. 242. Public Law 94-21, approved May 9, 1975. (VV)

Hobby Month: Designates October 1975 as "Hobby Month". S.J. Res. 84. P/S June 19, 1975. (VV)

Honor America: Declares the 21-days from Flag Day through Independence Day as a period to honor America. S.J. Res. 92. Public Law 94-33, approved June 13, 1975. (VV)

Hunting and Fishing Day: Designates the fourth Saturday of September 1975, as "National Hunting and Fishing Day". S.J. Res. 34. P/S May 8, 1975. (VV)

Indian Day: Designates September 28, 1975, as "National Indian Day". S.J. Res. 44. P/S May 8, 1975. (VV)

Music in Our Schools Day: Designates March 13, 1975, as "Music in Our Schools Day". S.J. Res. 18. P/S Feb. 19, 1975. (VV)

Newspaper Week: Designates October 5 through 11, 1975, as "Newspaper Week". S.J. Res. 46. P/S May 8, 1975. (VV)

Newspaper Carrier Day: Designates October 11, 1975, as "Newspaper Carrier Day". S.J. Res. 46. P/S May 8, 1975. (VV)

Norwegian-American Day: Designates October 9, 1975, as "Norwegian-American Day". S. Res. 135. Senate adopted June 19, 1975. (VV)

Shut-in Day: Designates the first Sunday in June 1975, as "National Shut-in Day". S.J. Res. 79. P/S May 8, 1975. (VV)

Space observance: Designates the period of July 16 through the 22 as "United States Space Observance". S. Con. Res. 47. Senate adopted July 11, 1975. (VV)

Youth Art Month: Designates March 1975 as "Youth Art Month". S.J. Res. 8. P/S Feb. 19, 1975. (VV)

SENATE

Cloture rule: Amends rule XXII (cloture) of the Standing Rules of the Senate to change from two-thirds present and voting to a constitutional three-fifths of the membership (or 60 Senators) the number of Senators required to vote for ending debate except on a measure or motion to amend the Senate rules, which shall require an affimative vote by two-thirds of the Senators present and voting. S. Res. 4. Senate adopted Mar. 7, 1975. (55)

Commission on the Operation of the Senate: Establishes a Commission to make an independent, impartial overall study of the organization and operation of the Senate including (1) the functioning of Members, officers, and employees in the light of the responsibilities of the Senate in the area of law-making, representation, and over-sight, (2) conflicts in the programming of business, (3) office accommodations and facilities, (4) information resources, and (5) internal management administrative support structure; does not include within the purview of the Commission an examiation of the question of the jurisdictions of the committees over subject matter; provides for the appointment of 9 Commissioners from private life and 2 *ex officio* non voting Commissioners who are presently officers or employees of the Senate; requires an interim report by March 31, 1976, and a final report, together with its findings and recommendations, by September 30, 1976. S. Res. 277. Senate adopted July 29, 1975. (VV)

Committee expenses: Continues through May 31, 1975, the authority of Senate Committees to pay employees and make expenditures for inquiries and investigations. S. Res. 111. Senate adopted Mar. 17, 1975. (VV)

Continues through July 15, 1975, the authority of the Senate committees to pay employees and make expenditures for inquiries and investigations. S. Res. 191. Senate adopted June 23, 1975. (VV)

Continues through July 31, 1975, the authority of the Senate Committees to pay employees and make expenditures for inquiries and investigations. S. Res. 207. Senate adopted July 15, 1975. (VV)

Committee staffing: Amends Senate Rule XXV to authorize each Senator to employ personal staff persons to assist in committee duties; allows funds for this purpose in an amount equivalent to that for three professional positions—two for all standing committees except for the District of Columbia, Post Office and Civil Service, Rules and Administration and Veterans' Affairs Committees, and allows one position for these four standing committees and select, special, and joint committees; provides that a Senator who serves on three of the standing committees in the category for which two positions are provided and who does not serve on any of the other standing committees for which one position is provided may use all three positions for his standing committees; and offsets the number of positions allowed by the number of present employees allocated to a Senator. S. Res. 60. Senate adopted June 12, 1975. (225)

Amends S. Res. 60, to direct the Secretary of the Senate to make available for public inspection names and total aggregate compensation of any professional staff appointed to assist Senators in connection with their committee responsibilities. S. Res. 182. Senate adopted June 13, 1975. (VV)

Floor privileges: Amends rule XXXIII of the Standing Rules of the Senate to extend privileges of the Senate floor to the Parliamentarian Emeritus of the Senate. S. Res. 196. Senate adopted July 10, 1975. (VV)

Government intelligence: Establishes a timetable for Senate consideration of and action on legislative proposals relating to continuing congressional oversight of Government intelligence and other surveillance activities. S. Res. 231. Senate adopted July 31, 1975. (VV)

New Hampshire Senate contest: Suspends Rule IV of the Rules for regulation of the Senate wing of the United States Capitol to permit radio, television and photographic coverage of all proceedings of the Senate in open session with respect to the determination of the contested New Hampshire Senate seat contingent upon prior agreements limiting debate thereon; provides that such broadcasting shall be in conformity with procedures agreed upon by the joint leadership; and requires the leadership to assure that the most advanced technology is employed in televising these proceedings especially with respect to the selection of cameras that require no additional lighting in the Senate Chamber. S. Res. 177. Senate adopted June 9, 1975. *Note:* Agreement could not be reached between the networks and the joint leadership as to lighting requirements.) (VV)

Declares the New Hampshire Senate Seat vacant immediately. S. Res. 202. Senate rejected July 9, 1975. (269)

New Hampshire Senate vacancy—Select Committee on Nutrition and Human Needs: Declares a vacancy in the contested New Hampshire Senate seat as of August 8, 1975, so that New Hampshire may hold another election; authorizes the Select Committee on Nutrition and Human Needs to expend not to exceed $485,000 during the 1975 investigative year for increase in investigations. S. Res. 54. Senate adopted July 30, 1975. (VV)

Select Committee on Intelligence: Authorizes $750,000 for the establishment of an 11-member select committee composed of six Democrats and five Republicans to investigate and study governmental operations with respect to intelligence activities and the extent, if any, to which illegal, improper, or unethical activities were engaged in by any agency of the Federal Government or by any persons, acting individually or in combination with others, on behalf of the Federal Government; empowers the committee to require by subpena the attendance of witnesses and the production of evidence; directs an investigation of the following matters among others: (1) whether the Central Intelligence Agency has conducted an illegal domestic intelligence operation; (2) the conduct of domestic intelligence or counterintelligence operations against citizens by the FBI or any other Federal agency; (3) the origin and disposition of the so-called Huston Plan to apply intelligence agency capabilities against individuals or organizations within the U.S.; (4) the extent to which the FBI, the CIA and others coordinate their respective activities; (5) the extent to which domestic intelligence or counterintelligence activities within the United States by the CIA conforms to its legislative charter; (6) past and present interpretation by the Director of Intelligence of the responsibility to protect intelligence sources; (7) the extent and nature of executive branch oversight as well as congressional oversight of all intelligence activities; (8) the need for specific legislative authority to govern the operation of any intelligence agencies of the Federal Government without explicit statutory authority, such as the Defense Intelligence Agency and the National Security Agency; (9) the extent to which intelligence agencies are governed by Executive orders, rules or regulations either published or secret and the extent to which these Executive orders, rules or regulations interpret, expand, or conflict with specific legislative authority; (10) violation or suspected violation of any State or Federal statute by any intelligence agency or person on its behalf, including surreptitious entries, surveillance, and illegal opening or monitoring of U.S. mail; (11) whether any of the existing laws are inadequate to safeguard the rights of American citizens, to improve control of intelligence activities and to resolve uncertainties as to the authority of U.S. intelligence and related agencies; (12) whether there is unnecessary duplication of expenditure and effort in the collection and processing of intelligence information by agencies; and (13) the extent and necessity of overt and covert intelligence activities in the United States and abroad; authorizes the committee to recommend new legislation with regard to its findings and to make a final report of the results of the investigation; provides that the committee shall prevent disclosure of information relating to CIA or other intelligence activities which would adversely affect intelligence activities in foreign countries; prohibits committee personnel from accepting any honorarium, royalty or other payment for a speaking engagement, article, or book in connection with the investigation; and requires security clearance for employees who have access to classified information. S. Res. 21. Senate adopted Jan. 27, 1975. (1)

Authorizes the Select Committee to obtain data contained in tax returns provided that names, addresses, and personal identifications are presented in such a form as not to identify the individual tax returns from which the data is derived. S. Res. 167. Senate adopted May 22, 1975. (VV)

Amends S. Res. 21 to increase the authorization for expenditures of the Select Committee from $750,000 to $1.5 million of which not to exceed $300,000 shall be for the procurement of consultants. S. Res. 165. Senate adopted June 6, 1975. (VV)

Amends S. Res. 21 to increase the expenditure authorization of the Select Committee through February 29, 1976 from $1.15 million to $2.25 million of which not to exceed $600,000 shall be for the procurement of consultants. S. Res. 218. Senate adopted July 31, 1975. (VV)

Senate photograph: Provides for a temporary suspension of rule IV of the Rules for the Regulation of the Senate Wing of the Capitol (which prohibits the taking of pictures in the Senate Chamber) for the purpose of permitting the United States Capitol Historical Society to photograph the Senate in actual session and authorizes the Sergeant at Arms to make the necessary arrangements with a minimum of disruption to Senate proceedings. S. Res. 217. Senate adopted July 25, 1975. (VV)

Witness fees: Increases the limitations with regard to daily witness fees and transportation expenses payable to witnesses summoned to appear before the Senate or any of its committees as follows: Witness fees—from $25 to $35 a day; transportation expenses for not more than 600 miles—from 20 cents to 35 cents per mile; and transportation expenses for more than 600 miles—from 12 cents to 20 cents per mile. S. Res. 17. Senate adopted June 4, 1975. (VV)

TRANSPORTATION—COMMUNICATIONS

Airport and airway development: Extends to September 30, 1975, the authorization for airport development grants contained in the Airport and Airway Development Act of 1970, as amended. S. 1972. P/S June 24, 1975. (VV)

Amtrak—Penn Central: Authorizes an additional $347 million to insure the continuation of essential rail services in the Northeast and Midwest under the Regional Rail Reorganization Act (Public Law 93–236); increases from $85 million to $282 million Federal grants to bankrupt railroads in the Northeast and Midwest to keep them in operation until a plan being developed by the U.S. Rail Association becomes effective after its submission to Congress by March 28, 1975; increases from $150 million to $300 million loan guarantees to bankrupt railroads to maintain and improve rail facilities until the new system is in operation and gives the Secretary of Transportation more flexibility in deciding how and when the guarantees will be used; provides a mechanism for allowing a Federal district court overseeing a reorganization to reconsider the decision that a bankrupt railroad was capable of reorganization on an income basis and thus outside of many parts of the Regional Rail Reorganization Act as in the case of the Erie-Lackawanna; clarifies the position of the Interstate Commerce Commission's Rail Services Planning Office during the reorganization period by making it explicit that they are to continue representing the interests of the small communities and users during the whole reorganizing process and authorizes the Office to hold public hearings on any supplement to the preliminary system plan; provides that no railroad in reorganization shall withhold from a State or subdivision any tax collected from a tenant of its property and imposes a maximum fine of $10,000 for violations; and contains other provisions. S. 281. Public Law 94–5, approved Feb. 2, 1975. (5,28)

Amtrak supplemental authorization: Provides a $63 million supplemental authorization for fiscal year 1975 to meet increased costs identified as (a) railroad performance incentive contract payments of an additional $21.5 million; (b) settlement of the Amtrak/Penn Central contractual dispute, which has resulted in an additional expense of $22.9 million; (c) additional expenses in Amtrak's car overhaul program of $5 million; and (d) increased operating costs primarily due to inflation of $49.7 million; and provides that the salary of the president of Amtrak may be as high as $85,000 instead of $60,000—the present salary ceiling. H.R. 4975. Public Law 94–25, approved May 26, 1975. (173)

Cargo vessels—passengers: Amends section 26 of the Merchant Marine Act of 1920, as amended, to authorize the Coast Guard in an emergency situation to permit cargo vessels engaged in domestic trade to carry more than the 16 passengers currently authorized by law. H.R. 5405. Public Law 94–   , approved 1975. (VV)

Federal-aid highway projects: Increase the Federal matching share for Federal-aid highways and certain mass transportation projects to provide States unable to meet the matching requirements for Federal-aid highway funds with moneys to cover Federal Highway Administration apportionments up to 100 percent. H.R. 3786. Public Law 94–30, approved June 4, 1975. (VV)

Maritime authorizations: Authorizes $562,933,000 for the following six categories of programs of the Maritime Administration for fiscal year 1975: (1) acquisition, construction, or reconstruction of vessels and construction-differential subsidies; (2) ship operating-differential subsidies; (3) research and development; (4) reserve fleet; (5) maritime training at the Merchant Marine Academy at Kings Point, N.Y.; and (6) financial assistance to State marine schools; authorizes additional supplemental appropriations for increases in salaries, pay, retirement, or other employee benefits authorized by law; and requires that at least one regional office of the Maritime Administration be maintained for each of the four major seacoasts (Atlantic, Gulf, Great Lakes, Pacific). S. 332. Public Law 94–10, approved Mar. 23, 1975. (VV)

Authorizes $543,618,000 for the following six categories of programs of the Maritime Administration for fiscal year 1976: (1) acquisition, construction, or reconstruction of vessels and construction-differential subsidies; (2) ship operating-differential subsidies; (3) research and development; (4) reserve fleet; (5) maritime training at the Merchant Marine Academy at Kings Point, N.Y.; and (6) financial assistance to State marine schools; authorizes additional supplemental amounts for increases in pay, retirement, or other employee benefits authorized by law and in operating expenses of the Merchant Marine Academy; clarifies Congressional intent with respect to the capital construction funds authorized by section 607 and the relationship of such funds to the investment tax credit provided by section 38 of the Internal Revenue Code to eliminate an impediment to the national policy to rebuild the merchant marine fleet; requires, subject to certain limitations, that not less than 10 percent of appropriated funds be allocated to serve the foreign trade requirements of the ports of each of the four seacoasts of the United States (Atlantic, Pacific, Gulf, and Great Lakes); and increases from $5 billion to $8 billion the limitation on the aggregate unpaid principal on obligations guaranteed by Title XI Federal ship mortgage guarantee program. S. 1542. P/S Apr. 29, 1975; P/H amended May 12, 1975; In conference. (VV)

Railroad improvement and employment: Creates a supplemental public service employment program to accelerate the repair and rehabilitation of railroad roadbed and facilities which are essential to national transportation needs; authorizes $600 million to the Secretary of Transportation to make grants to States, local transportation authorities, railroads, regional commissions and similar bodies to enable them to hire persons for approved railroad roadbed and facility repair on rehabilitation projects; authorizes an additional $100 million to enable the Secretary to assist grant recipients to purchase materials or equipment for the approved projects if the recipient is financially unable to acquire materials without assistance; provides $100 million for loan guarantees for assistance in purchasing materials and equipment; and contains other provisions. S. 1730. P/S May 16, 1975. (189)

Railroad safety—hazardous materials transportation authorizations: Authorizes $35 million for fiscal year 1976 and $8,750,000 for the transition period July 1, 1976 through September 30, 1976, to carry out the purposes of the Federal Railroad Safety Act of 1970 which prescribes regulations to ensure the safety of the Nation's railroads; includes: $18 million for safety inspection and enforcement activities and increases the number of inspectors from 350 to 500, $10 million for safety research and development, and $3.5 million for State participation programs; amends the act to require the Secretary of Transportation to supply more information on the transport of radioactive materials by rail; and authorizes $7 million for fiscal year 1976 and $1,750,000 for the transition period July 1–September 30, 1976, to carry out the purposes of the Hazardous Materials Transportation Act which regulates the transport of hazardous materials by rail. S. 1462. Public Law 94–56, approved July 19, 1975. (VV)

Railroad temporary operating authority

(Rock Island): Amends the Interstate Commerce Act to authorize the Interstate Commerce Commission to grant temporary operating authority to a carrier by railroad pending a final determination by the Commission as in the case of the Chicago Rock Island and Pacific Railroad Company which has entered reorganization under section 77 of the Bankruptcy Act; authorizes the Commission to grant temporary approval of the operation of a railroad by another railroad applying to conduct such operations if failure to do so would result in the destruction of railroad properties or limit future usefulness with no direct cost to the Federal government; directs the Commission to report bi-monthly to Congress on the effects of any such orders issued; permits the Commission to extend service orders for not to exceed an aggregate of 240 days instead of the present 180 day period; and provides for repayment, within 30 days, to carriers ordered to so operate. S. 917. P/S Apr. 28, 1975; P/H amended June 23, 1975 (VV)

Railroad unemployment and sickness benefits: Amends the Railroad Unemployment Insurance Act to raise the maximum daily benefit for unemployment or sickness from $12.70 to $24 a day for the period July 1, 1975 through June 30, 1976, and to $25 a day thereafter; retains the basic benefit standards of replacement of 60 percent of most recent wages; provides a program of extended unemployment compensation benefits during periods of high unemployment for railroad employees with less than 10 years service so that they are protected as railroad employees with more service now are; changes the formula for employer contributions to increase the amount carriers pay into the railroad unemployment insurance fund; provides statutory authority for the Railroad Retirement Board to borrow funds from the Railroad Retirement Account if it finds that the unemployment insurance account is insufficient to meet its obligations for benefits; and contains other provisions. H.R. 8714. Public Law 94– , approved 1975. (VV)

Shrimp fisheries: Amends the Offshore Shrimp Fisheries Act to implement amendments to the shrimp fishing agreement between the United States and Brazil (Ex. D, 94th–1st) by making technical amendments to the Act regarding the life of the agreement, the permissible number of vessels allowed to fish in a defined area at any particular time, the fees for licenses, and other changes needed to conform the Act with the new agreement. H.R. 5709. Public Law 94–58, approved July 24, 1975. (VV)

Tuna fisheries: Implements the agreement between the United States and other fishing nations on the management and conservation of Atlantic tunas (Ex H, 89th–2d); authorizes the Secretary of Commerce to administer the conservation program as it relates to fishing by U.S. citizens and vessels; directs the Secretary to implement conservation recommendations of the governing body created by the Convention, the International Commission for the Conservation of Atlantic Tunas; authorizes the use of the Coast Guard, the U.S. Customs Service, and where appropriate, those of coastal States to enforce the act; authorizes the President to appoint Commissioners and alternate Commissioners to represent the U.S. on the International Commission; establishes an advisory committee to the U.S. Commissioners; designates the Secretary of State as the U.S. agency to receive reports, requests and other communications of the Commission and respond thereto with the decisions to accept or object to recommendations of the Commission to be made jointly with the Secretary of Commerce, and the Secretary of Transportation to make such decisions in matters pertaining to enforcement; and contains other provisions. H.R. 5522. Public Law 94– , approved 1975. (VV)

VETERANS

Disability compensation and survivors benefits: Provides a 12 percent cost-of-living increase in the rates of disability compensation for those veterans rated 50 percent disabled or less and a 14 percent increase for more severly disabled veterans rated 60 percent to totally and permanently disabled; provides a 12 percent cost-of-living increase in the rates of additional compensation for dependents of veterans whose disability is rated 50 percent or more; increases from $150 to $175 the annual clothing allowance for a veteran who because of his compensable disability wears or uses a prosthetic or orthopedic appliance, including a wheelchair, which tends to wear out his clothing; makes the effective date of an award of increased compensation the earliest date that it is ascertainable that an increase in disability occurred if the application is received within a year of such date; provides a 14 percent cost-of-living increase in the rates payable for dependency and indemnity compensation (DIC) for widows and children, as well as for additional allowances for those in receipt of DIC and death compensation in need of aid and attendance; and provides that the survivors of a veteran who was rated totally disabled and permanently service-connected disabled at the time of death would be automatically entitled to dependency and indemnity compensation. H.R. 7767. P/H June 16, 1975; P/S amened June 23, 1975; House agreed to Senate amendment with amendment July 22, 1975. (VV)

Veteran's physician pay: Amends title 38, U.S.C. to provide special pay and other improvements designed to enhance the recruitment and retention of physicians, dentists, nursing personnel and other health care personnel in the Department of Medicine and Surgery of the Veterans' Administration. H.R. 8240. P/H July 21, 1975; P/S August 1, 1975. (376)

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1976—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the conference report on H.R. 6674, which the clerk will report.

The assistant legislative clerk read as follows:

> Conference report on H.R. 6674, an Act to authorize during the fiscal year 1976, and the period of July 1, 1976, through September 10, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loans, and for other purposes.

The Senate resumed the consideration of the conference report.

The PRESIDING OFFICER. The time on this conference report is limited to 2 hours, to be equally divided and controlled by the Senator from Mississippi (Mr. STENNIS) and the Senator from Maine (Mr. MUSKIE).

The Senator from Mississippi.

PRIVILEGE OF THE FLOOR

Mr. STENNIS. Mr. President, I do not know what inquiries will be made, but to save time I ask unanimous consent that seven key members of our staff who work on the different programs be permitted the privilege of the floor during the debate. They are: Ed Braswell, Clark McFadden, Don Lynch, Frank Sullivan, Hyman Fine, George Foster, and Nancy Bearg.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TAFT. If the Senator will yield, I would like to ask that Mr. William Lind, of my staff, be granted the privilege of the floor during the debate of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, Senator THURMOND cannot be in the Chamber at this moment. He might want two additional staff members to assist him. Is there objection?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Will the Senator yield?

Mr. STENNIS. I yield.

Mr. MUSKIE. Mr. President, I ask that Bill Jackson, of my staff, be granted the privilege of the floor during the debate on this measure.

The PRESIDING OFFICER. Without objecton, it is so ordered.

Mr. STENNIS. Mr. President, we have worked out a time agreement. This is really a highly important bill with a lot of items in it. I hope we can have the attention of the Senators. This is the military authorization bill, Mr. President, primarily for research and development and military procurement—planes, missiles, submarines, guns, and so forth. We also pass on the ceiling for the manpower.

Mr. President, this was an unusual conference in many ways. We met over a period of 2 months and, in round numbers, we had 17 actual meetings of the conferees. As I remember, we also had four separate meetings of the Senate conferees. In the end, we had examined 306 differences in money items, and reached agreement on them and on 53 separate items on language.

I think it is safe to say that this bill is not in every respect what any Member wanted, but we do not ever find that in a bill of such far-reaching consequences. It is not as I would write it if it was left to me. But it was not left to me.

There is a balance, and I think an outstanding balance, to this bill.

The difference in the amount of money in the House bill and the Senate bill, in round numbers, was that the House was $1.5 billion above our bill. And again in round numbers, it comes out that in the give and take, the adjustments just about offset each other.

Our bill, in round numbers, Mr. President, was $25 billion.

They elected me chairman of the conference. We had studiously tried to stay within the targets of the Senate Budget Committee when we first approved the bill and when we had it on the floor. When we started this conference I announced that we felt a strong obligation in that regard and that our purpose was to stay within those guidelines, even though we did not have a definite figure guideline, and there is none yet. All during this conference, I conferred with the chief of staff and other members as to whether or not we were staying within those guidelines and I was advised that we were.

I am able to say now, Mr. President, that our bill, as it was presented to the Senate and as it left the Senate, was within the guidelines, and this bill we present today is within the Senate budget guidelines.

I do not have any doubt about it, according to my understanding and my appraisal of the situation.

I wish the membership was here to hear the arguments on both sides because we have been challenged by the very fine and able chairman of the Budget Committee on that particular point. The Senator from Maine, with whom I have maintained contact, has worked with us on this matter all the way through. I know he is very conscientious in the discharge of his duties in this connection.

Let me point out, Mr. President, that the authorizations, and the appropriation for the Department of Defense, are in four different bills.

No. 1, there is what we call, foreign military assistance.

Second is the military construction authorization, and that is what its name implies. It involves about $4 billion.

Then we have what we call the larger appropriation bill for the Department of Defense. It includes the operation and maintenance funds. That is where the money comes from for the salaries of the men in uniform, the civilians not in uniform, for groceries, travel, and a great many other things—and this is important, Mr. President—these are items that do not have to be authorized. They are not included in this bill that we have before us today. They are not in any bill except that one which comes before the Appropriations Committee.

Now I come to the fourth one, the bill we have before us today, authorization for military procurement and research and development.

Mr. President, it is only a few years ago that we changed the law to require these authorizations. I am familiar with that, because the late Senator from Georgia, Mr. Russell, and I were the authors of that provision and it put the Armed Services Committee in this business. It includes authorizations, now, on added subjects—we started off on only hardware—and it is the accepted law and rule of the Senate and House of Representatives now what appropriations cannot be made without authorization.

Now, coming down to this bill: In round numbers, the Senate Budget Committee called for an overall reduction for the Department of Defense, without specifying which bill, of 6.5 percent, which, in round numbers again, came to $7 billion. The budget committee did not undertake, in that resolution we adopted, for which I voted, to say where or how they would apportion, among these four bills, this amount of reduction. We took it, on a pro rata share, that it was our obligation to come within these guidelines or targets, or whatever you call them, of a 6.5 percent reduction.

We did that, and more, in the bill that we wrote up in the committee. We held to that here on the floor, and, I submit, we maintained it in conference. That would be a percentage reduction below the present budget, with Vietnam funds, of 13.7 percent.

I call special attention to this: Those Vietnam funds were dropped out. The Budget Committee used them for awhile, and then, when it became apparent they would not be in controversy, they dropped them, too.

So the figures that we talk about here, the President's budget without Vietnam funds—that is the true figure—would be 9.8 percent. We were below the budget originally, not counting the Vietnam funds either way, by 9.8 percent.

The Senate budget resolution reduction would be 5.4 percent. So we just dropped those Vietnam funds, and the budget resolution then, without the Vietnam funds, is 5.4 percent. As I say, we went to that conference with those matters in mind, and we stayed within them. There never was anything more specific placed on our doorstep except what I have referred to as our pro rata share.

I would like to include a memorandum in the RECORD, at this point, detailing these relationships.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT—H.R. 6674—MILITARY PROCUREMENT AUTHORIZATION, JULY 31, 1975

Procurement and R. & D. amounts

[In billions of dollars]

Budget with Vietnam	29.9
Budget without Vietnam	28.6
House without Vietnam	26.5
Senate without Vietnam	25.0
Conference without Vietnam	25.8
	Percent
Below President's budget with Vietnam funds	13.7
Below budget without Vietnam funds	9.8
Budget resolution with Vietnam funds (cut $7 billion)	6.5
Budget resolution without Vietnam funds	5.4

OTHER KEY FACTORS

The conference bill is $750.9 million above the Senate bill, only 2.9%. The conference bill is $775.6 million below the House version—an even split.

The bill left the Senate within the resolution guidelines (Senator Muskie's statement). The increase in the conference bill over the Senate's version is only 2.9% and the House came half way in its version.

If the bill violates the resolution with only a 2.9% increase, with an even split of money with the House, there is no way the congressional conference system can operate with this or any other bill, if this small amount of latitude is not permitted.

JOHN C. STENNIS.

Mr. STENNIS. The Senator from Maine is always frank, and fully honest and sincere. He appeared on the Senate floor when this bill was under debate, and I quote him with pride, where he said, at page 17042 of the CONGRESSIONAL RECORD of June 4, 1975, referring to these matters that I have been talking about:

S. 920—

That was the bill the Senate committee reported on this matter—

S. 920, as reported to the Senate, is in line with the assumptions of the Budget Committee regarding those elements of the defense program that are covered in this bill.

He was very frank and very helpful to the Senate, I think, in that statement, and we thank him for that.

We followed that all the way, the best we could, and told our fellow conferees in the beginning that we were going to do that, that that was our obligation as much as any amendment here, and that what we said or did would be with an eye toward that review.

Now, very hastily, we had a great number of conference issues I would say over 300 different money matters. There were 306 of them to be exact. The net funding differences, as a whole were approximately $1.5 billion. With regard to language differences, there were 53 separate items, many of them major in scope and content, or requiring resolution. Let me digress for a moment on the differences. Of this total of 53, 30 originated in the Senate, 17 in committee and 13 on the Senate floor. About the same number of differences originated in the House. There were nine of these differences that dealt with the same subject, mainly manpower strength authorizations.

WHAT HAPPENED AS A RESULT OF THE CONFERENCE

Mr. President, in terms of funding, the conference bill authorizes $25.8 billion for procurement and research and development. This represents a reduction of $755.6 million below the House total of $26.5 billion, and an addition of $751 million above the version passed by the Senate, which was $25 billion. Therefore, the money split was almost evenly. In comparing the conference's result with the President's budget request, excluding the Southeast Asia money, the final figure is $2.8 billion—9.8 percent—below the total request of $28.6 billion for procurement and research and development.

LANGUAGES DIFFERENCES

In terms of the language differences, Mr. President, of the 13 language differences passed on the Senate floor, nine of these amendments were approved in some form. There were many other language adjustments, but it is fair to say that the Senate conferees did very well in terms of preserving the Senate position.

I fully realize that any Member can disagree on the results of the conference with respect to any particular item, which I will be glad to discuss at length. However, in terms of a conference bill representing the Senate, it is my strong belief that the result was imminently fair and in no way can it be said that the Senate gave away its position or yielded unnecessarily.

WELL WITHIN THE CONGRESSIONAL BUDGET RESOLUTION

In terms of the congressional budget resolution, which suggests guidelines for the overall budget authority for the entire Department of Defense, the conference result is well below what those guidelines suggest. The congressional budget resolution recommended a 6.5-percent reduction in the overall Department of Defense requested budget authority.

The conference result on the pending

bill reduces the budget request by 13.5 percent. Both of these percentage reductions included the funds requested for Southeast Asia.

Senator NUNN will cover the matter of the congressional budget resolution in some detail.

LEAD FUNDS FOR NUCLEAR STRIKE CRUISER

Mr. President, the particular item which is generating the most interest is the $60 million for the nuclear strike cruiser which is in the conference bill. I would like to cover certain aspects of this matter in some detail.

As I indicated in my letter to all Senators yesterday, the House authorized two ships not in the Senate bill. These were the nuclear missile frigate, DLGN–42, for $257 million and the $60 million for the nuclear strike cruiser. As a practical matter, the Senate was confronted with accepting one of these ships. The conferees decided to deny the $332 million for the DLGN–42 which includes prior year funds but did approve the $60 million for the long lead items for the strike cruiser.

The reason for eliminating the DLGN–42 which had been eliminated in the Senate committee was the fact that it will have a relatively weak air defense capability with only the Tartar system which will be somewhat obsolete in the 1980's. Moreover, the Navy testified that it could give no assurance that it could be built within the present budgetary request. The nuclear cruiser on the other hand will be a completely modern ship in the 1980's and 1990's with both a defensive and offensive capability. It will have the so-called Aegis air defense system which will be the most advanced of any now contemplated.

In addition, the President on June 23, 1975, after the bill was reported, submitted a supplemental budget request to include $60 million for this cruiser. In the minds of the Senate conferees, therefore, there was no issue as to the proper choice as between these two ships.

I realize, Mr. President, there is a widespread notion that this $60 million commits the Congress to both this ship and to probably more of this type. At this point let me cite certain legal prohibitions which this conference bill contains which should answer this notion of any congressional commitment. First the language in the bill itself limits the strike cruiser funds to $60 million and further provides that they will be for long lead items only. What this refers to are nuclear components for propulsion of the ship all of which require long periods of time to complete. Specifically these will be steam generators, reactor vessel heads, two sets of control rod mechanisms, reactor control instrumentation, main coolant valves, begin procurement of reactor cores, design and commencement of long lead time for main engines.

Mr. President, there is no way under law that the keel for this ship could be laid because there are no funds and therefore no law to contract for the keel of the ship. This will be done later if Congress provides the funds and the approval.

Let me also emphasize these long lead components have been one of the most difficult in Navy shipbuilding due to the many delays which have been encountered in their construction.

Now with regard to the characteristics of the ship itself, the Navy has made certain tentative determinations as to the length of the ship which will be from 580 to 620 feet, with a beam of 66 to 68 feet and will have a displacement from 11,000 to 13,000 tons with an unlimited endurance due to its nuclear propulsion.

Let me emphasize, Mr. President, that the objective now is to provide lead funds for the propulsion items. The design features which will be later refined and approved at such time as the request is made for the procurement funds for the production of the ship itself.

There is another legal restriction in this conference report which is a matter of law requiring that the Secretary of Defense provide the Congress with his own report on what type of ship should provide the platform for the AEGIS system. Next year, therefore, the Congress will have a report from the Secretary of Defense himself on whether the AEGIS should be carried by an all-nuclear force or be a conventional, or be a mix of both types of ships.

The important point at this time is that this $60 million does not commit the Congress to an all-nuclear class of ships for the AEGIS system.

There is a third legal provision which requires that beginning next year the Secretary of Defense will submit to the Congress a 5-year program for the entire Navy shipbuilding and conversion program—that is, how many ships there should be and what type they should be. My point is that the Congress next year will be in a position to make a judgment on this entire matter.

OBSERVATIONS ON LEAD FUNDING GENERALLY

Mr. President, with reference to long lead funding, I would like to make the following observation. This is usually the term used to provide for tooling and material looking toward eventual production of the items involved. There is, however, no commitment to produce the material merely because the lead funds are authorized. This procedure merely provides a form of "insurance" to save a loss of time.

This practice is widespread. In the conference report alone there are 21 separate weapons systems that have lead funds to some degree. Most of these are types of aircraft but also include several of the ships including the Trident submarine and the 688 class. I note this to show that the lead fund practice is not unique.

B–1

Mr. President, the principal issue on the B–1 matter is of a congressional commitment for production for this aircraft.

The conference report does include long lead funds in the amount of $87 million not in the Senate version of the bill. The conference bill, however, contains the tightest legal language we knew how to draw which will preclude, as a matter of law, any commitment on the part of the Congress to the production of this aircraft. I would like to read this short provision to the Senate, of which $87 million is authorized:

> * * * is authorized for the procurement of only long lead items for the B–1 bomber aircraft. None of the funds authorized by this Act may be obligated or expended for the purpose of entering into any production contract or any other contractual arrangement for production of the B–1 bomber aircraft unless the production of such aircraft is hereafter authorized by law. The funds authorized in this Act for long lead items for the B–1 bomber aircraft do not constitute a production decision or a commitment on the part of Congress for the future production of such aircraft.

These long lead funds for the B–1 will allow the Air Force to initiate tooling on critical materials and subsystems that must be started well in advance if a production decision is to be made in November of 1976 as presently planned. The Congress, therefore, will be in a position to review the entire B–1 program next year and extend either its approval or disapproval with respect to a production decision. The lead funds authorized in this bill will constitute insurance in terms of time and money. There will be a year's delay in the delivery of aircraft without these lead funds. Moreover, there will be substantially increased cost which the Air Force estimates may approach $1 billion.

Mr. President, there are many other features in this conference report which are covered in my detailed statement and on which I will be prepared to respond to any questions by other Members of the Senate.

On other matters of interest, the conferees acted as follows:

MANPOWER

Active duty military.—The Senate bill included a cut of 18,300—about 1 percent—in the 2.1 million recommended yearend strength for fiscal 1976 and specified the reductions to be made in the Army, Navy, Air Force, and Marines. The House bill authorized the requests as submitted. The conferees approved a reduction of 9,000 to be allocated among the services by the Secretary of Defense. However, the conferees, in their report, will indicate areas for cuts.

Reserve military.—The House and Senate approved generally similar drill strengths for Reserve components except for the Army Reserve—Senate approved 212,400, House, 226,000—and the Naval Reserve—Senate, 92,000, House, 112,000. The conferees voted 219,000 for the Army Reserve and 106,000 for the Navy Reserve and included language prohibiting reductions in the Navy Seabee construction units.

Civilian personnel.—The Senate bill included a cut of 23,000—about 2 percent—in the requested 985,000 civilian yearend strength and specified the reductions to be made for the Army, Navy, Air Force, Marine Corps, and Defense agencies. The conferees approved a reduction of 23,000 to be allocated by the Secretary of Defense. The conferees, in their report, will indicate areas for cuts.

Service academies.—Both the House and Senate bills provided for the admission of women to the U.S. Military, Naval, and Air Force Academies, but the provisions were different in the two bills. The conference bill provides that women be admitted to the academies beginning with classes convening in 1976. It requires that standards—academic and other—for admission, graduation, and so forth, be generally the same for men and women. The service secretaries will be charged with the orderly and expeditious admission of women consistent with the needs of the respective services.

Pay cap.—The House approved a 5-percent ceiling on active duty pay increases for the military provided that a similar cap is placed on civil service pay increases and provided that no increase is made in the surcharge at military commissary stores while the pay cap is in effect. The Senate bill contained no similar provision. The conferees approved the military pay cap, effective if a similar cap is placed on civil service increases.

Retired pay inversion.—The Senate bill included a provision assuring that military personnel who retire now and in the future will not receive less retirement pay than if they had retired at an earlier date—but after January 1, 1971. The House bill did not address this so-called pay inversion problem caused by retired pay increasing faster than active duty pay. The conferees approved the provision.

Enlisted aides.—The Senate approved a floor amendment which would cut the number of enlisted men assigned as aides to top ranking officers from 500 to 203. The House approved no similar provision. The conferees approved a formula, based on the number of aides for each four-star and three-star officer, which would set the total number of enlisted aides at 400. In the bill—and in report language—the conferees also directed the Secretary of Defense to allocate these aides to officers whose specific duties require special staff assistance.

OTHER WEAPONS

Aegis.—The House bill included language which would withhold fiscal year 1976 funds for the Aegis air defense system until the Secretary of Defense sends Congress a plan for installing Aegis, by 1981, in an existing ship presumably the cruiser, *Long Beach*. The Senate bill contained no similar language, and the conferees dropped the provisions which could have cost half a billion dollars in future years.

F-18.—The Senate approved language prohibiting use of R. & D. funds authorized for the F-18, Navy air combat fighter, until the GAO reports on a contractor protest against the contract award. The House voted no similar language and the provision, which would expire July 31, 1975, was dropped by the conferees.

AWACS.—The Senate approved the procurement authorizations requested for six of these command and control aircraft—$430.5 million in fiscal year 1976. The House voted $215.25 million for three of the AWACS planes. The conferees approved six aircraft and cut the total authorization for six aircraft by $50 million to $380.5 million.

Site defense.—The Senate voted $70 million of a requested $140 million in fiscal year 1976 for developing this follow on ABM system, and the House voted $134 million. The conference allowed $100 million.

Heavy-lift helicopter.—The Senate voted $9 million in fiscal year 1976 to finance cancellation of this Army program. The House voted $16.8 million of the requested 19.8 million. The conference allowed $9 million for cancellation.

Binary gases.—The Senate disapproved $6.8 million in fiscal year 1976 requests—$2.9 million in 197T—for research and development of binary gas weapons and prohibited all production and preproduction activity. The House approved the requests. The conferees approved the R. & D. authorizations but prohibited production of all binary lethal chemical munitions unless and until the President certifies that such production is essential to the national interest.

A-7D.—The House authorized $115 million, not requested, and specified that the funds be used only for procurement of 24 A-7D aircraft for the National Guard. The Senate did not approve any such authorization, and the conferees denied them.

MARV.—The Senate bill included a prohibition against testing a maneuvering reentry vehicle—MARV—on a ballistic system unless the President certifies that the U.S.S.R. is testing MARV's or has taken action which makes MARV testing essential. The House or Senate could disapprove such a certification by action within 60 days. The House approved no similar provision, and it was dropped by the conferees.

OTHER

Oil sales.—The Senate approved a provision imposing criminal sanctions on corporations which discriminate against the Department of Defense in supplying petroleum and allows the Defense Department, with the Attorney General, to investigate in such cases. The House approved no such provision. The conferees approved the provision, limiting it to a period of 2 years.

Israel.—The Senate bill extended through December 31, 1977, the authority to make arms sales, credit sales, or guarantees to Israel. The House bill included no such provision. The conferees approved the authority through June 30, 1977.

Mr. President, how much time have I used?

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. STENNIS. Mr. President, the Senator from South Carolina (Mr. THURMOND) is the ranking minority member of our committee, and the Senator from Maine understands he has to be recognized. I yield 5 minutes to the Senator from South Carolina.

PRIVILEGE OF THE FLOOR

Mr. BEALL. Mr. President, will the Senator yield for a unanimous-consent request without losing his right to the floor?

Mr. THURMOND. I yield.

Mr. BEALL. Mr. President, I ask unanimous consent that Ken Biederman, of my staff, be granted the privilege of the floor during the consideration of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I ask unanimous consent that Mr. Robert Old, my assistant, be granted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BELLMON. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. THURMOND. I yield.

Mr. BELLMON. Mr. President, I ask unanimous consent, without the time being charged to either side, that Mr. Bob Boyd, of the Budget Committee staff, and Mr. Dick Hartman, of my staff, have the privilege of the floor during the debate on this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER THAT H.R. 8121, STATE-JUSTICE-COMMERCE DEPARTMENT APPROPRIATIONS, BE MADE THE PENDING BUSINESS AT THE CLOSE OF BUSINESS TODAY

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield for a unanimous-consent request, without the time being charged against anyone?

Mr. THURMOND. I yield.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate adjourns today, the bill (H.R. 8121) making appropriations for the Departments of State, Justice, and Commerce, be laid before the Senate and made the pending business, without any action thereon and without any time agreement, so that it will be the unfinished business when the Senate returns.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1976—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6674) to authorize appropriations during the fiscal year 1976, and the period of July 1, 1976, through September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

Mr. THURMOND. Mr. President, the distinguished chairman of the committee, the Senator from Mississippi (Mr. STENNIS) has told of the budget phase of the bill, and I shall not go into that. I just wish to say that the conference committee met first on June 17, and the last time on July 25. We had 17 different meetings. The House was adamant in its position, and the Senate, I assume, was adamant in its position; and it took a lot of work and reconciling to reach a final agreement.

I think the conference report we have brought to the Senate is a fair and just bill. I might say that the Senate bill originally was for $25 billion, and the House bill was for $26.5 billion, so we compromised on about $25.8 billion, which is approximately, in round figures, about $750 million more than the Senate bill and about $750 million less than the House bill.

There were 55 language differences that had to be reconciled in this conference report. A lot of work was done on it.

I might say that a final agreement was reached for the strength of the active forces to be about 2,091,700. That is 9,000 more than the Senate bill, and about 9,000 less than in the House bill.

On the reserve components, the Army National Guard was placed at 400,000, the Army Reserve at 219,000, the Naval Reserve at 106,000.

The Marine Corps Reserve, the Air National Guard, the Air Force Reserve, and the Coast Guard Reserve were not changed. These strengths were authorized as requested.

I might say that the Seabees are not affected also, and this was a matter of great interest in the bill.

So far as civilians are concerned an agreement was reached to reduce by 23,000 the civilians in the Department of Defense.

Mr. President, this conference committee has taken a lot of work. It has taken a lot of time. It has taken a lot of meetings, and we feel that what has been done here is fair and just, and I hope the Senate will adopt it.

I am not going to take time to go into all the details of this bill.

I ask unanimous consent that my statement be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. THURMOND. Mr. President, in closing I commend the able Senator from Mississippi for the splendid manner in which he presided over the conference. He was fair and just to the members of the conference. Each one had an opportunity to present his views.

Also, I express my appreciation to the various members of the conference on both sides.

I also express my appreciation to the staff of the Senate Committee on Armed Services, especially, and to the staff of the House Committee on Armed Services. They were most helpful and enabled the conferees to get the information and arrive at decisions.

We feel this is a good bill, and I hope the Senate will adopt it promptly.

Exhibit 1

Statement by Senator Strom Thurmond (R-S.C.) on Senate Floor in Support of H.R. 6674, Military Procurement Authorization for FY 1976 and FY 197T

I rise in support of the fiscal year 1976 and 197T Military Procurement Authorization Bill as agreed to by the Senate and House Conferees. The bill authorizes about $25.8 billion for fiscal year 1976. This is about $750 million more than was in the Senate bill and about $750 million less than was in the House bill, so the money difference was, for the most part, equally divided.

I commend my distinguished Chairman for the way he presented and supported the Senate position. He did a magnificent job. I might add that this was a long and tough Conference. In fact, it was one of the most lengthy and difficult in which I have participated, so it was an extra difficult task for our Chairman.

To illustrate, there were 55 language differences between the Senate and House bills with the funding difference for the fiscal year 1976 portion of the bill being $1.5 billion. For fiscal year 197T, the funding difference was $133 million. Said another way, the Senate bill for FY 1976 was $25.0 billion and the House bill was $26.5 billion. As I said, the bill we are now bringing to the Senate is about $25.8 billion. Within these amounts were many systems funded at different levels about which each side felt very strongly.

Let me say that we did not come to the $25.8 billion amount without extended effort. For example, our first meeting was on June 17 and the last occurred on July 25, during which period we met 17 times.

Mr. President, Chairman Stennis has gone into considerable detail on how the bill we are presenting differs from that approved by the Senate on June 6. Therefore, I would like to discuss some of the major items in the bill and why I believe the bill we are presenting today should be acceptable to the Senate.

We found that about one-half of the total funding difference was in the Navy shipbuilding account. Within that account, the major issues were the DLGN nuclear frigate and the long lead funds for the Strike Cruiser. Resolution of these issues took a great deal of time and effort. We were insistent that the DLGN, not in the Senate bill, not be authorized because we had serious reservation about its ability to survive when it came into the inventory without the AEGIS air defense system. On the other hand, the House was insistent that either the DLGN or the long lead funds for the Strike Cruiser be included in the bill. The House Conferees insisted they would not recede on both of these items.

Since our position was similar for the DLGN, we, therefore, agreed to accept the $60 million for long lead funds for the Strike Cruiser. This will provide a nuclear platform for the AEGIS system. However, let me point out that the Statement of the Managers stresses the $60 million authorizes the procurement of only long lead time items for this new and more powerful class of cruiser. I stress that this action does not in itself authorize a new strike cruiser. That will be subject to congressional approval next year when the Navy requests full funding for the Strike Cruiser. If Congress, at that time should deny the full funding request the majority of the long lead items under contract could be used for spares, primarily for the DLGN–38 class ships. So these long lead funds would not be wasted if the Strike Cruiser is subsequently not approved.

The other major item of disagreement with the House was the B–1. For FY 1976 the Senate had authorized continuing the research and development program only whereas the House had, in addition, authorized funding for long lead items required to keep the program on schedule if the production decision is made in November 1976. The B–1 program received an extensive amount of discussion and the House Conferees remained insistent in their position that long lead funds, by definition, did not constitute a commitment to production any more than the Strike Cruiser long lead funds meant a commitment to production. With the Conference at a stalemate the Senate reluctantly agreed to a lesser amount of long lead funds but was insistent that the law state, "None of the funds authorized by this Act may be obligated or expended for the purpose of entering into any production contract or any other contractual arrangement for production of the B–1 bomber aircraft unless the production of such aircraft is hereafter authorized by law. The foregoing authorization of funds for long lead items for the B–1 bomber aircraft does not constitute a production decision or a commitment on the part of the Congress for the future production of such aircraft."

Since the support of the B–1 this year by some members of the Senate was contingent on the understanding that such support would not mean a commitment to production, I believe the language I just quoted should guarantee that. In addition, I might reiterate that the testimony on the impact on the B–1 program of denying that long lead funds was that the total program costs would be increased by almost one billion dollars. That is a pretty soft figure but, even if the saving amounted to only one-quarter of that it would be worth it. So I believe we have protected the Senate's concern about a premature production decision while at the same time putting ourselves in a position to save a considerable amount if the B–1 does go to production.

On other major money differences, the House receded to the Senate position on AWACS, which represented $215 million, gave up the 24 A–7Ds for $115 million and, as I previously noted, receded in the DLGN which represented about $204 million. Let me again emphasize that the dollar difference between the two bills was split almost down the middle.

I would now like to comment on manpower authorization levels for the active forces, the reserve forces and the civilian forces. For the active forces, the Conferees agreed to a 2,091,700 level. This is approximately 9,000 above the Senate authorization and approximately 9,000 below the House figure. For the reserves the Conferees authorized approximately 916,000 total, with the Army Reserve authorized at 219,000 and the Naval Reserve authorized at 106,000 and with the further stipulation that Seabee units not be reduced. Other minor differences between the Senate and House in the other reserve components were resolved by our agreeing to retain the average strength authorization method. For civilian personnel the Conferees agreed on a 23,000 reduction to be allocated by the Secretary of Defense. While this amount is not what it was in our bill, it is more than half of what we took to Conference and represents a substantial reduction.

Mr. President, there were many language differences that are explained in the Conference Report, so I will not dwell on them here. I would point out that the Conferees worked hard to resolve some of these differences.

In summary, I believe we are bringing a good authorization bill back to the Senate. All of our Conferees did a good job and I want to commend them. In addition, the staff of the Senate Armed Services Committee deserve special mention for the fine work they did during the Conference. I urge the Senate to support the bill and the Conference Report as presented.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President, the Senator from Maine—I have conferred with the Senator from Maine (Mr. MUSKIE), and I believe he wants recognition.

Mr. MUSKIE. Yes, indeed.

Mr. STENNIS. I thank the Senator.

Mr. MUSKIE. Mr. President, I thank my good friend from Mississippi. I yield to the Senator from New Hampshire.

The PRESIDING OFFICER. The Chair advises Senators and the people in the gallery that there is a tight time limit on this. We will maintain total order in the gallery, and the Senate will be in order.

The Senator from New Hampshire is recognized.

Mr. McINTYRE. Mr. President, I thank my colleague from the neighboring State of Maine.

Mr. President, I will vote against the fiscal year 1976–197T military procurement authorization bill as reported by the conferees. I will do so with great reluctance because, after 13 years in the

Senate, this will mark the first time I have voted or will be voting against a military procurement conference report. It always troubles when I am unable to support my good friend, Senator STENNIS, who so ably and fairly chairs the Committee on Armed Services.

But reluctant though I am, I must in good conscience oppose this bill, because in my judgment the Senate conferees surrendered on the B-1 issue.

When I signed the statement of managers on the bill, I was supporting a reasonable compromise on most other major issues. More specifically, I was supporting the research and development program recommended by the subcommittee I chair. Moreover, when I signed the managers statement, I advised our chairman that I reserved the right to vote against the conference report, and I intend to exercise that right, and I am going to tell my colleagues why.

However, before I do, a word of explanation is in order regarding the removal of the Senate amendment prohibiting MARV flight testing.

I strongly supported this amendment when it was offered by the distinguished Senator from Minnesota, Mr. HUMPHREY and cosponsored by the distinguished Senator from Massachusetts (Mr. BROOKE).

The House conferees refused to accept this prohibition. However, this issue became academic when I received new information which indicated that the Navy MARV Evader would only be flight tested on ballistic missiles over the open ocean. This kind of testing cannot be conducted to improve target accuracy because land references must be used to make such measurements and correlations.

Therefore, no adversary, as we argued at the time of this amendment, no adversary could interpret MARV evader flight testing over the ocean as the developing of improvements in accuracy, as the true MARV, the terminal guidance MARV, would do.

In fact, accuracy is actually degraded in such a reentry vehicle such as the Navy MARV evader when maneuvering capability is incorporated in the beginning of the flight to increase its survivability against interceptor missiles.

Since no other maneuvering reentry vehicles, besides the Evader will be flight tested on ballistic missiles during the fiscal year 1976/197T time period there is no need now for a prohibition against flight testing them. In receding to the House, and deleting this section, the Senate, of course, will have ample opportunity, if the fiscal year 1977 budget proposes continuing accuracy improvements in maneuvering reentry vehicles, to consider adopting language prohibiting flight testing.

Consistent with deletion of section 917, the House agreed to restore $35 million of the $45 million to permit completion of the MARV Evader flight test program.

However, Mr. President, I want to make it very clear that our receding and the removal of this amendment should be in no way interpreted as my support for the MARV terminal guidance program.

I have stated in the past my vigorous opposition to this dangerous new counterforce program, the true MARV. Even though I have been unsuccessful in convincing a majority of our colleagues that this program and the other counterforce initiatives advocated by Secretary Schlesinger should be opposed, I shall continue to fight this apparent shift in our strategic doctrine from our traditional emphasis on nuclear deterrence to a policy of nuclear war fighting.

I said I was going to state my reasons for opposing this conference report.

The Research and Development Subcommittee, Mr. President, and the Presiding Officer knows, because he is a member of the subcommittee, worked hard during the first half of this year reviewing the R. & D. programs. We held extensive hearings and endless briefings and meetings, and supported the full committee's recommendations in debate in this Chamber. I generally support the recommendations of the conferees regarding R. & D. But I cannot accept the conferees' decision on the B-1 bomber.

Traditionally, the Senate has supported the concept of fly-before-buy. In other words, while providing all necessary funds to support an orderly development program, and imposing mandatory program reviews and studies of requirements by the Secretary of Defense with the participation of the General Accounting Office, the Senate has consistently rejected all requests, all efforts, to initiate production of the B-1. At the same time, the Senate has rejected all floor amendments designed to terminate the B-1. So there can be no doubt, Mr. President, that until now, until this conference report, the Senate has supported the development, but not the production of this new costly bomber.

Let me briefly review the actions by the House and Senate on the pending bill as it relates to the B-1. Combining fiscal year 1976 with the follow-on 3 months transition period, DOD requested $840.5 million for R. & D. and $108.0 million for production, making a total of $948.5 million. The House, in its customary fashion, approved this full amount.

The Senate R. & D. Subcommittee deleted all the production funds and all R. & D. funds requested for preparation for production, but approved a fourth development prototype aircraft. This resulted in a reduction of $338.6 million from the amount requested and deferred initial production funding to fiscal year 1977.

The Armed Services Committee modified the R. & D. Subcommittee recommendation by restoring $116.3 million in R. & D. But that committee also adopted the deletion of all production funds. The Senate approved this recommendation and authorized $726.2 million for development only.

This action clearly conveyed the message that the Senate did not consider the B-1 to have progressed far enough in development to warrant initial production funding.

The House conferees were immovable in their resolve to provide initial production funding for long lead requirements of the B-1. They argued that the Senate position would delay the program by 1 year and increase the total program cost by $1 billion, a figure offered by the Air Force; a figure, I might say, Mr. President, out of thin air.

Air Force B-1 management personnel, the people most thoroughly aware of these costs, could neither satisfactorily explain nor convincingly validate that cost estimate when they met with Armed Services Committee staff people during the period of the conference. They could not justify that alleged $1 billion loss.

At the same time, it was clearly apparent that the Air Force had completely ignored the potential for cost increases inherent in prematurely rushing into production. I cite the possibility of significant technical problems that normally occur during the first full year of flight testing problems that may cause program delays and require substantial changes in design and increases in cost.

Nor did the Air Force consider that the major redesign of the front end of the fourth prototype to be built would make this a different plane from the first three and thus inject additional uncertainties that could affect schedule and cost. This is so because of the change from the original idea of a crew escape capsule back to the ejection seats.

In short, Mr. President, we have a long way to go before we should consider spending money on the B-1, which would be wasted if the B-1 fails to go into production.

Along that line, I must say that this plane is now in testing and is doing well, but it has yet to meet the most difficult tests. By November of next year, the B-1 will be facing its low-level flights, below 1,000 feet.

I cannot help think of another item we face in the full committee now. I am sure my colleagues recall the C-5A controversy. The C-5A overrun is probably the granddaddy of all overruns. That plane, today in service, is in trouble. When it was initially bought, it was supposed to give us 30 years of flight time. Now it cannot do that unless we expend upward of a billion dollars more.

The chairman of this committee knows how we suffered during that C-5A difficulty. We will have to spend a billion dollars plus to strengthen the wings of this plane in order to get 30 years of service from it.

This is what we are talking about here with respect to going slow on the B-1 development, to find out whether there are any cracks or defects in the B-1. But the Air Force and the House conferees want to go full speed ahead, and to that I object strenuously.

Mr. TAFT. Mr. President, will the Senator yield on that point?

Mr. McINTYRE. I yield.

Mr. TAFT. Can the Senator give us some estimate as to whether the production decision on the B-1 is to be made in late 1976? Am I correct?

Mr. McINTYRE. Will the Senator repeat the question?

Mr. TAFT. Is the production decision

on the B–1 planned to be made in 1976, late in the year? Is that correct?

Mr. McINTYRE. It is the position of the Senator from New Hampshire that with the acceptance by the Senate conferees of the House position, we have opened the door, that we are already buying $84 million of long lead items. I am saying that the decision may be made formally in 1976, but this conference report is tantamount to a production decision now.

Mr. TAFT. Can the Senator give us any odds as to what he thinks the chances are that the production decision will be made one way or the other? Does he think it is 50–50 that we will go ahead with the B–1?

Mr. McINTYRE. I suspect that with the momentum that would be gained by this costly error in receding too far from the original Senate position, we are probably 90 percent down the road on building this airplane, regardless of whether it can do what it is supposed to do and regardless of what it costs.

Mr. TAFT. If that is true, that it is a 9-to-1 chance that we are going to go ahead, we are risking $87 million in this bill, as against $500 million, because I have taken the billion-dollar figure, and we are only putting in for three airplanes rather than six. I say it is a worthwhile bet, with the $87 million against $500 million additional cost, on 9-to-1 odds.

Mr. McINTYRE. The 9-to-1 odds now come about only because of the mistake made in this conference. That is why I am opposed to the measure. If the Senator is taking the billion-dollar figure that the Air Force is floating around, he heard me say that they could not substantiate that to the staff members of the Armed Services Committee. It is taken out of the air. It is a scare figure. We may lose by going ahead as fast as this. We may lose $2 billion by making a serious mistake.

Mr. TAFT. The Senator would set back the whole program.

Mr. McINTYRE. I would say develop it in an orderly fashion and do not let anybody scare you into making a commitment.

Mr. TAFT. Even with a 50–50 chance to go ahead, I think it is still a sound investment.

Mr. McINTYRE. Despite my strongest arguments during the confernce—and I had plenty of trouble on my own side—the House conferees remained adamant and the Senate conferees overruled my objections and receded, with some modification of the House position. This modification, which is included in the language of the bill reported by the conferees, attempts to distinguish between R. & D. and production. But those are hollow words. While they state that the procurement funds authorized do not constitute a production decision or a commitment by Congress to future production, by any standard it does in fact constitute tacit approval of a follow-on production program.

The $887 million recommended by the conferees is $160.8 million more than was authorized by the Senate and provides $87 million in the production appropriation to buy production tooling and long lead items for three production type airplanes—No. 5, No. 6, and No. 7.

I read from the conference report, bottom of page 57, on the B–1:

> The conferees emphasized that the authorization of long-lead funding in no way commits nor obligates the United States Government to place the B–1 aircraft in production. Indeed, the conferees agreed to prohibit the Defense Department, as a matter of law, from entering into any production contract or any other contractual agreement for the production of the B–1 bomber aircraft unless subsequently authorized by law. This prohibition, however, is not meant to apply to the acquisition of the long-lead items for the first three follow-on air vehicles.
>
> The authorization of long-lead items is completely independent of the production decision.

This is a complete contradiction in terms. This language is academic. This conference report, in my opinion, makes it more difficult if not impossible, to turn off the production of the B–1.

Mr. President, the camel's nose is slipping under the tent. If this bill is passed it will be extremely difficult to stop or slow the production momentum it would set in motion. Let no one misunderstand.

I am not against the B–1 bomber. I sincerely wish for its success. But in my considered judgment, it is imprudent to give this program a production green light as long as there remain major questions of need, as measured against other alternatives, and major questions of technical performance and of affordability.

The Secretary of Defense, during the posture hearings early this year, in response to my question, said that the only thing that would stop production of the B–1 would be a development failure. Evidently, in his view, the cost no longer bears any relation to the fact that we have to have this plane, if it will do the job. The plane is now estimated to cost, per copy, $84 million. I believe that the production estimate is in the vicinity of 244 planes, making a $20 billion program.

Mr. McGOVERN. Mr. President, will the Senator yield on that point?

Mr. McINTYRE. I am happy to yield to the Senator.

Mr. McGOVERN. Mr. President, I ask the Senator this question: Is not the situation we are in, with reference to the conference report, that the Senate reluctantly, on a divided vote—very much divided—a controversial vote, did agree to go ahead with research and development on the B–1, but very carefully avoided any commitment to long lead procurement expenditures on the B–1; and the effect of the conference, is it not, is to give the Air Force practically all the long lead procurement money that had been requested for this year?

Mr. McINTYRE. I think that is substantially correct.

Mr. McGOVERN. In effect, then, we are being forced to make a decision which the Senator from New Hampshire, who has studied this matter very carefully, with other members of the Senate Committee on Armed Services, feels we are not in a position to make. In other words, we are being dragged into the procurement and production of a highly controversial, and the most expensive weapons system that the Senate has ever considered?

Mr. McINTYRE. And probably, I might say to my good friend from South Dakota, if it is built—and if it is a good plane, I am going to be for its being built—it will probably be the last bomber ever built by any nation.

Mr. McGOVERN. The Senator made mention of the choices we have to make between competing items in the budget. Is the Senator aware that serious thought is being given to recommitting or holding back on the conference report on child nutrition, on the grounds that we cannot afford the few million dollars increase that the conference added to that program—a program that funds all of the school lunch programs, all of our summer feeding programs, all of the child nutrition programs, one that is infinitely less costly than this bomber?

Yet serious consideration is going on right now in the Senate as to whether we even dare bring that up for debate, even though it has been approved in a House-Senate conference, and even thought it represented a fair compromise between the House and the Senate. If this happens, if we go ahead and approve this military procurement request and then say to ourselves that we are afraid to act now on a conference report dealing with the nutrition of the children of this country, does the Senator not think that is a strange set of priorities for the Senate to endorse?

Mr. McINTYRE. I tend to agree with the Senator. I find that in trying to move across the entire board of our spending authorizations and commitments, the chairman of our new Committee on the Budget is trying to deal as fairly as he can with all matters that he feels exceed the limits of what we have set as our goal.

Mr. McGOVERN. I agree with that. I think it is going to be very interesting to see whether the Senate of the United States is as concerned about the budget when it comes to a highly controversial gold-plated bomber as they are when it comes to the nutrition of the children of this country. It is going to be very interesting to see whether this sacred character of the budget prevails when we are talking about armaments, or whether we apply those restrictions only when it comes to something like the nutrition of the children in this country, who do not have any lobby here to speak for them. There is not any child nutrition complex. There is a military-industrial complex.

We are going to get a good opportunity here, I think in the next 24 hours, to see which is the most powerful.

Mr. McINTYRE. I thank my good friend from South Dakota for his observations. They are part of the tough issues we face here.

I conclude, Mr. President, though I find most other research and development items reported by the conferees to be acceptable, I did feel strongly that we surrendered on the B–1. For that reason, I am compelled, as I said in the beginning, for the first time in 13 years, to vote against and to speak against the passage of this conference report.

I thank the Senator from Maine for yielding.

Mr. MUSKIE. Mr. President, I yield myself 10 minutes.

At the outset, I ask unanimous consent that Hal Gross and Dan Twoomy of the staff of the Committee on the Budget have the privilege of the floor during this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed in the RECORD my statement evaluating S. 920, which is the Senate bill, on June 4, 1975. I think it may be helpful to Members to evaluate my comments today in the context of my evaluation at that time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. MUSKIE. Mr. President, it seems to me that at this point in the debate on the first of the amendments to reduce S. 920, I have some responsibility as chairman of the Senate Budget Committee to try to undertake to identify the budget impact of S. 920 and the pending amendment.

This is the first major annual authorization bill to be considered by the Senate since we adopted the first concurrent resolution on the budget, and so S. 920 represents a test run.

It is not our function as a budget committee to tell the authorizing committees or the Appropriations Committee how to split up the pot, but we are concerned with keeping a running record of the spending decisions taken by Congress, so that we may evaluate their impact down the road on the budget ceiling.

The targets recommended in the statement of the managers for national defense are these: for budget authority, $100.7 billion, and outlays of $90.7 billion. S. 920 clearly represents a significant portion of those amounts.

While the Budget Control Act specifies that beginning next year the concurrent resolution set target totals for each functional category, the resolution will not instruct the authorizing and appropriating committees as to the allocation among individual bills of the amounts contained in a particular functional category. Thus, for example, in the national defense function, the Armed Services Committee with regard to the amount which should have been included in the military procurement bill or the components of that bill. Nor would it tell the Appropriations Committee how much should be contained in the military construction appropriation, compared to the regular defense appropriation bill. The resolution simply would set an overall target for the national defense function, within which all of these spending decisions should be accommodated as we dispose of individual defense authorization and appropriation bills.

The Budget Act clearly intends that other standing committees decide which bills to propose for enactment within each functional category, as long as the sum of the spending provided in all these bills does not exceed the functional targets contained in the first resolution.

Teh budget resolution Congress adopted last month does not itself break down the aggregate Federal spending ceiling into individual spending priority targets. The statement of managers on the budget resolution does contain the spending priority targets upon which the aggregate spending figure contained in the resolution is based. Adherence to these individual spending targets will be necessary to stay within the overall spending ceiling the resolution contains.

The role of the Budget Committee is to assist committees and the full Senate in staying within those targets. We cannot state flatly that a particular bill is "within the resolution" or "outside the resolution," but we can advise as to the effects of a particular bill in the context of the overall legislative outlook for the function of which it is part. Where the passage of a bill or resolution, compared to other legislation which must be accommodated within the appropriate target, poses a threat to the targets contained in the first resolution, the Budget Committee may be required to recommend opposition to it.

In this connection we must take account of the fact that the House recently approved H.R. 6674, a companion bill to S. 920 which authorizes approximately $1.5 billion more in budget authority and at least $300 million more in outlays than does S. 920. Adoption of the House totals would probably result in a breach of the national defense target, since it is unlikely that in the legislation remaining to be considered in the defense sector, additional cuts can be made to accommodate the higher levels contemplated for procurement in the House bill. Even if only half the difference between S. 920 and its House counterpart is authorized and appropriated, the total for military procurement would pose a serious threat to the budget targets which we recently recommended.

With regard to the national defense function, the first concurrent resolution on the budget assumed cuts from the President's request totaling $7 billion in budget authority and $3.3 billion in outlays. S. 920, as reported to the Senate, is in line with the assumptions of the Budget Committee regarding those elements of the defense program that are covered in this bill. S. 920, as reported, assumes cuts of $5 billion in budget authority and $1.8 billion in outlays from the President's request. For comparable items, the First Concurrent Resolution assumed cuts of $5 billion in budget authority, the same as S. 920, and $2 billion in outlays, which is close to the S. 920 mark. This comparison is based on the assumptions that were made by the Senate Budget Committee and the conference committee. The Senate ought to consider those when it is voting on this and other amendments.

It must be pointed out, however, that there is a strong likelihood of additional requirements in the national defense function over and above the President's request.

For example, the House of Representatives has voted to remove the 5-percent pay cap on DOD military and civilian pay. That involves $1.2 billion in budget authority and $1.2 billion in outlay.

Removal of the 5-percent cap on military retired pay would involve $600 million of budget authority and $600 million of outlay.

Third, if, as a Congress, we should fail to enact legislation to continue the sale of commodities from the strategic stockpile—and the effect of that would be to reduce receipts that are deducted from budget authority outlays—if we were to fail to enact that legislation, which the President has requested and has assumed in his budget, then the effect would be to add $400 million in budget authority and $400 million in outlays to the President's budget estimates.

Then, the final item is this:

The President proposed legislation to authorize petroleum sales from the Elk Hills Naval Petroleum Reserve. The effect of that, if we do not get the full impact in the 1976 fiscal year, would be to reduce receipts that are deducted from budget authority and outlays, the same way as the sale of commodities from the strategic stockpile. That legislation is pending in two committees, as I understand it. The form of the legislation, as it may finally pass is unclear, so the budget impact is unclear.

We think that, responsibly, we ought to consider the possibility of $200 million being added to both budget authority and outlays this year.

All of those items—four of them in total—total $2.4 billion in budget authority and $2.4 billion in outlays.

The details are as follows:

Additional national defense requirements (fiscal year 1976)

[In billions of dollars]

	Budget authority	*Outlays*
Removal of 5 percent cap on DOD military and civilian pay	1.2	1.2
Removal of 5 percent cap on military retired pay	.6	.6
Failure to enact legislation to continue the sale of commodities from the strategic stockpile (reduces receipts that are deducted from budget authority and outlays)	.4	.4
Delay in enactment of legislation to authorize petroleum sales from the Elk Hills naval petroleum reserve (reduces receipts that are deducted from budget authority and outlays)	.2	.2
Total	2.4	2.4

If these additional requirements materialize, the overall reduction in the national defense function that would be required to arrive at the First Concurrent Resolution target is $9.4 billion in budget authority and $5.7 billion in outlays.

As I have already mentioned, S. 920 as reported provides cuts of $5 billion in budget authority and $1.8 billion in outlays from the President's request. If the additional requirements I have described materialize, that leaves us with a need for further cuts of $4.4 billion in budget authority and $3.9 billion in outlays elsewhere in the defense program if we are to stay within the national defense targets accompanying the first concurrent resolution on the budget. As we consider S. 920, we must also consider the possibilities for arriving at these further cuts. Mr. President, I have prepared a list of possible additional cuts that might be considered by the Senate. I am not prejudging their cuts, but will simply try to itemize the areas where we will have to look for further cuts in the national defense function in areas other than those covered by S. 920. Cutting will not be easy and the following is only illustrative of the kinds of cuts we will have to consider. I will not list items that I believe are impossible to attain—such as holding the 5-percent cap on military retired pay and accelerating the sale of petroleum from the Elk Hills Reserve. Here are some examples of the realistic options:

Possibilities for further reduction in the national defense function (fiscal year 1976)

[In billions of dollars]

	Possible savings	
	Budget authority	*Outlays*
Retain the 5 percent cap on DOD military and civilian pay, as requested by the President	1.2	1.2
Enact legislation, as requested by the President, to continue the sale of commodities from the strategic stockpile	.4	.4

Possibilities for further reduction in the national defense function (fiscal year 1976)—Continued

	Possible savings	
	Budget authority	Outlays
Defense appropriations bill:		
Cut below the President's request in several areas	+4.3	+2.8
Cut the operations and maintenance funds other than pay (funds for maintenance of real property, ship repairs and overhauls, office supplies, fuel, minor construction projects and other housekeeping items)	(1.5)	(1.4)
Reduce procurement other than that authorized in S. 920 (trucks, automobiles, other noncombat equipment)	(1.0)	(.2)
Financial adjustments such as:		
Transfer unobligated balances of prior year budget authority to fiscal year 1976	(.5)	(.2)
Increase receipts from sales of excess military equipment and foreign military sales (reduces budget authority and outlays)	(.5)	(.5)
Reduce stock fund cash balances as a result of reduced war reserve procurement	(.5)	(.5)
Reductions in special pay allowances and travel funds for military personnel	(.3)	(.3)
Further cuts in personnel over and above those recommended by the President and S. 920 (fiscal year 1976 savings of $100,000,000 per 20,000 jobs)	?	?
Cut military construction authorization and appropriations (funds for new facilities at military bases)	.2	.1
Cut military assistance and foreign military sales	.7	.5
Cut out military assistance for Cambodia	(.4)	(.3)
Maintain fiscal year 1975 level for foreign military sales	(.3)	(.2)

These options add up to $6.8 billion in authority and $5 billion in outlays—plus whatever amounts might be saved from the unpriced options such as further personnel cuts.

These options, if we exercise them, give us enough latitude to cover the remaining cuts of $4.4 billion in authority and $3.9 billion in outlays if S. 920 is passed as reported.

As the Senate considers S. 920, I believe each Member must consider these or other possible cut options carefully, for we are certain to be faced with difficult choices later on if we are to stay within the first concurrent resolution target.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. STENNIS. Mr. President, I yield 2 extra minutes to the Senator.

Mr. MUSKIE. As I view these options, I come to this conclusion: it seems unlikely to me that the 5-percent cap on DOD military and civilian pay will be retained. I recognize that the conference report states that the totals are sufficient to permit removal of the pay cap if Congress so decides, but this means that most of the other options I have outlined have to be exercised.

So, to me, therefore, as one Senator, prudence dictates that I vote to cut S. 920 below the level reported. In addition, I intend, as an individual Senator, to vote for cuts in some of the weapons systems.

Because of the lack of specificity in the Symington amendment, I am concerned that the impact of that amendment may fall on shipbuilding, manpower, or other high priority programs.

I prefer, therefore, to focus whatever decisions I make to cut on more specific programs. So, I intend to vote against the Symington amendment for this reason, although I intend to vote for other specific cuts that are consistent with a sound defense policy.

May I say this to the distinguished Senator from Mississippi that as the Committee on the Budget considers these matters more thoroughly—and I think we will be establishing a task force on defense matters—in the coming months, we hope to be able to identify more specifically and selectively areas of low priority or waste.

Finally, Mr. President, we ought not to overlook the fact that the Committee on the Budget already has recommended and Congress approved in the first concurrent resolution substantial cuts in both budget authority and in outlays of the defense function.

Mr. STENNIS. Mr. President, if the Senator will yield for a question, as I understand the situation that exists now, this Senate bill, as presented to the Senate by the Committee on Armed Services, comes within the guidelines of the Senator's resolution of the new budget of the Committee on the Budget; is that correct?

Mr. MUSKIE. That is correct, if one puts aside the four other items that I have described.

Mr. STENNIS. These items, the Senator has mentioned, are about what Congress may do in the future. The Senator made the same assumption when he presented his figures in the committee. The Senator took facts as they were, rather than what they may be after the Congress has acted.

Mr. MUSKIE. In the committee we assumed nothing with respect to these four items. In the conference was assumed that pay caps could be lifted, but we did not consider, I do not think, the other two items.

Mr. STENNIS. The Senator took those facts as to those items as they were then.

Mr. MUSKIE. Yes, that is right.

Mr. STENNIS. That is what we are going to do here, if I may say so.

Mr. MUSKIE. The Senator is correct. There is no way for us to reach a decision, I take it, on those four items in connection with this pending bill.

Mr. STENNIS. I thank the Senator.

Mr. SYMINGTON and Mr. MCCLELLAN addressed the Chair.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. MUSKIE. I will yield the time if I have time.

The PRESIDING OFFICER. The time of the Senator from Maine, which consisted of 2 additional minutes, has expired.

Mr. STENNIS. Mr. President, does the Senator from Missouri wish to yield him a minute to ask questions?

Mr. SYMINGTON. I yielded some of my time to the Senator from Georgia (Mr. NUNN). If the Senator wants to yield his time he may.

Mr. KENNEDY. What is the time remaining?

Mr. STENNIS. Mr. President, I yield a couple minutes.

Mr. SYMINGTON. Mr. President, I would like a couple minutes.

Mr. STENNIS. I yield a few minutes.

The PRESIDING OFFICER. The Senator from Mississippi has 24 minutes remaining.

Mr. SYMINGTON. Did the Committee on the Budget get into the procurement questions in any detail which we are discussing today?

Mr. MUSKIE. No, we did not.

May I say to the Senator that we did not feel we ought to supersede the responsibilities of the authorizing committees in that kind of detail. So, as to S. 920 I think this is an appropriate debate that has been conducted, and the Senate now has to make those decisions.

I simply want to make sure that when the Senators vote on this they understand that down the road there appear to be four likely legislative decisions that are going to put pressure on the defense budget, and they ought to take those into account. If they do, that may well move them in the direction of the Senator's amendment. But I think those pressures ought to be understood so that we will not be asked the question down the line: "Senator, why did you not warn us that these were coming and what their budgetary effect might be?"

Mr. SYMINGTON. I thank the Senator, and I thank the Senator from Mississippi.

THE MILITARY PROCUREMENT AND SCHOOL LUNCH CONFERENCE REPORTS

Mr. MUSKIE. Mr. President, the Senate has pending two important conference reports which have major implications for the new congressional budget.

I am compelled, as a Member of the Senate and as chairman of the Senate Budget Committee, to vote against both.

I will vote against the military procurement conference report because it authorizes military expenditures which translate into appropriations which exceed our congressional budget targets.

I will vote against the school lunch conference report because it is automatic spending legislation which, as it comes back from the conference, would result in 1976 spending almost $430 million in excess of our budget target. I hope other Senators will vote likewise.

It is no discredit to our Senate conferees on these bills that we vote to reject these reports. Each bill, as it passed the House, exceeded the budget totals to an even greater degree than do these conference reports. The Senate conferees were able to reduce that excess spending but, regrettably, not to eliminate it.

But a vote to approve these conference reports is a vote to exceed the budget targets we set for ourselves in May. It is a vote for a larger deficit.

It is perfectly clear that Congress made a very conscious judgment in adopting the budget reolution to hold the budget deficit under $70 billion. The budget Congress adopted was based on 17 spending targets for items such as national defense, health, income security, and so on. It is true that none of the individual spending priority targets is written in stone. But it is a pernicious fallacy to assert that we can be true to the budget process if we exceed a budget target in one area without deciding at the same time where we are going to cut the budget in another area.

Members may say that Congress is free to exceed the defense spending target or the income security spending target. Those Members must tell us where Congress is going to cut the budget to compensate for these increases. Those Members must take responsibility for exceeding the $70 billion deficit we have agreed upon.

Congress can change its mind about budget targets after they are adopted. But I have not recently heard anyone suggest that we should spend more than the $367 billion targeted in our congressional budget as the total Federal spending. And I have not recently heard anyone advocate that we should exceed the $69.6 billion deficit ceiling it contains. So let us avoid exceeding any budget target unless we simultaneously decide where Congress will make appropriate reductions in other spending targets.

I call every Member's attention to the Senate budget scorekeeping report which clearly shows that there is very little slack in any spending category in which cuts can be made. As I have said over and over again, both at the time we adopted the Congressional Budget Resolution and after, this is a tight budget.

As chairman of the Senate Budget Committee, I must say that I do not see where spending will be cut in any spending target we have adopted. And I believe that, if Congress decides to breach a spending target, it is actually making a judgment to increase the deficit. That belief compels me to vote against both of these conference reports.

But there is another factor which compels those votes. The Budget Reform Act has two purposes—to control Federal spending and cut waste, and to reorder our national priorities within an overall spending ceiling. These two conference reports provide both guns and butter—more in each case than Congress has targeted. Both should be rejected.

What if we reject only one report and not the other? Are we prepared to say to America's families and their children that we will break the budget to buy bullets, but we are going to cut back on the budget at the school lunch counter?

It can be argued that the defense bill we are considering is only an authorization for spending—that it must have a subsequent appropriation bill to translate it into actual Federal outlays. Some may feel free to vote for this bill even though, when it is appropriated for, it will exceed the budget. I think we must reject that argument. When the Senate approves an authorization for major military programs in July, the public has a right to expect we believe them necessary for our national defense—that we want those programs funded in September.

These bills test whether we are serious about the budget reform process. They test whether we intend to hold the line on Federal spending this year. They test whether we are going to deal evenhandedly in holding the line, both for defense and domestic spending.

I believe both reports should be returned to conference for further changes, to make them more consistent with the budget resolution. And I will so vote.

Mr. President, I shall try to make my comments on the Military Procurement Conference Report as brief as possible. We are on restricted time.

MILITARY PROCUREMENT CONFERENCE REPORT ON H.R. 6674

Mr. President, I must oppose the conference report on H.R. 6674, the military procurement authorization bill.

I take this step with some reluctance. The conference report is the product of a long, hard fight. The Senator from Mississippi and his colleagues among the Senate conferees won some important concessions from the House. In particular, I am delighted that the Senate side was able to keep out of the bill House provisions which would have effectively ended the practice of full funding for Navy shipbuilding programs. Had the House position prevailed, it would in my judgment have seriously undermined congressional control of an important segment of the defense budget and established a very bad budgeting precedent.

But as chairman of the Budget Committee, I must oppose this bill because if it is adopted and if the programs and personnel strengths which it authorizes are fully funded, it is my judgment that we will not be able to achieve the budget targets which the Congress adopted in May.

Mr. President, the Senate took to conference a bill which was compatible with the congressional budget targets. The conferees have come back with a bill which is roughly $0.9 billion higher in budget authority and $0.3 billion in outlays higher than the bill we passed in June.

When the Senate version of the procurement bill, S. 920, was before us I pointed out, as the Senator from Mississippi quite rightly said that it was consistent with our budget targets if most of a list of other possible defense cuts were made. In making this statement, I assumed that it was highly unlikely that we would retain the 5 percent cap on active pay. I think this assumption is still valid and prudent.

If this conference report were adopted, and we subsequently took all of the additional cuts on that list—and the other possible cuts which I assume are becoming less and less likely every day—we would be some $200 million below the budget authority target for national defense, but still be some $300 million above the outlay target. It is my judgment that if we adopt this conference report, we will inevitably bust the budget target for national defense.

The budget other than defense is very tight because we are now faced with increases of some $2.7 billion in outlays due to administration reestimates for mandatory programs over which the Congress has no control. My colleagues are aware that in October we will be voting on the second concurrent resolution on the budget. If, at that time, we find that we are over $367 billion outlay target we set for ourselves in May, and wonder what happened to our efforts to keep the deficit under control, we can look to bills like this one and know the reason why we failed. And the responsibility will belong to no one but ourselves.

I would like my colleagues briefly to review with the the reasoning behind my judgment that this bill threatens our budget targets. Our latest information on the national defense function indicates that we must cut $9.6 billion in budget authority and $5.4 billion in outlays from pending requests if we are to reach the defense target guidelines set forth in the statement of managers on the first concurrent resolution of the budget. These targets allowed $100.7 billion in budget authority and $90.7 billion in outlays.

This bill, the first major piece of legislation to be considered in the national defense function, would accomplish $4.2 billion—or 43.8 percent—of the total cut necessary in budget authority, and $1.3 billion—or 24 percent—of the total cut necessary in outlays. So you can see that this bill accomplishes a good deal less than half of the needed cuts. But H.R. 6674 covers well over half of the total defense function. We must remember that this bill not only authorizes $25.8 billion in budget authority for procurement and research, development, test and evaluation for the Department of Defense, but also authorizes nearly 3.1 million full time, direct employees for defense, including both military and civilians, as well as another 915,000 reservists drawing drill pay.

If these men are on the payroll, they must be paid. And the estimated pay costs—including removal of the 5 percent cap—come to roughly $34 billion in budget authority.

This pay fund, like all the other authorizations in this conference report, is subject to further action by appropriations. But it can be fairly said that this bill authorizes programs and personnel strengths which will cost approximately $60 billion, or roughly 60 percent of the national defense target for budget authority.

The outlays associated with these programs will come to $43 billion or 47 percent of the national defense outlay target.

If this bill is adopted and fully appropriated, we will have to find another $5.4 billion in budget authority or $4.1 billion in outlays to cut from the remaining defense requests.

On June 4, I provided the Senate with a list of possible options for further reductions in defense. I would like to go over that list again for the benefit of my colleagues, and I ask unanimous consent that that list be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, June 4, 1975 (page 17043)]

Possibilities for further reduction in the National defense function (fiscal year 1976)

[In billions of dollars]

	Possible savings	
	Budget authority	*Outlays*
Retain the 5 percent cap on DOD military and civilian pay, as requested by the President	1.2	1.2
Enact legislation, as requested by the President to continue the sale of commodities from the strategic stockpile	.4	.4
Defense appropriations bill—Cut below the President's re-		

[From the CONGRESSIONAL RECORD, June 4, 1975 (page 17043)]—Continued

Possibilities for further reduction in the National defense function (fiscal year 1976)—Continued

	Possible savings	
	Budget authority	Outlays
quest in several areas	4.3	2.8
Cut the operations and maintenance funds other than pay (funds for maintenance of real property, ship repairs and overhauls, office supplies, fuel, minor construction projects and other housekeeping items)	(1.5)	(1.1)
Reduce procurement other than that authorized in S. 920 (trucks, automobiles, other noncombat equipment)	(1.0)	(.2)
Financial adjustments such as:		
Transfer unobligated balances of prior year budget authority to fiscal year 1976	(.5)	(.2)
Increase receipts from sales of excess military equipment and foreign military sales (reduces budget authority and outlays)	(.5)	(.5)
Reduce stock fund cast balances as a result of reduced war reserve procurement	(.5)	(.5)
Reductions in special pay, allowances and travel funds for military personnel	(.3)	(.8)
Further cuts in personnel over and above those recommended by the President and S. 920 (fiscal year 1976 savings of $100,000,000 per 20,000 jobs)	?	?
Cut military construction authorization and appropriations (funds for new facilities at military bases)	.2	.1
Cut military assistance and foreign military sales	.7	.5
Cut out military assistance for Cambodia	(.4)	(.3)
Maintain fiscal year 1975 level for foreign military sales	(.3)	(.2)

Mr. MUSKIE. I ask my colleagues to listen carefully to it. The list detailed possible cuts totaling $6.8 billion in budget authority, and $5 billion in outlay. As I said at the time, it is my judgment that we are not likely to achieve the first item on the list, the 5 percent cap on active pay. That, of course, is something for my colleagues to consider. It is a decision they will have to make come October.

At this point it is virtually impossible that we will realize the $400 million of stockpile sales which the President recommended, which is the second item on that list. That knocks out a total of $1.6 billion in both budget authority and outlays, leaving a remaining possible cut list of $5.2 billion in budget authority, and $3.4 billion in outlays.

Mr. President, there are some other very doubtful items on that list. For example, we are not likely to achieve an outlay reduction approaching anything like $100 million in the military construction area. I listed several financial adjustments totaling $1.5 billion in budget authority and $1.2 billion in outlays. Now it seems to be highly doubtful that all of these adjustments will materialize. A large part of the adjustment depends on actions, administrative actions, over which Congress has no direct control, and our latest information indicates that these items should be discounted by at least $500 million in budget authority and outlays. So that is another $600 million savings which we cannot realistically expect.

If, therefore, the conference report on the bill is adopted and fully funded, and if we assume cuts from the list I have been describing which are realistic, we have to expect to exceed the defense target by about $700 million in budget authority and $1.3 billion in outlays.

Mr. TAFT. Mr. President, will the distinguished Senator yield for a moment?

Mr. MUSKIE. Yes, I yield for a moment.

The PRESIDING OFFICER. Yield on whose time?

Mr. MUSKIE. I am just yielding to the Senator from Ohio for a moment. I had not finished my statement.

Mr. TAFT. The distinguished Senator mentioned a number of weapons systems, and I think it might be appropriate to bring up at this time it seems to me a matter of judgment which weapons system we are going to cut and which we are not.

The PRESIDING OFFICER. The Senator from Maine's 10 minutes have expired. Are we on the time of the Senator from Ohio?

Mr. MUSKIE. Mr. President, can I ask the Senator from Ohio to ask his question on his own time? I am overcommitted on time already.

Mr. STENNIS. I yield 2 minutes now, Mr. President, to the Senator from Ohio.

The PRESIDING OFFICER. On the Senator from Mississippi's time the Senator from Ohio is recognized.

Mr. TAFT. I note the fact that on June 6 the distinguished Senator from Maine said:

> Mr. President, I am disappointed that the Senate Armed Services Committee did not authorize the full 10-ship request for fiscal year 1976. I hope that the Senate conferees will reexamine this program during negotiations with the House, and I hope that the Navy's full request will receive close consideration.

I looked down the budget and I find that is $151 million, so maybe it is a question of which items we think are the sounder.

The other question I have is, Can we do anything about this? Could the committee have done anything about this? The arguments of the distinguished Senator from Maine would have been pertinent, it seems to me, with regard to the budget and the situation when the bill first came to the Senate because we could only go between the Senate and House figures. We could only—we split just about evenly between the Senate and the House votes. How could we go lower than the lower figure between the House and the Senate to get down to $22 billion the Senator is talking about?

Mr. MUSKIE. Let me make two points, the Senator seems to have raised two: One, I am not undertaking here today to suggest to the conferees, you know, the line item cuts they ought to make or try to make when they go back to conference. I understand the difficulty of negotiating points of view that differ as to the priorities of various weapons systems. I am not undertaking to do that, and I would not suggest that the Senate tie the hands of the committee.

The second point I make on what the Senator has said is these first concurrent budget targets were set by Congress. They were adopted by the Senate and the House. These are not subject to further negotiations. The House is as much bound by them as the Senate, so I think from now on when you go into conference what every committee faces is the challenge not only of accommodating House and Senate differing views about the particular piece of legislation before them but the budget targets that both Houses have adopted. That is the purpose of my rising, may I say, to the Senator.

The PRESIDING OFFICER. The 2 minutes of the Senator from Ohio have expired.

Mr. TAFT. Would it be possible, I would ask the distinguished Senator, without changing radically the rules of the House and the Senate and the rules particularly with regard to conferences, for the conferees to have done what the Senator is asking that we do? How could we take into account any figures but those that have been given to us in the authorization bills sent to us by the House and Senate?

Mr. MUSKIE. The Senator could have adopted the Senate numbers, may I say to the Senator; at the very least, that is consistent——

Mr. TAFT. We attempted to do that, but I assure the Senator we would have no conference report to take up.

The PRESIDING OFFICER. The 1 minute of the Senator from Ohio has expired.

Who yields time?

Mr. MUSKIE. I will yield him a moment to answer his question.

Mr. STENNIS. I yield a minute, Mr. President, if he wants to ask another question or if he wants to answer.

Mr. MUSKIE. The point I am trying to make, may I say to the Senator, is if we are going to proceed with our legislative business as usual, as we have done it customarily, and just treat the budget process as some kind of a nuisance over to one side, and not significantly change our habits or our ways of doing things, it is going to be meaningless. You just cannot continue to do business as we have, for the 18 years I have been in this body, for the years the Senator has been in this body, and make this process work.

I do not particularly enjoy standing here and saying to members of the committees on which I do not serve, "Gentlemen, the budget requires that we do better." When I say that, I am not denigrating the efforts that were made. I understand it is traditional when you go into a conference to split the difference.

What I am saying to my colleagues is that when you have got a budget target that is binding on both Houses tradition has to give way to a greater extent to the imperatives of the question of budget.

Mr. TAFT. I do not want to prolong this. What I am really asking the Senator is, Is it possible under the rules of the Senate or the House to have done what the Senator asks? Maybe our budget resolution is wrong, maybe it ought to prevail. But, if I understand, there is no way in which we could have done what the Senator is asking. I am sympathetic with——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUSKIE. I gather the Senator is saying to me that the rules would have prevented the House conferees from adopting the Senate version. I find that incredible. I do not understand that to be the rules. The Senate version at the time we sent it over was consistent with the budget guidelines. Is the Senator really saying to me that the House rules would have prevented the House from simply adopting S. 920 as it came to the conference?

Mr. TAFT. If the Senator will yield, Mr. President, just a moment, I think the Senator is wrong about that. We would have had to go way below the House version or the Senate version, both, in order to do what the Senator is asking.

Mr. MUSKIE. I guess I did not get——

Mr. TAFT. The figures here of the Senate are $25 billion, the House $26.5 billion. We could not go below the $25 billion figure. The Senator wants us to go to a $22 billion figure.

Mr. MUSKIE. I have not mentioned a figure. What I have tried to give to the Senator is an evaluation as of now of the budget implications of the conference report.

I take it that it is my duty to do so, and I take it the Senator would not want me to breach my duty. Those numbers—I yield myself 2 minutes to make this point.

Now, that is my duty. The Senator is saying to me that he does not want me to perform my duty. That is his prerogative but I regard it as my duty.

Second, I have not mentioned a number, but implicit in what I am saying is that we have got to come closer to the budget target—which is as much a House budget target as a Senate—than we have done.

I think the budget process mandates that.

Mr. BELLMON. Will the Senator yield?

Mr. MUSKIE. I yield to the Senator from Oklahoma at this time, but I do want to say a word later about the nuclear powered strike cruiser, inclusion of which in the conference report violates any rational notion of a budgetary process.

It was not included in the President's budget. It was not considered by Senate committees. The President sent an amendment to his budget to cover the nuclear strike cruiser after this bill had gone to conference. It comes here now before the Senate, committing us if we accept the report to a long-term cost of $1.2 billion per ship by today's figures, and to 8 to 18 units at that cost into the distant future without any proper evaluation having been made of the weapons systems, of its cost implications, of its relationship to the rest of the defense posture.

I think it is incredible that here, when the President and the Congress are committed to budgetary reform, that that kind of budgetary action is acceded to by the Congress, and I would hope on that one ground, wholly apart from these other considerations, the conference report will be rejected vehemently as a protest against that kind of budgetary procedure.

I yield 10 minutes to the distinguished Senator from Oklahoma——

Mr. STENNIS. Mr. President——

Mr. MUSKIE (continuing). Unless at this time Senator STENNIS would like me to yield.

Mr. STENNIS. Yes, if the Senator will yield, I have had an understanding with the Senator from Oklahoma, and he is willing that we use some time now, is that correct?

Mr. BELLMON. That is agreeable.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. STENNIS. Mr. President, I yield 5 minutes to the Senator from Missouri, and if he wants more I am glad to yield the time.

Mr. SYMINGTON. Mr. President, I thank my able colleague from Mississippi and I commend my colleague, Senator MUSKIE.

Mr. STENNIS. Mr. President, may we have order so that those who wish to listen can do so?

The PRESIDING OFFICER. The Chair requests that the Senate be in order. The Senator will please suspend.

Mr. SYMINGTON. Mr. President, I commend my colleague, Senator MUSKIE, the able chairman of the Senate Committee on the Budget for so carefully evaluating the budgetary implications of the conference report on military procurement.

May I say as one of the conferees that the Senate made every effort to keep the final reported authorization as low as possible; and looking at the results of our conference, it would appear that an equitable resolution of differences was achieved.

The conference bill is $751 million above the Senate-passed figure and $756 million below the House-passed figure.

Mr. President, I have spent some time on these bills on this floor, 23 years, and at the same time as a member of the executive branch, I defended five military budgets in earlier administrations, and I have become convinced that the only way this can be handled in a manner that prevents log-rolling incident to the clever methods used to put various contracts in various States is to have an overall ceiling placed on the military budget.

As we know, at an earlier date I introduced a "ceiling" amendment on the Senate bill which would have reduced the Senate bill by some $1.2 billion and hence may have resulted in an even lower conference figure than we now have.

This is what is done in all businesses that I know anything about, when times get bad one puts an across-the-board ceiling, because each department is certain in its own mind why its particular position should not be reduced.

That was my hope, that we would use a normal business practice under sound accounting principles.

But that "ceiling" amendment was defeated 59 to 36, with the able chairman of Budget Committee joining those in opposition.

Now the budget chairman urges us to vote against the conference bill, and with great respect I say that this would appear to be somewhat inconsistent with his previous position.

Mr. MUSKIE. Will the Senator yield?

Mr. SYMINGTON. I will be glad to yield, I am nearly through, and I would like to yield then and perhaps we could have a discussion.

Mr. MUSKIE. Well, I do not know about the time situation.

Mr. SYMINGTON. Well, I would ask unanimous consent to have time to respond. I do not like to see a good many dollars like this under a time limitation regardless of the conditions, but there it is.

Now, what I worry about and what I have seen happen consistently is that we will end up with a continuing resolution.

That is a trick used consistently and often. In turn, it ends up by giving various executive departments nearly all, if not all, they originally asked for.

So I would hope that in consideration of this amendment, and I shall support it although there are some things in it that have been well brought out by the able chairman of the Budget Committee, I signed the conference report and I shall support it, but I would just respectfully point out, let us see what happens in September and October, if we do this, with respect to our activities in the House as against what we plan now.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. STENNIS. I yield 1 minute more, or 2 minutes more.

The PRESIDING OFFICER. Two more minutes to the Senator from Missouri.

Mr. SYMINGTON. I would say with all respect to my friend from Maine that next year, I hope, although I can understand why, it is excellent procedure, to analyze request by request in detail, I would ask him to note the votes on particular items that go into particular States, and one way we can avoid that parochial approach which has been very effective in the past, it has been utilized by the Defense Department for many, many years, including the 5 years I spent in the Pentagon Building, if there is some way we can get an overall ceiling I think we could accomplish more along the lines of what the able chairman of the Budget Committee wants.

Mr. MUSKIE. Mr. President, I myself used less time than I expected. I thought the time I was yielding was monitored. I find now it ended up as 20 minutes without my knowing it.

The distinguished Senator from New Hampshire, in his eloquence and colloquy with the Senator from Ohio, used it up, but I would like to use 1 minute because of my fondness for the distinguished Senator from Missouri simply to reply.

I understand his position, of course. I never challenge his positions. I do not always agree, he does not always agree with mine, but I would simply like to say with respect to the approach that he mentions that the budget process is just that approach.

When we report out next year a concurrent resolution, it will have an overall target in the defense function as it did this year informally. This year it was $90.7 million, I think, informally in the committee report, and that is the approach he is urging and I concur in that.

Now, when we reduced the President's request to that figure in the Budget Committee markup, we did so after wide-ranging discussion of the implications in terms of what would come out when we got to that figure. So I really do not think we are that far apart, although we have had some difficulty accommodating our difference on this point.

But I want to say to the Senator that I am sorry I disappointed him in the vote on his amendment. I am sorry he is disappointing me in his vote on this proposal. But, as always, I have found the Senator a man of integrity and conviction, and I do not challenge his view at all.

Mr. **SYMINGTON**. Mr. President, I deeply appreciate those remarks, and I want to assure the Senator from Maine, regardless of any difference here, I will work with him to the best of my ability to accomplish what I think his committee can do, and that could be the most important single problem the Senate faces today.

Mr. **MUSKIE**. I thank the Senator.

Mr. President, it is true that we are considering here an authorization bill, which does not provide budget authority directly. But this bill covers the major portion of the defense function and sets the pattern for spending bills that follow.

It is also true that the programs and manpower covered by this bill could be cut further in the appropriations process. This has happened in the past. We are, however, making judgments here not only on weapons systems and defense manpower levels, but on budget priorities. In my judgment, if we accept these numbers, we will have to live with the consequences.

Furthermore, we should note that the conferees on this bill have stipulated that military pay will not be increased by more than 5 percent unless civilian pay caps are lifted. The conferees have stated what is already in the law, since military pay increases are tied by the Rivers amendment to civilian pay raises. As I think the cap is not likely to happen, it is my responsibility, looking toward the second concurrent resolution and the budget-busting implications of this bill, to vote against the conference report on H.R. 6674.

Part of our job—our collective job—under the new Budget Act is to keep our spending legislation within this year's targets. I have spoken frequently on this subject, and it is my principal reason for opposing H.R. 6674.

But the Budget Act imposes other tasks as well. One is to begin taking the long view by insisting on a full assessment of the future costs of new programs. Another is to require the executive branch to give full information as to the substance and cost of new programs, and adequate time to review the facts.

As I reported to the Senate on July 9, the $60 million item for long-leadtime procurement related to a strike cruiser, which the House included in its version of the procurement bill, has very large consequences for the future shape of the Navy and for future defense budgets if the Congress should decide to go ahead with the nuclear strike cruiser.

This item was not included in the President's budget for 1976, nor was it identified to either the House or Senate Budget Committee as a potential budget item. The Department of Defense offered no testimony to the Congress defining the ship to which this procurement would be applied, or addressing the shipbuilding plan into which it would fit. The Senate in particular had no opportunity to give the matter its consideration.

Then on June 24, the executive branch submitted to Congress an amendment to the President's budget requesting authorization and appropriation of the $60 million item in fiscal 1976. This amendment was proposed less than a week before the fiscal year in which it would take effect, for a bill that was already in conference. From a purely procedural point of view, this sequence is unacceptable.

I am informed that the strike cruiser will, in all likelihood, be slower than a conventionally powered alternative under consideration by the Department of Defense, but will cost 50 percent more to build and operate. I am also informed that it may be slower than existing Soviet attack submarines. Authorization of a strike cruiser in 1977 would lead to concurrent development of both the ship and the production version of its main weapon system. Moreover, I am told that there is good reason to question whether the strike cruiser can, in fact, be put under contract on schedule or at the prices which are currently being quoted, due to a serious dispute between the Navy and the only shipyard capable of building this ship. These are serious questions. We simply do not have the information before us on which to make a judgment on the merits of the strike cruiser.

But whatever the merits of the ship, its inclusion in this conference report sets a very bad precedent for the future. If we are to achieve real congressional control over the budget, we must firmly resist such departures from the spirit and letter of the 1974 Budget Impoundment and Control Act.

I recognize that in dealing with this item, the Senate conferees were faced with a very difficult situation. The House had approved, in effect, two nuclear ships, while the Senate bill contained neither.

The Senate conferees are to be commended in excluding from the final version of this bill another nuclear ship authorized by the House, thereby saving a total of $332 million, and for their efforts to limit the $60 million item to long lead time components only.

I also support the requirement that the Secretary of the Navy and the Secretary of Defense submit their long-range plans for this program and other shipbuilding goals for congressional review next year. These plans will provide an opportunity to review in depth the very serious question of the future shape of the Navy. Next year is time enough to consider the nuclear strike cruiser.

Mr. STENNIS. Mr. President, I yield myself 1 minute and then I propose to yield to the Senator from Arkansas.

Mr. President, let me specially thank the Senator from Missouri for the long, long hours that he puts into these programs year after year, digging deep and coming up with strong recommendations. Like me, he did not get all he saw and wanted in the preparation of this conference report, but he gladly signed it and supports it here in the Chamber, as the best, as I understand it, that can be had under the circumstances.

Mr. President, the idea of charging this bill with $40 billion in the salaries of uniformed and civilian people in the Department of Defense is, to me, just unthinkable. I had not heard it mentioned until this challenge came up.

The year the Senator from Missouri was acting chairman of this committee, in 1973, they were requested in committee to set some kind of a ceiling number.

The PRESIDING OFFICER (Mr. Ford). The Senator's 1 minute has expired.

Mr. STENNIS. One additional half-minute, please.

They wanted some kind of a ceiling number on the civilians as well as on the uniformed services. That was done, and we have followed that mandate of the Congress. But the Appropriations Committee all these years, and now, to this minute, controls the amount of money appropriated. I think the record will show their reduction.

I yield 8 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 8 minutes.

Mr. McCLELLAN. I will try to finish in that time.

Mr. President, I want to compliment the Armed Services Committee for what I think is the excellent job that it has done in a difficult situation in working out the conference report.

The Senate bill, as passed, was some $1.5 billion, in round numbers, I believe, under the House bill. That meant they had to go to conference with those differences to be resolved.

As I understand, there were some 305 different items that were in disagreement between the House and the Senate, and also some 53 language disagreements that had to be worked out.

I also understand that the conferees on this bill continued working from June 11 until July 25. Over that period of time they had 17 meetings of the conference, finally working out what is now the conference report.

With respect to the figures in the bill—

and I do not know how they came out on the language—the Senate went up some $750 million and the House came down some $775 million. So it was about a split.

I am sure they would not have achieved that except for the long hours of labor, hard work and the dedicated effort made by the conferees on the part of the Senate.

Mr. President, I hope the conference report will be adopted.

Mr. STENNIS. Mr. President, may we have order? Senators want to hear this.

Mr. McCLELLAN. I do not believe that, for the very small issue in contention here today, it warrants a repudiation of the work of this committee.

I do not feel that it justifies us imposing on the conferees the burden of trying to go back after the House has approved the results of the conference, and especially when the Senate certainly came out even. It lost nothing; it gained something; it saved $775 million in authorization in its labors.

I just feel it would be such a burden—and it would be a burden, if not torture, in a fashion—to send these conferees back and have them go through this long ordeal again, when everything in this bill, if it does exceed the budget, will have a review.

It still has to be appropriated, and anything in the appropriation bill that exceeds what the Budget Committee thinks is proper is subject to amendment, subject to change, subject to debate, and the issue can be resolved. I do not feel that we should impose on these fine Senators on both sides of the aisle who have worked so hard and achieved such a fine result.

Mr. President, I do not have time, but I ask unanimous consent to have printed in the RECORD certain pieces of relevant information.

Earlier this year I had printed in the RECORD a table showing how expenditures of Government have progressed during the past 10 years.

I ask unanimous consent, Mr. President, that this be printed in the RECORD again.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

BUDGET OUTLAYS BY FUNCTION, 10-YEAR COMPARISON (1966–76)

[Dollar amounts in millions]

	Fiscal year 1966			Fiscal year 1976 (proposed)			Budget dollars and percent increase from fiscal year 1966–76	
	Amount	Percent of total budget	Percent of GNP	Amount	Percent of total budget	Percent of GNP	Amount	Percent
National defense	$55,856	41.5	7.7	$94,027	26.9	5.9	$38,171	68
Department of Defense portion	(54,178)	(40.2)	(7.5)	(89,800)	(25.7)	(5.6)	(35,622)	(66)
Education, manpower and social services	4,093	3.0	.6	14,623	4.2	.9	10,530	257
Public assistance	3,400	2.5	.5	18,368	5.3	1.2	14,968	440
General retirement and disability insurance (including social security)	21,435	15.9	3.0	74,356	21.3	4.7	52,921	247
Health	2,638	2.0	.4	28,050	8.0	1.8	25,412	963
Interest	11,286	8.4	1.6	34,419	9.9	2.2	23,133	205
General Government and other costs	35,944	26.7	5.0	85,529	24.5	5.4	49,585	138
Total	134,652	100.0	18.7	349,372	100.0	21.9	214,720	159

10-YEAR COMPARISON OF DEFENSE OUTLAYS TO TOTAL OUTLAYS

[Dollar amounts in millions]

	Fiscal year 1966			Fiscal year 1976 (proposed)			Increase	
	Amount	Percent of total budget	Percent of GNP	Amount	Percent of total budget	Percent of GNP	Amount	Percent
National defense	$55,856	41.5	7.7	$94,027	26.9	5.9	$38,171	68
Department of Defense portion	(54,178)	(40.2)	(7.5)	(89,800)	(25.7)	(5.6)	(35,622)	(66)
Federal Government other than Defense	78,796	58.5	10.9	255,345	73.1	16.0	176,549	224
Total	134,652	100.0	18.7	349,372	100.0	21.9	214,720	(1)

[1] Of the total increase of $214,700,000,000, only 17.8 percent is attributable to national defense, while 82.2 percent of the increase is attributable to nonmilitary functions.

Note: Columns may not add due to rounding.

Mr. McCLELLAN. I call attention to the fact that out of the $214 billion increase in the cost of Government during the past 10 years, only 17.82 percent of that was for the military. The rest of it was for programs other than the military. We should keep that in mind.

Mr. President, I ask unanimous consent to have printed in the RECORD part of a statement I made at that time with respect to expenditures.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Military personnel costs have in recent years also escalated as a result of inflation and the all-volunteer services concept. In fiscal 1976, personnel and related costs will account for 53 percent of the Department of Defense outlays, or $49.2 billion of the $92 billion estimated. This represents an increase of $2.4 billion in spending on personnel in one year alone to maintain a smaller force.

Although the number of military personnel will have been reduced from 3.5 million men in 1968 to 2.1 million in 1976, average per capita cost is expected to double—due principally to pay increases and inflation—from $5,500 to $12,000 in 1976. As a result, total active duty pay costs for our military personnel have risen from $19 billion in 1968 to $25 billion in 1976.

Spending for national defense is up almost $9 billion over last year, but nearly one-third of this, $2.4 billion, will go for military and civilian pay and related personnel costs. Of the remaining $6 billion, about $1.8 billion will go for procurement; $2.6 billion for operation and maintenance; about $1 billion for research and development, and about $400 million for military construction and family housing.

Mr. McCLELLAN. I ask unanimous consent, Mr. President, that there be printed in the RECORD at this point a table showing what we have accomplished in the Appropriations Committee during the past 3 years since I have served as chairman. With the cooperation and fine support of the members of the Appropriations Committee, we have reduced Defense budget requests by $13,718,000,000 below the budget.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

RELATIONSHIP OF BUDGET AUTHORITY CUTS IN DEFENSE AND FOREIGN ASSISTANCE BILLS TO THOSE CUTS IN REGULAR ANNUAL APPROPRIATIONS ACTS FOR FISCAL YEARS 1973–75

[In millions of dollars]

Action by the entire Congress	1973	1974	1975	3-year total
Defense cuts	5,221	3,536	4,961	13,718
Foreign assistance cuts	1,510	1,212	2,272	4,994
Subtotal—Defense and foreign assistance	6,731	4,748	7,233	18,712
Budget cuts in 11 other appropriations bills combines	[1] −735	[1] −1,606	+1,187	[1] −1,154
Total net budget cuts	5,996	3,142	8,420	17,558

[1] In these years, the 11 other appropriations bills combined were over the President's budget.

Mr. McCLELLAN. The only other agency that showed an overall decrease under the budget during that time was the foreign assistance appropriation. During that same period of time, they reduced their budget by $4,994,000,000.

It is a total, Mr. President, of $18,712,000,000 cut in those two areas, defense and foreign spending. During the same period of time, however, the other agencies of Government exceeded the budget by $1,154,000,000.

We are making an effort, a conscientious effort. Whatever is in this authorization bill will be reviewed. I do not know, I do not say it will be cut a nickel, and I do not promise that it will be financed fully, either. We are going to look at it. When we have done our job, the Senators will have their opportunity here in the Chamber, item by item, to strike them out, if they wish to do so.

Mr. President, I ask unanimous consent that there be printed in the RECORD a table showing the Department of Defense operating costs, how they have increased during the past few years, with a statement explaining it.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Department of Defense operating costs

[In billions of dollars]

Fiscal year	*Subsistence*	*Petroleum fuels*
1968 (Vietnam peak)	1.777	1.432
1973	1.497	1.380
1974	1.471	1.827
1975	1.704	2.991
1976	1.714	3.424

At the peak of the Vietnam war, it cost $1.777 billion to feed 3,547,000 men; the fiscal year 1976 estimate is about the same ($1.714 billion) to feed 2,100,000 men (41 percent less men).

Food which cost $1.00 in 1967 now costs $1.70—70 percent increase.

Housing which cost $1.00 in 1967 now costs $1.60—60 percent increase.

Overall items which cost $1.00 in 1967 now cost $1.55—55 percent increase.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement showing how we have reduced total military personnel since 1968, the peak of the Vietnam war. We have reduced military personnel by 1,447,000.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Department of Defense

[In billions of dollars]

Fiscal year	*Total military personnel*	*Total outlays for military manpower*
1964	2,685,000	14.7
1968	3,547,000	22.3
1973	2,252,000	28.2
1974	2,161,000	29.6
1975	2,129,000	32.2
1976	2,100,000	33.8

Since 1968, peak of the Vietnam war, to date, there has been a reduction of 1,447,000 military personnel (41 percent), while total outlays for military manpower have increased by $11.5 billion (52 percent).

ALL VOLUNTEER FORCE

For the period fiscal year 1971–1974, an estimated $4.0 billion was spent on All Volunteer Force incentives. Annual AVF costs for fiscal year 1975 and fiscal year 1976 are approximately $325 million per year.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the Department of Defense military personnel budget authority. That is for financing the personnel of the military, Mr. President. We have cut that each year since fiscal 1972.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL BUDGET AUTHORITY

[In millions of dollars]

Fiscal year	Budget request	Appropriation	Difference
Military personnel:			
1971	21,032.8	20,734.8	−298.0
1972	21,292.0	21,024.6	−267.4
1973	23,658.6	23,140.9	−517.7
1974	22,706.5	22,375.0	−331.5
1975	24,651.9	24,124.1	−560.4

Mr. President, I hope the labors and the work of this committee will be sustained by the adoption of this conference report. And may I say this, Mr. President: There occurred on the floor of the Senate a few days ago—and I am not criticizing anyone, everyone is entitled to his own judgment——

The **PRESIDING OFFICER.** The Senator's time has expired.

Mr. McCLELLAN. I ask for 1 more minute.

Mr. STENNIS. I yield the Senator 2 minutes.

Mr. McCLELLAN. I voted against the public works counter-cyclical assistance authorization bill because there was a movement on the floor of the Senate to increase next year's expenditures by $1.25 billion, or by $1.125 billion, I forget which.

Mr. President, we are not going to be able to do justice to our country if all we are going to do is reduce the military, and not give comparable consideration and conscientious effort to making reductions in other areas of government. The military cannot stand all that the Senators wish to impose upon it without impairing and imperiling, to some degree, more or less, the security of our Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from pages 25735 and 25736 of the CONGRESSIONAL RECORD of July 29, 1975.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Mr. McCLELLAN. Mr. President, I observe on page 9 of the committee report it sets forth the amount of authorizations contained in the bill, the total authorizations, and the anticipated expenditures for fiscal 1976.

There have been some amendments adopted here this afternoon. Will the distinguished manager of the bill state for the record a revision of these totals on page 9, taking into account amendments that have been adopted to this measure.

Mr. MONTOYA. I say to the distinguished Senator from Arkansas that the original bill which came out of the committee called for an authorization of $2,125,000,000. This was a 1-year authorization. Then in the Chamber today, as a result of the action of the Senate on the Muskie amendment, we have added what is estimated to be an outlay of $1,250,000,000 for the first year, and it is estimated, in view of the fact that the Muskie amendment carries an authorization for 3 years, the second year will be approximately $2 billion, and the third year will be approximately another $2 billion.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MONTOYA. Yes, I yield.

Mr. MUSKIE. Of course, that depends on what happens to the unemployment rate.

Mr. MONTOYA. Yes, that is correct. We have some projections from the administration that indicate that unemployment will remain high for the coming 2 years. If that proves to be the case, then there will be an outlay under this authorization of approximately $2 billion annually. For the first year, we will not have that kind of an outlay because with the late date of enactment of the bill, it will probably be October before we start making any outlays or commitments.

Mr. McCLELLAN. If I understand correctly, we are now undertaking to authorize for 3 years instead of for 1 year anticipating what may happen and what conditions may be during the 3 year period.

Mr. MONTOYA. That is correct.

Mr. McCLELLAN. Whereas the bill originally authorized for only 1 year, it now would authorize appropriations over a period of 3 years.

Mr. MONTOYA. The bill that came out of committee was an authorization for public works for $2,125,000,000 for fiscal year 1976.

Mr. McCLELLAN. Of which $900 million would be outlays in fiscal 1976?

Mr. MONTOYA. That is correct.

Mr. McCLELLAN. After the amendments that have been adopted, what are the anticipated outlays for 1976 under the bill as amended? Is it $1.25 billion, if I understood the Senator correctly?

Mr. MONTOYA. Plus $900 million.

Mr. McCLELLAN. Plus $900 million.

Mr. MONTOYA. That is correct.

Mr. McCLELLAN. In other words, instead of being $900 million outlays for fiscal 1976 as in the committee bill under the bill as now amended it would be $2.15 billion.

Mr. MONTOYA. That is correct.

Mr. McCLELLAN. That is how much we are increasing the bill for fiscal year 1976 alone.

I thank the Senator. I think the amendments provide entirely too much. I think it is unwise to do this. Mr. President I support the committee bill as reported, but I cannot vote for this bill as amended. I shall now vote against it.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MONTOYA. I yield.

Mr. MUSKIE. I will make the point which I made earlier when some of the Senators now present were not present. This is almost precisely the amount that was allowed in function 450, the congressional budget, $2.1 billion for public works and emergency assistance to State and local governments. So we are within the congressional budget.

Mr. HARRY F. BYRD, JR., and Mr. TUNNEY addressed the Chair.

Mr. MONTOYA. Mr. President, I yield to the Senator from Virginia.

Mr. HARRY F. BYRD, JR. I ask for clarification. Is the total of the bill now before us, as a result of the Muskie amendment, $5½ billion added by the amendment plus $2 billion in the original bill? Is the total then $7½ billion?

Mr. MONTOYA. As I stated before, the outlay anticipated for the first year under the Muskie amendment is $1,250,000,000. The outlay expected for the second year of authorization would be approximately $2 billion, depending on the rate of unemployment, and for the third year another $2 billion, depending on the constancy of the unemployment rate.

Mr. HARRY F. BYRD, JR. That is correct. The point I am not clear on is this: Is that on top of the original $2.1 billion?

Mr. MONTOYA. That is correct.

Mr. HARRY F. BYRD, JR. Now we have it.

I thank the Senator.

Mr. MUSKIE. Mr. President, I give myself 1 minute.

First, I gather from what the distinguished Senator from Arkansas has said that he believes we do not have to worry about authorization bills as they go through. As a matter of fact, last week, on the health authorization bill, he expressed concern to me about the budgetary implications.

Mr. President, the same kind of concern has to be directed to defense authorization bills. The bill to which the Senator referred, that the Senate passed last week, was specifically within the budget. The public works countercyclical assistance bill was within the budget. We cannot rewrite that budget every week of the session. We wrote it in May, and I think we honor the priorities that Congress has established, and we try also to honor the target ceilings.

Today we are concerned about a target ceiling. Particular Senators may wish it was higher, and many think it is too high. But whether we honor that ceiling in Congress or not, that is the simple issue before us today, and all the rest of the rhetoric should be taken with that issue in mind.

I yield now to the Senator from Oklahoma, the ranking Republican Member of the Budget Committee, who has been kept waiting far too long.

Mr. BELLMON. Mr. President, I find myself in a quandary today. I am completely dedicated to making the newly-adopted budget process work. It is the only available means Congress has to stop the irresponsible accumulation of one huge deficit after another, as has happened every year since I have been in the Senate. This plunge into economic chaos has to be stopped. I consider it to be the greatest threat our country faces today, and therefore, while I have always supported and still support a strong national defense, I intend to oppose, and ask my colleagues to oppose, the Conference Report on H.R. 6674, the Military Procurement Authorization bill. I am mindful of the arguments concerning the military need for various items in this bill and I respect the opinions of my friend's, the Senator from Mississippi, and the Senator from South Carolina for I have often voted with them on military matters. Yet I am absolutely convinced that this country must be just as strong economically as it must be prepared militarily. Therefore, I must oppose this conference report in the name of fiscal responsibility. Military need must be weighed carefully with other needs and the ability of this Nation to meet the costs of Government.

On May 14, 1975, the Senate approved the first concurrent resolution on the budget. After several months of hearings, economic analysis and staff study, what was deemed to be the appropriate level of spending for fiscal year 1976 was determined and the Senate overwhelmingly approved those numbers only 78 days ago. We collectively said that budget authority should be $395.8 billion, outlays should be $367.0 billion. Given what we expect in the way of revenues, the level of deficit was determined to be $68.8 billion.

Many of us were not happy with that deficit number, but it mathematically followed once the appropriate spending level was determined. Now we have serious concern that we can hold the deficit down to $68.8 billion.

Mr. President, I do not intend to support or oppose any specific military program. Members of the armed services are far better equipped to decide where military spending is most needed. The responsibility of the budget committee is to set realistic spending levels, and gain congressional approval of those levels. This has been done—we now have the responsibility to see that their spending levels are not exceeded.

As part of the Senate approved budget resolution, it was determined that the national defense function would total $100.7 billion in budget authority and $90.7 billion in outlays. If H.R. 6674 is adopted and if the programs and personnel levels in this bill are fully funded, then I am very much afraid that the defense budget targets will be overshot and our Federal deficit numbers will exceed even the huge $68.8 billion in the congressional budget.

H.R. 6674 authorizes the appropriations not only for procurement and research and development, but also for the manpower levels. The total budgetary impact of this bill is not only the $25.8 billion in budget authority identified in the report but also the payroll cost of the almost 3.1 million full-time personnel and 915,000 reservists authorized in this bill. If the 5 percent pay cap is not accomplished then this payroll cost and the $25.8 billion mentioned in the bill will approximate $60 billion and the outlays are likely to be $43 billion. As a percentage of the total national defense function 60 percent of the total budget authority and about 47 percent of the outlays are represented in this bill.

As mentioned by Senator MUSKIE, it appears that all of the pending requests in the national defense function total $9.6 billion in authority and $5.4 billion in outlays over the budget.

This bill accomplishes about $4.2 billion of the needed cut in budget authority and only $1.3 billion of the necessary reduction in outlays. Since it is not very likely that substantial savings can be found in the military construction operation and maintenance and other defense accounts, nor that the originally anticipated income from the stockpile sales will materialize in total, it is imperative that the military procurement and research and development authorization and appropriation be reduced as much as possible.

It would be simple to allow this authorization to pass by rationalizing that we can cut it later in the appropriations process. But I believe that if we really intend to adhere to the budget act, it is important to apply the budget to authorizations as well as appropriations. This will provide the quickest guidance to the agencies and departments so they can plan and operate accordingly for better efficiency. It eliminates uncertainties for those elements of the budget which have been authorized but may not be appropriated.

In summary, by sending this bill back to conference, we are demonstrating that we are willing to live with the discipline of a budget—that we are willing to take difficult, and sometime unpopular, positions in order to prevent excessive Government spending to restore confidence in Government which is so needed for our Nation's economic stability.

Mr. President, I ask unanimous consent that a chart showing how we arrived at the amounts required to be cut in the national defense function be printed in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

HOW WE ARRIVED AT AMOUNTS REQUIRED TO BE CUT IN THE NATIONAL DEFENSE FUNCTION SHOWN IN MUSKIE STATEMENT, PAGE 3

(Dollars in Billions)

(FY 1976 Budget Authority and Outlays)

President's budget request (including strike cruiser amendment)	107.8	94.0
Add likely contingencies:		
Removal of caps on active and retired pay	1.8	1.7
No stockpile sales legislation	0.5	0.5
No Elk Hills receipts	0.3	0.4
Deduct:		
Savings in prior-year military assistance funds for Southeast Asia	—	−0.3
Elimination of minor Presidential legislative proposals and rounding	−0.1	−0.2
Total potential	110.3	96.1
First Concurrent Resolution targets	100.7	90.7
Total cut required	9.6	5.4

MILITARY PROCUREMENT BILL, FISCAL YEAR 1976

[In billions of dollars]

	President's request		House		Senate		Conference		Conference over Senate	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
Procurement	18.4	2.6	16.8	2.4	15.3	2.1	16.1	2.2	+0.75	+0.15
Research and development	10.2	7.1	9.7	6.8	9.7	6.8	9.7	6.8		
Subtotal	28.6	9.7	26.5	9.2	25.0	8.9	25.8	9.0	+.75	+.15
Personnel	33.8	33.8	33.8	33.8	33.4	33.4	33.6	33.6	+.15	+.15
Total amount in bill or related to bill	62.4	43.5	60.3	43.0	58.4	42.3	59.4	42.6	+.9	+.3

Mr. BELLMON. I yield the remainder of my time to the distinguished Senator from New Mexico.

Mr. DOMENICI. Mr. President, I wonder if the Senator from Oklahoma would reserve the remainder of his time.

Mr. BELLMON. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has just expired. Who yields time?

Mr. STENNIS. Mr. President, on behalf of the Senator from Maine (Mr. MUSKIE) and myself jointly, I ask unanimous consent that 15 additional minutes for each side be added to the time that has already been allotted to this measure. We promise this will be the only additional time we will ask for.

The PRESIDING OFFICER. Is there objection?

Mr. MORGAN. Mr. President, reserving the right to object, I shall not object if the Senator will add 5 minutes in there for those of us who are not on either side at the present time. I would like to have time to propound a question that may be neither pro nor con.

Mr. STENNIS. I will talk with the Senator; but I think if we allow one Senator 5 minutes specially, we will have to do the same for others.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. MORGAN. Mr. President, reserving the right to object——

The PRESIDING OFFICER. Who yields time?

Mr. MORGAN. Reserving the right to object.

Mr. STENNIS. Mr. President, I yield the Senator half a minute.

Mr. MORGAN. Mr. President, I will have to do it later.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, I yield 4 minutes to the distinguished Senator from Nevada (Mr. CANNON). I am sorry I cannot yield him more.

Mr. CANNON. Mr. President, how much time did the Senator yield?

Mr. STENNIS. Four minutes.

Mr. CANNON. Mr. President, I announce my support for the Defense authorization conference report. I believe that this bill represents an excellent compromise between the House position and the Senate position as we went into the conference.

Considering that there was an initial difference of $1.5 billion in the two bills, my colleagues must realize that this large a money difference necessarily indicates many significant differences in position on a large number of major programs. To resolve these differences and come back to the Senate with a reasonable—and affordable—Defense authorization bill was a monumental task and one that our chairman, the distinguished and most able Senator from Mississippi (Mr. STENNIS), performed in his customarily outstanding fashion. Thanks to his able leadership, through the full course of 18 separate meetings, he winnowed out the chaff and gave us only the hard kernels of programs that are important to this country's military posture. Let us look at two of the most controversial items as examples, the long lead funds for the strike cruiser and for the B–1 bomber.

The conference bill contains $60 million for long lead procurement on a nuclear powerplant which is intended for the new strike cruiser. If authorized next year, this strike cruiser would be the lead ship of a series of cruisers armed with the Aegis surface-to-air missile system. As my colleagues undoubtedly are aware, this strike cruiser was added by the House to the defense bill and then a formal budget request was submitted by the President. The Senate Armed Services Committee has not had a chance to review this program so far. I, myself, know very little about it, what its characteristics are, or what it will cost, and I am not prepared at this time to take a position in support of the strike cruiser program.

However, I do support the conference report with the long lead funds for the nuclear powerplant because, and this is the vitally important point that must be recognized, that nuclear powerplant will go in whatever nuclear escort ship is next authorized for the Navy. That nuclear powerplant was started last year for the DLGN–42 nuclear frigate, the ship that the Senate disapproved this year, and we succeeded in holding that position in the conference although the House was adamant that both the DLGN–42 and the new strike cruiser should be authorized. Therefore all we are really doing in fiscal year 1976 is continuing to build that nuclear propulsion system, and I must add that to stop work on it now and restart it later would be inordinately expensive, so unless we were to stop all future nuclear powered escort ships for the Navy, this is the most cost effective way to proceed.

The ship characteristics for that next nuclear ship are not defined now, they are not known now, and we will have a chance to review them next year before we give the go-ahead on the strike cruiser or whatever we will call that next nuclear ship.

On the other hand, our chairman succeeded in persuading the House conferees to drop their provision in the bill which would have given up the Congress right to authorize all Navy ships before the Navy contracted for them.

I do not believe that very many of us are aware of this provision that was in the House bill, but its consequences would have been far reaching if accepted. It would have taken away our preorogative to review and approve the Navy's ship programs, and we very well could have been presented with a strike cruiser program already on contract if such a law had been on the books.

Therefore on balance I believe we should commend most highly the chairman, Mr. STENNIS, for his final conference position on ships in deleting the DLGN–42, an obsolete ship, and in retaining the Congress right to authorize Navy ships, in return for continuing work on a nuclear powerplant, one already started, which will be used on whatever is the Navy's next nuclear powered escort ship.

Similarly for the B–1 bomber long lead funding, there is a very good economic argument for spending some long lead funds this year if the B–1 production is approved next year. The chairman succeeded in getting a provision in law that prohibits any production contract from being signed for the B–1 until procurement is authorized in the future. I believe that we are fully protected against the "foot-in-the-door" approach to starting a production program, and the Congress will have full opportunity to review the B–1 program next year before production is approved. The Senate is not committed to the B–1 yet by the authorization of those long lead funds.

I would add at this point that I personally support the need for the B–1 program and expect to vote to approve production next year if the B–1 continues to make progress as it has to date and if world conditions are not changed drastically for the better. Nevertheless, I fully concur that that final decision for commitment to this major strategic weapons program, expected to cost up around $20 billion, should not be made until next year. That is precisely the position that we find ourselves in with this bill.

Once again, I wish to state my sincere appreciation for the wonderful job that the chairman did in that conference. He put in long hours, day after day, and I only regret that I was not able to be there all of the time to support him. Unfortunately the New Hampshire election matter took up most of my time during the conference, but I know how hard Senator STENNIS was working during the month and a half that the conference lasted.

For those who would vote in opposition to the conference report, I would point out that going back to conference again would probably weaken and not strengthen the Senate position in this bill. I urge my colleagues to vote for this bill and to join me in congratulating Chairman STENNIS on a job well done in this year's Defense authorization report.

F–18 AMENDMENT

As an additional item of interest, the conferees did drop the Proxmire amendment which would have held up the use of funds for the F–18 Navy Air Combat Fighter program until the GAO ruled on the protest by LTV or until July 31, 1975, whichever came first.

An explanation of this item was inadvertently left out of the conference report. However, the House conferees felt that accepting the amendment would have set a bad precedent that would encourage losing competitors to protest contract awards. Also, by the time the conference was over on July 23, the amendment only had a week to run and therefore essentially was moot. The Senate therefore agreed to recede and dropped that amendment.

Mr. President, the budget resolution guidelines recommended a $7 billion reduction in total defense category. The Senate-passed bill, covering only 28 percent of the total defense budget, recommended a $4.9 billion reduction.

The conference report recommends a $4.1 billion reduction, which leaves only $2.9 billion to be taken out of the remaining 72 percent of the defense budget not covered by procurement and R. & D.

Mr. President, the remaining defense categories which would be subject to reduction to accommodate the $2.9 billion would include military construction, already cut a half-billion dollars, foreign aid, certain procurement not subject to authorization, all military O. & M., and I may say for my distinguished colleague from Maine all manpower-associated accounts, travel, food, and medical, pay and allowances, and so on.

Last year the Committee on Appropriations cut military O. & M. and military personnel accounts by $2.3 billion and the authorization bill that is now before us sets only the personnel ceilings, so I submit, Mr. President, that this bill is within the budget guidelines and assumes more than its proportionate share of the budget reduction, and I hope it will be approved.

I thank the Senator for yielding to me.

Mr. STENNIS. I thank the Senator.

Several Senators addressed the Chair.

Mr. STENNIS. Mr. President, I am glad to yield 4 minutes to the Senator from Georgia, who is a Member of our committee.

The PRESIDING OFFICER. The Senator from Georgia has 4 minutes.

Mr. NUNN. Mr. President, I have the unique position of being on both the Committees on Armed Services and the Budget. I am not sure that is a very pleasant spot to be in today.

I have the greatest admiration for what the Senator from Maine is doing. I think he is pointing out things in the Chamber that should be pointed out and debated. I think he is doing it not only on this bill but on other bills. I encourage him to continue because I think it is beginning to pay off.

On the other hand, I think we are debating and giving too much emphasis to this bill as compared to the budget resolution, and we are not giving enough emphasis to what that budget resolution itself did.

In May, I came over here into the Chamber thinking there was going to be a rollcall vote and—this is certainly no fault of the Senator from Maine—there was not a rollcall vote when the conference committee report came back to the Senate.

That budget resolution, as it pertains to national defense, was totally irresponsible.

Let me tell the Senators why.

The Senate in its budget resolution had $92.1 billion in outlays. The difference between that and the President's request was $2.8 billion. The conference report came back with $90.7 billion.

That figure in itself is a reasonable compromise between the House of Representatives and Senate.

Let me tell what else they said, and that is the heart of what we are talking about here today. The conference report had a $1.3 billion difference in outlay reduction more than the Senate concurrent resolution on the defense category.

But then the conferees on the budget resolution turned around and said that there is enough money in this outlay figure to remove the recommended 5 percent pay caps that the President has recommended. Immediately the cash register goes up by $1.7 billion. This means that there was not $1.3 billion difference in the conference report and the Senate resolution. No, that was not what it was. It was a $3.0 billion cut in outlays.

Anyone knows that that was totally impossible.

So what we are doing here today is taking a responsible compromise by the Committee on Armed Services and we are comparing it to a defense outlay level in the first resolution that was absolutely unrealistic. No one could comply with that.

The Senator from Maine pointed out when we brought the Senate Armed Services bill to the Chamber that if we removed the pay caps it was going to cause trouble.

But if the Senator from Maine has assumed, as he now assumes, that we are going to remove the pay caps at that time, we would have had to have opposed the original Senate bill when it came through.

This is nothing new. If he had assumed, as he assumes today that we are going to remove the $1.7 billion pay caps, then he would have had to have opposed the bill that came through the Senate let alone the conference report that came back.

We are now asked to choose between a responsible authorization conference report, a responsible bill that met the criteria, and the assumptions as originally expressed on the concurrent resolution. We are asked to choose between that and what I defy anyone to explain, a concurrent resolution that cuts $3.1 billion off of the Defense category below the Senate recommendation.

I regret that I did not get to the Chamber in time to point that out before the budget resolution was passed by a voice vote. I made a speech in the RECORD. I told the Senator from Maine that and we had a dialog in the Chamber. This is nothing new. It has been apparent for the last 6 weeks. There is no way in the world we can cut $3.1 billion out of outlays.

If we cut as much as the Senator from Maine says we have to cut the outlays, let me tell the Senators what it is going to do.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. NUNN. I ask the Senator from Mississippi to yield me 1 more minute.

Mr. STENNIS. Mr. President, I yield the Senator 2 more minutes.

Mr. NUNN. I will tell the Senate what we are going to do in this "mission impossible" exercise. To make these budget guidelines in this bill without considering the other 70 percent of the Defense budget, we will have to go back and knock out every new ship. We will have to knock out every new airplane, including the B-1, and we will have to cut about 700,000 people out of the Defense Department. That is what we will do if we take an authorization bill of approximately $25 billion that has only $8.5 billion in outlays and try to reduce it by $3 billion more in outlays.

Unless the Budget Committee and the Budget Committee staff begin to relate the difference between authorizations and outlays, we cannot have a responsible defense budget resolution.

Before the vote here today, I hope that out of this exercise there will be enough understanding in the Armed Services Committee, the Appropriations Committee, and the Budget Committee to realize that we cannot take a $8.5 billion outlay bill, which this is, and cut half of it, without destroying the defense program. That is what we are being asked to do today.

Mr. CHILES. Mr. President, will the Senator yield?

Mr. NUNN. I do not have enough time.

Mr. STENNIS. I yield the Senator 1 minute, to answer a question.

Mr. CHILES. Do I correctly understand the Senator from Georgia to say that the only way we are going to be able to stay within the allocation figure of the first resolution as it came out of the conference committee is if we have the 5 percent pay cap?

Mr. NUNN. If Senator McCLELLAN and his Appropriations Committee can cut enough out to really come within the resolution. If we do not have that 5 percent pay cap—and I am not taking a position on that now; I am trying to give the facts—if we do not have that and just put it down that we are going to adhere to the first resolution, we are going to knock out all the ships and airplanes and are going to lay off 700,000 people.

Mr. CHILES. But those of us who are prepared to support the chairman of the Budget Committee now realize that we are really talking about adhering to that figure, that we had better be willing to talk about the 5-percent cap.

Mr. NUNN. I would turn it around and say that one who supports the 5-percent cap need not support the Senator's resolution; because if the 5-percent cap is put on, I think the Senator from Maine will agree with me that it is within the realm of possibility and probability that we will meet the original outlay target. So one who is for the 5-percent pay cap is against Senator MUSKIE's resolution.

Mr. MUSKIE. Mr. President, I yield 4 minutes to the distinguished Senator from Utah.

Mr. MOSS. I thank the chairman.

Mr. President, obviously, we are going through the very first painful exercise of trying to discipline ourselves within the new budget process that we are trying out this year and which will be in effect next year. I think this is a very enlightening exercise, because next year we will find that we have to conform.

Mr. President, I must oppose the conference report on H.R. 6674, the military procurement authorization bill. I do this reluctantly because I know that the report is the product of a long and difficult struggle. I also know that Senator STENNIS, the distinguished chairman of the Armed Services Committee, and his fellow conferees won significant concessions from the House, and can be justly proud of their accomplishments.

I am compelled to oppose the report for three reasons:

First, if the report is adopted and the programs and personnel strengths which are inherent therein are fully funded, it would threaten the overall budget target which the Congress adopted in May. On June 6, the Senate approved S. 920, the military procurement authorization bill at $25 billion which the Senate conferees took to conference. The bill which the House conferees took to conference was $26.5 billion. While our Senate colleagues did yoeman service in cutting that bill to $25.8 billion in the conference report before us, nonetheless, it is well above S. 920 and threatens the overall budget ceiling.

Congress approved the budget conference report in May; and, I believe it is essential that we stay within the overall budget ceiling which we have approved. Although not binding this year, the functional totals within the budget resolution provide a useful guide as to what the nation can afford this year and what it cannot. S. 920 was consistent with the budget resolution. However, in light of the $25.8 billion which the procurement conference report includes, in my judgment, if adopted by the Senate, we will exceed the target for the national defense function included in the budget resolution.

Second is the need for fiscal responsibility. In reality, all our budget needs are in competition. I do not believe that we should expend resources beyond our real needs for whatever purpose. I believe that the Nation can afford and must make the expenditures necessary to meet its national security needs. However, in approving S. 920 in June, the Senate determined that $25.0 billion was adequate to meet this Nation's security needs for fiscal year 1976.

In expressing opposition to the conference report, let me make clear that I am not voting against defense. I think that the maintenance of national security is one of the major challenges facing America. I also believe the Congress must provide for a strong and effective national security program. If we are to maintain national security, we must continue to recognize that freedom has a substantial price. However, in my judgment, S. 920 which I strongly supported and which the Senate approved in June, provides for such a defense program. In the interest of time, I will not reiterate the details of my statement in support of S. 920. However, Mr. President I ask unanimous consent that my statement of June 4 in support of S. 920 be included in its entirety as part of the RECORD today so that my support of a strong national defense posture is crystal clear now as it was then.

The third reason for which I oppose the conference report is because of the need for preservation of the integrity of the new congressional budget process. It is essential that the process succeed if we are to bring the Federal budget under control and establish national priorities consistent with the Congressional Budget Act of 1974 from which the new process evolved. I recognize that we are in a transition period in implementing the Budget Control Act. The process will not be fully implemented until next year. But, even then, its effectiveness will depend upon the discipline, individually and collectively, of the Congress in making the process work.

This is the first significant piece of legislation to be considered in the national defense budget function, since the new budget process got underway. This is not an appropriations bill, nonetheless, the bill covers the major portion of the defense function and sets the pattern for the spending bills that will follow. It is not realistic to expect that the program approved here can be significantly cut in the appropriations process. If we are going to succeed in budget reform and gaining tighter control of the Federal budget, and following a policy of sound fiscal responsibility, I believe we must hold the line on the budget target. If our actions on this bill set the wrong pattern, we will be engulfed by a flood of bills whose individual budget impact may not be much, but which collectively will greatly exceed the overall budget target and give us an impossible task in October in considering the second concurrent budget resolution for fiscal year 1976.

This is a tough call, but we are asked to make tough calls and critical choices. That is a statement we hear on the floor of the Senate all the time, until we get right down to dealing with a budget or an appropriation or an authorization bill that has to do with some particular phase, and then we seem to forget that we have to make these tough choices.

Because of their budget impact, I have had to make other such decisions in voting against bills whose cause I supported. I believe that we must have a standard against which to measure these bills which come before us. Despite what some consider to be inherent limitations of the newly-emerging congressional budget scorekeeping system, it is the best we have. And, one good standard is the budget resolution which not only provides target ceilings for Federal spending, but also reflects the priorities for the nation which the Congress approved in May, and which Congress must affirm or change by the second concurrent budget resolution in October.

I also want to make clear that this expression of opposition to the conference report should in no way be interpreted as being critical of the efforts of the Senate conferees. To the contrary, I want to reiterate my support for their impressive accomplishments, under the leadership of the distinguished Senator from Mississippi. The Senate conferees made significant cuts in the larger House bill, but they were unable to eliminate all of the excess spending. In opposing this bill, I intend to strengthen the hand of the Senate conferees in returning to a new conference on the military procurement authorization bill, and in developing a conference report which is more in line with S. 920.

Mr. President, I welcome the opportunity provided by this debate on the defense program and policies. Nothing is more fundamental to the responsibilities of the Senate than consideration of the defense of our Nation. Under our Constitution, the Government's responsibility for maintaining the Nation's security is shared by the President and the Congress. And from the beginning, Congress has exerted a strong influence in such matters.

This subject is timely and significant for several reasons. First, because of the size of the defense budget and its relationship to the total Federal budget. Second, because of the nature and importance of defense. Maintenance of national security is one of the major challenges facing America. The problems of security were relatively simple in earlier times. But today, with weapons that provide nations the capability of destroying each other, national security is a matter of concern to everyone—not just a few. It is important to have a better understanding of the defense program. The forum which is offered here will enable us to do just that. If there are to be differences among us, it is better that they be differences in judgments and not of the facts upon which the judgments are drawn.

It is Congress who must set the fundamental priorities and validate or reject the underlying assumptions upon which defense legislation is written. However, our Nation's defense needs are not determined by what we would wish but by the international environment and threats posed by potential adversaries to our ability to defend our national and international interest. I would caution against precipitous action. Our national security is not something which has been erected heedlessly, or hastily. It is the product of years of study, experience, and the culmination of actions initiated a long time ago.

In considering this bill I could not help but reflect on the world situation and on the state of our economy at home. Accordingly, I attempted to develop some criteria which would be useful to me in analyzing this resolution. Stated in the simplest terms, I believe the Congress should provide for a national security program which would: assure a U.S. defense posture that maintains a credible military balance consistent with the principles of deterrence and parity; retain a choice of options to respond to military threat contingencies; enable the United States to continue to play a strong role in NATO; maintain a position of strength for SALT or other negotiations; continue our technological excellence and leadership in R. & D.; lead to further improvement in the efficiency of DOD, and provide defense at a price that we can afford.

The world scene is not conforming. In the Middle East, in the absence of a settlement, we see an uneasy peace which could explode into war at any time. The situation in Portugal and the difficulties between Greece and Turkey have been cause for concern. Despite détente and the fact that we are engaged in SALT talks, the Soviet military strength remains strong and there are indications that it is gradually increasing. In Asia, our efforts in Cambodia and Vietnam have recently drawn to a close. Our activities in Laos have been rolled up hastily, and our forces in Thailand are being withdrawn. The Philippine Government has announced a review of the bilateral security arrangements which exist with the United States.

Instead of giving way to an acrimonious postmortem, we should refocus our national view toward the blunt realities facing us in the world today and on prudent measures to meet them. Since the fall of Vietnam and Cambodia, there has been much talk about what some perceive to be the demise of our position of strength in the world. Some see these reversals as adverse reflections on our own military might, as a question of our national will. Some assert that the United States is fast becoming a second-rate power in the world. I do not share that pessimistic appraisal.

However, we live in a dynamic world. Not many years ago, the United States enjoyed virtually a strategic monopoly vis-a-vis any potential adversary. That changed to a position of U.S. superiority and has evolved to the present status of relative parity which should be maintained if we do not wish to find ourselves in a position of inferiority.

There are some who say that major conflict is unthinkable today because of nuclear weapons. I agree it should be. But I submit that the causes of war are not limited to the state of military technology but are largely determined by the state of mind of human beings, the imperfect nature of mortal man. Abraham Lincoln reminds us that "human nature will not change." Despite our own previous isolationism and our desire for peace, we have been involved in 9 major wars and more than 100 campaigns and expeditions in the nearly 200 years of our existence. I am not asserting that wars are inevitable.

But no one in America or in the world can be certain that our Nation has seen the last of war. History teaches that former societies not attending to their own defense soon found that their neighbors did.

Some have grown tired of our responsibilities as a major world leader, and long to return to the days of yesteryear. Unfortunately, that is neither realistic nor possible. We can not take "time out," we must continue our search for peace while maintaining the armor of strength. General Omar Bradley said:

> Peace can be lost by timid world leadership and by the premature abandonment of our armed strength. It can be lost when a nation's self-interest is permitted to smother its world role. . . . Above all, the easiest way to lose peace is to lose it by default, by retreating behind our walls to live in dangerous isolation.

Our national defense must be based on broad and continuing national interests in the ever-changing world environment. If we are to maintain national security, we must continue to recognize that freedom has a substantial price—the maintenance of a credible military balance with potential adversaries. If we are to give up that balance, we should do it consciously recognizing the full consequences on the type of society we enjoy here in America in association with other free states of the world.

This debate occurs on the eve of the 31st anniversary of the D-day operation in Europe, June 6, 1944, which resulted in the liberation of millions of people that would not have been possible without the U.S. efforts. It is equally clear that the U.S. national defense posture has been a cornerstone of security in the world for the ensuing third of a century. I think the latter point is significant to our consideration today.

We should not be afraid to make necessary changes, and progress should be welcomed. However, change for change sake should be avoided. Not all change is progress. This is not the time for a massive infusion of funds into defense which would be wasteful and is likely to be interpreted abroad as a knee-jerk reaction of a nation that is not confident of its strength; nor is it the time for dismantling the structure or a radical change in policies which could create a great shock wave. It would be imprudent to act on national security in a way that would lend support to any illusions that we are retreating from the world. We cannot afford to signal a lack of resolve if hopes for mutual negotiated reductions in East and West arms levels are to be fulfilled.

Looking briefly at the domestic scene, there is need to arrest the economic slide, turn the economy around, and get the unemployed back to work. A few weeks ago, the Senate Budget Committee presented the first concurrent resolution which was subsequently approved by the Senate. In preparing the report, covering defense and other budget functions, the committee conducted extensive hearings and considered a multitude of requests and recommendations to develop priorities as a basis for determining target spending ceilings. In reality, all our budget needs are in competition. However, the committee concluded that the Federal budget for fiscal 1976 should provide "funds for national security, education, health care, pensions, and other established programs which the people of the United States would need regardless of the state of the economy." In other words, the committee said that national security is among these first priority needs to be fulfilled. Moreover, the budget resolution and the conference report included funds for all of these activities along with other programs designed to reduce unemployment, counter the effects of recession, and stimulate economic recovery.

We must resolve our domestic problems—for example, unemployment, inflation and recession—and these problems are not automatically solved by an effective national security program. But without such a climate, how can we be assured of the opportunity to even work toward solution of such other problems. I do not believe we should expend resources beyond our real needs for whatever purpose. However, consistent with the Budget Committee's conclusion, I believe that the Nation can afford and must make the expenditures necessary to meet its security needs.

Now, turning to the bill before us. First, I want to express appreciation to the distinguished chairman and the members of the Armed Services Committee for the excellent report on the defense bill. It is obvious that the committee and its staff have worked long and hard in critically analyzing the subject matter and presenting the bill. Particularly welcome are the moves taken by the committee, charging the Department of Defense—DOD—to furnish several significant studies and reports to insure better availability of information for the Congress.

Considering this legislation against the criteria outlined, my reaction was favorable. Let me highlight just a few examples from the bill and accompanying report. It: First, maintains a "fundamental commitment to the principles of deterrence and to the maintenance of a United States-U.S.S.R. strategic balance based upon parity; second, retains various options by continuing the triad of strategic forces and strengthening our conventional forces; third, maintains a "strong, steady commitment" to NATO which is enhanced by the continued conversion of support units to combat units; fourth, provides for insuring "a continuing and vigorous technology base both in Government and in industry"; fifth, recommends strategic initiatives "consistent with and largely a continuation and natural outgrowth of the programs authorized" previously; and, sixth, maintains a position of strength for SALT negotiations—for example, it provides for procurement of 50 Minuteman III ICBM operational test missiles and continuation of the Minuteman force modernization program which improves in-silo survivability. Keeping the production line open as a SALT option is particularly attractive.

On the other hand, the committee has recognized the need for DOD to improve its management to make better use of the resources which Congress has provided. For example, the report: First, reflects the need for DOD to make greater efforts "to determine what weapons are needed—be more selective in its priorities and choices, and more effective" in managing its programs; second, urges DOD to "emphasize those weapons systems and technology programs which are critical to the future survival of the Nation"; third, highlights the need for the Secretary of Defense to provide more guidance to the services regarding "the inflation/escalation problem" in contracts; fourth, reduces the military and civilian strength a total of 41,300; fifth, approves a fourth B-1 bomber but deletes production/related funding; sixth, requires DOD to consider the desirability of developing an alternative bomber to meet a 1990 IOC; and, seventh, directs DOD to study alternative basing arrangements and force levels in the Pacific.

I support the committee's declared intention to keep "the pressure on" DOD to effect further improvements.

The committee recommends a total of $25 billion for this bill, a reduction of $4.8 billion from the administration's request. This is a sizable cut. However, I believe the amount recommended—$25 billion—provides sufficient funds to meet all of the Nation's essential defense needs in the areas covered by this bill.

Congress approved the budget resolution conference report on May 14. I think it is essential that we stay within the overall ceiling we have approved. Although not binding this year, the functional totals provide a useful guide to what the Nation can afford this year and what it cannot. Their adoption by the Senate would greatly facilitate budget control. The bill (S. 920) before us appears consistent with the conference report.

If we were the artist, each of us might paint this bill a little differently. For example, it does not precisely square with my own views in every detail. But like the other bills which come before us, it is a product of the legislative process and reflects the give-and-take which is characteristic. In my view, however, the bill offers a reasonable balance between what we can afford and what we must spend to maintain a strong national security posture, provides a responsible strategy for meeting the Nation's security needs as they are foreseen at this time, and is deserving of our support.

This debate offers a valuable opportunity to identify issues and problems leading to decisions for improving defense, but it is useful to remember that national security is a continuous process. It was not built in 1 week. It cannot be re-created or changed drastically in 1 week, without seriously damaging our national security, forcing tremendous waste and inefficiencies, and triggering an avalanche of reaction which could convey the wrong signal and rupture the stability of the strategic balance.

This Nation is nearing the end of 200 years of mankind's most successful experiment in democratic government and personal freedom. Adequate security has been a requisite of this experience. To assure such opportunities for our future generations, in acting on this bill, let us keep the American ship of state moving forward on a secure and steady course.

Mr. President, because of this dialog today and this debate on the floor of the Senate, I believe the Senate now faces the stern reality of keeping within the budget targets which we set for ourselves in May and which we must observe when we come back with our concurrent resolution in the fall.

Mr. STENNIS. Mr. President, I yield 2 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California has 2 minutes.

Mr. TUNNEY. Mr. President, I thank my distinguished friend, the chairman of the Committee on Armed Services, for yielding me 2 minutes.

Mr. STENNIS. Mr. President, if the Senator will yield, the motion is to adopt.

Mr. TUNNEY. I intend to vote to adopt the conference report. Mr. President, I rise in its support not because I disagree with my distinguished colleagues who believe that the defense procurement budget is too high, but because I believe that a disapproval of this conference report will be an ineffective mechanism for achieving further budget reductions at this time.

I feel very strongly that the Budget Committee is performing an extremely valuable service, not only to the people of the country but also to Congress, by establishing guidelines for us. But what we are talking here is an authorization, an authorization which has taken two months in conference to work out and which represents an equitable agreement midway between two opposing sides. The House voted overwhelmingly the day before yesterday to accept the conference report. Considering the margin for passage in the House, I believe that sending this bill back to conference would achieve little more than a further delay in its consideration. The appropriate vehicle for attacking the defense budget will come before the House and Senate later this year in the form of the defense appropriations measure. It is there that my distinguished colleagues should concentrate their attention.

I assure the Senator from Maine that when this matter comes up in the appropriations process, I am certainly going to vote to sustain the Budget Committee and its views on what a reasonable ceiling should be. I may remind him that during this year's debate on the defense authorization bill I voted in favor of $2 billion in cuts over and above the Armed Services Committee's recommendation of a $5 billion reduction. I was a cosponsor of the Cranston-Symington ceiling amendment. I opposed millions of dollars for counterforce development. I voted to delete $500 million for the AWACS program. And I am prepared to fight again for reductions in the defense budget which I believe taxes all too great a portion of this Nation's precious resources.

But I am convinced that nothing will be gained by reopening in any new conference issues which were debated for days on the floor of this body and for over 2 months in a previous conference—issues which will be debated again in October or November.

It seems to me that for us now to reject the report and spend more months in dispute with the House not only will endanger some very important weapons systems, such as the B–1 bomber, which I believe is tremendously important, but will also add further to the costs of the weapons systems themselves. In the B–1 program, for example, inflation alone over the last 5 years has added $10 billion in program costs. It was not poor management that made the B–1 a $20-billion weapons system, it was delay—delay such as the senior Senator from Maine is proposing today. If this conference report is defeated, we may save $300 million now at a cost of billions tomorrow. That is just not good economics.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. STENNIS. I yield the Senator 1 additional minute.

Mr. TUNNEY. It does not seem to me to be intelligent to do the axing in this way at this time. We shall have another opportunity when the appropriations bill is going to be on the floor. We are going to have a chance to vote on specific weapons systems and be able to pick out areas where we want to support the Committee on Appropriations and want to reject their proposals.

I agree with what the Senator from Florida said, that there is a possibility—not only a possibility but a great likelihood—that we shall stay within the budget guidelines when that appropriations bill comes to the floor. We can do it in a number of different ways, and I will support the Budget Committee on those efforts.

I just do not think that in this authorization bill, where so much time has gone into getting the conference report, it is wise to reject it.

The PRESIDING OFFICER. The Chair requests that the Senators take their seats and, if they want to converse, that they go to the cloakroom. The Chair requests that the Senate will come to order.

Mr. MUSKIE. I yield 2 minutes to the distinguished Senator from Maryland (Mr. BEALL).

Mr. BEALL. Mr. President, I rise to reluctantly oppose the conference report.

Mr. President, I say—reluctantly—because I have the greatest respect for the distinguished chairman of the Armed Services Committee, Senator STENNIS, and the fine work he has done in assuring that our national defense posture has been adequate.

I have long felt that one of our highest priorities should be that of funding for the Armed Forces. The protection of our freedoms, indeed the preservation of the very structure of our free Government can only be accomplished from a position of military strength. Since coming to this body, I have supported every military procurement bill because of my strong feeling about the high priority that national defense expenditures must have within the appropriation process.

The Senator from South Dakota (Mr. McGOVERN), a few minutes ago, spoke of the nutrition program. Certainly in any society and particularly in one as affluent as ours, proper nutrition for all of our people should receive very high priority. We have done that in the nutrition legislation. But, Mr. President, if the conference report of nutrition was before us today, I would have to approve it for the same reasons that I am opposing the military procurement conference report.

They both exceed the limitations established in the budget resolution. Mr. President, our highest priority must be fiscal integrity. It is only through responsible budget practices that, we can, in the long run, reach our goal of finding adequately for our needs in every area of national importance.

The most important constitutional responsibility vested in the Congress is that of appropriating money for the operation of the Federal Government.

The Budget Committee met, established last year to enable Congress to carry out this responsibility in a more effective and efficient manner.

The Budget Committee met, established budget recommendations and priorities and these were sent to the Senate floor where they were confirmed through passage of the concurrent budget resolution.

That resolution established priority for expenditures within the framework of the most important priority—that of keeping the Federal deficit within manageable limits.

The viability of the new budget process depends on our ability to stay within the limitation we established for ourselves earlier this year.

In the final analysis, Mr. President, none of the priorities we have established will be achievable if we allow our real gains to be consumed by inflation. Mr. President, deficits larger than one contemplated in the Senate concurrent resolution can only lead to an unacceptable rate of inflation.

Mr. President, I urge a vote against the conference report so that the conferees can go back to negotiating with the House to bring the authorization within the limits originally established by the Senate passing the concurrent resolution.

The PRESIDING OFFICER. Who yields time?

Mr. CHILES. I ask the distinguished Senator from Maine to yield me 10 seconds for a unanimous-consent request.

Mr. MUSKIE. I yield.

REFERRAL OF BILL—S. 5

Mr. CHILES. Mr. President, I ask unanimous consent that S. 5 be referred jointly to the Committee on Rules and Administration and to the Committee on the Judiciary; that the committees shall have until September 15 to file their reports thereon; and that the Committee on Rules and Administration shall limit its consideration to title I of S. 5 and the Committee on the Judiciary shall limit its consideration to section 202 of title II of S. 5.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1976—CONFERENCE REPORT

The Senate continued with the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6674) to authorize appropriations during the fiscal year 1976, and the period of July 1, 1976, through September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and for other purposes.

Mr. MUSKIE. Mr. President, I yield to the distinguished Senator from New Mexico 2 minutes.

Mr. DOMENICI. I thank the distinguished Senator from Maine.

I should like to address these remarks to the Senate, but principally to the distinguished Senator from Georgia, who has talked about what the budget resolution did in this particular target area as it applies to military commitment.

Let me say that as far as this Senator is concerned, I am not sure that it would change the entire scenario, if we tried to keep the Senate budget figures and not impose the 5-percent caps. I am not sure the Senator is exactly right. But certainly, I agree with him that there would be some kind of rather disastrous effect if we do not put the caps on.

I want him to know that I am, nonetheless, going to support the Senator from Maine today, because it appears to me that that budget resolution is right when it implies that the only way we can meet this and do justice to R. & D. and troop levels and new types of equipment needed is if we impose the caps. I think implicit in his remarks are that if we did, at some point in time, in another process in this body, impose them, then, indeed, we could do justice to the troop level and justice to the R. & D. program which he helped us so much to try to understand in the Committee on the Budget. However, it appears to me that if we do not keep the heat on in terms of looking down the line to putting those caps on as one alternative, or acknowledging that when we decide not to, we are going to break the budget by about $1.8 billion and let everyone know that, I do not think we have any chance of coming in within the 9.7 outlays for this year. It is for that reason——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. Will the Senator yield me an additional 30 seconds?

Mr. MUSKIE. I yield an additional 30 seconds.

Mr. DOMENICI. I want the Senator from Georgia to understand my reasoning in that regard, because I agree we cannot fit them all in. I do not think the way to keep the heat on for the next venture in what we are going to spend, and the caps, is to do anything other than to assume, for right now, that they are on.

Mr. NUNN. I might say to the Senator, just in brief reply, if the Senate assumes that this bill must bear the burden of raising the pay caps and if it is the instruction of this body for our committee to assume that, we cannot have a military authorization bill this year.

Will the Senator from Mississippi yield me 30 seconds?

Mr. STENNIS. I yield the Senator 1 minute.

Mr. NUNN. I respect what the Senators are doing on the Budget Committee. I am for it. I think it is a good exercise. But if the Committee on the Budget opposes this, they should tell the Armed Services Committee how much they want to cut and what the assumptions are. The only figures we have heard are the $5 billion and the $4 billion over the targets. How much does the committee want to cut this bill? What would make the Senator vote for this bill? What level?

Mr. DOMENICI. If the distinguished Senator would answer a question for me, how can we bring the proper issue to Congress of whether we are going to have the lids on or not and then let him pass on this bill? If he will answer that for me, I think we are in business and he will not have any argument.

Mr. NUNN. I will answer the Senator this way: we cannot have a military bill under the definition the Senator has just given before we vote on the pay caps in October. This means the authorization bill is finished. If that is the criterion the Budget Committee is imposing, let us make it clear and not go back and sit down and talk to the House. We cannot have an authorization bill until the Senate decides this question of pay cap. There is no way in the world we can have an authorization bill until we know what is going to happen on the pay caps.

Mr. DOMENICI. If the distinguished Senator would propose a sense of the Senate resolution on the pay caps and this body makes that decision, I assure him it will affect my vote.

Mr. NUNN. It seems to me that is the duty of the Committee on the Budget, because the committee is imposing an impossible situation on the Armed Services Committee—a mission impossible. The Budget Committee is the one assuming the pay caps are going to be taken off. If they want to resolve that question, I think a resolution is the way to go.

Mr. MUSKIE. I yield myself 1 minute to clarify that point.

The Committee on the Budget made no assumptions with respect to pay caps. The House did, and took a vote in connection with the first concurrent resolution. We are not a line item committee, as the Senator from Georgia well knows. We cannot put all the pieces together in one legislative package. The best that we can do is set our targets to begin with, then try to follow the road down through the process, giving and taking, and avoiding serious risks, knowing that other decisions are coming down the road, and preparing ourselves to take them. We cannot do it all at once, as the Senator would have us do on the defense function today.

Mr. NUNN. Will the Senator answer one question?

Mr. MUSKIE. I am limited on time.

Mr. STENNIS. I yield the Senator 1 minute.

Mr. NUNN. I want to find out what figure the Senator from Maine would support this bill on. What is he telling us to do? What figure does he want us to come back with so we can sign off on this bill?

Mr. MUSKIE. I will tell the Senator what my view is.

Mr. NUNN. That is what I want.

Mr. MUSKIE. If you have the Senate bill as of the time we passed the Senate bill it was within the guidelines. Now, some things have happened that make it higher. The Senator asked me a question.

Mr. NUNN. I had not interrupted; I just raised my hands.

Mr. MUSKIE. How are we on the time question?

The PRESIDING OFFICER. The Senator still has 30 seconds.

Mr. HOLLINGS. The Senator from Georgia had 30 seconds.

Mr. MUSKIE. We still have these questions. As the Senator well knows, the cap decision has not been made.

The Senators, if they vote for this conference report, ought to understand they are making a commitment to that kind of a cut down the road somewhere or the Armed Services Committees have got to consider authorizing additional sales from the strategic stockpile, now an impossibility. Maybe it will become a possibility, if the Senate approves the conference report.

So these kinds of things are being

flagged here today and, depending upon what decision is made, the appropriate committees will act.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. I yield 1 minute to the Senator from South Carolina.

Mr. HOLLINGS. Yield it to the Senator from Georgia because I am not sure I am so friendly.

Mr. STENNIS. One minute, Mr. President. We must go along. I yield 1 minute.

Mr. HOLLINGS. What criteria did the Senator from Georgia use?

Mr. NUNN. The Senator from Georgia, when we had this bill on the floor, listened to the Senator from Maine when he said——

Mr. HOLLINGS. I mean this current bill.

Mr. NUNN. I am going to answer the Senator's question. He said we were within the limit of this bill, and he said if we remove the pay caps, we are not within the limit. Now he is saying we are going to remove the pay caps, and so this is over. So if this same criteria had been used on the floor of the Senate, when the Senate bill came up, it should have been opposed by the Budget Committee. We have shifted criteria.

Mr. HOLLINGS. What are the criteria the Senator uses for this conference to report to the Senate as his criteria?

Mr. NUNN. The criteria are if the pay cap is removed and must be offset in this bill, there is no way in the world you can have an authorization bill that is within the Budget Committee limits. I agree completely with the Senator from Maine.

Mr. HOLLINGS. The Senator assumes this bill has a pay cap in it; is that what the Senator is assuming?

Mr. NUNN. This bill says if the military pay has caps on it, if the Senate and the Congress approve the civilian pay caps——

Mr. HOLLINGS. That is what the Senator assumes, so you have got a balanced bill.

Mr. NUNN. I have got a balanced bill. There is no balanced bill if we do not have pay caps and must offset that cost in this bill. I agree with the Senator from Maine on that.

Mr. STENNIS. Mr. President, I yield myself 2 minutes.

Let us get right down to the meat in the coconut, Mr. President.

These criteria now, if I may have the attention of the Members, these criteria laid down by the Budget Committee and the Senate, we fully met them. We met them with the bill we brought back here, unless we let the Budget Committee go into all these new fields, charging us, for instance, about the manpower cost. I never heard of that.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. STENNIS. No, not right now. I never heard of all these manpower costs being included in this formula. You can meet his formula—we have got the calculations here—if you reduce the outlays that we have gotten here by $2.1 billion. But that will cut off 1 million men. If you just want to take a million of them out, according to these calculations, that is the way you can do it, out of the uniformed or civilians or a combination of both. That is exactly what I am advised we will have to do. Those are the realities of things.

We are talking about pay caps and all. No one knows what is going to happen in that, but they are asking that we assume the worst will happen.

The PRESIDING OFFICER (Mr. GLENN). The 2 minutes of the Senator have expired.

Mr. STENNIS. I yield myself 1 more minute. So we have got to get down to the realities at some time.

This matter now of forcing the House—let me repeat, of forcing the House—to go in under the budget standards, why, they did not refer to the standards ever. We did but they never did. That body, as a whole, voted a day or two ago, I believe it was, 348 to 60 to support this conference report. I do not believe, with their attitude and that vote behind them, that they will give a conference on this matter—maybe not for 60 days. We are headed right into the idea here of a continuing resolution.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. STENNIS. I yield myself 1 minute.

Let us look at the realities now. We face a continuing resolution and that means no new starts for all the planes that are needed, felt to be needed and voted on in this Chamber; no new starts for ships, large and small, that have been examined and approved over and over, and voted for on the floor; and it is going to mean eliminating about 15 percent more of the research and development.

Mr. President, I ask unanimous consent to insert in the RECORD a memorandum of Navy fleet modernization and a table showing the number of ships we have been building.

There being no objection, the memorandum and table were ordered to be printed in the RECORD, as follows:

NAVY FLEET MODERNIZATION PROBLEM

As a result of reduced finding during the Vietnam war years, modernization of the Navy fleet was neglected.

In 1964, the Navy fleet consisted of over 900 ships with an average age of 14 years. By 1970, despite the phase-out of substantial numbers of World War II ships, the average age of Navy ships is reduced by almost 25%, the average age should be reduced. But, because replacement ships were not being built in sufficient numbers, the average age continued to increase through the Vietnam years.

At the end of 1974, the Navy fleet was almost half the 1964 size (about 500 ships) with about the same average age as 1964 (14 years).

For well over ten years, we have not been building enough ships to sustain an adequate Navy fleet. This year, with an authorization of 22 ships, a strong step toward much needed and overdue modernization program for our Navy is being taken.

Shipbuilding and conversion, Navy appropriations

	Billions
1962	$2.9
1963	2.9
1964	2.1
1965	1.9
1966	1.6
1967	1.8
1968	1.3
1969	.8
1970	2.5
1971	2.5
1972	3.0
1973	3.0
1974	3.5
1975	3.1
1976 Authorization	4.0

Major Navy ships approved by Congress

	New construction funded	*Conversion funded*
1964	28	36
1965	41	5
1966	37	5
1967	35	7
1968	9	18
1969	5	16
1970	10	5
1971	13	12
1972	15	8
1973	9	8
1974	14	5
1975	22	4
1976	22	--

Mr. STENNIS. Now, Mr. President, those are just the realities. You cannot successfully dispute that. It just takes them out. The Senator is adding his original formula. He is demanding now that we meet it and, frankly, that we meet it alone. He is trying to tell us what to do when the House is the one that ought to be told.

Mr. MUSKIE. I yield myself time. The Senator says we ought not to consider the manpower cost implications in the bill. Yet, in the statement which he distributed as of July 25 he says this about manpower:

> In addition to the R. & D. and procurement funds, the conferees approved manpower reductions totaling 32,000 people in the year end strength of active duty military and civilian personnel.

He projects that saving $400 million per year. So, of course, this bill affects manpower costs. The total manpower costs are $34 million, so if we do not save as much in the bill that is before us as we should or as we did in the Senate version, and we have to look to manpower as a way to save, then we have to take into account the fact that the action taken by the conferees—

Mr. STENNIS. Mr. President, will the Senator yield right there?

Mr. MUSKIE. If I may finish.

Mr. STENNIS. I mean for a question.

Mr. MUSKIE. I am not charging the Senator or this bill with the manpower costs. All I am saying to the Senator and to the Senate is this: Taking into account the cost implications of this bill and trying to project on a reasonable basis, with the best advice we can get, what we can save in the rest of the defense budget, where are we likely to come out?

I have gone into, perhaps, gruesome detail, examining our assumptions and the projections. They are all subject to challenge. But the Senator ought not to simply challenge our right to make them. We ought to look at them and decide whether that can be so.

The Senator from Georgia said that last year the Appropriations Committee cut $2.3 billion in manpower costs. If the Appropriations Committee chairman will tell me they expect to make a $2.3 billion savings in manpower costs this year, then that would change the projections, of course.

Mr. NUNN. That includes O. and M. and military personnel.

Mr. MUSKIE. I understand it does. I will take savings wherever they come and, at the very least, if I lose this debate this morning, at the very least, hopefully with the help of the Senator from Georgia, the Senator from Mississippi and the others, we will have flagged and pinpointed other areas where savings can be made, and the pressure will be greater if we approve this conference report. But at least we will have identified the places where other savings can be made, and that is part of this process, gentlemen, that is part of this process.

These projections I have given today are not written in stone, but they are very good projections and they are very good assumptions, and they are the result of long study. Just do not brush them aside. If you vote for the conference report look at them serious because if we approve this conference report the pressure to find savings in other areas in the defense budget is going to be greater than it was following adoption of the Senate bill.

Mr. STENNIS. Mr. President, I yield myself 2 minutes there, if I may, just 2 minutes.

Again, Mr. President, we have to come back to the proposition that the Senate budget resolution and the conversations about it never did suggest to us that we were expected to go over and make these reductions beyond our bill over into the other appropriation bills, and all. That just was not demanded.

We passed a bill here 9.8 percent below the budget of the President of the United States. Now, that is disregarding this matter about Vietnam. No one else has passed a major bill of that proportion, no other department has, and I am talking about 9.8 percent below the President's budget.

Now, we have come to the Senate Budget Committee's recommendation of a $7 billion reduction, and we have taken our part of that, as I explained earlier this morning, and we have taken more from this bill now on the floor than our pro rata share, according to all the calculations up until a few days ago, for this military bill.

What the Senator seeks to do today is to charge this bill with a great many matters over in another bill. It is tied up, tied up with these other reductions.

Another thing has not been mentioned here this morning: There is in this bill, an unlimited military aid for Israel, that was voted in this bill on this floor over my objection. I opposed it. I made a motion to table it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. One more minute.

I do not complain how anyone voted, but that is a matter that is in the bill, and it was not in the President's budget. I do not know where it stands with reference to the Budget Committee, whether they ought to stand up and clear it. Some of them voted for it.

That is a part of the picture here. Representing the Senate I asked the House to yield to us on that amendment, and they did.

So instead of really objecting to matters coming in above the budget and beyond, we find they are changing the rules in midstream, bringing up all this about manpower. After all, how can one meet obligations about manpower, take these people off the payroll?

I yield, Mr. President.

Mr. MUSKIE. Mr. President, I yield myself 1 minute.

This business of changing rules in midstream, I strenuously object to. We have not changed any rules.

Earlier I put in the RECORD the statement that I gave on the floor of the Senate on June 4, with respect to the Senate bill and I ask the Senator from Mississippi to read that any study it and compare it with what I have said today. I do not think he will find any change of rules.

What I am talking about are not rules. This is not the Budget Committee mandating. All I am doing is holding up what the Senate did on May 15. It set a target. Uncomfortable, is it not? The Senator does not like it.

That is true of every Senator when that budget hits a program he is interested in. It is not comfortable.

I told the Senator on May 15, that this was a tight budget.

Mr. STENNIS. Will the Senator yield?

Mr. MUSKIE. If I may finish.

Mr. STENNIS. All right.

Mr. MUSKIE. Tight in the defense function, tight in every function. Of course it is uncomfortable.

It is my job to hold that number up for us to see.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUSKIE. But I have to yield, I think, to my other colleagues, I have a long list.

Mr. STENNIS. May I yield myself half a minute, Mr. President?

The Senator has said he expressly refrained from giving us anything definite, any figure, that the Senator wanted us to come under.

The Senator would not assign or did not assign anything to our bill, the one we were working on. We did not know just where the line was, but to be safe, we went further.

Mr. MUSKIE. Well, the Senator——

Mr. STENNIS. We do not know yet where the Senator's line is. He said this morning he especially refrained from mentioning figures on different categories.

Mr. MUSKIE. In the debate on June 4, I told the Senator specifically that the amount of that bill was tight and barely within the target.

That was the number. What does the Senator mean that I did not give him a number? The number of that authorization bill was the number.

Mr. NUNN. Will the Senator yield?

Mr. MUSKIE. We did not give the Senator any leeway above it, that was the number.

Now, I expect the conferees are going to have to compromise, and realistically, they probably could not hold to that number.

All I am saying now is, let us get closer to that number because that number is as much a House obligation as it is a Senate obligation. Try to get closer to it.

Now, if it is the view of all Senators, the view of all Senators is that expressed by the distinguished chairman of the committee, that the numbers that the Budget Committee says are within the budget on the floor of the Senate go out the window when they walk to the conference, we have got nowhere to go.

Mr. NUNN. Will the Senator yield me 30 seconds?

Mr. STENNIS. Yes.

Mr. NUNN. Let me digest where we stand here for just a moment.

There is nothing wrong with what the Senator from Maine pointed out today, may I say, looking to the budget on the armed services. What is wrong is what was not pointed out back when this bill was on the floor and in the concurrent resolution passed by the Budget Committee. That is the big thing. It is not the Senator from Maine's comment today.

When we talk about changing rules in midstream, if the Senator from Maine had the same assumption about the military pay cap when this bill was brought on the floor he has got——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NUNN. May I have 15 seconds more?

Then the first bill would have been over the target. That is where the rules changes come.

Now, the Senator from Maine assumes the pay cap is going to be removed. He did not assume that. He simply wondered about that on the last go-around.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. MUSKIE. Unless the Senator wants to yield, I have got to yield.

Mr. STENNIS. I yield myself 1 minute.

Mr. MUSKIE. This is not a good position——

Mr. STENNIS. Just for this purpose, Mr. President, to bring it back to the hard figures.

This Senate bill was passed without any reference to the old Vietnamese money. The bill totaled $25 billion, and that was $1½ billion under the House. When we went into conference more than half of that extra sum was decided in our favor. It was well, well within any definite targets or guidelines or signs to us.

There had never been any kind of a dollar figure given to us until here, in opposition, about how high we could go in that bill without transgressing guidelines.

I have never seen any such figures.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUSKIE. I yield myself 1 minute.

No. 1, it was very clear to anyone reading the RECORD of the June 4 debate that the amount of money in the Senate bill was at the target or possibly over.

There was no consideration of authorizing the Senate conferees to go to conference with a higher number than was in the Senate bill. There was no more room under the target, and that should have been clearly understood.

Second, I have complimented the Senator from Mississippi for the job he did in conference. This debate is not to be construed as criticism of any kind, but the fact is that out of this conference we have another $750 million in budget authority for procurement, research and development, and all other, and another $150 million in budget authority for personnel.

That is a total of $900 million in budget authority over the Senate bill.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUSKIE. And that translates into $300 million in outlays.

At this point, I yield to the distinguished Senator from Iowa (Mr. CULVER).

The PRESIDING OFFICER. How much time is yielded?

Mr. MUSKIE. Two minutes.

Mr. CULVER. Mr. President, I regret to say it, but the $31.2 billion military procurement conference report that is before us today is an incredible reversion to the unlimited military spending obsession that has been a prime cause of the country's inflation.

We are all committed to the proposition that our country must have a strong, modern defense capability. But this does not mean delivering a blank check to the Pentagon, as I believe we would all agree.

I know that the conference committee labored long and faithfully. I commend them for trimming the administration request by about $3 billion. But considering how inflated the administration's budget was, we are still back on a budget busting big spending street with this conference report.

In a short, lucid period during the past few years, it appeared that Congress, in response to the public will, was declaring a measure or independence from its long enslavement to what President Eisenhowever called the "military-industrial complex."

There was hope that fiscal moderation and selective judgment would guide our military spending policies.

But where are the voices of moderation today?

With the *Mayaguez* incident, something within our reasoning and self-control systems snapped.

And here we are back at the old stand, rubber-stamping virtually every whim the military suggests, regardless of what it will do to our depressed economy and the Nation's future.

I do not relish saying these things. But somebody needed to say them.

The members of the Armed Services Committee in both Houses are good people and true. I do not for a moment question their dedication to our Nation's national security and well-being.

I know we must work together. In a spirit of compromise, I myself voted for final passage of the Senate version of the military procurement authorization despite the fact that it contained, in my judgment, at least $1.2 billion in funds in excess of our real defense needs. On balance, I believed that the bill had a number of important, forward-looking provisions carefully worked out in countless hours of committee work.

But this conference report crosses the line. It is a farewell to reasonable arms restraint.

The public mood changes, particularly in a time of universal unease, such as we have across the land today.

But I cannot believe that the American people who must pay the tab want us to continue this open-end military spending beyond the rational needs of a strong national defense.

Few of the most forward-looking provisions to which I alluded survived the conference, and most of those remaining have undergone dental surgery to remove most of their bite.

In addition, the conference report includes over three-quarters of a billion more dollars than the Senate-passed bill, thus bringing it to $2 billion more than I believe the Pentagon needs or our economy can stand.

No one should doubt my commitment to a strong national defense. Our forces need some new equipment, and our society must maintain a vigorous research and development program to maintain a technological lead over potential adversaries. My vote against this conference report is not a vote against defense, but rather against an excessive, wasteful, budget-busting bill.

As one who has served in Congress on both sides of the Capitol rotunda, I fully appreciate the need for compromise to reconcile differences, as well as the determination of conferees to insist on their own body's version of bills.

But this conference report goes beyond merely splitting the difference in money; it represents a surrender by the Senate on many crucial programs and policies.

Mr. President, let me highlight some of the major deficiencies in this conference report which lead me to oppose its adoption.

This measure restores most of the funds requested for the B-1 bomber, including $87 million in long-lead-time procurement funds. Although the conferees stipulate that this is not a commitment to production, it is a sizable sunk cost which prejudices both congressional and departmental review of this program next year.

This bill contains $60 million in long-lead funds for a new $1.2 billion nuclear strike cruiser, which was not even considered by the Senate Armed Services Committee and which is still not clearly defined by the Navy. I do not believe that we as Senators should tolerate this deviation from the regular order of careful committee analysis, nor do I think American taxpayers want us to make a downpayment on such a costly pig-in-a-poke.

We have to pay special attention to these Navy programs because that service is on the verge of cost-overruns of monumental proportions. According to press reports of internal Pentagon documents, the Navy is already $2 billion short on projected costs of its shipbuilding programs in the next 5 years and will have to cough up an extra $1.6 billion to pay for projected overruns on its F-18 program. These sums will either have to come at the expense of the other services, or, more likely, will have to be squeezed from our taxpayers.

The conferees restored 47,000 manpower slots which the Senate deemed unnecessary—9,000 in active military; 21,000 in the reserves; and 17,000 in DOD civilians. The costs here are hard to measure, but probably approach $200 million.

One of the least logical compromises came on perhaps the most controversial programs in this bill—the maneuvering reentry vehicle or MaRV. The House had killed the Navy's $45 million evasive MaRV, and the Senate had voted to prohibit flight testing until the President certifies that our potential adversaries had conducted such tests themselves.

Since the only MaRV flight testing in the fiscal period covered by this bill was planned to be the evasive MaRV, one would have expected the conferees to prohibit at least those tests. Instead, the conferees rejected the test ban and resurrected the evasive MaRV program.

Mr. President, there are other provisions in this conference report which are a disappointment to me and in which I had taken a special personal interest.

Despite the committee's overwhelming endorsement of $29.7 million cut in the Army's XM-1 tank program, which would have provided a restructuring of that project so that it would phase with testing of a German Leopard II tank competitor, the conferees restored those funds and permitted early source selection between U.S. contractors with approval of the Secretary of Defense. I hope that this action will not undermine the current momentum toward increased weapons standardization in NATO.

Committee-adopted amendments requiring reports on force readiness and life cycle costs of major weapons systems were deleted as unnecessary. Let me go on record, Mr. President, with my intention to seek this important and useful information through the regular committee hearing process, so that the Congress can better evaluate the Defense Department's budget requests.

The conferees also substantially modified an amendment urging standardization of weapons and equipment for NATO forces. While these changes in no way dilute the existing statutory authority of the Secretary of Defense to waive provisions of the "Buy America" Act when foreign purchase is in the public interest, it is regrettable that this explicit linkage will not be written into law.

Taken together, Mr. President, these actions by the conferees constitute an unfortunate backward step from the Senate's carefully considered work on the military procurement bill.

With our economy in trouble, with our people demanding responsible action by the Congress, these excess funds for the Pentagon are a double waste—permitting programs which are not really essential for preserving our national security and denying funds for vitally needed domestic programs.

Mr. President, in the wake of Vietnam we have gone through what was thought to be a period of profound reassessment of our foreign and defense policies. One salient point that I thought had emerged, clear and distinct, from this introspection, was that our defense policy should be geared to the thoughtfully conceived objectives of our foreign policy.

Do we still want to underwrite the staggering costs of being policeman of the world? Do we still believe in gunboat diplomacy as the cornerstone of our international policy? Are we still totally committed to the unlimited arms race in this era of nuclear proliferation?

Mr. President, I cannot believe that such capitulation to the moribund voices of the past represents the thinking of the American people today. And I have the greatest faith in the ultimate judgment and good sense of the people.

Yet, earlier this week we approved in this Chamber a base construction in the middle of the Indian Ocean that may well be the first step in a multibillion-dollar expansion to a three-ocean navy.

And today in this conference report, we are being asked to spend millions for weapon systems that are still in search of a mission, that are little more than a gleam in the designer's eye.

In the meantime, here at home, we are mired in a deep recession with the largest number of men and women out of work since the great depression. The high unemployment persists and the administration tells us it will have to continue in order to check inflation. Yet the President vetoes, as inflationary, bill after bill designed to put people to work and to get the prostrate economy moving again.

And if the inflation is being checked—by human sacrifice—the jobless, the middle class, the poor, the elderly on fixed incomes, the veterans of previous wars have not heard the good tidings yet. For the cost of living continues inexorably to rise.

Mr. President, as we set our priorities for defending our country, I would point out that more than 8 million unemployed and millions of other Americans living in hardship are in themselves inestimable handicaps to our country's ability to defend itself.

The health and morale of our people and their economic security should be seen to constitute the first line of our national security.

But what hope do we give these people if we continue in lockstep down the road of unlimited spending for exotic weapon systems and ever-expanding bases and military personnel?

And inflation? Every economist worth his salt knows that a principal fuel of the persisting inflation we are suffering today has been the ungoverned, open-end military spending through the years.

It is true that our huge military outlays mean jobs for some and profits for others. But armament production does not create goods that nourish and build the economy. It is a dead-end street.

And where does it all lead?

Consider the course we are on and project it 5, 10, 20 years into the future.

We are not talking, as in the past, of "guns and butter."

We are talking about guns and bread.

Mr. President, I would refuse to vote to skimp to the extent of $1 on any military appropriation necessary for the defense of our country.

But there comes a point where we must consider the preservation of what we are defending—the health and morale and economic security of our people—as well as our ability to defend these.

We must take a stand, strike a balance, somewhere.

In the cause of moderation, reason, and our overall national security, I urge you to vote against this conference report.

Mr. STENNIS. The Senator from Virginia is a member of our conference. He wanted to ask the Senator from Maine some questions. I understood they had conferred about this. They will be brief.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. I will yield 2 minutes to the Senator from Virginia.

Mr. CURTIS. Will the Senator yield?

Mr. MUSKIE. Will the Chair tell me how much time I have left?

Mr. STENNIS. It is on my time. I yield 2 minutes to the Senator from Virginia to ask a question.

Mr. HARRY F. BYRD, JR. Mr. President, I want to commend the Senator from Maine for his hard work and dedication as chairman of the Budget Committee.

I will ask these questions quickly.

To get a better understanding and a better perspective, the total outlays involved for research and development and procurement in the 1976 budget totals $9.6 billion. Does that coincide with the Senator's figure? I am speaking of outlays.

Mr. MUSKIE. What is the source of the Senator's numbers? It is 9.7.

Mr. HARRY F. BYRD, JR. $9.7 billion?

Mr. MUSKIE. Yes.

Mr. HARRY F. BYRD, JR. It is correct, is it not, that the conference committee reduced that outlay request by $1.1 billion?

Mr. MUSKIE. About $150 million in outlays.

Mr. HARRY F. BYRD, JR. The outlays were reduced by $1.1 billion.

Mr. MUSKIE. Research and development?

Mr. HARRY F. BYRD, JR. Research and development and procurement.

Mr. MUSKIE. Is the Senator's question addressed to the reduction from the President's budget?

Mr. HARRY F. BYRD, JR. From the President's budget.

Mr. MUSKIE. The staff tells me that is reasonably close.

Mr. HARRY F. BYRD, JR. Then, that means that there is in the report, as it is now before the Senate, $8.5 billion in outlays for research and development and procurement?

The PRESIDING OFFICER. The Senator's 2 minutes have expired. Who yields time?

Mr. STENNIS. Mr. President, I yield the Senator 1 additional minute.

Mr. MUSKIE. That is reasonably close, to answer the Senator's question.

Mr. HARRY F. BYRD, JR. What is the total reduction in outlays that the Senator from Maine feels should be made in order to comply with what the Senator has in mind?

Mr. MUSKIE. I am conscious of the fact that if my position prevails, they will go back into conference. I do not like to give numbers that the other side would take comfort in. I think we ought to use as our target the numbers associated with the Senate bill which passed the Senate and move toward that. I understand they will probably not be able to get that far, but my view is that to the extent we can pick up additional savings we reduce the pressure on the rest of the defense function.

Mr. HARRY F. BYRD, JR. What I am trying to understand is does it need to be reduced by $1 billion, $5 billion——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STENNIS. I yield a half minute.

Mr. MUSKIE. Ideally, the full amount would please me.

Mr. HARRY F. BYRD, JR. What amount does the Senator have in mind?

Mr. MUSKIE. The amount over the Senate bill is $300 million in outlays and $900 million in budget authority.

Mr. HARRY F. BYRD, JR. So it is $300 million that the Senator feels should be reduced in outlays?

Mr. MUSKIE. If that can be achieved, yes.

Mr. STENNIS. Mr. President, may I yield myself 2 minutes?

The PRESIDING OFFICER. The Senator has 1½ minutes remaining.

Mr. STENNIS. I better take all of that at once.

Mr. MUSKIE. Mr. President, I yield 2 minutes to the distinguished Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the position has been well stated by the Senator from Maine and the other members of the Budget Committee about the importance of rereferring this measure to the conference. I am going to support that position. The distinguished chairman of the Armed Services Committee has pointed out that the requests that have come in now in terms of the recommendations to the Senate are 9 percent below what the President of the United States recommended.

The fact of the matter is that it is 23.5 percent higher than what was actually obtained last year. We have to consider this amount, Mr. President, in light of some other actions that have been taken by the President of the United States in a wide variety of other areas: Thumbs down on a housing bill, thumbs down on education, thumbs down on health, thumbs down on a farm bill, and many other such programs, because of the kinds of expenditures which the Congress has approved.

I personally believe that with the military construction bill that passed the Senate we were supplying the U.S. defense needs and meeting our commitments around the world. We were acting with strength in meeting our commitments to the American people and the people throughout the world.

It seems to me, Mr. President, that with these increases that have been obtained in the conference, we are moving to a situation where we may very well have a national defense, but what are we going to have to defend? Cities that are going to have people who are unemployed, without decent housing, without decent education, and without decent health care.

I would certainly hope that the kind of criteria that has been set by the Budget Committee and its chairman, the Senator from Maine, will be followed in this measure and by all of us in allocating the resources of this Nation to meet the great needs of national defense and other social concerns.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. MUSKIE. I yield 2 minutes to the Senator from Vermont.

Mr. LEAHY. I thank the Senator.

Mr. President, it is with a feeling of regret that as a member of the Armed Services Committee I must vote against the conference report, especially because of the deep respect I hold for the chairman of the committee and the members of it.

Mr. President, in an address before the American Society of Newspaper Editors in April 1953, President Eisenhower uttered the following prophetic statement:

> Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children.

These words, from the President who 8 years later in his farewell address warned the Nation against the consuming power of the military-industrial complex, are as true today as when first spoken 22 years ago.

The recommendations of the conference committee on the military authorization bill are, in my opinion, a virtual admission that the Congress is still unable or unwilling to cope with the demands of the military-industrial complex.

The President requested $28.6 billion, an increase $5.5 billion over the amount Approved by Congress for fiscal year 1975. The Senate authorized $25 billion; and even that modest figure was bloated beyond our actual needs. The House of Representatives authorized $26.5 billion. The conferees have recommended a total authorization of $25.8 billion—$800 million more than the amount voted by the Senate.

Mr. President, after months of deliberations in the Armed Services Committee, after weeks of debate in Congress, we have come up with a grand reduction of $2.8 billion from the budget-busting request of the Pentagon.

I am reminded of the old fable of how the mighty mountain labored and there was throughout the land the highest expectation, but it brought forth only a laughable little mouse. And that is what we have come up with, an almost laughable reduction of less than 2.7 percent of the total $105 billion requested by the Pentagon.

Mr. President, why each year go through the futile exercise of trying to bring reason to bear on our military spending? Why not just enact legislation permitting the Joint Chiefs of Staff to take a couple of tanks and a fleet of trucks to the Treasury at the start of each fiscal year and load up with the money they want?

We would save taxpayers the expense of Congress going through the motions of approving authorizations and appropriations each year. We would save them the expense of requiring top Pentagon officials to neglect their normal duties to come up to Capitol Hill for hours upon hours of committee hearings and private lobbying. We would save Americans the agony of witnessing the annual charade that the Congress and the administration go through in formulating the defense budget.

What was the result of the months of work on the bill in the full Armed Services Committee and in its subcommittees?

The administration requested $840.5 million for research and development of the B-1 bomber, approved in total by the other body. The Senate authorized $762.2 million. The conferees recommend $800.2 million, a cut of less than 5 percent from the original request.

For procurement items for the B-1, $108 million was requested, and agreed to by the other body. The Senate refused to authorize 1 cent for this purpose until it is eventually decided whether we will actually proceed with construction of the B-1. The conferees recommend $87 million.

For site defense research and development $178 million was requested; $168 million voted by the House and $89 million by the Senate. The conferees recommend $125 million.

For binary munitions—development and procurement of a new generation of lethal chemical weapons—$9.7 million was requested, and approved in total by the House. We in the Senate did not approve a penny for such offensive weapons. Almost predictably, the conferees recommended the full amount.

One of the most flagrant abuses in this bill is the authorization of funds for procurement of long lead items for the proposed nuclear strike cruiser. The administration delayed its request for $60 million until June 24, 1975, after the House of Representatives had on its own initiative—I assume with some urging from the Navy—included the item in its bill. The Senate bill contained no funds for this item. The Senate Armed Services Committee did not have the opportunity to consider the item nor did the Senate have the chance to debate its extremely questionable merits. Despite this, the conferees recommended the full $60 million.

The fact is that this seemingly innocuous $60 million item would be only the first in a long series of expenditures that would eventually total at least $1.2 billion for each cruiser, and the Navy wants 18 of them. So, through a back door insertion in the defense budget, with the full support of the President, the way has been opened to a possible expenditure of more than $20 billion.

This, from the same President who vetoed a $7.6 billion education bill, $700 million larger than last year which barely accounts for inflation, claiming that it is $1.6 billion more than is necessary.

This, from the same President who vetoed a $2.5 billion bill for a wide range of health services and for nurse training, claiming it was $550 million more than his budget could stand.

This, from the President who while requesting $105 billion for the defense budget, $15.7 billion more than approved by Congress last year, at the same time requested cuts of $17 billion in programs that help the poor and the elderly such as medicare, food stamps, and community and mental health centers.

Mr. President, I could go on and recite all the depressing statistics of the conference report which fly in the face of the Senate bill and defy reason. But, they all add up to one thing—that the Congress is apparently unable to effect meaningful reductions in Pentagon demands.

This year's defense budget exceeds the biggest budgets of the Korean and Vietnamese wars and the largest of World War II, when more than 10 million Americans were under arms. It is greater than the entire cost of the Federal Government during any year of World War II.

All reliable indicators of public opinion tell us that the great majority of Americans favor a reduction in military spending. There is a general agreement that comparable spending for productive domestic programs will result in a sounder and more prosperous economy. We know that a sound economy and a sound dollar are as essential to the Nation's security as our defense posture. How many of us in the Congress during our campaigns for election and reelection responded to this deep feeling among our people by promising to help establish new priorities and a new sense of direction for our country? But nothing seems to change.

War or no war, the military budget is picking up more momentum each year. Moreover, Pentagon projections call for continued budget increases which could reach as high as $150 billion 5 years from now. The Pentagon is literally eating America out of house and home.

Mr. President, I certainly want the United States to keep its preeminence as the greatest military power in the world. I will continue to support programs that have proven defense capability and are necessary to maintain an adequate defense posture. However, we must determine what weapons systems are really necessary. Just because we know that a particular weapons systems is feasible does not mean that we must go ahead and produce it. Many things included in the conference report are technically feasible, but are unnecessary and can be produced only at enormous cost. Many others would, in my judgment, only accelerate the arms race.

I will not support such programs which are unproven or unnecessary or wasteful of taxpayers' money. For that reason I will vote against adoption of the recommendations of the conference committee.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUSKIE. I yield 2 minutes to the Senator from Kansas.

Mr. DOLE. Mr. President, I intend to oppose the conference report on H.R. 6674, the military procurement authorization bill. I recognize the need for a the need for a healthy economy. A consistently strong economy can be maintained in the long run only if the Congress abides by responsible budgetary procedures. The Budget Act of 1974 provides for that process, but it remains for the Congress to see that it works.

We now face the first test of the viability of this budget process. In May, the Congress adopted the first concurrent resolution. I was at that time concerned about the size of spending totals asd deficit adopted by that resolution. But now we face the likelihood of exceeding even those alarming figures.

The conferees have reported a bill which is roughly $900 million higher in budget authority and $300 million higher in outlays than the Senate bill passed in June. The Senate bill was consistent with spending for defense adopted in the first concurrent resolution. If we now accept the conference bill, we will clearly be taking a large step toward exceeding the budget resolution and producing a yet higher Federal deficit.

For this reason, Mr. President, I must oppose the military procurement bill. I urge my colleagues to join me in rejecting this and any other bills which may come before us in the coming months that would cause the budget resolution spending totals to be exceeded. It is imperative that we act consistently in all functional areas of the budget. I will cast my vote against this military procurement authorization bill with the expressed intention of dealing with other areas of spending in a consistent fashion.

Mr. President, as a member of the Budget Committee, this Senator understands that we have no intention of going below the level of authorization passed by the Senate, at $25 billion, for this year.

Furthermore, following this proposal, we will be bringing up the school lunch program, which is $430 million over the budget, and we will have to stand here and oppose that. On the basis of consistency, our choices are limited; either we are going to make exceptions for certain programs, or we are going to support the Budget Committee.

It is a matter of priority and the Congress agreed on priorities less than 2 months ago when we passed the first concurrent resolution. So we must stick to those priorities and hold the line equally on all issues. Either the Budget Committee should be effective or it should be dismantled. It would seem to this Senator, as a member of the committee, that we have an obligation to follow the line we agreed upon.

Mr. STENNIS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. MUSKIE. Mr. President, I yield the Senator from South Carolina 2 minutes.

Mr. HOLLINGS. Mr. President, in response to the comments of the Senator from Kansas, when the Senator from Maine spoke about increases in the authorization for nurses' training, he spoke with an indulgent smile. But when it comes to the defense, it is a different story. If we have such temerity as to change those figures in the middle of the stream, we have acted irresponsibly.

It has been said that if we went along, Mr. President, with the chairman of the Budget Committee, we would have to fire a million men out of the Army. We would have no ships, and no R. & D. I never heard of such poppycock.

What did the Senator from Georgia say, when I asked him about the total cost? He said, "I would assume there would be a pay cap."

He said, "Assuming that, we are bringing you a balanced bill."

But if it is not, if one of the assumptions, one of the predictions of the distinguished chairman is correct, he has said we are only $100 million different in a $31.2 billion bill.

So, Mr. President, I have no choice but to oppose the conference report on military procurement.

As a member of the Budget Committee and chairman of its task force on national defense, I am cognizant not only of the need to maintain the integrity of our budgetary process but to maintain a strong defense posture as well.

With this in mind I am of the firm opinion that further reduction could and should be made in H.R. 6674 and that by doing so both objectives can be met.

I am not unmindful that it was a long and difficut conference.

However, it is imperative that the Members of this body understand that the budget target totals are a joint effort of both Houses. We are not talking about target figures arbitrarily imposed by the Senate Budget Committee. Rather we are talking about carefully considered and reasonably conceived numbers which were arrived at after months of hearing and careful deliberation on the part of the Budget Committees of both Houses.

Subsequently, these targets were ratified by both the full House and Senate. If we are to preserve this very significant progress in the years to come we must make the hard decisions and reject efforts to exceed these carefully considered budget targets. If we refuse to make these hard decisions then we have become nothing more than a select committee in search of a ceiling.

Therefore, I urge my colleagues to reject this conference report.

Mr. President, I should like to focus briefly on the budgetary significance of one item in this conference report which may well lead to a $30 billion, 18 shipbuilding program.

The Navy proposed a nuclear-powered strike cruiser to the Defense System Acquisition Review Council in November 1974. This was to be the lead ship in the Aegis program. They asked for long-lead funding in fiscal year 1976 and full procurement in fiscal year 1977. Secretary of Defense Schlesinger rejected this approach. The proposed budget for 1976 contained zero for the strike cruiser when it was sent to the Hill. Additionally, the Department of Defense requests for 1977 procurement authorization, submitted to the Congress in February 1975 in compliance with the Budget Act also omitted any funds for the strike cruiser. As no Aegis platform for 1977 was ever approved, the 1977 authorization request also omitted funds for any other Aegis ship. The strike cruiser was, however, included in the 5-year defense plan as an item for further consideration in fiscal year 1978. The inclusion of the ship in the 5-year defense plan did not constitute approval of the ship by the Secretary of Defense. The most recently available information the committee has indicates that the exact configuration and price of the strike cruiser is still under review in the Navy. In other words, even the planning for this ship is not final. The administration's witnesses gave no testimony defining the cruiser during the Senate or House Armed Services Committees, hearings for the 1976 authorization request. However, Admiral Rickover discussed the Navy's proposal with the House Armed Services Committee which put in $60 million for the strike cruiser in the House version of the procurement authorization, H.R. 6674. The Senate gave absolutely no consideration to the strike cruiser in the committee or on the floor in approving S. 920, the Senate version of the procurement bill.

Amazingly enough, however, on June 24, 2 weeks after the procurement bill went to conference and less than a week before the beginning of the fiscal year the President requested an amendment to his 1976 budget asking authorization and appropriation for $60 million in advance procurement for the nuclear strike cruiser. Subsequently, the Navy submitted a budget request declaring that full funding would be requested for fiscal year 1977 and estimated the cost of the first ship at $1.2 billion. Unfortunately, the Senate conferees were unable to prevail on the item in conference.

In short, the Senate has yet to have the first day of hearings or hear the first witness on this very expensive and potentially wasteful item.

It may very well be that after proper consideration the Senate may decide the ship is needed. However, in my estimation the Senate should not approve the $60 million item until full hearings have been held not only on this particular ship but on the future direction, size, and mission of the Navy of the 1980's and beyond.

Mr. MUSKIE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. MUSKIE. I yield 2 minutes to the Senator from Colorado (Mr. GARY W. HART).

Mr. GARY W. HART. Mr. President, on the surface it appears the conference report, if approved, would authorize only about 25 percent of the military budget for this fiscal year. However, the report has more impact than many would think because it contains personnel strength figures which make the measure far more important than it first appears. This is because these personnel costs must later be funded by appropriations, and there is little chance that significant reductions will be made later. Therefore, the authorization act drives, not 25 percent of the military budget, but rather 64 percent of the administration's request for national defense.

Some reductions were made to H.R. 6674 by the Armed Services Committees of the House and Senate and other adjustments resulted from Defense Department changes requested after the original budget request. Nevertheless, all the reductions made are, according to the

Budget Committee, only 45 percent of the budget authority cuts necessary to meet the target set by the first concurrent resolution and only 24.5 percent of the cuts necessary to meet the outlay target.

It is unnecessary to quibble over whether the conference report breaks the target by $7 billion in budget authority and $4.2 billion in outlays or something less, because it is quite clear that the target will not be reached if this report passes the Senate. There is simply no way the Defense Department can be brought under the ceiling by any further action of the Congress this year. Furthermore, the new initiatives contained in this bill will be a mortgage the taxpayer will have to fund for years to come. It is essential that the target be met this year or in all succeeding years it will be impossible to meet it because of new starts which will become future commitments.

This conference report is full of compromises which on examination are not compromises at all. Not only did the House and Senate conferees settle for the most part on the highest figure one body recommended, but they included several dubious measures. Among these is nearly the full Air Force request for the B-1 bomber to include advanced production money. To be sure, the conferees added language denying this funding represents a production decision on the part of Congress, but the language does not counterbalance the reality that the money means we are sufficiently down the production road so we will not be able to turn back. Good sense did not triumph in respect to the Airborne Warning and Control System, which has yet to find a mission, nor to several other costly but equally worthless programs.

Several Senators have seized on one particular program which for demonstrating congressional neglect of its responsibilities has little parallel. I refer, of course, to the nuclear strike cruiser, added in conference without 1 day of hearing on the merits of the proposal. Surely, this program addition, since it has such devastating future budget impact, is reason enough to reject the conference report.

One prominent American has made many comments on the fiscal irresponsibility of Congress, and he has singled out, on occasion, riders added by conference committees, noting that conferences are notoriously poorly qualified to explore the significance of add-ons. The same American has likewise criticized the Congress for failing to accept "its responsibility as a full partner in the struggle to keep Federal spending under control," and he has called for maintaining "a firm line against ill-conceived spending that adds to the growing deficit and necessitates Federal Government borrowing which drives up interest rates" at the expense of business recovery.

He has further asked Congress to "exercise restraint in expanding existing Federal responsibilities and to resist adding new Federal programs to our already overloaded and limited Federal resources.

All this seems to me to be particularly sound advice which should be applied to defense spending just as to any other Federal expenditures. The advice comes, of course, from President Ford, who has cautioned us that "new spending programs which the Congress is considering could easily raise the Federal budget to an intolerable level of $100 billion. This must not happen."

President Ford has vetoed dozens of programs which the Congress has designed to improve the economic conditions of vast sectors of the Nation on the grounds that "we must hold the line if we are all to enjoy the benefits of a prosperous, stable, and noninflationary economy." Is there any reason why this policy advice should not be extended to Pentagon spending works projects which benefit a very small sector of our economy and have the potential of doing vast damage to our national economy and the soundness of our dollar?

The Senate has a unique opportunity today to decide if we should continue the traditional governmental practice of exempting the Department of Defense from the sound principle of fiscal responsibility. We have the chance to decide if the Budget Act means anything at all. I urge the Senate to reject this conference report so that we shall not be taking another long step down the road to national bankruptcy.

Mr. President, I am deeply disturbed that the conference committee has agreed to provisions that will allow the President to launch a new arms race with the Soviet Union.

This race involves a morally repulsive and militarily dubious weapons system: deadly nerve gas. The Senate demonstrated sound judgment by approving statutory language that would effectively prohibit the development of a new generation of nerve gas weapons. The Senate version prohibited research, development, production, and preproduction of new lethal chemical weapons—particularly the Pentagon's new binary nerve gas bombs and artillery shells.

What is left of the conference report? In practical terms, nothing. The statutory language left after conference prohibits the production of binaries. But to produce binaries, under the conference language, all the President would have to do is certify that it is essential to the national interest.

And let there be no doubt that the Pentagon plans to produce this new generation of nerve gas weapons, statute or no statute. Earlier this year the Pentagon requested proposals to design a production facility to produce binary nerve gas artillery shells. Funds have also been requested to modify a building at Pine Bluff Arsenal to house the production line for the new nerve gas artillery shells.

Let one thing be clear. We have had our chance to halt the development of this weapons system. And under the conference language this chance has been lost.

The PRESIDING OFFICER. The Senator's time is expired.

Mr. MUSKIE. Mr. President, I yield 30 seconds to the Senator from Vermont.

Mr. STAFFORD. Mr. President, I support the budget upon which the Senate agreed. I believe in a strong defense, but I also believe, Mr. President, that if the Budget Committee is to be meaningful, if it is to be of any real service to the Members of this body, we must support the Budget Committee's recommendations. Therefore, I support the position of the Senator from Maine.

The PRESIDING OFFICER. Who yields time?

Mr. MUSKIE. Mr. President, I ask unanimous consent that the Senator from Mississippi and I may have 2 minutes each, to summarize the arguments.

The PRESIDING OFFICER. Is there objection? Without objection is is so ordered.

Mr. STENNIS. Mr. President, how much time does that give me?

The PRESIDING OFFICER. It gives the Senator 3 minutes.

Mr. STENNIS. How much?

The PRESIDING OFFICER. Three minutes.

Mr. STENNIS. I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I have been here for 25 years. I have attended a lot of conferences with the House of Representatives. I congratulate the Budget Committee for the job it did, but it can only seek to govern the actions of the Senate. It does not govern the action of the House of Representatives.

Looking at this thing realistically, what are the chances of any improvements if we go back at this late hour? If we do anything at all, it has to be done on the appropriation bill at this point. That is where it is going to be done.

The thing here is a question of pragmatism. If the gentlemen who have been making all the speeches here will go on the new conference, and see if they can convince the House conferees, well and good. But if we are going to send the same ministers back, they have heard all the arguments they have, and they will not be able to compromise. That is exactly what we are up against. We are up against, now, the realities of the situation.

Frankly, it will be an exercise in futility. All of this will read nice on the front pages tomorrow, but if we go back to that conference after they have compromised it, and they will not budge an inch, and you say, "Well, the Budget Committee of the Senate said this," do you know what they will do? They will laugh right in your faces.

That is what we are up against. I am all for the Budget Committee, but the fact remains that we have to look at it realistically at this point, and at what we are going to accomplish.

There is no need to castigate the conferees on the part of the Senate. They tried hard to maintain the position of the Senate. But they had to listen to the position of the House as well, and they compromised. The only chance we have now is for the second bite on the berry.

Mr. STENNIS. Mr. President, we are on our way, now, to a continuing resolution of 2 months or 3 months duration. That, as a minimum, in my best judgment.

We brought back a bill that was just 2.9 percent above the bill that the Senate originally passed by that huge vote. And I am satisfied in my mind that this bill is the best that this group of conferees can do. I am speaking only for myself on that. But if we vote down this conference report, that automatically discharges those conferees. I say this seriously—we are down to the nub. If the majority that votes down this bill will have a conference and select conferees among themselves who will go to conference and maintain the position of that majority, that is a step I would welcome strongly. Senators can tell by the way I speak that I am not being angry or vindictive. I have done all I can. I will welcome having someone else carry the load.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired. The Senator from Maine has 3 minutes remaining.

Mr. MUSKIE. Mr. President, I say to the Senator from Rhode Island, I pay tribute to the Senate conferees. By the standards of previous years, they have achieved a great deal. I am just respecting another standard which I think is mandated by the Budget Reform Act. We have got to decide whether we want to try to make that extra effort to save a dollar. That is why I am on this floor today.

The issue is very simple. The question is whether or not we take a decision today which clearly, taking all the possibilities into account, will raise the deficit, the congressional deficit, by something in excess of $1 billion.

It is the Senate's prerogative to make that decision.

The budget process contemplates that the Senate make that decision, and the Senate can choose to make that decision today, but if it wants to try to reduce the prospects of that kind of an increase in the deficit, then what we are saying to the Senators is we have to make another effort on this bill. If we do not make another effort on this bill, then we add strongly to the possibility that the deficit will rise by $1 billion or more.

Finally I say, with all respect to the Senator from Rhode Island, that this is not just the Committee on the Budget. This is a congressional budget process. The targets I have been debating about today were set in a joint concurrent resolution agreed to by both houses as a result of a conference of both houses. If the conferees of the House of Representatives do indeed laugh at the Senate Committee on the Budget, they will be laughing not at the Committee on the Budget, they will be laughing at the new budget process and any prospects of making it work because, unless the House conferees respect this process one House cannot make it work.

Mr. PASTORE. Mr. President, will the Senator yield because he has used my name?

Mr. MUSKIE. Yes, I yield.

Mr. PASTORE. I make no criticism of the Senator from Maine.

Mr. MUSKIE. No. But the Senator from Rhode Island is putting words in the mouths of the conferees of the House of Representatives.

Mr. PASTORE. I am telling the Senator very frankly that I have great respect for the intelligence of this body. I do not think I can put words in anyone's mouth.

All I am saying is that the Senator from Maine is right, and it is true that his recommendations come from a budget committee of the Congress, but it still is the budget recommendation of the Senate portion of the budget process.

Mr. MUSKIE. That is not true.

Mr. PASTORE. What I am saying is——

Mr. MUSKIE. It is not true.

Mr. PASTORE. Well, it is not true——

The PRESIDING OFFICER. All time has expired.

Mr. PASTORE. I mean the figure that the Senator from Maine recommends is the same figure that was recommended in the House of Representatives.

Regular order, Mr. President.

Mr. MUSKIE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

ADDITIONAL STATEMENTS ON CONFERENCE REPORTS ON H.R. 6674

THE NATIONAL DEFENSE BUDGET AND FISCAL RESPONSIBILITY

Mr. HUMPHREY. Mr. President, last year, the Congress passed a bill that drastically changed the Federal budgetary process. The ultimate goal of that legislation was to given Congress a more important role in deciding how large department and agency budgets should be. With the addition of new staff expertise in the Budget Committees and the Congressional Budget Office, the Congress developed an analytical capability on budget matters like it has never had before. The Members of Congress had struck a blow for greater congressional control of the Federal budget and for greater fiscal responsibility.

These goals are surely noble ones. But in the case of this year's national defense function budget, they have been totally lost on the Congress. If the Senate and House continue on their present course, and it appears that they will, expenditures will be authorized in the defense area that are substantially in excess of the $100.7 billion goal established by the concurrent budget resolution.

How could Congress fail to hit its own cut mark by a large margin? To see how, I will start with a look at the defense authorization bill for military procurement that is now before us.

The Senate bill authorized $25 billion. The House authorized $26.5 billion. The conference bill compromised at $25.8 billion—$0.8 billion more than the Senate version.

Also, the Senate cut defense manpower by 58,300 men. The House made no cut at all. The conference compromise pegged a cut of 32,000 men. An additional budget cut of about $0.2 billion was lost, therefore, by not cutting the 26,300 extra men removed in the Senate version.

All told, then, the Senate cut $1 billion more than the conference version of the procurement and personnel measures. And now this $1 billion additional savings is lost.

Since the conference version of $25.8 billion will probably be authorized and appropriated by Congress, a cut of $4.1 billion from the administration request of $29.9 billion results. An additional $5.2 billion must be cut from any of the other budget requests that fall under the national defense function to meet the $9.4 billion cut goal. Congress almost certainly will not reduce defense spending by that much more.

The first potential cut area is the ERDA atomic energy weapons budget. A $1.9 billion figure has been agreed to by both Houses of Congress and will probably pass. It is very unlikely, therefore, that any of the needed $5.2 billion cut will come from here.

The second potential cut area is the military assistance budget. It is likely that about $0.7 billion will be cut here. The $0.7 billion figure is derived from a $425 million cut in military assistance to Cambodia and a $275 million cut in foreign military credit sales.

The third potential cut area is the military construction budget. A $0.3 billion cut is likely.

The probable total cut from these three budgets is about $1 billion. That leaves an additional necessary cut of $4.2 billion to achieve the budget resolution target of $100.7 billion.

The only places this $4.2 billion can come from are the nonbasic pay budget—$6.6 billion, the nonpay part of the Operations and Maintenance budget—$17.4 billion and a budget called Other Procurement—$6 billion. Together these three functions total $30 billion. A $4.2 billion cut from this budget would amount to a 14 percent budget reduction. If this cut is not taken, Congress comes up $4.2 billion short of its $9.4 billion cut goal established by the budget resolution. It will authorize about $105 billion for the national defense function rather than its $100.7 billion target. If it is taken, we still will be $0.7 billion over our target in budget authority and $1.3 billion in outlays, as my distinguished colleague Senator MUSKIE outlined earlier today.

The Congress is lucky that the concurrent budget resolution's national defense function budget target is not binding this year. If it were, we Members of Congress would have a lot of answering to do to the American people. If the $100.7 billion target were binding, we would have to cut heavily this bill or the few that follow it. Or we might even have to raise taxes to bring the necessary additional revenue into the Federal coffers. Raising taxes, of course, is an unacceptable option; our depressed economy simply could not stand it. But if the $100.7 billion target were binding, that might be the only road open to us. And the American electorate would have a right to be mad, since they would have to pay the price for our fiscal irresponsibility.

The President recently vetoed bills on health and education, because he said they were excessive and therefore inflationary. Now a bill will cross Mr. Ford's desk that really is excessive. I doubt he will veto this one. Excessive military spending probably is not inflationary in his eyes.

Mr. President, the Joint Economic Committee, which I chair, is just completing its midyear economic review. During the course of these hearings, we have heard administration witnesses testify strongly to the need to restrain Government spending, in order to prevent an even larger budget deficit than the one that is anticipated.

When these spokesmen are confronted with the tragic facts of continued high unemployment, with continued urban fiscal crisis, with the depression in the housing industry, and all of the other indicators of a continuing deep recession, their response is always the same. Sure they say, we would like to help, but any government effort to help these people, these communities, these lagging sectors of our economy will increase the size of the budget deficit and wreak economic havoc upon our Nation.

Of course, I do not agree at all with their assessment. The deficit is large today, essentially, because economic mismanagement has placed our economy in a disastrous recession which has slashed Government revenues and produced the worst imbalance in revenues and expenditures in the history of the United States. I believe that every effort to restore growth to the economy must be made if we are to restore long-term balance to our Nation's budget. This recession resulted from mismanagement of the economy and not from excessive Government spending.

The proponents of fiscal discipline cannot have it both ways. If they really believe in the philosophy which they have been expounding all over this Nation, they must oppose the budget-busting implications of this legislation. Those in this Chamber, and in the House who have voted to sustain the many Presidential vetoes of economic recovery programs, on the grounds that they would add to the deficit, must now vote to send this report back to conference. If they fail to do so, it will clearly indicate to all that their philosophical arguments are a sham, and that their economic arguments are a smokescreen for a callous indifference to the plight of millions of Americans whose family budgets have been devastated by the worst recession in 40 years.

Mr. President, I urge all of my colleagues to join me in seeing that this body is consistent in its actions. If we are going to draw a congressional budget line, as we have, we must be sure that the limitations that such a discipline requires will not be strictly applied for people programs and breached irresponsibly for military hardware.

Mr. BENTSEN. Mr. President, on July 11, 1975, I spoke to the Senate about my grave concern over the action of the House of Representatives to take steps that might commit the Congress to the construction of a new nuclear powered strike cruiser. The conference committee has included a long lead items authorization for a new nuclear cruiser without a formal request from the Department of Defense and without the benefit of any direct hearings on this program in either body. Despite my efforts and those of a number of Senate conferees on the military authorization conference committee funds have been included in the Conference Report for a new nuclear strike cruiser.

I realize the significance of the delay involved in recommitting a conference report and particularly one that involves such complex and important matters as this military authorization bill.

I also realize, however, the significance of committing the Congress, by means of a hasty backdoor request, to a procurement for a new nuclear cruiser program that will cost billions of dollars and which will be the platform for our next generation of Navy weapons systems. I do not believe that such a decision, such a commitment should be made without the benefit of a thorough congressional review.

My concerns are many but I believe the most important issues that surround the proposed nuclear strike cruiser are its cost relative to other alternatives, the nature of the mission and role it is to play in the next 30 years and finally the elementary issue of the role of the Congress in reviewing and authorizing major weapons systems.

The record on this requested ship is nearly nonexistent. It was first proposed by the Navy to the Secretary of Defense at a Defense Selected Acquisition Review Council in November of 1974 and was considered at that time with a number of other ships as a potential platform for the new Aegis air defense weapon system. The Aegis system, by the way, is a $500 million development program for defending our fleet forces from air attacks which to date has had no ship to be placed on. As a result of this review, the Department of Defense decided that alternatives to a nuclear strike cruiser such as the U.S.S. *Long Beach* or our present Virginia class of nuclear powered cruisers could easily accommodate the Aegis radar and should be further evaluated before any final choice was made. The Office of Management and Budget concurred in that decision.

So as recently as the presentation of the fiscal year 1976 defense budget to the House and Senate Armed Services Committees there had been no decision within the Navy and the Department of Defense as to what ship should be designated to receive the Aegis air defense system and certainly no decision had been reached that a new multibillion-dollar ship program should be started this year. As a result, no request was made by the Department of Defense to the Congress to provide funds for a strike cruiser until such issues as its cost, its design and capabilities and its mission could be better defined and integrated with other Navy shipbuilding plans. The House Armed Services Committee, despite the absence of an authorization request, proceeded to include these funds as an add-on to the Navy authorization for the acquisition of long leadtime parts for a nuclear plant for this ship.

What is the significance of the House action? It quite clearly is the first installment on a billion dollar program which has not even moved off the first stages of the design board. In effect the Congress is being asked to commit to a program that was nothing more than a gleam in some admiral's eyes a few months ago and we are being asked to make this commitment without even a single congressional presentation or hearing as to the design, cost or capabilities of this cruiser.

Let me say at this point, that at some future time when all the testimony is in and the report of the Senate Armed Services Committee is available on this new cruiser, I may well support it. I think my record of support for a strong national defense is clear and strong.

I am equally firm in my belief, however, that the most serious threat we face today is the failure of our own defense establishment to provide weapons in the numbers and at the prices we need and can afford. One of the principal causes of that problem certainly has to be the tendency of the military to rush from design to construction before we fully understand our requirements or our ability to meet them.

For example, there has been considerable debate within the Defense Department over the number of nuclear versus nonnuclear powered ships we can afford to build and operate. These funds authorized today appear to settle that debate within the Congress by committing us at the outset to a nuclear powered cruiser costing from $800 to $900 million, and if past performance is any indicator that figure will only go higher. This step has been taken without even considering the possible advantages in procuring conventionally powered ships that would cost at least one-third less. I wonder if such a decision does not merit a brief look by a congressional committee before we act. Both the Secretary of Defense in his testimony before the House Armed Services Committee and, belatedly, Admiral Holloway in a newspaper interview here, indicated that the Navy will never be able to acquire the number of ships it needs if they all are to be nuclear.

As the Secretary of Defense said:

> Our most recent analysis . . . has convincingly demonstrated that nuclear-powered ships are more expensive—both to acquire and to operate over their service lives than their conventional counterparts, even at current and expected fuel oil prices.

Before we make this first step toward procurring a new nuclear cruiser—and let this be clear we are talking about procurement funds even though they are for long lead items—should not the Congress take a further look at this whole issue?

Another point raised by this procurement is whether a ship that supposedly exceeds the size of our DLGN-38 class cruisers by 2 to 3 thousand tons, and if past performance is any indicator that size factor will also increase significantly—whether such a ship can be adequately powered by the reactor chosen by the Navy for the proposed nuclear strike cruiser. Perhaps there is no problem posed by a slower speed ship, but should not we allow ourselves the advantage of a Navy presentation before a competent committee to get the answer to these important design questions before we are committed to a specific nuclear power plant for this ship.

Finally, what is to be the production schedule for this ship and do we have any assurance that a contractor can be found to build it. The press and our own committee reports constantly remind us of the troubles encountered in the Navy shipbuilding program today. We have before us for fiscal year 1976 a $2.3 billion request for cost growth and escalation in Navy shipbuilding programs. Today the average completion date for construction of Navy ships is some 22½ months beyond the specified contract completion date and even further beyond the completion date presented to Congress when these programs were approved. An example of such delays can be found in the Trident submarine program. When we were asked to authorize that program on an accelerated, crash-construction basis I opposed that request on the basis that such haste inevitably leads to increased costs and production delays in the long run. The Congress was told at the time of authorization, that the first Trident had to be in the water and would be ready by December 1977 and we are now told that the contract date for delivery will be April 1979 and there is doubt about meeting that goal. In addition, the average delay in delivery of our new attack submarines, the 688 class, is some 21 months beyond the date justified to Congress.

I believe another example of the risk inherent in the hasty consideration of this new cruiser can be found in the program it is intended to follow—the nuclear frigate. The conference report eliminates funds for the fifth of the Virginia class nuclear frigates the DLGN-42, on the basis that its present armaments will not meet the threat of the 1980's. Now Mr. President, what more ludicrous example do we need of inefficient Navy planning than this? The fifth ship in a series of $400 million nuclear frigates being disapproved as obsolete before the second ship in that series has even been commissioned. Furthermore, the Navy, rather than proposing some modification of these frigates, comes to Congress with yet another design for a billion dollar cruiser to do the job we thought we had accomplished when we built the nuclear frigates. If that does not give members of the Senate pause then I do not know what it takes to do so. At some point, Mr. President, we are bound to reach the choking point with some of these weapons programs—the point where we can no longer swallow the kind of inefficiency that jeopardizes our Nation's defense by poor management and allocation of our defense resources.

In sum, Mr. President, I am saying that we do service to neither the taxpayers of this country nor to the defense establishment this bill seeks to strengthen when we authorize funds in this manner. I realize this was not initiated by our own Armed Services Committee which has done an outstanding job in recent years of scrutinizing defense programs and insuring that we get a fair return on our defense dollars. I object to the conference report today because I believe the method of approval for funds for this new cruiser fails to meet even a minimally acceptable standard.

Mr. CRANSTON. Mr. President, as a member of the Budget Committee, I am of course opposing the conference report today because I believe it portends a serious undermining of the guidelines set in the budget resolution. I would like to make it clear, however, that this does not mean I oppose every action taken by the conferees.

For example, Mr. President, I favor the funding of the B-1 included in the report because, as I have argued earlier, I am convinced that a modern manned bomber is a necessary part of the Strategic Triad, which is the foundation of deterrence. Based on the actions of both the House and the Senate in voting separately on the procurement bills, and in supporting the B-1, I am confident that the conferees will be wise enough to keep funds for the B-1 in this bill. There is a great deal else in the bill that can or should be either reduced or totally eliminated.

Unlike the B-1, for example, for which both the Senate and the House considered R&D and advance procurement funds, the funds for the nuclear strike cruiser had not been included in the President's budget request for fiscal year 1976 and—therefore—were not considered in the Senate bill. Indeed, it was only after the procurement bill had gone to conference that the President, on June 24, 1975, submitted a budget amendment to include $60 million of long-lead funds for the nuclear strike cruiser. The item should be struck from the bill.

Let me call attention to one other budgetary outrage in the conference report, Mr. President, on page 29:

> Patrol Hydrofoil Missile Ship (PHM)
>
> The President's request contained $83.4 million for two Patrol Hydrofoil Missile ships (PHM's). The House included $72.5 million for two ships. The Senate approved no funds for the requested PHM's. After considerable discussion the conferees agreed to authorize two fully funded PHM's in the amount of $83.4 million.
>
> The House recedes with an amendment.

I ask how the increase in the bill over both the sums approved by both the House and Senate can possibly be justified.

Mr. President, when the military procurement bill was before the Senate in the first week of June, I strongly supported the amendment offered by the Senator from Minnesota (Mr. HUMPHREY), that would have prohibited the flight testing of MaRV's. After the bill went to conference, as Senator MCINTYRE has explained, new information was provided by the Pentagon which indicated that the MaRV Evader would only be flight tested on ballistic missiles over the ocean. This kind of testing cannot be conducted in developing a terminally guided MaRV; this version of MaRV requires over-land testing. So it would not be possible for the Russians to interpret over-the-ocean testing as being connected with improvements in accuracy.

In other words, Mr. President, it is not necessary to ban the testing of both types of MaRV's in order to give a signal to the Russians that we are not developing terminally guided high accuracy MaRV's.

In conclusion, I have no difficulty with the wording of the conference report because it states:

> The Senate conferees reluctantly agreed to recede, but only after they determined that no MaRV testing, with the exception of the Evader prototype, would be conducted during the period of fiscal year 1976 and 1977. Since the Navy plans to flight test the Evader only over the ocean, the Senate conferees understand that this could in no way be construed as supporting the development of a high accuracy MaRV.

I will continue to oppose the terminally guided MaRV program because I believe it contributes to an unnecessary and dangerous counterforce posture. We must not allow our strategic doctrine to go beyond traditional deterrence policy.

Mr. KENNEDY. Mr. President, I simply want to emphasize that my opposition to the conference report on the military procurement bill this year represents an unusual and reluctant action on my part.

I rarely have opposed the chairman of the Armed Services Committee, for whom I have the greatest respect and admiration, on a conference report. I have no doubt whatsoever of his personal desire and determination to defend the Senate position in the conference. He has done so in the past even when the crucial issues were those on which his position varied from that of the Senate majority and I am sure that he did so this year.

However, this is an unusual situation in several respects and I believe they justify at this time a vote to recommit the conference report.

The President of the United States has continually urged the Congress to exercise the tightest possible budgetary control, and has been vetoing bills with which he disagrees. Yet this concern for budgetary stringency, misapplied to some vital national needs, must surely be applied here today to the defense budget. Let us not forget that this year's defense request for research, development and procurement was more than 35 percent above last year's spending level.

That is unusual. The measure that went to conference was 20 percent over last year.

That is unusual. And now we have a conference report some 23 percent greater than last year's spending level. And that is unusual.

The Senator from Maine, the distinguished chairman of the Senate Budget Committee, has not played favorites. He has held to the budget resolution whether or not he favored substantive programs. Now we are considering a program, which viewed on the same basis in which the level of authorization is considered in relation to the budget authority target—a basis I question, but has been used on other programs this year, clearly breaks the budget resolution target.

But at least equally important, it contains at least significant departures from the Senate position. All should be rejected by this Chamber.

First, the conferees agreed to authorize long-leadtime procurement items for the B-1 bomber. The Senate has repeatedly indicated that it seriously questions the B-1 program and does not yet believe that we should commit ourselves to the production of these planes, now estimated to cost more than $84 million each. I would call attention to the committee's own report when it presented this bill to the Senate. It deleted the procurement funds.

Second, the conference report authorizes research and development and deletes the prohibition on production of offensive chemical and biological weapons—a step which is directly counter to international agreement, stated U.S. policy, and past congressional action. We rejected binary chemical weapons in the past, and that rejection—by both the authorizing and appropriations committees—is now being reversed in this conference report.

For all these reasons, Mr. President, I believe the conference report should be rejected, and I therefore support the Senator from Maine.

Mr. BAYH. Mr. President, while I realize that Senate conferees engaged in a very difficult and lengthy conference and that conference reports must, by their very nature, entail considerable compromise, I feel that I must oppose the conference report on the military procurement authorization. I have reached this decision for a number of reasons.

First and foremost is the inclusion in the report of an authorization to spend $60 million for long lead time items for the nuclear strike cruiser. As I said in my statement on July 17, 1975, I believe this expenditure for a new class of ship which has never been considered by the Senate is most unwise. I am particularly concerned about the relationship of the cruiser to the Aegis missile system.

Earlier this year, I was able to participate in hearings before the Armed Services Committee. My purpose was to try to learn more about the Aegis program—how many systems we would buy, how and where they would be utilized, how they would mix with other air defense systems, and how they would perform in given quantities against perceived threats to the fleet. I was repeatedly told by representatives of the Navy that my questions could not be answered with any degree of certainty because no determination had been made on what types of ships would carry the missile system.

Now we are asked to buy parts for a nuclear cruiser which is needed, we are told, to serve as the first Aegis ship. Mr. President, we have never considered the cruiser. We have never been in a position to make a sound judgment on Aegis due to uncertainty about its platform. It makes little sense to me to take steps now which commit us to both programs.

I was pleased that the conference report requires the Secretary of Defense to recommend the type of ship most suitable for the Aegis system and submit a 5-year shipbuilding program. This is the only way we will ever get any grasp of what the Aegis program is and where it is going. It is unfortunate that this requirement was accompanied by the $60 million authorization. Though the committee insists that the purchase of long lead items does not constitute a commitment to the nuclear cruiser, my experience over the last 12½ years in this body clearly indicates that such investment decisions are seldom reversed. Certainly this expenditure will prejudice the consideration of the shipbuilding plan to be submitted by the Navy in the future.

Mr. President, the procurement of long-lead items for the cruiser is not a good way for the Government to conduct its business, and I will oppose this step now and during consideration of the appropriation bill if necessary.

In addition to the nuclear strike cruiser, Mr. President, there are a number of other items contained in the conference report which I find objectionable. Though the Senate Armed Services Committee specifically rejected all long lead time funds for the B–1 bomber, the conferees put back $87 million for this purpose. Again, we find ourselves taking a definite step toward production of a costly weapons system, which has not been finally approved by Congress.

Further, the Senate provisions in the authorization bill which placed limitations on MARV testing and eliminated funding for research and development for binary gas weapons were deleted in conference. So, too, was the amendment to the Feed and Forage Act which was unanimously accepted by the Senate.

In sum, Mr. President, I believe that this conference report makes crucial decisions on defense policy decisions which were not approved by the Senate and decisions with which I strongly disagree. I do not mean in any way to demean our Senate conferees. I know they labored long and hard in conference under difficult conditions. I cannot, however, in good conscience, support this conference agreement and I will vote against it.

Mr. President, I ask unanimous consent that my statement of July 17 regarding the strike cruiser be inserted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE NUCLEAR STRIKE CRUISER AND AEGIS

Over the last several years, I have spoken many times in this body and other public forums of my concern regarding the increasing tendency of our government to invest in extremely expensive and sophisticated weapons systems. It has been my fear that we were running a grave risk of putting too many of our defense eggs in too few, very expensive baskets. I have often quoted a remark made in 1971 by Senator Stennis, Chairman of our Armed Services Committee, which pointed out the perils quite clearly.

"If we can afford a permanent force structure of only one-fifth as many fighter aircraft or tanks as our potential adversaries," Senator Stennis said, "because our systems are about five times more expensive than theirs, then a future crisis may find us at a sharp numerical disadvantage."

I know many of my colleagues agreed with the Chairman on this point and have been diligently working to promote a sensible and sound defense policy which would provide us with needed quantities of weapons systems. Events of recent weeks indicate, however, that an attempt is being made to frustrate our efforts.

Specifically, I am referring to the President's decision to disregard the recommendations of the Department of Defense and request an authorization to spend $60 million for procurement of long lead time components for the nuclear strike cruiser.

The nuclear strike cruiser, is a completely new class of ship, Mr. President, and the request to build it, announced with so little fanfare, marks one of the most important developments in naval policy in this decade. If the Congress authorizes the $60 million expenditure, it will be committing itself to procurement of a cruiser at a total cost of $1.2 billion and, in all probability, to an entire fleet of these very expensive ships—all at a time when we are attempting to reorder defense priorities and efficiently rebuild the Navy to an adequate size.

Mr. President, what is most disturbing about this request is that it was not proposed to the Senate Armed Services Committee and not discussed during the Committee's hearings on the authorization bill. The role of Congress in the policy making process was totally ignored.

Of particular concern to me in the President's decision are the implications for the Aegis missile program. Aegis is an advanced, very expensive missile system designed to provide air defense for our attack carriers.

The history of Aegis has been characterized by repeated changes by the Navy in the ultimate plans for the system. In 1968 and 1969 the plan was to utilize Aegis in the DGN and DLGN38 classes of ships. In 1972 the DG class ship was named the Aegis ship of the future. Then there was talk of the strike cruiser serving as the Aegis platform followed by consideration of retrofitting a variety of ships to carry the Aegis. In short, Aegis has been a missile system in search of a home, and as a result of the indecision on the part of the Navy, it has been impossible for Congress to critically review the program.

Through the courtesty of Senator Cannon, I was able to take part in hearings before the Subcommittee on Tactical Air Power when it considered Aegis this spring. My purpose was to try to pin down in my own mind exactly what the Aegis program was—how many systems we would buy, how and where they would be utilized, how they would mix with other air defense systems, and how they would perform in given quantities against perceived threats to the fleet. I repeatedly asked questions regarding these issues, and I was repeatedly told by representatives of the Navy that while my concerns were perfectly legitimate, there were no answers because the Navy had not decided upon a platform for Aegis.

Now, it has evidently been decided, that the strike cruisers, the most expensive of the alternative platforms, will be the Aegis ship, and the questions I asked in March become even more pressing. How many of this type of Aegis ship can we afford? Will this number provide the fleet with the air defense capabilities it needs. How will the Aegis system interact with our existing F–4, F–14, and Tarter Terrier systems? Are there more economical ways of achieving equal levels of protection?

Congress should consider everyone of these issues in detail before it commits itself to buying any number of missile systems at a cost of $80 million each (not including launchers or missiles) or $1 billion ships which are chiefly justified as platforms for the missile system. We should not and must not embark upon a course which will consume a large part of the resources we have available for strengthening our naval forces, without having closely examined every alternative and until we are convinced that such a course is, indeed, essential.

I am hopeful that our Senate conferees will hold firm to the Senate position which does not include the $60 million requested for the nuclear strike cruiser. We need more time to properly study the plans for the future of the Navy. In this regard, I would like to add that on February 7 of this year I requested the General Accounting Office to review in detail the Aegis air defense system. I anticipate that the GAO's report, which should be completed in late August, will shed a great deal of light upon many of the crucial issues confronting us in Aegis and the strike cruiser.

Our constituents have endowed us with a great deal of power in electing us to the Senate. It is imperative that we exercise that power with knowledge, understanding and proper reflection. I hope that the Congress in considering the strike cruisers will meet its

responsibilities and resist pressures to act precipitously.

Mr. McGOVERN. Mr. President, this military procurement authorization bill now contains $3.6 billion more than we provided last year. If there ever was a budget-busting bill, this is it.

We are being asked to postpone action on a child nutrition bill. It is a modest bill for a worthy purpose. But some important Members of the Senate believe it exceeds proper spending guidelines. So we are supposed to go back and find a way to charge school children a bit more for their lunches—to squeeze out a few million dollars, to keep the budget ceiling intact.

I want to remind my colleagues that the purpose of this congressional budget process is not just to force us to agree upon and observe spending ceilings. It obliges us as well to set priorities—to set one program against another, and decide what the country needs most.

And it should certainly be instructive to the American people to find out which Members of Congress want to take pennies away from schoolchildren to pay for more military gadgets. That is precisely what we will do if this bloated military procurement is approved while the child nutrition bill is held back.

On just one of those gadgets, the B-1 bomber, the conferees have exceeded the Senate figure by enough to use up all the savings we could make on child nutrition.

Further, the funds added for the B-1 are for another classic case of Congress getting drawn into a decision we are not prepared to make.

As everyone knows, I have opposed the B-1 bomber from the beginning. Today it is before us as the most expensive weapons system ever proposed to the Congress, with the total price tag approaching $20 billion. And that is only part of what it will cost. $20 billion leaves out billions more for weapons, tankers, basing, maintenance, and operations.

And we are supposed to spend all of that money for a system which, if we ever have a nuclear war, will arrive over its targets some 7 or 8 hours after the United States and its adversary have both been destroyed by intercontinental missiles.

I can see some future role for strategic bombers. But we still await a sensible projection to justify such enormous expenditures for an add-on bomber to our already superior bomber fleet of B-52's.

There are less costly alternatives. The Air Force rejects them. It refuses to even give them any serious consideration, on the incredible grounds, according to testimony before the Armed Services Committee, that it would require too much computation.

In fact, they have been rejected out of hand because regardless of the mission, the Air Force wants the most goldplated bomber money can buy.

Even the staunchest advocates of an ambitious defense posture have complained at the cost of modern weapons. Nearly every year now we read in the committee reports an admonition to the Pentagon to hold these costs down. Weapons that cost too much harm our defense, we are told, because high per copy costs mean lower limits on the number we can buy.

But we should know by now that handwringing is not going to bring those costs down. The only thing that will work is to notify the Pentagon that we are serious about savings—by saying "no" once in awhile, and sending them back to the drawing boards to come up with something that makes more sense.

The B-1 is an ideal candidate to step aside in favor of economy and commonsense. And I have appreciated the efforts of the chairman of the Subcommittee on Research and Development, Mr. McINTYRE, to at least keep inviolate the line between development and production on this plane. He and other members of his subcommittee have asked hard questions, and they have reported responsible legislation.

But this conference report simply throws out all of that effort. It includes not only the full research and development money, but nearly all of the long lead procurement money the Air Force has requested. It declares to the Air Force that despite the budget constraints we are imposing in other areas, we are not only willing but anxious to keep the B-1 galloping ahead.

I am grateful to know that the Senator from New Hampshire, for one, is not going to cave in. I sometimes wonder where he finds the patience to examine these issues in meticulous detail, when his hard work is ignored at the final decision.

But in any case I share his view that the conferees have not acted responsibly on this legislation, either from the standpoint of budget priorities or prudent management of costly military programs.

On the B-1, I think the entire development program is a waste, because I cannot believe—when the full production decision is before us next year—that the Congress will go along with this foolish venture.

But if we are unwilling to make that decision now, we should at least delete the B-1 production money which has seeped into the budget for 1976.

For that reason, and because the overall bill reflects an unconscionable neglect of domestic needs in favor of an unwarranted generosity for arms, I urge the defeat of the conference report.

Mr. CLARK. Mr. President, I rise in opposition to the conference report on H.R. 6674, the arms procurement authorization bill which has come back to us with the Senate's contributions almost totally missing.

Granted that the Senate chose to reject nearly all proposed cuts in the Pentagon's proposals for new military spending in fiscal year 1976, I find it nonetheless disturbing that those specific elements in the legislation added by the Senate fared so poorly in the conference. It seems that in almost every instance where the House version was more favorable to the Pentagon than that of the Senate, the House version prevailed.

An example is what happened on the MARV missile program. Recognizing the dire implications of a new escalation of the arms race that would be triggered by this venture into extreme accuracy in targeting, the Senate had adopted the Humphrey amendment to ban any testing of maneuvering reentry vehicles unless the President first certified that such testing had been conducted by our potential adversaries or that the national interest required such testing.

There was sound thinking in this modest restraint. Even though development would have gone forward, it would have bought us some time to pursue an arms limitation agreement with the Soviet Union before an expensive new round begins in the arms race. Yet the President would have had the authority to go ahead with testing if the national interest clearly demanded it. So what happened to the Humphrey amendment? Our conferees receded on it. All restraint is gone. The Soviet Union might as well take notice. Round 999, or whatever is its number, of the arms race is about to begin if this conference report is adopted.

Another modest contribution of the Senate was life cycle costing. This minor addition to the legislation would have required the Secretary of Defense to submit a report estimating the life cycle costs of operating all major weapons systems procured since fiscal 1975, the report to be completed by budget time in the fall of 1976. Again, the Senate conferees receded. The conference report attributes this deletion to the shortness of the time frame and to the language having been "unnecessarily broad." Yet, in place of a narrowing of the language or a revision of the time frame, the requirement was simply dropped.

Mr. President, I think there can be little doubt that the kind of information requested in the amendment on life cycle costing is already available and constitutes no great problem to the Pentagon to compile. On the contrary, if that kind of information is not routinely developed by Pentagon planners, they should be called before the Senate and House Armed Services Committees to explain their dereliction. To embark on long-range programs involving tens of billions of dollars without calculating in advance what they are going to cost would be grievous mismanagement. I cannot believe for a minute that the Defense Department lacks such information.

What is at stake here, Mr. President, is not some terrible burden for the Defense Department to assume, but rather the integrity of the Congress in exercising its responsibilities to oversee Government spending. We are in this, as in many other instances, encouraging our own bamboozlement. Evidently there are those in the House and Senate who either do not want to know what horrendous spending lies ahead in some of these programs, or do not want the rest of us—and the country—to know. If we accept this conference report, we will be voting once again to keep available information—vital facts concerning future spending demands of the Defense Department—from the American people.

Still another example is the Senate amendment deleting the entire Army and Navy requests for binary chemical munitions—in other words, things like nerve gas—and prohibiting the research, development, testing, evaluation, preproduction, and production of lethal binary chemical munitions until the President certifies to the Congress that such activities are, in fact, essential to the national interest.

The committee report tells us that the House conferees were persuaded that the Soviet Union is expanding its chemical warfare technology and therefore could not concur. Is it not remarkable how often we hear that justification for new, dangerous, and often wrong-headed military programs?

Incidentally, I think there is very serious question concerning the substantiality of those reports.

More importantly perhaps, allowing this program to go forward may prove highly destablizing in this area of the arms race. Surely the world does not need to start accumulating ever larger stockpiles of this dreadful stuff.

Now there is another point that bears on this item in the conference report. The House voted on the military construction authorization bill on Monday, and in the process it eliminated all funds for construction of facilities to house the binary chemical weapons program. If we accept the conference report, we will thus be doing violence to judgments made in both Houses of the Congress holding that this program should not go forward.

Mr. President, I think what disturbs me most about this whole exercise in Government waste and congressional futility is the irony of it. What we are buying is an arsenal of weapons which our leaders, and the leaders of the Soviet Union as well, tell us could never be used without risking the total destruction of both societies, and the rest of the world along with them. They are of no real use to us except to wipe ourselves off the face of the Earth. Yet we willingly drain ever-larger proportions of our precious national resources and manpower into their production year after year. Where will it end?

And there is another irony. When we take up in the Congress proposals for foreign aid or for a long list of domestic needs, the burden of proof always rests with those proposing such spending. Not so with defense spending. As we learned to our sorrow last month, when it comes to Pentagon programs, the burden of proof rests with those who question their need.

Let us look at the B-1 bomber, which is a splendid example of this inverse burden of proof. The Department of Defense asked the Congress for $77 million for procurement for fiscal year 1976 and another $31 million for the 3-month transition period next year. The Senate cut all of these funds from the bill, and the House voted the full amount. Now come the conferees with $64 million and $23 million, or a total of $87 million, justified with this language in the report:

> The conferees emphasized that the authorization of long-lead funding in no way commits nor obligates the United States Government to place the B-1 aircraft in production.

Now I submit that this is inaccurate, and it happens all the time with defense programs. We commit huge sums for research and development, and then we are told that we have too big a stake not to go ahead. If we accept this conference report, we will, once again, allow the Pentagon to preempt an important decision that ought to be made by the Congress.

I urge that we not accept the conference report and that the conferees be asked to delete these procurement funds to permit the Congress to make a careful, detailed and unhurried assessment of the need for this late-hour investment in manned strategic aircraft.

The same problem arises with the nuclear strike cruiser. There were no funds in the Senate bill for this item of long lead authorization, yet the conferees have agreed to add $60 million to allow this program to move ahead. Surely we all know that our right to approve or not approve this new shipbuilding program will be largely preempted by decisions made while the Navy commits these funds to long-range construction plans.

In this connection, I was most interested in the remarks of Admiral Zumwalt, our retired Chief of Naval Operations, in the Washington Post a few days ago. While praising Soviet naval leadership in recent years he pointed out that they have not made the mistake we are making in committing huge sums to the construction of nuclear-powered surface ships. With the same amount of money, he said, we could be obtaining many more ships and a lot more defense. Yet, without serious review, the Senate is being asked to grease the skids for this costly new shipbuilding program.

I object to this addition to the authorization bill, and I ask that the bill be returned to conference to have these funds removed.

Mr. President, I think we need to remind ourselves that the Vietnam war has ended. For the first time in more than a decade we are at peace. The $30 billion annual outlays for Indochina are no more. We face no imminent threat of war, and if we did, I doubt that these expenditures would save us in a nuclear exchange. Our relations with nations such as the Soviet Union and the Peoples Republic of China have never been so relaxed. There are troubles in the world, to be sure, but the worst ones at the moment are economic, not military. Spending money on munitions will not help much in shoring up the dollar or the pound, or in reducing our excessive demand for foreign oil.

Look at the size of the defense budget we are being asked to approve. New spending authority is 18 percent higher than last year's, and overall the Defense Department budget represents 27 percent of the total Federal budget. This is nothing if not shocking.

Just for comparison, we should note that last year's spending authority had a 2-percent growth figure, contrasted with 18 percent this year.

Now with regard to this conference report, let us look at the items for procurement and for research, development, test, and evaluation. The total is $25.8 billion, the largest increase in such spending we have ever experienced in peacetime. A 24-percent increase, compared to a 3-percent increase last year. And looking at the many new programs in this list, we know that this year's increase is only the beginning. Where seed money is strewn one can be sure bigger demands will grow.

Mr. President, if we accept this conference report, we will be abdicating once again our responsibility to get a handle on the growing arms race, and we will be guaranteeing that the great, unsolved social and economic problems of our Nation and the world remain unsolved for another period of time to come. Each of us is fully aware that this Nation has the potential to destroy any other nation on Earth and that the Soviet Union has the potential to do the same to us. Authorities say we could now destroy the Soviet Union some 22 times over, and they could easily decimate our entire population as well. Neither has the slightest defense against nuclear attack and never will. Yet somehow the fascination of new weapons, and weapons to counter other new weapons, develops its own logic, and we find ourselves robbing ourselves and our own future generations to create them. Why?

Let me ask this question of my colleagues and of the planners in the Pentagon. Suppose we stopped building all new weapons. Suppose we did nothing but replace worn-out equipment as needed. Would the Soviet Union keep on with its own arms race?

And, if it did, would the Soviet Union ever reach the point that it could safely ignore our 8,500 strategic nuclear weapons, all with destructive capacity greater by far than bombs we dropped in Japan during World War II? We now have 35,000 times the destructive capability which was revealed at Hiroshima. Where is the logic of superiority or parity when even one of these missiles could kill millions of people?

Now I am not saying that we must stop all research or even all new weapons building. What I am saying is that the defense budget of the United States has gone wild, and we in the Senate are sitting here allowing it go unchecked. The logic of it is wholly absent. Somehow we have gone mad in our preoccupation with expensive gadgetry. And meanwhile we are running up a Federal deficit this year that is nearly as large as the defense budget itself.

One final point and I will conclude my remarks. Last fall there were many political victories around the country just as there have been for 6 years or so, that rewarded those who campaigned to hold down military spending. What has happened? Where is that mandate reflected, either in the House or the Senate, or in this conference report? I am puzzled. I wonder whether my memory fails me, or whether some people have changed their minds since election day. It is puzzling.

Mr. President, I believe the Senate should reject this conference report and instruct its conferees to restore the items I have mentioned—items not calling for new expenditures, but new restraints. The Defense Department needs to find out that it is a servant of the Congress and the American people, and not the other way around.

FUNDS FOR THE F-18 IN THE DEFENSE AUTHORIZATION BILL

Mr. TOWER. Mr. President, the military procurement authorization bill passed by the Senate contained an amendment sponsored by Senator PROXMIRE, Senator BENTSEN and me which prohibited the use of funds to conduct research, development, testing, and evaluation in connection with the Navy air combat fighter until the Comptroller General of the United States rendered a decision in LTV Aerospace Corp.'s protest filed with the General Accounting Office, or until July 31, 1975, whichever was sooner. The purpose of that amendment was to insure that the Comptroller General could decide the protest on its merits in an environment unprejudiced by any congressional action which might be construed as indicating approval of the F-18.

I recognize that the conference report does not contain that amendment. Unfortunately, through an oversight the rationale for the Senate's receding was not published in the conference report; therefore, I believe it incumbent upon me to state my understanding of the conference position. As a member of the conference, it is my recollection that the conferees saw no need to retain the amendment because the Authorization Act does not specifically approve or reject the Navy's selection of the F-18 as the Navy air combat fighter. I wish to make it clear that the authorization of $132.8 million was for a Navy air combat fighter and was not intended in any way to prejudice the protest filed by LTV in the Navy air combat fighter selection.

Mr. JAVITS. Mr. President, I wish to associate myself with the remarks just made by my colleague from Texas (Senator TOWER) with reference to the action taken by the conferees to the military procurement authorization bill regarding the Navy air combat fighter program. It is clear to me that the provision of $132.8 million in H.R. 6674 as reported by the conferees is to provide funding for the Navy air combat fighter program without specifically endorsing any individual competitor in that program. To do otherwise would prejudice the decision to be rendered by the GAO with reference to the protest filed by the LTV Corporation, by seemingly granting congressional approval of the Navy's selection of the F-18, an approval that has certainly not been granted.

Indeed, Mr. President, I find the Navy's selection of the F-18 disturbing. In short, it has become apparent that the far more capable F-14 can be bought in equal numbers and at a lower cost than the "low-cost" F-18, even assuring that the F-18 program would not encounter cost overruns—which based on history is not a safe assumption to make. I recently addressed these concerns to the Secretary of Defense in a letter, and I ask unanimous consent that this letter be printed in the RECORD at the conclusion of my remarks. The case made seems to me to be very clear and to sustain Senator TOWER's position.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C., July 17, 1975.

Hon. JAMES R. SCHLESINGER,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR SECRETARY SCHLESINGER: I have been closely watching the issues concerning the Navy's selection of a new aircraft to meet the Navy's fighter and light attack aircraft needs for the 1980's, and there are a number of aspects to this matter that concern me.

As you know, the Congress expressed itself quite explicitly in the Conference Report of the Department of Defense Appropriation Act of 1975 regarding the expenditure of funds for the Navy Air Combat Fighter program: ". . . Adaptation of the selected Air Force Combat Fighter to be capable of carrier operations is the prerequisite for the use of the funds provided . . . Future funding is to be contingent upon the capability of the Navy to produce a derivative of the selected Air Force Air Combat Fighter design."

In light of this, I do not understand how this explicit legislative history can be interpreted in such a way as to allow the Navy's selection of the F-18, rather than a derivative of the Air Force selected F-16.

Moreover, choice of the F-18 over alternative aircraft seems questionable to me. The original rationale for the Navy Air Combat Fighter program was that this aircraft, although considerably less capable than the F-14, would be available in quantity due to its much reduced total program cost. However, it has now been reported in a number of studies that the more capable F-14 could be bought in the requisite numbers at a cost lower than the F-18. If additional A-7 aircraft were procured to meet the light attack role of the F-18 is also designed to fulfill, additional savings would be achieved, and if the F-18 experiences cost overruns, which seems predictable, the cost advantage of buying a mix of F-14's and A-7's rather than the F-18 would become even greater. In view of the cost comparison and the fact that the F-14 is a much more capable and desirable aircraft than the F-18, I would like an explanation of the Navy's decision to select the F-18 and its persistence in that decision.

I would very much like to know what your own thinking is on this matter. I also wish to request a detailed report, in writing, from the Department of Defense with respect to what advantages, if any, it sees in selecting the F-18 rather than a combination of F-14's and A-7's.

With best regards,
Sincerely,
JACOB K. JAVITS, U.S.S.

FISCAL YEAR 1976 MILITARY AUTHORIZATION PROCUREMENT CONFERENCE REPORT IS TOO HIGH

Mr. PROXMIRE. Mr. President, the conference report from the fiscal year 1976 military authorization procurement bill has been reported to the Senate and it reveals a number of serious weaknesses.

First, as it stands now, the defense budget is well above the budget the Senate has set for military programs this fiscal year. In fact, the defense budget is $5.4 billion higher than our budget estimate in terms of budget authority and $4.1 billion higher in terms of outlays. Of course, there may be more cuts when the larger defense appropriations bill is considered and the manpower costs are calculated. Nonetheless, when just considering this bill, statistics from the budget committee indicate the total is $700 million over original projections.

This raises the issue of whether there will be one budget standard for the Department of Defense and another for the rest of Government. Will we allow the Pentagon to bust the budget but crack down on all other programs? The answer should be a clear no. The budget ceilings should be applied and enforced without special consideration for any particular agency or department.

Second, included in this conference is a $60 million sum for long leadtime items relating to a new surface warship—the nuclear strike cruiser. This ship was neither requested by the Defense Department during the annual hearings nor included in their budget. It was added at the last moment by the President. Therefore, without a single day of testimony in either house of Congress, without any airing of the issue, without any deliberation by the committees and subcommittee responsible for examining the relative needs of the Department of Defense, a new $60 million item has been added. This is an insult to the budgetary process so carefully worked out the past 2 years.

Now, it has been argued that this $60 million for long lead time items does not commit the Congress to the construction of the ship. It can always be canceled, some say.

I would ask in reply, if we are not committed to the ship, then why put $60 million into it in the first place? What is the urgency that forces us to decide at the last minute, without proper consideration, and with no hearings on a matter that may lead to the construction of other ships of the same type?

Surely this is a curious argument—that we are not committed to a project simply by funding it at $60 million. We all know that once that money is spent, the project will gain a moment of its own. The contractors will be up here lobbying for construction of the full ship. The Defense Department will get behind the project. Other interested parties will speak out in support. To say this is not a commitment is to throw away all prior procurement history.

Third, there has been a strong tendency in this and other conference reports to "trade up." By this I mean the philosophy of approaching the bargaining in a manner which results in tradeoffs where systems are increased in funding rather than reduced. The compromise always seems to be on the upper side, infrequently on the lower.

As cases inpoint, the conferees added funding for the A-7E and F-14 first denied by the Senate. Funding for the B-1 was increased to nearly a full level. The AWACS program was increased over the opposition of the House. The trouble-plagued patrol hydrofoil ship was increased over the Senate position. And there is $1.6 billion as a bailout for the Navy contained in the various escalation and cost growth provisions of the Navy ship building program.

In addition a number of language amendments were dropped in conference. The food and forage provision was discarded. So was the concept of life cycle cost reporting. And the maneuvering reentry vehicle prohibition was dropped.

Mr. President, there are a number of positive aspects to this bill. The conferees, I know, fought long and hard on many complex issues. Nonetheless, at its present level I cannot support this compromise package and I hope the full Senate will reject it.

Mr. FANNIN. Mr. President, my friend and colleague, Senator GOLDWATER, had prepared some remarks which he intended to deliver when the conference report on the military procurement authorization bill came up on the floor. Unfortunately, he found it necessary to go to the hospital for a checkup on an old knee injury which has given him trouble from time to time. Therefore, I ask unanimous consent that Senator GOLDWATER's remarks, entitled "Defense or Diversion" be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEFENSE OR DIVERSION

(Statement by Senator GOLDWATER)

In 1961 President John Kennedy said that this Nation would "pay any price" to "assure the survival and the success of liberty." On Memorial Day, 1975, President Gerald Ford said that maintaining our military strength "is the price we have always paid for being free," and "it is the price we must be willing to pay in the future."

As the United States celebrates its 200th anniversary, I wonder if we are still willing to pay the price of freedom? How much are Americans willing to spend today and in the years ahead for continued national security? What level of military preparedness will the people of this nation support? Where does defense stand among national priorities for our resources?

For many years the hackneyed cliche of "guns or butter" has been posed as a dilemma, an either/or proposition. It isn't. Guns versus butter is not only a faulty dilemma; it also is not descriptive of mid-1970s America. With 20 per cent of our population overweight, more than 40 million people, there is obviously plenty of butter available. On a larger scale, the nation is allocating an ever-increasing percentage of its resources to social benefits: as Senator McClellan pointed out earlier this year, over the past 10 years federal aid to education, manpower, and social services has risen 257 per cent; public assistance is up 440 per cent; social security and other retirement and disability programs have climbed 247 per cent; and health services have jumped 963 per cent.

No, "guns or butter" is hardly the question.

A more accurate statement of the choice open to the U.S. public today is "defense or diversion." At this point, the nod seems to be going to diversion.

It may not be popular to question the recreational habits of the nation, but it is time that someone called attention to the amount of our national treasure that is being expended on the pursuit of pleasure. We read and hear a lot about how much Americans are being asked to pay for national defense, but there is too little being said about how much Americans eagerly pay for play.

Those who say that it must be either guns or butter ignore reality. It is already "butter and fun," but one day we may have to decide whether we are willing to do with a little less fun in order to preserve our freedom to enjoy life's pleasures. We may have to choose whether we want "butter and fun" or "butter and guns."

I ask that you stop and think for a moment about how Americans spend their money.

In 1972 this nation spent 48 billion dollars on recreation, 13 billion for tobacco, 9 billion in liquor stores, and 11 billion on personal care other than medical expenditures. That is well over 80 billion dollars. Total defense outlays for Fiscal Year 1972 were 76 billion.

Since national defense is vital to public welfare, it bothers me to hear the argument that the money for the B–1 bomber or the Trident submarine would buy a specified amount of bread or milk or provide some other social benefit. As Sir John Slessor wrote, "It is customary in democratic countries to deplore expenditure on armaments as conflicting with the requirements of the social services. There is a tendency to forget that the most important social service that a government can do for its people is to keep them alive and free."

Furthermore, if we didn't buy the B–1 or the Trident, would all those dollars go to filling human needs? I read recently that betting figures show that people are gambling more these days, including bettors who are unemployed. It is not merely the affluent who are spending more on games of chance. In one area, for example, the unemployment rate was over 20 per cent but the sale of state lottery tickets was running ahead of last year's pace. Something on the order of 5 billion dollars was bet in Nevada casinos last year.

Could not the 5 billion bet on horseracing in 1974 have been used for more lofty social purposes? Half, or even a quarter, of the almost 2 billion a year that Americans are spending on movies and the more than 2 billion on records and tapes could by a lot of food stamps or school buses.

Yes, military equipment is expensive. The nation spent 17 billion for military procurement in Fiscal Year 1974. Americans also spent 10 billion for sports equipment last year and nearly 5 billion on toys. We ought to consider how we allocate our personal income before we complain about the portion of our tax dollars that goes to national defense.

We have all seen political cartoons on editorial pages graphically depicting desperately deprived citizens weighted down with huge burdens labeled bloated military spending. Those cartoons do not merit even the comics section. Defense is now receiving its smallest share of the federal budget since 1940, about 27 percent, and the smallest share of the gross national product since 1950, about 6 percent. The Nation is reducing its allocation of resources to defense, but the quest for recreation by Americans is accelerating daily.

Over 300 million people paid to watch sports activities in 1974, and the demand for athletic entertainment is still high. In big league baseball, the American League reported first week attendance for the 1975 season up 14 percent over last year. Professional basketball says it is drawing more fans. Hockey attendance is up. The Daytona Beach 500 auto race attracted its biggest crowd in history this year. More people are watching tennis and golf live.

This enormous turnout is even more significant in view of the explosion in ticket prices for sports events. One NFL team raised end-zone seat tickets from $3.15 to $8.25. A premium seat to watch the Washington Redskins this year will cost 18 dollars. That Daytona 500 race I mentioned featured a rise from 30 to 35 dollars per ticket for good seats. Eight major league baseball teams raised admission prices this year.

Meanwhile, the assault on defense costs goes on. One electronic media pundit advised his viewers that since 30 cents of every dollar the government receives comes from taxpayers and 27 cents of every dollar the government spends goes to national defense, then the Pentagon budget is financed solely by individual income taxes and 90 cents of every personal tax dollar goes to the Department of Defense. Using that sort of distored logic, then, who is picking up the tab for the 110 billion in federal payments to individuals in 1974? Of every dollar the government spends, 39 cents goes to direct benefit payments to individuals; who pays for that?

Some Congressional critics blame defense spending for the Nation's economic troubles. "Unless we start saying 'no' to Pentagon schemes, we can expect that our economy will stay sick forever," says one Hill wit. "Excessive military spending is heading us toward financial bankruptcy," proclaims another. I wonder if they think taxpayers should say no to building new arenas to support the proliferation of professional sports franchises? I wonder what they think of American cities whose citizens apparently are willing to forego civic improvements in order to pay for new multi-million dollar stadiums?

Has self-indulgence started to interfere with our sense of values? Despite the worst economic conditions in four decades, American tourists spent roughly 61 billion dollars in 1974—and tourism is still booming. Even five years ago, in 1970, it was consuming over 5 percent of our GNP.

Another reality that you might ponder involves the personnel costs in today's defense spending. A widely read newspaper alleged recently that average military pay is now above that of civilians, as though paying the men and women of our Armed Forces adequately for their dedication and sacrifice is somehow not quite right. At the same time, our society apparently sees little wrong with paying a professional athlete over 100,000 dollars a year—even over 400,000 a year. In fact, the average salary of National Basketball Association players is 100,000 dollars a year. Contrast that with a combat-qualified pilot who must meet high physical and mental skill demands, too, with his life often on the line, for a fraction of that annual salary. Of course, he makes enough to buy a television set on which he can watch two tennis players make half a million dollars in one afternoon—if he isn't risking his life that afternoon in the service of his country.

I would remind you that more than one great civilization has crumbled beneath the onslaught of a more spartan aggressor when hedonism became more fashionable than heroism. A recent Fortune magazine article notes that "expectations in America have become hedonistic, concerned with consumption and pleasure, and lack any moral underpinning."

"It is not unpatriotic to take a needed vacation," said newspaper ads by one of our more tourist-dependent states a year ago. I certainly agree, but we may soon have to decide whether we are willing to make some concessions in our levels of recreation, whether we can't turn—or return—to some of the more simple and less expensive pleasures. How many Disney Worlds can we afford? How many sports leagues can we sustain? In the last 15 years, we have seen the birth of 24 new pro football teams, 26 new pro hockey clubs, 19 new pro basketball teams, and tennis, soccer, lacrosse, and many other leagues. Has fun become more important than security?

I can't think of a more vivid example than the U.S. consumption of petroleum. The total amount of fuel Americans expend annually for recreational purposes is remarkable, especially when contrasted to military consumption. In Fiscal Year 1974 the Department of Defense used less than 9 billion gallons of petroleum, only about 3.4 percent of total annual U.S. consumption.

But consider what the American motorist uses on vacation trips alone. The 1974 World Almanac estimated that automobiles are used for 90 percent of all vacation and recreation trip in this country, and that 110 million Americans used the nation's highways for one or more vacations in 1973, traveling 350 billion miles. At 15 miles to the gallon, that was over 23 billion gallons. Furthermore, as I have noted, tourism is booming while the Department of Defense is reducing its fuel use and trying to save energy wherever possible.

Meanwhile, I have not counted the fuel burned by Americans on trips to the local theater or arena, that consumed by campers and motorcycles, the amounts used in boats and snowmobiles, and that expended in a number of other ways.

My point is quite clear: should we not reexamine our national priorities and values? How many social improvements are we willing to forgo? How much scientific and medical progress will we defer? How much defense are we willing to sacrifice? All in order to continue increasing the pace of our fun and games?

Ten years ago a widely circulated editorial noted what one "tired American" was weary of. For my part, such a list today should include the observation, "I am a tired American—discouraged by the clamor for reduced defense expenditures from a society that is busy throwing up 124 million dollar gambling casinos and mega-million dollar sports palaces with incredibly sybaritic appointments.

We aren't the first people to indulge a penchant for public amphitheaters or to lose our perspective in the excessive pursuit of pleasure.

I reject the assertion that this nation must choose between "guns or butter." We are a strong yet compassionate people, a nation that has remained militarily powerful in the last several decades while simultaneously advancing the quality of life in the United States to a remarkable level.

I hope that we can remain both strong and affluent. I ask that you reflect upon the powerful words of the late Senator Richard Russell:

"Among the nations of the earth, each attaches an importance to defense that is proportionate to its valuation of its institutions, resources, traditions, and individual rights. The United States has more that is worth protecting than has any other nation, and I am thankful that our citizens are willing to pay the price of its defense. I trust this will always be true."

Admission of Women Would Change Primary Mission of Service Academies to Prepare Combat Officers

(Statement by Senator Goldwater)

During the debate on the Military Procurement Authorization Bill at a time when I was prevented from being in the Chamber, the Senate brought up and passed without a roll call vote the amendment which would allow women to attend our military academies. Had I been present, I would have debated this point vividly and would have demanded a roll call vote to put on the record where each Senator stood.

There are many reasons for my opposition to this, but two should be seriously considered by Members of this body who probably paid no attention to the inclusion of this language in the bill.

The point that has been overlooked or not understood in the consideration of this amendment is that the primary purpose of the military academies has always been to turn out combat officers, to provide the Armed Forces with the hardcore of combat leaders. The rigorous training program required of all graduates of the service academies is based upon producing the kinds of skills and strength that are demanded in combat.

This combat environment is a tough, mean, stressful physical program linked to qualities demanded on the battlefield. The program presumes that every cadet or midshipman is a potential combat leader.

But Congress has enacted statutes prohibiting women from being assigned to combat missions in the Navy and Air Force. Army regulations, since the time of the American Revolution, also have excluded women from combat roles.

Thus, the admission policies of the military academies are reasonably tied to promoting a legitimate government interest, the training of officers who are ready to enter combat. Since women are precluded from serving in combat by historical and legal restrictions, the admission of men only to the academies is related to the fulfillment of their goal to produce officers who can actually lead in combat.

Even though a small number of graduates of the academies may go on to make their careers in noncombat functions, these are exceptions to the primary mission of the academies.

Mr. President, assuming the service academies shall not be forced to end their fundamental mission of producing combat leaders, it would work an insidious harm upon the academies if they were required to admit women. I say this because the courses offered, particularly at West Point, for combat cannot be undertaken by women.

There is no way that we could find hundreds of women who are physically qualified to do the rigorous physical requirements that are now a part of an academy education, and even if we could, that training would be wasted because women are prevented from engaging in combat. These combat-training programs include bayonet training, hand-to-hand combat, Ranger training, and boxing and wrestling competition, all designed to produce physical skills required of an officer in a combat situation.

Thus, as a practical matter, courses must be changed for women; and if they are changed, then under our anti-discrimination laws and policies, the academies can be sued both by women who will argue the two-track system denies them of equal opportunity and by men who want to take these noncombat courses. I say this because under recent decisions of the Supreme Court, it has become established Constitutional policy that once a government decides to give a privilege to certain classes of persons, it must give those services equally to all.

For example, the Court has ruled that Congress could not prevent "hippie communes" from participating in the food stamp program by excluding households of unrelated individuals, and it has decided that a State, once having established a free medical care program for indigents, must provide care to all persons passing through the State, residents or not.

From this line of cases, it is clear that the courts will hold that if the Congress admits women into the service academies, all courses and training at the academies must be provided on an equal basis.

In other words, although the academies may be able to limit admissions to male citizens because of the legal restrictions on service by women in combat roles, once Congress rejects this justification and opens the academies to women, they will be constitutionally compelled to provide equality of treatment among men and women. The elimination of differences made on the basis of sex would be a higher value, according to these Supreme Court decisions, than any "administrative convenience" of the academies.

In my opinion, the end result of the amendment allowing women into our military academies will be to irrevocably change the academies, weaken them, and impair the combat credibility of the military services in the face of the ruthless, all-male units of our enemies.

Mr. ABOUREZK. Mr. President, I urge my colleagues to reject the conference report on the military procurement authorization bill. This is not a question of adequate defense or national security. There is not a person in this Chamber who is not in favor of an adequate defense and there is not a person in this Chamber who has not made the record clear by his votes on that score. This conference report should be rejected because it is an affront to the economy and an affront to the budgetary process.

It offends the budgetary process and the principles of sound economic policy in at least three ways. If we accept this conference report, we are accepting a measure which will bust the budget we set for ourselves so painfully only 10 weeks ago. We will be doing so for the wrong things. And we will be abandoning the system of budgetary discipline which we have pledged ourselves to observe.

It is indeed ironic that the House, which initially approved a Pentagon spending target substantially lower than ours—and one which I think was far more in keeping with a balanced set of national priorities—should now take the lead in not only ignoring their own earlier decision, but in proposing to violate the compromise target which the two Budget Committees in conference agreed upon and the two Chambers in their wisdom endorsed. I think that action borders on the irresponsible and I think we must clearly say so and vote so.

It is being argued that this bill will not necessarily bust the budget targets which we have established. It is being argued that it is only an authorization bill, not an appropriation measure; and it is being argued that this bill represents less than 30 percent of the total spending in the national defense function. I do not find either of those arguments persuasive. This authorization bill is more specific than most in program terms and a vote for it is a vote for those specific program levels. To ignore that fact on the grounds that there will be an appropriations bill later is, it seems to me, buck-passing at best and rank hypocrisy at worst. As for the contention that the bill represents less than 30 percent of the function, when one considers only those outlays on which current legislative action is required—excluding items for which budget authority is being carried over—then this bill represents more like 40 percent of the total.

Mr. President, the facts are fairly simple. In May, Congress set itself a spending target of more than $100 billion for national defense—the biggest in history. When the Senate acted on the military procurement bill a little later, it was made clear by the chairman of our Budget Committee that it included as much as could reasonably be accommodated within the national defense spending target—and that even then, it would require some cutbacks elsewhere in the function that were far from certain of being achieved. In short, the military procurement authorization bill as it passed the Senate, went as far as could be gone without threatening our spending target. What the conference report brings back to us goes too far—by $800 million in budget authority and $300 million in expected outlays. Those excesses are the best we can expect. Unless we exercise what amounts to iron discipline from here on out, we can anticipate that the congressional budget targets in the national defense function will be busted wide open—to the tune of $5.4 billion in budget authority and $4.1 billion in outlays. If budget discipline is needed—and it certainly is—then the place to start exercising it is here and the time is now—on this vote.

Those of us who worked for a more balanced set of priorities in the congressional budget; those of us who argued and voted to devote more of our all-too scarce budgetary resources to people-oriented programs, to programs in agriculture in health, education and manpower, to programs that would create jobs and aid the economy; we were repeatedly told that the deficit we face is too large, that the threat of inflation is too threatening, that now is not the time. In those instances when we do get the Congress to vote for a set of priorities that is different from the President's, that is more responsive to social and economic needs, to human needs—as often as not we get hit with another White House veto; we get told that we are crossing that deficit line that the President drew.

Well, Congress drew some lines too. In our first concurrent resolution we drew our own deficit line, and we also drew some lines indicating where we want our priorities to be. And, if we accept this conference report and sanction the excessive and unnecessary military spending it calls for, then we are crossing all of those lines—we are crossing our own deficit line as well as the President's. In another couple of months, we are going to be debating a Second Concurrent Resolution on the Budget. If we do not start now in exercising the discipline required to stick relatively close to the first one, then we had better be prepared to face a deficit that is also very different from that in the first one. I trust that those who vote for his conference report will recognize that this is where it all began. I trust that they will not be looking at those of us on the Budget Committee and asking us, "Where did that deficit come from?"

Mr. President, I believe we need an adequate farm program more than we need a B-1 bomber. I believe we need the development of our natural resources and particularly our potential for energy from renewable sources more than we need a SAM-D missile. I believe we need to help solve the problems of our Indian people more than we need MARV missiles added to the abundance of MIRV'ed missiles we already have. I believe we need to work on rural development and the problem of rural housing more than we need an expensive and vulnerable flying radar station called AWACS. I believe we need to upgrade our nation's transportation system and make it energy-efficient and economically efficient more than we need a new fleet of nuclear strike cruisers. I also believe that we need to give the taxpayers and the economy a fair shake—especially now, in this period of economic stress. And I know that every time we let the Pentagon and the Administration slip through a new record spending bill because it is called "national defense" we are going to have that much less chance of meeting those needs that I believe ought to be our top priorities.

I thought this military procurement bill was too big when it left the Senate. And, it returns to us bigger still. Let us give the taxpayers and the human needs of this nation an endorsement on this vote. Let us make it clear to the other body and to the public at large that we are serious about this new budgetary process—that we are not just playing games. Let us reject this conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Mississippi (Mr. EASTLAND), and the Senator from Wyoming (Mr. MCGEE) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PELL), and the Senator from Illinois (Mr. STEVENSON) are absent on official business.

I further announce that, if present and voting the Senator from Illinois (Mr. STEVENSON) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from New York (Mr. JAVITS), the Senator from Illinois (Mr. PERCY), and the Senator from Ohio (Mr. TAFT), are absent on official business.

I further announce that, if present and voting, the Senator from Arizona (Mr. GOLDWATER) would vote "aye."

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from Ohio (Mr. TAFT).

If present and voting, the Senator from Ohio would vote yea and the Senator from Illinois would vote nay.

The result was announced—yeas 42, nays 48, as follows:

[Rollcall Vote No. 374 Leg.]

YEAS—42

Allen
Baker
Bartlett
Brock
Buckley
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Curtis
Fannin
Garn
Griffin
Hansen
Hathaway
Helms
Hruska
Inouye
Jackson
Laxalt
Long
McClellan
McClure
Montoya
Morgan
Nunn
Pastore
Pearson
Ribicoff
Scott, Hugh
Scott,
  William L.
Sparkman
Stennis
Stevens
Stone
Symington
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NAYS—48

Abourezk
Bayh
Beall
Bellmon
Bentsen
Biden
Brooke
Bumpers
Burdick
Case
Chiles
Church
Clark
Cranston
Culver
Dole
Domenici
Eagleton
Ford
Glenn
Gravel
Hart, Gary W.
Hart, Philip A.
Hartke
Haskell
Hatfield
Hollings
Huddleston
Humphrey
Johnston
Kennedy
Leahy
Magnuson
Mansfield
Mathias
McGovern
McIntyre
Metcalf
Mondale
Moss
Muskie
Nelson
Packwood
Proxmire
Randolph
Roth
Schweiker
Stafford

NOT VOTING—9

Eastland
Fong
Goldwater
Javits
McGee
Pell
Percy
Stevenson
Taft

So the conference report was rejected.

Mr. MUSKIE. Mr. President, I move to reconsider that vote.

Mr. GRIFFIN. Mr. President, point of order.

Mr. MANSFIELD. I move to lay the motion on the table.

Mr. GRIFFIN. Mr. President, is a motion to reconsider in order coming from the Senator from Maine?

The VICE PRESIDENT. The Senator is qualified to make the motion.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

Mr. TOWER. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second on the motion to table the motion to reconsider? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, as long as the Members are here, may we have a 10-minute rollcall?

The VICE PRESIDENT. Without objection, it is so ordered.

The clerk will continue calling the roll.

The assistant legislative clerk resumed the call of the roll.

Mr. NELSON. Mr. President, there are Members conversing in the aisles, and staff members. I think we ought to have order in the Senate before we proceed with the rollcall.

The VICE PRESIDENT. Let there be order in the Senate, please, before we proceed with the rollcall.

Mr. NELSON. Mr. President, there are Members back here who did not hear the gavel, and some over there, too.

The VICE PRESIDENT. May we have order in the Senate, please?

Mr. NELSON. There is a Member at the rear, at the door, who did not hear the gavel, Mr. President.

The VICE PRESIDENT. I will give it to him again. I have a bigger gavel in my office.

Mr. NELSON. There are two Members on the other side, including the minority leader, who did not hear the gavel.

The VICE PRESIDENT. Will the Members please take their seats before the rollcall continues?

Mr. NELSON. There are Members, Mr. President, in the center aisle who have not heard the gavel.

Mr. ROBERT C. BYRD. Mr. President, will the Senator from Wisconsin use his microphone?

Mr. NELSON. I think, Mr. President, that the rollcall ought to be held——

The VICE PRESIDENT. Debate is not in order during a rollcall. The Senator has made the point. I shall hit the gavel once more and ask the Senators to please take their seats. Then the rollcall will proceed.

The assistant legislative clerk resumed and concluded the call of the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Mississippi (Mr. EASTLAND), and the Senator from Wyoming (Mr. MCGEE), are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. Pell), and the Senator from Illinois (Mr. Stevenson) are absent on official business.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. Brock), the Senator from Hawaii (Mr. Fong), the Senator from Arizona (Mr. Goldwater), the Senator from New York (Mr. Javits), the Senator from Nevada (Mr. Laxalt), the Senator from Illinois (Mr. Percy), and the Senator from Ohio (Mr. Taft) are necessarily absent.

I further announce that, if present and voting, the Senator from Arizona (Mr. Goldwater) would vote "nay."

On this vote, the Senator from Illinois (Mr. Percy) is paired with the Senator from Ohio (Mr. Taft).

If present and voting, the Senator from Illinois would vote "yea" and the Senator from Ohio would vote "nay."

The result was announced—yeas 47, nays 41, as follows:

[Rollcall Vote No. 375 Leg.]

YEAS—47

Abourezk
Bayh
Beall
Bellmon
Bentsen
Biden
Brooke
Bumpers
Burdick
Case
Chiles
Church
Clark
Cranston
Culver
Dole
Domenici
Eagleton
Ford
Glenn
Gravel
Hart, Gary W.
Hart, Philip A.
Hartke
Haskell
Hatfield
Hollings
Huddleston
Humphrey
Johnston
Kennedy
Leahy
Mansfield
Mathias
McGovern
McIntyre
Metcalf
Mondale
Moss
Muskie
Nelson
Packwood
Proxmire
Randolph
Roth
Schweiker
Stafford

NAYS—41

Allen
Baker
Bartlett
Buckley
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Curtis
Fannin
Garn
Griffin
Hansen
Hathaway
Helms
Hruska
Inouye
Jackson
Long
Magnuson
McClellan
McClure
Montoya
Morgan
Nunn
Pastore
Pearson
Ribicoff
Scott, Hugh
Scott,
  William L.
Sparkman
Stennis
Stevens
Stone
Symington
Talmadge
Thurmond
Tower
Tunney
Weicker
Williams
Young

NOT VOTING—11

Brock
Eastland
Fong
Goldwater
Javits
Laxalt
McGee
Pell
Percy
Stevenson
Taft

So the motion to lay on the table was agreed to.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 85-474, appoints the following Senators to attend the Interparliamentary Union Meeting, to be held in London, England, September 4 to 12, 1975: Senators Hartke, Metcalf, Bayh, and Stafford.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, appoints the following Senators to the Seventh Special Session of the United Nations General Assembly Devoted to Development and International Economic Cooperation, to be held in New York City, N.Y., September 1-12, 1975: Senators McGee, Gravel, Humphrey, Clark, Glenn, Morgan, Javits, Percy, Dole, Bellmon, Packwood, and Domenici.

EXECUTIVE SESSION

Mr. McINTYRE. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nomination will be stated.

DEPARTMENT OF DEFENSE

The assistant legislative clerk read the nomination of Martin R. Hoffman, of Virginia, to be Secretary of the Army.

Mr. McINTYRE. Mr. President, I am pleased to report the nomination of Martin R. Hoffman to be Secretary of the Army, and urge his confirmation by the Senate.

Mr. Hoffman has a long and distinguished career of public service, and is especially qualified for the post of Secretary of the Army. He is currently serving as the General Counsel of the Department of Defense, a position he has held since March of 1974. Previously, he was the Special Assistant to the Secretary of Defense and the Deputy Secretary of Defense.

But Mr. Hoffman's experience in Government service is not limited to the Defense Department. He has the distinction of having worked in all three branches of the Federal Government, and has thus acquired broad exposure to the problems and intricacies of the Government process. From 1965 through 1966 he was Minority Counsel for the House Judiciary Committee, and then served as legal counsel to the distinguished Senator from Illinois (Mr. Percy). Prior to that legislative experience, Mr. Hoffman was law clerk for Judge Albert V. Bryan, of the U.S. Court of Appeals for the Fourth Circuit, and also served as an Assistant U.S. Attorney in Washington, D.C.

A graduate of Princeton, and the University of Virginia Law School, the nominee has also worked in private industry, having been assistant general counsel and assistant secretary of the University Computing Co. of Dallas, Tex. He served honorably with the 101st Airborne Division for 4 years, 1954-58.

Martin Hoffman is obviously qualified to be Secretary of the Army. His nomination has been unanimously approved by the Armed Services Committee. I look forward to his confirmation by the full Senate, and wish him well in his new position.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. McINTYRE. Mr. President, I ask unanimous consent that the President be notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. McINTYRE. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following calendar orders numbered 337, 339, 340, 341, 344, 345, 346, 347, 348, and 317.

Mr. GRIFFIN. Mr. President, reserving the right to object—and I do not know that I shall object—it was the understanding of many in this body that there would be——

The PRESIDING OFFICER (Mr. Biden). There will be order in the Senate. The Senator from Michigan cannot be heard. Will the Senators please take their seats?

Mr. GRIFFIN. There was understanding that following the vote on the conference report on military procurement the Senate would likely consider the conference report on school lunches. I wonder if the distinguished majority whip can give us any information as to what has happened.

ORDER OF PROCEDURE

Mr. ROBERT C. BYRD. Well, Mr. President, there was some discussion around in the Chamber to that effect. But the distinguished chairman of the committee (Mr. Talmadge) has just indicated to the majority leader and me a few minutes ago that he would not take that up today.

Mr. LONG. Mr. President, reserving the right to object, if the committee should pass an amendment to the welfare laws to help the States in complying with the new child support law which goes into effect on the 1st of August, that would have to be an amendment to a revenue bill. I would hope very much that the Senator would not let this matter drag on so long that a quorum would not be present in one House or the other so that a single person could object.

Mr. ROBERT C. BYRD. Which bill does the Senator have in mind?

Mr. LONG. I would think the Senator would call up the bill involving the watches of the Virgin Islands and that we could amend that bill. We will have to amend some bill. We have some tariff bills on the calendar, and any one of them can serve the purpose.

It is simply that that is something that should be enacted before we go because there are more than a dozen States going to have great difficulty complying with that law. The amendments are being drafted right now to meet the problem, and we will have them available, I think, shortly. But we should act on that before we leave here.

Mr. HOLLINGS. Mr. President, reserving the right to object, I think part of that unanimous-consent request should be that it not include any tax-raising or tax-affecting measures. I have discussed this with the distinguished chairman of the Finance Committee, and I am with him in trying to get the bill up so long as we do not get into the excess profits part.

Mr. LONG. I would be perfectly content to agree that that bill would not have any tax increase or tax cut in it.

Mr. ROBERT C. BYRD. Is that agreeable?

Mr. HOLLINGS. If that is part of the unanimous consent.

Mr. LONG. No amendment will do that. The bill itself reduces tariffs on watches in the Virgin Islands.

Mr. ROBERT C. BYRD. I include in my request, following Calendar No. 317 then Calendar Order No. 266.

The PRESIDING OFFICER. Is there objection?

Mr. McCLELLAN. Reserving the right to object, what is the request about all these bills? I did not hear it. We have got so many I do not know what we are doing.

Mr. ROBERT C. BYRD. Mr. President, will the Senator from North Carolina allow me to answer the Senator from Arkansas?

All of the measures I have requested at this time have been cleared on both sides to pass by unanimous consent with the exception of two. The first of the two is Calendar Order No. 317 on which there is a 35-minute time limitation. That is a bill to enhance the recruitment and retention of physicians, dentists, nursing personnel, and other health care personnel in the Department of Medicine and Surgery of the Veterans' Administration.

The second of the two, which are not unanimous-consent measures, is a bill to which the distinguished chairman of the Finance Committee just alluded a moment ago, an act to amend the Tariff Schedules of the United States to provide duty free treatment to watches.

Mr. McCLELLAN. I understand he made a unanimous-consent request that they be passed.

Mr. ROBERT C. BYRD. The request was to proceed to these seriatum.

Mr. MORGAN. Mr. President, reserving the right to object, I could not hear the request of the distinguished Senator, and I hope he will repeat it.

Mr. ROBERT C. BYRD. Pardon me?

Mr. MORGAN. I could not hear the original request. Would the Senator restate it?

Mr. ROBERT C. BYRD. Mr. President, may I repeat for the benefit of the Senator from North Carolina—and I can understand his not being able to hear with all of the confusion and noise in the Chamber—let me repeat the request.

I ask unanimous consent that the Senate proceed to the following calendar measures numbered 337, on page 9 of the Calendar of Business, 339, 340, 341, 344 on the next page, page 10, 345, 346, 347, 348, and then go back to page 7 and pick up 266, and then to page 8 and pick up 317.

Mr. GRIFFIN. Mr. President, I must regretfully advise the acting majority leader or the majority whip that with respect to Calendar Order No. 266 for the time being, I am going to object in order to protect Senators who have indicated to me that I should enter into no unanimous-consent order with respect to that bill without consulting them, and I have not had the opportunity to do so.

The PRESIDING OFFICER. There is objection.

Will the Senator modify his request?

Mr. LONG. Might I ask the Senator to withhold that until the Senators can be consulted because, if I understand the objection, it has entirely to do with the fact that the Senators would like to offer amendments not relevant to the bill.

Mr. GRIFFIN. That may be.

Mr. LONG. And we have other revenue bills on the calendar with regard to which they can offer their amendments, so that we in no way would prejudice their rights, their opportunity to offer their bills. Otherwise we would simply just have to ask that we substitute some other revenue bill for No. 266.

Mr. ROBERT C. BYRD. Mr. President, in view of the objection, I ask that my request be modified in accordance with the one objection so that the Senate can proceed to the other bills.

The PRESIDING OFFICER. Is there objection to the modification of the request, the modified request?

Mr. HOLLINGS. Does the Senator have objection to 331?

Mr. ROBERT C. BYRD. He has no objection.

Mr. HOLLINGS. How about 331 and 332?

Mr. MANSFIELD. They are not on the list.

Mr. ROBERT C. BYRD. Mr. President, if the Senators would just allow us a few minutes——

Mr. LONG. Reserving the right to object, Mr. President, I suggest the Senator see if he has an objection pending or a hold order on Calendar No. 331 or Calendar No. 332.

Mr. GRIFFIN. The answer would be the same, yes.

Mr. LONG. Then the problem is the same. I would hope the Senator would not put a bill ahead of a bill that is going to require some debate, ahead of the problem that has to do with the child support laws. The Secretary of HEW has called me, and told me what I knew already, that the Department will have difficulty, very severe difficulty, in implementing the child support law. At least 14 States are going to have great difficulty in complying with it unless we pass a completely noncontroversial amendment that will ease the problem of the administration for that very vital program, and I would hope that the Senator would simply take his unobjected-to bills and see if the other side cannot clear action on one of these revenue bills meanwhile.

Mr. ROBERT C. BYRD. Mr. President, would the Senator, unless I misunderstood him, object to the inclusion of No. 317 in this order, that is the first bill on page 8, there is a 35-minute time limitation on that bill?

Mr. LONG. I would hope that the Senator would be willing to hold up on 317.

Mr. ROBERT C. BYRD. All right.

Mr. LONG. Until the other side sees if they can clear any of these.

Mr. HOLLINGS. Mr. President—reserving the right to object, I only interject this to help facilitate it—I think if the holds on the bills referred to by the distinguished majority leader have the same concern as those Senators, that it will not include any other tax raising or affect other measures, specifically not including excess profits, I am sure they would lift their objection so the Senator from Louisiana could proceed.

Mr. ROBERT C. BYRD. Mr. President, I have dropped order No. 317 from the list and order No. 266.

The PRESIDING OFFICER. The Senator has modified his unanimous-consent request dropping 266 and 317.

Is there objection to the unanimous-consent request?

Mr. WILLIAM L. SCOTT. Mr. President, reserving the right to object—and I do not intend to object—I want to inquire of the distinguished Senator what he proposes to do with 317, the chairman of the committee is beside him.

Mr. ROBERT C. BYRD. Yes, I would hope later today we could get the bill up.

Mr. WILLIAM L. SCOTT. At any particular time?

Mr. ROBERT C. BYRD. No, not in view of the objection that was posed here. We will try to get it out as soon as we can.

Mr. WILLIAM L. SCOTT. I think I am one of the few opposing the bill on the committee and I want to be here.

Mr. ROBERT C. BYRD. Yes, all right.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

There being no objection, it is so ordered.

JOHN C. KLUCZYNSKI FEDERAL BUILDING

The bill (H.R. 4241) to designate the John C. Kluczynski Federal Building, was announced as next in order.

A TRIBUTE TO JOHN C. KLUCZYNSKI

Mr. CULVER. Mr. President, this afternoon the Senate is considering H.R. 4241, which will name the recently completed Federal Building at 230 Dearborn Street in Chicago after the late Congressman John C. Kluczynski. Designating this office building after Congressman Kluczynski, who passed away after suffering a heart attack on January 26, 1975, is the least we can do for a man who made significant contributions to Federal construction in America.

As you know, Mr. President, Big Klu, as he was so affectionately known by all of us, had a long and devoted career in serving the city of Chicago, his State, and his country. He began his public career in 1932 when he was elected to the Illinois State Legislature, where he served ably for 16 years. Elected to the Illinois State Senate in 1948, he resigned his seat in 1950 after winning election to the U.S. Congress from the Fifth District of Illinois.

For the next 24 years he served with distinction in the House of Representatives. He rose to the position of ranking member of the House committee on Public Works, and as the powerful chairman of the Subcommittee on

Transportation, he became know as the father of the Interstate Highway System. As a result of his driving determination, the Interstate Highway System will be completed in the near future, and it will be an outstanding memorial to him.

Congressman Kluczynski was also deeply interested in the needs of the small businessmen and devoted his attention to their problems through his service on the small business committee, whose subcommittee on metropolitan and rural areas he chaired.

Johnny Kluczynski was an outstanding legislator and made many significant accomplishments in the House of Representatives, but he was admired as much for his warm personality and kindly outlook on life as for his legislative accomplishments. Few men have served in the U.S. Congress who have earned the affection that Big Klu received from his peers. I shall always remember him for his generous compassion, his pleasant manner, and his wonderful sense of humor. I consider it an honor to have known him, and I benefited greatly from my friendship with Big Klu during my 10 years of service in the House of Representatives.

Congressman Kluczynski was a credit to his constituents and to the Congress, and he will be sadly missed by all who knew him and worked with him. We shall always remember him as a fine human being, and a distinguished legislator. I am pleased that the Senate Public Works Committee acted quickly and favorably on this bill. The passage of H.R. 4241 by the Senate is an appropriate tribute to John C. Kluczynski.

FORMER REPRESENTATIVE KLUCZYNSKI RECEIVES MERITED RECOGNITION BY CONGRESS

Mr. RANDOLPH. Mr. President, this bill, H.R. 4241, would provide a deserved tribute to a dedicated colleague and valued friend. When Representative John C. Kluczynski died last January 27 he had served in the House of Representatives for more than 24 years. During that period he demonstrated the energy and breadth of vision that made him an able spokesman for the people of his congressional district as well as a man deeply involved in national issues.

He was known as Johnny Klu to his friends, a nickname that reflects the informality and outgoing nature of the man. He had the qualities of personality and integrity that earned him many friends among those with whom he served in the Congress.

Throughout his congressional career, Representative Kluczynski was a member of the House Committee on Public Works. For 10 years he served as chairman of the Subcommittee on Roads. In these capacities we had frequent occasions to work together on transportation and other legislation.

Our two bodies often disagreed on the provisions of legislation, but Representatives Kluczynski always worked to reach amicable compromise. He was reasonable; he was cooperative; and he had the national interest at heart as he went about his work.

The building that will bear his name under the provisions of H.R. 4241 is located in Chicago, the city he loved and represented so well for nearly a quarter-century. This structure will be a constant reminder of the career of public service of John C. Kluczynski.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 4241) was read the third time and passed.

POLECAT BENCH AREA, WYO.

The Senate proceeded to consider the bill (S. 151) to authorize the Secretary of the Interior to construct, operate, and maintain the Polecat Bench area of the Shoshone extension unit, Pick-Sloan Missouri Basin program, Wyo., and for other purposes which had been reported from the Committee on Interior and Insular Affairs with amendments, as follows:

On page 2, in line 10, after the period, insert:

For a period of not more than two years after the initial availability of irrigation water up to two thousand two hundred and seventeen acres of public lands in the Polecat Bench area determined to be suitable for settlement purposes shall be made available, on a preference basis for exchange or amendment, to resident landowners on the Heart Mountain Division of the Shoshone project, who, on or before December 1, 1968, were determined by the Secretary to be eligible for such exchange or amendment of their farm units under provisions of the Act of August 13, 1953 (67 Stat. 566).

On page 3, at the beginning of line 1, strike out "Recreation Act (79 Stat. 213)." and insert "Recreation Act (79 Stat. 213), as amended."

On page 3, in line 8, after the period, insert:

Repayment contracts for the return of construction costs allocated to irrigation will be based on the water user's ability to repay as determined by the Secretary of the Interior; and the terms of such contracts shall not exceed 50 years following the permissible development period.

SEC. 4. The provisions of the third sentence of section 46 of the Act of May 25, 1926 (44 Stat. 649, 650), and any other similar provisions of the Federal reclamation laws as applied to the Polecat Bench area of the Shoshone extensions unit are hereby modified to provide that lands held in a single ownership which may be eligible to receive water from, through, or by means of area works shall be limited to one hundred and sixty acres of class I land or the equivalent thereof in other land classes, as determined by the Secretary of the Interior.

On page 33, in line 24, strike out "SEC. 4" and insert "SEC. 5."

On page 4, in line 12, strike out "SEC. 5." and insert "SEC. 6.".

On page 4, in line 22, strike out "SEC. 6." and insert "SEC. 7."

On page 4, in line 24, strike out "$40,000,000" and insert "$46,000,000"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Polecat Bench area of the Shoshone extensions unit, heretofore authorized as an integral part of the Pick-Sloan Missouri Basin program by the Act of December 22, 1944 (58 Stat. 887, 891), is hereby reauthorized as part of that project. The construction, operation, and maintenance of the Polecat Bench area for the purposes of providing irrigation water for approximately nineteen thousand two hundred acres of land, municipal and industrial water supply, fish and wildlife conservation and development, public outdoor recreation, and other purpose shall be prosecuted by the Secretary of the Interior in accordance with the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto). The principal features of the Polecat Bench area shall include the Holden Reseravoir, related canals, pumping plants, laterals, drains, and necessary facilities to effect the aforesaid purposes of the area. For a period of not more than two years after the initial availability of irrigation water up to two thousand two hundred and seventeen acres of public lands in the Polecat Bench area determined to be suitable for settlement purposes shall be made available, on a preference basis for exchange or amendment, to resident landowners on the Heart Mountain Division of the Shoshone project, who, on or before December 1, 1968, were determined by the Secretary to be eligible for such exchange or amendment of their farm units under provisions of the Act of August 13, 1953 (67 Stat. 566).

SEC. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Polecat Bench area shall be in accordance with the Federal Water Project Recreation Act (79 Stat. 213), as amended.

SEC. 3. The Polecat Bench area of the Shoshone extensions units shall be integrated physically and financially with the other Federal works constructed under the comprehensive plan approved by section 9 of the Flood Control Act of December 22, 1944 (58 Stat. 887, 891), as amended and supplemented. Repayment contracts for the return of construction costs allocated to irrigation will be based on the water user's ability to repay as determined by the Secretary of the Interior; and the terms of such contracts shall not exceed 50 years following the permissible development period.

SEC. 4. The provisions of the third sentence of section 46 of the Act of May 25, 1926 (44 Stat. 649, 650), and any other similar provisions of the Federal reclamation laws as applied to the Polecat Bench area of the Shoshone extensions unit are hereby modified to provide that lands held in a single ownership which may be eligible to receive water from, through, or by means of area works shall be limited to one hundred and sixty acres of class I land or the equivalent thereof in other land classes, as determined by the Secretary of the Interior.

SEC. 5. For a period of ten years from the date of enactment of this Act, no water from the unit authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938 (52 Stat. 31, 41), as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 6. The interest rate used for computing interest during construction and interest on the unpaid balance of the reimbursable costs of the Polecat Bench area shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction of the Polecat Bench area is commenced, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for fifteen years from date of issue.

SEC. 7. There is hereby authorized to be appropriated for construction of the Polecat

Bench area of the Shoshone Extensions unit the sum of $46,000,000 (January 1975 price levels), plus or minus such amounts, if any, as may be justified by reason of changes in construction costs as indicated by engineering cost indexes applicable to the types of construction involved and, in addition thereto, such sums as may be required for operation and maintenance of the works of said area.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Polecat Bench area of the Shoshone extensions unit, Pick-Sloan Missouri Basin program, Wyoming, and for other purposes.".

TOM STEED RESERVOIR, OKLA.

The bill (S. 1531) to designate the Mountain Park Reservoir, Okla., as the Tom Steed Reservoir was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mountain Park Reservoir, Oklahoma, authorized to be constructed by the Act of September 21, 1968 (82 Stat. 853), shall be known and designated hereafter as the Tom Steed Reservoir. Any law, regulation, map, document, record, or other paper of the United States in which such reservoir is referred shall be held to refer to such reservoir as the Tom Steed Reservoir.

AUTHORIZATIONS FOR THE JOHN F. KENNEDY CENTER

The Senate proceeded to consider the bill (H.R. 6151) to authorize appropriations for services necessary to nonperforming arts functions of the John F. Kennedy Center, which had been reported from the Committee on Public Works with amendments, as follows:

On page 1, line 6, strike "$2,575,000" and insert "$2,800,000";

On page 1, beginning with line 10, insert the following:

SEC. 2. Section 6 of the John F. Kennedy Center Act is amended by adding the following new subsection:

"(f) The General Accounting Office is authorized and directed to review and audit, regularly, the accounts of the Kennedy Center for the Performing Arts, for the purpose of determining the continuing ability of the Center to pay its share of future operating costs, and for the purpose of assuring that the cost-sharing formula fairly and accurately reflects the use of the building.".

KENNEDY CENTER PROVIDES IMPORTANT SERVICE FOR PEOPLE

Mr. RANDOLPH. Mr. President, the John F. Kennedy Center for the Performing Arts has become a major national center for artistic activities since its opening. In its dual function—as a memorial to the late President—it is one of Washington's foremost visitor attractions.

The latter capacity imposes substantial costs on the center. The Congress in 1972 decided that these costs should be borne by the Federal Government in the same manner that it supports the maintenance and operation of other national memorials in this city and elsewhere.

Since that initial legislation, the provisions under which this support for nonperforming functions of the John F. Kennedy Center are provided have been refined. The bill before us continues this process and authorizes funds for fiscal years 1976 and 1977.

Mr. President, the American Bicentennial will be celebrated in 1976. The number of visitors to Washington is increasing and is expected to grow greatly next year. The funds authorized in this measure will allow the Kennedy Center to accommodate its guests at the same time performances of all types are held.

The funds authorized in this legislation are modest in comparison with the benefits obtained. I urge enactment of this legislation.

Mr. BUCKLEY. Mr. President, I wish to state some concern over H.R. 6151. I believe we must come to grips with what appears to be the growing financial problems confronting the John F. Kennedy Center. Evidence indicates that the Kennedy Center will not be able to meet its forthcoming debts unless the Center acts quickly to raise new outside capital.

When this bill was considered in subcommittee, I offered an amendment to require a periodic Interior Department audit of the Kennedy Center books, as those books reflect on the operating costs of the Center. This proposal was in line with the recommendations in the recent General Accounting Office study of Center operations.

The full committee changed this is to a continuing audit authority for the General Accounting Office. I have no reason to believe that GAO will not adequately review the Center's costs. What is important is that the public interest needs to be protected since $50,000,000 in Federal tax dollars has already been spent on this building.

Possibly more important in the long run than the audit authority is language in the report urging the Center to make a report to the Congress on how the Center plans to meet its capital obligations for major repairs and to meet a $14.6 million debt in interest on the parking bonds that falls due in 1978.

I believe such a report is necessary for the guidance of the Congress.

And finally I would urge the Center and the Interior Department to arrange in future contracts for the recovery of the costs of energy provided to the concessionaires, such as the parking company and the food concessionaire.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 6151) was read the third time and passed.

WILD AND SCENIC RIVERS ACT AMENDMENT

The Senate proceeded to consider the bill (S. 10) to amend section 5(a) of the Wild and Scenic Rivers Act, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert the following:

That subsection (a) of section 5 of the Wild and Scenic Rivers Act (82 Stat. 906), as amended, is further amended by adding at the end thereof the following:

"(57) Housatonic, Connecticut: The segment from the Massachusetts-Connecticut boundary downstream to its confluence with the Shepaug River.".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

SHEEP MOUNTAIN WILDERNESS

The Senate proceeded to consider the bill (S. 74) to designate certain lands in the Angeles and San Bernardino National Forests as the "Sheep Mountain Wilderness," which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of Agriculture, in accordance with the provisions of subsection 3(d) of the Wilderness Act (78 Stat. 890, 892), relating to public notice, public hearings, and review by State and other agencies, shall review, as to their suitability or nonsuitability for preservation as wilderness, certain lands in the Angeles and San Bernardino National Forests, California, which comprise approximately fifty-two thousand acres, and which are generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", and dated February 1974. The Secretary shall report his findings to the President on or before the expiration of the two-year period following the date of the enactment of this Act. The President shall submit promptly thereafter to the United States Senate and House of Representatives his recommendations with respect to the designation of such area or portion thereof as wilderness. Any recommendation of the President that such area or portion thereof shall be designated as wilderness and, therefore, as a component of the national wilderness preservation system shall become effective only if so provided by an Act of Congress.

SEC. 2. During the review period provided by this Act and for a period of four years after the recommendations of the President are submitted to the Congress, the Secretary of Agriculture shall manage and protect the resources of the lands depicted on such map in such a manner as to assure that their suitability for potential wilderness designation is not impaired.

SEC. 3. The review required by this Act, including any report and recommendations with respect thereto, shall, except to the extent otherwise provided in this Act, be conducted in accordance with the applicable provisions of the Wilderness Act.

SEC. 4. There is hereby authorized to be appropriated such amount as may be necessary to carry out the provisions of this Act.

Amend the title so as to read: "A bill to study certain lands in the Angeles and San Bernardino National Forests, California, for possible inclusion in the National Wilderness Preservation System.".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

ADDITION OF A PORTION OF THE ALLEGHENY RIVER, PA., TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

The Senate proceeded to consider the bill (S. 1004) to amend the Wild and

Scenic Rivers Act of 1968 by designating a portion of the Allegheny River, Pa., for potential addition to the National Wild and Scenic Rivers System, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert the following:

That subsection (a) of section 5 of the Wild and Scenic Rivers Act (82 Stat. 906), as amended, is further amended by adding at the end thereof the following:

"(57) Allegheny, Pennsylvania: The main stem from Kinzua Dam downstream to East Brady.".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 94–358), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE AND SUMMARY OF THE ACT

S. 1004 would designate for study for possible inclusion in the National Wild and Scenic Rivers System, a 128 mile long segment of the Allegheny River in the State of Pennsylvania.

The study would be authorized by amending subsection (a) of section 5 of the Wild and Scenic Rivers Act (82 Stat. 906). This subsection contains a listing of rivers designated for study. Under the Wild and Scenic Rivers Act, a river so designated is to be studied by either the Bureau of Outdoor Recreation of the Department of the Interior or the Forest Service of the Department of Agriculture together with other relevant Federal agencies and with local participation, to determine its suitability for inclusion in the National Wild and Scenic River System; whether administration should be undertaken by the State or Federal Government, and if the latter, which agency should be given the administrative task; and in which of the three categories established by the act—wild, scenic, or recreational—the entire segment of the river or portions thereof should be classified. The study, once completed, is submitted to Congress. Congress must then enact further legislation should it wish to designate the river as a component of the wild and scenic rivers system. (An exception to this procedure allows the Secretary of the Interior to designate a river without congressional action if the relevant State or States assume responsibility for its management and recommend it to the Secretary for inclusion in the system). During the period of study, the Wild and Scenic Rivers Act affords certain protection to a river, including the prohibition of Federal licensing of water resource projects. To date, 56 rivers have been designated for study and 12 rivers (10 federally administered and 2 State administered) have been added to the system.

S. 1004 would designate a 128 mile segment of the Allegheny River from Kinzua Dam downstream to the town of East Brady for study. The River's geological structure, formed some twelve thousand years ago by advancing and retreating glaciers, produces an outstanding scenic effect. Cradled in a valley between heavily forested hillsides rising 400–600 feet above the level of the river, its visual corridor is a beautiful and natural setting.

One of the remarkable scenic values of this segment of the river is its more than 60 islands. Some of the islands are 90 acres or more in size. A typical island has a stand of timber including sycamore, walnut, butternut, maple, black cherry, and willow. It also possesses an excellent shrub cover for small game. Aquatic plants submerged and emergent provide cover for fingerling game fish. Game animals inhabiting the islands include ruffed grouse, pheasant, turkey, several species of duck of which Mallard is most common, cottontail rabbits, raccoon, white-tail deer, and such fur bearers as muskrat, mink and beaver. Among a variety of birds are the green heron and the great blue heron.

A primary recreational value of the River and its tributaries is fishing. It is considered a good fishery by both the U.S. Fish and Wildlife Service and the Pennsylvania Fish Commission. Fishermen catch bass, trout, muskellunge, pike, and a variety of soft fish. Preservation of the fishery has been a major aim of the Pennsylvania Department of Environmental Resources. Although for several years the Department has permitted commercial companies to dredge for sand and gravel in the River, it has recently been severely restricting dredging operations. It has refused to grant permits for dredging islands and riffles and has prohibited dredging in natural and untouched areas; this means that dredging has been restricted to 6.5 miles of river where dredging has already begun.

Some thirty miles of the Upper Allegheny River corridor are within the boundaries of the Allegheny National Forest. The remaining lands along the river are primarily in private ownership, with scattered parcels of State-owned park and game lands.

Pursuant to section 5(a)(1) of the 1968 Wild and Scenic Rivers Act, the Department of the Interior studied the lower Allegheny segment from East Brady to the river's mouth. The report of this study finalized in January 1974, concluded that the lower segment did not meet the criteria for inclusion in the National Wild and Scenic Rivers System.

During the course of the above study, the field team made a reconnaissance survey of the segment above East Brady, and reported that the segment is free-flowing and appears to have outstanding qualities which should be evaluated in depth to determine if it merits addition to the national system.

LEGISLATIVE HISTORY AND DEPARTMENTAL REPORTS

On March 7, 1975, Senator Hugh Scott introduced S. 1004. The measure was referred to the Committee on Interior and Insular Affairs and was the subject of a hearing before the Subcommittee on the Environment and Land Resources on July 9, 1975.

The Departments of Agriculture and Interior and the Office of Management and Budget submitted reports stating that they had no objection to the enactment of S. 1004.

COSTS

S. 1004 does not authorize the appropriation of any funds. Experience suggests that the total cost of the river study will be approximately $175,000. The Bureau of Outdoor Recreation, U.S. Department of Interior will assume study responsibility for the river, except that segment which flows through the Allegheny National Forest. That segment will be studied by the Forest Service, U.S. Department of Agriculture. Consequently, the above sum, or a portion thereof, will be included, as required, in the annual budget submission for each agency.

MENDOCINO NATIONAL FOREST, CALIF.

The Senate proceeded to consider the bill (S. 1391) to study certain lands in the Mendocino National Forest, Calif., for possible inclusion in the national wilderness preservation system, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, at the beginning of line 7, strike out "its" and insert "their," so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, in accordance with the provisions of subsection 3(d) of the Wilderness Act (78 Stat. 890, 892), relating to public notice, public hearings, and review by State and other agencies, shall review, as to their suitability or nonsuitability for preservation as wilderness, certain lands in the Mendocino National Forest, California, which comprise approximately thirty-seven thousand acres, and which are generally depicted on a map entitled "Snow Mountain DeFacto Wilderness Area", dated June 21, 1971. The Secretary shall report his findings to the President on or before the expiration of the two-year period following the date of the enactment of this Act. The President shall submit promptly thereafter to the United States Senate and House of Representatives his recommendations with respect to the designation of such area or portion thereof as wilderness. Any recommendation of the President that such area or portion thereof shall be designated as wilderness and, therefore, as a component of the national wilderness preservation system shall become effective only if so provided by an Act of Congress.

SEC. 2. During the review period provided by this Act and for a period of four years after the recommendations of the President are submitted to the Congress, the Secretary of Agriculture shall manage and protect the resources of the lands depicted on such map in such a manner as to assure that their suitability for potential wilderness designation is not impaired.

SEC. 3. The review required by this Act, including any report and recommendations with respect thereto, shall, except to the extent otherwise provided in this Act, be conducted in accordance with the applicable provisions of the Wilderness Act.

SEC. 4. There is hereby authorized to be appropriated such amount as may be necessary to carry out the provisions of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

INDIAN CLAIMS COMMISSION AUTHORIZATIONS

The Senate proceeded to consider the bill (H.R. 3979) to authorize appropriations for the Indian Claims Commission for fiscal year 1976, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That there is authorized to be appropriated to carry out the provisions of the Indian Claims Commission Act (25 U.S.C. 70 et seq.), during fiscal year 1976, not to exceed $1,500,000.

SEC. 2. Section 23 of the Act entitled "An Act to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes", approved August 13, 1946 (60 Stat. 1049, 1055), as amended (86 Stat. 115; 25 U.S.C. 70v), is hereby amended by striking said section and inserting in lieu thereof the following:

"DISSOLUTION OF THE COMMISSION AND DISPOSITION OF PENDING CLAIMS

"SEC. 23. The existence of the Commission shall terminate at the end of eighteen years from and after April 10, 1962, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records and files of the Commission in all cases in which a final determination has been entered shall be delivered to the Archivist of the United States. When the Commission shall be of the opinion that any case pending before it can be handled more expeditiously by the United States Court of Claims, the Commission shall certify such case to the Court of Claims. The Court of Claims may thereupon, in its discretion, permit the transfer of the case, and jurisdiction is hereby conferred upon the Court of Claims to adjudicate all such cases under the provisions of section 2 of the Indian Claims Commission Act: *Provided*, That section 2 of said Act shall not apply to any case filed originally in the Court of Claims under section 1505 of title 28, United States Code. Upon dissolution of the Commission all pending cases including those on appeal shall be transferred to the Court of Claims for adjudication on the same basis as those permitted to be transferred by this section.".

SEC. 3. Section 27 of such Act of August 13, 1946, as amended (25 U.S.C. 70v–1), is amended by adding at the end thereof the following new subsection:

"(c) No trial or hearing shall be conducted nor shall any proceeding be initiated before the Commission in any phase of a claim on or after October 10, 1979: *Provided, however*, That the provisions of this subsection shall not apply to hearings or proceedings relating to a compromise settlement of a claim.".

SEC. 4. Section 28 of such Act of August 13, 1946, as amended (25 U.S.C. 70v–2), is amended by striking said section and inserting in lieu thereof the following:

"STATUS REPORTS TO CONGRESS

"SEC. 28. The Commission shall, on the first day of each session of Congress and six months thereafter, submit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives, a report showing the progress made and the work remaining to be completed by the Commission, as well as the status of each remaining case, along with a projected date for its completion.".

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize appropriations for the Indian Claims Commission for fiscal year 1976, and for other purposes."

ORDER OF PROCEDURE

Mr. ROBERT C. BYRD. Mr. President, may I have the attention of the distinguished Senator from Louisiana (Mr. LONG)?

We have now completed the list of bills which can be passed by unanimous consent. I wonder if we might proceed with the consideration of Calendar No. 317, the one on which there is a 35-minute time limitation.

Mr. LONG. Mr. President, I have been conferring with those on the other side. I believe we might be able to clear Calendar No. 266, or one of these other bills at this point.

Mr. ROBERT C. BYRD. Can we proceed with the other ones?

Mr. LONG. Yes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed now to the consideration of Calendar Order No. 317.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS' ADMINISTRATION PHYSICIAN PAY COMPARABILITY ACT OF 1975

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of S. 1711, which the clerk will state by title.

The assistant legislative clerk read as follows:

A bill (S. 1711) to amend title 38, United States Code, to provide special pay and other improvements designed to enhance the recruitment and retention of physicians, dentists, nursing personnel, and other health care personnel in the Department of Medicine and Surgery of the Veterans' Administration, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Veterans' Affairs with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Veterans' Administration Physician Pay Comparability Act of 1975".

SEC. 2. (a) The Congress hereby finds and declares (1) that the ceiling on the salary of physicians employed in the Department of Medicine and Surgery due to the Federal salary limitation under the Executive Schedule pay rates in title 5, United States Code, accompanied by the sharp escalation in the cost of living since those rates of pay were last increased in 1969 has seriously impaired the recruitment and retention of qualified physicians by the Department of Medicine and Surgery in the Veterans' Administration; and (2) that the compensation provided to physicians in the Department of Medicine and Surgery has been rendered noncompetitive by virtue of the payment of special pay of up to $13,500 per annum, in addition to basic compensation and other benefits, to certain physician medical officers of the uniformed services, pursuant to Public Law 93–274. The Congress further finds and declares that these recruitment and retention difficulties have created an inequitable and demoralizing situation with respect to physicians employed in the Department of Medicine and Surgery that threatens to erode seriously the ability of the Department to compete for the services of qualified physicians and thereby to continue to provide quality health care to eligible veterans.

(b) Section 4107 of title 38, United States Code, is amended by—

(1) striking out the comma and "other than Chief Medical Director and Deputy Chief Medical Director," after "title" in the first sentence of subsection (a);

(2) striking out in subsection (a) the following: "Associate Deputy Chief Medical Director, at the annual rate provided in section 5316 of title 5 of the United States Code for positions in level V of the Executive Schedule."

and inserting in lieu thereof the following:

"Chief Medical Director, $49,700.

"Deputy Chief Medical Director, $48,500.

"Associate Deputy Chief Medical Director, $47,300."; and

(3) amending subsection (d) to read as follows:

"(d) Notwithstanding any other provision of law, and except as provided in section 4118 of this title, pay may not be paid at a rate in excess of the rate of basic pay for an appropriate level authorized by section 5314, 5315, or 5316 of title 5 for positions in the Executive Schedule, as follows:

"(1) Level III for the Chief Medical Director;

"(2) Level IV for the Deputy Chief Medical Director; and

"(3) Level V for all other positions for which such pay is paid under this section.".

(c) Title 5, United States Code, is amended by—

(1) striking out in section 5314 the following:

"(38) Chief Medical Director in the Department of Medicine and Surgery, Veterans' Administration."; and

(2) striking out in section 5315 the following:

"(31) Deputy Chief Medical Director in the Department of Medicine and Surgery, Veterans' Administration.".

(d) (1) Subchapter I of chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 4118. Special pay for physicians

"(a) (1) Notwithstanding the provisions of section 4107(d) or any other provision of law, in order to obtain and retain the services of highly qualified physicians in professional and administrative positions in the Department of Medicine and Surgery, the Administrator, pursuant to regulations which he shall prescribe, is authorized and directed to provide, in addition to any pay or allowance to which such physician is entitled, special pay, in the nature of a variable incentive annual bonus, of up to $13,500 per annum, to any physician employed in the Department of Medicine and Surgery, except as provided in paragraph (2) of this subsection, upon acceptance, and for the duration, of a written agreement executed by such physician to complete a specified number of years of service in the Department.

"(2) The Chief Medical Director, pursuant to such regulations, may determine categories of professional positions in the Department of Medicine and Surgery as to which there is no significant recruitment and retention problem in securing the services of highly qualified physicians. Physicians serving in such positions shall not be eligible for special pay under this section. The Chief Medical Director shall review annually each such determination.

"(b) (1) The Administrator shall exercise the authority contained in this section to provide—

"(A) the maximum amount of such special pay to the Chief Medical Director, Deputy Chief Medical Director, and Associate Deputy Chief Medical Director in the Department of Medicine and Surgery;

"(B) base special pay of 45 per centum of such maximum amount to any eligible full-time physician appointed under this chapter; or

"(C) the proportion of such 45 per centum which equals the proportion of full-time employment which the part-time employment of such physician constitutes, to any eligible part-time physician appointed under this chapter.

"(2) The Administrator may, in accordance with such regulations, provide, in addition to the base special pay provided for in paragraph (1) of this subsection, additional special pay, not to exceed 55 per centum of the maximum amount of such special pay specified in subsection (a)(1), to physicians described in clauses (B) and (C) of paragraph (1) of this subsection in consideration of the scarcity of the medical specialty, the tenure, the education, and the responsibilities of the physician involved and the extent to which veterans in the geographical area in question are medically underserved by the appropriate Veterans' Administration facility, but, in the case of a part-time physician, the amount of such additional special pay shall be reduced (A) in proportion to the proportion of full-time employment which the part-time employment of such physician constitutes, and (B) by an additional amount which equals 33⅓ per centum of the amount of base special pay to which a full-time physician would be entitled under paragraph (1)(B) of this subsection.

"(c)(1) Any agreement entered into by a physician under this section shall be with respect to a period of one year of service in the Department of Medicine and Surgery unless the physician requests an agreement for a longer period of service not to exceed four years.

"(2) Any such agreement shall (A) provide that the physician, in the event that such physician voluntarily, or because of misconduct, fails to complete at least one year of service pursuant to such agreement, shall be required to refund the total amount received under this section, unless the Chief Medical Director, pursuant to the regulations prescribed under this section, determines that such failure is necessitated by circumstances beyond the control of the physician, and (B) specify the terms under which the Veterans' Administration and the physician may elect to terminate such agreement.

"(3) Any amount of special pay payable under this section shall be provided in such installments as the Administrator shall prescribe, pursuant to such regulations.

"(d) Any additional compensation provided as special pay under this section shall not be considered as basic compensation for the purposes of subchapter VI and section 5595 of chapter 55, chapter 81, 83, or 87 of title 5, or other benefits related to basic compensation.".

(2) The table of sections at the beginning of chapter 73 of title 38, United States Code, is amended by inserting

"4118. Special pay for physicians."

below

"4117. Contract for scarce medical specialist services.".

SEC. 3. (a) The Administrator of Veterans' Affairs shall submit a report each year to the Committees on Veterans' Affairs of the Senate and House of Representatives regarding the operation of the special pay program authorized by section 4118 of title 38, United States Code, as added by section 2(d)(1) of this Act. The report shall be on a fiscal year basis and shall contain—

(1) a review of the program to date for the fiscal year during which the report is submitted; and such portion of the preceding fiscal year as was not included in the previous annual report; and

(2) any plans for the program for the remainder of such fiscal year and for the succeeding fiscal year.

This report shall be submitted not later than April 30 of each year.

(b) The Director of the Office of Management and Budget, after consultation with the Administrator of Veterans' Affairs, the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Chairman of the Civil Service Commission, and the heads of other appropriate Federal departments and agencies, shall submit to the appropriate committees of the Senate and House of Representatives not later than March 1, 1976, a report proposing a permanent legislative solution to the problem of attracting and retaining the services of highly qualified physicians and other health care personnel in the Veterans' Administration, other nonuniformed Federal service, and the uniformed services, along with a justification for such proposal. Such proposal shall, to the maximum extent feasible, provide for uniform pay, allowances, and benefits.

SEC. 4. Chapter 73 of title 38, United States Code, is amended as follows:

(a) Clause (1) of section 4104 is amended to read as follows:

"(1) Physicians, dentists, nurses, physicians' assistants, and expanded-duty dental auxiliaries;".

(b) Section 4105 is amended by—

(1) inserting at the end of subsection (a) the following new paragraph:

"(8) Physicians' assistants and expanded-duty dental auxiliaries shall have such medical or dental and technical qualifications and experience as the Administrator shall prescribe."; and

(2) striking out in subsection (b) "or nurse unless he" and inserting in lieu thereof "nurse, physicians' assistant, or expanded-duty dental auxiliary unless such person".

(c) Section 4106 is amended by adding at the end thereof the following new subsection:

"(f) The provisions of this section shall apply to physicians' assistants and expanded-duty dental auxiliaries.".

(d) Section 4107 is amended by—

(1) inserting before the period at the end of the third sentence of paragraph (5) of subsection (e) a comma and "except as voluntarily requested in writing by the nurse in question";

(2) adding at the end of subsection (e) the following new paragraph:

"(10) The provisions of this subsection shall apply, in lieu of the provisions of sections 5542, 5543, 5545 (a), (b), and (c), and 5546 of title 5 with respect to any person employed in the Department of Medicine and Surgery, except for physicians and dentists, whose principal responsibilities, as determined by the Chief Medical Director pursuant to regulations which the Administrator shall prescribe, relate directly to patient care."; and

(3) inserting at the end thereof the following new subsections:

"(f) Under standards which the Administrator shall prescribe in regulations, physicians' assistants and expanded-duty dental auxiliaries shall be compensated by use of Nurse Schedule grade titles and related pay ranges and shall be entitled to additional pay on the same basis as provided for nurses in paragraphs (2) through (8) of subsection (e) of this section.

"(g) When he finds such action to be necessary in order to obtain or retain the services of health care personnel to provide hospital care and medical services for veterans, the Administrator, notwithstanding any other provision of law, shall increase the minimum or maximum rates of pay authorized under this chapter or title 5, on a nationwide basis, for one or more grades or for one or more medical, dental, or health care fields within the grades, to (1) provide pay commensurate with competitive pay practices in the same occupation or in order to achieve internal alignment of pay rates within the Department of Medicine and Surgery, or (2) meet staffing requirements at Veterans' Administration facilities. Any such increase in the minimum rate for any grade may not exceed the maximum rate prescribed pursuant to law for such grade. Any such increase in the maximum rate for any grade may not exceed in corresponding amount, the amount provided for in the statutory range for that grade, subject to the limitation on pay fixed by administrative action set forth in section 5363 of title 5.".

(e) Section 4108 is amended by—

(1) striking out in the language preceding clause (1) in subsection (a) "and nurses" and inserting in lieu thereof a comma and "nurses, physicians' assistants, and expanded-duty dental auxiliaries"; and

(2) striking out "or nurse" in the same language in such subsection and in clause (6)(B) thereof and inserting in lieu thereof in each place "nurse, physicians' assistant, or expanded-duty dental auxiliary".

SEC. 5. (a)(1) The amendments made by subsection (d) of section 2 of this Act shall become effective as of July 1, 1975, and agreements entered into by the Veterans' Administration pursuant thereto shall be effective (A) as of such date as to physicians then employed in the Department of Medicine and Surgery of the Veterans' Administration, or (B) as of the date on which the employment of a physician begins as to all other physicians whose employment begins after July 1, 1975.

(2) No special pay may be provided pursuant to section 4118 of this title (as added by subsection (d)(1) of section 2 of this Act) after July 1, 1976, or the expiration date of the authority contained in section 313 of title 37 to provide special pay to physician medical officers in the uniformed services, whichever is later.

(b) Except as provided in subsection (a) of this section, the amendments made by this Act shall become effective beginning the first pay period following thirty days after the date of enactment of this Act.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum and ask that the time not be charged against either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRANSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRANSTON. Mr. President, the Veterans' Administration Physician Pay Comparability Act of 1975, S. 1711, which I reported from the Senate Veterans' Affairs Committee on July 23, will go a long way toward giving the VA the authorities it needs to deal with the serious recruitment and retention problems it is experiencing with respect to physicians and certain other health care personnel. This bill which I introduced on May 12 with the cosponsorship of the chairman of the Veterans' Affairs Committee (Mr. HARTKE) as well as the ranking majority member (Mr. RANDOLPH), the ranking minority member of the full committee (Mr. HANSEN), the ranking minority member of the subcommittee (Mr. THURMOND), the Senator from Vermont (Mr. STAFFORD), and the Senator from New Jersey (Mr. WILLIAMS), has now been cosponsored by the Senator from Florida (Mr. STONE), the Senator from Georgia (Mr. TALMADGE), and the Senator from Wyoming (Mr. MCGEE).

Mr. President, I want especially to express my gratitude to the distinguished chairman of the Committee on Veterans' Affairs (Mr. HARTKE) for his invaluable contribution to this bill of which he is an original cosponsor. He was a constant source of support throughout our very critical committee deliberations and in our efforts to bring this bill successfully through committee and to the floor today. All members of the committee were constructive and thoughtful in their contributions. The ranking majority member on the Subcommittee on Health and Hospitals (Mr. RANDOLPH), a great champion of needed veterans' legislation, and the new majority member of the subcommittee (Mr. STONE) were enormously helpful and creative in reaching an accord on the provisions of S. 1711.

I also express my thanks to the ranking minority member of the subcommittee (Mr. THURMOND) and the ranking minority member of the full committee (Mr. Hansen) for their help and cooperation.

INTRODUCTION

Mr. President, this bill was ordered reported on an 8-to-1 rollcall vote by the Committee on Veterans' Affairs on July 16, 1975, and I filed the committee report on July 23. The bill is cosponsored by these eight members of our committee, as well as by Senators Williams and McGee.

The bill as reported is designed to help the Veterans' Administration department of medicine and surgery deal with major recruitment and retention problems it is experiencing with respect to physicians and other health care personnel. These problems have reached critical proportions, and threaten to compromise the quality of health care available to the Nation's veterans in the VA hospital system. The provisions authorizing up to $13,500 annually in special pay for VA physicians are modeled upon comparable provisions enacted last year in Public Law 93–274 to provide annual special pay to military and public health service physicians. These uniformed services physicians have been receiving these bonuses now for almost a year, and, unfortunately, the VA physicians will never be able to recoup that ground.

The bill attempts to give physicians in the VA a measure of salary comparability with the military and PHS physicians. The average military physician with 14 years of experience now earns $49,045. His peer in the VA earns $13,000 less, because of the $36,000 ceiling on executive level salaries which has been in effect since 1969. When the real total value of military pay and benefits is taken into account, VA physicians fall still further behind, given the special perquisites available to military and PHS officers, such as PX privileges, health care for themselves and dependents, and free retirement benefits.

Thus, we consider the physician provisions of the bill to be providing no more than a fair break for VA physicians. Pay comparability is absolutely essential at this point in order to reverse both the extremely serious attrition of VA physicians from the system as well as the Department of Medicine and Surgery's inability to recruit qualified physicians to replace them.

In May, the Subcommittee on Health and Hospitals, which I chair on the Committee on Veterans' Affairs, held 2 lengthy days of hearings on S. 1711 and received testimony from the chief medical director, VA hospital directors, VA chiefs of staff and service chiefs, VA physicians and dentists, various veterans organizations, labor unions, and representatives of various categories of health care personnel in the department of medicine and surgery. Following the hearings we conferred extensively with the chief medical director and others in the department of medicine and surgery, the VA Personnel Office, and the VA General Counsel's Office. We have sought the widest possible input and consensus from the committee members in order to put before the Senate the best possible proposal.

Let me stress again, Mr. President, that this bill does no more than provide a measure of parity for VA physicians with what military and Public Health Service physicians now receive under Public Law 93–274, last year's Uniformed Services Physicians' Bonus Act.

We estimate that the average VA physician will receive special pay of $9,000 to $10,000 a year under the special pay provisions in S. 1711 as compared to an average of $12,500 to $13,000 in annual special pay for military and PHS physicians under the provisions of Public Law 93–274. Even with the special pay authorized by S. 1711, physicians earning the top salary in the VA would still be paid $6,000 less than the maximum paid to military physicians, not including the many fringe benefits for military physicians which are not now and will not under this bill be available to VA physicians—such as PX privileges, medical care for themselves and their dependents, and free retirement protection.

Mr. President, it is suggested in the minority views of the Senator from Virginia (Mr. Scott) that there is some jurisdictional problem with this bill with respect to the Post Office and Civil Service Committee. I wish to point out to my colleagues that I have discussed that very point with the chairman of that committee, the Senator from Wyoming (Mr. McGee) who is a cosponsor of this measure, and with the ranking minority member, the Senator from Hawaii (Mr. Fong), who have raised no such jurisdictional objection at all.

SUMMARY OF PROVISIONS

To deal with these problems, Mr. President, S. 1711 as reported would:

First. Authorize the payment of special pay to eligible physicians in the Department of Medicine and Surgery as follows:

Full-time physicians—with the exception of those in certain narrowly drawn categories of professional positions found by the Chief Medical Director not to be experiencing a significant recruitment and retention problem—would receive $6,075 in "base special pay," plus up to $7,425 in variable "additional special pay", to be distributed on the basis of objective factors, such as the scarcity of the physician's medical specialty, the physician's tenure, education, and professional responsibilities, and the extent to which veterans in the geographical area in question are medically underserved by the appropriate VA facility. It is estimated that most full-time physicians would receive special pay of between $9,000 and $10,000 annually. No physician would receive more than $13,500.

Part-time physicians—with the same narrowly drawn categorical exceptions—would receive "base special pay" of $6,075 proratably reduced by the proportion of time employed in VA facilities, plus up to $5,400 in "additional special pay" proratably reduced to reflect hours employed and distributed according to the same objective factors.

Second. Remove the salary authorization for the Chief Medical Director and Deputy Chief Medical Director from title 5 of the United States Code; establish statutory salaries for these officials in section 4107 of title 38 of the United States Code; impose salary ceilings on their salaries, as well as that of the Associate Deputy Chief Medical Director, to correspond to specific executive schedule levels in title 5 (while retaining the $36,000 salary ceiling on all other DM&S salaries—except as provided in special pay); and direct provision of $13,500 in special pay to these three officials.

Third. Require the Administrator of Veterans' Affairs to report annually to the relevant committees of Congress on the operation of the special pay program.

Fourth. Require the Director of the Office of Management and Budget, after consultation with the Administrator of Veterans' Affairs and the heads of relevant Federal agencies, to submit to the appropriate committees of Congress, not later than March 1, 1976, a report proposing a permanent and coordinated legislative solution to the problem of attracting and retaining the services of qualified health care personnel for careers in the VA, the uniformed services, and other Federal agencies providing health care.

Fifth. Provide for the inclusion in the title 38 Department of Medicine and Surgery personnel schedules of physicians' assistants and expanded-duty dental auxiliaries, along with physicians, dentists, and registered nurses, and direct that they be paid under the nurse schedule in section 4107 of title 38.

Sixth. Remove the prohibition on compensatory time off for VA registered nurses, but only when a nurse who, because of overtime work, is entitled to special compensation voluntarily and specifically requests in writing that that compensation take the form of extra time off rather than overtime pay.

Seventh. Extend title 38 premium and overtime pay benefits, as they are now provided to registered nurses in VA health care facilities, to all Department of Medicine and Surgery personnel whose primary responsibilities relate directly to patient care.

Eighth. Authorize the Administrator to adjust minimum and maximum salaries within grade for non-physician health care personnel on a nationwide basis when, in his judgment, salary adjustment is necessary to provide pay commensurate with competitive pay practices in the same occupation, to achieve internal alignment of pay rates within the Department of Medicine and Surgery or to meet staffing needs in VA health care facilities.

BACKGROUND

Mr. President, no factor bears more directly on the quality of patient care provided to veterans in the VA health care system than the qualifications and professional skills of the health care personnel in the Department of Medicine and Surgery. To provide medical care to the Nation's 29.4 million veterans, the VA administers 171 hospitals, 213 outpatient clinics, 86 nursing homes, and 18 domiciliaries. Health care on such an enormous scale requires a large staff of well-qualified professionals. The Department of Medicine and Surgery on March 31, 1975, employed 8,388 physicians, 862 dentists, 24,629 registered nurses, 32,284 nursing personnel, and more than 100,000 other health care and administrative personnel.

The VA health care system's contribution to American medicine extends well beyond the treatment of veterans. More than 65,000 medical personnel are trained every year at VA facilities for service to the community in private and public hospitals. One out of every three professionals in the emerging paramedical specialties is trained by the VA. In addition, the VA spends almost $100 million annually on basic and applied medical research, the benefits of which extend far beyond the immediate veteran community served by the VA system.

RECRUITMENT AND RETENTION OF PHYSICIANS

The most acute recruitment and retention problem now faced by the Department of Medicine and Surgery, Mr. President, involves the more than 8,000 physicians who work in VA health care facilities.

In the spring of 1974 the VA, at the request of the President, conducted a major study of the quality of patient care at VA hospitals and clinics. That study, prepared under the direction of Dr. John D. Chase, then the new Chief Medical Director of the Department of Medicine and Surgery, concluded:

> The most critical problem confronting the Department of Medicine and Surgery is the recruitment and retention of an adequate staff of well qualified personnel essential to providing high quality health care. The most urgent of these needs focuses on the physician.

According to the quality of patient care report, which incorporated the significant findings and recommendations of the VA Task Force Report on Recruitment and Retention, the single greatest barrier to successful recruitment and retention was the inadequacy of the salaries allowed for VA physicians.

The principal reason for the low level of VA physicians' compensation is the $36,000 ceiling imposed by statute on all Federal executive employee salaries at Federal Executive Schedule V and below. The ceiling has been in place since 1969. Today, 4 out of every 10 full-time physicians in the VA have their salaries frozen at that maximum figure. That proportion would increase to 63 percent when the anticipated pay increase due in October 1975 takes effect. The salary ceiling is particularly burdensome in times of rapidly escalating increases in the cost of living.

Mr. President, the inevitable result has been an exodus of experienced and highly qualified physicians from the VA system, an exodus that now threatens to reach crisis proportions. In the 12-month period ending on June 30, 1975, more than 300 full-time physicians resigned because they considered their salaries inadequate. Fully two-thirds of the 1,209 physicians who were offered positions in VA health care facilities rejected them, citing inadequacy of compensation as their reason for doing so.

The exodus of physicians from the VA accelerated a year ago with the enactment of Public Law 93-274 to assist the uniformed services in recruiting and retaining badly needed physicians. Under the terms of that 1974 act and its implementing regulations, certain physicians—not including interns and residents—in the Armed Forces and the U.S. Public Health Service who agree to serve 1 to 4 years of additional active duty are eligible for special incentive bonuses of up to $13,500 annually. With the enactment of this legislation and regulations issued thereunder effective September 5, 1974, physicians employed in the Department of Medicine and Surgery no longer had pay comparability with the physicians in the two other major Federal agencies providing health care.

In addition, Mr. President, while the VA system of hospitals and clinics offers many inducements to the physician beyond those offered by the Department of Defense and the Public Health Service in terms of professional challenges in patient care and opportunities for medical research and teaching, comparable positions in teaching hospitals in the community offer significantly greater financial rewards than VA service, as do faculty appointments at medical schools.

A comparison of the incomes of VA physicians, uniformed services physicians, and non-Federal physicians shows that the $36,000 top salary for VA physicians due to the Federal salary ceiling is substantially lower than the top salary in the other two Federal health services. The highest paid—although relatively few—uniformed services physicians earn $55,594, or 54 percent more than the maximum salary for physicians in the VA. Salaries of non-Federal physicians range considerably higher; 15.8 percent of physicians in the private sector net over $71,000 annually.

The noncompetitive salary position of the VA is demonstrated even more clearly by data on the average net income of all private physicians. The average physician in this country earns $49,415. The average military physician earns $37,335. Each of these average figures exceeds the maximum salary of physicians in the VA. The average full-time VA physician currently earns $33,614—47 percent less than the average non-Federal physician's salary and 11 percent less than the average basic salary of physicians in the uniformed services.

It should also be noted in connection with the $37,355 military physicians' average income that over 75 percent of military physicians have less than 12 years of professional experience. For those with over 12 years of experience, the average salary is $43,039. The average VA physician's salary after 12 years' experience in DM&S is $36,000 or less.

THE GROWING NUMBER OF PART-TIME PHYSICIANS AND FOREIGN MEDICAL GRADUATES

Mr. President, because of the acceleration of full-time physicians leaving the VA for better-paying jobs elsewhere, the VA has grown increasingly reliant on part-time physicians. Of the 732 physicians who have been recruited to join the VA in the last 3 years, only 52—7 percent of the total—agreed to serve full-time. The remainder—680—chose part-time service.

Since 1968, the number of full-time physicians in the VA increased by 7 percent. During the same period, the number of physicians serving part time increased 174 percent.

Particularly troublesome is the alarming conversion to part-time service at the highest staff levels in VA hospitals among the VA's most experienced and highly trained physicians. At the present time, 44 of the 171 hospitals in the VA system lack a full-time chief of psychiatry. The position of chief of radiology is either vacant or filled on a part-time basis in 71 hospitals. And 85 hospitals—half of all VA hospitals—lack a full-time chief of anesthesiology.

The committee believed that the trend to part-time service poses a direct threat to the quality of patient care in VA health care facilities.

Also significant is the VA's growing dependence on the services of foreign-trained physicians. One-third of all physicians in the VA health care system today were trained in foreign medical schools, almost double the proportion of foreign medical graduates in the general physician population in this country. The number of foreign medical graduates in VA health care facilities has increased by 25 percent in only 2 years. At 25 VA hospitals, more than half of all staff physicians are foreign trained.

While the vast majority of foreign-trained physicians are competent and dedicated individuals, substantial communications barriers with the veterans have been encountered in some cases as a result of different linguistic and cultural backgrounds. In addition, lack of fluency in English may create problems in communicating effectively to support staff the exact medication to be administered the patient and the overall treatment regimen to be followed.

RECRUITMENT AND RETENTION OF NONPHYSICIAN PERSONNEL

Although the Department of Medicine and Surgery's most visible problem concerns the recruitment and retention of physicians, Mr. President, the department also suffers from shortages of other categories of personnel. In some cases, the shortages are severe enough to threaten the quality of care afforded to the Nation's hospitalized veterans.

The 1974 Task Force Report on Recruitment and Retention indicated that the recruitment and retention of nonphysician personnel were critical problems, second in importance only to the problems associated with physicians. Chief Medical Director Chase reaffirmed this finding of the task force report in his testimony to the Subcommittee on Health and Hospitals on May 22, 1975. The record of those hearings makes a strong and, we believe, a persuasive case for acting now to assist the Department of Medicine and Surgery in obtaining the services of badly needed nonphysician personnel.

PHYSICIANS' ASSISTANTS

One of the VA's most pressing recruitment and retention shortfalls is in the physicians' assistant category. Physicians' assistants are a new, and potentially very valuable, category of paramedical specialist; training programs were first established only 5 years ago, and less than 3,000 physicians' assistants have been trained nationally since then. VA hospitals have played a major role in training physicians' assistants. Well over half—1,800—of all physicians' assistants received some or all of their clinical training in VA hospitals. Yet at present, the VA employs only 81 full-time physicians' assistants.

Physicians' assistants enter the VA at the GS-7 level, with a $10,520 starting salary. According to the American Academy of Physicians' Assistants, the starting salary for physicians' assistants in non-VA hospitals ranges from $12,500 to $15,000 a year—considerably more than the salary that the VA, under civil service restrictions, can offer. The ironic result is that the VA, the Nation's leading trainer of physicians' assistants, cannot pay the salaries necessary to hire graduates of its own programs.

The training, development, and employment of physicians' assistants has, in the last several years, been made by Congress a major health care mission of the VA. Public Law 93-82, the Veterans' Health Care Expansion Act of 1973, amended section 4101(b) of title 38 to provide, in part:

> [T]he Administrator shall . . . develop and carry out a program of education and training of . . . health manpower . . . and shall carry out a *major program* for the recruitment, training, and *employment* of veterans with medical military occupation specialties as *physicians' assistants*, dentists' assistants, and other medical technicians (including advising all such qualified veterans and servicemen about to be discharged or released from active duty of such *employment opportunities*). . . . [Emphasis supplied.]

Also, under section 5070(e) of title 38—a section added by Public Law 92-541, the Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972—applications for financial aid for the construction of State medical schools and assistance to increase training opportunities at existing medical schools and other health manpower training institutions will be given special consideration when, among other things, veterans with medical military occupation specialties are given priority for admission to physicians' assistants programs as well as other health professions training programs.

These laws, in short, indicate a firm and twice articulated congressional intent to expand dramatically the number of physicians' assistants employed in VA health care facilities. Achievement of that congressional intent has proven impossible because of the VA's continued difficulty in recruiting physicians' assistants to the VA system. I believe that the Department of Medicine and Surgery must now be given the explicit statutory authority it needs to realize its goals and congressional goals with regard to the employment of physicians' assistants in the VA health care programs.

NURSING PERSONNEL

The Department's recruitment and retention problems concerning nursing personnel other than registered nurses are equally serious, Mr. President.

There are 6,544 full-time licensed practical nurses—LPNs—in the VA system. They enter at the GS-3 level, with starting salaries of $6,764. According to the National Federation of Licensed Practical Nurses, the average starting salary for practical nurses in this country is $8,000; and that starting figure rises to as much as $12,000 in major metropolitan areas. The competitive position of the VA is obviously weak. Fifteen hospitals in the VA system are experiencing critical recruitment shortages of LPNs, and the pay differential is cited as the principal reason at each of those hospitals.

The VA also employs 25,200 nursing assistants. Unlike LPNs and physicians' assistants, they undergo no formal training before starting in the Veterans' Administration, and do not have to be licensed or pass a formal examination. The major recruitment problem with NAs—and to a somewhat lesser extent with LPNs—is different from the recruitment problem associated with the other personnel; competition for their services comes, not from other hospitals, but from other positions within the VA hospital—positions that pay considerably more than the NA can earn.

NAs enter the system at the GS-2 grade level, or $5,996. At almost 90 percent of VA hospitals, starting wage board employees—cooks and food service employees, laundry workers, housekeeping aides, maintenance personnel, and others whose jobs are of a custodial or support nature rather than health-related—earn more than nursing personnel at the GS-2 level, and in some cases they earn almost twice as much.

Chief Medical Director Chase has indicated that this "internal" competition for personnel with VA hospitals is one of the major reasons for the difficulties in recruiting and retaining the services of NAs. Persons who have received no formal nursing training will often prefer the higher-paying laundry and maintenance positions to the lower-paying NA positions. Five VA hospitals are now experiencing critical shortages of NA personnel.

Mr. President, two other problems should be noted in connection with the NA recruitment problem. First, because of the extraordinarily high turnover rate of NAs in the VA system—close to 25 percent annually—recruitment is a constant worry and consumes a major portion of the Nursing Service's time. Second, the recruitment problem at the NA level aggravates recruitment problems at the higher nursing levels. Congress has specifically mandated career advancement opportunities in section 4101(b) of title 38, and the VA considers the NA position as the first rung on a career ladder in nursing. NAs are trained and encouraged to become LPN's and then registered nurses. The initial pay discrepancy between NA wages and wage board salaries discourages many entering personnel away from the nursing ladder, and eventually, therefore, leads to recruitment shortfalls at the higher nursing levels.

Mr. President, fuller explanations of these provisions are included in excerpts from the committee report, which I ask unanimous consent be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CRANSTON. Mr. President, I would like to highlight a few areas which were a matter of particular concern to the members of the committee.

PHYSICIANS

With respect to the physician pay issue, the provisions in S. 1711 as reported are consistent with and in many ways similar to those proposed by the administration in its submission of May 29, 1975, to the Congress. The goal of this portion of S. 1711—section 2 of the bill—is to provide an interim solution to the extremely serious problem of recruitment and retention of physicians now facing the Department of Medicine and Surgery.

DIFFERENCES BETWEEN HOUSE AND SENATE BILL

There are five very basic differences between our approach in the Senate bill and that in the House-passed bill, H.R. 8240:

First, under S. 1711, the $6,075 so-called base special pay is an entitlement for every eligible VA physician. No individual physician can be excluded, as under the House bill and the administration bill. Only categories of physicians could be excluded from special pay under the Senate bill and then only if the Chief Medical Director makes a determination that for such a professional category the VA is experiencing no significant recruitment and retention problem.

Second, as to the up to $7,425 of so-called additional special pay—the discretionary, variable part of the bonus—S. 1711 gives the Chief Medical Director discretion to establish the dollar increments based on five enumerated factors. This is comparable to the administration bill. The House bill, in contrast, would write into the statute very specific dollar increments to be attached to very specific factors, such as graduated amounts of tenure, board certification, full-time status, and so forth.

Third, S. 1711 provides the VA physician with the same option as the military and PHS physician now has; namely, to enter into an agreement to receive special pay for up to 4 years.

The administration bill also conditions special pay for VA physicians on their signing an agreement. Under the agreement provisions in the Senate bill, all special pay would be forfeited upon failure, for circumstances beyond a VA physician's control, to complete the full first year, regardless of the length of the agreement. We feel strongly that no real comparability is provided without this multiyear option, and that no real recruitment help would be given to DM&S if the offer were restricted to 1 year of special pay with but a hope and a prayer for future years. The House bill is strictly limited to 1 year's payment of special pay.

Fourth, S. 1711 ties the termination date of authority for the VA to enter into special pay agreements directly to the expiration date of the uniformed services annual special pay authority provided by Public Law 93-274. That expiration date is now July 1, 1976. If authority for military and PHS physician special pay is extended, we believe authority for VA special pay should automatically be extended with it. Neither the House nor administration bill contains this critical feature.

Fifth, under S. 1711, the special pay agreement would be retroactive to July 1, 1975, for a VA physician who was then employed in DM&S. The administration bill also has a July 1 effective date. Under H.R. 8240, special pay would be provided for 1 year starting with the pay period beginning on September 28, 1975. We believe that many VA physicians now on board have made decisions to remain in the VA in anticipation of enactment of special pay authority effective July 1. In light of the administration bill's effective date, the upon-enactment effective date in a number of the House committee's bills, and the July 1 date in S. 1711 as introduced, these were certainly reasonable expectations. We believe that the special pay program should provide recognition for those physicians who did not choose to leave VA service in reasonable anticipation of a July 1 effective date for the special pay program.

Mr. President, I hope we can get together with members of the House Committee on Veterans' Affairs as soon as the recess is over and work out an effective and reasonable compromise of the differences between our bills.

ELIGIBILITY OF PART-TIME PHYSICIANS FOR SPECIAL PAY

Mr. President, with respect to providing special pay to part-time VA physicians, this was a matter that was closely considered by the committee. Under the committee bill, the maximum amount which a part-time VA physician could receive in special pay would be $9,788, and the maximum amount he could receive in regular salary would be $31,500, for a regular and special pay maximum salary of $41,288. Let me stress that this maximum would apply only to the approximately 619 part-time VA physicians who are working on a seven-eighths basis. The average part-time VA physician works on a half-time basis. For such a half-time physician, the maximum amount of special pay would be $4,725, and the maximum amount of regular pay would be $18,000, for an annual regular and special pay maximum total of $22,725.

I stress that these are only maximums—that is, the top amount which potentially could be paid to a tenured VA physician. Only the most highly trained and skilled part-time physicians with major supervisory responsibilities would qualify for these maximum amounts. This is because the amount of "additional" special pay—up to $7,425—to be paid, above the $6,075 base special pay, is discretionary with the Chief Medical Director based on enumerated factors. The average VA full-time physician would probably receive $3,000 to $4,000 in additional special pay or a total of $9,000 to $10,000 in total special pay. The average part-time VA physician, who works half-time, would therefore probably receive between $3,500 and $4,500 in total special pay.

The committee felt strongly that it was important to halt the very serious trend toward part-time service by placing a positive financial incentive on full-time service as a VA physician. We believe that the dollar incentives just described meet those purposes.

At the same time, the Chief Medical Director in the VA feels strongly that it would be inequitable and counterproductive to withhold special pay from part-time physicians under the bill. Many excellent physicians, for a variety of reasons, wish to serve in the Department of Medicine and Surgery on a part-time basis. Virtually every leading medical school in the United States is affiliated with nearby VA hospitals, and these medical schools often find that this kind of part-time arrangement facilitates their making available some of their finest physicians for service at the VA hospital. Many of their faculty members are thereby enabled to continue to hold prestigious faculty appointments and receive other university benefits while performing part time in the VA Department of Medicine and Surgery.

Affiliations with leading medical schools have proven to be a very valuable recruiting tool. These mutually beneficial arrangements and this important recruiting advantage would be seriously diminished if we denied part-time physicians an appropriate, prorated benefit under the new special pay program.

It is also the case that the services of many excellent physicians in certain specialties are only required by the VA on a part-time basis. The VA is now experiencing a major recruitment problem in attracting these part-time physicians, and the bonus pay would thus provide a critical way to insure the availability of the services of these part-time physicians.

Mr. President, I ask unanimous consent that a table summarizing the estimated special pay for part-time physicians under S. 1711 be printed in the RECORD.

These being no objection, the table was ordered to be printed in the RECORD, as follows:

PART-TIME PHYSICIANS IN THE DEPARTMENT OF MEDICINE AND SURGERY (AS OF MAR. 31, 1975)

Part-time status	Number (total = 2,792)	Percentage of total	Current average VA compensation	Estimated special pay under S. 1711	Estimated total compensation with special pay
1/8	445	16	$4,376	$1,125	$5,501
2/8	284	10	8,734	1,350	10,084
3/8	299	10	13,142	3,030	16,172
4/8	982	35	17,455	4,725	22,180
5/8	16	1	$21,746	$6,400	$28,146
6/8	147	5	26,419	8,100	34,519
7/8	619	23	30,976	9,775	40,715

Source: Prepared for the Subcommittee on Health and Hospitals, Senate Committee on Veterans' Affairs by the VA Department of Medicine and Surgery.

EFFECT ON VA PHYSICIAN'S SPECIAL PAY OF H.R. 8597

Mr. CRANSTON. Mr. President, last week Congress approved H.R. 8597, a bill to remove the $36,000 Federal salary ceiling with respect to future cost-of-living Federal pay increases. That bill is now on the way to the White House. Some questions have been raised with respect to the applicability of this bill to the special pay authorized in S. 1711 for VA physicians. The answer to these questions is that the maximum amount of special pay would under no circumstances be increased by any general Federal cost-of-living pay increase. Just as with the annual special pay paid, pursuant to Public Law 93-274, of May 6, 1974, to medical officers of the uniform services, the maximum amount of special pay for a VA physician would be frozen at $13,500.

If H.R. 8597 becomes law and raises the $36,000 Federal salary ceiling, S. 1711 would do nothing to alter the eligibility of VA physicians for a cost-of-living increase on their regular salary of 8.66 percent or whatever amount is finally established for the forthcoming cost-of-living increase.

I want to stress, Mr. President, that this is precisely the situation prevailing as to the basic salary and allowances of military and Public Health Service medical officers. In October 1974, medical officers in the uniformed services received a 5.52 percent increase in their regular military compensation—that is, basic pay and basic allowances for subsistence and quarters—pursuant to applicable law and Executive Order No. 11812 of October 7, 1974. The same medical officers had then already entered into agreements to receive up to $13,500 in annual special pay and have received their bonus over and above their basic regular compensation as so increased. With respect to the forthcoming October 1975, cost-of-living pay raise, existing law would require the payment of the increase due in October to military and Public Health Service medical officers based on their regular military compensation, and they would go on receiving their special pay up to $13,500 as well.

In sum, all we are proposing in this bill for VA physicians is the same eligibility that military and Public Health Service physicians have for a cost-of-living increase on their regular compensation.

At my request, Chief Medical Director John D. Chase prepared a brief memorandum on the relationship between regular military compensation and the uniformed services' "Variable Incentive Pay" program. Mr. President, I ask unanimous consent that the memorandum be printed in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Regular Military Compensation and Variable Incentive Pay for Medical Officers of the Uniformed Services

1. *Background*. Public Law 93–274, enacted May 6, 1974, authorized special pay provisions, effective July 1, 1974, for certain medical officers of the uniformed services, subject to appropriate regulations approved by the President. On September 12, 1974, a Department of Defense Directive on Variable Incentive Pay (VIP) was issued with an effective date of September 5, 1974. Similar regulations were issued by the Department of Health, Education, and Welfare with an effective date of September 9, 1974. Under the provisions of 37 USC 1009 (as added by Public Law 93–419, enacted September 19, 1974) and the Federal pay comparability provisions of 5 USC 5305, the President issued Executive Order No. 11812 on October 7, 1974. This Order authorized increases, effective in October 1974, of 5.52 percent in regular military compensation (RMC), that is, in rates of basic pay and basic allowances for subsistence and quarters, for members of the uniformed services.

On July 21, 1975, the President's Agency (CSC/OMB) recommended, in its annual report to the President, an increase in basic pay of 8.66 percent for Federal civilian employees paid under the Federal pay comparability system and an increase in RMC for members of the uniformed services of 8.66 percent, both to be effective in October 1975.

2. *Relationship of RMC and VIP*. No provision was made in P.L. 93–274, P.L. 93–419, E.O. 11812, or implementing regulations to reduce RMC as a result of VIP, or vice versa, for medical officers of the uniformed services, nor is there any plan to do so with respect to the anticipated October 1975 adjustment. These statements were verified by telephone with a staff official of the Office of the Surgeon General of the U.S. Army.

DENTISTS

Mr. CRANSTON. Mr. President, in the course of drafting the VA physician pay provisions in S. 1711, we have given the most careful scrutiny to detailed backup materials provided by the VA and by its Department of Medicine and Surgery—which they have been most prompt and helpful in supplying—with respect to recruitment and retention problems for all VA health care personnel.

We have considered the very appealing requests from many dentists employed in the Department of Medicine and Surgery, from the National Committee of Concerned VA Dentists, and from the American Dental Association, to provide a special pay bonus for dentists as well as physicians. Our proposal does not incorporate any special pay provision for dentists because no data has been developed to demonstrate that the present situation with respect to dentists' recruitment and retention by the VA Department of Medicine and Surgery is in any way an emergency situation. In contrast, this is certainly a fair way to characterize the situation confronting the VA with respect to recruitment and retention of physicians.

I believe that we must have a clear emergency before an exception to the Federal salary ceiling is justifiable for a particular category of Federal employees.

It is true that the average annual turnover rate for dentists in the VA system—13 percent—approaches the rate for VA physicians—15.3 percent. But, in marked contrast to the medical service, the dental service has not experienced the four problems which have so seriously affected the recruitment and retention of DM&S physicians: First, vacancies—only 20 VA dentist vacancies, a 1.3-percent rate, as compared to 373 VA physician vacancies, a 7-percent vacancy rate; second, salary compression—19 percent of all VA dentists are limited by the $36,000 salary ceiling as compared to 38 percent of all VA full-time physicians; third, increased reliance on part-timers—only 2 percent part-time service for VA dentists as compared to 36 percent for VA physicians; and fourth, increased reliance on foreign-trained medical graduates—all VA dentists were trained in U.S. dental schools whereas 31 percent of all VA physicians were trained in foreign medical schools.

Mr. President, at our hearings in May on S. 1711, I asked the Department of Medicine and Surgery to survey the recruitment and retention problems at each of the VA's 171 hospitals. The data collected as a result of that survey simply do not suggest that the dental service is suffering from the same type or magnitude of recruitment and retention woes now afflicting the medical service. The survey shows only that new dentists are somewhat less experienced than the dentists they replaced—7 years of experience as compared with 10 years. It does not show that the VA is having any appreciable difficulty in filling dentist vacancies, or that patient care has suffered to any degree whatsoever.

OTHER HEALTH CARE PERSONNEL

The committee also received testimony and other submissions requesting that other professionals and paraprofessionals in the Department of Medicine and Surgery be transferred to the title 38 DM&S personnel system from the title 5 personnel system which is carried out pursuant to the direction of the Civil Service Commission. We believe that we have dealt with whatever needs exist in this area by providing in section 4(d)(3) of the bill as reported for the addition of subsection (g) to section 4107 of title 38. This new subsection would authorize the VA to make pay rate adjustments for any category of VA health care personnel as to which there is a discernible recruitment and retention problem. By utilizing the authority contained in subsection (g), the VA could provide, on a nationwide basis, pay commensurate with competitive practices in the same occupation under competing wage systems in the VA or in the community.

I would like to point out that the authority given to the Administrator in subsection (g) could be used to remedy any problem that might exist with regard to the recruitment and retention of certain categories of dentists. The average VA dentist earns $29,263, and under subsection (g) could be eligible for a pay increase of up to $7,000.

PRINCIPAL CHANGES MADE IN THE BILL AS REPORTED

With respect to this new subsection (g), I want to point out that the provision has been refined somewhat from the language in the bill as introduced. The authority contained in the subsection as reported would be applicable to any health care personnel, rather than only to an enumerated list of health care personnel as originally introduced. This change was made in specific response to problems in the entry grade available to optometrists in the Department of Medicine and Surgery, and in response to the testimony of the American Federation of Government Employees.

Two other significant changes were made in the bill as reported: First, the physicians' special pay authorities would permit the Chief Medical Director to exclude certain categories of physicians—in professional positions—from eligibility for special pay when he determines that there is no significant recruitment and retention problem for that category; and second, a provision is added to the physician special pay section to require payback by a VA physician accepting special pay pursuant to an agreement under the new section 4118 if that physician does not complete a full year of VA service.

CONCLUSION

In closing, I want to note the excellent cooperation of the committee staff and the valuable input they have made to the bill as reported that is now before the Senate. I am also, of course, grateful to the members of the subcommittee for their contributions in our consideration of this vital legislation.

Specifically, I want to note the contributions of Guy McMichael, Tyler Craig, John Napier, and Harold Carter of the Senate Veterans' Affairs Committee staff. I am also grateful as always for the fine assistance I received from Louise Ringwalt, Jon Steinberg, and Larry White, all of whom have labored so long and hard to bring this bill to fruition today.

I also want to mention the outstanding technical assistance and cooperation we received from so many VA officials, particularly from Drs. Jack Chase, Larry Foye, and Bill Dom, from Charlie Johnston and Bob Coy, and particularly from Don Schimmel. Their help was indispensable.

Finally, Mr. President, I want again to call attention to the outstanding leadership of the chairman of the Committee on Veterans' Affairs, the Senator from Indiana (Mr. Hartke), who has made it possible for the committee and the Senate to act positively to meet another critical need to provide just and effective benefits for millions of veterans across our Nation.

The whole VA system is watching us carefully at this point. There is a great need for a resolution of the VA physician pay crisis, and I feel we must move to bring about enactment of this legislation. I urge the Members of the Senate to give their full support to the bill as reported.

Exhibit 1

Discussion

AUTHORIZATION OF SPECIAL PAY

In recognition of the difficulties the Department of Medicine and Surgery is experiencing in the recruitment and retention of qualified physicians, and in recognition of the inequity of paying physicians in the

VA substantially less than their peers in other Federal agencies providing health care, the Committee bill provides for the payment of special variable incentive pay to all eligible physicians in the Department of Medicine and Surgery.

Eligibility

All physicians, not otherwise determined to be part of an ineligible category, would be presumed eligible for special pay.

The Committee bill authorizes the Chief Medical Director, pursuant to regulations prescribed by the Administrator, to determine categories of professional physician positions in the Department of Medicine and Surgery for which there is no significant recruitment and retention problem and which would thereafter be ineligible for special pay. The Chief Medical Director is required to review such determinations annually.

The Committee stresses that it believes that each such determination (initially or resulting from the annual review) should be fully and publicly justified in writing and submitted to the Congressional Committees on Veterans' Affairs with the stated justification. Determinations must be made by professional category, each separately justified. Under no circumstances may an individual VA physician be excluded from eligibility for special pay except by application of the categorical exemption or objective criteria with respect to the amount of additional special pay.

The Committee believes this authority should be exercised in a manner that will place the highest priority on enhancing the ability of the Department of Medicine and Surgery to maintain or bring about high quality in the provision of patient care or clinical applications of new methodologies in the provision of patient care. The Chief Medical Director has advised the Committee that he would intend to exclude the following categories of professional positions (the number in parentheses indicates the number of physicians in that category employed as of March 31, 1975, in the Department of Medicine and Surgery):

Distinguished physicians (9).
Senior physicians (59).
Research associates (74).
Clinical investigators (52).
Medical investigators (24).
Reemployed annuitants (no estimated number available).
Residents and interns (2,000).
Consulting and attending and other fee-basis physicians (no estimated number available).

The Committee notes that in order to make such an exclusion, the Chief Medical Director would be required, under the provisions in the Committee bill, to make a specific determination as to each professional category that there is no significant recruitment and retention problem in securing the services of physicians in each such category.

Physicians in administrative positions may not be excluded from eligibility for special pay under this provision. A distinction is drawn in the Committee bill between "professional" and "administrative" positions in the Department of Medicine and Surgery. The law would authorize the Chief Medical Director to exclude only categories of *professional* positions. Physicians in *administrative* positions—in both central office and the field—must receive special pay.

The Subcommittee received extensive testimony on the importance to the VA hospital system of having some physicians as hospital directors. At present, 42 of the VA's 171 hospitals are administered by physician directors. The Subcommittee heard testimony from Chief Medical Director Chase, himself a former hospital director, and from a panel of distinguished VA hospital directors, to the effect that exclusion of physician hospital directors from the special pay provisions of S. 1711 would be likely, very quickly, to lead to a voluntary exodus from VA hospital directorship of the remaining physician hospital directors.

It seems clearly beneficial to the VA hospital system to retain some qualified physician directors. Physicians often being to high administrative posts a perspective on hospital decisionmaking and policy formulation in the Department of Medicine and Surgery that complements the perspectives of their nonphysician peers. Furthermore, title 38 requires that the top officials in the Department of Medicine and Surgery be physicians. If the VA hospital system loses its physician directors, then the top officials in the Department could no longer come from the ranks of the physician directors. In the Committee's opinion, it is vital to have persons with experience as hospital directors among the top policymaking officials in the Department. Moreover, with the advent of the new DM&S regional/district system, with 30 medical districts, rather than seven regions (six in headquarters and one in the field)—put into effect on July 1, 1975—it is likely that even more lay administrators will become Medical District Directors, with responsibilities for coordinating hospitals generally also headed by nonphysician directors. This organizational structure provides further need, the Committee believes for maintaining a reasonable number of physician hospital directors in the system.

Inclusion of physician hospital directors in the special pay provisions of the Committee bill is thus intended, in part, to ensure that the Department can benefit from the services of former physician directors in high administrative positions. Similarly, the Committee believes that it is absolutely necessary to attracting high quality personnel to provide effective management of the Department of Medicine and Surgery that the central office physician administrators be entitled to special pay.

For these reasons, the Committee bill is drafted to require that base special pay be provided to VA physician hospital directors and other physicians in administrative postions.

The Committee recognizes the inequity resulting from the inclusion of physician hospital directors in the special pay provisions of S. 1711 when nonphysician directors are not included. The Committee believes, however, that even more substantial inequities and liabilities for the overall system would result if physician hospital directors were excluded. Although the Committee recognizes the eligibility of physician hospital directors for the special pay creates an inequitable situation with regard to the nonphysician hospital director, it feels compelled to abide by the statutory ceiling which exists on Federal salaries and which has been excepted only in the case of physicians in the uniformed services.

Types and characteristics of special pay

All eligible physicians who execute a written agreement with the Department of Medicine and Surgery to complete a specified number of years of service in the Department would receive special pay of up to $13,500 a year for the duration of the written agreement up to four years. Eligible full-time physicians would receive $6,075 in "base special pay", plus up to $7,425 in variable "additional special pay" to be distributed under regulations prescribed by the Administrator according to the following objective factors:

1. the scarcity of the physician's medical specialty;

2. the physician's achieved tenure in the Department of Medicine and Surgery;

3. the physician's education;

4. the physician's medical and administrative responsibilities; and

5. the extent to which veterans in the geographical region involved are medically underserved by the appropriate VA facility.

The Chief Medical Director has advised that the VA had planned to implement the provisions of the Administration's bill (S. 1859) as follows:

Each eligible DM&S physician would be granted a per annum allowance based on several components, with appropriate prorating for part-time and intermittent physicians. These components would be:

1. A basic amount of $6,000,

2. Plus $1,000 for completion of three consecutive years of DM&S staff service immediately prior to or during the period of this authority,

3. Plus $1,500 for Board-certified physicians in the field who are assigned to and practicing in selected scarce specialties, including anesthesiology, paraplegic medicine (with appropriate boards), pathology, physiatrics, and radiology, and

4. Plus an amount ranging from $1,500 to $4,500 for physicians appointed to positions of greater professional responsibilities, including Service Chiefs, Associate Chiefs of Staff, Executive grade physicians (Chiefs of Staff and DM&S staff physicians in Central Office), Medical Director grade physicians (including Deputy Service Directors, Service Directors, and Deputy Assistant Chief Medical Directors), physician Assistant Chief Medical Directors, Associate Deputy Chief Medical Director, Deputy Chief Medical Director, and Chief Medical Director.

An additional amount of $2,000 per annum would be granted to eligible DM&S physicians appointed in full-time status. With respect to VA physicians who are in receipt of full retired pay from the uniformed services, the allowance would be reduced by an appropriate amount. This amount would be comparable to the reduction in the retired pay otherwise required in the absence of an exception to dual compensation provisions.

The variable allowance would be paid on a pay period basis by applying a formula similar to that used for determining basic salary and it would not be considered basic pay for retirement, life insurance, or other benefits related to basic pay.

The VA's intended implementation of its bill is shown in the following table:

TABLE 1.—*VA planned implementations of S. 1859—Variable allowance for full-time DM&S physicians with 3 or more years of continuous DM&S service*

Category	*Amount* [1]
Chief Medical Director; Deputy Chief Medical Director; Associate Deputy Chief Medical Director; Assistant Chief Medical Directors	$13,500
Deputy Assistant Chief Medical Directors	13,000
Service Directors	12,500
Deputy Service Directors	12,250
VACO Staff; Chiefs of Staff; Service Chiefs Board Certified in and assigned to selected scarce specialties [2]	12,000
Other Service Chiefs and Associate Chiefs of Staff (physician)	10,500
Staff Physicians, Board Certified in and assigned to selected scarce specialties [2]	10,500
Other qualified physicians	9,000

[1] Subtract $1,000 if service is less than 3 years. Subtract $2,000 if part-time or intermittent and prorate remainder.

[2] Included are anesthesiology, paraplegic medicine, pathology, physiatry, and radiology. Those physicians assigned to paraplegic medicine shall be board certified in an appropriate specialty.

Under the Committee bill, part-time physicians would receive base special pay of $6,075 reduced to reflect the proportional amount of the physician's work schedule based one

40-hour week, spent in the Department of Medicine and Surgery, and additional special pay of up to $5,400 proratably reduced in a manner similar to the reduction of base special pay and distributed according to the same objective factors.

The maximum amount (before proratable reduction) of additional special pay for part-time physicians ($5,400) is $2,025 less than the maximum additional special pay for full-time physicians ($7,425). This $2,025 differential was established between additional special pay for full- and part-time physicians because the Committee believes that Congress should provide an incentive to encourage full-time service. Particularly damaging to the Department of Medicine and Surgery has been the very large number of physicians who, having decided to join the VA, have elected part-time service rather than full-time service, or who have converted to part-time from full-time service. The Committee hopes and expects that the incentive of a $2,025 "bonus" for electing full-time service will prompt more physicians to choose full-time careers in the Department of Medicine and Surgery.

The special pay is to be provided in such installments as the Administrator may prescribe in regulations. The Committee views with approval the practice followed by the uniformed services of prorating the annual special pay among the pay periods occurring within the year under consideration.

Special pay agreements for more than 1 year

Under the Committee bill, physicians who wish to receive the benefit of a special pay bonus for more than one year may elect to sign agreements for up to four years of service in the Department of Medicine and Surgery, in exchange for an assurance of receiving special pay in each such year.

The Committee has included this multi-year special pay option because, under Public Law 93-274 and its implementing regulations, physicians in the uniformed services are given the option of being guaranteed special pay for up to four years of additional service.

The Department of Defense has reported that fully 54 percent of its physicians opted for agreement of longer than one year. One-third of all eligible military physicians signed four-year agreements. The Committee believes true comparability with these other Federal physicians cannot be achieved for VA physicians unless they, too, are given this multi-year opportunity. Effective recruitment of physicians is really possible only, the Committee feels, when a longer-term career decision can be made based on a relatively secure financial commitment for the immediate future. This would not be possible if the VA could offer no more than a strict one-year bonus.

The decision to enter into a multi-year special pay agreement would be wholly voluntary with each individual physician under the Committee bill, and the physician is free to terminate the agreement at any time (subject, if the physician terminates the agreement prior to the completion of one year of service, to the pay-back requirement described below). The agreement would specify the number of years of service agreed to, and the terms under which the physician and the VA may elect to terminate the agreement. The VA would lose none of its rights to terminate a physician's service for cause under applicable law and regulations. The Committee stresses that the agreement should also provide that if legislation which would provide more favorable salary adjustment for the physician is enacted to replace the special pay provisions added by the Committee bill, the physician with a multi-year agreement would be entitled to terminate the agreement or renegotiate it in order to take advantage of the new pay legislation.

Refund requirement

Any physician who negotiated and signed a special pay agreement and then voluntarily or because of misconduct failed to complete *one year* of service pursuant to the agreement would be required to refund the total amount of special pay received, unless the failure is necessitated by circumstances beyond the control of the physician. Once, however, a physician completed one year of service under a multi-year special pay agreement, that physician would be free to terminate the agreement before its expiration *with no repayment obligation* whatsoever although no special pay would be paid for any period when the physician did not actually serve in DM&S.

REPORT BY THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET

The Committee recognizes that legislation to provide special pay bonuses to VA physicians is at best a temporary solution to the recruitment and retention problem. Thus, the Department of Medicine and Surgery's authority with respect to entering into special pay agreements would, under the Committee bill, expire in one year—unless the uniformed services authority were extended in the meantime.

The Committee also recognizes that a more durable solution must be found not only for physicians but for all Federal health care personnel. A crucial provision in the Committee bill, therefore, requires that the Director of the Office of Management and Budget (OMB) consult with the Administrator of Veterans' Affairs and with the heads of other relevant Federal agencies, and submit to the appropriate House and Senate Committees by March 1, 1976, a report recommending a permanent legislative solution to the problem of attracting and retaining the services of highly qualified physicians, dentists, and other health care personnel in all Federal health-care-providing agencies.

The Committee believes that other priority recommendations made by the 1974 Task Force on Recruitment and Retention with regard to physician recruitment and retention—urging retirement credit for the years spent in training and sabbaticals for professionals who meet certain conditions—merit careful consideration and should be thoroughly studied and weighed in terms of their utility and effectiveness as part of a more permanent legislative solution governing pay for health professionals in the Federal service. The Committee intends that OMB include consideration of these two issues in developing the report mandated by section 3(b) of the Committee bill.

There are two reasons why the Committee has designated OMB to prepare this report. First, and most importantly, the report will require the close coordination between and cooperation of at least four large Federal departments—the Veterans' Administration, the Department of Defense, the Department of Health, Education, and Welfare, and the Civil Service Commission. The Office of Management and Budget (OMB), the Federal agency most directly responsible for inter-departmental and inter-agency coordination in the Executive branch, is, therefore, best suited to achieve this coordination. Second, the Committee has been informed by OMB that the preliminary groundwork for the report has already been commenced by OMB, and that a March 1, 1976, completion date is feasible. It seems most unlikely to the Committee that the March 1 report deadline could be met through utilizing some other arrangement for preparing the report.

The Committee bill also requires that the Administrator of Veterans' Affairs submit an annual report to the House and Senate Committees on Veterans' Affairs regarding the operation of the special pay program. This reporting requirement is similar to one in section 313(e) of title 37, requiring the Secretary of Defense and the Secretary of Health, Education, and Welfare to report to the appropriate House and Senate Committees on the operation of the variable incentive pay program authorized by Public Law 93-274.

Dentists

No single subject in connection with consideration of the Committee bill received more careful study than the decision as to whether or not there was an adequate basis for the inclusion of dentists under the special pay provisions of the legislation. The Committee received testimony from the National Committee of Concerned VA Dentists, the American Dental Association, and other VA dentists. Extensive discussions were held with dentists from the VA. At the request of Senator Cranston, Chairman of the Subcommittee on Health and Hospitals, the Department of Medicine and Surgery conducted an exhaustive, station-by-station survey of Dental Service, to determine whether there was in fact an emergency recruitment or retention problem with respect to dentists.

After reflecting on the data compiled by the Department of Medicine and Surgery, and after considering carefully the recommendations of the Chief Medical Director, concerned VA dentists, and others, the Committee has concluded that there is no justification for extending the eligibility for special pay to VA dentists at this time. Determinative in the Committee's decision were the following factors:

1. The recommendation by the Chief Medical Director in his testimony before the Subcommittee on May 22 that dentists not be included as eligible for special pay. His testimony on that occasion included these remarks:

> At the present time our dentists are paid on the same scale as physicians. There are far fewer of them influenced by the impaction of the $36,000 [salary ceiling]. We have something like 900 dentists in the system at the present time.
>
> The experience of full-time to part-time change has not occurred in the dental group. At the present time we have only 15 dentists in the system that are part-time employes.
>
> We have at the present time vacancies in the dental field of 20. Not a very large number. . . .
>
> It is my judgment we are going to be experiencing [recruitment and retention] problems with the dentists in the coming years, very shortly in the coming years. But it is also my judgment at this time that the explicit data would not support a crisis in dental salaries.

2. The data compiled by the Department of Medicine and Surgery at the request of the Subcommittee fail to show a recruitment or retention problem for VA dentists today. While the vacancy rate for VA physicians is a serious 8.5 percent, the comparable figure for VA dentists is less than 3 percent. Furthermore, although the annual turnover rate for VA dentists (13 percent) approaches the turnover rate for physicians (15.3 percent), the VA is not experiencing difficulty finding replacement dentists who are just as qualified as the dentists they replace. Departing dentists are, on the average, ten years out of dental school; their replacements, with seven years of experience after dental school on the average, are almost as experienced.

3. None of the factors which pose such a serious threat to the quality of medical care—the $36,000 ceiling, the growing dependence on part-time physicians, and the large number of foreign-trained physicians—has affected the quality of dental care to nearly the same degree. (a) In contrast to the 38 percent of VA physicians whose salaries are frozen at $36,000, only 19 percent of VA dentists now earn that maximum

amount. (b) Only two percent of all VA dentists serve on a part-time basis, and there has been no visible trend toward part-time service. By contrast, 36 percent of all VA physicians serve part-time, and that percentage has grown rapidly in the last several years. (c) All dentists in the VA received their formal dental training in this country, whereas 31 percent of VA physicians were trained abroad.

In the Committee's opinion, there must be a clear emergency before an exception to the $36,000 Federal salary ceiling is justifiable for any particular category of Federal employees. In view of the above factors, the Committee has determined that no data have been developed or advanced to demonstrate that the present situation with respect to dentist recruitment and retention by the Department of Medicine and Surgery has even begun to approximate such *emergency* proportions. In contrast, the Committee has found that the situation confronting the VA with respect to the recruitment and retention of *physicians* can only be characterized by use of the word "emergency".

On the other hand; the Committee is cognizant of the possibility that the recruitment and retention of dentists could become a serious problem in the near future. Accordingly, the Committee expects that the Director of the Office of Management and Budget, in preparing the report on the recruitment and retention of all Federal health care personnel required by the Committee bill, will pay special attention to recruitment and retention problems affecting the dentists (particularly specialists) in the Department of Medicine and Surgery, and will indicate what steps should be taken to ensure that the Dental Service continues to obtain and retain the services of highly qualified and dedicated dental professionals.

The Committee also notes that under the new subsection (g), which would be added by section 4 of the Committee bill to section 4107 of title 38, a mechanism is provided to alleviate any dentist recruitment and retention problem, at least for the time being. Under the new subsection (g), the Administrator could authorize pay increases of as much as $7,000 to $8,000 to aid in the recruitment and retention of certain categories of dentists (especially new recruits—subject, of course, to the $36,000 ceiling applicable to all professional personnel in the Department of Medicine and Surgery).

Top officials of the Department of Medicine and Surgery

The three highest officials in the Department of Medicine and Surgery—the Chief Medical Director, Deputy Chief Medical Director, and Associate Deputy Chief Medical Director—are currently paid under or by reference to the Executive Schedule in title 5 of the United States Code, as follows: $40,000 for the Chief Medical Director (under executive level III); $38,000 for the Deputy Chief Medical Director (under executive level IV); and $36,000 for the Associate Deputy Chief Medical Director (by reference to executive level V).

The Committee believes that compensation of the three top officials in the Department is more appropriately authorized under title 38 than under title 5. Positions at executive level III are filled by Presidential appointment by and with the advice and consent of the Senate. The same is true of virtually all the positions at executive levels IV and V. In contrast, the top three officials in the Department of Medicine and Surgery are nonpartisan officials appointed for 4-year statutory terms of service by the Administrator of Veterans' Affairs, not by the President.

The Committee bill, therefore, transfers compensation authority for these officials from title 5 of title 38, and establishes statutory salaries of $49,700 for the Chief Medical Director, $48,500 for the Deputy Chief Medical Director, and $47,300 for the Associate Deputy Chief Medical Director. The proposed pay level for the Chief Medical Director is derived from the executive level III salary proposed by the President on February 4, 1974, as part of a three-year adjustment plan for Executive Schedule salaries (*Appendix to the Budget for Fiscal Year 1976*, page 1030). The other two salaries would be set $1,200 and $2,400 lower, respectively, annually than the Chief Medical Director's new salary. The Committee recognizes that the statutory salaries of the Deputy Chief and Associate Deputy Chief Medical Directors under the Committee bill would be slightly higher than the new executive IV and V levels proposed by the President in his February 1974 plan; the Committee selected these salary levels in order to bring the salary of the Associate Deputy Chief Medical Director to a higher level than that presently set forth for Assistant Chief Medical Directors ($46,336) in the "Section 4103 Schedule" in section 4107(b) of title 38.

It should be noted that all of the salaries in the "Section 4103 Schedule", to the extent that they exceed the Federal salary ceiling of $36,000, are now governed by the limitation in present section 4107(d) applying the $36,000 ceiling (set for title 5 employees in section 5308 of title 5) to all title 38 personnel. That ceiling is retained in the Committee's revision of section 4107(d) for all title 38 employees except the Chief Medical Director, Deputy Chief Medical Director, and Associate Deputy Chief Medical Director, all of whom would continue to receive an amount of pay determined *by reference* to executive levels III, IV, and V, respectively, of the Executive Schedule. Otherwise, the effect of moving the compensation authority for the Chief Medical Director into title 38 would be to reduce his salary from the current $40,000 to $36,000 and the Deputy Chief Medical Director's from the current $38,000 to $36,000.

Also, under subsection (b)(1)(A) of the new section 4118 to be added to title 38, the three top officials of the Department of Medicine and Surgery would, by law, be entitled to receive the maximum special payment amount of $13,500. This statutory requirement is necessary, the Committee believes, because the Chief Medical Director is responsible, under the Committee bill, for applying regulations governing the distribution of additional special pay. In order to avoid any conflict of interest, real or apparent, the Committee deemed it prudent to set, by statute, the amount of special pay for which the Chief Medical Director and his two top medical assistants are eligible.

Nonphysician personnel

The Committee bill (in section 4) contains several provisions to assist the Department of Medicine and Surgery in recruiting and retaining critically needed personnel other than physicians. The provisions in section 4 of the Committee bill are essentially similar to those in section 5 of S. 1711 as originally introduced, with certain modifications and refinements.

The principle which has guided the Committee in consideration of the provisions of section 4—and, indeed, has been the Committee's starting point for all the provisions in the bill—is that the bill is a *recruitment and retention* bill, designed to give the Department of Medicine and Surgery basic authorities it needs to carry out its statutory mission to provide quality, compassionate health care to ill and disabled veterans. The Committee has restricted itself to addressing what it has found to be the most serious DM&S recruitment and retention shortfalls, and has tried to do so in a flexible way that permits the Administrator to use scarce funds in the areas of greatest need.

Section 4 of the Committee bill would amend chapter 73 of title 38 for four purposes:

(1) to provide for the appointment under the title 38 DM&S personnel system of physicians' assistants and expanded-duty dental auxiliaries utilizing the nurse pay schedule;

(2) to provide for the payment of overtime and premium pay presently payable to title 38 nurses to licensed practical nurses, licensed vocational nurses, nursing assistants and other health care personnel, employed by the Veterans' Administration under the General Schedule (as well as to physicians' assistants and expanded-duty dental auxiliaries whose responsibilities relate directly to the provision of patient care;

(3) to provide for voluntarily requested compensatory time for VA nurses in lieu of overtime and premium pay; and

(4) to give the Administrator of Veterans' Affairs authority, presently residing in the Civil Service Commission and most narrowly exercised, to increase within grade the maximum pay rates authorized for DM&S dentists, nurses, physicians' assistants, expanded duty-dental auxiliaries, nursing personnel, and other health care personnel when necessary to meet competitive pay practices, provide for internal alignment of salaries, or to meet staffing requirements.

All of these provisions, except for (3) above, were in S. 2354 as passed by the Senate in the 92d Congress.

Physicians' assistants

The Committee bill provides for the appointment under the title 38 personnel system of physicians' assistants and expanded-duty dental auxiliaries, utilizing salary levels in the Nurse Schedule in section 4107 of title 38.

In the Committee's opinion, there are several reasons why Physicians' Assistants should be included under title 38. First and most important, there is more flexibility under title 38 to make the salary adjustments necessary to the successful recruitment of Physicians' Assistants. Civil Service pay schedules are rigidly applied, and it has thus far been impossible to persuade the Civil Service Commission that entry grades should be altered. Under title 38, there is more flexibility to set entry grades and promotion rules.

Second, internal salary alignment within the VA is easier to achieve if personnel who work very closely together (such as physicians and physicians' assistants), as with physicians and nurses, are paid from a single, coordinated set of pay schedules.

And third, the VA physicians' assistant program is new, and has great promise of growing rapidly in the next decade. Close congressional oversight and supervision will be required, and including physicians' assistants under title 38 will permit those congressional Committees which specialize in veterans' affairs to monitor the physicians' assistant program as it matures and to provide any legislative authorities or guidance which may be necessary.

Expanded-duty dental auxiliaries are a new level of paraprofessional health care personnel whose duties and responsibilities are greater than those of the dental assistant and dental hygienist. They are, in broad terms, the Dental Service analogues to physicians' assistants, providing a broad range of paraprofessional support services as an extension of the dentist and expanding the capabilities of the Dental Service with regard to the extent and quality of patient care.

Currently, the VA employs no dental personnel classified as expanded-duty dental auxiliaries. It has advised the Committee, however, that it is reviewing the situation and plans to establish such positions and begin utilizing them soon. The Committee expects that the VA's expanded-duty dental auxiliary program will grow apace with the anticipated growth in the physicians' assistant program pursuant to the DM&S statutory mandates discussed earlier in this report.

Voluntary compensatory time off for registered nurses

There are approximately 22,000 full-time registered nurses in the Department of Medicine and Surgery. A potential recruitment and retention problem has arisen because of an inequity fostered by one provision in present section 4107(e)(5) of title 38. Under this section, nurses who work overtime are not allowed to receive compensatory time off; instead, they must receive overtime pay for any overtime work performed. The provision was added to the Code in Public Law 93–82 in 1973 when title 38 nurses were first provided with premium and overtime pay eligibility, in order to protect nurses from any management pressure to accept compensatory time off at hospitals which could not afford or did not want to pay overtime pay.

In practice, the provision has worked an unintended hardship in some cases. Under the statute as currently written, nurses who work all night on an emergency basis are required to go directly into their working schedule the next day, because of the prohibition against compensatory time off. The problem has become so acute that nurse anesthetists and operating room nurses at more than a dozen VA hospitals have expressed very serious grievances to the Department of Medicine and Surgery.

The Committee bill thus would allow registered nurses who have performed overtime work to elect compensatory time off instead of overtime but only by requesting in writing that they receive compensatory time off. Dr. Chase expressed the Administration's support for this provision in his May 22, 1975, testimony to the Subcommittee.

In the Committee's opinion, compensatory time off in lieu of overtime pay should be considered for use only in the event that emergency time on the job has been required and the nurse in question considers it emergency time, and the individual voluntarily requests compensatory time off in writing.

Extension of premium and overtime pay benefits

The Committee bill extends this special premium and overtime pay benefits now available, as a result of Public Law 93–82, only to registered nurses in DM&S to *all* VA health care personnel whose primary responsibilities relate directly to patient care.

Under existing section 4107(e), as added in 1973, registered nurses who work overtime or at night, on Sundays or on holidays, qualify for special premium and overtime pay. The eligibility of VA title 5 personnel (licensed practical nurses, nursing assistants, technologists, technicians and others typically performing radiology, laboratory, and operating room duties) for premium and overtime pay derives from title 5 provisions, but these title 5 pay provisions are less comprehensive than those contained in title 38. For example, a registered nurse (RN) working overtime on Sundays is paid 175 percent of salary under title 38; an LPN working the same overtime Sunday hours receives only 150 percent of salary. An RN who is "on call" at home after completion of a full day's duty is paid at an hourly rate equal to 15 percent (that is, 10 percent of the overtime rate, which is 150 percent of base salary) of the regular rate; in other words, an RN who earned $5 an hour would be paid 75¢ for each hour of time "on call". If called back to perform overtime work, the RN would be paid for each hour of call-back time at the overtime rate—$7.50 per hour (but would be paid for a minimum of two such hours if called back for less than two hours).

Under title 5, an LPN "on call" or call-back status receives *no* premium pay at all. However, if called to duty to perform overtime work, the title 5 employee is guaranteed a minimum of two hours of pay, generally at the appropriate overtime or premium rate.

Thus, most VA *non*-title 38 employees receive no additional compensation for time spent in "call back" status except when *actually* called back.

An alternative system, "standby"—under the title 5 pay system—is used in approximately 60 of the 171 VA hospitals, although it is applied selectively by occupation and function. Under the standby system where used, an employee can be required to serve regularly scheduled duty periods in a standby capacity at the duty station. In certain instances, the employee's home can be designated as the duty station in which case such individual is to remain at home. Compensation for standby duty is paid as an annual premium pay amount, and is based on the average number of hours of standby duty scheduled for each week, with extra credit if standby duty falls during days not scheduled as work days. The formula followed in the VA provides for annual premium pay at 10 percent of base salary for an average of 8 to 13 hours of standby duty per week; 15 percent for an average of 14 to 18 hours of standby duty per week; 20 percent for an average of 19 to 27 hours of standby duty per week; and a maximum of 25 percent for an average of 28 or more hours of standby duty per week. The average percentage for standby pay in the VA is approximately 20 percent. However, it should be noted that under the title 5 standby system the employee receives no additional pay whatsoever beyond the annual standby pay for time actually called back.

For example, a medical technician who earns $10,400 (the equivalent of $5.00 an hour) would generally be paid $2,080 in annual standby pay under title 5 (20 percent of $10,400) for standby duty throughout the year—assuming an average of 19 to 27 weekly standby hours. If the medical technician were actually called back for 5 hours a week—approximately 20 percent of the average 23 weekly hours of standby time—whereas under title 5 he or she would be eligible to receive *no* additional pay for that time, were the Committee bill premium pay provision to be enacted, he or she would receive, under the title 38 on-call system, $1,950 additional over the year added to $702 in on-call pay (18 hours average per week of on-call duty multiplied by $0.75 per hour). This amounts to annual premium pay of $2,652 under the title 38 system, as compared with the $2,080 payable under the title 5 standby system for comparable time.

In sum, first, most VA title 5 health care personnel required to perform on-call duty receive no additional pay for such duty unless actually called back; and, second, in those selective instances where title 5 standby pay is applied, employees could receive a higher amount of premium pay were they paid under the title 38 on-call system.

The Chief Medical Director has indicated that there are definite problems in personnel working side by side and being governed by two sets of premium and overtime pay rules. Subsection (d)(2) of the Committee bill would add a new paragraph (10) to section 4107(e) making the title 38 premium and overtime benefits applicable to all personnel (except physicians and dentists) "whose principal responsibilities . . . relate directly to patient care".

The Committee contemplates that all allied professional health care and scientific personnel physicians' assistants, and expanded-duty dental auxiliaries would be included here except that they are specifically brought under the title 38 premium and overtime pay benefits by other provisions in section 4) and health technician personnel will be considered personnel whose "principal responsibilities . . . relate directly to patient care". Allied professional health care and scientific personnel include all personnel occupying positions for which a baccalaureate or equivalent degree is required—for example, medical technologists, psychologists, social workers, pharmacists, dieticians, therapists, chemists and physicists. Health technician personnel include medical technicians, non-title 38 nursing personnel, and all similar personnel with direct patient care responsibilities. Also included would be administrative (such as admitting clerks) and clerical (such as ward secretaries) personnel who work in direct support of persons rendering direct patient care.

Not included as personnel whose "principal duties . . . relate directly to patient care" would be other clerical personnel and administrative personnel not working in direct support of personnel providing direct patient care, and physical plant maintenance and protective personnel.

If, in the Chief Medical Director's opinion, other categories of personnel satisfy the test, under the Committee bill, for inclusion under the title 38 premium and overtime pay provisions, those categories should also be included. The Committee expects that any doubt will be resolved in favor of inclusion.

In-grade pay adjustments

The starting salaries of health care employees in the VA health care system (other than physicians, dentists, and nurses) are fixed by Civil Service Commission pay and job standards. These salaries are in some cases several thousand dollars below those offered employees for comparable positions in non-VA facilities. This differential between VA and non-VA starting salaries is the single most important nonphysician recruiting problem facing the Department of Medicine and Surgery.

To assist the VA in recruiting qualified nonphysician personnel, the Committee bill authorizes the Administrator of Veterans' Affairs to adjust the minimum and maximum salaries within grade, on a nationwide basis, for any category of health care personnel (except physicians) when such an adjustment is deemed necessary to aid in the recruitment of such personnel. Under the new subsection (g) to be added to section 4107 of title 38, adjustment could be ordered only for one of three specific purposes: (1) to provide pay "commensurate with competitive pay practices in the same occupation", (2) to achieve "internal alignment of pay rates" in the Department of Medicine and Surgery, and (3) to attract or retain certain shortage category personnel for employment at VA health care facilities.

The following example best explains the assistance subsection (g) is designed to provide to DM&S: assume a person who enters the VA at GS–3, or $6,764 a year. Were the Administrator to determine (1) that, on a nationwide basis, persons in that category of personnel in non-VA facilities generally started at higher salaries than VA personnel in that category, and (2) that the salary differential had generated a recruitment problem for the VA, then he could raise the starting salary for persons in that category from $6,764 to as much as $8,789, the maximum salary under GS–3, step 10. The new subsection (g), in short, would give the Administrator considerable flexibility within grades, where necessary, to adjust VA starting pay and to make VA salaries more competitive with those offered by other health care facilities.

In order to allow for in-grade promotions after appropriate service, subsection (g) also allows the Administrator to permit incremental salary increases for each step comparable to those in the adjusted schedule. For example, the salary at GS–3, step 1, is $6,764. At GS–3, step 2, it is $6,989, an increase of $225. If the Administrator adjusted the entry grade salary to the maximum permitted under GS-3 ($8,789), then personnel in that category would start at that level; their first salary increase would be $225, to $9,014. Step-to-step increments, in short, would be preserved.

Subsection (g) has been revised from the version in S. 1711 as introduced to apply to all "health care personnel" in the VA. Optometrists, dentists, pharmacists, therapists, technologists, and all other health and allied health personnel could all, pursuant to the Administrator's discretion, enter the VA at a salary level adjusted where that was necessary to meet competition from outside hospitals. Optometrists, for example, enter the VA at GS-9, at a starting salary of $12,841. If it were found that entering optometrists' salaries generally average $16,500, with the result that the VA hospitals were experiencing difficulty in recruiting optometrists or categories of optometrists, the Administrator could, under subsection (g), raise the starting salary to as much as $16,693—the GS-9, step 10, salary—as necessary to aid in the recruitment of needed optometrists.

The Committee believes that subsection (g) offers a valuable health care personnel recruitment tool for DM&S.

DM&S study of geographic pay adjustments

As introduced, the bill would have authorized necessary geographical adjustments for entry and other salary levels. The Subcommittee was concerned about the possibility of widespread local and regional salary variations, however, and the subsection (g) authority was restricted to use only on a nationwide basis. In order to have the data necessary to deal with this question, the Committee directs the Chief Medical Director to submit by October 1, 1975, a report specifying in detail: (1) the extent of regional recruitment and retention problems, and their location, in the employment of nonphysician VA health care personnel; (2) the extent to which existing title 38 and title 5 authorities have been able to be exercised in a way adequate to deal with those problems; and (3) the problems entailed in the VA or elsewhere in the Federal Government with the application of regional or local salary differentials, particularly any apparent tendency for health care personnel to move from areas where no special rates are in existence to take comparable positions in areas where special rates have been established in their occupations. The Chief Medical Director should consult with the Civil Service Commission in preparing this report.

EFFECTIVE DATE

The effective date of the physician special pay provisions in the Committee bill is July 1, 1975, the same effective date in the Administration's legislative proposal. Special pay for physicians would commence as of, and would be paid retroactive to, that date as to physicians then employed.

The Committee believes that this retroactive feature is an important part of the bill. Great interest and concern exists among physicians in the Department of Medicine and Surgery about the congressional consideration of and action on special pay legislation over the last several months. Many physicians in the Department of Medicine and Surgery are in the process this summer of planning their futures. They should be assured that unforeseen and unpredictable delays in the enactment of special pay legislation will have no effect on their own financial security within the Department.

The lack of comparability of VA physician pay with that of physicians in the uniformed services has been of a critical dimension for a considerable period of time. The Committee believes this inequity should be corrected as soon as possible and that an effective date of July 1 would achieve this goal.

The duration of the special pay authority is tied, under the Committee bill, to the expiration date of the authority contained in section 313 of title 37. The latter authority is due to expire on July 1, 1976. If that authority is extended, the authority under the Committee bill would be extended with it for an equivalent period of time.

The Committee contemplates that, upon enactment of the Committee bill, the VA would issue regulations and proceed, pursuant to those regulations, to enter into agreements with physicians for service in the Department of Medicine and Surgery. Special pay would be payable under such an agreement from July 1, 1975, as to a physician then employed by DM&S—and from the date employment begins as to a physician hired after July 1—and the agreement should recite that part of the consideration for the full year's special pay was the physician's decision to remain in or join DM&S in anticipation of the enactment of VA physician special pay legislation.

COST ESTIMATES

In accordance with section 252(a) of the Legislative Reorganization Act of 1970 (Public Law 91-510), the Committee, based on information supplied by the Veterans' Administration, estimates that the costs attributable to S. 1711 as reported would be approximately $70.8 million for the first full fiscal year, gradually decreasing to $36.56 million in the fourth fiscal year and $8.17 million for the fifth fiscal year.

The Chairman of the Committee, Senator Vance Hartke, in a March 15, 1975 letter to the Senate Budget Committee, as required by section 301(c) of the Congressional Budget Act of 1974 (Public Law 93-344), stated that it was likely that an omnibus veterans medical bill would be enacted in fiscal year 1976, including provisions to "add special authorities to enable the VA to recruit and retain physicians, dentists, nurses, and other health care personnel . . . . " A first full-year cost of $95 million in additional expenditures was predicted for the omnibus bill. The Committee later determined to separate the recruitment and retention provisions—the most costly of those projected for the omnibus medical bill—from the other anticipated provisions in that bill and to proceed separately with consideration and action on S. 1711. The Budget Committee, in its deliberations and report, contemplated enactment of such omnibus legislation, entailing additional fiscal year 1976 budget authority of $95 million and additional fiscal year 1976 outlays of $55 million, assuming a January 1, 1976 effective date for such legislation. Similar projections were made by the House Veterans' Affairs Committee in its report to the House Budget Committee, and the latter Committee also took into account the enactment of VA physician special pay legislation in reaching its final estimates. On May 22, 1975, the Administration of Veterans' Affairs endorsed the concept of a physician special pay bill, submitting draft legislation to the Congress with an estimated cost of $63 million for fiscal year 1976.

A breakdown of the costs estimated to be entailed by enactment of S. 1711 as reported is contained in the following table:

TABLE 2—5-YEAR COST ESTIMATE OF S. 1711 AS REPORTED

[In millions of dollars]

	1976	1977	1978	1979	1980
New rates for Section 4103	No cost	No cost	No cost	No cost	No cost
Special pay for physicians [1]	63.0	[2] 47.30	[2] 37.80	[2] 28.40	----------
Compensatory time for nurses	No cost	No cost	No cost	No cost	No cost
Premium pay for physicians' assistants, expanded-duty dental auxiliaries, LPN's, LVN's, nursing assistants, and certain other health care personnel	6.50	6.50	6.50	6.50	6.50
Nurse Schedule for physicians' assistants and expanded-duty dental auxiliaries [3]	0.30	0.55	0.67	0.67	0.67
Special rates for dentists, nursing personnel, physicians' assistants, expanded-duty dental auxiliaries, and other health care personnel	1.00	1.00	1.00	1.00	1.00
Total cost	70.80	55.35	45.97	36.57	8.17

[1] Cost estimates range between $52,000,000 and $79,000,000 for the physician special pay provisions in view of the uncertainty about changes which may occur in the number of part-time physicians who would convert to full-time status. The maximum estimate of $78,940,000 is based on the assumption that all part-time physicians who are employed on a half-time or more basis would elect to convert to full-time status and includes an estimated increase in base salary costs of $20,530,000. The minimum estimate of $52,030,000 is based on the assumption that no part-time physicians would elect to convert to full-time status. The midpoint estimate would be approximately $63,000,000, and is based on the assumption that one-half of the part-time physicians employed on a half-time or more basis would elect to convert to full-time status, incurring an additional estimated base salary cost of $10,300,000, and that one-half of such physicians would not elect to convert to full-time status.

[2] The fiscal years 1977, 1978, and 1979 estimates are based on a VA projection that 75 percent of the VA physicians would elect to enter into agreements for more than 1 year and based on anticipated attrition in those years.

[3] The VA originally estimated the cost of this item at $34,500,000, on the assumption that salaries for licensed practical/vocational nurses and nursing assistants would have to be adjusted across-the-board. The estimate was later, lowered to $14,600,000, with this one sentence explanation: "If special rates were authorized on a selective basis, based on adjustments where essential to provide for competitive salary rates for LPN's, LVN's and nursing assistants, the first year cost is estimated to be $14,620,000." On July 15, after analyzing the changes in subsection (g) as reported from subcommittee on July 9 (to restrict the application of the special rate authority to meet nationwide recruitment and retention problems), the VA advised that a nationwide schedule for health care personnel would raise inequities and result in unnecessary expenditures for many facilities, and that it was "doubtful that this authority would be used for [such] internal alignment purposes." "The VA indicated that if the authority were used to increase LVN and nursing assistant entry rates on a nationwide basis, the potential cost would be $34,500,000. The cost of the provision, of course, would depend, in any event, on the extent to which the Administrator uses the authority granted to him to adjust entry levels. The series of sharply reduced cost estimates from the VA indicates that the Chief Medical Director and the Administrator will probably use this authority sparingly. Furthermore, there is no assurance that money will be appropriated specifically for purposes of subsection (g). Each time the Administrator makes the decision to adjust entry grades, he will likely have to spend funds appropriated for general medical care. This suggests that the final expenditure under this provision will not exceed the VA's latest cost estimate.

SECTION-BY-SECTION ANALYSIS OF S. 1711, AS REPORTED, PROPOSED VETERANS' ADMINISTRATION PHYSICIAN PAY COMPARABILITY ACT OF 1975

SECTION 1

Provides that this Act may be cited as the "Veterans' Administration Physician Pay Comparability Act of 1975".

SECTION 2

Amends subchapter I of chapter 73 of title 38, United States Code, to provide special pay and other improvements to assist the Department of Medicine and Surgery (the "Department") in recruiting and retaining career physicians in the VA.

Subsection (a) declares as a Congressional finding of fact that two factors have seriously impaired the Department's ability to recruit and retain qualified physicians: (1) the $36,000 statutory ceiling on the salary of physicians employed by the Department, the effect of which has been aggravated by the sharp escalation in the cost of living since the rates of compensation were last increased in 1969, and (2) the noncomparability of physician salaries in the Department relative to the salaries of physicians in other Federal agencies, as the result of the enactment last year of legislation to provide special pay of up to $13,500 annually to physician medical officers in the uniformed services, under which legislation physicians in the Department were not included. Further declares as a Congressional finding of fact that the recruitment and retention problems thereby created threaten to erode the ability of the Department to compete for the services of qualified physicians and to continue to provide quality health care of eligible veterans.

Subsection (b) makes a series of amendments to present section 4107 of title 38 (specifying grades and pay scales) designed to place the salaries of the top three officials of the Department within title 38 rather than in the Executive Schedule in title 5, United States Code, as at present, as follows:

Clause (1) amends subsection (a) by deleting, in light of the amendment made in clause (2) and subsection (c) of this section of the bill, the language which denotes that the pay scale of the Chief Medical Director and Deputy Chief Medical Director are not provided for in the "Section 4103 Schedule".

Clause (2) amends subsection (a) by striking out the present reference to the salary of the Associate Deputy Chief Medical Director (specified to be at the annual rate provided in section 5316 of title 5 for positions in level V of the Executive Schedule) and substitutes for that reference designations of salary levels for the Chief Medical Director ($49,700), Deputy Chief Medical Director ($48,500), and Associate Deputy Chief Medical Director ($47,300). The salaries of these three top officers of DM&S are currently set by the Executive Schedule as follows: $40,000 for the Chief Medical Director; $38,000 for the Deputy Chief Medical Director; and $36,000 for the Associate Deputy Chief Medical Director. All of the positions at executive level III are filled by Presidential appointment by and with the advice and consent of the Senate; the same is true of virtually all the positions at executive levels IV and V as well. In contrast, the three top DM&S officers are nonpartisan officials appointed for four-year statutory terms of service by the Administrator of Veterans' Affairs, not by the President.

The $49,700 pay level proposed for the Chief Medical Director in the bill derives from the executive level III salary proposed by the President on February 4, 1974, as part of a three-year adjustment plan for the Executive Schedule salaries (*Appendix to the Budget for Fiscal Year 1975*, page 1030); the salaries of the Deputy Chief Medical Director and Associate Deputy Chief Medical Director are set at $1,200 and $2,400 lower, respectively, slightly higher than the executive III and IV levels proposed by the President at that time in order to bring the salary of the Associate Deputy Chief Medical Director to a higher level than that presently set forth for Assistant Chief Medical Directors ($46,336) as in the "Section 4103 Schedule" in present section 4107(b).

Clause (3) amends present section 4107(d) to set a $40,000 salary ceiling for the Chief Medical Director and a $38,000 salary ceiling for the Deputy Chief Medical Director—their present statutory levels—by reference to levels III and IV, respectively, in the Executive Schedule. It should be noted that all of the salaries in the "Section 4103 Schedule", to the extent that they exceed $36,000, are governed by the limitation in present subsection (d) applying to title 38 positions the $36,000 ceiling set forth in section 5308 of title 5, United States Code. Since this same ceiling would thus, by virtue of the amendments made by clause (2), apply to the salaries of the Chief Medical Director and Deputy Chief Medical Director, thereby reducing them by $4,000 and $2,000, respectively—which would be unfair to the incumbents of that office (particularly insofar as Civil Service retirement credit is concerned)—subsection (d) of section 4107 is amended to set the salary ceiling at their current salary levels. The transfer of the prescription of their salary levels to title 38 would not, therefore, reduce their salaries below the current levels. For all other personnel in title 38, the $36,000 ceiling would remain in effect.

Subsection (c) makes conforming amendments to sections 5314 and 5315 of title 5, United States Code, consistent with the amendments made by subsection 2(b) of the bill

Subsection (d): Paragraph (1) adds a new section 4118 to title 38, United States Code, providing for the payment to eligible physicians in the Department of special pay, in the form of a variable incentive bonus, of up to $13,500 annually, upon acceptance of a written agreement executed by the eligible physician to complete a specified number of years of service in the Department.

New section 4118(a): Paragraph (1) directs the Administrator, pursuant to regulations which he shall prescribe, to provide special pay of up to $13,500 per annum to eligible physicians.

Paragraph (2) permits exclusion from eligibility for special pay of those professional (not administrative) categories of physicians as to which, as determined by the Chief Medical Director pursuant to the Administrator's regulations, there is no significant recruitment and retention problem in securing the services of highly qualified physicians.

New section 4118(b): Paragraph (1) directs the Administrator to exercise the authority granted him under new section 4118 (a) to provide base special pay and additional special pay to categories of physicians in the Department, as follows:

(A) To the top three officials of the Department, the Administrator is required to pay the maximum amount of special pay ($13,500).

(B) To all eligible full-time physicians in the Department, including full-time physician hospital directors, the Administrator is required to pay base special pay equal to 45 percent of the maximum amount ($6,075).

(C) To all eligible part-time physicians in the Department, the Administrator is required to pay base special pay equal to the proportion of 45 percent of the maximum amount ($6,075) that corresponds to the proportion of time employed by the Department. (For example, a physician who worked seven-eighths time in the Department would receive $5,316 in base special pay; a physician who worked half-time in the Department would receive $3,038, and so forth.)

Paragraph (2) provides that in addition to the base special pay described above, the Administrator may provide additional special pay, not to exceed 55 percent of the maximum amount of special pay ($7,425) to all eligible full-time and part-time physicians in the Department. In awarding additional special pay, the Administrator is directed to consider five objective factors: (A) the scarcity of a physician's medical specialty; (B) the physician's tenure; (C) the physician's education; (D) the responsibilities of the physician; and (E) the extent to which veterans in the geographical area in question are medically underserved by the appropriate Veterans' Administration facility. In the case of part-time physicians, the amount of additional special pay awarded must be reduced, first, by $2,025, one-third of the maximum amount of base special pay ($6,075) and then in proportion to the fraction of time spent in employment at the Department. Thus, there would be an automatic differential of at least $2,025 between the additional special pay for full-time and part-time physicians, the purpose of which is to create an incentive for full-time service for physicians already in the Department and physicians offered positions by the Department in the future.

New Section 4118(c): Paragraph (1) requires that the written agreement entered into by physicians with the Department for the payment of special pay shall be for 1 year of service and 1 year of special pay eligibility; but if the physician requests that the agreement be for a longer period of service, then an agreement will be entered into for up to 4 years of service and 4 years of eligiblity for special pay.

Paragraph (2) specifies that the agreement shall (A) provide a requirement that the physician refund to the Department the total amount of special pay received under the new section 4118 in the event that the physician fails to complete at least 1 year of service pursuant to the agreement; and (B) specify the terms under which the Veterans' Administration and the physician may elect to terminate the agreement.

Paragraph (3) provides for establishment of the method of installment pursuant to regulations promulgated by the Administrator.

Enactment of the new special pay provisions would probably entail a first full-year cost of $63 million.

Paragraph (2) of the bill amends the table of sections to add a reference to the new section 4118 added to title 38 by paragraph (1) of section 3(d) of the bill.

Subsection (a) requires the Administrator of Veterans' Affairs to submit an annual report to the Senate and House Committees on Veterans' Affairs regarding the operation of the special pay program, authorized by new section 4118 added to title 38 by section 2(d)(1) of the bill, setting forth a review of the implementation of the program to date for the fiscal year for which the report is submitted, and for any portion of the preceding fiscal year not included in a previous annual report; and any plans for the program for the succeeding fiscal year. This report is to be submitted not later than April 30 each year. This reporting requirement is virtually identical to that of subsection (e) of section 313 of title 37, United States Code, with respect to the section 313 annual special pay program authorized by that section, as added by Public Law 93–274.

Subsection (b) directs the Director of the Office of Management and Budget, after consultation with the Administrator of Veterans' Affairs, the Secretary of Defense, the Secretary of HEW, the Chairman of the Civil Service Commission, and the heads of other appropriate Federal departments and agencies, to submit to the appropriate Congressional Committees, not later than March 1, 1976, a report proposing a permanent legislative solution to the problem of attracting and retaining the services of highly qualified physicians and other health care personnel in the Veterans' Administration, in other non-uniformed Federal service, and in the uniformed services, along with the justification for such a proposal. This proposal, to the maximum extent feasible, is to provide for uniform pay, allowances, and benefits for all such physicians and personnel. The Administration has already begun such a study, presently scheduled to be completed by the end of 1975, and the Chief Medical Director has pledged to participate actively in this study. It is hoped that an acceptable proposal will be forthcoming to replace the existing section 313 of title 37 special pay program, which is presently scheduled to expire on June 30, 1976, as well as the new VA physician special pay program provided for in the bill.

SECTION 4

Amends chapter 73 of title 38 for four purposes:

(1) to provide for the appointment under the title 38 DM&S personnel system of physicians' assistants and expanded-duty dental auxiliaries utilizing the nurse pay schedule;

(2) to provide for the payment of overtime and premium pay presently payable to title 38 nurses to licensed practical nurses, licensed vocational nurses, nursing assistants and other health care personnel, employed by the Veterans' Administration under the General Schedule (as well as to physicians' assistants and expanded-duty dental auxiliaries) whose responsibilities relate directly to the provision of patient care;

(3) to provide for voluntarily requested compensatory time for VA nurses in lieu of overtime and premium pay; and

(4) to give the Administrator of Veterans' Affairs authority, presently residing in the Civil Service Commission and most narrowly exercised, to increase within grade the maximum pay rates authorized for DM&S dentists, nurses, physicians' assistants, expanded duty-dental auxiliaries, nursing personnel, and other health care personnel when necessary to meet competitive pay practices, provide for internal alignment of salaries, or to meet staffing requirements.

All of these provisions, except for (3) above, were in S. 2354 as passed by the Senate in the 92d Congress.

Subsection (*a*) amends clause (1) of present section 4104 (authorizing appointment of additional health professional personnel) to include physicians' assistants and expanded duty dental auxiliaries in that clause specifically.

Subsection (*b*) amends present section 4105 (specifying qualifications of appointees) to include appropriate references to physicians' assistants and expanded-duty dental auxiliaries in subsections (a) and (b) of that section. The Administrator is charged with setting the qualifications and experience for these new positions by the amendment made to present section 4104 by section (a) of this section of the bill.

Subsection (*c*) adds at the end of present section 4106 (regarding periods of appointments and promotions) a new subsection (f) including by reference physicians' assistants and expanded-duty dental auxiliaries under the provisions of that section.

Subsection (*d*): *clause* (*1*) amends paragraph (5) (presently prohibiting compensatory time off in lieu of overtime and premium pay for nurses) of present section 4107 to permit such compensatory time off to be granted but only upon the voluntary written request of the nurse in question. This provision is intended to be used only in situations where the nurse has been engaged in emergency duty preceding a regularly scheduled tour. Enactment would entail a minor cost savings.

Clause (*2*) adds at the end of subsection (e) of present section 4107 (specifying overtime and premium pay for nurses) a new paragraph (10) to make the premium pay and overtime provisions in that subsection applicable to licensed vocational nurses, licensed practical nurses, nursing assistants, and other health care personnel whose principal responsibilities relate directly to patient care in lieu of the present title 5, United States Code, provisions now applicable to them.

This would constitute a change in overtime and premium pay under the General Schedule for these personnel in the following respects to: (1) make applicable the more liberal 4-hour rule for night shifts; (2) pay overtime during Sundays at 175% rather than 150%; (3) pay overtime for holidays at 200% rather than 150%; (4) apply the 15 minute pre-overtime rule; and (5) provide for on-call pay. Enactment of this provision would probably entail a first full-year cost of approximately $6.4 million.

Clause (*3*) inserts at the end of present section 4107 two new subsections as follows:

New section 4107(*f*) entitles physicians' assistants and expanded-duty dental auxiliaries to compensation under the Nurse Schedule grade titles and related pay ranges and to additional pay on the same basis as provided for nurses in paragraphs (2) through (8) of subsection (e) of section 4107. (They would also be eligible for title 38 premium and overtime pay pursuant to the paragraph (10) added to section 4107 by clause (2) of this subsection.) Enactment of this provision would probably entail an average full-year cost of $0.6 million (estimating a $2,000 higher entry salary and a quadrupling of the present number (81) of physicians' assistants presently employed by the VA).

New section 4107(*g*) directs the Administrator to raise entry pay to the maximum permissible levels within grade, and to make commensurate adjustments for within grade steps, in no event exceeding the $36,000 Federal ceiling, for VA health care personnel on a nationwide basis in order to recruit and retain their services when necessary to: (1) provide pay to meet competitive pay outside the VA, (2) achieve internal alignment of pay rates within the Department of Medicine and Surgery, or (3) meet VA hospital staffing requirements. There is similar Government-wide authority, under section 5303 of title 5, United States Code, reposing in the Civil Service Commission. Enactment of this provision would probably entail additional expenditures of approximately $1 million in the first full year (although conceivably a much greater cost would result if, as the VA deems unlikely, LVN and nursing assistant entry grades were adjusted on a systemwide basis).

Subsection (*e*) amends present section 4108 (regarding the setting of hours and conditions of work for physicians, dentists, and nurses) to add physicians' assistants and expanded-duty dental auxiliaries under the provisions of this section.

SECTION 5

Subsection (*a*): *Paragraph* (*1*) provides that the VA physician special pay provisions in section 2(d) of the bill shall become effective as of July 1, 1975. The Committee contemplates that, upon enactment of the bill, the VA would issue regulations and proceed, pursuant to these regulations, to enter into agreements with physicians for service in the Department of Medicine and Surgery. Special pay would be payable under such an agreement from July 1, 1975, as to a physician then employed by DM&S—and from the date employment begins as to a physician hired after July 1—and agreements including retroactive service periods should recite that part of the consideration for the full year's special pay was the physician's decision to remain or begin employment in DM&S in anticipation of the enactment of VA physician special pay legislation.

Paragraph (*2*) provides that no special pay may be provided pursuant to the new section 4118 (added to title 38 by section 2 (d)(1) of the bill) after the later of July 1, 1976, or the expiration date (presently July 1, 1976 or as extended by law) of the uniformed services annual special pay authority as authorized in section 313 of title 37, as amended by Public Law 93–274.

Subsection (*b*) provides that the amendments made by the bill (except for the special pay provisions, those relating generally to pay and other matters with respect to Physicians' Assistants, expanded-duty dental auxiliaries, licensed vocational and licensed practical nurses, nursing assistants and certain other VA health care personnel) shall become effective beginning the first pay period following 30 days after the date of enactment of the bill.

Mr. WILLIAM L. SCOTT. Mr. President, the Senate is not in order. I think they are having a conference in the Chamber which could be carried on in the cloakroom. I believe we are entitled to the courtesy of being heard on this bill. It is an important bill. I ask for order.

The PRESIDING OFFICER. Will the Senate please come to order and the Senators conduct their conferences in the cloakroom?

Mr. WILLIAM L. SCOTT. Mr. President, I would disagree with the last sentence of my distinguished colleague's statement, that this brings about comparability with other physicians in the Government.

I think what he really means to say is that it is based, at least in part, on the bonus pay that was given to military physicians in the military bill last year.

As I understand this bill, and the distinguished author of the bill can correct me if I am in error, even the physicians in the Veterans' Administration who are doing administrative work are not covered. The physicians in the National Institutes of Health are not covered. No civilian physician anywhere in the Government is covered other than these physicians in the veterans hospitals.

Mr. President, I believe this would create considerably more problems than it would solve, because what the bill essentially provides, as I understand it, is a bonus, a bonus up to $1,350 per year for each physician who is working in a Veterans' Administration hospital.

I would like for the author of the bill to tell me who, other than physicians, it covers. As I understand it, it covers nurses; it covers practical nurses. To give a practical nurse a bonus at the discretion of the Administrator up to $1,350 does not seem reasonable.

I may be confused as to just who, other than the physician in the Veterans' Administration, the bill covers.

Will the distinguished Senator from California tell me who is covered, other than physicians?

Mr. CRANSTON. The physicians would be the only ones to get the bonuses. They would not go to any other VA employees.

There are certain possibilities for entry level salary increases for nurses because there is a severe entry level salary comparability problem there. But the bonus, which the Senator has been talking about, is only for physicians in the VA.

Mr. WILLIAM L. SCOTT. What about the possibility for the increase in pay which refers to nurses, including both registered nurses and practical nurses?

Mr. CRANSTON. I will read a section of the bill that makes that very plain. I refer to subsection (g), page 18, line 17:

> When he finds such action to be necessary in order to obtain or retain the services of health care personnel to provide hospital care and medical services for veterans, the Administrator, notwithstanding any other provision of law, shall increase the minimum or maximum rates of pay authorized under this chapter or title 5, on a nationwide basis, for one or more grades or for one or more medical, dental, or health care fields within the grades, to (1) provide pay commensurate with competitive pay practices in the same occupation or in order to achieve internal alignment of pay rates within the Department of Medicine and Surgery, or (2) meet staffing requirements at Veterans' Administration facilities. Any such increase in the minimum rate for any grade may not exceed the maximum rate prescribed pursuant to law for such grade. Any such increase in the maximum rate for any grade may not exceed in corresponding amount, the amount provided for in the statutory range for that grade, subject to the limitation on pay fixed by administrative action set forth in section 5363 of title 5.

I would just like to comment that, as the Senator well knows, it is the nurses, licensed vocational nurses, and nursing assistants and others who are in the wards all around the clock who meet the human and humane needs, the problems of wounded and ill veterans, and we do not want those people unhappy and looking for work elsewhere. It is the veteran who will suffer if that happens; and in fairness, those people should be paid on a comparable basis to health care workers elsewhere.

Mr. WILLIAM L. SCOTT. Mr. President, I have the highest respect for nurses. I have been married to a registered nurse for the past 35 years. I know the problems of the nursing profession as much as an outsider can know them.

My problem with this bill is that it applies to the Veterans' Administration only. We have nurses working all over the Government, and they are not included in the bill. This is a patchwork bill.

Only recently, we had an increase in pay, what we believe will be an 8.6 increase in pay, for all Government employees at the executive level. This bill would be over and above that increase in pay which the physicians will get; that will be obtained by all of the Government personnel at the executive level.

If you think about $36,000 as the pay that the assistant chief medical director will get within the Veterans' Administration, and you add 8.6 percent to that, and then you add on top of that $1,350, we are talking about physicians in the Veterans' Administration making more than $50,000 per year. These are civilians, civilian doctors who will be receiving that amount. Yet we have the head of the National Bureau of Standards, for example, who is still making $36,000. I would submit that he has a much more responsible job than the doctor who is working in a Veterans' Administration hospital.

We had a report here before us just a few days ago, issued by the General Accounting Office, talking about this compression we have within the Government service by reasons of the ceiling, the $36,000 general ceiling.

It is a problem. I think it has partially been removed by the action of the Senate and the House of Representatives in providing for a limited cost-of-living increase, what we are led to believe will be an 8.6-percent increase. I think that we will do a disservice to all other Government employees if we pick out one group, a group that happens to be employed at the Veterans' Administration hospitals, and give them a bonus whereby, when they enter into a contract to work for a given number of years with the Government, they can make up to $1,350 per year more than other Government civilian employees in similar occupations make. And they will still get this 8.6 percent allowance that Congress has recently voted on.

It seems to me that this is a matter that should come from the Post Office and Civil Service Committees of the Senate and the House of Representatives. The Committee on Veterans' Affairs, which reported out this bill, does not have the expertise and the knowledge of the general salary scales throughout the Government. They are acting only with regard to the people with whom they have a special concern.

Mr. President, I would not take a thing away from the doctors who work at the Veterans' Administration. But I submit that the doctors at the National Institutes of Health have just as much concern for their patients, some of them up there with very serious illnesses, some with incurable ailments, that they are attempting to do the very best they can for. But they are not included in the bill before us.

It just seems to me that it is the wrong thing that we are doing, that we are doing greater wrong to Government employees generally than the amount of help that we are being able to give to one particular group.

As I understand, we have dentists working for Veterans' Administration hospitals who are not included. I do not believe that the foot doctors are included. I do not think that the optometrists or psychologists are included. The pharmacists are not included. They do not get this bonus.

Why should we single out a medical doctor, and the various other doctors not be included? A nonmedical director of a Veterans' Administration hospital would not qualify for this bonus, although there might be a doctor director, an M.D., doing the same work, who would get the bonus.

I believe that the passage of this measure would cause a morale problem. We would have two people working together, one getting the bonus and the other not getting the bonus.

I am told there are about 400 medical doctors in the Veterans' Administration system who are under the control of the Veterans Benefits Division, who would not receive the bonus. They perform the tasks of rating veterans as to the amount of their disability. I believe that the bill discriminates against the Veterans' Administration professional employees who also are caught in this pay freeze.

It seems to me, if we are going to raise salaries, the raises should apply to all people who are within a particular grade. Perhaps the Post Office and Civil Service Committee could prepare a bill giving a certain amount of discretion to the head of the Civil Service Commission to make adjustments within grades. This has been done many times: Rather than to start a particular person in a hard-to-fill occupation at the bottom of his rate, you start him at the middle or near the top. If someone is a Grade 13, 14, or 15, you can start him at the middle or the top of the grade, when necessary in order to fill the position.

Mr. President, I do have minority views, though they are not listed on the cover of the report of the committee. Looking at page 1 of the report, it does not say anything about minority views, so you have to look inside. Senators will find the minority views stated at page 65 of the report of the committee. I do not know what would account for this mishap, because ordinarily, right on the front of a committee report, it is stated: "together with minority views," and that enables Members of the Senate to know that there are minority views, and be able to find them.

Since I doubt that the Senate has had an opportunity to see them, I would like to just touch on those views. I ask unanimous consent that my minority views—there are only two pages of them—be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WILLIAM L. SCOTT. Mr. President, it reads something like this:

> The salary compression problem is a troublesome one for the entire Federal Government.
>
> S. 1711 is a piecemeal approach limited to physicians in the Department of Medicine and Surgery of the Veterans' Administration, but the current maximum limitations on Federal salaries is not a problem of singular concern to VA physicians.

Mr. President, we have relieved that somewhat by the 8.6-percent increase in pay to everyone under the executive pay schedule since this bill was reported.

I understand that there is a commission that is going to make a report right after the first of the year that is going to look into this entire overall Government salary structure, and I think this is the way to do it, to have it apply Government-wide rather than to pick out one small segment to give an increase in pay, and that is what this is. We can call it a bonus if they sign up for an additional year, an additional 2 years, an additional 3 years, or an additional 4 years. But whatever is decided, once they enter into that contract, they will get the increase in pay plus up to $1,350 in addition.

In addition, I think this is an unjust enrichment for this group of physicians that is not available to other physicians and not available to others who work in the medical profession.

The General Accounting Office in a February 25, 1975, report to Congress, entitled "Critical Needs for a Better Salary System for Adjusted Top Executive, Legislative and Judicial Salaries," underscored the urgency of the problem, and they referred to the 17,100 people, who were at the top of their pay, who could not obtain additional increases in salary. We are not meeting that problem. We met it in part the other night, but we are not meeting it with this bill.

We are just zeroing in on a small fraction of the number of employees when more than 17,000 are adversely affected by the salary ceiling.

I might say that the bill could well cost more than $100 million in the first fiscal year if all of the authority contained in the bill is utilized by the Administrator. Certainly here just a few minutes ago we would not agree no a conference report for military procurement, and yet we want to unjustly enrich one section of the Government employees.

Certainly it seems to me that the taxpayer is justified in expecting an expenditure that could vary from $70 to $100 million in the first fiscal year to provide a better solution than that proposed in this bill.

Exhibit 1

Minority Views of Senator William L. Scott

The salary compression problem is a troublesome one for the entire Federal Government.

S. 1711 is a piecemeal approach limited to physicians in the Department of Medicine and Surgery of the Veterans' Administration, but the current maximum limitations on Federal salaries is not a problem of singular concern to VA physicians.

In my opinion, a governmentwide approach is essential to a solution and is a matter under the jurisdiction of the Post Office and Civil Service Committee rather than the Committee on Veterans' Affairs.

The General Accounting Office, in a February 25, 1975, report to the Congress entitled Critical Need For a Better System For Adjusting Top Executive, Legislative and Judicial Salaries, underscored the urgency of the problem. In part, the GAO report stated as follows:

Top officials' salaries have remained stagnated since March 1969.

But the cost of living had increased approximately 44 percent by December 1974, considerably eroding the salaries' purchasing power. If this trend continues to 1977, the earliest possible adjustment, a level IV salary of $38,000 will be worth about $23,200 and the congressional and level II salary of $42,500 will be worth $25,900.

Meanwhile, non-Federal executive salaries had increased approximately 37 percent by June 1974. The projected increase for 1975 is 10 percent.

During these years other Federal white-collar salaries increased by about 50 percent.

The Congress has recognized the impact of inflation by raising allowances for certain office expenses for Members of the House of Representatives and by increasing the ceiling for professional staff in the Senate from $36,000 to $38,470.

A GS–18 would be earning $10,300 more today if he had received comparability adjustments and the $36,000 ceiling had not been in effect. From January 1971 through December, 1974, his cumulative salary loss has been about $20,000 and inflation has cut the $36,000 salary's purchasing power to about $27,600. At current inflation rates, by 1977, the salary will be worth only $24,200 compared to 1971.

Most incongruous of all is the fact that, without pay adjustments, employees with the same age and service can actually earn higher retirement annuities by retiring now than by continuing to work for the Government. Because retirement annuities are adjusted to the Consumer Price Index (CPI), a GS–18 who retired in December 1974 would get $1,824 less in annuity than if he retired in December 1973, even though he worked another year and paid $2,520 more into the retirement fund.

Any legislative remedy should consider the larger framework and implications of salary compression as it applies to the entire Federal personnel system. I am advised that more than 17,000 Federal employees are adversely affected by the salary ceiling and cannot receive any cost-of-living adjustments unless there is a general change in the present law. Salary compression transcends the VA as an agency and physicians as a profession. Recruitment and retention of executive agency management personnel, as well as the recent upturn in retirements from the judiciary, poses an equally burdensome problem.

In the effort to limit the special pay, or bonus, provisions of S. 1711 to physicians in the VA's Department of Medicine and Surgery, I fear that more inequities have been created than resolved.

For example, hospital directors in the VA system who happen to be physicians will be eligible for special pay, though they are charged not with direct patient care responsibilities, but duties relating to hospital administration. Hospital directors who are nonphysicians, though charged with the same administrative responsibilities as physician directors, are ineligible. Some senior research physicians, and physicians attached to the Department of Veterans Benefits, not the Department of Medicine and Surgery, are also excluded from eligibility for special pay. Dentists and other medical care personnel are excluded from the special pay provisions.

I have reservations about the effect these exclusions will have on morale for health care professionals who must work side by side with physicians in the effort to deliver quality medical care.

The provisions of S. 1711 which do apply to nonphysician personnel, namely section 4 of the bill, are not designed to provide the special bonus pay and are extraneous to the rationale on which the bill is premised—recruitment and retention of physicians in the VA. Section 4 provisions designed to change the personnel structure of VA nonphysician personnel should be dealt with separately from the salary compression problem.

Finally, the cost of the bill, which is at best a piecemeal approach to a widespread problem in the entire Federal structure, is considerable. Estimates for the first fiscal year range in cost from $52.03 million to $78.94 million for the physician special pay provisions, dependent on the amount of authority provided in the bill which the Administrator would choose to utilize.

S. 1711 could well cost more than $100 million in the first fiscal year if all authority contained in the bill is utilized by the Administrator. Certainly, the taxpayer is justified in expecting an expenditure which could vary from $70 to $100 million in the first fiscal year to provide a better solution than that proposed in the bill.

I, therefore, dissent from the Committee's report on S. 1711, and oppose its passage.

William L. Scott.

Mr. WILLIAM L. SCOTT. Mr. President, it is my understanding that the distinguished Senator from South Carolina, a member of the Committee on Veterans' Affairs did want to be heard on this bill. Senator Thurmond had indicated that he wanted to be heard.

I do not see him in the Chamber.

Mr. President, at this time I request a rollcall vote on final passage of the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. WILLIAM L. SCOTT. Mr. President, I do want to make this request at a later time.

I would ask that we have a quorum call without charging it to the time on either side so we can ascertain whether the Senator from South Carolina is available.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. MORGAN. I was going to ask the Senator from California if he would yield for a couple questions.

The PRESIDING OFFICER. The Senator from California only has 1 minute remaining.

Mr. CRANSTON. I have only 1 minute remaining and I am reserving that time for Senator Hartke, the chairman of the committee.

Could we obtain some time from the other side?

Mr. WILLIAM L. SCOTT. Mr. President, how much time remains on my side?

The PRESIDING OFFICER. The Senator will suspend.

I notice that the Senator from South Carolina is now in the Chamber.

The Senator from Virginia has 10 minutes remaining.

Mr. WILLIAM L. SCOTT. Mr. President, I ask unanimous consent that we first hear from the distinguished Senator from South Carolina and then if time remains I would be glad to yield to the Senator from North Carolina.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. THURMOND. Mr. President, I thank the distinguished Senator from Virginia.

Mr. President, I will vote for S. 1711, as I did in subcommittee and the full committee.

The basic thrust of the bill is to provide special pay for VA physicians, particularly in view of recent recruitment and retention problems.

In a May 29, 1975, letter to the President of the Senate, the Administrator of Veterans' Affairs requested additional special pay authority for VA physicians. In part, his letter stated:

> The VA's non-competitive salary position is now resulting in a continuing loss of United States trained full-time physicians,

> and their replacement by part-time and foreign trained physicians. Over the past two years, the total number of full-time VA physicians has increased from 5,225 to 5,408, an increase of 183 (3.4 percent), while the number of foreign medical graduate, full-time physician appointments increased from 1,338 to 1,643, an increase of 305 (18.5 percent). This constitutes a decrease of 122 in the total number of U.S. graduate full-time physicians, while at the same time the total number of foreign medical graduate full-time physicians rose 305. Thirty-one percent of the total full-time physician force in the VA are foreign medical graduates, which constitutes an overall 5 percent increase in the past two years. Currently, about 33 percent of the Psychiatry, 47 percent of the Pathology, and 45 percent of the Physical Medicine Specialists in the VA are foreign medical graduates.

Mr. President, I agree with the rationale on which the physician special pay provisions of S. 1711 are premised, such as, the emergency surrounding the recruitment and retention of VA physicians, and its attendant effect on the quality of care in the VA hospital system.

Other provisions of S. 1711, however, particularly those dealing with nonphysician personnel in section 4 of the bill, have not been shown to be of a compelling emergency nature. It should be noted that while the VA requested the additional special pay authority for physicians, it did not request additional authority to deal with nonphysician personnel problems. Although I do not prejudge the desirability of looking into the nonphysician personnel structure of the VA after full hearings and in the proper legislation, I do not question the efficacy of dealing with nonphysician personnel problems on a piecemeal basis in the context of legislation premised on the emergency situation of recruitment and retention of physicians.

Mr. President, section 4 of the bill deals with nonphysician personnel. The selective inclusion of physicians' assistants and expanded duty dental auxiliaries under section 407 of title 38 while other allied occupational categories are not included, offers merely a piecemeal approach to VA personnel problems. In my view, S. 1711 is not the proper vehicle to realine personnel categories. The authority provided to the Administrator in the bill to readjust salaries for health care personnel, to allow compensatory time off instead of overtime pay for registered nurses, and to allow premium and overtime pay for all health care personnel whose principal responsibilities relate to patient care, should be considered in the context of nonphysician personnel problems generally. In both the subcommittee and the full committee, I stated by view that comprehensive hearings should be held on issues of such importance, and that the hearings we held on physicians' special pay touched these areas only tangentially.

I hope the inclusion of section 4 in the bill has not opened up more inequities than it has cured.

Mr. President, while I had reservations about the inclusion of the nonemergency, nonphysician provisions, I did, however, vote to report S. 1711 to the full Senate for its consideration. I adopted this course of action in the interest of resolving a problem I consider to be of critical importance, that is, the need for prompt action to resolve the problem of recruitment and retention of VA physicians with direct patient care responsibilities, and thereby to maintain a high quality of care in the VA system.

Mr. President, I support S. 1711, but I want to make it clear that I do not favor all provisions of the bill. To vote against the entire bill, however, because it includes some undesirable features, in my view, would not help solve the problem of physician recruitment and retention. I am voting for the bill because the recruitment and retention problems needs to be solved before it reaches even greater crisis proportions.

Mr. WILLIAM L. SCOTT. Mr. President, does the distinguished Senator from North Carolina still desire time?

Mr. MORGAN. No.

Mr. WILLIAM L. SCOTT. Mr. President, my principal objection is not to a salary increase where it is warranted and merited, but this is patchwork, piecemeal legislation. It is a legislative bill that was considered prior to the House action granting a cost-of-living increase to all Government employees at the executive level.

As an example of one inequity, the National Bureau of Standards administers a budget of approximately $70 million per year. The position ahead of the director is level 5, $36,000. A research director in private enterprise, with similar budget and personnel responsibility, is paid between $100,000 and $150,000.

The Commissioner of Patents also is paid $36,000 a year. He has 2,100 employees under him; 1,100 of them are professionals. A high percentage of the professionals are attorneys. Heads of patent departments in large corporations, having 40 to 100 attorneys, are paid from $65,000 to $90,000.

The trial judges on the Federal bench are paid $40,000 a year. Judges of the circuit court of appeals, next to the Supreme Court, are paid $42,500.

Take the case of a doctor who is paid $36,000, add $13,500, which makes $49,500, plus 8.6 percent of his base pay. He will make well over $50,000 a year.

I am saying that this bill is patchwork; it is unfair to the thousands of other Government employees. I hope that the bill will be defeated; that next January, when we have the overall readjustment, when we have the report of the Rockefeller Commission which the President has appointed, action will be taken so that all Government employees will receive fair compensation.

Mr. President, I do not want to intrude further on the time of the Senate, but I ask for the yeas and nays on passage of the bill.

Mr. CRANSTON. Mr. President, will the Senator withhold that? We will get the yeas and nays on the House bill, which we will take as the substitute.

Mr. WILLIAM L. SCOTT. Mr. President, I ask unanimous consent that it be in order at this time to ask for the yeas and nays on this bill or the House bill, if it subsequently is substituted.

The PRESIDING OFFICER (Mr. Packwood). Is there objection? The Chair hears none, and it is so ordered.

Mr. WILLIAM L. SCOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. WILLIAM L. SCOTT. Mr. President, reference has been made to the House bill. I merely call to the attention of the Senate that the House bill does not contain everything that the Senate bill contains.

The PRESIDING OFFICER. All time of the Senator from Virginia has expired.

Mr. CRANSTON. Mr. President, I yield to the Senator from Indiana (Mr. Hartke), the distinguished chairman of the Veterans' Affairs Committee who has been such a great friend of the veteran and who has been of such great assistance with this bill.

Mr. HARTKE. Mr. President, I rise to urge the Senate to favorably consider S. 1711, the Veterans' Administration Physician Pay Comparability Act of 1975. I am pleased to be a principal cosponsor of this measure introduced by the very able and distinguished chairman of the Subcommittee on Health and Hospitals (Mr. Cranston). Considerable time and effort has gone into arriving at the compromise measure before the Senate, and the senior Senator from California deserves much credit for helping the committee arrive at its consensus. Committee members joining in sponsoring this measure include the Senator from Georgia (Mr. Talmadge), the Senator from West Virginia (Mr. Randolph), the Senator from Florida (Mr. Stone), the Senator from Wyoming (Mr. Hansen), the Senator from South Carolina (Mr. Thurmond), and the Senator from Vermont (Mr. Stafford).

Mr. President, the measure before the Senate today occasioned considerable discussion among committee members particularly during its consideration by the Subcommittee on Health and Hospitals. More often than not, however, these discussions centered around questions of procedure rather than substance. That is to say, although there were questions as to whether this bill was the appropriate vehicle for all provisions contained therein, all committee members were from the onset firmly dedicated to the principle of insuring that our Nation's veterans receive from the Veterans' Administration a level of care that is consistent with its motto of "care second to none." Certainly no factor bears more directly on the quality of patient care provided veterans than the qualifications and professional skills of the health care personnel in the Veterans' Administration hospital system. S. 1711 attempts to preserve this quality of care available to veterans by insuring that the Veterans' Administration can compete effectively with other Federal agencies providing health care.

The committee bill would achieve this purpose by authorizing the payment of special pay to eligible physicians in order to enhance the recruitment and retention of physicians in the Veterans' Administration; calling for the development of a permanent legislative solution of problems associated with recruitment and retention of health care personnel in the VA and other Federal agencies; and provide for certain new authorities to assist the Veterans' Administration, including retaining the services of dental, nursing, technical and other nonphysician health care personnel.

More specifically, Mr. President, S. 1711 as reported:

First, authorizes the payment of special pay to eligible physicians in the Department of Medicine and Surgery as follows:

Full-time physicians—with the exception of those in certain narrowly drawn categories of professional positions found by the Chief Medical Director not to be experiencing a significant recruitment and retention problem—would receive $6,075 in "base special pay," plus up to $7,425 in variable "additional special pay," to be distributed on the basis of objective factors, such as the scarcity of the physician's medical specialty, the physician's tenure, education and professional responsibilities, and the extent to which veterans in the geographical area in question are medically underserved by the appropriate VA facility. It is estimated that most full-time physicians would receive special pay of between $9,000 and $10,000 annually. No physician would receive more than $13,500.

Part-time physicians—with the same narrowly-drawn categorical exceptions—would receive "base special pay" of $6,075 proratably reduced by the proportion of time employed in VA facilities, plus up to $5,400 in "additional special pay" proratably reduced to reflect hours employed in VA facilities, plus up to $5,400 in "additional special pay" proratably reduced to reflect hours employed and distributed according to the same objective factors.

Second, removes the salary authorization for the Chief Medical Director and Deputy Chief Medical Director from title 5 of the United States Code; establishes statutory salaries for these officials in section 4107 of title 38 of the United States Code; imposes salary ceilings on their salaries, as well as that of the Associate Deputy Chief Medical Director, to correspond to specific executive salary schedule levels in title 5—while retaining the $36,000 salary ceiling as may be adjusted by the President's recommendation on Federal employee's salaries on all other DM&S salaries—except as provided in special pay—and direct provision of $13,500 in special pay to these three officials.

Third, require the Administrator of Veterans' Affairs to report annually to the relevant committees of Congress on the operation of the special pay program.

Fourth, requires the Director of the Office of Management and Budget, after consultation with the Administrator of Veterans' Affairs and the heads of relevant Federal agencies, to submit to the appropriate committees of Congress, not later than March 1, 1976, a report proposing a permanent and coordinated legislative solution to the problem of attracting and retaining the services of qualified health care personnel for careers in the VA, the uniformed services, and other Federal agencies providing heath care.

Fifth, provides for the inclusion in the title 38 Department of Medicine and Surgery personnel schedules of physicians' assistants and expanded-duty dental auxiliaries, along with physicians, dentists, and registered nurses, and direct that they be paid under the nurse schedule in section 4107 of title 38.

Sixth, removes the prohibition on compensatory time off for VA registered nurses, but only when a nurse who, because of overtime work, is entitled to special compensation voluntarily and specifically requests in writing that that compensation take the form of extra time off rather than overtime pay.

Seventh, extends title 38 premium and overtime pay benefits, as they are now provided to registered nurses in VA health care facilities, to all Department of Medicine and Surgery personnel whose principal responsibilities relate directly to patient care.

Eighth, authorizes the Administrator to adjust minimum and maximum salaries within grade for nonphysician health care personnel on a nationwide basis when, in his judgment, salary adjustment is necessary to provide pay practices in the same occupation, to achieve internal alignment of pay rates within the Department of Medicine and Surgery or to meet staffing needs in VA health care facilities.

Mr. President, to provide medical care to the Nation's 29.4 million veterans, the VA administers 171 hospitals, 213 outpatient clinics, 86 nursing homes, and 18 domiciliaries. Obviously, health care on such an enormous scale requires a large staff of well-qualified professionals. As of March 31, 1975, the Veterans' Administration employed 8,388 physicians, 862 dentists, 24,629 registered nurses, 32,284 nursing personnel and more than 100,000 other health care and administrative personnel.

The VA health care systems contribution to American medicine extends well beyond the treatment of veterans. More than 65,000 medical personnel are trained every year at VA facilities for service to the community in private and public hospitals. One out of every three professionals in the emerging paramedical specialties is trained by the VA. In addition, the VA spends almost $100 million annually on basic and applied medical research, the benefits of which extend far beyond the immediate veteran community served by the VA system.

In 1974, a survey of patient care directed by the President and done by the VA found that the number one problem faced by the Department of Medicine and Surgery in increasing the quality of patient care was the growing problem in recruitment and retention of physicians. The study concluded:

> The most critical problem confronting the Department of Medicine and Surgery is the recruitment and retention of an adequate staff of well qualified personnel essential to providing high quality health care. The most urgent of these needs focuses on the physician.

The greatest single barrier to recruitment and retention of physicians was the inadequacy of salaries for VA doctors.

Testimony before the Health and Hospital Subcommittee revealed that nearly 40 percent of all VA doctors were frozen in their salary level because of the arbitrary $36,000 ceiling currently in effect for all Federal employees. VA officials indicated that at present they had over 500 vacancies for doctors that were going unfilled. In addition, the VA indicated that they were in a noncompetitive situation with other Federal agencies because of the special pay bonus available in the Department of Defense and the Public Health Service. In the uniform services, a physician currently can earn as much as $55,594, or, 54 percent more than the highest paid VA physician.

Two out of three job offers by the Veterans' Administration to doctors were rejected by the physicians because of salary limitations. Physicians are also shifting from full-time status with the VA to part-time employment and taking private patients to make up for inadequacies in VA pay. VA officials indicated that almost 4 out of 10 VA doctors were presently on part-time status.

The testimony also revealed that the percentage of foreign medical graduates practicing in the VA hospital system has risen steadily to a point where now 31 percent of all doctors in the VA hospital system are graduates of foreign medical schools.

Finally, if board certification of physicians can be used as a standard of measurement, the percentage of physicians in the VA who have been board-certified in their special fields of medicine dropped 51 percent to 40 percent last year alone.

I believe it is evident from the foregoing that quality patient care in the VA hospital system is in jeopardy because of the growing crisis in physician recruitment and retention.

The 1974 VA survey of quality of patient care not only pointed out the need to increase physician salaries, but it also identified the corresponding need to recruit and retain other medical personnel as well.

S. 1711 addresses itself to this problem.

In the case of physicians' assistants, which the 1974 VA survey referred to, the VA for some time has been training PAs. Almost half of all the 3,000 PAs trained in the last 5 years in the United States have received training in VA hospitals. Yet, the VA is unable to effectively retain and employ this vital group of health care personnel. Physicians' assistants are under GS schedule and enter the VA at a grade of GS–7 earning $10,520 a year. This salary does not compare with starting salaries for physicians' assistants outside the VA of $12,500 to $15,000 a year.

S. 1711 addresses itself to this problem by allowing physicians' assistants to be paid on the basis of the nurses schedule in title 38, section 4107. The bill also gives the Administrator of the Veterans'

Administration the authority to provide ingrade salary adjustments for physicians' assistants and other medical personnel whose primary responsibility is in the field of patient care.

Other medical personnel, which the VA is also experiencing a recruitment and retention problem with, are licensed practical nurses—LPNs—and nursing assistants—NAs. LPN entered the VA at a GS-3 level earning $6,764 a year. NAs entered the system at the GS-2 level earning $5,996 a year. The VA is currently experiencing an unusually high turnover rate with NAs—almost 25 percent annually.

S. 1711 would give the Administrator of the Veterans' Administration flexibility to adjust ingrade pay increases in order to compete with outside salaries and meet staffing needs to help stabilize the nursing assistant positions and aid in making the LPN status more attractive.

The special pay provisions of S. 1711 as they apply to VA physicians are in two forms.

First, a "base special pay" would provide all full-time physicians—part-time physicians would receive a proportionate amount of the base special pay depending on the proportion of their part-time employment with full-time status—an additional $6,075.

Second, an "additional special pay" provision of up to a total of $7,425 can be awarded to a physician based on several objective factors such as scarcity of the physicians' medical specialty, the physician's tenure, education, professional responsibilities, and the extent to which veterans in the geographical area in question are medically underserved by the appropriate VA facility. Most VA physicians under the special pay provisions mentioned above would receive a total between $9,000 and $10,000 a year. No physician would receive more than a total of $13,500.

All VA physicians would be eligible for both the base special pay and additional special pay, except those in certain narrowly drawn categories of professional positions found by the Chief Medical Director of the Veterans' Administration not to be experiencing a significant recruitment and retention problem.

Under S. 1711, a physician who elects to receive a special bonus may sign an agreement for up to 4 years of service. If the physician signs a special pay agreement and fails to complete his first year of such an agreement he must refund the total amount of the special pay bonus he has received up to that time.

Because the recruitment and retention of health care personnel is of such crucial importance to the entire Federal Government, S. 1711 also directs the Office of Management and Budget after consultation with the Veterans' Administration to report back to the Congress by March 1, 1976, a permanent and coordinated legislative solution to the problem of recruiting and retaining health care personnel in the Federal service.

The inclusion of dentists in the special pay provisions of S. 1711 was given considerable attention by the Subcommittee on Health and Hospitals and the full Veterans' Affairs Committee. In addition to the fact that dentists are not a part of the special pay provisions for doctors in the uniform services and VA officials testifying before the committee did not recommend inclusion of dentists in the special pay provisions of the bill, three major arguments emerged to indicate that the quality of health care in the VA is not threatened seriously at the present time by the existing salary schedule for dentists.

First, there appears to be no recruitment problem for dentists. According to the VA, "there are few vacancies and a reasonable reservoir of candidates to meet anticipated needs. Employment is stable."

Second, there are not nearly so many dentists at the current $36,000 Federal ceiling as there are doctors. Only 19 percent of little over 800 dentists are at the current $36,000 level compared with 38 percent of over 8,000 physicians.

Third, there is no part-time employment problem with dentists; 98 percent of dentists in the Veterans' Administration work full time compared to only 64 percent of the doctors.

Despite the fact that present figures do not indicate an immediate crisis in recruitment and retention of dentists as is the case with psysicians' S. 1711 does attempt to prepare the Veterans' Administration to deal with problems as they arise in the future. More important, the reported bill gives the Administrator of the Veterans' Administration the authority to increase the entry pay rate for dentists as much as $8,000 a year within present maximum salary levels should the Administrator so deem it necessary in order to recruit and retain qualified dentists.

Mr. President, S. 1711 also contains other provisions which are of importance to health care delivery. At the present time, there are over 22,000 full-time registered nurses who work all night on an emergency, who are required to go directly into their working schedule the next day because of a prohibition against compensatory time off. The reported bill would allow registered nurses who have performed overtime work to elect compensatory time off instead of overtime if they request so in writing.

Regarding other nursing paid provisions, my colleagues will recall that the Veterans Health Care Expansion Act—Public Law 93-82—allows special premium and overtime pay only to registered nurses. S. 1711 would authorize such premium and overtime pay to all VA health care personnel whose primary responsibilities relate directly to patient care.

The first year cost of the bill, $70.8 million, is minimal compared to the hoped-for effect the bill will have on revitalizing morale among professional staff in Veterans' Administration hospitals across the country.

Our Nation's 29 million living veterans deserve quality patient care in our VA hospital system.

S. 1711 is an important step in that direction.

Mr. President, I ask unanimous consent that letters of support from the American Legion, the Veterans of Foreign Wars and the Disabled American Veterans supporting this legislation be printed in the Record at this point.

There being no objection, the material was ordered to be printed in the Record, as follows:

THE AMERICAN LEGION,
Washington, D.C., July 30, 1975.

Hon. Vance Hartke,
Chairman, Senate Committee on Veterans' Affairs, Russell Senate Office Building, Washington, D.C.

Dear Senator Hartke: The American Legion strongly supports the concept of S. 1711, Veterans' Administration physician Pay Comparability Act of 1975, which we understand will be called up for consideration by the Senate this week.

Veterans' Administration studies point to the fact that financial considerations are the major impediment to achieving satisfactory recruitment and retention of physicians, dentists, and other health care personnel. If improved salary rates are not provided in the immediate future, The American Legion is convinced that the Veterans Administration's ability to recruit well qualified physicians, dentists, and others will be further impaired and that there will be an acceleration of resignations and conversions to part-time employment, both for economic reasons. Approval of this measure would extend a measure of the recognition to VA physicians presently enjoyed by those in the Armed Forces and the Public Health Service.

While the cost of living increases contemplated in H.R. 2559, as amended and passed by the Senate yesterday, would apply to VA employees it is not of major significance and would have little, if any, effect on the retention and recruitment of qualified medical personnel by the VA's Department of Medicine and Surgery as called for in S. 1711.

Your consideration of supporting this urgently needed legislation is appreciated by The American Legion.

Sincerely,
James M. Wagonseller,
National Commander.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
July 29, 1975.

From: Donald H. Schwab, Acting Director, National Legislative Service, Veterans of Foreign Wars of the U.S.
To: All United States Senators.
Subject: S. 1711, Veterans' Administration Physician Pay Comparability Act of 1975.

As you are aware, the Veterans' Affairs Committee reported out S. 1711 on July 16, which is expected to be taken up by the full Senate prior to the August 1 recess.

The purpose of this legislation is to stem the exodus of experienced and highly-qualified physicians from the Veterans' Administration system, including those facilities in your state, which now threatens to reach crisis proportions. In the past 12 months, more than 300 full-time physicians resigned due to inadequate salaries and two-thirds of 1209 physicians offered positions were not recruited for the same reason.

Approval of this one-year trial legislation to bring Veterans' Administration physicians pay in line with that of their counterparts in other Federal agencies will make it possible to continue medical care second to none within the VA system.

In view of the foregoing, your favorable vote for S. 1711 is earnestly solicited, and with best wishes and kind personal regards, I am

Sincerely,
Donald H. Schwab.

Senator Vance Hartke,
Chairman, Senate Committee on Veterans' Affairs.

The Disabled American Veterans is greatly concerned over the Veterans' Administration's inability to retain or recruit qualified physicians for its hospital system due to its current noncompetitive salary structure.

There is an urgent need for immediate relief which can not wait for the final resolution of Federal pay scales. The Disabled American Veterans' 500,000 members request your support of S. 1711, which is designed to temporarily alleviate this critical problem and to provide a study for its final solution.

Charles L. Huber,
National Director of Legislation, Disabled American Veterans.

Mr. HARTKE. Mr. President, again I congratulate the Senator from California for the hard work, time, and effort he has put into this bill. He has worked with the subcommittee long hours, and it has been a very difficult matter. He deserves a great deal of credit for helping the committee to come to a consensus.

I urge support of this bill. It is endorsed very strongly by the American Legion, the VFW, and the DAV.

In addition, the Budget Committee has indicated no objection to it. The cost of this measure is within the parameters submitted by the Veterans' Affairs Committee to the committee chaired by Senator Muskie and is reflected in the concurrent resolution adopted by Congress.

ADDITIONAL STATEMENTS ON S. 1711

Mr. MUSKIE. Mr. President, last Saturday, in connection with the debate on the Housing and Urban Development independent agencies appropriation act, I spoke in some detail on the implications for the congressional budget process of increased costs in the "veterans benefits and services" function of the Federal budget. I will not repeat those details today as we debate S. 1711, the Veterans' Administration Physician Pay Comparability Act of 1975, but I would like to summarize those remarks for the benefit of my colleagues as they consider this bill.

S. 1711 is what we on the Budget Committee call "spending legislation." It is an entitlement bill which essentially locks us into $70 million in budget authority and outlays in fiscal year 1976 even though subsequent appropriations action is technically required. I stress this point because legislation of this type is basically a one-shot affair—we cannot rely on the subsequent appropriations process to hold spending down.

I fully understand and support the desirability of pay comparability between VA medical personnel of the Department of Defense and the Public Health Service, which this bill would provide. The Veterans' Committee alerted us to the need for this legislation in their report to the Budget Committee last March, and the Budget Committee made provision for additional funds in this function over the President's request. But I feel obligated to point out, as I did last week, that the veterans benefits and services function of the congressional budget has already been oversubscribed, because since adoption of the budget resolution the administration has increased its budget requests to Congress by an additional $1.4 billion in budget authority and oulays for reestimates of mandatory costs of which none was reflected in the President's January budget and only about half was assumed in the first concurrent resolution targets. The remaining $700 million was unanticipated and must be accommodated. The latest scorekeeping totals indicate clearly what this does to the veterans targets, even before taking account of additional legislative proposals in this function that are now under consideration.

In effect, most of the funds available for legislative initiatives in this area have been eaten up by these reestimates of existing program requirements over which the Congress has no control.

As I mentioned in my remarks last week, the Congress may need to take another look at the budget resolution targets for the veterans area because of these executive reestimates over which we have no control, and such a review may or may not lead to a decision to change the targets. On balance, I plan to vote for this bill because I believe that pay comparability may be the only solution to the problems faced by the Veterans' Administration retention and recruitment of medical personnel and because I believe we cannot allow mandatory reestimates to crowd out necessary legislation such as this. But I want my colleagues to be fully aware that this bill will add an additional $70 million to an already oversubscribed target for veterans benefits and services.

In closing let me reiterate the difficulty we face when we receive estimates from the administration that are substantially understated. While I recognize the difficulty of making accurate estimates, I would point out that requirements in the veterans area have been chronically understated by the administration for the past several years. Nor is this the only case—a new table in this week's scorekeeping report, on page 13, shows that for the budget as a whole such underestimates since adoption of the first concurrent resolution on the budget now total $1.8 billion in budget authority and $2.7 billion in outlays. These figures are, if anything, conservative. I believe it is time for the administration—with all the analytic capability available to it—to do a better job. We simply cannot tolerate the underestimating practices of the past if the congressional budget process is to be meaningful.

Mr. HANSEN. Mr. President, I shall vote for S. 1711, the Veterans' Administration Physicians Pay Comparability Act of 1975. I do so, however, with significant reservations about the inclusion of some provisions which are nonessential to the purpose of the bill.

In the Senate Veterans' Affairs Subcommittee, I voiced my reservations but voted to report S. 1711 favorably to the full Senate for its consideration. I want to explain why I adopted this course of action.

As a part of the special survey of VA hospitals directed by the President last year, a task force was appointed to review recruitment and retention of VA health care personnel. Recruitment and retention of physicians within the VA hospital system, and specifically the $36,000 limitation placed on the salaries of about 40 percent of the physicians, was found to be the most critical problem. While other personnel problems were bound to exist, none were of the magnitude of the physician recruitment retention problem.

On May 29, 1975, the Administrator of Veterans' Affairs transmitted draft legislation to the President of the Senate to deal with this problem. In his transmittal letter, the Administrator said:

> Data regarding net income for physicians in the United States show that, in solo practice, the annual median income is about $48,000; for group practice about $66,000; strict full-time academic medicine (level comparable to VA Chief Grade 8 and above) $48,000; academic geographic full-time $56,000; and military medicine $44,000, plus fringe benefits, bringing the total to about $48,000. Comparing these income figures with the current $36,000 salary ceiling imposed on VA physicians is ample explanation for VA's difficulty in competing for their services.

Mr. President, I agree with the rationale that the physicians special pay provisions of S. 1711 is premised, that is, the emergency surrounding the recruitment and retention of VA physicians, and its attendant effect on the quality of care in the VA hospital system.

Other provisions of S. 1711, however, particularly those dealing with nonphysician personnel in section 4 of the bill, have not been shown to be of a compelling emergency nature. In both the subcommittee and the full committee, I questioned the advisability of dealing, piecemeal, with nonphysician personnel problems in a bill designed originally as a stopgap to prevent the loss of physicians from VA service.

Further, it should be noted that while the VA has requested additional special pay authority, it did not request additional authority to deal with nonphysician personnel problems. In fact, in light of the current budgetary problems, I fear the inclusion of extraneous provisions not dealing with the physician recruitment-retention problem may jeopardize the chances for this bill to become law.

In any event, Mr. President, I voted to report S. 1711 in the interest of resolving the issue I consider of paramount importance: the need for prompt action to resolve the critical problem of recruitment and retention of VA physicians with direct patient care responsibilities.

The PRESIDING OFFICER. All time on the bill has expired.

Mr. CRANSTON. I thank the Senator from Indiana.

Mr. President, I know of no amendment, and I am ready for adoption of the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. CRANSTON. Mr. President, I believe we are ready for a third reading.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. CRANSTON. Mr. President, I ask

unanimous consent that the Senate proceed to the immediate consideration of the bill H.R. 8240.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 8240) to amend title 38, United States Code, to provide special pay and incentive pay for certain physicians and dentists employed by the department of medicine and surgery of the Veterans' Administration in order to enhance the recruitment and retention of such personnel, and for other purposes.

The Senate proceeded to consider the bill which was read twice by title.

Mr. CRANSTON. Mr. President, I move that H.R. 2840 be amended by striking all after the enacting clause and inserting in lieu thereof the text of S. 1711 as amended by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the engrossment of the amendment and third reading of the bill.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from Mississippi (Mr. EASTLAND), and the Senator from Wyoming (Mr. MCGEE) are necessarily absent.

I further announce that the Senator from Rhode Island (Mr. PELL) and the Senator from Illinois (Mr. STEVENSON) are absent on official business.

I further announce that, if present and voting, the Senator from Rhode Island (Mr. PELL) and the Senator from Illinois (Mr. STEVENSON) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BROCK), the Senator from Massachusetts (Mr. BROOKE), the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from New York (Mr. JAVITS), the Senator from Nevada (Mr. LAXALT), the Senator from Kansas (Mr. PEARSON), the Senator from Illinois (Mr. PERCY), and the Senator from Ohio (Mr. TAFT) are necessarily absent.

I further announce that, if present and voting, the Senator from Ohio (Mr. TAFT) and the Senator from Illinois (Mr. PERCY) would each vote "yea."

The result was announced—yeas 79, nays 6, as follows:

[Rollcall Vote No. 376 Leg.]

YEAS—79

Abourezk
Allen
Baker
Bartlett
Bayh
Beall
Bellmon
Bentsen
Biden
Buckley
Bumpers
Burdick
Byrd, Robert C.
Cannon
Case
Church
Clark
Cranston
Culver
Curtis
Dole
Domenici
Eagleton
Fannin
Ford
Garn
Glenn
Gravel
Hansen
Hart, Gary W.
Hart, Philip A.
Hartke
Haskell
Hatfield
Hathaway
Hollings
Hruska
Huddleston
Humphrey
Inouye
Jackson
Johnston
Kennedy
Leahy
Long
Magnuson
Mansfield
Mathias
McClure
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morgan
Moss
Muskie
Nelson
Nunn
Packwood
Pastore
Proxmire
Randolph
Ribicoff
Roth
Schweiker
Scott, Hugh
Sparkman
Stafford
Stennis
Stevens
Stone
Symington
Talmadge
Thurmond
Tunney
Weicker
Williams
Young

NAYS—6

Byrd,
  Harry F., Jr.
Griffin
Helms
McClellan
Scott,
  William L.
Tower

NOT VOTING—14

Brock
Brooke
Chiles
Eastland
Fong
Goldwater
Javits
Laxalt
McGee
Pearson
Pell
Percy
Stevenson
Taft

So the bill (H.R. 8240) was passed.

Several Senators addressed the Chair.

Mr. HARTKE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PUBLIC BUILDINGS COOPERATIVE USE ACT OF 1975

Mr. ROBERT C. BYRD. Mr. President, will the Senator from Louisiana yield to me 1 minute or less without the time being charged to anyone.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of a bill which has been cleared on both sides of the aisle, Calendar Order 338.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 865) to promote more efficient use of the nation's construction resources, to foster the preservation of buildings of historic or architectural significance, and to enhance the social and economic environment within and surrounding Federal office buildings.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Public Works with amendments, as follows:

On page 1, at the end of line 6, after "to" insert "constructing,".

On page 2, in line 1, after "space" strike out "to meet the office needs of the Federal Government" andn insert "necessary for the accommodation of Federal agencies".

On page 2, in line 6, after "historic," strike out "or".

On page 2, in line 6, after "architectural," insert "or cultural".

On page 2, in line 7, strike out "prove" and insert "be".

On page 2, in line 12, strike out "prove" and insert "be".

On page 2, in line 18, strike out "encourages" and insert "encourage".

On page 2, in line 20, after "buildings," insert "permitting cooperative improvements to and uses of the area between the building and the street, so that such activities".

On page 2, in line 23, strike out "complementing" and insert "complement".

On page 2, in line 23, strike out "supplementing" and insert "supplement".

On page 3, in line 15, after "1959," insert "as amended,".

On page 4, in line 12, after "shall" strike out "contract with the Chairman of the National Trust For" and insert "request that, within sixty days, the Advisory Council on".

On page 4, in line 14, after "Preservation", strike out "to".

On page 4, line 15, after "geographical", strike out "areas which" and insert "area that".

On page 4, in line 16, strike out "architectural or historical" and insert "historic, architectural, or cultural".

On page 4, in line 17, strike out "which" and insert "that".

On page 5, in line 1, strike out "ground floor" and insert "Major pedestrian access level".

On page 6, in line 12, strike out "ground floor".

On page 6, at the beginning of line 13, insert "on the major pedestrian access level".

On page 6, in line 16, strike out "ground floor" and insert "such".

On page 7, in line 3, after "historical," strike out "or".

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That this Act may be cited as the "Public Buildings Cooperative Use Act of 1975".

SEC. 2. (a) I order to carry out his duties under this Act and under any other authority with respect to constructing, operating, maintaining, altering, and otherwise managing or acquiring space *necessary for the accommodation of Federal agencies* and to accomplish the purposes of this Act, the Administrator shall—

(1) acquire and utilize space in suitable buildings of historic, architectural, *or cultural* significance, unless use of such space would not *be* feasible and prudent compared with available alternatives;

(2) give preference, after first complying with paragraph (1) of this subsection, to the purchase and use of space in other existing buildings, unless use of such space would not *be* feasible and prudent compared with available alternatives;

(3) encourage the location of commercial cultural, educational, and recreational facilities and activities within or near public buildings;

(4) provide and maintain space, facilities, and activities, to the extent practicable, that *encourage* public access to and stimulate public pedestrian traffic around, into, and through public buildings, *permitting cooperative improvements to and uses of the area between the building and the street, so that such activities complement* and *supplement* commercial, cultural, educational, and recreational resources in the neighborhood of public buildings; and

(5) encourage the public use of public buildings, including commercial, cultural, educational, and recreational use of such buildings outside of regular Federal working hours.

(b) In carrying out his duties under subsection (a) of this section, the Administrator shall consult with Governors, areawide agencies established pursuant to title II of the Demonstration Cities and Metropolitan Development Act of 1966 and title IV of the Intergovernmental Cooperation Act of 1968, and chief executive officers of those units of local government in each area served by an existing or proposed public building, and shall solicit the comments of such other community leaders and members of the general public as he deems appropriate.

SEC. 3. The Public Buildings Act of 1959, *as amended,* is amended—

(1) by striking at the end of section 7(a) (3), the word "buildings;" and inserting in lieu thereof "building, and designed to enhance the architectural, historical, social,

cultural, and economical environment of the locality;";

(2) by striking the word "and" at the end of section 7(a)(4), by redesignating section 7(a)(5) as section 7(a)(6), and by inserting the following new section 7(a)(5):

"(5) whenever a project proposed in the prospectus does not provide for acquisition or purchase of the building or buildings identified to the Administrator pursuant to section 12(c), a statement of the economic and other justifications for not acquiring or purchasing such building or buildings; and";

(3) by redesignating section 12(c) and section 12(d) as section 12(d) and section 12(e), inserting the following new section 12(c):

"(c) Whenever the Administrator undertakes a survey of the public buildings needs of the Federal Government within a geographical area, he shall request that, within sixty days, the Advisory Council on Historic Preservation to identify any existing buildings within such geographical area that are of historic, architectural, or cultural interest and that would be suitable, whether or not in need of repair, alteration, or addition, for acquisition or purchase to meet the public buildings needs of the Federal Government.".

SEC. 4 (a) The Federal Property and Administrative Services Act of 1949 is amended—

(1) by striking the word "and" at the end of section 210(a)(14), and adding the following paragraphs following section 210 (a)(15):

"(16) to enter into leases of space on the major pedestrian access level of any public building with persons, firms, or organizations engaged in commercial, cultural, educational, or recreational activities. The Administrator shall establish a rental rate for such leased space equivalent to the prevailing commercial rate for comparable space devoted to a similar purpose in the vicinity of the public building. Such leases may be negotiated without competitive bids, but shall contain such terms and conditions as the Administrator deems necessary to protect the public interest;

"(17) to make available, on occasion, or to lease at such rates and on such other terms and conditions as the Administrator deems to be in the public interest, auditoriums, meeting rooms, courtyards, rooftops, and lobbies of public buildings to persons, firms, or organizations engaged in commercial, cultural, educational, or recreational activities that will not disrupt the operation of the building;

"(18) to deposit into the fund established by subsection (f) of this section all sums received under leases or rentals executed pursuant to paragraphs (16) and (17) of this subsection;

"(19) to pay sums in lieu of real property taxes to States and units of local government on any space leased pursuant to paragraph (16) or (17) of this subsection, to persons, firms, or organizations otherwise subject to taxation; and

"(20) to furnish utilities, maintenance, repair, and other services to persons, firms, or organizations leasing space pursuant to paragraphs (16) and (17) of this subsection. Such services may be provided during and outside of regular working hours of Federal agencies.".

(b) The Federal Property and Administrator shall, where practicable, give priority in the assignment of space on the major pedestrian access level not leased under the terms of subsection (a)(16) or (a)(17) of this section in such buildings to Federal activities requiring regular contact with members of the public. To the extent such space is unavailable, the Administrator shall provide space with maximum ease of access to building entrances.".

SEC. 5. As used in this Act—

(1) The term "Administrator" means the Administrator of General Services.

(2) The terms "public building" and Federal agency" bear the same meaning as the Public Buildings Act of 1959.

(3) The term "unit of local government" means any city, county, town, parish, village, or other general purpose political subdivision of a State.

(4) The term "historical, architectural, or cultural significance" includes, but is not limited to, buildings listed or eligible to be listed on the National Register.

(5) The term "commercial activities" includes, but is not limited to, restaurants, food stores, craft stores, dry goods stores, financial institutions, and display facilities.

(6) The term "cultural activities" includes but is not limited to, film, dramatic, dance and musical presentations, fine art exhibits, studios, and public meeting places, whether or not used by persons, firms, or organizations intending to make a profit.

(7) The term "educational activities" includes, but is not limited to, libraries, schools, laboratories, and lecture and demonstration facilities.

(8) The term "recreational activities" includes, but is not limited to, gymnasiums and day care centers.

On page 7, in line 3, after "architectural," insert "or cultural", so as to make the bill read:

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

The amendments were considered and agreed to en bloc.

PRESENT BUILDINGS CAN BE STRENGTHENED FOR VALUABLE FUTURE USE

Mr. RANDOLPH. Mr. President, one of the signs of maturity in the American society is our growing respect for our past. We are beginning to alter our notions that change for its own sake is always good, that destruction is always better than preservation and that Government must have closer contact with the people it serves.

The bill before the Senate, the Public Buildings Cooperative Use Act, represents important policy changes in the way the Federal Government houses its internal activities. It will encourage the restoration of older buildings for new uses and make Federal installations better neighbors in the communities where they are located.

There are many buildings in all parts of our country that are old and in need of repair. They may have seen better days, but their useful potential is great. Often bearing historic of architectural significance, these structures could and should be restored to use. I know there is a great contribution the Federal Government can make to community renewal. There should be the refurbishment and use of good buildings which can be useful now as in earlier years.

In my State, there is new interest—stimulated by the approaching bicentennial—in historic preservation. Many buildings that have been neglected are now marked for new and productive lives. The Federal Government should give further impetus to this movement. The provisions of this bill will aid that effort.

A second important feature of this legislation is the permitting the use of federally occupied structures for other purposes. These buildings could provide rental space to other activities and thus contribute to restoring life to many of our increasingly sterile urban communities.

This bill also has some very practical benefits to the Federal Government and to the country as a whole. Under its provisions there can be cost savings in providing office space as well as the conservation of energy and materials.

Mr. President, I commend the able Senator from New York (Mr. BUCKLEY) for his concern in this area and for his leadership in the development of this legislation. It is an important bill, one that will have substantial impact in this country. I urge its adoption.

Mr. BAKER. Mr. President, as one of the original sponsors of S. 865 and as a member of the Task Force on the Guiding Principles for Federal Architecture, I have followed the development of this bill carefully. It is sound legislation. When historians look back upon the 94th Congress, this legislation may stand out as one of the most significant in determining how we view our heritage and the development of our cities.

My colleagues have talked on the point of recycling. This is most important, and I support it wholeheartedly.

But since another facet of the bill also has significance, I want to talk on the opportunities provided in improving the area around existing Federal office buildings with a policy of cooperative, or mixed, use. The Honorable Nancy Hanks, Chairman of the National Endowment for the Arts, defined the opportunity most effectively in her recent testimony before the Public Works Committee:

> Finally, while it is not a primary reason for advocating employment in Federal buildings, multiple use should result in a net financial return to the Federal Building Fund. S. 865 requires that rental rates be equivalent to prevailing commercial rates, which normally yield a profit after overhead, utilities and the like are subtracted. At those rates, it is estimated that the 39,000 square feet of restaurant and retail space in the Federal Home Loan Bank Board headquarters now under construction will command a gross rental of $529,000 per year. A local Washington real estate developer informs me that commercial rentals vary according to different uses of the leased space. Some institutional users carry a relatively high-fixed charge, while many retail users pay a percentage of gross sales in addition to a relatively low-fixed rent. The fortunate aspect of this rent structure is that it amounts to a built-in subsidy. By leasing a small portion of space to a high-rent use, one can rent other space to achieve an interesting mixture of activities and still more than cover maintenance and utility expenses on the entire space.

She also pointed out that:

> If the office and after-hours activities are accommodated in the same structure, however, the pressure on urban land and consequently on the open land surrounding our cities is lessened.

These are sound reasons for support.

In his evaluation of this bill, Chairman Russell Peterson of the Council on Environmental Quality, favored—

> Enriching the spaces in and around the public buildings by a design that encourages pedestrians to move freely in, around and through the buildings, by providing courtyards, restaurants, food stores, shops, banks, theaters, lecture halls, meeting rooms, and

recreation facilities, not only for those who work in the building but for the convenience and enrichment of the general public.

Mr. President, this legislation is needed. It is needed by the taxpayers. It is needed by those who work in Federal office buildings. And it is needed by the public, who may use these facilities.

I would add a special word of appreciation to Bill Lacy, who serves as executive director of the Federal Architecture Study. His valued leadership has been instrumental in the development of these concepts.

Mr. President, I ask unanimous consent that an article from the publication, Federal Architecture: Multiple-Use Facilities, a Staff Report for the Federal Architecture Task Force, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Activity and Interest in Multiple-Use Planning

New York City has pioneered multiple-use planning in a number of ways. In 1966 the state legislature established a public authority, the New York City Educational Construction Fund (ECF), to relieve a strained city capital budget and to create additional opportunities for maximum use of school sites. The concept behind ECF is joint public/private development in a multiple-use structure.

The Fund is a self-supporting public benefit corporation empowered to sell or lease for residential or commercial development its property or the air rights above the schools it plans. Besides helping meet the need for new school facilities, ECF provides the city with a source of revenue that would be lost if only tax-exempt schools were built. Residents living above schools in many ECF projects can use the auditoriums and gymnasiums during nonschool hours.

Air-rights developments over schools have included low- and moderate-income housing in Bedford Stuyvesant and Harlem and an office tower in mid-Manhattan. Projects under construction or being planned will produce over 8,000 units of air-rights housing and more than a million square feet of commercial space.

ECF's 1972 annual report listed five completed projects valued at nearly $200 million, 10 more ready to begin construction and seven others in the planning process. The program generated $600 million in construction in its first six years of operation.

New York City has been active in promoting multiple-use planning in other ways. City officials have devised several special zoning districts with the avowed purpose of regenerating vitality in neghborhoods. In most districts a developer can secure a bonus in the form of an increased Floor Area Ratio if he provides certain urban amenities. Because they illustrate government policies promoting urban design and city vitality from which the federal government might learn, several deserve mention:

The attractiveness of sites for office development in the Times Square area was threatening to deplete one of New York's unique cultural resources: a concentration of legitimate theaters. A Special Theater District encompassing the Broadway/Times Square area now grants developers additional office space if they include theaters at ground level. In response, new office buildings containing theaters have been built.

The Greenwich Street Special District is attempting to stem the "adverse side effects of concentration" that have threatened the quality of life in this densely settled section of the city. New office towers set amid large plazas were providing little additional retail space, and such space in older buildings was being taken over by corporate showrooms and banks that could pay higher rents. In trying to reverse this trend, the ordinance requires that 2.5 percent of the total floor area of each new development be devoted to activities drawn from a list of 52 convenient retail and service uses geared to satisfying the needs of the district's residents, workers and visitors.

A Fifth Avenue Special District is designed to reverse the exodus of retail activities from one of the nation's most prestigious shopping streets. The office building boom of the '50s and '60s on adjacent avenues began to spread to Fifth Avenue, causing several major stores to close and a number of "dead" uses to move in. (Banks, for example, trebled from 10 to over 30.) These institutional activities could outbid any competitors for ground-floor rental space.

The Special District regulations require a set amount of retail space in new developments and continuous retail frontage along Fifth Avenue. Incentives encourage the location of banks and ticket offices only on the second floor of retail activity. Additional retail space, through-block pedestrian concourses, landscaping and residential uses net the developer further bonuses in the Floor Area Ratio.

Olympic Towers, one of the first buildings to be developed under the Fifth Avenue Special District, will include two floors of retail activities and several office floors capped by over 20 stories of apartments. The developer has also agreed to provide a midblock shopping arcade behind the tower and a small plaza to set off an adjacent historic landmark building.

New York planners have also devised a set of amendments to the existing zoning ordinance to make it more feasible to develop multiple-use buildings that are allowed under existing zoning regulations but are economically unattractive to developers. At the heart of these revisions is the desire to create a more active downtown area, to make streets safer and to enhance the potential of downtown for office development.

Interest in multiple-use facilities has surfaced in other cities. In Minneapolis the new multiple-use IDS Center combines offices, retail stores, a hotel, restaurants, parking, rooftop activities and interior public spaces in a four-building complex tied closely to the city's other important urban design projects: Nicollet Mall and the pedestrian skywalk system. Similar projects have been built or are under way in Atlanta, Houston and even much smaller communities as Kalamazoo, Mich.

The Boston Redevelopment Authority, as a general urban design policy, requires office developments in urban renewal areas to include retail activities at pedestrian levels. When acting as the city planning department (BRA is in a unique position of serving the city as both redevelopment agency and planning agency), it encourages the same treatment at ground level on other projects. BRA Director Robert Kenney has written:

"The objectives of this policy are to maintain continuous and active use of areas which might otherwise be dead, to locate services, such as retail shops, in areas of the maximum concentration of people and to maintain and enhance Boston's reputation for livability. . . . Federal office buildings, in particular, by virtue of their significance in the city, could act as excellent examples and catalysts to this policy and present a greater opportunity for innovation than the conventional private office development."

In Chicago, the Commissioner of the Department of Development and Planning unsuccessfully protested the site chosen for a Federal Social Security Administration Payment Center. The Environmental Impact Statement for the SSA project stated that the city preferred for that site a multiple-use development with a strong residential character. The best use of the property was considered to be an office/residential structure that would yield the city a high tax return. Nonetheless, the site will be used for the payment center.

Refuting the Arguments Against Multiple-Use Federal Buildings

Some arguments against multiple-use federal buildings have recurred in our interviews with federal officials. We believe that most of these can be refuted:

1. Because the government's appetite for space cannot be satisfied, leasing government-built space to private retailers would not be desirable. Agency demand for ground-floor space makes it particularly impractical to consider outleasing this area to commercial uses. Moreover, overbuilding to provide space for multiple-use objectives would be opposed by congressional committees.

Arguments about efficiency and congressional resistance can mask a deeper lack of interest in government-community relations. Passport offices, social security payment centers, Internal Revenue Service offices and other federal activities that involve significant public contact properly belong on the street level. These are often welcome additions and generate high pedestrian traffic. In addition government book stores, map stores, postal stations, blind stands, minority enterprises, government exhibits and cafeterias could be located to attract community use. Yet, in our visits to many federal buildings in Los Angeles, San Francisco, Philadelphia, Fort Worth, Dallas and Chicago we noted the absence of activity—commercial or federal—on the ground level. Information desks, security desks and elevators were situated in otherwise vast, empty lobbies.

The judgment about providing multiple-use space must be made in the context of community benefits. The programing stage is the appropriate time to consider the provision of space for leasing to private retailers. Proposals made by GSA in consultation with local officials should be included in the project prospectus submitted to OMB and to the congressional committee for approval. The costs of this space can be covered by rent payments to the Federal Building Fund.

2. Security must be considered. Assault, vandalism, theft and even homicide are not unknown in and around federal buildings. There is also the ever-present threat of bombs and demonstrations. If some areas of federal buildings are open to the public, access to the entire building may be hard to control. Multiple-use ground floors and rooftops would aggravate an already serious security problem. And multiple-use activities would cost more for security forces and insurance to protect the government against liability.

Other considerations must be balanced against the need for security. The need to maintain an open, freely accessible, receptive government bureaucracy is of critical importance. The visual and physical isolation of federal employees and operations hardly encourages open exchange and public confidence.

Assault, vandalism, theft and even homicide also occur in and around private buildings. Government security claims must be continually tested against reality. A significant buildup in guard forces by the General Services Administration took place during the student demonstrations of 1967–1969. Despite the fact that protest activities have now subsided and vandalism of government buildings is no greater than in the general community a proportionate decrease in GSA building guards has not occurred.

The question is not multiple uses vs. security. Evidence suggests that personal safety and feelings of security are related to the presence of activities that attract people and generate pedestrian traffic. Federal buildings with bricked-up ground floors may actually aggravate the problem of street safety. "Housing Quality," a New York City program for zoning reform, awards bonus points for lobbies, elevator waiting areas and mailrooms that are visible from the street. Maximum security would seem to dictate a design that encompasses large sections of transparent walls with activities on the other side. In other words, federal buildings with multiple-use ground floors.

Some agencies, such as the CIA, FBI and AEC, obviously require extra security. This can be achieved through such means as separate entrances, separate elevator banks, elevators that require a special card or key to gain entry to a particular floor, or elevators programmed not to stop at specific floors after hours. These techniques can also be used to keep intruders out of sensitive areas. The Pentagon, with highly classified areas, still maintains an extensive retail concourse. Only persons with passes or clearance are admitted to office wings. Higher security costs for public use could be reflected in the rents paid by agencies and other building users.

3. To achieve the desired mixture of activities, particularly retail, the government should rely on leasing privately developed space. Because ground-floor rents are higher in urban areas, only space above is leased (with the exception of space for federal functions that involve significant public contact). Crystal City, Va., across the Potomac from Washington, D.C., is an example of leased federal space integrated into a large development with retail, entertainment, office and residential activities in close proximity.

Most modern speculative commercial office structures are no more sensitive to urban design, pedestrian-oriented environments and street vitality than existing federally owned buildings. Banks, travel and ticket agencies, and other "dead" uses tend to dominate the ground floors.

For the most part, they serve only the daytime business population. Few commercial developments contain a full range of multiple uses: residential, entertainment, recreational and others. By leasing to achieve multiple-use objectives, the federal government is passing up the opportunity to assume leadership in this area of urban design.

If, for economic reasons, leasing is to be used, appropriate safeguards need to be set up so that the government's leasing power rewards private developers for incorporating urban design amenities. This change could be included in a general executive order on urban design and multiple uses.

4. Many downtowns are not pedestrian-oriented; circulation is primarily by automobile. A federal building with ground floor retail space could hardly encourage pedestrian activity in this kind of environment.

Few would argue that multiple-use federal buildings are appropriate in every situation. But, we have learned that many communities do have downtown plans designed to reshape neighborhoods and areas into pedestrian-oriented enclaves. Such cities as San Diego, Cincinnati and Kansas City are experiencing a growing movement toward in-city living. These efforts should be encouraged by a federal policy that includes multiple-use federal buildings.

Moreover, even some federal buildings situated in outlying areas accessible only by automobile can benefit from some multiple-use development. One individual working for the Department of Defense Concessions Committee suggested that retail uses like those in the Pentagon are entirely appropriate where building employees find it difficult to reach shopping areas during the noontime break. Similar access problems also occur for isolated in-town enclaves like the government complex in Southwest Washington, D.C.

5. The Supreme Court has ruled that all federally owned facilities are tax exempt. Thus, retail uses in federal buildings do not pay real property taxes that would ordinarily flow to the jurisdictions in which they are situated. This introduces an unfair competitive advantage and deprives the jurisdictions of much-needed tax revenue.

Precedents exist for payments-in-lieu-of real property taxes. Legislation allows local housing authorities to make such payments to communities for public housing projects (Housing Act 1937, 10(h)). Other legislation allows the GSA Administrator to make payments-in-lieu-of taxes on real property declared surplus by government corporations (40 USC 490). Legislation would probably be needed to authorize payment to local governments and school districts of an amount equal to that which would be paid if the building were privately owned. These payments could be included in a concession's rent.

6. The administrative burden of planning, designing and operating multiple-use federal buildings would be formidable. New regulations would have to establish rents and procedures for making payments-in-lieu of property taxes, leasing space, securing community approval of plans and so on. Extensive monitoring would be needed to insure that the multiple-use objectives were being met.

Administrative burdens and difficulties in drawing guidelines are not reasons enough to dismiss the concept of multiple uses. Other government programs have overcome such hurdles. In each case, Congress and the executive branch have decided that the benefits have been well worth the difficulties in implementing the program.

Developing guidelines to achieve publicly defined objectives has precedent in the federal government and at other levels of government. The National Park Service and Forest Service have concession programs for leasing public lands or facilities to private entrepreneurs. The objective, which would not be met if left to the private sector alone, is to provide accommodations for the visiting public. The NPS selection procedures can emphasize such noneconomic considerations as quality of service and past experience because NPS has been exempted from standard requirements for competitive bidding. Because of their impact on community development, multiple-use federal buildings could be given similar treatment.

Another option is that used in New York City's special zoning districts, where developers can gain bonuses by selecting from lists of approved retail uses. The federal government could consider similar regulatory provisions, with competitive bidding procedures determining the lessee.

7. It is questionable whether the federal government should engage in real estate leasing in competition with private enterprise. Opposition from local development, real estate and other interests would be significant in communities where multiple-use federal buildings were proposed.

In larger cities the amount of federal space to be leased would be minuscule compared to existing private space. Opposition would seem highly unlikely. In smaller communities, more opposition is possible. But if public objectives are identified, decision-makers can and should weigh the pros and cons to strike a balance. The decision to include multiple uses should be made in consultation with local governing bodies that are responsible not only to local developers and real estate interests, but to the public at large.

For multiple-use federal buildings, the issue is not the propriety of the federal government competing with the private sector per se. Rather, it is the desirability of using public intervention in the market system to pursue urban design objectives in the public interest.

The impact of the federal government—through legislation, regulation, taxation—is already felt in virtually every sector of our economy. When it is justified as being in the public interest, the federal government competes with private enterprise on a gigantic scale. Timber sales and offshore oil leases are only two examples. The significant public benefits to be derived from multiple-use federal buildings are ample justification for the relatively minor federal intervention in the market economy that would be required.

Mr. STAFFORD. Mr. President, I wish to state my strong endorsement for S. 865. I am pleased to cosponsor this bill. When it is implemented, this bill should produce real cost saving to the Government, while providing more jobs, better use of energy, new urban vitality, and greater neighborhood continuity.

This is legislation to recycle some of our heritage, whether it is a grand old office structure designed by Louis Sullivan, or an old, well constructed—and thoroughly undistinguished—warehouse that can be converted into necessary office space.

The use of such buildings may return a greater sense of proportion and contact to the Government. The rarified air of a 15th or 20th floor office is not essential to the operations of the Federal bureaucracy. We do not need skyscrapers to house every Federal agency. A lower physical profile may prove wise for everyone.

In its testimony to our Subcommittee on Buildings and Grounds, the American Institute of Architects made this observation:

> The Institute advocates the preservation of sound structures in active use whenever possible. Museums and museum villages have a legitimate and proper role in our society, but the bulk of architectural preservation in the United States should consist of buildings which continue to fulfill the daily needs of our communities. Ghiradelli Square in San Francisco is perhaps the best known example of adaptive-use in the United States, yet preservation-in-use has been practiced both publicly and privately for many years. European cities and towns offer countless examples of historic preservation through active-use. The active-use concept should be a first priority for obtaining federal working space rather than just an occasional alternative. S. 865 would give preservation-in-use, adaptive-use, and multiple-use the consideration they deserve.
>
> The utilization of building materials which have already been manufactured and installed in existing structures produces an obvious savings in materials, manufacturing, and construction energy. Many buildings of stone and brick masonry constructed generations ago are often more durable and of considerably better quality than that which we can afford to build today. Buildings which represent a less extravagant technological age, with reasonable proportions of windows to solid walls, have demonstrated their economic soundness in terms of heating and cooling costs. A single thickness of

glass in a modern building allows twenty times as much heat to be lost from the building than an insulated masonry wall. Even with insulated glass, the ratio is ten to one.

Mr. President, this is a good bill, It is a wise approach. I favor it strongly. To give my colleagues a fuller understanding of the opportunities of this legislation, I ask unanimous consent that portions of a staff report on adaptive-use facilities for the Federal Architecture Task Force be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

ADAPTIVE USE—NEW OPPORTUNITIES

Ever since the first Peking man transformed a damp and dismal cave into a habitable dwelling more than 400,000 years ago, humans have been adapting existing spaces to meet changing needs. With the advent of Christianity, hilltop structures housing pagan oracles became wayside chapels. In recent times, European chateaus and palaces have been turned into museums, shops, and government offices.

In the United States, what once seemed an endless supply of land and other resources discouraged any sustained interest in adapting old but sound structures for contemporary needs. Conscious application of this technique was limited to a handful of architects and decisionmakers, to admirers of aging architectural gems, and to the poor, who adapted from necessity. Since the late 1960's, however, economic and social forces have made adaptive use[1] of existing structures an increasingly promising alternative to new construction.

A recognition of the need for conservation of all resources, especially energy and materials, has generated widespread interest in adaptive use in the press and among design professionals, academicians, public officials, and the public. Architectural journals devote entire issues to building rehabilitation and conservation. In a recent magazine advertisement, the American Intsitute of Architects describes adaptive use as "the most promising trend in modern architecture." The 1975 legislative program of the New York AIA chapter recommends that priority be placed on the use of older buildings to meet the space needs of state government. Universities offer conferences, courses, and degree programs in adaptive use.

The grant programs of the National Endowment for the Arts also reflect this new attention. In a recent program administered by the Architecture and Environmental Arts Division almost 70 percent of the applications were related to conservation or adaptive use.

Rational growth rates and community development patterns that save land and energy now claim as much attention from many environmental activists as threats to wetlands and endangered species. The equation of newness with progress is increasingly coming under challenge.

Popular recognition of the need to conserve existing facilities is evident in citizen protests over zoning decisions that threaten valued architectural resources and in endorsements of public policies that encourage rehabilitation. Voters in Baltimore, for instance, approved three separate bond issues for a variety of city-sponsored adaptive-use projects. At the annual congress of the National League of Cities, mayors representing cities of all sizes endorsed a broad policy goal and thirty-one specific resolutions aimed at the conservation of existing urban resources.

The growing enthusiasm for the reuse of older buildings, according to Architectural Record Editor Walter Wagner, "amounts to nothing less than a revolution in attitude." Urban planner Kevin Lynch observes that "the resistance to the loss of historical environment is today becoming more determined as affluence increases and physical change itself is more rapid. And no wonder, since the past is known, familiar, a possession in which we may feel secure." The sense of place and continuity suggested by older buildings has special appeal in a society where one in five Americans changes his residence each year.

Another kind of evidence of the disenchantment with ever-larger-and-higher-and-newer buildings can be found in the frequency with which film-makers use the modern building as an easily understood symbol of the alienation, isolation, and malaise of modern civilization.

It is doubtful, however, whether the current enthusiasm for adaptive use would have been as strong without the economic pressures of recent years. Fueled by inflation and scarcity in energy and materials, construction costs rose 9.7% in the last year alone, compared with an average annual increase of around 4% during the early sixties. A shortage of lending dollars for new construction, unprecedented in this country in recent memory, provides additional encouragement for small-scale remodeling, renovating, converting, or adapting. At the same time, developers and other businessmen are recognizing that refurbished older buildings attract office and retail tenants, lure shoppers and diners, and increase tourism and economic vitality for entire neighborhoods.

In the public sector, state, county, and local governmental units surpass their Federal counterparts in applying adaptive-use techniques. State reuse projects range from individual structures and building clusters to neighborhoods and entire communities. They include the following:

"Based on alternative feasibility studies—one for new construction, one for reuse—the New Hampshire State legislature, acting extraordinarily as its own planning and construction agency, decided to adapt Concord's Old Post Office building (1884) for offices for legislators. According to project architects, the adaptation will cost the State around $4 million, compared with $10 million for a new building providing comparable square footage. The renovated French Renaissance structure is scheduled to reopen in August, 1975.

"Ever since the Vermont Department of Agriculture was relocated in 1921 in the National Life Insurance building (1891) in Montpelier, the State has placed priority on the use of older buildings to meet its space needs. In 1953 the State acquired the nearby Vermont Mutual Life Insurance Company building (1870) to provide a new home, first for the State's Tax Department, and later for its Department of Personnel. These three-to-five-story buildings, as well as the recently restored State Capitol (1836 and 1859) and the reconstructed Pavilion Building (originally built in 1876), are key elements of the Vermont Capital Complex.

"In St. Louis, Alder and Sullivan's Wainwright Building (1890–91), threatened with demolition for years, will provide new office space for the State of Missouri. Picking up an option on the building held since 1973 by the National Trust for Historic Preservation, the State sponsored a national design competition for the facility. The winning design combines the renovated Wainwright building with a compatible new L-shaped building to achieve a total of 200,000 square feet of space at an estimated cost of $8.5 million. Completion is scheduled for 1976.

"The State University of New York (S.U.N.Y.) recently began work on the adaptation of Albany's Flemish-Gothic-style Delaware and Hudson Building (1917) and the nearby Italianate Old Post Office and Federal Building (1876). The converted buildings will house S.U.N.Y. central administrative offices, an assembly hall, galleries, and facilities for computer operations.

"At the suggestion of Historic Hawaii, Inc., the University of Hawaii law school and the state court system are currently looking into the possibility of using a brewery in Honolulu's Capital Historic District to meet their needs for additional space."

Some county-sponsored initiatives:

"In Buffalo, New York, Erie County is considering the reuse of portions of the Romanesque Revival Old Post Office for community college administrative offices and classrooms. The remainder of the building would be used for a variety of cultural, commercial, and community purposes.

"In Ithaca, New York, a decision to renovate Tompkins County's courthouse to provide county offices and hearing rooms ended a controversy over the future of that underused structure. The planned reuse is compatible with civic efforts to preserve DeWitt Park, anchored on the north side by the 121-year-old courthouse.

"Belknap Mills (1823) in Laconia, New Hampshire, is undergoing conversion to house social service functions, exhibit space, and Bicentennial activities."

In small towns and major cities, adaptive use is viewed as a method of accomplishing community objectives while meeting space needs:

"Using $3.7 million in revenue sharing dollars and a variety of other Federal funds, the city of Ventura, California, recently bought and converted a Roman Doric courthouse (1912) for use as city offices and community meeting space.

"To provide space for social service offices with heavy walk-in traffic, the city of Baltimore bought and renovated a warehouse several years ago, which now serves as the Kirk Multipurpose Center.

"After public outcry by neighboring Greenwich Village residents, the whimsical Victorian Gothic Jefferson Market Courthouse (1876) was saved and subsequently adapted for use as a branch of the New York Public Library.

"As part of an extensive downtown conservation program, the city of Louisville, Kentucky, is recycling the 15-story Brown Hotel and an adjacent office building to provide a 1600-seat theater, 300,000 square feet of space for an alternative school, and the central offices of the Board of Education at a cost of $3 million for acquisition and $2 million for renovation. Businesses and cultural organizations will lease space in the complex.

"Besides adapting existing school facilities for changing needs, public school officials throughout the nation are reusing 'found space' in churches, warehouses and supermarkets. The nonprofit Educational Facilities Laboratories in New York provides assistance for many of these adaptations."

In Boston, adaptive use is being carried out on a scale not found elsewhere:

"In the late Sixties, changing public tastes a businessman/developer, and two architects transformed what was once called 'a lunatic pile of buildings; a great grim, resolutely ugly dust-catcher' into a lively, profitable, and appealing home for a blend of restaurant, banking, and office tenants. Built in 1862–1865, Old City Hall now offers handsome space at rates competitive with first-class downtown Boston high-rise office buildings. It attracts quality tenants with ease.

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[1] The term, "adaptive use," is applied in this paper to any modification of a facility to make it suitable for current needs. This may include, but is not limited to, the adaptation of architecturally or historically significant buildings.

"Other aging commercial structures in the city's central business district, such as the Flour and Grain Exchange (1890–92), have been upgraded for continued use. The Boston Redevelopment Authority is devising an evaluation scheme for older downtown buildings on the basis of historical, architectural, and visual quality, and a system of incentives for their reuse.

"Public and private efforts to reclaim the city's waterfront rely heavily on adaptive use. The conversion of abandoned granite warehouses has provided space for a range of flourishing restaurants as well as apartments occupied by high-income individuals desiring to live close to their downtown offices. Faneuil Hall Markets, which was the Nation's first urban renewal effort in the 1820's, is being renovated by the city and a private developer to serve as a pedestrian complex of stores and eating places linking the waterfront with Government Center and downtown Boston. Finally, the Boston Public Facilities Commission is overseeing the conversion of a 19th century coal storage facility into the station for fire and police boats patrolling Boston Harbor.

"In two residential neighborhoods—South End and Back Bay—adaptive use is the key in efforts to create a more livable center-city environment. The widely publicized adaptation of the South End's Chickering Piano Factory, financed by the Massachusetts Housing Finance Agency, provides 174 living/working spaces for artists and craftspeople and, through galleries and rehearsal space, now constitutes a resource to the entire neighborhood. In the Back Bay, an area witnessing considerable rehabilitation activity by homeowners committed to center city living, the Vendome Hotel (1871) offers condominiums and rental units along with an interior arcade of interesting shops."

In Ottawa, the Canadian government is restoring buildings along the city's "Mile of History" and using several of the reclaimed structures for government offices. For example:

"The old LaSalle Academy and Bishops Palace, with a new addition attached, will become the headquarters of the Department of Urban Affairs at a cost of about $8.2 million."

As this brief review of successes demonstrates, merchants and homeowners, commuters and tourists share the community benefits of adaptive use. Yet roadblocks still stand in the way of the reuse of many older buildings. The pressure of escalating zoning allowances threatens structures of historic significance and achitectural distinction. Buildings offering savings in energy, materials, and dollars if properly adapted, are still bypassed in favor of new construction, which may appear to offer more in the way of image, status, and symbolic value.

The Nation's single largest client for the design of the built environment, the Federal government, has largely overlooked the advantages of adaptive use. Thus a special opportunity for the productive reuse of old buildings has been neglected.

Adaptive use can be an effective tool for meeting Federal space needs while achieving policy objectives of cost savings, efficient use of finite resources, and the conservation of America's cultural heritage. Adaptive use can also enhance the Federal presence by enlivening the physical, social and economic environment of host communities.

This paper examines the benefits of adaptive use, explores the Federal experience to date, and proposes methods of incorporating adaptive-use strategies into Federal building policy and procedures.

THE ECONOMICS OF RECYCLING

As recently as two years ago the argument could be made that, from the drawing board on, rehabilitation was usually more expensive than new construction, at least in terms of quantifiable initial costs. When energy and materials were comparatively inexpensive, the benefits of standardization and modular construction frequently brought the out-of-pocket costs of new buildings below those of labor-intensive adaptations. In some cases, the expense of meeting building code requirements geared primarily to new buildings and of inserting new energy-conserving mechanical systems in pre-existing spaces made adaptive use impractical. Recent economic trends affecting the construction industry have substantially altered these conditions.

In the last year alone, according to Engineering News-Record, the price of structural steel rose by over 40 percent while the cost of cement increased by almost 30 percent. These increases suggest the cost advantage of reusing a building's shell and skeleton while replacing its interior systems. In some adaptations, retention of nonstructural elements such as flooring or partitions can effect additional cost savings. As noted earlier, reuse schemes usually entail a smaller fuel expenditure than new construction.

Moreover, it usually takes less time to complete a conversion project. This time saving can mitigate the effect of inflation, reduce borrowing costs, and cut down the costs to developer and community of a site's remaining idle. The time and expense of environmental impact assessment are also reduced.

Finally, the re-examination of building codes as they affect rehabilitation may soon lead to a further reduction in the comparative costs of adaptive use.

Recent recycling projects illustrated the cost savings made possible by reuse:

"The adaptation of Boston's Chickering Piano Factory, completed in 1974, used exposed wood columns, brick walls, and electrical conduits along with other money-saving design features to keep conversion costs down to $12.50 a square foot, less than half the projected cost of similar new construction.

"The Paramount Theatre of the Arts, a 44-year old Art Deco movie palace in Oakland, California, reopened in 1973 as a performing arts center. The building's conversion was completed in under two years for less than $2 million compared to the estimated $13 million required for the construction of a new performing arts center.

"In a search for office and hearing room space, the Virginia General Assembly approved the reuse of Richmond's Life of Virginia Insurance building for a price tag of $5 million, far below that of plans previously proposed and rejected by the legislature on the basis of cost.

"The renovation of Baltimore's Old City Hall, scheduled for completion in the summer of 1976, is projected to cost around $30.00 per gross square foot. Comparable city halls built elsewhere recently have cost over twice as much. The adaptation of the 100-year old building will provide 85% more space for offices and ceremonial functions than has been afforded by the building in the past."

Experts in adaptive use projects feel that the nationwide average costs of adaptive use have become competitive with those of new construction. They concede, nonetheless, that rehabilitation can still cost more in some instances due to its labor-intensive nature and to the unanticipated complications that can arise in upgrading an existing structure. Viewed in the context of the total economy, this has a positive side. Adaptive use projects produce more jobs for a given expenditure. While not precisely comparable to total conversion, GSA's repair and improvement activities employ five times as many workers per $1 million as new construction. Vermont Governor Thomas P. Salmon stated, "Adaptation of our historic structures to present day uses would provide new job opportunities for construction craftsmen as well as incentives to Vermont's building materials industries. At the same time it would revitalize town and city centers."

In other words, comparing out-of-pocket costs alone, even on a life-cycle basis, is misleading. It is necessary to weigh other, less quantifiable factors relating to long-term socio-economic impact.

City planners, urban experts, and public officials acknowledge that older buildings, once regarded as symbols of visual blight and economic decay, can actually be catalysts for revitalization. They recognize that urban recycling can achieve the same results as full scale renewal without some of its problems, such as the dislocation of residents and the homogenization of the visual environment.

In July, 1974, Seattle's Office of Urban Conservation reported on the effects of public and private rehabilitation initiatives in the city's Pioneer Square Historic District:

"Many of the objectives of urban renewal were accomplished in Pioneer Square without the usual expenses and delays associated with this process. A rundown, unsightly, and sometimes unsafe area was transformed into a vibrant center with a minimum of relocation expense, without the lengthy planning process required for urban renewal, without land write-downs, and most importantly without having to raze the architectural showpieces that make up the District."

Successfully adapted structures are attracting residents and industrial-commercial-retail tenants to depressed communities and drawing tourists, shoppers, and restaurant-goers to previously unpopular neighborhoods. The wide appeal of these old buildings can be attributed to several factors. Public interest in architectural history has broadened to the point that designs from the recent past generate as much interest as those of the remote past; Art Deco palaces are viewed with as much enthusiasm as Greek Revival masterpieces. Other buildings draw attention because they reflect America's political or social history, its regional and ethnic diversity or because they reveal a now-lost quality of craftsmanship.

Even buildings possessing no particular stylistic or historic distinction have been turned into community drawing cards. These structures, often designed at more human scale than today's monumental buildings, provide visual variety in age, materials, and architectural detail and foster an enlivened street-level environment.

Examples of the economic and fiscal effects of adaptive use on communities include:

"In 1962, Ghirardelli Square, now a landmark near the San Francisco waterfront, was a collection of aging and undistinguished chocolate factory buildings—and an idea. Twelve years and a $7.5 million investment later, the complex has become a prime example of the economic benefits of reusing older structures. Illustrating the latent appeal and profitability of warehouses and industrial buildings, Ghirardelli and its progeny (The Cannery, the Ice House, the Showplace, and the Fuller Glass Warehouse) have capitalized on anti-high-rise sentiment among the city's residents and, in turn, have returned to the city enhanced property values, increased tourism, and center city vitality.

In North Adams, Massachusetts, and a number of other New England mill towns, the reuse of abandoned industrial buildings holds the promise of economic revitalization. The adaptation now in progress of North Adams' Windsor Mills to house 150,000 square feet of educational, cultural, and job training activities has already shown signs of drawing new employers to the city. This and other projects sponsored by the nonprofit Hoosuck Community Resources Corporation have also been credited for attracting a developer for downtown North Adams, long-sought by the city's renewal agency.

"The use of thousands of square feet of abandoned trolley car barns in Salt Lake City as an enclosed shopping mall has brought about the reclamation of one of the city's derelict neighborhoods. The 67-year-old barns cover a ten-acre block known as Trolley Square. It houses almost 100 commercial tenants, including an open air market, shops, offices, a gas station, and a movie theater, all for an estimated cost of $7 million.

"Through the efforts of the Metropolitan Development Commission in Indianapolis, the city's old downtown will soon benefit from tax revenues generated by a mixed-use complex of shops, offices, and entertainment created within Union Station (1888). After purchasing the Romanesque Revival edifice from the Indianapolis Union Railway Company, the city established development guidelines, and sold it with deed restrictions to a private developer, Union Station Associates."

These actual and estimated costs do not adequately reflect total community benefits. But it is just as hard to calculate the precise costs of the neighborhood deterioration. Many of the costs and benefits of adaptive use are indirect, diffuse, or involve unquantifiable social values.

Skeptics of business ventures based on such "soft" data should be reminded that cost estimates based solely on market variables do not guarantee success. In 1971, the Old Stock Exchange in Chicago, a landmark building by Adler and Sullivan, was demolished. Declaring it "economically unviable," private developers replaced it with a modern skyscraper. But their assessment of the new building's economic soundness proved wrong; it is reported to be close to bankruptcy. (While the Stock Exchange was coming down, the federal government, which never considered reusing it, was erecting new high-rise office space practically around the corner.)

Economic considerations are clearly critical in making the adaptive use versus new construction decision. Conventional cost-benefit analyses, however, do not include the entire range of relevant economic factors. If the methodology were to incorporate as many of these factors as possible, more decisions than at present would probably go in favor of adaptive use. It is also necessary to consider social and cultural values which do not fit into economic framework. Improving the decisionmaking process in this way would increase federal adaptive-use undertakings even more. Nonetheless, there will be cases in which the reuse alternative will simply not prove feasible.

A Sampling of State and Local Public Sector Adaptive Use Projects

State: Illinois Capital Development Board.

Structure: Old Colony Building (Chicago).

Building description: Built 1893–94, 17 floors, 134,000 new usable square feet, Chicago Commercial style, world's first building with first nearly rigid metal frame.

New use: Conversion from low-occupancy office space to classrooms for the proposed Loop College and to central administrative facilities for the City College of Chicago.

Status: Under consideration.

State: Massachusetts Housing Finance Agency.

Structure: Chickering Piano Factory (Boston).

Building description: Block long factory building built 1853; when built was second only to the U.S. Capitol in size.

New use: Adaptation as 174 units of mixed income housing for artists and crafts-people with studio, gallery, and rehearsal space.

Status: Completed February '74.

State: Missouri Board of Public Buildings.

Structure: Wainwright Building (St. Louis).

Building description: Built 1890–91, 9 stories, first Adler & Sullivan building of skyscraper construction.

New use: Part of State office complex.

Status: Projected completion in 1976.

State: New Hampshire Legislative Facilities Committee.

Structure: Old Post Office and Court House (Concord).

Building description: Built 1884, 4 stories.

New use: Legislative office space and hearing rooms.

Status: Under construction.

State: New York State University of New York.

Structure: Delaware & Hudson Building & Federal Building/Post Office (Albany).

Building description: D&H Building—1912 Flemish Gothic; Post Office—1876 Italianate.

New use: Office space housing administrative headquarters for state university system computer operations; galleries and assembly hall.

Status: Under construction.

State: Vermont.

Structure: Vermont Mutual Life Insurance Company (Montpelier).

Building description: Built 1891, Dutch renaissance brownstone, 4½ stories.

New use: Offices of Vermont Dept. of Agriculture.

Status: Completed 1920's.

State: Vermont.

Structure: Vermont Mutual Life Insurance Company (Montpelier).

Building description: Built 1870, Mid-Victorian 3 stories.

New use: Offices of Vermont Tax Dept. and subsequently Dept. of Personnel.

Status: Completed in 1950's.

State: Virginia Legislative Services Division.

Structure: Life of Virginia Building (Richmond).

New use: Re-use as offices and committee hearing rooms for Virginia legislators.

Status: Architect selection in progress.

City: Baltimore, Maryland.

Structure: City Hall.

Building description: Beaux Arts Neoclassic (1875).

New use: Upgraded, expanded city offices.

Status: Completion scheduled for 1976.

City: Boston, Massachusetts.

Structure: Massachusetts Bay Transit Authority Coal Bunkers.

Building description: Late 19th century coal storage facility.

New use: Moorings for fireboats, land-based fire station and offices.

Status: Completion scheduled for 1976.

City: Ithaca, New York.

Structure: Tompkins County Courthouse.

Building description: 1856-Gothic Revival.

New use: Courtrooms and offices related to law enforcement.

Status: Completion scheduled for 1976.

City: Louisville, Kentucky.

Structure: Brown Hotel and Office Building.

Building description: 14 stories (1923) handsome interiors.

New use: Board of Education and other offices, hotel space, classrooms.

Status: Completed early 1970's.

City: New York, New York.

Structure: Jefferson Market Courthouse.

Building description: Neo-gothic Victorian (1875).

New use: Branch of Public Library.

Status: Completed 1967.

City: Ventura, California.

Structure: Ventura County Courthouse.

Building description: Roman Doric (1912).

New use: City Hall.

Status: Completed late 1973.

Mr. BUCKLEY. Mr. President, the consideration of this bill today culminates several months of careful study and broad discussions. In virtually every case, the response to this bill has been highly favorable, from the administration, from the architectural community, from city planners, from persons interested in our national heritage, and from persons interested in saving money and energy.

Mr. President, I urge passage of S. 865. The conservation of natural resources and the creation of new jobs can be attained by adding flexibility to the way the Federal Government acquires and uses its office buildings.

Specifically, this bill authorizes two new options. It would encourage renovation—"recycling" might be better word—of existing buildings into new Federal offices, where that is appropriate.

This approach will help us recapture some of the beauty of our heritage, making our cities more livable by fostering continuity and progress. This approach would save energy, using the designs of older buildings that are less extravagant in energy use than most present buildings. It would usually prove cheaper than replacement construction. And it is often work that can be accomplished more expeditiously than wholesale demolition and replacement.

I believe the Federal Government should set an example for preserving our heritage, an example that other units of government may follow and seek to encourage. The Federal Government should use this new authority to renovate many older, rundown office buildings, warehouses, railway stations, theaters, and so on, turning them into productive office space.

I am convinced that this approach would encourage the wise and frugal spending of the taxpayers' money. Any effort to utilize older buildings would also have the salutary effect of slowing the push toward the consolidation of all Federal offices in one or two concrete towers per city.

To assure that this approach receives a realistic test, it is important that a wide survey of alternative sites be made during the development of any proposal for additional Federal office space. The Advisory Council On Historic Preservation should undertake a thorough study of alternative sites in any city where a building survey is undertaken. I am confident that this can be achieved in 60 days.

In this process, the General Services Administration will explore the renovation alternative before it plans any new structures in that city. Should it decide not to accept a renovation proposal, the General Services Administration must document the basis for that decision, showing how costs and other factors compared unfavorably with the new construction alternative.

Such a procedure would be helpful to the Congress in determining the adequacy of any prospectus. As the Advisory Council testified:

> A pure cost-benefits analysis, based on cost per square foot, may indeed not accurately reflect the times costs and benefits to our

society of utilizing or not utilizing and existing structure.

Many of the witnesses testified on these points. Anthony J. Newman of the New York landmarks Conservancy, made this observation:

> Today's challenge with valuable older buildings is not to preserve them, intact, as they were 75 or 100 years ago. Rather, it is to keep those buildings, with all that is valuable about them, as vital and functioning components in a world of changing demands and technologies. Briefly, old buildings must be made to serve new purposes.
>
> There is increasing evidence that this makes sense not only aesthetically and environmentally but also economically. That is to say we can conserve and re-use architecturally significant buildings, make the most judicious use of dwindling resources and energy supplies, and obtain attractive and functional space at costs which are, generally, significantly lower than the costs of demolition and new construction.
>
> Without the consideration of site acquisition, which would apply in either the case of rehabilitation or new construction, the cost of constructing new office space in New York City will average $50.00 per square foot. Broadly speaking, in the same market, assuming basic structural soundness, the cost per square foot of rehabilitated office space can be as low as $30.00 per square foot—a difference of up to 40 per cent.
>
> Some of the reasons for this dramatic difference are immediately evident: in rehabilitation work one is usually dealing with existing foundations, exterior walls and roof. These savings are partially offset by the premium that is paid for doing work within the constraints of existing conditions. It must be remembered, though, that the rehabilitation of well-chosen buildings will preserve, for the general benefit, priceless examples of workmanship and character that are impossible to replace.
>
> The costs of rehabilitation will, of course, vary according to the complexity of the building involved and the new use for which it is intended. These costs will vary in either direction. Butler Square in Minneapolis, the conversion of a warehouse into a mixed-use building of which office space is a significant part, is being completed at a cost of only $20.00 per square foot.

Another witness, Frederic G. Wiedersum, an architect, testified:

> There are vacant multi-story buildings in many communities throughout our nation which were originally designed for manufacturing usage. These facilities usually incorporated large open areas that would be compatible with the office space usage of today. The utilization of the lower floors could easily be converted into a shopping arcade, restaurant, recreation facility or other commercial space.
>
> Until very recently, older industrial buildings did not attract developers of new commercial areas, yet these old buildings have great potential for new business neighborhoods, often with a built-in picturesqueness that is hard to achieve. Their intrisic values often are both aesthetic and practical, for the warehouses of the late 19th Century were handsome buildings of architectural strength as well as sturdy construction, and even their later counterparts of the early 20th Century have virtues that the imaginative eye can find.
>
> Furthermore, these old buildings enclose a volume of space that cannot be economically equaled today. They are unique opportunities for conversion to new and contemporary uses. Bold color and graphics, effective landscaping and plazas can revitalize a neighborhood.

This bill would also allow, for the first time, the cooperative, private-public use of space in Federal office buildings. This bill seeks to bring the public back into our public buildings. It seeks to breathe new life into Federal buildings.

I am convinced that we must open up our Federal buildings, encouraging public use of what they have paid for. By design and use, the Government places the concept of "No Trespassing" at the entrances to most Federal office buildings. It is sad to note that no one visits a Federal office building except on business. That should be changed.

A recent article in the Christian Science Monitor expressed it well:

> The Public Buildings Cooperative Use Act may seem somewhat peripheral to many Americans during these perilous days, but it embodies the essence of the relationship between people and government. By engaging a wider spectrum of activity, not for just eight hours a day but into our evenings too, and by making good use of the buildings we already have, this bill would have a beautiful bearing on the way our downtowns look from now on, and on the way we think about and use the resources of government.

Such cooperative use of ground floorspace would, of course, serve the employees of the building. It would serve the visiting public. Most significantly, I believe, it would bring new life, new activity, and new vitality to the areas surrounding that Federal office building.

Mr. President, several of my colleagues have agreed to cosponsor this bill. I am particularly pleased that Senator RANDOLPH, the distinguished chairman of the Committee on Public Works, and Senator BAKER, the distinguished ranking member of the committee, have each sponsored this legislation. Their leadership and advice has been most wise and helpful to me in developing this bill, because both are men most knowledgeable in public buildings policy. I value greatly their cosponsorship.

Similar words of appreciation are due to Senator MORGAN, the distinguished chairman of the Subcommittee on Buildings and Grounds. In just a few months as a member of this body, Senator MORGAN has demonstrated great skill and a sharp grasp of the challenges facing us. His close attention to the work of the subcommittee has been important to its effective operation.

I also wish to thank the other Members who have sponsored the bill: Senator STAFFORD, who has demonstrated a keen awareness of the bill's opportunities, particularly in the renovation area, as well as Senators DOMENICI, MUSKIE, GRAVEL, CULVER, and the distinguished Republican leader Senator SCOTT of Pennsylvania.

I thank each of them.

I also wish to state a word of appreciation to members of the Federal Architecture Project, who provided assistance and advice on the bill and for our most productive hearing. In particular, I want to thank Lois Craig and Bob Peck, each of whom were particularly helpful to the committee.

In closing, Mr. President, I ask unanimous consent that several short excerpts from a report entitled "Federal Architecture, A Framework for Debate" prepared by the Federal Architecture Project, be printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS

INTRODUCTION

In 1962 an Ad Hoc Committee on Federal Office Space, appointed by President John F. Kennedy, issued a report that was primarily concerned with federal space in Washington, D.C. and with the redevelopment of Pennsylvania Avenue. One page of the report was entitled Guiding Principles for Federal Architecture. In the past decade these principles have appeared, often without reference to either their date or original source, in a range of documents from federal publications to a city council resolution in a mid-Western city.

The 1962 Guiding Principles for Federal Architecture set forth a three-point architectural policy for the federal government:

1. The policy shall be to provide requisite and adequate facilities in an architectural style and form which is distinguished and which will reflect the dignity, enterprise, vigor, and stability of the American National Government. Major emphasis should be placed on the choice of designs that embody the finest contemporary American architectural thought. Specific attention should be paid to the possibilities of incorporating into such designs qualities which reflect the regional architectural traditions of that part of the Nation in which buildings are located. Where appropriate, fine art should be incorporated in the designs, with emphasis on the work of living American artists. Designs shall adhere to sound construction practice and utilize materials, methods and equipment of proven dependability. Buildings shall be economical to build, operate and maintain, and should be accessible to the handicapped.

2. The development of an official style must be avoided. Design must flow from the architectural profession to the Government, and not vice versa. The Government should be willing to pay some additional cost to avoid excessive uniformity in design of Federal buildings. Competitions for the design of Federal buildings may be held where appropriate. The advice of distinguished architects ought to, as a rule, be sought prior to the award of important design contracts.

3. The choice and development of the building site should be considered the first step of the design process. This choice should be made in cooperation with local agencies. Special attention should be paid to the general ensemble of streets and public places of which Federal buildings will form a part. Where possible, buildings should be located so as to permit a generous development of landscape.

In May 1972, a decade after the Guiding Principles were first published, President Richard Nixon requested the Federal Council on the Arts and the Humanities to sponsor an annual Design Assembly for Federal administrators and artists; the Civil Service Commission to review procedures for employing artists, architects and designers for Federal service; the National Endowment for the Arts to coordinate the efforts of the executive agencies to upgrade their graphics. The same message directed the Endowment ". . . to appoint a special ad hoc task force committee to review and expand the publication, Guiding Principles for Federal Architecture . . ."

For the past year an Endowment-sponsored federal architecture project has been guided in its inquiries by a task force of 15 members with special interests or training in architecture and related design fields. It has been assisted by a committee of agency designees representing 20 federal agencies with construction responsibilities. The agency committee served as a valuable resource of information and judgment; it was not asked to take responsibility for the task force's conclusions.

MIXED USES

Congressmen passing the impregnable $126 million FBI building on Pennsylvania Avenue in the nation's capital can now see in concrete the loss to the Avenue's vitality so assiduously pursued by successive Pennsylvania Avenue Commissions. It does not take figures on balance sheets to suggest that early planning effort to support a mixture of lively pedestrian uses would have had important community development consequences.

In many places the real cost in urban design terms of massive single-use office buildings is being questioned. Mixed-use buildings and developments are increasingly viewed by developers and city officials alike as a necessary part of protecting substantial investments in the city.

Other public sector agencies are addressing in this issue:

New York City has dramatically retooled its zoning ordinances to mandate mixed-uses as a matter of public design purpose through the device of Special District Zoning.

Planning officials of the state of Wisconsin, with the governor's approval, are now considering the possibility of drafting legislation which will allow mixed uses in state office buildings. A state task force report emphasized, "A very basic criterion is that any projects built should not be impenetrable and forbidding—either in appearance or in fact."

The State of Tennessee will begin the construction this year of an office building that will incorporate into its lower levels a complex for the performing arts and a state museum. The complex will contain on its first five floors a music hall, more than one theater, a television studio. The remaining 10 stories will house offices for state agencies.

As a general urban design policy, the Boston Redevelopment Authority requires office developers in urban renewal areas to utilize the pedestrian level for retail shopping purposes. The Director of the BRA observed, "Federal office buildings, in particular, by virtue of their significance in the city, could act as excellent examples and catalysts to this policy and present a greater opportunity for innovation than the conventional private development."

In Canada the first multiple use government office building is open in Hull, Quebec. Boutiques, shops, restaurants and exhibit areas have been provided on the ground floor. In 1973 speech to the International Public Works Congress, the Canadian Minister of Public Works told his audience:

"For some time now we have been concerned that so many government buildings die at 5 o'clock in the afternoon. We have given the problem some thought and came up with the solution that we should open the lower levels of our public office buildings to commercial use. We believe that (public) buildings should not just be austere, large chunks of concrete, steel, stone and glass but should be lively and vibrant and part of the life of the area in which they serve."

Mixed uses seems an idea whose time clearly has come but whose federal fate is distinctly uncertain.

Basically, the idea is that large federal buildings, especially in urban settings, should contain public-use facilities as well as the spaces required by their client agencies.

The point is to functionally link the buildings to the communities in which they reside, make them more welcoming, and keep them alive by night as well as day.

While these objectives seem to us to be eminently worthwhile, there has been very little use-mixing in federal buildings. The exceptions, such as the Pentagon's mini-city of shops and services, provide such facilities mainly for the buildings' own inhabitants.

There is a division of opinon within the General Services Administration about the legality of federal construction of mixed-use buildings or projects, especially those containing facilities that might be considered competitive to those in private buildings. But the government competes with private enterprise on a gigantic scale when such competition is justified as in the public interest.

And there is no little nervousness at the thought of the administrative complexities involved in leasing or operating the non-federally oriented facilities.

Nevertheless we believe that the concept should be pursued, not just within a single agency, but as a common means of making federal buildings into more fully functioning architectural citizens of their localities.

ADAPTIVE USE

In legislation as early as 1906 and as recent as 1972, the federal government has affirmed its interest in preservation of historic buildings and sites.

It has authority in both legislation and recent executive orders to use a variety of means to protect historic buildings, including their outright purchase and restoration. There is never quite enough money to buy all of the buildings that need preserving, however.

The federal building program could contribute significantly to this effort if priority were given to purchase and rehabilitation of appropriate historic and architecturally interesting structures as a means of meeting federal space needs.

Precedent for such adaptive use of historic buildings is to be found across the street from the White House, on Lafayette Square.

The square is lined on two sides with handsome and historic row houses. In the late 1950s the government found itself in need of additional court and office space in the area. The first scheme was to tear down the houses and flank the square with new buildings of monumental scale and character.

Through Presidential intercession this scheme was scrapped in favor of one in which the houses were remodeled into office space and new buildings placed behind them.

The use of historic structures should be an alternative to new construction. This is in line with a 1973 GSA report on the results of the International Environmental Conference on Building Construction and Use. It states that, "Critical analysis should be made of the need for new federal buildings with respect to the existence of other buildings that may meet the requirement for additional space."

INTERIM RECOMMENDATIONS

People and quality

Government administrators, professional societies, and educators should address the special training needs and incentives for attracting and keeping talented design professionals in public service. Consideration should be given to placing design professionals at policy levels in design and construction agencies.

In selection of architects and engineers for major public building contracts, the ranking selection process and rationale for the final selection should be documented. In all transactions regarding selection it would be desirable to devise procedures for making all contacts from outside the agency a matter of public record.

Since preference in the selection process of consulting professionals for public projects tends to be given to established firms with considerable government experience, selection of both consultants and panelists should be based solely on professional qualifications with no undue attention to seniority or political influence. In this way newer and smaller as well as minority firms would be encouraged to apply for public work.

Design competitions, properly financed, should be used to encourage public design concern and demonstrate government receptivity to new ideas and people. This selection alternative could be useful for projects of national significance or high public interest and small projects particularly appropriate for attracting new talent.

Purposes and quality

Federal buildings used by the general public in urban locations should enhance as well as protect the environment by encouraging street vitality and a lively pedestrian setting in and around these buildings.

Special purpose buildings planned for minimal public contact should also be designed to improve their surroundings through careful attention to their approaches, landscaping, appropriate scale and design.

At sites with high urban design impact federal buildings should provide the widest possible range of uses along with the federal use. These uses can include other levels of government, commercial, educational, institutional, civic, cultural and recreational uses.

The federal government should sponsor demonstration projects for new design and building management concepts with the goal of making public buildings accessible and responsive to citizens in both appearance and use, inviting citizens to understand and use the resources of their government.

Federal agencies should give priority consideration to adapting existing buildings for federal use, particularly structures of architectural or historic significance. The government should consider both leasing and purchasing such structures as an alternative to a new structure, considering relative cost and adaptability of the existing building. This alternative should include consideration of satisfying space needs by adapting a cluster of smaller buildings as well as adapting single large buildings.

Art works and the design and costs of interiors, furnishings, and landscaping should be included in initial building plans and budgets. These items should be non-deductible so that if the budget of a project is reduced they can only be reduced porportionately.

Client agencies and Congress should give more attention to the purposes of government building so the design profession can respond to well-defined building goals. The designer of ultimate responsibility should participate as early as possible in the development of the project.

Design awareness

Procurement supply schedules for interiors should be thoroughly studied and revised. New schedules should be reviewed regularly by panels of leading private and public designers.

Post-occupancy evaluation of buildings should include an analysis of how the building meets community and user needs.

To encourage a broadened view of architectural excellence a continuing government-wide design awards program should be established.

To give continuity to periodic initiatives for federal design achievement, government concern for the design quality of federal facilities should be formalized. An overall design advisory office should monitor all federal building activities with periodic reports measuring government progress and recommending changes in federal policies to raise the level of design achievement.

Mr. DOMENICI. Mr. President, I wholeheartedly endorse the concepts and the provisions that are embodied in S. 865. I am pleased to be a cosponsor of this bill, because it should go far toward conserving our national resources and energy. By enabling the Federal Government to recycle buildings from our past for use as structures for the future, we are making a sound investment.

The reasons for this legislation were summed up well by Nancy Hanks when she testified before our committee. Miss Hanks, who is the Chairman of the Nation Endowment for the Arts, said:

> Because buildings represent investments and their sites economic opportunity, many older buildings have fallen victim to faulty economic reasoning that considers only some obvious costs of renovation without considering some not-so-obvious savings. Compared to new construction, adaptive use projects provide more jobs, require no demolition and site clearance, and use less structural and other construction materials. They are, moreover, completed faster, resulting in lower borrowing costs and less time that the site remains economically idle. These economic advantages need to be quantified and publicized.

Much work and thought has gone into the development of this legislation. Much of the best appeared in a series of documents published by the Federal Architecture Study, which is working through the National Endowment.

I ask unanimous consent that an excerpt from "Federal Architecture: Multiple-Use Facilities, a Staff Report for the Federal Architecture Task Force, be printed in the Record.

There being no objection, the excerpt was ordered to be printed in Record, as follows:

Excerpt

MULTIPLE-USE—THE CHALLENGE

Cities have always had multiple-use planning. In many old neighborhoods, apartments typically were built above stores that lined the street level. Such mixed settings can still be found in some of the most popular neighborhoods in Washington, D.C., Boston, Detroit, New York City and other communities. In Reston, Va., Columbia, Md., and Trailwood Village near Houston developers have consciously tried to recreate similar designs. A ready supply of occupants testifies to the success of their efforts.

Rockefeller Center, built in the 1930s in New York, is the classic example of a mixture of adjacent land use in a relatively limited geographic area (horizontal mixing) as well as mixed use in individual buildings. These approaches have also been employed with varied success in such urban redevelopment efforts as Penn Center in Philadelphia, Prudential Center in Boston and Century City in Los Angeles, as well as in the large nonrenewal projects of Peachtree Center in Atlanta, the Watergate complex in Washington, D.C. and Crystal City in Virginia. Office towers may flank apartment buildings, parking structures or department stores. Restaurants and observation decks may occupy roof space. Commercial activities may line the ground floors of buildings or retailing may be concentrated in a shopping mall. Occasionally, small commercial outlets may be located in the basements of apartment buildings.

Recent efforts at vertical mixing (some combination of retail, parking, office, recreational and residential uses in a single structure) can be found in Marina Towers and the John Hancock Building in Chicago, in Olympic Towers and the United Nations Plaza in the heart of Manhattan, and in Holyoke Center in Cambridge, Mass. Urban planners and commentators have acclaimed these buildings for their potential in revitalizing city cores. And, in the ultimate economic test, developers have found them marketable.

More typically, however, neither private nor public office buildings are designed to contribute to the active movement of people amid diverse settings, to provide opportunities for planned or chance encounters, to encourage the interplay of varied activities, to promote the compatibility of building facades at a scale easily comprehended by pedestrians. When the employees go home in the evening, the surrounding streets are left empty and after-hours activity is discouraged.

The diminished human vitality of many downtowns has no simple cause. Local zoning ordinances, originally passed to protect "clean" businesses and residences from noxious factory fumes and assorted nuisances, promoted single-use land planning. Public suburbanization policies from tax credits through highway aid and home financing contributed to a growing quiet on many main streets. Separation—of work and play and home, of income groups, of age groups, and of racial groups—became all too characteristic of modern city life.

This pattern of development was bought at enormous costs in the requirement of large land areas, of extensive transportation systems and sewer service, of water and energy supply. The human costs are incalcuable.

Opportunities to reverse these trends through federal programs were mostly overlooked. Monolithic housing developments and monolithic, if handsome, business enclaves could not attract the lively pedestrian life essential to safer streets and to a variety of successful retail activities.

The federal government in its own buildings also has not contributed to the mix of activities that combine to enhance street vitality and give life and excitement to the urban environment. On the contrary, most federal office buildings have reinforced the image of a downtown lacking in stimulation with streets that become deserted after working hours.

Responding partly to the threat of protest demonstrations and bomb scares, the government increased security precautions for some of its buildings. Federal enclaves became even more uninviting when designed with fortress-like or virtually blocked-off ground floors. It was reported to us, for example, that extra security precautions were designed into a new federal building to make it even less accessible and open than normally would have been the case. There was concern about the potential actions of nearby university students.

In recent years a series of Executive Orders that directed the selection of downtown locations for federal agencies have reversed the suburban campus trend encouraged by transportation and civil defense policies of the 1950s. However, concern for site location has not been accompanied by attention to the variety and timing of building uses that are also essential considerations of sound community-wide design.

In a letter to the National Endowment for the Arts, Senator Howard Baker (R. Tenn.), a member of the Senate Public Works Committee and of the Task Force on Federal Architecture wrote:

"Those (federal) buildings are . . . brought before the committee in the absence of even a general plan or design, and as a result we have given little attention, at least in the Congress, to principles of design. For example, I do not recall a discussion, except with respect to the new Senate Office Building and garage, about the importance of relating the style and scale of federal structures to the surrounding community, or incorporating the activities of the occupants of government buildings into the life of the surrounding community, perhaps even including joint use of facilities. I can not help wondering whether federal functions have not tended to cluster in government enclaves, perhaps encouraged by architectural barriers toward insulated activity instead of an interplay of community life and the daily work of federal employees."

Several developments support consideration of extending the movement toward multiple-use buildings to federal facilities:

In Canada the Department of Public Works is implementing a nation-wide program to build or convert government office buildings for multiple-use in urban centers. In a 1973 address to the International Public Works Congress, the Canadian Minister of Public Works told his audience:

"For some time now we have been concerned that so many government buildings die at 5 o'clock in the afternoon. We have given the problem some thought and came up with the solution that we should open the lower levels of our public office buildings to commercial use. We believe that (public) buildings should not just be austere, large chunks of concrete, steel, stone and glass but should be lively and vibrant and part of the life of the area in which they serve."

In Sweden, a new public building, the Garnisonen, suggests approaches to variety and flexibility that could be useful in the planning of lively, multiple-use public office buildings. The Garnisonen houses several government agencies, including the equivalent of our General Services Administration. The large, block-like structure, enclosing internal buildings and courtyards, attracts people to its restaurants, exhibit halls, snack bars, gymnasiums, auditoriums and saunas as well as offices. With moveable partitions on what amounts to a modular stage set of a million and a half square feet, the design emphasis has been on the adaptability of the interior space to changing uses and users. As the management's publication notes, "One could even say that in an office building the size of Garnisonen it is necessary for the people working there to influence the environment . . . in order to achieve an overall effect that is lively, varied and stimulating."

The first five floors of an $18 million state office building in Nashville, Tenn., will house separate music and drama theaters, a multipurpose rehearsal studio suitable for arena productions and a state museum. Above will be 10 stories of offices for state agencies. Planners of the building, which is now under construction, were motivated not only by economy, but also by the belief that multiple-use planning would generate nighttime activity in the capitol area.

In Madison, Wisc., a special Community Concerns Committee appointed by the state has strongly recommended that a combination of commercial, residential and community uses be included in a new state office building being planned. The committee cited as primary concerns the creation of a lively urban environment during evenings and weekends and the need to maintain a sense of continuity in the urban fabric. Funds for the buildings have been allotted but no final design has been selected and no date has been set for construction.

The International Environmental Conference on Building Construction and Use, sponsored by the General Services Administration in the spring of 1972, resulted in recommendations by a number of panels that urged GSA to consider the implementation of multiple-use federal buildings. They included:

"That GSA coordinate with other agencies in an evaluation of the benefits and programs that can be offered to a community; facilities, multipurpose space, etc."

"That GSA consider multipurpose use of its buildings, both new and existing, including community facilities, retail and living accommodations and that GSA be authorized to work with other agencies in carrying out the purpose of this recommendation."

". . . That consideration be given to multiple functions in new federal buildings. That is, we believe that the existence of residential/commercial/recreational functions in or close to the facility will have a positive effect on the total social environment . . ."

"Expand the types of space in federal buildings to include theaters, libraries, restaurants, shopping malls, apartments, etc."

In a recent statement, the commissioner of GSA's public buildings service said GSA in its leasing program will try to avoid locating federal offices in ground floor commercial space. He said that "this will encourage building owners to bring in commercial enterprises that will serve federal employees and infuse new vitality into areas where the federal presence is significant."

In 1963 a special report to the President on "The Arts and the National Government" noted that government auditoriums were seldom built with any concern for the government's important responsibility for the support of the performing arts and that the government's vast exhibit resources were inadequately available for public viewing. Specifically the report recommended:

". . . provision of facilities for the performing arts be considered in plans for new Federal centers and buildings throughout the country as well as Washington. . . ."

". . . provision of adequate and appropriate exhibit and gallery space should be a consideration in drawing up plans for new Federal buildings, not only in Washington but especially throughout the country."

Among municipal governments, New York City is especially active in support of multiple-use development. A public authority, the Educational Facilities Fund, plans its properties for joint public/private use. And the city's special district zoning ordinances encourage multiple-use private construction to preserve the character of special neighborhoods. In another attempt at urban design reform, city planners have proposed an approach to housing that "would transcend the traditional boundaries of the individual zoning lot to recognize the primacy of the neighborhood." (The "Housing Quality" proposal seeks to establish an innovative point system for evaluating quality, an approach that planners envision changing the pattern of architect selection to favor architects especially skilled at meeting higher amenity standards.)

THE CANADIAN EXPERIENCE

The Canadian government is committed to the idea of multiple-use government office buildings, even though many problems must be worked out before the concept can be fully realized.

Before 1970 there were increasing complaints from the private commercial sector that government buildings "sterilized" the commercial environment. Responding to that criticism, and to the problem of buildings "going dead at night," the Department of Public Works developed a "bridge concept"—i.e. public buildings should constitute bridges that enticed pedestrians to go through a public building to get from one part of a commercial environment to another.

The Department of Public Works of Canada is administered through regional offices. Its work encompasses the scope of both our GSA and Corps of Engineers. The most active region for public building construction has been the Capital region of Ottawa. The current public building program is directed to consolidating scattered government offices in single structures to establish a government presence in urban centers. The multiple-use "bridge concept", or "Ottawa concept", is now accepted as guiding policy for the design of these new buildings and for the conversion of existing buildings in Canada's urban centers. Several projects are in various stages of design and construction in Ottawa, Winnipeg, Edmonton, Halifax, Calgary, Vancouver and Montreal. No new legislation was required for the implementation of multiple-use planning.

As a general practice, approximately one-quarter of the square footage of a new building may be assigned to commercial use. The government pays grants-in-lieu-of-taxes on government-owned and government-used space. Commercial tenants are responsible for municipal real estate taxes. The Department provides maintenance, heat, etc., which are covered in the rent. Electricity is metered. Leases can be 20 years as a maximum, but five-year-with-option leases are more usual. The Department's urban design goals can be protected by building into contracts specific space and quality control directives. In determining rental rates the Department has followed the studies and data developed by the International Council of Shopping Centers.

The Department's Office of Space Management and Marketing advertises and actively solicits commercial tenants. Selection is based on both a credit check and a quality evaluation. The Department decides on the commercial mix and includes consideration of the need for some operations to stay open until late at night.

The major considerations of the Department are best quality and best economic return to the Department. Charging rent for commercial space is considered compatible with a general government change to "revenue dependency" that requires user agencies to also pay rent to the Public Works Department (a concept similar to the new Federal Building Fund established by the U.S. Congress). The private sector has not considered the commercial leasing activities of the government unfair competition.

Several current multiple-use Canadian developments are now being planned or are under way:

Sparks Street Center in Ottawa, which is now in the excavation stage, will contain one million square feet of space with about 135,000 square feet of multiple-use commercial on two or three levels. (The third level will depend on marketability in the context of another major new privately developed commercial center nearby.) The site is situated alongside an active pedestrian mall and the building will be linked by galleries to the new Royal Bank of Canada across the mall.

At the lower level of the arena-like public commercial space an infrastructure for an ice skating rink is being installed, although this area may be assigned another activity-generating use if market studies determine another use would attract more people. A waterfall/fountain will add visual excitement to the design.

The Sparks Street Center already has a sizable list of applicants for commercial space although construction is barely under way.

Rideau Center in Ottawa will have 800,000 square feet of government office space and a 200,000-square-foot major department store.

Jackson Building in Ottawa's main business district is the first existing building to be converted to multiple uses. The 10-story, 200,000-square-foot building will contain 12,000 square feet of commercial uses on its ground floor. This experiment will be used as a prototype for replanning use of urban public office buildings throughout Canada.

Favreaux Building is a $100-million project in Montreal now in the design stage. It will have 200,000 square feet allotted for commercial use and people-attracting activities. The importance of "people activities" was demonstrated in another project where commercial sales increased 50% during a two-week exhibit and demonstration by Canadian artists and craftsmen.

Place du Portage in Hull, Quebec (across the river from Ottawa's Parliament building), was a privately developed urban-renewal-type complex that the government purchased while under construction. Although Hull is an economically depressed area, a market study indicates that the multi-building $270-million public office complex will eventually stimulate private economic and construction response, which will significantly upgrade the area. The first building (Phase 1) is now open, Phase 2 will open at the end of this year and Phase 3 in the spring of 1976. When completed, the Place du Portage complex will contain about 20,000 employees in approximately five million square feet of office space.

The first building houses 1,800 employees in 250,000 square feet of office space, plus 90,000 square feet of commercial space on two levels. From a visitor's point of view the commercial space is multi-level, festive space with lots of color and visual excitement.

In general the Department of Public Works prefers common community and client agency lobbies so there are "no barriers to government." But there has been some dispute over the appearance of government security. The client agency wants higher security than commercial tenants want so the Department is considering using guards without uniforms to minimize what commercial users consider the negative psychological impact of "guard-looking security."

The Place du Portage project has been plagued by phasing problems. Commercial spaces were occupied too soon, causing the government to apply rent abatement until 1976. After that time, base rent will be determined by gross sales of the best two years. In the second phase of five-year leasing, commercial tenants will pay either the base rent or a percentage of gross sales (3½ to 8 per cent), whichever is greater. This will discourage tenants from falling below a certain level of effort. The lower percentage of gross would be assigned, for example, to a sports complex, and the higher to a retail clothing store.

Lessons learned from these and other problems will be applied to other developments throughout the country. Commercial space in outlying areas, for example, will be limited primarily to support for office tenants, and phasing will be more sophisticated.

The contrast with American concerns is striking. Instead of arguments about unfair government competition, the private sector pressed for commercial activities in government buildings to improve surrounding commercial environments. Further, Department of Public Works officials we interviewed believe that the government is more interested in street architecture than the private sector. The conviction of Canadian officials about the basic soundness of their multiple-use policy clearly allows flexibility for occasional setbacks. Indeed, one official observed, "We are willing to wait ten years for success."

Mr. McCLURE. Mr. President, I wish to express reservations over portions of S. 865. Since I am in wholehearted agreement with the adaptive-use provisions of this bill, I shall not impede passage of the legislation. The use of older buildings represents an important step toward a more flexible public buildings program. It will conserve resources and energy, while producing more jobs for each dollar invested. This is a concept that is both wise and overdue. I applaud Senator BUCKLEY for this initiative.

But as I favor one portion of the bill, another concerns me. This is section 4, which allows "cooperative" or "mixed" use of public buildings. Under this language, the General Services Administration could lease space in any Federal office building to persons or firms "engaged in commercial, cultural, educational, or recreational activities" at a rental rate "equivalent to the prevailing commercial rate for commercial space devoted to a similar purpose in the vicinity of the public buildings." My concern is that GSA will take this new latitude and run wild with it. We must make it clear that this authority is to be used sparingly. This is not a license to convert the ground floor of the Treasury Building into a bowling alley.

Frankly, I see no need for such authority. What does the public gain in the rental of space designed for offices to be used as a restaurant or a boutique? What Federal purpose is served? I doubt that GSA will be able to discover one beyond its own desire to become landlord to the Nation.

If we must have such authority, I would point out to the GSA the language in the committee report stating that mixed use will not work everywhere, and that it should be tried only in those instances where the local city government agrees.

Mr. President, I urge that the GSA use this new flexibility with restraint. If it does not, I shall do what I can to impose limits on what I believe is a wasteful practice, pitting the taxpayers in unnecessary competition with the private sector.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time and passed.

The title was amended so as to read: "A bill to promote more efficient use of the Nation's construction resources, to foster the preservation of buildings of historic, architectural, or cultural significance, and to enhance the social and economic environment within and surrounding Federal office buildings."

TARIFF TREATMENT OF WATCHES AND WATCH MOVEMENTS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 266, H.R. 7710, and that there be a time limitation of not to exceed 1 hour on the bill, with a further provision that there be a ½-hour time limitation on an amendment dealing with child support; that no other amendments be in order; that there be a time limitation of 20 minutes on any debatable motion, appeal, or point of order, if such should be submitted to the Senate, and that other than the specific amendment mentioned, that the agreement be in the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLINGS. Reserving my right to object, to further clarify the unanimous-consent agreement, I would agree on the premise that the child support amendment does not contain an excess profits tax amendment, and that any excess profits tax amendment be not germane, and there be no other amendments other than the child support amendment; and that no amendment to the child support amendment be considered germane. I think that is as clear as I could possibly make it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CURTIS. Mr. President, I ask unanimous consent that two members of the staff of the Finance Committee, Mr. Don Moorhead and Mr. George Pritts remain on the floor during the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Mr. President, I ask unanimous consent, on behalf of the Senator from Louisiana and myself, that the following persons be given the privileges of the floor.

From the Committee on Finance, Michael Stern, Bob Best, Michael Rowny, Bob Willan, Bill Morris, Bill Galvin, Joe Humphreys, Jay Constantine, Jim Mongan; from the Office of the Legislative Counsel, Doug Hester; Mr. Carey Parker and Mark Schneider of Mr. KENNEDY's office; Mr. Les Goldman of Mr. STEVENSON's office; and Pat Berry of Mr. JACKSON's office.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 7710) to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Who yields time?

The Senate is not in order. The Senate will suspend for just a moment.

The Senator may proceed.

Mr. LONG. Mr. President, I send an amendment to the desk and ask that the reading of the amendment be dispensed with. I will explain the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana (Mr. LONG) proposes an amendment.

The amendment is as follows:

TITLE II—AMENDMENTS RELATING TO SOCIAL SECURITY ACT

TEMPORARY WAIVERS OF CERTAIN REQUIREMENTS FOR CERTAIN STATES

SEC. 201. (a) If the Governor of any State, which has an approved State plan under part A of title IV of the Social Security Act, submits to the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary"), a request that any provision of section 402(a) (26) of the Social Security Act or section 402(a) (27) of such Act not be made applicable to such State prior to a date specified in the request (which shall not be later than June 30, 1976) and—

(1) such request is accompanied by a certification, with respect to such provision, of the Governor that the State cannot implement such provision because of the lack of authority to do so under State law, and

(2) such request fully explains the reasons why such provision cannot be implemented, and sets forth any provision of State law which impedes the implementation thereof,

the Secretary shall, if he is satisfied that such a waiver is justified, grant the waiver so requested.

(b) During any period with respect to which a waiver, obtained under subsection (a) with respect to section 402(a) (26) (A) of the Social Security Act, is in effect with respect to any State, the provisions of section 454 (4) and (5) of such Act shall be applied to such State in like manner as if the phrase "with respect to whom an assignment under section 402(a) (26) of this title is effective" did not appear therein, and the provisions of section 458 of such Act shall be applied to such State in like manner as if the phrase "support rights assigned under section 402 (a) (26)" read "child support obligations".

(c) Section 455 of the Social Security Act is amended to read as follows:

"Sec. 455. From the sums appropriated therefor, the Secretary shall pay to each State for each quarter, beginning with the quarter commencing July 1, 1975, an amount—

"(1) equal to 75 percent of the total amounts expanded by such State during such quarter for the operation of the plan approved under section 454, and

"(2) equal to 50 percent of the total amounts expended by such State during such quarter for the operation of a plan which meets the conditions of section 454 except as is provided by a waiver by the Secretary which is granted pursuant to specific authority set forth in the law;

except that no amount shall be paid to any State on account of furnishing child support collection or paternity determination services (other than the parent locator services) to individuals under section 454 (6) during any period beginning after June 30, 1976."

(d) The Secretary shall from time to time, submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, full and complete reports (the first of which shall not be later than September 15, 1975) regarding any requests which he has received for waivers under subsection (a) and any waivers granted by him under such subsection, and such reports shall include copies of all such requests for such waivers and any supporting documents submitted with or in connection with any such requests.

PROTECTION AGAINST DECREASE IN GRANTS BECAUSE OF PAYMENT OF SUPPORT DIRECTLY TO THE STATE

SEC. 202. Section 402(a) of the Social Security Act is amended—

(1) by striking out "and" at the end of paragraph (26);

(2) by striking out the period at the end of paragraph (27) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (27) the following new paragraph:

"(28) provide that, in determining the amount of aid to which an eligible family is entitled, any portion of the amounts collected in any particular month as child support pursuant to a plan approved under part D, and retained by the State under section 457, which (under the State plan approved under this part as in effect both during July 1975 and during that particular month) would not have caused a reduction in the amount of aid paid to the family if such amounts had been paid directly to the family, shall be added to the amount of aid otherwise payable to such family under the State plan approved under this part.".

SUPPORT ASSIGNMENTS BY RECIPIENTS DURING TRANSITIONAL PERIOD

SEC. 203. (a) In the case of any State the law of which on August 1, 1975, meets the requirements of section 402(a)(26)(A) of the Social Security Act, the requirements of such section shall be effective, with respect to individuals who are recipients on August 1, 1975, at such time as may be determined by the State agency, but not later than the time of the first redetermination of eligibility required after August 1, 1975, and in any event not later than February 1, 1976.

(b) In the case of any State described in subsection (a), the provisions of section 454 (4) and (5) of the Social Security Act shall, during the period beginning August 1, 1975, and ending December 31, 1975, be applied, with respect to all recipients of aid under the State plan of such State (approved under part A of title IV of such Act) who have not made an assignment pursuant to section 402 (a)(26)(A) of such Act, in the case of such State in like manner as if the phrase "with respect to whom an assignment under section 402(a)(26) of this title is effective" did not appear therein, and the provisions of section 458 of such Act shall, during such period, be applied in the case of such State in like manner as if the phrase "support rights assigned under section 402(a)(26)" read "child support obligations".

REMOVAL OF VENDOR PAYMENT LIMITATION FOR CHILD SUPPORT

SEC. 204. Section 403(a) of the Social Security Act is amended by inserting before the period at the end thereof "or section 402 (a)(26)".

AUTHORITY FOR QUARTERLY ADVANCES TO STATES FOR CHILD SUPPORT PROGRAMS

SEC. 205. (a) Section 455 of the Social Security Act (as added by the Social Services Amendments of 1974 and amended by section 201(c) of this Act) is amended by inserting "(a)" immediately after "Sec. 455." and by adding at the end thereof the following new subsection:

"(b)(1) Prior to the beginning of each quarter, the Secretary shall estimate the amount to which a State will be entitled under subsection (a) for such quarter, such estimates to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such other investigation as the Secretary may find necessary.

"(2) The Secretary shall then pay, in such installments as he may determine, to the State the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

"(3) Upon the making of any estimate by the Secretary under this subsection, any appropriations available for payments under this section shall be deemed obligated.".

PAYMENTS TO STATES FOR CERTAIN EXPENSES INCURRED DURING JULY 1975

SEC. 206. Notwithstanding any other provision of law, amounts expended in good faith by any State (or by any of its political subdivisions) during July 1975 in employing and compensating staff personnel, leasing of-fice space, purchasing equipment, or carrying out other organizational or administrative activities, in preparation for or implementation of the child support program under part D of title IV of the Social Security Act, shall be considered for purposes of section 455 of such Act (as amended by this Act), to the extent that payment for the activities involved would be made under such section (as so amended) if section 101 of the Social Services Amendments of 1974 had become effective on July 1, 1975, to have been expended by the State for the operation of the State plan or for the conduct of activities specified in such section (as so amended).

SAFEGUARDING OF INFORMATION

SEC. 207. Section 402(a)(9) of the Social Security Act (as amended by the Social Services Amendments of 1974) is amended to read as follows:

"(9) provide safeguards which restrict the use or disclosure of information concerning applicants or recipients to purposes directly connected with (A) the administration of the plan of the State approved under this part, the plan or program of the State under part B, C, or D of this title or under title I, X, XIV, XVI, XIX, or XX, or the supplemental security income program established by title XVI, (B) any investigation, prosecution, or criminal or civil proceeding, conducted in connection with the administration of any such plan or program, and (C) the administration of any other Federal or federally assisted program which provides assistance, in cash or in kind, or services, directly to individuals on the basis of need and the safeguards so provided shall prohibit disclosure, to any committee of a legislative body, of any information which identifies by name or address any such applicant or recipient;"

PROTECTION OF CHILD'S BEST INTEREST

SEC. 208. (a) Section 402(a)(26)(B) of the Social Security Act (as added by the Social Services Amendments of 1974) is amended by inserting immediately after "such applicant or such child" the following: ", unless (in either case) such applicant or recipient is found to have good cause for refusing to cooperate as determined by the State agency in accordance with standards prescribed by the Secretary, which standards shall take into consideration the best interests of the child on whose behalf aid is claimed;".

(b) Section 454(4)(A) of such Act (as so added) is amended by inserting after "such child," the following: "unless the agency administering the plan of the State under part A of this title determines in accordance with the standards prescribed by the Secretary pursuant to section 402(a)(26)(B) that it is against the best interests of the child to do so,".

(c) Section 454(4)(B) of such Act (as so added) is amended by inserting immediately after "other States" the following: "(unless the agency administering the plan of the State under part A of this title determines in accordance with the standards prescribed by the Secretary pursuant to section 402(a) (26)(B) that it is against the best interests of the child to do so)".

(d)(1) The Secretary of Health, Education, and Welfare shall submit to the Congress any proposed standards authorized to be prescribed by him under section 402(a) (26)(B) of the Social Security Act (as added by the Social Services Amendments of 1974 and as amended by subsection (a) of this section). Such standards shall take effect at the end of the period which ends 60 days after such proposed standards are so submitted to such Committees unless, within such period, either House of the Congress adopts a resolution of disapproval.

(2) For purposes of this subsection the term "resolution" means only—

(A) a concurrent resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the standards (as authorized under section 402(a)(26)(B) of the Social Security Act) transmitted to the Congress on   .", the blank space being filled with the appropriate date; and

(B) a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: "That the   does not approve the standards (as authorized under section 402(a)(26)(B) of the Social Security Act) transmitted to the Congress on   .", with the first blank space being filled with the name of the resolving House, and the second blank space being filled with the appropriate date.

(3) The provisions of subsection (b), (c), (d), (e), and (f) of section 152 of the Trade Act of 1974 shall be applicable to resolutions under this subsection, except that the "20 hours" referred to in subsections (d)(2) and (e)(2) of such section shall be deemed to read "4 hours".

TECHNICAL AMENDMENT

SEC. 209. Section 402(a)(27) is amended by striking out "States have" and inserting in lieu thereof "State has".

EFFECTIVE DATE

SEC. 211. The amendments made by this title shall, unless otherwise specified therein, become effective August 1, 1975.

Mr. LONG. Mr. President, on June 26, the Congress postponed the effective date of the new child support program for 1 month so that we could deal with a few unanticipated problems. The Finance Committee worked out an amendment designed to meet these pressing problems. Other child support provisions can be looked at when we have more time.

I have discussed the committee provisions with the chairman of the Ways and Means Committee and with the chairman of that committee's Subcommittee on Public Assistance. They have indicated their willingness to accept the Finance Committee amendment if certain changes are made. The amendment I am offering incorporates these changes. Let me now describe the provisions of the amendment.

The amendment would provide a waiver for a temporary period—but not later than June 30, 1976—of the provisions requiring assignment of support rights or any part of the child support program which the State could not implement because of lack of statutory authority or because of statutory impediments. Any State granted a waiver would be eligible for 50-percent Federal matching for the administrative costs of operating the program—75-percent matching is available for States fully implementing the new program. The Secretary of Health, Education, and Welfare would be required to submit to the Senate Committee on Finance and the House Committee on Ways and Means a report on the States to which he had granted waivers.

The amendment as modified would permit States which now allow recipients to keep a portion of the child support payments they receive, to continue to do so in order to prevent a reduction in income by recipients.

The new child support law requires

that a welfare recipient assign her child support rights to the State providing assistance payments. The amendment permits States a 6-month transitional period to operate the program under this requirement.

The amendment would provide safeguards to restrict the use or disclosure of information concerning applicants or recipients to purposes directly connected with the administration of the various State plans under the Social Security Act; any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of these plans or programs; and the administration of any other Federal or federally assisted program which provides assistance or services to individuals on the basis of need.

The amendment would require that States, in seeking to determine paternity and secure support, take into consideration the best interests of the child. The Secretary of Health, Education, and Welfare would be required to draft regulations to protect the best interests of the child; these regulations would be subject to veto by either the House of Representatives or the Senate.

The amendment would amend the provision of section 403(a) of the Social Security Act which limits the number of individuals with respect to whom a State may provide AFDC in the form of protective payments to individuals other than the relatives with whom the children receiving that aid are living. It would expand the category of individuals who are not counted in computing the 10 percent to include individuals to whom the State is required to provide aid in the form of protective payments because there has been a failure to cooperate in the establishment of paternity or the collection of child support.

The amendment would provide for Federal payment to States for expenses incurred in carrying out their child support programs by establishing a procedure, similar to the procedures provided in the case of the other public assistance programs, for making such payments in the form of quarterly advances.

The amendment would provide that Federal payments will be made to States under the new child support program to reimburse them for expenses incurred in carrying out organizational and administrative activities during July 1975, in cases where payment for those activities would have been made had the program become effective on July 1, as originally provided.

In addition to the child support provisions, the Committee on Finance had also approved a provision expanding the outpatient physical therapy and speech pathology benefits as provided through clinics and other organized settings to include occupational therapy. Additionally, the committee amendment would have provided that a need for occupational therapy alone could qualify the homebound patient for home health benefits. At the request of the chairman of the Ways and Means Committee, I have not included that provision in the amendment I have offered. However, I intend to offer it for the Senate's consideration at the earliest available opportunity.

Mr. President, I urge my colleagues to support this amendment.

Mr. CURTIS. Mr. President, I yield myself 5 minutes.

Mr. President, some months back the Congress passed an act relating to child support. That was signed by the President. At the time he signed it he stated that he had certain objections to some particular features of it.

We are here with an amendment today that does not deal with the problems raised by the President, but we are here with an amendment in this closing day of this particular part of the session because there are some 10 or 12 States that are facing a deadline and there is a need for legislation.

Mr. President, the purpose of the committee amendment now before the Senate is to deal with several problems in the child support program, which goes into effect today.

Our chairman has described the provisions of the committee amendment and I shall *not* review them again. However, I do want to point out that the administration does have several problems with the committee's approach and in particular with the committee's decision to delete four provisions of the House-passed bill. These four provisions related to the use of the Federal courts to enforce child support obligations, the so-called parent locator service, the use of the IRS to collect child support obligations, and certain audit requirements imposed on the Department of Health, Education, and Welfare.

The administration believes that prompt action on these issues is necessary to prevent unwarranted invasions of privacy and overburdening of the Federal courts. The committee concluded, however, that it lacked adequate time to consider these issues and thus postponed them for future decision. I regret that we did not have time to act upon these four provisions and either accept or reject them. Nevertheless, this is the position in which we find ourselves.

I do not intend at this time to offer amendments to the committee amendment since, as I understand the chairman's statement, the committee will deal with these and other issues at an early date.

Furthermore, Mr. President, I do not believe that in these closing hours of the day that there is any chance of making the case for these proposals in which the administration is vitally interested. It will have to be taken up at another time.

However, I did feel it necessary to inform the Senate that the administration is greatly concerned that we did not deal with these provisions of the House bill and why we did not deal with these particular provisions.

Mr. President, I might also add that the effective date of this reform in child support provisions is today and that there are several States that will face a hardship if we do not take action. Therefore, the committee has brought this amendment here today.

Unless there is some further comment on the amendment, I am prepared to yield my time back.

Mr. NUNN. I would like the Senator from Louisiana to yield to me for 2 or 3 minutes.

Mr. LONG. I yield to the Senator.

Mr. NUNN. I congratulate the chairman of the committee and the ranking minority member for bringing out these corrective amendments that will give this new law a chance to work and work in an efficient and effective way.

I know there are some problems with the law. We anticipated that when we passed it last year. I worked very closely with the Finance Committee on it, particularly the chairman, and introduced a bill with some of the provisions that are now in the law.

I also want to congratulate the committee for not bringing out the House bill which does nothing but completely kill the whole intent of the law we passed last year in the child support area.

The amusing thing to me—I will ask the Senator from Louisiana to comment on this—is that the Ford administration backed this House bill and then knocks out the parent locater service, it deletes a provsion of the IRS being able to assist in unusual cases in locating a parent.

The most incredible part about the House bill, which the administration supports, is that it deletes the section about using the Federal courts to try to bring some pressure on so-called runaway fathers who work, who make money, but who will not support their children.

The thing that I find incredible is that the Ford administration—and I really do not believe it is the President but at least it is under his administration—is recommending these changes that the House bill passed. The President of the United States was the first person I know of in Congress way back in the 1940's who introduced a bill called the runaway pappies bill, and that particular bill used the Federal court system. For the Ford administration now to take completely the reverse position just as we are on the verge of trying to finally do something in this field about a sadly neglected area of welfare, where the costs are escalating every year, to me is an incredible position.

I simply ask the Senator from Louisiana for my information: There is nothing in this bill that does what the House was trying to do in killing the bill it passed last year, is there?

Mr. LONG. No. We are perfectly willing to talk to the House about all of those things, but at this point I know of no reason why we should change the position that the Senate took when it previously considered these matters. I really feel that these issues should all be decided based not on who is right but based on what is right. The Congress passed a law to try to correct some of the many abuses in the child support area where these fathers are contributing nothing to the support of their children.

We believe that this is a good law.

Time will tell. I would only say that if those who have the responsibility of administering this law, be it the U.S. attorney, the Department of Health, Education, and Welfare, or the State welfare department, if they will honestly, sincerely and conscientiously do their duty under this law and then if it fails to meet what we hope it will do, I would be willing to amend it. I think that we ought to be willing to try what the administration suggests, when they have logic to recommend it. And they ought to be willing to listen to the suggestions of the Congress. We will see which works the best.

But that is not involved in this bill. What we want to do right here is to simply take care of items that, no matter what one's philosophical view might be, would aid in the proper administration of the law that is on the books right now.

Mr. NUNN. I agree. The Senator from Georgia introduced three amendments yesterday, not in this series of amendments, which would also go to the technical working of the law, the effectiveness and efficiency. I also made a speech yesterday which goes back and traces the history of this child support effort in trying to get the Federal courts to do more in this area. None other than the President of the United States was the leader in that field. That was not only in 1949 but he introduced the same bill all the way up to 1973. Finally we passed it and lo and behold, the administration now seems to be taking the position that they do not want this law.

Mr. LONG. I think the Senator will find that some of the statements made in the name of the President do not really reflect the President's view. It has been my impression that the President's view has not changed at all. A man is very busy when he is President of the United States. With all the pressure on that President, he finds himself signing something rather than having it redrafted because he has so much work to do. I really think the Senator will find when he has occasion to talk with the President about the matter, and I am sure he will in due course, he will come a lot nearer to agreeing with the Senator from Georgia than he does to agreeing with a great number of the people in the Department of Health, Education, and Welfare.

Mr. NUNN. I believe that is the case. I hope the President, before this movement to repeal or kill the law which was passed last year goes much further, will have time to review what his original thoughts were on this concept and review the legislation. I think he will find that the legislation carries out the full feeling about what should be done about the terrible abuse where the fathers work, make money, run off and hide and then let the taxpayers take care of their children. I know the Senator will agree with me that the real beneficiaries under this law that we are trying to get into operation are the children themselves.

Mr. LONG. The Senator is exactly right. I agree.

Mr. MORGAN. Will the Senator yield?

Mr. LONG. I yield.

Mr. MORGAN. Do I understand this amendment would confer on Federal courts the jurisdiction in nonsupport cases?

Mr LONG. The Federal courts have jurisdiction in certain cases under present law. This amendment has nothing to do with that. What we are seeking to do here is simply to make it easier for the States to comply with the existing law. There is a provision in present law which says that where the States fail to make a runaway father do his duty after he has crossed a State boundary, action may be taken by U.S. attorneys, if the State he now resides in does not do what we hope they will do. But that is not involved here. That is existing law.

Mr. MORGAN. In other words, this does not make it any worse or better, either one.

Mr. LONG. That is correct. But the amendment does solve some immediate problems. I would suggest to the Senator, if he has not had the chance to do it, to review the statement I made on the amendment.

I am not sure whether this would involve North Carolina, but there are some States whose legislatures should make changes in their law or change their administrative practices to come into compliance with the new Federal law.

Mr. MORGAN. I do not question that. I question bringing in the Federal courts, if they are already in, which I did not know.

Mr. MONDALE. It is the law now.

Mr. LONG. It is expected that the States would act first.

Mr. MORGAN. The Senator knows how the Federal courts are once they get their hands on something.

Mr. MONDALE. I would like to say that with these amendments I believe we have a very solid measure which I hope the administration will enforce in good faith. I do not know of anything that should be tolerated less than a father who runs out on his family and will not support them when he can. This Federal effort of paying for those children is an old effort. The Federal Government, the taxpayers, has been paying millions of dollars for the support of children where some fathers, who could have supported them, will not. I think the public will feel a lot better about the welfare laws. I believe some of the runaway fathers will think twice about what they are doing if we make it clear that they cannot get away with it.

We have lived for several years with the present State and local enforcement system and it has not worked. It has not worked because the father can run away and there is no incentive to run them down. Usually they leave behind a bankrupt and penniless family. There are no resources to pursue them. If one gets a judgment, it is difficult trying to collect payments with all the garnishment problems, and so on.

What we are trying to do in this bill and with these amendments is to at long last take a step that would require these fathers to, above all, assume and pay for their responsibilities. I think the bill in its present form, with these amendments, is a good one, and I hope the administration will enforce it.

Mr. LONG. The Senator from Minnesota has played a major part in helping to draft good child support legislation. His handiwork is very much a part of these amendments I am offering. I thank the Senator for his contribution to the legislation.

The PRESIDING OFFICER. Who yields time?

Mr. LONG. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read a third time, the question is, Shall it pass?

The bill (H.R. 7710) was passed.

The title was amended so as to read:

An act to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, to amend child support provisions of Title IV of the Social Security Act, and for other purposes.

ORDER FOR STAR PRINT—S. 1517

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Foreign Relations Committee may obtain a star print of S. 1517, as reported, a bill to authorize appropriations for the administration of foreign affairs; international organizations, conferences, and commissions; information and cultural exchange; and for other purposes.

This bill was printed so hurriedly on Tuesday in an effort to deal with the Turkish arms matter that there are numerous typographical and technical errors which require correction.

The PRESIDING OFFICER. Without objection, it is so ordered.

COUNCIL ON WAGE AND PRICE STABILITY ACT AMENDMENTS OF 1975

Mr. PROXMIRE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 409.

The PRESIDING OFFICER (Mr. PACKWOOD) laid before the Senate the amendment of the House of Representatives to the bill (S. 409) to increase the authorization for the Council on Wage and Price Stability, and to extend the duration of such Council, as follows:

Strike out all after the enacting clause, and insert:

SECTION 1. This Act may be cited as the "Council on Wage and Price Stability Act Amendments of 1975".

SEC. 2. (a) The first sentence of section 2(c) of the Council on Wage and Price Stability Act is amended by striking out the period and inserting in lieu thereof the following: "by and with the advice and consent of the Senate.".

(b) The amendment made by subsection (a) shall take effect immediately after the individual holding the office of Director of the Council on Wage and Price Stability on the date of enactment of this Act ceases to hold that office.

(c) In appointments to the additional positions authorized by the amendment made by subsection (a), the Council shall give preference to economists and other persons with special ability and experience in one or more of the various sectors of the economy.

Sec. 3. Section 2 of the Council on Wage and Price Stability Act is amended by adding at the end thereof the following:

"(g) The Council shall have the authority, for any purpose related to this Act, to—

"(1) require periodic reports for the submission of information maintained in the ordinary course of business; and

"(2) issue subpenas signed by the Chairman or the Director for the attendance and testimony of witnesses and the production of relevant books, papers, and other documents, only to entities whose annual gross revenues are in excess of $5,000,000;

relating to wages, costs, productivity, prices, sales, profits, imports, and exports by product line or by such other categories as the Council may prescribe. The Council shall have the authority to administer oaths to witnesses. Witnesses summoned under the provisions of this section shall be paid the same fees and mileage as are paid to witnesses in the courts of the United States. In case of refusal to obey a subpena served upon any person under the provisions of this section, the Council may request the Attorney General to seek the aid of the United States district court for any district in which such person is found, to compel that person, after notice, to appear and give testimony, or to appear and produce documents before the Council."

Sec. 4. Section 3(a) of the Council on Wage and Price Stability Act is amended by striking out "and" at the end of paragraph (6), by striking out the period at the end of paragraph (7), and inserting in lieu thereof "; and", and by adding at the end thereof the following new subsection:

"(8) intervene and otherwise participate on its own behalf in rulemaking, ratemaking, licensing and other proceedings before any of the departments and agencies of the United States, in order to present its views as to the inflationary impact that might result from the possible outcomes of such proceedings.".

Sec. 5. Section 4 of the Council on Wages and Price Stability Act is amended by adding at the end thereof the following new subsection:

"(f)(1) Product line or other category information relating to an individual firm or person and obtained under section 2(g) shall be considered as confidential financial information under section 552(b)(4) of title 5 of the United States Code and shall not be disclosed by the Council.".

"(2) Periodic reports obtained by the Council under section 2(g) and copies thereof which are retained by the reporting firm or person shall be immune from legal process.".

Sec. 6. Section 6 of the Council on Wage and Price Stability Act is amended by striking out "$1,000,000 for the fiscal year ending June 30, 1975" and inserting in lieu thereof "$1,700,000 for each fiscal year ending prior to October 1, 1977".

Sec. 7. Section 7 of the Council on Wage and Price Stability Act is amended by striking out "August 15, 1975" and inserting in lieu thereof "September 30, 1977".

Mr. PROXMIRE. Mr. President, this is a bill that would extend the life of the Wage-Price Board for 2 years.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Nebraska.

Mr. CURTIS. May I ask, has this matter been cleared by the ranking minority member of the committee, the Senator from Texas (Mr. Tower)?

Mr. PROXMIRE. Yes, this matter has been cleared by Senator Tower. The Senator from Maryland (Mr. Beall) had an amendment, which unfortunately had to be dropped in the House of Representatives. Senator Dole is aware of it, and I believe the other minority members as well.

Mr. CURTIS. And it deals with monitory, rather than actual, controls?

Mr. PROXMIRE. That is right. There are no limitations on wages and prices. It simply provides for the extension of the Wage-Price Board as a watchdog agency.

Mr. CURTIS. No objection.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. TOWER. Mr. President, I am supporting, although with some reluctance, the move to accept the House-passed version of the bill extending the life and powers of the Council on Wage and Price Stability. I do it with some reluctance because the House bill contains a provision which extends the powers of the Council to intervene and otherwise participate in the ratemaking, rulemaking, and other proceedings of Federal departments and agencies.

This provision is troublesome because it provides explicit authority for the Council to position itself between regulated firms and the regulatory agencies in ratemaking—and I stress the word "ratemaking"—decisions. Up until now, the Council has done so on questionable statutory authority. It was for this reason that the House intended to make the authority explicit. As the report of the House Committee on Banking, Currency and Housing states it, it was done "in an effort to prevent the possibility of court action by those that believe that the Council lacks the authority to participate in ratemaking or other agency proceedings."

The Council has already intervened in ratemaking proceedings based on the language contained in the statute establishing the Council. Under that act—Public Law 93-387—the Council has authority, among other things, to "review and appraise the various programs, policies, and activities of the departments and agencies of the United States for the purpose of determining the extent to which these programs and activities are contributing to inflation."

I am the author of that language, which was introduced and adopted in committee. In no way did I envision that it would be used to authorize the Council to intervene in the ratemaking decision process. It was my intention that such authority should be used by the Council to determine the inflationary impact of Government spending. In a colloquy with Kenneth Rush—then Counselor to the President for Economic Policy—during the hearings on that legislation, I expressed my opinion that the Council should have the power to review Federal programs for their inflationary impact without mentioning any authority to get involved in the ratemaking decisions of Federal agencies. In my opinion, therefore, the Council has been acting on questionable authority in such instances and the language in the House bill gives the Council substantially new and explicit powers and does not just make explicit authority that is only presently implied under existing law.

My concern in this matter is that the Council, armed with such authority, may wield influence on the ratemaking decisions of Federal regulatory agencies, and that such agencies may tend to give undue influence to the Council's opinions over those of other interested parties on both sides of the issue. The danger is that such influence could result in the control of prices for regulated industries in much the same way they would be controlled under full-blown price controls. While I do not question the need for the Council to review and appraise the inflationary impact of Government spending, as they are authorized to do under existing law, I do question the wisdom of giving the Council the authority to intervene in another Federal agency's ratemaking decisions.

There are, however, certain advantages in accepting the bill passed by the House. The main advantage is that the House bill contains safeguards against the disclosure of confidential financial information by the Council. These provisions are not contained in the Senate bill and it is not at all certain that they could be secured in conference. For that reason, I am supporting the move to accept the House bill, but I do intend to monitor very closely the Council's activities in the area of Federal agency ratemaking, and I intend to question the Council's new director, who is expected to be named in the near future, very closely about his intentions with regard to the use of this new authority.

Mr. BEALL. As the Senator knows, this bill did contain an amendment which I proposed, called the "truth in spending" amendment, which would have required that all pieces of legislation appropriating and authorizing funds have attached thereto a statement of the average cost per taxpaying family.

The Senate approved that amendment, which I think was very worthy. I think it is important that the American people know what they are paying for the benefits they are ostensibly receiving from the Federal Government.

But I recognize it is important that the legislation pass, and, while I am sorry that the Senate did not have the opportunity to go to conference with the House of Representatives, and therefore there was not an opportunity for the Senate to insist on the amendment adopted here, recognizing the practicalities of the situation existing today, with this act expiring on August 15, I have no objection to the passage of the bill now; but I would hope we would receive prompt consideration of the truth in spending legislation before the appropriate committees and in the Senate as soon as possible.

Mr. PROXMIRE. The Senator from Maryland is exactly right. His amendment was approved by the Senate. It had much merit. Unfortunately, the House did drop that amendment and one other amendment, and we are in a position, now, where it is either accept the House version, which is really not very different except for the excellent amendment of the Senator from Maryland, or permit this agency to die.

The administration wants the agency; it is a necessary and desirable action; so I think it is essential that we act on the measure now.

Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

The PRESIDING OFFICER. What is the will of the Senate?

REPAYABLE LOANS OF UNEMPLOYMENT COMPENSATION FUNDS TO THE VIRGIN ISLANDS

Mr. LONG. Mr. President, I ask unanimous consent that the Chair may lay before the Senate a message from the House of Representatives on H.R. 9091, and that that bill be considered with only one amendment, which I shall offer, an amendment to the Railroad Retirement Act which was on the bill H.R. 8714 as it passed the House.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

Mr. CURTIS. Mr. President, reserving the right to object, and I shall not object, the bill being called up relates to what?

Mr. LONG. The bill we are calling up relates to a problem that exists in the Virgin Islands, involving a loan to the Virgin Islands unemployment fund.

Mr. CURTIS. That has been approved by the Committee on Finance?

Mr. LONG. This amendment makes the funds available. The Finance Committee, and the Senate, and the Congress have already approved the authorization for the loan. This is something of an emergency for the Virgin Islands. The administration recommends the measure, and it passed the House unanimously.

Mr. CURTIS. And the amendment the Senator proposes to offer is one that has been approved by the committee?

Mr. LONG. Yes, the amendment I shall offer has been approved by the Committee on Finance, and passed the House of Representatives last week.

Mr. CURTIS. And the Senator's request would exclude all other amendments?

Mr. LONG. It would exclude all other amendments.

Mr. CURTIS. No objection.

Mr. HOLLINGS. And no other amendments would be germane, nor amendments to this particular amendment?

Mr. LONG. The Senator is correct.

The PRESIDING OFFICER laid before the Senate H.R. 9091, a bill to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands, which was read twice by its title.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

Mr. LONG. At the end of June, the Senate passed a bill—H.R. 6900—dealing with the emergency unemployment benefits program. This bill, which was subsequently enacted as Public Law 94-45, also contained a minor provision authorizing the Secretary of Labor to loan not more than $5 million to the Virgin Islands during the coming fiscal year to enable that jurisdiction to continue paying benefits under its unemployment compensation program. The amendment was needed because the unemployment fund of the Virgin Islands has become depleted as a result of the recession. The provision in Public Law 94-45 authorized appropriations for the purpose of making these loans, but additional legislation is necessary to actually appropriate the funds. The Virgin Islands has an urgent need to have these loans available before Congress returns from the coming recess.

Mr. BEALL. Mr. President, the territory of the Virgin Islands is not included in the definition of a "State" under title XI of the Social Security Act. Subsequently, it is, by law, excluded from participating in the Federal-State unemployment insurance system. The Virgin Islands, however, has its own unemployment insurance program. Because it is not covered under the Federal-State system, the Virgin Islands is not authorized to receive repayable advances from the Federal unemployment account of the unemployment trust fund available to States which have depleted their unemployment insurance funds.

Insofar as the Virgin Islands unemployment fund was expected to become depleted, Public Law 94-45, the Emergency Compensation and Special Unemployment Assistance Extension Act of 1975, authorized the use of up to $5,000,000, in general funds of the Treasury, for the purpose of making repayable loans to the Virgin Islands during fiscal year 1976. Such loans would permit the Virgin Islands to continue payments of unemployment benefits under its unemployment insurance program.

The "advances to the unemployment trust fund and other funds" appropriation account was established and provided the initial appropriation from general revenues of $5,000,000,000 by the Second Supplemental Appropriations Act of 1975, Public Law 94-32. The appropriation provides general revenue advances to several funds—the extended unemployment compensation account and the Federal unemployment account of the unemployment trust fund and the Federal unemployment benefits and allowances appropriation account—to assure that sufficient funds are available to make unemployment compensation payments as they become due.

The proposed language change would include the Virgin Islands as one of the funds which could receive general revenues from the existing $5,000,000,000 appropriation for the purpose of paying unemployment compensation to eligible individuals. Loans made to the Virgin Islands would be in accordance with the provisions of title III of the Emergency Compensation and Special Unemployment Assistance Extension Act of 1975.

A loan request has already been received from the Governor of the Virgin Islands to cover unemployment benefits for the month of July in accordance with the application procedure specified in Public Law 94-45. The current status of the Virgin Islands unemployment fund is as follows:

	Amount
Balance, June 30, 1975	$29,313
Receipts, July 1975	+120,000
Subtotal	149,313
Benefit payments, July 1975	-550,000
Deficit (loan request) July 1975	400,687

The PRESIDING OFFICER. The bill is open to amendment.

Mr. LONG. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

At the end of the bill, add the following new title:

Title 2—Amendments to the Railroad Retirement Act, as amended.

Mr. LONG's amendment is as follows:

At the end of the bill, add the following new title:

TITLE II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT AS AMENDED

SEC. 201. Section 3201 of the Railroad Retirement Tax Act is amended by striking out "compensation paid to such employee" and inserting in lieu thereof "compensation paid in any calendar month to such employee".

SEC. 202. Section 3211(a) of the Railroad Retirement Tax Act is amended by striking out "compensation paid to such employee representative" and inserting in lieu thereof "compensation paid in any calendar month to such employee representative".

SEC. 203. Section 3221(a) of the Railroad Retirement Tax Act is amended by striking out "compensation paid by such employer" and inserting in lieu thereof "compensation paid in any calendar month by such employer".

SEC. 204. Section 3231(e)(1) of the Railroad Retirement Tax Act is amended by striking out the first sentence and inserting in lieu thereof:

"The term 'compensation' means any form of money remuneration paid to an individual for services rendered as an employee to one or more employers.".

SEC. 205. Section 3231(e)(2) of the Railroad Retirement Tax Act is amended by striking out the first sentence thereof.

SEC. 206. Section 3231(e)(2) of the Railroad Retirement Tax Act is amended by adding as the first sentence thereof:

"An employee shall be deemed to be paid compensation in the period during which such compensation is earned only upon a written request by such employee, made within six months following the payment, and a showing that such compensation was earned during a period other than the period in which it was paid.".

SEC. 207. The amendments made by sections 201 through 205 of this title shall apply for taxable years ending on or after the date of the enactment of this Act and for taxable years ending before the date of the enactment of this Act as to which the period or assessment and collection of tax or the filing of a claim for credit or refund has not expired on the date of enactment of this Act. The amendment made by section 206 of this title shall apply for taxable years beginning on or after the date of enactment of this Act: *Provided, however,* That with respect to payment made prior to the date of enactment of this Act, the employee may file a written request under section 206 within six months after the enactment of this Act.

Mr. LONG. Mr. President, this amendment fulfills an agreement in the Finance Committee that we would add to a revenue bill the amendment that the Committee on Labor and Welfare, in cooperation with the Finance Committee, agreed to delete from the bill as it passed the House of Representatives.

This amendment contains the text of title III of H.R. 8714 as it passed the House. The Senate has deleted that title from H.R. 8714 so that the Ways and Means Committee could consider it.

The amendment deals with the method of assessing railroad retirement payroll taxes. It essentially restores the practice existing up until this year when a new revenue ruling interpreted the law to require that these taxes be assessed as of the period when the wages were actually earned. This revenue ruling creates an administrative burden on railroad employers and provides a taxing basis which is inconsistent with the basis under which the Railroad Retirement Board credits wages to employee accounts for benefit computation purposes. This amendment will make the two procedures consistent in that for both tax assessment and benefit computation purposes wages will be considered to be earned as of the period when they are actually paid except that the employee may, at his option, request that these determinations be made on the basis of when the wages were actually earned.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 9091) was read the third time, and passed.

Mr. LONG. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BEALL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOREST LANDS OF THE KLAMATH INDIAN TRIBE

Mr. LONG. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 83.

The PRESIDING OFFICER (Mr. PACKWOOD) laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the bill (H.R. 83) to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe, as follows:

Page 4, after line 9, insert:

Sec. 3. Definition of private foundation.

(a) Subparagraph (B) of section 509(a) (2) of the Internal Revenue Code of 1954 (relating to permitted extent of private support) is amended to read as follows:

"(B) normally receives not more than one-third of its support in each taxable year from the sum of—

"(i) gross investment income (as defined in subsection (e)) and

"(ii) the excess (if any) of the amount of the unrelated business taxable income (as defined in section 512) over the amount of the tax imposed by section 511;".

(b) The amendment made by this section shall apply to unrelated business taxable income derived from trades and businesses which are acquired by the organization after June 30, 1975.

Mr. LONG. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE AFTER RECESS

Mr. ROBERT C. BYRD. Mr. President, when Congress reconvenes on September 3, H.R. 8121, an act making appropriations for the Departments of State, Justice and Commerce, the judiciary, and related agencies will be the unfinished business inasmuch as it will be laid down today in accordance with the order previously entered.

ORDER FOR CONSIDERATION OF CERTAIN MEASURES

I ask unanimous consent that following that bill, the Senate proceed to the following measures, all of which have time agreements thereon:

S. 962, a bill to amend the Federal Food, Drug and Cosmetic Act to prohibit the administration of the drug Diethylstilbesterol to any animal intended for use as food; that, upon the disposition of that measure, on which there is a time agreement, as I said, the Senate proceed to the consideration of calendar order No. 182, S. 1281, a bill to improve public understanding of the role of depository institutions in home financing, on which there is a time limit; upon disposition of that bill, the Senate then take up S. 2195, a bill to establish a national center for productivity and quality of working life, on which there is a time limitation.

Mr. HUGH SCOTT. Mr. President, what is the calendar order number?

Mr. ROBERT C. BYRD. The calendar order number is 326.

The PRESIDING OFFICER. Is there objection?

Mr. HUGH SCOTT. Mr. President, reserving the right to object, and I shall not object, I assume, while these agreements will go out in the usual whip notice, there will also be clearances before calling them up with the chairman, and ranking member or other Senators, who have put temporary holds on the bill, so we can be sure they are all notified, and we will not run into difficulty.

Mr. ROBERT C. BYRD. The only problem, I say to the distinguished Republican leader, is if we lock them in it would take a unanimous-consent request to unlock them, or by motion.

Mr. HUGH SCOTT. Would it be correct to say that——

Mr. ROBERT C. BYRD. May I finish? Or by motion upon the disposition of one of the measures, before the Chair could lay the other before the Senate, the Senate could by motion take up something else.

Mr. HUGH SCOTT. Would it be correct, then, to say that the whip notice that is going out is, if any Senator objects between now and September 3, we will ask them to advise the majority leader or minority leader so that we can cope with it, understanding that nevertheless this agreement does lock them in, but we will try to be as agreeable as possible in working out times in which they will be called up?

I do this simply because there is not time, in view of the unanimous-consent request of the Senator, for me to touch base with all the numerous Senators who may be interested.

I think we should go ahead with the unanimous-consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUGH SCOTT. Mr. President, will the distinguished assistant majority leader yield?

Mr. ROBERT C. BYRD. Yes.

Mr. HUGH SCOTT. Does the assistant majority leader expect any more votes today?

Mr. ROBERT C. BYRD. I do not expect any more.

I ask the distinguished Senator from Louisiana if he anticipates any votes. I know he cannot say, and I know he cannot commit himself. But what does he think the chances are?

Mr. LONG. Mr. President, I wish to have a vote on the excess profits tax, but I must confess that the prospects are dismal. I must confess, also, that the probability is we will not have a vote. If this Senator were to have his way we would. Let me put it that way.

Mr. HUGH SCOTT. Economics is known as a dismal science, and the distinguished chairman of the Committee on Finance is an expert in it.

I thank the Senator.

Mr. ROBERT C. BYRD. I thank the Senator from Louisiana and I thank the Republican leader.

DUTY-FREE DYEING AND TANNING MATERIALS

Mr. LONG. Mr. President, I move that the Senate proceed to consider Calendar Order No. 331, H.R. 7715.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 7715) to extend until the close of June 30, 1978, the period during which certain dyeing and tanning materials may be imported free of duty.

Mr. HOLLINGS and Mr. ROBERT C. BYRD addressed the Chair.

Mr. HOLLINGS. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. ROBERT C. BYRD. Mr. President, I do not want this motion to displace the unfinished business.

The PRESIDING OFFICER. There is no business before the Senate.

Mr. ROBERT C. BYRD. But there will be when the Senate closes today. The order has already been entered.

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLINGS. Mr. President, will the Senator yield?

Mr. LONG. I yield for a parliamentary inquiry.

Mr. HOLLINGS. A parliamentary inquiry, Mr. President.

This motion is debatable, is it not?

The PRESIDING OFFICER. That is correct.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that, regardless of what happens on this particular motion when the Senate closes its business today, the State-Justice appropriations bill be laid down then and considered as the pending business to be the unfinished business when the Senate returns after the recess.

The PRESIDING OFFICER. That agreement has already been entered into.

Mr. LONG addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG. Mr. President, on behalf of the Committee on Finance, I am seeking to bring before the Senate today an amendment which provides for the imposition of a windfall profits tax on domestically produced oil if, but only if, decontrol of oil prices takes place suddenly on August 31, 1975.

Mr. HOLLINGS. Mr. President, I do not want to interrupt the Senator, but I make a parliamentary inquiry.

Mr. LONG. Mr. President, I yield without losing my right to the floor.

Mr. HOLLINGS. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. HOLLINGS. Will we be debating whether or not to bring up calendar No. 331, H.R. 7715?

The PRESIDING OFFICER. The question is on the motion to proceed.

Mr. HOLLINGS. Thank you. Go ahead.

Mr. LONG. Mr. President, if I could have unanimous consent that the motion be agreed to, I would be glad to debate the bill.

Mr. HOLLINGS. I object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

Mr. LONG. The Senator from South Carolina has indicated that he will object, so I find it necessary to make my speech on the motion to proceed.

Of course, no one can be absolutely certain that decontrol will occur on August 31. However, in my estimation, all the signs clearly point to this result.

First, the House, on the day before yesterday, vetoed the President's plan for the decontrol of old oil prices over a 39-month period and in so doing also disapproved of his ceiling of $11.50 a barrel on new domestically produced oil.

Second, the Emergency Allocations Control Act expires on August 31, 1975, terminating all price controls on oil.

Third, Congress is due to begin a recess tonight which is scheduled to last until September 3.

Fourth, representatives of the administration have made it quite clear to many of us that the President is determined to make at least a beginning on the decontrol of oil prices at this time. Various quotations in the press from Frank Zarb and from Ron Nessen, make it clear to everyone that this is true. As a result, many of us are convinced that the President would veto any continuation of the Emergency Allocations Control Act authority to continue price controls.

I recognize that the views of the Senators vary widely as to whether or not the decontrol of oil should occur at this time. It seems to me, however, if there are to be no controls on the price of oil—no matter what one may think of the desirability of such controls—most of the Senators would agree that we should have a windfall profits tax in place before we go home.

I say this for several reasons.

First and foremost, to permit price control at this time without coming up with some device to return these price increases to the consumers for a period of years ahead could be disastrous for the economy. Economists who have studied this question are in general agreement that immediate decontrol of oil prices would have an adverse impact on the rates of inflation and unemployment. For example, Chase Econometrics, Inc., a subsidiary of the Chase Manhattan Bank, estimates that sudden decontrol of oil prices would increase unemployment by over 500,000 people by the end of 1976 and would increase the price level by 1.7 percent. The level of output in the economy, Chase predicts, would decline by $35 billion.

The increase in unemployment from immediate decontrol occurs for several reasons. There would be an increase in consumer prices for oil of $18 billion. Most of this would be reflected in lower consumer spending on other items.

A good deal of this increased revenue—about $7 billion—would be paid by oil producers in higher Federal and State taxes and thus would not be returned to the spending stream. The oil companies would increase their spending to some extent, but in the short-run they cannot possibly invest in drilling all the after-tax profits they would receive from immediate decontrol; that would require a doubling of their activity. The companies would pay out some dividends, but much of this increased revenue would not be spent and, therefore, would not affect the decline in consumer spending.

The purpose of this windfall profits tax is to take back from the oil industry those profits which they cannot reasonably be expected to spend over the short-run, so that the money can be returned to consumers to offset a large part of the increased prices resulting from decontrol. As a result, this amendment provides tax reductions, in the form of refundable tax credits, of $12 billion in 1976 and declining amounts thereafter. The tax and the credits, then, will offset most of the adverse impact of decontrol on employment that results from the transfer of income away from consumers.

Should sudden decontrol occur, there will be certain other problems, but these cannot be dealt with through tax policy. The consumer price level would rise by almost two percent. At this higher level of prices, the economy will need more money to conduct its business, and unless the Federal Reserve allows the money supply to rise by an equivalent amount, interest rates will rise. This will reduce housing and business investment. Also, the higher level of gasoline prices caused by decontrol will reduce purchases of autos, at least until Detroit begins building more efficient cars.

The tax and credit mechanism provided for by this amendment will, however, deal with many of the problems created by sudden decontrol.

In addition to the serious adverse impact on the economy, I believe that sudden decontrol of the price of oil would result in sizable windfall profits for the producers. I think that this would be unfair and for that matter in the long-run would also seriously injure the oil industry because of the antagonism that this would cause on the part of the public. I believe it is desirable not to leave these windfall profits with the oil industry and the Finance Committee has brought an amendment to the Senate floor to prevent this result.

Third, I believe that it is desirable for us to encourage producers to expand their efforts to increase our supply of oil and gas. For that reason, we have included a provision which provides for the forgiveness of up to a quarter of the windfall profits tax involved if the funds are plowed back into the types of expenditures which we believe will expand production of oil and gas. I want to make it clear that the only types of expenditures for which credit is given here are those which are above the level which one could expect the oil companies to make based upon historical experience, if they were to continue the same level of exploration and other supply-expansion activity which they have followed in the past with respect to the controlled oil.

Based on data compiled for us by the staff during our mark-up of the bill, it appears that the supply-increasing expenditures of the type I am referring to in 1976 based on present expectations could amount to something like $8.5 billion. We initially had a larger figure, but one of the items was subsequently revised downward. In 1976 the cost incurred for drilling and equipping exploratory and development wells is expected to amount to about $4.7 billion, expenditures for gathering pipelines and also for the Alaska pipeline are expected to amount to approximately $2 billion, geological and geophysical expenditures to about $600 million and the cost of secondary and tertiary oil recovery—if one only takes into account enhanced recovery projects—to about $1.2 billion.

Taking into account both the level of investment for which the plowback credit would be allowed and also the threshold level which companies would have to reach in order to start being eligible for a plowback investment, it appears that the amendment in 1976 will require almost $5.6 billion of supply-expanding expenditures. This is the requirement for old oil alone. Taking into account the plowback investment required for new oil raises this to about $6.2 billion.

There will, of course, be some overlap between these expenditures and the expenditures which would occur under existing law. However, to prevent as much duplication as possible, we have an initial "threshold" level which must be reached before any credit is available. This alone accounts for nearly $2.8 billion of investment. In addition, it should be clear that much of the existing investment will be made by those obtaining profits from new oil aside from the plowback credit on that oil. In addition, there will be others who can be expected to make investments. As a result, it seems clear to us that the plowback investment will give rise to a substantial increase in investment.

Before I explain how our committee amendment will work I want to discuss briefly an issue that I know is in the minds of many Senators. Those who particularly oppose decontrol believe that we should try and place the President in a position where he will be forced to agree to some type of decontrol legislation which is slower and more gradual than anything he has proposed yet. Those who hold this position are inclined to want to delay the consideration of a windfall profits tax until sometime in September. Apparently, those with this position envision a windfall profits tax with the funds being cycled back to the oil consumers if decontrol is to occur, but want to continue the confrontation with the President not only up to the time when decontrol takes place automatically in the absence of further legislation but also sometime beyond that. I think this would be a mistake.

First of all, if we do not act on this bill now it will be virtually impossible sometime in the middle or later part of September to retroactively impose this tax as of the first of September. Records just will not be available to show the proportions of royalty payments going to different owners which represent new oil or old oil, and Senators will find that many other types of information which it is necessary to have if this tax is to be imposed just will not be available for the retroactive period.

Frankly, I do not want to take a chance with the economy in any game of hardball with the President. I am concerned about what will happen if we allow these price increases to take affect and do not immediately recycle most of the producers' additional profits back to the consumers of oil. I believe, as I have already indicated, this would have a serious effect upon the economy, and I do not want to be responsible for delaying this recycling of income to consumers. I suggest that those who have held this view should take a second look at this. Do Senators really want to be responsible for the absence of a windfall profits tax with credits recycling the revenues back to the consumers as soon as decontrol occurs? I seriously doubt it.

Nor do I expect the President to back down from his position. Whether we agree with him or not, I think it is clear that he is convinced that the only way he is going to obtain price decontrol of oil is to do it himself. If this occurs, he will almost surely blame us for the situation. He will blame us for not having a windfall profits tax in place. He will point out that he has previously recommended one, but that we have failed to act on it. I can almost see him tearing off those calendar pages when he makes his television speech. I think that the Senators will find that we have nothing to win and much to lose in continuing this hardball game.

Let me turn now to a brief statement as to how the tax the committee is proposing will work.

First of all, no tax would be imposed until there is a complete deregulation of the price of oil.

I also want to point out that this really is three windfall taxes in one. First, it is a windfall profits tax on the deregulation of old oil. Second, it imposes windfall profits tax on new oil and any other domestically produced oil, other than oil from stripper wells, which is not subject to the first tax and which is selling for more than $11.50 a barrel. Third, the bill imposes a windfall profits tax on natural gas liquids.

I will begin with the tax on deregulated old oil.

The base for this tax in terms of the number of barrels involved will be the average of the oil produced subject to control in any given field in the months of April, May, and June 1975. The proportion of this base subject to windfall profits tax would decline at the rate of 1.5 percent a month. As a result, the entire tax will be phased out over a period of 5 years and 7 months, beginning on September 1, 1975.

The tax would be imposed on the production referred to above to the extent that the price received for the old oil exceeded what is called the "adjusted base price."

The base price in this case would be the controlled price in effect on June 30, 1975. In the average case, this is approximately $5.25, although from field to field this base price may vary by several dollars. The "adjusted" base price is this base price increased by one-half of 1 percent a month—6 percent a year. This adjustment is added to take into account increases in the costs of production which occur in the 5 year and 7 month period during which the tax is in effect.

Since this tax basically is an excise tax imposed on the excess of the price received over the adjusted base price, deductions against the tax usually are not allowed. To the extent that cost increases occur in this old oil, allowance is made for this by moving up the adjusted base price, as indicated above, each month. However, since State severance taxes are frequently imposed on an ad valorem basis, appreciable increases in these taxes are expected to occur as a result of increases in the price of oil above the adjusted base price. To make allowance for this additional cost, a special deduction is provided in computing the tax base for State severance taxes—imposed before August 1, 1975—to the extent they have increased because of the rise in the price of oil above the base price.

In addition, to prevent hardship where taxpayers have small net incomes because of casualties or other events, the amendment provides that the tax is not to exceed 75 percent of the net income from the old oil.

The tax imposed on this adjusted base is to be 90 percent of the price received in excess of the adjusted base price.

As I have indicated, there is to be allowed as a credit against the tax otherwise due amounts which are reinvested or "plowed back" into certain oil supply-expanding types of expenditures. This plowback credit may not exceed 25 percent of the tax liabilities otherwise due. In addition, this plowback credit is to be allowed only to the extent that investments exceed what is considered to be "normal" investments for the old oil at the controlled price. This threshold requirement which must be met before any credit is available is to be 40 percent of the adjusted base price of the oil. In other words, investment must be about $2 in the case of oil with a base price of $5 before any plowback credit is allowed.

The types of reinvestments, or plowback expenditures, for which credit would be allowed—and which also are used in determining whether the threshold has been met—are intangible drilling and development costs, geological and geophysical costs, depreciable assets constructed or acquired for the exploration or development or production of oil or gas including the development or production of oil shale—if the assets are new in the hands of the taxpayer—expenses for the secondary or tertiary recovery of oil or gas and expenditures for pipelines used in gathering oil—in this latter case the pipelines being built in Alaska—are also included.

The plowback investment credit would be determined on the basis of the full five years and seven months during which the windfall profits tax is in effect. In effect, the tax liability against which plowback credit can be applied is carried back or forward during this entire period, as also is any excess of plowback investment made in any given year. This result is obtained by permitting the taxpayer to recompute his tax during any period taking into account these amounts to the extent they were not fully accounted for in other years.

A special provision provides that royalty holders can qualify for the reinvestment credit not only for investments made directly or through oil drilling partnerships or syndicates, but also through the purchase of special issues of stock in corporations where the proceeds are used by the corporation to make qualified investments. Where a corporation issues stock of this type, however, the investments made as a result of these stock purchases are added to the corporation's threshold requirement so that the corporation and the individual do not both receive credit for the same investment.

In addition to the deregulation profits tax I have referred to up to this point, the amendment also imposes a windfall profits tax on all domestically produced crude oil which is not subject to the deregulation profits tax other than oil from stripper wells. This windfall profits tax on new oil would be imposed to the extent the price received exceeds the base price of $11.50. This base price, however, would be adjusted upward, to reflect an inflation factor, at the rate of one-half a percent per month.

Initially, domestically produced oil not subject to the deregulation profits tax would be subject to this windfall tax on new oil. However, this tax also would be phased out over a 5-year and 7-month period by reducing by 1.5 percent per month the proportion of the oil to be included in this tax base.

The same 90 percent tax rate would apply to the extent the price of the oil not subject to the deregulation profits tax exceeds $11.50—with the inflation adjustment. Also, the same plowback provisions would apply as in the case of deregulated oil, except that there would be no additional threshold requirement in this case before the plowback investment credit would be available.

Here, as in the case of the deregulations profits tax, stripper well production—where the average production is not more than 10 barrels per well per day—would not be subject to the tax. This is because of the desire to encourage stripper well production to the maximum extent possible and because the costs of stripper wells sometimes tend to be quite high.

The third category of items subject to a windfall profits tax is natural gas liquids. The windfall profits tax in this case is applied to the first sale of natural gas liquids or natural gas liquid products—that is, propane, butane, and natural gasoline. This sale normally takes place after the liquids have been extracted from natural gas—from either an oil or a gas well—but can take place before or after the liquids are processed into the products. A constructive sales price rule is included for cases where an integrated producer markets its own products at the wholesale or retail levels.

The amount of the tax is to be 90 percent of the excess of the sales price over the FEA price control ceiling price in effect on June 30, 1975, plus an inflation adjustment of one-half of 1 percent per month. The natural gas liquids and products which are subject to the tax equal the actual amounts of those liquids and products sold in any month which are under a contract in effect as of June 30, 1975, reduced by the 1.5 percent monthly decline factor. Thus, natural gas liquids produced pursuant to new contracts will not be subject to the tax.

The tax is to be paid by the person making the first sale of the natural gas liquids or natural gas liquid products. A special rule is provided for cases where producers and processors share in the profits from the first sale—under a so-called net-back arrangement. Under this rule the revenues subject to the net-back arrangement are to be reduced by the amount of the windfall tax. The 75 percent of net income limitation is applied separately for each taxpayer.

A plowback tax credit equal to 100 percent of the amount of any windfall profits tax liability on taxable natural gas liquids or natural gas liquid products is allowed, but only for investments in assets that relate to the extraction and processing of natural gas liquids and products. These investments include new and expanded plants and plant equipment, plus gathering lines to bring the liquids to processing plants.

The tax applies only to sales occurring after August 30, 1975, and before October 1, 1975. The committee in this case decided to impose the tax only for the month of September but during that time will review the effect of this tax to see whether it should be extended and if so, in what form.

As has been indicated previously, the committee desires that most of the windfall profits tax revenues as well as the increase in corporate and individual income tax collections resulting from the deregulation of oil, be recycled, or paid back, to those who purchase the oil or oil products at the higher prices. This is intended in order to compensate consumers for these higher costs and in order to give assurances that the deregulation will not lower the standard of living. As a result, the bill provides credits against income taxes of the following amounts:

1975	$34
1976	85
1977	75
1978	63
1979	52
1980	42
1981	24

These credits are to be refundable to everyone over age 18. The size of these credits was based on estimates of the revenue expected to be obtained from the deregulation profits tax—but not the new oil windfall profits tax or the tax on natural gas liquids—after the allowance for the plowback credit, the increase in corporate and individual income taxes expected as a result of the deregulation of oil, and also the revenue expected to be raised from the $2 tariff on oil imposed by the President earlier this year.

For those paying income tax, the credits are to be taken as credits against this tax. For those who owe no income tax, refunds are to be available for the amount of the credits involved. The use of per capita credits against the income tax for those age 18 and over represents the best division the committee could make of the funds to be distributed in accordance with energy use. The dividing line at age 18 was taken because a significant part of energy costs for the average family represents the use of gasoline and cars generally are not driven much by those under age 18.

The Internal Revenue Service is instructed by the amendment to adjust the withholding rates of taxpayers to take into account these credits against income tax designed to offset the deregulation of oil prices. The committee concluded that it was important to make provision for reduced withholding in these cases in order to return the funds representing price increases in oil to the consumers as quickly as possible. This is desirable both from the standpoint of the effect on the economy and from the standpoint of equity among taxpayers. Those not subject to withholding can obtain the benefit of their credits by filing income tax returns at the end of the year, and by either receiving refunds or reductions in the tax otherwise due.

To be sure that duplicate claims are not filed, credits are to be allowed only to the extent that taxpayer identification numbers are shown on tax returns. Credits may be taken on a return only by the taxpayer and his spouse. Individuals 18 and over, even though taxpayers, would nonetheless file returns and get their own refunds by claiming credits.

As I said, we are returning these additional costs to the people through income tax rebates. These are set forth in the same type of language that we enacted for the 1974 tax rebate in the Tax Reduction Act earlier this year. We are doing this the same way in this amendment because we want the States to treat these payments the same way that they treated the 1974 rebates as overpayments of tax. These payments or decreased taxes resulting from these credits should not be taken into account as income to the people who are receiving these amounts either for Federal or State income tax purposes.

The revenue raised by the amendment before taking into account the income tax credits to consumers, but after the plowback credits for investments by the producers, is estimated at $11.8 billion in terms of calendar year liability for 1976. Thereafter the revenue gradually decreased to $9.7 billion in 1977, $7.9 billion in 1978, $5.9 billion in 1979, $4.3 billion in 1980, and $900 million in 1981. In 1975, the liabilities arising from the tax, since the tax would be imposed only for 4 months, would amount to $4.6 billion or considerably less than the 1976 revenues. Over the entire period it is anticipated that the revenues from this tax would amount to a little over $45 billion. I ask unanimous consent to insert a table at this point in the RECORD which sets forth these revenue estimates in greater detail.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

ESTIMATED WINDFALL PROFITS TAX REVENUES AND ADDITIONAL INCOME TAX REVENUES FROM THE DEREGULATED PRICES, TOTAL, CALENDAR YEAR LIABILITIES, 1975-81

[In billions of dollars]

	1975 [1]	1976	1977	1978	1979	1980	1981 [1]	Total 1975-81
Deregulation profits tax	4.3	11.0	8.3	5.8	3.3	1.2	.1	34.0
Less plowback credit	1.1	2.7	2.1	1.4	.8	.3	(2)	8.5
Deregulation profits tax after plowback credit	3.2	8.2	6.2	4.3	2.5	.9	.1	25.5
Income tax on deregulation profits	.6	1.4	1.7	1.9	2.2	2.4	.6	10.8
Deregulation profits tax and income tax on deregulation profits:								
Total tax on oil, oil being deregulated	3.8	9.7	7.9	6.3	4.7	3.3	.7	36.3
Revenue effect from tax on price above $11.50 of new oil	.4	1.0	.8	.6	.3	.1		3.2
Total, including tax on new oil	4.2	10.7	8.7	6.9	4.9	3.4	.7	39.5
Revenue effect from natural gas liquids	.4	1.1	1.0	1.0	1.0	0.9	.2	5.6
Total, including natural gas liquids	4.6	11.8	9.7	7.9	5.9	4.3	.9	45.1

[1] Figures do not reflect full year.

[2] Less than $50,000,000.

Mr. LONG. Mr. President, the credits are designed to return to consumers the revenues from the deregulation tax on old oil, but not from the tax on new oil or the tax on natural gas liquids. In addition, the credits to consumers also return to the consumers the revenue expected to be raised by the President's $2 tariff on imported oil. Taking into account both the deregulation's profits tax and the revenue from the import fees, it is estimated that there will be returned to the consumers in 1976, $12.8 billion. In subsequent years this declines gradually from $11.4 billion in 1977 to $9.8 billion in 1978, $8.2 billion in 1979, $6.7 billion in 1980, and $3.9 billion in 1981. The 4-month credit to consumers for 1975 would amount to $5 billion. Over the entire period this represents the return to consumers of nearly $58 billion in what otherwise would have been uncompensated-for increases in oil prices. We believe that this rebate is essential if the economy is not to receive a severe jolt from the deregulation of oil prices.

I urge the adoption of the amendment.

Mr. President, I have considered this matter as a member of the Committee on Finance. The committee, by a vote of 13 to 1, the last time I looked at the tally sheet—liberals, conservatives, and moderates—all agreed almost unanimously that we should try to have a windfall profits tax in place in the event that the control on oil prices expires before we are able to return. I realize that there are many difficulties involved. There was doubt that we could obtain action in the House, even though we were able to act in the Senate, but I do believe this matter should be presented to the Senate. I believe the record will be very illuminating when we come back in September as to whether it would have been a desirable thing to have acted prospectively rather than have placed ourselves in a position where windfall profits have already occurred and we subsequently find ourselves unable to tax them retroactively, or retroactively to cycle.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. HOLLINGS. Mr. President, will the Senator from Louisiana be kind enough to answer this question: In the hearings of the Committee on Finance, did they determine a need for an excess profits tax without total decontrol? Regardless of whether the President vetoes it or not, taking the matter as of today did the distinguished chairman and the Committee on Finance determine any need for an excess profits tax?

Mr. LONG. We had testimony and recommendations for a windfall profits tax whether we had partial decontrol or total decontrol. It looked to this Senator, and I think to a majority of us, as though there would be only a very small amount of windfall profits in the beginning if we had partial decontrol, as suggested by the President in his 39-month decontrol plan. Therefore, that situation did not present any emergency that created a great problem. However, we felt that sudden decontrol, which is in prospect, would create a very serious problem, requiring a windfall tax, and also a recycling of most of those profits back to the consumers, as I have indicated in my statement.

This tax will only go into effect in the event there is total decontrol.

Mr. HOLLINGS. I see, but the Senator said, whether there was partial or total decontrol, there is a need for excess profits tax?

Mr. LONG. We had testimony to that effect and I believe I agree. Certainly I think we should if there is total decontrol.

Mr. HOLLINGS. I just wanted to find out if we could agree on one thing, and that is that there are some excess profits being made even now.

Mr. LONG. I am not saying they are being made at this moment, but I have no doubt that if total decontrol comes into effect, there will be some very large profits that should be taxed.

Mr. HOLLINGS. Mr. President, I do not know which phase of this particular proposal I should address first, whether I ought to begin on the bill itself about tanning—I think the bill refers to tanning some hides and that is about where this windfall profits proposal belongs if we continue on this particular course.

The arrogance, and I am not talking about the President, but about this administration, the arrogance of this administration, in the closing hours before Congress goes into a recess that has been set since January, to have the friends of the administration on the Committee on Finance preempt the ordinary course of events where all revenue measures should derive, in the House—to bypass the House, which has not had hearings on this excess profits tax, bypass the ordinary procedures and come up with an excess profits tax on the basis that it is of such an emergency nature, they are going to bull their way through, with over a two-thirds vote on the House side and a two-thirds vote on the Senate side for orderly, reasonable, economically sustainable price controls. That is exactly what the House did yesterday by a vote of some 303 to 117, almost 3 to 1—after considering and rejecting the President's proposal they passed the 6-month extension of control authority. The President has friends. He is generally well received; he presided in this body for a short time. He was my personal guest in South Carolina last year, and knowing him personally, I know that he did not know anything about energy.

Back then is when I introduced him to my friends in South Carolina. I said, "Whether you like it or not"—and I knew I was introducing him to a Nixon crowd—"I believe I am introducing the next President of the United States and that he will be the President before the end of the year." That was in March and I was somewhat prophetic. I was glad to have him there in South Carolina.

I talked to him then about energy because I was worried and could see things coming down the road. I contacted Robert Hartmann on the staff, and others, when the President was finally vaulted into this position of responsibility. We all got together on the economic summits. When it came to energy, I asked for a chance to discuss some of these problems. I happened to start with this many years ago, though, of course, I recognize that I still have a lot to learn and I learn something new each day. I started with it back in 1967, in the first hearings held on the subject that year, some 8 years ago. With the Federal Power Commission blackouts and brownouts for 1965 and 1966, 10 years ago, the energy crisis physically hit this country.

Twenty some years ago, the Paley Commission spoke of it. Four years ago, 3 years ago, and 2 years ago, we passed through here, by overwhelming votes, a bill for the Energy Policy Council to try to establish a policymaking ability in the executive as we have done in the Senate through the ad hoc committee.

Let us talk a little about energy. When I was asked to chair the hearings in 1967 on brownouts and blackouts, I personally declined. Senator MAGNUSON, the chairman said, "You go and chair those hearings."

I said, "Look, I know a little about the Federal Power Commission, but not much."

He said, 'Don't worry, you are the freshman fellow, you get up there."

Well, I thought with the full Federal Power Commission, and with my colleague being there that, we would have a great press turnout, Walter Cronkite and John Chancellor, and national TV, and I would surely get wonderful coverage. There I would have only been in office a few months, and everybody would say, "There is that fellow HOLLINGS already running the Government."

I went up to the hearings on the blackouts and the brownouts and there was not any Cronkite or Chancellor or any of the working press. There were no cameras or lights. There was one lone reporter. Why? Because, as I learned later, they had found out that while we in Commerce thought we had energy or power, that the Federal Power Commission was in control of this particular problem of utility sitings and otherwise, in contrast, our friend from Interior, Senator JACKSON, with fossil fuels and all these, thought he is in charge; until, of course, they run into, perhaps, Senator RANDOLPH of Public Works who, with siting on coal and the like, knows he is in charge; until our distinguished colleague from Rhode Island Senator PASTORE comes along, who chairs the Joint Committee on Atomic Energy, and he says, "What is he talking about? The whole solution is nuclear and I am in charge."

They go right on through all the different chairmen until they come to the real one in charge, the Senator from Louisiana, the chairman of the Finance Committee. [Laughter.] And he knows and they know why he's really in charge.

Whether, for example in drilling overseas, those costs are considered as a tax or a royalty determines in large measure their drilling programs and the exploration and development, that is a Treasury matter, and that is a Finance Committee matter, and he controls it.

Facing up to this problem we developed the energy and fuels policy study. When the embargo hit—and I say this for our good colleagues of the fourth estate—when the embargo hit in October 1973, we in the Senate were able to meet together and within a 5-week period, by December 12, we had passed an Energy Policy Council bill, the conservation bill, an allocation bill, a research and development bill, and a Fuels and Energy Allocation Act.

Now, that brings me right to where we are at this moment under the law. We passed in November 1973 and later the bill signed into law, entitled "the allocation act, the allocation of oil, residual fuel oil, refined petroleum products, to deal with existing or imminent shortages or dislocations in the natural distribution system which jeopardize the public health, safety or welfare; to provide for the delegation of authority to fixing of prices, and for other purposes."

It is interesting that Senator MAGNUSON, Senator JACKSON, Senator FANNIN, and Senator HANSEN all agreed to this particular law. This law was a very liberal one, and it was intentionally liberal for the people were lined up trying to get gas at filling stations. While there was a price problem, the greatest problem of all was allocation, and we did not have any particular statistical studies of what an embargo and an Arab OPEC trade cartel meant to the well-being of America.

We had only experienced it for less than 2 months. We knew that in trying to give the President some kind of authority before the Congress adjourned, it had better be on the liberal side, in order to give him every kind of discretion he would possibly need to administer an intelligent and reasonable program for prices and allocation.

So we wrote into the law that the President, and we directed him, and it said in section 4(a) that the President "shall promulgate a regulation providing for the mandatory allocation in amounts and at prices."

Then it gives a long list of criteria: for the protection of the public health, safety; the maintenance of public services; the maintenance of agricultural operations; the economic efficiency; the competition within the industry; and using all of those particular criteria we wrote in section 4(g)(1) that the President could amend that regulation so long as such regulation, as amended, meets the requirements of this section; namely these criteria. Both Houses having passed it and the President having signed it, this bill became law, Public Law 93-159.

This is the law, Mr. President and my distinguished colleagues. This is the law that we have extended at one point in February for 6 months, and this is the law which passed again by an almost 3-to-1 vote in the House, 303 to 117, and a 62-to-some-28 vote on the Senate side, over a two-thirds vote in both Houses want the authority extended. We did so after having heard all of this talk about high-noon showdown compromise, having poor Mr. Zarb running back and forth promising this and that either taking the 60 cents a barrel off residual and home heating oils to try to get the New England vote, trying to change natural gas regulations out in the Midwest or, trying to get the farm vote for a claptrap approach to the energy problem, and after hearing them say "I am tired of fooling around. Either I am going to have it my way or else."

By a two-thirds vote of the people's representatives in both bodies, we have asked our President of the United States, in a very deliberate and serious way, "Mr. President, extend it 6 months. If you must increase price you can use the same provision which President Nixon used. In essence, you can put in a 39-month extension or phaseout of old oil according to your own conditions."

I do not recommend this authority. I oppose it but, under the law, the President of the United States can announce a decontrol plan tomorrow and it will have the force of law, so long as the President complies with his own Executive order. I am tempted to ask the Secretary of the Senate be directed to send this order to every newspaper in the country, because they have not covered it other than as a "High Noon" story. "Well, is the President going to blink or is the Congress going to blink?" The press frames this as a crisis, and this one vote or one veto or one act by either body or once act by the President is the crucial one and is going to give us energy policy. Absolute nonsense, absolute nonsense.

What we have is a specific, legal situation.

What is the case is that we do have a law that has been working but the President, in order to take decontrol action on his own under the law and his own order, must comply with that Executive Order No. 11821 on inflation impact statements dated November 27, 1974, and signed, "Gerald Ford."

In November, when he signed this order, the President had in mind inflation, and in January, when they were promulgating the rules and regulations under that order, it said:

> No executive action should be taken until we get, No. 1, the cost impact on consumers.
>
> 2. The effect on productivity of wage earners.
>
> 3. The effect on competition.
>
> 4. The effect on supplies, materials, products and services.
>
> 5. The effect on employment.
>
> 6. The effect on energy supply or demand.

Now, Mr. President, that is what the hang up is to using this approach, the President of the United States cannot certify that this plan is noninflationary. He cannot obey his own Executive order. This is not really the emergency situation he would have you believe it is. There is no law expiring with no power or recourse for him. All he has got to do is sign his name to a decontrol plan that can be economically justified. We have not changed the rules of the game, and we continue to vest in him this liberal discretion we enacted last year—to deal with an economic and an energy problem that could change from day to day. It should be liberal, and extensive in the various avenues of approach it grants the President under the act, the various discretions that he has, the various alternatives that are provided.

Now, Mr. President, he ignores that law; in fact, he ignores the energy problem.

He has got himself hung up on prices and time is running out. What he wanted in this charade is not so much in a spirit of compromise between the executive and legislative branch, but more; he wants the Congress to participate in the ruse. He says:

> I know I can do it, but I want you to adopt this bill. I want you to say, "Yes, oh, Lord, old oil ought to go up to $11.50." I want you to go along with that, because next year in the reelection, when these inflation effects come home to roost, more unemployment and higher prices, and a confused situation in Congress, they were floundering, not doing anything, I tried to do it, I know it has not been good, but remember, Government is a compromise.

And he will just fuzz that whole issue.

Mr. President, the issue is not fuzzed, and we are not going to allow it to be fuzzed with any excess profits tax.

What is the issue? The issue is an energy problem, and how it should be approached. It can be approached on the one hand by the price approach taken by the President. It can be approached on the other hand by a positive action approach.

I dislike the use of regulation. I have been fighting OSHA and their crazy regulations.

Pure nonsense.

We saw how the HEW regulations can become ridiculous and I have opposed those, for example the title IX regulation. I am not a sexist, I believe in equality. Equality is not the problem.

The problem is too much Government regulation with no legislative approval—and in this case with no practical sense. How can you take, for example, the athletic budget at the University of South Carolina, the football team appropriation of $3 million, and cut it in half, with $1.5 million given to female athletics and $1.5 million to the football team?

What would they spend the women's share on, and what would happen to the football program—which is the backbone of the athletic department—with half a budget?

There is a great deal to spend in big athletics, and we do not play LSU on a million-dollar football budget. We had better get into the $3 million league.

So, in a desire to have not equality of opportunity but equality of outcome, equality of result, we have come too far.

But in the case of energy if we do not use the regulatory approach by Congress and take the price approach instead, what happens? Let us look at it. We do not have to conjecture. It is absolute economic disaster.

The President was with us last year, remember, and he was worried about inflation as were the rest of us.

You will recall that Mr. Sawhill was dismissed when he started talking in October about an increase in the tax on gas, saying that the price of gas would go up, and the President of the United States was so incensed that Mr. Sawhill was discharged.

In the campaign, when he came to South Carolina, he said he was not considering any increase in gas prices and costs; they were too high already.

On November 23, the President of the United States said that under no circumstances would he consider any increase in the gas tax.

Then, in December, before the Business Advisory Council, the administration said the principal cause for international inflation, for this impending recession, and—for the first time—high unemployment, is the inordinate and unsupportable price, the OPEC cartel price of oil.

It zoomed on up and was wrecking the economy, and we were trying to set conferences and hold the line.

Then we had a cargo preference bill that the Senator from Louisiana and I supported and sent him by overwhelming majorities on December 31. He vetoed it as being inflationary. They must have an outright veto office in the White House. I have never heard of one before, but this President must have one, for he is way ahead of President Johnson, President Kennedy, and President Nixon already, after only a few months.

The President says, as to the cargo bill:

> I veto the cargo preference bill because the 12-cent increase in the cost for a barrel of oil, that it would have cost on December 31, 12 cents would be inflationary and, therefore, I veto it.

But the President now has changed and succumbs to the manipulations and charm and persuasion of Henry Kissinger. I will never forget the distinguished Secretary of State:

> Vot do you mean, invasion? This is just a little incursion.

When they went into Cambodia we had S. 207 rammed down our throats. He is very persuasive and I can hear him talking to Gerry:

> We are going to do something with the Arabs. You watch me. Just join me on the price approach, and while it will cause that congressional crowd some consternation for a while, we can solve these international problems and have world peace.

I do not know any better way to describe the persuasion with respect to the price situation. By January 20, in his message to the joint session of Congress, President Ford had forgotten the 12-cent inflation of cargo preference, and announced:

> I'm upping it to $3. I will put on $3 a barrel excise tax on the one hand—I am joining the Arab sheiks—and also, I will take off controls of all prices.

So now we can look with some hindsight. Obviously, they were looking at the end of July and saw if they could keep Congress confused, they could get what they wanted. I hope that the free press works and that the real message comes through so all can see exactly what has happened and will happen if we continue on this course.

Let us talk about the distinguished chairman of the Finance Committee in the terms of compromise. What have we had under the Ford program and the OPEC cartel program, which are hand-in-glove?

I never have been able to read the English language in a canceling out fashion where the President supports, in fact, the OPEC cartel approach and in the language that he employs when he sent over his plan for the 39-month decontrol, he says that the way to get out of the clutches of the OPEC cartel is to embrace their methods, to join them, to raise the price, too.

If we can keep raising it faster than they can, maybe they will consider us more inflationary and crazy than they are.

Whatever the rationale is, I am not sure. In any event, we have compromised the price of a gallon of gasoline from 32 to 62.8 cents for regular and 67.8 cents for premium, according to what I saw yesterday at the Exxon station.

That is the crowd that kept running on the TV thing saying "We would like you to know."

Three years ago I started asking them questions and they would not let us know anything. They would not let us know their reserves. They would not let us know what contracts or arrangements they had with the Arab nations. Today, the national policy of this Government operates in the dark on energy because big oil has kept the facts away from the government as well as the people. They quit using that, "We would like you to know." They still keep it all to themselves and only want you to know what they tell you is so.

So we have found out now we have compromised the price on up to 67 cents. We have compromised 9 million into unemployment. We have compromised ourselves into a $69 billion deficit. We have compromised new oil from $3.40 a barrel to an average of $12.50 a barrel. We have compromised $2 of the President's $3 tariff program. As we leave at recess, the story to write is not who won or lost the President and the Congress. Just write the fact that the people want to know what is happening under the price approach.

We have had that approach more and more forced on us from October 1973, to now, October 1975, almost 2 years.

I was in the conference when we were marking up the bill and we held the price of old oil down. We got to new oil. We listened to the new arguments. Bill Simon was then the energy czar. He said:

> If you let the new oil go up to the OPEC cartel, there will be oil, refinery capacity will be up and we will have all the oil.

That is at a time when we were talking about $10.20, and then it went to $10.80, then $11.40, and it now is $13.50, but the average is $12.50.

Take a barrel of oil. When that is sold new it releases a barrel of old and takes the new price of $13.50. They realize they are getting the bonus from an old barrel of $17.50 for that new oil.

With that high-price approach, what is the result? If President Ford came and took his final exams now he would flunk. Rather than refinery capacity going up, it is 500,000 barrels a day down; and rather than imports being restricted or lessening, the import of foreign oil is up 500,000 barrels.

So we have had the high-price approach. I say enough of it.

Let us say something about the elasticity of demand. It is a most interesting subject. Let us take a basic commodity such as oil and gas and combine it with a State's plan for development, for example, as we did in my State. We carpetbagged all the northern States we possibly could to bring in industry. We did not put that industry in downtown Charleston, Columbia, Greensville. Luther Hodges and I were competing and we put it out in the boondocks, in little towns, in Summerville, Orangeburg, Bowman, outside of Aiken, where my senior Senator lives, the Owens-Corning plant. All of these plants were put out of town 10, 15, or 20 miles, with plenty of room for parking, with open air. They could all build on land on a one-story basis. They could have efficiency of production. It also means a lot of driving for workers.

So if we have raised that price, as we have, from that 35 cents up to 67 cents, a fellow cannot go halfway to work to conserve, or he cannot just go to work and not come home. There can be some carpooling, which we tried to promote. It was working pretty good until the President abandoned his own program of WIN, whip inflation now. But what really occurs is the elasticity of demand with respect to a basic commodity like automobile gasoline or home heating fuel is limited, it has very, very little give even with these high prices. So other things must give way. So people are not buying cars. They are not buying textiles. They conserve, but they just do not conserve on that gasoline, they conserve on all expenditures so they can afford to pay the heating bill or the commuting bill.

Completing the thought, the President's program has not worked on the one hand because of the limits on demand elasticity. The people have to have gasoline. We are going to have to approach the problem not after getting the car but rather at the time the car is built. The automobile fuel economy bill passed both Houses and it is ready to go.

This, my distinguished colleagues, will save us on the first model, in 1977, 265,000 barrels per day; by 1980 it will save 780,000 barrels per day; and by 1985 it will save 2 million barrels per day. Do you see it? Do you get the gimmick? We know what we are doing. It is computing in. It is a direct approach of positive action, necessarily enforced by regulation and requirements reasonably promulgated so that we will save on cars alone 2 million barrels of oil a day, the equivalent of the Alaskan pipeline production, by 1985. We will have the Alaskan pipeline by the end of 1978. The Congress' plan does it directly rather than indirectly—just raising the price, looking around and waiting, and then raise it some more and then looking around and waiting some more. All that is certain is that then the OPEC cartel raises the price too.

That is conservation by recession. You can do it that way, if you want to wreck the country.

Mr. LONG. Will the Senator yield for a question?

Mr. HOLLINGS. I yield.

Mr. LONG. I compliment the Senator for the fine speech he is making, but might I ask if he would not agree with me that, assuming that complete decontrol takes place, would it not be better that we had a windfall tax in place to tax windfall profits rather than to have decontrol occur without a windfall tax, knowing that the records would not be available to us in order to adequately tax windfall profits retroactively?

Mr. HOLLINGS. Let me try to bring this to a conclusion. The distinguished leader is ready to go. Summer is here and we have to get back by Labor Day.

The point is this: profits, as the Senator answered the first question, are not the problem as we stand here. The Senator said that. It could be a problem. If it is a problem, it will commence, under the Senator's scenario and President Ford's threatened scenario, some time in September and we can deal with it. I will let them get an extra few weeks' profits and do it deliberately.

The Senator talked about his distinguished Finance Committee, and they are distinguished. But they would not let through an oil depletion allowance. They kept killing it. They said over their dead body, that they would not report one out. But we got one out in March and 82 Republicans and Democrats in this body voted for it, and it applied retroactively to January 1.

Having saved the taxpayers an oil depletion allowance in March of some $2 billion to $3 billion as it graduates up into that third year, I do not want to take it away as we leave town the 1st day of August. With the Senator's so-called 90-percent excess profits tax with a 25-percent investment writeoff or plowback, it just so happens that 90 percent of the 25 percent ends up at 22.5 percent, exactly the oil depletion we repealed.

It reminds me of when we had a contest for an insurance company slogan. After many suggestions were made, the winning slogan for that particular insurance company was that "The Capitol Life will surely pay if the small print on the back does not take it away."

That is exactly what you are doing. You lost in March in the Finance Committee, by the will of the body. Eighty-two Senators voted for that, and you, in a very clever way want fine print to take our victory away. Why was big oil out there in the hallway yesterday, looking for an excess profits tax? My instincts tell me when you have an excess profits tax and the big oil boys gather out there in the anteroom to support it, and—you could not even get through the crowd out there who were trying to get the bill through—something is wrong with it, and what is wrong, of course, is that there is a big pot to divide around, all of the excess, and while the Government will get some, their share goes down while the oil share goes up and up.

A rebate of some $12 billion is no benefit when the cost is $44 billion. You say you are going to give that widow $85 in the third year which is the highest rebate, but she pays in increased costs $330. That is the arithmetic of this very complex measure that the distinguished chairman would have us pass in the closing hours.

I think it is wrong, it is ill-considered, and it should really have started over on the House side, and certainly should have been brought up at a time when we could all be present and bring in our amendments and study it closely.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. HOLLINGS. Yes.

Mr. LONG. Surely the Senator knows that there is nothing in the amendment to forgive the individual income tax that is owed. There is nothing in here to forgive the personal income tax that is owed. They are owed in any event. But this puts a 90 percent tax on top of those two taxes.

The Senator has said that this proposal would permit companies to keep 22 percent of that which would be taxed, but I would ask the Senator if it is not true that if we do not have this tax, they would be able to keep 100 percent of that which we propose to tax here.

Mr. HOLLINGS. Mr. President, let me try to answer that. I do not mean to be in a roundabout fashion, but the distinguished Secretary of the Treasury spoke to the bankers' association in my State on May 23, and I shall quote just parts of his talk, though they are not out of context in that sense.

He said in this talk:

> As we begin, now, to work our way out of this quagmire, it is time to start directing our attention away from the instant gratification of today and towards the challenges of tomorrow. We must put our economy on a course that is sustainable both politically and economically over the long road.

Then he said further:

> Let me turn, now, to some of the longer range challenges that we face for in making policy choices both in Government and the private sector, we should be looking not just at the next two or three years but at the next decade and beyond.

And then he finally—I am trying to congeal it under time requirements here—gets in and says:

> Indeed, the single most important element in our international economic policy is to maintain a strong, noninflationary policy here at home.

What the excess profits tax says for the administration is the exact opposite. It says, "Let us inflate it, let us raise it up $44 billion." Let me quote what the distinguished Senator LONG said just then:

> Economists who have studied this question are in general agreement that immediate decontrol of oil prices would have an adverse impact on the rates of inflation and unemployment. For example, Chase Econometrics Incorporated, a subsidiary of the Chase Manhattan Bank, estimates that sudden decontrol of oil prices would increase unemployment by over 500,000 people by the end of 1976 and would increase the price level by 1.7 percent. The level of output in the economy, Chase predicts, would decline by $35 billion.

That is not corrected by a windfall profits tax. It is to some degree, but once the ripple effects occur and go through the economy, then you have got just exactly what the distinguished Senator was pointing out; you have got that builtin inflation, and you cannot get that money back to the farmer with his high price on fertilizer, and that commuter commuting to that job is still paying those high fuel prices. Mind you me, that windfall profit is written in disappearing ink, and you do not get it back to that poor widow on social security after she has had to pay the increased light bill which is now becoming higher than a cat's back.

The President's program cannot work because they do not put into the computer the fact that the supply in the United States is finite. We have only got 30 years of oil, and we have only got 15 or 20 years of natural gas.

If you have organized an oil company, you have not organized it to go out of business in 30 years; you have organized it to sustain and compete, and if I ran any one of the big oil companies I would do exactly what they are doing. They are making these big profits. There is no better investment than a plowback, because it is finite and too it is needed right now to sustain, and with the OPEC cartel lording in and going up $2 more in September, without any relation to demand and supply, arbitrarily increasing these prices, you are making all the profits in the world.

So they plow it back in, not in the United States, domestically, but almost half is plowed back in in Indonesia, Nigeria, and other places abroad. trying to get out there to develop new sources of supply overseas, and trying to get in on the new markets like Japan, West Europe, Africa, and otherwise.

That is where the front line for big oil is, and its competition is all above, beyond, and abroad. But the front line at home is the energy crisis, and that problem is right here in the United States.

In contrast to the President's indirect approach of raising prices and inflating the economy and causing high unemployment, and hoping it will work, the other alternative has been employed by Congress. I ask unanimous consent to have printed in the RECORD a list of some 19 different measures that we have been working to enact.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL ALTERNATIVES TO THE PRESIDENT'S PLAN OF HIGHER PRICES

Congress has been acting throughout the spring and summer to enact an alternative to the President's program of high and higher prices. The measures which have been acted upon in whole or in part include:

1. Disapproval of the excise tax—H.R. 1767—vetoed, March 4.
2. Repeal of the oil depletion allowance—$3 billion gain for the taxpayers—H.R. 2166.
3. Strip Mining Act—H.R. 25—vetoed.
4. Standby Energy Authorities Act—S. 622—in conference.
5. Six month extension of price control authority—in S. 1849 passed the Senate and the House. Earlier extension with price rollback to January 1, 1975—H.R. 4035—vetoed.
6. Strategic Reserves Act—H.R. 49—passed the Senate and in conference.
7. Naval Petroleum Reserves Development Act—H.R. 49—in conference.
8. Coal Conversion Act Extension—vetoed earlier in H.R. 4035 and now in S. 1849—passed the Senate and House.
9. Automobile Fuel Economy Act—passed the Senate as S. 1883 and contained in H.R. 7014 on House Floor.
10. Coastal Zone Amendments for Energy Facilities Siting—S. 586—passed the Senate.
11. Offshore Drilling Amendments—S. 521—passed the Senate.
12. Appliance Labeling Act—passed the Senate as S. 349 and also contained in H.R. 7014—House Floor.
13. Natural Gas Act Amendments—S. 692—on Senate calendar.
14. ERDA Authorization—S. 598—passed the House and Senate.
15. Railroad Rehabilitation Act—S. 1730—passed the Senate.
16. Energy Production Mobilization Board—S. 740—to be reported to the Senate in September.
17. Industrial Conservation Act—S. 1730—to be reported to the Senate in September.
18. Energy Policy Council—S. 580—passed the Senate 3 times.
19. Omnibus Energy Bill—H.R. 7014—contains many of the previously cited Senate—passed measures plus a provision for revised oil pricing—likely to pass the House August 1, 1975.

Mr. HOLLINGS. I have been talking about automobile fuel economy. I have been talking about mandatory conservation. We have been talking about trying to convert to coal. We are talking about the offshore drilling, which the Senate has passed, the coastal zone impact—there is a series, and it is tough and it appears confusing, it is complex; it is not easy to hammer out these agreements and get a concurrent majority in both Houses and both parties on exactly how this should be done.

But we have been like the tortoise and the hare, Mr. President. Congress has been the tortoise, plodding along after actual conservation, and the President is the hare, prancing all over the totalitarian countries, showing how he can love and hug and détente.

I tell you right here and now, if he comes back, having been given a law that President Nixon could work under and never ask for repeal of, and which this President could have worked under and has been working under, and there is no crisis—there is a problem, which we are trying to face up to but what makes it a crisis is the President's political intransigence in insisting on using the high-priced approach—if he comes back and arbitrarily vetoes the extension and says, "Congress has not given me any other program or any other alternative," that, in my judgment, is false, false, false.

I do not want that discolored with any excess profits tax.

Mr. LONG. Mr. President, will the Senator be kind enough to yield for a moment?

Mr. HOLLINGS Yes.

Mr. LONG. Mr. President, I believe that Senators and I think all those who are interested in this debate will want to study some information which I would like to make available to the RECORD, which I think can help all of us in debating this issue when we come back in September.

It is a chart that I have sent to every Senator in separate mail, and I know Senators have all been very busy and some may not have had an opportunity to look at it, but it is the information that has been compiled by the staff of the Committee on Finance showing the rates of return on shareholders' investment for 10 major companies.

I think it important that we should have the information to show what the earnings are with regard to the domestic activities of companies as distinguished from their foreign activities.

The reason I say that is because we are not going to solve this problem with foreign oil. It will have to be solved with oil domestically produced, that is the only oil over which we have any final right of determination.

It is misleading, in my judgment, to be guided by the foreign rates of return on oil that is not really available to the United States.

Mr. President, Robert Nathan testified before the Committee on Finance that for a rather risky investment of this type, to attract the capital that is needed, one should expect about a 15 percent return on equity, and it is interesting to note that, though, the companies made more than that in 1974 on domestic oil and a great deal more than that on their foreign oil, the decrease in their rate of return in this year is due in considerable measure to the repeal of the depletion allowance. As a matter of fact, the weighted average on the domestic oil for the first quarter was 11.5 percent and, Mr. President, even less encouraging on the second chart, the overall rate of return.

Mr. President, I ask unanimous consent that this chart be printed in the RECORD with the footnotes so that Senators can study it, and I have invited Senators and their staffs to let us know if they find information contrary to this, because it seems to me that this is basic information the Senate would want and would desire to study and analyze when it comes back in September.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

TABLE 1.—RATES OF RETURN ON SHAREHOLDERS' INVESTMENT FOR 10 MAJOR OIL COMPANIES, 1966–75

[In millions of dollars]

	1st quarter 1975	1974 * †	1974	1973	1972	1971	1970	1969	1968	1967	1966
Total rates of return:											
Exxon[1 2 3]	15.0	19.2	21.3	18.8	12.8	13.5	12.4	12.5	13.3	12.6	12.0
Gulf[4 2]	12.3	16.2	17.9	14.6	8.2	10.4	10.7	12.5	13.7	13.4	12.8
Mobil[4 9]	12.1	15.4	17.2	15.6	11.5	11.5	10.9	10.9	10.8	10.3	10.0
Phillips[4 6]	8.2	11.8	15.8	11.6	9.7	9.7	9.9	10.5	11.3	13.7	12.7
Shell[4 7]	11.7	15.5	20.0	11.4	9.2	8.9	8.9	11.5	15.1	15.0	14.6
Standard of California[4 2 8]	10.4	14.6	15.8	15.3	10.8	10.7	10.0	10.5	11.0	10.6	10.5
Standard of Indiana[1 2]	13.6	16.8	21.1	13.1	10.5	11.0	10.9	11.0	10.3	9.8	9.2
Standard of Ohio[1 2]	.5	5.6	6.0	7.0	4.5	6.1	7.8	6.6	17.1	18.2	15.3
Sun[1]	6.4	14.9	17.9	12.2	9.1	9.4	8.6	9.8	11.3	NA	NA
Texaco[4 2 12]	8.0	16.5	18.7	17.0	12.8	13.9	13.5	13.4	15.4	15.3	14.4
Weighted average[11]	11.5	† 15.8	18.1	15.4			11.2			12.5	
Mathematical average[12]	9.8	14.7	17.2	13.7			10.4			13.2	

Footnotes at end of table.

TABLE 1.—RATES OF RETURN ON SHAREHOLDERS' INVESTMENT FOR 10 MAJOR OIL COMPANIES, 1966–75—Continued

[In millions of dollars]

	1st quarter 1975	1974 * †	1974	1973	1972	1971	1970	1969	1968	1967	1966
U.S. rates of return:											
Exxon [1,2,3]	16.2	16.6	22.0	17.6	15.3	15.3	14.0	15.0	14.0	14.1	12.1
Gulf [4,2]	8.4	8.4	11.4	7.1	10.2	10.7	11.0	13.1	14.6	14.5	12.1
Mobil [4,9]	5.2	7.4	10.6	10.1	9.2	9.3	10.1	10.8	10.4	9.8	8.5
Phillips [1,6]	6.9	12.2	16.5	10.5	11.3	10.2	11.2	11.8	12.6	14.8	14.5
Sthell [4]	13.1	17.1	21.7	12.6	10.1	9.7	9.4	11.4	14.9	14.4	14.4
Sandard of California [4,2,8]	2.8	7.1	9.1	5.6	6.4	6.0	6.3	7.4	7.4	7.0	7.7
Standard of Indiana [1,2]	14.6	16.4	21.6	14.9	12.1	11.0	12.2	12.6	11.9	12.4	11.5
Standard of Ohio [1,8]	.5	5.6	6.0	4.6	1.6	4.8	7.2	5.1	15.4	15.7	12.7
Sun [1]	6.8	14.0	18.1	12.1	12.5	12.6	11.6	12.4	15.7	NA	NA
Texaco [4,2]	6.0	6.2	10.4	11.6	12.3	12.2	12.7	12.0	16.9	16.9	16.4
Weighted average [11]	9.2	† 10.5	14.2	11.3			10.8			12.9	
Mathematical average [12]	8.1	11.1	14.7	10.7			10.6			13.3	
Foreign rates of return:											
Exxon [1,2,3]	14.3	20.8	20.9	19.5	12.3	12.5	11.6	10.8	12.8	11.8	11.9
Gulf [4,2]	18.9	11.4	27.1	24.7	5.3	10.0	10.0	11.4	12.1	11.4	10.8
Mobil [4,9]	21.6	25.9	25.9	21.2	14.1	14.2	12.0	10.9	11.4	10.8	11.9
Phillips [1,6]	11.2	11.0	14.5	14.2	5.2	8.2	5.2	5.2	4.9	7.9	3.2
Shell [4,7]	(**)	(100+)	(100+)	(100+)	(100+)	(100+)	(100+)	100+	100+	100+	100+
Standard of California [4,2,8]	21.6	25.3	25.5	29.7	17.8	19.0	17.8	17.5	19.4	19.0	17.3
Standard of Indiana [1,2]	11.2	17.7	19.9	8.4	6.3	11.1	7.7	6.5	5.4	.6	
Standard of Ohio [1,2,5]	(5)	(5)	(5)	79.7	142.4	73.4	41.2	55.9	41.7	55.2	53.6
Sun [1]	4.4	17.4	17.4	12.4	3.2	3.4	1.0	(10)	(10)	NA	NA
Texaco [4,2,13]	‡10.0	27.3	27.3	22.9	13.3	16.0	14.6	15.7	13.0	12.9	11.4
Weighted average [11]	14.8	23.4	23.7	20.4			11.6			11.8	
Mathematical average [12]	14.2	21.8	22.3	19.2			10.0			10.6	

[1] Rates of return are for petroleum operations only.

[2] Rates of return are calculated on average net assets.

[3] The total figures represent the return for the total corporation. The breakdowns into U.S. and foreign segments returns are based on some arbitrary assumptions concerning the allocation of the corporation's financing and of headquarters' net assets and administrative costs.

[4] Rates of return are for total corporate operations.

[5] Post 1973 foreign investment is negligible.

[6] The net asset data (stockholders' equity) used in computing the rates of return were obtained by allocating Phillips' total stockholders' equity among its operating segments on the basis of capital employed, as requested by the committee.

[7] Rates of return calculated on net asset data representing stockholders' investment at the beginning of the year.

[8] Rates of return calculated on end-of-year net asset figures.

[9] Mobil 1975 return is for petroleum operations only; all other years' returns are for total corporate operations. 1st quarter 1975 foreign income includes $40,000,000 inventory profit.

[10] Net loss.

[11] Weighted average refers to total companies' return as a percentage of total companies' net assets.

[12] Mathematical average is the average obtained by adding the respective rates of return and dividing by the number of companies shown, except that the foreign rates of Shell and Standard of Ohio are omitted to avoid distortion.

[13] Texaco 1st quarter 1975 foreign income includes $9,000,000 inventory profit.

* 1974 return computed as if only cost depletion were allowable.

** Loss.

† The purpose of this column is to show what the rate of return would have been if the Tax Reduction Act of 1975 repeal of percentage depletion had been in effect in 1974.

‡ Note the decline in return on foreign operations reflecting OPEC nationalization, which may be expected to continue. Rate of return for all manufacturing was 9.0—1st quarter 1975; 14.9—1974; and 12.8—1973, per Quarterly Financial Reports, Federal Tade Commission.

Note: 1st quarter 1975 returns are based on assets as of Jan. 1, 1975. Annualization of 1st quarter earnings rate is not to be construed as an estimate of 1975 earnings rate.

Data in this table were supplied by the 10 major oil companies in response to a questionnaire from the Senate Finance Committee asking for profit data from petroleum operations. 5 of the companies reported profits on petroleum operations as requested. 5 companies reported total corporate profit data.

Of the 5 companies reporting total corporate profit, Mobil, Gulf, Shell, and Standard of California all indicated that the nonpetroleum portion of their business was relatively insignificant and its inclusion should not therefore create any distortions in the data.

Source: Responses from the 10 major oil companies listed above to a questionnaire from the Senate Finance Committee. The question as stated by the Finance Committee was: What was the overall rate of return, after taxes, which your company realized on stockholders, investment devoted to exploration, development, production, manufacturing, transportation and marketing of petroleum products in the United States (and abroad)?

Mr. PACKWOOD. Mr. President, I support the concept of a windfall profits tax coupled with rebates to the American consumer, and I favor gradual decontrol of old oil prices. I supported these measures when proposed by President Ford in January. Decontrol will help curb our dependence on imported oil by stimulating production and encouraging conservation. In the past 7 months, I have repeatedly urged the Congress to face our energy problems squarely. Congress has done nothing.

One action I have taken is to propose to the Senate Finance Committee the adoption of a substitute to the House-passed energy bill, H.R. 6860, which is now in markup. The substitute would lead to an oil savings of 4 million barrels per day by 1985 which is 4 times the savings of the House-passed H.R. 6860.

Now we are facing the prospect of total and immediate decontrol of old oil prices when the Emergency Petroleum Allocation Act expires on August 31. The Senate Finance Committee quickly drafted and reported out a windfall profits tax amendment. I commend the efforts of the chairman and the ranking minority member to this very important matter. However, I cannot support the amendment now before us.

The windfall profits tax recently passed is an example of an atrocious way to legislate. Because of the lack of time for deliberations, even the majority of the members of the Finance Committee do not fully understand the details of the tax or its implications.

How can we, the members of the Finance Committee, expect our colleagues to understand something this complex in a few hours.

In a last-ditch effort to compensate for our lack of action on the energy picture, we would be creating more problems then we solve. A poorly conceived tax, particularly in the field of energy, could have disastrous consequences. We cannot afford to plug fingers in the dike when what is needed is a new wall. With more forethought, this crisis could have been averted. We should all refuse to jump into the makings of a new crisis without better understanding where we are going.

There are several specific problems with this windfall profits tax package. I am prepared to amend them, but even that process would take precious time that the Congress is apparently not willing to give. Specifically, the rebates in the bill are not tied to revenues. We have essentially legislated these rebates regardless of the amount of money coming in from the tax. Thus, if the rough estimates are wrong, we could be massively increasing the deficit and causing inflation, or conversely, not rebating all the money we collected which could lead to recession.

The natural gas liquids section was included without any substantive facts on the implications or workings of the tax. Even though this section would last only 1 month, it would be a poor precedent to mandate a tax without any clear idea of what we are mandating.

There is no place in the bill to require a fixed date for the regulations covering the collecting of the revenues and their distribution. In addition to this, I would like to see FEA and the Treasury be required to report to the Congress at least twice a year on the effects of the tax, what the revenues are and how they were distributed.

Several other perfecting amendments to change dates or clarify percentages are not possible to offer in the limited amount of time available for this discussion. Senators claim that there is no time and that we must have our recess. I claim that the Congress is not willing to take the time.

Congress refuses to act on our immediate energy problems. The tendency of Congress is to wait until we are faced with a crisis and then respond with a quick measure which will convince the public that we have acted, when in fact we have avoided the problem. Energy is a perfect example of this shirking of responsibility. In the warm summer, oil and gas seem plentiful. But the real problem will come in September, when we are left with another month of no energy action and an increase in oil prices by the OPEC.

I believe that the President will veto the extension of the Emergency Petroleum Allocation Act. Then the Congress will be left again with its fingers in the dike, wondering why the water is rising.

SUPPORT FOR WINDFALL PROFITS TAX

Mr. DOLE. Mr. President, Congress has no one to blame but itself for the unpleasant dilemma which confronts us today.

Failure to adopt either President Ford's program or his offer to compromise on the issue of oil price controls has cast Congress in the negative role of obstructionist.

We have passed some legislation. By and large, it has been ill-conceived, fragmented legislation more responsive to political concerns than to the real world energy crisis with which we all must deal sooner or later. And now, in large part due to the uncompromising attitude of the House majority, we face the strong probability there will be immediate decontrol of oil prices at the end of August.

CONGRESS IS THE CULPRIT

Let there be no mistake as to where the responsibility lies. It does not lie with the President. He has bent over backward in an attempt to accommodate congressional concerns over the economic effect of decontrol of oil prices. Despite administration compromise offers, the House rejected the President's latest plan to decontrol oil prices over a 39-month period—a formula which would have actually lowered the cost of oil during the upcoming critical 6 months of economic recovery. It was, by any definition an eminently reasonable compromise plan—one which could have been accepted if Congress had shown only half the spirit of compromise which President Ford has shown over the past few months.

Because it was not accepted, a veto of the controls extension is expected, and though some will blame the President for the consequences, the blame lies here.

And what is worse now, a group of so-called liberals are apparently prepared to fight a measure which would cushion the economic effects of immediate decontrol of oil prices through a windfall profits tax. The Finance Committee has labored vigorously over the past week in order to have this necessary tax ready for floor action. Although far from perfect, the tax proposal would raise substantial amounts of revenue which could be returned to the American people via tax credits and direct cash payments to nontaxpayers to offset the price increases caused by past inaction. I support the tax agreed to by the committee since it is conceptually patterned after the windfall profits tax I introduced July 15 to accompany a phased decontrol of oil prices. And while I am concerned that the committee amendment may go too far in restricting the amount of internally generated capital needed by independent oil producers in the search for new domestic oil, the tax agreed to by the Finance Committee should come up for an up or down vote by the full Senate.

When oil prices skyrocket at the end of this month—which appears almost a certainty—let us not hear pious cries about "obscene profits" of the oil companies. Nor will criticism of the President for the substantial economic drain brought on by the sudden spurt in fuel prices be appropriate. Any attempts at such demagoguery will be evident to the American people for what they are. It will be clear that responsibility for the windfall profits of the oil companies and the decreased purchasing power of the consumer will rest with those who are blocking action on the Finance Committee's windfall profits tax and consumer rebate legislation. For it if were enacted, the committee's amendment would prevent oil company windfall profits by imposing a 90-percent tax on decontrol profits. Moreover, the amendment contains provisions vitally important to continued economic recovery—provisions which send the revenue raised from the windfall profits tax back to the American people in the form of tax credits and direct cash payments to the poor. It is strange indeed that action on this entire package is being blocked by the very group which purports to be looking out for interest of the consumer.

PREFER PHASED DECONTROL

When we return from the August recess, I would hope that congressional attitudes toward orderly decontrol of oil prices will be more responsible and realistic. For phased decontrol is the rational method of encouraging domestic production and the essential first step in our long drive toward energy independence. It would give the independent oil producer the economic incentive to search for more domestic oil while phasing in increased energy prices over the next few years. Surely, that is preferable to this last minute, Congress-created crisis which would have been avoided and which can only further confuse and compound our national energy policy problems.

Mr. HOLLINGS. Mr. President, let me cap this off with a little bit about price so we bring it right into focus.

We had witnesses in 1973, the American Petroleum Institute, testifying on a projected operation independence that price of oil per barrel of $6.69 through 1985—$6.69 through 1985 would bring us all the oil we need for Project Independence.

In 1974, the testimony of the FEA coming in and testifying with respect to Project Independence used in order to carry out the 1985 figure and they termed it between $6 and $7 a barrel for new oil.

We had the Alaska pipeline developed on a projection economically sound, and one of the greatest, and the distinguished Presiding Officer knows this, on the basis of not more than $4 a barrel for foreign oil, the North Sea developed at $4 a barrel oil, and no one had the audacity to come in and ask for decontrol of old natural gas.

I happen to have conducted those hearings for the past 3 to 5 years. We are now going to manage the bill S. 692. We listened to all debates and all the witnesses and all the Senators, and it was very controversial, and it was on a split, 10 to 8 vote, that this bill be reported here in the Chamber. At no time did anyone suggest decontrol old natural gas.

Similarly with old oil, there is no problem of crisis that the President faces. When I asked Frank Zarb he said the problem is because it is a two-tier system. If it is an administrative problem for him we will give him more staff and let him handle it.

But the fact is that old oil prices have gone from $3.40 to $4.25 and under President Nixon to $5.25.

What is the economic justification? It was found and the prices were sustained. Even at that Monday a week ago we received a report from the Federal Power Commission who made a study using the API and the oil companies statistics of today's costs for a barrel of old oil for a barrel of new oil.

The best figures they could get were 1972 and that resulted in $2.96 we added a 25 percent inflationary factor to that figure bringing it up to a cost for a barrel of old oil of $3.75.

On new oil they could use last year's figures, and we factored it by 14.5 percent inflationary increase, resulting in a figure of $6.04. I ask unanimous consent that the study be inserted in the RECORD.

There are the up-to-date figures at the top side. Yes, we get a deeper well and more cost, but certainly not more than $7.50, which the House of Representatives passed yesterday.

I yield at the present time, with no misunderstanding, Mr. President, to the distinguished majority leader, who is trying to get the business of the Senate complied with, that the question still remains, shall we proceed, and that we have that under debate, unless he wants to withdraw his motion.

There being no objection, the study was ordered to be printed in the RECORD as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., July 21, 1975.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR CHAIRMAN MAGNUSON: I am pleased to forward the attached cost analyses prepared by me in response to your letter of July 15, 1975, requesting the following:

(1) An alternative to the study transmitted on June 26, using the same data and analysis but including Alaska as well as the lower 48 states. In order to assure that these computations are conservative, we would request that only one-half of the reported reserves in Alaska be used in the computation. In addition, please assume a Federal Income Tax liability equal to 10 percent of gross income on the value of crude oil produced.

(2) An estimate of the cost per million Btu's of producing new hydrocarbons, whether crude oil or natural gas. Such a computation would avoid the difficult allocation problems of joint costs between the two fuels. Please base this estimate on the five-year average of expenses, reserves additions, and production. Again, please utilize one-half of the Alaskan reserve additions in the computation and assume a Federal Income Tax liability of 10 percent of gross income from crude oil and natural gas sales.

(3) We would also request the Federal Power Commission Staff Analysis of the estimated cost of production of old domestic

crude oil, which is based on 1972 data. We should also appreciate any help you can give us in trending these costs forward to reflect current 1975 costs.

The results of the foregoing analyses (1), (2) and (3) are $5.49 per barrel, $4.14 per barrel and $2.96 per barrel, respectively. A discussion of possible trending methods is provided in the attached analysis.

I will be pleased to answer any questions you have regarding the staff analysis.

Sincerely yours,

Louis J. Engel,
Supervisory Regulatory, Gas Utility Specialist.

Additional Staff Analysis of the Cost of Finding and Producing New Crude Oil

BUREAU OF NATURAL GAS

This additional cost analysis was prepared in response to an inquiry made by letter dated July 15, 1975, from Chairman Warren G. Magnuson on behalf of the Senate Commerce Committee. This inquiry follows an earlier inquiry made on June 20, 1975, which was answered by letter dated June 27, 1975, with an attached cost analysis of new crude oil.

In response to Senator Magnuson's current request three cost analyses have been prepared as follows:

(A) An alternative to the study transmitted by letter of June 27, 1975, to include one-half of the reported reserves in Alaska and Federal Income Tax liability equal to 10 percent of gross income. The result of this analysis is $5.49/bbl.

(B) An estimate of the cost per million Btu's of producing new hydrocarbons including five-year averages of expenses, reserve additions, and production, one-half of Alaskan reserve additions and a Federal Income Tax liability of 10 percent of gross income. The result of this analysis is $0.74/MMBtu or $4.14/bbl.

(C) An estimate of the cost of production of old domestic crude oil based on 1972 data. The result of this analysis is $2.96/bbl including income taxes.

The cost computations related to Items (A), (B) and (C) are shown in the attached appendices A, B & C. The cost analyses exclude production taxes.

In our discussions with the Staff of the Commerce Committee there was general agreement that the effect of Alaskan reserve additions should be considered in costing new oil because most of these reserve additions would be priced as new oil. The impact of including 50% of Alaskan reserves is significant and accounts for the substantial difference between the earlier analysis at $6.12/bbl ($6.73/bbl including the 10% tax liability) and the current analyses at $4.14/bbl and $5.49/bbl. The use of the 50% estimate is arbitrary but is believed to be reasonable in indicating the probable range of these unit cost estimates. The majority of Alaskan reserves are the result of the Prudhoe Bay discovery. This large field has not been developed and awaits a pipeline connection. Alaska and its adjacent waters is a vast unexplored area which may produce several large oil and gas fields in the future after connection to market areas is achieved.

The 10% of gross income for Federal Income Tax liability is a judgmental estimate considering the near future and the impact of the repeal of the depletion allowance. It approximates the result of applying the former depletion rate of 22% to gross income at the tax rate of 48%. Included in the $0.74/MMBtu ($4.14/bbl) lower cost estimate is a Federal Income Tax allowance of $0.07/MMBtu. If this allowance were included in the price of total hydrocarbon production, the oil and gas industry would realize additional revenue amounting to over $3 billion per year ($0.07/MMBtu times 43,535,000,000MMBtu, 1974 production of Btu) for tax purposes. It is believed this is a reasonable estimate for the near future or until such time that factual data can be gathered to test the actual impact of the new tax laws.

The analysis in Appendix B, where costs are derived by units of heat content (Btu), does merit consideration in developing a reasonable cost range. It avoids a multitude of allocations and in effect assigns an equal amount of cost to each Btu of hydrocarbon reserves and production, where applicable. Exploration and development expenditures are related to hydrocarbon reserve additions. Production expense is properly related to hydrocarbon production since these expenses are related to all age leases and wells which are on production. The resulting total cost of $0.74/MMBtu is converted to $4.14/bbl by applying the unit of 5.6MMBtu/bbl ($0.74 x 5.6).

The analysis in Appendix C reflects the cost of old oil as of year end 1972. The allocation methods employed have been adopted by this Commission in past decisions for costing old or flowing gas and have been approved by the Courts. The result of this analysis is $2.96/bbl excluding production taxes.

In our meetings with your Staff we discussed your inquiry concerning the trending of these costs beyond the period of the latest available data. This matter is complex and involves consideration of a great number of variables of which most are unknown. This trending requires the analysis of the anticipated movement of unit costs which is composed of a certain output of dollars and their relationship to reserves found or production. There is available data from the Joint Association Survey (JAS) indicating the annual amounts of exploration, development and production expenditures excluding production taxes as follows:

ESTIMATED EXPENDITURES IN THE UNITED STATES

[In millions of dollars]

Year	Exploration	Development	Production
1969	3, 106	2, 766	2, 829
1970	2, 476	2, 851	3, 089
1971	2, 393	2, 671	3, 264
1972	3, 672	3, 093	3, 299
1973	5, 865	3, 255	3, 552

As indicated from the foregoing table the oil and gas industry has increased its output of expenditures in recent years for all three phases. Most of the increase is attributable to large bonuses paid for Federal offshore leases which are currently being explored or developed. These bonuses were also substantial in 1974. Whether these large expenditures will be made in 1975 is questionable because of the repeal of the depletion allowance. The most crucial element in any trending involves the estimation of hydrocarbon reserves which will result from current and near future exploration and development expenditures. If reserve additions do not increase it is apparent that unit costs will increase with any increase in expenditures. Another significant element, which affects exploration and development, are drilling costs. The JAS also provides these data. These costs and calculated annual changes are as follows:

DRILLING COSTS IN THE UNITED STATES

Year	Oil well drilling cost (dollars per foot)	Annual change (percent)	Dry hole drilling cost (dollars per foot)	Annual change (percent)
1967	16. 61		12. 87	
1968	18. 63	+12	12. 88	0
1969	19. 28	+3	13. 23	+3
1970	19. 29	0	15. 21	+15
1971	18. 41	−5	16. 02	+5
1972	20. 77	+13	17. 28	+8
1973	22. 54	+9	19. 22	+11

These data also indicate an upward trend in recent years and it is likely these costs per foot have increased significantly through the early part of 1975 due mainly to inflation. However in converting any projected costs per foot to unit costs per barrel of oil it is necessary to estimate the amount of reserves found per foot drilled. This element is difficult to estimate for either past or future periods.

If constant levels of reserve additions are assumed, the foregoing data appear to suggest an annual increase in the unit cost of new oil ranging from about 5% to 13%.

We have been unable to arrive at any conclusive method for trending the 1972 old oil cost (Appendix C) up to 1975. As we understand the pricing of old oil the ceiling price of $5.25 would not apply where secondary or tertiary recovery have been employed. If our understanding is correct on the above factors and if new oil is also that which is produced from new wells after 1972, it appears to us that the only element of cost in our computation of old oil cost that might require an adjustment is operating expense. Production expenditures (Operating expense) as published by the JAS indicate an average annual increase of about 6% for the 1969–1973 period. This, of course, is only the numerator of the unit cost but may be a reasonable indicator of projected annual changes in this unit cost.

In conclusion, it should be emphasized that there is no precise answer in estimating these unit costs because of the various assumptions which are required. It is hoped that the various cost analyses, which have been provided, will assist your committee.

Louis J. Engel,
Supervisory Regulatory Gas Utility Specialist.

SCHEDULE NO. 1

COST OF FINDING AND PRODUCING A BARREL OF NEW CRUDE OIL (TOTAL U.S.)[1]

Line No. and item description	Source	Unit (per barrel)
1. Oil well drilling cost	Schedule 3	$0. 43
2. Lease acquisition cost	do	. 37
3. Production facilities	do	. 27
4. Subtotal		1. 07
5. Dry hole drilling cost	Schedule 3	. 21
6. Other exploration cost	do	. 19
7. Exploration overhead	do	. 05
8. Subtotal		. 45
9. Operating expense	Schedule 3	. 88
10. Casinghead gas credit	do	(. 61)
11. Return on working capital	do	. 12
12. Return on investment	do	2. 28
13. Royalty (at 16 percent)	Schedule 2	. 80
14. Subtotal	do	4. 99
15. Total including income tax at 10 percent of gross income		5. 49

[1] Includes Alaskan data to the extent that 50 percent of Alaskan oil additions were included in the productivity estimate.

SCHEDULE NO. 2

COMPUTATION OF PRICE BY THE DCF METHOD

Preproduction costs	Year	Value	Tax credit	Net Investment	15 percent present value
1. Other exploration	3	0.19	0.087	0.103	0.157
2. Exploration overhead	3	.05	.023	.027	.041
3. Lease acquisition	2	.37	0	.37	.489
4. Dry holes	1	.21	.101	.109	.125
5. Successful wells	1	.43	.144	.286	.329
6. Production facilities	1	.27	0	.27	.311
7. Lease credit	1		.133	−.133	−.153
8. Total		1.52	.488		1.299

Net cash flow	Amount
9. Price	X
10. Royalty	−0.16X
11. Operating expense	−.88
12. Interest on working capital	−.12
13. Tax liability	−.488
14. Gas credit	+.61
15. Total	.84X−0.878

16. 1.299=(0.84X−$0.878)×1/18×7.047.[1]
17. Price X=1.643 over 0.329=$4.99/Bbl.
18. Royalty=0.16×4.99/Bbl.=$0.80/Bbl.

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[1] $$7.047=\frac{1.15-\left\{\frac{1}{1.15}\right\}}{0.15}$$

COST COMPUTATION (SOURCE)
(REFER TO SCHEDULE NO. 1)

Line No.
1. 0.43=$22.11/ft. (1973 JAS) ÷ 52 Bbls./ft.
2. 0.37=0.43 (Line 1) × 0.868 (Sch. 5).
3. 0.27=0.43 (Line 1) × 0.618 (Sch. 6).
4. 1.07=Sum of Lines 1–3.
5. 0.21=$18.93/ft. (1973 JAS) ÷ 52 Bbls./ft. (Sch. 4) × 0.57 (Sch. 7).
6. 0.19=0.37 (Line 2) × 0.5258 (Sch. 5).
7. 0.05=0.04 (Lines 5 & 6) × 0.1319 (Sch. 5).
8. 0.45=Sum of Lines 5–7.
9. 0.88=(Schedule No. 6).
10. 0.61=(Schedule No. 6).
11. 0.12=(0.45 (Line 8) × 1/8 × 1.21 (Docket No. R-478 + 0.88 (Line 9) × 1/8 × 1.48 (Docket No. R-478) + 0.37 (Line 2) × 1.5 (Opinion No. 699-H)) × 0.15.
12. 2.28=Line 14 minus the sum of costs.
13. 0.80=(Schedule No. 2).
14. 4.99=(Schedule No. 2).

SCHEDULE NO. 4

CRUDE OIL PRODUCTION RESERVES AND FOOTAGE

Year	Production (thousand barrels)	Reserve additions (thousand barrels)	F/P ratio	Oil well footage (thousand feet)	Productivity
(a)	(b)	(c)	(d)	(e)	(f)
1966	2,849,877	2,787,971	0.98	67,430	41
1967	3,008,666	2,873,785	.96	58,244	49
1968	3,058,042	2,396,137	.78	58,665	41
1969	3,121,193	1,986,823	.64	61,132	33
1970	3,236,710	2,889,659	.89	56,389	51
1971	3,178,158	2,272,409	.72	48,268	47
1972	3,208,627	1,504,991	.47	48,413	31
1973	3,113,078	2,057,578	.66	44,434	46
1974	2,972,847	1,941,078	.65	50,012	39
Total		20,710,431		492,987	

Note: Average productivity (1966–74): 42 bbls/ft, excluding Alaska; 52 bbls/ft, includes 50 percent of Alaskan reserve additions and footage (50 percent of 10.5 billion barrels of crude and 3.2 million feet of drilling footage).

Source: API—AGA and AAPG.

SCHEDULE NO. 5

ESTIMATED EXPENDITURES FOR FINDINGS AND DEVELOPING GAS AND OIL IN THE UNITED STATES, 1967–73

[In millions of dollars]

Line No.	Year	Cost of producing wells	Dry hole cost	Lease acquisition cost	Exploratory overhead	Other exploratory costs
(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	1967	1,497	802	829	206	740
2	1968	1,583	826	1,578	207	770
3	1969	1,723	888	1,137	210	782
4	1970	1,706	873	714	189	728
5	1971	1,508	864	642	206	746
6	1972	1,807	1,006	1,722	239	766
7	1973	2,005	1,070	3,646	293	867
8	1967–72	9,824	5,259	6,622	1,254	4,532
9	1967–73	11,829	6,329	10,268	1,547	,39 95

10. Lease acquisition costs as a fraction of successful well cost=6,622 divided by 9,824=0.6741 (1967–72): 10,268 divided by 11,829=0.8680 (1967–73).
11. Other exploratory costs as a fraction of lease acquisition costs=4,532 divided by 6,622=0.6844 (1967–72); 5,399 divided by 10,268=0.5258 (1967–73).
12. Exploratory overhead as a fraction of dry hole and other exploratory costs=1,254 divided by 9,791=0.1281 (1967–72); 1,547 divided by 11,728=0.1319 (1967–73).

Source: Joint Association Survey of the U.S. Oil and Gas Producing Industry, secs. I and II.

COST OF PRODUCTION FACILITIES, IMPROVED RECOVERY PROGRAMS AND DEVELOPMENT OVERHEAD, YEAR 1973

Production Facilities, etc., $1,239,000,000.

Oil and Gas Well Drilling, $2,009,000,000.

Fraction equals $1,239 ÷ $2,009 = 0.618.

Source: 1973 (JAS) Joint Association Survey.

OPERATING EXPENSE, YEAR 1972

Oil Leases, expense, $1,613,736,000; production, 1,542,408,000 lbs.

Unit Expense=105¢/Bbl.

Conversion to 100% interest=0.84×105=88¢/Bbl.

Source: Data in Docket No. R-478.

CASINGHEAD GAS CREDIT, YEAR 1974

Casinghead gas production=4,208,697,000 Mcf.

Crude oil production=2,972,847,000 Bbls.

Gas oil ratio=1.416 Mcf/Bbl (Line 7÷8).

Estimated gas price 55¢/Mcf.

Gross Credit=$.78/Bbl (Line 9×10).

Net credit=$0.61/Bbl (0.78 less royalty at 16% and production tax at 7.5%).

Source: API-AGA.

SCHEDULE NO. 7

ALLOCATION OF DRY HOLE FOOTAGE TO GAS WELL FOOTAGE,[1] YEAR—1974

Line No.	Successful exploratory footage (1)	Percent of total (2)	Exploratory dry hole footage (3)	Allocated footage (4)	Remarks
1. Gas	7,665	61.3		23,091	Col. (2) line 1×col. (3) line 3.
2. Oil	4,833	38.7		14,578	Col. (2) liine 2×col. (3) line 3.
3. Total	12,498	100.0	37,669	37,669	Line 1+2.

Line No.	Successful developmental footage (1)	Percent of total (2)	Develop dry hole footage (3)	Allocated footage (4)	Remarks
4. Gas	31,311	40.9		9,661	Col. (2) line 4×col. (3) line 6.
5. Oil	45,179	59.1		13,959	Col. (2) line 5 × col. (3) line 6.
6. Total	76,490	100.0	23,620	23,620	Line 4+5.

Line No.	Total successful footage (1)	Allocated dry hole footage (2)	Dry hole factor (3)	Remarks
7. Gas	38,975	32,752	0.84	Col. (2) line 7÷col. (1) line 7.
8. Oil	50,012	28,537	.57	Col. (2) line 8÷col. (1) line 8.
9. Total	88,987	61,289		

[1] Footage in 1,000 ft and exclude Alaskan data.

Source: API–AAPG.

APPENDIX B—SCHEDULE NO. 1

COST OF FINDING AND PRODUCING HYDROCARBONS ON A BTU BASIS, TOTAL UNITED STATES[1]

Line No. (a)	Item description (b)	Expenditures (1969–73) (millions) (c)	Annual average expenditures (millions) (d)	Heat content (T Btu) (e)	Unit cost (per million Btu) (f)
1	Exploration	$17,512	$3,502	31,246	$0.11
2	Development	14,636	2,927	31,246	.09
3	Subtotal	32,148	6,429	31,246	.20
4	Production	16,033	3,207	43,535	.07
5	Return allowance at 15 percent				.29
6	Royalty at 16 percent				.11
7	Subtotal				.67
8	Income taxes at 10 percent of gross revenue				$0.07
9	Total				.74
10	Conversion to dollars per barrel 5.6 MMBtu/bbl				4.14

[1] Includes Alaskan data to the extent that 50 percent of oil and gas reserve additions were included in estimating the average annual Btu.

Sources: Col. (c)—Joint Association Survey (JAS); col. (d)—col. (c)÷5; col. (e)—schedule No. 3; col. (f), lines 1, 2, and 4—col. (d)+ col. (e); col. (f), lines 5, 6, and 7—schedule No. 2; col. f, line 8—line 7×10 percent.

COMPUTATION OF PRICE BY THE DCF METHOD

Line no:

1. Investment=$0.20/MMBtu.
2. Tax Credit=$0.60/MMBtu.
3. Net Investment=$0.14/MMBtu.
4. Present value of net investment=$0.17/MMBtu.

PRICE COMPUTATION

5. Price=X.
6. Price less royalty=0.84X.
7. Production expense=0.07.
8. Tax liability=0.06.
9. Cash flow=0.84x+0.07+0.06. Present value of net investment equals the present value of the net cash flow.
10. 0.17=(0.84x−0.13)×1/18×7.047[1]

[1] 7.047=1.15—(1 over 1.15/0.15)17.

11. x=$0.67/MMBtu.
12. Royalty=0.11=0.67X0.16.

Sources:

Line 1 & 7—Schedule No. 1.

Line 2—0.20×67% (expensed)×48% (tax rate).

Line 3—Line 1 minus Line 2.

Line 4—Line 3 times 1.2332 (Interest at 1½ yrs.).

Line 8—Line 2.

HYDROCARBON RESERVE ADDITIONS, PRODUCTION AND RELATER BTU CONTENT

Reserve additions (1970–1974)

1. Crude oil (total U.S.), MBbls	20,703,902
2. Lease & plant condensate (total U.S.), MBbls	370,950
3. Crude & condensate (total U.S.), MBbls	21,074,852
4. 50% of Alaskan Crude additions, MBbls	5,019,094
5. Remaining U.S., MBbls	16,055,758
6. United heat content MMBtu/Bbl	5.6
7. Total Btu (1970–1974), Trillion Btu	89,912
8. Annual Average, (T Btu)	17,982
9. Total gas liquids (MBbls)	1,922,392
10. Plant extracted liquids (MBbls)	1,551,442
11. Total dry gas (BCF)	72,160
12. Total wet gas (BCF)	73,711
13. 50% of Alaskan gas (BCF)	13,418
14. Remaining U.S. (BCF)	60,293
15. Unit heat content MMBtu/Mcf	1.1
16. Total Btu (1970–1974) Trillion Btu	66,322
17. Annual Average, (T Btu)	13,264
18. Total Average annual hydrocarbons (T Btu)	31,246

Production (1970–1974)

19. Total wet gas (T Btu)	122,448
20. Crude and condensate (T Btu)	95,229
21. Total hydrocarbons (T Btu)	217,677
22. Annual Average (T Btu)	43,535

Sources: AGA, API and U.S. Bureau of Mines.

Line 2 was calculated using the ratio of 10 Bbls of condensate per million cubic feet of non-associated reserve additions.

Line 10 equals Line 9 minus Line 2.

Line 12 equals Line 10 plus Line 11 using the equivalent of 1Bbl equals 1Mcf.

Cost of Flowing Oil[1]

Production Cost[2]

1. Cash expense (per Bbl.)	$1.02
2. DD&A	0.48
3. Return	0.74
	2.24

Exploration and Development[3] *Allowance (E & D)*

4. Expense	0.34
5. Return	0.11

6.	0.45
7. Total, Production & E & D	2.69
8. FIT computed as 10% of Line 7	0.27
9. Total per Bbl	2.96

[1] Cost of flowing oil is estimated on a basis comparable to the cost of flowing gas, under past Commission approved methods, in Commission Notice Issuing Staff Rate Recommendation and Prescribing Procedures, issued September 12, 1974, in Docket No. R–478. (See Notice Appendix B, Summary, Schedule No. 1–A, Column (e)). Method further combines operations of Independent Producers, Pipeline Affiliates, and Pipeline Producers which were reported in subject docket in year 1972 for the Lower 48.

[2] Production costs are based on current year 1972 operations on leases producing essentially oil only or leases producing oil and casinghead gas. Leases producing both oil and gas-well gas (combination leases) were excluded from study because of the complexity in allocation procedures. Allocation of joint product oil and casinghead gas costs was made on the basis of relative costs, i.e., through consideration of what it would cost to produce the products singly as measured by the cost of separate product gas-well gas and single product oil.

[3] E & D cost are based on current expenditures for essentially unsuccessful costs. E & D costs are first assigned, and the remainder allocated, on the basis of the respondents reported intent as between gas reservoir and oil reservoir operations. Costs for oil reservoir operations were then allocated between oil and gas current production, as measured by Btu content, after the oil Btu's had first been modified by a multiple of 2.5. The resulting with E & D cost for oil was then imputed to production of oil on the subject lease types.

COST OF CRUDE OIL ON OIL ONLY AND OIL CASINGHEAD GAS LEASES USING RELATIVE COST ALLOCATION FOR PRODUCTION COSTS AND MODIFIED BTU ALLOCATION FOR EXPLORATION AND DEVELOPMENT (E AND D) COSTS—ALL COMPANIES (1972 DATA)

Line No.		Barrel or Mcf	Single product cost dollar per barrel or dollar per M cf			Relative costs			Cost allocations		
			Cash expense	D.D. & A.	Gross inventory	Cash expense	D.D. & A.	Gross inventory	Cash expense	D.D. & A.	Return
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
	Production costs:										
	Oil only leases:										
1	Oil	264,164,000	1.5542	0.6237	14.7978	410,563,689	164,759,087	3,909,046,039	414,029,212	166,783,602	251,486,012
2	Casinghead gas	6,536,000	.03188	.03657	.77449	208,368	239,022	5,062,067	210,127	241,961	325,665
3	Total					410,772,057	164,998,109	3,914,108,106	414,239,339	167,025,563	251,811,677
	Oil casinghead gas leases:										
4	Oil	1,279,461,000	1.5542	.6237	14.7978	1,988,538,286	797,999,826	18,933,207,986	1,168,776,998	616,599,654	891,564,580
5	Casinghead gas	1,772,858,000	.03188	.03657	.77449	56,518,713	64,833,417	1,373,060,792	33,219,260	50,095,578	64,657,420
6	Total					2,045,056,999	862,833,243	20,306,268,778	1,201,996,258	666,695,232	956,222,000
	Exploration and development (E and D costs):										
7	Joint E and D costs (Oil reservoirs)×Oil Btu×2.5/(Oil Btu×2.5+Gas Btu)										
8	$1,048,658,752×(11,657×2.5)/(11,657×2.5+3,874)=$925,600,075—$925,600,075/2,050,244,000 bbl=$0.45/bbl.										
	Summary (Relative Cost and Modified Btu Allocation):										
9	Cash expense		$414,029,212			$2.24/bbl production cost.					
10			1,168,776,998			$0.45/bbl exploration and development.					
11	Depreciation, depletion, and amortization		116,783,602								
12			616,599,654			$2.69/bbl excluding production tax, income tax.					
13	Return		251,486,012								
14			891,564,580								
15	Total		3,459,240,058/1,543,625,000=$2.24/bbl, production cost.								

U.S. SENATE,
Washington, D.C., July 15, 1975.

Hon. JOHN N. NASSIKAS,
Chairman, Federal Power Commission, North Capitol Street, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you very much for your June 26 letter transmitting a staff computation of the cost of new domestic crude oil in 1974, based on nationwide costs and drilling comparable to your natural gas costing techniques.

With your concurrence, members of the staff of the Senate Commerce Committee met with members of your staff to obtain a better understanding of the methodologies used. The initial staff analysis, of course, was preliminary, and based on a single set of assumptions. In light of the importance of this matter, the staffs agreed that other approaches to crude oil prices would be useful to develop. Accordingly, we request the following cost analyses:

(1) An alternative to the study transmitted on June 26, using the same data and analysis but including Alaska as well the lower 48 states. In order to assure that these computations are conservative, we would request that only one-half of the reported reserves in Alaska be used in the computation. In addition, please assume a Federal Income Tax liability equal to 10 percent of gross income on the value of crude oil produced.

(2) An estimate of the cost per million Btu's of producing new hydrocarbons, whether crude oil or natural gas. Such a computation would avoid the difficult allocation problems of joint costs between the two fuels. Please base this estimate on the five-year average of expenses, reserves additions, and production. Again, please utilize one-half of the Alaskan reserve additions in the computation and assume a Federal Income Tax liability of 10 percent of gross income from crude oil and natural gas sales.

(3) We would also request the Federal Power Commission Staff Analysis of the estimated cost of production of old domestic crude oil, which is based on 1972 data. We should also appreciate any help you can give us in trending these costs forward to reflect current 1975 costs.

These further analyses would provide the Committee with a range of new domestic crude oil costs under various assumptions. We would hope that this staff analysis could be completed by *Monday, July 21,* since we expect the issue of crude oil pricing to be debated on the floor of the Senate soon.

Thank you very much for your assistance.

Sincerely,

WARREN G. MAGNUSON,
Chairman.

Mr. ROBERT C. BYRD. Mr. President, if the distinguished Senator will yield to me, with the understanding that I will, before I leave the floor, move to adjourn, that is my purpose in wanting to get the floor.

Mr. HOLLINGS. There will be no motion made further with respect to this.

Mr. ROBERT C. BYRD. If I get the floor, I shall move to adjourn shortly.

Mr. HOLLINGS. I yield to the Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. President, I thank the Senator from South Carolina and I thank the Senator from Louisiana.

Mr. President, I yield to the Senator from Alaska without losing my right to the floor for 1 minute.

AMENDMENT OF THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

Mr. GRAVEL. Mr. President, I introduce a bill and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

There being no objection, the Senate proceeded to consider the bill (S. 1469) to amend the Alaska Native Claims Settlement Act to continue the authority of the Joint Federal-State and Land Use Planning Commission for Alaska until June 30, 1979, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

S. 1469

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is directed to review those applications previously submitted or hereafter submitted within one year from the date of enactment of this Act by applicants who failed to meet the March 30, 1973, deadline for enrollment established pursuant to the Alaska Native Claims Settlement Act, 85 Stat. 688 (hereinafter referred to as the "Settlement Act"), and to enroll those Natives under the provisions of that Act who would have been qualified if the March 30, 1973, deadline had been met.

(b) In those instances where, on the roll prepared under section 5 of the Settlement Act, there were enrolled as residents of a place on April 1, 1970, a sufficient number of Natives required for a Native village or a

Native group, as the case may be, and it is subsequently and finally determined that such place is not eligible for land benefits under said Act on grounds which include a lack of sufficient number of residents, the Secretary shall, in accordance with the criteria for residence applied in the final determination of eligibility, redetermine the place of residence on April 1, 1970, of each Native enrolled to such place, and the place of residence as so redetermined shall be such Native's place of residence on April 1, 1970, for all purposes under the Settlement Act. Each Native whose place of residence is subject to redetermination as provided in this subsection shall be given notice and an opportunity for hearing in connection with such redetermination of residence as shall any Native corporation which it appears may gain or lose stockholders by reason of such redetermination.

(c) Each Native who is enrolled, or whose place of residence has been redetermined, pursuant to this Act shall be issued stock in the Native corporation or corporations in which such enrollment or redetermination of residence entitles him to membership and, in the case of redetermination of residence, all stock issued to such Native by any Native corporation in which he or she is no longer eligible for membership shall be deemed canceled. No prior distribution of funds made by any Native corporation shall be affected by any such enrollment or redetermination of residence and future distributions by such corporation shall be adjusted to insure that cumulative distributions to individual Natives so enrolled or affected by redetermination of residence will be equal to distributions to Natives previously enrolled in such corporation. The land entitlement of any Native village, Native group, Village Corporation, Regional Corporation, or corporation organized by Natives residing in Sitka, Kenai, Juneau, or Kodiak, all as defined in the Settlement Act, shall not be affected by any enrollment or redetermination of residence pursuant to this Act. No tribe, band, clan, group, village, community, or association not otherwise eligible for land or other benefits as a Native village or Native group, as defined in said Act, shall become eligible for land or other benefits as a Native village or Native group because of any enrollment or redetermination of residence pursuant to this Act, and no Native village or Native group, as defined in said Act, shall lose its status as a Native village or Native group because of any enrollment or redetermination of residence pursuant to this Act.

(d) No distribution of funds from the Alaska Native Fund pursuant to section 6 (c) of the Settlement Act made by the Secretary or his delegate prior to enactment of this Act shall be affected by the provisions of this Act. The Secretary shall make any necessary adjustments in future distributions of funds pursuant to said section 6 (c) to accommodate the changes in the roll made pursuant to this Act.

SEC. 2. (a) Any and all proceeds received by any agency or instrumentality of the Federal Government derived from contracts, leases, permits, rights-of-way, or easements pertaining to lands or resources of lands withdrawn for Native selection pursuant to the Settlement Act on and after the date of its enactment shall be deposited in an escrow account which shall be held by the Secretary until lands selected pursuant to said Act have been conveyed to the selecting corporation or individual entitled to receive benefits under said Act. As such withdrawn or formerly reserved lands are conveyed the Secretary shall pay from such account the proceeds pertaining to the lands or resources of such lands, together with interest, to the appropriate corporation or individual entitled to receive benefits under the Settlement Act. The proceeds pertaining to lands withdrawn or reserved, but not selected or elected, pursuant to said Act, shall, upon the expiration of the selection or election rights of the corporations and individuals for whose benefit such lands were withdrawn or reserved, be paid as required by law were it not for the provisions of this Act.

(b) The Secretary is authorized to deposit in the Treasury of the United States such escrow account proceeds referred to in subsection (a) of this section and the United States shall pay interest thereon from the date of deposit to the date of payment with simple interest at such rate as may be determined by the Secretary of the Treasury: *Provided, however,* That the Secretary in his discretion may withdraw from the United States Treasury such proceeds deposited by him under this Act and reinvest such proceeds in the same manner provided for by the first section of the Act of June 24, 1938 (52 Stat. 1037).

SEC. 3. Any and all proceeds from public easements reserved pursuant to paragraph (3) of section 17(b) of the Settlement Act shall be paid to the holder of the land with respect to which such conveyance is made in accordance with such holder's proportionate share.

SEC. 4. For purposes of the first section of the Act of February 12, 1929 (45 Stat. 1164), as amended, and the first section of the Act of June 24, 1938 (52 Stat. 1037), the Alaska Native Fund shall, pending distribution under section 6(c) of the Settlement Act, be considered to consist of funds held in trust by the Government of the United States for the benefit of Indian tribes.

SEC. 5. The Settlement Act is further amended by adding a new section 28 to read as follows:

"MERGER OF NATIVE CORPORATIONS

"SEC. 28. (a) Notwithstanding any provision of this Act, any corporation created pursuant to section 7(d), 8(a), 14(h)(2), or 14(h)(3) within any of the twelve regions of Alaska, as established by section 7(a), may at any time merge or consolidate, pursuant to the applicable provisions of the laws of the State of Alaska, with any other of such corporation or corporations created within or for the same region. Any corporations resulting from mergers or consolidations further may merge or consolidate with other such merged or consolidated corporations within the same region or with other of the corporations created in said region pursuant to section 7(d), 8(a), 14(h)(2), or 14(h)(3).

"(b) Such mergers or consolidations shall be on such terms and conditions as are approved by vote of the shareholders of the corporations participating therein, including, where appropriate, terms providing for the issuance of additional shares of Regional Corporation stock to persons already owning such stock, and may take place pursuant to votes of shareholders held either before or after the enactment of this section: *Provided,* That the rights accorded under Alaska law to dissenting shareholders in a merger or consolidation may not be exercised in any merger or consolidation pursuant to this Act effected prior to December 19, 1991. Upon the effectiveness of any such mergers or consolidations the corporations resulting therefrom and the shareholders thereof shall succeed and be entitled to all the rights, privileges, and benefits of this Act, including but not limited to the receipt of lands and moneys and exemptions from various forms of Federal, State, and local taxation, and shall be subject to all the restrictions and obligations of this Act as are applicable to the corporations and shareholders which participated in said mergers or consolidations or as would have been applicable if the mergers or consolidations and transfers of rights and titles thereto had not taken place.

"(c) Notwithstanding the provisions of section 7 (j) or (m), in any merger or consolidation in which the class of stockholders of a Regional Corporation who are not residents of any of the villages in the region are entitled under Alaska law to vote as a class, the terms of the merger or consolidation may provide for the alteration or elimination of the right of said class to receive dividends pursuant to said section 7 (j) or (m). In the event that such dividend right is not expressly altered or eliminated by the terms of the merger or consolidation, such class of stockholders shall continue to receive such dividends pursuant to section 7 (j) or (m) as would have been applicable if the merger or consolidation had not taken place and all Village Corporations within the affected region continued to exist separately.

"(d) Nothwithstanding any other provision of this section or of any other law, no corporation referred to in this section may merge or consolidate with any other such corporations unless that corporation's shareholders have approved such merger or consolidation.

"(e) The plan of merger or consolidation shall provide that the right of any affected Village Corporation pursuant to section 14(f) to withhold consent to mineral exploration, development or removal within the boundaries of the Native village shall be conveyed, as part of the merger or consolidation, to a seprate entity composed of the Native residents of such Native village.".

SEC. 6. The Settlement Act is amended by adding a new section 29 to read as follows:

"TEMPORARY EXEMPTION FROM CERTAIN SECURITIES LAWS

"SEC. 29. Any corporation organized pursuant to this Act shall be exempt from the provisions of the Investment Company Act of 1940 (54 Stat. 789), the Securities Act of 1933 (48 Stat. 74), and the Securities Exchange Act of 1934 (48 Stat. 881), as amended, through December 31, 1991. Nothing in this section, however, shall be construed to mean that any such corporation shall or shall not after such date be subjected to the provisions of such Acts. Any such corporation which, but for this section, would be subject to the provisions of the Securities Exchange Act of 1934 shall transmit to its stockholders each year a report containing substantially all the information required to be included in an annual report to stockholders by a corporation which is subject to the provisions of such Act.".

SEC. 7. The Settlement Act is further amended by adding a new section 30 to read as follows:

"RELATION TO OTHER PROGRAMS

"SEC. 30 (a) The payments and grants authorized under this Act shall not be deemed a substitute for any governmental programs otherwise available to the Native people of Alaska as citizens of the United States and the State of Alaska.

"(b) Notwithstanding section 5(a) and any other provision of the Food Stamp Act of 1964 (78 Stat. 703), as amended, in determining the eligibility of any household to participate in the food stamp program, any compensation, remuneration, revenue, or other benefits received by any member of such household under this Act shall be disregarded.".

SEC. 8. Section 17(a)(10) of the Settlement Act is amended to read as follows:

"(10) The Planning Commission shall submit, in accordance with this paragraph, comprehensive reports to the President of the United States, the Congress, and the Governor and legislature of the State with respect to its planning and other activities under this Act, together with its recommendations for programs or other actions which it determines should be implemented or taken by the United States and the State.

An interim, comprehensive report covering the above matter shall be so submitted on or before May 30, 1976. A final and comprehensive report covering the above matter shall be so submitted on or before May 30, 1979. The Commission shall cease to exist effective June 30, 1979.".

SEC. 9. (a) The Secretary shall pay, by grant, $250,000 to each of the corporations established pursuant to section 14(h)(3) of the Settlement Act.

(b) The Secretary shall pay, by grant, $100,000 to each of the following Village Corporations:

(1) Arctic Village,
(2) Elim,
(3) Gambell,
(4) Savoonga,
(5) Tetlin, and
(6) Venetie.

(c) Funds authorized under this section may be used only for planning, development, and other purposes for which the corporations set forth in subsections (a) and (b) are organized under the Settlement Act.

(d) There is authorized to be appropriated to the Secretary for the purpose of this section a sum of $1,600,000 in fiscal year 1976.

SEC. 10. (a) Section 16 of the Settlement Act is amended by inserting at the end thereof a new subsection (d) to read as follows:

"(d) The lands enclosing and surrounding the Village of Klukwan which were withdrawn by subsection (a) of this section are hereby rewithdrawn to the same extent and for the same purposes as provided by said subsection (a) for a period of one year from the date of enactment of this subsection, during which period the Village Corporation for the Village of Klukwan shall select an area equal to 23,040 acres in accordance with the provisions of subsection (b) of this section and such Corporation and the shareholders thereof shall otherwise participate fully in the benefits provided by this Act to the same extent as they would have participated had they not elected to acquire title to their former reserve as provided by section 19(b) of this Act: *Provided, however,* That the foregoing provisions of this subsection shall not become effective unless and until the Village Corporation for the Village of Klukwan shall quitclaim to Chilkat Indian Village, organized under the provisions of the Act of June 18, 1934 (48 Stat. 984), as amended by the Act of May 1, 1936 (49 Stat. 1250), all its right, title, and interest of Klukwan shall quit claim to Chilkat Inand vested by the Act of September 2, 1957 (71 Stat. 596), which lands are hereby conveyed and confirmed to said Chilkat Indian Village in fee simple absolute, free of trust and all restrictions upon alienation, encumbrance, or otherwise.".

(b) The Secretary is authorized to poll individual Natives properly enrolled to Native villages or Native groups which are not recognized as Village Corporations under section 11 of the Settlement Act and which are included within the boundaries of former reserves the Village Corporation or Corporations of which elected to acquire title to the surface and subsurface estates of said reserves pursuant to section 19(b) of the Settlement Act. The Secretary may allow these individuals the option to enroll to a Village Corporation which elected the surface and subsurface title under section 19(b) or to enroll on an at-large basis to the Regional Corporation in which the village or group is located.

SEC. 11. Except as specifically provided in this Act, (i) the provisions of the Settlement Act are fully applicable to this Act, and (ii) nothing in this Act shall be construed to alter or amend any of such provisions.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to enroll certain Alaska Natives for benefits under the Alaska Native Claims Settlement Act, to resolve certain issues arising from the implementation of such act, and for other purposes."

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION ACT, 1976

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Chair lay before the Senate, with the understanding that there will be no action thereon today the State-Justice appropriation bill.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 8121) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with amendments.

Mr. ROBERT C. BYRD. Mr. President, has there been a period of routine morning business today?

The PRESIDING OFFICER. No. There has not been a period for routine morning business.

ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 10:30 a.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bills.

H.R. 8564. An act to amend the Federal Aviation Act of 1958 relating to war risk insurance; and

H.R. 5884. An act to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended, and for other purposes.

The enrolled bills were subsequently signed by the Vice President.

At 1:49 p.m., a message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House has passed the bill (H.R. 9091) to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands, in which it requests the concurrence of the Senate.

The message also announced that the House insists upon its amendment to the bill (S. 1247) to authorize certain construction at military installations, and for other purposes, disagreed to by the Senate; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. PRICE, Mr. ICHORD, Mr. RANDALL, Mr. CHARLES H. WILSON of California, Mr. WHITE, Mr. BRINKLEY, Mr. DAVIS, Mr. BOB WILSON, Mr. WHITEHURST, and Mr. BEARD of Tennessee were appointed managers of the conference on the part of the House.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4723) authorizing appropriations to the National Science Foundation for fiscal year 1976.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

S. 1716. An act to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, and for other purposes;

S. 1849. An act to extend the Emergency Petroleum Allocation Act; and

S. 2073. An act to authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. BURDICK).

ENROLLED BILL SIGNED

At 4:08 p.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the enrolled bill (H.R. 4723) authorizing appropriations to the National Science Foundation for fiscal year 1976.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. BURDICK) laid before the Senate the following letters, which were referred as indicated:

FEDERAL ELECTION COMMISSION PROPOSED ON POINT OF ENTRY FOR ALL REPORTS AND STATEMENTS

A letter from the Chairman, Federal Election Commission, transmitting, pursuant to law, proposed regulation which pertains to the filing of required statements and reports by Federal candidates and political committees (with accompanying papers); to the Committee on Rules and Administration.

REPORT ON THE RELATIVE COST OF SHIPBUILDING

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the relative cost of shipbuilding in the various coastal districts of the United States (with an accompanying report); to the Committee on Commerce.

FEDERAL ELECTION COMMISSION PROPOSED REGULATION PERTAINING TO ACCOUNTS OF FEDERAL OFFICEHOLDERS

A letter from the Chairman, Federal Election Commission, transmitting, pursuant to law, a proposed regulation pertaining to accounts used to support the activities of Federal officeholders (with accompanying papers); to the Committee on Rules and Administration.

NASA Proposed Modification of Buildings Report

A letter from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, report on modification of buildings for effective utilization of space, National Space Technology Laboratories and Slidell Computer Complex, Bay St. Louis, Hancock County, Miss., and Slidell, Tammany Parish, La. (with accompanying report), to the Committee on Aeronautical and Space Sciences.

Proposed Natural Gas Act Amendments

A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to amend the Natural Gas Act (with accompanying papers); to the Committee on Commerce.

Eximbank Loan Transactions With Communist Countries

A letter from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report on loan, guarantee and insurance transactions supported by Eximbank during June 1975 to Communist countries (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "The Liquid Metal Fast Breeder Reactor: Promises and Uncertainties," Energy Research and Development Administration (with an accompanying report); to the Committee on Government Operations.

Amendments to State Vocational Education Program—Notice of Proposed Rulemaking

A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting, pursuant to law, amendments to State Vocational Education Programs—Notice of Proposed Rulemaking (with accompanying papers); to the Committee on Labor and Public Welfare.

Proposed Legislation to Authorize the Secretary of the Interior to Transfer Franchise Fees

A letter from the Acting Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to transfer franchise fees received from certain concession operations at Glen Canyon National Recreation Area, in the States of Arizona and Utah, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Reports on Assistance Related Funds Obligated for Cambodia, Laos, and Vietnam

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, reports showing assistance related funds obligated for Cambodia, Laos and Vietnam during the fourth quarter of fiscal year 1975 (with accompanying reports); to the Committee on Foreign Relations.

Report of the National Railroad Passenger Corporation

A letter from the Director, Government Affairs, National Railroad Passenger Corporation, transmitting, pursuant to law, a report on total itemized revenues and expenses, revenues and expenses of each train operated, and revenues and total expenses attributable to each railroad over which service is provided, for the month of April (with an accompanying report); to the Committee on Commerce.

Defense Civil Preparedness Property Acquisitions

A letter from the Director, Defense Civil Preparedness Agency, reporting, pursuant to law, on property acquisitions of emergency supplies and equipment for the quarter ending June 30, 1975 (with an accompanying report); to the Committee on Armed Services.

Department of the Army Ammunition Problem

Two letters from the Acting Secretary of the Army relating to data pertaining to a Department of the Army ammunition problem (with accompanying papers); to the Committee on Armed Services.

Proposed Authorizations for the National Traffic and Motor Vehicle Safety Act

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations (with accompanying papers); to the Committee on Commerce.

Reports of the Finance and Revenue Committee of the Council of the District of Columbia

A letter from the Council of the District of Columbia, transmitting, pursuant to law, reports of the Finance and Revenue Committee, detailing the legislative history of the adopted Revenue Act of 1975 (with accompanying reports); to the Committee on the District of Columbia.

Proposed Legislation To Approve the Sale of Certain Naval Vessels

Two letters from the Secretary of the Navy, transmitting drafts of proposed legislation to approve the sale of certain naval vessels and for other purposes (with accompanying papers); to the Committee on Armed Services.

Report and Recommendations on Daylight Saving Time

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report and recommendations on the 2-year daylight saving time experiment (with an accompanying report); to the Committee on Commerce.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HASKELL, from the Committee on Interior and Insular Affairs, with amendments:

S. 1469. A bill to amend the Alaska Native Claims Settlement Act to continue the authority of the Joint Federal-State Land Use Planning Commission for Alaska until June 30, 1979 (Rept. No. 94-361).

By Mr. GRAVEL, from the Committee on Public Works, without amendment:

S. 2270. A bill to authorize an increase in the monetary authorization for certain comprehensive river basin plans previously approved by the Congress, and for other purposes (Rept. No. 94-362).

S. 1245. A bill to amend section 218 of title 23, United States Code (Rept. No. 94-363).

INTRODUCTION OF BILLS AND JOINT RESOLUTION

The following bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as indicated:

By Mr. BARTLETT (for himself and Mr. Bellmon):

S. 2261. A bill to authorize the Secretary of the Army to expedite accomplishment of urban flood control and flood plain management plans. Referred to the Committee on Public Works.

By Mr. BEALL:

S. 2262. A bill to establish a temporary Commission on United States Participation in the United Nations. Referred to the Committee on Foreign Relations.

By Mr. TAFT:

S. 2263. A bill to authorize the establishment of the Warren G. Harding National Historic Site in the State of Ohio, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. CANNON:

S. 2264. A bill to authorize the Public Printer to designate employees to administer oaths. Referred to the Committee on Rules and Administration.

By Mr. HARTKE:

S. 2265. A bill to improve the quality of rail services in the United States through regulatory reform, coordination of rail services and facilities and rail rehabilitation financing, and for other purposes. Referred to the Committee on Commerce.

By Mr. GRIFFIN:

S. 2266. A bill to amend the Regional Rail Reorganization Act of 1973 to provide for increased assistance for local rail services and an economic analysis of those services not designated to be continued pursuant to the final system plan. Referred to the Committee on Commerce.

By Mr. STONE:

S. 2267. A bill to amend the Internal Revenue Code of 1954 to provide for the deferral and transfer of liability for the payment of a part of the Federal estate tax on farms the fair market value of which exceeds the value of such property for continued use as farm land. Referred to the Committee on Finance.

By Mr. METCALF (for himself, Mr. Ribicoff, and Mr. Percy):

S. 2268. A bill to revise and restate certain functions and duties of the Comptroller General of the United States and for other purposes. Referred to the Committee on Government Operations.

By Mr. TALMADGE:

S. 2269. A bill for the relief of Denno Chung-Sang Li, Nicholas Lit-Yung Lam, and Augustine Ka-Cheung Wu. Referred to the Committee on the Judiciary.

By Mr. GRAVEL, from the Committee on Public Works:

S. 2270. An original bill to authorize an increase in the monetary authorization for certain comprehensive river basin plans previously approved by the Congress, and for other purposes. Placed on the calendar.

By Mr. DOMENICI:

S. 2271. A bill to amend the Interstate Commerce Act by including independent owner-operator truckers as an exempted class under section 203(b) of that Act, and for other purposes. Referred to the Committee on Commerce.

By Mr. ROTH:

S. 2272. A bill entitled "The Family Farm Estate Tax Reform Bill." Referred to the Committee on Finance.

By Mr. PROXMIRE (for himself, Mr. Brooke, and Mr. Biden):

S. 2273. A bill to provide minimum national standards for disclosure and consumer protection in condominium sales and condominium conversions, and for other purposes. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. BELLMON:

S. 2274. A bill to amend the feed grain and wheat programs to insure adequate production of such commodities for both domestic and export needs without depressing the prices of such commodities, and for other purposes. Referred to the Committee on Agriculture and Forestry.

By Mr. MATHIAS (for himself and Mr. Eagleton):

S. 2275. A bill to make a technical amendment to the Elementary and Secondary Education Act of 1965 so as to include the District of Columbia as a State for purposes of Title IV, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. HANSEN:

S. 2276. A bill to provide for improved public recreation access to Pathfinder Reservoir, North Platte Project, Wyoming. Referred to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 2277. A bill for the relief of Anacleto Aboyabor Dotollo and Turtosa Acompanado Dotollo. Referred to the Committee on the Judiciary.

By Mr. TUNNEY:

S. 2278. A bill entitled "The Civil Rights Attorneys' Fees Awards Act of 1975." Referred to the Committee on the Judiciary.

By Mr. NELSON:

S. 2279. A bill to provide for the relief of the trustee of the bondholders of the Bankers Joint Stock Land Bank of Milwaukee. Referred to the Committee on the Judiciary.

By Mr. GRAVEL (for himself and Mr. Stevens):

S. 2280. A bill to authorize construction of the Devil Canyon and Watana Units of the Upper Susitna Basin Project and related transmission facilities. Referred to the Committee on Public Works.

By Mr. HANSEN:

S. 2281. A bill for the relief of Juan Meza Morales. Referred to the Committee on the Judiciary.

By Mr. EAGLETON:

S. 2282. A bill for the relief of Ramesh Motwani. Referred to the Committee on the Judiciary.

By Mr. TUNNEY:

S. 2283. A bill to amend section 812 of the Agricultural Act of 1970 to provide for a system of prior approval of export sales of wheat and wheat flour and feed grains, and for other purposes. Referred to the Committee on Agriculture and Forestry.

By Mr. HUMPHREY (for himself, Mr. Clark, Mr. Mondale, Mr. McGovern, Mr. Leahy, Mr. Nelson, Mr. Young, and Mr. Dole):

S.J. Res. 121. A joint resolution to provide for quarterly adjustments in the support price for milk. Referred to the Committee on Agriculture and Forestry.

By Mr. THURMOND:

S.J. Res. 122. A joint resolution proposing an amendment to the Constitution of the United States with respect to the length of the term of office of the President and Vice President and the number of terms a President may serve. Referred to the Committee on the Judiciary.

By Mr. MOSS:

S.J. Res. 123. A joint resolution to require the Attorney General of the United States to conduct an investigation to determine whether antitrust violations are occurring in the manufacture or marketing of replacement home canning lids, and for other purposes. Referred to the Committee on the Judiciary.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 1611

At the request of Mr. Roth, the Senator from Maryland (Mr. Mathias) was added as a cosponsor of S. 1611, to amend title II of the Federal Water Pollution Control Act to provide for State certification.

S. 1970

At the request of Mr. Stone, the Senator from Oregon (Mr. Hatfield) was added as a cosponsor of S. 1970, a bill to amend title 28 of the United States Code to provide that information relating to the administration of the U.S. courts be made available to the public.

S. 1906

At the request of Mr. Church, the Senator from Iowa (Mr. Culver), the Senator from Michigan (Mr. Philip A. Hart), the Senator from Montana (Mr. Mansfield), and the Senator from Idaho (Mr. McClure) were added as cosponsors of S. 1906, a bill to amend title XVIII of the Social Security Act.

S. 2015

At the request of Mr. Eagleton, the Senator from New York (Mr. Buckley) was added as a cosponsor of S. 2015, a bill to amend title 39 United States Code, to assure that certain publications of institutions of higher education continue to qualify as second-class mail.

S. 2111

At the request of Mr. Clark, the Senator from Massachusetts (Mr. Kennedy) was added as a cosponsor of S. 2111, a bill to halt the importation of Rhodesian chrome.

S. 2129

At the request of Mr. Fannin, the Senator from New Mexico (Mr. Domenici) was added as a cosponsor of S. 2129, the Indian Crimes Act of 1975.

S. 2157

At the request of Mr. Hugh Scott (for Mr. Javits), the Senator from Maryland (Mr. Mathias), the Senator from New Mexico (Mr. Montoya), the Senator from Indiana (Mr. Hartke), the Senator from Washington (Mr. Magnuson), and the Senator from South Dakota (Mr. Abourezk) were added as cosponsors of S. 2157, a bill to amend title XX of the Social Security Act.

SENATE RESOLUTION 12

At the request of Mr. Roth, the Senator from New Mexico (Mr. Domenici) was added as a cosponsor of Senate Resolution 12, amending the standing rules of the Senate providing for open meetings of conference committees.

SENATE RESOLUTION 175

At the request of Mr. Roth, the Senator from Florida (Mr. Chiles) was added as a cosponsor of S. Res. 175, amending rule XLIV of the Standing Rules of the Senate to require that copies of confidential personal financial disclosure reports filed under such rule be furnished in response to subpenas issued in criminal cases.

SENATE RESOLUTION 214

At the request of Mr. Hugh Scott, the Senator from Nevada (Mr. Cannon), the Senator from South Carolina (Mr. Hollings), and the Senator from Georgia (Mr. Nunn), were added as cosponsors of Senate Resolution 214, expressing the concern of the Senate over attempts to expel Israel from the United Nations.

SENATE RESOLUTION 232

At the request of Mr. Moss, the Senator from Wyoming (Mr. McGee) was added as a cosponsor of Senate Resolution 232, relating to the National Park Service.

SENATE JOINT RESOLUTION 101

At the request of Mr. Burdick, the Senator from New Mexico (Mr. Domenici), the Senator from Wyoming (Mr. Hansen), the Senator from New York (Mr. Javits), the Senator from Utah (Mr. Moss), and the Senator from Rhode Island (Mr. Pastore) were added as cosponsors of Senate Joint Resolution 101, designating "National Family Week."

SENATE JOINT RESOLUTION 105

At the request of Mr. Clark, the Senator from South Dakota (Mr. Abourezk) was added as a cosponsor of Senate Joint Resolution 105, to strengthen the foreign relations of the United States.

SENATE RESOLUTION 235—SUBMISSION OF A RESOLUTION RELATING TO PROPOSED RULES OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

(Referred to the Committee on Labor and Public Welfare.)

Mr. BAYH (for himself, Mr. Case, Mr. Brooke, Mr. Abourezk, Mr. Baker, Mr. Bentsen, Mr. Biden, Mr. Bumpers, Mr. Burdick, Mr. Church, Mr. Clark, Mr. Cranston, Mr. Culver, Mr. Eagleton, Mr. Fong, Mr. Glenn, Mr. Gravel, Mr. Gary W. Hart, Mr. Philip A. Hart, Mr. Hartke, Mr. Haskell, Mr. Hatfield, Mr. Hathaway, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Kennedy, Mr. Leahy, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Magnuson, Mr. Mansfield, Mr. Mathias, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Muskie, Mr. Nelson, Mr. Packwood, Mr. Pastore, Mr. Pearson, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Schweiker, Mr. Hugh Scott, Mr. Stafford, Mr. Stevenson, Mr. Symington, Mr. Taft, Mr. Tunney, and Mr. Williams) submitted the following resolution, To express the sense of the Senate that the Department of Health, Education, and Welfare should withdraw its proposed Consolidated Procedural Rules for Administration and Enforcement of the Department's statutory responsibilities:

S. Res. 235

Whereas the Congress has enacted Title VI of the Civil Rights Act of 1964, Title I–X of the Education Amendments of 1972 and other provisions of law to prohibit discrimination against individuals on the basis of race, sex, religion, national origin or handicap; and

Whereas it was clearly the intent of Congress in enacting those prohibitions on discrimination to protect the individual rights of all persons as well as to thwart systemic discrimination against groups of individuals; and

Whereas the 14th Amendment of the Constitution is explicit in affording equal protection of the laws "to any person"; and

Whereas the courts and the Commission on Civil Rights have found the Office for Civil Rights of the Department of Health, Education, and Welfare negligent in the exercise of the statutory obligation to investigate and resolve both individual bias complaints and compliance reviews; and

Whereas the position of the Office for Civil Rights and the Department that effective enforcement of existing law is hampered by the lack of adequate personnel cannot justify any failure to enforce existing law, and

Whereas it is the strongly held view of the Senate that the Office for Civil Rights and the Department of Health, Education, and Welfare have a continuing responsibility to investigate and to take appropriate action both in cases of individual complaints and in cases of systemic discrimination; and

Whereas the preceding is not required under the proposed procedural regulations, therefore be it

Resolved, that it is the sense of the Senate that the Department of Health, Education and Welfare should withdraw the aforementioned proposed procedural regulations.

And be it further resolved that if additional positions are required within the Office for Civil Rights for effective enforcement of Civil Rights laws this need should promptly be brought to the attention of the Senate.

And be it further resolved that the Office for Civil Rights within the Department of Health, Education, and Welfare shall continue to make every effort to detect systemic discrimination through the use of annual surveys which shall be modified to encompass areas relating to discrimination based on sex and handicap.

Mr. BAYH. Mr. President, I am today submitting, for myself, Senators CASE and BROOKE and 50 of our colleagues, a resolution calling upon the Department of Health, Education, and Welfare to withdraw proposed regulations that—if permitted to take effect—would constitute a serious setback in our national goal of ending discrimination against minorities, women, and the handicapped.

On June 4, 1975, the Department of Health, Education, and Welfare issued a proposed uniform procedural regulation, relating to all the civil rights enforcement responsibilities of the Department with the exception of its obligations under Executive Order 11246, banning discrimination by Federal contractors.

The import of these regulations for victims of discrimination—be they women, minorities or the handicapped—is that HEW will no longer take any action on individual complaints, but will rely instead on periodic compliance reviews. The proposed procedural regulations would remove the requirement of "prompt investigation" of individual complaints, and in effect, would appear to summarily dismiss the individual complaint as no longer being the concern of the Department.

It was my understanding that the Department's justification for the proposed procedural regulation related to the increased responsibilities of the Office of Civil Rights, both in terms of increased statutory responsibilities and increased volume of complaints. Former Secretary Weinberger stated the proposed regulation grew out of the current practice of determining the priorities of the Office for Civil Rights by whatever happened to arrive in the morning mail. According to the former Secretary, this "mail bag method of investigation" left many large-scale areas of discrimination uninvestigated.

Mr. President, I find this a strange answer to the problem of efficiency. Instead of responding to a growing number of complaints by requesting sufficient staff and funds to perform its mandated obligations under the law, both through compliance reviews and through consideration of individual complaints, the Department's response is simply to abandon its responsibilities.

The answer to the problem according to this reasoning, is not to attempt to increase efficiency of the Office, but rather to rid the Department of the obligation to handle individual complaints altogether by simply pushing these complaints off on the shoulders of other agencies or onto the courts or by ignoring them completely.

In light of my concern over this new procedural regulation on July 7, 1975, with the consent of the distinguished Senator from Washington (Mr. MAGNUSON), I chaired a day of hearings before the Labor-HEW appropriations subcommittee, focusing on the staff and resource problems of the Office for Civil Rights. At that time, the subcommittee received testimony from Peter Holmes, the Director for the Office for Civil Rights and from various groups and organizations directly affected by the proposed procedural regulation.

Testimony from both the Office for Civil Rights and from groups such as the Leadership Conference on Civil Rights, the Council for Exceptional Children, El Congresso, and the National Organization for Women's Legal and Education Defense Fund produced some surprising and revealing findings:

Despite the heavy reliance by the Department on the various court rulings placing time limitations on the Office for Civil Rights handling of title VI complaints, since the first Court ruling, Adams versus Richardson in 1972, HEW has requested no new positions for title VI enforcement.

Despite the justification of insufficient resources and staff to continue investigating and processing individual complaints, there has been no testimony by representatives of OCR to this effect before either Congressional Appropriations Committees;

In 1966, nine Federal agencies delegated certain civil rights compliance and enforcement responsibilities to HEW under a Department of Justice coordination plan for title VI enforcement. Under this plan, HEW is entitled to ask for reimbursement for the activities undertaken for those Federal agencies. According to a report on Federal Civil Rights Enforcement Efforts by the U.S. Commission on Civil Rights, HEW has failed to claim such reimbursement during the 9 years the plan has been in effect;

Despite the Department's insistence that a new approach would rely on compliance review, the Department has eliminated the use of annual student surveys, one of the tools previously used as a guide to areas in need on compliance reviews;

Despite the Department's continuing complaint that it is understaffed, the Department failed to fill over 50 positions authorized under the fiscal year 1975 appropriations bill.

On the same day the Department released the proposed procedural regulation, it also issued final regulations to implement title IX of the Education Amendments of 1972, banning sex discrimination in all federally assisted education programs. Despite the fact that title IX enforcement throughout 16,000 public school districts and 2,697 institutions of higher learning is now required, and the Department is predicting a high volume of complaints under title IX, the Department has requested only six new positions for title IX enforcement;

Despite the justification that part of OCR's increased caseload was due to its enforcement efforts mandated under legislation passed by the Congress in 1973 prohibiting discrimination against the handicapped, OCR did not initiate the development of an enforcement program for this legislation until 1975, and did not request staff positions to begin actual enforcement until its fiscal 1976 budget request.

I think these observations cast serious question on the Department's justification of inadequate staff and resources to carry out its congressional mandate regarding individual bias complaints. It appears HEW and the administration for reasons of their own have determined to give a low priority to the protection of the rights of individual citizens. Indifference to the individual is not the answer to solving the problems of discrimination.

The frustration and disillusionment born of such indifference will be justified. Let us not forget that it is exactly this kind of frustration and disillusionment with the processes of Government that holds the greatest threat to the survival of our democracy. What good are our country's basic constitutional rights unless they have meaning to individual citizens?

I do not think anyone here in the Congress today would question the need for efficiency and the rational allocation of available resources in the administration of civil rights enforcement programs. I do not think there is anyone here today who would dismiss the notion that the compliance review, when conducted with thoroughness and reasonable speed, is perhaps the most effective way to combat systemic discrimination.

But I do not believe that we can turn our back on the individual—and our commitment to that individual—in the name of efficiency.

No matter how much more efficient it may seem to simply refer the aggrieved individual to another remedial agency rather than process the case, this cannot be the proper solution. Court enforcement by the Justice Department or by any other federal agency should not be allowed to become a substitute for the use of administration sanction. One of the primary purposes of the Congress in enacting title VI of the Civil Rights Act of 1964 was to provide an administrative remedy for individuals, and to remove the concept of the courts as the sole enforcer of civil rights of minorities.

If it is the case that OCR cannot perform its mandated responsibilities because of staffing or budgetary constraints, let the Department come before the Congress and request the necessary assistance.

Mr. President, I would hope that this body and this Congress would be equally concerned as the court has been, with taking steps we can and must take to insure the rights of individuals in this country.

Congress and the people of this Nation have expressed a commitment to end discrimination—be it discrimination against women, against racial or ethnic minorities, or against the handicapped. Simple justice requires that public funds, to which all taxpayers contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in discrimination.

This is what we are talking about, Mr. President. It is not our own personal desires, but the way we spend the taxpayers' money generally. We must not spend these dollars in a way which aids and abets discrimination.

The plan to issue such procedural regulations must inevitably call into question this administration's commitment to ending discrimination and to protecting those individual rights secured by our Constitution.

Therefore, Mr. President, today I am submitting for myself and 52 of my colleagues the resolution calling for the withdrawal of the proposed procedural regulations on civil rights enforcement. Withdrawal of the regulation is essential if we are to convince the understandably skeptical American citizens whose rights are in jeopardy that we have an enduring commitment to protect those rights. The Senate must speak loudly and clearly in defense of individual rights, and adoption of this resolution is the vehicle by which our message can be forcefully conveyed to the administration. I urge its speedy adoption.

AMENDMENTS SUBMITTED FOR PRINTING

TAX REFORM ACT OF 1975—S. 512

AMENDMENT NO. 858

(Ordered to be printed and referred to the Committee on Finance.)

Mr. HASKELL. Mr. President, I am submitting an amendment to S. 512, the Tax Reform Act of 1975, which I introduced earlier this year.

As introduced, the bill currently taxes for U.S. income tax purposes income earned by a foreign subsidiary of a United States corporation even though that income has not been distributed to its parent. My amendment would delete that section.

Since introducing S. 512, I have learned that no other major industrialized nation treats undistributed foreign subsidiary income as liable for current taxation. I would not want to put United States corporations at a disadvantage with their foreign competitors. Therefore, I have decided to strike that section.

I am also a cosponsor of S. 651, the Tax Neutrality Act of 1975, which was introduced by the Senator from Idaho (Mr. CHURCH). I would support a similar amendment to that legislation at the appropriate time.

Mr. President, I ask unanimous consent that the amendment be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 858

Strike out all of section 116, beginning on page 40 and continuing over through page 44.

CRIMINAL JUSTICE REFORM ACT OF 1975—S. 1

AMENDMENTS NOS. 859 THROUGH 867

(Ordered to be printed and referred to the Committee on the Judiciary.)

Mr. MOSS. Mr. President, I am submitting today nine amendments to S. 1, the Criminal Justice Reform Act of 1975.

The first amendment is designed to define the term "war" with its constitutional meaning. This term is not defined in the bill, and the courts have not limited its scope to the constitutional definition. Many of the terms of imprisonment are stringently increased if a violation of the law occurs during a time of war. Past experience has taught us that the term "war" can sometimes be ambiguous. If we are going to increase penalties based on that term, then it must be defined. This definition is in keeping with Congress asserting its sole constitutional authority to define and declare "war."

The second amendment returns the definition of the crime of treason to its constitutional definition. The Supreme Court has held that Congress does not have the authority to alter the definition of treason—its sole power is to prescribe the penalties for the commission of the offense. Although the present wording of the bill only enlarges on the language of the Constitution, and modernizes it, the risk of possible constitutional challenge to the wording is not worth the proposed changes. The Constitution must be our guiding light for defining constitutional crimes.

The third amendment being offered brings the section entitled "Instigating Overthrow or Destruction of the Government," within the constitutional guarantees of free speech and assembly as interpreted by the Supreme Court. The Court in those decisions which have set the guiding principles for those who would advocate and incite lawless action for the overthrow or destruction of the Government has required that there must be in the offense the elements of "urging to imminent lawless action" and has also required that the speech or conduct be "likely to achieve the lawless conduct." This section as drafted does not contain these constitutional requirements as stated by the Supreme Court.

Also, the section as drafted does not protect the rights to freely assemble and petition the Government for redress of grievances. The Supreme Court decisions dealing with the membership provisions of the Smith Act have required a close connection between an organization and its immediate purposes to alter the Government of the United States. My amendment will accomplish that result by requiring that the organization, or a member in that organization, is not subject to criminal sanctions unless its purpose is the imminent overthrow or destruction of the Government, and that its urgings and incitements are to imminent lawless conduct.

The fourth amendment concerns the crime of sabotage. The amendment limits the scope of the crime to interfering with the ability of the United States to engage in war, rather than allowing the crime to extend to interfering with the ability of the United States to prepare for defense activities, as S-1 currently does. In line with this more precise defining of the limits of the crime of sabotage is the elimination of the amorphous concept of "public facility" from the definition of the crime of sabotage. Sabotage is a heinous crime, but has traditionally, and should now, relate to crimes specifically against a war effort or mobilization. This amendment will maintain that element of the crime.

The fifth amendment to S. 1 deals with section 1112 impairing military effectiveness. This section is a stepped-down sabotage section where a specific intent is not required, but rather imposes criminal sanctions if the person engages in the same conduct but with only a reckless disregard to the risks of the results of his conduct. Therefore similar amendments to this section are offered to bring it in line with its parent, the sabotage statute.

This next amendment, the sixth, covers section 1112, inciting or aiding mutiny insubordination or desertion. It deals with advocacy and incitement and the constitutional guarantee of free speech requires a more stringent limiting of what is to be proscribed conduct or speech. Also as presently written, the punishment does not fit the crime—incitement to insubordination is punished as severely as incitement to mutiny or desertion and it does not adequately recognize the severe nature of the offense during time of war. Therefore this amendment attempts to more rationally fit the punishment to the crime.

The seventh amendment concerns the crime of espionage. In keeping with the nature of the other amendments offered today it changes the nature of the crime from one concerning "national defense information" to "classified information." It also rejects the notion of S. 1 as presently drafted which has reduced the culpability for the commission of this crime by requiring only a knowledge that the release of information "may be used to the prejudice" of the United States. My amendment will require that the individual "intend that the information be used to prejudice of the United States".

The eighth amendment offered is the most extensive. The sections that are to be amended concern the disclosing and handling of national defense and classified information, which were referred to by the Chicago Sun Times as a "blueprint for tyranny" in their present form.

Sections 1112—disclosing national defense information—1123—mishandling national defense information—and 1124—disclosing classified information—are consolidated into one section entitled. "The Disclosure and Handling of Classified Information."

The Government has legitimate interests in keeping certain information confidential. However, the definition of national defense information and the possible sanctions, were far too broad and amorphous. The Government's legitimate interests in preserving secrets should only extend to those areas that could awfully be subject to a classified status. That is what this amendment attempts to do. Certainly any national defense information which is critical to this great Nation's security will be classified. The sections as written are unnecessarily redundant.

The amendment retains the admirable provisions of 1124 that allow for review of the classified status, and adds that all classified items must be reviewed annually to insure that their classified status is still proper and lawful. These procedures are required on all information or any prosecution is barried. It also retains the affirmative defense of the information not being lawfully subject to classification, if the person did not receive money for it and did not give the information directly to a foreign agent, but only if the person followed the review procedure.

It is my intent by this amendment to balance the conflicting interests of allowing a free flow of information and the Government's legitimate interests in keeping some information secret. The bill as drafted dismisses too lightly the right of the public to be informed and stresses too heavily the Government's needs for secrecy, a concern which now increasingly confronts the Congress and the Nation each day.

The last amendment deals with the definitions. As to the definition of classified information, it excludes information that is, or was, freely available to the public. This insures that information that, say, was at one time in the CONGRESSIONAL RECORD will not thereafter be classified and possibly subject individuals to prosecution.

The definitions of "communications intellengence information" and "cryptographic information" are amended to make only specific, as opposed to general, information the subject of concern. This insures that if two individuals are talking and say "I understand the CIA still uses phone taps" that they will not be prosecuted, but if one says "I understand that there is a bug in room 4B of the X building in G country" then there is a possibility of prosecution.

When I initially cosponsored this bill, I realized that there were some provisions in the bill that did not adequately protect our basic liberties. These amendments related to chapter 11. Offenses involving national defense, and are an attempt to more adequately preserve the constitutional rights of all Americans and also to more adequately define the national defense concerns and interests that should be protected through the criminal justice system. They are the first of several amendments I intend to introduce as I review this extensive act to make certain it adequately provides for the prosecution of criminal offenders while preserving our precious constitutional safeguards.

I ask unanimous consent that the amendments be printed at this point in the RECORD.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

AMENDMENT No. 859

(1) At page 65, line 15 delete the word "might", and insert in lieu thereof the word "would";

(2) At page 65, line 15 delete the words "interfere with,";

(3) At page 65, lines 16 and 17 delete the words "to prepare for or";

(4) At page 65, line 17 delete the words "or defense activities";

(5) At page 65, line 22 insert before the word "other" the word "any", and at page 65, lines 22 and 23 delete the words "for the purpose of collective bargaining or other mutual aid and protection";

(6) At page 65, line 33 delete the word "or"; and

(7) At page 65 delete all of line 34.

AMENDMENT No. 860

(1) At page 67, lines 30 and 31 delete the words "in mutiny, insubordination, refusal of duty, or desertion" and insert in lieu thereof "immediately in mutiny, insubordination, refusal of duty, or desertion, and his conduct was likely to produce such result";

(2) At page 68, line 9 delete the words "class D felony" and insert in lieu thereof the words "class E felony";

(3) At page 68, line 10 delete the words "in the circumstances set forth" and insert in lieu thereof the words "if the offense is mutiny or desertion as set forth";

(4) At page 68, line 11 delete the word "or"; and

(5) At page 68 delete all of line 12 through line 14 and insert in lieu thereof "(3) a class A misdemeanor in all other circumstances".

AMENDMENT No. 861

(1) At page 69, line 2 delete the word "knowing" and insert in lieu thereof the word "intending";

(2) At page 69, line 3 delete the words "national defense information may", and insert in lieu thereof the words "classified information will";

(3) At page 69, line 6 insert before the word "communicates", the word "directly";

(4) At page 69, line 6, insert after the words "foreign power" the words "or its agent";

(5) At page 69, line 7 delete the words "knowing that it may" and insert in lieu thereof the words "intending that it will";

(6) At page 69, line 10 delete the words "knowing that it may" and insert in lieu thereof the words "intending that it will"; and

(7) At page 69, lines 14 and 15 delete the words "or during a national defense emergency".

AMENDMENT No. 862

At page 69, delete all of line 23 through page 71, line 26, and insert in lieu thereof:

1122. Disclosing classified information

(a) Offense.—A person is guilty of an offense if:

(1) being or having been in authorized possession or control of classified information, he:

(A) communicates such information to a person who he knows is not authorized to receive it;

(B) intentionally fails to deliver it on demand to a federal public servant who is authorized to demand it;

(C) engages in conduct that causes its loss, destruction or theft, or its communication to one not authorized to receive it, and such conduct is in reckless disregard of the risk of such result; or

(D) fails to report promptly, to the agency authorizing him to possess or control such information, its loss, destruction, or theft, or its communication to one not authorized to receive it.

(2) being in unauthorized possession or control of classified information, he:

(A) intentionally communicates it to an individual who he knows is not authorized to receive it;

(B) intentionally fails to deliver it promptly to a federal public servant who is authorized to receive it; or

(C) engages in conduct that causes its loss, theft or its communication to one not authorized to receive it, and such conduct is in reckless disregard of the risk of such result.

(b) Exceptions to liability as an accomplice, conspirator or solicitor.—A person who is not authorized to receive classified information is not subject to prosecution as an accomplice to an offense under this section, and is not subject to prosecution for conspiracy to commit or for solicitation to commit an offense under this section.

(c) Bar to prosecution.—A prosecution under this section is barred unless:

(1) At the time of the offense there existed, pursuant to a statute or an executive order, or a regulation or rule pursuant thereto:

(A) a government agency responsible for insuring that other governmental agencies classify and maintain as classified only such information as is lawfully subject to classification, and that the classification of such information was reviewed for the purpose of ascertaining its lawfulness within the past year; and

(B) a review procedure through which the defendant could obtain review, by the government agency described in subparagraph (A), of the lawfulness of the classification of the information; and

(2) prior to the return of the indictment or the filing of the information, the head of the government agency classifying the information, the head of the government agency described in subparagraph (A) of paragraph (1), and the Attorney General jointly certify to the court that the information was lawfully subject to classification at the time of the offense.

(d) Affirmative defenses.—It is an affirmative defense to a prosecution under this section that:

(1) the information was communicated only to a regularly constituted subcommittee, committee, or joint committee of Congress, pursuant to a lawful demand; or

(2) the defendant had attempted to obtain the reclassification of the information and had exhausted all administrative remedies arising out of the review procedure described in subsection (c)(1), and the information:

(A) was not directly communicated to an agent of a foreign power;

(B) was not communicated in exchange for anything of value; and

(C) was not lawfully subject to classification at the time of the offense.

(e) Defense precluded.—It is not a defense to a prosecution under this section, except as provided in subsection (d)(2), that the information was not lawfully subject to classification at the time of the offense.

(f) Grading.—An offense in this section is:

(1) if committed in time of war:

(A) a class A felony if the person to whom the information is directly communicated is an agent of a foreign power;

(B) a class B felony in the circumstances set forth in (a)(1)(A), (1)(B), (1)(D), or (2)(A);

(C) a class C felony in any other case.

(2) if not committed in time of war:

(A) a class C felony if the person to whom the information is directly communicated is an agent of a foreign power in the circumstances set forth in section (a)(1)(A) or (2)(A);

(B) a class D felony in the circumstances set forth in (a)(1)(A) or (1)(B);

(C) a class E felony in the circumstances set forth in (a)(1)(C), (1)(D), (2)(A) or (2)(B);

(D) a class A misdemeanor in the circumstances set forth in (a)(2)(C)."

At page 71, line 27, delete the numbers "1125" and insert in lieu thereof the numbers "1123";

At page 71, line 36, delete the numbers "1126" and insert in lieu thereof the numbers "1124";

At page 72, line 10, delete the numbers

"1127" and insert in lieu thereof the numbers "1125";

At page 72, line 33, delete the numbers "1128" and insert in lieu thereof the numbers "1126".

AMENDMENT No. 863

At page 73, lines 1 and 2 delete the words, ", regardless of its origin,";

At page 73, line 6, insert after the word "security" the words ", and is not now, nor was previously, freely in the public domain";

At page 73, line 9, insert before the word "procedure" the word "particular";

At page 73, line 13, insert before the word "use" the word "particular";

At page 73, line 23, insert before the word "nature" the word "particular";

At page 73, line 28, insert before the word "use" the word "particular";

At page 74, delete all of line 1 through line 20.

AMENDMENT No. 864

(1) At page 64, line 7 delete the words "to prepare for or";

(2) At page 64, lines 7 and 8 delete the words "or defense activities";

(3) At page 64, line 18 delete the words "in part", and insert in lieu thereof the words "substantially in whole";

(4) At page 64, line 23 delete the word "or";

(5) At page 64, line 24 delete the words ""(D) any public facility;";

(6) At page 64, line 31 delete the word "or";

(7) At page 64, line 32 delete the words ""(B) a service of a public facility.";

(8) At page 65, line 10 delete the word "or"; and

(9) At page 65, line 11 delete the words ""(B) is committed during a national defense emergency;".

AMENDMENT No. 865

(1) At page 63, lines 23 and 24 delete the words "as speedily as circumstances permit," and insert in lieu thereof the word "imminently";

(2) At page 63, lines 25 and 26 delete the words "then or at some future time" and insert in lieu thereof the word "imminently"; and

(3) At page 63, line 27 insert after the word "government" the words "and his conduct is likely to produce such result".

At page 63, delete everything from line 3 through line 8 and insert in lieu thereof "(2) levies war against the United States."

At page 43 line 16 insert the following definition "war" means a war declared by Congress pursuant to its Constitutional power, or an invasion of the United States by a foreign Nation."

NOTICE OF HEARINGS

Mr. McINTYRE. Mr. President, on Wednesday, July 30, 1975, I announced that the Subcommittee on Financial Institutions of the Committee on Banking, Housing and Urban Affairs would hold a hearing on NOW accounts in Concord, N.H., on Friday, September 12, 1975.

Since NOW accounts are presently restricted to the States of New Hampshire and Massachusetts, I wish now to announce that the Subcommittee will hold an additional hearing in Worcester, Mass., on Thursday, September 11, 1975.

This additional hearing should afford the subcommittee a better overall view of NOW accounts in the two States where they are presently authorized.

Anyone wishing information concerning these hearings should contact Mr. William R. Weber, counsel, room 5300, Dirksen Senate Office Building, Washington, D.C. 20510, telephone: Area code 202/224-7391.

NOTICE OF HEARINGS OF THE SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY

Mr. BAYH. Mr. President, I wish to announce that the Subcommittee To Investigate Juvenile Delinquency, Committee on the Judiciary, will continue hearings on the escalating rate of firearms crimes. The subcommittee to date has held two hearings this year—April 23 and July 22—which explored additional initiatives to more effectively curb the senseless slaughter of innocent human beings and the ever-escalating number of armed assaults and robberies involving firearms. The third day in our series of hearings is scheduled to be held on Monday, August 18, 1975, at 10 a.m., in room 2228, Dirksen Office Building.

Mr. President, the subcommittee will also continue their hearings on the abuse and misuse of controlled drugs in juvenile institutions. Last year the subcommittee initiated a special investigation of these distressing problems and in the coming months will continue with a comprehensive assessment of the practices which lead to the chemical straitjacketing of thousands of youngsters. The second in our series of hearings is scheduled to be held on Thursday, August 14, 1975, at 10:30 a.m., in room 2228, Dirksen Office Building.

Anyone interested in these subcommittee investigations or desiring to submit a statement for the record should contact John M. Rector, staff director and chief counsel of the subcommittee, U.S. Senate, A504, Washington, D.C. 20510, 202(224-2951).

GRAIN SALES TO THE SOVIET UNION—NOTICE OF HEARING

Mr. TALMADGE. Mr. President, there has been a flurry of statements the past few days in regard to the recent grain sales to the Soviet Union. Most are equating the current situation with that which prevailed at the time of the 1972 Soviet grain purchase.

I can appreciate the fact that people would be concerned about a repeat of that unhappy experience but I cannot understand the extent of misinformation being given out and, it some cases, blatantly irresponsible statements by persons who should know better.

The Agriculture and Consumer Protection Act of 1973, initiated by the Committee on Agriculture and Forestry, provides a reporting and monitoring system that was unavailable in 1972. This requirement and authority is contained in section 812 of that 1973 act. If the act is properly administered, there is no chance of a repeat of the 1972 grain raid.

The Committee on Agriculture and Forestry has been closely monitoring these developments.

The committee has established a regular schedule of meetings with the Secretary of Agriculture, and committee staff are in daily contact with the Department, other agencies and knowledgeable sources in the grain trade area.

I fully recognize that our crops are not yet in the bins and that weather reversals could occur, but we need deliberate consideration rather than sensationalism.

Therefore, Mr. President, I wish to announce that the Committee on Agriculture and Forestry has scheduled a hearing for September 4 with Secretary of Agriculture Earl Butz. At that time there will be greater certainty about the condition of our crops, especially corn, and we will be able to make better estimates of the total supply.

We are also asking Secretary Butz to have the chief of the Soviet grain inspection team accompany him, so that we can get a firsthand assessment of the Soviet grain crop and a better handle on their total needs.

We are also asking Chairman Burns of the Board of Governors of the Federal Reserve to testify, since he has decided to become an agricultural expert.

Mr. President, Washington is known as a town of rumors. It has been my experience that rumors are seldom helpful, and most are harmful.

The Committee on Agriculture and Forestry has jurisdiction over agriculture and the export of agricultural commodities. We are conscientiously discharging our responsibilities in this area. Our interest is solely the welfare of this Nation—not headlines.

ANNOUNCEMENT OF HEARING ON "THE RECESSION AND THE OLDER WORKER"

Mr. RANDOLPH. Mr. President, I announce that the Subcommittee on Employment and Retirement Incomes of the Committee on Aging will conduct a hearing on "The Recession and the Older Worker" at 10 a.m. on August 14. The hearing will be held in Chicago at the City Council Chambers, 121 North LaSalle Street. Testimony will focus on the special problems encountered by older workers because of the recession and the extraordinary high rates of unemployment.

ANNOUNCEMENT OF HEARINGS ON ESTATE AND GIFT TAX PROBLEMS OF SMALL BUSINESSMEN AND FARMERS

Mr. NELSON. Mr. President, I wish to announce that the Select Committee on Small Business will hold a public hearing on Federal estate and gift tax laws as they relate to small businessmen and farmers. The hearing, which will take place on Tuesday, August 26, 1975, in St. Paul, Minn., with the exact time and place not yet determined, is in furtherance of two committee inquiries now in progress on small business tax reform and on the survival of the family farm.

The hearings will be chaired by the Senator from Minnesota (Mr. MONDALE).

Further information on the hearings can be obtained from the offices of the committee, 424 Russell Office Building, telephone 224-5175, or from the office of Senator MONDALE, 443 Russell Office Building, telephone 224-5641.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BEALL:

S. 2262. A bill to establish a temporary Commission on United States Participation in the United Nations. Referred to the Committee on Foreign Relations.

U.S. PARTICIPATION IN THE UNITED NATIONS

Mr. BEALL. Mr. President, I send to the desk legislation which would, if enacted, establish a 15-member Commission on United States participation in the United Nations. Five members of the Commission would be appointed by the President, five by the President of the Senate—including two Senators—and the remaining members by the Speaker of the House of Representatives—including two Representatives. The Commission would be charged with responsibility for conducting a complete review of all aspects of U.S. participation in the United Nations, with a mandate to report in 1 year.

It has been almost 30 years since the United Nations Charter was signed and the world has changed a great deal during that period. When the United Nations was first founded it contained 51 members, a number which has now grown to 138. It is interesting to note that the U.S. population—approximately 212 million—is greater than the combined populations of the 77 smallest countries represented in the United Nations. Each of these nations, including the tiny Pacific Island of Naru—population 6,700—has one vote in the General Assembly. The U.S. economy exceeds the total output of goods and services for the combined economies of 124 countries in the United Nations. From 1945 to 1970, the United States provided approximately 40 percent of all United Nations funds. Due to congressional action, this figure has been reduced to approximately 25 percent.

My proposal for a sweeping review of the U.S. role in the United Nations stems not from the nature or dynamics of its growth, or even the financial consequences of our $410 million annual contribution. It arises instead from my profound concern about recent actions, possible future actions, and long range trends which have developed in the United Nations during the last several years. These actions include:

First. The expulsion of the Republic of China—Taiwan—from membership in the United Nations. I was not opposed to the admission of the People's Republic of China, but expelling Nationalist China, a charter member and nation of 15.5 million people, is clearly not consistent with efforts to make the United Nations an all inclusive organization.

Second. The growing tendency for the United Nations to apply a double standard to issues involving the internal affairs of member states. I would point out that the General Assembly has remained strangely silent throughout the prolonged and reoccurring genocidal massacres that occur in Burundi, while quickly condemning far less violent and bloody internal developments in other nations.

Third. The sixth special session of the General Assembly, which met last spring, adopted the "New International Economic Order" over the vigorous objections of the developed nations.

This charter, in effect, sanctioned the expropriation of foreign-owned property without regard for existing international law, approved OPEC style cartels for those nations producing raw materials, and numerous other provisions equally unacceptable to the United States, Western Europe, and so forth.

Fourth. Last year, the General Assembly came within two votes of expelling the then de jure government of Cambodia and seating, in its place, the then exiled rebel movement.

Fifth. In November the General Assembly voted to expel South Africa, a charter member, from participating in that body. While I strongly disapprove of many of the policies pursued by the Government of South Africa I cannot support the exclusionary attitude reflected in this vote, which was carried out in violation of the United Nations Charter.

Sixth. The United Nations decision to allow the Palestine Liberation Organization to participate in a General Assembly debate as though it were a sovereign nation was a deplorable precedent that I believe the world body will come to regret. The Palestine Liberation Organization is a terrorist organization which has been made more respectable by the actions of the United Nations.

Seventh. Lastly, I deplore the UNESCO decision to exclude Israeli participation in its programs. The process of excluding nations from the specialized agencies is totally unacceptable to me and it is a trend which I think we must resist with all of our resources. This trend could spread to the other specialized agencies, and there are even press reports that an effort will be made to expel or exclude Israel from participating in the upcoming session of the General Assembly.

Two other fundamental areas of concern center around the one country/one vote system in the general assembly and the distribution of the cost of supporting the organization. Both factors have contributed to the decline in public support for the U.N. in this country, and I would expect the Commission report to address itself to both issues.

Mr. President, since coming to the Congress in January of 1969, I have consistently supported the United Nations. Recently my confidence has been shaken, however, and I believe that the time has come for a fair, thorough, and in depth review of all aspects of U.S. participation in the United Nations. I do not wish to prejudge or preordain the outcome of this policy review, but I would hope that the Commission members would reflect varying points of view so that their final report will serve to help the President and the Congress develop a new policy and a new American relationship with this world body.

Mr. President, I ask unanimous consent that an editorial, which appeared in the November 20, 1974, Wall Street Journal, entitled "Terrorism and the U.N."; an editorial by William Randolph Hearst, Jr., entitled "Shaking Up the the U.N."; and an article, entitled "Who Should Pay?" from the February 15, 1975 edition of Forbes magazine, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TERRORISM AND THE UN

Word is finally getting out that some nations, Israel and South Africa among them, can't get a fair trial at the United Nations. The current General Assembly President, Algerian Foreign Minister Abdelazziz Bouteflika, has been criticized for a series of one-sided rulings last week, notably the suspension of South Africa from the Assembly, limitations on Israel's right to speak in the "Palestine Question" debate, and the awarding of head-of-state honors to Palestine guerrilla chief Yasir Arafat.

We, on the contrary, feel some sense of gratitude to Mr. Bouteflika. He is single-handedly dramatizing the extent to which the UN's limitations is vital to American policy.

The dashing 39-year-old Mr. Bouteflika, personifies the Arab-African coalition in the General Assembly. Thanks to a combination of oil money and Third World moral suasion, this bloc delivers at least 70 votes in that 138-member body on almost anything that strikes its fancy. Most of these recent decisions were probably illegal by international law and UN procedure, but that it just quibbling. The important point is the major constitutional change this bloc has brought about in the UN. It has produced a new sort of bicameral hypocrisy.

In the process, the General Assembly is changing the definition of a phenomenon the rest of us persist in calling "terrorism." Mr. Arafat knew his audience at the UN, and we are grateful to him, too, for speling out just what was going on. "The difference between the revolutionary and the terrorist," he said, "lies in the reason for which each fights. For whoever stands by a just cause and fights for the freedom and liberation of his land from the invaders, the settlers and the colonialists, cannot possibly be called a terrorist. . . . Many of you who are here in the Assembly Hall were considered terrorists.'

By reasoning current at the UN, the very fact a "settler-colonial regime" exists amounts to aggression and oppression, and therefore anything it does is the real terrorism. But "national liberation movements" fight in self-defense and therefore have *carte blanche* to struggle "by any means at their disposal' (to quote a General Assembly resolution of November 30, 1970). This language is in the draft of the Palestine resolution that the Arab countries will most likely ask the General Assembly to adopt at the end of this week.

Some Western diplomats may argue half-heartedly that such struggle would be limited by the principles of the United Nations, but the Palestinians have already answered that. In yesterday morning's attack on Beit Shean, the guerrillas showed that their right to struggle includes the attempt to take hostages in civilian apartment buildings. This sort of incident used to be considered beyond the pale, but we are confident that in the course of this week's General Asseembly debate, the marvelously flexible Third World logic will manage to read it into the UN charter.

The end result will be to show for all to see that the UN has forsaken its early, noble ambitions to be an instrument of peace and has chosen instead to embrace the foulest means of political struggle. Its already demoralized bureaucracy will not be able to conceal that fact from the world at large and this in turn could have serious consequences for some of the technical work it performs—through the Food and Agriculture Organization and World Health Organization, for example—which does have value.

This is a chastening outcome for the United States, which did so much to bring the institution into being. The UN expresses hopes important to mankind, hopes of a universal world body, devoted to peaceful settlement of disputes. Even though these high hopes have never been met in the body's history, their power has enabled the U.S. to use the UN as an instrument of largely positive policies. But with the UN itself flouting its principles, denying universal membership, and sanctioning violence for "correct" purposes, any constructive use becomes increasingly doubtful.

The U.S. is contributing nearly $60 million to the current UN budget, some 25% of the total. It might be time to consider in all seriousness whether this money would be better spent buying food for starving Third World masses. If the General Assembly is going to abandon peacekeeping and support terrorism there is no reason why it should do so on a U.S. allowance.

Shaking Up the UN

(By William Randolph Hearst Jr.)

New York.—Like the man said, you can't win 'em all—especially when you stick your neck out week after week trying to analyze news trends in a column such as this. That's why, when I do call one right on the nose, a little self-back-patting seems in order.

The case in point is a column which I wrote last year, shortly after John A. Scali had been named as our ambassador to the United Nations. It told how the distinguished former newspaperman had deeply impressed me during a lengthy luncheon conversation.

In that column Mr. Scali was described as coming across as a tough-minded, wholly realistic United States patriot who could and would eloquently defend our national interests in the UN. He has done so many times since, but he really outdid himself in a startling and possibly historic address to the UN General Assembly on December 6.

The speech, which bluntly warned the UN that support for the world organization was eroding in Congress and among the American people, came so unexpectedly and with such impact that stunned delegates delayed replies for almost a week.

The entire climactic development, coming just before the 29th General Assembly was scheduled to adjourn, has received far too little publicity. Because what Mr. Scali said may well determine the future course of the UN—and maybe its very survival—a brief recapitulation here appears advisable.

He condemned, in essence, what has strongly been deplored recently in a number of my own essays. And that is the recent trend in the 138-nation General Assembly towards its domination by a coalition of Arab, African and other nations of the so-called Third World, generally supported by the Communist powers.

This coalition, he pointed out, can and has been running hog-wild in adopting one-sided, unrealistic resolutions which cannot practically be implemented and often even flout the Charter of the UN. It can do so because each member nation, however, tiny has the same voting strength as the U.S., which pays about one-quarter of the UN bills.

"When majority rule becomes the tyranny of the majority," he sternly warned, "the minority will cease to respect or obey it.

"Many Americans are questioning their belief in the United Nations. They are deeply disturbed.

"The minority may in fact be the practical majority, in terms of its capacity to support this organization."

Ambassador Scali's message—subsequently supported by delegates from Britain, France, Italy, West Germany, Belgium, Denmark and even a Sweden far from chummy with the U.S.—sent Third World representatives scurrying for instruction on how to reply.

They did so in a torrent of speeches on Wednesday and Thursday of this week. Some 30 delegates got up in turn to voice piqued and obviously disturbed resentment at what they generally claimed was U.S. misinterpretation of their intentions.

If there is misinterpretation, certainly I am guilty. And so are the 71 U.S. Senators who signed a letter to President Ford last Tuesday asking him to resist what they called the "political and economic blackmail" inherent in recent UN General Assembly majority votes.

The action of the senators—like the Scali speech and even the outrageous behavior of the General Assembly during its current session—also deserve much more publicity than has been accorded.

This is all very serious stuff, as the sobered delegates to the UN seem to be recognizing. They know, even if the average newspaper reader doesn't, just how potentially threatening the Scali speech was and how alarming to them it was to hear such a senator as Hubert Humphrey declare:

"It is entirely possible that the United Nations in 1974 has become like the League of Nations of the 1930s—powerless and useless."

The situation was put into focus even more dramatically in a recent column by John P. Roche, a true liberal—a founder of Americans for Democratic Action—formerly a top White House aide to the late President Lyndon B. Johnson. Here's how Mr. Roche summed it all up:

"If the Soviets, the Arabs and their Third World friends want to play nasty games, we should refuse to subsidize the playground."

That's pretty rough talk, even more direct than the frontal attack delivered by Ambassador Scali in his stunning speech of Dec. 6. Yet it was asked for by what the General Assembly has done in this session.

A recap is in order, although most of the deplorable actions have already been damned in this space. First and foremost, of course, was the royal reception Yasser Arafat, leader of the Palestinian terrorists, was accorded as the result of a back-scratching deal between African and Arab UN delegates.

The Africans went along with the recognition of Arafat in exchange for Arab support of their wholly improper resolution to deny South Africa a voice in the 29th General Assembly. A founding member of the UN in effect was ousted for political reasons while the murderous organization of a total outsider was granted the role of permanent UN observer.

Two other abuses of basic UN principles followed soon thereafter. One was the denial of Israel's clear right to respond individually to each Arab nation making charges against it. The other was the shelving again of debate on international terrorism—a debate which would have embarrassed the Arabs.

Because of space limitations a recap of all major General Assembly acts this session which prove John Scali's charges of a "tyrannical majority" becomes impossible. There are too many of them.

One added comment, however, has got to be made here, and I'll make it as strongly as possible. In 29 years the General Assembly of the UN has never had a more prejudiced, arbitrary and totally incompetent president than the present incumbent—Abdelaziz Bouteflika of Algeria.

He is the living symbol of just about everything wrong with the UN.

As I said in a recent column, I am fed up to here with the whole stupid and costly charade we keep supporting as a latter day Tower of Babel on New York's East River.

Who Should Pay?

The oil-rich Arabs have been getting more than their money's worth out of the United Nations. Look for a fuss in Congress this year.

The following joke is making the rounds at the United Nations:

A delegate from an Arab state submits a resolution to the General Assambly declaring that the world is flat. The Americans and a few others express opposition, most of Europe abstains, and the proposal passes by a four-fifths majority. The old idea that the world is round now stands officially condemned as a myth to cover the imperialist journeys of Christoper Columbus.

Far-fetched? A bit. What did happen in the General Assembly last year:

For the first time, a spokesman not representing a member government was permitted to participate in General Assembly debates. This honor went to Yasir Arafat, guerrilla leader of the Palestine Liberation Organization. Subsequently the PLO got UN observer status—a role previously reserved for independent nations.

The General Assembly approved a controversial new economic declaration. It permits expropriation of foreign properties without equitable compensation and upholds the right to organize commodity cartels such as the Organization of Petroleum Exporting Countries.

Arabic, spoken by about 1% of the world's people, became an official UN language, alongside English, Chinese, French, Spanish and Russian.

Algeria's Foreign Minister, known for giving the quick gavel to speakers with anti-Arab positions, was elected to preside over the General Assembly.

Some of these paradoxes would sound better if put to music by Gilbert & Sullivan.

WHO GAINS? WHO PAYS?

While calling the tune, however, the Arabs have not had to pay the piper. The 18 Arab nations together pay only 1% of the UN's $600-million annual budget; combined, the members of OPEC pay just 1.25%. Saudi Arabia, which received almost $30 billion in oil revenues last year, contributed a total of $360,000 to the UN budget. By contrast, the U.S. pays a mandatory 25% budget share and makes additional voluntary contributions amounting to almost $500 million annually.

Quite obviously, if solvency were the measure of a country's ability to support the UN, Saudi Arabia, with its huge payments surplus, should be contributing more than the U.S., with its trade deficit. But at the UN, contributions are based on something called "ability to pay." Using this formula, the budget share of OPEC nations will go up by the end of the decade—but only to 10%. Industrial countries, reeling under high oil prices, will still foot most of the bill.

Meanwhile, the forum keeps getting bigger. There are now 138 member nations, *vs* 51 when the UN began. The organization—with 30,000 staffers—long ago outgrew its New York headquarters. Today the UN has a staff of 3,000 in Geneva—up 100% in the past six years. And in Vienna, it is building a multi-tower office complex.

Will American taxpayers continue to acquiesce? Probably not. With the home-front economy on the rocks, foreign aid in general isn't popular with lawmakers. (One of the final acts of the last Congress was to cut aid programs—by 27% in two years—to a ten-year low.) There has always been a solid core of conservatives who oppose the UN on ideological grounds. Through their efforts, the U.S. has steadily lowered the share of the UN budget it pays from a high of 40% in 1945.

SWING VOTES

Now, largely because of the UN's anti-Israel stand, many liberal legislators want to slash UN payments. Senator John Pastore (Dem., R.I.) will chair Appropriations Committee hearings on the subject this spring. Strong criticism of the UN is expected to come from men like Frank Church (Dem., Idaho), Henry Jackson (Dem., Wash.) and Jacob Javits (Rep., N.Y.)—all of whom have supported the organization in the past. The situation in the House is similar: "There's a lot of anti-UN feeling over here," says a key staffer. "When people get organized, you'll hear about it."

Officially, the State Department doesn't want to lower U.S. contributions to the UN. But talking with its lobbyists gives the impression that maintaining present levels isn't a priority item. "After all," says a man from State, "that budget has to go through four hostile committees on the Hill." The diplomats, perhaps, would just as soon be able to lay the blame for decreasing support of the UN onto Congress.

Would cutbacks in U.S. aid be a setback to world peace? Hardly. Today's UN does more paper-shuffling than peace-keeping. And its bureaucrats are the world's best-paid civil servants. Salaries have risen until they are 42% higher than for comparable jobs with the Federal Government. But because UN slots go to under-qualified political appointees, millions of dollars annually are spent on outside consultants.

Arab world delegates, of course, grouse that it is not sporting for the U.S. to cut back just because it isn't having its way. Perhaps. But the Soviets have never hesitated to withhold contributions to UN operations they do not approve.

At any rate, the realities are that Congress will not be feeling very generous this year when it is asked to come up with money for the UN. It will be interesting to see how quickly the oil-rich OPEC members will rush to make up the difference.

By Mr. CANNON:

S. 2264. A bill to authorize the Public Printer to designate employees to administer oaths. Referred to the Committee on Rules and Administration.

Mr. CANNON. Mr. President, I am today introducing a bill which would amend title 44, United States Code, to authorize the Public Printer to designate employees of the Government Printing Office to administer oaths in connection with the operations of that Office. Although, pursuant to 44 U.S.C. 305 the Public Printer is authorized to "employ . . . [all] persons necessary for the work of the Government Printing Office," the language does not specifically grant him the authority to administer oaths of office or other oaths necessary to the conduct of business. Nor can this authority be inferred from the provisions of 5 U.S.C. 2903, which deals with the administering of oaths for the executive branch.

This same provision was contained in S. 1795 of the 93d Congress, which passed the Senate on June 28, 1973, but which subsequently died in the House of Representatives.

By Mr. HARTKE:

S. 2265. A bill to improve the quality of rail services in the United States through regulatory reform, coordination of rail services and facilities and rail rehabilitation financing, and for other purposes. Referred to the Committee on Commerce.

Mr. HARTKE. Mr. President, I am introducing today a bill, the Rail Services Act of 1975, to improve the adequacy, efficiency, and solvency of rail services in the United States.

This bill is intended to free the railroad transportation system of outmoded, unnecessary, or unfair regulatory and financial burdens and to insure more equitable allocation of Federal transportation funds in order to restore rail services to a strong and healthy position in the national transportation system. To do this it contains several provisions which will be controversial but which I think need to be seriously addressed by the Congress before decisions are made as to what legislative steps must be taken to facilitate restoration of the Nation's railroads. In this sense, the bill is a working paper which will provide a strong foundation for the resolution of many, if not all, of the issues that must be addressed if the United States is again to enjoy the benefits and advantages of fully adequate and truly efficient rail services.

It is hard to divorce the problems of the rail industry from the rest of the national transportation system. Therefore, it is important that the Congress carefully consider all of the policy approaches to rehabilitation of our rail system as it reviews the United States Railway Association's final system plan for the reorganization of the Northeast and Midwest railroads. I am introducing this bill to facilitate this consideration, and my Subcommittee on Surface Transportation is now soliciting written views on this and other bills addressing similar issues which we hope to be able to review as soon as Congress returns from the recess.

This bill takes an approach to regulatory reform and financial assistance to railroads which I think will establish the basic policy positions that should be taken by Congress to resolve many of the railroad's problems. Thus, while I am sure the legislative process will result in considerable amendments to this bill, I believe it will provide the framework for regulatory reform and financing legislation which must accompany amendments to the Regional Rail Reorganization Act necessary to implement the final system plan if we are to insure the rebirth of the railroads both within and without the region.

The Rail Services Act of 1975 addresses three basic issues. First, it aims to reform the quality of railroad regulation in both substance and procedure. Second, it provides a process of expeditious consideration of railroad proposals for restructuring of the rail plan in the context of a national rail transportation plan. Third, it provides adequate financing for the rehabilitation and improvement of the rail plan. This financing proposal entails the purchase, by the United States Railway Association, of railroad preference shares with revenues from the public sale of trust fund bonds backed by a rail trust fund financed by diesel fuel taxes and dividends paid on the preference shares.

This particular approach has been developed by the Union Pacific Railroad and it raises important issues about the proper source of railroad rehabilitation funding, the desirability of the trust fund versus general fund approach to such funding and the extent of Federal participation necessary to maintain rail service. While I am not personally satisfied that we have yet achieved a sufficient resolution of these issues, this approach is one of the most well thought out I have yet seen. I am introducing it at this time in order to insure that it receives proper consideration in the subcommittee's hearings on Federal railroad financing policy.

I have a summary of the provisions of the Rail Services Act of 1975, which I ask to be printed in full in the RECORD together with the text with the proposed legislation.

There being no objection, the bill and summary were ordered to be printed in the RECORD, as follows:

S. 2265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Rail Services Act of 1975".

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GENERAL DEFINITIONS

SEC. 3. As used in this Act, the term—

(1) "Association" means the United States Railway Association;

(2) "Commission" means the Interstate Commerce Commission;

(3) "includes" and variants thereof should be read as if the phrase "but is not limited to" were also set forth;

(4) "railroad" means a common carrier by railroad or express, as defined in section 1(3) of the Interstate Commerce Act (49 U.S.C. 1(3)). For purposes of title IV of this Act, the term includes the National Railroad Passenger Corporation.

(5) "Secretary" means the Secretary of Transportation.

TITLE I—RATE MODERNIZATION

DECLARATION OF POLICY

SEC. 101. It is the purpose of the Congress in this title to foster competition among all carriers and modes of transportation to promote more adequate and efficient transportation services and to increase the attractiveness of investing in railroads and rail-service-related enterprises. Railroads shall be permitted greater freedom to price their services in competitive markets. Rate structures which are more sensitive to changes in the level of seasonal, regional, and shipper demand and which will increase sales of rail services are to be developed; separate pricing of distinct rail and rail-related services is to be provided; the Commission is to formulate standards and guidelines for determining adequate revenue levels, but the rates of carriers are not to be held up to a particular level by the Commission to protect the traffic of any other carrier or mode; rate bureaus are to be modernized and their functions clarified; and discriminatory tax treatment of transportation property is to be prohibited.

EXPEDITIOUS DIVISIONS OF RATES

SEC. 102. Section 15(6) of the Interstate Commerce Act (49 U.S.C. 15(6)) is amended by (1) inserting after "(6)" and before the first sentence thereof "(A)"; and (2) adding at the end thereof the following new subparagraph:

"(B) The Commission shall make the effective date of its final determination, in any proceeding for the adjustment of divisions of joint rates or fares (whether prescribed by the Commission or otherwise established), retroactive to the date of commencement of such proceeding, if the application therefor were filed after the date of enactment of this subparagraph. A judgment which is part of such a final determination and which is entered after such date of enactment shall bear interest at an annual rate equal to the average rate of interest then being paid on short-term marketable securities of the United States, as determined by the Secretary of the Treasury. The obligation to pay interest on such a judgment shall accrue from the effective date of such final determination.".

FAIR, EQUITABLE AND COMPETITIVE RATES

SEC. 103. (a) Section 1(5) of the Interstate Commerce Act (49 U.S.C. 1(5)) is amended to read as follows:

"(5)(A) The rate that may be charged for any service rendered or to be rendered in the transportation of passengers or property by a carrier shall be just and reasonable. A rate that is unjust or unreasonable is prohibited and unlawful. No rate that equals or exceeds the incremental costs of providing the service rendered or to be rendered of the carrier charging or proposing the rate shall be found to be unjust or unreasonable on the ground that it is too low; and no rate shall be required by the Commission to be below the incremental costs of providing the service rendered or to be rendered by the carrier charging or proposing the rate, except with respect to a rate over which a carrier has market dominance, no rate shall be found to be unjust or unreasonable on the ground that it is too high, following the promulgation and review of standards under subparagraph (C) of this paragraph.

"(B) As used in this section, the term—

"(i) 'incremental cost' means the addition to the total expenses of a carrier charging or proposing a rate attributable to the provisions of the transportation services for which such rate is charged or proposed;

"(ii) 'market dominance' means, with respect to a carrier subject to this Act, the ability to charge, as a consequence of the absence of effective competition from other carriers or from other modes of transportation, a rate that unreasonably exceeds the cost of providing the service involved; and

"(iii) 'rate' means any charge for the transportation of passengers or property.

"(C) Within 180 days after the date of enactment of this subparagraph, the Commission shall establish detailed standards and procedures for determining in accordance with section 15(8) of this Act whether and when a carrier possesses market dominance over a particular rate or rates. The Commission shall solicit and consider the recommendations of the Attorney General and of the Federal Trade Commission in the course of establishing such standards.".

(b) Section 15 of the Interstate Commerce Act (49 U.S.C. 15) is amended by renumbering paragraphs (8) through (14) thereof as paragraphs (9) through (15) thereof and by inserting therein a new paragraph (8) as follows:

"(8) Whenever a rate is challenged as being unreasonably high, the Commission shall determine whether the carrier filing the rate has market dominance over such rate. In determining whether a carrier has such market dominance, the Commission may consider such factors as it finds relevant to such determination including, but not limited to, the size and assets of such carrier, the transportation characteristics of the commodity or commodities involved, the degree of participation of regulated and unregulated carriers of the same and different modes of transportation in the services involved, the ease of entry of potential competitors, and the level of profit obtained in providing the particular transportation service involved. Whenever the Commission finds that a carrier does not have market dominance over a rate, this finding shall be determinative in all further or other proceedings concerning such rate, or the services for which such rate is charged, unless such finding is subsequently suspended, modified, or set aside by the Commission, or unless it is suspended or set aside by a court of competent jurisdiction. Complaints filed pursuant to this section may apply to the rates of carriers subject to this Part or to the rates of carriers otherwise exempted from regulation pursuant to the provisions of Parts II, III, or IV, and if the Commission determines that an otherwise exempt carrier has market dominance over the rate challanged, which market dominance results from the discontinuance of service by a carrier subject to this part, the Commission may take the same actions with respect to such rate as it is empowered by this Part to take with respect to a similar rate of a carrier subject to this Part."

(c) Section 15a of the Interstate Commerce Act (49 U.S.C. 15a) is amended by amending the last sentence of paragraph (3) thereof to read as follows: "Rates of a carrier shall not be held up to a particular level to protect the traffic of any other carrier or mode of transportation.".

(d) Within 1 year after the date of enactment of this title, the Commission shall, by rule in accordance with section 553 of title 5, United States Code, establish, and may from time to time revise, standards and expeditious procedures for the establishment of railroad rates in response to changes in the level of seasonal, regional, and shipper demand for rail services. Such procedures shall be designed to establish a rate structure that will (1) provide sufficient incentive to shippers to reduce peak-period shipments through rescheduling and advance planning; (2) generate the capital needed for expansion of the supply of freight cars and other rolling stock; and (3) improve the utilization of the national supply of rolling stock, the movement of goods by rail, levels of employment by railroads, and the financial stability of markets served by railroads. Following the establishment of such procedures, the Commission shall prepare and submit an annual report on the implementation of such rates, including recommendations, with respect to the need, if any, for additional legislation to facilitate the establishment of a demand sensitive rate structure.

(e) In order to encourage competition, to promote increased reinvestment by the suppliers of rail services in the production thereof, and to facilitate increased nonrailroad investment in the production of such services, within 1 year after the date of enactment of this title, the Commission shall, by rule in accordance with section 553 of title 5, United States Code, establish, and may from time to time revise, procedures for establishing separate rates for distinct rail services in a manner that will (1) encourage such services to be priced in accordance with the cost of providing them and with the demand therefor and (2) enable shippers of goods and products to evaluate all transportation and transportation-related costs and alternatives. Such distinct services shall include the furnishing of rolling stock; the operation of originating and destination terminals; the conveyance of cars and containers; insurance; switching; and inventory control.

ADEQUATE REVENUE LEVELS

SEC. 104. Section 15a of the Interstate Commerce Act (49 U.S.C. 15a), as amended by this Act, is amended by adding at the end thereof a new paragraph (5) as follows:

"(5) Within 24 months after the date of enactment of this paragraph, the Commission shall, by rule in accordance with section 553 of title 5, United States Code, establish, and may from time to time revise, standards and procedures for determining, with respect to carriers subject to this Act, revenue levels that are adequate (assuming honest, economical, and efficient management) to cover total operating expenses (including depreciation and obsolescence) and to provide a fair, reasonable, and economic profit or return to such carriers on total capital prudently employed. The Commission shall periodically, in the exercise of its duties under paragraph (2) of this section and under sections 216(1), 307(f), and 406(d) of this Act (49 U.S.C. 15a(2), 316(1), 907(f), and 1006(d)), determine such revenue levels for such carriers. Revenue levels that are so determined should be sufficient to cover operating expenses, cost of debt, cost of equity capital, effects of inflation or deflation (including the effects of inflation or deflation on the costs of equipment and facilities), and the retention and attraction of capital in amounts adequate to provide a sound and efficient transportation system in the United States. In formulating such standards and procedures, the Commission shall consider, inter alia, productivity factors and financially sound debt and equity ratios. The Transportation Services Planning Office of the Commission, shall assist in the development and formulation of such standards and procedures, including soliciting, studying, and evaluating, the views of all interested persons thereon and presenting such views to the Commission in public hearing. Such Office shall assist in making determinations, on the basis of such standards and procedures, as to adequate levels of revenues for any carrier or type of carrier. The Commission shall also issue standards and procedures for the authorization of interim rate level adjustments pending any new determinations of adequacy of revenue levels. Such an interim adjustment may be approved by the Commission at any time, if and to the extent that it is justified by reason of experienced, or demonstrably certain, increases or decreases in costs.".

RATE BUREAUS

SEC. 105. (a) Section 5a of the Interstate Commerce Act (49 U.S.C. 5b) is amended as follows:

(1) Amend paragraph (1) thereof to read as follows:

"(1) As used in this section, the term—

"(A) 'affiliate' means any persons directly or indirectly controlling, controlled by, or under common control or ownership with any other person. As used in this subparagraph, the term (i) 'control' has the same meaning as in section 1(3)(b) of this Act; and (ii) 'ownership' refers to equity holdings of one percent or more in any business entity;

"(B) 'antitrust laws' means the Act of July 2, 1890 (15 U.S.C. 1 et seq.), the Act of October 15, 1914 (15 U.S.C. 12 et seq.), the Federal Trade Commission Act (15 U.S.C. 41 et seq.), sections 73 and 74 of the Act of August 27, 1894 (15 U.S.C. 8 and 9), chapter 592 of the Act of June 19, 1936 (15 U.S.C. 13, 13a, 13b, 21a), and all amendments to the foregoing; and

"(C) 'carrier' means any common carrier subject to part I, II, or III of this Act or any freight forwarder subject to part IV of this Act.";

(2) Amend paragraph (2) thereof by—

(A) deleting the word "may" at each place where it appears and inserting in lieu thereof "shall"; and

(B) inserting at the end of the first sentence thereof the following new sentence: "No such approval shall be granted or maintained (A) in the event of violation of any terms and conditions thereon that are prescribed under the last sentence of this paragraph or (B) unless a verified written statement, and an annual supplement to update such statement, are filed with the Commission setting forth, with respect to each carrier party to such agreement (i) the company name, (ii) the mailing address and telephone number of its headquarter's office, (iii) the names of each of its affiliates, (iv) the names, addresses, and affiliations of each of its officers and directors and of each person who, together with any affiliate, owns or controls any debt, equity, or security interest in it having a value of $100,000 or more; and (v) such other information as the Commission directs to be included.";

(3) Amend paragraph (3) thereof by adding at the end thereof the following new sentence: "The Commission may conduct investigations, make reports, issue subpenas, conduct hearings, require the production of relevant documents, records, and property, copy and verify the correctness of information subject to inspection, and take depositions to determine whether any such conference, bureau, committee, or other organization, or any carrier party to any such agreement, has acted or is acting in compliance with the provisions of this section, regulations issued hereunder, and the public interest, and to determine whether any such organization or carrier is preventing an efficient utilization of transportation resources or has established practices which are inconsistent with efficient, flexible, and economic operation and for such other purposes as it deems appropriate.";

(4) Amend paragraph (4) thereof by—

(A) inserting between "such agreement is" and "of the character" the following: ", by its terms and in practice and effect as implemented,"; and

(B) deleting "; and for" and inserting in lieu thereof: ". For";

(5) Amend paragraph (6) thereof to read as follows:

"(6) The Commission shall not approve under this section any agreement which establishes a procedure for the determination of any matter through joint consideration, unless it finds that under the agreement there is accorded to each party the free and unrestrained right to take independent action without fear of any sanction or retaliatory action, at any time before or after any determination arrived at through such procedure. In no event shall any conference, bureau, committee, or other organization established or continued pursuant to any agreement approved by the Commission under the provisions of this section (A) permit participation in agreements, or voting, on single-line rates or movements established by any carrier; (B) permit any carrier to participate in agreements, or vote, on rates, fares, classifications, divisions, allowances, or charges relating to any particular interline movement unless such carrier is participating in such movement; or (C) permit, provide for, or establish any procedure for joint consideration of, any joint action to protest or otherwise seek the suspension of any rate or classification filed by a carrier of the same mode pursuant to section 15(7), 216(g), 218(c), 307(g), 307(i), or 406(e) of this Act where such rate, or classification is established by independent action, unless in the case of a rate, such protest or request for suspension is supported by evidence showing that such rate is less than the incremental cost of providing the specific transportation service by the carrier to which it applies.";

(6) Amend paragraph (7) thereof by—

(A) deleting after "paragraph (2)" the terms ", or whether any such terms and conditions are not necessary" and inserting in lieu thereof the following: "and with the public interest and whether any such terms and conditions are not necessary or whether any additional or modified such terms and conditions are necessary"; and

(B) inserting, before the first sentence thereof, "(A)" and by adding at the end thereof the following new paragraph;

"(B) The Commission shall periodically, but not less than once every 3 years, review each agreement which the Commission has by order approved under this section to determine whether such agreement, or any conference, bureau, committee, or other organization established or continued pursuant to such agreement, is still in conformity with the standard set forth in paragraph (2) and the public interest and to evaluate the success and effect upon the consuming public of such agreement and organization. The Commission shall report to the President and to the Congress on the results of such reviews, as part of its annual report. If the Commission makes a determination that such an agreement or organization is no longer in conformity with such standard, the Commission shall by order terminate or suspend immediately its approval thereof.";

(7) Amend paragraph (9) thereof by deleting the period at the end thereof and inserting in lieu thereof the following: ": *Provided,* That the Federal Trade Commission and the Attorney General are authorized and directed to investigate and report to the Congress whenever probable cause exists to believe that such laws have been violated in circumstances covered by this exemption, including any recommendations for legislation."; and

(8) Amend such section by adding at the end thereof the following two new paragraphs:

"(11) In exercising its duties under this section, the Commission shall consult on an ongoing basis with the Federal Trade Commission and with the Antitrust Division of the Department of Justice. Such Commission and Division shall periodically prepare an assessment of, and shall report to the Commission on, (A) any possible anticompetitive features and effects of any agreements approved or submitted for approval under this section, (B) any anticompetitive aspects of any conferences, bureaus, committees, or other organizations operating under such agreements, and (C) possible ways to eliminate or alleviate any such anticompetitive features, effects, or aspects. The Commission shall make such reports available to the public.

"(12) Any conference, bureau, committee, or other organization established or continued pursuant to any agreement approved by the Commission under this section shall make a final disposition with respect to any rule, rate, or charge docketed with such organization within 120 days after such proposal is docketed. This paragraph shall not apply to any proposal designed to establish or amend new or existing classification ratings.".

(b) Any approval granted by the Commission, under section 5a of the Interstate Commerce Act (49 U.S.C. 5b), prior to the date of enactment of this Act, shall continue in effect until repealed, terminated, amended, withdrawn, or modified by the Commission or by a court of competent jurisdiction, except that no such approval shall be valid and effective for more than 18 months after the date of enactment of this title unless a new approval therefor is granted in accordance with such section 5a, as amended.

TITLE II—INTERSTATE COMMERCE COMMISSION IMPROVEMENTS

ACCOUNTABILITY TO CONGRESS

SEC. 201. Section 19 of the Interstate Commerce Act (49 U.S.C. 19) is amended (a) by deleting the title thereof and inserting in lieu thereof "ADMINISTRATION AND ACCOUNTABILITY TO CONGRESS"; (b) by deleting "That the" in the first sentence thereof and inserting in lieu thereof "1) The"; and (c) by adding at the end thereof the following new paragraph:

"(2) Not less than 10 months prior to the start of a new fiscal year, the Commission shall prepare and submit concurrently to the Congress and the President budget estimates to carry out the provisions of this Act and all other authority of the Commission during such new fiscal year. Whenever the Commission submits or transmits any budget requests, supplemental budget requests or estimates, other budget information including manpower needs, legislative recommendations, prepared testimony for congressional hearings, or comments on legislation, to any official or agency of the executive branch, it shall concurrently transmit a copy thereof to the Congress.".

STRUCTURE AND RESPONSIBILITY

SEC. 202. (a) Section 11 of the Interstate Commerce Act (49 U.S.C. 11) is amended (1) by deleting in the title thereof all after the word "COMMISSION"; (2) by inserting before the sixth sentence thereof the following new sentence: "In selecting the members of the Commission, the President shall give due regard to fair representation for the financial, agricultural, industrial, commercial, and consumer interests of the Nation and to the geographical regions thereof; and (3) by inserting at the end thereof the following new paragraph:

"(2) The President shall, by and with the advice and consent of the Senate, appoint a Commissioner, or an individual nominated to be a Commissioner, to be the Chairman of the Commission. The Chairman of the Commission shall serve in such capacity throughout his term as Commissioner: *Provided,* That the President may, upon a finding in writing that it is in the public interest, to nominate a new Chairman, to replace as Chairman the Commissioner then serving in such capacity, with the advice and consent of the Senate.".

(b) (1) Subsection (a) of section 205 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 715(a)) is amended (A) by deleting "ESTABLISHMENT.—"; (B) by deleting in the first sentence thereof the word "Rail" and substituting the word "Transportation"; by deleting in the second sentence thereof all after "pursuant to" and inserting in lieu thereof "this paragraph and other applicable Federal law."; and (C) by redesignating such subsection as amended as paragraph "(2)(A)" of section 11 of the Interstate Commerce Act, as amended by this section.

(2) Subsection (b) of such section 205 (45 U.S.C. 715(b)) is amended (A) by deleting

"DIRECTOR.—"; (B) by inserting "for a term of 6 years" after "appointed" and before "by" in the first sentence thereof; and (C) by redesignating such subsection as amended as subparagraph (B) of section 11(2) of the Interstate Commerce Act, as amended by this section.

(3) Subsection (c) of such section 205 (45 U.S.C. 715(c)) is amended (A) by deleting "POWERS.—"; (B) by redesignating "(1)" and "(2)" thereof as "(A)" and "(B)" thereof; and (C) by redesignating such subsection as amended as subparagraph (C) of section 11(2) of the Interstate Commerce Act, as amended by this section.

(4) Subsection (d) of such section 205 (45 U.S.C. 715(d)) is amended (A) by deleting "(d) DUTIES.—" and the comma after "duties" in the first line thereof; and (B) by inserting "the Interstate Commerce Act (49 U.S.C. 1 et seq.) and" after "under" and before "other" in the first clause thereof.

(d) Section 18(1) of the Interstate Commerce Act (49 U.S.C. 18(1)) is amended by adding thereto: "Notwithstanding any other provision of law, the Commission is authorized in any civil action to act in its own name and through its own attorneys, and attorneys for the Commission shall supervise, and may, in the discretion of the Commission, conduct litigation in any civil action to which the Commission is a party; upon request by the Commission, the Attorney General or the United States attorney for the applicable district shall assist the Commission.".

PUBLIC REPRESENTATION AND PARTICIPATION

SEC. 203. (a) The Interstate Commerce Act (49 U.S.C. 1 et seq.) is amended by adding, after section 27 thereof, a new section 28, as follows:

"OFFICE OF PUBLIC COUNSEL

"SEC. 28. (1) There shall be established, within 60 days after the date of enactment of this section, a new independent Office affiliated with the Commission to be known as the Office of Public Counsel. The Office of Public Counsel shall function continuously pursuant to this section and other applicable Federal laws.

"(2) The Office of Public Counsel shall be administered by a director. The Director shall be appointed by the President by and with the advice and consent of the Senate. The Director shall be appointed for a term of 6 years and may not be reappointed. He shall be responsible for the discharge of the functions and duties of the Office of Public Counsel, unless removed for cause by the President. He shall be appointed and compensated, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, classification, and General Schedule pay rates, at a rate not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title.

"(3) The Director is authorized to appoint, fix the compensation, and assign the duties of employees of such Office without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and to procure temporary and intermittent services to the same extent as is authorized under section 3109 of title 5, United States Code. Each bureau, office, or other entity of the Commission and each department, agency, and instrumentality of the executive branch of the Federal Government and each independent regulatory agency of the United States is authorized to provide the Office of Public Counsel with such information and data as it requests in writing. The Director is authorized to enter into, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5), such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of his functions and duties. The Director shall submit a monthly report on the activities of the Office of Public Counsel to the Chairman of the Commission, and the Commission in its annual report to the Congress shall summarize, analyze, evaluate, and make recommendations with respect to such Office and its activities, accomplishments, and shortcomings.

"(4) In addition to any other duties and responsibilities prescribed by law, the Office of Public Counsel of the Commission—

"(A) shall have standing to become a party to any proceeding, formal or informal, which is pending or initiated before the Commission;

"(B) is authorized to petition the Commission for the initiation of proceedings on any matter within the jurisdiction of the Commission;

"(C) is authorized to seek judicial review of any Commission action to the extent such review is authorized by law for any person and on the same basis; and

"(D) is directed to evaluate and represent before the Commission and other Federal agencies whose policies and activities affect transportation (and on review before the courts) and by other means assist the constructive representation of the public interest in efficient, reliable, and low-cost transportation services with due regard to the need for effective competition, environmental protection, energy conservation, full employment, and rational allocation of transportation resources in the interest of commerce, national defense, and the traveling and consuming public.

"(5) The budget requests and budget estimates of the Office of Public Counsel shall be submitted directly to the Congress, and moneys appropriated for the use of such office shall not be used for any other purpose.

(6) There are authorized to be appropriated to the Office of Public Counsel for the purpose of carrying out the provisions of this section $2,000,000 for the fiscal year ending June 30, 1976, $500,000 for the fiscal year transition period ending September 30, 1976, and $2,000,000 for the fiscal year ending September 30, 1977."

(b) Section 13 of the Interstate Commerce Act (49 U.S.C. 13) is amended by adding at the end thereof the following new paragraph:

"(5)(A) Any interested person including a governmental entity, may petition the Commission to commence a proceeding for the issuance, amendment, or revocation of an order, rule, or regulation pursuant to this Act.

"(B) Such a petition shall be filed with the Commission and shall set forth (i) facts which it is claimed establish that an order, rule, or regulation is necessary, and (ii) a brief description of the substance of the order, rule, or regulation, or amendment thereof, which it is claimed should be issued by the Commission.

"(C) The Commission may hold a public hearing or may conduct such investigation or proceeding as it deems appropriate in order to determine whether or not such a petition should be granted.

"(D) Within 120 days after the filing of such a petition, the Commission shall either grant or deny the petition. If the Commission grants such petition, it shall promptly commence the appropriate proceeding with respect to the subject thereof. If the Commission denies such petition, it shall publish in the Federal Register its reasons for such denial.

"(E) Denial of a petition made under this subsection by the Commission (or failure to grant or deny such a petition within such 120-day period) shall be deemed to constitute a final order for the purposes of section 706 of title 5, United States Code.

"(F) The remedies under this subsection shall be in addition to, and not in lieu of, other remedies provided by law.".

(c) Section 17 of the Interstate Commerce Act (49 U.S.C. 17) is amended by adding at the end thereof the following new paragraph:

"(13)(A) Except as provided in subparagraph (B), any person may commence a civil action for mandatory or prohibitive injunctive relief, including interim equitable relief, whenever such action constitutes a case or controversy against any person who is alleged to be in violation of a provision of this Act, or of an order or regulation issued under this Act. The district courts of the United States shall have jurisdiction over actions brought under this section, without regard to the amount in controversy or the citizenship of the parties.

"(B) No civil action may be commenced (i) prior to 60 days after the moving party has given notice of the alleged violation to the Commission and to any alleged violator in such manner as the Commission may by regulation require; or (ii) if the Commission, or at its request the Attorney General, has commenced and is pursuing administrative or judicial proceedings with respect to such alleged violation.

"(C)(i) In any action under this section, the Commission or the Attorney General may intervene as a matter of right.

"(ii) The court, in issuing any final order in any action brought under subparagraph (A), may award costs of litigation (including reasonable attorney and expert witness fees) to any party, whenever the court determines that such an award is appropriate.

"(iii) Nothing in this paragraph shall restrict any right which any person (or class of persons) may have under any statute or at common law to seek enforcement of any provision, order, or regulation, or to seek any other relief.

"(iv) As used in this paragraph, 'person' includes a federal, state or local governmental entity.".

LAW REVISION

SEC. 204. The Commission shall prepare, or shall cause to be prepared by consultants, a proposed modernization and revision of the Act of February 4, 1887, as amended (the Interstate Commerce Act) and a proposed codification of all Federal laws relating to surface transportation and shall submit the final draft thereof to the Congress within 500 days after the date of enactment of this Act. The final draft shall include comments on each proposed provision, alternative provisions considered but not recommended, and such other information as may be useful to the Congress. The final draft shall be designed to simplify and to render the present Act more easily understandable.

NATIONAL TRANSPORTATION REGULATORY POLICY

SEC. 205. Section 1 of the Act of September 18, 1940, (National Transportation Policy) (49 U.S.C., preceding sections 1, 301, 901, and 1001), is amended by amending the title thereof to read "National Transportation Regulatory Policy"; (b) by designating the first paragraph thereof "a" and by adding the following new paragraphs:

"(b) All of the provisions of the Interstate Commerce Act shall be administered and applied in accordance with the National Transportation Regulatory Policy (hereinafter referred to as the 'Policy') and the Interstate Commerce Commission shall issue, with each order or decision issued by it, a compliance report indicating that the Policy is met by such order or decision.

"(c) All orders and decisions of the Commission, divisions, Commissioners, and employees thereof, shall contain findings and conclusions in accordance with the Policy and, wherever possible, performance standards, to monitor the effect of the action. The Commission shall establish, within 1 year after the date of enactment of the standard, an information system to report thereon.

"(d) Any person may obtain judicial review of any order, action, or vote of the

Commission on the grounds such order, action, or vote of the Commission is not in compliance with the Policy. The district courts of the United States shall have jurisdiction and shall enjoin any such order, action, or vote that is not in compliance with the Standard.

"(e) The Commission shall report annually to the Congress on its activities with respect to enforcing the Policy, including a review of the actions taken by Commission to monitor the results thereof and any changes in the Policy it may recommend.".

PROHIBITING DISCRIMINATORY TAX TREATMENT OF NONTRANSPORTATION PROPERTY

Sec. 206. Part I of the Interstate Commerce Act (49 U.S.C. 1 et seq.) is amended by renumbering section 27 thereof (49 U.S.C. 27) as section 29 thereof and by inserting therein a new section 27, as follows:

"Sec. 27. (a) Notwithstanding the provisions of section 202(b), any act described in this subsection is declared to constitute an unreasonable and unjust discrimination against, and an undue burden on, interstate commerce. It is unlawful for a State, political subdivision of a State, or a governmental entity or person acting on behalf of such State or subdivision to commit any of the following prohibited acts:

"(1) The assessment (but only to the extent of any portion based on excessive values) of transportation property at a value which bears a higher ratio to the true market value of such transportation property than the ratio which the assessed value of all other commercial and industrial property in the same assessment jurisdiction bears to the true market value of all such other commercial and industrial property.

"(2) The levy or collection of any tax on an assessment which is unlawful under paragraph (1).

"(3) The levy or collection of any ad valorem property tax on transportation property at a tax rate higher than the tax rate generally applicable to commercial and industrial property in the same assessment jurisdiction.

"(b) Notwithstanding any provision of section 1341 of title 28, United States Code, or of the constitution or laws of any State, the district courts of the United States shall have jurisdiction, without regard to amount in controversy or citizenship of the parties, to grant such mandatory or prohibitive injunctive relief, interim equitable relief, and declaratory judgments as may be necessary to prevent, restrain, or terminate any acts in violation of subsection (a) of this section: *Provided*, That (1) such jurisdiction shall not be exclusive of the jurisdiction which any Federal or State court may have in the absence of this subsection; (2) the provisions of this section shall not become effective until 3 years after the date of enactment of this section; (3) no relief may be granted under this section unless the ratio of assessed value to true market value with respect to transportation property exceeds by at least 5 percent such ratio with respect to all other commercial and industrial property in the same assessement jurisdiction; (4) the burden of proof with respect to the determination of assessed value and true market value shall be that declared by the applicable State law; and (5) if the ratios to be determined cannot be established to the satisfaction of a court by other means, such court may admit and rely upon evidence based upon a sales-assessment-ratio study conducted on the basis of random-sampling techniques in accordance with generally accepted and applicable principles of statistics.

"(c) As used in this section, the term—

"(1) 'assessment' means valuation for purposes of a property tax levied by any taxing district;

"(2) 'assessment jurisdiction' means a geographical area, such as a State or a county, city, township, or special purpose district within such State which is a unit for purposes of determining the assessed value of property for ad valorem taxation;

"(3) 'commercial and industrial property' or 'all other commercial and industrial property' means all property, real or personal, other than transportation property and land used primarily for agricultural purposes or primarily for the purpose of growing timber which is devoted to a commercial or industrial use and which is subject to a property tax levy; and

"(4) 'transportation property' means transportation property as defined in regulations of the Commission, which is owned or used by a common or contract carrier subject to economic regulation under part I, II, III, or IV of this Act.".

FINANCIAL RECORDS

Sec. 207. (a) Section 20(3) of the Interstate Commerce Act (49 U.S.C. 20(3)) is amended by adding at the end thereof the following four new sentences: "The Commission shall solicit, study, and evaluate the views of the Secretary of Transportation, the Securities and Exchange Commission, the United States Railway Association, the Comptroller General of the United States, and other Federal officials and agencies; carriers; shippers; employees of carriers; investors and financial institutions; States and political subdivisions served by carriers; consumers of goods and products shipped by carriers; and all other interested persons, with respect to the advisability and feasibility of prescribing such a uniform accounting system and with respect to the period of time during which, and the terms and conditions on which, any such class shall maintain such system; the methodology and rules under such system for cost accounting, revenue accounting, and apportionment of common, joint, fixed, and constant costs involving more than one service or activity; and any provisions thereof as to which a carrier should be free to use one of several approved alternatives. Nothing in this paragraph shall be construed to prohibit the Commission from prescribing uniform accounting rules with respect to any particular issue prior to the establishment of such a uniform system of accounts. The Commission shall prescribe, and may from time to time modify or revise, any such system or rules in accordance with the provisions of section 553 of title 5, United States Code. Pending the establishment of such a uniform system or rules, the Commission shall use such information and techniques as it deems appropriate and accurate for making the cost and revenue determinations required by this Act.".

(b) The Office of Management and Budget shall, within 180 days after the date of enactment of this Act, establish and may thereafter revise, by regulation in accordance with section 556 of title 5, United States Code, a rate at which and a period within which transportation revenues and cash expense values should be discounted to best reflect the opportunity costs of the capital resources available for transportation needs.

TITLE III—PROGRAMS AND STUDIES

NATIONAL TRANSPORTATION PROGRAM

Sec. 301. The Secretary shall study, formulate, and set forth in writing, for submission to the Congress and the President within 240 days after the date of enactment of this section, a national transportation program and the criteria, standards, and data upon which such program is formulated and set forth. The Secretary shall consider all relevant factors, including the need for coordinated development and improvement of all modes of transportation and the priority which should be assigned to the development and improvement of each such mode. The national transportation program, as submitted to the Congress and the President, shall include (1) a survey of the resources of existing transportation services and an analysis of their effectiveness in meeting the Nation's immediate and long-term transportation needs; (2) a plan to meet short- and long-term transportation needs in each geographic area; (3) an estimate of cost and realistic plans for financing on a continuing basis, implementation, operation, and improvement; (4) a survey of problems that are anticipated in the implementation of such program; and (5) a proposal for coordination of existing Federal laws relating to transportation. Copies of such program and materials shall be made available by the Secretary to interested persons upon request.

NATIONAL TRANSPORTATION STUDIES

Sec. 302. (a) Section 204 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 714) is amended (1) by deleting "REPORT" in the title thereof and inserting in lieu thereof "DEPARTMENT OF TRANSPORTATION"; and (2) by adding at the end thereof the following new subsection:

"(c) National Report.—Within 180 days after the date of enactment of this subsection, the Secretary shall prepare a comprehensive report containing his conclusions and recommendations with respect to essential rail services within the Nation in the area outside the region and the geographic zones therein at and between which rail service should be provided, together with the criteria, standards, and data upon which such conclusions and recommendations are based. In identifying such zones, the Secretary may use the factors listed in subsection (a) of this section. Upon completion, the Secretary shall submit such report to the Congress and the President and to the other governmental entities and persons listed in subsection (b) of this section and shall cause a copy to be published in the Federal Register.".

(b) Section 205 of such Act, as amended by this Act, (45 U.S.C. 715(d)) is amended (1) by deleting "and" at the end of paragraph (3) thereof; (2) by deleting "." at the end of paragraph (4) thereof and inserting in lieu thereof "; and"; and (3) by adding at the end thereof the following new paragraph:

"(5) study, hold public hearings on, and evaluate the report prepared and submitted by the Secretary pursuant to section 204(c) of this title. The Office shall solicit, study, and evaluate the views (A) of witnesses at such hearings; (B) of Governors, mayors, other responsible government officials, shippers, manufacturers, distributors, retailers, and consumers within the Nation in the area outside the region; and (C) of all other interested governmental entities and persons, with respect to such report and to present and future rail service needs of the Nation.".

(c) Section 202(b) of such Act (45 U.S.C. 712(b)) is amended (1) by inserting immediately after the words "in the region" each place they appear therein the words ", and within the Nation in the area outside the region"; (2) by inserting in paragraph (2) thereof after "in reorganization" the words "or profitable railroads"; and (3) by striking out, in paragraph (4) thereof, "205(d)(1)" and inserting in lieu thereof "205(d)(1) or 205(d)(5)".

(d) The Secretary of Transportation and the Secretary of the Army through the Corps of Engineers shall conduct a study of the benefits and cost of improving the Nation's rail facilities using the best available technology including the electrification of rail lines, the use of concrete roadbeds and ties, the modernization of signal systems, line relocation, tunneling, highway grade crossing elimination, and the major upgrading of rail lines in corridors in or connecting densely populated areas with respect to which improvements to permit high-speed rail service would return substantial public benefits in relation to the cost thereof. Program prepared in accordance with subsection (e) of section 204 of the Regional Rail Reorganization Act (45 U.S.C. 714(c)) to meet the needs stated in the National Transportation and shall prepare a report thereon, together with recommendations and a practicable implementation plan for the installation of such improvements on rail lines selected therefor. The report shall be submitted to the Congress and the President within 360 days after the date of enactment of this Act. The Comptroller General of the United States shall evaluate such report, recommendations, plans, and selection and shall comment thereon in writing to the Congress and the President within 60 days after such subcommission. The study shall include a summary and analysis of the benefits and costs of such improvements for lines carrying different volumes of traffic through areas of different population density and economic characteristics; the capital costs and technical specifications for such improvements; ways of financing such capital costs; a comparative analysis of the operating cost and efficiency of various available technologies and of the maintenance cost, safety, and speed of rail service operations resulting from the use of such technologies; the impact on energy conservation and on the environment of such improvements; and a listing, in order of descending priority, of the rail lines as to which the advantages of such improvements are the greatest in terms of such cost-benefit analysis and the reasons for each such selection. Any improvement selected and identified in such report shall be given careful consideration under title V of the Rail Services Act of 1975 with respect to any application which may be made to the Association for a commitment to provide financing for such improvement.

(e) There are authorized to be appropriated to the Secretary of Transportation and to the Secretary of the Army for the use of the Corps of Engineers not to exceed $5,000,000 for the purpose of carrying out the provisions of subsection (d) of this section, such sums to remain available until expended.

STUDY OF FEDERAL AID

SEC. 303. (a) Within 30 days after the date of enactment of this title, the Secretary of Transportation (hereinafter referred to as the "Secretary") shall initiate a comprehensive study and analysis of past and present policy and methods of providing Federal aid for the construction, improvement, operation and maintenance of transportation facilities and service utilized by surface transportation modes with which the railroads compete, including carriers by highway and waterway, both private or proprietary and for-hire, and the extent to which the railroads have been and are disadvantaged by reason of those policies.

(b) Incident to the study and analysis called for in paragraph (a) of this section, the Secretary shall examine ways and means by which future policy respecting Federal aid to surface transportation may be so determined and developed as to encourage the establishment and maintenance of an open, competitive market in which the various surface transportation modes compete on equal terms and in which their market shares are governed by customer preference based upon service and full economic costs.

(c) The Interstate Commerce Commission and the Secretary of the Army are authorized and directed to cooperate fully with the Secretary in carrying out the purposes of this section, and also to submit such independent and separate reports, comments and recommendations as they may deem appropriate.

(d) In carrying out the purposes of this section, the Secretary may require all surface transportation carriers, including those operating under the exemptions of sections 203(b) and 303(b) of the Interstate Commerce Act (49 U.S.C. 303(b) and 903(b)) and also including the owners and operators of private or proprietary carriers, to file such reports containing such information as the Secretary may deem necessary. The Secretary shall have the power to require by subpoena the production of such books, papers, tariffs, contracts, agreements or other documents or data related to the study and analysis as he may deem relevant. The Secretary may treat as confidential and privileged any document, data, or information received for such study and analysis, notwithstanding the provisions of the Freedom of Information Act (5 U.S.C. 552).

(e) Within 1 year after the date of enactment of this Title, the Secretary shall complete the study and analysis herein authorized and directed, and shall transmit a report to the Congress containing his findings and conclusions together with his recommendations for a sound and rational policy respecting Federal aid to surface transportation.

TITLE IV—RAIL SERVICE COORDINATION

PURPOSES

SEC. 401. It is the purpose of the Congress in this title to provide a process to facilitate the prompt implementation of proposals to coordinate rail services and facilities in a manner that will promote the establishment of a more efficient and economically viable passenger and freight rail system in the United States. It is the purpose of these provisions to improve the economic and energy efficiency of the Nation's transportation system while assuring adequate levels of competition between the various carriers and modes of transportation. This title is intended to protect the vitality of competition rather than an individual competitor.

RESTRUCTURING PROGRAMS

SEC. 402. (a) Following the publication of the national report pursuant to section 204 (c) (4) of the Regional Rail Reorganization Act (45 U.S.C. 714 (c)) the Association in accordance with the provisions of this title, shall develop alternative programs for the coordination and improvement of railroad services and facilities, in accordance with coordination proposals submitted to it by any railroad or group of railroads. Upon approval, the Association shall assist in and oversee the implementation of each such program. The Association shall formulate each such program and such programs shall be implemented by the affected railroads in a manner that will effectuate the following goals:

(1) the continuation of essential national, regional, and local rail services that are required by Federal, State, or local law or that are designated as essential in the final system plan for the reorganization of the Northeast and Midwest railroads, as approved by Congress pursuant to the Regional Rail Reorganization Act of 1973 (45 U.S.C. 701 et seq.);

(2) the improvement of passenger services and the establishment of high-speed corridor rail services, in densely populated areas in which the upgrading of rail lines for high-speed passenger operation would return substantial public benefits;

(3) the operation of more efficient rail services;

(4) the establishment and maintenance of rail services adequate to meet the rail transportation needs and service requirements of the region affected by the coordination proposal;

(5) the retention and promotion where feasible of competition in the provision of transportation services in the region affected by the coordination proposal;

(6) the establishment of a coordinated national rail service system well integrated with transportation services provided by other modes; and

(7) the facilitation of coordinated transportation planning and development.

(b) The proposed restructuring program shall include a detailed implementation plan which may utilize any or all of the following procedures, affecting any or all of the applicant railroads or railroad facilities or equipment.

(1) negotiated transfer of facilities to one or more railroads, transportation companies, or government entities, with or without specific conditions;

(2) joint usage of any railroad roadbeds, facilities, or properties;

(3) discontinuance of service on duplicate or redundant rights of way and liquidation of collateral facilities and properties;

(4) the merger of the applicant railroad with another railroad or transportation company, with or without specific conditions or performance criteria;

(5) the temporary or permanent acquisition of railroad roadbeds, facilities, and properties by the National Railroad Passenger Corporation or any Federal, State, or local government entity.

REGULATIONS

SEC. 403. Within 90 days following the submission of the Secretary's report pursuant to section 204 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 714), the Association shall publish regulations in accordance with section 553 of title 5, United States Code, prescribing procedures for the submission, approval, and implementation of railroad coordination proposals.

ALTERNATIVE PROGRAMS

SEC. 404. (a) Upon submission of a railroad coordination proposal, such proposal shall be published in the Federal Register. Within 90 days of submission of a railroad coordination proposal, the Association, in consultation with the Secretary and the Commission shall develop and publish a preliminary program or alternative programs for the implementation of such proposal.

(b) Upon publication of such programs, the Association shall also provide written notice to the Secretary, the Commission, and to the Attorney General and to each Governor of a State which would be affected by the coordination proposal. The Association shall provide, to any interested person, an opportunity to submit written comments and may conduct an informal oral hearing regarding such programs. Within 15 days after the final date set by the Association for the receipt of such written comments, the Attorney General and the Secretary shall review the proposal, the alternative programs, and the comments and any testimony received, and shall thereupon advise the Association in writing with respect thereto.

(c) The Association shall review all such materials and give notice in the Federal Register of any changes (in the proposal or programs) which the Association makes upon the basis of such review. The Association shall provide an opportunity for the public to comment on such changes. In determining whether a rationalization proposal is in the public interest, the Association shall consider, inter alia, the long-term or short-term nature of any adverse effects or efficiency gains, and the proper weight to be given to each such effect or gain. Whenever the Association approves a program which would eliminate substantial competition, the Association shall take all steps necessary to minimize the consequences of such loss of competition to affected shippers. In order to minimize such consequences, the Association may require, inter alia, that access be granted to one or more other carriers, on reasonable terms, over the tracks and terminals subject to the program, by the grant of trackage and terminal rights and/or by the establishment of joint rates and through routes.

PROGRAM APPROVAL

SEC. 405. (a) The Association may disapprove, modify, or approve the program involved upon a finding that its implementation is in accordance with the public interest.

(b) No program shall be approved unless

it provides labor protection at least equal to the protection afforded by section 5(2) (f) of the Interstate Commerce Act (49 U.S.C. 5 (2) (f)).

(c) Following the approval of a program under subsection (b) of this section, the Association shall publish such program in the Federal Register. Such program shall take effect within 90 days after the date of such publication. Proposals approved under this title be deemed final and of the same force and effect as if approved pursuant to the Interstate Commerce Act. A final decision of the Association, pursuant to this title, shall be subject to judicial review pursuant to section 2321 of title 28, United States Code, except that a petition for such review may only be filed in the United States Court of Appeals for the District of Columbia. Such proceedings shall be given priority over other pending matters in such court and shall be expedited to the maximum extent.

ACQUISITION

SEC. 406. (a) In order to facilitate the implementation or financing of any restructuring program approved under this Act and in order to aid the implementation of the final system plan developed and approved in accordance with the Regional Rail Reorganization Act of 1973 (Public Law 93–236), the Association is authorized to acquire, by contract, agreement, assignment, gift, foreclosure, judicial sale, condemnation, or other lawful means, manage, control, and dispose of any real or personal property, or any interest in any real or personal property, owned, leased, or otherwise controlled by a railroad in any State: *Provided*, That the power to acquire by condemnation may only be exercised in accordance with paragraph (B) of this subsection and only if the Association is unable to make such acquisition by contract or is unable to reach agreement as to the amount of consideration to be paid therefor.

(b) A condemnation proceeding under this subsection shall be maintained in the district court of the United States for any judicial district in which such property is located in whole or in part or, with respect to intangible property or a security interest in property, in such district court for any judicial district in which the owner thereof resides, is found, is doing business, or maintains an agent for the receipt of service of process. The Association shall file with the complaint, or at any time before the entry of judgment by such court, a declaration of taking containing or having annexed thereto (A) a statement of the public use for which the property is taken; (B) a description of the property taken sufficient for the identification thereof; (C) a statement of the property interest or estate taken; (D) with respect to real property, a plan showing the property taken; and (E) a statement of the consideration estimated by it to constitute just compensation for the property taken. Upon the filing of such declaration and the depositing in such court of the consideration estimated therein to be just compensation, the property shall be deemed to be condemned and taken for the use of the Association. Title to such property or interest in property shall immediately vest in the Association to the extent specified in such declaration, and the right to the consideration deposited shall immediately vest in the persons entitled thereto. Such court, after a hearing, shall make a finding as to whether such consideration is fair and equitable but not more than is required as a constitutional minimum, If such consideration is not sufficient, the court shall enter a judgment against the Association for the deficiency together with interest (from the date of taking to the date of payment) at the rate of interest prevailing in such district on the date of judgment. If the court finds that the consideration deposited is fairer and more equitable than is required as a constitutional minimum, it shall order the return of any excess consideration so as not to exceed the constitutional minimum standard of fairness and equity. Upon making such findings, the court shall order distribution of the consideration deposited with it to the persons entitled thereto. The court may make such orders as are necessary or appropriate with respect to the time within which, and the terms upon which, the Association shall acquire possession of such property and respect to just and equitable apportionment of any applicable taxes, assessments, or other charges against such property. As used in this paragraph, consideration means obligations of the Association.".

RELATIONSHIP TO OTHER LAWS

SEC. 407. The provisions of the Interstate Commerce Act (49 U.S.C. 1 et seq.) shall not apply to activities and transactions conducted in accordance with this title, to formulate or implement a rationalization proposal, whenever and to the extent that a provision of such Act is inconsistent with the provisions of this title.

TITLE V—REHABILITATION FUNDING

POWERS AND DUTIES OF THE ASSOCIATION

SEC. 501. (a) In addition to its duties and responsibilities under the provisions of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 701 et seq., 87 Stat. 985), the Association is authorized to (1) provide fixed plant rehabilitation and improvement financing, in the manner provided in this title, to railroads; (2) prescribe and impose fees and charges to the extent provided in this title for services performed by the Association; and (3) to settle, adjust, and compromise, and, with or without consideration or benefit to the Association, to release or waive in whole or in part, in advance or otherwise, any claim, demand, or right of, by, or against the Association.

(b) The Association is authorized to issue and have outstanding common stock, par value $100,000 per share in the amount of $100,000,000. Following the effective date of this Title, the Association is authorized to deliver, from time to time, to the Secretary of the Treasury, against payment therefor at no less than par value per share, and the Secretary of the Treasury is authorized to accept and pay for, common stock of the Association having an aggregate par value not in excess of $100,000,000 and there is hereby appropriated to the Secretary of the Treasury amounts necessary to make such purchase of such common shares.

(c) The Association, with the consent of any department, establishment, or corporate or other instrumentality of the government, may utilize and act through any such department, establishment, or instrumentality and may avail itself of the use of information, services, facilities, and personnel thereof, and may pay compensation therefor, and all of the foregoing are hereby authorized to provide the same to the Association as it may request.

(d) All civil actions to which the Association is a party shall be deemed to arise under the laws of the United States, and the district courts of the United States shall have original jurisdiction of all such actions, without regard to amount or value; and any civil or other action, case or controversy in a court of a State, or in any court other than a district court of the United States, to which the Association is a party may at any time before the trial thereof be removed by the Association, without the giving of any bond or security, to the district court of the United States for the district and division embracing the place where the same is pending, or, if there is no such district court, to the district court of the United States for the district in which the principal office of the Association is located, by following any procedure for removal of causes in effect at the time of such removal. No attachment or execution shall be issued against the Association or any of its property before final judgment in any State, Federal, or other court.

RAILROAD REHABILITATION TRUST FUND

SEC. 502. (a) There is hereby established in the Treasury of the United States the Railroad Rehabilitation and Improvement Trust Fund (the "Rail Trust Fund"), which shall be the property of the Association and enable it, without fiscal year limitation, (i) to secure by a first pledge of, and lien on all revenues payable to, and assets held in, the Rail Trust Fund, the payment, when due, of the principal of redemption premium, if any, and interest on all Trust Fund Bonds, and (ii) to otherwise carry out the purposes, functions and powers authorized in this Act.

(b) There shall be deposited in the Rail Trust Fund, subject to withdrawal of certain moneys by the Association as contemplated by paragraph (e) of this section 502:

(1) moneys appropriated to the Rail Trust Fund by section 507(a) hereof;

(2) moneys received by the Association for deposit in the Rail Trust Fund representing the proceeds from the issuance and sale of Trust Fund Bonds, as provided in section 506 hereof;

(3) moneys received by the Rail Trust Fund representing dividends and redemption payments on carrier Redeemable Preference Shares purchased by the Association and such shares, as provided in sections 504(d) and 505(b) hereof;

(4) income and gains realized by the Rail Trust Fund from any investment of excess moneys, as provided in paragraph (c) of this section 502, and the obligations or securities comprising such investments;

(5) any other receipts of the Association.

(c) If the Association determines that the moneys in the Rail Trust Fund are in excess of then current needs, such amounts as it deems advisable shall, subject to the provisions of sections 506 (g) and (h) hereof, be invested by the Secretary of the Treasury in obligations of, or obligations guaranteed by, the Government of the United States, or in such other Governmental or agency obligations or other securities of the United States as the Association and the Secretary of the Treasury deem appropriate.

(d) The Association may deposit moneys of the Rail Trust Fund with any Federal Reserve Bank, any depositary for public funds, or in such other places and in such manner as the Association and the Secretary of the Treasury may mutually agree.

(e) Moneys in the Rail Trust Fund shall be utilized (1) as contemplated by clause (i) of section 502(a) hereof, to effect the payment, when due, of the principal of, redemption premiums, if any, and interest on, Trust Fund Bonds issued by the Association pursuant to section 506 hereof, (2) to finance carrier fixed plant rehabilitation and improvement pursuant to section 504 hereof, (3) to make payment of all expenses incurred by the Association in carrying out its functions under this Act, and (4) as contemplated by paragraph (g) of section 506 hereof to redeem Trust Fund Bonds or make transfers to the general funds of the United States. In order to make further effective the first pledge and lien on moneys appropriated to the Rail Trust Fund by section 507(a) hereof, the Association may not utilize for the purpose of financing fixed plant rehabilitation and improvement as contemplated by clause (2) of the preceding sentence, any amount in excess of two-thirds of the aggregate of all moneys appropriated to, and deposited in, the Rail Trust Fund pursuant to section 507(a) as of the date of said proposed financing.

(f) Neither the Rail Trust Fund nor any of the funds credited to it shall be subject to apportionment under the provisions of section 665 of title 31.

CLASSIFICATION AND DESIGNATION OF RAIL LINES

Sec. 503. (a) **Within 90 days after enactment of this Act, each railroad shall analyze its rail system and prepare and file with the Secretary and the Commission a full and complete schedule showing the traffic density on each of its main and branch rail lines for the preceding 5 calendar years: *Provided, however,*** That the foregoing requirement shall not be applicable to (i) the Consolidated Rail Corporation, established under section 301 of the "Regional Rail Reorganization Act of 1973", Public Law 93-236; or (ii) any railroad in reorganization in the region covered by said Act who has decided, as provided by section 207(b) of said Act, to be reorganized pursuant to the provisions thereof (contemplating transfer of rail properties of such railroad to Consolidated Rail Corporation or to another railroad).

(b) Within 180 days after enactment of this Act, the Secretary shall develop and publish (i) preliminary standards for classifying both main and branch rail lines, in at least three categories, on their level of usage measured in gross ton miles and probable economic viability; and (ii) a preliminary designation of all railroads main and branch lines according to these classifications. In determining "level of usage" and "probable economic viability" for purposes of such classification, the Secretary shall take into account such operational, service and other factors, as appropriate, and may make reasonable allowance for differences in operation among individual railroads or groups of railroads.

(c) Commencing 30 days after the publication by the Secretary under paragraph (b) of this section 5, the Transportation Services Planning Office (the "Office") of the Commission shall hold public hearings both in the District of Columbia and in other parts of the country on the preliminary standards for classification and preliminary designations. Notices of the dates, time and places of such hearings shall be in a manner as to assure full and fair opportunity for all interested parties to be heard.

(d) Within 120 days after the publication by the Secretary under paragraph (b) of this section 5, the Office shall release and report to the Secretary its conclusions and recommendations such preliminary standards for classification and preliminary designations which shall be based on the record developed during such hearings as supplemented by such studies as may be undertaken by the Office.

(e) Within 60 days after the receipt of such conclusions and recommendations of the Office, the Secretary shall after giving due consideration thereto, and with the cooperation and assistance of the Office, prepare, and publish the final standards for main and branch rail line classification and the final designation of all railroad main and branch lines according to such classifications. The report of the Secretary shall include findings in support of each material change in the preliminary designations published pursuant to paragraph (b) of this section 503.

CARRIER FIXED PLANT REHABILITATION FINANCING

Sec. 504. (a) Following the date of enactment of this Act Consolidated Rail Corporation may, and any railroad proposing to acquire rail lines from a railroad in reorganization, as contemplated by clause (ii) of section 503(a) may apply to the Association, and following the date of publication by the Secretary of the final standards for rail line classifications and the final designation of rail lines according to such classifications, as provided in paragraph (e) of section 503, any other railroad may apply to the Association, in accordance with regulations promulgated by the Association, for fixed plant rehabilitation and improvement financing assistance under this Act.

For purposes of this Act "fixed plant" shall mean all:

(i) track, roadbed and related structures, including but not limited to, rail, ties, ballast, other track materials, grading, tunnels, bridges, trestles, culverts, elevated structures, stations and office buildings used for operating purposes only, repair shops, enginehouses, and construction of public improvement; and

(ii) communication and power transmission systems, including but not limited to, electronic, microwave, wireless, communication and automatic data processing systems, powerplants, power transmission systems, power plant machinery and equipment, structures and facilities for the transmission of electricity for use by railroads; and

(iii) signals, including but not limited to, signals and interlockers; and

(iv) terminal facilities, including but not limited to, trailer-on-flat-car and container-on-flat-car terminals, express or railroad terminal and switching facilities and services to express companies and railroads and their shippers, including ferries, tugs, carfloats, and related shoreside facilities designed for the transportation of rolling stock by water.

(b) Each such application shall set forth (1) a description of such railroad's proposed fixed plant rehabilitation and improvement program and of the current physical condition of such fixed plant; (2) with respect to applications filed subsequent to publication, pursuant to paragraph (e) of section 503 hereof, of the final standards for rail line classifications and final designation of rail lines, the essentiality classification of each main and branch rail line included in such program; (3) the track standards to which each such line is then being operated and the reasons therefor; (4) the track standards necessary, in the judgment of the applicant railroad, to provide reliable and competitive freight service over such line, together with such railroad's recommendation as to the most economical method of improving the physical condition of such line to meet the desired track standard, and (5) such railroad's estimated cost of labor and materials and completion time and its opinion as to the priority to be accorded such portions of the proposed project as are reasonably divisible. The Association shall act upon each application within 6 months of the submission thereof, and may approve any application if the Association determines that the proposed program for fixed plant rehabilitation and improvement is technically feasible, and will return public benefits commensurate with the public costs of the financial assistance which would be provided as a result of such approval.

(c) The Association shall promptly after approval of an application enter into a contract with the applicant railroad to provide fixed plant rehabilitation and improvement financing in such amounts and at such times as is sufficient in the judgment of the Association to meet the total reasonable cost of the program as is approved in whole or in part. The Association shall include in each contract, terms and conditions sufficient in the judgment of the Board of Directors to assure that the fixed plant rehabilitation and improvement financing is used by the railroad exclusively in the manner and for the purposes approved by the Association.

(d) The fixed plant rehabilitation and improvement financing shall be in the form of purchase by the Association, at par, of Redeemable Preference Shares of stock of the railroad specifically issued for that purpose and having the terms and conditions set forth in section 505 hereof.

(e) The total par value of the Redeemable Preference Shares which the Association may purchase under this Act shall not exceed $10,000,000,000; *Provided, however,* That the investment by the Association in Redeemable Preference Shares in any fiscal year shall not, when coupled with its prior investments in such shares, exceed 200 percent of the aggregate principal amount of Trust Fund Bonds (i) issued by the Association prior to such fiscal year and (ii) projected to be issued by the Association through the end of such fiscal year: *Provided further,* That neither redemptions of Trust Fund Bonds nor their payment at scheduled maturity shall have any bearing on the aforesaid limitation on the authority of the Association to purchase Redeemable Preference Shares.

REDEEMABLE PREFERENCE SHARES

Sec. 505. (a) The Redeemable Preference Shares acquired by the Association pursuant to section 504 hereof (the "Redeemable Preference Shares") shall be securities whose characteristics include the following:

(1) Each Redeemable Preference Share shall be nonvoting and have a par value of $10,000 per share.

(2) Each Redeemable Preference Share shall be senior in right to dividend payments and redemption to all common shares of the issuing railroad, whenever issued, and to any preferred shares issued subsequent to it, but shall be subordinate with respect to dividend payments and redemption on any previously issued and outstanding shares of such railroad ranking prior to its common stock.

(3) No Redeemable Preference Share shall accrue dividends thereon for the first 10 years it is outstanding, nor shall dividends be payable with respect to such share until the eleventh anniversary of the date of original issuance of such share. After such 10-year period such shares shall bear dividends at such rate, as shall be fixed by the Association prior to the issuance thereof, which, when coupled with the mandatory redemption payments referred to in subparagraph (4) of this paragraph (a) shall return to the Rail Trust Fund over the scheduled 30-year life of the issue in annual payments as nearly equal as practicable, an amount not less than 150 percent of the aggregate par value thereof.

(4) Each Redeemable Preference Share shall be subject to mandatory redemption, at par commencing on the eleventh anniversary date of the original issuance of such share in annual amounts which shall, over the 20-year period ending on the 30th anniversary date of such original issuance, aggregate the total par value of such share.

(b) All Redeemable Preference Shares acquired by the Association pursuant to section 504 hereof, shall, upon such acquisition, be deposited by the Association in the Rail Trust Fund.

(c) In the event that dividend or redemption payments on Redeemable Preference Shares issued by any railroad shall be in arrears for a period of 1 year, the Association shall be entitled to elect two members to the Board of Directors of the delinquent railroad to provide the Association with representation on such Board of Directors. The term of such directors shall exist only for the period that such dividend or redemption payments are in arrears.

TRUST FUND BONDS

Sec. 506. (a) The Association is authorized to issue from time to time Trust Fund Bonds in denominations of $100,000 or any integral multiple thereof. The aggregate principal amount of Trust Fund Bonds issued shall not exceed $5,000,000,000.

No Trust Fund Bonds—

(1) shall be issued which mature less than 8 years, or more than 15 years, from the date of original issuance thereof;

(2) shall be issued later than the 10th anniversary of the date of the publication by the Secretary of the final standards for classification and final designation of rail-

road lines pursuant to paragraph (e) of section 503 hereof;

(3) shall be subject to redemption at the option of the Association at any time prior to the 10th anniversary date of the original issuance thereof, and redemption thereafter shall be as contemplated by paragraph (g) and subparagraph (6) of paragraph (d) of this section 506.

(b) The Association, subject to the provisions of section 502 of this Act, shall impose a first pledge of, and lien on, all revenues payable to, and assets held in, the Rail Trust Fund and may further impose such a pledge and lien on all other revenues or property of the Association to secure the payment, when due, of the principal of, redemption premiums, if any, and interest on all Trust Fund Bonds, and for other purposes incidental thereto, including creation of reserve and other funds which may be similarly pledged and used, to such extent and in such manner as it deems necessary or desirable. Any pledge made by the Asociation shall be valid and binding from the time when the pledge is made. The revenues and assets held in the Rail Trust Fund and the revenues or property of the Association so pledged and thereafter received by the Association shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Association, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded or filed to protect such pledge.

(c) The Association is authorized to enter into binding covenants with the holders of Trust Fund Bonds, and with the trustee, if any, under any agreement entered into in connection with the issuance thereof with respect to the establishment of reserves and other funds, stipulations concerning the subsequent issuance of obligations, and such other matters as the Association deems necessary or desirable to enhance the marketability of the Trust Fund Bonds.

(d) Subject to the limitations of paragraph (a) of this section 506, Trust Fund Bonds issued by the Association under this section—

(1) shall be in such forms and denominations;

(2) shall be sold at such times and in such amounts;

(3) shall be in serial maturities and shall mature at such time or times;

(4) shall be sold at such prices;

(5) shall bear such rates of interest;

(6) may be redeemable before maturity in such manner, at such times, and at such redemption premiums;

(7) be negotiable or non-negotiable and bearer or registered in instruments, as specified therein and in any indenture or covenant relating thereto;

(8) contain a recital that they are issued under this section, and such recital shall be conclusive evidence of the regularity of the issuance and sale of such Trust Fund Bonds and their validity; and

(9) shall be subject to such other terms and conditions, as the Association by resolution authorizing the issuance of such bonds may determine.

(e) Trust Fund Bonds issued by the Association under this section shall—

(1) be lawful investments and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of any officer or agency of the Government of the United States, and the Secretary of the Treasury or any other officer or agency having authority over or control of any such fiduciary, trust, or public funds, may at any time sell any of the obligations of the Association acquired under this section 506;

(2) not be exempt from Federal, State, and local taxation;

(3) not be debts or enforceable general obligations of, nor shall payment of the principal thereof or interest thereon be guaranteed by, the Government of the United States and neither the faith and credit, nor the general taxing power of the Federal Government shall be pledged to the payment of the principal of, premium, if any, or interest on, such Trust Fund Bonds.

(f) Neither the Directors of the Association nor any other person executing the Trust Fund Bonds shall be subject to any personal liability or accountability by reason of the issuance thereof.

(g) From and after the 10th anniversary date of the original issuance of the initial series of Trust Fund Bonds, the amount in the Rail Trust Fund, exclusive of the value of any Redeemable Preference Shares held by the Rail Trust Fund, exceeds 250 percent of the amount required to make payments due in the succeeding fiscal year on account of the Trust Fund Bonds, the Association in its discretion may use such excess to redeem Trust Fund Bonds in accordance with their terms or may withdraw all or part of such excess from the Rail Trust Fund and transfer it to the general funds of the United States. When all Trust Fund Bonds have been redeemed, all amounts remaining in the Rail Trust Fund or thereafter accruing to it shall be transferred to the general funds of the United States, except to the extent necessary to cover such expenses of the Association as may be required to carry on and complete the Association's remaining responsibilities.

(h) The Association subject to such agreements with holders of Trust Fund Bonds as may then exist, shall have power out of any funds available therefor, to purchase Trust Fund Bonds which shall thereupon be canceled.

APPROPRIATIONS

SEC. 507. (a) There is hereby appropriated to the Rail Trust Fund established by section 502 hereof the revenues received in the Treasury after December 31, 1975, pursuant to the excise tax imposd by chapter 46 of the Internal Revenue Code of 1954, as amended by section 510(f) hereof. In order to assure that the first pledge and lien provisions of sections 502 and 506(b) of this Act are fully effective, while any Trust Fund Bonds are outstanding and unpaid, such tax, at the rate therein provided, shall be maintained until such time as there shall be sufficient funds on deposit in, and (as reasonably projected under paragraph (4) of section 502(b) hereof) available to, the Rail Trust Fund to pay the principal of all outstanding Trust Fund Bonds and either (i) the interest on all such bonds to their scheduled maturity dates, or (ii) interest on, and redemption premium, if any, on all such bonds to their optional redemption dates.

(b) The amounts so appropriated shall be transferred at least quarterly from the general fund of the Treasury to the Rail Trust Fund on the basis of estimates made by the Secretary of the Treasury of the amounts referred to in paragraph (a) of this section 9. Proper adjustment shall be made at the end of each fiscal year in the amounts subsequently transferred to the extent prior estimates were in excess of, or less than, the amounts required to be transferred.

(c) There is hereby authorized to be appropriated to the Rail Trust Fund such additional sums as may be required to permit the Association to carry out its obligations under this Act.

AUDIT

SEC. 508. The operations of the Association, including the Rail Trust Fund, shall be audited by the Comptroller General and reports thereon made to the Congress to the extent and at such times as he may determine.

ANNUAL REPORT

SEC. 509. The Board of Directors of the Association shall report to the Congress within 90 days following the end of each fiscal year of the Association on the financial condition and the results of operations of the Association and the Rail Trust Fund during such fiscal year, and on the anticipated condition and operation of the Rail Trust Fund during the next fiscal year. Such report shall be printed as a House document of the session of the Congress to which the report is made.

AMENDMENTS TO THE INTERNAL REVENUE CODE

SEC. 510. The Internal Revenue Code of 1954, as amended, is hereby further amended as follows:

(a) Amend subsection 46(a)(2) (providing a limitation on investment tax credit based on amount of tax) by striking at the end of subparagraph (C) "." and by inserting in lieu thereof ", and" and by adding immediately following subparagraph (C), as amended, a new subparagraph (D)—

"(D) with respect to the qualified investment attributable to Trust Fund Bonds issued by the Railroad Reconstruction Finance Corporation, 25 percent of the liability for tax for the taxable year as exceeds the liability for tax reduced by the credit allowable for qualified investment which is not attributable to such bonds.".

(b) Amend subsection 46(b)(1) (providing for carryback and carryover of unused credits) by striking at the end of the first sentence "." and by adding at the end of such sentence: "and that such excess resulting from the application of subsection (a)(2)(D) may be a carryback only to a taxable year ending after December 31, 1975.".

(c) Amend section 46 (providing for amount of credit) by adding immediately following subsection (f) a new subsection (g):

"(g) LIMITATIONS WITH RESPECT TO RAILROADS.—

"(1) REDUCTION IN QUALIFIED INVESTMENT.—In the case of a railroad (including a railroad switching or terminal company) which receives money from the Railroad Reconstruction Finance Corporation in exchange for stock, the amount of qualified investment for the taxable year determined under subsections (c) and (d) shall be reduced (but not below zero) by the amount determined under paragraph (2). If the amount determined under paragraph (2) exceeds the qualified investment for a taxable year, the excess shall be carried forward to succeeding taxable years and shall be used to reduce the qualified investment for such years.

"(2) AMOUNT OF REDUCTION.—At the time that stock is received by the Railroad Reconstruction Finance Corporation, the Railroad Reconstruction Finance Corporation shall certify to the issuing railroad the percentage of the money exchanged for the stock which represents the proceeds from the sale of Trust Fund Bonds issued by the Railroad Reconstruction Finance Corporation.

"(3) CONTROLLED GROUP.—For purposes of this subsection, in the case of a controlled group (as defined in section 1563(a)) which includes two or more railroads, stock issued by any railroad shall be considered issued by each railroad which is a component member of such group and the reduction in qualified investment required by paragraph (1) shall be apportioned among the railroads which are component members of such group in such manner as the Secretary or his delegate shall by regulations prescribe.".

(d) Amend subsection 48(a) (defining "section 38 property") by adding immediately following paragraph (9) a new paragraph (10):

"(10) RAILROAD RECONSTRUCTION FINANCE CORPORATION TRUST FUND BONDS.—In the case of a corporation, the term 'section 38 property' includes Trust Fund Bonds issued by the Railroad Reconstruction Finance Corporation, if

"(A) such Bonds are held for investment, and

"(B) such Bonds are acquired

"(i) in the initial offering to the public (excluding investment bankers and broker-dealers acting in their capacity as such), or

"(ii) in a private placement by the Railroad Reconstruction Finance Corporation. For purposes of this paragraph, an electing small business corporation (as defined in section 1371) shall be treated as a person which is not a corporation. In applying section 46(c)(1) to bonds described in this paragraph, basis shall be limited to the amount which the Railroad Reconstruction Finance Corporation certifies as the net proceeds realized from the sale of such bonds. For purposes of this subpart, such bonds shall be considered placed in service when acquired. In applying section 46(c)(2) to bonds described in this paragraph, the useful life of such bonds shall be considered to be the period from the date acquired until the stated maturity date.".

(e) Amend subsection 48(b) (defining "new section 38 property") by striking at the end of paragraph (1) "or", by striking at the end of paragraph (2) "." and by inserting in lieu thereof ", or" and by adding immediately following paragraph (2), as amended, a new paragraph (3):

"(3) acquired after December 31, 1975 in the case of Trust Fund Bonds issued by the Railroad Reconstruction Finance Corporation."

(f) Add to the Code, immediately following chapter 45:

"CHAPTER 46—TAX ON SURFACE TRANSPORTATION USE OF DISTILLATE FUEL OIL AND RESIDUAL FUEL OIL

"Sec. 4993. Imposition of Tax.

"(a) IN GENERAL.—In addition to any tax imposed by section 4041, there is hereby imposed a tax of 5 cents a gallon upon taxable use of distillate fuel oil and residual fuel oil.

"(b) DISTILLATE FUEL OIL AND RESIDUAL FUEL OIL DEFINED.—For purposes of this section—

"(1) the term 'distillate fuel oil' means any diesel or other fuel oil, gas oil, topped crude oil, or other petroleum oils (except gasoline or kerosene) derived by refining or processing crude oil or unfinished oils, and

"(2) the term 'residual fuel oil' means a petroleum oil, which is (i) any topped crude or viscous residuum of crude or of unfinished oils or of gasoline or of kerosene or of distillate fuel oil, to be used as fuel without further processing other than by mechanical blending or (ii) crude oil to be used as fuel without further processing other than by blending by mechanical means.

"(c) TAXABLE USE.—For purposes of this section, taxable use means use by a railroad, motor carrier or water carrier in carrying out common, contract or private carrier activities affecting interstate commerce other than a use described in subsection (d).

"(d) CERTAIN USES EXCEPTED.—For purposes of this section, taxable use does not include any use—

"(1) by a vessel engaged in foreign commerce,

"(2) in transporting passengers, and

"(3) on a farm for farming purposes determined in accordance with paragraphs (1), (2), and (3) of section 6420(c).

"(e) LIABILITY FOR TAX.—The tax imposed by this section shall be paid by the user.

"(f) YEARS AFTER 2001.—The tax imposed by this section shall not apply to taxable use after December 31, 2001.".

SEPARABILITY OF PROVISIONS

SEC. 511. If any part of this section is held invalid, the remainder of this Act shall not be affected thereby.

EFFECTIVE DATE

SEC. 512. This title shall become effective on the date of enactment. The amendment to the Internal Revenue Code of 1954 made by section 510(f) of this title shall apply only to distillate fuel oil and residual fuel oil used after December 31, 1975.

A SUMMARY OF THE RAIL SERVICES ACT OF 1975

Title I—Rate Modernization. The purpose of Title I of the bill is to foster competition among railroads and between railroads and other transportation modes and to increase the attractiveness of investing in railroads and rail service related enterprises. The cumbersome, slow process of railroad ratemaking, division of rates, and other such matters has hampered the responsiveness of the rail industry, in some instances with little compensating advantage to shippers and consumers. Under the bill railroads would be permitted greater freedom to price their services in competitive markets. The Interstate Commerce Commission is directed to develop standards and procedures with the establishment of rates which are more sensitive to changes in the level of seasonal, regional and shipper demand than present rates and to provide for the separate pricing of distinct rail and rail related services to encourage cost beneficial investment and analysis. The Commission is further directed to prepare and publish standards for determining what constitutes adequate railroad revenue levels in order to assist the Commission in its ratemaking activities and the Congress in its evaluation of the role of railroads in the national transportation system. The bill provides for the expeditious consideration of divisions of revenues between railroads to insure that its carriers are promptly and adequately compensated for the services it provides in interline movements. The rates for railroads are not to be artificially inflated to protect the business of other carriers. Rate regulation is to be preserved as to any railroad that has market dominance over a particular movement of traffic. Rate Bureaus are to be modernized to protect the public interest and minimize the exemptions from the anti-trust laws. Finally, discriminatory tax treatment by the states of transportation property will be prohibited.

Title II—To improve the Interstate Commerce Commission's procedures for the regulation of railroads. The agency, established in 1887, is by far the oldest of the independent regulatory agencies. By improving some structural weaknesses in the ICC, the bill would strengthen its capacity to relate creatively and imaginatively to the public's need for adequate and efficient rail services. Most important, to protect the interest of the public, the working paper would create within the Commission an independent authority to become a party before any pending proceedings, to petition the Commission for initiating proceedings within its jurisdiction, and to seek judicial review on the same basis as any other party. Its function would be to evaluate and represent "the public interest in efficient reliable, low cost transportation services with due regard to the need for effective competition, environmental protection, energy conservation, full employment, rational allocation of transportation services in the interest of commerce, national defense, and the traveling and consuming public". Additional protection of the public interest is provided by authorization of citizens' petitions and by authorization of citizens' civil actions for equitable relief. To insure the uniformity of the Commission's decisions, Title II also requires adherence to the National Transportation Regulatory Policy and justification of all Commission action in terms of that policy.

Title III—Programs and Studies. Title Three of the bill addresses broad and long range needs of the railroad system. The Secretary of Transportation is directed to formulate and set forth in writing a national transportation program, and a comprehensive report with respect to essential rail services outside the 19 state region covered by the 1973 Regional Rail Reorganization Act. The Secretary of Transportation and the Army Corps of Engineers acting together are to study the capital requirements in the nation's rail system. To increase the confidence in the investment community in railroads, the bill would require the establishment of a new accounting and financial reporting system for railroads' carriers that would permit accurate assessments of the railroads' finances.

Title IV—Expedited Consolidation of Rail Services. Title IV would permit the United States Railway Association to approve railroad proposals for coordination of rail services and facilities through the use of negotiated transfers of facilities, joint usage of facilities, discontinuance of service on duplicated rights-of-way, railroad mergers, and temporary or permanent acquisitions of railroad roadbed facilities and properties by Amtrak or any federal or local entity. Such coordination projects would be approved only in the context of the national rail report developed by the Secretary. In order to facilitate financing of such coordination projects, the Association would be permitted to acquire interests in railroad property in order to free property which could serve as collateral for private financing from after acquired property clauses of existing mortgages.

Title V—Railroad Rehabilitation and Improvement. Title V would authorize the United States Railway Association to serve as a federal vehicle to render a new and special form of financial assistance to rehabilitate and improve the Nation's rail fixed plants. Recipients of such assistance, to be made available in the form of equity capital, would be the Consolidated Rail Corporation and other railroads, where the rehabilitation of their fixed plants would, in the judgment of the Association, materially contribute to the improvement of the Nation's rail system, through efficiency gains in transportation service, strengthened competition, enhanced carrier profitability and return public benefits in excess of the public costs of financing this rehabilitation. The bill would establish a financing program that represents a long-term and broad-based response to the needs of the rail industry in large, on a non-discriminatory basis. The proposal looks to the private sector for 50 percent of the rehabilitation funding and to the rail carrier beneficiaries of the program for repayment of not less than 150 percent of all monies made available to them for such purpose. Financing of rehabilitation improvement will be made available to railroads on an equity basis with a rail trust fund, funded by diesel fuel taxes and the sale of railroad revenue bonds serving as the specific source of funding. While it is not possible to estimate the amount of funding, or the duration of the time period, required to complete a reasonable program for rehabilitation and improvement of the Nation's fixed railway plants for the purposes of illustrating this proposal, the bill would make available $10 billion for railroad rehabilitation.

By Mr. GRIFFIN:

S. 2266. A bill to amend the Regional Rail Reorganization Act of 1973 to provide for increased assistance for local rail services and an economic analysis of those services not designated to be continued pursuant to the final system plan. Referred to the Committee on Commerce.

Mr. GRIFFIN. Mr. President, today I am introducing legislation to assist those States and communities that would be severely affected by the final reorganization plan for the Penn Central and other bankrupt railroads in the Northeast and Midwest.

Under the final rail plan just released by the U.S. Railway Association, more than 5,700 miles of so-called light density lines would be dropped unless the States agree to help subsidize the costs of these lines. Although USRA estimates that these lines account for only about 2 percent of the volume of traffic served by the bankrupt carriers, the cutoff of service in many areas would be simply devastating.

For example, the USRA plan calls for the abandonment of more than 1,100 miles of branch line track in Michigan. The effect would be to virtually wipe out rail service to large areas of the State, especially in the northern Lower Peninsula.

My bill would soften this blow by extending the Federal subsidy program from 2 to 5 years and increasing the Federal share to 100 percent for the first 2 years following the effective date of the final system plan.

This increased assistance would assure that States can continue vital rail services until a better analysis of the economic viability of the branch lines can be completed. Under the bill, this analysis would be conducted by the ICC's Rail Services Planning Office—RSPO.

Upon completion of that analysis, those lines which the RSPO finds are economically viable or provide essential services would be transferred into the new rail system. The bill requires that these recommendations be consistent with State rail plans and the goals specified in section 206 (a) of the Regional Rail Reorganization Act of 1973.

Another important feature of the bill is that it would modify the subsidy formula to assure that every State in the region receives assistance in proportion to the number of rail lines excluded from the final system plan. For example, under the current formula, Michigan is entitled to receive 10 percent of the subsidy funds because it has approximately 10 percent of the total rail lines in the 17-State region afforded by the reorganization plan. However, under the USRA final system plan, about 20 percent of the rail lines designated for abandonment would be concentrated in Michigan.

My proposal would provide for a more equitable allocation of subsidy funds without reducing the funds to which any State is entitled to under current law. This would be accomplished by making assistance available from the discretionary fund authorized under section 402 (b) (2) of the Regional Rail Reorganization Act of 1973.

The bill also includes several other provisions to give States more flexibility by permitting the use of subsidy funds for acquisition and rehabilitation of rail lines. In addition, Federal assistance could be used for providing alternatives to the continuation of rail service and to preserve rail properties for future transportation use.

Unfortunately, throughout the entire reorganization process, USRA has failed to address the branch line issue in a realistic manner. Serious questions have been raised about the data and methodology used by USRA for determining the profitability of these lines. And little concern seems to have been evidenced for the economic effects of wholesale abandonments on communities and other rail users dependent upon rail transportation.

There is broad support at the State and local levels for providing additional time to take a fresh look at this problem. The States' representative on the Board of Directors of USRA, former Pennsylvania Gov. William Scranton, suggested in a separate statement to the final system plan that—

> Congress should change the subsidy provision, increasing the number of years of subsidy and the federal government's percentage of same. Thus the states would have more time to prepare for this situation, and actual operations of light-density lines under FSP conditions would be experienced before final determinations are made.

The Rail Services Planning Office also supports a similar approach and several bills have been introduced to achieve such a purpose.

While I believe that my bill provides the best assurance that rail service decisions reflect local needs, it is extremely important for Congress to deal with this matter as promptly as possible. The Senate Commerce Committee has recently held hearings on the branch line issue and I am hopeful that further action will be forthcoming when Congress reconvenes in September.

The reorganization process is moving ahead rapidly and communities and shippers must know what to expect. Saving the main lines of the Penn Central and other bankrupt carriers is essential—but so is the preservation of branch lines that are economic lifelines for hundreds of communities. I urge Congress to act promptly on this legislation.

By Mr. STONE:

S. 2267. A bill to amend the Internal Revenue Code of 1954 to provide for the deferral and transfer of liability for the payment of a part of the Federal estate tax on farms the fair market value of which exceeds the value of such property for continued use as farm land. Referred to the Committee on Finance.

RELIEF FOR FAMILY FARMER FROM EXCESSIVE ESTATE TAX

Mr. STONE. Mr. President, today I am introducing legislation which would defer and transfer the liability for the payment of a portion of the Federal estate tax on family farms. This bill would permit the executor of an estate a credit in the amount of the difference between the tax imposed upon the transfer of an estate based upon the fair market value of the property and the tax which would have been imposed upon the estate had the property been valued as farm property.

This bill would prevent family farms from being sold in order to pay the Federal estate taxes levied on the property. Many family farms are located in areas where the construction of new housing developments has increased greatly the land values. Under existing Federal law the estate tax for these farms is determined by the actual value of the property rather than by the value of the land as farming property. It is clearly not in our national interest to facilitate urban expansion at the expense of family farms.

This bill would allow family farms that have been substantially devoted to farming for a period of 5 years prior to the death of the decedent farmowner to qualify for the estate tax credit. Upon election of the credit, a lien equal to the amount of credit would be imposed upon the land and would accrue interest at the rate of 4 percent per year. This lien would remain in effect as long as the property is used for family farming. This bill provides that there shall be no repayment of the lien on the property until the end of the year in which the property is substantially converted to a use inconsistent with farming. The accrued interest shall be paid by the person owning the property at the time of conversion. This bill, unlike other estate tax proposals, by allowing interest to accrue indefinitely at a rate of 4 percent, balances the need to preserve the land as farm property with the governmental interest of receiving full compensation for deferring the tax.

Mr. President, the growing concern with respect to the descent of family farms is reflected by the number of Federal estate tax bills that have been introduced during this session of Congress. I believe that the expeditious enactment of this legislation would significantly ensure the continued existence of family farming.

By Mr. METCALF (for himself, Mr. Ribicoff, and Mr. Percy):

S. 2268. A bill to revise and restate certain functions and duties of the Comptroller General of the United States and for other purposes. Referred to the Committee on Government Operations.

GENERAL ACCOUNTING OFFICE ACT OF 1975

Mr. METCALF. Mr. President, on June 21, 1973, Chairman Sam Ervin of the Government Operations Committee introduced, on behalf of himself, the senior Senator from Connecticut (Senator Ribicoff) and me, the General Accounting Office Act of 1973, S. 2049. This bill was subsequently divided into two separate pieces of legislation, the General Accounting Office Act of 1974 (S. 3013) and the Auditing and Accounting Act of 1974 (S. 3014). During the 93d Congress the Subcommittee on Budgeting, Management and Expenditures—now the Subcommittee on Reports, Accounting and Management—conducted hearings on S. 3013, after which the legislation was modified and enacted into law—Public Law 93–604.

The Comptroller General recently submitted to the president of the Senate a revised version of S. 3014. On behalf of the distinguished chairman of the Government Operations Committee (Mr. Ribicoff), Mr. Percy, and myself, I introduce the bill for appropriate reference.

The hearings on S. 3013, which include some comments on S. 2049 and S. 3014 as well, are available from the Subcommittee on Reports, Accounting and Management, 161 Russell Senate Office Building.

I ask unanimous consent to have printed in the RECORD the text of the bill as proposed by GAO, the Comptroller General's transmittal letter to the president of the Senate, and a section by section analysis of the proposed legislation prepared by the GAO.

There being no objection, the bill and material were ordered to be printed in the RECORD, as follows:

S. 2268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "General Accounting Office Act of 1975."

TITLE I—ENFORCEMENT OF DECISIONS AND SETTLEMENTS

SEC. 101. The Budget and Accounting Act, 1921, as amended (31 U.S.C. 42 et seq.), is further amended by adding at the end thereof the following new sections:

"SEC. 320(a) The authority provided by this section shall be exercised only in connection with accounts over which the Comptroller General has settlement authority pursuant to 31 U.S.C. 74, and shall be construed as creating a procedural remedy in aid of such authority, and not an enlargement or limitation of such authority.

(b) Subject to subsection (a), whenever the Comptroller General, in the performance of any of his functions authorized by law, has reasonable cause to believe that any officer or employee of the executive branch is about to expend, obligate, or authorize the expenditure or obligation of public funds in an illegal manner, he may institute a civil action in the United States District Court for the District of Columbia for declaratory relief. If the Attorney General is in disagreement with the Comptroller General, he is authorized to represent the defendant official in such action. Other parties, including the prospective payee or obligee, who shall be served with notice or process, may intervene or be impleaded as otherwise provided by law, and process in such an action may be served by certified mail beyond the territorial limits of the District of Columbia.

"(c) In the event the institution of suit under this section serves to delay a payment beyond the date it was due and owing in payment for goods or services actually delivered to and accepted by the United States, then such payment when made by the agency involved shall include interest thereon at the rate of 6 per cent per annum for the time it has been withheld. Otherwise, no court shall have jurisdiction to award damages against the United States, its officers, or agents as a result of any delay occasioned by reason of the institution of suit under this section."

TITLE II—ENFORCEMENT OF ACCESS TO RECORDS OF NON-FEDERAL PERSONS AND ORGANIZATIONS

SEC. 201. To assist in carrying out his functions, the Comptroller General may sign and issue subpoenas requiring the production of negotiated contract and subcontract records and records of other non-Federal persons or organizations to which he has a right of access by law or agreement.

SEC. 202. In case of disobedience to a subpoena issued under section 201, the Comptroller General may invoke the aid of any district court of the United States in requiring the production of the records involved. Any district court of the United States within whose jurisdiction the contractor, subcontractor, or other non-Federal person or organization is found or resides or in which the contractor, subcontractor, or other non-Federal person or organization transacts business may, in case of contumacy or refusal to obey a subpoena issued by the Comptroller General, issue an order requiring the contractor, subcontractor, or other non-Federal person or organization to produce the records; and any failure to obey such order of the court shall be punished by the court as a contempt thereof.

TITLE III—ENFORCEMENT OF ACCESS TO RECORDS OF FEDERAL DEPARTMENTS AND ESTABLISHMENTS

SEC. 301. Section 313 of the Budget and Accounting Act, 1921, as amended (31 U.S.C. 54), is further amended by adding the following subsections:

"(b) If any information, books, documents, papers, or records requested by the Comptroller General from any department or establishment under subsection (a) as amended, or any other authority, have not been made available to the General Accounting Office within a period of twenty calendar days after the request has been delivered to the office of the head of the department or establishment involved, the Comptroller General is authorized to bring an action in the United States District Court of the District of Columbia against the head of the department or establishment concerned to compel the furnishing of such material. Actions under this subsection shall be governed by the rules of civil procedure to the extent consistent with the provisions of this section. The Attorney General is authorized to represent the defendant official in such actions."

TITLE IV—PROFITS STUDY

SEC. 401. (a) With respect to contractors having Government contracts, including subcontracts, aggregating $1,000,000 or more in the contractor's most recent fiscal year, the Comptroller General is authorized and directed to conduct studies on a selective basis of all profits made by such contractors on Government and commercial contracts. Such studies shall be made from time to time within the discretion of the Comptroller General but not less frequently than one in each five-year period following enactment of this Act and reports on the results of each study shall be submitted promptly to the Congress.

(b) Any contractor referred to in subsection (a) of this section shall, upon the request of the Comptroller General or his authorized representatives, prepare and submit to him such information maintained in the normal course of business by such contractors as the Comptroller General determines necessary or appropriate in conducting any study authorized in subsection (a) of this section.

(c) In order to determine the profits referred to in subsection (a) of this section, either on a percentage of cost basis, percentage of sales basis, a return on private capital employed basis, or any other pertinent basis, the Comptroller General and his authorized representatives are authorized to audit and inspect and to make copies of any books, accounts, or other records which the Comptroller General determines are necessary to permit calculations of the profits of any contractor, *Provided, however,* That neither the Comptroller General nor any of his employees or agents shall disclose any information, obtained solely under the authority of this section, on any individual commercial contract, or on any individual Government contract entered into pursuant to formally advertised competitive bidding, if that information may reveal a contractor's profits, or is certified in writing by the contractor to be of a proprietary nature.

(d) As used in this section:

1. The term "contractor" means any individual, firm, corporation, partnership, association or other legal entity which provides services and materials under direct contracts or under subcontracts with a prime contractor.

2. The term "services and materials" means either services or materials or services and materials includes construction.

3. The term "Government contracts" means contracts and other transactions between any department, agency, or instrumentality of the Federal Government and any contractor.

4. The term "commercial contracts" means all contracts and commercial transactions other than Government contracts.

GENERAL PROVISION

In actions brought under this Act the Comptroller General shall be represented by attorneys employed in the General Accounting Office or by counsel whom he may employ without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapters III and VI of chapter 53 of such title relating to classification and General Schedule pay rates. Any action brought under this Act shall be expedited in every way.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., June 20, 1975.

Hon. NELSON A. ROCKEFELLER,
President of the Senate.

DEAR MR. PRESIDENT: Enclosed for your appropriate referral is a bill which we are proposing to revise and restate certain functions and duties of the Comptroller General of the United States and for other purposes.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

SECTION-BY-SECTION ANALYSIS

TITLE I—ENFORCEMENT OF DECISIONS AND SETTLEMENTS

Section 101 adds new sections to the Budget and Accounting Act, 1921, as amended, that provide the Comptroller General procedural remedies through court action to prevent the obligation or expenditure of funds in an illegal manner.

The new section 320 provides for declaratory relief when the Comptroller General has reasonable cause to believe that any official of the executive branch is about to expend, obligate, or authorize the expenditure or obligation of public funds over which the Comptroller General has settlement authority pursuant to 31 U.S.C. § 74, in an illegal manner.

Subsection (a) states that the authority provided by this section shall be exercised only in connection with accounts over which the Comptroller General has settlement authority pursuant to 31 U.S.C. § 74. In addition, it provides that this section shall be construed as creating a procedural remedy in aid of the statutory authority of the Comptroller General and is not intended to otherwise enlarge the jurisdiction established by 31 U.S.C. § 74.

Subsection (b) authorizes the Comptroller General to institute a civil action for such relief in the United States District Court for the District of Columbia; it authorizes the Attorney General to represent the defendant official in such action if he disagrees with the Comptroller General; it provides that other parties may intervene or be impleaded; and it provides that service or process may be made by certified mail beyond the territorial limits of the District of Columbia.

Subsection (c) provides that in the event a suit brought under this section delays a payment for goods or services beyond its due date, the said payment when made by the agency involved shall include interest thereon at the rate of 6 per cent per annum from the time it was withheld and that no other court shall have jurisdiction to award damages against the United States as a result of any delay occasioned by the institution of a suit under this section.

TITLE II—ENFORCEMENT OF ACCESS TO RECORDS OF NON-FEDERAL PERSONS AND ORGANIZATIONS

Section 201 authorizes the Comptroller General to sign and issue subpoenas requiring the production of negotiated contract and subcontract records and records of other non-Federal persons or organizations to which he has a right of access by law or agreement. This authority includes books, accounts, and other records of contractors or subcontractors having negotiated Government contracts and of various other non-Federal persons or organizations most of which have received Federal grants or other financial assistance.

Section 202 provides that in case of disobedience to a subpoena, the appropriate district court may issue an order requiring compliance with the subpoena and any failure to obey such order shall be punished by the court as a contempt thereof.

TITLE III—ENFORCEMENT OF ACCESS TO RECORDS OF FEDERAL DEPARTMENTS AND ESTABLISHMENTS

TITLE III amends the Budget and Accounting Act, 1921, to provide a procedural remedy to enforce already existing rights of the Comptroller General to access to information, books, documents, papers or records, in Government departments or establishments.

This Title permits the Comptroller General to institute a suit in the U.S. District Court for the District of Columbia to compel the production of the material. In addition, it authorizes the Attorney General to represent the defendant official in such actions.

TITLE IV—PROFITS STUDIES

Section 401 affords the Comptroller General authority to make selective studies of the profits of Government contractors and subcontractors whose Government business, in their most recent fiscal years, aggregated one million dollars or more. These studies would be made with a view toward comparing profits on Government business with profits on commercial business.

By section 408 of the act approved November 19, 1969, Pub. L. 91-121, 83 Stat. 204, 208, the Comptroller General was authorized and directed to conduct a one-time study of the profits of representative defense contractors and subcontractors. The Comptroller General's report on this study, B-159896, was submitted to the Congress on March 17, 1971. Title IV provides permanent authority for such studies.

Subsection (a) defines the contractors covered by the section, authorizes and directs the Comptroller General to make studies of profits made by these contractors at least once every five years, and requires the Comptroller General to promptly report the result of each study to the Congress.

Subsection (b) requires that when requested by the Comptroller General or his representatives, contractors shall submit such information maintained in the normal course of business as the Comptroller General determines is necessary or appropriate to conduct his studies under subsection (a).

Subsection (c) authorizes the Comptroller General and his representatives to audit and inspect and to make copies of any books, accounts, or other records which the Comptroller General determines are necessary to permit calculation of the profits of any contractor. This subsection specifically precludes the Comptroller General from disclosing any information obtained solely under the authority of section 401 that might reveal a contractor's profits or is of a proprietary nature, as certified by the contractor, on any individual commercial contract or on any individual Government contract entered into pursuant to formally advertised competitive bidding.

Subsection (d) defines for the purpose of section 401 the terms "contractor," "services and materials," "Government contracts," and "commercial contracts."

The general provision provides that in actions brought under this Act the Comptroller General shall be represented by attorneys of the General Accounting Office or by additional counsel of his choosing who may be employed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapters III and VI of chapter 53 of such title relating to classification and General Schedule pay rates. In addition, this provision states that any action brought under this Act shall be expedited in every way.

By Mr. DOMENICI:

S. 2271. A bill to amend the Interstate Commerce Act by including independent owner-operator truckers as an exempted class under section 203(b) of that act, and for other purposes. Referred to the Committee on Commerce.

Mr. DOMENICI. Mr. President, the independent owner-operator truckers comprise a group of individuals who own and drive their own rigs. Their number is estimated at between 60,000 and 100,000. In the last Congress, during our Public Works Committee hearings on truck weights, I became aware of some of the acute problems of the independent owners-operator.

At the present time, owner-operators must carry goods which are exempted from coverage by the Interstate Commerce Act—primarily agricultural commodities—or hire themselves and their rigs out to large regulated carriers. Additionally, independent truckers frequently must make empty backhauls, that is, make return trips without a load.

In view of our present energy crisis and crippling inflation, it makes excellent sense to exempt the independent owner-operators from the requirement of obtaining ICC operating authority. Fewer empty truck miles would be driven with an attendant savings in fuel consumption. The exemption would also help lower the cost to the consumer of agricultural products because the price charged by the owner-operator will no longer need to be high enough to cover the expenses of empty backhauls.

My proposed exemption from ICC authority is not complete and the competition which will ensue will be healthy rather than destructive. The owner-operator could not undercut the rates allowed for "for hire," regulated carriers. The lowest published rate or schedule would be the minimum fee below which the independent could not charge.

I am aware that there are important issues involved in the broad area of regulation of surface transportation used in interstate commerce. In my opinion, we owe it to the people of this country to consider very thoroughly and very carefully, those matters for resolution as quickly as possible. However, due to the urgency of the independent-operator situation, I feel we should proceed immediately to consider the legislation I offer today. I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203(b) of the Interstate Commerce Act (49 U.S.C. 303(b)) is amended by inserting before the period at the end thereof a semicolon and the following: "or (11) motor vehicles operated by an owner or a nonowner accompanied by an owner except as provided in section 218a and to the extent determined necessary by the Commission to enforce the provisions of such section".

SEC. 2. The Interstate Commerce Act is further amended by adding after section 218 (49 U.S.C. 318) thereof the following new section:

"OWNER OPERATED VEHICLES

"SEC. 218a. No driver of a motor vehicle performing transportation exempt under section 203(b)(11) shall charge or demand or collect compensation for transportation or for any service in connection therewith at a rate, fare, or charge lower than the lowest rate, fare, or charge specified in tariffs or schedules on file pursuant to this part and in effect at the time for the same commodities between identical points served. If there are no tariffs or schedules on file and in effect naming rates, fares, or charges on the same commodities between identical points served, the lowest rate, fare, or charge for like commodities between identical or similar points will determine the lowest rate, fare, or charge that shall be demanded or collected as compensation for the transportation performed."

By Mr. ROTH:

S. 2272. A bill entitled "The Family Farm Estate Tax Reform Bill." Referred to the Committee on Finance.

FAMILY FARM ESTATE TAX REFORM

Mr. ROTH. Mr. President, I am today introducing legislation to reform the estate tax laws because of my great concern for the tremendous tax burden imposed on our family farms. The excessive estate taxes have forced many wives and young farmers to sell off or mortgage their farms, and I strongly support a reform of these tax laws.

The heavy burden placed on the heirs of a family farm has resulted in a decline of family agriculture in our country, and we must take corrective action to save the family farm. The excessive estate taxes are forcing young people out of farming, and forcing farms into the hands of corporate investors and realtors.

Since 1959, almost 100 million acres of farmland have been lost to other uses. This means that fewer farmers are feeding more people on less land. While indicative of the success of our agricultural technology and the hard-working farmer, this trend cannot be expected to continue forever. And once farmland is lost to development, it will never be recovered. It is imperative then, that steps be taken to insure that our tax structure encourages the retention of land for agriculture.

Mr. President, the current high estate taxes have made it virtually impossible for the family-run farm to stay in existence. The rapid urbanization and growing suburbia are threatening our farms and woodlands, and the skyrocketing land valuations are forcing surviving spouses and their children to sell their farms to pay the taxes.

I believe that the Congress must take action to protect the family farm, and I plan to work in the Senate Finance Committee for tax relief in this area.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2272

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That

(a) Section 2052 of the Internal Revenue Code of 1954 (relating to exemption for purposes of the Federal estate tax) is amended by striking out "$60,000" and inserting in lieu thereof "$200,000."

(b) Section 6018(a)(1) of such Code (relating to estate tax returns) is amended by striking out "$60,000" and inserting in lieu thereof "$200,000".

SEC. 2. The amendments made by the first section of this Act shall apply to the estates of decedents dying after the date of enactment of this Act.

SEC. 3. INCREASE IN ESTATE TAX MARITAL DEDUCTION.—

(a) Section 2056(c) of the Internal Revenue Code of 1954 (relating to limitation of aggregate marital deduction) is amended by inserting after "shall not exceed" in paragraph (1) "the sum of $100,000, plus".

(b) The amendment made by subsection (a) shall apply with respect to decedents dying after the date of enactment of this Act.

SEC. 4. ALTERNATIVE VALUATION OF CERTAIN REAL PROPERTY.—

(a) Part II of subchapter A of chapter 11 of the Internal Revenue Code of 1954 (relating to credits against estate tax) is amended by adding at the end thereof the following new section:

"SEC. 2017. CREDIT FOR PART OF VALUE OF CERTAIN REAL PROPERTY.

"(a) IN GENERAL.—If the executor of an estate so elects, the tax imposed by section 2001 shall be credited with the amount of the excess, if any, of the amount of tax imposed on the transfer of the estate under this chapter over the amount of the tax which would have been imposed on the transfer of the estate under this chapter if the value of any property included in the gross estate which is qualified real property had been determined, for purposes of this chapter, by its value as qualified real property determined on the basis of the value of the property for the use by which it is determined to be qualified real property.

"(b) DEFINITION OF QUALIFIED REAL PROPERTY—For purposes of this subsection, the term 'qualified real property' means real property substantially all of which is, and, for the 60 months preceding the date of death of the decedent, has been, devoted to—

"(1) farming (including the production of agricultural commodities and the raising of livestock);

"(2) woodland (including land use for the commercial production of trees and land used for scenic and recreational purposes), or

"(3) scenic open space.

"(c) ELECTION REQUIREMENTS—An election under this section shall be filed with the Secretary or his delegate at such time and in some form and manner as he may prescribe and shall contain, in addition to any other matter, the name, address, and taxpayer identification number of the person to whom the property passes under the terms of the decedent's will or by operation of law.

"(d) CROSS REFERENCES—

"For lien against property where credit is taken, see section 6324(a)(4).

"For interest payable on amount of lien, see section 6601.".

(b) Section 6324(a) of such Code (relating to liens for estate tax) is amended by adding at the end thereof the following new paragraph:

"(4) UPON QUALIFIED REAL PROPERTY—

"(A) LIEN IMPOSED.—If the executor of an estate elects to take the credit against the estate tax allowed by section 2017, the amount of that credit is a lien upon the qualified real property (as defined in section 2017(b)) with respect to which the credit was claimed. If the credit relates to more than one piece of qualified property, a lien is imposed under this paragraph on each piece of such property in an amount which bears the same ratio to the total amount of the credit allowed under section 2017 as the value of that piece of property (for purposes of chapter 11) bears to the value of all the property to which the credit relates.

"(B) RELEASE OF LIEN.—

"(i) IN GENERAL.—The lien imposed by subparagraph (A) on any qualified real property may be released by the payment to the Secretary or his delegate of the estate tax reduction amount attributable to that property.

"(ii) TERMINATION OF LIEN.—The Secretary or his delegate may not take any action to obtain payment of the estate tax reduction attributable to any qualified real property until the close of the calendar year in which the property is substantially converted to a use inconsistent with its use as qualified real property. The Secretary or his delegate shall take any action necessary to obtain payment of such amount at the earliest date possible under the preceding sentence. If the lien is not released within sixty calendar months after the month in which it is imposed on any qualified real property, the lien shall abate, and, for purposes of this title, shall be considered satisfied and released.

"(C) DEFINITION OF ESTATE TAX REDUCTION AMOUNT.—For purposes of this paragraph, the term, 'estate tax reduction amount' means, with respect to any qualified real property, the amount of the credit allowed under section 2017 for that property.

"(D) CROSS REFERENCE.—

"For interest payable on estate tax reduction amount, see section 6601(b).".

(c) Section 6601 of such Code (relating to interest on underpayment, nonpayment, or extensions of time for payment, of tax) is amended by redesignating subsection (j) as (k), and by inserting after subsection (i) the following new subsection:

"(j) ESTATE TAX REDUCTION AMOUNT.—If the executor of an estate elects to have the provisions of section 2017 (relating to credit for part of value of qualified real property) apply, interest shall be paid at the rate of 4 percent on the amount of the credit allowed under that section. The interest shall run from the date prescribed by section 6151(a) for the payment of the tax imposed by chapter 11 on the transfer of the estate, without regard to any extension of time for such payment under section 6161(a)(2), 6163, or 6166. The interest shall be paid by the person paying the estate tax reduction amount under section 6324(a)(4) at the time such amount is paid. Upon the abatement of the lien imposed on any qualified real property under section 6324(a)(4)(A) because of the provisions of the last sentence of section 6324(a)(4)(B)(ii), any interest which would have been payable under this subsection with respect to the credit attributable to such property shall be waived.".

(d) The table of sections for part II of subsection A of chapter 11 of such Code is amended by adding at the end thereof the following new item:

"SEC. 2017. Credit for part of value of certain real property.".

SEC. 5. The amendments made by section 4 of this Act shall apply with respect to the estates of decedents dying after the date of enactment of this Act.

By Mr. PROXMIRE (for himself, Mr. BROOKE, and Mr. BIDEN):

S. 2273. A bill to provide minimum national standards for disclosure and consumer protection in condominium sales and condominium conversions, and for other purposes. Referred to the Committee on Banking, Housing and Urban Affairs.

CONDOMINIUM CONSUMER PROTECTION ACT OF 1975

Mr. PROXMIRE. Mr. President, on behalf of the Senator from Massachusetts (Mr. BROOKE), the Senator from Delaware (Mr. BIDEN), and myself, I am introducing today the Condominium Consumer Protection Act of 1975.

Hearings held last October by the Senate Committee on Banking, Housing and Urban Affairs, of which we all are members, revealed widespread consumer problems and abuses in the sale and operation of condominium housing. The bill we are introducing today, which is an extensively revised version of the bills considered by the committee last year, is designed to give the maximum protection to the condominium buyer with the minimum amount of expense and redtape for the developer.

The legislation as proposed requires the Department of Housing and Urban Development HUD to establish national standards for consumer protection and disclosure of information in condominium sales and condominium conversions. It encourages States to administer condominium plans which are consistent with the Federal law, and also gives condominium buyers the right to sue developers for failure to comply with standards established under the law.

CONDOMINIUM BOOM—PAST AND POTENTIAL

A few years ago, condominiums were virtually unknown. Now they are sold all over the country. A condominium is an individually owned unit in a multiunit complex, which may be a high- or low-rise structure or a collection of townhouses. This condominium buyer acquires full title to his unit plus an undivided interest in common areas and facilities, which can range from the lobby, grounds and electrical and mechanical systems to extensive recreational facilities such as swimming pools and tennis courts. The owners are jointly responsible for the maintenance and operation of commonly held areas and facilities.

Condominium development has mushroomed in the past 5 years. According to preliminary estimates in a study by the Department of Housing and Urban Development, there were 1.25 million condominium units in the United States as of April 1, 1975, up from 65,000 in 1970—an astounding 2,000-percent increase. Predictions are that condominiums will occupy an increasingly large proportion of the housing market in all parts of the country in the coming years.

Economic factors are the main motivating force behind the condominium boom of the 1970's. Inflation in real estate prices has pushed the price of the standard single-family house beyond the reach of many potential home buyers. Soaring land and construction costs, often combined with sewer moratoriums and other anti-growth policies, have placed further pressures on the supply and price of housing, leading to speculation that the single-family detached house may become obsolete.

Another side of the picture is that rental housing—the traditional alternative to the single-family home—has become a less attractive investment. Costs of maintenance and utilities have risen rapidly, as have real estate taxes, and imposition of rent controls in many cities has cut into landlords' profit margins. Thus, the incentive is to turn the building over to a developer, who takes his tax breaks, does some renovation, then sells the units at an often inflated price and gets his money out fast with a handsome profit. As for building new rental housing, costs of construction make projected rents prohibitively high, and here again, the advantage to the developer lies in getting his money out quickly and turning responsibility for running the building over to the resident owners.

Changes in the makeup of the United States population also add to the condominium trend. Family size is declining, and the number of one and two person households is growing rapidly due to certain demographic factors—increases in the elderly population and in the single and divorced population. Generally higher income levels make condominium ownership a viable concept for a larger proportion of the population.

For the buyer, a condominium can be an attractive housing choice. Condominiums are usually priced below single-family homes in the same area, and they often include recreational and other facilities beyond the reach of most individual homeowners. Condominium owners are free of many of the maintenance chores of single-family homeowners, while they share the same financial advantages—tax deductions and an opportunity to build up equity in the property.

MOUNTING CONSUMER PROBLEMS IN THE CONDOMINIUM INDUSTRY

As condominium sales have multiplied, so have reports of misrepresentations, self-dealing contracts, and other abuses by condominium developers. Consumer problems in the condominium industry have received much attention in recent months.

There is "low-balling"—the practice of understanding the monthly condominium fee charged for maintenance of common areas and other building expenses, so that the owner finds his fee doubles or triples shortly after he buys the unit.

There is the "sweetheart" contract—a long-term contract entered into with a management company, generally one in which the developer has an interest, which locks the owners into higher-cost and often lower quality management services than they could get if they were free to choose their own company, and assures the developer a continuing financial interest in the property even after control is turned over to the owners association.

There is the 99-year recreation lease—in which the owners find they do not own the swimming pool or other facilities but in fact are leasing them from the developer at a steep rental fee. In many cases there is a built-in, cost-of-living escalator, which will give the developer over time a profit many times greater than the original cost of the facilities.

There are other aggravations—promised facilities which are never built, defects left unrepaired, developer's refusal to turn control over to the owners association, continued developer control of the association through holding of unsold units.

Some condominium buyers do not even get to become owners; because the developer goes broke and it turns out that he plowed their deposits into the construction and there is no way that the prospective owners can get their money back.

In buildings converted to condominiums, still more problems may arise. The owners find, after they take control, that they are saddled with expensive repairs, as long-neglected electrical and mechanical systems left untouched by cosmetic renovation fall apart and have to be replaced.

The owner may find himself paying as much or more for his condominium as for a comparable house. He feels he has been defrauded, and yet finds that he has no grounds on which to sue because the property laws in his State do not envision such subtleties as "low-balling" and "sweetheart" contracts. Willy-nilly he is the owner of his condominium castle, and the law holds that he is responsible for whatever befalls him in it. "Caveat emptor" is the only applicable doctrine.

Condominium conversions raise the spectre of still another problem—the displacement of tenants who are unable to buy their units and who cannot find suitable alternative housing at a price they can afford. Especially hard hit are elderly people and lower income families. Condominium conversions dry up the supply of rental housing and drive up rents, further aggravating the housing problems these people face. This is the most intractable of all the problems spawned by the condominium boom.

It is not only the consumer who is suffering from the many problems associated with the condominium industry.

Developers—the majority of them honest businessmen—are feeling the backlash of consumer frustration. Condominium sales have plummeted, with the combined effects of the recession, speculative overbuilding, and the extensive publicity given to condominium abuses.

As developers bear the burden of consumer complaints, so too do the lenders who have committed themselves heavily to financing condominium projects. When the developer goes broke before he completes the project, or when he cannot sell the units he has built, then the lender loses money too, and may find himself the owner of property with little market value.

NEED FOR FEDERAL CONDOMINIUM LEGISLATION

We believe that Federal legislation is essential to curb the abuses that have come to be associated with condominiums and to restore consumer confidence in this important type of housing.

Condominiums are now a national phenomenon, and there is a need to provide uniform protection nationwide against misrepresentations and abuses in condominium sales and condominium conversions. While some States have adopted strong consumer protection laws, other States have nothing but a condominium enabling law. This creates a basic inequity, because the result is that some persons obtain the right to certain protections because of where they live or where they buy their condominiums, while other persons have no rights at all. Furthermore, the confusion engendered by widely varying State laws works a hardship on developers as well.

Condominiums are advertised and sold across State lines and through the mails. Indeed, with the mobility of our population, many are sold across the country. Florida condominiums are filled with people from the Northeast, Midwest, and far West.

There is a direct Federal interest in insuring that condominiums are good quality housing. While relatively few have been financed under the FHA section 234 insured condominium loan program, other Federal housing programs have recently been extended to cover condominiums, including the FNMA and FHLMC mortgage purchase programs and the Brooke-Cranston program administered by GNMA. In addition, the vast majority of condominium units are financed through federally related mortgage loans, mainly loans made by lending institutions whose deposits are federally insured.

STANDARDS FOR DISCLOSURE AND CONSUMER PROTECTION

The legislation we are proposing has two major objectives: first, to give buyers the information they need in choosing a condominium unit, and second, to provide minimum consumer protection standards which developers of condominium projects must meet.

Information required to be disclosed under the proposed legislation includes a description of the types of condominium units and their prices; a 2-year projection of the budget broken down into maintenance costs, utilities costs, and other categories; and the terms of any financing offered by the developer. To insure that the information is clear and easily understood, HUD will develop brief forms for each developer to use in making the required disclosures.

The consumer protection standards contained in the bill include such items as the right to have deposits held in escrow, the right to a 2-year warranty on the common elements of the project and a 1-year warranty on the individual units, and the right of condominium owners to gain control of the project's management after 80 percent of the units are sold or 1 year after the date of initial occupancy, whichever is sooner. The bill prohibits recreation leases or other long-term leases involving any part of the condominium project.

In the proposed legislation, the condominium buyer is given a cooling-off period of 15 days from the date he signed the purchase contract, or from the date he received the disclosure documents, whichever is later. During this period, the buyer can cancel the contract and get his deposit back. The purpose of this provision is to give the buyer time to study the documents thoroughly so he can determine whether he is going to get everything he was promised by the developer and everything he is entitled to under the law.

AUTHORITY OF STATES TO REGULATE CONDOMINIUMS

Unlike legislation previously introduced, our bill does not require condominium developers to register their projects with HUD. We see no point in creating another Federal bureaucracy with paperwork stacked to the ceiling. The costs of direct Federal regulation of condominiums would far outweigh the benefits, in our opinion.

At the same time, we recognize that States do have interest and expertise in real estate matters, including condominiums. Indeed, a few States have led the way in enacting strict condominium consumer protection laws and setting up offices to administer these laws.

We have no desire to blunt the initiative States have taken in this area. Rather we want to give a firm Federal commitment to their efforts and provide the same protections to consumers in all States.

Thus the bill authorizes and encourages States to take charge and administer their own condominium plans. These plans must include all standards contained in the Federal law, and the States may put in additional or stronger requirements as needed to deal with local problems. The Secretary of HUD is authorized to review and approve State plans and to give grants and technical assistance to States to help them develop their plans.

States which already have condominium consumer protection laws, as determined by the Secretary, will have 1 year after the Federal law becomes effective to make whatever changes in their laws may be necessary for approval as a State plan. They will continue to administer the existing law during that time.

States which do not have such laws are encouraged to submit plans for approval by the Secretary at any time, so they can play an active part in overseeing condominium development within their boundaries.

We realize that some States will choose not to adopt their own plans, because they have few condominiums and still fewer condominium problems. Despite the growth nationwide, preliminary findings of the HUD study indicate that condominium development is concentrated in certain States. Fifteen States hold 80 percent of the condominium units in the country, with Florida, California, and New York leading the list. There is little reason for a State with few or no condominiums to go to the trouble and expense of developing a condominium plan.

However, all of the provisions of the Federal law will still apply in States with no condominium plan of their own. Persons covered by the law will have every right to take a developer to court for failure to comply with the law. The bill prescribes civil and criminal penalties for those found guilty of violations.

Mr. President, I greatly appreciate the cooperation and assistance of the Senator from Massachusetts (Mr. Brooke) and the Senator from Delaware (Mr. Biden), and their able staffs, in preparing this bill for introduction today. The Committee on Banking, Housing and Urban Affairs will hold hearings on the bill in the fall, and by that time we expect that HUD will have sent to the committee the results of the condominium study mandated by the Housing and Community Development Act of 1974, along with any recommendations for legislation. I hope that we can move swiftly toward final passage of this badly needed condominium consumer protection legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record at the conclusion of the remarks of the Senator from Massachusetts (Mr. Brooke) and the Senator from Delaware (Mr. Biden).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROOKE. Mr. President, over the last 5 years there has been a 20-fold increase in the number of condominiums in the United States. Almost one-fourth of the newly constructed housing units which are being sold this year are condominium units. Clearly, condominiums are becoming an attractive form of ownership for many American families.

Unfortunately, as condominium production burgeoned, abuses in the sale and management of these units also developed. These include such practices as sweetheart management contracts, one-sided recreation leases, and deliberately understated maintenance charges. These abuses have been revealed in the press and documented in testimony before the Senate Banking Committee.

Despite these abuses, condominiums can be expected to be increasingly used to provide the avenue to homeownership for many middle-income families. The bill which Senators Proxmire, Biden, and I introduced today is designed not to discourage the development of condiminiums, but to restore consumer confidence in this form of ownership. It is clear that the time has come to formulate a condominium buyer's bill of rights.

Senator Proxmire has outlined the major provisions of the bill, and I shall not repeat theme here. I want to note, however, that we do regard this bill as subject to modification in light of whatever comments we shall receive at our hearings this fall. The Department of Housing and Urban Development is about to conclude the condominium study which we mandated in Housing and Community Development Act of 1974, and I am sure that the results of this study will be helpful in formulating a final version of the bill. We expect to work closely with HUD Secretary Carla Hills and her Department to secure passage of a bill which can be signed in the near future.

In developing this legislation, we were fortunate to have the assistance of two young men who worked in my office for several months—Christopher Alberti and Thomas Owens. I appreciate their work and want to take this opportunity to thank them for it.

Mr. BIDEN. Mr. President, I am pleased to join my fellow Banking Committee members, Senators Proxmire and Brooke, in introducing the Condominium Consumer Protection Act.

With the ever increasing number of condominiums built and sold in this country today, a prospective buyer must be given sufficient information so that he or she may make an informed decision. Too many people have been unnecessarily fleeced because they have bought condominiums without proper safeguards. A purchaser is often confronted with a bewildering set of documents which were only recently subject to regulation by a few States. With the condominium fast becoming the most popular form of new housing, the need for substantive protection in this area becomes apparent.

This bill contains several important features to protect a prospective purchaser.

First, it provides full disclosure to the purchaser of all important documents and legal arrangements and responsibilities involved in buying and owning a condominium.

Second, it provides certain minimum standards which a condominium developer must meet.

Third, it protects the purchaser throughout the transaction with the condominium developer.

And fourth, it gives the purchaser a right to sue the developer if the purchaser is given insufficient or false information or is otherwise defrauded. This gives the purchaser the right to handle his own case without having to rely on the Secretary of Housing and Urban Development or other Federal bureaucracy. A purchaser may, of course, also sue on behalf of all of those injured.

Mr. President, last year I introduced a bill to provide for Federal regulation of condominium purchases and sales, as did Senators Proxmire and Brooke. The proposed joint legislation differs in two important respects from the individual bills which we considered last year.

First, under the legislation offered last year, the Secretary of Housing and Urban Development carried the brunt of responsibility in enforcing the proposed rules. A proposed purchaser was forced to rely on HUD for virtually all protection. In the proposed bill, certain standards are outlined which a developer must meet. HUD does not have the power to approve or disapprove condominium offerings. Instead, if a developer fails to meet these minimum standards, he is liable directly to the purchaser. This emphasis on private enforcement will eliminate much of the bureaucratic redtape which would be involved if HUD or another Federal agency were directly involved.

Second, there was no inducement in last year's legislation for States to regulate condominium purchases and sales.

All of the regulation was at the Federal level. The legislation being introduced today encourages States to enact and enforce legislation at least as stringent as the Federal law. If they meet such minimum standards, State governments, rather than the Federal Government would have the responsibility to regulate condominiums. This change was made because we felt that the laudable efforts some States have made to regulate condominiums should not go to waste. Furthermore, because the sale of land has long been regarded as a function of State and local laws rather than Federal law, enforcement by States meets the requirements of federalism and will further decrease the reliance on the Federal bureaucracy.

In conclusion, Mr. President, there is a pressing need for effective and comprehensive regulation of condominium developments and sales. Current regulation is a patchwork of various State laws. Present controls are administered by different agencies, none of which is primarily concerned with condominium regulation. The legislation being introduced today will go far toward remedying that situation and toward providing the condominium purchaser with substantive protection.

S. 2273

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Condominium Consumer Protection Act."

DEFINITIONS

SEC. 2. For the purposes of this Act, the term—

(1) "Secretary" means the Secretary of Housing and Urban Development;

(2) "condominium project" means a residential development consisting of real property and any improvements thereto, in which individual dwelling units, together with undivided interests in the common elements, are offered for sale;

(3) "unit" means that portion of the condominium project designated in the condominium instruments for exclusive ownership and use by the unit owner;

(4) "condominium unit" means a unit in a condominium project, together with the appropriate undivided interest in the common elements;

(5) "common elements" means all portions of the condominium project, other than the units to which the condominium unit owners receive a right of exclusive use, enjoyment, and access;

(6) "condominium instruments" means all documents or instruments establishing or controlling the ownership or control of a condominium project or unit;

(7) "leasehold condominium project" means a condominium project in which each unit owner owns an estate for years in his unit, or in the land upon which that unit is situated, or both, together with a individual leasehold interest in the common areas, with all such leasehold interests due to expire at the same time;

(8) "conversion condominium project" means a condominium project containing structures wholly or partially occupied prior to the time that the condominium instruments are drawn up and the condominium units offered for sale;

(9) "interstate commerce" means trade, traffic, transportation, communication, or exchange—

(A) between a place in a State and any place outside of such State; or

(B) which affects trade, traffic, transportation, communication, or exchange described in subclause (A);

(10) "Federally related condominium housing loan" means a loan which is made to finance the sale of a condominium unit to an individual or family and which—

(A) is made in whole or in part by a lender, the deposits or accounts of which are insured by any agency of the Federal Government, or is made in whole or in part by a lender which is itself regulated by any agency of the Federal Government; or

(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by the Secretary of any other officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary or a housing or related program administered by any other such officer or employee; or

(C) is made in whole or in part by any "creditor", as defined in section 103(f) of the Consumer Credit Protection Act of 1968 (15 U.S.C. 1602(f)), who makes or invests in residential real estate loans aggregating more than $1,000,000 per year;

(11) "sale of a condominium unit" means the transfer for consideration of a condominium unit, or in the case a condominium unit in a leasehold condominum project, the long-term lease of a condominium unit;

(12) "developer" means any person who, directly or indirectly, offers for sale condominium units in a condominium project;

(13) "agent" means any person who represents or acts for or on behalf of a developer in selling or offering to sell any condominium unit in a condominium project, but such term does not include an attorney-at-law whose representation of another person consists solely of rendering legal services;

(14) "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States;

(15) "purchaser" means an actual or prospective purchaser of a condominium unit; and

(16) "offer" includes any inducement or solicitation to encourage a person to acquire a condominium unit in a condominium project.

EXEMPTIONS

SEC. 3. Unless the method of disposition is adopted for the purpose of evasion of this Act, the provisions of this Act shall not apply to—

(1) the sale of real estate not pursuant to a common promotional plan to offer or sell 10 or more condominium units in a condominium project;

(2) the sale of a condominium unit solely for commercial or industrial purposes or uses;

(3) the sale of real estate under or pursuant to court order; or

(4) the sale of real estate by the Federal Government or by any State or local government or any agency thereof.

PROHIBITIONS

SEC. 4. (a) It shall be unlawful for any developer or agent, directly or indirectly—

(1) to make use of any means or instruments of interstate commerce or of the mails to sell or offer to sell any condominium unit in a condominium project; or

(2) to sell or offer to sell any condominium unit in a condominium project the purchase of which will be financed by a Federally related condominium housing loan;

unless such developer or agent complies with the provisions of section 5 of this Act and furnishes the information required by section 6 of this Act.

(b) Any contract or agreement for the sale of a condominium unit which is subject to subsection (a) shall be voidable by the purchaser for a period of not less than 15 days after the later of the execution of the contract or agreement, or the date on which the purchaser is furnished with the other information required by section 6. Upon the exercise of any right under this subsection, the developer or his agent shall refund fully and promptly any deposit or other prepaid fee or item to the purchaser.

NATIONAL STANDARDS FOR CONSUMER PROTECTION

SEC. 5. A sale or offer to sell a condominium unit in a condominium project which is subject to this Act may be made only if—

(1) any deposit or downpayment made in connection with the sale will be held in trust or escrow pursuant to regulations of the Secretary until delivered at settlement or returned to, or otherwise credited to the purchaser, or forfeited;

(2) except in his capacity as an owner of unsold condominium units, the developer or agent will not retain an interest in any common element (including any recreational area or facility) after control of the condominium project is assumed by the owners' association unless, in the case of a leasehold condominium project, he will also retain that same type of interest in the entire condominium project;

(3) the unit owners will assume control of the common elements and of the condominium owners' association not later than one year after initial occupancy of the condominium project, or as soon as 80 percent of the units are occupied, whichever is earlier;

(4) the condominium owners' association or the unit owners will not be subject to any management contract or other agreement enforceable against them after the expiration of 6 months after control of the common elements by the condominium owners' association becomes vested in such owners' association or owners, unless such a contract or agreement is renewed by a vote of the unit owners in accordance with the by-laws;

(5) the developer has furnished, as a minimum, a two-year warranty (from the time of initial occupancy of the project) covering the full cost of labor and materials for any repair or replacement of roof and structural components, and mechanical, electrical, plumbing, and common service elements serving the condominium project as a whole, and a one-year warranty (from the time of initial occupancy of any unit thereof) covering the full cost of labor and materials for any repair or replacement of structural, mechanical, and other elements which pertain to such unit;

(6) the developer will assume the rights and obligations of a condominium unit owner in his capacity as owner of condominium units not yet sold prior to the assumption of control under clause (3); and

(7) in the case of a conversion condominium project, all tenants were offered an option, exercisable within not less than 90 days after notice, to purchase a condominium unit in the condominium project, and such tenants were given written notice of not less than 120 days prior to being required to vacate the premises to facilitate the conversion.

NATIONAL STANDARDS FOR DISCLOSURE

SEC. 6. (a) Each developer of a condominium project which is subject to this Act shall disclose fully and accurately to prospective purchasers of condominium units all material circumstances or features affecting such project, by preparing and providing to each prospective purchaser an abstract which shall contain—

(1) the name and address of the condominium project, and the name, address, and telephone number of the developer and of the project manager or his agent;

(2) a general narrative description of the project stating the total number of units, a description of the types of units and price of

each type of unit, the total number of units that may be included in the project by reason of future expansion or merger of the project, and a precise statement of the nature of the interest which is being offered;

(3) a general disclosure of the status of construction, zoning, site plan, or other approvals, and compliance or notice of failure to comply with any other Federal, State, or local statutes or regulations affecting the project, and the actual or schedule dates of completion of buildings, recreation facilities, and other common elements;

(4) the significant terms of any financing offered by or through the developer to purchasers of the condominium units in the project, including the name of any bank or other institution involved in the financing, the minimum downpayment, and the interest rate;

(5) a brief description of any warranties for structural elements and mechanical and other systems, stated separately for the individual units and the common elements;

(6) a two-year projection (revised and updated at least every 6 months) of annual expenditures necessary to operate and maintain the common elements of the condominium project, certified to have been based on generally accepted accounting principles, and a complete statement of estimated monthly cost per unit for such two-year period including—

(A) the formula for determining each unit's share of common element costs;

(B) the amount of principal, interest, taxes, and insurance, each listed separately;

(C) the dollar amount of operating and maintenance expenses;

(D) the monthly cost of utilities; and

(E) any other costs, fees, and assessments;

(7) in the case of a project the construction of which was completed more than 12 months prior to the date of the offer, a report by an independent certified engineer stating the condition and rate of depreciation and remaining useful life of structural elements and mechanical and supporting systems, together with an estimate of repair and replacement costs projected for 5 years;

(8) a statement of significant provisions for management of the condominium project including—

(A) conditions for the formation of an owners' association;

(B) the apportionment of voting rights among the members of the association;

(C) any provisions concerning meetings and required notice thereof;

(D) provisions for the activities of officers of the association and their election, duties, and functions;

(E) the contractual rights and responsibilities of the owners' association; and

(F) the binding nature of any provisions of documents establishing or controlling the condominium project and the method of amendment of any portions relating to the owners' association;

(9) a statement of purchaser's right to review the condominium instruments, to void the contract, any conditions for the return of deposit, a statement about any present litigation concerning the condominium project, and the rights of purchasers under section 9;

(10) a statement of the extent of commercial or other nonresidential development in or near the condominium project and the potential effects of such development on the interests, rights, or obligations of the condominium unit owners;

(11) the existence (or requirement for the establishment) of a reserve fund to finance the cost of repair or replacement of common element components; and

(12) a clear, concise definition of all essential terms used in the abstract.

ESTABLISHMENT OF STATE CONDOMINIUM PLANS

Sec. 7. (a) Nothing in this Act may be construed to prevent or limit the authority of any State or local government to exercise authority or assert jurisdiction with respect to—

(1) any condominium project or condominium unit to which the provisions of this Act do not apply; or

(2) any matter which is not directly subject to the protections afforded by this Act.

(b)(1) It is the intent of Congress to encourage the assumption and exercise by States of the authority and responsibility for the enforcement of the requirements of this Act.

(2) Any State may assume responsibility for the enforcement of the standards contained in this Act by obtaining from the Secretary approval of a State plan providing for the enforcement of such standards. A plan submitted by any State under this paragraph shall be approved by the Secretary if such plan—

(A) designates a State agency to administer the plan throughout the State;

(B) contains such assurances as the Secretary may prescribe with respect to the provision of adequate personnel and financial support for the designated agency;

(C) contains standards which meet or exceed the standards set forth in or under this Act;

(D) provides for the imposition of civil and criminal penalties at least as severe as the penalties which may be imposed under sections 9 and 10 of this Act;

(E) provides that the State agency will report to the Secretary at such times and in such manner as the Secretary may prescribe;

(F) complies with such other requirements as the Secretary may prescribe; and

(G) provides to the extent provided by State law for the assumption by units of local government of the functions which may be assumed by a State under this section.

(3) If the Secretary determines that a State has, on the effective date of this Act, a condominium consumer protection law in effect, the provisions of such State law shall continue to apply in such State, until the expiration of 1 year following such effective date or until such State plan is approved by the Secretary, whichever is earlier. Notwithstanding the preceding sentence, if, prior to the expiration of such 1-year period, the Secretary determines that any provision of that law does not meet or exceed the requirements of or under this Act, he may disapprove such law and the provisions of this Act shall thereafter apply in such State.

(4) For the purpose of this subsection any provision contained in a State plan or law shall be deemed to meet or exceed a requirement of or under this Act if it provides the same or greater protection for prospective purchasers or if it provides for the same or greater disclosure to such purchasers, as the case may be.

(c)(1) The Secretary shall by order approve or disapprove a State plan submitted under subsection (b) not later than 90 days after the date of its submission. If the Secretary fails to take any action with respect to such a plan within such 90 day period, the State plan shall be deemed to be approved.

(2) Subsequent to any approval under paragraph (1), the Secretary shall review the administration of the plan at least annually to determine whether such plan is being carried out in a manner which complies with the provisions of this section. Upon any finding that the administration of the plan no longer meets the requirements of this section, the Secretary may issue an order disapproving such plan and the provisions of this Act shall apply in full in such State.

(d)(1) The Secretary may not issue an order disapproving any State plan under this section or determining any State law not to meet or exceed a requirement of or under this Act unless he has granted the State and interested persons notice and an opportunity for an agency hearing on the record with respect to the State plan or law.

(2) Any determination by the Secretary under this section shall be subject to judicial review in accordance with chapter 7 of title 5, United States Code, in the United States court of appeals for the circuit in which is located the State whose plan or law is the subject of such determination or in the United States Court of Appeals for the District of Columbia Circuit. Any such review shall be instituted within 60 days from the date on which the determination is made by the Secretary.

ASSISTANCE TO STATES

Sec. 8. (a) The Secretary is authorized to provide such technical assistance and information to the States to assist them in developing State plans as may be necessary or appropriate to carry out the provisions of section 7.

(b)(1) The Secretary may make grants where necessary to assist any State—

(A) in identifying its needs and responsibilities in the area of condominium sales disclosure and condominium consumer protection; or

(B) in developing a State condominium plan.

(2) The Governor of each State may designate an appropriate State agency for the receipt of any grant under this section prior to the designation of a State agency under section 7.

(3) The Federal share for a State grant under this subsection may not exceed 25 per centum of the total cost incurred by the State in carrying out the activities under paragraph (1). Payments under this subsection may be made in installments or in advance or by way of reimbursement with necessary adjustments on account of underpayments or overpayments.

CIVIL PENALTIES

Sec. 9. (a) Any developer or agent who sells any interest in a unit subject to this Act and who does not comply with provisions of this Act is liable to the purchaser in an amount equal to the difference between the amount paid for the unit, and the lesser of (1) the value thereof as of the time such suit was brought, or (2) the price at which such a unit shall have been disposed of in a bona fide market transaction before suit, or (3) the price at which such a unit shall have been disposed of after suit in a bona fide market transaction but before judgment.

(b) In no case shall the amount recoverable under this section be less than the sum of $500 for each failure to comply and for each purchaser bringing an action under this section, together with court costs and a reasonable attorney's fee.

CRIMINAL PENALTIES

Sec. 10. Any developer or agent who willfully violates any provision of section 5 of this Act, or who willfully makes any untrue statement or omits to make any statement required to be made in violation of the provisions of section 6 of this Act shall upon conviction be fined not more than $10,000 or imprisoned for not more than 1 year, or both for each such violation, statement, or omission.

JURISDICTION

Sec. 11. The district courts of the United States, the United States courts of any territory, and the United States District Court for the District of Columbia shall have jurisdiction of offenses and violations of this Act and under the rules and regulations prescribed by the Secretary pursuant thereto, and concurrent with State courts, of all suits in equity and actions at law brought to enforce any liability or duty created by this Act without regard to amount in controversy. Any such suit or action may be brought to enforce any liability or duty created by this Act. Any such suit or action may be brought in the district wherein the defendant is found or is an inhabitant or transacts business, or in the district where the offer or sale took place, if the defendant participated therein, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendants may be found. Judgments and decrees so rendered shall be subject to review as provided in section 1254 and 1291 of title 28. No case arising under this Act and brought in any State court of competent jurisdiction shall be removed to any court of the United States, except where the United States or any officer or employee of the United States in his official capacity is a party. No costs shall be assessed for or against the Secretary in any proceeding under this Act brought by or against him in the Supreme Court or other such courts.

INVESTIGATIONS, INJUNCTIONS, AND PROSECUTION OF OFFENSES

SEC. 12. (a) Whenever it shall appear to the Secretary that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this Act, or of any rule or regulation prescribed pursuant thereto, he may, in his discretion, bring an action in any district court of the United States, or the United States District Court for the District of Columbia to enjoin such acts or practices, and, upon a proper showing, a permanent or temporary injunction or restraining order shall be granted without bond. The Secretary may transmit such evidence as may be available concerning such acts or practices to the Attorney General who may, in his discretion, institute the appropriate criminal proceedings under this Act.

(b) The Secretary may, in his discretion, make such investigations as he deems necessary to determine whether any person has violated or is about to violate any provision of this Act or any rule or regulation prescribed pursuant thereto, and may require or permit any person to file with him a statement in writing, under oath or otherwise as the Secretary shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Secretary is authorized, in his discretion, to publish information concerning any such violations, and to investigate any facts, conditions, practices, or matters which he may deem necessary or proper to aid in the enforcement of the provisions of this Act, in the prescribing of rules and regulations thereunder, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this Act relates.

(c) For the purpose of any such investigation, or any other proceeding under this Act, the Secretary, or any officer designated by him, is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memorandums, or other records which the Secretary deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or any State at any designated place of hearing.

(d) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memorandums, and other records and documents. And such court may issue an order requiring such person to appear before the Secretary or any officer designated by the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

RULES, REGULATIONS, AND ORDERS

SEC. 13. (a) The Secretary shall have authority, from time to time to make, issue, amend, and rescind such rules and regulations and such orders as are necessary or appropriate to the exercise of the functions and powers conferred upon him elsewhere in this Act. For the purpose of his rules and regulations, the Secretary may classify persons and matters within his jurisdiction and prescribe different requirements for different classes of persons or matters.

(b) The Secretary is authorized to prescribe, in cooperation with appropriate Federal, State, and local officials, standard forms, instruments, and documents for use in connection with the sale of condominium units and for carrying out his functions under this Act.

(c) In addition to the standards contained in this Act, the Secretary may, after notice and opportunity for public comment, prescribe additional standards for consumer protection or for disclosure which shall be applicable to condominium projects subject to this Act.

(d) The Secretary is authorized to prepare and distribute informational booklets describing the nature of a condominium unit and the protections afforded by this Act, and to require that any person considering the purchase of a condominium unit be provided with such a booklet by the developer or his agent.

CONTRARY STIPULATIONS VOID

SEC. 14. Any condition, stipulation, or provision binding any person acquiring any condominium unit in a condominium project subject to this Act to waive compliance with any provision of this Act or of the rules and regulations of the Secretary shall be void.

ADDITIONAL REMEDIES

SEC. 15. The rights and remedies provided by this Act shall be in addition to any and all other rights and remedies that may exist at law or in equity.

AUTHORIZATION OF APPROPRIATIONS

SEC. 16. There are authorized to be appropriated such sums not to exceed $10,000,000 as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 17. The provisions of sections 4, 5, and 6 of this Act shall become effective, and shall apply to any offer made or contract entered into, after the expiration of one year after the date of its enactment.

EXEMPTION FROM OTHER PROVISIONS OF LAW

SEC. 18. Compliance by a developer with the requirements imposed by or under this Act through a State plan approved under section 7 with respect to a condominium project located in that State shall be deemed to satisfy any requirement now or hereafter imposed under the Securities Act of 1933.

By Mr. BELLMON:

S.2274. A bill to amend the feed grain and wheat programs to insure adequate production of such commodities for both domestic and export needs without depressing the prices of such commodities, and for other purposes. Referred to the Committee on Agriculture and Forestry.

Mr. BELLMON. Mr. President, the current sale of grain to Russia has again caused American consumers to be concerned about the stability of this Nation's food supply. Consumers are concerned that large exports of grain may reduce the supply for domestic consumption below adequate levels or cause food prices to rise. Producers are concerned that the widespread misunderstanding of grain marketing and exporting will cause a severely adverse reaction on the part of consumers and political leaders leading to disruptive interference with normal commerce. Obviously this is a highly unsatisfactory and even dangerous situation for the country.

I am today introducing a bill to amend the feed grain and wheat programs to insure adequate production and supplies of these commodities for both domestic and export needs.

Briefly, the bill would accomplish the following objectives:

First. It would provide a sizable reservoir of grain produced during good years when supplies were adequate for domestic use or export abroad during years when domestic or world food grain production falls below normal.

Second. The bill would provide incentives to grain producers to continue grain production during times of temporary oversupply.

Third. The bill would assure adequate quantities of grain to meet extraordinary export demands during periods of below normal production for all export customers.

The bill provides a system whereby the Secretary of Agriculture could provide grain producers with the option of continuing full production and dedicating a percentage of their crop to the Food Supply Maintenance program in lieu of idling a percentage of their land as is presently provided for in the set-aside program.

Mr. President, the likelihood is that with the world population growing rapidly and with human expectations rising over good years and bad, the world's ability to grow food is closely in balance with world demand for food. This bill will encourage American grains growers, upon whom much of the world depends for stable food supplies, to continue production in times of temporary economic disincentives in order to have grain available in years where it is needed. The loss of production from an acre of land idled under the existing programs can never be recovered. Under this bill, lands which would otherwise be idle would continue in production so that grain will be available when it is needed.

The bill provides authorization for the Secretary of Agriculture to contract with producers to loan roughly 80 percent of the cost of production at the time the grain is delivered into appropriate storage. These would be nonrecourse, interest bearing loans and would be repaid with interest when the grain is sold. The loans would be for a period of 5 years. The grain could not be sold until and unless the market price of grain reaches the price of 150 percent of the loan. The Secretary has the option of requiring loans to be paid off when the price of grain reaches 200 percent of the loan.

From the producers standpoint, the bill also provides assurance against unjustified export embargos when consumers and political pressures become extreme. The serious disruptions which followed the soybean and wheat export embargos should not again occur under the terms of this act except under the most extreme circumstances.

There are other provisions in the bill such as authorization for the Secretary of Agriculture to enter into arrangements with foreign countries for sharing the costs of maintaining reserve grain stocks.

Mr. President, the current situation cries out for better means of stabilizing world food supplies. Unless changes are made, the situation is likely to get worse as time goes by. I believe the bill I am introducing today is extremely timely in that it provides a workable means of stabilizing the world's food supply. I urge its prompt consideration and approval by the Senate.

I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food Supply Maintenance Program Act of 1975".

Sec. 2. It is the purpose of this Act—

(1) to provide adequate incentives for grain producers to continue the production of grain during times of temporary over supply;

(2) to protect producers against excessive price reductions during periods of over supply;

(3) to assure consumers in the United States of an abundant supply of basic food commodities;

(4) to assure regular export customers of the United States of a dependable supply of United States grain;

(5) to provide an adequate quantity of grain to meet extraordinary export demands during periods of below normal production in countries which do not customarily import grain from the United States; and

(6) to prevent the imposition of export controls which disrupt orderly commerce in agricultural commodities.

Sec. 3. Paragraph (1) of section 105(c) of the Agricultural Act of 1949, as amended by paragraph (18)(B) of the Agriculture and Consumer Protection Act of 1973, is amended by designating the fourth, fifth, and sixth sentences as subparagraph (J), and by striking out the first four sentences and inserting in lieu thereof the following:

"(A) Whenever the Secretary determines with respect to any crop of feed grains that the carryover stocks of feed grains will be of such a quantity as to seriously depress the price of feed grains and will result in a disincentive to produce such commodities, he shall give producers the option of either (i) setting aside and devoting to approved conservation uses an acreage of cropland equal to such percentage of the feed grain allotment for the farm as may be specified by the Secretary, plus, if required by the Secretary, the acreage of cropland on the farm devoted in preceding years to soil conserving uses, as determined by the Secretary, or (ii) planting for harvest the full feed grain acreage allotment for the farm subject to an agreement with the Secretary that a percentage of the feed grain crop (based on farm yield) shall be stored on the farm under seal or in a bonded warehouse and be subject to the other provisions of this paragraph. Whenever the Secretary gives producers an option under this subparagraph, then as a condition of eligibility for loans, purchases, and payments on corn, grain sorghums, and if designated by the Secretary, barley, respectively, the producers on the farm must elect to participate under clause (i) or (ii) of this subparagraph and comply with the terms of such election.

"(B) In the case of producers who elect the option under subparagraph (A)(i), the Secretary is authorized to limit the acreage planted to feed grains on the farm to a percentage of the farm acreage allotment.

"(C) Notwithstanding any other provision of this Act, the amount of any loan which may be made by the Secretary on any portion of the feed grain crop stored pursuant to an election made under subparagraph (A) (ii) shall be an amount equal to 80 per centum of the cost of production of such portion of such crop, as determined by the Secretary on the basis of average production costs of feed grains in the area in which the farm is located, or $1.85 a bushel for corn (and the equivalent thereof in the case of other feed grains), whichever amount is greater. Any such loan shall be a non-recourse loan, shall be for a period of 5 years, renewable thereafter on an annual basis, and shall bear interest at a rate equal to the rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of 1 per centum, plus one-quarter of 1 per centum.

"(D) The producer shall pay the storage cost of feed grains stored pursuant to an election made by him under subparagraph (A) (ii) but the Secretary shall make such advances to the producer as may be necessary to assist the producer in meeting storage costs until such time as the commodities are sold by the producer. In any case in which a producer wishes to construct facilities for the storage of feed grains on the farm in accordance with an agreement entered into with the Secretary after an election under subparagraph (A) (ii), the Secretary is authorized to guarantee a loan made to the producer by a commercial lending institution for such purpose. The guarantee of loans by the Secretary for such purpose shall be made on such terms and conditions as the Secretary shall prescribe.

"(E) Feed grains stored under an election made pursuant to subparagraph (A) (ii) may be rotated by the producer to avoid spoilage and deterioration under such conditions as may be prescribed by the Secretary.

(F) Such feed grains may be removed from storage and sold at any time, at the option of the producer, that the price for such feed grains attains a price equal to 150 per centum of the loan rate on such grain. The producer shall repay the Secretary out of the proceeds of any such sale the amount of the loan, interest thereon, and the amount of advances made to the producer to meet storage costs.

"(G) At any time the market price for feed grains exceeds the loan level of feed grains in storage by more than 200 per centum, the Secretary may require producers to pay the loan on such grain, including interest, and the amount of any advances made by the Secretary for the payment of storage costs. If the Secretary determines that all such loans should not be called simultaneously, he shall specify which loans are to be called, taking into consideration the length of time any such loan has been outstanding.

"(H) Notwithstanding any other provision of law, whenever the equivalent of 500 million bushels of any feed grain is under storage pursuant to elections made by producers under subparagraph (A)(ii), no prohibition or limitation may be imposed on the export of such feed grain. The foregoing provision shall not apply in the case of exports of feed grains to any foreign country if the President has prohibited the export of all agricultural commodities to such country because of national security or foreign relations reasons.

"(I) Payments provided under subsection (b) of this section shall be made available to producers on feed grains placed in storage pursuant to an election under subparagraph (A)(ii)."

Sec. 4. Paragraph (1) of section 379b (c) of the Agricultural Adjustment Act of 1938, as amended by paragraph (9) of the Agriculture and Consumer Protection Act of 1973, is amended by designating the fourth sentence as subparagraph (J), and by striking out the first three sentences and inserting in lieu thereof the following:

"(A) Whenever the Secretary determines with respect to any crop of wheat that the carryover stocks of wheat will be of such quantity as to seriously depress the price of wheat and will result in a disincentive to produce such commodity, he shall give producers the option of either (i) setting aside and devoting to approved conservation uses an acreage of cropland equal to such percentage of the wheat allotment for the farm as may be specified by the Secretary, plus, if required by the Secretary, the acreage of cropland on the farm devoted in the preceding years to soil conserving uses, as determined by the Secretary, or (ii) planting for harvest the full wheat acreage allotment for the farm subject to an agreement with the Secretary that a percentage of the wheat crop (based on farm yield) shall be stored on the farm under seal or in a bonded warehouse and be subject to the other provisions of this paragraph. Whenever the Secretary gives producers an option under this subparagraph, then as a condition of eligibility for loans, purchases, and payments authorized by section 107(c) of the Agricultural Act of 1949, the producers on the farm must elect to participate under clause (i) or (ii) of this subparagraph and comply with the terms of such election.

"(B) In the case of producers who elect the option under subparagraph (A)(i), the Secretary is authorized to limit the acreage planted to wheat on the farm to a percentage of the farm acreage allotment.

"(C) Notwithstanding any other provision of this Act, the amount of any loan which may be made by the Secretary on any portion of the wheat crop stored pursuant to an election made under subparagraph (A) (ii) shall be an amount equal to 80 per centum of the cost of production of such portion of such crop, as determined by the Secretary on the basis of average production costs of wheat in the area in which the farm is located, or $2.50 a bushel, whichever amount is greater. Any such loan shall be a non-recourse loan, shall be for a period of 5 years, renewable thereafter on an annual basis, and shall bear interest at a rate equal to the rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of 1 per centum, plus one-quarter of 1 per centum.

"(D) The producer shall pay the storage cost of wheat stored pursuant to an election made by him under subparagraph (A)(ii), but the Secretary shall make such advances to the producers as may be necessary to assist the producer in meeting storage costs until such time as the commodities are sold by the producer. In any case in which a producer wishes to construct facilities for the storage of wheat on the farm in accordance with an agreement entered into with the Secretary after an election under subparagraph (A)(ii), the Secretary is authorized to guarantee a loan made to the producer by a commercial lending institution for such purpose. The guarantee of loans by the Secretary for such purpose shall be made on such terms and conditions as the Secretary shall prescribe.

"(E) Wheat stored under an election made pursuant to subparagraph (A)(ii) may be rotated by the producer to avoid spoilage and deterioration under such conditions as may be prescribed by the Secretary.

"(F) Such wheat may be removed from storage and sold at any time, at the option of the producer, that the price for wheat attains a price equal to 150 per centum of the loan rate on such wheat. The producer shall repay the Secretary out of the proceeds of any such sale the amount of the loan, interest thereon, and the amount of advances made to the producers to meet storage costs.

"(G) At any time the market price for wheat exceeds the loan level of wheat in storage by more than 200 per centum, the Secretary may require producers to pay the loan on such wheat, including interest, and the amount of any advances made by the Secretary for the payment of storage costs. If the Secretary determines that all such loans should not be called simultaneously, he shall specify which loans are to be called, taking into consideration the length of time any such loan has been outstanding.

"(H) Notwithstanding any other provision of law, whenever the equivalent of 350 million bushels of wheat is under storage pursuant to elections made by producers under subparagraph (A)(ii), no prohibition or limitation may be imposed on the export of wheat. The foregoing provision shall not apply in the case of exports of wheat to any foreign country if the President has prohibited the export of all agricultural commodities to such country because of national security or foreign relations reasons.

"(I) Payments provided under section 107(c) of the Agricultural Act of 1949 shall be made available to producers on wheat placed in storage pursuant to an election under subparagraph (A)(ii).".

Sec. 5. (a) Section 107(c) of the Agricultural Act of 1949, as added by paragraph (8)(D) of the first section of the Agriculture and Consumer Protection Act of 1973, is amended by—

(1) striking out "in the index of prices paid by farmers for production items, interest, taxes, and wage rates" and inserting in lieu thereof "in the production costs of farmers";

(2) striking out 'in such index" and inserting in lieu thereof "in the production costs of farmers"; and

(3) striking out "change in the index of prices paid by farmers" and inserting in lieu thereof "change in the production costs of farmers".

(b) Section 105(b) of the Agricultural Act of 1949, as amended by paragraph (18)(B) of the first section of the Agriculture and Consumer Protection Act of 1973, is amended by—

(1) striking out 'in the index of prices paid by farmers for production items, interest, taxes, and wage rates" and inserting in lieu thereof "in the production costs of farmers";

(2) striking out "in such index" and inserting in lieu thereof "in the production costs of farmers"; and

(3) striking out "change in the index of prices paid by farmers" and inserting in lieu thereof "change in the production costs of farmers".

(c) Section 103(e)(2) of the Agricultural Act of 1949, as amended by paragraph (20)(C) of the first section of the Agriculture and Consumer Protection Act of 1973, is amended by—

(1) striking out "in the index of prices paid by farmers for production items, interest, taxes, and wage rates" and inserting in lieu thereof "in the production costs of farmers";

(2) striking out "in such index" and inserting in lieu thereof "in the production costs of farmers"; and

(3) striking out "change in the index of prices paid by farmers" and inserting in lieu thereof "change in the production costs of farmers".

Sec. 6. (a) The Secretary of Agriculture shall establish an emergency human nutrition food reserve (hereinafter in this section referred to as the "Reserve") which shall be available to help meet emergency food conditions in any area of the United States or in any foreign country which suffers a severe loss of its food supply as the result of a natural disaster.

(b) The Secretary is authorized to acquire for the Reserve any amount of grain not in excess of the equivalent of 100 million bushels and to process such grain into balanced food supplements.

(c) The Secretary shall provide for the periodic rotation of supplements in the Reserve to avoid spoilage and deterioration thereof. Any quantity of food supplements removed from the Reserve for rotation purposes shall be promptly replaced with an equivalent quantity purchased on the open market.

(d) Except as provided in subsection (c), supplements contained in the Reserve may not be sold through normal commercial channels in the United States.

(e) Food grain supplements contained in the Reserve shall be in addition to any other reserve stocks of agricultural commodities provided for by law.

Sec. 7. (a) In order that foreign countries which are traditional buyers of grain from the United States and other foreign countries may insure themselves of a dependable and stable supply of grain, and in order to reduce the cost to producers and consumers in the United States of maintaining reserve supplies of grain, the Secretary of Agriculture is authorized, in accordance with such rules and regulations as he may prescribe, to permit foreign countries to participate in the program providing for the storage of feed grains under section 105(c) of the Agricultural Adjustment Act of 1949, as amended by this Act, and the shortage of wheat under section 379b(c) of the Agricultural Adjustment Act of 1938, as amended by this Act. The Secretary shall, in permitting any foreign country to participate in such program, impose such reasonable terms and conditions as he determines necessary to prevent undue disruption of the normal channels of trade in the commodities concerned and to protect producers and consumers in the United States against undue price fluctuations and increases.

(b) The Secretary of Agriculture shall submit a report to the Committee on Agriculture and Forestry of the Senate and to the Committee on Agriculture of the House of Representatives within 90 days after the date of enactment of this Act indicating the action he has taken to implement this section together with any recommendations for additional legislative action necessary to improve the program.

Sec. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Sec. 9. Loans made by the Secretary of Agriculture in carrying out the feed grain program provided under section 105 of the Agricultural Act of 1949, as amended by the Agriculture and Consumer Protection Act of 1973 and this Act, in carrying out the wheat program provided for in section 107 of the Agricultural Act of 1949, as amended by the Agriculture and Consumer Protection Act of 1973 and this Act, and in carrying out the cotton program under section 602 of the Agricultural Act of 1949, as amended by the Agriculture and Consumer Protection Act of 1973 and this Act, and the repayment of such loans, shall not be included in the totals of the budget of the United States Government and shall be exempt from any general limitation imposed by statute on expenditures and net lending (budget outlays) of the United States.

Sec. 10. The amendments made by sections 3 and 4 of this Act shall be applicable to the 1976 and 1977 crops of feed grains and wheat.

By Mr. MATHIAS (for himself and Mr. Eagleton):

S. 2275. A bill to make a technical amendment to the Elementary and Secondary Education Act of 1965 so as to include the District of Columbia as a State for purposes of title IV, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. MATHIAS. Mr. President, I send to the desk a bill, on behalf of Senator Eagleton and myself, a bill to make a technical amendment to the Elementary and Secondary Education Act of 1965 so as to include the District of Columbia as a State for purposes of title IV, and for other purposes.

This legislation corrects a serious error which was committeed at the time the Education Amendments of 1974 were enacted last year. I ask unanimous consent that letters from the superintendent of schools for the District of Columbia, the president of the District of Columbia Board of Education and the general counsel of the board describing the impact of this error on the District of Columbia public schools program.

There being no objection, it is so ordered.

In addition I have discussed this matter with Senator Claiborne Pell, chairman of the Subcommittee on Education who advises me that he has no objection to the Committee on the District of Columbia addressing this situation. I ask unanimous consent that my letter to Senator Pell, dated July 23, 1975, his response dated July 29, 1975, and the text of the bill be printed in the Record at this time.

There being no objection, the bill and material were ordered to be printed in the Record, as follows:

S. 2275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of section 801 of the Elementary and Secondary Education Act of 1965 which precedes subsection (a), is amended by striking out "As used in titles II, III, V, VI, and VII," and inserting in lieu thereof, "As used in titles II, III, IV, V, VI, and VII".

Public Schools of
the District of Columbia,
Washington, D.C., July 16, 1975.

Hon. Charles McC. Mathias, Jr.,
Russell Office Building,
Washington, D.C.

Dear Senator Mathias: Through an inadvertent technical omission in the amendments to Title IV of the Elementary and Secondary Education Act of 1965, the District of Columbia is not included within the definition of a "State" and thus is not able to receive assistance under Title IV. The P.L. 93-380 amendments consolidated programs for Libraries, Learning Resources, Educational Innovation and Support under Title IV.

This unfortunate oversight has the effect of denying current FY 1976 funds in the amount of $454,780, scheduled to be allotted to the District of Columbia. This amount represents 34 percent of the funding for these programs in the District and will have a significant impact on public school programs if not corrected immediately.

Your assistance in supporting corrective legislative action at this time would be a great service to the children of the District of Columbia Public Schools.

Sincerely,

BARBARA A. SIZEMORE,
Superintendent of Schools.

BOARD OF EDUCATION OF
THE DISTRICT OF COLUMBIA,
Washington, D.C., July 16, 1975.

Hon CHARLES McC. MATHIAS, Jr.,
Russell Office Building,
Washington, D.C.

DEAR SENATOR MATHIAS: An oversight in the drafting of Public Law 93–380, the Education Amendments of 1974, has resulted in the omission of the District of Columbia from eligibility for funding support under Title IV of the Elementary and Secondary Education Act of 1965. The Board of Education is most concerned that the loss of such assistance during the current fiscal year will adversely affect programs in the D. C. Public Schools.

Although the resulting loss of funding to the District of Columbia was certainly not the intention of the Congress, the law, as enacted, does not permit the allocation of $454,780 scheduled to support programs in the District of Columbia. The Board is aware that technical and perfecting amendments to the Act have been introduced in the Congress; however, the delay in the consideration of comprehensive legislation is likely to have serious adverse consequences since current and planned programs are being affected.

The Board of Education strongly urges immediate corrective action by the Congress. Your support and assistance in generating a positive legislative approach to this problem would be greatly appreciated.

Sincerely,

VIRGINIA MORRIS,
President, Board of Education.

BOARD OF EDUCATION OF
THE DISTRICT OF COLUMBIA,
Washington, D.C., July 15, 1975.

Hon. CHARLES McC. MATHIAS, Jr.,
Russell Office Building,
Washington, D.C.

DEAR SENATOR MATHIAS: Both the President of the Board of Education and the Superintendent of Schools have expressed their concern over the inadvertent loss of $454,780 in FY 1976 Title IV E.S.E.A. funds through a drafting oversight in P.L. 93–380. The Board and Superintendent have urged swift legislative action to add the District of Columbia to the definition of "States" eligible to receive Title IV funds under the provisions of the amended statute. This office has been asked to supply additional information describing the impact of funding loss under Title IV.

The nature of the consolidation of programs under Title IV of the 1974 Education Amendments does not allow a precise delineation of which positions and programs will have to be curtailed or how many new programs would have to be eliminated due to the loss of funding. However, it is certain that approximately half of the funding support for programs funded through FY 1975 by Title III, Title IV, and part of Title V (consolidated under the amendment) has been lost due to the omission of the District of Columbia from the new Title IV structure.

Thus, the District of Columbia will have to choose among the projects funded through FY 1975 or planned for FY 1976, eliminating some programs and personnel in order to accommodate the current funding level. Certainly this difficult selection process was not intended by the Congress. Rather, the efforts required to modify current planning and program levels could be expended on planning for new programs and improving and administering programs scheduled to continue under Title IV.

In general, the impact of the funding loss falls into two categories, Library and Learning Resources programs and projects which are funded under Part B of Title IV and Educational Innovation and Support programs funded by Part C of Title IV. The FY 1976 impact in each of these areas is as follows:

Part B—Library and Learning Resources programs and projects would be cut in half. Acquisition of learning materials and visual aids, equipment purchases, and new programs in guidance counseling and testing would have to be cancelled. Administrative services and positions would be reduced by half.

Part C—Educational Innovation and Support programs would be cut more than one-third. At least four projects, including two validated projects which are relying on Title IV support for demonstration and implementation in the regular budget would be cancelled. Eight other projects would have to be selected for reductions of about twenty percent. One project designed to meet the needs of handicapped children would be unfundable.

Development of new programs planned for drop-out prevention and nutrition and health would have to be cancelled. Administrative services including evaluation, dissemination and monitoring would be reduced at least twenty-five percent. At least two positions on the staff of the Board of Education would be unsupported. All of these reductions and cancellations would result in the loss of some existing personnel and the inability to provide employment for persons to staff new projects.

Every public school in the District of Columbia would be adversely affected by the loss of these funds because each of the approximately 200 schools is scheduled to receive some funding support from the part B allocation. Several part C programs are citywide in nature. Most heavily affected would be five schools which would lose support for innovative programs, at least four schools scheduled to obtain initial support for new programs from part C, and fifty schools scheduled to participate in or receive services from part C programs.

Some of the ESEA Title III Projects funded through FY 1975 which would have to be considered for elimination or reduction without corrective legislative action are the Junior-Senior High Tutor/Aide Program at Malcolm X Elementary School, the Model Comprehensive Program in Urban Environmental Education, Project Advance at the Morse Crisis Intervention Center, Project Inspire at Francis Junior High School, the Training Center for Open Space Schools, Mainstream Programming for Behaviorally Problemed Students, and the Lenox Early Childhood Outreach Program for Parents. These are just some of the existing programs which would be among the choices facing the school system for reduction or elimination if Title IV funding authorization is not added to the law.

The threat of loss of funding to these programs is unnecessary and unintentional; nevertheless, it is very real unless positive legislative steps are taken as soon as possible. Timely action by the Congress would allow the planning, preparation, and administration of these programs to continue in the current fiscal year.

Sincerely,

DAVID A. SPLITT,
General Counsel, D.C. Board of Education.

JULY 23, 1975.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR CLAIBORNE: As you may recall, during the final drafting of the Education Amendments of 1974 (P.L. 93–380), the District of Columbia was inadvertently omitted from eligibility for funding support under Title IV of the Elementary and Secondary Education Act of 1965.

I am enclosing copies of letters which I received recently from the Superintendent of Schools for the District of Columbia, the President of the D.C. Board of Education, and the General Counsel of the Board describing the impact of this omission on the District's public school programs.

With the imminence of the August recess, it would appear that the chances of enacting corrective legislation before we depart are quite slim. I understand, however, that the Committee on the District of Columbia, will consider legislation in the next few weeks which might afford the Congress an opportunity to correct last year's oversight.

After looking over the enclosures, and if you concur with the idea of permitting the D.C. Committee to address the problem, I would appreciate it very much if you would join me in introducing the draft bill which is also enclosed.

With best wishes.

Sincerely,

CHARLES McC. MATHIAS, Jr.,
Ranking Minority Member Committee on the District of Columbia.

COMMITTEE ON
LABOR AND PUBLIC WELFARE,
Washington, D.C., July 29, 1975.

Hon. CHARLES McC. MATHIAS, Jr.,
Committee on the District of Columbia,
Washington, D.C.

DEAR MAC: Thank you for your letter in which you discussed the consolidation in the Education Amendments of 1974 which inadvertently omitted from eligibility the District of Columbia. This was an error. However, by the time we arrived in conference, the parliamentary situation was such that we could not take action to right it. Interestingly enough, the same situation exists for Puerto Rico.

I personally would have no objections to the Committee on the District of Columbia addressing this situation. Indeed, you may also wish to include Puerto Rico in your amendment. I offer you the services of my staff for any technical assistance which you may require.

Thank you again for contacting me on this matter.

Warm regards.

Ever sincerely,

CLAIBORNE PELL,
Chairman, Subcommittee on Education.

By Mr. HANSEN:

S. 2276. A bill to provide for improved public recreation access to Pathfinder Reservoir, North Platte project, Wyoming. Referred to the Committee on Interior and Insular Affairs.

Mr. HANSEN. Mr. President, I am introducing a bill today which would improve the public access to the east shoreline of Pathfinder Reservoir. Pathfinder Reservoir's popularity is increasing more and more and many people from two adjoining States, in addition to the increasing Wyoming population, are enjoying its recreational opportunities. However, several recreationists have reported to me that several areas have become overcrowded due to poor access at other points on the reservoir. Commissioner of the Bureau of Reclamation, Gilbert Stamm, has recognized:

> Presently, there are only two public-use areas at Pathfinder Reservoir, and these are overcrowded during the summertime, especially during weekends. The road would tend to disperse the people and provide for

future construction and administration of additional public-use areas.

Also, several crossings, which have been previously constructed, have been frequently washed out.

Commissioner Stamm has recognized the need for improved public access, but reports the Bureau of Reclamation does not have authority in existing legislation to do the work.

The bill I am introducing would authorize and direct the Secretary of the Interior to plan and construct an all-weather road, approximately 25 miles in length, of adequate standards to accommodate safely the anticipated traffic load generated by this recreation use.

By Mr. TUNNEY:

S. 2278. A bill entitled "The Civil Rights Attorneys' Fees Awards Act of 1975." Referred to the Committee on the Judiciary.

CIVIL RIGHTS ATTORNEY'S FEES AWARDS ACT

Mr. TUNNEY. Mr. President, today I am introducing a bill which would allow a court, in its discretion, to award attorney's fees to a prevailing party in suits brought to enforce the civil rights acts which Congress has passed since 1866.

This bill is identical to a provision in S. 1279, the Senate version of the Voting Rights Act extension, which was reported favorably by the Subcommittee on Constitutional Rights by a vote of 8 to 2, and by the full Judiciary Committee by a vote of 10 to 4. As you know, the time pressure created by the August 6th expiration date of the Voting Rights Act prevented the Senate from considering its own version of the extension. Even though I felt strongly about this attorney's fees provision that was in the Senate version, as floor manager I urged passage of the House version without substantial modification because I felt that the need to get a Voting Rights Act passed before its expiration was an overriding consideration. As a result, this provision of S. 1279 was never taken up by the full Senate. I introduce it today as a separate bill in the hope that it can receive the swift consideration of this body.

The purpose and effect of this bill is simple—it is to allow the courts to provide the traditional remedy of reasonable counsel fee awards to private citizens who must go to court to vindicate their rights under our civil rights statutes. The Supreme Court's recent Alyeska decision has required specific statutory authorization if Federal courts are to continue previous policies of awarding fees under all Federal civil rights statutes. This bill simply applies the type of "fee-shifting" provision already contained in titles II and VII of the 1964 Civil Rights Act to the other civil rights statutes which do not already specifically authorize fee awards. It therefore restores to the Federal courts authority which they had exercised for years until a little over 2 months ago.

In the typical case that arises under these statutes the citizen whose rights have been violated has little or no money with which to hire a lawyer, and there is often no damage claim from which an attorney could draw his fee. If private citizens are to be able to assert their rights under these laws—if those who violate these most basic human freedoms are not to proceed with impunity—then citizens must have the opportunity to recover what it costs them to vindicate these rights in court.

Congress recognized this need when it made specific provision for such fee-shifting in titles II and VII of the Civil Rights Act of 1964, which apply to discrimination in public accommodations and employment. This sort of provision is equally appropriate in other civil rights statutes, because there, as in employment and public accommodations cases, Congress depends heavily on private enforcement.

Mr. President, the reason why this legislation specifically authorizing fee awards under all our civil rights laws was not introduced years ago is simply that, until very recently, it was widely believed and held that the courts already had the power to award counsel fees in all civil rights cases as part of their inherent equity power. Before May 12 of this year, when the Supreme Court issued its opinion in Alyeska Pipeline Service Co. against Wilderness Society, many lower Federal courts had followed the congressional fee-shifting policies of titles II and VII of the 1964 act and had awarded fees to prevailing plaintiffs in suits brought under these other civil rights laws without requiring specific statutory authorization.

However, in the Alyeska case the Court held that Federal courts did not have the power to grant fees to prevailing parties without such specific statutory authorization.

I should emphasize here that the Alyeska court did not disapprove of these attorney's fee awards. On the contrary, Justice White, speaking for the majority, noted that it was—

> apparent from our national experience that the encouragement of private action to implement public policy has been viewed as desirable in a variety of circumstances.

The Court's holding merely reflected its belief that it is powerless to proceed with such beneficial fee awards until Congress "gives the word"—in a bill such as this one.

However, even though the Alyeska decision turned on a question of judicial power and not on the merits of fee awards—and even though Alyeska was an environmental case and not a civil rights case—its effect was to create an unexpected and anomalous gap in our civil rights laws whereby awards of fees are suddenly unavailable in the most fundamental civil rights cases. For instance, fees are now authorized in an employment discrimination suit under title VII of the 1964 Civil Rights Act, but not in the same suit brought under 42 U.S.C. 1981, which protects similar rights but involves fewer technical prerequisites to the filing of an action. Fees are allowed in a suit under title II of the 1964 act challenging discrimination in a private restaurant, but not in suits under 42 U.S.C. 1983 redressing violations of the Federal Constitution or laws by officials sworn to uphold the laws.

This bill would remedy these gaps in the statutory language by providing the specific authorization required by the Court in Alyeska. It would thus return to Federal judges the beneficial power to award counsel fees to the victims of violations of our most basic civil rights statutes.

Of course, since citizens would only recover fees under this bill if they were successful in their suits, this act would do nothing to encourage frivolous or bad faith litigation. In fact, by allowing assessment of fees against a "bad faith" plaintiff, it would have exactly the opposite effect.

Mr. President, if our civil rights laws are not to become mere hollow pronouncements, which the average citizen cannot enforce, we must maintain the traditionally effective remedy of fee-shifting in these cases. This bill, then, contains no startling new remedy—it only meets the technical requirements that the Supreme Court has laid down if the Federal courts are to continue the practice of awarding attorney's fees which had been going on for years prior to the Court's May decision. It does not change the statutory provisions regarding the protection of civil rights except as it provides the fee awards which are necessary if citizens are to be able to effectively secure compliance with these existing statutes. This provision has already received the favorable recommendation of the full Judiciary Committee, and I urge its speedy passage by the full Senate.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Revised Statutes Section 722 (42 U.S.C. Sec. 1988) is amended by adding the following: "In any action or proceeding to enforce a provision of section 1977, 1978, 1979, 1980 and 1981 of the Revised Statutes, or Title VI of the Civil Rights Act of 1964, the court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs".

By Mr. GRAVEL (for himself and Mr. STEVENS):

S. 2280. A bill to authorize construction of the Devil Canyon and Watana Units of the Upper Susitna Basin project and related transmission facilities. Referred to the Committee on Public Works.

Mr. GRAVEL. Mr. President, I have long felt that an adequate supply of clean, reasonably priced fuel was essential to realization of Alaska's full industrial and economic potential and a comfortable way of life for her rapidly-growing population.

Convinced that such a need could be met only through development of the State's water resources for production of hydroelectric power, I have, since coming to the Senate, put a high priority on proposals for such development.

We have, during that period, made some progress toward that goal through implementation of the Snettisham project in the southeast section of the State.

When finished, that project will meet power demands in the Juneau area for the foreseeable future.

It will, however, do nothing to fulfill steadily increasing power demands in the State's population center which encompasses Anchorage, Fairbanks, and the area in which the State's new capital is to be located within the next few years.

Those requirements were not unanticipated, even though no one could predict a few years ago the gravity and extent of the energy shortage which now exists and which increasingly demands that new sources be found before fossil fuels are further exhausted.

A general investigation of hydropower resources in the Upper Susitna Basin was undertaken some years ago by the Bureau of Reclamation but the active study of ways to accomplish the development dates back only to 1972 when the inquiry by the Corps of Engineers was authorized by a Public Works Committee resolution.

It soon developed that an area called Devil Canyon appeared to offer the best immediate prospect so, at my request, the corps agreed to concentrate on that area first and to complete the study there on an expedited basis. Concurring in that, the Appropriations Committee allotted an extra $75,000 to speed up the Devil Canyon phase as I had requested.

That portion of the study has been completed and the Alaska district engineer has formally recommended construction of dams at Devil Canyon and Watana—a concept differing somewhat from that originally suggested by the Bureau of Reclamation.

The report concludes that the recommended plan offers the most economic advantages with the least environmental impact and engineering problems of any of the available alternatives.

A review of the recommendation is expected to be complete during this calendar year.

There is already evidence, however, that the State administration, the municipal governments of cities in the affected area and the Alaska Power Administration which would be responsible for project activities after construction are all in favor of early implementation of the Devil Canyon plan in the form determined to be most feasible.

The time has, therefore, come, I think, to set the stage for congressional consideration as now proposed.

I therefore am today proposing legislation which would authorize construction of the Devil Canyon and Watana Dams as provided for under the corps feasibility study and recommendation to the Chief of Engineers.

My bill will provide that the corps construct the project and that the Alaska Power Administration as an agent of the Secretary of Interior operate and maintain it and be responsible for marketing of power.

Recognizing the urgent need for development of this hydroproject as a continuous source of power, and realizing that construction will require several years after authorization, I consider it essential that the plan be considered by Congress with the least possible delay.

I therefore intend to schedule early hearings on it with a view to including it in the Omnibus Water Resources Development Act for which preparations will be started in the next few weeks.

I firmly believe the project will be in the national interest from a fuel conservation standpoint as well as beneficial to a major segment of Alaskans. I commend it to your attention now and I look forward to the opportunity of presenting it for formal Senate action at the appropriate time.

By Mr. TUNNEY:

S. 2283. A bill to amend section 812 of the Agricultural Act of 1970 to provide for a system of prior approval of export sales of wheat and wheat flour and feed grains, and or other purposes. Referred to the Committee on Agriculture and Forestry.

EXPORT GRAIN SALES

Mr. TUNNEY. Mr. President, in the wake of recently announced sales of over 10 million tons of U.S. grain to the Soviet Union, I think it is useful to review this country's experience with such massive sales in 1972 and ask—who in this country benefited from the 1972 sales?

It was certainly not the American consumer. The massive disruption of domestic grain markets that occurred subsequent to the 1972 sale resulted in annual food price increases of 15 percent.

It was certainly not America's livestock, poultry and dairy producers. Skyrocketing feed grain prices dealt those industries a blow from which they have not recovered.

The price of grain shot up, but did the American farmer win? Not really—much of the grain involved in 1972 had already been harvested and sold before the Russian sale was announced. In July of 1972, wheat sold for $1.38 per bushel. By August 4, it was up to $1.95, and on August 8 was at $2.04 per bushel, a 48 percent increase in the space of 1 month. But not knowing of the impending sale, most wheat farmers sold cheap, only to learn of the increased demand when it was too late.

The only real winners were the big grain corporations, but since many of them are at least partially foreign-owned, really no one in this country benefited.

After an investigation that revealed the incompetence and shortsightedness involved in the handling of the sale, the Senate Permanent Subcommittee on Investigations concluded:

> The grain sales created a shortage in domestic supplies. This shortage drove up the price of bread and flour-based products. More importantly, the shortage resulted in increases in the price of feed grains. These increases meant it became more expensive to feed livestock. Accordingly, these increased expenses were reflected in the nation's grocery stores as consumers paid more for beef, pork, poultry, eggs and dairy products.

While it is too early to tell if the 1975 sales will be a repeat of the 1972 disaster, it is also too early to rest assured that it will not be, and there are some ominous similarities between the two years.

The same Secretary of Agriculture is making the same rosy predictions that there will be no shortages this year, just as he did in 1972. But more importantly, flooding in wheat growing regions of the upper Midwest is reminiscent of the substantial crop failures that caused previous "bumper crops" to fall far short of expectations.

While much of this year's wheat has been harvested, almost no corn has come in this far, and I cannot reconcile Mr. Butz' statements about a huge corn crop with reports of droughts throughout the Corn Belt.

A final disquieting note is that there is conflict at the highest levels of the administration over the potential impact of the sales. While Secretary Butz is making his claims that the impact will be minimal, Dr. Arthur Burns, Chairman of the Federal Reserve Board and one of President Ford's principal economic advisers, on July 29, told the Joint Economic Committee quite another story.

When asked if another Russian grain debacle was possible, Burns replied:

> I would not rule out that possibility.

When asked what impact the sales might have on foods costs for American consumers, Burns replied:

> There already has been a significant increase in grain prices.
>
> They have run up rather sharply.

And—

> I do not see any escape from that conclusion.

When asked about the possible dimensions of Soviet purchases, Burns replied:

> We do not have anything approaching precise information on the amount of the grain that Russia will be importing. We know literally nothing about inventories of grain in the Soviet Union. I have seen estimates that cover a wide range, and I must say to you, in all honesty, some of these estimates frighten me.

When told that testimony of other administration officials indicated there would be no increases in prices for American consumers, Burns replied:

> Well, that is surprising.

When asked, in conclusion, if the American consumer can plan on price increases, Burns replied:

> That is definitely my opinion.

I share Mr. Burns' concerns. On July 11, I wrote to the President urging that decisions on these sales be made out in the open so an accurate determination as to whether or not the sales are in the national interest could be made.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., July 11, 1975.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Agriculture Department has confirmed that representatives of U.S. grain companies are negotiating a massive grain sale to the Soviet Union.

The Department contends that a record grain crop will be harvested this year, and thus that the sale of up to ten million tons of grain to the Soviet Union will not result in shortages at home.

While that may be true, I fear that it is much too early to tell. As you will recall, at the time of the 1972 sale to the Russians, a record crop was predicted, and the Department asserted that a shortage would not ensue, but subsequent flooding and other crop failures resulted in massive disruptions of the domestic grain market. The ultimate result was a 15% annual increase in the cost of food for American consumers and skyrocketing feed costs for American livestock producers.

Just last week, flooding in the Midwest did major damage to crops in the area. A sale at this time could leave the American market at the mercy of similar disasters in the immediate future, as was the case in 1972.

It is incredible that these negotiations are being held in secret when they could result in American consumers again being caught in a crossfire requiring them to pay more for a loaf of bread while subsidizing the Russian grain market at the same time.

I therefore urge you to direct the Agriculture Department to make all of the facts about the sale known, and to consult with the appropriate Congressional committees in order to arrive at a joint determination whether any grain sale is indeed in the best interests of this country.

Sincerely,

John V. Tunney,
U.S. Senator.

Mr. TUNNEY. To date, I have received no response to that letter, and my fears, like the fears of many Americans, remain unanswered.

Therefore, I am today introducing legislation designed to make sure 1975 and succeeding years will not be a replay of 1972. The bill would require three things:

First. The bill orders the Secretary of Agriculture to institute a system for the prior approval of any grain exports in excess of 50,000 tons, ordering further that if such exports, coupled with projected domestic demand, would deplete carryover supplies below 15 percent of total U.S. production, approval could be granted only if the Secretary of Agriculture certified that the sales would be in the national interest and would not result in disruption of domestic markets. This would protect consumers and livestock and dairy producers from precipitous price increases due to shortages.

Second. Details of the proposed sales would be required to be made public, and a 15-day layover between application and decision would assure farmers a price for their crops which reflects the true demand.

Third. Records of all details of the Secretary's decisions would be kept for inspection by the General Accounting Office and congressional committees to assure valid and completely honest procedures to prevent the bureaucratic bungling and alleged corruption of 1972.

I urge prompt consideration of this legislation, not only to protect the interests of Americans this year, but also in years to come.

I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 812 of the Agricultural Act of 1970 (as added by the Agriculture and Consumer Protection Act of 1973) is amended—

(1) by inserting "(a)" after "812."; and

(2) by adding at the end thereof the following new subsection:

"(b) (1) With respect to wheat and wheat flour and feed grains, the Secretary shall, in addition, institute a system of prior approval of export sales of such commodities in excess of 50,000 tons. If the Secretary determines that any such sale, after taking into account prior export sales and projected domestic demand of the commodity concerned, would result in depletion of carryover stocks below 15 per centum of total estimated domestic production of such commodity for the given crop year, he shall grant approval of such sale only if he determines that such sale is in the national interest and will not result in disruption of domestic markets.

"(2) Relevant details of export sale applications under paragraph (1) shall be made public by the Secretary. Except in case of emergency certified by the Secretary, final action on any application may not be taken before the expiration of 15 days after such application is made. Records of all actions leading to decisions on applications shall be kept and made available, upon request, to the Comptroller General of the United States and the appropriate committees of the Congress."

By Mr. HUMPHREY (for himself, Mr. Clark, Mr. Mondale, Mr. McGovern, Mr. Leahy, Mr. Nelson, Mr. Young, and Mr. Dole):

S.J. Res. 121. A joint resolution to provide for quarterly adjustments in the support price for milk. Referred to the Committee on Agriculture and Forestry.

QUARTERLY ADJUSTMENT IN MILK PRICE SUPPORTS

Mr. HUMPHREY. Mr. President, I am today introducing a joint resolution on behalf of myself and Senators Clark, Nelson, Mondale, McGovern, Leahy, Young, and Dole.

Mr. President, this resolution is designed to accomplish a very basic purpose: To provide for the quarterly adjustment in the milk support prices paid to farmers.

I would like to point out that in the last session of Congress, we passed legislation which provided for a milk price support level at 85 percent of parity with a quarterly adjustment in the support level. That legislation was passed overwhelmingly by both Houses of Congress, but it was pocket vetoed by President Ford in January of 1975.

The Emergency Farm bill of 1975 again included the quarterly adjustment provision, but unfortunately the President also vetoed this bill.

This provision is widely supported by our dairy farmers as a means whereby milk price support levels could be adjusted to enable them to remain more current in terms of production costs.

While production cost increases have slowed somewhat in recent months, it has been estimatetd that during 1974 production costs increased by around 30 percent for dairy farmers.

Since the spring of 1974—when farmers were receiving over $8 per hundredweight for their manufacturing milk in my State—dairy prices have dipped precipitously and particularly as a result of increased dairy imports. Since that time, the market has not recovered and the prices paid to farmers have been hovering around $7 per hundredweight.

This situation has existed for some time, and it has produced a severe cost price squeeze at a time when production costs were on the upswing.

When President Ford vetoed the dairy price support bill in January 1975, Secretary of Agriculture Butz indicated that support levels would be set at $7.24 per hundredweight. That support level has not been implemented to date. Instead, the Department has insisted that prices which farmers will receive will average $7.24 per hundred weight over the year, and that this meets the intent of the law.

In this resolution we are not dealing with the actual support level for milk. However, we should and are proposing to take steps to make certain that our farmers do not have to wait a whole year for an adjustment in the prices which they receive for their manufacturing milk.

When we had a committee session with Secretary of Agriculture Butz on July 11, Senator Leahy and I interrogated him regarding the Department's indication that they would review the dairy situation twice a year. The Secretary indicated that the review would be conducted, but there was no indication as to how the reviews would be conducted or what factors would be taken into consideration. Senator Leahy and I have since written to the Secretary for further clarification, but at this time we have not received an answer to our inquiry.

Mr. President, we have learned, in dealing with Mr. Butz and this administration, that the letters and pleas do not carry much weight. We have to make our position clear by developing legislation which is clear and explicit.

While I am hoping that we can later improve the actual price support level for milk, we do not propose to deal with this area in the resolution before us.

Mr. President, this legislation represents an important step enabling our dairy farmers to stay in step with their increasing production costs. It is a modest but important step, and I hope that my colleagues will see fit to join in supporting it.

By Mr. THURMOND:

S.J. Res. 122. A joint resolution proposing an amendment to the Constitution of the United States with respect to the length of the term of office of the President and Vice President and the number of terms a President may serve. Referred to the Committee on the Judiciary.

Mr. THURMOND. Mr. President, a great many observers of the recent trends in contemporary American politics have focused on the necessity for institutional change in order to provide better Government. One of the most prominent candidates for such change can be seen in the constitutionally mandated Presidential term of office.

As we all know, the President is elected for a term of 4 years, and is eligible for reelection only once.

In my opinion, this system is unsatisfactory. It is not in the best interest of the American people's desire for the most effective Government. This system virtually necessitates that the incumbent President spend the last 2 years of his first term pursuing both his duties as Chief Executive and those relating to his reelection.

Accordingly, I take this opportunity to introduce a joint resolution which proposes a Constitutional amendment that would make both the Presidential and the Vice Presidential term one of 6 years, without the opportunity for reelection. There are a number of advantages to this approach.

First of all, a single term would free the President from the pressures and demands of electoral politics. Thus, he would not have to pursue the dual role of Chief Executive and political candidate, and could devote himself solely to his Presidential duties.

Second, a single 6-year term would enhance the relationship between the President and Congress. Congress, knowing that the President could not be reelected for a second term, would be more likely to work through consultation rather than confrontation.

There are other advantages, including the fact that a single 6-year term is both a reasonable time span for a President to accomplish his goals and it maintains the doctrine of rotation of office, one of the principal doctrines of a democracy.

I believe that when these and other advantages of a single 6-year term for the President are considered, it will become obvious that such a proposed Constitutional Amendment is of much merit. I ask unanimous consent that the joint resolution I am introducing today be printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res. 122

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within 7 years after its submission to the States for ratification:

"ARTICLE—

"Section 1. The term of office for the President and the Vice President is six years. No person otherwise eligible under this Constitution to be President is eligible to be President if he has previously been elected to such office.

"Sec. 2. The term of office provided for the President and Vice President by section 1 of this article applies to the terms of office of Presidents and Vice Presidents elected after the date on which this article is ratified."

By Mr. MOSS:

S.J. Res. 123. A joint resolution to require the Attorney General of the United States to conduct an investigation to determine whether antitrust violations are occurring in the manufacture or marketing of replacement home canning lids, and for other purposes. Referred to the Committee on the Judiciary.

Mr. MOSS. Mr. President, dramatic inflationary rates in the past few years have caused many consumers to change their living style in many ways. One of the ways that housewives have found effective to stretch the hard-earned dollar of the family is through the use of home canning. The canning of your own food is very traditional in my home State, Utah. The citizens there have long known of this savings mechanism and have appreciated the pleasures of their own productivity. However, with this years home canning season now upon us, many of the homemakers in Utah and across the Nation are facing a shortage of canning lids. It is strange the mason jar lid manufacturers, who are well aware of the increasing trend to home canning, are now without an adequate supply of home canning lids.

Mr. President, I am concerned. The use of home canning has been increasing for some time now, and I have been aware of this increase, but the people who should be more aware of the increasing trend than anyone else in the world are not prepared to meet the demands for home canning lids. It seems to me that we may be once again are faced with a manufacturer that is trying to manipulate and control its market. For that reason, I am sending to the desk a resolution asking for an investigation of the home canning lid manufacturing industries for possible antitrust violations.

ADDITIONAL STATEMENTS

SENATOR CANNON COMMENDS GOVERNMENT PRINTING OFFICE AND OFFICIAL REPORTERS OF DEBATES

Mr. CANNON. Mr. President, as chairman of the Joint Committee on Printing, I associate myself with the remarks made yesterday by the distinguished Majority Leader, in commending those responsible for producing on July 30, 1975, the largest Record ever printed and bound in one part. The previous largest edition was 368 pages on March 28, 1972.

There were 120 pages of House proceedings, 231 pages of Senate proceedings, and 22 pages of Extensions of Remarks, together with 10 pages of Digest. Twenty-two pages of Extensions were left out and were printed in the next issue.

Final copy on the proceedings was received in the Government Printing Office at 12:25 a.m., and the Digest was received at 1:45 a.m.

The last form went to the foundry at 6:56 a.m. and the last plates were delivered to the pressroom at 7:14 a.m., an elapsed time of 18 minutes. The last press was unplated and replated with 64 plates by 7:40 a.m., an elapsed time of 26 minutes. Signatures of the last 64 pages were received in the bindery at 7:55 a.m., an elapsed time of 15 minutes. Copies were delivered to the Senate Chamber at 8:20 a.m., an elapsed time of 25 minutes.

The employees of the Government Printing Office again demonstrated their ability to work under deadline pressure to achieve this impressive milestone.

At the same time, I commend the Official Reporters of Debates and their staff for the vital role they played in making this unique production possible.

LET OIL PRICE CONTROLS EXPIRE

Mr. BELLMON. Mr. President, 7 months ago when the 94th Congress convened, there was general agreement that the energy situation was one of the major problems confronting this session of Congress.

Seven months later, it is still a major problem and little has been done to solve it. It is obvious Congress is unwilling or unable to make the difficult decisions needed to achieve energy independence.

We are about to go into a monthlong recess with the present system of price controls on domestic oil scheduled to expire before we return after Labor Day.

In my opinion this is a most fortunate circumstance. I have written President Ford recommending that he veto any extension of these controls and to let them expire on August 31. The impact upon consumers will be minor—less than 2 cents per gallon of gasoline.

Mr. President, I ask unanimous consent that my letter to the President be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., July 31, 1975.

Hon. Gerald R. Ford,
President of the United States,
The White House,
Washington, D.C.

Dear Mr. President: In view of the action by the House of Representatives rejecting your second and extremely conciliatory plan to phase out controls on the price of oil, I recommend that you veto any attempt to extend the Emergency Petroleum Allocation Act and let the controls expire. In doing so, I suggest you give Americans a clear understanding of some of the issues involved and of the consequences.

The facts are that, at most, gasoline prices would rise 6½ cents per gallon under decontrol. If the $2.00 import fee on each barrel of crude oil and the 60 cent fee on each barrel of refined products was removed, the price of gasoline might only rise 2.4 cents. And, it is quite possible that gasoline prices may not rise at all under decontrol, since until recently supply has exceeded demand and companies had not been able to pass through all the increased costs they could have recovered under FEA price control rules.

The Administration, and especially Mr. Zarb, has gone the extra mile, and then another, and then yet another to compromise with the Democratic leaders in Congress. The Emergency Petroleum Allocation Act and its ensuing regulations on everything from entitlements to "old" oil to control of produce prices is totally counter-productive to the national goal of energy self-sufficiency. Low, controlled prices are depressing production and encouraging wasteful consumption. This situation needs to be understood by American citizens. It can only lead to disaster through a drain on our foreign exchange, another OPEC embargo or a cold winter that nature dictates will surely come.

There are those politicians who would delude consumers into thinking that they are being protected from huge price increases assessd by a greedy industry. The facts are that energy production cannot be adequately and rapidly expanded in the face of the economic and political realities of today. If the producers were not locked by law into the need to produce old oil at practically any cost, there would not be the domestic production there is today. Land owners who have leased their property would not permit their property to be confiscated at unrealistically low prices, independent producers would not borrow money to search for and produce oil nor would bankers lend them money. No one is controlling the price of steel to drill and case holes for oil wells. No one is controlling the wages of industry workers. Nor is anyone controlling the price of anything else that enters into the cost of living for those workers, except for the oil and gas they use.

Mr. President, a two or three year phaseout of controls, no ceiling price on oil, and a reasonable import fee to discourage imports seemed to me a sensible approach, with a windfall-profits tax and plowback. While even that type of program would not be my preferred solution, I recognized and sympathized with the political dilemmas you face. I, too, had hoped that my colleagues in Congress would be reasonable, face reality and return to the principles of equity—at least in time.

But, they have not. And, Mr. President, they have left you with no choice. Mr. President, the country can afford the small increase in the price of gasoline that would be involved in the end of controls. The alternative is increasing dependence on foreign oil that may be cut off at any time with disastrous effects upon our country.

Sincerely,

HENRY BELLMON.

PRESIDENT FORD VETOES LEGISLATION 37 TIMES

Mr. MONTOYA. Mr. President, last Friday, for the 37th time, President Ford vetoed legislation written and passed here and in the House of Representatives—legislation developed through months of hearings, months of study, months of compromise and hard work. Five hundred and thirty-four legislators, elected representatives of the people of the 50 States, were once more sent back to the drawing board in disgrace.

It is an old story—and one we have come to dread. With one stroke of a pen one man has negated the work of hundreds of men and women.

Now, once again, we must try to find a way to satisfy that man, or try to find the votes to override the veto. It will require all our patience, all our good will, and we are going to have to repeat again all the arguments we have used on this floor already.

The excuse for this futile exercise in Government by frustration is money, or the lack of money.

This time it seems we are too poor to educate our children—especially our poor or disadvantaged children.

We are rich enough to afford higher prices for oil and gasoline, we Americans. We are rich enough to increase spending for an inflated defense budget. We are rich enough to spend billions on foreign aid or arms supplies around the world. We are rich enough to support giant international corporations through tax breaks and tax credits. We are rich enough to make questionable loans to bankrupt business giants.

All of this—and more—we can afford, according to the administration.

We could not afford housing support for the American family, however. We could not afford a job program to put people back to work. We could not afford to protect our land from strip mining. And now—the final word—we cannot afford to continue to help American schools or colleges or college students.

The administration's economic advisors have informed us that the recession is over—that we have "bottomed out". There is, according to them, nowhere to go but up—economically speaking, that is.

The veto of the education appropriations bill makes me think we are on the bottom, all right—and not just economically.

I remember, Mr. President, another depression—a time when poor people in this Nation suffered hunger and real deprivation because there was no unemployment insurance, no social security, no bank insurance, no Government help for small businesses, no Government loans for housing, no Federal assistance to workers or businesses or schools. But I thought that kind of American tragedy was ended. In those years many of America's children suffered because their parents were truly unable to feed them adequately. Children, like adults, had to suffer the consequences of a terrible poverty. Ten or fifteen years later we discovered that children growing up in those difficult years had suffered real lifetime damage because they had gone without milk and protein and other body-building foods. We tried to see that that would never happen again to our children.

But 1975 has brought us a new time of tragedy.

This year we hear that we can still afford all the things which protect and support the wealthy and powerful, but we cannot afford to keep our education programs alive even at last year's figures. The administration's request this year for education did not include some programs at all—and provided for cuts in many others. No increased funds were requested even for programs which have proven to be vitally important and necessary to school districts struggling to help language minority children or children from poverty homes or handicapped children or children with special reading problems. In spite of reports that fewer and fewer middle- and lower-income families can afford college costs, no additional funds were requested to help young people stay in college or in vocational schools, where they could learn job skills for the future.

The damage which going without this help will do to the children who are neglected in 1975 and 1976, will last a long time. The minds which are starved now will be scarred forever. This is not just the year when the recession has "bottomed out"—it could be the year when the bottom drops out of the future for these students.

Testimony taken in hearings before the Appropriations Committee was ignored. The pleas and warnings of educators and librarians and counselors across the Nation were ignored. Even the advice of the administration's own career specialists in the Office of Education was ignored.

Mr. President, that does not seem to me to be a sensible way to run a government. That does not seem to me to be a sensible way to cut budgets.

The Appropriations Subcommittee, under the leadership of Senator MAGNUSON, took the time to examine every item in this bill closely—looking at every program with care. In the end we made many compromises, many adjustments, many cost-saving changes. Like the housewife in hard times, we tried to find ways to take care of essential needs without wasting even pennies. But—like housewives and mothers in most American families today—we decided the one place we could not afford to cut back dangerously was where it would force children and young students to suffer permanent damage. We decided that if Americans had to tighten belts further, it should be adult belts which were tightened, not those of the children who were our future.

In order to make that point crystal clear to everyone at OMB and at the White House, and in order to make sure the school money was ready in time for local education agencies to plan their school year intelligently in advance, we separated the education appropriation from other appropriation bills this year. We did the best job we could, and thought we had produced a fine and responsible piece of legislation.

None of that effort made any difference. The veto message came last Friday with the same rhetoric, the same excuses, the same familiar arguments.

The President claims that "The American people would never support" the spending for education in this bill. In the next month we will all have an opportunity to meet with and talk to the people in our own States. I think every Member—Republican or Democrat—should take the time to ask the people in his State the answer to the question the President has raised.

It is an important question—not just for this year, but for the future of the educational system in the United States. It is a question we will have to answer when we return in September.

That question is, "Is the President right in assuming that you want the Government to cut costs this year by cutting back on education programs for elementary schools, high schools, and colleges across the board? Would you rather we found another way to cut the budget?"

The answer to that question, I suspect, will surprise the President and his advisors. I doubt that it will surprise the Congress or the men and women who have worked so hard to produce this education legislation and the education appropriations bill which we have seen rejected this week.

GRAIN SALES IMPORTANT TO AMERICA

Mr. DOLE. Mr. President, in the past few days, I have been appalled by what appears to be an increasingly popular trend for politicians, labor union leaders, and even Federal officials to stand up and criticize the recent grain sales to the Soviet Union. Those of us on the

Senate Agriculture Committee are deeply concerned about grain export sales. We are concerned about the impact on farmers. We are concerned about the impact on consumers and most of all, we are concerned about the impact on the Nation as a whole. We have studied the matter very carefully and we have concluded that grain sales to the Soviet Union and other countries are vitally important to the United States and are beneficial to American consumers, taxpayers, farmers and the public as a whole.

To the farmer in Kansas and other States, it seems that everyone on TV and radio and in the newspaper is asking whether "we" should sell wheat and grain to the Russians. I think it is significant that those suggestions that "we" should not sell wheat to the Russians, in fact, do not own a single bushel of grain. Yet they are willing to make a decision like that with someone else's property.

SELFISH MOTIVES

With Longshoremen's contracts coming up soon, with union officials ever seeking more power, and with Presidential candidates seeking popularity for 1976, I cannot help but suspect selfish motives behind their actions. And I cannot help but observe that it must be much easier to be selfish when it is someone's income and the value of someone else's property at stake.

The thinking that leads politicians, union leaders and Government officials to such conclusions is surely the result of little or no knowledge about the facts or a distorted view. I would just like to state a few of the facts.

First, if our surplus grain were not sold to the Russians and others, what would we do with it? Would we go back to a policy of surplus storage which as recently as 1972 cost the American taxpayer roughly $4.5 billion in subsidy and storage costs?

Second, an average loaf of bread contains about 5 cents worth of wheat. In the extreme case, were wheat prices to rise even $2 per bushel, the impact on retail bread prices would not exceed 4 cents a loaf. This is hardly a high price for the American consumer to pay given all the other benefits grain exports offer the American public.

MINOR IMPACT ON FOOD PRICES

Obviously, the price of bread is not the only food price affected by these sales. With wheat, corn, and barley contracted for sale, the price of meat, cereal, and other foods would be affected. But bread is a good example of how food prices work.

In February of 1974, the average wheat price was $5.52 a bushel and the average bread price at that time was 32.5 cents. In June, the average price of wheat was $2.92 a bushel but the average bread price had risen to 35.6 cents.

While the cost of wheat per loaf of bread fell 3.8 cents, the average price of bread rose 3.1 cents. This means a net increase of 6.9 cents per loaf for the millers, bakers, and retailers while farmers got almost 4 cents less. Clearly it is not farmers who are to blame. I suggest that there are more effective ways to lower food prices than halting the Russian or any other grain sale.

Third, agricultural exports generate enormous tax revenues. Last year, it was $47 billion. Cut exports and you cut revenues, which is the last thing we need when the Federal deficit is already far above $60 billion this year.

MORE JOBS

Fourth, the sales announced this far have totaled an estimated 1.4 billion. It is estimated that this unexpected stimulus to the economy could generate directly and indirectly in excess of 100,000 jobs.

Fifth, farm exports have made a major contribution to a tenable U.S. balance of trade position in recent years and to a stronger and more stable U.S. dollar abroad. Last year, farm exports totaled $21.6 billion—which pays for a lot of oil—and our export farm trade has been credited with the creation of half a million on-farm jobs and another half a million off the farm. Agriculture trade in the fiscal year ending June 30, had a net gain to the Nation of $12 billion.

Sixth, our sale of wheat to the Soviet Union does not come at the expense of underdeveloped nations and hungry people around the world. The level of our food aid is set by policy and does not necessarily rise or fall dependent upon our export sales.

Seventh, had the Russians not bought from the United States, they would certainly have purchased wheat and grain elsewhere, perhaps Australia, perhaps Canada, or perhaps South America. In any event, the impact on world prices would be about the same.

PROMISE TO FARMERS

Eighth, the American farmer has been asked to produce to the maximum. He has done so and it is in our interest that he continue to do so in order to insure continued adequate supplies and a more stabilized domestic food price. But the cost of production continues to rise. And if American farmers are to continue producing, they must have free access to the world market. On may 1, the President pledged:

> We have now eliminated all restrictions on exports and we are determined to do everything possible to avoid imposing them again. Our farm products must have unfettered access to world markets.

That promise encouraged farmers to go all out—to plant fence row to fence row—so if we ask them to produce to the maximum but minimize demand by closing off sales to large purchasers, farmers will respond by cutting back on production. It is very simple, American farmers must have and deserve a fair income just like longshoremen and any other members of the American public.

Ninth, critics of the most recent sales to the Soviet Union have suggested or implied that this sale repeated the circumstances of the 1972 grain sale which gave the Soviets a tremendous bargain. But there is a tremendous difference between the sales then and those made this year. I would just like to list the differences at this time:

COMPARISON WITH 1972 PURCHASES

In 1972, the Soviet Union purchased over 430 million bushels of wheat and about 240 million bushels of corn compared to current purchase levels of 165 million bushels of wheat and 185 million bushels of corn. In addition to the difference in size of the purchases, there are other significant differences.

In 1972, there was no requirement that U.S. export firms report current sales to the Government, so the Russians were able to conclude their purchases in 1972 in virtual secrecy. But, section 812 of the Agriculture and Consumer Protection Act of 1973, legislation developed by the Senate Agriculture Committee, makes all export sales subject to USDA reporting regulations that prevent a recurrence of the secrecy surrounding the 1972 grain sales. At this time, exporters are required to report all sales on a weekly basis. In addition, any sales of 100,000 tons or more are required to be reported within 24 hours. Since July 24, further safeguards have been instituted and exporters are required to advise the Department of Agriculture of any large potential sales before final negotiation of the sale.

In 1972, a total of about $160 million in subsidies were paid on wheat exported to the USDA—an average of 40.6 cents per bushel. There are no export subsidies on this year's sales to the Soviet Union.

In 1972, the Commodity Credit Corporation provided credit to the Soviet Union for about 60 percent of their purchases. There is no Government credit involved in the Soviet sales this year.

Tenth, critics of the recent sales to the Soviet Union have implied that the United States might not have an adequate supply of grain if we sell to foreign countries. The fact is that our wheat production this year is projected at 2.187 billion bushels for a total supply of over 2.5 billion bushels—a total supply 22 percent greater than last year's and the largest since 1961.

VITAL TO ECONOMY

Eleventh, in fact, the United States must sell around 1.4 billion bushels this year to prevent price depressing effects of a large carryover which would curtail production next year. To put it another way, the United States has sold only 10 percent of the wheat it should sell so far this year. If 10 times as much wheat were to be sold, that still would have 700 million bushels for all domestic uses including seed for the 1976 crop. In short, the overwhelming evidence is that grain exports to the Soviet Union and other countries are beneficial to consumers, taxpayers, workers, union members and the public as a whole. Grain exports are a very substantial stimulus to our economy which, by agreement among all circles, clearly needs every stimulus we can give it. Yet criticisms of export sales to the Soviet Union and other countries and actions such as the committee hearing in the Senate yesterday to "determine whether we can provide more grain to the Soviets without causing still further inflation in food prices" are discouraging sales to our foreign customers. The announcement of yesterday's hearings indicates that the committee wants "to know what the executive branch knows about Soviet grain buying plans"; that statement indicates a desire to project the Federal Government into a more involved role in our grain export trade. We have seen many times in recent years how Federal involvement has discouraged export sales to our foreign customers to the general detriment of the Nation as a whole.

It would be my strong hope that the American public as a whole and its leaders will study the facts carefully to avoid such blunders. To do otherwise would not be in our own best interests.

Frankly, I hope we can sell more grain to the Russians—because it is to the advantage of all Americans.

RESTRICTIONS NOT NEEDED

And finally, the question has been asked "Why does not the Federal Government have a cutoff point where grain sales will be curtailed." The answer is simple. Because this is a free Nation, and in spite of the Government control already imposed, there is still basic freedom for our farmers to grow a crop and sell it for the best price he can get. Less than 10 years ago our farmers were told how many acres of each crop they could grow, paid a low price for their crops and furnished a supplemental payment by the Government for not growing too much grain. Through expanded exports, farmers have regained their freedom to produce and sell for the best price they can get. The Government is out of the subsidy business on wheat and feed grains and the taxpayers have been relieved of this load.

On the other hand, the Soviet Union has made repeated efforts to expand their production of wheat and feed grains. They set for themselves a goal of improved nutritional diets and obviously their system has not responded. As a Washington Post column pointed out this morning,

> If Soviet farms made proper use of their tractors, the Soviet Union would be producing every year an additional 20 million tons of grain. That figure is equal to the 1972 Soviet grain purchases in the United States.

Their farmers are not motivated by capitalistic incentives and therefore the basic communistic inhibition toward personal productivity and personal gain has coupled with noncooperation of mother nature and caused them to turn to us for their supplementary supplies of wheat and feed grains.

Believe me, if we should return to production controls, subsidies, surplus storage and export controls, we could not blame our farmers, those few that would be left, for adopting the same attitude toward producing wheat and feed grains as the farmers in the Russian state-owned farms.

As far as limits on exports are concerned, the market protects us. In the past 2 years, we have had record export demand and we have not run out of wheat, corn or any other farm commodity. When prices go up, foreign buyers back off and we find alternates, like grass instead of corn for cattle.

We have built an excellent system over the past 200 years. Let us not abandon it for something worse.

Mr. President, it may be of interest to my colleagues to know that those of us in the Senate Agriculture Committee have requested Secretary Butz to testify on September 4 about the total supply of grain and the conditions of our crops and those of the Soviet Union. At that time, the head of the USDA-Soviet crop inspection team will accompany the Secretary and will be available for questions. In addition, the committee has requested Chairman Arthur Burns of the Federal Reserve Commission to present his point of view before the committee.

It is my belief that this testimony will be beneficial to the committee to obtain a better feeling for appropriate levels of agricultural exports.

A COMMON BEGINNING

Mr. CULVER. Mr. President, I recently received a copy of a uniquely significant study which I believe is worthy of our attention in this Bicentennial era when Americans are pausing to reflect upon our common background. This report, entitled "A Common Beginning: An Overview of Mid-Iowa's History," embodies the efforts of many forward-minded people in six counties of Iowa's north central region who have undertaken a project to study the rich history of their locality, to survey the significant artifacts and landmarks that remain as reminders of the past, and to propose a master plan for their preservation. This study carries even greater significance since we believe it to be the first of its kind in the Nation where an historical preservation program has included the participation of local citizens under the jurisdiction of an entire regional body.

The author of this study and director of the project is Damon Ohlerking, director of planning for the Mid-Iowa Development Association in Fort Dodge, Iowa. This thoughtful and enthusiastic young man has demonstrated admirable initiative in his efforts to foster a sense of appreciation for the diverse and mellow-textured history of Iowa's many rural communities.

One of Iowa's greatest assets may be found in these small towns which have endured the strain of social, academic, and fiscal neglect. They will survive, of course, with or without historic preservation, but this study will help give credence to the idea that historic preservation is a logical and valuable instrument for self-preservation in the defense of small-town individuality.

I think it is important that we communicate to all Americans that historic preservation is primarily a state of mind, an attitude that says our ancestors left us not only written history, not only laws and customs, traditions and a way of life, but also a distinctive and irreplacible buildings, sites, and landmarks where important events both great and small took place. We must seek ways to save the best of the past as it relates to our national, State, and regional or local heritage. Such retention of our historic legacy in its physical form provides a link with our past that can give continuity and deeper meaning to an individual life in a modern, complex world.

I congratulate all who participated in the preparation of this study for their endeavors to preserve the treasures of the part as well as projecting our long-range potentials in planning our Nation's future.

Mr. President, I ask unanimous consent that excerpts from the foreword of "A Common Beginning" be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

A COMMON BEGINNING

Just north of the confluence of the Des Moines and Boone Rivers, atop a hill with a view of the whole valley lies Vegor's Cemetery, probably one of the most significant historic sites of the entire area. This cemetery holds Indian burial mounds, the grave of a Revolutionary War soldier, and the grave of the first white person to die in this region. Mrs. Henry Lott's supposed gravesite, marked by an obelisk erected at the turn of the century, stands as an indication to a place of history which bespeaks the inter-relatedness of Mid-Iowans. The story runs in a negative sense, but as it unfolds, we Mid-Iowans should easily see that just as the evil of the story spread, so can the good of our lives spread to impact an area greater than our community, our country, or our state.

Henry Lott was an early settler who first came to Iowa and settled at Fort Des Moines when it was located in south-eastern Iowa. With him were his wife, her son, and their son. (Old rumors indicated Mrs. Lott was the widowed daughter of a governor of Pennsylvania or Ohio; the story says she married the lively Henry Lott who carried her to the frontier much to the distress of her prestigious father.) Lott farmed and traded with the Indians in southeastern Iowa for awhile, and then moved on to Boonesboro (near Boone), as the "Indian Territory" opened, to become a trader with the Saux-Fox Indians of the area.

In 1846, the Lotts built a cabin upriver from Boonesboro at a point where the Boone and Des Moines Rivers join. Here, according to the story, Henry dealt in whiskey and stolen horses, in addition to the normal furs and trinkets. While Lott and his step-son were away from the cabin, the legend goes, a band of Sioux Indians led by Chief Sidomindotah (who by the way, supposedly had a double set of teeth in his mouth and was called Two Fingers because of an injury to his hand), visited the cabin in search of some stolen ponies that Lott supposedly had tethered there. In fright, Lott's son headed for Boonesboro for help. He froze to death enroute and is buried in Boone County near where he froze. (His grave is marked by a monument erected by the Boone County Historical Society.)

Meanwhile, Mrs. Lott escaped from the cabin only to suffer over-exposure. After Henry Lott returned she died and is supposedly buried atop a hill in back of the Lott cabin in what is now Vegor's Cemetery.

Grief-stricken, Lott and his step-son moved back to Boonesboro, where, in time, he married Francis McGuire's daughter, only to bury her near the present site of Otho.

In 1853, Lott and his step-son built a cabin just east of the Livermore in Humboldt County across the river from the mouth of the creek which bears his name today. Camped just south of Lott's Cabin on another creek bottom was the band of Indians that Lott regarded as responsible for his wife and son's death. In a sense of revenge, Lott and his step-son masqueraded as Indians and lured the leader of the Indians, Chief Sidomindotah, and his sons out along the creek to hunt elk. There they turned on the unsuspecting Indians and murdered them, hiding their bodies beneath the creek's ice.

The Lotts then returned to the Indian encampment and killed all but two children of the Chief's family. Burning their own cabin to feign an Indian attack, the Lotts hurriedly left for the West.

Now if that was where the story ended, it would be a sour enough tale indeed but a relative of Sidomindotah, Inkpadutah, assumed leadership of the band of Sioux. Moving to the western counties of Iowa, these Indians wreaked havoc on the settlers of Woodbury, Cherokee, Buena Vista and Dickinson Counties in the winter of 1856–57 in what has become known as "The Spirit Lake Massacre."

This mass killing of settlers has been attributed as revenge for the murder of Chief Sidomindotah and his family and other grievances the Sioux held against the white invaders of their lands. (A trial was held in absentia in Homer after the story of the Lott murders came from the two children who escaped. Sidomindotahs' body was discovered in the creek during the spring and identified by the unique second set of teeth. The trial essentially came to no end despite its heated arguments, and the bands of outlaw Sioux thus designed the now infamous massacre as an act of revenge.

But yet the story doesn't stop. The Indians of the "Spirit Lake Massacre" are thought to have figured in the New Ulm Massacres in Minnesota, and Inkpadutah himself is alleged to have joined Chief Sitting Bull and Crazy Horse in the Battle of the Little Big Horn.

Much of the story is without substantiation, but for the moment, look at the threads which run throughout it. Actions of one settler, first at the site of Vegor's Cemetery and then in the county to the north on a creek which became known as "Bloody Run," had local, regional, statewide, and possibly, national significance. To be sure, there are accounts which say Lott was misrepresented and "not so bad a fellow" and there are accounts that he was eventually hung out West for a crime which he didn't commit. Certainly, Lott's life had impact on the area in which he lived.

Essentially, he was Mid-Iowa's first regional citizen. His story is most assuredly in a negative vein, but comparable myths probably could exist of Mid-Iowans who indeed lived positively. As we learn of them through sufficient study, their value would be the encouragement they could lend to our citizens. Just think of the relevance a story of the achievements of our early settlers in the same myth-like form could have upon our budding Mid-Iowans.

In the same Vegor's Cemetery, just down the slope from the white obelisk marking Mrs. Lott's supposed gravesite, is the tombstone of a Revolutionary War Soldier, Benjamin Bell.

Benjamin Bell himself is an inspiring figure. His tombstone says he died on February 10th, 1853, at the age of 102. Now, living to be one hundred-and-two years old is quite an admirable achievement. Being one of our country's soldiers in the fight for independence from Great Britain is another most significant achievement. But homesteading as he did when he was ninety-nine certainly caps it all.

In that, isn't there room for the development of a myth to outshine the negative story of Henry Lott? What in the story of his ancestry and his children, is there to tell us Mid-Iowans of our foundation? Could not this, or similar stories, be carried forward through the Twentieth Century to help all Mid-Iowans define their heritage and their potential?

In this writer's eyes, Vegor's Cemetery is significant to the thoughts we think today. For in the history it represents we see the synthesis of white culture in Mid-Iowa. The fright of the area's settlers came in wave after wave across northern Iowa, all from the "stone thrown in the pond" by Henry Lott. The arrival of Benjamin Bell in Mid-Iowa is denoted by his gravesite and the many generations of the Bell family to whom the grave has unique relevance today.

In the same Vegor's Cemetery lie burial mounds which preceded all of the developments described in this narrative. So little is understood of the cultures which inhabited Mid-Iowa prior to our possession of the land. Most certainly there is relevance in them for the lives we lead today. The more closely we look at the history of our land, the more we see of significance to our present lives and our future.

It is for this very reason that this study has been undertaken. As we look to see "the way we were," we learn of why we are "the way we are." Learning that, we can more wisely make decisions to guide us to "the way we will be."

Learning the story of Lost Grove, in Webster County, the Lantern House, in Pocahontas County, the Vincent House in Fort Dodge, the Brower Hotel in Rockwell City, the 4–H School, in Clarion, the Brown Mill House, near Dakota City, or Bell's Mill Park, in Hamilton County, only reinforces our respect for our past and gives a new relevance to our Mid-Iowan way of life.

This search for mutual self-identity is exactly what this study is all about. The title belies its intent. Indeed we Mid-Iowans do have "a common beginning." It is our actions in relationship to one another and to our land which will ultimately speak for us and for our values.

Introspective as it is, this attitude of respect for our beginnings can guide our developments in the future. While we must live forward, we understand backward ...

This study . . . will hopefully become an overview of the history of the six counties which are Mid-Iowa. Throughout the study, we will look at the landscape and see its various patterns which dictated the lifestyles of the settlers to whom we all are related. We will see that the very geology of the region destined it for a role of tremendous significance. We will look briefly at the people who were here before our white culture claimed and changed this land. We will also look at the white outpost on the new frontier, Fort Clark.

This study will show map after map of the area's ensuing development. We will ask where the people came from and we will find answers. Upon their arrival in ox-drawn wagons we will learn of how they lived upon the land and adapted it to themselves and themselves to it.

With the development of the area's agriculture, we will understand the role that the first mills played, and we will see them replaced with elevators.

We will consider the development of communities, starting with a cluster of homesteads on the lonely prairie, realizing the first development of amenities like churches and schools, and seeing the start of many, many, towns. Some of the towns, we will learn, are now only names of places that existed briefly as a man's or group's dream of Utopia.

General stores, opera houses, churches, blacksmiths' shops and colleges all tell of the ambitions which pushed the development of Mid-Iowa.

We will learn that stage coaches were not only to be found in the "Wild West." We will see a map of the stage coach routes and we will be able to compare it to the familiar grid-iron section roads of today.

We will observe the advent of the railroad and we will ponder the impact it had upon our regional landscape. We will understand why so many small towns, that today are little more than "wide spots in the road," came to be.

We will consider the marketable wealth of our region and see that we have long provided America with commodities for her development.

And finally, at the conclusion of the first section of this study, we will pause to look back to the first map of our area and we will compare it with a map from 1917. We will understand that the proliferation of automobiles and our people's subsequent mobility changed the social and economic pattern of our landscape.

All of these stories have been told so often that they are almost clichés, but we will be telling, for ourselves, the stories with place names we recognize.

Because of this our stories will have a more significant meaning . . . to us, and we will understand, as never before, how deep grow our roots in Mid-Iowa's soil.

In the second section of this study we will read individual county histories from one hundred years ago and we will come to understand a little better why our region appears as it does today.

The third section is very important. Certainly, it is the most important part of this study, for in it, we speak. We fellow Mid-Iowans tell each other of what we think is significant in our history. Be it a wash house, depot, forgotten town, a ditcher that drained the sloughs, an immigrant's first premanent home, or an industrialist's mansion, we will be telling the world of our values.

All through the progress of this study we must remind ourselves that probably "only part of it is actual fact." We all, with the rosy glasses of nostalgia, see what we look for when we look back. The only danger in that is that we may forget that we aren't seeing it all. We must remember that there were as many failures as successes back then, just as now. We must be wise enough to recognize for ourselves a bad example and learn to use it as an example, of how not to do something.

Looking "forward into the past" we should be able to derive a keen sense of orientation for future Mid-Iowa developments. If we see how a problem was solved, we can individually judge the solution's success and modify its application to similar problems in our own lives.

It is for this heightened awareness that this study is being done. Each of us who worked within it, and each of us who now studies it, has the right, by virtue of residence, to share and amplify the values which make us Mid-Iowans.

We will look at over five hundred locally significant historic sites and features. Each of them is significant or they would not be a part of this study. Each site was inventoried by a Mid-Iowan and represents an expression of that individual's values. Collectively they coalesce to become an expression of our "mutual identity."

We should remember, as we read this study, that it barely skims the surface of our past. So much more is yet to be discovered and discussed that many lifetimes will be required for definitive clarity. Perhaps such clarity may never even come to realization, but each of us, through our individual and mutual efforts, has contributed to a greater understanding of "who we are" because we have studied "the way we were." From such an encounter with our past, no matter how brief or superficial, we understand better how we can become "the way we want to be."

The real understanding that this study will hopefully promote will be an individual one, held by each of us. But in such individuality we each do share "A Common Beginning."

The fourth and last major section of this study will deal with preservation techniques and their local application. Essentially a potpourri of ideas gleaned from the current mass of data available, these techniques will suggest ways that we can see the most significant of Mid-Iowa's historic features preserved for future gratification.

Not even all of the features recorded in this study can be "saved from the future." Some . . . many, have already been razed. The attrition rate of sites like these is horrifying. In just the year of this study's completion, in excess of five per cent of these recorded sites have been razed or destroyed through modification.

But "pickle-jar-preservation" probably should not be our ultimate goal anyway. The very dynamics of our society wouldn't allow such, even if we wanted it. If, in the retrospect of years to come, we are able to glean from the historic sites of our region ones which relate most fully to our heritage, we will be able to consider ourselves successful.

Finally, this study will close with a list of those to whom the credit for the study's completion is owing. A list of reference sources will be included, and a brief description of the manner in which this study was developed will close the cover on this book. Hopefully, however, we will just have opened a brand new awareness of our inter-related responsibilities.

OUR MID-IOWA

Situated in the center of the Cary Lobe of the Wisconsin Glacier, the six counties of Mid-Iowa possess a landscape unequalled in productive capability. Pushing the soil of the northern states before them, the glaciers of Mid-Iowa's past created a gently undulating topography which came to host a landscape unique to Middle America.

In turn, the prairie vegetation, grasses of varying height, legumes, and wildflowers, created a soil which has gained a world-famous reputation. Timber existed only on the slopes of the river valleys in the days before white civilization. Prairie fires annually managed the native crop of grasses ensuring their continued reproductivity and enriching the soil with their ashes.

From the notes of government land surveys dating from 1832 to 1859, a map of the original condition of Mid-Iowa's landscape has been prepared. While Iowa as a whole was comprised of eighty-five per cent prairie and fifteen per cent forest, Mid-Iowa's landscape was composed of over ninety-five per cent prairie. The oak-hickory, maple-linden, and cottonwood-elm forests covered less than five per cent of the land. And, most of that small forest was concentrated as galleries to the major river valleys.

The stippled pattern on the map illustrates the main impediment to the early development of Mid-Iowa. Accursed from white man's point of view, the marshes and sloughs criss-crossed the landscape, making wonderful wildlife habitat, but making travel arduous and cultivation impossible.

Deer, elk, antelope, buffalo, muskrats, and prairie dogs. Grouse, ducks, geese, cranes, and prairie chickens. Those were the original residents of Mid-Iowa's landscape. The red man's culture existed sporadically from as early as 10,000 B.C. until the early 1850's.

Once possessed by white men, the two million-plus acres of Mid-Iowa underwent considerable metamorphosis. The dry prairies were tilled immediately; the wet prairies and sloughs were drained and then tilled; the prairie fires were stopped; and the forests started to enlarge and develop upon the former prairie. But mostly, a patchwork of crops arranged geometrically on the gentle landscape grew to be harvested for the development of the epitome of agrarian cultures.

One-hundred-and-sixty-acre farms dotted the land. Section line roads carved it into comprehensible squares. Railroads threaded across it. And here and there, and here again, small towns popped up as nodes of culture and commerce and service. . . . communities.

In its history, at least the last 120 years of it, the Mid-Iowan landscape has been changed considerably. Through the benevolence of the gentle prairie landscape Mid-Iowa has become the "heart" of America's Heartland, the "middle" of Middle America.

It is the premise of this study that "while we must live forward, we understand backward." Thus it is that we have looked toward a definition of the original condition of the land, the landscape that greeted the first pioneers, so that we can better understand the happenings of our historic past. As we look to that past's events, the apparent decisions of the first pioneers, we can hopefully integrate representative examples of that past into our present lifestyles.

Achieving a greater understanding of ourselves through careful scrutiny of our beginnings, we may just be better prepared to plan our future . . . Mid-Iowa's future.

MS. ROMA DIANE SKEEN

Mr. FANNIN. Mr. President, Ms. Roma Diane Skeen of our Interior Committee minority staff will be leaving us on September 1 after nearly 4 years of dedicated service. Ms. Skeen came to us from Sweet Briar College where she graduated Phi Beta Kappa with a major in political science with minors in history and economis. She is the only Phi Beta Kappa on our staff and the only one listed in "Who's Who in American Colleges and Universities." She was hired to work on the committee staff after beating out 40 competitors for the job. Ms. Skeen was the only applicant who proved capable of errorless typing, flawless analysis, and impeccable drafting.

She has served members of the committee with competence, dedication, and loyalty. Her work has been primarily related to energy, beginning with the Senate's National Fuels and Energy Policy Study. After the regrettable collapse of that study, due in no way to Ms. Skeen's laudable contributions, she turned her attention to the plethora of disappointing energy bills which have emanated like Topsy from the Interior Committee. Her insightful biweekly reports on the status of energy bills have become widely recognized on Capitol Hill and elsewhere in the energy community as highly authoritative and predictively accurate. Some of the Nation's leading and most powerful journalists have consulted her regularly to obtain an explanation of the many and complex political machinations associated with the various and sundry energy bills being handled in committee and on the floor.

Additionally, Ms. Skeen, while devoting her full time and attention to committee work, has taken on a complete load of night classes at the Georgetown University Law School, where she is doing rather well.

Mr. President, we will miss Ms. Skeen. We are grateful for her devoted service and we wish her the very best as she leaves us to forge a new and challenging career.

ADDRESS BY ALEKSANDR SOLZHENITSYN

Mr. HELMS. Mr. President, the visit of Aleksandr Solzhenitsyn has left the United States with much food for thought. His criticism of the foreign policy of the Western nations, including those of the United States, have given us fresh insight and deeper understanding of the impact which those policies have in the captive nations of the East. Of the three major speeches he made in the United States, his speech in New York City on July 9, goes into the most detail on current affairs. We have grown accustomed to ignoring the content of communism in the tyrannical regimes with which we so blithely make deals and concession.

As Solzhenitsyn said:

> I think it isn't only a question of the disguises which Communism has assumed in the last decades. It's rather that the essence of Communsim is quite beyond the limits of human understanding. It's hard to believe that people could actually plan such things and carry them out. And precisely because its essence is beyond comprehension, Communism is so difficult to understand.

We have Solzhenitsyn to thank for helping to enlighten us, and his address should go upon the permanent record of our transactions here in this Chamber.

Mr. President, I ask unanimous consent that the address of Aleksandr Solzhenitsyn of July 9 in New York City be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMUNISM: A LEGACY OF TERROR

(By Aleksandr I. Solzhenitsyn)

Is it then possible or impossible to transmit the experience of those who have suffered to those who have yet to suffer? Can one part of humanity learn from the bitter experience of another or can it not? Is it possible or impossible to warn someone of danger?

How many witnesses have been sent to the West in the last 60 years? How many waves of immigrants? How many millions of persons? They are all here. You meet them every day. You know who they are: if not by their spiritual disorientation, their grief, their melancholy, then you can distinguish them by their accents by their external appearance. Coming from different countries and without consulting with one another, they have brought to you exactly the same experience; they tell you exactly the same thing: they warn you of what is already happening, what has happened in the past. But the proud skyscrapers stand on, point to the sky and say: it will never happen here. This will never come to us. It's not possible here.

It can happen. It is possible. As a Russian proverb says: "When it happens to you, you'll know it's true."

But do we really have to wait for the moment when the knife is at our throats? Couldn't it be possible, ahead of time, soberly to assess the worldwide menace that threatens to swallow the whole world? I was swallowed myself. I have been in the dragon's belly, in the red burning belly of the dragon. He wasn't able to digest me. He threw me up. I have come to you as a witness to what it's like there, in the dragon's belly.

It's an astonishing phenomenon that communism has been writing about itself in the most open way—in black and white—for 125 years. And even more openly, more candidly in the beginning. The Communist Manifesto, for instance, which everyone knows by name, and which almost no one ever takes the trouble to read, contains even more terrible things than what has actually been done. It's perfectly amazing. The whole world can read, everyone is literate, but somehow no one wants to understand. Humanity acts in such a way as if it didn't understand what communism is, and doesn't want to understand, is not capable of understanding.

I think it isn't only a question of the disguises which communism has assumed in the last decades. It's rather that the essence of communism is quite beyond the limits of human understanding. It's hard to believe that people could actually plan such things and carry them out. And precisely because its essence is beyond comprehension, communism is so difficult to understand.

In my last address in Washington I spoke a great deal about the Soviet state system, how it was created and what it is today. But it's perhaps more important to discuss with you the ideology that inspired the system, that created it, and that still governs it. It's much more important to understand the essence of this ideology, and above all its legacy which hasn't changed at all in 125 years. It hasn't changed since the day it was born.

That Marxism is not a science is something which is entirely clear to intelligent people in the Soviet Union. It would be a joke to call it some sort of science. Leaving aside the exact sciences, such as physics, mathematics, and the natural sciences, even the social sciences can predict an event—when in what way and how the event might occur. Communism has never made any such forecasts. It has never said where, when, and precisely what is going to happen. Nothing but declamation. Declamations to the effect that the world proletariat will overthrow the world bourgeoisie and the most happy and radiant society will then arise. The fantasies of Marx, Engels and Lenin break off at this point, not one of them goes any further to describe what the society would be like. They simply said: the most radiant, most happy society. Everything for the sake of man.

UNSUCCESSFUL PREDICTIONS

I wouldn't want to enumerate for you all the unsuccessful predictions of Marxism, but I can give a couple. For example, it was claimed that the conditions of the working class in the West would deteriorate steadily, get more and more unbearable until the workers would be reduced to total poverty. (If only in our country we could feed and clothe our working class, provide it with everything and give it as much leisure as you do!)

Or the famous prediction Communist revolutions would all begin in such advanced industrial countries as England, France, America, Germany—that's where communism will begin. (But it worked out exactly the other way, as you know.) Or the prediction that the socialist state wouldn't even exist. As soon as capitalism would be overthrown, the state would at once wither away. (Look about you: where can you see states as powerful as in the so-called socialist or Communist countries?) Or the prediction that wars are inherent only to capitalism. Wars are said to arise only because of capitalism; as soon as communism is introduced, all wars will come to an end. (We have seen enough of this also: in Budapest, in Prague, on the Soviet-Chinese border, in the occupation of the Baltic countries, and when Poland was stabbed in the back. We have seen enough of this already, and we will surely see more yet.)

Communism is as crude an attempt to explain society and the individual as if a surgeon were to perform his delicate operations with a meat-ax. All that is subtle in human psychology and in the structure of society (which is even more delicate); all of this is reduced to crude economic processes. This whole created being—man—is reduced to matter. It's characteristic that communism is so devoid of arguments that it has none to advance against its opponents in our Communist countries. It lacks arguments and hence there is the club, the prison, the concentration camp, and insane asylums with forced confinement.

MARXISM VS. FREEDOM

Marxism has always opposed freedom. I will quote just a few words from the founding fathers of communism, Marx and Engels (I quote from the first Soviet edition of 1929): "Reforms are a sign of weakness" (vol. 23, p. 339); "Democracy is more to be feared than monarchy and aristocracy," (vol. 2, p. 369); "Political liberty is a false liberty, worse than the most abject slavery" (vol. 2, p. 394). In their correspondence Marx and Engels frequently said that after achieving power, terror would be indispensable, that "it will be necessary to repeat the year 1793. After achieving power, we'll be considered monsters, but we couldn't care less" (vol. 25, p. 187).

Communism has never concealed the fact that it rejects all absolute concepts of morality. It scoffs at anl consideration of "good" and "evil" as indisputable categories. Communism considers morality to be relative, to be a class matter. Depending upon circumstances and the political situation, any act, including murder, even the killing of thousands, could be good or could be bad. It all depends upon class ideology. And who defines class ideology? The whole class cannot get together to pass judgment. A handful of people determine what is good and what is bad. But I must say that in this very respect communism has been most successful. It has infected the whole world with the belief in the relativity of good and evil. Many people besides the Communists are carried away by this idea today. Among enlightened people it is considered rather awkward to use seriously such words as "good" and "evil." Communism has managed to instill in all of us that these concepts are old-fashioned concepts and laughable. But if we are to be deprived of the concepts of good and evil, what will be left? Nothing but the manipulation of one another. We will decline to the status of animals.

Both the theory and practice of communism are completely inhuman for that reason. There is a word very commonly used these days: "anti-communism." It's a very stupid word, badly put together. It makes it appear as though communism were something original, something basic, something fundamental. Therefore, it is taken as the point of departure, and anti-communism is defined in relation to communism. Here is why I say that this word was poorly selected, that it was put together by people who do not understand etymology: the primary, the eternal concept is humanity. And communism is anti-humanity. Whoever says "anti-communism" is saying, in effect, anti-anti-humanity. A poor construction. So we should say: that which is against communism is for humanity. Not to accept, to reject this inhuman Communist ideology is simply to be a human being. It isn't being a member of a party. It's a protest of our souls against those who tell us to forget the concepts of good and evil.

But what is amazing is that apart from all their books, communism has offered a multitude of examples for modern man to see. The tanks have rumbled through Budapest. It is nothing. The tanks roar into Czechoslovakia. It is nothing. No one else would have been forgiven, but communism can be excused. With some kind of strange deliberation, as though God wanted to punish them by taking away their reason, the Communists erected the Berlin wall. It is indeed a monstrous symbol that demonstrates the true meaning of communism. For 14 years people have been machine gunned there, and not only those who wanted to leave the happy Communist society. Recently some foreign boy from the western side fell into the Spree River. Some people wanted to pull him out, but the East German border guards opened fire. "No, no, don't save him." And so he drowned; this innocent boy.

Has the Berlin wall convinced anyone? No again. It's being ignored. It's there, but it doesn't affect us. We'll never have a wall like that. And the tanks in Budapest and Prague, they won't come here either. On all the borders of the Communist countries, the European ones in any case, you can find electronic killing devices. These are automatic devices for killing anyone who goes across. But people here say: "That doesn't threaten us either, we are not afraid of that." In the Communist countries they have a developed system of forced treatment in insane asylums. That's nothing. We're living quietly. Three times a day—right at this very moment—the doctors are making their rounds and injecting substances into peoples' arms that destroy their brains. Pay no attention to it. We'll continue to live in peace and quiet here.

There's a certain woman here named Angela Davis. I don't know if you are familiar with her in this country, but in our country, literally for one whole year, we heard nothing at all except about Angela Davis. There was only Angela Davis in the whole world and she was suffering. We had our ears stuffed with Angela Davis. Little children in school were told to sign petitions in defense of Angela Davis. Little boys and girls, 8 and 9 years old in schools, were asked to do this. Well, they set her free. Although she didn't have a rough time in this country, she came to recuperate in Soviet resorts. Some Soviet dissidents—but more important, a group of Czech dissidents—addressed an appeal to her: "Comrade Davis, you were in prison. You know how unpleasant it is to sit in prison, especially when you consider yourself innocent. You now have such authority. Could you help our Czech prisoners? Could you stand up for those persons in Czechoslovakia who are being persecuted by the state?" Angela Davis answered: "They deserve what they get. Let them remain in prison." That is the face of communism. That's the heart of communism for you.

I would particularly want to remind you today that communism develops in a straight line and as a single entity, without altering as people now like to say. Lenin did indeed develop Marxism, but primarily along the lines of ideological intolerance. If you read Lenin, you will be astonished at how much hatred there was in him at the least deviation, whenever some view differed from his by so much as a hair's breadth. Lenin also developed Marxism in the direction of inhumanity. Before the October Revolution in Russia, Lenin wrote a book called "The Lessons of the Paris Commune." There he analyzed why the Paris Commune was defeated in 1871. And his principal conclusion was that the Commune had not shot, had not killed enough of its enemies. It had destroyed too few people, when it was necessary to kill entire classes and groups. And when he came to power, Lenin did just this.

LENINISM VERSUS STALINISM

And then the word Stalinism was thought up. It's a term which became very popular. Even in the West they often say now: "If only the Soviet Union doesn't return to Stalinism." But there never was any such thing as Stalinism. This was contrived by Khrushchev and his group in order to shift onto Stalin all of the characteristics and all the principal defects of communism. It was a very effective move. But in reality Lenin had managed to give shape to all the main aspects before Stalin ever came on the scene. It was Lenin who deceived the peasants about their land. He is the one who deceived the workers about self-management. He is the one who turned the trade unions into organs of oppression. He is the one who created the Cheka, the secret police. He is the one who created the concentration camps. It is he who sent troops out to the border areas to crush any national movements for liberation and to set up an empire.

The only new thing that Stalin did was based on mistrust. Where it would have been enough—in order to instill general fear—to jail two people, he would arrest a hundred. And those who followed Stalin have merely returned to the previous tactic: if it is necessary to send two off to jail, then send two, not a hundred. In the eyes of the party, Stalin's entire guilt lay elsewhere: he did not trust his own Communist Party. Due to this alone the concept of Stalinism was devised. But Stalin had never deviated from the same basic line. They used to sculpt a bas-relief of Marx, Engels, Lenin and Stalin all together; to this one could add Mao Tse-tung, Kim Il Sung, Ho Chi Minh; they are all in the same line of development.

The following theory is also accepted in the West. It is said that China is a sort of purified, puritanical type of communism, one which hasn't been transformed for the worse. But China is simply a delayed phase of that so-called "war communism" established by Lenin in Russia, but which was in force only until 1921. Lenin established it not because the military situation required it, but because this is how they envisioned the future of their society. But when economic pressure required them to retreat, they introduced the so-called New Economic Policy and they retreated. In China this initial phase has simply lasted longer. China is characterized by all the same traits: massive compulsory labor which is not paid in accordance with its value; work on holidays; forced living in communes and the incessant drumming in of slogans and dogmas that abolish the human essence and deny all individuality to man.

What's worst in the world Communist system is its unity, its cohesion. Enrico Belinguer quite recently said that the sun had set on the Comintern. Not at all. It hasn't set. Its energy has been transformed into electricity which is now pulsing through underground cables. The sun of the Comintern today spreads its energy everywhere in the form of high-voltage electricity. Quite recently there was an incident when western Communists indignantly denied that Portugal was operating on instructions from Moscow. Of course, Moscow also denied this. And then it was discovered that those very orders had been openly published in the Soviet magazine "Problems of Peace and Socialism." These were the very instructions that Ponomarev had given. All the seeming differences among the Communist parties of the world are imaginary. All are united on one point: your social order must be destroyed. Why should we be surprised if the world doesn't understand this? Even the socialists, who are the closest to communism, don't understand this themselves. They cannot grasp the true nature of communism. Recently, the leader of the Swedish socialists, Olaf Palme, said that the only way that communism can survive is by taking the path of democracy. That is the same thing as saying that the only way in which a wolf can survive would be to stop eating meat and become a lamb. And yet Palme lives right next door. Sweden is quite close to the Soviet Union. I think that he, and Mitterand, and the Italian socialists will live to the day when they will be in the position that (Portugal's Mario) Soares is in today.

Soares' situation today, by the way, is not yet at its worst. An even more terrible future awaits him and his party. Only the Russian socialists—the Mensheviks and the Socialist Revolutionaries—could have told them of the fate that awaits them. But they cannot tell of it; they are all dead; they've all been killed. Read the Gulag Archipelago for that.

COMMUNISM AND CHRISTIANITY

Of course in the present situation the Communists have to assume various disguises. Sometimes we hear words like the "popular front," at other times "dialogue with Christianity" is brought up. For Communists to have a dialogue with Christianity! In the Soviet Union this dialogue was a simple matter: they used machine guns and revolvers. And today, in Portugal, unarmed Catholics are stoned by the Communists. This happens today. This is dialogue . . . And when the French and the Italian Communists say that they are going to have a dialogue, let them only achieve power and we shall see what this dialogue will look like.

When I traveled to Italy this past April, I was amazed to see hammers and sickles painted on the doors of churches, insults to priests scrawled on the doors of their houses. In general, offensive Communist graffiti cover the walls of Italian cities. This is today, at a time before they have achieved power. This is today . . . When their leaders were in Moscow, Palmiro Togliatti agreed to all of Stalin's executions. Just let them reach power in Italy and we shall see what the dialogue will look like then.

All of the Communist parties, upon achieving power, have become completely merciless. But at the stage before they achieve power, it's necessary to adopt disguises.

We Russians who have had experience with this, find it tragic to see what is going on in Portugal. We were always told, "Well, this happened to you Russians. It's just that you couldn't maintain democracy in your country. You had it for eight months and then it was throttled. That's eastern Europe for you." But look at Portugal, at the very western-most edge of Europe, you can't go further West than Portugal. And what do we see there? We see a sort of caricature, a slightly altered version of what happened in Russia. For us it sounds like a repetition. We recognize what's going on and can make the proper substitutions, placing our socialist in Soares' position.

TRICKS OF COMMUNISM

Or another familiar note: in Russia the Bolsheviks also pursued power under the slogan "All Power to the Constituent Assembly." But when the elections took place, they got 25 percent of the vote. So they dispersed the Constituent Assembly. The Communists in Portugal got 12 percent of the vote. So they made their parliament entirely powerless. What irony: the socialists have won the elections. Soares is the leader of the victorious party. And he has been deprived of his own newspaper. Just imagine: the leader of a victorious party has been stripped of his own newspaper! And the fact that there an assembly has been elected and that it will sit in session has no significance whatever. Yet the western press writes seriously that the first free elections took place in Portugal. Lord save us from such free elections!

Specific instances of duplicity, of trickery, can of course change from one set of circumstances to another. But we recognize the Communist character in the episode when the Portuguese military leaders, who are allegedly not Communists, decided to settle the dispute within the newspaper "Republica" in the following manner. "Come at 12 o'clock tomorrow," they said, "we'll open the doors for you and you settle it all as you see fit." But they opened the doors at 10 o'clock and for some reason only the Communists knew of this, but not the socialists. The Communists entered, burned all the incriminating documents and then the socialists arrived. Ah, yes, it was of course only an error. An accident, they didn't check the time . . .

These are the sort of tricks—and there are thousands—which make up the history of our revolution. There will be many more such incidents in Portugal. Or take the following example: the current military leadership of Portugal, in order not to lose the assistance of the West (they already ruined Portugal, there is nothing to eat, so they need help), have declared, "Yes, we shall keep our multi-party system." And the unfortunate Soares, the leader of the victorious party, now has to demonstrate that he is pleased with this declaration in favor of a multi-party system. But on the same day the same source declared that the construction of a classless society will begin immediately. Anyone who is the least bit familiar with Marism knows that "classless society" implies that there won't be any parties. That is to say, on the very same day they said: there will be a multi-party system and we shall strangle every party. But the former is heard while the latter is inaudible. And everybody repeats only that there will be a multi-party system. This is a typical Communist technique.

Portugal has, in effect, fallen out of NATO today. I hate to be a prophet of doom but these events are irreversible. Very shortly Portugal will already be considered a member of the Warsaw Pact. It is painful to look at this tragic and ironic repetition of Communist techniques at the far ends of Europe, 60 years apart. In the same few months we see the throttling of a democracy which had only just begun to get on its feet.

The question of war is also well elucidated in Communist and Marxist literature. Let me show you how communism regards the question of war. I quote Lenin: "We cannot support the slogan 'Peace' since we regard it as a totally muddled one and a hindrance to the revolutionary struggle." (Letter to Alexandra Kollontai, July 1915) "To reject war in principle is un-Marxist. Who objectively stands to gain from the slogan 'Peace'? In any case not the revolutionary proletariat." (Letter to Alexander G. Shliapnikov, November 1914.) "There's no point in proposing a benign program of pious wishes for peace without at the same time placing at the forefront the call for illegal organization and the summons to Civil War." This is communism's view of war. War is necessary. War is an instrument for achieving a goal.

But unfortunately for communism, this policy ran up against your atomic bomb in 1945. The American atomic bomb. Then the Communists changed their tactics. Then they suddenly became advocates of peace at any cost. They started to convoke peace congresses, to circulate petitions for peace, and the western world fell for this deceit. But the goal, the ideology, remained the same. To destroy your society. To destroy the way of life known in the West.

But with your nuclear superiority, it wasn't possible to do this then. Hence they replaced one concept with another. They said: what is not war is peace. That is to say, they opposed war to peace. But this was a mistake. Only a part of the antithesis opposed to the thesis. Although an open war could not be conducted, they could still carry out their oppressions behind the scene—terrorism. Partisan war, violence, prisons, concentration camps. I ask you: is this peace?

AIM IS DESTRUCTION OF SOCIETY

The diametric opposite of peace is violence. And those who want peace in the world should remove not only war from the world, but also violence. If there is no open war, but there is still violence, that is not peace.

As long as in the Soviet Union, in China, and in other Communist countries there's no limit to the use of violence—and now we find India joining in (it appears that Indira Ghandi has learned a lot from her trip to Moscow; she has mastered these methods very well, and is now adding another 400 million persons to this continent of tyranny)—as long as there is no limit to this use of violence, as long as nothing restrains the use of violence over this tremendous land mass (more than half of humanity), how can you consider yourselves secure?

America and Europe together are not yet, I agree, an island in the ocean—I won't go so far as to say that. But America together with Europe is now a minority, and the process is still continuing. Until society in those Communist countries can keep a check on the government and can have an opinion on what the government does—now it doesn't even have the least idea of what the government is up to—until that time comes the West, and the world generally, has no guarantee at all.

We have another proverb in Russia: "Catch on you will when you're tumbling downhill."

I understand that you love freedom, but in our crowded world you have to pay a tax for freedom. You cannot love freedom just for yourself and quietly agree to a situation where the majority of humanity over the greater part of the globe is being subjected to violence and oppression.

The Communist ideology is to destroy your society. This has been their aim for 125 years and has never changed; only the methods have changed a little. When there is detente, peaceful co-existence, and trade, they will still insist: the ideological war must continue! And what is ideological war? It is a focus of hatred, this is continued repetition of the oath to destroy the western world. Just as, once upon a time in the Roman Senate, a famous speaker ended every speech with the statement: "Furthermore, Carthage must be destroyed," so today, with every act—detente, trade, or whatever—the Communist press, acting on secret instructions, sends out thousands of speakers who repeat: "Furthermore, capitalism must be destroyed."

I understand, it's only human that persons living in prosperity have difficulty understanding the necessity of taking steps—here and now, in a state of prosperity—to defend themselves. That even in prosperity one must be on guard.

But if I were to enumerate all the treaties that have been violated by the Soviet Union, it would take me another whole speech. I understand that when your statesmen sign some treaty with the Soviet Union or China you want to believe that it will be carried out. But the Poles who signed a treaty in Riga in 1921 with the Communists also wanted to believe that the treaty would be carried out, and they were stabbed in the back. Estonia, Latvia and Lithuania, who signed treaties of friendship with the Soviet Union, also wanted to believe that they would be carried out, but these countries were all swallowed.

And the persons who sign these treaties with you now—these very men and no others—at the same time give orders for persons to be confined in mental hospitals and prisons. Why should they be different? Do they have any love for you? Why should they act honorably and nobly toward you while they crush their own people? The advocates of detente have never yet explained this.

SOVIETS STUDY U.S.

You want to believe and you cut down on your armies. You cut down on your research. There used to be an Institute for the Study of the Soviet Union—at least there was one. (You know nothing about the Soviet Union. It's dark over there. These searchlights don't penetrate that far.) Knowing nothing, you eliminated the last genuine institute which actually could study this Soviet society, because there wasn't enough money to support it. But the Soviet Union is studying you. You are all wide open here, through the press and Congress. And they study you even more, increasing the size of their staffs. They follow what's going on in your institutions. They visit the buildings when they can; they even visit congressional committees; they study everything.

Of course, peace treaties are very attractive to those who sign them. They strengthen one's prestige with the electorate. But the time will come when the names of these public figures will be erased from history. Nobody will remember them any longer, but the western peoples will have to pay heavily for these over-trusting agreements.

Is it only a question of showing that detente is needed today, here and now? No. We have theoreticians who look very far into the future. The director of the Russian Institute of Columbia University, Marshall Shulman, at a meeting of the Senate Foreign Relations Committee, depicted a radiant long-range future, stating that detente would ultimately lead to cooperation between the United States and the USSR in the establishment of a world order. But what sort of new order, in cooperation with insatiable totalitarianism, does this professor want to see established? It won't be your order in any case.

But the principal argument of the advocates of detente is well-known: all of this must be done to avoid a nuclear war. But after all that has happened in recent years, I think I can set their minds at ease, and your minds at ease as well: there will not be any nuclear war. What for? Why should there be a nuclear war if for the last 30 years they have been breaking off as much of the West as they wanted—piece after piece, country after country and the process keeps going on. In 1975 alone four countries were broken off. Four—three in Indochina plus India, the process keeps going on, and very rapidly, too. One should be aware of how rapid the tempo is. But let us assume that ultimately the western world will understand and say, "No, not one step further." What will happen then?

Let me direct your attention to the following fact. You have theoreticians who say: "The U.S. must stop the process of nuclear armament. We have enough already. Today America has enough nuclear weapons to destroy the other half of the world. Why should we need more than that?" Let the American nuclear specialists reason this way if they want, but for some reason the nuclear specialists of the Soviet Union—and for some reason the leaders of the Soviet Union—think differently. Ask your specialists! Leave aside their superiority in tanks and airplanes—where they surpass you by a factor of four, five or seven. Take the SALT talks alone: in these negotiations your opponent is continually deceiving you. Either he is testing radar in a way which is forbidden by the agreement; or he is violating the limitations on the dimensions of missiles; or he is violating the limitations on their destructive force; or else he is violating the conditions on multiple warheads.

As the proverb says, "Look before you leap, or you will have bruises to keep."

At one time there was no comparison between the strength of the U.S.S.R. and yours. Then it became equal to yours. Now, as all recognize, it is becoming superior to yours. Perhaps today the ratio is just greater than equal, but soon it will be 2 to 1. Then 3 to 1. Finally it will be 5 to 1. I'm not a specialist in this area, and you're not specialists either, I suppose, but this can hardly be accidental. I think that if the armaments they had before were enough, they would not have driven things further. There must be some reason for it. With such a nuclear superiority it will be possible to block the use of your weapons, and on some unlucky morning they will declare: "Attention. We're marching our troops to Europe, and if you make a move, we will annihilate you." And this ratio of 3 to 1, or 5 to 1 will have its effect: you will not make a move. Indeed, theoreticians will be found to say, "If only we can have that blessed silence . . ."

To make a comparison with chess, this is like two players who are sitting at a chess board, one of whom has a tremendously high opinion of himself and a rather low opinion of his opponent. He thinks that he will, of course, outplay his opponent. He thinks he is so clever, so calculating, so inventive, that he will certainly win. He sits there, he calculates his moves. With these two knights he will make four forks. He can hardly wait for his opponent to move. He's squirming on his chair out of happiness. He takes off his glasses, wipes them, and puts them back on again. He doesn't even admit the possibility that his opponent may be more clever. He doesn't even see that his pawns are being taken one after the other and that his castle is under threat. It all seems to him, "Aha, that's what we'll do. We'll set Moscow, Peking, Pyongyang, Hanoi one against the other."

TURNING POINT OF WORLD HISTORY

But what a joke! No one will do any such thing! In the meantime, you've been outplayed in West Berlin, you've been very skillfully outplayed in Portugal. In the Near East you're being outplayed. One shouldn't have such a low opinion of one's opponent.

But even if this chess player were able to win the game on the board, carried away by the play, he forgets to raise his eyes; he forgets to look at his opponent and doesn't see that he has the eyes of a killer. And if the opponent cannot win the game on the board, he will take a club from behind his back and shatter the skull of the other chess player, winning the game in that way. This very calculating chess player also forgets to raise his eyes to the barometer. It has fallen. He doesn't see that it's already dark outside, that the clouds are coming on, that a hurricane is rising. That's what it means to be too self-confident in chess.

In addition to the grave political situation in the world today, we are witnessing the emergence of a wholly new situation, a crisis of unknown nature, one completely different, one entirely non-political. We're approaching a major turning point in world history, in the history of civilization. It can be seen in various areas by various specialists. I could compare it only with the turning point from the Middle Ages to the modern era, a whole shift of civilizations. It is a turning point at which settled concepts suddenly become hazy, lose their precise contours, at which our familiar and commonly used words lose their meaning, become empty shells, at which methods which have been reliable for many centuries no longer work. It's the sort of turning point at which the hierarchy of values to which we are dedicated all our lives, which we use to judge what is valuable and what is not, and which causes our lives and our hearts to beat, is starting to waver and may perhaps collapse.

And these two crises: the political crisis of today's world and the oncoming spiritual crisis, are occurring at the same time. It is our generation that will have to confront them. The leadership of your country, which is entering the third century of your national existence, will perhaps have to bear a burden greater than ever before seen in the whole of American history. Your leaders during this time (which is so near) will need profound intuition, spiritual foresight, high qualities of mind and soul. May God grant that in those times you will have at the helm in this country personalities as great as those who created your country.

In recent weeks, when traveling through various of your states, I of course felt that these two cities in which I have made my addresses—Washington and New York—are far from reflecting your country as a whole, with its tremendous diversity and all of its possibilities. Just as old St. Petersburg did not express the whole of Russia, just as Moscow does not reflect the Soviet Union today, and just as Paris more than once abused its claim to represent all of France.

I was profoundly impressed by my contact with those places which are, and have always been, the wellsprings of your history. It really makes one think: the men who created your country never lost sight of their moral bearings. They did not laugh at the absolute nature of the concepts of "good" and "evil." Their practical policies were checked against that moral compass. And how surprising it is that a practical policy computed on the basis of moral considerations turned out to be the most far-sighted and the most salutary. Even though in the very short term one wonders: why all this morality? Let's just get on with the immediate job.

SPIRITUAL LIBERATION OF USSR

The leaders who created your country never said: "Let slavery reign right next door, and we will enter into detente with this slavery, so long as it doesn't come over to us."

I have traveled enough through the different states of your country and in its various regions to have become convinced that the American heartland is healthy, strong and broad in its outlook. I am convinced that these healthy, generous and inexhaustible forces will help you to elevate the whole style of your government leadership.

Yet, when one travels in your country and sees your free and independent life, all the dangers which I talked about today indeed seem imaginary. I've come and talked to people, and I see this is so. In your wide open spaces even I get a little infected. The dangers seem a little imaginary. On this continent it is hard to believe all the things which are happening in the world. But, gentlemen, this carefree life cannot continue in your country or in ours. The fates of our two countries are going to be extremely difficult, and it is better to prepare for this beforehand.

I understand, I sense that you're tired. You're fatigued, but you have not yet really suffered the terrible trials of the 20th century which have rained down on the old continent. You're tired, but not as tired as we are, lying crushed to the ground for 60 years. You're tired, but the Communists who want to destroy your system aren't tired; they're not tired at all.

I understand that this is the most unfavorable time to come to this country and to make this sort of address. But if it were a favorable time, if it were an appropriate time, there wouldn't be any need for me to speak.

Precisely because this is the worst possible time I have come to tell you about our experience over there. If our experience in the East could flow over to you by itself, it wouldn't be necessary for me to assume the unpleasant and inappropriate role of orator. I am a writer, and I would prefer to sit and write books.

But a concentration of world evil, of hatred for humanity is taking place and it is fully determined to destroy your society. Must you wait until it comes with a crowbar to break through your borders, until the young men of America have to fall defending the borders of their continent?

After my first address, as always, there were some superficial comments in the newspapers which did not really get to the essence. One of them was as follows: that I came here with an appeal to the United States to liberate us from communism. Anyone who has at all followed what I have said and written these many years, first in the Soviet Union and now in the West, will know that I've always said the exact opposite. I have appealed to my own countrymen—those whose courage has failed at difficult moments, and who have looked imploringly to the West—and urged them: "Don't wait for assistance, and don't ask for it; we must stand on our own feet. The West has enough troubles without us. If they support us, many thanks. But to ask for it, to appeal for it—never."

I said the last time that two processes are occurring in the world today. One is a process of spiritual liberation in the USSR and in the other Communist countries. The second is the assistance being extended by the West to the Communist rulers, a process of concessions, of detente, of yielding whole countries. And I only said: "Remember, we have to pull ourselves up—but if you defend us you also defend your own future."

We are slaves there from birth. We are born slaves. I'm not young anymore, and I myself was born a slave; this is even more true for those who are younger. We are slaves, but we strive for freedom. You, however, were born free. If so, then why do you help our slave owners?

In my last address I only requested one thing and I make the same request now: when they bury us in the ground alive—I compared the forthcoming European agreement with a mass grave for all the countries of East Europe—as you know, this is a very unpleasant sensation: your mouth gets filled with earth while you're still alive—please do not send them shovels. Please do not send them the most modern earth-moving equipment.

By a peculiar coincidence the very day when I was giving my address in Washington, Mikhail Suslov was talking with your senators in the Kremlin. And he said, "In fact, the significance of our trade is more political than economic. We can get along without your trade." That's a lie. The whole existence of our slave owners from beginning to end relies on western economic assistance. As I said the last time, beginning with the first spare parts used to reconstruct our factories in the 1920s, from the construction in Magnitostroy, Dneprostroy, the automobile and tractor factories built during the first five-year plans, on into the postwar years and to this day, what they need from you is economically absolutely indispensable—not politically, but economically absolutely indispensable—to the Soviet economy has an extremely low level of efficiency. What is done here by a few people, by a few machines, in our country takes tremendous crowds of workers and enormous masses of materials. Therefore, the Soviet economy cannot deal with every problem at once; war, space (which is part of the war effort), heavy industry, light industry, and at the same time the necessity to feed and clothe its own population. The forces of the entire Soviet economy are concentrated on war, where you won't be helping them. But everything which is lacking, everything which is needed to fill the gaps, everything which is necessary to feed the people, or for other types of industry, they get from you. So indirectly you are helping them to rearm. You're helping the Soviet police state.

To get an idea how clumsy the Soviet economy is, I'll give you the following example: What kind of country is it, what kind of great power, which has tremendous military potential, which conquers outer space, but has nothing to sell? All heavy equipment, all complex and delicate technology, is purchased abroad. Then it must be an agricultural country? Not at all; it also has to buy grain. What then can we sell? What kind of economy is it? Can we sell anything which has been created by socialism? No! Only that which God put in the Russian ground at the very beginning, that's what we squander and that's what we sell. What we got from God in the first place. And when all this will come to an end, there won't be anything left to sell.

DON'T HELP SOVIET ECONOMY

The president of the AFL–CIO, George Meany, has quite rightly said that it is not loans which the United States gives to the Soviet Union, it is economic assistance. It's foreign aid. It's given at a level of interest that is lower than what American workers can get for their home mortgages. That is direct aid.

But this is not all. I said in my last address and would like to repeat it again, that we have to look at every event from the other point of view—from the point of view of the Soviet Union. Our country is taking your assistance, but in the schools they're teaching and in the newspapers they are writing and in lectures they are saying, "Look at the western world, it's beginning to rot. Look at the economy of the western world, it's coming to an end. The great predictions of Marx, Engels and Lenin are coming true. Capitalism is breathing its last. It's already dead. And our socialist economy is flourishing. It has demonstrated once and for all the triumph of communism." I think, gentlemen, and I particularly address those of you who have a socialist outlook, that we should at last permit this socialist economy to prove its superiority. Let's allow it to show that it is advanced, that it is omnipotent, that it has defeated you, that it has overtaken you. Let us not interfere with it. Let us stop selling to it and giving it loans. If it's all that powerful, then let it stand on its own feet for 10 or 15 years. Then we will see what it looks like. I can tell you what it will look like. I am being quite serious now. When the Soviet economy will no longer be able to deal with everything, it will have to reduce its military preparations. It will have to abandon the useless space effort and it will have to feed and clothe its own people. And the system will be forced to relax.

Thus, all I ask you is that as long as this Soviet economy is so proud, so flourishing, and yours is so rotten and so moribund—stop helping it then. Where has a cripple ever helped along an athlete?

Another distortion appeared in your press with respect to my last address. Someone wrote that "one more advocate of the Cold War has come here. One more person has arrived to call on us to resume the Cold War." That is a misunderstanding. The Cold War—the war of hatred—is still going on, but only on the Communist side. What is the Cold War? It's a war of abuse and they still abuse you. They trade with you, they sign agreements and treaties, but they still abuse you, they still curse you. In sources, which you can read, and even more in those which are unavailable to you, and which you don't hear of, in the depths of the Soviet Union, the Cold War has never stopped. It hasn't stopped for one second. They never call you anything but "American imperialists." One day, if they want, all the Soviet newspapers could say that America wants to subjugate the world and our people would have nowhere to get any other information. Do I call upon you to return to the Cold War? By no means, Lord forbid! What for? The only thing I'm asking you to do is to give the Soviet economy a chance to develop. Do not bury us in the ground, just let the Soviet economy develop, and then let's see.

But can the free and varied western system follow this policy? Can all the western countries together say: "It's true, let us stop competing. Let us stop playing up to them. Let us stop elbowing each other and clamoring, 'Me, me, let me have a concession, please give it to me' . . ." It's very possible that this could not be done. And if this sort of unity cannot be achieved in the West, if, in the frenzied competition of one company, with another they will continue to rush in loans and advanced technology, if they will present earth-moving equipment to our gravediggers, then I'm agraid that Lenin will turn out to have been right. He had said: "The bourgeoisie will sell us rope, and then we shall let the bourgeoisie hang itself."

In ancient times trade would begin with the meeting of two persons who had come out of a forest or had arrived by sea. They would show one another that they didn't have a stone of club in their hand, that they were unarmed. And as a sign of this each extended an open hand. This was the beginning of the hand clasp. Today's word "detente" literally means a reduction in the tension of a taut rope. (What an ominous coincidence: A rope again!)

So "detente" means a relaxation of tension. But I would say that what we need is rather this image of the open hand. Relations between the Soviet Union and the United States of America should be such that there would be no deceit in the question of armaments, that there would be no concentration camps, no psychiatric wards for healthy people. Relations should be such that the throats of our women would no longer be constricted with tears, that there would be an end to the incessant ideological warfare waged against you, and that an address such as mine today would in no way be an exception.

People would simply be able to come to you from the Soviet Union, from China, and from other Communist countries and would be able to talk freely, without any tutoring from the KGB, without any special approval from the Central Committee of the Party. Rather, they would simply come of their own accord and would tell you the truth about what is going on in these countries.

This would be, I say, a period in which we would be able to present "open hands" to each other.

"60 MINUTES" AND THE WELFARE MESS

Mr. BUCKLEY. Mr. President, the Columbia Broadcasting System's "60 Minutes" program shown on Sunday, July 13, 1975, contained an admirable study of welfare problems. The study dealt with, in Mike Wallace's words, "proliferating programs, administrative foulups, welfare fraud, welfare cheats." Although "the Welfare Mess" focused on problems of welfare in the State of Massachusetts, much of what was reported about welfare fraud and other abuses applies to many States and cities in our Nation.

Anyone watching that program could not fail to come away with a feeling of dismay over the current welfare situation in this Nation. Since I believe that "the Welfare Mess" was an important contribution to our national understanding of welfare, I commend it to the attention of all my colleagues and ask unanimous consent it be printed in the RECORD.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

THE WELFARE MESS

("60 Minutes"—broadcast over CBS, July 13, 1975)

With CBS News Correspondents Morley Safer and Mike Wallace.

MIKE WALLACE. Thirty-five billion dollars—that is the price tag for welfare in this country for this year. It has tripled since 1970. Twenty-five million Americans are on Medicaid; eighteen million get food stamps; eleven million receive money as aid to families of dependent children; and there is much more, Federal, state and local. And so, the welfare mess. Proliferating programs, administrative foul-ups, welfare fraud, welfare cheats.

In Massachusetts, a liberal Democratic Governor is trying to do something about it. He has proposed a state budget that cuts welfare by over $300-million. He wants able-bodied employables off welfare. He wants to cut cost-of-living increases for welfare mothers. We went to Boston to take a look at the Massachusetts welfare mess.

In this bank of computers, the names of more than a million people—one out of every six people who live in Massachusetts—men, women and children who are on some form of public dole, from food stamps to general relief to Medicaid. Fifteen thousand welfare checks a day are spewed out of this room in a crazy quilt of assistance programs that have grown like topsy through the years until, says Massachusetts Governor Michael Dukakis the cost of welfare threatens to break his state's financial back.

Gov. MICHAEL DUKAKIS (Dem., Massachusetts). It's very serious. The welfare budget is escalating very rapidly. We were informed by the outgoing Welfare Commissioner that, unless we did something, the welfare budget for the coming year would be half-a-billion dollars more than our welfare budget this year. That half-a-billion dollars is more than our budget for higher education and mental health combined. We can't sustain that kind of a burden, Mike.

WALLACE. Unemployment in Massachusetts now stands at 12%. The economic slump has got a potential death grip on the State's budget. More and more people on welfare, and not enough tax money coming in to pay the bills. So, Dukakis preaches austerity, and practices some of it himself. He got rid of his official limousine, and takes the subway to work instead; cut back his office staff; ordered State agencies to slash expenses by ten percent. But the major focus of his cost-cutting is on welfare. He's insisting on more rigorous administration, cutting back on benefits; and says he is determined to get rid of welfare cheats.

One of the groups who would be hardest hit by Dukakis' welfare changes are the people in this line—men and women collecting about $40 a week on general relief. If Governor Dukakis has his way, every one here who's single and employable would be cut from the welfare rolls. Despite the 12% unemployment rate in Massachusetts, Dukakis vows there are jobs available; but these people on the relief line say that's not so.

MAN. I'm a heavy equipment operator by trade, but I can't get a job.

WALLACE. Would you want to do hospital work, chambermaid or housework?

WOMAN. Well, anything right now would do, because I can't find nothing at all.

MAN. Right now there's no jobs. I want to work.

WALLACE. And there's just nothing available in the City of Boston? You've looked?

WOMAN. Yep.

WALLACE. When a welfare recipient comes here to the D.E.S.—the Division of Employment Security—to pick up his check, he's supposed to be directed to available jobs. If he doesn't take one of those jobs, he's thrown off the rolls. That's the theory. But there's so much confusion, so much paperwork, and so little staff here at the D.E.S. that there is no one available to match these unemployed people with employers who have jobs for them. So, people on relief just sign in, pick up the checks and leave. Joe Walsh has seen it all. He is the regional head of the D.E.S. in Boston.

There are jobs in the State of Massachusetts?

WALLACE. Going begging?

JOE WALSH. There are.

WALSH. Going begging.

WALLACE. Not being filled because——?

WALSH. Not being filled because there are no takers.

WALLACE. People would rather be on the roll?

WALSH. It would appear that way.

WALLACE. And you're sure of what you're saying?

WALSH. Positive.

WOMAN. Hi.

MAN. Hi.

WOMAN. What kind of work would you like, and what—what can we do for you as far as, you know, a position?

MAN. Well, anything that basically is paying enough so I can make a living, a decent living.

WOMAN. Okay . . .

WALLACE. To back up his claim, Joe Walsh cites what happened recently when the D.E.S. brought in four extra workers to do nothing but match people on relief with available jobs. The result? One out of six people on relief refused jobs or job counselling point-blank. Of those who said, okay, they'd go out to see about a specific opening, more than half either didn't show up at the employer's office or refused work once they got there.

WOMAN. Huh? You already filled it? How about—Any chances for work on—probably in the same line in the near future, or is it hard to predict?

WALLACE. The fact is, though generally they are very tough to come by, there are some jobs available in Boston—some menial, some semiskilled, some that require a lot of hustle, like driving a cab.

Only two blocks from the D.E.S. office is the Checker Cab Company, which says it has 150 jobs every day. It's not the safest job, but the man who does the hiring, Barry Sullivan, says a driver can take home at least $120 a week.

You have 150 jobs and can't fill them?

BARRY SULLIVAN. That's right.

WALLACE. Now, the D.E.S. office is just two blocks away from here?

SULLIVAN That's right.

WALLACE. Well, don't they refer people who—who are out of work—work to you here?

SULLIVAN. They refer probably 30–40 people during the course of two weeks; and out of the 30 or 40, maybe two or three show.

WALLACE. They just don't come over?

SULLIVAN. No. They don't show up.

DRIVER. The Government is supporting these people. Why should they work?

WALLACE. Talk to a group of Checker Cab drivers who've just come in from a tough ten hours on the Boston streets, and you get a feeling for the cynicism about welfare, including many misconceptions that you hear all across the country.

DRIVER. When you go down to the department stores, they go in with welfare checks, gee, they buy the best items in the place. Any girl who works down there will tell you that.

DRIVER. Throw your calendar away, and you could tell when it's the first and the fifteenth at any horse—horse track and the dog track in this City, because it's jammed—and 95% of the people that are there are on welfare on those two days, when their checks come.

WALLACE. Well, what's wrong with welfare? Is it— Is it—Is there something criminal about it?

DRIVER. No, it's not criminal. It's just——

DRIVER. No, no.

DRIVER. It's easier than working.

DRIVER. I know maybe two or three people that are—are collecting under two names.

DRIVER. Sure.

DRIVER. And there's plenty of cab drivers out there who—who take welfare and—and get paid under the table. But——

WALLACE. Wait a minute. Not that anybody's going to tell me, but is there anybody in this room who drives a cab who is also on welfare?

DRIVER. Yes.

WALLACE. Yes?

DRIVER. I was.

WALLACE. While we were at the cab company, we ran into a fellow we'd seen earlier picking up his relief check. He'd come here to go to work. He told us he'd had another cab driving job earlier, but continued picking up his welfare check at the same time, and that he'd also failed to report the money his parents had been sending him regularly from New Jersey. He said the welfare worker hadn't asked him any of this when he signed up for relief.

DRIVER. He showed me—There was a group of papers, so I signed them, you know. And he asked me, "What—Do you want food stamps?" So I said, "Yes." And that was it.

WALLACE. The fact is it's pretty easy——

DRIVER. It's too damn easy.

WALLACE. —to rip off the system.

Driver. Sure. Everybody else is doing it, you know. Why not?

Wallace. You're going to pick up your last welfare check tomorrow?

Driver. Yes. Why not?

Wallace. $83.20. No sweat?

Driver. No. Very easy.

Wallace. Take it across the street——

Driver. First National City Bank, right across the street on the corner.

Wallace. Cash it?

Driver. Yeah.

Wallace. Go on about your business?

Driver. That's it. This is the last one, though, thank God. [Laughs]

Wallace. But it wasn't the last one. Two weeks later, we learned, he was back to get another relief check, and he is still driving a cab.

Outside that D.E.S. office, you can run into some fairly candid talk about welfare rip-offs from people who are doing it themselves.

Man. I swear to God I'm pulling in over twenty grand a year, and this is—this is no bull——

Wallace. You pull in how much?

Man. Over twenty grand a year.

Wallace. On welfare and cash?

Man. Yeah, I drive around in a brand new car, a brand new Oldsmobile, and I—I collect unemployment. I have been for the last year. My wife's been collecting welfare. They don't know it.

Wallace. This man and his wife are playing one of the oldest welfare games. In order to collect welfare payments, his wife told the welfare agency that she had been deserted by her husband. In fact, her husband had signed up for unemployment insurance, and he continued to live at home.

When you add it all—all together, you get unemployment of ninety-five bucks a week?

Man. Yeah.

Wallace. Your wife gets——

Man. $130.75 every two weeks, plus $100 every three months, plus the food stamps.

Wallace. And you make money on the side in cash?

Man. Yes. I—Like I worked yesterday. I—I put in a watch, as I told you. I made a C-note for the day.

Wallace. You made $100 yesterday in cash—and you don't even have to pay your own taxes on that.

Man. Believe me, 90% of these people in here has got something on the side. You can't live off $38 a week. I can't even—You—That—That won't even run the gas in my car.

Wallace. So, you rip off the system, they rip off the system—and can you imagine why people are mad about welfare?

Man. I know it.

Wallace. And you used to be mad about welfare when you were working and paying your taxes.

Man. I used to say the same thing, right. But I've got it all back. [Laughs.]

Wallace. You got all your taxes back.

Man. Every penny of it.

Wallace. In the middle of this conversation, a taxicab pulled up in front of the welfare office and a new recipient got out.

Sir?

Man. Yes?

Wallace. How—You're on welfare?

Man. Yes, I am.

Wallace. And yet, you take a cab?

Man. No, I just came out of prison. Right now, see, I came out of jail. I just got out of jail.

Wallace. You just got out of jail?

Man. Yeah.

Wallace. But you take a cab to the welfare office?

It's been labeled the welfare mess, and the fact is that the welfare system in Massachusetts, and much of the country, is so overloaded, so confused, that just about anyone who wants to, it seems, can rip the system off.

One of the busiest offices of the Massachusetts welfare system is this Roxbury Crossing welfare office. They handle as many as 16,000 welfare cases here: food stamps, aid to families of dependent children, general relief. The social workers here say they are bending under the load. Each one of them handles up to 175 welfare families. The upshot? Money handed out week after week with nobody checking to see if the recipient is still eligible or not. Face-to-face meetings between welfare workers and their clients often take place only once a year, though Federal and state guidelines say they should take place every few months. The welfare worker drowns in a torrent of paper, an incredible welter of forms, regulations, guidelines—confusing, contradictory. So that these over-worked and under-paid (often inexperienced) young social workers can't help making mistakes. The record shows errors in almost half of all the welfare payments in Massachusetts: a quarter of the cases are paid too much; 11% are paid too little; and 11% are strictly speaking not eligible for welfare payments at all. If these figures stun you, be advised the rate of error nationwide is not much better.

Once a month, the welfare workers at the Roxbury Crossing office meet to hear about new regulations and to air their gripes. They invited us to listen to what was on their minds.

Man. It's a necessary thing. Welfare is the best thing in the world, used right. There's nothing better than welfare. Giving a helping hand is a very important thing to a human being.

Wallace. Well, how did it get into the mess it apparently is in?

Man. Well, due to the fact that there's the rip-off artists that got to take advantage even of poverty.

Wallace. The American people—220-million of them—out there watching this are going to say: Look, I pay my taxes, I try to do what's right and so forth, and I know, I believe, that I'm getting ripped off by—by people on welfare. How much of that—Honest to God, you people know better than anybody else. How much of that belief is true?

Man. If I lived in a project—okay?—and I only got two hundred or three hundred dollars a month, and I had the chance to go out and better myself and earn some extra income and know that the system, which is at fault, would not be checking on me, I'd sure as hell do it. And I know anybody else in the room who had this situation would probably—would do the same thing.

Man. Everybody wants to get out, but you have no place to send them. There's no place for these people to go, you tell—so you tell them you can't help them. So what do they do? One lady comes in and she says, "I need emergency assistance for furniture." I come to her house, and I see she needs the furniture, and I put in for it and she gets it. Then a month later, I find out—find out she sold the furniture so she could get out of that project, so she could move to Florida and get out of that stinking project. And that's the kind of fraud that goes on.

Woman. Well, that's a very tiny percent, contrary to what the newspapers seem to imply, and you never hear in the newspapers about the people, the day-by-day people, who are very honest. I mean, I used to have clients call me to tell me they had a lunch job as a lunch mother in a school for two hours.

Woman. Why are we so concerned about somebody that's make—getting $3,000 a year and may make an extra hundred? I mean, why are we so worried about that hundred bucks?

Woman. Because they're easy to attack. They have no clout.

Woman. How true.

Man. Doesn't the whole country need a certain reform, you know?

Woman. Right.

Man. The immorality that stems from the top, with Senators and Representatives and—and the—their legal staffs that corporations hire to set up their special loopholes so that they rip off the country by the billions, by the millions and the billions. It also—It stems down from the top. Everyone—Everybody wants a piece of the action—down to the welfare clients, even.

Woman. Well, I'm a child welfare worker, and I get to pick up the wreckage of what this system does. We've got clients that haven't decided if they're going to pay their rent or feed their kids. Clients that can't let their kids out of the house if they live in the project. And that mother finally breaks. She ends up in a mental hospital. The kids end up in foster homes or in group care facilities at $10,000 a year—because we make these people feel like trash! Because no one gives a damn.

Wallace. Massachusetts' new Welfare Commissioner, Jerry Stevens, was brought in by the Governor from the world of finance to try to bring some order, some economy out of chaos.

Jerry Stevens. Any system that's established where huge amount of monies are being spent without the normal tensions and checks that occur in a—in a well-run system create huge frauds and huge abuses, and that's certainly the case here.

Man. I would hope that eventually that—that whatever little fraud there is would be cut down. I think the big area to work in is in vendor fraud.

Wallace. Vendor fraud?

Man. Vendor fraud is—

Wallace. Hospitals?

Man. Hospitals, doctors—

Man. Drugstores.

Man. —drugstores, right.

Wallace. Of the millions paid out monthly by the State Welfare Agency to vendors, the greatest amount goes for medical payments—to nursing homes, hospitals, doctors and pharmacies. And a recent report says those medical payments include rip-offs on a grand scale.

Commissioner, your report says that you might be able to save up to $600,000 a year by getting rid of unnecessary tonsillectomies; millions by not paying for recipients in high-priced teaching hospitals; more than a million by saving on unnecessary prescriptions. All accurate?

Stevens. All accurate.

Wallace. Commissioner, the Welfare Department study says, "General relief is seen by hospitals as a funding mechanism for hospitals." What does that mean?

Stevens. That means that we have clear evidence that hospitals are providing unnecessary surgery to general relief recipients. We have indications that hospitals in some cases are seeking welfare clients to fill beds that otherwise might go empty.

Wallace. You mean, the doctors are going to practice on these fellows?

Stevens. Some hospitals have teachers, residents and interns, who do need to practice operations, and we are finding that our GR recipients are being used for such practices.

Wallace. And the Department of Welfare pays the bill?

Stevens. The Department of Public Welfare pays bills that are presented by the hospitals.

Man [social worker]: We all know there—there's an amount of fraud going on in welfare, all right? But you don't throw the baby out with the bath water to get at the cheating chisler. You just don't do it that way. The problem in our society is that we haven't come to grips with the fact that individuals cannot, because of a lot of reasons outside of their control—whether it's lack of education, lack of housing, lack of—you name it. They can't. They need help. Okay? We have never come to grips as a society that there are people who need help and they have a right to this kind of help.

Wallace. I'd be kind of curious to know what the attitude of you people is about that. Is welfare a right? Is it a privilege?

Man [social worker]. I don't think we can honestly answer that question, either the people here or the people out there, until you begin to say, "Well, is there a right to work? Is there a right to daycare if you're a working mother?" We've never said that in our country. We've never said that a man or woman who wants to work, who can work, has a right to a job. And until we make that kind of collective decision, we're going to go on with the kind of system we have now. And no one defends it.

GRAIN SALES AND THE NATIONAL INTEREST

Mr. HUMPHREY. Mr. President, I wish to bring to the attention of my colleagues two informative articles. One is entitled, "Are Grain Sales to the Soviet Union in U.S. Interest?" by Seth S. King in the August 1, edition of the New York Times, and the other is "Moderate Deterioration in World Grain Prospects Seen," which is in the July 28 issue of Feedstuffs.

These articles bring together a great deal of useful information concerning the world grain situation. The United States is the chief surplus supplier of grains on the world trading market. And the Soviet Union is a major factor on the world grain trading scene, witness its current large purchases which are anticipated to expand later this fall.

We are at a point now where the weather in both the Soviet Union and the United States is of critical importance in determining what our supply situation will be during the year ahead. This obviously will have a major impact in many number of sectors of the economy from feed prices to prices of livestock products.

It is obvious from our public discussions of the last two weeks that there is a great deal of misunderstanding regarding sales to the Soviet Union. The positions range from "let's not sell anything to the Soviet Union," to "we have a free market and it should not be interfered with in any way whatsoever."

It is clear that some major changes have occurred in the world grain markets since the early part of the decade. We no longer have the abundant supply stocks of earlier days and, in contrast to 1972, our export sales will be from this year's harvest. It is clear to me that we should have learned some important lessons from the 1972 sale as well as the abortive change in the rules of the game during the fall of 1974.

It is clear that we need to have some better understanding on this issue. Our farm exports are extremely important to our balance of payments, providing a net surplus, currently, of around $12 billion. We can hardly ignore or overlook the importance of these sales both to our farmers and our economy.

An intelligent debate over these issues will also bring some renewed understanding of the importance of our agricultural sector in general, a change needed and long overdue. This is an exceedingly complex subject, and these two articles are a useful contribution in providing some enlightenment.

Mr. President, I ask unanimous consent that these two articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Aug. 1, 1975]

ARE GRAIN SALES TO THE SOVIETS IN U.S. INTEREST?

(By Seth S. King)

Chicago, July 31.—Earlier this month confusion and excitement shot through the commodity exchanges in Chicago and Kansas City as the word spread: "The Russians are buying, the Russians are buying."

In deed they were, and the news immediately checked the decline in wheat and corn prices. These prices had been tumbling as the largest American wheat crop in history was being harvested and the prospects for the largest corn crop in history continued to improve.

The news also revived memories of the massive Soviet grain purchases in 1972 and how they contributed, in part, to the steepest rise in American food prices since World War II.

It also touched off another debate over the effect Soviet buying would have on the struggle to curb inflation and over whether the United States should allow the Russians to buy as much wheat and corn as they want.

With these two questions, President Ford was handed a ticking bomb that could detonate this fall as he seeks to rebuild a Republican political base in the agricultural Middle West.

In the last six days the public has heard something on both sides. The Agriculture Department first said Russian buying to date, 10.7 million tons of wheat, corn, and barley, would not cause a rise in food prices. Then the department said that, if the Soviet Union bought any more, it might push up prices.

On Tuesday, the Federal Reserve Board chairman, Arthur F. Burns, told a Senate Committee that he expected a sizable increase in United States bread prices as a result of the latest wheat sales to Russia. He also said the estimates of Soviet grain needs "frighten" him.

The same day, the International Longshoremen's Association repeated its threat that its members would not load grain shipments to the Soviet Union this fall if food prices went up.

Then William Kuhfuss, president of the American Farm Bureau, denounced this position as unwarranted interference in America's foreign policy and repeated his organization's contention that grain exports were not the prime cause of rising food prices.

Yesterday Treasury Secretary William E. Simon said that, while he did not believe the amount of grain sold so far to the Soviet Union would affect domestic grain prices, he wanted it understood that "we are not willing to sell everything to everybody" and that the Ford Administration wanted to be sure the United States did not sell grain in amounts that would raise consumer food prices.

But today, Agriculture Secretary Earl L. Butz, in a Williamsburg, Va., speech, said that it did not make any sense to "scream" that the recent rise in wheat prices caused mainly by increased export buying would increase the price of bread.

Without mentioning names, Mr. Butz said: "Some people who don't know wheat from chaff are drawing ridiculous conclusions about the effects of selling grain to Russia."

BACKGROUND

In 1972, the Soviet Union made a major policy decision. Its leaders decided to improve Russian eating by increasing meat production. It needed American corn and more wheat for feed to accomplish this. Also, that summer the Russian wheat crop was hurt by drought.

The Russians moved in secretly and, before most American grain dealers knew it, had bought 19 million tons (almost 700 million bushels) of wheat and corn.

There was also a drought in North Africa and in Australia, and those areas also began buying. This almost cleaned out the price-depressing surpluses in American bins.

Wheat began rising from $1.48 a bushel and corn from $1.05. For the next two crop years the Russians bought 140 million bushels of corn each year. but little wheat. Last year they bought almost nothing.

But other nations went on increasing their buying of American grains. At one point wheat rose to a record $6 a bushel and corn was up to a record $3.66 last fall because drought cut production.

This spring, as export buying slackened and indications of record wheat and corn crops this summer appeared, prices began dropping. But livestock feeders had meanwhile been forced by record feed prices to curtail their operations. Therefore, consumer beef, pork, and poultry prices began rising as supplies diminished.

Last October, when the drought had reduced corn reserve to alarmingly low levels, President Ford halted a corn sale to Russia, overruling Dr. Butz. The result was an anguished outcry from grain farmers, who saw their prices begin declining.

This year, with about 3 per cent more livestock, the Russians were projected to need about 210 million tons of grain. They were expected to produce most of this themselves. But their weather all year has been unfavorable.

Early this summer, the Agriculture Department expected the Russians to buy 10 million tons of grain, half wheat and half corn. When the Russians did this, grain prices began rising, but they have not skyrocketed.

Had the Russians not made these purchases, bumper crops would have forced wheat, corn, and soybean prices much lower.

This would not have affected the price of beef immediately because of record cattle numbers on American ranches. But it would have eventually led to an increase in pork and poultry production and this should have brought those prices down in about six months.

EXPORT SUPPORTERS

Those who argue for further exports insist that increased sales to Russia in themselves would not cause a raise in bread prices.

Dr. Thomas A. Hieronymus, Illinois University agricultural economist, said that in 1971, the year before the big Russian purchases, wheat brought $1.48 a bushel. Of a one-pound loaf of bread's 24-cent cost the price of the wheat accounted for 2.6 cents.

In the 1975 first quarter, with wheat above $3 a bushel, the lowest price for a one-pound loaf of bread was 37 cents. The price of the wheat in this loaf was 4.7 cents. Thus the doubling of wheat prices over three years caused only a 2-cent rise in the price of the wheat in a loaf of bread.

Those who use this argument, including Mr. Butz, insist that other factors, such as increasing fuel and labor costs or the desire for higher bread profits, may push up bread prices. But they insist that even greater export sales will have a minimal effect, if any.

The most important effect of additional sales to Russia, proponents say, would be to hold feed grain prices up and delay the reduction in meat prices expected next spring.

The Agricultural Department now says that continued drought in the Soviet Union may cut total grain production there to 185 million tons. Some agricultural economists believe the Russians need 205 million tons of grain for the year.

They note that the Soviet Union has contracted for 13 million tons of wheat and corn from the United States, Canada and Australia, bringing the Russians close to 200 million tons.

Unless the drought there gets much worse very soon, they should need only 5 million to 7 million additional tons. Since Australia, Western Europe and Canada have wheat to sell, it is not even certain the Russians would buy more wheat from the United States. They would have to come here for most of their corn.

But if the rains come to the Midwest in the next two weeks and the American corn crop reaches 6 billion bushels, there should be enough, some agricultural economists insist, to handle additional Russian purchases without disjointing the American market.

American grain farmers prosper or languish on the size of American grain exports. Thus the Russian purchases have been welcomed by Midwestern grain farmers and approved by most livestock farmers, who embrace the old maxim that inexpensive feed prices eventually mean inexpensive livestock prices.

Most farmers paid no attention to President Ford's veto this spring of legislation raising farm-price supports. But few of them have forgiven him for temporarily halting exports to Russia last fall.

If additional Russian purchases forced up grain prices more than expected and the President heeded pressure to cut off more exports to Russia, Mr. Ford would surely face a political revolt among the predominantly Republican farmers.

AGAINST EXPORTS

The Agriculture Department has told the large American grain exporters they must report any further negotiations with the Russians and have asked the Russians to wait until the Aug. 11 crop report is published before even talking about more buying.

That report will indicate whether the recent dry weather in the Corn Belt is reducing the size of the corn and soybean crops to be harvested this fall.

Those who are urging restraint in further selling to the Russians argue that if the corn crop falls below the 6-billion mark, prices for this principal livestock feed will surely be stopped at their current levels of around $3 or go higher.

Such prices would, they say, discourage farmers from placing more livestock on feed. This would keep supplies of pork and poultry at the current low levels and their retail prices would rise. It would also curtail the feeding of beef cattle, further increasing the price of the choice and prime cuts of beef.

But most observers, Government or private, agree that additional purchases of American corn would have a far greater impact on American food prices than more sales of wheat to the Soviet Union.

[From Feedstuffs, July 28, 1975]

"MODERATE DETERIORATION" IN WORLD GRAIN PROSPECTS SEEN

WASHINGTON.—A moderate deterioration in prospects for the 1975 world grain crop will mean a smaller than expected recovery in projected worldwide stock levels during 1975–76. However, stocks were not depleted as much as predicted, as worldwide usage of grain, particularly for animal feed, also fell below expectations, according to the U.S. Department of Agriculture.

The total 1975 world grain crop is currently estimated at about 984 million metric tons, according to USDA's Foreign Agricultural Service. This would be up about 6%, or 62 million tons, from last year's level, and would be 13 million tons higher than the previous record outturn of 1973. Harvested area is estimated about 2% above a year ago, and about 4% above 1973. While higher yields account for most of the jump in production between 1974 and 1975, the over-all 1975 yield forecast remains slightly below the record high which was achieved in 1973. A large part of the net increase in world production will occur in the U.S., as it is expected to account for about one-third of the increased harvested area and an estimated 56 million tons of the increase in world production.

Earlier aggregate ending stocks for all countries for 1974–75 had been estimated at about 90 million tons, or about 20 million tons below the already low levels of 1973–74. Latest reports indicate, however, that the final figure will show a decline of only about 13 million tons, FAS said. Ending stocks for wheat are now projected at 52.6 million tons against 48.5 million tons projected earlier. About half of this revision is due to the U.S. where exports during the last weeks of the season fell short of expectations, FAS said. Stocks of coarse grain are now projected at a level which would be only 8.4 million tons below a year ago, whereas in a previous estimate, a decline of 12.3 had been indicated. All of this upward adjustment was accounted for by foreign countries and none by the U.S., FAS said.

The higher ending stocks were a result of continued late-season downward adjustments in estimated levels of consumption, especially among foreign countries and primarily in feed usage. Globally, the wheat consumption estimate was down an additional 3 million tons, and the coarse grain estimate down about 5 million tons. The only area accounting for a significant portion of this appears to be west Europe where the estimate of total grain consumption for feed in 1974–75 has been revised downward by about 2 million tons. And currently, for the first time in 1974–75, actually shows a decline relative to 1973–74, FAS said.

FOREIGN GRAIN SITUATIONS

Outside of the U.S., probably the most significant changes in 1975 grain production estimates are those for west Europe and the USSR. The west Europe crop is currently estimated 5 million tons lower than early-season projections, and over 3 million tons down from last year. Over-all yield levels, especially for wheat, will be down from year ago levels for the first time in about five years, FAS said.

For the USSR, the current crop estimate is about 15 million tons below earlier estimates. In terms of the USSR definition of total grain, which includes 15 million tons of miscellaneous grains and pulses, the 1975 crop is currently estimated at 195 million tons, more than 20 million tons below the 1975 plan figure of 215.7 million tons. For the total wheat and coarse grain crop, the forecast is 180 million tons.

Recent reports of crop developments in other countries have been somewhat mixed. Canadian total grain outturn is now estimated at 4.7 million tons above a year ago, whereas earlier an increase of over 6 million tons had been projected. In east Europe, where recent flood damage among southern countries is tentatively believed to be about 1 million tons each of wheat and feedgrains, the 1975 crop outturn is expected to be nearly 3 million tons below last year with most of the decline in wheat.

The spring grain crops in India have turned out considerably better than earlier expected, and sharply above a year ago. In the Middle East and North Africa, there have been improvements in crop prospects in recent weeks. In the Southern Hemisphere, where winter grain plantings have only recently been concluded or are still in process, the main development has been in Australia, where planting conditions were quite unfavorable and a smaller crop is now projected.

RUSSIAN IMPORTS

Concerning trade, the most significant changes in forecasts for 1975–76 are for the USSR, where net imports of all grains are now estimated at roughly 11 million tons compared with only 2 million tons prior to the recent deterioration in Soviet harvest prospects, FAS said. In line with the earlier view that the Soviet stocks carried over from 1974–75 are probably at a rather low level, it is expected that a significant portion of the reduction in the USSR crop estimate will need to be covered by larger imports. Although there is question whether this trade will **be primarily in wheat or coarse** grains, the likelihood may be that if the price and world supply conditions are sufficiently favorable, at least part of the imports will be wheat even though the crop shortfall may be primarily in grains needed for animal feeding, FAS said. Tentatively, an estimated gross import level for the USSR has been set at 15 million tons.

A significant portion of the increase in estimates of USSR import estimates tends to be offset by reductions in the estimates of imports by other countries, FAS said. In west Europe, despite a reduced harvest outlook, exceptionally large stocks carried over from 1974–75 are expected to allow a smaller level of net imports than in 1974–75, and a somewhat smaller level than was predicted earlier. The estimates of imports into Japan, is down about 0.4 million tons, and that for the People's Republic of China by 0.5 million. Reductions in estimates of other countries' imports amount to over 7 million tons in total, FAS said.

COMPETING EXPORTS

Exports by competing countries for 1975–76 have been revised downward mainly due to the reduced estimates of the next wheat crop in Australia and the recently harvested corn crop in Argentina.

Forecast levels for U.S. exports, both of wheat and feed grains, remain unchanged from the earlier projections of 30.3 and 38.3 million tons, respectively, FAS said.

The estimate of total world grain consumption for 1975–76 is almost unchanged from the earlier projection of 972 million tons. This would represent an increase of about 36 million tons over last year and would include a recovery of over 23 million tons within the U.S. alone, FAS said. Outside the U.S., the increases forecast are generally in line with the annual increment experienced during the years prior to the unusually tight supply situation of 1974–75.

World total grains stocks at the end of 1974–76 are estimated at 111.2 million tons, significantly above the ending level of 1974–75, but only slightly above the levels of 1972–73 and 1973–74. Virtually all of the increase will be accounted for by coarse grains, since wheat stocks are expected to be practically unchanged from 1974–75.

YES, THERE REALLY IS A NATURAL GAS SHORTAGE

Mr. FANNIN. Mr. President, I have just read, with a great deal of chagrin and concern an article in the August Reader's Digest entitled "Is There Really a Shortage of Natural Gas?"

In my opinion, Mr. President, many of the views expressed by Mr. James Nathan Miller are distorted, unobjective, and do not accurately reflect the true picture.

The article presents no hard facts or evidence to support his plea that the readers of the Digest write their Congressman. Instead he insinuates that the big energy companies have created a "phony shortage"; refuse to let the Govenrment see their records; manipulate their statistics in order to create an artificial shortage; and that the FPC is the handmaiden of industry. Such remarks if directed to an individual would be libelous. Those who might read this article deserve an objective analysis of our Nation's natural gas shortage, an understanding of how it came about, and some understanding of the policy options that are available to the President and the Congress.

On June 7, 1954, more than 20 years ago, the U.S. Supreme Court handed down a decision that quite probably did more to contribute to the current energy shortage than any other one action by the courts, Government, or industry. The Court in *Phillips Petroleum Co.* v. *Wisconsin* (1954) 347 U.S. 362 in effect held that all independent producers of natural gas would have their wellhead prices regulated by the Federal Power Commission with respect to natural gas sold in interstate commerce. Justice William O. Douglas, in a dissenting opinion, predicted years of confusion ahead as the FPC attempted to regulate thousands of independent natural gas producers, all with different cost bases and methods. He prophesized that the result of the decision "is certain to be profound" (347 U.S. at 690).

Elementary economic theory tells us that if the Government imposes price controls on a commodity at levels below those which would be set in the marketplace, producers will be discouraged from producing more while consumers will want more of the product because it is cheaper than alternatives. This is exactly what happened in the case of natural gas. All through the 1960's production increased to meet ever increasing demand while during the same period the number of natural gas wells drilled by the industry substantially declined. As shown on the attached table, the number of natural gas wells drilled in the United States reached its historical peak in 1961. Between 1961 and 1968 drilling declined by 37 percent. Drilling remained at a low level until 1972. Since then there has been a sharp and pronounced increase in the number of wells drilled due to the high prices being offered by buyers in the unregulated intrastate market. Gas well completions in 1974 hit an all time high which was 33 percent greater than the 1961 peak. The number of exploratory wells drilled hit its historical peak in 1959 and then declined by 47 percent between 1959 and 1968. Exploration drilling remained stable until 1972 when drilling activity began to climb again due to higher prices being offered in the free market. Meanwhile, in every year between 1946 and 1973 the industry was called upon to produce more gas for American consumers than in the year before. Because fewer and fewer wells were being drilled during the sixties the amount of new gas reserves added has been on the decline. Every year since 1968 the American consumers have been using more gas than the industry has found.

The question that Congress and the American public must ask is why were fewer and fewer wells drilled during the sixties, why did the demand for natural gas increase year after year, why has there been a sudden spurt in gas well drilling in the last 3 years, and why are consumers who want gas to heat their home being denied service in many parts of the country?

Mr. Miller's suggestion that the big energy companies have created a "phony shortage" is a classic example of an attempt to shift the blame from the real culprit—an unsound economic policy. Michael T. Halbouty, a geological consultant, as far back as 1960 predicted that such an attempt would be made sometime in the future when he said:

> I can safely predict that between now and 1975 we will have an energy crisis in this country. Then the people will say "the industry is to blame, why weren't we told?" Well I'm telling them now.

Dr. William A. Johnson, professor of economics at George Washington University, recently made the following comments on the results of 20 years of FPC price controls:

> In no segment of the industry have our policies been so wrong or created such damage as in gas. I refer primarily to the regulation of natural gas prices at the wellhead.
>
> The conscious decision of past Federal Power Commissions to keep gas prices as low as possible, regardless of the consequences on future exploration, and, worse, to change retroactive prices already approved by the FPC, has discouraged investment in drilling. . . .

Congressman Moss and the FTC are presently in the process of investigating allegations that the American Gas Association proved reserve figures have been manipulated. If these allegations are in fact correct, the culprits can be properly dealt with. But we must not allow these charges to sidetrack us from the vital need to increase natural gas production in this country.

In recent testimony before Congressman Moss' subcommittee, FPC Chairman Nassikas pointed out that—

> Those who emphasize the frailties of our present data and who would base national gas policy on the supposition that vast quantities of gas are being withheld from the markets are not, in my opinion, being realistic about the magnitude of the problem which we face. If natural gas is being withheld from the market, the potential for withholding is, in my view, simply not large enough to substantially alter the dimensions of the gas shortage as we now know it.

Every day consumers who want to buy natural gas are unable to do so and must turn to high priced imported oil to fill their energy needs. As a result, consumer costs are increased and the Nation is made more vulnerable to cutoffs by foreign exporters. For the period April 1975 through March 1976 the Federal Power Commission has predicted that curtailments of natural gas to existing customers will reach 2.9 Tcf. This is the equivalent of 516 million barrels of crude oil, or approximately 1.4 million barrels of oil per day. At $12 per barrel, 516 million barrels equate to $6.2 billion, or roughly double the total revenues of $3.1 billion received by domestic producers from sales to the interstate market during the last year. Chairman Nassikas recently pointed out that we need to add about 22.5 trillion cubic feet each and every year between now and 1985 just to maintain service to existing customers. The industry has been able to meet this level of new discoveries only once in its history, in 1956. The average amount of gas discovered from 1960 through 1973 was 14.5 Tcf. Reserves added during the 5-year period 1968 through 1974 averaged only 9.3 Tcf per year.

Chairman Nassikas noted that if the present rate of reserve development continues we will have a cumulative shortfall of about 151 Tcf by 1985, and we will reduce the productive capacity of natural gas from its present level of 21 Tcf to 14 Tcf annually. This cumulative shortfall of 151 Tcf would be equivalent to 26.9 billion barrels of crude oil. If imported oil at $12 per barrel were used to fill the gap, it would cost the American consumer a staggering $322 billion.

The investigation of the AGA reserves is not likely to disclose any significant disparities. The National Gas Survey conducted by the FPC was an effort to make an independent assessment of the Nations' natural gas reserves as of December 31, 1970. The survey determined that the AGA reserve estimates appeared to be on the high side. On July 1 of this year the FEA released a preliminary study in which it estimated U.S.-proved natural gas reserves as of December 31, 1974, to be 237 Tcf. This estimate was marginally higher than the AGA estimate of 233.2 Tcf. The FEA study was undertaken pursuant to the Federal Energy Administration Act of 1974 in which Congress ordered a "complete and independent analysis of actual * * * gas reserves and resources in the United States and its Outer Continental Shelf." The FEA study was based on information received from over 15,000 oil and gas operators throughout the country. Charges of AGA underreporting first began back in 1969 and have been examined by the FPC numerous times since then. No significant disparity has yet to be uncovered, with one exception, which involves a study of 31 gas leases in the offshore during 1971 and 1972. The FPC staff found a significant disparity on these leases. The FPC is currently conducting an investigation to see if the reason for the disparity was not caused by the use of differing definitions, resulting in an apples and oranges situation.

The suggestion that the big energy companies manipulated the AGA gas reserve figures in order to get a higher price from the FPC is ludicrous. The FPC has determined that in terms of 1958 dollars the 1960 price for natural gas at the wellhead was 13.6 cents per Mcf, while the 1974 price was only 17.6 cents per Mcf. The fact that the real price of gas increased only 4 cents per Mcf during a 14-year period indicates that the alleged attempts by the industry to obtain higher prices were a disaster.

There is no question that the industry is reluctant to disclose its individual field by field reserve figures. If detailed reserve data were to be publically disclosed to a competitor, the competitor would receive for nothing something of extreme value developed as a result of millions of dollars of effort.

The Congress, when enacting the Freedom of Information Act, recognized that "geological and geophysical information and data, including maps, concerning wells" should not be made available to the public (15 U.S.C. 552(b)(9). The Federal Power Commission explained the reason why detailed reserve data must be kept secret in a recent opinion—

> To begin with, it must be recognized that a natural gas company's reserve data, much like a patent or trade secret, constitutes a valuable and closely guarded asset. Making this asset available to competitors, without due compensation, would most certainly be inimical to competition, especially in highly competitive areas, * * *.
>
> * * * Those who are willing to expend large sums toward the development of reserves data should not, through disclosure, be ironically placed in an inferior position to bargain against competitors who are willing to do little more than exploit the efforts of others.
>
> In addition to the competitive problems, the general disclosure of proprietary reserves data would have an inhibiting effect on future exploration of natural gas reserves since speculators could equally benefit with those producers willing to make geological and geophysical expenditures. Exploration and development for new gas reserves is already a highly risky enterprise. To add to the geological and financial uncertainty involved the additional risk that a successful explorer may be deprived of a valuable property right, would only exacerbate the critical gas supply shortage (50 FPC at 1050-1051).

There is no evidence that the industry has not been willing to share its detailed reserve information with appropriate Government agencies. It has only asked that the Government not disclose any individual field data in such a way that it would end up in the hands of a competitor. The effort to look for a scapegoat rather than for solutions is probably as old as politics itself. Nevertheless, solutions are available and Congress and the American people should examine the recent experience in the unregulated Texas market:

In 1971 intrastate gas prices in Texas, crude oil prices, and interstate gas prices were roughly at an equilibrium. When shortages began developing in the intrastate market, gas prices began to increase sharply above the ceiling rates permitted by the FPC for interstate gas. This, in turn, resulted in a "modest upswing" in drilling activity. In 1973 exempted crude oil prices rose rapidly as a result of the OPEC embargo. Interastate gas prices increated correspondingly. The result of both of these price increases was a sharp increase in the number of rigs operating with a corresponding increase, after some time lag, in reserves discovered in the State of Texas. These reserves were developed at costs substantially in excess of the ceiling rates permitted by the FPC and were sold to buyers willing to pay higher prices to obtain gas. In this competitive intrastate market the classic laws of supply and demand clearly operated. Adequate supplies to meet the shortage were soon developed and now the price on the intrastate market which peaked in about January 1975 is beginning to decline.

In short, the reason the Nation is facing natural gas shortages in the interstate market is the result of unsound economic policies, not because the big oil companies have conspired to manipulate some numbers. As Professor Johnson put it "we must deregulate natural gas, not only to assure the higher price necessary to produce more gas, but to enable the industry to operate free of uncertainties about changes in future FPC policies." By publishing Mr. Miller's article, the Reader's Digest is participating in the efforts of a few to throw the American people "off the scent" of the search for a sound solution to our nation's energy problems.

Mr. President, I ask unanimous consent that the table previously mentioned in my comments be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

U.S. NATURAL GAS SUPPLY

Year	Production [1]	Total wells [2]	Total exploratory wells [3]
1946	4.9	3,510	375
1947	5.6	3,809	396
1948	6.0	3,387	365
1949	6.2	3,363	424
1950	6.9	3,439	431
1951	7.9	3,438	454
1952	8.6	3,514	559
1953	9.2	3,968	699
1954	9.4	4,038	726
1955	10.1	4,266	874
1956	10.9	4,531	822
1957	11.4	4,475	865
1958	11.4	5,005	822
1959	12.4	4,931	912
1960	13.0	5,129	863
1961	13.5	5,459	813
1962	13.6	5,353	771
1963	14.5	4,570	664
1964	15.3	4,694	577
1965	16.3	4,482	515
1966	17.5	4,321	578
1967	18.4	3,659	556
1968	19.4	4,456	430
1969	20.7	4,083	616
1970	22.0	3,840	481
1971	22.1	3,830	437
1972	22.5	4,928	601
1973	22.6	6,385	900
1974	21.3	7,240	1,195

[1] Source: AGA.
[2] Sources: 1945-66, World Oil; 1967-74, AAPG-API.
[3] Sources: AAPG-API.

CLOSING THE BOOK ON THE SENATE REVIEW OF THE NEW HAMPSHIRE ELECTION

Mr. McINTYRE. Mr. President, before this body recesses for a month, a few final words should be said about an issue that preoccupied us for the past 7 months, and though it is no longer before us, remains unresolved.

I speak of the appeal made for a full and final review of the New Hampshire Senate election, an appeal which was accepted by this body—but never honored because of the intransigence of the minority membership.

It was only human, I suppose, to breathe a sigh of relief when John Durkin broke the impasse by asking that we declare the seat vacant and return the issue to New Hampshire for another election.

It has been a gruelling 7 months, and the position some of us adopted from the outset, while right in my judgment, did not make the ordeal any the easier.

The case for following clearly articulated New Hampshire law and article 1, section 5 of the U.S. Constitution—and honoring the Senate's responsibility to resolve the election—never lost its validity. How could it? But as the months wore on, as impatience mounted, as partisan passions flared, popular support for that case regrettably diminished.

One by one early supporters, including influential newspapers, succumbed to temptation to have done with the arduous process of Senate review and settle the issue through a new election.

I can understand this erosion. I can even sympathize with the impatience and irritation that caused it. But I regret it, Mr. President. I deeply regret it.

This morning's, August 1, Washington Post editorial expresses why I feel this regret:

> In a larger sense, "there is no victory for anyone in the fact that the Senate could end this dispute only by giving up on it. In doing so, the Senate has essentially decided that the results of last November's election in New Hampshire will remain forever unclear, and that all the votes cast then, under the circumstances that then prevailed by the voters who then went to the polls, will count for nothing.
>
> This case has no precedent, but it seems destined to set one. For the first time in the nation's history, the Senate has annulled an entire election in which massive campaign corruption was not even alleged. The Senate did not make a positive finding that the November results were too close or too confused to call. Instead, the Senate found itself immobilized and unable to carry out at all its Constitutional responsibility to judge Senate returns.

Mr. President, can anyone deny that the filibuster that ultimately deadlocked this issue also stole John Durkin's Constitutional right to have this body resolve last November's election? Can anyone deny that this filibuster's success did not circumvent New Hampshire law, subvert the intent of the Constitution, set a precedent that will plague us and future Senates, and bring our collective credibility into serious public question?

By asking us to vacate the seat and thus clear the way for a new election, Mr. Durkin graciously took us off a painful hook, to be sure. But I hope no one in this body has an easy conscience about what we allowed to happen.

Finally, Mr. President, I would like to commend those who stood fast for principle and the Constitution in and outside of these Chambers.

Had this body followed the example set by its distinguished majority leader, my friend, Senator MANSFIELD; by the distinguished majority whip, my friend Senator ROBERT BYRD; by the distinguished chairman of the Committee on Rules and Elections, my friend Senator CANNON; we would have known by now if there was a winner in last November's election, New Hampshire might already have its second Senator, New Hampshire law and the Constitution would still be inviolate, and institutional precedent would have been honored.

And I cannot let this occasion pass without noting that there were some newspapers, not many, to be sure, but a few that recognized throughout the importance of meeting our constitutional responsibility in this issue and foresaw the potential consequences if we did not.

Two such newspapers were the Valley News of Lebanon, N.H., and the Boston Globe.

Because I believe their comments about the closing hours of the Senate's role in this drama should be read—and pondered—by everyone in this body, I ask unanimous consent to have those editorials printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From The Valley News, July 28, 1975]

SHAMEFUL RECORD

All that is wrong in the United States system of government can be observed in two current issues: the energy situation and the unresolved New Hampshire election.

In both areas, the desire of the people to have their elected representatives work toward fair and equitable solutions has been totally ignored in the interest of self serving party politics.

The results are painfully evident.

The failure of the Congress and the President to act in the energy situation can be seen at the gas pumps where the consumers, victims of political chess games, are paying higher and higher prices because of tariffs imposed by a President who has vowed to fight inflation.

He says the people must pay higher prices for gasoline because Congress will not act. Well, Congress still does not show any indication of coming up with a badly needed energy policy, and the people continue to shell out more and more coin for gasoline.

And next week Congress will completely abdicate its responsibilities. Representatives and senators, weakened from a summer of haggling on the banks of the Potomac, are taking off for a month-long vacation.

In the meantime the people continue to be faced with Presidentially-imposed higher gas prices.

In New Hampshire there has been just one senator since January as the Senate party loyalty being placed before the needs of citizens, has refused to face its constitutional responsibility as a court of last resort in the elections of its members.

Early in the game, such strict interpreters of the Constitution as Gov. Meldrim Thomson, William Loeb and, yes, Louis Wyman, decided that in this case the best solution was to ignore the basic law of the land and return the election to the voters.

This argument that the voters should be given the right to make the decision has merit in theory. But the law simply does not allow this to happen unless the Senate is unable to resolve the question.

Stopping short of civil disobedience—that would put them in a corner with the campus young people of the late sixties—Thomson, Loeb and Wyman have muddied the political waters to the point that the Republicans in the Senate have become obstructionists to their own constitutional duties.

The GOP troopers, joined by a few Southern Democrats, have refused to let the entire Senate judge what the voters of New Hampshire were trying to say back in November.

Republicans may put up a smokescreen that the Democratic Senate is trying to steal the election—of course they were quiet when the N.H Ballot Law Commission of two Republicans and one ultra-conservative Democrat reversed the original recount and awarded Wyman the election by two votes—but it is they who must bear the responsibility for holding up the Senate recount.

The election should not come back to the state until the Senate faces the responsibilities with which it has been charged by the Constitution.

And it should also be made clear as to just who is keeping the Senate tied up in knots on this issue.

In their haste to charge the Democrats with a theft, the Republicans are guilty of reprehensible activities of their own.

On these two issues, there is a shameful record being written in Washington.

[From the Boston Globe, July 31, 1975]

A SERIOUS FAILURE OF WILL

The U.S. Senate has nothing for which to congratulate itself in yesterday's vote to declare a vacancy in the contested Senate seat for New Hampshire. Faced by a political stalemate and despite the consequences for future close contests, the Senate ignobly passed the buck back to the state in the Wyman-Durkin issue.

The resolution came because the Democratic challenger for the New Hampshire seat, John A. Durkin, who is $45,000 in debt from his 1974 senatorial cliffhanger, finally reached a point of frustration at which he became convinced that the Senate was going to fail in its constitutional mandate to "be the judge of the election . . . of its own members." And he reluctantly agreed to join Republican Louis C. Wyman in calling for a special runoff election in their home state.

The runoff, which must be held within 45 days of the declared vacancy under New Hampshire law, may restore equal representation to the state more swiftly than protracted deliberations in the Senate would have done. But it is unlikely to restore the faith of the electorate, who know that a mid-season ballot cannot be the same as a scheduled vote in November.

After five months of debate, the Senate rules committee was unable to break tie votes on 35 particulars of the 1974 New Hampshire election, which saw a margin of 365 votes for Sen. Wyman turned into a 10-vote victory for Mr. Durkin and back to a two-vote win for Sen. Wyman.

The issue has now been before the full Senate since June 17 and, after 25 days and more than 100 hours of debate which has seriously tied up other important business, not one of the 35 substantive issues has been dealt with. Instead, in a no-win situation for both sides, Senate Republicans have banded together to prevent a cloture vote on their filibuster while all but four of the Senate Democrats worked to prevent the declaration of a vacancy, which was sought by the GOP. And partisanship has been allowed to prevail over responsibility.

Regardless of who wins New Hampshire's special election in September, there is likely to be a spread of disillusionment with the Senate—an elected body which only two years ago had seemed capable of meeting the toughest of challenges in the performance of Sen. Ervin's special Subcommittee on Watergate but which now appears unable to pull itself together on such key issues as energy, unemployment and its own membership.

CIVIL RIGHTS REGULATIONS PROCEDURAL RULES

Mr. MONTOYA. Mr. President, I am happy to join my colleagues in sponsoring a sense of the Senate Resolution that the Department of Health, Education, and Welfare should withdraw its proposed consolidated procedural rules for administration and enforcement of the Department's statutory responsibilities.

It seems patently clear that it was the intent of the Congress in enacting the Civil Rights legislation concerned to protect individuals against discrimination. When systematic discrimination exists the injury done is to individuals. Complaints originate because an individual has been hurt. It is the civil rights of "The Person" which our Constitution seeks to protect, and which the Congress has repeatedly sought to protect. We are a nation of individuals, and, although we act jointly in governing ourselves, we react to discrimination or injury as individual citizens.

All of our laws are intended to extend protection to "Any Person" in the United States. It surely is not acceptable to muddy that concept with the suggestion that periodic compliance reviews could take the place of official response to specific individual complaints of injury.

The abrogation of the civil rights of any individual citizen of the United States is, in a very real sense, a theft. Government's response to such a theft must continue to be firm, immediate, and corrective. No other course is acceptable.

I urge the support of my colleagues for this essential sense of the Senate resolution, making clear to the department concerned that the Senate will insist on full compliance with the law as passed and that every effort will be made to provide additional positions within the department if that is necessary in order to fulfill departmental obligations under the law.

NCOA, AT AGE 25, CONTINUES FIGHT ON "AGE-ISM"

Mr. CHURCH. Mr. President, the Congress does its best to deal with major economic and social problems affecting older Americans.

But much also depends upon attitudes toward aging and the aged.

A very wise woman in Idaho once told me:

> The person who rejects aging rejects that person's future self.

And yet, on all sides, we see in this Nation negative and even hostile reactions to the very process of growing old.

The National Council on Aging—a nonprofit corporation that for 25 years has been a central resource providing information, materials, and technical assistance to professionals in the field of aging—has mounted an intensive effort to develop a more appropriate image of the aged in the United States.

Part of that effort was the publication recently of a Louis Harris poll which provides very helpful information about the real place of the elderly in this Nation. A summary of the poll's findings appears in the latest annual report by the Senate Committee on Aging, "Developments in Aging: 1974 and January–April 1975."

But the NCOA program is not limited to the poll. In the July 1975 issue of Geriatrics magazine, NCOA Executive Director Jack Ossofsky describes the other elements of the association's program to gaining greater acceptance of the elderly in our society. Mr. Ossofky's wide-ranging goals are worthy of careful attention, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATIONAL ORGANIZATION SEEKS TO MEND THE FRAYED IMAGE OF THE ELDERLY

Mr. Ossofsky, we know that the National Council on the Aging (NCOA) has been concerned for some time with the poor image of the elderly in the United States, which remains in spite of impressive gains in recent years. What is the Council doing to gain greater acceptance of the elderly in our culture?

NCOA, which is now 25 years old, is deeply involved in launching a National Media Resource Center on Aging. The goals of that center are to change and to elevate the image of aging and to create a greater awareness of the elderly as contributors, as builders, as useful and significant members of society. In brief, the center will try to tell the truth and to provide some counterbalance for the way in which the elderly are too often portrayed and perceived.

In time this center will also seek to serve all those who work with the elderly as well as members of the media. We hope that it will provide new opportunities for service and that we will be able to share with the nation the case histories, the stories of active, useful, interesting older people. Substantial funds for this center have been committed by a foundation, staff have been retained, and the first stages of the operations are under way. So we are already at work building a new image of aging.

In our attempt to build a new and more positive image of aging, we need to underscore that each older person, regardless of his or her station or position in life, can make a contribution, whether it is to the family, to the community at large, to some small organization, or to a friend. Not all the elderly want to work, volunteer, or be active. They need the right to choose, to protect their options. But everyone ought to be seen as a valuable entity with something to give. Indeed, more would probably give of themselves if the gatekeepers of opportunity would only open the gates.

In building a new image for the elderly, aren't you handicapped by the poor image that many older persons have of themselves? So many persons reach advanced years with an attitude of "It's all over," or "I can't do anything worthwhile anymore." So shouldn't the image building really begin with the aged themselves?

That is correct. One of the saddest parts of our challenge is that many of the elderly reflect an even more negative idea of aging than do persons not yet 65. In accepting this negative portrait of themselves, and particularly of their cohorts, they often go along with their rejection by society, losing their roles, their jobs, and their self-esteem along with their youth. [Editors note: See Quality of Life, page 116.]

Those of us who work with the elderly must help rebuild their damaged self-image and encourage them to fight back and not "act their age" as society has prescribed it. We must rebuild their sense of usefulness and worth. We must avoid patronizing even while we remain sensitive to the delicate balance of each individual's needs and hopes. So I would agree that the development of an improved image of aging clearly requires special attention to the self-image, to consciousness raising, and to the strength that comes from peer group involvement and other group approval. We need to highlight the achievements of older persons who are still accomplishing things.

Persons of advanced years who have position, wealth, or popularity and who continue to function are rarely thought of as old. Who knew that Jack Benny was 80 at the time of his death? Who conceives of Lucille Ball, Marlene Dietrich, Mae West as senior citizens? Nelson Rockefeller was nominated to the vice-presidency at an age when many executives are compelled to retire. But who thinks of him as a senior citizen?

Such people, because of their special talents, their prestige, their position, go on doing their thing, and their age is overlooked or they are treated as exceptions. What we need to deal with is the notion that they need not be exceptions.

Your organization has had a lot of experience in speaking for the aged, yet they are still not adequately represented. Lobbying in Washington admittedly takes many forms. Do you feel it has been effective, considering the very large problems still facing the elderly?

First of all, NCOA is not a lobbying organization. We do educate and we are clearly advocates for the aging, and this includes us all. I don't believe anyone would say that the efforts of NCOA and other groups have been entirely satisfactory, or the problems wouldn't continue to loom so large. Part of what we need is open and direct confrontation—yes, confrontation of the obstacles that affect individuals as they are. We need to pick specific targets and see them for what they are, namely, institutionalized agism.

Let me give you some examples. One is compulsory retirement related to age rather than to functional ability. In this connection, let me say that federal training programs, while theoretically open to all, rarely enroll as many as 5 percent from among those over age 45. An age discrimination law stops at age 64 and discriminates against all those over 65. Social Security and Supplemental Security Income benefits maintain great numbers of the elderly in poverty rather than removing them from poverty. The mass media ignore aged viewers and readers or perhaps give them a senior citizens program shown at 6 a.m.

Another target is an educational establishment that trains people to work, not to live, and discourages the enrollment of the elderly except when there's a sudden drop in youthful enrollees and anyone temporarily filling the classroom is better than no one. And what about the advertising agencies, which see the elderly only as consumers of dental fixatives and hucksters of squeezable toilet tissue but think that only youth have a lot to live for?

My use of the word "confrontation" may startle some people. But I suggest the direct complaint, protest, and expression need to be made, particularly by organized senior citizens themselves in forms that are acceptable and confrontable to them. Such social action and citizen involvement programs should be encouraged by practitioners in the field. By becoming involved, by confronting obstacles and seeking to remove them, the elderly will greatly enhance their self-image and gain greater respect for others as well.

Does NCOA have a position on long-term care that might do away with abuses in nursing homes?

We believe there should be a systematic diversion of federal funds, now estimated at $3.5 to $7.5 billion, from proprietary nursing homes into public or private nonprofit social utilities for long-term care. By "social utilities" we mean facilities or services not exclusively oriented to inpatient care but also planned to provide services beyond their walls.

In other words, these facilities would not provide services exclusively to the institutionalized aged but would become an integral component of the service delivery network to the elderly in the community.

Under this arrangement, the possible services are many. Examples would be day care, congregate dining, disease detection, intellectual and social programs, group and individual counseling and psychotherapy, outreach care, social services, and health education. These social utilities could do many things. In addition to offering a quiet sanctuary for those who require it, these long-term facilities could also become lively placed with ties to the larger community. Instead of believing he had gone somewhere to die, the older person entering such a facility would expect and receive the kind of care that offers rehabilitation and a renewed sense of hope and self-esteem.

Elderly persons need and deserve long-term care facilities geared to meeting the full range of their medical and social needs, places where they can go and be assured of quality treatment. Public support for the social utilities concept would reinforce competition in the nursing home industry and encourage proprietary homes to develop similar constructive programs.

Presenting a more appropriate image of the aged should of course be a priority item, but getting a job to meet today's bills must also be emphasized. Would you briefly summarize NCOA's programs in the employment field?

NCOA has developed and carried out a number of programs to demonstrate the ability of the older worker to perform well on the job, to promote work opportunities regardless of age, and to remove hiring bias. We have a National Institute of Industrial Gerontology, which provides services to business and labor, federal manpower programs, and state employment offices, and gathers and publishes information and research findings in the broad areas of age, work, and retirement. The institute has conducted a series of conferences to acquaint employers with methods for training older workers and with the provisions of the Age Discrimination in Employment Act.

The Labor Department funded a major technical assistance project through the Minnesota Employment Service that enabled our institute to develop educational materials and audiovisual aids and to provide technical assistance and training programs for improving state employment services to middle-aged and older workers by improving the training of specialists in the field.

We are now conducting two research and demonstration projects to show how the older worker can be successfully employed. The Senior Community Service Project is designed to demonstrate the feasibility of employing older persons who are willing and able to work as subprofessionals in the fields of health and social welfare. They work in a variety of jobs ranging from counseling in juvenile detention centers to home repair programs. Then there is the Industrial Health Counseling Service, a project in Portland, Maine, which has shown that by measuring a worker's physical capacity in terms of physical job demands, age bias in hiring can be eliminated and work opportunities developed. The project has provided scientifically designed medical examinations for more than 3,000 job applicants and also has provided job analysis services to 133 industries and businesses in the Portland area.

ANNOUNCEMENT OF POSITION ON VOTES

Mr. STEVENS. Mr. President, while necessarily absent from my senatorial duties on Saturday, July 26, I was unable to participate in the rollcall votes. For the record, I hereby indicate how I would have voted had I been present.

Vote No. 334, final passage of H.R. 8597, Treasury-Postal Service appropriations, yea.

Vote No. 335, Stevenson unnumbered amendment to H.R. 8070, HUD appropriations, nay.

Vote No. 336, motion to table unnumbered Mondale amendment to H.R. 8070, HUD appropriations, nay.

Vote No. 338, Final passage of H.R. 8070, HUD appropriations, yea.

Vote No. 337, S. 66, Health Service veto override, yea.

DO NOT BLAME THE AMERICAN FARMER

Mr. CHURCH. Mr. President, there recently appeared an editorial in the Idaho Falls Post Register titled "Don't Blame the American Farmer." This editorial very succinctly summarizes the current relationship between food prices and farm income.

Contrary to sentiment in some circles, the American farmer is not getting richer as retail food prices continue to rise. According to one study, U.S. farmers received 46 cents of each food dollar in 1973, and only 42 cents of each food dollar last year. And, every indication is that the percentage will be even less this year.

Mr. President, Americans spend a smaller percentage of their incomes on food than any other people in any other country in the world. As this editorial points out:

> None of these statistics may do much to ease the pain one experiences while strolling down the supermarket aisle, but at least they may help to put things in better perspective.

Mr. President, I ask unanimous consent that the editorial from the Post Register be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Editor's Notebook—Don't Blame the American Farmer

No one can deny that food prices have gone up. They have—by about 64 per cent between 1953 and 1973. But during the same period, wages increased more than 142 per cent.

Moreover, Americans are spending a smaller percentage of their incomes on food than they did a couple of decades ago. In 1953, food took about 22 per cent of disposable income. In 1973, it was down to 16 per cent, and the Department of Commerce estimates it was 16.7 per cent in 1974, despite the fact that the consumer price index—the cost of everything—rose nearly 12 per cent.

This is less than in any other country. Worldwide, the percentage of income spent on food runs between 30 and 60 per cent.

According to a report by The Conference Board, a New York based economic research organization, total consumer spending (after inflation is subtracted) rose $350 billion, or 75 per cent, in the United States between 1960 and 1973. And while 9 per cent of that increased spending went for food, this compares with 14.5 per cent more spent on luxuries and 15 per cent more spent on automobiles.

Nevertheless, everyone thinks food prices are too high and that somebody is getting rich because of it.

Well, it's not the farmer, according to one source. While farm income has gone up in recent years, it is still low, says F. L. Wooten, vice president of Kaiser Agricultural Chemicals.

In 1971, median income for all U.S. families was $10,285, he says, but for farm families (and 98 per cent of all farms are family operations) it was $5,712. In 1973, farmers earned approximately $3,300 per person, but national per capita income was $5,000.

Then where is the food dollar going?

The farmer receives less than half the money spent for food, says Wooten. In 1973, he got 46 per cent of each food dollar; in 1974, 42 per cent. All indications are that it will be even less this year. The remainder goes for transportation, processing and retailing.

America's farmers remain the world's most productive, feeding more than a quarter of the earth's population. They have played a large part in improving the nation's balance of payments situation and are constantly working to achieve greater efficiency.

For example, in 1960 there were 7.9 million farm workers, each supplying enough food for 25 other persons. In 1974, there were only 4.3 million farm workers, but each provided enough food for himself and 50 additional people.

None of these statistics may do much to ease the pain one experiences while strolling down the supermarket aisle, but at least they may help to put things in better perspective.

AN ANNIVERSARY FOR MEDICARE

Mr. CHURCH. Mr. President, 1975 is a year of anniversaries for programs related to aging.

Just a few weeks ago, U.S. Commissioner of Aging Arthur Flemming conducted ceremonies observing the 10th anniversary of enactment for the Older Americans Act.

In Ann Arbor, Mich., during the week of August 11, hundreds of persons will gather for a University of Michigan conference which will mark the 40th anniversary of the signing of legislation establishing the beginnings of our social security system.

A major part of that social security system, medicare, is also observing an anniversary this summer. It was on July 30, 1965, that President Johnson signed into law the statutes establishing medicare and medicaid.

Neither program, to be sure, has been an unmixed blessing. Medicare still falls short of providing important forms of care to older persons; its costs to the consumer are going up; and restrictive administration policies have reduced its coverage. Nevertheless, medicare has achieved one of its prime objectives: Elimination, to a large extent, of the raw fear that a single hospital stay would financially wipe out an older person, and members of the family, entirely.

Medicaid, which meshes so unevenly with medicare, has had more than its share of problems and scandals; much needs to be done to improve it or replace it with something better. But at age 10, it has also done important work on behalf of people in need from all age groups. The Senate Committee on Aging, on which I serve as chairman, is giving careful attention to the problems and achievements of these two programs.

An article by Nancy Hicks in the July 30 New York Times gives a balanced account of two programs. It also cites a Senate Committee on Aging study which reported last year that medicare recipients are spending well over $500 million yearly for private health insurance meant to supplement medicare. That half-billion dollars is quite often forgotten in analyses of the total costs of providing health care for older Americans.

The article is significant and worthy of widespread attention. I ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Medicare and Medicaid After Decade: A Mixed Picture of Gains and Excesses

(By Nancy Hicks)

Washington, July 29.—Ten years ago tomorrow, President Johnson signed into law the amendments to the Social Security program that created Medicare and Medicaid.

The event, held in Independence, Mo., in the presence of former President Harry S. Truman, culminated half a century of political compromise and established the nation's first Government-sponsored health insurance programs.

Ten years later, reports on both Medicare and Medicaid are mixed.

Medicare set as its goal the elimination of the financial catastrophe that illness often meant for older Americans and their families. The program is generally considered a success—though not without problems—for the 21.8 million elderly and three million disabled people who are currently enrolled.

Medicaid, a joint Federal-state program to subsidize health services for the poor, is not considered a success because of the abuses it has generated. Yet one in five Americans has at some point used it for medical services they could not otherwise afford. Most beneficiaries have been older people with such expenses as that of long-term nursing home care, which Medicare does not cover.

$31-BILLION IN 1975

The two programs, which are spending a total of $31-billion this year, have had a tremendous impact. Because of this, they will have a major influence on future Federal health programs, most experts agree.

"Medicare was a breakthrough," said Wilbur J. Cohen, who drafted health legislation that was unsuccessfully proposed in 1952 by President Truman, as well as the 1965 package that became law. "In its 10 years, it has broken the back of the ideological opposition to the public role in health insurance" he said.

Mr. Cohen, who is dean of the school of education at the University of Michigan, was Secretary of Health, Education, and Welfare in the Johnson Administration.

Federally sponsored health insurance was first proposed by former President Theodore Roosevelt in his unsuccessful 1912 campaign to be elected again. The American Medical Association advocated such insurance in 1916 but later opposed it.

PROPOSED IN 1935

Federal health insurance was almost included in the 1935 act that established Social Security, but was withheld by President Franklin D. Roosevelt, who thought it might jeopardize passage of the program.

Health insurance legislation was introduced but did not pass in 1952, 1960, 1962 and 1964. It was finally enacted in 1965 in the wake of Mr. Johnson's landslide victory over Barry Goldwater.

At the time, the A.M.A. called such programs "incitement to revolution" and "communism." Now doctors overwhelmingly support them. One reason is that Medicare and Medicaid have proved profitable for doctors.

Today Medicare is criticized in much the same way that many other government programs are: as insensitive in benefits. It is said to have caused inflation of health costs, which it does not completely absorb, and some people say it is too passive in regulating payments to physicians.

VOLUNTARY ASPECT

Medicare provides coverage of hospital bills and voluntary insurance for doctors' services. An estimated 95 per cent of those who receive hospital coverage buy the doctor insurance, which costs $6.70 a month. That amount is matched by the Government.

Only about 40 per cent of all health costs of the elderly are covered by Medicare. This represents a decrease in proportion in recent years. Most hospital charges are covered if an illness lasts two months or less. Only about half the doctors' fees are covered, although the program will pay up to 80 per cent of what it considers "reasonable charges."

A 1974 report of the Senate Special Committee on Aging showed that half of all Medicare recipients were paying $500-million a year in additional premiums for nongovernment insurance to supplement Medicare.

In Medicare's first year, Americans 65 or older paid an average of $236 of the total per capita medical expenditure of $445—Government and private—for their age group. In the fiscal year that ended June 30, 1974, the average individual paid $415 of a per capita expenditure of $1,217.

Nelson H. Cruikshank, the 73-year-old president of the National Council of Senior Citizens, tells of a recent illness of his brother, who accumulated $28,000 in bills in a series of complicated operations. All but $2,000 was paid by Medicare, Mr. Cruikshank said.

It is this type of illness—short-term, hospital based—that is most completely covered by Medicare.

Medicaid meanwhile, is administered by the states. Patient eligibility, services and payment levels are determined at the state level. As a result, benefits and services are uneven across the country * * *

The program received very little public attention in its initial years. Then its cost began to soar, legislators took notice and, in 1968, many states began cutting back benefits.

In New York, a watchdog group called Medicaid a "health Christmas" for poor families. A family of four with an income of $5,000 or less had all its health expenses covered in full.

MANY WON'T TAKE PART

Medicaid has spawned abuses by some doctors who specialize in Medicaid patients and cut corners or pad costs. Because the program pays physicians about 30 per cent less for their services than Medicare does, many will not participate.

This defeats the primary goal of Medicaid: to increase the access of the poor to health services.

"Every day I live I see that programs designed for poor people are poor programs," said Robert M. Ball, who was commissioner of the Social Security Administration from 1962 to 1973.

Mr. Cohen agrees. The only social programs that work over a period of time, he says, are those that help primarily the middle class, such as Social Security and Medicare.

Lucille Reifman, associate commissioner for planning in the medical services administration of H.E.W., does not agree. Medicare could not work as well as it does without Medicaid, she said.

"The two programs could not exist without one another," she said, explaining that Medicare provides basic coverage for the elderly and that Medicaid, in addition to providing basic health care for the indigent young, insure the elderly against financially catastrophic illnesses.

NURSING CARE CITED

Long-term nursing home care is not covered by Medicare. But 40 per cent of the medicaid budget is spent on such care. Seventy per cent of the 25 million recipients are elderly, most of them women, according to Federal statistics.

Medicaid and Medicare have been criticized severely in Congress as inflating the cost of hospital care. The average daily hospital rate increased 138 per cent from 1965 to 1973, the consumer price index shows.

One reason given was that the legislation had been written with basically no guidelines to control spending. The legislation would never have been passed if such restrictions had been spelled out, Mr. Cohen and Mr. Ball agree.

In 1972, Congress amended the Social Security Act to require panels of doctors to review services covered by Medicaid and Medicare to make certain that they were necessary and consistent with the medical diagnoses. This program is not scheduled to become fully effective, however, until next year.

Medicare and Medicaid reforms have been proposed by Senator Herman E. Talmadge, Democrat of Georgia. He is chairman of the health subcommittee of the Senate Finance Committee, which oversees for the two programs.

The senator has proposed a new department of health financing to coordinate regulations among various programs that often affect the same hospital or doctor, to monitor fraud and to increase the efficiency of administration. He also would set a minimum level of payment to doctors.

The subcommittee staff is seeking ways to get more, doctors to take "assignments" under Medicare—that is, to bill the program directly instead of the patient, and to accept payment from Medicare as payment in full.

MILITARY COMMISSARIES

Mr. DOLE. Mr. President, I was extremely pleased to see the House of Representatives take up and approve by an overwhelming margin yesterday its resolution expressing opposition to any change in the present method of providing financial support to our military commissaries.

Certainly, the 364 to 53 vote by which House Concurrent Resolution 198 was agreed to should be a clear indication to the Department of Defense that we in Congress do not subscribe to the rather controversial proposal developed by the Secretary. Hopefully, the Senate can add its endorsement to the House action in the very near future—thereby putting DOD officials on notice that the substantial commissary customer surcharges contemplated for October 1 are deemed both unadvisable and inappropriate.

I think most of my colleagues are aware that the effect of implementing the new policy would be to have military personnel absorb 50 percent of the costs associated with commissary store operations. Moreover, on October 1, 1976, this requirement for cost reimbursement to the Government would be expanded to the full 100-percent level.

While we are all interested in efficiency-producing and economizing measures within our Military Establishment, it seems to me both unwise and unfair to pursue these objectives by having commissary patrons bear the burden of increased food costs. Aside from the arguments for maintaining a moral commitment to our active duty servicemen and continuing a vitally important benefit program for the retired military community—many of whom are using food stamps as it is—there is the very real question of whether or not any true cost savings would, in fact, result.

The reason for this, of course, is that the present system of providing commissary privileges is considered one of the more significant incentives for choosing a military career. Consequently, if this benefit were to be substantially reduced as proposed, it is entirely conceivable that greater expenditures would have to be made in our recruiting programs in order to attract young men and women into the voluntary force.

In my view then, Mr. President, the effects of the Defense Department initiative would be counterproductive at best, and should not be permitted. I believe the great majority in this body would agree with that evaluation and vote to concur in the House-passed resolution soon after the coming recess.

Since the actual decision on adoption or rejection of the policy change in question will be reflected in the fiscal year 1976 defense appropriation bill, the purpose of House Concurrent Resolution 198 is to persuade the Department that it should proceed no further toward implementation until Congress has made its official determination. It is my personal expectation that that judgment will be to continue the support of our military commissaries in a manner consistent with established practices.

A WORKABLE COMPROMISE

Mr. MOSS. Mr. President, it now appears that no further opportunity exists for Congress to act in time to send an energy bill on prices, imports, and domestic production of oil and gas to the President before August 31.

Therefore, I ask unanimous consent to have printed in the RECORD a press release and two statements on my proposal to solve our energy dilemma. If we could have reached this compromise we could have held prices in check, gradually reached a single domestic price system, stimulated domestic production as well as alternate sources of energy.

When the Congress returns on September 2, I shall renew my suggestion.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MOSS NOW ENCOURAGED BY FORD'S ENERGY PROPOSAL . . . URGES FURTHER COMPROMISE

WASHINGTON, D.C.—Senator Frank E. (Ted) Moss (D-Utah) lauded the President's latest proposal for decontrol of oil as "... an encouraging move in the right direction. He (Ford) has come a long way from his previous rigid position and now leans toward the policy that the Congress has been proposing."

The President had originally proposed immediate decontrol. This was changed to a plan that would phase out controls over 30 months. His latest plan is to phase out control over a 39-month period. Also, his current plan now would allow old oil to rise from $5.25 to $11.50 and would roll back the price of new oil from $12.50 to $11.50 per barrel. But then it would increase by 5 cents per month per barrel over 39 months, to $13.50 per barrel. The President's proposal also provides for a windfall profits tax which would allow the producer to exclude 20 to 25 percent of excess profits for monies reinvested in future exploration.

So, while I am encouraged by the President's latest progress on energy matters, his oil decontrol proposal does not yet go far enough.

I question some aspects of the proposal including what happens at the end of 39 months if the price of imported oil is higher than domestic oil . . . how does he expect us to bridge that gap?

His proposal is unclear on what would happen to natural gas controls.

By exempting 20 to 25 percent of windfall profits from taxes if a company reinvests in future exploration, there is a real question whether such a plowback is necessary with the price of new oil at $11.50 and being allowed to increase to $13.50 per barrel over 39 months.

One of my biggest concerns is that the President expects the Congress to act in just five days on approving a proposal of such far-reaching impact on the country and would commit us to a program with yet unanswered questions.

"The plan so far is lacking in information and details," Senator Moss said.

Estimates indicate the President's decontrol plan over 39 months would reduce Gross National Product by about $50 billion, increase the unemployment rate by about 750,000, add about $600 to the cost of living in the average household, and increase consumer prices another two percent by 1977.

"These considerations indicate that an energy program cannot be determined in a vacuum.

"We shouldn't move on an issue of this significance merely to meet some magic deadline.

"We must act prudently, not precipitously, since we cannot afford false starts," he warned.

Senator Moss believes price controls should be extended for 90 days to provide time for working out details and insuring to the greatest possible degree against imposing undue and unnecessary hardships on the consumer and the economy.

"In that period, I am confident that the President and the Congress, working together, can find a solution to this important problem," he said.

As a basis for compromise, between the President and the Congress, Senator Moss proposed a program for new oil that would **(a) price it at $10.00 per barrel instead of $11.50, (b) phase decontrol over a period of 5½ years, (c) allow the price to increase at 5 cents per month which would mean that** the price at the end of the decontrol period would be $13.30 per barrel.

For old oil, he suggests allowing the price to rise from $5.25 to $10.00 (which is lower than the President's plan) and decreasing the amount of old oil under control at the rate of 1½ percent monthly over the entire 5½-year period instead of the 1½, 2½, and 3½ percent per year for three years as the President's plan envisions; and, as with new oil, allow the price of old oil being released to increase 5 cents per month to a ceiling of $13.30 per barrel.

He noted that this, coupled with fiscal and monetary policies which are compatible and supportive, would lessen the effects of the oil-induced price increase.

"Decontrol over a period as short as 39 months may induce producers to withhold oil from the market in anticipation of higher prices.

"Whereas, decontrol over a 5½-year period would tend to minimize that possibility.

"This week's news that inflation had spurted to an annual level of nearly 10 percent again, caused in part by energy price increases, underscores the importance of finding the right answers," he stressed.

A Workable Compromise

Mr. PRESIDENT: I am deeply troubled by the current impasse over oil prices. The American people want the institutions of government to work, not to break down when faced with tough policy decisions. Yet breakdown is imminent with regard to oil price controls, and threatens both to bring about the least desirable of all the pricing alternatives—immediate decontrol—and thus to deal another severe blow to people's confidence in government. In both cases the long-range consequences are ugly.

There is no easy answer to our present dilemma; there are many competing, often conflicting interests to be weighed and accorded **a measure of equity.**

As Chairman of the Subcommittee on Consumers, I know the grave strain and great hardship which any further increase in energy prices is going to bring down on the budgets and well being of consumers.

As Chairman of the Budget Committee's Energy Task Force, I know that some ground must be conceded to the oil producers on price if we are going to stimulate production of new oil.

As Secretary of the Democratic Conference, I know that the Senate leadership and the President want to resolve the current impasse in a responsible manner.

The President's latest proposal for decontrol of oil is an encouraging move in the right direction; but, unfortunately, it does not yet go far enough. His original plan envisioned immediate decontrol; that was changed to a plan which would phase out controls over thirty months, and his latest proposal is for 39 months. This plan would allow old oil to rise from $5.25 to $11.50 and roll back the price of new oil from $12.50 to $11.50, then let it increase by 5 cents a month to $13.50 over 39 months beginning October 1, 1975. But, what happens after that? Forty percent of the oil consumed in this country is imported. If in 39 months the price of imports is higher than domestic oil, how would we bridge the gap? The President's proposal doesn't spell that out. The plan also provides for a windfall profits tax which would allow the producer to exclude 20–25 percent of profits for monies reinvested in future exploration. With a price of $11.50 (increasing to $13.50) for new oil there is a real question whether such a plowback allowance is necessary. And just what would happen to natural gas controls is not clear.

These are some of the uncertainties in the President's proposal, but there are many other unknows. Yet, Congress is being asked to approve in five days a proposal which would have far-reaching impact on the country and commit it to a long-term program. Obviously more information is required to make a valid judgment.

That is why an energy program cannot be considered in a vacuum. Energy is the lifeblood of the U.S. economy. There is an inescapable relationship between the economy, the energy situation, and the budget. Economic progress depends upon the price and the availability of energy.

There is a need for decision to eliminate uncertainty and provide stability so that consumers and industry alike can plan and act intelligently. However, we must act prudently, not precipitously; we cannot afford any false starts. We shouldn't move on an issue of this significance merely to meet some magic deadline.

I believe price controls should be extended for ninety days to provide time for working out these details and evaluating their impact and to insure against imposing undue and unnecessary hardships on the consumer and our economy.

As a basis for compromise between the President and the Congress, I would propose:

(a) for new oil, a roll back to $10.00 per barrel instead of $11.50, and allowing the price to increase at 5 cents per month over a period of 5½ years to a ceiling of $13.30 per barrel;

(b) for old oil, allow the price to rise from $5.25 to the price of new oil, decreasing the amount of old oil under control at the rate of 1½ percent monthly over the entire 5½ year period instead of the 1½, 2½ and 3½ percent per year as the President's plan envisions, allow the price of old oil being released to increase 5 cents per month up to a ceiling of $13.30 at the end of the 5½ year period.

This plan, which allows the price of oil to increase more gradually, coupled with fiscal and monetary policies which are compatible and supportive, would lessen the effects of the oil-induced price increase.

Decontrol over a period as short as 39 months may induce producers to withhold oil from the market in anticipation of higher prices. Whereas, allowing the price to rise over a 5½ year period would seem to minimize that possibility.

Comparison of the Moss Compromise to the President's Latest Proposal

DESCRIPTION

The President's latest plan is to decontrol oil over a 39 month period. By the end of the first year, 18% of currently defined old oil would be allowed to sell at new oil prices, rising to 48% by the end of the second year, and 100% by November 1978. This plan would also roll back the price of new oil from $12.50 to $11.50 per barrel, but allow the price to increase by 5 cents per month over 39 months, to $13.50 per barrel. The President's proposal also mentions a windfall profits tax which would allow the producer to exclude some undefined portion of his excess profits for monies reinvested in future exploration. The President continues to propose immediate deregulation of new natural gas.

The Moss compromise rolls back the price of new oil to $10, and allows it to increase by 5 cents per month over a period of 5½ year to a ceiling of $13.30 per barrel. Old oil would be redefined as new oil at the rate of 1½ percent monthly (over the entire 5½ year period), thereby reflecting the natural decline rate of oil fields. The Moss approach eliminates most of the oil companies' windfall profits by leaving the money with consumers. However, a windfall profits tax with a plowback provision would be retained. The rebate to consumers would not necessarily be restricted to the yield from such a tax, but would also reflect the cost to consumers whether it arose from tariffs or OPEC price increases.

IMPACT

Compared to the President's latest proposal, the compromise recommended by Senator Moss represents a savings to consumers of approximately $13.5 billion over the 39 month period on domestic oil purchases alone. Depending on the policies ultimately selected regarding tariffs, natural gas, and coal, the savings could be twice as large, or approximately $27 billion through the end of 1978. The Moss proposal means an average savings of $200 to $400 per household over the 39 month period.

The most significant difference between the two proposals is their possible impact upon the recovering economy. The President's plan has a "double whammy" effect on the economy, and possibly on production. It concentrates 45% of its decontrol during the last 15 months. This significant increase may create inducement to delay drilling because producers could benefit from the higher price by waiting a relatively short period.

In contrast, the Moss compromise strikes an appropriate balance between energy objectives, and objectives for the economy. It avoids a sharp price increase which would tend to increase inflation and trigger a wage-price spiral which could lead to a substantial increase in unemployment.

The Moss compromise also avoids abrupt increases in energy prices which would impose unnecessary hardships and might not increase production and conservation substantially more. After all, time is required to change living patterns, and to find and produce oil. The price and time-phasing of the Moss compromise provides the incentives to produce without creating incentives to withhold supplies from the market.

TIME-PHASING

Both the President's proposal and the Moss compromise provide a gradual rate of decontrol (18%) during the first year.

However, the President's plan would decontrol 82% of old oil between September 1976, and November 1978, while the Moss compromise continues the gradual (18%) per year decontrol over the entire 5½ years.

In addition, rolling new oil prices back to $10 rather than $11.50 a barrel is unlikely to reduce production, but the lower price will reduce the adverse impact of higher oil prices on the economy and consumers.

DIRECTION AND CERTAINTY

Both proposals indicate the direction of the federal government's plan, but the Moss compromise provides greater certainty and stability. It extends over a 5½ year period into 1981—and better enables consumers and producers alike to plan and act for the longer period. Removal of the uncertainty on prices and regulation will encourage increased investment, production, and conservation.

NATURAL GAS

In addition, Senator Moss has called for the Congress to explore a natural gas price adjustment plan which would:

Allow the price of new gas in interstate and intrastate markets to rise to the blend price of domestic oil.

Permit only 1 to 1½ percent per month of natural gas from producing wells to rise from the old contracted price to the new ceiling price. This would reflect the natural decline rate in gas pricing in a manner similar to that proposed for oil.

Such a plan could add substantially to consumer savings compared to the President's deregulation plan, particularly if there is a rush, as is likely, to renegotiate existing contracts up to the ceiling price.

EXTENSION OF EPAA

The Moss compromise would extend the Emergency Petroleum Allocation Act of 90 days to allow time to work out the details of the new plan.

CORPORATION BRIBERY AND CORRUPTION

Mr. CHURCH. Mr. President, the Subcommittee on Multinational Corporations, which I chair, has been investigating the problems of corporate political contributions and bribery abroad. The investigation has raised a large number of troubling questions about the attitude of the American business community and the prevailing standards of corporate morality.

Numerous disclosures before our subcommittee, including those made by Gulf Oil and the Northrop Corp., suggest that corporate internal bookkeeping has been entirely too sloppy and that outside accounting firms have permitted the existence of "slush funds" which could be used for any purpose the management wished.

Similarly, the role of outside directors has been called into question. We have had occasion to wonder whether those directors really knew what was happening inside the corporation and whether they had an opportunity to voice their opinion.

More important, the courts have tended to treat corporate law violations leniently and the impression has been given that where illegal payments have been made, there has been a temporary lapse.

We must now wrestle with the problem and propose long run legislative solutions.

An article in the Wall Street Journal on Thursday, July 31, 1975, by Jerry Landauer entitled "When the Boss Gets in Trouble" is an excellent analysis of the problem. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, July 31, 1975]

When the Boss Gets in Trouble

(By Jerry Landauer)

Washington.—Businessmen are forever asking why their reputations keep dropping in the eyes of the public. For part of the answer, they might look at what's been happening in the board rooms and executive suites of Northrop Corp., Ashland Oil Inc., and Phillips Petroleum Co.

The chief executive officers of these three large companies—Thomas V. Jones, Orin E. Atkins, and W. F. Martin—have been found guilty, or have conceded they were guilty, of unlawful use of company funds. The misconduct generally involved the creation and illegal disbursement of corporate slush funds for political purposes.

The lawbreaking, in itself, is remarkable. Men of such stature might be assumed to have personal standards that would rule out illegality, particularly when it consists of efforts to subvert the American political process.

But what is perhaps more remarkable than the lawbreaking is the manner in which the boards of directors of the three companies have responded to it. Far from firing the men, the boards have issued expressions of support for the wrongdoers. Furthermore, directors of Phillips and Ashland even have sought to excuse the illegality by arguing that such practices were widespread or that the men didn't know the laws were being enforced.

And today, Messrs. Jones, Atkins and Martin are continuing to run Northrop, Ashland and Phillips.

Several other cases, loosely similar to these, have come to light, mainly as a result of investigations related to Watergate. But of those that have been resolved so far, these three best typify the type of violations involved. Also, they well illustrate the forgive-and-forget approach that seems to be emerging as the most prevalent response of corporate directors to this latest wave of high-level illegality.

While corporate directors, and the malefactors themselves, have been offering a variety of self-serving justifications for all this wrongdoing, hardly anyone of responsibility in American business has spoken out sternly against the actions of his peers. Last week, Irvin S. Shapiro, chairman of Du Pont Co., did acknowledge, however, that the illegal campaign contributions of some companies "have cast a cloud on the character and the credibility of corporations." Mr. Shapiro reaffirmed Du Pont's policy against corporate contributions to federal campaigns (such contributions are illegal), and announced that the company is establishing a public register of solicitations of, and contributions from, Du Pont executives personally. Such candor on the subject of political contributions is far from typical of big business, however.

Meanwhile, the Securities and Exchange Commission has brought suits against some offenders and has implied that more suits lie ahead unless businessmen themselves put an end to the abuses.

PUBLIC LOSS OF CONFIDENCE

Commissioner A. A. Sommer Jr. of the SEC discussed the problem in a speech the other day. He noted a Harris Poll reporting that the number of Americans expressing a "great deal of confidence" in business leaders had dropped from 55% to 27% between 1966 and 1973. "Businessmen," Mr. Sommer said, "have been singularly slow to raise their voices in criticism of the conduct of their fellow businessmen, conduct which inevitably hurts all businessmen."

Referring to revelations of "deceit, cunning and deviousness" among prominent corporate officials, Mr. Sommer declared that it's time for businessmen to devise "within their community a means of developing and enforcing a code of responsibility." Business, he added, "constantly complains of the intrusion of government in its affairs. I can think of no better antidote to this tendency than strong action by businessmen to prove . . . that they are truly concerned with the conduct of their fellow businessmen. . . ."

The companies known to have broken the law by contributing corporate funds to President Nixon's 1972 campaign include some of America's largest: Gulf Oil Corp., Goodyear Tire & Rubber Co., Braniff Airways, Inc., American Airlines Inc. and Minnesota Mining & Manufacturing Co.

Of all the slush-fund cases, however, only at 3M does it appear possible that any executive might go to jail. Some 3M officials engaged in suspicious tax maneuvers while retrieving $100 bills paid as "legal fees" in Switzerland, funds that then were channeled into political campaigns. Two former executives have been indicted for tax fraud and, if convicted, could go to jail.

The generally light judicial treatment of wrongdoers stems partly from a crucial decision made by Watergate Special Prosecutor Archibald Cox in October 1973. Faced with the near-impossibility of uncovering corporate slush funds without help from insiders, Mr. Cox announced that his office would charge the "primarily responsible," corporate official in each case with a misdemeanor, rather than a felony. He hoped, correctly as it turned out, that this would prompt companies to come forward voluntarily with admissions of guilt.

As these misdemeanor cases have gone to court, judges have tended to go lightly on the first offenders involved. Thus the sentences so far have consisted only of relatively small fines.

To understand the slush-fund violations, it's useful to look closely at the cases of Phillips, Northrop and Ashland, about which quite a bit is known now, partly because of public documents arising from SEC investigations.

At Phillips, Mr. Martin became involved, as senior vice president, in a complex kickback scheme requiring overseas contractors to channel $2.6 million through foreign conduits for deposit in Swiss accounts; of this sum the company allocated $585,000 for political purposes. Mr. Martin accepted the task in 1968 of "monitoring" kickback payments from one contractor and he moved cash from Switzerland to company headquarters. As president of Phillips in 1973, Mr. Martin personally gave corporate cash to two tight-fisted subordinates who didn't care to spend even $500 of their own money for tickets to political dinners. Mr. Martin wasn't charged with any crime. In accord with the policy laid down by Prosecutor Cox, the government negotiated a misdemeanor plea with Mr. Martin's predecessor, William W. Keeler; Mr. Keeler was fined $1,000.

Now that the slush fund has been uncovered, the Phillips board concedes Mr. Martin's "participation in the program of unlawful political contributions." But the directors, in a special report to shareholders, sought to excuse him saying he had "for the most part" merely "acquiesced" in misconduct initiated long ago by his superiors. The directors added that to take "any action" against him would "distract" him from making money for shareholders.

At Northrop, Mr. Jones masterminded an elaborate plan to launder corporate money through a consultant in Paris. Some $50,000 from this slush fund went (unknown to Mr. Jones) for hush-money payments to the Watergate burglars. To conceal the illegal fund, Mr. Jones induced three Northrop executives to prepare bogus, backdated promissory notes intended to prove that an earlier $100,000 Northrop payment to the

Nixon campaign hadn't come from corporate coffers, in violation of law.

The Senate Watergate Committee, in a report to the Senate, described the following activities of Mr. Jones in connection with the slush fund: He personally brought the bogus documents to Washington; he prepared fake correspondence with the Paris consultant; he lied to the General Accounting Office; he signed an untruthful answer to questionnaires from the Watergate Committee; he lied to the Federal Bureau of Investigation, and he gave perjured testimony to a federal grand jury (which Watergate prosecutors let him recant).

Mr. Jones pleaded guilty to a felony. He could have been imprisoned for five years, but Federal Judge George Hart instead levied a $5,000 fine on the executive—who was earning $225,000 a year.

Even before Mr. Jones' sentencing in May, 1974, the Northrop board agreed to keep him as chairman and Mr. Jones agreed to reimburse Northrop for illegal contributions and for "other company expenses which have resulted from these contributions." Six months later, however, the board—while praising his "integrity"—waived the reimbursement pledge. Instead of repaying his share of Northrop's $1 million outlay for lawyers and auditors, Mr. Jones was permitted to pay just $50,000—which the company quietly loaned him, at less than the prime rate of interest.

Then, in Senate testimony last month, Mr. Jones acknowledged that he may have unintentionally signaled subordinates to pay $450,000 in bribes to two generals in Saudi Arabia. Following this new disclosure, Northrop's directors burdened him with a "heavy share of the responsibility for irregularities and improprieties" within the company. They accepted his resignation as chairman—but kept him on as president and chief executive officer, although they implied that he might be replaced in the next year. Northrop's growth "can to a large measure be credited to his efforts," directors said.

WHILE AT ASHLAND OIL

Similarly, directors of Ashland Oil forgave chief executive officer Orin Atkins for being convicted of a misdemeanor [the executive pleaded no contest]. They also excused his participation in generating an $800,000 slush fund and his "error" in making "inaccurate" statements to Watergate prosecutors about illegal political payments.

Mr. Atkins once personally withdrew $125,000 from the company's account in a Geneva bank and carried half the cash to corporate headquarters in Ashland, Ky., where it eventually was used for political contributions. (The company's assistant secretary carried the other half.) Nevertheless, Ashland's directors are unanimously resolved to keep Mr. Atkins on the job. Like Northrop's board, Ashland's pointed to the company's growth under Mr. Atkins' "forceful leadership." Mr. Atkins merely acted in what he thought was the company's "best interests," the board explained, and in any case he didn't think federal laws prohibiting corporate contributions were being enforced.

This argument, implying that a law's nonenforcement somehow justifies its violation, isn't based on fact. "U.S. Starts Enforcing Laws Barring Political Gifts by Firms, Unions," a front-page headline in this newspaper said in November, 1969. An accompanying article cited indictments that had been brought against 10 corporations and it quoted warnings that the government would henceforth prosecute not only corporations but executives, too. "It's going to be hard for anybody to plead surprise after so many prosecutions in such a short time," an assistant attorney general was quoted as saying.

In fact, the Justice Department leveled a 13-count indictment in 1971 against United Mine Workers President W. A. (Tony) Boyle for arranging $49,250 in illegal union political gifts. Mr. Boyle's widely publicized trial began just as corporations were restocking slush funds for election year 1972. In June the union boss was found guilty on all counts. The government demanded a maximum sentence in order to deter "others in a position of trust." A federal judge sent him to jail for three years.

FINANCIAL ASSISTANCE TO REPRESENTATIVES OF THE PUBLIC IN NRC PROCEEDINGS

Mr. TUNNEY. Mr. President, Mr. Tersh Boasberg, a distinguished practicing attorney in Washington, D.C. and senior partner of the law firm of Boasberg, Hewes, Klores & Kass, has just completed a monumental report to the Nuclear Regulatory Commission. This report deals with the very timely issue of providing financial assistance to those representatives of the public who intervene in nuclear plant licensing and other NRC proceedings. While the report, itself, was not supposed to make recommendations on this issue, it develops all the pertinent arguments, both pro and con, and presents them in an objective, dispassionate manner, with voluminous citations to legal, administrative, and governmental authorities. The report delineates such topics as provision of direct financial assistance to intervenors, establishment of offices of State and Federal public counsel, congressional fee-shifting statutes, and the whole range of questions associated with public participation in the administrative process.

The report was commissioned by the NRC, but has direct relevance for all Federal agencies who seek to become more responsive to members of the public. As one of the participants in the Boasberg study, I can heartily recommend this detailed and scholarly report to all our regulatory agencies, to the executive branch and to my Senate colleagues. If our governmental agencies are to carry out their congressional mandates, they must be ever on the alert to develop new mechanisms to broaden constructive public participation in their own proceedings.

I ask unanimous consent to have printed in the RECORD the executive summary of this outstanding report.

There being no objection, the executive summary was ordered to be printed in the RECORD, as follows:

II. EXECUTIVE SUMMARY OF REPORT TO THE NRC ON POLICY ISSUES RAISED BY INTERVENOR REQUESTS FOR FINANCIAL ASSISTANCE*

This chapter is an Executive Summary of the complete Report on the same subject. The Executive Summary contains no reference to the Report's text, footnotes or appendices, and it is intended for those without adequate time (or fortitude) to read the full text. It is designed to be detached separately from the Report and is unnecessary reading for those able to review the latter's entire contents.

I. INTRODUCTION

On November 20, 1974, the NRC issued a Memorandum and Order in *Consumers Power Company (Big Rock Point Nuclear Plant)* dealing with requests for financial assistance to intervenors in licensing cases. The Commission concluded that substantial policy questions were raised by such requests, which should be explored in a rulemaking proceeding, and that:

> [I]n order to focus the rulemaking comments, and to help development of the issues which have thus far not been briefed, we shall direct the conduct of an examination and the issuance of a report by persons other than Commission employees.

The purpose of our Report, then, is to focus and develop the many policy issues raised by intervenor requests for financial assistance for use in the proposed NRC's rulemaking proceeding. In accordance with the terms of our contract, the Report does not make specific recommendations as to how the NRC should resolve these substantial issues.

The Report examines three major questions:

First, should the commission, as a matter of policy, provide financial assistance to intervenors in NRC proceedings;

Second, are there preferable alternatives to direct intervenor financial aid, such as the establishment of an Office of Public Counsel, or extension of other forms of assistance; and

Third, what are the legal, administrative, and budgetary considerations involved in implementing a decision (if any) to award financial assistance to intervenors.

Our contract specifically excluded consideration of the following matters:

A. Whether the Commission has the Statutory authority to provide intervenor financial assistance;

B. From what public sources, and in what amounts, the Commission will obtain the requisite funds to implement such assistance, if it decides in favor thereof.

C. Any changes in the Commission's existing Rules of Practice.

Dr. Frank von Hippel from Princeton University, and Dr. William Hinkle from MIT, served as technical consultants to our law firm. The study's methodology consisted principally of in-depth interviews of approximately 100 people, representing a wide spectrum of opinion on the questions presented. Our research concentrated on NRC and other federal and state agency decisions, statutes, court cases, and the many commentaries specifically addressed to the question of public participation and intervenor financing in the administrative process.

II. BACKGROUND: INTERVENOR FINANCING

Currently, the only federal agency providing direct financing of intervenors is the Federal Trade Commission, under a recent statute. Assistance is limited to rulemaking cases. Proposed FTC regulations state that financing will be provided: . . . to any person who has or represents an interest which would not otherwise be adequately represented in a rulemaking proceeding, and representation of which is necessary for a fair determination of the rulemaking proceeding taken as a whole, and who is unable effectively to participate in such proceeding (because such person cannot afford to pay costs of making oral presentations, conducting cross examination, and making rebuttal submissions in such proceeding).

Providing financial assistance to intervenors is the subject of a number of Bills pending before Congress, and the question is being studied by state and other federal agencies as well.

The Atomic Energy Act is silent on the precise question of intervenor financing. A recent Supreme Court case (in the absence of statutory language) refused to change the prevailing "American Rule" that parties to litigation must bear their own costs (including attorneys' fees), regardless of whether they prevail on their contentions. Another recent lower court decision held that the Federal Communications Act (which made no specific mention of intervenor fi-

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* The full Report and appendices, prepared by Boasberg, Hewes, Klores & Kass, were submitted to the NRC on July 18, 1975.

nancing) did not authorize successful intervenors to recover their expenses from an unwilling party to the agency's proceeding. These cases may be distinguishable from our study, on the grounds that: (1) the legislative history involving the deletion of the Kennedy Amendment from last year's Energy Reorganization Act did discuss the NRC's statutory authority to finance intervenors; and (2) both the above cases refused to shift costs from an unwilling private party to a successful plaintiff. However, these cases were decided after the award of our contract.

There are about 50 Congressional statutes, many of them fairly new, which specifically provide for award of attorneys' fees to a successful (or to any) party. There are also a host of law review articles, an Administrative Conference Report and numerous other commentaries speaking both for and against intervenor financing.

III. INITIAL CONSIDERATIONS

A. *Types of NRC proceedings*

The NRC engages in a variety of proceedings and for each type the factors governing questions of intervenor financing may be different. The Report looks at NRC rulemakings, construction permit and operating licenses, other licensing procedures, enforcement actions, and antitrust reviews. It suggests that in considering whether or not questions of intervenor financing are pertinent to any or all of these proceedings, one should examine (1) the purpose of the hearing, (2) the nature of the contested issues, (3) the role of the NRC staff, (4) the proposed contributions intervenors can make, and (5) the anticipated costs of such interventions.

B. *Eligibility of Intervenors for Financing*

The Report assumes that in order for an intervenor to become eligible for financing (if any), it must first satisfy the NRC standing regulations. While many of the same criteria are applicable to standing determinations, questions of eligibility for financing raise other considerations as well. These include whether one takes a "public interest" or "functional" approach to intervention, and issues of relative intervenor need for public funds.

The Report focuses on NRC rulemakings and construction permit and operating licenses, because this is where the vast preponderance of interventions have occurred.

In exploring whether or not intervenor eligibility for financing should be limited only to those who represent the "public interest," the Report concludes that such questions as "who represents the public interest," and "what is the "public interest" are almost impossible obstacles to overcome. It suggests that a better framework for consideration of intervention issues is a "functional" approach. **The reasons that there are many interests which should be considered by agency decision makers,** and that, under certain circumstances, the representation of these interests may be deserving of public assistance, because it can be helpful to the regulatory process. **Under the functional approach to determinations of intervenor financial eligibility, the Commission would examine** (1) duplication of represented interests, (2) the importance and nature of the contested issues, and (3) the intervenor's relative need for financial assistance.

Where the interests of an intervenor may be adequately represented by other parties, or by the NRC staff, there is less reason to finance such intervention. This, however, leads to problems of how one determines whether another's interest is "adequately represented;" the responsibility and capability of intervenors to raise significant issues; and whether they are "accountable" for the interests they put forward.

Another consideration under the functional approach is the nature and importance of the issues to be contested. Some issues lend themselves better to intervention than others. For example, issues which raise broad or generic concerns or new policy considerations may be better suited to public participation than narrow enforcement questions. This analysis also creates problems, such as deciding what is "important"? Issues which at first appear unimportant may later become critical to the hearing. **And should the issues be important only to the NRC or to the intervenor as well?**

The issue of relative financial need also raises difficult questions of its own: (1) **should public entities, such as small towns and counties, be eligible for assistance; (2) what about large national organizations, which may not have enough funds for all they wish to accomplish, but would have sufficient money to enter a particular proceeding; (3) should the Commission look behind the corporate shell of the intervening organization to the individual resources of its members; and (4) should the Commission consider what actions the intervenor has undertaken to raise funds of its own?**

After discussion of background matters and certain initial considerations, we move to the study's three major questions.

IV. SHOULD FINANCIAL ASSISTANCE BE PROVIDED TO INTERVENORS

The Report suggested that one must balance the arguments in favor of intervenor financing with those against it.

A. *Arguments in favor of intervenor financing*

1. Contribution of Intervenors

Proponents of financing claim that intervenors have made a number of significant contributions to the hearing process. These include contributions to radiological health and safety, to environmental concerns, and to the administrative process. A number of such claimed contributions are cited in the Report. Critics, however, contend that these do not constitute significant contributions at all, and may well represent instances of delay and nuclear blackmail. One of the purposes of the rulemaking will be to examine these alleged contributions and to balance them against the costs involved.

2. The Gadfly Role

Intervenors also argue that they serve as a gadfly to the hearing process, that their very presence tends to make the applicant, the staff, and the ASLB do their homework. But opponents point out that the basic staff review is done without knowing whether there will be an actual intervention; and that, additionally, the NRC's procedures are already laden with sufficient safeguards.

Intervenors also note that the nature of a gadfly's role is not one of primary scientific research, but rather one of analysis and questioning. This kind of function, therefore, does not demand an extensive national intervenor laboratory system.

3. Public Education and Confidence

Intervenors also claim that if they were financed it would enhance the public's education and information. Yet, while Congress mandated public hearings at the permit stage, it did not specifically address itself to intervenor financing, even in this proceeding. Intervenors also maintain that financing would increase public confidence in the NRC's regulatory process. Others, however, wonder how much public hearings actually contribute to public confidence.

Proponents of intervenor financing further suggest that in our democratic society, with enormous power concentrated in institutions, the private citizen is often overwhelmed; that informed and conscientious public participation in matters as important as atomic power is critical to the health of a knowledgeable citizenry.

4. How Safe Is Safe Enough?

Another argument raised by intervenors is that, when dealing with a potentially hazardous area such as nuclear power, providing assistance to intervenors is a small price to pay for another safety layer, which conceivably could help avert an accidental catastrophe. **However, others believe that the** risks involved in the use of nuclear power **are greatly exaggerated, and, further, no** other agency has such extensive safety review procedures. These include study by the NRC staff of every application, selected review by the ACRS, independent hearings by the ASLB, *sua sponte* review by the ALAB, as well as possible consideration by the Commissioners.

5. An Outside View

Proponents of intervenor financing also contend that, unlike other fields, the nuclear power area has been dominated by the government and the commercial industries it regulates, and that most of the technical experts are employed by them. Thus, such persons affirm that where this type of monopoly is present, it is prudent to have a fresh outside view, which the intervenors can provide. Critics note, however, that this argument is weakened by the ERA split of NRC and ERDA, and that the NRC now is concerned only with licensing functions. Moreover, they note that if one is going to have knowledgeable nuclear regulators, they normally would have had to gain their experience in either government or industry.

B. *Arguments against intervenor financing*

In addition to those arguments noted above, **opponents of intervenor financing raise the following points.**

1. Cost of Financing Intervenors

In any scheme of intervenor financing, there will be associated costs. These costs are measured not only by the amount of money provided to intervenors, but also by the resulting delays in the hearing process. Such potential or actual delays mean both that the taxpayer has to pay for the increased expenses of an extended hearing process, and that lengthened "on-line" plant time could result in higher costs to the ultimate consumer of electric power. Proponents of financing, however, note that delay is a relative matter and inherent in any regulatory process; that if delay is occasioned by valid safety and other considerations, it is fully warranted; and that interventions cause only minor delays (if any) in getting plants online.

Critics of intervenor financing also contend that applicant concessions to construction of cooling towers and overly restrictive safety requirements really represent examples of nuclear blackmail. **These are extracted at the expense of the ultimate consumer, to** satisfy the whims of a few self-appointed and nonaccountable environmental groups. As noted above, the question of significant intervenor contributions and associated costs, such as delay and blackmail, are issues to be balanced by the Commission in its rulemaking proceeding.

2. The Agency Protects the Public Interest

Another argument advanced against intervenor financing is that the NRC truly represents the public interest, and that this body has been charged by Congress with the duty of regulating nuclear power. Since the American people, through their elected representatives, have determined to pay the NRC regulators, why then should they also bear the costs of others to watch over NRC shoulders?

Proponents, however, point out that the public interest is not a monolith; that there are many interests which should be represented in a proceeding; and that the NRC cannot represent all such interests. Therefore, if representation of certain interests can be helpful to the Commission, then, under the functional approach to intervention, financing makes sense in order to help the Commission reach a more balanced judgment, based on full consideration of all the issues.

3. The Anti-Nuclear Intervenors

Another argument against financing is that most of the intervenors seem to be dead-set against nuclear power in any form. Thus, to finance them means that the money will be used only to delay the proceeding, since these intervenors cannot accomplish their primary goal of "stopping the nukes" within the legitimate purview of the hearing process. Others point out, however, that such issues as a nuclear moratorium are not being argued in licensing hearings. Further, they note that many intervenors are not anti-nuclear, and that even the anti-nuclear intervenors should be able to advance their concerns about those health, safety, and environmental issues which are properly before ASLBs.

4. The Adversary Process

Another argument against financing intervenors questions whether the NRC adversary process is the most efficient way of developing complex issues of a technical character. These persons suggest that extensive cross examination and other legalistic fact-finding techniques are ill-suited to the pursuit of scientific truth, where the real issues are not the credibility or deportment of a witness. They also note that, often, lawyers have turned the hearing process into a courtroom drama, playing to media, rather than getting to the meat of technological issues.

In responding to this argument, proponents maintain that many of the issues in an NRC proceeding are also non-technical in nature, and call for value judgments which the public is well qualified to comment upon. They also feel, while the hearing process may not be perfectly designed to adduce scientific truth, that nuclear scientists and technicians, too, must lay open to questioning the foundations of their hypotheses, and that cross examination is the best tool we have for doing this.

5. Alternatives and Administrative Difficulties

Two other arguments advanced against financing intervenors are (a) that there are better alternatives available to the Commission, and (b) that the implementation of direct financing poses insurmountable administrative difficulties. These are taken up in the next two sections.

V. ALTERNATIVES TO DIRECT INTERVENOR FINANCIAL ASSISTANCE

A. Procedural cost reductions

The Report examines possible cost reductions for filing, multiple copies and transcripts. It also discusses providing increased access to NRC technical staff. However, use of the agency's own staff, or that of the national laboratories on behalf of intervenors raises serious questions about an agency's ability to control and supervise its own personnel.

B. Public counsel—The Federal experience

The Report looks at the advantages of a public counsel office outside of the Nuclear Regulatory Commission, and notes that a consumer protection agency has been proposed by the Congress. However, there is serious doubt whether it will be enacted and signed into law by the President, or ever have the resources to intervene in the extensive and highly technical NRC-type proceeding.

The Report goes on to examine some public counsel offices which have been created by federal agencies such as those at the Interstate Commerce Commission, the Civil Aeronautics Board and the Postal Rate Commission. It notes that most of these offices do not intervene in agency adjudicatory proceedings, and act more as facilitators than as public advocates.

C. Public counsel—The State experience

Many states have experimented more than the Federal Government with offices of public counsel. Most of these state offices are relatively new and intervene in utility ratemaking proceedings. The Report then briefly describes the experience of public counsel in the States of California, New York, New Jersey, Indiana, Montana, Connecticut, Missouri, Maryland and Vermont.

D. Public counsel: A summary

There are a number of advantages to offices of public counsel. These include: (1) enabling attorneys and technical staff to build expertise in extremely complicated areas; (2) having a staying power not possible for under-financed intervenor groups; (3) being a known budgetary quantity, thus avoiding many of the administrative headaches associated with direct intervenor financing, such as determinations of intervenor financial need, whether or not to make interim awards, how much to pay intervenor counsel and experts, and how much intervenors have contributed to the proceedings. Also, public counsel rather than intervenors would determine which experts to retain and which issues to contest, and this could tend to avoid repetitious and duplicative interventions.

Of course, to many, the above advantages are the very problems of public counsel. This is especially the case for an in-house public counsel office which raises fundamental questions of independence and credibility. Given the current relationships between the NRC and most intervenor groups, this will be a formidable hurdle. Moreover, offices of publice counsel may have the same difficulties as private intervenors in choosing which issues to develop and which cases to enter. They also lack the pluralism of the Private Bar.

E. Independent intervenor assistance centers

The Report also examines NRC creation of independent legal and/or technical centers. Such centers could be funded through universities or bar associations, as the Office of Economic Opportunity has done in the case of its own legal back-up centers.

The major advantage of an independent center over an in-house public counsel is that it may well offer greater independence and freedom of action to center personnel. However, here, too, the nature of the NRC funding source might condition the center's independence and credibility with intervenor groups.

Others have pointed out that independent centers may be more appropriate for technicians than lawyers. These persons believe that it is necessary for intervenors to have greater access to technical skills, and that, since most of the technical people work for government or industry, a center, if adequately financed, could become a source of independent expertise for intervenors.

F. Other types of assistance

The Report also examines other types of assistance which might be available to intervenors, such as pro bono legal services from the bar, increased funding from foundations, and the Commission's use of advisory groups to facilitate broader public participation in the Agency's processes.

VI. IMPLEMENTATION OF FINANCIAL ASSISTANCE

This section considers some of the administrative difficulties of implementing financial assistance, if the Commission so decides.

A. Which intervenor expenses should qualify

The Report discusses compensation for intervenor experts. Two of the problems associated therewith are: first, whether the Commission should exercise any control over which experts are chosen; and, second, to what degree should the Commission pay for independent studies.

The Report then delves into the question of attorneys' fees. On the one hand, many suggest that attorneys' fees are just as necessary an intervenor expense as expert fees. They point out that a good attorney will enable an intervenor to present its case in a clear and concise manner, thus serving to reduce hearing delays. Others, however, worry about whether an attorney has an inherent conflict of interest, since he may be less concerned about advancing his client's cause than in ensuring his own paycheck. However, it should be noted that attorneys often work on contingent fee matters and that many Congressional statutes do provide for recovery of attorneys' fees to successful plaintiffs.

B. At what stage of the proceeding should assistance be provided

There is considerable discussion in the Report of the advisability of intervenor interim financing. Intervenors strongly contend that without such assistance many of them will be unable to participate at all. However, there are certain difficulties associated with intervenor financing: (1) most court awards are provided only at the end of a proceeding when it is possible to make a determination of such factors as the degree of counsel's skill, the novelty and complexity of the issues, and the benefits conferred by the litigation; (2) it is difficult to ascertain at the beginning of any proceeding which intervenors and which issues are most deserving of financing; and (3) many observers feel that, before obtaining any financial assistance, intervenors must make some demonstration of their bona fides, by reaching a threshold of independent support.

Perhaps a compromise is possible by allowing some interim funding; by waiting until after the completion of the premliminary hearings, when the nature and quality of the intervenor's presentation may be better ascertained, to make full awards.

C. What criteria should govern assistance awards

The Report considers whether awards should be made only to a "prevailing" party, or also to those intervenors who have made a "significant contribution" to the hearing process. Many observers believe that intervenors do not "prevail" or "win" a rulemaking or licensing case, in the technical sense of that term, and what is really important is that intervenors make a significant contribution in order to secure public financing. A concomitant difficulty is determining what is "significant."

There are other considerations involved in delineating criteria for making awards. For example, upon what criteria should attorneys' fees be based? Court decisions point to a variety of factors, such as the lawyer's skill, the time and labor involved; the novelty and difficulty of the questions presented; the customary fee in the locality; and the experience and reputation of the attorney.

There is also wide discrepancy in court decisions adjudicating hourly rates for attorneys. These range from $20–30 an hour under Criminal Justice statutes, to well over $100 an hour in antitrust proceedings. The new FTC Rules limit attorney awards to $50 per hour, in the absence of unusual circumstances.

D. Maximum amounts

Another question presented is whether intervenor experts and consultants should be compensated at rates in excess of those currently paid by the NRC, $138 per day. Proponents of increased amounts note that the present rates are unreasonably low, and that the very purpose of financing is to enable intervenors to attract the kinds of people who can help them make a maximum contribution to the proceedings. Others, however, point out that the rationale of financing intervenors is not to make their experts and attorneys rich. They argue that those working for intervenors have done so voluntarily, because of considerations other than money, and that this is a healthy condition.

E. A Matching concept

One of the proposals discussed is that the Commission could provide assistance on a 50–50 or other matching basis. The advantages of a matching formula (which might vary in percentage according to relative need) are: first, it could stretch the Commission's limited money so that funds would be available for more intervenors; second, it lessens the risk which the Commission might take on interim funding, since intervenors would have to put up a portion of their own costs; and third, a required match allows an intervenor to establish its bona fides.

There are also difficulties associated with a matching concent. One is that it may tend to favor those intervenor groups which are financially better off than others. A possible solution to this problem is to allow intervenors to contribute "in-kind" services, as well as cash, to their portion of their matching share. Another problem with matching is that it forces the Commission to make delicate determinations as to which intervenors receive which variable matching awards, and when.

F. Expenditure oversight

The Report also discusses what responsibility the Commission might have in supervising public assistance to intervenor groups, as well as the kinds of recordkeeping and documentation which intervenors should maintain to support their awards.

G. Impact of assistance on issue consolation

If financing is provided, many believe this will attract additional intervenors and lead to a proliferation of interventions. Others, however, argue that if intervenors knew that only a limited amount of money was allocated to any given proceedings, this would force them to consolidate their interests in order to maximize their available financing.

H. Allocation of limited funds

One of the most difficult questions presented by the study was how the Commission should allocate limited funds. The two possible polar alternatives are to allocate funds equally by proceeding, or to give the Commission discretion to allocate among proceedings, among issues and intervenors in any single proceeding, and to determine when and how much.

The advantages of allocating funds equally by proceeding is first, that it takes the Commission off the political hook of deciding which intervenors to fund, since it could simply say that so much was available, and that the intervenors would have to divvy it up among themselves; second, it avoids the problems of having to deal with such difficult line-drawing determining which intervenors are more deserving of financing than others; which issues are most important; how much to pay experts and counsel; and how to decide which intervenors have made the most significant contributions. However, the arguments against this approach are equally compelling. If funds are allocated equally by proceedings, it may mean that while everyone gets something it would be very little—perhaps not enough to enable anyone to make a significant contribution. Moreover, it means that funds would not be allocated with regard to merit or to the demonstrable value of an intervenor's contribution to the hearing process.

The Report also explores a two-tiered approach to financing. Under the first tier, perhaps half the total funds would be allocated by proceedings, so that most intervenors received a little something. However, the second tier would award funds only after the proceedings have been completed, to those intervenors who have made the most meaningful contributions.

I. *Who decides*

The last issue considered in the Report is whether financing decisions should be made by the ASLBs, the ALAB, or by some other body, such as a petition panel, which would consider only questions of intervenor awards.

VII. CONCLUSION

The questions raised by the Report are complex; but they are probably not as difficult, or as significant, as the decisions made every day by the Commission on important questions of public health and safety, national security, and the environment. Emotions run high on the advisability of facilitating greater public participation in agency proceedings, and, particularly, on subsidizing private interventions. The heated issues which cluster around the Nation's current nuclear debate are often injected into intervenor financing considerations.

On the other hand, many of those people interviewed believe that these issues could and should be resolved, and that a decision one way or the other would neither bring the nuclear industry to its knees, nor wipe out intervenors. The Report considers these questions in a framework of a legal procedure for decision making, not a revolution in the streets.

TWO SPEECHES BY ALEXANDR SOLZHENITSYN

Mr. BUCKLEY. Mr. President, on June 30 and July 9 of this year, the distinguished Nobel Prize winning Russian author, champion of human freedom and eloquent spokesman for human rights Alexandr Solzhenitsyn, delivered two major addresses. I was fortunate enough to have been among the audience when he spoke in New York City on July 9, and I can say without reservation that its was one of the most memorable and moving speeches I have ever heard. I will not attempt to summarize what Solzhenitsyn said in those two speeches, for he delivers his message—one might say warning—to the West with a unique fervor and moved conviction that compel attention.

Mr. President, I ask unanimous consent that the two speeches by Mr. Solzhenitsyn be printed in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

AMERICA, WE BEG YOU TO INTERFERE

(By Alexandr I. Solzhenitsyn)

Most of those present here today are workers. Creative workers. And I myself, having spent many years of my life as a stone cutter, as a foundryman, as a manual worker, in the name of all who have shared this forced labor with me, like the two Gulag prisoners whom you just saw, and on behalf of those who are doing forced labor in our country, I can start my speech today with the greeting: "Brothers!" "Brothers in Labor."

And not to forget, also, the many honored guests present here tonight, let me add: "Ladies and Gentlemen."

"Workers of the world unite!" Who of us has not heard this slogan, which has been sounding through the world for 125 years? Today you can find it in any Soviet pamphlet as well as in every issue of Pravda. But never have the leaders of the Communist revolution in the Soviet Union made application of these words sincerely and in their full meaning. When many lies have accumulated over the decades, we forget the radical and basic lie which is not on the leaves of the tree, but at its very roots.

Now, it's almost impossible to remember or to believe. . . . For instance, I recently published—had reprinted—a pamphlet from the year 1918. This was a precise record of a meeting of all representatives of the Petrograd factories, that being the city known in our country as the "cradle of the Revolution."

I repeat, this was March 1918—only four months after the October Revolution—and all the representatives of the Petrograd factories were cursing the Communists, who had deceived them in all of their promises. What is more, not only had they abandoned Petrograd to cold and hunger, themselves having fled from Petrograd to Moscow, but had given order to machine gun the crowds of workers in the courtyards of the factories who were demanding the election of independent factory committees.

Let me remind you, this was March 1918. Scarcely anyone now can recall the crushing of the Petrograd strikes in 1921, or the shooting of workers in Kolpino in the same year.

Among the leadership, the Central Committee of the Communist Party, at the beginning of the Revolution, all were emigre intellectuals who had returned, after the uprisings had already broken out in Russia, in order to carry through the Communist Revolution. One of them was a genuine worker, a highly skilled lathe operator until the last day of his life. This was Alexander Shliapnikov. Who knows that name today? Precisely because he expressed the true interests of the workers within the Communist leadership. In the years before the Revolution it was Shliapnikov who ran the whole Communist Party in Russia—not Lenin, who was an emigre. In 1921, he headed the Workers' Opposition which was charging the Communist leadership with betraying the workers' interests, with crushing and oppressing the proletariat and transforming itself into a bureaucracy.

Shliapnikov disappeared from sight. He was arrested somewhat later and since he firmly stood his ground he was shot in prison and his name is perhaps unknown to most people here today. But I remind you: before the Revolution the head of the Communist Party of Russia was Shliapnidov—not Lenin.

Since that time, the working class has never been able to stand up for its rights, and in distinction from all the western countries our working class only receives what they hand out to it. It only gets handouts. It cannot defend its simplest, everyday interests, and the least strike for pay or for better living conditions is viewed as counterrevolutionary. Thanks to the closed nature of the Soviet system, you have probably never heard of the textile strikes in 1930 in Ivanovo, or of the 1961 worker unrest in Murom and Alexandrovo, or of the major workers' uprising in Novocherkassk in 1962—this is the time of Khruschev, after the thaw.

This story will shortly be published in detail in your country in Gulag Archipelago, volume 3. It is a story of how workers went in a peaceful demonstration to the Party City Committee, carrying portraits of Lenin, to request a change in economic conditions. They fired at them with machine guns and dispersed the crowds with tanks. No family dared even to collect its wounded and dead, but all were taken away in secret by the authorities.

Precisely to those present here I don't have to explain that in our country, since the Revolution, there's never been such a thing as a free trade union.

The leaders of the British trade unions are free to play the unworthy game of visiting Russia's so-called trade unions and receiving visits in return. But the AFL–CIO has never given in to these illusions.

The American workers' movement has never allowed itself to be blinded and to mistake slavery for freedom. And I, today, on behalf of all of our oppressed people, thank you for this!

When liberal thinkers and wise men of the West, who had forgotten the meaning of the word "liberty," were swearing that in the Soviet Union there were no concentration camps at all, the American Federation of Labor, published in 1947, a map of our concentration camps, and on behalf of all of the prisoners of those times, I want to thank the American workers' movement for this.

But just as we feel ourselves your allies here, there also exists another alliance—at first glance a strange one, a surprising one—but if you think about it, in fact, one which is well-grounded and easy to understand: this is the alliance between our Communist leaders and your capitalists.

This alliance is not new. The very famous Armand Hammer, who is flourishing here today, laid the basis for this when he made the first exploratory trip into Russia, still in Lenin's time, in the very first years of the Revolution. He was extremely successful in this intelligence mission and since that time for all these 50 years, we observe continuous and steady support by the businessmen of the West of the Soviet Communist leaders.

Their clumsy and awkward economy, which could never overcome its own difficulties by itself, is continually getting material and technological assistance. The major construction projects in the initial five-year plan were built exclusively with American technology and materials. Even Stalin recognized that two-thirds of what was needed was obtained from the West. And if today the Soviet Union has powerful military and police forces—in a country which is by contemporary standards poor—they are used to crush our movement for freedom in the Soviet Union—and we have western capital to thank for this also.

Let me remind you of a recent incident which some of you may have seen in the newspapers, although others might have missed it: Certain of your businessmen, on their own initiative, established an exhibition of criminological technology in Moscow. This was the most recent and elaborate technology, which here, in your country, is used to catch criminals, to bug them, to spy on them, to photogaph them, to tail them, to identify criminals. This was taken to Moscow to an exhibition in order that the Soviet KGB agents could study it, as if not understanding what sort of criminals, who would be hunted by the KGB.

The Soviet government was extremely interested in this technology, and decided to purchase it. And your businessmen were quite willing to sell it. Only when a few sober voices here raised an uproar against it was this deal blocked. Only for this reason it didn't take place. But you have to realize how clever the KGB is. This technology didn't have to stay two or three weeks in a Soviet building under Soviet guard. Two or three nights were enough for the KGB there to look through it and copy it. And if today, persons are being hunted down by the best and most advanced technology, for this, I can also thank your western capitalists.

This is something which is almost incomprehensible to the human mind: that burning greed for profit which goes beyond all reason, all self-control, all conscience, only to get money.

I must say that Lenin foretold this whole process. Lenin, who spent most of his life in the West and not in Russia, who knew the West much better than Russia, always wrote and said that the western capitalists would do anything to strengthen the economy of the USSR. They will compete with each other to sell us goods cheaper and sell them quicker, so that the Soviets will buy from one rather than from the other. He said: They will bring it themselves without thinking about their future. And, in a difficult moment, at a party meeting in Moscow, he said: "Comrades, don't panic, when things go very hard for us, we will give a rope to the bourgeoisie, and the bourgeoisie will hang itself."

Then, Karl Radek, whom you may have heard of, who was a very resourceful wit, said: "Vladimir Ilyich, but where are we going to get enough rope to hang the whole bourgeoisie?"

Lenin effortlessly replied, "They'll supply us with it."

Through the decades of the 1920s, the 1930s, the 1940s, the 1950s, the whole Soviet press wrote: Western capitalism, your end is near.

But it was as if the capitalists had not heard, could not understand, could not believe this.

Nikita Khrushchev came here and said, "We will bury you!" They didn't believe that, either. They took it as a joke.

Now, of course, they have become more clever in our country. Now they don't say "we are going to bury you" anymore, now they say "detente."

Nothing has changed in Communist ideology. The goals are the same as they were, but instead of the artless Khrushchev, who couldn't hold his tongue, now they say "detente."

In order to understand this, I will take the liberty of making a short historic survey—the history of such relations, which in different periods, have been called "trade," "stabilization of the situation," "recognition of realities," and now "detente." These relations now are at least 40 years old.

Let me remind you with what sort of system they started.

The system was installed by armed uprising.

It dispersed the Constituent Assembly.

It capitulated to Germany—the common enemy.

It introduced execution without trial.

It crushed workers' strikes.

It plundered the villagers to such an unbelievable extent that the peasants revolted, and when this happened it crushed the peasants in the bloodiest possible way.

It shattered the Church.

It reduced 20 provinces of our country to a condition of famine.

This was in 1921, the famous Volga famine. A very typical Communist technique: To seize power without thinking of the fact that the productive forces will collapse, that the fields will not be sown, the factories will stop, that the country will decline into poverty and famine—but when poverty and hunger come, then they request the humanitarian world to help them. We see this in North Vietnam today, perhaps Portugal is approaching this also. And the same thing happened in Russia in 1921. When the three-year civil war, started by the Communists—and "civil war" was a slogan of the Communists, civil war was Lenin's purpose; read Lenin, this was his aim and his slogan—when they had ruined Russia by this civil war, then they asked America, "America, feed our hungry." And indeed, generous and magnanimous America did feed our hungry.

The so-called American Relief Administration was set up, headed by your future President Hoover, and indeed many millions of Russian lives were saved by this organization of yours.

But what sort of gratitude did you receive for this? In the USSR not only did they try to erase this whole event from the popular memory—it's almost impossible today in the Soviet press to find any reference to the American Relief Administration—but they even denounce it as a clever spy organization, a clever scheme of American imperialism to set up a spy network in Russia. I repeat, it was a system that introduced concentration camps for the first time in the history of the world.

A system that, in the 20th Century, was the first to introduce the use of hostages, that is to say, not to seize the person whom they were seeking, but rather a member of his family or someone at random, and shoot that person.

This system of hostages and persecution of the family exists to this day. It is still the most powerful weapon of persecution, because the bravest person, who is not afraid for himself, still shivers at the threat to his family.

It is a system which was the first—long before Hitler—to employ false registration, that is, to say: "Such and such people have to come in to register." People would comply and then they were taken away to be annihilated.

We didn't have gas chambers in those days. We used barges. A hundred or a thousand persons were put into a barge and then it was sunk.

It was a system which deceived the workers in all of its decrees—the decree on land, the decree on peace,the decree on factories, the decree on freedom of the press.

It was a system which exterminated all additional parties, and let me make it clear to you that it not only disbanded the party itself, but destroyed its members. All members of every other party were exterminated. It was a system which carried out genocide of the peasantry; 15 million peasants were sent off to extermination.

It was a system which introduced serfdom, the so-called "passport system."

It was a system which, in time of peace, artificially created a famine, causing 6 million persons to die in the Ukraine in 1932 and 1933. They died on the very edge of Europe. And Europe didn't even notice it. The world didn't even notice it—6 million persons!

I could keep on enumerating these endlessly, but I have to stop because I have come to the year 1933 when, with all I have enumerated behind us, your President Roosevelt and your Congress recognized this system as one worthy of diplomatic recognition, of friendship and of assistance.

Let me remind you that the great Washington did not agree to recognize the French Convention because of its savagery. Let me remind you that in 1933, voices were raised in your country objecting to recognition of the Soviet Union. However, the recognition took place and this was the beginning of friendship and ultimately of a military alliance.

Let me remember that in 1904, the American press was delighted at the Japanese victories and everyone wanted Russia's defeat because it was a conservative country. I want to remind you that in 1914 reproaches were directed at France and England for having entered into an alliance with such a conservative country as Russia.

The scope and the direction of my speech today do not permit me to say more about pre-revolutionary Russia. I will just say that information about pre-revolutionary Russia was obtained by the West from persons who were either not sufficiently competent or not sufficiently conscientious. I will just cite for the sake of comparison a number of figures which you can read for yourself in Gulag Archipelago, volume 1, which has been published in the United States, and perhaps many of you may have read it. These are the figures:

According to calculations by specialists, based on the most precise objective statistics, in pre-revolutionary Russia, during the 80 years before the revolution—years of the revolutionary movement when there were attempts on the Tsar's life, assassination of a Tsar, revolution—during these years about 17 persons a year were executed. The famous Spanish Inquisition, during the decades when it was at the height of its persecution, destroyed perhaps 10 persons a month. In the Archipelago—I cite a book which was published by the Cheka in 1920, proudly reporting on its revolutionary work in 1918 and 1919 and apologizing that its data were not quite complete—in 1918 and 1919 the Cheka executed, without trial, more than a thousand persons a month! This was written by the Cheka itself, before it understood how this would look to history.

At the height of Stalin's terror in 1937–38, if we divide the number of persons executed by the number of months, we get more than 40,000 persons shot per month! Here are the figures: 17 a year, 10 a month, more than 1,000 a month, more than 40,000 a month! Thus, that which had made it difficult for the democratic West to form an alliance with pre-revolutionary Russia had, by 1941, grown to such an extent and still did not prevent the entire united democracy of the world—England, France, the United States, Canada, Australia and small countries—from entering into a military alliance with the Soviet Union. How is this to be explained? How can we understand it? Here we can offer a few explanations. The first, I think, is that the entire united democracy of the world was too weak to fight against Hitler's Germany alone. If this is the case, then it is a terrible sign. It is terrible portent for the present day. If all these countries together could not defeat Hitler's little Germany, what are they going to do today, when more than half the globe is flooded with totalitarianism? I don't want to accept this explanation.

The second explanation is perhaps that there was simply an attack of panic—of fear—among the statesmen of the day. They simply didn't have sufficient confidence in themselves, they simply had no strength of spirit, and in this confused state decided to enter into an alliance with Soviet totalitarianism. This is also not flattering to the West.

Finally, the third explanation is that it was a deliberate device. Democracy did not want to defend itself. For defense it wanted to use another totalitarian system, the Soviet totalitarian system.

I'm not talking now about the moral evaluation of this, I'm going to talk about that later. But in terms of simple calculation, how shortsighted, what profound self-deception!

We have a Russian proverb: "Do not call a wolf to help you against the dogs." If dogs are attacking and tearing at you, fight against the dogs, but do not call a wolf for help. Because when the wolves come, they will destroy the dogs, but they will also tear you apart.

World democracy could have defeated one totalitarian regime after another, the German, then the Soviet. Instead, it strengthened Soviet totalitarianism, helped bring into existence a third totalitarianism, that of China, and all this finally precipitated the present world situation.

Roosevelt, in Teheran, during one of his last toasts, said the following: "I do not doubt that the three of us"—meaning Roosevelt, Churchill and Stalin—"lead our peoples in accordance with their desires, in accordance with their aims." How are we to explain this? Let the historians worry about that. At the time, we listened and were astonished. We thought, "when we reach Europe, we will meet the Americans, and we will tell them." I was among the troops that were marching towards the Elbe. A little bit more and I would have reached the Elbe and would have shaken the hands of your American soldiers. But just before that happened, I was taken off to prison and my meeting did not take place.

But now, after all this great delay, the same hand has thrown me out of the country and here I am, instead of the meeting at the Elbe. After a delay of 30 years, my Elbe is here today. I am here to tell you, as a friend of the United States, what, as friends, we wanted to tell you then, but which our soldiers were prevented from telling you on the Elbe.

There is another Russian proverb: "The yes-man is your enemy, but your friend will argue with you." It is precisely because I am the friend of the United States, precisely because my speech is prompted by friendship, that I have come to tell you: "My friends, I'm not going to tell you sweet words. The situation in the world is not just dangerous, it isn't just threatening, it is catastrophic."

Something that is incomprehensible to the ordinary human mind has taken place. We over there, the powerless, average Soviet people, couldn't understand, year after year and decade after decade, what was happening. How were we to explain this? England, France, the United States, were victorious in World War II. Victorious states always dictate peace; they receive firm conditions; they create the sort of situation which accords with their philosophy, their concept of liberty, their concept of national interest.

Instead of this, beginning in Yalta, your statesmen of the West, for some inexplicable reason, have signed one capitulation after another. Never did the West or your President Roosevelt impose any conditions on the Soviet Union for obtaining aid. He gave unlimited aid, and then unlimited concessions. Already in Yalta, without any necessity, the occupation of Mongolia, Moldavia, Estonia, Latvia, Lithuania was silently recognized. Immediately after that, almost nothing was done to protect eastern Europe, and seven or eight more countries were surrendered.

Stalin demanded that the Soviet citizens who did not want to return home be handed over to him, and the western countries handed over 1.5 million human beings. How was this done? They took them by force. English soldiers killed Russians who did not want to become prisoners of Stalin, and drove them by force to Stalin to be exterminated. This has recently come to light—just a few years ago—a million and a half human beings. How could the Western democracies have done this?

And after that, for another 30 years, the constant retreat, the surrender of one country after another, to such a point that there are Soviet satellites even in Africa; almost all of Asia is taken over by them; Portugal is rolling down the precipice.

During those 30 years, more was surrendered to totalitarianism than any defeated country has ever surrendered after any war in history. There was no war, but there might as well have been.

For a long time we in the East couldn't understand this. We couldn't understand the flabbiness of the truce concluded in Vietnam. Any average Soviet citizen understood that this was a sly device which made it possible for North Vietnam to take over South Vietnam when it so chose. And suddenly, this was rewarded by the Nobel Prize for Peace—a tragic and ironic prize.

A very dangerous state of mind can arise as a result of this 30 years of retreat: give in as quickly as possible, give up as quickly as possible, peace and quiet at any cost.

This is what many western papers wrote: "Let's hurry up and end the bloodshed in Vietnam and have national unity there." But at the Berlin Wall no one talked of national unity. One of your leading newspapers, after the end of Vietnam, had a full headline: "The Blessed Silence." I would not wish that kind of "blessed silence" on my worst enemy. I would not wish that kind of national unity on my worst enemy.

I spent 11 years in the Archipelago, and for half of my lifetime I have studied this question. Looking at this terrible tragedy in Vietnam from a distance, I can tell you, a million persons will be simply exterminated, while 4 to 5 million (in accordance with the scale of Vietnam) will find themselves in concentration camps and will be rebuilding Vietnam. And what is happening in Cambodia you already know. It is genocide. It is full and complete destruction but in a new form. Once again their technology is not up to building gas chambers. So, in a few hours, the entire capital city—the guilty capital city—is emptied out: old people, women, children are driven out without belongings, without food. "Go and die!"

This is very dangerous for one's view of the world when this feeling comes on: "Go ahead, give it up." We already hear voices in your country and in the West—"Give up Korea and we will live quietly. Give up Portugal, of course; give up Japan, give up Israel, give up Taiwan, the Philippines, Malaysia, Thailand, give up 10 more African countries. Just let us live in peace and quiet. Just let us drive our big cars on our splendid highways; just let us play tennis and golf, in peace and quiet; just let us mix our cocktails in peace and quiet as we are accustomed to doing; just let us see the beautiful toothy smile with a glass in hand on every advertisement page of our magazines."

But look how things have turned out: Now in the West this has all turned into an accusation against the United States. Now, in the West, we hear very many voices saying, "It's your fault, America." And, here, I must decisively defend the United States against these accusations.

I have to say that the United States, of all the countries of the West, is the least guilty in all this and has done the most in order to prevent it. The United States has helped Europe to win the First and the Second World Wars. It twice raised Europe from post-war destruction—twice—for 10, 20, 30 years it has stood as a shield protecting Europe while European countries were counting their nickels, to avoid paying for their armies (better yet to have none at all), to avoid paying for armaments, thinking about how to leave NATO, knowing that in any case America will protect them anyway. These countries started it all, despite their thousands of years of civilization and culture, even though they are closer and should have known better.

I came to your continent—for two months I have been travelling in its wide open spaces and I agree: here you do not feel the nearness of it all, the immediacy of it all. And here it is possible to miscalculate. Here you must make a spiritual effort to understand the acuteness of the world situation. The United States of America has long shown itself to be the most magnanimous, the most generous country in the world. Wherever there is a flood, an earthquake, a fire, a natural disaster, disease, who is the first to help? The United States. Who helps the most and unselfishly? The United States.

And what do we hear in reply? Reproaches, curses, "Yankee Go Home." American cultural centers are burned, and the representatives of the Third World jump on tables to vote against the United States.

But this does not take the load off America's shoulders. The course of history—whether you like it or not—has made you the leaders of the world. Your country can no longer think provincially. Your political leaders can no longer think only of their own states, of their parties, of petty arrangements which may or may not lead to promotion. You must think about the whole world, and when the new political crisis in the world will arise (I think we have just come to the end of a very acute crisis and the next one will come any moment) the main decisions will fall anyway on the shoulders of the United States of America.

And while already here, I have heard some explanations of the situation. Let me quote some of them: "It is impossible to protect those who do not have the will to defend themselves." I agree with that, but this was said about South Vietnam. In one-half of today's Europe and in three-quarters of today's world the will to defend oneself is even less than it was in South Vietnam.

We are told: "We cannot defend those who are unable to defend themselves with their own human resources." But against the overwhelming powers of totalitarianism, when all of this power is thrown against a country—no country can defend itself with its own resources. For instance, Japan doesn't have a standing army.

We are told, "We should not protect those who do not have full democracy." This is the most remarkable argument of the lot. This is the Leitmotif I hear in your newspapers and in the speeches of some of your political leaders. Who in the world, ever, on the front line of defense against totalitarianism has been able to sustain full democracy? You, the united democracies of the world, were not able to sustain it. America, England, France, Canada, Australia together did not sustain it. At the first threat of Hitlerism you stretched our your hands to Stalin. You call that sustaining democracy?

And there is more of the same (there were many of these speeches in a row): "If the Soviet Union is going to use detente for its own ends, then we. . . ." But what will happen then? The Soviet Union has used detente in its own interest, is using it now and will continue to use it in its own interests! For example, China and the Soviet Union, both actively participating in detente, have quietly grabbed three countries of Indochina. True, perhaps as a consolation, China will send you a ping-pong team. And the Soviet Union has sent you the pilots who once crossed the North Pole. In a few days you're flying into space together.

A typical diversion. I remember very well the year, this was June of 1937, when Chkalov, Baidukov and Beliakov heroically flew over the North Pole and landed in the state of Washington. This was the very year when Stalin was executing morethan 40,000 persons a month. And Stalin knew what he was doing. He sent those pilots and aroused in you a naive delight—the friendship of two countries across the North Pole. The pilots were heroic, nobody will say anything against them. But this was a show—a show to divert you from the real events of 1937. And what is the occasion now? It is an anniversary—38 years? Is 38 years some kind of an anniversary? No, it is simply necessary to cover up Vietnam. And, once again, those pilots were sent here. The Chkarov Memorial was unveiled in the State of Washington. Chkalov was a hero and is worthy of a memorial. But, to present the true picture, behind the memorial there should have been a wall and on it there should have been a bas relief showing the executions, showing the skulls and bones.

We are also told (I apologize for so many quotes, but there are many more in your press and radio): "We cannot ignore the fact that North Vietnam and the Khmer Rouge have violated the agreement, but we're ready to look into the future." What does that mean? It means: let them exterminate people. But if these murderers, who live by violence, these executioners, offer us detente we will be happy to go along with them. As Willy Brandt once said: "I would even be willing to have detente with Stalin." At a time when Stalin was executing 40,000 a month he would have been willing to have detente with Stalin?

Look into the future. This is how they looked into the future in 1933 and 1941, but it was a shortsighted look into the future. This is how they looked into the future two years ago when a senseless, incomprehensible, non-guaranteed truce in Vietnam was arranged, and it was a shortsighted view. There was such a hurry to make this truce that they forgot to liberate your own Americans from captivity. They were in such a hurry to sign this document that some 1,300 Americans, "Well, they have vanished; we can get by without them." How is that done? How can this be? Part of them, indeed, can be missing in action, but the leaders of North Vietnam themselves have admitted that some of them are still being kept in prison. And do they give you back your countrymen? No, they are not giving them back, and they are always raising new conditions. At first they said, "Remove Thieu from power." Now, they say, "Have the United States restore Vietnam, otherwise it's very difficult for us to find these people."

If the government of North Vietnam has difficulty explaining to you what happened with your brothers, with your American POWs who have not yet returned, I, on the basis of my experience in the Archipelago, can explain this quite clearly. There is a law in the Archipelago that those who have been treated the most harshly and who have withstood the most bravely, the most honest, the most courageous, the most unbending, never again come out into the world. They are never again shown to the world because they will tell such tales as the human mind cannot accept. A part of your returned POWs told you that they were tortured. This means that those who have remained were tortured even more, but did not yield an inch. These are your best people These are your first heroes, who, in a solitary combat, have stood the test. And today, unfortunately, they cannot take courage from our applause. They can't hear it from their solitary cells where they may either die or sit 30 years, like Raoul Wallenberg, the Swedish diplomat who was seized in 1945 in the Soviet Union. He has been imprisoned for 30 years and they will not yield him up.

And you have some hysterical public figure who said: "I will go to North Vietnam. I will stand on my knees and beg them to release our prisoners of war." This isn't a political act—this is masochism.

To understand properly what detente has meant all these 40 years—friendships, stabilization of the situation, trade, etc., I would have to tell you something, which you have never seen or heard, of how it looked from the other side. Let me tell you how it looked. Mere acquaintance with an American, and God forbid that you should sit with him in a cafe or restaurant, meant a 10-year term for suspicion of espionage.

In the first volume of Archipelago I tell of an event which was not told me by some arrested person, but by all of the members of the Supreme Court of the USSR during those short days when I was in the limelight under Khrushchev. One Soviet citizen was in the United States and on his return said that in the United States they have wonderful automobile roads. The KGB arrested him and demanded a term of 10 years. But the judge said: "I don't object, but there is not enough evidence. Couldn't you find something else against him?" So the judge was exiled to Sakhalin because he dared to argue and they gave the other man 10 years. Can you imagine what a lie he told? And what sort of praise this was of American imperialism—in America there are good roads? Ten years.

In 1945–46 through our prison cells passed a lot of persons—and these were not ones who were cooperating with Hitler, although there were some of those, too. They were not guilty of anything, but rather persons who had just been in the West and had been liberated from German prison camps by the Americans. This was considered a criminal act: liberated by the Americans. That means he has seen the good life. If he comes back he will talk about it. The most terrible thing is not what he did but what he would talk about. And all such persons got 10-year terms.

During Nixon's last visit to Moscow your American correspondents were reporting in the western way from the streets of Moscow. I am going down a Russian street with a microphone and asking the ordinary Soviet citizen: "Tell me please, what do you think about the meeting between Nixon and Brezhnev?" And, amazingly, every last person answered: "Wonderful. I'm delighted. I'm absolutely overjoyed!"

What does this mean? If I'm going down a street in Moscow and some American comes up to me with a microphone and asks me something, then I know that on the other side of him is a member of the state security, also with a microphone who is recording everything I say. You think that I'm going to say something that is going to put me in prison immediately? Of course I say: "It's wonderful; I'm overjoyed."

But what is the value of such correspondents if they simply transfer western techniques over there without thinking things through?

You helped us for many years with Lend Lease, but we've now done everything to forget this, to erase it from our minds, not to remember it if at all possible. And now, before I came into this hall, I delayed my visit to Washington a little in order to first take a look at some ordinary parts of America, going to various states and simply talking with people. I was told, and I learned this for the first time, that in every state during the war years there were Soviet-American friendship societies which collected assistance for Soviet people—warm clothes, canned food, gifts—and sent them to the Soviet Union. But we not only never saw these; we not only never received them (they were distributed somewhere among the privileged circles); no one ever even told us that this was being done. I only learned about it for the first time here, this month, in the United States.

Everything poisonous which could be said about the United States was said in Stalin's days. And all of this is a heavy sediment which can be stirred up anytime. Any day the newspapers can come out with the headlines: "Bloodthirsty American imperialism wants to seize control of the world," and this poison will rise up from the sediment and many people in our country will believe this, and will be poisoned by it, and will consider you as aggressors. This is how détente has been managed on our side.

The Soviet system is so closed that it is almost impossible for you to understand from here. Your theoreticians and scholars write works trying to understand and explain how things occur there. Here are some naive explanations which are simply funny to Soviet citizens. Some say that the Soviet leaders have now given up their inhumane ideology. Not at all. They haven't given it up one bit.

Some say that in the Kremlin there are some on the left, some on the right. And they are fighting with each other, and we've got to behave in such a way as not to interfere with those on the left side. This is all fantasy: left . . . right. There is some sort of a struggle for power, but they all agree on the essentials.

There also exists the following theory, that now, thanks to the growth of technology, there is a technocracy in the Soviet Union, a growing number of engineers and the engineers are now running the economy and will soon determine the fate of the country, rather than the party. I will tell you, though, that the engineers determine the fate of the economy just as much as our generals determine the fate of the Army. That means zero. Everything is done the way the party demands. That's our system. Judge it for yourself.

It's a system where for 40 years there haven't been genuine elections but simply a comedy, a farce. Thus a system which has no legislative organs. It's a system without an independent press; a system without an independent judiciary; where the people have no influence either on external or internal policy; where any thought which is different from what the state thinks is crushed.

And let me tell you that electronic bugging in our country is such a simple thing that it's a matter of everyday life. You had an instance in the United States where a bugging caused an uproar which lasted for a year and a half. For us it's an everyday matter. Almost every apartment, every institution has got its bug and it doesn't surprise us in the least—we are used to it.

It's a system where unmasked butchers of millions like Molotov and others smaller than him have never been tried in the courts but retire on tremendous pensions in the greatest comfort. It's a system where the show still goes on today and to which every foreigner is introduced surrounded by a couple of planted agents working according to a set scenario. It's a system where the very constitution has never been carried out for one single day; where all the decisions mature in secrecy, high up in a small irresponsible group and then are released on us and on you like a bolt of lightning.

And what are the signatures of such persons worth? How could one rely on their signatures to documents of détente? You yourselves might ask your specialists now and they'll tell you that precisely in recent years the Soviet Union has succeeded in creating wonderful chemical weapons, missiles, which are even better than those used by the United States.

So what are we to conclude from that? Is détente needed or not? Not only is it needed, it's as necessary as air. It's the only way of saving the earth—instead of a world war to have détente, but a true détente, and if it has already been ruined by the bad word which we used for it—"détente"—then we should find another word for it.

I would say that there are very few, only three, main characteristics of such a true détente.

In the first place, there would be disarmament—not only disarmament from the use of war but also from the use of violence. We must stop using not only the sort of arms which are used to destroy one's neighbors, but the sort of arms which are used to press one's fellow countrymen. It is not détente if we here with you today can spend our time agreeably while over there people are groaning and dying and in psychiatric hospitals. Doctors are making their evening rounds, for the third time injecting people with drugs which destroy their brain cells.

The second sign of détente, I would say, is the following: that it be not one based on smiles, not on verbal concessions, but it has to be based on a firm foundation. You know the words from the Bible: "Build not on sand, but on rock." There has to be a guarantee that this will not be broken overnight and for this the other side—the other party to the agreement—must have its acts subject to public opinion, to the press, and to a freely elected parliament. And until such control exists there is absolutely no guarantee.

The third simple condition—what sort of détente is it when they employ the sort of inhumane propaganda which is proudly called in the Soviet Union "ideological warfare." Let us not have that. If we're going to be friends, let's be friends, if we're going to have détente, then let's have détente, and an end to ideological warfare.

The Soviet Union and the Communist countries can conduct negotiations. They know how to do this. For a long time they don't make any concessions and then they give in a little bit. Then everyone says triumphantly, "Look, they've made a concession; it's time to sign." The European negotiators of the 35 countries for two years now have painfully been negotiating and their nerves were stretched to the breaking point and they finally gave in. A few women from the Communist countries can now marry foreigners. And a few newspapermen are now going to be permitted to travel a little more than before. They give 1/1,000th of what natural law should provide. Matters which people should be able to do even before such negotiations are undertaken. And already there is joy. And here in the West we hear many voices, saying: "Look, they're making concessions; it's time to sign."

During these two years of negotiations, in all the countries of eastern Europe, the pressure has increased, the oppression intensified, even in Yugoslavia and Romania, leaving aside the other countries. And it is precisely now that the Austrian chancellor says, "We've got to sign this agreement as rapidly as possible."

What sort of an agreement would this be? The proposed agreement is the funeral of eastern Europe. It means that western Europe would finally, once and for all, sign away eastern Europe, stating that it is perfectly willing to see eastern Europe be crushed and overwhelmed once and for all, but please don't bother us. And the Austrian chancellor thinks that if all these countires are pushed into a mass grave, Austria at the very edge of this grave will survive and not fall into it also.

And we, from our lives there, have concluded that violence can only be withstood by firmness.

You have to understand the nature of communism. The very ideology of communism, all of Lenin's teachings, are that anyone is considered to be a fool who doesn't take what's lying in front of him. If you can take it, take it. If you can attack, attack. But if there's a wall, then go back. And the Communist leaders respect only firmness and have contempt and laugh at persons who continually give in to them. Your people are now saying—and this is the last quotation I am going to give you from the statement of your leaders—"Power, without any attempt at conciliation, will lead to a world conflict." But I would say that power with continual subservience is no power at all.

But from our experience I can tell you that only firmness will make it possible to withstand the assaults of Communist totalitarianism. We see many historic examples, and let me give you some of them. Look at little Finland in 1939, which by its own forces withstood the attack. You, in 1948, defended Berlin only by your firmness of spirit, and there was no world conflict. In Korea in 1950 you stood up against the Communists, only by your firmness, and there was no world conflict. In 1962 you compelled the rockets to be removed from Cuba. Again it was only firmness, and there was no world conflict. And the late Konrad Adenauer conducted firm negotiations with Khrushchev and thus started a genuine detent with Khrushchev. Krushchev started to make concessions and if he hadn't been removed, that winter he was planning to go to Germany and to continue the genuine detente.

Let me remind you of the weakness of a man whose name is rarely associated with weakness—the weakness of Lenin. Lenin, when he came to power, in panic gave up to Germany everything Germany wanted. Just what it wanted. Germany took as much as it wanted and said, "Give Armenia to Turkey." And Lenin said, "Fine." It's almost an unknown fact but Lenin petitioned the Kaiser to act as intermediary to persuade the Ukraine and, thus, to make possible a boundary between the Community part of Russia and the Ukraine. It wasn't a question of seizing the Ukraine but rather of making a boundary with the Ukraine.

We, the dissidents of the USSR, don't have any tanks, we don't have any weapons, we have no organization. We don't have anything. Our hands are empty. We have only a heart and what we have lived through in the half century of this system. And when we have found the firmness within ourselves to stand up for our rights, we have done so. It's only by firmness of spirit that we have withstood. And if I am standing here before you, it's not because of the kindness or the good will of communism, not thanks to détente, but thanks to my own firmness and your firm support. They knew that I would not yield one inch, not one hair. And when they couldn't do more they themselves fell back.

This is not easy. In our conditions this was taught to me by the difficulties of my own life. And if you yourselves—any one of you—were in the same difficult situation, you would have learned the same thing. Take Vladimir Bukovsky, whose name is now almost forgotten. Now, I don't want to mention a lot of names because however many I might mention there are more still. And when we resolve the question with two or three names it is as if we forget and betray the others. We should rather remember figures. There are tens of thousands of political prisoners in our country and—by the calculation of English specialists—7,000 persons are now under compulsory psychiatric treatment. Let's take Vladimir Bukovsky as an example. It was proposed to him, "All right, we'll free you. Go to the West and shut up." And this young man, a youth today on the verge of death, said: "No, I won't go this way. I have written about the persons whom you have put in insane asylums. You release them and then I'll go West." This is what I mean by that firmness of spirit to stand up against granite and tanks.

Finally, to evaluate everything that I have said to you, I would say we need not have had our conversation on the level of business calculations. Why did such and such a country act in such and such a way? What were they counting on? We should rather rise above this to the moral level and say: "In 1933 and in 1941 your leaders and the whole western world, in an unprincipled way, made a deal with totalitarianism." We will have to pay for this, some day this deal will come back to haunt us. For 30 years we have been paying for it and we're still paying for it. And we're going to pay for it in a worse way.

One cannot think only in the low level of political calculations. It's necessary to think also of what is noble, and what is honorable—not only what is profitable. Resourceful western legal scholars have now introduced the term "legal realism." By legal realism, they want to push aside any moral evaluation of affairs. They say, "Recognize realities; if such and such laws have been established in such and such countries by violence, these laws still must be recognized and respected."

At the present time it is widely accepted among lawyers that law is higher than morality—law is something which is worked out and developed, whereas morality is something inchoate and amorphous. That isn't the case. The opposite is rather true! Morality is higher than law! While law is our human attempt to embody in rules a part of that moral sphere which is above us. We try to understand this morality, bring it down to earth and present it in a form of laws. Sometimes we are more successful, sometimes less. Sometimes you actually have a caricature of morality, but morality is always higher than law. This view must never be abandoned. We must accept it with heart and soul.

It is almost a joke now in the western world, in the 20th century, to use words like "good" and "evil." They have become almost old-fashioned concepts, but they are very real and genuine concepts. These are concepts from a sphere which is higher than us. And instead of getting involved in base, petty, short-sighted political calculations and games we have to recognize that the concentration of World Evil and the tremendous force of hatred is there and it's flowing from there throughout the world. And we have to stand up against it and not hasten to give to it, give to it, give to it, everything that it wants to swallow.

Today there are two major processes occurring in the world. One is the one which I have just described to you which has been in progress more than 30 years. It is a process of shortsighted concessions; a process of giving up, and giving up and giving up and hoping that perhaps at some point the wolf will have eaten enough.

The second process is one which I consider the key to everything and which, I will say now, will bring all of us our future; under the cast-iron shell of communism—for 20 years, in the Soviet Union and a shorter time in other Communist countries—there is occurring a liberation of the human spirit. New generations are growing up which are steadfast in their struggle with evil; which are not willing to accept unprincipled compromises; which prefer to lose everything—salary, conditions of existence and life itself—but are not willing to sacrifice conscience; not willing to make deals with evil.

This process has now gone so far that in the Soviet Union today, Marxism has fallen so low that it has become an anecdote, it's simply an object of contempt. No serious person in our country today, not even university and high school students, can talk about Marxism without smiling, without laughing. But this whole process of our liberation, which obviously will entail social transformations, is slower than the first one—the process of concessions. Over there, when we see these concessions, we are frightened. Why so quickly? Why so precipitously? Why yield several countries a year?

I started by saying that you are the allies of our liberation movement in the Communist countries. And I call upon you: let us think together and try to see how we can adjust the relationship between these two processes. Whenever you help the persons persecuted in the Soviet Union, you not only display magnanimity and nobility, you're defending not only them but yourself as well. You're defending your own future.

So let us try and see how far we can go to stop this senseless and immoral process of endless concession to the aggressor—these clever legal arguments for why we should give up one country after another. Why must we hand over to Communist totalitarianism more and more technology—complex, delicate, developed technology which it needs for armaments and for crushing its own citizens? If we can at least slow down that process of concessions, if not stop it altogether—and make it possible for the process of liberation to continue in the Communist countries—ultimately these two processes will yield us our future.

On our crowded planet there are no longer any internal affairs. The Communist leaders say, "Don't interfere in our internal affairs. Let us strangle our citizens in peace and quiet." But I tell you: Interfere more and more. Interfere as much as you can. We beg you to come and interfere.

Understanding my own task in the same way I have perhaps interfered today in your internal affairs, or at least touched upon them, and I apologize for it. I have traveled a lot around the United States and this has been added to my earlier understanding of it; what I have heard from listening to the radio, from talking to experienced persons.

America—in me and and among my friends and among people who think the way I do over there, among all ordinary Soviet citizens—evokes a sort of mixture of feelings of admiration and of compassion. Admiration at the fact of your own tremendous forces which you perhaps don't even recognize yourselves. You're a country of the future; a young country; a country of still untapped possibilities; a country of tremendous geographical distances; a country of tremendous breadth of spirit; a country of generosity; a country of magnanimity. But these qualities—strength, generosity and magnanimity—usually make a man and even a whole country trusting, and this already several times has done you a disservice.

I would like to call upon America to be more careful with its trust and prevent those wise persons who are attempting to establish even finer degrees of justice and even finer legal shades of equality—some because of their distorted outlook, others because of short-sightedness and still others out of self-interest—from falsely using the struggle for peace and for social justice to lead you down a false road. Because they are trying to weaken you; they are trying to disarm your strong and magnificent country in the face of this fearful threat—one which has never been seen before in the history of the world. Not only in the history of your country, but in the history of the world.

And I call upon you: ordinary working men of America—as represented here by your trade union movement—do not let yourselves become weak. Do not let yourselves be taken in the wrong direction. Let us try to slow down the process of concessions and help the process of liberation!

SPEECH BY ALEXANDR SOLZHENITSYN AT THE NEW YORK AMERICANA HOTEL BY INVITATION OF THE AFL–CIO, JULY 9, 1975

Is it then possible or impossible to transmit the experience of those who have suffered to those who have yet to suffer? Can one part of humanity learn from the bitter experience of another or can it not? Is it possible or impossible to warn someone of danger?

How many witnesses have been sent to the West in the last 60 years? How many waves of immigrants? How many millions of persons? They are all here. You meet them every day. You know who they are: if not by their spiritual disorientation, their grief, their melancholy, then you can distinguish them by their accents, by their external appearance. Coming from different countries and without consulting with one another, they have brought to you exactly the same experience, they tell you exactly the same thing: they warn you of what is already happening, what has happened in the past. But the proud skyscrapers stand on, point to the sky and say: it will never happen here. This will never come to us. It's not possible here.

It can happen. It is possible. As a Russian proverb says: "When it happens to you, you'll know it's true."

But do we really have to wait for the moment when the knife is at our throats? Couldn't it be possible, ahead of time, soberly to assess the worldwide menace that threatens to swallow the whole world? I was swallowed myself. I have been in the dragon's belly, in the red burning belly of the dragon. He wasn't able to digest me. He threw me up. (Applause) I have come to you as a witness to what it's like there, in the dragon's belly.

It's an astonishing phenomenon that Communism has been writing about itself in the most open way—in black and white—for 125 years. And even more openly, more candidly in the beginning. The Communist Manifesto, for instance, which everyone knows by name, and which almost no one ever takes the trouble to read, contains even more terrible things than what has actually been done. It's perfectly amazing. The whole world can read, everyone is literate, but somehow no one wants to understand. Humanity acts in such a way as if it didn't understand what Communism is, and doesn't want to understand, is not capable of understanding.

I think that it isn't only a question of the disguises which Communism has assumed in the last decades. It's rather that the essence of Communism is quite beyond the limits of human understanding. It's hard to believe that people could actually plan such things and carry them out. And precisely because its essence is beyond comprehension, Communism is so difficult to understand.

In my last address in Washington I spoke a great deal about the Soviet state system, how it was created and what it is today. But it's perhaps more important to discuss with you the ideology that inspired the system, that created it, and that still governs it. It's much more important to understand the essence of this ideology, and above all its legacy which hasn't changed at all in 125 years. It hasn't changed since the day it was born.

That Marxism is not a science is something which is entirely clear to intelligent people in the Soviet Union. It would be a joke to call it some sort of science. Leaving aside the exact sciences, such as physics, mathematics, and the natural sciences, even the social sciences can predict an event—when, in what way, and how the event might occur. Communism has never made any such forecasts. It is never said where, when, and precisely what is going to happen. Nothing but declamations. Declamations to the effect that the world proletariat will overthrow the world bourgeoisie and the most happy and radiant society will then arise. The fantasies of Marx, Engels and Lenin break off at this point, not one of them goes any further to describe what the society would be like. They simply said: the most radiant, most happy society. Everything for the sake of man.

I wouldn't want to enumerate for you all the unsuccessful predictions of Marxism, but I can give a couple. For example, it was claimed that the conditions of the working class in the West would deteriorate steadily, get more and more unbearable until the workers would be reduced to total poverty. (If only in our country we could feed and clothe our working class, provide it with everything and give it as much leisure as you do!) (Applause) Or the famous prediction that Communist Revolutions would all begin in such advanced industrial countries as England, France, America, Germany—that's where Communism will begin. (But it worked out exactly the other way, as you know.) Or the prediction that the Socialist state wouldn't even exist. As soon as capitalism would be overthrown, the state would at once wither away. (Look about you: where can you see states as powerful as in the so-called Socialist or Communist countries?) Or the prediction that wars are inherent only to capitalism. Wars are said to arise only because of capitalism; as soon as Communism is introduced, all wars will come to an end. (We have seen enough of this also: in Budapest, in Prague, on the Soviet-Chinese border, in the occupation of the Baltic countries, and when Poland was stabbed in the back. We have seen enough of this already, and we will surely see more yet.)

Communism is as crude an attempt to explain society and the individual as if a surgeon were to perform his delicate operations with a meat-axe. All that is subtle in human psychology and in the structure of society (which is even more delicate)—all of this is reduced to crude economic processes. This whole created being—man—is reduced to matter. It's characteristic that Communism is so devoid of arguments that it has none to advance against its opponents in our Communist countries. It lacks arguments and hence there is the club, the prison, the concentration camp, and insane asylums with forced confinement.

Marxism has always opposed freedom. I will quote just a few words from the founding fathers of Communism, Marx and Engels, (I quote from the first Soviet edition of 1929): "Reforms are a sign of weakness", (vol. 23, p. 339); "Democracy is more to be feared than monarchy and aristocracy", (vol. 2, p. 369); "Political liberty is a false liberty, worse than the most abject slavery" (vol. 2, p. 394). In their correspondence Marx and Engels frequently said that after achieving power, terror would be indispensable, that "it will be necessary to repeat the year 1793. After achieving power, we'll be considered monsters, but we couldn't care less" (vol. 25, p. 187).

Communism has never concealed the fact that it rejects all absolute concepts of morality. It scoffs at any consideration of "good" and "evil" as indisputable categories. Communism considers morality to be relative, to be a class matter. Depending upon circumstances and the political situation, any act, including murder, even the killing of thousands, could be good or could be bad. It all depends upon class ideology. And who defines class ideology? The whole class cannot get together to pass judgment. A handful of people determine what is good and what is bad. But I must say that in this very respect Communism has been most successful. It has infected the whole world with the belief in the relativity of good and evil. Many people besides the Communists are carried away by this idea today. Among enlightened people it is considered rather awkward to use seriously such words as "good" and "evil." Communism has managed to instill in all of us that these concepts are old-fashioned concepts and laughable. But if we are to be deprived of the concepts of good and evil, what will be left? Nothing but the manipulation of one another. We will decline to the status of animals.

Both the theory and practice of Communism are completely inhuman for that reason. There is a word very commonly used these days: "anti-Communism." It's a very stupid word, badly put together. It makes it appear as though Communism were something original, something basic, something fundamental. Therefore, it is taken as the point of departure, and anti-Communism is defined in relation to Communism. Here is why I say that this word was poorly selected, that it was put together by people who do not understand etymology: the primary, the eternal concept is *humanity*. And Communism is antihumanity. Whoever says "anti-Communism" is saying, in effect, anti-antihumanity. A poor construction. So we should say: that which is against Communism is for humanity. (Applause) Not to accept, to reject this inhuman Communist ideology is simply to be a human being. It isn't being a member of a party. It's a protest of our souls against those who tell us to forget the concepts of good and evil.

But what is amazing is that apart from all their books, Communism has offered a multitude of examples for modern man to see. The tanks have rumbled through Budapest. It is nothing. The tanks roar into Czechoslovakia. It is nothing. No one else would have been forgiven, but Communism can be excused. With some kind of strange deliberation, as though God wanted to punish them by taking away their reason, the Communists erected the Berlin wall. It is indeed a monstrous symbol that demonstrates the true meaning of Communism. For 14 years people have been machine-gunned there, and not only those who wanted to leave the happy Communist society. Recently some foreign boy from the Western side fell into the Spree River. Some people wanted to pull him out, but the East German border guards opened fire. "No, no, don't save him." And so he drowned, this innocent boy.

Has the Berlin wall convinced anyone? No again. It's being ignored. It's there, but it doesn't affect us. We'll never have a wall like that. And the tanks in Budapest and Prague, they won't come here either. On all the borders of the Communist countries, the European ones in any case, you can find electronic killing devices. These are automatic devices for killing anyone who goes across. But people here say: "That doesn't threaten us either, we are not afraid of that." In the Communist countries they have a developed system of forced treatment in insane asylums. That's nothing. We're living quietly. Three times a day—right at this very moment—the doctors are making their rounds and injecting substances into peoples' arms that destroy their brains. Pay no attention to it. We'll continue to live in peace and quiet here.

There's a certain woman here named Angela Davis. I don't know if you are familiar with her in this country, but in our country, literally for one whole year, we heard of nothing at all except about Angela Davis. There was only Angela Davis in the whole world and she was suffering. We had our ears stuffed with Angela Davis. Little children in school were told to sign petitions in defense of Angela Davis. Little boys and girls, 8 and 9 years old in schools, were asked to do this. Well, they set her free. Although she didn't have a rough time in this country, she came to recuperate in Soviet resorts. Some Soviet dissidents—but more important, a group of Czech dissidents—addressed an appeal to her: "Comrade Davis, you were in prison. You know how unpleasant it is to sit in prison, especially when you consider yourself innocent. You now have such authority. Could you help our Czech prisoners? Could you stand up for those persons in Czechoslovakia who are being persecuted by the state?" Angela Davis answered: "They deserve what they get. Let them remain in prison." That is the face of Communism. That's the heart of Communism for you. (Applause)

I would particularly want to remind you today that Communism develops in a straight line and as a single entity, without altering, as people now like to say. Lenin did indeed develop Marxism, but primarily along the lines of ideological intolerance. If you read Lenin, you will be astonished at how much hatred there was in him at the least deviation, whenever some view differed from his by so much as a hair's breadth. Lenin also developed Marxism in the direction of inhumanity. Before the October Revolution in Russia, Lenin wrote a book called "The Lessons of the Paris Commune." There he analyzed why the Paris Commune was defeated in 1871. And his principal conclusion was that the Commune had not shot, had not killed enough of its enemies. It had destroyed too few people, when it was necessary to kill entire classes and groups. And when he came to power, Lenin did just this.

And then the word Stalinism was thought up. It's a term which became very popular. Even in the West they often say now: "If only the Soviet Union doesn't return to Stalinism." But there never was any such thing as Stalinism. This was contrived by Khruschev and his group in order to shift onto Stalin all of the characteristics and all the principal defects of Communism. It was a very effective move. But in reality Lenin had managed to give shape to all the main aspects before Stalin ever came on the scene. It was Lenin who deceived the peasants about their land. He is the one who deceived the workers about self-management. He is the one who turned the trade unions into organs of oppression. He is the one who created the Cheka, the secret police. He is the one who created the concentration camps. It is he who sent troops out to the border areas to crush any national movements for liberation and to set up an empire.

The only new thing that Stalin did was based on mistrust. Where it would have been enough—in order to instill general fear—to jail two people, he would arrest a hundred. And those who followed Stalin have merely returned to the previous tactic: if it is necessary to send two off to jail, then sent two, not a hundred. In the eyes of the Party, Stalin's entire guilt lay elsewhere: he did not trust his own Communist Party. Due to this alone the concept of the Stalinism was devised. But Stalin had never deviated from the same basic line. They used to sculpt a bas-relief of Marx, Engels, Lenin, and Stalin all together; to this one could add Mao Tse Tung, Kim Il Sung, Ho Chi Minh; they are all in the same line of development.

The following theory is also accepted in the West. It is said that China is a sort of purified, puritanical type of Communism, one which hasn't been transformed for the worse. But China is simply a delayed phase of that so-called "War Communism" which was established by Lenin in Russia, but which was in force only until 1921. Lenin established it not because the military situation required it, but because this is how they envisioned the future of their society. But when economic pressure required them to retreat, they introduced the so-called New Economic Policy and they retreated. In China this initial phase has simply lasted longer. China is characterized by all the same traits: massive compulsory labor which is not paid in accordance with its value; work on holidays; forced living in communes and the incessant drumming in of slogans and dogmas that abolish the human essence and deny all individuality to man.

What's worst in the world Communist system is its unity, its cohesion. Enrico Belinguer quite recently said that the sun had set on the Comintern. Not at all. It hasn't set. Its energy has been transformed into electricity which is now pulsing through underground cables. The sun of the Comintern today spreads its energy everwhere in the form of high-voltage electricity. Quite recently there was an incident when western Communists indignantly denied that Portugal was operating on instructions from Moscow. Of course, Moscow also denied this. And then it was discovered that those very orders had been openly published in the Soviet magazine "Problems of Peace and Socialism". These were the very instructions that Ponomarev had given. All the seeming differences among the Communist parties of the world are imaginary. All are united on one point: your social order must be destroyed. Why should we be surprised if the world doesn't understand this? Even the Socialists who are the closest to Communism, don't understand this themselves. They cannot grasp the true nature of Communism. Recently, the leader of the Swedish Socialists, Olaf Palme, said that the only way that Communism can survive is by taking the path of democracy. That is the same thing as saying that the only way in which a wolf can survive would be to stop eating meat and become a lamb. And yet Palme lives right next door. Sweden is quite close to the Soviet Union. I think that he, and Mitterand, and the Italian Socialists will live to the day when they will be in the position that Soares is in today. Soares' situation today, by the way, is not yet at its worst. An even more terrible future awaits him and his party. Only the Russian Socialists—the Mensheviks and the Socialist Revolutionaries—could have told them of the fate that awaits them. But they cannot tell of it; they are all dead, they've all been killed. Read the *Gulag Archipelago* for that.

Of course in the present situation the Communists have to assume various disguises. Sometimes we hear words like the "popular front", at other times "dialogue with Christianity" is brought up. For Communists to have a dialogue with Christianity! In the Soviet Union this dialogue was a simple matter: they used machine guns and revolvers. And today, in Portugal, unarmed Catholics are stoned by the Communists.

This happens today. This is dialogue . . . And when the French and the Italian Communists say that they are going to have a dialogue, let them only achieve power and we shall see what this dialogue will look like.

When I traveled to Italy this past April, I was amazed to see hammers and sickles painted on the doors of churches, insults to priests scrawled on the doors of their houses. In general, offensive Communist graffiti cover the walls of Italian cities. This is today, at a time before they have achieved power. This is today . . . When their leaders were in Moscow, Palmiro Togliatti agreed to all of Stalin's executions. Just let them reach power in Italy and we shall see what the dialogue will look like then.

All of the Communist parties, upon achieving power, have become completely merciless. But at the stage before they achieve power, it's necessary to adopt disguises.

We Russians who have had experience with this, find it tragic to see what is going on in Portugal. We were always told, "Well, this happened to you Russians. It's just that you couldn't maintain democracy in your country. You had it for 8 months and then it was throttled. That's Eastern Europe for you." But look at Portugal, at the very western-most edge of Europe, you can't go further West than Portugal. And what do we see there? We see a sort of caricature, a slightly altered version of what happened in Russia. For us it sounds like a repetition. We recognize what's going on and can make the proper substitutions, placing our socialists in Soares' position. Or another familiar note: in Russia the Bolsheviks also pursued power under the slogan "All power to the Constituent Assembly." But when the elections took place, they got 25 percent of the vote. So they dispersed the Constituent Assembly. The Communists in Portugal got 12 percent of the vote. So they made their Parliament entirely powerless. What irony: the Socialists have won the elections. Soares is the leader of the victorious party. And he has been deprived of his own newspaper. Just imagine: the leader of a victorious party has been stripped of his own newspaper! And the fact that there an Assembly has been elected and that it will sit in session has no significance whatever. Yet the western press writes seriously that the first free elections took place in Portugal. Lord save us from such free elections! (Applause) Specific instances of duplicity, of trickery, can of course change from one set of circumstances to another. But we recognize the Communist character in the episode when the Portuguese military leaders, who are allegedly not Communists, decided to settle the dispute within the newspaper "Republica" in the following manner. "Come at 12 o'clock tomorrow," they said, "we'll open the doors for you and you settle it all as you see fit." But they opened the doors at 10 o'clock and for some reason only the Communists knew of this, but not the Socialists. The Communists entered, burned all the incriminating documents and then the Socialists arrived. Ah, yes, it was of course only an error. An accident, they didn't check the time.

These are the sort of tricks—and there are thousands—which make up the history of our revolution. There will be many more such incidents in Portugal. Or take the following example. The current military leadership of Portugal, in order not to lose the assistance of the West (they have already ruined Portugal, there is nothing to eat, so they need help), have declared, "Yes, we shall keep our multiparty system." And the unfortunate Soares, the leader of the victorious party, now has to demonstrate that he is pleased with this declaration in favor of a multi-party system. But on the same day the same source declared that the construction of a classless society will begin immediately. Anyone who is the least bit familiar with Marxism knows that "classless society" implies that there *won't be any parties*. That is to say, on the very same day they said: there will be a multi-party system and we shall strangle every party. But the former is heard while the latter is inaudible. And everybody repeats only that there will be a multiparty system. This is a typical communist technique.

Portugal has in effect, fallen out of NATO today. I hate to be a prophet of doom but these events are irreversible. Very shortly Portugal will already be considered a member of the Warsaw Pact. It is painful to look at this tragic and ironic repetition of Communist techniques at the far ends of Europe, 60 years apart. In the same few months we see the throttling of a democracy which had only just begun to get on its feet.

The question of war is also well elucidated in Communist and Marxist literature. Let me show you how Communism regards the question of war. I quote Lenin: "We cannot support the slogan 'Peace' since we regard it as a totally muddled one and a hindrance to the revolutionary struggle." (Letter to Alexandra Kollontai, July 1915) "To reject war in principle is un-Marxist. Who objectively stands to gain from the slogan 'peace'? In any case not the revolutionary proletariat." (Letter to Shliapnikov, November, 1914). "There's no point in proposing a benign program of pious wishes for peace without at the same time placing at the forefront the call for illegal organization and the summons to Civil War." This is Communism's view of war. War is necessary. War is an instrument for achieving a goal.

But unfortunately for Communism, this policy ran up against your atomic bomb in 1945. The American atomic bomb. And then the Communists changed their tactics. Then they suddenly became advocates of peace at any cost. They started to convoke peace Congresses, to circulate petitions for peace, and the western world fell for this deceit. But the goal, the ideology, remained the same. To destroy your society. To destroy the way of life known in the West.

But with your nuclear superiority, it wasn't possible to do this then. Hence they replaced one concept by another. They said: what is not war is peace. That is to say, they opposed war to peace. But this was a mistake. Only a part of the antithesis opposed to the thesis. Although an open war could not be conducted, they could still carry out their oppressions behind the scene—terrorism. Partisan war, violence, prisons, concentration camps. I ask you: is this peace?

The diametric opposite of peace is—violence. And those who want peace in the world should remove not only war from the world, but also violence. If there is no open war, but there is still violence, that is not peace.

As long as in the Soviet Union, in China, and in other Communist countries there's no limit to the use of violence—and now we find India joining in (it appears that Mrs. Ghandi has learned a lot from her trip to Moscow; she has mastered these methods very well, and is now adding another 400,000,000 persons to this continent of tyranny)—as long as there is no limit to this use of violence, as long as nothing restrains the use of violence over this tremendous land mass (more than half of humanity), how can you consider yourselves secure?

America and Europe together are not yet, I agree, an island in the ocean—I won't go so far as to say that. But America together with Europe is now a minority, and the process is still continuing. Until society in those Communist countries can keep a check on the government and can have an opinion on what the government does (now it doesn't even have the least idea of what the government is up to)—until that time comes the West, and the world generally, has no guarantee at all.

We have another proverb in Russia: catch on you will when you're tumbling downhill.

I understand that you love freedom, but in our crowded world you have to pay a tax for freedom. You cannot love freedom just for yourself and quietly agree to a situation where the majority of humanity over the greater part of the globe is being subjected to violence and oppression.

The Communist ideology is to destroy your society. This has been their aim for 125 years and has never changed; only the methods have changed a little. When there is detente, peaceful co-existence, and trade, they will still insist: the ideological war must continue; And what is ideological war? It is a focus of hatred, this is continued repetition of the oath to destroy the Western world. Just as, once upon a time in the Roman Senate, a famous speaker ended every speech with the statement: "Furthermore, Carthage must be destroyed," so today, with every act—detente, trade, or whatever—the Communist press, acting on secret instructions, sends out thousands of speakers who repeat: "Furthermore, capitalism must be destroyed."

I understand, it's only human that persons living in prosperity have difficulty understanding the necessity of taking steps—here and now—in a state of prosperity—to defend themselves. That even in prosperity one must be on guard.

But if I were to enumerate all the treaties that have been violated by the Soviet Union, it would take me another whole speech. I understand that when your statesmen sign some treaty with the Soviet Union or China you want to believe it will be carried out. But the Poles who signed a treaty in Riga in 1921 with the Communists also wanted to believe that the treaty would be carried out, and they were stabbed in the back. Estonia, Latvia, and Lithuania, who signed treaties of friendship with the Soviet Union, also wanted to believe that they would be carried out, but these countries were all swallowed.

And the persons who sign these treaties with you now—these very men and no others—at the same time give orders for persons to be confined in mental hospitals and prisons.

Why should they be different? Do they have any love for you? Why should they act honorably and nobly toward you while they crush their own people? The advocates of detente have never yet explained this.

You want to believe, and you cut down on your armies. You cut down on your research. There used to be an Institute for the Study of the Soviet Union—at least there was one. (You know nothing about the Soviet Union. It's dark over there. These searchlights don't penetrate that far.) (Applause) Knowing nothing, you eliminated the last genuine institute which actually could study this Soviet society, because there wasn't enough money to support it. But the Soviet Union is studying you. You are all wide open here, through the press and Congress. And they study you even more, increasing the size of their staffs. They follow what's going on in your institutions. They visit the buildings when they can; they even visit congressional committees; they study everything.

Of course, peace treaties are very attractive to those who sign them. They strengthen one's prestige with the electorate. But the time will come when the names of these public figures will be erased from history. Nobody will remember them any longer, but the Western peoples will have to pay heavily for these over-trusting agreements. (Applause)

Is it only a question of showing that detente is needed today, here and now? No. We have theoreticians who look very far into the future. The Director of the Russian Institute of Columbia University, Marshall Shulman, at a meeting of the Senate Foreign Relations Committee, depicted a radiant long-range future, stating that detente would ultimately lead to cooperation between the United States and the U.S.S.R. in the establishment of a world order. But what sort of new order, in cooperation with insatiable totalitarianism, does this professor want to see established? (Applause) It won't be your order in any case.

But the principal argument of the advocates of detente is well-known: all of this must be done to avoid a nuclear war. But after all that has happened in recent years, I think that I can set their minds at ease, and your minds at ease as well: there will not be any nuclear war. What for? Why should there be a nuclear war if for the last 30 years they have been breaking off as much of the West as they wanted—piece after piece, country after country and the process keeps going on. In 1975 alone four countries were broken off. Four. Three in Indochina plus India, the process keeps going on, and very rapidly, too. One should be aware of how rapid the tempo is. But let us assume that ultimately the Western world will understand and say, "No, not one step further." What will happen then?

Let me direct your attention to the following fact. You have theoreticians who say: "The U.S. must stop the process of nuclear armament. We have enough already. Today America has enough nuclear weapons to destroy the other half of the world. Why should we need more than that?" Let the American nuclear specialists reason this way if they want, but for some reason the nuclear specialists of the Soviet Union—and for some reason the leaders of the Soviet Union—think differently. Ask your specialists! Leaving aside their superiority in tanks and airplanes, where they surpass you by a factor of four, five, or seven, take the SALT talks alone: in these negotiations your opponent is continually deceiving you. Either he is testing radar in a way which is forbidden by the agreement; or he is violating the limitations on the dimensions of missiles; or he is violating the limitations on their destructive force; or else he is violating the conditions on multiple warheads. As the proverb says, look before you leap, or you will have bruises to keep. (Applause)

At one time there was no comparison between the strength of the U.S.S.R. and yours. Then it became equal to yours. Now, as all recognize, it is becoming superior to yours. Perhaps today the ratio is just greater than unity, but soon it will be 2 to 1. Then 3 to 1. Finally it will be 5 to 1. I'm not a specialist in this area, and you're not specialists either, I suppose, but this can hardly be accidental. I think that if the armaments they had before were enough, they would not have driven things further. There must be some reason for it. With such a nuclear superiority it will be possible to block the use of your weapons, and on some unlucky morning they will declare: "Attention. We're marching our troops to Europe, and if you make a move, we will annihilate you." And this ratio of 3 to 1, or 5 to 1 will have its effect: you will not make a move. Indeed, theoreticians will be found to say, "If only we can have that blessed silence . . ."

To make a comparison with chess, this is like two players sitting at a chess board, one of whom has a tremendously high opinion of himself and a rather low opinion of his opponent. He thinks that he will, of course, outplay his opponent. He thinks he is so clever, so calculating, so inventive, that he will certainly win. He sits there, he calculates his moves. With these two knights he will make four forks. He can hardly wait for his opponent to move. He's squirming on his chair out of happiness. He takes off his glasses, wipes them, and puts them back on again. He doesn't even admit the possibility that his opponent may be more clever. He doesn't even see that his pawns are being taken one after the other and that his castle is under threat. It all seems to him, "Aha, that's what we'll do. We'll set Moscow, Peking, Pyongyang, Hanoi one against the other." But what a joke! No one will do any such thing! In the meantime, you've been outplayed in West Berlin, you've been very skillfully outplayed in Portugal. In the Near East you're being outplayed. One shouldn't have such a low opinion of one's opponent.

But even if this chess player were able to win the game on the board, carried away by the play, he forgets to raise his eyes; he forgets to look at his opponent and doesn't see that he has the eyes of a killer. And if the opponent cannot win the game on the board, he will take a club from behind his back and shatter the skull of the other chess player, winning the game in that way. (Applause) This very calculating chess player also forgets to raise his eyes to the barometer. It has fallen. He doesn't see that it's already dark outside, that the clouds are coming on, that a hurricane is rising. That's what it means to be too self-confident in chess.

In addition to the grave political situation in the world today, we are witnessing the emergence of a wholly new situation, a crisis of unknown nature, one completely different, one entirely non-political. We're approaching a major turning point in world history, in the history of civilization. It can be seen in various areas by various specialists. I could compare it only with the turning point from the Middle Ages to the Modern Era, a whole shift of civilizations. It is a turning point at which settled concepts suddenly become hazy, lose their precise contours, at which our familiar and commonly used words lose their meaning, become empty shells, at which methods which have been reliable for many centuries no longer work. It's the sort of turning point at which the hierarchy of values to which we are dedicated all our lives, which we use to judge what is valuable and what is not, and which causes our lives and our hearts to beat, is starting to waver and may perhaps collapse.

And these two crises: the political crisis of today's world and the oncoming spiritual crisis, are occurring at the same time. It is our generation that will have to confront them. The leadership of your country, which is entering the third century of your national existence, will perhaps have to bear a burden greater than ever before seen in the whole of American history. Your leaders during this time (which is so near) will need profound intuition, spiritual foresight, high qualities of mind and soul. May God grant that in those times you will have at the helm in this country personalities as great as those who created your country. (Applause)

In recent weeks, when traveling through various of your states, I of course felt that these two cities in which I have made my addresses—Washington and New York—are far from reflecting your country as a whole, with its tremendous diversity and all of its possibilities. Just as old St. Petersburg did not express the whole of Russia, just as Moscow does not reflect the Soviet Union of today, and just as Paris more than once abused it claim to represent all of France.

I was profoundly impressed by my contact with those places which are, and have always been, the wellsprings of your history. It really makes one think: the men who created your country never lost sight of their moral bearings. They did not laugh at the absolute nature of the concepts of "good" and "evil." Their practical policies were checked against that moral compass. And how surprising it is that a practical policy computed on the basis of moral considerations turned out to be the most far-sighted and the most salutary. Even though in the very short term one wonders: why all this morality? Let's just get on with the immediate job.

The leaders who created your country never said—"Let slavery reign right next door, and we will enter into detente with this slavery, so long as it doesn't come over to us."

I have traveled enough through the different states of your country and in its various regions to have become convinced that the American heartland is healthy, strong and broad in its outlook. I am convinced that these healthy, generous and inexhaustible forces will help you to elevate the whole style of your governmental leadership.

Yet, when one travels in your country and sees your free and independent life, all the dangers which I talked about today indeed seem imaginary. I've come and talked to people, and I see this is so. In your wide open spaces even I get a little infected. The dangers seem a little imaginary. On this continent it is hard to believe all the things which are happening in the world. But, gentlemen, this carefree life cannot continue in your country or in ours. The fates of our two countries are going to be extremely difficult, and it is better to prepare for this beforehand. (Applause)

I understand, I sense that you're tired. You're fatigued, but you have not yet really suffered the terrible trials of the 20th Century which have rained down on the old continent. You're tired, but not as tired as we are, lying crushed to the ground for 60 years. You're tired; but the Communists who want to destroy your system aren't tired; they're not tired at all. (Applause).

I understand that this is the most unfavorable time to come to this country and to make this sort of address. But if it were a favorable time, if it were an appropriate time, there wouldn't be any need for me to speak. (Applause).

Precisely because this is the worst possible time I have come to tell you about our experince *over there.* If our experience in the East could flow over to you by itself, it wouldn't be necessary for me to assume the unpleasant and inappropriate role of orator. I am a writer, and I would prefer to sit and write books.

But a concentration of world evil, of hatred for humanity is taking place and it is fully determined to destroy your society. Must you wait until it comes with a crowbar to break through your borders, until the young men of America have to fall defending the borders of their continent?

After my first address, as always, there were some superficial comments in the newspapers, which did not really get to the essence. One of them was as follows: that I came here with an appeal to the United States to liberate *us* from Communism. Anyone who has at all followed what I have said and written these many years, first in the Soviet Union and now in the West, will know that I've always said the exact opposite. I have appealed to my own countrymen—those whose courage has failed at difficult moments, and who have looked imploringly to the West—and urged them: "Don't wait for assistance, and don't ask for it we must stand on our own feet. The West has enough troubles without us. If they support us, many thanks. But to ask for it, to appeal for it—never."

I said the last time that two processes are occurring in the world today. One is a process of spiritual liberation in the U.S.S.R. and in the other Communist countries. The second is the assistance being extended by the West to the Communist rulers, a process of concessions, of détente, of yielding whole countries. And I only said: "Remember, *we* have to pull *ourselves* up—but if you defend us you also defend *your own* future."

We are slaves there from birth. We are born slaves. I'm not young anymore, and I myself was born a slave; this is even more true for those who are younger. We are slaves, but we are striving for freedom. You, however, were born free. If so, then why do you help our slaves owners? (Applause).

In my last address I only requested one thing and I make the same request now: when they bury us in the ground alive (I compared the forthcoming European agreement with a mass grave for all the countries of East Europe)—as you know, this is a very unpleasant sensation: your mouth gets filled with earth while you're still alive—please do not send them shovels. (Applause). Please do not send them the most modern earth-moving equipment. (Applause).

By a peculiar coincidence the very day when I was giving my address in Washington Suslov was talking with your Senators in the Kremlin. And he said, "In fact, the significance of our trade is more political than economic. We can get along without your trade." That's a lie. The whole existence of our slave owners from beginning to end relies on Western economic assistance. (Applause). As I said the last time, beginning with the first spare parts used to reconstruct our factories in the 1920's, from the construction in Magnitostroy, Dneprostroy, the automobile and tractor factories built during the first five-year plans, on into the postwar years and to this day, what they need from you is economically absolutely indispensable—not politically but economically indispensable to the Soviet system. The Soviet economy has an extremely low level of efficiency. What is done here by a few people, by a few machines, in our country takes tremendous crowds of workers and enormous masses of materials. Therefore the Soviet economy cannot deal with every problem at once: war, space (which is part of the war effort), heavy industry, light industry, and at the same time the necessity to feed and clothe its own population. The forces of the entire Soviet economy are concentrated on war, where you won't be helping them. But everything which is lacking, everything which is needed to fill the gaps, everything which is necessary to feed the people, or for other types of industry, they get from you. So indirectly you are helping them to rearm. You're helping the Soviet police state. (Applause.)

To get an idea how clumsy the Soviet economy is, I'll give you the following example: What kind of country is it, what kind of great power, which has tremendous military potential, which conquers outer space, but has nothing to sell? All heavy equipment, all complex and delicate technology, is purchased abroad. Then it must be an agricultural country? Not at all; it also has to buy grain. What then can we sell? What kind of economy is it? Can we sell anything which has been created by Socialism? No! Only that which God put in the Russian ground at the very beginning, that's what we squander and that's what we sell. What we got from God in the first place. And when all this will come to an end, there won't be anything left to sell.

The President of the AFL–CIO, Mr. George Meany, has quite rightly said that it is not loans which the United States gives to the Soviet Union, it is economic assistance. It's foreign aid. It's given at a level of interest that is lower than what American working men can get for their home mortgages. That is direct aid.

But this is not all. I said in my last address and would like to repeat it again, that we have to look at every event from the other point of view—from the point of view of the Soviet Union. Our country is taking your assistance, but in the schools they're teaching and in the newspapers they are writing and in lectures they are saying, "Look at the Western world, it's beginning to rot. Look at the economy of the Western world, it's coming to an end. The great predictions of Marx, Engels and Lenin are coming true. Capitalism is breathing its last. It's already dead. And our socialist economy is flourishing. It has demonstrated once and for all the triumph of Communism." I think, Gentlemen, and I particularly address those of you who have a socialist outlook, that we should at last permit this socialist economy to prove its superiority. Let's allow it to show that it is advanced, that it is omnipotent, that it has defeated you, that it has overtaken you. Let us not interfere with it. Let us stop selling to it and giving it loans. (Applause.) If it's all that powerful, then let it stand on its own feet for 10 or 15 years. (Applause.) Then we will see what it looks like. I can tell you what it will look like. I am being quite serious now. When the Soviet economy will no longer be able to deal with everything, it will have to reduce its military preparations. It will have to abandon the useless space effort and it will have to feed and clothe its own people. And the system will be forced to relax.

Thus, all I ask you is that as long as this Soviet economy is so proud, so flourishing, and yours is so rotten and so moribund—stop helping it, then. Where has a cripple ever helped along an athlete? (Applause.)

Another distortion appeared in your press with respect to my last address. Someone wrote that "one more advocate of the Cold War has come here. One more person has arrived to call on us to resume the Cold War." That is a misunderstanding. The Cold War—the war of hatred—is still going on, but only on the Communist side. What is the Cold War? It's a war of abuse and they still abuse you. They trade with you, they sign agreements and treaties, but they still abuse you, they still curse you. In sources which you can read, and even more in those which are unavailable to you, and which you don't hear of, in the depths of the Soviet Union, the Cold War has never stopped. It hasn't stopped for one second. They never call you anything but "American imperialists." One day, if they want, all the Soviet newspapers could say that America wants to subjugate the world and our people would have nowhere to get any other information. Do I call upon you to return to the Cold War? By no means, Lord forbid! What for? The only thing I'm asking you to do is to give the Soviet economy a chance to develop. Do not bury us in the ground, just let the Soviet economy develop, and then let's see.

But can the free and varied Western system follow this policy? Can all the Western countries together say. "It's true, let us stop competing. Let us stop playing up to them. Let us stop elbowing each other and clamoring, 'Me, me, let me have a concession, please give it to me'..." It's very possible that this could not be done. And if this sort of unity cannot be achieved in the West, if, in the frenzied competition of one company with another they will continue to rush in loans and advanced technology, if they will present earth-moving equipment to our gravediggers, then I'm afraid that Lenin will turn out to have been right. He had said: "The bourgeoisie will sell us rope, and then we shall let the bourgeoisie hang itself."

In ancient times trade would begin with the meeting of two persons who had come out of a forest or had arrived by sea. They would show one another that they didn't have a stone or club in their hand, that they were unarmed. And as a sign of this each extended an open hand. This was the beginning of the hand clasp. Today's word "detente" literally means a reduction in the tension of a taut rope. (What an ominous coincidence: A rope again!) So "detente" means a relaxation of tension. But I would say that what we need is rather this image of the *open hand*. Relations between the Soviet Union and the United States of America should be such that there would be no deceit in the question of armaments, that there would be no concentration camps, no psychiatric wards for healthy people. Relations should be such that the throats of our women would no longer be constricted with tears, that there would be an end to the incessant ideological warfare waged against you, and that an address such as mine today would in no way be an exception. People would simply be able to come to you from the Soviet Union, from China, and from other Communist conutries and would be able to talk freely, without any tutoring from the KGB, without any special approval from the Central Committee of the Party. Rather, they would simply come of their own accord and would tell you the truth about what is going on in these countries.

This would be, I say, a period in which we would be able to present "open hands" to each other. (Applause)

THE INSTITUTE OF MEDICINE REPORT ON ABORTION: WHAT DO THEY KNOW?

Mr. **BUCKLEY**. Mr. President, the National Right to Life News, the official publication of the National Right to Life Committee, Inc., recently contained an article entitled "Institute of Medicine Report Has Major Flaws." The article written by NRL News staff writer Michael Coughlin, examines in considerable detail the May 1975 study "Legalized Abortion and the Public Health." This study was undertaken by a committee of the Institute of Medicine of the National Academy of Sciences and has been the object of considerable, and I am convinced, well-deserved criticism. To give some idea of the approach used by the Institute of Medicine in its study, I offer the following quotation taken from the summary and conclusion section of the study:

> Ethical issues of abortion are not discussed in this analysis, nor are questions concerning the fetus in abortion. The study group recognizes that this approach implies an ethical position with which some may disagree. The emphasis of the study is on the health effects of abortion, not on the alternatives to abortion.

As is well known, Mr. President, the kind of answer one receives depends upon how a question is phrased. If a question about the effects of abortion is phrased in such a way that all ethical considerations are ignored, that the fundamental question of the humanity of the fetus is not even considered and that only the "medical risks to women" are discussed—then, Mr. President, the result is predictable.

But equally important—granting for the sake of argument the validity of the curious approach taken by the Institute of Health—is the admited lack of data in many important areas covered by the study. As Michael Couglin has stated in his article:

> Modestly, the committee states that it found "considerable gaps" in information on which the report was based. These "considerable gaps" make the full report almost totally useless. An honest summary of the report could be made in four words, "They really don't know." Undeterred by the absence of essential information, the committee pressed forward, drawing conclusions, and then undrawing them and then summarizing the findings—which really amount to non-findings.

Mr. President, I request unanimous consent that the article "Institute of Medicine Report Has Major Flaws," be printed in the RECORD in its entirety.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

INSTITUTE OF MEDICINE REPORT HAS MAJOR FLAWS

By Michael Coughlin

There is really only one conclusion that can be drawn about the report recently published by the Institute of Medicine on "Legalized Abortion and the Public Health,"—and that is that it shouldn't have been, at least not now.

Despite the heavy publicity given the report by the nation's media (publicity that in general heralded it as a welcome addition to our store of information on the impact legalized abortion has had on the physical and psychological health of millions of American women), there is very little in the report that justifies any such hurrah.

The stated objectives of the report, as spelled out in its introduction, are clearly not accomplished—although it takes the Institute of Medicine committee which compiled the report 168 pages to admit that fact. The institute was chartered in 1970 by the National Academy of Sciences to study public health policy matters.

The work is the result of 10 months' labor by a "committee of scholars, researchers, health practitioners, and concerned lay persons," said a press advisory from the institute. "The study group," the advisory continues, "was asked to examine the risks of mortality and morbidity for women who obtained legal abortions, and to document changes in the risks as legal abortion became more available following the January, 1973 Supreme Court ruling that removed many restrictions on the procedure."

Copies of the report, together with a 10-page summary of the document were handed out to the media at a May 27 press conference. Judging from several major media stories, reporters did little more than take the pablum fed them in a news release and rehash it for their readers.

IGNORES CENTRAL ISSUE

Billing itself as "a more comprehensive analysis (than any previously issued) of the available medical information on the subject," the report announces in its summary that it did not concern itself with "ethical issues of abortion" or with "questions concerning the fetus in abortion." And why should it if the Supreme Court itself can ignore this central issue of the whole abortion controversy?

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But let the report speak for itself:

In chapter 2, page 38, it acknowledges that "illegal abortions are not reported to public health authorities and almost never to the police . . . which makes impossible (our emphasis) a calculation of illegal abortion ratios or rates, or the development of trend data on the incidence."

With that said, the next paragraph asserts that "These data (drawn from hospital admission records) suggest that the number of illegal abortions (remember, they are 'impossible' to calculate) has declined in recent years and that most women will choose a legal abortion over an illegal abortion when that choice is available."

In chapter 2, page 39, the report cites a study which states that the out-of-wedlock birth rate declined in 1971 in New York City, "the first full year of New York's nonrestrictive abortion law." Similar data have been reported in California, we are told. Further information, the report continues, "suggests that abortion may have had an immediate downward push on illegitimacy" in other parts of the United States as well.

In the next breath, however, we are advised that "Although these data can be interpreted as showing some relationship between the legalization of abortion and a decline in out-of-wedlock births in the subsequent year, no conclusion (our emphasis) can be drawn with respect to the long-term trend in out-of-wedlock births in an area with non-restrictive abortion legislation . . . Too many other factors affect the decision to bear a child, and particularly an out-of-wedlock child, to allow conclusions about the demographic effects of legal abortion."

Why, then, does the committee imply earlier that there is "some relationship" between legalized abortion and a declining birth rate?

FOREIGN STUDIES DISCREDITED

In chapter 3 extreme pains are taken to discredit the validity of all foreign studies of the long-term complications arising from abortion. These studies, the report said, are inadequate for several reasons, including contradictory evidence, evidence of serious faults in the methodology employed in the studies and a lack of sufficient evidence on which the studies were based. "To summarize," the report says, "no definitive conclusions can be drawn" from the foreign studies.

But then, after admitting that not enough time has passed to make any valid assessment of the United States situation, from internal evidence or by comparison to foreign reports, the committee almost cavalierly cites a series of studies from across the country which "indicate that abortion-related complications have declined over the past several years . . . It is likely (note the scientific ring of that word) that the introduction of less-restrictive legislation . . . was a major factor in reducing total illegal abortion-related complications."

Interesting, isn't it, that unable — by its own admission—to assess the long-term effects of abortion, the committee next tells us that the abortion-complication rate in the United States has decreased since abortion was legalized—leaving the obvious impression that woman have little to fear from abortion.

We should note that this chapter's emphasis on discrediting foreign studies is almost completely lacking in the next chapter when the report looks at the incidence, here and abroad, of maternal deaths due to abortion. Could it have anything to do with the fact that most foreign studies on complications suggest the presence of serious long-term dangers caused by abortion, while the foreign studies indicate a decreasing maternal death rate following the introduction of legalized abortion?

FEW DEATHS IN U.S.

Chapter 4 of the report advises us that "Very few deaths are associated with legal abortion in the United States." More specifically, the report says that early abortions are the safest and that the incidence of maternal deaths caused by mid-term abortions is about the same as the maternal mortality ratio for women carrying their pregnancies to term.

A comparison is made with selected foreign countries to illustrate that early abortions are generally safer for the woman than mid- and later-term abortions. The lack of serious critical analysis of shortcomings evident in foreign reports, so prominent in chapter 3, suggests, shall we say, the presence of bias in the committee's report.

Statistics from New York are cited as "a valuable source" of information on the health effects of legal abortions (page 75). But in a footnote on the next page, the report states that though investigators studying the number of maternal deaths resulting from legal abortions done in New York "concluded that all deaths from abortions . . . were probably identified," there was in fact "no way to verify whether . . . this assumption is correct." On such solid evidence the committee proceeds with its study:

"Although data limitations preclude a direct comparison of the mortality ratios associated with legal and illegal abortion, available statistics from the United States indicate that the number of reported deaths from other-than-legal abortions declined steadily as less restrictive abortion legislation was passed and implemented throughout the country."

Perhaps this statement was best critiqued by Jeanne Head, a registered nurse who is in charge of the Manhattan office, New York State Right to Life. She wrote: "In its haste to proclaim the safety of legal abortions, the Academy deserts its scientific reasons to attribute the decline in maternal deaths to legalized abortions. It need only refer to the National Center of Health Statistics . . . to discover that abortion and maternal deaths declined more dramatically before legalization of abortion than after. This decline . . . can more logically and scientifically be considered due to the advances in medical science, and better maternal health care."

PSYCHOLOGICAL EFFECTS

When the committee gets into its section on the psychological effects of abortion (chapter 5), it abandons all restraint and pretenses to a scientific analysis.

For 12 pages it thrashes about searching for something concrete it can say on this subject. About the best it comes up with is that women tend to have greater pschological after-effects following abortions performed during the second trimester than they do when they are done during the first trimester.

In this chapter, the report says, available data, especially more recent data, "generally agree that the feelings of guilt, regret or loss elicited by a legal abortion in some women are generally temporary and appear to be outweighed by positive life changes and feelings of relief."

Such a general agreement leads the committee to conclude that abortion is not psychologically damaging. A series of studies are cited to give authority to the committee's conclusion.

But is there any justification for the conclusion? Can the committee say, based on valid scientific reports, that women have little to fear psychologically from abortion? No, and its own report admits as much.

The studies on which this chapter is based suffer major flaws that make them scientifically useless. To quote from the report, "Much of the research on psychological aspects of abortion is limited . . . Data are also almost nonexistent on the differential emotional impact associated with various abortion techniques or the trimester in which the abortion is obtained . . .

"Most studies on the psychological effect of abortion are clouded by significant problems of definition and method," the report says. But there are even more serious problems with the studies, chief among them the absence of "control groups" which tends to invalidate any conclusions made in the studies.

"Inconsistent terminology makes a comparison among studies very difficult and also weakens the validity of any single study," the report continues. "Somewhat related to the definition problem is the lack of uniform measurement instruments to gauge the effect of an abortion on the mental health of a woman."

And so on and on this chapter goes, tortuously trying to justify abortion while admitting that the conclusions it reaches are based on the flimsiest of information.

The concluding chapter in the report is as empty as the preceding ones. All that can be said about it is found in its summary, "Data on the relationship of contraception to abortion are limited, and preclude firm conclusions on many aspects of the topic . . . no studies have yet defined their exact relationship."

As Ray L. White, executive director of the National Right to Life Committee said, "The report is filled with qualifying words such as 'if,' 'perhaps,' 'it suggests that,' 'if indeed.' Such expressed uncertainty qualifies it as a lukewarm opinion and not a study."

It is opinion make no mistake about that. As a scientific study it rests its conclusions on the flimsiest of information and the shallowest of logic.

As a study, however, we must take it seriously—not for what it proves, but for what it leads the public to believe. Before abortion was legalized women knew they risked their health and lives by having one. Now they have been lulled into believing that abortion poses no risks either physical or psychological.

The Institute of Medicine erred seriously in making the report public—an error that is the more reprehensible when one realizes it will be used to justify abortion as a positive medical experience for women.

STRESS AND SOCIETY—THE ROLE OF EDUCATION

Mr. HUMPHREY. Mr. President, last month I had the pleasure of addressing the Conference on Emerging Trends in Education on the topic of "Alleviating Stress on Schools, Teachers, Pupils, and Society as a Whole."

No subject could be more pertinent than this today. We are constantly placed in stressful situations—by our own actions, by acts of nature, and by the acts of government and other people. Each of us must learn, in our own way, to cope with stress and tension. But, the learning curve can be made smoother and the learning process less difficult by actions which government and the institutions in our society take.

I was particularly pleased that the Conference on Emerging Trends in Education chose to examine ways to make life less tension-filled and stressful. Educators, in my opinion, make a unique contribution to our society when they prepare young people to take their place in the adult society. It is highly appropriate that they search for ways to better prepare our young people to cope with our changing world.

Mr. President, I would like to share with my colleagues the thoughts on stress and our society which I offered to the conference. I ask unanimous consent that my remarks to the conference be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

REMARKS BY SENATOR HUBERT H. HUMPHREY

It is a privilege to be here today to deliver the keynote address at the 1975 Conference on Emerging Trends in Education.

I would like to compliment you on your choice of a conference theme—"Alleviating Stress on Schools, Teachers, Pupils, and Society as a Whole." There can be no more pertinent topic for us to address today.

The sciences of physics and engineering have provided us with a precise definition of the word stress. Stress, according to these disciplines, is a force sufficient in magnitude to distort or deform a system.

If we were to translate this definition into terms more readily understandable to the social scientist, the psychiatrist, or the politician, we would call man the system, and society or the environment the force at work on him. Man experiences stress basically because he cannot respond quickly enough or in an adaptive enough fashion to his environment.

All of us here know that stress is nothing new to man. He, like all the other living creatures on this earth, has suffered some form of stress from the beginning of time—whether it be the stress of having to face a life-threatening situation and fight or run, the stress of having to find food to feed oneself and one's family, or the stresses of modern society where most problems are shades of gray rather than black or white, and do not respond to direct or simple solutions.

As a society, we in the United States have always had to deal with stress. We are a nation born out of turmoil. Our war for independence divided families and friends into opposing camps. And the Civil War had at least as divisive an effect on our society.

Today, our problems seem more complex, more numerous, and more distressful.

Sigmund Freud once asked whether "systems of civilization—or epochs of it—possibly even the whole of humanity—have become 'neurotic' under the pressure of civilizing trends." If Freud felt that way just 46 years ago, imagine how he might feel if he were alive today, in a society so complex and so fast-paced that the pressures on people have grown and continue to grow at a tremendous rate.

Change, undoubtedly, is a major source of stress. Our society and the growth in knowledge which characterizes it, require man to adapt to new events, new thoughts, and new ways of doing things far more quickly than he had ever needed to adapt in the past.

It took man thousands of centuries to learn to fly; but it only took him 66 years to progress from his first flight to his first trip to the Moon. And now, six years later, he has planned a rendezvous in space with another space ship!

In more personal terms, for centuries people were born, raised, worked and died in the same town, with their families around them. Today, families often pick up their roots every two years to move to another part of the country or the world. Father, mother, brothers, and sisters, aunts and uncles, and friends are left behind. If there is any sense of belonging, if there are any roots, it is the company or the Army, not the community, that provides the roots.

For others in the family, there is no home base to cushion the shock of moving. The requirement to change, to adapt to new friends and new environments every few years, often expresses itself in stress, in emotional, behavioral or medical problems.

A second important source of stress is the lack of a recognized and generally accepted set of moral values by which to guide our lives. We are living in the midst of a cultural and moral revolution, in which old values are questioned and often discarded without the adoption of new ones.

For some, the lack of guideposts is exhilarating and welcome. But for all too many others, it evokes fear or disorientation.

Finally, we cannot forget the problems that face our society and the way we deal or fail to deal with these problems. They compound and magnify the strains and tensions we feel.

Look at the problems which face us today:

A world still at war in many places and still in danger of nuclear conflagration.

A national unemployment rate of 9.2 per cent.

Decaying and bankrupt cities.

An ever increasing crime rate.

A crisis in education.

A health system beset by financial and moral crises.

And, a lack of faith in government, fed by its perceived inability to solve or even to relate to our problems.

Let me focus briefly on just three of these problems—the problems of peace, of faith in government, and of unemployment—to put in sharper perspective the impact of our modern problems on people.

First, the problem of peace.

Since the late 1940s the American people, as well as the rest of the world, have lived with the nuclear sword of Damocles hanging over their heads. We now have a generation and a half of young children and adults residing in an atmosphere of possible atomic annihilation and likely proliferation.

The chance of nuclear war between the great superpowers, the United States and the Soviet Union, is very remote. But the chance of war among other powers, in the Middle East, on the Asian continent and in the Third World, is less remote. And, who is to say what will happen if some of these powers acquire the capability to develop nuclear weapons and use them? This must disturb us all.

Second, the problem of confidence in our government.

Watergate shook our faith in government to its roots. Recent evidence of wrongdoing by the very agencies created to safeguard our system of government, the FBI and the CIA, have compounded the crisis of confidence toward government felt by a great number of citizens.

Moreover, our people have a nagging sense that there is an absence of national leadership to address the problems that really confront our people.

There is one more problem on which I would like to focus special attention, for it may be the major source of many of the stresses on our people today. That is the problem of unemployment.

I have already stated that we are now experiencing a national unemployment rate of 9.2 per cent. But this figure is deceptively low.

In some large cities such as Detroit, unemployment is close to 25 per cent of the labor force. Among our young people it is 21.8 per cent; among only our black young people it is 39.9 percent nationwide and as high as 50 per cent in some ghetto areas. And we have not even begun to count the disillusioned thousands who no longer seek work through official employment agencies and thus are not counted.

The statisticians and economists in our society can describe for us the economic impact of unemployment. But unemployment means more than a loss of income—it means a loss of self-esteem, of self-worth.

Ours is a society in which, for better or worse, self-worth is defined by our jobs, our salaries, and the adequacy with which our work provides for our welfare and the welfare of our families.

The effect of unemployment on the young person just finishing school or on the young man or woman just released from the military service is severe. He or she has been told that by studying hard or developing skills which society considers valuable, or after serving our country, that there will be a future of hope—that he or she will be able to make a constructive contribution to society.

Now we are telling these people that they are not needed that we tricked them. Their reaction is anger, frustration, defeat—any or all of these.

Even more devastating is the effect of unemployment on those who have been employed, started families, and entered the mainstream as productive citizens. All of a sudden there is little demand for their particular skills and they are let go. This is quite a blow to the once successful wage earners—and very often the reaction is self-guilt and anxiety.

But, unemployment is not a strictly personal affair. It very definitely is a family affair. Family life becomes incredibly difficult, as the former wage earner turns to those closest to him for moral and sometimes financial support. There are cutbacks—ranging from food, clothing, transportation, and shelter to education—and these are hard to adjust to.

No one in the family is immune to the stresses of unemployment. The bad feelings and inadequacies arising from having no jobs are taken out on children and wives. They, in turn, take out their frustrations on the unemployed wage earner. The cycle is almost never ending, and the impacts multifaceted.

It is from families under stress—that the children come who, time after time, appear in the criminal justice system; who show no remorse for their actions and blame their victims for the savagery of their own crimes.

Families and people under stress experience serious mental illnesses and stress-related illnesses.

Stress is now recognized as a major cause of illnesses—heart disease, nervous disorders, and high blood pressure, to name a few.

Today, according to one famous clinician, Sir William Osler, "It is much more important to know what sort of patient has a disease than what sort of disease a patient has."

The National Institute of Health reports that suicide is up nationally this year at least 2 per cent—meaning 500 deaths more than the usual toll of around 21,000. It is conservatively estimated that the suicide rate today is over 12 person per 100,000; during 1932, the worst year of the Depression, it was 17.4 persons per 100,000.

Even more disturbing is the rate among our young people, those aged 20 to 24. In 1950 it was 8.1 per thousand, below the national average; in 1973 it was 14.8, and today it is even higher.

These facts and figures are disheartening, to say the least. Americans are finding life a little less tolerable at a younger and younger age. To alleviate their strains, they are increasingly turning to alcohol, drugs, and now suicide.

As educators, I am sure you have been witness to the damaging effects of stress on our youth. Where adolescence in itself used to be stressful enough, it now looks as though pressures that have plagued adults are filtering down to their chidlren.

If the Administration is reluctant to provide the kind of leadership to address the problems of unemployment, of health care, of housing, of education—then we in the Congress will provide that leadership.

We can and we will take better care of the unfortunate victims of recession. This means both the extension of unemployment compensation and an increase in its level. Today the average unemployment check is a mere $65 a week—a national disgrace.

We can and we must provide an emergency program of health insurance for those who lose coverage because they are out of work.

We cannot and will not scrimp on Social Security, on retirement benefits, or on food stamps, as the President has proposed. Congress has rejected this cruel proposal.

We must get the economy moving again, and to do this:

We need a greatly expanded program of public service jobs capable of providing at least one million people with work immediately.

We need an accelerated program of public works.

We need to set interest rates for housing at 6 per cent and get hundreds of thousands of construction workers back on the job.

We need to see to it that financial assistance comes from the federal government to those state and local governments facing a major fiscal crisis.

And, we must begin to do a much better job of planning for the future of our economy and for the welfare of our citizens. If we are to provide a better life for all Americans in the years to come, we must begin to plan for it today.

This is where we need your help. We must plan for the future together.

We have always been a nation which has placed a high premium on education.

We must develop a new education policy for America, one that will make our schools centers of community activity and through them restore to our people some sense of belonging. We must provide education that will give our young people a better appreciation of their intrinsic worth, and help our communities better cope with the strains of modern life.

A new education policy for America must establish education as a high national priority in the protection and development of our human resources. It should promote multiple approaches to providing education opportunities that give the fullest recognition of the needs, problems, abilities and interests of each young person.

It must be a policy which helps prepare our young people for the changes and stresses which will characterize the future.

And, finally, it must be a policy which will help our people realize that a man's worth is not measured by his income but by his capacity as a human being.

As a necessary first step in this commitment, I have introduced in the Senate the National Education Investment Act of 1975. This legislation alone will not result in a new education policy, but it will facilitate it by removing some of the financial impediments to a new policy.

The National Education Investment Act proposes direct measures to solve profound problems—the need for up-to-date school facilities and for ending the unconscionable inequality where a child's education is made dependent on the wealth or poverty of his or her community.

This legislation also pinpoints special education needs of children which for too long have received a totally inadequate response—including the needs of pre-school children, of mentally or physically handicapped children, and of educationally deprived children in areas of poverty.

The National Education Investment Act presents clearly defined measures and a definite time schedule for addressing all these problems—not through just providing more federal dollars, but through using federal assistance as leverage to promote counterpart efforts by state and local governments and by the private sector. It calls for a total national effort on behalf of our children.

But in demanding the best education for our children, we must also demand the best of our society. Values imparted in the classroom often seem hypocrisies in the outside world. By intensively examining what, how, and why we teach our children, we may discover answers to education's ills that also can help heal the sicknesses of our society.

At root, we must rededicate ourselves to the unique worth and the kinship of every man as a fundamental truth in education and as a basic explanation of what America is all about.

The education of a child is the sum total of that child's native ability, the experience in an education system, and the social environment in which that child lives and grows—the neighborhood, the community, and the nation, and indeed, the world. He is conditioned by it.

The best in education—facilities, teachers, books—is diminished by the inadequacy of the surroundings and the inadequacies of the social environment.

You, as our Nation's educators, have a greater responsibility than just to advocate better teachers, teaching methods, modernization of school plant and facilities, and the use of the most modern techniques, including modern educational technology.

The true educator must be a spokesman for social justice, a crusader against the evils of poverty and deprivation, and an advocate of communities that are wholesome and safe.

Let us resolve here and now to make education in America the finest in the world. Let us resolve here and now that we will make education a tool for coping with stress, not another source of stress.

MORTGAGE REPORTING AMENDMENT

Mr. STONE. Mr. President, I have submitted an amendment which would require thrift institutions to disclose the location of their mortgages by ZIP codes rather than by census tracts. Although the burden on thrift institutions has been reduced by making the reporting requirements in this bill prospective, I believe it is also necessary to limit the mortgage disclosure requirements to ZIP codes.

Presently, most financial institutions do not have the internal systems necessary to code their mortgage loans to census tracts. Therefore, reference must be made to other data sources which are often inadequate or not readily available. Address coding guides or other book-type directories which match street addresses and census tract numbers are unavailable from the Bureau of the Census. Computer tapes containing the address and tract numbers for standard metropolitan statistical areas—SMSA—are available from the Census Bureau, but they need to be updated. In any event, the tapes are of little use for those smaller financial institutions which do not have access to computers. There are approximately 1,200 savings and loan associations within 263 SMSA's which have less than $25 million in assets and some 1,700 with $50 million or less in assets. A fair proportion of those institutions would be required to manually relate every mortgage to a census tract.

In Dade County, a county with a population of more than 1 million, the largest census tract map procured is approximately 19 inches by 28 inches. This map has some main streets and avenues indicated by name and number but many lines of demarcation give no indication of street or avenue identification. Since the assignment of each individual loan to its proper census tract would have to be done manually, and in many cases actually requires a field inspection, the amount of time and labor expended to comply with this provision of the bill would amount to an inordinate expense. In Hillsborough County there are 141 census tracts. Only in the city of Tampa is there available a street index relating addresses to census tracts and this is only approximately 60 percent accurate according to a spokesman for the Tampa Bay Regional Planning Commission.

Mr. President, in addition to the problems regarding the accessibility of census tract data, there is some question as to the accuracy of census tract data. Neither local directories nor the Bureau of the Census' computer tapes of SMSA addresses and census tract numbers are completely accurate and up-to-date. The computer tapes and directories compiled for the 1970 census are approximately 70 percent accurate and are in the process of being corrected for the 1980 census. Many communities have been instructed to submit corrected census tract maps to the Bureau of the Census by 1978. Various changes can occur in an SMSA which are not reflected in the existing tapes and directories. New SMSAs have been added since 1970 while many existing SMSAs have experienced significant adjustment. Mr. Vincent Barabba, Director of the Bureau of the Census, testified on July 15, 1975, before the House Committee on Banking, Currency and Housing on the very plan proposed by this bill. In describing the capabilities and limitations of the address reference file, which serves as the geographic base-inventory for census tract, he pointed out that these files "would become outdated rapidly if they remained static."

Should the Bureau of the Census find it necessary to revise Standard Metropolitan Areas in 1980 the entire data base accumulated by thrift institutions at a major cost would be obsolete. The system proposed by the bill appears to be predicated upon the assumption that present census tracts will remain static. Empirical and statistical evidence indicate that present census tracts will not remain unchanged.

Mr. President, I believe the many technical problems associated with the use of census tract data and the increased burden the use of this data places upon small financial institutions demands that the mortgage reporting requirements of this bill be limited to ZIP codes. I therefore urge that this amendment be adopted.

THE CANADIAN-UNITED STATES AUTOMOBILE AGREEMENT

Mr. HARTKE. Mr. President, an interesting comment is contained in the July 22, 1975, Janeway letter concerning the Canadian automobile agreement. I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Day of Reckoning for the Canadian-United States Auto Treaty

It's at hand; worries about it have been a standard Washington conversation piece for years. Very few veterans of the Washington political wars remember how chancy its passage was 10 years ago when all was still well with the booming U.S. auto economy, and when the UAW was not choosing up sides before voting on a new leadership. The treaty has seemed to be part of the scenery ever since, hence untouchable—like built-in pay increases and overtime for the New York City civil servants being laid off because the payroll can't be borrowed.

The Canadian atmosphere about the treaty remains more unrealistic than the official U.S. stance has been up to now. When I appeared with Secretary Simon in Toronto, before the Canadian financial crowd in early May, the Canadian press was characteristically disoriented enough to pop the question about whether Washington was giving any consideration to reopening the Canadian auto treaty for the purpose of further liberalization of the benefits to Canada under it. Simon's simple "no" failed to provoke the obvious question about a political push the other way towards a crackdown against the benefits to Canada. I told Secretary Simon at the time, and I warned my Canadian clientele, that the question that wasn't asked told more about Canadian euphoria than the unrealistic question that invited the brush-off.

Item: As this goes to press, the highest authority in Ottawa was not aware that an official unilateral action to reopen the treaty is now pending. This speaks eloquently for the calibre of the Canadian embassy in Washington and for the flow of intelligence from Washington to north of the border.

Senator Hartke has now made the move to reopen the treaty. On his initiative, the entire Senate Finance Committee voted to order the U.S. Tariff Commission to investigate the "total effect" of the "Automotive Products Trade Act of 1965" (its official designation) on the U.S. auto industry. Of course, many a wounded U.S. manufacturer will scoff at Tariff Commission proceedings as brushoffs in slow-motion. It may be when manufacturers want relief, but not when senators demand it for unions. This time around, many manufacturers will be beneficiaries, too. January 1, 1976 has been set as the deadline—one month before the pattern-making primary in New Hampshire, an auto parts state.

First a word about Hartke: He is my very close friend and I've been warning my audiences about him for years. He is controversial and unorthodox. Establishment thinking discounts him as a joke. Look at its batting average and his; in this "do nothing" year alone, with the House Ways and Means Committee knocked out of the tax-writing business, Hartke single-handedly put through the two tax changes that matter: 1) Cancellation of the foreign tax credit for multinationals, and 2) The $2,000 home-buyers' credit. Count both as historic rule reversals. It had been axiomatic that Senate initiatives never make or change tax laws.

Jobs are the issue. Comparative unemployment rates are the criterion. Trade balance figures—general or just automotive—are academic. Hartke's blast targets the complaints: a 25% unemployment rate for U.S. auto and auto parts labor vs. a 9% rate for Canadian automotive labor. This is before the consequences of Chrysler's latest miscalculation on two-shift operations shows up in the numbers. (Remember Chrysler was a stock market leader just a few weeks ago. But if it weren't in trouble, Hartke's move against the Canadian auto treaty wouldn't be as well-timed as it is.)

Alliances make or break political moves. In this move, Hartke has a powerful ally in Chairman Russell Long of the Senate Finance Committee. (He is Hartke's junior colleague on the Senate Commerce Committee, and Hartke is slated to ascend to its chairmanship a turn or two down the road.)

Senator Long, of course, represents Louisiana—not an auto parts state. He has, however, two angles to play in joining with Hartke in reopening the Canadian auto treaty, which is a shrewd way to deal with other grievances against Canada undercover of the automotive issue. The first relates to the fierce grievances of his oil and gas constituents against Canadian abuses. The second reacts to the demand from the UAW for statutory relief in the amount of $100 million for laid off U.S. auto workers: getting relief against Canadian imports is the obvious way to avoid the demand.

Question of the Week: Is the U.S. heading into a confrontation with Western Canada over oil and gas prices and supplies? It already was; now the U.S. auto slump is accelerating it—ahead of the coming confrontation between the U.S. and OPEC.

Recommendations: (1) Respect Canada as the bellwether of all U.S. relations with foreign countries. Any time the U.S. can't solve its Canadian problems, it isn't likely to even face its problems with other countries. Therefore, expect a rapid and drastic deterioration in U.S. foreign economic relations with all countries.

(2) The trouble surfacing in Washington over the auto treaty is bound to have a billiard ball effect on all outstanding Canadian-U.S. business frictions—beginning with the demagoguing about buyouts of majority U.S. interest in Canadian subsidiaries. It's all bluff; there's no Canadian money—private or government—willing to do it, not even on the basis of borrowing without recourse in the U.S. to do it. Trouble for the auto treaty is bound to provoke retaliation by nationalistic Canadians controlling commodity flows like oil and gas.

(3) Watch the progress of the EEC's new proposal authorizing community wide participation by unions in corporate councils. U.S. multinationals will turn out to be the first target.

(4) Expect U.S. protectionism to take off. Don't count on Detroit to fight for the Canadian treaty. The Woodcock leadership of the UAW needs the Canadian treaty; the big three manufacturers don't. Detroit's silence will support charges from the UAW that the manufacturers are selling it out.

(5) Take the target January 1, 1976 target date for action of the Canadian auto treaty as making it official that the 1975 auto boom is a bust. In even a passable auto year, the Canadian treaty would enjoy "hands off" status.

(6) In anticipating the impact of 1975's economy on 1976's economy, note that Senator Bayh (a very attractive figure and Senator Hartke's colleague) is about to enter the presidential sweepstakes as a liberal candidate with a powerful claim to support from the Kennedy wing. Senator Hartke will support him. Over and above the incidental circumstance of Indiana being an auto state, it makes sense for Bayh to go along with Hartke's move on the Canadian treaty. It is in line with liberalism's swing away from America's softline on foreign giveaways to her trading partners. Liberalism is going protectionist as fast as it comes under pressure to become fiscally responsible.

INTEREST RATES AND MONETARY GROWTH

Mr. FANNIN. Mr. President, as the economy begins to recover from the recession, there is a real danger that we may forget the root causes of that depression: the inflationary policies pursued for so long by the Federal Government. That danger is all the more threatening because of the plethora of bad economic advice which receives such prominence in the major media.

Luckily, there are a few voices crying reason. One such is that of our colleague, Jim Buckley of New York. I ask unanimous consent that a letter from Senator Buckley to the editor of the Washington Post be printed in the Record. Perhaps it will help to counter some of the misinformation being put out on monetary and fiscal policy.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTEREST RATES AND MONETARY GROWTH

In his July 24 column, "Tight Money and Economic Recovery," Hobart Rowen raises an issue of crucial importance. The issue is interest rates and the monetary growth targets of the Federal Reserve's Open Market Committee. The problem is his answers are wrong.

Mr. Rowen associates himself with an economic analysis which suggests that the threat to the now emerging economic recovery comes in the form of higher interest rates and can be handled in a manner which I suggest will increase rates even further. Mr. Rowen quotes approvingly a number of economists, including Professor Arthur M. Okun, to the effect that overly restrictive policies of the Federal Reserve are causing the recent increases in interest rates.

Mr. Rowen, and those who share his economic analysis (most of the Democratic leadership), confuse cause and effect. They suggest that it is the Federal Reserve's monetary policies which have pushed up interest rates. That is not correct. First, monetary growth over the last four months has been anything but restrictive. The conventionally defined money supply has grown at an annual rate of nearly ten percent since March. If it continues very much longer, such growth would assure a resumption of double-digit inflation in the near future. It is not sufficient to my mind to point to the existence of "slack" in the economy as safeguarding against renewed runaway inflation. The slack is not uniformly distributed throughout the economy and the stimulus does not necessarily seek out the slack.

Second, nowhere in the Rowen-Okun et al. analysis is it suggested that the federal government's demand for credit is having any effect on interest rates. One would think that somewhere in an analysis of rising interest rates, the demand for credit would be mentioned.

Third, Rowen and Okun presume that a more rapid growth in the money supply would ring down interest rates or at least keep them at or around current levels. It is this last point which is the crux of the matter, and they are wrong.

When interest rates began to move up in 1972, what is it the Federal Reserve did? It did exactly what Messrs. Rowen and Okun would have them do now: increase the rate of growth of the money supply. For what purpose? To keep interest rates lower than credit market forces would otherwise dictate. What was the result? Interest rates soared. Why? Because rational lenders and borrowers understood that rapid money supply growth was significantly accelerating the inflation spiral. Under these circumstances, lenders did not want to extend credit at rates that are lower than the anticipated rate of inflation. By the same token, the expectation of soaring inflation causes borrowers to boost the amount they are willing to pay for long term credit.

Now, in unnecessarily nasty terms, Mr. Rowen suggests that the policies announced by Arthur Burns are nothing more than "some preconceived, rigid notions about money supply," the consequences of which, if followed, are an economy which goes to pot. But the 1973 results suggest that the opposite is likely. An attempt to push into the economy a supply of money which the economy is unable to accommodate is to lay the seeds of a new inflation, the anticipation of which pushes interest rates higher than they would otherwise be. Moreover, Rowen has failed to observe that our present recession is to a significant extent traceable to the inflation of 1973-74. And the inflation is traceable in substantial part to an extraordinarily expansionary monetary policy beginning in 1970.

The obligation of government is a negative one: to avoid policies which create inflations and sow the seeds for recession. In specific, the Fed must avoid expanding money supply at rates faster than the economy's long-term growth potential. And, it is the responsibility of the Congress and the administration to avoid fiscal policies which excessively increase the demand for credit, which is exactly what federal budget deficits as huge as the current ones do. Nonetheless, the Congress ignored all such warnings as it adopted Budget Resolutions which proudly recommended budget deficits of nearly $70 billion.

The Rowen-Okun policies have produced a cycle of inflation-recession-inflation of increasing severity. They must be jettisoned if we are to avoid economic disaster. Hopefully, Chairman Burns will not yield to what will surely be enormous pressure to increase money supply growth rates to levels which some feel will lower interest rates but will actually give us a renewed inflation, higher interest rates and a recession soon thereafter. If interest rates are to go up it should not be because of too excessive a monetary stimulus.

I agree it is a shame that interest rates are likely to go up in the near future. But that will be the result of the huge federal deficits we are running. The higher rates will hinder the recovery. The remedy is to reduce government spending.

JAMES L. BUCKLEY,
United States Senator (Cons.-R.-N.Y.)

CENTRAL CITY, COLO.

Mr. GARY W. HART. Mr. President, Mr. George Gelles of the Washington Star has written an article about the offspring of the incomparable New York Metropolitan Opera, the Opera Festival in Central City, Colo. I commend the reading of this article to my distinguished colleagues.

Central City, Colo., is a jewel from another age, whose streets are literally lined with gold, which perches precariously on the slopes of the mighty Rocky Mountains, and which attracts visitors from all over the world to its vestiges of the age of the "fifty-niner" and the gold boom of the 1800's.

I wish to state vehemently, however, my disagreement with the statement made by Mr. Gelles that:

> Other than the opera house, there is no building that appears to be worth saving. . . .

I feel certain Mr. Gelles must have made a hurried visit to this historic gold-boom town, because he obviously missed The Teller House, famed for the painted "Face on the Barroom Floor," where President Ulysses S. Grant walked across thousands of dollars of silver ingots to his accommodations amidst imported European furniture and gold serving accessories.

Three inspiring churches were constructed between 1864 and 1874: St. James Methodist, St. Mary's Church, and St. Paul's Episcopal.

The Victorian architecture rivals any I have seen in the East, and between 1859 and the turn of the century, one-half billion dollars in gold valued at $17 per ounce was taken out of the richest square mile on earth.

This fine city, and its neighbor, the city of Black Hawk, have recently suffered their worst flood in 100 years. Despite this tragedy, which resulted in the loss of one life, their citizens have courageously recovered, and plan to gather on Sunday, August 3, to attempt to raise funds for the renovation of one of Black Hawk's fine Victorian homes—the "Lace House."

I recommend to all a visit to the gold mine towns of Colorado, and an evening at the Opera House in Central City. I ask unanimous consent that the article by Mr. Gelles be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, July 27, 1975]

CENTRAL CITY: THE BIGGEST LITTLE OPERA HOUSE

(By George Gelles)

I would love to transport the Bolshoi Opera, which is presently playing a two-week engagement at the Kennedy Center, to the opera house in Central City, Colo., where an opera company of quite another sort is presently performing.

The gap between the two ensembles can't be measured in miles or in terms of their talents. Different worlds and different cultures are represented by the different troupes. Literally speaking, Bolshoi means big, and the Russian company stands for an age of imperial splendor that reaches back 200 years. Figuratively speaking, Central City means small, yet the spunky company that I heard last week a mile-and-a-half high in the Rockies represents a peak of contemporary American operatic experience.

The festival at Central City, a ghost town come to life 40 miles outside Denver, opened in 1932 with a stage performance of "Camille." The following summer "The Merry Widow" was presented, and from then until the present the festival annually has offered a mixed bag of sung and spoken theater.

The theater itself is a jewel in the rough. Though Central City has been the concern of preservationists and Rocky Mountain high society, the town is scruffy and forelorn. Other than the opera house, there is no building that appears to be worth saving, and the commercial ventures that serve the tourists are depressingly tawdry—junk souvenirs and juke box discos.

The Opera House is the focal point of the festival. Opened in 1878, it is an intimate hall seating 800 people—imagine the contrast to the Bolshoi's splendid home in Moscow, which seats a crowd three times as great! While modest in decor, it was ideal in size and proportion for the performance of Mozart's "Don Giovanni" which I recently saw, close in mood and feeling to the National Theater in Prague where the piece was premiered in 1787.

Artistically, the Central City Opera is a sort of seasonal off-shoot of the New York City Opera, the Metropolitan, and the Manhattan free-lance world. The town's main street—indeed its only street—is filled with summer transplants who sang in "Don Giovanni" and were scheduled to sing in the American premiere of Francesco Cavalli's "Scipio Africanus," first heard in 1664.

Among the artists are Charles Bressler and John Ferrante, Veronica Tyler and Margaret Yauger, Spiro Malas and Noelle Rogers (who is familiar to Washington audiences for her semiclad appearance in the Opera Society's production of "The Coronation of Popea" by Monteverdi). A middle echelon includes several recent winners of Metropolitan Opera auditions, and beneath them are 18 young professionals who are part of an "Apprentice Artist Program."

The artistic staff is likewise drawn mainly from Lincoln Center, Bodo Iges, the stage director, and Robert O'Hearn, the set designer, are active at the Met, and Felix

Popper, the director of the apprentice program, is administrator of the New York City Opera. A notable exception to the rule is the artistic director and principal conductor of the Festival, David Effron, who is music director of the Opera Department at the Curtis Institute of Music in Philadelphia. (Effron, however, is about to join the majority. Next season he will make his conducting debut with the New York City Opera.)

"Don Giovanni" will have received 10 performances this summer—the final one was, in fact, last night—and I saw the fifth of these. It was clearly not a carefully polished performance. There were problems of coordination, for instance, between the conductor and the cast that no major house would have borne for long, and some of the voices were lamentable. Yet the spirit of the reading was contagiously high, the sense of ensemble was keen, and the personal aura of the opera house turned the performance into a distinctive experience that was better by far than the sum of its parts.

Some of its parts, though, were excellent. Malcolm Smith made a fine Giovanni, and Spiro Malas was an equally adept Leorello. Christine Weidinger, after a somewhat stiff start, gave a beautifully sung and truly felt reading of Donna Elvira, while Noelle Rogers, who started strongly, showed less agility than was wanted as the opera progressed, though she consistently sang Donna Anna with luxurious tone. Neither Betsy Norden nor Cornel Richie was particularly impressive as Zerlina and Masetto, but neither was as bad as George Livings, the Don Ottavio, who lacked both voice and presence. Philip Steele, completing the cast in the role of the Commendatore, was adequate and admirable.

Effron's conducting was lively, alert, and musicianly. It rarely had the elegance which is latent in Mozart, but it was knowledgeable and it moved with a well-paced swiftness.

Considering that the stage of the Central City Opera House is the size of a medium-priced postage stamp, the action was well-contrived by Iges and the set judiciously designed by Cary Chalmers (O'Hearn's assistant at the Met).

A unit set accommodated all the activity. It had a two-tiered balcony at each side of the stage and at the rear center of the stage there was a doorway that could trolley forward when needed; it did so, for instance, at the end of the opera, both to cover the trap door that swallowed the sinful Giovanni and to provide a forum dramatically outside the opera from which the remaining cast could sing its moral. Framing the set were bits of architectural detail that hinted at a roof and walls, suggestions that were sufficient to give the feeling of a unified enclosure.

The feeling was intensified by the opera house itself, whose intimate dimensions must be recognized as adding to the force of the performance. Rarely has Mozart been performed by major singers in so small a theater, and rarely has he seemed so urgent.

A regrettable distraction to one's enjoyment, however, was the English translation of Ruth and Thomas Martin. Opera in our native tongue can be a fine and noble thing, but the Martin's witless work robs Lorenzo da Ponte's libretto of its rhythmic and poetic vitality. Its clumsiness retards its cause.

That aside, it was a great pleasure to find "Don Giovanni" in Central City. Faults and all, the opera was performed with an exuberance and verve that might well be envied by most professional troupes.

WINGS OF HOPE, INC.

Mr. SYMINGTON. Mr. President, in the March 1975 issue of Ozark Airline's Flightime magazine is an article calling attention to the outstanding services provided by a humanitarian Missouri group know as Wings of Hope, Inc.

Headquartered in St. Louis, this nonprofit organization, having neither political nor religious affiliation, supplies air transportation and radio communications to assist persons struck by natural catastrophes in remote villages in places such as Central and South America, New Guinea and Africa.

Most of the dedicated staff are volunteers who fly the planes carrying doctors and teachers to disaster areas. Future plans call for an expansion of operations to parachute supplies when air landings are not possible and training local personnel to serve as instructors in stricken areas.

Missouri is proud to be the home of Wings of Hope. May I take this opportunity to commend their exemplary work in alleviating human suffering throughout the world, and I ask unanimous consent that Ms. Barbara Benz' article from Flightime magazine be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Wings of Hope

(By Barbara Benz)

In this day and age the thought of working or operating a business without profit of some kind seems somewhat remote. Not so to Wings of Hope, Inc. The profit made by this organization is not monetary; their profit is the gratitude expressed by thousands and thousands of people in South and Central America, New Guinea and Africa.

Wings of Hope, Inc., headquartered in St. Louis, is an aviation-oriented charity whose main objective is to relieve suffering and human misery by providing medical assistance, food, clothing, social and educational services and, more importantly, "hope" to the people in the remote areas of Southeast Asia, the Amazon and the deserts of Africa.

This privately supported and operated humanitarian air-transportation and radio communications service is staffed mainly by nonpaid volunteers. Their planes carry the doctor and the teacher to areas where there is a lack of communication; they transport the sick and injured to hospitals; and supply food and medicine to people struck by the earthquake, floods or other natural catastrophes.

More than 95 percent of funds donated to the group have gone entirely to supplying aircraft, technical assistance and the support services that go with them. The organization offers its services to any legitimate humanitarian enterprise, regardless of affiliation, all free of charge.

Wings of Hope, Inc., began in 1964 when a group of businessmen met to discuss ways to provide desperately needed air transport of medical missions abroad. Their first effort was directed at getting an all-metal light plane to a small band of Irish medical missionaries based at a hospital in an inaccessible area of the Kurkana desert in Kenya, East Africa. Their efforts materialized within a matter of months; a Cessna Skywagon was obtained and flown into the mission in Kenya. This was only the beginning; the stories are endless.

Typical of the dramas occurring every day is the following, relayed to Wings of Hope headquarters by Sink Manning, Chief Pilot, stationed in Guatemala.

"A man about 30 was clearing his parcella of land when one of the trees he was felling changed its course and came down directly on his head. Two of his neighbors passing by found him crushed under the tree, pulled him out and carried him to his hut. They were sure that he must be dead; his head was split wide open to the skull and his shoulder was crushed. But, after several hours, he began to move. They put him on a makeshift treebark stretcher and hauled him through the jungles to the missionary clinic. The Indian in charge of the clinic did not think that he was up to stitching the man, neither did I. I decided to fly him to the City. All I had to do was get clear of the field and then it's just a matter of dead reckoning parallel to the mountains until I have enough altitude to clear the peaks and then head on into Guatemala City.

"We loaded him into the Cessna 180. We were off! It was black out there, no horizon, no ground lights, no stars, no nothing. We finally broke through the overcast at 9500 feet and found ourselves over a beautiful moonlit ocean of clouds. We made contact with Guatemala City approach control; they were very helpful and called an ambulance, which was waiting for us when we landed."

None of this could have been possible, had it not been for the donations received by the organization.

Another incident involved a native in the jungles of Peru. Bitten by a deadly bushmaster snake, without a doubt the man would have died had it not been for the efforts of Father Guy Gervais, Wings of Hope pilot and field director in South America.

Father Mariano Gagnon, a Franciscan priest, contacted Father Guy who flew the native to Iquitos, the nearest center for medical facilities. This flight took an hour and a half. Without the plane it would have taken over a week of wearisome travel, since the only means of travel at that time was a small river boat.

Padre Guy, as the natives call him, has logged over 9000 flying hours in the jungles of South America. He is a French Canadian pilot, a paramedic and an A & P (airframe & powerplant) mechanic. Among his many talents, there is one he does have an occasion to use—pulling teeth! The percentage of tooth decay runs high in the back jungle areas.

In addition to his own flying, he gives instruction to other missionary pilots on the techniques of water takeoffs and landings and all aspects connected with river pilotage. The water is far less forgiving than land and a pilot must be doubly alert, as he should be in all his flying, but especially so in such demanding circumstances.

Experience and dedication are not the only qualifications a pilot must have for this job. He must be an airplane mechanic and also he must have had special in-the-field training.

Great care is taken to prevent fuel contamination. Gasoline is stored in 50 gallon drums and strained through a chamois, checked for correct grade and the fueling is done under the scrutinizing eyes of each plane's pilot. A careless mistake cannot be tolerated since the demand for airplanes far exceeds the supply available.

Many new ideas have sprung up in the organization. Manning and Stewart, in the Guatemalan headquarters for Central America, are in the process of developing a couple of their own. In areas inaccessible to aircraft, parachuting can serve the needs of the people. Also, native doctors will supply basic first aid instruction to the inhabitants of remote villages served by Wings of Hope. Already parachutes and equipment have been donated for this venture and personnel have been trained in the maintenance and repair of the equipment.

As Wings of Hope goes into its second decade, those involved continue to serve the thousands of needy people in the remote jungle areas, performing their humanitarian service without remuneration and furthering the cause of international brotherhood.

TRIBUTE TO CHARLIE BREWTON

Mr. SPARKMAN. Mr. President, the great teacher and philosopher, Aristotle, said that:

> Friendship is composed of a single soul inhabiting two bodies.

Such a statement is certainly appropriate for the late Charles S. Brewton, Jr., and those who knew him. Charlie, as everyone called him, passed away on July 21 in Scottsboro, Ala. He was a friend to all who had the privilege of knowing him. Indeed, Charlie became a part of all with whom he came in contact; he was that rare person who radiated genuine friendliness, warmth, and interest in his fellow man. Charlie was a quiet, reflective gentleman whose kindly demeanor belied his innately keen intellect.

Charlie Brewton was a well-known figure on Capitol Hill and in his native Alabama. He was a practical man, and enjoined practicality with politics, which he relished immensely.

Charlie first came to Capitol Hill as staff director of the Senate Committee for Expenditures in Executive Departments. He held that position with distinction for 3 years, serving simultaneously as administrative assistant to my former long-time colleague, Senator Lister Hill, from 1940 to 1956. Charlie's genuine interest in humanity led him to leave Capitol Hill for 3 years in 1956 to assume the position of associate director for law and legislation on the Joint Commission on Mental Illness and Health in Cambridge, Mass. He returned to Capitol Hill to assume the duties of general counsel to the Senate Select Committee on Small Business. The late President John F. Kennedy appointed Charlie to be Assistant Director of Resources and Economic Affairs in the Office of Emergency Planning, a position which he ably held for 8 years. He returned to Capitol Hill again as general counsel to the Joint Committee on Defense Production, retiring from that position in 1973 to return to his hometown of Scottsboro, Ala., to practice law.

Temporarily suspending his valuable services as a staff member of the Senate, Charlie Brewton devoted his unstinting efforts as an assistant campaign manager in both the 1952 and 1956 bids for the Presidency of the late Adlai Stevenson. Charlie's Senate staff colleagues honored him by electing him president of the Association of Senate Administrative Assistants and Executive Secretaries.

Charlie Brewton was a native Alabamian, graduating from Birmingham-Southern College in Birmingham; he earned his law degree from the University of Alabama in 1938.

Charlie is survived by his wife, the former Jewel Wann; a daughter, Mrs. Philip Vogel of Takoma Park, Md.; a son, Charles S., III, of Gadsden, Ala., and two sisters and a grandmother. Their loss is also my loss, and I share their grief.

Charlie Brewton will long be missed by all who had the privilege of knowing and associating with him.

Mr. President, I am saddened by the untimely passing of my friend, Charles S. Brewton, Jr., and I know that my sadness is shared by so many others.

THE RUSSIAN WHEAT SALE

Mr. BELLMON. Mr. President, in the past few weeks there have been an increasing number of statements suggesting that the export of wheat to Russia will take food out of the mouths of Americans and money out of the pockets of every working person in this country.

Senator TALMADGE, chairman of the Committee on Agriculture and Forestry, has inserted into the RECORD a committee staff memorandum that assesses our grain position and the Russian sales. I believe this analysis puts the situation into a better perspective. I also want to commend the chairman on his fine statement in this regard.

Mr. President, I believe this information shows clearly how invalid some of the exaggerated cries of doom are, but I want to add a few other points to show the facts as they relate to individual Americans.

First the cost of wheat is a very small share of the total cost of bread. Each 1 pound loaf of bread contains only about 0.87 pounds of wheat. Therefore, when wheat costs $4 a bushel the cost of wheat in a loaf of bread is only 5.8 cents.

If the price of wheat went up a dollar, the impact per loaf of bread would be less than 1½ cents per loaf.

When we were considering the impact of the last Russian purchase we heard from representatives of the baking industry that the price of bread could go to a dollar a loaf. The attached tables show this was clearly not the case and the price of wheat that would result in dollar bread excluding other costs, would be about $69 a bushel. Including other costs, wheat would have to go to about $50 a bushel.

I ask unanimous consent that the tables I have referred to be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BELLMON. Mr. President, such statements are not credible. They are scare tactics that permit bakers to blame farmers for price increases that are not the result of wheat costs.

In fact, the gentleman who said bread prices could go to a dollar a loaf declined an invitation to appear before the Subcommittee on Agricultural Production, Marketing and Stabilization of Prices this past spring when we were conducting an investigation into the price spreads for food.

I appreciate his reasons because his bakery has shown sharp increases in profits since his statement. In fact, their net profits in the first half of 1975 are up 24 percent from last year.

This can be understood when you look at prices of wheat and bread in the last 18 months. The price of wheat over this period has shown a significant downward trend, but this is not true for bread.

In February of 1974, the average wheat price was $5.52 a bushel and the average bread price at that time was 32.5 cents. In June, the average price of wheat was $2.92 a bushel but the average bread price had risen to 35.6 cents.

While the cost of wheat per loaf of bread fell 3.8 cents, the average price of bread rose 3.1 cents. This means a net increase of 6.9 cents per loaf for the millers, bakers, and retailers while farmers got almost 4 cents less. Clearly it is not farmers who are to blame.

The longshoremen have said they will not load the wheat that has been sold to the Russians. I appreciate their patriotism and concern for the American people, but there is no one more patriotic than farmers, and the longshoremen must understand the facts I have outlined above.

In addition, they must realize that total domestic need for wheat for food is about 525 million bushels, as the average American consumes 2.5 bushels of wheat a year. We are expecting a total supply this year of 2.5 billion bushels. I can only wonder what farmers are supposed to do with the almost 2 billion bushels they will have beyond our food need.

I think it is also imperative to recognize the role agriculture plays in our international trade. In the last fiscal year—ended June 30—the United States enjoyed a net trade surplus but that was largely due to the $21.6 billion of agricultural shipments and a net surplus for agriculture of $12 billion.

We are seeing a strengthening of the dollar in international markets and this is largely due to agricultural trade. This in essence means that every American benefits because a stronger dollar means imports cost less in real terms for our working people.

Mr. President, I want to briefly comment on Dr. Arthur Burns' recent testimony before the Joint Economic Committee. I can understand bakers wanting cheap wheat, I appreciate the concerns of the longshoremen, but when a man in a responsible position such as Chairman of the Board of Governors of the Federal Reserve, and a man who is purported to be an economist says that the size of the Russian purchase scares him, and that it will take dollars out of every American's pocket it makes me mad.

No one is more concerned about the welfare of Americans than I am. There are no people more patriotic and concerned about the well-being of America than farmers. They must have access to world markets. Otherwise their products which are not needed by American consumers will be wasted.

Our farmers have demonstrated this time after time. They have responded magnificently to the call for all-out production to meet the needs of domestic and world markets. But now they are being whipsawed by the irresponsible actions and statements that are currently being made.

Mr. President, we are not in danger of starvation or of food shortages. I only ask that our farmers not be gutted for short-term political or economic gains.

The future of this Nation depends on a viable agriculture. For agriculture to be viable and to contribute to our general economy it must be free to produce. It must have access to all markets and farmers' returns for their products must be fair.

Let us look before we jump and think before we speak.

EXHIBIT 1

MONTHLY PRICES OF BREAD AND WHEAT AND THE VALUE OF WHEAT IN BREAD FOR EACH WHEAT PRICE

	Bread, cents per loaf [1]	Wheat, dollars per bushels [2]	Value of wheat per loaf (cents) [3]
1974:			
January	31.9	5.29	7.7
June	34.7	3.57	5.2
1975: June	35.6	2.92	4.2

[1] Estimated price of a 1 pound loaf of bread in U.S. cities (Department of Commerce).

[2] Average monthly price U.S. farmers received for wheat.

[3] There is 0.87 pound of wheat in a pound loaf of bread.

Value of wheat in a 1-pound loaf for different wheat prices

Wheat price per bushel	*Value of wheat in bread**
$1	$1.45
2	2.90
3	4.35
4	5.80
5	7.25
6	8.70
7	10.15
8	11.60
9	13.50
10	14.50

*A 1-pound loaf of white bread contains 0.87 pound of wheat.

SECRETARY WEINBERGER'S ANNUAL OUTBURST AGAINST TOBACCO IS A SAD AND UNFAIR SPECTACLE

Mr. HELMS. Mr. President, at least once a year, it appears that HEW Secretary Caspar Weinberger feels obliged to go through the exercise of issuing a press release condemning tobacco, in which he releases the results of another highly debatable "study" that has been financed by the taxpayers.

This week, Secretary Weinberger did it again—with his latest annual call for Federal controls of tobacco. He did it last year; and when I contacted President Ford, the President promptly and sensibly assured me that Secretary Weinberger was speaking for Secretary Weinberger—and not for the Ford administration.

Now, Mr. President, I like Secretary Weinberger; but I do feel that he ought to restrain himself—at least until he has calmly examined the immense economic contribution that the tobacco industry makes to the stability of our Nation. Mr. Weinberger would also do well to take note of the fact that all these "studies" that throw him into a tizzy are highly debatable in their conclusions. It is all right with me if Secretary Weinberger has fixations about tobacco, but it would be far better if he tempered them with a bit more commonsense and objectivity, not to mention fairness.

Be that as it may, Mr. President, I desire to call to the attention of Senators a speech delivered in June by the Honorable Horace R. Kornegay, a distinguished former Member of the House of Representatives from North Carolina. Mr. Kornegay is now president and executive director of The Tobacco Institute, Inc. He addressed the 31st annual convention of the Bright Belt Warehouse Association, held at Wrightsville Beach, N.C., June 16–18.

I ask unanimous consent, Mr. President, that the fine address by Mr. Kornegay be printing in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF HORACE R. KORNEGAY

You don't know how happy I am to be with you this evening. It's always a relief to get down to North Carolina . . . and get away from Washington, D.C. . . . to get away from the antismoking zealots, their so-called experts who can always discover a new health hazard to blame on tobacco, and their political handmaidens who find it so easy to draft hostile legislation.

It's so nice to escape from the tempers and tensions that try men's souls, and talk with good friends who do not regard "tobacco" as a dirty word.

I feel like the fellow I ran into the other day in a supermarket. Just ahead of me in the checkout line was a young father with a shopping cart full of groceries and a screaming, yelling, bellowing two-year-old.

The young fellow kept repeating, over and over, slowly and softly, "Don't scream, Tommy; don't yell, Tommy; keep calm, Tommy."

I was frankly impressed by his effort to pacify the child. And I said to him: "You certainly are to be commended for trying so patiently to soothe little Tommy."

"Mister," the young fellow replied wearily, "I'm Tommy."

As a son of North Carolina, and a soldier in what can properly be called "The Twenty-year War of Anti-Tobacco Aggression," I feel it is especially fitting to speak to you tonight here at the Blockade Runner Hotel.

For it is no exaggeration to say that our industry is under seige. We are sustaining a blockade by an enemy which is bound and determined to cut off the right of the American people who smoke tobacco in public places.

And it is also no exaggeration to say that we are just as bound and determined to break that blockade.

It's alarming to feel the hostility of our opponents toward all of us who grow, sell or manufacture tobacco. But that is nothing new. What is new, however, is the animosity they are now directing at any man or woman who happens to express the pursuit of happiness through the simple pleasure of smoking tobacco.

Many of our opponents are permissive about pot, pornography and hard liquor but are repressive about tobacco. Many of our opponents are silent about air pollution and industrial pollution but outspokenly condemn tobacco smoke as "personal pollution." Many of our opponents supports civil rights but deny smokers' rights.

It is a national scandal to see how easily some politicians are succumbing to the pressure to relegate smokers to the back of planes, trains and buses, and to restrict their access to public places and employment. It seems incredible that many who advocated tearing down the old barriers that divided people on the basis of race, color or creed, are now willing to erect new barriers dividing people on the basis of whether they smoke or not.

The antismoking movement is growing uglier each day. But, then, the face of prohibition is never pretty.

Frustrated by their failure to convert the public to their cause, the antismoking activists are directing a campaign of violence and hostility to the 60 million Americans who choose to smoke. But, then, hell that no fury like a zealot scorned.

Aimed at any other segment of society, these excesses would be denounced in the harshest terms by politicians and the press. But then, taking cheap shots at tobacco has long been a popular pasttime.

However, there are signs that the antismoking crusade may be an idea whose time has come—and gone. There are signs that it may have "peaked" as the politicians say, or "bottomed out" as the economists say.

For twenty years our antismoking opponents have had a virtual monopoly in the business of issuing dire warnings to the public. A recent cartoon expressed the situation very accurately. It depicted two white-coated scientists in a laboratory, each with a smirk on his face, and one saying, "Well what disease shall we blame on smoking this month?"

For two decades, it appeared that if a research worker wanted to get his name in the papers, all he needed to do was to come up with a scare study regarding smoking. The news media immediately picked it up and played it to the hilt.

But events have overtaken the antismoking crusade. They have lost their cozy monopoly of horror stories about tobacco. As Lincoln said, "You can't fool all of the people all of the time."

They get skeptical after twenty years. They start asking questions. Like a taxi cab driver recently. "Did you ever stop to think," he said, "if drinking kills people, and overeating kills people, and smoking kills people, what kills all those people who live right?"

Coal miners are getting tired of being told "It's-cigarette-smoke-not-coal-dust" that's getting them sick. Asbestos workers are weary of hearing it's smoking that causes their illness. The same red herring arguments are no longer being bought by uranium miners or coke oven workers, or textile workers, or chemical or rubber workers.

People have eyes, and ears and brains. They can think for themselves and reach different conclusions for those that the antismoking zealots try to impose on them by propaganda.

When a government report comes out showing that death and disease are high in an industrial county but low in a nearby suburban county without factories, people know its not because of tobacco smoking. When another report comes out revealing high rates of death and disease around cities that draw their drinking water from polluted rivers, people know it's not because of tobacco smoking.

When people read about the massive pollution of the air caused by the emissions from millions of automobiles on our congested streets, they may tend to doubt the hysterical attacks on someone smoking in a restaurant.

One of the leaders of the medical profession recently summed up the situation. His assessment is worth repeating and remembering. "We must all be aware," he said, "that reports in both the scientific and popular media regarding other suspected causes have become more frequent rather than less frequent." As a result, he added, we "have become more as opposed to less aware of the claimed implications of occupational, environmental, hereditary, constitutional and even dietary factors." He cautioned the antismokers "to exercise total objectivity and in so doing, avoid being trapped by an over-simplification of issues beyond which the audience will hear but not heed."

I doubt they will heed the advice. I expect them to continue to throw millions of words and images at human beings who can process about 250 words a minute, or at most 1,000. They will continue to inundate the individual with an overload of information until he is finally desensitized. I think they have already accomplished this.

Any day now, an unbiased Gallup poll might reveal public opinion about the latest tobacco and health warning as 23 per cent undecided, 16 per cent don't know, and 61 per cent don't care.

Nor do I expect the antismoking movement to heed his advice about objectivity.

Too many of the old hands have a vested interest in attacking tobacco . . . and some newcomers are trying to get into the act.

One of the strangest attacks on tobacco recently came from furniture manufacturers. Instead of trying to develop less flammable upholstery, they suggest that the government force the tobacco industry to produce a self-extinguishing cigarette.

Most Congressmen and Senators see the folly of that solution. But Sen. Eagleton expressed his feeling with exactly the degree of ridicule the proposal deserves but unfortunately didn't get from the government. He suggested some ideas for producing a self-extinguishing cigarette. Namely:

Criminal penalties for anyone who smokes in bed, unless it is a water bed.

Make cigarettes out of non-burning materials instead of tobacco—sand, for instance.

An inverse airbag device operating on the principle that combustion cannot take place in the absence of oxygen. As soon as the cigarette is lit an airbag on the cigarette pack immediately sucks all the air out of the room, thus extinguishing the blaze and, unfortunately, the occupants of the room as well.

A device based on the notion that cigarette fires, like oil fires, can be extinguished through an explosion. Each cigarette is loaded with a small explosive charge which goes off when the ash reaches 3 inches from the end. The dental lobby would no doubt support this plan.

He tempered his humor with a serious note, with which I am sure we can all agree:

"Whatever the testers do come up with," Eagleton said, "I'm sure the government will persist in its efforts to help us poor, inept citizens live our lives the way we should, if only they show us the way."

Let me echo his serious note. Our opponents will not soon wither away. They will not admit that they have desensitized the public. Instead they will blame the public for being apathetic, stupid, misguided, unteachable and so on . . . and invoke the active intervention of Big Brother Government in accomplishing policies that lead to out-and-out prohibition.

The drive is already underway. Early this month at the so-called 3rd World Conference on Smoking and Health, some 500 anti-tobacco activists from nearly 50 nations convened in the Grand Ballroom of the Waldorf-Astoria in New York. Their purpose: to renew the flagging zeal of the anti-tobacco movement. Their goal: the end of smoking.

The leader of this anti-tobacco comintern was Sir George Godber, who used to be England's equivalent to the U.S. Surgeon General. You may be interested in some of Sir George's views about tobacco.

"Our target in the long term," he said, is "the elimination of cigarette smoking."

He foresaw the year 2000 as a time when "relatively few addicts use cigarettes, but only in private and in the company of consenting adults."

He called tobacco companies "the enemy" and "merchants of death."

He called tobacco advertising a "false message" which must be "suppressed."

He called smoking, "a dirty, antisocial practice."

That was on the first day. On the final day Sir George announced between 150 and 200 recommendations for the delegates to take home and pressure their governments to adopt.

You will be interested in some that they will try to impose, not only on Americans but on the entire world. For example:

Take immediate steps to restrict smoking in all enclosed public places.

Ban the advertising and promotion of cigarettes throughout the world.

Make tobacco manufacturers and smokers pay for anti-smoking campaigns through 5 percent tax on cigarettes.

Make no smoking a condition for employment in hospitals and other health facilities.

Classify tobacco as addictive and smokers as drug-dependent.

Lower rates on all forms for insurance for nonsmokers.

Quit smoking clinics paid for by tax-supported national health insurance programs.

Raise tobacco prices or taxes or both to discourage smoking.

Discourage any investment of capital that might foster the tobacco industry.

Urge senior government officials from smoking in the exercise of duties.

That is the tip of the lance the anti-smokers have aimed at the jugular vein of not only our industry but our free society as well.

And the final irony is that you and I—and every other tax payer—contributed our share of hard-earned tax dollars to pay for this anti-tobacco, anti-social prohibitionist hate session.

Sad, but true. The entire sorry affair cost U.S. citizens more than a quarter of a million dollars. The money went from HEW to the American Cancer Society and thence largely into the expense accounts of about 150 foreign delegates to pay for air fares and $50 a day living and food and beverage expenses . . . at the Waldorf Astoria.

All these scarce government funds to blend foreign zealotry with the domestic variety in a frantic effort to destroy the product that saved the Jamestown colony . . . that financed the war that freed us from the British empire . . . and without which there may have been no reason to have a Bicentennial, much less celebrate one.

I will end at this point, certain that if I have succeeded in bringing the kettle to a boil, I don't have to tell you where to pour the hot water of your indignation.

NEED FOR REFORMS IN OSHA

Mr. JOHNSTON. Mr. President, it is my privilege to be a cosponsor of S. 454, a bill to amend the Occupational Safety and Health Act of 1970. This legislation, originally submitted by Senator CHILES of Florida, can be an important step toward making the Occupational Safety and Health Act a fairer and better accepted law for all those who are affected by it.

Since I have been a Member of the Senate, I have received numerous complaints about the administration of OSHA from my constituents. There are problems with the extensiveness of the present OSHA standards. There are problems with the fines without warning for insignificant and harmless violations. There are problems in that employers who are conscientious about wanting to provide a safe workplace cannot confer with representatives of OSHA to get advice on how to do that.

No one disputes the need to insure that all work locations are free from serious hazards. But we can achieve this goal with a statute that allows the Government and business to work as allies toward this purpose, rather than as adversaries.

I am convinced that we will strengthen the present law, and that we will do a better job of insuring occupational safety, if the amendments embodied in S. 454 are adopted by the Senate.

WRONG WAY ON ENERGY

Mr. BARTLETT. Mr. President, two newspaper editorials have recently come to my attention that I think are worthy of insertion in the RECORD.

An editorial from the Daily Oklahoman and an editorial that was in all nine Hearst newspapers point out the adverse effects of the Interfuel Competition Act of 1975 which is presently pending in the Antitrust and Monoply Subcommittee.

The asserted purpose of this legislation is to promote competition in the energy industry and to encourage the development of energy supplies. However, unfortunately this bill would have just the opposite effects. It would reduce competition and available capital and would retard the future development of all energy sources. If this bill is enacted, the public would pay higher prices for energy, there would be less domestic energy available, we would be more dependent upon foreign production and more vulnerable to political blackmail, and our national security would be further threatened.

I ask unanimous consent that these two editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Daily Oklahoman, July 15, 1975]

WRONG WAY ON ENERGY

Of all the energy bills that have sprouted in Congress like dandelions in the spring, none is more downright dangerous to the economic well being of this country than the proposed "Interfuel Competition Act of 1975."

Legislation bearing this beguiling title, sponsored by Sen. James Abourezk, D–S.D., has progressed to the hearing stage before the Senate Judiciary Subcommittee on Antitrust and Monopoly. It deserves to die right there—but it won't unless an informed and aroused public tells the committee to knock off such foolishness.

One might think from its title that the purpose of this bill is to promote competition among the various energy fuels. Actually, the bill is designed with only one principal aim: to prevent oil companies from engaging in the development and production of alternate energy sources.

This is another manifestation of the totally illogical and emotional anti-oil syndrome that permeates the thinking of too many members of Congress.

Recent testimony by C. Howard Hardesty, Jr., president of Continental Oil Company's Eastern Hemisphere Petroleum Division, succinctly nailed the Abourezk bill's misconceptions and warned that its passage "would be a disaster."

The Conoco executive documented four reasons why this bill should be interred. Any one of them is sufficient cause to kill the legislation; taken together they form an overwhelming opposition case.

First, competition would be diminished, not increased. Second, development of critically needed domestic fuel supplies would be retarded and the oil exporting cartel would be strengthened. Third, much important energy research and development would be prevented. And finally, consumers would ultimately be burdened with increased costs.

If oil companies were limited strictly to oil activities, they would shortly decline, as have the railroads. As we neared the exhaustion of our oil and gas reserves—with many authorities predicting an inevitable decline by the year 2000—many companies would fall by the wayside.

The nation obviously will need massive development of all available alternate energy forms—coal, nuclear, solar and perhaps fusion someday—to close the gap left by dwindling oil supplies. And as Hardesty told the subcommittee, "to deny the oil companies the opportunity to deploy their capital, skills and experience in developing these alternative energy supplies would be a national folly."

Many major oil firms (Conoco included with its Consolidation Coal subsidiary) have long since diversified into multi-resource energy companies. Who else has the financial strength and technological expertise to develop the domestic energy resources we need? Surely not the federal government.

Trying to turn back the clock by banning oil companies from alternate fuel source development would be a foolhardy and costly mistake.

THE BREADWINNER

(By Donald I. Rogers)

New York.—One of the persistent illusions in our society is that the so-called "big oil companies" own a virtual monopoly, enjoy an ever-expanding harvest of profits, and somehow constitute a threat to all of us little folks.

C. Howard Hardestry, Jr., of Continental Oil Company tried to set the Senate Judiciary subcommittee straight when he explained that no oil company has more than 8.5 percent of domestic crude production, refinery capacity or of retail gasoline sales.

If that doesn't mean much to the Senators they might consider the fact that about half of all U.S. manufacturing industries have concentration ratios higher than the oil industry does.

The reason Hardesty was before the committee is because Sen. James Abourezk, D., S.D., has introduced a bill that would forbid oil companies from investing in non-oil energy activities. In Conoco's case this involves the mining of coal, mostly, but for other oil companies it runs the gamut from experimentation in alcohol-based fuels to thermal power to solar energy, and much more, some of the projects being guarded in the labs.

This legislation is called the Interfuel Competition Act of 1975 which sounds, euphemistically, as though it would stimulate industries of all kinds to take up the search for alternate sources of energy. What it does, is block the one industry that knows the most about energy—the petroleum industry—from doing anything but deal in oil.

The oil companies are rich enough and powerful enough to make out their own case, but it seems to this observer that the Interfuel Competition Act would reduce competition and seriously hold back development of critically-needed domestic fuel supplies—which would certainly help the cartel of the Organization of Petroleum Exporting Countries (OPEC).

It would prevent further research and development by the people who have already done the most research in the field of energy. This means that while the law forces others to re-invent the wheel and cover ground that has already been covered, we consumers will have to pay the freight with higher prices. Or we will pay it with tax dollars, which is the same thing.

Why this grudge against the oil companies, anyway? They didn't invest the Arab boycott. Their profits haven't been what the pro-socialists could honestly describe as excessive. Many of them have stupid relationships with the public—Exxon is an outstanding example—and they don't seem to know how to explain their industry simply and understandably, but not only are the oil companies contending with a rapidly diminishing source of raw materials, they're hounded by their legislators and distrusted by their customers.

They need a massive public relations campaign almost as much as the telephone companies do, and the corporate heads in the petroleum industry should begin to realize this.

The expansion of domestic energy supplies will require enormous investments, Hardesty told the Senators, and he estimated it would be as much as $65-billion annually over the next 15 years. That's just short of $1 trillion.

Continental Oil (Conoco) presents a classic example of the beneficial effects resulting from the merging of an oil company with a coal company, Consolidation Coal (Consol). In the five years prior to Conoco's acquisition of Consol, the coal firm's outlays for new mines and expanded capacity averaged $13.5 million annually. Since the acquisition it has jumped to $36.5 million per year.

The annual average of combined Conoco-Consol expenditures have nearly doubled since the acquisition. Consol has accelerated technological advances in pollution-free synthetic fuels, mine and health safety, environmental safeguards, operational efficiency and improved transportation.

Once before our lawmakers got the inspired idea of limiting an industry to one activity to "help competition," and the results are ugly to view. That strictured industry was railroads, which, by regulation, were forbidden to broaden into all phases of transportation. Now most of them are bankrupt or skidding toward financial disaster and must be salvaged with our tax dollars.

On the basis of that record it is puzzling that anyone would want to impose the same experiment on our oil companies when our energy needs are so supremely critical.

QUALITY OF HEALTH CARE FOR THE ELDERLY

Mr. HATFIELD. Mr. President, as we all know, when a person gets old his body begins to deteriorate. That is nothing unnatural or shameful: It is a fact of life. And it is certainly nothing for which to be punished.

But the fact is that many of our elderly people are being shut up in substandard "convalescent homes" when their bodies begin to fail. Kept there because they have no friends or relatives who are able and willing to care for them, these senior citizens are being treated as little better than prisoners, denied some of their basic human rights. After long lives of hard work in service to their families and fellow men, our elderly deserve better treatment than this.

Jo Noyes Felts is a writer and editor from Portland, Oreg., who has been a patient in a modern convalescent home. Even though she describes the home she was in as "one of the best and most expensive," she found the treatment to be humiliating and impersonal.

Miss Felts has written about her experiences in that convalescent home and has included several suggestions for correcting the injustices. Her article was printed in the Northwest Magazine on Sunday, June 15, 1975.

Mr. President, I am convinced that my colleagues who share my deep concern for the quality of health care available to our elderly will want to read this article and consider these suggestions. Therefore, I ask unanimous consent that the article by Jo Noyes Felts be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Northwest Magazine, June 15, 1975]

CONVALESCENT HOME

(By Jo Noyes Felts)

"Help me! I'm a prisoner! Let me out," I yelled inside my head. "I'm going to get well. I won't stay here!"

A wheelchair (borrowed) was pushed down the hall in a handsomely appointed convalescent home near Portland. I was in the wheelchair. Walking behind me was Jenny, a longtime friend from another state who had selected this after-hospital care for me. It looked fine. Mine was a two-bed room, and in the first bed was an emaciated old woman. "Oh!" Jenny gasped. The appearance of my prospective roommate depressed 35-year-old Jenny. It didn't depress me. I was an oldster myself. My bed was next to the window; the view was green and full of spring. I leaned back with a sigh. Jenny kissed me and left.

In the days that followed, I began to soak up the atmosphere around me: The voices; the rather pleasant smells; the comings and goings. There was an unending hiss down the hall, "Yesyesyesss!" repeated over and over. Someone nearer shrieked, "Nurse! Nurse! Nurse! Help! I'm dying. Come help me! I don't want to die here" The nurse didn't seem to come and the cry continued.

Later, when it became possible for me to wheel myself around the halls, I looked down side corridors into elegant empty rooms. I never saw the "Yesyesyess" or "Help" patients.

Just when it began I am not clear, but several times a day an anonymous white-uniformed person came in with a thimble-sized paper cup of pills for me. Not used to medication, I objected and was uniformly told "Doctor's orders." What doctor or when was never explained. I was too scared and drowsy to insist. I submitted and swallowed.

For an active person of any age used to exercise, long periods of inactivity are enervating. I began heaving myself up into the wheelchair and going around the halls once or twice a day. Coming back the second morning of this new routine, I was still a score of yards from my door and dropping with fatigue.

"Please, would you give my chair a push?" I begged of two uniformed aides who passed me gossiping. "My door is just down there." They stopped, glanced at each other, laughed.

"Push yourself. We're tireder than you are!"

Then there was the humiliating matter of being strapped in bed at night. This was done by a uniformed orderly, one of the pleasant young men hired for night duty. The degree of tightness of the straps depended on the young man. Sometimes it was so tight I spent the night on my back unable to turn. No nurse ever checked. On the whole, these orderlies were pleasant chaps. One said, "I don't like this any more than you do." And another, "If you want to get out of here I can tell you how."

"Tell!" . . .

Later I learned the reason for the strapping in. I had tried to get to the bathroom in the night without help and had fallen. It took three people to get me back into bed.

The button to call help was often out of reach, and if pressed, the night waits were interminable. I lay soaking until they changed the bed as if I were a baby.

Let me be fair: I was anything but an easy patient: Stubborn, opinionated, used to taking care of myself and others. The strapping it was reasonable, both to protect me and help the aides. What still seems inexcusable was their response to my next morning's request. As soon as I could, I wheeled myself to the head desk and asked if I might be unstrapped before breakfast so I could take an early wheelchair run around the halls. Like Harry Truman, my pattern has always been early rising. He was President, and his early morning walks were famous. I was an obscure old lady in a convalescent home.

"But of course," the white uniform at the head desk said. When early next morning I asked the orderly for release he shook his head. He had his orders, and orders were that I should stay strapped in until breakfast. So for two hours I lay and fumed.

My trip to the desk was repeated and yessed four times before I realized it was useless.

"Help me! I'm a prisoner! Let me out!" I yelled inside my head. My thoughts ran on: "I'm free, white and I feel as old as the damned hills . . . but if only I can get out of here! I'm going to get well. I won't stay here!"

The kind young man to whom I had said "Tell!" had answered quietly with a glance over his shoulder: "You want out? Simple. Get your family to demand your release." Very simple. Only I had no family. I was one of that growing minority of older people alone in the world with hosts of friends but no immediate family. I was in what is considered by many to be one of the best and most expensive convalescent homes. Its physical therapy room is excellent, if limited. Its activities director is a pleasant, highly motivated person who brought mail around to patients in order to become acquainted with them, who planned special day entertainment (Halloween, Easter), and had a room where supervised handiwork could be done. On my wheelchair peregrinations, I often passed tables of bridge set up in the halls with well-dressed patients around them.

On a regular basis I was taken to the physical therapy room for supervised exercise. I eagerly looked forward to these hours. One morning, a strange nurse came to take me up to "Therapy". "Hurry up. You're scheduled." Upstairs she shoved my wheelchair against a closed door and left me. The door stayed closed. All right, I thought; we're early. But after an hour in the empty corridor my courage mounted. Enough was enough.

A cheerful clattering came from the kitchen down the hall.

"Please," I shouted. "Would somebody take me down in the elevator." (It is self-service.) "We're not supposed to go alone. Besides, I'm scared."

"Sure an' I will," a good natured Irish voice sang out. "On one condition, me darlin', that ye'll dance at my weddin'."

"Sure an' I will. And I'll bring me eight children!" I bragged (aging spinster that I was). Never was a package on wheels delivered to an institutional room with more grace and good humor.

What had happened? The physical therapist forgot to come in.

Much of my situation seems, in retrospect, a comedy of errors in spite of the misery. Sometime before this illness, I had changed doctors and my current doctor was on vacation. Her surrogate, when later asked if he had visited me in the home and had been the source of the "Doctor's orders," replied through his nurse, "No. No need."

The sticking point in my struggle for release was that I live alone and they were understandably reluctant to let me go home without someone to look after me. It was my understanding that only my doctor could release me and had to approve, after checking on the person hired to look after me.

Sensible sounding. Also the undercurrent never expressed in words, but there: "Do as you are told or you will forfeit Medicare help." I should have known better but I didn't.

One morning toward the end of my stay, a white uniform stood by my bed. "Do stop fussing. Your doctor will be back in three days and we'll see. What do you care? Medicare pays." I stopped fussing. Only three days!

Meantime, unknown to me, a neighbor who had heard of my plight and had tried to reach me by phone (no messages delivered) had found a housekeeper who would stay with me if my Doctor checked her and approved. Relief!

The day before this longed-for homecoming, this housekeeper was in an automobile accident and was hospitalized. (Wouldn't you know!) But I had smelled freedom!

Homemakers Home and Health Care Services (not to be confused with the "Homemakers Program" of Portland's Metropolitan Family Services) sent a young thing to see me and I grabbed her. Together, we spent some time going over possible doctors' objections: Her inexperience, her youth, etc. We tried "to stress the positive." As it turned out, the doctor's only checking was to ask her,

"How old are you?"

"I'm 22."

"All right."

And we were home. But free? She spent the day with me in the convalescent home visiting and waiting for the Care Car. Next day in my home she entertained her boyfriend and fixed meals. This was the 4th of July. Next morning, I woke her sometime after 9 and asked her to catch the 11 o'clock bus for town: Dismissed. She insisted I sign "here" to prove she had been with me. Eager to have her out of the house, I signed without looking for my reading glasses. Don't! The bill was just under $100. That was mid-1974. For the same service today, their Portland office advises, it would be about $108.

What you can do about it:

(1) The next time you seek a convalescent home for a family member or just out of consideration for the oldster who needs your help, look behind the convalescent home curtain. Probe, talk with patients as well as aides and nurses. Remember that a good decorator can cover a can of worms.

(2) Back up Maggie Kuhn of the Grey Panthers to get at least a portion of public monies into at-home care for the elderly instead of into institutions.

(3) Write to your Senator or Congressman asking them to help enforce the December 2, 1974, HEW "Patients' Rights" regulation for institutions into which Medicare and/or Medicaid funds go: "No coercion whether chemical (drugs) or physical (strapping in bed or chair) without written doctors' orders."

(4) Find out (and it is possible) where the Medicare or Medicaid money goes that is paid into the home. Remember, it is your money and mine. As the lawyers say in their Latin phrase, find out, "Cui bono?" (who benefits?).

ECONOMIC PLANNING BY THE FEDERAL GOVERNMENT

Mr. CURTIS. Mr. President, some years ago, a well-known author wrote a book entitled "Utopia: the Perennial Heresy." The thesis of the book was that, if we could just find it, there is a system of organization that will eliminate all problems of social interaction, provide enough for all, and establish justice on her rightful throne.

This heresy has surfaced again, Mr. President, in the form of economic planning by the Federal Government. Legislation has been introduced which promises to establish Utopia in our time, with a benevolent government providing the information which will enable all rational men to make just and good economic decisions.

In a recent column in the Wall Street Journal, Mr. Gerald Sirkin discusses this proposal with the critical attitude it deserves. To quote him:

> We have been frequently told that there is no stopping an idea whose time has come. Now it appears that there is also no stopping an idea whose time has passed.

My hope, Mr. President, is that Mr. Sirkin's article will receive the careful attention of all Senators and would-be panners, and that we will learn that life is hard, full of difficult choices and unfortunate mistakes, and that Utopia is, finally, "no place."

To that end, I ask unanimous consent that Mr. Sirkin's article appear in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 22, 1975]

IT'S PLANACEA TIME IN THE CAPITAL CITY

(By Gerald Sirkin)

During the past decade we have frequently been told that there is no stopping an idea whose time has come. Now is appears that there is also no stopping an idea whose time has passed. The tired and discredited idea of economic planning has been dragged out as a solution to our economic problems.

The proposers of S. 1795, "The Balanced Growth and Economic Planning Act of 1975" have in mind what is generally known by the name given to it in Franch, "indicative planning." The fundamental theme of indicative planning is that The Plan will provide information. If all of the participants in the economy, private and governmental, exchange information about their objectives and intentions, the whole can be assembled into a forecast of actions by all participants—actions that will be consistent with each other and that will achieve the best results for all. Being guided by the information supplied by The Plan, the participants will so act as to fulfill The Plan. Such, at least, is the theory underlying indicative planning.

Indicative planning was high fashion in the 1950s and well through the 1960s. France, which developed this type of planning in its most elaborate form, experienced a full share of the usual fruits of mismanaged policies—inflation, recession, balance-of-payments problems—and enjoyed a rate of growth no greater than that of countries around it which dispensed with this planning apparatus.

England, looking for a magical solution to its shoddy economic performance, imitated French planning for several years. Its economy stumbled on as before, and indicative planning faded away. Several other countries, like Japan, go through the ritual of drawing up A Plan, which, after being properly printed and properly bound, is properly forgotten. The Japanese economy has done very well.

The great expectations and the feeble results of indicative planning both arise from the fallacy on which it is based. Our major economic failings are not caused by inadequate information. The economic problems that distress us—inflation, recession, shortages, misallocation of resources—arise from the mismanagement of public policies. And the mismanagement of those policies is not the result of inadequate information. Governments know that they should not, by their spending and taxing policies, put the economy under inflationary or deflationary pressure. Yet they do. The monetary authorities know that they should not disrupt the economy by monetary policy. Yet they do. Congress knows—to take only one specific example—that it ought to adopt policies to encourage the domestic production of oil, natural gas, and coal, and policies that induce the public to be more economical in its use of energy. Yet nearly two years after the long-foreseen energy crisis hit us in the face, it has taken no such actions.

What information can private producers hope to get from The Plan? They can expect no help in dealing with the uncertainty that arises from technological change, discovery of natural resources, foreign events, weather, or changes of consumer preferences. Planners have no crystal ball. Everyone must deal with those uncertainties in his own way.

For a second type of information—costs of production and conditions of markets—producers have better and faster sources of information than planners have, for each producer is closer to and better able to evaluate the pertinent data.

Finally, there is information about what the government is going to do. It is exactly in that area of information, where government could make its real contribution or minimize its damage, that we have had the greatest informational failure. Decision-makers work under constant uncertainty about fiscal policy, monetary policy, price controls, the imposition of new regulations, and the administration of old regulations. The panoply of planning proposed in The Balance Growth and Economic Planning Act is not only unnecessary, but totally unhelpful in reducing the uncertainty about governmental policy. What is needed is the political resoluteness and restraint that will enable the government to adopt a steady policy and stick to it.

But this is precisely what our political system seems unable to achieve. Instead, we have fiscal looseness, followed by monetary looseness, followed by inflation, followed by recession. Then, as election-time approaches, we have further fiscal looseness and a rapid growth of the money supply and so on into inflation again. Interspersed among these waves, we have price controls, subsidies, new regulations, and other jittery responses to the rocking of the boat. No fancy planning exercise can substitute for government's firm resolve to avoid disruptive policies. And if government has that resolve, who needs The Plan?

But, granted that indicative planning has done no good and is unlikely to do any, shouldn't we try it anyway? What harm can it do?

Several kinds. First, obviously, there is the cost of the procedure. By itself, the cost will not be a deterrent; we are accustomed to spending much larger sums on unpromising social experiments. A more substantial objection is the risk that The Plan will be taken seriously, and that, having failed in its indicative mood to produce beneficial results, it will be followed by imperative-mood attempts at enforced government direction of the economy. Our own limited experience with government direction, and the more extensive experience of other countries, are enough to warn us what the costs of that will be.

Finally, and most important, The Plan will divert our attention and efforts from the real solution to our economic difficulties.

With plannnig available to serve first as a panacea and eventually as a scapegoat, we and our representatives in Congress can postpone indefinitely the discipline and the making of hard choices which alone can prevent unstabilizing budgets and unstabilizing monetary policy.

THE SEATTLE OPERA

Mr. MAGNUSON. Mr. President, it is with great pride that I bring to my colleague's attention the tremendous success recently enjoyed by the Seattle Opera's first annual Pacific Northwest Festival.

I do not exaggerate when I say that the national press has been aglow with rave reviews of the festival production of Wagner's "Der Ring der Nibelungen." The four operas were performed as Wagner intended and the way they are regularly performed at the Wagner Festspielhaus in Bayreuth, Bavaria: Back to back during the span of 1 week. This, in itself, is a rare feat for this country and an extraordinary one for a supposedly "provincial" company. But Seattle Opera went on to produce the entire cycle of four operas again, this time in English, during the second week of the festival. No other company in the world has done this.

I know that every Member of Congress from the Pacific Northwest is delighted with the artistic renaissance we are enjoying in our corner of the Nation. Families from 47 States and many foreign countries journeyed to Seattle to attend the Seattle Opera Ring Cycle. In all, nearly 20,000 tickets were sold. With the inauguration of its annual summer festival, Seattle Opera has secured for itself and the region a place on the international opera scene.

The festival is now to be an annual affair and, by 1978, will be held in a new festival center. A forested site in Seattle's suburbs is under consideration. The project already has won the backing of the State legislature, which has appropriated $100,000 to begin the work.

Mr. President, while I am sure my colleagues do not begrudge me a little boasting over our success with the festival, I think the national news media speaks just as favorably as I and I ask unanimous consent that several representative articles be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Puget Sounds

(By Hubert Saal with Mary Alice Kellogg in Seattle)

With an innocence and impudence reminiscent of its frontier past, Seattle has staked a boisterous claim to a place in the international operatic sun. Last week, the Seattle Opera gave a complete Wagner "Ring" cycle, something that normally happens in summertime only in Bayreuth, Germany. Whereas the Metropolitan Opera took almost six weeks to complete its cycle, the Pacific Northwesterners staged their "Ring" as Wagner intended—all in one week. In fact, Seattle did what has never been done anywhere before: it produced a double "Ring" ceremony, two back-to-back cycles, the first in German, the second in English.

Aiming at this summer's Wagner explosion, the Seattle Opera had been introducing a new segment of the "Ring" periodically over the last three years. The final addition this year was "Das Rheingold." For a provincial opera house, it was a monumental task, involving fifteen hours of opera, 58 scenes and 34 soloists (including such imported Wagnerians as Ingrid Bjoner, the Brünnhilde, and Herbert Becker, her Siegmund-Siegfried). "It tested every department to the utmost," said music director and conductor Henry Holt. The greatest pressure was felt by the 25 soloists who sang in both languages. At the last rehearsal before the first English "Rheingold," the singers kept confusing the two languages and punctuated their mistakes with expletives that Wagner never knew in either.

Artistically, the results were mixed; on the whole, the music was better served than the drama. But for Seattle opera buffs the event was a smash. Night after night, the murky doings onstage had the audience, in the words of one critic, "standing and cheering as though its favorite football team had kicked the winning field goal in the last few minutes of the game." And for Glynn Ross, the company's general director, the "Ring" represented another singular achievement in a singular campaign to bring grand opera to the Pacific Northwest.

A former Golden Gloves boxer from Nebraska who in 1945 became the first American to stage a work at the San Carlo opera house in Naples, Ross has masterminded the Seattle Opera from its birth in 1964 with a Barnum-and-Bailey approach that has brought him high-brow detractors—and legions of fans. To pitch "Salome" a few years ago, he papered the town with bumper stickers that read: "Get ahead with Salome." He has hired a skywriter to spell out "Go Opera" across the Seattle skies and helicopters to drop balloons filled with free opera tickets. To sell the "Ring" he devised a TV commercial featuring his Nordic gods zipping through the air on Seattle's monorail.

Self-Sufficient: Unorthodox, perhaps. But his troupe, which gave only four performances in 1964 on a budget of $150,000, this year put on a season of 40 performances of five operas sung in both the original language and English, on a budget of $1.5 million, and then topped it off with the "Ring," which cost $600,000 to produce. In 1964, 6,000 people ventured to the handsome, acoustically superb Opera House. This year, 130,000 turned out.

Some of Ross's productions have smacked of the same carnival spirit as his promotion campaigns. For 1967's "Histoire du Soldat," he got cartoonist Saul Steinberg to design the sets, Basil Rathbone to narrate, and Stravinsky, the composer himself, to conduct. Ross was the first to stage the Who's "Tommy" with Bette Midler in 1971. And in a repertory neither notably advanced nor backward, he has given the world premieres of Carlisle Floyd's "Of Mice and Men" and Thomas Pasatieri's "Black Widow." At the same time Ross has built a financially secure company with a permanent chorus, fifteen permanent singers, resident music and stage directors and resident costume and set designers. "If every train and plane stopped," says the bantam-size huckster, "we'd go on. We're self-sufficient."

"Everything we do should be an event," he adds. "That's our mandate. We took opera out of the mausoleum, took the mystique away. We didn't call it 'the opera' but 'Seattle Opera,' so people would know *whose* opera it is." Ross acknowledges the shortcomings of his Wagner cycle—but shrugs them off. "When you stretch yourself you grow," he says. Along Puget Sound, the most conspicuous recent growth is opera.

Resounding Rings

(By William Bender)

A major event in the history of opera in America has been taking place in Seattle over the past two weeks. The Seattle Opera Company presented the four operas of Wagner's *Der Ring der Nibelungen* in German within a week. That is the way the *Ring* is regularly performed at the Wagner Festspielhaus in Bayreuth, but almost never in the U.S. Then the Seattle company spun around and repeated the cycle in English. That bilingual trick is a feat that no other company in the world has equaled.

Wagner knew exactly what he was doing at Bayreuth. Heard in quick succession, *Das Rheingold, Die Walküre* and *Siegfried* have a staggering cumulative effect. By the time one settles in for the 4½-hour finale, *Die Gotter-dämmerung*, the ear reverberates with leitmotivs; and Wagner's gods, earthlings, dwarfs and dragons seem familiar, necessary, among the mind's permanent emotional reference points. One gasps at the death of Siegfried, even if he is the sort who will take a drink from anybody. One workshops Brünnhilde as the lover and idealist in all of us.

NEW TREND

The *Seattle Ring* has a predominantly young cast, with just enough veterans to glue things together. Among them is *the* stage director, George London, 55, one of the great Wagnerian bass-baritones of the 1950s and 60s. If London has his way, he may start a whole new realistic trend in staging the *Ring*. After the innovative Wieland Wagner began presenting his grandfather's works as absorbing formal abstractions at Bayreuth in the early 1950s, the imitators began falling into line. Says London: "Soon everyone was in a cul-de-sac, with no place to go. That is when the gimmicks started popping up. In one *Ring* in Germany, for example, the Calkyries came in on motorcycles. In France, Wotan wore a top hat and tails. Enough. It's poisonous. We have to go back to the source now."

In London's *Ring* a sword is a sword, a spear is a spear, and Fafner the dragon is a proper dragon—a 35 ft.-long by 15-ft.-high beauty of a monster that requires eight stagehands to operate. London's conception is not perfect: he may not put the Valkyries on wheels, but having them cavort like chorus girls is not an improvement. There is no bear for Siegfried to tug, alas, nor does Brünnhilde ride a horse into the pyre. But she does sleep on a genuine jagged peak—not just some symbolic platform. Reversing another current fashion, London puts light rather than gloom on everything, and the operagoer does not have to view the whole show through a front scrim.

In the German version of the *Ring* especially, one could see and hear London's influence on the singers' diction, gestures and all-round Wagnerian style. Where his touch left off, Conductor Henry Holt's picked up. The Vienna-born, Los Angeles reared Holt, 41, has been the Seattle Opera's music director for nine years. His Wagner may lack Sir Georg Solti's dynamism. But it has warmth, coherence and authority.

The cast is strong. At 6 ft. 10 in., Harvard Graduate Noel Tyl, 38, is easily the most imposing Wotan in the business. Since there are few good Wotans around now and since Tyl has a rich *Heldenbariton*, he seems to have a bright future. As Brünnhilde, Norway's Ingrid Bjoner sings the music with yearning and power. Germany's Herbert Becker (Siegmund und Siegfried) is not the most passionate *Heldentenor* around, but he sings all the music—and that in itself is no small achievement—with taste and control. The character parts are well cast, particularly the dwarfs Alberich and Mime (Malcolm Rivers and Paul Crook) and the scheming Hagen (William Wildermann).

The English *Ring* has again raised the old opera-in-English controversy. The translation used is that of British Writer Andrew Porter, who is now music critic at *The New Yorker*. Commissioned by the Sadler's Wells Opera and first performed as a cycle in 1973, the translation is a conscientious job and has already been used by several American companies for individual productions. Sometimes Porter has to change the meaning to get the meter right. As Hagen strikes down Siegfried, the vassals cry out *"Hagen! was tust du? Was tatest du?"* Literally that means: "Hagen! What are you doing? What have you done?" The Porter: "Hagen! You've killed him. You've murdered him."

Porter does well with Brünnhilde's noble, ardent *"Willst du mir Minne schenken"* sung to Siegfried in *Götterdämmerung*. Wagner wrote:

Willst du mir Minne schenken.
gedenke deiner nur,
gedenke deiner Taten,
gedenk' des wilden Feuers,
das furchtlos du durchschrittest,
da den Fels es rings umbrann!

A literal translation is:

If you would woo me,
Make mention only of yourself,
Make mention of your deeds,
Make mention of the wild fire,
You fearlessly strode through,
When it burned all around the crag!

Porter's version:

Ah, but to prove you love me
Remember only yourself
Recall your deeds of glory
Recall that raging fire
Whose fury could not fright you
When it blazed around my rock.

The objections to opera, including Wagner, in English are formidable but not necessarily insurmountable. From the practical point of view, there is the problem of the babel of accents in the international casts that might be found at, say, the Met. Probably the inanities and repetitions found in most operas would be unacceptable in English for pragmatic American audiences. Anyone seriously following the plot might walk out on *Il Trovatore*.

Another argument goes like this: Well, it is all academic, since most of the words—in any language—cannot be heard over the orchestra anyway. That seems to be more a problem of bad interpretation than anything else. At last week's *Das Rheingold* in Seattle, recognizable English phrases—"Help me, sister" (Freia), "Back to the mines" (Alberich), "What, yield my ring?" (Wotan)—were few and far between. But by *Die Walküre*, diction and audience comprehension had picked up considerably. How does the composer himself feel? Almost everyone who has ever gone on record about the matter, including Wagner, Verdi and Puccini, speaks desperately of his desire to have his words understood, in whatever language.

The cast—with Becker replaced by California's Claude Heater as Siegmund and New York's James McCray as Siegfried, and Bjoner by England's Anna Green—did not seem overly happy about the English. One would think that an American would love the idea. Not so. Says Tyl, one of several singers who appeared in both versions: "Any American who has learned a role in German has two tapes going in his mind—the original and the English he thinks by. When you throw in a third tape [the Porter], man, you've got trouble."

Hip Huckster. The Seattle Opera is accustomed to thinking along several lines. In only eleven years it has become one of the major U.S. companies, largely due to the efforts of a former Golden Gloves lightweight from Omaha named Glynn Ross. He has been called everything from a publicity hound to the hip huckster of grand opera. He loves promoting. "Get ahead with Salome," read the shameless pun on one poster.

But his musical goals are both grand and serious. The *Ring* will become a summertime staple of what is being called as of this season the "Pacific Northwest Festival." The legislature has already appropriated $100,000 to lay the groundwork for a new summer-festival center. Ross hopes for a 1978 opening. Ever practical, he explains: "Our first three years were aimed at survival. Then came a period when we were out for national attention. Now I believe we occupy an important position in the international firmament of festivals." That seems a fair claim.

DOUBLE "RING" A HIT AT SEATTLE OPERA—WAGNER CYCLE SUNG IN BOTH GERMAN AND ENGLISH

SEATTLE, July 27.—The first Pacific Northwest Festival with a double cycle of Richard Wagner's "Der Ring des Nibelungen," sung in German and English, closed last night here, with a performance of Götterdämmerung" in English, to enthusiastic audiences and generally favorable critical attention.

Glynn Ross, general director of the Seattle Opera Association, which sponsored the festival, announced that the Seattle Opera would repeat next year its ambitious "Ring" festival—a German cycle and an English cycle—within a 12-day period. This year is the first time that both versions have been performed back to back in the United States.

Mr. Ross, who was as enthusiastic over the response to the "Ring" as the audiences were over the performances, is thinking of moving the Wagnerian festival out of the 3,167-seat Seattle Opera House, where this year's "Ring" was held, to a site in a forest south of here.

20 CURTAIN CALLS

But that is off in the future, for plans to construct three theaters at suburban Federal Way, about 20 miles south of Seattle, are barely under way. A feasibility study is favorable, however.

Twenty curtain calls greeted the last performance of the German "Ring." The English version, rare in the United States, created somewhat less fervor.

Preliminary box-office figures showed that approximately 12,000 tickets were sold for the German "Ring"—near capacity—and 8,400 for the English "Ring."

"That is easy to explain," Mr. Ross said. "The traditionalists know what to expect in the German. The English, relatively new to this country, is more adventuresome, and some people are not sure they will like it as well as the German."

Sixty to 65 per cent of the audiences were from outside this area, judging from ticket sales, Mr. Ross said.

TICKETS $35 TO $85

Mr. Ross said the price of the tickets, which ranged from $35 to $85 for each cycle of four performances, had been kept as low as possible to help Wagner lovers from outside the area who had transportation and hotel costs.

Tickets were purchased in every state except Rhode Island, Maine and Mississippi, with Washington and California leading. Attendance was also heavy from a number of other countries, including Canada.

"Some of the people who came to hear the German told me they stayed over just to hear the English for the first time, and rather liked it," Mr. Ross said.

Planning for the Wagnerian festival began in 1973, and costs for the current cycle go back that far. Preparation since 1973 included 58 rehearsal sequences and a number of performances of various parts of the "Ring."

Costs totaled $721,600 over the three-year period. The gross income, including that from Wagner performances given in previous years, was $646,320, leaving a deficit of some $75,280.

ONE-YEAR DEFICIT

"If one just looks at the cost for this year's festival, the figure is $421,218, and the income from the festival $381,821," Mr. Ross said.

"The 1975 deficit of $39,397, if one looks at it that way, is not significant considering the size and importance of this undertaking," he said.

Mr. Ross said that the obvious widespread interest in the Seattle Opera's double "Ring" had interested the State Department, the Department of Commerce, and the United States Travel Service in possible future help with money and publicity.

He said those departments recognized the importance of building tourism in the United States and interesting Americans in staying at home to attend events of this kind rather than seeking such experiences abroad.

"I feel that we have here a serious contender for the international festival market," said Mr. Ross.

CRITICAL REACTION

Critical reaction was generally favorable. Alfred Frankenstein of The San Francisco Chronicle, regarded as the dean of West Coast newspaper music critics, called the festival "brilliant."

Martin Bernheimer, music critic for The Los Angeles Times, had a mixed reaction, praising Henry Holt, the musical director, and the orchestra, but calling the staging by George London "silly, illogical and old-fashioned."

Douglas A. Smith of The Palo Alto (Calif.) Times, wrote, "If there were any lingering doubts about Seattle's ability to compete musically with San Francisco, New York or Bayreuth, they are herewith dispelled."

Wagner's "Ring" Comes to Seattle

(By George Gelles)

Seattle.

Ninety-nine years after Wagner's "Ring" first resounded in an opera house, this epic tetralogy remains the ultimate challenge for any ensemble, and undertaking it confers a cachet on any company. So it is worth noting that the Seattle Opera is about to mount "Der Ring des Nibelungen" both in German and English versions (July 15–20 for the former, and July 22–27 for the latter). Though the scale of the project may seem overly grand for a company founded a decade ago, it reflects the ambitions of Glynn Ross, the company's general director and the most affable megalomaniac in opera today.

At the age of 60, the Nebraska-born Ross is an intriguing combination of pitchman and preacher. Since coming to Seattle in 1964, he has made it a boom town for opera. He often has been called a "huckster" for his effective merchandising methods—buttons and bumper stickers and flashy advertisements—and though he accepts the appellation, he prefers the word "detonator" to describe his non-stop activity.

Seattle, Ross believes, is a place whose time has come: "In Washington, first of all, we're over-abundantly fat and rich in political, corporate and community leadership. The other thing, I think, that is terribly important at this moment is that because of geopolitical reasons—with Alaska, polar routes, China, Siberia all opening up—we're joining the whole new huge flow of commerce that we now have with Japan and the Orient. In a sense, we of the Pacific Northwest act as the import and export funnel for the northern half of North America.

"But if we going to become a commercial crossroads of the world, we better be something else besides. Just as the Rpublic of Genoa and the Republic of Venice became tremendous commercial bases when the whole commerce of the belly of Europe was opened up, so we too are in for a brush with destiny, and the time to plan for it is now!"

Behind these resonant words is a program to transform Seattle from the "cultural dustbin" which Sir Thomas Beecham once called it into a summertime art mecca. With a $100,000 appropriation from the state legislature in Olympia, Ross commissioned a firm of management consultants to perform a feasibility study of a proposed Pacific Northwest Festival, an annual celebration of the arts. The consultants found the project feasible indeed.

"We stand the chance now," Ross explains, "to set up a major industry that is non-consuming and would protect our beautiful country. It eats no air, no water, no trees, no nothing. Plus it brings in a new kind of market and establishes a new kind of industry for the region."

Planning is under way. "We expect," Ross says, "to move into our new 'Festival in the Forest' in 1978. By 1981 or 1982 we hope to have enough theaters to have an annual ongoing world's fair of the performing arts. By about 1985 we should have reached both a world position of importance and maturity."

It sounds like fantasy, yet the administrative web has already been spun. There is every intention on the part of the Seattle Opera to repeat the "Ring" next summer, the year of its centenary, and in the two subsequent summers as well. The "world's fair of the performing arts" is equally plausible; Ross, after all, served on a State Department team that studied cultural exchanges with Yugoslavia, and a result of his work will be seen next season when the singers and staff of the Sarajevo Opera take up residence in Seattle. Some of his plans for his ongoing "world's fair" sound like a mutation of the Aspen Institute for Humanistic Studies and Disneyland. They focus on larger-than-life figures who have influenced artists in various media—Don Quixote in an example. While historians and philosophers cogitate on the significance of these heroes, the works they inspired will be performed by musicians and singers, actors and dancers.

The "Festspiel der Zukunft" envisaged by Ross becomes more readily understandable if interpreted in the light of his past. While serving in the Army in World War II, he was wounded in Africa and sent to recover on the island of Ischia, in the bay of Naples. When healed he was put in administrative charge of the island, and later a string of Neapolitan hotels was added to his realm. Among his clientele were the directors of the Teatro San Carlo (which was under British control during the Allied occupation) and they gave Ross ample opportunity to stage the standard repertory for idle GI's and Italians, fulfilling an interest in theater that dated back to his teens. For the next quarter century he was an active, successful director, working in Naples until 1948 and then in American cities, including Los Angeles, San Francisco, Philadelphia and Fort Worth.

His tenure in Seattle has had its high points. A notable success was a production of Stravinsky's "L'Histoire du Soldat" with decor by Saul Steinberg and the composer conducting. Another coup was getting Joan Sutherland to appear in Seattle for the first time anywhere in the title role of "Lakme" as the multiple heroines in "The Tales of Hoffmann." A further achievement, of sorts, was the premiere staging of the rock opera "Tommy," with Bette Midler as one of the stars.

As for the coming "Ring," it too is a culmination. For each of the past three seasons the Seattle Opera has presented one of the works of the mythic panorama. With the staging this summer of "Das Rheingold" and the sequentially-correct repetition of the earlier productions, the series will be complete.

The staging will be done by George London, the bass-baritone and director who recently was named head of the Opera Society of Washington (D.C.). When Ross is asking for a preview of the stylistic conception favored by London, he says only that "It's completely up to George and it's very romantic. He is the fire-eating force over-all artistically." Then he adds in his typical way, "But when you factor 6 weeks of rehearsals, 58 rehearsal sequances, 35 solo singers, a chorus of 60, an orchestra of 90, by 2 languages—to say nothing of 20 Gibichungs—you're really into quite a bit of excitement."

THE NATIONAL BURN VICTIM FOUNDATION

Mr. WILLIAMS. Mr. President, I would like to bring to the attention of my colleagues the fine work that is being done by an organization in my State in initiating a much-needed burn prevention program. This organization, the National Burn Victim Foundation, is actively and successfully introducing to the public the significance of serious fire problems.

The foundation has been very instrumental in making the public more aware of the tragedy and trauma involved when a person becomes a "burn victim." The commendable job being done by the foundation is due largely to the efforts and determination of its executive director, Mr. Harry Gaynor of East Orange. Mr. Gaynor has dedicated years of work to expanding the foundation's operation and has written an informative report on the activities and objectives of the organization. I would like to bring this fine report to the attention of all the members of the Senate, and I ask unanimous consent that it be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report From the National Burn Victim Foundation

The National Commission on Fire Prevention and Control rendered its report "America Burning" on May 4, 1973. The report presented the most significant fire problems facing our nation today. It revealed that 2 million Americans are injured by fire annually, 300,000 are seriously burned, 70,000 are hospitalized for extended periods and 12,000 of those burned die.

The State of New Jersey is doing something about the problems so clearly defined in the Commission's report. America Burning was the motivator which inspired and caused the development of a national foundation dedicated to solve the problems of burns.

The National Burn Victim Foundation, a product of the Commission's report, was organized during August 1974.

We have five objectives, which are:

1. To assist in the development of burn centers where the need is established.
2. To assist in the development of a rehabilitation program for burn victims.
3. To assist in medical research to find better ways of treating burns, reduce hospital days, reduce cost.
4. To assist in the development of personnel training programs in burn care.
5. To develop a meaningful burn prevention program for the general public.

There are less than 100 specialized burn treatment facilities in the United States out of 6,000 or more general hospitals. The need for additional burn centers, burn units and burn programs is all too obvious.

The State of New Jersey, with a population of 7.2 million residents, is without the services of a burn center or burn unit. New Jersey is a highly industrialized state, its highways burdened with vehicles, its residents appliance oriented and surrounded by all the sources of ignition and combustibles known to man.

I am sure you will be pleased to learn the success the National Burn Victim Foundation is experiencing in New Jersey. And I might add that our accomplishments have been through the results of people volunteering their time. We plan to provide the instrument which will establish New Jersey's first specialized burn treatment center by the end of this year. We have implemented the first burn reporting system in New Jersey through the fire services, first aid and emergency medical services. We are not only providing a service to our state, we are saving the state government over $100,000 annually.

The Foundation has commenced a rehabilitation program which directly involves former burn patients and current burn patients. "Burns Recovered" also involves members of burn victims families. There is much to be done in this area.

We have learned that little if any education and training for first aid personnel in handling burns has been provided to squads. Many first aid members and emergency medical service people have been grossly misinformed as to the proper methods of handling a serious or severe burn patient. The Foundation is now organizing and developing programs which will provide education and training for the thousands of first aid, emergency and rescue squad personnel throughout New Jersey.

For the past ten months we have conducted various tests regarding burn prevention for the general public. We are thoroughly convinced that the only way to have a lasting burn prevention program is by the involvement of people in the total burn problem. We are positive that spotty education in burn prevention is short lived. The results of our programs hold great promise in developing an awareness which will lead to positive steps taken by people to reduce the staggering toll of burns.

So you see New Jersey is on the move in our nation's fight against burns. Our programs and plans are workable in any state as long as there are dedicated Americans willing to work to help others.

It is noted that when President Ford signed the Federal Fire Prevention and Control Act of 1974 that he informed Congress that he would not ask for the $14 million dollars earmarked for burn centers, burn research, rehabilitation of burn victims and other related medical problems surrounding burns.

It is the Foundation's opinion based upon the nation's total needs in the burn area that even the $14 million would have been inadequate to cover the specified projects. Underfunding of a business or any program involving heavy expenditures usually creates waste.

When a severe burn injury happens the impact is felt hardest at the community level and therefore becomes a total community problem. The Foundation is now developing a master plan which will involve New Jersey's 572 communities in the support of proper burn treatment facilities for the state. It is a sound, workable plan with innovation and to the best of our knowledge never accomplished (or tried) before.

Burn treatment will never be adequately covered unless it is heavily subsidized and it is our belief that the general public through a national foundation can render the support needed.

Our nation is beginning to become sensitized to the burn problem and the general public can relate to our national program since it follows the successful track record of the National Foundation, March of Dimes.

The introduction of our nation's first burn poster child, a severely burned boy, age 4, brought forth the public reaction we expected in New Jersey. We have been honored by Governor Brendan Byrne's proclamation supporting the Foundation's efforts, resolutions from communities and total commitment from New Jersey's fire services, first aid, civic organizations and individuals who recognize the need of our Foundation's objectives.

There is much to be done, continued support will enable us to accomplish goals sooner and perhaps initially more effectively. Let us give some thought to Americans who are suffering and dying needlessly for the lack of proper care. There are thousands of Americans who are treated unfairly, if they travel at all they travel by night. Each of us must share the responsibility and to do nothing must be on our conscience. Now let us say "We have begun".

INVASION OF CZECHOSLOVAKIA

Mr. WILLIAMS. Mr. President, during the month of August, we shall commemorate the seventh anniversary of the "Soviet Day of Shame." On August 21, 1968, a shocked world saw Soviet troops brazenly invade the little country of Czechoslovakia in a ruthless attempt to return its people to the oppression from which they had just begun to emerge.

Armed conflict has been a salient feature of Czechoslovakian history throughout the 20th century. After centuries of foreign domination, the peoples of Czechoslovakia gained their freedom in 1918 with the collapse of the Hapsburg empire at the end of World War I. The new state, modeled on the United States and France, enjoyed a brief period of peace and prosperity during the 1920's and 1930's until Nazi tyranny forced itself on the people in the months before World War II. Nazi brutality cost the lives of 250,000 in Czechoslovakia as they resisted the occupation of their country. In 1945, with allied assistance, the people threw off Nazi rule, only to find themselves the victims of Soviet domination. Under its communist rulers, Czechoslovakia soon became a fully collectivized society, Soviet controlled, without the most elemental of civil rights.

But the people of Czechoslovakia are brave and determined. As the Soviet Union persisted in its exploitation of the country's rich resources and its subjection of the people, the Czechs openly began to demand greater personal freedom, better economic conditions, and an end to oppression. Early in 1968, a progressive faction of the country's leadership, under Alexander Dubcek, responded to the people's demands, and began to liberalize and democratize Czechoslovakia's society. But this progressive movement was halted on August 21, 1968, as half a million troops from the Soviet Union and other Warsaw Pact nations occupied the little country. By their action, the Soviets violated their own pledge to uphold the principles set forth in the United Nations Charter. This unwarranted, unprovoked invasion demonstrated the brutal nature of the Soviet leaders, and their clear hostility to basic human freedoms and the right of all people to determine their own destinies. Today, Czechoslovakia remains an occupied country, its people held firmly to the course that the Soviets have chosen for them.

This August, those of us who firmly adhere to the principles of democracy and self-determination for all people acknowledge the courage and sacrifice of the peoples of Czechoslovakia as they struggle to claim the rights and freedoms that have been denied them. By the commemoration we observe this month, we declare our support for the people of Czechoslovakia, and we serve notice on the leaders of the Soviet Union that their acts of aggression do not go unnoticed nor uncondemned.

NATIONAL HOSIERY WEEK

Mr. BROCK. Mr. President, there are thousands of segments in our diverse economy which contribute to our continuing function in national and international commerce. Not the least of these is the Nation's hosiery industry. This massive industry is of particular interest to me because thousands of Tennesseans are directly and indirectly employed within this industry.

The week of September 7–13, 1975, has been designated the Fifth Annual National Hosiery Week, and in tribute to those across the Nation who work and produce hosiery products, I ask unanimous consent that a brief explanatory statement be printed in the Record recognizing the industry and those Americans who have contributed to it and our free enterprise system.

There being no objection, the statement was ordered to be printed in the Record, as follows:

National Hosiery Week

The week of September 7–13, 1975, has been designated as the fifth annual National Hosiery Week by the National Association of Hosiery Manufacturers and its member companies. The Week is designed to focus the nation's attention on legs and to educate the consumer to the wide variety of hosiery available to meet his or her special needs, whether these center on fashion or function. National Hosiery Week will be celebated by hosiery manufacturers, industry suppliers and thousands of retailers across the United States. These retailers, including department stores, supermarkets, mass merchandisers, drug stores, independent clothing stores, discounters and shoe stores, reflect the diverse nature of hosiery marketing. During the Week, participating retailers, working with the Association and its members, will use special displays and promotions to show how hosiery meets these many and very diverse needs.

During 1974, the domestic hosiery industry produced 2.6 billion pairs of hosiery, or approximately 12 pairs for every man, woman and child in the United States. Of that total, slightly more than 1 billion pairs were women's pantyhose and stockings, the rest being socks of all types and sizes to fit everyone from the smallest infant to the largest man.

Tennessee and North Carolina produced 92 percent of all hosiery made in the United States. However, hosiery mills are located in over half of the 50 states and in Puerto Rico.

The National Association of Hosiery Manufacturers is distributing thousands of retail idea kits, containing display posters, National Hosiery Week theme ideas and information on the newest developments in hosiery.

Mr. BROCK. Mr. President, our industries and our businesses across the Nation are vital. It is fitting that at certain times we should honor certain segments of them to remind us of the contributions they have made to our economy and our Nation.

FOOD POLICY ADRIFT

Mr. HUMPHREY. Mr. President, our people have again become concerned over the recent announcement of grain export sales to the Soviet Union. And our farmers feel uncertain over the administration's response to the deteriorating Soviet supply situation.

Will we again respond in haste because we have no policy? I hope that we have learned some lessons from our 1972 and 1974 embarrassments. It is clear that we do not yet have a policy to deal with the world's volatile supply situation. I can't help but recall the old adage: "Fool me once, shame on you; fool me twice, shame on me."

How many times are our producers and consumers going to be burned by volatile markets before we come to the realization that some basic structural changes have occurred in the world's agricultural system, and that we need a food and agricultural policy to reflect these changes?

A little research reveals some basic facts which have profound implications for our agricultural economy. Only five years ago the United States exported less than 20 percent of our entire grain production. Two years later this grew to almost one-third of U.S. production. The increasing portion of exports as a share of our production means that foreign markets have a growing impact on our domestic price and supply situation and, thereby, our Nation's entire economy.

More important to the security of our markets is the variability of demand worldwide. As the world's demand for U.S. farm exports has increased, year-to-year fluctuations in that demand have also grown ever more significant. For example, the volume of U.S. total grain exports increased by 45 percent between fiscal year 1972 and fiscal year 1973. On the other hand, the volume of U.S. grain exports fell 23 percent between fiscal year 1968 and fiscal year 1969 and 37 percent between fiscal year 1966 and fiscal year 1969.

The variability of demand world-wide is certain to become greater and more frequent. Almost 40 percent of our agricultural exports are to the developing world. Collectively, these countries are our largest trading partners.

The recent World Food Conference indicated that food production and consumption had roughly been in balance over the past two decades. The Conference went further to project a balance in worldwide cereal production and consumption through 1985.

However, consumption is expected to increase twice as fast in the developing countries as in the developed world. Even with trend increases in food production in the less developed countries, the World Food Conference predicted that by 1985 those nations would be importing from 85 to 100 million metric tons of cereals annually, or three to four times their present volume of imports.

The fact that most of the countries of the developing world are located in the tropical regions with unpredictable and extreme weather patterns means that the import requirements of these nations are likely to vary widely. And with the United States currently exporting over half the cereals moving in world trade, our agricultural markets are going to have to absorb a large part of these variations.

The Soviet Union, combined with the other centrally planned economies of Europe and Asia, accounts for the major variations in world grain trade. The Soviet Union, Eastern Europe, and the People's Republic of China, for example, accounted for 93 percent of the fluctuations in wheat imports worldwide between 1963 and 1974.

During this same period, fluctuation in U.S. wheat exports accounted for 83 percent of the variation in exports worldwide. These fluctuations were buffered by large grain stocks in Canada and the United States. Today, that buffer has been almost completely exhausted.

The changes in weather and crop conditions around the globe have been reflected in renewed tightness in farm commodity markets in the past 30 days. From expectations of abundant domestic grain and oilseed crops, the outlook has changed to one with a more precarious balance between total supplies and requirements.

While crop prospects in China and the rest of Asia appear favorable, production estimates in Northern and Eastern Europe indicate an upward foreign demand for U.S. grain. The USDA recently projected that Eastern Europe will have to import 6.3 million metric tons due to flooding in the main producing regions.

Bad weather in Northern Europe has caused a drop in expected wheat production of 5 or more million metric tons. While wheat stocks in Western Europe are up to 4 million metric tons, the shortfall in wheat production will reduce pressure to feed wheat to livestock, thereby opening the possibility of increased demand for U.S. feed grains.

Argentina, the world's fourth largest exporter of wheat and second largest exporter of coarse grains, has experienced heavy rains in the grain belt delaying harvests of both corn and sorghum. It is now expected that Argentina's coarse grain crop could be down 25 percent from last year adding to demand for U.S. feed grains.

The Soviet Union is the world's largest consumer of grains. This country alone consumes about 20 percent of the wheat and feed grains produced in the world. And the growth of consumption of this nation is no less than remarkable. Soviet grain consumption has grown 155 percent over the last 10 years. While its production, on the other hand, has increased 146 percent over the same period, the output has fluctuated widely from year to year. Thus, production gained 15 percent between 1969–70 and 1970–71, fell 3 percent the following year, fell another 7 percent between 1971–72 and 1972–73, rose 32 percent in 1973–74, and then fell 12 percent between 1973–74 and 1974–75.

Essentially, all of the increases in Soviet grain consumption can be attributed to increased livestock feeding. Currently, over half the grain used in the Soviet Union is fed to animals, whereas, only 10 years ago grain for feed represented about a third of Soviet consumption.

The expansion of the Soviet livestock base is certain to continue. Increasing public pressure for improvement in the quality of consumption has been reflected in an increased emphasis on livestock production in the past two Soviet 5-year plans. Presently, the per capita meat consumption in the Soviet Union is about half that in the United States. And it is clear that any reduction in meat production carries serious political implications for the present Soviet leadership, just as the failure of Soviet agriculture in the early 1960's contributed to the overthrow of Khrushchev.

It is not likely, however, that Soviet grain production will be able to keep up with the intentions to expand meat and poultry output. The total cultivated acreage in the Soviet Union today is at or near peak levels. Therefore, increased grain production will have to come primarily from improved yields. Yet, efforts to improve yields will continue to be hampered by the harsh climate characteristic of most of the growing areas in the Soviet Union.

The implication of these trends in Soviet agriculture should be clear. The Soviets are going to have to seriously curtail their meat output, or rely on world markets to make up their ever growing, and unpredictable grain deficits.

The Soviets are in world markets in a big way once again. Already, the Soviet Union has purchased about 14 million metric tons of grain, 11 million of which will come from the United States. And I am convinced we have not seen the end of these purchases.

While the Soviets built up their depleted inventories in 1973 and 1974, they drew heavily on their reserves last year, for probably from 8 to 10 million tons. Utilization, however, is expected to range silghtly over last year, or about 210 million tons. Production estimates have been consistently revised downward over recent weeks, the latest USDA estimate of Soviet grain production being 185 million metric tons.

Yet, the dry weather which has been the primary cause of the declining crop prospects remains unchanged. Unless these areas receive rain in the next few weeks, the Soviet crop could fall as low as 170 to 180 million metric tons. If this happens we could see record Soviet purchases exceeding even the level of grain purchases made in 1972.

Drought also is reportedly affecting the sunflower and forage crops in the Soviet Union. Soviet forage production may reduce the feed equivalent of these crops between 5 and 10 million metric tons. Since forage amounts to about two-thirds of the feed utilized by livestock, such shortfalls will put additional pressure on feed grain supplies.

Sunflower seed production shortfalls could result in import demand of several million tons of oilseeds to meet both feed and industrial oilseed requirements.

What does all of this mean for the United States?

Total wheat availability in the United States is expected to be slightly above that preceding the Soviet purchases in

1972. The USDA is currently estimating the U.S. crop at 2.187 million bushels. Added to a carryover of 319 million bushels, this is about 100 million bushels above the 2.409 million which was available on July 1, 1972.

It should be recognized that even with a record U.S. feed grain crop and reduced feed consumption, total availability of feed grains will be substantially below the 1972–73 levels when unusual demand forced feed prices to double.

Production and carry-in of feed grains totaled 226 million tons in 1972–73. With feed grain stocks virtually depleted, feed grain availability for 1975–76 is projected at 209 million metric tons, or almost 17 million tons below the 1972–73 level.

Even though domestic use of feed grains is down from the 1972–73 level by 12 million tons, exports are now projected to be somewhat above the 7.5 million tons for that year. Should an increase in exports or a decrease in production add up to 14 million tons, we could see a further drawdown of our precariously low feed grain stocks which would result in upward pressures on prices.

It should be pointed out that a reduced availability of 14 million tons could result from a mere 7-percent drop in production.

The large export sales to the Soviet Union have firmed up prices for all grain commodities. During July, when sales were underway, wheat prices rose from about $3 per bushel to about $4, corn from $2.80 to $3.20, and soybeans from $5 to $6 per bushel. The short-term effect is higher prices received by grain farmers, particularly wheat producers who are in the middle of harvest.

For others in the grain stream, the export sales raise some uncertainties. Livestock growers and food consumers must rely on the current harvests for another full year. Depending on the volume of imports by the Russians, the world's grain supplies may remain tight, thereby keeping grain prices high.

The optimistic outlook for recovery in livestock production in the United States may be set back another year. At the present time, livestock production is operating at the lowest levels in a decade. Hog production is severely depressed, and cattle feeders are operating far below capacity.

The grain and livestock situation for coming months will depend on two factors: One is the decisions of the Russians in terms of further grain purchases. Further large purchases from either the United States or other nations may so tighten the world's grain supplies that prices will zoom upward.

The second factor is the successful conclusion of the currently projected bumper harvests in the United States. Any severe weather in the grain belt could sharply reduce total harvests.

U.S. feed grain production is now entering a most critical period. Much of the midwest corn crop continues to be subjected to severe heat stress and drought during this critical period of pollination. The 30-day weather forecast suggests a continuation of the current heat wave. The Iowa Department of Agriculture yesterday reported that Iowa already has lost nearly 300 million bushels of corn—and if the heat continues, it could lose up to 650 million bushels. Iowa, of course, produces a fifth of our total corn crop.

Once again, we are adrift in search of a food policy. Frantically, we are trying to understand why our food production system has become out of control. Our Secretary of Agriculture and his free market agriculture remind me of the cartoon of two shipwrecked sailors, one of whom is at the wheel which remains as one of the last remnants of their ship. Faithfully steering a wheel that is attached to nothing he remarks to his companion, "At least I get the impression I am doing something."

The health of America's food and agricultural economy is just too important to be left to forces beyond our control. I think it is time that we wake up and regain direction to steer our economy out of its present morass.

This issue is of critical importance to our people and the rest of the world.

To this end I call upon the President to direct public attention to the basic need in this time of uncertainty by publishing at least a biweekly comprehensive analysis of the grain supply-demand situation. And what I mean by a comprehensive analysis is one which will factor in 1974 crop carry forward amounts, with 1975 crop production estimates, minus U.S. total disappearance estimates and total estimated export estimates—which would include ranges for Russian demands.

Such an analysis will give estimated carryover estimates for the end of the 1975–76 crop marketing year for each crop. And it is these sets of carryover numbers that will in turn provide the benchmarks to estimate impacts on our Nation's livestock industries and which, in the final analysis, will provide the basis for estimating the impact on American consumers and our Nation's overall economy.

The public—both consumers and producers—have a great stake in the U.S. agricultural supply situation. Our citizens should be kept fully informed of supply developments and the implications of such changes. Only with such information can producers and consumers make decisions on a sound basis.

We must also begin to construct a responsible food and agricultural policy, a policy based on providing security to both producer and consumer. This requires food reserves—insulated from the market so as not to depress farm income, but available to meet our domestic needs and to assure reliability as an exporter. This vital reserve can be held by the farmers themselves with a crop loan program that permits the farmer to hold his crop for longer periods. This plus a modest carryover in the commodity credit corporation stocks.

Free market agriculture will not work when you do not have free markets or when you cannot assure year-to-year stability of farm supplies.

Finally, we must establish farm support prices which reflect the greatly changed costs of production. We cannot expect adequate and stable food prices unless we provide adequate incentives to our producers. Our farmers contribute $12 billion to our balance of payments, and they deserve better treatment than they have received.

This is the formula I offer to deal with the serious problems confronting American agriculture today.

Man is a creature of habit. But man is also the most adaptive and versatile of all animals. It is time we put the good reason which has been bestowed upon us to work and avoid another year of confusion, uncertainty and crisis.

THE CERTIFIED PROFESSIONAL SECRETARY

Mr. JACKSON. Mr. President, at the annual convention of the National Secretaries Association in Chicago, Ill., on July 26, 1952, a resolution was unanimously adopted to set up a department of the association to be known as the Institute for Certifying Secretaries. The basic purposes of the institute were to prepare and administer certifying examinations, to establish qualifications of applicants for the examination and to award certificates to those who successfully complete the examination for certification as professional secretaries.

The Institute for Certifying Secretaries is composed of 20 members; 6 from the college-level educational field; 6 from management; and 8 from the National Secretaries Association, International. The international president and the immediate past president of NSA are also regular members and are included among the eight members from the association. In addition a Canadian Associate is appointed.

The Institute for Certifying Secretaries recently announced the names of those secretaries who have successfully completed the 2-day comprehensive examination which is the final qualifying factor to earning the coveted key of the Certified Professional Secretary—CPS—and the ultimate goal of the truly professional secretary. I am pleased to say that a member of the Interior Committee staff, Caroline Mary Clark, was awarded this honor.

The May 1973 issue of The Secretary—a magazine published by the National Secretaries Association, International—noted the purposes of the CPS program as:

> 1. To improve secretarial personnel by giving specific direction to an educational program and by providing a means of measuring the extent of professional development.
>
> 2. To provide secretaries with the assurance which comes from having attained a professional educational standard.
>
> 3. To promote the professional identity of the exceptional secretary.
>
> 4. To assist management in selecting qualified secretaries.
>
> 5. To plan and sponsor additional programs of continuing professional development for the Certified Professional Secretary.

The candidates are tested in environmental relationships in business; business and public policy; economics of management; financial analysis and the mathematics of business; communications and decisionmaking; and office procedures.

Many colleges grant up to 2 years of credit toward a bachelor's degree for those who have attained the CPS rating.

The examination is administered in the United States, Canada, Jamaica, Trinidad, and Tobago. In Canada, candidates may choose from English or French and in Puerto Rico, Spanish or English.

Since the number of persons who possess the CPS rating is small in comparison to the number of clerical workers of all types who are classified as secretaries, the world of business and the professions remains largely unaware of their existence. The CPS, be they man or woman, is an integral part of any office. The CPS has been trained in many aspects of the business world and is not just someone who claims the title of secretary while sitting behind a desk until something better comes along.

I believe that those of us who are so dependent on good secretaries should welcome and encourage this program to enhance the professionalism of secretaries and identify those of superior quality with the designation of Certified Professional Secretary.

NATURAL GAS

Mr. ABOUREZK. Mr. President, when Congress reconvenes in September, it will face an extremely important issue: whether to end the historic cost-based regulation of natural gas prices. The demand for deregulation is based on the supposed shortage of natural gas. Leaving aside for a moment the argument that vital resources in short supply should be regulated for the public good—the natural monopoly situation, what is the basis for the President and the industry saying that there is a shortage of natural gas?

First, natural gas users have had their supplies curtailed. But investigations of particular curtailments have turned up additional supplies—often enough to fulfill the original contract. An FPC staff report issued in July of 1974 showed that producible shut-in wells on 168 leases offshore contained 4.7 trillion cubic feet of proved reserves—that is, recoverable at current prices, and 3.3 trillion cubic feet of probable reserves. So much for curtailment.

The other indicator of shortage is the total amount of new gas reserves added each year. The new reserves figure also is an important part of the Federal Power Commission's determination of the costs of production used in setting the new gas rate. The FPC has always used industry statistics to determine reserve additions. Yet in the past 2 years, serious doubt has been cast on the truthfulness of the industry figures. In 1968, the Supreme Court rejected gas industry arguments for higher prices, pointing out that in each succeeding year, additions to reserves grew—indicating an increase in productivity that would offset any increases in cost. Suddenly, that same year, industry figures for the first time showed a decline in additions to reserves. Additions to reserves have declined every year since, and have served as a backup for deregulation arguments.

If more people understood that the arguments for deregulation of naturál gas prices may be based on false information, and supply manipulation, they would be able to speak out and defend themselves against the greed of the oil companies—the companies that control 80 percent of our natural gas supply. But the press has not made an effort to present the facts; the front pages of our papers are reserved for oil industry spokesmen. I have found a good discussion of this issue in the Reader's Digest, however, and I ask unanimous consent that this article, "Is There Really a Natural Gas Shortage?" be printed in the Record in hopes that it may encourage us to consider some of the facts in our debate over deregulation.

There being no objection, the article was ordered to be printed in the Record, as follows:

Is There Really a Shortage of Natural Gas?

(By James Nathan Miller)

This is the story of an explosive question that Congress must answer before it acts on an important piece of legislation. The question is this: are the big energy companies creating a phony "shortage" in order to force Congress to deregulate the price of natural gas?

To the nation as a whole—and specifically to the 40 million families who regularly use natural gas—the question is crucial. Natural gas is our most important domestically owned energy source. It's the cleanest fuel we have, it's nearly all produced in the United States, and it provides more than 40 percent of our energy. Congress is now debating whether to free a key element in its price from regulation, thus adding billions of dollars to the national fuel bill. Yet the key figures around which the debate revolves come from the gas industry itself, and the industry refuses to let the government see the records on which these figures are based.

What are the chances that the industry is rigging the figures? During a recent investigation, I came across some very troubling evidence. But first, take a quick look at the main facts of the present debate over deregulation.

SUDDEN DROP

The natural gas industry consists of three elements: the big producers that extract the fuel (these are mainly the same companies that pump oil: Chevron, Exxon, Mobil, Gulf, Texaco, others); the transporters that haul it to 48 states via 265,000 miles of pipeline; and the local utilities that pipe it into your house. There's also a fourth element: the Federal Power Commission (FPC), which regulates the price of interstate gas at two key points in its flow at the wellhead in the gas fields, where the producers sell it to the pipelines; and at the "city gate," where the pipelines sell it to the local utilities.

For the last 20 years, the big oil-and-gas companies have been lobbying Congress to free the wellhead end of the pipe from regulation. Now, because a sudden change in a group of key statistics seems finally to have put Congress in a "deregulation" frame of mind, it looks as if such a law may be passed before this year is out. What happened was this:

Since 1946, the American Gas Association (AGA) has been making an annual survey of the producers' underground reserve stocks, and each year the association has issued its official estimate of total U.S. "proved" reserves: that is, the amount the companies have drilled into, measured and are "reasonably certain" that they can sell at a profit. For 20 years these figures showed that the companies were discovering more gas than they were selling, and thus the nation's proved reserves were getting bigger even as we used more gas.

But when the AGA issued its figures for 1968, they showed a calamitous change: an enormous drop of 5.5 trillion cubic feet in the proved reserves. (The United States consumes about 22 trillion cubic feet a year.) Since then the yearly drops have been even worse—the biggest was 16 trillion in 1973—and if something isn't done to stop the hemorrhage we could run out of gas in 35 years or so. Indeed, the first symptoms are beginning to show, as pipelines have cut deliveries in the Northeast, closing factories and throwing hundreds out of work.

Hence the present impetus toward deregulation. The reasoning is simple and convincing: everybody agrees there's plenty of gas underground waiting to be discovered; so what we have is not a *natural*, but a *legislatively created*, shortage. The government-imposed ceiling on the wellhead price has made it uneconomic for producers to explore for more gas to add to the proved column. Take off the ceiling, let the wellhead price go up (most estimates agree it would double or triple), and we'll have all we need.

DESIGNED FOR DOCTORING

But the "let's-deregulate" argument is based largely on statistics that are collected and vouched for by the AGA. Is it possible that the AGA has been manipulating its statistics to make things look worse than they are?

It is *possible*, according to economics professor David Schwartz of Michigan State University, an expert in public-utility regulation who resigned from the FPC in May after serving ten years as assistant chief of the agency's Office of Economics. Says Schwartz: "The industry has both the incentive and the ability to manipulate the figures, and the likelihood that it is doing so is suggested by the many inconsistencies, contradictions and anomalies that are contained in the figures it has reported to the FPC. The industry has refused to release the data that would prove or disprove the charge of manipulation."

Take those elements in order: the incentive, the ability and the evidence. The incentive is obvious—for the basic fact is that the worse the figures look, the better the chance of getting deregulation.

What about the ability to doctor them, given the fact that the industry operates directly under the eye of the FPC? First, take a look at the reserves themselves.

Most of the gas in the United States lies in pockets of porous rock, roofed over by more-solid rock. These pockets—they vary in size from a few hundred acres to hundreds of square miles—constitute the nation's gas fields, and so far we have discovered about 6,000 of them, scattered from Alaska to the Gulf of Mexico. The crucial fact about measuring the proved reserves in these fields is that only the gas producers themselves have the billions of dollars' worth of drilling and pumping equipment required to do it. And thus only the gas producers possess the vital data.

Though these field-by-field data are a gas company's most precious trade secrets, the individual companies do allow one select group of their competitors' employes to get a peek at some of the information: the members of AGA's Committee on Natural Gas Reserves and its subcommittees. Each year, AGA takes about 100 geologists and petroleum engineers from the various companies and divides them into ten teams, one for each of the country's ten major producing areas. Each team member has a list of fields to check. He asks the companies on his list for their field-by-field production-and-discovery figures for the year, then makes his own estimate of the reserves in his fields and hands his list to the team captain. The ten captains make their own area-wide estimates, and each spring the AGA combines these estimates and issues its own national figures.

There's a vital point to note about these national statistics: to avoid giving away trade secrets, they're kept purposely unspecific and general. Almost all the totals are on a statewide basis, and even in four states that require regional breakdowns, the regions are so large that the AGA's totals reveal nothing about what any one field may be producing. Thus, since these figures can't be checked, it seems clear that if the industry wanted to doctor them, the system is ideally designed to do it.

There is one way to verify the figures. The FPC could demand the companies' in-house records, then compare them with the AGA's figures, field by field. Why doesn't it do this? There is some disagreement as to whether the agency has the authority to subpoena the material; in any case, it has never tried. Nor does there seem much hope that it will, for the FPC is generally recognized in Washington as one of the weaker regulatory agencies. Its present commissioners are all strong defenders of the industry. And its chairman, John Nassikas, is a former lawyer for the power industry.

TROUBLING EVIDENCE

What, then, about the evidence of possible manipulation? There are many bits and pieces, some of them circumstantial, some factual, all of them troubling. Here is a sampling:

Stymied Investigation. Five years ago, Sen. Philip Hart (D., Mich.) asked the Federal Trade Commission (FTC) to investigate the accuracy of the AGA's statistics. (He chose the FTC, rather than the FPC, because he did not trust the latter to do a thorough job.) The FTC subpoenaed the records of 11 major gas producers. Only four complied, and the other seven are still fighting the subpoena in court.

The documents that the FTC did get have convinced members of its staff that there is "serious underreporting," that it is "tantamount to collusive price rigging" and that it "significantly increased" in 1968 and 1969, the years when the figures began their steep drop. Among the huge disparities that the FTC cited were instances in which the companies' in-house reports on their reserves were ten times higher than what the AGA reported. In some cases, the high in-house estimate and the low AGA estimate were made by the same individual.

The "Independent" Study. In 1971, the FPC announced that it was determined to settle the questions about the AGA's statistics once and for all. It hired a professor of petroleum and geological engineering from the University of Oklahoma, put him in charge of a large team of FPC geologists and engineers, and persuaded the gas companies for the first time in their history to turn over to a group of outsiders a massive collection of their most secret data: the flow measurements, well logs, etc., of a sampling of 158 gas fields that contained, according to the AGA's figures, about half the nation's proved reserves.

To doublecheck, the government experts went out to the gas fields to make their own spot checks on many of the wells. The results was a hard blow to the charge that the AGA was underreporting: the FPC's estimate indicated that the United States actually possessed ten percent less gas than the AGA figures show.

The FPC calls it "the first independent, government-conducted appraisal of the proven gas reserves of the United States," and chairman Nassikas cites an analysis of the study made by a Washington consulting firm, Energy Research, Inc., which found it "of very high quality."

However, Energy Research failed to look into several critical points. If it had, it would have made some startling discoveries. The "independent" study was actually designed by an "advisory" committee dominated by industry executives from Exxon, Mobil, Gulf, Texaco, etc. The study's director, University of Oklahoma Prof. Paul Root, admits that the 158-field sample was *not* designed to check the accuracy of AGA's figures. In fact, Harvard Business School Prof. Howard Pifer III, a "public" member of the study group, says the 158 fields (chosen from a total of more than 6000) "represented the least likely places to look for AGA underreporting." Concludes Rep. John Dingell (D., Mich.), whose subcommittee investigated the way the study was made, "I don't see how the FPC thought it could get away with this. It gives every appearance of having been a put-up job."

The Case of the 31 Leases. Two years ago, as Congressional pressure increased on the FPC to check up on the AGA, the commission agreed to send a team of FPC geologists and engineers out to the wells to come up with their own reserve data. The area they chose to sample was the Gulf of Mexico off Louisiana, where companies lease government-owned tracts that produce about 19 percent of the nation's gas.

Though the team was able to get information on only 31 gas leases—less than four percent of the off-Louisiana total—the figures they came up with were, once again, startling: during 1971 and 1972, the wells in the FPC's small sample were found to contain 4.8 trillion feet of new gas—54 percent more than the 3.1 trillion feet of new discoveries that the AGA had reported for the same period for all 850-odd leases off Louisiana. How does the AGA explain the disparity? It says the FPC used "speculative" methods in its assessment, compared with the AGA's more conservative methods. But when the FPC asked to see the data the AGA had used, the association refused.

The Information Gap. Perhaps the most troubling question is why the oil-and-gas industry—in the midst of a public-relations campaign to re-establish its credibility with the public—is putting the whole campaign in jeopardy with its determined secrecy about the gas reserves.

Many other industries routinely turn over their most closely guarded secrets to government agencies—patent applications, detailed financial figures, chemical and drug formulas, etc. If the oil-and-gas companies have nothing to hide, why do they insist on hiding so much?

Will we ever get the answer? The industry says yes. Though it is still fighting to keep vital figures from the FPC and FTC, it says it is cooperating by giving a third agency, the Federal Energy Administration (FEA), the facts needed for a solid assessment of the reserves. However, it's questionable how solid that assessment will be. FEA head Frank Zarb, a strong backer of deregulation, is on record as a firm believer in the validity of the AGA's figures, and the investigation his agency is making doesn't seem designed to weaken his belief. Indeed, the only information the FEA has received from the AGA is a two-page list of reserve figures from what the association claims are the country's 50 biggest fields. This makes it impossible for the agency to check the estimates of the remaining 6308 fields on the AGA's list.

So it would seem to be up to Congress to get the answer. As this article goes to press, a House subcommittee under Rep. John Moss (D., Calif.) has just issued a subpoena demanding that seven major producers, the same seven who have long resisted subpoenas from the FTC, turn over to the subcommittee "all documents containing estimates or evaluations of the quantity of natural gas" in areas under federal control in the Gulf of Mexico off Louisiana. The subpoena must be answered by July 22.

Meanwhile, until Congress has had a chance to determine whether the figures have been manipulated, consideration of a deregulation law should be postponed. If you use natural gas for cooking or heating, write your Congressman telling him to vote against deregulation until this urgent question has been settled once and for all.

MODEL INMATE EMPLOYMENT PROJECT

Mr. KENNEDY. Mr. President, among the many serious problems that confront our society, the problem of adequately assisting prison inmates is one of the most difficult to resolve. Conventional philosophy insists that prisons must rehabilitate those who are incarcerated. Others believe that prisons are to punish those who violate the laws and policies of our communities. But all are agreed that the offender deserves special treatment and that most members of society do not want to be involved in the processes that seek to deal with the offender's problems.

Of course there are exceptions to this general lack of public interest. One such exception is the model inmate employment project, sponsored by the LEAA.

In Springfield, Mass., the MIEP has operated since 1973 to provide exceptional services to prison inmates so that their return to community living will be successful. Jails, prisons and reformatories are well known as efficient breeding grounds of criminality. After serving time, inmates are generally released on their own devices, to fend for themselves, in a hostile environment that triggered their criminal behavior in the first place.

Rarely is anything done to promise any hope of readjustment. But the MIEP is operating to change all of that for inmates of Springfield's Hampton County Jail. That project provides preemployment training, job development and job placement assistance for inmates about to be released. Then, during a preemployment training phase, MIEP inmates are exposed to the nature, responsibilities, and opportunities of living and working in the community. Volunteers from business, government, and local organizations offer guidance during 4 weeks of training in personality, self-concept development, family and community services, and employment opportunities. Since a job is the most vital ingredient in gaining re-entry to the community, the MIEP has insured chances for success by actively engaging the services and the resources of the Chamber of Commerce and the Jaycees in job placement.

Both organizations assist inmates in obtaining employment that fits in with their interests, abilities, and their needs. Once the inmate is released and placed on a job, follow-up counseling begins immediately and MIEP personnel continue to work with the inmate to see that both parties are satisfied with the work experience.

By establishing this kind of comprehensive assistance from community agencies, the clients who are served by MIEP gain invaluable reinforcements to aid them along the way to a decent, wholesome life. For MIEP inmates, the chances of returning to a life behind bars are significantly reduced.

Mr. President, I am pleased to have this opportunity to commend the work of the Greater Springfield Chamber of Commerce in its endeavors to provide a meaningful life for offenders who too often receive no help in adjusting to the routine of a society that has labeled them as "outcasts."

On August 7, I intend to visit the Springfield project to participate in a ceremony that honors a small group of MIEP inmates who will soon return to their families and their communities.

I feel we must provide every possible hope and support for those who have served their time for violations of criminal laws. It is not enough to send an offender to prison, and then assume that upon release that offender needs no aid in readjusting. The model inmate employment project is a successful model of what gains can be accomplished when community resources are conscientiously directed to aid those who are needy.

It is my hope that the MIEP can be expanded to include inmates throughout Massachusetts and across the country.

THE SOVIET INVASION OF CZECHOSLOVAKIA

Mr. BAYH. Mr. President, on August 21, 1968, the process of democratization in Czechoslovakia was brutally terminated by the Soviet Union. On that sorry day 7 years ago, Soviet-led Warsaw Pact forces moved across the borders of this nation in blatant violation of its national sovereignty. We pause to observe the anniversary of this tragedy in protest against the Soviet intervention in the internal affairs of another country, an act contrary to the fundamental principles of international law.

Although a Communist country since 1948, Czechoslovakia 20 years later began to infuse a degree of humanism into this all-pervasive ideology. This process was set in motion in January 1968 with the downfall of Antonin Novotny, Stalinist Communist Party leader, in favor of the reform-minded Dubcek. Under the leadership of Alexander Dubcek, Czechoslovakia had begun to institutionalize economic and political reforms. Demands for greater freedom of expression began to swell. The shackles of censorship were removed from the media. Various political groups organized to discuss and promote the reform movement. Abuses of the past became subject to closer scrutiny and possible rectification. The greatly acclaimed "action program" enunciated the policy of democratic socialism in departure from the rigid Stalinist methods of the past. The dam of political repression had broken. The people of Czechoslovakia began to breathe more freely.

The short-lived and ill-fated "Prague Spring" encountered sharp resistance from Moscow. No departure from Soviet-dictated policy would be tolerated. Yet, the form of Soviet reaction to this Czechoslovak experiment was beyond imagination. Once again, the Soviet Union totally disregarded the integral right of a sovereign nation to govern its internal affairs against outside interference.

Fearful of the results of the reform movement within Czechoslovakia and its possible extension through Eastern Europe, Moscow sought its demise. Political pressure soon gave way to naked aggression. Under the cover of darkness, Soviet and Warsaw Pact forces quickly moved in, thereby violating the territorial integrity of an ally. Czechoslovakia's bright hopes were eclipsed by the dark forces of Soviet imperialism and subsequent political repression. The brief interlude of democratization was ended. Let this seventh anniversary of the Soviet invasion of Czechoslovakia serve as a reminder of the repressive nature of life under Communism and as an inspiration for the cause of democracy.

PRUDENTIAL INSURANCE CO. VOLUNTEER FAIR

Mr. WILLIAMS. Mr. President, I wish to bring to the attention of the Senate a fine example set by the Prudential Insurance Co. in opening the way for greater involvement of its employees in community service.

Prudential celebrated National Volunteer Week this year with a 5-day Volunteer Fair at its Newark home office. Employees were given time off to attend the fair where more than 100 United Way agencies from five northern New Jersey counties explained their needs. As a result, hundreds of Prudential employees volunteered to work at specific agencies.

Volunteers play an important role in America. They perform outstanding services in community organizations throughout the country, and there is a crying need for greater participation. Such service can be personally fulfilling and rewarding to the volunteer as well, and Prudential is to be commended for bringing organizations and potential volunteers together.

Prudential has blazed a trail in community involvement and it is my hope that other companies will follow this example. An article entitled "Prudential Promotes Employee Involvement with Volunteer Fair" appeared in the July issue of "Response," published by the Clearinghouse of the Institute of Life Insurance.

Mr. President, this article explains the efforts made by Prudential and I ask unanimous consent to have it printed in the RECORD for the benefit of my colleagues.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRUDENTIAL PROMOTES EMPLOYEE INVOLVEMENT WITH VOLUNTEER FAIR

The Prudential Insurance Company of America celebrated National Volunteer Week this year with a five-day Volunteer Fair at its Newark home office on April 21–25. More than 1,000 employees attended the event, where the needs of more than 100 United Way agencies from five Northern New Jersey counties were made known.

As an immediate result, 325 Prudential employees indicated a willingness to volunteer for work at a specific agency.

Every Newark Prudential employee had received a letter inviting them to participate and they were given a half-hour off to visit the fair.

Ten booths were set up in the center of the hall, each representing a general category of service such as community health maintenance, supplemental educational services, social group services for children and youth, family substitute services, and administrative and management services.

Agency personnel manning the booths helped those attending the fair to find their personal volunteer interests, directing them to specific agency display tables around the perimeter of the hall or helping them fill out volunteer activity forms.

Don Treloar, a senior community relations consultant with Prudential and a coordinator of the fair had adapted this approach to getting volunteers and the agencies together from a successful community service bazaar that had been held last year in Jacksonville, Florida, by Prudential's South Central Home Office. That event brought together 2,500 employees with representatives of 30 United Way agencies.

"As far as community involvement by Prudential people goes, we're just getting started," Mr. Treloar declared afterward. "We feel the fair, both in terms of those attending and those volunteering, was quite successful. Other companies have expressed an interest in hosting a similar event.

"But most important, we plan to make the matching of volunteers' interests with agencies' needs an on-going program," Mr. Treloar said. "We're establishing a Voluntary Action Center for all Prudential employees and their families. The purpose of the center will be similar to that of the fair—to give people who want to help others, but don't know exactly how to go about it, a central place to turn for information."

A member of Mr. Treloar's staff will be assigned to running a follow-up service to make sure that Prudential volunteers are actually given significant tasks.

Another Prudential encouragement to volunteer service is its Community Service Century Awards, being given this year on the basis of community activities by employees in 1973 and 1974. Since this is a special year for Prudential—its 100th anniversary—100 volunteers throughout the company are being recognized for their community efforts.

The Century Award includes a framed certificate, a handsome chronometer and a $500 contribution by Prudential in each winner's name to the community organization of his or her choice.

MIA'S

Mr. BROOKE. Mr. President, on July 15 South Vietnam's newly established Provisional Revolutionary Government formally requested membership in the United Nations. On July 16 the Government of North Vietnam submitted a similar request.

And while awaiting action on these requests, both Governments have requested and received "observer" status which entitles them to set up a small mission at the U.N.

These actions indicate a determined effort by the Governments of North and South Vietnam to put the long and brutal Vietnam war behind them and to establish a new role for themselves in world politics. But the Vietnam war cannot be forgotten. For in one tragic sence, it is not over. There are still 1,300 American men who are officially listed as "missing in action" in Indochina. The war is not over for the families and loved ones of these men. Nor can it be over for the countries in which these men are missing. And we must not close the book on this tragic experience until we know what has happened to them.

Unfortunately, the North and South Vietnamese Governments have steadfastly refused to cooperate in our attempts to account for our missing men. Previously the Vietcong and the North Vietnamese had cited our presence in South Vietnam as reason for refusing to help. But the last American officials left South Vietnam 3 months ago and thereby removed this stated objection. Now there is no good reason for their refusal to help.

I hope that the United Nations will specifically address this refusal to help us find our MIA's when it considers the membership of the North and South Vietnamese Governments. We are not asking for anything more than humanitarian help in accounting for 1,300 missing Americans. And this seems the very least the U.N. could ask of its prospective members.

But the United States cannot rely solely upon the U.N. to make the needed progress toward the full accounting we seek. We must use our own influence to help resolve this issue. On June 19, I wrote to the President expressing my very deep concern that, in our desire to put the Vietnam war behind us, we had forgotten that the tragic MIA situation is still with us. I told the President that many MIA families doubt that this Government is doing all it can to answer the questions of their loved ones' whereabouts. And to help clarify the situation, I submitted to the President 11 key questions, the answers to which would reveal just how much our Government is actually doing to obtain a full accounting for our MIA's. I subsequently placed my letter and the attendant questions in the RECORD on June 25.

Mr. President, today I have received a response from the White House to my 11 questions. And as I know it will be of interest to my colleagues I ask unanimous consent that it be printed in the RECORD.

There being no objection, the response was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, D.C., July 30, 1975.

Hon. EDWARD W. BROOKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BROOKE: This is in further response to your letter to the President of June 19 concerning our efforts to account for our men still missing in Indochina. The President, Secretary Kissinger, and all of us with responsibilities in this area share in your deep concern about this serious issue. I assure you the Government intends to do all in its power to obtain the fullest possible accounting of our missing servicemen. As you stated, our men and their families deserve no less, and to do any less would dishonor the sacrifice they have made.

The President personally affirmed his concern about our MIAs in his Memorial Day address at Arlington Cemetery during which he stated:

"As we honor the men and women who have given their lives let us also pray for the safety of those still missing in action and the solace of those who wait as well as those who mourn.

"The world should know that the United States will not falter in its determination to achieve an adequate accounting of our MIA's."

In addition, senior officials of the White House Staff and the State and Defense Departments have continuously voiced the serious concern felt by all Americans over the failure of North Vietnam to act, as required by the Paris Agreements of 1973 and the Geneva conventions of 1949, and have met with representatives of the MIA's families to give further assurance of our continuing efforts in this matter. We are also continuing to work through the United Nations, the International Red Cross and diplomatic channels to press Hanoi on this issue.

As you requested, answers to the questions you submitted with your letter have been prepared and are enclosed in the attached report.

Please be assured of the President's unwavering commitment to the families of our MIA's to make every effort to obtain from Vietnam the fullest possible accounting of our men.

With kindest regards,
Sincerely,

WILLIAM T. KENDALL,
Deputy Assistant to the President.

QUESTIONS AND ANSWERS

1. What has the Executive Branch recently done to obtain a full accounting of our missing in action?

Our efforts to obtain information on our POW/MIA's have continued with serious determination, despite the refusal of the Communist authorities to live up to their obligations on this subject as stated in the Vietnam and Laos Agreements. President Ford has made clear his commitment to our men, and Secretary Kissinger has raised this in his meetings with Communist leaders. We have made use of a number of channels, official as well as private, to make clear to the Communist authorities the importance we attach to this issue.

2. Has contact recently been made with the governments in Vietnam, Cambodia and Laos to reassure them of our continued deep concern over the MIA issue and our steadfast unwillingness to let it fade away? What renewed attempts, if any, have been made to obtain information on the MIA's from these governments?

Although we do not have diplomatic relations with the authorities in Vietnam, there can be no doubt that they are aware of our continued deep concern over the MIA issue. Our efforts have continued since the evacuation of Americans from South Vietnam, through a number of channels. However, to increase the chance of success for these efforts we consider it necessary to maintain their privacy. Regarding Cambodia, the State Department has not been in contact with the new authorities. To our knowledge, there are no resident diplomatic missions inside Cambodia at the time being, nor are there any representatives of any international organizations. Nevertheless, we have continued to ask the ICRC and the U.N. to do what they can on this subject, if and when they are allowed to return to Cambodia or have contact with the new authorities. In Laos, U.S. officials have continued to have direct contact with the coalition government, including Pathet Lao officials, to make clear our continuing concern about our POW/MIA's.

3. Have the allies of the Indochina regimes, most notably Moscow and Peking, been contacted and requested to communicate our concerns on this issue to the Vietnam Government?

Yes. However, it should be noted there is little indication the Soviets or the Chinese hold the keys to MIA accounting. They may have some influence, but the real decisions in this regard are made in Hanoi.

4. What channels of communication have been used to communicate our concerns to the Vietnam Government?

A number of channels have been used, including the U.N., the International Red Cross, and other governments.

5. Has the United Nations been used as a vehicle for obtaining information about MIA's?

Yes.

6. What other international organizations involved in the Indochina relief efforts have been utilized to communicate our concerns to the Indochina governments?

The International Committee of the Red Cross.

7. What is the status of the Defense Department efforts to reclassify MIA's as "dead" or "presumed dead"?

Changes in the status of their missing servicemen to deceased have been made by the Secretaries of the Military Departments during the period of active U.S. military involvement in the conflict in Southeast Asia and following the signing of the Paris Agreement. Information provided by our men who were repatriated from enemy captivity in early 1973 resulted in the resolution of fewer than 100 such missing cases. They also corroborated information already in our possession on a number of additional cases in which the likelihood of the individuals' survival was slight. Reviews of cases have continued, and applicable service regulations were developed to implement the court's decree in *McDonald* v. *McLucas*, which was entered on March 11, 1974. These reviews are made when warranted, such as when occasioned by the return of identified remains or the receipt of additional information which has a bearing on the case. Additionally, as in the past, the Services continue to honor requests for reviews which are received from the primary next of kin of the missing serviceman.

8. What impact does this reclassification have on the benefits received by the surviving families?

While a serviceman is in a missing status, full pay and allowances continue to be credited to his account. After all monthly dependency and any other allotments are paid, the remainder is entered in the Uniformed Services Savings Deposit Program (USSDP). There his account draws 10% interest, compounded quarterly. The USSDP continues in force only for the accounts of servicemen who are in a missing status. When a missing serviceman is determined to be deceased, his monthly pay account is closed and his estate is settled, including the payment of all unpaid pay and allowances. The enclosed fact sheet is an example of the case of a missing serviceman, which depicts the financial situation prior to and upon the determination of death.

9. The League of Families of American Prisoners and Missing in Southeast Asia, veterans' groups, and several of my colleagues on Capitol Hill, have many times requested that a top-level citizens' commission be appointed to study the present MIA situation.

(a) What is the status of that request?

(b) Why has such a commission not been appointed?

The appointment of a special commission to deal with the MIA–POW issue has been a subject of consideration in the White House. There has been a continuous review of this problem as to any additional action which might be helpful in obtaining a full accounting of American men. However, in light of the events of last April and the fall of South Vietnam to the Communist forces, the efficacy of such a proposal has been placed in doubt. In general, it has been difficult to discern exactly what such a commission might accomplish which would go beyond our present efforts to obtain an accounting of our missing servicemen.

10. What steps, if any, has the United States Government taken to insure that Article 8(B) of the Paris Peace Agreements, pertaining to MIA's, is duly enforced?

Has the U.S. Government in any way protested the blatant violation of this provision by the Communist Government in Vietnam?

We have made clear to the North Vietnamese, through the Four Party Joint Military Team and through other channels, the importance we attach to the humanitarian obligations to account for the missing and to return the remains of the dead. This obligation flows not only from Article 8(B) of the Paris Agreement but also from the Geneva Conventions and from international law generally. We have raised this subject repeatedly in formal diplomatic notes addressed to North Vietnam, as well as to the other parties to the International Conference on Vietnam. Our concern has also been stated at the United Nations in connection with the U.N. Resolution adopted on accounting for the missing and dead in armed conflicts, and in other forums.

11. Article 10(A) of the Paris Peace Agreements mandates the establishment of a "Four Party Joint Military Team" to "insure joint action by the parties in implementing Article 8(B) of the Agreement."

(a) What is the present status of the Four Party Joint Military Team?

(b) What impact have recent political developments in Vietnam had on this Team?

(c) What provisions have been made, if any, to insure that the Team's duties and responsibilities are carried out?

(d) Have these duties and responsibilities been transferred to some other body?

(A) The Four Party Joint Military Team (FPJMT) was established with the sole responsibility of implementing Article 8B of the Paris Agreement. It was initially composed of delegations from the United States, the Government of Vietnam (GVN), the Democratic Republic of Vietnam (DRV), and the "Provisional Revolutionary Government" (PRG). The DRV and PRG walked out of the FPJMT on May 30, 1974, and boycotted all meetings of the Team from that time on.

(B) There has been no formal initiative to resume FPJMT negotiations since the withdrawal of Americans from South Vietnam.

(C) The United States remains prepared to conduct substantive talks regarding the missing and dead at any time. The U.S. delegation to the Four Party Joint Military Team along with its records was relocated in Thailand at the end of April.

(D) The duties and responsibilities of the U.S. Delegation to the FPJMT have been assumed by the Joint Casualty Resolution Center (JCRC), which is based in Thailand. The U.S. Delegation to the FPJMT and the JCRC have worked closely together since early 1973 to achieve an accounting for missing U.S. personnel.

COMPARISON OF COMPENSATION AND SURVIVOR BENEFITS

Assumptions:

Grade: 0–3 (Captain or Navy Lieutenant).

Years Service: 8.

Married, 2 children under 18.

MIA for 5 years.

Full coverage under Social Security.

Full Pay and Allowances While Member is in a missing status:

(Tax free—includes Flight Pay, Hostile Fire Pay and Family Separation Allowance).

Monthly: $1,799.62 (October 1, 1974).

Approximate Survivor Benefits if missing member's status changed to dead:

Monthly Benefits: $876.00.

Social Security (Payable until children reach age 18—or 23 if a full time student)—$523.00.

Veterans Admin. Department Indemnity Compensation (benefit for children payable until age 18, or 23 if a full time student) $301 + $26 per child, $353.

Lump Sum Benefits:

Serviceman's Government Life Insurance (SGLI), $20,000.

Death Gratuity, $3,000.

Retroactive Social Security, $31,000.

Refund of FICA tax, $3,000.

Unused Leave (leave accrued prior date of loss not included), $7,299.60 (maximum accrual 150 days).

Total, $64,000.00 (Approximate).

Other death benefits:

Travel & shipment of household goods to location within 1 year of status change.

Unpaid pay and allowances (includes USSDP account—10% savings).

Medical care (military and civilian).

Commissary, exchange, clubs, theater.

Continued legal and survivors assistance.

VA home loan guarantee and educational assistance for children and widow.

Funeral travel expenses for next of kin.

CURRENT U.S. POPULATION

Mr. PACKWOOD. Mr. President, I wish to report that, according to current U.S. census approximations, the total population of the United States as of August 1, 1975, is 214,230,134. For the first time, Mr. President, this total includes approximately 130,000 Vietnamese refugees who entered the United States during May, June, and July of this year. This represents a total increase of 1,773,942 since August 1 of last year. Thus, in 1 short year we have added more than enough additional people to fill the cities of Baltimore, Md., and San Diego, Calif., combined.

CRIME AND UNEMPLOYMENT

Mr. HUMPHREY. Mr. President, it was my pleasure to provide the opening remarks for the 22d National Institute on Crime and Delinquency in Minneapolis, Minn., on June 15.

While I am by no means an expert in the field of criminal justice, I shared with the delegates to the institute my perceptions of some of the issues involved in the creation and control of crime.

This is a difficult subject which defies easy solutions in our complex society. As I pointed out, there are no simple solutions, no pat answers to the problem of crime, which is foremost among the social concerns of the American people. But I do believe that we can attribute some of the growing incidence of crime to the rising rate of unemployment which has taken a particularly heavy toll on American cities.

I want to share these remarks with my colleagues. Perhaps they will serve to stimulate further research and study on the correlation between unemployment and criminal behavior.

I want to emphasize that I do not believe unemployment to be the only, or perhaps even the largest, contributor to crime, but I do believe it is one aspect of the problem which should be considered in the context of law enforcement programs.

Mr. President, I ask unanimous consent that the text of my remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

REMARK BY SENATOR HUBERT H. HUMPHREY

I come to you tonight as a fellow citizen. I'm very gratified by the invitation to give the keynote remarks for the opening of your conference, but I do not claim to be any expert. As a matter of fact, my remarks will most likely be somewhat disappointing to you if you're looking for the specifics of immediate remedy, because I have none. Were I to have them, I'm sure that I wouldn't have time to be here this evening! My remarks, therefore, will not be of a technical nature. I'll leave the sophisticated criminal justice discussions up to you, and believe me, we in the Congress will welcome any constructive and positive suggestions that you can come forward with—suggestions which may have been made already but have been lost, which is quite characteristic in government, and also suggestions which have not yet been made, ones which now require a willingness on our part to implement.

We need a new spirit of adventure-innovation because as I shall reveal to you in my remarks tonight, I feel that our system of justice leaves much to be desired. It's found wanting; in many ways it has failed and therefore your deliberations are going to be exceedingly helpful.

In the last decade, the fear of crime, particularly violent crime, has appeared at the forefront of every public opinion survey of the American people's social concerns. We cannot ignore that. Only double-digit inflation, compounded by rising recession and unemployment, has even been a close, serious competitor to the people's concern over crime.

In early 1973 a Gallup poll showed that one out of every five Americans had been victimized by some type of crime between December of 1971 and December of 1972 and that in the center cities, the figure was one in three persons.

All respondents to the survey listed crime as the worst problem in their community and 51% said there was more crime in their community than there had been a year earlier. Only 10% thought that crime had lessened.

Now, don't misunderstand me—this is but a public opinion survey. I'm not at all sure that the facts support all of the attitudes, but in public life what is true is sometimes not quite as important as what people think is true, because it's the attitude of people that ultimately makes public policy.

The fear of crime corrodes trust in government; it destroys the tolerance that we have for each other; and it breaks down respect for law—all of which are vital to a healthy democracy. So no matter how you look at it, the crime problem is a national concern.

But it's not limited to what most people think of as crime—street crime. It's also white collar crime; it's organized crime and it's government corruption. And all of these are serious problems that must be addressed by any comprehensive conference such as this, or any comprehensive crime control program.

A concentration of the resources for crime control upon just street crime is often looked upon by some people—minorities, the poor—as a discrimination against them, particularly when they see all too little effort made to combat white-collar crime, organized crime, and government crime.

Obviously, then, the best that I can say to sort of kick off this message is that the present system just isn't working too well. The street-savvy criminal or the person who indulges in street crime knows that the odds are on his side to get away with it. Only one in 9 of reported crimes eventually leads to conviction. We know of the inadequate numbers of police in many places; we know of the incredible delays in the court system. We know of so many things and we do so little about it.

The present law enforcement system often fails to give justice or to do justice. Sentences for the same crime vary radically and not only in one particular community like the Twin Cities here or in the State of Minnesota, but among states.

We also know that the corrections system has failed miserably. Maybe we don't know why, but we know that's a fact, and we also know that at each stage of the crime control process—whether it's the deterrence level, or at detection or apprehension, or at the trial, or in the rehabilitation and corrections system—our criminal justice system has either failed or been found wanting.

There are no easy solutions, and anybody who comes here and tells you so would be deceiving first himself and would be attempting to deceive you, which I don't think is possible. There's no magic formula that will eradicate crime and delinquency. There's no single segment of our society that can cure this disease alone. It's going to take all of us; it's going to take a massive effort.

I wish that some way or another we could become as concerned about the control and correction of crime as we are about tabulating its costs. It's going to require working together, trying out new approaches. We must be willing to dare and to pioneer in an effort to make some progress.

I serve as Chairman of the Joint Economic Committee of the Congress of the United States, and I have devoted a great deal of my time to economic and social policy. That's been my life. Everything that I've tried to do has been in that area. Federal aid to education programs, war on poverty, Vista, Headstart—these are my programs. National Defense Education Act, senior citizen housing—these are programs to which I put my name and my effort. The Peace Corps, the Arms Control Agency, housing programs, HUD—that's it. I have never established a court of law, nor have I really claimed any knowledge in the field of criminal justice, but I'm interested in justice, and I think that's the test of government. That's the real test—that's what the Constitution talks about.

The Constitution doesn't talk about criminal justice; it talks about justice. "We the People," it says, "in order to form a more perfect union, to establish justice, to assure domestic tranquility, to provide for the common defense, to promote the general welfare and to secure the blessings of liberty for ourselves and our posterity, do hereby ordain and establish this Constitution". Now it's interesting to note that there's not a negative thought there. It's positive affirmation of faith and policy.

I used to tell my students that if they remember what's in the preamble of the Constitution and really understand it, they have learned all they need to know about American government, because it's a very important paragraph. "We the People".

The emphasis is upon people, government by the consent of the governed, individual sovereignty, individual rights. You couple that with those great promises and hopes and ideals of the Declaration of Independence. It is my judgment that these positive ideals will do a great deal to help us in our battle against crime, because crime is the end product of a system or a set of circumstances that lead to a distorted and disorganized life.

As I said, I'm involved in a constant study of the economic and social indicators, and I have been struck by the unmistakable conclusion that the increases in crime that we are suffering today are a direct result of growing joblessness.

Our prison populations are rising, and I believe this is directly related to the sharp economic downturn which came into full swing last fall. Don't misunderstand me; it's not the only reason, but if I'm forced to pick one factor out of many, I give proper emphasis to this one. No less an authority than the distinguished new Attorney General of the United States has espoused this view.

The State of Michigan interestingly enough was the first to report increases in prison population this past year. It is no coincidence that this also was the first state to be the hardest hit by drastic unemployment. It was reported that crime in Detroit was up 20.3% in January of this year over last year. The same has been shown in a number of major population centers around the country.

Prison population—which represents only those who have been apprehended, tried and convicted, and that's a small percentage of the reported serious offenders and crimes—is rising. This is not just because of improved law enforcement procedures, because I don't think that's the case in many cities. City Mayors are being forced to lay off police because of budgetary problems. Street crime, property crime is higher than ever. There has been no significant increase in the rate at which reported crimes are being cleared—to the contrary.

Prison population is rising not because we have improved our court system or eliminated the backlog of cases; you know better than I that that backlog is still there. It's not the result of more effective rehabilitation or extended prison sentences.

Prison population is rising in a very large measure because prolonged unemployment is rising. Teenage unemployment is a national catastrophe. Two weeks ago the Labor Department announced that the unemployment rate had grown to 9.2%. Now the real truth is that it's closer to 12% when you include those persons that are working part-time that want full-time work and the number of people that left the job market and are no longer reporting to the employment offices looking for work because they have become totally disillusioned and disenchanted and disgusted. The 9.2% gives you averages; it doesn't tell you much. Among minority Americans, it's 14.7%. Among teenagers—black, white, brown, red—it's almost 22% and among minority teenagers it is a staggering 39.9%, and that's when I wrote these things. It's 42.2% now. 42.2% of the black, Mexican-American, Puerto Rican, Indian teenagers in America are without jobs and have been without jobs for months.

I'm here to tell this audience, if I tell you nothing else, that there is no remedy to crime as long as those conditions prevail. I don't care how many policemen you hire, how many courts you establish, how many social workers you put on the job.

When people are idle and when young people are idle, when there's nothing for them to do, when they are not wanted, when they are shunted aside, they'll get into trouble as surely as you've gathered in this room tonight. You don't have to go to college to learn that. All you need to do is be a parent, or all you need to do is remember you too once were young.

And when I think of the incredible changes that have taken place it's no mystery to me why we have high crime rates. The unbelievable instability of our society, the rapid technological and scientific changes—future shock, if you please—the unbelievable migration of people from one end of America to another, the break-up of the home in many areas—all of this lends itself to crime. The fact that both mother and father are called upon to work to provide enough for the necessities of life, the fact that we have inadequate child care centers for little children, and frankly, the inadequacy, for what reason I don't know, of our educational system to meet some of the demands and the needs of our young people—all these factors contribute to increased crime.

In the last six months, three independent studies have carefully documented the relationship between joblessness and imprisonment, and they have produced disturbing proof of this current phenomenon.

We need only understand the lives of poor people to learn the cause and effect relationship of the criminal system and unemployment. Research reveals unmistakably that the majority of crimes of violence are perpetrated by males between the ages of 15 and 24 who are often unemployed or at the lowest end of the occupational and educational scale. You see, street crime, violent crime is essentially a problem of young and poor.

Maybe that's why we haven't dealt with it, because I have a feeling that problems that relate to the young and the poor are generally shunted aside. And you know it and I know it and we're going to talk about it here tonight. I'm going to get you roused up a little bit, if I do nothing else, to call on your Congressmen and Senator and write your President and write your Governor and write your legislator and get this country moving again instead of sitting around here accepting something we know leads to colossal disaster.

Now what is this business called unemployment—just a loss of income? No, that's not the whole thing—that's only a small part of it. Unemployment is the loss of pride. Unemployment is being told you're not needed. Unemployment's being told there's no place for you. It's the loss of self-worth. Unemployment and poverty, if you combine them together—and they're not always together because some people are unemployed for a long period of time, but with unemployment compensation they get by. I happen to think that just because they get by we don't do anything about the basic problem. We may have bought ourselves out of coming to grips with the real fundamental structural defect in our economy. Because this is an old American habit. When you're in trouble, write out a check. Don't talk about it. Don't get at the real roots of the problem. Just give somebody some money. This is what people have done with their children. When they ask for something, hand it to them. Don't give them love and understanding and time, give them money. And when we've run out of money, we've forgotten how to give them love and understanding and time. And therefore, as much as I have worked all my life for unemployment compensation benefits, and as much as I worked for (and I was the original author of) the Food Stamp plan back in the 1950's I know these things aren't enough. These things are necessary. I'm a pharmacist, and I know that aspirins are necessary, I know that pain relievers are necessary. But I know that it doesn't cure what's wrong with you. And I know that if you continue to have the pain, you'll have to take a heavier dose of pain reliever and sooner or later, you'll be an addict and you'll never get at the problem. And I know that we are taking a big dose of pain reliever in this country, rather than looking at the problems, because as long as the problem isn't ours—we've all got jobs in this room—as long as it isn't ours, as long as it's still an academic subject, then it isn't quite so difficult, quite so personal.

You know, I used to talk about all kinds of problems, like handicaps. Well, we have a mentally retarded granddaughter, and I'm here to tell you I don't just talk about it anymore—I fight about it, because sometimes you have to have pain to bring understanding, and I am of the opinion that far too many people talking about the problems of poverty and unemployment have never experienced either and therefore are incapable of the sensitivity that is necessary for its understanding.

The only time you will know sorrow is when you've grieved. You can write about it, you can be an author, a poet, but until you have grieved over the loss of a loved one, you'll never know sorrow. And until you've been hurt you will never know pain. And I happen to believe that many of the problems that we deal with in government today are problems that to those who are dealing with them are essentially academic and statistical.

Maybe I get worried about this and excited because I am a child of the Depression. I saw the Depression take ten years off the life of my father and mother. I haven't forgiven the system for doing that.

And I don't want to forgive it either when you see other people that are denied their chance for life, and liberty, and the pursuit of happiness. Because that's what we're supposed to be celebrating. And not just for you or for me, but for all of us.

You see, unemployment and poverty are the tears of desperation in the young father's eyes when he cannot, no matter how hard he tries, provide enough food for the kids or some of the little pleasures for the family.

Unemployment may very well mean there is no longer any more health insurance, no decent health care. Fortunately we are going to take care of that in the Congress of the United States. It means there's no, or at least less, recreation—no cultural activity, no hope of becoming a productive, happy member of the community. Because the community has become a club of insiders. And the poor and the unemployed are the outsiders.

Yes, unemployment means much more than the loss of income. It means that society says, in effect: "We don't want you; we don't need you; and there is no place for you." Now, dear friends, that's not an economic fact. That's a social condition.

When the poor come into the criminal justice system they often feel lost even before they begin. When the poor people are arrested they are not as likely to have money for bail or to hire a good competent attorney, or to have a stable family background necessary to qualify for release on some form of probation.

The indigent have a right, of course, to appointed counsel. And thank God, there are a number of young lawyers these days with a great social consciousness that are willing to give of their time. But do you realize what a battle we had in Congress for what we call legal services for the poor? Legal services for the poor. The same government that has attorneys running out of its ears, to protect the government—to protect every agency of the government. We had a knock-down, drag-out battle with the President, and with other members of the Congress to have some kind of legal services for the poor. Because they said it wasn't good enough. Well, I want to tell you it was better than what we had. And I learned a long time ago that that is important.

Even with the right to counsel provided by law, in some areas this has turned out to be an empty right. These same people fail when they are placed on probation because they are not part of a family. Frequently there is no family. They do not have the income and the psychological support necessary to sustain themselves.

Now all of this you know, but, I am a teacher and I learned a long time ago that most of us are slow learners and not only that but there is a lot of competition for our attention.

It reminds me of that old story of the fellow with the mule, you know—he hit him between the eyes with a two-by-four, and his neighbor said, "Why in the world did you do that?" He says, "Well before he will listen I have to get his attention."

Sometimes we almost must get hit between the eyes with a social two-by-four before we will listen.

What happens when an offender is released from prison? Now I don't know enough about what goes on in the prisons, just what I've read. And what I've read is terrifying. I know this is one of the great problems that our legal system faces today, the prison system.

But just think what happens when a prisoner is released. We give an inmate $50 to $100 and a suit of clothes at the prison gate as he leaves. I ask you, how many hours could your household survive for $50 for rent and utilities, food and clothes? I think it's a self-answering question. And why should we expect $50 or $100 or $150 or $200 to last an ex-convict any longer? Why should we expect it to last him for the four weeks it takes the typical ex-convict to come even close to finding a job?

The truth is, the criminals from whom we have the most to fear are not even a part of that statistical pool of 9.2% unemployed. They're the ones who have dropped off the bottom end. They have given up with the employment office. The unemployment rate is only a measure of the frustration they face in getting their lives together to become a constructive part of society. And getting it together means putting together the money to keep a family unit living together as well as getting together the self-esteem, the rebirth of pride and confidence that is the product of useful work.

I gather some of you may come to the conclusion that I believe in work. I do. I think it is constructive. It has therapeutic value second to none. It beats all the holding of hands and the consolation that you can give.

Give people something to do. And not just anything, but something they can do. The employment programs which we have created for offenders usually are only a band-aid at a time when surgery is needed. And many of the programs raise expectations that cannot be fulfilled.

We often train people for jobs that do not even exist, particularly in prisons. I wonder how many people have examined the prison rehabilitation training programs as they relate to the outside community where that ex-convict is going to go. Sometimes we train them for jobs that they are prevented from filling, or for jobs that simply do not pay what it costs a person to live.

We raise expectations that cannot be fulfilled when we find an ex-offender a job at $2.50 an hour, when he knows that it costs nearly twice that much to provide the barest essentials of food, shelter, and health care for a family of four in our cities.

There has been a growing awareness that our efforts at rehabilitation have been anything but successful. But, then, what additional steps should we take besides a general review and redevelopment of our correctional system?

Well, I am going to give you a few points that I picked up along the line. Obviously, at each state level there are many agencies that are in the criminal justice system. All too often there is very little coordination between those who apprehend, those who prosecute, and those who work in the correctional or rehabilitation system. Each one has sort of a separate compartment.

From time-to-time there is talk, and from time-to-time there is an exchange of documentation, but the kind of professional planning, the kind of methodical planning on a multi-year and multi-agency basis, I think, is very much lacking. And it has to be done. And this is the job of governors, of mayors, of Presidents; this is the job of the people heading up the corrections systems. This requires top leadership. This requires bringing in Federal, state, and local instrumentalities, every jurisdiction.

I believe that some of the victimless crimes ought to be decriminalized. Our courts ought not to be spending their time on traffic tickets or drunkenness, or on vagrancy. These kinds of problems should be handled by health and education and welfare offices and social agencies.

I am a strong believer in community-based corrections programs. It is particularly important to keep juvenile offenders close to the community and, hopefully, close to the family.

Well friends, we have to train our corrections people, as I have said, but as I have pointed out to you we have other things that must be done. We need more police, to be sure. I was very proud of the fact that when I was mayor of this city we reorganized our police department. We gave our police department training in human relations, too. I have often said that a good law enforcement officer is one who doesn't need to use a club, or the gun, but one who breeds respect for law.

We had community councils back in those early days in Minneapolis. Before any police officer could be assigned to a precinct station he had to get the approval not of the mayor alone, or of the Civil Service Commission, but of the Community Council, the parish priest, the community social worker. We had a regular council selected over and beyond the City Council.

Today we need better equipment and we need more judges. Yes, we need all of that. But we also need to move toward removing the criminal stigma for some crimes, and for some offenders who do not have a criminal background. So often it is our tendency to just put on a label. But we pay a heavy price for mislabeling.

A criminal label on a young man or woman can foreclose opportunities for education and employment. I would rather have young people doing something constructive than call them a criminal. And criminal labels in many cases foreclose a non-criminal life. It would make much more sense to work with first offenders than shove them aside. And it would make more sense to put them to work. I want to emphasize that America is making little or no room for teen-agers except for fun and trouble. Yes, fun and games and trouble. Maybe your life is different. But when I was a lad I could work alongside my father at the drugstore. I was an apprentice pharmacist by the age of 18. I learned it from my father. It's too bad that today's youngsters can't work beside their parents. It would give them a wonderful opportunity to learn the constructive lessons of life.

Maybe one of the reasons the Japanese have done better about this than we have is that they make room for families even in their employment program.

I shall never forget the time I was visiting a large Japanese department store that was totally organized by the so-called retail clerks union of Japan. And there on the roof of that building was a playground. There was a child care center. Then when the mothers were given time off to see their children the fathers were also given time off. There is a training program right there in that store, because they accept the responsibility for employment. And that's why Japanese unemployment is so much lower than ours, even in times of recession. Because plants and factories accept responsibility for a family. Now it has its drawbacks. People call it paternalism. Call it what you will. But it produces much less crime, much less delinquency, much less unemployment, despite their tremendous population, despite their crowded conditions, despite their unbelievably high rate of inflation. It puts some emphasis on the child. We say we love children. But how many people celebrate Children's Day in America? It's a national holiday in Japan. And it's made a real point of reference for all their lives.

So, I say we have to work with children—and we have to work with first offenders. It is an investment that we cannot afford to pass up. About half of the first offenders from our cities become crime repeaters. Think of the money and the pain we could save with workable, effective work programs.

We also need to try pre-trial diversion to turn these people away from the conventional criminal process. We need to turn them to the family, health and employment services that have proved effective against crime. We need to make such conventional criminal justice services as probation and half-way houses real alternatives to imprisonment for some of these first offenders.

Now, I don't seek to lure you into believing that these are panaceas for all crimes. They are not—and you know it and I know it. Violent and dangerous offenders must be separated from our society. But for many there are better ways. And they can be effective in steering the first offender away from learning the ways of crime and violence that we all fear.

The larger answer, however, lies in work, in jobs that are constructive, and particularly for the young.

I remember in the days of the Depression we had the Civilian Conservation Corps. Kids got in trouble then, too, you know. But they went to work. They did great things. I know that a government that wants to can do these things. I do not propose that we make every bank robber a bank teller or that we make every car thief a parking lot attendant.

But we can, and I say we must, assure every American that is willing to work, wants to work, has the ability to work, the right to earn his or her way with useful and constructive and satisfying employment. Now that's the answer to a lot of our problems. And we get something out of it besides.

There's a whole nation to be re-built. We sit around here—we professional social workers—we sit around and wring our hands about the filth of the cities, the slums, the poor housing. We know it's there; we've recited it until we're blue in the face. In Washington, D.C., there is 14th Street, which was devastated as a result of the riots after the death of Dr. Martin Luther King in April of 1968. That was the trigger. Three Presidents have promised to clean up that section of town. We've re-built half the world in the meantime. But whole areas in Northwest and Northeast Washington were burned out and are not yet completely cleaned up. They stand there as a living testimonial to our indifference. I guarantee that if that had happened in Chevy Chase, where I used to live, if it had happened where middle-income people lived—if you don't mind me—it had happened where whites were living, they would have had it cleaned up. And you know it, and I know it.

Let me lay it on the line. The new racism is the neglect of the cities. Because it's there, where the old, the sick, the handicapped, and the minorities live. And that's why I intend to do everything within my power to arouse this Nation to a social consciousness as to what needs to be done. Not only to save our cities—that's not the only point—but to save our people. And the test of a good government is not only what it does for the majority but whether or not it metes out justice to the minority.

The real moral test of government is what it does for those who are in the dawn of life, the children. For those who are in the shadows of life, the sick, the weak, the handicapped, and the needy. And those who are in the twilight of life, the elderly. Most everybody else can make it on their own. Those are the three areas where you test the moral stature or the moral fibre of a country and a government.

Yes, I am convinced that we can reduce crime. And I am convinced that we can reduce it at a price we can afford. But no amount of crime control can control crime in a major depression or recession, or while we have housing that is filthy and rotten, and neighborhoods that are disintegrating and communities that are falling apart. You can't do it under those conditions. You've got to get at the root cause. It doesn't solve all of the crime, of course. There are people who are murderers, rapists. There are people who are almost congenital burglars. That's another breed. But an awful lot of crime is committed by our young. Our people should be worried about the social environment in which we live, worried about the bigotry, the segregation, the discrimination, the intolerance, the ugliness, and the filth of the urban ghetto.

We cannot close our eyes to the terrible tragedy of human suffering and human neglect.

No, we cannot abandon our efforts to improve our police. I've worked a good deal of my life for that. Nor can we fail to provide the courts the means to administer justice promptly and fairly. We need that. We must insist that more resources be directed towards an efficient system of justice.

We cannot speak realistically about prison reform unless we are willing to make a strong and major investment in the improvement of our correctional facilities and in the training and the income of personnel at all levels who administer these correctional systems.

We cannot speak honestly and realistically about quickly apprehending criminals, solving crimes, or guaranteeing the right to a speedy and fair trial in the face of several limited resources in our police departments, the public attorneys' offices and in our courts. When less than one-third of the crimes against property are solved by an arrest of a suspect, when in New York City two years ago the prosecutors had to deal with nearly 31,000 felony arrests—or 249 cases for each prosecutor each year—then it becomes sharply clear that our system of criminal justice is in urgent need of assistance just to cope with demands placed upon it, much less to undertake long over-due improvements and reforms.

But the heart of our victory will come from the determination to strike at the root of crime, as well as its symptoms. And surely the facts indicate that poverty, poor education, discrimination, lack of skills, and the ugliness of slums contribute to criminal behavior.

Therefore, we must launch an attack upon these sources of criminal behavior. And we must overcome that poverty of spirit which destroys hope and breeds crime. The famous philosopher John Stuart Mill understood this challenge when he said, "Let a person have nothing to do for his country, and he will have no love for it."

I submit that in this Bicentennial period, when we will be literally reeking with patriotism that we might very well think about what John Stuart Mill said. I am an old-fashioned patriot. I believe in the flag, and I'm an emotional man. But I want to tell you something. The patriotism that counts is being part of the life of a country. And not being shut out from it. "Let a person have nothing to do for his country, and he will have no love for it." An American needs love. A person without a job does not feel a part. does not feel he belongs to our society. How can he or she love a society that has shut them out?

Only when we can assure every person the opportunity to contribute can we be certain that that person will abide by the social contract that binds us as a Nation.

In the last analysis, our nation will not be a lawful society until all citizens believe that it is a just society, that its laws are worthy of obedience. I am committed to see that we meet this challenge, and I am here to tell you that we ignore it at our peril. And, as we heard earlier, "Love is stronger than hatred, and hope is more powerful than despair."

But love is more than a word. It is action, along with sentiment and soul. And I call for the actions of love, of concern, of rehabilitation, of attention, of a chance. Hope is more than just a word. It's a feeling that things will be better, that you have a chance.

Let every person have their chance. That's the meaning of America. Thank you very much.

SOME CLEAR THINKING ON INNER-CITY SCHOOLS

Mr. HUMPHREY. Mr. President, not long ago, I received a most thought-provoking letter from six Minnesota educators regarding the unique problems of our inner-city schools. These educators focused on three key problem areas for education in our large cities—the teacher-pupil ratio, desegregation planning, and buildings and equipment. They indicated that the problem of adequate financing of education is critical to the survival of our cities, and to the provision of quality education for our youngsters. They concluded with their judgment that massive Federal financial assistance is necessary to achieve these goals.

I heartily agree with their analysis of the problems facing our cities and with their recommendations. I think both are sound.

Mr. President, I am impressed with the lucidity of their arguments, and would like to share them with my colleagues. I ask unanimous consent that their letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ST. PAUL FELLOWS,
St. Paul, Minn., July 24, 1975.

Re: Education in Large Cities
Hon. Senator HUBERT H. HUMPHREY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HUMPHREY: During the past school year (1974–75) five St. Paul, Minnesota Secondary School Principals and a University of Minnesota Professor of Education Administration have been a part of the James E. Allen Fellowship Program for School Administrators of the Danforth Foundation of St. Louis, Missouri. This program is an effort to contribute to the improvement of the education of secondary school administrators of our urban centers and to enhance the effectiveness of persons in secondary school leadership roles. The total program has included five principals and a university professor, as coordinator. from each of five cities. The four other cities in the program were: Atlanta, Georgia; Louisville, Kentucky; Minneapolis, Minnesota; and St. Louis, Missouri.

This letter is an effort on our part to share with you a genuine concern that we have for the plight of education in the large cities. We believe that there is a need for the infusion of massive federal financial assistance if viable educational programs are to survive there.

The following three areas are of utmost concern and relate to and are reasons for the need for massive federal financial assistance:

1. Teacher (Adult) Pupil Ratios Must Be Lowered.

The typical pupil-teacher ratio is designed for the traditional mass educational programs. These programs are no longer appropriate for inner city schools. Programs in these schools must emphasize basic skills, career planning, vocational training, and value clarification. These programs need low pupil-teacher ratios so that (a) teachers can be given time to write curriculum appropriate for the students being taught (b) individual and small group learning programs can be implemented, based on the needs of individual students, and (c) community based programs developed.

2. Desegregation-Integration Plans Must Be Implemented.

Society has placed most of the burden of desegregation and integration on the public schools. Desegregation plans have been mandated by law and by regulation. Equally important is the implementation of successful integration plans. The public schools have an appropriate and important role to play in the fulfillment of those two goals. Again, the major responsibility for the implementation of these programs falls on the large cities. Again there is the need for money. Desegregation and integration plans usually involve moving (busing) students, often new buildings are needed, educational plans must be developed to gain community support, and human relations training programs for students, staff, and community must be developed and implemented, if these programs are going to succeed.

3. Buildings and Equipment.

The large cities have, for the most part, old buildings that are depressing and totally inadequate for modern educational programs. This problem is further compounded when we realize that it is the older and inner core of the cities that have the oldest school buildings. Equipment in these buildings, that once was the latest, is now old, inefficient, and not geared to modern educational programs. People look at the suburbs with their new schools and spacious surroundings and they look at the old buildings with little or no playground space in our cities and quickly determine that they want their children in the new suburban schools. Conversely those who live in the inner core of the large cities determine that their children are in inferior school systems. New buildings, with modern equipment, are needed in most large cities.

We see the problem of adequate financing of education as being critical to the survival of our large cities. The report published by the National Commission on the Reform of Secondary Education states,

"Our large city school systems are on the verge of complete collapse. Two decades ago, the cities operated the best school systems in the United States. Today these schools are at the bottom . . ."

These cities can again provide the best education in the United States and well they must—but we believe that massive federal financial assistance is needed. Our large cities are not in a position to provide the needed monies and state legislatures are unwilling and/or unable to do so. We believe that the Federal Goverument must take an active part in providing the necessary resources for large city school districts. We urge you to give the education needs of the large cities top priority in new legislation.

If we, the Danforth Fellows, can be of assistance in providing information and facts which would be helpful in the pursuit of this goal, we would be pleased to do so.

Thank you for your attention to this request.

Sincerely yours,
Mr. James Bothwell,
Principal, Harding High School.
Dr. Karl Grittner,
Principal, Johnson High School.
Mr. Elwood J. Lundeen,
Principal, Special Assignment—District Office.
Dr. Neal Nickerson, Jr.,
Associate Professor of Education Administration, University of Minnesota.
Dr. Kenneth E. Osvold,
Principal, Career Study Centers.
Dr. Donald Sonsalia,
Principal, Central High School.

ECONOMIC PLANNING AND REFORM OF THE AMERICAN ECONOMY

Mr. HUMPHREY. Mr. President, If we learn anything at all from the recent course of economic events it should be that there is an immediate and vital need for major improvement in the role of both the private sector and Government in economic affairs. For many years now the economy has been allowed to drift, competition has died in some sectors, the antitrust program has been ineffective, Government regulations have become cumbersome and outmoded, Government bailouts have been approved, subsidies and tax loopholes have grown, productivity has declined and, of course inflation and unemployment have skyrocketed. In truth, the vitality of the American economy has been sapped by wasteful actions, misguided objectives, and ineffective policies in both the public and private sectors.

I believe that this decline of the American economy must end if we are to avoid a decline in our standard of living and a further erosion of economic justice in our society. It is time, in my opinion, to face this reality and act to rejuvenate all sectors of the economy.

Today, I want to address myself primarily to Government economic reform, and particularly to the need for Government economic planning. I hope that the great loss in production and income which we are suffering at the present time will be at least partially made up for by an increase in wisdom and foresight in economic policy. I hope it will convince our people and our leaders of the need for improved economic management and planning.

Senator Javits and myself have recently made a proposal outlining how Congress and the Executive might go about improving the economic record in the future—we have introduced the Balanced Growth and Economic Planning Act of 1975 (S. 1795).

As Senator Javits pointed out recently, in a very fine statement in this Chamber, we have been pleased with the response our initiative has received. I am confident that we have already made progress in understanding our failures and formulating the ideas on which a new era of enlightened economic policy will be based.

One indication of this progress has been the widespread support we have received for economic planning. Many of our colleagues here in the Senate have joined us as cosponsors of the bill and I know others will follow after they have carefully studied the issue.

In addition, we have received support for the economic planning proposal from many representatives of the academic, business, and labor communities, including:

Hans A. Bethe: Nobel laureate in physics; Cornell University;

W. Michael Blumenthal: Chairman and president of the Bendix Corp.

Chester A. Bowles: Former Ambassador to India and Nepal;

John R. Bunting: Chairman and executive officer, First Pennsylvania Bank;

Vernon E. Jordan, Jr.: Executive director of the National Urban League;

Theodore M. Hesburgh: President of University of Notre Dame;

Alexander Heard: Chancellor of Vanderbilt University;

Betty Furness: Consumer advocate;

Rabbi Robert Kahn: President of Central Conference of American Rabbis;

Coretta S. King: President of the Martin Luther King Junior Center for Social Change;

Stanley Marcus: Chairman of executive committee, Neiman-Marcus; vice president of Carter Hawley Hale Stores, Inc.;

William F. May: Chairman of American Can Co.;

Arnold Miller: President of United Mine Workers of America;

J. Irwin Miller: Chairman of Cummins Engine Co.;

Bernard Rapoport: President of American Income Life Insurance Co.;

Rafael Pico: Vice chairman of board, Banco Popular de Puerto Rico;

Gunnar Myrdal: Nobel laureate in economics, City University of New York;

Arthur Schlesinger, Jr.: City University of New York;

James D. Watson: Director of Cold Spring Habor Laboratory and Nobel laureate in medicine and physiology;

Stewart Udall: Former Secretary of Interior;

Sargent Shriver: Attorney;

Henry E. Niles: Chairman of Business Executives Move for New National Priorities;

Arjay Miller: Dean of Stanford University, Graduate School of Business;

Wilbur J. Cohen: Former Secretary of HEW.

This legislation also has the support of the members of the Initiative Committee for National Economic Planning, cochaired by Leonard Woodcock and Wassily Leontief.

While the bill has received its share of criticism as well as support, I think much of the criticism is simply due to a misunderstanding of exactly what reforms we have put under the label of economic planning, and not from a fundamental disagreement about the general areas in which there is a need for reform. I think it is important to emphasize the points of agreement between the advocates and critics of planning, so that we might better see what the real differences are. We do not seek a planned society, we seek a planning society.

In other words, we seek to have Government and the private sector look ahead—to lay out goals and priorities—to make forecasts and set guidelines.

Will the planning bill accomplish the objectives that we have for it? This should be the main point of discussion, if there is in fact a consensus that these objectives are worthy ones. So I would like to try to restate and further clarify some of the original perceptions we had about the failures of economic policy that led us to make the particular proposals contained in the planning bill.

The fundamental perception underlying the planning bill is that our governmental institutions charged with economic policy are outdated and simplistic in a world of growing complexity. In addition, there is no institutional mechanism within the Government for the systematic development of long-term economic policy.

The general outline of our failures as

a result is clear. Our anti-inflation policies have been chaotic, vacillating from direct controls, freezes, and phases to the present policy of doing nothing. Money and credit policies have likewise bounced from excessive ease to unbelievable tightness, propelling the economy on a roller coaster ride of boom and bust. Because the Government has not planned ahead to meet our food, energy, and housing needs, we now face long-term shortages in all of those areas. And the list of policy mistakes goes on and on and on.

The result of all this has been a consistent deterioration of our economic performance; higher unemployment and inflation and lower economic growth. Our growth rates are consequently lower than Western European countries. As the table below indicates, the United States was way below European economic growth for the period 1950–60, caught up during the period 1960–65, but has again in recent years fallen far below European performance. For the period 1970–75, the average U.S. growth rate was 1.8 percent, almost 2 percentage points less than Europe. This is a disgraceful performance because it means we are losing billions of dollars in production and income for families, and hundreds of thousands of jobs. Although there are a number of factors that explain this divergence in growth, it is my view that deficiencies in economic planning and management are the principal explanations.

	1950–1960	1960–1970	1960–1965	1965–1970	1970–1975
United States	3.2	4.0	4.8	3.2	1.8
OECD Europe	5.0	4.8	4.9	4.7	3.6
Difference	1.8	.8	.1	1.5	1.3

This poor economic performance is not an accident, but grows out of the following deficiencies in our economic policies and institutions, deficiencies that Senator JAVITS and myself had in mind when we introduced the Balanced Growth and Economic Planning Act of 1975.

FAULTY ECONOMIC INFORMATION

First, we felt that economic policy was severely hampered by faulty information. Policy decisions are often made in the dark—we really do not have the kind of up-to-date information about inventories, capital needs, price changes, wage rates, and materials supplies that we need. All we have are rough aggregate estimates, and these estimates often are not a sound base on which to make policy decisions. Such crude estimates often hide problem areas from view until a crisis occurs.

Our failure to perceive the present recession before it was upon us should cause us to redouble our commitment to improving and expanding our flow of information about economic activity. A central information gathering agency would serve as an early warning system, monitoring present and projected developments and identifying areas where action may be necessary. By improving and coordinating the gathering of information we will be better able to see important relationships—projections for retail consumption must be compared with raw material supplies and production capacity before we can really know what conditions are in a given industry. Too often all this information is buried in separate agencies, or not collected at all.

The Balanced Growth and Economic Planning Act provides for the establishment of the Division of Economic Information, whose purposes will be to gather and disseminate economic information and to recommend improvements in the data gathering system. I believe that such an activity would satisfy the need for improved economic information.

Surprisingly, quite a consensus is developing that our economic intelligence system ought to be improved. I noticed that even Dr. Herb Stein, former chairman of the Council of Economic Advisers, while writing rather unenthusiastically about economic planning in general in the May 14 issue of the Wall Street Journal, did strongly support the need to improve our economic information.

Mr. Stein said:

> And yet, there is a point in the planning argument that should not be ignored . . . That issue is how to bring more intelligence, consistency, and foresight into the decisions that government does make . . . The obvious place to start would be the improvement of economic statistics. We operate for too long with money-supply statistics that later turn out to have been seriously in error. We obviously were quite ignorant of what was happening to business inventories during much of 1973 and 1974. The relation between real GNP and industrial production statistics is often baffling, as it the relation of employment as measured by the survey of households and as measured by reports from employers. The Consumer Price Index is obsolete. We have no useful index of wage rates. We know nothing about the conditions on which the unemployed would be willing to work. Dozens of other important gaps could be listed. The simple fact is that we are trying to get by too cheaply in the field of economic statistics. To double the present annual federal expenditure of about $200 million a year would probably be a good investment.

LACK OF COORDINATION OF GOVERNMENT ECONOMIC POLICY

Second, we saw a lack of coordination between different branches and levels of Government that are involved in economic policy and the economy. On the Federal level, the variety of congressional committees and executive agencies involved in making and implementing economic policy often go about their business quite unaware of what each group is up to. The most obvious example is the lack of coordination between monetary and fiscal policy, although we have made some progress on this front in recent months.

But the fact remains that much of our economic policy is not consistent or rational in its overall effect on the economy because each area is dealt with separately. Let me give you some examples. Agricultural production objectives are set without consideration being given to transportation, fertilizer, and energy requirements. Regulatory prices are set without apparent concern for energy needs or their employment and price impact. Export promotion programs encourage the shipment of commodities abroad that are in short supply here at home. Our agricultural policies are in chaos, with little coordination between maintaining reserves at home and shipping grain abroad.

The economy, we must remember, is an integrated, interdependent whole and, as long as policy is undertaken in a way that really does not take these features of the economy into account, it is destined to have unsatisfactory results. The overall impact that Government policy has on the economy should be the first and not the last consideration.

Economic policy should be made within the context of a clear understanding of what the overall intentions of policy are to be, of the many interrelationships between the different aspects of economic policy, and of all the advantages and disadvantages associated with alternative policy actions.

The point is that the Government goes around willynilly making decisions of consequence. Did anyone think through the implications of selling off 19 million tons of American grain in 1972 to the Russians? No, we treated the sale as if it were an independent business transaction. We failed to obtain adequate information on the projected volume of this sale. And, we failed to gauge the impact of this sale on our domestic supplies and on consumer prices.

We need to have planning mechanisms within Government that give us some measure of the impact of such decisions. Not with a precision that can't be obtained, but we ought to have the general picture. This is why I believe we ought to have economic impact statements.

Also, the policies of different levels of government are often working at cross purposes to each other. The current recession is a perfect case in point: while Congress hurried to get a tax cut and other stimulative spending programs enacted, the State and local governments, especially in those States suffering the most under the recession's impact, were and are cutting spending, cutting employment, cutting capital expenditures, and raising taxes in order to maintain balanced budgets and to meet financial commitments. Stimulative action on the Federal level has little chance of having its full intended effect in this kind of situation, and at present there is no mechanism for coordinating the actions at the Federal, State, and local levels.

I think there is little disagreement about the deficiencies that I have described. Nor do I believe that they can be met without the kind of overall plan for economic policy that is provided by the Humphrey/Javits bill. Fortunately, I believe there is a growing recognition of this deficiency in government economic policy, even by those who say they are opposed to economic planning. As George Hagedorn, chief economist of the National Association of Manufacturers, said in his recent testimony before the Joint Economic Committee:

> Government economic programs and policies need to be better planned in several respects. More careful consideration needs to be given to which economic functions can best be performed by government, and which are best left to the free market. More attention needs to be given to the long-range effects of government actions, as compared

> with their immediate effects. Greater recognition needs to be given to the indirect impact of government policies, . . . which is often not visible to the untrained eye, and is usually not intended by the authors of the policies . . . Planning that leads in this direction can provide better guides to government decision-making than we have had in the recent past.

Even Treasury Secretary William Simon seems to concede something to this point, judging from his recent testimony before the House Ways and Means Committee, July 8, 1975:

> Thus, one needs to look at the whole system as a closed loop. The failure to look at the whole system is perhaps the biggest single flaw in our political process in the economic area.

FAILURE TO LOOK AHEAD

A third major area of concern to us was the fact that our economic policy has no long-range orientation. There is a great need for Congress and the executive branch to try to articulate its economic policy goals on a long-range basis, that is, to take into account the problems that can be reasonably expected to rise in the future, and take a stance on how it intends to deal with them.

We need to set long-range goals in the first instance in order to resolve social conflicts and establish priorities. We live in a world of finite resources and we cannot do everything. Presently the policymaking process is inadequate in dealing with such conflicts and, as a result, choices are made by default or dominated by special interest groups. I believe choices on major issues like unemployment, inflation, the environment, and many others, should be made more carefully in an open national debate. The planning legislation would achieve that.

We need to set long-range goals so that we can know where we are going and achieve what we want more efficiently. If we know our long-range goals, we can devise policies to achieve those goals, and we can carefully coordinate policies in different areas. Operating with a long-range time horizon, we will have time to consider alternative projections and policies to achieve our goals—this is the essence of doing things efficiently.

We need to set long range goals to give us enough time to solve some of our fundamental problems. The truth is that we cannot solve major problems quickly and all of our energies must not be wasted "tilting at windmills," trying to accomplish what is impossible in the short run. As Congressman GILLIS LONG put it so well at one of the Joint Economic Committee hearings:

> In many instances, we deal with emergencies on a short-range basis. Sitting on the Rules Committee, in the House, as I do, it always surprises me how many pieces of legislation come through that Committee before going on to the House that are called 'emergency' legislation. We emergency this, emergency that . . . we get ourselves involved without any cohesiveness in the relationship of one emergency to the other. We are operating to a degree that it has become nearly a controlled economy through government intervention; by treating emergencies and treating symptoms rather than thinking out beforehand how the government can stay out of these things and allow people to look at long-range objectives.

Finally, we need to set long-range goals to push ourselves and the Nation to do our best. Economic and social goals are not just technical considerations for the economists, but reflect the moral tone and spirit of our society. Is it our goal to end unemployment for all those able and willing to work? Is it our goal to improve the standard of living and environment of all of our citizens? If the answers to these questions is yes, and we dedicate ourselves to achieving these goals, we can be successful, but only if we go about the kind of long-term planning envisioned in the Humphrey/Javits bill. We have not been successful in achieving our national goals in areas such as employment, housing, and growth up to now.

If we do not set high standards, on the other hand, as individuals, and as a nation, we will simply drift along with the current and accomplish nothing.

Mr. President, as you can see, there are many good reasons for setting long-range economic and social goals. The Balanced Growth and Economic Planning Act of 1975 would allow us to set such goals in an open, democratic process. And under our bill, the Congress, State, and local governments, citizen groups, and all major segments of our society would be able to participate in planning through the normal political process.

PLANNING AND GOVERNMENT ECONOMIC REFORM

Mr. President, so far I have outlined some of the major reforms of Government economic policy that Senator JAVITS and I believe would be the outcome of the Balanced Growth and Economic Planning Act of 1975. In other words, we see this legislation as a vehicle to get Government under control and to rationalize its activities. This legislation would:

Provide economic information in the comprehensive and systematic manner necessary to make policy intelligently;

Eliminate outmoded and duplicative Government activities;

Set economic goals that reflect the Nation's needs and develop effective policies to meet those goals; and

Allow us to determine the longrun impact of Government economic policies on the economy.

Mr. President, I believe it is important to contrast these real reforms of Government economic policy with the rhetoric of the outspoken, ideological critics of our proposal. The critics say we should not have Government economic planning in the future because the Government has not done an effective job in recent years. This is an absurd "Catch-22" way of thinking because it has been the lack of thinking ahead and intelligent management of our Government economic policies that has brought the present disaster. Instead of reorganizing and reforming Government policies—a process that should be continuous—we have had 7 years of rhetoric about how bad government is by two administrations responsible for managing government; and we have also had special interest politics that have allowed corporations and other groups to capture Government economic policy.

Mr. President, I say it's time to stop talking about the deficiencies of government without doing anything about it. Senator JAVITS and myself have made some positive proposals that would improve government. These proposals would mean a decrease in Government activity in some areas and an increase in other areas. On balance, it would mean better government rather than bigger government.

ECONOMIC PLANNING AND THE PRIVATE SECTOR

Some critics of economic planning have been equally limited in their understanding of the relationship of planning to the private sector. They have argued that: First, the private sector is the best controller of economic activity; and second, our bill is somehow designed to take over control of the private sector. Both of these arguments are in the first place, incomplete and misleading, but even more troubling is that they show so little understanding of the realities of the American economy.

The American economy is a mixed economy of public and private activity, with about a third of that activity directly or indirectly controlled by Government. Because Government affects a third of the activities, it must be carefully managed, as I have indicated at some length. We need top-to-bottom reform of the Government sector.

The private sector of the economy, the most important part of our economic engine, must be subjected to the same kind of thorough economic reform. Those who would argue that the private sector operates in some ideal fashion, with widespread competition and efficiency, are kidding themselves and the American people. In reality, the private sector of the American economy often does not operate efficiently, competitively, or equitably. Let me give you a few examples.

In the first place, the private sector is in some cases not technically able to market certain goods and services—these are collective goods that no one can put a price tag on and sell in a conventional market. National defense is the classic example, but environmental quality, law and order, public health, and an equitable distribution of income are others.

The private sector also fails in some cases because of insufficient information—the private sector simply does not know what is going on. Prices may be rising or falling more rapidly than firms can adjust their production to, as we see time and again in the farm sector. Business firms may be producing at extra cost because they are unaware of new technology, or experience shortages because they have inadequate information about material supplies. Finally, unemployed workers may remain unemployed if they do not know about new job opportunities.

There are of course, in reality, a long list of other market failures or imperfections that distort and corrupt the operation of the private sector. Without a doubt the most significant of these, however, is the general decline of competition that we have experienced. In many markets prices are not set by supply and demand, but by a few giant corporations. We have seen, for example, in recent weeks that aluminum can and auto prices are being shoved up in the face of rapidly declining demand.

The reality is that 200 giant corporations control 60 percent of manufacturing assets in the country and that the high degree of concentration and the possession of market power frequently impedes the operation of the economy.

This lack of competition, of course, is a principle reason why we have such persistent economic problems, such as inflation and unemployment. The market simply bears no resemblance to the free competitive market that Adam Smith knew—or thought he knew. The implications of this are the same as for the public sector—we need a systematic examination of the way the private sector works and does not work. I believe the economic planning process we have proposed can assist this effort in several ways.

First, as I have indicated above, we can improve the performance of the private sector by improving the impact of government programs on the private sector. Better information gathered and disseminated by the Federal Government would undoubtedly assist business and consumers; and better coordination of Government subsidies, regulations, and tax incentives would increase the effectiveness of the private sector.

Second, economic planning would provide a framework that would encourage a reshaping of the private sector. If we had a complete picture of the economy, we could see more clearly where the market was failing. The planning process, itself, would uncover weaknesses in the private sector and suggestions about what could be done to correct them.

Those who oppose planning because they believe the private sector is operating in some ideal fashion are either uninformed about the realities of the American economy, or apologists for a status quo in the private sector that does not meet the Nation's needs. The bill that Senator Javits and I have introduced represents a realistic appraisal of both the public and private sectors of the American economy, the importance and strength of each, and how we desperately need economic reform in both areas.

PLANNING AND INDIVIDUAL FREEDOM

If we get improvement of Government and the private sector through the type of planning I have discussed, I believe we will increase not decrease individual choice and economic freedom.

Critics charge that we are going to increase Government controls over the lives of each of us. That is not what I want, as I indicated recently in an interview in Challenge magazine:

> I do not want planning to be inflexible. I want planning that will give us some alternative projections. I do not want a governmental agency telling me how I can live, but I do want a governmental agency bringing to bear what information we have on how the economic factors in our society will influence how I live.

In the present situation, individual economic freedom is severely restricted by Government economic mismanagement and the imperfections of the private sector. Can anyone believe that the current economic system maintains the freedom of the 10 to 11 million unemployed, or the additional millions of workers who have seen their real incomes decline close to 10 percent in the last 2 years, or the households that have seen a number of supermarket prices rise sharply, or the small businessman who has been forced into bankruptcy. I do not think so.

Under the Balanced Growth and Economic Planning Act, I believe economic choice and freedom will be enhanced because economic welfare will be improved. People's economic freedom will be greater because they will have a job and income to support themselves and their families. Inflation and shortages will not batter consumers at every turn.

The economic freedom of individuals will also be protected by the provisions of our bill. Planning goals and policies will not be set by a group of technical planners isolated in the Executive Office of the President. The planning process we have established will allow all groups in our society to participate through a citizens advisory committee, through State and local hearings, and through the various committees of Congress. When actions are taken that will have an impact on the economy, they will be taken through the normal political process of the Congress and the President. The planning process will do no more than provide intelligent advice and recommendations and an economic context for the political process.

Mr. President, I hope my remarks today are useful to those who are seeking to understand what we have in mind when we advocate economic planning. I have attempted to explain in some detail how economic planning will provide a rational framework for the reform of the public and private economy and improved economic management.

I believe there is general agreement that our information systems are inadequate, that the Government suffers from wasteful duplication, that economic policy has no long run orientation, and that many parts of the private sector do not operate competitively or efficiently. If there is agreement on these issues, then we should put our energies into debating the kinds of mechanisms we need to solve these problems.

Supporters of this legislation believe that the status quo is not acceptable and that we can do a better job of developing the American economy. I hope that many of my colleagues are persuaded by the validity of our case and will join Senator Javits and myself in support of the Balanced Growth and Economic Planning Act of 1975.

S. 740—NATIONAL ENERGY MOBILIZATION ACT OF 1975

Mr. **HATFIELD**. Mr. President, just last year the Congress acted in an attempt to meet the energy emergency by creating the Federal Energy Administration. That body, along with several other Government agencies, has established a set of procedures to attempt to get our domestic production of petroleum and natural gas moving.

Now, in the face of rules, requirements, regulations, bureaucracies, and agencies, yet another proposal has been made for another agency with its attendant rules and regulations. S. 740, the National Energy Mobilization Act of 1975, would provide a mobilization board with broad and far-reaching authorities.

During recent hearings on the legislation, Mr. John Hill, Deputy Administrator of the Federal Energy Administration, described the role of the Federal Government in energy development. I would like to commend Mr. Hill for his testimony and I ask unanimous consent that it be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement of John A. Hill, Deputy Administrator, Federal Energy Administration

Mr. Chairman, Members of the Committee, I appreciate the opportunity to present the views of the Federal Energy Administration (FEA) on S. 740, the "National Energy Mobilization Act of 1975." The proposed bill is very extensive and contains many provisions concerning Government involvement in energy development. Accordingly, we would like first to comment on the bill in general and then to examine some of its specific requirements.

The overriding theme of the proposed bill seems to be that the present private and Government efforts are not satisfactory for managing and promoting this country's resource development and that a Government sponsored "mobilization" effort is needed to ensure that certain energy objectives are accomplished.

The implication that the private sector may not be responding to the necessary task of energy resource development—is ill-founded. We believe that given a stable National energy policy with clearly defined economic motivation, the private sector will meet the challenge for developing our domestic energy resources.

The willingness and ability of private enterprise to respond to our energy challenge, given a favorable economic climate, is evident from its activities over the past few years. In the years 1971 through 1973, approximately 1,100 to 1,200 oil and gas drilling rigs were utilized in this country on the average, and 26,000 to 27,000 wells were drilled per year. In 1974, due primarily to the increased price for new crude oil, the working rig count reached 1,664 and over 32,000 wells were drilled. All available rigs were put to use, and producers of tubular goods and other oil field equipment were strained to keep up with demand.

Oil field equipment and facility manufacturers increased production to full capacity and instituted programs to increase manufacturing capacity during this period. In short, about all that could be done was done. This is, of course, the types of response we are looking for from the private sector.

The situation in 1975 is not so encouraging as that in 1974. There have been over 1,600 rigs operating in the country for most of this year, but some rigs have been idled in recent months. The problem is twofold. It is due, in part, to the loss of the oil depletion allowance which effectively has reduced cash flow causing some companies to reduce planned expenditures for drilling operations.

The decrease in drilling activity is also due to the very unstable situation caused by the lack of a National energy policy and the widely divergent attitudes toward the industry expressed by Government officials. On one hand, the private sector is encouraged that new crude oil will be allowed to seek free market value; but further down Pennsylvania Avenue there is talk of a price rollback. Secondly, it is common knowledge in the industry that a profits tax is being considered, a plowback provision may or may not be included. Finally, in the midst of much talk about the need for additional investment in exploration, the depletion allowance is reduced and in some instances removed. The continued uncertainty, coupled with the fear of potential measures that could adversely affect profit, makes it very difficult and very risky for the private sector to plan investment. Many prudent investors have decided on a "wait and see" policy until some form of Government policy emerges.

Given a stable National energy policy, the private sector can be expected to respond as it did during 1973 and 1974; maximum utilization of drilling equipment will result and the manufacture of additional equipment will be encouraged. A Government-sponsored "mobilization" effort should then be unnecessary.

Our second very basic objection to the proposed National Energy Mobilization Act is that it would create yet another Federal Government entity, namely, a "National Energy Mobilization Board," to manage and monitor energy development in the country. The bill authorizes and directs the Board to initiate Government participation in oil and gas exploration and overall energy development. The Board is also directed to submit several comprehensive reports, some on a frequent and continuing basis.

The creation of a board to monitor and manage energy affairs represents a further fragmentation of energy policy and authority in the Federal Government. A principal purpose of the Federal Energy Administration Act of 1974 was to concentrate energy responsibility in the Federal Government into one agency. The addition of a new Government agency with energy-related functions at this point can only frustrate this effort.

Having highlighted our fundamental objections to the subject bill, I will now discuss briefly some of its more specific provisions.

REPORTING REQUIREMENTS

In Section 201 of the bill, the Board is directed to establish targets to increase energy self-sufficiency, monitor and assess energy development, and submit various reports. FEA has performed and is continuing to accomplish most of the requirements set forth in this section. Project Independence Blueprint was a major part of this effort.

The FEA and several other agencies collect and report, at the present time, a massive amount of information pertaining to energy development and production. Attached as Appendix I is a list of 58 reports formally issued by FEA thru January of this year. A revised list indicating all of the FEA publications is due to be released this week. We will forward a copy of that list to you when it becomes available. Many of these reports are continuing or periodic reports that are issued on a monthly or quarterly basis. This past month the FEA forwarded to the Congress two major reports, namely the "Initial Report on Oil and Gas Resources, Reserves, and Productive Capacities;" and our first "Annual Report 1974–75" submitted in compliance with Section 15(c) of the Federal Energy Administration Act of 1974.

In summary, we are anxious to work with the Congress in identifying additional data acquisition and reporting which would be constructive. But, simply stated, we see no reason to attempt to duplicate existing efforts and accomplishments.

GOVERNMENT ENTERPRISE

Another major thrust of the proposed bill by injecting the Government into energy development and production. There may be some application for Government involvement in nonconventional sources of energy, but for development of the traditional is an attempt to solve our energy problems sources of energy (oil, coal, and gas) we think it would be a tragedy to encourage Government intervention.

The advisability of Government involvement has been widely debated and is indeed controversial. We have studied at great length the relative merits of increased Government involvement in the oil business. The most effective way of evaluating the performance potential of a Government-operated oil company, in a quantitative fashion, is to compare the historical performance of foreign Government-owned oil companies with that of private oil companies.

To make a meaningful comparison between Government-owned oil companies and private companies, it is necessary to establish the following bases:

1. Time Period—Use a period of average performance extending over at least 3 years (1971–72–73) to minimize any unusual situations.

2. Scope of Activity—Compare only those companies which are engaged in the same phases of the industry including exploration, production, refining, transportation and marketing.

3. Experience—Compare only those companies which have been in business over a period of several years.

Most of the Government companies involved in the comparison are in direct competition with the private companies and are selling at the same prices in a common market. There are one or two exceptions, such as Mexico's Pemex which operates as a monopoly.

A table displaying key performance factors for several private and Government companies is located in Appendix II. An analysis, which is summarized below, reveals the difference between six private international companies and six Government oil companies.

(*Net income as a percent*)

	of sales	*of stockholders equity*
Private companies	8.4	12.3
Government companies	3.1	3.5

Two other indicators which reflect efficiency in financial areas are as follows:

(*M$ per employee*)

	of yearly sales	*of total assets*
Private companies	135	168
Government companies	43	73

In terms of operational efficiency, comparisons can be drawn in the producing and refining phases of operation:

(*Bbls per day per employee*)

	Production	*Refining*
Private companies	44.2	36.4
Government companies	6.6	14.1

These comparisons indicate that in every foreign country where a Government oil company has been created and where sufficient data is available, without exception the performance of these entities has been markedly inferior to that of competing private companies. That such operations are grossly inefficient is evident in the number of employees per barrel of throughput and the return realized on investment. In some instances, without Government subsidies and/or greatly reduced tax rates, the Government-owned companies would have to close down operation due to lack of cash flow.

It was our intention to compare several by the private sector if this country adopts a comprehensive energy policy which will create an economic atmosphere conducive to trast, and a pathetic one at that.

Our primary concern here is that all available equipment and facilities will be utilized companies, but all that is apparent is a con- national oil companies with several private energy development. Government involvement in energy development and production will not supplement the private sector, it would instead replace a part of the private sector. If the Government operation were less efficient than the private sector as indicated above for other national companies, then Government involvement would actually impede energy development.

GOVERNMENT SPONSORED EXPLORATION

Sec. 204 of the proposed bill mandates that a resource assessment program be conducted which, among other things, shall "provide the public with information respecting the probable size of the public resources, the cost of developing specific resources for commercial use, and the value of such resources." This Section would have the Federal Government explore Federal lands before they are leased by the Department of the Interior.

This requirement is apparently based upon two presumptions: that it would enable the Government to obtain a higher value for leased lands, and that it would provide the Government with information so that the Government could expedite the necessary energy development effort.

In regard to the first assumption, the Department of the Interior has performed several analyses addressing the subject of increasing revenues from Federal lands. They are presently conducting a cost analysis on lands already leased to determine if exploration, prior to leasing, would have been more advisable. We have also been informed that some private independent firms are conducting similar analyses. We will review these studies, as well as our own analyses, and make our recommendation to the Energy Resources Council. If exploratory drilling prior to leasing is found to be advisable it can be accomplished utilizing present legislative provisions.

With respect to the second concern, we have deep reservations about the Government being able to increase energy development for the reasons noted above in the discussion on Government enterprise.

Exploring for oil is a complex and risky business and any endeavor the Government may contemplate in this area must be carefully analyzed. As you gentlemen know, to explore a structure you do not merely drill one hole and determine whether there is oil present or not.

A group of associated producing reservoirs known as a field may be located in a particular geologic structure. However, a large percentage of the total structure is usually void of any significant quantity of oil. As noted in the examples below, many wells may have to be drilled on any given structure before oil is finally discovered . . . if ever.

It is an often demonstrated fact of life in the oil business that the biggest, most technically sophisticated, most successful major oil companies drill many dry holes. The Bay Marchand field in the Gulf of Mexico, the largest field found in the Gulf to date, was found after 12 dry holes were drilled in succession. The prolific Williston Basin in the Northern U.S. was the site of more than 200 dry holes before the Beaver Lodge find was made.

The Destin Anticline off the Florida Coast was the largest untested structure in or near the lower 48 States. In July 1974 when the first hole was spudded, and since then, that hole and 7 others have been completed as dry holes. The private sector has invested over $900 million in the exploration activities on the Destin Anticline to date.

In 1974, there was a total of 6,710 wildcat wells drilled. There were 5,725 dry holes, 532 that became gas producers, and 453 that yielded oil. These figures indicate that about 1 out of 7 new field exploratory wells is commercially successful. However, only about 1 in 40 exploratory wells actually results in the discovery of a significant field.

It is barely conceivable that a "friendly" Congress could tolerate a Federal Corporation drilling a string of 7 successive dry holes, much less than 200.

DEVELOPMENT OF NAVAL PETROLEUM RESERVE NO. 4

In Sections 206 and 207 of the proposed bill it is mandated that the Board "prepare and carry out an oil and gas exploration program for Naval Petroleum Reserve Number 4, in Alaska," and prepare a study for an oil and gas pipeline system that will be in sufficient detail to support a decision by the Secretary of the Interior designating and granting a pipeline right of way. The first draft of the distribution system report must be completed within one year of enactment of the bill. The exploration program is to be designed to obtain the resource information necessary for determining the quantities of oil and gas present, the geographical extent of any field and estimates of its recoverable reserves.

As discussed previously, the drilling program for a new area can be very erratic. The discovery of a field requires many additional wells to be drilled in order to establish the quantity of contained oil and the extent of the field. Thus, a prolific structure may result in a doubling or tripling of the number of wells originally planned. Furthermore, it takes a number of years to fully explore an area as large as NPR–4. In order to do a pipeline study, one would have to know the approximate quantity of oil and gas to be delivered, the location of those quantities and the nature of the oil and gas. The requirement that a definitive pipeline study be completed within a year after exploration planning commences is naive. Furthermore, to forego development of NPR–4 until the exploration program and pipeline feasibility studies are completed, as suggested in Sec. 304, may substantially delay the ultimate delivery of the contained oil and gas to consumers.

The Administration has already proposed a plan for development of NPR–4. In his State of the Union Message, the President urged quick action on the legislation necessary to allow use of the NPR's to increase domestic oil supplies. Title I of the Energy Independence Act of 1975 would authorize the President to explore, develop, and produce NPR–4 through competitive leasing, competitively negotiated contracts or other business arrangements that provide for rapid development of NPR–4, while providing adequate compensation to the United States for the hydrocarbons it contains.

FINANCIAL INCENTIVES

Title V of the proposed bill provides for an energy capital investment program for essential energy facilities. Sections 501 and 502 of that Title, like other sections of the bill, call for the acquisition of data and submission of reports that have already been prepared by FEA and other agencies over the past 2 years.

Profit incentive and investment capital are the most important aspects of resource development. In fact, we have a vast data base on the subject and we have made solid proposals, based upon that data, to resolve various financial problems. What we need now is action on these proposals by the Congress, not more studies.

Federal involvement may be required in certain synthetic fuels projects and solar energy projects which require massive capital investments. The Administration has conducted an interagency task force effort on this subject and is expected to submit a report and proposal on the matter this month.

CONCLUSION

I think our position should be clear at this point. It is our firm conviction that energy resource development can best be accomplished by the private sector. The Government's role should be supportive of private industry by providing an economic climate conducive to investment in energy development. We appreciate that the mobilization program outlined in the proposed bill is intended to "supplement and be an addition to the activities of the private sector." Simply stated, we feel that the proposed legislation not only fails to supplement energy development efforts of the private sector; but that it would, in fact, hinder that development. The bill would essentially "reinvent the wheel" and then place it in mud so that it is difficult to maneuver.

What is needed, in our opinion, is a stable comprehensive National energy policy. The President has proposed such a program and we endorse it. After a comprehensive energy policy has been implemented, the FEA will closely monitor energy development and recommend more assertive Government action where needed. This would appear to us to be the most logical and effective way to promote and manage our domestic energy development.

Mr. Chairman, I will be pleased to try and answer any questions you may have at this time.

Mr. HANSEN. Mr. President, recently the Senate Committee on Interior and Insular Affairs held hearings on S. 740, the National Energy Mobilization Act of 1975. This legislation provides for an Energy Mobilization Board with extremely broad and far-reaching powers to direct the development of our petroleum and natural gas resources.

Dr. Thomas Stauffer of the Harvard Center for Middle Eastern Studies testified at those hearings. He is to be commended for his persuasive, strong language opposing the bill. His categorization of the Mobilization Board as an "energy junta" is not ill-founded, as the Board would exercise complete discretion in resource management and would even have power to preempt any other developers. He points out that even the Congress would be relegated to a passive role as the Board performed its tasks.

As an economist, Dr. Stauffer is highly qualified to make an analysis of cause and effect in the domestic operation of supply and demand in the energy industry. His analysis highlights the fact that Government can only lose from any effort to enter the petroleum and natural gas industries. The Government, and thereby the citizens of the United States, stand to lose income from lease bidding, lease payments, bonuses and royalties where there are Federal lands involved. Additionally, in any instance where the Government fills the role of the private sector, there is a loss in income taxes. At the same time that these benefits are being lost, tremendous outlays of Federal moneys are being made. Dr. Stauffer's testimony reflects the outrage of private citizens who would have to bear the brunt of the cost of the Federal Government's actions.

Because of the valuable insights contained in this testimony, I ask unanimous consent that it be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Prepared Statement of Thomas R. Stauffer

I am honoured by the invitation to testify again before this Committee, and I hope that the Chairman will permit me to respond in two quite different capacities. First, in a purely personal capacity as a citizen, I wish to comment on the spirit and tone of S. 740. Second, in my capacity as an economist and energy analyst, I shall focus on those provisions which concern the exploration for and production of oil or gas—those areas where my own experience is least deficient.

Let me turn first to the spirit and thrust of this bill. My first reaction upon reading the Bill was simply astonishment.

But upon second reading, astonishment turned to disbelief and then horror. The Bill seems to propose that the Congress should abdicate a cross-section of its constitutional obligations and that it should arrogate these responsibilities to a five-man Board appointed by the Executive. This Board will have comprehensive, almost all-encompassing, powers to preempt resources, to authorize and spend monies, and to implement programs throughout major sectors of the U.S. economy. The National Energy Mobilization Board thus becomes an energy junta, armed with broad authority to intervene at its own discretion anywhere within the energy industry, it is even empowered to extend its domain further into any industry which furnishes materials and equipment to the energy industries. (Sec. 202). Moreover, the powers of this new energy junta appear to be as unrestrained as they are extensive. We detect scant concern in S. 740 for the strictures of the Administrative Procedures Act or the concept of due process. The Bill's sponsors appear equally contemptuous of State and local sovereignties or, more specifically, the corpus of environmental protection legislation—viz. Sec. 204(b) (1).

In short, what has been proposed here is a junior version of the Ermachtigunsgesetz—an enabling act to be applied to the energy sector, parallel in principle (but hopefully, not parallel in precedent) to the act whereby in 1933 the German Parliament abdicated its responsibilities and consolidated the power of the National Socialists. Other critics, especially the oil industry, have concentrated their concern upon the alleged socialistic overtones of the Bill and its emphasis upon active participation by the Government. Much more alarming to my mind are the totalitarian undertones of the Bill and its creation of unbridled power. We should not be deceived by the thin camouflage of populist rhetoric.

This bill would convey effectively dictatorial powers upon an appointed board, while relegating the elected Congress to the passive role of bystander—avowedly in the interests of efficiency and expediency. This was the logic used by Mussolini when he tried to get "the trains to run on time." The price then was much too great—even if the scheme had worked. Here, too, I hope the Committee will agree that the price now is also too great, even if there were any plausible need for Senator Jackson's scheme. This bill reflects a cavalier contempt for democratic order and the democratic process, and I urge this Committee to repudiate the bill categorically.

Having indicated my purely personal objections to the tenor of the bill, let me now offer professional comment on certain of the specific programs proposed in the bill. Technically, too, the bill must be faulted, indeed it must be doubly faulted—it offers an array of non-solutions to a set of non-problems. The sponsors evidently failed properly to diagnose the energy malaise. Hence, since the symptoms were misdiagnosed, it should be no surprise that the remedies are misspecified. Let us examine the premises which explicitly or implicitly underline S. 740.

1. The private sector is unable to find and develop the needed energy resources.

The assertion is a patent deception, since it fails to distinguish cause and effect.

What inhibits development of U.S. domestic hydrocarbons? Oil exploration is hampered by the uncertainties as to the future price of "new oil," by the pace of leasing of Federal acreage, and by the vagaries of the allocation scheme. Natural gas is desperately short because 20 years of Federal price regulation discouraged discovery of new interstate supplies and simultaneously violated conservationist principles, artificially stimulating demand and fostering inefficient uses of gas. Environmental considerations restrict both the production and utilization of coal or the exploration for oil and gas. They also increase energy demand in other sectors by decreasing end-use efficiency.

The problem lies not in the willingness or capability of the private sector; indeed, they might be more fittingly criticized for overzealousness. The problem lies in the fact that the energy industry is hamstrung by conflicting national priorities.

The constraints were imposed by the autonomous arms of Government, yet S. 740 contributes nothing to reconciling the conflicting priorities or streamlining the regulatory procedures. Instead, the Bill proposes to short-circuit and subordinate any such restraints. Yet, if the Board is successful at the policy level, it thereby eliminates the rationale for any Federal exploration activity, since the private sector is then once more able to respond. Success for the Board in the policy area thus renders the Board redundant in the operational area. Conversely, if the Board fails in clarifying policy priorities, the Federal exploration effort is similarly hobbled, and the proposed program is valueless. Thus, in either case, the proposed oil exploration program is without merit.

The central issue is that of establishing policy priorities—trading off perceived energy needs against environmental exigencies. Creation of a Federal exploration and development program does not provide even symptomatic relief to the basic difficulty of reconciling conflicting objectives, since the issue of that conflict remains common to both the case of private and public ownership of the exploration venture.

Thus, it is irrelevant whether the exploration ventures are private or public since common safety and environmental restrictions would be desirable. Viewed differently, if the environmental or other considerations which inhibit energy development are indeed socially justifiable, then they should apply equally well to public-sector operating companies and to private firms. The existence of such constraints in no way necessitates state ownership of operating firms, nor does existence of a state firm facilitate clarification of the environmental policy conflicts.

2. Since a major fraction of potential energy resources are found on Federal lands, these resources should be developed by Federal entities.

This premise is at best a non-sequitur, but it is most probably simply incorrect. The over-riding consideration here is the likely technical efficiency of private firms compared with government firms, since any other performance criteria—environmental, safety, or conservation—which might be desirable can be equally imposed upon private and government firms, and the private firms can be compelled to conform.

Thus, a state enterprise would be preferable only if it promised higher net revenues from oil or gas production on public lands than the lease payments, bonuses, royalties, and income taxes collectible from a private firm. The Government can expect the full value of the economic rent from an oil or gas property (producers' rent) provided only that the lease bidding by private firms is competitive.

Indeed, more careful analysis shows that the Government can collect more than the economic rent. Since the private firms' assessments of the value of a lease, as based upon geological information, and since the lease is awarded to the highest bidder, the successful bid is always greater than the average bid. If the companies' assessments are correct "on the average", then government receipts will in fact exceed the lease values. Hence, everything else being equal, the Government should gross as much either way—or more under private development.

However, one must recognize the possibility that the government company is less efficient than the private firms. Three important sources of economic inefficiencies can be recognized.

Overstaffing: Government enterprises tend to have supernumerary personnel and to be significantly less productive. Any ex-serviceman can attest to this, and we need not pursue this point.

Indecision and Delay: the ethos of the civil service emphasizes self-protection and accountability rather than initiative. Procedure prevails over performance. The decision-making process is more cumbersome, involves multiple levels of clearance, and thus is slower in a government firm. But delays in capital-intensive energy projects become very costly.

Pork-barrel Pressures: the state company is much more vulnerable to political interference, and politics, rather than economics, are more likely to determine the project choices or site selections. Its construction and operating costs may be inflated because of its being obliged to select politically favoured contractors.

The U.S. Post Office is a trite but all too appropriate example of both phenomena. In the energy area, one may mention the Fast Flux Test Facility which allegedly was sited in response to intensive political maneuverings, thereby adding appreciably to the costs and delays in the fast breeder program. Again, this problem is all too familiar to those on the Washington scene. Consequently, since both private and state firms may be subjected to the same non-financial performance norms, and since the state firm can be presumed to be significantly less efficient, the premise that Federal development is preferable to private development is false. It promises higher costs or lower tax revenues or both.

3. A third premise implicity underlies the arguments for establishing Federal exploration and production ventures—the concept that the oil industry is not sufficiently competitive. Three comments are in order:

1. This contention was invoked some twenty years ago as the principal rationale for regulating the price of natural gas. It was subsequently shown that, if anything, the opposite was true; i.e. that the natural gas producers were themselves confronted with monopolistic buyers. This suggests that one might well be wary of any operational implications of such a claim.

2. Available evidence does not support the claim that the rate of return in the oil industry is greater than that in other industries. Any monopolistic or market power does not appear in the "bottom line", and heretofore must be reflected in unnecessarily high costs ("X-inefficiencies") which are common to all firms. In other words, any noncompetitive structure yields little or no financial rewards.

3. Indeed, particularly in the production side of the oil industry, circumstantial evidence suggests the opposite—i.e. a remarkable variety of operators of different sizes and with widely different geographical foci and thus different market interests.

Here, too, the proposed remedy is irrelevant and unrelated to the disease, and a diagnostic defect results in the wrong treatment.

I conclude by noting once more that the proposed Bill offers non-solutions to non-problems, which suffices as grounds for rejection. Still worse is the fact that the Bill promises even a partial solution to the real problems only by creating an energy junta with quasi-dictatorial powers. Even this remedy is unlikely to succeed, and the solutions, I believe, become far worse than the problem—the cure is more fearful than the disease—and the bill should be rejected even more strongly on these grounds.

Mr. McCLURE. Mr. President, for more then 20 months, the Congress has been inadequate in its attempts to effect an energy policy which would enhance domestic self-sufficiency. In the attempts that have been made, there have been insignificant incentives provided for increased domestic production, but rather there have been continual proposals which would increase our dependency on foreign oil imports.

The Senate Interior Committee has recently held hearings on S. 740, the National Energy Mobilization Act of 1975. Among the bill's provisions is a mechanism whereby the Federal Government would supply capital where the private sector is unwilling or unable to commit funds for energy ventures. During the hearings, a continual theme of the witnesses was that, despite the impairments already placed on cash flow, individual initiative, if allowed to function, can meet our needs.

Particularly cogent was the analysis of financial structure provided by Messrs. James A. Hunt and Sterling McKittrick. They emphasize that the Government has no place in the capital market, particularly when the Government can make no better promises on success and performance than can the private sector. As they ably demonstrate, the private sector has historically been willing to take the risks and formulate the capital needed for the very uncertain and extremely expensive business of domestic production. They rightly state that capital will always be available if Government barriers are not imposed.

Because of its interest to Senators and its timeliness, I ask unanimous consent that the testimony of Messrs. Hunt and McKittrick be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF JAMES A. HUNT

TESTIMONY ON S. 740—NATIONAL ENERGY MOBILIZATION BOARD ACT OF 1975

Good afternoon. My name is James Hunt. I am a partner of Kalb Voorhis and Co. I specialize in the financial analysis of the petroleum industry. I am also a director of J. Ray McDermott and Co., a firm specializing in offshore construction for the petroleum industry. I am president of the Oil Analysts Group of New York. With me is Sterling McKittrick, Jr., who will introduce himself later.

We appear here today in a personal capacity, not on behalf of the organizations with which we are associated. There was no time between our receipt of the bill July 10 and the present to coordinate our views with those of the members of our respective organizations. We do believe, however, that these views are representative of the majority of our members. We appreciate this opportunity to present our views on S. 740, "National Energy Mobilization Act of 1975."

The Senate Bill S. 740, which is designed to promote the general welfare, etc., by establishing a National Energy Mobilization Board, should be rejected by this Committee. We disagree strongly with the point that the way to achieve the objective of greater domestic self-sufficiency is to establish one more federal effort to oversee the project. Basically, we feel that the private sector is fully capable of solving the energy crisis if undue government interference now in force is removed. Before discussing the specific points raised in this bill, we would like to examine some of the philosophy which appears to be the reason for its need at this time.

This bill, as with many others, seeks to find a solution to the energy crisis. We will not bore you with a lengthy review of this matter. However, if we have an energy crisis, and I prefer to think of it as an energy problem, then we find the government has in the main been the culprit. Through the mechanism of price fixing of natural gas, we have had a vast misallocation of energy resources. Cheap natural gas made all other fuels cheap, causing a misuse of energy, as well as a misallocation of fuels. Cheap gasoline bred gas guzzlers. Those who doubt this efficiency of the price mechanism need only to look at the U.S. versus foreign auto industries (including U.S. manufacturers)—gas guzzlers versus economy cars. The government, having created the problem, now seeks to create yet another bureaucracy to solve it.

What are the problems the bill seeks to solve? As we see it, the bill identifies two major and a host of minor problems which it would like to solve. The major problems are:

(1) Carrying out energy exploration and exploitation which the industry cannot. This is explained in Section 204(b)(1), "The Board is authorized and directed to identify and undertake exploration programs for such areas of the public domain, other Federal lands and the Outer Continental Shelf, as have a high likelihood of containing significant quantities of economically recoverable oil and/or natural gas but whose leasing to private enterprise under terms of the Mineral Leasing Act of 1920, as amended, or the Outer Continental Shelf Lands Act of 1920, as amended, or the Outer Continental Shelf Lands Act of 1953, as amended may not be in the public interest or has been delayed because of land use conflicts, exceptional environmental hazards, opposition from local residents or from State and local authorities, or for other reasons."

So problem number one, the inability of private industry to explore and produce energy resources because it is "not in the public interest" or delayed because of "exceptional environmental hazards," or "opposition from local residents" is to be solved by forming a government oil company which, with a wave of a wand, can dissipate these opposing forces. While we are as concerned about the environment as anyone else, we lack the credentials to comment on this matter. However, on July 14, the testimony of Barbara M. Heller of the Environmental Policy Center contained this comment on such a policy—"If the development of public resources by private companies is not in the public interest, the development of such resources by the Federal government will be less in the public interest. Much as we dislike the policies of the industry, we do not believe that the Federal government can develop energy more safely or more efficiently."

We find we must endorse these comments insofar as they relate to government development versus private development. The government's record in protecting property or human rights is no better and, in many cases, worse than that of the private sector.

(2) Capital Shortage. The bill seeks to supply capital where it appears the private sector is unable or unwilling to commit funds for energy ventures. Various arms of government, Federal, state and local, have had at it, where it concerns the energy industries. The Congress has been heard to exclaim over profits, obscene and otherwise, it has done away with percentage depletion for the major and not so major oil companies, while retaining it for the not so small private or independent oil companies. After impairing an industry's ability to raise cash flow sufficient to carry out its obligations to supply energy, the government uses this weakened condition as an argument to go into competition with the private sector.

We think this is unfair treatment of an industry which has more than demonstrated its willingness to take risks. As an example, Exxon, Mobil and Champlin acquired leases on the Destin Anticline recently for 632 million dollars. After the expenditure of more than 15 million dollars for seven dryholes, it was decided that the venture held very little prospect for success. In another venture, Exxon in 1968 paid 140 million dollars for leases in offshore Louisiana. The industry in total spent 540 million dollars. Exxon, after drilling 22 dryholes, abandoned the leases. The industry to date has little to show for the remainder of the expenditures. What congressman wants to report these kinds of results to the public? Indeed, is it necessary? What can a governmental oil company do that the private sector is not doing? Indeed, what has been the record of the private sector versus the government sector in the past fifty years? We have prepared a table, *Appendix I*, which traces some relevant statistics. We have attempted to trace the growth of population, GNP, value of energy consumed, and taxes paid to all governments. Examination of the table indicates a constantly declining cost of energy consumed as percentage of GNP through 1970. Thus, the energy industry from 1975 through 1970 took an increasingly smaller percentage of per capita GNP. By comparison, governmental cost as a percentage of GNP nearly trebled. Thus in 45 years the cost of energy declined by a third, while the cost of government trebled.

What of the record of government oil companies in other countries? Good comparative numbers are not readily available, but the consensus seems to be that they are run at little or no profit and with a much higher employment than comparable private sector companies.

If a government oil exploration effort were to be attempted, where would the government go for employees? Of a certainty, it must hire them away from the private sector companies. This would not augment, but supplant, the efforts of the private sector.

Thus, of the two major problems this bill seeks to attack, we find that, (1) that of having the government explore where the private sector is unwanted appears to be almost naive in its thinking that government would be welcome where industry is not; (2) that of government investing capital where industry cannot or will not does not appear justified at this time. There is no evidence that industry has avoided risky ventures. Quite the contrary. The government has impaired the industry's capital generating ability. It is estimated that the loss of percentage depletion will cost the industry two billion dollars in 1975. This contrasts with total capital expenditures of 11.5 billion dollars and exploration and development expenditures of 8.1 billion dollars.

If the Congress wants to aid the effort toward self-sufficiency, it should re-examine some of its attitudes which are acting to delay meaningful progress toward that goal. Thank you. Now Mr. McKittrick will have some comments about specific parts of this bill.

SELECTED DATA ON ENERGY, GROSS NATIONAL PRODUCT AND TAXES

	1925	1950	1960	1970	1974
Population (million residents)	115.8	151.9	180.0	203.8	211.3
Gross national product (millions of current dollars)	91.3	284.8	503.7	977.1	1,396.7
Total energy consumption (trillions of Btu's)	[1] 22.4	[1] 35.1	42.9	64.3	[2] 68.9
Value of energy consumed (billions of dollars)	3.0	9.3	12.1	21.2	[4] 51.9
Taxes, all governments (billions of dollars)	[3] 9.5	54.8	126.7	275.0	393.7
Value of energy consumed as percent of GNP	3.2	3.3	2.4	2.1	3.7
Total taxes as percent of GNP	10.3	19.2	25.2	28.1	28.2

PER CAPITA DATA	1925	1950	1960	1970	1974
Gross national product (dollars)	788	1,875	2,799	4,794	6,611
Total energy consumption (millions of Btu's)	190	220	238	315	350
Value of energy consumed (dollars)	26	61	67	104	245
Taxes, all governments (dollars)	82	361	704	1,349	1,863

[1] Includes wood, etc.

[2] Includes coal, oil, and natural gas, totaling 94.2 percent of consumption.

[3] 1927.

[4] Based on value at source.

STATEMENT OF STERLING McKITTRICK, JR.

My name is Sterling McKittrick, Jr. I am a partner of Ingalls and Snyder, a brokerage firm in New York City. For over 20 years, I have specialized as a security analyst in the study of oil and gas companies and the industry. I am a chartered financial analyst and am currently serving as President of the National Association of Petroleum Investment Analysts, an organization with a membership of over 300 people.

I concur with the remarks that Mr. Hunt has just made and would now like to make some brief comments on specific sections of **S-740.**

Section 201, Subhead (1) makes reference to the need to establish specific targets to meet national goals for domestic energy preservation, storage and conversion and transportation. Extensive studies have already been made of this subject. We do not need new targets when it is obvious that dependence on foreign oil should be reduced without hamstringing our economy.

Subhead (2) of the Section suggests monitoring of activities of both private and government entities in the energy area. This is already under way and we do not think further inspection is required or will be needed if the necessary capital incentives to move forward are provided.

Section e of Subhead (2) refers to correction of delays or procedural impediments for energy development at the Federal, State or local level. I believe such mechanisms already exist; as a matter of fact, the Energy Research and Development Administration has a substantial annual budget and certainly could carry out this effort as it is needed.

Section 202 refers to the Board's having materials allocation authority. Gentlemen, I believe that the powers inherent in this section would be an unconscionable invasion of the private sector, particularly in a peacetime era. A shortfall of equipment did exist some months ago, but it has now been corrected and I believe all the necessary materials for the development of energy will be available if, as I again reiterate, the necessary incentives exist. It is my understanding that rigs are now available and it is tragic to have to say that they are available because operators do not know where they stand as to the status of proposed investments.

Section 203 gives the proposed board the right to intervene in regulatory or judicial proceedings regarding energy. I believe this would be a duplicative effort that would be wasteful.

Section 204 authorizes the board to carry out a resource assessment program. Such an effort would also duplicate work that has been done in the past and should it be needed again for some reason, I think it can be accomplished by private enterprise.

Section 204, (b) (1), is particularly disturbing because it presumes that a government agency might have rights over others that are not applicable to entities that are better suited to conduct the search. I don't believe that state and local authorities should be overridden by fiat and I do not believe it is in the public interest for a government agency to conduct a project when private sources have the capability. To my way of thinking, the government should not become involved in energy matters that can be dealt with by the private sector.

204 (2) (c) is designed to permit the Board to enter oil and gas exploration contracts with competent private parties who would have the right to buy back oil and gas discoveries. Again this appears tó me to be a further invasion of the private sector. Should this bill become law, I wonder what assurance exists that the federal government will not try to enter the refining and marketing business on top of this current effort to get into the production of oil and gas.

Section 205 covers the Board's ability to negotiate with foreign governments. The U.S. should only involve itself to the extent of commitment guarantees should such be required by a foreign government. In another part of this section, specific energy projects are covered and there might be some merit in this suggestion under the aegis of some other agency than this Board such as the Department of the Interior.

Section 206 involves exploration and development of Naval Petroleum Reserve No. 4 and this can certainly be carried out without setting up a new government agency.

Section 208 covers government-owned equipment disposal. This can be handled by an existing government agency, in this case, the General Services Administration in our opinion.

Section 302 envisages the creation of national energy production companies that contemplate joint private-government funding for companies to develop projects. I see no need to establish companies for this purpose, but I would have no objection to specific government loans at low interest for the purpose of energy development by private companies. I fail to see the need for the U.S. Government to play a part in the administration of these companies beyond its role as a lender.

Section 303 covering the subject of expediting government action on energy matters has a good deal of merit except that I do not believe a board is needed to do it. Anything that will be of help to the companies in this area is worthwhile in my opinion.

Section 304 covers the development of Naval Petroleum Reserve No. 4, an action capable of being accomplished by the private sector in my opinion as I said before. Frankly, I'm not sure that funds spent there would yield more worthwhile results than in the lower 48 states at this time.

Title 4 and its related sections discuss programs requiring express legislation to set up coal and transportation programs. I do not believe another government agency is needed to implement these efforts.

Section 501 recommends legislation designed to assure the availability of adequate capital for investment in the production, development and transportation of energy supplies. Again I would reiterate that capital will be available if economic incentives are there. I wonder if judgments can be made as to the availability of capital for investment without guaranteeing rate of return and therefore quasi-regulation.

Section 601 calls for financing the Board with 1 billion in the first year and two billion annually for the following nine years. This is a great deal of money, and I would like to see some of the reasoning behind the determination of the amount. Further, I feel that elimination of deficit financing should be a goal of Congress and not expansion. Taking funds in this magnitude from the U.S. treasury would be detrimental in my opinion. At the present time energy supervision costs something over 8 billion dollars from just five agencies: FEA, ERDA, Interior Department, FPC, NRC. That is close to $40 per capita which contrasts with total energy costs of $246 per capita.

In closing I would like to point out that it is my opinion that this bill would create a government agency that would impair the abilities of the U.S. oil industry to correct and solve the energy crisis that is very much upon us.

Mr. BARTLETT. Mr. President, one of the important voices which should be heard as we move toward a workable national energy policy is the voice of the independent producer. One such producer is Mr. D. K. Davis who appeared before the Senate Committee on Interior and Insular Affairs.

Mr. Davis is to be commended for his straightforward testimony. To those of us familiar with the plight of the independent, he recounts a familiar story: regulated prices have forced many of them out of the oil and gas production business simply because the costs of drilling and production were greater than the income generated under the controlled price.

Moreover, in the statement he chronicles the frustration of the independent and the outrage of private citizens as the proposed Mobilization Board would go about "gambling with the Nation's wealth" rather than allowing the Government to continue to receive revenues from the energy industry. He notes that Government is not immune from the tremendous risks of exploration and drilling and that there will be no reduced cost to the Government. Perhaps most compelling is that the Government, by means of this legislation, can make no promise to the consumer or the taxpayer of lower energy costs, lower taxes, or most importantly greater supplies of energy.

I support Mr. Davis' conclusion: The only way to increase oil and gas production is to deregulate crude oil and natural gas prices and allow the private sector to operate freely, unencumbered by Government price regulation.

I ask unanimous consent that his statement be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony on S. 740, National Energy Mobilization Board Act of 1975

(Presented by D. K. Davis)

Mr. Chairman: My name is D. K. Davis. I am Executive Vice President of Natural Gas Finders, Inc. and Managing Director of Energy Research Associates. I am representing Mr. L. Frank Pitts personally, who is unable to testify to you today as planned due to temporary illness, and The Pitts Energy Group of companies, which in addition to the two companies first mentioned also includes the Pitts Oil Company and Dallas Production, Inc., all of Dallas, Texas.

I have been in the oil and gas exploration business for the past 29 years, as a professional geophysicist and as an investor and partner in the drilling and development of oil and gas properties. I have been associated with Mr. Frank Pitts and his brother, Shelby Pitts in various petroleum exploration endeavors for 16 years.

Mr. Frank Pitts is President of Pitts Oil Company, and has been involved in finding and developing oil and gas properties since the middle 1940's. He is an erudite spokesman for the position of independent oil and gas operators to the Congress, to State legislators, various regulatory bodies, and to the public. For ten years he was President and I was Executive Vice President and General Manager of Exploration Surveys, Inc., an international geophysical service company which did extensive contract survey work in every producing province in America, as well as many frontier areas which show promise for oil and gas production. These operations include work on the Outer Continental Shelf areas of Texas, Louisiana, Florida, and 20,000 line miles of work along the Northeast Coast from Norfolk Virginia to 200 miles east of Cape Cod.

We appreciate the opportunity to appear before this committee because as small, independent producers, our segment of the industry is frequently not consulted when important legislation, such as S–740, is being considered. The current energy shortage is no surprise to independent oil and gas operators. We have been telling everyone within earshot for over 15 years that it was coming and have recommended action to prevent it. But all the warnings fell on deaf ears. In 1956 our industry had over 2,800 drillings rigs operating and we were drilling over 60,000 wells a year. By 1971, before the Arab embargo, we had dropped to less than 1,000 rigs in the field, and drilled less than 28,000 new wells that year.

We lived through those frustrating years and saw over 10,000 independent operators literally driven out of business by artificial price controls and expanded import quotas which served to depress the price of oil below the level at which the average U.S. producer could achieve an economic return on his investment. We had to stop drilling in North Texas in 1967 because the cost of operations was greater than any income we were permitted to receive under the regulated market for natural gas, and we did not get back into the business of drilling wells again until 1971.

At no time in the history of the oil and gas industry has there ever been a lack of willingness on the part of independents to take the risks and drill the wells this country needed for an expanding economy, and there is no lack of willingness today. What it takes to raise oil and gas production is the opportunity to make a profit. Oil and gas or coal cannot be produced at a loss, any more than any other product.

We are testifying against S. 740 because it is based on the premise that the present economic system doesn't work. It assumes that our energy shortage was caused by private industry failure, while it ignores the hard facts assembled by government and industry showing that the shortage was caused by, and is being perpetuated by congressional restraints. S–740 proposes more governmental intervention into both private and governmental operations, and its proposed bureaucratic reach will create uncertainty, delays and confusion which will dangerously slow down this nation's energy production at the very time when it should be increased to the maximum possible level.

The introduction to S–740, under Section 2, sets out commendable goals for our energy independence. But thereafter it seems to thwart those excellent objectives with every new section. Because the language of this bill is so ambiguous in relation to its avowed and laudable purposes, it is difficult to analyze and even more difficult to believe that it should be adopted.

The proposed Act says, in effect, that the Department of Commerce, the Federal Energy Administration, the Environmental Protection Agency, the Department of Interior, the Energy Research, and Development Administration, the U.S. Geological Survey, the U.S. Bureau of Mines, together with various other boards and agencies which are already charged with the same responsibilities as the proposed National Energy Mobilization Board is to assume, are inadequate in discharging their responsibility to the Nation.

While we and other independent operators may have differences of opinion with some of these bodies on regulations and policies, we do not believe that the interest of citizens of the United States will be better served by relieving them of their responsibilities and replacing or harassing them with another huge conglomeration of agencies and government corporations with new and overriding powers.

A reading of this proposed Act finds that nothing is promised the American citizen except the author's willingness to gamble with the Nation's wealth; to use the taxpayer's money to drill oil and gas wells, instead of allowing taxpayers to have the advantage of the income now collected in revenues and taxes from the same operations that the Act proposes to replace.

Nothing here suggests cheaper prices for the consumer.

Nothing here suggests more income for the United States.

No economy can be claimed by the proposed Board's function of managing our energy resources—only the expense of another agency. There is not even a limit as to how much capitalization the Congress will really be asked to provide in order to launch the country's taxpayers into this risky venture.

There is nothing here to suggest that the qualifications for Director or officers would make them superior in judgment than the public officials who now oversee these functions.

But it does suggest a super-agency—an agency which would put into the hands of a few persons complete control over what, where, when, why, to whom and for who our energy resources are to be rearranged in this country. Control of energy under a single banner means control of all our industrial and resource wealth, which are nothing without energy. A bureau so powerful, so intimidating, so completely out of reach of the voters, no matter how well-intentioned, is not the American way. Our strength in this country is in our diversity and competition! And there is no business in the world, to my knowledge, more competitive than oil and gas producers struggling to buy leases on which to drill wells. In fact I challenge each member of the committee to come and spend a week in the field with any one of our lease men. You'll discover what competition really means!

The bill acknowledges in Section 2(d) that "There are enormous energy resources of coal, oil, natural gas, oil shale, geothermal, uranium, and other forms of energy in the United States which have not been adequately explored or developed", and we heartedly agree.

The bill acknowledges in Section 2(e) that "The Nation has extensive under-utilized technical, industrial, manpower, and other resources which could be mobilized to achieve the goal of energy self-sufficiency." We heartedly agree; and have been saying it for years. But the reason they're being under-utilized is not the lack of know-how, not the lack of prospective areas to drill, and not a lack of eagerness to move ahead: the reason is because Congress is denying the American people the right to buy fuel at fair prices from American producers, and is thereby forcing consumers in this country to support the OPEC cartel with ever higher prices, and promote inflation by sending money out of this country instead of keeping it circulating in our own economy. With every barrel of OPEC oil imported into this country, we are exporting American jobs to pay for it.

There is nothing here to suggest that the creation of National Energy Production Companies will actually provide any additional oil and gas or other energy that can't be produced cheaper and more efficiently by private industry. It does propose that since we have a shortage in deliveries of energy that the Federal government should set up its own Corporations to try to meet the need. Under this philosophy the Federal Government should have jumped into sugar production a few months ago, or a little earlier than that, when the meat counters were bare, it should have jumped into the cattle business.

It also proposes that government cooperate with industry by offering handouts of financial aid to industry. Mr. Chairman, as independent operators we don't need handouts from taxpayers to get the job done. We need profits to fuel the investment needed to drill new wells, and profits to encourage outside investors and lending institutions to support our operations. Why should the public be asked to provide a direct feed-through of funds out of new taxes, when such subsidies can only lead to less efficiency, reduced competitiveness and higher fuel costs—a great deal of which costs will be hidden in higher taxes.

The Act proposes that Americans be offered the opportunity to buy stock in these new corporations. But if they don't choose to buy it, the Act states that the Federal Government will buy up the unsubscribed stock with the taxpayers money. In other words, if a citizen doesn't want to invest, he will be forced to buy shares anyway with his higher taxes.

Even if the Congress wanted to take the first step toward socialization of American industry, it should start with something far less hazardous than the exploration and development of oil and gas. This bill asks the Congress to give these experimental Corporations a blank check to roll dice in one of the most expensive and financially hazardous enterprises in the world. There are numerous high-paying jobs and consulting commissions in private industry awaiting anyone who can significantly lower the cost of finding oil and gas, but this bill fails to provide the incentive for the employment of such rare talent.

Section 202 of the proposed Act provides for Materials Allocation Authority. Our own experience with such bureaucratic distribution is still fresh on our minds. During 1972 through 1974 independent producers, who drilled 85% of the wildcat wells last year, were hard pressed to find steel tubing to complete wells in which oil or gas had been discovered. (A shortage, incidently, which was caused by price controls being levied on tubular goods, which caused steel mills to produce flat steel at lower cost to sell at higher, uncontrolled prices in order to optimize their profits—another example of price controls being the most damaging to those the regulators attempt to protect.) But Lone Star Steel Company of Dallas announced a program of increased tubular production to meet the demand of increased drilling activity in the Southwest, and we applied for a portion of their output.

On January 6, 1975 we were notified by the steel company that our application for a portion of their new pipe had been preempted by a Priority Directive from the U.S. Department of Commerce, requiring them to furnish tubular goods for use by the U.S. Navy in the development of the Elk Hills Naval Reserve in California. This was the first inkling we had that the government was going into the drilling business, but in any case the steel which was pre-empted by the government still has not been used. But our drilling activities were curtailed as a result.

With the government in the oil and gas business, in competition with private industry, and with an agency having full power to divert all manner of industry materials and equipment, we can't help but believe the foregoing example would be repeated over and over with the possibility of unfair competition doing irreparable harm to independent oil operators.

Of course most of the costly goods and services involved in finding new oil and gas, would be equally available to the government and to private industry. The proposed board could hire drillers, geologists, geophysical crews and roustabouts, and could purchase or rent all manner of equipment the same as private companies—but not any cheaper. A seismograph contractor or a drilling contractor and their crews cannot run a survey or drill a hole for a Federal corporation one cent cheaper than they can for a private operator.

The United States Treasury has for years regularly collected millions of dollars from industry as payments for offshore leases, and these monies have benefited American taxpayers. The recent purchase by industry of six tracts off the Coast of Florida put $632 million into government hands, and then private enterprise spent millions more for seven dry holes before abandoning the area.

If this proposed Act had been in force, and the proposed Board had drilled the Florida prospects, the taxpayers would not have had the benefit of the $632 million, and perhaps would have even had their taxes raised to cover the deficit; plus paying the additional millions for dry holes; plus a probable few million more to pay for at least 10 separate Congressional investigations into how the Energy Mobilization Board could have been so stupid as to dig a bunch of holes in the ground without finding anything! How long would the public stand still for a Federal Agency to drill 40 dry holes in a row, as some independent operators have done? Would such an agency stand up to drilling seven dry holes in the remote Arctic wilderness? Would they have the guts to persevere, as private industry did, and pour more millions into an eighth hole, which was the well that resulted in the discovery of Prudoe Bay?

The proposals offered in this bill are so far-reaching and ambiguous, that if they were offered up for investment by a private promoter, he would be immediately investigated by the Securities and Exchange Commission and the Federal Trade Commission. The supporters of this bill certainly owe the American taxpayers and citizens the same degree of detailed information and background which the SEC would demand in a prospectus for such a mammoth and complicated undertaking. We don't believe this proposal could pass even the most preliminary requirements of disclosure of pertinent information.

Mr. Chairman, our companies and thousands more like them are standing in the wings waiting to get on with the job of finding and producing oil and gas. We're not "holding back waiting for higher prices" as some would have you believe. We operate in a world of cold hard facts, because in a business with such exceptionally high risk as ours, we can never take anything for granted. Even with every fact we can garner, we still look probable failure in the face every time we stick a bit into the ground.

When we also have to consider such facts as artificially low interstate gas prices, that make it impossible to drill and produce even our successful wells without losing money, and when Congress proposes lowering oil prices to below the documented average production cost, then the risk becomes too great. To drill new wells under such circumstances is to put certain failure in our path and threaten our very livelihood and that of our investors. The wells won't be drilled under these circumstances, and they can't be drilled by the Federal Government without costing the taxpayer even more than a free market price should be.

Our experience in oil and gas exploration indicates that there almost certainly are vast untapped reserves to be produced in this country. The Continental Shelf areas, especially off the northeast coast, show great promise. Deeper drilling in such areas as the Appalachian Basin and many other onshore areas may very well contain "elephants" of oil and particularly gas reserves beyond our wildest dreams. And we could be wrong, but there's no way to know until these prospects are actually drilled.

There are also many areas of low yield but with tremendous long-term reserves such as the Devonian Shales of Ohio and Kentucky. But the price of what is found must equate with the higher expenses of exploration and production. We do not believe the price can be legislated because there are too many unknowns. Let us loose from the shackles of regulation so that producers may compete with each other and with other forms of energy, and we can continue to provide America with the cheapest energy in the world. With reduced government interference, so that we can embark on needed projects with confidence that there is a profitable market for new discoveries, private companies will compete to do the job; they'll vie for the opportunity to do research and development and then pay taxes into the State and Federal governments for the privilege. All it takes is incentive, a chance to make a profit.

The committee might do a great service for this country by substituting for S-740 a bill to establish a data bank of energy requests of submittal from research institutes, government agencies, industry, banking organizations, environmental organizations, and others. Let those submittals be checked for truth, and when their accuracy has been determined honestly and soberly, without political bias and stripped of their emotionalism and the hysterical finger-pointing of instant experts, or the jerry-rigged conclusions of zealots on both sides of the energy questions, then let such a service agency insert those facts into a comprehensive economic computer model, perhaps similar to, but hopefully superior to economic models OPEC uses for decision-making, such as the one which is run for them at Battelle Institute.

The findings of the FEA, the FPC and the Commerce Department which show little or no economic impact by deregulation should be checked and included, along with apparent facts to the contrary. Environmental impact data and the various estimates of energy reserves (which necessarily cover a wide range because they are educated guesses) should be included.

Such data should be included as the example in Texas, where a free market for gas has sparked a spectacular drilling boom, and provided the gas to keep Texas industry humming at full capacity. Free market energy in Texas helped to create a healthy economy in that state. Texans have bit the bullet that President Ford prescribed, by paying up to $2.00 m.c.f. for new gas, and now they're reaping new benefits as the supply approaches demand and prices are dropping. And yet Congress still deprives most of the rest of the nation of those same benefits, and good workmen from factories without fuel stand in welfare lines.

Facts must not only be assembled, but used. If a bill creating a fact-assembling service agency should become a reality, perhaps the only teeth it would need for the ultimate benefit of the country would be to require that the Congress pass no law which did not honor the factual economic consequences predicted by the agency for any given set of circumstances.

But such proposals take time to become effective and our country is out of time. Our problem is to begin immediately to drill more wells and produce more oil and gas, and it can be accomplished by the Congress showing a willingness to let independents get back to work without the threat of continued harassment. As an initial move in this direction we respectfully request that S-740 be postponed indefinitely by this committee. We see no independent operators standing in line for the Federal handouts that this bill offers in its effort to solve an artificially created economic crisis. Fair prices will be higher than we paid a few years ago, but they will be cheaper than bread lines and safer than living under the cloud of OPEC blackmail.

Please, gentlemen, let the United States of American continue as the prime example to the rest of the world of the economic stability and prosperity that a free market system can create.

Mr. FANNIN. Mr. President, over the years, one of the hallmarks of our lifestyle in this country has been our free marketplace where producers compete with one another to provide those goods and services needed by the American people. Over the years, the Government has had an increasingly powerful role in regulating these markets. Now, we find that legislation has been proposed which would actually put the Government into the marketplace as a competitor. This legislation is S. 740, the "National Energy Mobilization Act of 1975." In hearings before the Senate Committee on Interior and Insular Affairs, Dr. Herbert Stein described the role Government would have under the proposed legislation. He is to be commended for his unequivocal rejection of the provisions of the bill and for his incisive testimony.

Dr. Stein described the effective energy producing system we have in our country. It is a complex network of thousands of enterprises. If Government were to enter and attempt to compete in that private system, that system would be prevented from making its maximum contribution. Moreover, with an entrant in the market as strong as the Government, the system as it exists would be deterred from reaching its full capacity.

Most compelling is Dr. Stein's analysis of Government's ability to go into the petroleum production industry. Government does not have the technical expertise to enter the energy industry. To develop that expertise would be a needless duplication of the efforts of the private sector.

Dr. Stein's thoughtful analysis shows us that this legislation would do nothing to enhance our national security or to expand domestic production. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT

(By Herbert Stein, A. Willis Robertson Professor of Economics, University of Virginia)

Almost twenty-one months have passed since the Arab oil embargo demonstrated the danger which the oil weapon creates for the security of the United States. In that period we have not developed a national strategy and program for dealing with the problem. It is of the greatest urgency that we should do so promptly.

I fully support the underlying purpose of S. 740, which is stated as "to overcome the dependence of the United States on foreign nations for energy supplies which are essential to national security, commerce, and a full-employment economy. . . ." If I thought that enactment of S. 740 would on balance help to accomplish that purpose I would be in favor of it, even though the particular methods proposed might not be the most efficient or otherwise most preferable. However, I believe that S. 740 would not contribute to achievement of its stated goal but would in fact impede it.

We have in the United States an effective system for producing energy. That is a network of thousands of enterprises, mainly private businesses, engaged in exploring for energy of all kinds, and in producing, refining, transporting and marketing it. The network includes research facilities and financial institutions. The enterprises in the network have highly-developed, specialized know-how, capital equipment and personnel. They are linked together by a sophisticated market. They are guided and motivated by the effort to earn income by producing what this market wants.

This energy-producing system is part of a larger free-market system. But I am not here paying a tribute, however well-deserved, to the free-market system. I am simply calling attention to the existence of an elaborate, working, effective mechanism for getting energy. That mechanism has given the American people an enormous quantity of energy to work with, at a cost which has been declining, relative to other costs, over most of the past century.

If there were a different mechanism in place for getting energy, whether a governmental system or a mixed system, with the proven effectiveness which the private system has, I would recommend that in the present critical situation we should rely on it. I would recommend that even though, for a variety of reasons, I might prefer a different system. I do not think this is the time to make an ideological decision about energy. We know as a simple matter of fact that our capability is overwhelmingly in the existing private system. We should rely on it.

Our present difficulties, the fact of dependence and the danger of increasing dependence, do not reflect any inadequacy of the existing private energy system. Basically, public policy failed to give that system the signals which would mobilize it for strengthening America's energy security. In the late 1960's and early 1970's public policy turned to give more emphasis to cheap energy, than to secure energy. By reducing restraints on imports, and later by putting ceilings on domestic energy prices, the Government gave the signal that more foreign oil was desired. The private system delivered that. The rise in the OPEC oil price has changed the signal and stimulated the system to concentrate more on domestic development. However, public policy, notably the price controls, have muffled that signal and so deterred the response.

In a superficial sense the bill, S. 740, recognizes the need to rely mainly on the existing, private system. It seems to propose only that the government should guide the working of the system by setting targets and supplement the system where it is not achieving the targets. In fact, however, the effect of the bill would be to prevent the existing system from making its maximum contribution.

If the private system is to do its maximum to mobilize our domestic energy resources it must operate within a secure, stable and potentially profitable environment. The energy business is inevitably a risky one for physical and technological reasons. The OPEC cartel has introduced new uncertainties into the situation. The policy of our own government should not add further uncertainties. But it does so at present. Important matters of price controls, taxation and import policy are highly uncertain.

Rather than removing these impediments to maximum development of our domestic energy resources, the provisions of S. 740 would add new uncertainties. The main operational features of the bill would permit the government to engage in exploration, permit government-created enterprises to engage in energy production, and permit the government to give financial assistance to "private" enterprises. All of this would be in competition with completely private enterprises. It would have two adverse results:

First, it would lead many people, including many in Congress, to believe that steps to create reasonable conditions for private initiative are unnecessary because the government will fill any gaps in energy development left by private initiative. Thus, it will reduce the likelihood of getting rid of present obstacles.

Second, it would create a new obstacle in the form of a risk to any private participant in the energy business that it will be damaged by the competition of a government entity which does not have to meet ordinary tests of profitability. This risk would be intensified by the provision of the bill which would create an extremely large fund of money available to finance such Federal competition. We would have with a vengeance the kind of situation complained of in the 1930's when the threat of government competition held up the expansion of private electric power facilities.

The result will not be that the government or government-sponsored enterprises do what private enterprises fail to do. The result will be that private enterprise is deterred from doing what it might and the government does not fill the gap. Anyone who has observed government programs knows that it will be years before the government energy programs envisaged by the bill get off the ground, if, indeed, they ever do get off the ground. But the effect in discouraging private efforts will be immediate.

It will be said that the intent of the bill is that the government should engage in exploration, or energy production, or energy financing only in cases where private activity promises to be inadequate. Three comments should be made on that:

First, restrictive price controls and burdensome taxation can assure that the private activity is inadequate. That will not demonstrate the need for government supplementation. It may only show the need for a more reasonable price and tax system.

Second, the decision about the inadequacy of private activity would be made by a government agency which will almost certainly have more confidence in itself than in the private market. That is the natural tendency of government agencies. The bill provides that in some cases Congress should have the opportunity to disapprove Federal energy exploration, production or financing projects proposed by the agency. However, it is unrealistic to think that Congress could effectively review proposals in so technical an area.

Third, the deterrence to private energy development would come not only from the Federal energy projects actually undertaken but also from the much wider range of cases in which Federal intervention is threatened or possible.

We cannot be confident of full mobilization of our domestic energy resources until we make two basic decisions. We must decide not to suppress the price of domestically-produced energy. We must decide not to tax income from domestic energy production more heavily than income from other sources. Unless we do those two things we will not be using the most powerful guiding and motivating force in the American economy—the drive of individuals and businesses to earn income by producing what the market wants.

A price ceiling on domestically-produced oil is especially damaging today when one of our main objectives is to hold down the importation of oil and so reduce our dependency. The present price control system operates as a subsidy to imported oil. All crude oil sells in the United States today at a price which is the average of the uncontrolled price of imported oil and some domestic oil and the controlled, lower, price of "old" domestic oil which is most of the domestic oil. Thus, the imported oil sells at a price which is less than the importer paid for it, the difference being made up by the relatively low price of controlled oil. This makes the American consumer willing to buy more imported oil than he would if he had to pay its full price. It also enables the OPEC cartel to sell more at its established price than if the U.S. domestic price were uncontrolled. This makes it easier for the cartel to maintain its high price. In our zeal to insure that domestic sellers do not get "too much" for their oil we are assisting foreign sellers in getting even more.

I do not suggest that free prices and nondiscriminatory taxation by themselves will do everything needed to bring about achievable, economical energy security for the United States. Probably the most important thing needed in addition is a program for building up a larger reserve of crude oil and products in the United States. Whether we need a tariff on imported oil is a more debatable question, but I am inclined to think that we do. We surely need to resolve some of the conflicts between protection of the environment and development of energy supplies in a way that reflects the present critical nature of our energy problem. Some of the specific provisions of S. 740 may be helpful, especially those to expedite decisions about Naval Petroleum Reserve Number 4 in Alaska and to increase the information about the availability of oil and gas on the public domain and Federal lands and the Outer Continental Shelf. However, I fear that the main provisions of this bill, authorizing widespread entry of the Federal government as an operator in the energy business would impede rather than assist movement towards the goal of energy security.

REVENUE SHARING ENDORSEMENT

Mr. FANNIN. Mr. President, in 1972 the Congress enacted, and the President approved, the State and Local Fiscal Assistance Act. This legislation established the general revenue sharing program which had been designed to provide some 39,000 local and State jurisdictions with Federal funds totaling $30 billion over 5 years. Generally, these funds were made available in response to serious financial problems being experienced by many State and local governments. As a result of rising demands for increased services in our growing cities and towns local governments found that traditional sources of funds—the property tax, for example—had been exhausted thus making Federal support a necessity. But what makes the revenue sharing program unique is that instead of designing a categorical aid program, the President and the Congress responded with a program which gave maximum control over the use of Federal funds to State and local governments. By emphasizing a minimum of Federal strings State and local governments have been able to resolve critical financial problems while providing support to those programs and services which they deemed appropriate. In essence, the general revenue sharing program has strengthened the Federal system and local and State control.

Despite the financial stability that many States and local governments achieved due to revenue sharing, the 1974–75 recession and continuing inflationary pressures eroded these gains. According to President Ford in his message urging the continuation of the revenue sharing program.

> Many State and local governments are facing deficits with the prospect of having to raise additional taxes or cut services. Our States and localities are facing these adverse developments at a time when their fiscal responsibilities have mounted due to the impact of inflation on their expenditures and the tax burdens placed on citizens. Further, the present high unemployment is taking its toll in terms of lower tax receipts and higher costs on States and communities. This combination of financial pressures is likely to continue to bear down on these governments for the foreseeable future.
>
> Many units of government, particularly in distressed urban areas, count on these funds for their budget planning. If the flow of shared revenues were to be turned off or scaled down, the results would be immediate and painful. Our efforts to revive the economy would suffer a serious blow. States, cities, counties and small communities would have to either cut back essential services causing increased public and related private unemployment or tax more or borrow more—thus defeating the objectives of our national efforts to reduce the total tax load and revive the economy.

In view of these very real financial problems and the opportunity for unfettered local and State decision making which revenue sharing promotes, I am today joining as a cosponsor of S. 1625, the State and Local Fiscal Assistance Act Amendments of 1975, which is President Ford's proposal to extend the revenue sharing program.

While I strongly support the principle of revenue sharing, I would be less than candid if I did not express my concerns with various aspects of the general revenue sharing program.

First, I am concerned with the number of jurisdictions participating in the general revenue sharing program which cannot demonstrate any real justification for receiving revenue sharing funds. In a recent publication by the Advisory Commission on Intergovernmental Relations entitled, "General Revenue Sharing: An ACIR Reevaluation," the ACIR points out that—

> Revenue sharing tends to prop up certain duplicative, obsolete, and/or defunct units of local government. Revenue sharing is allocated among local governments according to a three factor formula that uses population, general tax effort, and relative income. Every unit of local general government, regardless of fiscal activity or population size, is an eligible recipient unless it is entitled to less than $200 on an annual basis.
>
> The act works in two ways to prop up obsolete local governments. First, all general purpose governments as defined by the Bureau of the Census are eligible for general

> revenue sharing funds thereby permitting such limited governments as many midwest townships and some, principally New England, counties to receive revenue sharing allocations. Second, provisions in the law raise the allocation to every township and municipality, no matter how inactive, to an amount equal to the lesser of (a) 20 percent of the statewide average local per capita entitlement or (b) 50 percent of the recipient government's total taxes plus intergovernmental transfers. These provisions benefit local governments that exert little tax effort because they either have few services to perform or possess abundant fiscal capacity as indicated by relatively high per capita income of their residents.
>
> Midwest township governments except in North Dakota obtain a significantly larger share of revenue sharing funds than they would receive if their allocations depended solely on their relative share of adjusted taxes. In Illinois, Indiana, Missouri, and Wisconsin, because of the 20 percent rule, the township governments on the average get twice as large a share of revenue sharing entitlements as their share of adjusted taxes would indicate. In most instances the gain for townships is at the expense of municipal governments.
>
> The provision of the law that limits local revenue sharing allocations of county areas, cities, and townships to 145 percent of the statewide average local per capita entitlement also has a "propping up" effect. Certain counties that score rather poorly on a tax activity basis, particularly in New England, benefit from the redistribution of funds taken from high effort cities and townships.

In view of these comments Congress should determine whether the public interest is served by providing funds to local governments that have no need for Federal revenue sharing funds.

Second, I am absolutely opposed to continuing the extension of the provisions of the Davis-Bacon Act essentially to local construction projects developed with revenue sharing funds. In view of the clear inflationary effect of the Davis-Bacon Act on construction programs I find it hard to justify its application in a program which is based on meeting financial problems caused by inflation. It is my intention to seek removal of Davis-Bacon from this legislation and I will carefully question every witness about the effect of this provision on local construction projects.

Third, the revenue sharing program as envisioned by the administration is not designed to meet inflationary pressures. The administration's bill may be defective in that the proposed funding level remains constant during the 5-year period without taking into consideration expected increases in the costs of local government. If the objective of the administration in the revenue sharing program is to assist local governments in overcoming the effects of inflation, then legislation should reflect that concern. S. 11, for example, introduced by Senator BROCK, addresses this problem by proposing a funding mechanism tied to a fixed percentage of the Federal personal income tax base. This approach has value because revenue sharing funding would have a more direct relationship to the economy. According to the Advisory Commission on Intergovernmental Relations—

> Tying revenue sharing to the Federal income tax would help keep revenue sharing aid in line with the growth of the economy and with the upward push of inflation. Whereas the annual growth in revenue sharing entitlements over the period covered by P.L. 92–512 is just a little over 2 percent, the annual growth of Federal AGI has hovered near 10 percent in the last few years.

It is my view that such an approach makes good sense since the level of funding would rise or fall according to economic developments. By providing a mechanism which can adjust to fluctuations in the economy we can be assured that revenue sharing will, in fact, be responsive to local needs.

Whatever approach is developed revenue sharing should be designed to operate in a manner which enables our cities and local governments to achieve progress and financial stability.

Fourth, a number of groups and individuals have complained that the Office of Revenue Sharing is not conducting a vigorous antidiscrimination program. In my view, Congress never intended that the Office of Revenue Sharing be utilized as the primary method for enforcing Federal antidiscrimination laws. Yet, voices have been heard to the contrary insisting that the ORS role in civil rights be expanded. The ACIR in a very eloquent statement in its October 1974 evaluation report, indicated that the "ORS should not be equipped and staffed to be the principal instrument for ridding the state-local sector of discrimination in all its forms." In support of its contention, the ACIR argued that:

> The National government now has agencies engaged in combatting discriminatory practices. The Equal Employment Opportunity Commission has approximately 2,500 employees investigating discriminatory employment practices in private industry and in government. The present charter of the EEOC permits that agency to investigate complaints for all governments with 15 or more employees. In addition, there is the large civil rights division of the Department of Justice and the civil rights enforcement capability of HEW and other Federal agencies administering Federal grant programs.
>
> In time, state and local governments can be expected to increase their effectiveness in combatting discrimination. Human rights agencies have been established in 40 states and the District of Columbia. At the local level in 34 states, approximately 400 such agencies exist. Although these agencies usually direct their effort to eliminating discrimination in the fields of housing and employment, some have broader authority. Many of the agencies still have not been granted a wide range of enforcement tools to stop discrimination. Yet, by referring cases of alleged discrimination to other agencies with such powers, including now the Office of Revenue Sharing with its enforcement powers, the local agencies are far from powerless to combat discrimination.

In my opinion, ACIR's view that existing Federal and State agencies are sufficient to resolve discrimination problems is correct and to impose additional civil rights responsibilities on the Office of Revenue Sharing is unnecessary and unjustifiable. In this connection, I would urge the Congress to accept the ACIR view that "the Office of Revenue Sharing should not be converted into the avenging angel envisioned by some civil rights spokesmen."

Finally, I am not convinced that the existing provisions or the President's proposed revisions regarding citizen participation are strong enough to guarantee community wide interest in the use of general revenue sharing funds at the local level. While I recognize the dilemma in mandating Federal procedures for assuring participation in a program which attempts to limit Federal direction we must nevertheless develop a system which encourages greater participation in decisions affecting the use of revenue sharing funds. As difficult as this assignment may be, it is my hope that reasonable approaches can be found which will realize greater participation and greater interest, not only in the revenue sharing program, but the activities of State and local government as well.

Mr. President, these particular aspects of the revenue sharing program are the most significant in my opinion, although there are others which the Congress and the Senate Finance Committee will have to address.

Despite these problems, which I believe can be resolved, it is my objective to support early enactment of legislation extending the program in advance of the termination date of December 31, 1976. If Congress waits until the last minute to act on the revenue sharing program extension, many State and local governments will be forced to make decisions which could only impair their financial status and harm their ongoing services. It is in the public interest to act at the earliest possible moment so local government planning can proceed with full knowledge of whether revenue sharing will be continued or not. We can do no less in keeping with the spirit of the compact between the Federal Government and State and local governments which revenue sharing represents.

Finally, because of the interest in revenue sharing the Senate Finance Committee and its Revenue Sharing Subcommittee prepared an excellent report on the operation of the State and Local Fiscal Assistance Act of 1972. I ask unanimous consent to have this report printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

OPERATION OF THE STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972

(Prepared for the use of the Committee on Finance, April 16, 1975)

INTRODUCTION

Title I of the State and Local Fiscal Assistance Act of 1972 (Public Law 92–512) established the program of financial assistance to state and local governments commonly known as general revenue sharing. The Act created a Revenue Sharing Trust Fund and appropriated to it $30.2 billion in Federal funds to be paid to state and local governments over a five-year period, ending December 31, 1976. During the current fiscal year, $6.2 billion is being disbursed by the Department of Treaury to about 39,000 state and local governments in the 50 states and the District of Columbia.*

HOW THE FUNDS MAY BE USED

Under the law, funds allocated to state governments may be used for virtually any legitimate purpose. However, to receive their full allocation, the States must generally maintain their assistance to their local governments at the levels existing in fiscal year 1972. Funds allocated to local governments may be used to pay operating and maintenance costs within the following "priority expenditure categories":

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* Note: See Appendix for additional detail on the level and distribution of funding.

A. Public Safety (including for example, police, courts, corrections, crime prevention, fire protection, civil defense, inspection of buildings, plumbing, electrical facilities, gas lines, boilers, and elevators).

B. Environmental Protection (including for example, smoke regulation, inspection of water supply, sanitary engineering, pollution control, sewerage, street cleaning and waste collection, refuse disposal, or waste recycling).

C. Public Transportation (including for example, highways, bridges, streets, grade crossings, snow and ice removal, transit systems).

D. Health.

E. Recreation.

F. Libraries.

G. Social Services for the Poor and Aged (including for example, food, clothing, shelter, day care, job training).

H. Financial Administration (including for example, expenses for accounting, auditing, budgeting, investing, tax collection, fiscal affairs).

In addition, the law provides that any ordinary and necessary capital expenditure authorized by state and local law represents an appropriate use of general revenue sharing funds.

Although the law contains few limitations on the specific purposes to which funds may be applied, it does impose several general constraints on the manner in which the funds are expended:

(1) budgeting, appropriation and use of this money must meet requirements of state and local law regarding the use of a recipient's own general revenue;

(2) revenue sharing dollars may not be used directly or indirectly to obtain federal matching funds;

(3) recipients must observe nondiscrimination and labor standards provisions found in Sections 122 and 123 of the Act;

(4) revenue sharing money must be used, obligated or appropriated within 24 months of the end of the entitlement period for which it was paid out, unless an extension of time is granted by the Secretary of Treasury;

(5) shared revenues transferred to private agencies or other units of government are still subject to all of the restrictions of the Act;

(6) use of revenue sharing funds by units of local government to repay debts must conform to regulations.

An analysis of the reported actual uses of general revenue sharing during the 1973–74 period indicates that more money was spent to provide citizens with public safety services than for any other purpose. These expenditures, mainly by local units of government, amounted to 23c of every revenue sharing dollar spent. The second highest use nationally of general revenue sharing funds by all State and local governments was to provide educational services and facilities. These costs amounted to 21c of every revenue sharing dollar, and dominated State government spending. The third highest expenditure of revenue sharing funds was to provide a variety of public transportation services at both the State and local levels. These services used 15c of the average revenue sharing dollar spent during Entitlement Period 4.

These three uses of revenue sharing funds—public safety, education, and public transportation—accounted for almost 60% of all revenue sharing expenditures during the 1973–74 period.

Other uses of revenue sharing monies by State and local governments in decreasing order of magnitude were: multi-purpose and general government—10c; health services—7c; environmental protection—7c; recreation and cultural programs—5c; social services for the poor and aged—4c; other uses, especially by States—4c; financial administration—2c; libraries—1c; housing and community development—1c; and corrections, economic development and social development—each less than 1c.

Reported Use of General Revenue Sharing 1973–74

	Cents
Public safety	23
Education	21
Public transportation	15
Multipurpose general government	10
Health	7
Environmental protection	7
Recreation	5
Social services for poor or aged	4
Other uses	4
Financial administration	2
Libraries	1
Housing/community development	1
Corrections	Less than 1
Economic development	Less than 1
Social development	Less than 1

Source: Department of Treasury.

USE OF REVENUE SHARING FUNDS REPORTED BY STATES AND LOCAL GOVERNMENTS, JAN. 1, 1972—JUNE 30, 1974

[In millions of dollars]

Rank and category of use	All governments		States		Local governments	
	Amount	Percent	Amount	Percent	Amount	Percent
1. Public Safety	$2,190	23	$45	1	$2,145	36
2. Education	2,068	22	2,000	57	68	1
3. Transportation	1.405	15	267	8	1,138	19
4. General Gov't./Multi-Pur.	841	9	208	6	633	11
5. Environmental Protection	674	7	56	2	618	10
6. Health	645	7	231	7	414	7
7. Recreation & Cultural Serv.	425	4	40	1	385	6
8. Other	355	4	316	9	39	1
9. Social Services for the Poor or Aged	$354	4	$229	7	$125	2
10. Financial Administration	188	2	24	1	164	3
11. Housing & Comm. Development	104	1	37	1	67	1
12. Libraries	101	1	6		95	2
13. Economic Development	51	1	13		38	1
14. Corrections	43		43	1		
15. Social Development	22				22	
Total	9,466	100	3,515	[1]100	5,951	100

[1] Does not total due to rounding.

COMPARISON OF PLANNED USES OF SHARED REVENUES, ENTITLEMENT PERIOD 4 (JULY 1, 1973–JUNE 30, 1974) AND 5 (JULY 1, 1974–JUNE 30, 1975) ALL RECIPIENT GOVERNMENTS

[In percent]

Categories of expenditure	PUR 4	PUR 5	Change in PUR 5
Public safety	19	23	+4
Environmental protection	7	7	
Public transportation	14	12	−2
Health	9	6	−3
Recreation	6	5	−1
Libraries	1	2	+1
Social services/aged or poor	2	2	
Financial administration	2	2	
Multipurpose/general government	10	12	+2
Education	21	20	−1
Social development	0	0	
Housing/community development	1	1	
Economic development	0	1	+1
Other	5	5	

A comparison of Planned Use Report data for Entitlement Periods 4 and 5 (equivalent to Federal fiscal years 1974 and 1975) indicates that the proportion of general revenue sharing funds needed to operate and maintain programs is increasing. The percentage of shared revenues earmarked for capital expenditures is decreasing.

COMPARISON OF PLANS TO USE SHARED REVENUES FOR CAPITAL VERSUS OPERATING AND MAINTENANCE EXPENDITURES, ALL RECIPIENT GOVERNMENTS

[As a percent of total funds allocated]

	Entitlement period 4 (July 1, 1973–June 30, 1974)	Entitlement period 5 (July 1, 1974–June 30, 1975)
Capital expenditures	41	37
Operating and maintenance expenditures	59	63

ANTICIPATED EFFECTS ON TAX RATES PLANNED USE REPORTS: ENTITLEMENT PERIODS 4 AND 5 (JULY 1, 1973-JUNE 30, 1974 AND JULY 1, 1974-JUNE 30, 1975)

[In percent]

	Period 4	Period 5	Change in period 5
Reduction of major tax	4	4	0
Prevent Increase of major tax	28	36	+8
Prevent Enacting major tax	12	15	+3
Reduce Amount of tax increase	8	11	+3
No effect on tax levels	26	35	+9
Too soon to predict	29		−29

Note: Some governments indicated that shared revenues would affect their tax rates in more than 1 of the categories listed above.

TABLE 1.—REPORTED USE OF GENERAL REVENUE SHARING FUNDS—ALL UNITS OF GOVERNMENT [1] (N=34,538) ENTITLEMENT PERIOD 4 (JULY 1, 1973–JUNE 30, 1974)

[Dollars in millions]

Category	Total amount expended	Percent of total funds expended	Operating and maintenance capital				
			Rank	Amount expended	Percent of category expended	Amount expended	Percent of category expended
Public safety	$1,534.9	23	1	$1,193.4	78	$341.5	22
Environmental protection	486.5	7	5	231.6	48	254.9	52
Public transportation	987.8	15	3	465.4	47	522.4	53
Health	477.1	7	6	293.7	62	183.4	38
Recreation	307.5	5	7	85.7	28	221.8	72
Libraries	[2] 82.3	1	11	46.0	56	36.2	44
Social services for the poor or aged	261.9	4	8	237.7	91	24.2	9
Financial administration	136.4	2	10	107.9	79	28.4	21
Multipurpose/general government	638.8	10	4	158.4	25	480.4	75
Education	1,381.3	21	2	1,149.4	83	231.9	17
Social development	12.8	(3)	15			12.8	100
Housing/community development	75.3	1	12	27.8	37	47.5	63
Economic development	37.3	(3)	14	4.9	13	32.4	87
Other	253.2	4	9	235.8	93	17.4	7
Corrections	[2] 43.2	(3)	13	26.0	60	17.3	40
Total	[2] 6,716.4	[2] 100		4,263.8	63	[2] 2,452.6	37

[1] Total reports received by Sept. 24, 1974. [2] Does not total due to rounding. [3] Less than 1 percent.

TABLE 2.—REPORTED USE OF GENERAL REVENUE SHARING FUNDS—ALL STATE GOVERNMENTS AND DISTRICT OF COLUMBIA [1] (N=51) ENTITLEMENT PERIOD 4 (JULY 1, 1973–JUNE 30, 1974)

[Dollars in millions]

Category	Operating and maintenance				Capital	
	Total Amount expended	Percent of Total funds expended	Amount expended	Percent of category expended	Amount expended	Percent of category expended
Public safety	$24.9	1	$22.8	91	$2.1	9
Environmental protection	49.1	2	21.0	43	28.1	57
Public transportation	211.4	8	153.8	73	57.6	27
Health	198.2	8	125.0	63	73.1	37
Recreation	36.1	1	7.9	22	28.1	78
Libraries	6.3	(2)	.6	10	5.7	90
Social services for the poor or aged	167.8	7	162.1	97	5.7	3
Financial administration	24.4	1	24.4	100		
Multi-purpose/general Government	183.5	7	158.4	86	25.1	14
Education	1,336.0	52	1,149.4	86	186.6	14
Housing/community development	[3] 33.0	1	27.8	84	5.3	16
Economic development	8.7	(2)	4.9	56	3.8	44
Other	238.6	10	235.8	99	28.	11
Currents	[3] 43.2	2	26.0	60	17.3	40
Total	[3] 2,561.1	100	[3] 2,119.8	82	[3] 441.3	18

[1] Total reports received by Sept. 24, 1974.
[3] Does not total due to rounding.
[2] Less than 1 percent.

TABLE 3.—REPORTED USE OF GENERAL REVENUE SHARING FUNDS—ALL LOCAL GOVERNMENTS REPORTING [1] (N=34,487) ENTITLEMENT PERIOD 4 (JULY 1, 1973–JUNE 30, 1974)

[In millions of dollars]

Category	Operating and maintenance				Capital	
	Total amount expended	Percent of total funds expended	Amount expended	Percent of total category expended	Amount expended	Percent of total category expended
Public safety [2]	$1,510.1	36	$1,170.7	78	$339.4	22
Environmental protection [2]	437.4	11	210.6	48	226.8	52
Public transportation [2]	776.4	19	311.6	40	464.8	60
Health [2]	278.9	7	168.7	60	110.2	40
Recreation [2]	271.4	7	77.8	29	193.6	71
Libraries [2]	76.0	2	45.5	61	30.5	39
Social services for the poor or aged [2]	94.1	2	75.6	80	18.5	20
Financial administration [2]	112.0	3	83.5	75	28.4	25
Multipurpose/general government [3]	455.3	11	(4)		455.3	100
Education [3]	45.3	1	(4)		45.3	100
Social development [3]	12.8		(4)		12.8	100
Housing/community development [3]	42.3	1	(4)		42.3	100
Economic development [3]	28.6	1	(4)		28.6	100
Other [3]	14.6		(4)		14.6	100
Total	[5] 4,155.3	100	2,144.0	52	[5] 2,011.3	48

[1] Total reports received by Sept. 24, 1974.
[2] Priority expenditure categories for local governments.
[3] Descriptive categories for capital expenditures established by ORS for reporting purposes.
[4] Not a category for local government expenditures.
[5] Columns do not add to totals due to rounding.

CURRENT ANALYSES OF REVENUE SHARING

Revenue sharing has been a subject for study by various groups within the private sector. Following are brief summaries of several major studies evaluating the program:

General Revenue Sharing: An ACIR Reevaluation (Advisory Commission on Intergovernmental Relations).—This study argues that the underlying reasons for revenue sharing retain validity: fiscal imbalance within the federal system and the need to decentralize decisionmaking. A failure to re-enact revenue sharing would disrupt state and local finances. Revenue sharing with state governments should be continued. The Federal government remains the most equitable and effective tax raiser because it is not hobbled by the fear of tax competition. There is insufficient data to support the contention that revenue sharing shortchanges the poor. A method must be found to reconcile the goal of increased control over the Federal budget with the need for certainty in planning state and local budgets. One approach would be to establish a permanent trust fund and to fix revenue sharing funds as a percentage of Federal income tax revenues. The present distribution formula should be retained. The Office of Special Revenue Sharing is not the appropriate agency to enforce the civil rights provision of the law; these functions should be left to other agencies.

Views of the General Public and Community Leaders on General Revenue Sharing (Public Opinion Research Corp. and the National Science Foundation).—A sampling of public opinion produced the following results: one person in five in the general public and five leaders in six of "community leaders" qualified as "informed" on revenue sharing. In all groups studied—informed and uninformed, general public and community leaders—more persons favored continuing revenue sharing than favored permitting it to expire. In general, persons interviewed believed that the program was fulfilling the objectives commonly set forth for revenue sharing (restoring financial balance to the Federal system, decentralization of decisionmaking, etc.).

Economic Aspects of Revenue Sharing in Municipalities (the University of Michigan).—The authors of this study surveyed a sampling of municipalities to determine how revenue sharing funds had been spent and the economic consequences. A significant number of the community leaders interviewed expressed the opinion that the increased revenue sharing funding had coincided with a decline in Federal categorical aid. Most financing officials interviewed expressed the view that revenue sharing funds had been expended on some innovative projects. In general, those persons interviewed expressed the opinion that the constraints on the expenditures of revenue sharing funds were moderate and not a problem. An overwhelming majority believed that the program should be re-enacted on an even larger scale. Most officials also favored allowing revenue sharing funds to be used as a local contribution in a Federal matching program.

General Revenue Sharing in American Cities: First Impressions (National Clearinghouse on Revenue Sharing).—The authors of this study conducted an 18-month survey of revenue sharing in 60 localities. The authors found that the expenditure of revenue sharing funds was being conducted with a minimal of Federal oversight by either the Congress or the Executive Branch and that reliable data on the program was scant. The authors conclude that the citizen oversight contemplated by the law is ineffective for monitoring the program. The authors found that many citizens in the communities surveyed are unaware of how the program is affecting their locality. The authors also found that the provisions of the law relating to nondiscrimination are ineffective and inadequate. The authors conclude that preliminary data shows that the expenditures are not responsive to the needs of the most disadvantaged citizens. The task of assessing the extent of this trend is made difficult by the extreme fungibility of Federal dollars. In addition, local leaders frequently expressed the view that the increase in revenue sharing funds had more than been offset by the decline in Federal categorical aid.

Monitoring Revenue Sharing (The Brookings Institution). This study is the first of three projected studies on the operation of general revenue sharing to be completed during the five-year life of the program. The study is based upon data gathered by Brookings field observers in selected jurisdictions throughout the country, and focuses on three aspects of the program: the consequences of the formula by which funds are allocated among states and local governments, the effects of the program on the fiscal policies of recipient governments and the political impact of the program on the decisionmaking processes of state and local governments. A comprehensive analysis of the program, the study raises a number of policy issues for consideration as the program approaches its expiration in December, 1976:

Distributional Effects.—The study cites as particularly important "the question of whether the large cities and poor states should receive relatively more generous treatment than they do under the current formula" which channels relatively more funds to inner cities than other areas on a per capita basis. The study also suggests for reconsideration the question of whether the smallest units of general-purpose local government should be eliminated from the program. In addition, the study proposes a number of technical changes in the distribution formula to simplify administration of the program.

Fiscal Effects.—The study suggests that a primary question of fiscal policy is whether steps are needed to assure a higher level of new spending than preliminary data indicates has occurred over the revenue sharing program.

Political Effects.—The primary issue regarding the political effects of revenue sharing, the authors of the Brookings' study suggest, is whether revenue sharing is "churning up the decisionmaking processes of recipient state and local governments and providing access to policy-making process for more groups." Other questions about the political effects of revenue sharing relate to the effects on the organizational structure of state and local governments—for example, whether it encourages the rise (or demise) of smaller political jurisdictions.

Revenue Sharing and Local Government: A Premature Review of Literature (State University of New York/Buffalo).—This report undertook to examine current literature on the effects of the revenue sharing program on the nation's communities. The study reached a conclusion that "no literature worthy of the name has yet evolved." The investigation was conducted under a contract with the National Science Foundation.

HOW THE FUNDS ARE ALLOCATED

The law contains two different formulas to determine the allocation for state areas (i. e., allocations both to the state and to localities within its borders). The actual payment going to each state area is computed on whichever of the two formulas yields the higher payment.* The Office of Revenue Sharing distributes the annual amount authorized by Congress for each Entitlement Period in the following manner:

1. The annual amount is allocated among the states according to the three-factor Senate formula (population, tax effort and income);

2. The annual amount is also allocated among the states according to the five-factor House formula (population, urbanized population, per capita income, state income tax collections, and tax effort);

3. The higher of the two amounts is selected for each state. Since the sum is greater than the annual amount authorized, each allocation is scaled down proportionately so that the total allocation equals the annual amount.

4. If either Alaska or Hawaii uses the three-factor formula, its allocation is increased by the same percentage adjustment as applied to the base pay allowances of Federal government employees residing in those states (15% in Hawaii and 25% in Alaska).

The next step is to allocate within each state, according to the following process:

1. One-third of the state's allocation is paid to the state government, and the remaining two-thirds is apportioned to units of local government within the state.

2. The amount to be allocated to units of local government is divided by the population of the state to establish the per capita entitlement for all governments within the state.

3. The local government amount is distributed to county areas (these are geographic areas, not governments) based upon the ratio that each county area bears to all county areas within the state according to the formula: population × tax effort × relative income.

4. If this calculation allocates to any county area an amount which on a per capita basis, exceeds 145% of the per capita entitlement calculated in Step 2., its payment is reduced to the 145% level and the resulting surplus is shared proportionately by all the remaining unconstrained county areas within the state.

5. Similarly, if any county area is allocated less than 20%, on a per capita basis, of the amount calculated in Step 2., its allocation is increased to the 20% level and the remaining deficit is taken proportionately from all the remaining unconstrained county areas within the state.

6. Each county area allocated is then divided into four parts:

a. An amount for Indian tribal governments or Alaskan native villages is then determined on the ratio of tribal/village population to the total population of the county area.

b. From the remainder, a township allocation is determined on the basis of the ratio of all township adjusted taxes to the total adjusted taxes in the county.

c. A county government share is determined similarly, on the basis of county government adjusted taxes.

d. The remaining proportion is for the other units of local government.

7. Townships and other local governments are then allocated funds on the basis of the formula: population × tax effort × relative income. If a unit of government receives more than 145% on a per capita basis, it is adjusted to the 145% level. If a unit receives less than 20%, its allocation is increased to the lower of either the 20% level, or 50% of its adjusted taxes and transfers. Then, if any unit receives more than 50% of its adjusted taxes and transfers, its allocation is reduced to that level and the excess is given to the county government.

8. If the county government has been allocated more than 50% of its adjusted taxes and transfers, its allocation is reduced to that level, and the excess is returned to the state government.

9. If any allocation is less than $200, or any unit of local government waives its entitlement, those funds are allocated to the next higher level of government.

10. Finally, if the amounts allocated by the above procedure do not total 100% of the funds available for distribution, the appropriate adjustment is made to the entitlement figure in Step 3. This process (Step 3 through 8) is repeated until the amounts allocated total 100% of the funds available.

APPENDIX

SCHEDULE OF PAYMENTS: JAN. 1, 1972-DEC. 31, 1976

Entitlement period	Dates	Amount appropriated (billions)
Period 1	Jan. 1, to June 30, 1972	$2.650
Period 2	July 1, to Dec. 31, 1972	2,650
Period 3	Jan. 1, to June 30, 1973	2.9875
Period 4	July 1, 1973 to June 30, 1974	6.050
Period 5	July 1, 1974 to June 30, 1975	6.200
Period 6	July 1, 1975 to June 30, 1976	6.350
Period 7	July 1, to Dec. 31, 1976	3.325

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* However, the allocation to each state area on the basis of the particular formula which produces the higher amount is scaled up or down proportionately to make the total allocation for the year equal to the total amount appropriated for that year. In 1972, the first year of the program, this involves scaling down the higher of the two formulas by 8.4% to keep the total distribution within the bounds of the $5.3 billion appropriated for that year (see table 3 and accompanying text).

CUMULATIVE DISBURSEMENTS OF GENERAL SHARING FUNDS AS OF JAN. 6, 1975

State name	State	Counties	Municipalities	Townships	Indian tribes and Alaskan Native villages	Totals
Alabama	$98, 031, 250	$73, 042, 295	$123, 354, 002			$294, 427, 547
Alaska	7, 467, 593	5, 705, 900	8, 564, 156		$461, 450	22, 199, 099
Arizona	57, 498, 507	46, 217, 176	63, 706, 070		5, 054, 882	172, 476, 635
Arkansas	64, 092, 503	65, 012, 375	50, 348, 184			179, 453, 062
California	616, 886, 301	745, 622, 434	487, 565, 778		403, 010	1, 850, 477, 523
Colorado	60, 472, 503	42, 715, 978	78, 167, 008		116, 489	181, 471, 978
Connecticut	73, 021, 478		78, 012, 319	$68, 146, 608		219, 180, 405
Delaware	19, 879, 525	18, 895, 404	13, 153, 503			51, 928, 432
District of Columbia	77, 678, 593					77, 678, 593
Florida	166, 965, 710	148, 131, 335	186, 675, 953		61, 454	501, 834, 452
Georgia	120, 298, 892	139, 200, 117	101, 066, 060			360, 565, 069
Hawaii	25, 543, 953	12, 633, 627	38, 454, 275			76, 631, 855
Idaho	23, 433, 764	27, 021, 042	19, 588, 477		258, 764	70, 302, 047
Ilinois	295, 539, 122	134, 687, 858	359, 381, 078	77, 366, 251		866, 974, 309
Indiana	122, 796, 072	84, 204, 744	132, 781, 467	28, 524, 713		368, 306, 996
Iowa	81, 763, 140	95, 103, 370	68, 345, 610		35, 971	245, 248, 091
Kansas	55, 821, 093	56, 745, 726	48, 668, 523	6, 183, 211	22, 699	167, 441, 252
Kentucky	110, 701, 413	80, 380, 428	92, 822, 948			283, 904, 789
Louisiana	135, 019, 381	107, 555, 940	155, 627, 774		18, 514	398, 221, 609
Maine	35, 156, 423	4, 652, 262	28, 980, 207	36, 548, 822	139, 976	105, 477, 690
Maryland	114, 605, 518	133, 339, 234	95, 965, 309			343, 910, 061
Massachusetts	182, 245, 167	20, 943, 170	205, 025, 647	138, 712, 424		546, 926, 408
Michigan	245, 150, 087	142, 649, 271	302, 884, 502	45, 150, 958	80, 032	735, 914, 850
Minnesota	114, 208, 820	121, 716, 072	92, 814, 805	14, 117, 713	668, 609	343, 526, 019
Mississippi	99, 333, 536	119, 470, 087	66, 975, 715		130, 507	285, 909, 845
Missouri	107, 986, 009	71, 647, 040	139, 151, 315	4, 966, 463		323, 750, 827
Montana	22, 690, 223	30, 093, 950	13, 636, 518		1, 642, 832	68, 062, 623
Nebraska	41, 781, 580	41, 455, 262	39, 244, 788	2, 658, 130	174, 415	125, 134, 175
Nevada	12, 687, 188	15, 855, 488	9, 314, 646		196, 538	38, 053, 860
New Hampshire	18, 392, 718	4, 771, 379	17, 428, 996	14, 667, 833		55, 260, 926
New Jersey	181, 169, 014	129, 803, 539	160, 977, 091	71, 584, 615		543, 534, 259
New Mexico	37, 651, 964	29, 616, 859	37, 173, 483		4, 790, 597	109, 232, 903
New York	643, 494, 495	275, 600, 457	874, 936, 969	135, 942, 411	347, 922	1, 930, 328, 254
North Carolina	148, 069, 952	159, 621, 485	137, 011, 118		325, 806	445, 028, 361
North Dakota	23, 338, 880	23, 943, 056	15, 664, 537	6, 121, 898	926, 404	69, 994, 775
Ohio	230, 284, 312	146, 533, 214	269, 047, 129	44, 852, 464		690, 717, 119
Oklahoma	64, 553, 808	48, 062, 345	79, 845, 372		1, 152, 619	193, 614, 144
Oregon	57, 213, 003	43, 309, 765	70, 881, 278		179, 213	171, 583, 259
Pennsylvania	302, 833, 488	171, 610, 911	339, 040, 101	95, 666, 707	400	909, 151, 607
Rhode Island	26, 057, 130		37, 062, 733	15, 034, 044		78, 153, 907
South Carolina	81, 197, 990	82, 272, 021	73, 459, 802			236, 929, 813
South Dakota	25, 804, 561	30, 133, 162	15, 936, 206	3, 731, 771	1, 677, 674	77, 283, 374
Tennessee	108, 642, 061	94, 798, 322	124, 976, 603			328, 416, 986
Texas	273, 736, 732	201, 322, 681	344, 627, 257		56, 566	819, 743, 236
Utah	34, 092, 853	33, 951, 088	33, 658, 949		523, 520	102, 226, 410
Vermont	16, 212, 006	396, 117	11, 186, 736	20, 903, 393		48, 698, 252
Virginia	114, 391, 368	84, 662, 483	144, 608, 951		5, 132	343, 667, 934
Washington	83, 643, 570	75, 014, 111	91, 592, 691	3, 401	669, 042	250, 922, 815
West Virginia	74, 684, 580	44, 167, 467	51, 176, 848			170, 028, 895
Wisconsin	145, 107, 066	142, 717, 552	124, 292, 833	23, 299, 882	432, 925	435, 850, 258
Wyoming	10, 780, 308	15, 701, 770	5, 543, 145		258, 757	32, 283, 980
National total	5, 890, 107, 203	4, 422, 712, 469	6, 160, 405, 465	854, 183, 712	20, 812, 719	17, 348, 221, 568

TYPES OF GOVERNMENTS BY STATE

State name	Counties	Munici-palities	Town-ships	Indian tribes and Alaskan Native villages	Total
Alabama	67	409			477
Alaska	9	130		89	229
Arizona	14	67		18	100
Arkansas	75	462			538
California	57	412		57	527
Colorado	62	260		2	325
Connecticut		34	149		184
Delaware	3	54			58
District of Columbia		1			1
Florida	66	389		2	458
Georgia	158	529			688
Hawaii	3	1			5
Idaho	44	199		5	249
Illinois	102	1, 270	1, 436		2, 809
Indiana	91	563	1, 008		1, 663
Iowa	99	954		1	1, 055
Kansas	105	627	1, 500	4	2, 237
Kentucky	119	403			523
Louisiana	62	298		1	362
Maine	16	22	474	3	516
Maryland	23	151			175
Massachusetts	12	39	312		364
Michigan	83	533	1, 247	5	1, 869
Minnesota	87	855	1, 800	13	2, 756
Mississippi	82	281		1	365
Missouri	114	908	344		1, 367
Montana	56	126		7	190
Nebraska	93	535	486	3	1, 118
Nevada	16	17		17	51
New Hampshire	10	13	222		246
New Jersey	21	335	232		589
New Mexico	32	92		22	147
New York	57	619	930	8	1, 615
North Carolina	100	466		1	568
North Dakota	53	359	1, 368	5	1, 786
Ohio	88	935	1, 320		2, 344
Oklahoma	77	562		25	665
Oregon	36	238		4	279
Pennsylvania	66	1, 013	1, 550	1	2, 631
Rhode Island		8	31		40
South Carolina	46	263			310
South Dakota	67	310	1, 031	9	1, 418
Tennessee	94	323			418
Texas	254	1, 048		2	1, 305
Utah	29	216		5	251
Vermont	14	60	237		312
Virginia	95	232		2	330
Washington	39	266	39	22	367
West Virginia	55	227			283
Wisconsin	72	575	1, 270	10	1, 928
Wyoming	23	89		2	115
National total (51)	3, 046	18, 778	16, 986	346	39, 207

SENATOR NELSON DELIVERS PRELIMINARY REPORT ON STUDY OF THE BUSINESS TAX SYSTEM

Mr. HUMPHREY. Mr. President, Congress is learning more each year about the vital economic functions performed by the small business community.

We now know that of the nearly 13 million U.S. enterprises, about 97½ percent fit between the established definition of "small business," and that these firms account for between 52 and 53 percent of private employment, 43 percent of business output, and one-third of the gross national product.

These firms also have been the source of more than half the major industrial innovations, and are the prime support for the institutions of our cities and towns across the country.

With the flexibility to react quickly to changing economic conditions, small business has great potential for helping to lift the country out of the recession and reducing unemployment, which now numbers about 8 million persons.

The small business community can thus be of great value in helping to solve the Nation's problems if it is given equitable treatment under wise government tax and other policies.

One of the reasons for our increased knowledge in the small business area is the work being performed by the Select Committee on Small Business. The chairman, Senator Nelson of Wisconsin, has undertaken, among other investigations, an indepth study of the business tax system in order to explore the relationship between taxes and employment, investment, productivity, and economic growth. Three days of hearings were held on this subject in June and another three sessions are presently planned for September.

The Small Business Committee has been joined in this study by the Subcommittee on Financial Markets of the Senate Finance Committee, under the chairmanship of the Senator from Texas (Mr. Bentsen), who is also an active member of the Joint Economic Committee.

An immediate benefit of this study will be that informed small business proposals can be advanced for inclusion in the general tax reform legislation presently being considered in the House of Representatives. Moreover, the committee's basic research on these important matters should be helpful to Congress for a long time to come.

On July 31, Senator Nelson delivered testimony to the Ways and Means Committee on small business tax reform, which is in the nature of a preliminary report on this study. I believe that the Senator's testimony and statistical exhibits would be of interest to many other committees of Congress, small business organizations, universities and the general public, and I therefore ask unanimous consent that this testimony be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement by Senator Gaylord Nelson Before the Committee on Ways and Means, House of Representatives, July 31, 1975

Mr. Chairman and Members of the Committee. We appreciate the opportunity of testifying on three of the major topics of your tax reform study: approaches to tax reform, simplification, and capital formation.

Senator Bentsen and I ask to appear because of a study of the structure of business taxes we are conducting jointly in the Select Committee on Small Business and the Subcommittee on Financial Markets of the Senate Finance Committee on the structure of business taxes and their relationship to employment, investment, productivity and economic growth.

Our three days of hearings, June 17–19, addressed these subjects, and we hoped it might be helpful if we shared our preliminary conclusions with you at this time, before the Phase 1 tax reform bill is formulated.

APPROACH TO TAX REFORM

We advocate that the Committee consider the needs of smaller- and medium-sized independent business firms as an integral part of its approach to major tax reform legislation.

We feel the evidence shows that new, small and independent business as a class perform essential economic functions, and remain the anchor of political democracy in this Nation.

Smaller business—97% of the nearly 13 million U.S. enterprises—accounts for between 52 and 53% of private employment, 43% of the business output, and one-third of the Gross National Product. A study published by the Commerce Department concluded that individuals and small businesses produce more than half of the important industrial inventions and innovations.[1]

Research done at the University of Wisconsin indicates that these businesses provide significantly greater support for the economic and social fabric of cities and towns across the country than large and particularly conglomerate corporations.

Senator Bentsen will speak to these areas in greater detail.

As background, only about 6,000 corporations are large enough to have their stock actively traded. A tabulation to this effect is attached.

As of 1971, the largest 100 manufacturing corporations owned almost half the assets in manufacturing, and the largest 200 owned about 61% of such assets.

The pattern of effective tax rates established in the Small Business Committee's February, 1975, hearings clearly shows the extent to which larger corporations exploit their ability to employ the most expert lawyers, accountants and advisors enabling them to take full advantage of every provision of tax law and regulation. Smaller firms are not able to match this capability.

In my view, practical distinctions should be established in economic policy and tax policy between the few thousand corporations which have achieved access to the bond markets, stock markets, and other large-scale aggregations of capital; and the millions of corporations and unincorporate firms which have not.

Otherwise, in spite of protestations of neutrality and equal treatment, the tax code will create discrimination and competitive disadvantage against new, small and independent businesses.

Unfortunately, it is apparent that we have traveled a considerable distance down the road already. According to figures on effective tax rates developed by the Federal Trade Commission, the Securities and Exchange Commission, the nation's largest brokerage firm, a public interest law firm, and the Treasury Department, tax rates on corporations earning over $25,000 are sharply regressive. We will furnish this information for your Committee's record.

A member of your Committee, Mr. Vanik, has demonstrated that the 100 largest corporations as a class have paid an effective tax rate of between 25% and 30% over the past three years. That would mean that many of the medium-sized firms that must fight for survival against giants, especially if they wish to seek national markets, may be paying double the effective tax rate. That is not my idea of fair competition, and it suggests that some tax reform is in order in the business sector.

The present tax law has also given us the largest wave of mergers in American history, which reached a peak of 6,123 combinations in 1969. I submit that, as legislators, we know very little about whether this has been a good thing for the economy and for the companies involved.

In this connection, I would like to call attention to the work of Professor John Udell whose examination of mergers in my own state led him to the following conclusions about firms which have been the objects of mergers:

1. Employment of merged companies grows more slowly than their local economy, and often suffers reductions;
2. Merged companies reduce their business not only with local lawyers, accountants and bankers, but also with local suppliers of other materials and services;
3. Merged companies contribute significantly less to the support of local charities—up to one-third less in the case of conglomerates.

This, I submit, may well be a reflection of the relative interest which locally-owned and absentee-owned firms have in their communities.

There is little question that the tax code has a definite and probably predominant effect on industrial structure in this country. I feel that we taxwriters must learn more about the consequences of our acts on competition and economic efficiency.

At the minimum, I feel the burden of proof should be on those who wish to perpetuate the demonstrated bias in the 1954 Code in favor of bigness. More than this, I urge the Committee, in responding to this Administration's initiative on capital formation, to consider carefully how capital can be formed in new, small, and independent firms in ways that reward risk, effort, innovation and efficiency, rather than merely concentrating tax benefits in large existing firms with no assurances that the economy will reap any corresponding gains in these areas.

ROLE OF NEW AND SMALL ENTERPRISE IN CAPITAL FORMATION

Some people have observed that capital has been in short supply here since Columbus landed. Commerce in the early Colonial days was centered in established English companies, and currency was very rare. However, Colonists took what they found at hand, such as the abundant fresh and salt water fish. They satisfied demands, not only as food and fertilizer domestically, but as exports to Europe.

By 1675 more than 600 vessels and 4,000 men were engaged in the fishing trade. By the end of the Colonial period, 100 years later, New England fish exports brought in $1¼ million per year, surpassing fur exports (at about $1 million).

The company that began monthly scheduled voyages between New York and Liverpool in 1817 took its chances with the wind and the weather, as well as the freight and passenger trade.

To build these ships and pay the crews, men were required to invest their savings, to assume great risks, and to wait long periods for any income. A couple of centuries later, that is still a pattern of creating capital. It is still common that it may take two to three years, or even longer, for a good idea, which men make into a promising venture, to turn a profit.

The gains of successful Yankee Colonial enterprises built capital to expand these businesses and to establish others. As these firms answered the needs of our populace year by year, their retained profits built the capital stock of the country. At times U.S. business borrowed heavily abroad, as with railroads. But these loans were paid back with earnings. Fundamental industrial capital can be created only in four ways:

1. the retention of profits;
2. capital allowances;
3. the sale of equity interests in the business; and
4. incurring of debt.

As conditions changed in the country, manufacturing replaced fisheries as the leading New England industry. These industries have gradually been displaced by education, research and high-technology companies. In each era, the spirit of enterprise has met the challenges of the environment and the marketplace in New England and in the rest of this country.

Our country profited in another way also. Successful business created a social structure of self-reliant men who nurtured and sustained self-government.

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[1] Technological Innovation: Its Environment and Management, January, 1967.

DeTocqueville, who visited this country in the 1830's, remarked that he was most impressed—not with the large projects—"but with the innumerable multitude of small undertakings. . . ."

ROLE OF NEW ENTERPRISE IN INDUSTRIAL PROGRESS

In our view, it is of the highest importance to keep this spirit of enterprise and the multitude of new small enterprises alive and flourishing in this country.

In our June, 1975 hearings, we heard testimony about the value of new enterprises using modern technology to forge industrial breakthroughs which are significantly benefiting employment, growth, efficiency and the Nation's competitive position. Senator Bentsen's statement presents the details of this exciting story.

The evidence demonstrates that the majority of industrial innovations originates with individual inventors and small firms. Smaller business is thus the seedbed of the Nation's industrial base for the next generations. All new companies must grow through the new, small- and medium-sized independent zones.

IMPACT OF TAXES

At the minimum the Federal tax system should not constitute a drag on this process of birth, growth and maturation of enterprise. However, our study has found definite evidence that the Federal system is suffocating the new and growing enterprise system at several critical points, and that in doing so, it treats unfairly newer, smaller, and more venturesome business.

POINTS AT WHICH TAX SYSTEM DISCRIMINATES AGAINST SMALLER BUSINESS

We invite the Committee's attention to the following "chokepoints:"

1. New companies today must pay much higher rates of tax than many established companies did when they were getting started;
2. Growing companies pay higher Federal tax rates which may in some cases approach double the effective rates than their giant competitors;
3. The trend of financing business growth, which is characterized by increasing long-term borrowing and debt, is placing small business at a mounting competition disdvantage;
4. Once capital is found, larger companies find it far easier to recover these funds and reuse them for expansion;
5. the tax system drives successful companies towards merger and discourages the continuation of independence over more than one generation; and
6. the burdens of complexity and reporting constitute a major drain on the productive energies of smaller firms and the private enterprise system.

These are difficulties not only for existing firms but also for prospective enterpreneurs, They reflect flaws in our public policy which are undermining the vitality of our economy, the choice of available employment, and the quality of the goods and services making up our daily lives.

Over a period of years, such imbalances discourage the spirit of enterprise and independence. If they are allowed to continue indefinitely, it is predictable that our present economic and social strains will be intensified. There will be increased discontent with the imbalance between effort and risk on one hand, and reward on the other; and because a greater proportion of our citizens will have to give up the American dream of operating their own business and go to work for larger, more structured and impersonal bureaucracies.

In an effort to assist the Committee, we have prepared a supplement to this statement commenting in more depth on these points and setting forth additional statistical material.

RECOMMENDATIONS

In order to deal with the problems and needs of small- and medium-sized business in the tax reform field, we would offer the following recommendations at this time:

1. Stability

While Congress is deciding the directions and the precise content of tax reform, it should make the provisions of the emergency Tax Reduction Act of 1975 which applied to business—particularly newer and smaller businesses—indefinite in time. I refer particularly to three provisions: the 20% rate on the first $25,000 of corporate income; the imposition of the surtax at the $50,000 level; and the eligibility of $100,000 of used machinery for whatever investment credit is in effect. Uncertainty can destroy a large part of the value of these provisions for the small business community.

On July 21, eleven Senators joined with Senator Bentsen and myself to introduce a bill which would bring about that result. (S. 2149; see Congressional Record, July 21, 1975, p. 23849.)

2. Capital formation

In our view, this Committee should recognize the principle which has been lodged consistently in the Internal Revenue Code since 1909—that smaller- and medium-sized businesses should pay lower rates of tax than larger companies having access to public capital markets. The tax systems of Canada and Great Britain explicitly recognize this distinction. We are pursuing, and we would encourage others to pursue, research to determine what would constitute economically sound rate levels for new, smaller and medium-sized independent businesses.

3. Capital recovery

These provisions of the Code should be greatly simplified so they will be more equally accessible to business of smaller size and resources. Complexity is as much a problem as inflation for new and smaller firms seeking to recover their capital for renewal of existing plant and equipment. Our Committee hopes to delve more deeply into comparisons between the Canadian and American capital recovery systems, and the proposals for accelerated capital recovery costs versus inflation-indexed accounting.

4. Productivity

In order to increase the efficiency of American business, we feel that the Committee should recognize and reduce the present tax burdens on the employment of labor. The Congress should, we feel, acknowledge that the free mobility of labor is actually a disincentive to investing in building its skills. We would thus suggest pursuit of simplified and annual reporting for social security and other purposes, simplified deposit schedules for the several types of Federal taxes on business, and simplified compliance with state and multi-state taxation will reap significant savings of management time and should also increase productivity.

We are also looking closely, and have asked authorities to comment upon, possible assistance to newer and smaller employers, perhaps by way of a credit device to offset employment taxes paid by businesses on account of employing new workers or younger workers. We recommend that this Committee also explore alternatives in this area.

5. Simplification

In addition to the above suggestions, we are prepared to recommend at this time a statutory vehicle for on-going tax simplification for business. A useful first step in accomplishing an effective organization of this kind would be the activation of the Small Business Advisory Committee to the Internal Revenue Service which was announced by our government on January 14, 1975.

6. Industry structure

In our view there should be a method by which the tax writing committees can inform themselves of the long-term effects of tax legislation on industrial combinations and the ability of business to remain independent when the founder dies or desires to withdraw.

On these points, we invite the Committee's attention to several inter-related parts of the Internal Revenue Code: redemption of the owners' securities; the size of the estate tax exemption, which we understand was established at its present $60,000 level in the 1930's; the installment payment of estate taxes, as to which we are advised the executor of the estate must post a personal bond; and the reorganization provisions, which apply to business regardless of size.

7. Provisions of 1975 draft tax reform bill

We also recommend that the Committee take advantage of its work during the 93rd Congress on tax reform, which culminated in the approval on August 1, 1974 of several small business provisions which we believe have much merit. We refer to the following sections of Committee Print No. 2 of the Tentative Draft of Title II of the Committee bill:

Sec. 213—10 year loss carry-over for new business.

Sec. 214—closing of partnership year on death of partner.

Sec. 215—changes in provisions related to Subchapter S corporations.

Sec. 211—additional first year depreciation would be very helpful to smaller companies wishing to make investments, and would be particularly valuable to the economy at this time for job creation and stimulation purposes. Its enactment would be subject to the overall approach taken by Congress to capital recovery.

We are grateful for this opportunity to present our views and would be glad to inform the Committee and its staff of the future course of our own work on the business tax structure.

Supplement to Statement of Senator Nelson Before Committee on Ways and Means, House of Representatives, July 31, 1975

(1) TAX RATE ADVANTAGES OF EXISTING COMPANIES OVER NEW COMPANIES

Up until World War II the Federal tax rate on corporations rose to only 15%. From 1950 to 1964 new business entrants had to pay between 23% to 30% (see table attached). In the emergency Tax Reduction Act this year, Congress lowered the rate on the initial $25,000 from 22% to 20%. This was a step recommended by a White House Conference on Small Business under the Chairmanship of Arthur Burns in 1956.

The corporate rate is relevant to the decision as to whether or not funds will be left in the corporations for business purposes. If earnings are paid out in salary, officers are subject to ordinary income rates which reaches 22% at $8,000 of taxable income for married persons.

If earnings are paid out in dividends to owners, they incur both the corporate income tax and the individual income tax. The corporate rate thus directly influences investor behavior.

It would be helpful in attempting to arrive at appropriate rate schedules to have an analysis of the relationship between business and individual taxes which takes into consideration the 50% limitation on earned income, the 70% rate on investment income, capital gains, accumulated earnings and other provisions relevant to officer and investor behavior. The Committee is asking the Department of the Treasury for such an analysis.

(2) LOWER EFFECTIVE RATES FOR LARGE CORPORATIONS

If a company is fortunate enough to survive its birth and early growing pains, it will soon reach a level where it is taxed the maximum statutory rate of 48% on its income. That does not take long—$500 a week in profits will place a local bakery in the same statutory tax bracket as a billion-dollar, multi-national corporation.

However, our Committee's research has revealed that many growing corporations, especially manufacturers, pay more than 50% of their income in Federal taxes, while the largest 100 corporations have been consistently paying between 25% and 30%. This kind of regressive rate structure can be assumed to have a devastating affect on promising new and growing companies. With respect to the capital which they have earned and wish to retain, they are being taxed at higher rates—in some instances double those paid by their larger competitors. In attempting to attract outside capital by borrowing, they are confronted by the fact that their larger competitors not only have more assets to be used as security, but may also be realizing a greater margin of profit because of these same lower effective tax rates.

(3) THE TREND TOWARD DEBT FINANCING

Attached is a table from the *Federal Reserve Bulletin* of April 1975, which reviews the flow of funds raised and spent in U.S. credit markets from 1965 to 1974. It can be observed that since 1966, the debt-to-equity ratio of American businesses has averaged about ten-to-one (10.21 to 1). There is an obvious trend of steady increases in the amount of debt incurred from about $30 billion a decade ago to $85 billion in 1974. During the same period, the amount of equity issues have averaged just over $5 billion annually, and was $3.5 billion during 1974.

As to bond financing to the extent that the trend moves further toward financing business growth through long-term borrowing and debt, it is apparent that the companies which will be most successful are the ones with the triple-A credit ratings.

It is the Committee's understanding that the minimum for a public bond issue appears to be in the neighborhood of $25 million, and it is reported that many institutions prefer minimums of $50 million. How many young and growing companies can qualify under these standards?

As to raising funds through the equity market—selling stock to the public—testimony before our committees in June indicated that over the past year only nine smaller companies (defined in this instance as having a net worth of one-half million dollars or less) were able to float securities issues worth $16 million. We were further advised that for the first five months of 1975, *not a single equity stock issue has been sold for firms of this size.*

There are several well known non-tax factors present, of course: the cycles of interest rates and general economic conditions have a pervasive influence on securities markets.

We have also seen a significant departure of smaller and independent brokers from the securities industry—which may be further restricting the availability of financial advice and support to newer and smaller firms. In mid-1969 there were 4631 broker-dealer registrations. By mid-1974 this had fallen to 3982, a decline of about 15%.[1]

A survey of equity issues since 1966 reveals that the average size of all equity issues (including Regulation A small business stock offerings and limited partnerships) rose from $3 million in 1966 to nearly $10 million in 1974; while for registered common stock issues, the average size has risen from $4.8 million in 1966 to over $18½ million in 1974.

However, these figures reveal gaps not only in the years when equity financing is possible, but in the types and sizes of firms that can reasonably expect to enter the equity market at any time. We are also making our findings and statistics available to the SEC and to private securities experts for analysis, and hope that we can shed some further light in this area in the future.

We hope the Committee will be sensitive to the inherent economic disabilities of newer and smaller firms with less assets, less experience and more risk in attracting both debt and equity capital.

The Department of Treasury has testified both before the Senate Subcommittee on Financial Markets and the Small Business Committee that retained earnings of all non-financial corporations, in real terms have declined from $20 billion in 1965 to $6 billion in 1973, and from about 3% of GNP in 1965 to a minus percentage in 1974, a period during which the real GNP was growing by about one-third. This relative decline of profits as a course of capital formation was noted in the testimony before the Ways and Means Committee last month by the President of the General Electric Company who testified that retained earnings nationwide which "provided a solid 23% of the new funds in 1965," supplied only 5% of capital expenditures in 1974.

The preliminary information before our Committees is that the profit shares of medium-sized corporations have been consistently shrinking, and that the retained profits of the smallest companies are hardest hit by economic downturns.[2]

In fact, as the degree of risk is smaller and new enterprises becomes greater, the more legal and institutional restraints there are in investment or lending of funds of various institutions.

(4) CAPITAL RECOVERY FAVORS LARGER FIRMS

The Federal Reserve Flow of Funds Table shows that depreciation and other capital allowances totaled just over $100 billion in 1974. This is compared to a total capital outlay of $164 billion. Thus, a large part of U.S. capital investment, although not all of it, comes from the recovery of funds by way of depreciation of machinery and equipment already in place.

Further, our hearings have demonstrated that the complex capital recovery provisions of the Internal Revenue Code unduly favor large corporations. Accountants and other experts who prepare tax returns for smaller firms say that independent businesses tend to use straight-line depreciation almost exclusively because they are not willing or able to cope with the more complex capital-recovery devices.

(5) THE PUSH TOWARD MERGER

Authoritative studies of industrial organization have established that "mergers, more than any other single economic factor, explain the existing structure of many American industries."[3]

When a company grows by expanding its sales and profits through developing new products, this growth is subjected to the critical test of the marketplace. However, to the extent of merger-accelerated growth, we are eroding both the values of economic efficiency and competition.

Merger activity has a striking effect on growth companies. In the year of a special study in 1967, for instance, more than half of the total number of companies with assets between $10 million and $25 million disappeared through merger. Over the years, there has been a similar and consistent cutting down of potential competitors of the larger established corporations.

The Statistical Abstract records that the largest 200 manufacturing corporations control over 60% of the assets and 43% of the profits in manufacturing.[4] Both of these proportions have consistently increased since World War. II.

We are concerned that the policy of tax-free exchanges of assets, together with the progressive estate tax, and the inadequate estate tax exemptions for businesses which have been built up over a lifetime, have driven thousands of businessmen into mergers and snuffed out sources of competition in every industry.

We have as an exhibit a table showing mergers over five years from 1969–1973 ranging between 4,000 and 6,000 a year, while installment payments of estate taxes by heirs wishing to continue a family business reportedly are about 200 per year. To the extent that competition as a method of achieving lower prices, higher quality, and innovation is desirable, national tax policy should be coming to grips with consequences of these trends.

(6) COMPLEXITY AND PAPERWORK

A witness before this Committee last month aptly summarized the problem by stating: "Complexity is discrimination."

Hearings before our Committee have developed the estimate that businesses spend about $15 billion a year on paperwork, about 40% of which is tax-related.

New enterprises find this compliance disproportionately burdensome and expensive, and it is a definite burden on the time and talent of business managers which the Congress should seek to mitigate by wise policy.

EXHIBIT I

NUMBER OF COMPANIES WITH SECURITIES ACTIVELY TRADED

Companies with securities listed on exchanges	[1]3,421
Companies with securities traded over the counter via NASDAQ	[2]2,600
Total	6,021

SECURITIES ISSUES LISTED ON U.S. STOCK EXCHANGES, DECEMBER 31, 1974[3]

Exchange	Common		Preferred	
	Number	Market value (millions)	Number	Market value (millions)
Registered:				
American	1,222	$22,011	83	$1,303
Boston	62	159	3	1
Cincinnati	6	11	4	52
Detroit	5	13	1	(4)
Midwest	28	208	8	79
National	102	145	0	0
New York	1,543	493,293	537	17,762
Pacific	62	1,089	8	31
P-B-W	28	87	100	644
Inter-mountain	34	20	0	0
Spokane	27	7	0	0
Exempted:				
Honolulu	19	353	7	7
Total	3,138	517,396	751	19,879
Less foreign stocks	111	21,632	4	148
Total	3,027	495,764	747	19,731

[1] The 40th annual report of the Securities and Exchange Commission, June 1974 (p. 166).

[2] National Association of Securities Dealers, February 1975.

[3] Office of Economic Research, Branch of Market Trading Activity, SEC.

[4] Less than 5,000,000 but greater than zero.

Note: When a company has more than 1 issue or a single issue listed on more than 1 exchange, each listing is tabulated separately, resulting in a "duplicated" count.

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[1] See 25th Annual Report, Select Committee on Small Business, U.S. Senate (S. Rept. 94–13) Page 114; 40th Annual Report, Securities and Exchange Commission, pp. 147–48.

[2] Statistical Abstract of the U.S., 1973, Table 781, page 483. Testimony of National Small Business Assn., in joint hearings, Senate Small Business Committee, and Subcommittee on Financial Markets, Senate Finance Committee, U.S. Senate, June 17, 1975.

[3] Cabinet Committee on Price Stability (1969), p. 69.

[4] Statistical Abstract of the United States (1973), p. 483. For all corporations, the largest 1,200 control about 58% of U.S. business assets according to Internal Revenue Service 1970 Statistics of Income. IRS also shows the 310 largest manufacturers with 65.98% of manufacturing assets.

EXHIBIT II

CORPORATION INCOME TAX RATES, 1909-62

Calendar year	Reduced rates on small corporations	General rate (percent)
1909 to 1913	$5,000 exemption	1
1913 to 1915	None after Mar. 1, 1913	1
1916		2
1917		6
1918	$2,000 exemption	12
1919 to 1921	do	10
1922 to 1924	do	12½
1925	do	13
1926 to 1927	do	13½
1928	$3,000 exemption	12
1929	do	11
1930 to 1931	do	12
1932 to 1935	None	13¾
	First $2,000	8
	Over $40,000	15
	Graduated surtax on undistributed profits ranging from	7–27
1938 to 1939	1st $25,000	12½–16
	Over $25,000	[1] 19
1940	1st $25,000	14.85–18.7
	$25,000 to $31,964.30	38.3
	$31,964.30 to $38,565.89	36.9
	Over $38,565.89	24
1941	1st $25,000	21.25
	$25,000 to $38,461.54	44
	Over $38,461.54	31
1942 to 1945	1st $25,000	25–29
	$25,000 to $50,000	53
	Over $50,000	40
1946 to 1949	1st $25,000	21.25
	$25,000 to $50,000	53
	Over $50,000	38
1950	Normal tax 23	42
	Surtax (over $25,000 surtax exemption) 19	
1951	Normal tax 28¾	50¾
	Surtax (over $25,000 surtax exemption) 22	
1952 to 1960	Normal tax 30	52
	Surtax (over $25,000 surtax exemption) 22	
1961 [2]	Normal tax 27, 48	49.48
	Surtax (over $25,000 surtax exemption) 22	
1962 [2]	Normal tax 25	47
	Surtax (over $25,000 surtax exemption) 22	

[1] Less adjustments: 14.025 percent of dividends received and 2⅓ percent of dividends paid.

[2] Provides reduction in rates effective July 1, 1961, to 25 percent 1st $25,000 and 47 percent over $25,000. Rates computed to show effect of prorating income earned before and after July 1.

Source: "The Federal tax System: Facts and Problems, 1961," materials assembled by the committee staff for the Joint Economic Committee, Congress of the United States, Washington, 1961.

EXHIBIT III–A

EFFECTIVE RATES OF FEDERAL TAXATION MANUFACTURING CORPORATIONS BY ASSET SIZE, 1971

Asset size	Profits before Federal taxes	Profits after taxes	Effective tax rate
All manufacturing corporations	16.5	9.675	41.36
Under $1,000,000	14.975	7.30	51.25
$1,000,000 to $5,000,000	17.375	8.575	50.64
$5,000,000 to $10,000,000	18.075	8.70	51.86
$10,000,000 to $25,000,000	16.325	7.95	51.30
$25,000,000 to $50,000,000	15.875	7.825	50.70
$50,000,000 to $100,000,000	16.075	8.225	48.83
$100,000,000 to $250,000,000	17.20	9.275	46.07
$250,000,000 to $1,000,000,000	17.675	9.85	44.27
$1,000,000,000 and over	16.00	10.375	35.15
Over $1,000,000,000			24.4

Source: FTC "Quarterly Financial Report," 4th quarter, 1971, p. 11, table 5. Profit rates based on percentage of stockholders equity. Testimony Of Hon. Charles Vanik before the Joint Economic Committee, July, 1972. Reprinted, "Small Business Tax Reform, 1970–74," Select Committee on Small Business, committee print, 1974.

EXHIBIT III–B

EFFECTIVE RATES OF FEDERAL TAXATION OF MANUFACTURING CORPORATIONS BY ASSET SIZE, 1971

Asset size (millions)	Profits retained	Taxes paid [1]	Effective tax rate
Under $1	7.30	14.975	51.25
$1 to $5	8.57	17.375	50.64
$5 to $10	8.7	18.075	51.86
$10 to $25	7.9	16.325	51.30
$25 to $50	7.8	15.875	50.70
$50 to $100	8.225	16.075	48.83
$100 to $250	9.27	17.20	46.07
$250 to $1,000	9.85	17.675	44.27
Over $1,000	10.375	16.00	35.15

[1] Total profits.

Source: "FTC Quarterly Financial Report," 4th quarter, 1971, p. 11, table 5.

EXHIBIT III–C

Effect on Tax Rates of Capital Recovery Provisions of the Internal Revenue Code Calendar Year 1972

	1972
1. Statutory rate	48.0
2. Less exclusions from income: State and local interest	1.8
3. Effective rate after exclusions from income	46.0
4. Less certain special deductions: Excess percentage depletion	1.8
5. Excess exploration and development costs	0.4
6. Excess bad debt reserves	0.4
7. Excess depreciation on buildings	0.4
8. Excess depreciation on machinery and equipment (ADR)	1.4
9. Western Hemisphere Trade Corporation	0.2
10. DISC	0.1
11. Reduction in effective rate due to certain special deductions	4.7
12. Effective rate after certain special deductions	41.5
13. Less capital gains rate	0.6
14. Less investment credit	3.0
15. Effective tax rate—regular corporations	37.9

Source: U.S. Treasury Department.

Reprinted: "Small Business Tax Needs," Hearings before the Select Committee on Small Business, U.S. Senate, Feb. 4, 5 and 20, 1975.

EXHIBIT III–D

COMPANIES WITH LOWER EFFECTIVE TAX RATES

Because of a new SEC disclosure guideline, companies with effective tax rates of 43% or less had to explain in their 1973 annual reports why they were paying less than the statutory rate of 48%. We examined more than 500 annual reports and found that one company in five was paying an effective rate of 43% or less. In addition to the firms discussed in this report, we have included the following list of 50 large corporations in the low-rate category.

[In percent]

	Effective tax rate	
	1972	*1973*
Alcan Aluminum (S)	25.3	31.7
Allied Chemical (S)	32.0	36.1
American Express (S)[1]	26.0	19.5
American Telephone & Telegraph	59.1	39.1
Anaconda (S)	11.1	24.3
ARA Services (M)	41.9	42.7
Atlantic Richfield (S)	38.7	42.1
Babcock & Wilcox (S)	42.0	39.4
Baxter Laboratories (S)[2]	18.6	20.9
Bethlehem Steel (S)	33.2	42.1
Champion International (S)	44.3	42.1
Citicorp (M)	39.6	41.0
Colt Industries (S)	37.5	41.5
Crown Cork & Seal	43.4	41.9
Diamond Shamrock (S)[2]	34.1	34.0
Dow Chemical (L)	39.2	41.9
Firestone (S)	45.7	42.2
General Electric (L)	40.6	41.4
Georgia Pacific (S)	42.4	41.2
Getty Oil	46.7	36.0
Gillette (S)	44.3	42.2
Great Western Financial	34.3	37.0
Gulf & Western (S)	20.5	21.0
Halliburton (L)	44.8	42.5
H. J. Heinz (S)	39.9	37.4
Helmerich & Payne	15.9	25.9
International Harvester (S)	41.5	31.5
International Paper (S)[2]	35.8	35.0
Kaufman & Broad (S)	43.8	42.7
Kennecott Copper (S)	15.5	26.1
Kerr-McGee (S)	27.2	34.3
Lilly (Eli)	35.7	38.8
Massey-Ferguson (S)	36.9	40.6
Merck & Co. (L)	44.2	42.0
Monsanto (S)	39.8	42.0
Olin Corp. (S)	36.2	35.3
Pacific Petroleum (S)	32.9	35.2
Phillips Petroleum (M)	30.2	29.1
Schering-Plough (L)[3]	44.4	39.8
Schlumberger (M)	38.2	37.4
G. D. Searle (S)	26.7	24.9
Squibb Corp. (S)	31.8	32.0
Snytex (M)	11.5	20.3
Texaco (M)	37.5	36.2
Texas Instruments	43.2	42.8
Uniroyal (S)	38.2	34.9
United States Steel (L)	21.9	35.3
Utah International (S)	34.0	37.2
Warnaco	29.7	35.5
Weyerhaeuser (S)	29.1	31.8

[1] This security is traded over the counter. Solicitation of orders may be prohibited in certain States. Merrill Lynch usually makes a market in this issue.

[2] Merrill Lynch, Pierce, Fenner & Smith, Inc., was (within the last 3 years) a manager of a public offering of securities of this corporation.

[3] Merrill Lynch, Pierce, Fenner & Smith, Inc., was retained as a financial adviser in connection with the merger of Schering Corp. and Plough, Inc., Jan. 19, 1971.

Note: It is the policy of Merrill Lynch, Pierce, Fenner & Smith, Inc., to disclose the corporation's interest, as well as that of its elected officers, and employee benefit programs, in any security that is the subject of any printed material prepared by our research division. While the corporation does not invest its capital in equity securities, it frequently maintains an inventory of those issues in which it functions as a market maker. Our full disclosure is intended to permit our customers to judge for themselves the possibility of and possible extent of any bias in favor of companies discussed. At the time that this report was prepared, our total interests were as indicated: (S)—Small—Less than $200,000, (M)—Moderate—$200,000 to $500,000, (L)—Large—More than $500,000.

Most of these companies fit into one of three categories: multinational corporations, possibly with operations in Puerto Rico (paying low tax rates on foreign profits); the forest product group (capital gains rates on timber sales); and companies in the energy, metals and mining areas (oil depletion allowance). While it can be argued that one of management's responsibilities to shareholders is to minimize the firm's tax burden, some analysts equate a lower tax rate with lower "quality" earnings, because the gap between the growth rate of pre-tax earnings and that of net earnings widens as the tax rate drops.

Source: Excerpt from "The Impact of Lower Tax Rates on Earnings Growth During the 1969–73 Period," Merrill Lynch, Pierce, Fenner & Smith, Inc., Securities Research Division, June 7, 1974.

EXHIBIT IV

FLOW OF FUNDS, APRIL 1975—SUMMARY OF FUNDS RAISED AND ADVANCED IN U.S. CREDIT MARKETS

[Seasonally adjusted annual rates; in billions of dollars]

	Transaction category, or sector	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1974		
												H1	H2	
	FUNDS RAISED, BY TYPE AND SECTOR													
1	Total funds raised by nonfinancial sectors	69.9	67.9	82.4	95.9	91.8	98.2	147.4	169.4	187.4	175.7	190.8	160.6	1
2	Excluding equities	69.6	66.9	80.0	95.9	88.0	92.5	135.9	158.9	180.1	172.4	185.5	159.3	2
3	U.S. Government	1.8	3.6	13.0	13.4	−3.6	12.8	25.5	17.3	9.7	13.0	6.3	19.6	3
4	Public debt securities	1.3	2.3	8.9	10.3	−1.3	12.9	26.0	13.9	7.7	13.1	5.1	21.1	4
5	Budget agency issues	.5	1.3	4.1	3.1	−2.4	−.1	−.5	3.4	2.0	−.1	1.2	−1.5	5
6	All other nonfinancial sectors	68.1	64.3	69.4	82.5	95.5	85.4	121.9	152.1	177.7	162.7	184.5	141.0	6
7	Corporate equities	.3	1.0	2.4	(*)	3.9	5.8	11.5	10.5	7.2	3.3	5.4	1.2	7
8	Debt instruments	67.9	63.3	67.0	82.6	91.6	79.7	110.4	141.6	170.4	159.4	179.2	139.7	8
9	Debt capital instruments	38.8	38.9	45.7	50.6	50.6	57.6	84.2	94.9	97.1	92.9	100.9	84.9	9
10	State and local government securities	7.3	5.6	7.8	9.5	9.9	11.2	17.6	14.4	13.7	17.0	17.8	16.1	10
11	Corporate and foreign bonds	5.9	11.0	15.9	14.0	13.0	20.6	19.7	13.2	10.2	20.9	20.2	21.7	11
12	Mortgages	25.6	22.3	22.0	27.1	27.7	25.7	46.9	67.3	73.2	55.0	62.9	47.2	12
13	Home mortgages	15.4	11.7	11.5	15.1	15.7	12.8	26.1	39.6	43.3	31.3	35.8	26.9	13
14	Other residential	3.6	3.1	3.6	3.4	4.7	5.8	8.8	10.3	8.4	7.5	7.3	7.7	14
15	Commercial	4.4	5.7	4.7	6.4	5.3	5.3	10.0	14.8	17.0	11.3	15.7	7.0	15
16	Farm	2.2	1.8	2.3	2.2	1.9	1.8	2.0	2.6	4.4	4.8	4.1	5.5	16
17	Other private credit	29.0	24.4	31.3	32.0	41.0	22.1	26.3	46.7	73.4	66.5	78.2	54.8	17
18	Bank loans n.e.c	14.1	10.7	9.5	13.1	15.3	6.4	9.3	21.8	38.6	29.9	41.2	17.7	18
19	Consumer credit	9.6	6.4	4.5	10.0	10.4	6.0	11.2	19.2	22.9	9.6	12.7	6.6	19
20	Open-market paper	−.3	1.0	2.1	1.6	3.3	3.8	−.9	−1.6	1.8	14.9	15.4	14.4	20
21	Other	5.6	6.2	5.1	7.2	12.0	5.9	6.6	7.3	10.0	12.1	8.1	16.0	21
22	By borrowing sector	68.1	64.3	69.4	82.5	95.5	85.4	121.9	152.1	177.7	162.7	184.5	141.0	22
23	Debt instruments	67.9	63.3	67.0	82.6	91.6	97.7	110.4	141.6	170.4	159.4	179.2	139.7	23
24	Foreign	2.4	1.8	4.0	2.7	3.2	2.7	4.6	4.7	7.7	15.7	20.1	11.3	64
25	State and local governments	7.7	6.3	7.9	9.8	10.7	11.3	17.8	14.2	12.3	15.8	16.0	15.7	22
26	Households	28.3	22.7	19.3	30.0	31.7	23.4	39.8	63.1	72.8	42.5	47.5	37.6	25
27	Nonfinancial business	29.5	32.5	35.7	40.1	46.0	42.3	48.2	59.6	77.6	85.4	95.6	75.1	27
28	Farm	3.3	3.1	3.6	2.8	3.2	3.2	4.1	4.9	8.6	7.4	7.3	7.5	28
29	Nonfarm noncorporate	5.7	5.4	5.0	5.6	7.4	5.3	8.7	10.4	9.3	6.7	7.2	6.3	29
30	Corporate	20.4	24.0	27.2	31.7	35.5	33.8	35.4	44.4	59.7	71.3	81.2	61.4	30
31	Corporate equities	.3	1.0	2.4	(*)	3.9	5.8	11.5	10.5	7.2	3.3	5.4	1.2	31
32	Foreign	.3	−.3	.1	.2	.5	.1	(*)	−.4	−.2	−.2	−.2	−.2	32
33	Corporate business	(*)	1.3	2.4	−.2	3.4	5.7	11.4	10.9	7.4	3.5	5.6	1.4	33
	Totals including equities:													
34	Foreign	2.7	1.5	4.0	2.8	3.7	2.7	4.6	4.3	7.5	15.5	19.9	11.2	34
35	Nonfinancial business	29.4	33.8	38.1	39.9	49.4	48.0	59.6	70.5	85.1	88.9	101.2	76.5	35
36	Corporate	20.4	25.3	29.6	31.5	38.9	39.5	46.8	55.3	67.2	74.7	86.7	62.8	36
37	Memo: U.S. Government cash balance totals net of changes in U.S. Government cash balances	−1.0	−.4	1.2	−1.1	.4	2.8	3.2	−.3	−1.7	−4.8	−2.3	−7.2	37
38	Total funds raised	70.9	68.3	81.3	97.1	91.4	95.5	144.2	169.7	189.0	180.5	193.1	167.8	38
39	By U.S. Government	2.8	4.0	11.8	14.5	−4.0	10.0	22.3	17.6	11.4	17.7	8.6	26.8	39
	PRIVATE DOMESTIC NET INVESTMENT AND BORROWING IN CREDIT MARKETS													
	Total, households and business:													
1	Total capital outlays [1]	173.1	190.6	188.1	207.6	226.7	224.2	253.5	293.0	334.7	330.7	331.6	329.7	1
2	Capital consumption [2]	110.3	118.5	128.4	140.4	154.3	166.0	178.9	194.3	211.0	220.4	218.2	222.6	2
3	Net physical investment	62.8	72.2	59.7	67.2	72.4	58.2	74.6	98.7	123.7	110.3	113.5	107.1	3
4	Net funds raised	57.8	56.5	57.5	69.9	81.1	71.4	99.4	133.6	157.9	131.4	148.7	114.1	4
5	Excess net investment [3]	5.1	15.7	2.2	−2.7	−8.7	−13.2	−24.8	−34.9	−34.2	−21.1	−35.2	−7.1	5
	Total business:													
6	Total capital outlays	83.6	96.4	93.4	97.9	108.9	108.0	117.1	134.3	160.5	164.1	166.8	161.4	6
7	Capital consumption	50.5	54.2	58.5	63.2	69.5	74.6	80.3	88.2	95.2	103.1	100.9	105.3	7
8	Net physical investment	33.1	42.3	35.0	34.7	39.4	33.5	36.8	46.0	65.3	61.0	65.9	56.1	8
9	Net debt funds raised	29.5	32.5	35.7	40.1	46.0	42.3	48.2	59.6	77.6	85.4	95.6	75.1	9
10	Corporate equity issues	(*)	1.3	2.4	−.2	3.4	5.7	11.4	10.9	7.4	3.5	5.6	1.4	10
11	Excess net investment [3]	3.7	8.5	−3.2	−5.2	−10.0	−14.5	−22.8	−24.5	−19.8	−27.9	−35.4	−20.4	11
	Corporate business:													
12	Total capital outlays	62.3	76.5	71.4	75.0	83.7	84.0	87.2	102.5	121.5	125.8	126.0	125.6	12
13	Capital consumption	35.2	38.2	41.5	45.1	49.8	53.6	57.7	63.0	67.5	72.5	70.8	74.2	13
14	Net physical investment	27.1	38.3	29.9	29.9	33.9	30.4	29.5	39.4	54.0	53.3	55.2	51.4	14
15	Net debt funds raised	20.4	24.0	27.2	31.7	35.5	33.8	35.4	44.4	59.7	71.3	81.2	61.4	15
16	Corporate equity issues	(*)	1.3	2.4	−.2	3.4	5.7	11.4	10.9	7.4	3.5	5.6	1.4	16
17	Excess net investment [3]	6.7	13.0	.4	−1.6	−5.0	−9.1	−17.3	−15.8	−13.1	−21.4	−31.6	−11.3	17
	Households:													
18	Total capital outlays	89.6	94.2	94.6	109.7	117.8	116.2	136.4	158.8	174.1	166.6	164.9	168.3	18
19	Capital consumption	59.9	64.3	69.9	77.2	84.8	91.4	98.6	106.1	115.7	117.3	117.3	117.3	19
20	Net physical investment	29.7	29.9	24.7	32.5	33.0	24.7	37.8	52.7	58.4	49.3	47.6	51.0	20
21	Net funds raised	28.3	22.7	19.3	30.0	31.7	23.4	39.8	63.1	72.8	42.5	47.5	37.6	21
22	Excess net investment [3]	1.4	7.2	5.4	2.5	1.3	1.4	−2.1	−10.4	−14.4	6.8	.2	13.3	22

[1] Capital outlays are totals for residential and nonresidential fixed capital, net change in inventories, and consumer durables, except outlays by financial business.

[2] Capital consumption includes amounts for consumer durables and excludes financial business capital consumption.

[3] Excess of net investment over net funds raised.

Note: Full statements for sectors and transaction types are available on a quarterly basis and annually for flows and for amounts outstanding. Requests for these statements should be addressed to the Flow of Funds Section, Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, D.C.

Funds raised by type and sector.—Credit flows included here are the net amounts raised by households, nonfinancial business, governments, and foreigners. All funds raised by financial sectors are excluded. U.S. Government budget issues (line 5) are loan participation certificates issued by CCC, Export-Import Bank, FNMA, and GNMA, together with security issues by FHA, Export-Import Bank, and TVA. Issues by federally sponsored credit agencies are excluded as borrowing by financial institutions. Such issues are on p. A–57, line 11. Corporate equity issues are net cash issues by nonfinancial and foreign corporations. Mortgages exclude loans in process. Open market paper is commercial paper issued by nonfinancial corporations plus bankers' acceptances.

Source: Federal Reserve Bulletin, April 1975.

EXHIBIT V

So what's new in this equation?

First of all, the impact of Federal taxation. Only in the last three decades has the Government drawn off such a high percentage of a firm's earnings. And, secondly, the public securities markets have all but closed down for most businesses during the past two years and it's hard to predict when, if ever, a small or medium size firm will be able to raise needed capital through a public underwriting.

Attached is a chart showing the number of new issues sold for firms with net worth of less than $5-million for the past seven and one-half years:

TABLE 1.—NEW, SMALL STOCK ISSUES

Year	Number of issues	Dollars underwritten (millions)
1968	358	745.3
1969	698	1,366.9
1970	198	375.0
1971	248	550.9
1972	409	896.0
1973	101	205.3
1974	9	16.1
1975 (1st 5 mo.)	0	0

NOTE.—Above data represent firm underwritings for all companies with a net worth under $5 million. Issues of over $5 million were not included nor were Regulation A or best effort underwritings. The above data were compiled through the efforts of Greater Washington Investors and S. M. Rubel & Associates.

Small businesses were not the only ones who felt the cold wind of a dying new issues market. Data compiled by the Securities and Exchange Commission and published in the April 1975 issue of the *Federal Reserve Bulletin* show a similar trend for all corpora-

tions even though it is apparent that some of the major companies have still been able to tap the public securities markets during the past two years.

SOURCE.—"Small Stock Issues," Excerpt from testimony of Walter B. Stults, Ex. Vice Pres., National Association of Small Business Investment Companies, in Hearing Before the Select Comm. on Small Business and Subcomm. on Financial Markets, U.S. Senate. June 19, 1975.

EXHIBIT VI

NEW CORPORATE SECURITIES OFFERED FOR CASH IN THE UNITED STATES (EQUITY SECURITIES)[1]

Year	Total number of equity securities	Dollar amounts (in millions)	Average size of issue	Common stock only[2]	Dollar amounts (in millions)	Average size of issue
1965	736	2, 272	3, 086, 900	376	1, 811	4, 816, 400
1966	635	2, 514	3, 959, 000	324	2, 265	6, 990, 700
1967	790	2, 844	3, 600, 000	466	1, 935	4, 152, 300
1968	1, 548	4, 583	2, 960, 500	1, 009	3, 890	3, 855, 301
1969	2, 643	8, 396	3, 176, 600	1, 703	7, 481	4, 392, 800
1970	1, 679	8, 330	4, 961, 200	976	7, 126	7, 301, 200
1971	1, 812	12, 992	7, 169, 900	1, 112	9, 384	8, 438, 800
1972	2, 086	13, 068	6, 264, 600	1, 020	6, 795	6, 661, 700
1973	1, 286	11, 105	8, 365, 300	324	4, 487	13, 848, 700
1974	635	6, 300	9, 921, 200	150	2, 791	18, 606, 600
1975 (4 mo. only)	159	3, 385	21, 289, 300			

[1] Includes S-1 registrations, regulation A offerings, limited partnerships and private offerings reported to SEC. Excludes bonds.

[2] Registered S-1 securities issues under the Securities Act of 1933. Excludes regulation A offerings.

Source: Branch of Securities Offerings and Studies, Office of Economic Research, Securities and Exchange Commission.

EXHIBIT VII

CONCENTRATION OF ASSETS AND PROFITS

NO. 799. SHARE OF ASSETS HELD BY THE LARGEST MANUFACTURING CORPORATIONS: 1948 TO 1972

[In percent. Corporations ranked on value of assets in each year. Prior to 1969, excludes newspapers]

Corporation rank group	1948	1950	1955	1960	1965	1968	1969	1970	1971	1972
100 largest	40. 2	39. 7	44. 3	46. 4	46. 5	49. 1	48. 2	48. 5	48. 9	47. 6
200 largest	48. 2	47. 7	53. 1	56. 3	56. 7	60. 8	60. 1	60. 4	61. 0	60. 0

Source: U.S. Federal Trade Commission, Bureau of Economics, unpublished data.

NO. 800. LARGEST MANUFACTURING COMPANIES—SHARE OF TOTAL VALUE ADDED BY MANUFACTURE: 1947 TO 1970

[In percent. 1962, 1966, and 1970 based on Annual Survey of Manufactures, other years on Census of Manufactures. "Largest companies" are those which were largest in each of the specified years in terms of value added]

Company rank	1947	1954	1958	1962	1963	1966	1967	1970
Largest 50 companies	17	23	23	24	25	25	25	24
Largest 100 companies	23	30	30	32	33	33	33	33
Largest 150 companies	27	34	35	36	37	38	38	38
Largest 200 companies	30	37	38	40	41	42	42	43

Source: U.S. Bureau of the Census, "Concentration Ratios in Manufacturing Industry: 1967," and "Annual Survey of Manufactures: 1970."

NO. 801. CORPORATE MANUFACTURING ASSETS AND PROFITS, BY ASSET SIZE: 1960, 1970, AND 1973

[Corporations and assets as of end of 4th quarter; profit for entire year]

Item	Total	Asset size-class: Under $10,000,000	$10,000,000 to $25,000,000	$25,000,000 to $50,000,000	$50,000,000 to $100,000,000	$100,000,000 to $250,000,000	$250,000,000 to $1,000,000,000	$1,000,000,000 and over
1960								
Corporations, number	155, 970	[1] 154, 000	992	389	268	179	114	28
Assets, total, million dollar	255, 804	47, 444	15, 237	13, 637	19, 199	29, 363	60, 364	70, 561
Percent	100. 0	18. 6	6. 0	5. 3	7. 5	11. 5	23. 6	27. 6
Net profit, total[2], million dollar	15, 197	1, 663	767	756	1, 092	1, 726	3, 563	5, 630
Percent	100. 0	10. 9	5. 1	5. 0	7. 2	11. 4	23. 5	37. 1
1970								
Corporations, number	(NA)	200, 000	1, 202	533	366	289	218	102
Assets, total, million dollar	578, 234	69, 101	20, 471	20, 138	25, 946	47, 783	112, 475	282, 320
Percent	100. 0	12. 0	3. 5	3. 5	4. 5	8. 3	19. 5	48. 8
Net profit, total[2], million dollar	28, 572	2, 812	811	836	1, 101	2, 315	5, 862	14, 832
Percent	100. 0	9. 8	2. 8	2. 9	3. 9	8. 1	20. 5	51. 9
1973								
Corporations, number	(NA)	(NA)	1, 462	597	402	327	246	124
Assets, total, million dollar	742, 266	89, 305	26, 902	23, 373	30, 223	53, 075	126, 635	392, 753
Percent	100. 0	12. 0	3. 6	3. 1	4. 1	7. 2	17. 1	52. 9
Net profit, total[2], million dollar	48, 058	6, 634	1, 731	1, 360	1, 844	3, 142	8, 063	25, 284
Percent	100. 0	13. 8	3. 6	2. 8	3. 8	6. 5	16. 8	52. 6

[1] Data derived from Internal Revenue Service, Statistics of Income, 1960.

[2] After taxes.

[3] Estimate.

NA. Not available.

Source: U.S. Federal Trade Commission, Quarterly Financial Report for Manufacturing Co porations.

NO. 802. CORPORATE PROFITS, TAXES, AND DIVIDENDS: 1950 TO 1973

[In billions of dollars. Prior to 1960, excludes Alaska and Hawaii. Covers corporations organized for profit. Represents profits accruing to U.S. residents, without deduction of depletion charges and exclusive of capital gains and losses; intercorporate dividends from profits of domestic corporations are eliminated; net receipts of dividends and branch profits from abroad are added]

Item	1950	1955	1960	1965	1968	1969	1970	1971	1972	1973 (preliminary)
Profits before taxes	42.6	48.6	49.7	77.8	87.6	84.9	74.0	85.1	98.0	126.6
Less: Income tax liability (Federal and State)	17.8	21.6	23.0	31.3	39.9	40.1	34.8	37.4	42.7	56.1
Equals: Profits after taxes	24.9	27.0	26.7	46.5	47.8	44.8	30.3	47.6	55.4	70.5
Less: Net dividends [1]	8.8	10.5	13.4	19.8	23.6	24.3	24.7	25.1	26.0	27.8
Equals: Undistributed profits	16.0	16.5	13.2	26.7	24.2	20.5	14.6	22.5	29.3	42.7
Capital consumption allowances [2]	8.8	17.4	24.9	36.4	46.8	51.9	56.0	60.4	65.9	71.0
Cash flow [3]	24.8	33.9	38.2	63.1	71.1	72.4	70.5	82.9	95.2	113.7
Profits plus capital consumption allowances	33.7	44.4	51.6	82.9	94.6	96.8	95.2	108.0	121.3	141.5

[1] Represents amounts disbursed to U.S. residents, measured after elimination of intercorporate dividends.

[2] Includes depreciation and accidental damages.

[3] Undistributed profits plus capital consumption allowances.

Source: U.S. Bureau of Economic Analysis, Survey of Current Business, monthly.
Source: "Statistical Abstract of the United States," U.S. Department of Commerce.

EXHIBIT VIII

Mergers—All industries, 1969–75

1969	4,462
1970	6,123
1971	4,645
1972	4,804
1973	4,040
1974	2,861
1975 (1st half)	1,205

Source: W. T. Grimm Co., Chicago, Ill.

1969–73 Reprinted, "Small Business Tax Reform, 1970–74," Committee Print, Select Comm. on Small Business, U.S. Senate.

ENERGY—A WORKABLE COMPROMISE

Mr. MOSS. Mr. President, the energy problem is, in my judgment, the most significant issue to confront the United States since World War II. No issue is likely to have greater economic and budgetary importance in the years ahead. The Nation's economic progress depends on the price and availability of energy. Thus, energy cannot be considered in a vacuum.

The United States has become increasingly dependent on foreign sources of oil. At the same time, our domestic production has been reduced. In May 1975, the United States produced 10 million barrels per day crude oil, and natural gas liquids. That is 562,000 barrels per day less than was produced in May 1974. Since 1970 when it reached a peak, U.S. domestic oil production has declined at an average annual rate of about a quarter million barrels per day. Domestic production continues to decline, but consumption is up this year over last. OPEC imports are providing the difference. The energy production gap will grow as the economy begins to climb.

The United States can minimize its needs for imported oil by adopting policies to increase domestic conservation and production. There is a potential for saving and all the energy saved can go toward meeting our needs. But, conservation alone is not enough. We must increase domestic production of energy supplies. This means stimulating development of domestic oil and natural gas energy resources, in order to provide for our needs while we move toward increased use of coal, nuclear and other energy sources.

There is general agreement that without controls, the price of other forms of energy will tend to follow the price of oil. Moreover, there is an inescapable relationship between the economy, the energy situation, and the Federal budget. While our ultimate goal should include restoration of free markets in energy, I think it is clear that we do not have a free market in oil in the United States today. The price of oil left unregulated by the Federal Government is pegged to the monopoly price set by OPEC control.

Even instant decontrol will not, as if by magic, turn the tap and provide an immediate flow of energy from a hidden reservoir. There will be costs involved and it will take some time to reach our goals under any strategy.

The White House has indicated that the President will veto the congressional proposal to extend oil-price controls beyond August 31. But this is likely to have a shock wave impact on the economy on the order of that which the Nation experienced from the Arab oil embargo in late 1973. We are still suffering the adverse effects of that action.

There is no easy answer to our present dilemma; there are many competing, often conflicting interests to be weighed and accorded a measure of equity. However, there is agreement that the United States must increase its conservation and production of domestic energy supplies. There also appears to be general recognition that the price of oil should be allowed to rise to provide the necessary incentives to achieve such an increase. The price should be one which provides the incentive to increase production and conservation of energy without creating incentive to withhold supplies from the market.

Among the key policy questions facing the Congress are: how much and how rapidly should price increases be allowed for oil and other energy sources—either old or new? What policies will bring about more efficient use of domestically available sources of energy without economic impact? What kind of policy should Congress adopt concerning consumer prices for energy?

President Ford's latest proposal for decontrol of oil is an encouraging move in the right direction but, unfortunately it does not yet go far enough.

I am deeply troubled by the current impasse over oil prices. The American people want the institutions of government to work. But breakdown is imminent over oil price controls, and threatens to bring the least desirable of alternatives—immediate decontrol—and thus to deal another severe blow to people's confidence in government. The long range consequents are ugly.

We have a responsibility to the Nation to attempt to resolve the current impasse in a responsible manner.

Mr. President, the role of the compromiser is never a popular one. But this is not a time for concern about popularity. It is a time for concern for our responsibilities in making the institutions of government work effectively to resolve this impasse and meet the needs of the Nation. There is an urgent requirement for decision to eliminate uncertainty, for producers and consumers alike, and to make a start on an effective energy program. Accordingly, as a basis for compromise between the President and the Congress I offer for the consideration of my colleagues the following compromise which I have submitted as an amendment to 7715.

Mr. President, I ask unanimous consent to have the text of my amendment, number 857, printed in the RECORD together with a comparison of the Moss compromise to the President's latest plan.

There being no objection, the amendment and comparison were ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 857

TITLE II

SEC. 201. (a) Section 4(g) of the Emergency Petroleum Allocation of 1973 is amended by striking out "August 31, 1975" each place it appears and inserting in lieu thereof "February 28, 1981".

(b) Section 4 of such Act is amended by adding at the end thereof the following new subsection:

"(h)(1) Not later than thirty days after the date of enactment of this subsection, the President shall amend the regulation under subsection (a) as follows:

"(A) The ceiling price for sales of old oil shall be $5.25 per barrel.

"(B) The ceiling price for sales of new oil shall be $10 per barrel, except that such price shall increase $.05 per month for sixty-six months.

"(2) As used in this subsection—

"(A) the term 'new oil' means that category of oil classified as 'new oil' by the Federal Energy Administration on the date of enactment of this subsection plus the category of old oil reclassified as new oil in accordance with subparagraph (2)(B).

"(B) the term 'old oil' means that category of oil classified as 'old oil' by the Federal Energy Administration on the date of enactment of this subsection, except that the President shall by regulation reclassify 1½ per centum of the quantity of old oil as new oil for each month after the date of enactment of this subsection.".

COMPARISON OF THE MOSS COMPROMISE TO THE PRESIDENT'S LATEST PLAN

DESCRIPTION

The President's latest plan is to decontrol oil over a 39 month period. Old oil would continue to be price controlled at $5.25, but redefined as new oil at the rate of 1½ percent the first year, 2½ percent the second year, and 3½ percent for the remaining 15 months. By the end of the first year, 18 percent of currently defined old oil would be allowed to sell at new oil prices, rising to 48 percent by the end of the second year, and 100 percent by November 1978. The price of new oil would be rolled back from $12.50 to $11.50 per barrel, but the price would be allowed to increase by 5 cents per month over 39 months, to $13.50 per barrel. The President's proposal also mentions a windfall profits tax which would allow the producer to exclude some undefined portion of his excess profits for moneys reinvested in future exploration. The President continues to propose immediate deregulation of new natural gas.

The Moss compromise rolls back the price of new oil to $10, and allows it to increase by 5 cents per month over a period of 5½ years to a ceiling of $13.30 per barrel. Old oil would continue to be price controlled at $5.25, but would be redefined as new oil at the rate of 1½ percent monthly (over the entire 5½ year period), thereby reflecting the natural decline rate of oil fields. The Moss approach eliminates most of the oil companies' windfall profits by leaving the money with consumers. However, a windfall profits tax with a plowback provision would be retained. The rebate to consumers would not necessarily be restricted to the yield from such a tax, but would also reflect the cost to consumers whether it arose from tariffs or OPEC price increases.

IMPACT

Compared to the President's latest proposal, the compromise recommended by Senator Moss represents a savings to consumers of approximately $13.5 billion over the 39 month period on domestic oil purchases alone. Depending on the policies ultimately selected regarding tariffs, natural gas, and coal, the savings could be twice as large or approximately $27 billion through the end of 1978. The Moss proposal means an average savings of $200 to $400 per household over the 39 month period.

The most significant difference between the two proposals is their possible impact upon the recovering economy. The President's plan has a "double whammy" effect on the economy, and possibly on production. It concentrates 45 percent of its decontrol during the last 15 months. This significant increase may create inducement to withhold production in order to benefit from the higher price by waiting a relatively short period.

In contrast, the Moss compromise strikes an appropriate balance between energy objectives, and objectives for the economy. It avoids a sharp price increase which would tend to increase inflation and trigger a wage-price spiral which could lead to a substantial increase in unemployment.

The Moss compromise also avoids abrupt increases in energy prices which would impose unnecessary hardships and might not increase production and conservation substantially more. After all, time is required to change living patterns, and to find and produce oil. The price and time-phasing of the Moss compromise provides the incentives to produce without creating incentives to withhold supplies from the market.

TIME-PHASING

Both the President's proposal and the Moss compromise provide a gradual rate of decontrol (18%) during the first year.

However, the President's plan would decontrol 82% of old oil between September 1976, and November 1978, while the Moss compromise continues the gradual (18%) per year decontrol over the entire 5½ years.

In addition, rolling new oil prices back to $10 rather than $11.50 a barrel is unlikely to reduce production, but, the lower price will reduce the adverse impact of higher oil prices on the economy and consumers.

DIRECTION AND CERTAINTY

Both proposals indicate the direction of the federal government's plan, but the Moss compromise provides greater certainty and stability. It extends over a 5½ year period into 1981—and better enables consumers and producers alike to plan and act for the longer period. Removal of the uncertainty on prices and regulation will encourage increased investment, production, and conservation.

NATURAL GAS

In addition, Senator Moss has called for the Congress to explore a natural gas price adjustment plan which would:

—allow the price of new gas in interstate and intrastate markets to rise to the blend price of domestic oil,

—permit only 1 to 1½ percent per month of natural gas from producing wells to rise from the old contracted price to the new ceiling price. This would reflect the natural decline rate in gas pricing in a manner similar to that proposed for oil.

Such a plan could add substantially to consumer savings compared to the President's deregulation plan, particularly if there is a rush, as is likely, to renegotiate existing contracts up to the ceiling price.

EXTENSION OF EPAA

The Moss compromise would extend the Emergency Petroleum Allocation Act for 90 days to allow time to work out the details of the new plan.

Mr. MOSS. Now, Mr. President, let me highlight a few of the salient features of my compromise which would:

Roll back the price of new oil to $10 and allow it to increase by 5 cents a month over a period of 66 months to a ceiling of $13.30 a barrel.

Continue price controls on old oil at $5.25 per barrel, but allow it to be redefined as new oil at the rate of 1½ percent monthly over the entire 66-month period; thereby reflecting the natural decline rate of oil fields.

Represent a saving to consumers of about $13.5 billion over the 39-month period on domestic oil purchases alone. The savings could be twice as large—$27 billion—depending on the policies chosen, re tariffs, natural gas, and coal.

Avoid a sharp price increase which would tend to increase inflation and trigger a wage-price spiral leading to increased unemployment, and unnecessary hardships.

Provide the incentive to produce oil without an incentive to withhold supplies from the market.

Afford greater certainty and stability which will encourage increased investment, production, and conservation.

Virtually eliminate windfall profits leaving money with the consumer. However, a windfall profits tax with plowback provision would be retained. Rebates to consumers would not necessarily be restricted to the yield from such a tax but would also reflect the cost to consumers from tariffs or OPEC price increases.

Call on Congress to explore a natural gas price adjustment plan which would allow some increase in the price of new gas.

And, finally, would extend the Emergency Petroleum Allocation Act for 90 days to complete the details of the compromise and set it in motion.

This is not a time for a standoff or confrontation politics which would continue the impasse at the expense of the American consumers and our economy. This is a time for accommodation—and I draw the attention of the Senate to an article in the New York Times on today, entitled "Confrontation Over Oil" which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONFRONTATION OVER OIL

The issue of energy policy is still unresolved, as Congress continues to flounder over the problem of how to restrict oil consumption and encourage oil production—without putting too heavy a burden on consumers and industrial oil users, and without endangering the stability of the economy.

Having long since rejected the balanced plan for higher fuel taxes proposed by the chairman of its own Ways and Means Committee, the House has now rejected President Ford's program for phasing out controls on "old" oil over the next 39 months; fully implemented this would have combined higher oil prices to encourage conservation and production with a windfall profits tax and a "plowback" provision to encourage energy investment.

This action of the House of Representatives was both shortsighted and irresponsible. Instead of seeking reasonable compromise, Congress has chosen the path of confrontation—as though its main concern were to put the political onus on the President for whatever happens to oil prices.

Rather than vote either an increase in taxes or a decontrol program that would let prices ration demand for oil, the House instead passed a bill to roll back the price of "new" oil; if that bill should pass the Senate, the President, who is also playing the confrontation game, will surely veto it. The House has also voted to extend price controls on "old" oil for another six months beyond the present expiration date of Aug. 31; but the President has made it plain that he would veto any such extension.

It would still be best if Congress and the President would back off from confrontation politics, and try to work out a reasonable plan before oil controls expire. If that is not possible, given the shortness of time and the deep holes into which the disputants have dug themselves, Congress on return from its recess will have to enact a program to keep steeply climbing energy costs from both worsening inflation and pushing the barely recovering economy back into recession.

Mr. MOSS. Mr. President, if the oil controls are allowed to expire on August 31, it is unrealistic to think that in September when the Congress reconvenes we can roll back the clock to the status quo which now prevails and address the problem as if nothing had transpired in the interm. Upon return we are sure to find the situation unimproved, we are likely to find the situation much worse. We will have lost the initiative. We will be swimming against the tide. Our capability for effective action will be limited. The situation cannot be improved by waiting. Time is fleeting. An opportunity—to achieve a workable compromise—which is now ours should not be allowed to slip from our grasp.

Mr. President, I urge my colleagues to support this compromise as a basis for resolving this oil price-control impasse.

EXECUTIVE SECRECY: TWO PERSPECTIVES

Mr. MUSKIE. Mr. President, during the past few years the Government Operations Subcommittee on Intergovernmental Relations, for which I serve as chairman, has conducted an ongoing investigation of tendency of Federal agencies to keep their operations secret from the American public.

A major portion of our efforts, including 5 days of hearings held in May and June of 1974, focused upon the implementation of Presidential Executive Order 11652, the basic authority used by Government officials to classify materials and withhold them from public access. It is our concern that that Executive order provides too broad an authority to classify Government materials and as a result fosters unnecessary and often costly practices to protect materials which never should have been stamped secret.

One of the leading authorities on classification in the United States and now a consultant on Government security policies is William G. Florence. As a matter of public interest and service, Mr. Florence frequently has provided our subcommittee with both testimony and advice in its efforts to explore legislative alternatives to the Presidential classification system.

Recently Mr. Florence was asked to speak at Journalism Week at the University of Missouri at Columbia on this most important subject. His remarks have been included in report No. 336 of the Freedom of Information Center located at that University's School of Journalism. In a significant comment on the classification system and current efforts to write criminal legislation for the protection of classified information Mr. Florence stated:

> A particularly strong reason why many individuals use the security classification system for information they want to control is their belief that some Federal law protects information with a classification on it, and that any one who discloses such information without their approval can be punished under the law.
>
> That belief is based on the erroneous statement in Executive Order 11652 that wrongful disclosure of classified information "is recognized in the Federal Criminal Code as providing the basis for prosecution." But that threat is a deliberate misrepresentation of law. There is no statute providing any such sanction. In the letter to the writer last July, the Department of Defense stated that the threat "is admittedly an attention getting device." Yet millions of people have been deceived by the threat and are convinced that it is valid.

It is our hope that the continuing study by our subcommittee of the present classification system and hearings which we anticipate holding this fall will provide the basis for a statutory restructuring of that system. In that Mr. Florence's comments underscore the importance of this effort, I ask unanimous consent that the comments be printed in the Record.

There being no objection, the comments were ordered to be printed in the Record, as follows:

[Freedom of Information Center Report No. 336]

In this report, the latest in a continuing series concerning governmental secrecy, provides a general view with specific cases, written by William G. Florence, former security classification policy officer with the Department of the Air Force, presently a consultant on government security policies with the Center for National Security Studies, Washington, D.C. He also acts as a volunteer consultant to Sen. Muskie's Subcommittee on Intergovernmental Relations and Rep. Bella Abzug's Subcommittee on Government Information and Individual Rights.

The Presidential Secrecy System Versus Our Right To Know

The purpose of this report is to describe a heavy political restraint on communication regarding the affairs of our government. The restraint prevents people from getting facts which they must have to determine their own destinies. It affects the capability of media to inform citizens of what is going on in their government.

This restraint is the secrecy system currently promulgated in Executive Order 11652, subject: Classification and Declassification of National Security Information, dated March 8, 1972. Under this presidential order, Executive branch people may classify official information as Confidential, Secret, or Top Secret, and protect it from unauthorized disclosure in the interest of national defense or foreign relations. Actually, those two interests were quickly obliterated in the order by being given the collective, catch-all, shorthand term "national security." Thus, the operational requirement is that official information shall be classified for secrecy if "its unauthorized disclosure could reasonably be expected to cause damage to the national security."

Any government effort to protect information which really would damage or impair the capability of this nation to defend itself would be consonant with our Constitution, and with one of the basic purposes of our existence as the United States. If Executive Order 11652 were designed for and limited to that objective, it would demand the support of all citizens.

But the system established in the order permits imposition of security classification controls on information for any purpose. Hundreds of thousands of individuals in at least 30 Executive branch departments and independent agencies can classify information in tremendous volumes for what they personally consider to be national security reasons. Few of them understand, or could possibly understand, the damage factor that is stated in the order as the basis for classification.

The writer has observed that the reasons most commonly used today for classifying information are—

a. The information was new to the classifier;

b. Desire to keep it out of newspapers;

c. Reluctance to "give it away";

d. "I don't see foreign people giving us this kind of information";

e. "A foreign government might not like my saying what its officials did";

f. "Disclosure might lead to examination of my program";

g. Association of separate non-classified items;

h. Repeated use of old information without trying to declassify it;

i. Personal prestige; and

j. Habitual practice, including clerical routine.

A particularly strong reason why many individuals use the security classification system for information they want to control is their belief that some federal law protects information with a classification on it and that anyone who discloses such information without their approval can be punished under the law.

That belief is based on the erroneous statement in Executive Order 11652 that wrongful disclosure of classified information "is recognized in the Federal Criminal Code as providing a basis for prosecution." But that threat is a deliberate misrepresentation of law. There is no statute providing any such sanction. In a letter to the writer last July, the Department of Defense stated that the threat "is admittedly an attention getting device." Yet millions of people have been deceived about the threat and are convinced that it is valid.

Incidentally, the Department of Justice is trying now to have Congress enact a law that really would make it a crime for an individual to disclose classified information to a so-called unauthorized person. The proposal is section 1124 of Senate bill S–1, the bill which would revise the entire Federal Criminal Code. Section 1124 has been dubbed the "official secrets act." It would apply to journalists if they have knowledge of any classified information that was officially given to them.

How did this presidential secrecy system come about? The quick answer is that we did it to ourselves. Over 30 years ago, a contagion of World War II Army and Navy military secrecy practices was allowed to seep into almost every civilian agency of government. The practice spread throughout the land during those historic battles against alleged Communist agents during the Cold War years.

In 1951, President Truman made the original Army and Navy security classification system directive, for the first time, upon the entire Executive branch by promulgating Executive Order 10290. President Eisenhower replaced that order with Executive Order 10501, which was replaced with the current order in 1972.

But there has been no change in the basic military system of permitting individuals to classify information and mark documents as Confidential, or higher, according to their choice. Perhaps over 20 million documents in use today have classification markings to keep them secret from the public.

And there has been no substantial change in the utterly unrealistic procedure for declassification. Once a classification is put on a document, with no specific provision for timely cancellation of that classification, the document must be kept and handled in secrecy until some especially designated person:

a. Can be hired or otherwise made available, and

b. Has time enough to review the document for possible declassification, and

c. Also has common sense enough to cancel the classification.

It is the latter bureaucratic obsession with security classification secrecy that keeps security classification markings on about one billion pages of this nation's historical records in the National Archives.

The widespread effect of the President's order for secrecy, in the name of national security, is also reflected by the following facts:

a. Over 12,000 industrial and academic locations in the United States have a "facility security clearance" granted by the Department of Defense for access to information bearing security classification markings.

b. Perhaps as many as eight million people in government, industry, and academic institutions are working with information which has a classification marking of Confidential or higher.

In addition to other ills that result from the President's secrecy system, hundreds of millions of dollars are spent in an effort to apply and enforce rules for precluding unauthorized disclosure of information bearing security classification markings. The funds are expended on the basis of assigned markings, regardless of whether the information has already been disclosed.

Why is the presidential secrecy system permitted to exist?

The majority of American people adopted the false philosophy of secrecy which was promoted after World War II. This stemmed from a fear complex, the fear of some danger that could not be met by existing statutory or constitutional capabilities. A security classification was exactly the right kind of label to designate information for secrecy so as to protect the "national security" from any imaginable threat, foreign or domestic.

Concurrently, the security classification system was equated with patriotism. People who supported security classification secrecy met the national security loyalty test. Anyone who violated a security classification could be branded a threat to national security, and could be considered disloyal.

This security classification hoax has been accepted for years by people in all walks of life. Its proponents include publishers, journalists and educators. Included also are a great many industrialists and others who profit from security classification secrecy.

It should be remembered that an individual who works under the security classification system's rules can use them for any secrecy purpose that seems advantageous. Some highly publicized abuses of governmental power committed under cover of the executive order classification system, including the Cambodia bombing and the Huston plan for surveillance of citizens, have been extremely serious for the nation. In the context, all citizens have a problem with the presidential secrecy system, if they want an open government.

Here are three requests for access to some documents that the Departments of Defense and State denied just a few days ago. They show the day-to-day use of the classification system.

On March 2, 1975 I requested access to a document that was produced July 19, 1974 by the Department of Defense Documentation Center in Alexandria, Virginia. The title is Technical Abstract Bulletin Indexes. It contains brief nonclassified abstracts of scientific and technical studies made by Department of Defense contractors and other sources. The publication could be used by an individual to order copies of such technical reports as would be helpful in his own endeavors.

The documentation center notified me March 24, 1975 that "your request to inspect this document is denied because it is a Confidential document." The letter did not explain how a document containing only nonclassified information could qualify for Confidential classification secrecy. But no explanation is expected by those of us who have observed such absurd secrecy practices, in the name of national security, throughout the Department of Defense.

Next is a case of a request dated February 19, 1975 for access to the Background Paper on Vladivostok SALT Agreements which the Secretary of State used November 25, 1974 in giving briefings to a great many people about the agreements. The Department of State ruled March 5, 1975 that the document is not available for inspection. The reason given was that some information is "classified on the ground that attribution of these remarks to the Secretary of State could damage the national security." There was no amplification or explanation whatsoever.

The third case is a request of March 1, 1975 for access to four of the Vietnam Study documents known as the Pentagon Papers. They contain information about efforts that our government made up to 1967, through many other governments, to negotiate with North Vietnam on ending the war in Southeast Asia.

These four documents had not been released to anyone by Dr. Ellsberg, but they were listed in the indictment against him because he had reproduced them along with other documents which he did release. All four were still marked TOP SECRET when the government introduced them into evidence during the Ellsberg-Russo trial, January, 1973. There they became public records. Several months later, after the trial had ended, the judge permitted the government to remove the documents from the court's public files.

But on March 31, 1975, the request for access to the volumes was denied by the Department of State. The letter said that material in them is classified because:

a. It includes information furnished in confidence to United States officials by officials of other governments, and

b. Some portions reveal United States Government communications describing actions and/or inactions of officials of other governments who are currently in office, and

c. Release of the information would damage the ability of the United States to conduct its foreign affairs.

Here a Department of State official ruled that some interchanges made in confidence with foreign officials many years ago, and some facts about foreign officials, shall keep the American people from access to important historical information. Aside from the Federal District Court ruling in 1973 that the documents were public records, the question arises: When did the American people authorize an Executive branch official to commit this nation to life-time secrecy on the effort we made to extricate ourselves from Vietnam? It would seem that if some official acted outside lawful authority, that is his problem, not ours.

The same principle should apply in the case of many pleas made by the Central Intelligence Agency for secrecy. Officials of that agency who have engaged in actions that the American people would never have condoned cry out that the information must be kept secret or their dirty work will be exposed.

Finally, the same principles did apply in the cases of Egil Krogh, John Ehrlichman, and others who claimed that the transgressions they committed under the presidential secrecy system should have been kept secret to protect the national security. But their conviction in court proves that the public's right to know can prevail under law, even if it has no chance under E. O. 11652.

What is being done to eradicate this devotion to the cultism of national security secrecy?

First, the Executive branch and the industrialist supporters of the military security classification system must be discounted, as they all favor bureaucratic secrecy.

Second, Congress has belatedly, but resolutely, initiated action toward security classification reform. Congress took a big step in November, 1974, in moving to preempt the President's self-assumed free-wheeling classification authority, when the President's veto was overriden and section 552, title 5 of the United States Code was amended to permit a federal judge to decide the validity of a security classification on an official record if an individual's request for access to it is denied.

That section of law is known as the Freedom of Information Act. But that is really a misnomer. The section is part of the "housekeeping" code on the administration of records. Section 552 exists to require each Executive branch agency to do four things:

a. Publish information in the Federal Register regarding its organization, functions, operational procedures, and its rules of general applicability,

b. Make available for public inspection and copying (1) manuals and instructions that affect a member of the public, (2) final opinions made in adjudicating cases, and (3) all statements of policy and interpretations not published in the Federal Register,

c. Make available for public inspection and copying current indexes of matters referred to in a and b above, and

d. Make any other existing official record available to a person who requests access to it or a copy of it, unless the record is exempt from mandatory disclosure under the law. (Note that official records properly classified under Executive Order 11652 constitute one of the nine exemptions from mandatory release.)

A more appropriate title might be "The Availability of Records Act." No agency is required to disclose information, as such, or to create a record containing information for a requester. Furthermore, an agency may charge a requested a sizable fee to search for a record and another fee to reproduce it if a copy is desired.

Although the amendment of the FOI Act to authorize judicial review of a classified document was truly a landmark legislative action, Congress did nothing to eliminate unnecessary controls on information that agencies maintain under the presidential secrecy system. As the three examples of requests for access to records show, the individuals who denied them applied the same bureaucratic secrecy philosophy that has existed in the Executive branch for 30 years.

Of course, a denial can be appealed to a higher-level authority in the agency. And it is true that if an appeal is denied, the requester can enter suit in federal court to compel the agency to make a record available. The judge might even require the government to pay the requester's litigation costs. But that would be only one of millions of records that agencies are keeping secret from the public.

On the other hand, the judge might agree with the agency's reasons for not releasing the record. A requester could waste a great deal of time and money in getting nothing.

In the final analysis, Congress has not set any limitation on Executive branch secrecy. All that Congress said in amending the FOI Act about security classification secrecy is that a Federal judge can decide whether the security classification on a specific document meets whatever secrecy criteria the President has published in an executive order.

There is another major move under way in Congress. The plan is to dry up false secrecy at the source by enacting a security classification reform statute.

It would seem best, in my view, for Congress to enact the most simple classification law that is practicable, in exercising its constitutional responsibility to provide for the national defense. The President would act as both Chief Executive and Commander-in-Chief in implementing the law. I suggest that:

a. Congress specify a legal designation for official government information, the unauthorized disclosure of which could reasonably be expected to cause damage to the national defense. The designation could be "Defense Data." That would compare in principle with the single designation, "Restricted Data," that is specified and defined in the Atomic Energy Act. As in the case of Atomic Energy "Restricted Data," Congress would permit the President to set rules for different indicators or markings on "Defense Data" according to the degree of protection required.

b. Congress could define the damage that would be expected to result from an unauthorized disclosure which should be avoided. This could be far more successful than trying to define information to be protected. In defining "damage," Congress could limit use of the specified secrecy designation, "Defense Data," to the following:

(1) Disruption of foreign relations affecting the defense of the United States.

(2) Compromise of a current operational plan or contingency plan for the defense of the United States against attack, including the intelligence estimate.

(3) Compromise of a current intelligence operation important to the defense of the United States.

(4) Compromise of an official cryptologic system important to the defense of the United States.

(5) Disclosure of official information regarding a technological development of the government that is primarily useful for military purposes, which disclosure itself would eliminate a known technological advantage of the United States important to the national defense.

(6) Disclosure of official information which would make a current weapon system or a military operation vulnerable to successful hostile attack or other successful countermeasures.

c. Congress would set the basis for the President and heads of specified agencies to designate information as "Defense Data" for protection in the interest of national defense.

d. The law itself could automatically declassify information after a brief period of time, possibly after three years, if declassification is not accomplished beforehand by the Executive branch. But agency heads would be authorized to defer automatic declassification on limited types of information under a requirement that Congress be notified or a deferral that would keep an item in secrecy for more than some period such as five years.

e. The Comptroller General of the United States could be designated, and be given the necessary resources, to monitor actions taken by agencies to implement and adhere to policies established by Congress. This would be on the same basis that the Comptroller General monitors other actions of executive agencies.

That type of legislation would define and limit drastically the authority of the Executive branch to try to keep official information secret in the name of national defense. The criminal code would continue as the basis for criminalizing such disclosure of national defense information as Congress chooses to make unlawful.

Both Senator Muskie (D-Me.), Chairman of the Senate Subcommittee on Intergovernmental Relations, and Representative Abzug (D-N.Y.), Chairwoman of the House Subcommittee on Government Information and Individual Rights, plan to hold hearings on proposals for security classification reform in 1975. I know that they would welcome advice and support from every person who is interested in being informed of what is going on in the Federal Executive branch.

NATURAL GAS ALLOCATION PRIORITY

Mr. TUNNEY. Mr. President, on June 10, 1975 I introduced my amendment which is in the nature of a substitute, provides for deregulation of new onshore natural gas and for significant liberalization of new offshore natural gas. In addition, my amendment provides that the Federal Power Commission should provide agriculture production with the same high-level allocation priority that the Federal Energy Administration uses in its allocation plan for petroleum products.

Mr. President, I believe that the interests of all Americans in full domestic food production require that agricultural users, especially those who pack and can our food, be assured adequate supplies of natural gas. It is for this reason that I have acted to require the Federal Power Commission to give agricultural uses the high priority it deserves.

Some Members of the Senate are not yet fully aware of the importance of this question. For that reason, Mr. President, I ask unanimous consent that an article by Edward Neiland of the Copley News Service that appeared in the San Diego Union on July 26, 1975 be printed in the Record. This article provides an excellent explanation of the need for the type of agricultural priority provided in amendment No. 554 to S. 692, which is my amendment to modify the Commerce Committee's bill on natural gas.

There being no objection, the article was ordered to be printed in the Record, as follows:

Gas Curbs Called Blow To Canners

(By Edward Neilan)

Washington.—First the home canners complained: Not enough canning jar lids were available on the market.

Now come the nation's industrial canners—the mass producers of canned peaches, pork and beans, fruit cocktail and many other items—with a giant problem: They are literally running out of natural gas.

Federal Power Commission (FPC) guidelines have assigned a low priority to canners for use of natural gas—which supposedly is in short supply. The trouble is that most canners rely heavily on natural gas to run their cooking boilers and for equipment that seals cans shut. Changeovers to fuel oil will cost jobs and inevitably will result in higher prices to the consumer, officials of the National Canners Association said.

ACUTE IN CALIFORNIA

The situation is particularly acute in California, which packs between 35 and 40 per cent of all the canned fruits and vegetables in the United States.

This output, valued at $1.5 billion during a canning season, is produced by 57 companies in the state, in more than 85 separate plants employing more than 75,000 workers.

"California canneries rely almost 100 per cent on natural gas to operate boilers which produce steam that heats, peels, washes and cooks processed fruits and vegetables," said James W. Bell, president of the Canners League of California.

GREAT UNCERTAINTY

"The entire energy situation is one of great uncertainty at this time," Bell said. "The canning industry is committed to conservation of all energy resources and supports incentives for conservation if they are equitably based on a unit of production."

In view of the anticipated severe curtailments of natural gas, the industry must look toward the use of low sulfur fuel oil as an alternative.

Under FEA priorities, agriculture (including canners) has a No. 2 priority in obtaining needed supplies.

HIGH OIL USE

To replace the quantity of natural gas ordinarily used, the California canning industry would need one million gallons of diesel oil per day or 142 tank truck loads of approximately 7,000 gallons each.

Will the railroads be able to move that kind of additional supply?

Where will the canneries store standby supplies?

"Obviously this is going to require added costs that eventually will be passed along to the consumer," said Roger C. Coleman, an industry spokesman in Washington.

A REPLY FROM EDWARD SCHMULTS

Mr. ABOUREZK. Mr. President, last Saturday I placed in the Record the results of a GAO study showing Government employees who had previous ties to oil companies. The study included lawyers whose former firms represented oil companies. One such lawyer, a Treasury Under Secretary, has written to me to point out that my statement misrepresented his position. Mr. Schmults worked for a law firm which had oil clients, but he had no contact with those clients. I apologize to Mr. Schmults.

Mr. Schmults' letter makes one important point in addition to this clarification. That is in regard to the difficulty of ascertaining when an individual's former position will color his attitude in his public post. For it is less a conflict of interest than a cast of mind. For example, another Treasury Under Secretary who did come into the Government from an oil company—Esso International, to be exact—where he was a director. After 4 years in the Treasry Department, Jack Bennett just left to return to Exxon again as a director. My question must still remain: how much does the climate of sympathy toward oil companies work against the creation of policies which give first priority to the public interest? And does that climate of sympathy not depend significantly on the presence of men who have had close ties with oil companies, and oil company executives?

I ask unanimous consent that the letter I have referred to above be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Under Secretary
of the Treasury,
Washington, D.C., July 31, 1975.

Hon. James Abourezk,
U.S. Senate,
Washington, D.C.

Dear Senator Abourezk: As we discussed on the telephone today, I share the concerns you expressed on the floor of the Senate last Saturday about conflicts of interest, both real and apparent, with respect to individuals in government policy-making positions. This is an important issue which affects the public's perception of the fairness of government actions and of the integrity of its employees in all three branches.

One of the points you emphasized in your statement before the Senate was that it was important to make the facts about the prior oil industry affiliations of government officials available to the public so that they can draw their own conclusions. I am writing this letter in an effort to assure that certain of these facts are accurately and fairly presented.

You are quoted in the *Congressional Record* as stating:

"In the Treasury Department, 21 *former employees* of oil companies are spread among the top grades and supergrades. Two Treasury undersecretaries—one quit last week, citing poverty—*came from* the oil companies." [Emphasis added.]

While one of the two Under Secretaries of this Department, I have never been an "employee" of an oil company and did not come to the Government "from" an oil company. This listing supplied by the Comptroller General and published with your remarks does list twenty-one Treasury employees, but shows that thirteen of these individuals were partners of or associated with law firms which represented oil companies as clients. Only eight, and not twenty-one, Treasury employees in the Comptroller General's survey were former employees of oil companies.

With respect to my own practice of law, I was engaged in general corporate and securities work with a law firm comprised of over 160 lawyers representing numerous clients from five offices. My practice did not include oil or gas matters and I did no work for any oil company that related to government energy policy. I did do corporate legal work for a large beverage company that had a subsidiary in the oil business, which was represented by another law firm.

Finally, I should also mention that my day-to-day responsibilities at the Treasury do not involve oil companies or energy policy.

Parenthetically, I note that the Treasury Department response to the General Accounting Office did not supply information about what payments I received on separation from my previous position. Complete information in this regard was furnished to the Senate Finance Committee prior to the two times I have been confirmed by the Senate. My capital interest in my former law firm at the date of my resignation is being paid to me in monthly installments over a three-year-plus period.

More generally, I would also like to comment upon one aspect of the "conflicts" problem which troubles me. The GAO study lists attorneys whose law firms had an oil company as a client, as well as individuals who had served as consultants to oil companies. I think that the ability of the Federal service to attract qualified individuals will be significantly impaired should an attitude develop that any prior connection, no matter what its substance or how recent, between an official and a particular private sector interest be automatically cause for criticism. I believe that a much more precise evaluation of each such relationship should be made on a case-by-case basis before any conclusion of impropriety is drawn or an individual's integrity subject to question. If we do not do so, we may find ourselves at the point where any lawyer, or accountant, or management consultant whose former firm represented a corporation in a particular industry, a union, a charitable or educational institution or other entity, or who individually once served in such a representative capacity, would be precluded from working for the government where his or her duties affected that private sector interest. Similarly, a professor who consulted on some question for a firm in a particular industry would not be able to serve the government in his or her area of expertise. I believe that a better approach would be to carefully evaluate an individual's past relationships and his or her continuing financial interests before inferring that real or apparent conflicts of interest exist. I say "apparent" because I recognize that the public's view of an alleged conflict is important in and of itself.

Thank you for your consideration of these matters.

Sincerely,

EDWARD C. SCHMULTS.

U.S. CIVIL RIGHTS COMMISSION REPORT ON EMPLOYMENT DISCRIMINATION

Mr. WILLIAMS. Mr. President, on July 15, the U.S. Civil Rights Commission released its latest in a series of reports on the Federal civil rights enforcement effort. This report, which comprises the fifth volume of a projected seven-volume report on all aspects of the Federal effort to eliminate discrimination in our society, contains the Commission's findings and recommendations on the Federal efforts to eradicate discrimination in employment.

I commend the Civil Rights Commission on its undertaking to review and evaluate this critical area of Federal activity, and would like to urge all Members of the Congress to become familiar with the findings and conclusions which the Commission has developed. This is not the first time that the Commission has produced an excellent and critical evaluation of the Government's activity in this area. I specifically recall that in 1971 the Commission issued a similar, though shorter, report which was extremely helpful in my development of the Equal Employment Opportunity Act of 1972.

In an extensively researched presentation, the Civil Rights Commission lays bare the problems with the Federal program to enforce the prohibitions against employment discrimination.

This 673-page report documents the inadequacies, inefficiencies, and frequently blatant omissions in the Government's enforcement of title VII of the Civil Rights Act of 1964, Executive Order 11246, and Executive Order 11375.

What emerges from the Commission's report is a dismal picture of bureaucratic bungling, a general lack of direction or purpose, and widespread inefficiency in the various Federal agencies which are responsible for policies to eradicate employment discrimination.

This problem is one that I have, on several occasions, brought to the attention of this body. Most recently, on May 14 in a joint statement with Senator JAVITS, I noted that the work of the Committee on Labor and Public Welfare, of which I am fortunate to serve as chairman, has produced unfortunate examples of the haphazard and inconsistent enforcement of employment discrimination laws and regulations, and a general malaise in the administration of the Federal program.

In my statement to the Senate on that day, I outlined the committee's findings, supported by data compiled by the General Accounting Office and the committee staff, of the general failure of the several Federal agencies having responsibility for the elimination of discrimination in accomplishing this purpose.

The lack of either effective enforcement or adequate implementation of the principles of equal employment has been shown to be pervasive. Similarly, and a factor which I am sure has contributed significantly to this conclusion, is the general lack of any uniformity or coördination by the various Government agencies and departments that have jurisdiction for the various aspects of the Federal effort.

It is this fact also, Mr. President, which is graphically pointed out in the Civil Rights Commission report, and which they also feel contributes in major part to the general ineffectiveness of the current enforcement effort. The Commission characterizes the Federal effort to achieve equal employment opportunity as "fundamentally inadequate." It found this result flows from a lack of overall leadership, deficiencies in existing laws, and on the inconsistent policies of the Equal Employment Opportunity Commission—EEOC—the Labor and Justice Departments, and the U.S. Civil Service Commission. The report states, for example, that these agencies differ on compliance standards, and on some of the very fundamental elements of any enforcement program such as the definition of what constitutes employment discrimination, testing, the proper role of goals and timetables, and what should be included within the areas of fringe benefits and back pay.

The inner agency conflicts on these and other vital issues result in much valuable time and energy being denied to expanded enforcement efforts, and certainly does not reflect the congressional intent embodied in these various laws. We intended that there be close cooperation and policy uniformity in the Government's enforcement of equal employment opportunity, and accordingly, established the Equal Employment Opportunity Coordinating Council in 1972, for this purpose.

The climate for effective and aggressive enforcement could not be better. Large numbers of court decisions have gone a long way toward providing broad remedial sanctions which the agencies can apply in resolving employment discrimination. Courts continue to apply antidiscrimination laws broadly, though some recent decisions reflect a certain judicial frustration at the Government's lack of proper preparation and full development of issues. Yet despite many of these court rulings, the Government continues to debate many of these fundamental principles as though they were academic issues in a classroom.

In the meantime, as well presented in the Commission's report, "this fragmented administrative picture has resulted in a duplication of effort, inconsistent findings, and a loss of public faith in the objectivity and efficiency of the program."

The Commission's report examines individually each of the major components of the Federal Government which have responsibility for administration or enforcement of some portion of the total equal employment efforts and itemizes the failings of each. The agencies or units examined are: the Equal Employment Opportunity Commission, which has responsibility for enforcement of equal employment in the private sector; the U.S. Civil Service Commission, which has overall responsibility for insuring equal employment opportunity for Federal employees; the U.S. Department of Labor's Office of Federal Contract Compliance—OFCC—which has responsibility pursuant to Executive Order 11246 for insuring that Federal contractors maintain fair employment practices; the Department of Labor's Wage and Hour Division, which has responsibility for the enforcement of the Equal Pay Act, as well as other laws affecting employment opportunity and employment standards; and an examination of the Equal Employment Opportunity Coordinating Council, which was established pursuant to the Equal Employment Opportunity Act of 1972 to provide coordination between the various Federal agencies having responsibility for equal employment principles.

The Commission finds major failings in each of these Federal units. I will not, Mr. President, outline here all of the numerous findings and conclusions which the Commission has documented in its report, for to do so would take up an inordinate amount of this body's time. But that fact alone is significant, Mr. President. When the Government's equal employment program is so inadequate and so fraught with omissions and weaknesses that I must defer a full explanation because it will take too long, and when it takes 673 pages of text to present it adequately, then it is not necessary to be an equal employment expert to know something has gone awry.

I would, however, like to briefly touch upon the major element of the Commission's recommendations. Also, I ask unanimous consent that a brief summary of the general findings, conclusions, and recommendations of the Civil Rights Commission's report on employment discrimination be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WILLIAMS. Mr. President, to correct the current patchwork of conflicting policies and regulations, and to remedy the poor administration and coordination between the various agencies, the Commission has recommended the creation of a new Federal agency to be called the National Employment Rights Board and which would combine in this one body the functions currently scattered through several units. The creation of this agency would require major modifications or rescissions of several laws and executive orders currently extant, including many portions of title VII of the Civil Rights Act of 1964, the Equal Pay Act, Executive Order 11246, and others.

The Commission also recommends that the new agency be given stronger enforcement powers than is presently found in any of the existing agencies. It recommends that the new agency be given cease-and-desist authority, including the power to order broad remedial relief such as back pay and affirmative action. The board would also retain the authority to bring suits directly in the Federal courts, similar to that currently exercised by the EEOC. The board would also be directed to concentrate its major enforcement functions on eliminating patterns or practices of discrimination, reserving to State Fair Employment Practice Agencies the major role in resolving individual complaints.

Mr. President, I feel that the Commission's findings and conclusions are extremely significant and helpful to the work of the Labor and Public Welfare Committee, and to the whole Congress. The Commission's recommendations for the consolidation of the various Federal equal employment provisions into one Federal agency is also certainly noteworthy and deserving of full and careful congressional consideration. While I am not in full agreement with all of the recommendations in the Commission's report, I intend to carefully study and compare the findings of this report with the work that the committee has been doing in this area.

I would also like to remind members that the recommendations of the Commission are not entirely new or revolutionary. In 1971, when I introduced S. 2515, which subsequently formed the basis of the Equal Employment Opportunity Act of 1972, I proposed that the functions of the OFCC, the "pattern or practice" enforcement authority of the Justice Department, and the Federal equal employment provisions of the Civil Service Commission be consolidated in the EEOC.

In the subsequent Senate action on S. 2515, some of this consolidation was accomplished. The "pattern or practice" enforcement authority was transferred from the Justice Department to the EEOC so that all private sector enforcement under title VII would be in one agency. The transfer of the functions of Executive Order 11246 was, however, defeated during floor debates on the act, and the committee determined that the enforcement of the Federal sector equal employment provisions should be left with the Civil Service Commission.

It may be, and it certainly is persuasively presented by the Civil Rights Commission, that this entire question of consolidation of all affirmative action laws into one agency ought to be reexamined in the legislative context. As I have mentioned before, the committee has been actively monitoring the activities of the various Federal agencies having employment responsibilities. This oversight has involved the accumulation of extensive information on the various aspects of the enforcement and administration of these provisions. There are also currently several ongoing committee investigations in this area. Before arriving at any conclusions on any reorganization of Federal agencies, I would certainly like to have the benefit of these investigations to compare them with the Commission's findings.

In a similar vein, with respect to the Commission's recommendations for revisions of the enforcement procedures for equal employment opportunity, I would like to note that we did adopt major revisions to title VII of the Civil Rights Act in 1972 and added new responsibilities for the Federal sector and Executive Order 11246. These revisions were particularly significant in the area of enforcement. Insofar as the EEO Act of 1972 did not go into effect until March 24, 1972, and it was really not until several months later that enforcement pursuant to its provisions began, it might be too soon to undertake further revisions without fully assessing the impact of the existing changes.

More significantly, it has only been during the last year that significant numbers of cases under the new enforcement provisions have come before the courts for interpretation and application. Many other cases testing key powers and obligations under the 1972 provisions are still working their way up through the courts. It may well benefit the overall development of equal employment opportunity if the courts are given an opportunity to resolve some of these pending issues.

As I have mentioned in earlier remarks, the committee staff has stepped up its oversight functions in the area of equal employment enforcement and administration. During the next few months, we will further increase our involvement in this area. In this regard, I anticipate that we will make significant use of the Commission's report, and will undoubtedly ask them to assist us with additional information and suggestions.

I feel that many of the problems noted in the Commission's report will be resolved by this committee's increased involvement. Similarly, with increased interaction between the agencies, the role of the Equal Employment Opportunity Coordinating Council will be strengthened and expanded to provide more of the coordination and leadership needed to establish a uniform and consistent Government position on equal employment enforcement.

I am not unmindful of the Commission's criticism that the Council has not, to date, served up to the expectations that I and others envisioned for it. However, I am also aware that all of the Federal agencies with responsibility for equal employment opportunity have had to conform to the new provisions established in 1972, and that they have not, accordingly, devoted time to fully developing the Council's role. Now that many of these changes have been accomplished, and particularly now that the EEOC, with a greatly expanded staff, has undertaken its role as the key Federal enforcer of title VII, I am hopeful that it will, as the agency with the largest number of expert staff members in equal employment matters, also be able to provide more significant staff assistance to the Council.

There is still much work to be done, Mr. President. I agree wholeheartedly with the Commission's report that while some progress has been made in achieving the goal of equal employment opportunity, much more needs to be done. The role of the EEOC, the OFCC, and the Civil Service Commission has been far from satisfactory. I believe, however, that a more active role by the Congress, and the assistance that I hope we can expect from the Civil Rights Commission, will be able to resolve these issues and fulfill the Government's promise to those members of society who have too long been relegated to second-class status among their peers.

EXHIBIT 1

GENERAL FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF REPORT BY U.S. COMMISSION ON CIVIL RIGHTS ON EMPLOYMENT DISCRIMINATION (TEXT)

GENERAL FINDINGS AND CONCLUSIONS

During the last decade some progress has been made toward achieving the Nation's objective of equal employment opportunity. The laws and Executive orders cited in this report have contributed to this end. Nevertheless, the rate of progress has been inadequate and major problems of systemic discrimination continue to affect adversely minorities and women.

The Federal effort to end this discrimination has not been equal to the task. It has been seriously hampered by lack of overall leadership and direction, deficiencies in existing laws, and the assignment of authority to a number of agencies which have issued inconsistent policies, and developed independent and uncoordinated compliance programs. Attempts by the Congress and agency officials to rectify the problems which beset this enforcement program and prevent it from effectively assisting the classes adversely affected by discrimination have been largely unsuccessful.

I. There is no one person, agency, or institution which can speak for the Federal Government in this important area. Thus, employers, employees, and aggrieved citizens are left to their own devices in trying to understand and react to a complex administrative structure. Moreover, without comprehensive oversight there is no way to insure that uniformly efficient enforcement programs exist in the various agencies.

II. Existing civil rights laws were weakened as a result of political compromises and do not provide an adequate framework within which Federal agencies can operate. Practical experience with and court interpretations of these laws have demonstrated that changes need to be made if a significant improvement in the present enforcement program is to be accomplished. Alterations are necessary in a number of provisions of Title VII of the Civil Rights Act of 1964, for example, in the sections which allow only court action to enforce the statute, require data from employers to be confidential, and limit the authority of the Equal Employment Opportunity Commission to investigate and litigate matters involving patterns and practices of discrimination.

III. The diffusion of authority for enforcing Federal equal employment mandates among diverse agencies is one of the paramount reasons for the overall failure of the Government to mount a coherent attack on employment discrimination. Agencies have different policies and standards for compliance. They disagree, for example, on such key issues as the definition of employment discrimination, testing, the use of goals and timetables, fringe benefits, and back pay. Moreover, there is inadequate sharing of information, almost no joint setting of investigative or enforcement priorities, and little cross-fertilization of ideas and strategies at the regional level. This fragmented administrative picture has resulted in duplication of effort, inconsistent findings, and a loss of public faith in the objectivity and efficiency of the program. This last deficiency is best exemplified by contrasting the opinion of many employers that they are being harassed by Federal bureaucrats with the belief of many minorities and women that the Government's equal employment program is totally unreliable.

IV. Attempts to coordinate the overall Federal effort have been most discouraging. Efforts over the last 28 months to handle even one major issue, the development of joint testing guidelines, have been unsuccessful, and no other substantive issue has been considered for coordination. Moreover, even where one agency is charged with the responsibility for coordinating the enforcement activities of other agencies, as in the case of the enforcement practices of Federal agencies (Civil Service Commission) and Federal contractors (Department of Labor), there has been a serious failure to achieve effective and uniform implementation of the law.

GENERAL RECOMMENDATIONS

We believe that it is of great importance that within the next year the President propose and the Congress enact legislation consolidating all Federal equal employment enforcement responsibility in a new agency, the National Employment Rights Board, with broad administrative, as well as litigative, authority to eliminate discriminatory employment practices in the United States. In order to accomplish this end we recommend the following:

1. A national Employment Rights Board should be established which is vested with the authority for enforcing one Federal statute protecting citizens from employment discrimination on the basis of race, color, religion, sex, national origin, age, and handicapped status. To achieve this end, the following existing statutes and Executive orders should be rescinded or modified:

A. Title VII of the 1964 Civil Rights Act should be amended as follows:

1. The basic substantive provisions of Title VII, Sections 703 and 704, shall be preserved, with age and handicapped status added as covered classes, and authority for enforcing these provisions with regard to all employers currently covered by the statute in Section 701, including State and local governments and the Federal Government, shall be vested in the National Employment Rights Board.

2. Sections 703, 707, and 717, establishing the Equal Employment Opportunity Commission and granting that agency, the Attorney General, and Civil Service Commission enforcement authority shall be rescinded. The resources allocated to enforcement of Title VII should be assigned to the National Employment Rights Board.

3. The court enforcement procedures contained in Sections 706(a) through f(2), Section 707 and 717(c) shall be rescinded. The provisions governing Federal district courts jurisdiction and handling of Title VII cases should be preserved.

4. Section 712, which exempts veterans preference rights from the statute's coverage, and Section 715, which establishes the Equal Employment Opportunity Coordinating Council (EEOCC), shall be rescinded.

B. The Equal Pay Act of 1963 should be rescinded and the resources allocated to enforcement of this statute assigned to the National Employment Rights Board.

C. The provision of the Rehabilitation Act of 1973 which requires affirmative action by Federal contractors with regard to the employment of handicapped individuals and the Age Discrimination in Employment Act of 1967 should be rescinded and the resources allocated to enforcement of these statutes assigned to the National Employment Rights Board.

D. Executive Orders 11246, 11375, and 11478 should be rescinded and the resources allocated to enforcement of these orders assigned to the National Employment Rights Board for the purpose of monitoring adherence to Title VII.

E. Similarly, those resources now utilized by Federal agencies to monitor compliance with other laws, regulations, or rules prohibiting employment discrimination on the basis of race, color, religion, sex, national origin, age, or handicapped status should be assigned to the Board.

F. Those sections of the United States Code requiring Federal personnel practices which have a discriminatory effect on the protected classes should be rescinded or amended.

1. The provision requiring a perpetual preference for veterans shall immediately be modified to reduce its discriminatory impact on women. In addition, the provision restricting selection of candidates to only the top three ranked candidates (the "rule of three") shall immediately be amended to permit Federal hiring officials to select from a wider range of qualified candidates.

2. The National Employment Rights Board shall be directed to conduct an analysis of all statutory Federal personnel practices to identify other provisions which are inconsistent with Title VII and to make recommendations to Congress for additional legislation to eliminate or amend such provisions.

II. The National Employment Rights Board should be vested with broad administrative and litigative authority to enforce Title VII, with primary emphasis on eliminating patterns and practices of discrimination rather than resolving individual complaints.

A. The Board should be authorized to initiate enforcement procedures whenever it has cause to believe Title VII has been violated. Board action should not be conditioned on the filing of complaints by individuals or other third parties.

B. The Board should be given cease and desist authority, with final orders reviewable in Federal courts of appeals according to the Administrative Procedure Act. The Board's cease and desist authority should include the authority to order all equitable relief, including back pay, and affirmative action, including goals and timetables, necessary for effectuation of the Act.

C. The Board should also be given the authority to bring suit in Federal district courts where the Board certifies that it has cause to believe Title VII has been violated and that court enforcement better serves the purposes of the Act. Where violations of the Act are found, Federal district courts should have the same broad equitable powers currently granted under Title VII.

D. The Board should be given the authority to intervene, on behalf of alleged discrimination, in private actions brought under the Act.

E. The Board should have final authority to order the debarment of any Federal contractor or subcontractor, the termination of any Federal grant, the decertification of Federal license. Such action would be authorized when there has been a failure to comply with a Board order within 90 days of the order or, in the case of appeal, within 90 days of court affirmance of a Board order.

F. The Board should be vested with broad investigative powers, including subpoena powers and the authority to institute regular reporting requirements for collecting any information relevant to compliance with the Act. All information collected by the Board in the course of its proceedings, with the exception of trade secrets, should be available to the public.

III. The Board's primary purpose and responsibility should be the elimination of discriminatory employment practices affecting large classes of persons. To carry out this objective, the following steps should be taken:

A. The Board should allocate more than 50 percent of its resources to investigating, adjudicating, or litigating matters involving patterns and practices of discrimination.

B. The Board should develop a procedure for expeditiously requiring those covered by Title VII to correct discriminatory employment patterns. This procedure would include the systematic identification of employers, labor organizations, and employment agencies whose work force, membership, or referral statistics show such a disparity in the utilization of minorities and/or women as to constitute a *prima facie* violation of Title VII, as defined by the courts. The Board should send notices to those identified requiring the submission of evidence demonstrating that the disparities are not the result of discriminatory practices or evidence of corrective actions taken to eliminate the disparities. If the Board determines that such evidence does not rebut the *prima facie* violation, it should immediately issue an order requiring corrective remedies, including the adoption of goals and timetables. Similarly, the Board should develop regular procedures for identifying systematic discrimination on the basis of age and handicapped status, and where appropriate orders should be issued requiring corrective actions. All such orders would be legally binding unless the employer requests a hearing within 30 days after receipt of the order. Where such orders are entered against Federal agency installations the Civil Service Commission should be delegated responsibility for monitoring agency compliance with the order, subject to the Board's directives.

IV. Although the Board's primary responsibility should be to eliminate discriminatory employment practices and not to resolve individual complaints, it should have the authority to receive and act on individual grievances. In order to adequately protect individuals alleging discrimination, the following provisions should be made:

A. Individual charges of discrimination should be deferred to approved State and local fair employment practices agencies, the findings of which should be given substantial weight by the Board. Complainants should be permitted to file objections to local agency findings.

B. The Board should approve only those States and local agencies which enforce statutes affording at least the same protections as Title VII and in a manner consistent with the Board's policies, which should be set forth in published guidelines. Moreover, the Board should periodically evaluate each agency to which it defers to ensure that the work product of the agency is consistent with the guidelines.

C. In order to promote adequate enforcement by State and local agencies, the Board should be appropriated sufficient funds to subsidize such agencies according to the number of Title VII cases processed.

D. Complaints against Federal installations should be deferred to the Civil Service Commission for investigation pursuant to the guidelines of the Board, and the Board should periodically review the Commission's complaint processing to ensure that it conforms with the Board's standards.

E. Individuals should be allowed to request and receive a notice of the right to sue in Federal district court within 90 days of filing a charge with the Board. The Board should automatically issue notices to complainants 180 days after the filing of a charge granting the right to sue. Complainants should be allowed to file a civil action within 18 months of receipt of such notice. In addition, the Board should establish procedures to assist complainants in obtaining counsel.

E. The Congress should establish a revolving fund, to be administered by the Board, for defraying the expenses of plaintiffs' attorneys prior to a court determination on any award of attorneys' fees and costs.

V. The Board should be established as an independent agency with the structure and resources necessary for accomplishing its purposes.

A. The Board should consist of seven persons appointed by the President and confirmed by the Senate for six-year terms, subject to removal by the President only for cause. No more than four Board members should be affiliated with one political party.

B. The Chairperson of the agency should be appointed by the President for a four-year term.

C. The General Counsel of the Board should be independent, appointed by the President, and confirmed by the Senate for a six-year term and subject to removal by the President only for cause.

D. The Executive Director of the Board should be appointed by all Board members.

E. The National Employment Rights Board should be provided with the staffing necessary to carry out its functions. It should be given, at a minimum, resources equivalent to one and a half times those currently allocated to the enforcement of laws, Executive orders, regulations, and rules prohibiting employment discrimination.

RECOMMENDATIONS

Civil Service Commission

We recommend that the President issue an Executive order directing the Civil Service Commission, within six months, to change its current operations to ensure that the Federal Government adheres to the same equal opportunity and affirmative action standards as are applicable to other employers. The Executive order should state that in implementing the recommendations set forth below the Commission's actions will be subject to the approval of the Equal Employment Opportunity Commission (EEOC).

1. The Commission should take steps to ensure that all employee selection methods used by the Federal Government conform to Title VII standards, as delineated by the Equal Employment Opportunity Commission.

a. The Commission should begin immediately to conduct analyses of all Federal selection procedures having an adverse impact on women and minorities to determine whether the standards applied for hiring, placement, and promotion can be demonstrated empirically to be related to job performance and to lack cultural and/or sex bias. Further, even if discriminatory standards are shown to have empirical validity, they must not be used unless the Commission demonstrates that less discriminatory selection standards are inapplicable.

b. The Commission should undertake this analysis in coordination with the Equal Employment Opportunity Commission and independent experts in the field of selection standard validation. The Commission should make public all reports of its analyses.

c. The Commission should recommend to Congress legislation to remove any limitation on its ability to eliminate discriminatory-selection standards.

(1) The Commission should recommend to Congress the serious modification in the law requiring preferential treatment of veterans needed to reduce its extremely discriminatory effect on women by providing that veterans preference in Federal employment be available to individuals on a one-time basis only within five years after discharge from the service.

(2) The Commission should recommend to Congress elimination of the "rule of three," to permit hiring officials to select from a wider range of candidates, since current ranking and testing procedures are unreliable and may unjustifiably screen out qualified minorities and women.

d. The Commission should adopt rules permitting agencies to make race, ethnicity, or sex a criterion of selection when hiring or promoting individuals in accordance with an affirmative action plan designed to eliminate underutilization of minorities and women. Underutilization shall be considered resolved at the point at which there is representation equivalent to the numbers in the available work force.

2. The Commission should issue completely revised complaint procedures which provide Federal employees charging discrimination a full and fair proceeding consistent with Title VII standards.

a. The Commission should adopt the same procedures governing the filing of charges as those used by EEOC, allowing complainants to allege continuing discrimination, providing for less strict time limitations, and treating within the scope of the initial complaint all issues like and related to the specific allegation made by the individual.

b. All complaints should be processed according to the same procedures regardless of whether they allege a particular act of discrimination or systemic discrimination against an individual or a class.

c. The informal counseling period should be made optional, since it serves to delay the formal proceeding.

d. The Commission should provide on request free legal assistance to complainants of all grades.

e. All investigations should be conducted by an independent office within the Commission according to investigation procedures consistent with Title VII standards.

(1) The Commission should establish an office of investigations with investigators trained in employment discrimination matters.

(2) The Commission should adopt investigation procedures designed to cover all forms of discrimination, including employment practices which have a disparate impact on minorities and women. In establishing these procedures, the Commission should consult with the EEOC and the Wage and Hour Division of the Department of Labor.

f. Complainants should be given the right to obtain all information relevant to the complaint or relevant to the obtaining of information bearing on the complaint. The standard of relevance should be that contained in Rule 20 of the Federal Rules of Civil Procedure. Agency denials of requests for information should be appealable to hearing examiners.

g. All hearings should be conducted before independent hearing examiners according to procedures adequate for protecting Title VII rights.

(1) Certification of hearing examiners should be based on demonstrated expertise in Title VII law.

(2) Hearing examiners should be reimbursed by the Commission rather than by the accused agency.

(3) Complainants should be given the right to subpoena witnesses and documentary evidence.

(4) Any agency official accused in a complaint should be given the right to participate in the proceeding on the complaint as a party in interest.

(5) While strict rules of evidence should not be applied so as to handicap complainants unskilled in the law, nevertheless, all evidence which would be admissible in a court of law considering a Title VII case should be admitted in the administrative hearing.

(6) Substantive Title VII law, as defined by the Federal courts, should be required to be followed.

h. Decisions of hearing examiners should be binding on the accused agency unless reversed by the Appeals Review Board.

i. The Appeals Review Board should apply Title VII precedents in reviewing appeals.

j. The Commission should recommend to the Department of Justice that the Federal Government as defendant in Title VII actions take the position that plaintiffs are entitled to a trial *de novo*.

3. The Commission should adopt affirmative action regulations modeled after Revised Order No. 4 of the Office of Federal Contract Compliance (OFCC) of the Department of Labor so that Federal agencies are required to adhere to affirmative action standards equivalent to those expected of Federal contractors.

a. Agencies should be required annually to conduct thorough analyses of their work forces to identify disparities between the employment of women and minorities in each agency job title and the availability of these groups in the labor market with job-related qualifications. Such analyses should consider each major minority group (for example, blacks, Mexican Americans, Puerto Ricans, Asians, and Native Americans) separately and by sex, as well as nonminority women.

RECOMMENDATIONS

Equal Employment Opportunity Commission (EEOC)

1. With the exception of the Chairman, specific responsibilities should be developed for the EEOC Commissioners.

2. EEOC should be reorganized so that the Executive Director has full line authority over all staff components of the agency with the exception of the Office of the General Counsel.

3. EEOC should revise its personnel system and methodology to ensure that staff vacancies are filled expeditiously.

4. Special priority should be placed on the processing of complaints against State and local governments. Staff units should be established in EEOC regional offices to consolidate and process complaints against State and local governments.

5. Pre-investigative analysis of incoming complaints should be the responsibility of staff of the same grade level as investigators.

6. All complainants whose complaints have been pending for more than 180 days without successful conciliation should be notified of their right to bring a private lawsuit, unless their complaints have been designated for EEOC litigation or consolidated for a pattern or practice action. Priority should be given to organizing panels of private attorneys who will represent these complainants for realistic fees. Where such attorneys are not available, EEOC should assist complainants in petitioning for court-appointed counsel.

7. EEOC should routinely do followup reviews of at least 25 percent of its conciliation agreements. Violations which cannot be corrected on an informal basis should be referred to the Office of the General Counsel for court action.

8. Individual charges of discrimination should continue to be deferred to approved State and local fair employment practices agencies. Complainants should be permitted to file objections to local agency findings.

a. EEOC should periodically evaluate each agency to which it defers to ensure that the work product of the agency is consistent with EEOC's standards.

b. In order to promote adequate enforcement by State and local agencies, EEOC should be appropriated sufficient funds to subsidize such agencies according to the number of Title VII cases processed.

9. EEOC should concentrate its efforts on attacking systemic discrimination by initiating more enforcement actions against major employers and industry leaders.

a. The Office of the General Counsel should give priority to attacking systemic discrimination by filing more cases against major national and regional respondents. It should utilize its authority under Section 707 of the Act to file suits against entire industries.

b. The National Programs Division should be expanded and top management should give its activities more aggressive support. Similar units should promptly be established in the regional offices to consolidate and process charges against major regional respondents. Such units should be allocated 50 percent of field resources.

10. The Office of the General Counsel should work closely with field enforcement staff in identifying incoming complaints with good litigative potential. Attorneys should oversee the investigation of these complaints to assure that documentation is adequate for litigation.

11. In order to facilitate cooperation between the staff of the Office of the General Counsel and the regional and district office staff, the litigation centers should be abolished and a branch of the Office of the General Counsel established in each regional office.

12. The Commissioners should utilize the data which EEOC collects on the participation of minorities and women in the work force to target major employers, labor unions, and employment agencies in determining when to file Commissioner Charges. Since Commissioner Charges are potentially useful tools against systemic discrimination, increased use should be made of them, especially with regard to major national and regional respondents and respondents such as employment agencies, against which relatively few complaints are received.

13. EEOC should include representatives of affected classes of employees in negotiations for future consent decrees. The inclusion in these agreements of provisions which seriously limit the ability of employees to obtain private legal relief should be avoided. EEOC should allocate sufficient staff resources to assure that compliance with consent decrees is systematically monitored.

14. EEOC should not enter into voluntary agreements which do not impose the same requirements and standards as its conciliation agreements and consent decrees and are not fully court enforceable. Since the standards for voluntary agreements would then be the same as for conciliation agreements and consent decrees, responsibility for them should be transferred to the Office of Compliance and the Office of the General Counsel. The function of the Office of Voluntary Programs should be to provide technical assistance to employers.

RECOMMENDATIONS

Equal Employment Opportunity Coordinating Council.

1. The Council should be abolished.

OSHA'S PROPOSED OCCUPATIONAL NOISE STANDARD

Mr. PHILIP A. HART. Mr. President, effectively speaking to the needs and hopes of men and women who are exposed to damaging noise at their work place was Leonard Woodcock, president of the International Union, United Automobile Workers. Mr. Woodcock testified before the Occupational Safety and Health Administration of the U.S. Department of Labor on July 7. Those of us who enjoy the good fortune of a work place absent a noise level which damages health often are the judges of the conditions which must attach to those whose work place is less blessed. If there is any voice in this country which can persuade those who work in physical comfort of their responsibility to those who work in physical discomfort it is Leonard Woodcock. And I would ask unanimous consent that his testimony be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY BY LEONARD WOODCOCK

My name is Leonard Woodcock. President of the International Union, United Auto Workers. I am accompanied by Melvin A. Glasser, Director of our Social Security Department which supervises safety and health activities in our Union, and Dan MacLeod, one of our Industrial Hygiene Consultants.

I speak in behalf of over one and one-half million men and women employed in 3,000 workplaces in the automobile, aerospace and agricultural implement industries. I speak also for over five million men, women and children who constitute the UAW-represented families and whose well-being is vitally related to the health and safety of the family wage earner.

I speak in particular for the many UAW members who are exposed to intolerable levels of noise in their work. Noise is probably the most pervasive of the many job hazards which our members face today. We have had no health and safety problem about which our members complain more.

I do not claim to be a technical expert; and I can only speak, as I should, from what I see and know, and from what I hear from our members in the shops. They make it clear to me that they need relief from the present miserable conditions.

UAW members are becoming increasingly conscious of the effects of noise on their health. They are seeing the results of their audiograms for the first time, and they see proof that they are losing their hearing. Our members are being hammered and jolted into the group of millions of Americans who today have measurable loss of hearing due to noise and who will suffer a lifelong impairment to their health.

While other witnesses at these hearings will be discussing carefully defined scientific criteria for measurement of health hazards, you should know that our members tell us that the continuous exposure to high levels of noise makes them tense, irritable and upset.

They find themselves unusually fatigued at the end of the day compared to their fellow workers who are not exposed to as much noise. They complain of headaches and inability to sleep, and they suffer from anxiety.

For a union and an employer, this has implications beyond the individual's health. Noise heightens tensions between workers and their supervisors and thus results in additional grievances against the employer. Noise in a number of cases has been a problem in arriving at local union settlements after national agreements have been made with the employers on major economic and related issues.

Noise is therefore a factor in productivity, in maintaining a decent workplace, and in achieving satisfactory employer-employee relations in collective bargaining.

In a similar manner noise affects the relationships between workers themselves and between workers and their families. We wonder how much better the public mental health would be if the plants were made quiet.

These hearings must be seen in this context.

We are talking about a major public health problem in this country, the eradication of which is comparable in every way to the conquering of the important infectious diseases in this century.

We are talking about a problem which is growing. With increasing automation and development of monstrous machines, we face the likelihood that more and more workers will be exposed to high levels of noise.

For example, there are foundries where our members work in which expensive new equipment has been installed in recent years. While this equipment is far more efficient and does a better job of controlling the dust hazard so common to foundries, the noise has become incredible. This kind of phenomenon will continue as long as government standards provide no meaningful deterrents.

In view of the significance of the noise problem, I am dismayed by the half-hearted and negative approach which has been made by the Occupational Safety and Health Administration (OSHA) in developing and defending this standard.

The proposed noise standard is inadequate to protect the health of American workers. Scientific evidence clearly shows that adverse health effects, both auditory and non-auditory, result from noise exposure levels of 90 dBA for an eight-hour day. Ninety decibels is the level at which a person must shout in order to be heard a couple of feet away. Ninety decibels is more than three times noisier than the more appropriate level of 85 decibels.

Therefore, the UAW urges the immediate adoption of an 85 dBA level for the new standard. We believe an 85 dBA standard is feasible by *any* definition of the word "feasibility".

We also urge the continuation of research to determine if even an 85 decibel level is indeed stringent enough.

Thus, we believe that if OSHA adopts the proposed standard without amendment, it will fail its legislated charge to set "a standard which most adequately assures, to the extent feasible, on the basis of the best available evidence, that no employee will suffer material impairment of health" * as a result of exposure to work hazards.

HEARING LOSS

The UAW finds the data and criteria documents developed by the National Institute of Occupational Safety and Health (NIOSH) and the Environmental Protection Agency (EPA) to be solid and convincing. Careful review of their documents indicates that significant amounts of hearing loss occur at exposure levels well below 90 dBA. We agree with the EPA that 75 dBA should be seen as the long range goal for an eight-hour occupational standard.

We also find OSHA's rationale for maintaining the 90 dBA level inconsistent and in conflict with the strong evidence offered by other reliable organizations and agencies.

These points will be covered in more detail by the scientists who are gathered at these hearings.

NON-AUDITORY EFFECTS

I've already mentioned some of the disturbances that from our experience are apparently linked to noise. Our experts also tell me that there is evidence linking noise to disturbances involving the gastrointestinal and cardiovascular systems and the neurological and endocrine systems.

I have been informed of a study by Jansen which has shown that heart diseases rates have been higher in noisy industries than in leses noisy industries. Similarly, NIOSH has statistics which show an increase in injuries, various medical disorders, and absences in noisy plants compared to other plants.

It is increasingly clear that hearing loss is only one aspect of a greater occupational disease caused by noise.

Particularly noteworthy are existing data which indicate that some of these non-auditory effects can occur at exposure to noise levels below 90 dBA.

I was interested to learn of a report by Anticaglia and Cohen which mentions that the blood vessels in the extremities begin to constrict at exposure to noise at levels of 70 decibels. I was further shown a NIOSH review of a number of European studies which outlined the noise exposure levels at which these non-auditory effects occur. Many of these levels were below 90 dBA.

I am sure that there are many limitations to these studies, as there always seem to be in this sort of work. But we think there is truth to these studies since it matches our subjective experience. We expect that future research into this important area will offer more definitive data.

In short, we fear that the proposed standard will not adequately protect workers from these non-auditory effects. We are disturbed that OSHA has not given adequate consideration to these health problems.

INDIVIDUALS AT HIGH RISK

The proposed standard does not reflect the individuals who are especially susceptible to the effects of noise—who must also be protected according to the legislated charge. OSHA has given consideration to the statistical averages only and has neglected to define the types of workers who are at a high risk to the effects of noise and who are affected more by noise than the average worker.

The NIOSH and EPA data show that 10% of the population suffers much more hearing loss than the norm on which the standard is based. These data also indicate that older persons who begin to work in high noise areas have a higher risk of developing a hearing handicap than younger persons.

Many workers are exposed to high levels of noise off the job (e.g., they live next to a freeway or an airport) and thus do not have an adequate recovery period for their ears and bodies, which the proposed eight-hour standard assumes.

Some groups of workers (e.g., persons with with existing cardiovascular problems, persons with additional stress, etc.) will be affected by the nonauditory effects of noise more readily than the average worker and must also be protected.

Pregnant women and the unborn fetus may also be at a high risk. It is becoming evident that pregnant women are affected more readily by occupational hazards in general; noise seems to be no exception.

We must recognize the increasing prevalence of women in all areas of the workplace as a result of effective attention to women's rights. This risk cannot be controlled by restricting women to certain types of work, and rightly so. The noise standard, as well as other occupational health standards, must be stringent enough in its permissible exposure levels to protect *all* members of the work force.

COMBINED EFFECTS

Similarly, the proposed standard does not reflect the health effects of noise in combination with other common workplace hazards. There are studies which show that certain hazards such as vibration, lead, carbon monoxide, carbon disulphide, trichloroethylene (TCE), and perhaps other solvents can affect hearing or increase the amount of hearing loss from noise.

We fear that workers who are exposed to the combined actions of these hazards will be protected even less by the proposed standard.

IMPULSE AND IMPACT NOISE

Before I leave the subject of noise exposure levels, I would like to point out that OSHA has proposed a noise standard which, in effect, sets two separate levels—one for continuous noise and one for impulse and impact noise. Conceivably, the standard allows for a double exposure. This should be corrected so that both hazards are not permitted to exist at the same time.

In view of these considerations, the UAW believes the permissible noise exposure levels in the proposed noise standard are far from adequate.

There are other aspects of the standard, however, with which we are in agreement.

ENGINEERING CONTROLS VERSUS EAR PROTECTION

We agree that ear protection is only a temporary solution to the problem and should be required for workers only after engineering controls for noisy operations have been tried and have failed.

The effect of using ear protection shifts the burden and responsibility for compliance from the employer to the employee.

Ear protection is uncomfortable and irritating. Some workers easily get ear infections or drainage problems from wearing them.

Moreover, experience teaches us that management often selectively enforces the wearing of ear protection. The enforcement will vary from plant to plant, even within the same company, and from foreman to foreman. And a good number of foremen will enforce ear protection at some times and not at other times. Our members are especially sensitive to arbitrary discipline, and we believe this problem of enforcement will only intensify the potential for conflict between management and the workers.

Our members also fear that with the wearing of ear protection, they will be even less able than now to hear warning signals and shouts. I was informed of one UAW member who on his first attempt at wearing an especially effective type of earplug, was nearly run over by a fork truck. Such situations occur with disturbing frequency.

But more importantly, ear protection contradicts the logic of the OSHA legislation. The purpose of controlling noise is to insure that workers can hear. However, when wearing earplugs the worker is functionally deaf for the entire working day. The net effect is that workers still cannot hear.

As I understand it, under the present regulations workers exposed to noise above 90 decibels for an eight-hour day are required to wear ear protection; and the employer can be required to submit plans for engineering control of noise by a specified time. This is clearly not working.

Our members are concerned that under the present arrangement, they will be forced to wear ear protection for as long as they work.

As I understand the proposed standard, engineering and administrative controls must be tried first; then, if these controls fail, ear protection will be required. This is a considerable improvement.

One of the most basic principles of industrial hygiene is to engineer health problems out of the workplace rather than force the employee to wear personal protection equipment. The OSH Act recognizes this principle, and the OSHA standards should likewise reflect this point. This principle should remain in the new standard.

EMPLOYEE RIGHTS

We also agree with OSHA that employees or their representatives should have the right to observe the monitoring of noise and to record the results obtained. We understand that some representatives from industry feel this is overly burdensome on the employer.

The UAW has negotiated agreements with a number of major employers which provide for worker rights well beyond what is required in this proposed standard. Our Union has designated a safety and health representative in many plants who, among other things, has been trained in the operation of a noise level meter and in the interpretation of the results. This Union representative is given time to make noise surveys of the plant in cooperation with management representatives. Results of surveys taken separately by management are also given to the Union.

This arrangement has been in effect now for over a year and has been working very well, as I think the companies with whom we have made these arrangements will agree. We feel that employee participation in the process of monitoring the work environment contributes greatly to the effectiveness of safety and health programs. Our experience should serve to verify the feasibility of this aspect of the proposed standard.

Regrettably, in many small companies, for example in many independent forges, our members do not have this protection and will need to rely on the law to obtain their rights. The standard must retain the right of the employee to be notified of the intent to monitor and to be able to observe the monitoring.

ECONOMIC FEASIBILITY

Industry representatives are testifying at these hearings that they cannot afford to control the noise hazard. These self-serving statements are what we might expect from those whose interests it is to see the bottom line of the ledger sheet before they see the people who make possible that bottom line.

I did not believe those statements when I first heard them, and I believe them even less now. Only last month the EPA released information that indicated the cost of meeting an 85 decibel standard would be $11 billion as compared to OSHA's estimate of $31 billion.

When the range of error is as high as this, the credibility of industry's cost estimates must be brought into serious question.

Costs will be reduced dramatically as a result of the mass production of noise control technology. Moreover, the noise control industry seems to be on the verge of a revolution which will update the technology on which the high costs of noise control have been based.

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* Occupational Safety and Health Act of 1970, Sec. 6(b)(5).

And it also seems that it will be less costly to "tool up" to 85 dBA now, rather than first "tooling up" to 90 dBA only to find that a stricter level must be achieved later.

We note with great interest that other agencies and governments have adopted stricter noise standards.

The U.S. Army and Air Force already have standards of 85 and 84 dBA respectively. One wonders by what strange logic the U.S. Government determines that its citizens in the Armed Forces require better protection than its citizens in the plants who manufacture equipment for the Armed Forces.

Several European countries including Germany, Sweden and Austria have standards of 85 decibels. The plants there, including those owned by American companies, are moving to meet these standards. Why must American workers be second class citizens in the international world of work?

We also note that the precedent-setting American Conference of Governmental Industrial Hygienists this June changed its value to 85 dBA.

These standards indicate that a similar level is feasible and desirable for all of American industry as well.

The argument that businesses will be driven to bankruptcy if a stricter standard were adopted is the same tried line that has been brought up again and again since workers first organized to improve working conditions.

There was a time when we were told that the elimination of child labor would ruin American industry and its potential for development. I can recall the cries of outrage when the first minimum wage, an exorbitant 25 cents per hour, was introduced—cries that private enterprise and the American system as we know it were doomed. Social Security and Unemployment Insurance were likewise seen as a threat to the viability of the capitalist system.

But these dire predictions did not come to pass. Somehow industry managed to survive.

We expect industry will be able to survice the elimination of these dangerous levels of noise as well.

We must assume that the people who feel noise control is impossible must either have no faith in the ability of American engineers, technicians and workers to develop noise abatement techniques at a reasonble cost, or that they merely do not wish to concern themselves with matters of such importance as the health and well-being of the American worker.

Furthermore, if there are industries or operations in which satisfactory noise levels cannot be achieved, the companies should show this and receive either a temporary variance from the standard or a sufficiently long abatement period until compliance can be achieved. This individualized approach for the few industries which cannot achieve the standard is the solution to the infeasibility question, rather than penalizing all American workers until every single plant in the country is capable of achieving the standard.

The kind of thinking which somehow equates dollars with human health is out of place in a nation proclaiming the bicentennial of its declaration to protect life, liberty and the pursuit of happiness.

Right now the employee is suffering all the costs—financial—as well as the cost of health. These costs become more exasperating since in most states there are no workers' compensation benefits for hearing loss, unless perhaps the loss is total or if it interferes with earning ability. The non-auditory health effects are usually not recognized or related to the workplace.

The employee has suffered these burdens long enough.

We in the labor movement are tired of hearing about economic feasibility. When are we going to talk about people? We must put human health and safety before profits if we want to continue to be called a civilized nation.

This is why we urge the immediate adoption of an 85 dBA exposure level in the standard.

WORKERS ARE ANGRY

American workers are already angered over the bitter failure of our society to provide jobs. The additional failure of our society to provide *safe* jobs does not make this situation any easier.

UAW members are increasingly knowledgeable about the effects of noise on their health, and they are angry. They are also tired of the constant annoyance noise causes on the job and the degrading, alienating working conditions it helps create.

Workers are angry that the government offers them little protection. There is a common story which shows the frustrations that many workers feel about noise. It goes like this: On hot summer days the doors and the windows of a noisy plant are opened, thus exposing the surrounding neighborhood to the noise generated from inside the plant. The neighbors, of course, become annoyed and call the police, who in turn talk to the plant manager, who orders the windows and doors shut. The workers are trapped inside with the noise.

Thus, the resident is protected from the annoyance of noise from nearby plants. But the workers are exposed to noise levels far above what any resident hears—noise levels which threaten their very health and safety.

Many UAW members find great irony in the auto companies' advertisements for soundproof cars. The workers who build these cars would like quiet, too. If the auto companies can build soundproof cars, they can build soundproof surroundings for the people who make these cars.

When one looks at the number of witnesses scheduled to testify at these hearings, one cannot help but be impressed by the many employers compared to the relative few who are testifying on behalf of the workers. I trust that those who are making the decision will be governed by the merits of the case and not by the capacity of industry to produce an outpouring of self-serving statements.

Workers demand an adequate standard and strict enforcement. We are not willing to put up with high noise levels forever. We look to the Federal government to give us this urgently needed protection.

COSPONSORSHIP OF S. 2157

Mr. MONTOYA. Mr. President, I am happy to speak in favor of S. 2157, legislation introduced by Mr. Javits and other Senators which would amend title XX of the Social Security Act to provide that States should no longer be required to administer individual means tests to low-income senior citizens before providing senior citizen services.

The requirement that these elderly and retired citizens be forced to make a declaration of income before participating in the activities of a Senior Citizens Center or a recreation or transportation facility is an example of bureaucracy at its worst. The regulations which would force this kind of nonsense will go into effect in October unless this legislation is passed. I believe it is incumbent on the Congress, which passed the original legislation under the Social Security Act, to correct this obvious misintrepretation of the intent of the Congress.

In these very difficult economic times, senior citizens who are in low-income groups have a difficult time. Most State governments are even more keenly aware of that fact than the Federal Government. The regulation which we are discussing here would put an added burden on the State government, and would increase the administrative costs for services which the State and Federal Governments are trying to provide. In addition, the regulation imposes a demeaning and embarrassing requirement on elderly men and women who need these services; the real result of this kind of regulation would simply be to decrease the number of those served while at the same time increasing the cost to the taxpayer.

I strongly urge the support of my colleagues for this bill.

DEATH OF CONGRESSMAN WALTER BARING

Mr. LAXALT. Mr. President, our State lost one of its most distinguished citizens recently when Congressman Walter Baring passed away. Throughout his career in the House of Representatives Congressman Baring's determined advocacy and protection of Nevada's interests gained the respect and affection of his constituents. He consistently stood fast for the people though it sometimes brought him into difficulties with special interests.

Congressman Walter Baring's political career was a model for many of us in public service in Nevada. I learned invaluable lessons by following his many years of service both within the State and here in Washington.

Of course, Baring's concerns were not strictly parochial. While in Congress I doubt there was a more dedicated and vocal American patriot. He recognized that the greatness of this country and its people lay in the individuality which our representative democracy fosters. America also lost a citizen of the first order with Congressman Baring's passing.

GONE WITH THE WINDBAGS

Mr. ALLEN. Mr. President, Mrs. H. M. Stockton has sent me a copy of an editorial which appeared in the Dallas Morning News which has reference to Senate Resolution 180. Feeling that it will be of interest to my colleagues, I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Dallas Morning News,
July 7, 1975]

Gone With the Windbags

When he speaks of "revolution," U.S. Sen. James Allen, the Alabama conservative, is not speaking metaphorically. Allen proposed the other day that his colleagues give up prepared texts and the help of their staffs whenever they speak on the Senate floor. He is going to try to amend the Senate rules to that effect.

Should he succeed, said Allen, "Then we could have some real debate. We wouldn't have these long-winded speeches in my judgment."

Which claim, by itself, is certainly enough to consign the Allen rule to the dust heap. Allen's antiwindbag views are the mark of the sentimentalist. He remembers, no doubt, how Daniel Webster used to work out his speeches in advance, then commit them to memory. He probably also recalls Everett Dirksen's gift of repartee. Oh, for the days, Allen must sigh, when a senator had to depend on his wits for success in debate. Nowadays, unseen professionals, operating backstage, do all the work. How dull.

But how time-saving, not to say face-saving, Allen's colleagues likely feel. A senator lacking in eloquence can buy it. Perhaps that is why so little eloquence ever comes out of Washington anymore: Because it is almost always store-bought, not produced lovingly and painstakingly at home.

THE GASOLINE RETAILER: THE MAN IN THE MIDDLE

Mr. MUSKIE. Mr. President, in the last two years gasoline prices have skyrocketed. Consumers are angry and the major oil companies have begun expensive advertising campaigns to explain the price increases. Caught in the middle are the retail gasoline dealers.

These small businessmen, often owning only one station, have been faced with staggering problems—new Federal forms, increasing operating costs and pressure from their suppliers. Last month, Phil Pimental, the president of the Pine Tree Gasoline Retailers Association of Maine, appeared on Portland's WGAN-TV news program, "At Issue," to discuss some of these problems.

I believe it is important that we all understand the problems of retail gasoline dealers and I ask unanimous consent that the transcript of the program be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF "AT ISSUE"—WGAN-TV, PORTLAND, MAINE, JUNE 29, 1975, PHIL PIMENTAL, PRESIDENT, PINE TREE GASOLINE RETAILERS ASSOCIATION

INTRODUCTION

Phil Pimental is President of the Pine Tree Gasoline Retailers Association. It's an association made up of about 250 members. They're owners and leasers of gasoline stations in the State of Maine. The Association was formed in March of 1974. According to Mr. Pimental, it was formed to solve problems in three areas: Problems between the retailers and the suppliers, or the oil companies; between retailers and consumers; and between retailers and various branches of government, the federal and state government.

Q: Phil, you say 70¢ a gallon this summer. What's the reason for the high cost of gasoline?

A: Well, taxing right now is one of the big reasons. They're talking about 23¢ a gallon. They're talking in Washington about deregulating oil, crude oil, and if this happens, it means that a barrel of crude oil will go from about $5.25 now to somewhere in the neighborhood of $13 or $14 a barrel, which is what we're paying for imported oil now.

Q: Gasoline prices have taken a jump recently. There's quite a spread in the prices. We haven't seen the effects, I understand, of the President's action or Congressional action. What's the reason for this most recent increase in gasoline prices?

A: Well, I think that the oil companies are passing on what they tell us is the cost increase of the product and the cost of manufacturing. They're taking advantage right now because the price may be frozen or, if the federal government raises the price through taxation, then they may not be able to take that jump, because it would drive it up too fast.

Q: Do you think the public will be able to pay $1 a gallon for gasoline in a year?

A: I think it's going to be very hard. I think that people are going to have to face other ways of transportation. They're going to have to use other means of energy to heat their homes and to do these other things. But for years now in Europe, the price of gasoline, I believe the average price is about $1.35 a gallon. So they've gone to smaller cars, with more gasoline mileage. They've developed rapid transit, such as trains, buses, and this type of thing.

Q: I think what upsets some motorists is the sharp variation in gasoline prices in various communities, or even from one street corner to another. I think it was in the Legislature quite recently that a state representative from Somerset County complained of a thirteen cent price differential between the price of gasoline sold in Jackman and the price in Bingham. How do you explain such a difference?

A: We were involved in that, and we tried to find out why. They tell us that it's shipping costs and for various other reasons. The dealers are also very upset with such a price spread. But what seems to be happening is that you have a two-tiered price system, where the distributors are selling at one price and the major oil companies are selling at another price which is higher. So in many cases the distributor-owned station is selling gasoline for what the branded dealer has to pay on a wholesale. We had one instance in Sanford where a distributor was selling to three dealers at 48.9¢ a gallon wholesale. He was selling retail out of his own outlet at 47.9¢ a gallon, which we think is unfair competition.

Q: What is the usual mark-up in gasoline, and do variations in this mark-up account for why you can find gasoline for 52¢ at one corner and 58¢ down the block?

A: We're regulated by government controls right now, and we have a price spread of 10¢ a gallon in some areas. It depends on what was posted May 15th of 1973, because that is what they used as a base. Now at that time, some dealers were making 4¢ a gallon, and some were making 7¢ a gallon. And then we had the three-cent increase granted us by the federal government, which would raise that price margin.

Q: If a gasoline dealer wants to increase his prices, does he have to fill out forms for the federal government, does he have to comply with a set of regulations, or can he just go out and mark up his prices without doing anything?

A: No, he is already registered with the federal government as to what he was pricing on May 15th. So this is what he is regulated by, and there are penalties if he is caught going above his margin. Some dealers may only have a six-cent margin or seven-cent margin, so they can't go above that. So they are regulated.

Q: So we are still quite a ways from going back to the free market?

A: Oh yes. The regulations are due to expire the 28th of August. This is the deregulating. And if this is allowed to happen, that's when the barrel will jump from $5 to about $14 a barrel.

Q: There's a new law on the books, just signed by the Governor, that would govern motor fuel distribution and sales. What exactly is this new law designed to do?

A: This is a dealers' bill of rights, you might say. It does things like, the oil companies or the leasor have to give the dealer 30-days notice, and it runs as high as 120-days notice prior to cancellation. In many areas, they don't have this type of legislation, and they can just walk in and arbitarily cancel. Dealers may have spent a lot of time in the business, they may be in a place for ten or fifteen years, and they've built the business up, and an oil company may decide that they want to operate this as a company operation, so they go in and they cancel the dealer out. With this legislation, they can't do this. They have to show good cause why they're canceling him out. At the same time, the door swings both ways—one is if a dealer is caught price gouging, mis-branding gasoline, things like this, he can be terminated immediately, because we don't want a dealer in business who is doing this kind of thing because it hurts all of us, and we're trying to overcome some of these things.

Q: Why was it necessary to protect the dealer from the major oil companies?

A: In several cases, they've said one thing and done other things. One case was just settled in Maryland, where BP went before a hearing in Maryland and said that they had no intentions of taking over stations, that their dealers had a secure future with them, and they turned right around and it was proven in court that they had in fact a program at that time, when they made these statements, of doing away with the dealers. There was a suit brought against them in the State of Maryland by ten dealers that was won. They proved in court that they were in fact trying to take over the stations.

Q: How about here in Maine? Is there any widespread practice at this time?

A: Not widespread. It's confined to different areas. They seem to be picking off stations. Gibbs right now is working in this area of taking over dealers and trying to buy them out. One instance was where they tried to buy a dealer out for a dollar. We believe that they misrepresented and they muscled the dealer, because what they told him in some cases was, "We're going to take this station over, whether you want to or not. And if you want to go to court, fine. But if you want to give us the station now, we'll give you a job with us as a manager." And these dealers may have been in business seven or eight years, and they expect them just to give the whole thing away.

Q: What's in it for a major oil company to want to take over a local service station and operate it themselves?

A: More profit, simply. They can operate a station company direct, and they do away with the dealer, so therefore the profit margin that the dealer is going to make will be picked up by the oil company. In most cases, they're doing away with service stations—they're going to gasoline-only outlets. This relieves them of the responsibility of automotive repairs, because right now a dealer in a full-service station that does automobile repairs is responsible for the repairs that he does. For instance, if you came into my station and I did a brake job on your car and it was faulty and you went out and had an accident, then I'm liable. Where if an oil company had this operation, then the oil company would be liable. And they don't want this responsibility. They want to sell gasoline only. That's what they want to move, that is their product.

Q: Yes, there have been accounts in the national media, Phil, about representatives from oil companies putting pressure on local gasoline station owners to sell more products. Has this happened in Maine?

A: Yes it has. We've received calls from several dealers that they have been pressured to sell more gasoline. And we're supposed to be using conservation methods right now. One of the reasons for this is, you have to understand how your leasing is set up. Now it's done on a cents-per-gallon basis. Like a dealer may be paying a cent-a-gallon rent for every gallon of gasoline that he pumps. So it's to the oil company's benefit if he sells more gasoline, because he's going to pay more rent. So the oil company is going to make more money. We've written to the FEA and to our representatives about this, trying to put a stop to it, and it seems to have slowed down now.

Q: What kinds of pressure are used by the oil companies?

A: They use things such as lease terminations, non-renewable leases, little things like maintenance, where a dealer may be responsible for something and the oil company says, "Well, if you bow to our wishes, we'll take care of this maintenance problem for you. If not, then you can take care of it yourself."

Q: Phil, just a few minutes ago we talked about the dealers' bill of rights law that has just been signed by the Governor. Could you tell us a little bit about the process of putting that through, because I think in talking before the program anyway, you indicated that you really learned something about state government by that experience?

A: Well, I think it's renewed my faith in state government and, somewhat, in federal government. We found that, when we first started putting this legislation together, that people who were dealers or just business people in the community who we talked to about this legislation, and that, well, you're going to have to have a lot of money to put this bill through. You're going to have to hire lobbyists and spread some money around to get this thing through. . .

Q: Excuse me, when you say "spread some money around", you mean to help the legislation through, not bribes or anything.

A: No, not bribes. Just to get legislation drawn up, to hire the right lobbyists to lobby for our bill, and to get people down there, pay people to come in to speak for our bill. You might call them expert witnessses. Well, we found that, at least I thought, that we didn't need to do this, and we went ahead with the bill. I gathered bills from about twelve different states. I drew up a rough draft of the bill that we had, and then we went down—at this time Governor Curtis was still in office—and I had talked to him about it, and he thought that it was some good legislation. And we went ahead and had the bill drafted up. At that point we contacted Senator Speeds and Representative LaPointe from Portland, and asked them if they would sponsor the bills for us, and after explaining to them what we were attempting to do, they said they would be happy to.

We spent quite a lot of time, dealers spent quite a lot of time, going down and talking to their representatives, calling them on the phone, writing letters, and we put the bill through. We had a little battle with the oil companies and some of the distributors, and they hired some pretty good lobbyists, but we still put the bill through for little or no money, other than attorneys' fees or something like this to have the bill put into legal language. So, I think that people should get more involved in their state government, and in their federal government. I think that if there are bills that need to be presented, or if there are bills that the public particularly doesn't like, that they should write to their representatives or call them, because I found that these people at the State House are more than willing to listen to you and more than willing to try to help you if you have a good reason, and if you can show them and take the time to tell them why.

Q: Who lobbied against you?

A: Well, we had Milt Huntington, who is Maine Petroleum Association. We had some of the oil distributors that also sell gasoline—they hired a couple of lobbyists to lobby against us. And it was just people in general. They brought in at the public hearings, oh, they must have brought in about 30 people, lobbying against the bill or talking against the bill. But we brought in our own people and told them documented things that had happened and why we needed the legislation.

Q: Do you have any idea, off the top of your head, how much was spent lobbying against your bill?

A: No, I don't. I haven't heard anything.

Q: Phil, as the Legislature is drawing to a close, the House and Senate have been wrestling with a few proposals to increase the state's gasoline tax, and as I understand it now, the tax stands at, the state tax is 9¢ a gallon, which is one of the highest in the country. The federal tax, of course, is 4¢. Now one of the proposals would just add a penny onto the state tax, raising it to 10c. But House Speaker John Martin has proposed a different solution, one of which, as I understand it, would sock it to the summer people, and this would be done by imposing a 2¢ addition, but this would just be during the summer months, when the tourists come here. My question is, first, how do you feel about any additional gasoline tax, and second of all, if you had to choose one, which would you prefer?

A: That's a pretty tough question. I think that the people are at an end to taxation. They've been taxed quite heavily, and I think that a penny a gallon, if it is really needed, then it should be a penny a gallon. But I don't think that we should really penalize our tourist trade in the state for what we have. And I think if I had to make a choice, I think that it would be a year-round.

Q. At the start of the program, you mentioned the possibility of gasoline being a dollar a gallon at this time next year. I'm sure that to a lot of viewers this is a very scary thing for many people. You've seen the rapid rise in gasoline prices over the past two years. Has this, just from talking to your customers and other dealers, do you think that this has almost put an end to pleasure driving and that people are just buying the gasoline they need to get to and from work and to do their business rounds?

A: Well, I think it's hurt a lot of people, and they've had to cut back on their pleasure driving, which may have been one of their only recreations. It appears to me that the people who have the money are going to pay for it regardless of what the price is. And working people are going to have to suffer. That's why the Gasoline Retailers Association is against any more taxing on a federal level of gasoline in order to cut consumption, because you're hurting the people that they don't want to hurt. And we've offered solutions to this problem on a short-term and also on a long-term basis, where if they went to an allocation program—which we are still on, by the way, but people don't realize it—but the allocation is so high right now, that it doesn't make any difference. If you went to a 100% allocation, I don't think we would have to raise the price of gasoline much more than it is now, and we would cut back on the amount of imports that we would bring in. Right away, it jumps into people's mind, what about the lines that it's going to cause? Well, we didn't have any lines until we went below 80 percent, 75 percent. Then the lines started forming. A lot of this I think is panic buying. And if we went to 100 percent, I think we could achieve the million barrels a day on the imports, by cutting back the imports a million barrels a day.

Q: Do you see any return to gasoline lines and shortages in the coming months and years?

A: Well, it depends on what the OPEC nations do really, as to if they throw up another embargo; the next gasoline shortage—the last one we just had was a picnic compared to what would happen if they had another embargo.

Q: Phil, have you as an individual and the dealers as a group encountered any problems because you have organized and because you have started to speak out on behalf of yourselves?

A: We've had some pressure from some of the distributors, the major oil companies have been pretty quiet as far as dealers belonging to the Association, but some of your distributors have told dealers to stay away from our Association and since they didn't have leases, that they may cancel them.

Q: Is there anything in the bill of rights that protects any pressure from the oil companies or from the distributors?

A: Yes, there is. We have a clause in the contract now where they cannot coerce or pressure dealers in any way to buy extra products, like tires or batteries and this type of thing, and there is legal action that they can take if this pressure is brought upon them.

Q: Where? In the courts or in a state agency? Who do you go to? Who would a dealer go to if he felt he was pressured?

A: He could go to the courts. He could bring a law suit right into the courts.

Q: Or to your Association?

A: He could bring it to us—we're involved in a couple right now.

Q: Thank you.

Moderator: Michael T. Craig, WGAN–TV. Reporters: Ron Palmquist, WGAN–TV; Jerry Harkavy, Associated Press.

FOR MARK SINGER, HOMECOMING AND A TIME FOR HOPE

Mr. BEALL. Mr. President, I rise to call to the attention of my colleagues a moving story of a medical miracle and of the courage and bravery of a young man's struggle to survive. Mark Singer of Takoma Park, Md., on June 30 was released from Johns Hopkins University Hospital to go home. Many thought that he would never do so for Mark, during an 11-month medical and personal ordeal, experienced 11 major operations, operations which took their toll on his young body reducing his weight over 61 pounds, from 125 pounds to 56 pounds. Reports indicate that Mark is making good progress and our best wishes and prayers are with him as he continues to make improvements.

That is only part of the story, Mr. President, for Mark's family is faced with medical bills approaching $40,000. Evidentally, the responsibility and hardship upon the family resulted in one brother leaving home. But, Mr. President, Mark's mother has been doing everything in her power to do what is necessary for her son's health and happiness. This case illustrates the absolute necessity for the Congress of the United States to provide catastrophic protection and health insurance to our citizens. A major catastrophe such as faced in this case can wipe out an average family. Mr. President, this should not be allowed to happen.

In addition to Mark's recovery, there is another bright side of this story; namely, the tremendous response of Mark's classmates, friends and his community to his and his family's ordeal. A Mark's classmates, friends, and his comlished, and as of July 31, $5,000 has been donated. Churches, synagogues, and youth groups in a number of novel ways have responded. But I suspect even more important, they have demonstrated to Mark that his fellow citizens indeed do care and are with him during this ordeal.

On August 6 at the Harlequin Dinner Theatre a benefit featuring the musical "Carnival" will be held for Mark's benefit. I certainly congratulate the community and all of those involved in this worthy effort and wish them overwhelming success. I ask unanimous consent that various articles from local newspapers be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Jewish Week, Washington, D.C., June 26–July 2, 1975]

FOR MARK SINGER, HOMECOMING AND A TIME FOR HOPE

(This is based on an article that first appeared in the Montgomery Journal weekly newspaper in Montgomery County, Md., written by Peggy Eastman)

For Mark Singer of Takoma Park, the good news is that he is coming home from the hospital on June 30.

The bad news is that his mother, Janet Kazor, overwhelmed by medical costs, isn't sure she can cope. A trust fund has been set up to ease the burden, but receipts are lagging.

Mark is an 18-year-old victim of illeitis and of several other pitiless ailments. His survival has been called a miracle. His inner strength and passionate will to live have moved observers to tears.

For ten months, he was hospitalized constantly; he had been in and out of hospitals previously, as well. He lost 61 pounds—shrinking from 125 to 56. He endured respiratory arrest, an abscess eating away at his hip caused by a fistula related to illeitis, and has had nine operations, including a colostomy (involving the colon and body wastes).

Now, he is making a gradual recovery that even doctors did not believe possible. He is gaining weight, and appears steadily improving. Visitors are astonished at his thoughtfulness, cheerfulness and liveliness of spirit.

His case was brought to the attention of Rabbi Herzel Kranz of the Silver Spring Jewish Center several months ago by a friend of the boy's mother. At the time, Mark, a patient at Holy Cross Hospital was sinking rapidly. As the rabbi was visiting him, Mark suddenly fell into a respiratory arrest—not his first. On other occasions, he was rushed to the intensive care unit. Kranz, deeply moved by the boy's courage, said he must do something to save his life. He contacted Dr. Ira A. Morris of Johns Hopkins University Hospital. Mrs. Kazor credits Kranz's timely visit—and the extraordinary devotion and skill of Dr. Morris—with wrestling Mark from oblivion.

Morris candidly told the mother it would take a "miracle" to save her son. Mark was transferred to Johns Hopkins because of its wealth of special facilities and equipment. A team of medical workers was assigned to Mark—and a lengthy and intricate procedure followed. It involved a series of operations, including removal of dead bone and drainage from his hip, treatment for severe bedsores, hyperalimentation (tube feeding into the main valve near the heart), treatment for stress ulcers—and much else.

Mark's mother and father were divorced when Mark was a year old. He has been receiving State Medical Assistance, and a number of citizens and organization have helped, including doctors and nurses, hospital security guards, Catholic and Protestant clergymen, Jewish businessmen, medical students, hospital security guards and others.

The John Bernard Wilner Auxiliary of the Jewish War Veterans this week voted to assist Mark as the son of a veteran of the Korean War. And the Ziporah chapter of the Bnai Brith Girls recently visited Mark and hopes to come to see him again during the long, anguishing months of his rehabilitation.

Mark will have to remain confined to his room while undergoing physical therapy which Dr. Morris is arranging through the Seventh Day Adventist Hospital in Takoma Park. Later, he will be able to leave the apartment to continue his treatments at the hospital and at Dr. Morris' office.

With all the assistance received so far, the expenses wildly outdistance the available funds. Mrs. Kazor said this week it is "horrible when you really don't know which way to turn next." But her hopes are riding on the Mark Singer Trust Fund. Donors may send financial sustenance in the name of the fund in care of Unibank, the University National Bank, Rockville, Md.

[From the Jewish Week, Washington, D.C., July 10–16]

NEEDED: ALUMINUM WHEELCHAIR, FIRST-FLOOR APARTMENT

Mark Singer, the incredibly gallant 18-year-old victim of a devastating army of physical ailments, whose gradual recovery has been described as a miracle, is in need of an aluminum wheel chair, which he hopes someone will donate soon.

When Mark's plight—including his agonizing struggle to survive through nine operations at the Johns Hopkins University Hospital and his loss of 61 pounds—was described in the Montgomery Journal and The Jewish Week, and featured in a telecast over a major television station, many contributions were received by the Mark Singer Trust Fund. Mark's mother, Janet Kazor, is still hard-pressed to meet the devastating financial burdens facing her now that her son has been released from the hospital.

She and Mark told The Jewish Week they were deeply moved by the response of our readers after the story on Mark appeared in our June 26–July 2 issue.

Rabbi Herzel Granz of the Silver Spring Jewish Center, whose efforts brought Dr. Ira Morris of Johns Hopkins into the effort to save Mark, said this week he hopes to preside at the youth's Bar Mitzvah sometime in October. Mark missed this customary ritual when he was 13, but he is now eager, he said, "to learn about my heritage."

Kranz has issued a challenge to those with knowledge of Hebrew and Jewish history to tutor Mark so he may be ready for the ceremony.

In addition to the aluminum wheel chair, Mrs. Kazor desperately hopes someone who knows of a ground-floor apartment in the Silver Spring area will get in touch with her as soon as possible. She and her son live on the second floor, and it is difficult to manage the stairs for Mark's projected visits in a wheel chair to the Seventh Day Adventist Hospital, where he will take physical therapy to speed his recovery.

Mark himself seems astonishingly hopeful. He told The Jewish Week he has started to write a book about his ordeal and has related some of his experience to a tape recorder. "I don't feel alone anymore," he said.

Mrs. Kazor cited many encouraging developments in the past week. Contributions to the Mark Singer Fund amounted to about $1,000 as of last Tuesday. Donors included the Chillum Community Church, the Maryland Ostomy Association, the Heart Guild, the United Synagogue Youth Seaboard Region; Chet Morris, noted trick billiardist who is planning a fund-raising event and many others including Debbie Warsaw, a student at the John F. Kennedy High School, who raised funds through a sale of doughnuts.

Gifts to the Mark Singer Trust Fund should be sent in the name of the fund in care of Unibank, the University National Bank, Rockville, Md. Mrs. Kazor and Mark live at 506 Domer Ave., Tokoma Park 20012, Apt. 202.

MARK SINGER EARNED HIS MIRACLE

(By Peggy Eastman)

"Thank God I'm here. I'm just glad to be here."

The words are those of Mark Scott Singer, 18, of Takoma Park. That he is here—breathing, talking, ingesting food—represents a substantial miracle of medical expertise, tenacity, and the faith of a small army of supporters.

They range from First Lady Betty Ford and the Reverend Billy Graham, to the Redskins and Bullets team members, to Rabbi Herzel Kranz of the Silver Spring Jewish Center, to Mrs. Billie Morgan, the Johns Hopkins Hospital Pinkerton security guard who made Mark a local celebrity, to his mother, Janet Singer Kazor.

At an age when he has only just become a man, legally, Mark Singer (who weighs only 65 pounds) has borne more physical punishment (including nine major surgical operations in 11 months) than most men are called upon to suffer in a lifetime. At an age when many of his cohorts were making decisions about which college to attend, Mark was making decisions about his body, giving surgeons permission to operate, giving doctors permission to try an experimental drug.

Mark Singer is not only a victim of severe ileitis (inflammation of the small intestine that causes unbearable cramps, malabsorption of proteins and aggravated weight loss), of osteomyelitis (inflammation of the bone marrow) that ate away his right hip completely and two respiratory arrests that necessitated a tracheotomy (a hole in the neck), but he has also been operated on for stress ulcers and has survived a coma. He is in many ways a medical test case, living through a spectrum of complications that caused his primary physician, Dr. Ira Morris of Rockville, to tell Mark's mother: It will take a miracle to save your son." And Dr. Morris told the *Journal*, "Even in a hospital like ours [Johns Hopkins] where very sick people are the rule, he was one of the sickest any of us had ever seen."

Hospitalized intermittently at Holy Cross Hospital in Silver Spring since February, 1974, Mark Singer was transferred to Johns Hopkins Hospital in Baltimore at the urging of Dr. Morris in January, 1975. He weighed 56 pounds when he was lifted into the ambulance that took him to Johns Hopkins, and was given little chance for survival. He faced a new year and his 18th birthday during brief intervals when he was out of the intensive care unit.

Ileitis, also known as Crohn's disease (after Edward Crohn, the gastroenterologist who described the condition with two other doctors in 1932) is particularly insidious for children and young adults like Mark Singer.

About 10 percent of those affected with ileitis and related inflammatory intestinal diseases, contract the ailment(s) before age 16. The outlook for them is frequently worse than that for adults in that the complication rate is often higher and surgery is usually required more frequently.

The disease is also particularly insidious because its cause is unknown and there is no established medical cure for it. Surgery is one solution, but the disease may recur in the intestine above the area operated on, occasionally soon after an operation. Perhaps cruelly, as the body progressively deteriorates, the mind of an ileitis patient remains clear.

Dr. Morris noted that although ileitis and its disease twin, ulcerative colits (inflammation of the large intestine) are mystery ailments, one known factor is that they seem to affect Jewish people more often than non-Jewish. There also is a question of just how much they are induced by emotional problems, although Morris said that may be a chicken/egg situation: which came first, the disease or the emotional reaction?

Mark Singer's case is unusual not in that he has Crohn's disease (estimates are that one out of 3000 U.S. adults has some form of Crohn's disease), but in that when he was brought to Hopkins he had deteriorated physically to a point rarely seen by doctors in ileitis patients.

Many such patients have colostomies (an operation in which the body's wastes are passed via the cut colon [large intestine] through a hole in the stomach wall into a removable pouch) as did Mark, and lead normal lives. In this area, the Metro Maryland Ostomy Association, serving Montgomery and Prince George's counties, has some 200 members.

But Mark Singer's problems go beyond the limits of ileitis itself. An abcess eating away at his right hip, caused by a fistula tract related to ileitis, led to the onset of osteomyelitis and the destruction of that hip. He has spent months in traction to keep his femur bone in place.

Several critical respiratory arrests nearly ended the suffering of Mark Singer. A tracheotomy prolonged his grasp on life. (The small hole in his neck is healing over now.) Bed sores, some larger than a grapefruit, have plagued him since he was confined to a hospital bed. In addition to the surgeries performed for treatment of ileitis, osteomyelitis and complications, Mark underwent an operation for stress ulcers, probably contracted, his doctors believe, from mental and emotional strain.

A visit to Mark Singer leaves an unquiet mind. At 65 pounds, his extreme fraility is what first overwhelms a visitor. "But you should have seen him four months ago," says Rabbi Kranz, who has become a constant watcher at Mark's bedside (though Mark and his mother were not members of his temple). "When I first saw him, he looked like an old man, skin and bones, a survivor from Dachau or Auschwitz."

Mark, his mother tells me, used to have dimples, a slightly cleft chin. It is difficult to accept until, later, she takes the smiling family picture out of her wallet.

Mark is on a stretcher, waiting to be wheeled to a Hubbard Bath's hydrotherapy tank. It is the first time he has been out of bed since he came to Hopkins except for the operating table. Quietly, his voice wavery but distinct, he talks of first knowing something was very wrong with his body—when he was a junior at Bethesda-Chey Chase High School. (Mrs. Kazor, twice divorced, then lived with Mark and his brother Andrew, now 21, at Blair East apartments in Silver Spring.)

"I was having real bad cramps in my stomach . . . one day I was so cramped up I couldn't get out of bed," Mark remembers. "That's how bad it got. The cramps lasted anywhere from 10 minutes to all night."

The condition was first mis-diagnosed as ulcers (which is common in ileitis cases, said Dr. Morris). But hospital tests prompted by the severity of the attacks revealed that Mark was suffering from Crohn's disease. "I knew nothing about Crohn's disease, so when the doctor told me I went into a panic. He started to explain that it had something to do with the intestines, and I started to get sick. He started to tell me to stay away from this food and that food and he gave me pain medication."

Janet Kazor (belatedly, she admits now) sought the help of a specialist for her son—Dr. Bernard A. Heckman of Silver Spring, who is on the board of medical advisors of the Metro Maryland Ostomy Association. Heckman told Mark "that it was going to be a long process, that they were going to try medication first, that I would have to go through a whole battalion of tests, and that it wasn't going to be easy . . . at that I just ran out of his office crying . . . it was too much for me. I just ran. I ran into a shopping center and I just sat there and cried."

A desire to know "what it was like to be well again" pulled him out of this first of many vortices. Mark Singer missed the whole second quarter of his 11th year of school (1972). On a restricted diet, steroids and pain medication, he began to have side effects from the steroids.

At an age when pimples are the most disfiguring health problem for many teenagers, Mark developed a rash, gained weight. "It got to be rough, because I couldn't get to see my friends a lot of the time."

At a time when many teenagers get their learner's permit to drive a car, Mark Singer rarely left his house. "The only time I even got outside was through a window or on a balcony because I couldn't go very far . . . I was afraid I'd get cramps somewhere away from the house . . . and God knows how long I'd be stuck there." There was no high school prom for Mark Singer. He graduated from B-CC at 16 between two major surgeries by taking the high school equivalency examination.

People from all faiths have prayed for Mark in and out of his hospital room. In the drawer of a chest beside his bed are a crucifix and a mezzuzeh. An inspirational book, *The Treasure Chest* by Charles L. Wallis (Harper & Row, 1965), presented by the Billy Graham Evangelistic Association, sits on the ledge underneath his window.

"I don't think you have to be of any one religion to pray to God," says Mark. "I do believe in God very strongly . . . I haven't had any religious training of any kind except what I've read up on and from talking to the people who come into my room . . . My answer to religion has always been 'no,' but my answer to God was always 'yes.' "

Television, with its advertising hard sell and situation comedies, is Mark Singer's contact with what is happening outside his four hospital walls. Does the contrast between televised trivia and his daily battle with pain overwhelm him at times? "In a way, but I also look at it like this. Lately I've been watching a lot of news. They talk about the unemployment rate and how high it is in Baltimore . . . and I may be sick . . . you know, day to day physical problems, pains and stuff, but they're out there, they're trying to live . . .

"I mean I get my meals, and if I need something for the pain I get it . . . somebody will be there if I need something. And these people, they've got to really struggle . . . even to get a job, just to support themselves so they can eat.

"A lot of the TV shows are trivial in a way, but they're also good because if I were to not watch any of them, just keep my mind on myself constantly, I really think I'd go crazy."

Spending an afternoon with Mark Singer is to see how, specifically, he diverts his mind from himself. Al Stoller, who is from the Independent Order of Oddfellows, Baltimore chapter, and his wife have come to visit. Mark notices Mrs. Stoller standing off to one side. "How are you doing, Mrs. Stoller?" he says, raising his arm, clasping her hand in his.

Later he asks a nurse, "Hey, where's your bracelet?" referring to the macrame wristlet he made her, just like the one he wears on his own frail wrist. Once, says Janet Kazor, Mark made her take his sleeping pill when she stayed overnight in his room (as she often does). She slept and he didn't.

It is hard to be an 18-year-old boy without a peer group. One of the saddest things for Mark Singer to deal with was the fact that as his condition worsened, his circle of friends from high school days constricted. Now, almost no one comes anymore from that former B–CC group.

"I haven't seen any of my friends for three months," says Mark, with a shadow of that tough guy defiance that brings him off the operating table. "I don't miss my acquaintances—*supposed* to be my friends."

Hardest to accept is the absence of a friend who took a four-day 2600-mile eastern seaboard trip with him, after the onset of his illness. 'He hasn't come to see me once since I've been here."

And then, "When I get out of here I'll make new friends. The hell with them . . . I've learned a lot since I've been here. I've learned that at 18 you can be independent, and I've learned that I have a lot of inner strength."

His older brother, Andrew, 21, also doesn't come. "He couldn't take it," says Janet Kazor. "He ran away from it." Mark once told his mother, Janet Kazor says, "I love my brother because he is my brother, but I don't like him as a person." Mark's father, now in California, also doesn't come, in spite of letters from his former wife and one from Rabbi Kranz that, in the Rabbi's words, "would make him not sleep nights."

In fact, Janet Kazor was virtually alone with her son's overwhelming physical and mental needs until the intervention of those on what Mark calls "My 'Thank You' List." Besides individuals like his doctors and Rabbi Kranz, the list includes the Maryland Medical Assistance Program, which pays Mark's hospital bills.

The bills have been staggering. Recently, Janet Kazor opened an envelope to find a bill of $38,589.63, for a five-month period at Hopkins. The bill includes surgeries, the room, and nursing care, but no doctor's consultation fees.

A former hairdresser who gets no support from either of her former husbands, Janet Kazor is now trying to live on $150 a month public assistance ("on the state" as she puts it). She commutes at least four times a week from Takoma Park to Baltimore to see her son (doctors urged her not to move there, to give herself a respite), often sleeping overnight in a chair in his room. Because of this vigil, she has not been able to work. People on Mark's "thank you" list have helped out with gasoline money.

Mark's future—when he will come home, what his path will be—is both a source of hope and concern to Mrs. Kazor. Dr. Morris told *The Journal* that his immediate goal is to get Mark walking, and that a replacement hip may be a possibility for his right leg.

There will be nursing bills, home care needs to be met, dietary consultations, trips to the hospital for treatment, special orthopedic supplies like the shoe for the foot on his left leg Mark was measured for recently.

But for now, it is enough for Janet Kazor that her son is on the upswing. His recovery in recent weeks has been so dramatic that he sat up in a wheelchair, stood up, and was allowed home (last weekend) on a special 24-hour leave. Two months ago, all of this would have been the farthest notions from his doctors' minds. Mark is asking about college courses (mathematics or aviation science), he has always wanted to fly a plane, and designs models. Bright and alert, his mind wants something to work on besides pain.

And he wants the knowledge that his thank you list is real, that he is not already a lost cipher in time. "I'll tell you what keeps me going . . . it's the cards and letters on the wall, people who come into the room and the phone calls I get. If I didn't have that, I don't think living or dying would matter to me."

(EDITOR'S NOTE.—Janet Singer Kazor has established a savings account for friends and supporters of her son in his name at the University National Bank, Rockville branch. The fund is to be used for home nursing care and his education.)

MARK SINGER: MY "THANK YOU" LIST

President and Mrs. Gerald Ford.

The Honorable Eugene McCarthy, U.S. Senator (Minnesota).

The Honorable Donald Shaeffer, Mayor of Baltimore.

Dr. Ira A. Morris, the primary doctor, Johns Hopkins Hospital, Baltimore.

The entire staff of doctors, nurses and medical students on assignment at Johns Hopkins.

The Pinkerton security guards, on duty at Johns Hopkins and in particular Mrs. Billie Morgan.

Dr. Bernard Heckman, Silver Spring, Md.

Dr. William Marcus, Silver Spring, Md.

Rabbi Herzel Kranz, Silver Spring Jewish Center Congregation.

The many priests and staff at Holy Cross Hospital, Silver Spring, Md.

The State Medical Assistance Program, especially Mrs. Elizabeth Bell, social worker.

The Jewish Social Services (Mrs. Roberta Green, social worker).

The "100" Club of Silver Spring, Md.

Radio Station WCBM, Baltimore and its staff.

The Rev. Billy Graham.

The family church group and personal friends of Mrs. Billie Morgan.

Kr. George Laney, a real friend in need.

The American Red Cross (Blood replacement sponsored by Mr. George Hannaway).

The National Foundation for Ileitis and Colitis (for blood replacement).

The Horace Saunders Ostomy Association.

Mr. Donald E. Wolpe, formerly with University National Bank, for giving me a job knowing of my illness.

Don Baylor, representing the Baltimore Orioles baseball team.

The Washington Redskins.

The Washington Bullets basketball team.

Jefferson Lodge No. 13, Independent Order of Odd Fellows, Pikesville, Md.

The Independent Order of Odd Fellows, Jurisdiction of the District of Columbia, especially Mr. Raymond G. Fridley, Grand Master.

My mother's personal friends, too many to name, but not to be forgotten.

And last of all, God bless her, my mother.

DOUGHNUTS TO DOLLARS FOR MARK SINGER

(By Peggy Eastman)

Debbye Warsaw 16, had not seen much of Mark Singer, 18, since both were classmates at Montgomery Hills Junior High School in Silver Spring.

Like many of his friends, she knew of Mark's illness (he is a victim of severe ileitis, inflammation of the small intestine, and related medical complications), but it had come between them. She said, "We had kind of lost touch . . . I didn't know if he wanted to see me." It was not until she read *The Journal* article (TEMPO) section, June 5, 1975) detailing Mark's medical problems (including osteomyelitis, a coma, a colostomy, and a tracheotomy) and his hospitalization, that Debbye decided it was decidedly the time to put aside all hesitation and do something concrete for her junior high friend.

Learning that Mark's mother, Janet Singer Kazor of Takoma Park, was on welfare, and that money would be needed for Mark's medical care at home after his discharge from Johns Hopkins Hospital in Baltimore (June 30), Debbye set out to raise money for her friend's future. From the *Journal* article, she learned that a Mark Singer Trust Fund had been established at the University National Bank, Rockville branch.

A pompon squad member at John F. Kennedy High School in Silver Spring, where she will be a senior, Debbye started by holding up a bucket at a Kennedy picnic in June and appealing to her classmates to fill it for Mark. "I was kind of nervous," she said. "I wanted a teacher to talk into the microphone, but he said it would be better coming from me."

She was overwhelmed at the response. "They kept coming up and putting money in—it was like a telethon. I was so happy I was crying." In 1½ hours, Debbye collected $54 for Mark. He didn't know anything about the Kennedy picnic until Debbye appeared at his bedside at Hopkins with a cashier's check for $54.

In subsequent weeks, as school drew to a close, Debbye collected $30 more for Mark Singer. She wanted to go to Bethesda-Chevy Chase High School, which Mark attended, but by that time it was the last week of school, and the student body was scattering. When Kennedy's principal, Bruce O. Sivertsen, told Debbye about the public school supporting services staffer who would be coming to Kennedy to register for special unemployment insurance assistance (see *The Journal,* July 3, p. A–2). Debbye and Kennedy business manager Ralph Allen hit on a novel idea—donuts.

Specifically, what they decided to do was sell donuts and coffee to the teacher aides, cafeteria workers, bus drivers, etc., who came to register. Allen made a trip to Dunkin Donuts in Wheaton, where manager Paul Hettick said he'd be glad to give the Mark Singer fund a discount price of 60 cents a dozen. A local Grand Union also agreed to a discount price.

In two days last week, Debbye and Kennedy students Rod Thompson and Jean Main sold 70 dozen donuts at 15 cents each (coffee and a donut for 25 cents), netting more than $100. On one day they sold 200 donuts, ran out, and were given, gratis, 20 dozen donuts from the Montgomery Doughnut Co., Inc. Dunkin Donuts then donated a batch, as did Posins' Bakery Delicatessen on Georgia Avenue. Debbye Warsaw and the Kennedy students collected more than $400 for Mark through donut sales and contributions by check.

Mark Singer came to Kennedy High School last week, accompanied by his mother, Janet Singer Kazor, Paul Rutherford, a friend from Baltimore who pushed his wheelchair, his aunt, Edith Dorfman of Silver Spring, and a family friend, Moshe Brodetzky, also of Silver Spring.

Now, he is no longer the lonely, emaciated boy who said of his former friends, "They came when it was convenient for them to come, and when it was no longer convenient, they didn't come." Mark is something of a local celebrity now; his homecoming was filmed on WTOP–TV (Debbye called the TV channel's office). His face has filled out; from a low of 56 pounds, he has climber up to 77.

Mark has received several hundred letters from people who have read about him in *The Journal,* read a *Journal* adaptation in *The Jewish Week,* seen him on television, or responded to Johnny Holliday's mention on WWDC-radio. The letters range from several written by seriously ill people who urged Mark to "hold on," in the words of one; to a note from a woman who described herself as "an old lady with 4 grandchildren and 2 great grandchildren," whose husband was related to Abraham Lincoln; to a teenaged girl who said she was sorry to hear that Mark's friends had not been visiting him and she hoped "I can be your friend if it is at all possible."

In the *Journal* article, Mark Singer described how his friends from high school days at B–CC had stopped coming to see him. Anita J. Willens, principal of Charles W. Woodward High School in Rockville, sent a letter to Mark in reply to his remarks.

"While it must be difficult for you to bear your isolation, perhaps it might help to know that there are times your friends are thinking of you but feel uncomfortable to visit," Ms. Willens wrote. "Maybe if you let it be known that you would welcome their visits and would enjoy sharing their fun vicariously, they might be more at case and would want to visit."

After reading Ms. Willens' letter, Mark Singer told *The Journal* he agreed with her, and felt he had been too harsh on his friends, whom he termed in the *Journal* article "my acquaintances—*supposed* to be my 'friends.' "

Meanwhile, Debbye isn't stopping with donuts. She is organizing a benefit marathon at the Glenmont Cue Club (admission probably $1) with trick billiard shooter Chet Morris. She is also beginning work on a benefit dance to be held at Kennedy High School in October, and is appealing to all county high school students to come.

MARK SINGER TRUST FUND

The Mark Singer Trust Fund is especially important to 18-year-old Mark, right now. His mother has been told by the Washington Adventist Hospital physical therapist working with him that there are too many steps in Janet Singer Kazor's Takoma Park apartment for Mark to negotiate in a wheelchair, or eventually, a walker. The family must move. Also, a lightweight wheelchair is needed for Mark.

The Mark Singer Trust Fund has been established at the University National Bank, Rockville branch.

A NATIONAL SECRETS ACT

Mr. MUSKIE. Mr. President, more than 2 years in the wake of Justice Department efforts to prosecute Daniel Ellsberg for the disclosure of the Pentagon papers history of our involvement in Vietnam, the administration put forward a bill (S. 1400) which would have recodified the Federal Criminal Code.

Hidden deep in that lengthy and complex legislative proposal were five sections which, taken together, would have established in peacetime a system of governmental censorship that a democracy could hardly tolerate in a time of war.

That proposal went far beyond any laws which we have ever had even during the emergencies of World War I and World War II. In that the proposal would have given the Government the power to prosecute newsmen not only for revealing what they determine the public should know, but just for possessing information the Government says they should not have, it constituted no less than a "National Secrets Act.'"

S. 1400 died without action in the 93d Congress. It has, however, found a successor in S. 1 which is presently before the Senate Judiciary Committee.

While there have been improvements in S. 1 from the version which was offered in the last Congress many of its sections—particularly those dealing with the revision of the espionage laws—raise serious questions affecting the first amendment rights of the press in a democracy and the need for that fourth estate of Government to keep a watchful eye on the operations of the other three.

Under the new proposal, a reporter who catches the Government in a lie, who uncovers fraud, who unearths examples of monumental waste, could go to jail.

Such a law would force journalists to rely upon self-serving press releases manufactured by timid bureaucrats—or risk going to jail for uncovering the truth.

A former member of my staff, Mr. Dan Lewis, who is now practicing law in Washington, and who is very familiar with the proposed revisions in the Federal Criminal Code has prepared a memorandum which discusses each of the problems posed by the administration proposal. It is worth noting some of the observations he makes in his study.

For example, section 1123 of S. 1 would forbid communications which are defined to include any act of making information "available by any means to a person or to the general public." Therefore, giving this information to a newsman and its publication by the press or electronic media would constitute a felony.

The newspaperman, the editor, the press man, even the newspaper delivery boy would commit a crime under this section. In fact, anyone who aided in making the communication would be considered an accomplice.

Newspaper publishers and television station owners would be no less covered by the act for the crimes of their agents. Under such a proposal if information were properly obtained from a foreign government or from a foreign press source or even from direct observation, it would fall within the proscriptions of this section.

For example, if a journalist printed information about the secret U.S. bombing in Cambodia during the Vietnam war, and that information had not been officially released, such a press report would be a crime, even if the journalist obtained the information by his own direct observation or through a foreign press report.

Even more important certain sections of this bill would make the act of communicating certain information a crime even if such communication was made with no intent to harm the United States or to aid its enemies. The act requires no mens rea or the intent to do wrong which is fundamental to our criminal law.

While the objectives of S. 1 were to simply recodify the existing Federal criminal law, we find the scope of the proposed National Secrets Act to bear little resemblance to existing espionage laws which generally limit criminal prosecution to espionage as it is traditionally understood. The present espionage laws have been limited by the Congress and the courts to cover specifically enumerated types of vital secret information; to require that persons charged have intended to injure the United States, or have an intent to do wrong; and that they be applied to the transmission of information which would in fact cause an "injury" to the United States or be used to the advantage of a foreign nation.

The limitations in the present law were reaffirmed by former Attorney General Elliot Richardson when he testified before my Subcommittee on Intergovernmental Relations on the predecessor to S. 1, S. 1400. Those hearings were held jointly with the Judiciary Subcommittees on Administrative Practice and Procedure and Separation of Powers. At that time the Attorney General disavowed support of any espionage laws insofar as they imposed criminal penalties upon journalists without a finding of intent to harm the United States, and insofar as they did not limit the information covered to specifically enumerated categories of Defense information or information which a person would believe should not be released because it could injure the United States.

It is encouraging to see that the present Attorney General Edward Levi also has expressed some concern for the breadth of the proposal before the Judiciary Committee.

For several weeks now, members of my staff and those of the staffs of Senators HART, BAYH, and CRANSTON have been working with representatives of newspaper, broadcast and other interested organizations to fashion a workable alternative to the administration's proposal. Their efforts have also been met with interest by representatives of the Department of Justice.

We are hopeful that those efforts will produce an amendment to S. 1 which can provide the protection of legitimate secrets in the interests of our national defense and foreign policy without stifling or threatening with prosecution a probing and aggressive media which is so essential to our open form of democracy.

Mr. President, I ask unanimous consent that a memorandum, entitled "The National Secrecy Act Provisions of S. 1, the Proposed Revision of the Federal Criminal Code, be printed in the RECORD.

There being on objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE NATIONAL SECRECY ACT PROVISIONS OF S. 1, THE PROPOSED REVISION OF THE FEDERAL CRIMINAL CODE

The proposed recodification and revision of the federal criminal code, introduced in the Senate as S. 1 (49th Cong., 1st Sess.), contains several new or expanded criminal offenses which, when taken together, would create a broad and effective National Secrecy Act. These totally new and unprecedented federal crimes would give the Executive Branch the authority to control inside and outside the government the dissemination of almost all information concerning national defense and national security matters. It would do so by making it a crime for anyone to communicate defense related information which has not been officially released by the government to unauthorized persons outside of the government such as newsmen, publishers, broadcasters, and the public.

The National Secrecy Act would give the Executive Branch the discretion to prosecute, and, if successful, jail those who release, discuss, or even just retain defense related information critical of the government even if such information would do no more than expose government corruption, waste, unlawful acts, or mismanagement, and even if the person communicating such information did so as part of their traditional exercise of free speech and with the intent to strengthen the nation by exposing such wrongs.

By making much of present investigative reporting of national defense issues criminal acts, these National Secrecy Act provisions would provide the Executive Branch the opportunity to jail journalists who did not reveal the sources of unauthorized defense information and to place blanket, secret wiretaps on journalists suspected of receiving such information.

In spite of some claims by their proponents, these criminal provisions are not merely the recodification of existing law or its interpretation by the courts. Rather, they are a dramatic and unprecedented expansion of the criminal powers of the federal government to provide pervasive press censorship whose only equal in American history are the short-lived and discredited Alien and Sedition Acts.

I. THE EXPANSION OF THE ESPIONAGE LAWS TO COVER UNAUTHORIZED REPORTING OF NATIONAL DEFENSE MATTERS

1. Proposed section 1123

The most sweeping proposed expansion of the coverage of the espionage laws and of the control of free speech is contained in proposed section 1123 of S. 1, which is misleadingly labelled "Mishandling Defense Information". This section makes it a felony, punishable by imprisonment of up to seven years, for any person, *inter alia*, to communicate to an "unauthorized" person any "national defense information" which has not been officially released.[1] § 1123(a) (1) (A) and (2) (A).

(A).

A felony is committed under this section whenever any of this national defense information which has not "been made available to the public pursuant to authority of Congress or by the lawful act of a public servant", § 1128(f), is communicated to an unauthorized person, which is defined as anyone who, under statute, executive order or regulation, does not have specific authority to have such information, § 1128(a). Whenever defense information, other than information which leaves the government with official blessing, is communicated to or among those outside of the government, it is a crime.

The scope of this new felony is sweeping. "National defense information" is broadly defined to include non-public information that "relates to", *inter alia*, the United States' "military capability", "military planning or operations", "military weaponry, weapons development, or weapons research", "intelligence operations, activities, plans, estimates, analyses, sources or methods", and "in time of war, any other matter involving the security of the United States that might be useful to the enemy". § 1128(f) (1), (2), (5), (6), and (10). None of this information must be classified in order to be covered by section 1123.

During peacetime this definition would include information related to practically all of the activity within the Defense Department, the Central Intelligence Agency, and other intelligence agencies. During war, practically anything involving military, economic, or diplomatic affairs would be included since the word "security" has been chosen for section 1128(f)(10); this term is far broader than "national defense" which, when used in the espionage laws, has been broadly construed by the courts. *Gorin* v. *U.S.*, 312 U.S. 19, 23–25 (1940).

Section 1123 forbids "communication"; this is defined to include the act of making information "available by any means, to a person or to the general public;" § 111. Thus, giving this information to a newsman *and* its publication by the press or electronic media would be a felony. The newspaperman, the editor, the pressman, even the newspaper delivery boy would commit a crime. Anyone who aided in this communication would be an accomplice, § 401; and newspaper publishers and television station owners would be liable for the crimes of their agents, § 402.

But publication is not required for this offense; even secret briefings of reporters or others would be a criminal act. And conversations between citizens containing such information would also become criminal.

The scope of this felony is so broad, it encompasses the communication of national defense information to unauthorized persons even if such information does not appear to or actually did not originate from a government source. If a government employee improperly discloses information which is subsequently published, all others who republish or communicate this information commit felonies, even if such persons have no belief or reason to believe that such information was improperly disclosed.

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[1] The actual, awkward language reads: "A person is guilty of an offense [a felony] if being in authorized [or unauthorized] possession or control of national defense information, he engages in conduct that causes . . . its communication to a person who is not authorized to receive it." § 1123(a) (1) (A) and (B).

In addition, such information, even if properly obtained from foreign governments, from the foreign press or from direct observation, would still fall within the scope of this provision.[2] For example, if information about secret U.S. bombings in Cambodia during the Vietnam war was not officially released, any reporting from journalists about such bombing, either through direct observation or foreign press reports, would be a crime.

This felony thus covers not only harmful "leaks" and justifiable "leaks", but also any discussion of nonofficial defense information.

Both those persons inside the government who have proper access to national defense information and those outside the government are fully liable to these penalties, § 1123(a) (1) and (2).

Most importantly, the act of communication is a crime under Section 1123 even if such communication is made with no intent to harm the United States or to aid its enemies. This crime requires none of the traditional *mens rea* or the intent to do wrong of the criminal law. In fact, a felony appears to be committed even if a person "communicates" this information by mistake or accident.[3] And there is no requirement in this section that the information be the type which, if communicated to our adversaries, would actually or even possibly cause injury to the U.S.

In addition to penalizing communication, this section makes it a crime for any unauthorized recipient of this information to fail to deliver it promptly to the appropriate government official. § 1123(a) (2) (B). As discussed below, if a holder of the information returns the information, but refuses to divulge its source, that person could be jailed for contempt. Thus, a recipient of this type of information becomes a criminal if he or she either communicates it to anyone unauthorized to receive it, or just keeps the information and fails to report its divulgence.

Under this section, only those individuals who the government "authorizes" can communicate information concerning almost all aspects of our national defense; others do so as criminals subject to incarceration unless they restrict themselves to communicating that defense related information which the government has officially released. This expansion of the espionage laws transforms them from discrete crimes which penalize those individuals who injure the nation by giving military secrets to our enemies into a system of control, enforced by criminal sanctions, over the discussion and debate of all defense related information.

2. Proposed section 1121

Other sections of S. 1 substantially expand the existing espionage laws far beyond the prohibition of activities undertaken to harm the U.S. or to aid its enemies. For example, Section 1121, the central espionage section, would make it a felony to collect or obtain any "national defense information", knowing that it "may" be communicated to a foreign power. § 1121(a) (2). This would cover a reporter whose investigation of defense or intelligence affairs "may" some day be published or broadcast and "may" be heard or read by foreign intelligence analysts.

As in Section 1123, no intent to harm the U.S. or aid its enemies is required for conviction. Nor is Section 1121's coverage limited to top secret military information or information whose release would injure the U.S.; instead, it covers the broad scope of "national defense information" not released by the government as discussed above.

The only limitation contained in Section 1121 on this new crime of investigative reporting about our national defense is that, in order to be liable, a journalist must know that the information he collects or obtains "*may* be used to the *prejudice* of the safety or *interest* of the United States, or to the advantage of a foreign power". § 1121(a) (emphasis added). What does this standard mean? Certainly, it is not a requirement that the collector of information intend to injure the U.S., or that, as under present law, the collector believe "the information *is to* be used to *injure* the United States", 18 U.S.C. § 793(a) (emphasis added).

This new felony provision merely requires that the journalist understand that it is possible at some time in the future that the information may "prejudice" an "interest" of the U.S. The words "prejudice" and "interest" are not defined, but they would appear to encompass anything embarrassing or critical of the U.S. defense effort, including instances of corruption, policy failure, perjury by high government officials, illegal acts, and waste. No matter what the long-term effects, any *possible* immediate diplomatic, economic, or political setback appears to fall within this standard.

3. Proposed section 1122

Section 1122 of S. 1 also uses this weak, undefined standard of prejudicing an interest of the U.S. to delineate the scope of unofficial national defense information which cannot be communicated to unauthorized persons. This section, as does Section 1123, penalizes both government employees and private citizens for communicating or publishing such information regardless of the legitimacy of its source and the intent of the communicator.

Section 1122's limitation on the type of defense information covered to that which "may" prejudice an interest of the United States is totally superfluous, since all communication of *any* such information to unauthorized persons is forbidden under Section 1123.

The scope of these three provisions would permit the Executive Branch to control practically all discussion and debate over U.S. military and intelligence activities. Only communication of official information—press releases, statements and speeches of officials, agency briefings, and other information officially made public would be legal. All other defense information, no matter what its source, would be illegal to communicate or to possess without return to the government.

4. The scope of existing law

The scope of this proposed National Secrecy Act, of course, bears little resemblance to the existing espionage law covering these acts, 18 U.S.C. § 793(a)–(e), which generally limit criminal prosecution to espionage as it is traditionally understood.

First, these existing laws are limited in scope to cover specifically enumerated types of vital, secret information such as weapons plans, defense strategy, codes, maps, and other precisely defined information the divulgence of which would cause severe injury to the U.S. military posture. In addition, some of these sections use a residual phrase to cover other defense related information, but limit the scope of such information to that "which the possessor has reason to believe could be used to the injury of the United States or advantage of any foreign nation". 18 U.S.C. § 783(d) and (e). Thus, the present espionage laws are limited to the transmission of information which would seriously injure the defense of the U.S. if such information were made available to our enemies.

Second, conviction under the espionage laws requires that the person charged intend to injure the United States; the accused must have acted with the traditional criminal *scienter* or intent to do wrong. Edgar & Schmidt, *The Espionage Statutes and Publication of Defense Information,* 73 Col. L. Rev. 929, 986–98 and 1038–47. No one has ever been convicted of espionage without such a finding. *Id.* Indeed, the Supreme Court has clearly held that a finding of such an intent was a constitutional requirement for conviction under these provisions in light of the broad scope of the information covered by them. *Gorin* v. *U.S.*, 312 U.S. 19, 27–28 (1940).

Third, the courts have indicated that Congress, in order to avoid press censorship and an infringement over public debate of defense issues, limited those parts of these espionage provisions which reach acts by non-government employees so that they exclude coverage of "publication" of information; these sections are instead found by the courts to be directed only to the clandestine transmission of defense secrets to foreign powers:

> "It will be noted that the word 'publication' does not appear in this section [18 U.S.C. § 793(e)]. The Government contends that the word 'communicate' covers the publication by a newspaper of the material interdicted by the subsection. A careful reading of the section would indicate that this is truly an espionage section where what is prohibited is the secret or clandestine communication to a person not entitled to receive it where the possessor has reason to believe that it may be used to the injury of the United States or the advantage of any foreign nation."

U.S. v. *New York Times Co.*, 328 F. Supp. 324, 328–29 (S.D.N.Y., 1971), *reversed on other gds,* 444 F.2d 544 (2d Cir., 1971), *affirmed,* 403 U.S. 713, 721 (1971) (Justice Douglas concurring).[4] *See also,* Edgar & Schmidt, *supra,* at 1032–38.

Fourth, these provisions are limited in scope to the transmission of information which would cause an "injury" to the U.S. or would be used to the "advantage" of a foreign nation, 18 U.S.C. § 793.

These limitations on the espionage laws are the result of prolonged and detailed consideration by Congress during World War I, World War II, and the Cold War of the balance which must be maintained between the necessity of keeping certain military information secret and the requirements of free speech and a free press. Congress tailored the scope of the espionage offenses to fit the crime of espionage and no more. And, as our history has demonstrated, these provisions have served our defense needs adequately, while permitting the necessary and beneficial vigorous and free debate over defense matters.

These precise limitations on the scope of the existing espionage laws were specifically reaffirmed by Attorney General Elliot Richardson when, on behalf of the Administration, he testified before the Senate on their proposed expansion. In testimony during the 93rd Congress on S. 1400, the Nixon Administration's proposed federal criminal code revision, the Attorney General repudiated the sweep of Sections 1121–26 of that bill which are very similar to the proposed espionage sections of S. 1.

The Attorney General disavowed support of any espionage laws insofar as they imposed criminal penalties upon journalists without a finding of intent to harm the U.S., and insofar as they did not limit the information covered to specifically enumerated categories of defense information or to information which a person would believe should not be released because it could injure the U.S. Hearings on S. 1142, S. 858, S. Con. Res. 30, S.J. Res. 72, S. 1106, S. 1520, S. 1923, and S. 2073 before the Subcommittees on Administrative Practice and Procedure and Separation of Powers of the Senate Committee on Judiciary and the Subcommittee on Intergovernmental Relations of the Senate Committee on Government Operations, 93rd Cong., 1st Sess., Vol. 2, at 262–63.

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[2] The definition of "national defense information" excludes only information made public pursuant to a "lawful act of a public servant", § 1128(f).

[3] The crime also encompasses accidental or mistaken loss, destruction, or theft of such information. § 1123(a) (1) (A) and (2) (A).

[4] *But see: Id.,* 403 U.S. at 739, fn. 9 (Justice White concurring).

In addition to these espionage provisions, 18 U.S.C. § 793, which fully protect our military secrets, the federal criminal code contains other, broad provisions to prevent any transfer of vital defense information to our enemies:

18 U.S.C. § 952, forbidding government employees to publish or to transmit to unauthorized persons any diplomatic or military code or any diplomatic or military material that has been encoded.

18 U.S.C. § 954, forbidding any person from knowingly making untrue statements under oath which that person has reason to believe will influence a foreign government and thereby injure the United States.

18 U.S.C. § 794, forbidding any person to gather or deliver defense information to any foreign government with the intent or reason to believe that is to be used to the injury of the United States or the advantage of a foreign government.

II. THE CREATION OF A CRIME FOR THE UNAUTHORIZED RELEASE OF ANY CLASSIFIED INFORMATION

Section 1124 of S. 1 also creates a felony for the act of communicating any classified information to an unauthorized person. § 1124(a). Thus, any release or discussion by government officials of any classified material with unauthorized persons becomes a crime. Those who leave government, in protest or otherwise, can also never divulge this information. § 1124(a).

A felony is committed if the government merely asserts that the information was properly classified; there is no judicial review of this assertion. § 1124(c)(2). The actual fact that the information was improperly classified is specifically eliminated as a defense to prosecution under this section. § 1124(e).

Under Section 1124, no intent to injure the U.S. or aid its enemies is required; communication alone is sufficient.

Any information which is classified, properly or improperly, is covered. § 1128(b). The material is not required actually to deal with defense secrets or national security matters; it need only have been classified for "reasons of national security". *Id.*

The thousands of bureaucrats who can classify information would have the power to define the scope of this crime simply by stamping material classified. Regardless of the propriety of their actions, they can place government information beyond the reach of the public and the press and make it a crime to release such information. The massive overclassification of information would be reinforced with the harsh force of criminal law. By preventing release of such information by those who have left government, the classification system can be used to permanently cover-up fraud, waste, mismanagement, illegal acts, and official perjury.

This felony does not cover communication of classified information by those who are unauthorized to possess it, § 1124(a), and it excludes recipients of the information from prosecution as accomplices or co-conspirators, § 1124(b). This apparent exemption for journalists and others, however, has little meaning.

First, if the classified information relates in any way to defense matters, as most of it will, the recipient will commit a crime under the expanded espionage laws if he either keeps the information or communicates it, §§ 1121, 1122, and 1123.

Second, a recipient can be sent to jail for refusing to disclose the source of the information. If, for example, a reporter publishes a story using classified information, he either could be sent to jail or forced to reveal the source; the latter act would end any future sources and send the past source to jail.

Thus, under Section 1124, a reporter may be able to avoid a conviction; but he cannot avoid either jail himself or prosecution of his source.

Section 1124 also provides an affirmative defense to government employees prosecuted under this section if (1) the divulged information was not lawfully subject to classification, *and* (2) the employee attempted to have it declassified through existing administrative procedures. § 1124(d)(2). This exemption is almost totally meaningless, since every government employee fully realizes that attempts to declassify material which may involve the bureaucratic cover-up of corruption, waste, incompetence or illegal acts will only terminate any career advancement and spotlight the source of any subsequent unauthorized disclosure.

As in the case of the proposed espionage laws, Section 1124 represents an unprecedented and dramatic expansion of existing law. Under present law, prosecution for disclosing classified information is carefully and properly limited in one of two ways: it is either confined to specifically enumerated categories of information related to important military and intelligence secrets, 18 U.S.C. § 798, or it is confined to the giving of any classified information to a foreign government or a communist organization, 50 U.S.C. § 783(b).

III. THE EXPANSION OF THE FEDERAL CRIME OF THEFT TO INCLUDE THE TAKING OF IDEAS AND INFORMATION

S. 1 contains several provisions which could make the obtaining by reporters of information from the federal government a crime by including such acts within the definition of the theft of property.

For example, if a person obtains or uses government property with intent "to appropriate the property to his own use," he commits theft, § 1731(a)(2) and (c)(2). Property includes government records or documents, § 1731(b)(2)(B)(iii), "intangible property" and "anything of value resulting from a person's physical or mental labor or skill," § 111 (definitions of "property" and "services").

Thus, it appears that any ideas, thoughts, programs, or concepts created by government officials and orally communicated to reporters or copied from documents for publication could be considered a theft.

And Section 1344 of S. 1 makes it a crime "to remove" a government record; neither intent to keep the document or to appropriate it for one's own use, as traditionally required, are elements of this crime. Unauthorized removal of a government record by an official or by a reporter for reading or copying could be a crime.

IV. FORCED DISCLOSURE OF NEWSMENS' SOURCES

The enactment of the National Secrecy Act provisions of S. 1 discussed above transforms much of present legitimate investigative reporting of defense and foreign affairs into criminal acts. By so doing, these provisions will not only permit the government to prosecute those who disseminate unfavorable defense information, but they will also provide the government, through the use of grand juries and wiretaps, with enormous leverage to ferret out and prosecute those who provide such information to newsmen. This power to eliminate the flow of unofficial information is a necessary part of an effective National Secrecy Act. And with it, the politically difficult prosecution of newsmen would not always be necessary in order to silence critics.

1. The use of grand juries to force disclosure of confidential news sources

Under S. 1, once classified information or national defense information which has not been officially released appears in the media, it is apparent that a crime has been committed; this information must have been either stolen or illegally communicated. The mere publication of the information is *prima facie* evidence of a felony.

If the published information is national defense information, the reporter has committed a crime by publishing it and not returning it to the government. Immunity can be granted to the reporter to find out who released the information. If the information is classified and not national defense information, the reporter will not have committed a crime, and no immunity need be granted to force disclosure of the source.

In either circumstance, the communication of the information to the reporter was a criminal act. The reporter must necessarily have been a witness to the felony, and he will probably be the only witness. Certainly, the reporter will be the only witness which the government can easily identify. The government can convene a grand jury, call before it the reporter who published the information, and demand he identify the source who is a felon. The reporter must divulge his source or go to jail for contempt.

Under the Supreme Court's decision in *Branzburg* v. *Hayes*, 408 U.S. 665 (1972), the newsman is provided no constitutional protection to keep the source of information confidential or to refuse to reveal its contents. In fact, in *Branzburg* the Court clearly stated that of all the possible situations which may warrant First Amendment protection for the confidentiality of newsmens' sources, the one instance which merited no protection whatsoever was when a reporter refused to identify a person who actually committed a crime. Justice White, writing for a majority of the Court, stated:

"Insofar as any reporter in these cases undertook not to reveal or testify about the crime he witnessed, his claim of privilege under the First Amendment presents no substantial question." (408 U.S. 665 at 692.)

This passage from *Branzburg* makes it almost impossible for any lower court to hold that a reporter's failure to divulge the source of his information is privileged from disclosure when such information conceals the identity of a felon under the National Secrecy Act.

Based upon *Branzburg*, the federal courts have already begun rendering decisions against reporters' claims made before grand juries of a privilege not to reveal news sources. *See, e.g., In re Lewis*, 501 F.2d 418 (9th Cir. 1974). Even in a civil libel action against a reporter, these claims of privilege have been rejected. *Carey* v. *Hume*, 402 F.2d 631 (D.C. Cir., 1974).

Without a federal newspaperman's shield law, the only protection a journalist has from forced disclosure of his sources before a federal grand jury are the Attorney General's guidelines which limit the use of reporters' compulsory testimony to certain situations. Yet these guidelines would clearly permit the forced disclosure of the sources of such information under the National Secrecy Act offenses.

In order to issue a subpoena requiring the presentation of evidence before a grand jury, these guidelines require that other evidence indicate that a serious crime was committed, that the information sought is essential to the prosecution, that it is not available from nonpress sources, and that the subpoena be limited in time and scope to the criminal action involved. *Hearings on S. 36, S. 158, S. 318, etc. Before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee* 93rd Cong., 1st Sess., p. 699. Under these criteria, a journalist would have no protection, and a federal prosecutor would have no barrier to seeking the identity of the reporter's source before a grand jury, and from seeking a citation for criminal contempt for non-cooperating newsmen.

Thus, under S. 1 federal prosecutors would not have to indict journalists to force their cooperation in silencing the sources for unfavorable defense information. And since the communication of national defense information, or the failure to return such information to the government, is a felony, a federal prosecutor would usually have the additional leverage over non-cooperating newsmen of a possible indictment; this coercion could be utilized within or outside the grand jury room.

Of course, this power to compel testimony from reporters exists today. But reporters are now rarely witnesses to felonies, and almost never the sole witness. By making part of investigative reporting a criminal act, journalists will necessarily become enmeshed in the government's prosecutorial efforts to silence unauthorized sources of defense information, even if the federal prosecutors choose, in their discretion, not to indict newsmen and their superiors.

2. *Blanket wiretaps and electronic surveillance of journalists*

S. 1 includes provisions for federal wiretapping and other types of electronic surveillance or "bugging", §§ 3101–09; § 1525(c). These permit the placing of wiretaps or "bugs" after an *ex parte* hearing before a judge, upon a showing by affidavit that there is probable cause that certain offenses have been committed. § 3101–02. They can be placed for a period of a month, and they can then be extended. § 3103(c). Interception of evidence of offenses other than that described in the probable cause affidavit can be utilized for prosecution if an *ex post facto* authorization to eavesdrop is obtained. § 3104(a).

This wiretap or electronic surveillance authority would become widely available to be used against journalists if the National Secrecy Act provisions of S. 1 were enacted. S. 1 makes the espionage and classified information offenses among those for which wiretapping can be used. § 3101(a) (3) (A). Once national defense information or classified information which has not been officially released is published, there eixsts probable cause that an offense has occurred. A secret hearing would produce a wiretap or bug of the journalist involved to attempt to find the source of the information. Any "communication" which occurred during the wiretap of other national defense information or classified information would be a felony; the wiretap's or bug's irrefutable proof of its commission would be admissable as evidence in a prosecution.

With such authority, no journalist who ever printed defense information released without government sanction could ever be secure from secret government surveillance. And no source would ever openly discuss any sensitive matter with such a journalist, for these discussions could be subject to government surveillance.

As in the case of the grand jury's power to compel testimony, such wiretap and surveillance authority basically already exists, but probable cause that a reporter has committed a crime or is a witness to its commission is rare. And the mere publication of information now almost never constitutes evidence of probable cause of such a crime.

V. SUMMARY

The provisions of S. 1 discussed above constitute a sweeping and effective National Secrecy Act. In the area of national defense, defined in the most broad terms, only that information which the government chose to make public could be legally communicated. All other communication of defense related information, no matter what its source, regardless of the harm its disclosure would or would not cause, and irrespective of the motives of those who communicate it, is a crime.

This is a system of criminal laws designed to regulate the information which flows from the government, to regulate the press, and ultimately to regulate the free speech of the people. It covers not only harmful, intentional acts of espionage, but also any act of communication of which the government disapproves.

These criminal provisions provide the government with the means to incarcerate its critics in the press and in the government. They also provide the government the tools of the grand jury and of electronic surveillance to discover those who defy its sweeping power to control the debate over defense matters.

Enactment of the National Secrecy Act would be an unprecedented step towards centralized, unreviewable censorship in the United States. It would place in the hands of the Executive Branch the power to hide corruption, waste, mistake, and criminal acts in the area of national defense, and the power to silence its critics. In the area of defense matters, it would make the control and intimidation of the press and free speech both legal and routine.

SOLAR POWER ISSUE BRIEF

Mr. ABOUREZK. Mr. President, many of my constituents write to me asking for basic information about legislation affecting development of solar energy and about the various solar energy technologies. One document that has been very useful to me is the issue brief on this subject prepared by M. J. Glen Moore of the Library of Congress Science Policy Research Division. I call the attention of other Members of Congress to this document. I ask that it be printed in the Record following these comments.

There being no objection, the brief ordered to be printed in the Record, as follows:

Solar Power Issue Brief No. 1B74059

(By J. Glen Moore, Science Policy Research Division)

ISSUE DEFINITION

Solar energy is an essentially inexhaustible, pollution-free, and widely distributed energy source. However, it is a diffuse and intermittent source and its use will require large collector areas and, for most applications, the means for energy storage. There are six major research areas: heating and cooling of buildings, wind-energy conversion, bioconversion, ocean-thermal conversion, solar-thermal conversion, and photovoltaic conversion. Certain technologies are in limited use today, but it appears that high costs and other problems will keep solar from contributing materially to near-term energy needs. At what time and to what extent solar will make an impact on presently used energy sources over the long-term are key questions that cannot be reliably answered at this time.

BACKGROUND AND POLICY ANALYSIS

The Federal lead for solar energy research, development, and demonstration shifted from the National Science Foundation (NSF) to the Energy Research and Development Administration (ERDA) with the passage and implementation of the Energy Reorganization Act of 1974, P.L. 93–438. ERDA was activated Jan. 19, 1975 by a series of determination orders from the Office of Management and Budget. Pursuant to one order, $37 million in solar energy projects and funds and 47 solar and geothermal staff positions were transferred to ERDA from NSF. Dr. John M. Teem, formerly of the AEC, is acting deputy assistant administrator of ERDA for Solar Geothermal, and Advanced Energy Systems.

P.L. 93–438 provided for the transfer of all NSF functions related to solar heating and cooling. Additional solar authority was transferred to ERDA by the two solar energy Acts passed by the 93d Congress: P.L. 93–409, the Solar Heating and Cooling Demonstration Act of 1974, and P.L. 93–473, the Solar Energy Research, Development, and Demonstration Act of 1974.

Agencies conducting or supporting solar research or demonstration projects in FY 1975 included NSF, NASA, AEC, NBS, DOD, Postal Service, and EPA. Direct solar R&D may continue in these agencies (except for HUD, GSA USDA, the Bureau of Mines, the the AEC, which was abolished by P.L. 93–438) in FY 1976 with close ERDA coordination. While NSF was lead agency for solar R&D, much of the coordination of Federal programs was accomplished through the Interagency Panel on the Terrestrial Applications of Solar Energy (IPTASE), which was composed of 15 different agencies and chaired by NSF, IPTASE, or a panel similar to IPTASE, is expected to be established by ERDA.

The pace of the Federal effort is reflected in the funding trend for terrestrial solar programs: $1.23 million in FY 1971; $1.68 million in FY 1972; $5.08 million in FY 1973; $17.28 million (estimated) in FY 1974; and $50 million (estimated) in FY 1975. The FY 1976 budget request (obligational authority) for solar research, development, and demonstration activities in all agencies showing direct solar R&D in their budgets totals about $75 million: $70.3 million in ERDA; $3 million in NSF; $1.2 million in USDA; and $0.3 million in NASA. An additional $3 million in obligational authority will be available to NSF in FY 1976 from funds deferred in FY 1976.

After hearings on the ERDA solar budget proposal, the Subcommittee on Energy Research, Development, and Demonstration of the House Committee on Science and Technology recommended to the full Committee that the ERDA FY 1976 budget authority be increased to $143.7 million, more than double the agency's request of $70.3 million. The following table shows the ERDA request and the Subcommittee recommendations (in millions) for the solar budget.

Fiscal year 1976 budget authority request

	ERDA	*Subcommittee*
Solar Research:		
Heating and cooling of buildings	$26.0	$40.4
Solar thermal energy conversion	13.2	28.5
Photovoltaics	12.8	29.5
Wind energy conversion	11.5	18.1
Bioconversion	3.6	6.5
SHORT-TERM PROSPECTS		
Ocean thermal energy conversion	3.2	11.2
Other	---	9.5
Total	70.3	143.7

Despite some limited use of solar conversion systems today, widespread commercial use is inhibited by a variety of technological, economic, and institutional difficulties. Domestic hot water heaters, swimming pool heaters, solar cells and windpower devices for remote power, solar heating systems for buildings, and solid waste conversion plants have achieved a small measure of commercial use. However, the net energy contribution of existing systems is negligible and without a drastic increase in the cost of conventional fuel, the prospect for expanded use of present-day technology in the near term is not good. It appears that solar conversion technology is not close enough to cost competitiveness to permit its diffusion into the commercial sector at a rate and on a scale that can make a difference in the next few years.

FEA's Project Independence Summary Report concluded that, "Geothermal, solar and other advanced technologies are larger potential sources, but will not contribute to our energy requirements until after 1985. R&D is needed so that these important sources, which can have less environmental impact than current sources and are renewable, can be useful beyond 1985. (Project Independence Report. FEA. November 1974. p. 6.)"

LONG-TERM PROSPECTS

In a report prepared for the Federal Energy Administration's November 1974 Project Independence Study, an Interagency Panel on Solar Energy under the direction of NSF estimated that with an "accelerated" implementation plan, the combined contribution of the six major solar technologies could reach a maximum of 0.4% of the Nation's total energy demand by 1980, 1.2% by 1985, 3.4% by 1990, 7.7% by 1995, and 21.6% by 2000. If all the converted solar energy, except that produced by bioconversion, is used to reduce the demand for electricity, and thus the demand for fossil fuels, then, at $11 a barrel for oil, the savings from solar energy at each five-year interval could reach $2 billion, $8 billion, $27 billion, $66 billion, and $176 billion, respectively. However, the report cautions that it would be very optimistic to except that all these technologies would achieve the maximum projected output. Some mix of these technologies will probably be implemented, resulting in a lower total annual contribution at any given time than would be indicated by the sum totals. Predicting the long-term utility of a relatively immature technology that must compete with well-established services is an extremely complex task. Because of the large number of assumptions that must be made, even the most considered estimate of solar's future utility is highly speculative at this time.

SOLAR TECHNOLOGY AREAS

A brief review of important considerations in each solar technology area, including space-based solar power stations, is provided below.

Heating and cooling of homes and other buildings

This application includes the comfort heating and cooling of residential, commercial and industrial building space, the provision of hot water, and certain related agricultural and industrial applications that require low heat. These energy needs now consume between a quarter and a third of all the energy used in the United States. Hardware for solar heat applications is commercially available from a few major manufacturers and a score or more smaller companies. However, the broad application of solar space conditioning is limited by the still high initial cost of the hardware and the lack of proven cooling systems that can be powered at temperatures achieved by solar collectors.

Solar-thermal conversion

Solar thermal conversion systems collect solar radiation and convert it to thermal energy for use as the input heat for electric power-generating systems. The technologies required for solar thermal conversion systems include (1) the collector; (2) a system for transferring the collected energy to a working fluid or to a storage system; (3) a system for converting heat to electrical energy, probably using conventional turbine generator equipment; (4) some form of energy storage for nighttime operation and for short periods of inclement weather; and (5) some form of stand-by energy system such as fossil fuel burners or a tie-in with an existing utility grid. A working solar thermal power plant has not been demonstrated; but, it appears that the major barriers to this application are lack of technical "know how" and high initial cost, particularly for energy storage.

Wind-energy conversion

Solar energy circulates the atmosphere. Thus, wind-driven machines for generating electricity, pumping water, etc., are considered a solar-energy application. Wind-powered electric generating systems of a few kilowatts capacity are already commercially available. However, these small systems are not cost competitive, except in remote locations where line power is not available. Large systems in the 1 to 3 megawatt range for interconnection with primary electric power grids are under development, but are not expected to be available in this decade.

Bioconversion to fuels

This application includes the production of plant biomass and its subsequent conversion to various clean fuels. Four major sources of biomass are potentially available: urban solid wastes, agricultural residues, crops grown specifically for their fuel value, and marine plants. Several processes are available for biomass conversion. These include physical-chemical operations such as combustion, pryolysis, and biochemical processes that produce methane or alcohol. Problems with the use of biomass include land-use considerations and the large expenditures of energy needed to collect, transport, and prepare the material. In spite of the difficulties, urban solid waste is being used with coal for power-plant firing in Europe and in St. Louis, Mo. In this case, the collection must be done anyway, so the energy penalty for collecting the material can be negated. Even so, the preparation and separation of noncombustibles invoke an energy penalty. Also, air-pollution control is difficult because of the variety of materials that are burned; water pollution is a problem, too, because of the volumes of water that are required to control stack emissions.

Ocean-thermal conversion

Ocean-thermal conversion power plants extract heat from ocean surface waters, utilize the heat to drive a turbine, and reject waste heat to the heat sink provided by cold ocean water at lower depths. Because of the relatively small temperature differences between the surface and deep waters, the operating efficiencies of the plants will be very low—on the order of 2 to 3% efficient. However, since the temperature difference is affected little by daily and seasonal interruptions in solar energy, the plants can operate continuously without energy storage. A working model has not been demonstrated.

Photovoltaics

Photovoltaics electric power systems use semiconductor devices (solar cells) to convert sunlight directly into direct current electricity at efficiencies ranging from 5 to 20%. The technology has been well established by long use, both on the ground for remote-power applications and in space vehicles, where, to date, solar cells have constituted the major source of electric power. They are, however, prohibitively expensive for widespread use in terrestrial electric power generation. Extensive development of low-cost, high-volume manufacturing methods and much production experience will be needed before photovoltaic power can be competitive.

Space-based solar power stations

This concept envisions the use of large photovoltaic arrays located in equatorial synchronous orbit (22,500 miles). At that distance, the solar-power station orbits at exactly the same speed as the Earth, and therefore always remains above the same point on the Earth's equator. The electricity generated by the solar cells is converted to microwaves, beamed to a receiving station on the Earth, and reconverted into electric power for consumption on Earth. The concept of a space-based solar-power station offers many advantages over an Earth-based plant. However, for the space concept to work, it will be necessary to develop not only the same low-cost Earth-based solar cells, but also a second-generation space transportation system capable of transporting the enormous mass of cells needed for a station. Such a transportation system, which goes far beyond the present space shuttle, relegates the synchronous solar-power station to at least the 21st century.

LEGISLATION

Approximately 30 different solar energy bills were introduced during the 93d Congress. In addition, more than 25 general energy bills with provisions pertaining to solar energy were introduced.

Two solar energy bills were enacted during the 93d Congress, both with the overwhelming support of Congress: P.L. 93–409, the Solar Heating and Cooling Demonstration Act of 1974, and P.L. 93–473, the Solar Energy Research, Development, and Demonstration Act of 1974. P.L. 93–409 was enacted Sept. 3, 1974 and provides for a major demonstration of solar heating within 3 years, and for the development and demonstration of combined solar heating and cooling within 5 years. NASA and HUD share administrative responsibilities. P.L. 93–473 was enacted Oct. 26, 1974 and provides for an integrated research, development, and demonstration program encompassing all solar research areas. Both bills provided for the transfer of management and fiscal authority to the Energy Research and Development Administration (ERDA) when that agency was activated.

Of the general energy bills enacted during the 93d Congress, P.L. 93–438, the Energy Reorganization Act of 1974, is of particular importance to the Federal solar energy effort. This law established ERDA as the new lead agency for solar R&D (to replace NSF) with one of six assistant administrators responsible for solar, geothermal, and advanced energy systems. ERDA's goal in solar energy is to develop, as rapidly as possible, economically attractive and environmentally acceptable applications of the various solar technologies. ERDA has requested $70.3 million in budget authority in FY 1976 for direct solar R&D.

SOLAR ENERGY LEGISLATION IN THE 94TH CONGRESS

S. 28 (Moss)

Introduced Jan. 15, 1975. Amends the Internal Revenue Code of 1954 to provide a credit against tax, or in an alternative, a deduction, for energy-conserving residential expenditures. The bill limits the amount of the deduction allowed to $1,000 for any taxable year, with an option to take, instead, a tax credit equal to 25% of the allowable expense. Further, it limits these benefits to expenses paid in connection with the taxpayers' principal residence. Improvements include any device or system designed to principal residence. Improvements include any device or system designed to utilize solar energy for the purpose of providing heating or cooling that meets performance criteria established by the NBS.

H.R. 1505 (Vanik, Domenici)

Introduced Jan. 15, 1975. Amends the Internal Revenue Code of 1954 to allow an income tax credit or deduction for certain expenditures of a taxpayer relating to the thermal design of a residence. The bill provides a 25% tax credit or tax deduction on sums up to $1,000 spent for conventional, energy-saving residential improvements such as insulation, storm windows, etc., and the same credit or deduction on sums up to $4,000 spent for solar energy equipment. The solar equipment must meet the definitive performance criteria prescribed by the Secretary of HUD under section 8 of the Solar Heating and Cooling Demonstration Act of 1974 (P.L. 93–409).

S. 489 (Abourezk)

Introduced Jan. 29, 1975. Amends the Clayton Act to preserve and promote competition among corporations in the production of oil, natural gas, coal, oil shale, tar sands, uranium, geothermal steam, and solar energy. The bill would make it unlawful for any person engaged in the production and refining of petroleum or natural gas, or both, to (a) acquire any interest in the coal, oil shale, uranium, nuclear reactor, geothermal steam, or solar energy businesses after the enactment of the legislation, or (b) own or control any of the above businesses after the expiration of three years after the enactment of the legislation.

S. 875 (Hart, Gude)

Introduced Feb. 27, 1975. Authorizes the Secretary of HUD to make direct low-interest loans over a 10-year period to assist homeowners and builders in purchasing and installing solar heating, or combined solar heating and cooling equipment. The interest rate on the loans will be pegged to the rate at which the Federal Treasury can borrow money, plus one-half of 1% for administrative costs. Loans may be made on 75% of the cost involved, and they will range from $6,000 maximum per dwelling unit in the case of a one- to four-family structure to $4,500 maximum per dwelling unit in the case of a structure containing 200 or more family units. The bill authorizes $100 million to provide an initial amount for the program, and such additional sums thereafter as may be required. These funds and repayments of loans shall be placed in and constitute a revolving fund that shall be available without fiscal year limitation.

Amends the Internal Revenue Code of 1954 to provide tax credits for certain applications of solar energy, and for other purposes. Allows a 25% credit, not to exceed $2,000 total tax credit, for solar energy equipment on new and existing residences during the period Jan. 1, 1975 through Dec. 31, 1979. The credit is reduced to 15% of qualified expenditures, not to exceed $1,200, during Jan. 1, 1980 through Dec. 31, 1984. Introduced Apr. 8, 1975.

A 12% credit is allowed for solar energy equipment purchased and installed on new and existing commercial buildings during Jan. 1, 1975 through Dec. 31, 1979. From Jan. 1, 1980 through Dec. 31, 1984, the credit shall be 10% of the qualified expenditure. The bill also provides for the rapid amortization of solar energy equipment for commercial buildings.

H.R. 5959 (Wylie)

Amends the Internal Revenue Code of 1954 to provide a 25% tax credit for qualified solar heating and cooling equipment installed in new or existing buildings for expenditures up to $8,000, and a 12.5% credit for qualified expenditures over $8,000. Also provides a tax credit for expenditures for insulation in an individual's principal residence. Residential solar heating and cooling hardware must meet the definitive performance criteria prescribed by the Secretary of HUD under section 8 of the Solar Heating and Cooling Demonstration Act of 1974 (P.L. 93–409). Qualified equipment for use in nonresidential structures must meet such criteria as the Secretary of HUD shall prescribe by regulations. Introduced Apr. 15, 1975.

H.R. 6584 (Gude)

Amends the Internal Revenue Code of 1954 to allow a taxpayer to amortize, over a 60-month period, solar heating and cooling equipment that is placed in service for nonresidential structures, or as an option, to take an investment tax credit for such equipment. Equipment must be certified by the Secretary of HUD. Introduced May 1, 1975.

H.R. 6860 (Ullman)

Supersedes H.R. 5005. Energy Conservation and Conversion Act of 1975. Introduced May 9, 1975. Reported with amendments May 15, 1975. Passed House with amendments June 19, 1975.

The following sections (as amended) pertain to solar energy:

Sec. 332. Residential solar energy equipment. Allows a credit against individual income tax liability for 25% of the first $8,000 (for a maximum credit of $2,000) of the amount spent on installing qualified solar energy equipment in, on, or connected to a principal residence of a taxpayer. Credit is to be provided only for installations and expenditures made after Mar. 17, 1975, and before Jan. 1, 1981. Equipment must meet definitive or interim performance criteria prescribed by the Secretary of HUD under the Solar Heating and Cooling Demonstration Act of 1974.

Sec. 531. Changes in investment credit relating to insulation, solar energy, and air conditioning. Extends the regular investment credit or, as an option, a 5-year amortization plan to insulation and solar energy equipment in the case of businesses.

Sec. 412. Expenditures from Trust Fund for energy projects and programs. This section of Title IV (which establishes the Trust Fund) provides for funds to be spent for (1) basic and applied research programs related to new energy technologies, including solar energy; and (2) development and demonstration of new energy technologies, including loans or subsidies for solar energy systems.

Sec. 521. Amortization of qualified energy use property. Allows a deduction with respect to the amortization of any qualified energy use property. Includes the possibility of equipment which burns agricultural waste (bioconversion) as a fuel.

HEARINGS

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Solar energy for heating and cooling. Hearings, 93d Congress, 1st session. June 7 [and] 12, 1973. Washington, U.S. Govt. Print. Off., 1973. 291 p.

Solar energy for the terrestrial generation of electricity. Hearings, 93d Congress, 1st session. June 5, 1973. Washington, U.S. Govt. Print. Off., 1973. 48 p.

Solar photovoltaic energy. Hearings, 93d Congress, 2d session. June 6 and 11, 1974. Washington, U.S. Govt. Print. Off., 1974. 175 p.

Solar sea thermal energy. Hearings, 93d Congress, 2d session. May 23, 1974. Washington, U.S. Govt. Print. Off., 1974. 134 p.

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Solar heating and cooling—Oversite of P.L. 93–409 and the ERDA Interim Report, "National Plan for Solar Heating & Cooling." (Hearings to be held May 13, 14, and 15, 1975.)

U.S. Congress. Joint Committee on Atomic Energy. Hearings, on S. 2819, to establish an Office of Solar Energy Research within the Atomic Energy Commission. Hearings, 93d Congress, 2d session. May 7 and 8, 1974. Washington, U.S. Govt. Print. Off., 1975, 846 p.

U.S. Congress. Joint Committee on Atomic Energy. Ad hoc Committee on the National Breeder Reactor Program. Hearings, 94th Congress, 1st session, on consideration of alternate energy sources. June 11, 1975. (In press)

U.S. Congress. Senate. Committee on Aeronautical and Space Sciences. S. 2658, Solar heating and cooling demonstration act of 1973. Hearings, 93d Congress, 2d session. Feb. 25, 1974. Washington, U.S. Govt. Print. Off., 1974. 274 p.

U.S. Congress. Senate. Committee on Banking, Housing, and Urban Affairs. Subcommittee on Housing and Urban Affairs. S. 2650 and H.R. 11864. Hearings, 93d Congress, 2d session. Mar. 20 and 21, 1974. Washington, U.S. Govt. Print. Off., 1974, 124 p.

U.S. Congress. Senate. Committee on Commerce. Subcommittee on Science, Technology and Commerce. S. 2650 and H.R. 11864. Hearings, 93d Congress, 2d session. Mar. 29, 1974, Washington, U.S. Govt. Print. Off., 1974. 250 p.

U.S. Congress. Senate. Committee on Interior and Insular Affairs. S. 3234, the Solar Energy Research Act of 1974. Hearings, 93d Congress, 2d session. June 27, 1974. Washington, U.S. Govt. Print. Off., 1974. 306 p.

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U.S. Congress. House. Committee on Science and Astronautics. Subcommittee on Energy. Review of selected Federal and private solar energy activities. Washington, U.S. Govt. Print. Off., June 1974. 64 p.

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"Serial S"

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Solar heating and cooling demonstration act of 1974. Background and history. Washington, U.S. Govt. Print. Off., Feb. 1974. 306 p.

At head of title: 93d Congress, 2d session. Committee print.

"Serial L"

CHRONOLOGY OF EVENTS

January 20, 1975—ERDA activated; became lead agency for solar R&D.

October 26, 1974—P.L. 93–473 enacted.

October 11, 1974—P.L. 93–438 enacted.

October 1974—FEA Project Independence Report submitted to President.

September 3, 1974—P.L. 93–409 enacted.

January 23, 1974—The President announced a $50 million FY 1975 budget for solar energy—an increase of $36 million or 257% over 1974—including R&D on heating and cooling of buildings and more advanced technologies for central power stations.

December 1, 1973—The President received a long-range energy R&D program prepared by Chairman Dixy Lee Ray of the AEC. In the proposed program solar energy will receive $200 million over five years with an FY 1975 budget of $35 million.

June 29, 1973—The President announced Federal funding of $10 billion for all energy R&D for a five-year period beginning in FY 1975.

December 1972—The NSF/NASA Solar Energy Panel Report was published. The report considered every aspect of solar energy and made specific funding recommendations.

1958—Solar batteries first used for satellite power.

1954—Silicon solar cells developed by Bell Telephone Laboratory scientists.

1952—A President's Materials Commission indicated a potential market of 13 million solar heated homes by 1973.

1941—A 1,250-kilowatt wind-power generator began five years of intermittent operation near Rutland, Vermont.

1929—A 22-kilowatt sea thermal power plant was successfully demonstrated near Cuba.

1912—The first solar power plant operated near Cairo, Egypt. The plant had a collector area of 13,000 feet, automatic sun tracking capability, and produced up to 63.0 horsepower.

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TELEVISION, THE LAW, AND THE POLICE

Mr. HARRY F. BYRD, JR. Mr. President, recently a constituent wrote me to express his deep concern over reports of repeated violations of individual civil liberties by the Government. He expressed outrage and shock over the almost casual way many in our society accept warrantless searches and "official" break-ins which may violate our constitutional freedoms.

I share his concern.

Enclosed with his letter was an article from the Wall Street Journal of July 22, 1975. This thoughtful article by Ethan Katsh and Stephen Arons, "Television, the Law, and the Police," addresses a point which deserves greater consideration.

Of great importance, I believe, is the point they make concerning the misunderstanding of our Constitution guarantees and the police role in our society:

> One reason the exclusionary rule is misunderstood is that the police role in our society is tragically misunderstood, and one reason for this could be the portrayal of police on television.

The misunderstanding they refer to, I feel, stems from our inclination to leave the job of public safety strictly in the hands of the professionals. Yet, citizen support is vital to successful law enforcement.

And that support can only be reliable when it is based on an understanding of the law and the roles of those to whom we have entrusted the visible role of enforcing that law.

With a view to promoting greater understanding, I would draw this article to the attention of my colleagues and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 22, 1975]

TELEVISION, THE LAW, AND THE POLICE

(By Ethan Katsh and Stephen Arons)

Scene 1: At 10:30 on a recent Saturday night, Elizabeth Norton heard someone knocking on her apartment door. They said they were from the FBI. Would they slip their credentials under the door? No. Did they have a search warrant? No. After banging on the door with their gun butts several more times, they burst in, one with a drawn gun. Ms. Norton, whose roommate apparently resembled Patricia Hearst, became hysterical.

Scene II: At approximately 9:15 on a recent Sunday night, a New York City police lieutenant knocked on an apartment door. There was no answer. He called out, "Elaine Miller?" There was still no response. He turned the knob and the door opened slightly but it was still secured by a chain lock. Without a search warrant and without suspecting a crime had taken place, he took a step backward, then charged forward, kicking in the door and breaking the chain lock. Elaine Miller was not in the apartment.

The first incident was reported in newspapers. The second was not, the reason being that it happened in a television program, the police officer was Kojak and what he did was not unusual. It is a general rule that what the Constitution prohibits in real life is permissible on almost all of the police programs that dominate prime time television.

We recently spent three months watching randomly selected television police programs in an attempt to determine whether TV police obey the law and to discover what message about law is being communicated to the viewer. What we found can be stated very simply:

Almost every episode of almost every television police show contains one or more violations of either the Fourth, Fifth or Sixth Amendment guarantees of freedom from unreasonable searches and seizures, the right to due process of law and the right to counsel.

We noted at least one arguable violation on constitutional rights on every series except "Police Story"; but when comparing our perceptions with those of non-lawyer friends, we discovered that police shows seem to reduce the ordinary citizen's awareness of constitutional rights and responsibilities. Many people, engrossed in the drama of rapid-fire action or preoccupied with violence, failed to even notice blatant police-state tactics.

If police shows are morality plays, the message communicated is that evil may be subdued by state-sponsored illegality. In short, the ends justify the means.

In a recent column in this newspaper, Benjamin Stein wrote that television police programs "encourage belief in moral values, in law, in government institutions." We have not measured viewer attitudes but our conclusion from viewing these programs is that the morality, law and government which these programs encourage is not in accord with the Constitution. It is unfortunate that Mr. Stein did not ask what kinds of governmental institutions are being applauded and whether there is not more to law and morality than flashy cops catching seedy criminals.

In the months of painfully pat TV police dramas hardly a single hour's viewing passed without an illegal search, a confession obtained by coercion or the failure to provide counsel. No warrants were sought or issued and hardly any mention was made of notifying suspects of their right against self-incrimination. Unlike the situation in the real world, these violations of law and morality were always fruitful—the illegal search turned up heroin and the coerced confession came from a child molester or a husband killer. The message was pretty clear. The right to privacy, the integrity of the individual and the right to due process of law do not need to be observed by successful police whose actions always subdue evil.

The anaesthetic quality of these shows unfortunately numbs most of us to the fact that one evil is being traded for another evil. There are serious legal issues facing our society which may be misunderstood and even exacerbated because of the content of television police programs. Consider, for example, the rule of evidence which prohibits the use at trial of illegally seized evidence. The so-called "exclusionary rule" has become a part of constitutional law in order to deter illegal police conduct and to protect the court's integrity against complicity in illegal activity. When such evidence is all that the prosecution has, the accused will go free. This is a troublesome, if not totally unacceptable outcome for many citizens, and it is hard to explain that this price may be worth paying to preserve individual privacy and societal sanity. One reason the exclusionary rule is misunderstood is that the police role in our society is tragically misunderstood, and one reason for this could be the portrayal of police on television.

Such programs have been applauded for "selling us on our society," but we wonder what connection there is between the society the TV cop lives in and our own. The TV cops spends all his time fighting crime. Most real cops do not. The TV cop is in almost constant physical danger. For real police officers, emotional and psychological dangers are the enemy. Most important of all, the illegal acts committed by the television police officer all lead to the capture of criminals. We may be sold on this society by police dramas, but it is not the same society we live in or which the Constitution encourages.

The society which TV police shows imply is possible has the police as our primary protectors and saviors from criminals. This image actually does a disservice to both citizens and the real police. Citizens come to expect the police to reduce the crime rate. They hold the police primarily responsible if the crime rate goes up. Policemen, who then become the object of criticism, respond by attacking the "handcuffs" placed on them by the Supreme Court. The TV image which increases the status of police thus creates an impossible task and leads to unwarranted criticism of or insensitivity to the very values which protect innocent persons from police-state activities.

There is an interesting experiment one can do when watching a television police show. Concentrate on the information the police officer has. Disregard the information communicated to the viewer which the police officer does not know. The errorless identification of criminals by TV police will then be seen to be both miraculous and illegal. We cannot and should not expect the same from local police officers. As an antidote to the message communicated by these programs, consider the following facts:

1. The best estimates are that at least half the crimes committed are never reported to the police. Even Kojak could not solve these crimes. He would not know whom or what to begin looking for.

2. Persons who are caught by the police rarely are convicted of the main crime they are arrested for. Plea bargaining usually results in a reduction of charges. In New York City, for example, 80% of the persons arrested for felonies in 1974 pleaded guilty to misdemeanors.

3. The recidivism rate for persons who are released from prison is so high that even if the police could catch everyone who committed a crime, a serious problem would remain. A major part of the problem is the criminal justice system itself.

The point to be understood is that crime is caused by many complex and interrelated factors. Police shows end happily with arrest but in real life this is only the starting point in what one judge has called "America's only working railroad." These shows blind us to the realities of police work and the nature of the criminal justice system and numb our awareness of constitutional rights.

This is a serious problem which should be widely discussed, since the message communicated about law is as important as the widely-debated violent content of these shows. Mr. Stein is undoubtedly correct that "television sells its values as well as its soaps and detergents." It is, therefore, vitally important to keep in mind the words of the Supreme Court, that "no system of criminal justice can or should survive if it comes to depend for its continued effectiveness on the citizens' abdication through unawareness of their constitutional rights."

ANNOUNCEMENT OF POSITION ON VOTE—S. 2230

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the permanent RECORD reflect that if the Senator from Arizona (Mr. GOLDWATER) had been present and voting on S. 2230, the so-called Aid to Turkey bill, he would have voted "Aye."

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ADJOURNMENT UNTIL WEDNESDAY, SEPTEMBER 3, 1975

Mr. ROBERT C. BYRD. Mr. President, if there be no further business before the Senate, I move, in accordance with the provision of Senate Concurrent Resolution 54, that the Senate stand adjourned until 12 noon on Wednesday, September 3, 1975, or until 12 noon on the second day after the respective Members of both Houses are notified to reassemble in accordance with section 2 of Senate Concurrent Resolution 54, whichever event first occurs.

The motion was agreed to; and at 4:20 p.m., the Senate adjourned until Wednesday, September 3, 1975, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 1, 1975:

DEPARTMENT OF COMMERCE

James A. Baker III, of Texas, to be Under Secretary of Commerce.

Travis Edwin Reed, of California, to be an Assistant Secretary of Commerce.

NATIONAL FIRE PREVENTION AND CONTROL ADMINISTRATION

Howard D. Tipton, of California, to be Administrator of the National Fire Prevention and Control Administration.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

David S. Cook, of Ohio, to be an Assistant Secretary of Housing and Urban Development.

Charles J. Orlebeke, of Illinois, to be an Assistant Secretary of Housing and Urban Development.

DEPARTMENT OF TRANSPORTATION

Robert E. Patricelli, of Connecticut, to be Urban Mass Transportation Administrator.

UNITED NATIONS

The following-named persons to be representatives of the United States of America to the Seventh Special Session and to the Thirtieth Session of the General Assembly of the United Nations:

Daniel P. Moynihan, of New York.

W. Tapley Bennett, Jr., of Georgia.

Donald M. Fraser, U.S. Representative from the State of Minnesota.

J. Herbert Burke, U.S. Representative from the State of Florida.

Clarence M. Mitchell, Jr., of Maryland.

The following-named persons to be alternate representatives of the United States of America to the Seventh Special Session and to the Thirtieth Session of the General Assembly of the United Nations:

Albert W. Sherer, Jr., of Illinois.

Jacob M. Myerson, of South Carolina.

Barbara M. White, of Massachusetts.

Carmen Maymi, of the District of Columbia.

John H. Haugh, of Arizona.

Jacob M. Myerson, of South Carolina, a Foreign Service officer of class 1, to be the Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of ambassador.

Albert W. Sherer, Jr., of Illinois, a Foreign Service officer of the class of Career Minister, to be Deputy Representative of the United States of America in the Security Council of the United Nations, with the rank of ambassador.

DEPARTMENT OF THE TREASURY

Edwin H. Yeo III, of Pennsylvania, to be Under Secretary of the Treasury for Monetary Affairs.

Charles M. Walker, of California, to be an Assistant Secretary of the Treasury.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. Charles Irving McGinnis, Corps of Engineers, to be a member of the Mississippi River Commission under the provisions of section 2 of an Act of Congress approved 28 June 1879 (21 Stat. 37) (33 U.S.C. 642).

SECURITIES AND EXCHANGE COMMISSION

Irving M. Pollack, of Maryland, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1980.

FEDERAL ENERGY ADMINISTRATION

Eric R. Zausner, of Virginia, to be a Deputy Administrator of the Federal Energy Administration.

Thomas E. Noel, of Virginia, to be an Assistant Administrator of the Federal Energy Administration.

DEPARTMENT OF DEFENSE

Martin R. Hoffmann, of Virginia, to be Secretary of the Army.

(The above nominations were approved subject to the nominee's commitments to respond to requests to appear and testify before any duly constituted committee of the Senate.)

DISTRICT OF COLUMBIA COURT OF APPEALS

Julia P. Cooper, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Bruce S. Mencher, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

IN THE AIR FORCE

The following officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be major general

Brig. Gen. Hoyt S. Vandenberg, Jr., [redacted]FR (colonel, Regular Air Force), U.S. Air Force.

To be brigadier general

Col. Robert L. Thompson, Jr., [redacted] FR (colonel, Regular Air Force, dental), U.S. Air Force.

The following officers for appointment in the Reserve of the Air Force to the grade indicated under the provisions of chapters 35, 831, and 837, title 10, United States Code:

To be major general

Brig. Gen. John A. Johnston, [redacted] FG, Air National Guard.

Brig. Gen. Billy M. Jones, [redacted]FG, Air National Guard.

To be brigadier general

Col. J. E. Gardner, [redacted]FG, Air National Guard.

Col. Paul E. Hoover, [redacted]FG, Air National Guard.

Col. Walter C. Leonardo, [redacted]FG, Air National Guard.

Col. Lawrence A. Quebbeman, [redacted] FG, Air National Guard.

Col. Roberto R. Vargas, [redacted]FG, Air National Guard.

IN THE NAVY

Rear Adm. Robert K. Geiger, U.S. Navy, for appointment as Chief of Naval Research in the Department of the Navy for a term of 3 years in accordance with title 10, United States Code, section 5150.

IN THE AIR FORCE

Air Force nominations beginning William P. Acker, to be colonel, and ending Lorraine E. Stuckman, to be colonel, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 1975.

IN THE NAVY

Navy nominations beginning William Charles Abbruzzese, to be chief warrant officer, W-3, and ending Paul Samuel Zoglmann, to be chief warrant officer, W-4, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 1975.

Navy nominations beginning William R. Adams, to be ensign, and ending Steven J. Summers, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 1975.

IN THE MARINE CORPS

Marine Corps nominations beginning Thomas E. Donnelly, to be major, and ending James M. Reuter, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on July 21, 1975.

IN THE COAST GUARD

Coast Guard nominations beginning Frederick R. Hill, to be lieutenant (jg.), and ending Kenneth F. Solomon, to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on July 18, 1975.

HOUSE OF REPRESENTATIVES—*Friday, August 1, 1975*

The House met at 10 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

My presence shall go with Thee and I will give Thee rest.—Exodus 33: 14.

Almighty God, from the shifting scenes of demanding duties and difficult days we lift our hearts unto Thee who art from everlasting to everlasting. For a brief moment we would put our arms on the windowsill of Heaven and gaze upon Thy face.

For this day and the coming days grant us the assurance that Thou art with us, that behind every shadow stands Thy presence, within every circumstance abides Thy spirit, underneath every experience are Thine everlasting arms. Truly Thou art with us always and all the way.

As we separate for our recess breathe Thy peace upon us, upon our Nation, and upon our world. Grant that we may return ready in body and spirit for the tasks that will confront us.

May the Lord bless us and keep us. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5884. An act to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended, and for other purposes; and

H.R. 8564. An act to amend the Federal Aviation Act of 1958 relating to war risk insurance.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1716. An act to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, and for other purposes.

S. 2073. An act to authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes.

The message also announced that the Senate had passed with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3474. An act to authorize appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, as amended, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, and for other purposes.

ANNOUNCEMENT AS TO VOTE

(Mr. DANIELSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIELSON. Mr. Speaker, I missed votes on rollcalls Nos. 421, 422, 429, 430, 431, 432, 433, 434, 435, 436, and 437. I wish the RECORD to show how I would have voted on each of these questions had I been present.

WEDNESDAY, JULY 23, 1975

Rollcall No. 421. H.R. 8773 making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976. I would have voted "yea."

Rollcall No. 422. An amendment to an amendment to H.R. 7014. The amendment provided a tax mechanism to encourage the production of new oil and was added to an amendment to allow the price of new domestic oil to reach the world market price. I would have voted "no."

THURSDAY, JULY 24, 1975

Rollcall No. 429. S. 846 to authorize the further suspension of prohibitions against military assistance to Turkey. I would have voted "nay."

Rollcall No. 430. House Resolution 631 granted the rule under which H.R. 5900 was considered. H.R. 5900 is designed to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers. I would have voted "yea."

FRIDAY, JULY 25, 1975

Rollcall No. 431. A conference report on S. 555 to simplify procedures under which Farmers Home Administration loans are made to victims of natural disasters. I would have voted "yea."

Rollcall No. 432. An amendment to H.R. 5900 that sought to require that the issues of the labor dispute at a construction site do not involve the employees of an employer at the site who is not engaged primarily in the construction industry. I would have voted "no."

Rollcall No. 433. An amendment to H.R. 5900 that prohibits common situs picketing where State laws require direct and separate contracts on State or municipal projects. I would have noted "no."

Rollcall No. 434. An amendment to H.R. 5900 that prohibits common situs picketing on all direct and separate contracts. I would have voted "no."

Rollcall No. 435. An amendment to H.R. 5900 that prohibits an extension of product boycotts to an entire construction site. I would have voted "no."

Rollcall No. 436. An amendment to H.R. 5900 that would have exempted residential structures less than three stories and without elevator from the provisions of the bill. I would have voted "no."

Rollcall No. 437. Final passage of H.R. 5900 relating to the economic rights of labor in the building and construction industry. I would have voted "yea" and had a live pair "for" the bill.

MAJORITY LEADER THOMAS P. O'NEILL, JR., ON THE FIRST 7 MONTHS

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, the unemployment figures which will be released later this morning will show the administration's blind eye and deaf ear for the plight of the unemployed.

It is going to be about 8.9 percent—right where it has been for the past 3 months—9 million people out of work.

Meanwhile, the administration's big new concern right now is cutting taxes—for corporations and stockholders. Taxes ought to be cut for the people who need it—the workers and the consumers who support this country.

President Ford uses his veto to keep the Congress from enacting legislation to put people back to work and to get the economy moving again. The Federal Reserve tightens the clamps further by raising interest rates and drying up money. And the Secretary of Agriculture lets grain be sold to the Soviets without knowing how it will affect our food prices here at home.

This administration has got the country caught in a giant economic pincer movement. And it can still get worse. If the President allows oil price controls to expire, it will cost another 500,000 jobs.

Congress, meanwhile, has built an outstanding record for the people in its first 7 months. It was our tax cut that got the economic rebound going. We stuck with it and got through some jobs and housing legislation after the President vetoed our major bills.

The administration's negative attitude and its policies these last 7 months reflect exactly the differences between the parties. The President wants to take care of big business and the rich. Congress is working for the people.

ADMIRALS AND GENERALS THINK ALIKE AND WRITE ALIKE

(Mr. HAYS of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS of Ohio. Mr. Speaker, I have long had a theory that if we ever get into an atomic war—and I have said this before—if the first bomb drops on the Pentagon, we might have a fighting chance to win the war.

Recently, General Van Fleet and Admiral Zumwalt, two former high brass officers at the Pentagon, issued statements about Greece and Turkey. The second paragraph is the one I want the Members to listen to carefully.

General Van Fleet's article says:

> As one whose entire career has been in the Armed Forces of the United States, I believe that our country and our NATO partners must stand against aggression whether by friend or foe. To do otherwise would be a renunciation of a fundamental principle of our foreign policy—to oppose aggression, not aid or acquiesce in it.

Now, listen to the second paragraph of Admiral Zumwalt's statement:

> As one whose entire career has been in the Armed Forces of the United States, I believe our country and our NATO partners must stand against aggression, whether by friend or foe. To do otherwise would be a renunciation of a fundamental principle of our foreign policy to oppose aggression, not aid or acquiesce in it.

Mr. Speaker, I have always thought Admiral Zumwalt could not write a paragraph, so he has either had to plagiarize General Van Fleet's statement, or perhaps both of them were written over at the Embassy of Cyprus.

CONGRESS SIDESTEPS THE CYPRUS ISSUE

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, we have an opportunity today to do what is right for America, not what is politic. We have an opportunity to reach a decision serving the national interest. Are we going to simply shrug our shoulders and walk away from it; are we going to allow a single individual from our number who refers, on the floor, to the people of Turkey as "cutthroat criminals," to deny us the chance to work our will? Or will we face up to our responsibilities to the Nation, allow the democratic process to prevail, and vote on the Turkish arms embargo before it is too late?

I would like to know how Members of Congress can embark this evening on trips around the world, or return to face their constituents, if we sidestep this question of vital national concern. Some may leave flushed with a sense of partisan victory on the arms embargo; others may feel that it can wait until September. But, unless we have an opportunity to express our opinion today on the arms embargo, I think most of us will leave Washington dismayed at what we have wrought.

Mr. Speaker, we have the votes to pass S. 2230; all we need is the opportunity to take responsible action on behalf of the national interest.

THE NEW SALARY INCREASE AND AN OLD KENTUCKY STORY

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, it seems that the horrendous salary increase which so many of us have strongly opposed will be enacted into law. I am reminded of an old Kentuckian who thought he was crossing into the great beyond, and as the Sun sank slowly into the West, casting its benign rays over the horizon, he motioned to his wife to come over to his bedside.

"Mary," he whispered, "you remember that old trunk in the basement?"

"Yes, John," she answered tearfully, "I believe there is an old trunk down there."

"Well, Mary," he whispered, "there is a quart of bourbon, fine old bourbon in it. Go down and get it."

"Yes, John," she said. "What then?"

John gave her specific instructions. He told her to fill his glass with finely crushed ice, to bruise some mint, and to stir it up in the glass, with just a pinch of sugar. Then he told her to pour the bourbon liberally over the concoction and to decorate it with sprigs of mint, then to set it aside until frost formed on the outside of the glass.

'And, then, Mary," gasped the old man, his voice now all but extinct, "bring it up here to me and when you bring it in here, Mary, no matter what I do or say, make me take it."

So many of us who have fought so valiantly, after this iniquitous bill is passed and the tumult and the shouting dies, will say, "No matter what I say or do, Mary, make me take it."

OUTRAGE AGAINST AMERICAN PEOPLE FOR CONGRESS TO START 1-MONTH RECESS

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, it is an irresponsible and unconscionable outrage against the American people for the Congress to start a 1-month recess today.

We do not have an energy bill or a plan on oil prices. The only legislation produced by the majority leadership has been a simple extension of the Allocation Act. If that bill is vetoed—which certainly appears very possible—then the economy will be in terrible shape. Oil prices may skyrocket after August 31, and distribution channels could collapse.

This is no time for the Congress to go home and leave important questions unresolved. I call upon the majority leadership—if it feels any responsibility to the American people—to keep the Congress in session until an energy bill is passed and until the possible veto of the Allocation Act is resolved.

I have heard many Members say they need this time to go home and talk to the people. This is the wrong time for that.

As soon as my colleagues arrive home, if they go home, they will be deluged with angry constituents asking one question: "Why aren't you back in Washington settling the energy situation?"

LOSS OF TURKEY BASES

(Mr. WINN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WINN. Mr. Speaker, the cumulative total amount of the grant military assistance program in Turkey since 1950 is in excesss of $3.2 billion. As a gage of the relative importance of Turkey to U.S. global interests it might be noted that this amount is nearly 10 percent of the entire cumulative worldwide total.

In addition to grant military assistance, Turkey has placed foreign military sales orders of nearly $300 million. Through fiscal year 1974, total deliveries against these foreign military sales orders plus commercial purchases of military-related items totaled over $50 million.

The actual cost of base construction for the 29 different base and facility sites located in Turkey, which have been constructed since 1954, expressed in terms of current 1975 dollars, would be in excess of $300 million. This excludes all removable equipment, machinery, communications equipment, and other equipment owned by the United States at those sites. It also excludes any rental payments, cost of operating the facilities, and excludes any estimate of cost of locating elements of the U.S. forces or NATO forces at the bases.

The cost of attempting to replace the intelligence and other base facilities in Turkey would be impossible to determine precisely. Due to the unique location of Turkey to the Black Sea and southern Russia and because of its control over the entrances to the Mediterranean from the Black Sea, the same facilities could not be duplicated.

PERSONAL EXPLANATION

(Mr. AuCOIN. asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AuCOIN. Mr. Speaker, I regret that in the press of a meeting in my office, I did not hear the notice for the vote on House Resolution 641, disapproval of the President's oil decontrol proposal. Had I been present I would have voted in favor of disapproval, because I cannot support decontrol without provision for a windfall profits tax.

FUTURE COURSE OF ACTION ON TURKISH AID BILL

(Mr. BOLLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOLLING. Mr. Speaker, I came in the Chamber just as the gentleman from Michigan (Mr. BROOMFIELD) was speaking, and I know that he is absolutely sincere in his feeling about the need for action at this moment on the Turkish matter.

I happen to be one of the Members who supported the Turkish resolution when it was defeated the last time. I am extraordinarily sorry that the matter was brought up and the votes were not present to reverse the decision that the House made earlier. Because of that result I feel it was a great mistake to bring the matter up when it was brought up, and I am sorry the votes cast then did not bring a different result.

I am still in favor of that resolution, but I feel that the last day or two in this portion of the session of Congress is no time for the Congress to be taking panic action, particularly when a number of us are not sure that the votes are there. In any event, the Members of this House during the latter stages of this portion of the session deserve to be protected, and we deserve to have an orderly procedure.

It would not have been an orderly procedure to take up a bill today that was considered by the Senate late last night and sent over here later. It simply would not have been an orderly procedure.

Mr. Speaker, I am confident that the Committee on Rules will meet on this matter very soon after we get back, and although I think damage has been done to the Turkish cause by the events of the last few hours, I think that surely we will get a rule that will allow for a sensible, considered vote when the time comes.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Speaker, I simply want to congratulate the gentleman from Missouri (Mr. BOLLING) on his thoughtful statement.

STALLING TACTICS NOT SEEN IN TURKISH AID ISSUE

(Mr. MIKVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIKVA. Mr. Speaker, I would like to associate myself with the remarks made by the gentleman from Missouri (Mr. BOLLING).

I think that one need not agree with the gentleman's views on Cyprus or disagree with the views of the gentleman from Michigan (Mr. BROOMFIELD) on what we ought to be doing on Cyprus to feel that what was being urged on us last night would, in fact, have run over the rights of the Members—at least the minority and perhaps the majority of the House.

As I drove in this morning, I heard a news commentator say that the proposition to reconsider aid to Turkey was being stalled in the House. I am one Member who stayed here until the end, and as I look over the membership and see the tired faces, I see a lot of other Members who were here until close to midnight last night. I do not think there were any Members who were stalling.

I think this was an effort to apply the rules as they are known, and as they are known to be known by Members on both sides, I think the House conducted itself as it should by staying with the rules, rather than by seeking shortcuts and deviations to the rules, even though Members who proposed to make those changes might feel very strongly about the Cyprus issue.

Mr. Speaker, I commend the gentleman from Missouri (Mr. BOLLING) for his statement.

THE REAL ISSUE ON THE TURKISH AID QUESTION

(Mr. SARASIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARASIN. Mr. Speaker, I wish to respectfully disagree with the gentleman from Illinois (Mr. MIKVA) and the gentleman from Missouri (Mr. BOLLING). I think we must look at the real issue here.

I opposed the administration in its attempt to provide aid for Turkey, and I have no objection to the use of superior numbers in deciding various questions. After all, that is what we do here. We add up the numbers and decide the issues by our votes, and we come to an agreement or disagreement.

I have no objection either to the use of an objection to a unanimous-consent request, because, after all, that is a device that is designed to protect the minority, and it was properly used.

However, I think the issue here and the thing that we tend to forget is that we have witnessed the old-style political action where one Member of Congress, one chairman of a committee, sticks a bill in his pocket and walks away. That is what I thought we did away with in this great new reform Congress, but apparently we have not. I am disappointed that we did not hear one Member last night object to the fact that that was being done; I do not care what the issue is or how bad it is, that is what was done.

Where were the reformers? Where were the fresh new faces? This House sat quietly while it watched one Member, the chairman of the committee, stick a bill in his pocket and prevent discussion by the full House of Representatives.

Mr. Speaker, I do not think that is reform; that is hypocrisy, and I am disappointed with the actions of this body.

PROVIDING FOR PRINTING OF 5,000 COPIES OF REPORT OF SPEAKER AND MINORITY LEADER ENTITLED "CHINA; ONE STEP FURTHER TOWARD NORMALIZATION"

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I send to the desk a resolution (H. Res. 667) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 667

Resolved, That there be printed as a House document five thousand copies of the report of the Speaker and Minority Leader entitled "China: One Step Further Toward Normalization".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR THE ADJUSTMENT OF SALARIES OF EMPLOYEES OF THE HOUSE PRESS GALLERY

Mr. ANNUNZIO. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution (H. Res. 645), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 645

Resolved, That (a) effective July 1, 1975, the additional per annum rate of compensation of—

(1) the Superintendent of the House Press Gallery shall be $2,712 per annum;

(2) the First Assistant Superintendent of the House Press Gallery shall be $1,275 per annum;

(3) the Second Assistant Superintendent of the House Press Gallery shall be $2,210 per annum;

(4) The Third Assistant Superintendent of the House Press Gallery shall be $595 per annum; and

(5) the Fourth Assistant Superintendent of the House Press Gallery shall be $510.

(b) The provisions of subsection (a) shall be applicable only to the present incumbents in the position titles set forth.

(c) Until otherwise provided by law, such amounts as may be necessary to carry out subsection (a) of this resolution shall be paid out of the contingent fund of the House of Representatives.

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent that further reading of this resolution be dispensed with and that it be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, currently there exists a material difference between the salaries paid to the House press gallery employees and their counterparts in the Senate press gallery. This resolution will correct this inequity by bringing the salaries of the five members of the House press gallery in line with those paid to their counterparts on the Senate side. It should be noted that the estimated annual cost of these increases is only $7,032.

This resolution covers five positions in the House press gallery with an average raise of less than $1,500 per employee for the current calendar year. Since these raises go into effect on July 1, 1975, the net cost will be approximately $3,651 for the remainder of calendar year 1975.

Mr. FRENZEL. Mr. Speaker, will the gentleman yield?

Mr. ANNUNZIO. I am delighted to yield, for debate purposes only, to the distinguished gentleman from Minnesota, a hard-working member of the full Committee on House Administration.

Mr. FRENZEL. Mr. Speaker, I thank the gentleman for yielding, and I thank him for the advertising.

Mr. Speaker, this resolution was proposed in the committee, but a number of members on the minority side including myself, really for a symbolic purpose, objected to a subsidy to the press at the expense of the public taxpayers. My statements are in the RECORD of last Tuesday detailing some of those objections.

However, we do not object to the passage of the resolution. These people are legitimately on the payroll. They are serving a useful function which, in my judgment, should be privately funded rather than publicly funded. But they are on our payroll. They, like everyone else, deserve a reasonable raise at this time.

The gentleman from Illinois (Mr. ANNUNZIO) has been a careful monitor of all of the employees of this House who come under his jurisdiction. He has done a good job, and the minority is pleased to support his resolution.

Mr. ANNUNZIO. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. CHARLES H. WILSON of California. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 480]

Andrews, N.C.
Ashley
Aspin
Badillo
Barrett
Bell
Biester
Burke, Calif.
Clausen, Don H.
Conyers
Crane
Dellums
Diggs
Esch
Eshleman
Evins, Tenn.
Fenwick
Findley
Fish
Ford, Mich.
Fulton
Giaimo
Harkin
Harrington
Hayes, Ind.
Hébert
Heckler, Mass.
Hefner
Hightower
Horton
Jenrette
Johnson, Colo.
Jones, Ala.
Leggett
Lehman
McClory
McCloskey
McDonald
Matsunaga
Milford
Mitchell, Md.
Murphy, Ill.
Myers, Ind.
Pike
Railsback
Rees
Reuss
Riegle
Rose
Ryan
Scheuer
Schneebeli
Shuster
Stanton, James V.
Teague
Thompson
Udall
Van Deerlin
Vigorito
Whitehurst
Wiggins
Wright

The SPEAKER. On this rollcall, 372 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RUSHING LEGISLATION

(Mr. MADDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, I take this time just to clarify more or less to some of the Members of Congress regarding a few statements made pro and con, not only by myself, but other Members on the Turkey relief legislation here last night. One of my characteristics. I do not know whether they would call it strength or weakness, over the 33 years I have been here, I have always opposed the practice of rushing legislation of importance in on the dying hours of adjournment or a recess. Now, it happens so often over the years. Chairman Colmer, my predecessor as rules chairman always warned committee chairmen to bring their bills in weeks before a recess or adjournment. I have been in this well back 10 or 15 years ago and made the same statement. Why cannot legislation come through the regular process, instead of shuttling it through in the dying hours when Members are in a mental turmoil clearing their desks of work and when they are ready to go home?

When I made my remarks last night, I said there is something wrong with resorting to the recess rush process. We should always follow the regular parliamentary process. This bill could have been brought in here 2 weeks ago and assigned to the International Committee in the regular rule process and come before the Committee on Rules for hearing and if a majority of rules members voted for a rule it could have been disposed 10 days ago.

If it came through in the regular way, we would have no trouble being heard by the Committee on Rules. There was nobody trying to take advantage of any power position, as was inferred by one radio commentator today.

Furthermore, I have talked to the Speaker, and I am setting the Turkish bill down for September 9. I do hope that the Committee on International Relations will have some hearings on it immediately when we return on September 3, and if they report it out and present it for our committee it will be given immediate hearing by the Committee on Rules. Let us legislate in the regular manner in which the Congress has rules to legislate by.

I again suggest to all chairmen of committees to get busy in September and October and present your legislation early so we do not undergo a legislative mess which we have here tonight only 24 hours before our recess.

TURKISH ARMS BAN LEGISLATION

(Mr. RHODES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RHODES. Mr. Speaker, I have listened with great interest to the distinguished chairman of the Rules Committee. He characterizes the bill which we sought to bring up last night as new legislation. Of course, I am sure the gentleman is well aware of the fact that this same legislation has been brought up twice before within the last month. It was hardly new; it was not a piece of legislation that the House needed to be reeducated upon.

It is a bill which needs to be voted on because of the international situation for the benefit of the country, for the national security.

Mr. Speaker, I renew my request of yesterday to the gentleman from Indiana, the chairman of the Rules Committee, to call this committee into session and vote on a rule so that we may consider this matter one more time. It was said by the gentleman from Michigan last night, and I think it is very important to remember, that this may be the only time that—at least in my memory—the President of the United States has asked the Congress to consider a matter of great national and international significance, that the Congress has failed to do so.

I think it is a shame that this has occurred. I do not believe it is one of the finest hours of the House of Representatives.

TURKISH ARMS BAN LEGISLATION

(Mr. SEIBERLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SEIBERLING. Mr. Speaker, I would like to ask the gentleman from Arizona a question, because he puzzled me. I understood that this was not the identical bill that we voted on previously with respect to the Turkish arms ban.

Mr. RHODES. The gentleman is technically correct. There was material in there for the financing, or at least the authorization, of radio broadcasts for Radio Free Europe and Radio Liberty. But, the gentleman is well aware of the fact that really the most important part of this bill had to do with the resumption of sales of arms to Turkey, which was certainly well debated and was not a matter of any great surprise to the House.

Mr. SEIBERLING. But I was told by the supporters of the bill that there was a material change, namely, that it was going to include a provision that would provide that any subsequent shipments of material beyond those in the pipeline would be subject to a veto by either House. Is that correct?

Mr. RHODES. There was a change involved. I think the gentleman has stated it accurately, yes.

Mr. SEIBERLING. That is a material change which I think might make a significant difference in the minds of some Members who voted against the previous bill.

Mr. RHODES. I think that if the gentleman from Indiana really was looking for a means to delay the bill, possibly he has a point, but if he is looking for some means of trying to help the President of the United States in some very delicate negotiations, then I think he would waive that point.

Mr. SEIBERLING. All I am saying is that some arguments were made, which I thought worth considering, that this was a different bill than the one we voted on before, and I was prepared to give it serious consideration. However,

that is the kind of thing that ought to be considered thoughtfully and thoroughly, and not at the 11th hour when everybody is tired and confused. I have not even had a chance to read it.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4723, NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 654 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 654

Resolved, That immediately upon the adoption of this resolution, clause 2, rule XXVIII to the contrary notwithstanding, it shall be in order to consider the conference report on the bill (H.R. 4723) authorizing appropriations for the National Science Foundation for fiscal year 1976.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. Del Clawson) pending which I yield myself such time as I may consume.

Mr. SISK. Mr. Speaker, House Resolution 654 provides for consideration of the conference report on H.R. 4723 which authorizes appropriations for the National Science Foundation for fiscal year 1976. The resolution waives points of order against the conference report pursuant to clause 2 of rule XXVIII which requires reports to be filed 3 calendar days prior to consideration.

The House passed H.R. 4723 on April 9, 1975, by an overwhelming vote of 390 to 22. The Senate amended the House bill by striking all after the enacting clause and substituting new language. The Senate substitute, among other provisions, increased authorizations by $71,200,000. The committee on conference agreed to accept the Senate substitute with certain amendments and stipulations.

The National Science Foundation requested an authorization of $751,400,000 plus $4,000,000 in excess foreign currencies for fiscal year 1976. The House authorized the amounts requested. The Senate increased the authorization to $822,600,000 plus the $4,000,000 in excess foreign currencies.

The conference committee recommended $787,000,000 plus the $4,000,000 in excess foreign currencies. This figure is $35,600,000 more than authorized by the House and $35,600,000 less than authorized by the Senate.

Mr. Speaker, I urge the adoption of House Resolution 654 in order that the conference report on H.R. 4723 may be considered.

Mr. DEL CLAWSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as has been noted, the only reason for this rule is to provide a waiver of the 3-day rule, clause 2, rule XXVIII. The rule is necessary to reconsider the conference report today because the conference report was not filed until Wednesday and was not available in printed form until yesterday.

Mr. Speaker, I do not intend to take much time, but there is one provision in this conference report of which Members should be aware.

When the House originally considered the National Science Foundation authorization on April 9, 1975, an amendment was offered by the able gentleman from Maryland (Mr. Bauman) providing for congressional review and approval of individual research awards. Under this provision in the House bill the National Science Foundation would submit every 30 days to the committees of jurisdiction in the House and in the Senate a list of grants which the agency proposes to make. Either House of the Congress could disapprove one or more grants on this list by simple resolution. Upon the expiration of 30 days the National Science Foundation would be free to award the remaining grants on the list.

There is a need for such a provision. In presenting his amendment initially, the gentleman from Maryland mentioned several studies which had caused unfavorable comment in the press. The publicity given to these studies makes the Government look ridiculous. The amendment by the gentleman from Maryland was an attempt to prevent such expenditures unless Congress had an opportunity for review.

The grant review provision has been dropped from the conference report. The conference report merely contains language urging the two committees of jurisdiction to continue their oversight over all aspects of the National Science Foundation program with particular attention to the grant review and award process.

Mr. Speaker, the dropping of the grant review provision is regrettable.

Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. Bauman).

Mr. BAUMAN. Mr. Speaker, I know this discussion today will be somewhat anticlimactic, after the magnificent display of parliamentary excellence we went through last night. I know the Members are contemplating foreign and other travels and they have that on their mind today, but we do have business to transact.

Mr. Speaker, you have received from me a "Dear Colleague" letter, in which I noted my intention to offer a motion to recommit to conference this conference report. I wanted to do so because the action of the conferees deleted completely the amendment which the House adopted by a vote of 212 to 199, on April 9, which provided for prior congressional review of grants made by the National Science Foundation.

Unfortunately, the other body already has acted on the conference report. This dissolves the conference, and I am not able to offer a motion to recommit with instructions. I can, however, ask the Members of the House to vote down the conference report, since then the only other course of action would be to call a new conference, with possibly a motion to instruct.

I have no great hope that that will happen.

I would, however, call to the Members' attention the fact that probably no single instance of governmental spending has caused more concern to taxpayers in our individual districts than the grants made by the National Science Foundation.

Part of this has been because of the notoriety the press has accorded to individual grants which have been questioned, as to whether they should have been made, the amount of money expended, and whether or not they were being granted in a manner which was unfair to some scientists and preferential to others.

I need only refer the Members to my remarks of a few weeks ago on this floor at the time the NSF appropriations bill was considered to show that these grants are continuing right up to the present time.

Some Members are concerned about governmental secrecy and about the unwillingness of executive agencies to account to Congress and give us the privilege of information about their activities, whether it is the planned assassination of a dictator in Cuba or whether it is, as in this case, the spending of a few hundred million dollars, about which many times we do not seem to be concerned. I would like to note for the Members that in a series of recent hearings conducted by the gentleman from Missouri (Mr. Symington) and his subcommittee, before which I and other Members testified, Dr. Guyford Stever, who is the head of the National Science Foundation, made it clear that he was not willing to grant to us what he apparently considers to be the privilege of reviewing the files of NSF. He is not willing to grant us that privilege so that the Congress can make a determination as to the relevance of these grants that are being made. In fact, he made the flat statement that unless he was compelled to do so by the Congress or by enactment of a law, he would not do so. That I consider to be consummate arrogance.

I am aware that in subsequent testimony yesterday Dr. Stever supposedly softened his statement somewhat to the effect that if the committee made a formal request, he might honor that request.

Mr. Speaker, I honestly believe this is another instance in which we do owe accountability to our constituents. Citizens should know why any Government agency considers that the social life of prairie dogs is a subject calling for the expenditure of tax money which comes out of their pockets and which definitely, in my opinion, is probably highly suspect.

Without this congressional review amendment, which would have provided for prior review by the House or the Senate—not mandated, but only permitted—there is no way that I can see that we are going to guard against future excesses, future bad publicity, and undoubtedly future greater expenditures of taxpayers' dollars.

Mr. GOLDWATER. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from California.

Mr. GOLDWATER. Mr. Speaker, if the gentleman has the answer to this question, will the gentleman explain to the House why his amendment, if an adequate explanation can be provided, was not adopted by the conference?

Mr. BAUMAN. Mr. Speaker, I am loathe to discuss the actions of the other body, but the fact of the matter is that the chairman of the subcommittee that handled this authorization in that body, the Senator from Massachusetts, was very bitterly opposed to my amendment, and, in fact, he announced his opposition the day after this House voted on April 9. The Senate subcommittee deleted this, and the bill was considered in the Senate by a unanimous-consent procedure. There were Members in the other body who would have supported my amendment, but the bill was brought up by unanimous consent with no notice and debate was avoided. Only one Member spoke for a very few minutes.

So the other body never really had a chance to act fully on this issue. In conference, the conferees deleted my amendment and they will have to explain to the House their actions. But it was quite obvious to me that because of a massive campaign by the scientific establishment, many members of which benefit from these grants, there was pressure on a great many people.

So a decision was made that my amendment would be completely deleted, and there is absolutely no language, even face-saving language, remaining in the bill to provide congressional review.

The SPEAKER. The time of the gentleman from Maryland (Mr. BAUMAN) has expired.

Mr. DEL CLAWSON. Mr. Speaker, I yield 3 additional minutes to the gentleman from Maryland (Mr. BAUMAN).

Mr. GOLDWATER. Mr. Speaker, will the gentleman yield further?

Mr. BAUMAN. I yield to the gentleman from California.

Mr. GOLDWATER. Mr. Speaker, I thank the gentleman.

I happen to serve on the committee that considered this matter. I have followed this issue with a great deal of interest.

If the House or the Congress is going to maintain its credibility, then obviously it must be responsible for the taxpayers' dollars. We have watched over the years the National Science Foundation funds grow to almost a billion dollars.

I am hopeful that the chairman of the subcommittee who is responsible for this particular legislation will take into account seriously the debate that has taken place in and around this subject and will assure the Congress that he will conduct more aggressive oversight in this particular area so we will not have to be faced with this in the future.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Ohio.

Mr. ASHBROOK. Mr. Speaker, first, I want to congratulate my colleague, the gentleman from Maryland (Mr. BAUMAN), for his excellent work in this area in trying to alert the Congress to this problem.

As we go home, I think the continual question of our constituents to us will be "How do these things happen?"

All one has to do is read the RECORD, and we see exactly how it has happened. The reason it has taken place may in some cases be through nonfeasance or waste. Errors do happen even when we are alert. In this case it is not nonfeasance; it has to be misfeasance because we know, we have been alerted. The gentleman from Maryland has provided not only the information we needed but also, by his amendment, a remedy.

As a member of the Committee on Education and Labor, I see the same problem in the National Institute Education (NIE). Mrs. Green, our former colleague, pointed out many of the abuses, and the gentleman from Maryland (Mr. BAUMAN) pointed out the abuses in the USF. What does Congress do? It goes on its merry way.

At this point, Mr. Speaker, the House is going to ratify those abuses if it acts favorably here.

It cannot be asked how it happens. We know how it happens.

Mr. Speaker, I congratulate the gentleman from Maryland (Mr. BAUMAN) for alerting the House to this matter.

Mr. DEL CLAWSON. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, I take this time because I think the House, and I know it was with the consent of our colleague, the gentleman from Missouri, the conference capitulated on the issue of some kind of legitimate requirement to have greater congressional participation in the determination of various kinds of National Science Foundation grants. Many of these grants are either not understood by the public, or, obviously have a ridiculous or unwarranted character which we should, at minimum, review.

Mr. Speaker, I think it is unfortunate that in the rush of the last-minute business here, we are so easily setting aside this issue of how much congressional participation there should be in a $700 million authorization and the potential appropriation of substantial amounts of taxpayers dollars to National Science Foundation grants.

As my colleague, the gentleman from Maryland (Mr. BAUMAN), has pointed out, it is very natural that various segments of the academic community and various scientists of this country, who substantially benefit by the granting of this money, would be opposed to having Congress survey more carefully what this money does and more important a better accountability of proposed end results. Some of these beneficiaries of NSF grants do not want us to survey with that kind of responsibility, because they realize that we have a responsibility to our constituents who sometimes question or do not understand what these grants really do.

Mr. Speaker, the reason I take this time—and the argument will be used that I really should do that during the debate on the conference itself—is because I realize that in the hurry to get out of here today after the rule is passed. It will be too late to do something to retain the Bauman amendment. If the rule passes many colleagues will say to each other, "We will vote for this conference report. We will worry about the problem addressed by the Bauman amendment later on. Trust the committee." They will be saying that type of thing.

The problem is, as I see it, that on too many occasions we have said to the committee, "Will you not review these more carefully?" "Can't you shut off these unwarranted or silly projects?"

Our leadership on both sides, at the top side of the committee, have rejected the proposal that we face up to these research type projects in at least, say, 90 or 30 days before the actual grant is completed.

The complaint that the Bauman amendment does not provide enough time to really go into detail, I do not think is a fair complaint because the Congress and the committee now get published listings daily, from the National Science Foundation.

Mr. FUQUA. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I will be happy to yield to the gentleman from Florida in just one second. Kindly, let me finish my point.

Mr. Speaker, I think it is wrong for this Congress and especially the leaders of this important committee to say to the House that they cannot review those daily reports that come from the National Science Foundation, and utilize our staff which has been increased, and utilize the capabilities we have amongst not only these committee members, but our other backup personnel in the Library of Congress to review more carefully these types of authorizations. This is done in other committees.

I am now delighted to yield to the gentleman from Florida.

Mr. FUQUA. Mr. Speaker, I want to thank the gentleman from California, my friend, for yielding. I certainly appreciate the concern that the gentleman from California has in this matter.

The gentleman from California serves on the Committee on Banking, Currency and Housing. I wonder if that committee reviews all of the Federal Home Loan Mortgages that go out, and the grants for sewage and water, and many of the other projects? Does the gentleman advocate that they should all come before the committee?

Also, should all of the Small Business Administration loans come before it, and the other types of grants that come before the authorizing committee for review 30 days prior to their approval?

Mr. ROUSSELOT. Mr. Speaker, I appreciate the comments of the gentleman from Florida, and I will be happy to answer.

The answer is no, I do not believe our committee does a complete job. However the answer is yes the committee has made a major step in that direction by passing a resolution for which I am sure the gentleman from Florida voted to improve our oversight of Federal Reserve Board actions.

The SPEAKER. The time of the gentleman has expired.

Mr. DEL CLAWSON. Mr. Speaker, I yield 2 additional minutes to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding additional time. Mr. Speaker, as I stated, our Banking and

Currency Committee has passed a resolution (H. Con. Res. 133) that requires the Chairman of the Federal Reserve Board to come before our committee twice a year and review the action of the Federal Reserve Board and the Open Market Committee; to review more carefully the bankruptcies that have occurred in the banking industry, and to review various Board activities as they relate to the entire economy, and many other detailed matters.

So the answer to my colleague's question is also yes, that the Committee on Banking, Currency and Housing has made substantial efforts in the direction the Bauman amendment suggest; however, in my judgment not enough.

Mr. FUQUA. That does not include all of the loans.

Mr. ROUSSELOT. Yes; in some oversight responsibilities relating to the Small Business Administration, it did just that. The difference here is that in the case of the National Science Foundation the widespread media revelations given what appears to be, and in many cases I think are, absolutely ridiculous grants, are just not understood by the public who pays for them. I must say many Members of Congress cannot understand their necessity.

Mr. FUQUA. Could not we say that about certain housing projects?

Mr. ROUSSELOT. You bet, the gentleman is absolutely correct, and we have moved to correct those absurd housing projects by legislative action.

Many of us on the committee oppose those bad housing projects. The oversight committee which is headed by the gentleman from New Jersey (Mr. Minish) is also doing just that very thing right now in the field of oversight, as it relates to potentially unreasonable profits from defense contracts.

The Banking Oversight Subcommittee is going through, in many cases, loan by loan, to see if the Renegotiation Board has been, in fact, responsible. This Board has been in existence for years, and has not received adequate oversight.

I will say to my colleague, the gentleman from Florida (Mr. Fuqua) that I believe we are doing a better job in our Banking Committee than this committee is doing because you refuse to accept the Bauman amendment. The Bauman amendment would require the National Science Foundation to do the same thing that my colleague, the gentleman from New Jersey (Mr. Minish) is now demanding that we do with the Renegotiation Board.

Mr. FUQUA. The gentleman's approach is wrong; that is on facts, after the fact, and not before the fact.

Mr. BAUMAN. Mr. Speaker, if the gentleman will yield, the gentleman from Florida (Mr. Fuqua) makes a mistake here in comparing two different agencies. In the case of the National Science Foundation grant process there is no open application procedure, there is no public clearance procedure, there is no public consideration made.

These grants are handed down in a secret procedure called the peer review system by scientists who may well personally know the applicant. Many times applications are written in order to obtain grants in a fashion tailor made to guarantee approval.

The SPEAKER pro tempore. The time of the gentleman has expired.

(By unanimous consent, Mr. Rousselot) was allowed to proceed for 1 additional minute.)

Mr. ROUSSELOT. I yield to the gentleman from Maryland.

Mr. BAUMAN. The peer review procedure that has been used by NSF has been the subject now of 2 weeks of hearings by the subcommittee. Here is an agency with nearly $1 billion a year to spend whose sole purpose is to hand out money, and it has a secret system for doing so. This does not compare to SBA or any other application-type route of seeking Government money. It is totally different and totally secret. That is why we need some sort of review.

Mr. ROUSSELOT. I appreciate the comments of my colleague.

Mr. ANNUNZIO. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I am happy to yield to the gentleman from Illinois.

Mr. ANNUNZIO. I deeply appreciate my colleague's yielding.

I want to state to my colleague that he is absolutely right. In the Committee on Banking, Currency and Housing, we did review over 1,000 loans made by the SBA, and it was the gentleman's committee that resolved the dilemma that the Small Business Administration found itself in in all the practices that have been perpetrated against the taxpayers of this country. So it is right that these kinds of programs be reviewed so that the taxpayers who object to these programs can have a voice in it.

I commend my colleague, the gentleman from California.

Mr. ROUSSELOT. I appreciate my colleague's comments. I know that he himself has been very concerned about the review of so-called redlining practices in the city of Chicago. The gentleman from Illinois (Mr. Annunzio) has participated in long hearings on the subject of mortgage placement oversight on an area-by-area basis.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. Symington).

Mr. SYMINGTON. I thank the gentleman for yielding.

Really, Mr. Speaker, I had not intended, in deference to the requirements of the House today to proceed with a very important piece of legislation within time restraints about which we all know, to speak during this period on the rule. But I just cannot refrain from responding to some of the observations that have been made. Quite honestly, I am surprised at some of them, because I really thought, particularly due to the manner in which the committee has conducted its hearings over the past couple of weeks on the peer review system, and the assurances that we have given the Members who have posed these questions that we intended to do something about them, that there would have been a little more understanding at this time about the committee's mandate, its purpose, and its intention to fulfill its obligation.

I do not know whether we can indulge in the analogies to all of the other fields of endeavor the Federal Government engages in. I think some of that is quite fair. I think in the loan situation a great deal of secrecy has to be maintained, but what I would like to point out is that the National Science Foundation gets about 26,000 applications of this kind a year. That is a great many, and some of them are on very, very technical subjects. There is a great deal of review within the Foundation through "peer review," which is under review to see if it is working properly. The scientific community, of course, is watching this thing with a hawk-like eye, because everybody wants the available dollar.

Generally speaking, as far as I can tell from the hearings we have had so far, the scientific community believes that the Government is doing its job well.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I yield 2 additional minutes to the gentleman from Missouri (Mr. Symington).

Mr. SYMINGTON. Of course, the press picks up interesting tidbits, and it is pretty easy to determine the scientific community generally does not think about how it is being interpreted in the press, especially by those who like to poke fun at it.

I recall in an earlier colloquy with my friend, the gentleman from Maryland, when he spoofed the idea of studying the perspiration characteristics of the Australian aborigines, pointing out to him that the initial studies were for the purpose of determining how it was that they did not become dehydrated the way our young GI's did in Vietnam, and if there was some way to develop those ideal characteristics so our GI's could fight better when the time came. That was the reason for a particular grant of that kind that stemmed from the Department of Defense initially.

The scientists learned some other interesting things about the metabolism of these natives which relates to medical science; so the gentleman is just picking up a title and throwing it out. Of course, the press loves that, and they think there is something behind it. They add these things up, and they go to the people with these little grants, few of them the size of the loans of HUD or the SBA or some other agencies at $14,000, $20,000 and so forth, most of these grants are rather small. They list them for their readers and say, "For goodness sakes, when are you going to stop these things?"

What I am saying is that science is a complicated business, and most American scientists are patriotic people. They are trying to serve science and their country in every way they can. A great deal of the money the foundation spends is for what we call basic research where they do not quite know what the answer is going to be.

We cannot stand here as judges of these intricate, complex things, not in this room nor in my committee, except insofar as we look at the results at the end of the year and perhaps more frequently, because we are studying that possibility, to say, "Are you keeping your eye on the ball? Are you doing the best you can?"

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. SISK. Mr. Speaker, I yield the gentleman from Missouri 2 additional minutes.

Mr. DRINAN. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Massachusetts.

Mr. DRINAN. Mr. Speaker, as a former educator and a person very familiar with the complicated techniques and procedures of the National Science Foundation, I associate myelf with the remarks of the distinguished gentleman from Missouri. I know his committee will continue that careful oversight of the National Science Foundation which is necessary for this body and which will be accomplished without the enactment of the amendment that is pending.

Mr. WIRTH. Mr. Speaker, will the gentleman yield?

Mr. SISK. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. WIRTH).

Mr. WIRTH. Mr. Speaker, I thank the gentleman for making a good point about how the peer review system works; it works well. Last year there were 25,000 to 28,000 requests for grants from the National Science Foundation. Over 34,000 scientists and professionals participated in the peer review system. There were over 120,000 individual reviews, as well as a staff review. So the system is very thorough. There are daily reports. There are quarterly reports. We are informed of these matters coming to the Congress. I am sure the oversight of the gentleman and of the committee is working well.

Mr. KRUEGER. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Texas.

Mr. KRUEGER. Mr. Speaker, I wish strongly to speak in support of the rule for this bill. I think it is of immense importance that we in this body realize the limitations of our knowledge in judging the worth of scientific grants. To judge a grant by its title is like judging a book by its cover. I can readily imagine that we might well question as inappropriate a grant to a project with such a title as "the metabolic process of slime molds." Somebody says, "Why study that?" Well, molds have given us penicillin; but a Congressman sitting in his office reading about molds might or might not recognize the potential relevance of that research.

The gentleman from Washington (Mr. McCORMACK) has just given me an excellent example, "The Sex Life of the Female Screwworm Fly." That is a rather catchy and titillating title, but it happens to be awfully important to the ranchers I represent—and I represent the largest cattle, sheep, and goat raising section of this country—for the screwworm has done tremendous damage to the livestock industry.

Scientific study of the sex life of the female screwworm has shown that it is monogamous—and that is important. Because she is faithful to her mate, and mates only once, the female screwworm can be prevented from propagating by being mated to a sterile male. This scientific knowledge has been of immense help to ranchers all across the Southwest.

Currently the Federal Government has stations along the Mexican border to release sterile male screwworm flies. By releasing them, the livestock industry saved millions of dollars by eliminating a parasite that deposits its eggs in the placenta of newborn animals. Yet, imagine the congressional reaction if we were told simply of a study of "The Sex Life of the Female Screwworm Fly." How many of you would have voted to study the screwworm?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SISK. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. KRUEGER. Mr. Speaker, I am glad I was not left with "screwworm" as my final comment. I appreciate that.

Mr. Speaker, the attempt to block the bill is an anti-intellectual attempt, it is an antiscientific attempt; we do not have the capability to judge the worth of scientific projects by reading their titles.

Mr. Speaker, in my judgment the National Science Foundation has done tremendous work. It has fostered some of the most important research in the world and clearly we must proceed with this bill.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WIRTH. I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Speaker, I thank the gentleman for yielding. I want to associate myself with the gentleman's remarks and congratulate him for the outstanding work he has done in this committee.

I want to point out that the gentleman from Missouri has taken over the chairmanship of the subcommittee this year. He is doing a yeomanlike job, an outstanding job of setting out a program, not only in working with the National Science Foundation, but conducting oversight operations as they never have been conducted before.

Mr. Speaker, as a member of the subcommittee and a member of the conference committee, I cannot say enough in tribute to the gentleman.

Of course, he is completely right when he says that the Members of this body are not competent to try to evaluate 25,000 or 30,000 technical and scientific grant requests to the National Science Foundation. It is silly to pretend that we could.

Mr. SYMINGTON. I thank the gentleman.

Mr. DEL CLAWSON. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. MOSHER).

Mr. MOSHER. Mr. Speaker, I have the greatest respect for my colleagues on this side of the aisle who have been so vigorously criticizing our committee in its handling of this authorization bill. I refer to the gentleman from Maryland, the two gentlemen from California, my colleague from Ohio, and others.

I have the greatest respect for them, and yet I do not for one second accept their interpretation of the situation. I think that they misunderstand it. I think that they have given this House a distorted view of what the situation is.

We can get into further debate on this after the rule is granted and in discussion of the conference report, but let me just say this: The gentleman from Maryland (Mr. BAUMAN) certainly implied that most of the scientific efforts which have been so ridiculed in the press, and which have come to the attention of so many of us and have bothered us, originated in the National Science Foundation. The record will show clearly that that is not true. So far as I am aware, there is hardly more than two or three of those that have been bothering us that actually come from the National Science Foundation.

Moreover, let me say that as a former newspaperman I am going to indict here my colleagues in the press. I think the record will show that these frequent stories which come to our attention which ridicule certain scientific projects, very often are the product of lazy editors, lazy reporters, frequently demagogic reports and editors. Any reporter worth his salt would investigate the allegations that come to the press in these matters before printing them. The papers owe that responsibility to their readers.

There are self-appointed groups, propagandistic groups, that gratuitously claim to be defenders of the taxpayer, who search through the records of these scientific investigations, come up with certain titles that they think will lend themselves to ridicule, and pass these out to the press. The press accepts them uncritically, repeats them, reprints them without any investigation. More often than not, any investigation at all would indicate that these are responsible scientific adventures, often of great value, even when they carry titles that may sound ridiculous to the lay ears.

Mr. Speaker, I cite that as one indication of why I think the Congress is being unnecessarily panicked here and might take some very foolish actions.

However, I do salute the gentleman from Maryland (Mr. BAUMAN) for forcing our committee to give new and very careful consideration to this whole situation.

I think in our committee and in the conference committee we are going about it in a very responsible fashion.

I assure the House that the degree of oversight in our committee will be substantially increased and sharpened as a result of his efforts.

In fact, I can commit myself to that. But I think it is crystal clear that the procedure provided in the Bauman amendment itself would be impossibly cumbersome, it would not be feasible. It might give the Congress the appearance of doing a responsible job when in fact the congressional responsibility, as he would have us accomplish it, would be very ineffective and undoubtedly often mischievous.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. DEL CLAWSON. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, I would

just like to answer one point made by the gentleman from Texas (Mr. KRUEGER). He flatly stated that he thought the genesis of this proposal was anti-intellectual. As the author, I can say that it is not.

Mr. Speaker, I think it ill behooves the gentleman from Texas to make a statement disparaging a majority of the House, when, in the last 48 hours, we have heard arguments by many Members of this body supporting a pay raise for themselves proclaiming their abilities and responsibilities. But now we are told that we do not have the mental capacity to judge whether or not $10,000 of taxpayers funds should be spent for another biography of Isaac Newton when we already have 145 of them in the Library of Congress.

He mentioned the screwworms.

The gentleman has been here for weeks on the latest energy bill. I supported him repeatedly when he offered amendments in an attempt to solve the energy problem in this country. That is his particular area of expertise, and he explained it well. Energy is a highly complicated issue and yet the gentleman from Texas rightly presumes he has an answer. And yet we are told we cannot understand these grants when they come up.

This is not anti-intellectual.

The problem we have, of course, is that there is a very elitist culture within the scientific community that does not want us to exercise our congressional responsibility. I have a number of letters from scientists who do say, "We agree with your premise. We do need better review." But the scientific community has to understand the oath a Congressman takes, the responsibilities we have to our taxpayers to see that money is spent in a proper manner, and we should not confuse anti-intellectualism with carrying out of our responsibilities.

Those who want to avoid this responsibility will have to accept the consequences of that avoidance, and the votes taken today will demonstrate that acceptance or avoidance.

Mr. SYMMS. Mr. Speaker, will the gentleman yield?

Mr. DEL CLAWSON. I yield to the gentleman from Idaho.

Mr. SYMMS. I thank the gentleman for yielding.

Mr. Speaker, I think the gentleman from Maryland should be commended. What the taxpayers of this country are going to be doing is producing a sucker list for all of those who vote for this program. There was recently an article in U.S. News & World Report commenting on the ridiculous grants being given away. I do not know how Members are going to make an explanation of it, to the hard-working taxpayer.

Mr. Speaker, I think the Members should be aware of what is happening on this and I urge them to weigh their vote very carefully because of this, and vote no.

Mr. DEL CLAWSON. Mr. Speaker, I have no further requests for time.

Mr. SISK. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. SYMINGTON), hopefully to conclude the debate.

Mr. SYMINGTON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I think some of us probably know a little more about some items than others of us, and I am not prepared to say that the gentleman from Texas, who has strong constituent interests, has not really studied the energy problem and spent a great deal of time and late nights working on it to make recommendations that he thinks are good for the country and for everyone.

But I would ask the gentleman from Maryland if he could tell me what he thinks about the study of the blood groups of Polish Zlotnika pigs. This is a $20,000 grant. Would the gentleman like to tell me about this?

Mr. BAUMAN. If the gentleman will yield, yes, the gentleman from Maryland would reply he would be glad to tell the gentleman about that but he cannot get the information from the National Science Foundation to provide the gentleman with an answer, and, apparently, neither can the gentleman from Missouri, and the hearings bore that out.

If I had that information, if the gentleman from Arizona (Mr. CONLAN) had been given information about MACOS, we probably would not be facing this issue today. But they refused and they still refuse. And my amendment provides for getting that information and making that judgment.

Mr. SYMINGTON. Mr. Speaker, I take it the gentleman desires not to tell me about these Polish Zlotnika pigs. Perhaps the gentleman would be willing to submit his favorite list of unworthy grants, and also, of course, I could tell him what the National Science Foundation tells us about these pigs.

Mr. ROUSSELOT. Fine. If the gentleman will yield, he can give the gentleman a list right now. Mr. BAUMAN is now presenting the list to the gentleman from Missouri.

Mr. BAUMAN. Mr. Speaker, if the gentleman will yield, I hereby present him with such a list from the CONGRESSIONAL RECORD.

Mr. SYMINGTON. Mr. Speaker, I will not address myself to that at the moment. In any event, I think in the interest of time I will spare the gentleman a description of these Polish Zlotnika pigs because, while it is interesting and, I think, quite persuasive, it is a time-consuming matter.

Mr. RISENHOOVER. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Oklahoma.

Mr. RISENHOOVER. Mr. Speaker, I, too, am a former newsman. I do not have any trouble out in my district explaining a lot of these grants that have been so criticized when I have the information to explain them. The thing I have the most trouble about is explaining to my constituents these crazy titles they come up with.

If the members of the subcommittee could make some reasonable explanation for some of these titles, it would take a lot of the heat off the Members. Those are the things newsmen are looking for.

Mr. SYMINGTON. Mr. Speaker, as I have said many times, and as we have reiterated, we have taken this up with the National Science Foundation Director. Incidentally, the Director continues to work under President Ford, and we had a very good exchange with the President in his office about this and other things.

The SPEAKER. The time of the gentleman from Missouri (Mr. SYMINGTON) has expired.

Mr. SISK. Mr. Speaker, I yield 2 additional minutes to the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Speaker, I thank the gentleman.

I think that any grant that is given under the title of the "Blood Groups of Polish Zlotnika Pigs" is likely to encounter some citizen reaction. I think a title like that ought to be given over by some kind of a public-relations-minded person in order to convey what the intention of the study is.

One purpose of the study is to help the blood lines of swineherds so that they will be able to resist certain diseases. That is the kind of thing that could be readily understood.

I will assure the gentleman that if they are going to confine themselves to these titles, they are going to have to be answerable to the committee and to every Member of Congress. I do not mean they should write titles that are facades to conceal what is happening, but they should write titles that reveal and give a sense of what is happening so that these grants may get understanding and support.

Mr. RISENHOOVER. Mr. Speaker, if the gentleman will yield further, does the gentleman think that the National Science Foundation, on the question of these titles, has been convinced in the past that they ought to come up with better titles?

Mr. SYMINGTON. No. I think they have been convinced quite recently, but we have not seen the results of this yet.

Mr. DEL CLAWSON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, let me say that I sat here and listened to the comments that were being made, and my first thought was that perhaps I would support this conference report, based on the statements made at the outset by the gentleman from Missouri (Mr. SYMINGTON), that his committee was really going to review these grants and was going to do something about the problem.

Then, I listened, I got the feeling this was becoming more or less a laughing matter. I do not think it is a laughing matter. These are taxpayer dollars being spent, and there are a great many people in this country who still take their lunchpails to work every day and by the sweat of their brow produce these tax dollars that a good many times and in a good many places are being wasted. As a result, the Congress of the United States has been made the laughingstock of the Nation because of some of these grants and I do not think this is funny. Surely, some of these are good grants and should be made.

As I have sat here and listened I could not help but reflect on my responsibilities as a member of the Committee on the Budget. I know we are trying to reduce spending in 1976 and 1977, and I hope we are going to have some real oversight on these grants. The fact that this seems to be a laughing jovial matter disturbs me no end.

As a member of the budget committee, I am going to try to make certain that proper oversight takes place on these grants and that a better job is done in the future. I assure the House of this right now.

Mr. SYMINGTON. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I will yield to my friend, the gentleman from Missouri, to hear what procedure his committee is going to use in the future on some of these grants.

Mr. SYMINGTON. Mr. Speaker, I will certainly be happy to answer the gentleman.

I want to say at the outset that the laughter has all been on the other side about these grants. The Members on the other side have been telling us about how silly they are.

This list from which I read that one example has been available to the gentleman from Maryland (Mr. BAUMAN), and I would have thought, if he had studied so hard to reassure himself about the worthiness or the unworthiness of these grants, he could have answered these questions.

However, the thrust seems to be simply to force the Congress into a new configuration in its way of meeting this problem.

I think that the report itself, I say to the gentleman from Ohio (Mr. LATTA), my dear friend and colleague, gives a very limited explanation of some of the things that the committee wants to do to reassure itself that the grant procedures of the staff meet two basic objectives.

One is the priority policy that the Congress would like to see, and that the Executive, assumedly, would agree to, for the naming of grants in particular areas to assist in the scientific community the hard sciences, the soft sciences, et cetera, so that we would have to be reassured that that is done properly since the funds, as great as they are, are quite limited as far as the scientific community is concerned.

Second, we want to see that each one of the applications received by the Foundation gets a fair hearing. This is what has been the subject of 2 weeks of hearings I just concluded yesterday, so that we can restructure, if necessary, the Foundation's approach to the approval of grants in a proper fashion.

Mr. LATTA. Mr. Speaker, I appreciate the explanation that the gentleman is making, but I only have 3 minutes.

What is the committee really going to do when they are faced with one of these ridiculously reported grants? Are we going to call those fellows in and ask them, "What about it?"

Then maybe they will get the message downtown that this Congress means business.

Are we going to do that? Mr. Speaker, at least we should do that.

Mr. SISK. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Speaker, I am very disturbed by the discussion that has taken place here with respect to the suggestion that the scientific community should rename grants that apparently have some meaning in that community to please politicians.

I think it is far more important that we look at these grants and what they are going to accomplish than to worry if some newspaper pokes fun at them, probably due to not understanding them, or that some politician does not like them in his district.

I think that is a bad proposal and is a form of anti-intellectualism. I think what it does is to show that the intent of this Congress is that the scientific community must be subservient to particular political concerns of the Members of this House. I think that is wrong.

The amendment, in the manner in which it has been presented before this House, if anything, has been mislabeled. The statement that this amendment is a major economy move is a misrepresentation to an extent far worse than are any of the titles in these grants.

Mr. SISK. Mr. Speaker, I yield 1 additional minute to the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Speaker, I thank the gentleman for his observations, which I think are valid.

What I think we are living with here is an element of human nature and weaknesses of that kind which exist in this body as well as throughout the national community.

There is a tendency on the part of the people to reject what they do not understand and do not know enough about. Since we are spending the people's money, it is extremely important that we give them a sense of reassurance that we are spending it wisely.

Therefore, Mr. Speaker, what I am suggesting is that these grants receive a title that suits the scientific community, but which also, perhaps in a subtitle, if necessary, reaches the average citizen, explaining the general purpose and thrust of the grant.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. Yes; I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Speaker, I thank the gentleman for yielding.

I would remind the Members of the House that the National Science Foundation does not put titles on these grants. These titles are assigned to projects by scientists who are requesting a grant from NSF.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. SISK. Mr. Speaker, I yield 1 additional minute to the gentleman from Missouri (Mr. SYMINGTON).

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. Yes; I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Speaker, the titles are put on by the scientists to describe the project for which they are requesting a grant. The National Science Foundation either accepts them or rejects them on their merit, not on their title.

We could, I suppose, add another division to the National Science Foundation whose job it would be to put patriotic titles on all these research projects so that they would sound good to anti-intellectuals.

Then we would sound just like the Communist Chinese, who talk about their mountain expeditions being inspired by Chairman Mao and their ping-pong games being inspired by Chairman Mao and their rockets and missiles and research all being inspired by Chairman Mao.

If our objective is to require patriotic sounding titles, if we want to be that foolish, then let us just stand up and say so, but I do not believe we want to stoop to that nonsense.

Mr. SYMINGTON. I think the gentleman from Washington is right about patriotic-sounding titles, and I do not think that we want that, but I do believe that we want to describe the general purposes of these grants so as to give the average citizen a chance to know what they are all about.

Mr. DEL CLAWSON. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. MARTIN).

Mr. MARTIN. Mr. Speaker, I want to commend my distinguished colleague, the gentleman from Maryland (Mr. BAUMAN), and his able associate and ally, the gentleman from California (Mr. ROUSSELOT), for their efforts to protect the public from having to pay exorbitant amounts of their tax dollars for any and all absurd projects. But it does seem to me that the only way to safeguard the public from that possibility would be to now adjourn the House of Representatives and the Congress of the United States, sine die.

Further, in contemplating the basic proposal that has been made here, we also need to consider another question which has not been mentioned, and that is the absolute need for this country to sponsor fundamental research which may not have any immediately apparent value as far as practical applications are concerned. The Congress is just not qualified or able to judge the value of these basic research projects.

Then as to the question of titles, it would seem to me that the only kind of title that might be clearly understandable by everyone here would be to use the sequential mathematical titles, 1 through 100 and following. Even then I think it would pose a problem for the Members to try to explain to their constituents the value of a research program known as Project 207. All you could say is that it came just after Project 206 and before Project 208, if my arithmetic is correct.

I further suggest that if this same principle were to arise insofar as eliminating peer review in the medical professions, and in its place we asked for congressional staff review or review by the House of Representatives, then I do believe that my colleagues who now support this amendment would immediately oppose such an intrusion into the medical profession.

So I would say that the same principle applies in the field of the sciences.

I had thought that there would be merit to the shock value effects of the amendment when it was first introduced, and I do believe that the committee could certainly exercise closer oversight. But if the Congress now decides to take charge of the basic research projects and if the Congress does so on the level of some of the hydrocephalic amendments that we considered yesterday, then I say we will soon be in deep trouble.

Mr. DEL CLAWSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Speaker, I thank the gentleman for this additional time. I must say that I had not envisioned the development of so much debate at this point, but it seems to me that the National Science Foundation, if I am not mistaken, is covered by the continuing resolution on appropriations we recently passed, as are all of the agencies of the government. If this rule were defeated and the conference report not acted upon, we could come back here and act upon it in September, just as in the case of the Turkish-Greek issue, which is of some greater magnitude. I think that that might be the best thing to do in this instance. In the interim time, we could go back and explain the debate we have had here today to our individual constituencies.

So, Mr. Speaker, I will ask for a vote on the rule, and hope we can resolve the issue on that basis, at least for 30 days.

Mr. DEL CLAWSON. Mr. Speaker, I think the gentleman from Maryland is correct in his statement that this would not spell the death knell of the National Science Foundation, but would merely delay it for 30 days.

Mr. SISK. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BAUMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 328, nays 73, not voting 33, as follows:

[Roll No. 481]

YEAS—328

Abdnor
Abzug
Adams
Addabbo
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
AuCoin
Baldus
Baucus
Beard, R.I.
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Broyhill
Buchanan
Burgener
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Carney
Carr
Carter
Casey
Chappell
Chisholm
Clay
Cochran
Cohen
Collins, Ill.
Conable
Conte
Conyers
Corman
Cornell
Cotter
D'Amours
Daniel, Dan
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derwinski
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Eshleman
Evans, Colo.
Evans, Ind.
Fary
Fascell
Fenwick
Fish
Fisher
Fithian
Flood
Florio
Flowers
Foley
Ford, Tenn.
Forsythe
Fountain
Fraser
Frenzel
Fuqua
Gaydos
Giaimo
Gibbons
Gilman
Ginn
Gonzalez
Gradison
Green
Haley
Hall
Hamilton
Hanley
Hannaford
Harris
Hastings
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Hefner
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holtzman
Howard
Howe
Hubbard
Hughes
Hungate
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Keys
Koch
Krebs
Krueger
LaFalce
Landrum
Leggett
Lehman
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
McClory
McCollister
McCormack
McDade
McEwen
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Madigan
Maguire
Mahon
Mann
Martin
Mathis
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Moorhead, Pa.
Morgan
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Preyer
Price
Pritchard
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Richmond
Riegle
Rinaldo
Rodino
Roe
Rogers
Roncalio
Rooney
Rosenthal
Rostenkowski
Roush
Roybal
Russo
St Germain
Santini
Sarasin
Sarbanes
Scheuer
Schroeder
Seiberling
Sharp
Shipley
Shriver
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Solarz
Spellman
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.
Thone
Thornton
Tsongas
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Waggonner
Walsh
Waxman
Weaver
Whalen
White
Whitten
Wiggins
Wilson, Bob
Wilson, C. H.
Winn
Wirth
Wright
Wylie
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—73

Archer
Armstrong
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Bedell
Brown, Ohio
Burke, Fla.
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collins, Tex.
Conlan
Coughlin
Crane
Daniel, R. W.
Derrick
Devine
Dickinson
Duncan, Tenn.
Flynt
Frey
Goldwater
Goodling
Grassley
Guyer
Hagedorn
Hammerschmidt
Hansen
Harsha
Holland
Holt
Hutchinson
Hyde
Jeffords
Ketchum
Kindness
Lagomarsino
Latta
Lent
Lott
Lujan
McDonald
Michel
Miller, Ohio
Mills
Montgomery
Moore
Moorhead, Calif.
Murtha
Pressler
Risenhoover
Roberts
Robinson
Rousselot
Runnels
Ruppe
Satterfield
Schulze
Sebelius
Shuster
Snyder
Symms
Talcott
Taylor, Mo.
Traxler
Treen
Wilson, Tex.
Wydler
Young, Alaska

NOT VOTING—33

Badillo
Barrett
Bell
Burke, Calif.
Diggs
Esch
Evins, Tenn.
Findley
Ford, Mich.
Fulton
Gude
Harkin
Harrington
Hébert
Heckler, Mass.
Hightower
Horton
Jenrette
Jones, Ala.
McCloskey
Myers, Ind.
Poage
Rhodes
Rose
Ryan
Schneebeli
Teague
Thompson
Van Deerlin
Vigorito
Wampler
Whitehurst
Wolff

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Fulton.
Mr. Barrett with Mr. Bell.
Mr. Teague with Mr. Gude.
Mr. Thompson with Mr. Ford of Michigan.
Mr. Vigorito with Mr. Horton.
Mr. Wolff with Mr. Myers of Indiana.
Mr. Badillo with Mr. Schneebeli.
Mrs. Burke of California with Mr. Esch.
Mr. Diggs with Mr. Van Deerlin.
Mr. Jenrette with Mr. Ryan.
Mr. Jones of Alabama with Mr. Findley.
Mr. Harrington with Mrs. Heckler of Massachusetts.
Mr. Harkin with Mr. Wampler.
Mr. Rose with Mr. McCloskey.
Mr. Hightower with Mr. Evins of Tennessee.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 4723, NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976

Mr. SYMINGTON. Mr. Speaker, pursuant to House Resolution 654, I call up the conference report on the bill (H.R. 4723) National Science Foundation Authorization Act, 1976, and ask unanimous consent that the joint explanatory statement of the committee of conference be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint explanatory statement.

(For conference report and statement, see proceedings of the House of July 30, 1975.)

Mr. SYMINGTON (during the reading). Mr. Speaker, in view of the fact that the conference report has been printed and is available to the Members, and also was printed in the Congressional Record of Wednesday, July 30, beginning on page 25808, I ask unanimous consent to dispense with further reading of the joint explanatory statement of the committee of conference.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Missouri.

Mr. SYMINGTON. Mr. Speaker I am glad to report to the House that the committee on conference has completed its work on the bill H.R. 4723, the authorization bill for the National Science Foundation for fiscal year 1976.

The bill which the managers have developed and which we present to the House today, is a compromise. There were important differences between the bills passed by the two bodies, both in the area of funding and in certain substantive areas. I want to thank my colleagues on the committee of conference for their diligent work on this conference report. They worked hard and as a result I believe we have a good bill. Special recognition is due to our chairman, Congressman Teague, who cannot be with us today, and to my esteemed colleague, our ranking minority member, the gentleman from Ohio (Mr. Mosher).

The bill would authorize $787 million for the National Science Foundation, plus $4 million in excess foreign currencies. This amount is $35.6 million less than the Senate figure of $822.6 million. The House bill authorized $751.4 million which is the exact amount that had been requested by the President. The conference bill is above the House figure by $35.6 million.

This authorization bill would further strengthen NSF's work in the two areas for which the agency has major responsibility: scientific research and science education. I am particularly pleased that the conference bill includes a new initiative from the House bill in the field of science education at the undergraduate level. The bill would provide $15 million for the program of comprehensive assistance to undergraduate science education. This program will permit the NSF to provide support to colleges and universities who wish to improve their undergraduate science education activities.

It is appropriate to discuss an important provision in the House bill which was added by vote of the House itself. This is the amendment introduced by our distinguished colleague from Maryland (Mr. Bauman). The House will recall that this amendment would have provided that all grants for research or education in the sciences would be before both Houses of the Congress for 30 days before they could be awarded by the National Science Foundation. In that 30-day period either House could disapprove any of these grants by simple resolution.

The Senate conferees felt strongly that this provision should not be included in the bill, although they agreed thoroughly with the managers on the part of the House about reasons which led to its adoption. The result was a compromise which involved the House yielding on the grant review provision and the Senate yielding on a group of significant changes in the NSF science education program which were included in the House bill.

I want to assure my friend, the gentleman from Maryland, that his initiative has not lost its momentum. The Subcommittee on Science, Research, and Technology, which I have the privilege of chairing, has just concluded 2 weeks of oversight hearings on NSF's use of the peer review method of research proposal selection. Mr. Bauman himself made a most valuable contribution to these hearings through his thoughtful testimony. These were useful hearings. I can assure my friend that they do not mark the end of our work in this area. The conference report urges both committees of jurisdiction to intensify their oversight, and we will do so.

Mr. Speaker, I believe that this compromise bill is a good one. It permits the Nation's basic research effort to go forward. It allows NSF's science education work to continue and to broaden into new areas. This bill deserves the support of the House, and I urge its adoption.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, I want to say despite the differences we may have on the specific means by which we can achieve proper review of NSF grants, I want to compliment the gentleman from Missouri (Mr. Symington) for his total fairness and his obvious concern in this matter. In the hearings he conducted he was kind enough to permit me, and others, to testify.

Hopefully, this will bear some fruit in reforming the peer review system and solving this problem. Many Americans will be watching and many Members of Congress will be watching to see what comes out of it. This issue is not at an end.

Through this entire process the gentleman from Missouri (Mr. Symington) has been totally fair, and I want to compliment him and thank him for the interest and the consideration he has shown to all of us.

Mr. SYMINGTON. Mr. Speaker, I am most grateful for the comments of my good friend, the gentleman from Maryland (Mr. Bauman).

Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. Fuqua).

Mr. FUQUA. Mr. Speaker, I rise in support of the conference report, and first I want to compliment the gentleman from Missouri (Mr. Symington) for his long and dedicated work in bringing this conference report to us.

Mr. Speaker, I rise in support of the conference report on the bill H.R. 4723, to provide authorization for the National Science Foundation for fiscal year 1976.

Of the two major missions of the NSF, scientific research support and science education support, the research work consumes by far the larger part. For basic research the conference bill provides slightly less than the amount requested in the budget. Basic research is funded chiefly from the three line items "Scientific research project support," "National and special research programs," and "National research centers." For these three line items the budget request was $555.7 million. The House bill authorized $528.0 million and the Senate $562.7 million. The conference bill includes $547.6 million for the three basic research line items.

"Research applied to national needs" was authorized $6 million in the House authorization and $81 million in the Senate bill; The conference authorization is $70.5 million—which is $9 million below the NSF request. The House bill contained a $23 million floor for applied social science research and a $1 million floor for fire research. Both of these floors are retained in the conference report.

The primary increases in the funding level above that requested by NSF appears in the general area of science education. The Foundation requested $14.8 million for "Graduate student support"; the House raised this by $1 million and the Senate specified $17 million; the conference authorizes $16.4 million for "Graduate student support" and considers this amount as a minima. The Foundation requested $50 million for science education; The House provided $74.5 million, but at the same time restructured the programs. The Senate authorized $70 million for education and an additional $15 million for "Institutional improvement for science program." The House science education programs were adopted almost intact. The authorization in conference was $75.1 million; also the five House floors all remained with only a change in the minima for CAUSE which was decreased from $18 million to $15 million.

The "Intergovernmental science program," which has successfully demonstrated how modern science and technology can be brought to bear on the problems of State and local government, would receive additional funds. Although the budget request was for only $3 million, the House authorized $8 million and the Senate $12 million. The conference bill includes $10 million for this work.

The committee of conference adopted the concept from the House bill of grouping together in one line item the four science policy-related activities formerly buried in other line items. The House bill contained $9.6 million, and the Senate bill $11.1 for these activities. The conference bill includes $11.1 million for this group of activities.

Mr. Speaker, this conference bill is a responsible compromise between the House and Senate bills. I join the other managers on the part of the House in urging its adoption by the House.

Mr. SYMINGTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. LLOYD of California. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I will be happy to yield to the gentleman from California.

Mr. LLOYD of California. Mr. Speaker, I thank the gentleman from Missouri.

Mr. Speaker, I rise in support of the

conference report. I would like to state my support for the National Science Foundation's peer review system of awarding grants for scientific research.

The Science and Technology Committee's subcommittee on science, research, and technology has held hearings on this procedure whereby the grant is awarded by a peer of the scientist requesting the grant.

I belive that this procedure is in the best interests of the United States relative to scientific research. It has not been totally without problems, but the danger of cronyism—whereby grant reviewers award grants to their cronies—has been minimal and in any case has been tightened up as a result of recent hearings by the Subcommittee on Science, Research, and Technology, on which I serve.

The progress of this great Nation, especially in regard to energy, depend greatly on work being done and to be done in the various sciences. The grant program of the National Science Foundation is a key element in continuing the high quality and valuable research that has become traditional in institutes of higher learning throughout the United States.

The current system employed by the National Science Foundation encourages grants to be made to scientists and institutions best suited to using them in the national interest, and I endorse it.

Mr. FLOWERS. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Alabama.

Mr. FLOWERS. Mr. Speaker, I thank the gentleman for yielding.

I wish to join with my colleague, the gentleman from Florida (Mr. Fuqua), and the gentleman from California (Mr. Lloyd), in extending a hand of appreciation and praise to the gentleman from Missouri for his leadership in this legislation and for his work on the conference.

Mr. Speaker, I rise in support of the conference report on the bill, H.R. 4723, the National Science Foundation authorization bill.

An important aspect of this conference report is the compromise which we achieved with regard to congressional review of NSF's research grants. As the chairman of the Science Subcommittee, Mr. Symington, has pointed out, we were unable to convince the Senate conferees to include in the bill the provision for congressional review of each NSF grant. However, I share his belief that most of the objectives which this provision was aimed at can be achieved equally well through strong oversight.

Part of that oversight will include a review of how well the National Science Foundation is complying with the statutory requirement that research grants be distributed throughout the United States and that undue geographic concentration be avoided. This is an aspect of the Foundation's grant award procedure which I have taken a particular interest in, and which clearly needs careful oversight to insure that the intent of the Congress is followed.

The reorientation of the National Science Foundation's science education activities could, I believe, be the beginning of a revitalization of this important function. In 1972 the NSF's organic act was amended to make the Foundation the Federal Government's lead agency in the field of science education.

The committee of conference included in the bill a group of provisions which, if enacted, would significantly restructure NSF's science education program. These provisions were, for the most part, included in the House bill and not in the Senate bill.

The thrust of these provisions is that the Foundation's science education program should consist not only of activities aimed at developing improvements and innovations for use in science education. The science education program should also include science education activities providing for the introduction of such improvements and innovations and for the training of students and teachers.

These provisions include the division of the former single "Science education improvement" line item into two distinct line items for "Science education innovation" and "Science education support"; the inclusion of appropriate definitions for these two activities; the inclusion of the "Comprehensive assistance to undergraduate education"—CAUSE—program, based on competitive awards; the elimination of the former "Institutional support for science" program which was included in the Senate bill and in which grants were made on a formula basis, and its replacement with a similar program in which grants would be awarded on a competitive basis and which would be entitled "Research initiation and support"—RIAS—program; the section providing that parents shall have access to NSF-developed curriculum materials in which their children are engaged; the elimination of the $21.9 million obligation minimum for "Elementary and secondary school programs" from the Senate bill, and the inclusion of the three obligations minimal for "Undergraduate research projects"—$3 million—"Secondary school science projects"—$2.5 million—and "Science faculty fellowships"—$2 million.

Mr. Speaker, the committee of conference has produced a good bill. I believe that it would provide a sound program of scientific research and science education, and I urge the House to act favorably on it.

Mr. SYMINGTON. Mr. Speaker, I thank the gentleman from Alabama.

Mr. Speaker, before yielding further to Members, I would like to point out to the House the valuable contribution which the gentleman from Alabama (Mr. Flowers) has made to the understanding of the members of the committee and, I think, to the directorship of the Foundation itself.

I want to compliment the gentleman from Alabama for calling very valid attention to what appears to be some disparity in geographical distribution of grants. After all, a great many communities in this country have good scientists and good universities, and we do not want to miss a trick. We are trying very hard to stimulate interest and results in science from coast to coast.

Mr. FLOWERS. Mr. Speaker, I thank the gentleman from Missouri for his interest and indulgence in obtaining this end result. I appreciate the gentleman's kind comments.

Mr. WIRTH. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Colorado.

Mr. WIRTH. Mr. Speaker, I thank the gentleman for yielding.

I want to associate myself with the remarks of the gentleman from Missouri (Mr. Symington), and I rise in support of the conference report.

I was particularly impressed by the excellent comments made by my colleague, Mr. Symington, about the Bauman amendment, which was of great concern to many of us as far as both the House bill and the conference report are concerned.

Mr. Speaker, I rise in opposition to the motion of the gentleman from Maryland, Mr. Bauman, and in support of the conference report on H.R. 4723. Mr. Bauman has argued on the floor of the House and before the NSF authorization committees in the House and the Senate that the Congress is perfectly capable of reviewing the 14,000 or so research grants that NSF recommends for award each year. He has even gone so far as to suggest that this review would not take more staff time than is currently being used by offices to review the Congressional Record.

Of course, the National Science Foundation actually receives some 25 to 28,000 research proposals per year, and last year the proposals were reviewed by about 34,000 reviewers, experienced scientists who are competent in the field of the proposals. They generated close to 120,000 reviews. Each proposal is also subjected to staff review, and, in the case of large sums of money, to review by the National Science Board. I think that we in Congress have better things to do than second guessing the NSF in areas where few of us have any expertise to begin with. We certainly could not go into detail on every proposal, and summaries and titles rarely provide an adequate basis for informed evaluation.

This is not to say that we should abdicate our oversight responsibility. We must do all we can to insure that NSF acts wisely in allocating our money to scientific research. And the Science and Technology Committee, of which I am a member, is now conducting hearings into the process by which funding for NSF proposals is determined. I think that is where we should be concentrating our efforts: In making sure that the system works, not in trying to play scientist ourselves.

It should also be noted that the NSF budget, which totals less than one-hundredth of the Defense budget, probably receives more careful scrutiny by the Congress than any comparable sum of money. The Science and Technology Committee and subcommittee proceedings and the floor debate on the less than $1 billion NSF budget totaled about 28 hours. If we subjected the Defense budget to similar scrutiny, we would have to spend 2,800 hours, or more than 350 8-hour days at it. And where was Mr. Bauman when the Defense budget came up before this body? Indeed, Mr. HARKIN, the gentleman from Iowa, proposed an amendment to the Defense authorizations bill identical to the one we are considering today. Mr. BAUMAN wisely voted against, it as did 345 other Members of this body.

NSF each year undergoes intensive review of its policies, procedures, and specific program actions in hearings by the four congressional committees that have jurisdiction over it. It submits quarterly reports to the Congress; it supplies us with a daily list of every grant awarded and an annual report that lists every grant it has made, to whom made, for what purpose, and the amount. Does the Defense Department do the same?

Mr. BAUMAN cited a number of so-called crazy grants that NSF has made when he proposed his amendment to the NSF bill on April 9. I am particularly struck by his ridicule of a National Science Foundation grant to study the sex life of crabs. I think this is a beautiful illustration of what happens when we Congressmen take it into our hands to play scientist. Surely the Representative from Maryland's Eastern Shore must care about the future of the crabbing industry. Is he so focused on the prurient aspects of sex that he has forgotten that this is the biological means by which crabs create more crabs? Perhaps he would actually be quite upset if some Congressman objected to this grant and managed to prevent its being funded—especially if he knew that it concerned the consequences of minute amounts of oil pollution on the complex reproductive behavior of crabs. It has been found that production of the pheromones that govern this behavior is prevented when crabs are exposed to oil-soluble extracts of crude petroleum oil to a concentration of one part per hundred million. Under these minute amounts of pollution, reproductive behavior ceases. I wonder how many million dollars a year the crab industry is worth in Maryland? And I wonder what those "ordinary people" who are employed in that industry, Mr. BAUMAN's constituents, would say if they were told of the significance of that research?

If we in Congress were to vote on funding for proposed research with titles like: "Insect Chemoreception and Mechanism of Action of Attractants and Repellents," or "Pheromone Chemistry and Specificity in the Tortricidae," or "Influence of White Pine Hybridization on Olfactory Responses of Weevils," or even the "Behavior Pattern of Solitary Hymenoptera," we might decide these proposals sounded rather frivolous. Yet the research conducted under these research projects has led to the practical use of new, environmentally benign insect control techniques—which eliminate the need for DDT and other environmentally harmful pesticides.

Or, if faced with a vote on esoteric proposals entitled "UV Reflectance of Ice Clouds and Fronts Composed of Water and Ammonia," and "Mesopheric Trace Constituents with Rocky Probes," and "Low Level Vertical Ozone Distribution Determined by Inversion of Backscattered Ultraviolet Radiation," we might find it difficult to believe in their importance to the world. But this research provided the groundwork for the discovery of the breakdown of the ozone layer, which we are all now so concerned about.

Programs for teaching chimpanzees to use sign language have led to better understanding of ways to communicate with autistic and retarded children, and adults suffering from severe strokes. A grant entitled "Legged Locomotion in Animals and Machines" has allowed the development of new artificial limbs and braces, as well as other new paraplegic devices. And studies of the "Sex Life of the Screwworm" saved the U.S. cattle industry millions of dollars by eliminating a parasite that deposited eggs in the placenta of newborn calves.

If these are the kind of "crazy grants" for "frivolous research" that have Mr. BAUMAN so worried, I can only say that I hope we fund many more of them.

Mr. Speaker, I urge the defeat of Mr. BAUMAN's motion.

CALL OF THE HOUSE

Mr. BROOMFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 482]

Andrews, N.C.
Badillo
Barrett
Beard, R.I.
Beard, Tenn.
Bell
Brademas
Brown, Calif.
Burke, Calif.
Conyers
Crane
Diggs
Drinan
Duncan, Oreg.
Early
Edwards, Calif.
Esch
Evins, Tenn.
Findley
Fish
Ford, Mich.
Frey
Fulton
Giaimo
Harkin
Harrington
Harsha
Hébert
Heckler, Mass.
Heinz
Hightower
Horton
Jenrette
Johnson, Colo.
Jones, Ala.
Jones, Okla.
Kastenmeier
McCloskey
McKay
Melcher
Michel
Mikva
Moorhead, Pa.
Myers, Ind.
Pepper
Railsback
Rees
Rodino
Rose
Rosenthal
Ryan
Schneebeli
Staggers
Stuckey
Teague
Udall
Van Deerlin
Vigorito
Whitehurst
Wilson, C. H.
Winn
Wright
Young, Alaska

The SPEAKER. On this rollcall 371 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONFERENCE REPORT ON H.R. 4723, NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976

The SPEAKER. The gentleman from Ohio (Mr. MOSHER) is recognized.

Mr. MOSHER. Mr. Speaker, I am in complete support of this conference report and I join the gentleman from Missouri in expressing our regret that our committee chairman, the gentleman from Texas (Mr. TEAGUE) is in the hospital in Bethesda and cannot be here to express his own complete support for this conference report.

I salute the gentleman from Missouri (Mr. SYMINGTON) for his leadership in this matter and particularly for the responsible way in which during the past 2 weeks he has been conducting very thorough hearings on this general question of the peer review system, a question that has been effectively brought to our attention by the gentleman from Arizona (Mr. CONLAN) and the gentleman from Maryland (Mr. BAUMAN), and rightly so. I think the committee is going about its work in a very responsible fashion.

Mr. Speaker, I said my say during debate on the rule, in opposition to the so-called Bauman amendment, and in support of the responsible manner in which our committee is responding to the useful challenge of that amendment.

Now I want to discuss the bill itself. The National Science Foundation—(NSF)—Authorization Act for fiscal year 1976 approves an expenditure of $787 million, plus $4 million in excess foreign currencies.

In arriving at this compromise the conferees virtually split the difference between the House and Senate bills. The current authorization is $35.6 million higher than the House bill and $35 million less than the Senate bill.

The conferees sought to reach a compromise which reflects the best judgment regarding the proper emphasis in NSF's programs. The NSF supports numerous productive programs and the conferees wanted to achieve an equitable balance of funds among them.

Scientific research project support receives the largest single funding allocation—$377.6 million. The comparable figure in the fiscal year 1975 authorization was $358.7 million. Thus the current figure barely accounts for the effects of inflation, but hopefully it will permit research in the basic sciences to progress at a steady level.

The next largest amount, $109.8 million, is for the national and special research program. This program supports a comprehensive effort studying global atmospherics, climate dynamics, ocean data, and environmental quality.

The conferees recognize that our most valuable resource lies in the human talent which NSF programs can foster. Such NSF programs include science education innovation—$39.8 million—science education support—$35.3 million—and graduate student support—$16.4 million. To reinforce our concern the conference bill also sets budgetary floors in several of these programs and subprograms in order to insure a minimum support level. For example, science education support has a $35.3 million floor with subfloors in undergraduate research participation—$3 million—secondary school student science projects—$2.5 million—science faculty fellowships—$2 million—and several others.

One NSF program, Research Applied to National Needs—RANN—actually underwent a significant contraction in comparison to last year's authorization. The current RANN funding level is $70.5 million as compared to $148.9 million for last year. The reason for this cutback is that several of RANN's applied energy programs were transferred to the Energy Research and Development Administration—ERDA—in last year's reorganization of Federal energy R. & D. Thus, the work is continuing but it is now under a different agency.

Mr. Speaker, several prominent nonfunding actions occurred on the House floor during the original passage of this bill. The amendments I refer to were prompted by the Members' concern about the wisdom and impact of several educational activities funded by the NSF. Two amendments were added to the bill specifically because of those concerns.

One directed that the instructional material used in NSF supported school ciriculum be available for parental inspection. This was in response to reports that some parents had difficulty in obtaining access to the course materials which their children were using. The conferees agreed that this amendment had a worthwhile objective and could be implemented with reasonable efforts. Consequently this amendment is part of the conference bill.

The second amendment, frequently referred to as the Bauman amendment, provided for congressional review and veto power for individual grants made by the NSF. The conferees appreciate the reasons which prompted the Members to support this amendment. In times of general economic difficulty our citizens are legitimately concerned when they hear of some federally funded programs which do not appear to have any significant purpose. The conferees place the utmost importance on the effective use of the taxpayers money.

Although the Senate bill did not include a similar provision, the conferees agreed with the objectives of this amendment but differed as to the best means of achieving the desired result. After a thorough review of the various means by which Congress could assure the wise expenditure of NSF funds, the conferees agreed that the mandatory review and veto approach was too formalistic and cumbersome to implement. Instead the conferees believe that the better approach is to rely on the continuing oversight activities of both chambers. This alternative permits administrative flexibility wthout sacrificing the goal which the House amendment sought to achieve; that is, the prudent use of Federal money.

Mr. Speaker, I believe the NSF Authorization Act conference bill provides the means for maintaining our Nation's leadership in science and technology. The basic and applied research which this bill supports will provide the technology breakthrough necessary to our continued health, welfare and safety. I urge my colleagues to join me in voting for it.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, although we did have some discussion on this issue during the rule I too wish to thank my colleague, the gentleman from Missouri who has in fact, been fair in his willingness to discuss the issue. This expressed fairness by Mr. SYMINGTON has been shown even though he knows many of us disagree vigorously with his position on the Bauman amendment. I only regret that he could not really send his Senate campaign off by supporting our position.

The gentleman from Missouri (Mr. SYMINGTON) was good enough to say he would be willing to answer questions to the best of his capability on the basis of the way some of the scientific reports have been titled and if my colleague, the gentleman from Missouri, could answer some of the natural questions that come up in the minds of many of our constituents when they read in the paper about many of these various research projects, it will be helpful.

The U.S. News & World Report on July 28, as the gentleman knows, ran an article entitled "Is It Research Or 'Rip-Off'? Taxpayers Are Irritated." That was the headline. Many of us have received questions from constituents on these highly publicized research projects. Since my colleague, the gentleman from Missouri, offered to answer my colleague the gentleman from Maryland on several of these points, I would like now to ask the gentleman's cooperation in answering these to the best of his ability.

U.S. News & World Report says:

> Pinched taxpayers are complaining long and loud about such federal outlays as—
>
> Nearly $500,000 to determine under what conditions humans and monkeys clench their jaws.
>
> $9,600 for still another biography of Isaac Newton.

I believe the gentleman from Maryland, my colleague, has already mentioned that there are thousands of volumes on Isaac Newton in the Library of Congress and the libraries all over the United States, so what was the necessity for that?

The article goes on as follows:

> $36,500 for a probe of the "Evolution of Song Learning of Parasitic Finchers."

Four:

> $40,000 for a report on "Spider Distribution Associated With Prey Density."

Five:

> $15,000 for a hitchhiking study.

Six:

> $81,000 to uncover the social behavior of the Alaskan brown bear.

Finally:

> $5,500 for a similar examination that zeroes in on prairie dogs.

Mr. Speaker, I am sure that all these so-called outstanding research projects may have justification and maybe my colleague, the gentleman from Missouri, can now tell us what the justification is for the items just mentioned. Or has the National Science Foundation provided the gentleman any answers for these strange sounding projects?

Has the committee received any reasonable responses?

Mr. SYMINGTON. Mr. Speaker, I thank the gentleman for his comments. What I would like to suggest in response to the gentleman's query is that we place in the RECORD at this point a full and fair description of such grants as the gentleman has described that the National Science Foundation itself has funded. Many times the requests come from other agencies and are not funded.

Mr. ROUSSELOT. But I say to my colleague it is still the taxpayers' money.

Mr. SYMINGTON. I am sure it is, but it would be hard for us, as I said earlier, to read, digest, and understand the thousands of requests this agency gets every year.

I think, Mr. Speaker, in the interest of time and the proper understanding of the matters we have raised, I would just say to place in the RECORD at this point the description which I will secure of the scientific justification and possibly we can then extrapolate the bureaucratic justification for going forward with the grants that the gentleman has named and which were actually funded by the National Science Foundation.

I have found many instances where allegations were made that grants were funded, where it was only requested and not funded.

NSF GRANTS QUESTIONED IN U.S. NEWS AND WORLD REPORT ARTICLE, JULY 28, 1975

Quotations from the article precede each project description.

"Nearly $500,000 to determine under what conditions humans and monkeys clench their jaws."

**Kalamazoo State Hospital* (*Ronald R. Hutchinson*)—"Environmental Causes of Aggression"

Dr. Hutchinson, Director of Research at Kalamazoo State Hospital and President of the Foundation for Behavioral Research, is conducting studies aimed at determining the causes of human aggression. Specifically, his research is designed to identify conditions under which aggression is produced or diminished. He uses various animals such as squirrel monkeys, rats and mice in his work since they have been determined to be excellent animal models for human aggression.

Countless human lives are lost and dollars spent each year because of aggressive behavior such as war, murder, rape, and other crimes, and juvenile delinquency. Research leading to a better understanding of the causes of such behavior is vitally important if we are to work toward a solution to such major problems.

As a result of Dr. Hutchinson's work, objective laboratory methods have been developed to study aggressive behavior. He has used known reactions to different stimuli to study the effects of pharmacologic compounds on laboratory animals, principally the squirrel monkey. He studied the effects of many different drugs on three types of behavior: freezing or immobility, escape or avoidance, and aggression or attack. One reason for studying these effects is to determine which drugs may be helpful in treating particular behavioral problems. The interest of the NSF in supporting this research is to get possible information on different neurochemical mechanisms involved in the normal functioning of the brain.

Dr. Hutchinson found he could induce squirrel monkeys under stress to drink alcohol. This is considered important because it gives researchers an excellent animal model for study of alcoholism in human beings who are exposed to stressful situations.

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*The $500,000 amount of NSF support for this project is an error. Grants for Dr. Hutchinson's research—first to Fort Custer State Home, Augusta, Michigan, and later to Kalamazoo State Hospital to which he transferred—have totaled $51,800 from May 1972 through October 31, 1975.

In addition, a laboratory has been developed by Dr. Hutchinson for study and measurement of anger in humans. Measurements are made by electromyographs of the jaw muscles, in the same way that the electrocardiograph measures the electrical activity of the heart. Dr. Hutchinson has found that the human aggressive reaction measured in this way exhibits the same quantitative properties as those previously measured in animals in analogous aggression-provoking situations.

Indiana University—Bloomington (Richard S. Westfall)—"Biography of Isaac Newton"

The grant is supported by the NSF History and Philosophy of Science Program. Newton holds a unique position in the history of Western science. Recent studies by an international group of Newton scholars (including Dr. Richard Westfall at Indiana University, Bloomington) have unearthed previously neglected or suppressed manuscripts, which have yielded new insights on the development of his scientific activity. A new synthesis of Newton's work is now under way and Westfall is eminently qualified to contribute to this study. He published in 1971 a book, *Force in Newton's Physics*, which won the Pfizer Award of the History of Science Society in 1972.

"$36,500 for a probe of the 'Evolution of Song Learning of Parasitic Finches' "

University of Michigan (Robert B. Payne)—"Evolution of Song Learning and Its Consequences in Parasitic Finches"

Dialects are known to exist over a broad spectrum of populations, including many species of birds. This project will investigate a group of species that differ in their abilities to learn the songs of the species that they parasitize. This situation provides a unique opportunity to study the evolution of behavioral adaptability and its consequences for population differentiation.

"$40,000 for a report on 'Spider Distribution Associated with Prey Density' "

University of Tennessee (Susan E. Riechert)—Spider Distributions Associated with Prey Density"

Spiders play an important role in controlling the number of insects in natural ecosystems, such as forest and grasslands. Leading experts on insect pests of many major crop systems in the US emphatically state that spiders are extremely important in keeping insect pests at subeconomic levels in fields not treated with pesticides. Dr. Riechert is doing pioneering work on the way that spider populations respond to variations in abundance of the insects on which they prey. Results will aid in understanding the role of spiders in controlling crop insects.

"15,000 for a hitchhiking study."

This was a research project conducted by undergraduate and graduate students supported by our education division. The student team noted that many thousands of automobiles daily using the Denver-Boulder Expressway have empty seats, and that government-controlled hitchhiking is used in Europe. The study addressed such questions as whether hitchhiking in the US, which was controlled, might be a "viable addition" to our transportation system. It was concluded that this could be done without increasing crime or decreasing highway safety under properly controlled conditions. While the study was in process, the Denver City Council passed an ordinance that considerably liberalized hitchhiking laws in the State. A system of Hitchhiking Stations was planned and designed; this was discussed on local TV. The final report of the study is now published and available from the NTIS, Springfield, Va.—$6.25—"Hitchhiking: A Viable Addition to a Multi-Transportation System."

"$81,000 to uncover the social behavior of the Alaskan brown bear."

Utah State University, Logan (Allen W. Stokes)—"Social Behavior of Alaskan Brown Bears."

This research concerns the behavioral strategies of brown bears in their natural habitat. The focus is on how their social behavior changes as the abundance of salmon varies. While contributing to a general understanding of behavior among these carnivorous mammals, the study is also expected to suggest ways of reducing their attacks on human beings, including settlers in Alaska and tourists in the National Parks.

"$5,500 for a similar examination that zeroes in on prairie dogs."

University of Michigan (Richard D. Alexander)—"Dissertation Research—Social Behavior of Prairie Dogs (Cynomys)"—Doctoral dissertation research of John L. Hoagland.

The social behavior of three species of prairie dogs will be compared, with particular attention to the advantages and disadvantages of group living. Disadvantages to be studied include increased competition for burrows and mates, problems associated with parent-offspring recognition, and increased chances for contracting ecto-parasites and diseases. Time spent in alert behavior, and size of mobs directed against weasels, will be studied as they contribute to decreased predation, which is one possible advantage of group living. The broader significance of this study is behavioral adaptability and its evolutionary consequences.

"Senator William Proxmire . . . has flayed NSF for underwriting expensive research on 'passionate love.' "

University of Minnesota (Ellen Berscheid)—"Dependency in Interpersonal Attraction."

The purpose of this research in social psychology is to improve our understanding of the role of dependency in interpersonal interactions. There are many aspects that we do not understand about the interaction that takes place between people in various roles. This includes two-person groups such as husband and wife, parent and child, doctor and patient, or employer, and employee. Building on these interactions are those of larger structures—families, industrial organizations, political institutions, and the nation itself as a society. The so-called "romantic love" pattern is only one instance of a two-person group, but one that has been fraught with peril for many people, judging by the doubling of U.S. divorce rates in the past decade. The success of marriage counseling and psychotherapy, for example, depends in large part on improving our understanding of the factors that have a strong, systematic effect on the character of interactions between people.

Mr. Speaker, I trust the above explanation will prove helpful to the Members.

Mr. ROUSSELOT. Mr. Speaker, I appreciate all these proposed projects do not get funded; but our complaint is that on many occasions they are funded and Congress has little or no input for the rationale as to why those are funded, or why some bad ones are not just stopped.

Mr. SYMINGTON. I would say to the gentleman, I have a rather large list in front of me of the grants that have been funded and, I must say, their titles approximate the point of similarity of those to which the gentleman referred.

Mr. ROUSSELOT. Are they quite as strange?

The SPEAKER pro tempore (Mr. McFall). The time of the gentleman from California has expired.

Mr. MOSHER. Mr. Speaker, I yield the gentleman from California an additional 2 minutes.

Mr. SYMINGTON. Mr. Speaker, if the gentleman will yield further, these particular titles are explained briefly in this book put out by the regular informational services group of the U.S. Accounting Office. Perhaps reasonable minds could differ on the worthiness of some of these grants, but they read a lot better in prose than they do in the title.

Mr. ROUSSELOT. Let me interrupt. The gentleman from Maryland and many others clearly recognize there may be substantial reasons behind some of these projects, but that does not help the general public understand any better. The general public has the right to know. The House of Representatives has the right to know.

We have talked constantly about freedoom of information. We have talked constantly about what the CIA has been doing without the proper understanding of the House; but I think we have the right to know that this committee, which has oversight responsibility, must help us get that reasonable information.

Mr. SYMINGTON. I thank the gentleman for that suggestion. I would say the committee feels no higher obligation than to assure the American public that its money is not being wasted in foolish endeavors, but it is being used in the best interests of the Nation.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Speaker, last night and today we have had several lectures from the Chairman of the Committee on Rules about how, during the confusion of the last minutes before recess or adjournment, that that is when all of the bad legislation gets pushed through.

Would this fall in that category?

Mr. ROUSSELOT. I do not think there is any doubt about that.

The gentleman from Maryland tried to make that point during the rules debate, because by defeating the rule it was the only way we would have had access to this bill, to try to reinstate the Bauman amendment that passed this House but was taken out in the conference.

Let me announce some additional facts that have been revealed by U.S. News & World Report in its July 28 edition.

I include the article, which I have previously referred to, for the information of the Members:

Rumblings Back Home

Congressmen—already worrying about next year's elections—are having a tough time explaining such undertakings.

One Representative, referring to an expensive study "on why people say 'ain't,' " suggests that many of his constituents "figure the Congress 'ain't' got any sense when it votes for expenditures such as these." And Washington is being bombarded with protesting mail.

As a result, the Federal Government's scientific community—which spends billions of dollars a year on a staggering array of research projects—is increasingly finding itself called to account on Capitol Hill.

The House of Representatives in April voted 212 to 199 for the "Bauman amendment," which would give Congress veto power over National Science Foundation grants. NSF makes about 15,000 grants a year for independent study in the natural and social sciences. Some lawmakers argued unsuccessfully that screening all those projects would be cumbersome and that the thrust of the amendment is "anti-intellectual."

But Representative Robert E. Bauman (Rep.), of Maryland, sponsor of the amendment, maintained that taxpayers were "fed up with all the spending for these insane and questionable purposes. There are people out of work, and this Government is facing a 100-billion-dollar deficit."

Representative Robert J. Lagomarsino (Rep.), of California, joined in—

"I am not opposed to 'pure research' . . . but I am opposed to pure rip-offs. And I am convinced that somewhere in this country are hundreds of researchers laughing up their sleeves . . . as they collect their grants for studying why kids fall off their tricycles or whatever it is that they have cooked up this year."

As of now, there are few effective controls, committee staff experts say, because most research funds are lumped together under massive, hard-to-untangle appropriations bills.

"BANK ACCOUNT" OF SCIENCE

The research agencies, for their part, claim that the value of their work is not fully appreciated. "We're frequently asked to come up with practical applications for basic research," says an NSF spokesman, "but often what we wind up with is a bank account of knowledge."

Senator William Proxmire (Dem.), of Wisconsin, has flayed NSF for underwriting expensive research on "passionate love." NSF officials claimed the study is much broader than that, dealing with a range of human emotions. But the Senator was not appeased and termed the grant "a disgrace."

OTHER TARGETS

NSF is not the only agency that's getting worked over.

The National Institute of Mental Health has been blistered for a $600,000 project considering how to make mothers better teachers of their children. The National Foundation on the Arts and the Humanities invested $8,700 in a widely criticized survey of nineteenth-century European comic books. A Smithsonian Institution-backed study of Yugoslav lizards also caused raised eyebrows.

Many see the House acceptance of the Bauman amendment as a sign that research dollars may be harder to come by.

Mr. MOSHER. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. SYMINGTON. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. McCormack).

Mr. McCORMACK. I thank the gentleman for yielding.

Mr. Speaker, I want to rise in support of the conference report, and I again commend the chairman of the committee for all of the wonderful work he has done in providing leadership in this area, working with the Members of Congress, with the public, and with the National Science Foundation in producing a good bill for a good program within the National Science Foundation.

Mr. Speaker, I want to refer to this business of the public's right to know, and the Congress right to prejudge these grants.

There is nothing in the law today or nothing at all in the practices of the National Science Foundation that precludes the public right to know. Any person who wants to can get this information from the National Science Foundation, on grants that have been awarded, and can ultimately get the explanations from the individual who is doing the project about what is going on.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Maryland.

Mr. BAUMAN. I thank the gentleman for yielding.

The gentleman from Washington did not have, perhaps, the benefit or hearing the testimony of Dr. Guyford Stever, the Director of NSF, as I did, during the recent hearings the subcommittee held. Dr. Stevers flatly told us he would not give any Member of Congress access to the files on these grants unless by act of Congress, he was directed to do so.

He quoted as his authority for this arrogant stand the policy of the National Science Board, which governs NSF.

I understand there may be negotiations with the subcommittee to prevent the use of subpena power but the gentleman from Washington is mistaken in his statement regarding free access to NSF grant files. I have checked this only today with the staff of the House Committee on Science and Astronautics and they have confirmed that my statement is correct.

Mr. MOSHER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. MOSHER. I thank the gentleman for yielding.

Mr. Speaker, it is imperative to correct the statement the gentleman from Maryland (Mr. Bauman) just made. I was certainly there, and my interpretation of Dr. Stever's statement is that under the present policy of the National Science Foundation he could not reveal the precise names of the peer group that assessed the projects. That is the only thing he would not reveal, the names of the peer group.

Mr. Speaker, I think it is crystal clear that all of the rest of the information is available to us, and all he said was if we instructed him to reveal those names he would do it.

Mr. McCORMACK. I thank the gentleman.

Mr. Speaker, I want to point out the grants that are made by the National Science Foundation are made public. Obviously, the public is not privy to requests made to the National Science Foundation or studies on those requests. When a grant is made, the grantee is announced, and how much is spent, what the subject is, where it is being done. None of this material is classified material.

Mr. Speaker, I also want to say that it is not possible, even within the scientific community, to judge these projects across disciplinary lines. Chemists are required to judge projects in chemistry, physicists are required to judge projects in physics and in the various subgroups of physics. The same is true with zoology, biology, and other sciences.

We are getting about 25,000 of these requests a year. If we assume 250 working days a year, we would have 100 of these requests on the average every day to review. Frequently, a person outside the discipline does not even understand the subject matter. To pretend that we can judge these requests intelligently is absurd and nonsensical. It takes professionals to do this, and this is exactly in accord with the system we have set up. What we require, of course, is good oversight from the subcommittee, and we are providing that.

I want to say that I could go into the details of a lot of the projects that have been granted. Many of the projects that are of vital importance to this country have crazy-sounding names, but the fact is that this is not the criterion by which they are judged. The criterion is the work and the research that is contributing to the movement forward of science and technology for the benefit of this country.

Mr. SYMINGTON. Mr. Speaker, I want to thank the gentleman from Washington (Mr. McCormack). He is one Member of Congress who has an extensive scientific background, and he has been of tremendous help to us in sorting out some of these difficult issues.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I rise in strong support of the conference report.

I commend the gentleman from Missouri (Mr. Symington) and the gentleman from Ohio (Mr. Mosher), as well as the chairman of the full committee, the gentleman from Texas (Mr. Teague), for the effective oversight that the Committee on Science and Technology has exercised over the National Science Foundation.

Mr. Speaker, I urge a favorable vote on the conference report. We all know that many projects undertaken with Federal assistance are given silly-sounding titles. All too often these titles are formulated by private researchers without any control by either the National Science Foundation or other Federal agencies. Those who compose the titles perhaps lack a sense of public relations, but this does not justify a blunderbuss approach as advocated by several alarmists.

Mr. Speaker, the gentleman from Texas (Mr. Teague) has been eminently fair in insisting there be a very exhaustive review and oversight by the Committee on Science and Technology of the operations of the National Science Foundation. Such a review has been carried forward, and I hope the conference report receives wholehearted support.

Mr. PICKLE. Mr. Speaker, in January of this year I was privileged to make the long journey to the South Pole at the invitation of the Science Committee with representatives of the National Science Foundation.

While viewing some of the most starkly beautiful landscape imaginable, and treking through the subzero cold, I also had a chance to see and review firsthand about some of the research going on there and about some of the vast knowledge that research is adding to our scientific and technical communities.

Funds for the U.S. effort in Antarctica are included among the 10 or 15 national and special programs of the National Science Foundation. I am glad the Congress has seen fit in this congressional report to meet fully the budget request in this area.

In Antarctica we are learning a tremendous amount about our Earth, past and present. The environment there is pristine pure, basically untouched by man, so we are learning more about that. Scientists, by studying the land beneath the ice have added greatly to our knowledge about the movements of the Earth's crust over the centuries, and to our knowledge of all manner of things ranging from earthquakes to supplies of natural resources to the very history of mankind. Weather stations there tell us more about the weather worldwide.

And the cold and hostile environment tells us something else. Down there a neighbor is a neighbor no matter what his flag, his nationality, or his race. The scientific efforts in Antarctica tell us once again that the family of man is indeed one family and that we all must live on this small planet together.

It is one of the best examples we have on Earth of science working for mankind, and I am pleased to give that effort my full support.

Mr. OTTINGER. Mr. Speaker, it would appear that the Bauman proposal would ask for the most complicated if not impossible review system of the myriad of NSF grants. This is really not the responsibility of Congress.

It is possible to question the review system within NSF—but this question should take place pursuant to a study as is suggested by the report of members of the scientific community and public representatives. The question of peer review can be resolved but it should not be eliminated as the Bauman amendment would do by giving the review process to Congress.

The function of presenting and evaluating grants is properly the role of the National Science Foundation. The judgments involve scientific decisions. To ask this body to be responsible for such technical decisions in essence eliminates the need for a National Science Foundation and surely this is an irrational and irresponsible position. Basic scientific research is a task which we have given properly to this Foundation.

I think that the emotionalism elicited by some controversial National Science Foundation programs has completely over shadowed the basic work and procedures of the National Science Foundation. We should exercise proper oversight of the Foundation and make sure it performs its review responsibilities. We should not assume those responsibilities ourselves.

Mr. SYMINGTON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The **SPEAKER** pro tempore (Mr. McFALL). The question is on the conference report. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 321, nays 79, not voting 34, as follows:

[Roll No. 483]

YEAS—321

Abdnor
Abzug
Adams
Addabbo
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
AuCoin
Baldus
Baucus
Beard, R.I.
Bedell
Bergland
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brodhead
Brooks
Broomfield
Brown, Mich.
Buchanan
Burgener
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Carney
Carr
Carter
Casey
Cederberg
Chappell
Chisholm
Clausen, Don H.
Cochran
Cohen
Collins, Ill.
Conable
Conte
Conyers
Corman
Cornell
Cotter
D'Amours
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derwinski
Diggs
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
Duncan, Tenn.
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Eshleman
Evans, Colo.
Evans, Ind.
Fary
Fascell
Fenwick
Fish
Fisher
Fithian
Flood
Florio
Flowers
Foley
Ford, Tenn.
Forsythe
Fountain
Fraser
Frenzel
Frey
Fuqua
Giaimo
Gibbons
Goldwater
Gonzalez
Gradison
Green
Gude
Hagedorn
Haley
Hall
Hamilton
Hanley
Hannaford
Harris
Hastings
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Heinz
Helstoski
Hicks
Hillis
Hinshaw
Holtzman
Howard
Howe
Hughes
Hungate
Hutchinson
Hyde
Jacobs
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Kelly
Keys
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
Lujan
McClory
McCollister
McCormack
McDade
McEwen
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Madigan
Maguire
Mahon
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Pa.
Natcher
Nedzi
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Pressler
Preyer
Price
Pritchard
Quie
Quillen
Randall
Rangel
Rees
Regula
Reuss
Rhodes
Richmond
Riegle
Rinaldo
Risenhoover
Rodino
Roe
Rogers
Roncalio
Rooney
Rosenthal
Rostenkowski
Roush
Roybal
Russo
St Germain
Santini
Sarbanes
Scheuer
Schroeder
Seiberling
Sharp
Shipley
Shriver
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Solarz
Spellman
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steelman
Steiger, Wis.
Stephens
Stokes
Stratton
Stuckey
Studds
Sullivan
Symington
Talcott
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Udall
Ullman
Vander Veen
Vanik
Waggonner
Walsh
Wampler
Waxman
Weaver
Whalen
White
Wiggins
Wilson, Bob
Wilson, C. H.
Wirth
Wolff
Wright
Wydler
Wylie
Yates
Yatron
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—79

Archer
Armstrong
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Bennett
Bevill
Biaggi
Brinkley
Brown, Ohio
Broyhill
Burke, Fla.
Byron
Clancy
Clawson, Del
Cleveland
Collins, Tex.
Conlan
Coughlin
Daniel, Dan
Daniel, R. W.
Derrick
Devine
Dickinson
Emery
English
Flynt
Gaydos
Gilman
Ginn
Goodling
Grassley
Guyer
Hammerschmidt
Hansen
Harsha
Hefner
Henderson
Holland
Holt
Hubbard
Jeffords
Kemp
Ketchum
Kindness
Landrum
Latta
Lott
McDonald
Mathis
Michel
Miller, Ohio
Mills
Montgomery
Mottl
Neal
Nichols
Roberts
Robinson
Rousselot
Runnels
Ruppe
Sarasin
Satterfield
Schulze
Sebelius
Shuster
Snyder
Spence
Steed
Steiger, Ariz.
Symms
Taylor, Mo.
Taylor, N.C.
Vander Jagt
Whitten
Wilson, Tex.
Young, Fla.

NOT VOTING—34

Badillo
Barrett
Bell
Brown, Calif.
Burke, Calif.
Clay
Crane
du Pont
Esch
Evins, Tenn.
Findley
Ford, Mich.
Fulton
Harkin
Harrington
Hébert
Heckler, Mass.
Hightower
Horton
Ichord
Jenrette
Jones, Ala.
McCloskey
Myers, Ind.
Railsback
Rose
Ryan
Schneebeli
Teague
Van Deerlin
Vigorito
Whitehurst
Winn
Young, Alaska

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bell.

Mr. Teague with Mr. Esch.

Mr. Barrett with Mr. Findley.

Mr. Badillo with Mr. McCloskey.

Mr. Harkin with Mr. Crane.

Mr. Jones of Alabama with Mr. Fulton.

Mr. Evins of Tennessee with Mrs. Heckler of Massachusetts.

Mr. Ryan with Mr. Horton.

Mr. Rose with Mr. Ichord.

Mr. Van Deerlin with Mr. Jenrette.

Mr. Vigorito with Mr. Railsback.

Mr. Clay with Mr. du Pont.

Mrs. Burke of California with Mr. Whitehurst.

Mr. Ford of Michigan with Myers of Indiana.

Mr. Hightower with Mr. Winn.

Mr. Harrington with Mr. Young of Alaska.

Mr. Brown of California with Mr. Schneebeli.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SYMINGTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO HAVE UNTIL AUGUST 20, 1975, TO FILE A REPORT ON H.R. 200, THE 200-MILE FISHING LIMIT

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until August 20, 1975, to file its report on H.R. 200, the 200-mile fishing limit.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

PRINTING IN THE RECORD OF RULE 6 ADOPTED BY COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, BROADCASTING OF COMMITTEE HEARINGS

Mr. FLYNT. Mr. Speaker, by direction of the Committee on Standards of Official Conduct, I ask unanimous consent to have printed in the RECORD at this point the following additional rule adopted today by the Committee on Standards of Official Conduct: Rule 6, Broadcasting of Committee Hearings.

(Mr. FLYNT asked and was given permission to revise and extend his remarks.)

(The material follows:)

Rule 6.—*Broadcasting of Committee Hearings*—Whenever any hearing or meeting by the Committee is open to the public, the Committee may permit, by majority vote of the Committee, that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, under the following rules as prescribed in Rule XI, 3(f) of the House of Representatives:

(1) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of this rule, relating to the protection of the rights of witnesses.

(3) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The allocation among the television media of the positions of the number of television cameras permitted in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(5) Television cameras shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) Not more than five press photographers shall be permitted to cover a hearing or meeting by still photography. In the selection of these photographers, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If request is made by more than five of the media for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

REQUEST FOR CONSIDERATION OF S. 1247, AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1247) an act to authorize certain construction at military installations, and for other purposes, together with the House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. DINGELL. Mr. Speaker, reserving the right to object, when are we going to get back on the energy bill?

The SPEAKER. This is a unanimous-consent request.

Mr. DINGELL. Mr. Speaker, I reserve the right to object.

The SPEAKER. The Chair has turned down as many of these unanimous-consent requests as possible, but some of them need to be approved.

Mr. DINGELL. Mr. Speaker, I object.

The SPEAKER. Objection is heard. There are only a few of these, the Chair will repeat to the gentleman, and the Chair has asked every one of the Members whether it is necessary to call them up. Under the circumstances, does the gentleman object?

Mr. DINGELL. Mr. Speaker, continuing to reserve the right to object, I have listened to the discussion of the sex life of the screwworm fly. I have had colleagues asking me when we were going back to the energy bill. I was informed by the leadership we would go back at 10 o'clock today. I have sat here waiting this morning. Last night I sat through the frivolities while our colleagues were not able to adjourn the House.

I will not object, but it is my hope we will be able to proceed soon with the energy bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? The Chair hears none, and appoints the following conferees: Messrs. PRICE, ICHORD, RANDALL, CHARLES H. WILSON of California, WHITE, BRINKLEY, DAVIS, BOB WILSON, WHITEHURST, and BEARD of Tennessee.

UNEMPLOYMENT COMPENSATION FUNDS TO BE USED FOR REPAYABLE LOANS TO VIRGIN ISLANDS

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 9091) to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. STEIGER of Wisconsin. Mr. Speaker, reserving the right to object, and I shall not do so, will the gentleman from California take just a moment to explain to us what this bill does?

Mr. CORMAN. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from California.

Mr. CORMAN. Mr. Speaker, the territory of the Virgin Islands is not included in the definition of a "State" under title XI of the Social Security Act. Subsequently, it is, by law, excluded from participating in the Federal-State unemployment insurance system. The Virgin Islands, however, has its own unemployment insurance program. Because it is not covered under the Federal-State system, the Virgin Islands is not authorized to receive repayable advances from the Federal unemployment account of the unemployment trust fund available to

States which have depleted their unemployment insurance funds.

Insofar as the Virgin Islands unemployment fund was expected to become depleted, Public Law 94-45, the Emergency Compensation and Special Unemployment Assistant Extension Act of 1975, authorized the use of up to $5,000,000, in general funds of the Treasury, for the purpose of making repayable loans to the Virgin Islands during fiscal year 1976. Such loans would permit the Virgin Islands to continue payments of unemployment benefits under its unemployment insurance program.

The "advances to the unemployment trust fund and other funds" appropriation account was established and provided the initial appropriation from general revenues of $5,000,000,000 by the Second Supplemental Appropriations Act of 1975, Public Law 94-32. The appropriation provides general revenue advances to several funds—the extended unemployment compensation account and the Federal unemployment account of the unemployment trust fund and the Federal unemployment benefits and allowances appropriation account—to assure that sufficient funds are available to make unemployment compensation payments as they become due. H.R. 9091 would include the Virgin Islands as one of the funds which could receive general revenues from the existing $5,000,000,000 appropriation for the purpose of paying unemployment compensation to eligible individuals. Loans made to the Virgin Islands would be in accordance with the provisions of title III of the Emergency Compensation and Special Unemployment Assistance Extension Act of 1975.

A loan request has already been received from the Governor of the Virgin Islands to cover unemployment benefits for the month of July in accordance with the application procedure specified in Public Law 94-45. The current status of the Virgin Islands unemployment fund is as follows:

Balance, June 30, 1975	$29,313.00
Receipts, July 1975	+120,000.00
Subtotal	149,313.00
Benefit payments, July 1975	−550,000.00
Deficit (loan request), July 1975	440,687.00

Mr. STEIGER of Wisconsin. Mr. Chairman, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

H.R. 9091

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations provided for advances to the unemployment trust fund and other funds in the Second Supplemental Appropriations Act, 1975, shall also be available for repayable loans to the Virgin Islands, as authorized by title III of the Emergency Compensation and Special Unemployment Assistance Extension Act of 1975: *Provided,* That no loan may be made for any month beginning after June 30, 1976, and that the aggregate of such loans will not exceed $5,000,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENERGY CONSERVATION AND OIL POLICY ACT OF 1975

Mr. DINGELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7014) to increase domestic energy supplies and availability; to restrain energy demand; to prepare for energy emergencies; and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. SYMMS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 351, nays 44, not voting 39, as follows:

[Roll No. 484]

YEAS—351

Abdnor
Abzug
Adams
Addabbo
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Armstrong
Ashbrook
Ashley
Aspin
AuCoin
Bafalis
Baldus
Baucus
Bauman
Beard, R.I.
Bedell
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Burgener
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Byron
Carney
Carr
Carter
Casey
Chappell
Clancy
Clausen, Don H.
Clay
Cleveland
Cohen
Collins, Ill.
Conable
Conlan
Conte
Corman
Cornell
Coughlin
D'Amours
Daniel, Dan
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derrick
Derwinski
Devine
Dickinson
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
Erlenborn
Evans, Colo.
Evans, Ind.
Fary
Fascell
Fenwick
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Foley
Ford, Tenn.
Fountain
Fraser
Frey
Fuqua
Gaydos
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Grassley
Green
Gude
Guyer
Hagedorn
Haley
Hall
Hamilton
Hanley
Hannaford
Harris
Harsha
Hastings
Hawkins
Hayes, Ind.
Hechler, W. Va.
Hefner
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holland
Holt
Holtzman
Howard
Howe
Hubbard
Hughes
Hungate
Hyde
Ichord
Jacobs
Jeffords
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Jones, Tenn.
Jordan
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Keys
Kindness
Koch
Krebs
Krueger
LaFalce
Landrum
Latta
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Long, Md.
McCormack
McDade
McEwen
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Madigan
Maguire
Mahon
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead, Pa.
Morgan
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Pressler
Preyer
Price
Pritchard
Quie
Railsback
Randall
Rangel
Rees
Regula
Reuss
Rhodes
Richmond
Riegle
Rinaldo
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rosenthal
Rostenkowski
Roush
Rousselot
Roybal
Russo
St Germain
Santini
Sarasin
Sarbanes
Satterfield
Scheuer
Schroeder
Schulze
Seiberling
Sharp
Shriver
Shuster
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
Staggers
Stanton, James V.
Stark
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Walsh
Wampler
Waxman
Weaver
Whalen
White
Whitten
Wiggins
Wilson, Bob
Wilson, Tex.
Wirth
Wolff
Wright
Wydler
Wylie
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Zablocki
Zeferetti

NAYS—44

Archer
Beard, Tenn.
Buchanan
Burleson, Tex.
Butler
Cederberg
Clawson, Del
Cochran
Collins, Tex.
Conyers
Cotter
Daniel, R. W.
English
Forsythe
Frenzel
Hammerschmidt
Hansen
Hays, Ohio
Jarman
Ketchum
Lagomarsino
Lott
Lujan
McClory
McCollister
McDonald
Mathis
Michel
Milford
Moorhead, Calif.
Patten, N.J.
Poage
Quillen
Risenhoover
Roberts
Runnels
Ruppe
Sebelius
Shipley
Stanton, J. William
Steed
Symms
Waggonner
Young, Tex.

NOT VOTING—39

Badillo
Barrett
Bell
Brown, Calif.
Burke, Calif.
Chisholm
Crane
Diggs
Duncan, Tenn.
du Pont
Esch
Eshleman
Evins, Tenn.
Findley
Ford, Mich.
Fulton
Harkin
Harrington
Hébert
Heckler, Mass.
Hightower
Horton
Hutchinson
Jenrette
Jones, Ala.
Jones, Okla.
Karth
Leggett
McCloskey
Myers, Ind.
Rose
Ryan
Schneebeli
Teague
Van Deerlin
Vigorito
Whitehurst
Wilson, C. H.
Winn

So the motion was agreed to.

The result of the vote was announced as above recorded.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 7014, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose on yesterday, it had agreed that all debate on title III of the substitute committee amendment and that all amendments thereto would be limited to 30 minutes.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: Page 223, line 9, insert "(a)" after "Sec. 9.".

Page 223, line 14, strike out the quotation marks,

Page 223, after line 14, insert the following:

"(b) The President shall, by amendment to the regulation under section 4(a) of this Act, provide that the specification of (or manner for determining) prices of residual fuel oil and each refined petroleum product which is refined and sold, or distributed in commerce, by a refiner during any month, after the month during which the date of enactment of this section occurs, whose refinery facilities are located in the United States, shall reflect—

"(1) in the case of a refiner engaged in business during calendar year 1972, the proportionate distribution of costs to such oil and each such product as was customarily maintained by such refiner for comparable months in such year, or

"(2) in the case of a refiner which was not engaged in business in 1972, the direct proportionate distribution of costs to such oil and each such product,

except that, the President may, by order, permit any refiner to deviate from such proportionate distribution of costs if the President finds that the methods of operation of such refiner justify such deviation and further finds that to permit such deviation would be consistent with the attainment of the objectives in section 4(b) and would not result in inequitable prices for a class of user of such a product or residual fuel oil which is refined and sold, or distributed in commerce, by any such refiner."

Mr. MOSS. Mr. Chairman, many of the Members have received communications on this amendment. It has been referred to as the "proportional pricing amendment" or the "antitilt amendment." Some have even been so full of wit as to say that it is the "antipinball amendment"—no tilt, a bad joke.

However, the fact is that this amendment does basically what we thought we were doing when we wrote the Emergency Energy Allocation Act, because in that act we stated that the Administrator would impose an equitable price on oil after taking steps to assure an equitable distribution among all users.

The fact is that that has not been the result achieved. The fact is that there has been a substantial tilting of various types, creating discrimination among groups of users and not dealing equitably with them.

Mr. CHARLES WILSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Yes, I yield to the gentleman from Texas.

Mr. CHARLES WILSON of Texas. I think I am friendly to this amendment, but I would like an example of the tilting.

Mr. MOSS. As I understand the tilting, instead of taking the proportional costs out of the body of crude, the product that is refined, that one loads some items and clearly underprices others.

Mr. CHARLES WILSON of Texas. Does the gentleman mean that one might load propane and underprice gasoline?

Mr. MOSS. That is correct.

This would require an equitable price application in both instances.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Yes; I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I thank the gentleman for yielding.

As I understand this amendment, this says that the customary level pricing among the different prices of the refinery in 1972 would be maintained?

Mr. MOSS. That is correct.

Mr. DINGELL. But that the President could make exceptions where he felt they were consistent with the provisions of section 4(g), which section includes a shopping list of public purposes to be served. And where a refinery was not in business in 1972 then the direct proportionate costs would be allocated among the different products of the refinery.

Mr. MOSS. That is correct.

Mr. DINGELL. Maintaining the power of the President should he find it necessary so to do to change that set of circumstances.

Mr. MOSS. That is also correct.

Mr. DINGELL. Then, Mr. Chairman, I find no objection to the amendment, and urge that the amendment be adopted.

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Chairman, I would like to ask the gentleman from California a question to see if I understand his amendment. I will give the gentleman an example of a problem in my area where gasoline has gone up 20, 30, or 40 percent, but the cost of diesel fuel which is used extensively in generating electricity in some parts, by the shrimp and trucking industry, for example, has risen something like 300 percent.

Mr. MOSS. It is in excess of 300 percent.

Mr. DE LA GARZA. It is in excess of 300 percent?

Mr. MOSS. That is correct.

Mr. DE LA GARZA. It is the purpose of the gentleman's amendment to keep this from happening, or to contain it as much as possible?

Mr. MOSS. It is to keep it from happening.

I would point out to the gentleman that the base period is 1972, the last normal year where you could say the forces of the marketplace fixed the prices. At that time we did not have the disparity between the price of gas and the diesel fuel oil that occurred following 1973. That is why we go back to 1972 as a base. However, we do not want to fashion a straitjacket, so we do permit the President upon making a finding, to permit a tilt when it is found to be in the public interest. But clearly the kind of tilt that occurred in the cost of diesel fuel was not in the public interest.

Mr. DE LA GARZA. Mr. Chairman, I thank the gentleman from California. I think the gentleman has a good amendment and I join him in asking our colleagues to support it.

Mr. MOSS. Mr. Chairman, I see the gentleman from Ohio (Mr. BROWN) is on his feet. Does the gentleman desire me to yield to him?

Mr. BROWN of Ohio. Mr. Chairman, I would be delighted to have the gentleman yield to me.

Mr. Chairman, I just want to make sure that I understand what this provision does. This provision freezes the breakdown of refinery production to the 1972 formula. So if there has been any change in consumption habits since 1972 those will not be reflected in what we are able to provide to the consumers, is that correct?

Mr. MOSS. No. I think that is a little too harsh a word. I do not think the gentleman from Ohio would want me to characterize it in that manner.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOSS. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for an additional 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. OTTINGER. Mr. Chairman, reserving the right to object, I would like to advise the Chairman that we are trying to get this bill completed, and a number of the Members on this side of the aisle are going to object to extensions of time because otherwise it will not be possible to finish this by tonight. Therefore, Mr. Chairman, even though it involves a very good friend of mine, I must object.

The CHAIRMAN. Objection is heard.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California (Mr. Moss.)

Mr. Chairman, the problem with the amendment I believe is quite obvious, and that is that if we maintain the same production in all kinds of refinery products, the same price tilt in all kinds of those products that we had in 1972, we tend to freeze in the habit patterns of the constituents that we all serve, and the consumers who are served by the oil industry and the Federal Government in general, to patterns that are not appropriate to a changing society.

If we want to do that the amendment may not be objectionable to anyone who wishes to do so, but if we have changing patterns in terms of our people, and whether one feels that they should pay a consistent share for those needs based on the proportionate share of the markets, or the proportion of the barrel that those needs would require, then it seems to me that to freeze them to the 1972 habits is an undesirable objective.

Mr. STEIGER of Wisconsin. Mr. Chairman, would the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I thank the gentleman for yielding.

Would the gentleman from California, the author of the amendment, be willing to try and help this one Member understand? The gentleman from Ohio characterizes this as freezing-in the production of the refinery, as I understand it.

Mr. BROWN of Ohio. It is not the production; it is the cost assignment done by the bureaucratic agency that will determine where the costs of the crude will be distributed to the product, and that does have an impact on the production decision made by the companies that do the refining.

Mr. STEIGER of Wisconsin. I am trying to figure out, if I can, if the gentleman from California's amendment attempts to help those of us who have had to suffer the years of FEA's bungling of propane pricing.

Mr. MOSS. Mr. Chairman, would the gentleman from Ohio yield to the gentleman from California to respond to that question?

Mr. BROWN of Ohio. I would be delighted to yield to the gentleman from California.

Mr. MOSS. I thank the gentleman for yielding.

It is for that precise purpose to help the gentleman get free of the inequities brought about by the bureaucratic operations, rather than reflected in the operation of the last fully free market period we had which occurred in 1972.

Mr. BROWN of Ohio. If I may, it does not provide for a fully free market period. What it provides for is a freezing in of the decision by these bureaucratic bunglers in FEA so that they do not have any discretionary decision at all, and it freezes in on a 1972 level. The problem with that, of course, is that the world changes over a period of 2 or 3 or 4 years, and we will have either bureaucratic bungling or we will have an attitude by the Government that says 1972 is where we should stay, regardless of the way the calendar turns.

Mr. McCOLLISTER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Nebraska.

Mr. McCOLLISTER. I thank the gentleman for yielding.

Is not the principal contributor to that dislocation of price the two-tier price system that has made old oil at $5.25, new oil at something higher than that, and imported at even another price?

Mr. BROWN of Ohio. Of course, it is. As the gentleman from Nebraska knows, that is what is mandated by the current Emergency Petroleum Allocation Act law that we passed in this Congress to take care of the Arab embargo. We do not have a shortage now; we have a surplus, and we are putting in a three-tier system.

Mr. McCOLLISTER. Will the gentleman yield further?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. McCOLLISTER. I thank the gentleman for yielding.

Under the terms of the Staggers-Eckhardt amendment adopted, sadly, some days ago, is not that situation even worse now because of this moving daily average of a pool that gives us an incredible number of different prices that makes the decision on pricing by some bureaucratic agency even more possible to do?

Mr. BROWN of Ohio. That is the three-tiers-and-up system to which I have just referred. That is quite right. There is another thing about this amendment, I might say to the gentleman from Nebraska, that just astounds me, and that is that we, the Congress, give the power in this instance to the President. I thought our whole thrust was to try to make these decisions in some way independent of Presidential authority.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment end now.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. McCOLLISTER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment end in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. McCOLLISTER. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I move that all debate on this amendment end in 5 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Michigan (Mr. DINGELL).

Mr. LUJAN. Mr. Chairman, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 262, nays 125, not voting 47, as follows:

[Roll No. 485]

YEAS—262

Abdnor
Abzug
Adams
Addabbo
Alexander
Ambro
Anderson, Calif.
Andrews, N.C.
Annunzio
Aspin
AuCoin
Bafalis
Baldus
Baucus
Beard, R.I.
Bedell
Bergland
Biaggi
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brodhead
Brooks
Brown, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Carney
Carr
Casey
Chappell
Chisholm
Clancy
Clay
Cochran
Collins, Ill.
Conable
Conlan
Corman
Cornell
Cotter
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
de la Garza
Delaney
Dellums
Dent
Derrick
Dingell
Downey, N.Y.
Downing, Va.
Duncan, Oreg.
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
English
Evans, Colo.
Evans, Ind.
Fary
Fascell
Fenwick
Fisher
Fithian
Flood
Florio
Flowers
Foley
Ford, Tenn.
Fraser
Fuqua
Gaydos
Giaimo
Gibbons
Ginn
Gonzalez
Guyer
Haley
Hall
Hamilton
Hanley
Hannaford
Harris
Harsha
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks
Hillis
Holland
Holtzman
Howard
Howe
Hubbard
Hughes
Ichord
Johnson, Calif.
Johnson, Pa.
Jones, N.C.
Jones, Tenn.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Keys
Koch
Krebs
Krueger
LaFalce
Landrum
Latta
Lehman
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Lott
McCormack
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Maguire
Mahon
Martin
Mathis
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Mills
Mineta
Minish
Mink
Mitchell, Md.
Moakley
Moffett
Mollohan
Moorhead, Pa.
Morgan
Moss
Mottl
Murphy, Ill.
Murtha
Natcher
Neal
Nedzi
Nix
Nolan
Nowak
Oberstar
Obey
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Peyser
Pike
Poage
Preyer
Price
Rangel
Rees
Reuss
Richmond
Riegle
Rinaldo
Roberts
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rosenthal
Rostenkowski
Roush
Roybal
Russo
St Germain
Santini
Sarbanes
Scheuer
Schroeder
Seiberling
Sharp
Shipley
Shriver
Simon
Sisk
Smith, Iowa
Snyder
Solarz
Spellman
Staggers
Stanton, James V.
Stark
Stephens
Stokes
Stratton
Stuckey
Studds
Sullivan
Symington
Taylor, N.C.
Thornton
Traxler
Tsongas
Udall
Ullman
Vander Jagt
Vander Veen
Waxman
Weaver
Whalen
White
Whitten
Wilson, Bob
Wilson, Tex.
Wirth
Wolff
Yates
Yatron
Young, Alaska
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—125

Anderson, Ill.
Andrews, N. Dak.
Archer
Armstrong
Ashbrook
Ashley
Bauman
Beard, Tenn.
Bennett
Bevill
Biester
Brinkley
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Fla.
Butler
Byron
Carter
Cederberg
Clausen, Don H.
Clawson, Del
Cleveland
Cohen
Collins, Tex.
Conte
Coughlin
Davis
Derwinski
Devine
Dickinson
Drinan
Duncan, Tenn.
Emery
Erlenborn
Eshleman
Fish
Flynt
Forsythe
Fountain
Frenzel
Frey
Gilman
Goldwater
Goodling
Gradison
Grassley
Green
Gude
Hagedorn
Hammerschmidt
Hansen
Hastings
Hinshaw
Holt
Hungate
Hyde
Jacobs
Jarman
Jeffords
Johnson, Colo.
Kelly
Kemp
Ketchum
Kindness
Lagomarsino
Lent
Lujan
McClory
McCollister
McDade
McDonald
McEwen
Madigan
Mann
Miller, Ohio
Mitchell, N.Y.
Montgomery
Moore
Moorhead, Calif.
Mosher
Myers, Pa.
Nichols
O'Brien
Pettis
Pickle
Pressler
Pritchard
Quie
Quillen
Randall
Regula
Rhodes
Rousselot
Runnels
Ruppe
Sarasin
Satterfield
Schulze
Sebelius
Shuster
Skubitz
Smith, Nebr.
Spence
Stanton, J. William
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Symms
Talcott
Taylor, Mo.
Thone
Treen
Vanik
Waggonner
Wampler
Wiggins
Winn
Wydler
Wylie
Young, Fla.

NOT VOTING—47

Badillo
Barrett
Bell
Burke, Calif.
Conyers
Crane
Danielson
Diggs
Dodd
du Pont
Esch
Evins, Tenn.
Findley
Ford, Mich.
Fulton
Harkin
Harrington
Hébert
Heckler, Mass.
Hefner
Hightower
Horton
Hutchinson
Jenrette
Jones, Ala.
Jones, Okla.
Leggett
Long, Md.
McCloskey
Michel
Murphy, N.Y.
Myers, Ind.
Railsback
Risenhoover
Rose
Ryan

Schneebeli
Sikes
Slack
Teague
Thompson
Van Deerlin
Vigorito
Walsh
Whitehurst
Wilson, C. H.
Wright

So the motion was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DANIELSON. Mr. Chairman, I was off the floor at the time of the last vote. If I had been here, I would have voted aye in favor of the motion.

The CHAIRMAN. Members standing at the time the motion was made will be recognized for approximately 30 seconds each.

(By unanimous consent, Mr. LUJAN yielded his time to Mr. BROWN of Ohio.)

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska (Mr. McCOLLISTER).

Mr. McCOLLISTER. Mr. Chairman, if I may have the attention of both the gentleman from Michigan and the gentleman from California, I think both gentlemen will agree that I am not usually disagreeable when it comes to working with them. Yet this procedure that we have here to give 5 minutes to a subject that changes the whole basis of costing and pricing is absolutely ludicrous.

If the bill were not defective already, it would be all the more so now by this process. It is impossible to debate a subject such as this in 5 or 10 minutes.

Mr. Chairman, I am going to object to any such limitations of time on complex subjects that I think the Committee ought to investigate in better detail than they are able to do under these circumstances.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. McCOLLISTER. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, in that case I will be compelled to make a motion in each case.

Mr. McCOLLISTER. Then I will be compelled to ask for a recorded vote in each case.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MYERS).

Mr. MYERS of Pennsylvania. Mr. Chairman, I think it is important to remember here that one of the arguments placed in the RECORD in defense of this amendment was the example that the shrimp industry has been hurt by increasing fuel costs.

I happen to think that variations in cost is a good idea. It gives the option to the American people to make changes in their spending priorities. Perhaps the relationship of what the American people paid for shrimp in 1972 and as to what they spent for gasoline in 1972 to meet their priorities does not reflect their priorities in 1976 or hereafter.

We should not have these decisions dictated by some bureaucrat in Washington who might insist that the American consumer would have to pay the same relative price for shrimp production or any product in relation to any other product, thus not allowing for growth and development in new or more desirable areas.

Mr. Chairman, I think the amendment should be voted down, and we should leave these options of marketplace priorities to the American people at any point in time and not lock them into patterns established in 1972 which in themselves may be greatly distorted for current needs.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, this amendment has absolutely nothing to do with the quantity of a product that may be refined by a refiner. It only requires that the cost of raw material and of refining not be tilted against something like diesel fuel, home heating oil, propane, or some other product in favor of some product like gasoline.

It does not bring into effect any bureaucratic control. It merely says that the same proportionate passthrough that was used by the industry itself in 1972 shall be used now, except that there may be a variation.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, the gentleman from Texas (Mr. ECKHARDT) speaks, as usually, very accurately. Unfortunately, that does not tell the whole story. It does not limit the quantity of production; that is correct. It limits the price factor because it applies that price factor to the proportionate prices existing in 1972.

The trouble with that is that the price factor does have an impact on the quantity of product produced out of the barrel.

The fact of the matter is that we are trying to discourage nonessential driving. The fact of the matter is, however, that we will discourage what we want to accomplish by limiting it to 1972, the time before the Arab embargo.

The other bailout provision is to say that it is to prevent a deviation, as long as that deviation is consistent with the aim or objective of section 4(b). The trouble is that the courts have held that those section 4(b) objectives are mutually inconsistent and therefore have little effect on this problem.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. DINGELL) to close debate.

Mr. DINGELL. Mr. Chairman, I have indicated that I thought this was a good amendment. It gives the President the flexibility as set forth in the amendment. But it also says that there will not be any tilt against any particular product of a refinery run whether it is gasoline, heating oil, propane, or any other refined petroleum product.

Mr. Chairman, I think this is a good amendment, and I think the House should adopt it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. MOSS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BROWN of Ohio. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 235, noes 155, not voting 44, as follows:

[Roll No. 486]

AYES—235

Addabbo
Alexander
Ambro
Anderson, Calif.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
AuCoin
Baldus
Baucus
Beard, R.I.
Bedell
Bennett
Bergland
Bevill
Biaggi
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Brown, Calif.
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Carney
Carr
Chappell
Chisholm
Clay
Collins, Ill.
Conte
Conyers
Corman
Cornell
Cotter
D'Amours
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Diggs
Dingell
Downey, N.Y.
Drinan
Duncan, Oreg.
Early
Eckhardt
Edgar
Edwards, Calif.
Eilberg
English
Evans, Colo.
Evans, Ind.
Fary
Fascell
Fish
Fisher
Fithian
Flood
Florio
Flowers
Foley
Ford, Tenn.
Fountain
Fraser
Fuqua
Gaydos
Gibbons
Gilman
Gonzalez
Grassley
Gude
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hannaford
Harris
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Hefner
Helstoski
Hicks
Hinshaw
Holland
Howard
Howe
Hubbard
Hughes
Hungate
Ichord
Jacobs
Jeffords
Johnson, Calif.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Keys
Krebs
Krueger
LaFalce
Lehman
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, Md.
McFall
McHugh
Macdonald
Madden
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Miller, Calif.
Mills
Mineta
Minish
Mink
Mitchell, Md.
Moakley
Mollohan
Moorhead, Pa.
Morgan
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Natcher
Neal
Nichols
Nix
Nolan
Nowak
Oberstar
Obey
Passman
Patman, Tex.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Peyser
Pike
Poage
Preyer
Price
Pritchard
Quie
Randall
Rangel
Reuss
Richmond
Riegle
Rodino
Roe
Rogers
Rooney
Rosenthal
Rostenkowski
Roush
Roybal
Runnels
Ruppe
Russo
St Germain
Santini
Sarbanes
Scheuer
Schroeder
Seiberling
Sharp
Simon
Sisk
Smith, Iowa
Snyder
Solarz
Spellman
Stanton, James V.
Stark
Steiger, Wis.
Stokes
Stratton
Studds
Sullivan
Symington
Thompson
Thone
Thornton
Traxler
Tsongas
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Waxman
Weaver
Whalen
Wilson, C. H.
Wilson, Tex.
Wirth
Wolff
Wright
Yates
Yatron
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NOES—155

Abdnor
Abzug
Anderson, Ill.
Andrews, N.C.
Archer
Armstrong
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Biester
Bowen
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burleson, Tex.
Butler
Byron
Carter
Casey
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins, Tex.
Conable
Conlan
Coughlin
Daniel, Dan
Daniel, R. W.
Derrick
Derwinski
Devine
Dickinson
Downing, Va.
Duncan, Tenn.
Edwards, Ala.
Emery
Erlenborn
Eshleman
Fenwick
Flynt
Forsythe
Frenzel

Frey
Giaimo
Ginn
Goldwater
Goodling
Gradison
Green
Guyer
Hagedorn
Hansen
Harsha
Hastings
Heinz
Henderson
Hillis
Holt
Holtzman
Hyde
Jarman
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Kasten
Kelly
Kemp
Ketchum
Kindness
Koch
Lagomarsino
Landrum
Latta
Lent
Long, La.
Lott
Lujan
McClory
McCollister
McCormack
McDade
McDonald
McEwen
McKay
McKinney
Madigan
Maguire
Mahon
Mann
Martin
Mathis
Milford
Miller, Ohio
Mitchell, N.Y.
Moffett
Montgomery
Moore
Moorhead, Calif.
Mosher
Murtha
Myers, Pa.
O'Brien
Ottinger
Patten, N.J.
Pettis
Pickle
Pressler
Quillen
Railsback
Rees
Regula
Rhodes
Rinaldo
Roberts
Robinson
Roncalio
Rousselot
Sarasin
Satterfield
Schulze
Sebelius
Shipley
Shriver
Shuster
Smith, Nebr.
Spence
Stanton, J. William
Steed
Steiger, Ariz.
Stephens
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Treen
Waggonner
Walsh
Wampler
White
Whitten
Wiggins
Wilson, Bob
Winn
Wydler
Wylie
Young, Alaska
Young, Fla.

NOT VOTING—44

Adams
Badillo
Barrett
Bell
Burke, Calif.
Crane
Dodd
du Pont
Esch
Evins, Tenn.
Findley
Ford, Mich.
Fulton
Harkin
Harrington
Hébert
Heckler, Mass.
Hightower
Horton
Hutchinson
Jenrette
Jones, Ala.
Jones, Okla.
Leggett
McCloskey
Michel
Myers, Ind.
Nedzi
O'Hara
O'Neill
Risenhoover
Rose
Ryan
Schneebeli
Sikes
Skubitz
Slack
Staggers
Steelman
Stuckey
Teague
Van Deerlin
Vigorito
Whitehurst

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PREFERENTIAL MOTION OFFERED BY MR. HAYS OF OHIO

Mr. HAYS of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. HAYS of Ohio moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

Mr. HAYS of Ohio. Mr. Chairman, it is not my purpose to strike the enacting clause but I hope this passes because if it does, according to rule XXIII, clause 7:

> Whenever a bill is reported from a Committee of the Whole with an adverse recommendation and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House, but before the question of concurrence is submitted it is in order to entertain a motion to refer the bill to any committee, with or without instructions, . . .

If this motion passes it is my purpose to offer a motion to recommit to the committee with the suggestion that they spend the month of August getting a bill out that the rest of us can agree to in September.

Seriously now let us look at where we are. Last night when we quit there were 35 amendments pending and when we came back today there were 55. More got filed overnight. It is my understanding there are 47 amendments pending at the present time.

The House has already voted to adjourn today. It is obvious that we are not going to finish this bill and if we do finish it, it is obvious that there is not going to be one person here who is going to know really what is in it.

On top of that, the Senate is not going to take it up.

Now, I talked to the White House about this situation and others. One of the President's top operatives said to me, he did not give me permission to quote him, but I will anyway. He said, "If you fellows would send down a simple 60- to 90-day extension, the President would have signed it."

I said, "That is great." So the President vetoes everything we send down and if he wants the Greece-Turkey bill passed, he will send the veto down and say, "If you send me a 60- to 90-day extension, I will sign it." And that will give us time to work out something to get passed to get signed.

I do not know whether the President will do this or not. Free advice is only worth the price of admission. He may not take my advice, but I just do not think we can pass a meaningful energy bill in the dying moments before recess.

I would remind everyone that the recess has already been voted. It is going to take place. We can work all night, if we want to. The product we are going to get, we will not know what we get. The Senate is not going to take it up.

It seems to me that a reasonable solution, if the committee—and I would not press that the committee meet during August, I said that in jest—but if the committee wants to start over and the President will agree to a 60-day continuation of the freeze and the committee wants to start where we have left off now, in September they might get it worked out in 60 days if we meet every day. But at the rate we have been going, I doubt if they will.

Now, if anybody thinks they are going to go home and tell their constituents that we passed a meaningful energy bill in the dying moments of this session before recess, just do not count on our constituents being that gullible, because they are not. They know more than we think they do.

Mr. Chairman, we are really spinning our wheels. We spun them here last night. I tried to counsel some of the people that they were not going to get that bill up and there was no use exacerbating that situation and making a lot of people mad that we had not lined up, but I was not listened to. I probably will not be listened to much this time, but it will not upset me much, because I am leaving at 3 o'clock. I do not care what we do after that. I will stand on that and my constituents and my people will say, "Hays, the only people smarter than you are the ones that left at 2 o'clock."

Mr. DINGELL. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, the committee has worked 7 months. The subcommittee has had endless sessions on this. The full committee has had them. We have heard everyone who wished to be heard and give testimony. We have sought to work out what is the best response the Nation needs in terms of an energy bill.

My colleagues should know, and I am sure they do, I did not agree with everything in the full committee, nor did I agree with everything that has come to the floor; but the fact of the matter is that we are moving ahead in the consideration of the energy bill.

Mr. Chairman, I think it would be frivolous in the extreme if this body were to return the matter to the committee. We still have the Senate. We still have the action in the conference and then we will finally present a bill to the President. The Nation wants an energy bill.

They say we need a national policy. The only way we are going to get a congressional policy is by persisting in our labors. I am not enthralled with working on this bill. I tried to see that every Member has an opportunity to be heard. We are working through the mechanism, that is, the device of moving time; but nevertheless the steps that are being taken on this bill are toward a national energy policy. I would point out that perhaps the greatest breach of trust we could exercise at this time with regard to our people and those whom we serve and who look forward toward a national energy policy and, indeed, the greatest repudiation of the request of the President, would be for us to rise at this time, while we still have an opportunity to move forward in a rational fashion toward a congressional energy policy.

If the gentleman wants to go home, I do not care. I did not engage in any frivolity last night. I was here.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Texas.

Mr. ECKHARDT. I thank the gentleman for yielding. I certainly agree with my friend from Michigan (Mr. DINGELL). I enjoy flippancy as well as any man. But this is not time for frivolity. This is a serious situation. This is a situation in which every person who feels his responsibility as a Member of Congress should attempt to help in putting together a bill.

This body should not be blamed because it is not of one mind. No parliamentary body comes easily to being of one mind, because it represents many different kinds of people. But to merely say that, because we are not yet agreed, the process of agreement should be frustrated at this point is a very, very serious thing. One must account with great concern and with great seriousness to his constituency for it.

Mr. MOFFETT. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Connecticut.

Mr. MOFFETT. I thank the gentleman for yielding.

Mr. Chairman, I hope there is a common interest here, even though many of us disagree on many parts of this bill. That is no secret. But there must be a common interest in responding to the very clear desire of the people to see some substantive action on this issue.

Mr. Chairman, I understand from the comments that were made when the chairman of the subcommittee stood up—the position of the Members and the unhappiness of some Members concerning certain provisions. But the interest of our staying here, in terms of institutional integrity, transcends those positions.

The gentleman from Texas (Mr. Charles Wilson) I think I can say, actually feels we should finish. There are many such Members who have banged heads with members of the subcommittee and the Committee on Interstate and Foreign Commerce on this bill. But one of the worst things we can possibly do, with all due respect to the gentleman from Ohio, would be to leave this matter and go home at this time.

So I would certainly hope we do not do that.

Whether the Members agree or not with the extension of the Allocation Act we sent to the President—and I know and respect their opinions, and many of the Members disagree with that—whether the Members agree or disagree with the fact that we have had two disapprovals, we are moving on the energy front.

In and before the Commerce Committee and on the House floor Members have had the chance to make their positions known as the gentleman from Ohio (Mr. Brown) has. But we must not walk out now on the most important domestic issue facing our country at this time.

I think it would be a disgrace, and I think we all have an interest, in terms of institutional integrity, in staying here and completing this legislation.

The question is on the preferential motion offered by the gentleman from Ohio (Mr. Hays).

The question was taken; and the Speaker announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ECKHARDT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 123, noes 268, not voting 43, as follows:

[Roll No. 487]

AYES—123

Annunzio
Archer
Armstrong
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Bowen
Breaux
Brown, Mich.
Broyhill
Buchanan
Burke, Fla.
Burleson, Tex.
Butler
Byron
Casey
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Collins, Tex.
Conlan
Daniel, Dan
Daniel, R. W.
Dent
Derwinski
Devine
Dickinson
Duncan, Tenn.
English
Erlenborn
Eshleman
Fenwick
Flowers
Flynt
Forsythe
Frenzel
Frey
Gaydos
Gibbons
Goldwater
Goodling
Gradison
Hagedorn
Haley
Hammerschmidt
Hansen
Hays, Ohio
Hillis
Hinshaw
Holt
Hyde
Jarman
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Kasten
Ketchum
Kindness
Lagomarsino
Landrum
Latta
Lent
Long, Md.
Lott
Lujan
McClory
McCollister
McDonald
McEwen
Madigan
Mahon
Martin
Mathis
Milford
Mollohan
Montgomery
Moore
Moorhead, Calif.
Myers, Pa.
Nichols
O'Brien
Pettis
Poage
Quie
Quillen
Railsback
Rhodes
Roberts
Robinson
Roussels
Runnelot
Ruppe
Satterfield
Sebelius
Shipley
Shuster
Sisk
Skubitz
Smith, Nebr.
Spence
Stanton, J. William
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Symms
Talcott
Taylor, Mo.
Treen
Vander Jagt
Waggonner
Whitten
Wiggins
Wilson, Bob
Wilson, C. H.
Wydler
Yatron
Young, Alaska
Young, Tex.

NOES—268

Abdnor
Abzug
Addabbo
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Ashley
Aspin
AuCoin
Baldus
Baucus
Beard, R.I.
Bedell
Bennett
Bergland
Bevill
Biaggi
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Brademas
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Burgener
Burke, Calif.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Carney
Carr
Carter
Chappell
Chisholm
Clay
Cohen
Conable
Conte
Conyers
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Derrick
Diggs
Dingell
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
Evans, Colo.
Evans, Ind.
Fary
Fascell
Fish
Fisher
Fithian
Flood
Florio
Foley
Ford, Tenn.
Fountain
Fraser
Fuqua
Giaimo
Gilman
Ginn
Gonzalez
Grassley
Green
Gude
Guyer
Hall
Hamilton
Hanley
Hannaford
Harris
Harsha
Hastings
Hawkins
Hayes, Ind.
Hechler, W. Va.
Hefner
Heinz
Helstoski
Henderson
Hicks
Holland
Holtzman
Howard
Howe
Hubbard
Hughes
Hungate
Ichord
Jacobs
Jeffords
Johnson, Calif.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kelly
Kemp
Keys
Koch
Krebs
Krueger
LaFalce
Leggett
Lehman
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
McCormack
McDade
McFall
McHugh
McKay
McKinney
Macdonald
Madden
Maguire
Mann
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Moorhead, Pa.
Morgan
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Natcher
Neal
Nix
Nolan
Nowak
Oberstar
Obey
O'Neill
Ottinger
Passman
Patman, Tex.
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Peyser
Pickle
Pike
Pressler
Preyer
Price
Randall
Rangel
Rees
Regula
Reuss
Richmond
Riegle
Rinaldo
Rodino
Roe
Rogers
Roncalio
Rooney
Rosenthal
Rostenkowski
Roush
Roybal
Russo
St Germain
Santini
Sarasin
Sarbanes
Scheuer
Schroeder
Schulze
Seiberling
Sharp
Shriver
Simon
Smith, Iowa
Snyder
Solarz
Spellman
Stanton, James V.
Stark
Stokes
Stratton
Studds
Sullivan
Symington
Taylor, N.C.
Thompson
Thone
Thornton
Traxler
Tsongas
Udall
Ullman
Vander Veen
Vanik
Walsh
Wampler
Waxman
Weaver
Whalen
White
Wilson, Tex.
Winn
Wirth
Wolff
Wylie
Yates
Young, Fla.
Young, Ga.
Zablocki
Zeferetti

NOT VOTING—43

Adams
Badillo
Barrett
Bell
Collins, Ill.
Crane
Dodd
du Pont
Esch
Evins, Tenn.
Findley
Ford, Mich.
Fulton
Harkin
Harrington
Hébert
Heckler, Mass.
Hightower
Horton
Hutchinson
Jenrette
Jones, Ala.
Jones, Okla.
McCloskey
Michel
Myers, Ind.
Nedzi
O'Hara
Pritchard
Risenhoover
Rose
Ryan
Schneebeli
Sikes
Slack
Staggers
Steelman
Stuckey
Teague
Van Deerlin
Vigorito
Whitehurst
Wright

So the preferential motion was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENTS OFFERED BY MR. MOFFETT

Mr. MOFFETT. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. Moffett:

Page 232, line 6, strike out "(2)" and insert in lieu thereof "(3)".

Page 232, after line 10, insert the following:

"(2)(A) The President shall review all contracts for the export of natural gas, crude oil, residual fuel oil, and refined petroleum products. He shall, by amendment to the regulation, require that any person intending to export any such natural gas, oils, or any such products file notification of such intention prior to the date such person intends to export such gas, oils, or any such products.

"(B) The President shall exercise his authority under paragraph (1) to prevent any exports of such gas, oils, or any such products (other than exports pursuant to contracts entered into prior to September 1, 1975), unless he determines that such exports are consistent with the attainment of the objectives specified in subsection (b) of this section and will not result in increased dependency on imported natural gas, crude oil, residual fuel oil, or any refined petroleum product and will not result in a significant decrease in the availability of such gas, oils, and any such products within the United States.

Page 232, line 11, strike out "(2)" and insert in lieu thereof "(3)".

Page 232, line 12, after "(1)" insert "or (2)".

Page 232, line 24, strike out "(3)" and insert in lieu thereof "(4)".

Page 232, line 25, after "(1)" insert "or (2)".

Page 233, line 1, strike out "(2)" and insert in lieu thereof "(3)".

Mr. MOFFETT. Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MOFFETT. Mr. Chairman, I think that we all know that there are very distinct sides to the pricing issue, and that those sides were manifested in the vote on the Stagger's Amendment. But the purpose of these amendments is to protect American consumers from increasing reliance on imports and from higher domestic prices. I believe that these are amendments which people on both sides of the Staggers Amendment can support.

Because the House accepted the Staggers provision concerning the price of domestic oil which maintains a multitiered pricing system, there is a strong likelihood that domestic producers may attempt to export petroleum products to increase their revenues in a higher-price world market. That would be natural and fair.

But these amendments would require that the President review all contracts for the export of natural gas, crude oil, residual fuel oil, and refined petroleum products.

The impact of these amendments would be to guarantee that exports can occur only after the President's review says that they will have no detrimental impact on the public interest by decreasing available supplies to domestic markets or increasing our dependence on foreign sources.

Very simply, the President will review all contracts for the export of the products I mentioned. Regulations will then be promulgated to require that persons intending to export the products covered by this amendment file prior notification of such intention.

Unless the President determines that the export of such products will not result in a significant decrease in domestic availability of such products, no such export authority will be granted.

What this does is it toughens up the existing bill. I think it is much simpler than the amendment that the gentleman from California (Mr. DELLUMS) was going to offer to prohibit exports.

Mr. CHARLES WILSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. MOFFETT. I yield to the gentleman from Texas.

Mr. CHARLES WILSON of Texas. Mr. Chairman, is the gentleman familiar with the possible situation that foreign oil is imported at $13.50 a barrel and under the Staggers provision old domestic oil is priced at $5.25 a barrel, and then the two might be blended with feedstocks to produce, say, fertilizer and then that might be exported at a combined price which is below $13.50 and thereby cause a balance of payments deficit?

Mr. MOFFETT. We have seen on the Commerce Committee and the Subcommittee on Investigations that to a certain extent it is very difficult if not impossible to exercise control over or scrutiny over the blending and what that really means in terms of nationality of oil and so on.

Mr. CHARLES WILSON of Texas. Does the gentleman think this amendment would put a limit factor on say exporting of fertilizer, which is very important to my district, at a lower price?

Mr. MOFFETT. No, it does not cover fertilizer. I cannot imagine in any case it would be destructive. Essentially it takes the existing export situation and leave it alone. It does not fool with existing contracts in any way. It simply has prior notification and the President may review those contracts and if he finds they do damage, he can handle that.

Mr. CHARLES WILSON of Texas. As far as the crude oil I am concerned and other people are concerned too, but presently crude oil forms a very tiny percentage of our exports, as the gentleman knows. This would insure that the situation continues. I wish I could find how to deal with blending but I certainly support the gentleman's amendment as far as it goes.

Mr. MOFFETT. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Chairman, I rise merely to pursue what this amendment does and the reason for the amendment, which I am not sure I fully understand.

The amendment requires, I might ask the gentleman from Connecticut, the President to review all contracts for the export of natural gas, fuel oil, residual fuel oil, and refined petroleum products. Does the gentleman have any idea how many contracts this would require the President to review?

Mr. MOFFFETT. I have no way of knowing how many contracts presently there are or how many there will be. Is that what the gentleman is asking?

Mr. BROWN of Ohio. Yes; I want to know how many contracts would be required to be reviewed under this amendment. I want to know what the scope of the amendment is.

Mr. MOFFETT. The Federal Energy Administration report to Congress, which I have read and which I think the gentleman has, for December 1974, of which the first 40 pages deal with this issue, does not reveal how many contracts there are but reveals, as I believe the gentleman knows—well, it does not appear to be an unmanageable number of contracts for the President or his agency to handle, as far as I can see from reading through this.

Mr. BROWN of Ohio. Can the gentleman advise me as to what the impact might be on our imports from places like Canada and the Caribbean and other nations, for instance Algeria from where we are considering the importation of natural gas? I think we are considering imports of natural gas from the Russians because of the shortage which has occurred as a result of our policy of freezing the price of natural gas.

Would this have an adverse effect on our relationships with those nations where it is necessary, as I understand, from Canada for us to import into certain areas like Minnesota and the central Northwest, and we in exchange for that ship products, refined products and others into that country in order to balance out just on a trade basis and on the most convenient source basis?

Mr. MOFFETT. I think the gentleman knows, as I recall he agrees with the portion of section 306 that refers specifically to the responsibility of the President to insure that we do not interfere with the historic trade relations between this country and Mexico and Canada. That is already in the bill.

Mr. BROWN of Ohio. If the gentleman will look, in the bill it says:

> As he determines may be necessary and practicable to attain the objectives specified in section (b) of this section.

In other words, it becomes a Presidential determination in the bill we have before us, but in the amendment of the gentleman I think it is somewhat more, to use the gentleman's term, tied down than that or restricted than that rather general provision which lets the President merely make a determination. Is that not right, because it says it will not result in increased dependency on imported natural gas and so forth.

Mr. MOFFETT. Mr. Chairman, I can only respond to the gentleman, as we look at the first page of my amendment:

> The President shall exercise his authority under paragraph 1 . . .

which in fact incorporates paragraph 3 of my amendment. Indeed, the President would be so much more tied down and obliged, yet he would still be obliged to consider the preservation of those oil relations.

Mr. BROWN of Ohio. My third question is, what is the necessity of this, the necessity to export? Why would anybody want to export fuel out of this country when we have the necessity to import fuel to meet our consumer needs?

Mr. MOFFETT. The gentleman from Ohio has been a strong advocate of the private enterprise system, as I am, and realizes that people like to make money, as I do. The gentleman was very clear this morning during the consideration of the bill in the committee that we could have an incentive, a very natural and understandable incentive to export.

Mr. BROWN of Ohio. Why would they want to export when we have such a necessity to import fuel in this country?

Mr. MOFFETT. Because of the higher prices.

Mr. BROWN of Ohio. The gentleman is saying that if they export fuel from this country, they will be getting a higher price than the bill we pass?

Mr. MOFFETT. The gentleman knows the OPEC price was $14 a barrel at a European port and if they are getting less in this country, they will have to export.

Mr. BROWN of Ohio. Why would they get less money?

Mr. MOFFETT. The gentleman and I might disagree on the Staggers provision being incorporated into the law, if it were——.

Mr. BROWN of Ohio. If what were?

Mr. MOFFETT. If the price control provision of the Staggers amendment goes into law, we could have a lower price.

Mr. BROWN of Ohio. Where the domestic producers want to sell abroad because it was more advantageous to sell abroad than it is advantageous to sell in this country under the Staggers provision, under section 301?

Mr. MOFFETT. That is possible.

Mr. REES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wanted to discuss this amendment. I really cannot say at this time if I am for it or against it, but let me explain the problems we have on the west coast. In about 2 or 3 years we are going to have a huge oil glut on the west side of the United States. We have around 9 billion barrels of reserves that have been leased out in the Santa Barbara Channel and they are awaiting for the Environmental Protection Act signoff before they start drilling. In about 2 years we will have about 1 million or

1½ million barrels a day coming down from the North Slope of Alaska.

The utility companies in California, such as the Edison Co., and the Los Angeles Department of Water and Power, use fuel oil for electricity production and have already signed long-term contracts with Saudia Arabia and Indonesia for what we call light oil, that is no sulfur oil. These are long-term contracts, 10 or 12 years. I do not know what we will do with the upcoming U.S. oil, because the tankers are so large they cannot get through the Panama Canal. There is no pipeline from the east coast to the west coast or the Middle West. It is very difficult to run tankers around South America through the Straits of Magellan, so we have a situation where we will probably export some of the Alaskan crude and also some of the Outer Continental Shelf oil to Japan and other countries. This is what worries me with this type of amendment, because of necessity we might have to export.

We also do a lot of specialized refining in this country and were exporting on existing contracts even during the oil embargo.

Mr. FRENZEL. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from Minnesota.

Mr. FRENZEL. I thank the gentleman for yielding. I am in one of the oil-short areas, where Canada has decided they will cut off exports to the Midwest. We are wholly, or almost wholly, dependent on them. If the coast problem gets too big, you could trade off to Canada and Canada could move to us. Under the direction of the gentleman's amendment I think it becomes difficult, and I think it will work a very great hardship on that part of the country.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman.

Mr. DINGELL. I thank the gentleman for yielding. First of all, the prohibition of exports on oil in the amendment offered by the gentleman from Connecticut is not adequate.

Second, the President has the authority, if he has the necessary findings, to permit exports.

Third, I think there is a reason why he ought not permit export of that west coast oil, occasioning importation of high cost oil into the United States.

Last, in regard to the point raised by the gentleman from Minnesota, the bill, even with the amendment, maintains a protection for the area the gentleman serves, as to I, and the areas that are served in other parts of the country trading relationships and interchange of oil between the United States and Canada, and also with regard to the interchange which has historically gone on of petroleum products between the United States and Mexico.

Mr. REES. Mr. Chairman, if I could have a minute of my time back, there are restrictions on the use of the petroleum we get from the Outer Continental Shelf because the sulfur content is too high. It looks like we are in a complex situation.

Mr. MOFFETT. If the gentleman will yield, my amendment is not going to decrease the availability of supply. With all due respect to the gentleman's scenario about allocated oil, I cannot see where there would be a finding that it would decrease the availability of oil for our domestic supply, and therefore the authority would not go into effect. Again, I appreciate the gentleman's concern, but if the gentleman looks at the amendment, it certainly does not do that.

Mr. REES. I thank the gentleman.

The CHAIRMAN. All time on title 3 has expired.

The question is on the amendments offered by the gentleman from Connecticut (Mr. MOFFETT).

The amendments were rejected.

PARLIAMENTARY INQUIRY

Mr. BROWN of Ohio. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BROWN of Ohio. Mr. Chairman, under rule 23, clause 6, do I understand that now the procedure will be that if there are any amendments to be offered to title 3, they will be offered under the limitation of time, and that time now having been exhausted, under the rule 5 minutes for discussion will be allowed to the presenter of the amendment and 5 minutes, presumably, on the other side, by whomever is recognized by the Chair at that point, in opposition?

The CHAIRMAN. Any amendment which comes within the provisions of that rule which has been printed in the RECORD will be treated in that fashion. The author of the amendment will offer the amendment and will be recognized for 5 minutes, and a Member will be recognized for 5 minutes in opposition to the amendment.

Are there amendments to title 3?

AMENDMENT OFFERED BY MR. MATSUNAGA

Mr. MATSUNAGA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATSUNAGA: On pages 233 and 234, strike all of Section 307 and renumber subsequent sections accordingly.

Mr. MATSUNAGA. Mr. Chairman, my amendment has been inserted in the record.

Mr. Chairman, the amendment which I have offered would remove from the bill section 307 which exempts some small refineries from the requirements of the entitlements program.

The entitlements program is designed to equalize costs of crude oil to refiners, whose costs would vary considerably because of the varying accessibility to them of low-priced old oil. Under present law, those refiners who depend heavily on market-price oil, either imports or domestic new oil, receive entitlements to purchase a stated amount of oil at the old price from refiners who have more than the national average of old oil. This carries out the purpose of the act, which is to provide "equitable distribution of crude oil * * * at equitable prices among all regions and areas of the United States and sectors of the petroleum industry * * * and among all users."

Under the provisions of section 307 as amended, small refiners with a capacity of less than 100,000 barrels a day would be exempted from a requirement to buy old oil entitlements for the first 50,000 barrels a day of old oil.

The intent of the provision is commendable—to make small refiners more competitive with the major integrated companies. But there is considerable doubt, Mr. Chairman, over whether that goal is advanced by the exemption. On the contrary, I received information that convinces me that the small-refiner exemption in section 307 could result in—

Higher petroleum prices for 165 million Americans;

Windfall profits for some refinery companies;

Severe damage to at least 20 of the small refiners the exemption is designed to help.

HIGHER CONSUMER PRICES FOR MOST AMERICANS

For the most part, Mr. Chairman, the benefits of the exemption will fall in a very limited geographical area. Refiners in only nine States, mostly producer States, will reap about 85 percent of the benefits from section 307. While it may be true that consumers in those nine States may benefit from the lower crude costs to small refiners in those areas, the impact on the rest of the country will not be so benign. As the committee points out, the national impact on total oil costs from section 307 is "nil"; but what that means is that any reduction in cost in one area of the country will be balanced by an increase in another area. And what areas will be forced to pay higher prices under this proposal? Forty-one States of the Southeast, the Eastern Seaboard, New England, the Midwest, the Pacific Northwest, and my own State of Hawaii.

The mechanism would work something like this: The benefitting small refiners would lower their prices to reflect the lower product costs; under FEA regulations, they may not have any choice about this. The major integrated companies would lower their prices to meet that competition. But since these major companies operate in nonbenefitting areas as well, they would have the opportunity to raise prices in 41 States, where no refiner had a competitive advantage from this exemption.

The committee estimates that prices would decline in the benefitting areas by anywhere from 4 to 8 cents per gallon. The area involved, as I have indicated, is approximately nine States having some 45 million of the country's population—roughly 20 percent. If prices go down as little as 4 cents per gallon for one-fifth of the country, my "old math" tells me the other four-fifths of the country will be paying at least 1 cent a gallon more. In Hawaii, that penny a gallon translates into about $3,000,000 more every year that gasoline consumers would have to pay. The impact in other areas would be even more damaging.

WINDFALL PROFITS TO SOME REFINERS

It is one thing to give small independent refiners some preferences to maintain their competitive viability, as section 307 is intended to do, but it is quite another to fill to overflowing the coffers of selected businesses. One California refiner, a potential beneficiary of the exemption, has admitted his firm would reap short-term windfall profits, and simply asserted that his company needed them. FEA, in its comments on section 307, calls it "an unwarranted subsidy to a small number of business firms."

There are other methods for maintaining the small refiners' continued existence. The committee notes the 4-month phase-in of the entitlements buying requirements. In addition, there is in effect a small refiner bias in calculating the entitlements themselves. Furthermore, an exception process exists under which FEA can grant more entitlements, or exempt a refiner from the program altogether. Almost 30 refiners have made use of this exception process already.

HARM TO SOME REFINERS

There are, as the committee notes, about 112 refiners with capacities of less than 100,000 barrels a day. But of those 112, as of June, 38 had never bought entitlements, and therefore would not benefit from the exemption. Another 30 were buyers only once or twice in the first 6 months of the program. That means 68 of the smaller small refiners will probably not benefit directly from the proposal. Only 44 will.

About 20 of the 68 will be harmed directly, because they are located in States where other small refiners, with which they must compete, will benefit. In an industry where half a cent means a competitive advantage, the 4 to 8 cents the committee anticipates may well mean severe economic hardship for those small refiners not lucky enough to have large supplies of price-controlled oil.

More generally, of course, the forgiving of an obligation to buy entitlements means that entitlements will be worth less to those small refiners that sell entitlements, including the only refinery in Hawaii.

Mr. Chairman, the true impact of section 307 is uncertain. I cannot say for sure that my rather elementary calculations are correct. Much of the data furnished to me, however, has been verified by my own staff. I do believe that there exists enough doubt about this provision that we ought to permit the able Subcommittee headed by my friend and colleague from Michigan (Mr. DINGELL), to review this plan and resolve the uncertainties in the areas I have discussed. There will undoubtedly me more energy legislation before the House this year, and I would be more than happy to support an exemption such as this if the issues I raised are dealt with adequately.

Until that time, however, I urge the House to make haste slowly, and support the pending amendment to delete section 307.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. Yes, I would be happy to yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I understand that what the gentleman is offering is an elimination from the bill of that section which exempts small refiners from the entitlement program; in other words, they are now exempted in the bill, but the amendment would eliminate that exemption?

Mr. MATSUNAGA. The gentleman is correct.

Mr. MONTGOMERY. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Chairman, I would like to ask the gentleman what he has against small refiners or independent refiners?

Mr. MATSUNAGA. Mr. Chairman, I will say to the gentleman from Mississippi that my amendment is intended to benefit small independent refiners. Section 307 of the bill will hurt small independent refiners more than it will help them, so my amendment will delete section 307.

Mr. KRUEGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there are a number of problems that come up through the entitlement system, and I am no champion of that system. However, it seems to me that if we have entitlements, it is appropriate that we do what we can to see that some of the problems that face small refiners are at least reduced, in part, in their impact.

I have been told by a refiner in New Mexico that his firm would actually be put out of business if they are forced to continue under the present entitlements system and if they do not get some sort of exemption.

It seems to me that the provision in the bill is designed to keep competition in the marketplace, to allow independents to compete with the majors, and to allow financial help for some of the smaller refiners whom we need. I think it would be a mistake to strike this from the bill.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. KRUEGER. Yes, I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I wholly agree with the gentleman in the well.

The entitlements program, though I believe it to be a necessary adjunct of the total program of the FEA at the present time, can work great harm to small refiners who are attempting only to refine their own oil. What occurs is that they are required to pay some other refinery for the privilege of refining their own oil, and they are not large enough to compete with those producing several different varieties of oil.

It seems to me that this is a perfectly reasonable amendment. As the gentleman in the well says, it encourages some competition in the refining business.

Now, 50,000 barrels or 100,000 barrels, which is the level of the size of the refinery—and 50,000 may be applied under this program—is quite small. This is not the capacity of a single refinery, but of the entire corporation or the entire entity which constitutes a refinery, and it is relatively small.

Mr. KRUEGER. Mr. Chairman, I would like to observe, with respect to the gentleman's comments, that one very large New England refiner received $28 million in entitlements payments for the month of January alone. People who produce at home subsidize those who import from abroad—and the small refiners subsidize the larger refiners. Clearly this is misguided policy.

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. KRUEGER. Yes, I yield to the gentleman from California.

Mr. ANDERSON of California. Without this provision in the bill, reading from the committee report, it says that some 34 small refiners were required to pay some $34 million out, while 11 major oil companies received $62 million.

That is pretty much the proportion if we were to adopt the gentleman's provision.

Mr. KRUEGER. That is exactly why we should retain this provision in the bill. Exxon received some $9 million in the month of January alone, again, largely from small refiners.

Mr. Chairman, it seems to me that we ought to retain this provision in the bill and oppose the amendment to strike.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. KRUEGER. Yes, I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I would like to join the gentleman in the well in his opposition to this amendment.

It is my understanding that this only applies to the small refiners, many of which would be put out of business, and many of which would be absorbed by large oil companies, which then would have greater monopolistic powers.

Mr. Chairman, I think the amendment is not a good amendment, and it should be defeated.

Mr. KRUEGER. Mr. Chairman, may I ask the gentleman from Michigan (Mr. DINGELL) whether he might clarify certain language contained in section 307 of the bill, dealing with entitlements?

Mr. DINGELL. If the gentleman will yield, I will be glad to attempt to do so.

Mr. KRUEGER. Mr. Chairman, section 307 amends section 304 of the Emergency Petroleum Allocation Act to exempt from entitlement obligations the first 50,000 barrels per day produced by a refiner whose total refining capacity does not exceed 100,000 barrels per day. Included in a refiner's capacity is the capacity of any person whom he controls, is controlled by or is under common control with. It appears that the definition of "control" is somewhat ambiguous.

Is there a recognized statutory definition of control?

Mr. DINGELL. If the gentleman will yield, the answer is no, there is not. The question of control is properly a matter for determination of the administrator, who must make such determination by reference to the facts and circumstances of each case.

Mr. KRUEGER. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROUSSELOT. Mr. Chairman, I thank the gentleman from Texas (Mr. KRUEGER) for yielding to me. I support his effort to defeat the Matsunaga amendment which would unduly strike an important section of this bill, section 307.

The retention of this section is most important to approximately 112 small refiners located in 30 States. The urgent need to maintain this section 307 is to give these small refiners a genuine competitive position in the marketplace vis-a-vis the major refiners. This need and equity position was stated in a U.S. Justice Department memo to the Federal Energy Administration with substantive backup information—see FEA notice of proposed rulemaking 39 CFR 31650. The need and equity of this position when the FEA previously granted temporary relief, but that has expired.

In simple terms this proper exemption for small refiners provides that these roughly 112 facility managers are exempt from having to purchase their first 50,000 barrel entitlement.

I urge my colleagues to turn down this amendment to strike.

All time has expired on the amendment.

The question is on the amendment offered by the gentleman from Hawaii (Mr. MATSUNAGA).

The question was taken; and the Chairman announced that the noes appear to have it.

RECORDED VOTE

Mr. BROWN of Michigan. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device; and there were—ayes 51, noes 331, answered "present" 1, not voting 51, as follows:

[Roll No. 488]

AYES—51

Baldus
Biaggi
Brown, Ohio
Burton, John
Burton, Phillip
Carr
Carter
Cornell
Cotter
D'Amours
Dellums
Dodd
Downey, N.Y.
Duncan, Oreg.
Early
Fascell
Fraser
Gaydos
Hanley
Holtzman
Howe
Koch
Long, Md.
McCormack
Macdonald
Matsunaga
Melcher
Miller, Ohio
Mink
Moakley
Mottl
Nolan
Oberstar
Obey
Rogers
Rosenthal
Ruppe
Russo
Sarasin
Scheuer
Schroeder
Seiberling
Spellman
Stark
Studds
Ullman
Vander Jagt
Weaver
Young, Ga.
Zablocki
Zeferetti

NOES—331

Abdnor
Abzug
Adams
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Archer
Armstrong
Ashbrook
Ashley
Aspin
AuCoin
Badillo
Bafalis
Baucus
Bauman
Beard, R.I.
Beard, Tenn.
Bedell
Bennett
Bergland
Bevill
Biester
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breckinridge
Brinkley
Brodhead
Broomfield
Brown, Mich.
Broyhill
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Butler
Byron
Carney
Casey
Cederberg
Chappell
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins, Ill.
Collins, Tex.
Conable
Conlan
Conte
Conyers
Corman
Coughlin
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dent
Derrick
Derwinski
Devine
Dickinson
Downing, Va.
Drinan
Duncan, Tenn.
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Evans, Colo.
Evans, Ind.
Fary
Fenwick
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Foley
Ford, Tenn.
Forsythe
Fountain
Frenzel
Frey
Fuqua
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Grassley
Green
Gude
Guyer
Hagedorn
Haley
Hall
Hamilton
Hammerschmidt
Hannaford
Hansen
Harris
Harsha
Hastings
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Holland
Holt
Howard
Hubbard
Hughes
Hungate
Hyde
Ichord
Jacobs
Jarman
Jeffords
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Jones, Tenn.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Ketchum
Keys
Kindness
Krebs
Krueger
LaFalce
Lagomarsino
Latta
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Lott
Lujan
McClory
McCollister
McDade
McDonald
McEwen
McHugh
McKay
McKinney
Madden
Maguire
Mahon
Mann
Martin
Mathis
Mazzoli
Meeds
Metcalfe
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Mills
Mineta
Minish
Mitchell, Md.
Mitchell, N.Y.
Moffett
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Pa.
Natcher
Neal
Nichols
Nix
O'Brien
Ottinger
Passman
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Pepper
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Pressler
Preyer
Price
Pritchard
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Rhodes
Richmond
Riegle
Rinaldo
Risenhoover
Roberts
Robinson
Rodino
Roe
Roncalio
Rooney
Rostenkowski
Roush
Rousselot
Runnels
St Germain
Santini
Sarbanes
Satterfield
Schulze
Sebelius
Sharp
Shipley
Shriver
Shuster
Simon
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spence
Staggers
Stanton, J. William
Stanton, James V.
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Vander Veen
Vanik
Waggonner
Walsh
Wampler
Waxman
Whalen
White
Whitten
Wiggins
Wilson, Bob
Wilson, C. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wydler
Wylie
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Tex.

ANSWERED "PRESENT"—1

Dingell

NOT VOTING—51

Addabbo
Barrett
Bell
Breaux
Brooks
Brown, Calif.
Crane
Diggs
du Pont
Esch
Eshleman
Evins, Tenn.
Findley
Ford, Mich.
Fulton
Harkin
Harrington
Hébert
Heckler, Mass.
Hefner
Hightower
Horton
Hutchinson
Jenrette
Jones, Ala.
Jones, Okla.
Landrum
McCloskey
McFall
Madigan
Michel
Myers, Ind.
Nedzi
Nowak
O'Hara
O'Neill
Patman, Tex.
Reuss
Rose
Roybal
Ryan
Schneebeli
Sikes
Sisk
Stuckey
Teague
Udall
Van Deerlin
Vigorito
Whitehurst
Wright

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: Strike out Title III, as amended, and reinsert all except for Section 301, as amended.

Mr. DINGELL. Mr. Chairman, I reserve a point of order against the amendment.

Mr. ECKHARDT. Mr. Chairman, I also reserve a point of order.

Mr. BROWN of Ohio. Mr. Chairman, the thrust of this amendment is to strike from the bill the provisions of the Staggers pricing amendment, section 301, by revising title III to strike the whole title and to reinsert all in the title, except section 301.

Mr. Chairman, may I speak on the amendment?

The CHAIRMAN. The gentleman has been recognized for 5 minutes, so the gentleman may proceed.

Mr. BROWN of Ohio. Mr. Chairman, may I reserve 2 minutes of my time to speak on the points of order?

The CHAIRMAN. The Chair will recognize the gentleman to speak on the points of order at the appropriate time.

Mr. DINGELL. Mr. Chairman, I have not yet made the point of order. I reserved it.

The CHAIRMAN. The Chair has recognized the gentleman from Ohio to speak on the gentleman's amendment for 5 minutes. Then the gentlemen who reserved the points of order may press them or they may not.

Mr. BROWN of Ohio. Mr. Chairman, the purpose of this amendment, as I said, is to strike section 301, the pricing section, from the bill.

The reason for striking the pricing section from the bill is an effort to improve the bill so that we can proceed from the point at which we find ourselves to a bill which could be improved to the extent that perhaps it can be signed into law, which ought to be our objective, I think, as Members of Congress.

We all know that with section 301, as it has been amended by the Staggers pricing provisions, it is unlikely, it is almost impossible, that the bill will ever see the light of day as an enactment of law because of the position that has developed since that amendment was enacted by the House into 7014.

The administration has announced their intention of vetoing the extension of the existing legislation and has said, in effect, that they will not accept a rollback or even the current situation in pricing.

Mr. Chairman, I might direct my colleagues' attention to the editorial in today's issue of the New York Times, which once again calls for us to come to some kind of a compromise with the administration in the area of oil pricing policy, so that we can put out an energy bill which will address itself to the problems of this country.

PARLIAMENTARY INQUIRY

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BROWN of Ohio. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, if the regular order were demanded, would the point of order have to be stated?

The CHAIRMAN. The Chair will state to the gentleman that it is proper for a Member to reserve a point of order.

Mr. STEIGER of Wisconsin. I thank the Chairman.

Mr. BROWN of Ohio. I thank the gentleman from Wisconsin.

Mr. Chairman, this gives us the opportunity in this body to take out of the legislation the thorn in the flesh that is the most offending part of this bill at this point. If that comes out, then we can correct other aspects of the legislation and have some opportunity to report a bill, perhaps not yet today, but, at any rate, eventually, that will eventually become law and something we can have some pride in crafting. The votes we have had on this whole pricing area have been this way and that. The Members will recall we did not accept the original Krueger amendment, but we took out the original Eckhardt amendment. Then we put in, by a very narrow vote, the Staggers-Eckhardt amendment, but not certainly enough votes to go ahead and force that on any of the other branches of Government.

Mr. Chairman, I would like to see us at this point take out of the legislation that offending piece of legislation so that we can proceed to get an energy bill. Then our committee can address itself, and, in good time, as the distinguish gentleman from Ohio (Mr. HAYS) recommended, to go ahead and get a pricing provision that we can all agree on.

We were very close to agreement a few days ago, and that agreement fell apart. I think there is a chance for us to get an energy bill. But there is no chance with this provision in it. My objective is only to try to get a bill, get this part out of it that will prevent us from getting a bill and will give us an opportunity to proceed in a rational manner.

POINT OF ORDER

Mr. ECKHARDT. Mr. Chairman, I raise a point of order against the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. ECKHARDT. Mr. Chairman, No. 1, the amendment comes too late. The amendment, though adroitly phrased, constitutes nothing but a motion to strike section 301 of the bill and, therefore, it comes too late.
fore, it comes too late. It should have been offered at the time that section was considered.

No. 2, the motion to strike section 301 has already been acted upon under the Charles Wilson amendment. It was at that time approved, and later another section 301 was added.

No. 3, at this time, although it may have been appropriate to offer a substitute for all of title III, this amendment does not restate the language which should have been contained in such substitute. If the gentleman had attempted to offer a substitute which comprised the language adopted by this committee in sections 302, 303, 304, 305, 306, and 307, it would have been incumbent upon him to reduce the same to writing and to introduce it in such a manner that we would have had a complete amendment before us instead of in effect offering at this late date, after a new section 301 was adopted, a motion to strike that section 301.

The CHAIRMAN. Does the gentleman from Ohio (Mr. BROWN) desire to be heard on the point of order?

Mr. BROWN of Ohio. Perhaps, Mr. Chairman, it woud be appropriate to hear both points of order. Or does the Chair desire me to respond to each point of order as it is raised?

The CHAORMAN. The gentleman may proceed as he wishes in response to the points of order.

Mr. BROWN of Ohio. Mr. Chairman, let me say, in response to the first ground for the point of order that the gentleman from Texas (Mr. ECKHARDT) raised, stating that this amendment comes too late, it is appropriate to offer the amendment because the title is open now at any point for amendment, and this is an amendment to title III.

Secondly, the Wilson amendment, to which the gentleman makes reference, which previously was offered to strike a section of this title struck in fact a different section, although the section was numbered in the same way, and we have had subsequent action which resulted in inserting section 301.

This is not the substitute; this is an amendment to this title which leaves in place all the action taken by this body up to this point on that title, with the exception of section 301 which it strikes.

Mr. ECKHARDT. Mr. Chairman, may I be heard briefly in response to the gentleman from Ohio (Mr. BROWN)?

The CHAIRMAN. The Chair will inquire first whether the gentleman from Michigan (Mr. DINGELL) desires to be heard on the point of order.

Mr. DINGELL. I do, Mr. Chairman.

Mr. Chairman, If the Members will recall, it was I who first reserved a point of order.

In pressing the point of order, I must commend my colleague, the gentleman from Ohio (Mr. BROWN), for a most masterful piece of draftsmanship. Nevertheless, his draftsmanship and his display of rare talent to the contrary notwithstanding, the gentleman's draftsmanship does violate the rules. What the gentleman attempts to do here is simply to undo an amendment which was previously agreed to by the House.

Even though I voted with my good friend, the gentleman from Ohio (Mr. BROWN), with regard to the amendment which he seeks to offer at this time, the brutal fact that looks us both in the eye is that this is still an attempt to place before the House again precisely the matter on which the House voted the other day, and that is the Staggers-Eckhardt amendment. For that reason, it fails.

The time for offering this amendment or this kind of amendment was when we were dealing with section 301 and with the Staggers-Eckhardt amendment. Regrettably, even though I agree with my friend, the gentleman from Ohio (Mr. BROWN), the artful draftsmanship and the superb quality of the draftsmanship notwithstanding, I must say the amendment is violative of the rules.

Mr. BROWN of Ohio. Mr. Chairman, may I be heard in response to the gentleman from Michigan (Mr. DINGELL)?

The CHAIRMAN. The Chair recognizes the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman. I will say that this does not place before the House the same question that existed prior to the vote on the Staggers amendment. This places before the House the question of whether this title, with all the amendments taken together as they have been added to the title, except the Staggers amendment, should now be accepted. It does in fact raise a different question.

Mr. ECKHARDT. Mr. Chairman, may I be heard further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, the posture is this: The bill contained section 301, stricken by the Wilson amendment, at which point the Krueger amendment was offered as an amendment to reinstate section 301. The Staggers amendment was then offered as a substitute to replace the Krueger amendment.

Therefore, we completed 301, we acted upon 301, and had a complete body of law on 301.

It was at that time that the gentleman from Ohio (Mr. BROWN) might have attacked the Staggers amendment and sought to defeat it or, actually, the Krueger amendment, as amended by the Staggers amendment. He did not do so, other than to merely vote against it. Of course, that was the proper way to attack it, but what he is attempting to do now is merely to come in at this late point and seek to strike an amendment which was adopted by the House. Section 301 was at that time completed.

Mr. Chairman, he is not offering here a substitute in any proper form.

The CHAIRMAN. The Chair is prepared to rule.

Mr. BROWN of Ohio. Mr. Chairman, may I make one other citation to the Chair.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I would like to cite from page 351 of Deschler's Procedure in the House of Representatives, section 28.9, as follows:

> After agreeing to several amendments to section 1 of a bill, the Committee of the Whole agreed to a motion to strike out and insert a new section which included some of the amendments agreed to, but omitted one of them.

Mr. Chairman, I also have at the desk a subsequent amendment, pending the ruling of the Chair.

The CHAIRMAN. The Chair is prepared to rule.

The fact of the matter is that the original section 301 has been stricken from the bill and replaced by another section 301, and the amendment in effect deletes the new 301. The gentleman's amendment makes no change in the original text of title III. Under the rules and the practice of the House of Representatives, it is not in order to strike out an amendment that has been adopted or to offer an amendment in the form of the pending amendment which accomplishes solely that result—Cannon's VIII, § 2851–54.

Therefore, the Chair sustains the points of order.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Brown of Ohio: Strike out sections 301, 302, 303.

Renumber the succeeding sections of title III accordingly.

Mr. DINGELL. Mr. Chairman, I reserve the same point of order on the amendment.

Mr. ECKHARDT. Mr. Chairman, I reserve the same point of order on the amendment.

The CHAIRMAN. The gentleman from Michigan (Mr. Dingell) reserves a point of order, and the gentleman from Texas (Mr. Eckhardt) reserves a point of order.

Mr. CONTE. Mr. Chairman, I have a point of order on it.

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard on it?

Mr. CONTE. No, Mr. Chairman. I will rely on the judgment of the Chair.

The CHAIRMAN. Will the gentleman from Ohio (Mr. Brown) tell me whether his amendment was printed in the Record?

Mr. BROWN of Ohio. Mr. Chairman, this amendment was not printed in the Record. Therefore, the Chair must hear the points of order now.

POINT OF ORDER

Mr. DINGELL. Mr. Chairman, given those circumstances, then, I renew simply the point of order that I had made earlier against the prior amendment by observing that this is again an attempt to undue actions taken already by the House, as the Chair well noted when it ruled just now on the prior attempt to remove section 301, which failed.

The gentleman from Ohio is again attempting to continue an earlier amendatory action by this amendment.

For that reason, I would point out that there have been amendments adopted to sections 302 and 303, which, again, also might have been attacked in this way. For that reason, even though I am sympathetic to a certain extent with the gentleman's aim, and despite the fact that I laud his draftsmanship and his ingenuity, his attempt does violate the rules and is subject to a point of order, and the amendment may not be offered at this time.

The CHAIRMAN. Does the gentleman from Ohio (Mr. Brown) desire to be heard on the point of order?

Mr. BROWN of Ohio. I do, Mr. Chairman.

Mr. Chairman, this amendment does not stand on the same point that the previous amendment stood on. This amendment strikes two additional sections, sections 302 and 303. The present section 303 in the title has not been touched by amendment during the amending process, the prohibition on pricing facts being sent to the President, and is a section which has not been amended by the Committee of the Whole during consideration of title III.

The effect of this amendment is to strike that section of the Staggers' pricing section and, as it has been modified by section 302, the Wright amendment.

Mr. ECKHARDT. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Texas on the point of order.

Mr. ECKHARDT. Mr. Chairman, I believe the gentleman from Ohio misconceives the basis of the original point of order, since this amendment includes the striking of a section of the bill that has been completed, and has been amended and completed and includes another section of the bill that has been amended and completed. It is for those reasons subject to a point of order. The fact that it may include other matter that has not been amended and completed does not free it from the objection raised on the first point of order.

The CHAIRMAN (Mr. Bolling). The Chair is ready to rule.

As to the argument on the amendment by the gentleman from Texas, the Chair feels that it will disagree with that.

The Chair now refers to volume 8, page 446, section 2855 of Cannon's Precedents, it states that while an amendment which has been agreed to may not be modified, a proposition to strike that language from the bill with other language of the original text is in order.

Some language of the original text remains in section 303. Therefore the point of order raised by the gentleman from Michigan (Mr. Dingell) is not good, and the Chair overrules the point of order.

The question is on the amendment offered by the gentleman from Ohio (Mr. Brown).

Mr. BROWN of Ohio. Mr. Chairman, on that I demand a recorded vote.

PARLIAMENTARY INQUIRIES

Mr. ECKHARDT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ECKHARDT. Mr. Chairman, my parliamentary inquiry is this: Do I understand that this amendment is not debatable since it was not printed?

The CHAIRMAN (Mr. Bolling). The Chair will state that the gentleman from Texas is correct.

Mr. DINGELL. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. DINGELL. Mr. Chairman, my parliamentary inquiry is this: Is a motion for the Committee to rise in order at this time?

The CHAIRMAN (Mr. Bolling). The Chair will state that a motion to rise is a preferential motion, and it is in order at this time.

Mr. BROWN of Ohio. A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BROWN of Ohio. Mr. Chairman, is not a vote in progress?

The CHAIRMAN (Mr. Bolling). The Chairman will state that the Chair has not started to count.

Mr. ANDERSON of Illinois. Mr. Chairman, American history is filled with examples of statesmen transcending the narrow, partisan interest of the politician. It is filled with examples of elected officials who have exercised leadership in time of crisis, who have helped unite the American people in making those sacrifices required for the Nation's survival.

The pages of history that Congress has scribbled this week in its rush to recess do not add to those great traditions. When future generations read those pages, they will not find statesmanship, and they will not find leadership. They will simply find politics—in the worst sense of the word.

They will find that a majority of the Members of the U.S. House of Representatives—in the most important vote of the year, on the most important issue of the decade—resorted to the petty, dismal, self-serving role of the politician rather than the hard, public-minded one of the statesman and leader.

I am talking about the vote disapproving the gradual decontrol of domestic oil prices—the first major vote on the Nation's overall energy policy.

And what did the majority really vote for? They voted for more delay in formulating and implementing a national energy policy.

They voted for the continued export of billions of American dollars—American jobs and productivity—to pay for imported Arab oil.

They voted for increased dependence on a cartel of oil-producing countries which are holding this Nation's foreign policy hostage to their own national interests.

In fact, they voted an open invitation to the Arab cartel to raise its prices by $2 or $4 a barrel or more. And they voted just in time to make the signal clear—there is an OPEC meeting on prices scheduled for the first week in September.

They voted for a further abdication of this Nation's leadership role in the free world.

They voted for a clear-cut demonstration that this country—or at least that one of its legislative institutions—does not have the wisdom or the will to address the gravest problem that we have faced for a generation or more.

They voted to confirm in the eyes of the rest of the world the notion that the strong America, the resilient America, the determined America of the past, no longer exists.

All our experience since the imposition of the oil embargo in the fall of 1973 came right down to the line on that vote.

Months of study, analysis, planning, debate and compromise—months of postponed deadlines and delayed decisions to permit the Congress to contribute to the solution of our energy problems—came to an end.

The last postponement has taken place; the time for long-needed action was at hand; the administration in the absence of any meaningful congressional response to the issues, had taken the first step to implement a national energy policy; and all the Congress had to do, having failed to exert even modest leadership itself, was to acquiesce in the administration's proposal..

And what happened?

Well, on the other side of the Capitol, our colleagues seemed to have recognized that, much as some of them may have found it distasteful, there was no responsible alternative. They voted "no" on attempts to disapprove the administration program. That may be the only sound vote on energy which has taken place in Congress this year.

And, so, the moment of truth came to the House. And a majority managed to turn that moment of truth into hours of fantasy. In an atmosphere of confusion, misunderstanding and posturing that would have done credit to Mack Sennett's Keystone Cops, this body of lawmakers scampered around the issues, dodged the truth, ducked reality and, finally in one last gesture that was comic and tragic at the same time, rejected the President's leadership, chose the worst of the alternatives before us and abandoned all pretense—if, indeed, any remained—that we could play a responsible role in dealing with the Nation's energy problems.

But that sad spectacle is consistent with the record Congress has compiled throughout the year.

Seven months ago the President submitted an energy program to the Congress. It was not sent up for rubber stamp approval, but for serious consideration, debate, and compromise. We all hoped that the administration and the Congress could, together, present a solid position to the world in general and to the oil producing nations in particular—that we could, together, develop a viable national energy policy.

The administration's proposals were based on the reality of higher energy costs and the necessity of curtailing consumption and increasing domestic production. But, as soon as they were presented to us, there was precipitous flight from reality and necessity. What we witnessed was a remarkable lack of courage on the part of lawmakers who should have known better.

In the mistaken belief that the Government could repeal the law of supply and demand, many people in public life cried out almost abjectly for the bonds of regulation, rationing and allocation:

They said "Give us volumes of regulations; cut down whole forests for paper to print rationing coupons; give us a new ice age of bureaucracy to grind down the economy like a glacier; but do not give us higher prices."

That lack of perspective may make for longevity in office, but it is not the kind of statesmanship and courage the people of this country deserve. We did not have to ignore the interests of the people of our respective districts. What we did have to do was balance those interests with the Nation's needs—to respond, if not as statesmen at least as responsible legislators to the Nation's energy needs.

But the House responded with partisan politics. And with self-interest. One of the arguments that was advanced against the administration decontrol program was that a vote for it would be "a vote for your own retirement." If that kind of argument had carried the day during the past crises that this Nation has faced, we would not be here today looking forward to our Bicentennial. In fact, we probably would not have made it through the War of 1812.

Now, I am not saying that political considerations do not enter most of our minds when we come down to a vote. I am not saying that the President is no politician. All of us—all elected officials from the White House on down—are politicians, and most of us do think every now and then about reelection.

But being a politician does not mean playing politics. And it does not mean copping out when the future of this country is on the line. And that is precisely what we did this week.

At the outset I mentioned history and how future generations would assess the accomplishments of this congressional week. Unfortunately, they will probably sum it up this way: "During the week of July 28–August 1, 1975, Congress voted for two pay raises—one for itself and one for the Arab oil sheiks—and then it went home for its fifth vacation of the year."

That is a pitiful legacy for our children and future generations of Americans. And it is good cause for shame in this Chamber.

Mr. BALDUS. Mr. Chairman, the Moss-Dingell substitute to title VIII addresses itself to a serious problem in any deliberations on our national oil policy—the unreliability of estimates on our supplies of oil. Our existing means of collecting such information and the ultimate uses to which such information are put have coupled together to act as an incentive to some very creative accounting methods on the part of the oil companies.

I support the Dingell-Moss substitute as an important first step in developing reliable estimates of our oil supplies. I have been concerned about this problem for some time and I have been developing my own proposal to guarantee accuracy in the reporting of oil supplies. I do not intend to introduce my proposal as an amendment to this bill because of the question of germaneness. I would, however, like to take this opportunity to familiarize my colleagues with the concept I have been developing.

I am thinking in terms of a transference tax to be imposed on a per barrel basis each time supplies of oil are moved from one location to another. The tax would be miniscule and would be imposed when the oil was originally taken from a well as well as every time the oil was moved from one storage facility to another, or to a refiner, up to the point that it was turned over to a retailer. A separate tax would be imposed on per barrel known estimates of reserve oil, that which has been discovered but has not been removed.

The tax would be very small because its prime purpose would be to make mandatory complete and accurate accounts of our oil supplies. Because its purpose would not be to raise revenues, it could be very small indeed.

There would be, however, severe penalties for inaccuracy or incompleteness in the reporting of oil supplies on the part of the oil companies for the purpose of this tax. In the case of the transference tax these penalties could be quite definitive, perhaps on a per-barrel basis.

It is my hope to perfect this proposal during the August recess so as to introduce a bill when we return in September.

In the meantime, I urge you to support the Moss-Dingell substitute to title VIII. The need for accurate estimates of our oil supplies is immediate and essential.

Mrs. MINK. Mr. Chairman, I rise in support of the amendment offered by my colleague from Hawaii, to strike section 307 of the bill before us, which would provide that those small refiners whose capacity is 100,000 barrels per day or less should be forgiven from the purchase of entitlements for the first 50,000 barrels per day of old oil processed.

Analyses of this section of the bill which have been brought to my attention indicate that while its provisions seek to equalize conditions under which these small refiners operate for some small refiners, it does so to the disadvantage of others, one of which is the Hawaiian Independent Refinery, Inc., in Hawaii.

Procedures exist presently whereby inequitable pricing and allocation can be remedied through the entitlements program devised by the Federal Energy Administration. These procedures are designed to compensate for the economies of scale in larger refineries with sophisticated product mixes and marketing arrangements, all with the aim of maintaining the competitive viability of the small refiner.

Section 307 would upset the balance among small refiners, because for each refiner who is forgiven the requirement to buy an entitlement, another who has less than the national average of old oil must give up the sale of an entitlement. Old oil is not distributed evenly by region; consequently, costs for petroleum products in those States which are rich in old oil would be less than those in States with a lesser share of old oil.

Mr. Chairman, serious questions have been raised about the factual basis upon which the committee based its conclusions regarding the effects of the present program of entitlements on small refiners as contained in the committee's report and comments on section 307. From the materials I have examined, it appears that substantial disparities exist in figures reported by the committee and those which several small refiners claim are valid. I do not believe this section of the bill should be part of our national energy program as we vote on it in this House.

I urge my colleagues to vote in favor of the amendment to strike section 307.

Mr. DINGELL. Mr. Chairman, I regretfully move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and

the Speaker having resumed the chair, Mr. Bolling, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7014) to increase domestic energy supplies and availability, to restrain energy demand, to prepare for energy emergencies, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the provisions of H.R. 7014, the bill just considered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERSONAL EXPLANATION

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I think an explanation from me to my colleagues is in order as to why I have asked that the Committee do now rise. In fairness, I must confess I was in sympathy with the amendment that was offered by the gentleman from Ohio (Mr. Brown). I do not believe, however, that in fairness I could permit the matter to come to a vote after a large number of our colleagues had gone, and in view of the fact that substantially similar questions had been presented to the House at an earlier time.

It was for this reason that I moved that the Committee rise.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I thank the gentleman for yielding.

I share the gentleman's view. This is why we did not press the point on the vote, as we have not been pressing the point on cutting off debate on this piece of legislation.

Mr. DINGELL. I thank the gentleman.

Mr. OTTINGER. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from New York if I have any time left.

Mr. OTTINGER. I thank the gentleman for yielding.

I would just like to express my disappointment, because I think the House should have passed an energy bill, and we should have stayed in session until we got one.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Wednesday, September 3, 1975, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. SNYDER. Mr. Speaker, reserving the right to object, and I shall not object, I want to take this time to ask the majority leader if he could tell us when we will take up the energy bill?

Mr. O'NEILL. If the gentleman will yield, the energy bill will be our first item on our return.

Mr. SNYDER. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, SEPTEMBER 3, 1975

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, September 3, 1975.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS AND APPOINT COMMISSIONS, BOARDS AND COMMITTEES AUTHORIZED BY LAW OR BY THE HOUSE

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until September 3, 1975, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AUTHORIZING CLERK TO PRINT REPORTS BY COMMITTEES AUTHORIZED BY HOUSE TO CONDUCT INVESTIGATIONS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that reports filed with the Clerk of the House until September 3, 1975, by committees authorized by the House to conduct investigations may be printed by the Clerk as reports of the 94th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, I take this time to clear up the question that was just raised by the gentleman from Kentucky (Mr. Snyder). I wonder if the distinguished majority leader could inform the House as to the program for the balance of today, and in addition to that the program that is anticipated for the week of September 1.

Mr. O'NEILL. Mr. Speaker, in reply to the gentleman from Illinois may I say there is no other business before the House at this time.

Mr. Speaker, I will say to the acting minority leader, the program for the week of September 1, 1975, is as follows: Monday and Tuesday we will be in recess.

For Wednesday and the balance of the week:

H.R. 7014, Energy Conservation and Oil Policy Act, votes on amendments and bill;

H.R. 5328, Smithsonian facilities, under an open rule with 1 hour of debate;

H.R. 4415, Intergovernmental Personnel Act, under an open rule with 1 hour of debate; and

H.R. 3884, national emergencies, under an open rule with 1 hour of debate.

Conference reports may be brought up at any time.

Any further program may be announced later.

May I say for the Record and the acting minority leader, we can anticipate when we return to work on Wednesday and Thursday and Friday a full schedule of business, which we failed to do today.

HOUSE SHOULD CONSIDER FURTHER BUSINESS

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Speaker, I take this time and I regret to do so in order to seek a response from the gentleman from Massachusetts. At the time the gentleman was making the request, in effect, to say there is no more legislative business, the messenger came in from the Labor Department and informed me and I think the chairman of the Unemployment Compensation Subcommittee that H.R. 9091 passed the other body this afternoon, had attached to it an amendment by the distinguished gentleman from Louisiana, Senator Long.

Mr. Speaker, is it possible at this point for the House to consider matters passed by the other body which are, in fact, of some importance, and in the case of the Virgin Islands, of critical importance?

THE NATURAL GAS SITUATION

(Mr. MOSHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MOSHER. Mr. Speaker, I do not want this day to pass without calling the attention of the House to certain problems in the natural gas situation and I have a statement I want to insert in the Record.

Mr. Speaker, I ask the House of remember that old song, "Don't bring me posies when it's shoesies that I need!"

The increasingly bitter, frustrated plea of this House from thousands of Ohioans is this: "Quit talking forever about oil prices because it is natural gas we so desperately need."

Endlessly we argue here today, as we have for weeks now, quarreling over amendment after amendment to an oil pricing bill that all of us know will go nowhere in the form it seems to be taking. Unless it at least provides for orderly, phased decontrol of prices, this bill surely will be vetoed, and the veto will be sustained.

So, Mr. Speaker, how do I explain this exercise in futility to my fellow Ohioans?

To them it seems insane that we in Congress take no decisive action toward ending natural gas curtailments, but instead talk here only about oil, oil, oil.

Obviously, the leadership here does not realize, nor does it seem to care about today's most crucial need in northern Ohio, western Pennsylvania, and other nearby areas, is for assured supplies of natural gas for industrial use.

Instead, we are assured of increasingly curtailed gas—industries suffering, increased welfare costs—a near tragic situation is immediately in sight. Even if we have another "mild" winter, which is unlikely, the economic damage and human suffering will be very serious, very sad.

Ironically, Mr. Speaker, that impending gas shortage and the woes it threatens were recognized 6 months ago, a year ago, and to a large degree even 2 or more years ago—so long ago, and yet no corrective action has yet been taken, nor even agreed to, by those of us here who are responsible for such action. And any conceivable action we in Washington might now agree to will be very little and very late in terms of the actual delivery of increased natural gas supplies to Ohio any earlier than the winter of 1977–78.

Why and how could this extremely bad, explosively frustrating, seemingly inexcusable situation be allowed to happen? Why has there been no decisive action by the Federal Government to correct it? I will attempt to answer those questions later in this statement.

But first, for the better understanding of my Ohio, constituents, I offer here for the RECORD a quick six-item summary of the energy battle as of July 31, 1975; my personal assessment of it, recognizing it almost surely will be somehow changed by the time this appears in print.

First, it is a brutal truth, the worst possible from Ohio's standpoint, that Washington will take no effective action to increase deliveries of natural gas to our area, until after a national policy for oil is agreed to, voted and signed into law. Oil is the pacing item on the energy agenda here; action for gas will have to wait, until much too late.

Second, months ago the congressional leaders had agreed that any attack on the gas problem would originate in the Senate, and the House would originate the oil policy. The Senate Commerce Committee has approved a gas bill (S. 692), but it is extremely controversial and will be held there pending an agreement on oil. Hourly, daily for 6 months, seriously divided House committees have wrestled with each other and with the White House—have wrestled to a very discouraging stalemate. I prophesied to my constituents that there would be decisive action for a national energy policy before June. How wrong could I be.

Third, are the scarcities real? Yes, oil and gas from existing U.S. domestic wells are limited and dwindling rapidly; there is hardly enough to supply more than half our U.S. needs. At best, several years will pass before new U.S. wells—Alaska, Elk Hills, deep sea, et cetera—will begin producing. But the wordwide supplies are abundant, and will be for several years; so, plenty of oil—and eventually gas, to a lesser degree—can be imported, if we are willing to pay OPEC prices, and if we will accept the risk of OPEC embargoes or other uncertainities—sporadic wars, for example.

Fourth, the prime reason for today's stalemate here is a very fundamental difference between the President and the majority in Congress. Mr. Ford and his advisers insist that our most crucial need is to become rapidly less dependent on imported oil. To accomplish that, the White House says the Congress should: Adopt various tax provisions which will discourage imports of oil, and will discourage our domestic use of oil—especially gasoline—by forcing American consumers to pay higher prices. Encourage the very vigorous search for and production of new supplies of American oil and gas—plus the development of alternative energy technologies—by removing Government-imposed price ceilings, so that free market forces can take hold, prices and production will rise, and the potential profit return will attract adequate risk capital and entrepreneur effort. Require that a substantial portion of such profits be reinvested—plowed back—to produce added supplies. Impose heavy taxes on excess profits and somehow return that "windfall" revenue to the energy consumers.

In sharp contrast to those White House proposals, the several disagreeing plans offered here in Congress—none of which as yet has received solid majority support—mostly seem to discount a need for quick action to cut oil imports, and thus they imply willingness to risk for years to come our U.S. vulnerability to the international oil cartel. Instead, they indicate a prime concern for the consumer, a belief that some price ceilings can be maintained—at least until after 1976. The major argument by many Congressmen is that forcing higher prices —particularly gasoline prices—will not greatly reduce the use of energy, but will greatly increase the cost of living for those who can least afford such costs, and thus will discourage economic recovery, will hurt employment, will stimulate more inflation.

So, thus far, it has been impossible to get any united congressional support for the specifics of any one coherent, positive energy program.

I hasten to note, Mr. Speaker, that these differences of view are far more than "petty partisan politics"; they symbolize profoundly important cleavages that are deep and widespread in basic beliefs throughout all of American society. There's nothing superficial about this great national energy debate; it is very complex, very difficult, and crucially significant for the future of our national well-being.

Fifth, 2 days ago, the majority here voted to kill this, leaders of the several Democratic Party factions—the party which holds 2 to 1 control here in the Congress—are still arguing over how to respond to President Ford's latest "compromise" proposal for gradual month-by-month decontrol of oil pricing. Some welcome it, but more seem to reject it. This is the President's third effort to compromise.

The statutory authority by which the President now has discretionary power to control oil prices will expire on August 31. That puts heavy pressure on this Congress to decide what shall happen after that date. If all price controls are suddenly ended—bang!—for lack of any agreement on a new pricing policy, then the wholesale price for "old" oil, which is now controlled at $5.25 per barrel, could explode up to the "world market" level near $13 per barrel—meaning the retail price of gasoline at the pump could suddenly jump about 6–7 cents more per gallon.

Mr. Ford and the bipartisan congressional leadership conferred constantly last week, trying to reach agreement. They do agree that such huge, quick price increases should be avoided. But the President had recently vetoed a bill voted by Congress which would have extended his price control authority, but also required a "rollback" of prices for new domestic oil—now uncontrolled—from $12 to $13 per barrel to $11.28. Congress did not even try to override that veto, but then it in turn rejected Mr. Ford's earlier plan to phase out price controls over a 30-month period; and last week the House also voted to reject a gradual decontrol amendment, plus another amendment that would price domestic oil at an average of $7.50 to $8.50 per barrel.

Debate here on the Krueger amendment—gradual decontrol—took more than 3 days. Thus, deadlock in the House goes on and on; but the various elements change from hour to hour, as strenuous efforts have continued, inching us toward compromise.

Meanwhile, over in the Senate Finance Committee—anticipating our probable failure to agree on any new controls by August 31—there has been an effort to rush through an emergency tax bill which would soak up 90 percent of any oil company "windfall" profits resulting from sudden decontrol, and somehow return that tax revenue to the consumers. The Senate plan also would contain a "plowback" provision, which means that a portion of the profits would not be taxed away if those profits are reinvested directly in genuine efforts to find and develop new energy sources.

I am mindful that, Wednesday evening, July 30, the House voted 228 to 189 to reject the President's latest plan, for month-by-month phased decontrol of oil prices. Instead, the Staggers amendment has been approved, 218 to 207. It calls for three-tier pricing of oil: First, holding "old oil" at the present $5.25 ceiling, Second, a $7.50 ceiling on new and stripper oil. Third, for "hard to get" oil—Outer Continental Shelf, Arctic Circle, tertiary recovery, and other special situations—a $10 ceiling and the White House says that plan surely would result in increased rather than reduced oil imports. My opinion is that the President will surely veto any such extremely complicated system and will continue to insist on some sort of assured phasing up and out of oil price ceilings.

I had been confident a compromise agreement would be achieved before the August deadline. This latest House action, refusal to compromise, now makes that seem very doubtful.

Sixth, so, now what can be done to get more natural gas, to keep Ohio's industries going? The immediate problem is well known: The Federal Government's unrealistic ceiling on the price for any gas transported interstate is 53 cents per thousand cubic feet at the wellhead. But that same gas is readily sold for $1.50 to $2 per thousand cubic feet in the unregulated intrastate market. Obviously, there is no price incentive to move gas to Ohio in the interstate pipelines; therefore, it stays down in Texas, Louisiana, and other intrastate markets, and Ohio industries understandably are severely tempted to move their operations to those markets, to get an assured fuel supply.

It is strenuously argued that there is a simple answer to this complex problem. In every mail I receive, by telegram, phone call, petitions, and in huge newspaper ads, I am told that the one thing needed is complete deregulation of the price of natural gas at the wellhead. It is said just let the price quickly find its own natural level in marketplace competition, and surely then greater quantities of gas will begin to flow into the pipelines north to Ohio.

That seems a very plausible, logical, attractive solution. But I know the public wants the truth from me, and the brutal truth is this: There is not the slightest possibility that this 94th Congress will vote the quick deregulation of wellhead prices for natural gas, not the slightest. It is important that no one should continue to be so gullible as to believe it still might happen, despite any propaganda one may read. There are too many conflicting interests and philosophies that must be accommodated, many in strong support of continued price ceilings.

As I see it, obviously it is imperative that there be sufficient decontrol to allow strong price incentives to attract huge risk capital investment into the production of new and expanding natural gas supplies. Mr. Speaker, I will strongly support any such responsible plan.

There is not time here to describe in detail S. 692, the Commerce Committee's Natural Gas Production and Conservation Act, now poised for action in the Senate. But it would exempt completely from price control some gas, from new onshore wells by independent producers; and it would raise price ceilings on other gas, presumably to stimulate production. But before that bill or any other gas bill reaches a final vote, it will be amended in many details. It is much too early to guess the outcome. Presumably it will end up somewhat similar to whatever oil pricing compromise is ultimately achieved.

I repeat, oil is the pacing item on the agenda here. That probably means some sort of phased increase in both oil and gas prices, sufficient decontrol intended to stimulate production of "hard to get" new supplies, plus "windfall" and "plowback" tax features to protect consumers against gouging.

Mr. Speaker, I emphasize this, it is essential for this Congress to approve some form of Federal preemption, to require that all natural gas—both interstate and intrastate—shall be subject to the same pricing rules, thus to put an end to the competitive disadvantage which today so severely cripples our Ohio area.

My constituents will ask, and rightly so, how I have voted on these questions. Throughout all these 7 months—in vote after vote after vote—I steadfastly have supported the energy policies of the President, which means I have been almost always on the losing side thus far. I have held to that position, even when I very much disagreed with certain aspects of the Ford administration proposals, because I was convinced that only by that strategy could this divided, timid, indecisive Congress be forced into effective action, into agreement for a sensible, feasible compromise.

On February 13 of this year, I clearly and publicly announced my intention to follow that course. In my four-page statement—distributed to the press and to hundreds of my constituents at that time—I tried to state clearly and briefly 10 options available to us as a nation, in our efforts to solve our energy shortage needs—shortages and needs which I defined as very genuine and of emergency proportions. I concluded that statement with a summary of those specific actions which I believed should take priority.

This is not the place to repeat all of those options and my recommendations here; but in all the 6 months of turmoil and debate that has followed, today I still believe they are fully as valid as they were on February 5. I stand fast in support of them.

But I do want to reemphasize here one top priority is the imperative need for all of us to reduce our own uses of all forms of energy, in every feasible way.

That great need to conserve energy means a lot of individual voluntary effort, but it also means national policy decisions which will force more conservation, especially the reduced consumption of gasoline . . . smaller cars, more miles per gallon, slower speeds. It also means increased and more vigorous Government support at all levels for many kinds of innovative development of effective ways to conserve and recycle.

Now, Mr. Speaker, I point to one energy problem area where this Congress is acting decisively. That is our strong support of the urgently needed research and development of new energy sources for the future—coal gasification and liquefaction, the breeder reactor and its associated safety problems, geothermal energy, the many facets of solar conversion, thermonuclear fusion, and so forth.

Frankly, I am proud of the fact that those are the areas of my own particular committee responsibilities here. It has taken us many weeks and months of concentrated bipartisan effort, but the energy research and development programs for which we now have won congressional approval and funding . . . even though they get very little public attention or understanding—I believe those are a major hope for the future of this Nation and humanity in general.

I will continue to be very active in our Science and Technology Committee, pushing to keep up and increase that momentum to bring into practical use such potentially inexpensive, abundant and nonpolluting new energy sources as solar conversion and fusion, so that as soon as possible we can divorce ourselves from reliance on oil or natural gas. That necessarily is my principal role here in the Congress today, but the technical difficulties and unknowns indicate, unfortunately, that many years of further effort must come, before we actually can make good use of those new energy sources.

Mr. Speaker, I must not close these already overly long remarks without calling to the attention of this House and my Ohio neighbors a fascinating, important report issued on July 25 by the Committee on Government Operations.

It suggests that the President already has the authority right now to force reallocations of natural gas supplies if he determines that the natural gas is a "scarce and critical material" essential to the operation of defense-related industries. The report says that this authority is granted by the Defense Production Act.

Frankly, it seems to me very, very doubtful that the President is likely to use that authority, arbitrarily, to order additional gas from intrastate use into the interstate pipelines and north to Ohio, as much as some of us might wish him to do it.

But I believe we must vigorously explore with Mr. Ford that possible emergency use of his authority. I intend to do so, and I will ask the support of many of you in that approach to the White House.

Unhappily, that Commerce Committee report also serves to confirm the fact that this immediate winter's shortage of natural gas in Ohio apparently is unavoidable. Also, the committee notes that this winter's shortage will most likely be more severe than last winter. That is the very bad, but authentic information, barring some sort of miracle such as emergency White House action.

Mr. Speaker, the truth about these energy shortages, no matter how brutally unpleasant and unwelcome that truth may be, must be told to the American people by Members of Congress.

Too many people refuse to believe that the scarcities will be real, the need to conserve is real, the inevitability of higher consumer prices is real. Too many still say, "It is just a ripoff." Of course, it is up to us to keep it from being a ripoff.

Back in February, I concluded my energy message to constituents with a tough warning, all the more valid today, and I repeat it here:

> So hear this . . . there is NO easy, quick, comfortable escape from today's energy shortage; every conceivable plan we may attempt will require widespread sacrifice and pain, profound dislocations in every American's way of life, and for years to come. The best we can hope for is a degree of equity, to place the heavier burdens of discomfort on those of us who can best afford it.

Finally, Mr. Speaker, despite the costly space this long statement will take up in the RECORD, I must try to respond to the important question I posed at the beginning of these remarks:

Why is this Congress so frustratingly divided, slow, and indecisive in this seemingly futile attack on our Nation's crucial energy problems?

It is discouraging to recognize, in the mail I receive, a serious lack of public information or understanding concerning the U.S. Congress. As those of us who serve here know, this is an institution, a process, so huge and complex in its activities, the news media can seldom report it more than superficially. Sports and the entertainment world are more adequately reported.

There is a widespread popular impression that most Congressmen today are paying little attention to the energy scarcity problems. The truth is quite the opposite of that. Seldom if ever has any problem received so much attention—long and strenuous hours of it, often on into the night—from so many committees, so many staffers, so many Congressmen. And the effort has been genuine, by scores of extremely able people here. It is not for lack of concern or for lack of trying.

Just briefly and inadequately, I suggest that a major cause of the indecision here is the very fact that Congress represents and reflects accurately a profound lack of consensus throughout the Nation. Unfortunately perhaps, the Congress was never designed to lead public opinion, it largely reacts to and follows it.

We glory, and rightly so, in the fact of America's pluralism, the diversity of interests and attitudes that stem from our basic freedoms and our relatively open, mobile social structure, our vast, varied geography. It is the essence of America that we speak freely and vigorously in many and varied voices. It is the essence of the U.S. House of Representatives that those many voices are all heard here, stubbornly and vigorously speaking and voting their separate ways.

Rarely, except in a wartime emergency, does there occur a national consensus on any great issue; so it is extremely difficult to pull together a winning majority—at least 218 votes—in support of any piece of really important, complex, and difficult legislation. Name almost any history-making statute, and you will find it took many months, usually years of processing here on the Hill before it was approved.

That is the way it has got to be, if our democratic processes of representative government are to remain true—they are inherently cumbersome.

And you could hardly name any conceivable subject that is more extremely complex than are our energy problems, or in which the economic, geographic, technological, social, philosophical, political, or just plain basic human interests are more entrenched and difficult.

I do not offer that comment as an excuse for the indecision in this Congress; I only offer it in the hope of somewhat better public understanding.

FURTHER LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, I announced when the gentleman from Illinois (Mr. ANDERSON) was here, and the gentleman was acting minority leader at that particular time, that we had no further business. The Chair knew of no further business at that time. But since that time we understand that two bills have been reported back from the Senate. One is the Virgin Islands bill and the other is aid to dependent children.

It is my understanding from both Members in the well, the majority and the minority parties, that that is not controversial in nature, unless there is some objection from the minority side.

Mr. CONABLE. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from New York.

Mr. CONABLE. I am aware of no objection, I will say to my distinguished friend, but let me ask the gentleman in the well, if I may, are these both bills involving time limits which will expire before the Congress reconvenes?

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, that is the problem. We have a "time" bill concerning the Virgin Islands and an August 1 deadline on the AFDC provisions.

Mr. CONABLE. If the gentleman will yield, may I ask the gentleman what would be the effect of these measures expiring, and would it cause serious administrative problems?

Mr. STEIGER of Wisconsin. If the gentleman from Massachusetts will yield further, the Congress acted to authorize a loan to the Virgin Islands to enable it to continue paying unemployment compensation benefits, but we did not amend the appropriate section of the Social Security Act relating to a trust fund. Thus, the Virgin Islands are denied under the law the chance to borrow. They are borrowing now from themselves, in effect, about $100,000 a week. They are in debt in excess of $300,000, so there is a problem.

Mr. CONABLE. If the gentleman will yield further, this results then from an error made in the legislation previously which results in serious financial hardship for the Virgin Islands?

Mr. STEIGER of Wisconsin. If the gentleman from Massachusetts will yield further, the gentleman from New York is correct.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, it is my understanding, I will say to the gentleman from Wisconsin (Mr. STEIGER), the full explanation of the Virgin Islands unemployment has been explained. We have knowledge of that. It is also my understanding a nongermane amendment has been attached to this bill, about which no one in this House has any knowledge whatsoever. The last time we had a comparable situation, the Nixon for President Committee got a huge tax break and it took 6 months to undue the pincushion bill.

The gentleman from Maryland will object to any bills with nongermane amendments that come in at the last moment.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman from Massachusetts yield?

Mr. O'NEILL. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I thank the gentleman for yielding.

I will say to the gentleman that it is a portion of the bill passed by the House for railroad unemployment compensation. Title 3 of the House passed bill is that section which in the other body has been added to the Virgin Islands bill, so it, in fact, is a matter we have discussed in debate, and it was considered by the House.

It is nongermane to the Virgin Island question on the trust fund, but it is a matter that has been considered by the House.

Mr. CONABLE. Mr. Speaker, will the gentleman from Massachusetts yield to me?

Mr. O'NEILL. I yield to the gentleman from New York.

Mr. CONABLE. In other words, what the gentleman from Wisconsin is saying is that these two measures have to be reconsidered because of their conjunction and not because they will be new matters before the House; is that correct?

Mr. STEIGER of Wisconsin. If the gentleman will yield, that is correct.

If the gentleman from Massachusetts will yield further, I do not pretend to be an expert on that. The gentleman from California may be more expert than I. The issue on the unemployment compensation measure for railroad workers is how you trade the payment for retroactive benefits.

The SPEAKER. The Chair does not like to interject.

The normal procedure, as the Members know, special orders are called when the legislative business has ended. We have not called special orders yet.

We have at least three bills, to my knowledge, that may come over here from the Senate.

The Chair would like to take the special orders and reserve the authority to call up these bills at a later time. The Chair would like to suggest to the minority and majority leaders that we take a recess for no more than 45 minutes.

Does any Member have any objection?

Mr. O'NEILL. I have no objection, Mr. Speaker. I was informed, however, by the Chair that there was no further business pending.

The SPEAKER. The Chair is awaiting a message from the Senate.

Mr. O'NEILL. Mr. Speaker, I made the statement to the minority side and to the acting minority leader that there would be no further objection. If there is no objection from that side of the aisle, I have no objection.

Mr. BAUMAN. Mr. Speaker, I object.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1553. An act for the relief of Victor Henrique Carlos Gibson; and

H.R. 5405. An act to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 723) entitled "An act authorizing appropriations to the National Science Foundation for fiscal year 1976."

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 409. An act to increase the authorization for the Council on Wage and Price Stability, and to extend the duration of such Council.

The message also announced that the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate to the bill (H.R. 83) entitled "An act to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe."

The message also announced that the Vice President, pursuant to Public Law 85-474, appointed Mr. HARTKE, Mr. METCALF, Mr. BAYH, and Mr. STAFFORD to attend, on the part of the Senate, the Interparliamentary Union Meeting to be held in London, England, September 4 to 12, 1975.

The message also announced that the Senate had disagreed to the conference report on the bill of the House entitled:

H.R. 6674. An act to authorize appropriations during the fiscal year 1976, and the period beginning July 1, 1976, and ending September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 153. An act to designate the Mountain Park Reservoir, Okla., as the Tom Steed Reservoir.

DESIGNATING RESERVOIR IN OKLAHOMA AS THE TOM STEED RESERVOIR

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1531) to designate the Mountain Park Reservoir, Okla., as the Tom Steed Reservoir and to consider the Senate bill in the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, will the gentleman from California (Mr. JOHNSON) tell us whether this is the only purpose of the bill or whether any nongermane amendments of any nature whatsoever have been added to this bill?

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from California.

Mr. JOHNSON of California. Mr. Speaker, the answer is: No. All the bill does is to name the reservoir as the Tom Steed Reservoir. The reservoir is going to be dedicated during the month of August, and they would like to make the plaque and have it there with the name of Tom Steed on it for the dedication ceremonies.

Mr. BAUMAN. Mr. Speaker, I think that is a fitting honor to the gentleman from Oklahoma, and I accept the gentleman's assurances that there are no nongermane amendments.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1531

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mountain Park Reservoir, Oklahoma, authorized to be constructed by the Act of September 21, 1968 (82 Stat. 853), shall be known and designated hereafter as the Tom Steed Reservoir. Any law, regulation, map, document, record, or other paper of the United States in which such reservoir is referred shall be held to refer to such reservoir as the Tom Steed Reservoir.

Mr. JOHNSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Mountain Park project was authorized for construction by the act of September 21, 1968, for the major purposes of controlling floods, furnishing a municipal and industrial water supply for the cities of Altus and Snyder, Okla., creating outdoor recreational opportunities and enhancing fish and wildlife. The major feature is a multiple-purpose reservoir controlling the flows of Otter and Elk Creeks in Kiowa County, Okla. This reservoir, known as Mountain Park Reservoir, is the subject of this legislation. An identical measure, H.R. 9418, passed the House of Representatives in the 92d Congress but failed of enactment in the Senate.

The redesignation of Mountain Park Reservoir is in recognition of Congressman STEED's contribution to the cause of water resource development in the State of Oklahoma and the United States, generally; and, in honor of his service to the people of his district during 12 terms in the House of Representatives. The measure stems from suggestions by the people who are primarily benefited by the Mountain Park project and who have assumed the responsibility for repayment of the reimbursable project costs.

There is no recorded opposition from any person or agency of the local community or elsewhere in Oklahoma. In fact, the local residents who utilize this facility already refer to it as the Tom Steed Reservoir. Inasmuch as dedicatory ceremonies are planned for the project for August 23, 1975, the Committee on Interior Affairs considers the enactment of this legislation to be particularly timely and in good taste.

In recent years there has been an increasing tendency to name public facilities for living persons in order more adequately to express respect and appreciation for their public contributions while the recipient can appreciate the honor being bestowed by his fellow man.

Mr. ENGLISH. Mr. Speaker, you and I, and my other distinguished friends and colleagues who have the privilege of representing the State of Oklahoma, today have a further honor. Today, we have the opportunity to pay tribute to one of the Members of this body who has done most for our State—the very Honorable TOM STEED.

Throughout the years, TOM has become known for his many talents, of which not the least has been his tremendous respect for the people's body, the U.S. House of Representatives. And, through the years, TOM STEED has earned the respect and trust of both old and new Representatives, and he has been able to effectively serve both the people of southwestern Oklahoma and of America.

A few months ago, I became aware that the Senate and the House had bogged down repeatedly in efforts to have a small tribute paid to a man who is fast becoming a legendary figure here and in Oklahoma. I found out that the Mountain Park Reservoir, which wandered into my district after the last census, has never officially been given the title of Tom Steed Reservoir.

Now, I know that TOM has been responsible for numerous public works projects for Oklahoma, and it does not bother me one bit to have his name put on one of these accomplishments which I have been lucky enough to inherit.

What does bother me, Mr. Speaker, is that the people in the community that has the reservoir are about to dedicate it this month, and they all want to name it after our friend from the Fourth District of Oklahoma.

Just today, at the urging of the good senior Senator from the Sooner State (Mr. BELLMON) the other body passed a bill to formalize the name that everybody wants for that body of water. I am happy to be able to say that I introduced a virtually identical bill in this body a few months ago, which the Interior Committee reported favorably to the floor.

I feel that it would be a terrible injustice for TOM to have to go to the dedication of a reservoir named after him, knowing that the House of Representatives that he has served so well was not able to honor him in the same manner as the U.S. Senate.

Mr. Speaker, I considered it a tremendous privilege to be able to introduce the legislation naming the Mountain Park Reservoir after TOM. And I was further honored when Oklahoma's No. 1 man in Washington, the Speaker of the House, joined with the rest of my Oklahoma colleagues as a sponsor.

Let us make it final. I urge my colleagues on both sides of the aisle to pass the Tom Steed Reservoir bill as sent over by the Senate today.

GENERAL LEAVE

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the Senate bill under consideration.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without prejudice to calling up other legislative business which might come over to the House from the Senate, the Chair will call the special orders at this time.

NEEDED TAX REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. ARCHER) is recognized for 5 minutes.

Mr. ARCHER. Mr. Speaker, on behalf of myself and six of my colleagues, it is my pleasure today to introduce a measure designed to increase substantially the amount of venture capital available to the Nation's small business concerns.

American small businesses are experiencing the worst financial crisis since the depression. The pernicious combination of record-high interest rates, malaise of the public securities markets, double-digit inflation, and severe recession have made it exceedingly difficult for most small concerns to obtain debt and equity capital. It will require many months and, in some cases, years, before the small and medium-sized company will experience any relief from these economic problems. Until the traditional institutional sources of capital can once again be made available to the small business community, greater reliance will have to be placed on the Small Business Investment Company—SBIC—program to supply these desperately needed funds.

What is the SBIC program? It is a unique, joint venture between the Federal Government and the private sector, designed to provide an institutional source of venture capital. Privately organized, capitalized and managed, SBIC's hold Federal licenses which restrict them to investing in new or small businesses, in return for the ability to borrow indirectly from the Small Business Administration, through the sale of SBIC debentures guaranteed by the U.S. Government.

The program was established by the Small Business Investment Act of 1958; 17 years later, the industry consists of more than 300 SBIC's with private capital of about $400 million, and total assets approaching the $1-billion level. These SBIC's provide management and technical assistance and also disburse almost $200 million each year to between 2,000 and 3,000 independent businesses. During the life of the program, SBIC's have invested over $2.5 billion in the birth and growth of more than 45,000 small firms.

Data compiled by SBA demonstrates that SBIC financing is one of the most cost-effective and beneficial programs in all of the Federal Government. One Government study showed that SBIC-aided small businesses achieve the following average annual growth rates: Employment 25 percent; revenues 27 percent; profits 27 percent; assets 35 percent; and net worth 37 percent. Obviously, these "portfolio companies" grow far more rapidly than the averages for all U.S. businesses.

Since rising unemployment is of major concern to the Congress, it should be emphasized that SBIC financing has historically had a major positive impact in the employment area. For every 100 companies financed by SBIC's, 3,348 new jobs are created. I am not aware of any other federally related program having a lower cost-per-job ratio.

Two distinct types of investors have purchased SBIC stock over the past 15 years. One group seeks capital appreciation and a return on their investment through long-term capital gains. For this group, the reinvestment credit for SBIC's is of paramount concern, because that will allow the SBIC to defer payment of Federal taxes so long as it reinvests its funds in small business and pays no dividends.

The second group of investors desires regular dividends and will purchase the stock of SBIC's which are income-oriented. The ability of these SBIC's to pass-stock of SBIC's which are income-oriented. The ability of these SBIC's to passthrough their earnings on a regulated investment company basis would make them most attractive to this second category of investors.

The bill I have the pleasure of introducing today contains both types of options: The reinvestment credit and pass-through treatment. If enacted, it would permit SBIC's to select the option which would be most appropriate for its operations and for its shareholders. I am certain the industry could raise much more capital if these alternatives were available—and the additional capital would significantly augment our capacity to assist new and growing businesses.

Why must SBIC's be given special tax treatment? First, because independent business requires many more dollars than the industry now has available; and second, because investing in small business is a risky enterprise at best. If the tax consequences are the same for putting dollars in the Nation's largest businesses and for putting them to work in a new or untried small firm, few rational investors will commit funds to the latter. If the reward for taking the added risk of financing small business can be supplemented through appropriate tax laws, then potential investors in SBIC's will have a valid reason to foresake the current quest for quality.

Given the proper incentives, substantial new dollars will flow into the program thereby enabling the SBIC's to fulfill the mission mandated by Congress, to help new and growing small and medium-sized companies. To ignore this public policy goal and not supply the needed venture capital funds will surely threaten the long-term health and well-being of our capitalistic system. Innovation, employment and competition are dependent to a large degree on contributions from the smaller firm. Many of the most significant scientific and technological breakthroughs in the last 30 years have come about as a result of the willingness of entrepreneurs to undertake the risks of organizing new companies to manufacture new products and create new markets. Many of these companies are now included in Fortune's list of the largest 500 American industries. This ongoing development must not be arrested if our economic system is to remain viable. We must find the means to guarantee sufficient moneys for the new and growing enterprise so that it can translate scientific knowledge and service skills into jobs, goods, incomes and consumption.

Any revenue loss to the Treasury generated by the proposed SBIC tax incentives measure will be more than offset by taxes paid on increased earnings of the SBIC portfolio companies. SBA statistics mentioned above show that concerns receiving management and financial assistance experience spectacular growth during the first 3 years after the receipt of SBIC aid.

The SBIC program is capable of significantly alleviating the small business sector's inability to obtain sufficient debt and equity capital. All the SBIC's need are the tools to attract additional capital of their own. To help in this plan of new capital formation, the SBIC's need Federal tax relief.

There follows a brief explanation of each section of the SBIC Tax Reform Act.

INTERNAL REVENUE CODE

1. Permit Subchapter S Treatment for SBICs. (Sec. 2 of Bill)

Outline of Problem:

Subchapter S permits qualifying corporations to avoid federal corporate income tax. The principal requirements for qualification are that the corporation be a domestic corporation with not more than one class of stock issued and outstanding, that it have not more than 10 shareholders, all of whom are individuals or estates, and that not more than 20% of its gross receipts be from "passive investment income" which is defined to include dividends, interest and gains from sales or exchanges of "stock or securities".

It is this latter passive income test which prevents many closely-held SBICs (10 or fewer shareholders) from achieving "pass-through" treatment. While it was reliably reported some three years ago that Treasury was prepared to recommend the elimination of this test for Subchapter S corporations generally, it has not done so.

Recommended Solution:

Amend Section 1372(e)(5) of the Code to exempt SBICs from the 20% passive income test.

2. Permit SBICs to be Shareholders in Subchapter S Corporations. (Sec. 3 of Bill)

Outline of Problem:

As noted under the preceding topic, only individuals or estates can be shareholders in a Subchapter S Corporation under present law. Corporate shareholders are not permitted.

Permitting SBICs to be shareholders would accomplish two beneficial results, namely enlarging the potential market for SBIC financing, particularly venture capital financing, and potentially increased yields for SBICs on successful investments by virtue of the avoidance of federal corporate income tax on earnings of their portfolio Subchapter S corporations.

Recommended Solution:

Amend Section 1371(a)(2) to permit SBICs to be shareholders in Subchapter S corporations.

3. Allow 100% Reinvestment Credit for SBIC Eearnings. (Sec. 4 of Bill)

Outline of Problem:

SBICs with net taxable income generally are subject to federal corporate income tax the same as any other domestic corporation. The payment of such taxes reduces the funds available to an SBIC to provide financing to small business concerns.

Recommended Solution:

Add a new Section 251 to Part VIII of Subchapter B of Chapter 1 of the Code (relating to special deductions for corporations) to exempt SBICs from corporate income tax on earnings and profits to the extent that such earnings and profits are utilized for additional loans and investments not later than the close of the taxable year following the year of realization of such earnings and profits.

The SBIC would become subject to tax on any earnings or profits paid out to shareholders as dividends or upon dissolution of the SBIC.

In addition to generating additional funds for expanding SBIC financing activities, an obvious benefit of such a change in the law presumably would be the attraction of additional private capital to the SBIC program.

IRS has already recognized the basic principle by its promulgation of Income Tax Reg. 1.533–1(d) which exempts SBICs from the surtax on accumulated earnings provided such earnings are utilized for additional loans to and investments in small business concerns.

4. Enact Statutory 10% Bad Debt Reserve. (Sec. 5 of Bill)

Outline of Problem:

SBICs were formerly permitted to establish bad debt reserves in the amount of 10% of outstanding loans pursuant to Revenue Ruling 64–48 effective for a ten-year period beginning in 1959. Despite strenuous industry and SBA efforts to persuade Treasury to extend the ten-year period, Treasury insisted that it expired December 31, 1968.

Section 586 of the Code, enacted as part of the Tax Reform Act of 1969, established a new method for computing additions to bad debt reserves of SBICs. Essentially, it permits SBICs to add to existing reserves on an extremely conservative six-year moving average method related to realized losses.

SBICs assert that the Section 586 formula is unrealistic and totally inadequate in terms of providing reasonable reserves for bad debts for SBICs which are engaged in extremely risky financing.

Recommended Solution:

Amend Code Section 166, pertaining to bad debts, to provide a specific bad debt reserve for SBICs in the amount of 10% of outstanding loans, and amend Section 586 to delete references to SBICs.

5. Provide that Dividends Paid SBICs by Portfolio Companies on Preferred Stock be Deductible as Interest. (Sec. 6 of Bill)

Outline of Problem:

Under present law, interest paid by a borrower on business indebtedness is a deductible business expense for purposes of computing taxable income. Dividends on stock paid to shareholders, whether on common or preferred stock, are not deductible and thus must come out of after-tax income.

In his tax plan submitted to the Congress late in 1974, President Ford proposed to allow companies to deduct the dividends they pay on preferred stock just as they already deduct the interest they pay on bonds. In keeping with President Ford's announced support for small business and the need to provide additional sources of equity capital for small concerns, his proposal should be made applicable to SBICs even if not supported for corporations generally.

Recommended solution:

Amend the Internal Revenue Code to provide that interest paid by small concerns to SBICs on their preferred stock shall be deductible as an ordinary business expense in computing taxable income.

6. Liberalize the Diversification Requirements for SBICs Electing to be Taxed as Regulated Investment Companies. (Sec. 7 of Bill)

Outline of Problem:

Subchapter M of the Code permits the "pass-through" of earnings and profits to shareholders of regulated investment companies without federal corporate income tax provided the company pays out to its shareholders quarterly at least 90% of its investment income.

But to qualify for this election, the corporation must meet rigid diversification requirements on its investments. Specifically, a Subchapter M corporation must be able to show at the end of each quarter of its taxable year that it has at least 50% of its assets in cash, Government securities or in loans or investments representing not more than 5% of its assets nor more than 10% of the outstanding voting securities of portfolio concerns.

It is the latter 5% and 10% tests that prove most troublesome for SBICs seeking to qualify under Subchapter M.

Historically, SBICs which have succeeded in qualifying under Subchapter M have been the most successful in terms of attracting additional private investment. This being a prime goal of the Congress, steps should be taken to facilities qualification of additional SBICs under Subchapter M.

Recommended Solution:

Amend Section 851 of the Code to conform the diversification requirements for SBICs to those contained in the Small Business Investment Act of 1958.

This same proposal was contained in S. 2629 and H.R. 14788, both introduced in the 93rd Congress.

7. Permit Section 851 Pass-Through for Non-Public Companies. (Sec. 7 of Bill)

Outline of Problem:

Another requirement for qualification under Subchapter M (see above re diversification) is that the company be registered under the Investment Company Act of 1940 at all times during its taxable year.

Problems created for SBICs under the 1940 Act are well documented elsewhere.

Recommended Solution:

Amend Section 851 of the Code to permit SBICs to be taxed as regulated investment companies whether or not registered under the Investment Company Act of 1940.

MODERNIZATION OF HOUSE GALLERY FACILITIES

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. CONABLE) is recognized for 15 minutes.

Mr. CONABLE. Mr. Speaker, I am very pleased to be recognized for this special order. It was scheduled to be taken last night. At the time during our adjournment dispute, I felt it was an entirely appropriate special order for the occasion, because I am here to advocate to the Members of this House the installation of earphones in the gallery so that the visiting public will have some understanding of what is transpiring on the floor of the House.

I must say that sometimes our process confuses the visiting public, and it seems to me that for the Bicentennial it might be a good idea for the representative government to get its best foot forward instead of continuing to confound and bemuse those who may not be familiar with our procedures, our terminology, and our mode of operation.

I have been interested in this possibility for some time, Mr. Speaker, and so have expressed my interest on other occasions largely without success. At first, of course, it was considered during the Legislative Reorganization Act of 1970, when we established a Special Commission on Modernization of the House Gallery Facilities and charged them to put a program in for modernization and improvement of the galleries after a study had been completed.

The Architect of the Capitol was to advise the Commission and to implement the Commission's decision.

Mr. Speaker, this particular provision did bring about some consideration of the modernization of the gallery facilities, and the five-member Commission was appointed and has been reappointed from time to time. They were required to complete a study by the end of 1971.

In February of 1972, in testimony before a subcommittee of the Committee on Appropriations, the Architect of the Capitol, Mr. George White, stated that he had not yet been called upon to advise the Commission.

Shortly thereafter, the gentleman from Louisiana (Mr. WAGGONNER) our distinguished colleague, instructed Mr. White to prepare a plan for an enclosure and a special sound reenforcement system in the Chamber. In August of 1972, Mr. White submitted his report to the Commission which stated that it was technically feasible to install a bulletproof and soundproof enclosure in the galleries at a cost, according to a 1972 estimate, of $405,000.

The report mentioned that a study of the carrying capacity of the walls of the House Chamber should be done, but that based on a similar study on the Senate side, no problems with respect to the weight of the enclosure were anticipated.

At the present time the study relating to the current capacity of the walls has not been made.

In late 1972, Mr. Speaker, the distinguished gentleman from Louisiana (Mr. WAGGONNER) polled the Members of the House to get their reaction about enclosing the galleries. The written results of this poll are not available, but it has been stated that the majority of the Members did not favor the enclosure for a number of reasons.

At that point let me digress and discuss the issue of enclosure. I do not think enclosure of the galleries is a necessary part of the improvement of the House Chamber. There are obvious advantages and disadvantages that can be seen to the enclosure, were it to be carried out.

First of all, it probably would be beneficial to the acoustical qualities in this room. It would result in a reduction in the reverberation time, and buy using nonreflecting coating we could avoid the light reflections which many Members have expressed concern about. It would have no effect on heating and air-conditioning.

It would, however, affect the esthetic qualities of the House Chamber. I think that more than anything else, Members objected to the idea that this gracious Chamber would be in some way more cramped as a result of the erection of glass barriers.

Also, those would serve as a symbolic barrier between the people and their Representatives. Many of the Members objected to that.

It would also probably result in some further impairment of visibility, particularly of the electronic voting boards. There is some impaired visibility in the extreme southeast and southwest corners now. It would obviously have some effect on TV coverage.

I do not believe, Mr. Speaker, that it is necessary to enclose the Chamber, and I hate to see us let the consideration of this issue remain stalled indefinitely because of opposition by the Members to the enclosure of the galleries. I personally believe that probably would be preferable and that it would reduce the noise level in this Chamber; but the important thing, from my point of view, is that we get in this Chamber some way of insuring that the viewing public gets a better idea not only of what is transpiring on the floor, but what the meaning of it is, and who is doing it.

It has always seemed to me, for instance, that a glass booth can be installed either in the center of the front or the rear of the Chamber, where perhaps retired Members from each party could sit and interpret, over an earphone system to the visiting public, what was currently occurring on the floor, identifying Members of the Chamber as they rose, because, frankly, we are rather an anonymous group as far as the traveling public is concerned. Also they could explain the Rules of the House as well as possibly provide some ongoing discussion of the history of this Chamber, and what happens behind the various doors around the sides of the Chamber, because all of these things are mysteries to the visiting public who are uninitiated in the history, traditions, and customs of this august body.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, I have listened with a great deal of interest to the presentation of the gentleman from New York, and I would agree that it would be a good idea if the visiting people would have earphones through which they could listen and gain a better understanding of this body.

But if the gentleman wishes to furnish earphones to the public in order to reduce the confusion as to what is going on in the Chamber, then I would suggest that the gentleman amend his proposition to include earphones for the Members as well.

Mr. CONABLE. Mr. Speaker, I thank the gentleman from Alabama for his somewhat capricious intervention.

Mr. Speaker, I really believe it is important for the people of our country, who come to their own building, the Capitol Building of the United States, that they may have an educational opportunity relating to the processes of representative government through these means, and I also believe that it would be reflective of a rather improved attitude on the part of the Congress toward the visiting public in this public.

Every agency of the executive branch of the Government spends significant amounts of money on public relations. The legislative branch, the people's branch, makes no public relations effort. Not only does education suffer, but the degree of hospitality which I personally believe the people of this country have a right to expect from their representatives.

Mr. BUCHANAN. Mr. Speaker, if the gentleman will yield further, I do wish to say to the gentleman that I honestly and sincerely agree with the gentleman in the presentation he is making.

Mr. CONABLE. Mr. Speaker, I thank the gentleman from Alabama, just as I admire his sense of humor.

I would like to add, Mr. Speaker, that it seems to me that this would be a very good project for the Bicentennial Year.

The country has survived, I must admit, despite the fact that the visiting public has been rather badly treated by the Congress up until this time. But I would like to hold forth the prospects of a more informative and more comfortable relationship between those who come in here to see their representatives in action, and the Members of this body themselves.

I frequently go to the galleries with visiting constituents, and I try to explain to them what is happening here on the floor. I know that this is distracting for other visitors in the gallery to have Congressmen doing this but, quite frankly, I have found that my constituents gain a great deal more out of such a visit when I am able to sit with them in the gallery than they would if they were to come in uninitiated and uninformed.

Our Doorkeepers, Mr. Speaker, try to do a good job. They are earnest and active people, but they are limited in the amount that they can do to inform the visiting public. So, quite frankly, I think we could do a much better job than we do.

I would like to urge the various commissions involved to consider this. And, since last year, there is some question about the jurisdiction involved here. In October of 1974 the House Commission on Information Facilities was established by the committee reform amendment, H.R. 988.

It is currently concerning itself with space utilization in the House Office Buildings, but it is felt that this Commission would have the jurisdiction over the improvement of the galleries. I would like to urge the members of this Commission follow up and earnestly consider ways in which we could provide a valuable aid to the traveling public, to the visiting public, in the understanding of the affairs of this House.

Mr. FRENZEL. Mr. Speaker, will the gentleman yield?

Mr. CONABLE. I yield to the gentleman from Minnesota.

Mr. FRENZEL. I thank the gentleman for yielding.

I think the gentleman from New York has made a valuable suggestion. I hope that the House and the Commission to which he refers would follow it up. I also understand, however, that there is pending in the Committee on Rules a resolution which would provide for the radio and television broadcasting of the conduct of affairs within the House of Representatives.

I would agree with the gentleman that it is important that the visitors to this Chamber know what is going on, but the passage of that resolution in some form, it seems to me, would allow the whole country to know what is going on here. Would the gentleman not agree that that is also an important thing for the House to do?

Mr. CONABLE. I think that is desirable, but I would hate to think that the visiting public would have to bring their radios into the Gallery with them to find out what is happening. It seems to me there are a number of different options open to us if we wish to inform those who are in the Gallery as to what is transpiring. They get some information about the Chamber and the Members of the House from the guides who bring them in here. Necessarily their visit is very brief.

I have visited museums and art galleries where people could bring in with them earphones that would be automatically reached by a radio transmitter nearby. This would provide them with special information about the particular part of the Capitol they were visiting. That could be done here in the House Chamber also.

I personally think, Mr. Speaker, it would be preferable for us to have regular plugged-in earphones that would permit not only the type of canned speech that would be informative about the Chamber itself, but would permit a concurrent commentary of an informative nature by people initiated in our process and able to describe in more meaningful terms what is going on than one might be able to guess, given rather poor acoustics in this Chamber and the difficulty the visiting public has in picking up in the middle of the debate a thread of the conversation, or the intricacies of our rules.

Mr. Speaker, I yield back the remainder of my time.

AMENDING TARIFF SCHEDULES TO SUSPEND DUTY ON CERTAIN FORMS OF ZINC

Mr. GREEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7716) to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after the matter above line 1, insert:

Sec. 2. Items 911.10, 911.11, and 911.12 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) are amended by striking out "6/30/75" each place it appears therein and inserting in lieu thereof "6/30/78".

Page 2, line 1, strike out "Sec. 2." and insert: "Sec. 3. (a)".

Page 2, after line 4, insert:

(b) The amendments made by section 2 of this Act apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of enactment of this Act.

(c) Upon request therefore filed with the customs officer concerned before the 121st day after the date of enactment of this Act, the entry or withdrawal of any article classified under the items amended under section 2 of this Act which was made after June 30, 1975, and before the date of enactment of this Act, shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry or withdrawal had been made on the date of enactment of this Act.

Amend the title so as to read: "An Act to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978, and for other purposes.".

Mr. GREEN (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the Senate amendments be dispensed with and that they be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania to concur in the Senate amendments?

Mr. CONABLE. Reserving the right to object, Mr. Speaker, I am not familiar with the bill. Is this a measure that was previously passed and sent to the Senate, and has it been changed in any specific way?

Mr. GREEN. If the gentleman will yield, as the gentleman knows, this is a bill reported out by our subcommittee. There have been amendments added in the Senate that we did not consider in the House. First I would point out that the amendments are germane. They passed the Senate unanimously. They are in order to our bill because they suspend the duty on copper and copper waste and scrap, and this bill, as the gentleman knows, suspends the duty on zinc.

Mr. Speaker, the purpose of H.R. 7716 is to encourage the importation of zinc ore by removing the disadvantage from the tariff to domestic smelters in competing for limited supplies of raw materials and to encourage the present and future development of new domestic production capacity of zinc metal.

The House passed H.R. 7716 on June 24 unanimously; there were no objections to the bill.

The Senate has added germane amendments that would continue the suspension of duties on copper waste and scrap, articles of copper imported for remanufacture by smelting, and on certain other metal waste and scrap—except copper, lead, zinc, and tungsten—for an additional temporary period until June 30, 1978. Existing duty suspensions on these items expired on June 30, 1975. The amendments would permit liquidation or reliquidation on a duty-free basis of entries or withdrawals after June 30 and prior to date of enactment.

The duties on the copper items covered by the amendments have been suspended periodically since 1966 to help relieve short-supply situations; the duties on certain metal waste and scrap, mainly iron and steel, aluminum, magnesium, nickel and nickel alloys, have been suspended from time to time depending on the scarcity of the particular metals at the time. The most recent suspensions were enacted in July 1973 for a 2-year period.

I am informed that the domestic industries involved generally support continuation of the duty suspensions. The Committee on Ways and Means has received no objections to the amendments from any source.

Mr. GREEN. The bill passed this House unanimously and passed our subcommittee unanimously.

Mr. CONABLE. Can the gentleman explain to me, has there been any objection from any agency of the Government?

Mr. GREEN. There has been no objection. There has been no objection from any domestic interest. What we have is a question of insufficient supply of copper waste and scrap in this country, and to put a duty on it simply raises the cost to our own domestic users in this country.

Mr. CONABLE. It was not clear to me. Does this relate just to copper waste and scrap or does it relate to copper generally?

Mr. GREEN. It does not relate to copper ores. It relates to copper waste and scrap. I will read to the gentleman precisely what I have been given as to what is in the Senate amendment: The Senate has added germane amendments that would continue the suspension of duties on copper waste and scrap, articles of copper imported for remanufacture by smelting, and on certain other metal waste and scrap—except copper, lead, zinc, and tungsten—for an additional temporary period until June 30, 1978.

Mr. CONABLE. Mr. Speaker, can the gentleman assure me that the same safeguards were observed in relation to this measure?

Mr. GREEN. I will say to the gentleman—it comes to my attention at this moment—that additional duty suspensions on these items expires June 30 of this year. As the gentleman knows we took up a whole package of bills to which there was no opposition except one bill, and we would have considered this then, but it did not come to our attention until later. We did check it. There was no opposition. It passed the other body unanimously.

Mr. CONABLE. It occurs to me this is the measure previously sponsored by our former colleague, the gentlewoman from Michigan (Mrs. Martha Griffiths). Is that not correct?

Mr. GREEN. The gentleman is correct.

Mr. CONABLE. I see.

Mr. FRENZEL. Mr. Speaker, further reserving the right to object, would the gentleman tell us if the extension of the suspension of duty on copper is the same length of time as the zinc was extended?

Mr. GREEN. Yes, it is.

Mr. FRENZEL. To 1978?

Mr. GREEN. As the gentleman knows I think we attempted as much as possible, and the other body has apparently agreed with us, to try to make these dates uniform in the suspensions, and apparently they have done that in connection with this amendment, and it is the same date we have chosen in our subcommittee for suspensions.

Mr. FRENZEL. Mr. Speaker, I withdraw my reservation of objection.

Mr. CONABLE. Mr. Speaker, I also withdraw my reservation of objection and I urge passage of the bill as amended.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GREEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 4241. An act to designate the John C. Kluczynski Federal Building.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 7710. An act to amend the Tariff Schedules of the United States to provide duty-free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements; and

H.R. 9091. An act to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands.

DEVELOPMENT OF BIKE TRAILS IN THE UNITED STATES

(Mr. REGULA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. REGULA. Mr. Speaker, during the past month, Eric Olmstead, one of the LBJ interns in my office, did extensive research on the development of bike trails in the United States. As a result of his work, I want to share with my colleagues some of the excellent information and ideas developed by Eric.

My concern is to give attention to the fact that the provisions for building bikeway systems under the Federal Aid Highway Act of 1973 are generally going unused. It should be noted that of the 40 million Federal dollars available for bikeway construction in fiscal year 1975, only 23 States and the District of Columbia have requested a total of less than $25 million. But, of this amount, the Department of transportation reports that less than a mere $2 million was actually spent by the States for bikeways. The outlook for fiscal 1976 is also bleak, as only 21 States are seeking bikeway moneys to date, totaling less than $20 million, out of a possible $40 million, while much less is likely to actually be spent.

This is appalling, when you consider that the bicycle is no longer only a child's toy, but is becoming a viable and significant mode of transportation and recreation, worthy of more attention, since the energy crisis is here to stay. Consider the impact the bicycle would have on energy savings, auto emissions and health and safety if bicycle use were encouraged. More bikeways and related facilities can make it happen, yet the available opportunities to do so are not being fully utilized.

Statistics indicate that we can no longer afford to neglect bicycle programs. The Consumer Product Safety Commission indicates that the bicycle is number one as the most dangerous consumer product. The number of accidents, injuries, and deaths associated with bicycle riding is increasing dramatically and reflects the dangerous environment the cyclist rides in. The National Safety Council reports that the problem is growing at an increasing rate of 15 percent per year. Bicycle deaths are increasing at a faster rate than automobile deaths or deaths by any other mode. Between 1961 and 1971, bicycle deaths increased 70 percent nationally, while motor vehicle deaths increased 44 percent.

When the cyclist, especially the commuter, is forced to ride on the road because of lack of bike paths, it stands to reason that most bicycle accidents are caused by motor vehicle collisions and road obstructions. In fact, a study by the California Highway Patrol reveals that 71 percent of the fatal bicycle accidents involve passenger cars.

Considering only the safety issue of the bicycle boom, aside from the health, economic and environmental benefits, can we stand by with clear conscience while bicycle programs occupy such a low priority at the local level?

I offer no immediate legislative solutions because I think that the present funding arrangement can be made to function more adequately without further legislation at this time. Instead, I propose that each of us work in our own districts to rectify what appears to be reluctance on the part of local officials to transfer funds from "carways" to "bikeways" in jurisdictions where proven bikeway demand exists.

In the interest of cyclist safety, energy efficiency, and environmental quality, I urge my colleagues to contact the appropriate State and local officials in their districts and to spur them to make use of the Federal aid funds available for bikeways, if they have not already done so.

OBJECTION TO SENATE ACTION ON LOCAL PUBLIC WORKS CAPITAL DEVELOPMENT AND INVESTMENT ACT OF 1975

(Mr. RUPPE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RUPPE. Mr. Speaker, I rise to express my strong concern over an article taken by the other Chamber of the Congress in its consideration of H.R. 5247, the Local Public Works Capital Development and Investment Act of 1975.

On Tuesday of this week, our colleagues across the Rotunda approved an amendment that can only be termed an outright steal of Federal water pollution control funds. In my view, it is an error of such proportion that, if approved by this House, will demonstrate to an already skeptical public that this Congress still engages in and approves of the ancient game of narrow sectional pork barrelling.

When the Senate considered H.R. 5247, the Senators from Georgia offered an amendment which changes the formula for awarding Federal water pollution control funds. I am sad to report the Senate concurred in the amendment.

Without 1 minute of committee hearings, the Senate has moved to drastically change the present means for determining a State's need, and I emphasize need, for Federal water pollution control funds.

This new formula, however, pays only nodding attention to needs and, if enacted, will undo the work of three EPA need surveys conducted in the last 4 years.

How much money is at stake? You will recall the Supreme Court ordered the release of $9 billion in previously impounded water pollution control funds. EPA and the States have been working feverishly to award construction grants so this money can be spent to improve both water quality and our economy. In awarding these funds, EPA rightfully used the formulas in existence at the time the moneys were impounded; formulas based totally on need and the ability of States to put the money to work immediately.

Now, however, in the interest not of the entire Nation but in the interest of small States, the Senate would have us adopt a new, completely untried, ill-considered, and little debated method for awarding sewage treatment funds.

And what would be the result of such an action? To quote the senior Senator from Rhode Island, it will crucify those States this entire bill was originally intended to help.

Mr. Speaker and Members of the House, H.R. 5247 was written to help fight unemployment. It was designed as an anti-recessionary measure. And yet, if the House conferees approve this Georgia amendment, the bill will take away wastewater treatment construction funds—and jobs—from those States suffering the highest unemployment.

In my own State of Michigan, where unemployment now stands at 15 percent, we will lose more than $279 million, the highest amount of any State. All of New England will lose $136 million. New Jersey and New York alone will lose nearly a half billion dollars. In the West, California will lose $52 million.

And for what reason? Do other States have more polluted waters; are their needs greater? Does the block of States which will benefit have higher unemployment?

The answer is a resounding "No."

Incredibly, not only will the States who benefit from these funds have a lesser need for these funds, not only do these same States have lower unemployment, but EPA Administrator Russell Train indicates that some of these funds may go unused for long periods of time because these same States are not prepared to use the money at this time.

Mr. Speaker, I believe the Members of the House should know what this pure political pork barrel move will do to this Nation's fight against water pollution. In a letter to the distinguished chairman of the Senate Environment Subcommittee, Mr. Train points out that it has taken years to stabilize the process of awarding the construction grants under this program—a program that is now running smoothly, efficiently, and justly. I quote from Mr. Train's letter, Mr. Speaker, and this sentence is important:

> To change the allotment formula now would hamper these efforts.

So, not only are States which are ready to go to work fighting pollution to be denied the funds they need while other

States unprepared for these funds get millions of dollars they cannot use, the formula itself will throw the entire program into a new series of delays.

Surely, Mr. Speaker, the people's House cannot permit such disaster to occur.

I serve notice upon those who perpetrated this sleight of hand that I will fight this ill-considered, disastrous, and irresponsible Georgia amendment every step of the way.

I call upon my colleagues from New England, from the Middle Atlantic States, from the Great Lakes, and from the West to join with me to defeat this move by the Senate. When the House assigns Members to meet in conference with the Senate on H.R. 5247, I hope my colleagues from these States will encourage our conferees not to accept the Nunn-Talmadge amendment.

Failing that, I will ask the House to reject the bill.

Clean water is too important to this Nation to have the limited funds available divvied up by pure political interests.

WILDERNESS AREAS FOR WYOMING

(Mr. RONCALIO asked and was given permission to address the House for 1 minute to revise and extend his remarks and include extraneous matter.)

Mr. RONCALIO. Mr. Speaker, today I am introducing bills to establish three wilderness areas in the State of Wyoming. These proposals have been developed by citizen wilderness study teams and are the result of field studies by them over many years. The bills reflect a concern of Wyoming people to preserve as wilderness their natural heritage within certain national forests. The wilderness areas contained in my bills all reflect improvement in wilderness areas proposed by the Forest Service and recommended by the administration.

Mr. Speaker, Wyoming is at a crossroads in its history. It will soon become a major energy source for the Nation. Vast coal deposits, when developed, will change the character, not only of the land, but of the people residing in our lovely State as well. Each generation has its own rendezvous with the land, and the citizens of Wyoming soon will have their rendezvous as massive coal developments proceed.

One of the ways in which we can partially offset the disruptive changes in the Wyoming landscape is to assure that qualified places are retained in a natural condition where citizens can seek respite and where fish and wildlife, watershed, scenic, and other natural values will remain untrammeled and free from man's influence. The national forest primitive areas which my bill will classify as wilderness are the last remaining potential wilderness areas in the national forests mandated for review by the Wilderness Act of 1964.

GLACIER WILDERNESS

Located in the Shoshone National Forest, high on the eastern slope of the Continental Divide in the Wind River Range, the Glacier Wilderness is situated approximately 50 miles each of Jackson, and 3 miles southwest of DuBois, Wyo. Its name is derived because of the presence of the largest glaciers within the conterminous United States. Forty-four glaciers, ranging in size from over 1,000 acres to as little as 20 acres are located within its boundaries. Rugged peaks, deep precipitous canyons, and large alpine plateaus with rock-strewn meadows dominate this spectacular landscape. The area contains one of the largest herds of bighorn sheep in the United States. Many other wildlife species are found here. Big and small game species provide quality hunting in season, and enjoyable observation throughout the year. These recreational pursuits will continue under wilderness designation. There are over 500 natural lakes within the area which furnish the anglers excellent fishing for five species of trout.

There are four cattle and horse range allotments and one domestic sheep allotment located partly or entirely within the area. Where previously established, grazing is a recognized use permitted by the 1964 Wilderness Act, and such use will continue in accordance with proper management. Except for a few rustic outfitters' cabins and associated structures at Simpson Lake and a short segment of an unimproved jeep trail which crosses the Continental Divide through Marion Lake, the area is of pristine wilderness characteristics. The jeep trail should have been closed long ago and allowed to revert to nature and will be closed under wilderness classification. The owner of the cabins at Simpson Lake is agreeable to their removal by 1984, or other agreed upon period. These minor, nonconforming intrusions present no obstable in assuring wilderness protection for this superb example of primeval America.

POPO AGIE WILDERNESS

Located in the Shoshone National Forest. The Popo Agie Wilderness is adjacent to the Glacier Wilderness. The name Popo Agie—pronounced po-po' sha—is a Crow Indian word meaning "tall grass." The area is highly rated for its rugged grandeur, deep canyons, lofty peaks, rushing streams, and many beautiful alpine lakes. The entire area supports a rich variety of wildlife, and several species are rated as rare or endangered, requiring a wilderness condition in order to survive. The high quality water flowing from the area, estimated at 219,500 acre-feet a year, is used in Wyoming and downstreams throughout the Missouri River Basin by hundreds of thousands of citizens for agriculture, industrial, municipal, and recreational purposes. Undisturbed wilderness conditions preserve and promote stable, quality water flows of water. Sheep and cattle graze the area seasonally. The Wilderness Act provides that where grazing is an established use upon wilderness designation, it shall be permitted to continue. Thus, no change will be required in the grazing of the area because of wilderness establishment.

My wilderness proposal would establish a 112,000-acre wilderness, enlarging the Forest Service recommendation by some 40,500 acres. While not encompassing all undeveloped lands, my 112,000 wilderness proposal includes important lower elevations, a richer variety of life zones, greater wildlife habitat protection, and increased opportunities for use and dispersal of visitors. At the same time, my proposal leaves some 30,000 acres of undeveloped national forest land on the edges of the forest and closest to civilization for recreational development.

Mr. Speaker, wilderness is often referred to by some of its opponents as a "single use." This is contrary to the facts. Wilderness is indeed a part of the multiple-use concept. The Forest Service's own Multiple-Use and Sustained-Yield Act of 1960, authorizes and directs that the national forest be managed by the principles of multiple-use and includes the following language:

> The establishment and maintenance of areas of wilderness are consistent with the purposes and provisions of this Act.

It is recognized in the act, "that some land will be used for less than all of its resources." The law also provides that national forests are established and shall be administered for outdoor recreation, range, timber, watershed and wildlife and fish purposes. These, then, are the multiple use by law. In national forest wilderness all of these multiple uses, except timber harvest are allowed under the Wilderness Act. In addition, mineral developments may be permitted to continue on national forest wilderness until 1983, according to the provisions of the wilderness law. Mines established before 1983 may continue to operate indefinitely.

CLOUD PEAK WILDERNESS

The Big Horn Mountains rise dramatically above the Big Horn Basin in north-central Wyoming, dominated by 13,175-foot Cloud Peak, which is surrounded by many other rugged spires, more than 300 alpine lakes, and some of the largest mountain glaciers in the United States. Magnificent mountain grandeur, crystal clear waters, and exceptional natural beauty characterize this region, much of which is included in the Cloud Peak Primitive Area established in 1932. Like many other early wilderness management areas established by the Forest Service, this primitive area lacks operable timber or other commodity resources. There is abundant wildlife within the area, including elk, deer, moose, bighorn sheep, black bear, hawks, eagles, small mammals, and songbirds. Wyoming citizen groups, while not proposing all possible roadless land for wilderness, have recommended eight additions to the Forest Service proposal for a total acreage of 256,576. The citizen recommendations are incorporated in my bill.

My bill further reflects a recent boundary adjustment over that first presented by citizens at the 1973 filed hearing in Sheridan, by reducing the area on the west side to a more definable wilderness boundary and thus, excluding certain areas of potential conflict. The current conservationists proposal would in no way interfere with presently developed water uses. The Wilderness Act specifically allows grazing to continue in areas where it already exists, in fact, wilderness designation would protect grazing livestock for vehicular harassment. The citizen proposal, after years of study, includes urgently needed lower elevation forest lands presently used for wilderness recreation as well as a richer variety of life zones, greater protection for wilderness species of fish and wildlife and increased opportunities for dispersal of visitors. Elsewhere in the Bighorn National Forest are thousands of acres available for intensive management by the Forest Service. My bill seeks a balance of true forestwide multiple-use.

Mr. Speaker, wilderness establishment is truly our highest form of land dedication intended to preserve significant portions of our public lands in a natural condition while still providing many human values and uses. Future generations will be benefited by wilderness classification in ways not known to us today. But one important fact is clear—those generations yet unborn who will succeed us on this planet will be permitted the opportunity of making land-use decisions relative to these magnificent areas by themselves and for themselves, unencumbered by our mistakes. Maximizing wilderness boundaries today assures that we pass on to them natural wilderness values so necessary for our survival in an increasingly mechanized and artificial world.

COMPREHENSIVE ENERGY BILL NEEDED

(Mr. LLOYD of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LLOYD of California. Mr. Speaker, it is a true catastrophe and tragedy that the Congress is leaving for the month of August without sending to the President a sensible and comprehensive energy bill—for which there is a crying need.

I came to Washington representing the 35th District in southern California that procedural and other reforms were needed in Congress. Those that were implemented—such as regularly scheduled recesses for district work—were good, but they were not meant to be so inflexible that we leave critical work undone.

I am convinced and committed that the first order of business of this Congress is energy legislation that meets the urgent needs of Americans, and we are thus obligated to stay in Washington until an energy bill is produced.

EMERGENCY PETROLEUM ALLOCATION ACT

(Mr. MANN asked and was given permission to revise and extend his remarks.)

Mr. MANN. Mr. Speaker, I deplore the seeming inability of the House to act in a substantive way on the energy issue. Back in February, as I recall, Congress told the country that we would come up with our own comprehensive energy plan—and we have tried. The Senate has passed bills; the House has passed bills; and the President has disagreed with those bills.

Yesterday, Congress cleared legislation extending the Emergency Petroleum Allocation Act for 6 months. I supported that legislation as a temporary measure, realizing that a consensus had not yet been reached. The President threatens to veto that legislation, an action which could precipitate an increase in gasoline prices likely to break the budget of the average American family.

I voted on Tuesday against the month-long congressional recess, thus proving my willingness to continue to work on the energy question. I will go on record now as able, willing, and ready to cut short the recess so that we may resolve the energy issue.

Thank you, Mr. Speaker.

OIL PRICES

(Mr. RUSSO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RUSSO. Mr. Speaker, we have been arguing about these oil prices for the last 2 weeks. We have had the Eckhardt amendment, the Krueger amendment, substitute motions to substitute amendments, various administration decontrol plans, motions to strike and on and on and on. We have been talking until we are blue in the face. In my judgment we on the Democratic side have the votes to pass this legislation and I feel that we should do so, before we leave on a month-long recess.

The House has been through this oil price issue twice on the same bill. A clear majority in the House has expressd the will of this body in favor of the Staggers substitute proposal. Continued dilatory tactics will not hide the fact the Ford administration and the major oil companies will get exactly what they wanted since the beginning of the year—total decontrol of American oil prices. Who suffers for this folly? The American people.

The citizens of this country deserve an energy policy that represents the will of the people and not the will of Exxon. H.R. 7014 has received great scrutiny and, on the merits, a fair and reasonable pricing policy has been put in place. By adjourning today without completing action on this bill we are performing a grave disservice to the American people. In my judgment we should forego our recess until we pass this energy bill.

By leaving for our districts today we place the bill right back in the administration ball park. As my colleagues are well aware, the President will veto our legislation to extend the Emergency Allocation Act and the price control provisions. In my judgment the ensuing decontrol of all oil prices after August 31 will only mean higher prices for American consumers, greater profits for the oil conglomerates, more unemployment, and more recession. Is this a responsible way to govern?

Mr. Speaker, I urge that the Committee of the Whole House on the State of the Union remain in session until we have done our job and passed this important legislation. If we do not, the American people will not understand why we have failed to act. We all know the administrations intentions. I am sure that any form of H.R. 7014 would be unacceptable to the Ford administration-Exxon-OPEC claque. In my judgment the House should continue this work if only for the symbolic importance of passing an energy bill.

Meanwhile, back at the ranch, the American public is dazed, bedraggled, and bewildered.

BROADCAST ADVERTISING AND CHILDREN

(Mr. FREY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FREY. Mr. Speaker, last month the House Communications Subcommittee held hearings on broadcast advertising and children. During the course of these hearings, it became evident that more must be done to resolve the problems unique to this area of broadcasting. In my judgement, something is needed to coordinate the talents and efforts, both Government and private, of all those concerned with childrens' TV advertising. In recognition of this need, I have proposed in a letter to subcommittee Chairman TORBETT MACDONALD that a special children's advisory group be formed to provide continuing attention to the problem.

My proposal follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 21, 1975.

Hon. TORBERT H. MACDONALD,
Chairman, Subcommittee on Communications, Interstate and Foreign Commerce Committee, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: Allow me to commend you for holding the hearings last week on the effects of broadcast advertising on children, a problem with which I have been interested and involved for many years. After reflecting upon the testimony we heard last week, I wish to convey to you my concern and offer several suggestions with regard to the self-regulation efforts of the broadcast industry.

Te begin with, I believe that this problem need not be, and certainly is not at this time, an adversary situation. It's obvious that there are different interests to be reconciled. Yet we can all agree that we want to protect our young people who cannot protect themselves.

Past efforts to provide such protection, both on the part of the broadcasting industry and the regulatory agencies, have fallen short of the mark due to a number of factors. The industry has not only had a weak code with regard to children's advertising, but it has been a code with inadequate enforcement and sanctions. The FCC and the FTC have evidenced concern about the problem, but they have engaged in more inter-agency "finger-pointing" than in mutual attempts to bring about effective regulations within their existing statutory authority. Furthermore, the advertisers have taken a "hands off" approach on this problem as shown by their refusal to testify before us. Most importantly, neither the industry nor the regulatory agencies have engaged in any meaningful research to determine the relationship between child television viewing and child behavior.

I suggest that there be established an advisory group representative of the Federal Communications Commission, the Federal Trade Commission, the Food and Drug Administration, the Consumer Product Safety Commission, the broadcasters' and advertisers' trade associations, the television networks, and consumer and other groups involved with the needs of young people. Such an advisory group would be able to approach this problem in a non-adversary setting, determine the relevant issues, and quickly bring about an improved self-regulation, without the delays which are inherent in agency rulemaking. It may be that legislation will be necessary to bring about such a group. If so, I will consider introducing such a bill.

An example of the need for such a coordinated effort is the lack of facts about the effects that advertising has on children. During the hearings we heard from several researchers and interested persons, but no one was able to demonstrate a causal relationship between television viewing and child behavior. I suggest that together the industry and the regulatory agencies have the resources to develop a coordinated research program to determine how a child perceives an advertisement and what effects it may have on the child. Furthermore, such a coordinated program would tend to reduce public suspicion of an individual network or association study.

In addition to coordinated research, let me offer a few specific recommendations which such an advisory group could consider.

With regard to the Saturday/Sunday morning programming, I believe that the advertiser must recognize the distinction between the child as an immediate consumer and the child as an eventual consumer. When the child is viewed as an immediate and primary consumer of a product, with little or no parental input in the purchase decision, much higher standards of candor should be applied than when the child is considered to be an eventual consumer (as a result of parental purchasing decision). To that end, the advisory group could study the feasibility of applying a single, comprehensive code to all advertisements during such time period that are directed at children viewed as the immediate and primary consumers of the products advertised. The sort of restrictions which are applicable to toy advertisements are a good example of restrictions which, perhaps, could be applied across-the-board to child-oriented products.

The hearings primarily focused on the problems associated with advertisements which were not aired with the Saturday/Sunday morning fare, but during the early evening hours when most children watch television. Rather than placing the burden on the individual broadcaster to ascertain the number of children viewers in its audience at all hours (as some have suggested), the advisory group could address the problem by recommending uniform standards which apply to *all* advertisements aired before 9 p.m.

Such standards could include packaging requirements on products which are harmful if ingested or used in excess, such as the use of a safety cap. Those standards could also include requirements that the type of products mentioned in the previous sentence be advertised in a way which does not glamorize their use and which does not call attention to the container of the product. I am not suggesting that any specific product should not be advertised, but that more attention be given to the quality of advertisements of products that may pose risks to children.

I realize that a major factor in the problem of self-regulation is that not all television broadcasters subscribe to the same code. While recognizing the question of freedom of choice in this area, I know that if the industry, through its self-regulation process, does not address the problem of advertising and children, the Subcommittee will be forced to take action regardless of my opinion.

I am urging those concerned to act and to do so rapidly, for this is an issue which will set many precedents that may be followed in such areas as sex and violence on television and the family-viewing concept.

Not only must the industry respond to the public outcry over children's advertising, so must the regulatory agencies. The Federal Communications Commission, in particular, must take special notice in its license renewal process of any broadcaster who fails to operate in a manner consistent with the advertising standards of the NAB Code. Hopefully, the Code will be strengthened so that compliance with it will be meaningful.

Sincerely,

LOUIS FREY, Jr.,
Member of Congress.

THE SPECIALTY STEEL INDUSTRY

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, for several years now it has become increasingly evident that a number of the trade policies that the United States instituted in the 1960's are acting as a detriment to our overall economic present and future outlook. Nowhere is this more readily apparent than in the steel industry, where a combination of factors have contributed to an overwhelming incidence in steel imports, to the point of the United States suffering a severe trade deficit in steel over the last few years.

As steel goes, so, it would appear, goes everything else. But in the specialty steel industry, in that industry that deals with tooled and finished specialty steels, there was a period of growth in the world market, under which many new developments were reached in specialty steel technology.

Now, however, the effects of short-sighted trade "reforms" have reached specialty steel. Recently, Richard P. Simmons, president of Allegheny Ludlum Steel, and representing the tool and stainless steel industry, addressed the following remarks to the Tariff Staff Committee for the President's Special Representative for Trade Negotiations. I feel that they have a particularly important message at this time, and I commend them to your attention:

REMARKS BY RICHARD P. SIMMONS

At the outset it should be stated that we believe that the facts support the following conclusions concerning world competition and the national interest of the United States with regard to Specialty Steel:

(1) That Specialty Steels, although part of the broad general product category defined as steel, are really quite different as measured by size of company, raw material control, financial strength, labor intensity, volume of production, complexity of product line and susceptibility to injury by foreign producers who do not have to meet the same economic tests for survival as U.S. companies.

(2) That Specialty Steels are clearly essential to the economy, touching every aspect of this nation's economic and industrial life including energy, transportation, food processing, chemicals, electronics, and defense.

(3) That tariffs, in themselves, have not prevented foreign producers of Specialty Steel from doing great harm to the Specialty Steel Industry of the United States and to the general economy of the United States as well;

(4) That for over ten years foreign producers have used the United States market as a means of developing their own Specialty Steel industry in order to achieve national economic, and political objectives;

(5) That they have sold Specialty Steel, in many instances, at lower than cost in order to maintain employment in their own nations and obtain foreign exchange;

(6) That foreign producers are, in fact, shipping products to the United States market at this very time at prices which are lower than cost;

(7) That by their disruption of our markets they discouraged expansion of capacity by United States producers of Specialty Steels;

(8) That foreign producers have captured over 20 percent of the United States market for stainless steel and 28 percent of the tool steel market thus far this year with certain product categories in excess of 60 percent of our markets.

(9) That such imports, if continued, will ultimately have grave economic and military consequences to our nation.

(10) That for these reasons, the highest priority be given to negotiating reasonable limitations of Specialty Steel imports and sector by sector negotiations for steel products while other tariff areas are considered.

The American Specialty Steel Industry, publicly owned by thousands of American investors including many of its own employees, is not requesting subsidies or government financial assistance in any special form. It asks only that it be given a fair opportunity to compete on the basis of technology, productivity, and cost.

WHAT ARE SPECIALTY STEELS?

Specialty Steels and alloys require the use of expensive alloying additions of Chromium, Nickel, Cobalt, Molybdenum, Silicon, Titanium, Tungsten, Vanadium, and Zirconium in quantities which for many alloys exceeds a total of twenty percent and in some as much as ninety percent. In many Specialty Steel alloys iron is present in quantities under ten percent. These alloying additions impart the unique characteristics of corrosion, heat resistance, special hardness, toughness, unusual magnetic properties or combinations of a number of these characteristics. The alloying elements are generally not found in the United States but must, instead, be imported.

Because of these unique characteristics, Specialty Steels are far different than basic carbon steel products. In addition to being capital intensive and technology intensive, they are labor intensive, requiring as much as three to fifteen times as many man hours to produce as carbon steel. While representing only slightly more than one percent of the total domestic steel shipments in 1974, they represented nine percent of the dollar value.

THE ESSENTIALITY OF SPECIALTY STEELS

However, the importance of Specialty Steels cannot be measured in tons alone. Without them our economy would cease to function. No one in this room could have travelled here by plane, train, or auto without heat resistant Specialty Steels vital and irreplaceable for their manufacture; or tool steels necessary to fashion the components. There would be no electricity in this building or any other without stainless steels required for the turbines and many other components; or electrical steels required for the transformers. There would be no chemical plants without the corrosion resistant Specialty Steels necessary for their construction. There is no manufacturing activity that we know of that does not rely directly or indirectly on Specialty Steel in some fashion.

The Senate Armed Services Committee concluded after hearings in 1972 and I quote:

"The testimony adduced from industry and government witnesses makes it abundantly clear that specialty Steels are essential, today more than ever before, in the fabrication of the major portion of our defense weapons and critical weapons systems. Moreover, these Specialty Steels are necessary for the proper functioning of related essential components and weapons reliability."

Thus, Specialty Steels although "David" in size are truly "Goliath" in economic and strategic impact.

For these reasons the United States must be particularly sensitive to any further weakening of the Specialty Steel industry resulting from disruptive imports of foreign Specialty Steels.

THE SIZE OF THE SPECIALTY STEEL INDUSTRY

The Industry is comprised of thirteen companies who produce only Specialty Steels and five of the larger carbon steel firms who produce some Specialty Steel products. The size of the largest Specialty Steel Company is approximately one-fourth the size of the smallest of the "Big Eight" carbon steel producers.

Thus, the Specialty Steel producers have only a fraction of the financial strength of its larger associates producing carbon steel.

We have already discussed the nearly total dependence of Specialty Steels on imported raw materials. In addition, Specialty Steel producers depend entirely on the purchase of ferrous and stainless steel scrap for the remaining raw material requirements.

IMPORTS OF SPECIALTY STEELS

Stainless steel is one of the most important of the Specialty Steels in terms of volume; and 1,345,000 tons of stainless steel were shipped in 1974 by domestic producers as compared to total steel industry shipments of nearly 110,000,000 tons. Although only a fraction of the size of carbon steel producers, this provided Specialty Steel producers with the base load for efficient manufacture of hundreds of other Specialty Steels which are required by our economy but in far smaller amounts. Stainless steels, which contain between 12 and 30 percent chromium and up to 26 percent nickel, will be the subject of my comments in the interest of brevity for the remainder of this presentation. It will deal primarily with the impact of imports on this major category of Specialty Steels because of its importance in providing the foundation for the industry. Without stainless steel to provide this base load, it is questionable whether many of the Specialty Steel companies can survive.

However, it is important to reemphasize that although stainless is the most widely known of our products, it is by no means the only product of the Specialty Steel industry, which also produces a wide variety of silicon electrical steels, magnetic materials, tool and die steels, high temperature and high strength metals, valve and bearing steels, superalloys for use in jet engines and missiles, alloys used in nuclear equipment and space technology, electrical alloys for electronics, vacuum-melted low alloys, titanium, and refractory and other "exotic" metals.

Although we understand that the forthcoming negotiations are focused primarily at dealing with tariff levels, non-tariff barriers and like matters, the seriousness of the import problem in this totally essential area requires priority attention by the Special Trade Representative for Trade Negotiations.

Without some interim limitation of Specialty Steel imports, there may not be a viable Specialty Steel industry at the conclusion of these lengthy negotiations.

Most of the foreign Specialty Steel producing companies are financed, owned, controlled, and directed by national governments. The policies and practices of these companies do not and have not had to meet the same tests for survival that publicly owned companies in the United States have had to meet.

Since 1965, world output of stainless steel ingots has doubled to over seven million tons. While United States output increased by 40 percent from 1965 to 1974, output in Japan increased by over four fold to 2,346,000 in 1973 surpassing United States output by over 400,000 tons with over one-half of this increase destined for export and with significant quantities scheduled for the United States. West Germany, France, and Italy more than doubled their output of stainless steel during this period. Only Great Britain did not increase output to any degree but they have announced plans to do so.

During this same period of increasing output of stainless steel, imports to the United States by these same nations as well as others increased dramatically.

We have attached detailed data concerning the increase of imports since 1960 for stainless steel and tool steel as part of this submission. The key facts concerning the stainless steel story are as follows:

STAINLESS STEEL IMPORTS HAVE CHANGED AS FOLLOWS

	Percent of domestic market						
	1960	1970	1971	1972	1973	1974	1975 (4 mos.)
Total stainless	2.6	21.1	21.4	15.2	10.6	12.0	21.7
Stainless cold rolled sheet	1.6	34.2	32.9	15.4	8.5	10.5	22.7
Stainless plate (less than)	1.0	13.2	17.1	23.2	12.6	8.8	16.3
Stainless wire rod	6.4	66.8	56.3	49.1	41.4	45.5	66.9
Stainless wire	3.3	53.6	48.3	36.3	34.7	41.8	60.5
Stainless bar	1.2	11.3	13.3	14.0	11.9	14.3	22.9

The injury to U.S. producers is caused not only by the levels of imports but by the disruptive attack on different products at different times in a guerrilla type attack on U.S. markets for Specialty Steels.

That foreign nations sold at unfairly low prices in the United States market during these periods was proven in findings of the United States Tariff Commission in 1973 who did indeed conclude that dumping of stainless steel wire rod and plate had, in fact, occurred.

Thus, the pattern is clear. The foreign producer identifies a strategic market; expands capacity to produce and sell at unfairly low prices to capture the market; weakens our domestic industry at the same time and prevents us from expanding our own capacity sufficiently to meet national needs for that product. When demand increases, the foreign producer can allege that exports of his products are necessary since the United States domestic producers failed to meet the needs of their economy.

Imports during this period, largely in the "bread and butter" products of the Specialty Steel industry, not only brought about great dislocation and joblessness in our country, they impacted that very portion of our business on which our research and development in new products and processes historically has depended. A similar story can be told for tool steels and these details are included with this submission. As documented in testimony before the Cost of Living Council in December, 1973, domestic prices for many stainless products were below price levels of 1958.

During 1973 and 1974, the concurrent boom in the industrial economies of the world increased demand for Specialty Steel to world capacity levels. Shipments of stainless steel in the United States increased by 87 percent from 1971 to 1974. Foreign producers took advantage of sharply increased United States demand by sharply increasing the price for their products to substantial premiums over the prices charged by United States producers. If there was a shortage of stainless steel in 1974, much of it resulted from the fact that foreign imports took more than all of the United States growth that occurred for many years prior to 1972. The domestic Specialty Steel industry, left with unused capacity, for many years until 1973, had no reason to expand its capacity. When demand increased sharply, as it did between 1971 and 1974, there was no way for the domestic industry to install new capacity fast enough, even if it could afford to. As mentioned earlier, the pattern is clear. The foreign producer having created dependence on his products by discouraging investment by domestic producers charged what the traffic would bear.

In all of 1974 stainless imports climbed to 176,000 tons, a total of 37 percent higher than 1973 and the highest level since the previous peak periods of 1969–1971. Tool steel imports reached 24,540 tons or 19 percent of the market. This is almost double the 1971 tool steel import tonnage and is a 13 percent increase over 1973.

While the 176,000 tons of stainless imported in 1974 represented only 12 percent of the domestic market, the trend was of grave concern. Of the total 176,000 tons of stainless imported in 1974, approximately 65,000 tons or 37 percent of that total came in the fourth quarter. About 24,000 tons of stainless was imported in December alone.

Through April of 1975, imports of stainless have captured over 21 percent of the domestic market. This rate, if maintained, will result in stainless imports of 220,000 tons in 1975, up from 176,000 tons in 1974. This has occurred at a time when shipments by domestic producers to date in 1975 have fallen by over 40 percent as compared to the average of 1974.

The situation causes even greater concern when we look at the percentage of the domestic market captured by the imports of specific products. When imports of specific products rise dramatically, everyone must be aware of the effect this can have on individual companies. Some companies in the Specialty Steel industry produce a narrow product line consisting of only one or two products.

Thus far in 1975, the resurgence of Specialty Steel imports at substantially lower prices—prices in many cases which were and are below cost—have taken 23 percent of the stainless cold rolled sheet market, 16 percent of the stainless plate market, 23 percent of the stainless bar market, 67 percent of the stainless wire rod market and 61 percent of the stainless wire market. These levels in some cases exceed the worst prior years of 1970, 1971, and 1972. This has occurred at the same time that output by domestic manufacturers has fallen dramatically. The result has been thousands of Specialty Steel workers throughout the United States out of work. Further, the balance of trade implications if these import levels are maintained should be of grave concern to every American.

At least in the case of Japan, these imports are being sold at below cost. We have attached copies to this submission of various Japanese publications which establish this fact. In the *Japan Metal Daily* of April 4, 1975, it states and I quote,

"Japanese stainless steel sheet and plate mills, led by three specialized mills are poised to apply soon to the authorities for permission to form an anti-recession cartel, claiming that they are heavily in the red. . . . According to the specialized mills, their existing production cost is about 410,000 yen. . . . The present selling price of stainless steel sheets is about 360,000 yen per metric ton."

In the *Japan Metal Daily* of April 15, 1975, it states and I quote,

"Stainless steel export cartel seen revising price soon. Even the present floor price is said to be below cost and thus it bears close watching to what extent the floor price would be lowered. . . . As reported above, Japan's stainless steel sheet and plate export prices reached the peak level for January-March, 1974, shipments. For October-December, 1974, shipments, the Japanese export prices fell below 350,000 yen per metric ton, dropping below the breakeven. . . . The stainless steel mills . . . are generally heavily in the red."

One might reasonably ask whether foreign producers can continue to export products at prices below cost. The world cost of energy has created pressures on all foreign nations who must purchase energy to continue to export—at a loss if need be—and for extended periods of time in order to finance the cost of oil. We believe we are cost competitive with any steel industry in the world at the present time even though our wages are the highest in the world. We are prepared to expand our capacity to meet the needs of the American economy. We must have some assurance, however, that the game is being played fairly by all the participants.

The United States, in its own self-interest, must prevent disruption of domestic markets by nations whose economies serve national purposes far different than ours; whose objectives are intended to make them strong and us weak.

The ability of the foreign producer to selectively capture our markets by product and geographical region, shifting as their strategies change, achieves just that objective. To prevent this from occurring, this nation needs an interim limitation of specialty steel imports. Then the reduction or elimination of tariffs should be negotiated only on the basis of removal by foreign nations of non-tariff barriers, other hidden costs, subsidies to home producers and the establishment of safeguard provisions to prevent disruption of our markets. Otherwise, negotiations will not achieve the goals of the 1974 Trade Act.

SPECIALTY STEEL TECHNOLOGY

At hearings of the International Trade Commission on April 1, 1975, allegations were made by a witness suggesting that foreign producers have contributed significantly to steel technology and the expansion of United States capacity. Speaking for the Specialty Steel industry, not only is this suggestion untrue, the reverse is true.

The American Specialty Steel industry has been and is by far the world leader in the development of new alloys and new processes for the production of Specialty Steel. Almost without exception, every significant process for the manufacture of Specialty Steel and every alloy of any significance throughout the world was a result of research in the United States. The melting and refining technique used universally for the production of stainless steel is licensed by a United States firm. Our own firm and many others in the United States hold countless patents and have provided technological assistance to many of the foreign Specialty Steel companies throughout the world. Nowhere in the world is a Specialty Steel industry as advanced as ours.

If we are to solve the specialty steel import problem we would do well to implement the following:

(1) There must be "sectoral" negotiations for steel. The special issues which distort trade flows and prevent fair competition internationally must be surfaced, discussed, and resolved in "steel sector" negotiations.

(2) An effective international "safeguard" system for steel must be negotiated to prevent, permanently, market disruption by imports.

(3) Steel negotiations should concentrate on reducing disparities between the U.S. and other countries in total costs of entry resulting from tariff as well as non-tariff trade barriers. Any reductions in U.S. steel tariffs should be contingent not only on reciprocal cuts by others but on the degree of success in reducing, eliminating, or otherwise offsetting foreign non-tariff barriers which raise total costs of entry.

If there is no progress in the latter area, tariff cuts abroad will mean little and U.S. concessions should be limited accordingly.

(4) Access to supplies should be a principal objective of the trade negotiations.

(5) We must also assure that tariff preferences for developing countries do not provide Specialty Steel producers of industrialized nations with a means of obtaining duty free access to the American market by subjecting semi-finished mill products to minimal processing, particularly in those developing countries with large labor pools.

(6) Finally, we urge that the monitoring system authorized under Section 282 of the Trade Act of 1974 immediately be established and maintained in order to reflect changes in import volume, domestic production, and employment within domestic industries producing articles directly competitive with such imports.

The Specialty Steel industry, although part of the steel industry, is unique in its importance to every facet of our industrial life. Without a strong Specialty Steel producing industry, this nation is vulnerable to international blackmail no less in magnitude than oil.

Without Specialty Steel, our economy will cease to function.

ENERGY POLICY AND THE CONGRESS

The SPEAKER. Under a previous order of the House, the gentleman from Colorado (Mr. ARMSTRONG), is recognized for 60 minutes.

Mr. ARMSTRONG. Mr. Speaker, once again Congress is preparing for a long recess. And just as we did immediately preceding similar recesses earlier this year and in 1973 and 1974, the House has been feverishly debating and amending legislation to deal with the Nation's energy shortage.

The effort is apparently futile. While the Congress may yet pass some superficial legislation, such as a temporary extension of the existing allocation scheme, any comprehensive energy legislation is fated to be postponed again. Perhaps it is for the best since the mood of the House seems to favor legislation which would almost certainly fail and make the present situation worse.

While failing to produce any semblance of a comprehensive energy program, the Congress has nonetheless overruled the President's program and ignored his compromise proposals to stimulate U.S. energy production by decontrolling the price of domestic oil. Nor has Congress seriously considered other aspects of the President's recommendations, including a special tax on oil companies' possible windfall profits arising from rapid price increases and so-called plowback incentives to encourage oil companies to invest heavily in U.S. production.

The result of over 2 years of congressional deliberation is deadlock. The Nation's energy gap is growing wider every day. My colleagues and I, members of the House Republican task force on energy and environment, are gravely concerned about the situation, and we appeal to our colleagues to reflect on the magnitude of the energy disaster which the Nation will face if this deadlock is not soon ended. In order to give this crucial national decision its proper perspective, several members of the task force are submitting statistical information, analyses, and proposals for coping with America's energy problems before it is too late.

ENERGY FACTS

Our country's prosperity is based directly on an enormous consumption of energy: The United States, with about 6 percent of the world's population, consumes approximately 35 percent of the world's energy.

But, domestic production of energy is not keeping pace. It has not for several years. Every day the gap between U.S. consumption and domestic production—particularly of oil and natural gas—grows wider. We are becoming more and more dependent on foreign sources of energy. As a consequence, our prosperity—indeed, the very future of our country—is now hostage to decisions made in foreign capitals.

This is an intolerable situation.

Two years ago, I submitted 11 recommendations to close the energy gap. If these proposals—or those submitted by others—had been acted on promptly, we would already be well on the way toward resolving our present dilemma. Unfortunately, not one important piece of legislation was enacted by the 93d Congress.

I now realize the main reason for inaction is that many Americans—including Members of Congress. I regret to say—still do not appreciate the seriousness of the situation. They seem to believe the problem will go away if ignored long enough. This Nation has enjoyed such an abundance of cheap natural resources, including energy, for so many years that a lot of people just cannot accept the true facts.

Even now many people do not believe the shortage is real. They sincerely think this whole crisis has been trumped up by the oil companies and public utilities to scare consumers and force higher prices.

This underlying skepticism about the real causes of the energy shortage is the chief obstacle to a responsible long term solution of the Nation's increasingly urgent energy problems.

In order to bring the Nation's energy needs into focus, the following energy facts digest has been prepared for use by the Republican task force on energy and environment. It gives a good overview of the problem we are facing, and I commend it to the attention of every Member of the House:

ENERGY FACTS

I. U.S. ENERGY USE—1950–74

A. CONSUMPTION IN ENERGY EQUIVALENTS OF BILLION BARRELS OF OIL PER YEAR

	1974	1970	1960	1950
Petroleum	5.90	5.00	3.45	2.35
Natural gas	4.30	3.62	2.15	1.07
Coal	2.45	2.36	1.78	2.22
Hydroelectric	.52	.39	.21	.12
Nuclear	.14	.10		
Total	13.30	11.47	7.55	5.76

Note: The 13,300,000,000 barrels of oil equivalent consumed by the United States also equals 78 quadrillon Btu's . . . or an average of 37,500,000 barrels of oil a day . . . or 215 trillion Btu's a day.

B. CONSUMPTION BY ACTUAL FUEL TYPE

[In percent]

	1974	1970	1960	1950
Petroleum	44	44	44	39
Natural gas	32	31	27	18
Coal	18	21	25	38
Hydroelectric	4	4	4	5
Nuclear	1			

Note: Energy imports amounted to 15 percent of total needs and are projected to reach 25 percent by 1985.

C. THE ENERGY USERS, BY SECTOR—1950–74

[In percent]

	1974	1970	1960	1950
Industrial	32	31	34	36
Transportation	25	24	25	27
Residential commercial	22	24	24	23
Electrical generation energy loss	15	15	11	9
Nonenergy (petrochemicals, etc.)	6	6	5	5

Note: 56 percent of all transportation energy use is by automobiles (also 14 percent of total energy use).

D. ENERGY EFFICIENCY, OVERALL—1950–74

[In percent]

	1974	1970	1960	1950
Energy used	47.5	50.5	49.4	53.8
Energy lost	52.5	49.5	50.6	46.2

E. THE ENERGY LOSS (WASTE) BY SECTOR—1950–74

[In percent]

	1974	1970	1960	1950
Electrical power generation	62.5	64.8	66.7	77.9
Residential, commercial	26.0	25.4	30.0	25.0
Industrial	25.0	24.3	29.6	25.0
Transportation	76.0	75.5	75.5	75.6

II. PETROLEUM

A. HISTORIC U.S. SUPPLY AND DEMAND PATTERNS

[In billions of barrels per year]

Year	Domestic demand	Domestic production	Imports	Imports as a percent of demand
1950	2.38	2.19	.19	8
1955	3.10	2.73	.37	12
1960	3.59	2.93	.66	18
1962	3.80	3.04	.76	20
1964	4.03	3.21	.82	20
1966	4.41	3.47	.94	21
1968	4.90	3.86	1.04	21
1970	5.37	4.12	1.25	23
1971	5.55	4.12	1.43	26
1972	5.99	4.34	1.65	28
1973[1]	6.30	4.24	2.16	35
1974[1]	6.64	3.97	2.67	40

[1] Based on preliminary figures supplied by FEA.

B. OIL, NUMBER OF DOMESTIC WELLS DRILLED ANNUALLY

	New production wells	Total wells drilled	Total wells in production
1950	24,000	NA	466,000
1955	32,000	NA	524,000
1960	22,200	40,700	591,000
1962	21,700	38,700	592,000
1964	21,000	38,600	588,000
1966	15,900	30,500	583,000
1968	13,800	26,300	554,000
1970	12,600	23,400	531,000
1971	11,400	21,400	517,000
1972	10,800	21,400	508,000
1973	9,555	19,600	497,000
1974[1]	10,700	17,000	

[1] Preliminary.

C. THE PETROLEUM END-USERS . . . WHO ARE THEY? HOW EFFICIENT?

[In percent]

	1974[1]	1970	1960	1950	Percent energy wasted
Transportation	55	53	53	52	76
Residential/commercial	15	18	21	20	26
Industrial	10	11	14	16	24
Nonenergy (petrochemicals, etc.)	12	11	9	7	(2)
Electrical generation	8	7	3	5	65

[1] Estimate.
[2] Used as product.

D. IMPORTS . . . THE DOLLAR COST

	Amount (billions)
1960	$1.6
1965	2.1
1967	2.1
1968	2.4
1970	2.8
1971	3.3
1972	4.3
1973	7.6
1974	23.6
1977	32.1
1985	52.4

III. NATURAL GAS

A. HISTORIC U.S. SUPPLY AND DEMAND PATTERNS

[In trillions of cubic feet per year]

	Domestic consumption	Domestic production	Imports	Imports as a percent of demand
1950	5 9	6.3		
1955	8.9	9.4		
1960	13.0	12.8	.2	1.5
1962	14.3	13.9	.4	2.8
1964	15.7	15.3	.4	2.5
1966	18.0	17.5	.5	2.8
1968	20.0	19.3	.7	3.5
1970	22.6	21.8	.8	3.6
1971	23.5	22.6	9	3.8
1972	23.5	22.5	1.0	4.2
1973	23.6	22.6	1.0	4.2

R. NATURAL GAS, HISTORY OF PRODUCTION WELLS

	New production wells	Total number of producing wells
1950	NA	65,000
1955	3,600	71,500
1960	5,300	90,800
1962	5,800	97,000
1964	4,900	103,100
1966	4,100	112,500
1968	3,300	114,400
1970	3,800	117,500
1971	3,700	120,200
1972	5,100	121,200
1973	6,400	124,200
1974[1]	7,000	

[1] Preliminary.

C. NATURAL GAS END-USERS

[In percent]

	1974	1970	1960	1950
Industrial	43	43	48	53
Residential commercial	33	33	33	27
Electrical generation	21	18	13	10
Nonenergy (petrochemicals, etc.)	2	3	3	7
Transportation	2	3	3	3

D. NATURAL GAS, THE COST PRICE DILEMMA

	Average cost per new well	Drilling cost per foot	Price/mcf[1] (current cents)	Price/mcf (1958 cents)
1964	$104,800	$18.57	15.4	15.2
1965	101,900	18.35	15.6	15.1
1966	133,800	21.75	15.7	14.7
1967	141,000	23.05	16.0	14.4
1968	148,500	24.05	16.4	14.1
1969	154,000	25.58	16.7	13.7
1970	160,700	26.74	17.1	13.3
1971	166,600	27.70	18.2	13.5
1972	157,800	27.78	18.6	14.0
1973	NA	NA	21.6	13.2

[1] Interstate gas—Average National Price Entering Pipeline.

E. THE IMMEDIATE IMPACT

Shortfalls in supplies and imports have already created curtailments and denials of service to new customers at a rate of 7 percent in 1973, and 14 percent in 1974.

IV. COAL

A. CONSUMPTION AND PRODUCTION, 1950–73

[Millions of short tons per year]

	Domestic demand	Domestic production	Exports[1]
1950	494.1	560.4	29.0
1955	447.0	490.8	54.1
1960	398.0	434.3	37.7
1962	408.8	438.0	40.2
1964	445.5	503.0	49.3
1966	497.7	546.8	50.7
1968	509.0	556.7	51.7
1970	523.9	612.6	72.4
1971	502.2	560.9	58.0
1972	525.7	596.5	56.0
1973	569.3	602.5	[2] 32.0

[1] Totals will not add because of stockpiling.
[2] Estimate.

B. COAL—THE NOTABLE CHANGES

	Number of mines	Percent of coal surface mined	Average price per short ton
1950	9,429	23.9	NA
1960	7,865	31.4	$4.69
1965	7,228	35.1	4.44
1968	5,327	36.9	4.20
1970	5,601	43.8	6.26
1971	5,149	50.0	7.70
1972	4,879	58.9	8.25
1973			9.30
1974			[1] 12.85

[1] Average January–June.

C. COAL END-USING SECTORS

[In percent]

	1974[1]	1970	1960	1950
Electrical generation	59	57	40	18
Industrial	38	38	46	45
Residential/commercial	2	3	10	22
Nonenergy (chemicals etc.)	1	2	2	2
Transportation			2	13

[1] Estimate.

ELECTRICITY—IT'S NOT ALL WATER OVER THE DAM

WHAT TURNS THE GENERATORS?

[In percent]

	1974[1]	1970	1960	1950
Coal	51	52	59	58
Natural gas	26	27	23	16
Oil	13	14	9	16
Hydropower	5	6	9	10
Nuclear	5	1		

[1] Estimate.

B. THE CONVERSION LOSS PROBLEM

Depending on the fuel mix burned under the steam boiler, the conversion of fossil fuels to electrical energy results in a loss of 65–75 percent of the potential energy (or an efficiency of only 25–35 percent).

Older style nuclear plants have an efficiency as low as 1 percent; with effective breeder reactors, however, the efficiency may approach 80 percent (20 percent energy waste) . . . but in any case, the amount of heat thrown off is massive.

C. NUCLEAR POWER, OPERABLE PLANTS AND CAPACITY

	Number of plants	Capacity (thousands of kilowatts)
1960	4	321
1965	7	856
1970	13	5, 622
1971	15	7, 770
1972	21	31, 123
1973	29	20, 105

D. THE NUCLEAR FUTURE, A FEW OBSERVATIONS

1. By Jan. 1, 1973, 131 nuclear power plants were under construction or had reactors on order.
2. By Jan. 1, 1975, construction of 60 of those nuclear plants had been postponed 1–3 years . . . and 18 had been cancelled outright.
3. In some states, it now requires approval from 36 different state and federal agencies to site and build a nuclear plant—stretching lead times to 10 years.
4. Two principal problems are still not solved to the regulatory groups' satisfaction . . . the waste disposal problem and the reactor cooling system.
5. Even so, the electric utilities plan over 30 percent of the new power plants built in the next 10 years as nuclear (and almost 50 percent of the generating capacity).

VI. WHAT'S LEFT, U.S. DOMESTIC FUEL RESOURCES

[Measured in years remaining of supplies within the United States and Alaska (including off-shore shelves)]

	Best case estimate	Worst case	Consensus
Petroleum	290	10	40–50
Coal	800	50	300–400
Natural gas	80	12	40–50
Oil shale	600	(1)	[2] 200
Nuclear fission	(3)	30	7

[1] Not usable.
[2] Limited use.
[3] Infinite (breeder reactor).

Note: This is merely a compilation of "expert" estimates.

OIL—A GOVERNMENT-CREATED SHORTAGE

The United States is using more and more petroleum each year. But we are producing less and importing an increasing proportion of our needs from overseas sources, primarily the OPEC nations.

In the last 4 years, U.S. production has declined from a daily average of 9.6 million barrels in 1970 to 8.7 million barrels in 1974. Consumption rose from approximately 14 million barrels per day to 17 million in the same period. As a consequence, we are now dependent on foreign sources for 40 percent of our day-to-day oil needs. The cost of imported oil has skyrocketed from $2.3 billion to $23.6 billion per year, a 1,000-percent increase. And oil-producing nations are now threatening a drastic additional price increase.

Aside from the purely financial considerations and the drain on our balance of trade and balance of payments, our heavy dependence on foreign sources for a crucial raw material has ominous geopolitical and strategic implications. It literally makes our Nation's energy-based prosperity the hostage of the oil sheiks. Is it not about time we face the facts about why domestic oil production is lagging and start solving the problem?

OIL PRICE REGULATION—A FLOP

After 2 years experience with oil price control and substitution of bureaucratic controls and regulations for marketplace decisionmaking, the results are clear.

The regulatory bureaucracy has been spectacularly successful in creating jobs for regulators. There are now over 3,000 employees at FEA alone. The regulatory scheme has promulgated a stunning number of regulations, over 3,200 pages of such regulations and proposed regulations were issued by FEA during its first year. The FEA manual is now over 6 inches thick. While solving some injustices, the regulations and regulators have created many new injustices, disrupted the Nation's oil industry, and imposed severe hardships on many producers, refiners, distributors, retailers, and consumers.

But all this economic regimentation has not prevented consumer price increases—gasoline has gone from about 32 cents a gallon to over 50 cents a gallon during the last 2 years—nor has the regulation encouraged new U.S. oil production. Quite obviously, the whole regulatory scheme has had exactly the opposite effect.

While consumer prices are responding to the unregulated prices of OPEC oil, domestic oil prices have been held below the level at which producers have an economic incentive to discover, produce, and market oil. So we are producing less oil at home and becoming even more dependent on overseas sources. The situation will surely grow worse until free market pricing is restored.

Will a return to free market oil prices result in still higher consumer gasoline and oil product prices? Probably not, although a modest price increase would be better than the present trend toward ever-increasing dependency on OPEC, which means vastly higher consumer prices and unhealthy reliance on undependable sources.

The issue of deregulating domestic oil has been the subject of two recent editorials in the Wall Street Journal which I commend to the attention of my colleagues:

[From the Wall Street Journal, July 11, 1975]

PRESIDENT FORD'S OIL OPPORTUNITY

With the government's authority to control oil prices running out on August 31 and Congress running out on a month's vacation beginning August 1, President Ford has a delicious opportunity to get rid of the controls to the immediate benefit of the economy. It's difficult to see how Mr. Ford can fail to benefit politically if he plays the cards he holds with bold confidence.

The only problem standing in the President's way is the hand-wringing going on among several of his advisers, those who believe controls are intrinsically bad yet who fear that the absence of controls will have dire effects. These voices are telling the President that if controls expire on August 31 the price of oil products will rise so sharply that the economic recovery underway will be aborted, another inflationary spiral will be ignited, the general public will denounce Mr. Ford's free-market dogmatism, and Congress will come back with a controls program worse than before.

Given this scenario, which a number of oil company executives are also carrying around in their heads, the obvious policy to follow is one of gradual decontrol, letting that 40% of the crude market that is fixed at $5.25 a barrel rise to the world price over two or three years. If fed the price increases a little at a time instead of all at once, the public will not be vulnerable to a demagogic stampede against the oil industry.

The scare scenario is another of those utter fantasies that occasionally get a grip on the minds of supposedly informed people (whatever happened to the petrodollar problem anyway?). In fact, the price of gasoline is more likely to fall than to rise after decontrol. The scenario rests on the observation that with decontrol the price of "old" domestic crude would leap from $5.25 a barrel to $13, the world price plus the $2 tariff—and on the hallucination that retail prices would behave more or less in proportion.

To begin with, since controlled oil is only 40% of the total, the current average price of crude is about $10. Beyond that, the price of crude is a relatively minor component of the retail cost of gasoline; a $1-a-barrel increase in crude costs means a 2.5-cents-a-gallon increase in gasoline prices. So, if the total increase is passed on, lifting the average price of crude to $13 would mean an increase of 7.5 cents at the gasoline pump, (or 2.5 cents if the President simultaneously lifted the tariff). We doubt that this increase would set off riots even in Senator Jackson's offices and it is the most pessimistic possible prediction. An increase of 7.5 cents is the upper limit, the maximum.

Actually, anyone who believes elementary economics ought to predict that decontrol would leave the price of gasoline totally unchanged. Elementary economics teaches that prices are set *at the margin*. What matters is not the average cost but the cost of the last additional barrel necessary for supply to equal demand. Of course, the marginal barrel of oil is now imported at a cost of $13. Decontrol would not change this marginal cost, and therefore would not change the price of gasoline.

What would instead happen would be a redistribution of benefits within the oil industry. Those participants now benefitting from the vagaries of the federal allocation program would lose their goodies, while the actual producers of domestic crude would gain. The removal of controls would allow the system to operate more efficiently, thus tending to reduce prices. The extent of this tendency is not measurable, but at least it is no hallucination.

The scare scenario seems by now so ingrained that President Ford is calling for a gradual decontrol and will announce his plan soon, which either the Democratic Senate or Democratic House will be able to reject by simple majority vote. Because liberals have enough votes to do so, and oppose even gradual decontrol, chances are they will vote down the President's plan and send him an extension of his authority to impose controls.

We find ourselves rooting for the liberal

Democrats, because once they have turned down the President's bill he will be free to veto the extension and end controls once and for all. He can then assure his nervous advisors that any problems can be blamed on the Democrats' refusal to go along with his gradual plan. The last thing Mr. Ford should do is water down his plan to get Democratic agreement.

The President holds all the cards. The latest Harris survey on the issue even shows that by 46% to 31% Americans favor deregulation of oil and gas produced here. He should send up a tough decontrol plan, one the controllers in Congress would love to reject, and let them spend their summer vacations wishing they hadn't.

[From the Wall Street Journal, July 22, 1975]

BOGEYMAN OIL ECONOMICS

As far as we know, The Wall Street Journal was the only major publication in the civilized world that argued consistently over the last two years that there was no petrodollar problem. Except for a few diehards who still insist the problem is just around the corner, it is now generally conceded that the private capital markets handled the petrodollars nicely.

As Congress considers the various proposals to extend price controls on oil, we once again find ourselves a minority of one. All the experts and politicians of all stripes agree that if the present control act expires August 31, there will be an immediate large surge in gasoline prices. From where we sit the price surge looks like another bogeyman.

Naturally we understand the arguments that the gasoline price will go up. Clearly it is true that the price of "old" domestic crude oil, some 40% of U.S. consumption, will go to something like $13 a barrel from $5.25 a barrel. If this cost is tacked on to the price of gasoline, it amounts to something like the 7 cents a gallon the Ford administration predicts would be the ultimate outcome of its 30-month decontrol plan. This accounting arithmetic is persuasive because it is so intuitively satisfying, but it ignores the laws of economics.

For the price of gasoline to go up, one of two things must happen: (1) the demand for gasoline must increase, or (2) the supply of gasoline must decrease. We are aware of no one who argues that the end of price controls will increase demand. So the argument rests on the assertion that allowing the price of oil to go to $13 from $5.25 will reduce the supply of gasoline. Use your intuition on that one.

The non-intuitive argument that decontrol will reduce supply runs as follows: The higher price of "old" oil will mean higher costs for refiners and marketers. Those on the margin will no longer make a profit, and will withdraw their supply, causing the price of gasoline to rise. This analysis treats the marginal cost of crude oil as the price of imports plus tariff, or about $13, minus the about $3.50 value of "entitlement" tickets importers receive under the government's crude cost allocation program. This analysis must confront three empirical observations:

(1) The oil companies now have astronomical "banked costs." Banked costs are those costs the companies would be entitled to under the price control program, but cannot recoup in the marketplace. If the current demand for gasoline will not allow the companies to recoup present costs by increasing the price to 58 cents, how can it allow them to recoup higher costs by increasing the price to 64 cents?

(2) Exxon did not increase its gasoline prices on July 1. Other major companies figured that demand was increasing, so they could make more profits by increasing their price. Exxon figured it could make more money by keeping its price low and increasing its market share. This means that Exxon chose, because of market considerations, to bank the cost of the additional $1 tariff that led to the increase elsewhere.

(3) The wholesale price of gasoline is 38 cents in New York and 38 cents in Rotterdam. The Rotterdam gasoline contains zero percent $5.25 crude oil.

If you put these observations to the typical expert, the answers reflect congenital ad-hocism: e.g., spot prices in Rotterdam don't count. Certainly we would be the first to admit that the very existence of a monstrosity like the crude cost equalization program makes all economic analysis difficult. But it seems to us that the explanation of the empirical evidence ought, on the basis of the scientific law of parsimony, to be this: The price of gasoline is not being determined by the price controls but by market conditions, and the market already reflects a marginal cost of $13 a barrel for crude oil.

Obviously $13 a barrel is the marginal cost of crude oil to the *industry*, as opposed to the individual importer. If an additional barrel of oil is imported *someone* has to cough up $13. If markets are as efficient as some of us believe, prices will reflect these real costs.

On a more technical level: The fixed production of "old" oil produces a fixed amount of "entitlements," and an individual firm's share is determined by its percentage of total imports. If firm A steps up imports, firm B finds itself losing entitlement shares and retaliates by increasing its own imports. But if together they buy more $13 oil than can be sold at a profit, they will start losing money. By trial and error, they will cut back imports to the point of maximum profit. The point of maximum profit reflects a marginal price of $13. And of course, if the marginal price is $13 with controls and $13 without controls, decontrol will not change the price of gasoline.

What will happen instead is a redistribution of profits within the oil industry. It is, after all, a highly integrated industry. If, say, Texaco makes less money on refining and more money on production, will it be forced to increase retail prices? Since the industry is not totally integrated, and since access to domestic crude varies, there will of course be winners and losers, which accounts for the dividend counsel from the industry regarding immediate versus gradual decontrol. But letting the price mechanism put the profits in the right place will over time increase efficiency, thus lowering prices from what they otherwise would be.

Beyond this, everyone admits that immediate decontrol would increase domestic production, if only because small producers have been withholding oil at $5.25 and hoping for $13. For our part, we doubt that this applies only to small producers; one does not need to charge widespread deliberate withholding of oil to believe that incentives are powerful stuff. And an increase in domestic production and a cut in imports could not come at a better time—with Ecuador openly cutting the price of oil, with other OPEC members engaging in widespread cheating, with Iran discovering it can't afford Pan Am after all, and with the shut-in capacity of the cartel now greater than it was even at the height of the notorious Arab embargo.

It seems to us a point to gamble, even on admittedly speculative economics. Congress ought to vote down Mr. Ford's gradual decontrol plan today, and Mr. Ford ought to keep his pledge to veto any other plan. The OPEC cartel will be dealt an economic blow just as it is trying to organize another price increase, the domestic economy will get the instant benefits of an oil industry no longer choked by controls. And count a minority of one that would be astonished if gasoline prices soared seven cents, and a bit surprised if there were even a blip.

Although I believe the Wall Street Journal may be right, we should at least consider the chance that prices might increase and unfair profits therefore accrue to the Nation's oil companies. If this should happen, and if such profits are truly windfalls, Congress could and should enact windfall tax legislation along the lines advocated by President Ford, including necessary plowback incentives to encourage oil companies to reinvest profits in increased production.

But the main thing is to encourage production either by permitting President Ford to implement his proposal for gradual decontrol of prices or by merely permitting the whole price-control-allocation scheme to expire altogether.

ENDING THE NATURAL GAS SHORTAGE

Three months ago I introduced legislation to end the Nation's worsening natural gas shortage by removing Federal controls on the wellhead price of gas. The severe curtailments of gas service which have plagued many areas could have been averted if Congress had heeded warnings of the impending problem. Unfortunately, however, until gas curtailments began to close schools and factories most Members of Congress tended to ignore the consequences of Federal price regulations which encourage consumption while virtually eliminating incentives to increase, or even maintain, production.

AN ARTIFICIAL SHORTAGE

Even now some of our colleagues are reluctant to face the central fact about the natural gas shortage—it has been artificially created by these Federal controls. Until these restrictions are eliminated, or drastically modified, the situation is bound to grow worse. And the longer a decision is delayed, the more serious the consequences will become.

Until 7 years ago, America enjoyed an abundant supply of this efficient and environmentally desirable fuel. Gas consumption rose dramatically, but production more than kept pace. Year after year, more new gas was developed than consumed; reserves steadily increased.

But in 1968, the Supreme Court upheld the Federal Power Commission's complicated system of price regulation which was imposed on all natural gas sold for transmission in interstate commerce.

The effect was dramatic. Incentive to produce a new gas for interstate commerce vanished almost overnight. The Nation's total gas production leveled out, after rising for years, and the country began to use more gas than was produced. By 1973 new reserve additions were less than one-third of consumption and the Nation's total natural gas reserves dropped from a 15-year supply in 1967 to a less than 10-year reserve:

[Trillion cubic feet]

	Domestic consumption	Domestic production	Reserve additions	Year-end reserves	Supply (in years) at current use	Supply (in years) at 1974 usage
1950	5.9	6.3	12.0	184.6	31	8
1955	8.9	9.4	21.9	222.5	25	9
1960	13.0	12.8	13.8	262.2	20	11
1964	15.7	15.3	20.1	279.4	18	12
1966	18.0	17.5	19.2	286.4	16	12
1968	20.0	19.3	12.0	282.1	14	12
1970	22.6	21.8	11.1	259.6	12	11
1971	23.5	22.6	9.4	247.4	11	10
1972	23.5	22.5	9.4	234.6	10	10
1973	23.6	22.6	6.8	218.6	9	9

Meanwhile, an increasing proportion of production was being diverted from the price-controlled interstate market to unregulated intrastate customers:

NEW NATURAL GAS RESERVES

[Volume in percent]

Year	Intrastate	Interstate
1964	47	53
1966	26	74
1968	21	79
1969	27	73
1970	100	0
1971	79	21
1972	100	0
1973	83	17
1974[1]	90	10

[1] Estimate.

PERCENT OF TOTAL U.S. NATURAL GAS PRODUCTION

Year	Production (TCF)	Percent interstate
1966	17.5	67
1968	19.3	66
1969	20.8	67
1970	21.8	64
1971	22.6	67
1972	22.5	65
1973	22.6	62
1974[1]	21.9	58

[1] Preliminary estimate.

THE EFFECT IN COLORADO

Within a short time, shortages began to develop throughout the Nation, except, of course, in gas producing areas. In my own State, Colorado, lack of natural gas to meet peak demand has closed schools, shut down factories and brought new home construction to a standstill.

General softening of the economy has subsequently eased demand for new natural gas permits for residential construction, but when the demand increases again the economic recovery will be severely curtailed by lack of gas, particularly in rapidly growing areas such as Colorado Springs, Aurora, and metro Denver.

In Colorado Springs, all interruptible customers have been cut off almost all winter. No new firm customers have been added for over 2 years. In Denver, the waiting list for natural gas, begun in 1973, is 10 months long and Public Service Co. sees no improvement in sight. Some builders are switching to all electric heat, a more expensive—and from an energy standpoint less efficient—alternative.

By 1977, present gas supplies to the State of Colorado, including those now committed and contracted for, will not meet present needs. The State's major gas supplier, CIG, sees no prospect of new supplies. So-called firm customers, including homeowners, will be forced to cut back on usage.

Meantime, industries located in areas with local supplies of natural gas have a significant competitive advantage over firms which must rely on other sources of energy. Consequently, firms are foregoing plans to expand in nonproducing areas and relocating plants to take advantage of abundant natural gas available in a handful of States where it is produced in great quantity.

The magnitude of this trend—and the extent to which this premium fuel is being diverted from home heating to use by industries which could use oil or coal with proper environmental safeguards—is revealed by the consumption statistics: Four gas-producing States already consume 34 percent of the natural gas used in the Nation. Of this amount, 91 percent is used industrially. A large part of this consumption is used to generate electricity. Nationwide about 20 percent of all natural gas production is used to generate electricity. Four gas producing States account for 65 percent of that amount. In summary, electric production in just four States accounts for 15 percent of all natural gas consumption in the entire Nation.

Homeowners and industries elsewhere who are, in effect, prohibited from bidding on natural gas are being forced to switch to higher priced substitutes.

In Colorado Springs for example, city council spent $1 million for equipment to inject a propane-air mixture into natural gas lines at times of peak demand. This cost, and the use of higher priced propane, became necessary simply because regular gas supplies were inadequate to maintain pressure in the gas lines on coldest days when peak demand occurs.

Other communities have responded in other ways: Burlington, for example, maintains a large supply of fuel oil for emergency use if their interruptible supply of gas is cut off, leaving the powerplant—and city buildings, including the hospital, without service.

As municipalities and other priority users are increasingly forced to depend on propane, oil, and coal, the price of these substitutes is bid up in response to increased demand. Mobile homeowners who use propane for heating and farmers who use it extensively in crop drying were horrified when the price per gallon jumped from around 18 cents to over 60 cents within a few months. Although this price increase has moderated somewhat in recent months, propane is still twice as expensive as 2 years ago and an even worse supply-price crunch may develop in the future.

The price of coal has been similarly affected.

OTHER AREAS OF THE NATION

Although I have mentioned hardships and dislocations in my own State, the shortage of natural gas is causing similar consequences elsewhere. Recently, the Federal Power Commission turned down an oil company's request to supply domestic natural gas to New York State users at a cost of 52 cents per thousand cubic feet. So instead these users ended up with imported liquefied natural gas from Algeria at rates up to $1.86 per thousand cubic feet.

In New Jersey, gas curtailment levels this winter have so far averaged 28 percent. If they rise to 30 percent, the State estimates that 120,000 workers could be laid off, and that the working hours of another 40,000 employees would be reduced. In Ohio, in 1970, a 10-day shutdown of natural gas caused 1,500 man-years of unemployment.

These are a few of many dislocations that have resulted from the Federal Government's unwise attempt to substitute administrative judgments and regulations for the efficient working of the free market. Even the Federal Power Commission, the agency which regulates the field price of gas, recently called for legislation to decontrol gas altogether. FPC studies, and much other evidence, indicates that decontrol is the only feasible way to assure the Nation a dependable supply of gas.

OBJECTIONS TO DECONTROL

The main objection to returning to free market pricing seems to be the fear of a drastic increase in home heating costs. Such increases may be justified by comparison with other fuels which are harder to transport and use, less desirable environmentally and far more expensive on an energy-equivalent basis. Fortunately, however, much higher prices to residential users does not seem likely.

Most of the burner-tip cost of natural gas to the consumer is the cost of distribution, not gas. Only about 10 to 18 percent of the price paid for home heating is acounted for by the fuel cost, the balance representing distribution charges. So even if the field price of gas were to double or triple, a pessimistic estimate I believe, the effect on most homeowners would be relatively modest, certainly far less than converting to other fuels if natural gas supplies are further depleted. And such increases would probably be phased over many years.

The alternative should also be considered. If nothing is done, and the volume of gas carried in interstate pipelines declines, the shrinking volume of gas will necessarily become more expensive as the cost of the pipeline—the major component of user cost—is amortized over fewer and fewer units of natural gas. In short, some experts believe that price increases resulting from decontrolling the wellhead price will be less than price increases inherent in the present regulatory structure. As FPC Chairman John Nassikas, pointed out:

> Whatever the cost of deregulation may ultimately be, it will be far less than the costs associated with current and anticipated curtailments of gas deliveries, idle pipeline capacity, high cost supplemental supplies.

THE FREE MARKET APPROACH

The Nation has suffered long enough as a result of this experiment with regimentation in the natural gas industry. By substituting Government decisionmaking for the free market, we have curtailed supply, increased costs, fostered economic dislocations and permitted the Nation to become increasingly dependent on foreign sources of natural gas.

There are over 4,000 producers of natural gas in this country. I think it is time to turn them loose again. Let us go back to the kind of free and open competition that provided us with abundant natural gas before and will do so again.

There is no reason to delay. This subject has been exhaustively studied and the conclusions are obvious.

By deregulating natural gas, Congress can do more to alleviate the Nation's overall energy shortage than by any other single piece of legislation before Congress.

Now, Mr. Speaker, I would like to yield to several of my colleagues who share my concern about the Nation's energy needs.

Mr. ROUSSELOT. Mr. Speaker, Congress and the President have reached an impasse on energy policy. The majority in the House keep rejecting the President's decontrol programs by narrow votes, but yet Congress cannot reach agreement on a workable policy to direct the Nation.

As we continue our debate of H.R. 7014, the "so-called" Energy Conservation and Oil Policy Act, it is becoming painfully apparent that the direction in which Congress is moving is to make the domestic production of oil so difficult and riddled with Federal intervention and controls as to completely discourage its development. It is also painfully apparent that what this would mean would be a further reliance on imported supply at a price that would be determined by the OPEC alliance. The fact is that the controls we have will not, and have not, worked.

On March 10 I again introduced legislation, H.R. 4554, calling for the repeal of the Emergency Petroleum Allocation Act. An article by Prof. Milton Friedman included in the June 23 issue of Newsweek clearly demonstrates that the problem of developing and marketing sufficient supplies of our energy products is not that Federal controls are too weak, but rather that it is this Federal intervention that is causing distortions in supply and price. It is inconceivable to me that Congress would extend old controls and impose new ones without ever really examining the effects of their actions. In my estimation, we should be moving toward a program that gets the Federal bureaucracy out of the business of controlling fuel supplies, and focus on a program that does not distort the ability of free market forces to provide increased supplies to meet demand. Repeal of the Emergency Petroleum Allocation Act would be a step in the right direction, rather than extending this act for 6 months as would be provided by S. 1849 which the House passed earlier today.

The full text of Professor Friedman's article follows, and I urge all of my colleagues who voted for the passage of S. 1849 to read it carefully in order to realize how their vote is perpetuating a bureaucratic system that allows the Federal Energy Administration to implement a program which "is giving what amounts to a subsidy of roughly $3 a barrel to imported oil."

[From Newsweek, June 23, 1975]

SUBSIDIZING OPEC OIL

(By Milton Friedman)

In a recent column (NEWSWEEK, May 12), I argued that decontrolling the price of "old" oil (mostly that part of the oil from domestic wells which is less than 1972 output) would lower, not raise, the price of oil products to final consumers because it would give domestic producers an incentive to produce more oil and therefore would increase the total amount of oil available. The higher price to producers of "old" oil would, I argued, not raise the price to consumers but simply end the present bonanza to refiners and other intermediaries from being able to buy "old" oil cheaply.

MEA CULPA

A former student of mine, Michael Canes, now an economist with the American Petroleum Institute, has informed me that my analysis was incomplete and my final conclusion wrong. My mistake was in not realizing how perverse and irrational are the Federal Energy Administration's regulations for allocating the benefits of being able to buy "old" oil at the controlled price. These regulations in effect tax domestic producers of "old" oil and subsidize consumption of both "new" oil and imported oil.

President Ford has now imposed a tariff of $2 a barrel on imported oil. At the same time, *the FEA, an agency responsible to the President, is giving what amounts to a subsidy of roughly $3 a barrel to imported oil.* Was there ever a clearer case of the right not knowing what the left is doing? I know that the FEA is not in fact being run by secret agents of the Shah and sheiks. No need, when unwitting volunteers are so cooperative.

This absurd procedure means that, while decontrolling "old" oil would indeed increase domestic production, it would reduce imports even more by ending the current subsidy to imported oil. The final result would be a smaller total amount of oil and a higher product price.

I oppose subsidizing oil consumption. But surely, if a subsidy is to be given, it should be given to domestic oil production only, not to the producers in the OPEC cartel that we are exerting every device of diplomacy to break. Still higher tariffs could have that effect—but what a confused and confusing way to achieve it.

This incredible result has occurred because the FEA has yielded to the pressure for statistical "equity" to oil refiners and marketers. A ceiling price of $5.25 for "old" oil, when the market price is more than twice that amount for "new" and imported oil, would favor those refiners who happen to have access to more than the average percentage of "old" oil. To avoid this outcome, the FEA distributes to all refiners (and marketers of imported refined products) "entitlements" to "old" oil proportional to the total number of barrels of oil that they use. Currently, "old" oil accounts for about 40 per cent of total oil consumption. Hence, for every 100 barrels of oil that a refiner uses he receives entitlements to buy 40 barrels at the controlled price of $5.25, which he may exercise himself or sell to another refiner. A refiner whose own production of "old" oil is more than 40 per cent of his total usage must buy entitlements to use his own oil from less-well-endowed refiners!

The entitlements are valuable. At a market price of crude oil of, say, $12.75 per barrel (including the tariff), an entitlement to buy one barrel of "old" oil is worth $7.50 ($12.75—$5.25). A refiner who imports one barrel at $12.75 gets an entitlement for .4 of a barrel worth $3 (.4x$7.50). In consequence, his *net* cost is $9.75. The result is the same as if control of the price of "old" oil were replaced by a tax on "old" oil of $7.50 a barrel and the proceeds used to give a subsidy of $3 to each barrel of oil produced in the U.S. or imported from abroad. The total sums involved are staggering: roughly $16 billion a year of taxes imposed by administrative edict on domestic producers of oil and redistributed to refiners and importers.

ABOLISH FEA

It is inconceivable that the President would recommend or that the Congress would enact such a tax-subsidy arrangement. Yet it now exists! Over a year ago, during the chaos that followed the oil embargo, I wrote in this space: "The way to end long lines at gas stations is to abolish FEO [now FEA] and end all controls on the prices and allocation of petroleum products." That is also currently the way to strike a major blow at the oil cartel and to take the power to tax and to spend away from appointed administrators and return it to elected representatives of the people.

Mr. SARASIN. Mr. Speaker, I wish to thank my colleague, BILL ARMSTRONG, for calling special orders on a subject that could not be more topical—energy. If, when I look around the House Chamber, I did not see almost one hundred new faces, I could swear that it was still 1973, shortly after the lifting of the Arab oil embargo. Indeed, we are still no farther along the road to energy invulnerability, self-sufficiency, or whatever you want to call it, than we were almost 2 years ago.

Judging from the Washington Post this morning, the days of even making a pretense as to congressional interest in compromise, conciliation, or cooperation on the issue of energy seems to have disappeared. Since January alone, the administration has offered us repeated modifications of its original proposal in the hope that something can be accomplished that will assist us in reaching our national goals of reduced importation of foreign oil, of increased domestic production, and of greater revenues to be devoted toward research and development of new forms of energy that scientists agree will be absolutely necessary before this century is over.

Even more alarming than our inability to reach consensus with the administration is our inability to achieve agreement within our own numbers. Quite obviously, unless we buckle down and use the age-old principles of compromise, upon which this country was developed, even the allegedly veto-proof Congress is not going to be able to pull off a national energy policy now or in the future. This state of affairs certainly portends badly for the future of our economy and our ability to maintain our posture in the world.

Perhaps the most incredible thing about this whole situation is the fact that we have had the ability to do something positive all along. Accomplishment is being prevented, however, because of the refusal of so many to give that proverbial inch. Through a combination of energy policy and tax policy, we could have been at least 1 year, if not 2, closer to our objectives without causing an inacceptable reduction in the purchasing power of our constituents or in the ability of our industries to expand production and increase hiring opportunities.

Where is the GAO audit of the oil companies that was introduced before Congress 2 years ago? At least this would have insured that we knew what they were doing. Where, too, is the windfall profits tax on the oil industry, a much touted but still dormant idea that has been bouncing off the walls of Congress for at least 2 years? Since Congress has the ability to effect a windfall profits tax that has some teeth, this could finally lay to rest the speculation that the oil industry is the ripoff artist of the century, insure that the industry has enough capital for expanded production, and return the rest to either the consumer or to an Energy Trust Fund for research and development.

Basically what we have, then, with the exception of some excellent legislation for research and development into such areas as solar energy, is the status quo. We are still supporting the Arab economy with petrodollars estimated at over $25 billion per year, a figure that could certainly help our own economy as it struggles through the infancy of recovery. We are still consuming far more than is necessary, particularly when we look to the fact that an estimated 50 percent of all energy we use is wasted. That figure, for those who are not aware, is 10 percent more than our total oil imports. We still have millions of constituents who do not know what to believe because of conflicting, and often unsubstantiated, information that is being bantered around.

Finally, through the preservation of the status quo, we also have the ideal situation politically. Both parties can accuse the other of doing nothing for either the consumer or the country in terms of energy, terrific fuel for the forthcoming elections. How much longer are we going to sacrifice this country's future to the whims of "politics as usual," how much longer must the American public wait for some direction from its alleged leadership?

Enough time has elapsed for all of us to know exactly where the administration will give and where it will not. Even enough time has passed for each of us to know what the other will support and what they will not, what has a snowball's chance of surviving a veto and what does not. All indications are, though, that this body will continue to refuse to accept this knowledge and deal with it accordingly, that we will refuse to try to find the balance that exists somewhere in the profusion of suggestions that have come down the pike since that fateful time in 1973 when the OPEC countries decided to take ultimate control of their own destinies and succeeded in shaking the foundations of half of the industrialized nations of the world. I know the choices are difficult, and to some degree could adversely affect at least 70 percent of the American public, but it seems to me that the ramifications of doing what we are doing—nothing—are far worse—probably more so than any of us can envision.

As a word of caution, by the time the next elections roll around, world oil prices could easily have increased another 100 or 200 percent. Are we still going to be sitting around trying to decide whether or not the consumer is being ripped off by the oil industry or are we going to do what we have the power and the responsibility to do—find out and deal with the facts, effect compromise; and develop a sound national energy policy, not political wishful thinking?

Mr. EMERY. Mr. Speaker, as a member of the Republican Task Force on Energy and Environment, I would like to share with you some further thoughts on the potential uses of synthetic fuels, especially methanol, in automobiles.

Methanol has many attractive uses as a fuel, but its greatest effectiveness could come first in the automobile engine because of its clean-burning, high-performance qualities. In a recent paper by Dr. William Most, of Exxon, it was estimated from work on a single-cylinder engine that a mixture of 15 percent water in methanol could achieve 25–40 percent better energy efficiency than gasoline with greatly reduced emission and reduced emission-control devices.

I feel the most effective immediate use of methanol is a 10-percent blend with gasoline for unmodified cars. This blend increases the octane rating several points, reduce CO emissions by 50 percent in older cars, and gives up to 5 percent better fuel mileage than gasoline.

Several of the oil and motor companies have published results showing decreased mileage, no significant octane improvement, and drivability problems. They see vapor lock as a major problem. Furthermore, the oil companies say that there would be great economic penalty associated with distributing blends, because they would have to remove all the water from their distribution system.

There does seem to be universal agreement that methanol would be very desirable for running turbines for power generation, but of course the price would have to be considerably lower than if it were used as a gasoline substitute. Finally, methanol is said to be the most desirable fuel for fuel cells—when they are developed. In any case, however it it used, we will need to increase production many times before we make a significant contribution to our energy needs.

As a result of our study into the use of methanol as a motor fuel, I have introduced legislation which would amend the Internal Revenue Code of 1954 to encourage methanol's use as an alternative fuel by allowing rapid amortization of facilities producing methanol. The bill also encourages consumption incentives by exempting from the Federal excise tax all gasoline which is blended at a rate of at least 10 percent with methanol. We need to make the environment for production and consumption of domestically produced alternative sources of energy more attractive.

With seven cosponsors, I also plan to amend section 510 of title V of H.R. 7014 to allow the President to require the use of synthetic fuels, including methanol, in a blend with gasoline in all Federal vehicles.

There are many advantages of using synthetic fuels in fleet vehicles. Controlled maintenance in fleet operations would facilitate monitoring efforts and would permit rapid implementation. Use in Federal fleets could also serve as an effective demonstration project for future application in private vehicles. But most importantly, a 15-percent blend in gasoline would reduce petroleum consumption by more than 90 million gallons; that's 90 million fewer gallons of imported petroleum.

If we can divert attention from oil and gas, and move toward renewable, ecologically efficient sources of energy, we will be taking the most decisive step possible toward solving our long term energy shortages.

I include the following:

AMENDMENT TO H.R. 7014, AS REPORTED OFFERED BY MR. EMERY ET. AL.

Page 304, line 10, after "(a)", insert "(1)".

Page 304, line 17, strike out "(1)" and insert in lieu thereof "(A)".

Page 304, line 18, strike out "(2)" and insert in lieu thereof "(B)".

Page 304, after line 21, insert the following:

(2) The President shall, within 60 days after the date of enactment of this act, prescribe rules which shall require that all passenger automobiles purchased or leased (for a period of one year or more) by all executive agencies in each fiscal year which begins after such date of enactment—

(A) are equipped to utilize a blend of gasoline; and

(B) utilize such blend.

(3) The President need not prescribe rules under paragraph (2) if he finds that such rules would not be practicable and transmits such finding to the Congress prior to the expiration of the 60-day period specified in paragraph (2).

(4) For purposes of paragraph (2) of this subsection, the term "blend of gasoline" means a mixture which consists of not more than 90 percent gasoline and not less than 10 percent of any other motor fuel which is manufactured or refined from a raw material other than petroleum products.

Mr. TAYLOR of Missouri. Mr. Speaker, as Congress engages in the difficult task of reaching agreement on a national policy aimed at dealing with the many energy problems confronting us, we must not only look at the broad picture, the aggregate outlook, we must be careful to closely examine the impact of each proposal for its narrower effect on subsectors of the energy industry and the patterns of energy use.

As we legislate we should bear in mind that whatever the provisions we place on the statute books, the results we achieve will in large part depend on the fashion in which the laws are implemented. The interpretations given in agency regulations, the decisions adopted in rulemaking proceedings, and the character of enforcement will govern in a very practical way what happens on the grass-roots level to energy producers, marketers, and consumers.

We are all painfully aware of the marked ability the agencies have developed and displayed on many occasions in applying the law in ways never intended or foreseen by Congress. This record should warn us against approving the passage of legislation containing provisions conferring general authorities expressed in language artfully ambiguous. The oversight I have exercised over the implementation and application of energy legislation enacted during the 93d Congress has convinced me the this is specially true in the area of energy.

One of the major energy problems I have investigated has been the skyrocketing prices of propane gas which has had a sharp impact on rural citizens across the United States. From what I have seen, I do not think the agency people downtown have been down to the forks of the creek, so to speak. They do not know what has been taking place in Blue Eye, Mo., or other places distant from "paved ground." They have not experienced the hardship and suffering that has been made prevalent throughout the United States, certainly to the greatest extent in the Midwest part of the country, that has been caused by the Federal Energy Administration's disregard for the impact of the exorbitant prices now being charged for liquified petroleum gas.

Unlike many energy sources propane appears to be in adequate supply, and yet, various Federal regulations issued by FEA have distorted normal propane production and marketing operations, thereby creating unconscionable propane price increases.

Back in June of 1974, 71 of my colleagues joined me in a letter to the FEA Administrator calling for a correction in the regulations permitting inflated prices. FEA responded to this letter and issued an order temporarily reducing propane prices.

However, recently FEA proposed to reverse this action through a proposed regulation issued on May 19, 1975. Following this ill-considered action, 71 of my colleagues have again joined me in a letter of protest to the FEA Administrator asking the FEA to review the inflationary impact of its proposal. I am including the complete text of this letter and a list of the Members who have joined me in signing it in the material I am presenting today.

The overview which follows presents information on six major problem areas confronting propane dealers and their customers arising from FEA regulations and proposals.

FEA MAY 19, 1975 PROPOSED REGULATION RE PROPANE PRICES

FEA's latest proposal which could set off another round of propane price increases is spelled out in the following letter to the FEA Administrator:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 10, 1975.

Hon. FRANK ZARB,
Administrator, Federal Energy Administration, Washington, D.C.

DEAR MR. ZARB: As Congressional Representatives of districts where propane gas is a major energy source, we have become quite concerned that FEA's 1975-6 Ruling and accompanying Notice of Class Exemption will set off another round of price increases to our constituents who rely on propane to heat their homes or operate their farm equipment.

It would appear that this ruling and proposed class exemption (40 F.R. 23272 and 23320, May 19, 1975), would allow producers of propane to retroactively recompute their selling price. These firms would be allowed to "bank" the difference between what they actually sold the product for in the past, and what they would have been permitted to sell it for on January 1, 1975, passing on the increased costs ultimately to the consumer.

Estimates made by your agency indicate the price increases expected to result from the adoption of this proposed class exemption will be minimal because of the Federal Power Commission's direct rate-making authority over natural gas and its indirect control over LPG. However, we understand that these estimates are inconsistent with some comments made by the staff of FPC. Also, we note a substantial portion of the gas producers are not subject to FPC jurisdiction which further weakens the argument by your agency that the price impact will be minimal.

A serious omission of the Ruling and the Notice of Class Exemption is the failure to state how far back in time a producer can use the January 1, 1975 base for recomputation purposes.

We are concerned that escalating prices for propane this winter may well create an economic reversal in the agricultural community just when our rural constituents are beginning to recover from a long period of very poor market conditions.

FEA's publication of this proposal in the Federal Register is totally silent as to the potentially large price increase which might result and thus appears to mislead interested parties.

Therefore, we urge that FEA comply with Executive Order 11821 requiring a statement on the inflationary impact to consumers as a result of this proposal. We believe that FEA should consult with the Federal Power Commission regarding the necessity of a major propane price increase at the producer level and then fully evaluate and publish in the Federal Register the inflationary impact of this proposed action before any such exemption is allowed to go into effect.

Sincerely,

GENE TAYLOR,
Member of Congress.

Members of Congress who joined in signing this letter are as follows:

Edward R. Madigan, (Ill.); Keith G. Sebelius, (Kans.); Benjamin A. Gilman, (N.Y.); Robert C. McEwen, (N.Y.); Tom Steed, (Okla.); Gene Snyder, (Ky.); William A. Steiger, (Wis.); Mark Andrews, (N. Dak.); John H. Dent, (Pa.); Ed Jones, (Tenn.); John Myers, (Ind.); J. Kenneth Robinson, (Va.); Bud Shuster, (Pa.); William F. Goodling, (Pa.); Paul Findley, (Ill.); David N. Henderson, (N.C.); Tom Hagedorn, (Minn.); John B. Anderson, (Ill.); Thomas N. Kindness, (Ohio); Charles E. Grassley, (Iowa); Bill D. Burlison, (Mo.); William L. Hungate, (Mo.); Bill Alexander, (Ark.); James Abdnor, (S. Dak.); Virginia Smith, (Nebr.); Chalmers P. Wylie, (Ohio); James H. Quillen, (Tenn.); Larry Winn, Jr., (Kans.); Ralph S. Regula, (Ohio); Floyd Spence, (S.C.); William H. Natcher, (Ky.); Tim Lee Carter, (Ky.); Tom Railsback, (Ill.); Charles Thone, (Nebr.); James P. Johnson, (Colo.); Bob Bergland, (Minn.); Richard H. Ichord, (Mo.); William L. Dickinson, (Ala.); Jamie L. Whitten, (Miss.); Samuel L. Devine, (Ohio); Don Young, (Alaska); Donald D. Clancy, (Ohio); Larry Pressler, (S. Dak.); George Hansen, (Idaho); Tennyson Guyer, (Ohio); Robert H. Michel, (Ill.); Joe Skubitz, (Kans.); Robert McClory, (Ill.); Don H. Clausen, (Calif.); Robert E. Jones, (Ala.); William M. Ketchum, (Calif.); Bo Ginn, (Ga.); Carl D. Perkins, (Ky.); Ray Roberts, (Tex.); Richardson Preyer, (N.C.); Walter B. Jones, (N.C.); Bill Nichols, (Ala.); Garner E. Shriver, (Kans.); William J. Randall, (Mo.); William C. Wampler, (Va.); Dante B. Fascell, (Fla.); John J. Duncan, (Tenn.); Roy A. Taylor, (N.C.); Albert H. Quie, (Minn.); Neal Smith, (Iowa); Phil M. Landrum, (Ga.); Ray Thornton, (Ark.); John Paul Hammerschmidt, (Ark.); L. H. Fountain, (N.C.); Jack Edwards, (Ala.); Barry M. Goldwater, Jr., (Calif).

Although I have not yet received a written response from the FEA to my July 10 letter, I did receive a telephone call on July 28th from Mr. Gorman Smith, Assistant Administrator for Operations, Regulations, and Compliance. Mr. Smith advised me that FEA would make clarifications in the proposed regulation which would reduce the impact of the May 19, 1975 proposals. The assurances I received from Mr. Smith are explained in more detail in the following letter which I sent him on July 28, 1975:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 28, 1975.

Mr. GORMAN SMITH,
Assistant Administrator for Operations, Regulations, and Compliance, Federal Energy Administration, Washington, D.C.

DEAR GORMAN: Thank you very much for your telephone call this morning responding to the recent letter that I sent to Mr. Zarb co-signed by approximately 70 of my colleagues expressing our concern for the continuing rising prices being charged by producers to the propane dealers throughout the nation and, of course, ultimately on to the consumers.

I appreciate very much your taking the time to explain what is being done at FEA to deal with this situation.

It is my understanding from your conversation that the FEA's position will be to allow the provisions of the bank only to those companies who stayed within the guidelines of the regulations during 1974 and were thus severely penalized because of their obedience to these regulations.

I further understand that it will be the policy of FEA to demand a pay-back from those producers who were in violation of the regulations in the form of reduced propane prices to the dealers and ultimately to the consumers.

It is further my understanding that no banking provisions would apply to this group of producers.

It would seem to me that if FEA will follow through on this commitment it would be fair to all concerned.

In following up on our agreement I am making an effort to obtain a survey of price postings by producers to dealers in my District giving dates, prices, etc., since January 1, 1975. I appreciate very much your commitment to have FEA's enforcement people to investigate these price increases and to see that the pricing policies of these producers are kept within the regulations as published by FEA.

I appreciate very much your cooperation in this matter. I have every belief that with a determined effort the Federal Energy Administration can and will rectify this matter.

Thank you very much for your usual cooperation.

Warm personal regards.

Sincerely,

Gene Taylor,
Member of Congress.

BOONDOGGLE REPORTS I

Despite the President's remarks to the Chamber of Commerce on the need to reduce unnecessary Federal reports, the FEA continues to seek to impose useless reporting requirements on industry. As an example, it is currently seeking to enforce FEA P308–S–O, which requires among other things the making and certification under the penalties of 18 U.S.C. § 1001, of estimates of sales to ultimate consumers for 1973 and each quarter of 1974 by nine categories of uses as follows: residential, commercial/institutional, industrial, utility—synthetic natural gas, utility—peak shaving and other, transportation/internal combustion engine fuel, agriculture, petrochemical, and other. These categories differ from the 16 categories required to be set out in FEO–17 by purchasers who needed assignment of a supplies or adjustment of base period volume. Those 16 categories went as follows: agricultural production, emergency services, energy production, santation services, telecommunications, transportation services, space heating, industrial and manufacturing, cargo, freight and mail hauling, utilities, medical and nursing buildings, civil air carriers, general aviation, public aviation, marine shipping, others. They also differ from the 21 categories used for allocation purposes in 10 CFR § 211.83, which are as follows: agricultural production, Department of Defense use, emergency services, energy production services, sanitation services, telecommunications services, passenger transportation services, medical and nursing buildings, aviation ground support vehicles and equipment, startup testing and flame stability of electrical utility plants, petrochemical feedstock use, synthetic natural gas plant feedstock use, industrial use as a process or plant protection fuel or where no substitute for propane is available, governmental use, peak shaving for gas utilities, refinery fuel use, residential use, commercial use, standby volumes or any other industrial use, transportation services other than passenger transportation services or aviation ground support vehicles for vehicles equipped to use propane as of December 27, 1973, and schools.

The terms used in FEA P308–S–O are defined therein so that they have meanings different from the same or similar terms used in 10 CFR 211.83 and do not coincide with any record categories that might ever have been kept. Thus, for example, agricultural sales are defined in the instructions accompanying FEA P-308–S–O as sales for use in agricultural purposes such as flame cultivation, crop drying, tobacco curing, poultry breeding, pig brooding, water tank heating, and cotton ginning. For the purpose of 10 CFR § 211.83, agricultural production is defined in 10 CFR § 211.51 by industry code numbers of the standard industrial classification manual, 1972 edition, with specified exceptions, and includes such activities as whale fishing, rodenticides, bagels, clam digging, and many other items which FEA P308–S–O by adopting a different definition probably intends to exclude. Further complicating this already complicated maze is the fact that the definitions accompanying FEA P–308–S–O are not mutually exclusive. Farm housing might be classified as "residential," or "agricultural," commercial feed lot operation might be "commercial" or "agricultural," and farm tractor use might be "agricultural" or "combustion engine."

There is no reason for believing that any respondents would have kept records in 1973 and 1974 before the program was instituted in the categories invented for the purpose of the report, no way in which such records can be constructed without infinite effort, and no way in which any useful information can be obtained from these ambiguous reporting requirements. It shows idle curiosity on the part of FEA, a total disregard for reasonable regulation, and a willingness to produce waste inefficiency, and inflation.

BOONDOGGLE REPORTS II

FEA reporting forms frequently carry the legend "This report is mandatory under Public Laws 93–159 and 93–275. Public Law 93–159 provides for mandatory reports to the Federal Trade Commission—in section 7—but contains no authority for reports to FEA. Public Law 93–275 provides for reports, but very carefully omits any penalties or other means for making them mandatory—the House committee report on Public Law 93–275 specifically characterizes them as "voluntary." Government agencies should exercise honesty and fairness in dealing with citizens.

SECRET DEALS FOR SNG PLANTS

On July 31, 1974, the FEA added appendix—special rule No. 1 to 10 CFR § 211.29 dealing with the allocation of petroleum products to synthetic natural gas plants. In the preamble (39 F.R. 27910, August 2, 1974) FEA stated:

> The manufacture of SNG from petroleum is, in most instances, an inefficient use of resources.
>
> In addition, it is conceivable that in some instances, a fuel which is in a form that may be used directly by end-users with priority needs will be converted to SNG to supply either the same end-users or customers with similar needs . . .
>
> The FEA is particularly concerned over the use of propane in view of the fact that agricultural production and rural presidential heating, as well as petrochemical production, are jeopardized by any increased pressure on the supply/demand imbalance which exists in the propane market.

Regulation 10 CFR 205. 39(c) provides for the issuance of a temporary assignment order not exceeding 90 days—including any extension—for an allocated product upon the application of a synthetic natural gas manufacturer. FEA issued such an order upon application of Northern Illinois Gas Co., on October 16, 1974, which was extended through January 17, 1975, the full 90 days permitted by 10 CFR 205.39(c). Informal inquiries to FEA in June, 1975, elicited the information that all authority for the acquisition by Northern Illinois Gas Co., of allocated product for synthetic natural gas manufacture had expired on January 17. On April 16, 1975, Northern Illinois Gas Co., filed amendment No. 3 to form S–7 with the Securities and Exchange Commission in which it stated that its synthetic natural gas plant "is presently being operated on the basis of informal FEA authorizations."

A letter bringing this statement to the FEA's attention has gone unanswered. However, on June 30, 1975, FEA issued its decision and order in which it stated in paragraph 13 that granting Northern Illinois Gas Co. an assignment would permit "continued operation" of its SNG plant in substantially the same manner "as it is currently operated." From the above facts it would appear that FEA entered into a secret or "informal" arrangement with Northern Illinois Gas Co., in violation of 10 CFR 205.39(c) to permit an inefficient use of resources to the detriment of the energy program in general and to agricultural production and rural residents without other energy resources in particular.

TANK RENTALS

Many propane suppliers lease propane storage tanks to their customers. FEA's authority to impose ceiling prices is limited to petroleum products. It has no authority to control tank rentals and has issued no regulation purporting to control tank rentals. On April 21, 1975, however, it issued ruling 1975–4 holding that past or future increases in tank rentals constitute a ceiling price violation if the lessee-purchaser is requred to fill the tank only in accordance with the lessor-supplier's instructions. This interpretation is based on the fallacious and contradictory reasoning that although the purchaser is free to purchase the propane without renting or paying for the supplier's tank and store the propane in his own tank—tanks being readily available for purchase—the purchaser must pay a combined charge for the supplier's tank and fuel "in order to obtain deliveries of fuel." Thus, the tank over which the FEA has no authority would be more strictly controlled than the propane, no provision being made for passing through increased tank costs.

Small propane suppliers faced with increased tank replacement and financing charges, would be denied their right to pass these costs on, and possible prosecution or suits for civil penalties for past increases in tank rentals, may be unable to continue in the business of supplying propane to their customers.

The requirement that leased tanks be filled only in accordance with the lessor's instructions is a safety measure long imposed by State law or by the lessor. It has nothing to do with price, and in no way enables the lessor to obtain a higher price for propane.

FIRMWIDE COMPUTATION OF INCREASED COSTS

Regulation 10 CFR § 212.93 in accordance with the provisions of the Emergency Petroleum Allocation Act of 1973 permits increases in product costs since May 15, 1973, to be added to the May 15, 1973 selling price in computing the ceiling price. 10 CFR § 212.92 defines "increased costs" as the difference between the weighted average unit cost of a product in inventory and the weighted average unit cost of that product in inventory on May 15, 1973. Propane retailers have generally applied this in accordance with their usual and customary accounting practices, to the inventory at the cost center from which the product is being sold. Thus if the weighted average unit price of the product being sold in the cost center in the Northeastern area increases by 2 cents, a similar increase would be permitted in the ceiling price in that area so that the ceiling price reflects the cost of making the product available in that area.

Recently FEA has indicated that 10 CFR §212.92 requires increased product costs to be computed on a firmwide basis. Thus, if costs rose in a seller's Northeastern area by 4 cents and remained stable in the seller's Southwestern area so that the average increase was 2 cents, the price could be raised in the Northeastern area by only 2 cents. This might require the product to be sold below cost, and the supplier would be forced by economics to stop supplying that area, action which would tend to cause a shortage and defeat the purpose of the act. Meanwhile, in the Southwestern area the supplier's ceiling price would be 2 cents too high in relation to costs and to prices at which his competitors in that area could economically sell the product. In order to meet competition, he would be forced to forego the 2-cents increase and prevented from obtaining the dollar-for-dollar pass-through provided by the act.

FEA's position might also result in violation of the Robinson-Patman Act, 15 U.S.C. § 13, which permits price discriminations which make only due allowances for differences in the costs of manufacture, sale, or delivery. If in the above example the May 15, 1973, selling price in the Southwestern area was 2 cents above that for the Northeastern area by reason of a cost-justified difference in delivery costs, the FEA position would preserve that differential even though it was no longer cost-justified, and would result in violation of the Robinson-Patman Act.

Mr. CLEVELAND. Mr. Speaker, I would like first of all to commend my colleague, the gentleman from Colorado, for scheduling this special order to record Republican commentary and proposals concerning the energy situation.

Since the announcement of President Ford's plan for a comprehensive energy policy designed to reduce our dependence upon foreign imports early this year, the congressional leadership has spent a good deal of time denouncing the administration's plan and condemning its inflationary impact. To date, however, we still have not been presented with an effective congressional energy program to counter the administration's proposal. And until recently, very little attention has been paid to the fact that an effective energy policy, imperfect though it may be, is far better than no energy policy at all.

Having been on the receiving end of some of that criticism for having supported President Ford's efforts to implement a policy that will lead us toward energy independence, I would like to take this opportunity to share with my colleagues a recent editorial which appeared in the Boston Globe following President Ford's veto of H.R. 4035 together with my own reply.

The editorial and letter follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 25, 1975.

TO THE EDITOR,
The Boston Globe, Globe Newspaper Co., Boston, Mass.

TO THE EDITOR: I read with interest your editorial entitled "Oil control tightrope" in your edition of July 22 following President Ford's veto of a bill extending oil price controls and rolling back prices of new domestic oil.

You suggested that while President Ford argues that higher prices will discourage the unnecessary consumption of gasoline and other petroleum products, critics of the President counter that the higher prices will be inflationary. I should point out you made no mention at all that the President's plan to decontrol oil prices over a gradual 30-month period also includes a windfall profits tax and rebates to consumers.

Your comment that I was one of only three New England Congressmen who did not vote for the bill is followed by a suggestion that if the New England Congressmen were unanimous, they "could exert moral pressure both on other Members of Congress and on the President."

The foregoing is fair enough editorial comment but it hardly does justice to the overall situation which is admittedly complex and admittedly difficult to comment on comprehensively either in an editorial or for that matter in a letter.

First of all, the bill you discussed was only one of several which have been brought before Congress by the Democratic leadership and some of its provisions were totally inconsistent with other legislation undergoing active consideration at the same time.

To give you an example, at the time we voted on H.R. 4035 (the bill you editorialized on), which would have in effect required the President to roll back the price of oil to a maximum of $11.28/barrel, we had already been engaged in about three days of protracted and disjointed debate on H.R. 7014, another Democratic proposal which would roll the price of all domestic oil back to $7.50–$8.50.

Significantly, neither of these attempts to roll back the prices of oil were successful. The pricing provisions of H.R. 7014 were completely stricken from the bill after amendments to modify them failed. And, sensing their inability to muster enough votes to override the President's veto of H.R. 4035, the Democratic leadership quietly referred the bill back to committee rather than attempt an override.

The indisputable fact of the matter is after seven months, the Democratic leadership has failed to present us with a consensus energy plan. More than ninety committees in the House and Senate have a piece of the action. And, despite your claim that the President's veto makes the possibility of compromise more remote, the Administration has presented several versions of comprehensive energy plans this year demonstrating its willingness to compromise with the Congress. Today, it has presented another. The Administration's plan is not perfect, but it is time for the Congress to join in perfecting it rather than insisting on its own separate course of action which to date has been no effective action at all. For the entire New England Congressional delegation to vote blindly as a gang against any Administration proposal makes very little sense under these circumstances.

There are very important aspects of the energy problem where I believe the New England delegation can and should act in unison. One example of an energy issue which is clearly mutually beneficial to all of New England is the proposal that a Solar Energy Research Institute authorized by the Solar Energy Research, Development, and Demonstration Act of 1974, be located in New England. The New England Congressional Caucus, which consists of the 25 member, bipartisan New England delegation, recently wrote Robert Seamans, Administrator of the Energy Research and Development Administration, expressing its interest in a New England location for the institute.

There are a good many other areas in which the New England delegation either has acted or will act in unison, for example, railroads, coastal fisheries zone, feed grains, and I could go on at some length. But in regards to energy, your suggestion that we act in unity is, alas, difficult.

You must remember that a number of important New England political leaders have taken positions on energy that put us as a region in a rather questionable position. I refer to matters such as the long delays on the Trans-Alaska Pipeline, strong opposition to a greater utilization of nuclear power, the forcing of utilities to shift from coal to oil, opposition to offshore exploration for oil and gas, and failure to permit the construction of refining facilities.

In addition, many New England political leaders have mistakenly championed the cause of regulating prices, particularly of natural gas. There are very few informed people who have not come to the conclusion that this has not only been a mistake but has worked against the best interests of New England and indeed the entire nation.

These are some of my thoughts. I certainly will appreciate it if the next time you editorialize on an aspect of the energy problem, (and I hope you will do so often) your views can take into consideration that there are some Members of the New England Congressional delegation who feel quite sincerely that a narrow, sectional approach to the problem may not be the best approach.

Loyalty to our region must not blind us to the fact that our very dangerous and increasing dependence upon foreign sources of petroleum and gas dictates a policy that must in the near term at least substantially stimulate domestic production.

Sincerely,

JAMES C. CLEVELAND,
Member of Congress.

[From the Boston Globe, July 22, 1975]

OIL CONTROL TIGHTROPE

President Ford's decision to veto a bill extending oil price controls and imposing a modest rollback on some of our most expensive oil, threatens to be inflationary and to add to the burdens of recession.

The vetoed bill would have extended the current controls machinery for an additional four months beyond its present expiration date of Aug. 31. The President wants to allow all oil prices to float up over the next 30 months.

Mr. Ford argues that higher prices will discourage the buying of gasoline and other petroleum products—in effect encouraging conservation. At the same time, he contends, higher prices will stimulate more production of oil, cutting our need to import oil to meet domestic demand.

But critics of the President's stand argue effectively that higher prices will be inflationary and that they will cut demand for other goods and services as people have to spend more for oil. The Congressional Joint Economic Committee says the President's program will increase unemployment by 750,000 by the beginning of 1976.

At the same time, decontrol could mean an end to price equalization imposed on the industry to keep some sections of the country from reaping the benefits of less expensive oil while others are forced to pay higher prices, a particular hazard for New England.

Right now, "old" oil, from wells that were producing at the time the controls mechanism was set up in 1972, is held at $5.25 a barrel. "New" oil, from wells drilled since then, is basically uncontrolled and sells for about $13 a barrel. The president would allow all oil to move up to as much as $13.50 a barrel. The bill he vetoed would have rolled new oil prices back to $11.28. Another bill still moving through Congress calls for simple extension of the controls expiration date without the rollback.

For the time being, it is up to Congress to deal with the veto. The Senate passed the bill 62–29 and may be able to override the veto. But in the House the margain was 239–172. To override the veto, the vote would have to switch to 274–137, an unlikely swing of 25 votes.

The bulk of the New England delegation, including all of the Massachusetts members of the House, voted for the extension. Three members were opposed: Stewart B. McKinney (R-Ct.), Ronald A. Sarasin (R-Ct.) and James C. Cleveland (R-N.H.).

The issue need not be partisan. Five other Republicans from New England supported the legislation. The switch of the three New England votes either on the override question or on the substitute bill extending controls without the rollback, would produce a unanimous regional delegation that could exert moral pressure both on other members of Congress and on the President.

Extension is important for further debate and possible compromise on a variety of related issues such as the $2-a-barrel tariff imposed by the President on June 1, a longer stretchout of any decontrol, a lower ceiling price, and compensating Federal aid for those most hurt by higher prices.

The President's veto does not rule out the possibility of such compromises. But it makes them more remote.

Mr. TREEN. Mr. Speaker, the Project Independence Report estimated that it would be possible to increase our oil production from the Outer Continental Shelf from 447 million barrels, having a value of $4,792,000,000—at $8 per barrel—in 1975, to 1,557,000,000 barrels in 1985, having a value of $16,691,000,000. I need not remind the Members of the House of the importance of this production to our efforts to balance domestic energy production and demand, as well as to balance our Federal budget.

To this date, however, not a barrel of oil has been produced except in the States of Alaska, California, Texas, and Louisiana. Has the delay in the development of those resources resulted entirely from fear of environmental damage, opposition to progress, or from a demand that other States bear the cost of producing the energy utilized in the Atlantic Coast States? I hope not.

I believe it has resulted primarily from the uneven policy pursued by the Federal Government which, under the Mineral Leasing Act of 1920, provides inland States with 37½ percent of the Federal revenues from minerals produced on Federal lands within the State, but none to States adjacent to Outer Continental Shelf production. States, however, are prohibited from exacting income, sales, use, or severance taxes on activities over 3 miles beyond their coasts.

Make no mistake about it, there are costs to coastal States that permit the exploration for and production of oil and gas. Roads to carry heavy equipment must be built and maintained. Port and airport facilities are required, as are the schools and recreation facilities used by the dependents of workers in the offshore industry. A 1971 study by the Gulf South Research Institute found that Louisiana expended $38 million more on such services than they derived from taxes levied on those associated with offshore production and related onshore facilities.

I have never been able to understand how these United States could be larger than the sum of the 50 States, and I know of no place beyond State borders where the workers on these offshore projects can make their homes and derive governmental services.

The Senate has passed a bill, S. 586, amending the Coastal Zone Management Act to provide some assistance to the States for the impact that all concede faces the States in developing the Outer Continental Shelf.

I hope that the Merchant Marine and Fisheries Committee, on which I serve, and this House, will give speedy approval to a modified version of S. 586. This measure only begins to deal with the States' just claims to a share of the tremendous Federal revenues from the Outer Continental Shelf. That legislation establishes a coastal States impact fund of $300 million, of which $100 million will be allocated automatically to States adjacent to or receiving oil or gas production based on the number of barrels produced, and $200 million will be distributed to the States according to the discretion of the Secretary of Commerce.

S. 586 gives the Secretary of Commerce the power to restrict the kind of activities for which the States may use these funds. Contrast this, if you would, with H.R. 3265, which is pending in the House Interior Committee, to amend the Mineral Leasing Act of 1920 to permit 37½ percent of coal and oil shale leasing revenues received by the Federal Government to be utilized by the State in which it is produced "for planning, construction, and maintenance of public facilities, and provision of public services, as the legislature of the State may direct." Commenting on that proposal, the Secreary of the Interior Morton stated on March 13, 1975:

> The Department has strongly endorsed the concept of complete relaxation of the restrictions on state use of its share of funds from mineral leasing activities, and it objected to previous proposals which were unnecessarily restrictive.

The Senate action on S. 586 reflects continuation of the uneven policies of our Government. Although it has taken coastal States over 10 years to persuade Congress to provide limited assistance to meet those demonstrated impacts of Federal leasing policies on the OCS, Senator HANSEN was able to secure by a voice vote an amendment increasing the inland States' share of Federal leasing revenues from 37½ percent of those revenues to 60 percent. Which decision has more impact on the Treasury?

Mr. Speaker, I submit that it is time for this body to give very serious consideration to revenue sharing legislation giving coastal States a guaranteed percentage of the Federal OCS revenues both from lease bonuses and production royalties. Majority leader O'NEILL has sponsored such a bill, and I am joining my colleague, BILL KETCHUM, in introducing a bill giving coastal States the same 37½ percent provided interior States by the Mineral leasing Act. At a minimum, Congress should approve my bill, H.R. 6090, to guarantee that impact aid received under the coastal management program—as envisioned by S. 586—will be no less than 10 percent of Federal revenues derived off the shores of adjacent States.

Mr. GILMAN. Mr. Speaker, I am pleased to join with my colleagues in this special order concerning the work of the Republican Task Force on Energy. I commend the gentleman from Colorado (Mr. ARMSTRONG) for his diligent efforts in assuming responsibility for this effort.

In reviewing the work of the task force, I have become increasingly aware of the realities and the impact of our energy crisis. We are often reminded that our fossil fuel reserves are dwindling rapidly, with no more than a 25- to 30-year supply of oil remaining.

We now use 16.7 million barrels of oil in the United States each day. Out of that total, 6.5 million barrels must be imported from foreign nations. By 1977 it is estimated that oil will flow from the Alaskan pipeline at the rate of 1.2 million barrels a day; that flow may be increased to 4 million by the mid-1980's. However, at this time we are at the mercy of the oil-producing nations, a situation that will probably still exist even when the Alaskan pipeline is opened. As a result, prices have risen within a few years from $3 per barrel to almost $14. The cost of such oil will continue to rise unless we meet the challenge by limiting imports and expanding domestic production.

A number of plans for limiting imports have been circulating, ranging from the President's proposal to raise the price of oil by tariffs and the decontrol of the price ceiling on domestic oil currently in effect, thus cutting down on its use, to the congressional plan to set an actual ceiling on the amount of oil that can be brought into the country from foreign producers. Whatever plan is finally implemented, it will be designed to cut down our imports and thus decrease our dependency on oil as a fuel.

Accordingly, in order to turn from an emphasis on oil, new sources of energy must be found. Also, we must stress the need to conserve our existing energy resources and reserves.

ALTERNATIVE SOURCES

What are our alternatives? We will of course have to rely on fully utilizing our remaining domestic fossil fuel reserves both on land and in the sea and develop and expand our nuclear capacity. But in doing so we must not overlook other energy sources that exist which will be of value to us in the long run, not only because of limited operating expenses, but also because they are clean, and renewable sources of power.

COAL

The United States is in a unique situation with regard to coal, which is our most abundant natural resource for the production of energy. Unlike the rest of the world, coal accounts for 88 percent of all of our known recoverable fuel resources.

It is imperative that the United States concentrate on developing efficient and economical methods of extracting coal without undue ecological harm to our land. It is equally important to find ways to use this resource without contributing to the growing problem of air pollution from our industries and cities. Government must take the initiative to help find and encourage the technology to uncover and use coal to the greater advantage of our country without creating greater disadvantages in other areas. Tax incentives and research funds must be introduced so that industries can implement these improved methods. The tremendous power source available in coal can be used effectively to help eliminate the current demand for oil in our country if judicious and careful planning is developed with both the scientific and legal communities.

CONVERSION OF SHALE TO CRUDE

Conversion of shale to crude is another source of energy that needs increased attention. This process is still expensive, requiring a large amount of shale. Due to the diminishing amount of the world's natural oil reserves, we may have no choice but to turn to this method. In the United States, we are blessed with one of the largest supplies of shale oil in the world; the Green River shale deposit in Colorado is particularly suited for such conversion.

This is an attractive energy source which should be developed.

GEOTHERMAL ENERGY

When fully developed, geothermal energy may supply only a limited amount of our total energy needs. However, even a limited supply will partially eliminate our need for fossil fuels. It has been effective as a power source in certain areas throughout the world, including a successful demonstration plant now operating in California. Also in the United States, the Yellowstone area in Wyoming is a potential geothermal power source. The hot springs and high pressure steam areas there can easily be harnessed to produce energy. There are many other locations in the United States which should be explored and developed as soon as possible.

SOLAR ENERGY

Solar energy presents more potential to help fill our future needs. While in limited use at the present time, industry, the public, and the Government are all devoting much more attention and study to this clean, nondepletable power source. Companies have been organized to produce solar components; individuals and groups have started solar housing projects; and Government agencies, such as the Department of Housing and Urban Development and the Energy Research Administration, have committed themselves to promoting this source as a viable alternative for future times.

Yet much more must be done in this vital area. Solar components are expensive; few individuals can afford to install such systems. Industry must be encouraged to commit itself to mass production of these units.

The government on both the national and State level must be willing to subsidize construction of solar energy systems in order to stimulate interest. And, the public must be educated about the advantages of solar power. Solar energy can be used to meet 10 percent or more of our total energy needs by the year 2000. However, we must undertake a massive program now if we hope to utilize its potential to the fullest.

NUCLEAR ENERGY

Nuclear energy has great potential to aid our country's production of electrical power. There are already light water reactor nuclear plants in existence that are keeping down the customer's electric bill by as much as 40 percent. People living near and in areas serviced by these plants are pleased with the ecologically clean and inexpensive power source. However, the limited uranium supply makes extended use of these light water reactors untenable. Focus is now on the liquid metal fast breeder reactor which can use available uranium much more efficiently than the light water reactors.

While serious questions about the safety of these new reactors have been raised, safeguards can and are being developed. Although we have not yet found a permanent solution on the problem of nuclear waste, we have developed the technology to safely store this small amount of matter for up to 100 years.

The advantages offered by use of nuclear energy far outweigh any disadvantages. Along with the above-mentioned five sources of energy, nuclear power can serve our major energy needs in the century ahead.

CONSERVATION OF ENERGY

There is no question, however, that in addition to developing these new sources of energy, the daily living patterns of most Americans results in vast amounts of wasted energy. Although the prospects are good for increased energy sources, it is essential that the American public learn energy conservation as a way of life.

One element in the effort to change our lifestyles is the need for a comprehensive energy awareness program, both for industry and in the private factor. Even as factories are closing everyday due to fuel shortages, and unemployment is on the rise, the American public still is very suspicious of the "energy crisis" they experienced last year. Somehow, it must be brought home to people that although we will have fuel tomorrow, without proper conservation and usage, supplies could conceivably run out within our lifetime—or our children's. The recent energy crisis came so quickly, and ended so abruptly, that it did great damage to the credibility of all energy concerns.

Accordingly, the Federal Government must set the example by acknowledging and providing proof of the serious and permanent nature of the energy shortage, and developing appropriate conservation methods which will serve as an example to the Nation.

Although the Federal Government cannot undertake this entire task on its own, there are some ways by which it can stimulate conservation measures throughout our country. One option is to require an energy impact statement, for all proposals or projects requiring Federal approval or appropriations. Federal funding for State agencies could be contingent upon compliance with conservation standards. Also, a tax break for energy efficient home construction, and incentives for carpool riders should be offered, on either the State or local levels. Also, tax incentives should be offered to encourage energy efficient systems in industry and automobile production. On the State and local level, mass transportation systems must be developed to allow for a convenient alternative to the use of the private auto.

In view of all these potential energy sources and the tremendous need for conservation in all areas of our society, both the President and the Congress are currently working toward a comprehensive energy policy, weighing the advantages and problems with such possible options as rationing, price control or decontrol, quotas, and tariffs. The President is currently supporting measures that would attempt to lessen demand through increased prices. However, although the President's program leans toward mandatory compliance through cost structures, the Congress would like to encourage voluntary conservation. For example, tax incentives would be used to encourage the production and sale of gasoline efficient cars.

It is hoped that these two views will combine to produce a comprehensive and efficient energy program that will take into consideration both short-term demands and long-term necessities of our energy situation.

In essence, the problem is this: All too often, the American public has been enamored with the idea of a convenient lifestyle provided by high energy consumptive appliances and equipment. We must be willing to forego some of the luxury items and energy wasters in order to help preserve the more meaningful luxury—the luxury of energy independence for our country.

Mr. SPENCE. Mr. Speaker, people are asking many questions about the energy crisis. Does it really exist? If so, what caused it? Has any good come out of it? What are we going to do about it?

Some like to think that we have experienced a giant conspiracy of the oil companies to hold down the supply of oil so that prices can rise to produce outrageous windfall profits. Just stating the premise is almost enough to discredit it. Collusion on the level necessary to bring this about would be almost unprecedented in history. Thousands of people would have to be in on the conspiracy, and the facts and figures necessary to bring it about could not be carried around in their heads. Numerous records would be required, any one of which could be, and by now would have been, subpenaed by any number of different jurisdictions. It is just not logical.

It is much more productive to consider what brought this problem about, and how we can best deal with it.

First of all, there is the problem of demand. With only 6 percent of the world's population, the United States uses one-third of all the world's energy. Every 14 years, demand completely doubles. During the current decade, we used more oil and gas than during our entire history prior to 1970.

By 1980, we will need the equivalent of 47 million barrels of oil per day.

Then, there is the problem of supply. Even if we had all the crude oil in the world, we would still lack the gasoline and heating fuels we need because of deficient refinery capacity. With a consumption of 17–18 million barrels per day, we can refine only 13 million barrels per day. Of course, all sorts of political consideraitons are involved in building new refineries. We have all the coal we need right now—enough to last at least 250 years—yet because of myriad political and bureaucratic restrictions, it is difficult to either mine or burn our coal. Coal production has decreased 5 percent since 1970, and some in Congress would have us stop mining coal altogether. This is in spite of the fact that one-fourth of all plants generating electricity in this country are dependent upon coal for production.

There is great potential in offshore oil, but here again political considerations intervene. After the 1969 oil spill in Santa Barbara Channel, a moratorium was imposed on offshore drilling for a period of 4 years. To put the "problem" in perspective, however, 17,000 oil wells have been drilled offshore since the 1940's, and since that time, there have been only four spills which damaged the environment.

The oil resources in Alaska are tremendous—just waiting for the pipeline to be built—yet the Alaska pipeline was tied up for years. Only after an act of Congress took the issue away from the courts was the 796-mile pipeline project allowed to begin. Over 1,000 different local, State, and Federal regulations had to be overcome.

You would think that nuclear power would be considered a salvation in light of fuel shortages. The U.S.S. *South Carolina* carries on board the equivalent of 2 million barrels of oil—enough energy for more than 10 years of operation. This is what can be accomplished with nuclear power, and it seems to be an ideal solution. Yet, even if there are no further delays, it will be 1985 before nuclear power can contribute significantly to our energy needs. Here again, the problem is political. To my knowledge, no one in this country has died from a nuclear accident. The odds of being hurt by leakage from a nuclear plant are infinitely less than those of being struck by lightning. Yet, the antinuclear lobby is a powerful one, and as a result, we are still practically on the ground floor.

I think that it is interesting to note that there is some good that has come out of the Arab embargo and its resulting energy shortages. For the first time, Americans realize that our energy resources are finite. I believe that the country matured a great deal as a result of the crisis of last year. Also, there were some more concrete benefits. The value of our money increased because, while we had it rough, our western European competitors were in much worse shape. Even now, people in other countries are paying $2 and more per gallon for their gasoline—with a lower standard of living. For the same reason, the price of their products increased more than ours did, thus putting us in a better competitive position. Thus, our balance-of-payments picture improved substantially. Of course, a highly beneficial sidelight has been the marked reduction in automobile accidents.

The big question is where do we go from here. How do we solve our energy problems? Basically, there are two legislative directions in which we can move. One, which I call the interventionist approach, calls upon the Federal Government to mandate and administer price levels for oil. Also, supply and efficiency levels would be tightly controlled. The other is basically a "hands off" policy in which market prices would be stabilized by laws of supply and demand. Appropriate windfall profit regulations would be provided.

It is my view that big Government, which has the well-known tendency to stick its bureaucratic nose further and further into the market place, bears a great deal of the responsibility for our problems. For example, Government has greatly stimulated the demand for natural gas by keeping the cost of this fuel source artificially low by means of price controls. Meanwhile, this has served to restrict supply, because the businessman has no incentive to seek more gas when he knows that he will hardly be able to make a profit once he finds it.

It seems that we never learn. After the experience with natural gas; there are still those who advocate price rollbacks for gasoline and absolute limits on selling price.

I think you can tell from my comments that I prefer the "hands off," free market approach. In a free market, shortages theoretically cannot exist. The increased prices which result from shortages tend to stimulate production. It is arguable that if petroleum prices had been allowed to rise naturally, the quantity supplied would have expanded to meet the quantity demanded. As higher prices bring about automatic rationing among consumers, the supply increases still further, and the price thereupon goes back down to acceptable levels. This is not nearly as complicated as it sounds, and it really works. It has worked before, as in the case of the whale oil experience, and it will work again when allowed to operate properly.

Mr. HAGEDORN. Mr. Speaker, since the 94th Congress convened in January, it has been the center of a great deal of attention from the media for its apparent inability to deal with the Nation's energy problems. The truth of the matter is that there are several Members of Congress who have put forward suggestions toward the development of comprehensive, practical programs on energy and are trying to get something done about them. Hopefully, during the August recess, my colleagues and I can take our case to the people and clear up some of their doubts and misgivings as to which solutions are realistic and which are not.

The energy problem is a two-sided coin and we must confront both problems if we are going to formulate a long-range solution. Energy self-sufficiency depends not only on conservation, but on increased production as well. Virtually every means of conservation, on its own, results in a corresponding regression in the standard of living. It is therefore crucial that all Americans realize the necessity of complementing these conservation measures with stepped-up production.

To date, the Federal Government has regulated industry down to a standstill. Natural gas prices have been held at an artificially low level until producers simply can no longer afford to expand production by developing new sources of natural gas. As a result, some suppliers have been forced to buy from foreign sources at exorbitant prices and some of the larger consumers, such as electrical generating plants, have had to rely on other energy sources such as fuel oil. In either case it is the consumer who winds up picking up the tab for this costly regulation. In addition, we place an added drain on our already dwindling supplies of readily available petroleum, and there is valid concern about whether there will be enough natural gas to heat our homes this winter.

A similar problem exists in the area of Government price setting for domestic crude oil. The Congress seems willing to allow the OPEC countries to extort $14 per barrel for crude oil from the American public, while holding domestic prices down to a noncompetitive $5.25 per barrel. The inevitable result is the transfer of millions of American dollars from the already hard-pressed low- and middle-income families to the bulging bank accounts of the OPEC sheiks. Decontrol of domestic oil would help force Arab oil down to a fair market price and thus help keep American dollars at home.

At the same time the Federal Government is retarding production of domestic oil and natural gas, it is compounding the problem by its strict regulation of alternative sources such as coal and nuclear power. As a result, we sit in the middle of an energy crunch and are forced to pay high prices for oil because we are not allowed to make use of the available alternatives. For the most part, this has resulted from a well-meaning, but ill-advised, overreaction to the environmental lobby. Again, as with natural gas, the consumer must pay the bill for overregulation.

As if that is not enough, Congress has created a tax structure that actually encourages American industry to invest in overseas development. It is a simple but inviolate truth that an investor will put his dollar where it will get the largest return. By allowing the writeoff of foreign royalties as a tax deduction, and other similar loopholes, we have made it attractive for our oil companies to develop new sources of oil in the OPEC countries rather than here at home. This not only deprives us of the domestic production increases we so desperately need, but is tantamount to exportation of jobs during a time of record unemployment as well.

It should be pointed out, however, that in this category, Government has not been alone in its shortsightedness. History tells us that as soon as Standard Oil had developed its Mexican holdings into a lucrative enterprise, the Mexican Government expropriated them. Unfortunately, modern industrialists have failed to heed the historical warning, and now we see other foreign governments following suit.

Congress has come up against similar problems in the area of conservation. Proposals ranging from the removal of Federal excise tax on radial tires to a 23-cent-per-gallon tax on gasoline have been offered. The problem with most of these proposals is that they are directed at a specific product or group of products, and consequently penalize some consumers while leaving others untouched. This is further complicated by the tendency to water most proposals down in an attempt to make them more politically palatable. The net result is a token attack on one of the symptoms rather than a cure for the disease.

Well then, if we have defined our problems as production and conservation, we should be able to do something about them. What is needed is a comprehensive legislative program to attack both problems at their source and provide a realistic alternative. Unfortunately, the Democratic majority in Congress has failed to accomplish this, and refuses to allow the proposals of either the President or the minority to be implemented. In the meantime it is the consumer who must pay for this nonenergy policy. Admittedly, there are no easy solutions, but that does not mean we can afford to ignore the problem.

In the area of conservation, we must take steps to strike a balance between reasonable environmental considerations and increased efficiency in fuel consumption. We must implement a moratorium on more stringent emission standards, and review existing ones with an eye toward relaxing those that have proven to be beyond reason. We must also facilitate conversion to alternative fuels, such as coal, wherever possible. Finally we must continue to promote public awareness of the need for conservation in terms of proper building insulation, energy-efficient home appliances, economical automobiles, and the full range of similar fuel saving devices.

Even more important, however, is the need for people to realize that conservation is only a small part of the total energy picture. If we hope to improve, or even maintain, our current standard of living, it is imperative that we step up production and allow the wheels of progress to turn once again. We cannot allow our current economic recovery to be negated by critical shortages of energy that can be avoided.

At the present time, our readily available energy sources are limited to coal, natural gas, and petroleum. The Federal Government has to get out of the price-fixing business and allow industry to go ahead with the increased production of these fuels. No one wants to let the petroleum producers take advantage of our present energy plight by using it as an excuse to amass great wealth. I have introduced a bill that includes a provision for a windfall profits tax and a plowback provision. That combination will insure that the increased revenues brought about by decontrol would be reinvested to the mutual benefit of both industry and the consumer. Price fixing simply does not work. It did not work with meat prices and it hasn't worked with petroleum and natural gas. Increased use of coal and deregulation of oil and natural gas would increase supply and lower demand. Basic economics dictates that such a combination will result in a price the consumer can live with.

We cannot stop there however. We must also look down the road to the next decade. Nuclear fission, gasification of coal, and oil shale are waiting in the wings of alternative sources of energy, but must be developed through an orderly and effective plan beginning now. To implement such a plan requires capital, and price-fixing blocks any chance of developing that capital.

It is equally important that we look ahead to the turn of the century and begin to develop those energy sources that are now at the drawing board stage. Sources such as solar energy, geothermal energy, nuclear fusion, and local sources such as wind, tides, and waste will be the fuel of the future, but they cannot be developed overnight.

As we approach our Bicentennial it is time for us to remember that this Nation was built by men of vision, not Government regulation. Although Uncle Sam likes to point the finger at private industry, the fact remains that it is Government, and Government alone, that profits from the rampant inflation caused by artificial price fixing. The problem is complex, but the solution is available. We can and will beat the energy problem if Congress has the wisdom to step aside and let free enterprise go to work.

Mr. WAMPLER. Mr. Speaker, the other day I read a letter to the editor in one of the major Washington papers to the effect that most Americans doubt that our country has a serious energy problem, especially a shortage of gasoline. This particular citizen expressed the view that the whole energy question was not a matter of the future availability of energy, but the real problem was that the big producers of energy had created an artificial shortage to gouge the public and obtain big profits.

I suspect, Mr. Speaker, that this view is given credence in many parts of America. Those that hold to this view are, of course, correct in believing that there is no physical shortage of gasoline or many other forms of energy today. No one can deny that our service stations have plenty of gasoline at this point of time. But, the energy picture for the not too distant future is an entirely different story.

A quote from the national magazine Newsweek, July 7, 1975, page 50, tells the story:

> As ERDA (Federal Energy Research and Development Administration) Robert Fri outlined the problem. It took the nation 60 years to switch from wood to coal and another 60 to switch from coal to oil. We don't have 60 years to switch to the next cycle; our oil and gas won't last that long.

To meet this coming shortage in our current energy base-oil-ERDA in a recent report to the President and the Congress entitled, "A National Plan for Energy Research, Development, and Demonstration: Creating Energy Choices for the Future," stated, to again quote the Newsweek article:

> To avoid a massive depression because of fuel shortages, the Nation must develop its oil, gas, coal and nuclear power capability on a crash basis between now and 1985.

Mr. Speaker, this Congress has been struggling for the past 6 months with the energy problem. Unfortunately, we have been addressing ourselves to only one facet of the total picture during this period—the oil situation.

Yet, Mr. Speaker, the various goals indicated to us by the experts for meeting energy production in the United States all look to coal as the major source for at least the next several decades. Moreover, the magnitude of the task and the challenge to the Nation are made graphically evident when we reflect that, by the year 2000, the world is expected to use more energy than it has used in all of the previous history of human existence.

In order to achieve our Nation's energy goals, bituminous coal production has been estimated to increase substantially above the current 600 million tons per year, so that by 1985 a goal of as much as twice that amount is seen as not only necessary, but also attainable by certain U. S. energy policy workers.

However, in order to reach that goal of 1.2 billion tons of coal production a year, or even a more modest 900 million tons, several constraints must be overcome. This will necessitate expanding production in every major coal-bearing area in the United States, according to Ralph E. Bailey, president of Consolidation Coal Co., in remarks before the National Coal Convention in Pittsburgh, Pa., in May 1975. He further stated that this goal of expanded coal production can be achieved only if industry, labor, Government, and the public dedicate themselves to the immediate resolution of some of the problems before us.

A national coal policy is therefore urgently neded if the United States is to solve its current and future energy problems.

In developing a national coal policy we must consider the problems relating to coal production, coal prices and constraints on Coal production.

COAL PRODUCTION

Coal production in the United States has risen slowly in the past 10 years, from about 500 million tons per year to 603 million tons in 1970; however, in 1971 it dropped to 552 million tons and did not break the 600 barrier again until 1974 when 601 million tons were mined—

USBM, Mineral Industry Surveys, Weekly Coal Report, March 28, 1975, table 3.

As mentioned earlier, the coal production goal of 1.2 billion tons per year by 1985—Project Independence—looms large against the backdrop of lesser numbers. An ever longer-range estimate, of 1.6 million tons per year by the year 2000, will finally put U.S. coal production ahead of U.S. demand; that estimate of the U.S. Bureau of Mines—Coal Week, June 30, 1975, p. 2—is "based on quantitative and qualitative analyses and judgmental considerations."

For the nearer term, coal production in 1975 is estimated by the National Coal Association's Economics Committee to be 645 million tons—up 7.3 percent from 1974's 601 million—Coal News, June 27, 1975, page 3. Domestic consumption and exports of 611 million tons in 1974, are expected to increase some 3.4 percent and reach 632 million in 1975.

COAL PRICES

Coal prices in recent years have increased dramatically, largely in response to the increased price of competing fuels, and this relationship is expected to continue in the immediate future. A recent analysis of cost factors and estimated price increases, together with actual price increases during 1974, suggest that increased profits are a significant factor in recent coal pricings—Anderson, Robert W., "An Analysis of Cost Factors of 1974 Coal Prices": Library of Congress, Congressional Research Service unnumbered report, July 1, 1975, 18 pages.

Some 80 percent of coal production is marketed under long-term contracts, and the remainder sold on the spot market. The spot market had, in the past, been considered a better reflector of market trends than the slower moving contract average price. The coal price equilibrium of recent years began to shift dramatically in late 1973, when spot prices began to rise more rapidly than contract prices. In only a year the ratio of spot to contract had doubled from 1.2 in September 1973 to 2.4 in September 1974; however, it has decreased nearly as dramatically since then, so that by March 1975 the ratio had returned to only 1.6. The Federal Energy Administration had expected the accelerated spot-market trend to continue until 1979 or 1980, when equilibrium should be restored to the coal market and "the spot price should drop very rapidly to a figure close to the average contract price"—FEA, Utility Oil Savings, Coal Supply Potential Task Group Report, January 14, 1975, pages 18–20.

CONSTRAINTS ON COAL PRODUCTION

Although bituminous coal production goals have been presented in a somewhat heady fashion by a number of persons who recognize that the United States has ample reserves and equally ample capability to produce, a hard look at our past track record should cause us to be concerned about a number of constraints, some of which could be serious impediments to our achieving these goals.

TRANSPORTATION

According to the U.S. Bureau of Mines in 1972 some two-thirds of the coal was transported by rail, 12 percent was hauled by water and 12 percent by truck, and 10 percent was used in mine-mouth plants. The FEA assumes that as coal production is expanded, rail will continue to be the predominant mode of transportation.

Rail transportation costs for coal are twice as high for regular trains than for unit trains, and unit-train costs are twice those for water transportation.

Both rail and water transportation facilities would be hard put to transport significantly larger quantities in the near future, especially in the Eastern States, despite protestations of those transport industries about the numbers of new rail hopper-cars on order or the availability of barges. This constraint is due partly to the conversion of electric utilities and industrial plants away from coal to other boiler fuels in recent years, which has naturally caused a reluctance by rail and water carriers to commit their resources to a major expansion in fleets and equipment for moving coal.

CAPITAL

A second constraint to meeting the coal-production goals stated above is the availability of investment capital. A long-term market for coal must be evident, if the required capital is to be made available. A national coal policy is needed which would not only assure this long-term market but also would help alleviate uncertainties over Federal policies on issues such as environmental controls, oil-import levels and prices, natural-gas pricing, transportation and tax policy.

ENVIRONMENTAL

The third coal-production constraint, environmental protection requirement, is a serious one, indeed. All segments of the Nation—the coal producers, the governmental regulators, and the consumers of coal products such as electricity—are aware of the serious environmental impacts of coal mining.

Certainly some temporary balance is needed in the Clean Air Act, at least for a prescribed short term, to insure purchasers of coal that they can burn coal of less than desired purities, until either plants can be equipped with adequate environmental controls or coal processing can be developed which is environmentally safe. Otherwise capital will not be available to support or overcome any of the constraints enumerated herein.

MANPOWER

A fourth constraint is likely to be the adequate supply of trained manpower. In 1973, approximately 158,000 people were employed in the bituminous coal-mining industry, 75 percent of whom worked in underground mine operations. The manpower problem is not merely one of numbers of people available, but of their productivity.

An inadequate supply of professional mining engineers is seen. But they are not the only ones. The 2 percent annual increase in coal-mining personnel called for in the Project Independence Blueprint's "business-as-usual" scenario after 1977 may prove to be one of the more significant constraints.

HEALTH AND SAFETY

Related to the productivity issue, and to the total manpower issue, is the matter of mine health and safety. In an effort to reduce the fatalities and lost-time injuries in the mine, the Coal Mine Health and Safety Act of 1969 imposed restrictions on mining practices.

The Federal position is that the health and safety of the Nation's coal miners must not be compromised in our drive for greatly increased coal production. However, our recent track record in this area has not been completely promising, and fatalities and nonfatal injuries in the coal mines are still more frequent than society is willing to accept.

The mine health and safety statistics for 1974 are not promising, as underground-mine fatalities involving machinery increased, as did fatalities for surface mining and for other surface facilities.

A national coal policy must include improved health and safety—which will constitute an important constraint on productivity.

ACCESS

Access to coal reserves in the ground is likely to provide a serious constraint to production of coal from the monstrous U.S. reserves on public lands. Of the 434 billion tons of coal reserves that is considered minable with today's technology and economics—called the demonstrated coal resource base by the U.S. Bureau of Mines, 233 is bituminous, 165 is subbituminous, 28 is lignite, and 7 is anthracite.

Most of the 192 billion tons of bituminous reserves—162 billion or 84 percent—are in the Eastern half of the United States, but they are effectively reduced by sulfur content because only 21 billion tons—13 percent—contain 1 percent sulfur or less. The huge subbituminous coal resources of the Western States—100 billion tons—are little reduced by sulfur content, as 91 billion tons—90 percent—contain 1 percent sulfur or less; they constitute an impressive resource to be tapped as the United States moves to meet its coal-production goals in future years.

WATER

Although a large increase in coal production will probably not have a major impact on water demand, a large gasification-liquefaction development to develop synthetic fuels from coal would require significant amounts of water. Such problems could be particularly serious in a large part of the Western United States and in other areas where the available surfacewater supply is short or has already been completely appropriated by holders of prior water rights.

SHORTAGES OF MATERIALS

New mining equipment is currently constrained by long leadtimes for delivery—of both surface-mining and underground equipment. The time needed to produce and deliver certain types of large surface-mining equipment had lengthened from 2 to 5 years in the past few years, until major suppliers recently took steps to increase production capacity.

The problem is less critical for the long term than it is for the next few years, because draglines, replacement machinery, and space parts are now subject to considerable delays in delivery. The available options to correct this deficiency are twofold: First, to improve productivity of mining equipment; and second, to adopt a policy that will stimulate expanded production of such equipment.

CONCLUSION

By examining the preceding dozen or so constraints to increased coal production, it is obvious that singly and together they constitute a severe deterrent to the capability of the United States to reach its future energy goals. Incentives and other means to overcome these constraints will be needed in order to reach the goal of 1.2 billion tons of coal production by 1985.

Obviously, the designing and adoption of a national coal policy is urgent—one that will take into account all of the aforementioned issues and will be flexible enough to include others that may arise. A concerted effort by the Nation will be necessary if we are going to be able to overcome these obstacles and achieve energy independence and a viable economy for our children.

Mr. Speaker, I am currently preparing a national coal policy bill which I hope to introduce shortly after we return from the August recess.

Mrs. HOLT. Mr. Speaker, for those of us who have given deep and extensive study to the short term and long range energy problems of our country, it is very difficult to tolerate political demagoguery that promises the people abundant oil at cheap prices, which is clearly impossible.

The hard facts show that world petroleum resources are not inexhaustible, most of those resources are controlled by foreign nations, and the age of even moderate prices is probably gone forever.

The international cartel has guadrupled its oil prices within the past year and a half, and appears ready to raise the prices again.

Production of crude oil in the continental United States has been declining for several years as we have drained existing fields.

American oil industry profits, which reached windfall heights last year because of foreign inventories owned by the companies, have dropped 26 percent in the first quarter of this year. And the foreign properties of the American oil industry are rapidly being nationalized.

Extensive exploratory drilling throughout the American mainland within the past year and a half has produced hundreds of dry holes. It is very likely that large new oilfields do not exist in the lower 48 States.

Our remaining substantial oil resources are in the Atlantic Arctic and off the Atlantic and Pacific coasts. Development of these resources can be achieved only at tremendous cost.

Under the circumstances, Mr. Speaker, it is not a happy experience to sit here and listen to political speeches which defend price controls as a solution to the problem. Price controls will only make the problem worse.

We cannot control the prices charged by the international cartel, but price controls on domestic oil have two disastrous consequences: First, consumption continues to increase; and second, production continues to decline.

However, if we allow prices to rise to levels that reflect the true condition of the market: First, consumption will decline; and second, there will be adequate incentive for the enormous investment needed to develop our Arctic and offshore oil.

With decontrol, however, we will need to enact a reasonable tax on rising profits that are not reinvested in development and production of oil. We must protect the public from being victimized by rapacious profiteering.

The plain truth is that prices will rise no matter what we do. If we fail to discipline ourselves to strict conservation, and if we fail to achieve production from our remaining resources, we will be increasingly dependent on foreign oil at increasing prices fixed by the cartel.

We are already dependent on foreign sources for more than 35 percent of the oil we consume, which makes us extremely vulnerable to foreign policy blackmail. In terms of our own national security, we must not allow this vulnerability to increase.

It is possible for us to sharply reduce our reliance on foreign oil over the next decade if we fully develop our domestic resources, increase our use of alternative sources of energy, and conserve energy in every possible way.

I am encouraged by the conservation already undertaken by the American people in reaction to rising prices. I am also encouraged by great strides being made in research and development of solar energy, which will soon be used to heat thousands of homes and businesses.

Considerable progress is being made on research of alternative fuels and fuel mixtures to reduce gasoline consumption. The American people are rapidly turning to small, fuel-efficient cars.

Nuclear energy will become increasingly important for the generation of electric power, but I nourish the hope for a great technological breakthrough that will provide solar generation of electric power.

We have enormous resources of coal with which to generate electric power and heat homes and businesses. We can hope for research advances in coal gasification and liquefaction. Perhaps we will even achieve significant production of methane gas from sewage.

All these things are possible within our time, Mr. Speaker, but they will not come cheaply or immediately.

In the meantime, our economy will be heavily reliant on oil, and that will not come cheaply, either. Let us not delude ourselves, or the people.

Mr. KETCHUM. Mr. Speaker, I commend my friend, Congressman BILL ARMSTRONG, for taking this special order today, and for his excellent leadership of the Task Force on Energy and Environment. The Nation desperately needs an energy policy that leads us toward energy independence, and increases domestic petroleum production. The Democratic leadership pays continual lip service to these goals, yet constantly brings before this House so-called energy bills which make these goals more impossible. It is long past time to introduce some sanity into our deliberations in energy.

The problem we face is simple. Domestic demand for petroleum products has been growing at a rate of about 7.5 percent a year, while domestic production of petroleum has declined by 1.1 million barrels a day since 1970. To make up the gap in this excess of supply over demand, we have come to the point where we import 38 percent of our petroleum. As the Arab embargo showed this is an intolerable situation, but one which will worsen to 50 percent dependency by 1980 and 60 percent dependency by 1985 unless this Congress makes some intelligent decisions.

To solve our dilemma, and cut down on imports we can do one of two things: cut down on demand or increase the supply. We have spent entirely too much time in this Congress trying out schemes to achieve cuts in demand, but have not undertaken any sensible plan, save one, to increase supply. That has been a major, and costly, mistake.

I do not dispute the fact that there are many ways the American people can conserve on petroleum. The 55-mile-per-hour speed limit is one concrete example. I believe we should conduct an extensive campaign to educate our citizens on the need for conservation. But there is a limit to the savings to be achieved through decreased demand without worsening our economic situation.

Since 1950, there has been a steady correlation between growth in GNP and growth in energy consumption. If we are serious about bringing this country out of the current recession and restoring a growing economy, we must realize that petroleum consumption is going to go up as well. I do not seriously believe that the days of 7.5 percent annual increases in petroleum use will ever return, but most reliable estimate put growth at 4 percent per annum over the next 10 years.

Let me emphasize again that an absolute zero growth rate in petroleum consumption, or even worse, an artificial ceiling based on 1973 consumption levels, will be accompanied by continued recession and double-digit unemployment figures. The Arab oil embargo resulted in a 7-percent drop in real GNP—eloquent proof that decreased demand can be pushed only so far without economic consequences that are totally unacceptable.

Still, this is the tactic that has been favored by the majority party. First, they offered us H.R. 6860, the Energy Conservation and Conversion Act, as reported by the Committee on Ways and Means.

This bill, with its reliance upon a gasoline tax and import quotas, would have created an artificial shortage of petroleum products, especially gasoline. It is a grotesque monument to the theory that Congress can reduce consumption without any visible consequences. Not satisfied with this travesty, the leadership served up the Interstate and Foreign

Commerce Committee's gem, H.R. 7014. The height of lunacy was reached in this bill, which mandated that no more gasoline may be sold in the future than was sold during the embargo. Apparently the majority feels that the embargo was such a good idea that it needs repeating, and if the Arabs will not accommodate us, Congress will.

What the proponents of this "cut demand" theory do not understand is that there is a bottom line below which the American people cannot cut their gasoline use. Our citizens need their cars for their economic and social livelihood. Outside of metropolitan areas there is simply no mass transit, nor are such systems practical in areas such as mine where towns are 50 miles apart. If Congress places a huge tax on gasoline, people will still find the money to buy it, and if Congress mandates a shortage, they will return to the long gasoline lines. But they will not stand for it for long.

I believe it is obvious that trying to cut domestic petroleum use is useless and economically unsound. We are left with only one option—increasing petroleum production. The only sound way to do this is by complete decontrol of domestic oil prices.

Price controls never work. The only visible effect that the Emergency Petroleum Allocation Act, and the controls on "old" oil which it authorized, have had is the current mess we find ourselves in. As I said during the debate on H.R. 7014:

> With the world market price for oil fluctuating between $11 and $14 a barrel, what producer in his right mind is going to pour his money into wells whose product brings him $5.25 a barrel?

The only way we can encourage more production is to allow the producers of petroleum to obtain a fair price for their product—a price in line with demand.

Instead of taking this route, the Congress has moved in the opposite direction. By repealing the depletion allowance, we have cost oil companies millions upon millions that would otherwise be put into the research for new oil. Instead of debating decontrol, we end up discussing the ridiculous notion of price "rollback" which, if nothing else, would cause a drop in domestic drilling. Now, there is talk of a 90-percent windfall profits tax. I do not know where the proponents of these ideas think the capital is going to come from to enable companies to increase drilling. I assume they believe it will come from Heaven.

I am not going to say that decontrol will not lead to increased prices of petroleum products. It will. But failure to decontrol will lead to a greater use of Arab oil, which is far more expensive than decontrolled American oil. The days of cheap energy are over for good, and every single plan offered in this Congress recognizes that fact.

As I have said many times, a sensible energy policy produces more energy. We need decontrol to foster increased production. We need immediate offshore drilling. We need development of our shale oil reserves. And all the energy majority has given us is hot air. We have wasted too much precious time—I urge my colleagues to join in getting to work.

Mr. ARMSTRONG. Mr. Speaker, I would like to thank all those Members who participated in this special order, particularly those members of the House Republican Task Force on Energy and Environment who have raised meaningful issues and made constructive recommendations to the House.

In conclusion, I would like to briefly comment on an implicit misunderstanding which seems to complicate much of the public discussion of energy issues. It is often implied, and sometimes openly charged, that a handful of affluent consumers are using so much energy that the shortage could be largely or completely alleviated if they would reduce their consumption. So many proposed solutions to the energy shortage are based on cutting off or reducing "excessive" use of energy by snowmobiles, motor boats, aircraft, et cetera.

Such proposals might reduce consumption marginally, but they would not solve the main problem. Over 35 percent—37.8 percent—of the demand for petroleum in 1974 was for automotive transportation. Less than 1 percent was for snowmobiles, motor boats, and private aircraft.

Moreover, American families with incomes of more than $25,000 comprise about 10 percent of the population and have 16 percent of the cars—19 million. Their actual mileage per car is about the same as all American families who make more than $5,000 a year. Since more than 70 percent of all American families make more than $5,000 and Americans consumed 106 billion gallons of gasoline last year, it is obvious that any real reduction in gasoline use must involve all Americans, not just a few high income gas hogs.

The same is true for natural gas. According to studies by natural gas companies around the United States, there is only about a 20 percent difference in consumption levels between the highest income areas and the low income areas.

Obviously, meaningful energy proposals will affect all Americans.

Domestic oil and natural gas production are continuing to decline and even after the embargo of 1973–74, our reliance on imported fuels continues to increase, while the prices we shell out for such fuels also skyrockets. In 1973, U.S. dependence on petroleum imports was 34 percent; in 1974 it increased to 39 percent; and this year to over 40 percent, despite a decline in energy usage.

The failure of Congress to come up with a realistic energy policy has also created a situation where Americans who invested in the oil and natural gas business in the United States are being penalized, while the Americans who invested abroad are being rewarded.

As I think has been sufficiently outlined in this special order, we have no choice. Regardless of government policies, political promises, self-deception, and little white lies, energy prices are going up.

Unless we choose a tremendous loss of personal freedom for all Americans which will result from the increase in Government controls and regulations, we cannot choose lower prices. And that is no answer.

What we can choose, however, is the kind of future we pay for with higher energy prices. Will it be one where we have new energy sources, a continuation of personal freedom, and a faith in personal initiative? Or will it be one where the Government controls energy use, legislates the morality of energy consumption, and mandates all phases of the economy?

I believe the choices we face are that fundamental and that there is no escaping a choice, because U.S. prosperity is founded on energy.

Refusing to make a choice is, in effect, choosing higher prices and surrendering control of energy policy and our economy to the oil producers of the world.

Continuing the present situation is merely a "share-the-shortage" philosophy requiring greater and greater Government involvement as the shortages become worse which they will.

And if the Government controls energy, it must control our most personal choices.

Because these choices are so fundamental, I am pleased with the performance of the House Republican Task Force on Energy and Environment, and those others who submitted recommendations, in their efforts to outline responsible alternatives to the present stalemate.

And I would like to commend all the effort that has gone into this special order.

GENERAL LEAVE

Mr. HAGEDORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of Mr. ARMSTRONG's special order today.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

SECRETARY WILLIAM E. SIMON OUTLINES PRESIDENT FORD'S PLAN FOR A REINVESTMENT IN AMERICA TAX REFORM PROGRAM TO ASSURE BOTH ECONOMIC RECOVERY AND A STABLE PROSPERITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 30 minutes.

Mr. KEMP. Mr. Speaker, Secretary of the Treasury, William E. Simon, appeared yesterday morning before the Committee on Ways and Means and presented the administration's recommendations for tax reform. That committee now has before it the task of formulating the most comprehensive tax reform legislation since the Tax Reform Act of 1969.

Secretary Simon's testimony ranks among the most important delivered before the Congress this year, for it offers answers to both our short-term economic recovery and our long-term prosperity which are specific, economically well-grounded and historically demonstrable.

The program outlined and articulated by the Secretary—referred to, quite appropriately, as "Reinvestment in America"—is one to get our Nation back on its feet again and to keep us on them through stable, real—not inflated—growth in both productivity and wages.

If enacted—and I certainly pledge my time and energies in pursuit of its enactment—this program will be a victory for the labor force—which needs the creation of jobs which have disappeared during the recession and the generation of new ones for a growing work force, all buttressed with a growth in real earning power—not inflated dollars; for the private sector—businesses, small, medium, and large—which needs the higher retained earnings to expand both plants and equipment to reduce shortages through more efficient productivity; and for the Government—which needs to assure greater economic stability as a foundation for resolving the human, social, political, and even international problems remaining before us.

In short, this program recognizes certain economic principles and consequences which are essential to our way of life. First, that free markets man free people. Second, that private capital at work means people at work and that private capital not at work means people not at work. Third, that the action in the economic which produces true growth is within the private sector—you, me, and millions of others deciding what to buy, to produce, and at what prices. Fourth, that continued or expanded reliance on Government to get us out of the recession and to assure prosperity is self-defeating for it invariably involves inflation-inducing deficits.

This subject—of assuring enough savings and investments to build up our Nation's investment resources—has been the central focus of a number of Members in recent months. My colleague and good friend, Mr. FRENZEL of Minnesota, together with bipartisan sponsors, has introduced the Accelerated Capital Formation Act. Two members of the Committee on Ways and Means have been the principal sponsors of the Capital Cost Allowances Recovery Act. I am pleased to have cosponsored both. Other measures have been similarly introduced. And, all of these measures are now before the Committee on Ways and Means.

In March I introduced a bill, the Jobs Creation Act of 1975, which upon its reintroduction as H.R. 8053, now has over 80 House cosponsors. That bill is a comprehensive one; it is not oriented to one or only a few problem areas. I think this is important, because there is no single tax reform which will make all the difference, and this is true because there is no one segment of our economy whose changed status will assure sufficient capital formation for all needs. Capital formation must be addressed at as many levels as possible: business—of all sizes, individuals, investors, farmers, households, workers, pension funds. The reinvestment in America program outlined by the Secretary today reflects that awareness, and we should heed its importance.

The Jobs Creation Act would reduce taxes for businesses, large and small, so profits could be turned into creating jobs and improving production.

Its enactment would mean savings would flow back into the banks and savings and loan institutions, so funds would be more available for home construction at lower interest rates, and for plant expansion and equipment purchases.

Its enactment would help assure the preservation of family farms and family businesses.

They would, consequently, begin a major nationwide shift from tax-consuming jobs to tax-generating jobs and would reduce unemployment compensation and similar aid through a reduced need for them.

The proposed act consists of the following provisions:

It amends the corporate normal tax rate and increases the corporate surtax exemption, including provisions for reduced taxes for small business, which combined with other measures in the bill gives an effective corporate income tax reduction in the range of 5 to 6 percent.

It eliminates the present system of double taxation of common dividends.

It grants a $1,000 exclusion of capital gains for each capital transaction qualifying.

It increases the investment tax credit to 15 percent and makes it permanent.

It allows taxable year price-level adjustments in property and allows increases in class life variances for purposes of depreciation—the latter increasing the asset depreciation range—ADR from 20 to 40.

It provides for a complete writeoff in 1 year of required but essentially nonproductive pollution control facilities and equipment.

It increases the estate tax exemption for family farming operations to $200,000.

It allows an exclusion from gross income of qualified additional savings and investments made during a tax year—an exclusion up to $1,000 or $2,000 for a married couple filing a joint return.

It grants an extension of time for payment of estate taxes where the estate consists largely of small business interests.

It provides for employee stock ownership plan financing, giving our work force a bigger stake in the productivity and profits of corporations.

The reinvestment in America program is very similar, although it concentrates more heavily in certain areas of reform.

It would—in the order in which the Secretary presented them—do the following:

First, it would expand the scope of individual retirement accounts—IRA's—so individuals covered under regular retirement plans could contribute up to a $1,500 total each year for their own retirement. This is already available to those not under pension plans. In years to come, this will help significantly to reduce high-cost demands on social security and other similar retirement programs. It would, more immediately, help accumulate savings and investments.

Second, it would authorize individual savings accounts—ISA's—into which individuals could place their savings each year and have a tax deduction for those savings up to a reasonable limit, provided they did not withdraw them for a specified time period. This is the concept embodied in section 101 of the Jobs Creation Act.

Third, it would eliminate the double tax on distributed corporate benefits by a gradual, phased-in "integration" of corporate and shareholders' individual tax burdens. This is the concept set forth in section 102 of the Jobs Creation Act.

The Secretary also spoke in support of the investment tax credit—which section 202 of the Jobs Creation Act would both increase and make permanent—and of the DISC.

The Secretary's full statement before the committee follows:

SECRETARY SIMON'S STATEMENT

We are about to enter the third century of our national existence. What I am proposing today will make a great deal of difference in how we live in the next century—whether there will be jobs to support an expanding population and whether we can continue the rising levels of prosperity we have enjoyed in recent decades.

The century which is drawing to a close has witnessed the most spectacular economic progress in history. During that century, our citizens have risen to levels of income which are unparalleled elsewhere in the world and have risen steadily over time. That prosperity has been directly attributable to the enormous investment in productive capacity we have made—a total which far exceeds that of any other nation. Without that investment we would be an economy of the most primitive sort, with only what we could turn out with our bare hands.

We got the investment we have and we will get future investment, only by saving. And it is the saving and investment process with which today's proposals deal. Saving and investment concepts have many theoretical aspects for economists, and I don't want to get mired in those today. I want to try to explain what we need to do in as practical everyday language as I can, even at the risk of oversimplifying some of the theoretical niceties.

We have been hearing economists debate the question of whether, in a total sense, there is a need for a greater rate of investment to induce economic growth and create jobs. Whether we can find the academic answer or not, there is no question in my mind that the chief executive officers of corporations in this country know that there is a shortage of investment funds which is hampering expansion, creating unemployment, and threatening to snarl an orderly economic recovery.

These chief executive officers have been forced to the wall with low retained earnings and have had to turn increasingly to debt to finance modernization and expansion. Many have reached their limit in this area and that spells trouble for the economy ahead.

We have always been a rich country, and in dividing up our economic pie we find that we have bargained away more of the pie than is really available. For years we've been most worried about the second television set, a bigger boat, or a second car. Today, we need to shift our attention a little. The American people are faced with eight and a half million people unemployed, and, in addition, ten million more coming into the work force by 1980. To take care of these men and women, we're going to have to make a studied decision to embark on a program of *Reinvestment in America*.

We've let the engine of this great productive country get rusty. Workers and managers alike know that our equipment is becoming obsolete, and that many industries are short in capacity. We need to direct our attention to the massive job of rebuilding our economic engine and providing productive jobs for American workers.

Our proposal today is not to drastically change our economic principles—not a planned economy where we direct expenditures, but rather, a program that recognizes the need for capital to create jobs, and provides an opportunity for more people to invest in the American system.

There are risks involved in the program we propose, just as there were risks in funding the program of putting a man on the moon. But knowing the American people and the American industry, we feel that the risks are minimal. Given the investment needed to expand our economy, we feel certain that jobs *can* be created and we can return our Nation to a position of full employment.

To accomplish these objectives, we are asking the Congress to moderately revise our tax laws to permit industry the funds needed for industrial expansion. In addition, we wish to provide an incentive for more Americans to invest and become partners in our free enterprise system. We feel strongly that a return to a more enterprising attitude is essential. There has to be a national desire and willingness to take risks for rewards, and unless we take this position, the United States cannot maintain its place, let alone improve its position, in the world economy.

The goals

The proposals for more savings have the following goals:

Jobs. Increased saving is the quickest and most direct way to put resources at the disposal of those persons who will use them to expand business operations and jobs. Placing equal amounts at the disposal of individuals who will simply spend them would in due course—as they spent it—increase the incomes of business, but would do so less quickly, and with much less assurance that the proceeds would be used for new investment.

Debt-equity ratios. Additional saving must be made available for equity investments. Steeply climbing debt ratios have left our businesses highly vulnerable to any adverse change in the business climate and handcuffed them in their ability to expand and modernize. This has become a very serious problem in the last several years and something *must* be done.

Productivity. Increased savings will make possible the increased investment in capacity that enables workers to turn out more goods and services. Without modernization and new investment, that will not happen. In turn, increased productivity permits wages to increase—in real terms, not just dollars—and helps suppress inflation.

Real wages. As increased savings and investment permits workers to turn out more goods and services, there is more to share and real wages can increase. On the other hand, if goods and services do not increase, then increased wages for one group means they get a larger slice of an economic pie that has not grown. That, in turn, means the slices of others will be reduced, either through inflation or unemployment.

Inflation. Increased saving and investment, by increasing productivity and the amount of goods and services produced, helps keep prices down. Increased productivity also lets an employer raise wages without also raising prices to his customers. It is our chief insurance against wage demands turning into a wage-price spiral.

***Efficiency*. To the extent we can make the investment that we already have work more efficiently, that is as good as getting more saving. We should remove those features of the tax system that cause saving flows to be channeled away from more productive investment and into less productive investment.**

Proposals for increased saving—In general

After many months of deliberation, we have concluded that the most important step we can take to achieve greater savings through the tax system is to move towards the elimination of the double tax which presently is imposed on income from assets used in the corporate form of business. We propose to make that change as part of a total program that (i) will not subvert the progressivity of our income tax system, nor (ii) create increases in budget deficits that would subtract from the pool of private savings even as tax measures are causing additions to it.

At the same time, we believe it is of prime importance to encourage greater savings by individual taxpayers, and in particular, to broaden the ownership of stocks by middle and lower income persons. I have additional suggestions to accomplish that result.

The proposals rest on sound and fundamental economic principles. But all of those principles are not immediately apparent, and it will be very important to enlarge public understanding. It would be extraordinarily helpful to the art of government in times like these if economic principles were better understood. Unfortunately, our economy has become so complex that the job of education is a difficult one. It is critical that both Congress and the Executive make every effort to seek wider public understanding of the factors underlying the savings problem, even if there is not total agreement on the solutions.

The proposals may seem to some to be "big business" proposals. But they are not. They are proposals to provide additional incentives for the individuals and businesses—large and small—that save. It is important to distinguish between the *form* of the proposals and their *effect*. The form of the proposal dealing with corporate double tax is such that it appears primarily to affect stockholders. But its effect will, in reality, be general. Just as the doctor may inject medicine in a patient's arm in order to cure a problem in his abdomen, so it is with our economic system. It is sometimes necessary to appear to deal with one segment in order to get at an ailment somewhere else. The proposal deals immediately with stock and stockholders, but the medicine injected at that point will be quickly disseminated through all of the persons and institutions in the system, large or small, who are saving. An existing bias against all such persons will be lessened and the system will work more productively for everyone by providing more jobs and larger incomes.

A reduction in taxes applicable directly or indirectly to shareholders will in the first instance be helpful to shareholders, but we must not stop thinking at the first step. We have to look to see what happens next if the returns on stock are increased. If stock sells at $100 and returns $5 to its shareholders, that is a 5% return. What happens if the return rises to $7, or 7%? The answer is that more people want to buy the stock. At the same time, bank deposits that pay 5% seem less attractive, and fewer people are willing to deposit. The price of stock goes up and the $7 return is no longer 7%, but maybe only 5½%. And the banks have to pay more—maybe 5½%—to keep depositors. Thus, what started initially as an increase in the return to stockholders is transformed quickly into a somewhat smaller increase for everybody. Just as nature fills a vacuum, the market levels an abnormal return; returns, like air pressures, are "equalized" by natural forces. Thus, a change which is in form addressed to those who have their savings in stock, in the end increases the returns for all kinds of saving.

Recap of economic points on the need for more savings

The reasons why we need more savings were developed at length in the statement which I presented here on July 8. Additional aspects of the savings question were addressed in detail in a statement which I made to the Senate Finance Committee on May 7. Copies of both these statements have been distributed to you this morning.

I do not wish to review the materials in those statements in any detail this morning, but it may be helpful if I briefly recap the principal economic points in order that you can more readily see how our proposal would deal with the problem at hand. The important points to keep in mind are:

1. The total amount of savings in our economy measures the amount that will be invested, and we will get more investment only if we get more savings. It does not matter who saves. A dollar of savings by a low bracket wage earner in a thrift account is as useful as a dollar set aside by a high bracket investor to purchase stock. A dollar of saving by the government is equally useful. Our financial system is extremely competitive and efficient, and, in the absence of interference, the dollars will get to the places where they are most useful.

2. The single most effective thing we can do to increase the total amount of savings in our system is to observe sound fiscal policies. Government deficits use up other people's savings, for the government must dip into the private savings pool to finance those deficits.[1] But, it is foolhardy to rely on fiscal policy to increase national savings unless we are confident that there will be continued federal surpluses in the future of a magnitude unknown in the recent past. Do we have any reason to expect that the leopard can change its spots?

3. In fact, most of our national savings occur in the business sector of our economy, and that is where special problems inhibiting savings have appeared. Sound changes in that area will produce the greatest results and must, therefore, be given top priority. We should, at the same time, however, undertake to encourage savings in individual households at all income levels.

4. The best estimates are that we will need additional savings if we are to maintain the rates of economic growth and prosperity to which our citizens and institutions are attuned. The need for additional savings is not an absolute need in the sense that the country will disappear if we fail to achieve it. The danger is rather that the economy will not grow in a stable, non-inflationary manner and that we won't be able to maintain the number of existing jobs and create the new jobs that will be needed to employ the growing workforce. We must employ at least three million more people to get back to full employment and when that is done we will need to create still another two million jobs a year on into the future to take care of new workers.

5. There appears to be a wide consensus among professionals of all political persuasions, that in the absence of persistent government surpluses we will need some additional degree of private savings in order to sustain the degree of growth and job creation which is desirable. Total private saving has been running about 15% of GNP and we need to increase that number to about 16%. While the increase is only 1% of GNP, or about $15 billion a year, it is an increase of about 7% in the amount which is saved. Furthermore, of the 15% of GNP which con-

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[1] In limited circumstances, government deficits can increase private incomes and thereby private savings by an amount sufficient to substantially offset the deficit. As we move back toward full employment, however, that will increasingly not be the case.

stitutes private savings, 55% represents depreciation (the amount necessary just to keep our capital stock at current levels) and the remaining 45% or about $95 billion represents the savings used for net new investment. Thus, the additional saving required represents an increase of nearly 16% in the rate of net new investment.

In sum, the desired increase in total savings seems quite reasonable in terms of the total economy, and surely within the range of accomplishment without radical change in our institutions and organizations. Nonetheless, it is a significant increase in current savings patterns and we won't get it by wishful thinking or half-hearted measures.

6. Additional savings is not the only factor contributing to economic growth but it is clearly an important factor and one that we can do something about.

Economic growth is important for several reasons: (i) It helps provide the employment necessary for a growing work force. (ii) Growth accompanied by increased productivity permits real wages to increase and helps suppress inflation. (iii) Growth is a critical element in increasing the upward economic mobility of the less advantaged individuals in our system. Without economic growth the less advantaged can rise only if they succeed in taking part of the "economic pie" away from those who are presently advantaged, a process which is always strenuously resisted by those whose share is threatened. It is much easier and surer if everyone shares in increases and the disadvantaged can move up relatively by having their shares increase faster than others. In this way, economic growth is a major political lubricant and contributes enormously to the lessening of social and political tensions.

7. Additional investment is the engine which produces additional "productivity," i.e., greater output per worker. Without the business institutions, the technologies and the facilities which past investment has provided, a worker's output would be limited to what he could turn out with his bare hands. In order to turn out our enormous national product, workers must be and are backed up with an enormous amount of investment. A worker who works all day and turns out 100 widgets is unlikely to turn out 110 widgets without new backup investment, and it is turning out the extra 10 widgets which permits real wages to rise.

8. Workers will continue to seek regular increases in their real wages. Higher real wages have been possible in our economy over the last three decades and our citizens have come to expect them. But we can't pay more real wages unless there is more output. Increased productivity is, therefore, critical.

Whether or not there is more output, workers will seek higher wages. That is the way the system works. But if wage demands exceed increased productivity one of three things will happen:

(i) Management will resist the demands, workers may fail to secure higher wages, and there will, in any event, be labor strife.

(ii) Some will secure high real wages—i.e., a larger share of the pie—but only at the expense of others. That usually results in unemployment, as higher wages unaccompanied by increases in productivity eat into profits and cause employers to cut back hiring.

(iii) The government will try to prevent the unemployment by fiscal and monetary policies. This is a politically attractive but essentially impossible goal of letting people have more when there is no more. Unfortunately, we have a tried and true method of seeming to achieve it. It is called inflation. We issue more money which permits money incomes to rise. That does not increase total real incomes but only permits the strong to take from the less strong in a manner which is sufficiently indirect that the latter do not usually realize what is happening. The process also creates the kinds of structural problems and instabilities which we have been experiencing.

All three of these alternatives are unattractive. If any one of them should occur it would be the occasion for congressional alarm and cries for action to "do something." What is needed is preventive medicine. We *must* keep productivity increasing at a reasonable rate. Saving and investment are the surest way to do that.

9. Taxes may not be the sole cause of the problem, but tax changes hold the greatest practical promise of helping to increase saving and investment. It is sometimes argued that tax changes are less effective than budget surpluses, but given our existing institutions tax changes are more likely to be achievable than surpluses. We need both.

10. Our tax system—like any tax system which relies on an income tax—is biased against saving. The reasons why that is so are explained at pages 15 to 16 of my July 8 statement. In general, our tax system inhibits savings because it promises to take away a substantial part of the income from any amounts saved, thus reducing the incentive for saving. Tax changes will increase savings only to the extent they remove the disincentive created by existing taxes. Thus, the fundamental element in any tax proposal to increase saving, is a net reduction in the tax on the income from savings. There are different mechanisms for achieving that net reduction and they have different advantages and disadvantages. But the active ingredient is the final net reduction, and there is no way to escape that fact.

11. Corporate profits, when stated in realistic terms, have been severely squeezed in the last few years. That has seriously impaired the ability of business to make new investment.

Let me now turn to the specific proposals.

I. A NATIONAL PROGRAM FOR PERSONAL SAVING

I have, first, proposals to help individual Americans save.

It is true that business saving has been *quantitatively* much more important than personal savings in the United States, as in most other countries. But I am confident there is a great untapped reservoir of potential personal saving out there among our individual citizens. And apart from the dollars of additional saving immediately involved, we will be doing a great service for our citizens individually if we can help them save and help them understand how much better off they will individually be if they do. In our great country *everybody* can be a "capitalist"—maybe not great big ones, but big enough to improve their own standards of living. But they will get there only if they start saving and continue to save. I, for one, think we should help them. But we must be careful to approach the project on the basis of providing "seed money" and avoid any temptation to just distribute largessee which is likely to exceed the amount of additional saving that will be achieved.

Make adequate retirement saving available to all

Funded retirement plans are a significant source of savings in our economy. The assets in private retirement plans were estimated at nearly $200 billion at the end of 1974. These funds are invested primarily in American industry. They provide much of the capital which is necessary to achieve and maintain our standard of living.

As a matter of national policy, we encourage funded retirement plans. A major incentive to establish these plans is provided by our tax system. The Internal Revenue Code provides two major incentives for "qualified" plans which meet a set of special requirements: first, employer contributions are deductible by the employer, but are not taxed to participants until retirement benefits are paid; and, second, earnings on plan assets are exempt from tax until retirement benefits are paid.

Despite these tax incentives, half of the American work force is not covered by employer-sponsored retirement plans. Many employers cannot afford to establish a retirement plan without reducing wages, and those workers who need money currently more than they need retirement income, prefer wages over future pensions. Before this year, a worker who was not covered by an employer-sponsored plan could not establish a retirement plan for himself. The 1974 pension legislation changed that. Workers who are not covered by existing plans are now permitted to set up their own Individual Retirement Accounts (IRAs), and to enjoy substantially the same tax benefits available under qualified retirement plans.

The primary purpose of IRAs was to allow the uncovered half of our workers to have a chance to accumulate retirement benefits. The bias in our tax system against savings makes it difficult for ordinary individuals to save for their retirement without special tax benefits. IRAs were designed to achieve greater equity between covered employees and non-covered employees and to assure American workers an opportunity to supplement Social Security and thus secure more adequate security and dignity in their retirement years. However, another very important feature of the IRAs is that they increase savings. The IRA lessens the bias in our tax system against saving, and thereby encourages greater saving by individual taxpayers. Every day we see articles or advertisements in the newspaper explaining the advantages and benefits of an IRA, and people are responding to those advertisements. They are increasing their retirement savings.

IRAs also tend to broaden the base of corporate stock ownership. IRA investments are not limited to corporate stock. A broad range of investment media are available. However, a significant portion of IRA investments will be in corporate stocks.

Although the IRA provides a giant leap forward in providing an opportunity for retirement savings, there is a basic defect in the program. IRAs are not available to persons covered by a regular retirement plan promising low benefits. The Administration had proposed a broader program to include these employees as well, but last year Congress was not ready to enact the whole program. This is understandable. IRAs are new, and many felt that it was better to test the water before plunging in. The consequence, however, is that we only have half a program. Now is the time to enact the other half.

The basic proposal is simple in concept. IRAs should be made available to persons covered by a regular retirement plan at a level below the IRA limit. Under current law, contributions to IRAs are limited to $1500 per year. Persons covered by a regular retirement plan at a level below $1500 should be allowed to make sufficient contributions to an IRA to bring these total retirement savings up to the $1500 maximum. It is not only the individual with no employer retirement plan that needs help from the tax system. The individual with an inadequate plan is also deserving of our attention.

Increase the IRA limit

The $1500 limit on contributions to an IRA is too low. This limit was proposed by the Administration in December of 1971. It is now time to raise it. The precise level which is now appropriate should be worked out as the tax reform package takes shape. However, I would like to point out that since 1971 inflation alone, which increased 32 percent, would raise the limit to about $2,000.

I also recommend the addition of a cost-of-living adjustment in order to maintain the level which is now appropriate. The 1974 pension legislation put limitations on the maximum pensions which could be paid by qualified pension and profit-sharing plans established by corporations. The dollar limits were set at 1974 levels, but were subject to automatic cost-of-living adjustments. Logically, the IRA limits should be subject to the same adjustments, as should the limits for plans of self-employed individuals.

Individual savings account program

In addition to making IRAs available to those covered by inadequate plans and raising the IRA limits, we would like to explore with the Committee the possibility of establishing an IRA-like vehicle which would serve to encourage savings generally, rather than being specifically aimed at retirement savings. As with the IRA, contributions to an Individual Savings Account (ISA) would be tax deductible up to some maximum, at least in part, and investment income would be free of current income tax.

There might be restrictions on how long the individual was required to leave savings in the account and perhaps a threshold or floor on the amount deductible in order to be sure, to the extent possible, that the contributions represented extra savings and not just something the employee would have saved anyway. However, unlike the IRA there would be no penalty on withdrawals if made after the specified period of time, or for specified purposes. Funds would not have to be held until retirement.

Although retirement saving is probably the most important goal of an individual saver, there are many other important goals. Typically, individuals save to purchase a home or a car. They save to provide education for their children, and they save to provide for unknown contingencies. These are important individual goals. And, from the standpoint of our economy as a whole, any saving is important. The IRA does not encourage any saving other than retirement saving.

The Individual Savings Account could fill a real void. It would be similar in its basic structure to the Individual Retirement Account (IRA), but it would meet a broader need. We are now familiar with IRAs and the ISA would be similar.

There are real technical problems in designing such a plan which will increase what would have been saved anyway and still not be too complicated for ordinary taxpayers to deal with on their returns. However, the goal seems very desirable. The ISA would be a highly visible incentive and the up-front feature of a deduction for additions to savings should be a very strong inducement to save. I hope that we can explore the feasibility of this together.

Revenue estimates

Of course, as a tax reform package is put together, revenue considerations must be taken into account. Making the IRA available to those covered by inadequate plans would cost roughly $500 million. Increasing the IRA limit might increase the cost by an additional $300 million. The cost of an individual saving account program would depend on the details of the program. These proposals, too, could take effect in 1977.

II. PROPOSAL TO ELIMINATE THE DOUBLE TAX ON DISTRIBUTED CORPORATE BENEFITS

Roughly 75% of our total national environment investment, other than housing, is in the corporate sector. The small saver has no conception of what a large part of his savings ends up working in the corporate sector.

Under our system of taxation, income earned by corporations is taxed twice: first to the corporation and then again to the shareholder, if and when it is distributed as a dividend or realized on sale. If a saver in a 20% tax bracket invests $100 in corporate stock, the gross income earned by the corporation with that $100—let us say, $20—is taxed to the corporation at 48%, producing a tax liability of $9.60, leaving the corporation with $10.40 after taxes. If that is distributed to the shareholder in a 20% bracket, he will pay another 20% tax, or $2.08, on the distribution. Thus, the total tax paid on the income from the investment is $11.68. That is a 58% tax rate, notwithstanding that the individual investor is in only a 20% bracket—an increase in rates of almost 200%. A similar though much smaller disparity occurs in the case of an investor in the top 70% bracket. The $20 of income from $100 invested by him would produce $9.60 of tax at the corporate level and $7.28 of tax upon distribution of the remainder, for a total tax of $16.88 on the $20. That is equivalent to an 84% tax rate, compared with the investor's 70% tax bracket—an increase in rate of approximately 20%.[2]

The existence of the two-tier tax has a number of perverse results:

1. It creates double taxation which is inherently inequitable when other kinds of income are taxed only once.

2. The system tends to inhibit savings from flowing into corporate equity investments because they will have to earn a higher level of income there in order to produce the same return. This causes an efficiency loss for everyone. It erects an extra cost barrier for consumers because the prices they pay for the goods the corporation produces must be sufficiently higher to cover two taxes rather than one, and causes them to end up with a different mix of goods and services than they would otherwise prefer in the absence of the additional cost barrier. Professor Harberger, who did the pioneer work in this area, estimates that the loss of efficiency is roughly equivalent to a decrease of 0.5% in our national income.

3. The two-tier tax creates a systematic bias against lower bracket taxpayers owning corporate stock. This seems generally undesirable both economically and socially. The experience in West Germany is relevant in this respect. Germany has for a number of years had a system which partially eliminates the two-tier tax. It was adopted in part in the hope that it would increase stock ownership by lower and middle income persons. In our recent discussions with officials of their government, we have been told that serious consideration is being given to complete elimination of the double tax, again with a principal objective of encouraging investments by small savers.

4. The double tax on corporate profits applies only to the income attributable to equity investment. Corporations must earn enough gross income to cover the interest payments made to compensate bondholders and other creditors for the savings which they have supplied. But interest payments are deductible at the corporate level and thus are not included in the *net* income which is taxable to the corporation. The fact that interest income on debt is taxed only once, while income on equity investments is taxed twice creates a very heavy bias toward debt financing. The double corporate tax thus is a very major contributor to the steep and dangerous increase in debt-equity ratios in recent years discussed at pages 28–29 and 34 of my July 8 statement. High debt ratios make business highly vulnerable to business cycle changes. As each additional borrowing leaves the business more vulnerable, potential new investors become more anxious. Thus, the growth in high debt ratios is a very undesirable development which tends to cause bankruptcies and other structural dislocations and generally suppresses economic growth.

5. A double corporate tax creates a market bias against high dividend stocks. So long as earnings are retained, the second tax on dividends need not be paid. If the stock is ultimately sold, the sales price will be greater because of the retained earnings (unless those earnings have been unwisely invested by the corporation), but that tax is imposed at half rates. It may be avoided entirely if the asset is held until death and in any event can be postponed indefinitely by the simple device of not selling. Either way the second tax may be substantially discounted. Thus, stocks like utilities, which have traditionally relied on high dividend payouts, are placed at a substantial disadvantage because the double tax imposed on their income (corporate tax + ordinary income tax on dividends) is greater than the double tax on companies which retain earnings and do not distribute (corporate tax + capital gains or no tax). Elimination of the second tax would greatly assist utilities and other companies similarly situated in raising equity money. Given our energy problems this is a particularly important point.

6. The double tax places a heavy penalty on corporate decisions to distribute earnings. In an ideal, free market, the tax system would be neutral with respect to retaining or distributing. Corporation managers would retain earnings if they could use them productively. But stockholders would call for larger distributions when it appeared that the money could be invested for a better return in some other company or enterprise. Corporation managers would thus be required to justify retention of earnings by demonstrating that they could do a better job of investing profits than the shareholders could do for themselves, and capital markets would be generally more competitive. At present the tax penalty on paying out earnings puts corporate managers under great pressure to do almost anything productive with retained earnings rather than pay them out. The double corporate tax thus "locks-in" in corporate capital and keeps it out of the capital markets.

Merchanisms to remove the double tax

For many years our system of imposing a double tax on corporate profits by taxing them at each of two tiers was also widely used abroad, and it is often referred to as the "classical" system of corporate taxation. So long as tax rates at the corporate level remained relatively low, the system did not create undue mischief. In the United States, the corporate tax rate was less than 15% as late as 1935; it rose to 40% during World War II, dropped back to 38% in the last of 1940's and rose again to 52% during the Korean War. The current 48% rate was enacted in 1965. Thus, basically, it was only as recently as the Korean War in the early 1950's that corporate rates reached their present high levels. Similarly, corporate rates have been rising in other countries, but not so fast as in the United States. As rates have risen abroad and as the need for economic development and investment increased in other countries, changes were made in their corporate tax system. Today, virtually all of our major trading partners have a system which eliminates much of the double tax. Such systems are in effect in Canada, the United Kingdom, France, Germany, Belgium, Italy, Japan and Iran. The European Economic Committee has adopted a resolution urging all of its members to adopt such system and is presently engaged in an effort to promote greater uniformity of existing systems and to harmonize the differences that remain.

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[2] One must be careful not to draw simplistic conclusions from these numbers, for, as in so many other economic matters, they are only the first step to be considered. The fact that such tax burdens exist cause the prices of corporate investments to change relative to other investments with the result that the ultimate after-tax yields are, on *an average basis*, equalized. However, the situation may be different for individual investors, who will be affected differently depending upon their tax brackets.

The existing systems all operate with one or the other of two basic mechanisms: a stockholder credit or a dividend deduction. (including its variant, the "split rate" system). Under both mechanisms, taxes are imposed at both the corporate and individual level, but an adjustment to prevent doubling up is made at the time the income is distributed to shareholders. It would be theoretically possible to tax all earnings initially and directly to the ultimate owners, the stockholders, regardless of whether or not the earnings were distributed. However desirable such a system might theoretically be, it would present practical problems which are probably insuperable, and while Canada considered such a system, no other country has, in fact, adopted one.

Under the dividend deduction system, the corporation is allowed a deduction for all or part of any dividend distributions which it makes. The deduction in effect reverses the tax which the corporation previously paid on such income. Assume, for example, that a corporation earned $100 and is subject to a corporate tax rate of 48%. If it pays a dividend of $100, a full deduction will completely eliminate taxable income. Stockholders will pay tax on the $100 distributed but the corporation, having distributed everything, will pay no tax. If the corporation distributes $60, the $60 deduction will cause it to pay tax on $40, i.e., on the earnings not distributed. The stockholders will pay tax on the $60 which is distributed. Note that if such a system were to be adopted, the initial effect would be to increase the after-tax dollars in the hands of the corporation, for it would get a deduction for the dividends it is presently paying. The corporation might or might not use that additional cash to increase further the amount of dividends paid. Thus, whether the tax reduction dollars actually end up in the hands of the corporation or its shareholders will depend upon the corporation's subsequent distribution policies.

Under the stockholder credit method, the corporation gets no deduction, but the shareholder is given a credit to compensate for the tax which the corporation has already paid. Taking the same corporation as an example, it earns $100, pays a $48 tax, and has $52 left. If the entire $52 is distributed, the stockholder is treated as if he had originally received the same amount of gross income as the corporation, i.e., $100, and is given a credit for the tax the corporation has already paid, i.e., $48. If that $52 is distributed to the shareholder, he "grosses it up" by the amount of tax attributable to the $52 he received, i.e., by $48. That produces a "grossed-up" amount equal to the gross income which was earned by the corporation. He then reports that $100 in his income and is allowed a credit for the $48 which the corporation paid. If he is in a 50% tax bracket, he will have a gross tax liability of $50, a credit of $48 for the tax paid by the corporation, and a tax bill of $2. On the other hand, if he is in a 20% bracket, he will have a gross tax liability of $20, the same credit of $48, and will get a refund of the difference, $28.

If the stockholder credit system were instituted, the initial result would be to put all of the cash tax savings in the hands of shareholders, as the corporation would continue to pay corporate tax and the adjustment mechanism is a credit which goes to the shareholders. This, too, could be adjusted by a change in distribution patterns, i.e., the corporation could decide to decrease the actual dollars which it distributed because the shareholders would be getting supplementary amounts through the tax system.

You will note that in the case of a total distribution the two systems produce the same result: the corporation has nothing left and the entire $100 has, in effect, been taxed at the shareholders' rates. With less than total distributions, there are "first instance" differences. In the first instance, the dividend deduction is an adjustment at the corporate level and is reflected in increased cash flow at the corporate level; while the stockholder credit is an adjustment at the stockholder level and is reflected in increased cash flow to stockholders. However, by appropriate changes in the levels of dividend declaration, either mechanism can be tailored to produce the same result vis-a-vis the corporation and its shareholders—i.e., the same tax benefit can be divided in the same manner between the corporation and its shareholder in either case.

Thus, the two systems are economically the same. The differences between them are practical differences, of which there are principally three:

First, there may be a difference in public perception about where the benefits go depending upon which form is adopted. While any such difference in perceptions would be erroneous, it may, nonetheless, be a real factor to be reckoned with.

Second, the fact that the benefit of the tax reduction initially occurs at different places under the two methods may be important, particularly if corporations are required to give up other items at the corporate level in exchange. While it is always possible for the corporation to use changes in dividend declaration to get to the same place under either method, those changes may present practical problems. Just as it is easier for Congress to cut taxes than to increase them, so also it is easier for corporate managers to increase dividends than to cut them.

Third, the stockholder credit system permits greater flexibility in dealing with tax-exempt organizations and foreign stockholders. Under the dividend deduction method, whatever the benefit is, it accrues automatically to all stockholders. Under the stockholder credit method, however, it is possible to reduce or eliminate the credit for tax-exempt institutions or foreign stockholders.

In the case of tax-exempt stockholders, the double tax has been eliminated under present law because there is only one tax at the corporate level and no tax whatever at the stockholder level. Under the dividend deduction method, tax would also be eliminated at the corporate level, with the result that there would be a total elimination of tax and not just an elimination of the double tax. The situation in the case of foreign stockholders is similar as they do not presently pay regular income tax on dividends received, although they do pay, in lieu of an income tax, withholding taxes at rates ranging from 5% to 30%.

Revenue implications of eliminating the double corporate tax

We clearly cannot afford to eliminate the double corporate tax completely in any short period of years, for the revenue losses are too great. At 1977 revenue levels, a complete deduction for dividends paid would create a revenue loss of approximately $15 billion. Alternatively, a stockholder credit would produce a revenue loss of approximately $19 billion if the credit were extended to tax-exempt and foreign stockholders, and approximately $12.5 billion if the credit were not extended to such stockholders.

The larger revenue loss for the stockholder credit method is attributable to the "first instance" effects described above and the fact that the adjustment mechanism operates at the stockholder level. As explained, the stockholder credit method initially puts more cash at the stockholder level, which has the same effect as if the total distributions were larger, thus, creating a larger revenue loss. Under the dividend deduction method, it is the corporation which will have more cash. If it distributed all that additional cash, the result would be the same as the stockholder credit method (i.e., the cash benefit would appear at the stockholder level in the form of larger dividends), the revenue loss would increase to the $19 billion figure indicated for the stockholder credit method. Over time, it is probable that there will be some increase in the level of dividends under the deduction method and, therefore, a somewhat greater loss than the $15 billion indicated.

Recommended mechanism: Combination of dividend deductions and stockholder credits

Specifically, I recommend that your Committee eliminate the double tax on income from savings invested in assets held in corporate form and do so in six phases, with the first phase effective January 1, 1977. The remainder would phase in equally over the succeeding five years. Since there is a substantial lag between the time when tax changes become legally effective and the time that their effects show up in collections, the proposal would have only a very minor effect on the budget for FY 1977, and the revenue effects would show up gradually in the budget beginning with fiscal years after 1977.

We recommend that you eliminate the double tax by combining the dividend deduction and stockholder credit mechanisms, with part of the duplicate tax being eliminated by one mechanism and part by the other. This will have two major advantages:

(1) Use of the dividend deduction will create additional cash flow at the corporate level, which is probably the most immediate need.

(2) Use of the stockholder credit mechanism permits flexibility with respect to tax-exempt and foreign stockholders. We do not believe the stockholder credit should be extended to them. Like other stockholders, they will receive indirectly the benefits of the dividend deduction at the corporate level. Thus, the tax burden on income going to such stockholders will be reduced, but will not be totally eliminated. That seems an appropriate way to deal with such stockholders and it significantly reduces the revenue loss.

The dividend deduction

Approximately half of the total deduction would be accomplished by a dividend deduction. Thus, ultimately there would be a deduction for roughly 50% of the dividends distributed. The reason that I say "roughly 50%," rather than exactly 50% is that by making it slightly less, it is possible to make the stockholder credit mechanism very much simpler for individual stockholders.

The dividend deduction provided for the first year, 1977, would be that percentage which produces a net reduction of approximately $2.5 billion in corporate tax liabilities for that year.

Additional dividend deductions required to bring the total deduction up to approximately 50% of dividends distributed would be phased in from 1978 through 1982, causing the revenue loss to increase at a rate of about $1 billion a year (at 1977 levels).

The stockholder credit

The balance of the double tax would be eliminated by a stockholder credit to be phased in equally over the five-year period from 1978 to 1982 inclusive. This would cause a revenue loss in each of those years, increasing at the rate of about $1.25 billion a year (at 1977 levels).

The stockholder credit would not be available with respect to tax-exempt or foreign stockholders, for giving the credit would completely eliminate the tax on the income accruing to those classes.

The credit mechanism would be extremely simple. The taxpayer would "gross up" his dividend by adding to his taxable income an amount equal to 50% of the dividends he receives and would then take a tax credit equal to the gross-up. As a matter of arithmetic, the combination of a 50% dividends paid deduction and a 50% gross-up and credit, when combined with a 48% corporate rate, would more than eliminate the double tax. One or the other must be adjusted slightly. In terms of tax return simplicity, it is obviously very desirable for tens of millions of shareholders to use a gross-up and credit of 50% rather than an odd percentage which requires more complicated arithmetic. Therefore, we recommend that the required compensating adustment be made by reducing somewhat the percentage of dividends which are deductible. It is for that reason that I suggested earlier that the dividend deduction might ultimately be for slightly less than 50% of the deduction.

Other options

Variations in the arithmetic and percentages are obviously possible. Thus, for example, the portions of benefits going under either mechanism could be altered. Much will depend upon what the total tax reform package looks like.

As always, a number of subsidiary questions will require attention in the drafting sessions—just as in the case of the other options on which our respective staffs have been working in preparation for your return in September. We need to agree, for example, on how to handle the inter-corporate dividend deduction, the foreign tax credit, and similar items. Our Treasury staff has given careful thought to these aspects, and I suggest that we ask our staffs mutually to decide upon the best way to handle these matters.

Distribution of the tax burden

Considered in isolation, the proposal to eliminate the double tax will tend to produce reduction in the tax burden which is greater at the top and at the bottom of the economic scale than in the middle. The reason for the larger reduction at the bottom is that there are a large number of retired persons with low incomes of which a substantial part consists of income from savings.

But it is unrealistic, of course, to consider this element or any other element in isolation. We must keep our eye on the entire package of tax changes that you enact. The ultimate effect on distribution of the tax burden will depend upon whether or not overall individual income tax reductions are decided upon for individuals generally, and also upon whether other changes are made in the tax burdens on income from savings.

Given all the variables, it is not possible to arrive at clear conclusions at this point, except to say that given the gradual nature of the proposed phase-in and the likelihood of at least some changes in other tax provisions, we do not anticipate a major change in the progressivity of the tax burden.

Proposal is relief for all savers, not just for stockholders

At the outset of my statement, I made the point that the elimination of the double tax on corporate income would produce a benefit which will be quickly distributed by market forces across the income from all forms of saving and investment. The benefits do not come to rest in the hands of stockholders. This is not a program for big business. It is a program to benefit *all savers.* This is an absolutely fundamental point and one on which we all have an obligation to educate the public. Because it is so important, I want to restate that part of my July 8 statement which explains why that occurs. I said:

"In the case of corporations, net income is taxed once at the corporate level and again at the shareholder level. The existence of this double tax has a major effect on the manner in which capital is used. Regardless of who ultimately 'bears' the tax—which is a separate question—two taxes are actually *paid* by somebody. That means either that prices must increase or that profits will be lower. Most economists believe that the result is some combination of higher prices and lower profits.

"However, viewing the economy in the aggregate, it is not just corporate shareholders who have lower profits. If that were the case—if corporate stock investments provided a lower rate of return than other kinds of investment—no one would invest in stock. What happens in a competitive capital market is that there are constant flows of capital from one kind of investment to another until the after-tax rates of return are comparable. If investment in corporate equities is less profitable, then capital will flow out of such investment (or less capital will flow in). If there is less demand for stock on the stock exchange, the price of stock will fall and yields will rise. For example, if a $100 stock pays a $5 dividend, the return is 5%. But if the demand for stock declines and the price falls to $80, the $5 dividend provides a yield of better than 6%. At the same time, the capital which is diverted from corporate stock will flow into other kinds of investment. Money in savings accounts will increase and there will be a greater demand for bonds and other debt instruments and a greater demand for investments in assets and enterprises not held in corporate form. That greater demand for that kind of investment will in turn depress the return on it. For example, when more people wish to have money in savings accounts, the interest rates which banks are willing to pay falls.

"Thus, the market operates to equalize rates of return between different kinds of investment. In the end, a part of the corporate tax is a net additional burden on consumers, and a part is a burden distributed across the owners of all kinds of capital, not just corporate shareholders. I believe it is fair to say that while economists differ in their estimates of the proportions of the tax which ultimately are borne by different classes of people, those economists who specialize in this aspect of their science are today in near unanimous agreement on the analysis I have outlined.

"All of this has major implications for the efficient use of capital and for tax purposes. There are several observations which should be made.

"First it is erroneous to think of the corporate tax as primarily affecting stockholders. For example, a significant increase in the corporate tax will, in the first instance, significantly affect existing stockholders. But in the longer run, the equalization process will come into play and depositors in savings accounts and other kinds of investors will help bear the economic incidence of the tax. Similarly, other investors, too, will benefit by decreases in the corporate tax.

"Second, the price charged by corporations to their customers must be adequate to provide funds to cover the two-tier tax and still leave investors with a competitive return. Otherwise, no one will invest and the company will go out of business. That necessarily means that prices for goods produced by corporations must be relatively higher than prices of goods produced in the noncorporate sector; which means in turn, that consumers are discouraged from purchasing goods in the corporate sector and spend less of their money on such goods than they would if taxes were neutral with respect to different kinds of investment. If the extra tax burden on corporate investment were eliminated, that bias would disappear and there would be a greater demand for corporate goods and services. People would be able to have more of the things which they prefer, and the efficiency of our stock of capital would be increased. The real income of the nation would rise significantly, as more desired output was substituted for less desired output. Thus, the double tax is a barrier to the most efficient use of existing capital. Getting more out of the capital we already have is as good as having more capital. In fact, it is better because in order to get *more* capital we must give up some current consumption, which need not be the case if we are only increasing the efficiency of what we already have.

"Third, the existence of the two-tier tax is directly responsible for much of the dangerous growth in debt-equity ratios. If a company wishes to expand, it must consider what goods it can sell and what prices it will be able to charge in order to provide an adequate return on its new investment. To the extent net expansion is financed with debt, after the costs have been covered, $1 of additional price will provide $1 of return to the investor. In the case of equity, however the company must charge $2 to provide $1 of return. With that kind of a tax premium on debt as compared with equity, the pressure for greater debt is tremendous. This phenomenon can be observed in dramatic form in the case of public utiilties. Regulatory commissions are very conscious of the fact that if they are to increase the return to equity investors by $1, they must increase prices to consumers by $2. The very difficult choice which that presents to a politically oriented commission is a significant part of the utility problem."

Benefits of the proposed change

The change recommended will, if adopted, have the following advantgae.

(1) The net tax reductions on the income from savings will increase the rewards for saving and will thus increase the total amount which people and institutions will be willing and able to save. That will produce benefits not just for savers, but for everybody in the form of increased growth, more jobs and greater prosperity generally.

(2) It would ultimately eliminate a double tax which is unfair and inefficient.

(3) It will eliminate the existing tax discrimination in favor of debt as compared with equity financing and strike at the heart of the debt-equity problem.

(4) American businesses will be better able to compete against foreign companies for whom the cost of capital has already been reduced by eliminaton of the double tax. Increased returns on saving in the United States will help attract additional foreign savings.

(5) It will greatly improve the efficiency of the process by which capital is allocated and produce the equivalent of an increase of perhaps 0.5% in our national income.

(6) It will make the capital markets more competitive. Corporate managers will have to demonstrate to stockholders that they can do a better job of investing profits than the shareholders can do for themselves. It would eliminate the tax penalty which presently induces corporate managers to "lock-in" corporate capital and keep it out of the capital markets.

(7) It will be an immediate and major assist for equity financing. Businesses which have lost access to equity markets will again be able to compete.

(8) It will be a great help to utilities and to other industries whose investors rely upon steady dividends.

(9) It will greatly reduce the tensions and distortions which follow from the present large differential between the rates of tax on capital gain and on other income. This should be viewed as a major step forward by anyone who objects to the present favorable treatment of capital gains. Since it achieves this result without increasing taxes on capital gains, it should also make happy those who advocate the present favorable treatment of capital gains.

III. OTHER ACTIONS AFFECTING NATIONAL SAVINGS

I have already emphasized the central effect of the federal budget on the amount of savings in the economy. Federal surpluses will produce additional savings; but federal deficits require the Treasury to borrow, thus, depleting the pool of savings available for private investment. Thus, as we try to get a larger and more efficient amount of savings and investment through changes in the tax system, we must keep constantly in mind the pressing need also to continue to hold down the level of federal expenditures.

You should also have clearly in mind that some of the other tax changes which have from time to time been suggested by various members of your Committee would also increase the tax on the income from savings, and would thereby discourage savings and work contrary to the proposals which I have presented today. Here, again, it is important to understand that tax provisions relating to selected kinds of investments ultimately are distributed across all kinds of investment. I have explained how the burden of the corporate income tax is ultimately distributed across the income from corporate and noncorporate investments alike. The same economic principles operate in the case of such items as the DISC and the investment credit. There is a tendency to think that those provisions affect only selected narrow areas and do not apply in a general fashion. But that is an erroneous conclusion, which confuses the form of the provisions with their effect. It is true that such provisions operate as incentives to selected kinds of investment rather than to investment generally. By being selective, they increase the flow of savings from less favored to more favored kinds of activities, just as the effect of the corporate tax is to allocate investment flows away from corporations. However, the benefits from such provisions are ultimately distributed across all kinds of savings, just as the burden of the corporate income tax is ultimately distributed across corporate and noncorporate savings alike. In the end, any increased tax from cutting back such items would decrease the income from and the incentive for saving generally.

IV. CONCLUSION

This testimony completes the presentation of the Administration's proposals in the area of tax reform. On July 8, I outlined a series of proposals for tax change consisting primarily of tax reform proposals first advanced in 1973, on which your Committee worked last year. In a separate statement I also presented tax proposals dealing with the special problems of utilities.

The new proposals today go to the fundamentals of our economic system. All of these proposals interrelate with each other, and their effects must be determined as a whole. Looking at all provisions together will be important for purposes of determining the effects on the federal budget—which goes to the heart of the savings problem I have been discussing—and will also be indispensable in assessing the net implications for distribution of the total tax burden.

We look forward, as always, to working with your distinguished Committee.

AN EXAMPLE OF HOW A FULL DIVIDEND-PAID DEDUCTION WORKS

[Assume a 50 percent corporate tax rate for simplicity of illustration]

	Present law	Full dividend deduction
A. Corporate level:		
Net income	$300	$300
Dividends paid	150	300
Dividend deduction		300
Taxable income	300	0
Tax (50 percent)	150	0
Retained earnings	0	0
B. Individual level:		
Dividend (equals taxable income)	150	300
Tax (30 percent)	45	90
C. Total tax	195	90
Effective rate (percent)	65	30

[Assumes a 50-percent corporate tax rate for simplicity of illustration]

	Present law	Full stockholder credit
A. Corporate level:		
Net income (equals taxable income)	$300	$300
Tax (50 percent)	150	150
Dividends paid	150	150
Retained savings	0	0
B. Individual level:		
Dividends received	150	150
Gross-up		150
Taxable income	150	300
Tax before credit (30 percent)	45	90
Credit		150
Tax after credit	45	(60)
C. Total tax	195	90
Effective rate (percent)	65	30

AN EXAMPLE OF HOW THE HALF DIVIDEND DEDUCTION/HALF STOCKHOLDER CREDIT WORKS

[Assumes a 50-percent corporate tax rate for simplicity of illustration]

	Present law	Half/half method
A. Corporate level:		
Net income	$300	$300
Dividends paid	150	200
Dividend deduction		100
Taxable income	300	200
Tax (50 percent)	150	100
Retained earnings	0	
B. Individual level:		
Dividend received	150	200
Gross-up		100
Taxable income	150	300
Tax before credit (30 percent)	45	90
Credit		100
Tax after credit	45	(10)
C. Total tax	195	90
Effective rate (percent)	65	30

Note: As indicated in the text, the combination of a 50-percent dividends paid deduction and a 50-percent stockholder credit, when combined with a 48-percent corporate tax rate, would more than eliminate the double tax. Either the dividend deduction or the stockholder credit must be adjusted slightly. It is recommended that the percentage of dividends which is deductible be reduced somewhat.

Mr. Speaker, the administration is to be praised for this straightforward tax reform proposal—one obviously not motivated out of the political considerations which motivate far too many proposals. It would have been the politically expedient thing to have recommended other types of reforms which, unfortunately, are counterproductive. The President, the Secretary, and others who worked in formulating these proposals are to be congratulated by all who desire a genuine recovery and stable future.

This is but the beginning of what will be a major contest to insure their enactment, but I strongly believe—and rapidly growing public opinion in support of accelerated capital formation confirms it—that the people have seen the relationship between capital and prosperity and that they want a removal to disincentives to capital accumulation now found in our tax laws, so we can assure our children and our children's children of a better tomorrow.

FOREIGN SERVICE GRIEVANCES

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. BIESTER) is recognized for 5 minutes.

Mr. BIESTER. Mr. Speaker, in February I introduced legislation amending the Foreign Service Act to provide for a procedure to investigate and render decisions and recommendations with respect to grievances and appeals of employees of the Foreign Service. Mr. FRASER, Mr. HAMILTON, Mr. PRESSLER, and I are reintroducing that legislation with the support of several distinguished Members from both political parties.

The legislation we are resubmitting is very similar to that introduced in the Senate by Senator BIRCH BAYH, and unanimously adopted July 22 in Senate Foreign Relations Committee markup. For some time it has been painfully clear that existing grievance procedure—or rather the glaring lack of such a procedure— fails to protect the rights to due process of the employees of the Department of State, the Agency for International Development, and the U.S. Information Service. The growing dissatisfaction of those employees coupled with continuing congressional concern did prompt the Department of State to establish a Foreign Service Grievance Board. That board, however, lacks authority to enforce its rulings. Earlier this month all seven public members of the board submitted their resignations to Secretary Kissinger in protest of the refusal of the Agency for International Development to reinstate an employee illegally terminated through a reduction in force. Their resignation leaves employees of the Foreign Service without any grievance procedure.

Our legislation would create a three-member board with statutory authority to resolve grievances and to enforce its rulings. One member of the board would be appointed by the Secretary of State, and one by the employees' bargaining unit, the American Foreign Service Association. The third member of the board would be chosen by the other 2 from a list of 12 individuals previously agreed upon by the Secretary and the American Foreign Service Association. No officer or employee of the Department of State, the Agency for International Development, or the U.S. Information Agency would be eligible for membership on the board.

Any individual involved in a proceeding before the board—grievant or witness—would be "free from any restraint, interference, coercion, discrimination, or reprisal." Grievants would be assured of a hearing, the right to be represented at such hearings, and access to necessary information and other fundamental rights to guarantee the equity of the proceedings.

When considering a grievance, the board would have access to all relevant documents, including security records, "under appropriate security measures."

The board's determination on grievances not relating to promotion, duty assignment, or selection-out of an officer or employee would be final and binding on all parties. In other cases directly involving promotion, assignment, or selection-out, the board would certify its resolution to the Secretary of State together with its recommendations for relief. Those recommendations would also be final and binding, except that the Secretary could reject a recommendation "only if he determines that the foreign policy or security of the United States will be adversely affected and fully documents his reasons for that determination." Any action by the Secretary would be subject to judicial review.

The procedures spelled out here are simply the basic rights of due process enjoyed by other Federal employees, the right to a hearing, the right to be represented at that hearing, to have access to all relevant documents, to be able to subpena and cross-examine witnesses, to be free from coercion or interference while presenting a grievance, and lastly to know that after a fair and objective hearing, the recommendations of the grievance board will be implemented.

It is deeply regrettable that such basic rights of due process have so long been denied the members of the Foreign Service. Recent actions and growing employee disgruntlement make it imperative that this Congress act to remedy this situation. The Senate has strongly supported this approach in the past, and the Foreign Relations Committee has acted decisively again in the 94th Congress. It is time the House acts as well.

Mr. Speaker, I also submit for the Record an editorial from the Washington Star of July 15, 1975:

Derailed Grievance Board

> There was some months ago a conditional euphoria among the ranks of the Foreign Service, at least among the less skeptical younger members. After a history of being treated as sides of beef, albeit prime sides, the troopers of the diplomatic service seemed to have gained a measure of dignity in their treatment. The often capricious finality of "selection out" had been, of course, an inherent danger of the trade, but after several gruesome cases illustrated the insensitivity of that process, change came.
>
> No longer, it appeared, would Foreign Service employes—and their brethren at USIA and AID—be forced to deal with the traditional grievance mechanism of the Foreign Service: Take it or leave it. After intense agitation within the service, the three agencies agreed to establishment of a grievance board.
>
> The short-lived experiment appears to be, if not over, solidly balked. All seven public members of the board resigned the other day in protest after the United States Information Agency arrogantly refused to accept its decision that an employe had been illegally dismissed.
>
> The grievance board as established had no statutory authority, which meant its decisions had the problematical effect of a seaman's prayer in a hurricane. Thus, after a short-lived sense of demi-democratic representation, the 12,000 Foreign Service employes at the three agencies are back where they started—with no recourse in the face of arbitrariness.
>
> The American Foreign Service Association, which holds bargaining rights for the diplomatic rank-and-file, said it condemned "in strongest terms the willingness of top-level management in the three foreign affairs agencies to permit the Foreign Service grievance system to be destroyed in this manner." It recognized that the grievance-board members had no alternative but to vote with their feet in light of USIA's rigidity.
>
> However, if USIA fails to reconsider its adamancy, the grievance board will be rejuvenated—this time under congressional aegis and with statutory powers. The three agencies agreed to the present mechanism only under threats by Congress to give the board legal horsepower; now with USIA's obdurate stance, that may become a reality. To the greater benefit of Foreign Service employes.

RESOLUTION TO CALL AN ATLANTIC CONVENTION

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. Findley) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, today a bipartisan group of 111 Members of the House have joined Congressmen Jim Wright, Don Fraser, Allan Howe, and me as chief cosponsors in introducing a resolution to call an Atlantic Convention of the NATO democracies. Its purpose is to explore the possibility of agreement on: (a) declaration that it is the goal of their peoples to transform their present relationship into a more effective unity based on Federal and other democratic principles; (b) a timetable for transition by stages to this goal; and (c) a commission or other means to facilitate this transition.

Although similar proposals have been before Congress since 1949, never before has it had so many cosponsors from so many States on the first day it was introduced as it has today. The highest number of sponsors before was 73, set in 1973. We have shattered that record now with 111—by 38. The record for the number of States was set in 1971, with 25. Today this resolution's support is spread through 31 States. Nor is this all.

This proposal never before had so much vigorous fresh blood as it has today. Nearly half of its sponsors are new—59, to be exact. Of these, 26 are freshmen, elected last November; 13 others voted for it when it was stalled on the floor last year by the thin majority of 210 to 197. Most significant of all, 10 of those who voted against it 2 years ago and still remain in the House are sponsoring it today; 56 of the 210 who opposed it in 1973 are no longer among the Members of the House.

For those who greet this measure for the first time, let me say that it has a rich and venerable heritage.

Truly, however, familiarity has not bred contempt. Rather, it has led to even greater levels of support and understanding and to a general perfection of the legislation itself.

This is a proposal which has ripened in the fullness of time.

It reaches us for renewed consideration at a decisively appropriate hour. It comes at a time when many of our foreign policies are being viewed by our neighbors as disjoint, isolationist, and generally negative in their orientation. In such circumstances, it is indeed wise and becoming for us to consider a proposal so awesomely positive in purport, so constructive, so outward and forward looking.

It is clearly time for our Nation to find renewed sense of purpose under the wings of a creative and unifying expression of international policy. This is such a policy. And it is of great importance that this is given its reanimation within the legislative branch of our Government, for reasons that are only too clear.

Never before has the need for improved mechanisms of cooperation among the States of the Atlantic community been more apparent. Our economic and monetary systems require greater harmonization. The exasperating problem of inflation, for instance, requires the coordinated reflection and action of many nations; so, too, do the problems of world energy supply and controlling the spread of nuclear materials and technology. Indeed, a truly effective defense structure for NATO requires an even greater integration of equipment and doctrine than existing institutions have been able to achieve.

Now there have been—and indeed are—those persons who would shrink from an endeavor such as this. They cite existing tensions, the proclivities for separatism, and the common factor of simple human inertia, in arguing the unreality of this cause. No sober person would underestimate the very real difficulties that exist. But at the same time it would be the height of folly to reject this proposal merely because the path seems difficult. This very situation most threatens our basic freedoms.

As a general principle of politics and life, it is far better, too, for us to take our bearings from the distant but pure light of high ideals and noble concepts, rather than forever plodding about in the lowlands of easily achievable but mediocre goals.

We are not suggesting the eventual relinquishment of our sovereignty, and persons who rely on this argument dramatically misunderstand the meaning of the term. Nor do we for even one moment believe that this call for an Atlantic Convention will necessarily result in a federation of our peoples. We do believe, however, that exploring ways of more effectively dealing with our international problems is worthwhile.

Senator Barry Goldwater once spoke with exceptional eloquence of the same goal for which I now speak—the flowering of an Atlantic Convention:

> This is a goal more meaningful than a moon shot—a truly inspiring goal for all free men to set for themselves during the latter half of the 20th century.

He added:

> I can see, and all free men must thrill to, the advance of this Atlantic civilization, joined by its great ocean highway to the United States. What a destiny can be ours—to stand as a great central pillar linking

Europe, the Americas, and the venerable people and cultures of the Pacific.

Mr. Speaker, I introduce this resolution today with a great sense of personal satisfaction and excitement. I have always found enormous merit in this goal. But now, more than ever before, I see this as a principal vehicle for the imaginative reinvigoration of our policy toward our neighbors. It is, as well, a reminder to our adversaries of the substantial commonality that exists among the Western democracies. As Walter Judd wrote recently, this venture "would cost us nothing politically, little financially, and just might be a way to save everything."

Mr. Speaker, I would like to insert, at this point, in the CONGRESSIONAL RECORD the text of the resolution and a list of sponsors:

A JOINT RESOLUTION TO CALL AN ATLANTIC CONVENTION

Whereas a more perfect union of the Atlantic Community consistent with the U.S. Constitution and the Charter of the United Nations gives promise of strengthening common defense, assuring more adequate energy resources, providing a stable currency to improve commerce of all kinds, and enhancing the economic prosperity, general welfare and liberty of the people of the member nations, Now therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That

(1) The Congress hereby establishes a delegation, composed of eighteen eminent citizens, and authorizes it to organize and participate in a convention made up of similar delegations from such North Atlantic Treaty parliamentary democracies as desire to join in the enterprise, and other parliamentary democracies the convention may invite, to explore the possibility of agreement on—

(a) a declaration that it is the goal of their peoples to transform their present relationship into a more effective unity based on federal or other democratic principles;

(b) a timetable for transition by stages to this goal; and

(c) a commission or other means to facilitate this transition.

(2) The convention's recommendations shall be submitted to the Congress for action under Constitutional process.

(3)(a) Six of the delegates shall be appointed by the Speaker of the House of Representatives, after consultation with House leadership and the Committee on International Relations; six by the President of the Senate, after consultation with Senate leadership and the Committee on Foreign Relations; and six by the President of the United States. Not more than half of the delegates selected by each appointing authority shall be from one political party.

(b) Vacancies shall not affect its powers and shall be filled in the same manner as the original selection.

(c) The delegation shall elect a Chairman and Vice Chairman from among its members.

(d) All members of the delegation shall be free from official instructions, and free to speak and vote individually in the convention.

(4) The delegation shall cease to exist at the expiration of the three-year period beginning on the date of the approval of this resolution.

(5) To promote the purposes set forth in section (1), the delegation is hereby authorized—

(a) to seek to arrange an international convention and such other meetings and conferences as it may deem necessary;

(b) to employ and fix the compensation of such temporary professional and clerical staff as it deems necessary: *Provided*, that the number shall not exceed ten and that compensation shall not exceed the maximum rates authorized for committees of the Congress; and

(c) to pay not in excess of $100,000 toward such expenses as may be involved as a consequence of holding any meetings or conferences authorized by subparagraph (a) above.

(6) Members of the delegation, who shall serve without compensation, shall be reimbursed for, or shall be furnished, travel, subsistence and other necessary expenses incurred by them in the performance of their duties under this joint resolution, upon vouchers approved by the Chairman of said delegation.

(7) Not to exceed $200,000 is hereby authorized to be appropriated to carry out the purposes of this resolution, payments to be made upon vouchers approved by the Chairman of the delegation subject to the laws, rules, and regulations applicable to the obligation and expenditure of appropriated funds. The delegation shall make semiannual reports to Congress accounting for all expenditures and such other information as it deems appropriate.

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Mr. FRASER. Mr. Speaker, for much too long we have concentrated on seeking to strengthen freedom at its periphery instead of its center—in Vietnam, for example, instead of in Atlantica.

Even had our great effort in Vietnam, thousands of lives sacrificed, billions of dollars spent, resulted in victory instead of this year's debacle, that victory could not possibly have given peace, liberty, and prosperity a fraction of the strength that could be gained by the federation of the major democracies.

The disarray of the Atlantic alliance has brought about ominous disunion—economic, monetary, political, and military. Some Atlantic allies have shown more distrust of each other than of the authoritarian governments we face.

It is time for our Atlantic allies to turn from mutual recrimination to explore ways of strengthening liberty and democracy. That is what our forefathers did at the federal convention they called when the 13 States were disunited under the Articles of Confederation. The far-reaching success of that convention should encourage us to explore that possibility once again.

Many complain that it will take time to achieve federation of the North Atlantic democracies. It will. But what will it cost us to explore with our allies the federal approach to liberty, peace, and prosperity? Not one drop of blood, and only a fraction of the cost of another war.

What of its cost in time? In the age of the ox cart, when words could travel no faster than a horse or a sailing ship, our forefathers, once they had convoked the Philadelphia convention, and despite all the crises and deadlocks that plagued its discussions, worked out our present Federal Constitution between May 14 and September 17, 1787. After further soul-searching and often bitter debate in each of the 13 States, it was ratified and in operation by March 4, 1789, a period of less than 2 years.

Nearly everyone agrees that the democratic nations of the North Atlantic cannot find and implement a solution to their problems so quickly despite the fact that words can now flash around the world and space vehicles can cross our country in a few minutes. But who knows how long it will take until we try—until the exploratory convention this resolution calls for is convoked?

No one knows the answer, but everyone does know at least these two important facts: the sooner Congress authorizes that convention, the less time it will take to reach a common effective solution to our problem. Meanwhile, every advance we make toward this goal—including the calling of the convention itself—will advance prosperity, freedom, and peace. And it will do this without threatening bloodshed and at very little cost to the taxpayer. In fact, this resolution authorizes an appropriation of only $200,000.

Mr. Speaker, I would like to conclude my remarks with the following article from the Washington Post dealing with the enormously wasteful duplication of defense expenditures by the NATO allies, an expenditure that General Eisenhower estimated could be cut by half if we got effective political union:

NATO REFORM URGED TO CUT WASTE

(By David Fouquet)

BRUSSEL, April 23.—The Atlantic allies waste between $10 billion and $20 billion a year because of duplication and lack of standardization in military equipment, an internal American study obtained here reveals.

The 97-page study prepared last year by an outside consultant says that this loss has wasted national resources and undermined the alliance's military capability for years. It strongly recommends the establishment of a transatlantic common market in military and governmental equipment and research as the best means of overcoming this drain.

"The past quarter century has witnessed an incalculable waste of tens of billions of dollars of American and European defense resources—manpower, money, energy, material and structures," it contends. "NATO has not provided the maximum defense possible for the resources available, or the resources expended."

Such charges and recommendations have been voiced for years, only to fall largely on deaf ears. But the fact that this document coincides with economic recession and budgetary concern has lent it greater urgency.

Its findings and proposals have made a positive impression on Europeans concerned about their ability to equip their armed forces with modern weapons and about Europe's competitiveness in this and other high technology industries. One European official called it "radically new thinking," and some are discussing ways of beginning to implement some of its recommendations. Nevertheless, many suspect that such an approach could lead to even greater American domination of the armaments industry.

Other Western sources here also view true Atlantic standardization and cooperation, which has eluded the North Atlantic alliance, as perhaps becoming a necessity and a reality.

The report was prepared in mid-1974 by Thomas A. Callaghan Jr., president of EX-IM TECH Inc. of Arlington, Va., for the State Department's Bureau of Intelligence and Research and for the Air Force and Defense Advanced Research Projects Agency. Alastair Buchan of Oxford University, former director of the Institute for Strategic Studies in London, was a consultant. The author says that hundreds of officials and executives in the United States and in Europe contributed.

The basic thrust of the report is that the military effectiveness of NATO's conventional forces "is far below the standard we and our European allies should expect from the more than $90 billion per year that together we spend—on general purpose forces."

It adds that as a result of duplication or lack of commonality, NATO's conventional forces vary greatly in quality, are inferior to the Warsaw Pact in quantity and diversity and unable logistically to support one another.

"In peacetime, the lack of a complementary U.S.-European defense effort adds up to a waste of resources, and a diminution of capability." the study observes. "In wartime, it would be much more serious."

It notes that the lack of standardization prevents resupply of spare parts and ammunition and would result in earlier exhaustion of the allied conventional forces, which could lead to earlier use of nuclear weapons.

The document adds that NATO standardization, assured when the United States served as the sole supplier shortly after World War II, has diminished as other nations have developed and protected their own arms industries.

As a result, the report says, 12 NATO armies have 13 different types of close-range weapons, six short-range missiles, seven medium-range missiles and five types of long-range missiles. The same pattern emerges in the NATO navies, which have 100 different types of large ships, 36 different types of radar, eight kinds of surface-to-air missiles and 40 different types of large guns.

Last year Johnannes Steinhoff, the West German general who headed NATO's military committee, remarked that this plethora of arms made NATO "look like a military museum." His successor noted recently that during aerial war games most of the aircraft "shot down" had been hit by their own forces because they could not communicate with each other.

Sir Peter Hill-Norton, the current military committee chairman, has estimated that "within the NATO nations we are probably losing something in the region of $2 billion dollars a year by duplication of research and development of weaponry and associated equipment."

The State Department-Pentagon survey estimates the loss as at least $10 billion and adds "Figures of $15 billion to $20 billion could probably be sustained with better data." It also notes that senior alliance military officers estimate that through standardization, allied military effectiveness could be improved by from 25 per cent for some ground units to as much as 300 per cent for tactical air units.

To overcome the drain, the report urges a strong American presidential initiative fully backed by Congress for the creation of a North Atlantic common defense market, cooperation in civil technology and open government procurement that would put an end to protectionist national practices in this sector. According to this plan the United States would offer to match every defense dollar Europe spent in the United States by an American defense dollar spent in Europe.

The report recommends a starting pledge by the allies to purchase $2 billion from each other during an initial three-year period building up to a 12-year goal for achieving complete military-industrial interdependence in the development, production and support of non-nuclear forces.

At the end of the 12-year period, "this would mean specialization, long production runs and economy of scale with its attendant lower unit costs," the report said.

The report sees a market of $70 billion annually in military and government purchases. It notes that there need not be complete offsetting of costs for each partner on every project as is now the practice in existing transatlantic joint production projects. Instead the balance could be attained over a period of years and several projects.

As a first step, the report advocates the creation of a joint European defense arms agency, something that has received backing both within NATO and the Common Market, so that Europe can deal as a unit with the United States.

Such Atlantic cooperation "means embracing an entirely new concept of interdependence—one which emphasizes 'economic cooperation' between the U.S. and European military trade," the report says.

Pressure is building for greater industrial cooperation in Europe to increase efficiency and competitiveness. Officials believe that some form of coopération and rationalizing may be emerging in the next few years.

The alternative, they say, would be to sink deeper into waste and protectionism, thereby accentuating differences within the alliance.

REMOVE EARNINGS LIMITATIONS ON SOCIAL SECURITY RECIPIENTS

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SCHULZE) is recognized for 5 minutes.

Mr. SCHULZE. Mr. Speaker, we all know that our elderly citizens living on fixed incomes are cruelly affected by our current economic difficulties. These are the citizens who have worked long and hard over the years, who have paid ever-increasing taxes which have financed ever-expanding Federal programs for others, and who have looked forward to some security in their old age.

Millions of these citizens, who have contributed so much to making our great country, have been depending on their social security benefits to provide for them. Ironically, however, as inflation has increased and the purchasing power of the dollar has diminished, these benefits are now barely enough to help them make ends meet.

One of the greatest inequities in the social security system is that, having contributed their fair share over the years, these individuals are limited in the amount of income they may earn over and above their social security benefits. This welfare-type concept of an earnings limitation makes second-class citizens out of millions of retired Americans. At present, social security benefits are reduced by $1 for every $2 above the $2,520 limit earned by a recipient, except for those who have attained the age of 72.

In addition, this limitation applies only to earned income, so that those who are fortunate enough to have accumulated investments in stocks, savings accounts, and real estate may receive unlimited income from these sources.

It is estimated that well over a million older Americans want to work beyond their retirement age. Many are forced to do so in order to pay their bills. We must stop penalizing these individuals who can be productive members of society. It is grossly unfair to force our elderly to remain in a limbo of inactivity simply in order to receive benefits to which they are entitled and for which they have paid over the years.

For these reasons, I am introducing today a bill which will remove the limitation upon the amount of outside income an individual may earn while receiving social security benefits. I request unanimous consent that the text of this bill be printed in the RECORD at this time:

H.R. 9286

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (b), (d), (f), (h), (j), and (k) of section 203 of the Social Security Act are repealed.

SEC. 2. (a) Subsection (c) of section 203 of the Social Security Act is redesignated as subsection (b); and such subsection as so redesignated is amended—

(1) by striking out "Noncovered Work Outside the United States or" in the heading;

(2) by striking out paragraph (1);

(3) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(4) by striking out "For purposes of paragraphs (2), (3), and (4)" and inserting in lieu thereof "For purposes of paragraphs (1), (2), and (3)"; and

(5) by striking out the last sentence.

(b) Subsection (e) of such section 203 is redesignated as subsection (c); and such subsection as so redesignated is amended by striking out "subsection (c) and (d)" and inserting in lieu thereof "subsection (b)".

(c) Subsection (g) of such section 203 is redesignated as subsection (d); and such subsection as so redesignated is amended by striking out "subsection (c)" each place it appears and inserting in lieu thereof "subsection (b)".

(e) Subsection (l) of such section 203 is redesignated as subsection (e); and such subsection as so redesignated is amended by striking out "subsection (b), (c), (g), or (h)" and inserting in lieu thereof "subsection (b) or (d)".

(e) Subsection (l) of such section 203 is redesignated as subsection (f); and such subsection as so redesignated is amended by striking out "subsection (g) or (h)(1)(A)" and inserting in lieu thereof "subsection (d)".

SEC. 3. (a) Section 202(n)(1) of the Social Security Act is amended by striking out "Section 203 (b), (c), and (d)" and inserting in lieu thereof "Section 203(b)".

(b)(1) Section 202(q)(5)(B) of such Act is amended by striking out "section 203(c) (2)" and inserting in lieu thereof "section 203(b)(1)".

(2) Section 202(q)(7)(A) of such Act is amended by striking out "deductions under section 203(b), 203(c)(1), 203(d)(1), or 222 (b)" and inserting in lieu thereof "deductions on account of work under section 203 or deductions under section 222(b)".

(c)(1) Section 202(s)(1) of such Act is amended by striking out "paragraphs (2), (3), and (4) of section 203(c)" and inserting in lieu thereof "paragraphs (1), (2), and (3) of section 203(b)".

(2) Section 202(s)(3) of such Act is amended by striking out "the last sentence of subsection (c) of section 203, subsection (f)(1)(C) of section 203,".

(d) Section 202(t)(7), of such Act is amended by striking out "Subsections (b), (c), and (d)" and inserting in lieu thereof "Subsection (b)".

(e) Section 208(a)(3) of such Act is amended by striking out "under section 203 (f) of this title for purposes of deductions from benefits" and inserting in lieu thereof "under section 203 for purposes of deductions from benefits on account of work".

(f) Section 215(g) of such Act is amended by striking out "and deductions under section 203(b)".

THE POSSIBLE SUSPENSION OF ISRAEL FROM THE UNITED NATIONS

The SPEAKER. Under previous order of the House, the gentleman from Delaware (Mr. DU PONT) is recognized for 15 minutes.

Mr. DU PONT. Mr. Speaker, I would like to express my deep concern over current rumors of a possible attempt to suspend Israel from the United Nations when the General Assembly reconvenes this fall. The United States should give notice to all potential supporters of such an action that not only does this country resolutely oppose the suspension of Israel from the U.N., but should such a suspension occur, the United States will reconsider its commitment to that international organization.

It was 30 years ago this coming fall that the world, emerging from the death and destruction of another terrible war, recognized the need for a collective organization dedicated to the promotion of international peace and understanding. On October 24, 1945, therefore, these countries, which included the United States, came together to establish the United Nations. I can think of no more tragic a way to celebrate this anniversary than to destroy the principles of peace and tolerance which form the foundation of the U.N. The suspension of Israel would run counter to every ideal and purpose enunciated in chapter I, article 1 of the U.N. Charter: the maintenance of international peace and security, the development of friendly relations among nations, and the achievement of international cooperation. To attain these goals, the Charter directed the United Nations to function as a "center for harmonizing the actions of nations."

U.N. proceedings often appear far from harmonious, with garrulous debates and heated discord occurring more frequently than mutual agreement and conciliation. Its actions often irritate and frustrate the United States. But this country has recognized the importance of the United Nations as an international forum to which the countries of the world send their spokesmen. The U.N. has given every nation the opportunity to express its ideas and to make known its needs to the world community. The effectiveness and significance of the United Nations as an international body has been reflected in its growing membership; during the 50's and 60's, as territories and colonies became states, they were quick to present their credentials to the U.N., seeking the prestige which membership in that institution conferred and the ability to communicate directly and simultaneously with all the other nations of the world.

A suspension of Israel would reverse this upward trend in membership growth and international participation. It would undermine those principles which direct the U.N. to act as an arena for world debate in its effort to foster cooperation among the community of nations. To exclude those states which do not concur with international sentiment is a dangerous procedure for an organization which was designed to bring together all factions and to permit them to express a diversity of ideals and goals.

On July 16, however, representatives of the 40 nations attending the Conference of Islamic Countries unanimously voted a resolution to expel Israel from the U.N. and from all international bodies. An effort to remove Israel from the United Nations could occur, therefore, when the 30th General Assembly of the United Nations reconvenes in New York on September 16. Although there is talk of an expulsion of Israel, this is not possible under the rules of the U.N. Charter. To expel a nation, the General Assembly must approve by a ⅔ majority vote a Security Council recommendation to expel.

Since each member of the Security Council has a veto over the Council's actions and since the United States, which is a member of the Security Council, would, without hesitation, use that veto to block any efforts to expel Israel, opponents of Israeli participation in the U.N. will have to find another avenue to their ends. Despite a legal interpretation of the Charter set forth during the 25th session stating that the General Assembly alone may not deprive a nation of any of its rights as a member, the majority of the Assembly found a disputable means to suspend South Africa during the 1974 session: the Credentials Committee refused to accept the credentials of South Africa, a refusal which a majority vote of the General Assembly ratified.

This highly illegal vote deprived South Africa of her fundamental rights and privileges as a member and of her ability to take part in Assembly proceedings. The General Assembly could attempt a similar procedure aimed at Israel this fall. Algerian Foreign Minister Adelaziz Bouteflika, as outgoing President of the General Assembly, appoints the membership of the Credentials Committee, and though constrained somewhat by the need to observe a geographical mix, he could, by his selection, heavily influence the Credential Committee's approach to Israeli participation.

It was Mr. Bouteflika who, as president of the 29th session, made the controversial rulings on South African suspension, on the Palestinian Liberation Organization's right to speak in the General Assembly, and on the cutoff of debate during the PLO presentation, limiting Israel to one speech which was a fraction of the time allowed for the 20 Arab nations. The United States opposed each of these rulings.

This country opposed as well the November 20, 1974, ruling by the United Nations Educational, Scientific, and Cultural Organization in Paris to withhold UNESCO aid from Israel. Former U.S. Ambassador to the United Nations John Scali has condemned these actions; newly appointed Ambassador Patrick Moynihan has spoken out against any attempt to limit further Israel's participation in the United Nations as had Secretary of State Kissinger.

It is now time for Congress to take a resolute stand against any further abridgement of Israel's fundamental rights as a member of the U.N. It is Congress who appropriates the funds the United States allots to the U.N. each year. Since 1945, Congress has appropriated $5.5 billion for that organization. For calendar year 1974, Congress authorized a U.S. contribution of $428.2 million. Congress, therefore, must accept the responsibility for deciding to what extent the United States can fund an institution which seeks, in opposition to its stated purpose, to ostracize rather than to bring together.

The United Nations would lose more than American dollars should it decide to pursue a policy of exclusion and self-destruction. Israel's Defense Minister Shimon Peres has stated that Israel would force an immediate withdrawal of the U.N. peacekeeping mission from the cease-fire zones should the U.N. suspend his country. Israel would also refuse to attend a U.N.-sponsored peace conference at Geneva. A United Nations suspension of Israel could, therefore, contrary to all the professed goals of that institution, increase rather than diminish the possibility of renewed fighting in the Middle East.

I sincerely hope that any nation planning to work for the suspension of Israel from the United Nations would give thoughtful consideration to the grave repercussions this unfortunate action would have. Not only would such a suspension weaken the structure of the U.N. itself, it would produce tragic consequences for the peace and harmony of the international community.

PART III: FOOD STAMP REFORM—A MUST FOR THE 94TH CONGRESS

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTEN) is recognized for 5 minutes.

Mr. KASTEN. Mr. Speaker, yesterday I provided a section-by-section analysis of the first half of the National Food Stamp Reform Act of 1975 for the CONGRESSIONAL RECORD in order to facilitate the opportunity for my colleagues to review and consider the many meritorious changes contained in the act. Today, I would like to provide a section-by-section analysis of the remainder of the act:

SECTION-BY-SECTION ANALYSIS

FOOD STAMP ELIGIBILITY WHEN A HOUSEHOLD MOVES

Section 7(a) would require that a household would continue to be eligible for food stamps for 30 days from the date it moves from one jurisdiction to another. At the end of 30 days, reapplication and recertification of eligibility would be required.

Comments

This provision would reduce, from 60 to 30 days, the period of time during which a food stamp household keeps its eligibility when it moves to another food stamp "project area."

Moving may well be an index of changed household circumstances and, because of this, there should be a requirement that limits receipt of food stamps under the old certification for no longer than 30 days. In addition, there should be a requirement that continued eligibility necessitates reapplication and recertification.

PROVISION FOR PROMPT ELIGIBILITY DETERMINATION AND ISSUANCE OF FOOD STAMPS AND REQUIREMENT FOR NUTRITION EDUCATION PROGRAMS

Section 7(b) would require that each State take effective action to:

(1) promptly determine eligibility by providing applicants with the opportunity to file an application on the same day of such household's first reasonable attempt to apply;

(2) complete certification of all eligible households and provide an authorization to purchase food stamps within 30 days after the filing of an application; and

(3) conduct nutrition education programs.

It would also stipulate that it is the sense of Congress that at least the amount of funding currently used for "outreach" activities should be used for the activities specified above.

Comments

Much of the emphasis in current food stamp reform efforts is on increasing "outreach" activities so as to bring *more* people onto the program while, at the same time, *current* recipients and *existing* applicants are not being adequately served.

This provision would require prompt service to persons applying for food stamp aid and redirect outreach activities toward providing nutrition education for the purpose of informing food stamp recipients of effective means of planning, purchasing, and preparing foods in the most nutritionally adequate fashion.

The current provision of law which imposes on the States a responsibility for conducting burdensome outreach programs and "insuring" participation would be replaced by the provisions for prompt service and nutrition education programs.

PUBLIC ASSISTANCE WITHHOLDING AND MAIL ISSUANCE TO PUBLIC ASSISTANCE RECIPIENTS

Section 7(c) would allow local jurisdictions the option of permitting welfare recipients to elect to have their purchase price withheld from their welfare check and their food stamps mailed to them.

Comments

This provision would make *optional*, rather than mandatory, the procedure whereby welfare recipients can elect to have their food stamp purchase price taken out of their welfare payment and then have their food stamps mailed to them.

While this may be a desirable option in many if not most parts of the country, concern has been expressed by a number of local jurisdictions that, especially in urban areas, public assistance withholding and mail issuance increases chances for theft and places an undue burden on postmen—since they are carrying instruments as easily negotiable as cash.

Thus, local jurisdictions should be given the option of not instituting this type of issuance procedure when they view the risks as too great.

ESTABLISHMENT OF AN EARNINGS CLEARANCE SYSTEM

Section 7(d) would require States to establish an earnings clearance system for the purpose of checking actual income and assets against those reported by food stamp households. States could be exempted from this requirement if it were determined that it would be impracticable or impossible to comply.

Comments

This provision would require that each State (unless exempted) establish an earnings clearance system which would utilize reports filed by employers for unemployment insurance, disability insurance, or State income tax purposes to help verify the reported income of food stamp recipients.

Under current rules, there is no system now in place to check the actual income of food stamp recipients against the income they report for food stamp purposes.

ESTABLISHMENT OF CRITERIA ON WHICH TO BASE A DETERMINATION THAT INDIVIDUALS LIVING TOGETHER ARE, IN FACT, SEPARATE HOUSEHOLDS

Section 7(e) would require that the Federal government provide precise criteria for determining and verifying the number of separate households sharing the same housing and for detecting fraudulent practices employed by such individuals in attempting to qualify as separate households.

Comments

Under current rules, persons may claim and receive separate food stamp allotments as separate households even though they live together as one household. This is often accomplished through manipulation of the "buying and preparing food separately" criterion.

This provision would force the Federal government to develop *precise rules* for determining when individuals sharing the same living quarters are separate households, and when they are not—and, thus, help put a stop to a practice that enables some to claim excess food stamp benefits.

ESTABLISHMENT OF A CENTRAL INFORMATION CLEARINGHOUSE AND REFERRAL SYSTEM

Section 7(e) would also require the Federal government to establish a national system for the purpose of providing information to States that would assist them in preventing households from receiving food stamp benefits in more than one State or more than one jurisdiction within a State.

Comments

Under current rules, there is no effective system to prevent a food stamp recipient from receiving food stamps in more than one State or county.

This provision would give States the means to cross-check elements of a recipient's application (such as the name and Social Security number) in order to preclude, as much as possible, the eventuality of multiple receipt of food stamp benefits.

POST OFFICES AS ISSUANCE AGENTS

Section 7(e) would also require that the United States Postal Service serve as a food stamp issuance agency upon the request of a State. The Postal Service would be held accountable for cash and food stamps over which it has control as an issuance agent and transaction fees paid to the Postal Service for issuing food stamps could not exceed, by more than 10%, the "actual add-on costs to the Postal Service resulting from providing this service."

Comments

One of the major problems in effectively serving food stamp recipients is the lack of enough issuance offices in many areas of the country. To remedy this situation, post offices are used as issuance agencies in some parts of the country.

However, the Postal Service has, with some exceptions, refused to accept liability for any losses that may occur and, thus, severely curtailed the use of post offices as issuance agencies.

This provision would *require* the Postal Service to issue food stamps if requested to do so by the proper State agency. It would also mandate that the Postal Service accept liability for losses incurred when a post office serves as an issuance agency and sets a ceiling on what the Postal Service can charge for acting as an issuance agency.

ELIGIBILITY OF ALIENS

Section 8 would require that the Federal government assume *all* costs (benefits *and* administrative expenses) attributable to providing food stamp assistance to aliens—when the welfare agency has received Immigration and Naturalization Service documents from the applicant indicating that he is an alien and has verified the accuracy of the material with the Service.

Food stamp assistance would be prohibited to any person who is not lawfully and physically present in a State.

Comments

This provision would mandate that the Federal government pay all costs associated with providing food stamp benefits to legally resident aliens.

Under current rules, States must pay 50% of the administrative cost connected with providing benefits to aliens, even though no effective system of cross-checking information with the Immigration and Naturalization Service has been developed and despite the fact that States have no voice in setting Federal immigration policy, citizenship standards, or food stamp eligibility rules.

In addition, this provision would provide needed specific *authority* for denying aid to illegal aliens and persons not physically present in a State.

COSTS RELATED TO RETRIEVING LOSSES SUSTAINED IN THE FOOD STAMP PROGRAM

Section 8 would also mandate that the Federal government pay States 75% of the cost of "State investigations, prosecutions, collections of claims, and other State activities related to retrieving losses sustained in the food stamp program."

Comments

This provision would provide that the Federal government assume 75% of the cost of tracking down, prosecuting, and recovering losses in the Food Stamp Program.

Under current rules, States and counties must pay at least 50% (and sometimes 100%) of the costs of preventing fraud and retrieving food stamp losses—yet the Federal government receives the *entire* amount of any recoveries.

AUTHORITY FOR DEMONSTRATION, RESEARCH, AND PILOT PROJECTS

Section 8 would also allow the Federal government to permit State welfare agencies to conduct demonstration or pilot projects for the purpose of determining alternate methods of providing assistance to households needing aid to purchase a nutritionally adequate diet.

Comments

This provision would allow the Federal government to waive normal program requirements in order to allow State welfare agencies to test alternate methods of providing food assistance.

Under current law, there is no provision which would allow the testing of new ways of providing food assistance or improvements on the current Food Stamp Program. Authority for pilot projects is critical if program improvements are to be effected, and such authority has long existed with regard to the other major welfare programs (in section 1115 of the Social Security Act).

MONTHLY RECONCILIATION OF RECORDS

Section 8 would also require the Federal government to institute procedures whereby Federal, State, and local officials would meet monthly to reconcile all records related to the disbursement of food stamps.

Comments

This provision would require the institution of a system for Federal/State/local reconciliation of food stamp issuance records—on a monthly basis.

Under current rules, systems are lacking to insure that welfare agencies can promptly verify that issuance agents have appropriately deposited funds into the Federal Reserve System, or that food stamps have, in fact, been received by issuance agents in the same amount and in a timely fashion.

In order to track food stamp transactions and insure against abuses and mistakes in the issuance process, final monthly reconciliations (by Federal, State, and local officials) are essential in order to tie together the many records which are related to the issuance of food stamps.

REPORTS TO THE CONGRESS

Section 9 would require that each Food Stamp Program annual report to the Congress include the following items, in addition to the normal description of food stamp operations:

(1) the status of efforts to obtain additional data of food stamp participants and those who are eligible but not participating;

(2) the status of the food stamp "quality control" program (a program aimed at reducing the incidence of overpayments and benefits to ineligible households); and

(3) recommendations which would help assure that public funds under the Food Stamp Program are being directed in a cost/beneficial manner to households most in need of aid.

Comments

While substantial public attention has been directed to the Food Stamp Program in recent months, there needs to be a method of insuring a continuing review of where the program stands and the need for improvements.

This provision would require that the Congress be regularly informed about some of the critical eleemnts needed to evaluate the Food Stamp Program. It would also direct that the Administration regularly inform the Congress of its recommendations for improve in the program.

CHANGES IN THE MECHANISM FOR FUNDING THE FOOD STAMP PROGRAM

Section 10 would require that, beginning in July 1976, States share in the cost of food stamp benefits—to the same extent that they share in the cost of AFDC cash benefits.

However, for fiscal years 1977 through 1981, the Federal government would return to the States an amount of money determined to be the States' share of the cost of providing food stamp benefits during fiscal 1976.

If a State's share of the *actual* cost of food stamp benefits in any fiscal year (fiscal 1977-1981) were less than the amount returned to it by the Federal government, it could use the "savings" for any public purpose subject only to the limitations of the State and Local Fiscal Assistance Act of 1972.

If a State's share of the *actual* cost of food stamp benefits in any fiscal year (fiscal 1977–1981) were more than the amount returned to it by the Federal government, it would have to make up the difference from State revenues.

Comments

This provision would establish a fiscal mechanism whereby States would *technically* incur an obligation to share in the cost of food stamp benefits. Each State's share would be based on what its share of AFDC cost was—ranking from a low of about 22% for the poorer States to a high of 50% for wealthier States.

However, States would *actually* have to pay only their share of any food stamp benefit costs above those in the "base period" year fiscal 1976 and would actually incure a *savings* if food stamp benefit costs fell below those in fiscal 1976. This would be accomplished by a provision which mandates that the Federal government *return* to the States their share of fiscal 1976 benefit costs each year between fiscal 1976 and fiscal 1980.

By establishing this new funding mechanism, States would be given an incentive to better administer the Food Stamp Program—since any reduction in benefit costs below those of fiscal 1976 would result in a positive monetary gain to the State.

Under current rules, the total benefit cost of the Food Stamp Program is carried by the Federal government and States have little incentive to better administer the program.

TRANSFER OF THE FOOD STAMP PROGRAM TO HEW

Section 11 would transfer administrative jurisdiction over the Food Stamp Program from the Department of Agriculture to the Department of Health, Education, and Welfare.

Comments

This provision would transfer the administration of the Food Stamp Program from the USDA to HEW.

Administration of the Food Stamp Program and cash assistance programs by two separate Federal agencies (USDA and HEW) compounds administrative complexities and confusion for State and local agencies, recipients, and taxpayers alike.

The Food Stamp Program is already administered by welfare agencies at the State and local levels and should also be at the Federal level—since it is, in effect, an income supplement program much more than a "food" program.

THE LATE JOSEPH P. CORGAN

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDADE) is recognized for 5 minutes.

Mr. McDADE. Mr. Speaker, on Wednesday of this week our Nation lost one of its most dedicated public servants with the untimely death of Mr. Joseph P. Corgan, former Director of the Division of the Environment of the U.S. Bureau of Mines. Mr. Corgan served the American people and the Bureau of Mines with great distinction through a career that spanned 36 years.

Joe Corgan came to Washington from the hard coal region of northeastern Pennsylvania. He knew from personal experience the importance of developing our coal resources. He also knew what a terrible price we paid to take that coal from the ground. For many years, the northeastern Pennsylvania region from which he came fueled the energy needs of our Nation. In turn, it was left to suffer the ravages of improper mining practices. It was the restoration of this land the improvement of the environment to which Joe Corgan dedicated himself.

When Joe Corgan left Penn State University as a mining engineer, he went to work in Altoona, Pa., with the National Bituminous Coal Commission. Shortly thereafter, he was transferred to Washington and given responsibility for the analyzing, marketing, and production problems in the coal and coke industry. Joe moved to the Bureau of Mines where he assumed control of the Bureau's research on mining, coal gasification, coal transportation, and anthracite coal utilization problems.

With the passage of the Appalachian Redevelopment Act of 1965, the Federal Government finally had the authority to attack the tremendous environmental protection problems that resulted from mining in the Appalachian region. Joe Corgan was named to administer this program. Under his leadership major initiatives were undertaken to reclaim strip mined lands, extinguish underground mine fires, abate acid mine waters, seal abandoned oil and gas wells, and dispose of coal mine refuse banks. Some of the most difficult and challenging programs in these fields were undertaken in the Scranton area of northeastern Pennsylvania. It was through these activities that I came to know and work with Joe Corgan.

His efforts led to the extinguishment of major mine fires in Carbondale and Scranton, Pa. He undertook subsidence control activities that have provided protection for thousands of homes, businesses, and property through the Lackawanna Valley. He undertook new initiatives in the Bureau to demonstrate newer and more successful techniques of backfilling abandoned mine voids. His efforts have made new land available for use, resulted in improved health and safety standards, and created recreational and industrial opportunities for our people.

Through his leadership, Joe Corgan showed all of us what a public servant should be. He was a big, soft-spoken gentleman who won the admiration of Members of Congress and his coworkers. He was at home in a hard hat, behind a desk, at a congressional hearing, or in a deep coal mine. In 1966, Secretary of the Interior Stewart Udall awarded Joe that agency's highest honor, the Distinguished Service Award and Gold Medal.

A part of that citation sums up the exceptional career of this exceptional man. It reads:

> Mr. Corgan has responded to the nation's needs by conserving its resources through service of the highest degree.

There will be many tributes to Joe Corgan by those who worked with him both at the Interior Department and here in the Congress. But back in the area where Joe called home—the Lackawanna and Wyoming Valleys—there are other people who never met him, yet they are grateful because they have a healthier, safer, happier environment in which to live because Joe Corgan made it that way.

Truly it can be said of Joe Corgan the good he did lives after him. To his wonderful wife, Kathleen, to his four children and the entire Corgan family, I extend our deepest sympathy and our sorrow at his passing. We shall miss him.

HERE, THE PEOPLE RULE

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. TALCOTT) is recognized for 5 minutes.

Mr. TALCOTT. Mr. Speaker, one of the stories told about this House that we all love and serve is that on his first visit to the Chamber of the House of Representatives the late Sir Winston Churchill was told: "Here, sir, the people rule."

That noble sentiment is one in which I deeply believe. It is one which I thought all Members of the House would willingly defend. However, today democracy has come out second best to House seniority, and today the people do not rule.

Only a few short days ago the House came within a handful of votes of restoring military sales to Turkey. I will not dwell on the merits of that bill, they were amply debated at the time and my own support for the bill is well known. I will not even dwell on the consequences which have resulted from the vote of the House to defeat that measure.

Members know that the Turkish Government has refused to negotiate under the gun, just as Congress would refuse similar restrictions if foreign governments attempted to enforce their wills on us by embargo. The Turkish Government has also taken over U.S. military bases on Turkish soil, a move that is clearly within their rights, and a move that I am sure that many Members of the Congress would demand if the tables were turned.

What is deeply disturbing to me is that we have been neither fair, nor thoughtful in imposing this arms blockade on a close friend and strong ally. A government which believed deeply that it was defending its people by using military force, just as we used force to defend the crew of the SS *Mayaguez*, is being arbitrarily punished, while other governments in similar violation have continued to receive U.S. aid without interruption.

What is worse is that we have truly cut off our nose to spite our face. In punishing Turkey, and make no mistake, this is clearly punishment such as one might mindlessly mete out to a willful child, we have forced the Turkish Government into a position where they must retaliate. National pride demands it for the Turkish Government just as it would for this Government in the reverse situation. So, in retailation, our military bases and installations have been taken over or curtailed by the Turkish Armed Forces. Mr. Speaker, 25 percent, or more, of all of the intelligence data this country acquires pertaining to the Soviet Union comes from those closed bases in Turkey. Nearly all of the intelligence data concerning missile testing and various electronic communications comes from those closed installations. I ask, Mr. Speaker, which side is harmed by the action of the House? Which side will suffer? Whose interests are damaged? Obviously, the United States of America.

Let me also ask, Mr. Speaker, if our overflight rights in Turkish air space are lost forever, what will happen to Israel in the event of another war? The last conflict was a major logistic problem which we could only solve by using our landing rights in the Azores the overflight rules of the Turkish Government. I need not point out to Members that with the swing in governments in Lisbon our continued use of the Azores is, at the very best, in doubt. If we now lose our contractual rights with Turkey how can we come to the aid of Israel in the future?

Mr. Speaker, all of these issues, and others, should be considered and debated fully here today. This is a democracy in which the people should rule. The other body likes to fancy itself as "the greatest deliberative body in the world." We Members of the House know that we have been given a rare honor by our constituents in that they have selected each of us by secret ballot, to represent them. The issues that come before this House are not parochial issues, they have nationwide and worldwide ramifications. Each should be debated fully, and then put to a vote by the representatives of all of the people. All of us have been on the losing side of votes here in the House, but win or lose, the people have had the chance to work their will through the representative democratic process.

Today, Mr. Speaker, on the floor of the House, where we claim that the people rule, we should be debating the issue of resumption of military sales to Turkey. But we are not, Mr. Speaker, and why not? Has the House voted not to consider the issue? We know that it has not. Has the Committee on Rules refused to consider the issue, or even refused to grant a rule under which the issue can be brought to the floor? Once more we know that this is not the case.

Then, why are we not debating this critical national and international issue which directly effects our national security and the security of all of Europe through NATO? I will say to Members that we are not debating this critical issue because a single Member of this House says that we will not. He would tell us all that "that bunch of cutthroat criminals" are beyond the pale in his judgment and that therefore he has used his high position to arbitrarily block the issue from coming to the floor. He has this power only because of the time constraints caused by the previously agreed to August recess.

Mr. Speaker, that is not democracy; that is the same type of tyranny which our forefathers fought 200 years ago. No Member of this House should be able to block a bill that is this critical to our national interest just because he does not support the President's request. Democracy is the rule of the people, all of the people. And I am deeply disappointed to stand here and tell Members of the U.S. Congress that after 200 years of democratic government we are still unable to debate crucial issues because it lies within the power of a single man to block consideration based on his own parochial beliefs.

When our rules permit tyranny, the tyranny is just as despotic as any dictator.

Last night was a shabby performance in many ways, but the shame of it all was that representative government was dealt a damaging blow.

COMMON COURTESY

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. FRENZEL) is recognized for 5 minutes.

Mr. FRENZEL. Mr. Speaker, I suppose all of us are guilty at some time or other of exceeding the bounds of normal courtesy and decency in our actions here. I know that I have been overenthusiastic in debate or questioning and, therefore, I know well that such conduct is demeaning to all of us, and to the House as an institution.

Today in one of our committees a respected, senior appointed official of our Government was subjected to abuse beyond the limits of vigorous debate or searching interrogation. To question a voluntary witness' honesty or integrity is an abuse which should never be tolerated by the rules of this House. Fortunately, in this case, the witness' reputation for personal integrity is well established, and it was not damaged today.

But, in addition to reflecting discredit on the House, such conduct seriously discourages witnesses from appearing before our committees voluntarily. More than one witness has indicated to me an intention not to return because of discourteous treatment.

Mr. Speaker, we need stronger chairmen or new rules of conduct. The development of standards of decorum ought to be a useful exercise for the Committee on Standards of Official Conduct. At the very least, our witnesses, who are here to help us in our jobs, ought to have some idea of what they are to be subjected to. I hope the Speaker will so charge that committee.

I also believe that each of us has a duty to remind each other when we believe another's conduct has violated what we consider reasonable standards.

PORTUGAL, A FREEDOM THAT ALMOST WAS

The **SPEAKER**. Under a previous order of the House, the gentleman from Connecticut (Mr. SARASIN) is recognized for 15 minutes.

Mr. **SARASIN**. Mr. Speaker, many of my constituents, particularly those of Portuguese descent, have become quite concerned over developments in Portugal since the military overthrow. I would like to offer for this body's perusal the thoughts of many such individuals in the Fifth District of Connecticut.

On April 25, 1974, the American people were surprised with the news of a military coup in Portugal. For those who knew the conditions of the 48-year-old authoritarian regime in that country, it was an occasion for rejoicing; for those who believed it augered the return to democratic principles, it was a welcomed event. The military had solemnly pledged to the Portuguese people that a democratic regime would be inaugurated within 1 year. Flowers and generosity became the symbols of the revolution.

Thus began the so-called return to freedom for the Portuguese people, and it initially seemed that this would, indeed, be the case. After all, the military had stated that they simply wanted to be the guarantors of democracy, restoring the sovereignty to the people, and during the first several months the military took no part in the government with the exception of the Ministry of Defense.

Then, the first cabinet fell. Little by little, the military infused itself into top level posts in the government, public administration, and private enterprise. Today, control of the government is completely within their hands.

In analyzing this situation, one must ask a key question. Were the initial intentions of the armed forces movement—MFA—to truly establish a democracy or was this merely a guise for the ultimate establishment of a Communist military dictatorship?

It is difficult for most of us to analyze the situation with pure objectivity, but we might approach this goal if we consider the chronology of events that have led to the present situation.

The Prime Minister of the first Cabinet, Dr. Palma Carlos, a law professor, felt the need to submit his resignation upon becoming aware that there were several power centers that he could not govern. He proposed elections for the President of the Republic, but this proposal was rejected by the Council of State which was controlled by leftist military officers. His resignation brought with it the fall of the Social Democrats' leader and other independent cabinet members.

At this point, the military took over the Government, appointing as Prime Minister, General Vasco Concalves. The second Cabinet maintained a coalition of Socialists, Social Democrats, and Communists.

On September 28, a demonstration in support of the President of the Republic, General Antonio de Spinola, was planned. The Prime Minister authorized the demonstration, but, at the last minute, in conjunction with the Army Chief of Staff, Gen. Costa Gomes, and the Army security chief, Otelo Saraiva de Carvalho, the military joined militants of left-wing groups and organized barricades to prevent the entrance into Lisbon of the people coming from the North. The demonstration was postponed and Spinola resigned. Costa Gomes was appointed President of the Republic. The coalition parties remained in the Government.

Despite the presence of the coalition parties, all measures taken from that date on have led to the institutionalization of a Communist regime. Against the will of the Socialists and Social Democrats in the Cabinet, the Government, with the support of the military and without consulting the workers, organized the Intersindical, or single trade union, under the leadership of the Communists. The Communists then took control of the administration of all unions, electing themselves by a rather farcical show of hands. The press, except for one or two newspapers, is totally in the hands of the Communists, as are the radio and television networks, and all non-Communist journalists have been purged.

The march of the revolution continued to gain momentum, and the question of the national elections for the Constituent Assembly arose. The Communist Party, combined with other groups of the extreme left and radical officers, tried to minimize their importance, even to abolish them. Their rationale was simply that the revolution could not be paralyzed by such bourgeois institutions as secret and universal elections.

Meanwhile, the coup of March 11 occurred. Engineered by a mixture of reactionaries from the right and an assortment of others, it is still not yet well known what really happened. Nonetheless, the event was skillfully used by the military Communist faction which succeeded in replacing such constitutional institutions as the Junta for National Salvation and the Council of State with the High Council of the Revolution and the Armed Forces Assembly. The leftist military felt they would have to govern the country for at least 5 years and that the organizations just created would be an integral part of the political constitution because of their superiority. Too, the President of the Republic had to be a member of the military, approved by the Revolutionary Council and elected by an assembly made up of an equal number of military and civilians, that is the Armed Forces Assembly and the Constituent Assembly.

In other words, the elections could now take place, but only after the other political parties had accepted the conditions imposed by the military, conditions that seriously limited the representation of the people's will. The Socialists, the Social Democrats, and the Christian Democrats, in an effort to rescue the elections, reluctantly subscribed to these conditions, much to the delight of the Communist Party.

The will of the people was clearly expressed during these elections. The Socialists, the Social Democrats, and the Christian Democrats secured approximately 76 percent of the vote, a concise indication of their wish for democracy and the liberty this form of government provides. Blatantly ignoring the views of the people, the Communist machine, now well oiled, moved ahead. Under the protection of the Prime Minister, the Communists took over private property, nationalized all sizes of industry, promoted the occupation of land by the peasants, occupied the only non-Communist radio station—the Catholic radio station—and delivered the coup de grace against freedom of expression by rendering the newspaper Republica, since 1911 the anti-Fascist voice best known and respected in the country, to the hands of Communists and extreme left military and workers.

They did not stop here. While the members of the Constituent Assembly elected by the people were at work on the Constitution, already limited in scope by the pact signed between the political parties and the Armed Forces Movement, the latter approved a law calling for "direct democracy" with the institutionalization of committees of residents, of the committee of defenders of the revolution, of popular assemblies at all levels of government. At the top of all this was to be a National Assembly of the People. The members of these various committees and assemblies were to be elected by a show of hands, with direct participation of the Communist military.

In face of this situation, aggravated with the arrest of hundreds of people with warrants, with purges both in the private and public sectors under the pretext of these individuals being "counterrevolutionaries," with thousands of families being thrown into poverty while the military elite gained control, the Socialists and the Social Democrats withdrew from the government.

The charade ended. The Communists and the parties of the extreme left have issued the final coup. Russia gives more than $10 million per month to the Communist Party and its organizations. A triumvirate of three generals has been formed. Costa Gomes surrenders his personal convictions to his interest in his own political survival; Vasco Goncalves is already a Communist, and Otelo declares to a shocked people that all counterrevolutionaries are to be put into concentration camps or executed. The law of the land becomes the capricious decision of the organization of people's courts, granted legitimacy by virtue of the revolution. Assassins become heroes and the dead are labeled enemies of the revolution and Fascist traitors.

The suffering in Portugal has not stopped at its own borders. Angola has been thrown open to death and destruction, with more people having died in the past few months than in the 13 years of their war of liberation.

As an individual of Portuguese descent, and even more important, as an individual committed to the self-determination of the people of the world, I do not believe America can stand idly by while the will of the vast majority of Portuguese citizens is trampled upon by the power of a few.

For these, and a multitude of other reasons including the continuing strength of the NATO alliance and the Helsinki agreement, I have joined with my colleagues in support of the following resolution. All of us who are dedicated to the preservation of the free world must rise in support of it.

RESOLUTION

Be it resolved by the Senate and the House of Representatives of the United States of America in Congress assembled that—

(1) the United States Congress declares its solidarity with the democratic aspirations of the Portuguese people and condemns the conspiratorial maneuvers of the communists, and their totalitarian allies, who now seek to deprive the Portuguese people of their freedoms, and

(2) it calls upon the Senate Foreign Relations Committee and the House International Relations Committee, because of the urgency of the situation, to hold public hearings on the Portuguese crisis and the threat to human rights in Portugal in the immediate future, and

(3) it urges NATO to act on the recommendation of the respected *London Economist* by immediately proclaiming its commitment to a policy of "Democratic Internationalism" and by firmly telling Moscow that the free world cannot remain indifferent to the blatant communist effort to subvert the will of the overwhelming majority of the Portuguese people, and

(4) it calls upon the U.S.S.R. to terminate its active support of the Portuguese communist effort to establish, in Portugal, a totalitarian regime obedient to the Soviet Union.

Finally, be it resolved that the United States Congress calls upon the Department of State to take the lead, with the support of our NATO allies, in proclaiming the right of the Portuguese people to determine their form of government through free elections; and to insist upon equal democratic opportunities for all political parties in a pre-election period; and through all appropriate channels to serve notice on the Soviet Union and all East European communist governments that any further intervention in the internal affairs of Portugal is a blatant violation of the principles of the Helsinki Conference.

We should do no less for our allies.

GEN. TOM MARCHBANKS

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minnutes.

Mr. GONZALEZ. Mr. Speaker, we are living in a world of symbols. The world is so complex, and our society so big, and our times so swift moving, that we have resorted to the mental shorthand of symbols, to express one or another idea. So it is that we each have our own private symbol for military services. But military services are made up of men and women, and we fail ourselves if we do not recognize that the overwhelming number of those men and women are people of immense talent, energy, and dedication.

A few months ago the sudden and wholly unexpected death of Gen. Tom Marchbanks occurred. He was not a nationally famous person; his passing attracted little notice outside the circle of his friends and associates. And yet here was the ideal citizen; here was a most worthy airman. As much as anything or anyone, Tom Marchbanks was the symbol of all that is great and good about our country.

My good friend, who became a major general in the Air Force, was born in the town of San Benito, Tex. He entered service with the rest of his generation, in 1942, and served in the 8th Air Force, with the 601st Bombardment Squadron. Tom Marchbanks flew 35 combat missions, and after the war, he came back home.

Peace did not last, of course, and like so many others, Tom Marchbanks found himself called back from a promising civilian life to the Korean war, and there he flew another 100 combat missions. After that, he stayed in the Air Force, and ended his career as the chief, Air Force Reserve. He was the first Air Force Reserve Chief.

Tim Marchbanks was a good, decent man. I knew him as a kind, gentle person—but one who was as brave as he was bright.

Thinking in symbols as we do, we are too inclined to forget the many good and quiet people who serve their country. Tom Marchbanks was one of these. He did not demand fame, or expect it. He did his duty, and more than his duty, because he loved his country and was a man of complete integrity, and because he had a sense of honor.

Tom Marchbanks left a wife and three children. He left many friends and admirers. His family, his friends—and his country—are the better for his life and much poorer for his passing.

I place into the RECORD the Washington Star account of Monday, March 3, 1975, of General Marchbank's passing.

[From the Washington Star, Mar. 3, 1975]

TOM MARCHBANKS DIES AT AGE 52

Retired Maj. Gen. Tom E. Marchbanks Jr., 52, a former chief of the Air Force Reserve, died yesterday after a heart attack at his home in Brightwood, Va.

In 1968 he became the first chief of the Air Force Reserve, with the rank of major general, after the position was authorized by Congress.

Marchbanks was awarded the Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross with oak leaf cluster and the Air Medal with seven oak leaf clusters.

A native of San Benito, Tex., Marchbanks attended Texas A&M College before entering the Army Air Forces' pilot training program in 1942. Two years later he was assigned to the 601st Bombardment Squadron of the 8th Air Force in England, serving as squadron operations officer and as squadron commander.

During his European service he participated in 35 combat missions.

Later Marchbanks was assigned to develop and publish a manual establishing a landing planning system that is still used by the Air Force.

He was a civilian in the construction field from 1946 until 1951, when he was recalled to active duty, serving with the 5th Air Force in Korea as squadron commander and director of combat operations for the 67th Tactical Reconnaissance Group. In Korea he participated in more than 100 combat missions.

In 1953 he became a member of the 433rd Troop Carrier Wing of the Air Force Reserve and in 1962 was assigned as commander of the outfit.

He retired in 1971 as Air Force Reserve chief.

He leaves his wife, the former Peggy Jean Richter; two sons, Tom E. III, and Tobin, and a daughter, Nancy.

Services will be held at 2 p.m. tomorrow in the Ft. Meyer Chapel, with burial in Arlington Cemetery. The family suggests that expressions of sympathy be in the form of contributions to the Heart Fund.

LEGISLATION TO AMEND STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. THOMPSON) is recognized for 10 minutes.

Mr. THOMPSON. Mr. Speaker, we hear a great deal these days about the revitalized role of the subnational components of our federal system in formulating and executing public policy. The "new federalism" has much to commend it. Yet we must not lose sight of the duty and responsibility of the Congress in formulating national policy. Fortunately there is no inherent conflict between the Federal Government and the States when the question is approached from a standpoint of preserving both the responsibilities of the Federal Government and the freedom of choice of the States and localities.

I think we can, in this way, accommodate both the intent of Congress and the proper autonomy of State and local action. A case in point is the applicability of the Fair Labor Standards Act to the States and the relationship of the act to other Federal programs.

The basic national policy underlying the Fair Labor Standards Act goes back to 1938. In that year the Congress determined that employers in the private sector subject to the commerce clause of the Constitution were required to pay their employees a minimum wage and 1½ times the regular pay for hours worked exceeding 40 hours per week. Among the justifications for this measure was the finding that substandard working conditions were an unfair method of competition, led to labor-management conflict, and obstructed the free flow of goods and services in commerce. States and their political subdivisions were specifically excluded therefrom presumably because of their status as "sovereigns" under our federal system. That was 1938.

In 1966, Congress amended the act to extend its protections to nonsupervisory employees of public hospitals and schools. Several States then filed a lawsuit in which they claimed that the Constitution did not permit the Federal Government to protect these public employees, but in 1968 the Supreme Court upheld the 1966 amendments in the case of Maryland against Wirtz.

In 1974, Congress again amended the FLSA, this time bringing under the law most nonsupervisory employees of State and local governments. Coverage of these public employees is now the same under

FLSA as it is under title VII of the Civil Rights Act which is the law against discrimination in employment. As a result of the 1974 amendments, most nonsupervisory State and local government employees are entitled to a minimum wage, to compensation at time and half for hours beyond a fixed number, to protection against differences in pay or hours based on sex, and to protection against discrimination because of age. All of the 1974 amendments became effective on May 1, 1974, except the overtime provisions for firefighters and law enforcement employees.

Seven months after the 1974 amendments took effect, the National League of Cities and the Governor's Conference filed a lawsuit attacking these amendments. Basically the suit challenges the constitutionality of the application of the FLSA to State and local governments.

Mayor John H. Poelker of St. Louis, cochairman of the National League of cities task force on the reenactment of general revenue sharing, in a speech before the National Governor's Conference earlier this month, called for the reenactment of revenue sharing during this calendar year. In the same speech Mayor Poelker stated:

> We recall with a note of pride the joint action of the Governors and the Mayors in testing the incursion of the Federal Congress into the constitutional rights of state and local governments, by the inclusion of state and local government employees under the Fair Labor Standards Act, which may be necessary in the private sector, but interferes with the constitutional rights given to the states and through them to the cities.

None of us know what the Supreme Court will rule in this case. It may uphold what I believe to be the original intent of the Congress. It may, on the other hand, limit the across-the-board applicability of FLSA standards to States and cities.

So that there can be no doubt about the basic legislative intent of the Congress to protect the rights of public employees, I am today introducing legislation which would apply FLSA standards to recipients of general revenue sharing funds. The language of my proposed amendment is as follows:

> The "State and Local Fiscal Assistance Act of 1972," P.L. 92-512, 85 Stat. 919 et seq., is hereby amended by deleting the "." (period) at the end of Section 123(a)(8) and inserting in lieu thereof the following new subsection ", and (9) no individual is employed by it under conditions which do not conform to the conditions of employment, including minimum wage, record keeping, overtime pay, and others, described in the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq. 88 Stat. 55, et seq.)."

In the 37 years since passage of the original Fair Labor Standards Act this country has changed its attitude toward public workers. They are no longer seen just as "servants of the sovereign." These 12 million American workers are now recognized by the public and the Congress for what they are: citizens, taxpayers, voters, and workers. As such, they should have the same rights as their fellow Americans.

Ideally, governments at all levels should be exemplary employers, setting the standard for private sector employers. Unfortunately, this has not been the case. The Congress and the American people have seen fit to correct this shortcoming—an outmoded and inequitable hangover from centuries past when sovereigns were "lords" and government workers were "vassals."

Mr. Speaker, I believe it is incumbent upon the Congress, as trustees for the taxpaying American public, to assure that duly enacted policies of this Nation, reflecting the considered judgment of Congress on the rights and responsibilities of public employees, are applied to those units of our Federal system which seek Federal dollars for State and local government purposes. It is simply illogical for Congress to acknowledge legitimate demands for responsibility at all levels of government, and then abandon its own responsibility to formulate national policy on basic social and economic issues. I refer here specifically to the application of the conditions of the Fair Labor Standards Act of 1938, as amended, to State and local governments employer-employee relations.

Notwithstanding the pending litigation, I see no reason why the Congress should not say to the State and local governments: "If you want to partake of revenue sharing and other forms of grant-in-aid assistance, here are the conditions you must meet." Jurisdictions which choose not to meet conditions would simply opt out as recipients of Federal dollars under such grant programs. The choice would be theirs. We can have federalism and equity for the public worker. I believe the amendment I here propose would go far toward accomplishing that goal.

COMPARATIVE TEXT

(Portions of section 123(a) of the "State and Local Fiscal Assistance Act of 1972," P.L. 92-512, 85 Stat. 919 et seq., are set out below with the matter to be deleted by the amendment in brackets and the new language underlined.)

MISCELLANEOUS PROVISIONS

SEC. 123. (a) ASSURANCES TO THE SECRETARY.—In order to qualify for any payment under subtitle A for any entitlement period beginning on or after January 1, 1973, a State government or unit of local government must establish (in accordance with regulations prescribed by the Secretary, and, with respect to a unit of local government, after an opportunity for review and comment by the Governor of the State in which such unit is located) to the satisfaction of the Secretary that—

(1) . . .

(7) individuals employed by it whose wages are paid in whole or in part out of its trust fund established under paragraph (1) will be paid wages which are not lower than the prevailing rates of pay for persons employed in similar public occupations by the same employer; and

(8) in the case of a unit of local government as defined in the second sentence of section 108(d)(1) relating to governments of Indian tribes and Alaskan native villages), it will expend funds received by it under subtitle A for the benefit of members of the tribe or villages residing in the county area from the allocation of which funds are allocated to it under section 108(b)(4) [.], *and*

(9) no individual is employed by it under conditions which do not conform to the conditions of employment, including minimum wage, record keeping, overtime pay, and others, described in the Fair Labor Standards act of 1938, as amended (29 U.S.C. 201, et seq. 88 Stat. 55, et seq.)."

BILL TO BLOCK SHIP SALE TO ECUADOR MERITS SUPPORT

The SPEAKER. Under the previous order of the House, the gentleman from California (Mr. VAN DEERLIN) is recognized for 5 minutes.

Mr. VAN DEERLIN. Mr. Speaker, I feel indebted to our colleagues, Mrs. SCHROEDER and Mr. McDONALD, for proposing legislation to block the sale of the landing craft, *Sutter County* to Ecuador.

Much of what remains of the American tuna industry is situated in San Diego, a major portion of which I represent. As most of our colleagues know, the tuna fleet has paid heavily over the years because Ecuador, Peru and some other Latin American governments assert unilateral claims to 200-mile national fishery zones.

More than 200 boats have been seized for operating in what the United States regards as international waters. Even worse, in many cases surplus U.S. warships have been used to make the seizure.

I understand the Armed Services Committee has taken cognizance of the proposed sale of the *Sutter County* to Ecuador, and has issued a letter expressing disapproval of this transfer, but on the basis of our past track record with Ecuador, I think more conclusive action may be needed.

The legislation by Mrs. SCHROEDER and Mr. McDONALD, House Joint Resolution 498, would give the force of law to the disapproval of the *Sutter County* sale previously expressed by the Armed Services Committee.

Without meaning to belabor this point, this may be the only type of action the Ecuadoreans really understand.

The State Department wants to retain authority to make the sale, of course, and I can appreciate the need for leeway in the conduct of often delicate negotiations with nations like Ecuador, where the rule of reason does not always prevail.

Experience should show that, elderly as it is, the *Sutter County* might well be turned against our own fishermen.

The proposed sale of this vintage LST admittedly is a borderline case, since the sales agreement was completed a month before the most recent round of seizures by Ecuador, in January, triggered a ban on such transfers under the Foreign Military Sales Act.

I am assured by the State Department that no additional vessel transfers to Ecuador are contemplated at this time. This is good to know, but the main question remains the status of the *Sutter County*. It concerns our obligation, if any, to carry out an agreement which can only be detrimental to the best interests of the group of U.S. citizens most directly affected—the tuna fishermen.

I think we must keep faith with the fishermen, who are our own people, even if it means a technical breach of contract with Ecuador.

As Mrs. SCHROEDER has stated:

> The United States often sells arms to other countries without examining their probable

> uses. The Ecuador sale (would) reduce this policy to its most absurd level.

Now is the time to send Ecuador a message.

Let us scuttle this pointless transaction, for once and for all, by enacting House Joint Resolution 498.

NOW IS THE TIME FOR WELFARE REFORM

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. CORNELL) is recognized for 5 minutes.

Mr. CORNELL. Mr. Speaker, today, I am reintroducing the Tax Credits and Allowances Act of 1975 with eight of my colleagues: Representatives BENITEZ, BROWN of California, CONYERS, JORDAN, RIEGLE, RYAN, SEIBERLING, and VANDER VEEN. I am especially pleased to have their support since the subjects of welfare reform and tax relief are most complex and have not received adequate attention to date during this session of Congress. Welfare reform, in particular, has been neglected as the House of Representatives has turned its attention to energy policy legislation, economic relief measures, and bills to reduce the high unemployment rate.

I for one, however, believe that the House cannot afford to ignore this issue much longer. We cannot wait until our economic troubles are solved before turning to welfare reform. Welfare proliferation is upon us and every day we see more bills introduced to expand the current welfare programs by establishing everything from clothing stamps to fuel stamps to who knows next. I am not opposed to these well-intentioned programs, but I think that a complete overhaul of the entire system is needed instead. This reform should take the form of direct cash grants and rebatable tax credits to the neediest in our society.

My bill, H.R. 6430, which was originally introduced by former Representative Martha Griffiths, was carefully drafted to increase the equity of our welfare system, to improve administration, and to correct the social and economic incentives in existing programs. This bill would cover all population groups—many of whom are now completely excluded from the welfare system. Only food stamps are now available to all needy groups. Other public assistance and social insurance programs are limited largely to the aged, the blind, the disabled, women with dependent children, and the unemployed. Need, of course, does not always follow these neat categories. Who will cover the 58-year-old widow without recent work experience or the 61-year-old man in declining health?

Aid should be given in the most useful and direct commodity—cash—and it should be done in a dignified, not demeaning, manner. No longer can we encourage the break-ups of families because more assistance is available to a woman with three children than a husband and wife with three children. No longer should we discourage work by cutting off or drastically reducing welfare benefits as soon as an individual finds a job. And, lastly, no longer can we continue to pay high, wasteful administrative costs when my bill establishes an efficient system of payment through the Internal Revenue Service.

I would like to conclude my remarks by inserting a recent colloquy I had with retiring HEW Secretary Caspar Weinberger during hearings before the Select Education Subcommittee on July 15:

> Congressman CORNELL. It is my view that we ought to have a wholesale revision of the programs and my particular approach to it would be through a negative income tax.
>
> Secretary WEINBERGER. Now we are really talking. I would like very much to join you on that. A negative income tax is not the way I would describe it, but what I would most like to do would be to get away from all of these categorical programs, service programs, food stamps and field stamps, clothing allowances and very intrusive social worker approach to it.
>
> I would like to substitute for all of that a straight cash grant program based upon need and measured by income with the work requirement for people who are able to work.
>
> I am speaking personally at this point. I have previously been speaking for this President, as I told the chairman. I am now speaking for myself and am in full agreement with you as to the ultimate way in which we can vastly improve the public assistance field.
>
> I believe in other words that we should trust the people and give them the cash which is what low income people need the most and let them make their own decisions.
>
> When they arise above a particular point of income set by the Congress, and I would have no hostility to this whatsoever, then they would pay income tax.
>
> When they fell below that, they would be given the cash grant and that is the kind of program I think ultimately we would have to come to.
>
> However, we can only come to that if we abolish all of these others. If we leave that on top of everything else, then we are finished.
>
> If we can substitute that kind of approach for what we are doing now, which is not effective and not working as well as it should, then I think we would have a vastly better system.
>
> I would be delighted, as a private citizen, to join you in trying to get that kind of thing approved.

THE SOLID WASTE ENERGY AND RESOURCE RECOVERY ACT OF 1975

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 20 minutes.

Mr. DRINAN. Mr. Speaker, I would like to bring to my colleagues' attention a bill which I recently introduced, the Solid Waste Energy and Resource Recovery Act of 1975, H.R. 8745. This legislation is capable of recovering significant amounts of energy from an area which has been largely ignored in recent years—that is, municipal trash and solid waste.

Energy recovery from solid waste has now become possible through the use of trash as fuel in electricity and steam generating power facilities. Up until recently, trash could only be used as a supplementary fuel, but new demonstration plants have the capability to produce electricity, steam, or substitute fuels from solid waste alone. This is a technology which is hardly new. Trash-fueled electricity and steam generating plants have been successfully producing power from municipal solid waste for as long as 20 years in Europe and Japan. However, as a result of this country's abundant fuel supplies prior to the 1970's, little effort was made in the United States to utilize large amounts of energy and solid waste.

The potential for energy recovery is indeed impressive. With a concerted effort on the part of the Federal Government, the equivalent of over 400,000 barrels of oil per day could be converted from municipal solid waste. On a nationwide basis, this alternative source of fuel could supply more than 6 percent of the energy needs of this country's utilities. For certain States, the totals are even more impressive—11 percent for California, 10 percent for Minnesota, 8 percent for Nebraska, 13 percent for Massachusetts, 13 percent for New York, and an astounding 43 percent for Rhode Island—figures representing potential utility energy supplies from refuse.

Mr. Speaker, for years now we have considered the enormous problems posed by the collection and disposal of residential and commercial waste. We have thought only of the vast problems which are created by our cities and towns by the enormity of the task of collecting and disposing 135 million tons of solid waste annually in the United States. The total volume of these wastes is staggering, but it is even more incredible that in 1973 the National League of Cities and Conference of Mayors reported that it cost $6.4 billion to dispose of their garbage and trash.

The tremendous burdens and costs associated with trash have caused almost all of us to focus in on solid waste as a sizable problem to be overcome. But Mr. Speaker, technology has now shown us that these residential and commercial wastes need not be seen as an increasingly insurmountable problem. Rather, it is time that we in this country started looking at solid waste as a resource to be utilized. Not only can we recover energy from trash, but glass, metals, and plastics can be recovered as well.

The Solid Waste Energy and Resource Recovery Act of 1975 which I have introduced is designed to accelerate the efforts of our cities and towns in implementing energy and resource recovery facilities. Under the provisions of the bill, grants would be made available to municipalities for obtaining the technological and management expertise necessary to plan, install and operate the plants. Implementation grants and loan guarantees would then be targeted for the actual construction of the energy recycling systems. In addition, the Environmental Protection Agency would be directed to place increased emphasis on their research, development, and demonstration efforts in the energy waste recovery area.

I would now like to explore the very promising potential for both energy and resource recovery in the United States. I will then deal with the costs and economic factors and environmental considerations which are inherent in solid waste technology.

ENERGY RECOVERY

Mr. Speaker, I have stated that energy recovery from trash and waste is capable of recovering significant amounts of energy. It is my feeling that if we in the United States accelerated our efforts in the area of energy waste recovery, that we would be tapping one of the most promising alternative forms of energy which is presently at our disposal. Unlike many other alternative sources whose development and implementation require a long leadtime, solid waste can be used to produce a substantial amount of fuel in the short term, within 5 to 10 years.

Let us look at the figures which outline the great potential of energy recovery from trash. The Environmental Protection Agency has estimated that in 1971, had resource recovery systems been operating in standard metropolitan statistical areas—SMSA's—the equivalent of 390,000 barrels of oil could have been recovered from solid waste. This is equivalent to 5.5 percent of the fuels consumed by all utilities in 1970, 27 percent of the oil projected to be delivered through the Alaskan pipeline, and 40 percent of the crude oil imported from the Middle East in September of 1973.

Solid waste energy recovery looks even more promising when we realize that this figure of 390,000 barrels is only an interim projection. Through different sets of analyses, the EPA has figured that approximately 500,000 barrels of oil equivalent could be recoverable from trash. This figure can be derived from two sets of facts.

First, from the global sense, 125 to 135 million tons of solid waste are discarded in the United States each year with almost no attempt to recover energy. Since solid waste has a heat value of approximately 9 million Btu's this represents some 1,100 trillion Btu's per year. The energy equivalent of that figure is 500,000 barrels of oil per day. Not all of this solid waste would be available for recovery, but industrial waste should be able to make up the difference for nonrecoverable trash.

Using the second method of analysis, the EPA has identified 48 SMSA's as potential candidates for energy recovery. The 48 SMSA's are metropolitan areas that include at least 100 to 150 separate county or city governmental units. These are areas where energy recovery could be feasible by 1980. Using this analysis, the EPA has estimated that by the end of this decade 510,000 barrels per day of oil equivalent could potentially be recoverable from waste.

Mr. Speaker, in its analysis the EPA goes beyond projections of what could be recoverable by estimating the amount of energy which we will recover from waste if no accelerated program is undertaken. Factored into this analysis is the fact that presently less than 1 percent of the resources in municipal waste is being reclaimed. The rest of the solid waste goes into dumps, land fills, and incinerators. As a result, with this low level projected implementation of resource recovery systems, only 40,000 barrels a day of oil equivalent could be recovered in 1980. Therefore, 470,000 barrels of oil equivalent per day would be lost because recovery technology is not widespread.

Returning to the interim and long-range projections for energy recovery from trash, we can see that these impressive figures are not just significant from an energy viewpoint, Mr. Speaker, but from an economic view as well. At current prices, a substantial return would flow into the treasuries of municipalities from sales of recovered energy. Based on a daily return of 390,000 barrels a day, these sales could reach $1.3 billion annually, while the figure would top $1.7 billion for the 500,000-barrel level.

Similarly, our international balance of payments would benefit from not having to purchase foreign oil, reducing the U.S. deficit by about $1.7 billion on an annual basis for the 390,000-barrel return. This amount reaches $2.17 billion when the 500,000-barrel level is attained.

Mr. Speaker, not only are we capable of recovering a significant amount of energy from residential and commercial trash, but the potential exists all over the United States. This is not an alternative source which is promising in just a few parts of our country, as shown by the partial listing of cities which the EPA has targeted as potential candidate areas for energy recovery in the immediate future. Just to indicate that all regions would benefit from this legislation, I will list a few of the cities where solid waste recovery could be implemented quite feasibly. To name a few:

New York, N.Y.; Chicago, Ill.; Detroit, Mich.; Boston, Mass.; St. Louis, Mo.; Baltimore, Md.; Cleveland, Ohio; Newark, N.J.; Milwaukee, Wis.; Atlanta, Ga.; San Diego, Calif.; and Buffalo, N.Y.

Also Miami, Fla.; Portland, Oreg.; Providence, R.I.; San Antonio, Tex.; Louisville, Ky.; Memphis, Tenn.; Hartford, Conn.; Gary, Ind.; Knoxville, Tenn.; Peoria, Ill.; Little Rock, Ark.; Charleston, W. Va.; Eugene, Oreg.; and Brockton, Mass.

I have already alluded to a number of States which could supply a substantial amount of their fuel consumption from solid waste. In order to show the full geographical potential for energy recovery in this area, I would like to list a number of States whose recovery potential is particularly promising. Indeed, the following 20 States have the potential to supply over 5 percent of their energy supply for power generation from refuse. They include:

	[Percent]
California	11.6
Connecticut	8.7
Delaware	5.6
Florida	6.3
Illinois	7.9
Kansas	8.3
Maine	8.0
Maryland	8.4
Massachusetts	12.9
Michigan	7.2
Minnesota	10.3
Missouri	5.8
Nebraska	8.3
New Hampshire	6.0
New Jersey	9.2
New York	13.6
Ohio	5.0
Pennsylvania	6.8
Rhode Island	43.4
Wisconsin	7.7

The diversity of these States indicates that solid waste energy recovery is a technology from which the entire country can benefit.

Mr. Speaker, the technology to process solid waste into energy already exists. With demonstration plants to prove the viability of existing and new technologies, numerous communities can save substantial money and energy resources by processing solid waste for energy purposes. All that is really necessary is the existence of large quantities of waste, and in most cases, this presents no major problem for the average metropolitan area.

Many different approaches to recovering the energy value of refuse are presently being examined. Waterwall incinerators are currently generating steam in a number of U.S. cities such as Nashville, Tenn. In Baltimore, Md., a pyrolysis system that will generate steam is nearing completion. St. Louis is currently demonstrating a plant that uses the shredded, combustible portion of solid waste as a coal substitute in a utility boiler. Many communities are considering similar systems and the extension of the concept of oil-fired boilers as well as the use of pelletized solid waste as a fuel.

As can be seen, Mr. Speaker, the possibilities of recycling energy from trash are extremely promising. The technology is largely available and we can recover substantial amounts of energy from a previously ignored resource. Unless we take action now, however, we will be losing valuable time in implementing and testing viable new technologies whose benefits are already known.

RESOURCE RECOVERY

The advantages of solid waste conversion go beyond the mere production of energy. Another direct result which is achieved is the recycling of materials such as glass and metal which are now largely lost in conventional disposal facilities. In addition to saving the actual materials, this recycling byproduct has the effect of saving further energy due to the fact that less fuel is needed to process such recycled metal and glass.

Mr. Speaker, I think this resource recovery aspect of energy recovery is especially important in view of our recycling experience up until the present. While recycling was one of the initial rallying cries of environmentalists, many of the recycling centers which were subsequently established failed as a result of lack of interest or financing. In the final analysis, it was very difficult to bring about a totally voluntary system and to make it work on a viable, large scale basis.

By establishing solid waste facilities in communities all across the country, we would not only have the benefit of increased energy supplies, but also large scale recycling plants. Such materials as iron, aluminum, glass, and bottom ash can generally be removed from the solid waste and sold for further use. Thus, we can substitute already discarded articles for the virgin materials which are presently used in many industrial processes, therefore reducing the burden on our natural resources.

The two part savings which can be achieved through resource recovery are amply demonstrated by statistics developed by the Environmental Protection Agency. First, from a recycling standpoint, if recyclable materials had been extracted from municipal waste in 1972 in SMSA's, almost 14 million tons of steel, aluminum, and glass would have been recovered and substituted for virgin material counterparts. Second, from the energy perspective, such a substitution would yield a national energy savings of the equivalent of 80,000 barrels of oil a day in 1980. As the energy savings which derive from consuming recycled materials in production processes is noteworthy, I would like to pursue this fact at greater length.

By comparing two production processes—one using virgin materials and the other using recycled materials—we can fairly accurately pinpoint the great value of resource recovery. Generally, the production processes consuming recycled materials usually consume less energy than systems consuming virgin materials, when all stages of materials, acquisition, processing, and transportation are included. These findings are validated through actual statistical comparisons for steel, aluminum, and glass. These energy savings from using recycled rather than virgin materials are as follows:

Energy savings over virgin material process

[In percent]

Material:	
Aluminum	87–97
Ferrous	50–60
Glass	5–15

The environmental and energy recovery aspects of resource recovery are most attractive, but as an added benefit, income is often realizable from the sale of recycled materials as well. The income from these materials varies depending upon the size and type of plant and the local markets for the particular commodity. Thus, revenues from the sale of recovered materials in the Baltimore plant will be $1.55 per ton of solid waste for iron, and $0.40 per ton of solid waste for glassy aggregate materials. In the St. Louis plant on the other hand, sales of recovered magnetic materials will come to about $1 of income for every ton of solid waste processed. As far as overall totals, it can be seen that in San Diego, yearly income from the sale of recovered materials comes to $375,000 for ferrous metals, and $26,000 for glass. In all of these facilities, fly and bottom ash can also be sold for reuse.

Mr. Speaker, I am hopeful that we will be able to realize significant savings of energy in the resource recovery area. But the recycling aspects of this legislation are especially appealing to me, too. The recycling effort on the small scale has not worked, but the overall concept has been proven. It is now up to the Congress to see to it that the recovery of materials is not overlooked in our industrial processes. The potential loss of so many virgin materials cannot be tolerated.

COST AND ECONOMIC CONSIDERATIONS

Mr. Speaker, in considering the cost implications of energy recovery from solid waste, I believe that this technology presents one of the most feasible fuel sources for both the short and the long term. The economic projections for both the cost and the value of materials produced demonstrates that we in the Congress would be making a tragic mistake in not accelerating the development of recovery disposable facilities.

The potential money savings from waste disposal plants come from a variety of areas. First, we will be recovering a significant amount of energy which is increasingly valuable given today's prices of oil and other energy sources. Second, materials such as metals and steel which are recovered from the solid waste separating processes have an independent value which I have discussed in the previous section. Third, by reducing the volume of solid waste by up to 95 percent, land fill, incinerator, and disposal costs are substantially reduced, considerably aiding those towns and cities which spend an enormous amount of money in ridding themselves of their trash.

In figuring the above three cost considerations, it is possible to come up with an overall cost equation which gives us the end cost to the community. It is first necessary to start with the present costs for the disposal of waste, which range from $7 to $13 per ton. This cost includes not only the incinerator or land fill charges, but also the pickup and transportation costs as well. In some cities and towns these per ton charges may be less, but costs have greatly escalated in this area. Many cities are now well over the $10 per ton figure. Consequently, in municipal costs for solid waste disposal we have the first important part of our solid waste equation.

On the other side of the cost equation we have the value which can be recovered through both energy and resource recycling. As we have already seen, the equivalent of 390,000 barrels of oil could be recovered each day from solid waste. In view of the fact that the price of oil now ranges up to $13 per barrel and is projected to go as high as $16 and $20 per barrel, this amount could be especially significant. Similarly, for resource recovery, such materials as iron, steel, and glass can be recycled to result in very attractive returns for the waste recovery stations.

How then does this solid waste equation leave us when we balance off normal disposal costs as opposed to what could be recovered from solid waste? The answer is that net operating costs can be substantially reduced in the disposal area, in some cases making trash disposal a break-even proposition. In other cases, the value of the recycled energy and materials may outweigh disposal costs such that these facilities actually make a profit. In view of the fact that it costs cities and towns up to $6 billion annually to dispose of their garbage and trash, the possibility of a break-even or even money-making operation is extremely significant.

Let us look at the gas pyrolysis waste disposal plant which is being built in Baltimore, Md. The Baltimore plant will be a full scale disposal facility, capable of handling 1,000 tons of solid waste a day. Based on February, 1974 costs, the total expenses for the Baltimore plant are estimated at $13.15 per ton. On the other hand, total revenues from energy and materials recovery will approximate $13.13 per ton, giving a net operating cost of $0.02 per ton. This means that the Baltimore operation could be a break-even proposition when fully operating, and with the increased price of energy, it is quite possible that the system will be making money for the city of Baltimore in the future.

Mr. Speaker, I do not mean to indicate that all waste recovery facilities will be break-even or money-making operations. In most cases, the value of the recovered commodities will merely lower the overall cost of waste disposal for municipalities. But again, we must consider that the price of energy is continually escalating, with the result that energy recovered from waste will continually make waste recovery an appealing proposition.

The Connecticut Resource Recovery Authority has recently announced plans to build two resource recovery systems that will process 3,600 tons a day of waste. The plants are projected to recover 80,000 tons a year of ferrous scrap, 4,000 tons a year of aluminum, 40,000 tons a year of glass, as well as a fuel that will be sold to utilities. The net disposal cost for the communities participating in these systems will be a maximum of $10 to $12 per ton, including operation of the transfer stations. The refunds from the sale of the products are then expected to reduce the dump fee by $3 to $5 per ton. Therefore, the expected net cost for disposal will amount to $4 to $9 per ton. These costs may appear high, but they still represent a savings of up to $3 to $5 per ton.

While the benefits which could accrue from the implementation of waste disposal stations are increasingly apparent, it must be stated from the outset that capital costs are quite high for building such facilities. Demonstration plants which the EPA has assisted in building have ranged in cost from $16 million to $35 million. This is a great deal of money for cities and towns to raise for waste disposal plants, but as the original capital costs are depreciated over time, the opportunities can appear more attractive. Also, as we move beyond the demonstration stage, economies of scale will set in for larger operating plants.

Mr. Speaker, in spite of the benefits which are available, the magnitude of the costs of these recycling facilities will make them unattainable for many municipalities without Federal assistance. Under the provisions of my bill, towns and cities will be granted both planning and implementation funds, as well as low level construction grant money. I will further explain the contents of H.R. 8745 at a later point in this statement, but it is sufficient to say that unless incentives are provided, it will be very difficult to bring about the immediate development and implementation of energy and resource recovery technologies.

ENVIRONMENTAL CONSIDERATIONS

The whole area of energy resource recovery is fraught with environmental significance. With a full and operating system of resource recovery facilities throughout the country, we could in large part revitalize the faltering recycling movement in a cost efficient manner. At the same time, we could reduce considerably the adverse impact now associated with most disposal and landfill operations which currently plague most municipalities.

Mr. Speaker, I have already touched upon the first question, the recycling of materials. In this section I would like to concentrate on the environmental considerations which pertain to pollution associated with solid waste disposal. Thus, we are considering land pollution, air emissions, water effluents, and noise.

In recent years, it has become increasingly difficult for cities to obtain land for disposal or landfill sites. Not long ago, for example, it was revealed that the city of New York was considering a move to shift their trash to Ohio for landfill purposes via railroads. The incredible cost as well as the undesirability of such a step leads me to conclude that action is long past due in this area.

Indeed, it has been estimated that one-third of the cities in the United States will be running out of suitable solid waste disposal sites within 5 years unless immediate action is taken.

The concept of solid waste recycling becomes increasingly important when we see that 95 percent of the trash processed by our cities and towns can be eliminated through the installation of recovery facilities. There will always be some need for landfill sites, as there is a residue of material which cannot be either recycled or incinerated for energy purposes. However, steps are being taken so that in the future even this amount of residue can be minimized.

As far as other pollution considerations, existing pilot and demonstration plants have shown that there should be no significant adverse environmental effects from the operation of energy recovery stations. On the contrary, municipalities should be able to reduce total pollution associated with waste disposal. Incinerators, many of which do not meet clean air standards, will be closed down in order to minimize their adverse impact. Air emissions from the plants will meet the Federal particulate emission standards, and as there is very little sulfur in solid waste, the sulfur dioxide emissions from the plants will be correspondingly low. In addition, other emissions which have often plagued disposal techniques will be kept to a minimum through the installation of the recovery facilities.

Mr. Speaker, landfill sites have been particularly difficult to obtain in recent years due to the objections of residents where such sites are planned. Not only have the disposal sites emitted noxious odors and emissions, but they represent a blight on the landscape and they are noisy. It is fully anticipated that through the new technologies which have been developed in recent years that many of these environmental difficulties can be met and overcome.

THE SOLID WASTE ENERGY AND RESOURCE RECOVERY ACT OF 1975

Mr. Speaker, the Solid Waste Energy and Resource Recovery Act of 1975 is designed to accelerate the implementation of energy and resource recovery facilities. The overall technology is furthered by calling for increased efforts by the Environmental Protection Agency. Cities and towns are then assisted through grants for the planning and implementation of energy waste recovery stations. Low-level construction grants would be available to municipalities under my bill as well.

The EPA has done a considerable amount of research, development, and demonstration in the waste recovery area. Under preceding programs, newer technologies have been tested and developed through the efforts of the EPA, and pilot plants and demonstrations have been helpful in learning more about this promising technology. However, the funds which have been available for this purpose are all too limited, and are not calculated to bring about the goals which I have outlined in this statement. Consequently, H.R. 8745 targets a significant amount of funds for the further research, development, and demonstration of energy resource and recovery technologies. Included within this authorization are funds for the continued demonstration of significant new techniques in the energy recycling area.

The Solid Waste Recovery Act then goes on to deal quite extensively with the planning and technological needs of municipalities. Although the technology which has been outlined above may look extremely interesting to many cities and towns, they have neither the technical capability nor the financing to investigate and evaluate adequately those systems which would be most appropriate for their needs. A number of companies have entered the energy recovery area, but many of these towns simply are not able to deal with these concerns without hiring some sort of consultant or expert in the field. Unfortunately, hiring this type of expertise is extremely expensive. This fact has the effect of discouraging many of the governmental units from proceeding in the field.

Under the provisions of H.R. 8745, the EPA will establish a program for the collection and dissemination of technological and management information to assist Federal, interstate, State, regional, and local agencies. This assistance will be in the form of planning, implementation and operation of solid waste collection, separation, disposal, recycling, and energy recovery systems. Programs will be particularly focused in order to provide technological and management information to meet the particular needs of the individual applicant. So as to provide a sufficient incentive to study the feasibility of these recovery stations, 85-percent grants are available for this local planning and implementation in addition to the technological and management assistance which would be offered by the EPA.

Mr. Speaker, also provided in the energy recovery bill are construction grants and loan guarantees for the insulation of waste recovery facilities. The EPA is authorized to guarantee and to make commitments to guarantee the payment of interest on, and the principle balance of, a loan or other obligation incurred by any State, regional, or local agency for the purpose of financing construction of large-scale operational plants. The outstanding indebtedness guaranteed under this section would at no time exceed $75 million. The EPA is authorized to make grants to a regional authority, State or local government agencies as well, for the construction of the facilities. The amount of the Federal share of any grant under the bill will not exceed 25 percent of the total cost of the project or undertaking.

Initially, Mr. Speaker, grants larger than the 25-percent shares were contemplated, but it was felt that assistance of a greater magnitude might not be advised. It is my feeling that some incentive must be made available to cities and towns in order to encourage the rapid implementation of energy recovery stations.

Yet providing grants of up to 75 percent may sometimes have the effect of encouraging over-capitalized facilities which may not be in the best long term interests of the municipality. The 25 percent grant will provide a significant incentive to communities while not removing the overall responsibility from their hands.

Mr. Speaker, I have been most impressed by the very great potential which exists in the energy recovery area. It is my firm belief that unless the Congress acts promptly in approving legislation such as the Solid Waste Energy Resource and Recovery Act, we will be ignoring a vast source of fuel for our future energy needs. The concept is especially appealing from three standpoints—it saves energy, it recovers vital materials and resources, and it greatly aids the waste disposal problem which many towns and cities now face. In view of the many benefits, I feel that the Congress should act promptly in accelerating the implementation of this technology.

For the benefit of my colleagues I would now like to include the text of H.R. 8745.

H.R. 8745

A bill to amend the Solid Waste Disposal Act to encourage research, development, and implementation of energy and resource recovery from solid waste, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Solid Waste Energy and Resource Recovery Act of 1975".

FINDINGS

SEC. 2. The Congress hereby finds and declares—

(1) that efforts to achieve independence from foreign energy supplies and increasing energy consumption have created a demand for new fuel sources;

(2) that in the United States in 1973, one hundred and thirty-five million tons of solid waste from residential and commercial sources was discarded;

(3) that one-third of the cities in the United States will be running out of suitable solid waste disposal sites within five years unless immediate action is taken;

(4) that solid, liquid, and gaseous fuels can be produced from solid waste, using a number of systems currently under development;

(5) that such solid waste derived fuels can be used as a supplement to their fossil fuel counterparts—coal, petroleum, and natural gas;

(6) that at present efforts to recover energy and resources from solid waste are scattered and fragmented with the heaviest financial burden for the development and im-

plementation of energy and resource recovery systems falling on local municipal governments;

(7) that in view of these facts there is a need for a federally coordinated program to provide State, regional, and local communities with technical and financial assistance to develop solid waste energy and resource recovery systems and to foster continued research and development in solid waste energy and resource recovery technology; and

(8) that such a Federal program, incorporating the resources of public and private persons and organizations, will benefit the people and industries of the United States by conserving even more precious energy resources, reducing the rate and extent of deterioration of the natural environment, and easing the dependence of the United States on the natural resources of other nations.

POLICY AND PURPOSE

SEC. 3. It is therefore the policy and purpose of this Act—

(1) to foster and promote innovation and experimentation in the development of solid waste energy and resource recovery technologies by providing public and private persons and organizations with financial assistance for research, pilot plants, and demonstration facilities;

(2) to assist State, regional, and local municipal governments in the planning and development of solid waste energy and resource recovery systems by providing implementation grants, technical and management advice, loan guarantees, and construction grants; and

(3) to encourage and facilitate the interaction of government technicians, engineers, researchers, and theorists with individuals in private industry, research organizations, and other institutions for the purpose of promoting research into viable solid waste energy and resource recovery technologies through combined and coordinated efforts, through the extensive exchange and communication of information and material, and through the promotion of new institutions and organizations.

DEFINITIONS

SEC. 4. (a) Paragraph (7) of sections 203 of the Solid Waste Disposal Act (42 U.S.C. 3252(7)) is amended to read as follows:

"(7) The term 'municipality' (A) means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law with responsibility for the planning or administration of solid waste disposal, or an Indian tribe or authorized tribal organization or Alaskan Native village or organization, and (B) also includes any rural community or unincorporated town or village or other public entity for which an application for assistance under this Act is made by a State or political subdivision thereof.".

(b) Section 203 of such Act is further amended by adding at the end thereof the following new paragraphs:

"(11) The term 'pilot plant' means any small-scale experimental facility constructed for the purpose of investigating or testing the technological feasibility of a new fuel, energy, or resource recovery technology.

"(12) The term 'demonstration' means the planning, design, construction, operation, and maintenance of any large-scale program or facility for the recovery of fuel, energy, or other resources from waste for the purpose of examining the technical and economic feasibility of such program or facility.

"(13) The term 'Administrator' means the Administrator of the Environmental Protection Agency.".

RESEARCH AND DEVELOPMENT

SEC. 5. Section 204(a) of the Solid Waste Disposal Act is amended—

(1) by inserting "(including loan-guarantee assistance as authorized by and subject to the conditions of section 209)" after "other assistance" in the matter preceding paragraph (1); and

(2) by striking out "and" at the end of paragraph (4), by redesignating paragraph (5) as paragraph (6), and by inserting after paragraph (4) the following new paragraph:

"(5) the production of usable forms of fuel, energy, or resources from solid wastes; and"

PILOT PLANTS AND DEMONSTRATIONS

SEC. 6. Section 208 of the Solid Waste Disposal Act (42 U.S.C. 3254b) is amended to read as follows:

"GRANTS FOR PILOT PLANTS AND DEMONSTRATIONS

"SEC. 208. (a) To the extent practicable and at the earliest feasible date, the Administrator shall—

"(1) assist, at the culmination of any successful recovery research project which is developed pursuant to section 205(a) or developed without Federal assistance, which shows promise of technical and economic feasibility, and which promises to have significant applicability in the construction of pilot plant facilities for the purpose of investigating or testing the technological feasibility of any promising new fuel, energy, or resource recovery method or technology resulting from such project;

"(2) demonstrate each such method and technology which shows promise of technical and economic feasibility, and which promises to have significant applicability in the construction of pilot plant facilities; and

"(3) conduct testing and evaluation programs of pilot plants or demonstration plants which are built with Federal assistance, or which are built without Federal assistance, for the purpose of providing technical and economic information to the public to advance the state of energy and resource recovery technology.

Each demonstration under paragraph (2) shall incorporate new or innovative technical advances or shall apply such advances to different circumstances and conditions, for the purposes of evaluating design concepts or to test the performance, efficiency, and economic feasibility of a particular method or technology under actual operational conditions. Each such demonstration shall be so planned and designed that, if successful, it can be expanded or utilized directly as a large-scale operational fuel, energy, or resource recovery facility.

"(b) The Administrator shall report the results of pilot plant projects and demonstrations under this section to the President and the Congress on an annual basis.

"(c) Section 204 (b) and (c) shall be applicable to pilot plant projects and demonstrations carried out under this section.".

TECHNOLOGICAL AND MANAGEMENT ASSISTANCE

SEC. 7. Section 209(b)(2) of the Solid Waste Disposal Act (42 U.S.C. 3254c(b)(2)) is amended to read as follows:

"(2) The Administrator shall establish a program for the collection and dissemination of technological and management information to assist Federal, interstate, State, regional, and local agencies in the planning, implementation, and operation of solid waste collection, separation, disposal, recycling, and energy recovery systems. Such program shall include data on—

"(A) implementing solid waste energy and resource recovery systems which are technologically feasible and cost-effective;

"(B) optimum ways to market energy and secondary materials recovered from solid waste;

"(C) developing workable contract bid packages for solid waste energy and resource recovery facilities;

"(D) developing sound and innovative management organization structures to plan, implement, and operate energy and resource recovery projects; and

"(E) securing sound financing for solid waste energy and resource recovery projects.

The program shall be implemented to provide technological and management information and analysis to meet the particular needs of the applicant Federal, interstate, State, regional, or local agencies.".

GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

SEC. 8. Section 207(a) of the Solid Waste Disposal Act (42 U.S.C. 3254a(a)) is amended to read as follows:

"(a) The Administrator shall, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and to organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, in amounts not to exceed 85 per centum of the cost of—

"(1) implementing solid waste management plans, including the analysis of waste generation rates and composition, acquisition of sites, investigation and securing of markets for recovered products, studying and selecting alternative technologies, preparation of requests for proposals or equivalent procurement documents, evaluation of proposals, negotiation of contracts, and securing of financing;

"(2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recovery of materials and energy from waste whenever possible, and planning for the reuse of solid waste disposal sites and conducting studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites;

"(3) developing interlocal agreements and establishing regional agencies;

"(4) developing proposals for projects to be carried out pursuant to sections 207 and 211 of this Act; and

"(5) planning programs for the removal and processing of abandoned motor vehicle hulks.".

LOAN GUARANTEES AND CONSTRUCTION GRANTS FOR ENERGY AND RESOURCE RECOVERY

SEC. 9. (a) The Solid Waste Disposal Act is amended by redesignating sections 209 through 216 as sections 211 through 218, respectively, and by inserting immediately after section 208 the following new sections:

"LOAN GUARANTEES FOR ENERGY AND RESOURCE RECOVERY

"SEC. 209. (a) The Administrator is authorized, in accordance with the provisions of this section and such rules and regulations as he shall prescribe, to guarantee and to make commitments to guarantee the payment of interest on, and the principal balance of, a loan or other obligation incurred by any State, regional, or local government agency for the purpose of financing construction of large-scale operational facilities for fuel, energy, or resource recovery. The outstanding indebtedness guaranteed under this section shall at no time exceed $75,000,000, and no guarantee or commitment to guarantee shall be made under this section after September 30, 1977. Each application for such a guarantee shall be made in writing to the Administrator in such form and with such content and other submissions as the Administrator shall prescribe to reasonably protect the interests of the United States. Each guarantee and commitment to guarantee shall be extended in such form, under such terms and conditions, and pursuant to such regulations as the Administrator deems appropriate. Each guarantee and commitment to guarantee shall inure to the benefits of the holder of the obligation to which such guarantee or commitment applies. The Administrator is authorized to approve any modification of any provision of a guarantee of or commitment to guarantee such an obligation, including the rate of interest, time of payment of interest or principal, security, or any other terms of conditions, upon a finding by the Administrator that such modification is equitable, not prejudicial to the interests of the United States, and has been consented to by the holder of such obligation.

"(b) The Administrator shall make a guarantee or commitment to guarantee under subsection (a) of this section, with respect to a facility, only if such facility will be constructed, operated, and maintained in accordance with any applicable standards or regulations duly issued by the Administrator and no other means of financing or refinancing such facility is reasonably available to the applicant.

"(c)(1) The Administrator shall charge and collect such amounts as he may deem reasonable for the investigation of applications for a guarantee, for the appraisal of properties offered as security for a guarantee, and for the issuance of commitments to guarantee.

"(2) The Administrator shall collect such reasonable fees and charges as he shall determine for a loan or other obligation guaranteed under this section.

"(d) No guarantee of or commitment to guarantee an obligation entered into by the Administrator shall be terminated, canceled, or otherwise revoked, except in accordance with reasonable terms and conditions prescribed by the Administrator. Such a guarantee or commitment to guarantee shall be conclusive evidence that the underlying obligation is in compliance with the provisions of this section and that such obligation has been approved and is legal as to principal, interest, and other terms. Such a guarantee or commitment shall be valid and incontestable in the hands of a holder as of the date when the Administrator entered into the contract of guarantee or commitment or guarantee, except as to fraud, duress, mutual mistake of fact, or material misrepresentation by or involving such holder.

"(e)(1) If there is a default by the obligor in any payment of interest or principal due under an obligation guaranteed by the Administrator under this section and such default has continued for sixty days, the holder of such obligation or his agents have the right to demand payment of such unpaid amount from the Administrator. Within such period as may be specified in the guarantee or related agreements, but not later than forty-five days from the date of such demand, the Administrator shall promptly pay to the obligee or his agent the unpaid interest on and unpaid principal of the obligation guaranteed by the Administrator as to which the obligor has defaulted, unless the Administrator finds that there was no default by the obligor in the payment of interest or principal or that such default has been remedied.

"(2) If the Administrator makes a payment under paragraph (1) of this subsection, he shall have all rights specified in the guarantee or related agreements with respect to any security which he held with respect to the guarantee of such obligation, including, but not limited to, the authority to complete, maintain, operate, lease, sell, or otherwise dispose of any property acquired pursuant to such guarantee or related agreements.

"(3) If there is a default under any guarantee or commitment to guarantee an obligation, the Administrator shall notify the Attorney General. Upon such notification, the Attorney General shall take such action against the obligor or any other parties liable thereunder as is, in his discretion, necessary to protect the interests of the United States. The holder of such obligation shall make available to the United States all records and evidence necessary to prosecute any such suit.

"ENERGY AND RESOURCE RECOVERY CONSTRUCTION GRANTS

"SEC. 210. (a) The Administrator is authorized, in accordance with the provisions of this section, to make grants to a regional authority, State or local government agency for the construction, operation, or maintenance of fuel, energy, or resource recovery facilities in accordance with the findings required pursuant to subsection (b) of this section.

"(b) A grant shall be made pursuant to subsection (a) of this section only upon a finding that the proposed site or facility—

"(1) will be constructed, operated, and maintained in accordance with any applicable standards duly promulgated by the Administrator and with any applicable provisions of other Federal, State, and local law;

"(2) will be used to recover resources, fuel, or energy from waste collected from or furnished by the public or generated as a byproduct of any industrial, agricultural, or commercial operation; and

"(3) cannot reasonably be financed through any other available means including loan guarantees extended under section 207 of this Act.

"(c) A grant shall be made pursuant to subsection (a) of this section only upon a finding that any site or facility with respect to which such grant is made will be operated and maintained in accordance with (1) any applicable standards duly promulgated by the Administrator, (2) any applicable provisions of other Federal, State, and local law, and (3) a realistic plan for achieving operational financial self-sufficiency in a limited period of time.

"(d)(1) The amount of the Federal share of any grant under this section shall not exceed 25 per centum of the total cost of the project or undertaking for which the financial assistance is provided.

"(2) Each applicant for a grant shall submit to the Administrator, as part of the application for financial assistance, such plans, specifications, data, reports, and other information as is deemed necessary or appropriate by the Administrator.

"(3) Before approving any such grant application, the Administrator shall, in addition to any other necessary findings, determine that the applicant has made adequate provision for proper and efficient implementation of the project or undertaking for which the grant is sought, including the employment of qualified personnel. The Administrator shall also consider the extent to which the applicant has made a good faith effort, in the absence of Federal financial assistance, to improve any related programs subject to its control or supervision and the effectiveness of such efforts. No grant shall be approved under this section if the Administrator finds that a party other than the applicant will accomplish the purposes intended to be accomplished by the project or undertaking for which the grant is sought as effectively as the applicant and without (or with less) Federal assistance.

"(4) Funds appropriated for the purposes of this section shall be expended in the manner most likely to maximize the benefit to human health and the environment and to minimize the depletion of virgin natural resources. The Administrator shall act upon each grant application as soon as practicable after it has been submitted.".

(b) Section 213 of such Act (as redesignated by subsection (a) of this section) is amended by striking out "section 209" in subsections (a)(1) and (b) and inserting in lieu thereof "section 211".

GENERAL PROVISIONS

SEC. 10. Section 217 of the Solid Waste Disposal Act (as redesignated by section 9 (a) of this Act) is amended by striking out subsection (b) and by striking out "(a)".

AUTHORIZATION FOR APPROPRIATIONS

SEC. 11. Section 218 of the Solid Waste Disposal Act (as redesignated by section 9 (a) of this Act) is amended—

(1) by striking out paragraph (3) of subsection (a) and inserting in lieu thereof the following:

"(3) There are authorized to be appropriated for the purpose of making grants for energy and resource recovery pilot plant and demonstration programs under section 208 of this Act such sums as are necessary, not to exceed $45,000,000 for the fiscal year ending June 30, 1976, not to exceed $22,500,000 for the transitional fiscal period ending September 30, 1976, and not to exceed $45,000,000 for the fiscal year ending September 30, 1977."; and

(2) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively, and inserting immediately after subsection (b) the following new subsections:

"(c) There are authorized to be appropriated to the Administrator such sums as are necessary, not to exceed $75,000,000 to pay any amount required to be paid by reason of a default on any loan or other obligation guaranteed under section 209 of this Act.

"(d)(1) There are authorized to be appropriated for the purpose of making grants for facility construction under section 210(b) of this Act such sums as are necessary, not to exceed $40,000,000 for the fiscal year ending June 30, 1976, not to exceed $10,000,000 for the transitional fiscal period ending September 30, 1976, and not to exceed $110,000,000 for the fiscal year ending September 30, 1977.

"(2) There are authorized to be appropriated for the purpose of making grants for operations and maintenance under section 210(c) of this Act such sums as are necessary, not to exceed $35,000,000 for the fiscal year ending June 30, 1976, not to exceed $5,000,000 for the transitional fiscal quarter ending September 30, 1976, and not to exceed $50,000,000 for the fiscal year ending September 30, 1977.".

THE MARCONA SEIZURE IN PERU

The SPEAKER. Under a previous order of the House the gentleman from California (Mr. REES) is recognized for 5 minutes.

Mr. REES. Mr. Speaker, I would like to inform the House of an action taken by the Government of Peru which I believe could have serious effects on relations in the Hemisphere. Last Friday, July 25, the Government of Peru marched its troops into the plants and facilities of the Marcona Mining Co. and announced the expropriation of that company. The decree giving effect to the nationalization and the public announcements of Peruvian officials made it clear that the Peruvian Government would make no compensation for the property they had taken.

The Preuvians have attempted to justify this action by making numerous allegations that Marcona had breached its contractual obligations. We have seen this kind of claim made in Peru and in numerous developing countries around the world. We have seen false allegations of contract violations, nonpayment of taxes and other accusations of misconduct used to confiscate foreign property without compensation.

From all indications, there is no basis whatever for the allegations against

Marcona. The company has a well-known and exemplary record of integrity in the conduct of its business in Peru.

Marcona had been in negotiation with the Peruvian Government at the time in an effort to sell their Peruvian assets. To have such an arbitrary seizure at this time, during good faith negotiations, I believe, is unwarranted.

I strongly believe in cooperation between the United States and the countries of Latin America. I believe my record in Congress confirms this. But this cooperation cannot go forward on a fruitful basis if our nationals are subject to arbitrary and capricious confiscation of their property. I believe that the Congress should condemn in the strongest terms this action by the Peruvian Government and that the State Department should make our views known to the Government of Peru. Under U.S. law, if U.S. companies overseas are seized without good faith negotiations by the government seizing that property our Government is mandated to withhold foreign aid and to vote against multinational bank loans to that country.

The Government of Peru has an obligation to enter into negotiations to make prompt, adequate, and effective compensation as soon as possible. I hope this will be done.

LEGISLATION FOR COMPREHENSIVE STUDY OF FOOD INDUSTRY

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. MEZVINSKY) is recognized for 10 minutes.

Mr. MEZVINSKY. Mr. Speaker, since the fall of 1972, food prices have increased well over 30 percent. This unpleasant fact of life will become an even more alarming reality, for the latest figures on inflation indicate that food prices are on the rise again. How much more can we take?

I think what bothers most people about paying $40, or $50 or $60 a week at the checkout counter—besides, of course, the obvious hardship involved—is their feeling of helplessness. Consumers do not know whether they are being asked to pay fair prices or whether they are the victims of excess profit taking as the food moves through the processing and marketing channels. I do not have to tell you that many of them feel angry and victimized.

We have too many problems facing this Nation to allow suspicions, distrust and anger about possible artificially high prices in various segments of the food industry to create further divisiveness. If there is price fixing or control of the market that precludes competitive pricing, the public ought to know where these problems exist and what action the Government recommends to correct them. If our food price increases can be totally explained by a changed world demand, increased energy costs reflected in legitimate markups all along the line, and natural forces like the weather, then consumers need to have that assurance from sources they can trust.

The point I want to make is that no one in or out of Government seems to know for sure if there is a culprit behind high food prices, although there are many suggestions that excess profits are being taken by that all-powerful, but elusive middleman who takes over 60 percent of the food dollar.

The last major study of the various segments that make up the giant food industry was completed in 1966 by the National Commission on Food Marketing. Since then, there has been well-documented evidence of growing concentration and mergers in almost all sectors of the food industry from production and marketing through retailing. However, the effect of this trend on food prices and quality has not received adequate scrutiny. We must have an updating of this study that will furnish us with a basis for understanding whether changes within this complex industry have resulted in greater or lesser competition and how these changes may have affected food prices or are likely to affect future prices or food quality.

This legislation provides for a comprehensive new study of the food industry by the Federal Trade Commission as well as a yearly index of the State of competition in the food industry accompanied by specific recommendations for promoting healthy competition. In addition, this legislation would make it possible for Congress and the public to evaluate the planning, activities and general effectiveness of the Federal Trade Commission, the Justice Department and the U.S. Department of Agriculture, all of which have jurisdiction over some sector of the food industry for antitrust enforcement.

By requiring the FTC, the Justice Department, and USDA to report yearly on their game plan and budget for antitrust enforcement in the food industry as well as on investigations and litigation in this area, it ought to be possible to tell whether they are doing their job. It will be difficult for them to justify inaction if the yearly index and the comprehensive report call for antitrust enforcement in the food industry.

I think the public has begun to recognize that enforcement of the antitrust laws can have a direct and beneficial effect on consumer prices. Consumer and farm groups alike have asked Congress to direct attention to this problem. Even the President is on record advocating enforcement of antitrust laws as a weapon against inflation.

There is no question that violation of the antitrust laws translates into dollars and cents. A few years ago, the FTC coined the phrase "monoply overcharge" to speak of the cost to consumers of a noncompetitive economy. Their study of 17 food and food related industries indicated that consumers pay a $2.6 billion yearly overcharge because these industries are not competitive. Critics of the report claim it was based on inadequate data. For this reason, I think it is imperative that we ask for more extensive and accurate data collecting by providing access to crucial economic information that has been confidential in the past. In addition, this legislation asks the FTC and the Justice Department to assess the adequacy of data available for the index and the comprehensive report and to make legislative recommendations to the Congress for any additional authority needed to improve the reliability of such data or to assist in its prompt and adequate collection.

I am asking that the text of this bill be included in the RECORD as follows:

H.R. —

A bill to require the Federal Trade Commission, the Department of Justice, and the Department of Agriculture, to compile information and annually report to the Congress with respect to antitrust enforcement, market structure, and state of competition in the food industry, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Food Industry Antitrust Reports Act of 1975".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that:

(1) in order for the Congress, the executive branch, and the public to be fully informed, the Federal Trade Commission should be charged with making a continuing review of market structure and competition in the food industry and report annually thereon to the Congress;

(2) the economic reports on the food industry which have in the past been regularly compiled by the Federal Trade Commission have been decreasing in number;

(3) well-documented evidence of the growing concentration and mergers in the food industry exist but the effect of this trend on food prices and quality has not received adequate scrutiny;

(4) food prices have risen more than 30 percent in the last two years and are still rising;

(5) there is evidence that antitrust exemtions, anticompetitive regulations, monopolistic practices, and industry structure are contributory causes of inflated food prices;

(6) the coordination between the Federal Trade Commission, the Department of Justice, and the Department of Agriculture in initiating antitrust investigations and law suits in the food industries under their jurisdictions is haphazard and informal and that there is a lack of agency and department policy planning and assessment of effectiveness; and

(7) no systematic and yearly accounting to Congress is made by the agencies of government with jurisdiction over any segment of the food industry of the state of competition, litigation initiated, and action necessary to insure competition in the food industry.

(b) It is the purpose of this Act to make it possible for Congress and the public—

(1) to evaluate the planning, activities and general effectiveness of the Federal Trade Commission, the Department of Justice and the Department of Agriculture as enforcers of the antitrust laws as they relate to the various segments of the industries which produce, process, and market foods in the United States; and

(2) to determine whether a healthy competition exists in those food industries and whether anticipated changes in the structure of those industries will result in greater or lesser competition.

To accomplish this purpose, Congress shall require a threefold series of reports described in sections 4 and 5 of this Act which will give an accounting of antitrust enforcement in the food industries, a yearly index of the state of competition in the food industries, and an in-depth study of the structure of the food industries which will update the Reports of the National Commission on Food Marketing.

DEFINITION

SEC. 3. For purposes of this Act, the term "food industry" means the various food industries from the producers of food through the retail distribution of food, including, but not limited to such industries as agricultural marketing, commodity trade and exchanges, livestock feeding and meat packing, production, processing, manufacturing, distribution and marketing, and other economic activities as defined in Office of Management and Budget's Standard Industrial Classification, Groups 01. 02, 07, 09, 20, 514, 5154, and 54 (as in effect on the date of enactment of this Act).

ANNUAL REPORTS ON THE FOOD INDUSTRY

SEC. 4. (a) Not later than six months after the date of enactment of this Act, and yearly thereafter, the Federal Trade Commission (hereinafter in this Act referred to as the "Commission"), the Department of Justice, and the Department of Agriculture shall submit to the appropriate House and Senate committees, and shall publish in the Federal Register, a report on its policy planning, budget allotments, investigations, complaints, indictments, litigation, and other actions with respect to the enforcement of the antitrust laws in the various sectors of the food **industry.**

(b) Not later than six months after the date of enactment of this Act, and yearly thereafter, the Commission and the Department of Justice jointly shall submit to the appropriate House and Senate Committees, and shall publish in the Federal Register, an index of the state of competition in the food industry, based on economic indicators available to or collected by the Commission, and such index shall include an account of all major segments of the food industry by commodity as well as by line of business, indicating market structure, and performance and trends; growth of horizontal and vertical integration; and possible monopoly overcharges, and be accompanied by specific recommendations to promote competition in the food industry.

COMPREHENSIVE REPORT ON THE FOOD INDUSTRY

SEC. 5. (a) The Commission shall prepare a comprehensive report on the market structure and state of competition in food industries and related economic problems, which shall include:

(1) Industry Studies: an analysis of the structure, conduct, performance, and major trends in the various food industries.

(2) Economic Studies: an analysis of economic problems and trends which affect the various food industries, including concentration, common ownership or control, conglomerate and multi-national predominance, economies of scale, barriers to entry, barriers to product and service innovation, adequacy of product and price information, advertising intensity, antitrust exemptions, vertical integration, and regulated transportation.

(b) The Commission shall submit the report specified in subsection (a) to the Congress and make it available to the public no later than five years after the date of enactment of this Act, the Commission shall submit to the Congress and make available to the public yearly status reports with respect to the report specified in subsection (a), and the Commission shall, from time to time within the five-year period, publish segments of the report as they are completed.

AVAILABILITY OF DATA

SEC. 6. (a) The Commission, and the Department of Justice, shall each provide to the Congress an analysis of the adequacy of available data on which any study or report authorized by this Act is based, and where necessary, make legislative recommendations to the Congress with respect to any additional authority needed to improve the reliability or availability of such data or to assist in the prompt and adequate collection of such data.

(b) In preparing the report specified in sections 4 and 5 of this Act, the Commission shall collect and use line of business data in both individual business and aggregate form as may be necessary to insure the completeness and accuracy of such report.

(c) The Commission shall have access to data in the records of the Department of Justice, the Department of Commerce, including the Bureau of the Census, the Department of Labor, and the Department of Agriculture, when necessary to insure the completeness and accuracy of any study or report authorized under this Act or to avoid unnecessary duplication of governmental data collection.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. (a) For purposes of carrying out the provisions of section 4 of this Act, there are authorized to be appropriated such sums as are necessary.

(b) For purposes of carrying out the provisions of section 5 of this Act, there is authorized to be appropriated to the Commission, $1,000,000 for each of the next five fiscal years.

REPRESENTATIVE ADAMS' VIEWS ON USRA'S FINAL SYSTEM PLAN FOR RAIL SERVICE IN THE NORTHEAST

The SPEAKER. Under a previous order of the House, the gentleman from Washington (Mr. ADAMS) is recognized for 5 minutes.

Mr. ADAMS. Mr. Speaker, as one of the sponsors of the Regional Rail Reorganization Act, designed to preserve and maintain rail service in the Northeast, I have followed the progress of the act with great interest.

On Monday of this week, the U.S. Railway Association submitted to Congress the final system plan for rail service in the Northeast region, as required by the act. I have issued a statement indicating my support for the broad outlines of the USRA plan. For the benefit of the many Members who have a direct interest in the continuation of adequate rail service in the States they represent, I would like to place the text of my statement in the RECORD at this point.

STATEMENT BY CONGRESSMAN BROCK ADAMS

The Final System Plan represents the culmination of the planning process established by the Regional Rail Reorganization Act, which I sponsored. I think it is the best job that could be done within the tight time schedule set up by the Act, and the United States Railway Association and the Rail Services Planning Office deserve high marks for their work.

While I may not agree with every detail, I think it important to all concerned that the Plan become effective without delay. Corrections and adjustments can be made later, but it is vitally important that the long task of rehabilitating the rail service in the Northeast Region begin as soon as possible.

The Plan recognizes the need for a massive capital investment to restore the badly deteriorated rail plant in the Northeast. I am glad that the Administration has finally recognized that the rail problem cannot be solved by financial gimmickry and supports an investment of hard cash.

I hope the Ford Administration will not try to hold the financing of Conrail hostage for the passage of far-reaching and highly controversial regulatory reforms. While I support improvements in the regulatory system, I question whether some of the Department of Transportation's proposals for practical abolition of Interstate Commerce Commission control over freight rates and for D.O.T. supervised and approved mergers are genuine reforms or just the pipedreams of academic economists.

I am sure that the House Transportation Subcommittee will want to take a hard look at the assumptions of which the rosy predictions for Conrail's profitability by 1979 are based. Hearings should be held as soon as possible after the August recess of the Congress. I think we want to have a strong record before we go to the House floor indicating that there is a reasonable chance for the repayment of the substantial investment of the taxpayers' dollars called for by the plan.

Financing for Conrail should be considered in the context of the long range capital needs of the railroads. It is clear that the loan guarantee program in my bill and the Administration's bill—while it will help some of the railroads—will not do the job for some of the weaker lines. I think the Subcommittee should consider some form of trust fund for surface transportation modes. We ought also to consider giving the U.S.S.R. or D.O.T. the authority to take a preferred stock position in other railroads in need of assistance but unable to borrow. If this financing mechanism is appropriate for Conrail, I do not see why it should not be used for other common carriers by rail.

Finally, I hope that in considering the Final System Plan, my colleagues in the Congress will recognize that a substantial capital investment *now* will make possible eventual repayment to the government, enhance the value of the common stock, and avoid the danger that—by trying to do the job on the cheap—we will create a permanent cripple, an Amtrak for freight, which will be on the Federal dole for operating subsidies for years to come.

OUR SOCIAL SECURITY SYSTEM

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. WOLFF), is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, the social security system today provides a major source of income for millions of retired and disabled Americans. Millions more are contributing to the social security system today in anticipation of receiving their rightful benefits in the future. I am sure that all of my colleagues and all Americans consider the system to be an example of an important Government program which provides vital and expected payments to those who have contributed and qualified for its benefits.

In recent years, however, we have heard disturbing reports that the system may be in financial difficulty, difficulty that could have ominous consequences for millions of Americans. Last August, I asked the Government Accounting Office to investigate these reports, in particular, a cover story by U.S. News & World Report, an editorial by the Wall Street Journal which stated that the system would soon be running $20 billion annual deficits.

The GAO has finished its study and I am today releasing the report of the Comptroller General. I wish that I could say the previous reports were totally unfounded. Unfortunately, there is a certain amount of truth to the reports. If we do not take corrective action, the social security system will be in very serious financial difficulty. It is estimated that the balances in the two principal trust funds will decline from $42.9 billion this year, to a mere $18.6 billion by 1979, a decrease of $24.3 billion in 4 years. This massive decline is a direct result of our present unemployment and inflation. Over the next 75 years, the rising cost of living and a decreasing fertility rate will bring about a long-range deficit.

The situation is not all bleak, however. The GAO report sets forth certain options that have been presented which, if implemented, would alleviate the short- and long-range problems. We must make it clear that the Congress will not allow the social security system to become bankrupt. We must now devote our energies to developing further alternatives. Our experience with the energy crisis surely has taught us that the longer we wait, the more acute the problem becomes.

At this point, I would like to insert into the RECORD the digest of the GAO's report.

COMPTROLLER GENERAL'S REPORT TO THE HONORABLE LESTER L. WOLFF, HOUSE OF REPRESENTATIVES

DIGEST

The Federal Old-Age and Survivors Insurance and Disability Insurance trust funds face exhaustion in the near future because of increasing benefit levels due to inflation, and high unemployment causing reduced contributions to the social security system. (See p. 4.)

Projections covering the next 75 years show that the system will also incur a large long-range deficit because of the decreasing fertility rate in the United States and the rising cost of living. (See pp. 4 to 6.)

Various sources have made many recommendations to help the Congress alleviate the fiscal problems the system faces. The recommendations cover a wide range of ideas from raising social security taxes to financing and Medicare program from general revenue and using the present Medicare taxes to help finance the other social security programs. (See pp. 16 to 18.)

If the Congress accepts the recommendations regarding changes to the present benefit computation formula and the funding of Medicare by general revenue, the short-range problems of the trust funds should be alleviated and the magnitude of the long-range problems should be substantially reduced. However, if the Congress chooses not to accept them, there may be no alternative to increasing taxes for these social security trust funds. (See pp. 16 and 17.)

The 1974 trust fund report alerted the Congress and the public to the possibility of long-range problems in maintaining the financial solvency of the trust funds. (See p. 3.) Studies by the Advisory Council on Social Security (see pp. 8 to 10) and the Panel on Social Security Financing (see pp. 10 and 11) published subsequent to the 1974 report, while prognosis, have warned that the trust funds are nearing exhaustion due to short-range financing problems.

The 1975 trust fund report, published in May 1975, projects that the trust funds will be exhausted shortly after 1979 and that in the long-range (1975–2049) the actuarial deficit will equal 5.32 percent of taxable payroll. (See pp. 3 to 5.)

AWARD OF PURPLE HEART

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, on August 7 there will be a presentation of the Purple Heart to Mr. Charles W. Pursel. Mr. Speaker, Charles Pursel is receiving this award for wounds received in action on November 11, 1918.

It is through the untiring efforts of Mr. Pursel's niece, Susan Lance, who collected the records and data necessary to correct the record in this matter, that Mr. Pursel is receiving this award. Mr. Pursel who is now 79 received an Official Statement of the Award of the Purple Heart on July 22, 1975.

As evidence of local community pride in their friend and neighbor, Attorney Eugene Evens brought this matter to the attention of Richard Walton, chairman of the Columbia County commissioners, who in turn got in touch with me. I wish that I could attend the surprise presentation Thursday, August 7, in the commissioners' conference room. However, I take pride in saluting our hero, Charles W. Pursel, and extend every best wish to him and his wife Mary.

I am inserting into the RECORD a copy of the Official Statement of the Award:

DEPARTMENT OF THE ARMY,
Washington, D.C.

OFFICIAL STATEMENT OF AWARD OF PURPLE HEART

The official records show that Charles W. Pursel, 1 782 746, is authorized the award of the Purple Heart for wounds received in action 17 November 1918.

This official statement furnished 22 July 1975.

VERNE L. BOWERS,
Major General, U.S. Army, the Adjutant General.

FOR LAWYERS, THEIR FAMILIES AND FRIENDS: A TAX SUBSIDIZED TOUR OF RUSSIA

The SPEAKER. Under a previous order of the House, the geneleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

Mr. VANIK. Mr. Speaker, between September 26 through October 4, 1975, a group of "lawyers, their families, and their friends" will be attending a Soviet American Conference on Contemporary Law in Moscow and Leningrad. The cost of the trip is $599 per person—plus 15 percent for taxes and tips—from Washington, D.C. The invitational letter for this seminar, signed by a University of California professor of law, states—

> We invite you to join us for a study tour abroad, combining professional seminars and visits with the very best in travel accommodations. Our trip should prove interesting and provocative. . . . Moscow and Leningrad. Visiting the Soviet Union will provide a most stimulating and educational experience, as well as an exciting holiday.

My only objection to this trip, Mr. Speaker, is that it will probably be partially tax-deductible for the lawyers involved. One of the worst loopholes in the tax code permits the deduction of expenses to attend educational seminars abroad. Fortunately, in an effort to hold down the type of abuses represented by this Moscow/Leningrad tour, the IRS has held that only the portion of the travel expenses properly allocatable to the educational aspects can be deducted. But with careful planning, many professionals have been able to deduct major portions of a vacation as an "educational" expense.

If anyone doubts that this particular "seminar" is heavy on pleasure, all they have to do is read the promotional material. For example—

> The choice of foods is virtually unlimited but most people choose the well-known, typically Russian foods such as caviar, blinis, shaslik, Chicken Kiev, and, of course, Vodka—lots of Vodka.
>
> Your evenings in Moscow and Leningrad will be sheer delights.

During the days, there will be tours:

> The Russians are justly proud of their scientific, technical and artistic achievements and take a friendly interest in showing what they have to visitors. You can ask any question about any aspect of Russian life and expect a straight answer.

I would like a "straight answer" as to why any portion of such a tour should be tax deductible. As of this afternoon, the seminar consultants reported that the agenda of seminars was not yet completed but there would be two—hardly a heavy workload of educational studies!

Ever since several thousand members of the American Bar Association held one of its annual conventions in London, the issue of closing this tax loophole has been high on the agenda of tax reformers. I am hopeful that in this Congress, at last, that public Treasury subsidy of these phony seminars will be terminated.

Following is a letter which I recently received from the Joint Committee on Internal Revenue Taxation describing the tax loopholes involved in this type of "seminar."

JOINT COMMITTEE ON
INTERNAL REVENUE TAXATION,
Washington, D.C., May 5, 1975.

Hon. CHARLES A. VANIK,
House of Representatives,
Washington, D.C.

DEAR MR. VANIK: This is in reference to your letter requesting my comments concerning the deductibility of expenses incurred by lawyers attending a spring travel workshop on an air/sea cruise to the Mediterranean and North Africa.

Under present law, the deductibility of the expenses would be governed by the ordinary and necessary standard under section 162 or 212 of the Code. Under the regulations, educational expenses are deductible as ordinary and necessary business expenses if the education maintains or improves skills required by the individual in his employment or other trade or business, or meets the express requirements of the individual's employer imposed as a condition to the retention by the individual of an established employment relationship, status, or rate of compensation.

With respect to travel expenses, if an individual travels away from home primarily to obtain education for which the expenses (such as tuition) are deductible as a trade or business expense, the expenses for travel, meals, and lodging incurred while away from home are deductible. However, the portion of the travel expenses attributable to personal activities, such as sightseeing, is treated as a nondeductible personal or living expense. If the travel away from home is primarily personal, only the meals and lodging incurred during the time spent in participating in deductible educational pursuits are deductible. Further, in the case of foreign travel to obtain education, deductions are subject to special allocation rules.

Under section 274(c) of the Code, the expenses of travel outside the United States away from home are deductible only to the extent allocable to the taxpayer's trade or business or income-producing activities if such travel is for more than one week and the time of travel outside the United States which is not attributable to the pursuit of the taxpayer's trade or business is at least 25 percent of the total time of such travel. In the case of foreign travel within its scope, this provision overrides the general rule that the entire amount of the transportation expense is deductible if the primary purpose of the trip was related to a trade or business.

The limitation tentatively agreed to by the committee in last year's tax reform bill would not allow any deduction for foreign travel expenses (including expenses for transportation, meals and lodging) for an individual with respect to a convention, seminar, or similar meeting held outside North America unless, taking into account certain factors, it is more reasonable to hold the meeting outside the North American area. This rule was not to apply to a meeting of a foreign organization which draws from foreign members to the extent the number and location of its foreign meetings were reasonable in light of the number of foreign members and their geographic dispersion. In the case of the seminar that you referred to, it would appear to be unlikely that it is more reasonable that this seminar be held outside the North American area than within.

I am enclosing the description of the tentative decision of the Ways and Means Committe of this provision (sec. 102 of the committee's draft tax reform bill of last year) included in the compilation of the tentative decisions of the committee which was published on November 18, 1974.

Sincerely yours,

LAURENCE N. WOODWORTH.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS SUPERVISION, REGULATION AND INSURANCE

The SPEAKER. Under a previous order of the House, the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 5 minutes.

Mr. ST GERMAIN. Mr. Speaker, on April 16, Chairman REUSS and I announced a major study of our financial institutions and the national economy—the Fine Study—to be conducted by the Subcommittee on Financial Institutions Supervision, Regulation and Insurance, which I have the honor of chairing.

In our continuing effort to insure that a number of substantive proposals for reform of our financial system received full examination by the public we seek to serve, it has been my privilege in the past, as it is today, to bring to the attention of my colleagues the considered recommendations of trade associations who share our deep concern that the credit needs of individuals and municipalities alike are simply not being met in an ever-increasing competitive economic environment.

On April 16, I was privileged to sponsor the Credit Union Financial Institutions Act (H.R. 6074) as clear evidence that the needs of our credit unions and their future role will be fully examined during the Fine Study deliberations. Today, I am pleased to introduce, by request, the recommendations of the National Savings and Loan League, one of the principal spokesmen for the Nation's savings and loan industry. I am, of course, pleased by the League's rededication to the public interest and its unequivocal statement as to its desire to remain a major supplier of home financing. Its approach toward the transformation of the savings and loan industry into full service family financial centers is a sound one and with the advent of electronic transfer funds systems essential to the industry's very survival as the public, rightfully so, demands greater services and convenience at lower costs.

The subcommittee's task, and ultimately the responsibility of the House, is to proceed in a manner best calculated to preserve the present competitive structure while at the same time providing the tools of growth they each require in a manner that will transform the system to serve today's unmet public needs.

It is my hope that the bill introduced today will encourage debate and extended discussion wherein alternatives for growth will be fully explored as the Fine Study evolves into a program of legislative action.

H.R. 9100—CONGRESSIONAL PUBLIC FINANCING ACT OF 1975

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. PHILLIP BURTON) is recognized for 10 minutes.

Mr. PHILLIP BURTON. Mr. Speaker, I am introducing today, along with the Honorable JOHN ANDERSON, chairman of the Republican Conference, and 223 other Members of both parties—a majority of the House—the Congressional Public Financing Act of 1975 (H.R. 9100)—providing for matching payments in congressional general elections.

A summary of the major provisions of this proposed legislation follows:

First. Coverage: General elections only.

Second. Coverage funding: Limited to funds derived from voluntary dollar check-off on income tax.

Third. Matching amount: $100 per election for contributions to both congressional candidates and congressional campaign committees.

Fourth. Eligibility threshold: $5,000 for House candidates and 10 percent of the applicable spending ceiling for Senate candidates, in amounts of $100 or less per contribution.

Fifth. Qualified expenditures: Matching payment money limited to qualified campaign expenditures including the following items: broadcast air-time; newspaper, magazine and billboard advertising space; direct mail; and telephone costs.

Sixth. Matching payment limit: A candidate could not receive more than 50 percent of his applicable spending ceiling in matching payments.

Seventh. Matching payment period: Only funds raised during the 5-month period before the general election would be eligible for matching. Matching funds received by candidates will have to be placed in a special account, may be spent only for general election purposes, and no actual disbursements may be made until the candidate and at least one opponent are certified for the general election ballot.

Eighth. Provisions relating to matching payments for congressional campaign committees: Payments to the official campaign committees of the political parties will be limited to $1 million per year, with this amount to be allocated between House and Senate units as the parties see fit. Matching payments received by the political parties may be used only for direct distribution to candidates for use in general elections.

Ninth. Penalties: The penalty for willful violation of any provision of the Act is up to a $25,000 fine and/or 1 year in jail.

Tenth. Effective date: January 1, 1976—that is, would cover 1976 congressional general elections.

Joining in introducing this legislation today are the following Members of the House:

LIST OF COSPONSORS

Phillip Burton, John Anderson, Frank Annunzio, Barber Conable, Frank Thompson, James Cleveland, John Brademas, Albert Quie, Augustus Hawkins.

Lionel Van Deerlin, Joseph Minish, Mendel Davis, Charles Rose, Lindy Boggs, John Burton, Ray Madden, B. F. Sisk, Claude Pepper, Spark Matsunaga.

Gillis Long, Joe Moakley, Andrew Young, Bob Eckhardt, Charles Rangel, Norman Mineta, Bella Abzug, Brock Adams, Joseph Addabbo.

Jerome Ambro, Glenn Anderson, Ike Andrews, Mark Andrews, Thomas Ashley, Les Aspin, Les AuCoin, Herman Badillo, Al Baldus, William Barrett.

Max Baucus, Edward Beard, Berkley Bedell, Jaime Benitez, Bob Bergland, Edward Biester, Jonathan Bingham, James Blanchard, Michael Blouin.

Edward Boland, Don Bonker, David Bowen, John Breckinridge, William Brodhead, Willian Broomfield, George Brown, Jr., Silvio Conte.

Barbara Jordan, Kenneth Holland, Elizabeth Holtzman, Frank Horton, James Howard, Allan Howe, Carroll Hubbard, William Hughes, William Hungate, Andrew Jacobs, Jr.

John Jenrette, Harold Johnson, Joseph Karth, Bob Kastenmeier, Martha Keys, Edward Koch, John Krebs, John LaFalce, Bob Leggett, William Lehman.

Elliott Levitas, Jerry Litton, Jim Lloyd, Paul McCloskey, Mike McCormack, Joseph McDade, Robert McEwen, Matthew McHugh, Gunn McKay, Stewart McKinney.

Edward Madigan, Andy Maguire, Romano Mazzoli, Lloyd Meeds, John Melcher, Ralph Metcalfe, Helen Meyner, Ed Mezvinsky, Abner Mikva, George Miller.

Wilbur Mills, Donald Mitchell, Parren Mitchell, Toby Moffett, William Moorhead, Charles Mosher, John Moss, Gary Myers, Stephen Neal, Robert Nix.

Richard Nolan, Henry Nowak, James Oberstar, David Obey, Richard Ottinger, Edward Patten, Jerry Patterson, Edward Pattison, Patsy Mink, Carl Perkins.

Peter Peyser, Larry Pressler, Richardson Preyer, Joel Pritchard, Tom Railsback, Tom Rees, Ralph Regula, Henry Reuss, Fred Richmond, Don Riegle.

Matthew Rinaldo, Peter Rodino, Robert Roe, Teno Roncalio, Fred Rooney, Benjamin Rosenthal, Ed Roybal, J. Edward Roush, Fernand St Germain, Jim Santini.

Ronald Sarasin, Paul Sarbanes, Jim Scheuer, Herman Schneebeli, Patricia Schroeder, John Seiberling, Philip Sharp, Paul Simon, John Slack, Neal Smith.

Stephen Solarz, Gladys Spellman, Pete Stark, Louis Stokes, Gerry Studds, James Symington, Bob Traxler, Paul Tsongas, Morris Udall, Richard Vander Veen.

Charles Vanik, William Walsh, Henry Waxman, Charles Whalen, Jim Weaver,

G. William Whitehurst, Timothy Wirth, Charlie Wilson (Calif.), Larry Winn, Lester Wolff, Antonio Won Pat, Sidney Yates, Clement Zablocki.

James Burke, Yvonne Burke, Bob Carr, Shirley Chisholm, William Clay, William Cohen, Cardiss Collins, John Conyers, James Corman, Robert Cornell.

William Cotter, Lawrence Coughlin, Dominick Daniels, George Danielson, Ronald Dellums, Don deLugo, Butler Derrick, Charles Diggs, Tom Downey, Robert Drinan.

Robert Duncan, Pierre duPont, Robert Edgar, Don Edwards, Joshua Eilberg, David Emery, Edwin Eshleman, Frank Evans, Dante Fascell, Walter Fauntroy.

Millicent Fenwick, Joseph Fisher, James Florio, Thomas Foley, Harold Ford, William Ford, Edwin Forsythe, Don Fraser, Robert Giaimo, Benjamin Gilman.

William Green, Gilbert Gude, Tim Hall, James Hanley, Mark Hannaford, Tom Harkin, Michael Harrington, Herbert Harris, II, James Hastings.

Philip Hayes, W. G. Hefner, John Heinz, Henry Helstoski, Floyd Hicks, Elwood Hillis, Marvin Esch, Floyd Fithian.

FUEL ADJUSTMENT CLAUSE REFORM ACT OF 1975

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 5 minutes.

Mr. HARRINGTON. Mr. Speaker, I am today introducing the Fuel Adjustment Clause Reform Act of 1975. This bill deals with a subject that has become the focal point of consumer frustration and outrage over skyrocketing electric bills.

While fuel adjustment charges trace their history back to the early years of this century, they represented an insignificant and peripheral appendage to the regulatory process.

By the 1960's, the cost of fossil fuels began to fall, and those few fuel clauses still in effect were phased out. In 1970, many fuel adjustment clauses reappeared under the guise of "Your Share of Cleaner Air." The extra charge represented the increased cost to the utilities of meeting the guidelines mandated by the Clean Air Act.

However, it was not until the Arab oil embargo of 1973 that the fuel adjustment charge received nationwide prominence and notoriety. In the matter of a few short months, the fuel adjustment charges doubled and redoubled. What once was a few pennies quickly grew into dollars and then tens of dollars. Some homeowners with all electric homes found themselves with monthly fuel adjustment charges in excess of $100—more than half of the total bill.

In 1974, more than $6.5 billion in fuel costs were automatically passed on to consumers—about two-thirds of the total price increases for the year. The year before, 1973, only $1.5 billion was passed on through fuel adjustment clauses.

With the increase in volume came an increase in abuses by the utility companies. Fuel adjustment charges became an easy way to pass on costs without first submitting to regulatory scrutiny. State regulatory commissions, already understaffed, underfinanced, and unable to deal with the barrage of requests for increases in the basic rates, were unable to scrutinize the workings of the fuel adjustment charges.

An investigation by two subcommittees of the Senate Government Operations Committee revealed a number of fuel adjustment clause abuses. It reported that Appalachian Power Co. marked up the cost of coal from its company-owned mine—overcharging its customers by more than $2 million.

The United Illuminating Co. in Connecticut used an obsolescent efficiency factor in the fuel clause to overcharge its customers by $7 million.

Ohio Edison chose to buy high-priced spot market coal rather than enforce its contract with a supplier who had agreed to provide coal at a lesser cost. VEPCO included transportation expenses in its fuel adjustment clause and PEPCO included 17 extraneous items, including executive salaries, in its fuel adjustment clause.

While investigations by legislative committees and State regulatory commissions have uncovered many instances of specific violations and overcharges, the overall cost to the consumer of fuel adjustment clauses may be incalculable.

Because utility companies are permitted to pass on 100 percent of their increased fuel costs through the automatic clause, their incentive to bargain hard with fuel suppliers is reduced by some incalculable factor.

To postulate that the ability to insulate one's self from the effects of price increases does not have an effect on the bargaining relationship violates the precepts of the free market system which our private utilities hold so dear.

The legislation I am introducing today seeks to address both the narrow issue of past and present fuel adjustment clause overcharges, and the broader issues of the lack of incentive to bargain and the basic inequity of passing on the full burden to already hardpressed consumers. In addition, the legislation also provides for some relief to consumers who have been adversely affected by the President's tariff program on imported oil.

The first section of the bill requires the Federal Power Commission to develop a standardized fuel adjustment clause. The standardized clause would permit utilities to recover only actual increases in the cost of purchased fuel. Transportation costs, storage and handling costs, and any other non-fuel-related costs would be prohibited from being included. While State regulatory commissions are not required to adopt the standardized clause, they may not adopt a substitute fuel adjustment clause which would permit greater costs to be passed on to consumers than would be passed on with the standardized clause.

The second section restricts the amount of cost increases that can be automatically passed on to consumers to 75 percent of any actual increase. This restriction will not put an unfair burden on utility companies. The price of fuel, while still going up, is relatively stable. The massive, almost weekly, price jumps that characterized the period immediately following the Arab oil embargo no longer occur.

The utility company is not prohibited from recovering the last 25 percent of any rate increases through the normal rate proceeding process. However, it cannot recover that 25 percent immediately or automatically. The time delays inherent to the regulatory process should provide an added incentive for utilities to bargain a little harder with fuel companies.

It also restores a small degree of equity to the situation. There is something fundamentally unfair about permitting billion dollar utilities to insulate themselves from cost increases by passing them on to their customers. Many consumers, especially those on fixed incomes, are far less able to pick up the increased costs than the utilities on whom they are dependent. Under this proposal, the utility will at least have to pick up one quarter of the bill.

The third section of the bill requires the Federal Power Commission to investigate the fuel adjustment charges of the utilities over the years 1973, 1974 and 1975. The results of the investigation will be reported to Congress 1 year after passage of the bill, and the FPC is required to order refunds to consumers of any overcharges it uncovers.

After the initial investigation, the FPC is further required to audit the fuel adjustment charges of utilities under its jurisdiction on an annual basis. Any future abuses which are uncovered must be refunded to consumers on a triple damages basis, with the penalty charged to the utilities' stockholders. The possibility of triple damages should insure honest application of fuel adjustment charges.

Finally, the legislation authorizes the Secretary of the Treasury to rebate to utility companies $1.20 for each barrel of residual fuel oil they purchase.

The $1.20 a barrel is calculated to neutralize the impact of the tariff which President Ford has imposed on imported oil. While the overall purpose of the tariff was to discourage imports of oil, this purpose does not apply to utility companies.

There is simply not enough refining capacity in the United States to meet the needs of utilities for residual oil; nor is it feasible for many oil-fired plants to convert to coal.

Therefore, the only impact of the tariff on residual oil has been to raise rates without reducing our dependence on foreign sources.

Utility consumers are already paying too high a price for their energy. It is unfair to burden them with additional costs, especially when the added costs serve no useful purpose. In Massachusetts, utility companies imported more than 50,000,000 barrels of residual oil last year. The additional cost to utility consumers because of the tariff was about $75 million. The last section of the bill will require the Secretary of the Treasury to refund to Massachusetts utilities that $75 million, who will then be required to refund it to consumers through the next month's fuel adjustment charge.

The fuel adjustment charge is the focal point of consumer outrage over the skyrocketing cost of electricity. In many ways, fuel adjustment is a peripheral problem—the price must be paid, and ultimately by consumers. The more fundamental questions, how much power we will require in the future, the kinds of power plants we will build, and how we will finance needed new plant construction, are largely unrelated to the fuel adjustment clause controversy.

Yet there is a need for reform. The potential savings to consumers by closing existing loopholes, uncovering past overcharges, and restoring the incentive to effectively bargain, could run into the hundreds of millions of dollars.

Furthermore, consideration of the fuel adjustment clause can serve as the basis for a more fundamental reappraisal of the electric utility industry.

Despite the alarming increase in the price of electric power, there has been little response, either by Congress or by the regulatory agencies. Hopefully, this legislation will serve as a focal point for some basic reform in the utility area.

PROMOTION OF LT. COMDR. MICHAEL B. MELONEY

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) is recognized for 5 minutes.

Mr. DOMINICK V. DANIELS. Mr. Speaker, I proudly announce the promotion of my constituent, Michael B. Meloney, to the rank of lieutenant commander, U.S. Navy. Commander Meloney is assigned to the engineering department on the U.S.S. *America* which has a complement of 5,000 officers and men and an airwing composed of 80 to 100 aircraft.

Commander Meloney, who served in Vietnam from 1968 to 1969, was the executive officer of a squadron of river patrol boats. He was awarded the Bronze Star Medal for meritorious service and for his bravery under fire on the Mekong Delta.

Commander Meloney was awarded a 3-year fellowship to the Massachusetts Institute of Technology where he earned masters degrees in naval architecture and marine engineering. He is presently the assistant engineering officer for main propulsion and complex aircraft launching systems on the U.S.S. *America*.

Commander Meloney, a graduate of the U.S. Naval Academy class of 1966, was in the top 10 percent of the senior class, graduating with a B.S. degree. While at the Academy, he excelled in baseball and crew. He is married to the former Lynn Pisani and has two children, Michelle, 7 years old, and Donna Marie, 3 years.

A VOTE AGAINST AN INCREASE IN CONGRESSIONAL SALARIES

The SPEAKER. Under a previous order of the House, the gentleman from Tennessee (Mr. FORD) is recognized for 5 minutes.

Mr. FORD of Tennessee. Mr. Speaker, 15 percent of this Nation's employees enjoy cost-of-living clauses. Is it not ironic that during a year in which the Government announces the highest deficit it has had in 30 years—a deficit this Congress has and continues to contribute to, we have voted for a pay increase that will cost at least $31 million? Congress already has a negative image with more than 80 percent of the American people, according to recent polls. Before I came to this Congress I promised my constituents that I would never contribute to an increase in congressional salaries and my vote against this resolution has confirmed that promise.

I do want to make clear, however, that by casting that vote I did not oppose the cost-of-living adjustment for Federal judges. Judges' salaries have remained the same since 1969, while the Consumer Price Index has increased 42 percent since March of 1969. What is more disturbing is the inequity inherent in freezing these judicial salaries while Government officials have had annual raises and cost-of-living increases. During the same period, top officials in the private sector have received salary increases which average almost 60 percent. It is no wonder the number of resignations of Federal judges have risen so sharply and we have seen such low morale within the Federal judiciary. Without these cost-of-living increases, at the very minimum, we would see many other experienced judges forced to return to private practice where attorneys' salaries have risen 43.9 percent since 1969. The success or failure of our system of justice depends upon the quality of those individuals who preside in the courts. I firmly believe that persons entrusted with this great responsibility should be appropriately compensated.

Another disturbing feature of this increase just enacted persuaded me to vote against the measure. A former President's retirement annuity is pegged at the same level as that of a Cabinet member's salary. Thus, by raising these top Government salaries on an annual cost-of-living basis, we are providing the same increase for our only remaining former President—Mr. Richard Nixon. Mr. Speaker, I for one, simply could not vote for a bill which would increase Mr. Nixon's Government benefits in any way.

When 85 percent of the American people do not have the buffer of cost-of-living increases to help them deal with inflation, recession, and the increased costs the energy crisis has brought about, it has set an extremely poor example for Congress to add itself and Mr. Nixon to that cushioned 15 percent enjoying such increases. At this time, we are asking the American people to make personal sacrifices in order to balance the Federal budget, return our economy to full employment, and institute nationwide energy conservation measures. Only when Congress itself meets those goals, could I vote for such pay increases with any good conscience.

THE POST OFFICE BUYS A LITTLE TIME

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. FORD) is recognized for 5 minutes.

Mr. FORD of Michigan. Mr. Speaker, the 3-year labor agreement now being ratified by rank-and-file postal workers stands as a monument to outstanding responsibility on the part of the union leaders in the recent negotiations.

The Postal Service and representatives of its bargaining unit employees have negotiated three labor contracts since reorganization. It is a testimony to the effectiveness of collective bargaining among public employees that agreements have been reached without either work stoppages or compulsory arbitration.

When postal reorganization was debated 5 years ago, extending collective bargaining rights to a group of Federal employees was opposed by some as setting a dangerous precedent. In the intervening years, the postal unions have shown that with responsible leadership collective bargaining works well in the public sector.

The recently concluded negotiations came at a time when the national economy is plagued by inflation and when the Postal Service itself is in critical financial straits because of a protracted rate case. The agreement reached shows fair gains for employees but at a cost affordable to the public.

The August 4 issue of Business Week carried an article which discusses the agreement in the perspective of the Postal Service's current financial difficulties. I commend the article to my colleagues' attention and ask unanimous consent that it be printed at the conclusion of my remarks.

THE POST OFFICE BUYS A LITTLE TIME

A tentative agreement reached early this week by the U.S. Postal Service and four postal employee unions for a three-year contract is almost certain to be the cheapest major labor contract negotiated this year. A relatively low pay raise—less than 5% in the first year—holds off the threat of imminent financial disaster for the Postal Service, but its long-term outlook remains bleak.

Though moderate, the increased wages for 600,000 postal workers are expected to increase costs by about $800-million in the 1976 fiscal year, bringing the Postal Service deficit to $2.5-billion. The only hope for avoiding a crisis is postal rate increases. But the Postal Rate Commission, which has yet to approve the "temporary" 10¢ first-class letter rate put into effect nearly two years ago, is considering a drastic change in the rate structure. Until that is approved, the Postal Service cannot raise prices.

A $3-BILLION HIKE

The earliest that a planned increase in first-class rates to 13¢ could be put into effect is Dec. 1, says Postmaster Benjamin Franklin Bailar, and even that date is doubtful. The first-class rise, coupled with increases in other classes of mail, would increase annual revenues by $3-billion.

"If we had gotten the $3-billion rate increase we wanted, we would be operating in the black," Bailar says. "One advantage of this new [labor] contract is that it does give us some stability and predictability of costs."

The two previous Postal Service contracts were for two years, but this year the unions agreed to the three-year term. The average postal worker will receive increases totaling $1,500 by the third year, bringing his annual salary to $15,000. Cost-of-living allowances would produce an additional $1,600 if inflation averages about 6% over the period.

The first-year boost of less than 5% ($400 immediately and $250 next March) compares with an average increase of 9.5% in major agreements negotiated in the first quarter of this year containing cost-of-living escalators and 10.2% in agreements without them.

The contract, which must still be ratified by the workers, also contains minor improvements in health-and-welfare benefits and uniform allowances. And the unions managed to retain a no-layoff provision, which they argue was their price for accepting the loss of civil service status when the old Post Office became the independent Postal Service in 1970.

However, senior postal officials say they made no significant concessions to the National Assn. of Letter Carriers, which wanted to restrict management flexibility in implementing new work and time standards. Management also won the right to hire "casual" employees for 180 days rather than the 89 days formerly allowed, giving it new manpower flexibility.

BAILAR'S VIEW

But Bailar assesses the Postal Service's financial outlook as "pretty grim." His next problem is getting rate increases. The Postal Rate Commission is considering a recommendation by Administrative Law Judge Seymour Wenner that postal rates be restructured, with a cut in first-class rates and a large rise in fees for second-, third-, and fourth-class mail. These recommendations are designed to make each class of mail fully pay its own costs.

But Bailar fears that they would result in a drastic decline in second- and fourth-class volume. Parcel post already faces heavy competition from United Parcel Service. Big publishers are increasingly experimenting with alternatives to second-class service (page 64.) If Wenner's rate scheme is adopted, Bailar says, a decline in the volume of other mail would ultimately force first-class users to pay for a larger part of the service's huge fixed costs than they now do. If it is approved, the service probably will sue to overthrow the ruling, but Bailar doubts that the suit will succeed.

STAGGERS AMENDMENT

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. EARLY) is recognized for 5 minutes.

Mr. EARLY. Mr. Speaker, I want to thank all of my distinguished colleagues who voted for the adoption of the so-called Staggers amendment to the Energy Conservation and Oil Policy Act yesterday. Also, I want to extend my sincerest thanks to Chairman STAGGERS and Mr. ECKHARDT for their diligent work on this amendment and their tireless efforts to insure its adoption to the bill.

The Staggers amendment will mean that my constituents will be able to buy gasoline for their cars and heating oil for their homes at prices that are reasonable and fair. Had the President's program been adopted, the people of Massachusetts would have been paying as high as a dollar a gallon for gasoline and twice what they pay now for heating oil, in less than 2 years time. It would have given the oil industry total control of oil prices by 1977. And, by that year, under those circumstances, the cost of new oil could have been as high as $72 per barrel, a 500 percent increase from the current price of $12.50 per barrel.

Mr. Speaker, we in Massachusetts import 87 percent of our petroleum from other regions of the country. Our overall cost for petro products is subsequently much higher than in most other areas of the Nation. Businesses are leaving our State at a very alarming rate. Just a month ago, in my district, a plant that employed 500 people was closed down. I wrote to the president of the company, and to the members of the board of the company to find out why. The answer came back—"Mr. EARLY, we can no longer afford to do business in Massachusetts." The cost of doing business is not totally determined by the cost of oil. But the cost of oil is certainly a viable factor in the cost of doing business. Once more, it is a gage by which we can measure other costs as well.

The rate of unemployment in Massachusetts has been as high as 3-percentage points above the national average. We passed 12.6 percent 1 month ago. To enact legislation that would allow the price of oil to rise unchecked would have been economic suicide for my State—as I believe it would have been for most States in the Union.

I do not want to go back to my district and fill my constituents full of pipe dreams about reducing the cost of oil. And, I am not interested in supporting legislation that will give only temporary relief to the oil pricing situation. I strongly support research and development into new energy sources, on the Outer Continental Shelf, at the Arctic Circle, in refining of coal, the uses of solar energy, and so on. What I cannot support are programs that would send the price of existing oil skyrocketing, with no guarantees of channeled reinvestment, no assurances of the fair distribution of existing resources and no provisions for cost adjustments or control. The fact is that it costs less than $3.50 per barrel to retrieve oil from existing wells. It costs about $1 more for new oil. At present we cannot determine the cost of retrieving "high cost" oil—oil found through tertiary recovery, on the Outer Continental Shelf, and the Arctic Circle. However, it stands to reason that giving carte blanche to the oil industry for experimental drilling, before we have any idea of the costs involved or the amount of oil involved, would be very unwise.

Under the Staggers amendment the price of old oil will remain at $5.25. New oil will be set at $7.50 per barrel, and "high cost" oil, at $10. I would hope that the Ways and Means Committee will report a complementary tax bill out in the very near future to insure that oil profits are directed both back to consumers and into large-scale research and development.

Mr. Speaker, I am convinced that this amendment will be good for this country and our energy development. It will allow the price of oil to rise along with the cost of living. It will insure the equal distribution of existing oil, at consistent prices. It will provide capital for reinvestment in oil recovery. And, most important, it will not price oil out of the reach of the average citizen in doing so.

Again, my thanks, to Mr. STAGGERS and Mr. ECKHARDT for their efforts. I believe this bill will prove itself to be the most realistic and sound approach to establishing a national oil poilcy.

IN OPPOSITION TO SALE OF MISSILES TO JORDAN

The SPEAKER. Under a previous order of the House, the gentlewoman from Illinois (Mrs. COLLINS), is recognized for 5 minutes.

Mrs. COLLINS of Illinois. Mr. Speaker, I had intended to speak in opposition to the administration's proposal to sell Hawk missiles to Jordan when that issue came before the House this week. The President decided, in the face of congressional opposition, to resubmit the notification of the Hawk sale so that Congress will have the chance to disapprove it in September.

What was most disturbing about the proposed sale of arms to Jordan was the fact that it would provide that country with an integrated system of offensive as well as defensive capability. Any $350 million package of Hawk, Vulcan, and Redeye equipment could easily tip the delicate military balance in the Middle East and thereby increase the likelihood of war.

While King Hussein is an old friend of the United States, and in the context of Middle Eastern politics is considered to be a moderate, let us consider the following facts.

First, King Hussein did not enter the 1973 war against Israel because, in his own words, he had no antiaircraft system to protect his country against Israeli warplanes. This proposed sale of arms could encourage him to enter into a war against Israel if another such occasion arises.

Second, King Hussein announced in mid-June his intention to create a Joint High Commission with Syria for the purpose of coordinating political, economic, cultural, and military policies.

Third, the President's proposed missile sale would give Jordan more than a mere defensive screen against Israeli warplanes. Because the Hawk is an effective, mobile missile and the Vulcan is extremely effective against low-flying planes, their acquisition would provide Jordan with the flexibility to coordinate with Egypt and Syria an attack on Israel.

Thus, if the 532 Hawk missiles were placed along the Jordan River and around Jordan's major cities, they would well protect that country against Israeli planes on bombing missions. Similarly, the rapid-firing Vulcans would protect frontline troops from warplanes coming in low to strafe and blast any advancing Arab Legion soldiers. Add to this defense the Redeye antiaircraft system, which is a heat-seeking missile that can be fired almost as quickly as a rifle, and you have further armed frontline troops with a deadly defense against the sudden appearance of warplanes.

Since this sale proposal comes at a time when the administration is refusing to send arms to Israel because it is "reassessing" its Middle East policy, I am at a loss to know why the administration is at this time even considering the making of missile sales to Jordan. Is this just one more move by the administration to put pressure on Israel which it has been subtly and relentlessly urging to come to terms with the Arab states?

I am opposed to the sale of arms to Jordan for another reason. I am concerned that military equipment sold to Jordan might find its way into racist South Africa. Last September, the British Government acknowledged that tanks and missiles it had sold to Jordan had been resold by that country to South Africa. This was clearly in violation of the contract under which the arms were sold by Britain to Jordan. Although King Hussein promised after the fact not to do such a thing again, we have no assurance that American missiles will not end up there.

For these reasons, I cosponsored House Concurrent Resolution 337, voted for it in the Committee on International Relations on July 24 and will support it when it reaches this floor. I hope that the administration will use the August recess to work out a compromise with King Hussein because I would like to see friendly relations maintained between the United States and Jordan. I think they can be if we concentrate only on Jordan's legitimate defensive needs.

BUDGET PLAN ENDANGERS CANADIAN HEALTH CARE

The SPEAKER. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 5 minutes.

Mr. COTTER. Mr. Speaker, as a member of the Health Subcommittee of the Ways and Means Committee, I have been studying various national health delivery systems in an effort to correct shortcomings in our own health delivery system. Just recently I read an interesting article in the July 11 issue of the Journal of Commerce. The article indicates some of the financing problems in the Canadian Health Care System and I wish to share it with my colleagues and the readers of this RECORD:

BUDGET PLAN ENDANGERS CANADIAN HEALTH CARE

OTTAWA.—The federal government, faced with soaring hospital and medicare costs, introduced a plan in its latest budget that threatens to undermine the very principles Canada's national health plan was founded on.

After forcing the provinces into a 50 per cent cost-sharing formula at the outset of the plan, Ottawa introduced legislation this week that would sharply limit federal outlays in the immediate future, and possibly overhaul the whole system in five years.

The move drew sharp criticism from opposition leader Robert Stanfield and prompted Canada's richest manufacturing province to threaten to break away from the shared-cost concept altogether.

"Ontario will not be a partner in any joint enterprise in which agreements can be broken," Premier William Davis told the legislature.

Earlier, Mr. Stanfield accused the government of "double talk and double dealing" in moving unilaterally to set the ceiling on its contributions to provincial medical care and hospital plans.

Faced with an 18 per cent increase in its forecast medicare outlay for 1975–76, the government introduced a plan in its June 23 budget that would limit increases to 14.5 gross in 1976–77, 12 per cent the year after and 10 per cent subsequently.

What's more, Ottawa also issued the required five-year notice it intends to renegotiate its role in the hospital scheme.

"The open-ended nature of the cost-sharing arrangements with the provinces has made it almost impossible to achieve effective cost planning control," Finance Minister John Turner said in his budget speech.

Costs, spurred by an increase in the number of doctors in Canada, alleged bogus billing by physicians and higher salaries and equipment expenses, have increased 50 percent since the national hospital and medical care plans were kicked off in 1971.

Still, provinces are peeved at the unilateral reduction of federal participation in schemes Ottawa forced on them in the first place—particularly since the $3.2 billion federal outlay forecast is less than 10 per cent of the total $135.8 billion budget for the country.

In Canada, health falls constitutionally under the provincial jurisdiction but Ottawa induced provinces to organize medicare schemes by offering to pay 50 per cent of the costs. Thus non-participating provinces were put in the position of paying taxes to support health care schemes elsewhere.

Resentment has been growing at the provincial level but nowhere has it been so vocal as in Ontario, where officials figure the proposed federal ceilings would cost the province more than $200 million in cost sharing by 1980.

In seeking to take over health care responsibility, Ontario has called on the federal government to hand over $1.1 billion in the current fiscal year as part of its annual federal income tax take. Under the Ontario proposal the share would rise each year as revenues grow—a better deal for the province than the shrinking ceilings planned by Ottawa.

New Democratic House Leader Stanley Knowles has called for a federal-provincial conference to iron out differences over shared cost medical programs, particularly now that Ontario has apparently started "a game of brinkmanship" on the issue.

KEEP THE BAN ON ARMS TO TURKEY

The SPEAKER. Under a previous order of the House, the gentlewoman from New York, (Ms. HOLTZMAN) is recognized for 15 minutes.

Ms. HOLTZMAN. Mr. Speaker, last night the Ford administration failed in a last-ditch effort to remove the ban on U.S. arms shipments to Turkey. I am pleased that this effort was unsuccessful because I believe that we in the House acted firmly and wisely in denying Turkey American arms as long as it remains intransigent on the issue of Cyprus.

The Foreign Assistance Act of 1961 and the Foreign Military Sales Act both provide that arms and military assistance purchased or received from the United States shall be used only for purposes of self-defense. Both acts mandate the termination of assistance to any nation which violates these provisions. Therefore, when Turkey launched a major military assault on Cyprus in August 1974, using American tanks, planes, guns, personnel carriers, and landing craft, it committed a flagrant violation of U.S. law. Under these laws, which state a fundamental principle of U.S. foreign policy, Turkey should have immediately been denied further U.S. military aid.

Despite this action, arms shipments to Turkey continued until February of this year, when the congressionally imposed arms embargo went into effect. In that period, the Secretary of State obtained no concessions from Turkey on the Cyprus matter, nor has he done so in the 5 months since the embargo began. Turkish troops still occupy 40 percent of the island, and there has been no discernible progress in negotiations.

President Ford and Secretary Kissinger are now asking the Congress to remove the arms embargo because if we do not, American military bases in Turkey will be lost. In my judgment, it would be a grave mistake for Congress to reverse itself on this issue.

The inescapable meaning of the administration's argument is that America must condone violations of its laws because of Turkish threats. I have repeatedly stated in other contexts that this country should not abandon its laws and principles because of foreign blackmail.

If we yield to the Turks on this issue, how will we stand firm against Arab oil blackmail in the Middle East? Or against Soviet pressure on the question of free emigration? Or against the power of Third World countries in the United Nations?

In addition, surrender to the Turkish threat invites other nations to hold American military bases hostage. We cannot permit this to happen. It is important for the Congress to let the President and the Secretary of State, and all the nations of the world, know that we intend to stand by our principles in foreign policy.

Furthermore, the value of the Turkish military bases has been vastly overstated by the administration. The bases' chief purpose is to monitor communications and military activity within the Soviet Union. But we have ships and planes that are fully capable of such monitoring, and spy satellites which keep the Soviets under constant surveillance.

The focus on Turkish military bases also ignores the importance of Greece to the U.S. position in the Mediterranean. It is ironic that for 7 years Americans were told that we must support an oppressive military dictatorship in Greece, because we needed Greece as an ally. Now that the military junta has been overthrown—after causing the coup on Cyprus which led to the present crisis—the administration says we must abandon the new democratic Greek Government.

The basic issue at stake in the Turkish situation is whether this Nation has the courage and the determination to stand by its principles in foreign policy. The Nixon-Kissinger-Ford foreign policy has sought to demonstrate American firmness through "shows of strength" such as the *Mayaquez* incident, and the various bombings and escalation in Indochina. But on the hard issues—the questions of arms to Turkey, of human rights in the Soviet Union, of resistance to oil blackmail—there is no such firmness. Indeed, only recently we were treated to the shameful spectacle of President Ford cowering in the White House, unwilling to see Alexandr Solzhenitsyn because it might offend the Soviets. It is clearly up to the Congress, with regard to Turkey and throughout our foreign policy, to supply the moral backbone the administration lacks.

STATEMENT OF HON. ROBERT W. KASTENMEIER ON INTRODUCTION OF THE FARM PRODUCT SECURITY ACT OF 1975

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 5 minutes.

Mr. KASTENMEIER. Mr. Speaker, the recent bankruptcy of the Evansville Grain Exchange in Wisconsin, highlighted the need for strengthened control over the operation of grain warehouses.

The Commodity Credit Corporation was storing grain in an Evansville warehouse and had not required the warehouse to establish adequate financial reserves or bonding, to guarantee the security of the grain. When U.S. Department of Agriculture inspectors discovered huge shortages of corn, the grain exchange promised to cover the shortage of Government-owned corn—which it did with corn stored by local farmers. Instead of making the shortage public at that time, the CCC quietly terminated its investigation after its shortages had been replaced.

Clearly, in this case, the CCC was lax in insuring the financial stability of the grain exchange which it chose as a safe place to store Government-owned grain. When it learned that the exchange was approaching bankruptcy, the CCC simply left the farmers holding the bag.

The Farm Products Security Act would prevent this type of situation from occurring again by requiring all warehouses storing Government grain to provide adequate financial protection for the farmers who also store their grain in those facilities.

The bill would require the CCC to give advance notice whenever it decided to remove its grain from a warehouse, giving local farmers a chance to remove their grain first, and thereby forcing the CCC to be more diligent in enforcing the financial security requirements of the law.

A unique feature of the Farm Products Security Act is the provision allowing the States to establish a "security fund" to protect farmers from financial loss in the event of warehouse failure. In lieu of bonding, operators of grain exchanges could pay into the security fund in those States which choose to establish one, until the fund is adequate to cover anticipated losses. If the exchange later ceased operation, it would be permitted to withdraw its share of the fund, less administrative assessments.

Mr. Speaker, I ask unanimous consent that the text of this bill be printed in the RECORD, as follows:

H.R. 9231

A bill to amend the Commodity Credit Corporation Charter Act for the purpose of requiring specified security measures of any warehouse used by the Commodity Credit Corporation to store agricultural commodities and for the purpose of requiring such Corporation to announce its withdrawal of grain from any warehouse because of the removal of such warehouse from such Corporation's approved list of warehouses

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Farm Products Security Act of 1975" and that section 4(h) of the Commodity Credit Corporation Charter Act is amended—

(1) by striking out "May contract for the use," and inserting in lieu thereof "(1) May contract, subject to paragraph (2), for the use,"; and

(2) by adding at the end thereof the following new paragraph:

"(2) May store any agricultural commodity in any warehouse only if such warehouse—

"(A) is licensed under the United States Warehouse Act;

"(B) executes a good and sufficient bond to secure the faithful performance of its obligations as may be assumed under contracts with all depositors of agricultural commodities in such warehouse; or

"(C) participates in any State-administered security program by making payments to a fund established and maintained by the State for the purpose of providing security to producers of agricultural commodities who deposit such commodities in warehouses, except that the provisions of this paragraph shall not apply to the storage of any agricultural commodity in a facility operated by the person who produced the commodity. Seven days prior to the Corporation's withdrawal of agricultural commodity from any warehouse because of the removal of such warehouse from the Corporation's approved list of warehouses, the Corporation shall notify, by certified mail, all other persons who are storing any agricultural commodity in such warehouse. For purposes of this paragraph, the term 'approved list of warehouses' shall mean any list maintained by the Corporation for the purpose of indicating the warehouses in which such Corporation may store agricultural commodities as a result of such warehouses, having met requirements prescribed by the Corporation.

REFUSAL OF PRESIDENT TO SIGN 6-MONTH EXTENSION OF EMERGENCY PETROLEUM ALLOCATION ACT A TRAGEDY

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. WAXMAN) is recognized for 5 minutes.

Mr. WAXMAN. Mr. Speaker, the President's refusal to sign the 6-month extension of the Emergency Petroleum Allocation Act is a tragedy. The President has chosen to wreak havoc on the lives of all Americans rather than take a simple step which would have given us ample opportunity to work together on a solution to this problem. The result will be economic chaos that may possibly plunge our Nation into a depression.

The simple fact is that the President has consistently refused to work constructively with us. It was only under the inordinate pressure of the deadline which is upon us did he begin to negotiate seriously with a Congress that has a diametrically opposite approach to this issue.

There is no reason to believe we cannot come to a rapid and equitable agreement if we only had more time. Indeed, the President's own decontrol program would have extended the status quo for 3 months before going into effect. The closeness of the margin by which his latest proposal was defeated—and I did vote against it—clearly indicated that with some modification it could get our approval.

The complacency in the White House regarding this veto forces one to believe that the current situation is what the President wanted all along. Gerald Ford truly is the "President of oil."

The President has engaged in a deadly game of double dare that has only served to highlight our differences. The sad fact is that the extensive divisions in Congress as to how to best decontrol oil mirror the extreme indecisiveness in the country as a whole as to how to tackle this problem.

When an issue has these extraordinary dimensions—as so many of the problems we face today do—it requires patience and real give-and-take if it is to be resolved.

This the President has refused to do.

We must now prepare to brace ourselves for the inflationary firestorm which is coming. New tax cuts, new directives to loosen up the money supply, and more spending by the Government will be necessary to begin to compensate for the higher costs of everything we purchase.

Unemployment, which has apparently peaked, may shoot up again. New car sales will plummet just as the new model year is beginning. Heating oil, coal, clothing, and plastics will increase just as winter nears. Experts predict gasoline will immediately increase 8 cents per gallon.

It is my hope that when we return a month from now, we will have found that measure of consensus which had proved so elusive, and will pass legislation to reverse what the President has done.

FOREST PARK POLICE DEPARTMENT

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. CLANCY) is recognized for 5 minutes.

Mr. CLANCY. Mr. Speaker, in today's world, accounts of violent crime are frequent. Policemen and their departments, trying to cope with the rising crime rate are often criticized for failing to give the victims of such crime the understanding and compassion one should expect from law enforcement officials as fellow human beings. It is charged that crime victims are treated as statistics and that the law contains more provisions to protect the criminal than to assist the victim.

In surveying this age of computers, trend forecasts, and calculations, one sees much truth in these criticisms. Compassion cannot be legislated, it takes time, and it must come from within the heart of another person.

Under the leadership of Col. James Nieman, the Forest Park, Ohio, Police Department has preserved the qualities of understanding and consideration while performing the increasingly difficult task of law enforcement. While many may consider this dedication to be above and beyond the call of duty, it is a part of the lives of the men and women of the Forest Park Police Department which is included in their perceptions of law enforcement work.

On September 16, 1974, a Forest Park

home was invaded by two men who pistol-whipped and left for dead Brian Foltyn, 4; his mother, Sheila Foltyn, and Mrs. Janice Garcia. While Mrs. Foltyn and Mrs. Garcia were in serious condition young Brian was given very little chance for survival. The Forest Park Police Department apprehended two men for the crime and completed their job as many would see it. But in the meantime, the lives of those in the department had been touched by a very brave boy struggling for his life.

Today, Brian is involved in all the activities of a normal 4-year-old. However, as the Journal News reported, he faces the possibility of surgery in September if the damaged area at the base of his skull has not grown new bone, and at age 7 he will be tested to see if the damage has affected his learning ability. His life has been affected seriously by violent crime, and his family must anxiously await the results of tests to see if Brian can lead a normal life and reach the full potential with which he was born.

Brian's family is not alone in their concern for his health. Their lives have been enriched by the friendship and concern of the Forest Park Police Department whose assistance has been invaluable in helping to overcome the tragedy of this crime. They have given hope, reassurance, and compassion in a great time of need.

The citizens of Forest Park, Ohio, can take pride in the way their police department responds to both police and human emergencies. These men and women deserve commendation and recognition for their dedication and ability: Col. James Nieman, Lt. Steve Vollmar, Sgts. James Meyer, Roy Warner, Roger McHugh, and Stanley Hascher, and Patrolmen Joseph Halpin, James Whitaker, Robert Wright, David Diebel, Wallace Smith, David Love, Ned Foy, Jerry Scheffler, John Burns, Greg Smith, John Thompson, Bruce Ferguson, Kenneth Hughes, Karen Schuerman, and David Pontius.

AMENDING THE TARIFF SCHEDULES OF THE UNITED STATES TO PROVIDE DUTY FREE TREATMENT TO WATCHES AND WATCH MOVEMENTS

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7710) to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, with a Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

At the end of the bill, add the following:

TITLE II—AMENDMENTS RELATING TO SOCIAL SECURITY ACT

TEMPORARY WAIVERS OF CERTAIN REQUIREMENTS FOR CERTAIN STATES

SECTION 201. (a) If the Governor of any State, which has an approved State plan under part A of title IV of the Social Security Act, submits to the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary"), a request that the provisions of section 402 (a) (26) of the Social Security section 402 (a) (27) of such Act not be made applicable to such State prior to a date specified in the request (which shall not be later than June 30, 1976) and—

(1) such request is accompanied by a certification, with respect to each such provision for which a waiver is requested, of the Governor that the State cannot implement the provisions of the section (as above referred to) of the Social Security Act because of the lack of authority to do so under State law, and

(2) such request fully explains the reasons why such section of the Social Security Act cannot be implemented, and sets forth any provision of State law which impedes the implementation thereof,

the Secretary shall, if he is satisfied that such a waiver is justified, grant the waiver so requested.

(b) During any period with respect to which a waiver, obtained under subsection (a) with respect to section 402(a) (26) (A) of the Social Security Act, is in effect with respect to any State, the provisions of section 454 (4) and (5) of such Act shall be applied to such State in like manner as if the phrase "with respect to whom an assignment under section 402(a) (26) of this title is effective" did not appear therein, and the provisions of section 458 of such Act shall be applied to such State in like manner as if the phrase "support rights assigned under section 402(a) (26)" read "child support obligations".

(c) Section 455 of the Social Security Act is amended to read as follows:

"Sec. 455. From the sums appropriated therefor, the Secretary shall pay to each State for each quarter, beginning with the quarter commencing July 1, 1975, an amount—

"(1) equal to 75 percent of the total amounts expended by such State during each quarter for the operation of the plan approved under section 454, and

"(2) equal to 50 percent of the total amounts expended by such State during such quarter for the operation of a plan which meets the conditions of section 454 except as is provided by a waiver by the Secretary which is granted pursuant to specific authority set forth in the law;

except that no amount shall be paid to any State on account of furnishing child support collection or paternity determination services (other than the parent locator services) to individuals under section 454(6) during any period beginning after June 30, 1976."

(d) The Secretary shall from time to time, submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, full and complete reports (the first of which could not be later than September 15, 1975) regarding any requests which he has received for waivers under subsection (a) and any waivers granted by him under such subsection, and such reports shall include copies of all such requests for such waivers and any supporting documents submitted with or in connection with any such requests.

PROTECTION AGAINST DECREASE IN GRANTS BECAUSE OF PAYMENT OF SUPPORT DIRECTLY TO THE STATE

Sec. 202. Section 402(a) of the Social Security Act is amended—

(1) by striking out "and" at the end of paragraph (26);

(2) by striking out the period at the end of paragraph (27) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (27) the following new paragraph:

"(28) provide that, in determining the amount of aid to which an eligible family is entitled, any portion of the amounts collected in any particular month as child support pursuant to a plan approved under part D, and retained by the State under section 457, which (under the State plan approved under this part as in effect both during July 1975 and during that particular month) would not have caused a reduction in the amount of aid paid to the family if such amounts had been paid directly to the family, shall be added to the amount of aid otherwise payable to such family under the State plan approved under this part.".

SUPPORT ASSIGNMENTS BY RECIPIENTS DURING TRANSITIONAL PERIOD

Sec. 203. (a) In the case of any State the law of which on August 1, 1975, meets the requirements of section 402(a) (26) (A) of the Social Security Act, the requirements of such section shall be effective, with respect to individuals who are recipients on August 1, 1975, at such time as may be determined by the State agency, but not later than the time of the first redetermination of eligibility required after August 1, 1975, and in any event not later than February 1, 1976.

(b) In the case of any State described in subsection (a), the provision of section 454 (4) and (5) of the Social Security Act shall, during the period beginning August 1, 1975, and ending December 31, 1975, be applied, with respect to all recipents of aid under the State plan of such State (approved under part A of title IV of such Act) who have not made an assignment pursuant to section 402(a) (26) (A) of such Act, in the case of such State in like manner as if the phrase "with respect to whom an assignment under section 402(a) (26) of this title is effective" did not appear therein, and the provisions of section 458 of such Act shall, during such period, be applied in the case of such State in like manner as if the phrase "support rights assigned under section 402(a) (26)" read "child support obligations".

REMOVAL OF VENDOR PAYMENT LIMITATION FOR CHILD SUPPORT

Sec. 204. Section 403(a) of the Social Security Act is amended by inserting before the period at the end thereof "or section 402(a) (26)".

AUTHORITY FOR QUARTERLY ADVANCES TO STATES FOR CHILD SUPPORT PROGRAMS

Sec. 205. (a) Section 455 of the Social Security Act (as added by the Social Services Amendments of 1974 and amended by section 201(c) of this Act) is amended by inserting "(a)" immediately after "Sec. 455." and by adding at the end thereof the following new subsection:

"(b) (1) Prior to the beginning of each quarter, the Secretary shall estimate the amount to which a State will be entitled under subsection (a) for such quarter, such estimates to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provision of such subsection, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such other investigation as the Secretary may find necessary.

"(2) The Secretary shall then pay, in such installments as he may determine, to the State the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

"(3) Upon the making of any estimate by the Secretary under this subsection, any appropriations available for payments under this section shall be deemed obligated.".

PAYMENTS TO STATES FOR CERTAIN EXPENSES INCURRED DURING JULY 1975

SEC. 206. Notwithstanding any other provision of law, amounts expended in good faith by any State (or by any of its political subdivisions) during July 1975 in employing and compensating staff personnel, leasing office space, purchasing equipment, or carrying out other organizational or administrative activities, in preparation for or implementation of the child support program under part D of title IV of the Social Security Act, shall be considered for purposes of section 455 of such Act (as amended by this Act), to the extent that payment for the activities involved would be made under such section (as so amended) if section 101 of the Social Services Amendments of 1974 had become effective on July 1, 1975, to have been expended by the State for the operation of the State plan or for the conduct of activities specified in such section (as so amended).

SAFEGUARDING OF INFORMATION

SEC. 207. Section 402(a)(9) of the Social Security Act (as amended by the Social Services Amendments of 1974) is amended to read as follows:

"(9) provide safeguards which restrict the use of disclosure of information concerning applicants or recipients to purposes directly connected with (A) the administration of the plan of the State approved under this part, the plan or program of the State under part B, C, or D of this title or under title I, X, XIV, XVI, XIX, or XX, or the supplemental security income program established by title XVI, (B) any investigation, prosecution, or criminal or civil proceeding, conducted in connection with the administration of any such plan or program, and (C) the administration of any other Federal or federally assisted program which provides assistance, in cash or in kind, or services, directly to individuals on the basis of need; and the safeguards so provided shall prohibit disclosure, to any committee or a legislative body, of any information which identifies by name or address any such applicant or recipient;"

PROTECTION OF CHILD'S BEST INTEREST

SEC. 208. (a) Section 402 (a) (26) (B) of the Social Security Act (as added by the Social Services Amendments of 1974) is amended by inserting immediately after "such applicant or such child" the following: ", unless (in either case) such applicant or recipient is found to have good cause for refusing to cooperate as determined by the State agency in accordance with standards prescribed by the Secretary, which standards shall take into consideration the best interests of the child on whose behalf aid is claimed;".

(b) Section 454 (4) (A) of such Act (as so added) is amended by inserting after "such child," the following: "unless the agency administering the plan of the State under part A of this title determines in accordance with the standards prescribed by the Secretary pursuant to section 402 (a) (26) (B) that it is against the best interests of the child to do so,".

(c) Section 454 (4) (B) of such Act (as so added is amended by inserting immediately after "other States" the following: "(unless the agency administering the plan of the State under part A of this title determines in accordance with the standards prescribed by the Secretary pursuant to section 402 (a) (26) (B) that it is against the best interests of the child to do so)".

(d) (1) The Secretary of Health, Education, and Welfare shall submit to the Congress any proposed standards authorized to be prescribed by him under section 402 (a) (26) (B) of the Social Security Act (as added by the Social Services Amendments of 1974 and as amended by subsection (a) of this section). Such standards shall take effect at the end of the period which ends 60 days after such proposed standards are so submitted to such Committees unless, within such period, either House of the Congress, adopts a resolution or disapproval.

(2) For purposes of this subsection, the term "resolution" means only—

(A) a concurrent resolution of the two Houses of the Congress, the matter after the resolving clause of which is as follows: "That the Congress does not approve the standards (as authorized under section 402(a)(26)(B) of the Social Security Act) transmitted to the Congress on   .", the blank space being filled with the appropriate date; and

(B) a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: "That the   does not approve the standards (as authorized under section 402(a)(26)(B) of the Social Security Act) transmitted to the Congress on   .", with the first blank space being filled with the name of the resolving House, and the second blank space being filled with the appropriate date.

(3) The provisions of subsection (b), (c), (d), (e), and (f) of section 152 of the Trade Act of 1974 shall be applicable to resolutions under this subsection, except that the "20 hours" referred to in subsections (d)(2) and (e)(2) of such section shall be deemed to read "4 hours".

TECHNICAL AMENDMENT

SEC. 209. Section 402(a)(27) is amended by striking out "States have" and inserting in lieu thereof "State has".

EFFECTIVE DATE

SEC. 211. The amendments made by this title shall, unless otherwise specified therein, become effective August 1, 1975.

Amend the title so as to read: "An Act to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, to amend child support provisions of title IV of the Social Security Act, and for other purposes.".

Mr. CORMAN (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read, and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, I wonder if the gentleman from California could give us some brief explanation of the Senate amendments?

Mr. CORMAN. Mr. Speaker, I will be glad to.

Mr. Speaker, on July 21 the House passed and sent to the Senate H.R. 8598, a bill to improve the child support program under title IV of the Social Security Act. This new program is scheduled to go into effect today.

The Senate has chosen to take a number of the provisions in H.R. 8598 and add to H.R. 7710.

These include a provision to protect AFDC families in approximately 12 States plus Puerto Rico from suffering a reduction in income because of the workings of the child support program. In those States AFDC recipients have been allowed to let the child support payments that they receive fill the gap between the AFDC payment and the standard for AFDC families in that State. The Senate also accepted the concept contained in the House bill that provides safeguards on information about welfare recipients while at the same time allowing such information to be used in case of criminal prosecution related directly to the administration of the welfare programs. The Senate also accepted with some modifications a number of the amendments approved by the House which are essential to provide for the effective administration of the child support program both at the Federal and the State level. It is necessary for some of these amendments to be effective August 1 to prevent a number of States from losing all their Federal matching under the welfare cash assistance program of aid to families with dependent children because they are not able to come into full compliance with the new child support law. The Senate did not accept amendments to repeal the provision for the use of the Internal Revenue Service in collecting child support, use of Federal courts as related to child support, or the provision to establish a Federal parent locator service. However, Senator LONG has indicated the Finance Committee will hold hearings on these issues after the recess. In view of the fact that some of those amendments are very urgent and since the Senate amendment does not materially differ from many of the amendments passed by the House, I urge the House to accept this amendment.

Those portions of H.R. 8598 were not agreed to by the Senate, and they are not in this nongermane amendment to H.R. 7710.

The balance of this nongermane amendment is almost exactly the same as H.R. 8598, which passed this House some weeks ago by a substantial vote.

Mr. BAUMAN. The gentleman will recall the question was raised regarding the provisions for permitting a remaining parent to refuse to cooperate with local welfare authorities in finding the missing parent in order to maintain child support payments. Is there any limitation on the House amendments?

Mr. VANDER JAGT. If the gentleman will yield, the gentleman from Maryland will recall that when this measure originally passed the House the gentleman and I had a discussion as to whether the original provisions were being liberalized. The action by the other body with respect to holding accountable so-called runaway fathers clearly is much tougher and much more restrictive than that taken by the House on July 21.

I might add that although there may be serious administrative difficulties posed by this legislation, the corrections it would make in the new child support program are so urgently needed that they outweigh those potential difficulties.

Mr. BAUMAN. Mr. Speaker, I thank both of the gentlemen for their explanations, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PROVIDING UNEMPLOYMENT COMPENSATION FUNDS TO THE VIRGIN ISLANDS

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 9091) to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, after line 10, insert:

TITLE II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT, AS AMENDED

SEC. 201. Section 3201 of the Railroad Retirement Tax Act is amended by striking out "compensation paid to such employee" and inserting in lieu thereof "compensation paid in any calendar month to such employee".

SEC. 202. Section 3211(a) of the Railroad Retirement Tax Act is amended by striking out "compensation paid to such employee representative" and inserting in lieu thereof "compensation paid in any calendar month to such employee representative".

SEC. 203. Section 3221(a) of the Railroad Retirement Tax Act is amended by striking out "compensation paid by such employer" and inserting in lieu thereof "compensation paid in any calendar month by such employer".

SEC. 204. Section 3231(e)(1) of the Railroad Retirement Tax Act is amended by striking out the first sentence and inserting in lieu thereof:

"The term 'compensation' means any form of money remuneration paid to an individual for services rendered as an employee to one or more employers."

SEC. 205. Section 3231(c)(2) of the Railroad Retirement Tax Act is amended by striking out the first sentence thereof.

SEC. 206. Section 3231(e)(2) of the Railroad Retirement Tax Act is amended by adding as the first sentence thereof:

"An employee shall be deemed to be paid compensation in the period during which such compensation is earned only upon a written request by such employee, made within six months following the payment, and a showing that such compensation was earned during a period other than the period in which it was paid."

SEC. 207. The amendments made by sections 201 through 205 of this title shall apply for taxable years ending on or after the date of the enactment of this Act and for taxable years ending before the date of the enactment of this Act as to which the period for assessment and collection of tax or the filing of a claim for credit or refund has not expired on the date of enactment of this Act. The amendment made by section 206 of this title shall apply for taxable years beginning on or after the date of enactment of this Act: *Provided, however*, That with respect to payment made prior to the date of enactment of this Act, the employee may file a written request under section 206 within six months after the enactment of this Act.

Mr. CORMAN (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. STEIGER of Wisconsin. Mr. Speaker, reserving the right to object—and I shall not object—the amendment offered in the other body to this bill is one which was passed by the House as title 3, as amendments to the Railroad Retirement Act, and I wonder if the gentleman from California will help the House to understand the impact of this modification. Or should I do it?

Mr. CORMAN. Mr. Speaker, H.R. 9091, as passed by the House, deals with unemployment compensation funds for the Virgin Islands. The Senate agreed to the House passed bill but, in addition, added to it an amendment relating to the Railroad Retirement Tax Act which deals with the method of assessing railroad retirement payroll taxes. It essentially restores the practice existing up until this year when the Internal Revenue Service issued a new revenue ruling which interpreted the existing law to require that these taxes be assessed as of the period when the wages were actually earned rather than when actually paid. This revenue ruling creates an administrative burden on railroad employers and provides a taxing basis which is inconsistent with the "as paid" basis under which the Railroad Retirement Board allows an employer to report wages and under which the Board then credits wages to employee accounts for benefit computation purposes. This amendment will make the two procedures consistent in that for both tax assessment and benefit computation purposes wages will be considered to be earned as of the period when they are actually paid except that the employee may, at his option, request that these determinations be made on the basis of when the wages were actually earned. Under the bill, an employee may elect this option if the election is made within 6 months from the date of payment.

I will now be glad to yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, under my reservation, let me also try, if I can, to make sure the House understands what we are doing.

Mr. Speaker, there is no change in the Virgin Islands unemployment compensation bill, H.R. 9091. The change comes in what will be title 2 of that bill. The change is one in which it will be easier for the railroads to keep their books, in terms of retroactive payments made to retirees on Railroad Retirement benefits. The issue is one as to whether or not the tax shall be paid when the benefits are paid or, as IRS ruled, when the benefits were earned.

On the basis of retroactive benefits, if we do not get the change proposed in the Senate amendment, we will seriously hamper railroad bookkeeping. The Department of the Treasury supports the amendment and the Department of Labor supports the amendment. The estimated revenue loss is something in the range of $10,000. There is a substantial bookkeeping saving to railroad management if a change is made.

Mr. CONABLE. Mr. Speaker, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. CONABLE. I thank the gentleman for yielding. Is it not true that this also does not act as a precedent in other areas, it relates only to Railroad Retirement and will not cause serious problems beyond the $10,000 revenue loss, which is estimated to be the total impact on the Treasury?

Mr. STEIGER of Wisconsin. It is not a precedent. It is only an administrative change.

Mr. Speaker, I hope it will be adopted.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CORMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and insert extraneous matter, on the Senate amendment just concurred in.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

A CONSTRUCTIVE AND EFFECTIVE HOUSE OF REPRESENTATIVES

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. MCFALL) is recognized for 30 minutes.

Mr. MCFALL. Mr. Speaker, the record clearly shows that this has been an effective, responsible, "do-much" Congress. As we begin the August break to visit our districts, we can look back on an impressive record of accomplishment to meet the urgent needs of the American people. Some of the highlights of our actions to date are outlined in the following statement:

A CONSTRUCTIVE AND EFFECTIVE HOUSE OF REPRESENTATIVES

The record of the House at the half-way point in the first session of the 94th Congress is a record of effective and responsible action to meet the most urgent needs of the American people.

When we convened in January, the drifting policies of the Administration had put American economy in the worst tailspin since the Great Depression of the '30s. Nearly 8 million Americans were out of work, and the numbers climbed relentlessly and alarmingly month by month. The Administration's energy policies were in dangerous disarray. The needs of millions of Americans driven to the wall by inflation remained ignored and neglected. In January, Speaker Albert announced a top-priority Democratic program to address these needs quickly and responsibly. And while the agenda is not completed, the record shows that Congress has responded positively and effectively.

We quickly enacted a tax cut to ease the burdens of inflation and revitalize the economy. Responsible economists are in agreement that this was the single most effective action taken to save the economy from a further tailspin. Despite opposition from the Administration and the President's veto of desperately needed jobs legislation, we persevered in the job of restoring economic health. Within 15 days after the veto, Congress enacted needed measures to put people back to work, and this time the President signed them into law.

The House passed and sent to the Senate legislation to develop new sources of energy and reduce our dependency on conventional sources and energy imports. Another House-passed bill pending in the Senate provided for mandatory oil import quotas, auto efficiency standards, an Energy Trust Fund and excise taxes on the industrial use of natural gas and oil. Congress sent the President a six-month extension of the Allocation Act to provide time for final resolution of the energy legislation and to keep oil prices from skyrocketing if the control legislation were to expire at the end of August. We urgently ask the President to sign the bill. If he refuses to do so, the responsibility for higher fuel costs will rest squarely with him. We acted on the needs of people who need help most—Social Security recipients who got an urgently needed eight percent increase in benefits in July; young people entering an all but hopeless summer job market; the out-of-work homeowner facing mortgage foreclosure; the small businessman; the farmer and livestock producer, and the veteran.

Despite partisan claims by the Administration, this has been a "do-much" Congress. This is the verdict of the National Committee for an Effective Congress after reviewing the impressive record of accomplishment:

"The 94th (Congress) has passed more legislation during its first six months than any Congress save one since Roosevelt's first 100 days."

It is a record achieved despite the Administration's attempt to rule by veto and frustrate the majority will of the people's representatives in the Congress.

The President vetoed the $5.3 billion Emergency Employment Appropriations bill. But Congress came right back and enacted many of the key provisions of that measure, amounting to $2.9 billion.

The President vetoed the Emergency Housing Act of 1975. But two days later Congress enacted legislation providing $10 billion for subsidized home purchases and mortgage aid to unemployed homeowners.

The President vetoed the omnibus health bill. But Congress resoundingly overrode the veto, 384 to 43 in the House, 67 to 15 in the Senate, breaking the veto grip of a President who in less than a year has vetoed only six fewer public bills (34) than his predecessor did in more than five and a half years.

Recognizing the floundering economy as the top priority for action, Congress enacted far-reaching measures to stimulate economic recovery. Among the major achievements by the midway point in the first session were these:

The Tax Reduction Act of 1975, providing nearly $25 billion in tax cuts for 1974 and 1975 and $2 billion in additional 1975 tax revenues. The measure also gave 30 million hard-pressed Social Security recipients a one-time $50 cash payment, encouraged business expansion and employment through a $3.3 billion temporary increase in the investment tax credit, provided an additional 13 weeks of unemployment benefits for the jobless in high unemployment states, and repealed the oil and gas depletion allowance for large producers;

Comprehensive jobs legislation which provided $1.6 billion for 310,000 public service jobs, $473 million for 840,000 summer youth jobs, and additional funds for others particularly hard hit by unemployment—construction workers, older Americans, and low income college students seeking part-time work to continue their educations;

A first-in-history budget resolution setting a target spending level of $367 billion for fiscal 1976, a figure designed to stimulate economic recovery, within reasonable spending and deficit ceilings;

A resolution calling on the Federal Reserve to increase the money supply and lower interest rates;

Rejection of six Administration public works deferrals totaling more than $81 million; and

Broadened assistance to livestock producers and an improved farm disaster loan program.

The House also has cleared a number of measures that are now awaiting Senate action:

A $5-billion local public works authorization bill to provide 200,000 jobs for workers in the building trades;

Help for small businessmen, including loans for those hurt economically by disruption of public utilities; and

Legislation prohibiting federal savings and loan associations from offering variable interest rate mortgage loans on family homes or apartments.

In the energy field the House has been working on a variety of approaches designed to dovetail into a comprehensive policy.

Included are (a) an extension of the Emergency Petroleum Allocation Act, (b) disapproval of the President's plans for oil decontrol, (c) opening up of the Naval Petroleum Reserves, (d) programs for greatly expanded energy research, (e) energy conservation legislation including oil import quotas and auto fuel efficiency requirements and (f) energy conservation and oil policy legislation including oil pricing and standby controls.

Pending business in September will be further consideration of H.R. 7014, the Energy Conservation and Oil Policy Act. The House in eight days of debate has completed three titles of the bill, including the crucial area of oil pricing.

The Energy Conservation and Oil Policy Act:

Gives the President standby authority to impose energy conservation measures and rationing with Congressional approval in case of severe energy supply interruption;

Provides for a one billion barrel National Civilian Strategic Petroleum Reserve;

Provides for a rollback on the price of new oil and a sensible ceiling on the price of old oil, designed to protect the consumer's pocketbook, while giving industry the resources for further exploration and development; and

Authorizes federal programs to encourage energy conservation among big industrial users and provides for automobile fuel efficiency standards and energy labeling and efficiency standards for other consumer products.

Earlier, the House sent to the Senate the Energy Conservation and Conversion Act, which offers a four-pronged approach to the energy crisis:

Mandatory oil import quotas to reduce our dependence on foreign oil. The quotas would be 7 million barrels a day in 1975 and 1976, 6.5 million for 1977, 6 million in 1978 and 1979 and 6.5 million thereafter;

Rigid anti-gas guzzler auto efficiency standards for Detroit—fleet average mileage standards of 18 miles a gallon for the 1978 model year rising to 28 miles a gallon for 1985 and beyond, to be enforced by fines;

Creation of an energy trust fund to develop new energy technologies, domestic resources and more efficient public transportation systems; and

A phasing in of excise taxes on natural gas and oil used by business to encourage a shift to coal and nuclear power.

This positive and responsible approach to energy would result in revenues rising to $2.4 billion by 1980 and a reduction in oil imports of 575,000 barrels a day in 1977 rising to two million by 1985.

The House and Senate have passed a $5.8-billion, 15-month authorization bill for the Energy Research and Development Administration (ERDA), boosting energy research spending by $1 billion in fiscal 1976.

Specific sums were earmarked for nuclear programs, fossil energy development, solar energy, geothermal development and conservation, and advanced energy and physics research.

In addition, the House passed legislation authorizing the Secretary of the Interior to take over the rich Naval Petroleum Reserves at Elk Hills, California, and sell commercial production rights by competitive bidding.

And it vigorously opposed the Administration's attempts to impose rich-man's rationing by precipitous and unwarranted fuel price increases.

While the economy and energy commanded top priority on the Congressional agenda, we also took action to strengthen a wide range of important programs for the people of the nation.

Congress rejected the President's five-percent ceiling on increased benefits for Social Security recipients and assured that they would receive a full 8 percent increase in July to keep pace with skyrocketing inflation.

Congress successfully fought off the Administration's attempts to saddle nearly 20 million food stamp recipients with higher food stamp prices.

Congress sent to the President a $490 million bill to boost compensation for service-connected disabled veterans by 10 to 12 percent and by 12 percent for veterans' survivors.

The House passed a $1.6 billion, three-year health manpower bill. We enacted into law a bill making Medicaid eligibility permanent for those who would otherwise have become ineligible because of 1972 Social Security benefit increases. Both Houses are in conference on a bill authorizing $147 million for development disabilities programs. And Congress overrode the veto of important legislation for health services and health revenue sharing, the National Health Service Corps and nurses training.

We strengthened our commitment to quality education by appropriating $7.75 billion for the major federal aid to education programs, including advance funding for fiscal 1977. A veto-prone President rejected the bill, but we will vote to override that veto in September.

Both Houses voted to extend and improve the National School Lunch and Child Nutrition Acts.

Congress extended the landmark Voting Rights Act and broadened its coverage to Mexican Americans and other minority language groups, who still are denied the fundamental right to vote.

Congress took responsible action on the military procurement bill to maintain a strong and prudent U.S. defense posture.

And we have accomplished much more with action to protect our environment, improve our transportation systems, and extend a helping hand to the refugees from Indochina. We sought to improve farm prices and protect against food shortages and to establish a fair policy for strip mining, but the President vetoed both these measures.

It is a long and impressive record—a record of action that puts the needs of the people above partisan concerns.

But urgent challenges await us in the second half of this session.

Despite our progress, we must fashion a more comprehensive energy policy aimed at conservation and developing new energy sources without saddling the consumer with unbearable costs nor business with punitive restrictions.

Despite our progress and despite encouraging signs, millions of Americans are out of work and running out of hope. We must expand job opportunities and complete the framework for economic recovery.

Our tax structure which permits special interests and super rich to escape their fair share of taxes urgently needs reform. The Ways and Means Committee is already working on such a bill that we expect to consider before the year is out. And the tax cut must be extended through 1976.

We must strengthen health care protection and improve health care delivery. We need additional emergency housing measures to revitalize one of the hardest hit sectors of the economy and to give people the opportunity for decent housing at affordable prices.

Other goals developed by a House Steering and Policy Committee Task Force at the start of the 94th Congress include antitrust legislation, creation of a Consumer Protection Agency and a review of the Social Security System.

These goals and the others we must reach in the 94th Congress will not yield to obstructionism from the Administration or from the Legislative Branch, nor to narrow partisanship. They will yield only to committed and cooperative action on behalf of the American people. The Democratic majority of the Congress will continue to take the initiative in that endeavor.

FEDERAL AID FOR HOUSING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. HAMILTON) is recognized for 10 minutes.

Mr. HAMILTON. Mr. Speaker, since 1937, the Congress has consistently passed legislation designed to help Americans secure adequate housing. The following information gives a brief description of key Federal housing programs currently in operation, outlines eligibility for the programs, and directs interested citizens to nearby Federal housing offices.

The two major sources of Federal aid for housing are the Farmers Home Administration—FmHA—in the Department of Agriculture and the Department of Housing and Urban Development—HUD. In addition, the Veterans' Administration administers housing programs for armed services veterans, and veterans are generally given preferential treatment in applying for all the types of housing assistance outlined below. Revenue sharing funds are expected to play an increasing role in providing adequate local housing in the future, as well. Both HUD and Farmers Home provide programs for the individual buyer, renter or builder, as well as programs for communities.

A list of nearby housing offices is at the end of this program discussion.

I. INDIVIDUAL PROGRAMS

FARMERS HOME ADMINISTRATION

The purpose of the Farmers Home Administration is to channel credit to farmers, rural residents and small communities, and thus encourage people to live in rural areas. The FmHA supplies credit to qualified persons for a variety of housing projects when they cannot otherwise receive the financial assistance they need. Most of their local programs fall into two categories: guaranteed and insured loans. Guaranteed loans are made and serviced by private lenders, and the FmHA guarantees to limit any loss incurred by the lender to a specific percentage of the loan. Rates are determined by the borrower and lender, unless otherwise stipulated by law. On the other hand, insured loans are originated, made and serviced by the FmHA. Interest rates are generally determined by the current cost of Federal borrowing.

The eligibility requirements mentioned for each program are Farmers Home Administration guidelines. Local FmHA offices make the ultimate eligibility decisions and award the loans. Applicants may appeal unfavorable decisions to the State FmHA, and if still dissatisfied, to the national FmHA office.

1. HOMEOWNERSHIP LOANS

These loans can be used to purchase a new or existing home, or to build, rehabilitate, or relocate an owner-occupied single-family dwelling. The homes may be located on individual land tracts or in subdivisions. The loan includes the cost of buying a "minimum but adequate site."

General eligibility: Interested families must currently be without decent, safe and sanitary housing; they must be unable to obtain a private loan on terms they can afford; they must be able to meet house payments and other household expense obligations; the home to be mortgaged must be modest, currently averaging about 1,100 square feet of living area; and, the family must locate in a rural area—now defined by FmHA as a locale with a population of less than 10,000, outside a metropolitan area. Lower- and moderate-income families are eligible to apply; applicants' adjusted family incomes generally do not exceed $12,900.

2. HOME IMPROVEMENT OR ENLARGEMENT LOANS

These loans can be made to improve or enlarge existing buildings, or to complete a home on which considerable construction work has already been finished.

General eligibility: Interested families must meet the criteria outlined in (1) above, but a title is not necessary to secure the loan if the applicant has other evidence, such as tax records, that show him to be the property owner.

3. HOME REPAIR LOANS

These loans are provided to make rural housing safer and healthier. These loans are often made for minor repairs such as the addition of cooking or toilet facilities, repairing roofs, installing screens or windows, or insulation. The loans carry an interest rate of 1% for up to 20 years. The maximum loan is $5,000.

General eligibility: Interested families must be lower income owner-occupants of homes located in rural areas, have adjusted incomes of generally below $8,500, and be ineligible for either homeownership or home improvement loans.

4. FARM OWNERSHIP LOANS

These loans are provided for buying or enlarging farms; constructing, improving or repairing farm homes and farm service buildings; and for some other farm and nonfarm enterprises. The interest rate on loans is 5 percent a year on the unpaid principal; the maximum term is 40 years.

General eligibility: The applicant must have recent farm experience, management ability, be unable to obtain sufficient credit elsewhere at affordable rates, and be reliant on farm income to have a reasonable standard of living.

5. SELF-HELP HOUSING

These loans are granted to finance the work of low-income families who wish to provide most of the labor required to construct their new homes in order to reduce construction costs. FmHA also grants these groups technical assistance to cover the provision of certain equipment like power tools, to train family members in construction techniques, and to hire construction supervisors.

General eligibility: Self-help assistance is available to groups of 6 to 10 area families with similar interests in self-help housing. Local FmHA offices should be able to help in locating other families. All the participants must be lower-income families, defined generally as families whose adjusted annual incomes do not exceed $8,500. The self-help houses must be modest in design, and must be located in a rural area—a locale with a population of less than 10,000 outside a metropolitan area. All participants must be unable to afford customary housing loans, but must be financially able to meet household expenses.

6. INTEREST CREDIT PROGRAM FOR FMHA LOANS

Most interest credit loans are made under the homeownership program. The maximum credit which can be provided is that which reduces the effective interest rate on the loan to 1 percent, or 20 percent of the family's adjusted income, whichever is less. Such credits are generally made to applicants for FmHA loans with annual incomes of less than $8,500.

General eligibility: Families must qualify for a Farmers Home loan program. Interest credits are available only when the needs of the applicant cannot be met with financial assistance available from other sources.

7. RURAL RENTAL PROGRAM

Farmers Home makes direct loans to finance rental or cooperative housing and related facilities for lower- and moderate-income rural families and senior citizens. Sponsors of such projects can be profit, nonprofit, or limited profit enterprises. Profit-oriented borrowers pay the regular FmHA borrowing rate, while nonprofit sponsors are eligible for interest credit.

General eligibility: Landlords are responsible for renting their units. Rental and occupancy charges for tenants are based on family income and cannot exceed 25 percent of that monthly income. Interested people should inquire at their nearby FmHA office about the availability of this program.

HOUSING AND URBAN DEVELOPMENT

HUD aid to individuals for housing focuses on two areas: insuring home improvement and mortgage loans, and providing funds to cover the difference between fair market rent and the rent that lower-income families living in approved, private housing complexes can afford to pay. The major HUD programs affecting 9th District residents include the following:

1. MAJOR HOME IMPROVEMENTS LOAN INSURANCE

This program is designed to help families repair existing residential structures through guaranteeing families' loans for such purposes. The maximum insurable loan is for $12,000.

General eligibility: Any family is eligible to apply. An application fee is required. The lending institution granting the loan will make the ultimate determination of eligibility.

2. MORTGAGE INSURANCE FOR HOMES

This program is designed to help families secure mortgage loans to buy or build homes. HUD will insure approved loans up to $45,000.

General eligibility: A family must be able to meet the minimum downpayment requirements determined by HUD. The loan to be insured can represent 97 percent of the first $25,000 of appraised value, 90 percent of the value between $25,000 and $35,000, and 80 percent of the value exceeding $35,000. All families are eligible to apply for the program, and the lending institution will make the ultimate decision on eligibility. An application fee is required. HUD appraises the property for the lender.

3. LOWER INCOME HOUSING ASSISTANCE PROGRAM—SECTION 8

This program provides annual contributions by HUD to participating owners of lower-income housing that provide decent, affordable housing to those who would not be able to afford it otherwise. The tenants pay their rent directly to the landlord, with HUD making up the difference between what the family can afford, and what the market rent is determined to be.

General eligibility: The landlord makes all decisions regarding tenants, and all tenants need not be participants in the housing assistance program, although a landlord cannot refuse a lower-income family when he has vacancies in order to hold such vacancies for families who can afford full rent. Generally, families whose adjusted annual incomes are less than 80 percent of the area median income are eligible to participate in this program. The area HUD office can provide information to interested citizens about qualifications and about the availability of section 8 approved housing in their areas.

VETERANS PROGRAMS

1. GI HOME LOANS

These loans can be used to buy a home, condominium, or a mobile home, with or without a lot; to build, repair, alter, or improve a home; or to refinance an existing home loan. The maximum loan entitlement available to each veteran is currently $17,500, and no loan can exceed the amount determined by the Veterans' Administration to be adequate to cover the transaction. Veterans make arrangements through private lending institutions. Applicants present certificates of eligibility to the lending institutions of their choice. Veterans discharged after January 31, 1955, should have received computerized certificates of eligibility shortly after discharge. Other veterans may secure their certificates by sending VA Form X 26–1880, "Request for Determination of Eligibility and Available Loan Guaranty Entitlement," with supporting documents to the VA regional office nearest them.

General eligibility: All veterans and surviving unmarried spouses of WW II and the Korean conflict with at least 90 days' active service, and all veterans and surviving unmarried spouses of veterans discharged after January 31, 1955, with at least 181 days of active service are eligible for this entitlement. The Veterans' Administration determines the ability of the veteran to handle mortgage payments for a particular property.

2. FHA HOME MORTGAGE INSURANCE PROGRAM FOR VETERANS

Any veteran, peacetime or otherwise, with at least 90 days' active service, whether or not he has obtained a home loan under laws administered by the Veterans' Administration, may undertake homeownership through the FHA home mortgage insurance program for veterans. Interested veterans should obtain a certificate of veteran status, which must be presented to the private lender for consideration for the program.

General eligibility: All veterans with 90 days' active service and an honorable discharge are eligible. The lending institution makes the ultimate decision regarding the loan.

II. COMMUNITY PROGRAMS

FARMERS HOME ADMINISTRATION

1. RURAL HOUSING SITE LOANS

Short-term loans are available from FmHA to public bodies and to nonprofit organizations to buy and develop building sites to be used by low- and moderate-income families. Interest rates are the same as those on FmHA housing loans, unless the sites to be purchased for use by families in self-help housing programs, which carry a 3-percent interest rate.

HOUSING AND URBAN DEVELOPMENT

One. HUD offers several mortgage insurance programs to encourage construction and renovation of housing for moderate- and low-income families and for the elderly.

Two. Community development block grants/discretionary grants. Under title I of the Housing and Community Development Act of 1974, HUD must delegate at least 20 percent and not more than 25 percent of its community development funds to nonurban areas. Units of government outside major metropolitan areas can submit a development plan and an application for discretionary funds. These funds are to be used to provide decent housing and living environments for residents. Awards for the current fiscal year have already been made, but communities period for the next fiscal year begins.

INFORMATION

Most lending institutions—banks, savings and loans, mortgage companies—have information regarding loan insurance programs available from the Government, including Farmers Home, Veterans, and HUD programs. Additional information may be sought at the area offices of these agencies, listed below:

FARMERS HOME ADMINISTRATION OFFICES

Monroe and Brown Counties—phone—812–336–8585: Farmers Home Administration, P.O. Box 1325, 204 W. 17th St., Bloomington, Ind. 47401.

Harrison and Floyd Counties—phone—812–738–3121: Farmers Home Administration, P.O. Box 97, Weber Bldg., Corydon, Ind. 47112.

Dearborn, Ohio and Ripley Counties—phone—812–432–5312: Farmers Home Administration, P.O. Box 14, Baker Bldg., Dillsboro, Ind. 47018.

Decatur and Franklin Counties—phone—812–663–8317: Farmers Home Administration, P.O. Box 524, Suite 1, 9 North Bend Plaza, Greensburg, Ind. 47240.

Jefferson and Switzerland Counties—phone—812–273–4062: Farmers Home Administration, 1417 Bear Street, Madison, Ind. 47250.

Fayette and Union Counties—phone—317–529–1002: Farmers Home Administration, 1653 S. Memorial Drive, New Castle, Ind. 47362.

Jennings, Bartholomew, and Jackson Counties—phone—812–346–3126: Farmers Home Administration, P.O. Box 116, R. 1, E. Buckeye St., North Vernon, Ind. 47265.

Washington County—phone—812–883–2802: Farmers Home Administration, P.O. Box 426, Hilltop Plaza, R.R. 4, Salem, Ind. 47167.

Scott and Clark Counties—phone—812–752–3708: Farmers Home Administration, P.O. Box 242, Federal Building, Scottsburg, Ind. 47170.

HUD AREA OFFICE

HUD Area Office, Willowbrook 5 Bldg., 4720 Kingsway Drive, Indianapolis, Ind. 46205. Phone—317–269–6311.

VETERANS ADMINISTRATION REGIONAL OFFICE

Veterans Administration, 575 N. Pennsylvania St., Indianapolis, Ind. 46204. Phone—317–635–5221.

WAGE AND PRICE STABILITY ACT

The SPEAKER. Under a previous order of the House, the gentleman from Georgia (Mr. LEVITAS) is recognized for 5 minutes.

Mr. LEVITAS. Mr. Speaker, during the course of debate on a bill or amendment, it is not always possible to correct every real or imagined inaccuracy or misstatement which the opposing other side might make concerning the issue. Therefore, in most instances, it is necessary for each side to make its points such rebuttal as time permits, and let the Members decide the merits of the issue based on their judgment of the debate and their knowledge of the bill or amendment.

However, yesterday during the course of debate on an amendment which I offered to H.R. 8731, the Council on Wage and Price Stability Act Amendments of 1975, certain statements were made about my amendment which were inaccurate and since some Members might have been mistaken because of those statements, I desire to set the record straight.

The amendment which I offered had the effect of striking out section 3 of the bill, which added a new subsection to the existing law which would be designated as "section 2(g)" and which would give the Council certain new powers and authority it did not previously possess. During the course of debate, one of the opponents to my amendment stated that my bill would take away a power which the Agency now has, namely, "to require periodic reports"—H7985. It was also said that if my amendment were adopted, the Council "could not even request action on price increases" according to the proposed amendment—H7987. The fact is, and a simple reading of the present law and H.R. 8731 will confirm, that my amendment would not have taken away any power which the Council now has and would not, in any way, have prevented the Council from requesting any sort of information they deemed necessary to discharge whatever function it is they are supposed to be serving.

In the present law—Public Law 93-387—section 2 has six subsections, being identified as (a) through (f). Section 3 of H.R. 8731 added an entirely new subsection to section 2 of Public Law 93-387 which would be designated as subsection 2(g) and which contained entirely new powers and authorities, none of which were contained in the existing law.

Therefore, my amendment, by striking out section 3 of the bill, could not have in any way affected or changed any power or authority which the Council presently has, and the statement in the course of debate that it would take away powers presently enjoyed by the Council is simply incorrect. The Council presently has the authority to request information and has frequently exercised that authority, and, since my amendment takes away no existing powers, it could not have affected the Council's authority to request financial information.

On the other hand, what the new subsection 2(g) would do is create entirely new mandatory powers for the Council which would, for the first time, enable the Council to require reports and issue subpenas, the failure to obey which, could be enforced in Federal court. Contrary to the assertions made during the debate concerning my amendment, the Council did not previously have the authority to require reports just as it did not have the power to issue subpenas.

Although the amendment failed, I feel it was necessary in the interest of fairness to those Members who supported the amendment and out of a concern for some Members who may have opposed it because of the misunderstanding described above, to clarify the issue.

In closing, and in reassertion of my continuous contention that this Council on Wage and Price Stability has been a useless, "Mickey Mouse" bureaucracy and a deception of the public because it pretended to fight inflation when, in fact, it did not and could not, I can think of no more convincing argument to support my view than that made by a sponsor and proponent of the bill yesterday during the course of debate, namely, the gentleman from Connecticut, (Mr. McKinney). The gentleman from Connecticut, in opposing my amendment, stated that the adoption of my amendment—to deny the new powers—would result in "perpetrating a fraud, because if this amendment is agreed to, there will be nothing that is satisfactory for the Council on Wage and Price Stability to accomplish in doing their job." Since the Council has not had that power during the year of its existence, I must conclude that the gentleman from Connecticut would have to agree with me, therefore, that since its inception this Council has, in fact, been a fraud.

Since the Agency still has no enforcement power and since the Agency has such an inadequate staff to accomplish any meaningful purpose, it remains a useless agency, but now has been transformed by the addition of mandatory reporting and subpena powers into a useless and harassing agency, still incapable of dealing with inflation and, therefore, still a fraud on the American public.

SUPPORT FOR MANASSAS NATIONAL BATTLEFIELD PARK EXPANSION GROWS

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. Harris) is recognized for 5 minutes.

Mr. HARRIS. Mr. Speaker, today I am reintroducing H.R. 8207, a bill to expand the boundaries of the Manassas National Battlefield Park in Prince William and Fairfax Counties, Va. I am pleased that 27 of my colleagues have joined me in cosponsoring this bill. They follow: Mr. Phillip Burton of California, Mr. Butler, Mr. Carr, Mr. Dan Daniel of Virginia, Mr. de Lugo, Mr. Downey of New York, Mr. Downing of Virginia, Mr. Fisher, Mr. Gibbons, Mr. Gude, Mr. Lloyd of California, Mr. Meeds, Mr. Miller of California, Mr. Ottinger, Mr. Regula, Mr. Rodino, Mr. Santini, Mr. Seiberling, Mr. Solarz, Mr. Stark, Mr. Steelman, Mr. Stephens, Mr. Symington, Mr. Tsongas, Mr. Udall, Mr. Whitehurst, and Mr. Won Pat.

Two local newspapers have given their editorial support to this effort, the Journal Messenger on July 22 and the Potomac News on July 18.

Five organizations have also endorsed expansion of the park: The Prince William Federation of Civic Associations, the Greater Manassas Chamber of Commerce, the Virginia Division of the United Daughters of the Confederacy, the Prince William League for the Protection of Natural Resources, and the Fairfax County Board of Supervisors.

I am hopeful that hearings on the legislation can be held during the next few months and we can see its prompt enactment.

RESOLUTION STATING POSITION OF U.S. HOUSE OF REPRESENTATIVES IF ISRAEL IS SUSPENDED OR EXPELLED FROM UNITED NATIONS GENERAL ASSEMBLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'Neill) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, I want to refer to the letter I addressed to Members of the House last week respecting the resolution sponsored by the minority leader and me. As I said:

I conceive of the United Nations Organization as one in which all nations of the world, who are members, should be allowed to participate and state their views. Unfortunately, various constituent agencies of the United Nations are being used to further belligerent purposes by certain states hostile to Israel. In effect, Israel has already been barred from participating in certain activities of the UNESCO, and the threat has also been made to bar Israel from participating in the General Assembly.

It is for that reason that I am filing today a resolution the purpose of which is to state the position of the U.S. House of Representatives in the event Israel is suspended or expelled from the United Nations General Assembly.

In essence, the resolution expresses the strong disapproval of the House of Representatives of the effort of certain nations to suspend or expel Israel from the U.N. General Assembly.

Second, that if that occurs, then the U.S. Government should reassess its commitments to the General Assembly, looking, as one option, to its possible withdrawal from the body.

Mr. Speaker, I am pleased to say that there are now 231 cosponsors for the resolution.

OPPOSING A FIRST-STRIKE STRATEGY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. Bingham) is recognized for 10 minutes.

Mr. BINGHAM. Mr. Speaker, I am today introducing in the House, along with 29 cosponsors, a resolution "To denounce the strategy of a first strike with nuclear weapons".

A number of factors have led me to believe that passage of such a resolution is necessary.

On the one hand, Mr. Secretary Schlesinger has of late been indulging in an aggressive rhetoric that can only be described as nuclear sabre-rattling. He has announced loudly that he does not shrink one bit from the thought that the United States might make use of nuclear weapons in a war before our adversaries do. Within certain bounds, this first use doctrine is neither new, nor shocking: Our willingness to use nuclear weapons to keep NATO nations from being overrun has been an important element of our strategy in Europe since World War II.

But Mr. Schlesinger's declarations have gone far beyond merely affirming the continuing validity of our NATO commitments. First, he has advocated that the United States develop, test, and deploy a counterforce nuclear capacity. Such weaponry—which includes both MIRV, already deployed; MaRV, in the development stage, and other terrifying devices—gives to the United States the capability of launching a first-strike against those missile sites which are Soviet Russia's final "deterrent" against us. In other words, the Secretary is threatening the Soviet Union with the possibility that its nuclear deterrent will soon be obsolete. The result: The Soviet Union will inevitably duplicate our technological accomplishments, rendering our own deterrent obsolete, and creating the fear on each side that it may be vulnerable to a nuclear first strike. This fear in turn is dangerously likely to create an inevitable temptation to launch a pre-emptive first strike.

Such developments cannot be tolerated. We must renounce the counterforce, first-strike strategy; and we must make our renunciation the basis for a negotiated, mutual ban on first-strike weaponry.

This explains what my resolution would do.

Now for what my resolution would not do; and it is here that I reach the subject of my disagreement with my friend and colleague Mr. OTTINGER's resolution to renounce all first use of nuclear weapons by the United States.

The crux of my disagreement with Mr. OTTINGER lies in the effect that his resolution would have on one of the most vital links in our foreign relations—namely, our relationship with NATO and our European allies.

In the 30 years since 1945, no military observer has ever suggested that NATO's conventional forces have anywhere near the muscle necessary to fight on an equal basis against the massive conventional might at the disposal of the Warsaw Pact nations—recent observers have even gone so far as to suggest that our forces would be lucky to be able to cover their own retreat to port cities in the event of a Soviet attack. Rather, the point of our large military presence in Europe has always been to assure the NATO nations—as well as the Soviet Union—that in the event of war in Europe, NATO's war would be our war to be fought with whatever weapons were necessary.

There has never been any suggestion that our commitment to NATO was anything less than this. President Kennedy stated the matter succinctly in a news conference on February 14, 1963. He said:

> The loss of Western Europe would be destructive to the interests of the United States. So we feel that there is no question that these weapons (nuclear) would be used to protect the security of Western Europe.

Speaking to the press a year earlier, on March 29, 1962, President Kennedy had made the same point—and in such a manner as to make it crystal clear that while first use was thinkable, a first-strike was not:

> Question. Mr. President, could you elaborate on the idea attributed to you in a magazine article that there may be circumstances under which we would have to take the initiative in a nuclear war?
>
> The President. Yes, I think Mr. Salinger's statement made it very clear that this was intended to be merely a restatement of a traditional position where if a vital area—and I think the area that Mr. Salinger used was West Europe—were being overrun by conventional forces, that the United States would take means, available means, to defend Western Europe. It was not intended to suggest, as Mr. Salinger said, that this meant that the United States would take aggressive action on its own part, or would launch an attack, a so-called preventive attack on its part. That's not our policy nor the policy of previous administrations. The article read in context makes it clear that we're talking about if there was an attack of overwhelming proportions by conventional forces in an area such as Europe, we would meet our treaty commitments.

This kind of treaty commitment did not mean that the United States was committed to use strategic nuclear weapons against the Soviet Union. By 1962 and 1963, the United States had certainly moved beyond the strategy of "massive retaliation" enunciated by John Foster Dulles in the Eisenhower years. But it did mean that tactical nuclear weapons would be used against the attacking forces if necessary.

Mr. OTTINGER argues that the use of tactical nuclear weapons will necessarily result in all-out nuclear warfare. I am not at all sure that this is so, but the important point is that nobody—including the Russians—can be sure that it is not so. What this means is that the Soviets, in considering any military offensives against the West in Europe, must consider the possibility that such an attack may result in the nuclear holocaust that everybody dreads. Such an uncertainty constitutes a very strong deterrent. Remove the uncertainty—by making clear that we will not use tactical nuclear weapons in Europe even if attacked—and you remove the deterrent.

By the same token, the confidence of the West Germans and others in the U.S. "nuclear shield" would be destroyed, and the West Germans might well feel compelled to develop a nuclear capability of their own. In view of the deep-seated Russian fear of the Germans, such a move would probably appear intolerable to the Soviets, provoking a most dangerous reaction and confrontation. It can thus fairly be said that renunciation by the United States of the "first use" of nuclear weapons in Western Europe would be destabilizing and would damage, not advance, the course of peace.

My proposed resolution, on the other hand, if it became U.S. policy, would reassure the Soviets that the United States would not engage in a strategic nuclear first strike. This would reduce the temptation for the Soviets to undertake a preemptive first strike. It would thus be a stabilizing factor and would constitute a brake on the arms race, particularly in the field of so-called counter-force weapons.

The Ottinger resolution poses very serious questions, which I hope we will take as seriously as will NATO nations. Specifically: Was De Gaulle right? Should the United States and Europe go their separate ways, each with its own independent nuclear deterrent—or, if Mr. OTTINGER is correct in his assessment of European fears and desires, the United States with a nuclear deterrent and Europe without one? Should our NATO commitments be fundamentally revised, as Mr. OTTINGER implies—leaving aside the question of whether we could or should revise them unilaterally?

Mr. Speaker, many will take these questions quite seriously. I hope we will have time this fall to debate them, along with other, separate issues that have become involved in the issue of our nuclear strategy—such as the nature of our commitment to Korea. I hope that by introducing my own resolution alongside that of Mr. OTTINGER, I will have helped this debate by showing just how basic to all aspects of our foreign policy is the question of our nuclear strategy.

We can, I believe, refuse to follow Secretary Schlesinger's lead into new and more awful dimensions of nuclear terror; my resolution would do just that, while at the same time reaffirming our basic commitments to Western Europe.

THE HELSINKI AGREEMENT

The SPEAKER. Under a previous order of the House, the gentleman from Connecticut (Mr. DODD) is recognized for 5 minutes.

Mr. DODD. Mr. Speaker, today the President is expected to sign an agreement among nations at the European Security Conference in Helsinki, Finland.

It is an agreement that the administration is hailing as a commitment by the leaders of the more closed and controlled countries in Europe toward a greater degree of freedom of ideas and movement for the citizens of those nations.

It is an agreement which the President and his advisors regard as a part of this country's continuing policy of détente with the Soviet Union and other Communist countries in Eastern Europe.

Mr. Speaker, I am skeptical of this conference and of this agreement, for I question how there can be true freedom of ideas and movement in Eastern Europe as long as certain documented conditions of oppression and intolerance continue to exist in that part of the world.

I am speaking specifically of the Soviet Union's continued oppression of its Jewish and Ukrainian citizens, of its dissidents and intellectuals like Andrei Sakharov and Alexandr Solzhenitsyn, and of its continued refusal to recognize the independence of Estonia, Latvia, and Lithuania.

There can be no freedom of movement and of ideas, and there can be no real détente, Mr. Speaker, until such oppression stops.

Signatures on a piece of paper in Helsinki will not make it so, and I think it is a cruel delusion for anyone to believe that such progress in human rights will result from the European Security Conference.

We can trade all the tractors and scientific technology we want with the Eastern European Communists. We can have cultural exchanges and we can have joint space adventures.

But all of these worthwhile examples of cooperation do not make up the true meaning and sense of détente—which is that this country and the Soviet Union agree on the fundamental principles of human liberty and dignity which are important to all free men.

The Soviet Union is not willing to enter into that sort of agreement now, so any supposed 'détente' we speak of is merely a sham.

Mr. Speaker, the Congress must act to express its concern about making détente a reality, and about advancing the cause of individual freedom in Eastern Europe.

Toward that end, I am today introducing two measures which I think this House should pass to show its true commitment to achieving these goals.

One measure is a House concurrent resolution which states it is the sense of the Congress that the United States should make no agreement at the European Security Conference which would recognize the forcible, illegal annexation by Russia of the three Baltic States of Estonia, Latvia and Lithuania.

I insert it into the Record at this point.

H. Con. Res. 374

Whereas the three Baltic nations of Estonia, Latvia, and Lithuania have been illegally occupied by the Soviet Union since World War II; and

Whereas the Soviet Union will attempt to obtain the recognition by the European Security Conference of its annexation of these nations; and

Whereas the United States delegation to the European Security Conference should not agree to the recognition of the forcible conquest of these nations by the Soviet Union: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States delegation to the European Security Conference should not agree to the recognition by the European Security Conference of the Soviet Union's annexation of Estonia, Latvia, and Lithuania and it should remain the policy of the United States not to recognize in any way the annexation of the Baltic nations by the Soviet Union.

This forcible annexation in 1940 was in direct violation of Baltic soverignty. I take pride in the United States' past position of never having recognized this act of oppression of the citizens of these countries.

We must hold steadfast to that position, and it would be an indication of this country's willingness to stand up for the rights of free countries and free men everywhere if this House passed this concurrent resolution.

To the people of these Baltic nations, presently struggling against Russian domination of their homelands, I offer my fervent support. I stand behind their efforts to regain the status of independent states.

Passage of this concurrent resolution would show these people that the entire House extends its support to their struggle, and it would be of great encouragement to them to continue finghting until they prevail against the forces of totalitarianism.

The second measure I urge my colleagues to support, Mr. Speaker, is a House resolution designating January 22 of every year as "Ukranian Independence day."

I insert this resolution into the Record at this point:

H. Res. 668

Whereas Ukraine, with a population of forty-seven million, is the largest non-Russian nation both in the Union of Soviet Socialist Republics and in Eastern Europe; and

Whereas this nation occupies a significant geographic and economic position in the context of Eurasia, with prominent dimensions toward central Asia, the Caucasus, the Middle East, and central Europe; and

Whereas this second largest Slavic people with a national history extending back to the ninth century has made substantial contributions to world culture and today possesses immense potentialities and promise for further universal cultural advancement; and

Whereas, in partial recognition of these cultural contributions toward civilization and peace, the Eighty-sixth Congress of these United States of America passed the Shevchenko Memorial resolution, leading to the erection of a statue of Taras Shevchenko, the poet of Ukraine, on public grounds in our Nation's Capital; and

Whereas the critical importance of this non-Russian nation in world affairs has been obliquely reflected in the original charter membership of the Union of Soviet Socialist Republics; that is, the Ukrainian Soviet Socialist Republic, in the United Nations; and

Whereas the contemporary status of Ukraine has been reflected in the Captive Nations Week resolution passed by the Eighty-sixth Congress in July 1959, and signed by President Dwight D. Eisenhower into Public Law 86–90; and

Whereas for the past two decades the Congress, Governors of our major States, and mayors in our largest cities have consistently observed the indomitable spirit of independence and creative assertions of the Ukrainian people; and

Whereas the independent Ukrainian National Republic, which was established by democratic, popular vote and national self-determination on January 22, 1918, was one of the first to proclaim freedom for its people in the area of the traditional Russian Empire; and

Whereas in 1974 the celebration of the tenth anniversary of the unveiling of the Shevchenko statue by former President Eisenhower was observed here and in various parts of the country: Now, therefore, be it

Resolved, That the President is authorized and requested to issue a proclamation designating January 22 of each year (the anniversary of the proclamation which declared Ukraine to be a free and independent republic) as Ukrainian Independence Day, and inviting the people of the United States to observe such a day with appropriate ceremonies.

Mr. Speaker, January 22, 1975 marked the 57th anniversary of independence which lasted only 2 short years—1918–20—for the people of the Ukraine.

Although Communist Russia would have preferred it to be believed that the Ukraine welcomed their protective shadow, the Ukraine's valiant struggle for freedom continues to this day.

Rather than prospering under Communist rule, the people of the Ukraine have suffered a severe and enduring oppression.

Yet they have continued to persist in their struggle for freedom—intellectual, cultural, and national freedom.

Their courage should inspire us all to dedicate ourselves to do everything in our power to encourage their resistance and see that their dreams of freedom become a reality.

Passage of this resolution designating a Ukranian Independence Day would mark this dedication on the part of the American people and of this House and would offer this encouragement to those in the Ukraine.

It also would serve to pay due homage and tribute to a struggle for independence which is in the true tradition of our own struggle for freedom 200 years ago.

Lastly, Mr. Speaker, I want to point out to my colleagues that despite whatever statements to the contrary by Soviet officials and our own diplomats, there is still great repression of the individual freedoms of Jews and dissidents in the Soviet Union.

I know from first-hand experience that this is the case, for I have spoken with Jews and dissidents in the Soviet Union personally, and they have told disheartening stories of tragic injustices.

I had the opportunity to travel to Russia as a member of the House Judiciary Subcommittee on Immigration, Citizenship and International Law. The subcommittee made an information-gathering trip to the Soviet Union for 13 days in May to discuss the emmigration problems of Soviet Jews and dissidents.

During our trip, I had the chance to talk with the noted Soviet physicist and dissident Andrei Sakharov, and I was able to tape a conversation with that courageous defender of individual liberties in that totalitarian country.

I shall include a transcript of that conversation in the Record at this point, Mr. Speaker, for I think it is important that all of my colleagues know what this brave man said.

Translation of a Tape Recording of Mr. Christopher Dodd's Interview With Dr. Andrei Sakharov. Mr. Dodd's Questions Are Paraphrased—Translator's Note

Mr. Dodd. Do you see any hope for improvement in human rights in the Soviet Union?

Dr. Sakharov. I do not believe that there will be any great changes in the near future, but I still think that the struggle for human rights is of very great importance both morally and factually. It is the only alternative to the deterioration of the situation, which would occur without it.

Mr. Dodd. Why haven't the people in the USSR revolted?

Dr. Sakharov. The people have been cowed by decades of terror and have been badly misinformed through the lack of truthful information. Also, the comparative improvement in the economic situation, i.e. compared with the terrible situation which existed during the recent past—is also a stabilizing factor [i.e. a factor against revolt—translator's note].

Mr. Dodd. What should we in the U.S. do to assist people in the Soviet Union who want the freedoms which they feel they have the right to have? The Soviets accuse us of interfering in the internal affairs of their country.

Dr. Sakharov. I do not consider the defense of human rights as interference in the internal affairs of a country. This matter is of international concern, and was never regarded by the non-socialist countries as interference in [their] internal affairs, and therefore it should not be regarded as such by the socialist countries. I believe that even the amendment to the law on trade is already a very important and entirely legal beginning [first step], and if this is made a matter of principle and pursued with perseverance, it may yet bear good fruit. It is very important to strive for unity among the Western countries in the area of defense of human rights in the USSR. The United States, which possesses enormous economic potential and enormous influence throughout the world, can do very much in this respect.

Mr. Dodd. Should we in the United States insist on the amendment to the trade bill—the amendment which would provide for free emigration for those who want it?

Dr. Sakharov. I am absolutely convinced that it is necessary to preserve, because this matter is so basic that any retreat [compromise] would have tragic consequences not only for emigration, but for the entire matter of relations between the socialist and capitalist countries.

Mr. Dodd. Is it correct that the question on free emigration is just as important for the people who stay as for the people who leave?

Dr. Sakharov. I believe that the freedom of emigration, if it is defended [approached] legally, is a factor of enormous social significance, which affects [changes] the whole social fabric [picture, situation, condition] in the country, and therefore is of importance to everyone [in the Soviet Union].

[At this point there are a few short exchanges between Mr. Dodd, the Russian translator, and Mr. Sakharov in an attempt to clarify the translation, and Dr. Sakharov adds the following remark]

Dr. Sakharov. This gives people the freedom to choose the kind of life they want to pursue . . . they . . . then the government cannot so . . .this liberates [gives more freedom] to the individual.

Mr. Dodd. Thank you Dr. Sakharov.

Dr. Sakharov. I am very grateful to the members of the American Congress for having visited me. I am very grateful to them for the struggle which they are conducting for human rights in the Soviet Union.

In essence, he told me that the United States must continue to apply pressure on the Soviets through such measures as withholding "Most Favored Nation" trade status so as to force or convince the Russians to change their repressive emigration and domestic policies.

Whenever this House applies such pressure through its resolutions or votes, Mr. Speaker, those Jews and dissidents in Russia take heart and increase their struggle, Mr. Sakharov told me.

We must continue to do this, Mr. Speaker, for we cannot allow such a fight for liberty to go unaided or unheeded.

I also spoke in Russia to the wife of imprisoned Ukranian dissident and scholar Leonid I. Plyusch, and I inquired into the condition of imprisoned Ukrainian intellectual Valentyn Moroz.

I was told that these two men are valiantly resisting the efforts of their Russian wardens to break their will and force them to give up their leadership in the cause of freedom.

I urge all my colleagues to make themselves aware of the facts in the cases of both these courageous men, and to speak out in their behalf.

This House must also apply whatever pressure it can on the Soviet Government to hasten the release of these men from imprisonment and to have them and the struggling people they represent recognized as true patriots in the battle for human rights and freedoms.

As we approach our own Bicentennial, Mr. Speaker, this House can do no less.

PROBLEM OF TELECOMMUNICATIONS TECHNOLOGY UTILIZATION

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia (Mr. Staggers) is recognized for 10 minutes.

Mr. STAGGERS. Mr. Speaker, recently the entire world had the evidence—literally before its eyes—of what telecommunications technology can produce when fully called upon. The American astronauts and Soviet cosmonauts, orbiting the Earth in their historic joint mission, could be seen live and in color throughout the world. This was accomplished by a worldwide network of television links involving four satellites of the International Communications Satellite Consortium—INTELSAT, a transportable Earth station of Western Union International, a cruiser of the U.S. Navy, Earth stations in England, Germany, Russia, the United States, South America, and cameras of two nationalities in the spacecraft. No more dramatic illustration could be devised of the potential of communications to reach the daily lives of our citizens.

Yet, Mr. Speaker, in this advanced technical society of ours, we have not yet taken full advantage of the available telecommunications technology. This technology has the potential to help us solve our most pressing national problems. It can help us to conserve energy, to increase productivity, and provide new jobs and new industry. It can further our efforts to protect the environment, and improve our balance of trade. And yet, although the potential exists, it has not been fully realized. We have here a great national resource which has not been effectively developed; we have to ask: "why not?"

Part of the problem has been our fragmented, and largely ineffective, Federal effort in the field of telecommunciation technology utilization. About 2 months ago, I spoke to the President about this. Since our national goals for telecommunications cannot be realized without the full participation of the Executive, I attempted to present my position as completely as possible: I left with the President a letter which presents a full statement of my concern. I would like to include that letter in the Record at this point.

House of Representatives,
Washington, D.C., May 9, 1975.

Hon. Gerald R. Ford,
President,
The White House,
Washington, D.C.

Dear Mr. President: The time has come for this Nation to put to full use the vast untapped potential of telecommunications technology for both social and economic good. Great national benefits are now within reach in return for a comparatively modest commitment on the part of the Federal Government. Although they would certainly be of a different nature, these benefits would be fully comparable to those realized in connection with our much more costly investments in biomedical research and the space program during the past decade. Like the biomedical and space areas, private capital cannot be anticipated at a sufficient level to do the job.

In the 1950's we began to establish a great system of motor highways so that our people and our goods could move with the ease necessary to a dynamic economy. In the mid 1970's an equally great system of electronic highways is needed to move information with the same ease. This country runs on the fast transfer of information. Today it is already essential to passenger and freight transportation, to bank clearings, to buying and selling, and to entertainment and news. Tomorrow it will become equally essential to teaching our children, to healing our sick, and to governing our cities and towns. This network, moreover, is vital to solving our pressing national problems because of its potential for conserving energy, increasing productivity, ameliorating our present unemployment situation, protecting our environment, and improving our competitive position in international trade.

I understand that most of the technology required for a high capacity interactive broadband communication system that is capable of carrying television signals in both directions, has been available for some time, but that recent developments in circuit techniques have reduced the costs for such complex systems to a point where implementation has become practical. If we in this country do not realize the revolutionary potential of this technology, others will.

The trends are clear everywhere we look. To the North in Canada, a Department of Communications has been established to promote this industry. They have already outstripped us in the operation and use of a domestic satellite system. To the West, the Japanese have developed plans for an information oriented society and have started to implement them. Their moves in the computer and communications field bear this out. To the East, in Europe, the Germans are planning for the development of their communications plant for the rest of the century.

The French have recently announced the overhaul of their telephone plant and it has been reported that they will replace their conventional copper wires with optical fibers capable of carrying over 200 television signals simultaneously to each subscriber. Even in the Middle East, the Iranians and Saudi Arabians are considering sophisticated and advanced telecommunications systems.

Concerted efforts in Europe and Japan to obtain more of the U.S. market in telecommunications equipment are now making headway. Although in the past we in this country held undisputed leadership in the production of high technology products, we have now become net importers of telecommunications equipment.

Apart from the beneficial effect such technology can have on our energy, environmental, and economic problems, it can also transform our society by providing a totally new kind of mass communications to improve the lives of all our people. This would not be mass communications as we have known it in the past, with the public playing a passive spectator role, but a two-way interactive system where citizens will have direct access to the views of their fellow citizens, and to entertainment, news, and educational sources of every sort.

A citizen would no longer be simply a listener or a viewer; he would be able to make his own views effectively known to his fellow citizens and his Government. We must develop such a participatory system if we are to grow and survive as a great Nation.

The 1974 Report to the President of the Cabinet Committee on Cable Communications recommended a federally supported effort by all levels of Government and industry to solve the problem of providing services in a new way by a new system. While a comprehensive approach was recommended, current Federal efforts are devoting large sums of money of piecemeal and fragmented efforts for specific services.

Previous studies at the highest levels of the Executive Branch have advised that the technical forces of the Government be brought together with fragmented communication efforts to produce an entity for promotion of the industry and fostering new developments needed to keep our country moving forward.

What is needed, in my view, is a specific entity within the Government whose mission it would be to promote this technology in the interests of our domestic and international economic life. This entity should be given the status, the rescurces, and the authority to produce significant results in a reasonable span of time. With scrupulous attention to the greatest possible leverage of Federal-to-private sector spending, this entity would:

Search out all applications to their full potential;

Find and remove obstacles to the provision of all useful services over present plant—obstacles that involve aggregation of resources, regulatory constraints, manpower shortages, institutional barriers, standardization, training, and the like;

Find and remove obstacles to the creation of new plant—obstacles that involve technical feasibility, economic viability, coverage of risk, and the like; and

Stimulate research, experimentation, and demonstration, funding it where otherwise unavailable.

I am sure that Secretary Morton, with his dual responsibility to restore a dynamic economy and to develop a national energy program could use the Office of Telecommunications in his Department to develop and carry out a plan to see that such a system is developed with appropriate roles for industry, the public, and their Government.

Let us enter into the third hundred years of this country by providing the world leadership into the Information Age for the benefit of all.

In view of the need for a focus for our telecommunications research, the pending proposal to abolish the Office of Telecommunications as a separate entity within the Department of Commerce by merging it with the National Bureau of Standards seems contradictory to what we should be doing. In my view, rather than eliminating what appears to be the principal focus of telecommunications applications in the Government, we should be expanding its role and increasing its resources.

To sum up, broadband telecommunications technology, if it is allowed to make its full contribution, can transform our society. It can, in my view, reduce to manageable levels some of our most threatening national problems, including the energy crisis, threats to our environment, and our need for new industries, new jobs, and expanded overseas commerce. This industry, according to estimates, would contribute $20 billion to our Gross National Product.

We are not going to start making real progress in this vital undertaking until we designate an entity within the Federal Government whose exclusive mandate will be to advance the utilization of telecommunications technology for the benefit of all our people. As a start, I would suggest that we preserve the present Office of Telecommunications and explore ways in which to let it take on the leadership role that is needed.

I respectfully submit that this effort is overdue, and will not be possible without the exercise of the unique leadership role which only the President can provide. I would suggest that top priority should now be attached to the devising of legislation which will set up the governmental unit I have described, and give it the authority and the means to do the work that must be done.

You may be sure that I will devote my best efforts in the Congress to insure the success of such an effort—the results will be of lasting benefits to the people of our Nation.

I look forward to your views on this matter.

Thanking you and with best wishes and kind personal regards, I am

Sincerely yours,

HARLEY O. STAGGERS

Mr. Speaker, my immediate concern was the proposal to eliminate the Office of Telecommunications of the Department of Commerce as a separate entity by merging it into the National Bureau of Standards. The present Office of Telecommunications falls far short of the resources, prestige, and authority needed to be effective in advancing telecommunications technology. It nevertheless represents the primary Federal focus in this area; the decision to abolish it as a separate unit was a step away from the goal we should be pursuing.

In the weeks which followed my meeting with the President, there occurred an exchange of correspondence which culminated in his decision to delegate to Secretary of Commerce Morton the responsibility for looking into this matter. I request permission to insert into the RECORD at this point the letter which the President sent to me on June 30, 1975.

THE WHITE HOUSE,
Washington, D.C., June 30, 1975.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of June 4 and for your thoughtful analysis of the plan to merge the Commerce Department's Office of Telecommunications into the National Bureau of Standards.

In view of the concerns you and others have expressed, I have asked Secretary Morton to undertake a thorough reevaluation of the plan and to develop recommendations for action. I know that he will carefully consider all the factors involved and that your letter will be helpful in his assessment.

I have asked Secretary Morton to inform you of the results of his reevaluation as soon as it is completed. I am grateful for your views on this and appreciate the spirit in which your letter was written.

Sincerely,

GERALD R. FORD.

Two weeks ago a set of wide-ranging hearings by our Communications Subcommittee illuminated the need for immediate action in both the regulation and promotion of telecommunications. It was made very clear through the questioning by the able chairman, Mr. MACDONALD, and members of his subcommittee, namely, Mr. WIRTH, Mr. MURPHY, and Mr. FREY, that serious problems exist in our regulatory and promotional systems. Experience has shown that the regulatory process has impeded the application of telecommunications technology anywhere from 6 to 10 years, thereby allowing foreign nations to benefit commercially from our technology at our expense. Because we lack a strong central promotional focus within the executive branch, our balance of payments in telecommunications continues in arrears.

Mr. Speaker, I take this opportunity to publicly applaud Secretary Morton's decision to rescind the ill-conceived consolidation of the Office of Telecommunications with the National Bureau of Standards. It is my hope, and expectation, that Secretary Morton will address our telecommunication needs expeditiously and decisively. But, if we are to begin making some real progress in this vital area, we have to update and improve our Federal organization. We need an entity whose mission will be the promotion of telecommunications technology so that it can contribute to our national economy and the improvement of the lives of our citizens. I am today introducing legislation which will set up this entity and provide it with the tools to do the job.

I do not expect to solve all of our problems all at once. I do propose to move quickly and forcefully to correct the principal deficiencies of our present organization. I invite the distinguished Secretary of Commerce to comment on my proposal without delay, so that we can move swiftly in enacting remedial legislation.

AMERICAN PRESENCE IN JEOPARDY IN ANOTHER COUNTRY

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, the unfortunate situation with regard to Turkey apparently cannot be resolved until September. Meanwhile, the United States will continue to suffer damage to intelligence gathering and defense related systems and to our prestige worldwide.

In a recent letter to the Speaker, President Ford stated our facilities in Turkey are irreplaceable. He went on to say the loss of these facilities will downgrade our capabilities in major areas of national security.

Certainly the President did not overstate the situation.

The list of countries in which U.S. forces are welcome continues to shrink. Turkey has taken control of U.S. bases in that country and may order U.S. forces to leave because Congress tried to write foreign policy and refused to permit the sale of U.S. weapons to Turkey. This can be a bad decision for everyone for Turkey has been a staunch and valuable ally whose strategic location on the Mediterranean is of great importance to the NATO Alliance and to the U.S. presence in the Mediterranean.

The U.S. Congress, out of friendship to Greek Americans living in this country, voted against arms for Turkey because of the continuing dispute over Cyprus. Unfortunately, this vote will not help Greece in any way. It will harden the Turkish attitude about Cyprus.

It may cost us some of the most valuable military bases we have overseas, including intelligence operations which are essential if we are to know what the Russians are doing in the development of military programs. As time goes on, we have no way of knowing what further steps the Turks will feel compelled to take in their own national interest as they see it. Russia will be happy to provide arms to the Turks, and a Turkish-Russian alliance could seal the fate of the Mediterranean against the western powers.

The congressional embargo took effect last February. The Congress has made its point. The embargo will do nothing further to bring Greece and Turkey toward a peaceful settlement of the Cyprus situation. More likely the embargo will make any peaceful settlement impossible.

A continuation of the embargo now should no longer be viewed as being a matter of the United States seeking to punish one side or the other in the Cyprus dispute. Members of this body should no longer cast their votes as being either pro-Greek or pro-Turkey. We should now address this critical situation as pro-Americans.

Any reasonable man or woman who views the question from the standpoint of what is good for America can only now support an end to the embargo.

The United States has too few places in the world where our forces are welcome. Nowhere is this more true than in the Mediterranean area. Turkey, Greece, Italy, Spain, and Portugal each are having internal troubles which may take those countries into the communist orbit. If Congress by its actions helps to deny bases to United States and NATO forces in those areas, the consequences can be costly in the extreme. These actions also can make it extremely difficult to monitor or influence any new conflict which might erupt between the Israeli and Arab forces. The embargo and the ensuing denial of our bases already has left the Mideast situation in serious question.

We should not delay this question further. The Congress made its feelings very clear months ago. To continue to press the issue is to punish America and our friends.

The situation is far too critical to allow another month to pass before again addressing the question.

IN MEMORIAM—KENNETH B. POMEROY

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, a great forester passed away yesterday. Kenneth B. Pomeroy died of a heart attack July 31 in Traverse City, Mich. Ken Pomeroy served the cause of forestry for more than 40 years and served it well. Thus he served the American people and served them well.

Mr. Pomeroy, chief forester of the American Forestry Association from 1956 to 1972, and more recently, Washington representative of the National Association of State Foresters, was vacationing in his native State of Michigan at the time of his death.

Born May 17, 1907, near Valley Center, Mich., he received his B.S. degree from Michigan State University in 1928 and his Master of Forestry degree from Duke University in 1948.

His life spans two full careers. After a short period in private employment during the depression, he joined the U.S. Forest Service. During the next 20 years he was stationed in the Lake States, west coast, Appalachia, up and down the east coast. He started in National Forest Administration and moved to research after World War II. From those years he is best remembered for his tireless efforts in naval stores and tree improvement research. His research achievements included stimulation of seed production and regeneration of loblolly pine.

During the second 20 years he was chief forester of the American Forestry Association. It was during these years that Ken Pomeroy's deep professional knowledge and his natural flair for the political process were brought to bear so successfully on forestry problems. He was involved in most of the forestry legislation enacted during the period. He was a familiar figure on Capitol Hill and wherever forestry was deemed important; explaining here, convincing there, feeling the pulse everywhere. Just how great his contributions were is impossible to tell, but he was one of the principal architects of today's comprehensive and effective forestry programs. His contributions were great; that is certain—few have exceeded them.

In the years before retiring for the second time, Ken vigorously pursued one of his greatest interests—forestry improvement on small private lands. "Trees for People" was his brainchild.

His work included not only responsibility for legislative liaison, he provided technical assistance to association members, the Trail Riders of the Wilderness program, and general conservation activities. Through his articles in American Forests, on Trail Rides and American Forestry Association expeditions abroad, he built up a wide acquaintance with AFA members. His helpfulness was attested by many of these members.

When AFA moved into the world forestry arena, Mr. Pomeroy once again broadened his horizons. He was an official delegate to two World Forestry Congresses and also took part in the most recent congress in Buenos Aires. On the trek to Argentina, Mr. and Mrs. Pomeroy toured a number of South American countries in heading up an official AFA tour. He also directed AFA tours to Britain, Ireland, and Scandinavia.

He helped achieve enabling legislation to assist small owners and laid the foundation for AFA's National Tree Planting Conference in New Orleans in 1972. Five of six forestry bills designed to assist small owners were enacted in a short time with great support from many people on the Hill.

When Mr. Pomeroy retired from AFA in 1972, the National Association of State Foresters prevailed on him to become their Washington representative, a function he was admirably fitted to carry out due to his wide acquaintance on the Hill where he was held in high esteem. Later he also represented the Nation's forestry deans in the same capacity.

Mr. Pomeroy was a longtime member of the Secretary of Agriculture's Forest Research Advisory Committee, the Secretary of Defense Conservation Award Committee, the Forest Fire Prevention Committee, Soil Conservation Society of America, and served as secretary of the Fifth American Forest Congress. He was coauthor with J. G. Yoho of "North Carolina Lands" and author of more than 180 articles for scientific and popular magazines. He was also a member of the Society of American Foresters, International Society of Tropical Foresters, Alpha Gamma Rho, Sigma Xi, Cosmos Club and the North Chevy Chase Christian Church.

Mr. Pomeroy is survived by his wife, Martha (Moss) Pomeroy, 10404 Conover Drive, Silver Spring, Md.; a son, John W., of Poughkeepsie, N.Y.; two daughters, Mrs. William Thorpe, of Springfield, Pa.; and Mrs. Phillip Schultz, of Orange, Calif., and a brother, John H., of northern Virginia. The body will be at the Chambers Funeral Home, Silver Spring, Md.

Ever the gentleman in manners and appearance, even tempered, interested in people, with the gift of youth, Ken Pomeroy was a credit to all he represented. He will be missed by all who knew him.

Our deepest sympathies are extended to his beloved wife and his family.

THE IMPORTANCE OF EDUCATIONAL RESEARCH

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, the Subcommittee on Select Education began hearings on H.R. 5988, a bill to extend the authorization for the National Institute of Education—NIE—on Tuesday, July 29.

Dr. Harold L. Hodgkinson, the distinguished Director of the National Institute of Education, submitted the following testimony to the subcommittee.

Dr. Hodgkinson's testimony presents a compelling argument for the important role that research in general and the NIE in particular must play as we explore the reasons why children learn or do not learn.

Dr. Hodgkinson is an outstanding scholar whose work has centered on the role of research and development in education. We are fortunate to have him as Director of the National Institute of Education and I am sure that his tenure there will be beneficial in developing a greater awareness of the crucial place of research and development in the field of education.

Mr. Speaker, because I believe my colleagues will find valuable Dr. Hodgkinson's cogent analysis of the role and function of the National Institute of Education, I would like to insert his testimony in the RECORD at this point:

TESTIMONY OF DR. HAROLD L. HODGKINSON

Congress created the National Institute of Education three years ago. The mandate for the NIE was to improve American education through research, development and dissemination activities. It now seems an appropriate time to review our progress toward meeting this mandate and to share with you our vision of future activities.

Education is one of our great national enterprises. It is of central importance to the fulfillment of our national and personal aspirations. The nation invests more than $100 billion per year in education—close to 8% of the gross national product. Yet less than one percent of that total is spent addressing problems and opportunities in education through research and development.

The educational system we have created is second to none. Three quarters of our young people finish high school and about half go on to postsecondary education. This system has been a major factor in bringing us to our present dominant position and is essential in keeping us there.

But we—the public and educators alike—want to do better and must do better. Despite our best efforts we still have many educational problems. For example:

Employers complain that many high school graduates cannot read and write well enough to function effectively on the job.

Many children are denied equal educational opportunity because the language they learned at home is not the language of instruction in the schools.

Many students leave school without knowledge, information and skills for choosing and pursuing a career.

The ability of educational institutions at all levels to provide high quality education is threatened by rising costs and declining enrollments.

NIE can contribute substantially to the alleviation of these and other present and future educational problems by support of:

Efforts to bring into immediate use the results of educational research and development, with special emphasis on the most pressing problems confronting the educational system at this time.

Policy studies providing timely data and analyses to decision makers such as state legislators, Congressmen, and administrators.

Development activities and associated research, based on thorough analysis of educational problems, designed to produce new procedures and programs ready for widespread use in two to five years.

Basic research that promises to increase substantially our knowledge of learning and education and provides the basis for new approaches to education and better ways of dealing with as yet undefined future problems.

PROCESSES OF PROGRAM DEVELOPMENT

Before discussing the specifics of how NIE uses these methods to address problems and opportunities in education, I think it will be helpful to discuss briefly the processes we have gone through in developing our program.

Our legislative mandate was, as you know, a broad one. We were charged with seeking to improve education in the United States through:

"(A) helping to solve or to alleviate the problems of, and achieve the objectives of American education;

(B) advancing the practice of education, as an art, science, and profession;

(C) the strengthening of the scientific and technological foundations of education; and

(D) building an effective educational research and development system."

The preamble to our legislation emphasized national policy to achieve both equality and quality in education. It also contained the words: "To achieve quality will require far more dependable knowledge about the processes of learning and education than now exists or can be expected from present research and experimentation in this field". This had led us to develop a new national research and development agenda.

During NIE's first two years, the National Council on Educational Research, our policy making body, and members of the Institute staff worked to translate the Congressional mandate into specific priorities, programs and projects.

During the first three years, more than 90 percent of the Institutes' funds were allocated to projects transferred from the Office of Education and the Office of Economic Opportunity. NIE found that, although the projects were of varying levels of quality, there was much that was good, and believed that they should be carried through to completion.

A great deal of time was spent in getting them up to their present condition. Some needed to have research and evaluation components built in, while others were reoriented. This work made the projects of greater value and use to more school districts and school personnel. Results already in confirm that this work has paid off in tangible benefits to schools.

In developing the new agenda the Council and the staff believed that the Institute's priorities had to reflect the educational concerns and needs of the education community, the Congress, and the American people. It was also concluded that focusing on a small number of important problems was the best means of using the limited funds available. Advice and assistance came from a wide variety of outside sources. In developing its program, the Institute sought the views of all major education groups. As a result, NIE has broadened its base of support and is working in cooperation with those who must be involved if validated research results are to be translated into widespread practice. There is broad agreement on the appropriateness and importance of the five major problem areas or priorities that NIE is addressing and expects to emphasize during the next three years: Basic Skills; Finance, Productivity and Management; Educational Equity; Educational Equity; Education and Work; and Dissemination and Resources.

Details of our programs in these areas follow the discussion of several important themes that cut across all our programs.

CROSSCUTTING THEMES

The first theme is equality of opportunity, one to which we are strongly committed. In each of our programs, special attention is given to the needs of students from minority groups and low income families, and our Educational Equity program is devoted entirely to those needs. Further, we are committed to equal employment opportunities for our staff and to equality in the selection of outside consultants and advisors.

The second theme is broadening the base of participants in educational research and development as a means of moving in new directions and of building an effective educational research and development system. Ten years ago, a time when there was a limited national capacity for conducting educational research and development, the Congress strengthened the Federal role in educational research and development through Title IV of the Elementary and Secondary Education Act. Special institutions, the Reversity-based Educational R&D Centers were gional Educational Laboratories and the unicreated by Federal initiative. Now, however, in no small part because of the stimulus of Federal funding and special efforts by NIE to interest a broad spectrum of research people in educational research and development, there is a far more substantial national capacity both public and private. Investigators at many colleges and universities, profit and non-profit organizations, state education agencies, and local school districts are now capable of and interested in undertaking research in conjunction with NIE's nationally developed agenda.

Third, we have also achieved a broad base of participation in the planning process itself. NIE's detailed research agendas are developed with the cooperation of groups of leading investigators and educational practitioners who work with the staff to define specific problems and suggest research and development responding to them. In this process, NIE seeks, to the extent possible, to achieve a comprehensive approach to the problems it is addressing, bringing to bear all relevant scientific knowledge.

A fourth theme running throughout the Institute is the developing of educational alternatives. Research does not show us the one "right" way to teach children. To the contrary, we consistently find that different students learn best in different ways. Our education system needs alternatives to serve the diverse needs of its students. NIE can help provide those alternatives. As an example, for elementary schools, NIE is developing bilingual/bicultural curricula for Spanish-speaking children and for Native Americans. Another elementary school model, Individually Guided Education, is a comprehensive system which permits teachers and administrators to devise individual programs for each child. Instruction is based upon which the student already knows, how rapidly that student learns, and other personal characteristics. Team teaching is stressed and students are grouped by achievement, rather than by age or grade. For the high schools, NIE developed a career-oriented program that gives students a variety of work experiences in the community. This program, which I will describe in greater detail later, is proving to be an attractive alternative to the traditional academic or business curricula. At the postsecondary level, the University of Mid-America project uses television, newspapers, and special media centers to teach college-level courses to adults, many of whom do not have access to a conventional university. These are but a few examples of the NIE-developed alternatives that can help our schools better meet the diverse needs of their students. Our Dissemination program is providing schools with information and assistance in examining the available alternatives and deciding which are best for their use.

These four themes, equality of educational opportunity, broadening the base of participants in educational research and development, national participation in the creation of research agendas, and the provision of needed alternatives, give a coherence and integrity to the overall mission of the agency. Their presence strongly influenced the selection of the five priorities and continues to influence program decisions within the priority areas.

Now I will turn to a description of the work actually going on in the five priority areas of the Institute. Although the efforts in each area are directed toward alleviating a major educational problem, you will see that there is a range of activities addressing each problem. These activities have been carefully chosen from a much wider set of possibly important approaches and include descriptions of the problem, experimental research, development of products, synthesis of research findings and dissemination. Our sense is that efforts of this breadth are critical to our meeting both the pressing short-range needs of the educational community and developing and consolidating a knowledge base for informed action in the future. The first priority area I will discuss is Basic Skills.

BASIC SKILLS

Thousands of students leave school each year without the basic reading and mathematic skills required for many jobs. The Basic Skills program is designed to insure that all children master the skills needed to function effectively in our society. The primary emphasis is on reading, with a secondary emphasis on mathematics. For two years practitioners and scientists have been helping to plan our work on reading.

In the past the Federal government has sponsored a great deal of research and development on reading in the early grades. This work has already led to improved reading, particularly in the beginning stages of sounding out words. Over the next three years NIE will systematically assemble and analyze the existing knowledge about early reading to determine by 1978 whether substantial improvement would be made through a new generation of curriculum programs.

But skilled reading is more than simply being able to turn text into speech. It involves an understanding of the message; it requires that the reader be able to cull the information he needs in everyday affairs from various materials, such as technical manuals, government forms, newspapers and magazines. These problems of comprehension have, in the past, received much less attention than the problems specific to early reading. Therefore, NIE is now focusing its research efforts on comprehension. For example, we are concerned with how comprehension is influenced by characteristics of the text, such as vocabulary and syntax, and by characteristics of the reader, such as attention, motivation and intent. We will also investigate how comprehension is affected by different social and cultural contexts. The beneficiaries of these efforts will no longer be concentrated in the early grades, but will include older children and young adults who cannot meet the reading demands with which they are faced.

Research on learning is not sufficient. The Basic Skills group must also deal with how to teach. Some research suggests that training teachers in general skills which they might use in any subject is not productive. Certain skills are related to effective teaching in some subjects, but not in others. For example, in a recent NIE study, only one teacher out of ninety-seven was identified as highly effective in both reading and mathematics. An NIE-funded project directed by the California Commission on Teacher Preparation and Licensing is currently addressing this issue. The purpose of this study is to identify what teachers do that makes a difference in how well their students read and do mathematics. This study, to be completed in two years, will give policymakers in California and many other states information needed to revise their teacher certification requirements and teacher training programs.

The Institute is also funding efforts to individualize instruction. I have already described one such program, known as Individually Guided Education. More than 2,000 elementary schools have adopted this approach; still more use the reading materials from this program. We estimate that by 1978 this program will be disseminated widely enough to be recognized as a truly alternative form of elementary schooling.

In addition to teaching and learning, the Basic Skills program has to be concerned with questions of evaluation and measurement. How do we know whether students are achieving the desired level of competence? How do we know whether the products of educational research and development are effective? Dissatisfaction with current methods of answering these questions is widespread and for the most part justified. Test bias is one source of dissatisfaction. The courts and legislatures are being asked to prevent tests from being used in a way which discriminates against minority or low-income children.

But as yet we do not know how to prevent inadvertent misuse and at the same time provide for an adequate assessment of every student's progress. NIE is working to develop more accurate and fairer measures of student achievement and program effectiveness.

NIE also is supportnig development of new research and evaluation methods and is attempting to insure that users have access to the best available ones. For example, one NIE project is producing kits which enable practitioners to make a wise choice of tests and do their own evaluations.

FINANCE, PRODUCTIVITY, AND MANAGEMENT

America's school administrators and local school board members are caught in a crunch of rising costs, declining enrollments, and constant demands for better performance. By developing and testing new technologies and alternative organizational structures, the Institute can help make the educational system better able to cope with these pressures.

"Competency-based" education is one idea being explored by many high schools and colleges. In such a program, a student graduates when he or she has mastered certain skills or knowledge, not just upon completing a predetermined number of courses.

The State of Oregon, for example, now requires its high school graduates to master certain real-life skills, such as demonstrating first-aid techniques, or answering a job advertisement. NIE is actively supporting such efforts to develop responsible goals and curricula. By 1978, the Institute should be able to provide educators and policymakers with extensive information on the impact and practicality of a state-wide system of competency-based education.

NIE is also aiding local schools and school systems to change their organizational styles and structures in ways that will help them to improve their performance. Initiatives include developing better planning and accountability systems, finding more effective means of broadening participation in decisionmaking, developing strategies that schools can use to locate and make effective use of outside help and helping schools to do a better job of setting local priorities and implementing decisions. Pilot studies addressing these issues are currently being carried out in urban and rural schools serving over 50,000 students, in locations ranging from Harlem and Watts to the Four Corners area of southeast Utah. Three years from now we will have assisted hundreds of rural communities trying to redefine their educational programs to fit modern rural needs; we will have helped existing teacher centers to do a better job of meeting the professional development needs of thousands of teachers; and we will have provided information and technical assistance to many urban school principals that will help them use modern management techniques to reduce conflict and improve school performance and productivity.

Two other efforts are also developing organizational alternatives for local schools. In a project in Southeast Minneapolis, students and their parents are offered a choice of four schools with distinctly different educational programs. Fourteen schools in San Jose, California offer more than 50 alternative programs, based on interests of teachers, parents and students. Alternatives and innovations such as these hold great promise for revitalizing the organization of our schools.

At the State level, school finance reform is a central concern. A number of State court decisions have concluded that current school finance practices are inequitable. Since 1970, 14 states have successfully revamped their school finance system. NIE recently awarded a contract to the National Conference of State Legislators to study these 14 "success stories" and write a handbook for legislators who are now confronting this complex and controversial issue in other states. In the next three years, NIE will provide technical assistance to States to develop practical solutions to the problems of equalizing school finance.

Another area of interest related to productivity and efficiency is the use of technology. A wealth of new technologies, including television, audio cassettes, videotapes, and computerized instruction, is now being used in schools through out the country. The Institute is aiding educators by analyzing the cost-efficiency and educational effectiveness of these new technologies. One large-scale project I mentioned earlier—the University of Mid-America—supported by NIE and the Ford Foundation, uses a coordinated system of television, newspapers, and special media centers to teach college-level courses in Nebraska, Iowa, Missouri, and Kansas. This project is demonstrating the exciting potential of technology to reach adults who normally would not have access to higher education. By 1978, we will be able to inform boards of higher education of the cost and impact of this open learning system.

EDUCATIONAL EQUITY

NIE's authorizing legislation states that it is "the policy of the United States to provide every person an equal opportunity to receive an education of high quality regardless of race, color, religion, sex, national origin, or social class." The law further states that while American education has pursued this objective, it has not yet attained the goal of equal educational opportunity.

As I have indicated, concern for equal opportunity is reflected through the Institute. For example, the Basic Skills program is concerned with issues of test bias and making sure that all children learn to read. However, to meet the special needs of certain population groups, the Institute organized a special program—Educational Equity—to help schools and colleges find ways to provide more students with equal opportunities for a high quality education.

A major thrust of the Equity program is in bilingual education. The U.S. Civil Rights Commission recently reported that hundreds of thousands of children in America's schools do not speak English as a native language and are being deprived of equal educational opportunities because they do not understand the language of instruction. In Texas, for example, one child in five speaks Spanish as a native language. Texas has officially adopted a bilingual-bicultural curriculum developed with NIE funds. Every school district in the State with more than 20 students of "limited English speaking ability" can now order these Spanish-English materials free of charge. In addition, these NIE-funded bilingual educational materials are being used in 15 other States and in the cities of Chicago and New York.

The Institute's Equity program is also funding the development and dissemination of bilingual curricula for other language groups. These alternative curricula will help schools fulfill their responsibilities to provide equal educational opportunities for Spanish-speaking students, Native Americans and other minorities.

Sex role stereotyping has unfairly limited women in their educational and career planning. The result for many women has been low-paying, dead-end jobs. NIE believes that research can provide a better understanding of how sex roles are taught and how these stereotypes can be eliminated through counseling and improved teaching.

The Educational Equity program is also carrying out a number of important policy studies. Desegregation has been for more than 20 years a controversial issue in American education. Yet little is known about the actual classroom realities in desegregated settings. The Institute is carrying out studies to learn specific means of assisting teachers, principals and school boards who are seeking to achieve high quality integrated education.

Another major policy study, undertaken at the request of Congress, will analyze the nation's $12 billion investment in compensatory education and explore alternative ways to distribute and use compensatory funds. This study will be delivered to the Congress in two years and will provide needed data and analysis for reviewing the Title I program. A final example, also in response to Congressional initiative, is a study of causes of violence in the nation's schools and ways of preventing it.

In addition to demonstrating NIE's responsiveness to Congressional concerns, these policy studies, which will be completed by 1978, will provide vital information to state legislators, jurists, school administrators, teachers, and parents confronting these controversial issues.

EDUCATION AND WORK

Relating education to work has long been a concern of the Congress, the business community, parents, and students. Last summer President Ford, in a speech at Ohio State University, expressed his interest in this area. National Commissions and private studies have concluded that students are isolated from the world of work and are not aware of the responsibilities, opportunities, and challenges of adult life. As a result, millions of students leave school each year—both as dropouts and graduates—with little idea of what career they would like to pursue, what options are open to them, and with few of the skills needed to obtain lasting employment.

In response to this problem, the Institute is supporting a program called Experience-

Based Career Education (EBCE) which can do much to change the education and work situation. During the past three years EBCE projects have been in operation in high schools in four cities—Philadelphia, Pa., Charleston, W. Va., Oakland, California, and Tigard, Ore. Students participate in a career-oriented program that includes work in basic skills—English and mathematics—and work in the community. In one model, career development has two parts—exploration and specialization. In the exploration phase, the student selects an area of interest and acquires a variety of experience in that area.

For example, if a student selects "law and justice" for a 12-week period he or she will work one or two days a week in the police station, in the district attorney's office, and at the city prison. For the next 12 weeks, the student selects another exploration area such as health and works in a community health center or in a hospital job. At the end of the period, the student may have developed a special interest in becoming a medical technician. For the next 12 weeks, the student would work with a medical technician. One such student has become the youngest certified emergency medical technician in the country.

A joint NIE–OE dissemination panel has reviewed EBCE in the four schools and judged it an exemplary project worthy of support. In addition to NIE support the Office of Education's Division of Occupational and Adult Education expects to provide $6 million for vocational educators in schools around the country to adopt or adapt EBCE for each of the next three years. EBCE-like programs will be started in schools in at least 42 states. By 1978, we expect EBCE to be a viable alternative for any high school in the nation interested in a career-oriented alternative for its students.

The Education and Work Program is also supporting research in guidance, counseling and career awareness. For example, an NIE-developed occupational exploration curriculum permits 7th and 8th graders to experience a number of occupations and work environments as part of their regular school program. An inexpensive, practical system to help schools improve their guidance, counseling, and placement programs will be tested in 20 states, and by 1978, will be available nationwide. In fiscal year 1976, the Institute will fund the production of a series of 15-minute television programs to give young children a better understanding of what different jobs are really like. Coordinated with teacher and parent activity guides, this kind of career awareness at the elementary school level is important preparation for a student's career exploration and specialization during the junior and senior high school years.

In addition, adults increasingly need educational services as they face mid-career change or job obsolescence. Other research in the Education and Work program will develop new ways of certifying occupational skills and of increasing adult access to occupational education.

DISSEMINATION

The fifth NIE priority is dissemination—making sure that teachers and administrators have access to the best and most useful results of educational research and development. NIE is employing a variety of strategies to make research information available and to provide assistance in the adoption of tested innovations.

For example, past experience has shown that "people-to-people" contact is important in disseminating information and implementing new programs. Following the example of the successful agricultural extension agents, NIE is supporting a number of states to employ specialists who will work directly with local schools and supply needed information and advice in their selection of new programs. Other funds will help states and districts implement new research products or practices. Often a local district cannot use an innovation such as individualized instruction because it lacks money or expertise. NIE support, in the form of funds and expert assistance, will make it possible for local schools to make improvements in their programs based on what has been created through research and development.

To help get information out to the field, NIE is producing a catalogue which will let local and state educators know what information and products are available and adaptable to local needs. The Institute also publishes reports that summarize new developments or trends in education. One recent report discusses how many of the nation's community colleges are now serving the elderly. It provides a step-by-step guide for community college administrators interested in starting a program for senior citizens. A second report, intended for teachers, summarizes recent research on the cognitive and social development of children. The report gives examples of actual classroom behavior with explanations based on the research, and helps teachers respond to the behavior. These reports will be widely distributed free of charge to educators concerned with these issues.

The Dissemination program will also continue to support and improve the Education Resources Information Center (ERIC)—a network of 16 national clearinghouses that collect, categorize, and make available educational research reports and articles. The ERIC system is now being used more than 10 million times annually by teachers, administrators and researchers.

The Institute has demonstrated its commitment to dissemination by tripling its funding level in fiscal year 1976. By 1978, with support from NIE, at least half the States will have well-developed dissemination programs to provide local educators with the latest results of educational research. In addition, over the next three years, every school district in the nation will receive an updated catalogue of NIE-sponsored products and copies of clearly-written reports that summarize research on topical issues of interest.

CONCLUSION

I have discussed the general need for educational research and development, the processes we have used to develop our programs, some themes cutting across all the programs, and the current and planned programs themselves. I will turn now to the specifics of the bill before you and end with a few remarks about my aspirations for the Institute.

The bill before the Committee, H.R. 5988, would authorize the Institute for another three years. It would amend our original 1972 statute to specify the issues which the Institute should address over this period, consistent with the program I have just described. We would like, in this way, to achieve a mutual understanding with the Congress of the Institute's mission. In addition, the bill would:

Make certain perfecting amendments concerning the National Council on Education Research relating to requirements for a quorum and expiration of terms of office.

Authorize establishment of research fellowships to facilitate scholars coming to the Institute for short periods for individual research, to work with Institute staff or to receive further training. This authority would parallel that of the National Institutes of Health.

Authorize appropriations for three additional fiscal years.

These changes and extensions would provide the necessary statutory basis for the Federal leadership role in educational research and development over the next three years. I would like in my concluding comments to present briefly the vision of the National Institute of Education toward which I believe we are all striving. That Institute will:

Be a focal point for achieving national consensus on the important current and emerging national problems of education and for designing and carrying out appropriate research and development projects to deal with them.

Provide increasingly strong foundations of knowledge about learning and education upon which teachers, administrators, policymakers, parents, and students can rely and make this knowledge available in forms which can be utilized by various interested parties.

Give leadership to national efforts to design new ways of providing education, taking advantage of opportunities arising from new knowledge, new ideas, new technological advances, and new interests of society and of students.

Seek to anticipate future educational problems and carry out pilot programs that can form the basis for well designed responses to the problems.

These functions are all ones that require a national Institute that can utilize efficiently the intellectual and material resources of the nation and achieve the necessary consensus. They require also a continuing Institute which can give sustained attention to educational problems, understand their interconnections, and accumulate experience, expertise, and basic understanding in addressing them through research and development. I believe we have made a good start toward creating such a National Institute of Education. I strongly recommend that the Committee act favorably on our request for reauthorization of the Institute so that these efforts can continue.

HOUSE CONCURRENT RESOLUTION 133—THE FIRST STEP

(Mr. MOORHEAD of Pennsylvania asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, last week the Committee on Banking, Currency and Housing took the historic step of initiating a systematic, continuing, and contemporaneous review of the formulation and implementation of monetary policy by the Federal Reserve System. The significance of this action can hardly be overestimated. It was taken pursuant to House Concurrent Resolution 133, which provides for semiannual hearings before our committee as well as the Senate Committee on Banking, Housing and Urban Affairs about the Board of Governors' and the Federal Open Market Committee's objectives and plans with respect to intended changes in monetary and credit aggregates in the upcoming 12 months.

In succeeding hearings, the resolution also provides for retrospective review, so that the Congress can have the information necessary for the responsible discharge of its constitutional duty, "to coin money," and "regulate the value." The Board of Governors and its distinguished chairman, Dr. Arthur Burns, are to be commended for their *cooperation* with the committee in accordance with the terms of the resolution.

It is clear, however, that the full benefits of the dialog which has thus been opened can be achieved only if it is broadened to include the economic assumptions and objectives upon which monetary policy is based. The most significant of these are rates of employment and unemployment, inflation, and gross national product. Without information as to the expected consequences of any given monetary policy in those terms, the Congress is powerless to make an informed judgment as to its soundness in terms of the broader issues of public policy which are our ultimate and inescapable responsibility.

I would therefore strongly urge that the Board consider very seriously the desirability of making available at the next set of hearings under the resolution not only the target areas for monetary and credit aggregates, but the ranges of other major economic indicia which are expected to be produced thereby. The inclusion of this material will, I submit, go far toward enhancing the ability of both the Congress and the Federal Reserve System to meet their respective responsibilities.

TOTAL MILITARY STRENGTH ASSESSMENT; DEPARTMENT OF DEFENSE RECRUITING RESULTS FOR JUNE 1975

(Mr. DAN DANIEL asked and was given permission to extend his remarks at this point in the Record and to include recruiting statistics for the military services.)

Mr. DAN DANIEL. Mr. Speaker, preliminary figures have just been released which show that the total strength of the four military services at the end of June 1975, was about 2,127,000 or 99.95 percent of their June target of 2,128,000. The Navy and Air Force objectives have been revised slightly from the President's budget objectives as a result of subsequent program adjustments. Minor differences between the actual fiscal year end strengths and the services' objectives were due to the difficulty in projecting losses exactly. Actual strengths and services objectives for June are shown in the table below:

ACTIVE MILITARY STRENGTHS END OF JUNE 1975 (PRELIMINARY)

[In thousands]

	Objective	Actual	Percent of objective
Army	785	784	99+
Navy	535	535	100
Marine Corps	196	196	99+
Air Force	611	612	100
DOD total	2,128	2,127	99+

Fifty-one thousand six hundred men and women were recruited in June which was 102 percent of the total objective of 50,400. The 456,600 recruits obtained in fiscal year 1975 was 102 percent of the services' objectives. Each of the four military services exceeded their June and fiscal year 1975 recruiting objectives:

ENLISTED ACCESSIONS, ALL SOURCES

Service	June			Fiscal year—	
	Objective	Actual	Percent	1975 actual	1975 percent objective
Army	24,800	25,600	103	209,100	102
Navy	12,300	12,500	101	110,000	101
Marine Corps	6,400	6,500	100	60,300	101
Air Force	6,800	7,000	104	77,200	102
Total DOD	50,400	51,600	102	456,600	102

Ninety-five percent of all the June nonprior service enlistees were in mental categories I–III which are the average and above average mental groups; in fiscal year 1975 94 percent of all the nonprior service enlistees were in these mental groups. Of the new enlistees 87 percent were high school graduates as compared to 72 percent for the total fiscal year 1975. The following table shows the June and end-fiscal year 1975 results for the nonprior service accessions who are high school graduates and in mental groups I–III:

HIGH SCHOOL GRADUATES AND MENTAL GROUPINGS (NONPRIOR SERVICE MEN AND WOMEN)

	High school graduates			Mental groups I, II, III [1]		
	June		Fiscal year 1975 percent	June		Fiscal year 1975 percent
	Number	Percent		Number	Percent	
Army	19,100	82	66	21,800	94	90
Navy	10,700	90	75	11,100	94	95
Marine Corps	5,700	90	59	6,200	98	96
Air Force	6,700	87	91	6,900	99	99
Total DOD	42,200	87	72	46,000	95	94

[1] Above average and average categories.

Black enlistments accounted for about 16 percent of the June nonprior service enlistments. For fiscal year 1975, blacks were 18 percent of the total, 3,400 or 7 percent of the new June enlistees were women. The 37,500 women recruited in fiscal year 1975 was 9 percent of the nonprior service total. The services also recruited 3,200 prior service personnel in June and 37,100 prior service personnel for the fiscal year.

The total selected reserve strengths declined slightly during May.

SELECTED RESERVE STRENGTH

[In thousands]

	End strength		Average strength	
	May 1975 (preliminary)	April 1975 (actual)	Fiscal year 1975 through May	Fiscal year 1975 appropriated
Army National Guard	393.4	394.3	393.4	400.0
Army Reserve	227.4	228.2	229.9	225.0
Navy Reserve	102.0	103.3	108.1	111.9
Marine Corps Reserve	32.4	32.7	32.2	36.7
Air National Guard	94.4	94.1	93.9	95.0
Air Force Reserve	49.2	48.3	46.4	51.3
Total DOD	897.8	900.8	904.0	919.9

SST CONCORDE

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I would like to put into the Record a copy of my testimony on the SST Concorde which was given before the Subcommittee on Governmental Activities and Transportation of the Governmental Operations Committee on July 24, 1975.

The text of the statement follows:

Statement of Hon. Richard L. Ottinger

In my comments I wish to express my strongest conviction to this subcommittee that the Federal Aviation Administration should not allow the British-French Concorde to land at or take off from any airport in the United States. The proposal to allow these supersonic planes to land at John F. Kennedy International Airport in New York, and at Dulles International Airport in Virginia is, in my judgment, an ill-considered one. This "foot-in-the-door" very likely will be only that; even if the commitment limits the Concorde to those two airports and that limitation were honored for all time, I would still be opposed.

Surely it can be said that one of the major considerations which always should be given attention is whether any mode of transportation is desirable on grounds of efficiency, cost and energy consumption. The Concorde should be no exception. The economics of the Concorde are, however, preposterous. According to the FAA's Environmental Impact Statement (EIS), the Concorde compared to other aircraft in the following manner:

[*Operating cost—direct, per seat mile, in cents*]

Plane:	
Concorde	4.5—6.0
747	1.5—1.6
707	2.2—2.4
DC–10	1.5—1.6
DC–8	1.9—2.8

Regarding its energy consumption levels, the Concorde again compares unfavorably to other aircraft. The Concorde uses three times as much fuel per passenger mile as the 747. In fact, it would burn 230,000 extra gallons of fuel to transport the same number of passengers—in several flights—as one Boeing 747 making one trans-Atlantic flight with an equal number of passengers. I find it difficult to believe that, on the one hand, the government is pleading with the American public to conserve energy by turning down their thermostats, driving slower and switching to smaller cars, while it is on the other hand encouraging the well-to-do to galavant around the globe in gas-guzzling supersonic jets.

The Concorde loses in other comparisons, too. It cannot carry any cargo beyond a minor amount for each of the passengers, its range is only two-thirds that of a 747, it cannot land at medium-sized airports, and it depreciates almost twice as quickly as its subsonic counterparts.

Leaving aside the apparent diseconomies of the Concorde itself, and its potential for damaging airlines which run subsonic carriers, the air pollution possibilities of the Concorde are staggering. Contrary to both the EIS and the Environmental Protection Agency's recommendation and press release, the Concorde will be a tremendous polluter of our atmosphere.

The emissions it would put out, compared to other transcontinental jets, are positively obscene. Compared with the 707, for instance, the Concorde yields almost four times as much carbon monoxide (CO), nearly twice the unburned hydrocarbons (THC) and over three times as many oxides of nitrogen (NO_x). Against the DC–8 the situation is equally unfavorable, with the Concorde producing nearly seven times more CO, nearly 50 percent more THC and more than twice the NO_x. The least favorable comparison is between the Concorde and the 747; per seat mile, the Concorde emits 16 times the CO and THC and more than three times as much NO_x.

A dramatic illustration is provided by the anticipated effect of just two flights per day at Dulles International Airport; the estimate is that the general air pollution levels in the vicinity of the airport would increase by more than eight percent. With just two planes.

If a "worst case" is assumed, according to one hypothesis of the EIS, with 25 takeoffs and landings per day allowed at JFK International Airport, the CO levels would increase by over 40 percent, the unburned hydrocarbons by 15 percent, and the nitrogen oxides by nearly 15 percent. Overall pollution around JFK—where pollution already is extremely serious—would increase by more than 27 percent.

In addition to its emission of the pollutants we have all come to know and not to love, the Concorde will have a substantial effect on the ozone layer and the stratosphere. The effects of a larger fleet of SST's and their potential damage to the atmosphere are established facts, and do not need elaboration here. However, recently-published reports which have indicated that the Concorde, in the numbers presently contemplated, will not damage the ozone layer are simply not borne out. Dr. Harold Johnson, of the University of California at Berkeley has said, based on CIAP figures, that a fleet of as few as 125 Concordes could cause as many as 3,000 additional cases of skin cancer annually in the United States alone. A smaller fleet of 30 SST's, the number now anticipated, could cause as many as 1,200 new skin cancer cases a year in the U.S.

In addition, the Concorde places the stratosphere virtually in double jeopardy. First, it must fly at greater altitudes in order to reach levels of lower friction so it can get to supersonic speeds. Second, it gives off more pollution because of its greater fuel consumption. The conclusion that the proposed fleet of Concordes will not affect the ozone layer is, I believe, stretching the facts.

Another effect of the SST's on the stratosphere is their discharge of water in the exhaust; water in the stratosphere tends to detract from the filtering effect of the ozone layer because it allows ultraviolet rays to pass through, rather than being absorbed. There is also the tendency for the water to mix with sulfur dioxide to produce sulfuric acid; this does not sound like a desirable result, either.

I would like to take up the subject of noise at this juncture. There is no doubt that the Concorde is one of the noisiest planes ever constructed. In fact, the amount of noise generated is alone sufficient reason to deny it permission to land.

I am particularly bothered by the misleading assertions in the EIS, the FAA's news release and the EPA recommendation, all of which are written in such a way as to play down the anticipated noise impact of the Concorde. The FAA's press release, for example, has this confusing statement: "The noise levels of the Concorde are not substantially higher than those of transoceanic subsonic aircraft such as the older Boeing 707 and McDonnell-Douglas DC–8 types." The release does not say that the first generation 707's are either being retrofitted to meet FAA standards for noise or taken out of service because of age or inability to meet those noise standards.

Another negative aspect of the Concorde's noise is its decibel level during each landing-takeoff cycle. The EIS states that the Concorde's noise levels are not substantially higher than those of transoceanic subsonic aircraft. However, this conclusion is incorrect; it is not even based upon the facts as presented by the FAA itself. The truth of the matter is that the Concorde is significantly noisier than its subsonic counterparts. In decibel measurement, one SST taking off would make 115 EPNdB's (Effective Perceived Noise in Decibels), whereas a DC–10 makes only 98! The Concorde's landing noise is 115 EPNdB's; the DC–10's is only 106. The side line noise difference is 114 to 98 EPNdB.

Based on the curve in the decibel scale, it can be said that with the takeoff difference of 98 EPNdB for a DC–10 and 115 for a Concorde, the Concorde's noise level would be equal to 16 DC–10's—taking off all at the same time!

In the present instance, where we are considering whether to allow a fleet of 30 Concordes to land at and take off from Dulles and JFK International Airports, the FAA's EIS indicates that there would be a disastrous effect on noise levels surrounding the airport.

At JFK, according to the EIS, four flights a day would cause sound levels higher than 30 Noise Exposure Forecast (NEF) in an area of 110 square miles! A 30–NEF zone is viewed by the Department of Housing and Urban Development to be unacceptable for building housing; HUD routinely recommends against such building. Closer to JFK itself, the FAA found that there are 20 square miles where the NEF would be over 40. This is termed by HUD an area unacceptable for building, exceptions are strongly discouraged, and specific approval from the HUD Secretary is required.

As it happens in New York, more than 380,000 people already live in the 30 and 40 NEF zones, with more than 53,000 in the 40–NEF zone.

I find it extremely difficult to believe that we are seriously considering whether or not the Concorde should be allowed to land when we are aware that it will jeopardize the health and well being of nearly 400,000 people at this one airport alone.

I also question whether our foreign policy is better served by offering our own support to the Concorde—at substantial environmental risk—by allowing it to land and take off, or by advising the French, British and Soviets that we think the whole idea of an SST is a bad one and, thus, saving themselves from themselves, so to speak. Certainly there are large numbers of French and Britons who desire their own nations to get out of the Concorde program; perhaps we should side with *them*. It's noteworthy that precisely because of noise the French, for all the plane's prestige, will not let the Concorde land at Paris' own Orly Airport.

In sum, I believe that the facts do not support the conclusions by EPA that the Concorde should be allowed to land. And if the Congress is to be truly responsive, it should not approve of the Concorde's presence at any United States airport.

INTRODUCTION OF THE LOBBYING EQUALIZATION ACT OF 1975

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, today I am introducing legislation that would equalize the tax deductibility between businesses and nonprofit institutions.

Presently, business organizations are permitted to deduct lobbying expenses from income in order to influence legislation that may affect their private interest. Conversely, nonprofit charitable organizations, whose activities solely involve the protection of the public interest, cannot retain their tax-exempt status if a substantial part of their activities is influencing legislation. Furthermore, citizens cannot take as a tax deduction gifts given to an organization that, in substantial part, attempts to influence legislation. Clearly, this is an inequitable situation that should be rectified.

The bill I am introducing would remove all lobbying restrictions from the Internal Revenue Code relating to tax-deductible organizations and would enact conforming amendments to other laws relating to the purposes for which tax-deductible contributions can be made.

Too often virtually the only voices from which we, as Members of Congress, hear are those of organizations with a vested interest—or a financial stake—in the results of our actions. In the interest of encouraging the widest possible promotion of information, it is my view that the tax laws should not discourage participation before us of nonprofit exempt organizations.

There are many fine nonprofit organizations in possession of a great deal of expertise on a wide range of issues, but they cannot survive without tax deductible status. I have particularly in mind the many consumer, health, environmental, and educational groups which now have deductible status and therefore cannot lobby under existing law—except for occasional testimony presented at the request of a Member of a committee chairman, which is an awkward and cumbersome process.

Mr. Speaker, I am convinced that the legislation I am introducing today will affect a greater, and more balanced, dissemination of information to Members of Congress.

A text of the bill follows:

H.R. 9256

A bill to amend the Internal Revenue Code of 1954 so as to equalize the deductibility between businesses and nonprofit institutions

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Lobbying Equalization Act of 1975".

FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds—

(1) that whereas business organizations are presently permitted to deduct their lob-

bying expenses from income as an ordinary and necessary expense of doing business under Section 162(e) of the Internal Revenue Code of 1954, in order to influence legislation which may affect their private interests, non-profit charitable organizations cannot retain their tax exempt status if a substantial part of their activities involve attempting to influence legislation, even where these activities solely involve protection of the public interest; and

(2) that it is inequitable that citizens cannot take as a tax deduction gifts to oragnizations as a substantial part of the activities which involves attempting to influence legislation.

(b) It is, therefore, the purpose of this Act to equalize the deductibility of expenditures to influence legislation between businesses and non-profit institutions.

SEC. 3. The following sections of the Internal Revenue Code of 1954 are amended by striking out on each: "no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation.";

(A) Section 170(c) (2) (D) (relating to the definition of charitable contributions);

(B) Section 501(c) (3) (relating to exemption from tax corporations, certain trusts, etc.);

(C) Section 2055(a) (2) (relating to transfers for public charitable, and religious uses);

(D) Section 2106(a) (2) (A) (ii) (relating to transfers for public, charitable, and religious uses);

(E) Section 2522(a) (2) (relating to charitable and similar gifts of citizens or residents); and

(F) Section 2522(b) (2) (relating to charitable and similar gifts of nonresidents).

SEC. 4. The amendments made by this Act shall take effect on the date of the amendment of this Act.

TRANSPORT BAN ON RADIOACTIVE MATERIAL

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, I am submitting this article for the RECORD today as testimony of the fine work undertaken by Health Commissioner Lowell E. Bellin of New York, in issuing a directive banning the transport of radioactive materials through New York City without adequate safeguards against accidents which could jeopardize the lives of millions of New Yorkers—or safeguards against theft, there have been no escort for this shipment. The fact that materials such as this have been allowed to enter such highly populated areas is highly questionable, and I would urge that Dr. Bellin's directive be followed in other metropolitan areas throughout the country until their absolute safety can be assured.

The transportation of hazardous radioactive material is an issue which we are failing as a country to address with the urgency and responsibility that is needed. I would hope that this recent action in New York City will bring forth a thorough examination of the adequacy of the safety measures applied to shipment and handling of dangerous nuclear materials. We have been far too lax, even permitting flights of plutonium into New York's metropolitan airports. Adequate controls must be instituted before, not after, a horrendous tragedy occurs.

[From the New York Times, Aug. 1, 1975]

URANIUM TRANSPORT THROUGH THE CITY IS BANNED BY BELLIN

A directive banning the transport of hazardous radioactive materials through the streets of the city was issued yesterday by Health Commissioner Lowell E. Bellin.

The action was taken following a protest on July 9 by a Health Department official over the shipment by truck of highly enriched uranium via the George Washington Bridge. The truck was en route from Ohio to Kennedy International Airport.

Health Department officials had been alerted to the shipment—the eighth such shipment since Jan. 1—and Dr. Leonard Solon, director of the department's Bureau of Radiation Control, was at the bridge at 4 a.m. when the truck came through.

Dr. Bellin said that Dr. Solon had "made the strongest arguments against permitting the shipment to continue," but that representatives of the Port Authority refused to comply.

The impasse ended when Dr. Solon said that he would accompany the shipment to the airport along with a member of the Nuclear Regulatory Commission and a police escort. At the airport, Dr. Solon ordered that the radioactive material be taken out of the geographical limits of New York City as soon as possible.

In view of the problems associated with the transportation of large quantities of radionuclides through a metropolis. Dr. Bellin said, he is prohibiting the passage of these materials through the city. He added:

"The incident at the bridge points to the compelling need for a consistent posture by the city in order to protect the health and welfare of New Yorkers from the incipient danger from radioactive materials, which are being transported through the city, at increasingly frequent intervals. There were 15 recorded shipments either overland or by land-air last year.

CAPTIVE NATIONS WEEK: COMMENTS ON FREEDOM

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, as our Nation's Bicentennial rapidly approaches, it is fitting that we reflect upon the basic freedoms of which the independence of this Nation was established. Having recently observed Captive Nations Week, we must also recognize the drive for freedom which exists in many countries of the world whose citizens are denied the precious liberties to which we as Americans have become so accustomed.

In areas of Central Europe and elsewhere literally millions of individuals are deprived of these liberties. The people of the Baltic nations have suffered greatly under the yoke of colonialism, and history has recorded the brutal suppression of Poland, Hungary, and Czechoslovakia.

We should expand upon Captive Nations Week to rededicate ourselves to this cause—to championing for all people, of all races, of all nations, the natural rights and liberties which all human beings should be free to exercise, and to which they are inherently entitled.

Let us take the occasion of our Bicentennial preparations to remind ourselves that men cannot be at peace until they are free; and that therefore the United States of America should support on behalf of all the captive peoples of the world the full restoration of their sacred freedoms, which are so wrongly being denied.

REINTRODUCING BILL TO PROHIBIT THE INDIVIDUAL HOLDING POSITION OF SECRETARY OF STATE FROM SERVING SIMULTANEOUSLY AS ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

(Mr. CARR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CARR. Mr. Speaker, on July 8, I introduced a bill, H.R. 8421, which would prohibit the individual holding the position of Secretary of State from simultaneously serving as Assistant to the President for National Security Affairs. I am reintroducing the bill today with 21 cosponsors.

The Murphy Commission strongly recommended that the dual role which Henry Kissinger now performs as Secretary of State and Assistant to the President for National Security Affairs not be repeated. The present arrangement does not provide a healthy balance between foreign policy and national security. I think it is obvious that the rationale for foreign policy decisions can too easily be hidden under the cloak of national security and thus avoiding effective congressional scrutiny or criticism and, in effect, congressional oversight.

Given the findings of the Murphy Commission, authorized jointly by Congress and the President, I think it is incumbent upon the Congress to assume the responsibility of restructuring and correcting the deficiences in our foreign policy machinery. I think that H.R. 8421 is a good beginning, and I invite my colleagues to join in this effort. The text of the bill and cosponsors to date follows.

H.R. 8421

To prohibit the individual holding the position of Secretary of State from holding simultaneously the position of Assistant to the President for National Security Affairs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no individual who holds the position of Secretary of State may at the same time also hold the position of Assistant to the President for National Security Affairs, Executive Secretary of the National Security Council, or any other position supervising, directing, or controlling the staff of the National Security Council.

SEC. 2. This Act shall apply with respect to any individual who is appointed to the position of Secretary of State on or after the date of the enactment of this Act.

SEC. 3. It is the sense of the Congress that the provisions of this Act should be applied with respect to the individual who holds the position of Secretary of State on the date of the enactment of this Act.

PART IV: FOOD STAMP REFORM—A MUST FOR THE 94TH CONGRESS

(Mr. KASTEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KASTEN. Mr. Speaker, the need

for food stamp reform is becoming more evident with each passing day. I believe that it is imperative for Congress to begin an extensive and comprehensive review of the food stamp program.

I am submitting for the RECORD a selection of articles and editorials which have appeared in some of the major newspapers of the Nation. I certainly do not agree with all of the assumptions or conclusions of the items, but they do illustrate one point—that both liberals and conservatives recognize the need to make some fundamental changes in the food stamp program.

I believe that most Members of Congress would agree that the objective of a comprehensive reform should be a food stamp program capable of providing a nutritionally adequate diet for the truly poor, efficiently and effectively administered, and free of fraud and abuse.

Mr. Speaker, I hope that my colleagues will join with me in urging the Committee on Agriculture to initiate oversight hearings on food stamp reform this fall.

[From the Wall Street Journal, July 11, 1975]

"A MOTH-EATEN FISHNET"

After Congress earlier this year defeated President Ford's attempt to reduce food stamp benefits, the Senate unanimously directed the Agriculture Department to recommend ways of ridding that program of nonpoor participants and of tightening up on other abuses. Now the report has been completed. But instead of firm recommendations, it offers little more than a review of the program and a listing of available options.

Total enrollment in the food stamp program has soared during the past decade. From a cost of about $36 million and fewer than 500,000 recipients in early 1965, it now costs more than $5 billion a year with some 19.5 million recipients. A large part of this recent increase is the result of the recession, of course, but a much larger part is the result of eligibility laws that Senator James Buckley says "contain more loopholes than a moth-eaten fishnet." Official forecasts suggest that two or three times as many people may be qualified—perhaps as many as 58 million.

The fact that more than 25% of the citizens of the wealthiest nation on earth are eligible for food stamps is not so much an indictment of the American economy as an indictment of the program—a program, remember, that was conceived as a way of helping low-income Americans obtain a better diet. Instead, as the Agriculture Department report noted, food stamps have become "a major maintenance program," benefitting not only those at or below the official poverty figure of $5,040, annual income for a nonfarm family of four, but even families earning as much as $16,000.

The reason for this is that eligibility is decided on the basis of net income, that is, income remaining after deductions for medical bills, education and mortgages. The Agriculture Department report agrees that the current system gives unfair advantage to higher income families, yet it still does not recommend using a uniform percentage of gross income to determine eligibility. Thus, in Senator Buckley's words, "Some able-bodied persons who do not wish to work can get food stamps. Persons who quit their jobs without reason can get food stamps. Minor children can get food stamps without parental consent or control."

A congressional backlash appears to be setting in, however. Almost 100 Congressmen, led by Senator Buckley and Rep. Robert Michel, have introduced a bill to cut stamp costs by at least $2 billion. They have proposed more than 40 changes, including restricting eligibility to people whose gross income falls below the poverty line and increasing benefits to genuinely needy food stamp recipients by 29%.

The reformers have an uphill battle on their hands. But if Congress doesn't draw the line now, there's no telling where all this will end. A good guess would be that it will end in a bureaucratic and financial nightmare, where it seems to be heading at breakneck speed.

[From the Wall Street Journal, Jan. 15, 1975]

FOOD STAMPS AND THE FUTURE

Since the food stamp program was inaugurated in 1964, its annual cost has soared from $75 million to almost $4 billion. Nearly 15 million Americans currently receive the stamps, which are purchased at discount and exchanged at face value for food. Yet some organizations are lamenting that less than half those who are eligible for the supplementary benefits are taking advantage of them.

However, college students have been taking advantage of them in growing numbers, transforming a program designed to provide a balanced diet for the poor into a form of government scholarship. The New York Times reported that students accounted for 65% of food stamp recipients in Dane County, which includes the University of Wisconsin. In order to prevent more of that sort of thing the Agriculture Department recently announced that students will no longer be eligible for food stamps if their parents claim them as dependents for income tax purposes.

That will help alleviate that problem, at least if the state and local governments that administer the program do the checking necessary to establish eligibility. But it does not take care of the additional problem, alluded to in a recent article on this page about social dropouts in one California community, of subsidizing the diets of able-bodied young men and women who are using food stamps not to relieve poverty but to allow them to maintain a preferred lifestyle. Nor does it address itself to what a congressional subcommittee recently described as the "black market sales of food stamps."

We rather imagine illegal sale of food stamps is a relatively minor problem, like the alleged welfare "cheating." The real problem is that combination of political pressure and soft soap that has added billions of dollars to the federal budget outside normal welfare channels, raising costs far out of proportion to read need. The congressional subcommittee on fiscal policy noted that the food stamp program's administrative structure is costly, complex and inefficient—except, of course, for the politicians who find it a simple, cheap and effective way of winning votes.

A recent report estimated that as many as 60 million persons could be eligible for food stamps during fiscal 1977, at a cost of $10 billion. This is not because of the current recession but because of relaxed qualifications. Actually, if the past is any guide to the future, that estimate could turn out to be as understated as those earlier warnings that if we passed the 16th Amendment there might come a time when Americans would end up paying as much as 5% of their income in taxes.

But given the financial condition of the federal government today, the more likely possibility is that the food stamp program will be bankrupt before its beneficence is extended very much further. That's why those who are truly concerned about the diets of the poor should concentrate their efforts not toward adding mere numbers to the food stamp rolls, but toward seeing that the program benefits those who genuinely need it.

[From the Journal of Commerce, Feb. 18, 1975]

A PROGRAM OUT OF CONTROL

If Mr. Ford someday gets the leisure to write his memoirs we may learn whether he had any idea of the beating he was going to take from Congress when he proposed again this year to cut down on food stamp outlays as a means of holding some kind of rein on the budget deficit.

The most diligent search for a red flag could not have produced a bigger one. Practically all the liberals on Capitol Hil reacted with outrage at the proposal (actually prepared by the Department of Agriculture late last year) that families using food stamps be required to pay a larger share of their income for them beginning March 1. One refrain, frequently repeated, was this: Why penalize the poor by weakening the food stamp program while asking more for defense?

The consideration that the two were not very comparable got little attention. The House voted to suspend the proposal for the rest of the year by 99 more votes than the two-thirds majority required to override a veto. The Senate, acting without even the formality of committee hearings, supported the House action by a vote of 76–8.

In the wake of these stinging defeats to the President, the conclusion widely drawn was that the forces of humanity had triumphed once again over those of reaction and regression. And doubtless that impression will prevail in the public memory for some time to come.

If so, it will be more than just a little unfortunate. The President's move did not constitute an assault on the poor by entrenched interests. It represented a move to get some semblance of control over another one of those social programs that Congress had voted without any clear idea of what its ultimate costs would be, and at a time when those costs were showing every sign of getting out of hand.

USDA, aware that the volume of food stamps handed out had soared by 55 per cent since June 1971, had been worried over the situation for some months. There were no budgetary controls on the program and there was seemingly no end to the demands it was making on federal funds. The number of recipients had swelled by two million in eleven months of 1974. In December, 17.1 million people were getting them and there seemed no end in sight.

This was what prompted Mr. Ford and USDA to attempt a tug on the reins; this and the thought that the really poor got their stamps free and should continue to do so under any revised system. The Ford plan provided that they would.

But the very poor comprised only 5 per cent of the food stamp recipients. The remaining 95 per cent would pay for their stamps an amount determined by a sliding scale which, in turn, was based on supposed need. It was among these 95 per cent that USDA was running into trouble, for there were mounting charges of chicanery, leakages and deceit that were difficult to track down.

What moved the administration were figures showing that while the average food stamp recipient was paying 12 per cent of his income for the stamps, the average citizen was paying 16.9 per cent of his to eat. He was also being taxed for the food stamp program. Therefore, the more costly that program became, the greater the burden on him. For he, after all, was paying higher prices for his own meals, too.

So the purpose of the Ford-USDA program was to alter the system to the point where the bulk of the food stamp recipients would be paying 16 per cent of their total income for them. This would not bring them quite up to the average of the rest of the nation, but it would get them reasonably close to it.

Admittedly, this wouldn't have saved the Federal Government very much in the current fiscal year, perhaps $215 million. But next year and thereafter the savings should have been closer to $650 million. As matters stand, these savings will be lost, if Congress overrides any Ford veto, or if the President simply bows to the will of Congress. In either event, the rest of the nation will have to pay the bill.

And that is just the trouble. Nobody in or out of Congress knows this year how high that bill is going to be next year or the year thereafter or how many other social programs are going to have to be sacrificed to meet its seemingly insatiable demands. Nobody knows because nobody could count the cost when it could still be controlled.

[From the Washington Star, Mar. 10, 1975]

FOOD STAMP FAILURES

Surely there should be agreement on one point as the hardship of unemployment spreads across America: Food is fundamental. It is the one basic requirement which should generate no quibbling as to the government's responsibility to assure an adequate amount for every family that lacks the capacity to buy it. But the food stamp program, despite a sharp increase of outlay in the past year, is shot through with deficiencies and laden with complexities which no doubt are causing many people to go hungry.

These are outlined shockingly in last week's deport by the Senate Committee on Nutrition and Human Needs, but many people in the area around Washington have learned about them first-hand in recent months. When a jobless family has to wait several weeks to get food stamps, that's a crisis no one should have to endure. The certification system has been unduly complicated by tortuous forms to be filled out, and manifold documentations to be gathered and presented. And this works hardest against the poorest and least educated members of society, who sometimes simply give up in the maze-like process and go without stamps. Better-educated applicants—especially those with some experience in bureaucratic paperwork—may get more stamps than they need in some cases, we suspect, while less adroit folk remain baffled and undernourished.

Some also give up because of unbearably long waits at state social services centers, and the need for return visits to provide more and more personal information in order to qualify. With unemployment swelling, the lines grow ever longer. One sometimes must wait many hours. But this is largely because the certification procedure is terribly over-complicated—so time-consuming for each case. State welfare agencies can't afford enough manpower expansion to properly handle the growing crowds of stamp applicants. If the certifying process were greatly simplified, present administrative forces could cope with the load much faster. And fewer deserving people would be excluded because of inability to fill out forms very well or to find transportation—repeatedly—to welfare offices.

Congress, one way or another, should force this simplification upon the Agriculture Department, whose secretary, Earl Butz, never has been hospitable to this program as a part of his domain. In fact, the administration's intent to cut participation in the program has been glaringly obvious, most recently in its attempt to make recipients pay more for stamps. Congress, to its great credit, rebuffed this misdirected money-saving scheme in a hurry. Along with simplifying the whole business, several steps by Congress are needed. It ought to increase federal aid to the states for employment of more food stamp certifiers at local levels, and provide for more stamp outlets and a much stronger effort to reach eligible citizens who still haven't qualified for food assistance.

These run into many millions; by the Senate panel's account, only 38 percent of those eligible are receiving stamps. By an Agriculture Department estimate, many others have received overpayment in stamps. Both of these situations need to be corrected with forceful action, but most importantly, the shameful negligence of real need must be stopped. This country may not be able to afford everything it needs these days, but it certainly can finance—as a matter of highest priority—the prevention of hunger among its unemployed and indigent citizens. The public should demand that Congress and the administration see to this, promptly.

[From the Christian Science Monitor, Mar. 4, 1975]

IMPROVING FOOD STAMP AID

The federal food stamp program was sharply criticized from three directions in reports issued over the weekend.

The Agriculture Department charged that, in the first six months of last year, recipients got 23 percent more aid—worth about $160 million—than they should have. The General Accounting Office criticized the administration of the program. And a Senate committee complained that only four out of 10 citizens eligible for food stamps are actually getting them. It said another 20 million persons could be reached by the program beyond the current 18 million.

On balance, this criticism does not add up to a conclusion that the food stamp program should be scrapped. In practical terms, along with unemployment benefits the food stamp program has performed as a safety net to cushion against the recession. Two million persons were added to the food stamp rolls in December and January alone when unemployment surged to 8.2 percent of the work force. With unemployment expected to remain high well into next year even if there should be a marked economic recovery, the food stamp program will remain a fixture of the domestic scene for the foreseeable future. If it is eventually phased out, it will likely disappear as part of major welfare reform effort, such as a switch to cash grants weighed for a period by the Nixon administration.

Swift attention, then, should be given to making the present system work better. On an annual basis, the excess aid given out last year amounted to more than $300 million. Even allowing for a predictable measure of inaccuracy in administering a $4 billion aid program, this is too wide a margin of error. Delays of as long as 30 days before the needy get benefits, due to unnecessarily awkward certifying procedures, are now commonplace. Sen. George McGovern recommends a random audit method of certifying eligibility like that used by the Internal Revenue Service on income tax returns. Better efforts to inform the public about eligibility, and distributing stamps from more convenient places like banks and post offices, could help extend help to those among the 20 million persons legally qualified for stamp aid but not receiving it.

A better solution for feeding needy citizens would be to keep more family heads employed. In a typical year, the heads of eight out of 10 food stamp families are unemployed.

But currently the food stamp program is the method the country has for keeping citizens adequately fed, and every effort should be made to improve it.

[From the Los Angeles Times, Feb. 10, 1975]

THE COST OF MISERY

In overwhelmingly repudiating President Ford's ill-timed and ill-conceived plan to raise the price of food stamps, Congress has acted with compassion and common sense. The White House would be wise to follow that lead.

The Ford proposal would have substituted a flat charge for the sliding scale based on a family's disposable income. The House and Senate voted to freeze the price of food stamps for the rest of the year, and they authorized a much-needed review of the program.

Ford did not advocate the pricing change as a reform or to correct abuses in the program. He proposed it to save $648 million in fiscal 1976 when the food stamp program, at existing price levels, is expected to cost $4.5 billion. The cost of the food stamp program is rising, and dramatically. In fiscal 1974, the program had a $2.8 billion budget. At current purchase-price levels, the cost for fiscal 1975 will be $3.7 billion.

Under the sliding scale, a couple with a $270 monthly income can buy $84 in stamps for $64. The Ford plan would have brought them $84 in stamps for $81. A single person with a $150 income now can buy $46 in stamps for $33. The Ford plan would have brought that individual $46 in stamps for $45.

A $1 or $3 benefit is hardly enough to justify waiting in line, filling out forms, and separating food and nonfood purchases in the store. The Department of Agriculture estimated that 1 million food stamp purchasers, for whom the benefit would be minimal, would have dropped out of the program. But no one seems to have calculated this in human terms.

In a time of inflation and rising unemployment, it is indecent to cut costs at the expense of the poor—welfare recipients, the working poor and the jobless. Human misery may not count for much in the ledgers of government cost-cutters, but the hardship cannot be justified morally and, happily in this instance, politically.

The purpose of the food stamp program is to help low-income citizens buy food so they will have a nutritionally adequate diet. Participation in the program has never amounted to more than half the persons eligible. In fact, the number of food stamp purchasers have stayed at 15 million for several years. Rising unemployment is blamed for raising the participation level to 17 million. That strongly suggests that people turn to the program when they are in financial difficulty.

Now in its 11th year, the food stamp program is due for a review. That review should encompass all government social welfare assistance programs. The study should be thoughtful and sensitive. The compelling interest must be to arrange that these programs best serve the needs of the American people at least cost.

As for food stamps specifically, we wonder whether eligibility standards and benefit levels are adequate. Can the administration of the program be streamlined? Should there be food stamps at all? Or should there be a cash allowance? Do participants have a nutritionally adequate diet?

These are but a few of the questions that should be answered in the months ahead. Mr. Ford's plan ignored them. Congress has indicated a better way. The funding should not be cut while the recession continues, and the government should thoroughly review this and all other welfare programs for action in the future.

[From the New York Times, May 15, 1975]

FOOD STAMPS AS THE KEY TO WELFARE REFORM

(By Richard P. Nathan)

WASHINGTON.—Even though welfare reform is not in the news these days, there are important steps that could be taken to improve and rationalize programs to aid the needy. Three events this year, seemingly unrelated, deserve attention.

First, the House Ways and Means Committee turned down the idea, in the recent tax bill, of a permanent payment to the poor who pays no taxes.

Second, most welfare analysts have rejected the idea of fuel stamps for the poor as a means of relieving the effect of higher energy costs.

Third, Agriculture Secretary Earl L. Butz said recently that the food-stamp program is actually an "income supplement" and should be transferred to the Department of Health, Education and Welfare.

The common thread that runs through these three developments is that they all support the proposition that the food-stamp program is the key to the next steps to improve and rationalize welfare programs.

In March, 19 million people were beneficiaries under the food-stamp program—nearly one out of every twelve Americans. This is an increase of three million over the last three months and approximately six million over a year earlier. Program costs are running at close to $5 billion a year. Most important, there is evidence that many of the people who recently entered the program have been affected by the economic downturn.

Although welfare experts have generally opposed earmarked benefits such as food stamps on the ground that they stigmatize and demean recipients, the food-stamp program is beneficial. It meets immediate needs. It has a strong work-incentive effect. It helps to equalize other welfare programs because food stamps are supplement to other forms of public support. It aids the working poor (persons with low income and large families), the group formerly left out of welfare programs.

Moreover, the food-stamp program could be improved now in ways that would strengthen program administration and at the same time help to achieve welfare-reform objectives.

The program could be made more responsive to the needs of the working poor and others by simply paying the "bonus" value of food stamps automatically, rather than having workers "buy" their stamps as they now do. Admittedly, this automatic-payment plan would dilute the hunger-fighting aim of food stamps, but it would make them work much better as an "income supplement," to use Mr. Butz's term.

Under the present system, a family of four with a net income of $330 per month (nearly $4,000 per year) is eligible for $150 per month in food stamps by paying $95 in cash per month; thus its food-stamp bonus is $55 per month.

Under a new automatic-payment plan, a family could apply for and receive its $55 per month food-stamp bonus automatically.

Along with such a plan, it would also make sense to do what President Ford wanted to do earlier this year. He proposed raising the "reduction rate" for food stamps to 30 per cent. (The reduction rate is the amount of food-stamp benefits taken away for each extra dollar of income. Stamps now have a very low reduction rate, in some cases 20 per cent or less.)

Administrative changes are also needed. The most important reform to reduce rates of error in the program would be to adopt a flat $60 per month amount that a person could deduct from his earnings when applying for food stamps. A second administrative change to increase public confidence in the program would be to eliminate full-time students from participation.

The net cost of the food-stamp reform plan sketched here would be $1 billion to $2 billion. The essential point is simple: The food-stamp program has become so large and important that reforming it may well be the key to the next steps in improving the Nation's over-all mix of programs to aid the poor.

CUSTOMS MODERNIZATION ACT OF 1975

(Mr. GREEN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GREEN. Mr. Speaker, the U.S. Customs Service and the Department of the Treasury have worked for many months to develop legislation to modernize and simplify customs procedures which was transmitted to the Congress on May 12, 1975, by the Secretary of the Treasury. I am today introducing that legislative proposal, the Customs Modernization Act of 1975. The Honorable Barber B. Conable, Jr., of New York, is joining me in sponsoring this bill.

The primary purpose of the proposed Customs Modernization and Simplification Act is to build flexibility into the customs laws and thereby increase the productivity of the customs laws. Certainly, I fully support these objectives, and I applaud the executive branch for the hard work and careful thought that it has devoted to trying to attain them. It is in recognition of this effort, and of the need to modernize many outdated and archaic laws and practices, that I introduce this legislation today. We must work toward meeting the objectives sought by the proposed legislation.

However, there are additional objectives we must seek to attain in dealing with customs reorganization. The Congress, the executive branch, and the public have a great need for better statistics with respect to imports, and with respect to exports and domestic production. Complete and accurate trade data is an absolute must if we are to be able to make reasoned and well-informed policy judgments in the area of international trade. In the past, many have considered the data available on where, when, and how imports impact the American economy to be woefully inadequate. Thus, a major objective of our efforts to modernize and simplify customs laws must be to make sure that this necessary information is adequately and fully collected, and accurately reported, so that our policy judgments can be based upon the most complete possible data.

Reservations have been expressed as to whether this goal could be accomplished under the proposed bill and I have similar reservations. Thus, I intend that, when the Subcommittee on Trade can schedule a thorough consideration of customs matters, it shall look into the problem of import statistics and the manner in which they are collected and reported and how import statistics, are related to data on exports and domestic production.

Another area that needs to be addressed is the matter of customs valuation procedures. There are indications that the valuation laws need to be updated and made more precise. Questions have been raised concerning the manner in which the laws are presently applied by the customs service, and thus, customs valuation practices need to be examined. Certainly, any attempt at customs modernization should deal with these areas. In order to make this possible, I intend that a thorough review of customs valuations by the Subcommittee on Trade shall preceed action on legislation to improve customs service. Indeed, such a review is required in order for us to know exactly what we are up against with respect to customs modernization.

There are other matters which must be taken into consideration. We must be sure that whatever we do in this area does not undermine policies or agreements established for the purpose of preserving American jobs. For example, interested parties have indicated concern about provisions that would increase the limit for informal entries from $250 to $500. They fear that this would permit too many imports to come in uncounted and encourage subversion of agreements placing quotas on such imports. This fear is particularly expressed with respect to apparel and textile imports. If this would be the result of such a provision, we must seek ways to guard against it, or we must abandon the provision altogether.

I look forward to working with the administration and other concerned parties to iron out these difficulties. Even though there are areas into which we must inquire which are not covered by the administration's proposal, and while there are some problems in the bill itself, I introduce it, nevertheless, as one vehicle that deserves study in the area of customs modernization. And I again congratulate those in customs and in Treasury that have put in so many long hours on this project. Hearings by the subcommittee on the bill and related matters will be announced after the Congress reconvenes in September.

Mr. Speaker, at this point, I would like as I introduce this bill to insert comments I have received from the Amalgamated Clothing Workers and the AFL–CIO on the proposed bill. I would like to point out that the International Ladies Garment Workers Union has gone on record supporting the Amalgamated Clothing Workers' comments.

The material follows:

American Federation of Labor and
Congress of Industrial Organizations,
Washington, D.C. July 30, 1975.

Hon. William J. Green,
U.S. House of Representatives
Rayburn Building,
Washington, D.C.

Dear Congressman Green: We are pleased to comment on the proposed Customs Modernization and Simplification Act, which we fear will provide greater simplification but will make information much more difficult to obtain and will weaken the implementation of any law designed to help American production and jobs.

The purpose of the bill is to save money and to increase the authority of the Secretary of the Treasury to help the importing community, according to the bill's summary.

In each of the three major titles of the bill are built further weaknesses into an already weakened system of reporting of what comes into the U.S.

Title I gives the Secretary of the Treasury power to make any arrangement he chooses as to records to be kept by importers and thereafter the period in which they must keep records or the kinds of reporting required. Thus the transfer of power to the Secretary of the Treasury enables him to selectively choose the importers or kinds of imports that can best benefit from the system designed. For example, Section 103 allows the Secretary of the Treasury to decide when entries must be filed and allows several entries to be combined into one report. Thus, by the time an entry is reported it may be too late. The information about what was coming into Los Angeles, New York, Chicago and New Orleans for any particular company could be combined and details of transactions completely lost. The filing could be determined when and where the Secretary wanted (for the protection of the revenue) and not for the benefit of information sorely needed.

The bill moves in the opposite direction from the Congressional need for more information about what affects the United States economy—where, when and how. The purpose of the bill should be to collect necessary information to help the nation—not to help revenue and cut customs' costs. Therefore, the emphasis should be on accurate, timely, and detailed reporting.

1. Clear reporting, on a current basis, on entry is necessary. Otherwise, the Treasury Secretary can give Company X the right to (a) delay reporting; (b) combine several items into one category; (c) combine several different places of entry into one reporting form. That will do away with the necessary detail—which needs to be expanded—as to time, place and product.

2. Responsibility for adequate reporting—not right to waive reporting—should be required of the Treasury. Otherwise, the Treasury Secretary becomes subject to pressure to waive Company X's responsibility to provide information in detail and in time to get necessary facts. Congress needs import information quickly about what is affecting the nation's districts in terms of employment and production.

3. Duty-free items are major parts of international trade and the influx of more and more duty-free items will flood the nation without knowledge of their impact on jobs and production, unless the purely revenue-related aspect of customs service are made a secondary consideration. Therefore, clear, precise and timely detailed data on duty-free items are needed.

4. Inspection of the physical item is essential for verification. Otherwise the reports will merely be a computerized numbers game, and the numbers will have less and less clarity for the purpose of helping the Congress find out what is affecting the nation. Bill should require verification that such-and-such an item that is being imported is actually reported on the numbers given for the computer.

5. Trademark regulations need to be changed, because nowadays companies can license total production of the trademark item outside the U.S., and the customs law is merely designed to help the owner of the trademark—not to require adequate reporting of the import of the item.

6. Modernization and simplification are attractive words, but the modernization can be taken care of, if necessary, by a few changes of some of the most obsolete provisions (fees, for example) in separate bill. Computerization does not mean modernization if it merely adds to confusion. Simplification can take the form of making it easier for the Congress to get information about what is affecting their interest—constituents' jobs and production—not merely cutting out necessary information to adapt to the computer.

7. Country-of-origin must be included in any reporting. Otherwise, neither diplomatic nor economic objectives of the nation can be pursued. As it now stands, the draft bill allows evasion of reporting of country-of-origin.

8. The Trade Act of 1974 has many provisions to which this bill should be geared; as it now stands, the bill works against the purposes of 608 and 609 and even much of the purpose of the Trade Act of 1974 (promote U.S. employment, curb injurious imports, enforce bilateral agreements with Communist and other countries, allow for "mutual" advantages with developing nations). Trade Act provisions to reporting imports, exports and U.S. production consistently (608 and 609) should be carried out to help Congress know what is happening in the U.S., not merely to provide some new statistics.

Title II tries to improve the "reliability of formal entry data" by leaving out most statistics. On page 31 of explanations, the bill anticipates reduction in formal entries of approximately 200,000 per year.

"While this will result in some loss of statistical data on imports, the estimated saving in time, money and manpower is believed to outweigh the loss." That is a typical attitude of many in the government who deal with trade. As long as their bureaucratic problems are relieved, it doesn't matter what happens to the U.S. production and employment.

Section 209 is another example of the same. The Secretary of the Treasury can waive examination of any importer's merchandise. Thus the Treasury is relieved of responsibility, and the need to know on the part of those who are hurt is completely avoided. But there would be no formal record, and therefore no responsibility to find out what is actually going on. Here the purpose is to help the bureaucracy ("permit more efficient utilization of Customs personnel"—as noted on page 34); not to pay attention to the nation's needs.

Title III has many provisions concerning customs brokers (in the name of modernization and small business) that appear to alleviate their responsibilities by reducing the number (again for convenience of Customs, not helping the public). But this item needs to be discussed much further.

The bill should not be supported by anyone who is concerned for U.S. interests at home (except retailers and importers and bureaucrats). Many modernizations of the Customs system could be put in piecemeal, awaiting a sensible proposal for the U.S. reporting system.

An example of the problem Congress faces in dealing with customs reorganization was indicated during recent hearings held by the Subcommittee on Commodities and Services to the House Committee on Small Business. That committee was examining the impact of foreign competition on U.S. Small Business in customs brokerage. In the Committee report of June 18, 1975, it was noted: "a customs official explained that they have purposely tried to limit on a need-to-know basis information requiring record-keeping on licensees. He said, 'their rights to privacy in the things we think are of concern to them, we try to respect. If we feel we can adequately control it without collecting the information, even though it may be helpful, we would rather not. That has been the direction we have taken.'"

Thus it appears that record-keeping, if anything, should be on the stringent side in the law because administration of that law will be in a far more informal manner than lawmakers intended.

Sincerely,

RAY DENISON,
Legislative Representative.

AMALGAMATED CLOTHING WORKERS' UNION COMMENTS ON THE PROPOSED CUSTOMS MODERNIZATION AND SIMPLIFICATION BILL

There are three provisions of the legislation being proposed by Customs to modernize and simplify Customs procedures which, if enacted, could have a significant impact on the effective implementation of the textile and apparel import program. That program is designed to minimize disruption to the domestic textile and apparel industry and its 2.3 million workers. That program exists under the auspices of the General Agreement on Tariffs and Trade and most of the world's textile and apparel importing and exporting countries are participants in the program. The proposed legislation could adversely affect U.S. participation in the program through the inequities which could result from ineffective administration arising from certain provisions proposed by Customs.

Section 103(a) permits the Secretary of the Treasury to allow delayed filing of entries and combining several entries into one report. Entry reports could be delayed, say, for a month or even a quarter. Present practice provides for a shipment to be included in a report filed upon entry of the goods into the U.S. Customs territory.

These entry reports are basic to the effective implementation of the textile import program. They provide the statistical basis not only to assess the performance of exporting countries under the bilateral agreements entered into with the U.S., but also to determine levels of restraint when the U.S. invokes its rights under the Multilateral Fiber Arrangement (MFA) of GATT. Quarterly reporting, if permitted, could result in serious disruption to the domestic market before the statistical data are available, an essential ingredient for taking action under the MFA. Furthermore, various agencies concerned with investigative functions in the international trade field, such as the International Trade Commission and Treasury, would be hampered in their work by late data.

Section 208(a) would increase the value for so-called informal entries, which are not recorded in the import statistics, from the present $250 limit to $500. The biggest impact of this change would fall on such low-value imports as apparel, particularly those whose valuation for duty purposes is governed by item 807 of the Tariff Schedules. Apparel imports from Mexico and Colombia, most of which are imported under item 807, would be the greatest beneficiaries of this proposed provision.

One dramatic example of the effect of this provision should be cited. Imports of men's suits from Colombia have risen rapidly in recent years to the point where they have created major disruption to the domestic men's and boys' tailored clothing industry. The export price of a Colombian-made suit is $30. They are normally packed 18 to a case. By reducing the number in a case to 16, the total value of one shipment would be $480, less than the $500 proposed limit. This would permit such shipments to enter the U.S. without being counted against the restraint level for suits under the new U.S.-Colombian bilateral agreement which became effective July 1, 1975. By not recording such imports, it would be possible for disruption to occur in the U.S. market without recourse by the U.S. Government.

Section 209 would remove the requirement in the present statute that not less than one package of every ten be examined. District Customs Directors would be given discretion to determine when the examination of packages may be waived.

It can be argued that even the present 1 of 10 requirement is fraught with risks that certain products are permitted entry at lower duty rates, or without being charged against restraint levels in the case of textiles and apparel, than would be the case if all shipping cases were examined. To permit situations to develop where not even 1 of 10 cases are examined, might well result in reduced duty collections and an undercounting of textile and apparel imports against restraint levels.

PERSONAL EXPLANATION

(Mr. SHUSTER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHUSTER. Mr. Speaker, although it is not required under our rules, I would like the public record to show that I have purchased a minority interest in a local business back home, named Better Tires, Inc. It is my understanding that the firm generally does not do business with the Federal government. Nevertheless, as a condition of my investment, should the firm do any business with the Federal Government in the future, they have agreed to furnish me with copies of such invoices, which I, in turn, would make public.

HOUSE DENIED RIGHT TO VOTE

(Mr. FRENZEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FRENZEL. Mr. Speaker, as usual the House is approaching a recess in a state of total disarray.

Last night a willful, intransigent leadership denied this House the right to vote on an issue even though a clear majority, in six consecutive votes, showed that it wanted to vote.

Last night and today we have limited debate on a most important energy bill. Limitation of debate is always dangerous, but on important bills, it is irresponsible. Today we have voted on complicated amendments after only 10 minutes of discussion. Very few Members have even a vague idea what the amendments mean.

The gentleman from Hawaii (Mr. MATSUNAGA) presented an important amendment which was defeated overwhelmingly mainly because people had no idea what its effect would be. He was given insufficient opportunity to explain it and other Members had no time to ask questions.

There seems to be some blind determination to pass this wretched energy bill, H.R. 7014. Obviously when passed by the House, it will pass into oblivion. The reason we are struggling hard is apparently so some Members can go home and tell the friendly local folk that the House really has an energy policy. After all, I suppose a Member can tell his or her constituents anything they will swallow. But, outside of this bill, there are few who would dignify H.R. 7014 as energy policy.

The plain fact is that H.R. 7014 is a turkey. No matter how many feathers we stick on it, or pull off it today, it will still be a turkey.

We are only going through the motions today for form's sake, when we could have been working on important legislation which had a chance to pass.

Mr. Speaker, I object to the procedures of limitation of debate. I further object to our putting aside important legislation, so the House can pass a bill everyone knows is going nowhere.

The motion for the Committee to rise has mercifully saved us from further trouble. But it does reinforce the already dramatic and obvious fact that the Congress, and the House, has no energy policy and cannot develop one.

We will depart now to our districts to report that for 2 years we have been unable to form any energy policy, except to veto all of the President's proposals.

When leadership was called for, the House fell on its face. When certainty was called for, the House jerked its knee. When cooperation was called for it turned its back. We go home with the taste of ashes in our mouths.

STATUS REPORT ON OTTINGER SPONSORED LEGISLATION: AUGUST 1, 1975

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, following is a report covering the status of all legislation I have sponsored so far during the 94th Congress:

STATUS REPORT ON OTTINGER SPONSORED LEGISLATION: AUGUST 1, 1975

AGRICULTURE

H.R. 2040 (Rosenthal): Repeal meat quota provisions.

H.R. 6160 (John Burton): Provide loans to dairy businesses to meet water pollution requirements. (Final day of subcommittee consideration and mark-up, July 28, 1975.)

H.R. 6300 (Peyser): Establish summer food corps.

H.R. 6527 (Kastenmeier): Regulate anticompetitive developments in agricultural industry.

H.R. 6738 (Seiberling): Grants for research of better food and fertilizer production.

H.R. 7248 (Mezvinsky): Assist farmers' markets.

H.R. 8287 (Fithian): Assist states in research of forestry and agriculture.

H.R. 8779 (Foley): Assure humane treatment of animals.

H.R. 8933 (Weaver): Provide highest prices in foreign markets for produce and price and supply stability domestically.

H. Res. 108 (Peyser): Rescind food stamp regulations.

H. Res. 334 (Litton): Research to increase food production.

H. Res. 487 (Metcalfe): Concern for malnutrition.

ARTS AND HUMANITIES

H.R. 5400 (Biaggi): Commemorative stamp for Enrico Fermi.

H.R. 5443 (Railsback): Establish American Folklife Center. (Final day of subcommittee consideration and mark-up, May 1, 1975.)

H.R. 6829 (Koch): Modify restrictions in Internal Revenue Code on contributions of literary, musical, or artistic composition.

H.R. 6883 (Miller of Cal.): Enlarge Sequoia National Park.

H.R. 8722 (Murphy of N.Y.): Establish national trust for preservation of historic ships.

H.J. Res. 406 (Ottinger): U.S. presentation to Israel of statue of Abraham Lincoln donated by Leon Gildesgame of Mount Kisco, N.Y.

H. Con. Res. 138 (Mitchell of Md.): Appreciation to Frank Wills.

ASIAN-AMERICAN AFFAIRS

H.R. 6203 (Meyner): Provide humanitarian assistance to South Vietnam and Cambodia.

H.R. 6856 (Anderson of Cal.): Assist refugees from Southeast Asia.

H. Res. 357 (Montgomery): Study problem of missing in action in Southeast Asia.

H. Con. Res. 181 (John Burton): Military appropriations for South Vietnam and Cambodia.

BUDGET

H.R. 5007 (Drinan): Congress must pass rescission of budget authority.

H.R. 7448 (Moorhead of Pa.): Establish system of emergency support grants to state and local governments.

H.R. 7936 (Rosenthal): Identical to H.R. 7448.

CHILD WELFARE

H.R. 47 (Dominick Daniels): Develop programs for youth camp safety.

H.R. 2969 (Brademas): Provide child and family services.

H.R. 4102 (Richmond): Additional appropriations for school lunch and child nutrition programs.

H.R. 6914 (Harrington): Accelerated research and development in care and treatment of autistic children.

H.R. 7697 (Harrington): Prohibit reduction of social security benefits by amounts granted under welfare programs.

CIVIL LIBERTIES

H.R. 4894 (Casey): Strengthen penalties for gun control.

H.R. 6559 (Holtzman): Prohibit economic coercion based on religion, race, national origin, sex, or other factors.

H.R. 7015 (Anderson of Ill.): Prohibit appointments in competitive service by political recommendation.

H.R. 7070 (Mikva): Restrictions on sale of handguns.

H.R. 8028 (Beard of R.I.): Prohibit discrimination against handicapped in employment.

H.R. 8248 (Bell): Prohibit the requirement of nonessential declarations of marital status.

H.R. 8964 (Metcalfe): Permit suits against bodies politic for violations of civil rights.

H.R. 9013 (Wolff): Admission of females to Coast Guard Academy.

H. Con. Res. 174 (Addabbo): Prevent Arab discrimination against American businesses which do business with Israel or have Jewish individuals as officers.

H. Con. Res. 283 (Abdnor): Promote removal of architectural barriers to the handicapped in public facilities and buildings.

H.J. Res. 410 (Diggs): Make fair employment practices in South African enterprises of U.S. firms requirement for government contracts.

H. Res. 290 (Murphy of Ill.): Support immediate creation of national commission on individual rights.

COMMERCE

H.R. 1844 (Fraser): Halt importation of Rhodesian chrome.

H.R. 2028 (Rosenthal): Make sales promotion games unfair methods of competition.

H.R. 2056 (Studds): Extend ocean jurisdiction of U.S. to protect domestic fishing industry and other purposes. (Final day of subcommittee hearings, March 27, 1975.)

H.R. 2915 (Ottinger): Provide for Daylight Savings Time from last Sunday in February to first Sunday in November.

H.R. 3353 (Seiberling): Terminate the insurance of any bank which fails to pay rate of interest on tax and loan accounts.

H.R. 3468 (Moss): Insure the independence of federal agencies.

H.R. 3875 (Moss): Amend Federal Trade Commission and Motor Vehicle Information and Cost Savings Acts.

H.R. 3876 (Moss): Regulate commerce to provide increased supplies of natural gas, oil and related products at reasonable prices.

H.R. 4888 (Addabbo): Make loans available to small businesses which suffer utility disruptions. (Passed House, June 17, 1975.)

H.R. 5082 (Harrington): Provide preferences to Western Hemisphere countries.

H.R. 5199 (McClory): Repeal Fair Trade exemptions.

H.R. 5964 (Ottinger): Regulate the purchase of equity securities in U.S. companies by foreign investors.

H.R. 6154 (Teague): Establish policy on conversion to metric system. (Final day of subcommittee hearings, May 8, 1975.)

H.R. 7455 (Ottinger): Establish mutual responsibilities, obligations and rights between salesmen and companies.

CONGRESSIONAL AND FEDERAL REFORM

H.R. 2359 (Steelman): Require candidates for federal office, Members of Congress, federal officers and employes to file statements of income and transactions.

H.R. 3249 (Kastenmeier): Identical in intent to H.R. 2359.

H.R. 3659 (Litton): Provide seminars to freshmen Members of Congress.

H.R. 3935 (Clay): Restore political participation to federal civilian employes; protect from improper political solicitation.

H.R. 4317 (Patman of Tex.): General Accounting Office audits of federal banking.

H.R. 5268 (Railsback): Regulate lobbying.

H.R. 6246 (Myers of Pa.): Regulate use of mailing privileges after Members of Congress leave office.

H.R. 8819 (Maguire): Provide public financing of Congressional primary and general elections.

H. Res. 465 (Mikva): Provide that House conferees may conduct business only at conference meetings open to the public.

H. Res. 497 (Stark): Additional staff for Members of House.

CONSUMER AFFAIRS

H.R. 2026 (Rosenthal): Assist in establishment and strengthening of state and local offices of consumer protection.

H.R. 2030 (Rosenthal): Require certain labeling of durable products.

H.R. 2032 (Rosenthal): Require labeling of durable products as to durability and performance life.

H.R. 2034 (Rosenthal): Require price history of products.

H.R. 4150 (Ford of Tenn.): Require selling price labels.

H.R. 4552 (Rosenthal): Similar to H.R. 2034.

H.R. 5127 (Stratton): Prohibit repricing with higher prices once price is placed on certain commodities.

H.R. 5151 (Rosenthal): Require corporations to file cost justifications for price increases.

H.R. 5171 (Koch): Recall or detention of food, drugs or cosmetics which are adulterated or misbranded.

H.R. 5992 (Collins of Ill.): Prohibit age discrimination in credit card transactions.

H.R. 6249 (Ottinger): Make Food, Drug and Cosmetic Act applicable to hair dyes.

H.R. 6597 (Ottinger): Similar to H.R. 6249.

H.R. 6601 (Rosenthal): Permit drug price advertising and require posting of prices for common prescriptions.

H.R. 6603 (Rosenthal): Require established name of drugs be used with proprietary name.

H.R. 6613 (Rosenthal): Provide compulsory licensing of prescription drug patients.

H.R. 6616 (Rosenthal): Label drugs as to life of potency.

H.R. 7096 (Ottinger): Similar to H.R. 6249.

H.R. 7101 (Rogers): Establish limitations on authority of Secretary of Health, Education and Welfare to regulate vitamins and minerals.

H. Con. Res. 167 (Long of Md.): Urge telephone and hearing-aid industries to provide full access to telephone communications for hearing aid users.

H.J. Res. 590 (Traxler): Investigation of possible antitrust violations in manufacture and marketing of replacement home canning lids.

DISTRICT OF COLUMBIA

H.R. 7122 (Biaggi): Authorize establishment of national law enforcement heroes memorial within District of Columbia.

DRUGS

H.R. 7452 (Nix): Penalty for robbery of controlled substances from pharmacies.

H. Con. Res. 354 (Rangel): Eliminate illegal drug traffic from Turkey.

EDUCATION

H.R. 1350 (Ottinger): Strengthen and expand Headstart.

H.R. 5234 (Bell): Establish criteria for assisting postsecondary education programs.

H.R. 5240 (Davis): Financial assistance for construction of public schools.

H.R. 7092 (Maguire): Establish student internship program for Members of Congress and state and local government.

H.R. 7445 (Mink): Provide education and employment programs to the foreign-born.

EMPLOYMENT

H.R. 1610 (Hawkins): Establish national policy for guaranteeing equal opportunities for employment.

H.R. 4156 (Fraser): Provide emergency health benefits for the unemployed. (Final day of subcommittee consideration and mark-up session, April 16, 1975)

H.R. 4240 (Rosenthal): Provide special cost-of-living pay schedules for Federal employees in heavily populated areas.

H.R. 4435 (Mollohan): Make unit of local government for population of 50,000 or more prime sponsor under Comprehensive Employment and Training Act.

H.R. 4625 (Hicks): Prohibit discrimination against the handicapped in employment.

H. Res. 431 (Dent): Investigate impact of imports on unemployment.

ENERGY

H.R. 2991 (Dingell): Provide temporary freeze on national average price of domestic crude oil, residual fuel oil and refined petroleum products. (Final day of subcommittee consideration and mark-up, Feb. 27, 1975.)

H.R. 4035 (Wirth): Provide Congressional review of administrative actions which result in a major increase in price of domestic crude oil; provide interim extension of certain expiring energy authorities. (Delivered to President, July 18, 1975)

H.R. 4381 (Fraser): Provide that all petroleum imported after September 1, 1975 not be available for purchase except by U.S. government.

H.R. 4507 (Gude): Establish low-interest loan program to assist homeowners and builders in purchase and installation of solar heating and cooling equipment.

H.R. 5048 (Ottinger): Create national power grid to save energy and regionalize power production and rates.

H.R. 5213 (Seiberling): Prohibit undue concentrations in energy-producing industries.

H.R. 5741 (Young of Fla.): Provide equalization of residual fuel oil prices.

H.R. 5871 (Drinan): Require President to strictly enforce Emergency Petroleum Allocation Act of 1973.

H.R. 5928 (Ottinger): Similar to H.R. 5048.

H.R. 6031 (McCormack): Promote and demonstrate the feasibility of electric vehicle technology.

H.R. 6158 (Brown of Cal.): Authorize research, development and demonstration of ground propulsion systems to reduce energy consumption.

H.R. 6255 (Studds): Authorize and assist coastal states in management of energy development impact.

H.R. 6437 (Ottinger): Similar to H.R. 5048.

H.R. 7012 (Dingell): Enhance competition in energy industry.

H.R. 7137 (Ottinger): Similar to H.R. 5048.

H.R. 7428 (Gude): Allow taxpayer to amortize solar heating and cooling equipment or take an investment tax credit.

H.R. 7506 (Ottinger): Promote research, development and demonstration of non-gasoline powered vehicles.

H.R. 7933 (Litton): Protect franchised dealers in petroleum products.

H.R. 8243 (Wirth): Establish a national energy information administration and authorize survey of energy resources on public lands.

H.R. 8546 (Ottinger): Require buildings financed with federal funds conserve energy and consider use of solar systems.

H.R. 8800 (McCormack): Similar to H.R. 6031. (Final day of committee consideration and mark-up session, July 28, 1975.)

H.R. 8704 (Gude): Similar to H.R. 4507.

H. Res. 333 (Hughes): Study natural gas and petroleum reserves.

H. Res. 388 (Drinan): Request Justice Department investigate Federal Energy Administration for any conflicts of interest.

H. Res. 439 (Staggers): Disapprove President's amendment to remove price controls on crude oil.

H. Res. 605 (Staggers): Similar to H. Res. 439. (Passed by House, July 22, 1975.)

H. Res. 638 (Dingell): Similar to H. Res. 439.

H. Res. 641 (Staggers): Disapproving removal of existing oil price controls.

ENVIRONMENT

H.R. 28 (Udall): Cooperation with states on regulation of surface coal mining. (Final day of committee hearings, Feb. 20, 1975.)

H.R. 2121 (Hechler of W. Va.): Phase out surface coal mining and control adverse coal mining effects on the environment. (Final day of committee hearings, Feb. 20, 1975.)

H.R. 3551 (Rosenthal): Prohibit sonic booms by civil aircraft within the United States.

H.R. 4327 (Rogers): Assure that aerosol sprays do not impair the environmental ozone layer.

H.R. 4342 (Udall): Encourage conservation of natural resources and coordinate land use planning. (Forwarded by subcommittee to full committee, April 24, 1975.)

H.R. 4836 (Brown of Cal.): Amend Clean Air Act.

H.R. 4945 (Aspin): Prohibit certain activities regarding plutonium and study its recycling.

H.R. 4955 (Ottinger): Prohibit production and procurement of binary-type chemical warfare delivery systems.

H.R. 5220 (Brown of Cal.): Amend Clean Air Act.

H.R. 5483 (Ottinger): Establish Hudson River Compact Commission to negotiate a compact to develop, preserve and restore resources of Hudson River and its shores.

H.R. 5513 (Ford of Mich.): Qualify certain state conservation publications for second class mail rates.

H.R. 5738 (Ottinger): Identical to H.R. 4955.

H.R. 6012 (Vanik): Recycle used oil.

H.R. 6256 (Studds): Manage oil and natural gas in the outer continental shelf to protect marine and coastal environment.

H.R. 6345 (Weaver): Further purposes of Wilderness Act.

H.J. Res. 388 (Whitehurst): Call for wildlife preserve for humpback whales.

H.J. Res. 478 (Bell): Save the great whales by imposing an embargo on products of all foreign enterprises engaged in commercial whaling. (First day of subcommittee hearings, June 13, 1975.)

H. Con. Res. 213 (Whitehurst): Call for regional conservation treaty to protect northern hemisphere pinnipeds.

H. Con. Res. 273 (Ottinger): Sense of Congress on United Nations position on the effect of aerosol sprays on atmosphere.

FOOD STAMPS

H.R. 2083 (Fraser): Amendment to Food Stamp Act of 1964. (Similar H.R. 1589 to be reported in lieu.)

H.R. 2449 (Holtzman): Prohibit higher price for food stamps. (Similar H.R. 1589 to be reported in lieu.)

H.R. 2577 (Bergland): Food Stamp plan. (H.R. 1589 passed House on Feb. 4, 1975, in lieu.)

H.R. 7695 (Harrington): Assure food stamp recipients that assistance will not be reduced or discontinued due to increases in social security.

FOREIGN AFFAIRS

H.R. 4680 (Drinan): Require reports to Congress before export of certain arms and ammunition.

H.R. 6632 (Drinan): Increase Congressional oversight of military sales.

H.R. 8197 (Biester): Participation in African Development Fund. (First day of subcommittee hearings, July 15, 1975.)

H.R. 8297 (Long of Md.): Limit transfer of nuclear technology and materials to prevent proliferation of nuclear weapons.

H. Res. 103 (Gude): Seek agreement on prohibition of weather modification as weapon of war.

H. Res. 609 (Ottinger): Concern for control of nuclear materials.

H. Res. 633 (Biaggi): Concern over attempts to expel Israel from United Nations.

GOVERNMENT OPERATIONS

H.R. 2663 (Ford of Mich.): Expand Advisory Commission on Intergovernmental Relations to include elected school board officials.

H.R. 4595 (Baucus): Amend impoundment control act to permit Congress to disapprove any rescission.

H.R. 4630 (Levitas): Permit either House of Congress to disapprove certain rules proposed by executive agencies.

H.R. 4868 (Neal): Limit use of limousines.

H.R. 5303 (Rosenthal): Establish office of Inspector General in Health, Education and Welfare.

H.R. 6010 (Spellman): Right of government employees to disclose information required to be disclosed by agencies.

H.R. 6021 (Bennett): Prohibit former federal employes who participated in contract formulation from being employed for two years by anyone with direct interest in contract.

H.R. 6026 (Fascell): Open agency meetings to the public.

H.R. 6098 (Addabbo): Consult with local governments on potential effects of construction of federal buildings.

H.R. 6885 (O'Neill): Dispose surplus real property to states and their political subdivisions for economic development.

H.R. 7422 (Delaney): Authorize emergency loan guarantees to local governments.

H.R. 7463 (Price): Incorporate United Service Organizations.

H.R. 7605 (Hechler of W. Va.): Terminate Federal Metal and Nonmetallic Mine Safety Board of Review.

H.R. 7702 (Peyser): Provide emergency financial assistance to assure police and fire protection in areas of municipal financial hardship.

H.R. 7751 (Delaney): Similar to H.R. 7422.

H. Res. 346 (Brooks): Provide for radio and television coverage of proceedings in the House.

H. Res. 456 (Gonzalez): Create committee to investigate deaths of John F. Kennedy, Robert F. Kennedy, Martin Luther King and the attempted assassination of George Wallace.

H.J. Res. 461 (Reuss): For relief of New York City.

HEALTH

H.R. 2570 (Anderson of Cal.): Screening and counseling for Tay-Sachs disease. (First day of subcommittee consideration and mark-up, June 3, 1975.)

H.R. 2600 (Meeds): Grants for health education.

H.R. 3209 (Corman): Create national system of health security.

H.R. 4773 (Koch): Broaden coverage of home health services under Social Security. (First day of subcommittee hearings, March 18, 1975.)

H.R. 5265 (Mitchell of Md.): Control of Vitilago.

H.R. 5530 (Obey): Make director of National Institute for Occupational Safety and Health responsible to assistant secretary of Health, Education and Welfare.

H.R. 5719 (Dupont): Expand and improve family planning services.

H.R. 7377 (Koch): Grants to colleges and universities for training programs for physicians' assistants.

H.R. 8428 (Hastings): Establish and expand health maintenance organizations.

H.R. 8438 (Ottinger): Assist construction and operation of burn care facilities.

H.R. 8489 (Burke of Cal.): Provide research for detecting birth defects.

H. Res. 4487 (Metcalfe): Concern for malnutrition.

H.J. Res. 475 (Pepper): For White House conference on long-term care.

HOLIDAYS

H.R. 1812 (Conyers): Designate birthday of Martin Luther King, Junior as legal public holiday.

H.J. Res. 191 (Ottinger): Authorize President to proclaim first Sunday of June as "American Youth Day."

H.J. Res. 305 (Rosenthal): Designate April 17, 1975 as "National Food Day."

H.J. Res. 450 (Rhodes): Designate week beginning on third Monday of February as "National Patriotism Week."

H.J. Res. 452 (Harrington): Authorize President to proclaim last week in June of each year as "National Autistic Children's Week."

H.J. Res. 579 (Eilberg): Designate Jan. 6, 1976 as "Haym Salomon Day."

H. Con. Res. 126 (Bingham): Authorize bust or statue of Martin Luther King, Jr., to be placed in Capitol.

H. Con. Res. 302 (Fraser): International Women's Year.

HOUSING

H.R. 3873 (Mollohan): Make flood insurance coverage and community participation in National Flood Insurance Program prerequisites for approval of any financial assistance in flood hazard area.

H.R. 4191 (Lagomarsino): Extend capital gain exemption on sale of house.

H.R. 6113 (Moorhead of Pa.): Amend Housing Act of 1937.

H.R. 6240 (Mitchell of Md.): Provide assistance for 3,000,000 new low income dwelling units.

H.R. 6503 (Spellman): Extend and amend Housing Act of 1964.

H.R. 6513 (Ambro): Redefine term "city" in Housing and Community Development Act of 1974.

H.R. 7045 (Sisk): Appropriations for section of Housing and Community Development Act of 1974.

H.R. 7251 (Moakley): Improve public understanding of role of financial institutions in home and commercial real property financing.

IMMIGRATION

H.R. 3395 (Biaggi): Provide penalties for persons who employ aliens who are in the United States illegally.

INDIAN AFFAIRS

H.R. 2525 (Meeds): Improve services and facilities of federal Indian health programs.

LABOR

H.R. 5654 (Ottinger): Relief of Arthur and Hedy Dentz.

H.R. 6167 (Hechler of W. Va.): Transfer to Secretary of Labor functions relating to health and safety of miners.

H.R. 6248 (Ottinger): Amend National Labor Relations Act in regard to strikes at construction sites.

H.R. 6677 (Richmond): Provide additional funds for youth summer employment.

H.R. 6833 (Mitchell of Md.): Impose moratorium on repayment of principal and interest on certain loans made by Small Business Administration for duration of recession.

H.R. 7349 (Pepper): Prohibit discharge of employes for testifying before committee of Congress.

H.R. 7616 (O'Hara): Provide equal treatment of craft and industrial workers.

LEGAL SERVICES/COURT REFORM

H.R. 7968 (Drinan): Recovery of attorney fees.

H.R. 8218 (Seiberling): Authorize awarding of attorneys' fees under Mineral Leasing Act.

H.R. 8219 (Seiberling): Authorize awarding of attorneys' fees in actions for injunctive relief under Clayton Act.

H.R. 8220 (Seiberling): Authorize awarding of attorneys' fees in actions under certain civil rights laws.

H.R. 8221 (Seiberling): Authorize awarding of attorneys' fees in civil actions in interest of justice.

H.R. 8222 (Seiberling): Authorize awarding of attorneys' fees in actions under National Environmental Policy Act of 1969.

H.R. 8796 (Fraser): Clarify prohibition against making false statements in matters under department or agency of U.S.

MILITARY AFFAIRS

H.R. 4680 (Drinan): Reports to Congress on export of certain arms and ammunition.

H. Res. 103 (Gude): Prohibit weather modification as a weapon of war.

H.R. 7011 (Bingham): Facilitate economic adjustment of communities, industries, and workers affected by reductions in defense contracts and facilities.

H. Res. 529 (Harrington): Direct the President to furnish to House information concerning seizure of Mayaguez. (First day of committee hearings, June 23, 1975.)

H.J. Res. 533 (Ottinger): Renounce the first use of nuclear weapons.

H. Res. 536 (Harrington): Identical to H. Res. 529. (First day of subcommittee hearings, June 19, 1975.)

H.J. Res. 596 (Biaggi): Appointment of George Washington to grade of General of the Armies of the United States.

H. Con. Res. 343 (Bingham): Disapprove proposed sales to Jordan of Hawk missile and Vulcan anti-aircraft systems.

PENAL REFORM

H.R. 6783 (Railsback): Employment and training of criminal offenders.

POVERTY

H.R. 5937 (Hawkins): Combat rural poverty. (First day of subcommittee hearings, May 2, 1975.)

PUBLIC LANDS

H.R. 6883 (Miller of Calif.): Enlarge Sequoia National Park.

H.R. 7819 (Krebs): Study certain lands in Sierra National Forest for possible inclusion in national wilderness preservation system.

H.R. 9012 (Winn): Authorize establishment of Tallgrass Prairie National Park.

SENIOR CITIZENS

H.R. 5233 (Beard of R.I.): Require state inspections of public and private extended care facilities.

H.R. 6312 (Heinz): Relief for older Americans who own or rent their homes.

H.R. 7256 (Pepper): Amend Internal Revenue Code on nursing home expenses.

H.R. 7259 (Pepper): Modify Medicare to allow long-term care at small, low occupancy, rural hospitals.

H.R. 7262 (Pepper): Provide care for residents in nonmedical shelter care facilities.

H.R. 7283 (Pepper): Require admissions contracts at federally assisted nursing homes.

H.R. 7292 (Pepper): Require reporting of epidemic diseases or accidents in nursing homes.

H.R. 7295 (Pepper): Regulations for state Medicaid plans.

H.R. 7298 (Pepper): Establish rating system for nursing homes.

H.R. 7301 (Pepper): Require states to establish ombudsman programs to investigate nursing home complaints.

H.R. 7304 (Pepper): Establish Inspector General for Health Administration.

H.R. 7307 (Pepper): Prohibit offer or receipt of consideration for referral of patients, clients or customers under Social Security.

H.R. 7310 (Pepper): Require strict controls for handling of patients' accounts, money, valuables under Social Security.

H.R. 7313 (Pepper): Prohibit solicitation or acceptance of consideration for admitting patient to long-term care facility.

H.R. 7316 (Pepper): Make certain requirements of long-term care facility personnel.

H.R. 7319 (Pepper): Require payment forms from nursing homes contain warnings in regard to certain penalties.

H.R. 7322 (Pepper): Continue 100 per cent federal financing of state costs in inspecting nursing homes.

H.R. 7325 (Pepper): Provide 100 per cent federal funding of financial audits of facilities participating in Medicare and Medicaid.

H.R. 7328 (Pepper): Provide system of overseeing state inspection of nursing homes.

H.R. 7331 (Pepper): Authorize Medicaid or Medicare patients to sue long-term care facilities.

H.R. 7334 (Pepper): Authorize states to provide financial incentives for good care at nursing homes.

H.R. 7337 (Pepper): Loans for construction and rehabilitation of nursing homes owned by non-profit organizations.

H.R. 7340 (Pepper): Grants for nursing homes in black and minority communities.

H.R. 7343 (Pepper): Authorize interest subsidy payments to assist nursing homes in repair and renovation.

H.R. 7346 (Pepper): Grants to colleges and universities for graduate programs for nurses in geriatrics and gerontology.

H.R. 7363 (Koch): Provide for in-service training of nursing home personnel.

H.R. 7366 (Koch): Grants to medical schools for geriatrics.

H.R. 7371 (Koch): Grants to colleges and universities for training nurses for nursing homes.

H.R. 7374 (Koch): Train certain veterans to serve as medical assistants in long-term health care facilities.

H.R. 7380 (Koch): Provide care for elderly in their own homes.

H.R. 7387 (Koch): Develop projects for health-care for elderly in campus-type setting.

H.R. 7390 (Koch): Disclose identity of all owners of nursing homes.

H.R. 7393 (Koch): General regulation of nursing homes and assessment of patients.

H.R. 7431 (Hannaford): Reimbursement formula for nursing homes under Medicare.

H.R. 8086 (Ottinger): Provide persons 55 or over who are fully vested under pension plan with pension benefits when employment terminated by employer.

H. Res. 307 (Koch): President should submit action plan to correct abuses in nursing homes.

SOCIAL SECURITY

H.R. 2042 (Rosenthal): Provide minimum annual income of $3,850 for elderly individuals and $5,200 for elderly couples.

H.R. 2197 (Findley): Repeal earnings limitation under Social Security.

H.R. 2420 (Burke of Mass.): Provide federal participation in costs of social security program with appropriate reductions in social security taxes.

H.R. 3393 (Bedell): Prohibit reductions in other federal benefits due to increases in Social Security.

H.R. 4314 (Ottinger): Reform of qualifications for disability benefits under Social Security.

H.R. 4448 (Riegle): Establish food allowance for older Americans under Social Security.

H.R. 4913 (Krebs): Provide that beneficiary shall receive prorated benefit for month in which he dies.

H.R. 5375 (Corman): Authorize payment for optometric and medical vision care.

H.R. 5377 (Corman): Provide coverage of certain psychologists' services.

H.R. 5742 (Beard of R.I.): Procedure for prompt payment of benefits when checks lost, stolen or delayed.

H.R. 5974 (Roush): Authorize payment for emergency inpatient hospital services furnished outside of United States.

H.R. 6333 (Koch): Provide immediate 15 per cent cost-of-living increase.

H.R. 6769 (Holtzman): Insure that cost-of-living increases in Supplemental Security Income benefits are granted to recipients in all states, provide housing supplement, prevent reductions, provide food stamps and emergency assistance.

H.R. 7138 (Ottinger): Provide for payment of special housing allowance.

H.R. 7253 (Pepper): Provision of intermediate care services under Medicare.

H.R. 7268 (Pepper): Require skilled nursing facilities to employ at least one registered professional nurse.

H.R. 7271 (Pepper): Require that only licensed personnel set up or distribute medications in skilled nursing facilities.

H.R. 7274 (Pepper): Place responsibility for medical care provided by skilled nursing facilities under medical director.

H.R. 7277 (Pepper): Require minimum ratios for nursing home personnel to patients and supervisory nurses to nurses.

H.R. 7280 (Pepper): Require skilled nursing facilities to provide medically related social services.

H.R. 7286 (Pepper): Provide updating of safety provisions in skilled nursing homes.

H.R. 7286 (Pepper): Update safety provisions in skilled nursing facilities.

H.R. 7289 (Pepper): Require nursing homes to post information on licenses, certifications, owners, staff, patients' rights, services and charges.

H.R. 7383 (Koch): Include coverage of elderly day care centers.

H.R. 7534 (Heinz): No state shall be required to apply a means test or limit benefits on basis of federally prescribed income levels.

H.R. 7696 (Harrington): Assure that Supplemental Security benefits are not reduced by increases in Social Security benefits.

H.R. 8072 (Broyhill): Payment for services furnished at Community Mental Health Centers.

H.R. 8343 (Maguire): Determine extent to which value of individual's home is excludable in determining eligibility for Supplemental Security Income benefits.

H. Con. Res. 84 (Anderson of Cal.): Against imposition of a ceiling on social security cost-of-living increases.

H.R. 8717 (St Germain): Payment may be made under Supplementary Medical Insurance Program for wheelchairs and other durable medical equipment.

TAXES

H.R. 369 (Chappell): Exclude from gross income certain amounts received by members of certain firefighting and rescue units.

H.R. 1768 (Green): Suspend for 90 days authority of the President to increase tariffs, or take other import adjustment action with respect to petroleum or petroleum derivatives; to negate any such action he may take after 1/15/75; and before the beginning of such 90 day period.

H.R. 1808 (Conte): Requiring Congressional approval of tariffs on petroleum imports.

H.R. 2067 (Vanik): Amend IRS Code to allow income tax credit or income tax deduction for certain expenditures of a taxpayer relating to the thermal design of his residence.

H.R. 2423 (Cohen): Provide income tax incentives for the modification of certain facilities so as to remove architectural and transportation barriers to the elderly and handicapped.

H.R. 3303 (Fish): Allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with adoption of a child by the taxpayer.

H.R. 3448 (Mitchell of Md.): Provide an additional income tax exemption where a taxpayer, his spouse, or any dependent of the taxpayer is handicapped.

H.R. 4193 (Litton): Restrict the authority for inspection of tax returns and the disclosure of information contained therein.

H.R. 4640 (Ottinger): Allow for a tax credit for a portion of the expenses incurred by the taxpayer in commuting to and from place of employment on mass transit facilities.

H.R. 4729 (Vanik): Provide for a tax on every new passenger auto based on its fuel consumption, to provide for public disclosure of fuel consumption rate of every such auto.

H.R. 5288 (Evans, Ind.): Direct Secretary of Treasury to study increased tax burden of low-and-moderate-income individuals resulting from effect of inflation on existing federal income tax structure.

H.R. 5299 (Litton): Require the establishment of formal procedures and criteria for selection of individual income tax return audits; inform individuals of the reasons why returns were selected for audit.

H.R. 5878 (Koch): Extend to all unmarrieds the full tax benefits of income splitting enjoyed by marrieds filing joint returns; remove rate inequities for marrieds where both are employed.

H.R. 6229 (Drinan): Deny the deduction of any expenditure of any oil company for advertising not directly related to the sale of products or services.

H.R. 6830 (Koch): Provide that the 4-percent excise tax on net investment income of private foundations shall not apply to private foundations organized and operated exclusively as a library, museum, or similar educational institution.

H.R. 8895 (Ottinger): Increase to 15¢ per mile standard mileage allowance which may be used in determining amount of the deduction allowed for expenses paid or incurred for the operation of an auto in connection with rendering services to a charitable organization.

H. Con. Res. 60 (McFall): Express sense of the Congress that President should not impose any tariff or other import restriction on petroleum or petroleum products before April 1, 1975.

H. Con. Res. 270 (Mott): Expressing sense of the Congress with respect to complexity of federal income tax forms.

TRANSPORTATION

H.R. 2036 (Rosenthal): Authorize free or reduced rate transportation to handicapped persons and persons who are 65 or older.

H.R. 2037 (Rosenthal): Establish the Airport Noise Curfew Commission.

H.R. 2222 (Karth): Terminate the Airlines Mutual Aid agreement.

H.R. 4521 (Koch): Reduce certain weights permitted on the interstate system.

H.R. 4933 (Wolff): Prohibit commercial flights by supersonic aircraft into or over the U.S. until findings made by EPA.

H.R. 7066 (Heinz): Provide assistance in rebuilding nation's railroad rights-of-way.

VETERANS

H.R. 4996 (Annunzio): Provide medical care to members of the armed forces of nations allied or associated with U.S. in World War I or World War II.

H.R. 5022 (Mink): Time spent in P.O.W. camps be creditable toward benefits like pensions and annuities under Federal retirement programs.

H.R. 6004 (Harrington): Recipients of veterans' pension will not have amount reduced or discontinue because of increases in Social Security benefits.

H.R. 8415 (Anderson of Calif.): Provide payment of pensions to veterans of World War I.

THE BUFFALO METROPOLITAN AREA: A CASE STUDY IN WHAT WE MUST DO TO REVERSE ECONOMIC DECLINE—BY THE BUFFALO COURIER-EXPRESS

Mr. KEMP. Mr. Speaker, why are some industrial centers—metropolitan areas—hit harder by a recession than others? Why are they the first to enter a recession—and usually the last to get out of it? Why do they seemingly never regain all of the jobs lost, even when the recession is over?

These and similar questions—as they relate specifically to the metropolitan area of Buffalo, N.Y., including both Erie and Niagara Counties—have been posed and thoughtfully answered in a major, 2-week series of articles by Mr. Robert J. Summers of the Buffalo Courier-Express. It is of the same high quality as the series in August of 1974, also done by Bob Summers, on why some cities were prospering and others were declining.

This Courier-Express series shows, conclusively, that the reasons for decline are not nebulous or inexplicable. Through analysis and comparison, we can ascertain the reasons for decline. The difficulty arises in harnessing the human action—the commitment both among officials and the public—to do something about the situation which will not be counterproductive.

Only when we perceive accurately the causes of decline will we be better able to reverse them, and it is in that context that the decision to research, write, and publish this thorough analysis is to be commended

Let me briefly summarize some of Bob Summers' principal points.

THE HISTORICAL CONTEXT

At one time, Buffalo was one of the principal metropolitan centers of the United States. It was called the Queen City of the Great Lakes, resting as it did as the western focus for the vast barge traffic in New York State between the Atlantic coast cities and serving as the transportation hub between waterborne and land commerce. It was the principal city of commerce between the Midwest and the Northeast. The grains of the Midwest were processed there; ores from the Minnesota ranges were brought in there for overland transit to the mills—and the steel mills themselves flourished in Buffalo and its neighbor city, Lackawanna. As Summers points out:

> Buffalo became one of the most important industrial and commercial centers in the hemisphere.
>
> Manufacturing industries of all types grew and prospered. They formed the economic backbone of the western New York area.

A combination of factors then set in. As the Nation pushed both south and westward, major industrial centers developed elsewhere. Ores were not shipped from the Minnesota range in the same volumes; instead, steel manufacturing grew rapidly in the Midwest. Grain was processed nearer to where it had been grown. The development of railroads, then trucking, then air freight transportation reduced the role of waterborne commerce, and in the 1950's the opening of the St. Lawrence Seaway left Buffalo to be bypassed by most of the Atlantic-to-the-Great-Lakes-to-the-Atlantic shipping. Well-intentioned but shortsighted economic and tax policies of the State—designed to make up for the losses as industries and jobs began to move out—only worsened the situation.

The depression of the 1930's severely hurt the Buffalo area. And the area has lost more and more jobs and industry during each economic turndown in the post-Second World War period, one now 30 years long. It has not, during this period, regained the jobs lost in each recession during the 1940's, 1950's, 1960's, and now 1970's.

THE PAST 20 YEARS

Between 1956 and 1973—the most recent years for which reliable figures are available—the Buffalo metropolitan area lost more than 12 percent of its industrial plants and more than 23 percent of its industrial jobs.

During this period, Erie County lost 28,000 manufacturing jobs—or a loss of 18 percent, and Niagara County lost 20,300 jobs—or a loss of 35 percent. Combined they lost 48,300 jobs in manufacturing, as a result of 219 major plant closings.

The loss of total jobs is even more dramatic. If one uses the widely accepted formula—that a loss of 100 manufacturing jobs means an additional loss of 86 nonmanufacturing jobs—then we can quickly compute the real job loss in the area—81,200 jobs.

According to Summers' evidence, drawn principally from the records of the U.S. Department of Commerce, the loss of manufacturing plants has come most heavily among the large companies—those hiring 500 or more people. While during this period there has been a decline of 14½ percent among companies employing between 100 and 249 workers, there has been a decline of 32 percent among those hiring between 250 and 449 and a decline of a nearly equal 31 percent among those hiring 500 or more.

Erie County lost 37 percent of its primary metals plants and 41 percent of those jobs. At the same time, the county lost 22 percent of the jobs and 36 percent of the plants in the transportation equipment field; 54 percent of the plants and 93 percent of the jobs in the aircraft and parts category; 33 percent of the plants and 59 percent of the jobs in the chemical industry.

Of the 21 major types of manufacturing industries listed by the economic census, the number of plants increased in only eight categories and total employment increased by more than 2,000 jobs in only 2 of the 21 categories—printing and electrical machinery.

These losses are not exclusive in the State of New York to Buffalo, and it is important to understand this, for much of the problem does rest at the State level.

Summers analyzes this reality in these words:

> Over the past 10 to 20 years, more and more Buffalo industries have either moved out of Buffalo, gone out of business entirely, or expanded operations in non-Buffalo locations.
>
> Those are the industries which can be counted, calculated and catalogued.
>
> Not countable are the industries which might have, at one time, considered Buffalo as a new plant site, but later decided against it because of the greater potential for profit elsewhere.

Mr. Speaker, the figures in this regard are staggering.

According to "County Business Patterns" of the U.S. Department of Commerce, New York State was the highest loser of plants between 1959 and 1971. This remains the case today. In this period, New York State lost 9,106 manufacturing plants—or roughly 1 out of every 5 in the entire State. By contrast, the next highest loss—the second highest in the Nation—was Maine, with a loss of 1,354 plants—or only about 15 percent of New York's losses.

THE REASONS FOR THE LOSS OF PLANTS AND JOBS

Summers itemizes the reasons for why we have lost both plants and jobs:

> There are many reasons.
>
> Both business and personal taxes in the Buffalo area are among the highest in the nation.
>
> Labor costs in Western New York also are higher than in many other areas of the country.
>
> New York State and the Buffalo area lag behind other states when it comes to offering businesses financial incentives to locate new plants in the area.

He then elaborates on these points. As to taxes, he wrote:

> Should a business for some reason or another need and want to locate in an urban area, there are several tax-related reasons why it might not choose to locate in or near Buffalo.
>
> For residents of an area its size, citizens of the Buffalo metropolitan area . . . pay an inordinate amount of taxes.
>
> There are 10 other metropolitan areas in the U.S. with populations about the same size as the Buffalo area.
>
> In these areas, no residents are taxed higher per person than residents of the Niagara Frontier.
>
> In population, Buffalo is the 24th largest metropolitan area in the country. But when it comes to paying taxes, Buffalo residents pay the 7th highest amounts in the country, surpassed only by New York City, San Francisco, San Jose, Washington, Los Angeles and Riverside, Calif.
>
> Buffalo doesn't fare much better when tax and population figures are compared for the nation's largest cities.
>
> Buffalo . . . is the 28th largest city in the country.
>
> But when it comes to collecting taxes . . . Buffalo residents pay . . . the seventh highest amount of taxes of all the cities. Only the residents of Washington, New York City, Baltimore, San Francisco, Boston and Cin-

> cinnati pay more taxes per person than residents of the city of Buffalo.

And, Mr. Speaker, the problem is compounded—not alleviated—by the State's tax laws. Summers describes it this way:

> Sometimes it seems like New York State's tax structure is set up intentionally to drive people and business out of the state.
>
> Not only are New York State's businesses and industries taxed at rates higher than just about every other state in the country, but the people who work in, and manage, those businesses are taxed at the absolute highest rates in the land.
>
> The average New York State resident pays . . . about 54-percent higher than the national average . . . and about 20-percent higher than the second highest taxed state, California.

Then he proceeds, Mr. Speaker, to show that New Yorkers do not pay higher taxes because they have necessarily higher earnings—for they do not:

> Even though New York State residents are taxed more than residents of all other states, New Yorkers do not earn more money than the residents of all other states.
>
> Each New Yorker, on the average, earns 13-percent more income than the national average, but pays 54-percent more state and local taxes than the national average.

The consequences are obvious. These tax obstacles repel industry from coming or force out those already there. Summers makes this point:

> To show what all this means, Alan Rusin, manager of tax compliance at the Niagara Falls-headquartered Carborundum Company, translates the percentages into the dollar amounts a mythical company making a $1 million investment would have to pay in each state.
>
> (The mythical corporation is assumed to invest $300,000 in real property, $400,000 in machinery and equipment, and $300,000 in inventory. The company's investment is assumed to generate sales of $4 million and pre-tax profits of $400,000. Because the long-term effects of sales and use taxes on business is difficult to measure, it was not included in the calculations, Rusin said).
>
> The figures show that the total tax burden on such a plant in New York State would be about 68 per cent higher than in Alabama; 63 per cent higher than in New Jersey, and 50 per cent higher than in Tennessee.
>
> Only two of the states studied, California and Illinois, showed a tax liability greater than in New York State for such a plant.
>
> Many experts in the field of industrial development agree that labor and tax costs are the most important of the many factors which go into making plant location decisions.
>
> So, if a company looking for a plant site does a little research and finds that the taxes in New York State are, say, 50 per cent higher than in Tennessee, and that (as reported earlier in this series) the average factory wage rate in Buffalo, is 40 per cent higher than in Nashville, 35 per cent higher than in Chattanooga, and 30 per cent higher than in Knoxville, it doesn't take too many degrees in accounting and economics to figure out where to build the new plant.
>
> At best, it shows that the Buffalo area has to offer the company a lot of other advantages to overcome the built in disadvantages of high taxes and high labor costs.

On the subject of wages, Mr. Speaker, Summers discloses that factory wages in Buffalo are close to the highest in the Nation:

> According to recent statistics from two sources, factory workers in most places in the U.S. work for less money than factory workers in Buffalo.
>
> Recent figures published by U.S. News & World Report, a national magazine which keeps tabs on the pulse of business around the country, showed that the average Buffalo factory worker's income is $11,738 a year. That figure, which is up 5.7 per cent from a year ago, is almost the highest factory wage rate in the nation.
>
> Of 72 major cities listed by the magazine, only four had higher average factory pay levels than Buffalo.
>
> They were: Milwaukee ($19 a year more); San Francisco ($215 a year more); Pittsburgh ($256 a year more); and Detroit ($963 a year more).

Buffalo area wages, according to the American Industrial Development Council Journal, are about 70 percent higher than in Lewiston, Maine, and El Paso, San Antonio, and Wichita Falls, Tex.; about 60 percent higher than in Ashville and Raleigh, N.C., and Roanoke, Va.; about 50 percent higher than in Miami, Fla.; about 40 percent higher than in Dallas, Tex., Orlando, Fla., and Nashville, Tenn., 35 percent higher than in Salt Lake City, Utah, Tampa, Fla., Sioux City, Iowa; and about 30 percent higher than in Oklahoma City.

And the offering of various industrial incentives is greater in other States also, and Summers concludes:

> New York State can be considered a cheapskate when it comes to offering tax concessions, financing schemes and other incentives to entice industries to build new plants or expand existing facilities in the Buffalo area and other parts of the state.
>
> In their competitive battles to attract new mills and factories, many states offer a wide variety of public funds and public credit to help make it cheaper for a company to locate in a particular area.
>
> Although New York State offers several such incentive programs, the advantages they offer to industry are often surpassed by those offered by some competing states.

WHAT OUGHT TO BE DONE?

Mr. Speaker, much has to be done to assure both a short-range and a long-term economic recovery for the Buffalo area. And no single action can attain this goal for us. It must be a multifaceted and broadly accepted plan of action based on certain goals.

Certainly, the principal goal must be to reduce the size of the Buffalo area's job gap so that economic opportunity exists for people to remain in the area. Based on the attainment of that goal, we can then proceed to develop job opportunities for companies to again begin moving back into the area.

What should be done to deal with the three basic causes raised by Summers—high taxes, high labor costs, and inadequate incentives?

We are going to have to come to grips with the problem of excessive taxes in New York State, and this is primarily the province of Albany, the county legislatures, and city halls. High taxes are driving people out of the State. Corporations' earnings are cut severely by our tax rates, and that means less for reinvestment in plant and machinery, less for dividend payments, less for additional wages, and benefits. The reason, of course, why our taxes are so high is the high cost of government in the State. We will be able to reduce those taxes, only by slowing the growth of State and local government. No more an important service to the people and to assuring the stability of the State's economic future could be done this year and next than the State and local governments doing a top-to-bottom reevaluation of what is really necessary for government to do and then reducing the size of government and, therefore, the tax bite.

We are going to have to improve productivity through improved machinery and tools. There are two ways to increase productivity—by the workers working harder and longer on one hand, or by having better tools on the other. No one expects the labor force to work longer and harder, but improved machinery for them will permit them to produce more goods within the same time frame, and this heightened productivity reduces the burden of higher wages. Companies will be less concerned about the higher wage rates in the area when they get more products for their dollars spent.

We must also bring the incentives offered by the State and localities up to a competitive level with other areas of the country. We have incentives now, but they are obviously not sufficient to either compete with other areas or to offset the other difficulties of locating in, or remaining in, our area.

Sole reliance on the Federal Government is not an answer either, and this is true for several reasons. First, Federal legislation treats all areas equally; thus for our area to be eligible for benefits, other areas are equally eligible, and our relative position to them is not improved. Second, most Federal assistance—grants—is now determined by formulas which are not subject to increase by a showing of greater interest. Third, it is inflation which started the recession in which we now find ourselves—the recession which has brought unemployment in the area to its highest level since the Great Depression—and that inflation arises from the huge and consistent deficit spending which is inevitable when everyone is asking for more Federal money. Greater reliance on the Federal Government is, therefore, in many instances, self-defeating.

In addition to reducing taxes, improving productivity, and providing more competitive incentives, there are other things which we can do.

We can diversify the industrial base, a crucial factor because slumps in one industry can then be offset by expansions in others.

We can try to become a "headquarters city."

We can concentrate more on exports, so that domestic slumps in the economy do not hurt production as badly.

We can concentrate even more heavily on Canadian trade.

We can insist the newly restructured Erie County/Buffalo Economic Development Committee spend its time in trying to develop private sector alternatives, instead of merely seeking Federal grants and relying on other Government attempts at problem solving.

We can make another attempt at formulating a viable committee of labor and management representatives, equally, to resolve potential problems before they become real ones.

If we do these things, we will experience an economic revitalization.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HAGEDORN) to revise and extend their remarks and include extraneous material:)

Mr. ARMSTRONG, for 1 hour, today.
Mr. KEMP, for 30 minutes, today.
Mr. BIESTER, for 5 minutes, today.
Mr. FINDLEY, for 5 minutes, today.
Mr. SCHULZE, for 5 minutes, today.
Mr. DU PONT, for 15 minutes, today.
Mr. KASTEN, for 15 minutes, today.
Mr. RUPPE, for 10 minutes, today.
Mr. McDADE, for 5 minutes, today.
Mr. TALCOTT, for 5 minutes, today.
Mr. FRENZEL, for 5 minutes, today.
Mr. SARASIN, for 15 minutes, today.
Mr. MILLER of Ohio, for 30 minutes, today.
Mr. ARCHER, for 30 minutes, today.

(The following Members (at the request of Mr. GINN), to revise and extend their remarks, and to include extraneous matter:)

Mr. GONZALEZ, for 5 minutes, today.
Mr. THOMPSON, for 10 minutes, today.
Mr. VAN DEERLIN, for 5 minutes, today.
Mr. CORNELL, for 5 minutes, today.
Mr. DRINAN, for 20 minutes, today.
Mr. REES, for 5 minutes, today.
Mr. MEZVINSKY, for 10 minutes, today.
Mr. ADAMS, for 5 minutes, today.
Mr. WOLFF, for 5 minutes, today.
Mr. FLOOD, for 5 minutes, today.
Mr. VANIK, for 5 minutes, today.
Mr. ST GERMAIN, for 5 minutes, today.
Mr. PHILLIP BURTON, for 10 minutes, today.
Mr. HARRINGTON, for 5 minutes, today.
Mr. DOMINICK V. DANIELS, for 5 minutes, today.
Ms. ABZUG, for 40 minutes, today.
Mr. FORD of Tennessee, for 5 minutes, today.
Mr. FORD of Michigan, for 5 minutes, today.
Mr. EARLY, for 5 minutes, today.
Mrs. COLLINS of Illinois, for 5 minutes, today.
Mr. COTTER, for 5 minutes, today.
Ms. HOLTZMAN, for 15 minutes, today.
Mr. KASTENMEIER, for 5 minutes, today.
Mr. WAXMAN, for 5 minutes, today.
Mr. McFALL, for 30 minutes, today.
Mr. HAMILTION, for 10 minutes, today.
Mr. LEVITAS, for 5 minutes, today.
Mr. HARRIS, for 5 minutes, today.
Mr. O'NEILL, for 5 minutes, today.
Mr. GONZALEZ, for 10 minutes, today.

(The following Members (at the request of Mr. ENGLISH) to revise and extend their remarks and include extraneous material:)

Mr. DODD, for 5 minutes, today.
Mr. STAGGERS, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. OTTINGER and to include extraneous matter notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,001.

Mr. MOTTL to revise and extend his remarks and include extraneous matter.

Mr. KEMP and to include extraneous matter notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $2,145.

Mr. DAN DANIEL, and to include extraneous material notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $858.

Mr. ROUSSELOT, to revise and extend his remarks immediately after the remarks of Mr. KRUEGER in the debate on the Matsunaga amendment on H.R. 7014 today.

Mr. GILMAN, to revise and extend his remarks in the extension of remarks today.

(The following Members (at the request of Mr. HAGEDORN) and to include extraneous material:)

Mr. KEMP in four instances.
Mr. CEDERBERG.
Mr. DON CLAUSEN in four instances.
Mr. FREY in three instances.
Mr. STEIGER of Wisconsin.
Mr. FORSYTHE.
Mr. BIESTER.
Mr. McKINNEY.
Mr. DERWINSKI in three instances.
Mr. TALCOTT in two instances.
Mr. ERLENBORN.
Mr. SARASIN.
Mr. MILLER of Ohio in six instances.
Mr. CONTE.
Mr. QUIE.
Mr. CRANE.
Mr. RHODES.
Mr. PRESSLER.
Mr. ARMSTRONG.
Mr. BOB WILSON.
Mr. BROOMFIELD in two instances.
Mr. JEFFORDS.
Mr. SHRIVER.
Mr. BUCHANAN in two instances.
Mr. ABDNOR in two instances.
Mr. ROUSSELOT.
Mr. O'BRIEN.
Mr. DEL CLAWSON.
Mr. SYMMS.

(The following Members (at the request of Mr. GINN), and to include extraneous matter:)

Mr. GONZALEZ in three instances.
Mr. ANDERSON of California in three instances.
Mr. FLOOD in two instances.
Mr. BADILLO in three instances.
Mr. TRAXLER in three instances.
Mr. SANTINI.
Mr. BONKER.
Mr. GAYDOS.
Mr. STEED.
Mr. NATCHER.
Mr. DENT.
Mr. BIAGGI in 10 instances.
Mr. D'AMOURS.
Mr. BRECKINRIDGE in 10 instances.
Mr. KARTH.
Mr. WOLFF.
Mr. DELLUMS.
Mr. UDALL.
Mr. FRASER.
Mr. NIX.
Mr. ULLMAN in two instances.
Mr. DODD.
Mr. GREEN.
Mr. METCALFE.
Mr. VIGORITO.
Mr. AuCOIN.
Mr. MATSUNAGA in two instances.
Mr. McDONALD of Georgia in five instances.
Mr. MOORHEAD of Pennsylvania.
Mr. ROGERS in five instances.
Mrs. SCHROEDER.
Mr. CONYERS in 10 instances.
Mr. FITHIAN in 10 instances.
Mrs. KEYS in two instances.
Mr. LEGGETT.
Mr. FLORIO.

(The following Members (at the request of Mr. ENGLISH) and to include extraneous material:)

Ms. ABZUG in five instances.
Mr. MOORHEAD of Pennsylvania.
Mr. RANGEL in five instances.
Mr. WAXMAN.
Mr. BROOKS.
Mr. STOKES in two instances.
Mrs. SCHROEDER in five instances.
Mr. STRATTON in five instances.
Mr. TSONGAS.
Mrs. SPELLMAN.
Mr. DIGGS in two instances.
Mr. DOWNING of Virginia.
Mr. HANNAFORD.
Mrs. SULLIVAN in two instances.

ENROLLED BILLS SIGNED

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4723. An act authorizing appropriations to the National Science Foundation for fiscal year 1976;

H.R. 5884. An act to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended, and for other purposes; and

H.R. 8564. An act to amend the Federal Aviation Act of 1958 relating to war risk insurance.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1716. An act to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, and for other purposes;

S. 1849. An act to extend the Emergency Petroleum Allocation Act; and

S. 2073. An act to authorize the American Indian Policy Review Commission to accept voluntary contributions of services and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following title:

H.R. 2559. An act to amend title 39, United States Code, to apply to the United States Postal Service certain provisions of law for

Federal agency safety programs and responsibilities, to provide for cost-of-living adjustments of Federal executive salaries, and for other purposes;

H.R. 5884. An act to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended, and for other purposes;

H.R. 8564. An act to amend the Federal Aviation Act of 1958 relating to war risk insurance;

H.R. 8597. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes; and

H.R. 8714. An act to amend the Railroad Unemployment Insurance Act to increase unemployment and sickness benefits, and for other purposes.

ADJOURNMENT TO WEDNESDAY, SEPTEMBER 3, 1975

Mr. ENGLISH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with Senate Concurrent Resolution 54, 94th Congress, the Chair declares the House adjourned until 12 o'clock noon on Wednesday, September 3, 1975.

Thereupon (at 4 o'clock and 52 minutes p.m.), pursuant to Senate Concurrent Resolution 54, the House adjourned until Wednesday, September 3, 1975, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1522. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of act No. 1–36, to establish an Office on Aging and a Commission on Aging, and for other purposes, pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1523. A letter from the Legislative Services of the Council of the District of Columbia, transmitting copies of reports relative to the Revenue Act of 1975 supplementing the previous transmittal of the council's act No. 1–34 for congressional review; to the Committee on the District of Columbia.

1524. A letter from the Clerk, U.S. House of Representatives, transmitting his semiannual report of receipts and expenditures of appropriations and other funds for the period January 1–June 30, 1975, pursuant to section 105(a) of Public Law 88–454 (2 U.S.C. 104a) (H. Doc. No. 94–230); to the Committee on House Administration and ordered to be printed.

1525. A letter from the Chairman, Federal Election Commission, transmitting a proposed regulation on document filing providing for all reports and statements to be filed with the Federal Election Commission, pursuant to section 316(c) of the Federal Election Campaign Act of 1971, as amended (2 U.S.C. 438(c)) (H. Doc. No. 94–231); to the Committee on House Administration and ordered to be printed.

1526. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 73–B, *Seminole Indians of the State of Florida*, plaintiff, v. *The United States of America*, defendant, pursuant to 60 Stat. 1055; to the Committee on Interior and Insular Affairs.

1527. A letter from the Chairman, Federal Power Commission, transmitting a National Power Survey publication entitled "Energy Conversion Research Task Force Report"; to the Committee on Interstate and Foreign Commerce.

1528. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the modification of buildings and facilities at Bay St. Louis, Miss. and Slide, La., pursuant to section 3, Public Law 93–316; to the Committee on Science and Technology.

1529. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to implement the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

1530. A letter from the Comptroller General of the United States, transmitting a report on the study entitled "The Liquid Metal Fast Breeder Reactor: Promises and Uncertainties" (ERDA); jointly, to the Committee on Government Operations and Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee on International Relations. H.R. 9005. A bill to authorize assistance for disaster relief and rehabilitation, to provide for overseas distribution and production of agricultural commodities, to amend the Foreign Assistance Act of 1961, and for other purposes (Rept. No. 94–442). Referred to the Committee of the Whole House on the State of the Union.

Mr. CHARLES H. WILSON: Committee on Post Office and Civil Service. H.R. 4865. A bill to amend title 39, United States Code, to prohibit certain franked mailings by Members of the Congress and certain officers of the United States, other than mailings related to the closing of their official business, after such Members or officers have left office; with amendment (Rept. No. 94–443). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLAY: Committee on Post Office and Civil Service. H.R. 8617. A bill to restore to Federal civilian and Postal Service employees their rights to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes; with amendment (Rept. No. 94–444). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. ABZUG:

H.R. 9187. A bill to promote more efficient use of the Nation's construction resources, to foster the preservation of buildings of historic or architectural significance, and to enhance the social and economic environment within and surrounding Federal office buildings; to the Committee on Public Works and Transportation.

By Ms. ABZUG (for herself, Mr. Brodhead, Mr. Ford of Tennessee, Mr. Hannaford, and Mr. Pattison of New York):

H.R. 9188. A bill to amend title XVI of the Social Security Act to provide for emergency assistance grants to recipients of supplemental security income benefits, to authorize cost-of-living increases in State supplementary payments, to prevent reductions in such benefits because of social security benefit increases, to permit payment of such benefits directly to drug addicts and alcoholics (without a third-party payee) in certain cases, to continue on a permanent basis the provision making supplemental security income recipients eligible for food stamps, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDERSON of California (for himself and Mr. Giaimo):

H.R. 9189. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

Mr. ARCHER (for himself, Mr. Blanchard, Mr. Buchanan, Mr. Lent, Mr. Moore, Mr. Roe, Ms. Schroeder, Mr. Steiger of Arizona, and Mr. Wolff):

H.R. 9190. A bill to amend title 44, United States Code, to strengthen the authority of the Administrator of General Services with respect to records management by Federal agencies, and for other purposes; to the Committee on Government Operations.

By Mr. ARCHER (for himself, Mr. Burleson of Texas, Mr. Duncan of Tennessee, Mr. Evins of Tennessee, Mr. J. William Stanton, Mr. Stephens, and Mr. Waggonner):

H.R. 9191. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of small business investment companies and their shareholders; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 9192. A bill to protect the safety and welfare of American workers by providing for a uniform system of identification for all receptacles containing compressed gas; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPIN (for himself, Mr. Cornell, and Mr. Obey):

H.R. 9193. A bill to require the U.S. Postal Service to provide postal lock boxes for certain persons who reside in rural areas; to the Committee on Post Office and Civil Service.

By Mr. BEARD of Tennessee:

H.R. 9194. A bill to amend the Tennessee Valley Authority Act of 1933 to require certain audits, open meetings, and public hearings, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. BIAGGI (for himself, Mr. Burke of Massachusetts, Mr. Ottinger, Mr. Carney, Mr. Gonzalez, Mr. Mazzoli, Mr. Edgar, Mr. Badillo, Ms. Holtzman, Mr. Coughlin, Mr. Solarz, Mr. Kemp, Mr. Lujan, Mr. Fascell, Mr. Whalen, Mr. Blanchard, Mr. Fithian, and Mr. Rinaldo):

H.R. 9195. A bill to amend title IV of the Higher Education Act of 1965 to provide for a National Student Financial Assistance Data Bank; to the Committee on Education and Labor.

By Mr. BLANCHARD:

H.R. 9196. A bill to amend the Commodity Credit Corporation Charter Act, as amended, to provide the highest possible prices in foreign markets for American agricultural producers and to ensure that exports of American agricultural products do not cause domestic economic disruptions; to the Committee on Agriculture.

By Mr. BROWN of Ohio:

H.R. 9197. A bill to authorize the establishment of the Warren G. Harding National Historic Site in the State of Ohio, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROYHILL:

H.R. 9198. A bill to amend title 38 of the United States Code to liberalize the provisions relating to payment of disability and death pension and dependency and indemnity compensation, to increase income limitation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROYHILL (for himself, and Mr. Preyer):

H.R. 9199. A bill to give greater assurance that national and regional needs are satisfied in times of shortage of natural gas and petroleum and its products; to amend the Natural Gas Act to provide for the purchase of committed supplies; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Massachusetts (for himself, and Mr. Moakley):

H.R. 9200. A bill to suspend until July 1, 1978, the duty on certain iron or steel strips used in the manufacture of razor blades; to the Committee on Ways and Means.

By Mr. CARR (for himself, Mr. John L. Burton, Mr. Long of Maryland, Mr. Conyers, Mr. Mottl, Mr. Dellums, Mr. Ottinger, Mr. Bedell, Mr. Stark, Mr. Hechler of West Virginia, Mr. Weaver, Mr. Moakley, Mr. Downey of New York, Mr. Hansen, Mr. Solarz, Mr. Harrington, Mr. Mollohan, Ms. Keys, Mr. Waxman, Mr. Mineta, Ms. Abzug, and Mr. Maguire):

H.R. 9201. A bill to prohibit the individual holding the position of Secretary of State from holding simultaneously the position of Assistant to the President for National Security Affairs; to the Committee on Armed Services.

By Mr. CASEY (for himself, Mr. Brown of Ohio, Mr. Buchanan, Mr. Hanley, Mr. Murphy of New York, Mr. Shipley, and Mr. Skubitz):

H.R. 9202. A bill to amend title 4 of the United States Code to make it clear that Members of Congress may not, for purposes of State income tax laws, be treated as residents of any State other than the State from which they were elected; to the Committee on the Judiciary.

By Mr. CLAY (for himself. Ms. Abzug, and Mr. Ford of Tennessee):

H.R. 9203. A bill to restore to Federal civilian and Postal Service employees their rights to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND:

H.R. 9204. A bill to authorize the Secretary of Agriculture to permit the use of lands of the forest reserves created from the public domain for comercial outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DOWNEY of New York:

H.R. 9205. A bill to amend the Occupational Safety and Health Act of 1970 to provide that the Administrator of the Small Business Administration may render onsite consultation and advice to certain small business employers to assist such employers in providing safe and healthful working conditions for their employees; to the Committee on Education and Labor.

H.R. 9206. A bill to authorize the Secretary of Commerce to engage in certain small business export expansion activities, and for other purposes; to the Committee on International Relations.

H.R. 9207. A bill to amend the Small Business Act to provide for loans to small business concerns seriously affected by shortages of energy producing materials, and for other purposes; to the Committee on Small Business.

H.R. 9208. A bill to amend the Small Business Investment Act of 1958 to create a pollution control financing program for small businesses; to the Committee on Small Business.

H.R. 9209. A bill to amend the Small Business Investment Act of 1958 to increase the ceiling amount upon which the Small Business Administration may guarantee a surety against loss up to $5 million as the result of breach of a bond by a small business concern where such bond is required in order for a small business to bid on a contract being let by an agency of the United States; to the Committee on Small Business.

H.R. 9210. A bill to provide for emergency relief for small business concerns in connection with fixed price Government contracts; to the Committee on Small Business.

H.R. 9211. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. DOWNEY of New York (for himself, Mr. Thone, Mr. Harrington, Mr. Rangel, Ms. Spellman, Ms. Collins of Illinois, and Charles Wilson of Texas):

H.R. 9212. A bill to establish a National Technology and Research Corporation with subordinate regional institutions to finance long-range research and development of technology to meet critical environmental needs, advance basic research as the foundation for our future well-being, protect the national economy, and provide the basis for meeting future needs of our people by providing the high-risk research and development loans to public and private entities for research and development where existing sources of funds are not adequate because of the need for long term high-risk financing, or difficulty of forecasting quantifiable financial returns, when public purposes will be served by encouraging such technological development; to the Committee on Science and Technology.

By Mr. DOWNING of Virginia (for himself, Mr. Hungate, Mr. Roe, Mrs. Spellman, Mr. Bob Wilson, and Mr. Zeferetti):

H.R. 9213. A bill to amend title 10, United States Code, to provide separation pay for regular enlisted members of the United States armed forces; to the Committee on Armed Services.

By Mr ERLENBORN:

H.R. 9214. A bill to amend the National Labor Relations Act to provide for trial of unfair labor practices in the U.S. district court, and for other purposes; to the Committee on Education and Labor.

By Mr. FASCELL:

H.R. 9215. A bill to provide for a program of financial assistance by the Secretary of Labor to small business concerns for the establishment of new jobs to be filled by unemployed individuals; to the Committee on Small Business.

By Mr. FITHIAN:

H.R. 9216. A bill to increase the availability of guaranteed home loan financing for veterans and to increase the income of the National Service Life Insurance Fund, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FOLEY (for himself, Ms. Abzug, and Mr. Pepper):

H.R. 9217. A bill to amend the act of August 24, 1966, as amended, to assure humane treatment of certain animals, and for other purposes; to the Committee on Agriculture.

By Mr. FRASER (for himself, Mr. Obey, Mr. Badillo, Mr. Brodhead, Mr. Brown of California, Mrs. Burke of California, Mr. Carr, Mrs. Chisholm, Mrs. Collins of Illinois, Mr. Conyers, Mr. Dellums, Mr. Edgar, Mr. Harrington, Mr. Hawkins, Mrs. Mink, Mr. Moorhead of Pennsylvania, Mr. Ottinger, Mr. Riegle, Mr. Rosenthal, Mr. Stark, and Mr. Waxman):

H.R. 9218. A bill to protect individuals against conduct creating serious potential environmental health hazards; to the Committee on the Judiciary.

By Mr. FRASER (for himself, Mr. Karth, and Mr. Ford of Michigan):

H.R. 9219. A bill to provide for the Federal payment of State unemployment compensation benefits which are attributable to services performed by certain employees of State or local governments; to the Committee on Ways and Means.

By Mr. GREEN (for himself and Mr. Conable):

H.R. 9220. A bill to modernize and simplify customs procedures, and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEDORN (for himself, Mr. Quie, Mr. Frenzel, and Mr. Hillis):

H.R. 9221. A bill to amend the Internal Revenue Code of 1954 to impose an excess profits tax on the income of corporations engaged in oil production and refining; to the Committee on Ways and Means.

By Mr. HARRIS (for himself, Mr. Phillip Burton, Mr. Butler, Mr. Carr, Mr. Dan Daniel, Mr. de Lugo, Mr. Downey of New York, Mr. Downing of Virginia, Mr. Fisher, Mr. Gibbons, Mr. Gude, Mr. Lloyd of California, Mr. Meeds, Mr. Miller of California, and Mr. Ottinger):

H.R. 9222. A bill to amend the Act of April 17, 1954, which preserved within Manassas National Battlefield Park, Va., important historic properties relating to the battles of Manassas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS (for himself, Mr. Regula, Mr. Rodino, Mr. Santini, Mr. Seiberling, Mr. Solarz, Mr. Stark, Mr. Steelman, Mr. Stephens, Mr. Symington, Mr. Tsongas, Mr. Udall, Mr. Whitehurst, and Mr. Won Pat):

H.R. 9223. A bill to amend the act of April 17, 1954, which preserved within Manassas National Battlefield Park, Va., important historic properties relating to the battles of Manassas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HECHLER of West Virginia:

H.R. 9224. A bill to prescribe certain rules for Federal, State, and local agencies regulating electric rates; to the Committee on Interstate and Foreign Commerce.

H.R. 9225. A bill to amend title 38 of the United States Code to eliminate certain inequities in the payment of Veterans' pensions to disabled railroad workers; to the Committee on Veterans' Affairs.

By Mr. HEFNER:

H.R. 9226. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amounts of certain loans canceled under the Consolidated Farm and Rural Development Act as the result of disaster losses; to the Committee on Ways and Means.

By Mr. ICHORD (for himself, Mr. Treen, Mr. Hyde, Mr. Lent, Mr. Kindness, Mr. Fish, Mr. Waggonner, and Mr. Symms):

H.R. 9227. A bill to repeal the Real Estate Settlement Procedures Act of 1974; to the Committee on Banking, Currency and Housing.

By Mr. JEFFORDS (for himself, Mrs. Mink, Mr. Mollohan, Mr. Abdnor, Mr. Andrews of North Dakota, Mr. Beard of Rhode Island, Mr. Cleveland, Mr. Cohen, Mr. D'Amours, Mr. Howe, Mr. Matsunaga, Mr. Melcher, Mr. Pressler, Mr. Roncalio, Mr. Santini, Mrs. Smith of Nebraska, Mr. Thone, and Mr. Young of Alaska):

H.R. 9228. A bill to amend section 401 of title IV of the Elementary and Secondary Education Act of 1965 to authorize appropriations for the fiscal year ending September 30, 1977, and for the fiscal year ending September 30, 1978, of such sums as are necessary to increase the allotments to States under section 402(a)(2) of such act to the level of funding those States received for fiscal year 1974 for the programs consolidated under such title IV; to the Committee on Education and Labor.

By Mr. KASTEN:

H.R. 9229. A bill to amend title II of the Social Security Act to assure the continuation of the present practice under which payments by States, with respect to coverage of State and local employees under section 218 of that act, are made on a quarterly basis; to the Committee on Ways and Means.

H.R. 9230. A bill to amend title II of the Social Security Act to provide that when an adverse decision is made on a claim for benefits thereunder, the claimant shall have the right to reconsideration, including an informal conference and a statement of the case, prior to hearing; to impose time limits and make other improvements in the procedures for determining such claims; and to regularize the appointment of administrative law judges hearing such claims; to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 9231. A bill to amend the Commodity Credit Corporation Charter Act for the purpose of requiring specified security measures of any warehouse used by the Commodity Credit Corporation to store agricultural commodities and for the purpose of requiring such Corporation to announce its withdrawal of grain from any warehouse because of the removal of such warehouse from such Corporation's approved list of warehouses; to the Committee on Agriculture.

By Ms. KEYS:

H.R. 9232. A bill to amend the Internal Revenue Code to decrease the limitation on deductions for medical expense to 2 percent of adjusted gross income, to eliminate the 1-percent limitation on deductions for drugs and medicine and to include the entire deduction for medical insurance within the 2-percent limitation; to the Committee on Ways and Means.

By Mr. LaFALCE:

H.R. 9233. A bill to preserve older urban neighborhoods by assisting units of general local government in carrying out neighborhood preservation and rehabilitation programs which, in conjunction with special programs of Federal mortgage insurance, give reasonable promise that a suitable and stable living environment will be restored or maintained; to the Committee on Banking, Currency and Housing.

H.R. 9234. A bill to amend title II of the Social Security Act to liberalize the test for determining whether a blind individual is disabled for purposes of disability insurance benefits and the disability freeze, and to provide that blind individuals shall be considered to be automatically insured for such purposes; to the Committee on Ways and Means.

By Mr. LEVITAS (for himself, Mr. Pepper, Mr. Ichord, Mr. Evans of Indiana, Mr. Obey, Mr. Neal, Mr. Risenhoover, Mr. Nowak, Mr. McHugh, Mr. Dodd, Mr. English, Mr. Maguire, Mr. Blouin, Mr. Santini, Mr. Rinaldo, Mr. Nolan, and Mr. Edgar):

H.R. 9235. A bill to permit either House of Congress to disapprove certain rules proposed by executive agencies; jointly to the Committees on the Judiciary, and Rules.

By Mr. McCLORY:

H.R. 9236. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and for other purposes; to the Committee on the Judiciary.

By Mr. McKINNEY (for himself, Mr. Patterson of California, Mr. Fauntroy, and Mrs. Boggs):

H.R. 9237. A bill to extend the authority for the flexible regulation of interest rates on deposits and share accounts in depository institutions and to provide for the maintenance of the existing interest rate differential between depository institutions with respect to individual retirement accounts; to the Committee on Banking, Currency and Housing.

By Mrs. MEYNER:

H.R. 9238. A bill to amend the Internal Revenue Code of 1954 to exempt from the manufacturers excise tax parts and accessories used on local transit buses, and tires, inner tubes, and tread rubber used on such buses; to the Committee on Ways and Means.

H.R. 9239. A bill to amend the Internal Revenue Code of 1954 with respect to certain excise tax refunds paid to local transit systems; to the Committee on Ways and Means.

By Mr. MICHEL (for himself, Mr. Frey, Mr. Schulze, Mr. Broyhill, Mr. Schneebeli, Mr. Waggonner, Mr. Thone, Mr. Duncan of Tennessee, Mr. Roberts, Mr. Skubitz, and Mrs. Smith of Nebraska):

H.R. 9240. A bill to reform the Food Stamp Act of 1964 by improving and making more realistic various provisions relating to eligibility for food stamps and administrative responsibility for the food stamp program, and for other purposes; to the Committee on Agriculture.

By Mr. MIKVA (for himself, Mr. Badillo, Mr. Conyers, Mr. Downey of New York, Mr. Drinan, Mr. Edgar, Mr. Edwards of California, Mr. Eilberg, Mr. Fauntroy, Mr. Florio, Mr. Gude, Mr. Hannaford, Mr. Harrington, Mr. Hawkins, Mr. LaFalce, Mr. Moakley, Mr. Leggett, Mr. Nedzi, Mr. Rinaldo, Mr. Rosenthal, Mr. Roybal, Mr. Scheuer and Mr. Yatron):

H.R. 9241. A bill to correct inequities in certain franchise practices, to provide franchisors and franchisees with evenhanded protection from unfair practices, to provide consumers with the benefits which accrue from a competitive and open market economy, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of California (for himself, Mr. Beard of Rhode Island, Mr. John L. Burton, Mr. Hawkins, Mr. Patterson of California, Mr. Scheuer, Mr. Solarz, Mrs. Spellman, Mr. Stark, Mr. Stokes, Mr. Charles Wilson of California, Mr. Won Pat, and Mr. Zeferetti):

H.R. 9242. A bill to authorize the Commissioner of Education to make grants for teacher training, pilot and demonstration projects, and comprehensive school programs, with respect to nutrition education and nutrition-related problems; to the Committee on Education and Labor.

By Mr. MOLLOHAN:

H.R. 9243. A bill to amend the Social Security Act to make certain that recipients of supplemental security income benefits, recipients of aid to families with dependent children, and recipients of payments under the veterans' benefit programs and certain other Federal and federally assisted programs will not have the amount of such benefits, aid, or payments reduced because of increases in monthly social security benefits; to the Committee on Ways and Means.

By Mr. MOLLOHAN (for himself, Mr. Fithian, Mr. Gude, Mr. Harris, Mrs. Lloyd of Tennessee, and Mr. Santini):

H.R. 9244. A bill to amend title 10 of the United States Code in order to provide that no veteran may be denied care or treatment under the CHAMPUS program for any service-connected disability solely because care or treatment for such disability is available at Veterans' Administraton medical facilities; to the Committee on Armed Services.

By Mr. MOLLOHAN (for himself, Mr. Thone, and Mr. Yatron):

H.R. 9245. A bill to provide additional fiscal assistance to local governments and to extend revenue sharing for local governmental units for 6 additional years, and for other purposes; to the Committee on Government Operations.

By Mr. MOLLOHAN (for himself, Mr. Badillo, Mr. Carney, Ms. Chisholm, Mrs. Collins of Illinois, Mr. Dominick V. Daniels, Mr. Downey of New York, Mr. Ford of Tennessee, Mr. Hawkins, Mr. Harrington, Mr. Jenrette, Mr. Leggett, Mr. Mazzoli, Mr. Melcher, Mr. Rodino, Mr. Roybal, and Mr. Won Pat):

H.R. 9246. A bill to amend title XII of the Public Health Service Act to revise and extend the program of assistance for emergency medical services systems; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORHEAD of California:

H.R. 9247. A bill to amend the Uniform Time Act of 1966 to provide that daylight savings time shall begin on the last Sunday in February of each year; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORHEAD of Pennsylvania (by request):

H.R. 9248. A bill to amend the Internal Revenue Code of 1954 to allow an individual to elect a tax credit for 50 percent of his charitable contributions in lieu of the deduction allowed for such contributions; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 9249. A bill to provide additional financial assistance for consumer education and market development program pertaining to U.S. fisheries; to the Committee on Merchant Marine and Fisheries.

By Mr. MOTTL:

H.R. 9250. A bill to amend title 44, United States Code, to prohibit the distribution of free copies of bound volumes of the Congressional Record to Members of the Congress; to the Committee on House Administration.

H.R. 9251. A bill to amend the Internal Revenue Code of 1954 to deny the charitable deduction for contributions of certain governmental publications by treating such publications as not being capital assets; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. Lent, Mr. Derwinski, Mr. Duncan of Oregon, Mr. Hawkins, Mr. LaFalce, Mr. McHugh, Mr. Moss, Mr. Rooney, Mr. Sarasin, and Mr. Solarz):

H.R. 9252. A bill to amend the Immigration and Nationality Act to facilitate the entry of visitors into the United States during its Bicentennial Anniversary, and for other purposes; to the Committee on the Judiciary.

By Mr. MURTHA (for himself and Mr. Stark):

H.R. 9253. A bill to amend the Domestic Volunteer Service Act of 1973 to provide that volunteers in foster grandparent programs may furnish supportive services to mentally retarded individuals regardless of the age of such individuals; to the Committee on Education and Labor.

By Mr. OBEY:

H.R. 9254. A bill to permit either House of Congress to disapprove certain rules proposed by executive agencies; jointly to the Committees on the Judiciary, and Rules.

By Mr. OTTINGER (for himself, Mr. Sarbanes, Mr. Riegle, Mr. Harrington, Mr. Moss, Mr. Dingell, Mr. Zeferetti, Mr. Hannaford, Mr. Fish, Mr. Mollohan, Ms. Burke of California, Mr. Florio, and Mr. Maguire):

H.R. 9255. A bill to assist the construction and operation of burn facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. OTTINGER (for himself, Mr. Brown of California, Mr. Conyers, Mr. Eilberg, Mr. Rosenthal, Mrs. Burke of California, Mr. Hawkins, Mr. Downey of New York, Mr. Seiberling, Mr. Moakley, Mr. Badillo, Mrs. Chisholm, Mr. Harrington, Mr. Waxman, and Mr. Hannaford):

H.R. 9256. A bill to amend the Internal Revenue Code of 1954 so as to equalize the deductibility between businesses and nonprofit institutions; to the Committee on Ways and Means.

By Mr. PATTERSON of California (for himself, Mr. Anderson of California, Mr. Brown of California, Mr. John L. Burton, Mrs. Burke of California, Mr. Edwards of California, Mr. Hannaford, Mr. Hawkins, Mr. Johnson of California, Mr. Ketchum, Mr. Lagomarsino, Mr. Leggett, Mr. Lloyd of California, Mr. Mineta, Mr. Moss, Mr. Rees, Mr. Ryan, Mr. Sisk, and Mr. Stark):

H.R. 9257. A bill to amend section 218 of the Social Security Act to require that States having agreements entered into thereunder will continue to make social security payments and reports on a calendar-quarter basis; to the Committee on Ways and Means.

By Mr. PEPPER (for himself, Mr. Burke of Florida, Mr. Chappell, Mr. Fascell, Mr. Fuqua, Mr. Gibbons, and Mr. Lehman):

H.R. 9258. A bill to amend the Immigration and Nationality Act to facilitate the entry of visitors into the United States during its Bicentennial Anniversary, and for other purposes; to the Committee on the Judiciary.

By Mrs. PETTIS:

H.R. 9259. A bill to provide for the deregulation of domestic crude oil prices, and to impose an excise tax in connection therewith; jointly to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. PEYSER (for himself, Mr. Fauntroy, and Mr. Charles Wilson of Texas):

H.R. 9260. A bill to require prior approval by the Secretary of Agriculture on the export of certain grains; to the Committee on International Relations.

By Mr. PRITCHARD:

H.R. 9261. A bill to amend the Internal Revenue Code of 1954 to allow individuals a deduction for amounts paid for commuting to and from work on public transportation systems and for other purposes; to the Committee on Ways and Means.

By Mr. RICHMOND:

H.R. 9262. A bill to authorize the establishment of the Fulton Ferry National Historic Site and Exhibition Center in the State of New York; to the Committee on Interior and Insular Affairs.

By Mr. RONCALIO:

H.R. 9263. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

H.R. 9264. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

H.R. 9265. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. ROSENTHAL (for himself, Ms. Chisholm, Mr. Rangel, Mr. Scheuer, and Mr. Zeferetti):

H.R. 9266. A bill to establish the Office of Inspector General in the Department of Health, Education, and Welfare; to the Committee on Government Operations.

By Mr. ROSENTHAL (for himself and Mr. Wolff):

H.R. 9267. A bill to amend the Intergovernmental Cooperation Act of 1968 to improve intergovernmental relationships between the United States and the States and municipalities and the economy and efficiency of government, by providing Federal cooperation and assistance in the establishment and strengthening of State and local offices of consumer protection; to the Committee on Government Operations.

By Mr. ROSENTHAL (for himself and Mr. Richmond):

H.R. 9268. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Fair Packaging and Labeling Act and to otherwise require the labels on foods and food products to disclose all of their ingredients and any changes in their ingredients, their nutritional content, accurate weight data, storage information, their manufacturers, packers, and distributors, and their unit prices and to provide for uniform product grading and prohibit misleading brand names; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, and Mr. Wolff):

H.R. 9269. A bill to amend the Federal Trade Commission Act to make sales promotion games unfair methods of competition; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, and Mr. Eilberg):

H.R. 9270. A bill to require that certain drugs and pharmaceuticals be prominently labeled as to the date beyond which potency or efficacy becomes diminished; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself and Mr. Wolff):

H.R. 9271. A bill to require retailers to provide point of sale information to consumers concerning the recent price history of products and merchandise offered for sale at retail in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9272. A bill to require that certain durable products be prominently labeled as to date of manufacture, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, and Mr. Eilberg):

H.R. 9273. A bill to permit the advertising of drug prices and to require retailers of prescription drugs to post the prices of certain commonly prescribd drugs; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, and Mr. Wolff):

H.R. 9274. A bill to require that durable consumer products be labeled as to durability and performance life; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself, Mr. Carney, Mr. Fithian, Mr. Florio, Mr. Macdonald of Massachusetts, Mr. Metcalfe, Mr. Moffett, and Mr. Symington):

H.R. 9275. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of retail unit prices of consumer commodities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL (for himself and Mr. Eilberg):

H.R. 9276. A bill to amend title 35 of the United States Code to provide for compulsory licensing of prescription drug patents; to the Committee on the Judiciary.

H.R. 9277. A bill to establish the Airport Noise Curfew Commission and to define its functions and duties; to the Committee on Public Works and Transportation.

By Mr. ROSENTHAL (for himself and Mr. Wolff):

H.R. 9278. A bill to amend the Federal Aviation Act of 1958 in order to authorize free or reduced rate transportation to handicapped persons and persons who are 65 years of age or older, to amend the Interstate Commerce Act to authorize free or reduced rate transportation for persons who are 65 years of age or older, and to provide new and improved transportation programs for the handicapped and the elderly; to the Committee on Public Works and Transportation.

H.R. 9279. A bill to repeal the meat quota provisions of Public Law 88–482; to the Committee on Ways and Means.

By Mr. ROSENTHAL (for himself, Ms. Abzug, Mr. Addabbo, Mr. Bingham, Mr. Delaney, Mr. Downey of New York, Mr. Gilman, Ms. Holtzman, Mr. Horton, Mr. Kemp, Mr. Koch, Mr. Lent, Mr. McHugh, Mr. Ottinger, Mr. Peyser, Mr. Rangel, Mr. Scheuer, Mr. Stratton, Mr. Walsh, and Mr. Zeferetti):

H.R. 9280. A bill to amend title XX of the Social Security Act to provide that no State shall be required to administer individual means tests for the provision of education, nutrition, transportation, recreation, socialization, or associated services provided thereunder to groups of low-income individuals aged 60 or older, and to limit the frequency of recertifications of eligibility for services under such title; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI:

H.R. 9281. A bill to amend section 213 of the Internal Revenue Code of 1954 to provide that certain expenses of child adoption shall be treated as medical expenses; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 9282. A bill to amend the Social Security Act to make certain that recipients of supplemental security income benefits, recipients of social services, recipients of aid to families with dependent children, and recipients of payments under the veterans' benefit programs and certain other Federal and federally-assisted programs will not have the amount of such benefits, services, aid, or payments reduced because of increases in monthly social security benefits; to the Committee on Ways and Means.

H.R. 9283. A bill to amend the Commodity Credit Corporation Charter Act to provide the highest possible prices in foreign markets for American agricultural producers and to assure a reliable supply of raw agricultural commodities to foreign purchasers; jointly to the Committees on Agriculture, and Rules.

By Mr. ROYBAL (for himself, Mr. Perkins, Mrs. Boggs, Mr. Edwards of California, Mr. Miller of California, Mr. Patterson of California, Mr. Bob Wilson, Mr. Corman, and Mr. Bell):

H.R. 9284. A bill to amend the Indochina Migration and Refuge Assistance Act of 1975 to provide Federal financial assistance to States in order to assist local educational agencies to provide public education to Vietnamese and Cambodian refugee children, and for other purposes; to the Committee on the Judiciary.

By Mr. SATTERFIELD:

H.R. 9285. A bill to amend section 212 of the Federal Water Pollution Control Act relating to the definition of treatment works; to the Committee on Public Works and Transportation.

By Mr. SCHULZE:

H.R. 9286. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. SCHULZE (for himself, Mr. Johnson of Pennsylvania, Mr. Hannaford, and Mr. Harris):

H.R. 9287. A bill to authorize and direct the Secretary of the Treasury to coin and issue a two-cent piece emblematic of the Bicentennial of the American Revolution; to the Committee on Banking, Currency and Housing.

By Mr. SISK:

H.R. 9288. A bill to amend the Perishable

Agricultural Commodities Act, 1930; to the Committee on Agriculture.

By Mr. STAGGERS:

H.R. 9289. A bill to amend the Communications Act of 1934 to facilitate the effective utilization of telecommunications technology, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9290. A bill to amend chapter 97 of title 18, United States Code, to make it a criminal offense for any person to fire any firearm or throw any object at any railroad train operated in interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. STAGGERS (for himself and Mr. Devine):

H.R. 9291. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN (for himself and Mr. Patterson of California):

H.R. 9292. A bill to amend section 552 of title 5 of the United States Code to clarify certain exemptions from its disclosure requirements, to provide guidelines and limitations for classifying official information; to the Committee on Government Operations.

By Mr. STEIGER of Wisconsin:

H.R. 9293. A bill to amend the Internal Revenue Code of 1954 to allow persons covered by certain other retirement plans to establish personal savings for retirement; to the Committee on Ways and Means.

By Mrs. SULLIVAN (for herself and Mr. Ruppe):

H.R. 9294. A bill to provide a comprehensive system of liability and compensation for oil spill damage and removal costs, to implement the International Convention on Civil Liability for Oil Pollution Damage and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, and for other purposes; jointly to the Committees on International Relations, Merchant Marine and Fisheries, and Public Works and Transportation.

By Mr. TEAGUE (by request):

H.R. 9295. A bill to amend title 38 of the United States Code in order to eliminate duplication in the certification process for institutions and eligible courses under the veterans and war orphans' and widows' educational assistance provisions of this title; to the Committee on Veterans' Affairs.

By Mr. TRAXLER:

H.R. 9296. A bill to extend and revise the State and Local Fiscal Assistance Act of 1972; to the Committee on Government Operations.

By Mr. VANDER JAGT:

H.R. 9297. A bill to amend the Communications Act of 1934 with respect to the renewal of licenses for the operation of broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. WAGGONNER:

H.R. 9298. A bill to amend title II of the Social Security Act to permit a State under its section 218 agreement, to terminate social security coverage for State and local policemen or firemen without affecting the coverage of other public employees who may be members of the same coverage group (and to permit the reinstatement of coverage for such other employees in certain cases where the group's coverage has previously been terminated); to the Committee on Ways and Means.

By Mr. WEAVER (for himself, Mr. Badillo, Mr. Byron, Mr. Conyers, Mr. Dominick V. Daniels, Mr. Dingell, Mr. Eilberg, Mr. Flood, Mr. Hefner, Mr. Helstoski, Mr. Hubbard, Mr. Johnson of Pennsylvania, Mr. Moakley, Mr. Rodino, Mr. Seiberling, Mr. Stark, Mr. Vander Veen, Mr. Yatron, and Mr. Zeferetti):

H.R. 9299. A bill to amend the Commodity Credit Corporation Charter Act to provide the highest possible prices in foreign markets for American agricultural producers and to provide price and supply stability in domestic markets; to the Committee on Agriculture.

By Mr. CHARLES WILSON of Texas (for himself and Mr. Chappell):

H.R. 9300. A bill to amend the definition of "rural area" in the Consolidated Farm and Rural Development Act and title V of the Housing Act of 1949 in order to permit towns of 25,000 or less inhabitants to be considered rural areas for purposes of those acts; to the Committee on Agriculture.

By Mr. WON PAT (for himself, and Mr. Matsunaga):

H.R. 9301. A bill for the amendment of the Copyright Law, title 17 of the United States Code; to the Committee on the Judiciary.

By Mr. BENNETT:

H.J. Res. 616. Joint resolution proposing an amendment to the Constitution to provide that, except in time of war or economic emergency declared by the Congress, expenditures of the Government may not exceed the revenues of the Government during any fiscal year; to the Committee on the Judiciary.

H.J. Res. 617. Joint resolution proposing an amendment to the Constitution of the United States allowing an item veto in appropriations; to the Committee on the Judiciary.

By Mr. BINGHAM (for himself, Mr. Nedzi, Mr. Addabbo, Mr. Downey of New York, Mr. Drinan, Mr. Mitchell of Maryland, Ms. Meyner, Mr. Stark, Mr. Ottinger, Mr. Eilberg, Mr. Helstoski, Mr. Waxman, Mr. Koch, Mr. Leggett, Mr. John L. Burton, Mr. Moakley, Ms. Holtzman, Mr. Richmond, Mr. Seiberling, Mr. Brown of California, Mr. Oberstar, Mr. Won Pat, Mr. Kastenmeier, Mr. Macdonald of Massachusetts, and Mr. Harrington):

H.J. Res. 618. Joint resolution to renounce the strategy of a first strike with nuclear weapons; to the Committee on International Relations.

By Mr. CRANE (for himself, Mr. Derwinski, Mrs. Heckler of Massachusetts, Mr. McCollister, Mr. Rinaldo, Mr. Whitehurst, Mr. Kemp, Mr. Burgener, Mr. Sarasin, Mr. McDonald of Georgia, Mr. Fraser and Mr. Flood):

H.J. Res. 619. Joint resolution to proclaim the right of the Portuguese people to determine their form of government through free elections; to the Committee on International Relations.

By Mr. OTTINGER (for himself, Mr. Fauntroy, Mr. Roe, Mr. Vander Veen, and Mr. Carr):

H.J. Res. 620. Joint resolution to renounce the first use of nuclear weapons; to the Committee on International Relations.

By Mr. PICKLE:

H.J. Res. 621. Joint resolution to authorize procedure for acceptance or appropriation of funds for establishment of a sound and light performance on the east front of the U.S. Capitol; to the Committee on Public Works and Transportation.

By Mr. ROSENTHAL:

H.J. Res. 622. Joint resolution designating April 8, 1976, as National Food Day; to the Committee on Post Office and Civil Service.

By Mr. SIKES (for himself, Mr. Rhodes, Mr. Corman, Mr. Krebs, Mr. Butler, Mr. Patterson of California, Mr. Conte, and Mr. O'Hara):

H.J. Res. 623. Joint resolution asking the President of the United States to declare the fourth Saturday of each September National Hunting and Fishing Day; to the Committee on Post Office and Civil Service.

Mr. TRAXLER (for himself, Mr. Cornell, Mr. Goodling, Mr. Won Pat, Mr. Mikva, Mr. Rooney, Mr. Baucus, Mr. Foley, Mr. Hefner, Mr. Edgar, Mr. Jeffords, Mr. Obey, and Mr. Esch):

H.J. Res. 624. Joint resolution to require the Attorney General of the United States to conduct an investigation to determine whether antitrust violations are occurring in the manufacture or marketing of replacement home canning lids, and for other purposes; to the Committee on the Judiciary.

By Mr. DODD:

H. Con. Res. 374. Concurrent resolution expressing the sense of the Congress concerning recognition by the European Security Conference of the Soviet Union's occupation of Estonia, Latvia, and Lithuania; to the Committee on International Relations.

By Mr. McDONALD of Georgia:

H. Con. Res. 375. Concurrent resolution expressing the sense of Congress concerning recognition by the European Security Conference of the Soviet Union's occupation of Estonia, Latvia, and Lithuania; to the Committee on International Relations:

Mr. MOTTL (for himself, Ms. Abzug, Mr. Bedell, Mr. Blanchard, Mr. Blouin, Mr. John L. Burton, Mr. Conyers, Mr. Corman, Mr. Edgar, Mr. Fithian, Mr. Ford of Tennessee, Mr. Hannaford, Mr. Helstoski, Mr. Jenrette, Mr. Leggett, Mr. Moakley, Mr. Scheuer, Mr. Waxman, and Mr. Zeferetti):

H. Con. Res. 376. Concurrent resolution expressing the sense of the Congress that the President of the United States should immediately appoint a special prosecutor to empanel a grand jury for possible civil and criminal antitrust violations by the oil and gas industries; to the Committee on the Judiciary.

By Mr. ROUSSELOT:

H. Con. Res. 377. Concurrent resolution to provide for a commemorative stamp honoring free enterprise; to the Committee on Post Office and Civil Service.

By Mr. DODD:

H. Res. 668. Resolution designating January 22 as Ukrainian Independence Day; to the Committee on Post Office and Civil Service.

By Mr. DOWNING of Virginia (for himself, Mr. Badillo, Mr. Carr, Mr. Dodd, Mr. Edwards of California, Mr. Maguire, Mr. Moffett, and Mr. Schulze):

H. Res. 669. Resolution creating a select committee to conduct an investigation and study of the circumstances surrounding the death of John F. Kennedy; to the Committee on Rules.

By Mr. LONG of Maryland (for himself, Mr. Hannaford, Mr. Jeffords, and Mr. Zeferetti):

H. Res. 670. Resolution to amend rule X of the Rules of the House of Representatives to establish a permanent Select Committee on Energy; to the Committee on Rules.

By Mr. MAGUIRE (for himself, Mr. Harrington, Mr. McCloskey, Mr. Pattison of New York, and Mr. Roe):

H. Res. 671. Resolution to provide for the establishment of a Federal administration to acquire, rehabilitate, maintain the track, roadbed, and associated fixed facilities of Northeast and Midwest railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MONTGOMERY (for himself, Mr. Peyser, Mr. Anderson of California, Mr. Litton, Mr. Edwards of California, Mr. Fountain, Mr. Burgener, Mr. Jones of North Carolina, Mr. Flowers, Mr. McCloskey, Mr. O'Hara and Mr. Hayes of Indiana):

H. Res. 672. Resolution establishing a select committee to study the problem of U.S. servicemen missing in action in Southeast Asia; to the Committee on Rules.

By Mr. O'NEILL (for himself, Mr. Yates, Mr. McFall, Mr. Brademas, Mr. Rhodes, Mr. Michel, Mr. Anderson of Illinois, Mr. Alexander, Mr. Moss, Mr. Edwards of California, Mr. Ryan, Ms. Burke of California, Mr. Metcalfe, Mr. Murphy of Illinois, Mr. Russo, Mr. Hyde, Mr. Fary, Mr. Rostenkowski, Mr. Annunzio, Mr. Hall, Mr. Price, Mr. Simon, Mr. Bauman, Mr. Long of Maryland, and Mr. Sarbanes):

H. Res. 673. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Eilberg, Ms. Spellman, Mr. Cohen, Ms. Boggs, Mr. Treen, Mr. Waggonner, Mr. Passman, Mr. Steiger of Arizona, Mr. Johnson of California, Mr. Leggett, Mr. John L. Burton, Mr. Phillip Burton, Mr. Miller of California, Mr. Stark, Mr. McCloskey, Mr. Mineta, Mr. Sisk, Mr. Talcott, Mr. Ketchum, Mr. Lagomarsino, Mr. Goldwater, Mr. Corman, Mr. Rees, and Mr. Waxman):

H. Res. 674. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Long of Louisiana, Mr. Crane, Mr. Erlenborn, Mr. Shipley, Mr. Skubitz, Ms. Holt, Mr. Gude, Mr. Oberstar, Mr. Montgomery, Mr. Hefner, Mr. Latta, Mr. Mann, Mr. McKay, Mr. McCormack, and Mr. Staggers):

H. Res. 675. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Lehman, Mr. Fascell, Mr. Shriver, Mr. Conte, Mr. Boland, Mr. Early, Mr. Drinan, Mr. Tsongas, Mr. Harrington, Mr. Macdonald of Massachusetts, Mr. Moakley, Ms. Heckler of Massachusetts, Mr. Burke of Massachusetts, Mr. Brown of Michigan, Mr. Riegle, Mr. Traxler, Mr. Cederberg, Mr. Ruppe, Mr. O'Hara, Mr. Ford of Michigan, Mr. Dingell, Mr. Brodhead, Mr. Broomfield, and Mr. Karth):

H. Res. 676. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Wolff, Mr. Addabbo, Mr. Rosenthal, Mr. Biaggi, Mr. Delaney, Mr. Scheuer, Mr. Solarz, Mr. Richmond, Ms. Holtzman, Mr. Murphy of New York, Mr. Koch, Ms. Abzug, Mr. Badillo, Mr. Bingham, Mr. Peyser, Mr. Ottinger, Mr. Gilman, Mr. Stratton, Mr. Walsh, Mr. Horton, Mr. LaFalce, Mr. Nowak, Mr. Kemp, and Mr. Andrews of North Dakota):

H. Res. 677. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Weaver, Mr. Charles Wilson of Texas, Mr. Collins of Texas, Mr. Steelman, Ms. Jordan, Mr. Whitehurst, Mr. Dan Daniel, Mr. Butler, Mr. Harris, Mr. Meeds, Mr. Bonker, Mr. Foley, Mr. Hicks, Mr. Adams, Mr. Aspin, Mr. Baldus, Mr. Steiger of Wisconsin, Mr. Roncalio, Mr. Flowers, Mr. Udall, Mr. Don H. Clausen, Mr. Roybal, Mr. Rousselot, and Mr. Wirth):

H. Res. 678. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Mr. Gradison, Mr. Bergland, Mr. Symington, Mrs. Sullivan, Mr. Bolling, Mr. Litton, Mr. Hungate, Mr. Baucus, Mr. Melcher, Mr. Howard, Mr. Thompson, Ms. Fenwick, Mr. Helstoski, Mr. Rodino, Mr. Rinaldo, Ms. Meyner, Mr. Dominick V. Daniels, Mr. Patten, Mr. Lujan, Mr. Pike, Mr. Downey of New York, Mr. Ambro, Mr. Lent, and Mr. Wydler):

H. Res. 679. Resoltuion disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Seiberling, Mr. Ashley, Mr. Clancy, Mr. Guyer, Mr. Miller of Ohio, Mr. Devine, Mr. Mosher, Mr. Ashbrook, Mr. Hays of Ohio, Mr. Carney, Mr. James V. Stanton, Mr. Vanik, Mr. Jones of Oklahoma, Mr. Nix, Mr. Green, Mr. Schulze, Mr. McDade, Mr. Flood, Mr. Coughlin, Mr. Rooney, Mr. Beard of Rhode Island, Mr. Beard of Tennessee, Mr. Ford of Tennessee, and Mr. Hughes):

H. Res. 680. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Krebs, Mr. Bell, Mr. Hawkins, Mr. Danielson, Mr. Charles H. Wilson of California, Mr. Anderson of California, Mr. Del Clawson, Mr. Hannaford, Mr. Lloyd of California, Ms. Pettis, Mr. Patterson of California, Mr. Bob Wilson, Mr. Van Deerlin, Mr. Burgener, Ms. Schroeder, Mr. Cotter, Mr. Dodd, Mr. Giaimo, Mr. McKinney, Mr. Sarasin, Mr. du Pont, Mr. Fuqua, Mr. Kelly, and Mr. Young of Florida):

H. Res. 681. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Mikva, Mr. Gibbons, Mr. Haley, Mr. Bafalis, Mr. Rogers, Mr. Burke of Florida, Mr. Pepper, Mr. Levitas, Mr. McDonald of Georgia, Mr. Matsunaga, Ms. Mink, Mr. Derwinski, Mr. McClory, Mr. O'Brien, Mr. Railsback, Mr. Madigan, Mr. Madden, Mr. Fithian, Mr. Myers of Indiana, Mr. Hayes of Indiana, Mr. Sharp, Mr. Jacobs, Mr. Mezvinsky, and Mr. Winn):

H. Res. 682. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

By Mr. PICKLE (for himself, Mr. Rose, Mr. Edgar, Mr. Moakley, Mr. Badillo, Ms. Fenwick, Ms. Meyner, Mr. Edwards of California, Mr. Waxman, Mr. Blouin, and Mr. Charles Wilson of Texas):

H. Res. 683. Resolution directing the Architect of the Capitol to study the feasibility of using solar energy in certain House office buildings, and for other purposes; to the Committee on Public Works and Transportation.

Mrs. SCHROEDER (for herself, Ms. Keys, Mr. Fithian, Mr. Hannaford, Mr. Jeffords, Mr. Grassley, Mr. Scheuer, Mr. Helstoski, Mr. Sharp, Mr. Pike, Mr. Pattison of New York, Mr. Van Deerlin, Mr. Hefner, Mr. Gradison, Mr. Jones of North Carolina, Mr. Edgar, Mr. Bennett, Mr. Gude, Mr. Nolan, Mr. Studds, Mr. Stark, Mrs. Holt, Mr. Anderson of California, Mr. Bonker, and Mr. Edwards of California):

H. Res. 684. Resolution to provide that Members of the House of Representatives and certain employees of the House, except in certain cases, may not be reimbursed for the difference between the cost of first-class air travel accommodations and the cost of other air travel accommodations; to the Committee on House Administration.

By Mrs. SCHROEDER (for herself and Mrs. Lloyd of Tennessee):

H. Res. 685. Resolution to provide that Members of the House of Representatives and certain employees of the House, except in certain cases, may not be reimbursed for the difference between the cost of first-class air travel accommodations and the cost of other air travel accommodations; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DRINAN:

H.R. 9302. A bill for the relief of Daniela Wittman; to the Committee on the Judiciary.

H.R. 9303. A bill for the relief of Jesse Epstein; to the Committee on the Judiciary.

By Mr. PATTERSON of California:

H.R. 9304. A bill for the relief of Lehi L. Pitchforth, Jr.; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 9305. A bill for the relief of Western Behavioral Sciences Institute; to the Committee on the Judiciary.

FACTUAL DESCRIPTIONS OF BILLS AND RESOLUTIONS INTRODUCED

Prepared by the Congressional Research Service pursuant to clause 5(d) of House rule X. Previous listing appeared in the Congressional Record of July 30, 1975, page 25918:

H.R. 8400. July 8, 1975. Armed Services. Stipulates that appointees to the United States Military Academy must take and subscribe to an oath prescribed by the Secretary of the Army to be admitted to the Academy.

H.R. 8401. July 8, 1975. Atomic Energy. Amends the Atomic Energy Act of 1954 to authorize the Energy Research and Development Administration to enter into cooperative agreements with private concerns in order to facilitate the development of certain privately-financed uranium enrichment and production facilities.

Authorizes construction planning and design activities for expansion of existing facilities.

H.R. 8402. July 8, 1975. Ways and Means. Amends the Internal Revenue Code to permit a taxpayer who has attained the age of sixty-two to take a credit against his income tax for real property taxes paid by him, or for the amount of his rent constituting such taxes.

H.R. 8403. July 8, 1975. Ways and Means. Requires States which have entered into agreements with the Secretary of Health, Education, and Welfare for coverage of State and local employees under the Social Security Act to make payments to the Secretary of the Treasury on a calendar-quarter basis.

H.R. 8404. July 8, 1975. Interstate and Foreign Commerce. Requires the Secretary of Transportation, under the National Traffic and Motor Vehicle Safety Act of 1966, to promulgate minimum safety standards for schoolbus external warning devices.

H.R. 8405. July 8, 1975. Ways and Means. Amends the Internal Revenue Code and the Social Security Act to allow a refund or a credit for taxes paid under the Federal Insurance Contributions Act to individuals who are members of certain religious faiths that reject the benefits of such Federal Insurance programs.

Exempts employers engaged in farming, and their employees, from the Federal Insurance Contributions tax where both are members of a religious faith opposed to participation in such a program.

H.R. 8406. July 8, 1975. Veterans' Affairs. Establishes a termination date for the purpose of determining eligibility for educational assistance under the veterans' laws.

Extends entitlement for educational assistance from thirty-six to forty-five months.

H.R. 8407. July 8, 1975. Education and Labor. Amends the National Labor Relations Act by redefining "employee" for purposes of such Act to include any individual employed as a supervisor.

H.R. 8408. July 8, 1975. Education and Labor. Amends the National Labor Relations Act with respect to (1) the tenure of members and the general counsel of the National Labor Relations Board; (2) the role of the individual presiding over hearings in collective bargaining representation disputes; (3) review and enforcement of certain final orders of the National Labor Relations Board by a United States court of appeals; (4) compensation of a member of a board of inquiry convened to determine the issues in a labor dispute under certain circumstances; and (5) the authority of an employer to deduct labor organization membership dues from an employee's wages.

H.R. 8409. July 8, 1975. Education and Labor. Amends the National Labor Relations Act by directing the National Labor Relations Board to identify to the Comptroller General persons who have been found to have engaged in certain unfair labor practices. Directs the Comptroller General to distribute the names of such persons to all agencies of the United States. Forbids, with a limited exception, the awarding of government contracts to such persons for a three year period.

H.R. 8410. July 8, 1975. Agriculture. Authorizes the Secretary of Agriculture, under the Packers and Stockyards Act of 1921, to require insolvent packers to cease and desist from operating and to grant or deny reparations to complainants who are charged with violations under such Act.

Grants priority in an insolvency proceeding to debts owed for the purchase of livestock.

H.R. 8411. July 8, 1975. Interior and Insular Affairs. Recognizes and declares the eligibility of the Pascua Yaqui Indian people who are members of the Pascua Yaqui Association, Incorporated for the services and assistance provided to Indians because of their status as Indians by any department, agency, or instrumentality of the United States.

Directs the Secretary of the Interior to hold certain lands in trust for the Pascua Yaqui Indians upon request by the Pascua Yaqui Association, Incorporated.

H.R. 8412. July 8, 1975. International Relations. Amends the Foreign Assistance Act of 1961 to authorize shipment to Turkey of defense articles which were awaiting shipment to such country on February 5, 1975.

H.R. 8413. July 8, 1975. Ways and Means. Excludes general and cost-of-living increases in Old-Age, Survivors and Disability Insurance benefits under the Social Security Act from income for the purpose of determining an individual's eligibility for any Federal or federally funded State program.

H.R. 8414. July 8, 1975. Merchant Marine and Fisheries. Directs the Secretary of the department in which the Coast Guard is operating to take such action as may be necessary and appropriate to insure that females shall be eligible for appointment and admission to the Coast Guard Academy on the same basis as males.

H.R. 8415. July 8, 1975. Veterans' Affairs. Directs the Administrator of Veterans' Affairs to pay service pensions to certain World War I veterans or their widows.

H.R. 8416. July 8, 1975. Veterans' Affairs. Directs the Administrator of Veterans' Affairs to pay service pensions to certain World War I veterans or their widows.

H.R. 8417. July 8, 1975. Education and Labor. Amends the Civil Rights Act of 1964 to make it an unlawful employment practice to discriminate against a physically handicapped individual because of such handicap.

H.R. 8418. July 8, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to promulgate standards and formulate an inspection program for skilled nursing homes and intermediate and long-term care facilities participating in the Medicaid programs. Sets forth guarantees and rights of patients in such facilities.

H.R. 8419. July 8, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to promulgate standards and formulate an inspection program for skilled nursing homes and intermediate and long-term care facilities participating in the Medicaid program. Sets forth guarantees and rights of patients in such facilities.

H.R. 8420. July 8, 1975. Ways and Means. Amends the Internal Revenue Code to authorize real property to be valued for estate tax purposes at its value as farmland, woodland, or open land rather than at its fair market value.

H.R. 8421. July 8, 1975. Armed Services. Prohibits the Secretary of State from serving as Assistant to the President for National Security Affairs or any position supervising, directing, or controlling the staff of the National Security Council.

H.R. 8422. July 8, 1975. Armed Services; Banking, Currency and Housing. Authorizes the President of the United States to present a Medal of Honor to a certain individual.

H.R. 8423. July 8, 1975. Post Office and Civil Service. Makes certain publications of institutions of higher education eligible for second-class mail rates.

H.R. 8424. July 8, 1975. Post Office and Civil Service. Makes certain publications of institutions of higher education eligible for second-class mail rates.

H.R. 8425. July 8, 1975. Ways and Means. Creates a national system of health insurance. Establishes a Health Security Board in the Department of Health, Education, and Welfare to administer such health insurance program.

Repeals the Medicare provisions of the Social Security Act and all health benefit plans for employees of the Federal Government. Amends various other provisions of the Social Security Act and the Public Health Services Act.

H.R. 8426. July 8, 1975. Ways and Means. Revises the administration of Old-Age, Survivors, and Disability Insurance, Medicare, and Supplemental Security Income under the Social Security Act. Transfers the responsibility for administering these programs and the health standards provisions of the Federal Coal Mine Health and Safety Act from the Department of Health, Education, and Welfare to a newly established Social Security Administration.

H.R. 8427. July 8, 1975. Ways and Means. Amends the estate tax provisions of the Internal Revenue Code to allow a limited deduction from the gross estate of the value of the decedent's interest in a family farming operation which passes to an individual related to him or his spouse.

H.R. 8428. July 8, 1975. Interstate and Foreign Commerce. Amends the Public Health Service Act to revise the basic and supplemental benefits which may be offered by health maintenance organizations.

Extends the authority of the Secretary of Health, Education, and Welfare, under the Public Health Service Act, to provide loans and loan guarantees for such organizations.

H.R. 8429. July 8, 1975. Judiciary. Prohibits certain forms of economic coercion based on religion, race, national origin, sex, support for any foreign government or dealing with or in any foreign country.

H.R. 8430. July 8, 1975. Public Works and Transportation; Ways and Means. Authorizes appropriations for certain highway programs, under the Federal-Aid Highway Act of 1956. Amends the Highway Revenue Act of 1956 with respect to the transfer of the Highway Trust Fund. Revises the Land and Water Conservation Fund Act of 1965 with respect to transfers of the Land and Water Conservation Fund. Postpones certain excise tax rate reductions, under the Internal Revenue Code, on trucks, buses, tractors, parts, accessories, and tires. Allow petroleum producers or importers a credit for the state tax on gasoline.

H.R. 8431. July 8, 1975. Ways and Means. Amends the Internal Revenue Code to require political subdivisions of the States to pay unemployment contributions for employees of institutions of education in order for such State unemployment laws to be approved by the Secretary of Labor.

H.R. 8432. July 8, 1975. Interior and Insular Affairs. Describes certain lands to be conveyed by the United States to Albuquerque, New Mexico.

H.R. 8433. July 8, 1975. Education and Labor. Amends the Comprehensive Employment and Training Act of 1973 to make native Hawaiians eligible for assistance under Federal manpower programs administered under the Act.

H.R. 8434. July 8, 1975. Education and Labor. Authorizes the Secretary of Health, Education, and Welfare to make grants to States and certain gateway cities for the purpose of providing programs in education, job training, counseling and orientation for the benefit of immigrants.

Authorizes travel grants to new immigrants and their families to enable them to accept employment in a distant State.

H.R. 8435. July 8, 1975. Interior and Insular Affairs. Revises certain mineral leasing laws with respect to prospecting permits, bidding procedures, and certification of compliance with various environmental protection requirements.

Directs the Secretary of the Interior to establish performance standards for the reclamation of mined areas. Authorizes the Secretary to temporarily suspend mining operations to minimize adverse environmental impact.

Details procedures for the granting of rights-of-way or permits for oil and gas pipelines. Establishes a system of classification for various mineral leases.

H.R. 8436. July 8, 1975. Interior and Insular Affairs. Designates a segment of the Housatonic River in Connecticut for inclusion in the Wild and Scenic Rivers System.

H.R. 8437. July 8, 1975. Ways and Means. Amends the Internal Revenue Code to designate the place of residence of a Member of Congress within the State, congressional district, territory, or possession which such Member represents in Congress, and the place of residence of a State legislator as such legislator's home.

Limits the amount which shall be deductible by State and Federal legislators for living expenses.

H.R. 8438. July 8, 1975. Interstate and Foreign Commerce. Directs the Secretary of Health, Education, and Welfare to expand the programs on the treatment of burn injuries, research on burns, and the rehabilitation of burn victims by establishing additional burn centers and burn units and by supporting research and training programs in the treatment and rehabilitation of burn injury victims.

Appropriates funds for the continuation of present burn treatment programs and authorizes the appropriation of additional funds for such expanded programs.

H.R. 8439. July 8, 1975. Interstate and Foreign Commerce. Amends the Railroad Retirement Act of 1974 by lowering the age at which certain railroad employees, their spouses and survivors become entitled to annuities.

H.R. 8440. July 8, 1975. Armed Services. Prohibits any military department from using dogs in connection with research and development of any chemical or biological warfare agent.

H.R. 8441. July 8, 1975. Interstate and Foreign Commerce. Establishes a national plan for no-fault automobile insurance which sets forth national standards for State no-fault insurance plans. Requires every owner of a motor vehicle registered in a State which has a no-fault insurance plan to participate in such plan as a condition precedent to operating such vehicle.

H.R. 8442. July 8, 1975. International Relations. Declares that no debt owed to the United States by any foreign country may be settled in an amount less than the full value of the debt except by concurrent resolution of the Congress.

H.R. 8443. July 8, 1975. Post Office and Civil Service. Allows a postal employee to be represented in a grievance action by an agent other than the elected and recognized bargaining representative.

H.R. 8444. July 8, 1975. Veterans' Affairs. Entitles veterans of the Mexican border period or of World War I and their widows and children to pensions on the same basis as veterans of the Spanish-American War and their widows and children. Increases the pension rate for these veterans and their survivors.

H.R. 8445. July 8, 1975. Interstate and Foreign Commerce. Directs the Federal Trade Commission to promulgate regulations to require all life insurance companies and their agents to disclose all information, data, terms, and conditions which are likely to help an applicant select a life insurance policy.

Prohibits insurance companies or their agents from disseminating, issuing, or using certain types of advertisement, premium notice, or dividend declaration with respect to the promotion, sale, issuance, delivery, renewal, or conversion of a life insurance policy.

H.R. 8446. July 8, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain corporation in full settlement of such corporation's claims against the United States for expenditures incurred due to the issuance of cancellation notices of registration of its lindane smoke products under the Federal Insecticide, Fungicide, and Rodenticide Act by the United States Department of Agriculture.

H.R. 8447. July 8, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain corporation in full settlement of such corporation's claims against the United States for the loss and destruction of an aircraft in a collision with a United States Air Force aircraft.

H.R. 8448. July 8, 1975. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 8449. July 8, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to certain individuals in settlement of their claims against the United States arising out of the conveyance of certain lands in Washington.

H.R. 8450. July 8, 1975. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 8451. July 8, 1975. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 8452. July 8, 1975. Judiciary. Declares certain individuals lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 8453. July 8, 1975. Judiciary. Stipulates that the period of imprisonment of a certain employee of the United States by the government of Yugoslavia shall be considered creditable service for purposes of civil service retirement.

H.R. 8454. July 9, 1975. International Relations. Authorizes the President to furnish to Turkey defense articles and services for which contracts were signed on or before February 5, 1975, under the Foreign Military Sales Act.

Requests the President to determine the needs of Greece for economic and military assistance through discussions with such Government.

Amends the Foreign Assistance Act of 1961 to permit the President to authorize sales, credits, and guaranties for defense articles and services to enable Turkey to fulfill defense responsibilities as a member of the North Atlantic Treaty Organization.

H.R. 8455. July 9, 1975. Interstate and Foreign Commerce; Science and Technology. Amends the Clean Air Act to require the Administrator of the Environmental Protection Agency, with the assistance of other agencies, to determine the effects on public health and the environment of the discharge of chlorofluoromethane into the ambient air.

Prohibits, subject to such determination, the introduction into commerce of any aerosol spray container which discharges chlorofluoromethane into the ambient air.

H.R. 8456. July 9, 1975. Ways and Means. Amends the Social Security Act to authorize Federal payments to States for programs providing certain social services regardless of the recipient's income or eligibility for benefits under another program, if such social services are provided in a manner consistent with certain State programs.

H.R. 8457. July 9, 1975. Banking, Currency and Housing. Authorizes the President to accept participation for the United States in the African Development Fund.

H.R. 8458. July 9, 1975. Ways and Means. Amends the Internal Revenue Code to increase the estate tax exemption, and to increase the estate tax marital deduction. Permits the executor of an estate to elect an alternate valuation of certain lands used for farming, woodland, or scenic open space.

H.R. 8459. July 9, 1975. Science and Technology. Directs the Energy Research and Development Administration to develop ground propulsion systems designed to reduce current levels of energy consumption.

Amends the National Aeronautics and Space Act to provide additional scientific expertise in the development of ground propulsion systems.

H.R. 8460. July 9, 1975. Agriculture. Revises the eligibility requirements for food coupons under the Food Stamp Act of 1964 to exclude certain students who receive one-half of their incomes from an individual who is not eligible for food coupons.

H.R. 8461. July 9, 1975. Ways and Means. Amends the Social Security Act to include services furnished by a physician's assistant, Medex, nurse practitioner, and clinical staff of a community mental health center among the items covered under the Medicare supplementary medical insurance program.

H.R. 8462. July 9, 1975. Ways and Means. Amends the International Revenue Code to allow certain deductions from the estate tax.

H.R 8463. July 9, 1975. Interstate and Foreign Commerce. Amends the Natural Gas Act to authorize the Federal Power Commission to grant exemptions from regulation by the Commission to certain small producers and intrastate pipelines. Includes provisions for judicial review of Commission actions under such authority.

H.R. 8464. July 9, 1975. Veterans' Affairs. Extends the entitlement of veterans to educational assistance from thirty-six months to forty-five months.

Eliminates the time period in which a veteran has to use his educational benefits.

H.R. 8465. July 9, 1975. Ways and Means. Revises the eligibility requirement for Disability Insurance benefits for blind persons under the Social Security Act. Revises the method of computing the primary insurance amount for blind persons under the Social Security Act.

H.R. 8466. July 9, 1975. Agriculture. Stipulates that cost-of-living and general increases in Social Security benefits shall not be considered income for the purpose of determining eligibility for a coupon allotment under the Food Stamp Act of 1964.

H.R. 8467. July 9, 1975. Ways and Means. Amends the Social Security Act by revising the method of computing excess earnings for the purpose of determining the amount of Old-Age, Survivors, and Disability Insurance benefits to which an individual is entitled.

H.R. 8468. July 9, 1975. Ways and Means. Amends the Social Security Act by stipulating that general and cost-of-living increases in Old-Age, Survivors, and Disability Insurance benefits shall not be considered income for the purpose of determining eligibility for Supplemental Security Income.

H.R. 8469. July 9, 1975. Ways and Means. Stipulates that cost-of-living and general increases in Old-Age, Survivors, and Disability Insurance benefits shall not be considered income or resources for the purpose of determining eligibility for Aid to Families with Dependent Children, child welfare services, Medicaid, Headstart-Follow Through programs, and the foster grandparents program

H.R. 8470. July 9, 1975. Ways and Means. Amends the Social Security Act to exclude general and cost-of-living increases in Old-Age, Survivors and Disability Insurance benefits from being considered income for the purpose of determining an individual's eligibility for supplemental security income benefits, Federal-State public assistance, public housing, food stamps, veterans' pensions and dependency and indemnity compensation for parents of deceased veterans.

H.R. 8471. July 9, 1975. Merchant Marine and Fisheries. Authorizes the President to prescribe regulations for the purchase, possession, consumption, use, and transportation of alcoholic beverages in the Panama Canal Zone.

H.R. 8472 July 9, 1975. Judiciary. Authorizes cost-of-living adjustments in the retirement pay of certain Federal judges.

H.R. 8473. July 9, 1975. Ways and Means. Revises the eligibility requirements for Disability Insurance benefits for blind persons under the Social Security Act. Revises the method of computing the primary insurance amount for blind persons under the Social Security Act.

H.R. 8474. July 9, 1975. Ways and Means. Amends the Social Security Act by authorizing payment of Supplemental Security Income benefits to residents of certain nonmedical shelter care facilities.

H.R. 8475. July 9, 1975. Interstate and Foreign Commerce. Amends the Communications Act of 1934 by extending the maximum term of license and license renewal for the operation of broadcasting stations from 3 to 5 years. Revises the conditions for approval of applications for licensing renewal. Allows appeals from Federal Communications Commission decisions to be brought in the circuit in which the broadcast facility is, or is proposed to be, located instead of in the District of Columbia Court of Appeals.

Requires the Federal Communications Commission to study possible reduction and consolidation of the filings, supporting documents, and other administrative materials now required for renewal applications.

H.R. 8476. July 9, 1975. Veterans' Affairs.

Authorizes the Administrator of Veterans' Affairs to extend medical treatment or outpatient medical services to any disabled veteran of World War I, who upon application for such benefits shall be considered to have a service-connected disability aggravated or incurred during a period of war.

H.R. 8477. July 9, 1975. Post Office and Civil Service. Requires that labor disputes within the United States Postal Service between supervisory organizations and the Service be submitted to an arbitration board.

H.R. 8478. July 9, 1975. Agriculture. Directs the Secretary of Agriculture to issue orders applicable to persons engaged in the production, processing or marketing of cattle, such orders to provide for or regulate (1) advertising, sales promotion, and consumer education with respect to the use of beef; (2) research on the marketing and distribution of beef; (3) the inspection of the books and records of producers, processors, and marketers of beef; and (4) the establishment of a Beef Board to administer such orders.

H.R. 8479. July 9, 1975. Armed Services; Banking, Currency and Housing. Authorizes the President of the United States to present a Medal of Honor to a certain individual.

H.R. 8480. July 9, 1975. Education and Labor. Amends the Federal Coal Mine Health and Safety Act of 1969 with respect to Black Lung disability benefits to (1) require that miners or former miners be on the committee on coal mine health research established by the Act; (2) specifically define the term "total disability" with respect to coal miners; (3) delete the requirement for a chest X-ray in a claim for benefits by a miner who worked in an underground coal mine for fifteen years or more; and (4) allow for valid claim even in the absence of medical evidence.

H.R. 8481. July 9, 1975. Ways and Means. Includes the services of clinical psychologists under the coverage of the Medicare supplementary medical insurance program of the Social Security Act.

H.R. 8482. July 9, 1975. Ways and Means. Amends the Internal Revenue Code to authorize real property to be valued for estate tax purposes at its value as farmland, woodland, or open land rather than at its fair market value.

Increases the Federal estate tax exemption.

H.R. 8483. July 9, 1975. Ways and Means. Amends the Internal Revenue Code to allow a limited credit against the income tax for the expenses of education above the twelfth grade paid by the taxpayer for providing an education for himself or any other individual.

H.R. 8484. July 9, 1975. Veterans' Affairs. Entitles any Commonwealth Army veteran who while within the United States has need of hospital care or medical services for any service-connected disability to receive such care or services without charge in any Veterans' Administration facility.

H.R. 8485. July 9, 1975. Post Office and Civil Service. Requires that labor disputes within the United States Postal Service between supervisory organizations and the Service be submitted to an arbitration board.

H.R. 8486. July 9, 1975. Education and Labor. Establishes accreditation criteria to be observed by public or private associations and agencies which accredit post-secondary educational institutions and upon which the Federal Government relies in determining whether to grant Federal educational funding.

H.R. 8487. July 9, 1975. Interstate and Foreign Commerce. Amends the Communications Act of 1934 to revise the procedure for consideration of applications for renewal of broadcast licenses. Extends the maximum term of license for the operation of broadcasting stations from 3 to 5 years.

H.R. 8488. July 9, 1975. Education and Labor. Directs the Director of the Community Services Administration to establish a multiservice program for displaced homemakers designed to assist them in obtaining employment and educational opportunities.

Authorizes a study of existing Federal programs to determine the feasibility of participation by displaced homemakers.

H.R. 8489. July 9, 1975. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare, under the Public Health Service Act, to make grants to public and nonprofit private entities to assist in the cost of establishing and maintaining genetic counseling programs, and directs the Secretary to extend the availability of amniocentesis to women by paying all or part of the cost of having amniocentesis performed on them.

H.R. 8490. July 9, 1975. Interstate and Foreign Commerce. Authorizes the Secretary of Health, Education, and Welfare, under the Public Health Service Act, to make grants to public and nonprofit private entities to assist in the cost of establishing and maintaining genetic counseling programs, and directs the Secretary to extend the availability of amniocentesis to women by paying all or part of the cost of having amniocentesis performed on them.

H.R. 8491. July 9, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by directing the Secretary of Labor to appoint an advisory committee for each congressional district to review proposed changes in safety and health standards, advise the Secretary of Labor concerning such proposed changes, and advise employers regarding the application of safety and health standards.

H.R. 8492. July 9, 1975. Ways and Means. Amends the Social Security Act with respect to the child support program under Aid to Families with Dependent Children by (1) revising the requirements that applicants for aid cooperate in locating a parent and assign the right to support payments to the State; (2) stipulating that the amount of aid to a family will not be reduced on account of support collected by the State, under certain circumstances; (3) denying States access to Federal courts to obtain or enforce child support orders; (4) revising the procedure for locating a parent; and (5) terminating the authority for collection of child support obligations by the Internal Revenue Service.

H.R. 8493. July 9, 1975. Public Works and Transportation. Amends the Federal Water Pollution Control Act to authorize the use of ad valorem taxes as a user charge system.

H.R. 8494. July 9, 1975. Science and Technology. Directs the Administrator of Energy Research and Development to establish a program of research and development of industrial energy conserving technologies. Authorizes financial assistance in the form of grants and loans for the development and demonstration of such technologies, with special attention to be given to stimulation of depressed industrial areas.

H.R. 8495. July 9, 1975. Science and Technology. Directs the Administrator of Energy Research and Development to establish a program of research and development of industrial energy conserving technologies. Authorizes financial assistance in the form of grants and loans for the development and demonstration of such technologies, with special attention to be given to stimulation of depressed industrial areas.

H.R. 8496. July 9, 1975. Science and Technology. Directs the Administrator of Energy Research and Development to establish a program of research and development of industrial energy conserving technologies. Authorizes financial assistance in the form of grants and loans for the development and demonstration of such technologies, with special attention to be given to stimulation of depressed industrial areas.

H.R. 8497. September 7, 1975. Ways and Means. Amends the Internal Revenue Code to allow the amortization of any qualified methanol producing facility and to prohibit the imposition of a tax on gasoline or any fuel in a mixture with methanol, if at least 10 percent of the mixture is methanol.

H.R. 8498. July 9, 1975. Ways and Means. Requires States which have entered into agreements with the Secretary of Health, Education, and Welfare for coverage of State and local employees under the Social Security Act to make payments and reports to the Secretary of the Treasury on a calendar-quarter basis.

H.R. 8499. July 9, 1975. Education and Labor. Stipulates that certain strikes at the site of a construction project are not prohibited as an unfair labor practice under the National Labor Relations Act.

H.R. 8500. July 9, 1975. Judiciary. Sets forth standards for the establishment of congressional districts based on decennial censuses and composed of contiguous territory.

Grants exclusive jurisdiction to the district courts of the United States to hear actions brought to enforce the provisions of this Act.

H.R. 8501. July 9, 1975. Banking, Currency and Housing. Extends for one year the authority for flexible regulation of interests on deposits and share accounts in depository institutions. Requires the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, the Fedral Home Loan Bank Board, and the Comptroller of the Currency to maintain the existing interest rate differential between depository institutions with respect to individual retirement accounts.

H.R. 8502. July 7, 1975. Armed Services. Makes the Commandant of the Marine Corps a member of the Joint Chiefs of Staff.

H.R. 8503. July 9, 1975. Judiciary. Amends the Gun Control Act of 1968 to impose additional penalties for the commission of certain offenses with the use of or while unlawfully carrying a firearm. Specifies conditions under which a court may waive the additional sentence imposed by this Act. Prohibits both the suspension of the additional penalty once imposed and the granting of probation.

H.R. 8504. July 9, 1975. Interstate and Foreign Commerce. Limits the authority of the Secretary of Health, Education, and Welfare, under the Federal Food, Drug, and Cosmetic Act, to regulate vitamins and minerals.

H.R. 8505. July 9, 1975. Ways and Means. Amends the Internal Revenue Code to allow wines containing essences and other flavorings approved by the Secretary of the Treasury to continue to be treated as special natural wines for purposes of the excise tax on wines.

H.R. 8506. July 9, 1975. Public Works and Transportation; Ways and Means. Requires that the receipts from Federal gasoline and automotive excise taxes be placed in the provements only. Eliminates the State matching requirements in the Federal-aid highway program. Sets forth the distribution formula for amounts appropriated annually from the Highway Trust Fund for State and local highway purposes.

H.R. 8507. July 9, 1975. Veterans' Affairs. Revises the travel allowance for members of the American Battle Monuments Commission to prescribe the same per diem rate as for members of the uniformed services.

H.R. 8508. July 9, 1975. Public Works and Transportation. Authorizes the Secretary of Transportation to release restrictions on the use of certain property conveyed to the City of Camden, Arkansas, for airport purposes.

H.R. 8509. July 9, 1975. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 8510. July 9, 1975. Judiciary. Declares a certain individual lawfully admitted to the United States for permanent residence, under the Immigration and Nationality Act.

H.R. 8511. July 9, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States for compensation for certain work performed as an employee of the Veterans' Administration.

H.R. 8512. July 9, 1975. Judiciary. Specifies the tax treatment of a certain individual under the Internal Revenue Code.

H.R. 8513. July 9, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 8514. July 9, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 8515. July 10, 1975. Ways and Means. Amends the Supplemental Security Income provisions of the Social Security Act by: (1) authorizing emergency and temporary grants; (2) eliminating the third-party payee requirement for certain recipients; (3) revising the method of determining income for the purposes of the program; (4) revising certain eligibility requirements; (5) authorizing cost-of-living increases in benefits; (6) entitling recipients to food stamps on a permanent basis; and (7) entitling recipients to a hearing on State actions concerning claims for social services.

H.R. 8516. July 10, 1975. Ways and Means. Amends the Social Security Act to include diagnostic and rehabilitative services furnished by an audiologist, including hearing amplification devices, among the items covered by Medicare.

H.R. 8517. July 10, 1975. Ways and Means. Amends the Social Security Act by stipulating that speech pathology services are considered outpatient physical therapy services and are covered under the Medicare supplementary medical insurance program.

H.R. 8518. July 10, 1975. Ways and Means; Interstate and Foreign Commerce. Amends the Social Security Act to include speech pathology and audiology services among the items covered under Medicare.

H.R. 8519. July 10, 1975. Interior and Insular Affairs. Establishes the Santa Monica Mountains and Seashore Urban National Park in the State of California. Authorizes the Secretary of the Interior to acquire the lands, waters, or interests therein which are located within the proposed boundaries of the park.

H.R. 8520. July 10, 1975. Education and Labor. Repeals the Occupational Safety and Health Act of 1970.

H.R. 8521. July 10, 1975. Interior and Insular Affairs. Provides for the representation of the United States Canal Zone by a Delegate to the House of Representatives.

H.R. 8522. July 10, 1975. Agriculture. Authorizes the Secretary of Agriculture to accept and administer on behalf of the United States gifts or devises of real and personal property for the benefit of the National Arboretum.

H.R. 8523. July 10, 1975. Ways and Means. Amends the Internal Revenue Code to exempt cooperative housing corporations, condominium management associations, and residential real estate management associations from taxation on certain types of income.

H.R. 8524. July 10, 1975. Small Business; Banking, Currency and Housing. Amends the Small Business Act by authorizing the Small Business Administration to make loans to individuals and home-builders for the purchase and installation of qualified solar heating or solar heating and cooling equipment procured from small business concerns.

Directs the Energy Research and Development Administration to (1) establish procedures for inspecting and evaluating solar heating and cooling equipment; (2) review new equipment as developed; (3) periodically review certifications of such equipment for validity; and (4) transmit pertinent data to the Small Business Administration for its use in certifying equipment for purposes of the loan program created by this Act.

H.R. 8525. July 10, 1975. Agriculture. Directs the Secretary of Agriculture to issue research and promotion orders applicable to persons who produce, sell, acquire, process or market beef for the purpose of maintaining and expanding existing markets and developing new or improved markets and uses for beef and beef products.

H.R. 8526. July 10, 1975. Interstate and Foreign Commerce. Amends the Internal Revenue Code to authorize real property to be valued for estate tax purposes at its value as farmland, woodland, or open land rather than at its fair market value.

Amends the estate tax provisions of the Internal Revenue Code to allow a limited deduction from the gross estate of the value of the decendent's interest in a family farming operation which passes to an individual related to him or his spouse.

H.R. 8527. July 10, 1975. Post Office and Civil Service. Eliminates the penalties for refusing or neglecting to answer or answering falsely any questions relating to a population census administered by the Department of Commerce or any bureau thereof.

H.R. 8528. July 10, 1975. Interstate and Foreign Commerce. Prohibits the shipping of fur, leather, or finished fur and leather products in interstate or foreign commerce which come from any State or foreign country which has not banned the manufacture, sale, or use of leg-hold or steel jaw traps.

H.R. 8529. July 10, 1975. Agriculture. Directs the Secretary of Agriculture to establish under the Agricultural Adjustment Act of 1938 a national acreage allotment for rice to maintain adequate supplies and to prevent excessive carryover stocks. Imposes an established price for rice under the Agricultural Act of 1949.

H.R. 8530. July 10, 1975. Interstate and Foreign Commerce. Requires, in the final system plan under the Regional Rail Reorganization Act of 1973, the designation of certain rail properties necessary for the transportation of fossil fuel.

H.R. 8531. July 10, 1975. Interstate and Foreign Commerce. Defines the term "food supplement" as it appears in the Federal Food, Drug, and Cosmetic Act. Disallows the requirement of warning labels for and the limiting of ingredients in "food supplements" by the Secretary of Health, Education, and Welfare unless such article is intrinsically injurious to health in the recommended dosage.

H.R. 8532. July 10, 1975. Judiciary. Amends the Clayton Act to allow the attorney general of a State to bring a civil action under Federal antitrust laws on behalf of the citizens or any political subdivision of that State or the State itself.

H.R. 8533. July 10, 1975. Interior and Insular Affairs. Declares title to certain lands in the State of New Mexico to be held in trust by the United States for the Ramah Band of the Navajo Tribe.

H.R. 8534. July 10, 1975. Post Office and Civil Service. Requires that labor disputes within the United States Postal Service between supervisory organizations and the Service be submitted to an arbitration board.

H.R. 8535. July 10, 1975. Rules. Amends the Congressional Budget Act of 1974 to require the Congressional Budget Office, to the extent practicable, to prepare an economic impact statement for each bill or joint resolution which has been reported in the Senate or House of Representatives, for each amendment proposed on the floor of the Senate or the House of Representatives and for each rule or regulation proposed by any Federal agency.

H.R. 8536. July 10, 1975. Interior and Insular Affairs. Establishes, within the Department of the Interior, an Assistant Secretary of the Interior for Indian Affairs who shall be responsible for such duties as the Secretary of the Interior shall prescribe with respect to the conduct of Indian Affairs.

H.R. 8537. July 10, 1975. Education and Labor. Authorizes the Commissioner of Education to provide Federal financial assistance to those State teacher retirement systems which allow retirement credit to teachers for out-of-State teaching service.

H.R. 8538. July 10, 1975. Government Operations. Establishes a Department of Education within the Executive Department. Transfers to the Secretary of Education educational functions now handled by various Federal agencies including the Department of Health, Education, and Welfare.

Establishes a Federal Interagency Committee on Education to assure effective coordination of Federal education programs.

H.R. 8539. July 10, 1975. Interior and Insular Affairs. Authorizes the Secretary of the Interior to make certain modifications to the Dickinson Dam unit of the Pick-Sloan Missouri Basin program in North Dakota.

H.R. 8540. July 10, 1975. Banking, Currency and Housing. Directs the Secretary of Housing and Urban Redevelopment to establish and develop energy conservation performance standards for newly constructed residential and commercial buildings. Authorizes grants to assist States in the implementation of model energy conservation standards.

Directs the Secretary to engage in research and demonstration activities to assist in the development of such standards.

H.R. 8541. July 10, 1975. Ways and Means. Amends the Social Security Act by increasing the amount of outside income which an individual may earn without a reduction in Old-Age, Survivors, and Disability Insurance benefits. Revises the method of calculating the amount by which such benefits are reduced when outside earnings exceed the amount allowed.

H.R. 8542. July 10, 1975. Public Works and Transportation. Amends the Federal Aid Highways Act of 1956 to (1) authorize appropriations through fiscal year 1979 for the construction of the Interstate System; (2) accelerate completion of high-priority segments of the System by revising appropriations; (3) limit the percentage of Federal funds which a State may use for maintenance of existing roads; (4) extend the provisions of the Act for bridge replacement to all public roads, Federal-aid or not; (5) repeal the system of grants to States for off-system roads; and (6) consolidate existing safety programs into a single program covering all public roads.

H.R. 8543. July 10, 1975. Education and Labor. Amends the Older Americans Act of 1965 to allow certain States which have terminated the maintenance or operation of commodity distribution facilities to elect or receive cash payments, in lieu of commodities, from the Secretary of Agriculture.

H.R. 8544. July 10, 1975. Public Works and Transportation. Reduces the permissible steering axle weight for users of the Interstate Highway System.

H.R. 8545. July 10, 1975. Interior and Insular Affairs. Amends the Land and Water Conservation Fund Act of 1965 to authorize the Secretary of the Interior to approve expenditures for the planning and development of sheltered recreation facilities in certain areas.

H.R. 8546. July 10, 1975. Public Works and Transportation. Directs the Administrator of General Services and the Secretary of Defense to establish guidelines for the conservation of energy and the efficient use of solar energy systems in buildings financed with Federal funds. Requires submission of an energy use analysis to the Congress with specific energy requirements for such buildings.

Authorizes increases in cost limitations for Federal and Federally assisted buildings to include increased costs due to energy conservation regulations.

H.R. 8547. July 10, 1975. Agriculture. Amends the Food Stamp Act of 1964 by revising (1) eligibility standards; (2) the method of determining the amount of the coupon allotment; (3) administration of the program by State agencies, including the eligibility certification procedure and duties imposed on issuing agents; and (4) the method of computing the federal share of program costs and of making payments to the States. Transfers the functions of the Secretary of Agriculture under the Food Stamp Act of 1954 to the Secretary of Health, Education, and Welfare.

H.R. 8548. July 10, 1975. Ways and Means. Amends the Social Security Act to revise the procedure for Federal payment and adjudication of claims submitted by the States under the programs of Old-Age Assistance; Aid to Families with Dependent Children, Services to the Aged, Blind, or Disabled, Aid to the Blind, Aid to the Permanently and Totally Disabled, Supplemental Security Income, Medicaid, and Social Services.

H.R. 8549. July 10, 1975. Public Works and Transportation. Permits certain signs and notices along federal highway right-of-ways relating to information about travel-oriented services and facilities.

H.R. 8550. July 10, 1975. Post Office and Civil Service. Allows a retired Federal officer or employee or Member of Congress who remarries while receiving a retirement annuity to elect, within one year of such remarriage, to provide a survivor annuity for the new spouse.

H.R. 8551. July 10, 1975. Public Works and Transportation. Establishes a program of Federal financial assistance to certain eligible air carriers for the installation of noise suppression devices on aircraft, to be administered by the Secretary of Transportation.

H.R. 8552. July 10, 1975. Public Works and Transportation. Amends the Noise Control Act of 1972 and the Federal Aviation Act of 1958 to transfer responsibility for preparation of standards for the control and abatement of aircraft noise and sonic boom to the Environmental Protection Agency, after consultation with the Secretary of Transportation and the Federal Aviation Administration.

H.R. 8553. July 10, 1975. Post Office and Civil Service. Requires that labor disputes within the U.S. Postal Service between supervisory organizations and the Service be submitted to an arbitration board.

H.R. 8554. July 10, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 8555. July 10, 1975. Judiciary. Declares a certain individual eligible to apply for permanent residence under the Immigration and Nationality Act.

H.R. 8556. July 10, 1975. Judiciary. Specifies the tax treatment of a certain corporation under the Internal Revenue Code.

H.R. 8557. July 10, 1975. Judiciary. Declares a certain individual an immediate relative of a citizen of the United States for purposes of the Immigration and Nationality Act.

H.R. 8558. July 10, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States arising out of the approval of the publication of a specified newspaper advertisement by an agent of the Internal Revenue Service.

H.R. 8559. July 10, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States for refund of a bond furnished by such individual on behalf of an alien and forfeited to the United States when such alien failed to appear for deportation.

H.R. 8560. July 10, 1975. Judiciary. Authorizes the Comptroller General of the United States to settle and adjust the claim of a certain individual for moving expenses incurred as a result of such individual's transfer while an employee of the Federal Aviation Administration.

H.R. 8561. July 10, 1975. Makes appropriations to the Department of Agriculture and related agencies and programs for fiscal year 1976 and the period of June 30 to September 30, 1976.

H.R. 8562. July 11, 1975. International Relations. Establishes the Japan-United States Friendship Trust Fund to promote scholarly, cultural, and artistic activities between Japan and the United States. Creates the Japan-United States Friendship Commission to develop and carry out such programs and to administer the fund.

H.R. 8563. July 11, 1975. Education and Labor. Amends the National Foundation on the Arts and Humanities Act of 1965 to direct the Chairman of the National Endowment for the Arts under certain economic conditions to carry out a program, directly and through grants-in-aid to States, of employment of unemployed artists.

H.R. 8564. July 11, 1975. Public Works and Transportation. Permits the Secretary of the Treasury, under the Federal Aviation Act of 1958, to invest the revolving fund created by aviation war risk insurance interest-bearing securities of the United States.

H.R. 8565. July 17, 1975. Ways and Means. Amends the Social Security Act by increasing the amount of outside income which an individual may earn without a reduction in Old-Age, Survivors, and Disability Insurance benefits.

H.R. 8566. July 11, 1975. Ways and Means. Amends the Internal Revenue Code to allow a deduction for State and local public utility taxes, if such tax is separately stated.

H.R. 8567. July 11, 1975. Education and Labor. Directs the Director of the Community Services Administration to establish a multiservice program for displaced homemakers designed to assist them in obtaining employment and educational opportunities.

Authorizes a study of existing Federal programs to determine the feasibility of participation by displaced homemakers.

H.R. 8568. July 11, 1975. Ways and Means. Amends the Internal Revenue Code to increase the estate tax exemption, and to increase the estate tax marital deduction.

Permits the executor of an estate to elect an alternate valuation of certain lands used for farming, woodland or scenic open space.

H.R. 8569. July 11, 1975. Interstate and Foreign Commerce; Ways and Means. Amends the Public Health Service Act to appropriate funds for student aid, for construction grants, and for comprehensive ambulatory health care centers. Creates a Health Policy Board to assist the President's yearly appraisal of health care systems, which shall be transmitted to Congress. Amends the Internal Revenue Code to create a minimum standard health care benefits deduction, to allow employers a deduction for qualified employee health care plans, and to increase the deduction for qualified individual health care plans. Amends the Social Security Act to authorize grants for qualified State health care plans that insure needy individuals.

H.R. 8570. July 11, 1975. Ways and Means. Amends the Internal Revenue Code to designate the place of residence of a Member of Congress within the State, congressional district, territory, or possession which such Member represents in Congress, and the place of residence of a State legislator as such legislator's home.

Limits the amount which shall be deductible by State and Federal legislators for living expenses.

H.R. 8571. July 11, 1975. Interstate and Foreign Commerce. Limits the authority of the Secretary of Health, Education, and Welfare, under the Federal Food, Drug, and Cosmetic Act, to regulate vitamins and minerals.

H.R. 8572. July 11, 1975. Veterans' Affairs. Authorizes the Administrator of Veterans' Affairs to recognize representatives of the Polish Legion of American Veterans of the United States of America in the preparation, presentation, and prosecution of claims under laws administered by the Veterans' Administration.

H.R. 8573. July 11, 1975. Armed Services. Authorizes the payment of separation pay to regular enlisted members of the Armed Forces who are involuntarily separated after five or more years of honorable service.

H.R. 8574. July 11, 1975. Interstate and Foreign Commerce. Prescribes criteria for Federal, State, and local agencies regulating electric utilities which would require that rate schedules accurately reflect long-run incremental costs of service and that price differentials for different customer classes reflect actual documented differentials in costs of service.

Prohibits any allowance for recoupment of any advertising costs except if such advertising is designed to discourage energy consumption during peak load periods or to encourage conservation of electricity in general.

Establishes standards for the treatment of fuel adjustment clauses and for the determination of effective dates for proposed changes in rates and schedules.

H.R. 8575. July 11, 1975. Interstate and Foreign Commerce. Stipulates that the Federal Communications Act shall not be construed to require the availability of broadcasting time to any person. Repeals the "equal time" provision relating to availability of broadcasting time to legally qualified candidates for public office.

Repeals the prohibition on political editorializing by noncommercial educational broadcasting stations.

H.R. 8576. July 11, 1975. Interstate and Foreign Commerce. Amends the Securities Exchange Act of 1934 with respect to (1) taxation of securities by States or political subdivisions; (2) the definition of appropriate regulatory agency; and (3) the authority of the Securities and Exchange Commission to make contracts for the purpose of effectuating the securities laws.

H.R. 8577. July 11, 1975. Ways and Means. Amends the Social Security Act by directing the Secretary of Health, Education, and Welfare to establish and carry out an informational program designed to advise individuals who are, or may become, eligible for Supplemental Security Income benefits of the eligibility requirements for such benefits, the nature of such benefits, and the way in which such benefits may be obtained.

H.R. 8578. July 11, 1975. Education and Labor. Amends the Community Services Act of 1974 by increasing to 80 percent the Federal share of financial assistance to community action agencies.

H.R. 8579. July 11, 1975. Ways and Means. Amends the Internal Revenue Code to exclude from gross income the value of legal services provided under a legal service plan maintained by an employer or any amounts paid under a legal service plan maintained by an employer for the benefit of employees.

H.R. 8580. July 11, 1975. Judiciary. Incorporates the National Ski Patrol System, Incorporated.

H.R. 8581. July 11, 1975. International Relations. Declares that no debt owed to the United States by any foreign country may be settled in an amount less than the full value of the debt except by concurrent resolution of the Congress.

H.R. 8582. July 11, 1975. Rules. Amends the

Congressional Budget Act of 1974 (1) to provide that Federal revenues and outlays shall not exceed Federal revenue and budget outlay limits with specified exceptions, and (2) to require that when they are introduced all bills or joint resolutions contain a "fiscal note" disclosing the fiscal impact of the bill on Government finances.

H.R. 8583. July 11, 1975. Post Office and Civil Service. Prohibits the Postal Service from requiring the delivery of mail to single-family residential dwellings through the use of cluster mailboxes or curbside mailboxes unless the local government having jurisdiction over the area in which such dwellings are located approves the use of such mailboxes.

H.R. 8584. July 11, 1975. Education and Labor. Directs the Commissioner of Education to make grants for teacher training in the area of nutrition education. Authorizes the commissioner to make grants for pilot and demonstration projects and the development of comprehensive education programs in the area of nutrition education. Establishes a National Nutrition Education Resource Center within the Office of Education of the Department of Health, Education and Welfare. Sets forth the requirements for receiving grants under this Act.

H.R. 8585. July 11, 1975. Banking, Currency and Housing. Authorizes national banking associations to underwrite and deal in non-general obligations of States and cities.

Sets limitations and restrictions on dealings in such obligations by national banking associations.

H.R. 8586. July 11, 1975. Interstate and Foreign Commerce. Amends the Railroad Retirement Act of 1974 by stipulating that whenever the amount of the annuity payable to the widow of a retired employee is less than the amount which would be payable to such retired employee, were he alive, the widow shall receive the larger amount.

H.R. 8587. July 11, 1975. Interstate and Foreign Commerce. Amends the Social Security Act to authorize Federal payments to States for programs providing certain social services regardless of the recipients' income or eligibility for benefits under another program, if such social services are provided in a manner consistent with certain State programs.

H.R. 8588. July 11, 1975. Government Operations. Authorizes the Secretary of the Treasury to make emergency support grants for economic recovery to the States and to local governments.

H.R. 8589. July 11, 1975. Education and Labor. Directs the Secretary of Labor to change the name of the Wholesale Price Index to the Basic Price Index.

H.R. 8590. July 11, 1975. Ways and Means. Amends the Internal Revenue Code to impose a tax based on a ton-mile unit rate upon any person who transports property by vessel over certain segments of the inland waterways of the United States.

Directs the Secretary of the Army to charge and collect a lockage fee for the use of locks within such segments of the inland waterway system.

H.R. 8591. July 11, 1975. Government Operations. Sets forth guidelines to be followed in the classification of material as "Defense Data" for purposes of determining whether its dissemination must be limited in the interest of national defense.

H.R. 8592. July 11, 1975. Public Works and Transportation. Enables States to qualify for Federal highway safety funds without including in the State highway safety program any requirement for motorcycle drivers or passengers 18 years of age or older to wear safety helmets.

H.R. 8593. July 11, 1975. Armed Services; Banking, Currency and Housing. Authorizes the President of the United States to present a Medal of Honor to a certain individual.

H.R. 8594. July 11, 1975. Interstate and Foreign Commerce. Limits the authority of the Secretary of Health, Education, and Welfare, under the Federal Food, Drug, and Cosmetic Act to regulate vitamins and minerals.

H.R. 8595. July 11, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain company in full settlement of such company's claims against the United States arising out of a contract between such company and the Housing Authority of the City of Newton, Texas.

H.R. 8596. July 11, 1975. Judiciary. Directs the Attorney General to cancel any outstanding orders and warrants of deportation warrants of arrest, and bond which may have been issued in the case of a certain individual.

H.R. 8597. July 11, 1975. Appropriations. Makes appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President and certain Independent Agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976.

H.R. 8598. July 14, 1975. Ways and Means. Amends the Social Security Act with respect to the child support program under Aid to Families with Dependent Children by (1) suspending temporarily literal compliance by States with certain requirements for State plans for aid and services to needy families with children; (2) stipulating that the amount of aid to a family will not be reduced on account of support collected by the State, under certain circumstances; (3) denying States access to Federal courts to obtain or enforce child support orders; (4) revising the procedure for locating a parent; and (5) terminating the authority for collection of child support obligations by the Internal Revenue Service.

H.R. 8599. July 14, 1975. Ways and Means. Amends the Social Security Act by (1) removing the limitation on the amount of outside income which an individual may earn while receiving Old-Age, Survivors and Disability Insurance benefits; (2) revising certain eligibility requirements for Old-Age Survivors and Disability Insurance benefits; and (3) authoring direct payments to the provider of services to Medicare supplementary medical insurance beneficiaries under certain circumstances.

Amends the Social Security Act and the Internal Revenue Code to allow individuals 65 years of age or older to elect to exempt wages and self-employment income from social security taxation.

H.R. 8600. July 14, 1975. Public Works and Transportation. Terminates the authorization for the Mill Creek Dam and Lake project in Ohio.

H.R. 8601. July 14, 1975. Public Works and Transportation. Enables States to qualify for Federal highway safety funds without including in the State highway safety program any requirement for motorcycle drivers or passengers eighteen years of age or older to wear safety helmets.

H.R. 8602. July 14, 1975. Public Works and Transportation. Authorizes additional appropriation for highways under the Federal-Aid Highway Act of 1956. Extends the time for completion of the interstate highway system. Sets forth regulations with respect to rights-of-way, bus widths, ferry operations, outdoor advertising, and landscaping and scenic enhancement. Authorizes additional appropriations under the Federal-aid highway systems for training programs, bridges, and safety.

H.R. 8603. July 14, 1975. Post Office and Civil Service. Authorizes appropriations for the Postal Service for fiscal years 1976 through 1979. Makes changes in (1) the administration of the Postal Rate Commission; (2) the requirement for hearings prior to rate changes; and (3) the procedures for the granting of temporary changes in postal rates and classes by the Board of Governors of the Postal Service. Makes certain publications of institutions of higher education eligible for second-class mail rates.

H.R. 8604. July 14, 1975. Ways and Means. Amends the Internal Revenue Code to limit the deductions attributable to farming which can be used by a taxpayer to offset nonfarm income.

H.R. 8605. July 14, 1975. Armed Services. Eliminates the deadline for submitting nominations for candidates to the United States Naval Academy.

H.R. 8606. July 14, 1975. Armed Services. Allows enlisted members of the Armed Forces and members of the military bands on active duty to engage in employment, for pay, in competition with civilians.

H.R. 8607. July 14, 1975. Armed Services. Authorizes the Commandant of the Defense Intelligence School to award the degree of Master of Science of Strategic Intelligence.

H.R. 8608. July 14, 1975. Armed Services. Allows an individual who is eligible to participate in the Armed Forces Survivor Benefit Plan to elect to provide an annuity for a dependent child under such plan, without making a similar election regarding a spouse.

H.R. 8609. July 14, 1975. Armed Services. Authorizes the President to designate certain officers on the active list of the Marine Corps, including the Assistant Commandant, for appropriate higher commands or the performance of duty of great importance and responsibility, and to appoint such officers to the grade of general or lieutenant general. Increases the number of officers who may serve in the grades of general and lieutenant general pursuant to such Presidential appointment.

H.R. 8610. July 14, 1975. Ways and Means. Amends the Social Security Act to include optometrists' services and medical vision care under the Medicare supplementary medical insurance benefits program.

H.R. 8611. July 14, 1975. Veterans' Affairs. Entitles veterans of the Mexican border period or of World War I and their widows and children to pensions on the same basis as veterans of the Spanish-American War and their widows and children. Increases the pension rate for these veterans and their survivors.

H.R. 8612. July 14, 1975. Post Office and Civil Service. Requires that labor disputes within the United States Postal Service between supervisory organizations and the service be submitted to an arbitration board.

H.R. 8613. July 14, 1975. Interstate and Foreign Commerce. Establishes the National Council on Children and Advertising to study the effects of advertising practices on children and make recommendations for necessary regulation of such practices. Amends the Communications Act of 1934 and the Federal Trade Commission Act to authorize the Federal Communications Commission and the Federal Trade Commission to prescribe rules to restrict or prohibit certain advertisements during children's broadcast exposure time or in children's publications. Directs the Federal Communications Commission and the Federal Trade Commission to adopt rules to implement recommendations of the Council within 6 months after receiving such recommendations.

H.R. 8614. July 14, 1975. Ways and Means. Amends the Internal Revenue Code to increase the Federal unemployment tax rate, to extend unemployment coverage to certain previously excluded employee groups and to the Virgin Islands, and to redefine the "on" and "off" indicators which determine whether an extended benefit period for unemployment compensation should be in effect.

H.R. 8615. July 14, 1975. Banking, Currency and Housing. Amends the National Flood Insurance Act of 1968 to cover losses from landslides which result from high-intensity precipitation under the national flood insurance program.

H.R. 8616. July 14, 1975. House Administration. Changes the method of appointment of the Public Printer, the Librarian of Congress, the Comptroller General and the Architect of the Capitol so that specified Committees of the House of Representatives shall nominate individuals to fill such positions.

H.R. 8617. July 14, 1975. Post Office and Civil Service. States that it is the policy of Congress that Federal employees be encouraged to voluntarily participate in political process. Sets forth guidelines for such participation. Establishes a Board on Political Activities of Federal Employees to hear and decide alleged violations of the guidelines set forth in this Act.

H.R. 8618. July 14, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by directing the Secretary of Labor to (1) render on-site consultation and advice to any employer, upon the request of such employer, concerning compliance with the Act; and (2) establish programs for the education and training of employers and employees concerning hazards in particular industries.

H.R. 8619. July 14, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by making the issuance of citations for violations discretionary, in certain circumstances, and by directing the Secretary of Labor to render on-site consultation to small employers upon their request to assist such employers in complying with the Act.

H.R. 8620. July 14, 1975. Ways and Means. Amends the Old-Age, Survivors, and Disability Insurance provisions of the Social Security Act by (1) increasing the amount of outside income which an individual may earn without a reduction in benefits; (2) removing the limitation on the amount of outside income allowed for individuals who have reached age 70; (3) directing the Secretary of Labor to prepare a Senior Citizens Price Index to be used in computing cost-of-living increases in benefits; (4) revising the timing of granting cost-of-living increases; and (5) eliminating marital status as a factor in determining eligibility of certain beneficiaries.

H.R. 8621. July 14, 1975. Post Office and Civil Service. Prohibits the Postal Service from requiring the installation of mailboxes at the curb line of residential property in any locality if the governing authority of such locality prohibits such installation.

H.R. 8622. July 14, 1975. Education and Labor. Stipulates that certain strikes at the site of a construction project are not prohibited as an unfair labor practice under the National Labor Relations Act.

H.R. 8623. July 14, 1975. Armed Services. Prohibits any military department from using dogs in connection with research and development of any chemical or biological warfare agent.

H.R. 8624. July 14, 1975. Education and Labor. Amends the Occupational Safety and Health Act of 1970 by authorizing the Administrator of the Small Business Administration to render onsite construction and advice to certain small business employers to assist such employers in complying with the health and safety standards of the Act.

H.R. 8625. July 14, 1975. Ways and Means. Amends the Internal Revenue Code to authorize real property to be valued for estate tax purposes at its value as farmland, woodland, or open land rather than at its fair market value.

H.R. 8626. July 14, 1975. Ways and Means. Amends the Internal Revenue Code to authorize real property to be valued for estate tax purposes at its value as farmland, woodland, or open land rather than at its fair market value.

Amends the estate tax provisions of the Internal Revenue Code to allow a limited deduction from the gross estate of the value of the decedent's interest in a family farming operation which passes to an individual related to him or his spouse.

H.R. 8627. July 14, 1975. House Administration. Sets forth a system for adjusting the amount of interest to be paid on funds deposited with the Treasury of the United States by the Library of Congress Trust Fund Board.

H.R. 8628. July 14, 1975. House Administration. Sets forth a system for adjusting the amount of interest to be paid on a certain perpetual trust fund in the Treasury of the United States.

H.R. 8629. July 14, 1975. Government Operations. Authorizes the Administrator of General Services to assign surplus Federal property to the Secretary of Commerce for disposal of such property to States and local areas threatened by unemployment as a result of the closing of Federal facilities. Requires that such property be used by the transferees for economic development purposes.

H.R. 8630. July 14, 1975. Public Works and Transportation. Directs the Administrator of General Services and the Secretary of Defense to establish guidelines for the conservation of energy and the efficient use of solar energy systems in buildings financed with Federal funds. Requires submission of an energy use analysis to the Congress with specific energy requirements for such buildings.

Authorizes increases in cost limitations for Federal and Federally assisted buildings to include increased costs due to energy conservation regulations.

H.R. 8631. July 14, 1975. Atomic Energy. Amends the Atomic Energy Act of 1954 to revise procedures relating to financial protection requirements for licensees in order to provide for public remuneration in the case of nuclear incidents.

H.R. 8632. July 14, 1975. Public Works and Transportation. Amends the Public Works and Economic Development Act of 1965 to authorize the Secretary of Commerce to provide funds to the Federal Cochairmen of the economic development regions established under the Act for grants for meeting the social, economic, and environmental impacts of natural resource development, significant changes in Federal Government policies or regulations, or significant shifts in employment opportunities.

H.R. 8633. July 14, 1975. Merchant Marine and Fisheries. Establishes a contiguous fishery zone beyond the territorial sea of the United States. Extends United States jurisdiction to anadromous fish wherever they may range in the oceans except to the territorial water or fishery zone of another country.

Directs the Secretary of State to negotiate, and review, treaties to promote the purposes of this Act.

H.R. 8634. July 14, 1975. International Relations. Amends the Foreign Military Sales Act to require Congressional approval of any sale, credit sale, or guaranty involving a major weapons system or defense service. Requires Congressional approval of the total amount of sales, credit sales, and guarantees made to any country or international organization.

H.R. 8635. July 14, 1975. Interstate and Foreign Commerce. Requires State plans for medical assistance (Medicaid) under the Social Security Act to include provisions for the inspection of long-term care facilities to assure compliance with sanitation, environmental, patient care, medical care, dietary and fire safety standards. Directs the State to establish an ombudsman system to consider complaints and reports concerning the operation of long-term care facilities and to establish accreditation standards.

H.R. 8636. July 14, 1975. Ways and Means. Amends the Internal Revenue Code to allow a deduction for State and local public utility taxes, if such tax is separately stated.

H.R. 8637. July 14, 1975. Interstate and Foreign Commerce. Extends the maximum term of license and license renewal for the operation of broadcasting stations from three to five years.

H.R. 8638. July 14, 1975. Interstate and Foreign Commerce. Amends the Railroad Unemployment Insurance Act to increase unemployment and sickness benefits, and to raise the contribution base.

H.R. 8639. July 14, 1975. Ways and Means. Amends the Internal Revenue Code to increase the Federal unemployment tax rate and to revise the Social Security Act to direct the Secretary of the Treasury to transfer certain funds attributable to such increased unemployment tax from the employment security administration account to the Federal unemployment account.

H.R. 8640. June 14, 1975. Judiciary. Amends the Omnibus Crime Control and Safe Streets Act of 1968 to require that the comprehensive State plan required under the Act include provisions for the prevention of crimes against the elderly.

H.R. 8641. July 14, 1975. Judiciary. Specifies the tax treatment of a certain individual under the Internal Revenue Code.

H.R. 8642. June 15, 1975. Banking, Currency and Housing.

Directs the Secretary of the Treasury to strike gold commemorative coins bearing the seal or symbol of the American Revolution Bicentennial Administration.

H.R. 8643. July 15, 1975. Ways and Means. Amends the Internal Revenue Code to allow any duly registered individual, 18 years of age or older, to produce a limited amount of beer for personal use and not for sale without payment of any tax.

Imposes a penalty for production of beer for sale or for removal of beer from a brewery without payment of a tax.

H.R. 8644. July 15, 1975. Merchant Marine and Fisheries.

Directs the Secretary of the Interior to allow vehicular access through the Back Bay National Wildlife Refuge to owners of certain property on the Outer Banks in North Carolina.

H.R. 8645. July 15, 1975. Merchant Marine and Fisheries.

Authorizes appropriations to the Department of the Interior in order to provide additional financial assistance for consumer education and market development programs relating to United States fisheries. Establishes criteria for utilization of such funds by the Secretary of Commerce, acting through the National Marine Fisheries Service.

H.R. 8646. July 15, 1975. Interstate and Foreign Commerce.

Directs the Secretary of Transportation to make grants to certain States, political subdivisions of States, railroads, transportation authorities, and regional commissions for the purpose of providing employment in jobs repairing railroad roadbeds and facilities in areas identified by the Secretary of Labor as areas of substantial unemployment.

H.R. 8647. July 15, 1975. Interior and Insular Affairs.

Authorizes the Secretary of the Interior to declare certain costs for the emergency repair and modification of Conconully Dam in Washington to be nonreimbursable and nonreturnable.

H.R. 8648. July 15, 1975. Post Office and Civil Service. Makes certain publications of institutions of higher education eligible for second-class mail rates.

H.R. 8649. July 15, 1975. Ways and Means. Amends the Social Security Act to authorize Federal payments to States for programs providing certain social services regardless of the recipient's income or eligibility for benefits under another program, if such social services are provided in a manner consistent with certain State programs.

H.R. 8650. July 15, 1975. Banking, Currency and Housing. Authorizes the Federal Energy Administrator to make grants to States and localities for the development and operation of programs designed to assist low-income persons in insulating their homes. Directs the Secretary of Housing and Urban Development to establish energy conservation performance standards for newly constructed residential and commercial buildings. Authorizes financial assistance for research and demonstration activities to assist in the development of such standards.

H.R. 8651. July 15, 1975. Post Office and Civil Service. Prohibits the Postal Service from requiring the installation of mailboxes at the curb line of residential property in any locality if the governing authority of such locality prohibits such installation.

H.R. 8652. July 15, 1975. Public Works and Transportation. Authorizes the Secretary of the Army to delegate certain functions to the States with respect to the location and plans for structures, modifications, or dredging in or on certain navigable waters.

H.R. 8653. July 15, 1975. Public Works and Transportation. Establishes procedures for States to assume certain functions assigned to the Secretary of the Army and the Chief of Engineers with respect to intrastate waters.

H.R. 8654. July 15, 1975. Interstate and Foreign Commerce; Ways and Means. Directs the Secretary of Transportation (1) to study methods of allocating the cost of the national railroad system among users; and (2) to prepare a national railroad system plan.

Establishes a Railroad Advisory Commission to make recommendations concerning the needs of railroad transportation.

Authorizes the Secretary of Transportation to make grants to railroads and public agencies for railroad system planning. Imposes a 5 percent tax upon transportation of property by rail to meet the cost of such grants. Directs that income from such tax shall be transferred to a Railroad Trust Fund.

H.R. 8655. July 15, 1975. Education and Labor. Authorizes the Commissioner of Education to make grants to State and local educational agencies to assist in the education of Cambodian and Vietnamese refugee children.

H.R. 8656. July 15, 1975. Ways and Means. Amend the Tariff Schedules of the United States to allow duty-free importation of loose glass prisms for chandeliers.

H.R. 8657. July 15, 1975. Education and Labor. Prohibits the Secretary of Labor, when promulgating certain rules, regulations, and standards, from making such regulations applicable to nonwintering, mobile housing facilities used in the range sheep industry, nor to temporary camps utilized in range cattle operations.

H.R. 8658. July 15, 1975 Interior and Insular Affairs. Establishes the Chattahoochee River National Recreation Area in the State of Georgia.

H.R. 8659. July 15, 1975. Ways and Means. Amends the Internal Revenue Code to increase the amount of income qualified for the retirement income credit and to increase such amount each year based on the percentage of increase in the Consumer Price Index for such year.

H.R. 8660. July 15, 1975. Judiciary. Authorizes classification of a certain individual as a child for purposes of the Immigration and Nationality Act.

H.R. 8661. July 16, 1975. Banking, Currency and Housing. Amends the Fair Credit Reporting Act to prohibit the reporting by a consumer reporting agency of information of records of arrest, indictment, or conviction under specified conditions.

H.R. 8662. July 16, 1975. Banking, Currency and Housing. Prohibits any bank which has deposits insured by the Federal Deposit Insurance Corporation from refusing to honor or charging for honoring any check in an amount up to $1,000 drawn upon the Treasury of the United States upon presentation by the payee.

H.R. 8663. July 16, 1975. Agriculture. Amends the Watershed Protection and Flood Prevention Act to delete the restriction on the amount of any single loan or advancement for a plan for watershed works of improvement.

H.R. 8664. July 16, 1975. Banking, Currency and Housing. Authorizes the President to accept participation for the United States in the African Development Fund.

H.R. 8665. July 16, 1975. Ways and Means. Amends the Social Security Act by redefining "dependent child" for purposes of Aid to Families with Dependent Children to include a child living with the mother, father or any other relative.

H.R. 8666. July 16, 1975. Ways and Means. Amends the Internal Revenue Code to include as tax exempt organizations condominium associations, homeowner associations, and other similar corporations and organizations, not organized for profit.

H.R. 8667. July 16, 1975. Merchant Marine and Fisheries. Amends the National Environmental Policy Act of 1969 to require detailed statements on economic impacts as well as environmental impacts of proposed major Federal actions.

H.R. 8668. July 16, 1975. Post Office and Civil Service. Extends the period during which revenues from rates of mail as determined by rate schedule decisions for eligible publications mailed by a veterans' organization or association shall not exceed the direct and indirect postal costs attributable to the mailing of such publications.

H.R. 8669. July 16, 1975. Government Operations. Authorizes the Administrator of General Services to assign surplus Federal property to the Secretary of Commerce for disposal of such property to States and local areas threatened by unemployment as a result of the closing of Federal facilities. Requires that such property be used by the transferees for economic development purposes.

H.R. 8670. July 16, 1975. Ways and Means. Amends the Internal Revenue Code to allow the amount of an unused investment credit carried to its last usable year to be considered as a tax payment against the tax imposed for that taxable year.

H.R. 8671. July 16, 1975. Interstate and Foreign Commerce. Limits the authority of the Secretary of Health, Education, and Welfare, under the Federal Food, Drug, and Cosmetic Act, to regulate vitamins and minerals.

H.R. 8672. July 16, 1975. Interstate and Foreign Commerce. Directs the Secretary of Transportation to make grants to certain States, political subdivisions of States, railroads, transportation authorities, and regional commissions for the purpose of providing employment in jobs repairing railroad roadbeds and facilities in areas identified by the Secretary of Labor as areas of substantial unemployment.

H.R. 8673. July 16, 1975. Education and Labor. Directs the Secretary of Agriculture and the Secretary of the Interior to establish a Civilian Conservation Corps to provide employment for unemployed persons in projects connected with the conservation of the Nation's land and water resources. Authorizes grants for State conservation projects which meet eligibility requirements under this Act.

H.R. 8674. July 16, 1975. Science and Technology. Establishes a United States Metric Board to devise and carry out a program of planning, coordination, and public education with respect to making the metric system the predominant although not exclusive language of measurement in the United States.

H.R. 8675. July 16, 1975. Science and Technology. Establishes a United States Metric Board to devise and carry out a program of planning, coordination, and public education with respect to making the metric system the predominant although not exclusive language of measurement in the United States.

H.R. 8676. July 16, 1975. Judiciary. Establishes a Competition Review Commission to study the effect of certain laws, regulations, policies, governmental practices, and the competitive structure of major industries on employment, price levels, profit levels, efficiency, quality of goods and services, and the ability of domestic corporations to compete with foreign corporations. Directs the commission to recommend a program of legislative and executive action to the President and Congress which is designed to ameliorate anti-competitive conditions found to be detrimental to the public interest.

H.R. 8677. July 16, 1975. Ways and Means. Amends the Social Security Act by revising the conditions under which a State plan for Aid to Families for Dependent Children must deny aid for a child whose father is unemployed.

H.R. 8678. July 16, 1975. Post Office and Civil Service. Abolishes the Postal Rate Commission and specifies that rates of postage, fees for postal service and mail classifications shall be established by law.

H.R. 8679. July 16, 1975. Agriculture. Amends the Agricultural Marketing Agreement Act of 1937 to restrict the importation of filbert nuts, whenever the Secretary of Agriculture issues a marketing order, to those filbert nuts that comply with the grade, size, quality, and maturity provisions of the order.

H.R. 8680. July 16, 1975. Banking, Currency and Housing; Armed Services; Education and Labor; Government Operations; Ways and Means. Establishes in the Executive Office of the President an Office of Economic Adjustment and the Defense Economic Adjustment Council to facilitate the economic adjustment of communities, industries, and workers who may be substantially affected by reductions in defense contracts and facilities.

Requires defense contractors to make plans for the continued employment of workers and utilization of facilities once such defense contract is completed, curtailed, or canceled.

Authorizes financial assistance to the unemployed or underemployed employees of defense contractors.

H.R. 8681. July 16, 1975. House Administration. Authorizes and establishes procedures for public financing of primary and general election campaigns of candidates for election to Congress.

H.R. 8682. July 16, 1975. Veterans' Affairs. Sets forth the amount of reimbursement which the Administrator of Veterans' Affairs shall pay to the States for furnishing domiciliary, hospital, or nursing home care to eligible veterans who receive such care in State facilities.

H.R. 8683. July 16, 1975. Science and Technology. Requires that prototype exhaust emission control systems designed to meet environmental standards be tested for other deleterious environmental side-effects. Authorizes the Administrator of the Environmental Protection Agency to establish procedures for field testing and review of such tests.

H.R. 8684. July 16, 1975. Public Works and Transportaton. Amends the Federal Water Pollution Control Act to redefine Corps of Engineers authority to require permits for the discharge of dredged or fill materials into the channels of navigable waters.

H.R. 8685. July 16, 1975. Atomic Energy. Directs the Nuclear Regulatory Commission and the Energy Research and Development Administration to limit the export of nuclear fuel or nuclear technology to those nations which are parties to certain international agreements and which have also restricted the flow of nuclear technology to parties of the nuclear non-proliferation treaty.

Authorizes the President to waive such

restrictions if the export of such technology is deemed to be in the national security interests of the United States.

H.R. 8686. July 16, 1975. Atomic Energy. Prohibits the transfer of atomic or nuclear energy technology or materials to foreign nations without the express approval of Congress.

H.R. 8687. July 16, 1975. Agriculture. Amends the Food Stamp Act of 1964 by revising (1) eligibility standards; (2) the method of determining the amount of the coupon allotment; (3) administration of the program by State agencies, including the eligibility certification procedure and duties imposed on issuing agents; and (4) the method of computing the Federal share of program costs and of making payments to the States. Transfers the functions of the Secretary of Agriculture under the Food Stamp Act of 1964 to the Secretary of Health, Education, and Welfare.

H.R. 8688. July 16, 1975. Post Office and Civil Service. Redefines the term "disabled veteran" to include any individual who received a service-connected disability while serving on active duty, active duty for training, or inactive duty training in the Armed Forces.

H.R. 8689. July 16, 1975. Interstate and Foreign Commerce. Amends the Public Health Service Act to authorize the Secretary of Health, Education, and Welfare, acting through the National Institute for Health Information, Education, and Promotion which is hereby established, to conduct and support by grant or contract programs in health information, education, and promotion, preventive health services, and education in the appropriate use of medical care.

Revises and extends appropriations for disease prevention and control programs and for venereal disease prevention and control under the Public Health Service Act.

H.R. 8690. July 16, 1975. Interior and Insular Affairs. Revises Federal mineral leasing laws to place restrictions on the location of mining claims. Establishes criteria and procedures for the issuance of mineral leasing patents.

Establishes procedures for the filing of declarations of interests in unpatented mining claims and mill sites with the Secretary of the Interior. Requires that applications for patents be filed within five years of the filing of a declaration of interest.

Includes provisions regarding the payment of royalties, applicability of environmental law, maintenance of records, and the acquisition of lands.

H.R. 8691. July 16, 1975. Judiciary; Merchant Marine and Fisheries; Interior and Insular Affairs; Science and Technology. Revises the Outer Continental Shelf Lands Act to establish a policy for the development and management of oil and natural gas on the Outer Continental Shelf designated to protect the marine and coastal environment.

Directs the Secretary of the Interior to establish a comprehensive exploratory program to develop potential oil and gas leases. Directs the National Oceanic and Atmospheric Administration to assume lead responsibility in preparation of environmental impact statements.

Revises bidding and lease administration procedures.

Authorizes the Secretary of Transportation to report on pipeline safety and operation on Federal lands and the Outer Continental Shelf.

H.R. 8692. July 16, 1975. Public Works and Transportation. Permits certain signs and notices along Federal highways right-of-way relating to information about travel-oriented services and facilities.

H.R. 8693. July 16, 1975. Judiciary. Directs the Secretary of the Treasury to pay a specified sum to a certain individual in full settlement of such individual's claims against the United States for certain moving expenses incurred as the result of such individual's transfer of duty station at the request of the United States Navy.

H.R. 8694. July 16, 1975. Judiciary. Authorizes the admission of a certain individual to the United States for permanent residence.

H.R. 8695. July 16, 1975. Judiciary. Declares a certain individual the natural-born son of specified citizens of the United States for purposes of the Immigration and Nationality Act.

H.R. 8696. July 17, 1975. Judiciary. Amends the Federal Tort Claims Act to allow a United States citizen to bring a civil action against the United States on certain claims arising in foreign countries.

H.R. 8697. July 17, 1975. Judiciary. Amends the Gun Control Act of 1968 to impose additional penalties for using a firearm to commit a felony or for carrying a firearm during the commission of a felony. Specifies that in the case of a second or subsequent conviction (1) the sentence may not be suspended; (2) probation may not be granted; and (3) terms of imprisonment may not be imposed concurrently. Allows the United States to appeal suspended or probationary sentences given to first offenders under this Act.

H.R. 8698. July 17, 1975. Veterans' Affairs. Revises the conditions under which the Administrator of Veterans' Affairs shall extend educational assistance or subsistence allowances to eligible veterans or eligible persons enrolled in certain courses not leading to a standard college degree.

H.R. 8699. July 17, 1975. Armed Services. Revises the method of computing the retired pay of individuals who completed service as sergeant major of the Marine Corps before December 16, 1967.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

184. The SPEAKER presented a petition of David A. Clarke, Member of the Council of the District of Columbia, relative to legislation pending in the Council concerning the publication of the District of Columbia Code, which was referred to the Committee on the District of Columbia.

EXTENSIONS OF REMARKS

ROGER WILLIAMS

HON. JOHN O. PASTORE

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Thursday, July 31, 1975

MR. PASTORE. Mr. President, Mrs. Virginia Louise Doris, a charming lady of boundless energy and enthusiasm from Pawtucket, R.I., has composed a beautiful poem to honor the memory of Roger Williams, the great freethinker who founded Rhode Island and Providence Plantations.

Roger Williams, banished from the Massachusetts Bay Colony because he refused to conform to established religious doctrines in that colony, and on the verge of being arrested and deported because of his nonconformist religious principles, fled from Massachusetts in 1636 and founded the settlement that was to become Rhode Island.

Roger Williams' settlement became the first free haven of religious worship in the New World. But he gave us more than the great State of Rhode Island and Providence Plantations. He bequeathed to the Nation a set of principles that we have enshrined as basic rights in the Constitution—principles that were first practiced in Rhode Island: Fundamental precepts such as the freedom of religion, separation of church and State, freedom of thought and freedom of speech we owe to Roger Williams.

Mrs. Doris is an avid amateur historian who has done extensive and valuable research concerning Roger Williams. I think it would be appropriate, as we approach the Bicentennial Year of our great Republic, to publish her poem in the RECORD so my colleagues will have the opportunity to share the pleasure I derived from reading it, and I ask unanimous consent that this be done.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

ROGER WILLIAMS SPRING

Towne Street

—1636—

Coming into the freedom places—
And bringing with him the pure heart
And the ethic will—
He was a reverent agent:
Devotedly he came with graces
Such as a healer would impart,
So compassionate his spirit.

Any human and his soul,
Surely would seek out the fount,
If being of the pure heart, the will;
He did move resolutely,
Through the green brush over the knoll,
Sensing that omnipotent mount
Furls close—to give, to fill.

Attend: Truly a righteous man,
With a rugged face like such faces,
With a pure heart and an ethic will,
Is what you are seeing,
Where no religious hid and no believer ran,
One who came into the freedom places,
For the freedom need of spirit.

BROOMFIELD CALLS FOR FOREIGN POLICY SUMMIT CONFERENCE

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. BROOMFIELD. Mr. Speaker, even the most casual observer of the American political scene has noticed that the President's task of shaping a new post-Vietnam foreign policy has been extremely difficult of late. As Secretary of State Kissinger recently put it:

> The Administration is more naked to day-to-day pressures of public opinion than has been the case throughout the entire postwar period.

Consequently, it is not surprising that many foreign leaders are asking themselves, "Who really speaks for the United States?" Recently in Brussels, a senior European diplomat worrying about Turkey's role in the North Atlantic Treaty Organization said:

> It isn't just the State Department or the President any more; it's Congress now. So you can't sit down with one or two people and work things out. There were 50 Congressmen through here recently, and we all tried to persuade them that it's too dangerous to cut off Turkey's arms supply. But they were only 50, they don't decide.

I have no quarrel with Congress' renewed power in foreign policy; but I am concerned that Congress may not be accurately reflecting the will of this Nation on matters of the utmost importance. I am fearful we are becoming too sensitized to certain lobbies without our constituencies and, as a consequence, are losing our perspective as to what is good for this country as a whole.

Many will challenge the contentions I have just made, but to them I rejoin: Let us open up our major foreign policy questions to a public debate and see how the Nation at large views them. Specifically, what I have in mind is that the President call for a "Foreign Policy Summit Conference," patterned along the lines of last fall's "Economic Summit Conference." Such a conference would invite the opinions of all elements of our diverse society, and with nationwide TV coverage, it could serve as a very effective means of educating the public to the implications and/or ramifications of adopting a particular foreign policy. A recent Harris poll reveals that the average citizen relies heavily upon TV as a source for information on U.S. foreign policy. Out of this forum could emerge a majority viewpoint of just what this country's international role should be today.

Furthermore, it might provide the President and the Secretary of State with the input and insights they need for building a foreign policy that would enjoy a high degree of popular and congressional support. If this should be accomplished, we can rest assured that the credibility of our foreign policy would be greatly enhanced and the anxieties of our nervous allies allayed.

As one political pundit declared recently:

> Americans may be exhausted by war and all the rest, but there is no escaping a role in the world. We had better decide what it should be, and reasonably soon.

RETIREMENT OF GEN. MICHAEL S. DAVISON, OF LATE, THE COMMANDER IN CHIEF OF THE U.S. ARMY IN EUROPE

HON. JOHN TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Thursday, July 31, 1975

Mr. TOWER. Mr. President, I had the distinct privilege of attending on June 30, 1975, the retirement ceremony of Gen. Michael S. Davison, of late, the commander in chief of the U.S. Army in Europe.

I would like to take this opportunity to congratulate him on 36 years of distinguished service to the Army and the American people.

His duties have covered the widest range of responsibilities from the rigors and dangers of a combat officer to positions requiring the greatest diplomatic acumen. A career that would be noteworthy by itself was crowned by assignment as both commander in chief of USAREUR and commander of NATO's central army group. His experience and leadership are in large measure responsible for the improved state of readiness I saw on my most recent inspection of our troops stationed in Germany. Seldom have the efforts of a single man been so clearly evident as in this magnificent accomplishment. I am certain I speak for my colleagues and for the American people when I express a sincere and abiding appreciation of those efforts.

The retirement ceremony and change of command were, as always, impressive. But I believe because of Mike's particular contribution to our country I should share with my colleagues the remarks of those who attended the ceremony. I therefore ask unanimous consent that those remarks be printed in the RECORD, to include speeches by: General Weyand, Chief of Staff of the Army; General Haig, Supreme Allied Commander, Europe; General Davison himself; General Blanchard, the new CINCUSAREUR; and General Ferber, CINCENT.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF GENERAL WEYAND

First of all, Captain Redding, permit me to express my compliments and commendations to you and your comrades from Central Army Group for this ceremony. It's a ceremony fitting the magnificent officer and leader that we honor here today.

Today we are gathered here to recognize General Michael S. Davison's achievements over thirty-six years of a truly distinguished career capped by his brilliant accomplishments in the most challenging command in the United States Army. The highest accolade for any leader is in the success of his command. And the progress of the past four years in United States Army, Europe is eloquent testimony to that success. The United States Army, Europe is the largest and most critical overseas command in our Army. It is the keystone of free world defense in this most crucial and critical area of the world.

Last March the chairman of the Joint Chiefs of Staff noted that the significant importance, the strategic importance of Western Europe to America's national security is second only to that of the territorial United States. The past four years have seen dramatic progress in building, strengthening and shoring up our contributions to the defense of Europe. The Army here under General Davison's leadership has been firmly established as a trained, ready and stable force. One which is heads-up, proud, capable and a credible deterrence to aggression.

Over the past two years, this command has converted thousands of headquarters and support-manpower spaces to combat units in Europe. Morale and readiness have been steadily improving as has the quality of life of the American soldier. General Davison has engendered a fresh and positive attitude throughout this entire command. As most of you know, Secretary of the Army, Bo Callaway has been called by the President to assume a new challenge and thus, he was unable to be here today as he has planned. He especially asked that I pass on his personal compliments to General Davison and to tell you that success story of the Army in Europe is one of the most impressive achievements that he has witnessed during his time as Secretary of the Army. Mike, the Army is proud of you, and you leave this command with "well done" from a grateful nation.

Finally, let me say that one of the key elements in the enduring strength of the United States Army has been its capacity to produce one distinguished leader to replace the void left by another distinguished leader. You have witnessed that such an event here today. And, General Blanchard, as you assume command here, I give you my best wishes and I pledge you, as Chief of Staff of the Army, my fullest support.

REMARKS OF GEN. ALEXANDER M. HAIG, JR.

We are here in Heidelberg this morning not just to witness a performance Change of Command ceremony, but in addition, to bid farewell to Mike and Jean Davison. And, to bid welcome to George and Beth Blanchard.

Mike Davison's thirty-six years of accomplishment have truly been remarkable because of their consistency; thirty-six years of successful contributions. Indeed, these past four years have been no exception. It would be impossible for me, this morning, to attempt to capitalize or capsulate those achievements. But, I do think our first Commander-in-Chief, General George Washington, some two hundred years ago this month, came closest to giving us a clue to the true essence of Michael Davison's achievements. General Washington described discipline as the soul of an army. It fell on Mike Davison's shoulders to refurbish and revitalize the discipline of United States Army, Europe at a time when it had been the victim of a great diversion of national effort and resources. Mike Davison accomplished this task magnificently.

And, so Mike and Jean, as you depart here this morning, you must do so with the assurance that you have the respect, the admiration and indeed, the affection of each and every one of us.

And you, George and Beth, you assume your responsibilities uniquely qualified to carry on, and to make magnificent the traditions of your predecessor. Be assured you do so, with the best wishes, hopes and confidence of each of us.

You know the Change of Command ceremony this morning has embodied all of the ingredients of a traditional Change of Command. It has provided an opportunity for a reassessment of accomplishments of the past. For the endeared memories which have been crystalized by shared hardship and sacrifice; and indeed, for a tinge of sadness. But, it has also blended an opportunity for each of us to face the future challenges with confidence, built on a base of solid accomplishment. And, it has done more than that, because this is a unique Change of Command ceremony.

As we look to our front, we see the magnificent forces of three of our major nations; as we look in this audience, we see the personnel of additional member states. We can take this opportunity to also reassess, and to raise a part of our being. And, that is the continued health, vitality and solidarity of this great Alliance which has purchsed for the free world some twenty-six years of peace with security.

GEN. MICHAEL S. DAVISON

I must first of all thank General Haig, General Ferber and General Weyand. These were very wise and kind remarks which I accept on behalf of the men and women of United States Army, Europe. Forty years ago, on the second of July, I stood under a broiling sun, and along with some eight hundred classmates at West Point, I was sworn into the United States Corps of Cadets. None of us was certain of his destiny and surely, I was not.

The world has turned over many times since then, and life has lead us to many corners of the globe. That I should be here today can only be attributed to God's will, good fortune and the loving support of my devoted wife, Jean and our children.

To those of you who wear the uniform of the United States Army here in Europe, I say to you that you serve a noble purpose, not just the freedom and security of Western Europe, but the freedom and security of our own beloved country. I am proud of the accomplishments of the men and women of United States Army, Europe. I consider it to be the greatest of privileges to have served with you for the past four years.

Significant progress marks those years. Progress to which the German people have contributed to by making resources available to improve the living conditions of our soldiers and by sympathetic understanding in the resolution of our mutual problems.

As Commander of Central Army Group, my sense of pride and privilege is extended also to the German and Canadian soldiers who I command. They together with their American colleagues, form a bulwark in the heart of Germany upon which rests the defense of the Central Region. They are to be counted amongst the finest soldiers in the world today. The German, Canadian and American people owe them a debt of gratitude for their dedication to the preservation of liberty.

I am grateful for the excellent cooperation that exists between the French, German, Canadian and American forces. The security of the democratic way of life is as important to the French soldiers as it is to any of us. He understands, as we do, that only through collective action can the North Atlantic Alliance safeguard freedom for its people.

I wish to express the appreciation of both, Mrs. Davison and myself, to our Heidelberg hosts of the past four years, the citizens of this lovely city. A city where we will truly leave our hearts. We are grateful for your hospitality and for your support. We shall miss you and the beautiful vistas of the Neckar valley.

Finally, let me say I have known my successor, General George Blanchard for a long number of years. I admire and respect his professional ability and value his personal friendship. I turn you over to the best of hands and nothing could please me more.

And so, fellow soldiers, ladies and gentlemen, Mrs. Davison and I bid you farewell. There is no better way to say it than auf Wiedersehen. May God bless each of you.

REMARKS OF GEN. GEORGE S. BLANCHARD

Soldiers of the United States Army, Europe and of our NATO Allies, Distinguished Guests, Ladies and Gentlemen:

In assuming these commands, I follow in the path of a truly outstanding Commander-in-Chief; a man who has honored and inspired us all through his leadership, vision, and most of all, his very presence. General Davison, you have been first and foremost a soldier and a great captain. You brought to this command an added dimension at the moment it was most needed. You recognized the basic needs and ideals of our soldiers and instituted progressive policies and programs which have resulted in the rebirth of the morale and fighting spirit of the United States Army, Europe and Seventh Army.

Your creative and inspiring leadership has earned you the unwavering support and loyalty of your soldiers and commanders and I pledge to continue your imaginative and visionary programs.

From you, the soldiers and civilians of the United States Army, Europe and Seventh Army, I ask for your loyalty, assistance and advice. No single commander or soldier can see and know everything. We must work together as a team of professionals mindful of our unit and individual responsibilities and the service our Allies and nation expect from us. I shall listen and learn from each of you as I strive to fulfill my command responsibilities.

The troops of U.S. Army, Europe form a part of the military forces of North Atlantic Treaty Organization. I intend to do my best to ensure that this command remains ready to accomplish its primary mission of deterring war while being fully prepared to fight. As the commander of Central Army Group, I shall work in pursuit of NATO's purposes and goals. To my Allied commanders-in-arms, I pledge my cooperation in the fulfillment of our Atlantic partnership—a partnership of equals joined together by a common purpose, and faith in the future.

REMARKS OF GEN. ERNST FERBER

Saying farewell to General Michael Davison marks an important event in NATO's Central Region. The Commander, Central Army Group, is leaving us after four most successful years. As Commander-in-Chief of United States Army, Europe he was responsible for the American contingent of this Army Group. As you have heard, he has welded this force in four years, after difficult tasks, to a most effective and combat-ready force of high morale. Organization of equipment and strengthening of the combat elements has increased its capabilities.

I am happy to state in the presence of this Chief of Staff of the United States Army, the decisive importance of the stationing of American ground forces in Europe's Central Region. To quote General Abrams, "There is no better means in showing a nation's intention than a firm commitment on the ground."

In his capacity as Commander, Central Army Group, General Davison has been an inspiring commander. He has created amongst the Canadian, German and American forces of this Army Group, the spirit of cooperation, of harmony and comradeship. He has essentially improved our common organization, training and the effectiveness of our defense plans. He has worked perfectly together with Northern Army Group and with the German civilian authorities in the *laender* of the area of Central Army Group. He has had good relations with the French forces located in southern Germany. I am also fortunate in enjoying a very close relationship with him. He was a loyal and fine commander who gave frank and wise advice. His humanity and his professional capacities gave him the chance to fulfill his mission so perfectly.

Both of us are retiring nearly at the same time. We know our common feeling. And, I know that General Davison's heart will remain with the Army. He will continue, as a civilian, to do everything to strengthen our common defense efforts. You can be proud and satisfied General Davison about everything you have achieved here. The greatest achievement, certainly, is that you could contribute so much to maintaining peace for our Alliance here in Europe.

I have to thank you from my heart General Davison, as a commander. I have to thank you Mike, as a friend, for everything. But not only General Davison is leaving us, Mrs. Davison goes with him. Mrs. Davison has, as a soldier's and general's wife, helped and supported him to do the great work. She has done a lot to create friendship among us in NATO and between Americans and Germans. We owe to her, deep gratitude. Thanks to both of you, God bless you Jean and Mike.

You, General Blanchard, have been nominated as Commander of Central Army Group. We all know you as the most effective commander of Seventh United States Army Corps. We congratulate you. We are looking forward to working with you. We wish you good luck in your important and honorable assignment

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FACILITIES FOR TREATMENT OF BURNS

HON. LEO C. ZEFERETTI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ZEFERETTI. Mr. Speaker, among all the major industralized nations in the world, America can lay claim to the fact that it has one of the highest death rates from fire and serious burn injuries. The National Commission on Fire Prevention and Control has revealed the astounding findings that less than 100 of the 6,000 general hospitals across our country provide specialized burn care. As a result, these few hospitals treat only a mere 8 percent of all patients with serious burns. The rest of the burn victims are forced to rely solely on alternate sources of treatment, most of them inadequate or minimal in scope.

Major medical centers should possess a burn facility; burn victims require specialized and experienced care which can not possibly be offered by hospitals and centers with ordinary surgical or intensive care units. These victims need professional treatment as well as specially designated areas for treatment which would isolate them from the possibility of fatal infections. These areas would be used solely by burn patients and would guarantee special care.

In the last few decades, much research has been undertaken in the field of burn injuries. However, it is regrettable that this research and the resultant findings have yet to be utilized on a general basis, and the recommendations have yet to be heeded; burn facilities in most of our major medical centers have yet to be constructed.

The Burn Facilities Act of 1975 would begin to fill the gap between the need for such burn facilities and implementation of the special programs for such treatment. This legislation, which I have joined in sponsoring, will provide for aid in setting up 12 new burn care centers, including research and teaching facilities, 24 burn treatment units, and aid in the upgrading of existing burn programs in general hospitals.

It is extremely difficult for me to understand how we can lag behind other countries in this area. Health care is not a partisan issue. What we have here is a failure to implement the findings of researchers so that many thousands of our fellow citizens can be aided. It does us no good to have the technology at hand and let it lie unused. Under this measure, we could go a long way toward making a dent in the accumulated but underutilized stock of knowledge, and go a long way toward aiding those who have been helpless in the past.

SPRUILLE BRADEN CALLS KISSINGER "ILL-ADVISED AND IGNORANT" ON PANAMA

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SNYDER. Mr. Speaker, on June 26 this body agreed to my amendment to the State Department appropriations bill that forbids funds under that measure from being used for negotiations that surrender any U.S. rights over the Panama Canal Zone.

The Senator from Virginia, the Honorable HARRY F. BYRD, JR., has introduced my amendment in the other body.

I want to call the attention of my colleagues in the Congress to a recent statement by the Honorable Spruille Braden which makes that amendment all the more worthy of acceptance by the Senate, despite strenuous lobbying against it by Secretary Kissinger.

Mr. Braden, who served as Ambassador to Argentina, Bolivia, Colombia, and Cuba, has had a background that eminently qualifies him to make the remarks which follow. His statement, entitled "Panama and the U.S.A.: The Real Story," was published by the nonprofit Americanism Educational League located in Buena Park, Calif.

The statement follows:

FROM AMERICANISM EDUCATIONAL LEAGUE: PANAMA AND THE UNITED STATES OF AMERICA—THE REAL STORY

(By the Honorable Spruille Braden)

When I first saw Panama, in 1904, United States Army engineers were just starting to survey and excavate for the Panama Canal. Included was building of Madden Dam to form Gatun and Miraflores Lakes, to supply the vast quantities of water needed to operate the locks and make possible the passage of ships across the Isthmus.

VITAL DEFENSE ROLE

The Canal was built to be a major artery of world commerce, and treaties were made with the countries of the world guaranteeing fair and equal access and treatment on ship tolls. But a far more important consideration was its vital role in defense of the Americas. To this end, it was obvious from the beginning that the United States had to be absolutely and irrevocably sovereign over the Canal and its 10-mile-wide Zone.

The French had had a concession to build a Canal, but they failed, mostly due to health problems. As a 10 year old boy, I saw the remains of their machinery rotting in the tropical swamps. In 1906 I saw hundreds of tiny steam shovels digging long channels through the mountains where the Canal was to pass. Since then, I've been in and through Panama dozens of times, and I was special Ambassador at the first inauguration of Arnaulfo Arias as president. I know something about our Panama Canal!

Prior to 1903, Panama was part of the Republic of Colombia. After the French failed in their Canal project, Washington approached the Colombian government seeking an agreement enabling us to acquire, construct and operate in perpetuity a Canal through the Isthmus. Sea travel between the East and West coasts of the United States would be reduced by nearly 8,000 miles, and advantages to the entire west coast of South America would be enormous.

A BRIEF REVOLUTION

But the Colombians were difficult to deal with. Finally, the local population of Panama, allegedly with indirect encouragement from Washington, proclaimed their independence from Colombia. After a successful 2-day revolution, the new nation of Panama was recognized by the United States. Shortly thereafter, on November 18, 1903, the Hay-Bunau-Varilla Treaty was signed. Under its terms, "sovereign powers, rights and authority over the Canal Zone in perpetuity" were granted by Panama to the United States.

On May 25, 1904, Panamanian Secretary of Government Tomas Arias sent a clearcut note to the American government, as follows, "The government of the Republic of Panama considers that upon the exchange of ratifications, on February 26, 1904, of the Treaty for opening the inter-oceanic Canal across the Isthmus of Panama, its jurisdiction ceased over the Zone."

In 1907, the U.S. Supreme Court thoroughly reviewed the validity of our ownership of the Canal Zone territory and ruled that the treaty had been duly ratified, that our title to the territory was legal, and that the property belonged to this nation.

COMPENSATION IN FULL

Many Colombians for years complained bitterly that the government of President Theodore Roosevelt had, in 1903, encouraged the Panamanian revolution and recognized the new nation prematurely. However, Colombia in 1914 accepted $25 million as compensation *in full* for any injuries they claimed to have suffered at American hands.

This little story is quite revealing: Early in 1939, I arrived in Bogotá as American Ambassador to Colombia . . . and promptly ran into a hail of press abuse with regard to America's part in the Panamanian cessation from Colombia. Finally, I secured an appointment, through President Santos, with the country's leading newspaper publisher, to defend America's position in this whole matter. When I brought it up, he said, "Don't give this affair another thought, Mr. Ambassador. The best thing that ever happened to Colombia was to be rid of Panama!"

He added, "Continued ownership and operation of the Canal by the United States is imperative for our security on the West Coast and the trade of our Pacific ports." Two former Colombian presidents, and prominent leaders from other countries on the West Coast of South America, told me the very same thing!

"NO MORE CONCESSIONS"

During the late 1930's, Under Secretary of State Sumner Welles negotiated and signed with the then-President and Foreign Minister of Panama a few slight amendments to the 1903 Treaty, mostly to increase the amount of annual payments to the Republic. Attached to the agreements was a memo by Welles declaring that these dignitaries had officially stated that they had received "everything that Panama could possibly want from the United States and henceforth would request no more concessions."

Indeed the benefits to the Zone and to the Republic of Panama have been substantial. The country always had been a pest-hole. Yellow fever, bubonic plague, smallpox, malaria and other virulent diseases were endemic. The U.S. Army medical staff was commissioned to sanitize the Isthmus . . . and they performed wonders. They practically made a health resort of the Canal Zone, and extended their work of draining swamps the entire country. The completed Canal was and is a miracle of engineering and medical inspiration, ingenuity, science and skill.

The Republic of Panama through the years has been paid handsomely both in dollars and in improvements such as hotels and railroad terminals. Its share of ship tolls has risen from the original amount of $250,000 a year to the present $1,930,000 annually, almost a 700% increase! Private landowners within the Zone were compensated liberally for their properties. And through local purchases and jobs, more than $100,000,000 are being injected each year into that tiny republic's economy from Canal Zone sources!

DEMAND NEW TREATY

In recent years the Panamanian government has demanded that the 1903 Treaty be replaced by one giving that country for 25 years or less the equivalent of full judicial and partnership rights over the operations and revenues of the Canal, and exclusive ownership of the entire Zone and Canal thereafter.

Secretary of State Henry Kissinger, on February 7, 1974, signed with the Panamanian Foreign Ministry a "Statement of Principles" which calls for a new Treaty almost in whole to embrace these demands. The only difference appears to be that Kissinger would like a longer period than 25 years.

On March 1, 1975, in Houston, Kissinger told the Combined Services Clubs, "We are ready to acknowledge that it is reasonable for Panama to exercise jurisdiction over its territory"! This despite the strict terms of the 1903 Hay-Bunau-Varilla Treaty giving the U.S. sovereignty in perpetuity over the Canal Zone!

"UNLAWFUL AND ABSURD"

It would be equally unlawful, unpatriotic and absurd for us to return the vast areas of the Louisiana Purchase to France, Alaska to Russia, Texas to Mexico, the Virgin Islands to Denmark, or parts of Florida to Spain, England or France!

In 1946, Alger Hiss, then occupying an important State Department position in charge of U.N. affairs, turned in a report to the United Nations referring to Panama as "occupied territory." No such false report should have been made! This matter is just one more indication of the Soviet Communist all-out drive to divorce the Panama Canal from our control. It has always been one of Moscow's firm policies to dominate all interoceanic waterways.

Another example of this arose in 1959 when, as an opening act of aggression, the Communist-Castro regime in Cuba tried to invade Panama, apparently planning to blow up Madden Dam and paralyze all Canal traffic for years. This 1959 attempt was merely a rehearsal for the Soviets' much grander and all-embracing program—eventually to surround, isolate and conquer the United States! Since then, Cuba has continued under the Komintern sway, the Russian missile and submarine bases plus 12,000 troops on that unhappy island.

ATTEMPTED BLACKMAIL

Increasingly the Panamanians have launched a campaign of attempted blackmail against America, implying that, if the "Statement of Principles" agreed to by Secretary Kissinger is not incorporated into a new Treaty and ratified by the U.S. Senate, grave trouble, riots and bloodshed will ensue. The Panamanian Dictator, General Torrijos, has said, "If these negotiations do not conclude satisfactorily, Canal operations could come to a total halt by guerrilla tactics."

Dictator? Yes, Americans should realize that Panama is ruled today—and since October 11, 1968—by a pro-Marxist military dictatorship which overthrew the constitutionally elected government. This illegal regime, imposed by force on Panama, does not truly represent the 1½ million people of that "Republic."

"ILL-ADVISED, IGNORANT"

Secretary Kissinger appears to be ill-advised and ignorant of the history, moral commitments and other pertinent facts concerning the relationship of the United States to Panama, the Canal and the Zone. He ignores U.S. Supreme Court decisions, along with the wisdom of Congress since 1904. He rejects the experience and opinions of former Presidents and Secretaries of State. He proposes to give away the sovereign rights, power and authority of the United States, along with the property of our citizens. He risks the dignity of this great nation in a futile gesture which will benefit only:

1. A handful of Panamanian politicians, including Communists and agitators;

2. The Russian, Chinese and other Communist countries;

3. Communists and guerillas throughout the western hemisphere, who plan to destroy all freedoms everywhere.

It is to be feared that the new Treaty with Panama, based on the "Statement of Principles" would prove in its effects far more humiliating—not to say disastrous—for the United States than did the so-called Paris Peace Treaty with North Vietnam!

A LETTER FROM A CONSTITUENT

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SKUBITZ. Mr. Speaker, I have just received a letter from a long-time friend and constituent of mine, who resides in Girard, Kans. Don writes the way Kansas people think. His letter expresses the sentiments of the grassroots people in my district.

I insert in the RECORD the following copy of his letter:

DEAR JOE: As a part-time—second-rate—spasmodic writer, I will try to keep this concise.

I'm not writing concerning your 'opinion poll.' I'm just letting one postage stamp do two jobs.

You know—if my personal finances were in a state of crisis—if I was so deeply in debt that I couldn't even pay the interest on my obligations, I don't think I would try to spend my way out of trouble. I would retrench; I would tighten my belt; I would draw a sharp line between necessities and luxuries. I would do what you and I both did 40 years ago—make over, make do, or do without.

When are the powers that be (in our national capital) going to admit that the so-called 'prosperity' of the last 10–20–30 years is a fake, an imitation, a mirage? A national debt ceiling of 577 billion!!! Is that prosperity?

Nobody wants to see another Depression. But it appears to this unenlightened printer-writer that a good long recession would help in a lot of ways. I won't enlarge on the point—I promised to keep this short. But we're a nation of softies, indolent workers, legal panhandlers, parasites and whiners. I think it was the Republicans of 1932 (or maybe 1936) who coined the phrase "rugged individualism." There's bloody little of that virtue apparent today—and frankly I would relish the economic pinch that would bring it out again; give back the self-confidence, self-reliance and self-respect that has to a great extent disappeared from the American lifestyle.

I'll quit there. As Kate Smith used to say, "Thanks for listening."

Sincerely,

——— ———.

THE $7.5 BILLION BLIGHT

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. GAYDOS. Mr. Speaker, some time ago I called attention to the automobile rust problem which is as costly to the American motorist as the White House-induced increases in the price of his gasoline.

Now I am glad to report that the respected magazine, Popular Mechanics, has taken up the subject and documented the cause and the effects of it with statistics that no longer can be overlooked in Detroit.

Rust, Michael Lamm, a Popular Mechanics editor, found, has become a $7.5 billion a year blight, meaning an average cost to every person who drives a car of $150 a year.

And the situation is growing worse, Mr. Lamm reports. Increased use of salt on the highways in wintertime means more and more blighted fenders and bodies. Car design, too, contains pockets where salt and slush accumulate and begin their corrosive action.

I have heard from constituents who have had virtually new cars turn up pocketed with "cancer" marks and rusted fender edges. Mr. Lamm's checkup proves this not to be unusual. He says the average life of the automobile is dropping year by year.

What can be done about it? According to Mr. Lamm, there are ways in which the rust problem can be abated and all that is needed is for Detroit to adopt them. For one thing, the industry can get back to using thicker gauge body steel. All car makers have thinned up over the years.

In addition, there are primers, sprays, sealers, waxes, insulations and a number of other methods by which bodies and fenders can be made to last longer. Also, designs can be changed to eliminate rust pockets. Rustproof metal can be used in vulnerable areas.

And still Detroit chooses to overlook the problem and chiefly because, as Mr. Lamm writes, of "the meekly accepting attitude of the American public." He adds:

> Why isn't anyone hollering? Why isn't the Department of Transportation all fired up? Or the Department of Health, Education, and Welfare, since there is a health problem (rust-caused accidents)? Or the Office of Consumer Affairs, since it's costing consumers all that money? But no one's saying a word.

Well, I announce now, that I intend to begin hollering. The Amercan motorist is being taken for a hectic ride in these times. He has been socked for higher priced gasoline by the Arab oil embargo and President Ford's import levies. He has been threatened with more and more price punishment. And, as Mr. Lamm now finds, he is the collective victim of a $7.5 billion rust blight. He needs help in Washington and, in my opinion, every agency of Government which bears some responsibility for his welfare ought to get busy and compel the automakers to do something about the rusting cars.

A car can be rustproofed commercially for around $100. It seems to me that Detroit could do this job much cheaper on its assembly lines and that, if cost is a consideration, certain useless gadgets now placed on cars could be eliminated to hold their prices down. I see no excuse for any auto company to keep foisting an inferior product on its customers.

PERCY SUTTON ADDRESSES THE PROBLEMS OF CITY AND STATE GOVERNMENT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. RANGEL. Mr. Speaker, while reports of the financial plight of New York City continue, it is easy to forget that virtually all of our Nation's urban areas are experiencing budgetary difficulties. While fiscal mismanagement is undoubtedly a factor in specific instances, in most, the causes are national, not local, at base.

I am pleased to insert into the CONGRESSIONAL RECORD the following commentary by Manhattan Borough President Percy E. Sutton. This summary is accurate and compelling testimony to the fact that New York City is by no means in a unique position. I hope my colleagues will review his thoughtful words as we attempt to solve the urgent economic woes of our cities. The article follows:

NEWS FROM PERCY E. SUTTON, PRESIDENT, BOROUGH OF MANHATTAN

The following is a Commentary on "Problems of City and State Government" delivered by Manhattan Borough President, Percy E. Sutton on his "Percy Sutton Report" television show on WOR–TV (Channel 9) Sunday, July 20, 1975, 9:30 A.M. at the conclusion of his interview with Mayor Abraham D. Beame.

New York's Mayor Abraham Beame was greeted warmly and sympathetically by his fellow mayors at the recent Mayor's conference in Boston.

For awhile, national attention has been riveted on New York City, with our garbage pile-ups, our police demonstrations, and our wild-cat strikes. Other Mayors and Governors have also been suffering with many of the same problems.

Several thousand government employees went on strike in California's Santa Clara County; and in Palo Alto, California 755 employees, half of the municipal workers, walked off their jobs.

In Pennsylvania, 45,000 State employees went out on strike for a 10 per cent wage increase—and State police had to quell violence at a number of Pennsylvania picket sites before the walkout ended.

Other massive demonstrations and sometimes, violence occurred when the Mayors of Cleveland, Ohio, Buffalo, New York, and Newark, New Jersey, were forced to announce layoffs of their city employees.

Incidentally, these layoffs, were proportionately much larger in these cities than any that have occurred to date, in New York.

Like New York City, other City and State governments are experiencing a rising clamor for services, high bank interest rates, aggressive employee demands, the high cost of nationwide inflation, and the crippling effects of the worst national recession since the 1930's.

All of these problems are enlarged upon by special interest groups which often, are able to recognize the need for overall cutbacks in municipal budget, but fight to the death against cutbacks in their own special interest areas.

As an aside, let me say that; it is true that, in a sense, New York City's problems are unique in so far as they have been intensified by years of unsound borrowing to years of over expenditures, years of fiscal gimmickry such as over estimating our income and under estimating our expenses.

But, it's equally true that the economic conditions underlying New York's present fiscal crisis come just as much from national problems as from local mismanagement and ineptness.

The recession and inflation which New York City and the nation are experiencing is a national problem, not a New York City problem.

And the greatest irony of all is that New York City, like most cities across the nation, still generates vastly more in federal tax revenues than we get back in services or financial assistance.

New York sends its tax dollars to Washington and we get back in return only pious lectures delivered by people who live off our monies.

Our U.S. Congress is very disorganized but it has tried to ease the pain of unemployment with legislative action to expand the federally funded jobs program under the Comprehensive Employment and Training Act known as CETA.

If we could combine the massive program of public works, of the sort that enabled cities and states to survive during the 1930's depression, some of our massive unemployment might be solved and the problem of our urban areas, eased, is not solved.

But President Ford has opposed increasing help for the unemployed. President Ford has consistently made known his opposition to a plan for special "Counter-Cyclical" assistance to cities and states especially hard hit by the economy.

I think President Ford is wrong.

I don't think this country and its cities and urban areas can recover from this period of inflation and recession by keeping a structured percentage of our people unemployed.

I think that cities and local governments must cut out the fat in our budgets, but failing to give the unemployed our cities' help is not cutting our fat, it is cutting out our heart.

CONGRESSMAN HEINZ INTRODUCES THE DOMESTIC FOOD PRICE IMPACT STATEMENT ACT

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. HEINZ. Mr. Speaker, in an effort to safeguard American consumers against further Russian agricultural bonanzas that inflate food prices and disrupt the domestic market, I am today introducing the Domestic Food Price Impact Statement Act of 1975. This legislation requires the Secretary of Commerce to publish a domestic food price impact statement prior to approval of exports of American farm commodities that exceed 20 percent of the projected crop. This impact statement must include the Secretary's certification that exports will not have any direct or indirect impact on consumer prices in the United States, and that they will not result in increased unemployment.

Within the past 2 weeks, in what could signal a repeat of the disastrous 1972 wheat deal with the Soviet Union, this country has sold to Russia 177 million bushels of corn, 51 million bushels of barley, and 117 million bushels of wheat. The Secretary of Agriculture, Earl Butz, has indicated that the Soviets may purchase as much as 10 million tons of grain, 300 million bushels, from us this year, but hastens to assure us that such sales will have only a "minimal impact" on consumer prices.

Mr. Speaker, it is becoming apparent that we have not learned our lesson from the 1972 wheat deal, and that once again, the American consumer will have to foot the bill for huge Soviet grain bonanzas that are short-sighted and ill-conceived, and which can result in food shortages and skyrocketing food prices here at home.

I urge my colleagues to join me in supporting the Domestic Food Price Impact Statement Act so that we can assure the American people that they will be protected from future wheat deals at their expense.

IDEALISTIC VOICES OF YOUTH

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. CHAPPELL. Mr. Speaker, a continuing resource of American patriotism can be found in the idealistic voices of many of our youth. One such inspiring example can be found in the speeches of a group of youngsters from Florida participating in the West Volusia County High School Senior's Bictentennial Oration Contest under the auspices of the Sons of the American Revolution and Patriotic Education, Inc., with prizes sponsored by local banks and individuals. This contest is closely allied with the "Why I Love America Program."

Because of the renewed interest in the spirit that has molded this Nation and because of the unique and inspirational viewpoints of young people in this regard, I wish to insert into the RECORD excerpts from several of these prize winning speeches.

These seven students from DeLand Senior High School and DeWitt Taylor High School of Pierson are both a credit to their schools and communities and deserve a hearty congratulations for their efforts.

Catherine Eckert, like many people, is distressed about how many people seem to be turning away from our founding ideals. As she explains:

> It truly pains me to see so many people turn away from the righteous beliefs and the enduring freedoms that so many people before us have died to secure. If they would only take the time to realize that there are so many freedoms this country offers and that the Constitution really works for them.

Marlene Saunders finds that these responsibilities of citizenship and those principles that have guided us through these two centuries are embodied in the first part of the Constitution.

> We live on the basis of our Constitution. There are but three words that summarize its conteint best: "We the people". But we must work together in the making of decisions and in putting forth the efforts to keep this country safely in unity. With everyone pulling together we will last for eternity; without it, however, everything we will have worked for will be forever lost.

Michelle Pillon looks to another immortal document for support of her beliefs, as she expresses:

> The Declaration of Independence is an expression of liberty: The sum of all rights, and exemptions that are possessed in common by a community, state, or nation of free men. Like all great documents, the Declaration took on a life of its own, consistent with the hopes and dreams of all men. With our country's passage through the stormy pages of history, we have, indeed, gained strength from that self-evident truth, that all men are created equal.

Ruth Venuti, a victim of the disastrous Xenia, Ohio tornado of 1974, sees the American spirit as the rush to help people in need.

> Americans have always helped each other in times of trouble. Being able to depend on receiving help has given Americans a sense of basic security. This security is one of the reasons why America is a wonderful country to live in. Without this tradition, Americans would soon find themselves lost in a sea of strangers.

Dorothy Kirkland is concerned with those persons who seem to neglect the electoral process.

> Like a garden that is beautiful and a pleasure to walk through, so our right to vote is a delicate blossom. From its seeds burst forth our desires, the people's wishes, and the majority's state of mind. The privilege of the vote must be kept as our duty just as a delicate blossom must be nurtured, protected, and cared for, and so must our freedoms be tended.

Debra Lee Walker sees the strength of America as a history of patriotism and bravery. She admires the great patriots of this country who, in their time, were considered radicals but who were, indeed:

> Simply people who believe in something so strong that they would give up their lives for it. These are men and women who are truly dedicated to God and their country.

Deland High School's Jane Horton was the winner of the event in a speech which was a tribute to the principles of Thomas Jefferson. Jane calls him:

> The modern philosopher whose fame rested in his ever stretched desire for the enrichment of the mind to the strength of monumental achievements and public service. His views on the morality of government and education have set the cornerstones for our country.

Jane believes that we must call upon Jefferson's ideals to bring this country into our third century when she says:

> Always we must keep in mind that this is, indeed, a democracy built upon just principles of freedom, equality, humanity and justice.

Mr. Speaker, I feel certain that this demonstration of a solid understanding of the American ideals and the Bicentennial spirit will mark the beginning of these students going forward to improve upon the American way of life.

DENIAL OF EQUAL PROTECTION

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. Speaker, the U.S. Civil Rights Commission was established, let us remember, to perform a number of functions related to denials of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin, or in the administration of justice.

I believe that the Commission went far afield when it published "Constitutional Aspects of the Right to Limit Childbearing" in April of this year. Only four pages of the Commission report even purport to discuss the possibility of discrimination because of poverty. They do not discuss discrimination because of any of the reasons set forth in 42 United States Code 1975c which created the Commission—not race, not color, not religion, not national origin, and not sex. Remember, the Supreme Court decided to strike down State abortion laws on the basis of due process, not equal protection. In Doe against Bolton, the court said the "discrimination argument collapses in all significant respects."

The focus of the report is on proposals to amend the U.S. Constitution, including the amendment by Representative WHITEHURST, which I have cosponsored, to restore to States their right to make laws respecting abortion. The Commission has been bold to criticize these proposals as unconstitutional even though if they are proposed by the Congress and ratified by the requisite number of States they will become a part of the Constitution itself. The report attempts to justify this attack on the numerous proposals to amend the Constitution to insure the rights of the unborn by a broad-brush attack on the amendment process itself as a threat to the rights of racial and ethnic minorities.

I can see little value in the Commission expending public funds to criticize decisions of this Congress in determining whether taxpayer dollars, for legal services attorneys or HEW or other Government agencies, were to be spent to procure abortions. We elected officials made that decision with the awareness of citizen values that a Commission that never seeks public approval does not have. We would not have made those decisions if Congress felt that a constitutional right to the taxpayer's dollar was at stake.

I, for one, am tired of finding public funds being used to publish attacks on the decisions of Congress, or to influence our decisions.

In the case of those congressional decisions, at least, the Commission can argue that it is "appraising the laws and policies" of the United States. I do not believe that the Commission could defend its attack on mere proposals for amendment of the U.S. Constitution on that ground. Neither the Buckley amendment nor the Whitehurst amendment is now law or policy of the United States.

I am fairly confident that I am on good ground in saying that the Commission was beyond its jurisdiction in issuing this pro-abortion publication. After all, the Commission itself had an opportunity to consider this question in February of 1973, shortly after the Supreme Court's decision in Roe against Wade. Prof. Charles Rice of the Notre Dame Law School, an esteemed university whose president was then Chairman of the Commission on Civil Rights, asked the Commission to hold hearings and appraise U.S. policies on abortion to defend the right of the unborn to equal protection of the laws in the administration of justice. In unequivocal terms, John Powell, then General Counsel of the U.S. Commission on Civil Rights, wrote Professor Rice:

> The Commission on Civil Rights has determined that this issue does not fall within the Commission's jurisdiction over the denial of equal protection of the laws in the administration of justice . . . One must resolve that issue in terms of the intended functions and responsibilities of this agency.

Shocked at the issuance of this latest publication, Professor Rice says:

> The study ought to be a prime exhibit in the case for abolition of the Commission or the restriction of its jurisdiction.

I hope this Congress will, through the appropriations process or other means, let the Commission know that it cannot refuse to examine the complaints of those who believe that abortions violate the rights of the unborn, and then pay for a study which concentrates all of its attention on pro-abortion arguments—dismissing all arguments to the contrary in two sentences on page 74. It does not even examine pro-life arguments.

For example, the report relies almost wholly on the writings of Prof. Cyril Means for its statements about the common law not permitting punishment by the Government for abortion, and totally disregards convincing legal arguments to the contrary published by Prof. Robert Byrn in the Fordham Law Review.

Mr. Speaker, I am sure that this study is not an isolated example of the Commission's exceeding its authority. This next year the Commission plans studies on the "Impact of Lack of Reproductive Choice on Low Income Women and Medical Experimentation on Women and the Role of the Food and Drug Administration." I am pleased that Chairman SLACK of the State, Justice, Commerce Subcommittee asked Chairman Fleming of the Commission whether the FDA study was rightfully a responsibility of the Commission. I only wish that he had insisted on a more responsive answer to his question. I suspect Representative SLACK would have asked questions about the propriety of this study on the "Right to Limit Childbearing" if the Commission had made any mention of the study in its 63-page budget justification statement. In recommending the expansion of the Commission's jurisdiction to include denials of equal protection because of sex, the Senate Judiciary Committee stated the grant of additional jurisdiction should not be allowed to cloud the other important concerns of the Commission. I hope we will ask whether or not this report clouds the Commission's efforts in legitimate areas of denials of equal protection.

I hope we will ask ourselves whether this agency—which wants to increase the number of permanent positions within the Commission this year—this agency whose average employee earns $17,344—could manage without the $700,000 increase over last year's appropriation that the House approved in H.R. 8121, if it would confine its activities to those functions Congress assigned it.

ARE PUBLIC EMPLOYEE UNIONS ABOVE THE LAW?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. CRANE. Mr. Speaker, at the present time there is legislation before the Congress which would force all public employees, whether or not they wish to do so, to join a labor union.

Such legislation is, on the one hand, a violation of every American's right to decide for himself which organization he wishes to join. It is, on the other hand, even more threatening to the very idea of governmental sovereignty. Who, under our system, is to make the laws: the elected representatives of the people, or nonelected labor leaders?

At the present time, public employee unions have shown that their attitude is clearly on the side of the labor leaders. Laws against strikes by public employees have been regularly violated. Policemen, firemen, teachers, sanitationmen, and other public workers have closed entire cities down in violation of the law.

Strikes by public employees have always been viewed as contrary to the public policy of a nation ruled by law. When he sponsored the Wagner Act as a charter of freedom for workers, President Franklin D. Roosevelt said:

> A strike of public employees manifests nothing less than an intention on their part to prevent or obstruct the operation of government until their demands are satisfied. Such action, looking toward the paralysis of government by those who have sworn to support it, is unthinkable and intolerable.

The leaders of public employee unions have committed themselves to violating the law. The number of strikes by such employees has risen from 15 in 1958 to more than 400 in 1970. The cost has been great, not only in dollars but in inconvenience and even in lives. When New York hospital employees went on strike, they prevented much needed medical supplies from crossing their picket lines. What better example might we provide of the "public be damned" attitude of such unions?

In a recent editorial, the New York Times declared that officials in New York City were "captives" of the union bosses. The Times stated that:

> The city is staggering out of its budget crunch with one thing clear: New York is working for its unionized civil service workers, not vice versa. The real power in the city is held by the municipal unions.

In Illinois, policemen in Skokie are refusing to wear uniforms because of a 3 percent difference between their wage demands and the village's offer. Policemen halted a Skokie village board meeting with their disruptive tactics, leading the Chicago Tribune to note editorially:

> Work stoppages by public service employees are in most cases indefensible. But police strikes . . . are potentially disastrous. . . . At worst, they can wreck a city. They are beyond the sympathy traditionally sought by striking employes, and deserve only censure.

The Congress should carefully observe the manner in which union power is now bringing Great Britain to its knees. It should observe the sad state of affairs in New York City, which is now being virtually run by nonelected union leaders. To provide public employee unions which the coercive legal machinery they are now seeking would be a suicidal act. It would be for Members of Congress to abdicate their own authority to the leaders of a nongovernmental body.

I wish to share with my colleagues the editorial, "Union-Ruled City," which appeared in the New York Times of July 8, 1975, and the editorial, "When Police Ran Riot," which appeared in the Chicago Tribune of July 9, 1975, and insert them into the Record at this time:

[From the New York Times, July 8, 1975]

Union-Ruled City

The city is staggering out of its budget crunch with one thing clear: New York is working for its unionized civil service workers, not vice versa. The real power in the city is held by the municipal unions. Last week's illegal sanitation strike, a wretched charade in which every step was apparently orchestrated by the union leadership, with the Beame administration a benign co-conspirator, was the end product of three decades in which one New York mayor after another systematically fostered the growth of centralized union power. The rationale always was that strong, secure unions would bring cooperation for a more efficient civil service. Instead, it delivered into union hands ironclad control over every essential civic department, with a precipitous increase in personnel and payroll and a steady shrinkage in standards of performance.

The extent to which the dreary scenario of unlawful strike—as yet unpunished, although the penalties prescribed by statute allow no forgiveness—has once again forced a solution to the strikers' liking, may make it somewhat unrealistic to urge that Mayor Beame finally begin to act like a mayor in his approach to the power-giddy unions.

The Mayor has no option if the city is to survive. The increased taxes he is wringing out of the Legislature will, in turn, wring more of the lifeblood out of the city's overtaxed economy, driving more businesses out of the city, killing private jobs and further reducing the productive resources out of which the income to pay civil servants must come. Whatever balance is proclaimed for the new budget will be largely fictitious. Only a long period of monitorship by the state's new Municipal Assistance Corporation can squeeze the fakery out of the city's Ponzi-like bookkeeping practices and introduce some credibility into its accounts.

With all these pressures closing in, it is plain that the city cannot go into next year with another billion dollars or more added to its already gargantuan budget. The time to start preventing that is now.

The first essential is to eliminate the fat from the municipal bureaucracy by making increased productivity the paramount day-to-day responsibility of every commissioner, every division head, every supervisor. Thousands of employes can be dropped with no reduction in services to the public if everyone is required to do an honest day's work. The joint labor-management productivity committees must become something more than shields for sluggards. Attrition will take care of the shakeout of personnel without individual and community hardship of the kind made inescapable by the Mayor's calculated resort to the meat-ax in the recent sham battle over the budget.

The second test will be in the new wage agreement covering 60,000 teachers, currently in negotiation. The Mayor's failure to go to the mat with the uniformed forces on the 6 per cent pay increase that became effective last Tuesday contributed enormously to the pain of last week's assault on New Yorkers. It was hardly a surprise that yesterday the unions refused even to consider a freeze—even though it would have saved several thousand jobs.

To negotiate an even larger increase, plus other benefits, for the United Federation of Teachers will simply launch the city on another stratospheric flight toward budget inflation. New York cannot withstand another capitulation to union muscle. The one it suffered last week was itself one too many.

[From the Chicago Tribune, July 9, 1975]

When Police Run Riot

Citizens already beset by the dangers of street crime are in even deeper trouble when their sworn protectors turn against them. That is happening with chilling frequency; if police strikes have not quite reached epidemic proportion, they are happening regularly enough to make taxpayers wonder in some instances if they've hired a police force or a gang of mercenaries.

In New York City last week, policemen protesting massive layoffs in the face of bankruptcy enthusiastically helped to cripple their city—blocking traffic on the Brooklyn Bridge and elsewhere, letting the air out of auto tires once traffic was paralyzed, and throwing beer bottles at drivers who protested.

If that seems a remote happening for the Chicago area, consider Skokie, where policemen are refusing to wear uniforms because of a three per cent difference between their wage demands and the village's offer. That protest is on a less destructive scale than New York's, but it reached a crescendo Monday night when screaming, shouting policemen ran riot and halted a village board meeting. The policemen wanted their grievances heard before other matters were considered.

In the course of the Skokie melee, Tribune Photographer Val Mazzenga was attacked. He had photographed a fight outside the Skokie Village Hall between policemen and a civilian, and was attacked by four men sympathetic to the police [some of them may even have been policemen] who took his camera and exposed the film.

Whether the refusal to wear a uniform constitutes a police strike or a protest is a matter of semantics; either way, a cop who contributes to public disorder is betraying his trust.

Work stoppages by public-service employes are in most cases indefensible. But police strikes—whether they're called the "blue flu," or "uniform strikes," or any other euphemism—are potentially disastrous. Their least damaging effect is to break down the trust citizens place in their law-enforcement officials. At worst, they can wreck a city. They are beyond the sympathy traditionally sought by striking employes, and deserve only censure.

ECONOMIC AND POLITICAL POWER CORNERSTONES OF THE POLITICAL AGENDA FOR BLACK AMERICANS IN THE SEVENTIES

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. YOUNG of Georgia. Mr. Speaker, one of the vanguard groups in the fight for human rights, the National Urban League, is holding its annual convention this week in Atlanta. Among the eminent persons addressing the assembly was our distinguished colleague in the U.S. Senate, the Honorable Edward W. Brooke from the State of Massachusetts. Senator Brooke spoke to the group on the need for the development of a relevant political agenda for blacks in the 1970's. Among those points stressed was the need for the implementation of positive economic programs in black communities to begin providing a respectable degree of self-sufficiency. Senator Brooke also raised the issue of moving the civil rights movement from the streets into the political arena. The gains of the late sixties, such as enactment of the Voting Rights Act and numerous other laws which began to guarantee black Americans rights they should have received some 200 years earlier have laid the groundwork for blacks beginning to seize control of their own destiny. In his speech, Senator Brooke offers viable solutions to the problems that confront Americans of all colors in the seventies. For these reasons, I submit the text of Senator Brooke's speech for the scrutiny of my colleagues:

Politics: Its Future Effect on Black America

It is an honor and a privilege to address the opening plenary session of the 65th Annual National Urban League Conference. Your Conferences for 65 years have been the birthplace of innovative ideas which have sparked needed change in American society. And the development and implementation of these new concepts explain why the National Urban League continues to play an important leadership role in our nation's struggle to ensure equality of opportunity for all Americans.

We meet at a critical time in the history of the struggle of black folk for total equality. We are in a period of transition. We face different challenges. And we must readjust our strategies.

In the 1950's and the 1960's we sought equality under the law. And the agenda was the enactment of legislation that would achieve that goal. In some measure that has been accomplished. The pressure tactics and powerful convictions of black and white allies who marched in Washington, Selma, and in countless other cities across the country led to the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Economic Opportunity Act of 1966, and the Civil Rights Act of 1968.

So today we legislatively have the legal protection of the law though it is consistently under attack, requiring constant surveillance and defense. But, I think that the time has come for us to shift to the achievement of real equality as well as legal equality.

For many years now, I have advocated and today I even more strongly advocate political action as the key to the achievement of real equality. Fortunately black Americans are beginning to learn how the political system works and how to work the political system. That learning process must be accelerated. As Maynard Jackson, the great Mayor of this great city of Atlanta has said:

"Anyone looking for the Civil Rights Movement in the streets is fooling himself. Politics is the Civil Rights Movement of the seventies. Politics is the last non-violent hurrah."

I would add to the distinguished Mayor's assessment only one word: "Economics". Politics is power! But economics is also power! And I submit that we must use political power effectively to attain economic power.

No matter what has been said or written, let there be no doubt that Blacks still lack economic power. The great majority of black people still live on the margin of economic existence. Four out of five black families live on incomes below the middle-class living standard as defined by the government. Nearly eight million or one out of every three Blacks lives in poverty. Moreover, poverty hits Blacks disproportionately: while Blacks represent slightly more than 10 per cent of all persons in the nation, they comprise about 30 per cent of all Americans who live in poverty.

Any comparisons of black income to white income show that Blacks as a whole have not advanced very much. Blacks held 5.1 per cent of total white income in 1948 and about 6.6 per cent in 1971—a gain of only 1.5 per cent in 23 years.

The economic gains of the 1960's have turned out to be fragile and limited. In the past few years our progress in eliminating black poverty has all but ground to a standstill. In fact, we may have actually lost ground. The median income of Blacks has fallen from 61 per cent of white income in 1969 to 58 per cent in 1973.

The nation's economic ills in the past two years have made things even worse for black Americans. It is true that the ravages of high unemployment and serious inflation have hit hard at all Americans. And for white Americans the present unemployment rate of 7.5 per cent is at the highest level since the Great Depression. But for black Americans, as always, the economic condition is much more grim. The official overall unemployment rate for Blacks is 13.5 per cent. But it is estimated that the true level of unemployment among Blacks is a devastating 25.8 per cent. And for black teenagers, the rate is an unconscionable 41 per cent.

And even among the employed, Blacks still find themselves on the margin, for Blacks are twice as likely as Whites to find themselves in the lowest paying, lowest skilled categories.

The facts of the black economic state of the union are too well known to all of us—not only as cold statistics but as tragic facts of life for desperate human beings.

Last week the nation's leading economists stated that the country's recession may be ending. But there is little question that there is still a depression in black America.

Thus, it is clear that the present need of Blacks, as always, is the need for jobs, decent jobs at decent wages. There are not now, nor have there ever been, enough of these jobs to provide employment for all black and white Americans who want work.

In the past we have always either accepted unemployment or hoped that economic growth alone would finally provide enough jobs for all. However, the economic boom of the 1960's taught us that for Blacks economic growth alone is not enough. For during that period the black unemployment rate at its best never equalled the white unemployment rate at its worst.

I sincerely doubt whether enough decent jobs can ever be produced by traditional means.

Changes in technology and automation have caused massive changes in the structure of the American economy. And these changes work against a Black who is trying to get ahead by the traditional means. A large portion of that middle level of better paying jobs in manufacturing industries which has been available to other groups of Americans is now being eliminated. And it was these jobs which provided the exit by which those in the lowest economic groups could escape poverty.

This nation is now in transition to a service economy. And in the coming years, there will be two areas of growth in the job market. First, there will be a need for professional, technical, and highly skilled workers. And second, there will be a need for unskilled, low wage and part-time employees. Many of these latter jobs are of the lowest, most menial type which are for little pay, no security, little incentive and small chance for advancement. Blacks are certainly no strangers to this aspect of the service economy. But in the future we must not continue to be trapped in this type of job.

The American people can no longer sanction a morality which permanently condemns many groups of people to the awful subexistence of being unable to find decent work at decent wages. We can no longer glorify the work ethic while millions look desperately and without success for work which would enable them to support themselves and their families.

The nation can no longer accept such an economy. It must at long last realize the burdensome costs of unemployment and underemployment: in unemployment checks, in rising welfare rolls, in teenage girls and boys unable to find jobs who hang on the corners and drift into crime and drugs, in the loss of goods which could be produced but are not, in the absence of services which are so badly needed to reverse the deterioration in the quality of American life, and in the loss of revenues and taxes not paid to the government by people unable to find jobs. Each one per cent of unemployment costs this country $14 billion in lost government revenue and billions of dollars more in unproduced gross national product. And the outlook for the future offers little encouragement, for administration officials predict that if we follow present economic policy we will enter 1980 with 5 million unemployed workers.

It is past time for this country to adopt and implement a full employment policy. It is past time for this country to provide enough jobs at decent wages for those who are able to work. And it is past time for the government to step in to provide jobs when the private sector is unable to do so. Such a full employment policy would attack the root cause of many of our social and economic difficulties. And this would be far more effective than continuing to apply bandaids in the form of unmanageable, overlapping government programs in welfare, health, education, and housing as we do now.

The cost of having the government act as an employer of last resort would not be as great as many suppose. The costs of funding a net total of one million public service jobs would be $10 billion. The creation of these one million jobs would cause the creation of approximately one million more jobs—about 120,000 in government and 880,000 in the private sector—a total of two million jobs in all.

The $10 billion cost would be offset by a saving of at least $1 billion in unemployment benefits and by an additional $4 billion in federal tax revenues. Thus the direct costs to the government would be reduced by at least 50 per cent, even before the reduction of costs involved in other government programs affecting the unemployed were calculated.

Nor is it true that a full employment policy would foster an unbearable inflation. Those who claim that it would should explain why Germany which has had the lowest unemployment rate in Europe, also has had the lowest inflation rate.

To those who ask if we can afford a full employment economy, I ask, can we afford not to have a full employment economy. I further ask, can we afford the dangerous antagonisms dividing the American people as they compete for limited economic opportunities.

I believe that the weight of the economic evidence is on the side of a full employment economy, and I think achievement of that goal must be the foremost item on our economic agenda.

As a first step toward enacting such a program in the Senate, Senator Hubert Humphrey of Minnesota and I are convening a planning meeting of Senate leaders to move full employment legislation in Committee and on the floor of the Senate. The Congressional Black Caucus is making a similar effort in the House.

However, our economic agenda must include more than full employment. It must have at least two other items on it: income for those who cannot work and ownership of income-producing resources.

Economic power is, after all, a matter of having money. Grants for food, special services and housing subsidies have their place, but they are no substitute for money. People with a secure income are independent. And it is long past the time when we should have guaranteed a decent minimum income to those to whom we cannot offer a suitable job.

We must again put at the top of the nation's list of priorities a family assistance program with a realistic income floor. A major lesson of this recession is how the many income and insurance programs which have developed in the last 30 years have succeeded in warding off disaster for those who are covered. But many Blacks and urban poor families are not so insured nor otherwise protected financially. Welfare is not and never has been a proper response to people in need. There's an old saying that "money may not buy happiness . . . but give me the money and I'll do my own shopping". I say the government should be in the business of returning money to the people and letting them do their own shopping.

Economic power is also owning property. Our Urban League was a pioneer in the concept of urban neighborhood development through citizen control of homes, land and businesses. And it is time we got down to the task of implementing this simple but powerful program.

Everyone knows that an owner-occupied community is a better community with better homes and safer streets. We also know that home ownership is in itself a ticket into the economic mainstream. The person who owns a home has a credit reference, collateral, a tax deduction and some political clout in the community.

We need to campaign for new legislation which would assist lower income families who want to become homeowners. Such a law should provide for the purchase of both individual units and multifamily properties. It should offer not only financial support but also effective pre-purchase counselling to families and guidance for tenant cooperative corporations. It should enable homeowners to maintain and improve their property so that entire communities may grow stronger.

A no-nonsense policy for assisting black and central city entrepreneurs is also long overdue. Of course, we need effective implementation of the laws we have. But we also need a general recognition that minority business goals should not end with the ownership of corner grocery stores. Rather, minority businessmen and women must gain control of significant financial institutions and service-sector enterprises. We need ownership of insurance companies, accounting firms, warehousing and distribution centers, mortgage finance companies and savings and loan institutions. These are some of the tools for building economically viable communities.

But to simply outline our economic agenda for the 1970's is obviously not enough. For an agenda without subsequent action is meaningless. Therefore, we must talk about how we can get that agenda translated into public policy. We must talk politics.

For too many Americans, both Black and White, the word "politics" has a negative connotation. Reinforced by the Watergate scandals, it has become synonomous with greed and corruption, with lies and deceit, with hypocrisy and cynical manipulation. Consequently, we find an electorate turned off by politics. And we find some politicians making the absurb promise to either rise above or do way with politics.

But this only reveals a fundamental misunderstanding of politics. It is true that corruption and greed find their place in politics, but this is not a reflection on politics so much as a reflection on some politicians.

Politics, on the other hand, is actually an ennobling activity, for it is the one activity through which our society can resolve the many differences and interests of our people.

Throughout American history, politics has rarely been open to black Americans. For generations, our efforts to organize a cohesive political force within the mainstream of national affairs were cruelly repressed. Only in the late 1950's was the stage set for the long and difficult struggles of the 1960's which won for us at last the rights and liberties we should have had 200 years ago.

I think the most significant single victory for Blacks was the passage of the 1965 Voting Rights Act. For it was this Act that ensured Blacks a voice in American politics too loud and too powerful to be ignored. Indicative of this new strength is the fact that the number of black elected officials in the South increased 18 per cent since 1965. And the number of black elected officials nationwide has risen 150 per cent since 1969.

Even more importantly, the Voting Rights Act directly led to the registration of nearly 2.5 million Blacks since 1967. And the most spectacular gains have been in the deep South states of Mississippi and Alabama. In 1962, Mississippi's black registered vote lagged at 24,000, while 10 years later that figure stood at 268,000. Similarly in Alabama, the 10 year period saw an increase in black voters from 68,000 to 290,000.

These are impressive gains when judged as abstract figures. But when viewed in the overall political picture, they reveal not so much how far we've come but how far we have to go.

For despite the fact that there are now 3,503 black elected officials in this nation, these men and women comprise only one per cent of all elected officials.

And despite the fact that black voter registration has seen impressive gains, well over one-third of eligible Blacks remain disenfranchised.

The figures underscore the urgent need to renew and expand the Voting Rights Act, which would expire next week if the Congress and the President fail to act expeditiously. They also indicate the enormous resistance still facing Blacks who seek access to the political process. Anyone doubting this resistance need only have been in the Senate last week. You could not believe the difficult fight we had to wage on the Senate floor just to extend the Voting Rights Act of 1965, an act that admittedly had been successful and in the best interest of this country. We were not debating a complex civil rights issue. We were not debating busing. We were debating voting. We were trying to assure for all American citizens the most basic constitutional right of all, the right to vote.

Tensions were high and in some respects it seemed we were back to the days of the Civil War when the nation stood divided. Here we are on the threshhold of our Bicentennial. And yet on the floor of the United States Senate we almost said to black, red and brown Americans: You cannot even be guaranteed your right to vote.

So much more remains to be done in our quest for full political participation. But it is not enough that we participate fully; we must also participate effectively. There is no substitute for effectiveness in politics. We have clearly defined interests but as a minority we lack the political clout to act upon those interests independently. Thus, grasping the art of politics is essential to us.

And it is not enough to play the game of politics; it is essential to master the game of politics. And to do so we must pursue three key strategies.

First, we must exploit our own inherent strengths. It is true that we are a minority but we are a powerful minority. We comprise 10 per cent of the nation's electorate and must use our maximum power to achieve our goals. We must use our numbers in such a way that we hold the margin of winning votes on issues that matter to us. Neither side and neither political party should be able to win without us.

In specific areas our influence is particularly great. There are 58 congressional districts where Blacks comprise 25 per cent or more of the electorate. And in many more districts, Blacks comprise a sufficient segment of the voters to win important campaign concessions from prospective candidates.

Moreover, the most recent census shows that the black voting age population will increase sharply relative to the white voting age population. Almost half of all Blacks are under the age 19. We must reach this large number of potential voters and persuade them that it is to their advantage to participate in the political process.

We must also use our strengths to expand our influence in the two major political parties. At the Democratic National Convention in 1972, there were close to 500 black delegates. This amounted to 15 per cent of the delegates and was more than double the number of black delegates at the 1968 convention.

The Republicans also had twice as many black delegates in 1972 as in 1968. But it is unfortunate not only for the Republican Party but for all black people as well that these delegates made up only 4.2 per cent of the convention.

For a long time now, the Democratic party has been the party to which Blacks have rallied. But we cannot afford the luxury of one party. Both parties must be responsive to the needs of black people. And we must make our voices heard and our strength felt in both political parties.

And let's not just vote straight party tickets. Let's scrutinize each ballot and split tickets if it will advance our cause.

Let's cast our votes for the man or woman who will vote for us and not just give us political rhetoric.

A second important strategy is to get our people to participate on all levels of government. Our gains to date have been mostly attained through the power of the federal government and often in spite of the resistance of the local and state governments. I think this has turned many Blacks off and caused them to overlook the power and influence of state and local government. But as a former State Attorney General, I can tell you that these offices are crucial. We need them. We must run for them. And we must win them.

The final political strategy is as important as any of the above. It is the formation of political coalitions which can get our economic agenda enacted.

The word "coalition" has in the past carried negative connotations. For many Blacks it conjures up visions of compromise and concession. And it raises fears that we would lose our identity or the purity of our movement.

But we must put these fears to rest, and begin now to build the kind of strong coalitions which can best serve our interests. They should be conceived in the critical recognition that, as Congressman William Clay says, 'we have no permanent friends, no permanent enemies, just permanent interests."

Without question these permanent interests are economic. And we should realize that there are millions of other Americans who share these same interests.

For inflation and recession do not affect Blacks only.

Unemployment and poor housing do not hurt Blacks only.

Poor health and education do not cripple Blacks only.

Poverty has not devastated the lives of just 7.5 million Blacks. 16.2 million Whites are poor too. And neither 7.5 million nor 16.2 million are as mighty a force as that possible alliance of 23.7 million.

One reason that we are still working on the formation of coalitions is that the most publicized programs of the Great Society seemed to single out Blacks and city dwellers for government assistance. These programs isolated us from the rest of the Americans who should have been our natural allies in the struggle for economic justice. In spite of the hardships the seventies have brought us, we should recognize that black people have a new opportunity to make common cause with all the have-nots in the nation who are realizing where their most basic interests lie.

Of course the formation of political coalitions will always be difficult for Blacks. Deep-rooted racism will inhibit some Whites from ever joining with us.

But there are certain practical decisions we can make to insure that this new strategy is effective. For example, Blacks and labor unions should be and are allies in the fight for a full employment policy even though they may disagree on other issues.

On the family allowance fight, we may find that some upper income Whites who supported civil rights will desert us on an income redistribution program. But there will be 16 million lower income Whites who can be persuaded to take their place.

In the matter of owning homes and businesses, we may find powerful economic interests against us. But we are also likely to find both lower and middle income people of every race and region at our side.

However, I point out one grave danger which may face us as we shift our forces to economic battles. As we improve our financial position some may be tempted to abandon the fight for full economic opportunity for all Blacks. But we must not allow economic divisions to polarize us when unity is now more crucial than ever.

I have talked of economics and self-interest, but there is another dimension in our struggle for equality, and that is moral leadership. We successfully appealed to America's conscience in the 1960's, and we must do it again. During the nation's Bicentennial we must forefully remind America that all of her people are not free, that all of her people do not have equal opportunity. And that the promise of America, so gloriously fulfilled for some, is still tragically unfulfilled for others.

Yet, we Blacks continue to believe, to fight for an America that, as Thomas Wolfe wrote, has never been and yet must be. And that, I maintain, is a struggle for all Americans. In writing about the Civil Rights Movement of the 1960's in her book *To Be Young, Gifted, and Black,* Lorraine Hansberry said:

"Despair: did someone say despair was a question in the world? Well, then listen to the sons of those who have known little else if you wish to know the resiliency of this thing you would so quickly resign to mythhood, this thing called the human spirit."

It is not easy to be optimistic now, when the momentum of the 1960's is seemingly stilled. Our spirit has endured and persevered through three hundred and fifty years of hardships unknown to any other group of Americans. And this spirit will persist, strong and unyielding.

It is with this spirit that we will attain political power.

It is with this spirit that we will attain economic power.

And it is with this spirit that we shall overcome.

CONGRESSMAN HAWKINS FINDS FEDERAL AGENCIES VIOLATING EQUAL OPPORTUNITY LAWS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. RANGEL. Mr. Speaker, my colleague GUS HAWKINS from California has written an article that appeared in the Cincinnati Herald entitled "Federal Agencies Violating Equal Opportunity Laws." It is a sad commentary indeed when evidence such as the Congressman from California has presented indicates that those agencies that we in the Congress have established to enforce equal employment opportunity are in fact doing less than an adequate job. In view of the numerous deficiencies that have been cited within these agencies, Mr. Speaker, I insert the complete text of the article in the CONGRESSIONAL RECORD and commend it to the attention of my colleagues:

[From the Cincinnati Herald, June 14, 1975]

FEDERAL AGENCIES VIOLATING EQUAL EMPLOYMENT LAWS

(By Congressman A. F. HAWKINS)

There is massive job discrimination going on in this country aided and abetted by the very federal agencies that are responsible for ending it.

Their powers are broad and encompassing, and they carry the weight of legal sanction, which enables them to realistically monitor all employing sectors of this economy, and to force compliance with anti-job discrimination laws. They have chosen, however, to direct the battle against racist employment practices from behind (and under) their desks, and from behind (and under) mounds of computer printouts—which means they prefer words to action, and a passive stance to an active stance. They have in essence, refused to carry out the law.

Who are these culprits?

They are the U.S. Department of Labor—which handles contractors doing business with the federal government; the U.S. Civil Service Commission which oversees fair employment in civil service employment; and the Equal Employment Opportunity Commission—which monitors equal opportunity employment in the private sector.

The hard facts of all of the energy and federal dollars being spent to guarantee all citizens equal access and equal opportunities to fair employment, is that DOL, CSC and EEOC are making motions and loud noises, but they are not delivering the goods.

In 1971 the Civil Rights Commission found weaknesses in Federal civil rights enforcement as follows:

"Lack of sufficient staff for enforcement.

"Failure to afford agency civil rights officials sufficient status or authority to carry out their functions effectively;

"Failure of agencies to establish clearly defined goals to govern their civil rights activities;

"Isolation of civil rights programs from the substantive programs of the agency;

"Adoption of a passive role in carrying out its responsibilities, such as reliance on assurances of nondiscrimination or complaint processing rather than the initiation of independent compliance investigations;

"Failure to make sufficient use of the available sanctions;

"Inadequate government-wide coordination and direction of civil rights enforcement efforts."

Two years later, the Civil Rights Commission practically repeated its 1971 observations:

"Our findings in this report show that the distressing picture described in past reports has not substantially changed. Our basic conclusion continues to be that the Federal effort is highly inadequate. As we have noted earlier, agency civil rights offices lack sufficient staff and authority to execute their full responsibilities. Civil rights enforcement continues to be complaint oriented; there is little systematic effort to search for and eliminate discrimination in all areas under Federal jurisdiction. Further, even when discrimination is disclosed, negotiations to achieve compliance are often ineffective. Yet, Federal agencies rarely resort to imposing sanctions."

Is all of this an accident beyond the abilities of the federal bureaucrats? The answer is a well defined and loud "No!"

The Civil Rights Commission (in its 1973 report) went on to say that:

"The enforcement failure was the result, to a large extent, of placing the responsibility for ensuring racial and ethnic justice upon a massive Federal bureaucracy which for years had been an integral part of a discriminatory system. Not only did the bureaucrats resist civil rights goals; they often viewed any meaningful effort to pursue them to be against their particular program's self-interest."

These conditions continue to exist, in spite of the laws.

The Congress has given the federal bureaucracy the needed tools to make equal employment opportunity a reality in this society.

We now have a President who says that he is for equal employment opportunity. He has the power to demand that his appointees strictly enforce EEO laws; has the power to discipline those who violate or ignore the laws and he has the power to praise those who pursue the law with vigor.

As they say in the street: "What's he waitin' on?"

2045TH HONORED

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. BYRON. Mr. Speaker, recently the 2045th Communications Group was selected as an outstanding unit in the Air Force. Capt. John P. Zebelean III, of Catonsville, Md., serves in that unit, and I would like to congratulate him and his unit for this achievement.

I would like to share with my colleagues a recent newspaper article concerning Captain Zebelean and the 2045th Communications Group:

ZEBELEAN UNIT CITED

Capt. John P. Zebelean III, son of Mr. and Mrs. John P. Zebelean Jr. of 5605 Wilkens Ave., Catonsville, is a member of an organization that has been selected as the best communications-electronics unit in the Air Force for 1974.

Capt. Zebelean is a communications officer with the 2045th Communications Group which won the Major General Harold M. McClelland Award for providing communications support to more than 87 Air Force and civilian organizations in and around the Nation's capital.

Based at Andrews AFB, Md., the 2045th was cited for its efficient handling of communications traffic and related services which are vital to America's defenses.

Capt. Zebelean, a 1961 graduate of Catonsville Senior High School, received a B.S. degree in business in 1965 from the University of Maryland. He was commissioned in 1967 through Officer Training School at Lackland AFB, Tex.

"RUSSIA'S 'DUEL' STANDARDS"

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. TEAGUE. Mr. Speaker, recently an editorial by Mr. Ray Zauber of the Oak Cliff Tribune in Dallas, Tex., discussed my attitudes about the recent Apollo-Soyuz project. The editor's interpretation of my views are exactly correct.

In my recent extension of remarks I have pointed out many of the technical and experimental successes surrounding the project; however, at this time, as a matter of record, I chose to present my philosophical ideas regarding this subject. The editorial follows:

RUSSIA'S "DUEL" STANDARDS

While virtually all of the public statements on the joint Soviet-American docking adventure glow with enthusiasm, the foremost Congressional spokesman on space has deep reservations about the project.

Congressman Olin E. Teague has avoided a direct hassle with the administration even though he thoroughly distrusts the Russian rulers.

The United States has approached the joint docking program from a humanitarian and compassionate viewpoint. Just think of the extremes to which our nation will go for saving a single life.

On the other hand Teague believes that the Soviets are basically interested in improving their own space hardware and gathering as much intelligence about our rocket program as possible from the joint effort.

As chairman of the Space Subcommittee on Manned Flight from its inception until he became head of the Space and Technology Committee this fall, Tiger Teague went to Russia to confer on the joint mission.

Thinking he would be extended the courtesies offered to Russian scientists and public officials in America, Teague had a rude awakening. He was escorted through the space museum which is open to the public. He did not see a single space installation.

Contrast this with the 15 newsmen from the USSR who are registered as correspondents to watch the American launching at Cape Kennedy and the monitoring of the project at mission control in Houston.

Among those registered red "newsmen" will undoubtedly be two or three KGB agents specifically trained to assimilate data about America's aerospace capabilities.

Not a single American newsman will be invited to observe at the Soviet launching or mission control. The U.S. ambassador to Russia was belatedly asked to be a guest at the blast-off when the commissars realized the political implications of secrecy in a project which emphasizes compassion.

Tiger Teague pointed out his misgivings to President Nixon and General Alexander Haig in addition to Congressional peers and State Department executives. He continued to express these same views to President Ford and Donald Rumsfeld.

Only the joint chiefs of staff have expressed any concern and like Teague they have been unable to speak out candidly at what has become a major foreign policy decision.

Before Nixon left office he discussed the docking mission with Teague on several occasions and actually pleaded with the Texas Congressman to withhold direct criticism of the venture.

"Russian and American objectives are entirely different," Teague has told The Tribune on several occasions. "I still do not trust the Soviet leadership."

Because of the wide gap in theoretical and technological science between the two countries, Teague does not want to share military secrets with the communists.

Remembering that the world has not been the same since American spies delivered diagrams for manufacture of the atom bomb to the Soviet Union, how can we justify making it so easy for the Russians to steal aerospace secrets?

The Soviet space hardware is extremely crude in comparison with American rocketry, Teague explains. The joint docking system is largely an American product.

Our computers are 10 years ahead of Russian technology in this field, yet some of the monitoring equipment had to be shared.

Although the Russians are building a huge new space complex, we have respected public spokesmen and bleeding-heart academic and professional leaders who want to pare the military budget to the bone and entirely scrap our space effort.

So we can create another generation of able-bodied welfare recipents on grander scale.

Isn't this a strange world where we feed our enemy, build factories for him, share our technical breakthroughs and allow him to steal our military secrets?

What a price glory.

THE 101ST AIRBORNE DIVISION ASSOCIATION MEMORIAL

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. BEARD of Tennessee. Mr. Speaker, earlier this year, I introduced H.R. 3710, legislation which would, if enacted, permit the 101st Airborne Division Association to erect a memorial in the Washington area.

Since its introduction, response to this bill has been excellent. A companion measure has been introduced in the other body by Senator HUMPHREY and my Tennessee colleague, Senator BILL BROCK, and the various legislative and administrative processes are now moving along, slowly, but steadily.

Today, I am offering legislation which is identical to H.R. 3710; this allows more than a dozen of our colleagues from 12 States to join in this fine effort, the stated aim of which is the recognition of what is perhaps America's most famous fighting force.

PRESS REPORTS PROPOSAL TO REPEAL ROBINSON-PATMAN ACT, "MAGNA CARTA" OF SMALL BUSINESS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. EVINS of Tennessee. Mr. Speaker, there are published that the administration may be planning an effort to repeal the Robinson-Patman Act, often called the "Magna Carta" of small business because it protects the small businessman from discriminatory marketing practices by big business.

The Robinson-Patman Act is vital and important to assure small businessmen of needed protection in the marketplace—this landmark act should be retained and continued.

A recent report in the Baltimore Sun detailed the most recent effort to initiate a campaign to repeal this measure.

Because of the interest of my colleagues and the American people in this most important matter, I place the article in the RECORD herewith.

The article follows:

[From the Baltimore Sun, July 28, 1975]

THREAT TO ANTITRUST LAW WORRIES SMALL BUSINESS

NEW YORK.—The possible repeal of the Robinson-Patman Act, one of the country's antitrust laws, has caused a wave of concern in small-business circles. The fear was heightened recently with a report that President Ford had asked the Justice Department to prepare legislation for either repeal or amendment of the act.

Enacted in 1936, the Robinson-Patman Act seeks to preserve free competition by curbing marketing abuses on the part of sellers. What it says, among other things, is that any concessions given to a single buyer must be made proportionally available to all buyers.

The President's reasoning has not been spelled out, but it appears to be part of his program to eliminate regulatory legislation that he thinks might tend to add to the cost of consumer products. Previously he expressed opposition to states' "fair trade" laws, which require retailers to maintain minimum prices dictated by suppliers.

Consumer groups, from time to time, have opposed the Robinson-Patman Act, arguing that it prevents suppliers from giving discounts to large sellers, thereby keeping prices higher than necessary. Proponents of this law, however, point out that it does not prevent discounts provided they are given to all retailers on a proportionately equal basis. They also say that if small competitors were driven out of business, the giants would be free to charge anything they pleased.

A spokesman for the Justice Department said that, over a period of months, it was trying to develop proposals for a change in the law. "Our options range from repeal to legislative modification, but no decision has been made," he said.

The act was sponsored by Representative Wright Patman (D., Texas) and the late Senator Joseph T. Robinson (D., Ark.).

Mr. Patman said he would fight any move to repeal the act or change it drastically.

The apparel industry also opposes its repeal. In a letter to Mr. Ford, Sidney Korzenik, executive director and counsel for the National Knitted Outwear Association, said:

"Although the antitrust law of the country initially sought to curb market abuses on the part of powerful sellers, it became apparent, with the growth of chain stores and other concentrations of retail purchasing power, that abuses on the part of buyers could be just as dangerous to freedom of contract as domination by sellers." He continued:

"The Robinson-Patman Act has made it possible to curb numerous abuses. Large buyers in the ready-to-wear market, for example, were able to coerce discriminatory advertising grants from small suppliers until the Federal Trade Commission in the early '60's took action against this malpractice by a widespread and effective campaign."

FORD SELLS OUT THE PEOPLE OF EASTERN EUROPE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. McDONALD of Georgia. Mr. Speaker, this week President Ford and Secretary of State Kissinger are preparing to complete a crime against humanity planned by Adolf Hitler and von Ribbentrop 36 years ago. Our President is going to sign an agreement legitimizing the Soviet conquest of Eastern Europe and the incorporation of Latvia, Lithuania, and Estonia into the Soviet Union.

Hitler agreed to the incorporation of the Baltic States into the Soviet Union in the Soviet-Nazi pact of August 1939. The pact also provided that the Nazi and Communist armies would jointly invade and divide Poland between them. The declaration that our President is going to sign puts the stamp of approval on that Communist-Nazi pact that brought the world into the Second World War.

The excuse has been given that since the Helsinki Summit declaration pledges the "inviolability of frontiers" that this will prevent a Soviet move against the countries of Western Europe. However, we only need to see Soviet operations in Portugal to know that Communist subversion directed by the KGB will continue to threaten Western Europe. But more to the point, the Soviet-Nazi joint invasion of Poland came only 5 years after the Communists signed a treaty with that country pledging never to invade.

The President of the United States, the first in our history not elected by the people, and his Secretary of State are doing a serious disservice to the cause of freedom and are delivering a slap in the face to those millions of human beings now living under Communist domination. Our President is taking away even the meager moral support which we have given them for the past 30 years.

The people of Eastern Europe have shown over and over again their desire to be free of Communist rule. The revolts in East Berlin, 1953; Poland and Hungary, 1956; and Czechoslovakia, 1968; were only the most dramatic expressions of the desire for freedom. Every person killed by the Communist police at the wall of shame testifies to their demand for freedom.

I can conceive of no greater disgrace for our country than the President of the United States ratifying the enslavement of half of Europe.

MOSCOW PRIEST BLASTS KREMLIN FOR "SPIRITUAL ENERGY CRISIS"

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SNYDER. Mr. Speaker, I want to call the attention of my colleagues and the American people to a courageous protest against the atheistic leaders of the USSR by a Russian Orthodox priest in Moscow this past Easter.

The free world has learned much from the writings and statements of Alexander Solzhenitsyn, who exposed to millions the massive slave system which the Soviet rulers imposed on their own people. The voices of certain other prominent citizens of the USSR have been heard in the West as reports have come out from behind the Iron Curtain of their protests against various aspects of Moscow's totalitarian regime.

David Floyd of the London Sunday Telegraph last May 11 wrote an article in which he quoted the text of Father Gleb Yakunin's attack on Kremlin policy in a letter to the Politburo. The priest castigated that ruling body for having "offended the religious feelings of millions of believers."

I am certain my colleagues and all others dedicated to the cause of freedom will be both thrilled and encouraged to learn of yet another example of true courage in the face of tyranny. Mr. Floyd's article as follows:

[From the London Sunday Telegraph, May 11, 1975]

PRIEST LASHES KREMLIN OVER EASTER WORK

(By David Floyd)

A Russian Orthodox priest in Moscow has launched a scathing attack on the Soviet leaders for having made the Orthodox Easter Sunday into a working day. It came in an open letter to the Politburo of the party.

The text of the letter reached the West yesterday. The priest, Father Gleb Yakunin, 44, accuses the Russian leaders of offending the religious feelings of millions of Russian Christians.

Because the Soviet national holiday on May 1 fell on a Thursday the authorities decreed that both Sundays, May 4 and May 11, should be working days.

The first coincided with the Russian Easter, celebrated later than in the West.

Father Yakunin says: "Your newspapers made much noise over the fuel crisis in the West, but you have been struck by the very worst of all crises—a spiritual energy crisis.

"Your grandfathers wanted to conquer the world. Your fathers, railway engineers, built only an uphill track, and now your train has run out of fuel.

"So you have decided to force the Orthodox to pull your flagging train on a great festival of the Christian calendar. . . . By designating the Easter holiday as a working day you have offended the religious feelings of millions of believers.

PATRIOTIC ROLE

"It would have been better if you had made May 1 and Nov. 7 (Soviet official holidays) into working days; fewer people would have been offended.

"This year when we are celebrating the 30th anniversary of victory the decent thing would have been to thank the Russian Orthodox Church for its patriotic role in the last war, a role which you yourselves acknowledge.

"But in a blind, feverish pursuit of economic prosperity you are offending the feelings of many, apart from churchgoers. * * *.".

FEDERAL EQUAL EMPLOYMENT OPPORTUNITY ENFORCEMENT PROGRAM NEEDS REORGANIZATION

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. DRINAN. Mr. Speaker, 2 weeks ago the U.S. Commission on Civil Rights released volume V of its latest evaluation of the Federal civil rights enforcement effort, a study which began in 1970. The most recent report focused on the efforts of four Federal agencies to eliminate employment discrimination. Although the Commission found signs that some advances had been achieved since its last report, it concluded that "the rate of progress has been inadequate and major problems of systemic discrimination continue to affect adversely minorities and women."

Considering that the basic statutory scheme to attack job bias was enacted by Congress over 10 years ago, that is a very devastating finding. Even more depressing, however, is the conclusion of the Commission as to the source of the difficulties. "The Federal effort to end this discrimination," the Commission observed, "has been seriously hampered by lack of overall leadership and direction, deficiencies in existing laws, and the assignment of authority to a number of agencies which have issued inconsistent policies, and developed independent and uncoordinated compliance programs."

In almost 700 pages, the Commission carefully documents these findings and conclusions. The case is rather overwhelming. Take, for example, the Office of Federal Contract Compliance—OFCC—of the Department of Labor. By Executive orders which antedate the Civil Rights Act of 1964, this Agency has been given the responsibility to insure that all Federal contractors engage in fair employment practices.

During the last 10 years of compliance activity, OFCC has disqualified only nine companies from receiving additional Federal contracts. More telling, though, is the fact that OFCC did not even know how many contracts, if any, were not awarded because of failure by the bidder to comply with equal employment opportunity standards. Needless to say, OFCC has never withheld any contract payments, although it is clearly authorized to do so. Yet employment discrimination among Federal contractors is rampant.

The record of the Equal Employment Opportunity Commission—EEOC—provides additional illustration of the nature and scope of the problem. Although it has one of the largest legal staffs in the Government, EEOC lawyers operate at only one-fifth of their "prescribed caseload," as the Civil Rights Commission report noted. In the 3 years since the Agency was first given the authority to initiate "pattern or practice" law suits—it shared that power with the Department of Justice until March 1974—it has filed only one such action. That is indeed an amazing statistic, particularly since systemic discrimination in major industries is a well known and sordid fact of American industrial life.

In addition the Commission reports that the individual complaint backlog at EEOC, as of June 1974, approximates 98,000 charges. The median time from filing to resolution of the complaint is 32 months, an inordinate period. Further the investigations of such charges are frequently deficient for litigation purposes. On many occasions, EEOC lawyers are unable to bring legal actions based on those files and must return them to the investigators for additional documentation.

In commenting on the Civil Rights Commission report, the New York Times last week observed that, apart from the management chaos, the agencies have a budgetary imbalance. According to the Times, about $270 million is spent annually by Federal agencies to enforce equal employment proscriptions. Only $100 million of it, however, is expended by the EEOC and the OFCC, which bear the major enforcement responsibilities in the private sector. The Times contends that the lion's share, over $150 million, is given to other Federal agencies "for the relatively miniscule Federal civilian employment pool of around 3 million jobs." That imbalance must cease.

Last summer Congressman HAWKINS conducted a series of revealing hearings on the problems which then beset and still persist at the EEOC. Encouraged by those hearings, my staff has been working with his staff to develop legislative proposals to attempt to deal with these difficulties. The Civil Rights Commission report has added impetus to that project, and I am hopeful that in the near future legislation will be ready for introduction.

It seems to me that reform of the Federal equal employment opportunity effort would include the following items: First, assigning all EEO responsibilities, including personnel and budget, to one agency; second, eliminating certain procedural barriers which obstruct swift resolution of complaints; third, involving the private bar to a much greater degree in the enforcement process; fourth, authorizing the consolidated agency to exercise cease and desist as well as litigation powers; and fifth, funding the agency at a sufficient level so that equal employment opportunity becomes a reality.

If these and other steps are taken, I am confident that the nagging employment problems which daily confront women and minorities will be reduced and hopefully eliminated. At a time when "last hired-first fired" is being used to reverse their recent gains, fewer national issues should take a higher priority.

SOVIET INVASION OF CZECHOSLOVAKIA

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ANNUNZIO. Mr. Speaker, on August 21, the people of Czechoslovakia and Americans of Czechoslovakian descent will commemorate the seventh anniversary of the 1968 invasion of Czechoslovakia by the Soviet Union. On this day, about 500,000 men, who were sent by the Soviet totalitarian oppressor, commandeered this peace loving Czech nation and suppressed all moves toward freedom and liberty, repudiating and negating almost every article in the United Nations Declaration of Human Rights.

This unprovoked act by the Soviet Union serves as a bitter and grotesque reminder to the world that there is no place for belief in human freedom and human dignity in the ideology of the barbaric Soviet authorities running the Kremlin. Today, Soviet brutality and inhumanity still rule in the captive nation of Czechoslovakia. Therefore, we, as Americans, must be persistent in our continual just support of the Czecholsovak people in their genuine desire for self-determination and freedom from outside domination.

Mr. Speaker, the Czechoslovak National Council of America, which is actively working to restore the pre-1968 European balance of power by removing the Soviet occupation forces from Czechoslovakia, has issued an appeal in commemoration of this sad and disheartening event. At this point, I wish to include this appeal in the RECORD, as well as an open letter on this subject to Leonid I. Brezhnev.

The appeal and the letter follow:

OPEN LETTER TO MR. LEONID I. BREZHNEV

WASHINGTON, D.C., *June 18, 1973*.

MR. SECRETARY: The terror imposed upon the nations of East-Central Europe by the ideology, the political power and military might of Soviet oppression repudiates and negates almost every article in the Declaration of Human Rights.

It denies that men are born free and equal in dignity and rights and that all should act in the spirit of brotherhood.

It denies the right of life, liberty, and security of person.

It denies the principle that no one shall be subjected to cruel, inhuman, or degrading treatment.

It denies that no person shall be arbitrarily arrested, detained or exiled.

It denies that all are equal before the law and entitled to its equal protection.

It denies the right to fair and public hearings by an independent and impartial tribunal.

It denies the right to freedom of thought, conscience, and religion.

It denies the right to freedom of opinion and expression.

It denies the right to freedom of peaceful assembly.

It denies that the individual may not be held in slavery or servitude.

It denies that the will of the people shall be the basis of the authority of government.

That these human rights are so flagrantly repudiated in Czechoslovakia, Hungary, Poland and even in your own country is cause for our concern.

1956 in Hungary and Poland, 1968 in Czechoslovakia and 1970 in Poland again have shown clearly the eternal unquenchability of man's desire to be free, whatever the odds against success, whatever the sacrifice required.

Americans of Polish, Hungarian, Czech or Slovak descent will never recognize the Soviet domination of East-Central Europe. We cannot condone in words or even in our minds any summit meeting, treaty declaration or tacit understanding which promotes or acknowledges the subjugation of our sisters and brothers.

The claim of the nations of East-Central Europe to independence and liberty is not based on sentiment or politics. It is deeply rooted in history, in culture and in law. No matter what sort of puppet government they may maintain we do not mean to see that claim abandoned.

The fulfillment of the political, economic and ideological aspirations of the peoples of East-Central Europe is blocked by the occupation on their territory by the Red Army, by the unscrupulous economic exploitation by the Soviet Union, and by the brutal control exerted by the arms of the Soviet Secret Police. Giving testimony to the sincerity of your stated principles of non-interference in internal affairs, recognition of the right of every state to sovereignty and of promotion of unbreakable peace, behooves you to:

Assure the right to emigrate to those Soviet citizens, residents and political prisoners who desire to leave the Soviet Union and find a new life in their chosen land.

Stop the economic exploitation of the peoples of East-Central Europe and cease to use the products of Czechoslovakia, Hungary and Poland to support the spread of Communist doctrine and Soviet influence throughout the World.

Remove all Soviet troops from Czechoslovakia, Hungary and Poland.

Guided by the traditions, convictions and principles expressed above we call upon you, Mr. Secretary, that in order to accomplish your own stated goal of "unbreakable peace in which alone is possible a true cooperation of sovereign European States with equal rights," during your visit with our President hasten by every honorable and reasonable means the arrival of the day when the men and women of Czechoslovakia, Hungary and Poland will stand again free from Soviet military and ideological domination, in liberty and justice.

Czechoslovak National Council of America, Prof. V. Busek, President.

Coordinating Committee of Hungarian Organizations in North America, Istvan B. Gereben, Executive Secretary.

Polish American Congress Inc., Aloysius A. Mazewski, President.

CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA,
Chicago, Ill., August 21, 1975.

FREEDOM IS INDIVISIBLE

On this sad occasion of the seventh anniversary of the brutal Soviet-led invasion and occupation of peaceful and freedom-loving Czechoslovakia, we American citizens of Czech, Slovak and Subcarpatho-Ruthenian descent, again remind the entire world of this Soviet violation of key principles of international law incorporated into the Charter of the United Nations:

The brutal Soviet aggression and occupation:

(1) violated the sovereignty of a member state of the United Nations (Article 2, Section 1);

(2) was carried out in violation of Article 2, Section 4, which prohibits the use of military force in the relations between individual members of the United Nations;

(3) violated the principle of self-determination of peoples (Article 1, Section 2);

(4) was in conflict with Article 2, Section 7, which prohibits outside intervention in matters essentially within the domestic jurisdiction of any state;

(5) was in conflict with a number of resolutions of the General Assembly of the United Nations, particularly with Resolution 2131 (XXI) adopted at the meeting of December 21, 1965, upon the Soviet Union's own motion, prohibiting any intervention in the domestic affairs of any state and guaranteeing its independence and sovereignty.

The continued Soviet occupation of Czechoslovakia is another crime against the right of a small country to determine its own destiny and aspirations. The invasion was an intervention by the forces of reactionary communism to prevent the Czechs and Slovaks from establishing their own social order that did not endanger anyone and sought to contribute to the building of bridges across the discords of a divided world and to lend aid to a better understanding and cooperation among all nations on the basis of true progress and humanity.

The people of Czechoslovakia have not resigned themselves to these aggressive plans of Moscow. The day of August 21, is being commemorated in Czechoslovakia as a *Day of Soviet Shame* in a mighty and disciplined resistance against Soviet pressure. We are joining our friends in Czechoslovakia in asking the entire civilized world to support the people of Czechoslovakia in their effort to achieve "the withdrawal of Soviet troops from Czechoslovakia."

THE MURDER OF GENERAL SCHNEIDER

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. HARRINGTON. Mr. Speaker, the Washington Post recently carried a front page article about a CIA link to the assassination of Chilean Gen. Rene Schneider. This is but one more in the succession of CIA horror stories.

Because General Schneider was willing

to abide by the voters' choice in the 1970 Chilean elections, he was apparently branded, by the U.S. Government, as an enemy of democracy. According to the Post report, the CIA approved and possibly encouraged the kidnapping attempt that ultimately led to General Schneider's death.

I am inserting the Washington Post article in the RECORD at this time for the benefit of my colleagues.

CIA LINK SEEN IN '70 CHILE PLOT

(By George Lardner Jr. and William Greider)

The Central Intelligence Agency encouraged a 1970 scheme to touch off a coup in Chile that went awry and resulted in the assassination of Chilean Gen. Rene Schneider, according to informed sources.

Schneider, commander of the Chilean army, was fatally wounded on Oct. 22, 1970—two days before the Chilean Congress ratified the election of the late Salvador Allende as president of the South American nation. A gang of assailants sought to kidnap Schneider as he was being driven to his office in Santiago, but shot him when it appeared he was trying to draw a gun.

The CIA, it was learned, had Schneider on what amounted to a worldwide "enemies' list" of individuals considered inimical to U.S. interests, but the agency, sources said, did not intend his assassination and did not think he would be killed.

The abortive kidnaping was staged with the thought that it would lead to a military takeover of the country and prevent Allende from assuming the presidency.

Government officials have been treating covert CIA operations in Chile as especially sensitive. The White House has not turned over documents on the issue to the Senate committee on intelligence operations and has been insisting instead on first providing a briefing that has been postponed at least once.

The CIA, it was disclosed last fall, spent $3 million in Chile to foil Allende's candidacy in 1964 and $8 million attempting to block his election and to undermine his government after 1969. A confidential Senate Staff report prepared last September accused Secretary of State Henry A. Kissinger of having "deceived" the Senate Foreign Relations Committee in sworn testimony on the issue.

According to that report, Kissinger minimized the CIA's role in the 1970 Chilean election in secret testimony during his 1973 confirmation hearings. The report quoted Kissinger as saying:

"The CIA was heavily involved in 1964 in the election, was in a very minor way involved in the 1970 election and since then we have absolutely stayed away from any coups."

Read closely, Kissinger's statement did not rule out CIA involvement in a 1970 coup effort albeit, by his definition, "in a very minor way."

It could not be established whether the CIA provided any concrete assistance such as money to those behind the Schneider kidnaping attempt. (Sources indicated that the agency expressed its approval and encouragement of the idea. However, whether this encouragement amounted to an explicit directive to go ahead or whether the plotters acted on their own is not known.)

Sources agreed that a thorough investigation could provide fresh embarrassment for the CIA and perhaps for others if secret documents (other than those of International Telephone & Telegraph Co., which already are known) become public.

A CIA spokesman declined any comment.

In any case, Schneider's death was evidently not part of the plot. His would be abductors intercepted his Mercedes-Benz, apparently thinking he could be kidnaped quickly, but assumed the car doors were locked and began smashing the rear window with a sledge hammer. The general was shot three times, reportedly when it seemed he was reaching for a gun.

"I don't think there was any intention to assassinate anyone by the agency or by the others," one source said.

According to internal memoranda of ITT, which had more than $150 million invested in Chile, U.S. interests promoted, but then apparently backed away from plans for a right-wing military coup there in 1970.

A Marxist, Allende won a narrow plurality in the Chilean national elections on Sept. 4, 1970. During the campaign, Gen. Schneider, apparently on his own initiative, declared that the army would respect the decision of the voters. But after the balloting, extreme right-wing elements in the country began advocating military intervention to block Allende's assumption of the presidency.

The ITT papers, first made public in 1972 by columnist Jack Anderson, stated that around mid-September of 1970, the U.S. government gave "the green light" to the ambassador in Santiago "to move in the name of President Nixon" with "maximum authority to do all possible, short of a Dominican Republican type action, to keep Allende from taking power."

One retired Chilean general, Roberto Viaux, was described in the same Sept. 17, 1970, ITT memo, as "all gung-ho" about taking action, but Schneider was said to have "threatened to have Viaux shot if he moves unilaterally."

Outgoing President Eduardo Frei was reported in the document to be unwilling to move "unless he is provided with a constitutional threat" justifying intervention. "That threat must be provided one way or another through provocation," the ITT operatives in Chile declared.

As the weeks went by, Allende's prospects for final election improved. At one point, according to a summary of secret CIA testimony last year, the National Security Council's "Forty Committee," which Kissinger chaired, authorized CIA expenditure of $350,000 "to bribe the Chilean congress," but this plan was later discarded as unworkable.

"Unless there is a move by dissident Chilean military elements by this time next midweek," ITT was told by its operatives in Chile on Oct. 16, 1970, "the consensus in Santiago is that Salvador Allende will win the October 24 congressional run-off easily . . ." Viaux was said to have been preparing to move, but, the ITT memo stated, "it is a fact that word was passed to Viaux from Washington to hold back last week" and wait for a riper moment.

"As part of the persuasion to delay," this memo stated, "Viaux was given oral assurances he would receive material assistance and support from the U.S. and others for a later maneuver. It must be noted that friends of Viaux subsequently reported Viaux was inclined to be a bit skeptical about oral assurances."

The same Oct. 16 corporate communique observed that Allende as undoubtedly aware of "this sort of plotting" to block his election since he noted in a speech earlier that week that Chile was "now swarming with CIA agents."

Subsequent ITT documents mentioned the shooting of Schneider, but nothing to indicate U.S. involvement in it. At first, ITT operatives in Chile described it as "a skillful maneuver to eliminate from the top the one man who would have permitted Allende to infiltrate and neutralize the military."

After Allende's inauguration in November, 1970, however, the ITT papers called the Schneider assassination "a grim development that may greatly strengthen Allende's and the Communist position" because it could invite a military purge.

By then, Viaux had been arrested on charges of participating in the slaying. He was convicted and served time in prison, but his sentence was later reduced on appeal and he subsequently moved to Eucador. In 1972, while still in Chile, he denied receiving money from the CIA or "any other organization" to plot against Allende. The Chilean president was overthrown in September, 1973, in a bloody coup that ended in his death.

The Senate committee investigating the CIA is expected to get a White House briefing on the agency's Chilean operations this week.

THE MYTH OF THE FEDERAL DEFICIT

HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. YOUNG of Georgia. Mr. Speaker, Hobart Rowen has written a column in today's Washington Post entitled "The Myth of the Federal Deficit."

I commend this column to colleagues in Congress and other citizens who have expressed concern about the deficit:

THE MYTH OF THE FEDERAL DEFICIT

(By Hobart Rowen)

Nothing worries Congress as much as the size of the federal budget deficits. It doesn't matter whether he's a Republican or a Democrat, the average congressman gets sweaty palms when Treasury Secretary William E. Simon rolls out a boxcar number like $88 billion as a possibility for the next fiscal year.

Why? He knows that he is going to get mail from his constituents raising hell about government spending, and the consequent threat of inflation.

Take Rep. George Mahon, chairman of the House Appropriations Committee, a reasonable, responsible conservative Democrat. At a session sponsored by the Democratic caucus to hear a critique of Fordonomics, Mahon had this to say to former Economic Council Chairman Walter W. Heller:

"I find people I talk to in and out of Washington, in and out of Texas, are wondering where this country is headed. How long can we go on with the debt now at $534 billion? It is going on up toward $600 billion and upward to $1 trillion.

"That doesn't worry some economists, I am sure, but it worries the average guy because he is not an economist and he can't understand the economists because the economists don't agree with each other.

". . . many people think we are . . . going down the drain . . . as a result of our insatiable desire to spend and spend and spend and spend."

Heller and Gardner Ackley, another former Chairman of the CEA under Democratic Presidents, laid out a fairly standard liberal response:

First, in relation to the total output of the country, federal expenditures have not risen: in 1954, federal spending was 19.4 per cent of the GNP. Twenty years later, in 1974, federal spending was only 19.2 per cent.

Second, coming down to what is happening at the moment, the federal deficit is almost totally the product of recession: about $50 billion in lost tax revenue is the result of reduced activity, to which $20 billion in unemployment compensation and related recession expenditures must be added.

In fact, Heller said, a budget deficit in the vicinity of $69 billion—the ceiling set up by Congress—"is a next-to-no stimulus budget. It cushions, but it does not propel."

Heller wants to boost the deficit by an extension of the tax cut into next year, a provision for temporary job-creating programs, and additional tax cuts to offset the loss of purchasing power caused by any new boosts in oil prices.

That's enough red ink to give Bill Simon a heart attack. Like Federal Reserve Chairman Arthur Burns, Simon is warning of a renewed threat of inflation, even though unemployment remains close to 9 per cent, and industry is operating at only three-fourths capacity levels.

Heller, along with economists Otto Eckstein and Frank Schiff, argue that this ultraconservative approach is the "worst enemy" of basic conservative doctrine.

The super-caution represented by the Ford-Simon-Burns philosophy—symbolized by tight money and a tight fiscal policy—caused the recession, caused the current huge deficit, and will cause a new recession if allowed to continue, they say.

It is difficult to contest the liberals' argument that the second Nixon recession, which started 18 months ago, stems from the fiscal and monetary "overkill" of 1973 and 1974.

Despite the general impression of excessive federal spending, actual outlays in real terms adjusted for inflation have declined since late 1972—a fact that Eckstein first brought out during last year's summit.

But prior to 1972—which not coincidentally was a pre-election period—the Nixon administration was pouring excessive fuel into an economy already moving ahead. We had a boom, and then the bust with its whopping deficit. But the spending didn't cause the deficit. Recession caused the deficit. And mistaken government policy caused the recession.

Nevertheless, as Mahon suggests (and the liberal economists will concede in private), if you run an explanation of this deficit up the flagpole in Peoria, no one will salute.

"Not many members of Congress can go back to their constituents and, 'We are not spending enough federal money: we need to increase the deficit," Mahon warned the economists. "He would get a cool reception in most places in Middle America."

Mahon is right. As President Kennedy discovered at Yale in 1962, the cliche that "deficits automatically bring inflation" is too solidly embedded in American political thinking.

WHATEVER HAPPENED TO PROJECT INDEPENDENCE?

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. WHITEHURST. Mr. Speaker, the article by Sidney E. Rolfe, entitled "Whatever Happened to Project Independence?" which appeared in the January 25, 1975, issue of the Saturday Review, was recently called to my attention.

Since it is fully as timely now as it was when it first came out, I am introducing it at this point in the RECORD to share with my colleagues. It contains many ideas which are worth giving serious consideration.

WHATEVER HAPPENED TO PROJECT INDEPENDENCE?

(By Sidney E. Rolfe)

The saga of Project Independence unfolds in three successive Novembers:

In a prophetic talk in November, former Secretary of Commerce Peter G. Peterson observed: "The era of low-cost clean energy sources is almost dead. Popeye is running out of cheap spinach."

On November 7, 1973, former President Nixon responded to the Arab oil embargo and the "trillion-dollar rip-off" by a call for American self-sufficiency: "Let us pledge that by 1980, under Project Independence, we shall be able to meet America's energy needs from America's own energy resources."

By November 1974, only a year later, the government had concluded that this stirring goal of total U.S. energy self-sufficiency was simply not in the cards, certainly not for 1980 nor even for 1985. Though not spelled out in so many words, this conclusion leaps from between the lines of the 780-page "executive summary" of a 30-volume study of the nation's energy problems, call *The Project Independence Report*, which the Federal Energy Administration (FEA) prepared.

But government reports—even 30-volume studies—can be flat wrong. Though massively documented and no doubt sincerely motivated, the report is, I would contend, far too gloomy about the chances of our finding viable energy sources that could be substituted for oil.

It strikes me, in fact, that even within the text of the FEA report itself, one can find many promising, workable energy approaches that are, unfairly and inexplicably glossed over or dismissed by the agency. If one considers these downplayed approaches and then examines the new energy-generating possibilities that are commonly being talked about among energy buffs, it becomes clear that the oil-crunch problem is prickly but certainly solvable. The best way for us to explore this point is, perhaps, simply to look at what the FEA report says, then reconsider its findings in critical perspective, and end with a few suggestions of my own for breaking the energy impasse.

The report's approach is to examine four basic U.S. energy "strategies" in relation to two different levels of oil prices exacted by the oil producers' cartel—$7 and $11 a barrel. The four strategies are: (1) continuation of present policies without major new government intervention, the "base case" (or "business as usual"); (2) accelerating the domestic supply through major offshore drilling, the release of Naval Petroleum Reserves for civil use, and some secondary and tertiary recovery under some economic guarantees or incentives; (3) government-mandated conservation measures, such as levying a gasoline tax, rationing, or regulating mileage standards for autos; and (4) creation of a domestic oil stockpile of 1 billion or more barrels in order to minimize vulerability to a new oil embargo.

Clearly these strategies are not mutually exclusive. They can be used in some combinaiton, but for any strategy a cost is involved, and it is to this cost that attention must be paid at the policy level.

For example, at the higher price level, $11 per barrel, if the United States pursues an accelerated-supply strategy (government intervention to stimulate domestic supply) and employs effective conservation measures, it can become increasingly self-sufficient in oil. By 1980 outflows on the balance of payments for oil purchases would be $8 billion—and zero by 1985. But other costs of this policy would be severe. The growth rate of the U.S. gross national product is projected at only 3.2 percent annually. This is a figure well below historical rates, and it implies continued high rates of inflation and unemployment and slower growth in the labor market and in amenities like housing. There would be sharp regional disparities in energy costs, with New England suffering most acutely, and the overall economic burdens would fall disproportionately on the low-income segment of American society.

The FEA example then goes on to examine what would happen if the cartel price should drift (or be forced) downward—as some believe it will be—to a hypothetical seven dollars. In that case, the impacts mentioned above would be alleviated, although by no means eliminated. Assuming the same accelerated supply strategy with oil conservation measures as in the $11 case, G.N.P. growth might average 3.7 percent, still poor but a half-percent better than in the $11 case. However, dependence on foreign oil and the attendant foreign-payments outflow would continue to the enormous. By 1985 the United States would still be importing at the rate of 5.6 million barrels per day, slightly below the present level, and annual payments for oil would exceed $14 billion. In this situation a year-long cutoff of the insecure (Arab) half of U.S. imports could cost the economy over $200 billion, though this vulnerabilty could be substantially reduced with an emergency storage program costing a fraction of the economic damage of another embargo.

It would be difficult enough to forecast an intricate and related series of cost-benefits even if the price of oil were fixed. But throughout the report, and in fact complicating the policy decisions to be taken, is an uncertainty about the future prices of oil. The cartel can play on its market price as if it were a piano, because its actual production cost is only about 15 to 20 cents per barrel at the wellhead.

There is, of course, no sure way for the United States or the West to force oil prices down or to ensure that they stay down, in spite of Secretary Kissinger's international efforts to form a counter-cartel to accomplish this goal. The report itself clearly favors the price reduction option: "While higher prices make achievement of self-sufficiency much easier, the United States and the world will be better off with lower prices."

In favoring this option, the report recognizes the continued cost in huge dollar outflows in exchange for the benefits of G.N.P. gains from cheaper oil. A good deal of informed opinion contests this view on the grounds that the shift of financial power which it implies is intolerable to the West and to the international monetary system.

With respect to the vulnerability implicit in our dependence on foreign oil at the cheaper price, the report says: "Some imports are from secure sources. Others are from insecure sources, but they can be secured through emergency curtailment measures or standby storage."

This uncertainty about future oil prices has contributed significantly to Washington's reluctance and tentative pecking at a meaningful energy policy. FEA urges that this uncertainty be reduced before major investments or actions "if they involve significant costs of being wrong." But decisions cannot be deferred indefinitely, and the most recent policy pronouncements from Ford administration officials reflect a chilling sense of urgency in getting out some hard-driving decisions.

So much for the oil in the FEA report. I would now like to note down some of my perhaps cross-grained reactions to the points that the report makes. For instance, it relies largely on oil as the once and future basis of our energy supply. In doing so, the study makes some heroic assumptions that cannot go unquestioned. First, that oil is clean; ask any Santa Barbara resident. Second, that it is "secure"—that is, in plentiful, dependable supply. In fact, no one really knows whether there is offshore oil or how much. Nor does the fluid have longevity: Oil is a finite, diminishing resource, and it was the demand for our falling domestic supply from 1970 on that embroiled us in the crisis, to begin with. At best the oil economy can last two or three decades: What then? Total dependence on oil is indeed a retrogression.

Obviously, the question of oil is hellishly complex, and we are not sure how much there is offshore anyway. Drillers could end up with ghastly, expensive dry holes. *So why not turn back to coal?*

The United States has proven coal deposits that will last several hundred years. Our nation has more energy locked in coal than the entire Middle East has in oil. Used to the fullest extent possible for electric-power generation and industry, "black diamonds" would reduce the need for oil, alleviating our import problem very substantially. We used to rely on coal, and grew rich and mighty doing so, but we gave it up after World War II when oil became plentiful and cheap. Grown fat on caviar, we hate to go back to potatoes—going back is against the American psyche; but times change, and so must psyches.

The report admits all this, but its case for coal is *sotto voce* and must be extrapolated: "The coal industry has the capacity to satisfy almost any foreseeable demand for coal by 1985 at prices near 1972–73 levels and considerably below current spot market levels."

To put it differently, coal can be produced and used even today at less than the desired seven-dollar-a-barrel oil price, translating cost per BTU, and there is no dollar outflow attached.

The report posits two back-to-coal scenarios: business as usual and accelerated development. In either case the report foresees substantial increases in output. Why does private enterprise not rush in to provide the needed coal? The report cites various constraints on the expansion of coal supplies: "A coal producer must be reasonably certain that there will be a market . . . for 20 to 25 years."

But this certainty has been blocked, largely by the environmental issues. The lack of strip-mining legislation to ensure land restoration has hurt. Final agreement, however, was reached on that matter by a House-Senate conference in December 1974, and legislation is hoped for soon. For lack of this legislation the Department of the Interior, which owns over 45 million acres of low-sulfur coal lands in the West, has held up leasing of these lands, but presumably it can now go forward as well. Above all, the high air-pollution standards implicit in the Clean Air Act of 1970 mean that no one is sure how much coal can be burned even in the immediate future. If these standards are pressed, it is estimated that some 225 million tons (nearly half) of the current coal output cannot be used. Some of the provisions of the Clean Air Act are legislative, others purely administrative, and in most cases the criteria far exceed what is required for human health standards. Clearly an energy policy that looks to coal as an interim alternative source would need to moderate these standards. The report concludes: "If these uncertainties are eliminated, the current coal shortage can be substantially alleviated in three to five years."

So, with the removal of uncertainties, the business-as-usual scenario sees some increase in output. But what if the accelerated-development scenario is added—complete with incentives or price guarantees, which the report does not specify? In that case, coal production will soar, rising to 926 million tons by 1977 and over 2 billion tons by 1985—increases of 50 to 300 percent from current levels. This rise alone would alleviate most of the oil-import problem.

Nevertheless, the report sees that coal will play its most important role after 1985, when we will have ready-for-use technology, which permits coal to be liquefied to a form of oil, or gasified. The current procedure, known as the Lurgi methods, successfully fueled the German war machine during World War II. However, these methods are expensive; hence the report concludes that they must be replaced by better technology.

Because the case the report makes for coal is ambivalent and buried, the document has been bitterly criticized by Carl Bagge, director of the National Coal Association, in a 35-page letter to Secretary of the Interior Rogers Morton. The association does not believe that government incentives are necessary for the production of more raw coal but would like to see an accelerated-development scenario for liquefaction.

Read carefully, the report's section on coal contains stunning implications. For the section indicates clearly that stimulation of coal production and use—by appropriate governmental measures aimed at reducing excessive environmental standards—would give the nation a greater cost-benefit leap than would any available alternative. The conclusion is inescapable that this is the most fertile area for policy concentration.

What about nuclear-fission energy, whose proponents are so vociferous? The report sees an increase in its capacity for generating electric power, from 4 percent now to about 30 percent of the total by 1985—less than many other forecasts. The conclusion is inescapable that atomic fission has been a major disappointment. It is now nearly 30 years since the nuclear age began, but the report indicates we are nowhere near harnessing the atom as a major substitute for oil.

The supply of uranium is finite, there are long lags in establishing nuclear plants, and antipathies to the use of fission have developed on environmental grounds. These include not only the severe problem of waste disposal but also the reluctance of many communities to have a potentially explosive plant in their midst. Beyond 1985 the report predicts that there will be an increasing transformation to an electric-energy system in the United States and that electricity will provide home heating and power for electric automobiles as well as its present uses. But to do so, the nuclear age must go well beyond fission into breeder reactors or conceivably into fusion, although neither technology is yet available.

Against the above background, what if anything *can* we do to achieve independence of our Arab oil habit? The answer is not an easy one. Candidate Bill Buckley was once asked what he would do if elected mayor of New York. "Leave town," he replied. New York's problems are grotesque, but simple compared with the energy-policy choices that must be made. And in the end, only the President can make them, with advice and help. Schooled in compromise, President Ford must now learn that leadership has the capacity to inflict pain and to teach. Energy policy may fall into the purview of the Vice-President. Nelson Rockefeller summarized our dilemma when, in a neat synopsis, he told a Senate committee: The American people want secure energy, clean energy, and cheap energy at once. But they can no longer have all three. Choices must be made, priorities set, and costs paid. To whoever makes policy, I offer the following unsolicited advice:

(1) Priority must be placed on secure and inexpensive energy. In the interim, we must compromise cleanliness to the extent necessary: No easy task, for many in the new Congress are strong environmentalists and are perhaps unaware that excessive environmentalism is polluting the economy.

(2) In practical terms, this approach means immediate steps to conserve oil consumption, whether by levying a gas tax or by ration or whatever. A gas tax allows some of the economic inequities to be offset. But Kissinger and others are right: We must cut consumption 1 million barrels a day right now, and keep cutting.

(3) At the same time, oil-storage facilities must be provided and stocked to nullify a new embargo and to permit international oil sharing.

(4) In the interim (1977–80), our salvation lies in increased coal production. Coal can be used for generating electricity and for powering industry. It cannot be used, given present technology, to run cars or to heat homes, but if we use it now where possible, within the next two to five years, we can reduce our oil imports to very manageable levels.

Because coal is on the axis of the electric-energy economy—the path of the future, as the report agrees—the revival of coal use not only is the key to our independence but will move us into the future as well.

(5) The constraint on coal use is that it is not clean. Strip-mining is the first environmental constraint. The lack of strip-mining legislation has held up the issue of leases on the 45 million acres of government land in the West, most of it bearing clean coal (1 percent sulfur or less). Legislators should be pushed, and leases should be issued quickly with heavy penalty clauses for those who hold leases but do not mine coal. This stipulation is particularly true when oil companies already own vast reserves and there may be a real conflict of interest. The second constraint is clean air. Standards must be relaxed to permit coal use, until clean-burning coal can be developed. The two issues are related, because public and congressional willingness to reduce air standards will depend on credibility that it is temporary and will in any event not be harmful to human health even if some of the frills are reduced—for example, effects on certain plants.

(6) According to the report, clean coal is not in the cards until after 1985 because the technology to make synthetic gas and oil from coal—called Syngas and Syncrude by energy buffs—needs to be developed. This opens the case for crash R & D programs, which have been wholly lacking in energy. The independence option is not foreclosed to the United States by lack of resources or by limitations of our technological or capital investment capability. Like the World War II rubber, aircraft, and shipbuilding "miracles," or the Sixties' space success, a crash effort can do the job. But it requires a mobilization of American society and effective blocking of those lobbies which do not want miracles to happen, because they profit from business as usual.

(7) There are a number of very near (two to five years off) technological miracles that can be brought off by mobilized, directed, and funded effort. To cite a few:

M.H.D.—magnetohydrodynamics, which increases thermal efficiency of coal by 50 percent or more (like having that much more coal) and reduces air pollutants in dramatic fashion. For example, a 1,000 mw M.H.D. generating plant emits a mere three tons of sulfur dioxide a day, compared with 450 tons for a comparable steam plant. Experts claim that basic research is complete, that $100 million of R & D money will shows us "how to get there" (not *whether* we can, which we already know), that the whole of the United States can be equipped with M.H.D. burners for a fraction of the cost of Syngas, and that the equipment can be built by the thousands of small machine shops around the country. Surely this is worth a crash R & D gamble.

The Flywheel, which, like a battery, stores electrical energy, but infinitely more efficiently. It is a key link on the road to the electric economy—indeed its presence would unblock that road. It will also drive a car 200 miles on a single charge (the electric automobile) with no oil or pollution and for pennies of off-peak-hour electricity. Wind energy can be trapped and stored in the flywheel for heating and powering homes. This device could be a multi-billion-dollar breakthrough, creating an industry to replace the internal combustion motor in most cases. There is no systematic R & D program for it: another excellent gamble.

(8) For the longer run, too, I would bank

on the electric-energy economy *powered by fusion*, most likely multiple laser beams releasing energy from water—of which we have plenty. A focused ample-research program is required here, too, starting now, as the long run always does.

(9) Kissinger's international initiative to form a counter-cartel is laudable but lacks credibility. Our allies are not sure that we will tighten our belts or find substitutes for oil, of which we use about 35 percent of the total for 6 percent of the world's population. If they thought we meant it, they would go along. The foregoing program should provide the needed economic clout to assure success for our diplomatic initiatives.

CABINET LEVEL DEPARTMENT OF EDUCATION

HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. LITTON. Mr. Speaker, today I have introduced a bill to create a Cabinet-level Department of Education. My proposal is not new or unique to the consideration of this legislative body. Some form of this bill, embodying its basic concept and intention, has been submitted to every Congress since the 60th Congress which convened in 1907. This year a similar bill has been submitted in this 94th Congress by Senator HUBERT HUMPHREY.

The measure I have introduced would induce this Nation to carve out a true national educational policy for every citizen of the United States of America. The impetus is provided to lift the educational planning, policy, and programing to the highest priority level. Who can deny that the ultimate remedy to the ills that some are hopelessly surrendering to as incurable, lies in education?

How can this Nation afford to allow the education of its citizenry to continue sinking into the bureaucratic quagmire of the Department of Health, Education, and Welfare? The HEW monster has stocked this country's institutions much too long. Those constituents of mine and other Members who have attempted to confront this "King Kong" of administrative agencies time and again complain of total frustration in having the simplest questions answered. Adding to this crisis is the fact that the monster has produced offspring in almost every Cabinet department and more than 15 other Federal agencies. While the populace cries everywhere for streamlining in government, the answer of the Federal Government is this fragmentation and a burial of education into the HEW mausoleum.

I have intentionally issued impassionate opening remarks in order to attract some attention to this serious matter. I will now build my case with the very statistics that first prompted my thinking on this subject. I will admit that it would have been easy to simply let my first reaction to these statistics conclude the whole matter—a negative nod and "humph"—but a 60-year-old idea somehow seems impatiently ready for birth. I am now in the role of the pacing father who will not rest until this "birth certificate" is signed by our President.

Let me prelude the overwhelming statistical barrage of evidence for the creation of a Cabinet-level Department of Education by stating I know of no other country in the world that does not have a top-level minister of education. I know of no other country in the world that has more people directly involved in education—more than one-third of the population. I know of no other country in the world with more educational programs. I know of no other country in the world that spends more money on education—well over $70 billion. Somehow the first statement of this paragraph seems completely incongruent with the next three.

When HEW was formed in 1953, its expenditures were under $2 billion. This means the amount has grown to $110 billion. Certainly the designers of the Department of HEW did not intend to have one Secretary responsible for such a fiscal giant. Even the much criticized Department of Defense will expend but $85.3 billion—a figure far less than the $110 billion HEW figure already alluded to.

With education being one of the triumvirate of HEW, one would expect about one-third of that budget to be channeled toward education in this country. But it is not. Only 18 percent of the HEW budget has gone for educational purposes. In real dollars, today's budget level is barely above the 1966 level. Education is not getting its share.

My fiscal defense of this bill is thus two-fold: First, education is big business in this country; second, the big business of education is not as big as it should be at the Federal level because it is not represented in the highest spheres by a Cabinet spokesman. Education accounts for $70 billion and nearly 10 percent of the GNP, but the Federal dollars are grossly inadequate, as education seems to always ride in the back seat behind military and industrial interests. Local and State fundings are drying up because of the burden of the load they must carry—52.7 percent by the local community and 40.7 percent by the States. The only answer to the fiscal crisis in education is an increase to the 6.9 percent contribution by the Federal Government. To accomplish this elevation of education from a third-class citizen in the budgetary wranglings will take a strong Secretary of Education.

I am not alone in my call for a Cabinet-level Department of Education. Echoings of support come from all political and ideological corners of the American society. The concept has been supported in Congress by liberal Democrats, such as Senators HUMPHREY and RIBICOFF; it has also been supported by conservative Republicans such as then-Representative Gerald Ford of Michigan. Mr. Ford, as Republican leader of the House, called the separation of the Department of Education from the Department of Health, Education, and Welfare the most natural and best way to bring educators into education. To quote, "Perhaps the only way we will bring about a proper concern of vocational education and the proprietary schools in the U.S. Office of Education is to split off education from the Department of Health, Education, and Welfare." Even a past president of the National Federation of Republican Women—a rather conservative group, indeed—recommends the stripping away from HEW of the education function.

Why then has such legislation not been enacted? Opposition from the educational community? A vehement "no." The National Education Association, one of education's major organizations, is outspokenly for the creation of this Cabinet-level Department. So is the Education Commission of the States, the National Congress of Parents and Teachers, groups representing local and State school administrators, and groups representing local and State school boards.

Former U.S. Commissioner of Education James E. Allen is in favor, "I am convinced that education should not be coupled with any other department of Government, and that it must have the separate status that allows for sharp and undivided focus on its policies and support."

James J. Gallagher, outgoing deputy assistant HEW Secretary for Planning, Research, and Evaluation, has issued scathing criticisms of education's inclusion into the HEW conglomerate.

So has ABRAHAM RIBICOFF who served as HEW Secretary during the first year of the Kennedy administration, calling HEW "unwieldy, unmanageable, and therefore unresponsive to both the executive and legislative branches." This comment, keep in mind, is a 15-year-old description and does not include recent years when HEW has grown the most.

More favor for the proposal comes from David Hall, former chairman of the Education Commission of the States. The intentions of his remarks are clear:

> Today education is a junior partner in the U.S. Department of Health, Education, and Welfare (HEW). This is reflected not only in the budget, but also in the allocation of time and attention by top officials. Further, it is clear that HEW, as presently structured, will be inordinately concerned with health and welfare in the coming years. That is not inappropriate, but it does indicate the need for education to be separated from those other fields.

What we have here is a case of near unanimity favoring this proposal, but somehow an evasion of the outcome by Congress. I am not saying that every individual is for such a creation. But a statement I received from the Library of Congress Congressional Research Division rings in my ears, "In a search through our files, we have been unable to find any references to organizations opposed to the creation of a Department of Education." That speaks for itself.

The only criticism I have heard of this disengagement of Education from the Health, Education, and Welfare troika is that there exists a great deal of overlapping that would cause inter-Department snags. The overlapping of the three is said to make them natural partners. I answer that with a cry of "balderdash." Tell me there is no overlapping of the Commerce and Labor Departments. Tell me there is no overlapping of the Justice and law enforcement departments; the Department of State and Department of Defense; the Department of Agriculture and Department of Interior. There is in basic essence overlaps among every Cabinet-level Department in the executive branch of government. This is obvious by the fact that 10 of the Cabinet posts have some educational jurisdiction under the present system. I will even go so far as to say that education is somewhat a strange bedfellow with health and welfare. An education-labor cluster would make much more sense in formulating a national policy than the present health, education, and welfare trio.

A very sad result of the Health, Education, and Welfare conglomerate is the subjugation of education because of its lack of organized clout. Both health and welfare possess far greater lobbying power and popularity. This is reflected in the staffing of the education sector as well as its bargaining power for funds, as already mentioned.

Because of the second-level status of the U.S. Office of Education and its Commissioner, governmental protocol will not even allow a direct phone call to any Cabinet Secretary. No wonder former HEW deputy assistant James Gallagher lashed out, that "fiscal considerations and budget technicians often determine major educational policy decisions." At best the U.S. Office of Education operates from a position of eroded authority.

As we move into an age of "urgency in education", there is a final argument for a distinct separation of Education which should make the most sense to the people of the Nation, their elected representatives, and even the administration bureaucrats. Education needs accountability. We are in danger of allowing curriculum patterns, research, and education innovations to fly off in every direction. The present system of 40 different departments and agencies handling more than 200 separate programs instigates such a result. "Everybody doing their own thing" is a nice hip slogan for people running barefoot through a field of daisies, but for the formulation of educational policies that aim to solve this country's economic and social woes, it certainly spells only danger for tomorrow.

FEDERAL RULES OF CRIMINAL PROCEDURE

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. RUSSO. Mr. Speaker, Wednesday the Congress took an important step toward encouraging citizens to come forward and testify in criminal trials. As a result, defendants will not have access to a Government witness name and address prior to the time of trial.

When rule 16 of the amendments to the Federal Rules of Criminal Procedure passed the House of Representatives last month, a provision required the Government to divulge its witness list to the defendant 3 days in advance of the trial. I could not have imagined any greater deterrent to a witness voluntarily testifying than this measure.

However, the Senate voted against this particular section of rule 16 and the bill went to conference. As one of the conferees, I indicated that the Senate's position of not releasing the witnesses' names and addresses would better serve society's interests. As a former State's attorney, I have seen the fear of witnesses as they described an account of a crime. If these people knew the accused would have access to their names prior to trial, I am positive many of them would never have told me what they knew.

After a majority of the conferees agreed to the Senate's language, the revised proposal was referred back to the House and Senate for final approval. Defeating a motion to recommit the legislation to the Judiciary Committee, the House approved the conference report. Now the measure awaits the President's signature before it becomes law.

In these days of increasing crime, we need the help of every citizen to convict those who prey upon the defenseless. Without the guarantee that their names would remain a secret until the time they took the witness stand, I could not blame anyone for not volunteering information to law enforcement authorities. I am glad a majority of my colleagues in the Congress share my sentiments on this matter of great importance to all of us.

THE APOLLO-SOYUZ MISSION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ZABLOCKI. Mr. Speaker, I would like to take this opportunity to salute the men of the Apollo-Soyuz mission for their splendid achievement, and I am confident all Americans and Russians share the joy of the safe return of these spacemen.

This historic space mission is more than the détente of diplomat to diplomat, or government to government. Its value is more, even, than improved technology or diplomacy. Most importantly, the Apollo-Soyuz mission has served as the vehicle by which there has been an enormously far-reaching communication between the Russian people and the American people. For the first time in the Soviet Union a space mission had full television and press coverage, involving the people of Russia fully in the mission at the time it was occurring. This, in itself, is a historic incident in what has been a closed door policy in the area of Soviet communications.

I am especially proud that Wisconsin's own Donald K. "Deke" Slayton was a member of the crew. Deke, a native of Sparta, was one of the original seven Mercury astronauts, who has not been permitted to participate in space flights for nearly 14 years because of a minor heart irregularity discovered then. Now, despite the heart irregularity, he has survived blastoff, splashdown, as well as the noxious gas which entered the cabin during the descent. His determination to stay in the space program and realize his objective of flying in space deserves the highest commendation, and should be a source of inspiration to all Americans, particularly to those who suffer from various forms of heart disease.

It is my sincere desire that the good will of the American and Russian people shown during the Apollo-Soyuz mission will serve as an example to both the Government of the U.S.S.R. and the Government of the United States, so that in the future there will be a better and safer world for all mankind.

Mr. Speaker, the Milwaukee Sentinel of July 27 commended the determination of Astronaut Slayton and I include the editorial in my remarks. The editorial follows:

DEKE DID IT!

Although the technological and diplomatic value of the Apollo-Soyuz space linkup was still being debated as the U.S. astronauts splashed into the Pacific Thursday, the greatest long term contribution of the flight may result from the simple fact that Wisconsin's own Donald K. (Deke) Slayton was a member of the crew.

The Sparta native was one of the original seven Mercury astronauts but was not permitted to take to space until this last Apollo venture because of a minor heart irregularity discovered in physical examinations 14 years ago. Now, despite the heart irregularity, he has survived blastoff, splashdown and all the complex requirements in between at the handicapped age of 51.

This accomplishment hardly makes Slayton an advertisement for "hire the handicapped" or "employ the elderly." His heart problem obviously proved to be minor and nonlimiting and George Blanda has already proved that it is possible for a person to reach middle age and still get his kicks out of life.

But any person who unexpectedly learns that he has a heart defect has some sort of psychological barrier to overcome. In Slayton's case, it was probably more in the minds of those who kept him on the ground while he was raring to go.

And the determination which saw him successfully pursue his objective of flying in space should be a source of confidence and inspiration for those on the ground battling various degrees and forms of heart disease and the tendency of others in society to fear that the heart patient can't do the job—whatever it may be.

Deke Slayton proved that the discovery that one has a heart defect doesn't mean the end of the world or of a career as a spaceman.

But we have a word of warning to Slayton that he may have to prove himself one more time. If he wants to renew his Wisconsin driver's license, State Motor Vehicle Division regulations will require that he send along a doctor's certificate attesting that he is healthy enough to drive a car.

OUR MIA'S

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. FISH. Mr. Speaker, the issue of our Nation's missing in action in Southeast Asia remains unresolved, and the heartache for the families of the more than 882 men still continues.

The Government has done much in attempting to solve the dilemma of determining the fate of these men. However, I feel that the United States can do still more.

Congress has taken the initiative in attempting to account for those still missing in action. But, much remains to be done, including the creation of a Select Committee to study the problem of our MIA's.

The Senate and the Assembly of the State of New York has sent me a resolution memorializing the President and the Congress of the United States to extend the efforts to account for our MIA's. I agree that no effort be spared to resolve the tragic fate of our men in Southeast Asia.

The text of the resolution follows:

SENATE RESOLUTION No. 30

Senate Resolution of the Legislature of the State of New York Memorializing the President and the Congress of the United States To Extend Thier Efforts To Account for the Missing Servicemen in Viet Nam

Whereas, January twenty-seventh, nineteen hundred seventy-five is the second anniversary of the signing of the treaty providing for the cease-fire in Viet Nam and the ending of American military involvement in that conflict; and

Whereas, At the time of the signing of the Paris Peace Treaty some thirteen hundred American servicemen were listed as missing in action and unaccounted for; and

Whereas, those thirteen hundred men are still listed as missing in action and not accounted for; and

Whereas, It is believed that a stronger effort could be made to obtain a true and proper accounting of those missing in action; and

Whereas, We believe that our government should obtain as much information as possible regarding those men who are listed as missing in action and unaccounted for, and particularly information as to those who were alive and captured during the Viet Nam conflict; now, therefore, be it

Resolved, That the President and the Congress of the United States, on this second anniversary of the signing of the Paris Peace Treaty vigorously extend their efforts to account for those servicemen who are listed as missing in action and unaccounted for as a result of the Viet Nam conflict and to continue to work for the release of all those who are still being held in captivity; and be it further

Resolved, That we, as a Legislative body of the State of New York, indicate by the passage of this resolution of our concern for those still being held in captivity and for the families of all those who are still missing in action and unaccounted for; and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States and to the Congressmen representing the State of New York indicating our continuing concern in obtaining more information regarding those who have been listed as missing in action and unaccounted for as a result of the Viet Nam conflict.

RESOLUTION No. 16

Assembly resolution memorializing the President and the Congress of the United States to vigorously extend their efforts to account for the servicemen of the Viet Nam conflict who are listed as missing in action

Whereas, January twenty-seventh, nineteen hundred seventy-five is the second anniversary of the signing of the treaty providing for the cease fire in Viet Nam and the ending of American military involvement in that conflict; and

Whereas, At the time of the signing of the Paris Peace Treaty some thirteen hundred American servicemen were listed as missing in action and unaccounted for; and

Whereas, Those thirteen hundred men are still listed as missing in action and not accounted for; and

Whereas, It is believed that a stronger effort could be made to obtain a true and proper accounting of those missing in action; and

Whereas, We believe that our government should obtain as much information as possible regarding those men who are listed as missing in action and unaccounted for, and particularly information as to those who were alive and captured during the Viet Nam conflict; now, therefore, be it

Resolved, That the President and the Congress of the United States, on this second anniversary of the signing of the Paris Peace Treaty vigorously extend their efforts to account for those servicemen who are listed as missing in action and unaccounted for as a result of the Viet Nam conflict and to continue to work for the release of all those who are still being held in captivity; and be it further

Resolved, That we, as a Legislative Body of the State of New York, indicate by the passage of this resolution of our concern for those still being held in captivity and for the families of all those who are still missing in action and unaccounted for; and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States and to the Congressmen representing the State of New York indicating our continuing concern in obtaining more information regarding those who have been listed as missing in action and unaccounted for as a result of the Viet Nam conflict.

THE LOSS OF AGRICULTURAL LAND

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. HAMILTON. Mr. Speaker, the steady loss of agricultural land has become a major economic problem and a threat to our ability to grow enough food for future needs.

Each year the United States loses about 1.4 million acres of farmland to erosion, poor land management, and urban and economic development over and above the approximately 1 million acres of new agricultural land which are brought into production—an annual deficit greater in total area than the State of Delaware.

Since before 1960, the total stock of U.S. land which can be used for crops has declined steadily, and the shift toward maximum agricultural production during the last few years has strained the total supply even further. Today there are an estimated 631 million acres of U.S. land which could possibly be used for cultivation, but of that total only about 47 million acres are prime land. In order to be used for crop production, much of this land would require drainage, irrigation, or other improvements. Despite the Nation's land conservation effort over the past 40 years, conservation treatment is needed on 64 percent of all cropland.

Urban development claims the largest amount of agricultural land, with more than 54 million acres of cropland converted to nonagricultural uses during a recent 20-year period. Some 20 percent of all farms lie within or near metropolitan areas. The pattern for the loss of agricultural land in these areas is for spreading development to crowd farmland, bringing with it rising property taxes which cut into the farmer's income, and rising land values which offer an incentive for him to sell his land to developers. Farmers with land in developing areas may be reluctant to make long-term farm improvements, thereby hastening the ultimate conversion of their cropland. Young people often hesitate to start farming near urban areas because of the threat of urban development over the long run.

The stock of agricultural land is also reduced by a number of other factors. More than 3.5 billion tons of soil are lost each year through erosion, and a substantial amount of farmland has been abandoned or converted to grass or trees. An estimated 25 million lots for second or recreation homes take up significant amounts of land, and highway construction claims about 100,000 acres of agricultural land each year. Airport construction uses 35,000 acres of land, and reservoirs, which already cover over 10 million acres, take 300,000 acres every year. Waste dumps now occupy half a million acres to which 500 new disposal areas are added each year. Four million acres of rural land have already been strip mined, and one estimate is for strip mining to cover an area the size of Maryland by the year 2000.

Under present laws agricultural land protection has to come from State and local governments. Some of the chief means of limiting the use and conversion of farmland are zoning, differential taxation, subdivision regulation, sanitary codes, and official mapping. Tax incentives, which are generally preferable to controls, can also be effective tools for protecting agricultural land.

These are some of the main approaches being used around the country to prevent the conversion of farmland to nonagricultural uses and to keep farmers and farmland producing;

Assessing farmland only on the basis of its value as farmland rather than on its higher market value potential for development:

Penalizing farmland owners who sell their land for nonagricultural uses;

Reducing taxes to landowners in trade for the right to prohibit or restrict the development of farmland;

Restricting the right of public agencies to condemn farmland as well as prohibiting special taxes being levied on it.

An adequate supply of farmland will continue to be essential to the security and prosperity of this country. For our own needs, we should have enough farmland through the year 2,000, but the process of preserving agricultural land for the future must begin now. Agricultural production will have to expand to feed a growing world, and our future strength in international trade will depend greatly upon the food we will be able to sell abroad.

Our agricultural land is a limited, irreplaceable resource which we simply must protect.

GRAIN SCANDAL SHOWS NEED FOR LEGISLATION—IV

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SMITH of Iowa. Mr. Speaker, the massive grain scandal, which I have made reference to in recent days, is not confined to New Orleans and other port cities. It also reaches into the heartland of America.

There are charges in Montana, as the New York Times reported just this week, that wheat producers are not receiving honest tests on protein content. The Montana Governor is quoted as saying the situation has "an apparently criminal dimension."

The U.S. Department of Agriculture says it does not have authority under the U.S. Grain Standards Act to make protein tests, even though the Senate report on that law, passed in 1968, clearly states the Department can do so.

I have introduced a bill, H.R. 8764, which in section 19 would require the Department to make such tests upon request. The text of the bill appears in the Congressional Record for July 18, starting at page 23553.

The New York Times report follows:

[From the New York Times, July 28, 1975]

In Wheat Belt: Protein Dispute

(By H. J. Maidenberg)

Big Sandy, Mont.—Americans may well sing of amber waves of grain as the nation winds up a historic harvest of 1.7 billion bushels of wheat this month.

But to the wheat growers who planted that record crop last fall, the music carries some discordant notes because the protein content of the hard red winter wheat produced in Montana's "Big Sky" country and other areas is down again this season.

Protein is not only a basic substance of life—to growers of quality wheat it also represents the difference between high profits and nine months of wasted time and money, regardless of the size of the crop.

To make matters worse, farmers and the grain elevator operators here complain bitterly of a "conspiracy" by wheat buyers to deny them the normal premiums they receive for protein content.

After reviewing "widespread discrepancies" in protein tests by producers and buyers, Gov. Thomas L. Judge declared:

"This situation, which carries an apparently criminal dimension, is threatening the very livelihoods of Montana independent grain elevator operators and is cheating all the farmers of the nation's fourth largest wheat-producing state."

Although disputes over quality are as old as agriculture itself, the current one over protein content has struck raw nerves in the industry because of the exploding scandal involving the false grading of grain for exports. The scandal has led to a score of indictments of inspectors and grain companies.

The charges by Montana's wheat growers and their elevator operators are being investigated by Congress and a number of Federal agencies, including the General Accounting Office.

The battle in Congress is led by Representative John Melcher, Democrat of Montana, whose district includes Big Sandy. Mr. Melcher said Richard L. Feltner, an Assistant Secretary of Agriculture, had contended that protein grading was outside the purview of his agency.

The dispute over the protein content of grain introduces a new aspect of commerce to Big Sandy, where a handshake and one's word have been as valid as any written contract since the first farmers settled here more than a century ago.

At issue in the protein dispute is this question: When is the bending of rules cheating and when is it merely shrewd dealing?

To Ray Aman, manager of the Big Sandy Grain Company, smallest of the three tall elevators that dominate the life and skyline of this town of perhaps a thousand people, the answer is simple:

"Cheating is when the handful of giant international grain exporters knock down the protein content of our wheat with the full knowledge that we can either accept their price or choke on the stuff."

WATER AND CHAFF

The companies that buy grain from elevators around the nation, however, say cheating often starts when farmers add water, chaff and other foreign matter to their wheat before delivery to the elevators.

"The elevators are thus stuck with the water and rubbish and then try to pass it off on us," a representative of a large grain exporting house said in a telephone interview from Portland, Ore.

What makes the Big Sandy Grain Company's situation unusual is the fact that Mr. Aman decided to take his case to Washington.

"We have been complaining to the grain companies for years," Mr. Aman said. "The reason we hollered to Washington is that protein premiums determine our profits today because costs of production are eating up the prices we're getting."

He explained: "Basically difference between ordinary hard red winter wheat with a protein content of 11 per cent or less and, say, 14 per cent is 56 cents a bushel over the posted prices in the newspapers.

"With production costs—fertilizers, other chemicals, labor, transport, taxes, land rental costs—rising fast, that half dollar can be the difference between profit and having to borrow to stay in business."

One grain buyer responds: "We are the ones who have to face the final customer, here or overseas. Sure, some of us knock down the protein count. How else do we compensate for short weights, rubbish and high moisture? No one likes to call anybody a cheat."

There are many ways to cheat. Farmers may load their trucks partly with screenings, the chaff left after they process grain for seed, or they may cover lower protein grain with a better grade from a previous harvest in the hope of avoiding detection by inspectors.

Farmers have also been known to play a water hose over a load of particularly dry grain to raise the moisture content and weight.

Quite often a combine may pick up pebbles, dirt, garlic and other non-wheat plants inadvertently during harvest.

At Big Sandy Grain, a cooperative elevator owned by 132 farmer members, the truckloads of wheat are weighted and tested for protein, moisture and other properties before the grain is either stored or moved out by railway.

FURTHER TESTING

"I do believe that outfits like Big Sandy try to be honest," a buyer for a large export house said. "They know we'll test the grain when we get it and pay accordingly.

"But their directors, members and others they buy from in the area are not the fairest judges of protein. The hired hands don't like to contradict their bosses and usually grade the way they're told."

Big Sandy's manager conceded that such problems have surfaced, but he added: "Our members aren't stupid. They know the grain will be checked later by the state lab in Great Falls and by the buyers."

Mr. Aman continued: "They also know that the dime spread between what we pay the farmer and what we get from the buyers must cover our operating expenses. By having protein knocked down, the members' costs rise and possible dividends vanish."

Basically, each quarter percentage point in protein content above 11 per cent commands a premium of 2 cents, and may rise as much as 5 cents above 16 per cent content.

In recent years protein levels of American wheat have fallen because of a lack of sunny weather, above-normal rainfall and the high cost of nitrogen, which is obtained from natural gas. Nitrogen produces protein, but its cost has discouraged farmers from using as much nitrogen-based fertilizer as in past years.

As far as the milling and baking industry is concerned, the protein factor is essential not only for its nutritional value but also for the production of quality bread and rolls.

Without at least 11 per cent protein, bread loses its firmness and structure, making automated packaging a nightmare.

A lack of protein causes stacked bread on grocery shelves to collapse, giving customers the impression of being offered short-weighted or damaged goods.

Foreign buyers of wheat insist on high protein because bread is still a major source of that key element in their diet. The Soviet Union, for example, has a per capita consumption of 550 pounds of bread a year. That compares with 120 pounds in West Germany and 85 pounds in this country.

Because of the decline in supplies of high-protein wheat today, exporters may be forced to compete against domestic flour millers and makers for available stocks, despite the record grain crops forecast for this season.

[90th Cong., 2d sess., S. Rept. No. 1372]

Report on U.S. Grain Standards Act

The Committee on Agriculture and Forestry, to which was referred the bill (H.R. 15794) to provide for U.S. standards and a national inspection system for grain, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

SHORT EXPLANATION

This bill would revise the U.S. Grain Standards Act. The significant changes made by it are as follows:

(1) Inspection would not be required for any shipment of grain in domestic commerce, except grain in a container bearing a grade designation;

(2) Additional inspection services, such as inspection of U.S. grain in Canadian ports (now furnished under the Agricultural Marketing Act of 1946), protein tests, and weighing of sacked grain, would be available upon request (now only grading services in the United States are available under the act);

(3) The lead time for effecting changes in the standards would be increased from 90 days to 1 year;

(4) Submitted samples could be used in lieu of official samples in official inspection of interstate shipments and of grain in Canadian ports;

(5) Samplers and laboratory technicians employed by official inspection agencies would be required to have licenses;

(6) Inspectors' licenses would be issued for 3-year periods (instead of permanently); and

(7) New enforcement procedures would be provided, including refusal of inspection service; examination of records; subpena power; exemption from prosecution of witnesses compelled to give self-incriminating testimony; additional specified offenses; and increased penalties.

THE PRIORITIES OF THE NINTH CONGRESSIONAL DISTRICT OF WISCONSIN

HON. ROBERT W. KASTEN, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. KASTEN. Mr. Speaker, I sent my first Washington Report to the constituents of the Ninth Congressional District of Wisconsin in April. It contained a 10-question legislative questionnaire. The results have been compiled and I would like to share them with my colleagues.

Over 20,000 residents responded to the questionnaire. I was impressed with the broad consensus of my constituents on the most critical issues facing the country today. Sixty percent of those responding to the poll listed the twin economic problems of inflation and unemployment as "most critical."

Ninety percent of those responding believe that the economy would improve if Congress would place a moratorium on new spending programs or even reduce Federal spending. The breakdown of the 90 percent includes 63 percent of the respondents favoring a reduction in Government spending, even if it meant cutting back on programs they support, and 29 percent of the respondents favoring a moratorium on all Government spending except energy. Only 8 percent believed that increased Federal spending would improve the economy and 71 percent opposed the imposition of Government wage and price controls. Clearly, the majority of my constituents believe that outdated policies such as deficit spending and direct Government intervention are no longer viable solutions to our economic problems.

Energy policy was listed as the second most critical issue facing the Nation and crime control the third most critical issue.

Mr. Speaker, I insert the results of my questionnaire at this point for the benefit of my colleagues:

KASTEN LEGISLATIVE QUESTIONNAIRE

1. As a means of improving the economy, would you support:

(a) Increase in federal spending? 8 percent.

(b) Reduction in government spending—even if it means cutting back some programs you support? 63 percent.

(c) Moratorium on all spending programs (except energy)? 29 percent.

2. Which do you prefer as an energy saving measure:

(a) Raising the price of all oil products through import fees? 29 percent.

(b) Gasoline rationing? 18 percent.

(c) Federal government allocations? 13 percent.

(d) Tax on gasoline? 30 percent.

(e) Other, 10 percent.

3. What is your opinion of government wage and price controls at this time?

(a) Oppose, 71 percent.

(b) Favor, 29 percent.

4. What is your opinion of the establishment of a national health insurance program?

(a) Oppose, 53 percent.

(b) Favor, 47 percent.

5. If you favor a national health insurance program, it should be administered by:

(a) The Federal Government, 29 percent.

(b) Private insurance companies, 71 percent.

6. What is your opinion of gun control legislation?

(a) Favor registration of hand guns, 41 percent.

(b) Favor total ban on hand guns, 33 percent.

(c) Oppose any restriction, 26 percent.

7. Do you believe Congress should pass a Constitutional Amendment to prohibit abortions?

(a) Favor, 34 percent.

(b) Oppose, 66 percent.

8. Federal spending for national defense and military purposes is:

(a) Too little, 13 percent.

(b) Too much, 52 percent.

(c) About right, 35 percent.

9. What policy do you think the U.S. should follow in Southeast Asia:

(a) Continue to provide economic aid?, 35 percent.

(b) Continue to provide military aid?, 8 percent.

(c) Cut off all aid?, 57 percent.

10. If an all-out war between the Israelis and the Arabs were to occur, what policy do you think the U.S. should follow:

(a) Support Israel with economic aid?, 21 percent.

(b) Support Israel with military aid?, 19 percent.

(c) Send troops to Israel?, 2 percent.

(d) Stay out of the conflict?, 57 percent.

"BREED 'EM BACK ALIVE!"

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. WHITEHURST. Mr. Speaker, in the June/July issue of Animal Kingdom there was a statement by Mr. William G. Conway, general director of the New York Zoological Society, which describes one of the major purposes of our best zoos today: preventing vanishing species from becoming extinct.

My zoo bill, H.R. 1154, contains a section which would give encouragement to the development of "survival centers," so that many endangered species, now being driven to the brink of extinction as man moves into their wild habitats, may be kept in existence for future generations. H.R. 1154 will make it possible for zoos to become something better than simply prisons of concrete and steel, but true refuges for many animals, providing living conditions like their natural homes.

I am introducing Mr. Conway's statement at this point in the RECORD.

"BRING 'EM BACK ALIVE!"

It was not so long ago that Frank Buck and his famous motto were known to every youngster with an interest in exotic wild animals. Zoos were a part of a romantic tradition of expeditions for rare and sometimes fearsome creatures captured in savage areas at great personal risk. The idea that zoos might one day become nurseries and last refuges for vanishing species had been considered only by a few far-sighted men (and their efforts account for the fact that several species, including the American bison, are still with us today).

Even by the earliest zoomen, breeding animals in zoos had always been considered desirable—if a suitable male and female happened to be available. However, propagation was not a high priority in the planning of zoo facilities. The reproductive process was considered a bit improper—a clandestine and furtive sort of business not entirely appropriate to a public institution. So "Frank-Buckism" flourished, until it became clearer that many species would inevitably disappear before man's unchecked spread over the landscape. And until zoological knowledge made it clear that any wild creature could be bred in captivity—if the proper conditions were provided.

Today, many zoos have become producers rather than consumers of wildlife—and they are still coping with the results of the change. The success of modern propagation programs is beginning to produce the same sort of surpluses in captivity that evolution has programmed wild creatures to produce in nature. Surpluses are rarely noticed in the wild because they are so rapidly gobbled up by predators, disease, and starvation. Someone has calculated, for example, that a single pair of robins and its subsequent progeny could multiply to 19,531,250 robins within ten years if all of their young survived and bred successfully.

Thus, it is not surprising that there has been an embarrassment of wolves and a glut of lions resulting from zoo breeding. The Bronx Zoo is presently delighted by a plethora of pythons and a phalanx of frogmouths. Temporarily, these surpluses can be troublesome, but they augus well for the future. Zoos have never been among the significant factors in the endangerment of any species. Now, it is beginning to appear that the potential for zoos to act as repositories for vanishing species is coming ever closer to realization.

Inter-zoo cooperative breeding programs have become almost universal. Specialization in the propagation of particular species is widespread, and the incidence of multi-generation breedings is reaching levels undreamed of two decades ago.

The New York Zoological Society has 106 animals on breeding loan to other collections: 85 birds, 15 mammals, and 6 reptiles. On breeding loan at the Bronx Zoo are 37 animals from other zoos. During 1974, the zoo bred 161 mammals, 304 birds, and 77 reptiles and amphibians. During the same period, the Society found zoo homes for 334 animals from its surplus as breeding loans, as trades, and even as sales.

Most of the danger and romance in the acquisition of wild animals have diminished, but the required dedication and understanding have increased a hundredfold. For the zoo man today, it's "*breed* 'em back alive!"

IMPACT OF THE ECONOMY

HON. ROBERT W. EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. EDGAR. Mr. Speaker, for those of us who came to Congress with hopes of working toward a decent standard of living for all Americans, the current economic crisis has been tragically disappointing. The further expansion of vital social services—quality education, health care, gang control, child care, and low-cost public housing—has been preempted by the specter of inflation; always looming over the horizon, lurking in the next quarterly economic report.

Throughout the high-growth 1960's, our Nation enjoyed a period of sustained expansion of real income. Funding social services then was a relatively easy thing, a question of allocating a slice of a rapidly growing pie. We all remember the 1960's as a time of social unrest; the growing pains of people adjusting to the new expectations and lifestyles of an affluent society.

What we must face in the coming years is the prospect of little or no growth. If we in Congress do not move to fairly distribute the sacrifice, do not prevent the return of a subsistence economy for millions of Americans, then we may be visited with upheaval which will make the 1960's look like a Sunday school picnic.

Faced with the constraints of dwindling resources, we must make hard decisions as to our national priorities. How can we reject aid to the unemployed, to health education, to housing, as being inflationary, and then divert billions of dollars into the construction of a nuclear cruiser?

A friend from Pennsylvania has sent me a paper which raises some of these questions, and points up real world problems which our Government policy is creating in the lives of millions of people. Written by Ms. June Axinn of the University of Pennsylvania, this provocative essay should be of interest to all Members. Though I do not entirely agree with Ms. Axinn's analysis, her essay should provide grist for interesting discussion and I look forward to receiving feedback from Members. Therefore, I am at this time submitting Ms. Axinn's essay for insertion in the RECORD:

"THE IMPACT OF THE ECONOMIC CRISIS ON THE DELIVERY OF SOCIAL SERVICES" DISCUSSION

I. IMPACT OF THE ECONOMY

The impact of the economic crisis on both the clients and providers of social services has been made dramatically clear recently.

A. Inflation

Both unemployment and inflation hurt most those who can least sustain the economic burden: the poor and the marginally employed: the aged, female headed families, minority populations. For the very rich, inflation means primarily a decrease in the size of their assets; for the middle class, it means a loss of purchasing power and consequently some scaling down of expenditures—shorter vacations, perhaps, or the substitution of less expensive meat for luxury cuts; for the typical production worker who had been used to a steadily rising standard of living, this past year has seen his real income drop by over five percent—and his ability to spend has been curtailed. But for those living on a poverty level ($5440), the impact has been much more severe. The most significant items in their budgets have risen the most sharply—food, housing, utilities. Prices have gone up about 32 percent in the last four years; welfare benefits about 12 percent, AFDC only 5 percent. So we cannot minimize the inflation problem: it has been—and all indications are it will continue to be—a major concern. Prices have not peaked any more than unemployment has bottomed out. Both for consumers, and for providers of services—public and private—who have to spend more and more money just to provide the same amount of service, it remains a serious problem.

B. Unemployment

The official unemployment rate is 9.2 percent—8.5 million workers unemployed. If we add in the 1 million that the Bureau of Labor Statistics estimates are too discouraged to seek work and the over 1 million involuntarily working part time, we get a rate of closer to 12 percent. This rate is structured so that the black community bears the highest burden and this is one of the most vulnerable groups—they are least apt to get unemployment insurance or have savings to fall back upon. For state and local governments, it means falling tax revenues as expenditures rise. New York City is not alone in facing a major crunch.

For social services, the economic problem represents a disaster—despite the fact that as recently as last March, the Ford administration declared the urban crisis was over. It is over in one sense only: there are no riots. In view of this, the administration appears to have determined upon a policy which makes the poor carry the costs. We have severe unemployment and inflation and severe commodity shortages and we have them in a world context of economic crisis—world wide inflation, widespread famine, rising unemployment and a fuel confrontation.

II. IMPACT OF THE SOLUTIONS

Much of the public discussion to date—and certainly the official administration discussion—has assumed two things explicitly: (1) that full employment is not compatible with price stability—that we must have either inflation or unemployment—the Phillips tradeoff; and (2) that the maintenance of health, education, and welfare programs for the poor is not compatible with control of inflation. Two additional assumptions appear to be made implicitly—(1) that the shortages which exist are largely unrelated to each other—that there are completely separate solutions to the petroleum shortage and the world food shortage, for example; and (2)—the strangest assumption of them all—that none of these problems are related to our military expenditures. I'm suggesting we can have—and should insist on—both full employment and price stability—and on control of inflation without cutting health, education and welfare programs. The administration proposals to date have been characterized by what Rose de Wolf aptly called the Hood Robin approach—taking from the poor to help the rich. All for "the good of the poor." Florence Nightingale insisted that whatever else hospitals did, they should at least not spread disease. Surely we can insist that whatever else policy makers do for the general welfare, they should at least *not* spread poverty.

If we accept the formulation of the problem as a tradeoff between inflation and employment, we're involved in a political seesaw. We'll never reach either full employment or price stability. When the recession appears too severe, as it did this Spring, then the economy is given a stimulus in the form of a tax cut. When the administration thinks that things seem to be picking up, as it now does, then the unemployment problem is shelved and the attempt is to restrain the rate of increase of prices. Thus, the Ford veto of the emergency job bill at the end of May. Having restrained the recession, it thinks, the administration is willing to accept for 1975 and 1976 an unemployment rate of eight percent in order that prices not rise faster than five to eight percent next year. Each percentage point of unemployment means almost 1 million people out of work; and each percentage increase in the price of food means an increase in the number of youngsters who are too hungry to learn to read.

There is not the time to do an analysis of all the causes of inflation, the role of commodity shortages, the wage-price spiral, and administrated, monopoly prices, but there are some long-run factors on both the demand and supply side that must be understood if we are to get out of this box. Underlying the inflationary problem which we have had since the end of World War II are several demand shifts. One is the rising demand for goods and services of the lower middle class in the United States. By and large, the past twenty-five to thirty years have been affluent ones. Real income has been climbing and so have expectations. The old values that the rich held for the working class seem to some extent to be no longer held by the working class itself. Where fifty years ago, rich and poor alike agreed that workers should work hard, take pride in "craftmanship" and save for their old age, today the middle class and the working class seem to be taking on the values the rich hold for themselves—they stress vacations, leisure time, and increased availability of consumer goods.

Not only have the working classes in the United States increased their demand for goods and services, but there has been an increase in world wide demand—for raw materials as under-developed countries industrialize—and for food. The long run picture is one of increased demand, foreign and domestic.

This increase in demand has occurred at the same time as the role of military purchases in our economy has expanded. Since the end of World War II—over the past twenty-eight years—the Federal government has spent $1.7 trillion purchasing final goods and services in our economy. Of this, $1.3 trillion was on national defense—eighty percent. There has been a steady rise in military absorption of resources from $15 billion in 1946 to $74 billion in 1973, with amounts well over $100 billion projected for 1980. The increase reflects changes in technology, the development of nuclear warheads and missile delivery systems. It reflects too the overkill philosophy of defense, and what increasingly observers are urging is the "Pentagon's proclivity for purchasing huge, enormously expensive, but relatively ineffective weapons systems which add . . . little to . . . security."

Be that as it may, military expenditures represent a continual siphoning of goods off the civilian market. Wages and salaries continue, but workers in this sector do not produce goods available for civilians to buy. And in addition, they use resources inefficiently. Result: a major inflationary bias built into the economy. Thus, in a very basic sense, we have had a build up of a supply and demand imbalance. And this imbalance exists in a rigid economy which does not make adjustments easily; corporate power on the one side; unions on the other, mean that the traditional balancing mechanism no longer holds. It is ironic that side by side last Thursday, the New York Times carried the story of the failure of the House to override the Ford veto of the $5.3 billion public jobs bill and the rejection by the Senate of a cut in the military budget. At least some of the support that came for military spending was based on the employment creating opportunities involved in an expansion of weapons production. But the inflationary push coming from military production is a major one and in the end, these jobs come at the expense of jobs in housing, public transportation and social services, and we can't afford them.

I was originally asked to talk about how much social welfare we can afford in the light of falling GNP. Essentially, I am saying I was asked the wrong question. Clearly what we can spend depends on what we are willing to spend. A country that can afford a high level of waste and a high consumption of luxuries, and which obviously chooses a high dependency of the rich, can choose to afford, instead, a higher level of living for the poor. Public spending—be it for maternal and child health, public housing, gang control programs, day care, etc., competes for resources with individual (private) consumption and for other public goods. Twenty-five million dollars can buy twenty-five day care centers at a million each; or 500 power yachts at $50,000 each; or one destroyer escort.

Inflation and unemployment are long run problems and effective solutions must involve long run increases in productivity and the supply of goods and services. We have some choices and I would hope the social welfare community would take leadership in public discussion of the social implications of these choices.

JUNE AXINN,
University of Pennsylvania.

EPA URGED TO REOPEN 2,4,5-T HEARINGS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. PATTEN. Mr. Speaker, recently I distributed a letter indicating my intentions to contact Russell Train, Administrator of the Environmental Protection Agency, concerning the controversial herbicide 2,4,5-T. I am pleased to announce that I have received a favorable response, and the correspondence was sent today with the signature of 20 of my colleagues.

The EPA's current position on this chemical appears paradoxical. In 1971 use of 2,4,5-T was canceled around homes, waterways, and on all food crops except for rice. The motivation behind this action was results of extensive scientific studies which revealed that an extremely toxic substance, tetrachlorodioxin—TCDD—clearly with the potential to cause birth deformities, was unavoidably present in all manufactured 2,4,5-T. The rationale was to minimize the exposure of women to the dioxin and prevent the possible teratogenic effects. Continued use of the chemical was permitted on rights-of-way, for brush control, on rice, and for conifer release in forests. Supposedly, the danger to people from these applications would be negligible.

However, herein lies the fundamental hazard. Although the TCDD is present in 2,4,5-T in minute quantities—less than .1 ppm—in itself a safe level for human tolerance, we do not know whether it can accumulate in the food chain and body tissues, thereby increasing the potential exposure to dangerous levels of the toxic substance. The possible threat to humans remains real indeed.

The EPA scheduled hearings to determine whether TCDD was persisting in the environment. However, on June 28, 1974, John Quarles, Deputy Administrator, announced that these were indefinitely postponed because of "methodological problems" with the monitoring project. It is significant to note that Dr. Diane Courtney, a scientist with the EPA, disagreed with her agency's decision. She claimed that the absence of a detection capability was not a sufficient basis to continue using 2, 4, 5-T because the TCDD was contaminating a broad area of the environment.

I believe that we must not misuse any substance which might be harmful to humans. In the past only catastrophic evidence has precipitated cancellation of a pesticide, often after irreparable damage has already been done. This has been most recently demonstrated in the suspension of insecticides Heptachlor, and Chordane. It is a practice which should be discontinued.

I would like to quote from a report by Theodore D. Sterling, Ph. D., a consultant to the FDA, FTC, and Environment Canada:

> We are faced with a serious moral problem. Should society knowingly permit its members to be used as a "divining rod" for discerning destructive forces unleashed in order to satisfy the interests of some narrow economic or social interests? In a case where there are no alternatives but to use a product that may cause great harm, it is customary to examine the risks entailed in its use and weigh them against the benefits that will spring from its application. But again, this is not the case here. Ample substitutes exist for 2, 4, 5-T and for phenoxy herbicides in general. It is true that they are more expensive to use and are less effective (since they are less poisonous) but they are viable alternatives and they do not place undue stress on the economic resources of man. In light of the clear and present danger in the use of 2, 4, 5-T and given the many available substitutes, there is no need and no substantial ground for taking further risks with the human population.

ILLEGAL LAETRILE

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. MAZZOLI. Mr. Speaker, the sale of Laetrile, an apparently harmless drug manufactured from fruit pits, is prohibited by law. Its proponents claim it can help cure cancer.

While there is no evidence that this is the case, there is also no evidence of adverse side effects from taking the drug.

In its well-intentioned efforts to create a better, safer society, Government often extends itself into areas where the need for its presence has not been firmly demonstrated.

As a New York Times editorial of Tuesday, July 29, 1975, demonstrates, the prohibition of the salt of Laetrile in the United States—despite evidence of its harmlessness to humans—is an example of Government paternalism.

The editorial is as follows:

[From the New York Times, July 29, 1975]

ILLEGAL LAETRILE

Under present law, every new drug is born guilty until and unless proved innocent; that is, it must be proved to be both efficacious and safe before it may legally be put on sale in interstate commerce. A controversy over the use of laetrile has revived questions about the validity of national drug policy.

Laetrile is a contraband drug because nobody has presented evidence satisfactory to the Food and Drug Administration that it is useful in the treatment of cancer. There is apparently little argument about its safety, since it is basically the natural plant chemical amydalin which can be taken in large doses for long periods without ill effects.

However, thousands of people apparently believe laetrile can help in cancer. The result is that large numbers of desperate cancer sufferers travel to Mexico to be treated with the drug, or obtain it illegally in this country. Since many of those who take laetrile are terminally ill patients whom no known orthodox therapy can help, laetrile's proponents ask why it should be banned. They point out that in such desperate situations, even a mere placebo effect may be helpful in alleviating pain and suffering.

Experiments with laetrile on humor-diseased rodents apparently have been almost uniformly negative except for some curious initial results at the Sloan-Kettering Institute, which that institution now regards as spurious. Nevertheless the mere fact that a drug does not work in mice and rats does not necessarily prove that it will not work in man, just as the fact that a drug works in rodents does not necessarily prove it will also work in man.

While laetrile may in fact be totally ineffective against cancer, it apparently is harmless; and so long as it is prohibited by law, it will have an inevitable fascination for those who have no other hope. It cannot injure those unfortunates; it might help them, at least psychologically. Why should the law deny them such help?

PAPERWORK BURDEN ON SMALL BUSINESSMEN SHOULD BE REDUCED

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. EVINS of Tennessee. Mr. Speaker, everybody seems to favor cutting and reducing the demands upon small businessmen by Federal agencies for the filling out of time- and labor-consuming paperwork, much of which appears to be too complex and in many cases unnecessary—but we need action.

Representative William Hungate, Democrat of Missouri, is chairman of the Subcommittee on the Activities of Regulatory Agencies of the House Small Business Committee and his subcommittee is investigating this matter and conducting hearings to determine how this paperwork burden can be reduced—we look forward to the report and recommendations of this subcommittee as a basis for positive action in this direction.

In this connection, the Nashville Banner in a recent editorial estimates that small businessmen spend an estimated $18 million each year on paperwork, including unemployment forms, health forms, accident forms, quarterly social security forms, withholding forms—and the list goes on ad infinitum.

Because of the interest of my colleagues and the American people in this most important matter, I place the editorial in the RECORD herewith.

The editorial follows:

THE PAPERWORK PILE OF SMALL BUSINESSMEN

If the average citizen thinks he has a lot of forms and reports to bother with in his dealings with big government, he should consider the plight of the small businessman.

Each year, small businesses spend some $18 billion on paper work alone. This includes, among other things, unemployment forms, health forms, accident forms, quarterly Social Security forms, withholding forms, and retirement forms.

A simple family store that grosses less than $30,000 a year must fill out, on the average, 52 tax forms a year. Small wonder that your corner neighborhood grocery store is part of a vanishing breed.

While many small business owners simply throw up their hands in disgust, it is a matter of record that a considerable number of small businesses are indeed driven to bankruptcy by the time and money they must spend in filling out forms of various kinds.

Fortunately, there is hope that the paper maze is going to be reduced in the future. President Ford has signed into a law a bill sponsored by Sen. Lloyd Bentsen, D-Texas, setting up a 14-member commission which will devote a two year study to finding ways to reduce the number of reports both citizens and business have to turn in to the government.

Let us hope the commission itself will not become preoccupied with the business of requiring still more reports.

CONTROLLING HEALTH AND MEDICAL SERVICES

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. MATSUNAGA. Mr. Speaker, a large part of the solution to the chronic problem of maldistribution of health and medical services in many areas of the country is the increased use of allied health personnel to provide people with basic prevention-oriented health and medical services, which were once only provided by physicians.

Because of the nature and extent of their training relative to medical school education, these allied health professionals, who are often given formal titles such as nurse practitioners and physician extenders, are able to provide basic health and medical services such as physical examinations, basic laboratory and diagnostic testing, and comprehensive health education and counseling at lower costs than what most physicians are able to charge for their time. In addition, these allied health professionals are often more readily available to make house calls than most physicians.

The efficient use of these highly skilled members of the health profession is imperative if access to good health care is ever to be made a right and not a privilege of only those with sufficient incomes to pay for physician's services. I submit for the interest of my colleagues and other readers of the Record an article from the Chicago Sun-Times which was sent to my office by two registered nurses who have set up their own independent practice in the Chicago area:

What Happens When Nurses Go Into Private Practice: They Promise Lower Costs, No Waiting, and the Personal Touch

(By Mary Dedinsky)

Scene one: It's 2 p.m. and Virginia Williams, comfortable in her "uniform" of street clothes, pulls away from her four-room office at 1004 N. Front St. in McHenry. She drives over a familiar path to a house a couple of miles away. She knows the family is expecting her; she strides up the walk, carrying a large purse stuffed with two or three medical instruments.

Miss Williams, 48, a registered nurse with a master's degree in community health, is on one of her weekly visits to a patient. This patient is recuperating from a fractured hip and an operation and treatment for cancer. She will give physician-prescribed shots, teach the patient exercises necessary to regain strength, help the patient walk again and discuss a proper rehabilitative diet with other family members. Depending on the needs of the family and ill person, Miss Williams will spend from minutes to many hours in a home.

Scene two: A small, brightly lit two-room office at 9748 S. Roberts Road, Palos Hills; two nurses are discussing health problems with patients.

One nurse advises a telephone caller to come in later that afternoon to have his blood pressure checked. Another nurse administers a test for diabetes to a woman in her 60's who has a family history of the disease and lately has experienced dizziness, tiredness and weight loss—all possible symptoms of the problem. Should the patient show positive indications of diabetes, she immediately would be sent to her doctor along with the nurse's test results. Meanwhile, the nurse takes the time to discuss what diabetes is and carefully answers questions.

These three women are part of a movement in which nurses hang out their own shingles and venture into independent medical practice. Across the country, about 125 registered nurses have said "good-by" to directly assisting doctors in hospitals and private offices; they are embarking on their own public-spirited work.

They cannot provide the diagnostic and treatment services doctors have learned through years of arduous training, the injuries themselves stress. But they, too, have spent years in training and can play an expanded role in the health care delivery system. Nurses in independent practice can make home visits, check blood pressure, screen for diabetes, counsel about diets, assist new mothers and teach injection techniques quicker and for less cost than most doctors care to or do. In addition, their activities allow doctors to concentrate on and provide faster, more in-depth care to the more seriously ill patients.

"One of our main reasons for doing this was because so many people asked us if something like this existed," said Mrs. Marcia Catterson, 34, vice president of Registered Professional Nurses, P. C. (professional corporation) in Palos Hills. "These people couldn't get a nurse to come to their home for injections or baths or dressing changes and they either couldn't or didn't want to go to a doctor's office and wait. They'd ask us if we knew of anybody to help them.

"Then there are patients who can go home from a hospital sooner or may not even have to be hospitalized if a nurse goes to their home to help them. The visiting nurses (Visiting Nurses Assn.) have already been around, but their caseload is very heavy due to Medicare or Medicaid. There is quite a gap in service for someone in the middle class who needs a nurse."

Mrs. Karon Gibson, 27, president of the corporation, said their group practice is a for-profit business, but stressed: "Our biggest goal is to cut down the cost and offer a no-waiting period. Normally people are very busy and don't want to take off a day and sit around in someone's office. We have even gone to executives' offices to check blood pressure or perform other lab tests so they don't have to waste time."

One of Mrs. Gibson's favorite cases is the man and woman who decided on Monday to get married on Saturday and required a blood test—fast. The couple could not come during the day and the nurses worked full-time at a hospital from 3 p.m. to 11 p.m. The solution: the newly-weds-to-be were visited at midnight and were given an "untimely," but highly satisfactory, blood test.

"You don't get too many patients willing to agree to those kinds of terms, Mrs. Gibson admitted.

Mrs. Catterson and Mrs. Gibson met in 1968 while working as registered nurses in the psychiatry department at a community hospital in Oak Lawn. Their friendship was strengthened when they learned they both were married to Chicago policemen. Setting out on their own has not been easy, they confirm with heavy sighs.

They opened in September, 1973, and still have not drawn salaries from the enterprise, although lately they have been breaking even with their expenses. But in October, after weeks of what they call subtle harrassment, they were dismissed from their jobs at Christ Community Hospital, 4440 W. 95th, Oak Lawn. They say they intend to fight the hospital's charges that their independent jobs interfered with hospital staffing patterns.

"Excluding that issue, our biggest problem has been letting everyone know we are here and explaining what service we offer to patients and doctors. Like physicians, we are not allowed to advertise," Mrs. Gibson noted.

Working primarily on Saturdays and in the mornings, the nurses estimate that they have served 60 patients since opening, with their current patient load running around 15 patients. The nurses charge on an individual basis, although the minimum charge for an office visit is $5, for a house call $10 and for an initial house visit which includes a nursing assessment of the patient's health, $25. Mrs. Gibson and Mrs. Catterson invested about $7,000 in start-up costs for furniture and malpractice insurance and estimate their monthly expenses at about $500.

"About 50 per cent of our work consists of home visits," Mrs. Gibson said. "About 40 per cent of our time is spent in the office screening people for medical problems, checking blood pressure, taking throat cultures and counseling on diets. Then we do about 10 per cent laboratory work."

How do doctors, often conservative and sometimes condescending about the skills of nurses, react to them as independent practitioners?

"The majority of doctors seem to be very much for us once they understand we are not attempting to infringe on the practice of medicine," says Mrs. Gibson. She talks quickly and straight forwardly about how the role of the nurse can be enhanced and expanded for the benefit of patients, doctors and nurses.

"We have the time to spend with patients and their families, giving and repeating in-depth counseling on medical problems. Doctors too often do not, and the patient must either wait or find other means of getting answers to his questions. We can also help people to stay healthy. For instance, many people only get a blood pressure test when they are already sick. If such a test were inexpensive and quick, why not take it before getting sick? That's preventive medicine."

A consulting doctor and pharmacist are on a stand-by basis for whenever the nurses need them. Many patients who come to them do not have a doctor and do not want one, Mrs.

Catterson said. Although they do not necessarily refer patients to their consulting doctor, they emphasize that every person should have one to contact for serious problems.

A bold orange sign in the office reminds all patients that Registered Professional Nurses is an organization designed to meet the needs for personal nursing care. It reads: "Because our function is to aid your personal physician, there will be no medical diagnosis or treatment available unless prescribed by your physician."

Saturday, 1:30 p.m. at the nurses' clinic: Edwin and Isabelle Chelsea, of 11115 S. 84th Av., Palos Hills, arrive to have their blood pressure checked.

"These girls perform a fine service," said Chelsea, a retired man who recently had a prostate operation and must carefully monitor his blood pressure. "There's a problem with a lot of these doctors. I'm telling you. They're so busy that they just rush you out like a McDonald's hamburger place. It's just in and out, in and out.

"A pesty, nosey patient can drive a doctor nuts, too, with a lot of questions. But the doctors then have a tendency to put everyone in the same category. You're talking to them and they aren't even listening. 'OK,' they say, 'see you in two weeks.' that's it."

Mrs. Catterson took Mr. and Mrs. Chelsea's blood pressure and chatted with them about their health in general. They could have left within 10 minutes. But they preferred to stay around a while longer and socialize.

Mrs. Chelsea, who previously found herself running back and forth from a doctor's office to have her blood pressure checked, said she used to sit for two to three hours waiting for her doctor. By the time he saw her, her blood pressure was "shooting near 500."

"And you know, everyone talks about the problem in getting a doctor at night. Well, you can't get one in the day either. I tried to call my doctor once, starting at 1 p.m. and I finally got him at 8 p.m. He does work in an office with 15 other doctors, but you'd have been in trouble if it had been anything terribly serious," she added.

While Mrs. Catterson and Mrs. Gibson toil to establish a stable business, 65 miles outside Chicago in a community of 7,000, Virginia Williams is running a successful independent practice. After considering the idea for over a year, Miss Williams finally took the chance in March, 1973, and opened her office doors. She initially invested $600; she now grosses about $1,500 a month, with monthly expenses running between $300 and $500.

The focus of her practice is family nursing. She said the idea occurred to her while she was earning her master's degree in 1973 and working with the "well babies" in a pediatrician's office.

"As a result of that experience, I found there is so much I could do with a family," Miss Williams said gently. "Families need support, too, depending on the amount of illness of the child or adult. For instance, a child in a car accident is not the only one affected. The mom and dad, sisters and brothers, and relatives suffer, too. The same is true for ill adults and geriatric patients.

"Family nursing allows me the breadth of practice I like. Counseling people on how to handle health problems and preparing them for the future helps to ease their pain many times."

Like Mrs. Catterson and Mrs. Gibson, Miss Williams also gives shots, checks blood pressure, teaches rehabilitative exercises, works with arthritic patients, provides psychological support to families and fills in gaps left by doctors' partial answers. She has a 24-hour answering service and says she is available whenever needed.

"Many of my patients are terminally ill and I've had a couple of cancer patients. These patients have made the choice to stay at home, near their families instead of in a cold institutional setting. But the patient needs help preparing for his ultimate death and the family needs support in accepting it," Miss Williams said.

Since opening, Miss Williams estimates she has seen a total of between 150 and 200 patients. Some need nursing care only once or twice, while one of her patients has been visited at least 60 times. Basic rates are $5 for an office visit and $10 for a home visit, although the nurse says she may have to raise prices to meet inflation. Although a few insurance companies are reimbursing either her or her patients, Miss Williams would like to see them all, particularly Blue Cross, recognize the service as necessary.

"My contention is that families can do much more to assist in medical care than they're given credit for," said Miss Williams, who estimated that at least 90 per cent of her practice is in home visits. "At the same time, I feel nurses have a lot more education than they are given credit for in many situations."

About 100 registered nurses have contacted Miss Williams in the last year, seeking information on setting up an independent practice. She argues that not every nurse will be able to handle the rigors of an independent, community-based practice; she urges enthusiastic nurses to move cautiously, earn a master's in community health and plan thoroughly before launching such a project.

But she adds:

"The need is there. I know my work takes the load off some doctors, the medical care system has been quite occupied and preoccupied with the acutely sick patient and not with those chronically ill who require home care. That should change."

MANPOWER ADMINISTRATION IS DENYING EMPLOYMENT TO SENIOR CITIZENS

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. DOWNEY of New York. Mr. Speaker, I want to alert my colleagues to a disturbing development within the Manpower Administration of the Department of Labor.

In short, the Manpower Administration has decided to ignore the clear intent of Congress with regard to expanding the senior citizens employment programs under title IX of the Older Americans Act. The effect of this refusal is to deny several States the additional jobs for the elderly that they had been promised.

I am concerned not only that many elderly citizens seeking part-time employment are not going to get it, but also that on its own authority, the Labor Department has effectively impounded funds appropriated by the Congress.

Some background is necessary for a full understanding of the situation. Congress has been seeking to provide opportunities for the elderly poor for some time. In 1973 we enacted the Older American Community Service Employment Act, title IX of the Older Americans Act. This title sought to foster and promote useful part-time work opportunities in community service activities for older unemployed persons who were living in poverty. This title was modeled after the very successful Operation Mainstream demonstration program administered by four national organizations involved with the elderly.

This year Congress was alerted to the fact that the Department of Labor was going to dismantle the Operation Mainstream program thereby causing over 9,000 older and poor people to lose their last chance to provide for themselves through these part-time community service jobs. Congress, realizing that this would cause untold hardships, appropriated additional funding for title IX in H.R. 4481, the Emergency Employment Act, so that the soon-to-be-dismissed Operation Mainstream workers could be transferred to title IX. Since the model Operation Mainstream programs were not allocated equally among the states, and title IX jobs are allocated among the States by a formula, Congress mandated that each State was to receive the higher of either their current Operation Mainstream level or the title IX formula level. This mandate established an additional 2,300 part-time slots to be allocated among those States who had less than the title IX formula level. In doing this, Congress recognized that the additional appropriation would only carry the program for 10 months into fiscal year 1976 and stated during debate that they would provide for at least that level of funding in a fiscal year 1976 appropriations bill.

When H.R. 4481 was vetoed, Congress quickly provided for the title IX program in House Joint Resolution 449. Both the House and Senate reports to House Joint Resolution 499 stipulated that this continuing resolution was to provide the same funding level for title IX that would have been obtained with the Emergency Employment appropriations bill vetoed by the President.

On July 24, 1975, the Department of Labor announced that it would not allocate the title IX enrollment slots as directed by Congress. There would be no additional opportunities for poor older people to work.

Printed below are the number of enrollment positions that Congress directed the Department of Labor to establish. Alongside this listing is the number of enrollment positions that the Department of Labor will allow to be established:

STATE ALLOCATION OF TITLE IX ENROLLMENT POSITIONS[1]

State	As directed by Congress (C.R. S. 8555)	As allocated by Department of Labor
Alabama	201	171
Alaska	63	18
Arizona	117	91
Arkansas	460	460
California	1,125	953
Colorado	117	114
Connecticut	181	146
Delaware	63	18
District of Columbia	100	101
Florida	617	576
Georgia	238	232
Guam	31	9
Hawaii	63	18
Idaho	63	40
Illinois	639	409
Indiana	461	461
Iowa	185	105
Kansas	144	101
Kentucky	291	291
Louisiana	188	162
Maine	91	93
Maryland	200	122
Massachusetts	359	230

State	As directed by Congress (C.R.S. 8555)	As allocated by Department of Labor
Michigan	461	337
Minnesota	589	606
Mississippi	129	114
Missouri	333	335
Montana	130	130
Nebraska	107	107
Nevada	63	40
New Hampshire	63	28
New Jersey	465	466
New Mexico	63	44
New York	1, 118	767
North Carolina	275	243
North Dakota	116	116
Ohio	591	451
Oklahoma	230	230
Oregon	290	300
Pennsylvania	764	567
Puerto Rico	110	82
Rhode Island	75	75
South Carolina	130	119
South Dakota	171	171
Tennessee	236	164
Texas	619	586
Utah	118	122
Vermont	82	85
Virginia	306	306
Virgin Islands	31	9
Washington	194	124
West Virginia	173	180
Wisconsin	512	519
Wyoming	63	40
American Samoa	31	9
Trust territories	31	9
Total	14, 666	12, 402

[1] All numbers are approximate.

As my colleagues will note from this chart, several States stand to lose jobs for seniors that were already approved by the Congress. My own State of New York, for example, will lose 351 part-time jobs.

There is absolutely no justification for the Manpower Administration's action. I urge the members of this body to make their feelings known to the Assistant Secretary of Labor for Manpower William Kolberg. I have asked the chairman of the Labor-HEW Appropriations Subcommittee, Congressman **DANIEL FLOOD** to take appropriate action. I have also informed Mr. Kolberg of my feelings on this matter.

I direct the attention of my colleagues to the following correspondence for additional information:

NATIONAL COUNCIL OF SENIOR CITIZENS, INC.,
Washington, D.C., July 28, 1975.
Hon. THOMAS J. DOWNEY,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DOWNEY: We appreciated receiving your letter of July 14, 1975, expressing your support for Suffolk County to sponsor a Senior AIDES Program.

We had hoped, as you had, that Suffolk County would be able to extend part-time community service work opportunities to older and poor people through the Title IX, Senior AIDES Program. Unfortunately, even though Congress appropriated money in H.J. Res. 499 to both continue and expand the Title IX program, and even though Congress succinctly directed the Department of Labor to expand in certain states, such as New York, the Department of Labor has decided that it will not follow Congress's directives.

In a meeting on July 24, 1975, Robert McConnon, Director of National Programs for the Manpower Administration, said that they could not expand the program since Congress, in H.J. Res. 499 only appropriated enough money to run the program for ten months into the fiscal year 1976. They decided this in spite of the fact that both Senator McClellan and Senator Magnuson had stated during debate on the Senate floor that they would provide funds to continue the program for the rest of the fiscal year. The House originally initiated the additional funds—without any request from the Administration—in H.R. 4481. There seems to be no reason for the Department of Labor to think that Congress, which has singlehandedly brought this program into being, will not appropriate sufficient funds.

I am enclosing a copy of a letter we sent to Assistant Secretary Kolberg which outlines the provisions passed by Congress in greater detail.

Sincerely,

WILLIAM R. HUTTON,
Executive Director.

NATIONAL COUNCIL OF SENIOR CITIZENS, INC.,
Washington, D.C., July 16, 1975.
Mr. WILLIAM R. KOLBERG,
Assistant Secretary for Manpower, U.S. Department of Labor, Constitution Ave., N.W., Washington, D.C.

DEAR ASSISTANT SECRETARY KOLBERG: As you will recall at a meeting with the Title IX/Operation Mainstream national contractors you and your staff suggested that as the Department of Labor felt it could not continue to fund the over 9,000 Operation Mainstream program enrollees from CETA, Title III, that we should all work together to get the Operation Mainstream program funded entirely under Title IX of the Older Americans Act. The vehicle for this move as suggested by the Department of Labor was the Emergency Employment Appropriation Bill, H.R. 4481.

The national contractors and representatives of the Department of Labor presented this to the Senate Sub-committee on Labor-HEW Appropriations. This subcommittee presented the suggested move to the full Senate Appropriations Committee where members of the Committee said the provision would be acceptable to the Senate only if the states that had high Operation Mainsteam levels were able to keep these levels and the other states, such as Washington, Pennsylvania, Massachusetts, Iowa etc., would be enabled to have their enrollment levels raised to the Title IX formula level. This level was to be computed on the additional appropriation contained in the bill, plus the 1975 regular appropriation of $12 million. This provision was discussed on the Senate floor on April 25 and recorded on page 6825.

H.R. 4481 was vetoed, but both the House and the Senate quickly restored the Title IX provisions of H.R. 4481 in H.J. Res. 499 which has been signed into law.

The House and Senate reports to H.J. Res. 499 explained that H.J. Res. 499 "provides the same funding level that would have been obtained with the Emergency Employment Appropriation bill." Senator Magnuson, in order to prevent any misinterpretation and to safeguard the integrity of his subcommittee and full committee's promise to the Senators when the Title IX appropriation was first considered in H.R. 4481, reiterated during the Senate passage of H.J. Res. 499 on June 19 that: "The 'hold harmless' language previously intended for this program, as contained in the vetoed Emergency Employment Act supplemental, still applies. This language permits all States to operate at their full Title IX formula, or 'hold harmless' level, whichever is higher, for several months into fiscal year 1976. With fiscal year 1976 appropriations that will be included in the regular bill, it is our intent to provide the necessary funding to at least maintain this level for the remainder of fiscal year 1976."

The Senate report to H.J. Res. 499 also directed that the $42,000,000 for the Title IX program "be obligated as expeditiously as possible. . . ."

H.J. Res. 499 was signed into law on June 27, 1975. Many states, knowing of the directed expansion in their states, understanding the great need for the program and being aware of the National Council's effectiveness in setting up and operating the programs, have contacted us asking when we were going to begin the programs. We had anticipated that we would be able to begin during the first part of July, but we have heard nothing from the Department of Labor.

The National Council of Senior Citizens would appreciate it very much if you could let us know when the Department of Labor plans to release the funds to continue and expand the Title IX programs.

Sincerely,

WILLIAM R. HUTTON,
Executive Director.

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 31, 1975.
Hon. WILLIAM KOLBERG,
Assistant Secretary of Labor for Manpower, U.S. Department of Labor, Constitution Avenue, NW., Washington, D.C.

DEAR MR. SECRETARY: The recent decision of the Manpower Administration refusing to expand the Title IX older Americans employment program as directed by H.J. Res. 499 is a matter of great concern to me. As a member of the Select Committee on the Aging, as a representative from a state that stands to lose heavily from the decision of your office, and as a member of Congress, I voice strenuous objection to that decision.

You are aware, of course, that many hundreds of elderly poor will be denied desperately needed employment opportunities if your decision remains intact. Also, by my interpretation, your decision contradicts the clear intent of Congress. I respectfully request your comments on both these points.

Sincerely,

THOMAS J. DOWNEY,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 31, 1975.
Hon. DANIEL FLOOD,
Chairman, Subcommittee on Labor-HEW Appropriations, Washington, D.C.

DEAR MR. CHAIRMAN: I wish to express to you my concern that the Manpower Administration of the Department of Labor has refused to follow the intent of Congress as stated in H.J. Res. 499.

At issue is the expansion of senior citizen employment programs now consolidated under Title IX of the Older Americans Act. As you know, when the original regular bill providing for the expansion of Title IX, HR 4481, was vetoed, Congress quickly provided for the program in H.J. Res. 499. Both the House and Senate reports to H.J. Res. stipulated that his continuing resolution was to provide the same funding level for Title IX that would have been obtained by the vetoed Emergency Employment appropriation bill. On July 24, 1975 the Department of Labor announced that they would not allocate the Title IX enrollment slots as directed by Congress.

By my interpretation, the Labor Department is violating the clear intent of Congress. In your capacity as chairman of the Labor-HEW Appropriations Subcommittee, I respectfully request that you review this important matter and take appropriate action.

Sincerely,

THOMAS J. DOWNEY,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 31, 1975.
Hon. WILLIAM RANDALL,
Chairman, Select Committee on the Aging, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am concerned that recent decisions of the Manpower Administration of the Department of Labor violate the clearly stated intent of the Congress and threaten to reduce needed employment opportunities for senior citizens.

At issue is the Department of Labor's refusal to expand the Title IX senior citizen employment programs as directed in H.J. Res. 499. I have enclosed excerpts from the Congressional Record and correspondence from the National Council of Senior Citizens that provides in greater detail the history of this legislation. You will note that the intent of Congress was made very clear on this important matter.

I think this is a situation of which all members of the full Committee should be made aware. I would hope that each member would respond by immediately informing Assistant Secretary of Labor for Manpower William Kolberg of their feelings on this issue.

Sincerely,

THOMAS J. DOWNEY,
Member of Congress.

HANNAFORD EXPLAINS HIS POSITION ON THE PAY RAISE BILL FOR HIGH FEDERAL OFFICIALS

HON. MARK W. HANNAFORD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. HANNAFORD. Mr. Speaker, yesterday when this body was considering the question of increased pay for high Federal officials, I was very disturbed that most of my colleagues wished to end debate on this issue. At a time when millions of Americans are out of work and many other middle and lower income citizens are burdened by high prices and taxes, I think this vote was hastily considered and inappropriate.

I had intended to offer an amendment separating the questions of increased pay for Members of Congress and other Federal officials, but it was lost in the avalanche to end debate on the subject. It was for this reason that I was forced to abstain on the vote on the overall pay raise package.

I believe a cost-of-living increase is necessary for the 17,000 other high level Federal employees who have not had a salary increase since March 1969, included in this legislation. During that period, the cost of living has increased 47 percent. If this pay raise had not been granted, the recruitment of top-level Government officials would have been severely hampered, and our Government would be faced with the prospect of a brain drain to the private sector.

But a cost-of-living increase for Members of Congress is an entirely separate question. I have consistently opposed a pay raise for legislators during our current recession. While the cost of living has risen 47 percent since the last pay raise, we still make a comfortable living and should share the sting of inflation along with the rest of the people.

At a time when we are working to restore the faith of Americans in their national political institutions, the decision of this body to grant itself a pay raise is unfortunate.

"DISINTERMEDIATION" VERSUS "OVERINTERMEDIATION"

HON. CHARLES E. GRASSLEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. GRASSLEY. Mr. Speaker, in recent weeks, numerous articles have appeared in the Nation's major newspapers describing how the inflow of money into savings and loan institutions is reaching near record levels. I raise this point because, at the beginning of my term, many of my colleagues were bemoaning the fact that the housing industry was in a state of collapse. Indeed, the crisis in the housing industry can be attributed to disintermediation, that is, the flow of funds out of savings and loans and into other financial institutions and investments offering a higher rate of return and not restricted by a Government-approved interest rate ceiling—I refer in this last phrase specifically to regulation Q.

But I have not seen mentioned the fact that this disintermediation was caused by massive Federal borrowing in the private money markets, borrowing necessitated by the responsibility for financing the ever-growing Federal deficit which results from ever-increasing Federal spending mandated by Congress. The budget debt in fiscal year 1975 was $44.2 billion and will grow to somewhere between $70 billion and $90 billion during the current fiscal year.

Rather than waiting to see just what form the economic recovery would take, and rather than seeking a permanent solution to this problem so common during periods of tight money, Congress attempted to enact hastily thought out legislation which, if passed, could only have covered up artificially-induced difficulties deeply rooted in the Nation's financial markets. For example, the credit reporting bill, H.R. 6676, would have provided the Congress with the means to direct commercial banks to lend their money where the Congress tells them to. Not only would such a measure have increased Government encroachment into the free-market mechanism but it undoubtedly would also, if passed, have led to congressional pressure to force banks to put money into housing.

This, indeed, seems almost ludicrous in light of the fact that overspending by this body is a primary cause of the current housing crunch. And second, the Emergency Middle-Income housing bill would have mandated the expenditure of billions on wasteful direct cash payments to prospective home buyers as well as unrealistically low subsidized mortgage interest rates.

Fortunately, neither of these bills passed. Unfortunately, however, Congress has failed to see that such spur-of-the moment measures as these not only mandate increased Government interference in the private sector, and larger and larger budget deficits—which lead to more Federal borrowing, higher interest rates, more disintermediation, less money available for housing and so forth—but also exacerbate the root causes of problems they were intended to remedy.

I have previously argued in favor of variable rate mortgages and still feel that this mechanism offers the most fruitful prospect for solving housing woes that often accompany periods of tight money. But I want to reemphasize here the fact that the recent inflows into savings and loans have occurred without Government interference in private markets, which thus indicates that Congress all too often acts out of political expediency and haste rather than common sense and good judgment.

One note of caution, however. The recent massive inflow of funds into the savings and loan institutions has gone into passbook accounts rather than certificates of deposit. Experts attribute this trend to consumer expectations that interest rates will once again rise because of projected Federal borrowing. Indeed, it is expected that the Treasury will have to borrow nearly $75 billion in this calendar year to finance the debt.

One can expect to see, then, increased outflows from the savings and loans, to the detriment of the homebuyer and the housing industry. In the long run, if this problem is to be solved, Congress must learn to tighten its belt and to adopt well-thought out legislation that is based on an assessment of long-term needs. Our citizens can not tolerate legislative action that is poorly conceived and rashly-enacted, and that is based solely on contingencies of the day.

AMENDMENTS TO THE RAIL REORGANIZATION ACT

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ROUSH. Mr. Speaker, the final system plan of the U.S. Railway Association to create ConRail, a new corporation to operate properties of the seven bankrupt carriers of the northeast region has now been delivered to Congress and we will have the chance, the responsibility to accept or reject this plan.

In many respects USRA is to be congratulated. USRA has worked diligently, meeting expected deadlines and doing an amazing job under difficult conditions. Some of the basic terms which the Rail Reorganization Act provided them to work with set up limitations.

Having said this I now want to say that it seems to me that the Rail Reorganization Act of 1973 should be amended to change some of the basic terms of the act. I am, therefore, introducing legislation today for that purpose; namely, to help eliminate some of the controversy about the branch line issue and to do this in a way that could provide more revenue for ConRail.

My bill identifies a certain class of

light density lines for which inclusion in the ConRail system has not been recommended. It mandates ConRail to maintain service on those lines during the 2-year period following the effective date of the plan and it provides an authorization for funds to cover any real losses that ConRail sustains in carrying out these provisions.

The lines so treated under the bill are those lines segments on which operating revenue exceeds operating loss with the exception of costs incurred beyond the branch lines. Such lines have certain common characteristics: They tend to generate large volumes of freight; they tend to serve customers who consider rail service essential; and they actually contribute more revenue than loss to the total rail network, thus, possibly contributing financially to ConRail.

What I question is whether or not the costs that USRA has included as costs incurred beyond the branch line are in fact avoidable costs which will disappear if the branch line is abandoned. So my bill allows a 2-year moratorium for the discontinuance of service on these lines—and on other lines which are necessary to maintain service to them—during which the GAO is directed to audit the accounting system USRA used to determine avoidable costs on the special light density lines and to make a report of its findings to USRA and the Congress.

Second, the bill forces USRA to distinguish between branch lines and lines which are currently a mainline of the railroads being reorganized under the act. Whereas the abandonment of a branch line affects a limited area through which the branch line passes, abandonment of a mainline can affect entire multistate regions unless it has been demonstrated that the freight still can move on the new system.

Accordingly my bill prohibits the discontinuance of any current intercity-interstate mainline until it has been demonstrated that first, the track condition on the new route has been restored to top condition and second, the new route actually can carry all of the freight that was carried by the old system.

I am joined by cosponsors from States affected by this legislation. Those States include, besides Indiana, Connecticut, Rhode Island, Delaware, Maryland, Pennsylvania, Ohio, Massachusetts, Michigan, Wisconsin, New Jersey, New York, and West Virginia.

CONSTITUENT OPPOSITION TO THE REMOVAL OF CEILINGS ON FEDERAL PAY

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. FISHER. Mr. Speaker, just 3 months ago Members of Congress from the Washington metropolitan area joined with me to register our support of the amendment that Mr. O'Neill introduced to eliminate all ceilings from the House Budget Resolution, including the 5 percent cap on Federal pay and the 7 percent cap on social security and retirement benefits. As you may recall, that amendment to remove the pay and retirement caps passed by a vote of 234 to 171, with the vigorous support of the Washington metropolitan area Members of Congress.

I always welcome the views of my constituents who differ with me on the positions I take. For this reason, I would like to have read and introduced into the Record the following letter from my constituent, Ms. Gladys C. Kloman, which is cosigned by 14 of her private-sector coworkers.

Hon. Joseph Fisher,
House of Representatives,
Washington, D.C.

Dear Mr. Fisher: According to a report in the Washington Star on July 15, 1975, present indications are that Congress would overturn a proposal by the President limiting a Federal pay raise to five percent (5%). I hope this is not true.

Mr. Fisher, I voted against Representative Broyhill (as did many others) because Mr. Broyhill was a leader for all causes that would benefit the Federal Worker, at the expense of private industry. Anytime there is a Federal pay raise the cost of living in the Washington area increases. Are you aware of the thousands that do not work for the Federal Government, that are forced to bear this burden, that not only have not had any increase but in some cases are on welfare or unemployed? There are no headlines pleading our cause, no Civil Service Commission, no Office of Management and Budget, no unions fighting for those of us in small private industry.

I sincerely hope, Mr. Fisher, that you as our Representative in Congress will think of us when you vote and plead our cause. I shall be anxious to find out.

The additional signatures on this letter are some of my co-workers who share my views, and we wish to have this letter read as an open letter to Congress.

Sincerely yours,
Gladys C. Kloman,
and 14 cosigners.

THE RATE OF INFLATION

HON. DAVID W. EVANS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. EVANS of Indiana. Mr. Speaker, the projected 9 percent inflation rate for 1975 worries all of us. What worries me in particular is that again, food and energy prices are expected to comprise half of that rate.

For that reason, I am interested in the current investigation by the Federal Trade Commission into competition among supermarket chains. While I will readily agree that there are some cost increases which we cannot expect the food chains to absorb, such as increased costs of transportation and energy, over which they have no control, the increased costs to the consumers arising from vertical and horizontal integration among the food chains is open to challenge.

It has been estimated that anticompetitive practices cost consumers $80 billion per year in higher price tags at the marketplace. These same practices also tend to keep other entrepreneurs out of the business world. In sum, the free market system can only work when competition thrives, thereby helping both business and the consumer.

I am inserting below a most informative article which appeared in the New York Times on July 23:

Food Store Profits Rise

(By Frances Cerra)

Since food prices began rising dramatically at the beginning of the nineteen-seventies, the question of who is responsible has been nagging at consumers. A recent report by the economic staff of the Federal Trade Commission, which is investigating competition among supermarket chains, offers some new insight into this question, although no definitive answer.

While the report concludes that the "very rapid retail food price increases since 1972 (amounting to 45 per cent through 1974) are explained primarily by increases in the prices of raw food products," it spotlights the fact that profits of the supermarket chains have been not only comfortable, but more substantial than the rest of American industry. The exception is A&P, which has suffered big losses.

Although the supermarket industry prefers to discuss its profits in terms of sales, the report rejects this standard as misleading. Between 1952 and 1971, the most recent year for which Internal Revenue Service data are available, food retailers earned an 8.9 per cent average after-tax return on investment.

That rate was almost 50 per cent higher than the 6 per cent earned by other retailers, and about 13 per cent higher than the average rate of all American manufacturers.

The picture from then on is somewhat clouded by the behavior of A&P, which sought to bolster its lagging sales through its now-defunct WEO operation. The report shows that this effort depressed the profits of other chains competing with A&P in 1972. Chains not in competition with A&P, primarily on the West Coast, avoided this temporary slump.

After 1972, the chains recovered, however, and estimates for 1974 show the 45 largest chains earned 10.9 per cent on investment, excluding A&P. Food manufacturers as a group earned 6.7 per cent last year, while all manufacturers earned an average 8 per cent.

The report shows clearly how a 1 per cent return on sales can mean a very healthy profit on investment. Waldbaum's, for example, had such a per cent profit on sales in 1974 but earned a 15.9 per cent return on investment.

The report also offers some information on price markups by the chains. On a percentage basis, their markup actually declined by a fraction of a percentage point between 1971 and 1973. But in terms of dollars, the margin increased 35 per cent.

Dr. Russell C. Parker, assistant to the director for special projects in the commission's Bureau of Economics and the author of the report, said it is not clear what cost factors accounted for this increase. But he said in an interview that the commission hoped to answer such questions in its current investigation of chain completion in six cities. New York is not among the six, but Jersey City is.

Four of the chains under investigation, however, have refused to comply with subpoenas of their records, and the F.T.C. is expected to seek a court order to force compliance. The chains that are Safeway, Winn-Dixie, Lucky and Giant Food.

NATIONAL BLACK WOMEN'S POLITICAL LEADERSHIP CAUCUS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. CONYERS. Mr. Speaker, as of May 1975 there are 3,503 black elected officials in the United States, 135 of whom are mayors and 530 of whom are women. Among the organizations that form the base for recruiting new leadership and politically educating black citizens is the National Black Women's Political Leadership Caucus. On April 25 of this year the Leadership Caucus convened a National Legislative Conference in Washington the theme of which was "Legislation is the Key to Women's Equality." The conference was highly successful in maintaining momentum of political organization among black women.

The Leadership Caucus was founded in December of 1971. Its guiding light and current chairperson is Nelis J. Saunders of Detroit, where the organization is headquartered. Its purpose is "to include and educate all black women throughout the Nation. Those interested can be motivated toward understanding the role of politics in our everyday living, in the role of women in the political arena."

The Leadership Caucus emerged when prominent black women in politics became dissatisfied with their role in large national women's conferences held during the early 1960's. As one leader of the Caucus recalled:

> Black women were obviously in the minority and their input was not only ignored by non-support of their motions, but they also left meetings feeling that they had not really been permitted to make a contribution.

The first step in organizing the Leadership Caucus was to compile mailing lists of women active in community affairs and politics. When this was accomplished, a preliminary planning meeting was arranged. The Honorable C. Delores Tucker, secretary of state of the Commonwealth of Pennsylvania; Mrs. Florine James, president of the Ohio Federation of Democratic Women; Mrs. Elizabeth Duncan Koontz of the Department of Labor; Hildegardeis Boswell, a Maryland State Representative; Eileen Hernandez, a housing expert in Los Angeles; Verda Welcome, a Maryland State Senator; and Nelis J. Saunders, at the time a Michigan State Representative, formed the core of the new Caucus. On December 4, 1971, this executive committee convened the first assembly of the Caucus, which attracted hundreds of women from 18 States. Pennie Doleman, Avis Holmes, and former State Legislator Alma G. Stallworth of Michigan are past officers of the Caucus.

In the 4 years of its existence the National Black Women's Political Leadership Caucus has grown in membership and has extended the scope of its activities. It still primarily seeks to attract black women who are motivated toward a career in politics and public service, and has proved an indispensable instrument for black political education. I wish to bring to the attention of my colleagues this unique organization and to pay tribute to it for its indefatigable efforts in raising the political awareness of black people.

JOHN L. WANER ON HOUSING

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. RUSSO. Mr. Speaker, I would like to present the remarks Mr. John L. Waner made before the Manpower and Housing Subcommittee of the Committee on Government Operations on July 22. The text of Mr. Waner's remarks on housing follow:

OPENING STATEMENT OF JOHN L. WANER BEFORE THE MANPOWER AND HOUSING SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS, JULY 22, 1975

Mr. Chairman and Members of the Committee:

My name is John Waner and since September of 1971 I have been the Area Director for HUD in Chicago, Illinois.

To those who deal with our Chicago agency and to the community at large, I may appear as a large frog in a small pond. But here in Washington I am more accurately seemed as one tadpole in a very large body of water. There are some significant differences between the tadpole and the frog. The tadpole is largely dependent, not independent. He exists in a hostile environment with comparatively little personal protection. He is eaten up more often than he eats. He is largely ignored by the larger frogs.

But he has one thing to look forward to. Someday, if he survives, he will look forward to becoming a full grown frog.

But at this point, my metaphor begins to fall apart. The tadpole who is a HUD Director can only hope to be the best tadpole in the pond. Realistically, he has very little expectation of achieving the decision-making status of a fully grown frog. He must, in other words, do the best possible job at his level and within the limited authority granted him.

It is evident to all of us that the problem of adequate housing, deeply important as that is to those of us whose full effort is directed towards handling that problem, is only one part of a deeply troubled American society. We in the field of housing are not totally unique in our misery. The criticism leveled against us in HUD is not spared others.

Many of the vocal critics who charge us with lacking sensitivity to human needs, with being enmeshed in time consuming red tape, with failing to move in a meaningful way towards those objectives which the Congress has mandated, are equally vocal in asserting the diminished confidence of the American Public in government generally, at national, state and local levels; equally vocal in criticizing the attitudes and operation of the business community; equally vocal in identifying the social conflicts which deepen at times when, as now, our economy is troubled.

It is in this overall context that our problems in HUD must be viewed.

Let me be quick to add that in placing housing and HUD within the larger framework of overall national problems, I am not seeking to divert your attention from HUD, our role, our responsibility and the degree to which we have met or failed to meet the mandates of Congressional directives.

Instead, let me say bluntly that much of the criticism leveled against us in the recent Chicago Tribune Series is founded in fact. I will never be one of those who turns aside all criticism with a blanket denial. Where we are at fault, we gain more by open admission and prompt correction of error. Where we are not at fault or where we share a divided responsibility and are denied the tools needed for correction, we should be equally vigorous and plain spoken in our rebuttal.

For example, it is sometimes charged that actions by HUD itself or actions which HUD permits private Mortgagees to take, are not consistent with prudent business practices. It is clear that there is some truth in such a statement, but it is equally true that the reason is clear.

In May of 1968, Secretary Weaver of HUD referred to "a special high risk fund established with clear congressional recognition that the fund would not be actuarially sound and would require appropriation." That same month, speaking in support of the 1968 Housing Bill, Senator Sparkman was quoted in the May 24th Congressional Record as saying in part, "FHA is to insure mortgages for families in the run-down neighborhoods of our cities without regard to economic soundness requirements and other limiting restrictions, having in mind the need for adequate housing for families in these areas."

Here we encounter a plain statement of the special mission with which HUD was charged.

Now, prudent lenders have a high sensitivity to risk. In the conventional field of financing, a lender sensitive to risk and to his responsibility for protecting the funds entrusted to his care, establishes high standards for the quality of collateral and the quality of the credit on which he is willing to lend. In the field of housing as in the business market, this must tend to eliminate all but the very best of applicants. Indeed, in the very early days of the Federal Housing Administration, when the agency employees were endeavoring to apply these same high criteria to the housing loans which they would approve, FHA came under heavy fire, on the grounds that a total dedication to high standards would tend to discriminate against a substantial part of that public which sought financing for housing. (In Chicago a suit charging HUD with redlining is still in the courts.) Community groups, individuals and people in public office remind us that our obligation is more than purely economic. Particularly in the 1968 Act we were required to understand that our decisions have social implications as well as economic ones.

Now I ask you to consider how difficult an adjustment we were called upon to make. The pure economics of a given decision might dictate negative on a particular application, but the social implications might, with equal clarity, dictate an opposite conclusion. The job of FHA field employees was to reconcile these rival considerations.

Each decision has to be made in a form which would satisfy a good many different people and groups with different orientations. Each decision has to satisfy the person affected. It has to satisfy the overall policy of the particular HUD office. It has to satisfy the overall community. It has to satisfy the business community. It has to satisfy office holders. It has to satisfy members of the Congress, and community groups, and in many instances the various media, who know little if anything about rules, regulations, manuals, or the Federal Register, who try to impress viewers that what's shown in true.

I submit to you, that in your own experience it is near impossible to satisfy everyone with every decision. But the essential point which I seek to make here, is that the underlying responsibility of HUD to make thousands of decisions, which combined sociological and economic consideration in the exact mix, which would satisfy everyone, forecast at the outset the likelihood that a decision made by one person on Friday would be criticized on Monday by someone else who had the advantage of knowing the precise result of the Friday decision. In the Sports world, they call this Monday morning quarterbacking.

I say then, that it is not fair to criticize HUD for not providing a series of easy solutions to a very complex problem. When we tried to maintain high standards, we were criticized for denying the use of our programs to those most in need. When we relaxed our requirements to conform to Congressional legislation, the criticism came from the other direction.

But if you will grant that combining the instincts of a sociologist and those of an economist in a single person is extremely difficult, I certainly cannot object at inquiry into the manner in which we have discharged our responsibilities.

Here I would say frankly that we have handled poorly some things which could have been handled much better. Nor would I truthfully say that since 1971, our handling has shown steady improvement.

If, going back years, the delegation of authority from the Central Office in Washington to the Area Directors in the field, was not adequate, that situation has not improved. If in the past years, the flow of directives from our top echelons was heavy, it has not lessened today. If in our staffing, we found ourselves understaffed in the critical areas which related directly to Housing Production, and overstaffed and overdirected in the related areas, that situation has not changed substantially.

One thing which certainly has increased in recent years has been the quantity, if not the quality, of task forces, review forces, inquiries and investigations, lengthy and detailed reports followed by lengthy and detailed replies which led to further lengthy and detailed reports and replies, etc.

Before it is thought that I am objecting to Congressional inquiry, let me add that almost all of the visiting firemen and interrogators came from within HUD itself. We who are at the base of that lofty pyramid known as HUD, devote a considerable part of our time replying to, or meeting with, representatives of the echelons above us.

To say that the morale of the rank and file within HUD is not high is really to view the situation through rose colored glasses. One recent investigative team spoke of the poor morals in one of my sections. Startled, I made immediate inquiry and was relieved to discover that the "s" on morals should have been an "e". I did feel that the difference between morals and morale was important.

In another instance, a thorough investigation discovered what had been evident to us for months, that in a particular section we were understaffed by four people. However, since the budget confronting us called for a further reduction in that staff by two people, it is reasonable to anticipate that the next investigation will find us to be understaffed by six people.

This is of course only one illustration of the time consuming examinations with which we are favored. And while I am constantly assured by the Central Office that the intent is to help my people and not to hurt them, this is not the perception of the rank and file within HUD. The point that I am making is that the delegation of authority from the Central Office to the Area Office is largely inadequate. No public assurance that such delegation has been made can controvert the actual fact that few Area Directors believe they have it. Indeed, much of their actual day-to-day experience is to the contrary.

It sometimes strikes me as ironic that while I have the authority to endorse for insurance a project involving 10, 15 or 20 million dollars, I may lack the authority to make one decisive move that would solve a situation, rather than take weeks of time and endless hours of conferences, telephone calls and letters; all of this (in some instances), leading to a proposed solution which is not at all responsive to the problem itself.

By no means am I suggesting that the direction and supervision from the Central Office is without value. A thirsty man can welcome a glass of water, but if a fire hose is directed toward his mouth, turned on full blast and permitted to remain on for an extended period, not only is his thirst quickly satisfied, but he can turn from a man in thirst to one who is drowning. In short: enough is enough.

No question but that not every Area Director might welcome major responsibility. In large corporations, it is not uncommon to find a division director who is reluctant to accept responsibility. But in successful corporations, these executives are removed and replaced. And I will say before you say it, that if the shoe fits me, I should wear it.

There are worn-out and obsolete practices current in HUD, which depart drastically from modern practices in the outside world. There are forms which were well suited for their original purpose, but although the purpose has changed, the form remains unchanged. Like any bureaucracy, HUD is resistive to change. Yet this resistance has become so solidified as to win for HUD, in the public mind, the unenviable image of the most cumbersome, backward and ineffective of all agencies.

Let me add at this point that those who would charge the present Secretary, Carla Hills, with failure to resolve the situation, should be reminded that she has had only four months to determine the dimensions of, and provide the solutions for, problems in HUD administration which go back seven or more years. I have seen her make more decisions to improve HUD's image in a few weeks than all of the other Secretaries of HUD since 1968.

Our problem did not arise over night and it cannot be solved over night. But a tremendous acceleration in the rate of solutions is perfectly possible. We could do a good deal more to respond more rapidly to urgent problems. To many critics, we appear to approach problem-solving in much too leisurely a fashion—they key word is "URGENT!"

I recognize that our society is the loser if government, business and the general public are to be pitted one against the other. And that is also true within the government itself, with its separate branches. We gain more by joining hands than by pointing fingers.

I have spoken of the need of delegating authority to the field offices. Along with that, my goal is greater delegation of responsibility to the private Mortgagee. The better among these have long sought more responsibility. But as good businessmen, they emphasize that authority must be co-extensive with responsibility, if effective management is to result.

I am not trying here to define the nature of that increased responsibility. There would, of course, be some Mortgagees who could not handle increased responsibility. My solution would be similar to that recommendation concerning the Area Directors: Replace those who cannot handle responsibility.

Members of the Committee: This is not a forum in which I can speak of the specifics. Yet I am not comfortable speaking in generalities. In its legislation, Congress establishes goals, and outlines in broad terms its general approach to meeting those goals. It does appear that somewhere between the Congressional halls and the HUD offices, something is lost in the translation. If the procedural techniques devised by HUD to implement the Congressional mandate, fall considerably short of success, it is the procedural technique which requires correction. Many studies, reports, and books have been written about this subject. What if anything has been done? No one here will deny that housing in our major cities is in worse shape today than it was in 1968. With thousands of bizarre, tragic, heartbreaking homeownership failures. The administration of some of our programs has contributed to the draining of the economic vitality of entire neighborhoods and communities. Ours have not been so much the sins of commission as the sins of omission.

The situation is not impossible of correction. But perhaps too much of the corrective effort has been in-house. I have dealt with Mortgagees whose training and experience I respect, and some of them have indicated unhappiness at their inability to persuade HUD to consider meaningful corrections which in the opinion of these Mortgagees, would remove obstacles, eliminate delays and accomplish the job. Because some of these private people have spent as much time with the HUD programs as have some of the HUD veterans, a joint task force with substantial representation from the private sector, charged with eliminating, correcting, and expediting procedures might accomplish even more than a professional management consultant firm might do by way of analysis.

These then are two recommendations.

What would I ask from the Congress itself?

The committee is properly concerned with the cost of an operation. First, in the interest of economy, we can, to an extent, delegate authority without increasing our own staff to handle those tasks, thus economy can result. To the extent that any function could be handled by the private sector without sacrificing the necessary protection of the government interest, economy is possible. I do not believe that separation of the FHA function from the overall HUD functions could result in greater efficiency, as it would result in duplication of effort in many areas which are all needed in Block Grant and FHA functions.

But I must emphasize that budgetary restrictions find us understaffed in some critical areas. If property inspections are to be made, an adequate number of inspectors must be available. If approval of architectural design is to be made, competent architects must be available. If construction costs are to be properly evaluated, competent cost analysts must be on hand. These are essential technical skills, somewhat different, for example, than determining the adequacy of an Affirmative Action Program. I am not ignoring the latter. I am saying simply that different skills are required.

There is a widespread public impression that Housing does not in fact enjoy the priority attributed to it in public statements. In the private world, an individual's priorities can largely be determined by the percentage of disposable funds which he devotes to any particular purpose. Other agencies of government will have claims upon the public purse which rival those of Housing. It is not for us, but for the Congress to determine how much shall be made available; for housing, for highways, for space exploration, for defense, et cetera. But one thing is sure, the housing industry, if healthy, provides a great impact upon the economy.

If it is the opinion of the Congress that the funds available for providing housing for people of very modest income are adequate funds, I must accept that judgment.

If it is the opinion of Congress that housing adequate to meet the needs of the Nation's elderly is now available or scheduled for early construction, I must accept that judgment also. It will, however, be clear that I would have serious misgivings on each score. If it is the opinion of Congress that staff cuts in the field are necessary, then I, as a frontline operator, must strongly protest, as I need the troops to efficiently operate on the firing line.

I am advised that the House has recommended staff cuts in the field which will seriously affect my ability to carry out my responsibilities. If cuts are mandatory then make them in Washington and not in the field where the programs are delivered to the public.

Let me close with an appeal to this Committee:

There is wide-spread concern and discouragement in the Housing field, both on the part of rank and file HUD employees, the private builders, the private mortgagees and the public. HUD employees see their future in doubt. They feel that their judgment is questioned and even their integrity in issue. Worried, uncertain, investigated, criticized, interrogated, lectured, warned, reproached—all too many are disheartened. All too often, they avoid making decisions in areas where once they felt reasonable confidence. This attitude feeds upon itself and results in diminished productivity. Feeling themselves mistrusted, they are mistrustful of those with whom they deal.

While a powerful statement affirming confidence in their ability and integrity will not of itself cause a change in attitude, it is a beginning. Hopefully, this Committee will find cause to make such a statement. Yet, even then, it will take a good deal more.

Even if told directly that they have been granted increased authority, there will be disbelief on the part of many. The child who has long been told he may not look in the refrigerator without permission, does not easily change, the very moment the restriction is lifted. Continued encouragement will be required, for weeks if not months.

Members of the Congress: It has been said of one Great American City, that it is virtually ungovernable. I do not believe that is true of HUD. It can be directed, it can do the job.

A cynic might say that at this point we have no direction to go but up. Certainly that direction should be our objective, and I hope very much that in the Chicago area, I can make a significant contribution to that effort. Thank you.

JACK KUBIK, BERWYN ROTARY'S MAN OF THE YEAR

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. HYDE. Mr. Speaker, I wish to congratulate Mr. John R. Kubik upon his designation as "Man of the Year" by the Berwyn Rotary Club; and to introduce to my colleagues this outstanding community leader from my district by including the following:

JACK KUBIK NAMED ROTARY MAN OF THE YEAR

Life Vice President and Managing Editor Jack R. Kubik has been named the Berwyn Rotary Club's 1975 Four Way Test Man of the Year, becoming the second person in the club's history to win the coveted award.

Kubik, a Riverside resident, was chosen on the basis of the club's "4-way test" which stresses truth, concern, good will and better friendship and consideration for all concerned. Last year's winner was Commercial National Bank President William J. Hank.

The award goes annually to a non-Rotarian who has achieved recognition in his community, has worked for the betterment of his community, and has shown a concern for the people in the community.

"Daily he evaluates hundreds of stories and items that come over his desk," said Award Chairman Rene Calvert. "Every day he puts his integrity on the line, his judgment and experience in written articles," he went on.

Kubik said he was overwhelmed at the honor, because "In the newspaper business, to do the right thing is what's expected. It is when we do wrong that we must be reminded to take a second look."

"It takes a lot of effort to put out a paper—and we make our share of mistakes. However, sometimes people take exception to our interpretation. We always anger someone, and I am glad that we do please as many as we do. We always seek to improve in the best interests of the community."

Kubik noted that "my heart and soul are here in Cicero and Berwyn. I love these communities; I love their people, their businesses. We will always be around to protect the interests of Berwyn and Cicero, to help clubs like the Rotary to do their good works."

Kubik is a member of the board of directors of the Cicero Community Chest, South Berwyn Business and Civic Association, Cicero Boys Club, Junior Achievement and MacNeal Memorial Hospital.

WHEN THE BOSS GETS IN TROUBLE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. WAXMAN. Mr. Speaker, like voices from a distant past, the time of Herbert Hoover, we read and hear strident defenses of the free market system, the profit motive, and American capitalism. Corporate executives, in countless speeches throughout the country in this year of recession, express deep concern about the "antibusiness feeling" across the country today. Their words reflect suspicion and doubt as to how the corporate community is viewed by the American people.

Over and above the terribly poor performance of our economy, they have every reason to be concerned. For when major oil companies raise gasoline prices in concert, when enormous grain sales to the Soviet Union leak out piecemeal, when scandalous revelations of bribes and questionable campaign contributions abroad are made, and when participation in boycotts with the Arab nations is uncovered, there are grounds for a questioning of some of the values the corporate community shares and lives by.

In the past 2 years, growing out of the Watergate investigations, many instances of corporate wrongdoing have been revealed and punished. Most distressing, however, has not been the results of the Government's policing of business, but the lack of effective policing of business itself—thereby inviting the distrustful scrutiny business finds so intimidating and demeaning.

The example that prestigious sectors of the corporate community are setting for the Nation falls far short of the ideals of frugality and rectitude which are trumpeted in corporate speeches. This is a tragic phenomenon which concerns us all. I commend to my colleagues an article on this dilemma from the July 31, 1975, Wall Street Journal, which follows:

WHEN THE BOSS GETS IN TROUBLE

(By Jerry Landauer)

WASHINGTON.—Businessmen are forever asking why their reputations keep dropping in the eyes of the public. For part of the answer, they might look at what's been happening in the board rooms and executive suites of Northrop Corp., Ashland Oil Inc., and Phillips Petroleum Co.

The chief executive officers of these three large companies—Thomas V. Jones, Orin E. Atkins, and W. F. Martin—have been found guilty, or have conceded they were guilty, of unlawful use of company funds. The misconduct generally involved the creation and illegal disbursement of corporate slush funds for political purposes.

The lawbreaking, in itself, is remarkable. Men of such stature might be assumed to have personal standards that would rule out illegality, particularly when it consists of efforts to subvert the American political process.

But what is perhaps more remarkable than the lawbreaking is the manner in which the boards of directors of the three companies have responded to it. Far from firing the men, the boards have issued expressions of support for the wrongdoers. Furthermore, directors of Phillips and Ashland even have sought to excuse the illegality by arguing that such practices were widespread or that the men didn't know the laws were being enforced.

And today, Messrs. Jones, Atkins and Martin are continuing to run Northrop, Ashland and Phillips.

Several other cases, loosely similar to these, have come to light, mainly as a result of investigations related to Watergate. But of those that have been resolved so far, these three best typify the type of violations involved. Also, they well illustrate the forgive-and-forget approach that seems to be emerging as the most prevalent response of corporate directors to this latest wave of high-level illegality.

While corporate directors, and the malefactors themselves, have been offering a variety of self-serving justifications for all this wrongdoing, hardly anyone of responsibility in American business has spoken out sternly against the actions of his peers. Last week, Irving S. Shapiro, chairman of Du Pont Co., did acknowledge, however, that the illegal campaign contributions of some companies "have cast a cloud on the character and the credibility of corporations." Mr. Shapiro reaffirmed Du Pont's policy against corporate contributions to federal campaigns (such contributions are illegal), and announced that the company is establishing a public register of solicitations of, and contributions from, Du Pont executives personally. Such candor on the subject of political contributions is far from typical of big business, however.

Meanwhile, the Securities and Exchange Commission has brought suits against some offenders and has implied that more suits lie ahead unless businessmen themselves put an end to the abuses.

PUBLIC LOSS OF CONFIDENCE

Commissioner A. A. Sommer Jr. of the SEC discussed the problem in a speech the other day. He noted a Harris Poll reporting that the number of Americans expressing a "great deal of confidence" in business leaders had dropped from 55% to 27% between 1966 and 1973. "Businessmen," Mr. Sommer said "have been singularly slow to raise their voices in criticism of the conduct of their fellow businessmen, conduct which inevitably hurts all businessmen."

Referring to revelations of "deceit, cunning and deviousness" among prominent corporate officials, Mr. Sommer declared that it's time for businessmen to devise "within their community a means of developing and enforcing a code of responsibility." Business, he added, "constantly complains of the intrusion of government in its affairs. I can think of no better antidote to this tendency than strong action by businessmen to prove . . . that they are truly concerned with the conduct of their fellow businessmen. . . ."

The companies known to have broken the law by contributing corporate funds to President Nixon's 1972 campaign include some of America's largest: Gulf Oil Corp., Goodyear Tire & Rubber Co., Braniff Airways, Inc., American Airlines Inc. and Minnesota Mining & Manufacturing Co.

Of all the slush-fund cases, however, only at 3M does it appear possible that any executive might go to jail. Some 3M officials engaged in suspicious tax maneuvers while retrieving $100 bills paid as "legal fees" in Switzerland, funds that then were channeled into political campaigns. Two former executives have been indicted for tax fraud and, if convicted, could go to jail.

The generally light judicial treatment of wrongdoers stems partly from a crucial decision made by Watergate Special Prosecutor Archibald Cox in October 1973. Faced with the near-impossibility of uncovering corporate slush funds without help from insiders, Mr. Cox announced that his office would charge the "primarily responsible" corporate official in each case with a misdemeanor, rather than a felony. He hoped, correctly as it turned out, that this would prompt companies to come forward voluntarily with admissions of guilt.

As these misdemeanor cases have gone to court, judges have tended to go lightly on the first offenders involved. Thus the sentences so far have consisted only of relatively small fines.

To understand the slush-fund violations, it's useful to look closely at the cases of Phillips, Northrop and Ashland, about which quite a bit is known now, partly because of public documents arising from SEC investigations.

At Phillips, Mr. Martin became involved, as senior vice president, in a complex kickback scheme requiring overseas contractors to channel $2.6 million through foreign conduits for deposit in Swiss accounts; of this sum the company allocated $585,000 for political purposes. Mr. Martin accepted the task in 1968 of "monitoring" kickback payments from one contractor and he moved cash from Switzerland to company headquarters. As president of Phillips in 1973, Mr. Martin personally gave corporate cash to two tight-fisted subordinates who didn't care to spend even $500 of their own money for tickets to political dinners. Mr. Martin wasn't charged with any crime. In accord with the policy laid down by Prosecutor Cox, the government negotiated a misdemeanor plea with Mr. Martin's predecessor, William W. Keeler; Mr. Keeler was fined $1,000.

Now that the slush fund has been uncovered, the Phillips board concedes Mr. Martin's "participation in the program of unlawful political contributions." But the directors, in a special report to shareholders, sought to excuse him saying he had "for the most part" merely "acquiesced" in misconduct initiated long age by his superiors. The directors added that to take "any action" against him would "district" him from making money for shareholders.

At Northrop, Mr. Jones masterminded an elaborate plan to launder corporate money through a consultant in Paris. Some $50,000 from this slush fund went (unknown to Mr. Jones) for hush-money payments to the Watergate burglars. To conceal the illegal fund, Mr. Jones induced three Northrop executives to prepare bogus, backdated promissory notes intended to prove that an earlier $100,000 Northrop payment to the Nixon campaign hadn't come from corporate coffers, in violation of law.

The Senate Watergate Committee, in a report to the Senate, described the following activities of Mr. Jones in connection with the slush fund: He personally brought the bogus documents to Washington; he prepared fake correspondence with the Paris consultant; he lied to the General Accounting Office; he signed an untruthful answer to questionnaires from the Watergate Committee; he lied to the Federal Bureau of Investigation, and he gave perjured testimony to a federal grand jury (which Watergate prosecutors let him recant).

Mr. Jones pleaded guilty to a felony. He could have been imprisoned for five years, but Federal Judge George Hart instead levied a $5,000 fine on the executive—who was earning $225,000 a year.

Even before Mr. Jones' sentencing in May, 1974, the Northrop board agreed to keep him as chairman and Mr. Jones agreed to reimburse Northrop for illegal contributions and for "other company expenses which have resulted from these contributions." Six months later, however, the board—while praising his "integrity"—waived the reimbursement pledge. Instead of repaying his share of Northrop's $1 million outlay for lawyers and auditors, Mr. Jones was permitted to pay just $50,000—which the company quietly loaned him, at less than the prime rate of interest.

Then, in Senate testimony last month, Mr. Jones acknowledged that he may have unintentionally signaled subordinates to pay $450,000 in bribes to two generals in Saudi Arabia. Following this new disclosure, Northrop's directors burdened him with a "heavy share of the responsibility for irregularities and improprieties" within the company. They accepted his resignation as chairman—but kept him on as president and chief executive officer, although they implied that he might be replaced in the next year. Northrop's growth "can to a large measure be credited to his efforts," directors said.

WHILE AT ASHLAND OIL . . .

Similarly, directors of Ashland Oil forgave chief executive officer Orin Atkins for being convicted of a misdemeanor (the executive pleaded no contest). They also excused his participation in generating an $800,000 slush fund and his "error" in making "inaccurate" statements to Watergate prosecutors about illegal political payments.

Mr. Atkins once personally withdrew $125,000 from the company's account in a Geneva bank and carried half the cash to corporate headquarters in Ashland, Ky., where it eventually was used for political contributions. (The company's assistant secretary carried the other half.) Nevertheless, Ashland's directors are unanimously resolved to keep Mr. Atkins on the job. Like Northrop's board, Ashland's pointed to the company's growth under Mr. Atkins' "forceful leadership." Mr. Atkins merely acted in what he thought was the company's "best interests," the board explained, and in any case he didn't think federal laws prohibiting corporate contributions were being enforced.

This argument, implying that a law's nonenforcement somehow justifies its violation, isn't based on fact. "U.S. Starts Enforcing Laws Barring Political Gifts by Firms, Unions," a front-page headline in this newspaper said in November, 1969. An accompanying article cited indictments that had been brought against 10 corporations and it quoted warnings that the government would henceforth prosecute not only corporations but executives, too. "It's going to be hard for anybody to plead surprise after so many prosecutions in such a short time," an assistant attorney general was quoted as saying.

In fact, the Justice Department leveled a 13-count indictment in 1971 against United Mine Workers President W.A. (Tony) Boyle for arranging $49,250 in illegal union political gifts. Mr. Boyle's widely publicized trial began just as corporations were restocking slush funds for election year 1972. In June the union boss was found guilty on all counts. The government demanded a maximum sentence in order to deter "others in a position of trust." A federal judge sent him to jail for three years.

LONG BEACH SHIPYARD COMMANDER TO RETIRE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ANDERSON of California. Mr. Speaker, next month the Port of Long Beach and the surrounding community will lose a dear and valuable friend. Capt. Anthony W. Duacsek is retiring as commander of the Long Beach Naval Shipyard.

Captain Duacsek has served as head of the shipyard since August 14, 1973. A native Los Angeleno, Duacsek first joined the Navy in 1943, after receiving his bachelor's degree in electrical engineering from the University of Wisconsin, he was commissioned as an ensign at the Midshipman School of Notre Dame University in 1945.

Following service in various ships and shore stations, Captain Duacsek found himself stationed on the U.S.S. *Valley Forge* at the outbreak of the Korean war. At that time the *Valley Forge* was the only U.S. aircraft carrier operating in the Far East, and so the initial airstrikes on North Korea were made by planes flying from her decks. For his service as boiler division officer during that action, Tony Duacsek received a Navy Commendation Medal.

In 1954, Captain Duacsek graduated from the Navy Postgraduate School with a masters degree in mechanical engineering. The following year, he reported for duty at the Naval Repair Facility in San Diego, Calif.

After serving as a ship superintendent for carriers, and as assistant planning and estimating superintendent for carriers, destroyers and submarines; Captain Duacsek was stationed for 6 years on the Atlantic coast. A year's duty in Vietnam followed. In 1966, he returned to the United States, and served at San Francisco Bay Naval Shipyard at Hunters Point.

Captain Duacsek came to Long Beach after serving as executive director for fleet maintenance, modernization and logistic support in the Naval Ship Systems Command.

Under his direction, Long Beach Naval Shipyard has continued to be a vital link in the naval ship maintenance system. Captain Duacsek's tour of duty in our community has been marked by efficiency, fairness, and dedication to his post.

Captain Duacsek has also been active in community affairs. He has been a member of the board of directors of the

National Conference of Christians and Jews, the American Revolution Bicentennial Committee of Long Beach, American Red Cross, and the Long Beach Chamber of Commerce. He has also served as vice president of the Los Angeles Federal Executive Board; and as a member of the board of advisers to the School of Business Administration, California State University Long Beach. Captain Duacsek is also an active member of the Long Beach Rotary Club.

Because of the fine job he has done as Commander of the Long Beach Naval Shipyard, as well as his extensive activities in the civilian community, Capt. Anthony W. Duacsek will long be remembered by the city and people of Long Beach, and the entire harbor area, as well as by the men and women fortunate enough to have served under his command.

My wife, Lee, joins me in congratulating Captain Duacsek on the completion of a distinguished career in the service of his country. We would like to extend our best wishes to the captain, his lovely wife, Lou, and their three children, Diane, Loraine, and Monica.

WORK: THE KEY TO REHABILITATION

HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. LITTON. Mr. Speaker, a new day is dawning for the mentally retarded and other handicapped citizens of the United States, but the day breaks slowly and the clouds continue to hide much of the light which attempts to shine through.

One of the generally forward steps taken was the U.S. district court decision of December 1973, known as Souder against Brennan. In essence, this decision interprets the Fair Labor Standards Act of 1938, and subsequent 1966 amendment, to apply to mentally retarded, mentally ill, and the aged in all State facilities, public and private. In short, institutionalized patient-workers must be paid according to the minimum wage laws, or they cannot work.

No one can quarrel with the intent of this and similar decisions, which is to prevent peonage or exploitation, and no one can deny that such practices have in the past existed. The fact is the Souder decision should have been sought and gained soon after the Civil War.

The fact also is that the composition of resident populations in institutions today trends toward a higher percentage of severely retarded, multihandicapped residents who generally are incapable of performing remunerative work as defined in Labor Department regulations. If they can, they probably should not be in the institution in the first place. This trend will surely continue as more and more community facilities become available for the less severely retarded who can live in a community.

In an attempt to find solid statistical information, we have contacted all 50 States in hopes of getting a composite reaction to the impact of the Souder decision. But such information is hard to come by, as evidenced by the fact that many States closed their response by asking "When your study is completed, would you share it with us?" However, best evidence indicates there are something fewer than 200,000 retardates in the Nation's 247 institutions. Add to this the mentally ill and the aged and we are talking about a substantial number of U.S. citizens. Further, as expected, the answers run the gamut from complete and total agreement with the Souder decision, to outright opposition and all degrees in between.

Without challenging the intent of the decision, there is, I believe, ample evidence that too many of the institutionalized citizens now have, because of the decision, been deprived of one of their most basic and cherished rights—the right to achieve, to accomplish.

And they have so little, sometimes, which they can hold up to their limited sphere and say "See, I did it!" And now, a group of citizens, admittedly small in number, have had their world devastated. There was a time when the most serious punishment which could be meted out to a patient was to take his job away from him.

The common response to pleas from parents and others who oppose the current status is "Let the State provide the money. That's their responsibility." As a Labor Department administrator said to one of my staff members,

> It's up to the states to provide the money to pay these people. After all, the Governor works, and they pay him, don't they?

My staff member was not impressed by the comparison, nor would the little guy be who used to work in the pantry of an institution. For weeks after the decision he showed up to help in the kitchen, to serve food, to wait tables—admittedly not the type of thing appealing to a psychiatrist or others of idealistic nature or high mentality. But each time an attendant tried to explain to him that it was the "law" that he could not work anymore, the youngster walked away in tears.

Many States have asked for such an appropriation, and gotten some of it. A letter from Massachusetts which arrived in my office today may be typical. The Department of Mental Health asked for $1.2 million. They got $600,000. My own State of Missouri requested about a half million dollars to pay patient workers. The legislature did not even seriously consider the request. There are just too many other places to spend the money. Some States have managed to take funds from other badly needed programs to pay patient workers, money which might be better used for improved food, services, air conditioning, higher pay for attendants, and so forth.

But most tragically, too many States appear to have simply taken their working patients off the roles and resorted to the "rocking chair" as the alternative. Such is in direct contrast to the goals now being sought to humanize, dignify, and normalize the lives of these unfortunates. Some reports, indicated increased delinquency, increased masturbation, for example, and regression in learning, and so forth.

On the basis of the above, and much more, I have, therefore, today introduced a bill which I believe will rectify some of the injustices wrought by the Souder decision and resulting interpretations. My bill has ample protection against possible exploitation, but would be at the same time allow institutionalized patients to do volunteer work beneficial to their health, welfare, training, and serenity of mind.

TRIBUTE TO DAVE KOONTZ

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. OBERSTAR. Mr. Speaker, true heroes of any age are not only those who seize the attention of national audiences. Sometimes their stage is relatively small; but their actions and impact rise to the level of the heroic.

So it is with Dave Koontz, of Duluth, Minn., a quadraplegic, confined for life to a wheelchair, he has surmounted the most severe shock and personal tragedy a person can experience, to become the spiritual mainstay for young people and their families throughout the Duluth area.

I offer this story, from the Duluth Budgeteer, for the RECORD because Dave is not only an inspiration to all of us, but a symbol of the unconquerable, unquenchable spirit of mankind which, in the hour of greatest adversity, rises above personal tragedy to reach out and provide comfort to others.

Dave richly deserves the recognition of this body, and the national forum this RECORD provides.

Mr. Speaker, I am proud to take this opportunity to share with my colleagues the deep and lasting inspiration Dave Koontz has provided his community.

The article follows:

HE'S TOUCHED MANY LIVES WITH HIS POSITIVE APPROACH

(By Dick Palmer)

What is there in a person that would cause a 14 year old lad to run 3 miles barefooted just to seek his help and guidance? With bloodied feet and exhausted lungs, this young man reached out for Dave and Dave responded quickly. That incident, somehow, sums up the life of Dave Koontz, a friend of youth. We'll explain later.

Dave Koontz, is confined to a wheel chair. He is considered a quadraplegic, a person who cannot use legs or arms.

Dave was in a tragic automobile accident in 1965, at the ripe age of 34. With a broken neck and paralyzed from the chest down, he spent 89 days in a Duluth hospital and then was transferred to the Sister Kenny Rehabilitation Center in Minneapolis for 7½ months. Following that, he came back home to Duluth to start a new and different life, different from the standpoint of his physical condition and new because he had a motivating drive to live and contribute to society somehow. It wasn't an easy mission.

Too few of us can appreciate the situation, how could we? Dave, at age 29, was an engineer for the D.M. & I.R. Railroad. He operated diesel and steam engines down the hill from Proctor to the Ore Docks. Truly a responsible job and certainly an accomplishment as he was one of the youngest engineers on the railroad.

During that short productive period in his life, he coached midget hockey for Memorial Park and Irving, sometimes entering state meets. He was full of life and vigor. In fact, his 1949 high school year book described Dave as "mischief is his name and his biggest aim".

With all that going for you and suddenly, in a split second, it's gone forever, how does one survive? Dave says, "You've got to live, you've got to be honest, above board and not make trouble for others". Maybe we all ought to reflect on that one for a moment or two?

Long before the accident, 16 years ago in fact, Dave joined the Arrowhead Civic Club and has served as president and is currently the secretary-treasurer. The Arrowhead Civic Club is, perhaps, Dave's primary base for accomplishing his goals in life, namely assistance and compassion for area youth. There's no question about it, he's a train buff and the smell of cinders and diesel fuel remains in his memory. We suspect, because of this, he was anxious and willing to accept the chairmanship of the Arrowhead Civic Club's annual train junket to Moose Lake with 300 to 400 underprivileged and disadvantaged children from this area. Dave has been chairman now for 8 years. The kids get a free train ride, they swim, eat, play games and have a great time. Dave, with humility in his eyes, reflects that the train ride really means a great deal to him because he knows that without this annual event, half the kids in Duluth would never have the opportunity to leave the city on a visit. Of course, Dave goes along too and thoroughly enjoys it.

Remember the story about the kid with the bloody feet? Well, because this youngster had the opportunity to meet Dave during one of those train rides, he remembered well and when, a year or so later, had a family problem that nearly frightened him to death, instead of running away helter skelter, he ran straight to Dave's house because he knew Dave would help him and, of course, Dave did with patience, counselling and a reconciliation with his parents. It was all worthwhile, says Dave, and he has had many youngsters visit him from time to time with various problems. Dave has even counselled people in similar circumstance as himself because he feels accepting life with the right mental attitude is most important and is most productive in the long run.

Today, Dave is secretary of the Duluth Transit Authority, appointed to the Board by former mayor Ben Boo. Dave is very active and points with pride to the first all-weather bus station soon to be erected near Faith Haven at 49th and Grand.

He was instrumental in getting AmTrack train service to Duluth-Superior and remembers an incident in 1971 when it would have cost the Arrowhead Civic Club $1700 to get the AmTrack train for the kids. Earl Bester and Congressman John Blatnik interceded, thanks to Dave, and the train was supplied free of charge and has been for the past 4 years. This year, Burlington Northern offered their train free as a public service project. A nice gesture indeed.

Dave received an award in 1972 from the Sister Kenny Foundation for outstanding community youth service. He is very proud of that. He was on the original Citywide-City Pride committee with his first big responsibility to clean up Enger Tower. This was accomplished.

This year, he was the master of ceremonies for the St. James Parish father and son banquet. He is a former member of the Air National Guard and has worked on various committees to promote Air Force activities and their acceptance in this community.

Like everyone else, Dave does have a hang-up or two. He is not impressed with the CETA (Comprehensive Employment and Training Act) programs. He says he went to 29 different interviews looking for work and was turned down in each case. He says many of the jobs he sought could easily be handled by him with a minimum of confusion caused by his necessity to have orderlies help him navigate his wheelchair. He wants additional challenge to keep his mind active and we certainly can understand that.

How many lives has Dave touched? It's hard to say but there have been many. His positive approach to life makes one think. We are proud of Dave Koontz, he's not a quitter.

COMMENDING THE BICENTENNIAL CELEBRATIONS OF THE CITY OF MONROVIA

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ROUSSELOT. Mr. Speaker, the commemoration of our Nation's 200th anniversary is important not only for the country as a whole, but for each community and individual citizen. It is right and proper that we take the time to reflect on and rededicate ourselves to the principles of the U.S. Constitution upon which our Nation is founded.

Cities and towns throughout the Nation are making special plans to observe our Bicentennial and I would like to share with my colleagues the accomplishments, events and plans of a city in my congressional district: Monrovia, Calif.:

Monrovia's Bicentennial Commission has been meeting since January each month and has held three luncheon meetings for representatives of all interested organizations to encourage their participation and promotion of Bicentennial activities. The Commission acts as a coordinating body.

The Commission has already accomplished a number of their proposed goals:

(1) Held a logo contest for the city which is now 90 years old—the fourth oldest incorporated city in Los Angeles County. Winner was Monrovia resident—Brice Tulloss. The logo now appears beside national logo on publications, etc.

(2) Received national recognition as Bicentennial Community.

(3) Developed slide presentation depicting Monrovia's rich history on film. Being shown to organizations throughout the community

(4) Developed display boards of historically significant places and events to be placed at Chamber and City Hall.

(5) With a gift of $9,500.00 from the California Community Foundation, purchased one of Monrovia's oldest homes—built in 1887—as an historical museum. Commission and historical society has begun restoration.

(6) Received and has flying over library a Bicentennial flag from the Monrovia Business and Professional Women's Club.

(7) Cooperated with the Chaffee Community College "Wagon Train" by meeting wagon and holding ceremonies in park.

The Commission also has the following proposals of events:

(1) In the process of developing a color brochure of Monrovia in the past. Monrovia at present and Monrovia in the future.

(2) Plan month's celebration in May at the time of the city's birthday. Beginning May 16 with a four-day carnival in library park followed by a city-wide and area-wide parade on Saturday, May 19. After the parade there will be a city-wide picnic and high school reunion on high school grounds. This will also incorporate the "Old Timers Luncheon." Before the parade the Elks Club will sponsor a Bicentennial Breakfast. The celebration of the weekend will conclude with a breakfast hosted by the Anna H. Jones (Colored Women's Club) on Sunday morning. During the month weekly programs of historical significance will be presented by different organizations in the band shell at library park. The celebration will conclude with a large patriotic celebration on July 4.

On Oct. 11 and 12 the Monrovia Arts Festival Association will sponsor a two-day art festival using the Bicentennial theme.

Sincerely,

JANICE G. MARUGG,
Chairman, Bicentennial Commission.

OHIO FACES SEVERE NATURAL GAS SHORTAGE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ASHBROOK. Mr. Speaker, two decades of Federal controls on the price of natural gas have moved our Nation to the brink of disaster. According to a report just released by the House Committee on Government Operations, the coming winter is expected to bring a severe natural gas shortage to the industrial heartland of America.

It is predicted that Ohio will be especially hard hit. After suffering through a statewide curtailment schedule of 55 percent, our State is now confronted with an even worse situation. Ohio is bracing itself for a natural gas shortfall of at least 60 percent, affecting 1,288 users, including many of the basic heavy industries.

The impact on Ohio's economy from such a curtailment would be devastating. It is the Nation's fourth largest user of natural gas for industry. Last year's curtailment alone resulted in the loss of an estimated 1.6 million man-days to Ohio workers. The coming winter is expected to result in further widespread industry closing and unemployment.

Therefore, I again urge my colleagues to deregulate natural gas. This will allow a profit incentive to develop our natural gas reserves. Once we remove the Government controls that have kept the price of natural gas at artificially low levels, natural gas will again be in sufficient supply.

Deregulation of natural gas can wait no longer. The situation only gets worse with each passing month. The Congress must act now. Thousands of jobs hang in the balance.

In addition to the need for deregulation there must be the further development of technology. A number of States including Ohio have Devonian shale deposits which contain natural gas deposits. With the use of advanced fracturing techniques this gas can be brought to the surface and put into use.

I have supported the development of this technology by the Energy Research and Development Administration and private industry. Development of this technology also has received the support of the Governors of the Appalachian Region including our own Governor Rhodes.

The Energy and Research Development Administration has a $4 million program to improve the necessary technology. Private sources are investing another $8.5 million. This is an area that deserves support from both Government and private industry. With known deposits of natural gas in the Devonian shale, the technology necessary to use these resources must be developed.

LETTER TO CHAIRMAN RODINO

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. McDONALD of Georgia. Mr. Speaker, a matter with grave implications in the area of internal security has been brought to my attention. The seriousness of this matter has required me to refer the matter to the chairman of the Judiciary Committee who has jurisdiction in this area.

Herewith is my letter and the attachment received in the spring of 1974:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 31, 1975.

Hon. PETER W. RODINO, Jr.,
Chairman, House Judiciary Committee,
Washington, D.C.

DEAR MR. CHAIRMAN: I feel it is my duty to call a serious matter to your attention. A young man named Timothy Boggs is employed by one of your sub-committees that is now investigating police surveillance. Herbert Romerstein, who was formerly Minority Chief Investigator for the House Committee on Internal Security, has advised me that on July 17, 1975, he had a telephone conversation with Mr. Boggs. During that conversation, Boggs admitted that he had recently visited Communist Cuba as part of a delegation of the National Lawyers Guild.

As you know, the National Lawyers Guild was exposed many years ago by the House Committee on Un-American Activities as the foremost legal bulwark of the Communist Party. The Guild continues to be a curious coalition of orthodox Communists, Maoists and other enemies of America.

Last year, the Washington, D.C. chapter of the Guild began organizing a series of trips to Cuba. A confidential letter of the Guild, a copy of which I am enclosing, revealed the process used to select delegates.

First of all, they have to be screened by a committee and then passed upon by the Executive Board of the Guild chapter. The letter said: "The first criterion was determined by the Cubans themselves. They asked that the Guild send men and women who would be able to serve them as contact and resource people in Washington during the upcoming period of transition in Cuban-U.S. relations; they desired a delegation which would have a broad background in governmental, professional and legal work."

This matter certainly shows the need for the House Committee on Internal Security. Your Committee has a responsibility to carry out the vital work of that former Committee. Yet for the past six months you have done nothing to meet this responsibility. Instead, at a time when the ultra-left extremists are attacking the police to prevent them from carrying out their responsibility of coping with criminals and terrorists, one of your Sub-Committees is harassing the police for "surveillance." Now we learn that an employee of this Sub-Committee has been a recent traveler to Communist Cuba on a delegation organized by the Subversive National Lawyers Guild and cleared by the Cuban Communists.

I strongly urge that you take immediate action on this matter. Because of its importance I am taking the liberty of inserting this letter into the Congressional Record.

Sincerely yours,

LARRY P. McDONALD.

NATIONAL LAWYERS GUILD,
Washington, D.C.

DEAR GUILD MEMBER: This letter is to thank you for your application for the D. C. Chapter's trip to Cuba and to inform you of the selection results. Over 40 applications were received following the announcement of the trip. The recommending committee, after many, many hours of hard deliberation, selected 11 delegates and 8 alternates. These names were then submitted to the Executive Board of the Chapter at its February 12 meeting for approval.

The following Guild members have been chosen by the Executive Board as delegates for the Chapter's Cuban trip: Ellen Chapnick, Alan Dranitzke, Roger Finzel, Joe Forer, Linda Huber, Elizabeth Langer, Dick McMillan, Dough Smith, Bruce Waxman, and one member to be chosen by the Antioch Law School Chapter. The alternates are: Marc Blesoff, Dick Chused, Jim Drew, Jeff Freund, Susan Hewman, Jon Kinney, Sheila O'Donnell, and Fred Solowey. The selection of alternates to actually go on the trip will be determined as the need arises by the Executive Board, with the exception of the Antioch slot, which will be filled by that Chapter. In addition, the Board selected David Rein to represent our Chapter in the National Guild delegation travelling to Cuba in July.

The recommending committee was overwhelmed by the number of qualified and desirable applicants. The process used to select the delegates and the alternates was difficult, and of course, subjective to some degree. The first criterion was determined by the Cubans themselves. They asked that the Guild send men and women who would be able to serve them as contact and resource people in Washington during the upcoming period of transition in Cuba-U.S. relations; they desired a delegation which would have a broad background in governmental, professional and legal work. The Cubans stressed that the delegates should have a solid history of professional experience in the legal field, which is the reason why the selection was weighted towards lawyers rather than legal workers or students.

For the Guild's purposes, the recommending committee looked for members who would have the ability to speak, travel, and educate others about their experiences in Cuba. It was considered important, in this respect, that the delegate would be in D.C. and in the D.C. Guild for years to come. Another factor in the selection process was the movement and Guild history of the applicant.

Again, the task of the recommending committee and the Board was not an easy one, and we thank everyone who applied.

Venceremos,

ALAN DRANITZKE,
Chairperson for the Executive Board.

LATEST RUSSIAN WHEAT SALE

HON. JACK HIGHTOWER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. HIGHTOWER. Mr. Speaker, I know that many of my colleagues who represent predominantly urban areas have received many questions from their constituents concerning the latest Russian wheat sale. The principal concern is that the deal will precipitate another price increase for bakery items.

Wayne Board, farm editor for the Amarillo Globe-News, has a thorough knowledge of the agriculture industry, and he effectively translates how this vital industry affects those who benefit from it, the consumers. It is a pleasure for me to submit a portion of his recent "Agriscope" column for the information of my colleagues:

> It's interesting to note that President Ford wants to sell U.S. wheat to the Soviets, but is concerned that prices to the consumer might rise, especially if the purchase is a large one. It's also interesting to note that the price of wheat has dropped 47 per cent since February of last year, yet bread is more expensive in the supermarket.
>
> Several are speculating that Ford will be in deep trouble if anyone proves that the USDA has been discouraging export sales. The Administration wanted fence-to-fence production and the farmers complied. Without plenty of trading abroad, all that production might bury any reelection hopes.

CONGRESSIONAL PAY

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. McCOLLISTER. Mr. Speaker, increasing congressional salaries this year is totally irresponsible. Facing a myriad of economic problems and the prospects of a $70 billion-plus Federal deficit, the Congress is making a serious mistake to increase its own pay. It brings to mind the saying: If you are not part of the solution, you are part of the problem. Congress, through its bad example as well as the absolute inflationary economic consequences of this pay increase, is encouraging further inflation rather than bringing it under control.

In times like these, we need self-conscious restraint on the part of Government, not self-indulgence. Runaway Government spending is the root cause of our economic difficulties. Whether funded by higher taxes, debasing our currency or increasing the national debt, higher spending levels threaten the basic fabric of our society. New additional spending for congressional salaries is certain to make our task of controlling the budget that much more difficult.

Tying future pay increases for Congressmen to increases in the cost-of-living actually provides an incentive for free-spending Congressmen to indulge in their popular pasttime of impersonating Santa Claus to their constituents. It rewards fiscal irresponsibility. Government overspending triggers inflation which, under our new system, triggers increases in congressional salaries. This new system protects Congressmen against the folly of their own irresponsibility while forcing the rest of the country to bear the burden. There has never been a truer statement than the description of inflation as the cruelest tax of all.

Responsible leaders recognize the need to provide salaries for public servants commensurate to their worth; salaries which will protect the quality of our civil service. In an era of heightened concern over crime, attracting the very best talent to judicial positions must be an important priority. I think we need pay increases for our judges and senior-level civil servants whose salaries have been frozen, many for as long as 6 years, while inflation has drastically cut their purchasing power. These civil servants have made their sacrifices already in the fight against inflation.

Unfortunately, the House was asked to vote on increasing salaries for members of the judiciary and senior civil servants as part of a pay package giving Congressmen and Senators increases in their own pay. Because the pay increases were all lumped together, it was impossible to vote for justified pay increases for judges and senior-level civil servants without, at the same time, providing unjustified increases to Members of Congress.

COMMENDING THE BICENTENNIAL CELEBRATIONS OF THE CITY OF ARCADIA

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ROUSSELOT. Mr. Speaker, the commemoration of our Nation's 200th anniversary is important not only for the country as a whole, but for each community and individual citizen. It is right and proper that we take the time to reflect on and rededicate ourselves to the principles of the U.S. Constitution upon which our Nation is founded.

Cities and towns throughout the Nation are making special plans to observe our Bicentennial and I would like to share with my colleagues the accomplishments, events, and plans of a city in my congressional district: Arcadia, Calif.

BICENTENNIAL EVENTS AND PROJECTS

On November 15th, 1974 in the presence of 4000 Arcadians Mayor Alton E. Scott delivered the Bicentennial Proclamation in these words:

"Whereas, our Nation has begun its celebration of its 200th Birthday; and

"Whereas, America's contribution of a political system combining individual freedom with the rule of law under a constitution deserves the heartfelt appreciation of its citizens; and

"Whereas, the City of Arcadia desires second to none in its celebration of the Bicentennial, and further desires that the entire community, including all its citizens and citizen organizations be involved:

"Now, therefore, I, Dr. Alton C. Scott, Mayor of the City of Arcadia, do proclaim this day the beginning of the celebration to last until at least July 4th, 1976, to honor the heritage and the liberty of our Nation, and to dedicate ourselves to its improvement in the next 100 years."

The City Council shortly thereafter proceeded to appoint persons nominated by civic, religious, and service organizations to a Bicentennial Commission to plan and expedite a program for the city's celebration. There are presently 66 members of the Commission. This Commission meets regularly the first Wednesday of each month.

The first order of business was to select a general theme and sub-themes to correlate with the three major areas: Heritage '76, Festival '76, and Horizons '76. Six hundred children and youth became involved to create such themes. In a contest the following were chosen: General Theme: "Memories of the Past—Dreams of the Future". Subthemes selected were: Heritage: "Star Spangled Memories", Festival U.S.A.: "Stand Up and Cheer, It's Our 200th Year", Horizons: "A New Birth of Freedom". Appropriate awards were made by the chairman of the Commission.

On the 22nd of May 1975, the City of Arcadia qualified to become an official Bicentennial Community and was so apprised by Mr. Kent Williams, Regional Director of the American Revolution Bicentennial Administration.

On July 4th, 1975 the official Bicentennial Flag was raised in a brief ceremony by the chairman of the Commission, members of the Commission and City Council. Bicentennial flags now fly over the city at City Hall, the Chamber of Commerce, the Public Library, the Methodist Hospital and local fire stations.

As the Bicentennial celebration unfolds some interesting events proceed to emerge:

1. New Citizens Day with 21 new citizens appropriately welcomed into the community. Individual Bicentennial awards were made to each new American. Sponsored by the Arcadia Business and Professional Women and the Bicentennial Commission. This was in keeping with the Horizon '76 theme, "A New Birth of Freedom".

2. Sixty Arcadia High School students and seven faculty members are presently on an American Heritage Study Tour of historic shrines in the East. These students will receive one-year credit in American History. The tour includes studies with leading American historians in various colleges and universities.

3. The Drama Department of the Arcadia High School is presenting during the month of August the play, "1776" a patriotic-musical under the direction of Mr. Stanley Salas, actor-director.

4. October 12th a huge celebration is planning to be called a "Concert on the Green" involving school bands and drill teams on parade. The Department of Recreation is planning games and sports events to involve all family members.

5. The Arcadia Tournament of Roses Association is planning a float for the New Year Day's Parade in Pasadena depicting a Bicentennial Festival Theme.

6. There are ongoing efforts to obtain the Freedom Train, and/or The Armed Forces Caravan for area residents.

7. Public schools will have an ongoing program during the year on a weekly basis lifting up various aspects of the American Heritage. Most programs will qualify for the Freedoms Foundation Award of Valley Forge. These programs are available from school principals.

8. All Bicentennial activities will culminate in one large community-wide celebration to be held at the Santa Anita Race Track facilities on July 4th, 1976, concluding with appropriate fireworks displayed under the auspices of the Arcadia Chapter of The American Legion.

9. On July 4th, the Arcadia Tribune will publish a special issue featuring news of the day typeset in a style reminiscent of newspapers of 1776.

10. Along with a host of other programs, community organizations and civic groups are planning lasting projects. Thus far these include:

a. A Bicentennial Bikeway perhaps to be referred to as "Route '76".

b. Liberty Trees to be given and planted by the Woman's Republican Club of Arcadia.

c. A Four Freedoms Auditorium and Culture Center for the performing arts.

d. A new Bicentennial City Council Chambers Bldg.

e. Perpetuating scholarships in American History for high school students.

f. Perpetuating lecture forums given by high school teachers of American History to keep the American heritage in view of the public.

g. Mini-parks established named after the Founding Fathers.

This, in essence, is Arcadia's part in the Bicentennial celebration.

PAUL G. JOHENK,
Chairman.

A PROGRAM FOR READING MOTIVATION

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. QUIE. Mr. Speaker, according to figures from the U.S. Office of Education, 43 percent of all elementary school children need help in reading. One of the most major problems with respect to getting young children to read is getting them properly motivated. Educators are well aware of the fact that the teaching of reading is much easier and a great deal more successful if the child is motivated. Motivation, of course, is something which cannot be imposed; it must be developed in the child.

Yesterday I introduced H.R. 9048, a bill to amend the Reading Improvement Act of 1974 to create a program providing for the distribution of inexpensive books to motivate children to read. The program I have in mind would be patterned after the very successful work now being carried out by an organization known as Reading Is Fundamental, Inc., a national nonprofit organization designed to motivate children to read.

In the 9 years since the RIF program has been in existence, over two million children have received five million paperback books through 300 RIF programs in 46 States. The idea of the program is to put into the hands of as many children as possible paperback books which they can call their own and which are of interest to the child rather than the required reading which does not motivate so many children. Children may choose the books which are of interest to them, and almost all develop a pride in owning books.

Educators involved in the program report that the motivational effect on the families of children in the program, particularly those from poverty-level backgrounds, is remarkable. Often these are the first books to have been in the home, and their presence frequently causes the parents or older brothers or sisters to become interested in reading.

RIF operates through a number of different kinds of projects designed to meet the particular needs of the community involved. All projects are locally conceived. There is no national imposed model of how the program should be accomplished. Some examples of various RIF projects include:

Distribution of paperback books in schools. The children freely choose their own books and retain them in their homes. The program is done in depth, and each child receives five books per year. For many of them, these RIF books are the only things they own. Parents, teachers and volunteers supervise these programs.

Paperback libraries in classrooms. For reading during the school day and at home. The children are permitted to keep the books at the end of the year.

Library incentive program. A free book is given for every eight books read. Children reading more than 32 books are presented a gift library of 10 books at their school's awards ceremonies.

Summer programs in neighborhood parks. A RIF bookmobile circulates books on a lending basis, supplemented with free book distributions.

Rural programs. RIF's bookmobile visits rural areas, distributes books and involves parents in program implementation.

Distributions at day care, preschool and community centers. RIF works with these centers to develop programs around RIF books.

Seeding church youth libraries. Paperbacks are provided to encourage starting of church youth libraries.

Community book fairs. Book fairs are held each year in RIF communities for the sale of books at discounted prices.

Books for health clinics and social service centers. Parents are encouraged to take home their children's favorite books.

Reading break programs in high schools. High schools are assisted in developing Reading Break or Sustained Silent Reading Programs in which RIF books are available in class to be read during a special reading period each day.

Book publishers have been very cooperative with the program. Many of them offer sizable discounts to books purchased under this program.

The legislation which I have introduced provides for an $8 million authorization for the current fiscal year and $9 million for each of the two succeeding fiscal years. Under this bill the U.S. Commissioner of Education would pay 50 percent of the cost of purchasing inexpensive books selected by community organizations. There would be no Federal mandate of which books were and were not acceptable. It is estimated that the full funding of this authorization would permit an additional 25 million books to be distributed to 5 million children.

I commend this legislation to the attention of my colleagues and urge their full support.

RAY AND JENNIE LISECKI

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. O'HARA. Mr. Speaker, this week I have the pleasure of welcoming to Washington Mr. and Mrs. Roman Lisecki of St. Clair Shores, Mich. They have come to visit their Nation's Capital.

They are the kind of constituents every Congressman likes to call his own.

Ray and Jennie Lisecki are the parents of five children and several grandchildren who have been blessed with having outstanding parents and grandparents as examples to live up to.

The Liseckis have long been active in their community and church activities.

Ray Lisecki has been honored for a few special reasons, however, that I would like to mention here.

A commercial driver for 35 years by profession, Ray Lisecki has been cited by the Michigan Trucking Association and the Teamsters Union for 2 million accident-free miles of driving—a truly enviable record. He has also worked as a Scout leader for 20 years, been the clown at company picnics to the delight of innumerable children and played his harmonica for hours for veterans and shut-ins. He has truly given of himself for others, as evidenced by his record as a multigallon blood donor to the Red Cross, and by risking himself to save the lives of three imperiled people.

It is that kind of selflessness, extending a hand to anyone in need, that makes me proud to know the Liseckis, and to represent them in the House of Representatives.

ON THE COMMERCE DEPARTMENT'S RESPONSE TO THE CANNING JAR LID SHORTAGE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. VANIK. Mr. Speaker, it has just come to my attention that the Commerce Department has now jumped into the scandalous lack of canning jar lids with a plan only remote, Johnny-come-lately Government officials could have dreamed up. Apparently, the Commerce Department has prevailed upon lid manufacturers to allow the Goodwill of Minneapolis, Minn., to purchase 2.8 million lids. Under the Commerce Department's plan, the first 26,000 consumer-canners who write the Goodwill in Minneapolis, will be allowed to purchase a set of lids comprising 108 lids.

The Commerce Department announcement on this very tragic situation was disseminated throughout the country by radio and wire, appealing for responses from canners nationwide.

Currently, there are no lids to be purchased anywhere in my district, to my knowledge. If any were available there was a strict rationing system in place allowing each family to purchase no more than two dozen lids, if that. This system has been in place for over 5 months in my congressional district and many others throughout the country.

How is it, then, that the Commerce Department which for the past 6 months has been telling our office that no shortage would exist, is now able to arrange to make 108 lids available to only 26,000 lucky families. Where are these lids to come from? Are they to come from the production that might have been distributed throughout the normal chain? Could they have found their way into Cleveland and stores away from Minneapolis on a two-dozen-lid-per-family rationing system? Would that not have been more equitable?

Why is it, Mr. Speaker, that the Federal Government cannot coordinate its efforts and seek, once and for all, the answers for the questions which I posed before the Subcommittee on Commodities and Services of the House Small Business Committee chaired by the distinguished CHARLES CARNEY of Ohio? If answered properly, I think we will know why lids do not exist on store shelves—and how to get them to the shelves quickly. The questions are as follows:

First. Is there an allocation system currently in place from the manufacturers to their distributors and brokers on to the retailers?

Second. If so, what is that allocation system—on what year of sales is the allocation system based and what was the level of production of that year compared to this year?

Third. Are retailers being allowed to order lids or are they currently being told how many lids to expect and are such commitments currently being kept by the manufacturers and brokers?

Fourth. Is there a "black market" in lids operating right now among brokers with retailers?

Fifth. Are retailers allocating their supplies of lids to their customers? How many normally are allocated per customer?

Sixth. If retailers are allocating lids and are in fact, only receiving allocations from suppliers based on a low production year of 1973–74, and over 2 billion lids are currently being produced, how can the consumer be the principal culprit having been accused of hoarding?

Seventh. Since early supplies of lids were allegedly being sent to the South first, because of early harvesting of produce, has there now been a change in shipments to the North and West?

Eighth. What has been the percentage of dollar increase in price of lids and jars over the past 6 months and do actual market conditions warrant such increases above and beyond inflation-related factors?

Ninth. Are any retailers tying in the sale of a limited number of lids with the sale of a set amount of other groceries? If this is occurring is this legal and what can be done about it? I would call your attention to the constituent letter which I have attached from Mrs. Betty J. Dailery of Chesterland, Ohio, who has authorized me to use her letter.

Tenth. Is it true as some retailers have alleged, that supplies of lids will start in large quantities in September, after principal garden produce has been harvested? If this is in fact true, why has this market distortion occurred?

Eleventh. Would it not be to the advantage of canners and their distributors to prevent the sale of a four-cent canning jar lid to enhance the sale at a later date of an 84-cent can of peaches or cherries?

Mr. Speaker, it is my hope that the Commerce Department will join the FTC and help bring sufficient lids to all canners who desperately need them right away.

CONGRATULATIONS TO CONGRESSIONAL SCIENCE FELLOWS

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. McCORMACK. Mr. Speaker, one of the most critical problems facing the Congress today is the need for competent scientific and technical advice and counsel for its Members. Four years ago, while meeting with members of the American Society of Mechanical Engineers, ASME, I suggested that they provide qualified professionals, generally with Ph. D.'s in physical science and an interest in public service, as congressional science and engineering fellows to work with Members of Congress. I expanded this theme a few months later while speaking at the 1972 annual meeting of the American Association for the Advancement of Science, AAAS. Since the concept of such fellowships had been discussed years before by many of the professional societies, my suggestion hit a responsive chord. As a result, shortly thereafter the ASME selected a fellow to spend a year working within the Congress. This action was followed closely by several other professional societies that established similar programs.

In the first year, 1973-74, a total of seven such fellows were selected. They included: Three from the AAAS, two from the American Physical Society, APS; one from the American Society of Mechanical Engineers, ASME; and one from the Institute of Electrical and Electronics Engineers, IEEE. These fellows were Drs. Benjamin Cooper, Barry Hyman, Ronal Larson, Mr. Elliot Segal, and Drs. Jessica Tuchman, Michael Telson, and Richard Werthamer. The AAAS serves to help in the coordination of these fellowships and arranges an orientation and other important programatic aspects. The quality of the fellows and the relatively unique service these individuals give are the characteristics which make the program worth special note.

This program, although still relatively small, has been successful, particularly with respect to the dedication of the congressional science fellows. This past year, the second for the program, has seen the total number of such fellows grow to 14. The sponsoring societies now include: AAAS, American Institute of Aeronautics and Astronautics, AIAA, American Psychological Association, APA, APS, ASME, and IEEE. The contribution that these fellows have made has already been significant, and the Congress and the country owe a debt of gratitude to the sponsoring technical and professional societies, as well as to the congressional fellows themselves. Mr. Speaker, I would like to take this opportunity to thank the sponsors for their generosity and true concern for the welfare of the country in making it possible for these persons to assist us.

Mr. Speaker, the men and women who are serving as 1974-75 science and engineering fellows are a highly competent group, representing some of the best technically and scientifically trained persons in the United States. They are making invaluable contributions in many offices throughout the Hill, providing in-office analytic capability which is sorely needed, and sharing their expertise with us on a myriad of projects in areas ranging from health and welfare to energy and the environment. These men and women have successfully competed with a large number of other applicants from throughout the country to be chosen as fellows by their sponsoring professional societies.

I know that all of us who are benefiting from their efforts want to make these men and women feel especially welcome, and to let them know how much we appreciate their hard work. Mr. Speaker, I believe the 1974-75 fellows are a truly outstanding group, and at this time I would like to recognize each one of them individually, and in some detail.

Dr. E. Kevin Cornell—AAAS fellow with the office of Senator GARY W. HART, Democrat, of Colorado—received his Ph. D. from the University of Illinois and, prior to beginning his fellowship, was an assistant professor at the American University where he taught physics and performed solid state research in the physics department. Dr. Cornell has been working on environmental legislation while in Senator GARY HART's office.

Mr. Lloyd Craine—IEEE fellow with the House Committee on Science and Technology—is a graduate of Oregon State University, and is on leave from Washington State University where he is a professor and electrical engineer. Mr. Craine has served as chairman of several professional organizations and research groups, and has published over 30 research reports and articles in professional journals. During his fellowship, Mr. Craine has been working in the area of energy research and development administration, authorization and oversight activities, particularly in the solar energy program.

Dr. James E. Cox—ASME fellow with the House Science and Technology Committee—is a professor of mechanical engineering at the University of Houston, where his technical specialty is the field of heat and mass transfer. He received his Ph. D. in engineering from Oklahoma State University. Dr. Cox has been associated with the NASA-Johnson Space Center and College of Engineering and several other professional committees and seminars, and has published numerous works on energy conversion and related topics.

Dr. Palmela Ebert—AAAS-APA fellow with the Senate Subcommittee on Children and Youth of the Labor and Public Welfare Committee—as a graduate of the Leeds University in England and the University of Georgia. She is an experimental psychologist and, prior to coming to Washington, taught introductory and experimental psychology at the University of Georgia. During her tenure with the subcommittee, Dr. Ebert has worked on issues which include education of the handicapped, developmental disabilities, vocational education, emergency school aid, women's educational equity, lifetime learning, measures of the impact of Government programs on families, and the use of social indicators in Government policy formation.

Dr. Justice Harper—AAAS fellow with the Office of Technology Assessment, OTA—is a graduate of Michigan State University, where his field of interest was in biological systems engineering. He has been closely connected with the operation of the agricultural pollution control laboratory at MSU since 1970. Dr. Harper has worked on the agricultural information assessment, and is now on loan from OTA to the Senate Commerce Committee.

Dr. Allan Hoffman—APS fellow with the Senate Commerce Committee—received his Ph. D. in physics from Brown University with special interest in the investigation of the behavior of metals at very low temperatures, radiation monitoring in the vicinity of nuclear powerplants, and the application of solar energy to space conditioning and hot water production. He has been the recipient of research grants from the AEC, NSF, and NIH. Dr. Hoffman has worked on automobile efficiency legislation and other energy-related legislation.

Dr. Henry Kelly—AAAS fellow with the OTA—has previously been affiliated with the U.S. Arms Control and Disarmament Agency, where he concentrated on the development and evaluation of a U.S. position in the strategic arms limitation talks. A graduate of Harvard in physics, Dr. Kelly has published several papers on photon counting. He has worked on the oceans assessment and potential OTA assessments.

Dr. Thomas Moss—APS fellow with the office of Congressman GEORGE E. BROWN, JR. of California—received his Ph. D. in physics from Cornell University in 1965, and is an adjunct professor of physics at Columbia University. He has done research with the IBM Watson Laboratory and IBM Thomas J. Watson Research Center in New York, and is the author of more than 35 papers on applications of Mossbauer spectroscopy to problems of molecular biology.

Dr. Burke Nelson—ASME Fellow with the Senate Interior Committee—graduated from Drexel University with a Ph. D. in materials engineering, and has been employed by General Electric, Boeing, and other companies doing research on thermal engineering. Dr. Nelson is listed in "Who's Who in Aviation, 1974."

Dr. Willis Smith—IEEE Fellow with the Senate Committee on Interior and Insular Affairs—was employed by the Sandia Laboratories in Albuquerque, where he was involved in solid state research and work with materials for photovoltaic solar cells for terrestrial use. Dr. Smith received his Ph. D. in physics from Washington University in St. Louis. He has focused his attention on energy legislation during the past year.

Dr. Gary Thomas—AAAS Fellow with OTA—received his Ph. D. in electrical engineering from the University of California, Berkeley. From 1972-73 he was the associate dean of the graduate

School of the State University of New York at Stony Brook. Dr. Thomas received a National Science Foundation Research Grant for his work on "Magnetoelastic Surface Waves." He is the author of over 20 research publications and related works. Dr. Thomas has worked on the materials assessment of the OTA. He will return to SUNY, Stony Brook to assume chairmanship of the department of electrical engineering.

Dr. Jon Veigel—AAAS Fellow with the OTA—was an associate professor with the Small College of California State College at Dominguez Hills, working in the area of interdisciplinary environmental courses. Dr. Veigel is the author of numerous articles on energy, the environment, and related subjects. He received his Ph. D. in physical-inorganic chemistry from UCLA. Dr. Veigel has had a key role in the major energy assessment of the OTA.

Dr. Haven Whiteside—APS Fellow with the Senate Subcommittee on Air and Water Pollution, Committee on Public Works—received his Ph. D. in applied physics from Harvard, specializing in electromagnetic theory and measurements, and has been associated since 1968 with the Federal City College in Washington, D.C. Dr. Whiteside has done research in cosmic ray and high energy physics, and in electromagnetic measurements. He has also been involved in developing a computer program for energy determination in a cosmic ray spectrometer, and has assisted in an EPA-funded noise pollution study of the District of Columbia.

During his fellowship, Dr. Whiteside has worked on automobile emission standards, and conversion of fossil-fired boilers from oil and gas to coal in preparation for oversight hearings on the Clean Air Act.

Dr. William Widnall—AAIA fellow with the House Committee on Science and Technology—is currently on leave from his work as a program manager with Intermetrics Inc. He is a graduate of MIT, where he studied aerospace engineering. Dr. Widnall served on the team that helped design the guidance system for the Apollo spacecraft. He has also been involved in the preliminary design work for the guidance systems for the NASA space shuttle. He is spending his fellowship year working on NASA oversight activities with the Science and Technology Committee.

Mr. Speaker, very shortly about a dozen more such fellows will come to Washington to work with parts of the Congress of their choice. I am sure that this third-year group will distinguish itself just as its predecessors have. Four years ago, before this fellowship program began, there was no more than a handful of Ph. D. natural scientists, engineers, or M.D.'s among the approximately 3,000 professional-level, legislative congressional staff. In 3 years, this program initiated from outside the Congress by public spirited scientific and engineering societies has dramatically increased the scientific analytic capability of congressional staff.

Mr. Speaker, it has been my primary purpose to recognize a group of outstanding men and women. I think that it is also appropriate at this time to call to the Congress attention not only the success of the program, but to the fact that this success is an indicator of the need for the service which the congressional science fellow program provides. We, as Members of Congress, have a vital interest in encouraging and fostering the growth of such welcome public-service activities.

I wish to emphasize the fact that funds for these programs come almost entirely from the societies themselves and from other private philanthropic sources, even though they are under the same economic stress as the rest of our society. That they have devoted a portion of their limited resources to this important public service indicates their concern that Congress be assured of adequate technical staff to deal with the scientific aspects of legislation.

I would like to take this opportunity to congratulate all the congressional science and engineering fellows and their sponsoring societies for a job well done. We look forward to further important contributions in the future.

PRESIDENT OF OIL

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. YATES. Mr. Speaker, this Nation is involved in a major debate over what is the most propitious course of action for dealing with the energy shortage. It is a debate which has involved both Government and industry, and whose outcome will affect every individual citizen. The President has proposed an energy program; it was rejected by the Congress. Congress itself has proposed an energy program; it was rejected by the President. It is disheartening, yet necessary, to conclude that we are no more energy sufficient than we were before the boycott, nor are we any closer to having a unified energy policy.

Today we will consider S. 1849, the Emergency Petroleum Allocation Extension Act. I would ask my colleagues to read the following article by William V. Shannon. Mr. Shannon's remarks first appeared in the New York Times of July 20, 1975. They represent the most concise and perceptive analysis of the oil situation that I have yet read. As usual, Bill Shannon has managed to pierce to the heart of the matter, and has done so, again as usual, in eloquent fashion. I commend his views to the Members:

PRESIDENT OF OIL

(By William V. Shannon)

WASHINGTON, July 19.—The oil problem is essentially political in nature and can only be overcome by the power of Government. But the United States has been unable to cope with the problem because the Nixon and Ford Administrations insist upon treating it as an economic issue that can be resolved by the natural play of market forces.

Because of the sudden, huge increase in the price of oil, the inflation and the recession were both made much worse than they would otherwise have been. As long as President Ford persists in his mistaken policies, the United States will continue to suffer severe economic damage in lost jobs and depreciated currency.

Mr. Ford follows the judgment of the major international oil companies on oil problems in the same way that he amiably heeds the advice of other big businesses on the problems that interest them. This is partly because, like Mr. Nixon before him, he is heavily dependent on the oil industry as part of his political base. He is also a stolid believer in the business ideology of rugged individualism, free markets and price competition—virtues that exist more clearly in his mind than they do in the practices of the international oil industry.

But, basically, Mr. Ford plods ahead with his disastrous policies because he does not know any better. No one who knew Gerald Ford and his dreary, negative record during a quarter-century in the House of Representatives would ever have chosen him to lead the nation in meeting a complex and unprecedented situation.

There are many men in both parties in Congress who much better understand the real nature of the oil problem. But because the solutions require sacrifice, it is almost insuperably difficult to put together a two-thirds majority in support of legislation.

The fundamental fact is that there is no oil shortage and no energy crisis. Rather, there is a political crisis. The oil-exporting countries have become cohesive enough to blackmail the wealthy industrial countries by raising the price of oil to an extortionate level, keeping it there, and threatening to raise it still higher.

In this crisis, no one is defending the interests of American consumers. Although five of the seven major international oil companies are American-owned, their interests and the nation's interests are not identical.

With the world market now glutted with oil, these American companies help the Arab countries allocate and rationalize the cutbacks in production that are necessary to keep prices from falling. As business partners of the Arabs in the Middle East and as producers of oil in the United States, these companies have no incentive to keep the price of oil down. On the contrary, they are the propaganda and political protagonists inside this country for the cartel.

President Ford is now urging Congress to abolish the price ceiling of $5.25 a barrel on oil from wells that were producing before 1973. This so-called "old oil" provides 40 per cent of U.S. supplies. The rest of native oil is selling at the world cartel price of about $13 a barrel.

Since companies produce both old and new oil, they are getting an average price for their total output of roughly $7.50 a barrel. That is triple the price of only two years ago. Yet the companies have the audacity to say that they need to get the extortionate world price for all their oil if they are to have any "incentive" to search for and produce additional oil in this country.

The United States ought to have the political will and toughness to refuse to be blackmailed. It should stabilize the price of domestic oil, old and new, at $7.50 a barrel as provided in a bill sponsored by Representative John Dingell, Michigan Democrat. It should then make a concerted effort to break the world cartel price.

The Arab countries supplied only 1.3 million barrels of oil a day to this country in the first quarter of this year, less than 8 per cent of total U.S. oil requirements. By conservation, the U.S. could promptly reduce oil consumption by that amount. A sustained cutback of this magnitude would be a significant political signal to the cartel.

Gasoline consumption could be limited by law to the present level of consumption. As the economy recovered and as Detroit produced more fuel-efficient cars, gasoline consumption could gradually be reduced from present levels by steeply rising gasoline taxes.

The United States could adopt a much firmer policy toward Saudi Arabia and Iran than merely getting some of its depreciated dollars back by selling them military equipment and petrochemical plants. They should both be treated the way one treats any blackmailer.

As the world's strongest economic power and greatest single user of petroleum, the United States could face down the cartel and win. But not as long as its President espouses the policies of the American division of the world oil cartel.

CONGRESS VIEWS POLITICAL REALITIES OF ABORTION

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mrs. BURKE of California. Mr. Speaker, an excellent article by Karen Mulhauser, entitled "Congress Views Political Realities of Abortion," appeared recently in the Capitol Hill Forum. The article discusses some of the political aspects of the abortion issue and clears up some of the misinformation surrounding it.

I would like to bring this article to the attention of those of my colleagues who may not have had the opportunity to read it. The text of the article follows:

CONGRESS VIEWS POLITICAL REALITIES OF ABORTION

(By Karen Mulhauser)

Many members of Congress who would like to ignore the controversial issue of abortion realize now that their constituents will not let them. Those who support a woman's right to choose abortion, as well as those who oppose abortion on religious and moral grounds, are watching how Senators and Representatives are voting, and people from both sides are communicating their concerns.

For several months following the January 1973 Supreme Court decisions which made restrictive state abortion laws unconstitutional, Congress was lobbied, petitioned, picketed, and threatened by opponents to legal abortion. At the same time, supporters of abortion rights were inactive, complacent, and secure in the belief that the Supreme Court "took care of it for us." It took more than a year and congressional passage of three laws restricting the availability of abortion before citizens who support the status quo—legalized, medically safe abortion—realized that their now constitutionally guaranteed rights were being threatened, and began to act.

It is ironic that members of Congress voted for restrictive abortion measures when the results of their own congressional questionnaires and various national polls indicated that most people they represent support the right to choose abortion. It was not until some members began to receive mail and to be lobbied by pro-choice constituents that they began to vote against anti-abortion legislation.

What is the Political Risk of a Vote Supporting Abortion Rights?

A recent report, "Is Support of Abortion Political Suicide?" by Jeanne Rosoff (Family Planning Perspectives, Jan/Feb 1975), found that "a smaller proportion of incumbents with consistently anti-abortion voting records were re-elected (81 percent) than incumbents with consistently pro-abortion records (98 percent). All but one of the 62 members of Congress who had consistently voted in support of legal abortion were reelected. Nearly twice as many Representatives (113) consistently voted for anti-abortion proposals; their casualty rate (19 percent) was almost 11 times that of members with pro-abortion records." This thorough elections analysis demonstrates that, in spite of the vigorous campaigns by anti-abortionists against candidates, politicians are not defeated if they support abortion. In fact, some of the most vocal opponents of choice were defeated.

An NBC News poll of voters taken on the night of the November elections shows that 58 percent of voters (including 46 percent of Catholics polled) believe abortion laws should be further liberalized. The results of a more recent poll commissioned by the lobbying arm of the National Conference of Catholic Bishops, The National Committee for a Human Life Amendment, Inc., were extremely disppointing to the Catholic hierarchy. It demonstrates that 72 percent (65 percent of the Catholics polled) believe abortion should be allowed under certain circumstances. (For instance, 84 percent felt abortion should be available for reasons of physical health, 74.7 percent for mental health reasons, and 73.6 percent in cases of rape.) Further, it shows that only 0.2 percent feel abortion is the major problem facing the U.S. today. One question indicates that politicians are not in danger if they support abortion rights openly—12.6 percent "would vote against any candidate who supports abortion, while 15.2 percent would vote against any candidate who opposed abortion."

These recent polls reflect a trend in public opinion in this country. For a wide variety of reasons, more people are indicating support for legal abortion. Assume, for a moment, that abortion rights supporters were a minority (as the Catholic sponsored survey clearly demonstrates they are not). In a pluralistic society founded on the concept of separation of church and state, divergent religious/moral views should be accepted. As long as there are women with valid moral beliefs who will choose to terminate a pregnancy by abortion, they should be able to have medically safe care. If we compare the estimated 900,000 illegal abortions performed annually in the 1960s with the estimated 900,000 legal procedures performed in 1974, we realize that the question is not whether abortions should be performed but where will they be performed—in medical facilities or in back alleys?

THE STATUS OF THE LAW

A report recently released by the US Commission on Civil Rights, *Constitution Aspects of the Right to Limit Childbearing* (May 1975), urges Congress to (1) reject any attempts to amend the Constitution by making abortion illegal, and (2) defeat other legislation which restricts the availability of abortion services. The study emphasizes that such restrictions affect primarily poor women, and this class encompasses a disproportionate number of racial and ethnic minority women. The commission thereby criticises the two principal strategies used by the anti-abortion forces to remove the legal option of abortion: passage of a Constitutional amendment or riders to often unrelated bills. During the 93rd Congress 70 proposals for Constitutional amendments were introduced in the House and the Senate by 60 Representatives and nine Senators, with the intent to outlaw abortion by protecting the fetus "from the moment of conception," or "at every stage of biological development," or to return the authority to legislate to the states. So far in the 94th Congress, 53 Representatives and nine Senators have co-sponsored similar Constitutional amendments.

Senate Republican Leader Hugh Scott seriously considered sponsoring a Constitutional amendment which he hoped would be a "compromise." It would allow abortion in cases of rape and incest, and to protect the health of the woman. He decided against sponsoring the amendment when he quickly learned that such legislation is considered unsatisfactory by both sides. In a letter to constituents, Scott writes:

"In view of the expressed opposition indicating unacceptability from widely opposing points of view, and because the drafting of legislative language to conform to my views appears impossible, I believe it is both useless and unrealistic to pursue this avenue any further."

Even though there are an alarming number of cosponsors to Constitutional amendments, many of the lawyers, especially the Constitutional lawyers in Congress, are opposed to amending the Constitution for this purpose.

The second type of attack against legal abortion is to restrict the availability of abortion usually through back door approaches. During the 93rd Congress, 14 riders were proposed on the floor with prior committee review. Three riders were deleted in conference, four died in committee, one was ruled out of order, three were defeated on the floor, but three of these riders became law:

No foreign assistance monies are to be used to pay for abortions in other countries—even if abortion is legal in those countries.

Legal Service lawyers cannot assist indigent women in obtaining legal abortions.

Medical facilities receiving Hill-Burton funds (federal money for construction) can turn away women seeking legal abortions.

Such restrictions can only deny poor women access to medically safe abortions.

The most discriminatory of the riders introduced was the Bartlett amendment. Originally offered to the Labor-HEW Appropriations Act of 1974, it would have banned the use of Medicaid funds for abortion, thereby denying to women who rely on federal funds for all their medical care a service which is available to more affluent women. A conference committee rejected the amendment because it was attached to an inappropriate vehicle. The conferees suggested that such legislation be sent to the appropriate committee for consideration.

This year, when Senator Bartlett again introduced his discriminatory amendment to S. 66, the Nurse Training and Health Revenue Sharing and Health Services Act, it was tabled by a 54–36 margin. It is surprising that it was offered again in this manner after the clear signal last year from the conference committee that it should not be voted on without proper committee consideration.

Certainly Congress is becoming increasingly aware of the legal ramifications of such riders. Anti-abortion riders are being declared unconstitutional by the US Commission on Civil Rights, by the Congressional Research Service of the Library of Congress, and by district and federal courts. It might be expected, then, that anti-choice groups will concentrate less on unconstitutional riders and more on amending the Constitution.

PROFILES OF ANTI-ABORTION LEADERS

In the 93rd Congress, of those sponsoring Constitutional amendments which guarantee the "right to life" of fetuses, "nearly 2/3 were Republicans, while nearly 6 in 10 House members in the 93rd Congress were Democrats. Three quarters of the sponsors were Roman Catholics, although Catholics comprised fewer than one quarter of all elected representatives. Republican Catholics, who comprised nearly half of the sponsors, constituted only 16 percent of their own party and 30 percent of all House Catholics."

(Family Planning Perspectives, Jan/Feb, 1975)

Those who are lobbying against abortion are a well-financed, well-organized minority with assistance and leadership from the Catholic Church.

Many single-issue groups have been recently formed to work against legal abortion, but among the multi-issue groups with positions against abortion, one finds the KKK, John Birth Society, Liberty Lobby, Young Americans for Freedom, and other right-wing groups.

Whether legal or illegal, women will have abortions. If concern is truly to protect the lives of fetuses, resources should be directed instead to improve contraceptives and sex education. Many more abortions would be stopped by preventing unplanned pregnancies.

The abortion controversy appears to be at the point of the contraceptive services controversy of ten years ago. Congress adapted to that growing public trend, and the pattern may well be repeated.

TIMBER SUPPLY IN WASHINGTON STATE

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. BONKER. Mr. Speaker, Washington State is an important producer of timber products and is a major exporter of logs and chips to foreign markets. In 1970, Washington accounted for 11 percent of the growing stock removals in the Nation.

Because of the importance of Washington's timber economy, it is essential that Federal, private, and State organizations associated with the forest economy estimate, as accurately as possible, the State's future timber harvest potential.

Recently, the State of Washington, Department of Natural Resources, under contract with the Pacific Northwest Regional Commission, prepared the Washington Forest Productivity Study. The Longview Daily News, one of many fine newspapers in my district, recently ran an editorial, "Future Timber Supply," which was based on the above study. Because this is a timely subject and because there is an urgent need for a continuing source of timber supply for the Nation, I commend it to my colleagues and insert it in the RECORD.

FUTURE TIMBER SUPPLY: OPENING DISCUSSION

Timber is the lifeblood of much of the Pacific Northwest, particularly so in Cowlitz County where more trees were cut from private lands last year than in any other county in Washington.

There is a growing debate within the forest products industry, the U.S. Forest Service, forestry experts, environmentalists and others about how much timber should be cut, how much is left, how long it will last and what should be done about future supplies.

The debate will necessarily have to involve the public for at least two reasons. First, the public's economic livelihood—at least in this county—is tied closely to timber supplies. And second, a key part of the debate will hinge on how the U.S. Forest Service manages public timber lands. Cutting and management practices are the outgrowth of public policy, established by Congress and the President.

In broad and general terms, here is what has been happening: Private timber land owners have intensified the management of their lands significantly in the past 10 to 15 years. They look at land with old growth timber and know it is growing very little. They know too, if they cut the old growth and replant with genetically improved trees, they can achieve a measurable quantity of growth each year. So more old growth is being cut to make way for faster growing young trees.

Because it takes many years for young trees to reach a size when they are big enough to log, a continued supply of logs at a high level is going to depend, to a significant degree, on the availability of timber from Forest Service lands.

There will be a time when there will be a dip in the supply of logs from private lands. To fill the gap between demand and private supplies, the industry thinks Forest Service timber should be made available.

One trouble is the Forest Service has not managed the public timber lands as well or as intensively as private land owners have. It has not had the money or the manpower. The Forest Service faces two major problems: Can it fill the gap when the dip in private supplies hits? And should it fill that gap?

Recently the Forest Service updated a study which shows the Northwest is cutting timber faster than it is growing it and will eventually have to cut back on levels of production. This week, however, the State Department of Natural Resources finished an analysis which shows timber production can be increased by 35 per cent in the next 30 years if all commercial timber lands are managed intensively—which is to say, the way the most advanced private companies are managing their lands.

The DNR report did confirm the fact that there will be a decline in timber production from private lands beginning in about 10 years. Private timber owners think they can minimize the gap by even better management practices.

Who is right? How is the public to fathom such a complex subject? The question is not so much whether there will or won't be a timber supply but rather how much of a supply; of what kind of trees and what level of employment will be sustainable?

Everyone—or nearly everyone—who reads this commentary has a stake in how the questions raised here are answered and when. What is intended here is to call attention to a matter of the utmost importance to you and this whole region. It is a beginning point, not a definitive analysis, full of answers. The discussions will be long and, at times, complicated. Those discussions had to begin somewhere with some of the larger facets of the matter. We hope you will not only follow along, but participate.

IMPACT OF PRICES ON GAS CONSUMPTION

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. MIKVA. Mr. Speaker, for months we have been debating whether or not gas consumption can be reduced if gas prices are increased. On July 17, members of my staff visited nearly all of the 300 gas station dealers in the 10th Congressional District of Illinois which I represent to find out what effect higher prices would have on the people who sell gas directly to the consumer.

Their reaction was overwhelming. Of the 227 gas station dealers who participated in the survey, two-thirds said that their sales would not decrease substantially even if the average price for gasoline went up to 75 cents a gallon. Currently, the average prices in my district are 61.6 cents a gallon for regular, 66 cents for premium and 63.9 cents for low lead. The same number of dealers said that in spite of past increases, their sales have stayed the same, increased, or decreased only very little.

These responses support the findings of a survey I took in February of this year. In that survey, more than two-thirds of the 444 persons questioned said that they would not cut down on their personal driving at all, or only a little, if the price for gasoline went up to 75 cents a gallon.

All of this takes on added significance in light of the dramatic price increases that have already taken effect in my district and throughout the country. A previous survey I took showed that the average price for regular gasoline in my district was 39.8 cents a gallon in February 1973. This means the price for the same amount of gasoline increased 54.8 percent to reach 61.6 cents by the time of the July 17 survey. Despite this incredible increase, there has been no significant decrease in gas consumption—only additional profits for oil companies. The results of the most recent survey follow this statement.

Mr. Speaker, we in Congress must face the simple fact that Americans have and will, however unhappily, pay increasingly higher prices for gasoline. If we are to reduce gas consumption, the way to do it is by requiring the auto industry to prdouce cars with higher mileage rates and to develop our domestic energy resources better so that we are not at the mercy of foreign oil producing nations.

The survey follows:

DISTRICT-WIDE RESULTS OF CONGRESSMAN MIKVA'S GAS STATION SURVEY

1. How much have your pump prices gone up since July 1, 1975? (Dist. averages):

	Per gallon
Regular	**2.7¢**
Premium	2.6¢
Low Lead	2.6¢

2. How have gas sales been affected?

More sales (8.4%)	19
Same sales (43.6%)	99
Less (very little) (22.5%)	51
Less (substantially) (20.7%)	47
Less (no degree indicated) (4.8%)	11
Total stations	227

3. Since 7/1/75, has your profit margin:

Increased (4.6%)	10
Decreased (31.2%)	68
Stayed the same (64.2%)	140
Total stations	218

4. What are your pump prices today? (Dist. averages):

	Per gallon
Regular	61.6¢
Premium	66.0¢
Low Lead	63.9¢

5. Compared to this time a year ago, are you selling:

More gas (19.4%)	43
Same amount (30.2%)	67
Less (very little) (17.1%)	38
Less (substantially) (25.2%)	56
Less (no degree indicated) (8.1%)	18
Total stations	222

6. If gasoline went up to 75¢ a gallon, would you expect your sales volume to decrease:

None (21.0%)	47
Very little (45.1%)	101
Substantially (33.9%)	76
Total stations	224

THE EMERGENCY MIDDLE-INCOME ACT, FOR LACK OF A MORE APPROPRIATE TITLE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. HARRINGTON. Mr. Speaker, the Congress, in what I believed to be a genuine demonstration of concern over the effects of long-term unemployment, recently passed and sent to the White House an emergency housing measure which provided a ray of hope to hundreds of thousands of unemployed homeowners in dire need of short-term assistance to avoid mortgage foreclosure. As we all know, the bill became another casualty in Mr. Ford's struggle to out do Herbert Hoover.

Unable to overturn the President's veto, Congress moved with uncharacteristic swiftness to enact a watered down version of the bill which would pass muster at the White House. It was generally felt that the new bill would be better than nothing.

But nothing could be further from the truth, and nothing is exactly what we now have in the way of "emergency" mortgage assistance despite the fact that the bill became law almost a month ago. Moreover, according to all estimates, the meager amount of emergency assistance provided in the housing bill will not trickle down to the families who need it for at least another 6 months, if at all.

We have in fact enacted an emergency housing measure which is incapable of addressing any emergency, particularly the one for which it was designed. In so doing, we have engaged the public in a cruel and senseless hoax.

In the first place, the emergency bill merely provides that authorized funds be used "if required." Given HUD's traditional unwillingness to spend duly authorized funds, it is safe to conclude that these new funds will never see the light of day.

Second, appropriations needed to fund the new programs mandated by the act were not provided for in the recently passed HUD appropriations bill. The Senate, to its credit, hastily amended the House version to include funds for the "emergency" programs. A conference on the bill, however, will not be scheduled until sometime in September. This half-hearted stab at solving a grave national problem represents still another example of government by form, show, and pretense, rather than actual substance. We have all played a part in what might best be termed a congressional con game.

Following Congress example, HUD has chosen to drag its feet in preparing the regulations needed to implement the programs embodied in the act. According to recent estimates, the regulations will not be available for comment for at least 6 months.

If the Congress continues to fail in its attempts to enact strong antirecession measures, we may well need a mortgage assistance program in 6 months; but what will happen to the thousands of families that are in desperate need of help now?

My offices have already received numerous calls from constituents who believe they may be eligible. Many of these people—who not long ago were hard-working taxpayers—are now turning to the Federal Government as a last ditch effort to hold on to their homes. Wait until they get the fuel bill.

FORT DIX HAS COLORFUL HISTORY

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. FORSYTHE. Mr. Speaker, responding to the crisis of the First World War, the U.S. Army established Fort Dix in 1917. Fort Dix became a major training base during World War I and by the end of World War II the fort was considered the Army's largest training center.

Fort Dix continued its tradition of providing fine training for young men during the Berlin airlift, the invasion of South Korea, and the war in South Vietnam.

Now the Army has proposed that basic and advanced training units at Fort Dix be transferred to Forts Benning and McClellan to implement a new training concept, one station unit training.

Fort Dix has served us well in the past and would serve us just as well in the future. I would like to bring to the attention of our colleagues an article in the July 16, 1975, Burlington County Times which provides a concise history of Fort Dix. I think you will find the article informative and I hope that you share my conviction that we must not allow this fine training center to be abandoned. The article follows:

FORT DIX EXHIBITS A COLORFUL HISTORY

(By Lysbeth Bledsoe)

In May 1917, the federal government decreed there should by a 6,500-acre, $14 million military camp in the pinelands and cornfields of eastern Burlington County.

In July 1975, the federal government is considering phaseout of that same camp, and yesterday South Jersey Congressman Edwin B. Forsythe, R., 6th D., and Frank Thompson Jr., D., 4th D., escorted a key member of the House Appropriations Committee's subcommittee on military construction through the encampment, hoping he'll be convinced Army basic training should be retained on-site, not transferred to two southern forts.

Fort Dix—how did it happen? What kind of military installation, born in crisis, has lingered as almost an American institution in the memories of thousands of young men inducted into the Army since the days of Gen. Pershing?

A history of the fort, 1917–1967, prepared by the Fort Dix Information Office to mark the camp's 50th birthday, offers these facts:

When World War I began in 1914, the U.S. Army didn't have one organized division, and its total strength was 200,000 men, most of them recent enlistments. Training camps in existence could hold only 125,000 men—and it was early anticipated America would be sending at least 500,000 "over there."

In May, 1917, the country's first draft law was approved, 687,000 men were actually drafted two months later, and by Sept. 1, national army camps had to be ready to receive them. The War Department found itself faced with space needs for an expanded regular army, plus 16 divisions of an enlarged national guard, called to active duty, plus 16 divisions of national army draftees. National guard units were to be trained in southern states due to advantageous climatic conditions and tent availability, but political considerations and population distribution mandated national army and draftee camps be located in the areas from which draftees came.

No one knows for sure how great a part in Fort Dix history "political considerations" actually played. It is known a friend of President Wilson (himself formerly governor of New Jersey) wrote a letter to the White House, suggesting a camp be erected in New Jersey. Wilson responded he'd be glad to serve New Jersey in any way practicable.

In the same month as the draft law took effect, the War Department ordered commanding generals of six military departments to select cantonment grounds. A site near the 200-resident hamlet of Wrightstown, in Burlington County, was approved as location of the 78th National Army Division's mobilization camp—and no wonder, it was only 30 miles from Philadelphia, 90 miles from New York, had Pennsylvania Railroad trackage nearby, boasted easy access to truck farms and an unending supply of ground water and, important in those grim days, offered a terrain suitable for training soldiers in trench warfare.

Moreover, reported an Army survey group, the area wasn't "cursed with an overabundance of humidity in summertime," was relatively mosquito-free, and provided "a very healthy location."

With this recommendation at hand, the Army's quartermaster general negotiated one-year leases with owners of 6,500 acres of farms and forests, with other property to be procured later by lease and purchase. Some $700,000 was set aside for land acquisition, of which only $550,000 was ever spent.

In the early morning of June 1, 1917, a captain and 19 officers and privates from C Company, 26th New Jersey Engineers, arrived in Wrightstown, advance guard of a manpower push to peak at 55,000 by August, 1918.

Following C Company came 7,000 carpenters, electricians, plumbers and laborers, working on the new base but living in surrounding communities.

Wrightstown, naturally, changed overnight from sleepy village to boomtown. Within one month (July, 1917) it received thousands of new inhabitants, among them gamblers with their poker, dice, faro and three-card monte games. Liquor proved such a problem for the base that the federal government ordered liquor sales banned from the camp and stores within a 5-mile radius of it. Sent out from Philadelphia were two FBI agents to help military police enforce the anti-alcohol regimen—and agent in charge was

Richard Hughes, father of former Gov. Richard J. Hughes.

Within two years, June, 1919, $13 million worth of construction had been done at Dix, the camp name chosen by the War Department to honor Maj. Gen. John Adams Dix, veteran of the War of 1812, for three months Secretary of the Treasury under President Buchanan, U.S. Army Department of the East commander, first president of the Union Pacific Railroad, minister to France (1866–69) and, certainly his most astonishing achievement, a staunch Democrat elected governor of New York on the Republican ticket in 1872.

The cantonment bearing Dix's name burgeoned into a sizeable, self-sufficient community, the $13 million spent on such structures as the Camp Dix Fire Dept. with six stations, a fire truck and hose company, a bakery producing 36,000 pounds of bread daily, a water system with a pumping station supplying 3,000 gallons of water per minute, stables and horse shops caring for 7,000 horses and mules and, by late October, 1917, a 1,000-bed base hospital.

Work continued so rapidly, and cost figures mounted so high (well, in 1919, $13 WAS a lot of money), that fort inhabitants of the day would have been shocked to learn Congress would, in the Year of Our Lord 1967, appropriate more for a single brigade complex than was spent on the whole of Fort Dix.

Between World Wars I and II, Dix fell into virtual decay, with barracks used to house Civil Conservation Corpsmen during the depression. The threat of World War II in the late 1930's, however, roused Congress and the administration to action so that by mid-January, 1942, less than five weeks after the U.S. declared war on the Axis Powers, portions of the 34th Infantry Division had completed final processing at Dix and were already en route to Ireland. As the fighting continued Dix trained and processed personnel, including 10 full divisions, for operations in every theater of the war.

It was considered the largest army training center in the country and, at war's end, largest separation center, processing more than a million servicemen for return to civilian life.

The base continued to function effectively during the Berlin Airlift, invasion of South Korea, Cuban missile confrontation, U.S. participation in the Dominican Republic, and the South Vietnam action.

Last winter, when talks of Fort Dix cutbacks surfaced, Army Secretary Howard H. Calloway assured New Jersey lawmakers the fort would continue to function particularly as one of three basic training centers under a special reorganization plan that would add up to 1,800 new recruits to the installation.

Calloway made his announcement after visiting the base personally.

Reps. Forsythe and Thompson, protesting base closure now would affect adversely 3,500 civilian jobs, a $20 million-a-year payroll and a 13 per cent state unemployment rate that's already sky high, hope this week's personal visit to the fort by a House Appropriations Committee member, plus a handful of committee staffers will follow the fortuitious Calloway pattern.

HERBERT D. WARNER OF TUSCALOOSA

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. FLOWERS. Mr. Speaker, a few days ago my home town of Tuscaloosa suffered a great loss when Mr. Herbert D. Warner died at the age of 92. Mr. Warner was an industrialist, a philanthropist, and a leader in church and community affairs. He will be well remembered for his compassion, his generosity, and his keen sense of humor. Mr. Warner was born in South Bend, Ind., graduated from the University of Michigan Law School and came to Tuscaloosa in 1928. He spent the next 29 years with the Gulf States Paper Corp., retiring in 1957 as chairman of the board. His son, Jack, currently holds that position.

In order to acquaint my colleagues and others with the life and accomplishments of this fine man, I offer the following articles from the Tuscaloosa News and Graphic for inclusion in the RECORD:

[From the Tuscaloosa News]

MR. WARNER: HE WILL BE MISSED

Herbert David Warner, who died Sunday night, will forever rank as one of Tuscaloosa's outstanding citizens. His interests were varied, his generosity was broad-based and his service benefitted many community organizations and institutions.

While he was not a native Tuscaloosan, no city ever had a more staunch supporter or generous benefactor. While his philanthropy contributed much to Tuscaloosa, his active work and effort were of great significance and importance.

In any resume of his outstanding achievements, you must start with Gulf States Paper Corp. For more than a quarter of a century after the plant began operations here, he was active in executive and managerial roles. GSP is not only a family-owned corporation, but Mr. Herb believed that it should be a family-type business and saw to it that employees and customers alike were treated in that manner.

The First Presbyterian Church has benefitted greatly through the generosity of the Warner family and Mr. Warner was an active member. He was an elder and trustee of the church and at the time of his death was an elder emeritus.

Throughout his life he was intensely interested in the Boy Scouts. Here again, his service extended beyond financial contributions. He was an active worker and was a representative to the National Council. His work was recognized by presentation of Scouting's highest awards.

Throughout his adult life he was a member of the YMCA and his interest in that organization certainly proved of great benefit here.

The list of organizations and institutions which were fortunate to have his active participation and interest are many.

One of those was Druid City Hospital. Through his personal gift, the intensive care unit became a reality. He said, on many occasions, that the service provided through this unit was most gratifying and one of the most satisfying of his life.

Mr. Herb was an unusual man. Those who knew him and worked with him quickly realized that fact. And all who came in contact with him were richer for the experience.

He was a person who richly deserved the title Citizen of the Year, but he did not confine his work, interest and generosity to any single year.

He will long be remembered for he left lasting monuments to a devoted and dedicated life of service here.

[From the Tuscaloosa Graphic]

Herbert David Warner, who died Sunday at the age of 92, was known to many thousands of persons here and each knew him in his own personal way.

Mr. Warner was renowned throughout the state as Tuscaloosa's leading philanthropist and industrialist. For almost 50 years his name was prominent in the business, cultural, charitable and civic activities of Tuscaloosa.

From this editor's earliest memory of Mr. Warner, he was a kindly, outgoing man. He had a keen sense of humor. He was warm and attentive. He was aware of those around him and showed great interest in their problems and aspirations.

His contributions to the community are so extensive as to prohibit any kind of comprehensive listing. But we think of him chiefly for his deep interest in and gifts to the YMCA, Druid City Hospital and Boy Scouts. As instigator and chairman of the David Warner Foundation, a charitable organization named for his late son, David, he was responsible for the great intensive care facilities at Druid City.

He was recognized as Tuscaloosa's Citizen of the Year in 1970; was presented the Lambert Award for Scouting in 1972; named a fellow of the Druid City Hospital Foundation; and was awarded an honorary Doctor of Laws Degree by the University of Alabama in 1973.

You cannot think of any worthwhile endeavor in Tuscaloosa since Mr. Warner came here with Gulf States Paper Corp. in 1928 that did not include his active participation and support. He loved this community and its people and he gave himself to them in every helpful way.

We have been blessed to have shared the life of Herbert David Warner.

AFFIRMATION 1975

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is my privilege to call to the attention of you and our colleagues the exceptional address given at the graduation exercises of the Madeira School, Greenway, Va., by Ms. Kim Maura, class spokeswoman. Ms. Maura comments specifically on experiences at Madeira, yet many of these are universal experiences which we encounter throughout life. This young woman's sensitivity and insight are most impressive, and I appreciate the opportunity to share this outstanding speech with you:

AFFIRMATION 1975

Now, as we are about to leave, we can begin to appreciate the full value of our Madeira experience. The name of this school has become part of our own. We can look back over our time here and examine the circumstances that channled us to this end, or, to this new beginning.

Our development stems from the basic circumstance that we are all female. Our homogeneity dispels sex-related distractions and feelings of inferiority. Unhindered in this environment, our personal motivation flourishes and vitalizes the school atmosphere. And, the Madeira curriculum fosters our individuality. Guided by our own academic and cultural interests, we determine our own programs of study and select our courses and activities. Each of us amasses her own credits and profects herself toward a personal goal.

But the crucial circumstance is that we go to school here together. We each strive toward personal goals, but we strive together. To fill our individual curricular requirements, we work hard, often harder than we think we can endure. The academic and social pressure pushes us to the untried limits of our individual capacities. Only by reaching and testing our limits can we expand them. The pressure catalyzes our togetherness; as we approach our limits, we may conflict with each other, but we can lean on each other for support. The pressure pushes through times of hilarity and tragedy. We laugh with each other, we cry with each other, sometimes, we fight with each other. And only from each other, from other human beings, can we determine our own humanity; we struggle with each other only to understand ourselves.

Despite the struggle, we thrive on our circumstances here. Together we learn from them. We endure the pressure, we do the work, we move closer toward our personal goals. We grow closer together. We derive strength from the life-long relationships we establish and satisfaction from our accomplishments. We gain recognition from each other, and we glory in ourselves as we push forward.

Tomorrow we will graduate together, and each of us will emerge from these circumstances alone. We are ready for our independence. We are women, we are individuals, and, supremely, we are human beings. Madeira has awakened us to the power of ourselves and to the responsibility of wielding it. Through this awakening, we will win our struggle.

RESTORE CONFIDENCE IN GOVERNMENT—CUT WASTE

HON. JAMES J. BLANCHARD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. BLANCHARD. Mr. Speaker, a number of my constituents have written me in recent weeks to tell me how they feel about the waste of money by the Federal Government and about excessive Government spending.

I believe we in Congress must do everything we can to respond to their concern.

The public's confidence in government has reached an all-time low following the Watergate affair, and we can only add to that crisis of confidence if we fail to make every effort to cut wasteful spending.

I would like to briefly discuss some of the budget-cutting moves I have supported and which I think deserve the attention of other Members of Congress as we work to regain the confidence of the American people. In addition, I would like to note for the record some of the actions we have already taken on this continuing issue.

This year, the House of Representatives cut about 40 percent off the President's request for foreign aid. The $3.5 billion approved for foreign aid was also a cut of 35 to 40 percent from 1974 and showed, in my opinion, that Congress is aware of the need to be more careful about waste in this area.

In the area of military spending, too, while little was actually cut by Congress, many of my fellow Congressmen and I supported amendments to cut some of the "fat" which could have been removed without interfering with our need for a strong national defense.

I voted, along with 182 others, for the Aspin amendment to reduce the Defense procurement budget by $1.8 billion, while allowing the Pentagon to choose which cuts to make.

I have also supported amendments to cancel nearly $1 billion in funds which were already appropriated by Congress, but which I felt were not badly needed by the agencies which received them.

Finally, I have cosponsored a number of bills, at least one of which has become law, to slow down runaway spending and to let the taxpayers know where the money goes.

Among them are:

H.R. 7605, to do away with the Federal Metal and Non-Metallic Safety Board of Review. This Board attracted national attention when the gentleman from West Virginia (Mr. HECHLER) discovered and made public the fact that it had done absolutely nothing for years, yet continued to receive funds from Congress. It has since been abolished.

H.R. 5302, which would establish an independent Inspector General in the Department of Health, Education, and Welfare to investigate all spending made by that Department. Up to now, the Department has had no central office to see whether its money is being properly spent—even though its budget is an enormous $81 billion.

H.R. 5516, which would sharply reduce the use of drivers and limousines by Government officials. This bill would save the taxpayers $13 million a year.

House Resolution 588, which would stop the Government from paying back Congressmen and their staff members for the difference between first class air fares and regular coach fare. This bill, if passed, would save more than $1 million each year.

Mr. Speaker, it is my hope that the Congress will consider each of these bills most carefully and thoroughly. We must do everything in our power to help bring back trust in Government, and that is what a firm commitment to stop wasteful spending will do.

DADE COUNTY EMPLOYS ITS SUMMER YOUTH

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. FASCELL. Mr. Speaker, the Congress has allocated Federal funds to local communities to provide summer jobs for youths. Through the summer teen employment program—STEP—many disadvantaged youth in my own congressional district in metropolitan Dade County, Fla., have had the opportunity to gain valuable summer work experience, while at the same time providing much needed improvements to the community. I would like to relate to our colleagues some of the accomplishments of STEP in the Dade County area to underscore my wholehearted support for the program.

Five weeks into the summer jobs program, approximately 8,000 youth workers have accomplished many fine projects for all the residents of Dade County to use and enjoy.

The summer teen employment program—STEP—administered by the Dade/Monroe Manpower Planning Council has put disadvantaged youth between the ages of 14 and 21 to work at 400 different jobsites. They have worked 25 hours a week for $2.10 an hour, the minimum hourly wage.

For the residents in the migrant trailer camp in Everglades-South Dade, 15 young people have planted 200 black olive trees. Hundreds of Malayan palms have been planted in county park areas on Key Biscayne to replace those coconut palms lost to the lethal yellowing palm blight.

New sod has been laid in public housing projects with youngsters hired from the immediate area. The summer workers have also built new playground equipment for preschool children at several park sites and child care centers.

These young people have constructed bike paths. They have built special trash containers which are being placed in the county's neighborhood trash collection centers. These will be used by the residents who wish to separate aluminum for the Boy Scouts and other volunteer groups to pick up and carry to recycling stations.

Park benches have been built and installed at the seaport, in front of the county courthouse, and in parks. Dugout benches are being built by summer workers at baseball and softball fields, and the youths have constructed bird feeders, route signs, flower boxes, and information signs.

Under the supervision of the Dade County Department of Public Works, teenagers have been cruising the Miami River daily aboard *Ms. Cleanup II*, picking up debris from the river and its banks. Painters have been assigned to clean and brighten pedestrian bridges, highway guardrails, barricades, and wooden highway bridges.

Inside workers have gained some experience as file clerks, teachers' aides in the classrooms, aides to senior citizens, and draftsmen's aides. Outside, many environmental cadets have helped clean up streets, roadways, and beaches. Youths have served as recreation aides and have been building exhibit booths. They have assisted in the repairs and maintenance necessary on street lighting facilities, and they have worked with the crews on numerous highway surveys.

The 8,000 workers report to their jobs daily to Dade County, the cities of Miami, Miami Beach, Hialeah, and the school board. According to assistant county manager, Dewey Knight:

> They are gaining a lot more than a paycheck. They are experiencing what it's like to have a job, its responsibilities and its benefits. They are getting a personal view of the world of work, and hopefully some inspiration to stay in school, learn, and earn a better future.

Mr. Speaker, I salute these fine youngsters who have made the program in Dade County, Fla., such a success.

THE QUESTION OF A NATIONAL HEALTH POLICY

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ROGERS. Mr. Speaker, I want to call to the attention of my colleagues remarks made by Mr. HASTINGS, a member of my Subcommittee on Health and the Environment, before the First National Conference on Health Planning and Resource Development this week in Seattle, Wash.

In his presentation Mr. HASTINGS raises the very important concept of national health policy. These ideas are forward thinking and far reaching, and I think of great concern to the Members of this body who are all concerned with the health of all Americans.

The complete text of the address follows:

REMARKS OF THE HONORABLE JAMES F. HASTINGS

It is a most pleasurable experience for me to address the First National Conference on Health Planning and Resource Development. Most of that pleasure is because we are able to meet to discuss new directions. A year ago I spoke to most of you about the very real possibility that a new health planning law would be enacted by the Congress. But, due to the extraordinary efforts of your leadership, and your membership, the President did sign into law in early January what I consider the most significant piece of health legislation yet enacted, the "National Health Planning and Resources Development Act of 1975," now commonly known as Public Law 93-641.

The evolution of this essential legislation took nearly two years. It was the most widely debated and most carefully drawn piece of health legislation in which I have participated. As you recall, Public Law 93-641 replaced the former Comprehensive Health Planning, Hill Burton, and Regional Medical Programs, taking the best concepts of health system organization and development embodied in those programs, and remolding them into a coordinated approach to confront the problem of sufficent health care resources to meet all the needs of all the people of this country.

In terms of Congressional expectations, the mandate is simple—"The achievement of equal access to quality health care at a reasonable cost . . ."—however, such a simply stated mandate carries with it great expectations. It involves tough decision-making and forward thinking. It necessitates precise goals, supported by realistic plans, with specific priorities and a time-table for implementation.

In fact, every day our need in this area is more critical. The Congress is moving ahead with its deliberations of National Health Insurance. A National Health Insurance program may not be enacted in this year, it may not be enacted next year, although I suspect the political pressure will be irresistable. But, whether it is a matter of two years, or four years, the time is all too short to begin to accomplish what you must do. National Health goals and priorities interwoven with this new network of health resources planning, development and distribution—of facilities, services and manpower—must be established if we are to assure the necessary medical care resources to meet the rising expectations of the American people, such measures must be coordinated and incorporated in any system of National Health Insurance being considered.

I feel that these concepts are essential if we are going to place continuity and responsibility in the health delivery system, and insure that our future legislative mandates can accomplish the goals that we set.

I am not going to dwell on any extensive discussion of Public Law 93-641. I am sure that since its passage you have been inundated with information by your own association, as well as DHEW in its organizational efforts. Neither am I going to recite any war stories about the past difficulties in getting this legislation through the Congress. But instead, I would like to spend a few minutes discussing my perspective of this legislation, and its importance in the context of what we must do together to assure that equal access to quality health care, at a reasonable cost, which I mentioned earlier.

First of all, I see some very basic obligations.

It is up to those of you here to make every effort to implement this program as uniformly and as quickly as possible across the country.

It is up to the DHEW to aggressively support your efforts to timely and uniformly develop HSA's.

And, it is up to us in the Congress to continue to provide the necessary moral and financial support. It is my personal priority, as one of the authors of this legislation, to do everything I can to see that it happens!

However, I want to put Public Law 93-641 into another perspective and so I am going to change the focus of my remarks to another subject of great concern to me—the question of a National Health Policy.

As you may recall, this is an issue I first raised during the development of the health planning and resources development legislation. In fact, I felt so strongly on this point that when the original legislation was introduced, I included a separate bill, H.R. 12052, which provided for the creation of a national health policy mechanism. I feel it is important that you understand this concept because it began with the development of Public Law 93-641 and its ramifications will directly affect what you are attempting to do.

I don't present myself as a health care expert. But I do feel that I have developed some expertise during the last few years that I have been a member of the House Subcommittee on Health. As my former colleague and good friend, Dr. Bill Roy of Kansas can testify, the Subcommittee's ongoing attempt to define an appropriate Federal role to rationalize our nation's fragmented health delivery system is not an easy one.

At the same time, I am disappointed that the private sector has not taken on the challenges of that system to a much greater degree. In fact, I view Public Law 93-641 as the last opportunity for a pluralistic health care delivery system. However, government has become involved to such a degree—a $40 billion share of a $104 billion annual outlay for health—that I question whether or not we can ever turn back the trend. I can assure you that for every dollar government pours into the health care system, we can expect its domination of that system by at least that factor, if not double.

To me a major disappointment in the entire health area is, that despite the fact that this nation leads the world in the delivery of personal health care services, costing nearly eight percent of our Gross National Product—it is still not resulting in a significantly better level of health for the American people.

I have no doubt that the medical care delivery system could absorb every dollar poured into it for additional goods and services without much change in our current situation.

I find this very distressing, especially since the issue of the day seems to be National Health Insurance (NHI) which, depending upon the proposal developed, could accelerate and expand the Federal government's domination of the health care system. Incidentally, my own Subcommittee on Health will begin consideration of NHI early this fall, and of course we should be working with the Ways and Means Subcommittee on Health. The question of joint jurisdiction over NHI by both the Interstate and Foreign Commerce and Ways and Means Committees was brought to a head earlier this year when the House Speaker Carl Albert referred to our Subcommittee legislation for health insurance benefits for the unemployed thereby breaking the claim of exclusive jurisdiction over NHI by Ways and Means.

Although I support the concept of NHI, I think that we all had better realize that it isn't going to magically solve the medical care problems of this country. Currently the many forces interested in our national health care delivery system seem to be focusing only on the demand side of the health care equation—National Health Insurance. This is a carry-over of the philosophy of the mid-60's that access to health care is simply a matter of money. But the question is, access to what? What is the supply side of the equation? What are we going to provide? Do we have the capacity, the resources—facilities and manpower?

However, as we are learning from our experiences based on the Great Society programs (such as Medicare and Medicaid and the categorical health care programs as we know them) money alone is not the solution, nor is creating a proliferation of program to deal with the development and implementation of health care resources. Fortunately, Public Law 93-641 was the first major move toward duplication elimination in the health systems area.

We are finding out that there are limits to our capacity to meet all the goals we have set for ourselves in both the private and the public sectors of our society. We are going to have to make choices. In 1974, the National Planning Association published a book entitled Dollars for National Goals: Looking Ahead to 1980. It was a report of the NPA Committee on America's Goals and Resources. The Committee was comprised of distinguished Americans familiar with the working of our economy. It identified fourteen goals concerning every aspect of our economy to which we, as a nation, aspire—including goals for agriculture, health, education, national defense, and transportation. It then priced out what the achievement of these goals would cost by 1980. I would like to quote one sentence from that report.

An attempt to achieve the standards for all 14 goals included in the report, for example, would involve an estimated deficit in the GNP in 1980 of $236 billion (in 1969 dollars) or 17 percent of the anticipated $1.4 trillion GNP in that year.

This perspective of limited resources must be considered as we continue to work to improve the performance of the health industry and to improve the health of the American people.

One of the challenges we face is how to achieve desirable changes in the health field given the resource constraints that are being predicted—without jeopardizing the performance of the health system where it is currently doing an effective job.

As I said earlier, what concerns me most is the lack of a National Health Policy—the lack of a mechanism by which to determine and articulate the broad goals and specific priorities that together form the blueprint for the national health system. A National Health Policy should also rationalize the current fragmentary approach to health policy development in the organization, delivery and financing of personal health care services by both the public and private sectors.

It is my opinion that health care financing and health care resources cannot continue to be developed separately. We should take advantage of the essential lessons of process and function we have learned since the beginning of these programs and develop a National Health Policy. We will need the cooperation, input, and participation of all levels of government, all health professionals, and all consumers.

But we must re-evaluate our view of health. We need more elemental reforms in our outlook. Fortunately, this concept is key to your organization of Health Systems Agencies. Surprisingly, medical care ranks only fourth in affecting health status—education, housing and nutrition have more impact. The elimination of accidents, improvement of diet, and changes in lifestyle will have a much more positive result than more costly medical intervention. But attitudes and behavior are hard to change and often it is more politically expedient to deal with the symptoms rather than the root causes of the disease.

The realization that progress has slowed in improving our health, and that the health industry, which is heavily oriented to curative medicine, has not been effective in reducing the incidence or impact of major diseases which confront us today, is causing a renewed interest in preventive medicine and health education. It is also causing us to recognize that, to a large extent, improvements in our health will be dependent upon new discoveries of how diseases are caused and how they can be prevented. We appear to be moving toward far greater interest in preventing diseases and arresting them in their early stages as an approach to improving our health.

The evidence is conclusive that improvements in the quality of the environment and changes in individual lifestyles would have immediate and beneficial impact on the health of people in this country. Studies do support the proposition now increasingly being proposed that health education and health promotion deserve far greather interest than has been received in the past.

Public Law 93-641 offers a tremendous potential to overhaul and improve the health care delivery system while at the same time placing it in an appropriate perspective with other essential factors affecting health. This must be accomplished at all organizational levels—the Federal, through the National Council on Health Planning and Development and DHEW; at the State level, through the Statewide Health Coordinating Council and the designated planning agency; and the areawide level, through the Health Systems Agency.

Your leadership, your organization, and each and every one of you are in the best position to meet the needs of new health awareness. If this initiative is not developed to change our direction—more categorical programs and higher expenditures without increasing the awareness of the root problems, our health system can only rapidly become a system designed to fail.

In closing, I would like to re-emphasize that we need to develop a National Health Policy to determine the nation's health needs and to coordinate the implementation of health resources planning and development, manpower needs, medical technology development and quality control, and finally appropriate financing for these arrangements. At the same time, we must establish a focus on non-medical intervention factors that directly affect health status—education, environment, nutrition, etc.—and assure the integration of medical care delivery with these key factors influencing health.

I ask you to join me in formulating and promoting the concept of a national health policy to examine all factors affecting our health, both medical and non-medical.

I wish you every success in this meeting and offer you my strong support in the months to come for the uniform and timely implementation of Public Law 93-641.

FEDERAL LAND USE PLANNING—DOWN BUT NOT OUT

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SYMMS. Mr. Speaker, the American people had cause for rejoicing when the House Committee on Interior and Insular Affairs voted on this year's version of the Federal land control bill. By a vote of 19 to 23, the panel defeated a motion to report the measure to the floor of the House for final action. We can all breathe a sigh of relief—for a while, at least.

Most of us, by now, are aware of the environmentalist campaign for public—that is, government—control of private land. H.R. 3510, the 1975 model for Federal land use planning was an intentionally milder version than the 1974 package, but constituted the same basic threat to our liberties. The strategy was to delude Congress and the public into believing that the objectionable parts of the bill had been cleared up, that it no longer authorized Federal regulation of land usage. This is doubletalk. What the proponents were trying to convince us of was that Federal land use planning was not, in fact, Federal land use planning.

Unfortunately, dogs are dogs, cats are cats, and planning is planning. You can call it anything you want, but Federal regulation by any other name smells just as foul. Clearly, the ramifications of the latest land use planning bill were picked up in every corner of this Nation, as evidenced by the thousands of letters, petitions and phone calls to Congress, protesting this measure. Americans were not led astray by the phoney arguments of the bill's proponents.

By definition Federal legislation equals Federal intervention. If the land use planners are not advocating Federal intervention, then there would be no need for them to propose Federal legislation. They would concentrate on the State and local levels, and keep Washington out of the picture.

The Udall bill makes very clear exactly what the planners are up to. The measure authorizes the Secretary of Interior to make multimillion-dollar grants to the individual States for the purpose of establishing and enforcing land use regulations. However, there is a catch. Each State is only eligible if it satisfies certain Federal requirements. Consequently, the bill contains seven pages of guidelines, each beginning with the phrase, "the State programs shall include," which each State must conform to in order to qualify and remain eligible for the Federal grants. In essence, these Federal moneys would not be grants at all—they would be bribes, with which the Federal planners could coerce the States into implementing Federal controls.

Furthermore, when we consider the issue of Federal land use planning we cannot look only at the specific provisions of the bill that was before the Interior Committee; rather, we must consider the overall goals and ideals of those who first brought forth and have since pushed the concept of Federal land use planning legislation. In June of 1973 a task force on land use and urban growth, sponsored by the Rockefeller Brothers Fund and reporting to the President's Citizens Advisory Committee on Environmental Quality, chaired by Laurance Rockefeller, issued a report calling for the usual pervasive governmental land controls. A key section of this report specifically recommends against compensation to private landowners for losses occasioned by these measures—solely because such compensation is not "economically feasible"—that is, the private landowner must swallow the cost of the environmentalists' grand designs.

Also, in that same year, the Council on Environmental Quality—CEQ—issued a report, "The Taking Issue: An Analysis of the Constitutional Limits of Land Use Control," which is essentially a brief in support of this taking-without-compensation approach advocated by the earlier Rockefeller study. All of this appears to be an orchestrated move by those who advocate central planning and a controlled society to overcome the major obstacle to the realization of their goals—the inconvenience of having to pay private landowners for the expropriation of their property.

These two reports, coming as they do from so close to the Federal Government, should alert us that the critics of land use planning legislation are well-founded in their fears that the logical course of these measures will lead to a massive and uncompensated transfer of private land to government control.

If the originators of the Federal land use planning concept are freed from the necessity of considering the costs of their proposals, what barrier will remain to their wildest dreams of power over the private citizen?

Prof. Bernard Siegan of the University of San Diego Law School summed up the question of Federal control very well in his excellent testimony before the committee:

> Some Congressmen who are usually vigorous opponents of increased Federal powers were persuaded that the proposed legislation will not appreciably augment the Federal role in land use. They could not be more wrong. The adoption of any legislation in a field where none exists is always an act of major consequence.
>
> Entering a room through a locked door is much more difficult than through one that is slightly ajar. Once regulatory authority has been established, it is far less of a problem to increase that power by subsequent amendments that individually may be minor but in the aggregate over the years produce major changes.

Unfortunately, however, a new land use planning bill has been introduced since the defeat of H.R. 3510 on July 15. The new bill is H.R. 8932 introduced on July 25, 1975.

And as usual proponents argue that the bill is needed in order to "encourage" the States to implement land use planning. Really? Why then, have 11 States already passed land use planning laws in their legislatures, and the other 39 presently considering land use planning in one form or another, in the absence of any Federal legislation? Moreover, is it any business of Congress to decide what the States should and should not do in this area? Is it proper for Congress to use our tax dollars as bribe money to make the States do its bidding?

Already there are 22 Federal departments and agencies administering some 122 programs which deal with land use. If the Udall bill ever becomes law, Federal regulation of our property rights will increase many fold over that. Although the legislation has been defeated for the moment, now is not the time to drop our guard. The idea of Federal land control is still quite alive in the minds of those who wish to plan our lives. Like numerous other coercive measures, Federal land use planning will remain a constant threat to our freedom until the liberal-authoritarian makeup of Congress is substantially altered. Meanwhile, citizens should let their public officials know exactly how they feel about Federal land control legislation—in no uncertain terms!

One final point that I would like to make, Mr. Speaker, is that every time a new piece of liberal or collectivist legislation is defeated, its authoritarian proponents refuse to admit the real reason for the defeat—that the people simply do not want it. Invariably, they use the familiar scapegoat "rightwing pressure groups" and blame the defeat on everything except the fact that it is just bad legislation.

I think it does a great disservice to the thousands of people who wrote their Congressmen out of a genuine well-founded concern for their property rights, to label them pawns of rightwing pressure groups.

Federal land use planning is simply not a popular idea out there in middle America, for a lot of very good, commonsense reasons. You have to wonder how these proposals keep coming up when it can be demonstrated that only a small minority of Americans support them. Last summer, for example, I polled the residents of my district in Idaho on the question of Federal land use planning, and we found that 8 percent of my constituents favor such a law. Maybe the truth of the matter is that leftwing pressure groups are forcing laws on the American people which they clearly do not want.

Mr. Speaker, let us rejoice but not quit, because the same rancid intellectual soil from where this idea grew is still with us—so we must continue our efforts for liberty.

SHARE OF OFFSHORE DRILLING TO COASTAL STATES

HON. WILLIAM M. KETCHUM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. KETCHUM. Mr. Speaker, today I am introducing, along with 19 of my colleagues, legislation to provide coastal States with a portion of revenues occurring due to offshore drilling.

The legislation is quite simple. The bill will permit the Secretary of the Treasury to transmit to the coastal States 37½ percent of revenues resulting from offshore drilling for oil, in proportion to the actual amount of drilling done.

In a real sense, my bill puts coastal States on an equal basis with inland States where oil and natural gas drillings take place. The Mineral Leasing Act of 1920 provides that these States receive 37½ percent of the revenues, and these funds are often shared with counties and other forms of local government. It makes sense to me to grant the coastal States similar reimbursement.

I believe that offshore drilling is a vital component in achieving energy independence and should proceed without delay. I also believe that the technology for offshore drilling has progressed to the point where there is little danger of oil spills or blowouts. Still, I think we must recognize that there are certain risks involved for coastal States from offshore drilling. If any mishap occurs, it will occur on their shores and beaches. Coastal States also must provide services to those working in offshore drilling, and must face problems inherent in increasing the population of rural coastal areas. In short, the coastal States certainly deserve the same benefits enjoyed by their inland counterparts.

My bill does not set up any new trust fund or create any new bureaucracies. It simply grants the States, the Virgin Islands, Guam, and Puerto Rico a share in offshore drilling revenues. I believe it is a fair and equitable bill, which deserves the most serious consideration and support.

NATIONAL SOLAR ENERGY DAY

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. McCORMACK. Mr. Speaker, on Monday, July 28, I introduced legislation to designate October 26 as "National Solar Energy Day," and my remarks regarding that legislation appear in the RECORD on that day at page 25470. The text of House Joint Resolution 593, which was unintentionally omitted from that statement is as follows:

H.J. RES. 593

Joint resolution authorizing the President to proclaim October 26 of each year "National Solar Energy Day"

Whereas the United States of America is embarked on a national program to increase energy resources and conserve nonrenewable sources of energy;

Whereas solar energy offers a nonpolluting, inexhaustible source of energy available for the benefit of all mankind;

Whereas the United States is committed to a program of solar energy research and utilization;

Whereas the full potential of solar energy to provide energy for mankind will only be realized when private industry begins to play a central role in developing and fabricating economically feasible methods of solar conversion and whereas the activities of private industry to do so should be encouraged and supported;

Whereas it is appropriate to establish one day each year during which to encourage solar conversion efforts, to recognize strides in solar energy research and utilization and to increase national awareness on solar energy conversion: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating October 26 as "National Solar Energy Day", and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

THE NEW SOVIET WHEAT DEAL

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Ms. HOLTZMAN. Mr. Speaker, 3 years ago the Soviet Union purchased $1 billion worth of American grain. Conducted in secrecy, with the approval of President Nixon and under the incompetent direction of Secretary of Agriculture Butz, the Soviet wheat deal set off a ruinous inflation in American food prices.

Now, another Soviet wheat deal is in progress, again under the auspices of Secretary Butz. The writer of the following article, which appeared in the New York Times today, points out how the 1975 grain deal may turn out to be as disastrous for American consumers and farmers alike as its predecessor in 1972. I commend this article to the attention of my colleagues:

THE RUSSIANS ARE BUYING!

(By Marshall I. Goldman)

CAMBRIDGE, MASS.—The reappearance of Soviet grain purchasers in American markets is a remarkable testimony to the rapidity of international economic change.

In 1972, when the Soviet Union purchased $1 billion worth of American grain, it found itself with a severe shortage of foreign currency.

Almost miraculously the situation was reversed in late 1973. First, Soviet harvests improved, eliminating the need to divert similar large sums for the importation of food. Second, and most important, in the wake of the Arab-Israeli war the Soviet Union earned hundreds of millions of dollars in windfall gains on the sale of its petroleum and natural gas.

In 1975, the situation has apparently changed again. As in 1972, because of the latest crop failure the Soviet Union may have had to divert another $1 billion from its machinery-import program. Moreover, on the basis of preliminary evidence for the last part of 1974 and the first quarter of 1975, Soviet export surpluses to the hard-currency countries of the world have turned into striking deficits.

In particular, the surplus with Japan which was almost $600 million in 1973 and exceeded $300 million in 1974, has reverted to an unprecedented deficit of $130 million in the first quarter of 1975.

Only in the United Kingdom does the Soviet Union sell significantly more than it buys, and even in England there has been a reduction of the Soviet surplus. The explanation is that apparently the worldwide recession has necessitated a drop in purchases from the Soviet Union that has not been reciprocated by the Soviet Union.

What is the significance of such a turn of events? The economic bargaining power of the Soviet Union has suffered. American foreign-policy makers and businessmen should be aware of this when negotiating with Soviet officials. Too often we fail to recognize Soviet weaknesses just as we sometimes fail to recognize strengths.

Furthermore, officials in the Department of Agriculture must include periodic Soviet purchases of great magnitude in their projections for the future.

As Soviet officials seek to build up livestock herds, most likely they will become regular purchasers of such American feedgrains as corn. The Soviet Union is too far north to grow its own corn supplies. In addition, the Soviet climate is such that every three or four years there is a drought that causes a shortfall in wheat, too.

The Soviet Union has found it convenient to use the American farmer as a buffer reserve for its own climatic and productive inadequacies. This means that we in the United States have to bear the cost of storing the grain until it is needed by the Soviet Union. Similarly, we also have to suffer the high prices set off when the episodic Soviet purchases deplete the normal reserves built up to satisfy our regular world and domestic needs.

Some way must be found to transfer some of this cost to the Soviet Union. Naturally, as long as it can play one private trader off against another, there is no reason why the Soviet Union should agree to any such financial commitment. Incomprehensibly, our Agriculture Department seems unperturbed by the present state of affairs.

Sometimes one wonders about the department. It was in large part responsible for failing to alert the country to the secret Soviet purchase in 1972, which in turn made it possible for the Russians to buy at low subsidied prices. It is true that this year the Russian purchase is not being subsidied. Yet, the Agriculture Department and Secretary of Agriculture Earl L. Butz in particular may again have made it possible for the Russians to buy at bargain prices.

For several days Mr. Butz let stand the impression that the total Soviet purchase in the United States would be only about 10 million tons of grain. If he had troubled to reflect on the 1972 situation, he would have discovered that the Russians had made their purchases in two parts.

The first one was made from July 5 to 20, when they purchased about 12.5 million tons of grain. That is not too different from what they have done this year.

But then in 1972, the Soviet grain purchasers returned home only to find that the hot, dry weather pattern had not changed and that the crop would be even worse than anticipated. This necessitated another trip to the grain market, from Aug. 1 to 9, when they acquired the remaining 40 per cent of their purchase. Since Soviet weather this year is very similar to that of 1972, it is entirely possible Soviet buyers may also return for more next month.

As someone who was involved in both 1972 and 1975, Mr. Butz had a responsibility to point out the similarities at the first hint of another large Soviet purchase a few weeks ago. If instead of protecting the Russians by insisting that their grain purchases would be limited he had at least raised the possibility that Soviet purchases might easily be of a scale comparable to that of 1972, grain prices would probably have increased more than they did initially. This in turn would have meant that the Russians would have had to share a part of this increase.

As it is now, if the Russians do re-enter the market the price may rise belatedly, but the Russians, as in 1972, will have purchased their grain at bargain prices. If this fear is correct, as before it will be the American, not the Russian consumer, who will be stuck with the price increase.

If something is not done to prevent the Russians from taking advantage of us in this way, then American resentment over these periodically disruptive purchases may create lasting damage to détente.

SOUTHAMPTON'S OLD HOME DAYS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. CONTE. Mr. Speaker, I wish to tell all my colleagues about an event that will take place this weekend in my district in Massachusetts. The township of Southampton, lavish with wooden slopes, sparkling brooks, and fertile farmlands, will be celebrating its 200th birthday. For the past 80 consecutive years, Southampton has held a celebration in August, commemorating the town and this year that "Old Home Days" celebration is going to be extra special. Before talking about the festivities planned, I would like to tell you some of the interesting history of this township, culled from an excellent book, entitled "The Hampshire History," in a section by Atherton W. Parsons and Dorothy P. Howland.

The land was originally a part of Northampton, until March 10, 1730, when a group of townspeople asked the town of Northampton if they could move to the southern extremity of the area and establish a separate precinct. The request was granted and the new settlement became the second precinct of Northampton on July 23, 1741, a district on January 3, 1753, named "Southampton," and a town by act of the General Court on August 23, 1775, 200 years ago.

Some of the early settlers were Ebenezer Kingsley, Thomas Porter, and Judah Hutchinson. Also important in the first few years of settlement was the first minister, Rev. Jonathan Judd. Fear of Indian attack in 1746 lead residents of Southampton to fortify the minister's home as protection. The Indian attacks in the late 1740's caused many settlers to withdraw to Northampton, but as the fighting desisted most of the townspeople returned to their newly created home.

Southampton was a leader in asserting independence. Its citizens rebelled openly against the British as early as 1774. In that year, they collected and paid taxes to the Provincial Congress rather than the British agent in Boston. Prior to 1776, town meetings were called in the name of his majesty, but that practice ended on October 26, 1775. Future meetings were called by authority of the selectmen "in the name of the State of Massachusetts."

Until 1930 the community was primarily an agricultural one. Rye, corn, and wheat were grown; cattle were fattened for sale in the market in Boston; and cider mills produced a portion of the town's income. But during the 19th century there was a little industrialization. Most manufacturing was on the small scale for articles for local use or for the use of farmers and village folk.

From its inception, Southampton has been concerned with the education of its young townspeople. By 1750, schools were established, and in 1766 the first school committee of four men was formed. Southampton again can be cited as a leader of an independence movement; this time the women's movement. In 1785 Southampton hired its first woman teacher and in 1791 it allotted a portion of their funds for a school for women.

Education continued to keep pace with the population in the 1880's. And, even then, there were complaints about the high cost of taxes. A quote from the town report of 1870 shows the townspeople's complaints as well as their recognition of the value of an education.

"If we are not willing to build school houses, we shall have to pay for the erection of jails." The Sheldon Academy, located in Southampton, was founded in 1829. It was one of the first academies in my State and stayed in existence for 10 years, until the development of other academies in Massachusetts.

In addition to its concern with education, Southampton has been very interested in books. Records show that as early as 1780 it had a library which was incorporated under Massachusetts State law 100 years later in 1880. In 1903, Rev. Henry L. Edwards donated $5,000 for the erection of a library which was built in 1904. It was named the Edwards Library and now holds 13,000 volumes.

The settlers were also concerned with religious teachings. As early as 1733, even before Southampton separated from Northampton, services were held. A religious meeting house was erected in 1752 and was used until 1785 when a new one was constructed. The new church was dedicated in 1788 and is considered to be the oldest in use in my district in western Massachusetts.

There have been a number of prominent citizens from Southampton. The Honorable Samuel C. Pomeroy, born in Southampton, served for 12 years in the U.S. Senate. He was a delegate to the Philadelphia convention of the Republican party in 1856, and in 1860 represented Kansas at the Chicago convention. In 1859 he was mayor of Atchison, Kans., and subsequently the first U.S. Senator from that State.

Genevieve Fox Fuller, the author of "Mountain Girl," and the biography of Sir Wilfred Grenfell, was also born in Southampton.

The townspeople of Southampton are understandably proud of their heritage and in its honor have planned a weekend of gala affairs. Initiating the "Old Home Days" weekend August 1, 2, and 3, will be a dance for the entire community on Friday evening. On Saturday there is a full schedule of events; in the morning readings and talks of the bygone years—Memory Hour—and at noon a picnic lunch and meeting for townspeople. Townspeople and friends will return from all over the country and world to attend the celebration. In the afternoon there is a softball game, a tour of the Tighe Carmody Dam, and a display in the Town Hall. Dinner and entertainment top off the day's activities.

On Sunday morning there are ecumenical services for the entire town, and the celebration culminates that afternoon with a pageant depicting the 200 years of Southampton.

I am honored to have this fine town in my district and trust that my colleagues join me in wishing them a hearty "happy 200th."

OVERSIGHT HEARINGS INTO THE FEDERAL BUREAU OF PRISONS INSTITUTION CONSTRUCTION PLANS AND POLICY

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. BADILLO. Mr. Speaker, this past week, the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, of which I am a member, has been holding oversight hearings on the issue of Federal prison construction. During 2 days of hearings we heard testimony from various sources, including two distinguished Federal judges, the Director of the Federal Bureau of Prisons, and several experts in the field of criminal justice. All testimony served to enlighten members of the subcommittee on questions relating to the advisability of constructing new Federal prisons.

As leadoff witnesses for these hearings, Harold Confer and Edward Honnold of the Friends Committee on National Legislation presented the results of their investigation into the need for new Federal prisons. Because I believe their research would be of interest to other Members, I would like to insert the following summary of their testimony:

TESTIMONY OF THE FRIENDS COMMITTEE ON NATIONAL LEGISLATION, JULY 28, 1975

Despite a heightening controversy over the proper role and function of prisons, Congress this year was called to act upon the largest budget request ever for the Federal Bureau of Prisons. A substantial share—14%—of this request was designated for construction of new prisons. This request is consistent with the Bureau of Prisons' ambitious 10-year master plan for expansion, adopted in 1970. The master plan calls for construction of 52 facilities in all, at an estimated total cost of between $600 and $700 million.

These construction plans of the Federal Bureau of Prisons stand in great need of review. Just as the availability of guns facilitates crime, the construction of new prisons tends to strengthen policies of incarceration. If new prisons are built, they become integrated into the criminal justice system and are likely to be used. If new prisons are not built, new resources and talents can be made available to develop alternatives to prison, and to create social programs which can help build a society less prone to violence and crime of all kinds.

These arguments aside, federal prison construction plans can also be challenged on an administrative level. Year after year, Congress is approached with arguments concerning overcrowding, poor conditions, and the age of federal prisons. Often, it has seemed advisable to grant the funds requested in order to ameliorate these conditions.

On closer examination, these arguments for new prison construction appear highly dubious. Faulty methods of population projection, fuzzy analysis of prison capacities, and a host of other errors in planning and administration make it impossible for the Federal Bureau of Prisons to defend its program adequately.

What are the dimensions of the Federal Bureau of Prisons construction plans, for this and future years? How well are these plans justified by actual need?

Prison Construction Master Plan and Budgets

The Bureau of Prisons 10-year master plan would lead to construction of 13 youth prisons, 4 Metropolitan Correctional Centers (MCC's), 1 Correctional Research Center (CRR), 5 psychiatric prisons, 1 hospital; 20 adult prisons, and 8 Community Treatment Centers.

Yet, New prison construction did not begin in 1970. Since 1961, nine new federal prisons and a number of jails and camps have been opened by the Bureau, with a total new inmate capacity of 5,556.

In addition, at least 12 new prisons are now in different stages of completion. Seven persons with a projected total capacity of 2,450 are currently under construction, and sites are being planned and acquired for five other prisons with a total capacity of 2,000. In sum, 4,450 cellspaces will be added to the system when these prisons are completed. Outlays for these projects will amount to $18.6 million in FY 76 alone. These funds were all appropriated in previous years, and thus were unaffected by the appropriations process for FY 76.

However, Several ongoing construction projects will require additional appropriations in the future to be completed. $24.8 million will be needed to complete the youth prison in Bastrop, Texas, and $18.4 million to complete the set of three new youth prisons in the southeast, in Miami, Memphis, and Athens.

Clearly, appropriations to start prison construction in one year build pressure for equal or greater expenditures for prison construction (and maintenance, eventually) in future years.

This year, the pattern of new institution requests has continued. For FY 76 the Federal Bureau of Prisons requested $35.7 million for construction and renovation of prisons. Of this sum $21.7 million was requested for construction of a prison for adults in the northeast region, in Otisville, New York.

$1.5 million was also requested in order to plan and to acquire sites for a new adult prison in the south central region. The Bureau estimates that final construction on this south central region prison will require appropriations of an additional $79.1 million in future years.

In the renovation budget, $12.5 million was requested by the Bureau for FY 76 for 22 separate projects designed to "update" 18 existing institutions. Two of these projects, little noticed by the Appropriations Committees, would lead to significant expansion of federal prison capacity: a new minimum custody camp planned for the prison at La Tuna, Texas, at a cost of $800,000 would open between 110 to 125 new cellspaces; and a new housing unit to be built at the Pleasanton, California, prison at a cost of $2,860,000 would open 125 new cellspaces. Interestingly enough, this prison at Pleasanton has been under-utilized for most of the year, as recently as June 30, 1975, by 6.8%.

Are these really "renovation" projects, as listed by the Bureau, or construction projects? While both the House and Senate Appropriations Committees have decided this year to withhold funds for new prison construction, these two "renovation" projects were approved.

Two other renovation projects approved for FY 76 should also be questioned: a new drug abuse facility costing $145,000 for the Atlanta prison, and a new activities building, power plant, and other installations costing a total of $805,000 for the Leavenworth prison. Both of these prisons are ancient: Atlanta was built in 1902 and Leavenworth in 1895. An even older prison, McNeil Island, built just after the Civil War in 1865, enjoyed renovation work last year costing $450,000.

Such expensive projects tend to confirm that the Bureau of Prisons has no intention of closing these prisons in the foreseeable future.

In sum, with new prisons already completed, others in progress, a request for additional prisons pending in Congress and an active program of renovation which keeps old prisons alive, the Federal Bureau of Prisons is moving rapidly ahead with its master plan for system expansion.

PROBLEMS OF OVERCROWDING

The Bureau's most common argument on behalf of new prison construction is that existing prisons are overcrowded. However, the Bureau's statistics indicate that overcrowding is not a serious problem. On June 30, 1975, the most recent day for which statistics are available, the federal prison system as a whole was overcrowded at a rate of just 6.5%.* The opening of several new prisons in recent years, and the addition of three new prisons in 1974 alone, have brought the problem of overcrowding down to manageable level.

In some areas new prison capacity has even surpassed the need, leaving many prisons under-utilized. For example, on June 30, 1975, seventeen separate facilities were under-utilized.

Interestingly enough, if one subtracts the total number of prison spaces which the Bureau claims it currently lacks—1,433—from the total number of cellspaces in prisons currently under construction—4,450—it appears that a surplus of cellspace is likely to develop. Barring unforeseen jumps in inmate population, this surplus could exceed 3,000 within the next few years.

Perhaps in response to this situation, the Bureau of Prisons has recently come to argue that prison overcrowding is not a national but a regional problem. The Bureau argues that more prisons should be built in each region so that no prisoner will have to be transported too far from home.

However, there is at least one under-utilized prison at present in each of the Bureau's five regions, and the average is more than three. In addition, population centers in one region may be geographically closer to prisons in an adjacent "region" than to prisons within its own. In the past, the Bureau has rarely hesitated to transfer inmates from one region to another at its own convenience; regional divisions within the federal prison system were developed for administrative efficiency, not to create inmate population pools.

If the Bureau is sincerely reluctant to move prisoners too far from home, it could place greater emphasis on the use of Community Treatment Centers, or halfway houses, instead of building new prisons. On June 30, 1975, only one of the Federal Bureau of Prisons' ten Community Treatment Centers (in Chicago) was being used to capacity. Another, however (in Long Beach), was half empty; and Community Treatment Centers nationwide were being under-utilized at a rate of 18.6%. These statistics fluctuate wildly from month to month. Three months earlier, in March, 1975, the underutilization rate in federal Community Treatment Centers was 34%.

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*See Federal Bureau of Prisons "Monday Morning Highlights," July 7, 1975.

The Director of the Federal Bureau of Prisons has supported Community Treatment Centers as a "good investment" because they "not only permit us to ease offenders back into society more successfully, but in the long run, they can also save money."* The Director has testified that the average cost per day of supporting an inmate in a Community Treatment Center in 1976 is expected to be $12.76, versus $21.22 in a conventional prison. He has gone on to show that "because of limited facilities, only a minority of releasees who can benefit . . . are now being served in these halfway houses."

Statistics would tend to support the Director's contention that more federal prisoners would be located in Community Treatment Centers than at present. Fewer than 25% of federal prisoners have been committed for violent offenses, such as murder and rape. The rest have been convicted of non-violent offenses (or victimless crimes) in which no injury was inflicted upon another individual. Many of these persons should be eligible for the lower-security, less expensive and less personally debilitating treatment available in a halfway house.

In sum, under-utilization rates at a wide variety of federal prisons, including Community Treatment Centers, plus the prospect of several thousand new cellspaces to become available soon, lead us to regard with skepticism any claims of serious overcrowding in federal prisons.

CONFUSION OVER PLANNED CAPACITIES

Unfortunately, any discussion of prison utilization is clouded by confusion over what "overcrowding" means. What is the appropriate cellspace capacity of each of the federal prisons? Officials of the fedaral prison system do not seem to agree. For each institution, the architect who originally designed the institution is likely to have one idea of planned capacity, the warden in charge of that prison another, and central administrators in Washington several more. A jumble of terms such as "planned capacity," "optimum capacity," and "operational capacity" lack clear definition, and the figures to which they are supposed to relate shift constantly.

One certain fact is that various capacity figures for federal prisons have declined radically since those institutions were originally built. An official Bureau publication listed "planned capacity" figures* in 1955 for eleven facilities which are assigned much-reduced "planned capacity" figures today.

By readjusting "planned capacity" figures for these 11 institutions, the Bureau "lost" a total of 1646 prison cellspaces. Yet the total shortfall of cellspace for the federal prison system as of June 30, 1975 was only 1,433. If the Bureau had not "lost" these 1646 cellspaces between 1955 and 1975, the system as a whole today would enjoy a net surplus of 213 cellspaces (+.9%) instead of a net shortfall of 1,433 (− 6.5%).

Whose "capacity plan" has changed over these twenty years? The official explanation is that humanitarian considerations today allow each prisoner more floorspace, and greater cellspace privacy than before. If definitions of cellspace allotments were clear and uniformly accepted throughout the Bureau, this argument could carry weight. But at President, prison capacity figures which decrease without clear justification have the effect—if not also the intent—of creating the misleading impression that federal prisons are dangerously overcrowded.

TRENDS IN FEDERAL PRISON POPULATION

In planning for the future, problems of overcrowding are closely linked with trends in prison population. Yet accurate projections in this area are extraordinarily difficult to make. Changes in federal law, fluctuations of the economy, and new patterns of prosecution can all have an impact on the number of persons incarcerated.

As a result, the track record of the Federal Bureau of Prisons in population projections has not been good. In 1955, the Bureau predicted an inmate population of 25,000 in 1965. However, between 1955 and 1965 the federal prison population grew only half as rapidly as expected, and finally reached fewer than 23,000. Similarly, in 1960 the Bureau predicted an inmate population in 1975 of 30,000. Today, however, the population is just over 23,500, or 1500 less than projected for 10 years ago, and 6500 less than projected for today.

In fact, since 1940, the federal inmate population has grown by less than 3400 persons, from 20,198 in 1940 to 23,566 today. This constitutes an overall growth rate of fewer than 100 persons per year. Within this period there have been wide fluctuations, with a low in 1950 of just over 17,000 and a high in 1962 of almost 25,000. But in the last thirteen years, the federal prison population has never again reached the high point of 1962. Last year, the federal prison population declined.

Yet the Bureau of Prisons is convinced that prison populations will grow. Arguments vary with the times.

Earlier this year, at the height of the recession, the Bureau of Prisons quoted studies conducted by the Congressional Research Service which indicated a direct relation between the rate of unemployment and rates of crime. As a result, the Bureau predicted the federal prison population would increase by 1000 during the current fiscal year, representing a faster rate of growth than in all but four of the previous thirty-five years of the Bureau's history.

More recently, economic indicators have improved, and unemployment rates have stabilized. As a result, the Bureau is now less interested in economic factors and points instead to the rate of criminal case filings. Criminal filings, which had been on the decline for the first six months of the year, have most recently gone up. Last year, however, they went down.

This confusing situation illustrates the hazards of using short-term indicators to predict long-term trends in prison population. It also illustrates the willingness of the federal prison administration to justify an expansion of its program at the expense of logical consistency.

Many commentators suggest that an important demographic trend in the American population—the passing of the "youth bulge"—portends lower crime rates and lowered prison populations in the future. Others point to the likely decriminalization of various offenses, recent decreases in prison commitments in the areas of drug and selective service law, and the likelihood of expanded use of parole and probation.

In this area, it should be enough to note that others who have attempted to make population predictions have failed, and also that all of these trends are open to influence.

CLOSING DOWN THE OLD FACILITIES

Should new prisons be built to replace old ones? Three prisons in particular seem fit for retirement: McNeil Island, built in 1865; Leavenworth, built in 1895; and Atlanta, built in 1902.

In 1960, the Federal Bureau of Prisons publicly slated McNeil Island for closure in 1965, Atlanta for 1975, and Leavenworth for 1979. Yet today, all three prisons remain open. As we noted earlier, expensive renovations have been approved for two of them for this current year, and for all three of them last year.

Since 1960, when the federal Bureau of Prisons originally stated its intention to close these prisons, the federal prison system has enjoyed a net gain of 3,082 cellspaces. Yet the total number of federal prisoners has actually declined by 408 since the end of 1960. These changes alone should have allowed for closure of at least two of these antiquated institutions. Why has not a single one of them been closed?

Together, these three prisons on June 30, 1975, housed 4,629 inmates.

While this is a large number of prisoners—19% of the total in the federal system at present—it is only slightly more than the total number of new cellspaces to be made available when prisons currently under site planning and construction are completed. Theoretically, it should be possible within the next several years to close all three of these old prisons, and to distribute the inmates among the twelve new prisons. Yet we were informed by the Bureau's Office of Information here in Washington that the Bureau has no intention of closing any one of these antiquated prisons for the next ten years.

Old prisons, like new prisons, are a source of income and livelihood to the regions in which they are located and to staff who work there. Perhaps these factors, coupled with a strong reluctance within the Bureau to trim its own program, serve to sustain old prisons long after they could be replaced.

Our suggestion would not be to remedy poor planning in the past with better planning today, to build replacement prisons for Atlanta, Leavenworth, and McNeil Island. Instead, alternatives to prison should be developed to lower population throughout the system, so these three prisons—like others of their kind—can peacefully pass away.

INAPPROPRIATE LOCATION OF PRISONS

A final point often raised is that too many existing prisons are located in isolated rural areas which leave them "out of sight, out of mind". For reasons of family ties and rehabilitation, the Bureau proposes in its master plan that new facilities be built "reasonably close to the areas in which large concentrations of inmates live and to which they will return".

However, of the last nine prisons opened by the Bureau, six have been located in rural areas. For example, in Wisconsin a new prison abandoned by the state as a result of a new policy of de-incarceration was purchased by the Federal Bureau of Prisons. This prison is located in Oxford, 70 miles north of Madison, the nearest city, in one of the most isolated regions of the state.

Also, three new federal prisons now under construction are in rural areas: in Georgia (30 miles from Athens, the nearest town); in Otisville, New York (65 miles from New York City, from which most inmates will be drawn); and Bastrop, Texas (20 miles north of Austin). All of these locations will be inaccessible to many inmate families, and qualified prison staff will be hard to find.

In this instance again, construction plans are not leading to significant improvement in the federal prison system.

CONCLUSION

All these points lead us to conclude that federal prison construction has been poorly planned, and is not needed. More than enough prisons exist today to care for our criminal justice needs for the present and also the foreseeable future.

Relieved of these considerations, we may focus instead on the pressing need for general criminal justice reform. We need desperately to end the dangerous and futile recycling of offenders through our nation's prisons; new and more glamorous prisons do not solve the problem.

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*See testimony by Norman Carlson, Director of the Federal Bureau of Prisons, before the House Appropriations Subcommittee on State, Justice, Commerce and the Judiciary, 4/17/75.

*From "A Program for Future Development of the Federal Prison System: A Detailed Analysis," Table 6, 8/15/55.

Instead, we need to develop alternatives to prison. We need programs of pre-trial diversion, improved use of parole and probation, terms of sentencing in line with those of other nations, and new means to bring criminal offenders into constructive contact with the homes and communities which will eventually sustain them in leading fruitful and creative lives.

In the long run we must also develop programs of social justice which can deal effectively with the causes of crime, and create a more trusting and peaceful society for us all.

UNEMPLOYMENT RATE LEAPS IN KENTUCKY, CITY OF LOUISVILLE

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. MAZZOLI. Mr. Speaker, recently available data indicate that the nationwide recession's full effects are spreading ingloriously to the city of Louisville, the surrounding area, and to the entire Commonwealth of Kentucky.

In June, unemployment in Kentucky reached a 14-year high of 8.1 percent, an increase of nearly a full percentage point from the previous month.

In the Louisville metropolitan area, the unemployment rate reached 9.7 percent, the highest rate in 17 years. The figure represented a 1.5 percent increase over the May unemployment rate.

This is only the second time in the past 18 months that the Louisville area has exceeded the national average.

Unfortunately, these statistics may be evidence that the stagnation of human and materials resources is spreading to areas previously somewhat insulated from the recession and high unemployment.

We must be prepared to admit that the Nation's economic situation is still very grave. The hopeful economic signs now coming to light should not lure us into complacency.

Mr. Speaker, following is a table which shows the recent experience with unemployment in the Nation and in the Louisville area.

Average unemployment

1974:	*Nation*	*Louisville area*
January	5.2	3.8
February	5.2	3.7
March	5.1	3.7
April	5.0	3.7
May	5.2	3.7
June	5.2	4.9
July	5.3	4.5
August	5.4	4.7
September	5.8	4.1
October	6.0	6.5
November	6.6	5.0
December	7.2	5.7
1975:		
January	8.2	5.8
February	8.2	6.5
March	8.7	6.6
April	8.9	7.7
May	9.2	8.2
June	8.6	9.7

GAO ISSUES REPORT ON LMFBR

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. McCORMACK. Mr. Speaker, today the Government Accounting Office released a report on our Nation's liquid metal fast breeder program LMFBR. Because of the importance of this study to our deliberations. I have requested that a copy be made available to each Member of the House. In order to provide you with the conclusions and recommendations of that study today, however, I am reproducing them below:

REPORT ON LIQUID METAL FAST BREEDER PROGRAM

CONCLUSIONS

First, the United States clearly should not abandon the nuclear fission option at this time, nor should it abandon the LMFBR R&D effort. Uncertainties regarding the scientific, technical, or economic feasibility of potential alternative energy sources; the problems of increased reliance on fossil fuel; and uncertainties regarding the ability and willingness of the Nation to conserve fuel—all make these unrealistic courses of action.

Second, the LMFBR program should be clearly identified and recognized for what it is: an R&D program. There has been premature concern and emphasis on commercializing the LMFBR at a time when the Nation is years away from demonstrating that commercial-size LMFBR plants can be operated reliably, economically, and safely. It is unlikely that utilities will make major financial commitments in advance of such proof, which may not be available until the mid-1980s.

Third, given the history of slippage in this program and the likelihood that future experience will be similar, it does not appear reasonable to attempt to accelerate the R&D schedule. It will be difficult to maintain the current schedule.

Fourth, whatever action is taken by the United States on nuclear power and the LMFBR, the problems of nuclear safety and safeguards will not go away. Many foreign governments appear likely to rely significantly on nuclear fission power in the future, including LMFBRs. These governments are not concerning themselves initially with commercialization problems, but are attempting to demonstrate that LMFBRs can operate reliably, economically, and safely. A unilateral decision on the part of the United States to abandon nuclear power or the development of the LMFBR will not change this situation.

Fifth, the most logical course of action is to pursue the LMFBR program on a schedule which recognizes that the program still is in an R&D stage. Not until some point in the future, perhaps 7 to 10 years from now, need a firm decision be made as to whether the Nation will commit itself to the LMFBR as a basic central station energy source. At that time, many of the uncertainties of today should be reduced or eliminated, particularly if priority efforts are made to resolve as many as possible between now and then.

RECOMMENDATIONS

We recommend that, to help resolve existing uncertainties, the heads of the responsible Federal agencies and the Congress take the following actions to:

1. Obtain adequate information on domestic uranium resources at current and anticipated future prices.

We recommend that ERDA expedite the work and final report of its National Uranium Resource Evaluation Program currently scheduled for completion in 1980.

We recommend that the Congress explore with ERDA, the Geological Survey, and the Federal Energy Administration the feasibility of establishing a program to thoroughly appraise the U.S. uranium resource base by having the Federal Government conduct or sponsor extensive exploratory drilling, including such program and funding authorizations as may be needed.

2. Explore the development of policies and mechanisms which are acceptable to society to deal with the outstanding environmental and safety questions.

We recommend that ERDA and NRC give higher priority to developing adequate systems to safeguard nuclear materials, particularly at the vulnerable points of transport.

We recommend that ERDA and NRC decide how to deal with the possibility of LMFBR core disruptive accidents, including recriticality, and whether to include a core catcher or some greater structural integrity in the overall containment system.

We recommend that ERDA and NRC proceed now to establish a relatively permanent underground storage system so designed that wastes are retrievable if necessary sometime in the future. ERDA and NRC must make decisions on the management of radioactive wastes and implement a program soon if we are to proceed with expanding nuclear power in any form.

We recommend that ERDA work with EPA in developing an accelerated program of research in the environmental and health aspects of coal mining and use to better enable the Nation to know whether coal is an alternative to fission power or only a complement to it.

3. Improve the Nation's understanding of and cooperation with foreign government efforts to develop LMFBRs.

We recommend that ERDA take the lead in examining the feasibility of information exchange arrangements with foreign governments and consider carefully obtaining franchises to use foreign technology for domestic production of LMFBR systems and components. Also, purchasing total LMFBR systems and components from foreign sources should be closely examined.

We recommend that NRC and ERDA intensify efforts to identify and resolve the problems in NRC's licensing the French LMFBR system and components for use in the United States, since France may be the most advanced in large plant LMFBR experience.

4. Extend and improve projections of demand for electrical energy as more information becomes available.

We recommend that ERDA, working with the Federal Energy Administration, analyze the extent to which recent trends are the result of increased energy conservation and indicative of reduced growth rates in years ahead or are simply aberrations from normal growth curves which can be expected to resume under more favorable economic conditions.

As better information becomes available in the years ahead and the Nation strives for a balanced energy R&D program, we recommend also that the Congress periodically and systematically reassess, with appropriate inputs from the agencies concerned, the Nation's major energy options. Such reassessment should consider the Nation's ability and willingness to conserve energy as well as the changing status of all energy supply options.

We support ERDA's recent decision to ask the National Academy of Sciences to review the LMFBR program. Such a review from a technical viewpoint can help provide a broader base for considering the current status of the LMFBR, as well as other nuclear and nonnuclear energy alternatives.

DEATH THROES OF THE CITY

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SOLARZ. Mr. Speaker, a national disaster is only a few short weeks away. By August 22, New York City must meet bond and payroll obligations of approximately $1 billion for which there are no available funds in sight. Unless it obtains this amount—by the sale of its own notes, the issuance of Big Mac securities, a bridge loan from the banks, some form of Federal assistance, or some combination of these approaches—it will be forced into default. When that occurs, the Nation will have formally entered a stage of its history which may fairly be characterized as the "Death Throes of the City."

The misguided may enjoy the delusion that New York is unique and prodigal, but the fact is that it only leads the list of cities that face fiscal disaster. Massive layoffs by Detroit, Newark, Cleveland, Buffalo, and many other cities have done little to ease their pending financial plight. When Philadelphia had to sell notes at 8.8 percent last week, notice was served that all State and local governments will soon be obliged to pay rates of interest on their securities that would have seemed usurious a short while ago. Indeed, the day after the Philadelphia sale, the New York State Controller had to withdraw a State offer because the lowest bid he received was a full 1.2 percentage points above the rates of a similar sale only 8 months before. To make matters worse, in the face of mounting interest rates, scores of municipalities—from Albany to Dallas to Richmond to St. Paul to Youngstown—face a lowering of their credit rating. Recently, the business journal Barrons read the writing on the wall to the financial world:

> The woes which have placed a number of municipalities in an extreme financial bind are increasingly evident among their better-off counterparts, large and small alike.

In spite of the higher interest rates that cities have been forced to offer, the market for municipal bonds has been shrinking. While the rate of inflation has scared many large institutions away from long-term investment, individual investors have been finding more profittable offsets to their taxable income in the form of investment credits. The fact is that previous investors simply do not comprise a large enough market to provide an effective financial vehicle for the obligations of State and local governments in the coming years. A large portion of the portfolios of the commercial banks is already committed to municipal bonds, having increased from 25 percent in 1960 to 50 percent in 1970. In 1974, the result of these factors was the scrapping or delay of $2½ billion worth of bond sales, and since the beginning of 1975, the cancellation rate has doubled. Already there has been a 90-percent decrease in the unencumbered surplus funds—usually held for emergencies—in almost half of the States.

It was in this context that the President of the Boston Federal Reserve Bank warned last month of the "great strains" that New York City's problems have already placed on the national financial system. But only now are our fiscal management experts preparing for the previously unthinkable: A default by the Nation's largest city. Out of a total New York City debt of approximately $12 billion, the New York City banks alone hold $1.25 billion worth of city notes for themselves and another $1.75 billion for their clients. If the city is forced to default, the funds invested in New York City will be immediately threatened, and confidence in the Nation's $200 billion worth of currently outstanding State and local obligations may be seriously weakened. The capital needs of the country are such that States and municipalities will have to market about $25 billion worth of bond issues in the coming year. Loss of confidence will surely drive the bond rates up, with each percentage point of increase in the interest rate representing $250 million in greater cost to State and local governments. Consequently, a 2-percent increase would cost our States and towns an additional half a billion dollars a year. Some experts predict that if this snowball begins to roll, it will not be long before many other cities fail, and the liquidity of the banking system itself is dangerously weakened. Some have even insisted that, given such a scenario, the notion of a run on the U.S. Treasury would no longer be absurd.

It is time for the Congress to wake up to the fact that the failure of the Nation's financial center might be the beginning of a shock wave of the kind that began the debacle of 1929. Prof. John Kenneth Galbraith has noted in his book, "The Great Crash," that serving the public interest "has never been highly regarded if it means disturbance of orderly life and convenience in the present." And he concludes that this fact causes people "who know that things are going quite wrong to say that things are fundamentally sound."

Under present circumstances, I find the attitude of the Federal Government quite wrong. For the Congress to bail out the Lockheed Corp., as it did in 1971, with a loan of $250 million, and for the Federal Reserve Board to save the Franklin National Bank, as it did in 1974, with a loan of $1.75 billion, and yet for neither of them to be willing to either loan or give the city an additional cent is simply outrageous. One would think that the obligation of the Federal Government to the Nation's largest city would at least rival its obligation to the big banks and giant corporations—but apparently the President and his money managers think otherwise. This is particularly ironic since a loan guarantee would cost the Government little or nothing while it would clearly reestablish the confidence of the investor community. A Federal approach was needed in the thirties when the banks were on the brink of disaster and a Federal approach to the crisis of the cities is needed today—be it through the Federal financing bank, long-term low-interest loans and/loan guarantees, a municipal finance corporation, or a counter-cyclical assistance program. The problems confronting New York, while seemingly local, are really national, and the longer it takes for us to realize this fact the more it will cost us all.

MONSIGNOR SCOTT—STAR OF SAN PEDRO

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. ANDERSON of California. Mr. Speaker, August 30th will be a day of celebration and sadness in San Pedro, Calif. And it all centers around one great man—Msgr. George Montgomery Scott.

Because of his long years of leadership in the community, the day of his golden jubilee will be a day of celebration. But it will be a sad occasion too, because Monsignor Scott will retire on that day. His leadership, devotion, and loving concern will be sorely missed.

Father Scott's history in the Los Angeles area goes back to his birth on May 5, 1903—but his family history goes farther back. His father, Joe Scott, was a community leader and active in many roles; among these being—President of the Los Angeles Chamber of Commerce, and the Los Angeles School Board.

He encouraged his children to become leaders, too. One son became Judge Alphonso A. Scott, of the Superior Court. Another became Monsignor Scott, priest to thousands who live in San Pedro, work in its docks and shipyards, and sail with the large fishing fleet based there.

Like his father before him, Father Scott studied at St. Cuthbert's College in England after his early education in the Los Angeles elementary schools. He returned to the United States to study at the University of Notre Dame, and St. Mary's Seminary in Baltimore, then went again to England to complete his theological training. He came back home to be ordained to the priesthood on August 30, 1925, the 12th native Angeleno to be ordained at St. Vibiana's Cathedral. After a few years of serving in southern California parishes, Father Scott resumed his studies—this time at the Gregorian University in Rome. His marvelous singing voice soon made his the "star" of the Vatican's famous Sistine Choir, certainly a rare honor.

At this time, there was a small parish of 3,000 people at San Pedro on the coast of California—an old parish with a rich history. In fact, a saint taught there at one time—St. Frances Cabrini, known to many as "Mother Cabrini." The parishioners represented a multitude of nationalities who had come to work in this bustling port town.

By chance, or divine plan, the highly educated, multilingual priest; and the highly unusual, multilingual church in San Pedro came together in November of 1946. On October 26, 1947, Father

Scott became monsignor in ceremonies at St. Vibiana's Cathedral.

In November 1947, the first of many construction projects was begun that would transform the old buildings into the most complete church facilities in the area. First the new convent, then the new grade school, the rectory, the badly needed high school and finally, the ultimate dream for the whole parish, the new church!

To be very brief, that church is beautiful! As beautiful as the people who built it. The first mass was celebrated there on Christmas day, 1957.

And so the whole construction program was completed—in only 11 years, and nearly debt-free. A major effort that made this possible is the annual Mary Star of the Sea Fiesta, which for 30 years has been the highlight of activities in San Pedro.

Many tributes will be given on August 30 by friends in all walks of life who will miss Monsignor Scott. But he will return in his retirement, and he says he wants to study the possibility of building again, this time a residence for traveling Catholic seamen! This is his own best tribute—his heart is always with the needs of his people.

It is with great pleasure and pride that Mrs. Anderson and I join in this tribute to the achievements and record of this great man.

OPPOSITION TO PAY RAISE

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. JONES of Tennessee. Mr. Speaker, I want to take this opportunity to express my opposition to the action taken by this body yesterday in approving the salary increase for Members of Congress and other high-ranking Government officials.

The year 1975 is not the year for such action. Throughout the Nation, we continue to have all the visible signs of recession—high unemployment, a slowdown in productivity, and a still uncontrolled rate of inflation. Throughout this year, since the convening of the 94th Congress, the American people have been called upon time and time again to "bite the bullet"—pay higher fuel prices, drive their cars less, keep the temperatures of their homes down. The list goes on and on.

With the passage of yesterday's measure, however, I question now our right to ask them to continue to make sacrifices that will contribute to energy self-sufficiency and an economic recovery. Yesterday's vote told the American people that their leadership is not ready itself to bite the bullet.

The time for a raise was not right nor was a raise now in the best economic interest of this Nation.

Before closing, however, I want to take this opportunity to commend my colleagues from Tennessee who demonstrated a solid bipartisan cohesiveness in voting together against H.R. 2559 and its amendments.

LEGISLATION TO IMPROVE GI EDUCATION BILL FOR VIETNAM ERA VETERANS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. WOLFF. Mr. Speaker, recently, I introduced three pieces of legislation which are intended to improve the GI education bill for Vietnam era veterans, both to make GI benefits more accessible to those veterans who stand most in need of educational assistance and to make the program more effective and efficient in its use of the taxpayers' dollars. Today, I am reintroducing these measures with cosponsors, which, to date, number close to 50 on all three bills. I am also pleased to report that the list of cosponsors includes seven of my colleagues on the House Veterans' Affairs Committee, the chairman of the House Armed Services Committee (Mr. Price) and the sole Vietnam veteran now serving in the House (Mr. Murtha). I believe this kind of support indicates a concern in the House that we not allow the Vietnam veteran to remain a "casualty" of the Vietnam era. Also, it is a recognition of the fact that the GI bill can be used as a mechanism to get our young vets off the unemployment rolls and into school where they can learn the skills and acquire the education needed to compete successfully in the job market.

One of the bills (H.R. 7355) I have introduced would allow a veteran to accelerate his entitlement to receive a greater monthly subsistence allowance, while reducing his total entitlement proportionately. For instance, a veteran could receive $540 a month for 2 years, instead of the present $270 a month for 4 years. This would enable many "blue collar" and undereducated vets—those most in need of educational aid and those who are now least using the GI bill—to afford a 2-year vocational or technical education. It would give them the skills needed for jobs that are available—60 percent of America's jobs lie in the vocational or technical fields. Acceleration of entitlement would also help the vet whose education was interrupted by military service; in the majority of cases, this applies to married vets with family responsibilities, who would like to finish their education but cannot afford present-day skyrocketing tuition costs. This bill includes provisions to provide education counseling to vets who want to accelerate their entitlement so that they can be assured of getting into the right program to make the most effective use of acceleration. In addition, the bill tightens the criteria for approval of nonaccredited courses, so that acceleration does not become a boon to the "entrepreneurs" who run "ripoff" correspondence courses; this section includes many of the FTC's recommendations as to how we can end abuses associated with correspondence programs. I do not view this legislation as a new spending program, but rather, a more efficient use of an existing entitlement.

The second bill (H.R. 7354) I have introduced would provide a tuition supplement to veterans for a part of tuition costs that exceed the national average of tuition costs at public universities and colleges. This is designed to equalize the "buying power" of GI dollars for all veterans, regardless of the State in which they reside. With the average tuition in California being $169 a year and the average tuition in Pennsylvania being $850 a year, there is no question as to which vet, the one in Los Angeles or the one in Philadelphia, is in a better position to afford to go to school. The National League of Cities, which did a very good report on the need for a tuition supplement, used what I thought was an excellent analogy to illustrate the inequity inherent in the GI bill as it is presently set up. They said it is similar to if we had given vets leaving Vietnam all the same amount of money for air fare, say the cost of a ticket from Saigon to Los Angeles; the vet living in the District of Columbia would never have made it home. The tuition supplement concept has been supported by virtually all veterans' organizations and educational groups as a means of equalizing educational opportunities for all veterans and as a means of bringing the current GI bill up to a par with the World War II GI bill, which did include a tuition supplement mechanism.

The third bill (H.R. 7356) I have introduced with my colleague from New York (Mr. Koch) would remove the inequity created by last year's GI education amendments, whereby entitlement to education benefits was extended to 45 months, but only for those pursuing undergraduate work. This is an unrealistic restriction considering the education needed in today's job market. Furthermore, it is unfair to Vietnam vets, when one recalls that it is a restriction which was never applied to any other GI bill. Our bill would remove the restriction, allowing vets 45 months to pursue graduate work as well. I am pleased to report that the Veterans' Affairs Committee has held 1 day of hearings on this legislation, receiving testimony from the VFW, the American Legion, and the National Association of Concerned Veterans, all of whom strongly supported the bill.

I would like to include for the Record, Mr. Speaker, a list of those Members who have cosponsored each of these three bills. I hope that more of our colleagues will join us in our efforts to improve the GI bill. The $14 billion we invested in the World War II GI bill was returned six times over in increased tax revenues; with an effective GI bill, we can generate that kind of input into today's economy, while at the same time, returning a part of the debt we owe to those who served in Vietnam.

The list of cosponsors follows:

H.R. 7354 (TUITION SUPPLEMENT)

Wolff*, Abzug, Addabbo, Badillo, Brown, Geo. of California, Burton, John, Carney*, Cleveland, Cohen, Conte, Conyers.

Downey, Edgar*, Edwards, Don of California*, Eilberg, Fithian, Ford, Harold of Tennessee*, Fraser, Gilman, Hannaford, Harrington.

Hechler, Ken of W. Va., Howard, Jenrette, Jeffords, Koch, Lehman, Mitchell, Don of N.Y., Mitchell, Parren, Mottl*, Murtha, Ottinger, Pattison of N.Y., Pepper, Price, Rangel, Rodino, Roe, Rosenthal, Seiberling, Solarz, Spellman, Studds, Walsh*, Wilson, Chas. of California, Won Pat, Yatron.

Wolff*, Abzug, Addabbo, Badillo, Brown, Geo. of California, Burton, John, Carney, Cleveland, Conte, Conyers, Downey.

Edgar*, Edwards, Don*, Eilberg, Fithian, Ford, Harold of Tenn.*, Gilman, Hannaford*, Harrington, Hechler, Ken of W. Va., Howard.

Jenrette, Koch, Lehman, Long, Clarence of Md., Miller, Clarence of Ohio, Mitchell, Don of N.Y., Mitchell, Parren, Mottl*, Murtha, Ottinger, Pepper, Price, Rangel, Rodino, Roe, Rosenthal, Seiberling, Solarz, Spellman, Walsh*, Wilson, Chas. of California, Wirth, Won Pat, Yatron.

Wolff*, Abzug, Addabbo, Badillo, Brown, Geo. of California, Burton, John, Cleveland, Conte, Conyers, Downey, Edgar*.

Edwards, Don*, Eilberg, Fithian, Ford, Harold of Tenn.*, Gilman, Hannaford*, Harrington, Hechler, Ken of W. Va., Howard, Jenrette, Jeffords.

Koch, Lehman, Long, Clarence of Md., Mitchell, Don of N.Y., Mitchell, Parren, Mottl*, Murtha, Ottinger, Pattison of N.Y., Pepper, Price, Rangel, Rodino, Roncalio, Rosenthal, Sarbanes, Seiberling, Solarz, Spellman, Walsh*, Wilson, Chas. of California, Wirth, Won Pat, Yatron.

JACK ANDERSON: PROTECTIVE COLORATION

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. McDONALD of Georgia. Mr. Speaker, whenever columnist Jack Anderson gets caught smearing an anti-Communist, he always tries to defend himself by pointing to a recent light slap on the wrist to the Communists. This device has worn thin since it is readily noticeable as he uses the blackjack-over-the-head technique on anti-Communists, but never really hurts the Communists.

Anderson's column which appeared today is a typical example of this. He strives to balance off his vicious lies against me with a story purporting to expose a Soviet journalist as a KGB agent.

Anderson's story was hardly a scoop. The role of Soviet journalists as KGB agents was exposed as early as 1962 in a book published by the University of Minnesota Press, entitled "The Two Faces of Tass," by Theodore Kruglak. And as for Kondrashov, his cover as a journalist was thinner than the contents of Izvestia. He has actually served as a public spokesman for the KGB in the 1960's when he wrote puff-pieces in Izvestia for the Soviet spy agency.

The Izvestia KGB articles were identified by the Senate Internal Security Subcommittee—SISS—in its 1972 report, "Soviet Intelligence and Security Services, 1964–70."

It is interesting to note that Anderson has written frequent smear attacks on that valuable Senate subcommittee as well as on its House counterpart.

Anderson's smears against the congressional internal security committees and against anti-Communist Congressmen have always seemed remarkably well timed. The smears generally coincide with appropriations hearings, a committee reporting out a significant bill, or a Congressman doing effective anti-Communist work.

Jack Anderson's love-bites against a few well-known, previously exposed Communists should not be allowed to cover the fact that his real target is and has been those who would protect America against Communist aggression.

DAVID KROPP WINS LANDSCAPE AWARD

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. O'BRIEN. Mr. Speaker, Mr. David Kropp of Plainfield, Ill., which is in my district, has recently been honored by the American Association of Nurserymen for his outstanding effort in environmental improvement through landscape beautification.

The winning project was a landscaping design for a parking lot and public garden at the First Savings and Loan of South Holland, Ill. Mr. Kropp succeeded in creating a park-like setting by starting with a completely "mature" design, that is, with well-developed trees 35 feet tall and hedge shrubs 6 feet high by 6 feet wide. Fountains and garden terraces are incorporated in the composition and the entrance features a continually changing color scheme on a 3-year cycle. The interior and exterior of the building are even color-coordinated.

It is interesting to note that his organization, The Kropp Co., had been in existence only a year when the award-winning project was undertaken. Mr. Kropp is by no means a stranger to environmental design, however.

Mr. Kropp is an authority on native American plants and actively encourages nurserymen, landscape architects, students, and horticulturists to make greater use of native foliage. He has undertaken a project to locate and register historic landscapes, in much the same manner as registering historic buildings, and he is cochairman of a committee set up for that purpose. Mr. Kropp is also the author of a forthcoming article on the use of prairie in landscaping to be published in the main journal of his trade.

Illinois can be quite proud of Mr. Kropp and I personally am very happy he has decided to devote his generous talents to improving the quality of life both in our State and on all of "Spaceship Earth."

IRS ANSWERS TO QUESTIONS ON EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. VANIK. Mr. Speaker, the Oversight Subcommittee of the House Ways and Means Committee has received a number of letters expressing concern about IRS implementation of the new pension reform legislation.

The House Education and Labor Committee has already done a great deal of fine work on the pension issue. The Ways and Means Subcommittee will attempt to assist in the monitoring of this program—particularly the portions administered by the IRS.

I have just received data from Commissioner Alexander regarding the development of forms and the processing of pension plan amendments. The IRS is making special efforts to develop standardized forms and to process plan amendments on a timely basis. As the Commissioner states, however:

> There will still be a gap between the workload and available manpower."

Mr. Speaker, I believe that the IRS will need a good deal of support and assistance if this important new legislation is to be successful.

The Commission's letter provides some valuable information on the timetable for issuing forms and extensions of time being developed for plan amendments. Also attached to the letter is a useful bibliography of IRS rulings, forms, and pamphlets relating to the Pension Reform Act. The letter follows:

INTERNAL REVENUE SERVICE,
Washington, D.C., July 25, 1975.

Hon. CHARLES A. VANIK,
Chairman, Oversight Subcommittee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. VANIK: The questions attached to your letter of May 30, 1975, reflect a growing interest on the part of the public, many pension practitioners, banks, insurance companies, and others as to the steps taken by the Internal Revenue Service to carry out our responsibilities under the Employee Retirement Income Security Act of 1974 (ERISA).

Since the enactment of ERISA, a major emphasis has been placed upon the publication of interpretative and implementing materials necessary for the public to comply with this new legislation. While much more needs to be done, we have already issued a number of Revenue Procedures, Announcements, Technical Information Releases, forms and other publications. However, primary emphasis has been put on regulations that will be first needed by taxpayers during the remainder of 1975 and 1976. In this connection, proposed or temporary regulations have been published in the Federal Register covering a multiplicity of subjects. I am enclosing a detailed appendix of all of the guidelines concerning ERISA we have published to date.

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*Indicates member of Veterans' Affairs Committee.

Because we have already put into effect many of the programs called for by ERISA, I welcome this opportunity to describe to you our efforts to implement those aspects of the legislation with which you are concerned.

The following constitute specific answers to your list of questions:

1. *Have the guidelines which are necessary to rule on amendments to pension plans been issued?*

We issued TIR–1336 on January 13, 1975 (containing Rev. Proc. 75–5 I.R.B. 1975–5, 25), authorizing our district offices to process applications for determination letters on many types of defined contribution plans. This new Revenue Procedure enables employers to obtain determination letters with respect to the qualified status of their plans. The program for issuing determination letters is applicable to new plans as well as amendments to existing plans. An application form (Form 5301) upon which to make requests for determination letters is now available in our district offices. A Temporary Regulation (T.D. 7358) and Technical Information Release (TIR–1385 announcing Rev. Proc. 75–31) dealing with the determination of "interested parties" and the means of satisfying the requirement of notification to interested parties in connection with an application for advance determinations as to the qualifications of a pension plan, have been published. To help practitioners in drafting their plans and plan amendments, and in understanding many of the requirements added by ERISA, we have published a comprehensive package of questions and answers (TIR–1343) oriented to specific problems affecting defined contribution plans.

a. *If not, when will they be issued?*

We are making every effort to quickly reduce the number of areas in which we are unable to rule. Nearing completion is a Revenue Procedure which will authorize district directors to process applications on many types of defined benefit plans. In addition, we are working on a companion package of questions and answers and an application form for defined benefit plans that we expect to issue very soon. Many other regulations, announcements and other technical documents are in various stages of review.

b. *When must amendments to existing pension plans be submitted?*

Under ERISA, plans which were in existence on or before January 1, 1974, do not become subject to the new participation and vesting standards of the law until the first plan year that begins after December 31, 1975. Plans which came into existence after January 1, 1974, must comply with those aspects of ERISA for the first plan year that begins after September 2, 1974.

In line with the above requirements, many employers of existing plans have until 1976 or 1977 (i.e., the end of the first plan year beginning after December 31, 1975) to comply with the applicable provisions of ERISA. On the other hand, employers who have relatively new plans must comply this year (or, in some cases, as late as August 1976). Indeed, under our rules, adoption of the necessary amendment can occur after the end of the effective plan year as long as it is adopted during the tax year in which the plan year ends.

In addition, under section 401(b) of the Code as amended by ERISA, employers are allowed in certain cases to amend their plans retroactively for purposes of qualification at any time ending with the date for filing their tax returns (including any extensions). In addition to the extensions granted for filing a tax return, it is noteworthy that new Code section 401(b) authorizes the Secretary of the Treasury or his delegate to designate a later date within which retroactive amendments will be permitted. We are developing regulations under this section of the statute and hope to permit sufficient time for further amendments, after plans are submitted to us for advance determination, so as to assure that an employer's plan will not fail to qualify solely because its application has not been ruled on or appropriate guidelines have not been issued. These regulations have been given our highest priority, and we expect that they will be issued in the very near future. I should point out that your question asks when amendments must be "submitted." The submission will obviously follow the adoption of an amendment, except where a further amendment is adopted under the foregoing contemplated regulations during the period of our administrative consideration of the case.

c. *Roughly, how many amendment requests does the Service expect to receive?*

As of March 31, 1975, there were 495,872 corporate type plans on file in our field offices which we expect to be amended to conform to ERISA provisions. We have projected that these amendments will be received in this manner:

Fiscal Year Ended 9/30/76, 260,000.

Fiscal Year Ended 9/30/77, 215,000.

Fiscal Year Ended 9/30/78, 21,000.

d. *Can all of these amendment requests be processed between the time the guidelines are to be issued and the deadline for amendment submissions?*

There is no deadline for amendment submissions, but rather a deadline for amendment adoptions. Moreover, our processing of an amendment request need not be completed by the expiration of the deadline for amendment adoptions, particularly in light of the position being developed in the regulations under Code section 401(b) noted above.

Under existing procedures for issuance of determination letters and based on manpower presently available, we would not be able to process the projected conforming amendment workload during the periods they will be received. Although we are presently developing time-saving methods and procedures such as pattern plans, standard paragraphs, etc., there will still be a gap between the workload and available manpower.

e. *What is the penalty for failing to submit an amendment request by the deadline?*

There is no penalty for failure to submit a request for advance determination as to the qualified status of an amended plan. The "penalty" is rather for failure to adopt the necessary amendment, and is, the disqualification of the plan. An advance determination letter is not needed to obtain the tax benefits of qualification. In cases where an employer does not submit a request for a determination, the qualified status of the plan is usually determined in connection with an examination of the employer's tax return.

f. *How many employees does the Service have available to rule on amendment requests?*

The FY 1976 authorized staffing for Employee Plans Specialists in our district offices is 635, exclusive of field managers. This number represents the number of technical employees available to process the ERISA conforming amendment requests, as well as requests for initial qualification, termination of employee plans and all other work connected with the processing and policing of these plans by technicians, reviewers, and conferees.

2. *Is the pension information being filed with the Internal Revenue Service duplicated in any of the filings of the Department of Labor and/or the Guarantee Corporation?*

There will be some duplication of pension information filed with the IRS, DOL and PBGC. We are very mindful of the coordination requirements of section 3004 of ERISA, which provides for the development of common rules, regulations, practices and forms to reduce duplication of effort, duplication of reporting, conflicting or overlapping requirements, and the burden of compliance with such provisions by plan administrators, employers and employees. We are thus, in the process of developing a number of multi-agency forms to comply with this section and minimize the burden of compliance.

a. *If so, are the same forms used, so that xerox copies may be made available to the other agencies?*

In accordance with Congressional intent, we have developed a proposed Consolidated Annual Return to be filed by employers and/or plan administrators to satisfy their annual reporting requirements to IRS and DOL. In the case of employee pension plans, the identical form is to be prepared for IRS and Labor, with one copy of the completed form to be filed with the IRS and a duplicate copy with DOL, whereas employee welfare benefit plans will file the same form, but only with DOL. PBGC will obtain any needed data from DOL.

We are also hopeful of developing common forms for reporting terminations, requests for extensions of filing dates, changes in funding method or accounting periods, etc. and we are attempting to design the forms and procedures, wherever practicable, so that one form can be filed with one agency which will then transmit filed duplicates to the other agencies. This latter procedure was not possible in the case of the above-mentioned proposed Consolidated Annual Return because of the different filing dates in some cases where too wide a disparity exists between the tax year (to which the IRS reporting relates) and the plan year (to which the Labor reporting relates).

b. *Roughly what percentage of the data submitted to IRS must also be submitted to the other agencies?*

The Consolidated Annual Return, as presently contemplated, will require data common to IRS and DOL to the extent of approximately 80 percent of its contents. Of the remaining 20 percent, about 10 percent will be used only by the IRS and 10 percent only by DOL. We estimate that over 70 percent of the data which will be supplied on the above-mentioned consolidated forms will be common to IRS, DOL and PBGC needs.

c. *How many pages of data must a typical medium size plan submit to the IRS?*

The proposed Consolidated Annual Return required to be filed by a corporate plan or an H.R.-10 (Keogh) plan with 2 to 99 participants will be about 3 to 4 pages; additionally, a two page schedule will be required in the case of a plan which purchases insurance contracts and another two page schedule may be required to report certain actuarial information for defined benefit plans. Plans with 100 or more participants will be required to file a return of approximately 6 to 7 pages, and the above schedules in relation to insurance contracts and/or actuarial information if applicable. An H.R.-10 plan which covers an owner-employee with no common law employees will be required to file a 1-page IRS form. We are constantly working to reduce the size and complexity of these and other forms.

3. *Since there is a provision in the new law permitting the Service to be taken to court if it does not rule within reasonable periods of time, is the Service establishing any internal processing guidelines to help insure processing within reasonable periods of time?*

We have drafted case processing procedures to be used by our field offices which specify completion dates at various stages of processing an application for determination. The completion dates are aimed at staying within the 270-day period prescribed in Section 7476 of the Code as the period prior to the expiration of which a petitioner will in no event be considered to have exhausted his administrative remedies. To monitor and control the expeditious processing of applications, we are establishing computerized case inventory controls and management information reports which will be operational about January 1, 1976.

a. *Have any actions been taken to bring the Service to court?*

b. *Do you know of any actions which may be brought within the next 60 days?*

No action has yet been taken to bring the Service to court nor are we aware of any actions which may be brought within the next 60 days. Section 7476 of the Code, which established the judicial remedies for the taxpayer, applies only to pleadings filed after September 2, 1975.

I hope that the above responses to your questions will be of assistance to you in carrying out the work of the Oversight Subcommittee. Please feel free to let me know if I can be of further assistance.

With kind regards,

Sincerely,

DONALD C. ALEXANDER,
Commissioner.

Enclosure.

APPENDIX, INTERNAL REVENUE SERVICE, EMPLOYEE PLANS ISSUANCES

DATE OF ISSUANCE, DOCUMENT,* AND DESCRIPTION

9-5-74: IR 1414, General, plus 13 Q & A's.

9-10-74: TIR 1308, Interim Determination Letter Proc.

9-11-74: TIR 1309, Interim Opinion Letter Proc.

9-12-74: TIR 1310, Rulings Procedures.

9-13-74: TIR 1311, Public Inspection-Applications.

9-13-74: IR 1419, IRA's General Information.

9-30-74: IR 1422, Basic Organization of Office of EPEO.

11-12-74: TIR 1315, Instructions for Preparing 1974 Form 1099R.

12-6-74: IR 1436, Public Inspection of Private Tax Rulings.

12-23-74: A-74-112, New Form 4848A for HR-10 Plans.

12-31-74: TIR 1329, Prohibited Transactions Transitional Rules.

12-31-74: TIR 1330, Prohibited Transactions—Excise Tax.

12-31-74: TIR 1331, Prohibited Transactions—Excise Tax.

1-7-75: TIR 1333, Prohibited Transactions—Certain Exemptions for January 1975.

1-8-75: TIR 1334, Q & A's on Defined Contribution Plans.

1-10-75: TIR 1335, IRA Procedures.

1-13-75: TIR 1336, Deter. Letters on Certain Defined Contribution plans Subject to ERISA.

1-10-75: TIR 1337, Proposed exemption from prohibition on transactions. Notice of hearings on proposed exemption in prohibited transaction cases involving certain broker-dealers.

1-20-75: A-75-3, New rules for taxing lump-sum distribution and qualified plans.

2-3-75: TIR 1344, Prohibited transactions—Interim exemptions for certain broker-dealers, reporting dealers and banks.

2-6-75: TIR 1346, Investments in underlying assets.

3-13-75: TIR 1351, Prohibited Transactions—Interpretation of last sentence of IRC 4975(e) relating to investment in shares of employer regulated investment company.

3-21-75: IR 1469, A nationwide field structure to implement the tax aspects of the Employee Retirement Income Security Act of 1974.

4-75: Publication 590, Information on Individual Retirement Savings Program (plain language publication).

4-22-75: TIR 1366, Extension of interim exemption from prohibited transaction restrictions of IRC 4975 as it relates to certain broker-dealers, reporting dealers, and banks.

4-25-75: TIR 1367, Procedures of IRS and Department of Labor for processing application for special exemption from prohibited transactions under IRC 4975(c)(2) and Section 408(a) of ERISA.

6-3-75: TIR 1381, Prohibited Transactions—proposed class exemption for multiemployer plans.

6-6-75: TIR 1382, Prohibited Transactions—extension of interim exemption from prohibitions on security transactions with certain broker-dealers.

6-11-75: TIR 1385, Rev. Proc. 75-31 procedures with respect to notification of interested parties.

REGULATIONS

9-23-74: T. D. 7325, Disclosure of plan information to P.B.G.C.

12-10-74: 25 CRF 601, Procedural rules re public inspection of rulings and determination letters.

12-19-74: T. D. 7335, Election re valuing bonds, etc., constituting assets of retirement plans.

12-22-74: T. D. 7335, Election re retroactive plan amendments.

1-6-75: T. D. 7339, Election of lump-sum distribution treatment under IRC section 402 and 403.

1-13-75: ————, Hearings on proposed exemptions from prohibitions on transactions between benefit plans and broker-dealers (IRC 4975).

2-4-75: Federal Register Doc. 75-3340, Interim exemption under ERISA section 406 and IRC 4975.

2-6-75: Notice of Proposed Rule Making, Exception for certain insurance contract plans from minimum funding standards.

2-21-75: Notice of Proposed Rule Making, Individual Retirement Accounts.

(3-5-75): (Corrections).

2-24-75: 26 CFR 601, Proposed Procedural Rules with Respect to Public Inspection of Certain Ruling and Determination Letters.

3-6-75: Notice of Proposed Rule Making, Foreign Subsidiaries or Domestic Subsidiaries Engaged in Business Outside the United States.

3-17-75: Temporary Regulations, T. D. 1347, Election to come under new provisions of ERISA relating to participation, vesting funding, and form of benefit.

4-21-75: Temporary Regulations, Election with respect to changes in vesting schedule under IRC 411(a)(10)(B).

4-21-75: Notice of Proposed Rule Making, Proposed regulations under IRC 46, 50A, 72(m), 401(c), 401(d), 401(e), 404(e), 901, and 1379.

4-28-75: Labor Department Exemption, Department of Labor Exemption Procedure for handling special exemptions from the restrictions of Sections 406 and 407(a) of ERISA. Contains cross reference TIR-1367 issued 4/25/75 for IRS procedures for handling special exemptions under IRC 4975 (c)(2).

4-30-75: Notice of Proposed Rule Making, Regulations under IRC 62, 72, 101, 122, 402, 403, 405, 652, and 1304.

6-4-75: Proposed Regulations 25 CFR 1, Notification of Interested Parties qualification of certain retirement plans.

6-9-75: 26 CFR 1, 301, Correction to proposed regulations concerning notification of interested parties.

FORM AND DESCRIPTION

Form 1099R: Lump-Sum Distributions from Profit-Sharing and Retirement Plans.

Form 4848: Annual Employer's Return for Employee's Pension or Profit-Sharing Plans.

Form 4848A: Return for Keogh (H.R. 10) Plans of Sole Proprietors and of Partnerships with Owner Employees.

Form 4972: Special 10-year Averaging Method.

Form 5304: Application for Determination—Individual Retirement Account.

Form 5305: Individual Retirement Trust Account.

Form 5305A: Individual Retirement Custodial Account.

Form 5306: Application for Approval of Prototype Individual Retirement Account.

Form 5330: Return of Initial Excise Taxes on Prohibited Transactions.

Form 5301 and Schedule A: Application for Determination for Defined Contribution Plan.

Form 5302: Employee Census.

Publication 15 (Circular E): Employer's Tax Guide.

THE RUSSIAN GRAIN SALE

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SEBELIUS. Mr. Speaker, today I circulated a "Dear Colleague" letter in which I discussed the recent sale of grain to the Soviet Union. I enclosed information I thought would be helpful to assist my colleagues in answering questions from their constituents over the coming recess in regard to the sale.

I did so because of two reasons. First, I am privileged to represent a district which grows more wheat than any State in the Nation. We have just harvested more wheat in western Kansas than was involved in the entire Russian grain sale. Second, I share the concern and frustration of the many farmers in my district who have been calling and writing my office over the past few weeks regarding the misinformation that has accompanied this sale; misinformation that has been covered, encouraged, and nurtured by the national media.

Since the Russian grain sale of 1972 the idea that selling wheat to foreign nations and especially to Russia is a consumer ripoff, has been sold to and digested by the American public hook, line, and sinker. As a result, we have national labor leaders, consumer advocates, and a whole host of special interest groups who benefit by cheap grain and their apostles in this Congress swarming to this issue like bees to honey.

I have no doubt this cloudburst of criticism, based at least in part on misinformation, is giving farmers a good case of paranoia. After wading through the resolutions, amendments, speeches, letters to the editor, press releases, and legislation offered by my colleagues on this subject, I must admit I feel like the missionary who was guest of honor at a cannibal's barbecue.

Just today, I receive a press release from the Honorable JOHN HEINZ, III, my colleague from Pennsylvania who advocates export controls to safeguard American consumers. The proposal is similar to numerous others. Let me say to you folks who come from our large urban areas and our Nation's cities: "Will you please stop and consider just what you are doing to the current wheat price and the farmer's income? Come out to Kansas. It is hot out there right now and we need rain. Hotter still are the tempers of farmers whose very livelihood depends on our exports, who cannot continue to produce wheat at a loss."

Perhaps it is time for the farmer to

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*A stands for Announcement. TIR stands for Technical Information Release. IR stands for Information Release.

hold his wheat and boycott the products of those who are advocating more and more Government interference with his livelihood. Perhaps it is time for farmers to boycott all 57 varieties of Heinz products until my colleague from Pittsburg can drive out to Kansas and actually see how much wheat we have.

Mr. Speaker, in behalf of the grain producer in Kansas and the consumer who depends upon that farmer, I urge my city cousins to read the following information I sent to their offices today.

How much wheat do we have? When all is said and done, after domestic use this year and sales to Russia, we will have approximately 42 million metric tons of wheat or just over 1.5 billion bushels. That is more than enough wheat to cover the Washington Monument which is precisely what many farmers would like to do if folks back here keep hollering about export controls.

Wheat

[In million metric tons]

U.S. production (1975 estimate)	59.5
Old crop carryover	8.7
Total supply (1975–76)	68.2
U.S. domestic use (1975)	(21.7)
Available for export	46.5
Sales to Russia to-date, by U.S. grain exporting firms	(4.5)
Remaining for export (1.543 billion bushels)	42.0

Total exports for the 1974–75 marketing year just completed were 1.040 billion bushels.

How will the sale affect the price of bread? That "dollar a loaf" claim is more applicable to our welfare program than the price of bread. While wheat prices were falling over 50 percent last year bread prices stayed the same or increased. A $1 incerase in the wheat price would only increase the value of wheat in a pound loaf of bread by 1½ cents. Now I wonder how many of my colleagues interested in export controls would advocate controls on the cost of labor in producing a 1-pound loaf of bread. That cost is 13 cents.

This summer, an average loaf of bread sold at retail for 35.6 cents. With wheat selling at $2.94 per bushel, the value of the wheat in this 1-pound loaf of bread figured at 3.6 cents. A $1 per bushel increase in the price of wheat to $3.94, would increase the net value of wheat in a loaf of bread 1.2 cents. There are 68 loaves of bread in a bushel of wheat—85 percent of a bushel of wheat can be used for bread, the rest is marketed as byproducts.

WHEAT PRICE RECEIVED BY FARMERS AND RETAIL BREAD PRICES

	Wheat (average price received by farmers)	Retail bread price (1 lb. white loaf), cents
June 1974	[1] $3.57	34.7
January 1975	4.11	37.2
June 1975	2.92	35.6

[1] Per bushel.

Does this sale compare to the 1972 Russian grain sale? Despite efforts by some to make the "Great Russian Grain Robbery" a sequel to "Jaws," there is a difference.

SALES VOLUME

As of July 25, private U.S. grain export firms have reported to the Department of Agriculture sales to the Soviet Union totaling 10.3 million metric tons—including 300,000 tons of wheat and 200,000 tons of corn from sales made in October 1974—as follows:

Wheat, 4.5 million tons—162 million bushels.

Corn, 4.7 million tons—185 million bushels.

Barley, 1.1 million tons—50.5 million bushels.

In 1972, private U.S. exporting firms sold the Soviet Union 19 million metric tons of grain, as follows:

Wheat, 12 million tons.

Feed grain, 6 million tons—mostly corn; some grain sorghum; some barley.

Soybeans, 1 million tons.

U.S. SUPPLY

A greater supply of both U.S. wheat and corn will be available this year, after domestic use, than in 1972. In 1972, more of the supply came out of U.S. surplus production held over from previous years. This year more will be from the 1975 harvest. Delivery of wheat sold to the Soviet Union this year will extend through August of 1976, allowing part of the supply to be from the 1976 U.S. wheat crop.

ALL ORIGIN BASIS

Contracts for the 1975 sales are on an "any origin" basis. This means the exporting firm has the option of selecting the country from which sales will be shipped. The Department of Agriculture anticipates most, if not all, the corn and wheat will originate in the United States. Very little of the barley is expected to be U.S. barley.

NO EXPORT SUBSIDY

No export subsidies will be paid out for U.S. farmers on wheat exported this year. In 1972 about $160 million in subsidies was paid for U.S. farmers on the portion of wheat exports sold to the U.S.S.R., as a means of supporting depressed U.S. wheat prices. World market export prices on wheat averaged $1.65 per bushel at the time of the 1972 Russian sales, compared with about $4 per bushel now.

NO CCC CREDIT

There is no Government credit involved in 1975 sales to the Soviet Union. In 1972, the Commodity Credit Corporation provided 3-year credit to the U.S.S.R. to buy about 7 million tons, of the 12.8 million tons shipped in the 1972 marketing year.

MARITIME SUBSIDY

There will continue to be Government subsidies from the Maritime Administration to American flag vessels for carrying U.S. grain. Currently, one-third of the Soviet grain shipments are required to move in American flag vessels. This helps assure jobs and employment for U.S. seamen.

SALES REPORTING PROCEDURE

On July 24, U.S. grain export firms were asked to advise USDA before beginning negotiations of large export sales of grain. They are required to report within 24 hours to the Department of Agriculture any sale of 100,000 metric tons or more to any destination. In 1972 there was no requirement that export firms report current sales to the Government.

POLICY OF PLENTY IS WORKING

U.S. farmers increased their grain plantings this year. If current crop prospects develop, there will be plenty of grain to handle Soviet sales, meet export requirements of other foreign buyers, cover food-for-peace commitments, meet increasing domestic requirements in the United States, and still add to grain carryover stocks at the end of the 1975 marketing year—which comes in mid-1976.

COMPARISON OF 1972 AND 1975[1]

[In millions of metric tons]

	Wheat		Corn	
	1972	[2] 1975	1972	[2] 1975
U.S. production	42.0	59.5	141.6	153.6
U.S. supply [3]	65.5	68.2	170.2	162.7
U.S. domestic use	21.4	21.7	120.1	110.8
U.S. sales to U.S.S.R.:				
Quantity	11.8	[4] 4.5	[4] 6.2	[4] 4.7
CCC subsidy (cents per bushel)	40.6	None	None	None

[1] Marketing year for wheat runs from July to June; for corn, October to September.

[2] Production, supply, and use for current year are estimates.

[3] Includes production and carry-in stocks at beginning of marketing year.

[4] Some sales made prior to beginning of marketing year.

Why should we sell grain to the Soviet Union? The sale would actually enhance our national security by increasing Soviet dependence upon the United States for food. It soaks up Russian currency that could go for armaments and Communist aggression. Our agricultural productivity can be used as an insurance policy for peace.

Finally let me say to my colleague who insists on proposing ill-advised Government controls at the expense of the farmer: Plainly put, farmers in my country are fed up. The end result of all this clattertrap coming from folks who can spell "Russian grain sale" in their press releases but who have never seen a farm could well be a farm boycott. Right now, I am of the mood to lead the charge.

LOW PRICES ON ENERGY CAN MEAN TROUBLE

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SARASIN. Mr. Speaker, we have debated the subject of energy pricing in this chamber for most of the past 7 months. During that time, arguments have been made in favor of both low and high prices for energy as the solution to our economic and energy problems.

My position on the subject has been that if we truly want to lessen our dependence on foreign imported oil by reducing our consumption then we must have a system of gradual decontrol combined with a windfall profits tax that would allow a plowback credit for industry reinvestment in alternative or undeveloped sources and a system of refund or rebate for low- and middle-income people so that the effect of the higher price will not unduly burden them.

The idea that higher prices are better for America in the long-run is one which has not enjoyed great public approval. I would like to insert at this time an editorial which recently appeared in the Ansonia Evening Sentinel, a newspaper serving the "Valley" section of my district, for my colleagues review and information.

This editorial, entitled "When low price is bad news", clearly and concisely analyzes this issue which has been debated here for many days, and I am hopeful that my colleagues will avail themselves of the opportunity to read this fine editorial.

The text of the editorial follows:

WHEN LOW PRICE IS BAD NEWS

The President and Congress should do everything they can to hold down the price of domestically produced oil. Right?

Low-cost oil is in the best interests of motorists and home-owners. Right?

Politicians who fight to retain price controls on domestic oil are doing all of us a favor. Right?

Wrong. Wrong on all three.

First for a few facts.

Imported oil from the Middle East sells in the United States for about $14 a barrel, including President Ford's $2-a-barrel tariff. "Old" domestic oil—that from wells drilled before 1972—sells for $5.25 a barrel under domestic price controls. "New" domestic oil—that from recently drilled wells—sells for $12.75 a barrel.

American oil production is declining as old wells become exhausted.

Despite the lessons of the Arab oil boycott, the United States is more dependent on imported oil now than it was then, and vulnerability to a new boycott is increasing. America is making little progress in substituting other fuels for petroleum products.

Based on these facts, we can see why the President and Congress should not try to hold down the price of domestically produced oil. When the price is artifically held down, two things happen.

First, when prices are kept low, demand automatically rises—and this at a time when we want to reduce the demand for oil.

Second, when prices are kept low, the supply automatically falls—and this at a time when we want increased supplied to reduce our dependence on foreign oil.

We also see why low-cost oil is not in the best interests of motorists and home-owners. The basic reason is that low-cost oil discourages domestic production, increases domestic consumption and makes us still more dependent on foreign suppliers who may cut us off at any time as they did once before.

Politicians who want to put artificial controls on the price of oil, or who oppose the lifting of those controls, seem to be doing us a favor. But they are not, really—not in the long run.

THE BINGHAM DICTATORSHIP, PART II

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 31, 1975

Mr. SNYDER. Mr. Speaker, on Tuesday, July 9, I inserted in the RECORD an editorial from the Jeffersonville, Ind. Evening News for June 24. In my remarks prefacing that editorial which was entitled, "The Bingham Dictatorship," I made note of the monopolistic power of newspapers that can be developed under freedom of the press guaranteed by the Constitution. Abuse of that power is often characterized by what I called a reckless disregard for the truth—particularly in regard to public officials.

The Evening News of July 29 saw fit to further editorialize against this kind of monopolistic newspaper and abuse. That front page editorial follows:

THE IRE OF THE BINGHAMS

U.S. Congressman Gene Snyder from the Fourth District of Kentucky has aroused the ire of Barry Bingham Sr. and Barry Bingham, Jr., the publishers of the Louisville newspapers, by inserting in the Congressional Record the June 24 editorial in The Evening News exposing them for what they are.

In their frustration, the Binghams have had one of their flunkies launch another editorial attack on Congressman Snyder, who has been the subject of frequent unwarranted and unjustified smears by the Bingham newspapers in the past.

In their editorial attack, the Binghams did not hesitate to take Congressman Snyder's remarks out of context at the time he inserted The Evening News editorial in the Congressional Record. For that reason, the full text of Congressman Snyder's remarks is published at the bottom of this page in The Evening News.

Congressman Snyder resides in the eastern part of Jefferson County in Kentucky, and represents that area as well as the Kentucky counties along the river to Covington and Newport.

He is a Republican and a conservative. A man of conviction, he refuses to bow to the Bingham will and vote the line of the radical left in Congress.

This seems to always frustrate the Binghams who have even attacked him for earning a living in the practice of law and in the operation of a real estate business. They have attacked him on every occasion where an excuse could be found.

Of course, all Congressman Synder would have to do to receive the praise of the Bingham newspapers would be to cast his votes in Congress as the Binghams wish.

If Congressman Snyder would read the Louisville newspapers regularly, he would know how the Binghams expect him to vote on every occasion, and he would be extolled for following their dictates.

It takes a man of great courage to stand up to a monopoly like that operated by the Binghams in Kentucky. They own and control the only two metropolitan daily newspapers, a television station, and two radio stations. The Binghams dictate to all of Louisville and most of Kentucky. It is a rare instance where a man in office has the stamina to stand up to the Bingham dictatorship.

By their attacks on Congressman Snyder, the Binghams hope to accomplish two purposes. Since he will not follow the line of the radical left, the first purpose of the Bingham attacks is to bring about the defeat of Congressman Snyder, if that is possible. The second purpose is to serve as a warning to every other officeholder in Louisville and Kentucky that he must follow the Bingham line or suffer a similar fate.

As Congressman Snyder well knows, all he would have to do is go to the Binghams with his "hat in his hand" to ask how he should vote, and he would be one of the high men on their totem pole.

The Evening News is a Democrat newspaper. Congressman Snyder is a Republican. For obvious reasons The Evening News does not agree with many of the votes cast by Congressman Snyder. Nevertheless, The Evening News is not located in Congressman Snyder's district. He was merely cited by it as one of the many examples of people who are smeared because they do not bow to the Binghams.

In similar manner, the Binghams have had one of their flunkies launch a series of unprovoked, vitriolic smear attacks on The Evening News as it grows in size and circulation. With over 16,000 paid circulation and 65,000 to 75,000 readers per day, The Evening News seems to particularly raise the ire of the Binghams.

They were receiving and paying for seven copies of The Evening News mailed to the Bingham offices every day. Now they have subscribed for an eighth copy, so the Bingham staff regularly receives and pays for eight copies every day.

They have attacked The Evening News on every imaginable ground. They even attacked us for what the Binghams call "Simon-pure Hoosierism."

Well, what is wrong with being a Hoosier. The Evening News and everyone connected with it is proud to be a Hoosier, with no other interest.

The Evening News operates on the theory that it is a peoples' newspaper, where the daily events of local people are fairly chronicled. It is a newspaper open to all of our people to express their views and to publicize their activities.

It is not a newspaper to dictate to anyone, as the Binghams do.

We believe the people in Clark County are intelligent and self-reliant enough to think for themselves.

On the other hand, the Binghams must feel that Louisville and Kentucky people are rather stupid and the Bingham newspapers must tell them how to act, react, vote, think, and perform on every issue.

Many Louisville people, and many others in Kentucky, resent this control by the Binghams, as shown by their expressions to us following our editorials, which were brought about by the untruths, half-truths, and distortions in the Bingham attacks on us.

As The Evening News has the largest circulation of any newspaper in this area of Southern Indiana, it is the one that stands in the Binghams' way as the Binghams attempt to extend their dictatorial control into Indiana.

While the Binghams conduct a series of smear attacks on The Evening News with cheap shots, they send solicitors from door to door here seeking to sell subscriptions to their newspapers.

Flunkies like the one assigned by the Binghams to do a "hatchet job" on The Evening News are, figuratively speaking, "a dime a dozen" in the newspaper business.

ADDRESS BY PRESIDENT GERALD FORD

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BROOMFIELD. Mr. Speaker, as we prepare to depart on recess, leaving important unfinished business behind, the President of the United States is in Helsinki, Finland, meeting with the leaders of Europe and working to render less likely the possibility of any future conflict on that continent.

The President today addressed the Conference on Security and Cooperation in Europe. His eloquent remarks provide a compelling statement of what we hope to achieve through the treaty signed at Helsinki. I believe a careful reading of the President's statement provides a useful analysis of our foreign policy objectives in Europe and serves to allay some of the doubts expressed previously about the purposes of the Helsinki Conference. There follows a complete text of the President's August 1 address.

Address by President Gerald Ford

Mr. Chairman, my distinguished colleagues:

May I begin by expressing to the governments of Finland and Switzerland, which have been superb hosts for the several phases of this Conference, my gratitude and that of my associates for their efficiency and hospitality.

Particularly to you, President Kekkonen, I must convey to the people of the Republic of Finland, on behalf of the 214 million people of the United States of America, a reaffirmation of the long-standing affection and admiration which all my countrymen hold for your brave and beautiful land.

We are bound together by the most powerful of all ties, our fervent love for freedom and independence, which knows no homeland but the human heart. It is a sentiment as enduring as the granite rock on which this city stands and as moving as the music of Sibelius.

Our visit here, though short, has brought us a deeper appreciation of the pride, industry and friendliness which Americans always associate with the Finnish nation.

The nations assembled here have kept the general peace in Europe for 30 years. Yet there have been too many narrow escapes from major conflict. There remains, to this day, the urgent issue of how to construct a just and lasting peace for all peoples.

I have not come across the Atlantic to say what all of us already know—that nations now have the capacity to destroy civilization, and, therefore, all our foreign policies must have as their one supreme objective the prevention of a thermonuclear war. Nor have I come to dwell upon the hard realities of continuing ideological differences, political rivalries and military competition that persist among us.

I have come to Helsinki as spokesman for a nation whose vision has always been forward, whose people have always demanded that the future be brighter than the past, and whose united will and purpose at this hour is to work diligently to promote peace and progress not only for ourselves, but for all mankind.

I am simply here to say to my colleagues: We owe it to our children, to the children of all continents, not to miss any opportunity, not to malinger for one minute, not to spare ourselves or allow others to shirk in the monumental task of building a better and a safer world.

The American people, like the people of Europe, know well that mere assertions of good will, passing changes in the political mood of governments, laudable declarations of principles, are not enough. But if we proceed with care, with commitment to real progress, there is now an opportunity to turn our people's hopes into realities.

In recent years, nations represented here have sought to ease potential conflicts. But much more remains to be done before we prematurely congratulate ourselves.

Military competition must be controlled. Political competition must be restrained. Crises must not be manipulated or exploited for unilateral advantages that could lead us again to the brink of war. The process of negotiation must be sustained, not at a snail's pace, but with demonstrated enthusiasm and visible progress.

Nowhere are the challenges and opportunities greater and more evident than in Europe. That is why this Conference brings us all together. Conflict in Europe shakes the world. Twice in this century we have paid dearly for this lesson; at other times, we have come perilously close to calamity. We dare not forget the tragedy and the terror of those times.

Peace is not a piece of paper. But lasting peace is at least possible today because we have learned from the experiences of the last 30 years that peace is a process requiring mutual restraint and practical arrangements.

This Conference is part of that process—a challenge, not a conclusion. We face unresolved problems of military security in Europe; we face them with very real differences in values and aims. But if we deal with them with careful preparation, if we focus on concrete issues, if we maintain forward movement, we have the right to expect real progress.

The era of confrontation that has divided Europe since the end of the Second World War may now be ending. There is a new perception and a shared perception of a change for the better, away from confrontation and toward new possibilities for secure and mutually beneficial cooperation. That is what we all have been saying here. I welcome and I share these hopes for the future.

The postwar policy of the United States has been consistently directed toward the rebuilding of Europe and the rebirth of Europe's historic identity. The nations of the West have worked together for peace and progress throughout Europe. From the start, we have taken the initiative by stating clear goals and areas for negotiation.

We have sought a structure of European relations, tempering rivalry with restraint, power with moderation, building upon the traditional bonds that link us with old friends and reaching out to forge new ties with former and potential adversaries.

In recent years, there have been some substantial achievements. We see the Four-Power agreement of Berlin of 1971 as the end of a perennial crisis that on at least three occasions brought the world to the brink of doom.

The agreements between the Federal Republic of Germany and the States of Eastern Europe and the related intra-German accords enable Central Europe and the world to breathe easier.

The start of East-West talks on mutual and balanced force reductions demonstrate a determination to deal with military security problems of the Continent. The 1972 treaty between the United States and the Soviet Union to limit anti-ballistic missiles and the interim agreement limiting strategic offensive arms were the first solid breakthroughs in what must be a continuing long-term process of limiting strategic nuclear arsenals.

I profoundly hope that this Conference will spur further practical and concrete results. It affords a welcome opportunity to widen the circle of those countries involved in easing tensions between East and West.

Participation in the work of detente and participation in the benefits of detente must be everybody's business—in Europe and elsewhere.

But detente can succeed only if everybody understands what detente actually is.

First, detente is an evolutionary process, not a static condition. Many formidable challenges yet remain.

Second, the success of detente, of the process of detente, depends on new behavior patterns that give life to all our solemn declarations. The goals we are stating today are the yardstick by which our performance will be measured.

The people of all Europe—and I assure you the people of North America—are thoroughly tired of having their hopes raised and then shattered by empty words and unfulfilled pledges. We had better say what we mean, and mean what we say, or we will have the anger of our citizens to answer.

While we must not expect miracles, we can—and we do—expect steady progress that comes in steps, steps that are related to each other that link our actions with words in various areas of our relations.

Finally, there must be an acceptance of mutual obligation. Detente, as I have often said, must be a two-way street. Tensions cannot be eased by one side alone. Both sides must want detente and work to achieve it. Both sides must benefit from it.

Mr. Chairman, my colleagues, this extraordinary gathering in Helsinki proves that all our peoples share a concern for Europe's future and for a better and more peaceful world, but what else does it prove? How shall we assess the results?

Our delegations have worked long and hard to produce documents which restate noble and praiseworthy political principles. They spell out guidelines for national behavior, and international cooperation, but every signatory should know that if these are to be more than the latest chapter in a long and sorry volume of unfulfilled declarations, every party must be dedicated to making them come true.

These documents, which we will sign, represent another step—how long or short a step only time will tell—in the process of detente and reconciliation in Europe. Our peoples will be watching and measuring our progress.

They will ask how these noble sentiments are being translated into actions that bring about a more secure and just order in the daily lives of each of our nations and its citizens.

The documents produced here represent compromises, like all international negotiations, but these principles we have agreed upon are more than the lowest common denominator of governmental positions.

They affirm the most fundamental human rights: liberty of thought conscience and faith, the exercise of civil and political rights, the rights of minorities.

They call for a freer flow of information, ideas and people, greater scope for the press, cultural and educational exchange, family reunification, the right to travel and to marriage between nationals of different States, and for the protection of the priceless heritage of our diverse cultures.

They offer wide areas for greater cooperation: trade, industrial production, science and technology, the environment, transportation, health, space and the oceans.

They reaffirm the basic principles of relations between States: nonintervention, sovereign equality, self-determination, territorial integrity, inviolability of frontiers and the possibility of change by peaceful means.

The United States gladly subscribes to this document because we subscribe to every one of these principles.

Almost 200 years ago, the United States of America was born as a free and independent Nation. The descendants of Europeans who proclaimed their independence in America expressed in that declaration a decent respect for the opinions of mankind and asserted not only that all men are created equal, but they are endowed with inalienable rights to life, liberty and the pursuit of happiness.

The founders of my country did not merely say that all Americans should have these rights, but all men everywhere should have these rights, and these principles have guided the United States of America throughout its two centuries of nationhood.

They have given hopes to millions in Europe and on every continent.

I have been asked why I am here today. I am here because I believe and my countrymen believe in the interdependence of Europe and North America, indeed in the interdependence of the entire family of man.

I am here because the leaders of 34 other Governments are here—the States of Europe and of our good neighbor, Canada, with whom we share an open border of 5,526 miles, along which there stands not a single armed soldier, and across which our two peoples have moved in friendship and mutual respect for 160 years.

I can say without fear of contradiction that there is not a single people represented here whose blood does not flow in the veins of Americans and whose culture and traditions have not enriched the heritage which we Americans prize so highly.

When two centuries ago the United States of America issued a declaration of high principles, the cynics and doubters of that day jeered and scoffed. Yet, 11 long years later our independence was won and the stability of our Republic was really achieved through the incorporation of the same principles in our Constitution.

But those principles, though they are still being perfected, remain the guiding lights of an American policy and the American people are still dedicated, as they were then, to a decent respect for the opinions of mankind and to life, liberty and the pursuit of happiness for all peoples everywhere.

To our fellow participants in this Conference, my presence here symbolizes my country's vital interest in Europe's future. Our future is bound with yours. Our economic well being, as well as our security, is linked increasingly with yours.

The distance of geography is bridged by our common heritage and our common destiny. The United States, therefore, intends to participate fully in the affairs of Europe and in turning the results of this Conference into a living reality.

To America's allies: We in the West must vigorously pursue the course upon which we have embarked together, re-enforced by one another's strength and mutual confidence. Stability in Europe requires equilibrium in Europe. Therefore, I assure you that my country will continue to be a concerned and reliable partner.

Our partnership is far more than a matter of formal agreements. It is a reflection of beliefs, traditions and ties that are of deep significance to the American people. We are proud that these values are expressed in this document.

To the countries of the East: The United States considers that the principles on which this Conference has agreed are part of the great heritage of European civilization, which we all hold in trust for all mankind.

To my country, they are not cliches or empty phrases. We take this work and these words very seriously. We will spare no effort to ease tensions and to solve problems between us, but it is important that you recognize the deep devotion of the American people and their Government to human rights and fundamental freedoms, and thus to the pledges that this Conference has made regarding the freer movement of people, ideas, information.

In building a political relationship between East and West, we face many challenges.

Berlin has a special significance. It has been a flashpoint of confrontation in the past. It can provide an example of peaceful settlement in the future.

The United States regards it as a test of detente and of the principles of this Conference. We welcome the fact that, subject to Four Power rights and responsibilities, the results of CSCE apply to Berlin, as they do throughout Europe.

Military stability in Europe has kept the peace. While maintaining that stability, it is now time to reduce substantially the high levels of military forces on both sides. Negotiations now underway in Vienna on mutual and balanced force reductions so far have not produced the results for which I had hoped.

The United States stands ready to demonstrate flexibility in moving these negotiations forward, if others will do the same. An agreement that enhances mutual security is feasible—and essential.

The United States also intends to pursue vigorously a further agreement on strategic arms limitations with the Soviet Union. This remains a priority of American policy.

General Secretary Brezhnev and I agreed last November in Vladivostok on the essentials of a new accord limiting strategic offensive weapons for the next ten years. We are moving forward in our bilateral discussions here in Helsinki.

The world faces an unprecedented danger in the spread of nuclear weapons technology. The nations of Europe share a great responsibility for an international solution to this problem. The benefits of peaceful nuclear energy are becoming more and more important. We must find ways to spread these benefits while safeguarding the world against the menace of weapons proliferation.

To the other nations of Europe represented at this Conference: We value the work you have done here to help bring all of Europe together. Your right to live in peace and independence is one of the major goals of our effort. Your continuing contribution will be indispensable.

To those nations not participating and to all the peoples of the world: The solemn obligation undertaken in these documents to promote fundamental rights, economic and social progress and well-being, applies ultimately to all peoples.

Can we truly speak of peace and security without addressing the spread of nuclear weapons in the world, or the creation of more sophisticated forms of warfare? Can peace be divisible between areas of tranquility and regions of conflict?

Can Europe truly flourish if we do not all address ourselves to the evil of hunger in countries less fortunate than we; to the new dimensions of economic and energy issues that underlie our own progress; to the dialogue between producers and consumers, between exporters and importers, between industrial countries and less developed ones; and can there be stability and progress in the absence of justice and fundamental freedoms?

Our people want a better future. Their expectations have been raised by the very real steps that have already been taken—in arms control, political negotiations and expansion of contacts and economic relations. Our presence here offers them further hope. We must not let them down.

If the Soviet Union and the United States can reach agreement so that our astronauts can fit together the most intricate scientific equipment, work together and shake hands 137 miles out in space, we as statesmen have an obligation to do as well on earth.

History will judge this Conference not by what we say here today, but what we do tomorrow; not by the promises we make, but by the promises we keep.

Thank you very much, Mr. Chairman.

DISTRICT OF COLUMBIA REVENUE ACT OF 1975

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DIGGS. Mr. Speaker, the Council of the District of Columbia recently adopted and the Mayor signed, the Revenue Act of 1975, Council Act 1–34. Title VI of that legislation is set out in full below because of the interest in section 605, repealing the 1947 exemption of professional businesses from the unincorporated business tax.

A member of the House has introduced House Concurrent Resolution 370 disapproving Council Act 1–34. Under section 602(c)(1) of the D.C. Home Rule Act, Public Law 93–198, a council act takes effect unless within 30 legislative days of the Congress both Houses adopt a concurrent resolution disapproving the council act. If Congress follows the announced recess schedule, the 30 legislative days would end about October 28, 1975.

House Concurrent Resolution has been referred to the Subcommittee on Fiscal Affairs of the House District Committee. Subcommittee chairman is the gentleman from Kentucky (Mr. MAZZOLI).

TITLE VI—AMENDMENTS TO DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

SEC. 601. The District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1501 et seq.) is amended as follows:

(1) Paragraph (u) of section 4 of title I of such Act (D.C. Code, sec. 47–1551c(u)) is amended to read as follows:

"(u) The term 'dependent' means a dependent as defined in section 152 of the Internal Revenue Code of 1954."

(2) The last sentence of paragraph (v) of section 4 of title I of such Act (D.C. Code, sec. 47–1551c(v)) is amended to read as follows:

"The term 'head of a family' means an individual who is single, or if married, separated from husband or wife."

(3) The commencing phrase in section 1 of title II of such Act (D.C. Code, sec. 47–1554) is amended to read as follows:

"The following organization shall be exempt from taxation under this article, except to the extent that such organizations have unrelated business taxable income subject to tax under sections 511 of the Internal Revenue Code of 1954, in which event such organizations shall be subject to tax under this article on said unrelated business taxable income."

(4) Subsection (b) of section 2 of title III of such Act (D.C. Code, sec. 47–1557a) is amended by adding at the end thereof the following new paragraph:

"(18) UNEMPLOYMENT COMPENSATION—Payments received by an individual from the District of Columbia Unemployment Compensation Board or a similar State agency for those periods during which he is unemployed."

(5) Paragraph (16) (entitled "Real Estate Investments Trusts.") of section 6(a) of title III of such Act (D.C. Code, sec. 47–1557b(a)(16)), is renumbered as paragraph (17).

(6) Subsection (a) of section 3 of title III of such Act (D.C. Code, sec. 47–1557b (a)) is amended by adding at the end thereof a new paragraph as follows:

"(18) Household and Dependent Care Services.—To the same extent that such amount is deductible under section 214 of the Internal Revenue Code of 1954, any amount expended by an individual for household and dependent care services necessary for gainful employment: *Provided, however,* That the requirement of section 214 of the Internal Revenue Code of 1954 that married couples must file a single return jointly, shall not be applicable."

(7) Paragraphs (a) and (b) of section 2 of Title V of such Act (D.C. Code, secs. 47–1564a(a) and 47–1564a(b)) are amended to read as follows:

"(a) Residents and Nonresidents.—Every nonresident of the District receiving income subject to tax under this article and every resident of the District, except fiduciaries, when—

"(1) his gross income for the taxable year, if single, or if married and not living with husband or wife, exceeds the personal exemptions authorized for the taxpayer as of July 1, 1975, by subsection (b) of section 151 of the Internal Revenue Code of 1954; or

"(2) his gross income for the taxable year, if married and living with husband or wife, exceeds the combined amount of the personal exemptions authorized for the taxpayer and the spouse of the taxpayer as of July 1, 1975, by subsection (b) of section 151 of the Internal Revenue Code of 1954; or

"(3) his gross sales or gross receipts from any trade or business other than an unincorporated business subject to tax under title VIII of this article, exceeds $5,000, regardless of the amount of his gross income; or

"(4) the combined gross income for the taxable year of a husband and wife living together exceeds the combined amount of the personal exemptions authorized as of July 1, 1975, for the taxpayer and the spouse of the taxpayer by subsection (b) of section 151 of the Internal Revenue Code of 1954, or the combined gross sales or gross receipts from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, exceeds $5,000, regardless of the amount of their gross income.

"(b) Fiduciaries.—Every fiduciary (except a receiver appointed by authority of law in possession of only part of the property of an individual) for—

"(1) every individual if single, or if married and not living with husband or wife, for whom he acts having a gross income for the taxable year in excess of the amount of his personal exemption as authorized for the taxpayer as of July 1, 1975, by subsection (b) of section 151 of the Internal Revenue Code of 1954;

"(2) every individual, if married and living with husband or wife, for whom he acts having a gross income for the taxable year in excess of their personal exemptions as authorized for the taxpayer as of July 1, 1975, by subsection (b) of section 151 of the Internal Revenue Code of 1954;

"(3) every estate for which he acts, the gross income of which for the taxable year is in excess of its personal exemption, which is equivalent to the personal exemption authorized for an individual as of July 1, 1975, by subsection (b) of section 151 of the Internal Revenue Code of 1954; or

"(4) every trust for which he acts, the gross income of which for the taxable year is $100 or over."

(8) Section 2 of title VI of such Act (D.C. Code, sec. 47–1567a) is amended to read as follows:

"Sec. 2. Personal exemptions.—(a) (1) There shall be allowed to residents the same deductions for personal exemptions as are allowed as of July 1, 1975, under section 151 of the Internal Revenue Code of 1954.

"(2) A taxpayer who qualifies as head of a family shall be allowed a personal exemption in an amount which is twice the amount allowed the taxpayers as of July 1, 1975, by subsection (b) of section 151 of the Internal Revenue Code of 1954.

"(b) In the case of a return made for a fractional part of a taxable year, the personal exemptions shall be reduced to amounts which bear the same ratio to the full exemptions provided as the number of months in the period for which the return is made bears to twelve months."

(9) Subsection 4(b) of title VI of such Act (D.C. Code, sec 47–1567(b)(1)) is amended to read as follows:

"(1) In applying such table the taxpayer's marital status on the last day of the taxable year shall control."

(10) Section 6 of Title VI of such Act (D.C. Code, sec. 47–1567e) is repealed.

Sec. 602. The Mayor of the District of Columbia shall, within six months after the effective date of this section, submit to the Finance and Revenue Committee of the Council of the District of Columbia and to the District of Columbia Auditor, a report which shall analyze the total impact of all District of Columbia taxes and user charges. This report shall set forth all information which the Mayor deems useful to a full understanding of the impact of the tax structure. It shall specifically set forth the impact and revenue of all taxes, as a sum, on individual residents grouped by income class and family status (including unmarried, married, single parent, retired, and such other classifications as are appropriate). The same analysis shall be given for each separate tax on individuals. Such analysis shall include consideration of business taxes and charges likely to be passed on to consumers. The report shall also set forth the impact and revenue of each tax on commercial and professional activity, and on businesses grouped by type and size of business activity. In addition to the impact and revenue analysis, the report shall set forth the distribution of returns for each tax grouped by quartile of revenue starting from the quartile containing the fewest returns. An estimate of the revenue effect and collection expense should be given for changes in major exemptions and deductions.

Sec. 603. Section 2 of Title VII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1571a) is hereby amended to read as follows:

"Sec. 2. For the privilege of carrying on or engaging in any trade or business within the District and of receiving income from sources within the District, there is hereby levied for one taxable year beginning on and after January 1, 1975, a tax at the rate of 12 per centum upon the taxable income of every corporation, whether domestic or foreign (except those expressly exempt under section 47–1554). The minimum tax payable shall be $25.00. For the taxable years beginning on and after January, 1976, there is hereby levied a tax at the rate of 9 per centum upon the taxable income of every corporation, whether domestic or foreign (except those expressly exempt under section 47–1554). The minimum tax payable shall be $25.00."

Sec. 604. Section 3 of Title VIII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1574b) is hereby amended as follows:

"Sec. 3. For the privilege of carrying on or engaging in any trade or business within the District and of receiving income from sources within the District, there is hereby levied for one taxable year beginning on and after January 1, 1975, a tax at the rate of 12 per centum upon the taxable income of every unincorporated business, whether domestic or foreign (except those expressly under section 47–1554). The minimum tax payable shall be $25.000. For the taxable years beginning on and after January 1, 1976, there is hereby levied a tax at the rate of 9 per centum upon the taxable income of every unincorporated business, whether domestic or foreign (except those expressly exempt under section 47–1554). The minimum tax payable shall be $25.00."

Sec. 605. Section 1 of Title VIII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1574) is hereby amended by striking the following sentence:

"The words 'unincorporated business' do not include any trade or business which by law, customs or ethics cannot be incorporated, any trade, business, or profession which can be incorporated only under the District of Columbia Professional Corporation Act, or any trade or business in which more than 80 per centum of the gross income is derived from the personal services actually rendered by the individual or members of the partnership or other entity in the conducting or carrying on of any trade or business and in which capital is not a material income-producing factor."

Sec. 606. Sections 2, 4 and 5 of Title XIII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1589a, c and d) are amended by striking the words "one-half of 1 per centum" whereever they appear and inserting in lieu thereof the words "three-fourths of 1 per centum."

Sec. 607. Subsections "(b)", "(c)" and "(d)" or section 1 of Title XIII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1589(b), (c), and (d)), are amended by redesignating said subsections as "(c)", "(d)", and "(e)" respectively, and as redesignated by striking from subsection "(d)" the figure "6" and inserting in lieu thereof the figure "9", and by inserting the following new subsection:

"(b) Failure To Pay. In the case of any failure to pay the amount of tax required by titles VII and VIII of this article within the time prescribed by law or prescribed by the Mayor or Council in pursuance of law, 5 per centum of the tax shall be added to the tax for each month or fraction thereof that such failure continues, not to exceed 25 per centum in the aggregate except that when the tax is paid after such time and it is shown that the failure to pay was due to reasonable cause and not due to wilful neglect, no such addition shall be made to the tax."

Sec. 608. Section 14 of Title XII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–15861–1) is amended by striking the figure "6" whereever it appears therein and inserting in lieu thereof the figure "9".

Sec. 609. Section 4(h)(2) of Title I of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1551c(h)(2)) is hereby repealed in its entirety.

RESULTS OF QUESTIONNAIRE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CONTE. Mr. Speaker, my constituents in the First District of Massachusetts have responded with their usual enthusiasm this year to my annual questionnaire. A total of 14,000 responses were received by my office to a poll probing opinions on a variety of issues from social security to energy. At this time, I would like to share with my colleagues the results of this questionnaire:

Conte Constituent Questionnaire

1. Are you in favor of using Federal Funds to help finance?

Presidential campaigns—yes, 44 percent; no, 53 percent.

Campaigns for the House of Representatives and the Senate—yes, 37 percent; no, 56 percent.

2. The term of a U.S. Representative is now 2 years with no limit on reelection.. Do you think the term of office (pick one)?

A. Should continue to be for 2 years—yes, 40 percent.

B. Should be extended to 4 years—yes, 38 percent.

C. Should be extended to 6 years, identical to the terms Senators serve—yes, 15 percent.

3. Do you approve of Congressmen and Senators voting by proxy in committee meetings? Yes, 15 percent; no, 79 percent.

4. The State and Local Fiscal Assistance Act of 1972 provides funds for State and most local governments—often called revenue sharing funds. Generally, the State and local governments themselves decide what to spend these moneys for.

Do you think revenue sharing benefits your community? Yes, 71 percent; no, 21 percent.

5. The present revenue sharing legislation will remain in operation through calendar year 1976. Do you feel that the general revenue sharing programs should be extended? Yes, 71 percent, no 22 percent.

6. With regard to proposals for a national health insurance program, do you believe (pick one):

A. Congress should give top priority to the enactment of a comprehensive program for all—Yes, 49 percent.

B. Congress should put this issue aside until the economy stabilizes—Yes, 28 percent.

C. Congress should enact an interim measure to provide health care for the poor—Yes, 17 percent.

7. Do you believe that a special tax should be imposed on the purchase or lease of automobiles with large gas consuming engines? Yes, 48 percent; no, 49 percent.

8. Do you believe that a rebate should be made available to purchasers of cars that obtain high gas mileage? Yes, 36 percent; no, 60 percent.

9. Would you be in favor of offshore drilling for oil if environmental safeguards are provided? Yes, 87 percent; no 10 percent.

10. Would you favor building refineries in New England if environmental safeguards could be provided? Yes, 89 percent; no, 8 percent.

11. At present, the limit on "earned" income for social security recipients is $2,520. Should this amount be raised? Yes, 77 percent; no, 19 percent.

12. Should social security annuities be reduced when beneficiaries also receive other pensions such as Veterans or RRR? Yes, 23 percent; no, 74 percent.

13. Regardless of marital status, should all social security beneficiaries receive equal annuities? Yes, 70 percent; no, 25 percent.

VOTER REGISTRATION BY MAIL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. RANGEL. Mr. Speaker, in a country committed to democracy, it is a tragedy that voter participation should remain at a consistently low level. In each of our last three elections, less than two-thirds of those citizens eligible to vote have exercised this right. We must take strong steps to guarantee that this most basic right is actually made available to everyone. Only through such action can we truly claim to uphold the ideals of democracy.

I have introduced legislation which would provide for a massive post card registration drive. These post card forms would be available wherever people are likely to gather, and would be printed in foreign languages, as well as in English.

I call to the attention of my fellow Members a recent statement by the Honorable Percy Sutton, borough president of Manhattan, on the issue of voter registration.

COMMENTARY ON VOTER REGISTRATION BY MAIL

(By Percy E. Sutton)

Of all the nations with democratic systems of government, the United States of America has one of the very lowest levels of voter participation in elections.

In the 1968 Presidential election, only 60.1 percent of the voting population went to the polls.

In the 1972 election, only 54.5 percent of the total voting age population actually voted.

President Richard Nixon won reelection in 1972 by the largest landslide in our nation's history. Yet, the 47 million people who voted for Mr. Nixon represented only one-third of the potential voting age population.

One of the major causes of low voter participation is the outmoded and complicated system of voter registration, a system which, in many areas, very much resembles an obstacle course.

In order to make it easier for people to register to vote, the State of New Jersey, last year, passed a law to establish voter registration by mail.

This year, the New York State legislature passed and Governor Carey signed into law, a bill to allow voter registration by mail in New York State.

To make voter registration, by mail, as simple as is possible, postcard registration forms should be made available in schools, libraries, and other public facilities, as well as in supermarkets, shopping centers and other public gathering places.

Forms should also be published in newspapers and magazines.

These voter registration forms should be simple, clear and easy to complete, with special forms printed in languages other than English.

In 1957, when Lyndon Johnson, then Majority Leader of the United States Senate, said that, "the right to vote is the basic right without which all others are meaningless . . . it gives people—people, as individuals, control over their own destinies."

I suggest to you that in a democratic society, no right is more fundamental than the right of every citizen to vote. The exercise of this right must be made as simple and easy as possible.

PRO ISRAEL RESOLUTION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BIAGGI. Mr. Speaker, I have today joined with the distinguished majority leader, Mr. O'NEILL, in cosponsoring a resolution expressing the disapproval of the House of the efforts by some Third World nations, to expel Israel from the United Nations.

In all candor, I have signed this resolution primarily to avoid a long and fruitless battle with House Resolution 615, which is a much stronger resolution that I introduced last week. My foremost concern now is to convince the House to join with the Senate in officially denouncing this dangerous plan before it is acted upon by the United Nations.

The O'Neill resolution is considerably weaker than mine since it excludes much of the language contained in House Resolution 615, which calls on the United States to review all present commitments with those Third World nations that would be responsible if Israel were, indeed, expelled. I consider this a sizable omission for it fails to recognize the real enemy in this situation; namely, these so-called, nonalined Third World nations. For far too long, these nations have been harboring false delusions of grandeur using their highly politicalized and unstable views to gain world attention. This, combined with their being courted by the major powers, has made them like spoiled children, expecting everything they do to be accepted.

Their contemplated action of expelling Israel, is going a step too far. The consequences of this action would be grave, not only for Israel's future as a nation, but also for the cause of world peace, which would be severely damaged by new turbulence in the Middle East. In addition, expelling Israel would throw the United Nations into further disrepute among the American people and the world, as her ability to deal impartially in world affairs would be in serious doubt.

For these reasons, I consider it imperative that the House move to the forefront in opposing any effort made to expel Israel from the United Nations. Our support will demonstrate definitively to the people of Israel our continued solidarity with them, as they weather what is perhaps the strongest threat yet, to her sovereignty as a nation.

S. 1849 AND HOUSE CONCURRENT RESOLUTION 198

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FLORIO. Mr. Speaker, yesterday, July 31, 1975 I was attending to very crucial business in my home district. One of the counties back home, Gloucester County, was severely stricken by the recent torrential downpours, causing millions of dollars in crop and property damage. I was in this area trying to coordinate efforts to ease the plight of my constituents who were victimized by this disaster. Due to this fact I was unable to be present to vote on rollcall Nos. 466 and 467, the Emergency Petroleum Allocation Extension Act and the continued financial support of the military commissaries, respectively. Though I was paired on these measures, I would like to clarify my position.

S. 1849 Emergency Petroleum Allocation Extension Act, Mr. Speaker, I believe that the only rational approach to this matter would be to support this measure until the Congress has implemented its energy initiatives and determined their workability. Had I been present I would have voted in the affirmative for S. 1849.

House Concurrent Resolution 198 continued financial support for military commissaries—the administration recommended that the financial support for the commissaries be eliminated from the defense budget, and that they become self sufficient. I would have voted "yea" to such support until an appropriate restructuring of the methods of financing are achieved which would assure the continuation of benefits to retired personnel. Recent military pay increases may justify a revision of this support for those personnel on active duty. However, for those who are retired, I support this measure to insure that they are not burdened at this time with an unnecessary hardship.

DEFICIENCIES IN THE FOOD STAMP PROGRAM

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mrs. SULLIVAN. Mr. Speaker, as you well remember, and as all of the Members of this body who served between 1953 and 1965 will also recall, the food stamp program now providing assistance to millions of low-income Americans came into existence as a result of legislation I introduced in 1954 and pushed through to passage as a short-term experimental measure in 1959 and then as a nationwide program authorized in 1964. I had lots of help from many, many Members of Congress—particularly the late Congressman Harold Cooley of North Carolina, then chairman of the House Agriculture Committee.

But many others also helped, and I hesitate to list names for fear of leaving out some very significant ones. But just to list some: Senator HUMPHREY, Senator SYMINGTON, the late Senator Kerr, nearly all of the Pennsylvania, West Virginia, and Ohio delegations in the House, former Congresswomen Edna Kelly, Edith Green and Martha Griffiths, former Speaker McCormack, who played an extremely crucial role, and you, Mr. Speaker. The late President John F. Kennedy co-sponsored and supported such legislation as a Senator. When he became President, I appealed to him to put the food stamp program into effect, and he did so early in 1961, in his first year in office, as a pilot program in eight areas of very high unemployment.

As a result of the food stamp program's extremely successful operation in those original 8 areas, and in 35 others to which is was expanded by 1963, including the city of St. Louis, the Johnson administration called in 1964 for its expansion throughout the Nation, and I was privileged to introduce the administration bill even though I did not serve on the committee which had jurisdiction over it.

All of us who served in Congress in 1964 remember the incredible circumstances under which that bill had to be fought through to enactment—over the almost solid opposition of the minority party, some of the farm organizations—not including the Farmers Union—the milk lobby, and general opposition from a great many Democrats from farm areas.

But there happened to be a wheat-cotton bill pending at the same time which was extremely important to all the Members from rural areas. The votes of urban Democrats were going to be needed to pass it. The food stamp bill was considered first. It was late on a Thursday, and when passage of the food stamp bill was delayed by a parliamentary maneuver no longer provided for in our rules—a demand for an engrossed copy of the bill before the final vote—Speaker McCormack recessed the House for about 3 hours until an engrossed copy was provided by the Government Printing Office. Only after the food stamp bill passed was the wheat-cotton bill then brought up and passed. This was only one of many cliffhanger experiences in getting the food stamp program enacted.

PUBLIC CONCERN OVER PROGRAM FAULTS

I am deeply proud of the good this legislation has accomplished in doing what I set out to do when I introduced the first bill in 1954—that was, to "outlaw hunger in the United States." But in 1970 the Congress passed legislation, which I opposed, attempting to use this program to solve just about all of our poverty and social ills in this country. Abuses under the program have multiplied, until now there is widespread public concern and even outrage over some of the excesses committed under it in the name of feeding the hungry.

Some of the criticism is clearly justified; some is not. I submit, Mr. Speaker, a recent letter to the editor of the St. Louis Globe-Democrat from a citizen attacking the food stamp program and my part in it, and the response I have sent to the newspaper commenting on that letter. I think the Members will find both of interest.

The material referred to follows:

[From the St. Louis Globe-Democrat, July 23, 1975]

REFORM FOOD STAMPS

I read Ronald Reagan's column "Food stamps program growing fat, sloppy."

Ten years ago, Rep. Leonor Sullivan was the one who had so much compassion for the needy that she created the food stamp program.

The first year, 1965, there were fewer than half a million food stamp recipients. The program, according to Gov. Reagan, cost $36 million that year.

"That first year, one in every 439 Americans was a food stamp recipient. Today, it's one in 13—or 52.8 million persons are technically eligible."

Now, college students who come from wealthy families, runaways who live in communes, women who wear mink and drive to the grocery store in Cadillacs, are eligible for food stamps. The bill to Mr. and Mrs. Taxpayer is $5.2 billion per year!

We are aware Mrs. Sullivan used this brainchild 10 years ago in order to get votes. We do not blame her—only we would like her to help undo what she conceived and forced upon us ten years ago. Turn compassion to the needy taxpayer of this country. Vote for the Food Stamp Reform Act of 1975.

MAE KUENNEKE.

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 28, 1975.

The EDITOR,
The St. Louis Globe-Democrat,
St. Louis, Mo.

DEAR SIR: In her letter to the Globe-Democrat "Mail Bag" which appeared on July 23, Mrs. Mae Kuenneke called upon me to "undo" what I had done in enacting the Food Stamp program into law, citing the tremendous increases in the cost of the program in the 11 years since the passage of the Food Stamp Act of 1964. In one part of her letter, Mrs. Kuenneke attributes my 10-year battle for the enactment of the program to "compassion for the needy", but elsewhere in the same letter she says it was done merely "in order to get votes." Perhaps it might be of interest to Globe-Democrat readers for me to review how the program came into being.

As the editors of the Globe-Democrat will recall—because the Globe-Democrat editorially supported my efforts all through the 10 years it took to enact the program—we were spending billion of dollars to buy up surplus food in this country, processing it at government expense into dried beans, powdered milk, powered eggs, flour, cheese, lard, corn meal, butter, etc., and then paying the costs of shipping it abroad to give it away to feed the needy of other nations. Beginning in the 1954 recession, we started giving some of it away in this country, too. The surplus food giveaways were totally inadequate as a diet for hungry Americans but millions of Americans were attempting to subsist on the monthly distributions. And meanwhile, we were spending $1 billion a year just to store our farm surpluses.

The Eisenhower Administration refused to institute a Food Stamp program after I first succeeded in having the program initially authorized by law in 1959, but two years later, President John F. Kennedy, at my urging, put it into effect on a trial basis in eight of the highest unemployment areas of the country. By 1963, the pilot program had been expanded to 43 areas, including the City of St. Louis. The contrast between the Food Stamp plan in the City of St. Louis and the surplus distribution plan in operation in St. Louis County was so striking as to prove beyond any doubt the advantages of having poor families obtain their food in the grocery stores with stamps purchased with the money they would normally spend for food out of their limited incomes.

The income and asset limitations were strict and the subsidy per family was modest, but it made the difference between not having enough to eat and a decent minimum diet. Instead of dried and powdered surplus food, eligible families were able to buy fresh milk, fresh eggs, fresh fruit, fresh produce, and other essential nutrients.

In 1964, with the full support of the Johnson Administration, my bill to establish a nationwide program, modeled on the successful pilot programs in the City of St. Louis and in 42 other areas, was enacted into law. Naturally, the costs of the program steadily increased thereafter, as more and more cities and counties transferred from the unsatisfactory surplus food giveaway program (in which eligibility standards were lax and generally ignored) to the rigidly regulated Food Stamp program. On the other hand, the more fresh food eaten by low-income Americans, the less surplus food had to be bought up, processed and stored for foreign and domestic giveaways.

In 1969, the advantages of the Food Stamp program were so evident that many idealistic people saw in it the machinery to try to solve all of the social and economic ills of poor

Americans. And in 1970, over my objections, Congress passed a series of amendments which opened up the program to tremendous abuse. One of the most serious changes was to require uniform eligibility standards in every part of the country, without regard to regional differences in living costs. Hence, in order to cover the provably needy in highly industrialized urban areas like New York and Chicago and Los Angeles, the eligibility standards had to be set high enough so that they probably have made most of the people of many counties of Mississippi and South Carolina and other rural areas eligibile for the program. I understand that at least half and perhaps as many as 71% of the people of Puerto Rico may actually be eligible for the scheduled start of the Food Stamp program in that area.

As I warned the House on December 16, 1970, when we were debating the vast expansion of eligibility standards: "Once you load this program down with so much social significance that it is supposed to meet and solve all of our poverty problems in this country—and that is what some idealistic people want to do—this program is going to die from lack of public support from the middle income families which pay their own way, and most of the taxes, for the farmer subsidies and the food stamp subsidies as well. You cannot expect a food assistance program to assure better diets for the very poor than can be afforded and enjoyed by those who buy all of their own food, and pay for the subsidies, too."

In addition to setting uniform eligibility standards, the 1970 amendments for the first time permitted families eligible for the program to participate only partially in the program; that is, instead of having to spend their entire food budget to buy sufficient food stamps to assure an adequate diet, they were allowed to buy a pro-rated share of stamps for less than their entire food budgets, and use for other purposes some of the money they would normally spend for food. This, in my opinion, undermined the whole purpose of having a program intended to enable poor people to feed their children properly.

The costs have soared largely because all of the geographic areas throughout the nation are now included in the program, and the 1973–75 recession has added millions of additional persons to the rolls. But they have also soared because of the excessively high income ceilings in states with very low median incomes, and also because of the widespread cheating and abuses which the states, in administering the program, have generally tolerated.

I voted against the 1970 amendments and in the succeeding 92nd and 93rd Congresses, unsuccessfully tried to repeal them. The House Agriculture Committee has recently approved amendments which would enable people to get certified more quickly—a necessary step—while at the same time calling for prosecution for false self-certification. It has always been against the law to obtain food stamps under false claims, but the U.S. Attorneys throughout the country have been anything but vigorous in enforcing the law against cheaters. And when prosecutions are successfully undertaken, the judges are frequently reluctant to hand out appropriate sentences. All of these factors are leading to reduced public support for the program.

Seeing how much good the program has done for millions of needy families which deserve the chance to feed their children properly, I have no regrets over the 10-year battle I waged to get the program started. But I hate to see a good program run into the ground by lax enforcement, and unrealistic standards of eligibility.

Like welfare, this program involves the expenditures of huge amounts of tax funds to meet clear and often desperate family needs. But everyone who abuses such a program and is allowed to get away with it is helping to destroy it for those who truly need its help.

We can afford to provide nutritious diets for every family, no matter how poor. But we cannot afford to supplement the food purchasing power of families which do not belong in the program and which use the food stamp program as a means of enabling them to spend part of their food budget for other purposes. The state agencies which administer the program must crack down hard on ineligible applicants and the Department of Justice must vigorously go after food stamp cheaters who are literally stealing from the taxpayers of this country. And Congress should change the law to set standards of eligibility commensurate with need, rather than on a nationwide basis applying equally to residents of New York City and a rural county of Mississippi, where living costs are much lower.

Sincerely yours,
LEONOR K. (Mrs. JOHN B.) SULLIVAN,
Member of Congress,
Third District, Missouri.

THE CONGRESSIONAL COUP IN FOREIGN AFFAIRS

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BROOMFIELD. Mr. Speaker, earlier this morning I expressed my profound disappointment at the inability or unwillingness of the House to act today on the question of the Turkish arms embargo. I continue to be dismayed at the fact that one man can stand in the way of our taking action on an issue important to our national security, that politics and parliamentary devices have become part of our foreign policy.

I offer these additional comments today not out of a sense of bitterness over battles lost last week or last night. Rather, I address the House in the hope that my colleagues will be prompted to think deeply about the rapidly emerging congressional role in foreign affairs and to determine how we can best exercise this influence responsibly and in the national interest.

The Turkish arms embargo was but a skirmish in the changing power relationship between Congress and the administration, a situation in which Congress is destined to become an increasingly important factor in the conduct of our foreign affairs. How shall we use this power?

We shall soon be called upon to pass judgment on a renegotiated Panama Canal treaty; we will have the last word on the size of the air defense system this country sells to Jordan; there will be opportunities to assess our standing in the United Nations and perhaps to take action that will either promote or destabilize the prospects for détente with the Soviet Union. These are merely the predictable items on our agenda; there will be others that will find their way to us through the inevitable interaction of forces we can neither foresee nor control.

We deal with the difficult questions of foreign affairs, issues on which a compelling argument can be made for or against. Most of our influence to date has been negative. We say to the administration, "You shall not ship arms to Turkey at the present time; you shall not grant MFN treatment to the Soviet Union until certain requirements are met; you shall not sell an air defense system, of the magnitude proposed, to the Government of Jordan."

But there is ample latitude for a positive, creative congressional role in foreign affairs. We have a real opportunity to help formulate the policy of this Nation on coming international issues of vast significance: our attitude toward the emerging Third World, our policy on trade and commodities, future uses of ocean and space resources, the formation of a coherent food aid and energy policy are but some of the inevitable international issues of the eighties. Congress can—and should—play an important part in shaping our policy on each of these questions.

It remains to be seen whether our recent initiative, particularly in regard to Turkish arms embargo and the Jackson-Vanik amendment, will work to the advantage of our own national interests and serve the interests of those we seek to protect.

But there can be no doubt on two points: Congress has asserted, for better or worse, a degree of influence over the conduct of our foreign policy unprecedented since the post World War I era. With this additional power comes additional responsibility: an awesome, compelling requirement that we do what is right, not what is politic.

I have no inclination to deliver a learned discourse on the proper role of Congress in the conduct of our diplomacy. We can all agree, however, that Congress has an accepted oversight role in this field which, for most of the past decade, has been usurped by several Administrations. Today, with executive authority eroded by Vietnam and Watergate, with an Administration pledged to work with Congress, and with a Congress overwhelmingly controlled by the opposition, our role in foreign policy process has been vastly increased. One could make a strong argument that we have seen a congressional coup in foreign policy, that Congress has become preeminent on issues of its choosing and is in a position to dictate to the Administration how our relations with other nations shall be conducted. There is little likelihood that Congress will soon relinquish its new-found prerogatives in foreign affairs.

The obvious, and frequently noted, problem created by this situation is that the United States no longer has a single locus of foreign policy authority. We must negotiate internally before—or after—we negotiate with others. There may well be new restrictions on the use of executive agreements. Congress can, and has foreclosed foreign policy options. There is the ever-present risk that arrangements concluded in good faith and perhaps under considerable pressures with other governments will be abrogated by Congress for its own, possibly parochial, reasons. Some would argue that this is a good thing, the way it was intended to be. Others would suggest that it places American diplomacy at a serious disadvantage.

More disturbing, however, is that with an increased congressional role in foreign affairs, politics has inevitably become an ingredient in our diplomacy. All of us in this Chamber are political animals, Republicans or Democrats. We must stand for election every 2 years; we vie for control of the White House; as elected representatives of the people, we are understandably susceptible to pressure from back home. Despite our protestations, we know well the meaning of ethnic politics. However, we do not necessarily know all the complex, interlocking considerations that have gone into a foreign policy decision.

I would hope and assume that pressures or partisan political considerations do not play a determining role when we are called upon to judge issues important to our national security. But it is a fact that we are more vulnerable to these considerations that those who have traditionally been charged with the day-to-day conduct of our foreign affairs. The situation is particularly cumbersome when the White House is controlled by one party and Congress by another, when there is an adversary relationship between Capitol Hill and Pennsylvania Avenue.

It is questionable indeed whether 184 Democrats would have voted against relaxing the arms embargo to Turkey—or for that matter that 103 Republicans would have voted in favor—if the proposal had emanated from a Democratic White House. An additional complication is that the administration and its spokesmen have increasing difficulty in "consulting" with a Congress where power is diffused, where 435 legislators are determined to have their say in formulating our foreign policy. With whom does the administration consult? The leadership, committee chairmen, and key Members are no longer sufficient.

In addressing its future role in the conduct of foreign relations, Congress must resolve a critical question: Are we prepared to acknowledge that the primary responsibility for foreign affairs is vested in the executive branch? If so, let us act accordingly and choose our issues carefully. We cannot conduct foreign policy by referendum. Let us respond, honestly and openly, to the problems inherent in the conduct of diplomacy, recognize there are no easy answers to difficult questions, and be aware of the pitfalls of a fragmented, contradictory foreign policy.

If we are not prepared to acknowledge executive preeminence in foreign affairs, if we seize on the path of confrontation, perhaps we would be well advised to elect from our number a Congressional Secretary of State who can negotiate with his counterpart in the executive branch. For it is clear that the United States can ill afford a situation in which we have a congressional and an executive foreign policy, frequently working at cross purposes to the detriment of our interests abroad.

I hesitate, at this particular time in our history, to stand before the House of Representatives and call for bipartisanship, a concept that has assumed some unfortunate connotations. In the worse sense bipartisanship has come to imply that the opposition in Congress will simply acceed to, or rubberstamp, whatever the administration maintains is in the national interest. It was perhaps this attitude that led inevitably to the dimunition of congressional influence in foreign affairs we are only now redressing.

But I think bipartisanship can mean something else, indeed it must mean something else, if we are to exercise our increased leverage over current and future foreign policy issues with the sense of responsibility so clearly called for. We must define our role and we must stand prepared to account for our actions.

If the foreign policy of the United States is to prosper in the era of the congressional coup, bipartisanship will have to mean a sense of mutual restraint by both the Congress and the President. This and subsequent administrations have no alternative but to give due consideration to congressional sensibilities in the field of foreign affairs. An administration prepared to cross swords with Congress on a foreign policy issue had better be well armed with a very cogent rationale for its decisions. Despite the evidence of the past week, I continue to believe that Congress can be convinced, that we can be backed off opposition to a policy if it can be demonstrated that it is soundly based and in the national interest. But we have served notice that our support cannot be taken for granted.

The bipartisanship of the seventies must be a dialog of the concerned, a sincere effort on the part of Congress and the administration to find areas in which we can work together, to resolve differences before we are forced to debate them on the floor of the House, to seek openly, with courage and good will, a measure of consensus on where this Nation is going and how we want to get there.

I hope my colleagues will give some thought to these considerations. The foreign policy issues we have debated to date are only the harbingers of issues to come. We will be assembled time and again to decide questions involving important American interests, very few of which will be amendable to easy, clearcut solutions.

There will be opportunities to assert ourselves, to score against the administration, and to win some votes back home. But more important, there will be opportunities to serve the interests of global peace and stability to the ultimate benefit of this and other nations. It is an opportunity we dare not neglect.

REVENUE SHARING AND THE FINANCIAL PROBLEMS OF THE TOWNSHIP TRUSTEES IN INDIANA

HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FITHIAN. Mr. Speaker, within the next few months, the Congress will again be discussing the renewal of revenue sharing. In the last 3 months I have had an opportunity to discuss the problems of revenue sharing with the township trustees in Indiana's Second District. During the second state of the district meeting, I met with the elected officials, including mayors, town councilmen, county commissioners, and township trustees, to discuss the upcoming debates in the Congress on revenue sharing.

Mr. James F. Ginther, president of the Indiana Township Trustees Association, recently stated that the revenue sharing program—

> Was never more needed than at present In view of the frozen tax rate in Indiana, the recession, inflation and job lay offs across the State, Revenue Sharing funds are desperately needed now more than at any time in the past.

I greatly appreciate his comments on revenue sharings, as well as the countless number of township trustees who responded to my letter and questionnaire. For the benefit of my colleagues in the House. I would like to print my letter to the township trustees, and Mr. James F. Ginther's very preceptive response. They are reprinted as follows:

> DEAR TOWNSHIP TRUSTEE: I am writing you because I am deeply concerned about the potential cancellation of all revenue sharing funds for township governments and township trustees in Indiana and the Middle West.
>
> A recent Brookings Institution study entitled "Monitoring Revenue Sharing," stated that "small municipal and township units should be eliminated," especially in rural Midwestern and New England areas. The consolidation model is urged by many persons who feel, I believe incorrectly, that township trustees provide only limited services, that their duties are duplicated by other governmental levels, and that government could be more effective if they were eliminated. Of all the states in the Middle West, Indiana would feel the greatest impact if legislation were passed that eliminated revenue sharing funds for township government.
>
> It is my firm belief that the township trustees provide a much needed and useful service to their constituents throughout the State of Indiana. In my conversations with several township trustees, they have stressed their responsibilities for public safety, including fire fighting, ambulance service, health and safety factors, and establishing contracts for waste disposal. Other trustees have stressed their general responsibility for assistance to the poor or the unemployed, which includes providing for the physical and psychological needs of citizens. Still other trustees pointed out their responsibilities necessary and in my judgment should not be eliminated.
>
> It is my understanding that revenue sharing funds provide between 10 and 20 percent of the township trustee's budget. If these funds were withdrawn, advanced planning could possibly be snarled and plans for capital investment upset. By curtailing much needed funds for the trustees, it would handicap their capacity. It is also my understanding that either service would have to be reduced or taxes would have to be increased. I think either choice would be catastrophic.
>
> During the spring of 1975, the question of state and local finances and revenue sharing will come before the Intergovernmental Subcommittee of the Government Operation Committee. At this time, I suspect that proposals will be brought forth to eliminate

revenue sharing for small governmental units such as townships. I have requested time to testify before the committee on these two occasions. But I need your help if I am to adequately represent the interest of local governments in the Second District. I would ask that you take a few moments from your busy schedule to complete the following questionnaire.

I firmly believe that the township trustee is the government closest to the people. The office should neither be eliminated nor stripped of its financial resources. I will work very hard to see that the interests of local governments are represented in Washington. I want to thank you for your cooperation and assistance in this very important matter.

Sincerely,

FLOYD FITHIAN, *Your Congressman.*

JAMES F. GINTHER, TRUSTEE,
Lake County, Ind., June 1, 1957.

Hon. FLOYD J. FITHIAN,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FITHIAN: In response to your letter of May 1, 1975, I was deeply impressed with your knowledge and understanding of the operation and performance of the Township Trustee office in Indiana. I thoroughly agree with every statement in your letter and especially the thought that the Township Trustee system should be strengthened, since it is one of the units of government closest to and most responsive to the people.

At the Advisory Commission on Intergovernmental Relations conference in Washington, D.C. in February, some three hundred and fifty federal, state, and local officials participating were asked to express their opinions concerning intergovernmental relations. The most emphatic opinion stated by almost all the participants, including myself, Democratic and Republican alike, was that it was an absolute necessity to decentralize government. The trend of the 1950's and 1960's, fostered by the federal government, toward consolidation of smaller local governmental units into larger ones, has not resulted in either a more efficient or more economical operation of government. It has, in fact, created more bureaucracies and further removed the governmental process from direct control by our citizens. The participants of that conference strongly urged a reversal in the trend. The message was loud and clear—wherever and whenever possible, strengthen the local units, since they are closer to and more responsive to the needs of the people.

I am enclosing a copy of the questionnaire which I submitted at this conference. It turned out that my thoughts and opinions were shared by almost all the participants, and we were all impressed by the fact that our concerns were so similar, considering the diversity of our backgrounds.

I can understand the Brookings Institute recommendation that the township units be removed from participation in the Revenue Sharing funding. It is consistent with their past preference for the elimination of smaller units of government and the consolidation of as many as possible into larger units. Their thinking is that if a unit of government is operated on a conservative spending basis, if the budget is not increased every year, then something is wrong with that operation in their eyes, and the unit of government should be eliminated.

For your information, at a meeting of the National Association of Towns and Township Officials in Pennsylvania on May 3rd, it was stated that ACIR had testified before the Senate Subcommittee recommending the elimination of small units of government from Revenue Sharing. If this information is correct, I find it very difficult to accept or understand their position. From Chairman Merriam on down, they seem to agree with the conferees that the best way to help this participatory form of government survive, was by strengthening the local units of government. For the ACIR to go totally against the consensus of the conference that they themselves sponsored and adopt a position in opposition to the general will as expressed by the conferees, seems unbelievable to me, if not impossible.

In Indiana, as you know, one of the duties of the Township Trustees is the administration of poor relief. This is a temporary, emergency type of assistance as compared to the services offered by the Department of Public Welfare which handles cases of a more continuing nature. They do not duplicate or overlap their services. If an individual qualifies for Public Welfare, he or she is sent to that office. In Indiana, it can take from three to six months for an individual to be certified as a welfare recipient. If the person is in immediate need, the trustees offices are generally able to certify and give aid that same day. As a general practice, the Welfare Department sends applicants to the Trustees for aid while awaiting certification by the DPW.

During the recent food stamp crises in Lake County when a breakdown in the computerization process left thousands of welfare recipients without food stamps for over four months, the Trustees, without any warning of the impeding crisis, were able to immediately take care of those in need. In addition, the DPW continually assured the Trustees that the crisis would definitely be over "next week" and that therefore, there would be no need for us to hire additional personnel to handle the tremendous increase in our case load. The remarkable thing was that the Trustees offices were flexible enough to handle an increase in case load of up to ten times normal with, in most instances, no increase in personnel. Because of this tremendous, unexpected expenditure of funds to provide assistance to these food stamp recipients during this crisis, many Trustees throughout the state used their entire year's budget by the beginning of March, and this, together with our spiraling inflation, recession, and a high percentage of job layoffs, has left many Trustees operating in the red for the first time in many years. They are now more dependent on Revenue Sharing Funds than at any time since the Revenue Sharing program began, and this situation will undoubtedly worsen over the next year. This certainly is another valid reason why the Township Trustees must continue to participate in the Revenue Sharing program.

The office of Township Trustee in Indiana is designed by state law to be flexible enough to provide whatever services are lacking in their area. If an area has no emergency ambulance service, volunteer fire equipment, recreation program or park facilities, indigent cemeteries, civil defense, job development, drug abuse program, waste disposal system, rapid transit or bus transportation, or whatever the need, the Trustees office was intended to be flexible enough to meet the needs of their particular area. In addition, in most areas of the state, the Township Trustee is the government official closest to the people of his area and therefore more aware of their needs. The wide variety of services initiated by the Township Trustees in Indiana as a result of the Revenue Sharing Act, is ample demonstration of this fact.

As president of the Indiana Township Trustees Association, I would like to tell you how grateful we all are for your interest and concern in this matter. I urge you to continue to do everything possible to see that the Township Trustees are not eliminated from the Revenue Sharing program. The survival of this participatory form of government depends to a great extent, I believe, on the elimination of bureaucracy wherever possible, and the strengthening of the local units of government. If there is anything I can do to help you in this effort, please feel free to call on me.

With deepest appreciate for all your efforts in this common cause, I remain

Very truly yours,

JAMES F. GINTHER,
President, Indiana Township Trustees Association.

SOVIET GUESTS MUST FOLLOW U.S. VALUES

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. WAXMAN. Mr. Speaker, the recent visit of the famed Bolshoi Ballet troupe to Los Angeles resulted in a most unfortunate episode. By sharing the Los Angeles experience with my colleagues, I hope to prevent other American communities from finding themselves unwitting participants in the denial of basic human rights.

When the Bolshoi was scheduled to perform at the Shrine Auditorium in Los Angeles, the Jewish Federation Council's Commission on Soviet Jewry arranged to pay for a full page advertisement in the ballet program. Also, ads were taken out by others calling attention to the availability of Alexandr Solzhenitzyn's book, "The Gulag Archipelago," and the forthcoming appearance of Russian refugee dancers, the Panovs, in San Francisco.

The Jewish Federation Council ad was courteous, sensitive, and tasteful. More than half the page was devoted to the word "Shalom" in Hebrew, and the statement "Welcome to the Bolshoi Ballet." Of course, the ad was intended to convey more than a simple welcome. The text went on to say:

> We find it hard to reconcile the beauty of the ballet with the repression of culture and freedom. Both are products of the U.S.S.R.

The ad further protested Soviet treatment of Jews and, especially, the barriers set up by the Soviet Government to block Jews who wish to emigrate. The ad concluded by urging readers to write or send the advertisement to the Russian Embassy in Washington.

The Jewish Federation Council ad, along with the ad for the Solzhenitzyn book and the Panov recital, were all paid for and printed. On opening night, the programs were distributed with all three ads. On the second night, after pressure had been brought to bear by the ballet's American management, the Hurok Organization, and the officials of the Shrine Auditorium, the pages bearing the ads were torn out. The programs were distributed with the last two pages missing.

I can conceive of no justification for this brutal act of censorship. The ballet program always features paid advertising. The Jewish Federation Council has as much right to advertise as do the chic restaurants and dress shops.

Apparently, Hurok officials and Shrine Auditorium management felt they had a right—perhaps even duty?—to spare the visiting Soviet troupe from anything offensive or embarassing. I believe the right of Americans to freedom of expression is a far more sacred value than a mistaken notion of "courtesy" to visitors.

The protest ad was not discourteous. It went out of its way to pay tribute to the artistic talent of the great Bolshoi and to separate the dancers from their government.

I share the belief of those who took out the protesting ads, as well as those who picketed the ballet, that we must not separate détente from constant awareness of the evils of the Soviet system. It is immoral to enjoy Soviet art or music without maintaining a degree of consciousness of the massive suppression of human rights in the Soviet Union.

As for the Soviet performers and governments, they must realize that our country is organized altogether differently from theirs. They cannot expect the sterile and obedient atmosphere of the U.S.S.R. to accompany them on their visits to free lands. What is creating a public disturbance, disturbing the peace, an act against the state, or treason, in the Soviet Union, may very well be, in the United States, conduct fully protected by the first amendment to the Constitution.

The value of détente will be enhanced, rather than diminished, if visiting Russians come to know that whenever they travel in the West, they will encounter men, women, and even small children, passionately concerned about the fate of Soviet Jewry and the status of human rights within the U.S.S.R.

CONSERVATION AND CAPITAL: TODAY'S CHALLENGES

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the vulnerability of the American economy brought on by continuing depletion of our mineral resource base is a matter of continuing concern for all of us. We are not immune to shortages in any sense of the word. If we are to overcome our susceptibility to them, it is going to require an extensive overhauling of our thinking in regard to economic growth and the establishment of a new ethic by which to counsel our judgments on the health of our economic system.

This need for change in both thought and action has been aptly stated by Peter D. Weisse, vice president of the Cerro Corp. I call to the attention of my colleagues his comments for the American Management Associations, and I urge them to carefully consider the viewpoints presented:

CONSERVATION AND CAPITAL: TODAY'S CHALLENGES

(By Peter D. Weisse)

Between now and the year 2000, managers in America will be faced with the unprecedented challenges of, on one hand, coping with growing scarcities in the supplies of mineral resources and, at the same time, stimulating the growth of new sources of business capital. It is a new era for all of us in the business community—and for the nation as well. Unlike many of the situations we faced in the past, today's are especially critical because mineral shortages and capital depletion are directly related to other, wide-ranging economic problems.

As evidence of the severity of these problems, we have only to consult the massive two-year study recently completed by the National Academy of Sciences on the subject of growing mineral shortages. The study reports that "many nations face the prospect of a series of shocks of varying severity as shortages occur in one material after another, with the first real shortages perhaps only a matter of a few years away."

And as last year's oil and energy crisis dramatized, the United States is not immune from these shortages. By the year 2000—and even before—our industries will have to find substitutes for many increasingly scarce materials, including chromium, gold, platinum, palladium, and tin. And it is unlikely that the U.S. will ever reach the still-theoretical point of self-sufficiency in copper production that has been forecast by some experts. Within the next 10 to 20 years, the world's industrial producers must also begin using substitutes for other diminishing resources like helium, mercury, tungsten, vanadium, silver, and zinc.

The NAS report further warns its readers not to assume that America's vaunted technology will be able to solve most problems of materials shortage, even through substitutes. It urges that the U.S. begin now to emphasize conservation of energy and other resources "to a degree hitherto unparalleled" in our nation's history. I believe the message of the NAS report is clear: We, as managers and consumers, are going to have to get rid of our long-held "disposable" and "throwaway" habits. In place of these old habits, we must assume more responsible and farsighted attitudes if we are to make better use of our limited resources.

At the Cerro Corporation, our $500 million metal manufacturing group has long maintained an established policy of using, whenever possible, recycled copper and zinc that have been recaptured from scrap metal instead of using virgin resources. This policy has proven advantageous for both Cerro and America for the following reasons:

Products made from recycled copper require only about one-eighth the energy required to produce those made from virgin copper.

The recycling of copper and zinc does not add to the current sulphur dioxide pollution problem, whereas the smelting of most mined ores does.

The increasingly scarce natural resources of copper and zinc are preserved; also preserved are the huge amounts of capital required to develop a full-scale mining operation.

Recycling tends to dampen inflationary pressures, because the cost of disposing of throw-away waste is growing *faster* than inflation.

Of course, recycling is only one of many ways an organization can preserve energy and resources. It is up to the management of an organization to decide what methods of conservation are best for its particular needs. Cities, businesses, and other organizations concerned with waste removal might want to give serious consideration to creating a waste recycling program. And the federal government—or any level of government—urgently needs to provide sufficient economic incentives for firms to initiate the required expansion of recycling programs.

Despite recent advances in the recycling field, there is much more that can be done to preserve the precious minerals that we have left. The National Association of Recycling Industries reports that, generally, industry uses only 61 percent of the recoverable copper that is thrown away every day. The figure for recoverable aluminum is only 48 percent; just 42 percent of lead is recycled; and the figure for zinc (which is on the NAS's "disappearing within the next 20 years" list) is only 14 percent.

Another serious problem for management over the next quarter century will be the continuing high rate of inflation and the effects of this inflation on America's capital posture. Caused in large part by escalating government services and record-breaking government budget deficits, inflation is bringing about serious shortages in available capital for industry. Future business expansions face capital shortages, which might mean smaller increases, or even reductions, in industrial production capacity. This development could eventually prove fatal to some major corporations, resulting in higher unemployment and a further erosion of public confidence in business. Since huge amounts of capital are necessary to meet the needs of government debt financing, industrial environmental protection construction, and the continuation of economic growth, there may simply not be enough capital to go around.

As businessmen and Americans, we may have to eventually settle for a lower economic growth rate to make the best possible use of our limited capital and mineral resources. This, in turn, could bring about a substantial restructuring of our priorities and lifestyle in general. The decisions we make today will, to a large extent, determine the quality of life in this country for decades to come.

RECENT ACTS BY THE COUNCIL OF THE DISTRICT OF COLUMBIA

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DIGGS. Mr. Speaker, during July the Council of the District of Columbia transmitted to Congress several pieces of legislation. They are listed below, together with other council acts which did not require transmittal to Congress:

ACTS ADOPTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, AND WHERE NECESSARY, TRANSMITTED TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IN JULY, 1975

Act 1–19. To amend the Air Quality Control Regulations of the District of Columbia relating to the operation of Solid Waste Reduction Center No. 1. Passed by the Council May 13, 1975. Signed by the Mayor June 19, 1975. Bill No. 1–32. Transmitted to Speaker July 2, 1975.

Act 1–20. To repeal the law requiring every male high school student to participate in the cadet corps of the senior high schools in the District of Columbia. Passed by the Council May 13, 1975. Signed by the Mayor June 19, 1975. Bill No. 1–49. Transmitted to Speaker July 2, 1975.

Act 1–21. To repeal the law in the District of Columbia authorizing the District of Columbia Board of Education to accredit junior colleges operating within the District of Columbia. Passed by the Council May 13, 1975. Signed by the Mayor June 19, 1975. Bill No. 1–54. Transmitted to Speaker July 2, 1975.

Act 1–22. To extend the provisions of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, relating to contributions by corporations and labor unions, until the Council of the District of Columbia can hold hearings and issue a public report on the conduct of the 1974 elections in the District of Columbia. Passed by the Council May 27, 1975. Signed by the Mayor June 19, 1975. Bill No. 1-56. Transmitted to Speaker July 2, 1975.

Act 1-23. To define certain terms for all Acts and Resolutions of the Council of the District of Columbia, to provide for an enacting clause for those Acts and Resolutions, and for other purposes. Passed by the Council May 13, 1975. Signed by the Mayor June 19, 1975. Bill No. 1-58. Transmitted to Speaker July 3, 1975.

Act 1-24. 90-day emergency act to amend notice requirement for rent control hearings. Passed by the Council May 27, 1975. Signed by the Mayor June 20, 1975. Bill No. 1-88. Emergency acts do not have to be submitted to the Speaker, but take effect on approval by Mayor.

Act 1-25. 90-day emergency act to extend the dates of the D.C. Postsecondary Education Reorganization Act, including the July 1, 1975 effective date. Passed by the Council June 10, 1975. Signed by the Mayor June 19, 1975. Similar to bill No. 1-75, which was passed as Act 1-18 and submitted to the Speaker on June 17, 1975. Act 1-25 was necessary because Act 1-18 could not be effective until 30 legislative days after transmittal to the Speaker, or about September 5, 1975, if Congress follows its schedule of recesses.

Act 1-26. To amend certain provisions of Title 44 of the District of Columbia Code in order to regulate public conduct on public passenger vehicles. Passed by Council May 27, 1975. Signed by Mayor June 24, 1975. Bill No. 1-17. Transmitted to Speaker July 3, 1975.

Act 1-27. Establishing a D.C. Commission on the Arts and Humanities. Passed by the Council May 27, 1975. Vetoed by the City Administrator on behalf of the Mayor during the Mayor's absence from the city June 24, 1975. Bill No. 1-25. Transmitted to the Speaker by the Chairman of the Council with a letter alleging that the Mayor cannot delegate his power to veto a Council Act and the Mayor is deemed to have approved it, July 28, 1975.

Act 1-28. The Fiscal Year 1976 Budget Act. Passed the Council April 29, 1975. Vetoed in part by the Mayor. Veto overridden in part June 10, 1975. Forwarded to the President for submission to Congress and enactment by Congress as an appropriation bill. President is expected to submit the budget to Congress in September, 1975. Bill No. 1-46.

Act 1-29. Amending D.C. regulations on public assistance payments. Passed by Council May 13, 1975. Signed by the Mayor July 7, 1975. Bill No. 1-66.

Act 1-30. Amending the D.C. Administration Procedure Act to remove the Council from its coverage and to establish a D.C. Municipal Code and D.C. Statutes at Large. Passed by Council June 20, 1975. Signed by the Mayor July 10, 1975. Bill No. 1-1. Transmitted to the Speaker July 23, 1975.

Act 1-31. Establishing a D.C. Boxing and Wrestling Commission. Passed by the Council June 17, 1975. Signed by the Mayor July 11, 1975. Bill No. 1-26. Transmitted to the Speaker July 23, 1975.

Act 1-32—90 Day Emergency Act regarding health of residents of Arthur Capper and Cordoza areas. Adopted by Council June 24, 1975. Vetoed by Mayor July 11, 1975. Passed by Council over veto July 15, 1975. Emergency Acts are effective immediately and not transmitted to the Speaker for 30 legislative day layover.

Act 1-33. Establishing Advisory Neighborhood Commission areas and election procedures. Passed by the Council June 24, 1975. Signed by the Mayor July 22, 1975. Bill No. 1-87. Transmitted to the Speaker July 25, 1975.

Act 1-34. Revenue Act of 1975. Raises taxes in 16 categories. Repeals sales tax on food, drugs, laundry drycleaning and utility bills. Net tax increase $50.9 million. Included is the repeal of the 1947 exemption of professional businesses from the unincorporated business tax. (A Council bill to reduce the impact of that tax has been introduced in the Council as Bill No. 1-169.) Passed by the Council June 24, 1975. Signed by Mayor July 23, 1975. Bill No. 1-47. Transmitted to Speaker July 28, 1975.

BILL INTRODUCED TO REVISE MEDICAL EXPENSE DEDUCTIONS

HON. MARTHA KEYS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Ms. KEYS. Mr. Speaker, I am today introducing a bill to revise the medical expense deduction in a way that would simplify its reporting.

Under present law, the medical expense deduction is complicated by separate and interacting limitations placed upon the basic deduction and two of its components—drugs and medical insurance. The deduction is allowed for the expenses of medical care to the extent that they exceed 3 percent of adjusted gross income. Drugs and medicine may be included but only to the extent that they exceed 1 percent of adjusted gross income. Medical insurance is subject to two additional calculations: First, one-half of medical insurance payments not in excess of $150 may be deducted in full; the balance are able to be included in other medical expenses subject to the 3-percent limitation.

Consequently, figuring the total deduction requires one calculation for drugs and medicine, another for medical insurance, a third for the basic deduction after adding in the drug and medical insurance components, and then an addition for medical insurance payments not subject to the 3-percent floor. This complication produces a form that looks as follows:

Medical and Dental Expenses (not compensated by insurance or otherwise)

1. One half (but not more than $150) of insurance premiums for medical care. (Be sure to include in line 10 below)	$69.00
2. Medicine and drugs	250.00
3. Enter 1% of line 15, Form 1040	179.65
4. Subtract line 3 from line 2. Enter difference (if less than zero, enter zero)	70.35
5. Enter balance of insurance premiums for medical care not entered on line 1	69.00
6. Enter other medical and dental expenses:	
a. Doctors, dentists, nurses, etc	329.00
b. Hospitals	240.35
7. Total (add lines 4, 5, 6a and b)	708.70
8. Enter 3% of line 15, Form 1040	528.95
9. Subtract line 8 from line 7 (if less than zero, enter zero)	169.75
10. Total (add lines 1 and 9). Enter here and on line 35	238.75

To explain the calculations involved takes many lines in "Your Federal Income Tax," an Internal Revenue Service booklet which is supposed to reduce instructions for tax return preparation to their simplest form.

My bill would eliminate most of the complexity by treating drugs and medicine as well as medical insurance just like other medical expenses. The 1 percent floor for drugs and medicine would be eliminated as would the special treatment for a portion of medical insurance payments. Instead, both expenses would simply be added together with other medical care costs. The total would then be deductible to the extent it exceeded 2 percent of adjusted gross income. These calculations would require only three lines on the tax form.

About 40 percent of all taxpayers itemize deductions on their returns. This group files over 25 million returns annually. Medical expenses are an important deduction to them. In fact, taxpayers who itemize deductions will save $2.6 billion because of medical expense deductions during 1976. The value of the deduction is particularly great for lower income families; for those who itemize, medical expenses often reach 10–20 percent of income. The average deduction is about $3,000 in the $15,000 to $20,000 range.

Because of the complexity now involved in calculating the deduction, many people either resort to the less valuable standard deduction or make errors in calculation which cost them money in excess tax payments. My bill will eliminate most of these complications and thereby increase the attractiveness of this important deduction. Additionally, most families will obtain some tax saving from this bill. A family with income of between $15,000 and $20,000, for example, will save about $50.

The Federal Government will lose some additional revenue as a result of these changes. This loss, however, will help those whose earnings have not kept pace with the skyrocketing costs of medical care over the past several years. These costs have risen much faster than the general rate of inflation. The Tax Reduction Act enacted earlier this year helped to ease the burdens of increased taxes and inflation on families who qualify for the standard deduction, but no comparable relief was extended to those who itemize deductions. The people who qualify to itemize because of large medical expenses were particularly hurt since they cannot deduct any expenses which total less than 3 percent of their income, nor any drug and medicine costs which do not exceed 1 percent of income. The tax reductions provided for in my bill will go to these families since they will be able to deduct a greater portion of their drug and other medical expenses.

I hope that my colleagues will support this bill.

JOHN ASTOR CHOSEN "PATRIOT OF THE YEAR"

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DOWNEY of New York. Mr. Speaker, our Nation will be celebrating its 200th birthday next year and much effort and preparation has gone into making 1976 an inspiring expression of national spirit.

John H. Astor, one of my constituents, from Sayville, N.Y., is playing an extremely active and impressive role in this effort. Mr. Astor has recently been chosen as "Patriot of the Year" by the New Spirit of '76 organization in Washington. Not only is Mr. Astor a recipient of this distinguished award but the award itself will now bear his name.

I would like to share with my colleagues an article that appeared in the New York Daily News on July 27, 1975 which will tell of the meritorious achievements of Mr. John H. Astor. It is the participation of men like Mr. Astor that will make our Bicentennial a truly meaningful celebration.

JOHN H. ASTOR CHOSEN "PATRIOT OF THE YEAR"

His sterling performance in Suffolk during the past year has won Coast-to-Coast honors for John H. Astor, of Sayville.

Astor, 82, who has set an enviable Suffolk record in promoting the Bennington edition of Old Glory as part of the nation's bicentennial, has been chosen "Patriot of the Year" by the New Spirit of '76 organization in Washington.

As an added honor for the Sayville man, the annual award, which was introduced a year ago when entertainer Bob Hope was chosen the recipient, has been renamed the John H. Astor Award.

SOLD 15,000 FLAGS

Astor, a past commander of the Smith-Wever Post, American Legion, of Sayville, and Counter Subversive chairman of the Suffolk American Legion, has been credited with the sale of 15,000 Bennington flags in Suffolk.

The Bennington flag reputedly was the first Stars and Stripes to be raised in victory in the War for Independence. It was carried by Col. John Stark and his young recruits in a battle at Bennington, Vt., with forces led by Lt. Col. Baum.

Several months ago, a resolution drafted by Astor, recommending that all American Legion posts adopt the Bennington flag as their banner for the bicentennial, was approved by the Suffolk Legion. It was subsequently adopted by the State Legion organization.

NATIONAL MAILOUT

On Aug. 10, the same resolution, which has been sent to the governor of each state, will be submitted to the National Legion convention in Seattle, Astor asserted.

Astor, who said it is his hope to see the American flag flown from every home in the country, has been appointed by the New Spirit of '76 organization as national director of the Bennington Flag Committee.

He retired about 15 years ago as Suffolk sales manager for the National Cash Register Co. In 1972, he received the Education Service Award from Suffolk Community College, and is an associate member of the board of directors of Dowling College, Oakdale.

At present, Astor and Carl Wingard, of Patchogue, representing the County Veterans of Foreign Wars, under appointment by the Suffolk American Revolution Bicentennial Commission, are developing plans for the county's veterans' organizations to observe the nation's 200th birthday.

KARAMANLIS SPEAKS IN HELSINKI

HON. PAUL E. TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. TSONGAS. Mr. Speaker, during the past few weeks a great many words have been spoken in the Congress with regard to the prospects for a just and peaceful solution on Cyprus. I would like to call the attention of my colleagues to the eloquent speech delivered today at the European Security Conference in Helsinki, delivered by Prime Minister Constantine Karamanlis:

KARAMANLIS SPEAKS IN HELSINKI

The Conference of Security and Cooperation in Europe is an important step in the efforts of mankind to bring some order and reason into international life.

It is noteworthy that the ten principles were drafted in such a way as to cope with a variety of possibilities and with very complex situations. They are both clear and flexible, and while requiring full compliance also suggest alternative solutions. A case in point is the principle of the 'inviolability of frontiers'. In this area, not only does the final act exclude violence, but it also provides a remedy for unfair situations. By adding a phrase to the text of the principle of 'sovereign equality', it renders possible the change of frontiers by peaceful means, through agreements, in accordance with international law. Of course, the value of the ten principles, like that of any international agreement, does not lie merely in the language of the text—but rather in the sincerity of the parties to the agreement and in their conviction that its implementation is necessary.

You realize then, Gentlemen, the disappointment of Greece when, exactly a year ago, and indeed while the Conference was still at work, the invasion of Cyprus took place. The armies of a member of the Conference of Security and Cooperation in Europe invaded the territory of another member. So we all witnessed a global and a priori violation of the ten principles which have been elaborated with so many expectations by the experts of the Conference. This placed Greece, and indeed the Conference as a whole, before a crucial problem: how could Greece continue to participate in the work of the Conference while force was being used against the Republic of Cyprus? And how was it possible under those conditions to save the credibility and the seriousness of the conference?

Almost all the members of the Conference agreed that the events in Cyprus impaired the credibility of the Conference and challenged the earnestness of its work. In order to be able to continue its deliberations in a way that would preserve its prestige, the Conference had to take into account these events and provide safeguards for the application of the principles which were blatantly violated a priori by the invasion of Cyprus. This common feeling, which was variously expressed during a meeting of the Coordination Committee on the 19th of September, morally compelled Greece to continue its active participation in the work of the Conference, with the reservation that it would give its "consensus" to the Final Act depending on the course taken by the Conference.

We have now reached the last phase of our work and we are preparing for the ceremonial signature of the Final Act. Yet the situation in Cyprus has not changed. The violation of the principles, which we are in the process of adopting, goes on. Nevertheless, Greece decided not to oppose the convocation of the third phase in the firm conviction that she was thus serving a wider, supranational cause, and in the hope that the wrongdoer will comply with the Final Act and restore justice in Cyprus. This would, of course, also contribute decisively to the restoration of Greece-Turkish friendship and cooperation, in the necessity of which Greece believes very sincerely. Otherwise, the principles will suffer irreparable damage. It would be absurd to sign agreements for the security of Europe and simultaneously uphold a state of injustice which constitutes a threat to peace in this sensitive area of the Mediterranean.

Still, notwithstanding the weakness to which I have referred, it would be unfair to underestimate the usefulness to the world done by the Conference. As a Mediterranean country, Greece hails with particular satisfaction the chance given to other Mediterranean countries, nonmembers of the Conference, to be heard by it. We regard as particularly appropriate the idea to let the principles governing the relations among the signatories also guide their conduct towards these countries, with whom Greece is bound by age-long ties of friendship.

The results of the Conference in the fields of human contacts and exchange of ideas are quite satisfactory, taking into consideration the point from which we started. Let us hope that they will provide the basis for as rapid an expansion of those contacts as possible. Economic cooperation will be further stimulated. And I believe that in this particular field the United Nations Economic Commission for Europe will be able to help us with its experience and with the technical instrumentalities required. The Conference should perhaps have proceeded with greater boldness on the subject of "confidence-building measures", which deals with prior notification of military manoeuvres. Finally, I believe that the text adopted on the "follow-up" is a realistic one. But I am convinced that our best guide for the future should be our experience in the days to come, combined with the courage to create the practical conditions that will transform international life into a legal order.

Greece came to the Conference with these thoughts in mind. I would like to hope that the Final Act will contribute to the prevalence of law and of peaceful procedures, and that it will prove instrumental in excluding violence and in securing respect for the independence of all countries. I would also like to believe that the work of the Conference will contribute to the creation of a new state of mind, which will not only promote the implementation of our basic principles, but also permit us to redress tragic injustices done to small countries. Otherwise, the Conference of Security and Cooperation in Europe would not be entitled to claim that it has truly succeeded.

U.S. SIGNING OF HELSINKI AGREEMENT REPRESENTS A BLOW TO THE CAUSE OF FREEDOM FOR EASTERN EUROPE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BIAGGI. Mr. Speaker, I speak in opposition to the Ford-Kissinger policy toward the 35-nation Conference on Security and Cooperation in Europe and the American signature of that agreement.

My opposition to the agreement at Helsinki is based on three propositions. First, the history of the negotiations provide irrefutable proof that all substantial concessions made were unilateral and American. Second, the agreement clarifies the meaning which the Soviet Union attaches to détente, and it is other than the goal of a relaxation of tensions. Third, the agreement amounts to a hundred pages of empty rhetoric and declarations of good intentions, without any firm guarantees that the commitments will be anything but illusory.

The initial American acquiescence in the Soviet inspired appeal for a Conference on European Security was understandably reluctant. The Conference would ratify de facto if not de jure the post-World War II revision of borders in Eastern Europe and serve as a substitute for the long awaited peace treaty recognizing Moscow's postwar incorporation of the three Baltic States, the Finnish Province of Karelia, the eastern parts of East Prussia and Poland, Ruthenia—formerly part of Czechoslovakia—and the Bessarabian Province of Romania. Moreover, the Conference would undoubtedly cloak in amorphous language a form of American recognition of Soviet hegemony in Eastern Europe, a reality consecrated by American inaction during the periodic abortive revolts in Berlin—1953—Poland—1956 and 1970—Hungary—1956—and Czechoslovakia—1968. The tangible gains to be expected for the West from such a Conference, were, on the contrary, conceded to be minimal.

American participation in the European Security Conference was therefore made contingent on parallel negotiations aimed at mutual and balanced force reductions in Europe by both NATO and the Warsaw Pact. Further, any American signature to a document issued at Helsinki was intended to follow visible progress in the negotiations for force reductions and a Soviet guarantee of the free and unimpeded flow of information to and people from Eastern Europe. Finally, American references to the desirability of noninterference and nonintervention by European Security Conference participants in the internal affairs of European states invariably included a reference to the right of people of each European state to shape their own destinies free of external constraint, without condition or reservation.

All three preconditions to American acceptance of the Helsinki agreement have been waived. First, parallel negotiations on arms reductions to procure a more stable military balance in Europe at lower levels of forces and costs have foundered on Soviet intransigence. The United States abandoned under Soviet pressure any effort to maintain the linkage between the Vienna talks on arms reduction and the Helsinki negotiations on European security. The Soviet Union was thereafter successful in changing the name and purpose of the Vienna talks to one of mutual force reductions—MFR—as opposed to mutual and balanced force reductions—MBFR. American acceptance of the change in wording represented a retreat from the position that troop reduction should be on the basis of reciprocity, and phased and balanced as to their scope and timing. A mere mutual, as opposed to mutual and balanced, reduction of Soviet and American forces in Europe would tend to favor the Soviet Union because of the latter's geographic proximity to the area, particularly if a negotiated U.S. military exodus were not matched by the dismantling of the Soviet medium strategic missile force targeted against Western Europe. In any case, there is reason to doubt that the Soviet Union will proceed with serious negotiations over force reductions, since their chief objective, the ratification of postwar boundaries in Europe and recognition of Soviet domination over Eastern Europe, including nonaligned Yugoslavia, will be achieved by the signature of the Helsinki declaration.

Second, the ironclad guarantees for a wider dissemination of information and circulation of peoples have been diluted in the declaration to a mere promise by the Soviet Union to "make it their aim" to facilitate the flow of information and people. The recent Soviet performance in this area, in particular the Soviet responses to the desired emigration of Jews from the Soviet Union and to the attempted liberalization of the regime in Czechoslovakia, leaves scant hope for genuine cooperation.

Third, at Soviet insistence, the Helsinki declaration relegates references to the right of peoples "freely to choose and develop" their political systems and to change frontiers "by peaceful means and by agreement" to a section of the declaration of principles separate from the statement on the inviolability of frontiers. To those familiar with the often obscure and arcane argot of diplomacy, such a division clearly signifies Soviet disparagement of any gestures toward liberalization of domestic regimes in Eastern Europe or toward foreign policies independent of Moscow. Or, to put it less euphemistically, it represents official American toleration of the Brezhnev Doctrine and a carte blanche for further Soviet encroachments in Eastern Europe.

The ignominious American retreat before Moscow only serves to underline the observation of Charles Bohlen, former American ambassador to the Soviet Union, that Moscow's diplomatic posture toward the West in the postwar period amounts to a chronic refrain of "What's ours is ours, and what's yours is negotiable."

The second basis for my opposition to the Helsinki declaration is the ominous divergence between Soviet and American interpretations of détente. The West appears regrettably to be wallowing in a false sense of its own security. The history of diplomacy provides countless examples of self-delusion and premature euphoria. A panoply of signed agreements involving alternately lofty rhetoric or, worse, one-sided concessions, is no substitute for genuine rapprochement and a bilateral commitment to relaxed tensions.

The Helsinki declaration contains no enforcement mechanism. And at a time when the Soviet Union is overtly conspiring by force and subversion to undermine democracy in Portugal simultaneously as it pledges noninterference and nonintervention in other countries' internal affairs at Helsinki, this is a glaring omission. President Ford's and Secretary Kissinger's failure to obtain a commitment from Moscow to refrain from interfering with Portugal's indigenous evolution towards democracy as a quid pro quo for signature of the Helsinki accord is inexcusable. Soviet actions in Portugal tend to belie the prevailing perceptions in American governing circles that Soviet motives have changed from an offensive preoccupation with accelerating the dissolution of NATO and with accentuating trends toward loosening the Western alliance to a defensive posture aimed at preventing the further erosion of Soviet power in Eastern Europe and erasing the remaining effects of the Prague Spring of 1968.

My final and third reason for questioning the soundness of the agreement is its obsession with vague promises and accommodating language of an inscrutable and often contradictory nature at the expense of a discussion of tangible, substantive issues. Both as a scholar in the 1960's and as National Security Adviser to President Nixon, Dr. Kissinger had on numerous occasions offered his prescription for a policy of détente that would be more than fleeting. Its primary criterion was the avoidance of issues limited to ambiguous promises and bombastic rhetoric. In the interim he seems to have forgotten his own admonitions against negotiations which eschew concrete issues and thereby deflect American energies to drafting statements and declarations the interpretation of which will be a continuing source of disagreements. As the Nixon-Kissinger "Report to the Congress of 1972" expressed it:

> The mere atmosphere of detente, in our view, is insufficient—not only because this is not durable, but also because it is difficult to evaluate measures proposed to the name of so vague an objective. Moreover, general declarations open to major disputes over interpretation are of illusory benefit, and possibly even dangerous.

I regret to conclude that the Helsinki declaration represents an unfortunate American capitulation in the name of détente, fails to come to grips with sinister Soviet motivations, and is suffused with meaningless rhetoric and paper promises that are being flagrantly broken before the ink on the parchment dries. For all three reasons, I cannot join in good faith with the Ford administration in support of this misguided adventure.

DONABLE PROPERTY PROGRAM

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BROOKS. Mr. Speaker, the Federal Government's donable property program has contributed immeasurable benefits over the years to public and nonprofit programs promoting the health, education and welfare of the American people. The Federal Government, in fiscal year 1975, distributed property to donees that had an acquisition cost of over $325 million. The continued use of publicly owned property for public purposes enables the taxpayers to get the most out of their tax dollars.

In order to successfully achieve its purpose, the donable property program must provide for equitable allocation and distribution among the various donees. In recent years, a number of programs have been given priority status by permitting the distribution of excess Federal property rather than surplus Federal property. This has caused those programs which are entitled to surplus property, primarily health and educational users, to suffer.

Yesterday, along with the Honorable Wm. J. RANDALL and the Honorable GLENN ENGLISH, I introduced legislation to revise the entire program relating to the donation of surplus personal property. The time has come when some reasonable control that reintroduces equity among the several donees must be adopted if we are to protect the objectives of the program.

Our bill would eliminate the donation of any excess property, restricting it to further use directly by Federal Government departments and agencies. Only surplus property would be available for donation.

Under our legislation, donable property would be transferred to the appropriate State agencies for distribution to State governments and political subdivisions, nonprofit organizations, Federal grantees, and Indian tribes. Donable property would be available for public health, public safety, education, parks and recreation, conservation, and economic development. Federal grantees would be eligible to qualify for surplus property, but not for excess property as is now the case.

This bill modestly expands the description of eligible donees, restores equity to the distribution process, and unifies the maintenance of inventory control and accountability in the State agencies. The Honorable BILL RANDALL, chairman of the Government Activities Subcommittee, expects to give the bill high priority in his subcommittee activities in the fall.

THE EXILE CAMPS OF THE GULAG ARCHIPELAGO: THE FIRST-HAND EXPERIENCES OF THOMAS SGOVIO OF BUFFALO, N.Y.

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. KEMP. Mr. Speaker, over the past several years, our eyes and hearts—and hopefully the minds of most—have been opened to the realities of the oppressive treatment of dissenting, minority points of view in the Soviet Union.

Despite the "rights" set forth in the Soviet Constitution and in contradistinction to the praise of the Soviet system by its own propaganda organs and the misdirected, ill-informed praise of others, the Soviet Union remains a land of nearly 250 million people where even the faintest semblances of due process—as we know them and as we insist upon them in the West—are nonexistent.

The courage of men like Alexandr Solzhenitsyn and Andrei Sakharov has brought these realities to our attention, and they and many others are continuing to expose the harshness of the Soviet system—a harshness inevitably arising from the collective paranoia of government and Communist party officials who fear the popular will, for that will has not been allowed to be freely exercised.

Yet, the experiences of these men and women are sometimes difficult for us to understand fully. They come from a system so very different from our own. They have a vastly different heritage. They speak a different language.

It was for this reason that I was particularly moved by the recounting of life in the exile, harsh-labor camps of the Gulag archipelago by Thomas Sgovio, a resident of the Buffalo area, who miraculously, as an American-born expatriate to the Soviet Union, lived through years of imprisonment, slave labor, and terror at the hands of the Soviets. The irony of this report is that Mr. Sgovio, an American raised by his father to be a member of the Communist Party, U.S.A., and who voluntarily went to live in the "Workers' Paradise" in 1933, was a "good Communist."

Mr. Speaker, I believe Mr. Sgovio's history enlightens all of us further.

KOLYMA: "SOCIALIST REALISM"

(By Thomas Sgovio)

I was born in Buffalo, N.Y. on October 7th, 1916 of Italian parents. My father, Joseph was a revolutionary ever since I can remember. He joined the Buffalo section of the Communist Party in 1919. My older sister, Angela and younger sister Grace and I were raised as Communists and atheists.

In 1930, Joseph Sgovio quit his job and became a full-time Party member. He was arrested several times at Commie disturbances and finally sentenced to one year in prison (Monroe County Penitentiary) and upon completion of sentence ordered deported from the USA as an undesirable alien. At the time I was a member of the Young Communist League. The Buffalo branch of the International Labor Defense and the ACLU gained for him, through court action, what was then called, "voluntary departure to the Soviet Union", instead of to Fascist Italy, his birthplace.

My father arrived in Moscow in 1933 and called for his family. The International Labor Defense and the American Communist Party made all the arrangements and paid our way. In 1935, my mother, my sister Grace and I left the USA for the "Workers' Fatherland." I had just graduated from Buffalo Technical High School, where I majored in commercial art. I left America thinking I was going to the Soviet Union for only four years to study art and then return to the USA.

We arrived in Moscow in August, 1935. My father worked at Kaganovitch Ball-bearing Plant with about forty other Italians. We were assigned one room in a third class hotel. We had our meals at the "House of Political Emigrants" on Vorontsovo Polye St. There were thousands of "Political Emigrants" in the Soviet Union at the time—about 400–500 Italians, about a thousand Germans, 400 Schutzbunders–Austrians, Latvians, Poles, Yugoslavians and a few Americans. All these were refugees, Communist and Socialists who were given asylum in the USSR. We had our own clubs, jobs were found for us. We were fed and clothed by the MOPR–International Labor Defense. The central Headquarters was located on Ogaryeva St. in Moscow. Each nationality had it's own leaders. They lived in the plush Hotel Lux on Gorky St. Their portraits hung in the Foreign Workers' Club, the International Club and in the House of Political Emigrants. We deified them—Stalin was God; Thaelmann, Ercoli, Dimitrov and Pieck were the Saints.

My dream of entering an art institute was not to be. I did art work for the Foreign Workers' Publishing House and studied art in the evening.

We visited factories, educational institutes, Red Army clubs. We made speeches through interpreters about how bad life was in capitalists countries. I could not help noticing how impoverished the common Russian was. We saw beggars on the street. The charwoman in the House of Political Emigrants could not afford to buy a glass of tea. They drank hot water and nibbled at a lump of sugar. All this was explained as a temporary condition. The Revolution was still young. Just think of the rosy tomorrow.

"THE YEZHOV PURGES"

In January, 1937, we were evicted from the hotel, I went to live with an American family. The arrests intensified. My father disappeared. Many friends disappeared. Meetings were held where we were told that so and so had been arrested by the NKVD. We denounced him as an "enemy of the people." The next day, those who denounced were arrested. In January, 1938, I decided to try to return home to the USA. I went to the American Embassy, filed for my American passport and exit visa. I was told it would take some time. I returned on March 21st, but as it was during lunch time, the reception clerk told me to return in an hour or two. I left the embassy and across the street was stopped by two NKVD men in plain clothes. I had noticed one of them in the American embassy as I left. They told me to accompany them for a check-up. I was taken to the 50th militia precinct and placed in a corridor under guard with about fifty others such as I who had been detained as we left various embassies. There was a short interrogation in a small office. I hardly spoke and understood Russian. In the evening we were called back in groups of three into a black limousine and to Lubyanka prison. Again an interrogation and into the cellars of Lubyanka. I was hustled into a small cell. There were three other occupants. The cell was completely bare excepting for the "parasha", the latrine bucket. By morning the cell was crowded. We were sitting on each other. Early in the morning of the 24th, I was called into an office and told to sign the order of my arrest. Then along with sixteen others we were led into a courtyard surrounded by high walls and told to get into the "Black Raven", a van with the words "Bread" lettered on the sides.

TO TAGANKA PRISON

After a day and night of going through the works, finger printing, delousing, shaving of all hairs on body, I along with one other, were shoved into a cell on the third floor of one of the wings. There were 165 inmates now, with the two newcomers, 167. In tsarist times, this cell accommodated only thirty inmates.

I met a few acquaintances and friends. Most of the prisoners were foreigners or Russians who had at some time been abroad, had relatives abroad or were in correspondence with foreigners. Most were accused of espionage.

Prisoners were beaten savagely during interrogation. I was called to interrogation two or three times. For some reason, I was not beaten. I knew of three other cases of those who had been arrested as they left the American embassy. 1) Marvin Volat, born in Buffalo—arrested in the early part of March, 2) A Russian Jew, Dreishbull, arrested in March, and 3)? (I don't remember his last name) an American from New York City arrested in March. Surely the American officials at the embassy must have known of these arrests. I wonder if they at least ever protested. I remember many more cases of others who were arrested as they left other foreign embassies. I know now that the NKVD (Now The KGB) was fulfilling it's task of rounding up free labor for the newly opened up regions of the far north.

I left Moscow with a few thousand others in an echelon of cattle cars, seventy men per car, on June 24th 1938 bound for Vladivostok. The journey lasted almost a month. We traveled mostly by night and stood at sidings during the day for secrecy.

VLADIVOSTOK TRANSIT CAMP

A little village. We estimated there were 80,000 prisoners there in July, 1938. No one slept in the barracks; they were infested with bedbugs—millions. There was no place on the ground. I slept near the latrine. We were fed a spoonful of pea-kasha and a piece of salt fish. Facilities did not allow for enough drinking water. We received half a cup of boiled water. The salt fish made us thirsty and we drank from the small streams which trickled in the camp although there were signs which warned us not to drink unboiled water and we saw cartload after cartload of corpses being carried from the infirmary. They died from dysentery and typhoid.

In the cattle car I was assigned to on the way to Vladivostok, I met a Russian Jew, Banchik who had been in Butirki Prison in Moscow. From him I learned that my father was arrested. They had been cellmates. My mother and sister only knew of the fate of my father in 1947, ten years later, when my father returned to Moscow.

Midnite of August 2nd, 1938. I was in the hold of the slave ship, Indigirka, on the Japan Sea, somewhere near Vladivostok, bound for Dalstroi—(Kolyma). There were maybe two or three thousand of us laying on the tiers, five story high, sleeping platforms. It was black, the hold was covered with canvasses because we were to pass the southern half of Sakhalin Islands which at that time belonged to Japan. The blatniye went to work, plundering. They occupied the upper tiers. We heard moans, a muffled scream now and then. I laid low and prayed. We stood in line for hours to go upstairs to relieve ourselves. They only allowed two at a time to go to the makeshift contraption on the outside of the ship. By the way, the Indigirka was an American made ship.

Six days and nights we wallowed in vomit, dung and urine. When we landed at Bukhta Nagayevo near Magadan at night we immediately felt the difference in the temperature. It was cold, although it was still August. We waited all night in an open field for our turn to the bathhouse and then went through registration at the Magadan camp. I was sentenced to 5 years as a SOE (socially dangerous element) by the Ossobiye Soveshani NKVD (Special Session NKVD) order of May 14th, 1938 in absentia. (I learned this during check-up in the cattle car enroute to Vladivostok.)

12 MONTHS OF WINTER

From Magadan 75 of us in three trucks with armed convoy guards were taken to our destination. OLP Ravedchik in the Southern District of Kolyma. Immediately upon arrival we were assigned to work brigades and to work in the gold fields. That same day, Jeffee, an American Jew from New York City, committed suicide. We worked a twelve hour shift and then those who did not fulfill their work norms were forced to work another two hours. They also made us do extra chores about the camp.

In the beginning of September the first frosts began. In October, winter set in. We had a song:

Kolyma, Kolyma—
Wonderful planet,
12 months of winter—
And then—summer.

To describe our existence in Kolyma would take pages and pages. And who would believe me? However I feel I must write about it because there will come a day when the truth will be known. It was amusing to watch the movie, "One Day In the Life of Ivan Denisovitch". All those electric lights, whereas in Kolyma we used oil lamps in the barracks. The prisoners in new clothing, with felt boots on their feet and no patches. When they were out in the cold, no hoarfrost covered their faces. There was even a thermometer in the camp—40 degrees below zero meant staying in the compound—no work, whereas in Kolyma there was a decree that from December 1st to June 1st the prisoners should have three free days a month and when the frost dipped down to 60 degrees Centigrade, we should not be sent to work. This was theory, but in practice I never heard of an instance where prisoners were allowed to stay in the barracks because of the frost. We never saw a thermometer, and it got to 60–70 below zero Centigrade which is 90 below Fahrenheit.

Of all my comrades of the Moscow transport that arrived in Kolyma with me I only know of two besides myself who survived Kolyma and returned to Moscow, 1) David Grigoryevitch Rovinski and 2) Michael Eisenstein, a hydraulic engineer who worked at his profession in Kolyma. The latter was a graduate from the University of Southern California.

For about a year or two I still remained a Communist in my convictions. I expected to be called and told it was all a mistake and I would be freed, but then reality came. I realized it was Communism, itself which had enslaved us and I found God. It was He, who saved me. This was a gradual transition. A series of miracles occurred which saved me. I would be working at hard labor and on the verge of death, when I would be called and worked inside as a sign-painter. I drew pictures or a pencil portrait for the blatniye (the criminal element) I tattoed for them. For this I was rewarded with an extra piece of bread. I was constantly transferred from one camp to another. Each time, farther and farther north.

WOLF'S PASSPORT

I was at OLP Chkalova, the 7th camp in the Chai-Urlinskii District. (We called it the Valley of Death) in March, 1943 when my prison sentence of five years ended, but during the war they did not release political prisoners, and I was freed only in September, 1946, after eight and a half years as a prisoner, but I was not allowed to leave Kolyma. I worked as a "free-man" until February, 1948 in the Indigirka District. I returned to Moscow. Then I established myself in the town of Alexandrov, about a hundred kilometers from Moscow. I learned from my mother and sister that my father had returned the previous year from KOMI SSR where he served ten years and he died three months before I arrived.

I worked as a sign painter and painted fences in the town of Alexandrov. There were many ex-prisoners in the town, we traveled to Moscow illegally on Sunday to visit our families. If caught, we would get a two year prison term for violating the passport laws.

THE PURGES OF 1948–49

There were rumors of another purge. The motherland needed lumber of which there was a shortage. The price of lumber had gone up tenfold in the early part of 1948. In November the arrests of ex-prisoners in Alexandrov began. I was arrested and spent a few nights in Alexandrov prison and then transported by Stolypin railroad car along with others to Vladimir NKVD prison.

This time I understood Russian and spoke freely. I was investigated for four months and tortured by not being allowed to sleep for two weeks at a time. My interrogator was Major Yershov. I was accused of espionage, treason, counter-revolutionary agitation and activities.

Besides the four or five hundred repeaters like myself I encountered in Vladimir, I met many Russian ex-prisoners of war who had passed through the "filters" in 1945, been released to their homes and now rearrested in 1948–49.

I met no foreigners, all were Russians. I heard of no cases during the time I was in Vladimir of prisoners being physically beaten, we were tortured by sleeplessness. When my case was closed, in April or May of 1949. I was transferred to Vladimir Central prison where I waited for the verdict. In July I was called and told that I was sentenced again by the OSO (this time MGB) to "eternal exile" in the lumber regions of Siberia.

From Vladimir to Gorki prison in Stolypin cars. It is remarkable that of all the repeaters I met, from all camps in the USSR, Vorkuta, Karaganda, Krasslag, Kotlass, Komi, and others, I did not meet a single survivor from Kolyma.

I met many Russian prisoners of war who told me tales which I did not at the time believe—of Russians being forcefully repatriated to the USSR to their death by the Americans—of Russians committing suicide rather than returning to the "Motherland."

From Gorki prison to Kirov transit prison where I encountered thousands of young newly arrested Poles and Lithuanians. From Kirov to Krasnoyarski prison in the old familiar cattle cars. In Krasnoyarski we were "bought" by the "Krassdrev" (a timber trust with it's headquarters in the city of Krassnoyarsk). We were placed in boats and up the Yennissei River to Stryelka. There were women amongst us. From Stryelka up the Angara River to the Boguchan District. Here we lived as exiles. We were not prisoners. We had all rights of Soviet citizens (theoretically). We had to report twice a month to the MGB. We could not leave the district. The only jobs available were in the lumber camps or worse yet in the collective farms. A few lucky ones got jobs as accountants, an engineer or two.

I worked six months as statistician for the lumber company (because of my artistic abilities) then fired because for some reason they thought I was a Jew. I fired stoves in the district schoolhouse, then worked as maintenance man for the district "Palace of Culture" (a one story log cabin). I worked as a lumber-jack when Stalin died in 1953. An amnesty law came out and I, along with many others was freed in August, 1954.

THE ROAD HOME

I returned to Moscow—had a hard time getting signed in my mother's apartment. A new law had come out. They were closing Moscow. It was overcrowded. In order to be signed in, I needed 9 square meters of living space. My mother's apartment had only 21. As I was the fourth occupant, my mother, sister and my niece. If the apartment had 36 sq. meters I would have been signed in.

I worked as an artist for the Kombinat Promgrafiki. We applied two times to leave the USSR and we were refused. It was a long, arduous task. The third time, my mother and I were granted permission to go to Italy, her birthplace. My sister and her daughter were allowed to leave three years later. We left the USSR in January, 1960.

SOME OF THE FRIENDS I KNEW WHO DID NOT RETURN

Joseph Sgovio—Arrested in Moscow, 1937. Died in Moscow, 1947. Served ten years in Komi SSR.

Alex Shopick—Polish American, from Pittsburgh, engineer. Died in Kolyma, 1939 or 1940.

Marvin Volat—Born in Buffalo, arrested in March, 1938 as he left American embassy. I cannot say for sure that he is dead. I know he was sent to Kolyma.

Jaffee—American Jew, committed suicide in Kolyma, 1938.

Theodore Cheskis—Russian, lived in New York City. Organized a group of Russian emigrants who sold all their belongings and with the funds bought American farm equipment and machinery, went to the USSR in the early thirties. The Soviet government allotted them a piece of land. They organized what was called the "American Kolkhoz" in Bavlennie, 400 kilometers from Moscow. Cheskis was the Director. Arrested March 15, 1938. (I witnessed his arrest.) Died during transport (etap) to the camps.

Gershonovitch—Jew Communist from New Jersey, was with me in Taganka prison. Died in the camps. His daughter Dora arrested in 1949, served ten years in camps and ten years exile.

George ?—Armenian from New York. Went to USSR in late twenties or early thirties as a child with his family. Arrested in March after he had gone to the American embassy. Died in Kolyma, 1939.

Webster—Canadian, went to the USSR in early thirties. Worked as a technician for construction of the Palace of Soviets. Was with me in Taganka prison, 1938. Died in camps.

Vinnini—Italian communist polit emigrant. Arrested in 1938, died in Kolyma.

Morelli—Italian sculptor, communist polit emigrant. Arrested in 1938. Died in Kolyma.

Guido Serio—Italian communist. Arrested in 1937. Died in the camps.

Mrs. Serio—Italian communist. Arrested in 1937. Died in camps.

Garibaldi—Italian Communist, worked in the Lenin Library. Arrested in 1937. Died in the camps.

Riccardo Pappa—Italian Communist, worked in the Lenin Library. Arrested in 1937. Died in the camps.

Banunzio—Italian Communist. Arrested in 1938. Died in the camps.

Ricciardi—Italian Communist. Arrested in 1938. Died in the camps.

Carmelo Mica—Italian. Head of the Young Communist League, Italian section. Lived in the Hotel Lux. Married to the daughter of the Italian Socialist leader, Arturo Labriola. Was one of my cell-mates in Taganka prison, 1938. Was tortured and physically beaten although he already was a cripple after having two bullets in his spine from the Italian fascists. Died in the camps.

Guerra—Italian Communist. Arrested in 1937 or 38. Died in the camps.

Romanutti—Italian Communist. Arrested fascists. Died in the camps.

Donati—Italian. Died in Kolyma, 1939.

Banchik—Russian Jew, at one time lived in Philadelphia. Died in Kolyma, 1938.

Weintraub—Russian Jew. Engineer. Worked at the Kremlin garage. Arrested in 1938. Died in Kolyma. 1939.

Kramer—Russian Jew. Died in Kolyma. 1939.

Dreishbull—Russian Jew. Arrested in March, 1938 after he left the American embassy. Died in Kolyma. 1939 or 40.

Kaplan—Canadian. Died in Kolyma. 1939.

Valeri Simferianov—Russian circus performer. Died in Kolyma. 1939.

Lisyak—Pole, my partner at OLP Ekspeditsionni. I was first to discover he was dead as he slept next to me. I covered him and received his daily bread portion. Died in Kolyma, 1940.

Furtsev—Russian, shot and killed by the guards at Kuranakh-Salakh—Kolyma, 1943.

Dmitri Nikandrovitch Prokhorov—Arrested in 1938. Died in Kolyma, 194?

Volodya Zimin—Throat slit by the blatniye in Kolyma. 194?

Altschuler—Russian Jew. Died in Kolyma. 1945.

Gatchev—Bulgarian Communist, friend of Dimitrov. Died in Kolyma. 1940.

Davidenko—Ukrainian. Died in Kolyma. 194?

Khomenko—Ukrainian—Died in Kolyma. 194?

Andrusenko—Ukrainian—Died in Koylma. 194?

Volkhov—Russian. Died in Kolyma. 1939.

Levin—Russian Jew. Died in Kolyma. 1939.

Dr. Ivanov—Leningrad doctor. Died in Kolyma. 1939.

Soldatov—Russian. Shot by Tartar guard named Kulakov. Olp Ekspeditsionni, Kolyma, 1940.

Novikov—Russian, executed for attempted escape, Kolyma, 1939.

Gosha Prossolov—Russian, executed for attempted escape. Kolyma, 1939.

Mokhov—Russian. Died in Kolyma. 1939.

Zaxentretter—Russian Jew. Died in Kolyma. 1939.

Ovchinnikov—Russian boy. Lived near Mayakovsky Square in Moscow. Was arrested after he left the Greek Embassy in March, 1938. Died in Kolyma. 1939.

Saxardi—Hungarian Communist. Died in Kolyma. 1939.

Nikolai Spiridonov—Russian from Kharbin. Died in Kolyma. 194?

Karl Gutidze—Georgian. Died in Kolyma. 194?

Petrosian—Armenian. Died in Kolyma. 194?

Folkmanis—Latvian youth. Was brought to Olp Pobyeda, Kolyma in 1945 together with thousands of others, Russian prisoners of war, Vlassov men, Krassnov men. They all to the last man perished. Died in Kolyma. Raped by the old-timers, blatniye and I am ashamed to say, also by 58ers.

Viktor Nikolayevitch Michelson—of Norwegian descent. Father served as an officer in Tsarist army. Viktor Nikolayevitch was an intellectual. Graduated from the Tbilisi University. Arrested in 1938. Served ten years in Vorkuta then became a repeater. Starved to death in Boguchani. 1952.

Peter Isaakovitch Berkovitch—Latvian Jew. Died in Boguchani, in exile. 1954.

And many, many others whose names I cannot remember—others I am not certain are dead.

STATEMENT CONCERNING VOTING RECORD

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FORSYTHE. Mr. Speaker, during the months of June and July I was absent from Washington on official business several times when the House of Representatives was still in session. At the end of June I attended the International Whaling Commission's annual meeting in London as an official observer for the Congress. As a member of the ad hoc select Committee on the Outer Continental Shelf, I then participated in an inspection of the onshore impact in Scotland and Norway of the oil development in the North Sea. As a result of these demands of official business, I unfortunately missed votes on the floor of the House. I would like to make public for the benefit of my constituents how I would have voted on these issues if I had been present:

VOTING RECORD

H.R. 7001—Nuclear Regulatory Authorization. Adoption of the rule (H. Res. 533) providing for House floor consideration of the bill to authorize funds for the Nuclear Regulatory Commission.

If I had been present, I would have voted Yea.

Roll Call No. 326: Yeas, 281; Nays, 1.

H.R. 7001—Nuclear Regulatory Authorization. Long amendment to bar the use of funds provided under the bill to license nuclear fuel or nuclear technology exports to 1) countries which provided nuclear fuel to countries not parties to the nuclear non-proliferation treaty and 2) countries which did not place all their nuclear facilities under international nuclear safeguards.

If I had been present, I would have voted Yea.

Roll Call No. 327: Yeas, 117; Nays, 139.

H.R. 7001—Nuclear Regulatory Authorization. Scheuer amendment to prohibit the transportation by aircraft of plutonium until the Nuclear Regulatory Commission certified to Congress the development of a plutonium container capable of withstanding a high-flying aircraft accident without rupturing.

If I had been present, I would have voted Yea.

Roll Call No. 328: Yeas, 165; Nays, 79.

H.R. 7001—Nuclear Regulatory Authorization. Passage of the bill to authorize $222.9 million for the Nuclear Regulatory Commission for fiscal 1976 and $52.75 million for the July–September 1976 transition period.

If I had been present, I would have voted Yea.

Roll Call No. 329: Yeas, 223; Nays, 2.

DAILY VOTING RECORD FOR MONDAY, JUNE 23

Quorum call, absent.

Roll Call No. 330.

H.R. 6799—Federal Rules of Criminal Procedure. Passage of the Bill to revise the rules governing federal criminal cases including pre-trial, trial, and post-trial procedures.

If I have been present, I would have voted Yea.

Roll Call No. 331; Yeas, 372; Nays, 1.

Quorum call, absent.

Roll Call No. 332.

H.R. 6676—Credit Use Reporting. Adoption of the rule (H. Res. 511) providing for House floor consideration of the bill to require the Federal Reserve Board to obtain reports on loans that the nation's 200 largest federally insured banks made in certain categories.

If I had been present, I would have voted Yea.

Roll Call. No. 333; Yeas, 238; Nays, 151.

Quorum call, absent.

Roll Call No. 334.

H.R. 6676—Credit Use Reporting. Passage of the bill to require Federal Reserve Board to obtain reports from the Nation's 200 largest federally insured commercial banks on the amount of loans they were making in certain categories.

The President did not take a position.

If I had been present, I would have voted Nay.

Roll Call No. 335; Yeas, 183; Nays, 205.

H.R. 5358—Railroad Safety Program. Passage of the bill to authorize funds to continue existing federal railroad safety programs through Sept. 30, 1976, including $35 million for fiscal 1976, plus $8.75 million for the three month transition period to implement the 1970 Federal Railroad Safety Act.

If I had been present, I would have voted Yea.

Roll Call No. 336; Yeas, 387; Nays, 0.

H.R. 7500—State Department Authorization. Passage of the bill to authorize $853,415,000 for State Department operations and programs for fiscal 1976.

If I had been present, I would have voted Yea.

Roll Call No. 337; Yeas, 336; Nays, 46.

H.R. 6334—Peace Corps Authorization. Passage of the bill to authorize $88,468,000 for activities of the Peace Corps for fiscal 1976 and $27,887,000 for the transition period from July 1, 1976 through September 30, 1976.

If I had been present, I would have had voted Yea.

Roll Call No. 338; Yeas, 303; Nays, 70.

DAILY VOTING RECORD FOR TUESDAY, JUNE 24

Quorum call, absent.

Roll Call No. 339.

Quorum call, absent.

Roll Call No. 340.

H.R. 8070—Housing, Space, Veterans Appropriations, Fiscal 1976. Armstrong amendment to delete all funding for a new rental subsidy program (section 8) created by the 1974 omnibus housing act (PL–93–383.

If I had been present, I would have voted Nay.

Roll Call No. 341; Yeas, 74; Nays, 326.

H.R. 8070—Housing, Space, Veterans Appropriations, Fiscal 1976. Miller amendment to reduce fair market rents—used to determine the amount of a subsidy—under the Section 8 rental subsidy to 75 percent of those established by the Department of HUD in April 1975.

If I had been present, I would have voted Nay.

Roll Call No. 342; Yeas, 137; Nays, 277.

H.R. 8080—Housing, Space, Veterans Appropriations, Fiscal 1976. Passage of the bill to appropriate $51,429,024,000 in fiscal year 1976 for the Department of HUD, NASA, Veterans Administration and several other independent agencies and to appropriate $5,434,-617,000 for the three-month transition period between fiscal 1976 and fiscal 1977.

If I had been present, I would have voted Yea.

Roll Call No. 343; Yeas, 391; Nays, 25.

H.R. 8030—Debt Limit Extension. Passage of the bill to increase the temporary federal debt ceiling to $577 billion and extend it to Nov. 15, 1975.

If I had been present, I would have voted **Yea.**

Roll Call No. 344; Yeas, 223; Nays, 196.

H.R. 8122—Public Works, Energy Research Appropriations, Fiscal 1976. Abzug amendment, to McCormack amendment to delete $849,115,000 in funds appropriated to the Energy Research and Development Administration for fiscal 1976 and $221,925,000 for the transition quarter.

If I had been present I would have voted Nay.

Roll Call No. 345; Yeas, 93; Nays, 320.

H.R. 8122—Public Works, Energy Research Appropriations, Fiscal 1976. Richmond amendment, to the McCormack amendment, to increase funds for solar energy research by $54.1 million for fiscal 1976 and $9.9 million for the transition quarter. (The McCormack amendment to appropriate $13 million in fiscal 1976 and $9.5 million for the transition period for solar energy research was subsequently passed by voice vote.)

If I had been present, I would have voted Nay.

Roll Call No. 346; Yeas, 190; Nays, 219.

H.R. 8122—Public Works, Energy Research Appropriations, Fiscal 1976. Conte amendment to delete $1.46 million appropriated for work on the Dickey-Lincoln School hydroelectric project in Maine.

If I had been present, I would have voted Yea.

Roll Call No. 347; Yes, 162; Nays, 246.

H.R. 8122—Public Works, Energy Research Appropriations, Fiscal Year 1976. Steelman amendment to prohibit use of funds in the bill for any study of navigation alternatives WITH respect to the Trinity River Project in Texas.

If I had been present, I would have voted Yea.

Roll Call No. 348; Yeas, 178; Nays, 228.

H.R. 8122—Public Works, Energy Research Appropriations. Fiscal 1976. Passage of the bill to provide $7.2 billion for public works, water and power development and energy research and development programs in fiscal 1976 plus additional funds for the transition quarter.

If I had been present, I would have voted Yea.

Roll Call No. 349; Yeas, 377; Nays, 28.

DAILY VOTING RECORD FOR WEDNESDAY, JUNE 25

Quorum Call Absent.

Roll Call No. 350.

H.R. 4485—Emergency Housing Assistance. Passage over the President's June 24 veto of the bill to provide temporary subsidies for purchases of homes by middle-income families and to provide federal loans to unemployed homeowners unable to meet mortgages payments.

If I had been present, I would have voted Nay.

Roll Call No. 351; Yeas, 268; Nays, 157. (A two-thirds majority [284] is required to override a veto.)

Quorum Call Absent.

Roll Call No. 352.

H.R. 8069—Labor-HEW Appropriations, Fiscal 1976. Findley amendment to prohibit any funds in the bill from being used by OSHA to issue penalties for first violations of federal safety and health rules by firms employing 25 or fewer persons.

If I had been present, I would have voted Yea.

Roll Call No. 353; Yeas, 186; Nays, 231.

H.R. 8069—Labor-HEW Appropriations. Fiscal 1976. Roybal amendment to appropriate $30,949,000 for maternal and child health programs.

If I had been present, I would have voted Yea.

Roll Call No. 354; Yeas, 279; Nays, 138.

H.R. 8069—Labor-HEW Appropriations. Fiscal 1976. Passage of the bill to make appropriations of $44.9 billion for fiscal 1976, and the subsequent three month transition period, for the Department of Labor, the health and welfare division of the HEW Department and related agencies.

If I had been present, I would have voted Yea.

Roll Call No. 355; Yeas, 368; Nays, 39.

DAILY VOTING RECORD FOR THURSDAY, JUNE 26, 1975

Quorum Call Absent.

Roll Call No. 356.

H.R. 8121—State, Justice, Commerce Appropriations, Fiscal 1976. Adoption of the rule (H. Res. 564) providing for House floor consideration of the bill to make appropriations for the State, Justice, and Commerce Departments and other agencies for fiscal 1976.

If I had been present I would have voted Yea.

Roll Call No. 357; Yeas, 395; Nays, 6.

H.R. 8121—State, Justice, Commerce Appropriations, Fiscal 1976. Snyder amendment to prohibit the State Department from using funds in the bill for negotiations relinquishing any U.S. rights in the Panama Canal Zone.

If I had been present, I would have voted Nay.

Roll Call No. 358; Yeas, 246; Nays, 164.

H.R. 8121—State, Justice, Commerce Appropriations, Fiscal 1976. Heinz amendment to increase appropriations for the Anti-trust Division of the Justice Department to $20, 661,000 from $18,680,000 for fiscal 1976 and to $5,068,000 for the transition period.

If I had been present, I would have voted Yea.

Roll Call No. 359; Yeas, 230; Nays, 182.

H.R. 8121—State, Justice, Commerce Appropriations, Fiscal 1976. Biaggi amendments to increase appropriations for the Immigration and Naturalization Service to $253 million, from $208 million, for fiscal 1976 so as to provide 1,750 additional personnel rather than the 750 provided in the bill.

If I had been present, I would have voted Nay.

Roll Call No. 360; Yeas, 164; Nays, 242.

H.R. 8121—State, Justice, Commerce Appropriations, Fiscal 1976. Passage of the bill making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976.

If I had been present, I would have voted Yea.

Roll Call No. 361; Yeas, 395; Nays, 4.

DAILY VOTING RECORD, TUESDAY, JULY 15, 1975

Quorum Call. Absent, due to Ft. Dix inspection trip.

Roll Call No. 387.

H.R. 7014—Energy Conservation and Oil Policy Act Adoption of the rule (H. Res. 599) providing for floor consideration of the bill to equip the President with standby energy authority, to roll back the price of domestic oil, to establish a national strategic petroleum reserve and to authorize other measures to increase domestic energy production and reduce energy consumption.

I was absent due to a Ft. Dix inspection trip.

Roll Call No. 388; Yeas, 261; Nays, 78.

EXTENDING GENERAL REVENUE SHARING

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. TRAXLER. Mr. Speaker, I am today submitting to the Congress a bill that would extend and revise the State and Local Fiscal Assistance Act of 1972. This bill, if enacted, would extend with minor revisions, the 1972 act providing general revenue sharing funds to State and local governments through fiscal year 1982. To extend the act, it should go without saying, is essential to the continued well-being of our States, counties, cites, and towns.

As you and the rest of our colleagues know, the State and Local Fiscal Assistance Act of 1972, and the general revenue sharing program which it authorizes, expires on December 31, 1976. I know I join all the people of Michigan, and particularly the people of the Eighth Congressional District for whom I proudly serve, in urging that Congress act to insure the continuation of this effective and highly successful program.

The concept of Federal revenue sharing is widely and favorably accepted, and not without good reason. The effectiveness of the program can be seen in every State and, even more importantly, in every locality in our Nation. The $19 billion that has thus far been distributed to nearly 39,000 State and local governments has provided impetus for services, capital expenditures, and public works projects that in many cases would never have materialized were it not for such Federal assistance. I cannot emphasize strongly enough that these funds are rarely found being funneled into superfluous projects. In Michigan, as I am sure is true of all our States, Federal revenue sharing allows the State and communities to provide for the essential day-to-day needs of the people.

Our counties, cities, and towns are dependent on real property taxes and sales taxes. Our States must often rely on inadequate revenues derived from income and sales taxes. Unfortunate as it is, these revenues cannot meet the ever-increasing demands for State and local spending.

As we came to realize prior to the 1972 act that instituted general revenue sharing, categorical Federal grants or even more flexible block grants subjected the State and localities who were recipients of these grants to undue Federal control. We found ourselves in a situation where our States, counties, cities, and towns could not maintain fiscal stability without sacrificing their autonomy to the Federal Government. State and local governments were becoming dangerously impoverished. Deliberations between the executive branch and the Congress proved to be fruitful resulting in the general revenue sharing program for which we must again acknowledge our support.

General revenue sharing has restored a precious balance to the triumvirate of our federal system of shared sovereignty consisting of Federal, State, and local government. The decision to perform public tasks can be retained at the local level, where they rightfully belong, because of our wise decision to implement a program whereby we can disburse shares of our Federal tax revenues to where they are vitally needed.

Because of the State and Local Fiscal Assistance Act of 1972, we eliminated the many inhibitions to State and local initiative and flexibility in their budget-planning processes. It is my firm belief that by encouraging fiscal decisions to be made at the State and local levels we have to a significant degree strengthened our democracy. Furthermore, by placing the responsibility for decision-making on State and local governments, we have divested Congress and the executive branch of the task of overseeing State and local budgeting and spending, a task which is, I might add, counterproductive to efficient and effective fiscal planning.

I am convinced that the general revenue sharing program has shown itself to be invaluable to nationwide fiscal responsibility. There is little doubt that the program has been extremely productive in helping to promulgate a myriad of worthwhile and dynamic endeavors by State and local governments. Numerous programs have been initiated, not due to an act of Congress, but due to the insights provided by individuals at the State and local levels who perceive, better than those of us cloistered in the Nation's Capital, what the needs of their localities are.

Congress acted wisely in 1972 when giving their sanction to the concept of Federal revenue sharing. There is no doubt in my mind that we would again be wise to expeditiously reaffirm our support for this act which has greatly benefited the people of my district, the people of Michigan, and without doubt, the people of the entire Nation.

In introducing this bill to extend the provisions set forth in the State and Local Fiscal Assistance Act of 1972, I urge you to give due consideration to the potential ramifications of not endorsing the continuation of this act. The benefits that have thus far been realized from general revenue sharing far outweight any adverse costs, of which there are few. It is vitally important that the program be renewed at the earliest possible time to assure governments planning their budgets for fiscal year 1977, which will be as early as this fall, that there will be Federal tax revenues coming their way. Let us make sure that it is not the 94th Congress that puts an end to a good, as well as vital, fact of our federal system of government.

INVESTIGATING THE SHORTAGE OF CANNING LIDS

HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FITHIAN. Mr. Speaker, last week it was my privilege to testify before the Small Business Committee's Subcommittee on Commodities and Services concerning the shortages of canning lids. I commend this committee and its distinguished chairman, CHARLES J. CARNEY, of Ohio, and the Federal Trade Commission for looking into this crisis.

The American people deserve answers to their questions: Where are all the canning lids? Why is this country facing such a shortage at this time? The Congress and the appropriate Federal agencies have a responsibility to investigate the shortage of canning lids, and report their findings to the public.

I take this opportunity to share some comments on the canning lid shortage with my colleague in the House. The statement is as follows:

TESTIMONY BY HONORABLE FLOYD J. FITHIAN

Mr. Chairman and Members of the Committee:

I appreciate this opportunity to come before this committee to testify on the availability of canning supplies. My office has conducted what we believe is a systematic investigation into the shortage of canning lids in the Second District of Indiana. We feel that the results of our investigation can contribute to this Committee's inquiry. In the interests of the home canner who wants to know why he or she cannot buy jar lids, we offer you what our office has learned about the shortage.

The problem, stated simply, is this: the major manufacturers claim they are producing over 4 million lids daily. Distributors, retailers, and consumers tell us, however, that they cannot obtain the lids they need, and that more expensive alternatives to the tinplate lid are more readily available.

To find out why this shortage exists, and how my office could alleviate it for our constituents in the Second District, we pursued the following sources:

We contacted the major manufacturers to learn their explanations of the shortage and their methods of allocation.

We conducted a systematic survey of the distributors supplying the Second District and, through our district offices, coordinated checks with retailers in key areas of the district.

We interviewed distributors and retailers in over 30 cities nationwide from Jacksonville to Spokane. In addition to Indiana cities, we contacted dealers in: Chicago, Illinois; Milwaukee, Wisconsin; Knoxville, Nashville, and Memphis, Tennessee; Atlanta, Georgia; Jackson, Mississippi; San Antonio and Dallas, Texas; Oklahoma City and Tulsa, Oklahoma; Jacksonville, Florida; Charleston, South Carolina; New Orleans, Louisiana; Pittsburgh, Pennsylvania; Washington, D.C.; and Spokane, Washington. We also reached one dealer in Toronto, Canada, who blamed the Canadian lid shortage on the United States.

We carefully monitored letters from constituents on the shortage. To date, we have received over 500 such letters.

We checked with those departments of the federal government that have some jurisdiction in this matter: the Departments of Agriculture, Commerce, and Justice, and the Federal Trade Commission.

Finally, we contacted various consumer and business organizations for their views on the shortage.

We began these efforts early, in January of this year, with a series of inquiries to the major manufacturers. Their answers were unsatisfactory to me and to my constituents. We pressed our investigation further and broadened its scope; this is what we have learned:

The demand for canning supplies grew enormously this year with the addition of 6 million new gardeners. Of these 6 million, estimated Virginia Knauer, the President's Special Assistant for Consumer Affairs, 50% would attempt home canning for the first time. Manufacturers estimated demand for jar-lid combinations would reach 300 million units.

Our survey showed that such units were readily available in the Second District. A shopper could buy a case of jars and lids for $2.29–2.59, but could not—and cannot—find replacement lids that sell for roughly one-seventh the cost.

The major manufacturers explain this phenomenon by noting the number of new firms producing canning supplies that have entered the market. These firms, like Anchor-Hocking, Owens-Illinois, Star-Mason, and others, are competition for Ball and Kerr in the jar-lid combination market.

These new firms, the majors say, account for the ready supply of combinations. From all indications, the majors themselves did not decrease their production of jar-lid combinations. Although demand for jar-lid units was estimated at 300 million, the majors planned to produce 400 million units—100 million well in excess of projected demand.

Mr. Chairman, I feel I must raise this question: was this an attempt by the majors to force out competition from smaller manufacturers? I believe this is a subject this Committee should address.

Examining the projected supply and demand for replacement lids, we learned that demand for such lids was estimated at between .95 and 2.6 billion. The majors told us they plan to produce 1.6 billion total lids. According to John Carmichael, an official of the Ball Corporation, 4/5 to 5/6 of these are scheduled to be sold as replacement lids. A Kerr spokesman agreed to the same proportion.

What factors determine how these replacement lids will be allocated? Two factors: (1) the harvest, and (2) standing as a regular customer.

Manufacturers claim that allocation follows the harvest season, which means that southern retailers and distributors should by now have received lids in sufficient, if not ample, quantities. Our survey showed, however, that southern dealers did not receive nearly the amounts they needed or ordered.

The definition of "regular customer" varies with different manufacturers. Ball uses two years as a standard, Kerr, one year; Bernardin rates their customers chronologically. The companies have assured us that they are not deviating from their standards of allocation. Nevertheless, our office has uncovered several discrepancies:

We have reports from a district office that a major chain store was selling Ball lids under-the-counter to customers who had registered on a secret list. This was the first year that the chain has carried lids.

While small dealers who are Kerr's regular customers cannot receive their orders and their questions to the company go unheeded, the massive General Foods Corporation has managed to acquire 20,000 dozen lids with an option to reorder if that quantity proves insufficient. Maxwell House, a division of General Foods, planned a promotional campaign for Sanka coffee sold in 4 oz. and 8 oz. jars. The coffee is sold in Kerr canning jars; inside, a coupon offers a dozen Kerr lids in exchange for 25 cents and two proofs of purchase. The promotion is scheduled to last six weeks and is offered on 882,000 jars of the 4 oz. size and 640,000 jars of 8 oz. size. This information was obtained from correspondence with an attorney for Maxwell House.

Taken to its furthest extension, that is, if every shopper who purchases the special Sanka jars sends in the coupon, which we admit is unlikely, Maxwell House could command 18,264,000 replacement lids. I understand that the Kerr-General Foods agreement on this promotion is currently under investigation by the Federal Trade Commission—and I urge that this Committee examine the promotion as well.

Another question arises about manufacturers' allocation standards: how frequently, and in what quantities, are lids being shipped?

The manufacturers' statistics necessary to answer this question were confidential information inaccessible to me or my staff. I understand, however, from my own conversations with company officials, that those statistics and distribution plans have been made available to this Committee.

A February 3, 1975 news release from Ball noted that "Ball is allocating its production to customers on the basis of the customers' past sales." Sales of supplies were low last year because there was a shortage of raw materials. Although supplies of tinplate were low last year, the Department of Commerce notes that no such shortage exists this year. However, manufacturers are using standards of shipment in a shortage year as a standard for shipment this year. The Department further estimated that roughly 1.1 billion closures were shipped last year; the major manufacturers estimate they will produce 1.6 billion lids this year. They are producing one-half billion more lids than were shipped last year—but distributors and retailers complain to our office that they have not received orders even up to last year's amounts.

This Committee, and the Federal Trade Commission, should discover where the lids are going. And I believe that the companies have finally supplied you with the statistics you need to determine who got—and who will get—lids this year.

Our investigation unearthed further discrepancies, each of which, we feel, needs to be examined in depth:

A black market for canning lids flourishes in Indiana and Michigan. Roadside dealers offer the black market lids at 75¢ to $1.00, when they normally retail at 35¢–39¢. How are these black marketers receiving their supplies?

Regular lids are not available directly to the consumer from the companies. Ball, however, is offering zinc lids at $2.50 a dozen directly by mail to the consumer. According to our survey, supplies of these more expensive lids are quite ample. One distributor in Indianapolis told my staff he was not receiving tinplate lids in nearly the amount he ordered. Yet his manufacturer sent him 20–25 cases of zinc lids that he did not order to supplement his order of regular lids.

We have an unconfirmed report of a trucker who claimed he has had to haul truckloads of faulty lids back to the company because the lids had no rubberized backing. If this is the case, that a manufacturer has recalled faulty products, then the home canner has a right to know.

I confess, Mr. Chairman, I'm a home canner myself. For the benefit of Congress, the small businessman, and the consumer hurt by skyrocketing food prices, I would like to see this Committee answer several questions raised by our investigation:

Why can the consumer obtain more expensive alternatives to the tinplate canning lid, but cannot buy the replacement lids he or she wants?

Why are canning lids being sold on the black market? How can this be stopped?

Why can General Foods and large chain distributors obtain lids when small retailers cannot?

Can this Committee explain the discrepancy between announced production plans and allocation practices to the satisfaction of the home canner who wants to know? There is no law that requires a manufacturer to sell all he produces; there ought not be such a law. But we are in the midst of a shortage situation. Manufacturers claim they are producing ample amounts of the short product; distributors, retailers, and consumers are not receiving it. The American consumer needs—and deserves—an explanation.

JULY 23, 1975.

Hon. CHARLES J. CARNEY,
Chairman, Subcommittee on Commodities and Services, House Small Business Committee, Washington, D.C.

DEAR MR. CHAIRMAN: Yesterday, in my testimony before your committee, I informed you that the General Foods Corporation had managed to acquire 20,000 dozen replaceable lids from the Kerr Corporation. I based that statement on information sent to my office on July 17, 1975 from Robert Y. Fox, assistant general counsel for General Foods. Mr. Fox sent us a copy of his July 2, 1975 letter to Steven Rothman, Esq., in the Bureau of Competition of the Federal Trade Commission. On page 3 of that letter, Mr. Fox had written:

"GF has an order of 20,000 sets of canning lids from KERR for the consumer offer with a provision for reorder if the quantity proves insufficient."

This morning, Mr. Robert Wait, director of government relations for General Foods, called my office with a correction on the information GF had sent us earlier. According to Mr. Wait, the company has ordered and received 10,000 dozen lids. They have not yet received more lids, but the "provision for reorder" is still in force.

I regret that General Foods did not give me this information before my testimony yesterday, and apologize for any statistical confusion their incorrect report to me may have caused. I again thank you for the opportunity to testify, and I remain at the Committee's service if I can be of further assistance.

Sincerely,

FLOYD FITHIAN,
Member of Congress.

HOW PUBLIC ATTITUDES AFFECT OUR NATION'S ABILITY TO REGAIN ITS SPIRIT AND PROSPERITY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. KEMP. Mr. Speaker, the prevailing public attitudes in our country affect profoundly our abilities to regain our spirit and to assure a stable and permanent economic recovery. Unless we are confident America can regain its greatness, our institutions are capable of problem-solving, our free enterprise system remains the most productive supplier of human needs, then we will never regain that greatness, strengthen those institutions, and revitalize the economy.

Mr. Burns W. Roper of the informative Roper Reports Survey Service recently addressed the Aerospace Industries Association at its annual meeting in Williamsburg, Va., on current trends in public opinion.

This address was not, however, the stereotypical analysis of where the public says it stands on the major issues—as ascertained in response to questions structured by the popular pollsters. It went far beyond that.

This is the perceptive, reflective evaluation and commentary of a learned gentleman on the absolute necessity of having more optimism and confidence among the people and their elected Representatives in the Congress. It is the crucial first step in attaining the goals I enumerated a moment ago.

Mr. Roper deals at some length with the current public attitudes toward business—the sector of our economy which—though too many often overlook it—provides us our goods and services, our jobs and take-home pay, and the highest standard of living ever known to history. He makes some very interesting points:

> Sometimes I am asked what I think are the underlying causes of unfriendly public feelings toward business, and I think there are a number of possible answers. One, which I have discussed, is the tendency of a mood of distrust and suspicion to spread beyond the original source. We once found, for example, that when people found their car seats uncomfortable they tended to downgrade the gas mileage that car gave. People who were negative about their dealer repair service also tended to be negative about their car's headroom. All kinds of unrelated factors tended to get related somehow when people rated their cars. One bad apple tended to make those around it seem a little bit rotten, too.
>
> I think something like that has happened lately in regard to American institutions, including business. Watergate, I suspect, hurt not only government, but business as well. So did inflation. Something isn't working right, something is wrong somewhere, and someone must be to blame. While I don't see an excessive emphasis on looking for that someone to blame, it is clearly easier for people to pinpoint rascals than to grasp economic complexities, and a sizeable segment of the public is doing just that. So some of the problem is the rub-off effect, and some of it is the satisfaction of finding a target for one's frustration.

Mr. Speaker, these remarks are worthy of our serious study. The principal excerpts follow:

A REVIEW OF CURRENT TRENDS IN PUBLIC OPINION

(By Burns W. Roper)

Although Watergate has passed into history, and Americans are not much worried today that their officials are overtly corrupt, a residue of skepticism, distrust and cynicism permeate the public's attitude. And the disillusionment that Watergate brought has tarred more than government with the aura of deception. Asked which spokesmen people would be likely to believe, spokesmen for government, for business, by advertisers or the press, the answer is for many, a pox on all your houses! For business specifically, only 8% said they felt very confident that they could generally depend on what they were told by business leaders. Adding those who said they were "fairly confident" in statements by business leaders the figure came to just over 50%. Which is not a vote of no confidence, but not exactly a high degree of trust either. The public has even less confidence in statements by government leaders—about half the nation has no confidence in them. Today government statements are considered about as believable as advertising. The press has a bit more credibility, but a large minority are skeptical of the media, too.

Let me now try to focus in more on attitudes toward business, and on business's relationship to government. We have heard a lot in the last couple of years to the effect that business is held in the lowest regard that it has been held in since modern public opinion polling first began. And that is true. But it is also out of context.

One of the things we know historically is that when "things are not right" the public gets critical of all institutions—government, labor, business, academia, the press—everything. The decline in favorable attitudes towards business has not been an isolated phenomenon. Government, as well as labor have both suffered at least as much in terms of public attitudes, and as I have already suggested, regard for academia has also suffered. I do not cite this as a reason for business to be complacent about criticism, but I do think it puts the negative attitudes toward business in a somewhat different perspective and takes some of the heat off of business, placing it instead on the entire "establishment." I think business is suffering as much from the malaise that is afflicting the entire nation—and, in fact, maybe even the world—as it is from any focused criticism directed exclusively at business.

The general public attitude of cynicism and distrust certainly applies to business, even if it is not confined to business. The credibility of the oil companies because of the energy crisis is very low. Suspicions in one area tend to extend to larger areas, so we find that the public is rather hostile and suspicious toward multinationals generally, suspecting them of putting their own interests above the national interest, as well as being responsible for taking American jobs and giving them to foreigners.

Apart from problems of credibility, American business is considered to be shirking its social responsibilities. In the three areas where the public feels business has a clear cut responsibility—adequate safety testing of their products, honest advertising, and cleaning up the air and water pollution they cause—few see most businesses as doing an adequate job.

Big business is also seen as having too much power. But the most serious charge against business is even more fundamental: that business just plain makes too much money. Three out of four say business is not fulfilling its responsibility to charge reasonable prices for its goods and services. Three out of five say excessive business profits are a major cause of inflation. But the really fascinating angle to this story is how much profit the public thinks the average business makes. We recently asked a cross sectional sample how much they thought prices would come down for three typical purchases if all profits were passed on to the public. Just as examples, we asked about automobiles, gasoline and food. We found that on a $4000 automobile, the public thinks the manufacturer—not the car dealer, the manufacturer—makes a profit of about $750. Oil companies—oil companies, not gas stations—are thought to make 13.5 cents on a gallon of gas; supermarkets—supermarkets only, not the food manufacturers—close to $2 on $10 worth of groceries. In other words, the public thinks actual profits hover around the 20 percent level. No wonder they think business makes too much money! No wonder they have shown receptivity to price controls as a way of controlling inflation! If business were making this kind of margin, price controls could make a real difference.

So one of the public's principal charges against business is simply factually incorrect. That's a situation which business should do something about; a real educational campaign is needed on the subject of profits.

But if I am giving you the impression that the public is generally down on business, I am giving you the wrong impression. It is more exact to say that the public is deeply ambivalent toward business. Take the public's attitude toward business executives. As a career choice for one's child, business comes out behind medicine, education, engineering and law. There is considerable doubt about the ethics of business executives. But, when top business leaders are compared with top government and labor leaders, they get higher marks than the other two groups for being highly intelligent, able and competent, and forward looking and aggressive. American corporations, although thought so rich and powerful, get high marks for efficiency and innovation.

And there is a remarkable degree of confidence in the American business system. Despite the trouble the economy is in, and despite business's perceived role in adding to the inflation which tops most people's list of worries, 38% have great confidence that our free enterprise system will continue to work and keep the nation prosperous, and another 45% feel fairly confident in the future of the business system, which is a vote of some confidence by over 4 out of 5 Americans. The public expresses more faith in our business system than in our governmental system of checks and balances, and more than in our legal system.

A while back we asked people to what they attributed American greatness, and "our free enterprise system" came out near the top. Free enterprise was cited more often than hard work, or our pioneer heritage, or the lack of a class system, or our moral principles, or the wide availability of credit. This continuing faith in the free enterprise system explains how the public can be mad at the oil companies, for example, and want more consumer participation and greater government regulation of that industry, but at the same time oppose a government owned oil company.

However much admiration exists for what business produces and for the system by which it produces it, a large proportion of the public does think business needs watching, to make sure it operates in reasonable degree in the public interest. Asked which groups in the nation have too much power, big business was named by more than any other. And people look, for that surveillance, primarily to government. Of course, they don't trust government fully, either. In fact, when asked which movements are likely to be threats to our society in the next 20 or 30 years, those causing most concern, after Communism, are big business and big government, both named by 44%. So Americans put their faith in checks and balances. With one powerful institution watching the other, and perhaps with public representatives watching both, they feel it is more likely that the public interest will be served.

Sometimes I am asked what I think are the underlying causes of unfriendly public feelings toward business, and I think there are a number of possible answers. One, which I have discussed, is the tendency of a mood of distrust and suspicion to spread beyond the original source. We once found, for example, that when people found their car seats uncomfortable they tended to downgrade the gas mileage that car gave. People who were negative about their dealer repair service also tended to be negative about their car's headroom. All kinds of unrelated factors tended to get related somehow when people rated their cars. One bad apple tended to make those around it seem a little bit rotten, too.

I think something like that has happened lately in regard to American institutions, including business. Watergate, I suspect, hurt not only government, but business as well. So did inflation. Something isn't working right, something is wrong somewhere, and someone must be to blame. While I don't see an excessive emphasis on looking for that someone to blame, it is clearly easier for people to pinpoint rascals than to grasp economic complexities, and a sizeable segment of the public is doing just that. So some of the problem is the rub off effect, and some of it is the satisfaction of finding a target for one's frustration.

I think there is another factor that has a negative effect on the standing of business—and other institutions. I have become convinced that the major underlying cause of the malaise that affects present-day society is the increasing size, complexity, and impersonality of that society. The fact that people would like to live in smaller communities than they do is, I think, one evidence of this. The fact that if people had to live in another country they would opt for the wide open spaces of Canada and Australia, not Germany or England or France is another indication. The fact that people think well of their TV repairman, but badly of TV repairmen as a group is another evidence. The fact that people think well of individual Senators—for example, Sam Ervin or Howard Baker—but think badly of "politicians" as a group is another evidence. It is quite easy to be critical of "them" whom you don't really know or understand. It is much more difficult to be critical of "him."

These are the public's priorities today. Consistent with its desire to focus on domestic problems, its at least partial withdrawal from global involvement, the public is judging spending projects by what's clearly in it for them. They don't want the Pentagon beat into plough shares, but they are less interested in national prestige and global reach than getting the nation back on track, in running order. This is basically the climate of opinion among Americans today.

WARREN COMMISSION FINDINGS

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DOWNING of Virginia. Mr. Speaker, today I am reintroducing my resolution which calls for the creation of a select commitee to conduct a full and complete investigation and study of the circumstances surrounding the death of John F. Kennedy. Joining me today are my esteemed colleagues, Mr. BADILLO, Mr. CARR, Mr. DODD, Mr. DON EDWARDS, Mr. MAGUIRE, Mr. MOFFETT, and Mr. SCHULZE. These bring the total number of sponsors of the resolution to 30.

I continue to be amazed over the information concerning the assassination and its investigation that keeps coming to light regularly, it seems. There is a startling revelation almost every day. Most recently I was greatly surprised to read a letter to the Warren Commission signed by the late J. Edgar Hoover which acknowledged that the FBI had contacted Jack Ruby in 1959 as a potential informer and had maintained regular contact with him for 9 months. This fact was obviously known by the Warren Commission but was omitted in a lengthy biographical section published on Ruby in the report of the Commission.

It is my hope that when we return in September that more Members will join in support of efforts to determine the truth about the assassination of our late President so that the people of the country might know.

Throughout my association with this effort I have been highly pleased at the great interest which is being shown by numbers of young citizens of this country particularly those on college campuses across the Nation. I was most impressed by the efforts of students at the University of Virginia who have prepared a legal-type brief presenting some of the arguments which show the need for reopening the investigation. I am pleased to include an edited copy of their work in the RECORD. I feel that it is most interesting reading:

A BRIEF FOR REOPENING THE INVESTIGATION INTO THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

By the following students at the University of Virginia: Mark Allen ('75), Sally Boucher (Coll. 4), Jay Buckley (Coll. 3), Kevin Farrell (Coll. 2), Mike Holm ('75), Andy Purdy (Law 3), Typist: Celie Hicks (Mary Baldwin '74).

Date of first draft: April 14, 1975: Draft was reviewed by the following: Sylvia Meagher, Josiah Thompson, Bernard Fensterwald, Jr.

Date of revision: June 27, 1975.

The contents and accuracy of this brief remain the sole responsibility of the students.

WASHINGTON, D.C.,
June 27, 1975.

PREFACTORY NOTE

This document is intended to point out some of the arguments in favor or reopening the investigation into the assassination of President John F. Kennedy. We have framed the arguments in "brief" form to overcome the threshold barrier to consideration of the issues by Members of Congress and the news media posed by the great volume of conflicting writings and evidence.

We believe that an appropriate committee of Congress should hear the evidence which calls into question the findings of the Warren Commission.

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A. It is a widely accepted misconception that Lee Harvey Oswald was an expert rifleman, and that the shots from the Depository window were "easy".

IV. The autopsy of President Kennedy raises doubts as to the Warren Commission findings.

THE WARREN COMMISSION FINDINGS

The Warren Commission concluded that Lee Harvey Oswald fired three shots, two of which killed President Kennedy and wounded Governor Connally,[1] and a third which missed the limousine entirely. The Commission also concluded that these shots were fired from the sixth floor of the Texas School Book Depository.[2] The shots came from behind,[3] the President first struck by a bullet in the back of the neck, and secondly by a bullet which entered the right rear portion of his head.[4] Governor Connally was struck by a bullet which entered the right side of his back and exited under his right nipple, then to pass through his right wrist and enter his left thigh.[5]

The Commission concluded that the shots were fired from the Texas School Book Depository because:

a) a witness reported seeing a gun fired from the sixth floor window of that building;[6]

b) a bullet found on a stretcher [it not being clear whether it was President Kennedy's stretcher or Governor Connally's] in Parkland Hospital, and bullet fragments found in the Presidential limousine were fired from the rifle found on the sixth floor of the Depository building "to the exclusion of all other weapons." Used cartridge cases also found on the sixth floor were identified as having been fired in the same rifle;[7]

c) the windshield of the limousine was struck on the inside by a bullet fragment;[8]

d) the autopsy report and examinations of Governor Connally's wounds by doctors and wound ballistic experts indicated that the bullets were fired from above and behind.[9]

FOOTNOTES

[1] *The Official Warren Commission Report on the Assassination of President John F. Kennedy* (Doubleday & Company, Inc., Garden City, N.J.: 1964), at 19.

[2] *Ibid.*, at 18.

[3] *Ibid.*

[4] *Ibid.*, at 19. See also 86–90.

[5] *Ibid.*, at 19. See also 92–93.

[6] *Ibid.*, at 18. See also 143–149.

[7] *Ibid.*, at 18.

[8] *Ibid.*

[9] *Ibid.*, at 18. See also 87–96.

ARGUMENT I. SINGLE BULLET THEORY

I. The implausibility of the single bullet theory calls into question the essential findings of the Warren Commission.

The widely discussed "single bullet" theory is essential to the finding that Lee Harvey Oswald acted alone.[1] The Warren Commission said: "Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat also caused Governor Connally's wounds. However, Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to this probability but there is no question in the minds of any member of the Commission that all the shots which caused the President's and Governor Connally's wounds were fired from the sixth floor window of the Texas School Book Depository."[2]

A. The single bullet theory is essential to the Warren Commission's finding that Lee Harvey Oswald acted alone.

The back/neck wound in President Kennedy and the wounds in Governor Connally, whether from the same or different bullets, occurred between frames 210 to 240 as shown by the Zapruder film.[3] This represents a time span, based on the 18.3 frames/second running speed of Zapruder's camera, of just over 1.6 seconds. The minimum firing time without aiming of Oswald's 6.5 millimeter Mannlicher-Carcano rifle was 2.3 seconds,[4] precluding the possibility of separate shots from the same gun inflicting these wounds in the men. Hence, either a single bullet from Oswald's gun did all of the damage to both men or they were hit by at least two separate bullets from at least two separate guns, which means there was a conspiracy. The only way the Warren Commission found to avoid the presence of a second gun was to have the President and Governor Connally hit by the same "magic" bullet.

B. A study of the evidence shows that it is highly improbable that President Kennedy and Governor Connally were struck by the same bullet.

1. The Zapruder film strongly indicates that the President and Governor Connally were struck by separate bullets.

The Warren Commission said that the wound in President Kennedy's neck was incurred between Zapruder frames 210 to 225.[5] It appears in frame 230 that the President has been shot and Governor Connally is still unharmed, holding his hat in his as yet uninjured right hand in a position higher than when it was struck.[6]

Governor Connally, his wife, and his doctors[7] believe he was hit by a separate, second shot. About the single bullet theory, Mr. Connally has said: "They talk about the 'one bullet' theory, but as far as I'm concerned, there is no 'theory'. There is my absolute knowledge, and Nellie's too, that one bullet caused the President's first wound, and that an entirely separate shot struck me."[8]

An analysis of the angle subtended by the line drawn along the shoulder and the line along the car indicate that Governor Connally was struck between Zapruder frames 237 and 238.[9] Other involuntary responses indicating this as the location of the hit on Governor Connally include the puffing of his cheeks and the disarranging of his hair.[10]

2. Governor Connally's doctors believe the bullet which wounded him did not first pass through the President.

"Dr. Gregory indicated that both he and Dr. Shaw thought it highly unlikely that the President and the Governor had been hit by the same bullet."[11] The doctors were influenced by the character of the wound being very small and having clean-cut edges[12] and the fact that there were no cloth fibers in the back wound (as opposed to their presence in his wrist).

3. Government reports support this evidence of separate bullets.

Preliminary Special Dallas Report No. 1, "Assassination of the President," prepared by the Secret Service said that the President was shot and "Immediately thereafter Governor Connally . . . was shot."[13] The FBI, in its five-volume report presented to the Warren Commission on Dec. 9, 1963, contained similar conclusions.[14]

4. The vertical and horizontal trajectories necessary for a single bullet to have wounded both men from the Depository window at a downward trajectory of 17 degrees are not established by the evidence.

An examination of the photograph contained in the Commission's final report demonstrating the bullet path of the single bullet theory shows a trajectory originating from the left (rather than the right) rear and in a vertical angle less than 17 degrees. Furthermore, such a bullet would be exiting from

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Footnotes on next page.

below the President's throat.[16] When examining the trajectories of the wounds and the bullet flight paths according to the Commission's report, discrepancies arise.

"According to the Commission theory, a bullet entered the upper right side of the President's back and emerged at the midline of the anterior throat, grazing the left side of the knot of the President's tie as it emerged." [17] The bullet was then supposed to have entered the upper right side of Governor Connally's back, exiting below the right nipple of his chest, and then crushing his wrist and lodging in his knee. In view of the relative positions of President Kennedy, Governor Connally, and Oswald's widow, the "magic bullet would have to have made two radical turns of 90° between exiting President Kennedy's throat and entering Governor Connally's back. The Warren Commission does not attempt to answer how this feat was accomplished.

In evidence obtained from an examination of the President's brain, an explanation of the smaller throat wound is made. It is believed to have been an exit wound for a piece of bone that was caused by the second head shot. This is consistent with the damage to the President's throat and also the fact that no traces of metal were found on the Preident's shirt or tie.[18] From the recently declassified transcript of the Jan. 27, 1964 Commission executive session, the Commission believed a bone fragment had caused the Kennedy neck wound. If this is true, then the single bullet theory has not credibility because there is no other bullet exit in the front of the President.

The condition of exhibit 399, the pristine bullet believed by the Commission to have caused the non-fatal wounds to President Kennedy and Governor Connally is inconsistent with tests of like bullets in similar circumstances.[19]

The bullet which supposedly went through both the President and the Governor, shattering two bones in the process shows no deformity in the upper ⅔ of its length. There is only a small loss of lead at the base of the bullet but the copper jacket remains intact.[20] More lead was deposited in Governor Connally's wrist than is missing from exhibit 399. This alone makes the Commission's central thesis completely impossible.

If it is accepted (as the Warren Commission did) that the bullet which entered Kennedy's back, exited from his throat and then entered Connally's back, the angles of the trajectories need to be examined. Cyril Wecht, County Coroner of Allegheny County has done so and concludes:

It should also be pointed out that the indicated pathways of these wounds are in considerable disagreement with the calculated trajectories from the postulated firing position of the assassin. The supposed assassin's site looked down on the car at an angle which varied from 22 to 20 degrees in the verticle plane and from 12 to about 8 degrees (right to left) in the horizontal plane, during the time interval over which these wounds might have been inflicted. The slope of the street, about 3 degrees, might perhaps be deducted from the vertical angle if we assume that the men's seating posture was determined by the slope of the car rather than their own sense of balance. (The Warren Commission made this correction although it is open to some question.) However, the vertical angle through the President's back/neck wound measures only about 11½ degrees, while that through the Governor's chest is larger, namely about 25 degrees. The indicated lateral angles (right to left in the horizontal plane) are about the same for both men, namely about 20 degrees. While these angular measurements are subject to error of a few degrees either way, the discrepancies seem too large to explain away in this fashion.

The original autopsy fact sheet places, the President's neck wound in his back at a position *below* the neck wound in the front. Though said later to have been an incorrectly low, rough estimation of the wound, it does line up with the holes in the President's coat and shirt.[21] The explanation that the President's coast and shirt were "bunched up" in the back, thus accounting for the low clothing holes in light of a high wound, can be disproven by studying the Willis slide No. 5.[22]

5. The character of the wound in the front of the President's neck indicates that a bullet did not exit there as postulated by the single bullet theory.

The bullet wound in the President's throat, described later as viewed prior to the tracheotomy incision, was "very small . . . 3 to 5 mm." [23] Dr. Cyril Wecht has said that he finds a wound of that size ". . . very, very hard to buy as an exit wound for a bullet which would have entered the back." [24]

An experiment done for the Warren Commission by Dr. Alfred G. Olivier of the Army's Edgewood Arsenal was done to simulate the wound through the President's neck. Three 6.5 millimeter bullets were fired through 14 centimeters of goat meat held between goat skins and shirt and jacket cloth.[25] The bullet entry wounds are the same size as the wound in the President's back, but the smallest exit holes was 10 mm, compared to the 3–5 mm. throat wound [26] in President Kennedy.

6. The neutron activation analysis done on the bullet fragments found in Connally's wrist could not identify them with the bullet said to have wounded the President.

J. Edgar Hoover's letter of July 8, 1964 to the Warren Commission reports the results of the neutron activation analysis—that the metal fragments from Connally's wrist could not be identified as having come from the bullet which wounded the President.[27] The extensive studying of the (as yet unreleased) raw data could determine whether these test results prove the single bullet theory incorrect.

FOOTNOTES

[1] (Critics of Commission).

[2] *Warren Report* at 19.

[3] Interview with Josiah Thompson with *Life* Zapruder prints, Haverford, Pennsylvania, April 1, 1975.

[4] (5 H 153–154); (3 H 407) (Frazier).

[5] *Warren*, at 114.

[6] See Zapruder frame 230. See also Thompson, *Six Seconds in Dallas* (Bernard Geiss Associates, New York: 1967), at 68.

[7] (4 H 114).

[8] Thompson, *Life* interview with Governor and Mrs. Connally, October 30, 1966.

[9] Thompson, *Six Seconds in Dallas*, at 75.

[10] Interview with Thompson on April 1, 1975 re: his November 2, 1966 interview with Dr. Gregory.

[11] Thompson, *Six Seconds in Dallas*, at 77.

[12] (4 H 104).

[13] Archives CD 87, dated November 28, 1963.

[15] (5 H 160; 18 H 89–90).

[14] Archives CD 11.

[16] *Warren*, photo No. 12 after page 428.

[17] Cyril H. Wecht and Robert P. Smith, "The Medical Evidence in the Assassination of President John Kennedy", *Forensic Science* 3 (1974), at 124.

[18] Thompson, *Six Seconds in Dallas*, at 54–55.

[19] *Ibid.*, at 146–154.

[20] Wecht and Smith, at 124.

[21] (5 H 59–60).

[22] Thompson, *Six Seconds in Dallas*, at 223.

[23] (17 H 29).

[24] See *Six Seconds;* Thompson interview with Wecht, May 26, 1967.

[25] (5 H 77–78).

[26] See Commission Exhibit 850.

[27] Interview with Thompson, April 1, 1975.

Argument II. Double Head Shot

II. There are indications that two shots struck the President's head from different directions.

A. There are indications that the President's head was hit by two shots in rapid succession, one from the front and the other from the rear.

1. The motion of the President's head tends to indicate that there were two shots.

Between frames 312–313 of the Zapruder film the President's head is seen to move forward under an acceleration of 69.6 feet per second.[1] Beginning at frame 313 the head moves violently backward and to the left until it bounces off the back seat at frame 321. Its acceleration backward is 100.3 feet per second.[2]

This motion is extremely rapid and analysis of the film show that it was not caused by acceleration of the car, as the car's velocity can be determined as constant over this time period. Secret Service agent Clint Hill testified that he was thrown off balance by the acceleration of the car, yet he did not reach the car until frame 368 which is 3 seconds after the head shots.

It is very difficult to explain this motion as a neuromuscular reaction. As seen on the Zapruder film, the President's body is limp, showing none of the signs of a neuromuscular spasm. Furthermore, the change in the direction of Kennedy's head observed in the film occurs in 56 milliseconds, too fast for a neurospasm.

In a neuromuscular reaction the head should keep accelerating—in this case after a sharp initial acceleration, the velocity remained constant. Also, since the motor strip (pre-central gyrus) was blown out by the entering bullet, the likelihood of any muscular reaction is considerably diminished.[3] The Warren Commission chose to disregard this backward head motion.

2. The location of brain matter after the shots supports the double shot theory.

Governor and Mrs. Connally were covered with brain matter which would support a shot from the rear. However, a large amount of brain material also landed on the left rear of the presidential car and on the uniforms and windshields of the two motorcyclists who were riding 6 to 8 feet to the left rear of the President's car. One officer testified that the brain matter hit with such force he at first thought he had been struck.

A piece of skull was found in the street by an observer approximately 25 feet from where the President was shot. It was identified by Dr. A. B. Cairns, chief pathologist at Methodist Hospital as being from the occipetal (rear) region of the skull. A bullet fired from the front could explain this.

3. Doctors at Parkland Hospital described the President's head wounds in a manner consistent with the double shot theory.

In addition to the massive wound to the right temple, the Parkland doctors described a large wound in the occipetal region with brain matter protruding from it. This tends to corroborate the belief that one of the head shots came from the front.

FOOTNOTES

[1] Thompson, *Six Seconds in Dallas*, at 86–95.

[2] *Ibid.*, at 98–101.

[3] *Ibid.*, at 101–111.

Argument III. Oswald: Section A

III. It is doubtful that Oswald did all the shooting.

A. It is a widely accepted misconception that Lee Harvey Oswald was an expert rifleman, and that the shots from the Depository window were "easy".

In May of 1959, Oswald's last shooting score of 191 points barely qualified him as a "marksman," the lowest rating given by the Marine Corps.

Lt. Col. A. G. Folsom testified before the commission that Oswald's ability as evidenced by his score was that of a "rather poor shot."[1]

Complicating Oswald's rather mediocre shooting skill was the alleged assassination weapon itself,[2] the Italian Mannlicher-Carcano. The Carcano retailed in 1963 for only $12.78; had a scope with an optical defect which sent bullets flying high and off to the right[3]; its sluggish bolt made rapid firing very difficult; and, finally, it had a double-action trigger which would have made accurate shooting difficult.[4]

Some of the Commission's problems in proving Oswald's rifle capability and his weapon's effectiveness might have been allayed had it been determined that Oswald had been practicing with the Mannlicher-Carcano shortly before the assassination. The Commission was unable to do so.[5]

Even given an excellent rifle and a superb marksman, Oswald's alleged feat of shooting is remarkable. He fired three shots from a bolt action rifle in a short span of 4.6–5.6 seconds. He was shooting at a target moving down an incline, from 60 feet up and 180 to 265 feet away. He had only .8 seconds to aim for his first shot and yet he managed to land two accurate hits, the last one, according to the Commission, causing the President's fatal head wound.[6]

The Commission endeavored to determine if Oswald was capable of such a performance. The Commission's rifle tests were so different from the actual conditions Oswald encountered, that their conclusions are open to question. The Commission's riflemen were shooting at stationary targets instead of moving ones; they were firing from 30 feet up instead of Oswald's 60; they took as much time as they wanted for the first shot while the assassin had less than one second to aim for his: and they corrected the defective sight of Oswald's Carcano by mounting the rifle with metal shims. Furthermore, the Commission employed "master" riflemen for the test—experts in firearms, four classes above Oswald's shooting ability.[7]

Even under these more favorable circumstances, the Commission's test only served to prove how difficult Oswald's alleged feat really was. Only one of the three master riflemen (with the stationary targets, corrected sight, reduced distance and added firing time for the first shot) managed to duplicate Oswald's ability.[8]

IV. The autopsy of President Kennedy raises doubts as to the Warren Commission findings.

The autopsy of President Kennedy at Bethesda Naval Hospital was incomplete and vague in its findings.

1. The autopsy team was entirely military and had limited forensic experience at the time. No civilian forensic pathologist was present. The chief surgeon, Dr. Humes, burned his autopsy notes in his recreation room fireplace; he said he didn't consider them important.

2. The positions of the wounds were determined by faulty measuring methods.

3. The wound to the anterior neck was not recognized and dissected because of the tracheotomy that had been performed in Dallas. This wound was only discovered the following day during a conversation with the Dallas physician who attended Kennedy at Parkland.

4. The back wound was not dissected to trace the course of the bullet following the orders of Admiral Holloway, the senior officer present who was not a member of the autopsy team.

5. Coronal sections through the fixed brain were not made, although this is a routine procedure in cases of gunshot wounds to the head in order to track the pathway of a bullet or bullet fragment.

For the above reasons, the autospy was unable to provide detailed analysis of the wounds to help investigators in locating the assassins' positions.[1]

SUMMARY OF ARGUMENT

We contend that there is more than a reasonable doubt that Lee Harvey Oswald acted alone in the assassination of President John F. Kennedy. We further contend that the magnitude and quality of responsible criticism of the essential findings of the Warren Commission justify a further, formal, and prompt governmental inquiry into the assassination.

At a minimum, we contend that a Congressional committee should hold preliminary hearings to gather all evidence which calls into question the findings of the Warren Commission so that a representative body can independently determine if there is sufficient doubt that Oswald acted alone to justify a full scale investigation.

FOOTNOTES

[1] Warren Report: (8 H 304).

[2] Meagher, Sylvia; *Accessories After the Fact*, (New York; The Bobbs Merrill Company, 1967) at 131.

[3] Warren Report at 194.

[4] Meagher at 131.

[5] *Ibid.*, at 108.

[6] Warren Report at 193–4.

[7] Meagher at 108.

[8] *Ibid.*

SENATE TESTIMONY BY CONGRESSWOMAN SULLIVAN ON AMENDMENTS TO THE EQUAL CREDIT OPPORTUNITY ACT

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mrs. SULLIVAN. Mr. Speaker, early in 1972 as a member of the National Commission on Consumer Finance created by the Consumer Credit Protection Act of 1968, I urged the Commission—as part of our study into the whole field of consumer credit—to investigate widespread practices in the consumer credit industry which discriminated against women. The information we developed in hearings conducted that year dramatized to the Nation for the first time the extent of such discrimination and the need for corrective action.

Married women, no matter what their earnings or resources, were denied credit cards or charge accounts except in their husbands' names. Divorced or separated women, regardless of individual creditworthiness, found it almost impossible to get credit. Widows discovered that their life-time records for paying their bills were insufficient evidence of creditworthiness when they tried to get credit in their own name. Many continued therefore to use their dead husbands' charge accounts, because the credit of a dead man was presumably better than that of a live widow.

The credit industry was unable to find any reasonable, logical basis in law or in fact for the outmoded customs they followed in considering the credit applications of women. True, there are many obsolete provisions of State law which militate against the creditworthiness of married women, but it was a general practice in the industry to require that all credit to married women be extended either in the husband's name alone or in joint names, not the woman's name—even though she may be the principal earner in the family.

At the time of our National Commission on Consumer Finance hearings in 1972, there was not a single bill pending in Congress, and no laws that I know of in any of the States, to prohibit discrimination against women in the credit field because of sex or marital status. But that soon changed. Congresswoman BELLA ABZUG of New York, one of our witnesses in the 1972 Commission hearings, immediately introduced a series of bills dealing with this subject. The States quickly began passing laws in an attempt to deal with the problem.

SENATE RIDER ENACTED INADEQUATE LAW

I shall not at this time go into the complex and incredible maneuvering which occurred in the 93d Congress over this issue—it is all spelled out in the remarks I made on the closed rule and on the conferenece report on the bank deposit insurance bill, H.R. 11221, in the House last October 9—but the end result was the enactment as a Senate rider on October 28 of a poorly drawn and inadequate Equal Credit Opportunity on October 28, of a poorly drawn and a series of far-reaching amendments to the Truth in Lending Act including one which virtually destroyed class action suits as the most effective device for assuring scrupulous compliance to truth in lending by every major creditor in the country.

The legislation, in the form of a Senate amendment to an unrelated House bill, ignored the vast array of facts about credit discrimination by reason not only of sex or marital status but also of race, color, religion, national origin, and age developed in hearings of my Subcommittee on Consumer Affairs of the House Committee on Banking and Currency in the last Congress, and extensive research material provided to me by the Congressional Research Service of the Library of Congress. A bill originating in the subcommittee, H.R. 14856 of the 93d Congress, would have dealt effectively with all of these issues.

Consequently, I introduced last December a bill to amend the new Equal Credit Opportunity Act before its effective date of next October to include the provisions of H.R. 14856 which had not been incorporated in the 1974 statute. Unable to get action on it in the closing days of the 93d Congress, I reintroduced it on the opening day of the 94th Congress as H.R. 1065. When Congressman FRANK ANNUNZIO of Illinois succeeded me this year as chairman of the Subcommittee on Consumer Affairs, he reintroduced my bill, with seven of us on the subcommittee serving as cosponsors, as H.R. 3386. After hearings and mark-up in the subcommittee, a clean bill was introduced by Mr. ANNUNZIO as H.R. 6516. This bill—modified in a number of important respects from my original bill—was approved by the Committee on Banking, Currency and Housing and passed by the House under suspension of the rules on June 3, 1975.

BIDEN-PROXMIRE BILL IMPROVES ON H.R. 6516

Subsequently, Senator Joseph R. Biden of Delaware, chairman of the Subcommittee on Consumer Affairs of the Senate Committee on Banking, Housing and Urban Affairs, and Senator William Proxmire of Wisconsin, chairman of the parent Senate committee, introduced S. 1927 incorporating all of the features of my original bill plus some further improvements and eliminating some of the provisions which I had opposed in the House-passed version. H.R. 6516. Senator Biden and Proxmire also introduced a bill on consumer leasing, S. 1961, which would undo the damage done to the civil liability section of the Truth in Lending Act by last year's Senate rider to H.R. 11221.

Because of the importance of these issues to millions of Americans who are being systematically discriminated against in every field of credit, not on the basis of creditworthiness but because of race, color, religion, national origin, age, sex, or marital status, and for whom the existing law taking effect in October will provide inadequate relief or none at all, I submit herewith the testimony I delivered before Senator Biden's subcommittee during hearings in July on S. 1927 and S. 1961, as follows:

Statement by Congresswoman Leonor K. Sullivan, Democrat, of Missouri, Before the Subcommittee on Consumer Affairs, Senate Committee on Banking, Housing and Urban Affairs, on S. 1927, to Amend the Equal Credit Opportunity Act, and S. 1961, to Amend the Truth in Lending Act, Tuesday, July 15, 1975, at 10 a.m.

Chairman Biden and Members of the Subcommittee on Consumer Affairs:

I appear this morning before this distinguished Subcommittee—where the concept of Truth in Lending had its origin 15 years ago as the brainchild of former Chairman Paul Douglas—to urge that you *undo* what the Senate insisted on doing to the consumers of this country in the enactment last year of Titles IV and V of Public Law 93–495.

S. 1927 and S. 1961, both by Chairman Biden and Senator Proxmire, would accomplish those goals if enacted in the form in which they were introduced. I strongly support them.

Title IV of Public Law 93–495, was enacted without any hearings and presumably as merely a series of "technical" amendments to the Truth in Lending Act. Title IV included a provision which has virtually destroyed the effectiveness of the class action device in promoting scrupulous compliance, by every major creditor in the country, to the absolute letter of the Truth in Lending Act. This provision placed a ceiling of the *lesser* of $100,000 or 1% of net worth on class action recoveries under Truth in Lending. For the largest creditors, a $100,000 judgment would be somewhat less than a slap on the wrist; for small ones, thinly capitalized, a penalty of 1% of net worth could be virtually zero—less than a gnat bite.

Section 4(c) of S. 1961, the Biden-Proxmire bill to bring consumer leases under Truth in Lending, would once again make Truth in Lending class actions an effective device for assuring compliance with the law by changing "the lesser of $100,000 or 1% of net worth" to "the greater of $50,000 or 1% of net worth."

S. 1927 IMPROVES ON H.R. 6516

Title V of Public Law 93–495 created the Equal Credit Opportunity Act of 1974 which takes effect exactly 15 weeks from today. This Senate measure on which there were also no Senate hearings, disregarded the information developed in comprehensive House hearings on the scope of credit discrimination. It is a weak and abbreviated version of a much stronger House bill which was bypassed and buried in a series of parliamentary maneuvers which were, to say the least, unfortunate for the consumers. Fortunately, all of the good provisions of last year's House bill, H.R. 14856, plus some improvements which I support, are included in S. 1927—a better bill than the one passed by the House this year as H.R. 6516.

The Equal Credit Opportunity Act, as I said, will take effect in 15 weeks, will undoubtedly help many women, and men, too, who are creditworthy and who happen to be single, divorced, separated or widowed, in overcoming traditional and often irrational discriminations in the credit market—but it will help mainly those who are native whites between the ages of 26 and, say, 55. It has a ceiling on punitive damages in class actions of the *lesser* of $100,000 or 1% of a creditor's net worth. It does *not* cover discriminations based on race, color, religion, national origin, or age—all of which *are* covered by the House-passed H.R. 6516 and by S. 1927. The hearings of my Subcommittee in the last Congress clearly established the need for such broadened coverage. Ostensibly a "women's" law, the Equal Credit Opportunity Act of 1974 does nothing for the woman who happens to be black, or Spanish-speaking, or Indian, or under 26 or over 55, or for men, either, in those categories.

S. 1927 is a better bill than the House-passed H.R. 6516 because S. 1927 incorporates an effective ceiling on class action penalties of the *greater* of $50,000 or 1% of net worth; it does not require proof of "willful" violations for assessment of punitive damages; and it contains an extremely important provision I failed to get into the House bill on an 18–18 tie vote in the House Committee—a provision requiring disclosure to the rejected applicant for credit of the reason for being turned down.

Otherwise, H.R. 6516 as passed by the House and S. 1927 are comparable or identical in almost every respect. I urge you to do your utmost to get the stronger version through the Senate. Let me explain why I consider that so urgent.

SENATE CONFEREES ARE HARD BARGAINERS

Although this is my first appearance as a witness before this Committee of the Senate I am hardly a stranger to the work of this Committee. During 21 years as a Member of the counterpart Committee of the House, and during most of those years a House Conferee on virtually every bill which went to Conference from the House Banking and Currency Committee, I developed a profound respect for the legislative skills of your Committee's Conferees in battling for the Senate position on legislation, whatever it might be—right or wrong. Of course, that is your obligation to the Senate, and I do not say that critically. But the Conferees from this Committee are usually so tough as to be—forgive me—downright stubborn.

For instance, it took nearly two long months of deadlock back in 1968 to get the Senate Conferees to agree to the major provisions of the House-passed Consumer Credit Protection Act after the Senate had passed only a limited disclosure Truth in Lending Act—one which did not include annual percentage rate disclosure for a vast segment of loans and credit sales, or administrative enforcement, or regulation of credit advertising, did not include the "cooling-off" rescission clause, or regulation of garnishment, did not include extortionate credit transactions, or even the establishment of the National Commission on Consumer Finance which was responsible in 1972 for launching the drive for the Equal Opportunity Act. It took us nearly two months to get the Senate Conferees to agree to those provisions in the final version of the law.

Senator Proxmire, who had done his best in 1967 to get a stronger Truth in Lending bill through the Senate than the one the Senate passed that year, knows what bitter battle we had with the Senate Conferees on that one. Again, in 1970, although we had no House-passed bill to bring to Conference on the Fair Credit Reporting Act, the Majority Members among the House Conferees were all committed to a series of strengthening amendments to make the Senate-passed bill conform to the version on which we had held House hearings, and we won only a few of those amendments. As a result, the Fair Credit Reporting Act has not lived up to the hopes Senator Proxmire and I had for it when we introduced our respective versions in the 91st Congress.

I was not a Conferee on the bank deposit insurance bill last year, H.R. 11221, because, under new rules adopted by the Democratic Caucus of the House Committee in the 93rd Congress, our Conferees from the Majority are drawn only from among Members of the Subcommittee which has initial jurisdiction over a House-passed bill.

In this instance, it was the Subcommittee on Bank Supervision and Insurance. Since I was not a Conferee, I don't know how hard the Senate Conferees had to fight to get the House Conferees to accept the Brock rider which contained Titles IV and V, but obviously, the Senate won everything on those two Titles and the consumer lost.

CONSUMERS MUST AWAKEN TO CLASS ACTION

So I am well aware of the persistence and effectiveness of Conferees from the Senate Banking Committee in upholding the Senate position—good or bad. That is why I have come over here this morning: to urge that on the two measures before you dealing with Equal Credit, Consumer Leasing, and class actions, you do your best to take to Conference better bills than the House versions, so that if you maintain your usual hard bargaining position in Conference, you will be on the side of the angels, and of all consumers.

That would by no means be the first time, of course. I certainly don't want to give a contrary impression. On the Real Estate Settlement Procedures Act last year, you had a better bill in important respects, and I was delighted as a Conferee from the Housing Subcommittee to help enact it. So it works both ways. But on the matter of class actions—both in Truth in Lending and Equal Credit Opportunity—it is going to have to be up to the Senate to repair the damage done by the Senate last year. The House has never voted one way or another on this specific issue. The House Committee, in the only vote we have ever had on class actions in consumer credit legislation—in H.R. 6516 this year—endorsed what you did last year in setting a ceiling of the lesser of $100,000 or 1% of net worth.

In the meantime, consumer groups, which have paid remarkably little attention so far to the importance of this issue of class action penalties in either the Truth in Lending Act or the Equal Credit Opportunity Act, had better come awake and do some really effective lobbying work on it—in Washington and back in the 50 states. Otherwise, all of their resolutions about the importance of consumer law enforcement through class actions will continue to get lost in the realities of creditor effectiveness on this issue.

None of us wants to destroy any business, large or small, because of "bounty-hunting" lawyers winning huge class action cases based on minor technical violations of any law. But under the complexities of the class action device in Federal courts, and regardless of the size of the judgment, the lawyer who wins a class action case under either the Truth in Lending or Equal Credit law, is undoubtedly going to get a fee commensurate with the time and work he puts into the case; it is only the aggrieved consumer with a legitimate cause of action who will end up with little or nothing. In the case of a serious violation of Truth in Lending by a major credit card company, for instance, how far would $100,000 go in dividing up a class action judgment? A few cents perhaps to each of the victims of the violation.

SAFEGUARDS IN CIVIL LIABILITY CASES

It should be emphasized in all discussions of this issue that in both the Truth in Lending and Equal Credit acts, the amount of a class action judgment must be based, among other things, on the seriousness of the offense and the resources of the guilty creditor.

Specifically, it must be based on the "amount of any actual damages awarded, the frenquency and persistence of failures of compliance by the cerditor, the resources of the creditor, the number of persons adversely affected, and the extent to which the creditor's failure of compliance was intentional." The words are identical in both statutes. If this is not adequate protection for the creditor in case of a purely technical and generally innocent violation, I do not know how you could write a penalty provision which woud be fairer.

The courts clearly demonstrated prior to enactment of Public Law 93–495 that they had no intention of permitting mammouth class action judgments in Truth in Lending cases based on purely technical violations. The expressed fear behind the credit industry's drive last year, to set only token ceilings on class action penalties, was that some court, some day, might go overboard in assessing Truth in Lending damages. But with the limitations now set in the law for class action recoveries, based on the factors I quoted, it is certain that any excessive judgment would be overturned on appeal.

I have devoted perhaps an inordinate amount of time in my testimony to the class action issue. I think it is crucial. I hope this Subcommittee agrees with me, as I know Senator Proxmire did in the last Congress when he fought for this same position in Committee and on the Senate Floor.

I would like an opportunity to submit for your hearing record a supplemental statement discussing some of the specific provisions of S. 1927 and of the House-passed bill, H. R. 6516. Most of them have their origins in the hearings and mark-up sessions of the House Subcommittee last year and in the comprehensive reports made to us by the Library of Congress Legislative Research Service and incorporated into our three volumes of 1974 printed hearings.

For the purpose of this morning's hearing, however, I just want to say that Senators Biden and Proxmire have taken these provisions from last year's House bill and improved on them in S. 1927 in several important respects.

As to the Consumer Leasing amendments to Truth in Lending included in S. 1961, I submit now a copy of a letter I addressed to Governor Bucher of the Federal Reserve Board and his reply on some technical aspects of H. R. 4657, a bill on which we held hearings in the House last week and which is identical to Senator Garn's bill, S. 1900. In my opinion, the Biden-Proxmire bill, S. 1961, is preferable because it does not repeal the Truth in Lending coverage of the type of consumer leases which is now considered a "credit sale" under Truth in Lending. And S. 1961 includes penalties for advertising in violation of the Act. I urge you to read Governor Bucher's response to my questions, including one on the reason for not including under the legislation the leasing of agricultural equipment by the family farmer. In view of Governor Bucher's response, you might want to give further study to the value of including leases for an agricultural purpose, so that this Chapter has coverage similar to the general coverage of the Truth in Lending Act.

In conclusion, I want to thank Senators Biden and Proxmire for introducing S. 1927 and S. 1961, and to urge you to do everything you can to get them through the Senate as close to their original form as possible, as I know you will. In the 12 years I served as Chairman of the counterpart House Subcommittee, between 1963 and the start of this year, I had the pleasure and great satisfaction of working with two outstanding former Chairmen of this Subcommittee, Senators Douglas and Proxmire, on legislation which has brought great benefits to consumers. I am sure, Senator Biden, that you are deriving similar satisfaction from this work in support of the consumer interest.

SUPPLEMENTAL STATEMENT BY CONGRESSMAN SULLIVAN

Following are some of the specific provisions of S. 1927 and H.R. 6516 to improve the existing Equal Credit Opportunity Act on which I wish to comment in some detail without taking the time of the Subcommittee to present orally all of this technical data on the mechanics of the legislation. Most of the provisions of the two bills came out of H.R. 14856 of the last Congress, as we revised it in the House Subcommittee on Consumer Affairs based on facts brought out in the only hearings held in either House prior to this year on Equal Credit Opportunity legislation. Among them are:

EXTENDED STATUTE OF LIMITATIONS

Both H.R. 6516 and S. 1927 contain the two-tiered statute of limitations we devised in the House Subcommittee last year to allow consumers up to one year after a Federal enforcement agency establishes a violation involving that consumer to sue for damages. Under the present law's one-year statute, the consumer may never know he or she was a victim of illegal discrimination until a Federal agency had investigated a creditor and established a violation or a pattern of violations in which that individual might have been involved. Since government enforcement agencies may take a year or longer to uncover and establish such violations after they had occurred, the victims would probably find out about the violation too late to sue under present law. The Federal agency would have to *commence* its enforcement action within the one-year statute, however, as the law now provides.

The purpose of the amendment is to provide a reasonable period for private suits after an enforcement agency has clearly established that a violation actually occurred.

RELATION TO STATE LAWS

The present Equal Credit Opportunity Act forces consumers to elect whether to seek redress under the Federal law or under any state law dealing with credit discrimination. As was established by Library of Congress studies mode for my Subcommittee last year, and appearing in Part II of our printed hearings on H.R. 14856, most of the state antidiscrimination laws in the credit field provide mainly for *mediation* by a state human rights commission or similar agency, with no damages awarded for violations. I think we should encourage mediation efforts by state or local agencies but not thereby preclude an aggrieved consumer from utilizing the enforcement provisions of the Federal law. Both H.R. 6516 and S. 1927 handle this problem intelligently, without allowing a complainant to collect civil damages under the Federal law if he or she has had *recovery* under a state law. As the Act is now written, once a person even so much as contacted a state agency to look into the matter, he or she could not thereafter go to a Federal agency for help if the state agency failed to deal effectively with the discrimination involved. Under both H.R. 6516 and S. 1927 this limitation in the present Act would be eliminated.

ADVISORY COMMITTEE

Both H.R. 6516 and S. 1927 provide for creation of an advisory committee by the Federal Reserve Board to assist in writing regulations and otherwise exercising its functions under the Equal Credit Opportunity Act. Such a committee has been a very worthwhile resource for the Federal Reserve in connection with its responsibilities under Truth in Lending.

ANNUAL REPORTS TO CONGRESS

Both H.R. 6516 and S. 1927 call for annual reports by the Board and by the Attorney General to the Congress on their responsibilities under the Equal Credit Opportunity Act. This, too, is based on Truth in Lending experience. It provides for an annual assessment, also, as to the extent to which compliance is be'ng achieved by the various enforcement agencies, and a summary of their enforcement actions, which can be most useful to us in determining the need for changes in the Act.

During our hearings last year, we received complaints from some creditors who are under the jurisdiction of the Federal Trade Commission for Truth in Lending enforcement that every complaint made by FTC against a firm for possible violation of the Act is publicized, whereas when banks, savings and loans, airlines, or other creditors under the jurisdiction of Federal regulatory agencies other than the FTC are found in violation, the facts are seldom made public. It was the feeling of the Subcommittee Members last year that in monitoring the enforcement actions of the various agencies assigned such responsibilities under the Equal Credit Opportunity Act, the Federal Reserve should make sure that repeated or flagrant violations of the law by any creditor are disclosed. Whether or not individual firms are cited in this fashion, the annual reports to Congress called for in this amendment should clearly identify areas of enforcement and compliance problems.

"AFFIRMATIVE" DISCRIMINATION

As a result of the House Subcommittee hearings last year, we wanted to make sure that a Federal law prohibiting discrimination in credit because of race, color, religion, national origin, age, sex or marital status, should not have the unanticipated and unwanted consequence of preventing churches from lending money only to their own members, or church-affiliated credit unions doing the same thing, or minority assistance programs of the Small Business Administration or the Bureau of Indian Affairs being held in violation, etc. These are so-called "affirmative" discriminations. In revising H.R. 14856 in Subcommittee last year, we therefore adopted the language now contained in 701 (c) of both H.R. 6516 and S. 1927. We not only included loan assistance programs *expressly authorized* by law for economically disadvantaged groups, and loan assistance programs administered by nonprofit organizations for their own members or an economically disadvantaged group, but also special purpose loan programs offered by profitmaking organizations to meet special social needs. However, these arrangements by profitmaking firms are to be in conformance with standards set by the Board's regulations.

The House Committee this year added languge applying only to age, which permits "applying criteria favoring applicants in particular categories" when the purpose is "not to discriminate against the applicant in a determination of creditworthiness." S. 1927 has somewhat different language which I believe is much more tightly drawn. I am concerned over two things about this added language on age, however: one, these criteria apparently do not have to conform to the "special social needs" standards the Board would establish under 701(c); and, second, they may possibly be interpreted to permit the use of credit scoring systems in which age takes on whatever plus or minus factor the creditor wants to give it—which is exactly what we have now—with widespread discrimination against those under 25 or over 60, regardless of individual creditworthiness. It is well and good to discriminate "for" someone over 65, if that is the purpose, but I hope you will look at the language on age very critically to make sure this is not a loophole for discrimination and is really necessary in view of the language in your proposed 701 (c) (3) and in H.R. 6516 providing for "special social needs." When we wrote 701(c) (3) in the Subcommittee last year, we definitely had in mind programs offered by banks and other profitmaking organizations to extend credit to *young* people, or to *old* people, or to *minority* groups, but we did want firm standards to be set. In fact, as we wrote it last year, we proposed that every such plan should have *specific* Board approval *or* meet standards prescribed by the Board, so that this provision would not become a loophole for invidious actions against any *other* group of creditworthy consumers.

REASON FOR CREDIT REJECTION

I ascribe great importance to a provision of S. 1927, which was not in our bill last year and was rejected by the House Committee this year on a tie vote of 18–18 when we were considering H.R. 6516, which would require creditors to inform consumers of the reason for the rejection of credit.

At the present time, under the Fair Credit Reporting Act, a creditor is required to reveal whether a rejection for credit is based on information received from a particular credit bureau or other sources. But, as we all know, the information on file with the credit bureau may not give the consumer even a *glimmer* of an idea why he or she was rejected.

The Federal Reserve Board, in its proposed regulations to carry out the Equal Credit Opportunity Act, has spelled out a disclosure requirement similar to what is now contained in the proposed Section 701(d) on page 3, line 22 of S. 1927 and I urge its approval. It should be kept in mind that, *unlike* the Fair Credit Reporting Act, the Equal Credit Opportunity Act applies to *all* forms of credit, *not* just to consumer and residential real estate credit. So if we are going to provide effective support to the creditworthy minority businessman or woman in seeking credit on a non-discriminatory basis, the Fair Credit Reporting Act provides no assistance whatsoever. Subsection (d) should therefore definitely be included in Section 701 of an amended Equal Credit Opportunity Act.

I am sorry the House Committee rejected my amendment this year to write into the law the disclosure requirement proposed by the Federal Reserve in its regulations under the Equal Credit Opportunity Act on the actual reason for rejection of an application. In view of the closeness of the vote in the House Committee—18 to 18—I am sure that if the Senate adopted this amendment, the House would go along.

If it is not written into the law, I believe it is very likely that the Fed's regulation containing this requirement would be challenged in the courts as going beyond the wording of the statute. This is exactly what happened on some of the Federal Reserve regulatory requirements under Truth in Lending that were not specifically authorized in the law. Although the courts subsequently upheld the Federal Reserve in each instance where a requirement of Regulation Z was challenged on this ground, it is much better to have disclosure requirement on rejections spelled out in the Equal Credit Opportunity Act than be the subject of lengthy litigation to establish the Fed's right to impose this requirement.

Consumers who are rejected for credit are *entitled* to know the reason why. If their creditworthiness is questionable, they can then do something about correcting it. But at least they will know the reason, and will usually understand. But if they don't know the reason they might assume it is on the basis of illegal discrimination, when it very well might not be, thus leading to unnecessary law suits or complaints to government agencies.

"PATTERN OR PRACTICE" SUITS BY ATTORNEY GENERAL

At the suggestion of the Department of Justice last year, the House Subcommittee on Consumer Affairs amended H.R. 14856 to enable the Attorney General, on his own initiative, and without waiting for complaints from other enforcement agencies, to bring a civil action "for such relief as may be appropriate, including injunctive relief" whenever he has reason to believe that one or more creditors "are engaged in a pattern or practice" in violation of the Equal Credit Opportunity Act. This provision was not included in the Senate version of the legislation last year and is therefore not in the present law. It has been included this year in both H.R. 6516 and S. 1927.

I strongly urge its adoption. "Pattern and practice" suits by the Attorney General have been effective in achieving better compliance with other civil rights statutes and should be provided for in the law prohibiting discrimination in credit. Testimony received by the House Subcommittee last year established the fact that Federal bank regulatory agencies, particularly, tend to be reluctant to take any public action against institutions under their jurisdiction found in violation of a consumer statute for fear of jeopardizing public confidence in an offending bank. Instead, the matter is usually handled quietly. In at least one instance, we were told, a bank official repeatedly violated the Truth in Lending Act and was not finally persuaded to conform to the law until the regulatory agency vigorously stressed the danger of a large class action suit against the bank in case the violations were revealed. The regulatory agency was concerned primarily about protecting the bank from damages of such magnitude as to possibly affect the bank's solvency and perhaps even the regulatory agency's liability under the bank deposit insurance laws.

Thus there tends to be something of a built-in conflict of interest on the part of say, the Federal Deposit Insurance Corporation, in enforcing consumer laws providing for damages to aggrieved consumers. Other agencies with enforcement responsibilities under the Equal Credit Opportunity Act, such as the Comptroller of the Currency, the Federal Home Loan Bank Board, the National Credit Union Administration, the Civil Aeronautics Board, the Farm Credit Administration, and the Small Business Administration (with respect to Small Business Investment Corporations) face a similar problem in publicly disclosing violations by creditors under their jurisdiction because of their financial involvement in the health of the institutions they regulate.

The ability of the Attorney General to proceed on his own initiative and file suit against any creditor or creditors engaging in a pattern or practice of violation of the act would provide additional incentive to the other regulatory agencies to enforce compliance promptly by offending creditors in whose financial integrity the regulatory agency has a stake, through deposit insurance, subsidies, or other potential agency obligations.

ADDITION OF WORD "WILLFULLY" IN H.R. 6516

The House bill requires that to collect punitive damages for a violation of the Act, the consumer must prove that the creditor acted "willfully". That requirement is not in the civil liability section of the Truth in Lending Act and is not in the Equal Credit Opportunity Act of 1974 either. Actual damages under either Act would be hard to establish. If the civil liability penalties are to be effective in achieving compliance in individual credit discrimination cases as well as in class actions, the word "willfully" in H.R. 6516 should not be included in the legislation. It is not included in S. 1927.

I would like to suggest that we can probably resolve this matter by letting the court decide in individual cases, as it can now in class actions, the seriousness of the offense in relation to the resources of the creditor before setting a figure on punitive damages. This can be done by removing the word "class" on page 5, line 25 of S. 1927 so that it reads: "In determining the amount of award in *any* action, the court shall consider, among other relevant factors," etc., so that the court will have to take into consideration in an individual case as well as in class actions "the extent to which the creditor's failure of compliance was intentional." If that is done, the argument over willfulness becomes academic. Otherwise, if the language of the House bill prevails, requiring proof of willfulness in winning punitive damages, serious violations resulting from negligent non-compliance, for which the creditor is clearly at fault but which may not be willful, would go unpunished.

DECONTROL OF GAS PRICES

HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FITHIAN. Mr. Speaker, I sincerely believe that this body will, by failing to take final action on the bill before us today, share responsibility for decontrol of oil prices, and the catastrophic consequencies to our economy which are sure to follow. If we recess without passing the bill we will fail the American people when they need us most.

In the past few weeks we have seen all too clearly the consequences of fragmented committee jurisdiction on energy policy. Frequent and lengthy delays on energy legislation have been the price that we, and the American people, have had to pay for inefficient and archaic direction of energy policy in this body. I would hope that our frequently frustrated efforts in the past few weeks will serve as a stimulus to reorganization and reform.

Congress, even with the conflicting committee jurisdiction on energy, has had long enough to pass an energy bill. We have made great progress toward passage. We must complete the process before we leave for the recess.

LIFT ARMS BAN

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ZABLOCKI. Mr. Speaker, for the second time in 2 months the Senate voted last night to lift the arms ban on Turkey, but the House delayed consideration of the bill until September. It is very unfortunate that the effort to get the embargo removed before Congress adjourns today has been abandoned.

While talks between President Ford and Premier Suleyman Demirel have given little indication that U.S. bases will be reopened, it was clear that the situation was still recoverable if the House would reverse itself. The lack of action by the House in the effort to lift the arms ban can only weaken the prospects for negotiations on the Cyprus issue and further endanger the resumption of the use of American military bases in Turkey.

In a July 29 editorial, the Milwaukee Sentinel correctly states that the more responsible action in this matter would be for the House to reconsider its action. The House, it says should be confident that President Ford, on the basis of his agreement to keep Congress informed on the Cyprus issue, will do his utmost to preserve the honor of the United States while at the same time trying to insure a just settlement of this complex matter.

Mr. Speaker, I would like to share the Milwaukee Sentinel editorial with our colleagues in the hope that it might convince our colleagues that the continued ban on arms sales to Turkey will only hamper those efforts which are being made to seek a permanent political solution in Cyprus, to stabilize Greek-Turkish relations, and to prevent a weakening of NATO forces in the Eastern Mediterranean. Without a reversal of the July 24 decision of the House, further developments in this emotionally-charged situation will only work against the best interests of all involved—Greece, Turkey, Cyprus, and most importantly, the United States.

The editorial follows:

LIFT ARMS BAN

The House of Representatives has made its point the hard way in refusing to lift the US ban on arms sales to Turkey and provoking retaliatory action by Turkish officials who ordered a takeover of all US bases in their country.

The takeover began Monday after an initial delay suggested that the Turks might be leaving the door open for a compromise. And their intransigence could make the House more firm in its resolve.

But it might be more responsible for the House to make a concession to President Ford, who has bent over backward in trying to woo back support for Turkish arms aid as a bargaining tool in the Cyprus dispute and, more importantly, to preserve the strategic US bases in Turkey.

All indications are that the bases are irreplaceable in terms of gathering intelligence on the Russians. The conduct of Ford and Secretary of State Henry Kissinger in trying to salvage them confirms these reports.

Ford and Kissinger have come as close to begging as dignity will allow.

But while we urge the House to reconsider its action on the arms ban, the stated reasons for its reluctance on this matter should not be treated lightly.

Turkey violated international agreements when it used our arms to intervene in Cyprus where its troops at this time are the dominant force. Any arguments to the contrary are tortured logic. True, a valid fear of a Greek takeover of the island prompted the Turkish invasion and there is not a monopoly of right or wrong on either side.

But it is not unreasonable to object to the use of US arms in a conflict between two of our allies. And compelling as they may be, arguments that the arms ban should be lifted because the Turkish bases are necessary for our national security have an unpleasantly familiar ring. A year ago at this time we were still being urged to keep a crook in the White House for the same reasons.

In this instance, the motives of Ford or Kissinger in desperately wanting to hold on to the Turkish bases are not subject to challenge. However, there is a danger that in the absence of a congressional check, we would forsake our already tainted national dignity in return for that security, and there must be a time when we ask ourselves, as a nation, whether such an exchange would be fair or moral.

The House, through its past action, has called attention to that potential conflict and should be confident that Ford, on the basis of his past record and agreement to keep Congress informed on the Cyprus issue, will do his utmost to preserve the nation's honor as well as its defense. Recognizing that, the arms ban should be reconsidered and lifted.

DECONTROL OF OIL PRICES

HON. MARTHA KEYS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. KEYS. Mr. Speaker, the subject of oil pricing policy has commanded the attention of the House of Representatives and the Nation at large these past 2 weeks. The President submitted to Congress his plan to decontrol the price of "old oil" over a period of 30 months. The House of Representatives rejected this plan for a number of good reasons.

Decontrol would be a further shock to an economy just recently beginning to show signs of recovery. Decontrol would increase the cost of all petroleum products and would not serve to encourage exploration for "new oil." The major oil companies control 90 percent of the "old oil" and yet the independents do nearly all of the exploration.

Further, the effect of the administration's plan would be a lower production during the 30-month decontrol period because oil producers would hold back until the end of the decontrol period.

The effect of cost increase would mean that by the end of the 30 months, the price of all oil would be $12 per barrel or whatever artificially high price set by the OPEC countries in 1977. And the economic impact goes beyond immediate petroleum price increases.

The administration's program would increase the national oil bill by an estimated average of $230 per household; increase the number of unemployed by 800,000; and increase consumer prices by 2 percent. The program would also decrease housing starts by 268,000 per year and decrease the real gross national product by $26 billion. These effects on the economy are in addition to the inflationary spiral of living costs and other economc dilemmas in unemployment and industrial health.

The ramifications of the price increases will be felt in other areas also. For example, natural gas, coal, and other energy costs rise correspondingly to the price of petroleum.

Developing a comprehensive energy program is difficult but we must accomplish it. I will continue to oppose efforts to burden the consumer with higher and higher prices and to work for a responsible policy of conservation, change in consumption and development of new energy sources that are cheaper, cleaner and will not run out.

CAN MR. FORD BREAK THE RULES

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DEL CLAWSON. Mr. Speaker, in recent years we have seen many executive agencies create laws, without the consent of Congress, through the use of rules and regulations. Many of these so-called rules and regulations have handicapped the real function of the administrative agencies, often to the point where no one is served the better by them. This has been a concern for some time. My cosponsors and I have introduced legislation, H.R. 8231, which will give Congress oversight capability over regulations coming from the executive agencies, and thus, allow Congress to maintain its constitutional role as a lawmaking body.

I recommend to my colleagues an editorial, which appeared in the Washington Post on July 30, 1975, by Meg Greenfield, "Can Mr. Ford Break the Rules?" which speaks directly to this crucial issue. I believe H.R. 8231 provides a method of substituting "good judgment for bad rules."

The editorial follows at this point in the RECORD:

CAN MR. FORD BREAK THE RULES?

(By Meg Greenfield)

President Ford has been saying he intends to cut back the tangled growth of federal rules and regulations that are choking so many worthy enterprises in American life. I wish him well. I don't think he has a hope of succeeding.

This gloomy appraisal begins with the fact that the compulsive formulation of conflicting, irrelevant and unworkable rules is far from being an exclusive aberration of the federal government. It may reach its finest flower there, but the competition at all levels of American life is intense enough to suggest that what we are dealing with here is a national way of doing things.

Shortly before the President told a recent White House conference, for example, that it had taken 45,000 pages of small print just to list the federal rules and regulations promulgated last year, Governor Brown of California was making a similar point about conditions in his state: he compared the several hundred thousand words it had taken the authors of the Old Testament to say what they had to about acceptable human behavior with the 5 million words it had taken the state-federal welfare establishment to spell out the rules for receiving public assistance in California.

In municipal affairs, things are hardly different. Only very small children do not know that police, fire, health and housing department corruption in many big cities rests in part on payoffs made against official threats to enforce a welter of city regulations that are archaic and immobilizing. And in labor-union life, the threat of invoking the fine print is equally ominous: "working to rules" means more or less ceasing to work at all. It is worth noting that the U.S. Senate, which harbors some of the most outspoken critics of all this, can itself only get down to business in the morning by selectively suspending its rules.

Plainly Ford is up against something more complicated than a mere encrustation of old federal regulatory and bureaucratic orders that are working against new needs—as, for example, the ICC rule that obliged some truckers to take out-of-the-way routes during last year's gasoline shortage. For one thing, the increasing federal role in practically everyone's affairs continues to create a strange combination of opportunity and obligation on the part of federal agencies to establish rules of conduct.

To cite a case, Congress has enacted legislation permitting married couples to deduct a given sum from their taxes for the cost of child care that permits both parents to work. Fine. Only the IRS—understandably—wants no cheating, no writing off of maids and the rest. So it has felt obliged to formulate rules and guidelines governing—yes—the amount of house cleaning the deducted baby-sitter may perpetrate. Tomorrow's headline all but writes itself: "Sitter Charged With Excessive Vacuuming/Employer Claims Work Related Cleanup/Child Jailed."

Still, much more than a mere enlargement of the federal capacity to busybody seems to me to be involved here. I think there is a dynamic at work among both federal government officials *and* the affected public that puts a premium on framing impossible new rules and preserving impossible old ones. It begins with a desirable goal or public policy, moves on to a bureaucratic decision to transfer the onus of enforcement from individuals to ostensibly fair and immutable pages of written rules and builds up a body of regulation that acquires a political, symbolic and legal life of its own. The result may be awful, but you can bet that at least six citizens' groups, two federal judges and 30 senators will be ready to come between the agency and any attempt to revise ("weaken," "gut") such rules.

We had an example of how the thing works in Washington recently when some university chancellors challenged a set of conditions HEW was trying to impose on them as the price of receiving federal contracts. The agreement they had been asked to sign concerned their schools' taking "affirmative action" to overcome racial, ethnic and sexual discrimination in employment practices. The document itself, however, did not mandate action that would have directly resulted in making their practices more fair. Rather, it reqiured them to make up to an estimated 100,000 separate statistical analyses concerning their employees at a cost of several hundred thousand dollars—and report the finding back to HEW. It was the nearest thing to an insane government publication that I have ever read.

What made this episode especially interesting to me was that in the course of looking into it I could not find a single official who was responsible for the document who had anything good to say about it. It appeared to be a product of assorted political, interagency, legal and citizen-group pressures. Nor was there anyone who could readily turn it off: five days elapsed between the stated commitment of the Secretaries of HEW and Labor to revise the government's demands and their ability to do so. Finally, even among the various rights groups who had been pushing for tougher government action, there was widespread acknowledgment that this approach had very little to do with overcoming discrimination.

Why do the bureaucrats do it in the first place? I think I know. When I try to imagine how HEW or any other government agency would deal with Solomon's most familiar administrative challenge, I come up with two different conclusions that have one thing in common. Either they would invoke federal regulation CR (03X-14) and actually cut the baby in half, or his contending mothers, under regulation DL-9B (15), would still be filing documents before an interagency proceeding when he had reached the age of 43. But either way, the government officials in question would have avoided judgment, responsibility, the burden of using their wits and a particular kind of trouble. By formulating endless rules, we put the problem on "automatic," and there are very few officials in this town who are willing to take the heat that goes with trying to make common-sense rulings—instead of just more rules.

And why do the rest of us go along? Probably because we have an abiding fear of discretionary government and a misplaced belief in the capacity of written regulations to ensure fairness and to prevent our officeholders from treating us in capricious or tyrannical ways. Now the regulations themselves have become tyrannical, but this comes at a moment when government officials are feeling anything but audacious and when the public is awash in suspicion concerning both their competence and good faith.

So I don't think the President is going to get very far with his admirable intentions. The bureaucrats don't have the guts to substitute good judgment for bad rules. And the rest of us don't have the confidence—either in them or in each other—to make the bureaucrats try.

BULL IN THE CHINA SHOP

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. LEGGETT. Mr. Speaker, on June 26 this Chamber, by a vote of 246 to 164, amended H.R. 8121 to add to the portion of the bill dealing with State Department appropriations a new section to preclude funds for the purposes of negotiating the surrender or relinquishment of any U.S. rights in the Canal Zone. I strongly opposed this amendment because its injurious effects would contradict its intended purpose. Today I am more convinced than ever that this amendment is unwise, inappropriate, perhaps unconstitutional, and very damaging.

Several days after the passage of this amendment of the gentleman from Kentucky (Mr. SNYDER) sources all over Latin America focused on it and denounced it. All sectors of Panamanian society, despite their diverse views on many matters regarding the canal, condemned the amendment. Of course, the resentment expressed in Latin America toward the amendment does not in itself show the amendment was wrong. But it does show that those of us who warned that the amendment would be more damaging than helpful in Latin America were correct.

Realizing that there are many of us who believe that the U.S. position under the "eight principles" may be too generous rather than too rigid, I nevertheless submit a document which purports to show the present United States and Panamanian positions in the negotiations. This document was distributed in Panama at a meeting between Panamanian Government officials and students. Our own U.S. State Department cannot confirm the accuracy of the document but it does have some credibility in many sectors.

The document follows:

PRESENT STATUS OF THE NEGOTIATIONS

THE UNITED STATES POSITION	PANAMA'S POSITION
I. *Basic position:* The United States is demanding that it retain unilateral control of the *operation* (and administration) of the Canal and the Defense of the Canal in any treaty to be signed. (To this may be added the position adopted by the Senate that it would not ratify a treaty which does not contain these guarantees.	I. *Basic position:* Panama demands a *new treaty* which would eliminate the 1903 treaty and its perpetuity, completely reintegrate the Canal Zone into Panamanian sovereignty and jurisdiction, establish an acceptable period of duration *so that the Canal itself* is turned over in its entirety to Panama's exclusive control and a program for progressive elimination of United States military bases.
II. *Positions on main subjects:*	II. *Positions on main subjects:*
A. *Duration:* 50-year Treaty in what pertains to a lock Canal, plus 30 additional years if a new Canal is built.	A. *Duration:* No further than the end of the present century.
B. *Jurisdiction:* In principle, the U.S. agrees that the Canal Zone be reintegrated into Panama within 3 years. This means the elimination of the "Canal Zone" concept, Canal Zone Government, Police, Laws, American Courts, etc. But they contradict this position in *jurisdiction* with their position on the subject of *lands and waters*.	B. *Jurisdiction:* Panama agrees to the transition period of 3 years. But the reintegration of the Canal Zone into Panama must be *real and effective*, not fictitious. The Panamanian Government must exercise complete sovereignty over everything that is the present Canal Zone, which implies that the map of the Republic of Panama must have only one color.

C. *Lands and waters:* In *practice* the U.S. wants to keep under their control almost the same amount of lands and waters of the present Canal Zone for the operation and defense of the Canal. What they are willing to return to Panama, up to now, is almost nothing.	C. *Lands and waters:* Panama rejects the United States position. First, all of the present Zone must revert to Panama, then Panama, as sovereign, would cede to the United States *rights of use* (not jurisdiction) over lands and waters strictly necessary for the operation and defense of the Canal and only for the duration of the treaty.
D. *Canal administration:* The U.S. agrees that the present *Panama Canal Company* be eliminated and a new entity be formed, with Panamanian participation. But they would continue to hold a control mechanism in that administration.	D. *Canal administration:* In seeking a negotiated solution, Panama proposes an *increasing participation* by Panama and a *decreasing participation* by the United States for the duration of the treaty, until Panama takes over complete exclusive control. This signifies a substantial majority of Panamanians in all levels and categories of jobs.
E. *Protection and Defense:* The U.S. demands *control* over the defense of the Canal; the same bases and installations they presently have and they want a kind of *residual defense* after the treaty has terminated, although they accept Panama's *participation* in the protection and defense. They want a certain type of control over Panamanian air space.	E. *Protection and Defense:* Panama rejects the United States' position, *increasing participation* by Panama and *decreasing participation* by the United States. Elimination of the majority of the military bases, only 3 bases to start, with their gradual elimination. Panama to assume full responsibility at the termination of the treaty, prohibits nuclear arms. Prohibits the use of the 3 bases for intervention in other areas. No intervention in Panama's internal matters.
F. *Neutrality:* In *theory,* the U.S. agrees, but they want unilateral controls in case of war.	F. *Neutrality:* The Canal must be permanently neutral in times of peace or war, and ships of all flags allowed to transit, guaranteed by all nations.
G. *Expansion:* The U.S. wants an open *option,* without commitments on their part, for 25 years in order to decide *unilaterally* whether to: (a) Build a sea level canal through the present canal (b) Build a sea level canal through Route 10 (Chorrera-Palmas Bellas) (c) Build a third set of locks In that case, they wish to continue their control of the defense until the year *2065.*	G. *New works:* Panama rejects the United States' position, accepts only *5 years* from the time the new treaty goes into effect to see if an acceptable agreement on a new canal is possible, with short duration terms and without military bases. Besides, it is Panama, as owner of the territory, who must decide what is more advantageous for its socio-economic development.
H. *Arbitration:* The U.S. agrees with an arbitration clause, not yet negotiated, in the treaty.	H. *Arbitration:* Panama demands a clear and precise arbitration clause whch permits Panama to defend its rights against unilateral interpretations.
I. *Economic Benefits:* The U.S. agrees on increasing Panama's annuity, but still in a ridiculous manner. They propose a formula, based on the tolls, which would start with *33 million dollars* a year until it reaches a maximum of *44 million.* They allege that this is extraurdinary (sic) and is the maximum they can give.	I. *Economic Benefits:* This should be the last matter to be dealt with. Panama *does not exchange sovereignty for economic benefits.* Panama's geographic position is *its main natural resource* and, therefore, it must be the absolute sovereign over that resource and derive the appropriate benefits, direct and indirect, from the canal. Panama has not, up to now, proposed concrete figures, but it rejects the United States' position. These benefits must work directly toward the rapid economic and social development of the Panamanian nation.

Since so much discussion on the Panama question has been stimulated by the Snyder amendment, three colleagues and myself wrote the following letter last week to Members of this body who opposed it:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 31, 1975.

Members, U.S. House of Representatives

DEAR COLLEAGUE: You recall that on June 26 the House adopted the "Snyder Amendment" to H.R. 8121 by a vote of 246 to 164. The intended effect of that amendment was to preclude funds for negotiation on matters related to U.S. rights in the Canal Zone. We thank you for standing with us in voting against this unwise amendment.

Subsequent to its passage by the House there has been a good deal of discussion in the media concerning the effect of the Snyder Amendment's passage and its chances for passage in the other body. This discussion has occurred in the United States and Latin America. In view of the continuing debate on this matter we wish to take this opportunity to reiterate our opposition to the amendment.

As you know, *the vote on the Snyder Amendment was not a vote for or against a new Panama Canal treaty. Nor did this vote indicate an endorsement or rejection of the present Government of Panama.* Our own remarks on the House floor on June 26 should be supplemented by informing you that, although we all spoke strongly against the amendment, this does not indicate that all of us support in whole or part the "Eight Principles" for Canal treaty negotiations signed by Secretary Kissinger on February 7, 1974. As a matter of fact, some of us from time to time have made known our objections and problems with portions of the Eight Principles.

We do remain convinced that the Snyder Amendment, despite its laudable intention of protecting U.S. interests, is unwise, inappropriate and undoubtedly *damaging to U.S. interests* in the world and especially Latin America.

(1) The amendment is unnecessary because our Constitution's Article IV, Section 3, Clause 2, which invests the Congress with the authority to dispose of U.S. property, will allow the House of Representatives to become involved at the proper time.

(2) It is unnecessary because the White House and the Department of State have assured the House of Representatives through committee channels that any basic change in jurisdictional relationships between the United States and Panama would be submitted to Congress for approval.

(3) It would be damaging to this country because the cessation of negotiations for a new Panama Canal treaty, which cessation is the object of this amendment, would constitute an international breach of faith on the part of the United States. We have made numerous promises to the world to draft a new treaty with respect to the Canal. (Neither State Department negotiators nor anyone else can promise Congressional acceptance of the treaty, however.) A prolongation of negotiations is certainly more favorable to the U.S. than in cessation of negotiations.

(4) It is very damaging to our relations with Panama and Latin America. Since House passage of the Snyder Amendment on June 26, there has been vocal criticism of it in Latin America.

(5) It is undesirable in view of the prerogative frequently exercised by the President to initiate negotiations.

For the reasons listed here and for many more we feel the judgment you exhibited in your vote on June 26 will stand the test of history. Since this matter may come up again in one form or another, we wish to repeat that there are many ways in which U.S. interests on the Isthmus of Panama can be constructively promoted, but the Snyder Amendment is not one of these ways.

Sincerely,

RALPH H. METCALFE,
Chairman, Subcommittee on the Panama Canal, Committee on Merchant Marine & Fisheries.

DANTE FASCELL,
Chairman, Subcommittee on International Political and Military Affairs, Committee on International Relations.

ELFORD A. CEDERBERG,
Ranking Minority Member, Subcommittee on State, Justice, Commerce, and Judiciary Appropriations Committee.

ROBERT L. LEGGETT,
Ranking Majority Member & Former Chairman, Subcommittee on the Panama Canal, Committee on Merchant Marine & Fisheries.

There has been much discussion in the media all over this country concerning the June 26 vote of the House. I especially appreciate, Mr. Speaker, the eloquent manner in which the Davis, Calif. Daily Democrat, a great newspaper in my own home district, expressed itself with respect to the amendment here discussed and the international implications thereof.

The article follows:

[From the Daily Democrat, Woodland-Davis, Calif., July 26, 1975]

BULL IN THE CHINA SHOP

A greater congressional role in foreign policy is a concept that sounds so good and democratic in the abstract that it's a shame it so often turns into a farce in real life. It wasn't enough for Congress that it let itself be pressured by special interest groups into bollixing the trade agreement with the Soviet Union and hopelessly snarling negotiations on the Cyprus dispute. Now, with the same blithe, bull-in-the-china-shop approach it has threatened to upset delicate diplomacy with Panama over a change in the canal's status.

For 11 years, the State Department has been negotiating painstakingly with the Republic of Panama to give that nation what was stolen from Latin Americans by our use of gunboat diplomacy 73 years ago; sovereignty over the canal zone. Any agreement, the State Department has said, would protect U.S. defense and trade interests in an open canal but it would eliminate one of the stumbling blocks to improved relations between the United States and Latin America.

The House of Representatives, however, will have none of it. In an amendment to the State Department's appropriation bill, it has stipulated that none of the appropriated funds may be used in "negotiating the surrender or relinquishment of any U.S. rights in the Panama Canal Zone." This obstructionist rider was passed with a whoop and holler by a 246 to 164 vote without even going through the motions of committee hearings.

What is especially disturbing about the House action is that it ignores the fact that the legislative branch is already guaranteed an opportunity to have its say on any Panama settlement reached by the State Department. The treaty will have to be approved by the Senate by a two-thirds vote before it can go into effect.

In the Senate, however, it's a good bet that a treaty proposal will be given at least the courtesy of committee deliberations and a thoughtful vote by legislators who have made an effort to inform themselves. This was patently not the way things were handled in the House, where diplomacy with a monkey wrench had another field day.

Mr. Speaker, in the 93d Congress, I had the honor and responsibility of chairing the Subcommittee on the Panama Canal of the Committee on Merchant Marine and Fisheries, and at present I am ranking majority member of that subcommittee. I am most cognizant of the importance and seriousness of the whole Panama Canal question. I believe there are many things which the United States can do with respect to the Canal and also irrespective of the Canal to better our relations with the Republic of Panama. I do not believe that we have to regard our problems with Panama as irreconcilable. But I know we should not act without full consideration of the ramifications of our actions. If history is to be instructive to our foreign policy at all, it should at least show us that all our positions should not be forever cast in concrete. I am not saying that I endorse the "eight principles" of Secretary Kissinger as the best formula to solve our Canal problems. I am saying that we should hang in there and maintain a strong posture.

FREEDOM AND ORGANIZATION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, Richard M. Cyert, president of Carnegie-Mellon University, in Pittsburgh, delivered a brief but intellectually stimulating charge to CMU's class of 1975.

Individual freedom within a democratic society was the theme of President Cyert's remarks which I will now introduce into the RECORD for the information of my colleagues:

I have chosen for the subject of my final talk with you a problem of significance in a democratic society—freedom versus organization. This conflict has been the basis of important philosophical and legal discussions concerning liberty and law. With a population as large as ours it would be impossible for an individual to have any freedom without the security of an organized society. But, the society typically finds ways to restrict the freedom of the individual. Some of these restrictions are necessary and some the result of a bureaucratic exercise of power. Thus as members of the society we trade off personal freedom for security.

The same conflict is inherent in every organization—business, educational, or philanthropic. The organization theorist refers to the problem as centralization versus decentralization. The trade off is the same—surrender of individual freedom for increase in central control.

Our society was organized as a decentralized one. Our founders were people who had experienced central control, and they designed a society that would provide more freedom and less control. They saw free enterprise, for example, as the economic counterpart of political freedom. Under the pressure of domestic and international crises we have over the years gradually reduced freedom in favor of central control.

This decrease in individual freedom and increase in governmental control carries with it the implicit assumption that individuals cannot effectively solve the problems facing society. It, therefore, follows that government must develop regulations to describe the desired behavior and must enforce the regulation with legal action if necessary. This approach contradicts the basic assumption underlying the original design of America which is that individuals working in their own self-interest can produce the greatest well-being for all.

There is general agreement on basic goals. We all want a society that achieves the greatest good for the greatest number with freedom for the individual. We want to achieve equal opportunity so that the child born in poverty is not handicapped by his background. We want a society in which people are judged on their personal worth as individuals without regard to their color, religion, or sex.

In our desire to achieve these goals rapidly, however, we have forgotten the importance of the individual. Governments can pass laws but in the final analysis individuals have to express the spirit of those laws in their behavior. Without the proper incentives to encourage individuals we are doomed to failure in our efforts to remake the society.

To continue to keep this society viable you must play your role in it. Some seek to solve the problem of freedom versus organization in society by joining an underground group and becoming destructive. Others withdraw and attempt to minimize interactions with a society from which they feel alienated. Still others take public delight in the failures of our society as though they can gain freedom for themselves by denigrating the organization. But it is the clear-thinking, rational, well-trained professionals like yourselves who will determine the future. You have been educated to analyze and then to act. Thus through you and people like you this society must find and implement solutions that will reduce our dependence on government. The pendulum must swing back toward individual freedom. As the two hundredth anniversary of the founding of our country approaches we must all rededicate ourselves to those truths that Thomas Jefferson found self-evident. The battle for human freedom within the organization must be refought periodically. You will now have your opportunity to contribute in this struggle.

I am confident that you will perform with courage and intelligence and society will benefit as a result. Your behavior and achievements as students at Carnegie-Mellon University make me certain that we will be proud of you.

Good-bye and good luck!

THE CREDIBILITY GAP OF FREE ENTERPRISE

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ARMSTRONG. Mr. Speaker, a few days ago Dr. George Gallup released the shocking results of a nationwide survey. In the Gallup poll only about half of the persons interviewed express confidence in the American free enterprise system.

It is astounding to me our great economic system which has enabled us to enjoy prosperity without parallel in human history and which is one of the main pillars of the Nation's political and cultural freedom should sink to such a low ebb of public confidence.

At a later time I intend to comment further on the ominous implications of this trend of public attitudes. For the time being, however, I merely commend the following article to the attention of my colleagues in the hope they will serious consider this issue:

[From the Canton Repository, July 10, 1975]

THE GALLUP POLL—SLIGHT MAJORITY SHOWS FAITH IN FREE ENTERPRISE

(By George Gallup)

PRINCETON, N.J.—As the nation approaches its bicentennial, a large majority of Americans (three in four) express a high degree of confidence in the future of America, At the same time, however, only about half of those interviewed in the current survey register a comparably high level of confidence in the nation's underlying economic system of free enterprise.

Furthermore, confidence in our economic system is still lower among those groups which include a high proportion of the disadvantaged—for example, blacks and lower income groups.

On the other hand, among the more privileged groups—for example, those making more than $20,000, professional and business people, the college-educated—as many as seven in 10 express a high level of confidence in our free enterprise system.

The following question was asked in the survey:

"Would you tell me how much confidence you, yourself, have in the future of the United States—a great deal, quite a lot, some or very little?"

In this report, "a great deal" and "quite a lot" are combined to represent a high degree of confidence.

NATIONWIDE

Amount:	*Percent*
A great deal, quite a lot	76
Some or very little, none	22
No opinion	2

The same question was then asked about confidence in "the American economic system, free enterprise." Here are the national results:

Amount:	*Percent*
A great deal, quite a lot	54
Some or very little, none	42
No opinion	4

Analysis of the findings shows sharp differences by race, level of education, and occupation.

Only about one-third of blacks express a high degree of confidence in our economic system of free enterprise, compared to 58 percent among whites.

As many as seven in 10 among the college-educated indicate a high level of confidence in free enterprise, with the figure dropping off to fifty-three percent among those whose formal education is limited to high school and 38 percent among those with only a grade-school background.

Correspondingly, a large majority of persons (72 percent) in the professions or business express considerable confidence while fewer do so among the white-collar group (60 percent) and the manual worker group (48 percent).

As expected, income is a major factor in attitudes toward our economic system. Seven in 10 in the $20,000 and over income bracket express a high degree of confidence, with the percentages slipping below 50 percent among lower income groups (under $10,000).

The following tables give the findings by groups:

CONFIDENCE IN ECONOMIC SYSTEM

[In percent]

	Great deal, quite a lot	Some, very little	None, no opinion
National	54	42	4
Whites	58	38	4
Nonwhites	35	54	11
College background	70	29	1
High school	53	44	3
Grade school	38	47	15
$20,000 and over	70	30	---------
$15,000 to $19,999	62	36	2
$10,000 to $14,999	57	40	3

CONGRATULATIONS TO CAPT. ANTHONY W. DUACSEK

HON. MARK W. HANNAFORD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. HANNAFORD. Mr. Speaker, I would like to take this opportunity to congratulate one of the leading ciitizens in the Long Beach community, Capt. Anthony W. Duacsek, upon his retirement from the U.S. Navy. Captain Duacsek has served in the Navy for 32 years and has been commander of the Long Beach Naval Shipyard since August 1973.

Not only has Captain Duacsek been an extremely capable administrator at the Long Beach Naval Shipyard, but he has built one of the most effective community relations programs in the U.S. Navy. Captain Duacsek is active in a variety of different civic activities in Long Beach, and he has many friends.

I am pleased to consider Captain Duacsek a close friend and a trusted adviser, and I know he will continue to make a significant contribution to our community now that he has retired from the Navy.

DESIRES CHANCE TO EXPLAIN H.R. 3130 CHANGES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DINGELL. Mr. Speaker, the Congress enacted H.R. 3130 on Tuesday, July 29, to amend the National Environmental Policy Act of 1969 (NEPA) to clarify certain procedures for the preparation of environmental impact statements by State agencies with statewide jurisdiction. There have been charges that the conference report on H.R. 3130 contained new language that would cause further delays to vital public works projects; and further, that the new language was vague and undefined.

Therefore, I would like to further explain the intent of this new amendment to NEPA and its application to Federal planning and decisionmaking.

The new section 102(2)(D) should clarify the circumstances under which delegation is acceptable and thus protect the State agency with statewide jurisdiction from spurious legal challenges to their preparation of environmental impact statements so long as they comply with these provisions.

The first requirement is that the State agency have both statewide jurisdiction and the responsibility for the proposed action or project. The intent of subsection (i) is to assure that the agency who will be preparing the statement will be equipped to ascertain and evaluate the facts necessary to make a responsible decision; and further, that the agency will in fact have the direct responsibility for carrying out the proposed action as described in the environmental impact statement.

The next two subsections, (i) and (iii), incorporate the guidelines set forth by the Council on Environmental Quality in their legal report of September 5, 1974, entitled "Delegation by Federal Agencies of Responsibility for Preparation of Environmental Impact Statements." I believe that the most important consideration in allowing delegation concerns the goal of improving agency planning and decisionmaking by assuring that environmental values and impacts are given fair consideration irrespective of whether those functions are performed by State or Federal agencies. Moreover, the authors of NEPA envisioned the use of a multidisciplinary staff and a systematic, interdisciplinary, team approach. In other words, whoever prepares the environmental impact statement must strive to develop and possess the experience and sensitivity necessary for responsible decisionmaking.

Subsection (iii) requires the Federal official to "independently evaluate(s) such statement prior to its approval and adoption." It is intended that some written evidence be made for incorporation into the final statement which indicates his scope of review and findings. The subsection is not intended to require the Federal official to prepare a second EIS.

The last subsection (iv) requires that the "responsible Federal official provides early notification to, and solicits the views of any other State or Federal land management entity" whenever they are significantly affected by the proposed action or its alternatives. This duty will principally apply in those cases where an adjacent State or Federal land management entity is significantly impacted. Similarly, disagreement over the characterization, extent or likelihood of such impacts can only be expressed by those significantly impacted. Clearly, the plain reading of this section as well as the legislative history does not contemplate the notification and solicitation of views from the other 49 States when one State proposes a project. However, it is also conceivable that there may be instances where a major Federal action might affect more than just the adjacent States. In any case, the spurious charges of further delay and paralysis are ill-founded if one understands that this section does not require the consideration of some new category of impacts, but rather simply clarifies the existing duty to fully consider significant impacts wherever they occur.

Finally, when the subsection requires such notification and solicitation, it is the intent of this language to suggest that this duty should be performed early in the planning stages of a project. Moreover, a continuing dialog should be established wherein the affected States or Federal entities are kept abreast of the major developments and changes, and are afforded an opportunity for meaningful comment as appropriate. It is expected that such States and Federal entities would have the opportunity to comment upon the impacts as reported in the draft statements prior to both the final decision committing the Federal agency to the project and the final completion of the impact statement. If a disagreement becomes apparent at any such opportunity for comment, it is hoped that the Federal official will, by virtue of his broader perspective and access to expertise, be able to prepare a report that objectively and comprehensively evaluates the impact of the project or its alternatives on all affected parties.

This amendment to NEPA is significant in at least two ways: first, it is the first amendment to the Act since its enactment by the Congress in 1969; and second, it is evidence that the Congress is willing to cure any major problems which may result from the misapplication or misinterpretation of its provisions. NEPA has been and will continue to be a major influence in assuring that the public will be afforded the benefits of well-balanced and responsible Federal decisionmaking.

HEALTH CARE NOT A LUXURY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. RANGEL. Mr. Speaker, the citizens of the United States have been forced to look upon adequate health care as a luxury that can only be afforded by the rich. The majority of people in our society are compelled to live in constant fear of a sudden illness. As far as most citizens of the United States are concerned any major illness could wipe out life long savings in a period of only a few weeks. I believe that the time has long since passed for us to look upon health care as a right and not a luxury.

My distinguished colleague and fellow member of the Congressional Black Caucus, Andrew Young, has proposed a bill that would allow adequate health care to be enjoyed by all members of our society and not just the privileged.

The bill submitted by the respected Member from Georgia gives this Congress an opportunity to act on an issue of paramount importance to our society. Congressman Young's bill will treat both patients and doctors equitably. It will insure doctors that they will be paid fairly for their work, while most importantly, extending to the citizens of our Nation the freedom to live without fear of receiving inadequate health care.

I insert my distinguished colleague's own explanation of his bill, so that as we commence the legislative process regarding national health insurance the House will have the benefit of his concise views. The article follows:

The Right to Health Care

(By Andrew Young)

The time has come to fulfill another basic human right for all people in the United States—the right to health care.

This nation is the only major industrialized country in the world without some form of national health care. Although America is No. 1 in military power, it ranked fifteenth among nations in infant mortality and twenty-sixth in life expectancy in the early 1970s.

Even a relatively common illness can bring economic disaster to an American family. The son of a hard-working couple in Atlanta recently had a ruptured appendix; the doctor and hospital bills over three weeks came to more than $7,000.

Countless people fail to receive simple preventive medical care, which could avoid later costly disease or disability. Hypertension, for example, is easily detected and controlled; but if not, it can lead to heart attacks, strokes, and kidney disease.

Too often people do not receive proper medical attention because it is not available. Georgia has 105 Black doctors, but all except ten practice in the Atlanta area.

A system of comprehensive national health care is needed. As Congress and the American people address this issue in the months ahead, the attitude should be that the concept of health is a right. The question is not cost or financing—this can be achieved without significant change in the amount already spent on health care in the nation. The question is not the freedom of doctors to treat the patients of their choice or to set their own fees—that freedom can be preserved. The question is not the freedom of patients to select their physicians, for that freedom, too, can be maintained.

In the Congress I have introduced legislation to provide comprehensive health care for every person in the United States. The bill, which was prepared in cooperation with an inter-religious task force on health care, would include these benefits:

Hospital care with no limit on services provided or length of stay

Services of doctors in the home, office, or elsewhere, with no dollar limits; regular physical check-ups.

Routine dental services, vision care, including eye examinations and glasses, mental health services, preventive care for children, and prenatal care

Home health services, up to 180 days a year

Special services, such as equipment for treating diseases, X-rays, laboratory tests, use of ambulances, outpatient drugs, and hearing aids

Patients would not be required to pay deductibles or other types of co-payments under the plan. Instead, the national health care system would be financed by all American taxpayers like this: A 5 percent tax on unearned income (such as stock dividends) and on self-employment earnings, a 6 percent tax on employers' payroll, and a 2 percent tax on employees' wages.

The program would be administered by a newly independent social security administration.

Doctors and dentists who choose to participate would be paid for their services directly by the program. In the case of nonparticipating physicians, the patient would receive a fixed amount for payment to the doctor. If the doctor's fees were higher than the fee schedule of the program, the patient would have to make up the difference.

The system would offer attractive incomes to doctors and dentists who might thus be encouraged to practice in localities—such as rural areas—in which many people cannot now afford adequate medical care.

The plan is in the interest of good medicine. While preserving freedom of choice for doctors, it insures economic security for those participating, as well as enabling them to avoid large loads of paperwork and spend more time practicing their professions.

A majority of doctors, incidentally, evidently supports the idea of some kind of national health care. The March 10, 1975, issue of Medical World News reported that in a nationwide poll of physicians, 56.2 percent favored some form of national health insurance.

The American people in 1974 spent $97.2 billion on health care services. For approximately that amount of money, through a comprehensive new system envisioned by the legislation I have proposed, it can be made sure that health care is delivered to everyone in the United States.

People would no longer have to worry about being able to afford health care or about going into debt for the treatment of illness and disease. People and employers would be paying for the care as they receive income, not when they go to a doctor or a hospital.

Health care for all is not a new proposal. Thirty years ago President Harry Truman recommended a program which is similar to my legislation.

What *is* new is an opportunity in the present Congress to fulfill, at last, the human right to health care. No reason exists why a system cannot be maintained that is effective and efficient, respects the professionalism and freedom of physicians, and emphasizes the actual delivery of health care to people, wherever they are, whatever their station in life.

This system would be based on the idea that a civilized society will protect the rights of its people.

BILL TO AID STUDY OF STATE AND LOCAL GOVERNMENT EMPLOYEE RETIREMENT SYSTEMS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DENT. Mr. Speaker, I wish to advise my colleagues that the distinguished ranking minority member of the Subcommittee on Labor Standards, John N. Erlenborn has joined with me in introducing H.R. 9155 the Public Service Employee Retirement Income Act of 1975. We have taken this approach in order to formally call attention to our committee's efforts to study the characteristics and operations of the vast network of plans comprising the public employee retirement system. We recognized at the time we were fashioning legislation for private pension plans that we lacked the answers, indeed the questions, regarding the problems with public pension plans. We were persuaded at that time to forego legislation in favor of a thorough study. We are now ready to study and to listen.

We plan to increase our understanding of the conditions in which public pension plans operate by conducting several surveys while at the same time holding subcommittee hearings. At this time we intend to open subcommittee hearings in Washington, D.C. about mid-September 1975.

While H.R. 9155 is not intended to serve as a legislative vehicle, it is our purpose that it serve as a focus for what we hope will develop into a revealing examination of the issues by our subcommittee. It is our intention to call witnesses representing many organizations and, of course, we will want to hear from employee representatives as well as from the governors and mayors and their spokesmen on pension matters.

A reading of H.R. 9155 will reveal that its provisions are nearly identical to those we legislated last year for private pension plans. While these same standards, in all likelihood, will prove inappropriate in the context of public pension plans, we do expect our subcommittee and its witnesses to focus attention on specifics rather than generalities. Accordingly it is appropriate to introduce a comprehensive regulatory scheme as is contained in H.R. 9155 so that all of the interrelated aspects of the general topic of public employee benefit plans can be addressed in their proper relationship to each other.

We encourage the participation of individuals from every viewpoint, those who are satisfied with good public pension plans as well as those who may be dissatisfied with plans that are less than perfect. Broad range participation by knowledgeable persons is extremely important if we are to develop a proper understanding of public employee retirement programs.

"THE HATCH ACT—PROTECTION OR INFLICTION?"

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CLAY. Mr. Speaker, an article recently appeared in the Virginia Cardinal on June 1975 written by Ms. Rae Crawford and entitled, "The Hatch Act—Protection or Infliction?"

Ms. Crawford endorses the Hatch Act reform bill and believes that if Federal civilian and postal employees are to truly celebrate the Bicentennial as first class citizens with full constitutional rights, the Hatch Act must be modified this year."

Ms. Crawford's article is worthy of attention and I want to share it with my colleagues.

The article follows:

THE HATCH ACT—PROTECTION OR INFLICTION?

(By Rae Crawford)

(Congress shall make no law . . . abridging the freedom of speech, or of the press, or of the right of the people to peaceably assemble, and to petition the government for a redress of grievances.)

Mr. Peterson was a employee of the Federal Government. He was also a concerned citizen disturbed over the corruption he saw in the city council.

To do his part, Mr. Peterson wrote a letter to the editor condemning the corruption and endorsing the candidate he felt was honest.

His letter was so eloquent it was reprinted and distributed by the endorsed candidate.

Mr. Peterson, however, was subsequently suspended from his job for 30 days without pay—the minimum penalty under the Hatch Act.

Hypothetical, yes, but possible . . . and ridiculous.

Writing partisan material—signed or unsigned—is just one restriction on citizens employed by the federal government. Others including running for any partisan public office, soliciting political contributions, taking any active part in a partisan political campaign, meeting or convention, serving as poll watcher for a candidate or giving voters a ride to the polls.

The great concessions the Hatch Act makes to civil servants including allowing them to vote, express private political opinions, contribute voluntarily, display buttons, bumper stickers and placards, sign a nominating petition, attend a political convention, and be a member of a political club—but not active.

An attempt is now underway to revise the Hatch Act. The two bills, one in the Senate, sponsored by Gale McGee of Wyoming, and one in the House of Representatives, sponsored by Bill Clay of Missouri, would remove the restrictions on public employees yet continue the prohibitions on soliciting contributions or politicking on federal property and during office hours. The bills also prohibit use of official authority or influence to affect elections.

The red flag against these bills has been raised by the Civil Service Commission, the National Association of Supervisors, and the National Federation of Federal Employees. Their battle cry is that repeal of the Hatch Act will destroy the merit system and the protection civil servants enjoy from political pressure.

According to Lynn Collins, deputy legislative council at the Civil Service Commission, the CSC does believe some revision is necessary and has been working two or three years on a bill to do that.

Yet his supposition is that if employees are free to participate in politics, supervisors would feel freer—however illegal it may be—to apply subtle pressures forcing the employee to participate politically in a manner he or she may not want.

Proponents of the bills, including the American Postal Workers Union, the American Federation of Government Employees, the National Association of Letter Carriers, and the National Treasury Employees Union, feel that civil servants ought to have the same political rights as their neighbors—those rights guaranteed by the Constitution. They claim some employees often will not even express their political views for fear of reprisal.

Rod Crowlie, staff director of McGee's Committee on Post Office and Civil Service, noted that some civil servants use the Hatch Act as a shield to duck even the basic citizen responsibilities they are allowed. He feels no law should allow citizens that kind of escape.

The Hatch Act was necessary at one time. Government employees came and went with each successive Administration. The Hatch Act was an overreaction to circumstances—a necessary overreaction to begin the merit system tradition.

Yet now, even with all the restrictions on public employees, the Nixon Administration proved that political pressure could still be applied to government employees. One of those many alleged pressures is now resulting in several former employees of the federal agency ACTION suing ACTION—claiming they lost their jobs because the Nixon Administration was using the agency to fill patronage positions. The CSC itself is rumored to have been used politically by the Nixon Administration.

It is obvious, then, that subtle pressure will not be regulated by restricting the employee. It exists with restrictions, and will continue to exist without restrictions.

Yet the merit system is invaluable for an efficient government and must be retained. Freedom from overt pressure is a protection civil servants deserve and that protection must be strengthened.

A Civil Service Commission with stronger investigative powers and less Administration ties, to serve as a watch-dog of civil servant supervisors and political appointees alike, would help.

For lower-graded civil servants who feel a subtle political pressure might be preventing them from job advancement, a type of grievance committee—where employee anonymity could be retained—might be formed to discourage political pressure.

Whatever method is used, restrictions on political freedom must be removed. In an area such as Northern Virginia, where one-third of its voters are civil servants, this freedom is essential to good government.

In all fairness to the local governments, the Hatch Act does not preclude good government. Arlington overcame their deficit by making use of a Hatch Act loophole and forming the non-partisan Arlingtonians for a Better Community. Their system worked. They now control all five members of the Arlington County Board and have wielded enough power to help put a former member, Joseph Fisher, into Congress.

But what about communities with a civil servant population too small to wield any power as a separate and non-partisan "party?" Must these citizens be relegated to second-class status—with no active participation in the government closest to their immediate well-being?

With a much-talked-about crisis of confidence in government, grassroots politics is the way to build it back up. This can only be done if all citizens—including those employed by the federal government—participate in those grass roots.

House and Senate hearings on the McGee and Clay bills were held in April. Votes on the bills are expected this year.

If civil servants are to truly celebrate the Bicentennial as first class citizens with full Constitutional rights, the Hatch Act must be repealed this year.

WOMEN'S EQUALITY DAY

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mrs. SCHROEDER. Mr. Speaker, August 26 marks the anniversary of the day in 1920 when women in America were granted the right to vote.

Due to changes in the way in which the Post Office and Civil Service Committee processes commemorative legislation, the House will not have the opportunity of approving a Women's Equality Day for August 26, 1975. Because of this, Congresswoman BELLA ABZUG and I wrote to the President asking that he consider designating August 26 as Women's Equality Day. I am disappointed that the President apparently is not going to do so.

The point is, there has been no intensive lobbying for this commemorative day. And unlike many of the other commemorative days which are proposed, there is no corporate economic interest that is furthered by designating Women's Equality Day—just the economic advancement women can expect once their right to equal jobs and equal pay is recognized and assured. An example of how far we must go to correct this inequity is the figure produced by the 1970 census: 42 percent of all poverty income families are headed by women. This incredible figure speaks for itself.

I believe it is particularly important that August 26 of 1975 be proclaimed as Women's Equality Day to draw attention to the fact that while we have the vote, women are still struggling to gain true equality. We are four States short of approval of the equal rights amendment and I believe its approval is essential. During International Women's Year we should acknowledge nationally that we have still got a long way to go.

One might also make the argument that within the context of a full year's attention to the status of women, it is appropriate to recognize those days upon which events occurred which are important not only to women, but to all people. August 26 is certainly one of those historic dates in which all people can rejoice. The enfranchising of women was a long overdue achievement. The passage of the Equal Rights Amendment is long overdue. The simple acknowledgement of the right of all people to equality under the law is a basic tenant of this Nation and our society. I believe that we can use the past event on August 26, 1920, to again bring this fact to the attention of Americans and the world.

Finally, I believe that implicit in this discussion, is that at some future time, we will not need a "Women's Equality Day." This day is needed to draw attention to the fact that today, in 1975, women are not recognized as equal under the law. When the ERA is ratified, when women are assured the rights guaranteed by the Constitution to all Americans, then perhaps the necessity for a Women's Equality Day will pass. I look forward to that day. But until that time, we must continue to work for full recognition of the equality of women.

Mr. Speaker, I ask permission to insert in the RECORD the letter Congresswoman ABZUG and I sent to the President requesting he approve Women's Equality Day and the answer we received denying the request.

JULY 28, 1975.

Hon. GERALD R. FORD,
President, The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are writing to request that you proclaim August 26 "Women's Equality Day". August 26 marks the anniversary of the day in 1920 when women in America were granted the right to vote, and as such the Congress has directed the President to proclaim this date to be "Women's Equality Day" for the past three years.

Because of changes in committee procedures which have nothing to do with the merits of designating "Women's Equality Day", the House will not be able to process "Women's Equality Day" this year. In view of the fact that 1975 is International Women's Year, we think it would be especially appropriate for you to use your inherent authority and issue a proclamation in honor of this day.

Thank you for your consideration.

Sincerely,

BELLA S. ABZUG,
Member of Congress.
PATRICIA SCHROEDER,
Member of Congress.

OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., July 29, 1975.

Hon. PATRICIA SCHROEDER,
House of Representatives,
Washington, D.C.

DEAR MADAM CHAIRWOMAN: This replies to your letter of June 30, 1975, to the President, concerning commemorative proclamations.

It has been a long-established policy to issue Presidential commemorative proclamations in response to joint congressional resolutions. From time to time, there have been individual exceptions to this policy, all decided on an *ad hoc* basis. As a result, there has evolved a general exception to the basic policy—the issuance of commemorative proclamations rooted in tradition; such as Pan American Day (April 14) and Red Cross Month (March).

There are now 57 different events which have been designated for many years on an annual basis; the periods set aside include days, weeks, and months. Thirteen of these events have been designated on a one-time basis by proclamation as a permanent observance; such as, Steelmark Month, pursuant to 36 U.S.C. 169e.

As you noted, the number of requests for such proclamations has proliferated at a dramatic rate. This has effected a similar explosion in the number of commemorative proclamations actually issued. The following figures are demonstrative:

PROCLAMATIONS ACTUALLY ISSUED

6-year period 1943 thru 1948, 116; average per year, 19.

5-year period 1954 thru 1958, 156; average per year, 31.

5-year period 1966 thru 1970, 295; average per year, 59.

4-year period 1971 thru 1974, 283; average per year 71.

(1971, 70.)
(1972, 73.)
(1973, 71.)
(1974, 69.)

(So far in 1975, 80 have been issued.)

This situation led to stricter adherence to the basic policy. As a result, we have approved in 1975 only two new one-time commemorative proclamations—Earth Day and National Historic Preservation Week—both supported by joint congressional resolutions. In addition, we have disapproved several proclamations which have been issued in recent years; e.g., National Coin Week and World Environment Day.

Requests for commemorative proclamations have not been arbitrarily or summarily disapproved. Each one has been considered. If not supported by a joint resolution or tradition, however, they have been vigorously appraised in light of the criteria that the proposed event have a truly national appeal and be appropriate for commemoration by all the people of the United States.

In those cases where an observance has special merit (most are generally worthy), it is evaluated for conflict with an existing observance for the proposed period or a similar event already being observed. World Environment Day was disapproved because Earth Day had already been proclaimed, although a Presidential statement was issued which recognized the importance of environmental efforts throughout the world and our own environmental efforts, as well as the Earth Day proclamation. National Cancer Day was disapproved since the month of April is already designated, in accordance with a joint congressional resolution, as Cancer Control Month. A request for a Bicentennial Day of Prayer was united with the annual Prayer Day proclamation. Consideration is being given to approval of the theme of Adult Educational Week as part of the annual proclamation for American Education Week.

To some extent, there is no way to avoid an *ad hoc* determination. From your own efforts to develop a fixed set of criteria to govern these commemorative requests, I am sure that you appreciate the difficulty of drafting such criteria. However, in view of the Committee's action we are trying to develop a realistic set of rules.

In general terms, the criteria in H.R. 5125 are appropriate and used as guidelines. Additionally developed criteria preclude multiple designations of the same or similar events, or multiple designations during the same period. An overriding requirement is that the event be of such national significance that it is appropriate for the President to call upon all the people of the United States to observe it, with some expectation that the event will, in fact, be observed nationwide.

Our role in making recommendations to the President is different from the legislative function of your subcommittee; however, it seems that we both have recognized that steps must be taken to reverse the trend toward more and more proclamations. As we develop our own criteria, we applaud the action taken by your subcommittee.

Although we do continue to consider requests for commemorative events, it is inevitable that few will be approved. The nature of some requests and the finite calendar will continue to take its toll. In this regard, it may be appropriate for your subcommittee to review those observances provided by law (36 U.S.C., Chapter 9) and repeal those that do not meet the criteria of H.R. 5125, or which duplicate other observances; and, to change the dates for those multiple events which are designated for the same period.

I trust that you find this response reassuring.

With kind regards,

Sincerely,

JAMES T. LYNN,
Director.

SOVEREIGNTY AND MODERNIZATION OF PANAMA CANAL SUPPORTED BY NEVADA AMERICAN LEGION

HON. JIM SANTINI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. SANTINI. Mr. Speaker, the importance of the Panama Canal to world commerce and American security is widely recognized. Less widely understood, but equally important for the operation and defense of the canal, is the continuation of American sovereignty.

All members of Nevada's congressional delegation have supported resolutions calling for the continued indispensable sovereignty of the United States over the Canal Zone and canal.

The Nevada Department of the American Legion, at its recent convention in Fallon, Nev., supported the retention of U.S. sovereign control over the Canal Zone. The reasons for this position, and the importance of the canal to America and the free world, are ably set forth in the resolution that was adopted unanimously by Nevada legionnaires. In order that my colleagues can share the benefits of these well-considered views, I include the resolution as part of my remarks:

RESOLUTION NO. 2

Panama Canal: Undiluted sovereignty over Canal Zone and major modernization of existing canal

Whereas, U.S. diplomatic representatives are currently engaged in negotiations with representatives of the de facto Revolutionary Government of Panama, under the declared purpose to surrender to Panama, now or at some future time, United States sovereign rights, power and authority, to maintain, operate, sanitate, protect and otherwise govern the U.S. owned Panama Canal and its protective frame of the U.S. Canal Zone; and

Whereas, Title to and ownership of the Canal Zone territory in perpetuity were vested absolutely in the United States and recognized to have been so vested in solemnly ratified treaties with Great Britain, Panama and Colombia as follows:

(1) The Hay-Pauncefote Treaty of 1901 between the United States and Great Britain, under which the United States adopted the principles of the Convention of Constantinople of 1888 for the Suez Canal as the rules for the operation, regulation and management of the Panama Canal; and

(2) The Hay-Bunau-Varilla Treaty of 1903 between the Republic of Panama and the United States by which Panama granted full sovereign rights, power and authority in perpetuity to the United States over the Canal Zone for the construction, maintenance, operation, sanitation and protection of the Canal to the entire exclusion of the exercise by Panama of any such sovereign rights, power or authority; and

(3) The Thomson-Urrutia Treaty of 1914–22 between the Republic of Colombia and the United States under which Colombia recognized the title to the Panama Canal and Railroad as vested "entirely and absolutely", which treaty granted important rights in the use of both the Canal and Railroad to Colombia; and

Whereas, the United States, in addition to having so acquired title and ownership of the Canal Zone by Constitutional means, purchased all privately-owned land and property in it at a cost estimated on June 30, 1974, at $166,362,173, making it by far our most costly territorial acquisition; and

Whereas, from 1904 through June 30, 1974, the United States made a total investment in the construction and operation of the Canal, including defense, of $6,880,370,000; and since 1904 has continuously occupied and exercised full sovereign control over the Zone, constructed the Canal, and operated it in a highly efficient manner without interruption with reasonable toll rates for vessels of all nations without discrimination; and

Whereas, Panama has, under the terms of the 1903 treaty and the 1936 and 1955 revisions thereof, been adequately compensated for the rights granted, giving it the highest per capita income of all Central America; and

Whereas, the Canal is of vital importance to Hemispheric defense and the security of the United States, with approximately 70 per cent of its traffic either originating or terminating in the ports of the United States; and

Whereas, in 1939 the Third Locks Project for the major increase of capacity of the existing Canal was authorized, started in 1940 and suspended in 1942 after expending $76,357,405, which, when added to $95,000,000 expended on the enlargement of Faillard Cut, totals more than $171,000,000 already spent on major Canal modernization; and

Whereas, experience in World War II led to the development in the Panama Canal organization of the Terminal Lake-Third Locks Plan for the future Canal, which under existing treaty authority for "expansion and new construction" does not require the negotiation of a new treaty; won the approval of President Franklin D. Roosevelt as a post-war project, and can be completed with every assurance of success; and

Whereas, Ten national and international organizations have telegraphed the President of the United States that they "will oppose any treaty with Panama that authorizes or allows the construction of a new sea-level Canal" and urged him to cease all negotiations for such provision as part of any treaty, now therefore be it

Resolved, By the American Legion, Department of Nevada, in Convention assembled at Fallon, Nevada July 11, 12, 13, 1975, that The American Legion reiterates its uncompromising opposition to any new treaties or executive agreements with Panama that would in any way reduce our indispensable sovereign control over the U.S.-owned Canal Zone or Panama Canal; and be it further

Resolved, that The American Legion opposes the construction of a new canal of so-called sea level design as needlessly expensive, diplomatically hazardous, ecologically dangerous, and operationally less satisfactory than the existing canal; and be it further

Resolved, that The American Legion urges the immediate resumption of the modernization of the present Panama Canal as provided under the current legislative measures for the Terminal Lake-Third Locks proposal.

THE POSTAL REORGANIZATION ACT NEEDS TO BE REEVALUATED

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ROUSSELOT. Mr. Speaker, August 12 will be the fifth anniversary of the Postal Reorganization Act—that historical piece of legislation that removed the elected representatives of the people from any effective oversight of Postal Service operations, and thereby relinquished a basic congressional constitutional responsibility.

Since the beginning of this Congress in January, I have received 38 complaints from constituents about the quality of mail delivery service. One recent complaint has been created by the Postal Service's policy of requiring curbside installation of mail boxes, and in some cases, cluster boxes. The Postal Reorganization Amendments of 1975, H.R. 8603, as reported by the House Post Office and Civil Service Committee, would require the Postal Service to provide door-to-door delivery or curbline delivery to all permanent residential addresses entitled to city delivery, and it further would instruct that the Postal Service cannot opt for curbline delivery if the appropriate unit of local government has adopted a zoning ordinance prohibiting curbline service. Further, this legislation would provide that cluster box delivery could be provided by the Postal Service only if the appropriate local governing body approves it. What has happended as a result of the Postal Reorganization Act, is that rather than being removed from oversight of the day-to-day operations of the Postal Service as was intended, Congress must now concern itself legislatively with these problems instead of being able to correct them by a policy directive from the appropriate congressional committees.

In my opinion, it is neither appropriate nor possible for Congress to fulfill its proper constitutional role of providing for an efficient and adequate system of mail service to the Nation through the structure of the Postal Reorganization Act.

An article which appeared in the Washington Star on July 29, 1975, describes another problem which has arisen in the Postal Service. This article states that provisions in the new postal contract would bar "employment of public policy employees who are physically handicapped or mentally retarded, or who are students employed under the student aid programs." The full text of this article follows, and I urge all of my colleagues to read it carefully. Five years of the Postal Reorganization Act is enough, and it is time for Congress to reevaluate this legislation.

The article follows:

POSTAL SERVICE

The House Post Office and Civil Service Committee has approved a bill (H.R. 5665) sponsored by Rep. Charles Wilson, D-Calif., that would provide arbitration rights for postal supervisors.

The new postal contract contains a provision that bars employment of public policy employes who are physically handicapped or mentally retarded, or who are students employed under the student aid program.

Most of the present 10,000 such employes will be able to convert to regular postal employment when their current 51-week employment expires.

However, the crippled, deaf, mentally retarded, students, etc. will not be hired in the future. Many of those in the program are disabled veterans.

The postal unions insisted on ending the program because they said it deprived about 125,000 of their members from working full 40-hour weeks. The unions said other federal agencies could hire the handicapped under the public policy program.

The unions also contended that the handicapped could be hired via the regular hiring program of the Postal Service for permanent postal jobs, rather than under the special public policy program, which excludes them from union representation.

VETERAN VERMONT ENGINEER ON METRIC CONVERSION

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. JEFFORDS. Mr. Speaker, James William Batchelder, a Vermonter, has devoted over 50 years of his life to American industry. He has during that time formulated some very definite opinions about the metric system of measurement. His statement on the subject will be printed in the hearing record of the Subcommittee on Science, Research, and Development later this summer. However, since the House will soon be considering the Metric Conversion Act, I thought it appropriate to include some of his remarks in the RECORD at this time:

The awesome responsibility involved in deciding on a substantial change measurement-wise is about proportional to the seemingly limitless ramifications of the effect of any such change. Quite obviously the resolution of the long standing metric, and now S.I., controversy cannot be resolved by the weight or numbers in a tug-of-war, but only on an objective basis of facts and practical down-to-earth realism, and by considering in depth and detail the application of measurements by the countless various segments of the general public. . . .

To counter any possible accusations of merely being a prejudiced launch pad, perhaps you will give the fullest consideration to the vast majority of Americans who have NOT requested metric (S.I.) expansion. It appears that this non-metric majority constitutes about 91 percent of the U.S. population, based on the 1973 Gallup Poll. . . . I know, no poll ever has been taken on the substantially different S.I. system, but it is a certainty that percentage-wise, very few Americans ever heard of it, so could not want it. However, there are a number of other vitally important demands on Congress by millions of Americans which so far have not been forthcoming. . . .

I first used the metric system about 52 years ago and have ever since, off and on, including 3 years exclusively, designing and engineering continuous web, multi-color printing presses in New Jersey for a company who had bought out a French manufacturer. After 3 years, the company gave up metric in disgust and all subsequent models were inch-based. Thus my experience is unique in that I have lived in the metric Utopia and, as with everyone else in that company, I was very glad indeed to get back home. . . .

The reason that our technology is superior to that of all so-called metric countries is because our industry always sought improvements and if metric or S.I. represented an improvement, they automatically would have become predominant and the present metric or S.I. controversy would not have arisen. Anyone wishing to convert to metric or S.I. may now if he prefers. . . .

As is well known, P.L. 90–472 specifically directed the Department of Commerce to evaluate and appraise; (1) the desirability and practicability of increasing metric usage in the U.S.; (2) retaining and promoting by international use our customary measurement system and; (3) to evaluate the costs and benefits of alternative courses of action. . . .

For item 1, Congress received . . . "a blueprint of how to deceive the American people and Congress." . . . Massive use was made of trick questions and shading the results to "make a plausible case for metric" never before accomplished because of the acute scarcity of supportable facts and reasons. . . .

As to item (2) above, the Department of Commerce disdainfully ignored "finding" anything good about our system which has enabled us to develop such a highly sophisticated technology, based thereon, that the so-called metric countries emulate and copy us. The only good words for our system which I have seen came not from Commerce but mostly from me, such as in the Washington Sunday Star and Daily News, May 27, 1973, entitled "Metric, Schmetric" a copy of which I have supplied to your Committee. . . .

As to item (3) above, the estimated conversion cost of $60 billion to $100 billion was so utterly staggering that the Department of Commerce attempted to cover it up. Like other cover-ups of that era, this one leaked out in both the Senate and the House hearings, contained in the reports thereof, page 138 in the House report and pages 95, 142, and 189 in the Senate report. Obviously that cost has to be paid by someone and that someone inevitably will be U.S. taxpayers, consumers and constituents as a result of further inflational conversion costs. That cannot be covered up either. . . .

I encourage my colleagues to read the complete statement which will be printed in the report of the Subcommittee on Science, Research, and Technology of the Science and Technology Committee later this year.

WASHINGTON STAR PROBLEMS

HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mrs. SPELLMAN. Mr. Speaker, the Washington Star has provided quality news and information for residents of the Washington area for many years. Now, continuing financial losses have endangered the very existence of that fine newspaper.

Today I am requesting that other Members of the House of Representatives join me in urging the Federal Communications Commission to expedite its investigation of the Washington Star's request for a waiver of the multiple ownership rule concerning newspaper and broadcast properties.

The situation facing the Star is a critical one. I feel that the FCC has an obligation to take steps to reach a decision on the case as soon as possible. A delay of a year or more could mean that the chances for the Star's survival would be greatly diminished.

I realize the complexities of the situation. This is the first case to be considered under the new multiple ownership rule. A waiver could have serious implications, and must be carefully considered.

It is not my intent to prejudice or influence either the process or the outcome of the investgiation. I merely request that the FCC respond to the urgency of the situation. A timely decision in this particular case is essential.

Competition is a vital factor in the gathering and reporting of the news. The slow motion of a bureaucracy should not be permitted to stifle it.

Today I have sent a letter expressing these feelings to FCC Chairman Richard E. Wiley. I urge other Members who share my concern to do the same.

When this Congress returns from the recess, I will ask my colleagues to join me in support of a resolution urging the Federal Communications Commission to come to a decision on the Washington Star's request as soon as possible.

CUSTOMS MODERNIZATION AND SIMPLIFICATION

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. GREEN. Mr. Speaker, today, I introduced the Customs Modernization and Simplification Act of 1975. My statement and other material concerning that proposal appear in the body of the RECORD. I would like at this time to insert narrative and section-by-section summaries of that legislation. The material follows:

SUMMARY

TITLE I—CUSTOMS MODERNIZATION ACT

Section 101—Title.

Section 102—(Amends 19 U.S.C. 1315). Conforming amendment, establishes two new exceptions to general rule that rate of duty imposed is that in effect when reentry is filed *and* estimated duty is paid, *i.e.*, the rate in effect upon depositing of entry or when article is released for consumption (if merchandise is covered by a return).

Section 103—(Amends 19 U.S.C. 1484).—Authorizes Secretary to prescribe by regulation *where* and *when* an entry may be filed and to allow a return to be used in lieu of periodic entries.

Section 104—(Amends 19 U.S.C. 1505). Authorizes payment of duty at time subsequent to making entry and establishment of an alternative periodic return procedure.

Section 105—(Adds new section 19 U.S.C. 1508). Imposes recordkeeping requirement on importers.

Section 106—(Amends 19 U.S.C. 1509). Authorizes examination by summons of importers and their records to determine liability for duties, taxes, fines and penalties.

Section 107—(Amends 19 U.S.C. 1510). Provides sanctions (up to $1,000 fine or 1 year, or both) for noncompliance with administrative summons; concurrent jurisdiction in Customs Court and District Court to enforce the summons.

Section 108—(Amends 19 U.S.C. 1511). Authorizes examination of any record which may be relevant or material to an investigation or inquiry.

Section 109—(Adds new subsection to 19 U.S.C. 1557). Conforming amendment respecting withdrawals from warehouse for consumption.

TITLE II—CUSTOMS SIMPLIFICATION ACT

Section 201—Title.

Section 203—(Amends 19 U.S.C. 1202). Authorizes flat rate of duty of 10% for noncommercial importations for personal use, if not over $500 retail value in country of acquisition and accompanying arriving persons.

Section 204—(Amends 19 U.S.C. 1315(d)). Authorizes effective date of administrative rulings resulting in imposition of higher rate of duty to be established by publication in Federal Register in lieu of Customs Bulletin.

Section 205—(Amends 19 U.S.C. 1321). Increases the dollar limits to reduce administrative costs which are disproportionate to revenue produced.

Section 206—(Amends 19 U.S.C. 1483). Conforms airway bill to bill of lading, eliminating need for separate carrier's certificate.

Section 207—(Amends 19 U.S.C. 1491). Authorizes disposition of seized liquor, etc. in same manner as unclaimed or abandoned liquor.

Section 208—(Amends 19 U.S.C. 1498). Increases dollar limit on informal entries from $250 to $500.

Section 209—Amends 19 U.S.C. 1499). Eliminates the present statutory requirement that at least one package covered by every invoice and not less than one out of every 10 must be examined; leaves it up to the district director's discretion to determine when the examination requirement should be waived.

Section 210—(Amends 19 U.S.C. 1515). Clarifies rights of importer when a protest has not been acted upon in 2 years—deemed denied.

Section 211—(Amends 19 U.S.C. 1526 and 15 U.S.C. 1124). Authorizes Secretary to grant limited exemption from trademark restrictions if limited quantities of trade-marked merchandise accompanies an arriving person and is entered for personal use and not for resale.

Section 212—(Amends 46 U.S.C. 883). Provides monetary penalty for transportation of merchandise in violation of coastwise laws as alternative to seizure of the merchandise.

Section 213—(Repeals 19 U.S.C. 58; 46 U.S.C. 329, 330, 333). Repeals statutory fees imposed in connection with entry, clearance and movement of vessels.

Section 214—Recognizes that Secretary may impose fees for furnishing the services covered by statutes repealed by section 213 under User Charges Statute (31 U.S.C 483a).

Section 215—(Adds new section 1589, repeals 26 U.S.C. 7607). Expands arrest authority of Customs officers to conform to that of Secret Service agents and IRS enforcement officers; to make arrests without warrant for any offense against U.S. committed in his presence, or for any felony under U.S. laws if he has reasonable grounds to believe the person to be arrested has committed, or is committing, such a felony.

TITLE III—CUSTOMS BROKERS MODERNIZATION ACT

Section 302—(Amends 19 U.S.C. 1641).

(1) Establishes a single national license valid for 5 years; renewable upon application.

(2) Establishes a permit system for multidistrict operations; requires an individually licensed broker to supervise each permitted operation.

(3) Reduces to one the number of individually licensed brokens needed to *qualify* a corporation for a corporate brokers license.

(4) Substitutes an independent hearing examiner for the Customs officer who now conducts the hearing.

(5) Authorizes imposition of a monetary penalty as an additional disciplinary measure to be imposed when a violation warrants more than a reprimand but less than suspension or revocation of the license.

(6) Permits imposition of monetary penalty pursuant to a summary procedure without a hearing; appealable to Secretary.

(7) Provides for insurance or a performance bond to protect clients of the broker against defalcations.

TREASURY DEPARTMENT,
May 1975.

SUMMARY

The primary objective of the Customs Modernization and Simplication legislation package is to build flexibility into the custom laws to permit the Customs Service to modernize and simplify procedures and thus (1) increase the productivity of the customs work force to meet the continuing demands of increased workload, (2) increase the response of the Customs Service to the needs of the importing community by instituting modern business procedures and methods in the merchandise processing and financial aspects of importing, and (3) insure compliance with customs laws through modern audit techniques so that more thorough and equitable application of such laws can be enforced in the protection of the revenue.

The bill is divided into three major titles. Title I would allow Customs to institute up-to-date business methods and adapt accepted financial practices in conjunction with computerized techniques to the processing of importations. As a necessary adjunct, the proposed legislation would establish importer recordkeeping requirements and strengthen the authority of customs officers to inspect importers and other with respect to customs-related books and records. Customs would then have the means to insure compliance with customs laws, which, heretofore, have often been circumvented. Basically, the major provisions of Title I would provide Customs with the same capability to select, process and audit entries and importer/brokers that the Internal Revenue Service has had for years with regard to tax returns and taxpayers.

Specifically, the bill would amend sections 315, 484, 505, 508–511 and 557 of the Tariff Act of 1930 (19 U.S.C. 1315, 1484, 1505, 1508–1511 and 1557) to permit the Secretary to prescribe regulations requiring records to be kept by importers and the period they are to be retained; to provide for the filing of a "return" to cover all merchandise imported by a consignee during a designated period in lieu of the filing of a separate entry for each shipment made during the period; and to permit an alternative method for the payment of duty where a person has qualified to file a periodic return. It would also provide broadened authority to examine records of importers and others to compel their production by administrative or judicial means.

Title II of the proposed legislation would simplify and update certain sections of the Tariff Act of 1930 and related laws to facilitate the processing of international travelers and low value importations and to introduce greater flexibility into the law which would result in cost-saving efficiencies.

Specifically, Title II of the bill would amend section 315(d) of the Tariff Act of 1930 (19 U.S.C. 1315(d)) to provide for the publication of notices resulting in the assessment of higher rates of duty in the Federal Register; would amend section 321 (a)(1) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(1)) to change from less than $3 to less than $10 the limit in the difference of duties or taxes which the Secretary of the Treasury is authorized to disregard; would amend 321(a)(2) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(2)) to change from $10 to $25 the limit on the value of articles sent as bona fide gifts and as accompanying baggage which may be admitted free of duty and tax, and to change from $1 to $5 the limit in any other case; would amend section 483(1) of the Tariff Act of 1930 (19 U.S.C. 1483(1)) to create for the holder of an endorsed airway bill accompanying merchandise imported by air transportation the same presumption (*i.e.*, that he is the intended consignee of the merchandise) accorded to the holder of an endorsed bill of lading under the Tariff Act of 1930; would amend section 498(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1498(a)(1)) to increase from $250 to $500 the informal entry monetary limit; would amend section 498(a)(4) of the Tariff Act of 1930 (19 U.S.C. 1498(a)(4)) to expand the use of informal entry procedures to certain articles imported solely for household or personal use or as bona fide gifts by the importer; and would amend section 499 of the Tariff Act of 1930 (19 U.S.C. 1499) to permit Customs officers, in their discretion, to determine when the examination of packages may be waived.

Also, the bill would amend section 491 of the Tariff Act of 1930, as amended (19 U.S.C. 1491), to authorize the disposal of distilled spirits, wines, and beer forfeited summarily or by order of the court, at a public competitive bid sale. Forfeited liquor must now be disposed of by delivery to a Government agency, gifts to eleemosynary institutions, or destruction.

Further, the bill would amend section 526 of the Tariff Act of 1930 (19 U.S.C. 1526) to exempt from trademark restrictions merchandise purchased for personal use which accompanies returning residents. The bill would amend section 515 of the Tariff Act of 1930 (19 U.S.C. 1515) to provide that any protest not disposed of under section 515(a) or 515(b) shall be deemed denied after two years.

The bill would also amend the Tariff Schedules of the United States (19 U.S.C. 1202) to provide for a flat rate of duty of 10 percent on dutiable articles for personal use, valued not over $500 fair retail value, accompanying a returning resident arriving in the United States. In addition, the bill would eliminate certain archaic provisions such as those which require the payment of a 10-cent entrance and clearance fee. The bill would provide for a monetary penalty as an alternative for seizure of merchandise transported in violation of the coastwise laws by amending section 27 of the Merchant Marine Act of 1920, as amended.

Finally, Title II of the bill would add a new section 589 to the Tariff Act of 1930 which would grant additional arrest authority to officers of the Customs Service.

Title III of the bill would amend section 641 of the Tariff Act of 1930, to modernize the procedures for licensing and regulating Customs brokers. The bill would establish a national license for Customs brokers, improve the quality of supervision exercised by the Customs broker over his business, protect the importer by requiring the broker to post a performance bond, provide the United States Customs Service with greater supervisory control over the activities of Customs brokers in certain instances, and modernize the disciplinary hearing procedures by substituting an independent hearing examiner for the Customs officer who now presides over such hearing.

CONGRESSIONAL VETO OF DISTRICT OF COLUMBIA TAX PACKAGE WOULD BE A DEFEAT FOR HOME RULE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FRASER. Mr. Speaker, Congress should hesitate before acting on House Concurrent Resolution 370, a resolution disapproving the Revenue Act of 1975 of the new District of Columbia home rule government.

In order to balance its fiscal year 1976 budget the new city council has been willing to bite the bullet and increase 16 categories of taxes on individuals and businesses in the District of Columbia. The tax increases total $50 million.

Until Congress passed the Home Rule Act 2 years ago, it was the unhappy task of Congress every 2 years to come up with a revenue act for the District. We should be happy to be rid of that burden. We should welcome the willingness of locally elected officials to make that decision.

The Home Rule Act that passed the House on October 10, 1973, by a vote of 343 to 74 did not contain a provision for congressional veto of every act of the Council by resolution. In the House-passed bill congressional vetoes were limited to charter amendments and pay raises for council members. The Senate-passed bill permitted either House to veto any act of the Council. The conference committee resolved the differences by requiring both Houses to adopt resolutions of disapproval in order for Congress to exercise a veto by resolution. The exception was for amendments to titles 22, 23, 24 of the D.C. Code relating to the criminal law, where either House can exercise a veto.

I hope the House will support the local Mayor and District Council in the exercise of their new responsibilities. It would be unwise to hastily throw out the product of their judgment in the sensitive area of local taxation and subject Congress to all the local pressures and competing interests.

INTERNATIONAL PROLIFERATION OF NUCLEAR TECHNOLOGY

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. UDALL. Mr. Speaker, the Committee on Interior and Insular Affairs Subcommittee on Energy and the Environment, which I chair, recently held oversight hearings on the proliferation of nuclear technology—an issue which is currently of great concern to many of us in Congress.

Dr. Brian O'Leary of the subcommittee staff has prepared a summary of these hearings. The summary follows:

SUMMARY OF HEARINGS, INTERNATIONAL PROLIFERATION OF NUCLEAR TECHNOLOGY, SUBCOMMITTEE ON ENERGY AND THE ENVIRONMENT, JULY 21, 22, AND 24, 1975

Recent developments in the spread of nuclear technology throughout the world was the subject debated this week before the House Interior and Insular Affairs Committee's Subcommittee on Energy and the Environment in its continuing series of nuclear power oversight hearings.

In his opening statement, Subcommittee Chairman Morris K. Udall (D-Ariz.), said that the "accelerated pace of the international transfer of nuclear material and components intended for peaceful purposes greatly increases the chance that the number of countries possessing nuclear weapons will expand from six today to many more over the coming years."

Udall noted that India's recently exploded atomic bomb was fashioned from materials intended for generating electricity. "Many other nations may soon follow suit," he said. "For example, West Germany intends to sell an entire fuel cycle to Brazil and this would virtually assure a nuclear weapons capability for this nonsigner of the Non-Proliferation treaty."

Six expert witnesses presented their views on nuclear proliferation. The hearings started with Acting Assistant Secretary of State Myron Kratzer who reviewed the international setting in which the transfer of nuclear material and equipment has taken place. He noted that, while the existence of other nations with nuclear weapons capability is a matter of "grave importance" to national and international security, the number of such nations has been "impressively limited" in the 30 years since the explosion of the first atomic bomb. In view of recent developments in nuclear proliferation, *Kratzer* concluded that the State Department would give this matter its "highest priority" in helping to ensure that adequate international safeguard standards are set under the provisions of the Non-Proliferation Treaty.

Abraham Friedman, Director of the Division of International Programs of the Energy Research and Development Administration, outlined the role of the United States in cooperating with other countries in the nuclear field. Citing the Atomic Energy Act of 1954 which provides for such cooperation, he described the process by which the U.S. has entered into 33 agreements with other nations and international organizations. All U.S. exports of nuclear equipment and materials, *Friedman* said, have been subjected to International Atomic Energy Agency (IAEA) safeguards. He concluded that the U.S. can be expected to continue to be the major supplier of nuclear equipment and materials and that "U.S. cooperation with other countries in the supply of reactors and fuel can be undertaken under conditions that provide assurance that such cooperation will be limited to peaceful application."

On the next day, Commissioner *Victor Gilinsky* of the Nuclear Regulatory Commission (NRC) presented a less sanguine view. He testified that "uncontrolled nuclear proliferation threatens to become a reality. The measures we have taken over the years to prevent, or at least contain it, have apparently not been enough." The problem now, *Gilinsky* said, becomes one of how the U.S. can stay in the international nuclear business without contributing to the further proliferation of weapons. In describing NRC licensing of U.S. nuclear exports, he expressed the view that the United States had a good base to work from in providing adequate safeguard standards. *Gilinsky* concluded that the NAEA inspection system should be strengthened and that supplier countries must work together on controlling proliferation.

The next witness was A. L. Bethel, Vice President of Westinghouse Electrical Corporation—currently the world's leading supplier of nuclear power equipment. Westinghouse would also like to see IAEA strengthened and multinational reprocessing facilities established. Bethel expressed concern that the competition in the marketplace for overseas sales is "severe" and hoped that all exporting nations would agree to common safeguards standards. Under hard questioning by Subcommittee Members, Bethel said that Westinghouse was reluctant to testify at the hearings because it was a "no-win" situation for them in the export process. He stated that the company's nuclear export sales were increasing and would equal or exceed domestic nuclear sales for 1975. Westinghouse will provide the Subcommittee with sales figures which will include the extent of their holdings in foreign manufacturers of nuclear power equipment.

On the last day of the hearings, Dr. Theodore Taylor testified that solving the dangers of international proliferation is "the most critical task facing the world—to establish, within a very few years, world-wide controls that will reduce the risks of disruptive uses of nuclear explosives to acceptable levels." There is a wide variety of ways the countries might obtain nuclear weapons. "To put it bluntly," said Taylor, "I must say that any country in the world that really wants nuclear weapons during the next several decades will be able to acquire them, one way or another." But when it came to theft of nuclear material by terrorist groups, Taylor felt safeguard solutions were possible.

Herbert Scoville, Jr., reviewed the policy implications of nuclear proliferation. He reminded the Subcommittee that the safeguards under the Non-Proliferation Treaty deal exclusively with the problem of controlling nuclear materials rather than controlling the technology by which these materials might be produced or converted into weapons. Scoville felt that economic incentives could be provided to carry out chemical reprocessing of nuclear fuel and the enrichment of uranium 235 under international rather than national auspices. This could help prevent nations from acquiring the technology needed to manufacture nuclear weapons, but Scoville warned that time is running out. He concluded with a few remarks on "first-use" of nuclear weapons and the recent U.S. attitudes toward the usefulness of nuclear weapons: "if we continue to give world-wide credibility to the thesis that nuclear weapons are somehow synonymous with political strength, then it is too much to expect other nations to forgo for long the option of acquiring nuclear weapons of their own. Yet, somehow our leaders seem to have been oblivious to this basic fact of nuclear life."

ROSCOE I. DOWNS

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. NATCHER. Mr. Speaker, Roscoe I. Downs, the respected editor of the Hancock County Clarion, passed away on July 28. I pay him tribute today with great pride and with great sadness. My pride is that this man considered me his friend. My sadness is that I have lost a close friend.

Roscoe Downs was an unusual man. He was 60 years old when, in 1945, he acquired the Clarion and became its editor. He retained his title as editor until his death on Monday at age 90. For a period of 30 years he was to influence, at times to direct, but always to leave an imprint of integrity with his readers.

Mr. Downs began his career in 1906 and stayed with his choice throughout his lifetime. He knew and loved every aspect of his field and could with equal ease, separately and at once, be both publisher and pressman. For his skills as a publisher he won statewide recognition and in 1969 once said—

> Being a printer for 62 years is an era of which I am proud. I consider my trade a worthy one.

He himself was a worthy man, a man of responsibility and duty.

Roscoe Downs was also a man of vision. He sincerely believed in the people and the future of Hancock County, maintaining that we had only to attract new industry to keep our people at home, thereby avoiding the population loss that a recent census had shown in other sections of our State.

Shortly after I became a Member of Congress we sat together, the two of us, and talked about projects that were important to the development of Hancock County. The Ohio River is vital to this county and it is here we have the Cannelton Locks and Dam. During the course of our discussion Mr. Downs stressed the urgency of reconstructing this facility, the necessity of modernizing the structures to take care of navigation on the river. I listened to Roscoe Downs, believed him right, and together with other leaders of the community we started to work. When the first commitment for this project was announced Harvey Aluminum indicated its interest in coming to the county. Other businesses followed. A steamplant was built. And today, Mr. Speaker, Hancock is one of the most viable and stable counties in our Commonwealth of Kentucky.

It was in November of 1974 that I had the honor of delivering one of the speeches at the dedication of the New Cannelton Locks and Dam. I thought that day of my friend, Mr. Downs, and I spoke of him in my address. He deserved much of the credit, for he was among the very first to foresee the impact this reconstruction would have upon his county, the county of Hancock.

Roscoe I. Downs was a great man. In his hands the commonplace became exceptional. He loved his family, his work, his county and country. To each of these he left a legacy. To his family he left his devotion. To the Clarion, under the aegis of his daughter, Mrs. Bernice Wimmer, and his grandson, Mr. Donn Wimmer, he left a legacy of stewardship. And to his county and country this one man, a man who was my friend, left something very grand and fine. He left his faith in their future.

I extend to the Downs family my deepest, most heartfelt sympathy.

THE UNITED STATES AND CUBA

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Ms. SCHROEDER. Mr. Speaker, this week the Organization of American States voted to lift the mandatory economic and political sanctions imposed by it upon Cuba 11 years ago. I think this was a wise and timely action.

The age of détente has made normalization of relations between Cuba and the United States a welcome and rational course of political action. However, we must not lose sight of the fact that Cuba is a closed society.

My concern about the plight of political prisoners in Cuba prompted me to introduce House Concurrent Resolution 340 on July 14, The resolution calls for attention to be given to the problems of human rights violations in Cuba as we move toward the return of normal relations between the two countries. Both the International Red Cross and the OAS have asked to visit political prisoners in Cuba. Their requests have been denied. Freedom of emigration has also been hampered.

I urge my colleagues, upon returning from our August recess, to join me in support of this resolution. As pointed out by the following Washington Post editorial of August 1, conservatives have been vocally concerned about this problem for quite some time. However, the issue is neither conservative nor liberal.

Governmental suppression of human rights is wrong—whether that government be left, right, or center. The following articles provide some useful background on the issue:

[From the Denver Post, July 28, 1975]

WARMING UP TO CUBA

The Organization of American States (OAS) has taken a reasonable step toward normalizing relations with Cuba.

In a move supported by the United States, a majority of the OAS nations agreed to back a "freedom of action" resolution that would in effect end OAS trade sanctions against Cuba.

In actual practice, a growing number of OAS nations have ignored the 11-year-old sanctions and traded freely with the Castro government in Cuba. When the sanctions were first imposed, there was ample evidence that Fidel Castro was openly encouraging revolutionary activity throughout Latin America. A majority of Hempshire leaders now believe that Castro is no longer engaged in revolutionary activity and that therefore the time has come to end Cuba's isolation from hemisphere affairs. For those Latin leaders still concerned about Castro's Cuba, the OAS action permits them to maintain a "wait-and-see" attitude before changing their policies.

The action by the OAS is in line with the position taken recently by President Ford and Secretary of State Henry Kissinger, Mr. Ford had said that the United States would not block efforts by the OAS to end the sanctions.

In that regard, the Ford policy toward Cuba is similar to that taken by the United States toward China in the United Nations. And the entry of China into the world organization served to open the way for more normal relations between Peking and Washington.

As with Communist China, caution is called for with Communist Cuba before the United States takes action leading to full diplomatic recognition and diplomatic exchanges. A number of difficult problems would have to be resolved between Washington and Havana, including just compensation for confiscated American property and the release of political prisoners, including rancher Lawrence Lunt Jr., a native of Colorado.

But a start clearly is called for to end Cuba's isolation and bring it once again into the hemisphere's family of nations.

The OAS move is a realistic one in that direction.

[From the Washington Post, Aug. 1, 1975]

FOCUS ON CUBA

Eleven years ago at American urging, the Organization of American States ousted Cuba and ordered member states to have nothing to do with the hemisphere's only Communist state. Mexico ignored the ban from the start. Other states dropped it as, through the years, Cuba came to seem less menacing both as a source of subversion and as a base for hostile Soviet action, and as the Latin left gained strength and influence. While Richard Nixon was President, his and Fidel Castro's mutual personal animus dominated official Cuban-American perceptions. Mr. Nixon was grimly content to let stand the glaring contradiction between the detente he was seeking with Russia and China and the cold war he sustained with Cuba. In Costa Rica the other day, however, President Ford's OAS delegate joined 15 others in voting to eliminate collective sanctions against Havana and to permit each member to conduct relations of its own choice. In its new respectful style of hemispheric dialogue, Washington did not engineer the decision, it merely contributed to it.

That Cuba is ready for a new look at the United States is evident. Mr. Castro has received a succession of American visitors to change the atmosphere. He sent Cuba's premiere dancer, Alicia Alonso, to New York the other evening to fly the cultural flag. His evident purpose goes beyond restoring normal relations; he would like to restore them as much as possible on his own terms. That is why he has been reaching out over the heads of the U.S. government to American politicians and public figures sympathetic to him. Just this week, playing skillfully on the sense of guilt and contrition that has been nourished in many Americans by disclosures of CIA plotting against him, Mr. Castro offered through Sen. George McGovern an 86-page report on alleged CIA efforts to assassinate him during the period 1961–70. While the value of the document as evidence is still to be ascertained, its value as political propaganda is plain.

We hail the contribution the OAS has made to acceptance of ideological diversity in the Americas. We think the United States should start working on its own relations with Cuba. The time for hostility and isolation is past. There is plenty to discuss. The American base at Guantanamo, for instance, is an anachronism that cries to be liquidated. Its remaining use is as a bargaining chip to be dealt off against the Soviet Union's use of Cuba as a facility for its own strategic weapons. The still-secret Soviet American "understanding" of 1790, following the flap over servicing Soviet subs at Cienfuegos, should be supplemented by a direct Cuban-American undertaking. At some point, normal trade should be resumed. The problem here will be to do it in a way that enhances prospects of a fair settlement for Americans whose Cuban properties were expropriated; these claims total $1.8 billion. Finally, the situation of Cuba's political prisoners must be addressed. American conservatives have long manifested concern for this aspect of Cuban reality. American liberals, who have paid close attention to prisoners in rightist authoritarian states like Chile, should have no less an interest in respect to the leftist authoritarian state of Cuba. All these issues, plus those which Mr. Castro may wish to raise, are difficult and will take time to negotiate. That is all the more reason for an early start.

[From the Washington Post, June 1, 1975]

CUBAN PRISONERS SAID "RESENTENCED" BEFORE TERMS END

(By Terri Shaw)

Some Cuban political prisoners who have completed their terms have been "resentenced" without ever leaving custody, according to letters received by relatives of the prisoners in the United States.

A recent case is that of Oracio Giordano Gomez Orta, who sent to his brother, Nivaldo Gomez of Miami, a handwritten copy of the document imposing a new sentence on him after he had completed a 23-year term for "crimes against the state."

According to the document, Revolutionary Tribunal No. 1 of Havana sentenced Gomez to one more year on a "work brigade under the control of penal establishments" because Gomez' conduct while serving his term had been "socially dangerous."

Specifically, the document said, Gomez participated in hunger strikes, refused to wear the blue uniform of the rehabilitation plan and had "been at various times in punishment cells" for bad behavior.

In the letter to his brother, Gomez said the only time he participated in a hunger strike was for two days in 1967 after he and 11 other prisoners were put naked in a dark cell measuring about 5 by 8 feet.

Elena Maderos Gonzalez, a Cuban exile who keeps in touch with the relatives of political prisoners, said the resentencings began about five years ago, when prisoners who were sentenced to 10-year terms at the beginning of the Fidel Castro government began to complete their terms.

A case often referred to by Cuban exiles is that of former student leader Pedro Luis Boltel, who, according to National Catholic News Service, completed his term in 1970, but was not released, and died in prison at the age of 41 after a prolonged hunger strike in May, 1972.

Recent moves by the Cuban and U.S. governments to improve relations after 15 years of enmity have brought renewed interest in the cases of political prisoners in Cuba. Estimates of their number vary from 25,000 to 50,000.

Amnesty International, a London-based organization that focuses attention on political prisoners, recently asked its members to write Castro and other Cuban officials about the case of one of Cuba's best known political prisoners, Huber Matos.

Matos, 56, once a supporter of Castro's revolution, resigned as army commander of Camaguey Province, and criticized communist influence in Castro's movement. He was sentenced to 20 years' imprisonment for treason in 1959.

Since that time, according to his relatives in the United States, Matos has refused to cooperate in any way with prison authorities, and has been isolated with a few other prisoners who have refused to accept the government's rehabilitation program.

His wife, Maria Luisa Araluce de Matos, who lives in Elizabeth, N.J., told the U.N. Human Rights Commission that her husband has not been allowed to have visitors for five years.

The Cuban government's rehabilitation program for prisoners involves attending classes and participating in work projects. It is not known how many prisoners refuse to participate in the program, although the number is believed to be relatively small.

Castro has refused to allow any international organization to visit political prisoners, despite repeated requests from groups like the International Red Cross and the Organization of American States.

BLIND DISCRIMINATION

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. O'BRIEN. Mr. Speaker, I would like to share with my colleagues a speech delivered to the National Press Club by Mr. Kenneth Jernigan, who is president of the National Federation of the Blind. Mr. Jernigan holds several degrees and has done extensive work in the field of education. He has been awarded no less than three honorary doctorates in conjunction with efforts in education of the blind. Mr. Jernigan, who has been blind from birth himself, is an illustration that blindness is not a handicap in achieving one's highest potential. Mr. Jernigan indicts us all with his comments on the generally held misconceptions of the blind even though, as he points out, most people are not aware of their bias and are victims of traditional ways of thinking. The text of the speech follows:

THE BLIND: A MINORITY WITHOUT PRESS

(By Kenneth Jernigan, president, National Federation of the Blind)

An Address Delivered at the Luncheon of the National Press Club, Washington, D.C., July 23, 1975

When the orange-billed seagull scares from my shadow and flees from my pass, I look up and see the sun laughing a smile on the water.
When mothers and fathers shout and hit their children for discipline, I look up and see the sun lure transient clouds to cover her face.
And when the blind man, dogless, loses his homeward path, I have seen the stranger straighten his solo way while the sun sets.
I have wondered: Is there a land where the birds are unafraid, where the little children are uncried, and the blind people see—
Where the sun won't laugh at the seagulls and hide from the children and leave when the blind man is lonely.

That poem—which appears on the wall of a California coffee house—portrays to a remarkable degree (even if only in microcosm) both the best and the worst traits of humanity: compassion, bigotry, sensitivity, obtuseness, concern, arrogance, perceptive awareness, and a total lack of understanding. Certainly with respect to blindness it exemplifies every misconception of the darkest middle ages. When the blind man (dogless or otherwise) is lonelier than others—when he has it so bad that the sun itself must flee from his plight, it is not the blindness which should be mourned but the social attitudes and the cultural heritage—the root causes of the broken spirit and the blighted soul.

Second-class status and deep despair come not from lack of sight but from lack of opportunity, lack of acceptance, lack of equal treatment under the law, and (above all) lack of understanding.

This is why the National Federation of the Blind came into being. In 1940 a small band of blind people from seven states met at Wilkes-Barre, Pennsylvania, to begin the movement. At first it was mostly faith and dreams, but that was over a generation ago. Today (with more than 50,000 members) we are a nationwide crusade with local chapters in every state and the District of Columbia.

Our problem is so different from what most people imagine, that it is hard for them even to comprehend its existence. It is not the blindness, nor is it that we have lacked sympathy or goodwill or widespread charity and kindness. We have had plenty of that—too much, in fact. Rather, it is that we have not (in present day parlance) been perceived as a minority. Yet, that is exactly what we are—a minority, with all that the term implies.

Do I exaggerate? In the summer of 1972 the National Federation of the Blind held its convention in Chicago. A local television station sent a black reporter to do coverage. She went directly to the exhibit room and used most of her film on various mechanical aids and gadgets. She then came to me and asked that I comment on the value and benefit of it all.

I responded obliquely, asking her how she would feel if she were at a national meeting of the NAACP or the Urban League and a reporter came and said he was there to film the shoe shining and the watermelon eating contest. She said she wouldn't like it. "Well," I said, "suppose the reporter took another tack. Suppose he wanted to spend his time and film on an exhibit of gadgets, on display as an incidental sidelight of the meeting, ignoring the real problems which brought the group together in the first place." She said she wouldn't like that either. In fact, she said, it would be worse since the question about the shoe shining and the watermelons could be easily discredited, while the other approach was just as bad but far less apparent and, therefore, more destructive.

I then told her about a reporter who came to one of our meetings and said, "I'd like to get pictures of blind persons bowling and of some of them with their dogs." I tried to explain to him that such a story would be a distortion—that we were there to discuss refusal by employers to let us work, refusal by airlines to let us ride, refusal by hotels to let us stay, refusal by society to let us in, and refusal by social service agencies to let us out. He said he appreciated my telling him and that it had been enlightening. Then he added, "Now, can I see the dogs and the bowlers? I am in a rush."

As I told this story, the black reporter was obviously uncomfortable. She seemed truly to understand, but when I asked her if she still intended to feature the gadgets, she stuck to her guns. "In the first place," she said, "I've already used all of my film. In the second place my editor told me to do it, so that's the way it has to be." The television coverage appeared on schedule—usual image, usual distortion. There is nothing wrong with bowling or dogs or canes or exhibits, but it was a bad scene.

A year later (in June of 1973) the blind were again in Chicago—this time for a different reason. The National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC) was meeting, and the blind were demonstrating and picketing. Formed in the mid 1960's by the American Foundation for the Blind, NAC symbolized (as it still does) everything odious and repulsive in our long and painful tradition—custodialism by governmental and private social service agencies, ward status, vested interest, intimidation, exclusion, and second-class citizenship. Our attempts to gain representation on NAC's board were answered by double-talk and tokenism, by Uncle Toms representing nobody but themselves and their masters, and by threats and reprisals. Finally, we had had enough.

So when (without warning and in violation of its own policies) NAC tried to hide from us by changing its meeting from Cleveland, Ohio, to an out-of-the-way motel in Chicago (a motel in the midst of construction and remodeling), we came to confront them. And not just a few of us, but the blind of the nation. It was short notice and difficult doing, but we came—hundreds of us, from all over the country: California, New England, the deep South, and the Midwest.

It was a day of dramatic importance. It was the first time in history that the blind as a people (not just a local group of us or a given segment but the blind as a people) had mobilized to take to the streets for collective action. There were state delegations, placards and signs, marches in downtown Chicago, and a rally at Civic Center Plaza. Was it newsworthy? By every test known to journalism, the answer would have to be yes.

Yet, the *Chicago Tribune* for June 21, 1973, carried not a single line about the demonstrations. It was not that the *Tribune* forgot us. Far from it. There was not just one, but two stories about the blind. And what were those stories that were of such importance as to be more newsworthy than the first national demonstration by the blind in history? One was headlined "Busy blind man finds time to help children." The other was captioned "Blind, he directs music in city school."

What a commentary! It was all there. The blind are especially talented in music. They are also burdened and deprived. Therefore, when one of them (instead of just doing the normal thing and receiving) turns it around and gives to others (particularly, children), it has human interest and news value. What would have happened if Martin Luther King had been leading the first black demonstrations in Chicago and the papers had ignored it—printing, instead, "Busy black man finds time to help children" and "Black, he directs music in city school"? I think you know what would have happened, and so do I. There would have been a furor of massive proportions. Yet, the incidents I have related passed without notice or ripple, almost as a matter of routine.

What I have said must be seen in perspective. The *Tribune* writers and the other members of the Chicago press were not trying to put us down or conspire against us. They were calling it as they saw it, writing what tradition had taught them to write. Like any other cross-section of society, they doubtless were (and are) people of integrity and goodwill. It was not a matter of morals or motives, but of comprehension.

It was all tied up with their notions about blindness. Pathos, compensatory talents, musical ability, inspiration, bravery against odds, world of darkness, heartrending tragedy—these they (and even their editors) could understand: run-of-the-mill, good human interest, no sweat. But the blind as a minority? Discrimination? Marches? Confrontation with the social service agencies, the very people who were trying to help the blind? Ridiculous! The reporters couldn't understand it, and (at least, at the emotional level) they didn't believe it. So how could they write it? And even if they did, how could their editors approve it, or the public buy it? Forget it. Don't think about it. Let it alone.

Of course, the attitudes of the press are representative of the broader society, and the situation is certainly not unique. It is exactly the way the blacks were treated fifty years ago. They were lumped together and seen as a single caricature—good natured, irresponsible, rhythmic, shiftless, and a mite dishonest—second-class all the way. A black person was never shown in a straight role on the stage or in the movies but only as a foot-shuffling, jolly simpleton. It was Amos and Andy and Uncle Remus and Aunt Jemima; and not only the blacks but all of us will bear the scars for generations to come because of the failure to understand, the lack of concern to care, and the absence of the courage to act. Fifty years ago it was the blacks. Today it is the blind. But we are organized, and we are on the move. We want no strife or confrontation, but we will do what we have to do. We are simply no longer willing to be second-class citizens. They tell us that there is no discrimination—that the blind are not a minority. But we know who we are, and we will never go back.

'Lest you think I am picking on Chicago, let me say that New York was about the same. In July of 1973 (only a month after the NAC demonstrations in Chicago) the largest group of blind people ever to assemble anywhere in the world up to that time met in New York. For almost a week we discussed our hopes and our problems—planned and dreamed. Some 2,000 of us marched on NAC headquarters. There was a considerable amount of local radio and television coverage, and a little in the papers. Nationally there was hardly a ripple. I can only explain it as before.

It was not conspiracy or deliberate putdown. In some ways it was worse, for an individual can be made ashamed of prejudice and repression—but rarely of charity and kindness. They didn't understand it; they didn't believe it; and (above all) they didn't know how to write it. It didn't fit the image and the preconception.

Not only must we deal with the working press but also with Mr. Magoo—lovable Mr. Magoo. Because he is almost blind he bumbles and blunders through a series of bloopers—walking into telephone poles and apologizing to them because he thinks they are people, patting the tops of fire plugs and speaking to them as children, and walking up half-finished skyscrapers to the brink of disaster and ruin. It's funny because he can't see and makes such stupid goof-ups. Never mind that blindness isn't like that and that no blind person in the world is so incompetent or stupid as to hit a telephone pole and believe it's a human or think the top of a fire plug feels like the head of a child or wander up the girders of an open building. It fits the stereotype, so its hilariously comical.

But what does it do to blind people—to our public image and our private lives? A few weeks back I received a call from a blind woman in Indianapolis. She said, "The other day I was at the home of a friend, who is also blind, and her four-year old son was watching Mr. Magoo on television. He turned to his mother in hurt and bewilderment and said, 'Mother, why are they making fun of you?'" My caller went on to tell me that later that same week she was walking down the street when a small child spit on her and said, "You're old Mr. Magoo." She was so shaken by the two incidents coming together that she called to ask what the Federation could do about it.

Of course, this negative behavior is not surprising from small children, or even from the public at large; but surely we have the right to expect better from the social service agencies, the very people who are supposedly knowledgeable and established to help us. Yet, an outfit in Seattle calling itself Community Services for the Blind (ultrarespectable and approved by the United Way) decided this spring to make Mr. Magoo the principal focus of its public relations and funding. The leaders of our Washington affiliate protested, but to no avail. A blind man on the Community Services board (Uncle Toms are, indeed, pathetic; and we have our full quota) thought it was funny, and even constructive. But the board's sighted president put it all in perspective:

"The advertising message," he said in a letter to one of our members, "is especially directed at people who are *responsible*[1] for the blind—not at the blind themselves. We don't feel the blind person will tend to identify himself with Mr. Magoo, necessarily; in fact, many may not even know who he is . . . If there is any kind of a negative aspect in the fact that Mr. Magoo has poor eyesight, it is all the more effective, just as a crippled child on a muscular dystrophy poster is more effective than a normal child."

What a damning self-indictment! What an ironic commentary on the end of an era and the death of a system. Yet, they tell us that there is no discrimination—that the blind are not a minority. But we know who we are, and we will never go back.

To round out the picture of the public mind, consider the following recent examples:

A dental hygiene student wrote to me from Fresno, California:

"I am working on a research paper," she said, "concerning the special needs of visually handicapped or blind people with regard to dental care. I hope to determine:

"1. how the dental procedure needs to be altered to accomodate them; and

"2. special dental problems of these patients."

An expert on penology and social reform wrote to me to say that, in his opinion, the blind (regardless of their misdeeds) should not be put in the penitentiary. "If the seriousness of their offense merits incarceration," he said, "they should be dealt with in a special manner." In other words even in the "big house" we should be second-class and segregated.

A doctor at the Mayo Clinic wrote: "I am sorry to say she is blind and cannot be helped.

"Anything you can do to make her life easier would be greatly appreciated."

In 1972 James Reston, the well-known syndicated columnist, commented on Senator Eagleton's forced withdrawal from the democratic vice-presidential nomination:

"This is not primarily Eagleton's fault," Reston said, "but the system's. That system is very compassionate to human beings whose age and health interfere with the efficient execution of their work. It tolerates Supreme Court justices who are in serious ill health or who are even almost blind."[2]

The key word (as I am sure I don't have to tell you) is *even*. That "even" is at the center of our problem as blind people. It takes for granted (as an obvious commonplace, needing no argument) that the blind are unable to perform competently as Supreme Court justices; in fact, that it is ridiculous even to assume that they might; and that any system which tolerates such manifest irrationality can only be explained on the basis of compassion.

Compassion, indeed! The compassion is often misplaced. Recently, for instance, we held a luncheon for employers so that they could get acquainted with blind job applicants, and the East Moline, Illinois, Metal Products Company saw no reason to come.

"Because of the type of business we are in," their letter said, "metal stampings and weldments involving punch presses, shears, brakes, and welders we feel that we have nothing to offer the blind inasmuch as we have nothing in a counting or packaging type of work."

The irony is that one of the people attending the luncheon (totally blind from childhood (works every day shearing steel and operating presses. He has done it for fifteen years and is considered the best in the plant.

In Michigan in 1970 Tom Munn (a blind man) took a state Civil Service examination for the position of mechanic. He passed with a score of 96, and his name was placed on the register. He was not offered employment; others (with lower scores) were hired. In 1972 the Civil Service Commission created a separate list for the handicapped. Munn's name was transferred from the open register to the separate list, and his score was reduced from 90 to 70—which (regardless of performance) was the grade to be given to all so-called "successful" future blind applicants. Munn requested that his performance be evaluated. The request was refused. In 1974 (acting on his own) he secured a work trial evaluation with the Motor Transport Division of the Department of Management and Budget. He did the job without difficulty. The results were ignored. In 1975 (his patience finally exhausted) he contemplated a lawsuit. Officials of the state agency for the blind (the very people charged by law with the duty to help him) allegedly tried to coerce him into silence.

Tom Munn and the National Federation of the Blind have now brought action in the federal courts against both the state agency and the Civil Service Commission. Yet, they call it compassion and say we are incompetent. They tell us that there is no discrimination—that the blind are not a minority. But we know who we are, and we will never go back.

What a dreary picture! We are dogless and lonely; we are Mr. Magoo; we have different dental needs; we must be segregated, even in the penitentiary; we cannot shear steel or operate presses; we cannot compete in the Civil Service but must be content with a separate list and a score of 70. It would seem that all that is left is to pack it in; and even that is taken care of in an article on the right to death by choice appearing in the January, 1974, *Atlantic*:

"I do not wish," the author says, "to survive any accident or disease resulting in vision too impaired to see or read. A world without beauty seen is no world for me. A life without freedom and movement is no life for me. If age and illness deny me these, I choose death."[3]

So where does all of this leave us? In the first place it leaves us with the need for perspective; for as the saying goes, we have never had it so good. Despite the exclusions and the denials, we are better off now than we have ever been. It is not that conditions are worse today than they were ten or twenty years ago, but only that we are more aware of them. In the past we wouldn't have known of their existence, and even if we had, we wouldn't have been able to do anything about it. Today we are organized, and actively in the field. The sound in the land is the march of the blind to freedom. The song is a song of gladness. Yes, there are discriminations and misconceptions; but there are also joy and promise. The old is dying, and the new is at hand.

Change is apparent in every segment of society—and nowhere more than in the press. One only has to look at the front page of the *Wall Street Journal* for July 10 of this year to see what I mean. That hard-hitting article by Jeff Tannenbaum contains not a single shred of the old misconceptions and stereotypes, and it tells it like it is. It couldn't have been written or published even as recently as a year ago. The fact of its publication now spotlights our momentum and our progress. And there are other signs: our feature on the Tomorrow Show in late June; the improved quantity and quality of coverage at our National Convention in Chicago earlier this month (including, I might say, the *Tribune*); and, of course, my appearance here today.

It is true that not all sighted people have goodwill toward us, but most do. As we begin to move toward first-class citizenship (especially, as we insist upon our rights), we will inevitably provoke hostility; but surely we will also inspire understanding and respect.

It is to this end that I have come to speak to you; for you are not only reporters of public opinion but you are also molders of that opinion. We the blind know that accomplishment is made of high hopes and hard work, and drudgery and dreams. We are willing to work, and work hard; but we also dare to dream—and in our work and our dreams we ask for your help and your understanding. We have the faith to believe that, when you know who we are, you will give us both.

THE SEVENTH SPECIAL SESSION OF THE U.N. GENERAL ASSEMBLY

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BIESTER. Mr. Speaker, in September the Seventh Special Session of the United Nations General Assembly will be convened "to examine the political implications of world development and international economic cooperation." Much of the discussion at that session will center on the demands of third world countries for creation of a "new international economic order." Last Sunday's Washington Post contained a well-written and informative overview of the questions at issue in those discussions and of the background against which they will take place. For the benefit of my colleagues and others who may have missed it over the weekend, I submit for the RECORD an article by Dr. Lincoln Gordon, "Third World's Rights and Ours."

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[1] Emphasis added.

[2] Reston, James, "System at Fault in Eagleton Case," *The Kansas City Star*, Kansas City, Missouri, July 21, 1972.

[3] Maguire, Daniel C., "Death by Chance, Death by Choice," *Atlantic*, Boston, Massachusetts, January, 1974.

THIRD WORLD'S RIGHTS AND OURS

(By Lincoln Gordon)

(NOTE.—Dr. Gordon, former ambassador to Brazil and assistant secretary of state for Inter-American affairs, is now senior research fellow at Resources for the Future.)

During the last two years, representatives of the "Third World" have launched an immense verbal barrage under the banner of a "New International Economic Order" (NIEO). It has dominated specialized world conferences, so that the recent international meetings in Bucharest, Rome and Mexico City sometimes seemed more preoccupied with debates on NIEO than with their assigned and critical topics of population, food and woman's status.

The Chinese have given this cause unrestrained rhetorical support. The Russians are more coolly supportive. The industrialized West and Japan have been divided and nonplussed. A conditioned reflex reinforced over three decades makes the others look to the United States for a prompt response. In this field, however, the trumpets of Washington have given a very uncertain sound.

It would be hard to imagine a less propitious time for new American initiatives in a peculiarly baffling area of foreign policy, where neither dangers nor opportunities are sharply defined. Even the diagnosis is confused. Witness the shift in perceptions from spring of 1974 to summer of 1975: from "permanent scarcity" for raw materials to glutted markets and depressed prices for most; from "intolerable" oil prices and "unmanageable" petrodollar accumulations to difficult economic phenomena with which, nonetheless, the ongoing international order has been coping with unexpected resilience.

In these circumstances, it is certainly wise to avoid a panicked response to Third World demands. There is neither need nor possibility to jettison the entire structure of international economic institutions, rules and practices built up since the end of World War II. But there are serious issues in this domain which call for serious reassessment of policies. Interdependence is not a mere rhetorical shibboleth. Each nation's economic welfare is increasingly dependent on decisions made outside its jurisdiction. There are some kinds of economic cooperation which can create benefits for all parties involved. Moreover, parts of the post-war structure have broken down since 1971, notably the dollar exchange standard with fixed currency relationships. A major new round of international trade negotiations is just getting under way. A larger voice for Third World representatives is both legitimate and indispensable to the evolution of workable new arrangements.

Whatever happens to the near-term price of oil, the actions of OPEC (the Organization of Petroleum Exporting Countries) since 1973 have altered the balance of world economic power, requiring adjustments at least in relation to that part of the Third World. Other Third World nations warrant attention as sources of non-fuel raw materials; still others as growing participants in the world's industry, especially for labor-intensive manufacturing; others for their destabilizing political potential; and a few almost wholly for compassionate humanitarian reasons.

The Seventh Special Session of the U.N. General Assembly, called for the first two weeks of September "to examine the political implications of world development and international economic cooperation," provides a convenient opportunity for the United States to present the essential elements of a modernized set of policies for economics relations with the Third World. The problem calls for a four-fold approach: diagnosis and detoxification; definition of negotiating philosophy; identification of policy issues ripe for negotiation, and the reformation of institutions and procedures to enable them to deal with additional issues as they arise in the years ahead.

The campaign for NIEO reflects a radical change in Third World style and tactics. Instead of seeking incremental reforms. designed to raise growth rates in developing countries, the new drive begins with a generalized denunciation of the present international economic order and a call for its total replacement. In some versions, all disparities in income and wealth are attributed to international economic relations. In the name of equity and justice, Third World spokesmen clamor for a restructured order to eliminate those disparities. Since the present affluence of the developed countries is said to be based on colonial or neo-colonial exploitation, including cheap raw materials drawn from the Third World, compensatory restitution is demanded.

The inspiration for the new Third World style and tactics is evidently the success of OPEC in quadrupling oil prices over a few months. Even old hands among Western observers of U.N. affairs have been surprised at the solidarity with their OPEC colleagues shown by hard-hit Third World oil-importing countries. Several factors have contributed to this solidarity, including the hope by exporters of some other raw materials that they might emulate the OPEC example and the hope that OPEC might reciprocate by financial aid. Much of it undoubtedly reflects simple frustration with the apparent unresponsiveness of developed countries to the felt concerns of the Third World.

The cardinal factor, however, appears to be the belief that OPEC's bargaining power with the industrialized world can be used to secure other goals of NIEO. Thus, last February's "Declaration of Dakar" states that the Third World, instead of presenting requests and appealing to the political good will of developed countries, must use its collective bargaining power against them. The tone is denunciatory and confrontational.

Daniel P. Moynihan, in a magazine article last spring, proposed that the United States adopt a policy of systematic and coherent opposition to all phases of Third World ideology—economic, social and political. Now that he is ambassador to the U.N., Moynihan can be expected to be more discriminating in his diplomatic posture. It must also be said that his diagnosis of Third World ideology as the global manifestation of a "British socialist revolution" is far from persuasive. But there is no doubt that we—and governments of other developed countries—have been wrong to leave unchallenged a growing body of U.N. doctrine on economic and social affairs whose factual basis is often in error, whose logical structure is grossly flawed, and whose value assumptions are certainly not universally accepted even if they cannot be "disproved." What is required is not a massive rhetorical counterattack but a low-key, lucid and firm exposition of the errors of fact and logic in the NIEO diagnosis, coupled with a readiness to join seriously in a common search for areas of potential mutual benefit. Here are a few examples:

The NIEO doctrine vastly understates the relative importance of internal economic policies and performance, as compared with external factors, in determining rates of economic growth and income distribution within developing countries. The attribution of all income and wealth differentials to past and present international or colonial exploitation is a travesty of economic history. The availability of "cheap" raw materials has probably been far less important to the achievement of present First World living standards than the NIEO doctrine asserts.

That question needs further study, but to whatever extent cheap raw materials have been of importance, they have not come mainly from the Third World. In the American case, they came until recent years from within our own boundaries. For many decades, we were a major exporter of minerals, as we continue to be of agricultural products and coal. If exporting raw materials necessarily leads to impoverishment, the relative wealth of the United States, Canada and Australia would be inexplicable.

Detoxification is not entirely a one-sided matter. The governments of industrialized countries should concede that the structure of many international commodity markets is far from the competitive model of the economics textbooks and that tariff systems have, indeed, discriminated against the upgrading of raw materials in countries of origin. But beyond detoxification is the need for a serious effort at joint diagnosis of issues in contention. The best antidote to the illusion that the OPEC experience can be matched for other important raw materials is a case-by-case examination of the available evidence on potential sources of supply, possibilities of substitution in source or in use, market structures and relevant technology.

Second sober thoughts have already tempered the first delirium for imitating OPEC by spokesmen for commodities from bananas to zinc. It would be naive to suppose that joint diagnosis would eliminate genuine political differences and conflicts of interest, but it could promote serious negotiation in place of a sterile doctrinal "dialogue of the deaf."

NIEO proposals are ambiguous as to whether the change to the new order is expected to bring some benefits to all, or whether the goal is simply redistribution from rich to poor. That is the central and critical question of negotiating philosophy on which the United States and other First World representatives should permit no uncertainty.

In the vocabulary of game theory, the issue is whether North-South economic negotiations are to be regarded by both sides as a "positive-sum" game, with benefits to both sides, or a "zero-sum" game, where a gain to one side is always a loss to the other. Unfortunately, much of the NIEO rhetoric is couched in "zero-sum" terms. To the extent that it builds on Marxist-Leninist ideology, that is not surprising, since the theories of class warfare and imperialism are based on "zero-sum" concepts.

But the nations of the First World have been demonstrating for decades that national development can be of benefits to all social classes, that social mobility can make those classes permeable and that inequality in income distribution can be substantially reduced. In their mutual economic relations, they have also been demonstrating that greater prosperity for one is beneficial rather than harmful to the others.

In some Western intellectual circles, straightforward global income redistribution is advocated on grounds of human solidarity on our shrunken "spaceship earth." In cases of acute famine or natural disaster, such solidarity does exist. But it is a violent leap of faith to suppose that the world is ready to extend this principle to economic structures, employment opportunities and living standards in general. In the foreseeable future, the main negotiators and decision-makers on the international scene will continue to be national governments. Whether rich or poor, democratic or autocratic, they will seek to protect and advance what they perceive to be the national interests of their peoples. Any successful negotiation of new international economic arrangements, therefore, must be based on a search for mutuality of interest or it will be doomed from the start.

In practice, that mean an emphasis on growth and the distribution of increments—on accelerating the economic development of the Third World without reducing output or income in the First World. To the radical mind, incrementalism is inherently objectionable, slow-acting and lacking the glamor of revolutionary overturns.

What is little appreciated, however, is the speed with which changes in the distribution of increments can affect truly revolutionary transformations, if judged by the difference between "before and after" and not by doctrinaire conceptions of what constitutes a true revolution. From 1950 to 1970, the world's total economic output was multiplied threefold, permitting "economic miracles" in Japan, Germany, Korea, Taiwan and Brazil without reducing income elsewhere.

Within a context of some growth for all, a strong case can be made on grounds of equity, interdependence, enviromental health and global security that conditions should foster more rapid growth in the Third World, especially in its poorest parts, than in the First. Whether that will indeed happen depends more on internal efforts, including the reduction of birth rates, than on the external economic environment.

But that is no reason not to seek improvements in the external environment. Extraordinarily difficult technical issues are involved, since adequate growth opportunities for the Third World are now dependent on expanding markets in the First World for both raw materials and labor-intensive manufactured goods. Yet the shift among the more affluent societies toward a "post-industrial society" may well reduce their rates of growth, at least of material-consuming activities. It will not be easy to reconcile such changes with accelerated growth in the Third World. That is a cardinal task for the kind of joint diagnosis and search for positive-sum negotiating terrain suggested here.

A major corollary of this negotiating philosophy is that the solutions sought be affirmative rather than negative. That means maintaining economic and technical dynamism instead of trying to freeze price levels or market shares. It calls for flexibility in the classification of countries, so that Mexico, Brazil, Iran and others may soon be considered among the more rather than the less developed. More generally, it insists on the basic point that the world does get richer by suppressing innovation and improvements of productivity, whether the methods are technological, institutional or social.

Against this background, the U.S. and other developed countries should come forward with positive proposals fitting the criteria of mutual benefit. The proposals should obviously be responsive to legitimate Third World concerns, but should not be offered in the manner of grudging concessions reluctantly applied to quiet squeaking wheels.

The very term "New International Economic Order" seems to suggest a single heroic negotiation of the entire structure of ground rules for international trade, finance, investment, aid, industrial location, trans-national business operation and intergovernmental institutions.

That is surely not a realistic goal. But consensus should be sought on negotiating philosophy and posture and on institutional reform to facilitate a continuing series of successive specific negotiations.

Three areas are ripe for early negotiation, or could be made so quickly by governmental decisions in the industrialized countries. They are world food, industrial and agricultural raw materials, and some aspects of the trading system. On food, the Rome conference last November secured a global consensus on diagnosis, major lines of policy and institutional arrangements. But there are many specifics to be filled in: the size, allocation and financing of reserves; rules for their accumulation and release; identification and financing of agricultural development and research projects in the developing countries; and resolution of controversies within the First World on food production, prices and trade in ways compatible with long-term global needs.

The area of raw materials or commodities is less advanced. Recent months, however, have witnessed an important evolution in developed country attitudes in this field, reflecting not only pressures from the Third World, but also the experience of almost universal shortages and price surges in 1973–74, the possibility of synchronized First World booms and recessions in the future, the growing capital requirements for raw material exploration and production and the changing relations between governments and multinational companies involved in raw material development.

In these new circumstances, there is growing support for the belief that all parties—importers as well as exporters, industrialized as well as developing countries—could gain from commodity arrangements designed to reduce fluctuations in prices and in flows of supplies and to promote more systematic resource surveys, exploration and development of new production sources. In most cases, this implies some sort of buffer stock arrangement, including an agreed zone of prices with purchases for the stock at the lower end and sales at the higher end, and a gradual movement of the price zone upward or downward to reflect longer term changes in supply and demand conditions. There are doubtless many cases where the financial and bureaucratic costs would not be worthwhile.

This line of thought specifically excludes the idea of "price indexation" so strongly urged by NIEO proponents. The fundamental objection to indexation, apart from its technical difficulties and extremely uneven and inequitable impact on individual countries, is that it seeks to freeze relative prices without regard to the long-term structural factors entering into supply and demand. If world demand is shifting away from a given commodity, it will not help the Third World suppliers of that commodity to maintain its price through indexation.

What is needed is a structural shift in that country's production and exports to items in stronger demand. If support for its balance of payments is required during the transition, some form of financial loan or grant would be far more efficient than price indexation.

Most of these points seem to be recognized in Secretary of State Kissinger's recent statements. Those statements, however, contain a disturbing emphasis on discussion of possible new arrangements only "on a case-by-case basis." A prior stage is needed to achieve agreement on the scope, objectives and broad principles governing individual arrangements—a level of agreement corresponding to that reached at Rome on the problems of world food. A startling point might be the draft "general agreement on commodities" circulated by the British government at the recent Commonwealth meeting in Jamaica, which carefully balances the interests of producers and consumers.

The British draft includes a reference to the growing Third World interest in the upgrading and higher fabrication of their basic raw materials. That is one key feature of the third negotiating area—a greater recognition of developing country interests in the current multilateral trade negotiations in Geneva. There has been considerable upgrading in recent years, with source countries now exporting alumina or even aluminum metal instead of raw bauxite and iron ore pellets instead of the raw ore. Upgrading in the country of origin does not always make economic sense; otherwise, much more of our own wheat exports would take the form of flour or bread. But tariff structures should not impose artificial barriers against such shifts, which could be advantageous not only to developing countries but also to the general interest in global efficiency.

The developing countries also have a major stake in other tariff and nontariff barriers affecting their markets for raw materials and labor-intensive manufactured goods. Participants in the multilateral trade negotiations have agreed in principle to give special attention to Third World concerns, but it remains to be seen how far those principles will become reality.

Energy has been deliberately omitted from this discussion, since ad hoc negotiating machinery is apparently being contemplated outside the United Nations framework. There is no prospect for a satisfactory international commodity arrangement for petroleum until the United States and other importing nations are much further forward in policies for conservation and development of domestic supplies. But financial negotiations—aimed at the orderly investment of petrodollar surpluses, at special assistance for Third World oil importing nations and at OPEC involvement in the expansion of food and fertilizer production—would be all to the good. At a later stage, when the industrialized countries have begun to deal with their own long-term alternative energy supplies, they may be in a position to give serious thought to global energy problems in the post-petroleum era which lies ahead.

The steps outlined above do not project a single leap to a "new international economic order" or a single master "global bargain." They rather envisage an ongoing process of diagnosis and identification of issues, followed by bargaining on several fronts. The United Nations is only one of the international institutions involved, and for some purposes not the most important one. But it is the most comprehensive in the range of its interests and the only one with universal membership.

It is, therefore, quite appropriate that institutional reform should figure on the Special Session agenda along with matters of policy. The prospect for genuine improvement has been greatly advanced through the near miracle of a unanimous report by a group of 25 experts nominated by a variety of governments, including a rapporteur from the United States.

A system of continuing diagnosis and negotiation, which pursues affirmative solutions based on mutual benefit, implies institutional flexibility with fluid alignments of bargaining parties and interests. There are many specific issues which do not fit the paradigm of broad confrontation between fictitiously monolithic Third and First Worlds. For many raw materials, industrialized countries are among the major exporters, so that commodity arrangements cannot reflect a general cleavage between Third and First Worlds. Developing countries vary enormously in their degrees of industrial and technological sophistication. Some of them may already be able and willing to join a more intimate system of trading rules and relationships, initiated in the First World but open to all who are prepared to accept its obligations.

The issues outlined here, and others on the horizon such as the international distribution of industry, are much too complex to be resolved in the brief two weeks of the September Special Session. That session may, however, set the tone of negotiations in many forums over years to come. For the U.S., the choice is between stonewalling and initiating a genuine search for mutual advantage. In the overheated atmosphere of 1975, the latter posture may not be met halfway, although many signs suggest a desire by more responsible Third World governments to cool the rhetoric in favor of meaningful negotiation. What September offers is an opportunity to begin a change of course for the huge and slow-turning vessel of world economic relationships.

PAUL HOWARD

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. STOKES. Mr. Speaker, I would like to bring to the attention of my colleagues the distinguished career and accomplishments of Mr. Paul Howard, who this month is retiring after 27 years with the Army and Air Force Exchange Service.

Two and a half years ago, Mr. Howard, in response to what he and many others felt to be a disturbing absence of minority involvement in the exchange service, recommended and subsequently established a minority office. Since then he has been the minority group officer for the exchange service.

Through his diligent and sensitive work, innumerable minority businesses and manufacturers have been authorized to receive contracts with the combined Army and Air Force stores. One could not begin to estimate the large number of minority persons who have been employed as a direct result of Mr. Howard's efforts. During this time of a depressed economy and massive unemployment, Paul Howard can leave no greater legacy than having found work for persons who otherwise would very likely be unemployed.

Mr. Speaker, I also want to emphasize just how difficult Mr. Howard's job has been. Our current recession has inevitably placed him in the unenviable position of choosing one deserving minority company over another. From all accounts, he has done his job with the utmost tact, sensitivity, and moral objectivity.

Just a few of the more than 100 minority businesses that he has worked with are Shindana Toys and Proline Hair Products, both of California; Relevant Graphics of New York; American Beauty Products of Philadelphia; and Supreme Beauty Products of Chicago. It is clear, Mr. Speaker, that Mr. Howard's contacts were nationwide.

In addition to working with the participating companies, Paul Howard was very much responsive to the needs and desires of the black community within the Armed Forces. A primary function of his has been working with and participating in race relations and social groups.

Mr. Speaker, Paul Howard is an outstanding example of a man who saw a job that needed to be done and went ahead and did it. He deserves to be proud of his achievements, as I know the many lives he has touched appreciate his fine work.

AGRICULTURAL ENERGY RESEARCH ACT OF 1975: PART I

HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FITHIAN. Mr. Speaker, on July 24, I introduced H.R. 8871, entitled "The Agricultural Energy Research Act of 1975." Senator HUBERT HUMPHREY introduced the same bill on the Senate side on April 18, 1975 (S. 1482).

Within the last month, I have had an opportunity to discuss the problems of agricultural energy research with several experts in my district, particularly from the various departments at Purdue University. I greatly appreciated their advice and comments on this bill and the proposed changes in it. I want to share their views with my colleagues in the House. Their remarks are as follows:

PURDUE UNIVERSITY,
West Lafayette, Ind., June 16, 1975.

Hon. FLOYD J. FITHIAN,
Congress of the United States,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FITHIAN: Your good letter of June 13 enclosing Senator Humphrey's Senate Bill S. 1482 was most welcome. It comes at a most opportune time when the Purdue University Agricultural Experiment Station, like most other Stations, are already rather deeply committed in this area. I will cite only three examples:

1. Late last fall, we dried 4,000 bushels of wet corn from 25% moisture to safe-keeping levels with Solar Energy. Traditional energy requirements were reduced almost 30%. Data obtained in this manner will permit us to develop simulation models for designing and evaluating solar drying systems under a wide variety of weather situations.

2. Minimum tillage methods which bypass the heavy energy requirement involved in plowing land have been under development for some years. Problems of weed, insect, disease, and rodent control are gradually being worked out and some of these methods are already being adopted. Designed originally to reduce production costs, it appears that the savings will come about principally through reduction in energy requirements.

3. We have been working for several years to improve methane production from animal wastes, This work will have equal impact on environmental improvement and energy production. A difficulty frequently encountered is that the microorganisms responsible for digesting and converting the wastes is "washed out" in the effluent or are killed off by malfunctioning "digesters." We have some good leads on how to tackle this problem.

These examples merely point out briefly that we are heavily involved. Some of the work here on solar energy has had supplemental support from the Energy Research and Development Administration but must be regarded as a piecemeal uncoordinated approach insofar as Agricultural Experiment Stations generally are concerned.

I must confess that I like Senatorr Humphrey's approach for several reasons:

1. It centers responsibility in CSRS, an agency with a long history of coordinating the work of the state stations. No new independent bureaucracy is created.

2. Operating as it would under the Hatch Act concept of 1887, I would presume that some state fund matching concept would be incorporated which truly creates a federal-state venture.

3. While the Bill provides for a "fair and equitable basis" of fund allocation to states, it does not mandate a fixed formula to all states. Different states have different interests and capabilities. In this respect, it is patterned after the McIntire Stennis Forestry Research Act.

4. It provides for participation by "all members of the University community." The Engineering and Social Science segments of the University must be involved both in the development and acceptance of technologies that result from such a program.

Although this reply has become unduly long, I would say in summary that it is a sound, forward-looking approach to bringing about adjustments that we must inevitably make in our general energy consumption patterns. I am most appreciative of your bringing this to our attention.

Most sincerely,

H. H. KRAMER, *Director.*

PURDUE UNIVERSITY,
West Lafayette, Ind., June 17, 1975.

Hon. FLOYD J. FITHIAN,
U.S. House of Representatives,
Longworth House Office Building,
Washington, D.C.

DEAR FLOYD: I believe the S. 1482 bill could be justified, both from the standpoint of society as a whole and for agriculture. There are chances for saving of energy from:

1—Changes in tillage practices.
2—The use of fertilizer.
3—Changes in marketing of farm products.
4—Using of agricultural wastes.
5—Possibly making industrial alcohol from grain crops.

The Agricultural Experiment Stations have the capabilities for doing this type of research and the Agricultural Extension Service would get it incorporated into agriculture.

Hope that you can come up with a realistic energy bill. The problem is real and we, as a nation, need to come up with a realistic program.

Best wishes.

Sincerely,

J. CARROLL BOTTUM,
Professor Emeritus.

PURDUE UNIVERSITY,
West Lafayette, Ind., June 19, 1975.

Hon. FLOYD J. FITHIAN,
Longworth House Office Building,
Washington, D.C.

DEAR FLOYD: I have studied Senator Humphrey's S.1482 bill. I have also read Director Kramer's response to you concerning the bill.

I also think it is desirable to utilize the already existing Cooperative State Research Service of the USDA as the administrative vehicle. The bill does have some weaknesses, however:

1) The article (3), page 4, line 1 is too inclusive. To move *all* our state station farms in this direction is probably unfeasible and would not be good long-run research design.

2) Section (b), page 4, line 5 which establishes allocation procedures is weakly drawn. "The Director_______shall allocate_________ on a fair and equitable basis" is inadequate direction to a federal bureaucracy. This would permit erratic and random year to year funding under which no effective state program could be carried out. This needs to be thought through and tightened up. Additionally the state matching concept which is one key to the Hatch Act success is missing. States probably should be required to match the federal funds. This will help assure a more pertinent problem-solving program.

These are details. The general idea is good. You should consider cosponsoring it. Thanks for letting me share ideas with you.

Sincerely,

R. L. Kohls, *Dean.*

Purdue University,
West Lafayette, Ind., June 20, 1975.

Hon. Floyd J. Fithian
House of Representatives
Longworth House Office Building,
Washington, D.C.

Dear Floyd: With reference to your letter of June 13th on Senate Bill 1482, "To carry out a coordinated agricultural energy research program through the State agricultural experiment stations,":

1. I would hope that the Office of Agricultural Energy Research is a relatively small one which draws together the people from CSRS, ARS and ERS who are already involved in energy work. Given this along with an enthusiastic and competent 'Director of Agricultural Energy Research' and a minimum number of new personnel, I believe such an office could make a real contribution.

2. I understand the concern with alternative energy sources to reduce our dependence upon petroleum as much as possible. With this goal the stress of the bill should remain on this objective. However, research on existing practices which require petroleumf but have the potential for increasing the output of agricultural product per unit of petroleum input should not be excluded from funding under the bill.

3. The stress of the bill on pilot and demonstration activities is both appropriate and timely. A number of our investigations are coming to the stage where pilot projects would have very high pay-off. However, it is no easy task to get money from NSF and ERDA for basic and/or applied research on energy in agriculture. A dual approach to this might be to make sure that the funds under this bill are not mandated exclusively to pilot and demonstration projects (there appears to be some latitude here in lines 9 and 10 on page 3) and to make sure that ERDA and/or NSF make long term commitments to energy research that is related to agriculture.

4. Right now I think the level of funding is appropriate given that the administrators do what they are paid to do and concentrate resources where they will have high pay-off. There are only a limited number of states geared up to utilize such funds efficiently right now, and the attraction of funds should force a like number to get geared up once such a program is set in motion. It is also important that funds be able to be committed for longer than a one year period even for pilot and demonstration projects. Given diversity of weather and other factors many such projects should cover a minimum of two cropping seasons, i.e. two years.

My comments are not meant to be negative. I think the concept is good, and I think the land grant institutions have already begun doing much of the energy work that will prove useful over the next decade. Certainly, in real terms (and I think even in dollar terms) the funds for the experiment stations have been cut rather severely in recent years. The attractiveness of additional funds is such that there would be a shift in emphasis at the research stations to tap these funds.

As you already know our ultimate concern here has not been energy reduction per se. We have been trying to concentrate on areas of agricultural production that offer sizable potential for reduction in energy use and production costs without associated losses in productivity or product quality. We believe that there is real potential within this framework which emphasizes both the maintenance of food supply and incentive for adoption of new practices.

I appreciate your requesting my views on this.

Sincerely,

Otto C. Doering III,
Assistant Professor.

P.S.—A literal interpretation of the top of page 4, turning all experiment forms into minimum petroleum use forms would be neither helpful nor desirable!

CAPTIVE NATIONS WEEK

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. STRATTON. Mr. Speaker, earlier this summer we marked the 17th observance of Captive Nations Week, as well as the anniversary of one of the sad events which led to the creation of this speical week. Thirty-five years ago, July 14 and 15, 1940, a mock election of Soviet-imposed "people's parliaments" took place in the Baltic States of Estonia, Latvia, and Lithuania. Passive resistance at that time to the authority of the Red Army, resistance which came in the form of an election boycott by many Baltic freedom fighters, was of no avail, however, as Russian intimidation forced most citizens to the polls. The lone slate on the ballot in each country, one comprised of Communists, the new Governments of Estonia, Latvia, and Lithuania immediately agreed to become provinces of the Soviet Union and the free people of those countries have been subjected to Russian rule ever since.

As we in the United States prepare to celebrate the 200th anniversary of our Declaration of Independence, the citizens of Estonia, Latvia, Lithuania and the other captive nations of the world can only dream of former and future freedom. For them, our independence represents hope; hope that one day they will be free of the shackles of unwanted communism. These brave men and women are prisoners in a society they did not choose, and they turn to us for inspiration. They can see the strength of our way of life as it overcomes internal difficulties like Watergate with justice rather than with repression and violence.

While our country encourages and strives for détente with the Soviet Union, we must not lose sight of Russia's history of suppression of freedom. Nor should we abandon our efforts to continue to work for the freedom of these captive nation's still under Soviet suppression. When the independent nations that surrounded Russia's borders fell one by one to the Red Army, the eyes of their citizens looked to the United States as their one hope for emancipation. They still look to us today. With the improvement of Soviet-American relations and the cultural exchange now taking place between our countries the much needed impetus for new freedom in Russia may perhaps become possible. In the spirit of our Constitution, we must continue to work through détente to "secure the blessings of liberty" for the people of the captive nations of the world.

CONSIDER THOSE WHO FOOT THE BILL

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DERWINSKI. Mr. Speaker, we have had a growing problem across the country with strikes, work stoppage, and disruption of service by groups of public employees.

It is my firm conviction that public employees have a basic responsibility to render the service called for by the unit of government in which they serve.

It is my opinion that public employees should not be allowed to strike. One can only look at the conditions that strikes have brought to Italy, Great Britain, France, and other nations, and hope that such an irresponsible pattern of behavior does not become a part of the American Government scene.

An editorial, which appeared in the Park Forest, Ill. Reporter, a publication truly dedicated to serving the citizens in its area of coverage, places special emphasis on a local situation in Park Forest. But this is a logical commentary that can be applied to the national picture.

The editorial follows:

Consider Those Who Foot the Bill

The employees of the Village of Park Forest are upset about the fact that their raise in salary only ammounted to three percent. They registered their complaint at last week's board meeting in a responsible way but, however justified their complaint may be, we consider them lucky to have gotten a raise at all.

Public employees and those working under strict union rules are in the unique position of having their cake and eating it too. Public employees have job security to a much higher degree than those in private business and, for the most part, their salaries are commensurate with the salaries of those who do not have public service employment.

And public employees have a responsibility to the people they serve, because the jobs public employees perform are basic services which protect the health and welfare of each and every citizen. Without government services the day to day activities of all of us would come to a screeching halt.

Unions too, have our country over the barrel. They have gotten so big and so powerful that politicians court them and big business acquiesces to their demands. After all, buying only passes along the increases to the buying public, often tacking on additional profits to line corporate pockets.

Call it inflation, something we prefer to identify as greed. It is only natural to want more of the good life, but those desires can develop into greed when the demand for compensation outweighs the value of the service performed or the goods delivered.

The constant quest for more and more has to stop somewhere. Detroit has learned that people will not pay for over-priced automobiles and the unions have nothing to say about who gets laid off.

So, too, public employees must learn to stop somewhere. No one can fault people who complain about starvation wages—hardly a situation here in Park Forest. The taxpayer, through the collective voice of the Park Forest Village Board, has taken.

To those who remain dissatisfied we can only extend an invitation to seek employment elsewhere. That's what people employed in private enterprise have to do. Any takers?

DR. FRANCIS J. MICHELINI RETIRES AS PRESIDENT OF WILKES COLLEGE

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FLOOD. Mr. Speaker, during the course of the approaching recess of the Congress, the tenure of one of the Nation's truly outstanding college presidents will come to an end. Dr. Francis J. Michelini, for the last 5 years the president of Wilkes College in my home city of Wilkes-Barre, will complete his service as head of this great institution of higher learning in the heart of northeastern Pennsylvania.

"Dr. Mike," as he is warmly referred to by his many friends, is turning his vast energy resources to a new direction, as he assumes the presidency of the Pennsylvania Commission for Independent Colleges and Universities, another challenging position which calls for the abilities of a dynamic leader, such as I know Dr. Michelini to be.

The mantle of power and the insignia office were entrusted to Dr. Michelini in 1970, when he was named the second president of Wilkes, succeeding Dr. Eugene Farley, the founding president whose reputation and name linger among the giants of educators. To fill the shoes of a man like Gene Farley was a gamble where the odds were difficult. But Dr. Michelini rose to the occasion, as he soon exhibited the same characteristics of the man he followed. Dr. Farley told me before his death that Mike Michelini was his personal choice for the president's job, because his years of experience and sensitivities to the needs of the human spirit and man's pursuit of education were well embodied in his successor. How right he was, as the years to follow would illustrate.

Scarcely had enough time lapsed for the burdens of office to confront the new Wilkes president, when in June 1972, the worst natural disaster in the history of this Republic, tropical storm Agnes, thrust down upon 17 States in the Nation, hitting hardest in the Wyoming Valley and the district which I am privileged to represent in this Congress. Property damage alone in my region went well over the $1 billion mark, and the beautiful, sprawling Wilkes College along the banks of the Susquehanna lay in the eye of devastation.

On a hot and trying night following the disaster, Mike Michelini came into my emergency command post headquarters at the U.S. naval training station near the Airport at Avoca. It was then, in the moments of conversation, that the real meaning of tragedy set in. "I don't know where to start this discussion, Dan, because it is all so hard to believe." With hipboots laden with mud and clothes which became the flood victims' uniform, brown and dusty, Mike Michelini laid out for me the impossible task which lie ahead. Yes, it was hard to believe, and the realities seemed like a bad dream. But we began, and because of Dr. Mike Michelini, adversity once again became progress.

All 50 Wilkes buildings were under water to the second story level, the college president told me. The damage estimate? Neither of us could guess, except that it was well into the millions.

In the next 2 months there ensued a human undertaking such as I had never experienced. Like a man inspired by the diety, Dr. Michelini worked, led, organized and encouraged, day and night, week after week. The desolated book collection in a brand new library was hauled out. Walls were scrubbed. Mud was shoveled. Furniture thrown away. The rebuilding was underway.

I cannot answer how it was all accomplished. But by some miracle the fall session began in September, only 1 week later than scheduled.

As part of the historic Agnes recovery legislation which I sponsored, there were several forms of relief to colleges and universities. Dr. Mike Michelini was the spearheading force behind the regional effort to assist in my legislation, and it should be recorded in the annals of this Congress that his leadership and dedication inspired those with whom he worked, his colleagues, and his representative in this House.

The departure of Mike Michelini from Wyoming Valley will leave its mark elsewhere than at, Wilkes College. His community will feel the loss as well. He found time to serve as president of the Family Service Association of Wyoming Valley, and on the boards of directors of the Nesbitt Hospital, the United Way, the Wilkes-Barre Philharmonic Society, the Northeastern Pennsylvania Education Television Association, and the Osterhout Free Library. All of this, while pursuing significant assignments in numerous professional and educational associations and societies.

As this unusual and dynamic leader of men departs of Northeastern Pennsylvania, I salute him for what he has done for higher education, and for the trustees, faculty, students, alumni, thousands of friends and associates, I say, many thanks, and "Ad Multos Annos."

TRIBUTE TO FORMER AMBASSADOR EGIDIO ORTONA OF ITALY

HON. JOSEPH P. VIGORITO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. VIGORITO. Mr. Speaker, it is my great pleasure to join my colleagues in honoring Egidio Ortona as he retires from his position as the Republic of Italy's Ambassador to the United States.

I feel especially fortunate to have known Signor Ortona during the past 8 years and in that time, my professional respect has developed into personal friendship for this exceptional man. Too often, we find that it is in losing a dedicated public servant that we recognize the characteristics that had set that person apart. Fortunately however, the many talents of Ambassador Ortona have been widely recognized and acclaimed throughout the course of his 43 years in the diplomatic service of the Republic of Italy. That career has included leadership in both the economic and diplomatic fields and has spanned the cities of Cairo, Johannesburg, London, and Rome. Egidio Ortona has further distinguished himself and his homeland in his years as Italy's Ambassador to the United Nations and most recently, to the United States. It is in the latter post that my colleagues and I have observed how his diplomatic skill, intelligence, and graciousness have strengthened the ties between the Italian and American peoples and nations.

We shall certainly miss Ambassador Ortona in our capital, but I am confident that he will be personally remembered and his contributions built upon in the years to come. I join my colleagues in wishing him continued good health and the fulfillment that comes in knowing that his many contributions have been gratefully received.

ORGANIC DAY FOR GUAM

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. STRATTON. Mr. Speaker, 31 years ago today the forces of the U.S. Army defeated the Japanese and liberated the island of Guam. Six years later, we extended the rights of citizenship to the Guamanian people, and they have played an increasingly greater role in American life and government ever since. Most recently, in fact, Guam was the center for the Southeast Asian refugees hoping to resettle in America. It has played a significant role in the effort to relocate these Vietnamese and Cambodians victimized by the years of war which ravaged their countries. The refugees poured into Guam by the tens of thousands to be processed and prepared for life in our country. Once secure in their camps on the tiny island, the refugees were able to begin their orientation in the society of their new homeland.

The Asian refugees have gained new freedom on Guam just as Guamanians did through the Organic Act of 1950, the anniversary of which we observe today. The island has come to mean for the refugees what the Statue of Liberty meant for the European immigrants earlier in this century. It was the first American soil they saw; soil which represented freedom from the agony of war. Before the Organic Act, however, such freedom did not exist on Guam.

In the 25 years since American citizenship was bestowed on them by the Congress, the people of Guam have enjoyed freedom which was unknown to them in the political limbo they were in after the Treaty of Paris of 1898. For 52 years they lived without the benefits of home rule, governed first by the American commander of naval operations on the island and then by the Japanese during the war. Thus the Organic Act was a landmark piece of legislation for Guam, and the Guamanians have certainly fulfilled their role as American citizens through their aid in the Southeast Asian refugee program. I urge all of us to joint with the gentleman from Guam (Mr. Won Pat) in a salute to Guam's freedom.

AGRICULTURAL ENERGY RESEARCH ACT OF 1975: PART II

HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FITHIAN. Mr. Speaker, I have recently discussed the bill H.R. 8871, entitled Agricultural Energy Research Act of 1975, with various experts in Indiana. I want to share their perceptive comments with my colleagues in the House. Their remarks are as follows:

Purdue University, Department
of Agricultural Economics,
West Lafayette, Ind., June 17, 1975.
Hon. Floyd Fithian,
U.S. House of Representatives,
Longworth House Office Building,

Dear Floyd: I am pleased to be able to comment on S. 1482, a bill to carry out a coordinated agricultural energy research program through the State agricultural experiment stations, and for other purposes.

I think the objectives of the bill are excellent. The work which might be undertaken under the bill is the kind of work which agricultural experiment stations would have a comparative advantage in doing. At Purdue University we have taken leadership in work on energy and the use of energy in agriculture. With the kind of support indicated under the bill, we could undertake effective work at Purdue which would complement our other research on energy.

I would encourage you to co-sponsor or introduce the legislation in the House and support it in whatever way seems best to you.

With respect to the content of the bill, I would like to see it broadened to include research on efficient use of energy in marketing farm products as well as in farm production. It seems to me the potential energy savings in assembly of farm commodities, processing and manufacturing of food products, distribution, storage, transportation and various physical functions in moving farm commodities from the farm gate to the consumer table, should be included. This, too, is the type of research the agricultural experiment stations have had experience in doing in their various studies of efficiency in marketing which have been conducted since the Research and Marketing Act of 1946.

The experiment stations would be in an excellent position to undertake research in agricultural marketing oriented toward efficient use of energy. A further advantage of including marketing in the bill is that reducing energy consumption in marketing should help reduce overall marketing margins for food, resulting in benefits to consumers and farmers. As you know, this is a large and continuing problem.

Finally, you might also consider including in the bill some provision for examining ways in which farm waste materials, or perhaps some farm products, might be converted into energy or used as supplements to conventional energy sources.

Thank you for allowing me to comment on the bill. I hope it will be favorably received and acted upon in the Congress. If I can help further, please let me know.

Sincerely,
Head, Department of Agricultural
Paul L. Farris,
Head, Department of
Agricultural Economics.

Purdue University, Department
of Agricultural Economics,
West Lafayette, Ind., July 15, 5795.
Congressman Floyd Fithian,
Longworth Office Building,
Washington, D.C.

Dear Mr. Fithian: In your letter of June 13, you requested that I comment on S. 1482, a bill to carry out a Coordinated Agricultural Energy Research Program.

My general observation is that this bill would contribute to solutions to the current and anticipated problems of high cost of petroleum and other fossil fuels. It is clear that the problem of cost and availability of fuels is not going to diminish or be solved without massive research input. I believe that many universities with Agricultural Experiment Stations can contribute solutions to the problem and that they should be encouraged to do so on a long-run basis.

We are likely to see lower fertilizer costs for the next 2 or 3 years due to recent plant expansions and investment in new facilities now underway. However, these cost reductions will not bring real costs back to pre-1973 levels. A wider range of alternative energy sources would make more petroleum available for fertilizer manufacture.

I have the following specific comments about the bill:

1. The inclusion of coal gasification, coal liquification, improved mining techniques, etc. suggest either that this become an area of interest for Agricultural Experiment Stations *or* that work be coordinated with Engineering schools. The latter would seem to be preferred so as to avoid duplication of work.

2. Page 3, line 9. I question the need to specifically require "pilot projects". I would expect the researchers would do this but would it not be better to let researchers have a wider range of approaches to the problem?

3. Page 3, line 21. If pilot plants are to be included, one needs to look carefully at whether they should be on experiment station farms or on private farms. Supervision and control would be accomplished more easily on experiment station farms. More variables would be under control of the researchers. I see no problem with getting producers to adopt the new technologies once they become technically feasible and economically sound. Our leading farmers are constantly reaching for new technologies.

4. Page 4, line 1–3. In my opinion, a literal interpretation of this section would lead to ineffective farms. A farm which used only hand labor would have a minimum petroleum energy requirement. We are going to continue to use petroleum. We just need to use it and other sources in the most economic combinations. This section should not be written so as to seriously hamper other work of the experiment station.

5. Page 4, lines 5–10. This seems to be an important part of the Bill. I am not sufficiently knowledgeable of other on-going research on energy to know the extent of overlapping and duplication of effort. This monitoring would seem necessary.

What impact would this research support have on Purdue? Based on speculation as to how funds would be allocated, I would assume this would result in allocation of 4–5 scientific man/year equivalents per year with supporting staff. This would appear to be of a size large enough to have a significant impact on the problems. If it does not represent this large an input, I believe higher levels should be considered as the problems are of significant magnitude to warrant it.

In summary, I believe the bill, in modified form, does merit your introduction of it on the House side. It would be a credit to you.

If I can be of further assistance, please contact me.

Sincerely yours,
B. F. Jones,
Associate Professor.

Cooperative Extension Service,
State of Indiana,
West Lafayette, Ind., July 1, 1975.
Hon. Floyd Fithian,
Longworth Building,
Washington, D.C.

Dear Floyd: Thank you for the opportunity to comment on S. 1482, Senator Humphrey's bill to carry out a Coordinated Agricultural Energy Research program to the State Agricultural Experiment Stations. I think this is an excellent idea and would receive great support from the agricultural community as well as energy conservation groups and other citizens who are concerned about our energy supply. This is a very serious problem. The high percentage of the energy used in direct agricultural production comes from those sources which are most scarce—petroleum and natural gas. Every increase in the cost of these items is reflected in the farmers cost of production, and indirectly in the cost of food for the American people. The more rapidly we expand our research programs to find ways to conserve scarce energy used in agriculture, the more quickly we will be able to cope with our growing energy shortage.

We have several research projects under way in Indiana Agricultural Experiment Station designed to conserve energy in agriculture. However, the few dollars we have allocated to this important problem are minscule in relation to needs. As you know, the development of new technology to solve problems such as this requires the attention of our finest minds in large enough numbers to get the job done. It can not be done with half a man here and there. Also, I seriously doubt that private research will give as much attention as it deserves from the standpoint of the American public during the next few years. Personally, I think Senator Humphrey has hit upon the most logical institution in our society to help solve our energy problem from an agricultural standpoint.

In my analysis of the bill itself, I have the following observations to offer:

(1) Making the funds available through the USDA and land grant universities structure as employed under the Hatch Act is sound. This is a time tested, very effective institutional arrangement. Within this institution, there exists a nucleus of highly trained scientific manpower around which to build an expanded energy conservation research program for agriculture.

(2) I as concerned that the statement in Section 4 b) "In cooperation with all members of the university community" is too loosely written.

As you know, at Purdue University, there exists an energy engineering center. In this center and in the school of engineering there are a great many outstanding minds which could and should be employed in helping solve this problem. Therefore, I would change this phase to read . . . in cooperation with the schools of engineering and other parts of the university as the president of the university may determine. . . . This wording would enable the director of Agricultural Energy Research, to spell out specific guidelines for implementation of this idea.

(3) My other concern is with Section 4 b) on page 4, lines 15 through 22 (incidentally, there are two Sections fours in S. 1482, one on page 3 and one on page 4, should probably be Section 5).

At any rate, allocating funds on a "fair and equitable basis" as mentioned on lines 16 through 18 leaves more discretion at the USDA level than is normally practiced. May I suggest a statement concerning appropriation and allocation of funds similar to that in section 503, public law 92–419, Rural Development Act of 1972. I have enclosed a copy of this statement for your consideration.

Again, Floyd, thank you for the opportunity to comment on this legislation. I wish you good luck with it. If I can be of further help, please call on me.

Sincerely yours,

JOHN O. DUNBAR,
Associate Director.

H. R. 8871

A bill to carry out a coordinated agricutural energy research program through the State agricultural experiment stations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Energy Research Act of 1975".

SEC. 2. As used in this Act—

(1) The term "energy research, development, and demonstration activities of the Federal Government" includes, but is not limited to, the planning, management, and coordination of the energy research, development, and demonstration activities of the Federal Government; research, development, and demonstration of coal as an energy source including coal gasification, coal liquefaction and improved mining techniques; research, development, and demonstration of unconventional energy sources including solar energy, geothermal energy, magnetohydrodynamics, fuel cells, low-head hydroelectric power, the use of agricultural products for energy, tidal power, ocean current and thermal gradient power, wind power, electric energy storage methods, solvent refined coal, utilization of waste products for fuels, and direct conversion methods; and research, development, and demonstration of new methods of converting fossil fuels into electrical energy.

(2) The term "energy consuming equipment or process" means any piece of equipment or any process that requires (as determined by the Administrator of the Energy Research and Development Administration), under normal use, more than one hundred kilowatt hours of electricity per year or, in the case of equipment or process powered by fuel, more than one million British thermal units per year.

SEC. 3. There is established within the Cooperative State Research Service of the Department of Agriculture an office to be known as the "Office of Agricultural Energy Research" (hereinafter referred to as the "Office"). The Office shall be headed by a Director of Agricultural Energy Research who shall be appointed by the Secretary of Agriculture.

SEC. 4. (a) It shall be the function of the Office to formulate and carry out through the State agricultural experiment station (as defined in section 1 of the Hatch Act of March 2, 1887 (7 U.S.C. 361a)) a coordinated research program designed to increase agricultural and rural energy efficiency by implementing alternative energy source pilot projects and by refining alternative energy developments to specific agricultural and rural uses.

(b) In carrying out such program the Office shall require State experimental stations, in cooperation with all members of the university community, participating in such program—

(1) to identify highly developed demonstration activities that deliver alternative energy forms which have clear agricultural or rural application for powering energy consuming equipment or processes;

(2) to construct pilot plants of demonstration activities referred to in clause (1) of this subsection on privately owned farms which voluntarily participate in the research program and which are representative of the size and type of farms in the geographic area in which they are located; and

(3) to convert, as soon as practicable, State agricultural experiment station farms into model alternative energy source farms that use a minimum of petroleum energy for their operations.

(c) The Director of Agricultural Energy Research shall consult closely with the Administrator of the Energy Research and Development Administration and the Director of the National Science Foundation concerning the progress of energy research, development, and demonstration activities of the Federal Government.

SEC. 4. (a) There is authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1976 and the sum of $10,000,000 for the fiscal year ending September 30, 1977, to carry out the provisions of this Act.

(b) The Director of Agricultural Energy Research shall allocate funds appropriated under this Act among State agricultural experiment stations on a fair and equitable basis; but no funds shall be allocated to any such station unless such station has submitted to the Director a proposed energy research program and such program has been approved by the Director as one which will carry out the purposes of this Act.

THE COURTS AS INTERPRETERS OF THE NATIONAL LABOR RELATIONS ACT

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ERLENBORN. Mr. Speaker, for some time now, I have sought a dialog on the administration of the National Labor Relations Act. I was pleased, therefore, to learn that the Subcommittee on Labor-Management Relations of the Education and Labor Committee in July began oversight hearings on the National Labor Relations Board. To stimulate that dialog, I am today introducing a bill with a twofold purpose: First, to provide an improved procedure for hearing and trying unfair labor practices so as to stabilize and give continuity to the workings of the act. Second, to improve the abilities of private parties to be heard, and then to make sure they get effective and adequate relief—if they have a right to relief.

At the onset, let me state one certainty: We must not foster change in the act which would be considered antilabor or antimanagement. A law which would give either side an advantage in labor-management bargaining is not a good law. They must negotiate as equals. While it must be confessed there is currently no bipartisan sense of urgency, change aimed at better efficiency in administering the NLRA is needed.

I say this because there are signs that the needs for the Board's services are rising. In fiscal 1970, the Board handled about 18,600 unfair labor practice cases and another 12,652 representation cases, for a total of 31,252. This compares with a fiscal 1975 total of 46,500. Estimates for fiscal 1976 include 32,000 unfair labor practice charges and 17,200 representation cases, for a total of about 50,000.

In suggesting that we talk about the future of the NLRA, I do not imply any personal criticism of members of the National Labor Relations Board, or of any of its general counsels. The difficulties and criticisms which concern we do not lie with them, but are built into the act itself.

Without pretending to catalog all of the criticisms, the first, obviously, is that the rapidly expanding caseload may soon overwhelm the Board so that it will be unable to function effectively. This expanding caseload could bring about an insurmountable backlog which might be overcome only by a mere rubber-stamping of decisions by the administrative law judges. This is not an attractive prospect to an aggrieved party, and not an attractive prospect to a responsible labor bar.

A second criticism leveled at the NLRA is the built-in administrative delays and duplications in ultimately enforcing an order. From the filing of a charge to eventual appeals court enforcement, the steps are just too many. A simple listing of them is impressive in and of itself: Investigation, report, complaint, answer, trial, briefs, ALJ decision, exceptions, more briefs, Board decision and order, appeal, more briefs, and finally, a decision by the court of appeals.

A third fault of the NLRA, some say, is that the Board's decisions are not self-enforcing. The simple answer to that is: Let the Board's orders be self-enforcing. The flaw with that answer is that we have no reason to believe this would cut down the delays. Additionally, we have no reason to believe this would produce an appreciable reduction in the number of cases going to the appeals court.

Fourth, there is a lack of effective remedies and a lack of equitable relief. Willful and repeated violators, be they employers or unions, suffer no ill effect from their actions. There is no real countervailing force to deter them.

The act, of course, is meant to be remedial, not punitive; but in looking for remedies, the Board is limited to the language in section 10(c) about reinstatement with or without back pay.

Fifth, let me mention two related criticisms, and I think each of us must decide for himself whether they are criticisms of the Board or of the act. These criticisms are that the Board, an administrative agency, has too often turned to policymaking, thereby invading the policymaking powers of Congress; and that the Board's policies are always shifting, depending on the winds of political change.

In this regard, the Board's decisions are exalted or condemned by each antagonist in the labor-management marriage, depending upon whether the antagonist sees the Board as Republican or Democratic—as management oriented or labor oriented. Admittedly, most complaints on this score come from those whose side lost ground in the last election and, therefore, people tend to discount their grumbling. They ought not be dismissed on this account, however. The reason for dismissal ought to be lack of merit, not lack of votes.

A sixth and final fault in the present structure is that the act gives no private cause of action. The General Counsel now may or may not issue a complaint. The choice is his, and that creates a danger that he may use it arbitrarily.

You can get lots of subjective opinions whether the General Counsel has been arbitrary up to now, so I shall not go into that question. I will say, however, that, where the possibility exists for abuse, sooner or later, somebody's rights will be abused.

Even a delay by the General Counsel in ruling on a complaint may affect somebody's rights. Our system of law contemplates that every litigant must have his day in court; and the present act may prevent that.

What I am proposing is the district court plan which was introduced in the 93d Congress—and later modified—by Senators JOHN TOWER, of Texas, ROBERT GRIFFIN, of Michigan, and SAM ERVIN, of North Carolina. I believe it addresses the problem thoughtfully, and I advance it as a workable proposal to encourage the dialog I believe to be important.

This District court plan proposes to transfer from the NLRB to the Federal district courts the jurisdiction to hear and decide unfair labor practice cases. That would be the big change. Then, the courts would be directed to expedite these cases. Federal Rules of Civil Procedure would apply, with provision for the appointment of special masters where needed.

The bill would continue the Board's present jurisdiction over elections and other procedings relating to the certification of collective bargaining representatives. What is the appropriate collective bargaining unit? Are the objections to a given election valid? How about challenged ballots? These significant questions would be left for the NLRB to answer.

The district court plan also would continue the General Counsel's authority to investigate unfair labor practice charges filed by private parties and to issue and prosecute complaints based upon those charges. Thus, he would be enabled to screen charges which lack merit and thereby to discourage private parties from baseless litigation.

This bill would, however, repeal the General Counsel's exclusive and unreviewable authority to issue complaints. It would afford a private charging party the right to initiate a private action within a specified time limit, if the General Counsel were not to act. In order to maintain that private action, the party would have to get a preliminary determination from the court that reasonable cause exists to proceed.

As introduced, the bill keeps the provisions of the NLRA governing injunctive relief, found in section 10(L), but with some adaptations and minor changes. For example, it requires the general counsel to petition the District Court for injunctive relief whenever he has reasonable cause to believe there has been a violation of section 8(b)(4), against secondary boycotts; section 8(b)(7) against recognitional picketing, or section 8(e) against hot cargoes.

The bill also requires the general counsel to make a determination of reasonable cause within 48 hours after the filing of a charge. Of course, the plan would allow a charging party to seek injunctive relief for violation of any section of the NLRA upon a showing that the four conditions normally required in equity for obtaining injunctive relief are present.

The bill allows the general counsel to get injunctive relief as now authorized in section 10(L). In order to get injunctive relief for violations of other sections, however, the general counsel, like the charging party, must satisfy the court with respect to each of the four conditions.

The district court plan is a product of thoughtful study. It has been scrutinized in hearings before the Senate Subcommittee on Separation of Powers. Constructive criticism was offered there, and the plan is better as a result.

Originally, it conferred the prosecutorial function on the U.S. Attorney. That was criticized as being burdensome and unwieldy; and Senator Tower and the others recognized the validity of that suggestion. Consequently, the proposal was modified so as to place that responsibility upon the general counsel of the Board.

The modified plan is intended as a serious and constructive proposal for improving labor-management relations. I ask that it be considered in that light.

EXCESS PROFITS TAX

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. GILMAN. Mr. Speaker, I rise today to introduce a measure providing for an excess profits tax on the income of corporations engaged in the production of petroleum and petroleum products for a limited period of time.

Last year while the American public was standing in long lines for gasoline and paying sharply higher prices for all petroleum products, the oil companies were reporting, quarter after quarter, record earnings, with increases from 1972 of 60 to 80 percent not uncommon.

A survey by Carl H. Pforzheimer and Co. of 43 important oil companies showed aggregate 1973 net income of $11.83 billion, an increase of $5.01 billion, or 73.6 percent from 1972.

The Pforzheimer survey for 1974 showed an aggregate of net earnings for the 43 companies of $16.8 billion, a 42.3 percent increase from 1973's level.

The 1974 profit increase racked up the Nation's oil giants tell only a small part of the story. Reported corporate profits and particularly oil company profits represent only the tip of the corporate income iceberg. Phantom cost writeoffs for tax accounting purposes such as the former percentage depletion allowance, fast depreciation and intangible drilling costs grossly distort and understate the real income of oil corporations.

For example, for each of the big five oil companies—Exxon, Mobil, Texaco, Standard Oil of California, and Gulf, for the period 1969 to 1973, cash-flow exceeded profits by at least 46 percent and went as high as 129 percent.

Profits as net worth—one of the most significant indicators of corporate performance—averaged 12.7 percent for the five companies over the 1969–1973 period. In contrast, according to the FTC, U.S. manufacturing corporations as a group averaged a 10.6 percent rate of return on net worth in 1969 to 1973.

Another example is that profit margins—net profits as a percent of sale—of the five oil giants were more than double the margins of manufacturing corporations. For 1969 to 1973, the five oil companies' profit margins averaged 9.1 percent and never went below 6.3 percent for any company in any year. For all manufacturing corporations, in those years, the average was 4.4 percent and never exceeded 4.8 percent. In other words, the worst profit margin year for any of the five top U.S. oil companies in any of the 5 years, 1969 to 1973, was higher than the best year for all manufacturing corporations.

While the oil industry was pointing to its capital needs to increase our much needed energy supply as justification for its tremendous profits and cash flow, oil company spending in 1973 went far beyond oil exploration and development. For example, Mobil decided to use $803 million in cash—one of the largest cash expenditures in merger history—to buy Marcor, a conglomerate which operates Montgomery Ward and Container Corp. This may account for the fact that since the Arab embargo, more than 18 months ago, domestic oil production has actually declined 4 to 5 percent.

If the Emergency Petroleum Allocation Act is allowed to expire, the resultant removal of the ceiling on old oil will result in further substantial windfall profits in the oil industry.

H.R. 9179 will impose on the income of every corporation engaged in the production of petroleum and petroleum products for each taxable year which ends or begins during the life of the tax, an excess profits tax equal to 40 percent of the excess profits taxable income for each taxable year.

To assure that oil companies profits are kept within reasonable margins and to insure that a portion of those profits are reinvested in new production capacity, and in the exploration and development of new energy resources, my measure allows for a plowback deduction of up to 25 percent of the tax otherwise due under this bill for intangible drilling costs, geological and geophysical expenditures, the purchase of depreciable property used in the extraction of oil, operating costs in secondary and tertiary recovery, and expenditures for pipelines used in gathering oil.

The oil companies should not be denied a fair return for their investment and risks. But at the same time, the consumer is entitled to be charged a fair price for the product. We must not permit the oil industry or any industry to hold our economy hostage by contrived, burdensome prices. Oil prices have a ripple effect on our entire economy, directly affecting the prices for all goods and services.

We must take steps to end any excessive profiteering at the expense of the American consumer. The oil ogligopoly has demonstrated that it cannot, or will not, responsibly regulate itself for America's benefit; if it could, there would be no need for regulatory legislation. Obviously, there is such a need. In a poll of my district, over 85 percent of my constituents favored taxing excess oil profits. I believe that this is indicative of the public's concern about their burdensome fuel prices.

Accordingly, I urge my colleagues to join with me in support of this legislation in order that we may take decisive action enabling our Nation to impose reasonable restraints on this vital segment of our economy.

Mr. Speaker, I request that a copy of H.R. 9179 be reprinted in full at this portion in the Record:

H.R. —

A bill to impose an excess profits tax on the income of corporations engaged in the producation of petroleum and petroleum products for a limited period.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subtitle A of the Internal Revenue Code of 1954 (relating to income taxes) is amended by adding at the end thereof the following new chapter:

"CHAPTER 7—EXCESS PROFITS TAX

"Sec. 1571. Imposition of tax.
"Sec. 1572. Definitions.
"Sec. 1573. Adjustments to income for years in the emergency period.
"Sec. 1574. Excess profits deduction.
"Sec. 1575. Energy plowback deduction.

"Sec. 1571. Imposition of Tax.

"(a) General Rule.—In addition to the other taxes imposed by this subtitle, there is hereby imposed on the income of every corporation engaged in the production of petroleum and petroleum products for each taxable year which ends or begins during the emergency period, a tax equal to 40 percent of the excess profits taxable income for such taxable year.

"(b) Taxable Years Partly in the Emergency Period.—In the case of a taxable year which begins before the emergency period or ends after the emergency period, the tax imposed by subsection (a) shall be an amount equal to 40 percent of the excess profits taxable income for the taxable year multiplied by a fraction the numerator of which is the number of days within the emergency period and the denominator of which is the total number of days in the taxable year.

"Sec. 1572. Definitions.

"(a) Emergency Period.—For the purposes of this chapter, the term 'emergency period' means the 3-year period beginning on the date of the enactment of this chapter.

"(b) Base Period.—For the purposes of this chapter, the term 'base period' means the period beginning January 1, 1970, and ending on December 31, 1972.

"(c) Petroleum and Petroleum Products.—For the purposes of this chapter, the term 'petroleum and petroleum products' means any crude oil, gasoline, kerosene, fuel oil, or home heating oil extracted or produced by any corporation doing business in the United States.

"(d) Excess Profits Taxable Income.—For purposes of this chapter, the term 'excess profits taxable income' means taxable income for the taxable year (computed with the adjustments specified in section 1573) reduced by the sum of—

"(1) the excess profits deduction for the taxable year; plus

"(2) the energy plowback deduction for the taxable year.

"Sec. 1973. Adjustments to Income for Years in the Emergency Period.

"For the purposes of this chapter, in determining the taxable income of a corporation for a taxable year ending or beginning in the emergency period, the following adjustments shall be made:

"(1) Dividends received.—The deduction for dividends received shall apply, without limitation, to all dividends on stock of all corporations, except that no deduction for dividends received shall be allowed with respect to dividends on stock of foreign personal holding companies or dividends on stock which is not a capital asset.

"(2) Gains and losses from sales or exchanges of capital assets.—There shall be excluded gains and losses from sales or exchanges of capital assets.

"(3) Income from retirement or discharge of bonds, etc.—There shall be excluded income derived from the retirement or discharge by the taxpayer of any bond, debenture, note, or certificate or other evidence of indebtedness, if the obligation of the taxpayer has been outstanding for more than 6 months including in the case the issuance was at a premium, the amount includible in gross income for such year solely because of such retirement or discharge.

"(4) Deductions on account of retirement or discharge of bonds, etc.—If during the taxable year the taxpayer retires or discharges any bond, debenture, note, or certificate or other evidence of indebtedness, if the obligation of the taxpayer has been outstanding for more than 6 months, the following deductions for such taxable year shall not be allowed:

"(A) the deduction allowable under section 162 for expenses paid or incurred in connection with such retirement or discharge;

"(B) the deduction for losses allowable by reason of such discharge or retirement; or

"(C) in case the issuance was at a discount, the amount deductible for such year solely because of such retirement or discharge.

"(5) Recovery of bad debts.—There shall be excluded income attributable to the recovery of a bad debt if the deduction of such debt was allowable from gross income for any taxable year ending before the effective date of this Act or if such debt was properly charged to a reserve for bad debts during any such taxable year.

"Sec. 1574. Excess Profits Deduction.

"(a) Computation.—The excess profits deduction for a taxable year shall be the greater of the following:

"(1) 100 percent of the average base period taxable income, or

"(2) an amount equal to the total of the following amounts:

"(A) 10 percent of the first $10,000,000 of invested capital,

"(B) 9 percent of the next $9,000,000 of invested capital, and

"(C) 8 percent of invested capital exceeding $20,000,000.

"(b) Average Base Period Taxable Income.—The average base period taxable income shall be determined by computing the base period taxable income for each month in the base period, the highest and lowest aggregate of 6 months taxable income shall be dropped and the remaining sum of 24 months shall be divided by 2 to obtain a base year figure for the purposes of this chapter.

"(c) Application of Chapter.—The provisions of this chapter shall apply to all corporations which were in existence during the entire or any part of the base period or the emergency period as defined in this chapter.

"Sec. 1575. Energy Plowback Deduction.

"(a) General Rule.—For purposes of this chapter, the term 'energy plowback reduction' means the amount paid or incurred by the taxpayer during the taxable year (with respect to areas within the United States or a possession of the United States) for—

"(1) intangible drilling and development costs to which section 263(c) applies or ascertaining the existence, location, extent, or quality of any deposit of crude oil or natural gas,

"(2) the construction, reconstruction, erection, or acquisition of the following items but only if the original use of such items begins with such taxpayer:

"(A) depreciable assets used for—

"(i) the exploration for or the development or production of oil or gas (including development or production from oil shale),

"(ii) converting oil shale, coal, or liquid hydrocarbons into oil or gas, or

"(iii) refining oil or gas (but not the primary product stage),

"(B) pipelines for gathering or transmitting oil or gas, and facilities (such as pumping stations) directly related to the use of such pipelines, or

"(3) secondary or tertiary recovery of oil or gas.

"(b) Limitation.—The amount of the energy plowback deduction for any taxable year may not exceed 25 percent of the excess profits taxable income for such year (determined without regard to the energy plowback deduction)."

(b) The table of chapters for such subtitle A is amended by adding at the end thereof the following new item:

"Chapter 7. Excess profits tax."

(c) The amendments made by this Act shall take effect on the date of the enactment of this Act.

OUR OBLIGATION TO POW'S AND MIA'S IN SOUTHEAST ASIA

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CEDERBERG. Mr. Speaker, as we adjourn for the summer recess we should remember the thousands of relatives and friends of the POW's and MIA's who have yet to be accounted for since the termination of the Vietnam conflict. These people still cannot fully enjoy vacations, relax in peaceful satisfaction, or pass their lives in relative contentment while their minds are preoccupied with the anxiety produced by the unknown status of the POW–MIA's.

We should not forget our responsibility to these brave Americans, who distinguished themselves during the Vietnam conflict, nor to their families who have to endure years of uncertainty and personal distress. There must be an accounting of every POW–MIA before any consideration of aid or trade with North Vietnam can occur. Any other alternative is unthinkable and out of the question. Our responsibility is clear and we should not let the sands of time erode our moral and patriotic obligation.

I have cosponsored and I strongly support the resolution introduced by Congressman MONTGOMERY calling for a House Select Committee on the POW–MIA issue. The House should exert its influence to bring this matter to the forefront and resolve it once and for all. We cannot, in good conscience, continue to leave this matter unsettled. The fate of these men must be disclosed.

Nor should we continue to tolerate the indifference of the North Vietnamese to this problem. Their isolationist and uncompromising attitude has stymied our efforts to close this final chapter in the Vietnam conflict. This failure to display any gesture of humanity warrants international condemnation and indeed, should motivate, at the very least, national outrage on our part. We must remain strong in our determination for a full accounting of our POW–MIA's, despite repeated stalling tactics by the North Vietnamese.

There are possibly some people who would think that there are more important problems than the POW–MIA issue, but I would admonish them to remember the national pride which still swells in us when the flag is raised and national anthem is played—pride in our Nation, its freedoms, its accomplishments, and the principles for which it stands. That pride demands that we continue with our adamant demand for full disclosure of the whereabouts and details surrounding all the POW–MIA's. Our duty is clear; our resolution to continue until these questions have been answered must be stronger than ever.

SOVIET UNION DEMONSTRATES CONTINUED DISREGARD FOR FUNDAMENTAL RIGHTS OF EMIGRATION FOR ITS CITIZENS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BIAGGI. Mr. Speaker, in recent months, I have endeavored to keep my colleagues informed of the plight of Uri Podraichik, who is presently being held by the Soviet authorities in Riga. In response to this personal tragedy, I introduced House Concurrent Resolution 332 calling for his release and for the release of similarly situated Soviet Jews.

I have recently received a letter from Uri's mother. Mrs. Dina Roitkop-Podraichik. She advised me that on July 21 Uri was again denied permission to leave the Soviet Union.

A refusal coming so closely on the heels of an effort by the U.S. Congress to assist Uri can only be interpreted as a slap in the face, another indication of the low regard with which the opinion of the Congress and the American people is held by the Soviet Union.

This tragedy should serve as another reminder to those in this Nation who advocate detente, that the Soviet Union cannot be considered a reliable ally until she makes an effort to respect fundamental civil and human rights for her citizenry as well as the 35 million people they hold under captivity in Eastern Europe. As the renowned Soviet author Alexandr Solzhenitsyn pointed out detente can really be translated into a policy of concessions by the United States. Let those who preach an unquestioning acceptance of detente examine this incident for an important lesson, that the Soviets have much to gain in detente without giving up anything. They are being asked to make only minor human concessions, and even this is too much. We must demonstrate to the Soviets that we expect detente to be a two way street, this change of direction may make this a feasible policy after all.

Mrs. Roitkop-Podraichik's letter follows:

YAFFO "D," ISRAEL,
July 23, 1975.

Mr. MARIO BIAGGI,
Member of Congress,
House of Representatives,
Congress of the United States,
Washington, D.C.

DEAR MR. BIAGGI: Thank you very much for your letter of the 14th of July. I am deeply grateful to you for your interest in our family's fate. I realize how busy you must be and I would like to express my appreciation of your activities on behalf of my son.

Unfortunately, I have just found out that my son had received another refusal on the 21st of July. I implore you, therefore, to intensify your efforts in my son's support. I was most impressed with the Concurrent Resolution presented by you and with the subsequent actions taken in this connection and I hope and believe that you will not forsake our family in the future.

May God bless you and your family for all that you have done for our family. I always remember what you have done on behalf of my son and I pray that your efforts should bear fruit so that I could, at last, become reunited with my only son.

Yours sincerely,
D. ROITKOP-PODRAICHIK.

SYMPOSIUM ON THE WORLD FOOD CRISIS—I. INTRODUCTION

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BRECKINRIDGE. Mr. Speaker, food shortages throughout history have caused more misery, more despair, more political instability, more wars for humankind than any other problem.

Hunger—the specter of famine—persists today even in the face of a science and technology so advanced that it has the ability to send men to the moon.

About 1 billion people are suffering from hunger or malnutrition today. Ten thousand die of starvation each week in Africa, Asia, and Latin America.

The problem will almost certainly get worse, because the world is growing at the rate of 200,000 people a day, mostly in the poorest countries. If population continues to grow at the present rate, this planet's 3.9 billion persons will double by 2000.

Nearly 2 centuries ago, Thomas Malthus, the English economist, made the dire prediction that population would outrun man's capacity to produce food.

In our preoccupation with such serious problems as the economic slowdown—continuing recession in the midst of inflation and the energy crisis—we must not lose sight of the central fact that hunger constitutes the gravest threat of all to world peace—of the very ability of the human race to survive.

We must marshal our best brains to cope with the problem. Not only have we a moral obligation to relieve human suffering, but we also have an obligation to serve our own self-interest. Fewer empty stomachs will reduce world tensions, pressures and the prospects for war for ourselves and our posterity.

To focus attention on the problem, a symposium on the "World Food Crisis" was held April 1 and 2, 1975, at the University of Kentucky. The undergraduate lecture series, the Patterson Literary Society and the University's chapter of Alpha Zeta organized the conference. University President Otis Singletary and Dean Charles Barnhart of the college of agriculture both lent their support.

This symposium at one of our Nation's leading land-grant colleges crystallized and illuminated many issues related to the world's food problems. Participants included agriculturalists, politicians, biologists, sociologists, administrators, lobbyists, Government experts and representatives of private organizations.

It was my privilege to lend assistance in organizing this ambitious undertaking through the contributions of my staff, particularly through the untiring efforts of Jerry Skees, an academic intern in my Lexington office who served as symposium coordinator. Others who helped included Joe Kinnarney, Karen Jones, and Mary Duffy.

I participated in the 2 days of workshops during the congressional Easter recess. From the many experts in attendance, I obtained a broader understanding and a deeper appreciation of the gravity of the world's food problem.

Because the symposium dealt with a cosmic issue, I intend to share the discussion with my colleagues. I shall submit a different facet of the world food crisis each day as it unfolded at the symposium. The sequences will begin after the summer recess with a discussion of the "Grain Reserve Issue." Here is the schedule:

SYMPOSIUM ON THE WORLD FOOD CRISIS

Part Two, "Grain Reserve Issue," by Dr. Robert Rudd, chairman of the agricultural economics department of the University of Kentucky; Dr. Willard Cochrane, agricultural policy expert from the University of Minnesota; and Bob Wade, president of the Kentucky Farm Bureau.

Part Three, "Land Reform Issues in the Developing Countries," by Dr. Peter Dorner, agricultural economist at the University of Wisconsin and former head of the Land Tenure Center.

Part Four, International Research Centers and the Green Revolution," by Dr. Colin McClung, Rockefeller Foundation.

Part Five, "The University of Kentucky in Thailand," by Dr. Charles Barnhart, dean and director of college of agriculture at the University of Kentucky; Dr. Russell Brannon, agricultural economist at the University of Kentucky; Dr. Lewis Cochran, vice president for academic affairs at University of Kentucky; Dr. Eldon Smith, economic advisor for the Thailand project; Dr. Willis Griffen, director of University of Kentucky office of international programs; and Dr. Herb Massey, former chief of party to Thailand project.

Part Six, "Agronomy and Plant Pathology Research at University of Kentucky," by Dr. Jack Hiatt, chairman, of the University of Kentucky agronomy department; and Dr. Steve Diachun, chairman of the University of Kentucky plant pathology department.

Part Seven, "Agriculture Engineering and Animal Science Research at the University of Kentucky," by Dr. John Walker, chairman of the University of Kentucky agricultural engineering department; and Dr. James Kemp, University of Kentucky animal science department and president of the American Meat Science Association.

Part Eight, "Keynote Address," by Phil Campbell, former Under Secretary of the U.S. Department of Agriculture.

Part Nine, "Hunger: Horror or Hoax?" by Herbert Waters, president of the American Freedom from Hunger Foundation; and Dr. Joseph Fordham, University of Kentucky nutrition department;

Part Ten, "Hunger: Disease-Disaster-Deprivation," by Brennon Jones, representative of Bread for the World; and Dr. Sheldon Simon, University of Kentucky political science department.

Part Eleven, "Hunger: How Many Can We Feed?" by Dr. Wayne Davis, University of Kentucky biology department; and Frank Ellis, former director of Title II of P.L. 480 (Food for Peace).

Part Twelve, "Keynote Address," by Senator Walter "Dee" Huddleston of Kentucky.

Part Thirteen, "Hunger: The World Food Conference," by Dan Shaughnessy, AID Food for Peace Administrator, formerly on special assignment for planning the World Food Conference.

ONE MONTH RECESS OUTRAGE AGAINST THE AMERICAN PEOPLE

HON. LARRY PRESSLER

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. PRESSLER. Mr. Speaker, if we do not have the good sense to stay on the job, I hope President Ford uses his authority and calls us back. It is an incredible and unconscionable outrage against the American people for the Congress to start a 1-month recess today.

This Congress has not produced an energy bill—and we are told gas prices will jump again in September. The only shred of energy legislation produced by this "do-nothing" Congress has been a simple extension of the Allocation Act.

Mr. Speaker, I have voted against this recess on a rollcall vote. I call upon the majority leadership—if it feels any responsibility to the American people—to keep the Congress in session until an energy program which will emphasize wind, water, and solar energy is passed. Also, we must start developing our own petroleum reserves as vigorously as we have been developing foreign nations' reserves.

When Congress is not in session, I go home to hold "grassroots listening meetings." But I know from past experience that I will be deluged with this question, "Why aren't you Congressmen back in Washington settling the energy question?"

Mr. Speaker, if we do not have the good sense to stay on the job, I hope President Ford uses his authority and calls us back.

As I mentioned above, I voted "no" on a piece of legislation that I conceptually support in an attempt to force Congress to come back into session in late August. The oil lobby wants delay while farmers are paying higher and higher gas prices.

The measure is the Emergency Petroleum Allocation Act—which is a 6-month extension of the current Allocations Act.

The current extension will run out on August 31.

President Ford has stated he will veto the act. A veto during a recess on an extension that will run out during that recess should constitutionally force the President to call Congress back. Farmers, consumers, truckers, and wage earners are entitled to an energy program. Extending the current emergency allocations another 6 months means 6 months more of delay. Let us in Congress bite the bullet and make a decision on a national energy policy. If we continue to wallow along with the current legislation—as we have done for over 2 years—nothing basic will be done to resolve the energy problem.

Even though I continue to favor keeping a lid on gasoline prices, I voted "no" on this legislation because if Congress is ever to develop an energy plan it should do so in August. The great oil lobby wants delay and no action. Those oil companies are acting at the expense of family farmers and others who must use gasoline in their day-to-day work. It is time to force some action.

Furthermore, I doubt that there is a shortage of gasoline—there is much price-fixing—but not a shortage. Unless there is a genuine shortage, the Allocation Act is a charade and a delaying tactic.

NO-FAULT INSURANCE

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. GAYDOS. Mr. Speaker, proponents and opponents of additional Federal programs are on another collision course—this one involving a national no-fault auto insurance plan.

Advocates of Federal legislation in this field surfaced in 1968, following a study by the Department of Transportation, which concluded existing auto insurance programs resulted in uneven and inefficiently distributed compensation.

Supporters contend the nature of motor vehicle travel in the United States requires basic uniformity of insurance plans throughout the Nation. Individual States are criticized for failing to enact workable no-fault plans.

Many people believe no-fault insurance is a legal necessity. They also cite examples of drastically reduced premiums as a result of State no-fault plans. Supporters point to a reduction of accident lawsuits and faster settlement of claims as distinct advantages.

In contrast, opponents of national no-fault insurance insist the Federal Government has no right to intervene. Such policies, they claim, should be left solely to the jurisdiction of individual States. They believe this approach permits experimentation and allows a plan to be tailored to the needs of the State.

The question remains—should a Federal plan be nationwide in scope or merely set minimum standards, similar to what was done to control pollution under the Clean Air Act.

The latest no-fault bill is S. 354, the National Standards No-Fault Motor Vehicle Insurance Act, which was overhauled in the Senate Commerce Committee and reported out on July 15.

This bill compromises between an all-encompassing Federal plan and the minimum standards approach. National standards would be established for each State to meet or exceed. Administration and regulation of the insurance industry would remain the State's responsibility. When a State fails to enact a plan, an alternative Federal no-fault plan would go into effect.

The proposed standards provide reasonable medical and rehabilitation expenses to accident victims, wage losses up to $15,000, and death benefits. They also permit lawsuits for losses not covered under a State no-fault program.

The merits and drawbacks of S. 354 remain to be road-tested before the full House and Senate.

IMPACT OF TRANSPORTATION DEREGULATION

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. AuCOIN. Mr. Speaker, much has been said and written in recent months about the issue of deregulating transportation. The need to make a distinction between the economic regulation of transportation and Government bureaucracy generally is discussed in a thoughtful editorial published Tuesday, July 22, in the Daily Astorian.

I call the editorial to the attention of my colleagues and urge them to consider carefully the views it presents:

EXAMINE IT CLOSELY

Much has been written about it since the Civil Aeronautics Board recently proposed that both the public and air carriers might be better served by re-regulation of the carriers. Less attention has been given to a proposal that the Interstate Commerce Commission ease its regulations of motor freight carriers.

Whether you are for or against deregulation both of these proposals should be considered within the same framework. CAB and ICC regulations were established and are enforced to protect the public. So the basic judgment to be made is whether the public would be better served if regulations were removed or loosened.

The regulatory agencies set rates which carriers can charge at levels which will provide them a fair return. That is essential to maintaining a network of transportation. Of greater importance is the regulatory agencies' function as guarantor of service. They determine where service shall be provided and make the decision when a carrier requests to discontinue serving.

That function is of great importance to small communities. The executive vice president of the Eastern Central Motor Carriers Association, speaking recently about de-regulation, said, "The more important consideration, to which none of the publicity supporting de-regulation addresses itself, is the effect that the various proposals will have upon communities, points and places located beyond major metropolitan areas and upon American business, both large and small, which has located its plants outside of major metropolitan areas, secure in the knowledge that adequate and reliable transportation service would be available."

If de-regulation were carried to the ultimate there would be great rush to abandon marginal markets.

We have seen an example of this under regulation. The Civil Aeronautics Board has permitted Hughes Airwest, which began as a regional carrier serving a network of small communities, to completely change its pattern of service. It has rapidly shed itself of all marginal markets and has converted to more profitable, long haul service between populous markets. There would be much more of that if the CAB de-regulated to the extent that some of its advisers are proposing.

Regular readers of this page know how exasperated this editor becomes with bureaucracy and the growth of government. But he does not propose to throw everything out. It would be difficult for our society to avoid civil war if all the regulations imposed by government were abandoned.

We cite the regulation of transportation as an example because de-regulation of it would be so threatening to all who live in such isolated areas as the Lower Columbia.

SENIORS' MEANS TEST: MORE HARM THAN GOOD

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ROSENTHAL. Mr. Speaker, another blow is being dealt to the integrity of our older Americans and to their fight to remain self-reliant and community active.

In 1974, Congress approved title XX to the Social Security Act to increase home- and community-based care services. The law was termed "groundbreaking" and a "historic new experiment launched to increase citizen participation in community projects." Although it was our intent to increase community participation, the outcome of the October 1 implementation of title XX will be to place excessively harsh, unnecessary, and degrading limitations on senior citizen eligibility for community programs.

Because title XX regulations require seniors to submit to means tests to determine senior center eligibility, thousands of older Americans who currently participate in senior center activities will be disqualified because their incomes exceed the cutoff point. Many of these seniors have been performing voluntarily the essential administrative duties of the centers. Moreover, thousands of elderly persons who would be eligible under the means test will be unwilling to participate in these programs if they are forced to submit to extensive financial scrutiny. This would lead to the closing of numerous centers with the denial of activities to countless additional senior citizens.

The title XX regulations are divisive and threaten to destroy much of the good senior centers have done. The emphasis on income determinations is inappropriate and without justification. The services of senior centers, including being part of a community, avoiding needless institutionalization and encouraging self-sufficiency, cannot be purchased for any amount of money.

In addition to their devastating social impact, these Federal rules are unadministrable. Programs that already are understaffed are to be given less funds than they had last year, but center directors will be asked to administer a whole new business of income tests and fees while being denied the services of countless volunteers who currently assist them.

There is no evidence that maintaining the present process of group eligibility determination is more costly than the use of the individual means tests. In fact, the administrative costs of implementing title XX regulations are likely to be far greater than any conceivable savings which might result from mandatory individual means tests.

Mr. Speaker, the social impact and economic inefficiency makes title XX regulations, as they stand now, bad legislation. For this reason, 19 of our colleagues have joined with me today in introducing a bill which would allow States to waive individual means tests for predominantly low-income groups of senior citizens. This measure also includes a provision which limits to 6 instead of 3 months the frequency or recertification of all participants in programs covered by title XX.

The existing requirement that recertification for eligibility be required on a quarterly basis is "totally unrealistic and unreasonable" and would cost an estimated $39.5 million a year to administer in New York State alone.

Senators JAVITS and BUCKLEY, along with 22 colleagues, have introduced similar legislation in the Senate. This bill is not a Democratic bill nor is it a New York bill; it is legislation for every American. One day, every one of us will be faced with the same situation as our senior citizens today. This bill has the strong support of such national organizations as the National Council of Senior Citizens and the National Council on Aging.

Cosponsors of this bill are:

LIST OF COSPONSORS

Bella S. Abzug, Joseph P. Addabbo, Jonathan B. Bingham, James J. Delaney, Thomas J. Downey, Benjamin C. Gilman, Elizabeth Holtzman, Frank Horton, Jack F. Kemp, Edward I. Koch.

Norman F. Lent, Matthew F. McHugh, Richard L. Ottinger, Peter A. Peyser, Charles B. Rangel, Benjamin S. Rosenthal, James H. Scheuer, Samuel S. Stratton, William F. Walsh, Leo C. Zeferetti.

GOODBY "SANGE"

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. McKINNEY. Mr. Speaker, today, with an odd mixture of sadness and joy, I must bid an official goodby to a trusted and valued friend, the most senior member of my staff, Bill Sangiovanni. Sadness, because the void will be impossible to fill; but with a strong sense of joy since I am secure in the knowledge he will continue to work with and assist all of those in need—the guiding hallmark of his life.

In the 6 years he has been with me, he has filled every role imaginable from "Congressman" in residence to spiritual adviser. Although he has never held elective office, he is known far and wide as "the Senator"—many, in fact, believe it to be an actual title—and by others—his legion of friends—as "Sange."

In my experience in Congress, I have found, as most of us know, that this profession attracts people of unique qualities and extraordinary talent. Certainly, Sange can be easily numbered among these as an outstanding example of what our Founding Fathers envisioned as a servant of the people. Whatever the cause, as long as it was just, his efforts would be untiring, and almost miraculously, he would produce countless numbers of volunteers, seemingly out of thin air.

I should add, Mr. Speaker, that his work has not been limited to Fairfield County's Fourth Congressional District for he has known Presidents, Presidential candidates, and other Members of Congress. But, as is his way, be you President or pauper, Sange's approach is the same for he deals with everyone on the basis of kindness and human dignity, liberally seasoned with an outrageous sense of humor. Sange would want me to point out, Mr. Speaker, that in that instance alone is he "tainted" with liberalism.

His departure, in my view, is not just personal—for it affects every Member of this House—for by simply being who he is, he has increased and enhanced the respect of all who have known him.

In his close to 20 years of political activity, he has often preached the "11th Commandment of Politics"—never speak ill of your own. In reality, however, his actual domain has been the Second Commandment of God for the love of one's neighbor always has been and always will be his way.

BREAKING BREAD WITH THE SOVIETS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ASHBROOK. Mr. Speaker, opposition to the present Soviet wheat deal is growing if recent news accounts are a true indication. On July 24 a headline in the New York Times read: "Dock Workers Vote To Refuse To Load Grain Going to Soviet."

On July 29 the People and Business column of the New York Times carried this headline: "Dairymen Score Sale of Grain."

And today, August 1, the Washington Post ran another story reporting more opposition to the Soviet deal: "Labor Backs Blocking of Soviet Grain."

My colleagues will remember the disastrous 1972 Soviet grain sale which contributed to the inflation crisis at that time and which affected most families in America. These newsstories indicate that diverse groups of citizens are way ahead of our Government in anticipating the possibility of similar disastrous consequences from the current wheat sale.

It would seem advisable for Members of Congress to feel the pulse of their constituents on this issue during the summer recess.

I insert at this point the three items mentioned above:

[From the New York Times, July 24, 1975]

DOCK WORKERS VOTE TO REFUSE TO LOAD GRAIN GOING TO SOVIET

MIAMI, July 23.—Representatives of the International Longshoremen's Association voted today to refuse to load American and Canadian grain on ships destined for the Soviet Union. They indicated that the ban would be lifted "if the interests of the American public are adequately protected."

A resolution approving the refusal was passed unanimously at the union's annual convention by representatives of 132,000 Canadian and American dock workers on the East and Gulf Coasts.

West Coast longshoremen indicated today that they would not go along with the move. "Our policy is to encourage two-way trade between Russia, China and the United States," said Ed Anderson, a member of the executive board of the International Longshoremen and Warehousemen's Union and secretary-treasurer of the Seattle local. "We'll load any grain ships coming here."

The president of the I.L.A. was given the authority to lift the policy if "the interests of the American public are adequately protected."

The resolution passed today said, in part: "The American people have only recently recovered from the disastrous grain deals of 1972 in which the Soviet Union obtained American grain at bargain prices . . . and resulting in sharply increased prices in the American market."

All I.L.A. locals were directed to honor the policy not to load any of the estimated 9.8 million tons of wheat, corn and barley that United States companies have sold to the Russians in agreements announced so far this year.

Agriculture Secretary Earl L. Butz has said that the sale would increase American grain prices only nominally.

The I.L.A. president, Thomas W. Gleason, said that union officials would study the effects of the grain sales before decided whether to allow the grain to be loaded as planned in September or October.

"If we do stop it—and I hope we won't have to—we'll have the support we'll need," he added.

Rex Cozad, Kansas Wheat Commission administrator, said of the union's position:

"They're going to hurt the American farmer by not loading ships, but they're not going to bring down the cost of living one cent. There's 4 cents worth of wheat in a loaf of bread, and if the farmer gave the wheat to millers, the price of bread wouldn't change a bit."

He said that three of every five bushels of wheat grown by American farmers must be exported each year, or farmers would soon produce a grain glut that would bankrupt growers and force cutbacks in production.

"We have the wheat to spare, and we've got to find a market for it," he said. "The longshoremen are missing the point entirely."

[From the New York Times, July 29, 1975]

DAIRYMEN SCORE SALE OF GRAIN

Grain sales to the Soviet Union may be a boon to farmers but a financial headache for dairymen who blame them for raising feed grain prices. This was a main part of widely differing views on effects of the recent large exports expressed yesterday by the head of a dairymen's group, a Department of Agriculture official and a Florida Senator.

In Thornton, Colo., Tom Camerlo, president of the Mountain Empire Dairymen's Association, said that the Soviet wheat sales might be fine for the grain farmers, but were proving a kind of "last straw" for many dairymen.

He said that higher feed costs, resulting in part from the Soviet grain buying, and other growing costs of operations were forcing a large number of dairymen to sell their milk herds and get out of the business. He noted also that environmental protection regulations and Government decisions allowing more imports of cheese and powdered milk had squeezed dairy operations. Mr. Camerlo added that since June 1, 15 members of his association had sold their herds.

Meanwhile, in Glenwood Springs, Colo., Kenneth Frick, the Agriculture Department official, lauded the wheat sales to the Soviet Union as part of a process by which "farm exports help pay for our imported oil." Mr. Frick is administrator of the Agricultural Stabilization and Conservation Service.

In a speech to the Colorado Farm Bureau, he admonished critics of the recent wheat sales with the comment that they "should consider that we are well on the way to a record wheat crop this year."

The crop, he said, should total "just under 2.2 billion bushels," compared with last year's 1.7 billion-bushel yield. And, with domestic wheat needs only 800 million bushels, he noted, "that means we will have about 1.4 billion for export—a hefty plus to our trade balance" and an offset to oil import costs.

Seeking something of a limit on the controversy, Senator Richard Stone called on Secretary of Agriculture Earl L. Butz to prohibit any more grain sales to the Soviet Union without prior review by Congress.

In a letter to Mr. Butz, the Florida Democrat reminded the Secretary that he had told a Congressional group on July 11 that 10 million metric tons was "the upper range of our estimates" of sales to the Soviet Union. The sales now have reached 9.8 million metric tons, Mr. Stone noted.

Since Mr. Butz's testimony he has been quoted as saying that the Soviet Union might need 19 million metric tons, about equivalent to the large 1972 sales, Senator Stone observed in his letter.

There are 36.7 bushels in one metric ton of wheat.

[From the Washington Post, Aug. 1, 1975]

LABOR BACKS BLOCKING OF SOVIET GRAIN

CHICAGO, July 31.—With flour prices on the rise, the AFL-CIO gave its formal backing today to a threat by maritime unions to block the shipment of Soviet grain purchases, called by federation President Meany, a "ripoff of the American taxpayer."

In a resolution adopted during its Executive Council meeting, the AFL-CIO said it wants solid assurance from the Ford administration that the grain sale will not drive up consumer prices or create domestic shortage.

"We are saying to the administration and Congress: 'We want protection and if we don't get it we're going to try to protect ourselves in the only way we know how,'" Meany said. "We don't think the American people should be suckers in this thing."

At a news conference after the council meeting, Meany said two of the nation's largest food processors—General Mills and Multifood—raised flour prices Wednesday by $1.60 a hundredweight, and charged that Agriculture Secretary Earl L. Butz "deceived the American people."

Butz has said that the anticipated large grain harvest this year made it unlikely that sales to the Soviets would have a significant effect on U.S. prices. However, Treasury Secretary William E. Simon said Wednesday that the administration was still trying to learn how much grain the Soviets intend to buy, and indicated that there would be a limit on sales beyond which the United States will not go. He acknowledged that domestic prices could be affected.

FIRST NAVAL SEA CADET CORPS WEDDING

HON. NORMAN E. D'AMOURS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. D'AMOURS. Mr. Speaker, I am pleased to announce that the first Naval Sea Cadet Corps Military wedding in history will be held in the First Congressional District of New Hampshire later this month.

On this joyous occasion the daughter of Mr. and Mrs. Ernest Tanguay, Jr., Judith Terese, will be wed to Lieutenant (Junior Grade) Albert E. Chase, Jr., U.S. Naval Sea Cadet Corps. The wedding will take place on Saturday, the twenty-third of August 1975, at 10 o'clock at St. Edmond Church in Manchester, N.H.

I know that all of my colleagues join me in wishing Albert and Judith a memorable wedding day as well as the love, health, and happiness they so richly deserve.

It is particularly appropriate that the Congress pay tribute to this historic occasion because it is the first Naval Sea Cadet Corps wedding in history, and because since its inception in the 1950's the Naval Sea Cadet Corps has had a fine record of providing the U.S. Navy with high quality officers.

The Naval Sea Cadet Corps has 6,000 sea cadets between the ages of 14 and 17 in over 150 units throughout the United States. These cadets attend classes in naval history, customs, and traditions, and participate in a rigorous "mini-boot camp" training program which includes visits to U.S. naval bases.

Selected cadets are invited to participate in an international exchange program. After their training many cadets enlist in the U.S. Navy and serve our Nation with valor and distinction.

Mr. Speaker, the First Congressional District is proud to be the site of this important event and on behalf of the Congress I would like to wish Albert and Judith Chase the best of luck in the years ahead.

RIPPING OFF THE STUDENTS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CONYERS. Mr. Speaker, since the beginning of the U.S. Office of Education's guaranteed student loan program in 1965, private vocational, business, and correspondence schools have been receiving millions of dollars in Federal loans. Many of these schools are educationally substandard, or tottering on the brink of bankruptcy, or closing down midway through the educational year, or engaging in fraudulent advertising and promotional practices. A number of them have used Federal loan money to pay off their operating debts.

The Office of Education has become a giant collection agency, chasing after student borrowers who defaulted on their loans because they received no educational benefits or jobs the schools promised them. Many schools have folded halfway through the school year and refused to return the loan money.

As in the scandal-ridden HUD programs, a well-intentioned congressional mandate has, through carelessness and mismanagement, left a trail of innocent victims, enriched enterprising educational entrepeneurs, held the Federal Government up to justified ridicule and wasted scarce public funds.

Jean Carper details this situation in the July 19, 1975, issue of the Nation and proposes congressional remedies. I insert this article for the attention of my colleagues:

RIPPING OFF THE STUDENTS

(By Jean Carper)

Taking out a federally insured student loan for a private vocational school is a little like buying a vacuum cleaner or a used car—or so David Bayer, former director of the loan program for the U.S. Office of Education, once told me. If the education is a lemon, it's too bad. The student can't get his money back and he must pay off the loan. If he doesn't, the bank which made the loan will pursue him, and if that fails, the loan will be turned over for collection to the Office of Education. O.E. now has about 135 collection agents stationed throughout the country, ready and waiting.

Legally, the federal government has every right to collect these loans. In fact, under the Federal Claims and Collections Act, says Maury Tansey, chief of O.E.'s claims and collection branch, the Office of Education has no choice but to try to collect them. But morally there is a serious question about the federal government collecting loans on which O.E. officials knew or suspected at the time of underwriting were going to schools that offered substandard education, engaged in deceptive practices and were financially unstable. Mary Gardiner Jones, former commissioner of the Federal Trade Commission, has said of commercial lenders who make bad loans and then collect on them: "It may be legally right, but is it morally right?" The same question applies to the Office of Education.

It was no secret to public officials that many of these loans were for vocational schools that were unsound. Yet O.E. carried the schools on its list of institutions approved for loans. And in the end only the students are left to suffer. The schools get their money from the banks making the loans. The banks get their money back either from the students or from O.E., which is obligated to pay off defaulted student loans. Now, O.E. is going after the students to get its money back—for education that in many cases was worthless. O.E., since the inception of the guaranteed student loan program in 1965, has paid off $161 million in claims against defaulting students, most of them proprietary school students. O.E. now has 250,000 accounts up for collection and is taking in $500,000 a month under a new stepped-up collection program.

There is no "forgiveness" of the loans, according to Tansey. The students must pay—even though their education did not suit them for employment, they dropped out and couldn't get tuition refunds, or their school collapsed in midterm. O.E.'s position is set out in a letter sent to a student whose business school died halfway through his education: "In insuring the loan of private funds by a lender to a student borrower, the government cannot and does not guarantee that the school chosen and contracted with by the student will perform fully on its contract or other agreement with the student. Nor does it guarantee that the school will stay in business or that a student will gain the full benefits of the course or courses for which enrolled."

O.E., in other words, disclaims any responsibility for the student's plight. However, there is much evidence that O.E. has been seriously negligent in insuring these loans. In fact, if it were a commercial lender, a court case could be made that its prior knowledge was so great in many instances that the loan obligation should be broken. Increasingly, courts are holding that a commercial lender cannot hide behind legal pretense of innocence or ignorance when in fact it did know, or even *should* have known, that the loans it made were unsound or tainted with fraud. One judge has called the "holder-in-due-course" doctrine behind which lenders try to hide, a "mask for fraud."

Since O.E. is not a commercial lender, it is immune to such legal niceties. Still there is a parallel between O.E. and the buyers of faulty commercial paper. O.E. officials, like some of their private lender counterparts, had to be nearly deaf, dumb and blind not to know that the loans for vocational schools they were insuring were questionable. There is plenty of evidence that: deception in recruiting was prevalent; educational quality was often substandard; students dropped out at appalling rates; many schools refuse to give dropouts legitimate refunds for unused tuition; some schools were financially unstable; students who were graduated couldn't get jobs because their schooling didn't qualify them or few such jobs existed.

The evidence comes from student complaints to O.E., from O.E.'s own investigators and from the Federal Trade Commission. The FTC, now winding up nationwide hearings to establish the need for new rules to regulate private vocational schools, has compiled an impressive record of student exploitation. In Boston, New York and California, the FTC has used, or plans to use, as witnesses students who are now O.E.'s collection targets. But O.E. is so ashamed of its complicity that, before releasing the lists of defaulted students to the FTC, its officials insisted the FTC not identify the students as O.E.-insured loan recipients, or use the names in any way that would embarrass O.E. Perhaps these officials felt the irony in using O.E.'s information to try to clean up a national scandal that has long been subsidized by O.E.

The FTC has consistently investigated and issued complaints and cease-and-desist orders against the same schools that were receiving federally insured loan money. FTC officials tell me they now have five of the largest correspondence schools and about twenty large residential schools under private investigation for possible deceptive practices. Most of these schools are in O.E.'s federally insured student loan (FISL) program.

A 1972 confidential report from the FTC's Kansas City regional office revealed widespread waste and misconduct among vocational schools receiving FISL funds. For example, the Technical Education Corporation, doing business in seventeen states, enrolled 4,936 persons in 1971 and graduated only 250. Weaver Airline Personnel School in Kansas City, according to the FTC report, in 1971 enrolled 15,000 students, graduated 2,000, and of those only 102 could get jobs connected with the airlines. At the time, the school was under an FTC assurance of voluntary compliance for deceptive practices. Yet it was heavily subsidized by guaranteed student loans, and the following year O.E. still approved nearly $200,000 in student loans for Weaver.

At the time of the FTC's report, Atlantic Schools, a correspondence school based in Kansas City, was under a 1964 consent order to stop deceptive practices and was being sued by the Justice Department for $90,000 in civil penalties for violation of the order. Nevertheless, it remained in O.E.'s good graces and was not removed from the eligible list until June 1974—and then only because the school closed. Control Data, Inc., a giant data-processing school charged by the FTC in 1973 with an assortment of misleading practices, has over the years received about $40 million in federally insured student loans. Career Academy, also charged in 1973 by the FTC with "misrepresentation of the nature and quality of training, availability of placement, jobs in the field and qualifications required for admission," received $4.3 million in federally insured loan money.

The truth is that the schools, with their fast-talking salesmen, were reaping a federal bonanza and leaving innocent students to pick up the bill.

Some cases from O.E.'s own files show that the agency continued to approve student loans long after it had reason to suspect something was amiss at the school.

* * * * *

International Business Academy, Oklahoma City, Okla. That this school, which purported to teach by mail a variety of skills—including writing, auditing, court reporting and motel management—was a known scandal in O.E.'s Dallas office, is evident in memos from Leo Hatten, then Dallas' insured loans officer. Hatten discovered that the school's salesmen were signing up "anybody they could find" in low-income housing areas—people without money or jobs, on welfare, with no qualifications for study or promise of employment—and then selling the loan notes to banks which accepted them blindly, counting on Uncle Sam to bail them out if the notes bounced. Hatten also suspected some shenanigans, perhaps kickbacks, to one or more of the banks. He found that high school flunk-outs who could barely read or write were being signed up to train as executive secretaries and court reporters. He concluded that the loans were "very high risk," and Dallas did put a "hold" on approval of the loans in May 1972—after the school had made off with $135,000 in loan money.

Western Technical College, Denver, Colo. Students at this residential trade school were caught in a behind-the-scenes struggle by the Small Business Administration to keep the school alive with the help of O.E. A series of letters from SBA to O.E., beginning March 2, 1970, suggests the SBA would hold off foreclosure on Western Tech if O.E. continued to shore up the school with FISL loans. SBA officials called O.E. support "critical," and it appears that O.E. went along despite grave concerns. According to a memo in November 1970, O.E. knew the school was using current student loan money to pay off SBA installments and had spent more than $45,000 student-refund money for operating expenses. The memo also notes Western Tech officials were illegally trying to sell student loan applications to pay off expenses; that the state licensing bureau, considering the school "technically bankrupt," had only provisionally renewed its license, and that the faculty was in open revolt because it hadn't been paid for six weeks. Finally in March 1971, the SBA did foreclose, precipitating the school's collapse. About 1,300 students with federally insured loans had their education abruptly terminated, and O.E. subsequently paid off $693,970 in default claims.

Regardless of O.E.'s suspicions, knowledge or inaction, students at these and other proprietary schools must pay back their federally insured loans. The loans were for a maximum of $1,500 (the maximum is now $2,500) plus 7 per cent annual interest. Many who attended the schools, their dreams shattered, are now unemployed or on welfare, and their debt may drag on for years. It's O.E.'s policy to try to collect at least $30 a month, but according to Gene Kelly, Jr., collections manager for O.E.'s New York regional office, it accepts as little as $3 to $5 a month—"anything to keep the person paying." Letters to O.E. show that many are bitter and hopeless, worse off both economically and emotionally than they were before they accepted Uncle Sam's invitation to sign up for an insured student loan.

The situation is intolerable. Buying a vocational school education underwritten by the government should not entail the same risks as buying a used car. Especially because even if the student can *prove* he was cheated, he still can't get out of the loan because it has been passed on to the federal government which is in a unique position to collect it. Similar injustices perpetrated by finance companies and banks are condemned by consumer advocates, among them Sen. Warren G. Magnuson who controls O.E.'s purse strings as chairman of the Labor and Health, Education and Welfare Appropriations Subcommittee. Surely, a federal agency should be held to even higher standards.

The only equitable solution is to wipe out these debts owed by students cheated by vocational schools. In this respect the FTC has set a precedent. It now requires that, before it will accept a consent order from vocational schools charged with deceptive practices, the school must agree to return tuition money to students who couldn't get appropriate jobs. For example, in February the FTC got a consent order against Weaver Airline Personnel School for numerous misleading practices. As part of that order the school agreed to refund at least $249,000 to students who left school between January 1, 1972 and February 1975 and were not able to get jobs with the airlines.

Granted, it is not the same thing to put the financial burden on the taxpayer through O.E. The amount of debt to be canceled would be upward of $1 billion—possibly more. And it would take an act of Congress. But justice demands it. The federal government, no matter what its legal rights, should not operate at the level of a sleazy finance company or ruthless inner-city collection agency, oppressing unsophisticated, helpless people caught in injust debts. Even if O.E. cannot be held accountable in a court of law, it should be held accountable in a court of national conscience. And Congress, which established and finances the student loan program, should see to it.

UAW ENDORSES CUBA EMBARGO REPEAL

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BINGHAM. Mr. Speaker, the Subcommittee on International Trade and Commerce, and the Subcommittee on International Organizations, have received numerous statements on the U.S. trade embargo of Cuba in the course of joint hearings the two subcommittees have held over the past several months on the Cuba embargo issue. The subcommittees recently received a statement from United Auto Worker's President Leonard Woodcock representing the views of that organization.

The UAW has long enjoyed a well-deserved reputation as one of the most progressive and forthright groups in all of organized labor. That is due in no small part to its excellent leadership and legislative staff.

I am gratified by the strong and enlightened position taken by the UAW in support of congressional action to repeal the U.S. trade embargo of Cuba. Particularly in view of the recent lifting of the multilateral embargo on Cuba by the Organization of American States, and the interest that action has generated in reevaluating the U.S. embargo policy, I think it appropriate that the views of the UAW be available to Members and readers of the RECORD. Mr. Woodcock's statement follows:

STATEMENT OF LEONARD WOODCOCK

My name is Leonard Woodcock and I am President of the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW). I welcome the opportunity to present for the hearing record my support for repealing the U.S. total embargo of trade with Cuba.

The rationale, for almost fifteen years of political and economic isolation of Cuba, evolved out of U.S. policy reacting to Cuba's expropriation of American property and its early accommodation with the Soviet Union and China for economic and military support. Moreover, Cuba's purported design for the export of revolution to other Latin American countries was considered a direct threat to hemisphere security, with Venezuela charging Cuba with overt aggression. That charge initiated the process to impose hemispheric sanctions against Cuba in 1964. Within the framework of the Organization of American States (OAS) the United States joined as a member nation to thwart Cuba's ideological offensive in Latin America.

Since then, significant modifications in U.S. policy have taken place in terms of U.S. relations with the Soviet Union and the People's Republic of China; however, Washington's Cuban policy is little changed. In addition, the fears that Cuba was to implement the waves of revolutions in Latin America have been laid to rest. Venezuela, the very nation that gave leadership to impose sanctions, now is the one which has called for an end to those sanctions and has already opened its own formal diplomatic and trade relations with the Castro government. This gesture is an obvious signal for other American Republics to follow suit—an action that apparently will become a reality at the current OAS meeting in Costa Rica.

Thus, it no longer makes sense to continue our anachronistic policy toward Cuba.

Our International Union, meeting in its 1974 Constitutional Convention, adopted a resolution dealing with the Cuban question by stating that:

"U.S. relations with Cuba are, at the time of writing, thawing slightly. Whatever the nature of the Cuban regime, we urge that our relations with this small island be 'normalized'; that it to say, at the minimum, U.S. citizens and organization be permitted by our government to travel freely to and fro, and that normal trade channels be re-established."

The UAW resolution strikes at the very heart of the outdated policy of isolation that does not serve our best interest but rather serves to erode further our relations with Latin America—and the many millions of Cubans living on the island, in the United States, and in other countries who are cut off from each other. Clearly then by removing the embargo the United States would be taking the first step toward achieving the humanitarian goals of allowing the opportunity for families to exchange visits, facilitating discussions on political prisoners, providing for shipment of food and medicines, and promoting the general situation for educational, cultural and scientific exchanges.

The UAW, consistent with its Convention resolutions on questions of international trade and commerce, supports the legislation introduced by Representative Bingham in H.R. 6382, which would repeal statutory authority for the President to impose a total embargo. That authority is vested in Section 620(a) of the Foreign Assistance Act of 1961 (Public Law 87–195).

The Administration has expressed dissatisfaction with this congressional initiative, on the premise that it would impede Executive discretionary powers. The State Department has argued that legislation, such as H.R. 6382, is detrimental to the negotiating position of the Executive Branch in that it would undercut its bargaining leverage with the Castro government on such issues as compensation claims for expropriation of U.S. property. The fears of the Administration are unfounded, since H.R. 6382 would repeal only the section of the Foreign Assistance Act of 1961 that authorizes a complete and total embargo of Cuba. It would not prevent the Executive Branch from exercising general statutory authority on trade controls, such as maintaining an embargo with Cuba in strategic materials. Those controls are entirely within the scope and discretionary power of the Executive Branch and are not affected by H.R. 6382.

Congressional approval would provide a stimulus toward normalizing relations between Cuba and the U.S. The Castro government has expressed a desire to do so, as reported back to our government by the visits of Senators Jacob Javits and Claiborne Pell. The recent visit by Senator George McGovern further revealed the Cuban position, that removal of export restrictions on medicines and foodstuffs would constitute in their eyes evidence of U.S. willingness to negotiate long-standing differences.

Other recent developments indicate that thawing of relations with Havana are proceeding. One was Cuba's decision to return two million dollars obtained by hijackers from Southern Airways in 1972. This confirmed their willingness to ratify and enforce the anti-hijacking convention. Other examples are the renewal of relations with Cuba by Venezuela and seven other Latin American countries; also Cuba's growing relationship with Canada, Japan and Western Europe.

Finally, I am greatly encouraged by the *Linowitz Commission Report on United States-Latin America Relations* which has issued its report and recommendations after careful study and consideration of the Cuban question. Those recommendations speak to the effort of drawing Cuba into the inter-American family by calling for U.S. initiatives to end the trade embargo.

Undoubtedly, there will continue to be matters of dispute between Cuba and the U.S. However, it is better to emphasize and build upon our common interests instead of hiding behind our differences. It is incumbent upon us, as the stronger nation, to provide the momentum necessary to achieve that. The goals of social and economic justice will be better served by our efforts to establish a cooperative relationship, rather than refusing to take such steps.

In summary, I believe it is important for Congress to initiate the process that will remove the trade embargo. That will provide mutually beneficial results for both nations and the other countries of the hemisphere.

THE BIG THREE

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BAUMAN. Mr. Speaker, as representatives of the people, we should be extremely careful about the concentration of too much power in the hands of any special interest groups.

The Daily Times of Salisbury of July 24 commented on the disasterous effects inflicted by excessive wage settlements on those who live on fixed incomes.

I include this thoughtful editorial at this part in the RECORD:

THE BIG THREE

Higher price for food shoved the nation's consumer price index up eight-tenths of one per cent in June. The figure was double the increase for May and the highest jump since last September.

Gasoline prices had a hand in the sharp increase for June and since then gasoline prices have moved even higher. If the June increases for all goods were to continue through the year, it would add up to an inflation rate of about 9.5 per cent.

While we may take heart from the forecast that 1975 will not see a repeat of 1974's double digit inflation when overall consumer prices rose by 12 per cent, there's still great danger that the recovery from the recession will ultimately be hurt by rising prices.

Just the other day, the postal workers were given a $1,500 raise, spread over three years. The effect of that can be reasonably pinpointed. But the postal workers will also get continued cost of living increases. In the contract which just expired, the cost of living feature added about $780 million to scheduled increases—roughly about $1,300 per year per worker. Postal rates obviously must go up.

Millions of organized workers have been and are still getting salary increases based on the cost of living figures. Unfortunately for millions on fixed incomes, it is a feature of labor contracts which precludes any lessening or prices for goods and costs of services. Indeed, the only way prices of goods and services under this system can go is up and up.

True, it helps workers keep abreast of living costs. But it's also guaranteed built-in inflation which has no end except the ultimate folly of more and more printing press money which becomes less valuable by the year, the month, the week and finally the day.

And, what of the millions of people (and more millions to come) on fixed incomes—retirement pay and the like? They have no pay raises cost of living adjustment to give them a lift. Social security's COL adjustment is a mere pittance. All these people have are higher expenses and less money in terms of real income. They are the sad victims of big government, big business and big labor.

SECRETARY OF THE ARMY TRANSMITTED A LIST OF WATER RESOURCES PROJECTS TO BE NO LONGER AUTHORIZED

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. JONES of Alabama. Mr. Speaker, on June 17 of this year the Secretary of the Army transmitted to the Congress a list of water resources projects of the Corps of Engineers which he has determined should no longer be authorized. This list was submitted pursuant to the provisions of section 12 of the Water Resources Development Act of 1974. That section provides that as soon as possible after its date of enactment and at least once each year thereafter, the Secretary of the Army, acting through the Chief of Engineers, shall review and submit to Congress a list of those projects under his jurisdiction which have been authorized for at least 8 years, without any congressional appropriation within the last 8 years, and which he determines, after appropriate review, should no longer be authorized. A project on the list is no longer authorized after 180 calendar days of continuous session of Congress after the date of delivery of the list, unless during that period either the House Committee on Public Works and Transportation or the Senate Committee on Public Works adopts a resolution stating that the project shall continue to be an authorized project.

The purpose of this section is to provide a uniform and efficient means to eliminate projects which are not needed or justified, while at the same time providing ample congressional review and final decisionmaking authority.

The section serves a valuable purpose and I wish to commend my colleague, the distinguished chairman of our Water Resources Subcommittee, RAY ROBERTS, for his foresight and wisdom in including this provision in the Water Resources Development Act of 1974 which originated in his subcommittee.

Many water resource development projects become, after they are authorized, inappropriate for one reason or another. Changing economic conditions may render them uneconomical. Population and industrial growth may make them inadequate to serve new needs. The local interests may decide they do not want a project. Yet, until such a project is deauthorized, it is considered part of the backlog of authorized but unconstructed projects and continues to discourage homeowners and landowners in the project area from maintaining, much less improving, their property. Section 12, as I noted, provides an alternative to the usual process of obtaining specific congressional deauthorization through an act of Congress.

We have identified, as well as we could, those Members with projects recommended for deauthorization in their districts and have written letters to these Members advising them of this. I would advise all of the Members to consult the list of these projects, printed as House Document No. 94–192, and to notify us if they have a project on the list and have not received a letter from us. We have a number of copies of this House document on hand in our committee office for the convenience of those who wish to stop by and examine it. The document will, of course, also be available at the House document room.

CAASA LOOKS TO THE 1970'S

HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DODD. Mr. Speaker, I wish to insert into the RECORD a letter I recently received from Mr. John H. Conrad, executive secretary for the Advancement of School Administration, Inc. Mr. Conrad raises an important point concerning problems public school boards face in procuring less costly petroleum suppliers at the risk of relinquishing base period guarantee allocations.

I am sure my colleagues will be interested in this letter which relates to title IV, part A, section 401 of H.R. 7014—providing for a 30-day period of public comment prior to a Presidential recommendation of revisions in petroleum allocation procedures.

The letter follows:

CAASA LOOKS TO THE 1970'S

CONNECTICUT ASSOCIATION FOR THE ADVANCEMENT OF SCHOOL ADMINISTRATION INC.,

June 10, 1975.

Re: Fuel Oil for New England Public Schools and Federal Allocation Regulations

Congressman CHRISTOPHER J. DODD,
R.D. 1,
North Stonington, Conn.

DEAR CONGRESSMAN DODD: Existing Federal rules concerning the allocation of fuel oils are causing difficulties and imposing hardships upon the public schools of Connecticut. Compliance with allocation rules continues to require school districts to purchase fuel heating oil at higher than the price available in the open market, due to restrictions on competitive bidding.

This results in what appears to be an unnecessary monetary burden for the public schools, where budgets are already bearing the brunt of local taxpayer revolt.

Furthermore, among public institutions in our state, the elementary and secondary schools appear to be the largest using institutions of heating oils and these same schools have the greatest storage capability for such fuels in many communities.

Would it not make sense to modify fuel control and allocation regulations in a manner which would enable schools to purchase fuel oils on a more competitive basis and to make full use of their storage capabilities?

We are likewise concerned with the impact of pending fuel control actions by the Congress and Federal Administration upon these school budgets and school taxes, particularly here in New England where such a large proportion of our fuel comes from nondomestic sources.

Should not public institutions be relieved of those aspects of regulation which tend to discourage rather than encourage economical delivery of needd services to the people?

Sincerely yours,

JOHN H. CONARD,
Executive Secretary.

ADDRESS OF PAST COMMANDER, THE AMERICAN LEGION

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DAN DANIEL. Mr. Speaker, as a past national commander of the American Legion, I wish to call to the attention of my colleagues the address of Maj. Gen. Robert E. L. Eaton, USAF, retired, before the annual convention of the American Legion, Department of Maryland, in Ocean City, on July 9. General Eaton is the immediate past national commander of the American Legion. I am sure that you will find his remarks to be thought provoking.

General Eaton graduated from West Point in 1931 and served with distinction in the Air Force until his retirement in 1961. While serving in the Air Force he held many posts of responsibility and received many awards. However, his most distinguished service has been the years that he has devoted to the American Legion in the State of Maryland and at the national level. All of us in the American Legion are proud of General Eaton and his contributions to our country.

In his remarks on July 9, Past National Commander Eaton stated concerning our recent experiences in Southeast Asia:

> The plain facts are that the example of our defeat must be understood by all of us and accepted on some sort of common basis. It really constitutes a lesson to us. As Santayana said, "Those who forget the past are condemned to repeat it." If we are to avoid repetition of our past difficulties, we must, at the very least, have a thorough understanding of how our defeat came about.

In his speech General Eaton calls attention to what he characterizes as the present imbalance between the function of the executive branch and the functioning of the legislative branch of our Government. In this connection, he submits an editorial from the Wall Street Journal of July 15.

General Eaton's remarks to his annual department convention are being placed in the RECORD so that the Member's may read them in their entirety. At the same time, I am placing in the RECORD the National Executive Committee of the American Legion's Resolution No. 28, entitled, "Future Military Policy of the United States." I am also including the Wall Street Journal editorial to which I referred. I hope that you will find time to peruse these documents:

ADDRESS BEFORE THE DEPARTMENT OF MARYLAND CONVENTION OF THE AMERICAN LEGION

(By Robert E. L. Eaton, Major General, USAF, retired)

Mr. Commander, distinguished guests, fellow delegates to the 57th Convention of the Department of Maryland of the American Legion; I rise to speak to you today on an extremely serious subject—our search for goals in these troubled times.

The American Legion is justly proud of its heritage and what it has done for America—particularly, what it has done for our veterans. Beginning with World War I and extending to this date, most of our veteran's legislation has come about directly as the result of the efforts of the American Legion. Of course, others have been involved, too, but the real drive has always been the American Legion.

When the veteran left the Service at the end of World War I he received $100.00, a ticket home and a good swift kick sending him on his way. Today, the veteran has many important programs to assist him in rejoining the mainstream of our society. We of the American Legion are proud of our part in creating the V.A. hospital system, the veterans pension system and the veterans education system.

While I was National Commander last year, I ran across a picture of General John Thomas Taylor, Director of the American Legion Legislative Division for many, many years. His picture appeared in 1935 on the front cover of TIME magazine. Underneath the picture was the caption: "He put three Presidents in their places." What this caption meant was that John Thomas Taylor, as the Director of our legislative program, had been able to bring about the passage of legislation over the veto of three different Presidents—President Coolidge, President Hoover and President Roosevelt. This is the heritage of which I speak.

During World War II the American Legion took on the problem of the return of the veteran to civil life; the result became known as the G.I. Bill of Rights. It was passed with great difficulty. There was much resistance in Congress, and the legislation did not receive the unanimous support of all of the veterans organizations. All of us now realize and recognize that the G.I. Bill was one of the greatest pieces of legislation in the history of our Country. It not only educated the masses of the G.I.'s of World War II and made them constructive citizens, but by properly launching the World War II veteran in civil life, it changed the economic and social orientation of our entire Country.

The veterans of the Korean War and the Vietnam War, however, received something less than the benefits made available to the World War II veteran. This was particularly true in the case of the Vietnam veteran. Last year we in the American Legion took on the legislative project of making available educational support for the Vietnam veteran commensurate with the support for the World War II veteran. The legislation encountered much resistance, both within the Congress and from some of the other veterans organizations. But, it was passed. The President vetoed it. Then it was passed over his veto. We are proud of the effort. We think we did something for our Country and accomplished it in the tradition of John Thomas Taylor.

As we consider our ability to accomplish things by making our voice heard, it seems to me that we should turn towards our broader responsibility across the entire spectrum of America's future. Those who founded the American Legion recognized our responsibility to the Nation as a whole, including support for adequate national defense and the American way of life—economic, political and social. The 2.7 million members of the American Legion represent 10% of all veterans. In the troublesome times ahead, we have not only a right to make our voice heard, but a responsibility towards the veterans and to all America.

In the world today we face a great sadness. We have suffered a defeat in Southeast Asia—the first in the history of our Country. In this war, we lost our will to fight. Von Clausewitz and all the other military theologians tell us that losing the will to fight is the certain mark of defeat. The trauma which we are just beginning to feel is something that will stretch into the future. It will affect all of our actions, all of our attitudes and everything about us. Equally important, it has a major affect on our relations to the other countries of the world. In order to survive this trauma, we must recognize the magnitude of our situation and do something about it.

We hear much these days about avoiding recrimination. I think many of those that would like us to avoid recrimination are the same ones that had a major role in contributing to our defeat. But the plain facts are that the example of our defeat must be understood by all of us and accepted on some sort of common basis. It really constitutes a lesson to us. As Santayana said, "Those who forget the past are condemned to repeat it." If we are to avoid repetition of our present difficulties, we must, at the very least, have a thorough understanding of how our defeat came about. Remember North Vietnam is about the size of Los Angeles and Orange Counties in California. It is fantastic that such a small group of people should deal such a resounding defeat to us—the greatest power in the free world and one of the two truly great powers at this time in the world. We had to have contributed to that defeat ourselves.

To begin with, I think we must assess to all who participated their just share of what went wrong. Let's begin first with the military. I visited Saigon in February 1968 at the time of the famous Tet Offensive. I saw our military people in action at all levels. I talked to General Westmoreland and many others. I must agree with those who say that America never put into the field better trained, more intelligent and better equipped Armed Forces than we fielded in the Vietnam War. Yet the plain facts are that we must attribute some of the blame for our defeat to the military.

During the 1950's there were those in our Army who became disenchanted with the strategic counter offensive approach to warfare. They felt that this approach overemphasized the role of the Navy and of the Air Force, and left the Army in an unwarranted inferior role. Some of these individuals got out of the Army at that time and began to sell the idea of "graduated response." By this they meant that reaction to aggression on the part of our enemies or would-be enemies, need not always be instant strategic retaliation. The response could be "graduated" and this "graduated response" would involve a larger role for the Army.

This is the beginning of the philosophy that gradually led to our defeat in Vietnam. With the new Administration in 1961, the Secretary of Defense, Mr. McNamara, and others in the higher levels of the Government, became convinced that "graduated response" was appropriate for Vietnam. As the enemy reacted, we gradually reacted a little more and throughout the whole thing, the "graduated response" was the scheme utilized. I said a moment ago that those who forget the past are condemned to repeat it. The traditional fundamentals of warfare proved through the centuries were ignored in a favor of a generally defensive approach. It has been said that the defensive can never lead to victory—it can only postpone defeat. What the military contributed was a debate rather than a agreement on national military policy.

Then there is the Executive Branch. Let us assess their role. Six Presidents attempted to solve the problem in Southeast Asia, beginning with President Truman and ending with President Ford. The big stumbling block it seems to all of their efforts, and the positive roadblock which prevented any chance of victory, was the attempt to settle the Vietnam War after the fashion of the Korean War. In the Korean example, an inplace ending with no clear cut victory or defeat was accepted. And from that example came such things as sanctuary, limitation of bombing, failure to use Naval blockade and other hand tying actions. Sanctuary, in the case of South Korea, meant the Yalu River, 700 miles away, but sanctuary in Southeast Asia meant Cambodia, 35 miles from Saigon. Our deficiency in strategy should have been obvious to all from the beginning.

Secretary Rusk said on television that he made two errors in his approach to the War. The first was that he underestimated the resistance of the North Vietnamese, and the second error was that he overestimated the will of the American people to continue a war. Secretary Kissinger said that the major mistake of his Administration was that in 1969 we did not start all-out bombing and military effort. It is his view that if we had done so, the War would have been over in 1970. I believe that history will support the view of both Rusk and Kissinger.

In a search for a solution to the Vietnam stalemate, the Executive arrived at the Paris Accord. It was an effort to get our troops out with "honor" and get our prisoners of war home. The Accord merely postponed the fall of South Vietnam because we allowed North Vietnam to disregard the Agreement. The unlimited strengthening of the military forces of North Vietnam within the geographical boundaries of South Vietnam, ultimately made the position of the South Vietnam untenable. So, we had "after a decent interval" the collapse of South Vietnam.

Then let's look at the Legislative Branch. The Legislative Branch began with reservations in its support of the War even at the time of the Tonkin Gulf Resolution. At that time, those of the Legislative Branch who had reservations were in the minority. Each year the Legislative Branch passed appropriations and supported the War, all be it with decreasing enthusiasm. The Legislative Branch had ample opportunity to exercise its constitutional prerogatives from the first and let's not have any doubt about it. After the Paris Accord was signed, the Legislative Branch made sure that Southeast Asia would fall by establishing restrictions on the use of military force or even the threat of military force in requiring the North Vietnamese to live up to the Paris Accord. The Legislative progressively cut off military aid to South Vietnam while Russia and China gave unlimited aid to North Vietnam. The outcome was thus made inevitable by the Legislative Branch of our Government.

So we have the terrible trauma before us of defeat. It seems to me that we must recognize many things about it. We did run out on our ally. Every ally that we have throughout the world, regardless of pious declarations on their part or on our part, expects us to run out on them again. To correct this belief on their part will take some doing. Sir Robert Thompson, the British writer, has referred to our conduct in Southeast Asia, "As America's eternal dishonor." It is a hard view for us to accept but there is no other.

It might help us if we took a look at the functioning of our Republic under its system of checks and balances. The concept has been that the Judiciary, the Executive and the Legislative Branches would be co-equal and would function as checks on one another. From time to time there are clear examples in our history where each of these Branches became stronger than the concept under which the Constitution was established. As an example, even the Judiciary at the time of Franklin D. Roosevelt and perhaps as recently as the 1950's, has played an exaggerated role. The Legislative Branch, of course, came after the Continental Congress which was notable for its ineffectiveness as the sole vehicle for running the Country. Again, just after the Civil War and perhaps even as late as during the latter part of President Wilson's Administration, historians point to a Congress in the ascendancy. And then, too, we hear much about the Executive Branch being in the ascendancy, often referred to in recent years as the "Imperial Presidency." These, of course, represent unusual situations in the life of the Republic and the strength of our system is that these have always been righted in time without too much difficulty.

Recently I read a French columnist's view that in our Country at this time we are in a period of imbalance between the Executive Branch and the Legislative Branch. His view was (and I think you will recognize the truth in his view) that this imbalance prevents the best functioning of the Government.

Let me make it plain—the Republic was founded on the concept that the command of the Armed Forces and the implementation of foreign policy would be in the hands of the Executive. This must be reestablished. We recognize the necessity for the traditional role of the Legislative in regard to these matters and we would expect them to perform these roles as visualized by the founders of the Republic. George Mason, one of the signers of the Constitution, expressed it very well—"The sword belongs to the Executive and the purse belongs to the Legislative." The vehicle for righting these matters is the ballot box. We can expect in the normal functioning of the democratic processes that all of these temporary imbalances will be straightened out.

But what are we to do in the future? I think that we should begin by saying that America will cease to be great." Well, you America had good intentions all along in this Southeast Asia effort. I know you could hasten to point out that the streets to hell are paved with good intentions. We must remember that for 200 years we have had a reputation of being good. Alexis de Tocqueville, traveling in this Country more than a century ago, said, "America is great because she is good and if America ceases to be good, say that's fine but what about the more realistic things around us. I could again quote to you what President Kennedy said in his Inaugural Address. It has been quoted many times, but it is worth remembering because it expressed the attitude of the American people; "Let every nation know whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and success of liberty." I know what you are going to say—and it has been dinned into your ears by the columnists throughout the land—that this concept makes us the world's policeman—a role that we neither want nor are we fitted to implement. Rather than the quotation that I just read you from President Kennedy, it seems to me that we should tell every other land, not that we are prepared to go anywhere and pay any price in supporting others, but that the United States will continue to play a proper role in the support of other nations when those other nations effectively demonstrate both a will and a capacity to help themselves. At the very least we should have this as a substitute for the concept of the world's policeman.

We must remember that we are the greatest country in the free world. All of these other countries have been attempting to develop, and yes, the third force powers, too, under the umbrella of our strength. If we disappear or avoid our call to responsibility, there will be chaos indeed. One of the officials from a company in which I am associated came back from a recent trip around the world. He tried to describe to me the attitude of people in Southeast Asia—Korea, Philippines, Malaya, Thailand—and in the Middle East. I am sure that we have no idea of the outright shock of these people. They are in a state of shock because we have suddenly changed our view and approach to our world responsibility.

A few days ago the columnist, Joseph Kraft, quoted the Shah of Iran as saying: "The United States has to continue to play its role. It should not think it has to have a special relationship with every country, but it should choose the places where it wants to make a stand and not disperse its strength so as to be weak everywhere. I do not tell you where to concentrate but unless you do concentrate, the Russians will just sit there with their arms folded and let the system fall apart. What we will have then is not something that we can consider to be a Western Civilization." I think the Shah expresses it very well.

If we are going to go about this, then we must change our attitude in other things. Back in the 1960's, at home, we were running rampant with very expensive and ambitious social programs. Many of them were not very well thought out. At the same time, we were waging a large war because we thought that our economy could stand anything. The present state of our economy proves the dimension of our misjudgment. I think Air Marshall Slessor put it very well when he said, "It's customary in democratic countries to deplore expenditures on armaments as conflicting with the requirements of social services. There is a tendency to forget that the most important social service that a government can do for its people is to keep them alive and free."

The point is that the outcome of the Southeast Asia War has changed our status in the world. The most important task ahead of us is to be alive and free. Now, survival is the important thing. This is the difference between 1966 and 1976. We must return to a position of military strength.

So, as we look to the future task of the American Legion, we must be concerned about our defense posture. We should worry about the C.I.A. and the Intelligence Community. Yes, perhaps, names of American citizens do appear on some of their records because surveillance of the activities of the enemy uncover the names of those who traffic with the enemy. The F.B.I. is also one of our great strengths in this Country. After World War II we recognized that we had depended on other countries for intelligence—serious intelligence. Our own intelligence activities were uncoordinated and not of a major status. All of us agree that the first line of defense has to be our intelligence activity. We must remember not to destroy it.

Then in the area of military hardware—while we were fighting the Southeast Asia War, all of our military hardware got out of date. The enemy was functioning under the umbrella of Detente while we were engaged in trying to counter what they refer to as a "War of Liberation." They were free to arrive at major developments in military hardware. As we face the future, we must remember that our expenditure for national defense is less in terms of gross national product today than it was in 1950.

The American Legion has always stood for the participation of the citizen in his own military defense. We have supported universal military service. We believe that even though the individual's participation is no more than having his name go through a lottery, this action, at least, identifies to a certain extent, his responsibility as a citizen. We believe it is important to the strength of our Country. Since it has been decided that we will have an all-volunteer Armed Forces, we have increased our support of the Reserve Forces. There again, the citizen is participating in his own defense.

As we look to the future we must think about our attitude toward ourselves. The responsibility for being a great power has been thrust upon us. We must think that we are a great power, we must believe that we are a great power, and we must meet our responsibilities. We must have faith in ourselves, pride in our past and faith in the future, because if we don't have pride and faith, then we will not have a future.

At our recent meeting of the National Executive Committee in Indianapolis we attempted to face up to these problems. We passed a resolution which we hope will guide and reassure all of you and I would like to read to you the results of that resolution. In it we said:

"That we urge Congress and the President to restore the United States to a position of world military superiority;

"That we urge American people to disavow partisanship in foreign affairs and display the collective will essential to respond to responsible American leadership and cooperation throughout the world; and

"That the media, including radio, television, and newspapers, be urged to emphasize the positive role which America must play in this imperfect world, and objectively report this to the American people."

It has certainly been a pleasure to be with you here today. I think that we in the American Legion have but to use our strength. The clout that we have shown in the past—the clout of John Thomas Taylor—is still there—all we have to do is express our views in an affirmative way in this great vacuum which surrounds us at the present time and we will, thus, have done our duty to our children, to our Country and to the world.

Thank you.

RESOLUTION NO. 28—FUTURE MILITARY POLICY OF THE UNITED STATES

Whereas, the fall of Cambodia and South Vietnam has caused an emotional and intellectual disturbance in the American people; and

Whereas, the will of the United States to fulfill its legal and moral commitments and its international role is in serious question to many nations; and

Whereas, the Soviet Union continues to outstrip the United States in military spending by 20% over-all and by 60% in strategic nuclear offensive forces; and

Whereas, the United States on the advent of its third century, must learn from the lessons of Vietnam and historic warnings of patriotic Americans the folly of a "no-win" policy; and

"Whereas, the future of freedom directly depends on the collective will of the American people to fulfill our international responsibilities and to provide adequate support to our allies; and

Whereas, a decision by the Congress to restore our military power to preeminence will allay the fears of our allies, and will demonstrate that the United States will continue to play a responsible international role; and

Whereas, the Constitutional responsibilities of the Executive Branch to conduct foreign affairs must be restored in order to give credibility to this policy including the conduct of essential intelligence operations; now, therefore, be it

Resolved, by the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on April 30–May 1, 1975, that we urge the Congress and the President to restore the United States to a position of world military superiority; and, be it further.

Resolved, that we urge the American people to disavow partisanship in foreign affairs and display the collective will essential to responsible American leadership and cooperation throughout the world; and, be it further

Resolved, that the media including radio, television and newspapers, be urged to emphasize the positive role which America must play in this imperfect world and objectively report this to the American people.

[From the Wall Street Journal, July 15, 1975]

THE TURKISH COMPROMISE

An unsuccessful experiment by Congress in the direct conduct of U.S. foreign policy will be ended if the House next week approves an administration-backed measure ending the embargo on U.S. arms shipments to Turkey. The embargo, imposed by Congress five months ago to try to force a Turkish compromise on the Cyprus question, has backfired so badly that even facesaving is difficult. But perhaps a lesson has been learned.

The bill before the House would permit resumption of arms shipments but require the White House to report to Congress every two months on progress of the Cyprus talks. While that implies possible further action if there is no progress, it nonetheless largely restores the traditional discretionary powers of the Executive Branch in initiating foreign policy.

The vote may have been timed to avoid the appearance of capitulation to a Turkish deadline. Ankara said last month that if the embargo weren't lifted by July 17, which is day after tomorrow, it would review the status of the 24 American bases on its territory. Just what this review would entail, or whether it might still take place, isn't clear. But even though Congress is not meeting the deadline there should be little doubt it has been badly outmaneuvered at the game of applying diplomatic pressure.

Congressional pressure failed in the most spectacular manner. The Cyprus talks are now deadlocked. The Turkish Cypriots have announced an autonomous republic, and the Turkish government threatened its "reassessment." This embargo could hardly have done otherwise, coming at a moment of political stalemate in Turkey. The hero of the Turkish invasion of Cyprus, Bulent Ecevit, resigned as premier hoping to capitalize on his success at the polls, but his opponents have taken over the government and so far succeeded in blocking new elections. The deadlock is not the stuff of which foreign policy compromise is made, especially since Turkey does in fact hold a strong hand in its talks with the U.S.

If Congress persists in playing a losing game, the consequences for the U.S. position in the eastern Mediterranean could be disastrous. And none of our friends there, Greek, Turkish or Israeli, can benefit from that. The best course would be for Congress to lose a little bit of face and hope that the chastening experience will teach it something about the right way to conduct foreign policy.

LESTER JOHNSON

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. STEIGER of Wisconsin. Mr. Speaker, the news of Lester Johnson's death is indeed a saddening event.

Our former colleague had a distinguished career of public service in both Wisconsin and here in Washington.

For all of us from Wisconsin the dedicated work of Lester Johnson shall be remembered fondly.

Mrs. Steiger joins me in expressing our sympathy to the Johnson family.

TVA RAISES RATES

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BEARD of Tennessee. Mr. Speaker, I am introducing a bill that will benefit both my constituents and all of the residents in the area that is served by the Tennessee Valley Authority. I am introducing this bill because recently, the TVA has been raising its rates in what appears to be a level that is out of proportion to what might be necessary to sustain it. Since neither I nor my constituents have full knowledge of why the TVA is raising its rates so dramatically right now, it is necessary for me to introduce this bill to help clarify the situation. This measure has four integral parts that will deal with various aspects of the problem.

Section I calls for a GAO audit of the TVA, giving us extensive data on several facets of the TVA's operational expenses. I feel that this audit is of tremendous importance to give us a nonpartisan evaluation on exactly what the TVA is doing.

Section II is a sunshine provision that calls for the Board of Directors to open their meetings to the public.

Section III calls for public hearings by the TVA before it raises its rates. This provision does not interfere with the Government ability to control the TVA, but it does keep the taxpayers informed on what the TVA is doing and why.

Section IV mandates the TVA to use local contractors to do the nonpower producing functions of the TVA, thus putting more efficient private industry to use.

There is no doubt the TVA has contributed a great deal to improving the quality of life in the Tennessee Valley. Yet, like so many agencies in the vast Government bureaucracy, TVA has expanded tremendously since its inception. Because of its unique status as a separate Government utility responsible only to its own board, there are many who feel TVA has fallen short of its responsibility to remain responsive to the people it was intended to serve.

I want to emphasize my request for an audit is in no way meant to imply that TVA is anything short of totally honest in its business dealings. It is intended only to clarify the reasons for the number of rate increases in the last several months and to close the credibility gap that has widened with every rate increase due to a general lack of understanding of TVA's business operations by the public.

JAMES FORTEN, AMERICAN PATRIOT

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. NIX. Mr. Speaker, one of the great benefits of our national Bicentennial is that it focuses attention on the contributions played by many men and women in the founding of the Republic.

As we look back into history, we discover many people whose contributions have been overlooked with the passage of time. One such man is James Forten of Philadelphia.

James Forten, a free black man in an age of slavery, saw naval action as a powder boy in the Revolutionary War at the age of 15. A self-made man, he later became a sailmaker and a leading businessman in Philadelphia.

In the early 19th century Forten became a champion of the abolition of slavery. He believed fervently that slavery would be abolished and that black men and women would one day be free and equal members of American society.

Although he did not live to see the fulfillment of his vision, James Forten contributed greatly to its success. In his long life he became a prominent Philadelphian and a forceful advocate for social reform.

Mr. Speaker, in the belief that the story of James Forten has much to offer us. I offer a brief biography for the Record.

James Forten, American Patriot

James Forten, Black American, is little remembered in 1975, yet during his long career he was a sailor, sailmaker, prominent Philadelphia businessman and churchman and strong supporter of the movement for emancipation. His long and productive life spanned the darkest hours for Negroes in the American continent to a time when the first glimmerings of the dawn of emancipation and racial equality could be seen. It is no exaggeration to say that his vigorous efforts had a significant, perhaps decisive effect on the course and progress of the struggle for Black emancipation.

Forten was born in Philadelphia on September 2, 1766, grandson of a freedman, great grandson of a slave. He learned the lessons of responsibility early in life: the premature death of his father made it necessary for him to end his rudimentary schooling at the age of nine and contribute his share to the family income.

Forten lived through the British occupation of Philadelphia in 1777 and 1778, and signed on as a powder boy aboard the privateer Royal Louis when he was barely fifteen.

The fortunes of war did not favor his ship, and on her second voyage, she was overpowered by a British squadron of three warships.

Forten was imprisoned along with the rest of the crew aboard the British frigate Amphyon, where he struck up a friendship with the captain's young son. This acquaintance served him in good stead when the time came for the prisoners to be transferred: having loudly protested his loyalty to the patriot cause, he was sent to the prison ship Jersey, anchored off Long Island. Thus he was spared the usual practice by which all Black prisoners, free or slave, captured by the British were sent into bondage in the sugar plantations of the West Indies.

At the war's end, when American prisoners were released from prison hulks like the Jersey, James Forten was among them, having survived the disease and deprivation that brought death to thousands of his fellow inmates.

He returned to Philadelphia and was apprenticed to Benjamin Bridges as a sailmaker. In 1786, he was elevated to the position of foreman, and twelve years later, when Bridges died, James Forten assumed control of the establishment. His industry, inventiveness and business sense made him one of Philadelphia's most successful entrepreneurs, and his firm prospered throughout his life. The business employed upwards of forty men and Forten's net worth exceeded one hundred thousand dollars, a sizable fortune for the day. He built a comfortable house for his family on Lombard Street and joined Saint Thomas' African Episcopal Church as a vestryman when it was organized in 1796 by Reverend Absolom Jones.

James Forten might have stopped then, having achieved considerable status in Philadelphia society, and turned away from the problems of the city's large Black community. But he did not. With each passing year, he devoted more time and effort in the cause of emancipation and the rights of Black Men.

There were new voices in America, beginning to say the unsayable, that the Negro was not a subhuman form of life, but an equal inheritor to the legacy of the American Revolution. James Forten heard these voices.

He first spoke out in the year 1800, when his pastor, Reverend Jones, and another prominent Black clergyman, Reverend Richard Allen, who would later become first bishop of the African Methodist Episcopal Church, approached him with a plea to join them in circulating a petition among the city's Black population asking that Congress modify the notorious Fugitive Slave Act of 1793. Congress not only denied their petition but actually resolved, almost unanimously, to condemn such works as creating "disquiet and jealously, and ought therefore to receive no encouragement or countenance from this House."

James Forten was not discouraged, but continued quietly to urge a change of heart and a growth of conscience in America. During this period, while the War of 1812 raged between Britain and the United States, Forten enlisted twenty five hundred Negro citizens to help prepare the city's defenses against an expected attack. With his army of volunteer laborers, he directed the construction of earthworks for two days without interruption.

About the same time, the Pennsylvania legislature was considering a bill which would deny Free Negroes the franchise, part of a movement that was spreading throughout the country at the time. Forten published, at his own expense, a series of pamphlets attacking the measure. His eloquence moves the reader more than a century and a half later:

"Has the God who made the white man and the black left any record declaring us a different species? Are we not sustained by the same power, supported by the same food, hurt by the same wounds, . . . And should we not then enjoy the same liberty, and be protected by the same laws?"

As he continued his work in behalf of emancipation, Forten became convinced that there was absolutely no difference between Black men and White, that the two races were equal and ought, indeed must, live together in harmony as one people. His views were revolutionary for the day. Even supporters of emancipation believed in all sincerity that Blacks were markedly inferior, that they had no legitimate claim to citizenship, that they ought to be transported in large numbers to such colonies for free Negroes as Liberia and Sierra Leone.

The organization espousing this course of action, the American Colonization Society, in 1817 offered him one of the highest positions in the Liberian colony. Forten refused, and, calling a mass meeting of Philadelphia's Black citizens, he helped draft resolutions which stated, in part:

". . . our ancestors (not of choice) were the first successful cultivators of the wilds of America, we their descendants feel ourselves entitled to participate in the blessing of her luxuriant soil which their blood and sweat enriched. . . ."

He continued to lead the fight against colonization and deportation, and was one of the chief organizers of the 1830 convention held in Philadelphia to oppose colonization. He never ceased to raise his voice in behalf of complete, unconditional emancipation of all salves, and in time, his words were read and noticed by the members of a tiny movement led by William Lloyd Garrison, the Abolitionists.

In the eighteen thirties, though well into his sixth decade, James Forten rallied the Black community of Philadelphia in behalf of the new movement, organizing subscriptions for Garrison's journal, *The Liberator*, and contributing an occasional article. He continued the fight, urging the Pennsylvania Legislature to end all discriminatory legislation against Black Americans. He was also deeply involved in efforts to bring an end to slave catching in the free states by Southern agents. In 1841, worsening health compelled this tireless battler to withdraw from active prosecution of the struggle, and a year later, on February 24, 1842, James Forten died.

He did not live to see his great goals accomplished, but his efforts were not in vain, for hundreds of thousands of compassionate Americans heard his voice. Their consciences were at first disturbed, then stirred up, then outraged that the barbarous custom of slavery had persisted in a nation that had dedicated its entire being to the immortal phrase:

"We hold these Truths to be self-evident: that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. . . ." James Forten and other men like him set in motion an irresistible march of events that changed the face of America forever and for the better. It is fitting that this nation should honor, during the Bicentennial era, the memory of James Forten, a man who loved his country well and served it with a rare devotion.

ADMINISTRATION SUSPENDS SALE TO ECUADOR

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mrs. SCHROEDER. Mr. Speaker, on June 11, 1975, I introduced House Joint Resolution 498 for myself and Mr. McDonald of Georgia. The bill's purpose was to prohibit the sale of the U.S. landing craft *Sutter County* to Ecuador.

I am pleased to announce to my colleagues that action on this bill is no longer necessary. The Department of State has advised me that they have suspended their plans to pursue the *Sutter County* sale.

I opposed this sale on the grounds that it would be in violation of the spirit of a January 25, 1975, ban on arms sales to Ecuador. The ban was triggered by the resumption of Ecuadorian seizures of American tuna boats fishing near Ecuadorian coastal waters. The proposed sale became particularly alarming when Ecuador used a World War II patrol boat, purchased from the United States, to seize the *Neptune*. The *Neptune*, a tuna boat, was seized in February and held by Ecuadorians for more than a month.

I would like to thank the following Members for their enthusiastic support of the resolution. I am certain that your response was instrumental in convincing the State Department that further consideration of the sale at this time would be useless.

The list of cosponsors follow:

COSPONSORS

Abzug, Badillo, Blanchard, Burgener, Carney, Downey, N.Y., Edgar, Hannaford, Hechler, W. Va., Ketchum, LaFalce, Levitas, McDonald, Moakley, Moss, Ottinger, Riegle, Spellman, Starke, Van Deerlin, Won Pat.

TITLE IV OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. JEFFORDS. Mr. Speaker, along with several of my colleagues from the least populated States, I am introducing legislation to correct a problem which has arisen since the implementation of Public Law 93-380, the Education Amendments of 1974.

During the 93d Congress, H.R. 69 proposed various amendments to the Elementary and Secondary Education Act. This legislation eventually became Public Law 93-380. Title IV consolidated certain categorical education programs into two parts: Part B—Libraries and Learning Resources, and part C—Educational Innovation and Support.

The movement away from various categorical education programs is to result through consolidation in easier and simplified administration and management of programs now under title IV. This is a laudatory goal. It is disturbing, however, that, in revising the categorical formulas, a new formula was devised based solely on the number of children aged 5 to 17 inclusive in each of the States and the previous funding floors were eliminated.

The existence of floors in the categorical formulas provided the small States with the assurances they would receive at least enough funds to meet the minimum costs necessary to reasonably fulfill the goals of the Federal legislation. Yet, because of that revision, title IV programs in the 17 smallest States and the District of Columbia were in danger of being harmed substantially in fiscal year 1977, when full consolidation takes place.

Mr. Speaker, I am glad this House and the other body included an appropriation of $11,633,852 in H.R. 5901 to bring these States up to the fiscal year 1974 funding level in fiscal year 1977. This action will prevent disastrous reductions in title IV programs in many States and avoid the inequity of the small States being penalized by losing money while other States gained increased funding in fiscal year 1977.

The legislation I am introducing will make the necessary technical change in the title IV authorization not only for fiscal year 1977 but for fiscal year 1978, the last year in the duration of the title. By insuring that the small States will not fall below the funding level of fiscal year 1974 in both fiscal years 1977 and 1978, serious problems for the small States can be avoided again.

ADVERTISING EFFECTS

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FREY. Mr. Speaker, in yesterday's Congressional Record I had the opportunity to call to the Members' attention an article written by our colleague Mr. Wirth, on the effects of TV advertising on children. The article was one of two on the subject to appear recently in the editorial pages of the Washington Post. On July 29, Richard W. Jencks, vice-president of CBS, presented another view of this very important issue. For the Members' consideration, I would like to present the following companion piece to yesterday's article:

TV ADVERTISING'S EFFECTS ON CHILDREN

(By Richard W. Jencks)

In this space July 17, Timothy E. Wirth, a Democratic representative from Colorado, posed this question: "Is there any correlation between the advertisement of products that are potentially harmful to children and harm done to children by themselves?"

Mr. Wirth stops short of claiming that there is any hard evidence that television advertising is responsible for such harm, but he contends that "broadcasters and advertisers have nonetheless implicitly conceded much of the case by agreeing not to show such products during the traditional children's hours on Saturday and Sunday morning."

And though Mr. Wirth, in the conclusion of his article, extends to the accused the glimmering hope of being able to prove innocence. ("It is, of course, possible that broadcasters and advertisers will be able to show that children are neither harmed nor deceived by the advertising that adult oriented television exposes them to . . ."), the burden of his article condemns and all but sentences broadcasters for what he calls "major loopholes" in their self-regulatory structure.

The first of these is that the structure of broadcast self-regulation enforced through the Television Code of the National Association of Broadcasters (NAB) covers only 60 per cent of broadcast outlets and "lacks an enforcement mechanism."

The fact of the matter is that the Television Code is unique in its scope and effectiveness and that the 60 per cent of American television stations who belong to it reach over 85 per cent of the American public. The over-the-counter drugs and other products with which Mr. Wirth is concerned are *nationally-advertised* products. Hoping to reach the nation either through national network television or so-called "spot television" with ads whose production costs frequently exceed $100,000 per ad, national advertisers simply cannot afford to, and will not, produce a non-Code version of an ad for a nationally-advertised product. As to the nationally-advertised products that are at issue, the Code, for all practical purposes, is therefore completely effective.

The other alleged "loophole" is that many of the NAB restrictions on advertising which can be directed to children apply only to advertising in programs initially designed primarily for children. These programs in the main are those scheduled during children's programming periods on Saturday and Sunday morning, although they of course include weekday programs like our own "Captain Kangaroo."

It is true that broadcasters have drawn a distinction between programs designed primarily for children and programs designed primarily for an adult or general family audience. On Saturday and Sunday mornings the child is apt to be unaccompanied by parents as he views television, and broadcasters have believed that under these circumstances advertising directed to the child should meet more stringent standards.

And it is quite true, as Mr. Wirth states, that substantial child audiences are watching at other periods of the broadcast day, particularly in prime time, where children aged 2 to 11 comprise up to 15 per cent of the audience until at least 9 p.m. Even in the 9 to 10 p.m. time period, there are more than 10 million children still watching television; and from 10 to 11 p.m. there are more than six million. But this viewing is done typically with other members of the family and the advertising is not directed to the child.

In suggesting that the NAB Code prohibit until 9 or 10 p.m., or later, the advertising of medicines, cosmetics, cleansers, bleaches and other adult products which might be hazardous to children if ingested or misused, Mr. Wirth is in fact proposing that the medium of television no longer be treated as a general advertising medium, but that it be confined for most of the broadcast day to the kind of advertiser or product which let us say, might advertise in Jack and Jill magazine.

Because the list of potentially hazardous products represents advertising revenues amounting to well over a third of total television revenues, what is at issue is the continued ability of advertiser-supported television in the country to bring to the American people expensive entertainment, news, public affairs and similar programming. Former FCC Chairman Dean Burch, in responding to an earlier proposal not unlike Rep. Wirth's, commented on it as follows in congressional testimony in 1971:

"I am not saying that broadcasters have some 'God-given right' to these revenues, or that their claims should ever take priority over a possible Congressional determination that such advertising disserves the nation. I am saying that there are important benefits to be derived from a healthy broadcasting industry; that these benefits are grounded in advertising revenues; and that neither benefits nor revenues should be undermined unless the case to do so is truly established."

Which gets us to the real point. How well established in the case?

How plausible is the assumption that children cut their fingers with Gillette blades, eat Drano, spray their eyes with Ban, drink Chanel No. 5, swallow aspirin *because* of having seen these products advertised on television—and would not have done so had they not seen these advertisements?

By centering on television advertising as the proximate cause of child injury from advertised products, the charge against television relegates to the background such other causes as that the products exist, that they are produced in response to human needs, that they are marketed, that the packages in which they come are sometimes openable by children, that children are insatiably active and curious and that many parents are careless.

Few parents who have had small children will regard as plausible, however, the theory that a child exploring his mother's dressing table or under-the-sink cupboard chooses one cosmetic or cleanser over another because the child has seen it advertised on television.

Such data as are available do not seem to implicate television as the culprit. Fatalities caused to children under five by the ingestion of products in the home have actually declined markedly since the pre-television era, and the decline continues. Some of this is doubtless due to superior medical resources and techniques, but the decline has occurred despite a large increase in the population and an increase as well in the number and variety of products used in the home which are capable of misuse by the very young.

Recent trends reported by the National Clearing House for Poison Control Centers likewise do not correlate with an indictment of television. For example, the National Clearing House reports markedly decreasing ingestion trends over the past several years for aspirin as well as for bleaches and insecticides, while reporting increasing ingestion trends for such substances as plants and for glue and adhesives, which are rarely advertised on television. Aspirin ingestions, in particular, have dropped 75 per cent over the past nine years, with contributing factors to the decline involving safety packaging as well as increased public awareness of the hazards of aspirin poisoning.

Broadcasters are among those who have made real contributions to such public awareness through public service announcement campaigns and in news, informational and children's programs themselves. During the past year, for example, the CBS Television Network has carried more than a hundred public service announcements directly aimed at educating parents to keep potentially hazardous household products out of reach of the young.

Needless to say, there is no reason why a study of the overall causes of child poisoning should not go forward. It should be undertaken by trained social scientists who are competent to design research which will isolate the differences in conduct—so far as the ingestion of dangerous substances is concerned—between children who have not been exposed to television advertising and those who have. In so doing, it will have to give recognition to the fact that children see advertising for adult products in all media including this newspaper (and, indeed, see advertising in print media for many products such as B–B guns and other dangerous toys which the NAB Code regards as completely unacceptable.)

Without regard to any such study, manufacturers can and should intensify their efforts to design and market child-proof containers.

Broadcasting and other media should be encouraged to step up their public service campaigns aimed at acquainting parents and children with the dangers of household and personal products.

And advertisers should review advertising to make sure that neither in copy nor action does it stimulate or induce child experimentation.

A final point. The benefits of television, as well as those of radio and the print media, depend in this country upon the support of advertisers of lawful and useful goods and services. That advertising is the underpinning of a free press in this country—free because it has sources of income independent of the government. The broadcast press is today the public's primary reliance for news and information. Advertising *should and can be honest, non-deceptive, and informative.* Self-regulation is bringing about higher and higher standards. But unreasonable restrictions on the advertising of lawful products and services, based upon mere speculation or a generalized hostility toward the television medium, are not in the public interest.

RESOLUTIONS FROM THE AFL–CIO EXECUTIVE COUNCIL

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CLAY. Mr. Speaker, two documents which I regard as being of considerable interest have come to my attention. They are resolutions adopted on July 31 by the AFL–CIO Executive Council and deal with matters arising out of détente.

I would commend them to my colleagues for their interest and information:

Statement by the AFL–CIO Executive Council on U.S. Merchant Marine—A Victim of Détente, Chicago, Ill., July 31, 1975

At its May meeting, the Executive Council called upon the Administration "to abandon its calamitous one-way detente with the Communists superpowers and to replace it with a standard of complete reciprocity in all our dealings with Communist states."

Detente is supposed to mean mutual and reciprocal steps to ease tensions between the Free World and the Soviet Bloc. However, as the second major Russian grain deal with the United States is shaping up, the Ad Hoc Committee of Maritime Unions affiliated with the AFL–CIO has called attention to the disastrous results of detente's one-way street as practiced by the Russians in the maritime industry.

Detente, as the Soviet Union is now using it, will result in American seamen having fewer and fewer ships to sail; American shipyards and shipyard workers having fewer and fewer ships to build; and American longshoremen having nothing but foreign-flag vessels to load.

This policy of maritime detente began when 42 American ports were opened to Soviet vessels in the course of the negotiations for the last big Soviet-U.S. grain purchase deal in 1972. Part of the arrangement was that there would be three-way division of the resultant grain cargoes, with one-third going aboard Russian ships, one-third on U.S.-flag ships and one-third being allocated for carriage by "third flag" vessels.

Far from living up to the terms of this first step in detente, the following has happened:

U.S. flag vessels did not get the chance to carry their one-third share. In fact, only 11 percent, or about one-third of the one-third promised, went aboard U.S. ships, manned by American seamen.

With respect to the shipping provisions of the trade agreement negotiated in 1972 between the U.S. and the Soviet Union, the Russians are now refusing to negotiate fair and reasonable rates for the carriage of American grain under the agreement. Instead, they are relying on the U.S. government to ignore the inequities imposed on the American merchant marine in the interest of continued détente.

Soviet vessels are using their rights to trade in and out of the 42 U.S. ports to engage in the most ruthless rate-cutting practices that threaten to bankrupt the U.S. merchant marine and throw even more U.S. merchant seamen out of work.

Communist activity in three separate trade routes serve to underscore the success of their efforts. The Far Eastern Steamship Company (FESCO), just one of 16 Soviet state-owned ocean shipping companies, has increased its container capacity in the Pacific trades alone from none in 1970 to nearly 20,000 twenty-foot equivalents annually on six different service routes in 1974.

In the U.S. East Coast-European trade, Polish Ocean Lines has increased capacity from none in 1970 to over 10,000 twenty-foot equivalents annually in 1974.

Also in the U.S. East Coast-European trade, Balatlantic Line, another Soviet state-owned ocean carrier, has increased in just one year—1973–1974—its number of sailings by 200 percent and its trailer capacity by 300 percent to 12,000 twenty-foot equivalents annually.

This increased share of the markets has been accomplished by driving rates down, thus making it economically impossible for the privately-owned U.S. merchant marine to compete.

The low-cost labor on the 100 percent government subsidized Soviet fleet is being used to further the political aim of destroying the U.S. and its free world allies. Without the maritime carrying capacity represented by the U.S. merchant marine the free flow of raw and finished materials so vital for the nation's economic health is impossible.

The AFL–CIO believes that any large-scale grain purchase deals with Soviet Bloc nations should be stopped until adequate safeguards for the Free World, the American people and the U.S. Merchant Marine are firmly established on the basis of complete reciprocity, in the spirit of true détente, not the Administration's calamitous one-way détente with the Communist superpowers.

Statement by AFL–CIO Executive Council on Russian Grain Purchases, Chicago, Ill., July 31, 1975

The American people have not yet recovered from the disastrous grain deals of 1972 in which the Soviet Union obtained American grain at bargain prices, subsidized by American credits, and resulting in sharply increased prices in the American market.

The Russian traders and the huge grain companies were enabled to derive undeserved advantages at the expense of the American farmer, the American consumer and the American taxpayer.

The record of the Nixon-Ford Administrations in this area does not inspire confidence in its ability to protect the vital interests of this nation and its working people in commercial grain sales to the Soviet Union.

America is again faced with the prospect of massive grain sales to the Soviet Union with no assurance that America's national interests will be properly safeguarded.

The pending Soviet grain purchase again threatens the American economy and becomes a matter of concern that will affect all Americans and their well being.

The International Longshoremen's Association, AFL–CIO has refused to be a party and cooperate in the loading of grain destined for the U.S.S.R. until certain safeguards are provided the American public which are as follows:

(a) This administration should determine from the Soviet Union the full extent of their future purchases of U.S. grain. In a manner of fairness this information should be fully disclosed to the American farmer so he knows what his grain is truly worth ... to the American businessman so he can compete fairly for the foodstuffs required for domestic consumption . . . and to the American public so they knowledgably can participate and voice their opinion in the political and economic market community.

(b) A policy must be formulated to protect American companies from unfair competition with state-owned monopolistic economies the size of the Soviet Union.

(c) The United States should establish an offensive policy to deal with commodity cartels such as the OPEC nations and determine to what extent U.S. corporations are participating in and supporting them.

We agree with the view expressed by the International Longshoremen's Association and endorsed by the Ad Hoc Maritime Committee.

As long as this Administration pursues policies of encouraging inflation and reduced consumer income then artificial restraints such as those threatened by the ILA are the only alternatives left to deal with what has become unconscionable administration policies. America needs effective government regulations of exports of farm products and other goods when such exports will create domestic shortages and inflation.

Further, we believe that unrestricted access to the American grain market should not be afforded to the USSR as long as it continues on its course of aggression, subjugation of peoples and states, and the suppression of human rights.

HELLS CANYON, A TREASURE ON THE BRINK

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ULLMAN. Mr. Speaker, despite our desire to conserve energy, if the Pacific Northwest continues to grow at its present rate of development, it will inevitably require more energy. The electricity produced by dams proposed for Hells Canyon will be able to meet only 9 months of increased electrical demand before other sources of energy will have to be utilized. This means that if we permit the construction of these dams, Hells Canyon, one of the most spectacular and unique sites in all the world, will have been sacrificed for the sake of an extra 9 months of increased power demands. And after those 9 months are up, we will have to turn to other sources of energy.

Instead of flooding Hells Canyon for 9 months of growth, why not turn to alternative sources in the first place and save the canyon? Sooner or later, we are going to have to use those alternative sources, and I see no reason to delay, especially when we are risking the last free-flowing stretch of the Snake River.

I would like to share with my fellow Members an article from the May 1975 edition of Outdoor America that puts the issues and the natural wealth of Hells Canyon in perspective. I highly recommend it:

HELLS CANYON, A TREASURE ON THE BRINK

(By Joanne Oldes)

HELLS CANYON—A foreboding name for a place of such awe-inspiring beauty. Located on the Snake River at the Idaho-Oregon border, Hells Canyon is the deepest gorge in North America, perhaps in the world. A startling variety of scenery, from the music of roaring cascades and churning rapids in the cold, clear Snake to the sweeping vistas of the subalpine heights, casts its spell upon the visitor. Fantastic crags and forbidding precipices, inviting green carpeted valleys, yawning chasms, flower strewn meadows, white sand beaches, immense stair steps of granite and basalt—the canyon is an astounding study of contrasts.

With its startling changes in climactic zones and vegetation, the canyon supports abundant wildlife of many, diverse species in the 6,000 feet between lofty rim and canyon floor. Hells Canyon is unique. But within the next few years, all this may be lost.

For sportsmen, fishermen and birdwatchers, this canyon is a paradise. But what will happen to the deer, elk, bighorn sheep, valley quail, and chukar partridge if their critical winter range is drowned? The riverine habitats of beaver, mink, and otter would also disappear. Nesting sites for Canada geese along the lower cliffs and river bank food supplies for songbirds and migratory waterfowl would be lost. The Snake's famous anadramous fish runs of salmon and steelhead that spawn in the Salmon and Imnaha Rivers, would be jeopardized. The ancient white sturgeon which has been all but eliminated in other major northwestern rivers, would lose the free-flowing water it needs for spawning.

All this—the incomparable fish and wildlife habitat, the astounding scenery, the grandeur that surrounds probably the grandest remaining stretch of wild river in the west—will be lost if northwestern utilities succeed in building Pleasant Valley and Mountain Sheep dams on the canyon reach of the river. The fate of the Holy Mother Snake as it was called by the Indians, now hangs by the thread of H.R. 30, a bill to establish the Hells Canyon National Recreation Area, now before the Subcommittee on Parks and Recreation of the House Interior Committee.

The pressure to harness this stretch of the Snake began back in 1954. 18 other dams already choked the river, but the best still remained—a 100-mile segment of free-flowing water in the middle of the deepest canyon country. Then the Federal Power Commission granted a permit to construct a power dam a bit upstream from the river's confluence with the Salmon in the heart of the Canyon.

For the next 13 years a bitter battle raged over who should build the dam and where it should be located, while conservationists and outdoor lovers fought to prevent construction. The issue reached the Supreme Court, which ruled in 1967 that the FPC reconsider its licensing order. Justice William O. Douglas, speaking for the court, questioned whether the dam should be built at all. "The test is whether the project will be in the public interest, and that determination can be made only after an exploration of all issues relevant to the public interest." Justice Douglas said, "These include future power demand and supply in the area, alternate sources of power, and the public interest in preserving reaches of wild river in Wilderness area, and the preservation of anadromous fish for commercial and recreational purposes and the protection of wildlife."

DOUBLE TROUBLE

Studies and hearings ensued, and Congress considered a number of bills to protect the magnificent Snake. Then in 1971, the FPC recommended that two dams be built, turning the last free flowing stretch of the river into slack water. But because of the intense controversy, the FPC imposed a moratorium on construction, giving Congress four years to make up its mind about the fate of the river.

Conservationists have questioned the two supposed major benefits from the dams: energy and recreation.

From all the evidence presented so far, the Pleasant Valley/Mountain Sheep system would provide a mere drop in the bucket of future energy needs. The two dams would have an initial capacity of about 1,400 megawatts with an ultimate design capacity of approximately 2,600 megawatts—if all possible generating units were installed. But the average annual generation would be only an estimated 657 megawatts.

If licensed within the next year, the complex could be in operation around 1982. But the energy demand in the Pacific Northwest is forecast to be 20,500 megawatts in 1981–1982. The growth of demand alone in the preceding year is estimated at 995 megawatts.

Maitland Sharpe, director of Environmental Affairs for the IWLA, said, "At the time it came on line, the 657 megawatts produced by the system would buy a breathing space of only about eight months before another generating system would have to come on line in the Northwest. The timeless qualities of Hells Canyon should not be sacrificed for such a fleeting and insubstantial gain."

MEASURING THE TRADEOFF

As John Sawhill, former administrator of the Federal Energy Office, put it, "A dam there would provide as much electric power as . . . as a very large coal-fired plant. But it was our decision that this did not justify destroying the beauty of one of the major wild river areas—and one of the most spectacular gorges on this continent."

There are alternatives for meeting Northwest energy needs. Adding generators at dams that already exist in the region could provide for more electric generation. Additional thermal generating plants will be needed in any case.

The supposed recreational benefits from the slack water created by the dams have been scorned by sportsmen, recreationists, and conservationists. In testimony before the Senate Interior Committee in 1973, Rod Munro, president of the Oregon Division, IWLA, said, "In the Northwest, there already exists a plethora of reservoir-type recreation areas—particularly the 90 miles above and 146 miles below the Hells Canyon stretch of the Snake River. These reservoirs receive relatively little recreational use now, and a major increase in the future is unlikely. They are already in oversupply."

This statement was backed up by an Idaho Fish and Game Department study released last year which showed that on the lower Columbia and Snake Rivers, flowing waters were preferred to impoundments for recreational use by a ratio of 61 to 13.

The bill which is now before the House Parks and Recreation Subcommittee would give the free flowing Snake a permanent lease on life. It calls for the establishment of a 700,000-acre Hells Canyon National Recreation Area, and would designate 101 miles of the free-flowing Middle Snake and portions of the Rapid River as part of the National Wild and Scenic Rivers System. The bill would also prohibit the licensing of dams within the NRA, designate the inner gorge of Hells Canyon as a wilderness area of about 270,000 acres and require a study of the wilderness potential of additional lands within the NRA. Provisions of the bill would also allow the Secretary of Agriculture to acquire privately held mineral interests.

CITIZEN SUPPORT IS THE KEY

Charles Collins, immediate past western regional governor for the League, illustrates an example of the support among Northwesterners for the NRA. "In the last four years, I have organized trips that have taken over 100 people to the canyon," he said. "Another trip this year will take another 60 people into the area. So far, we've only run into one person that didn't agree with the NRA concept."

Experienced Washington observers feel the bill has a chance for passage. "It depends on the people," said one. "If they want to protect this priceless resource, they now have the opportunity to say so." Time is running out for the Snake. Only four months remain before the end of the FPC-imposed moratorium on licensing.

Sharpe places the two dams in a national perspective. "The beauty and wonder of Hells Canyon belongs to the nation—we all have a stake in it—and it must not be sacrificed unless there is a commensurate national gain. In his recent State of the Union address, President Ford spoke of the need for 350 major new power plants by 1985. One plant more or less may not make too much difference. But one Hells Canyon is all there is; one Hells Canyon less and we have impoverished ourselves and our children."

NATIONAL ENERGY POLICY

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. RHODES. Mr. Speaker, for the past several months the House has been struggling to enact some kind of national energy policy. We have been straining and straining on the energy situation and still have not been able to come up with anything that has a decent chance of becoming law.

In January I introduced House Resolution 123 which called for creation of a Select Committee on Energy, to be composed of 15 Members of the House of Representatives. It would be directed toward coordinating energy legislation, and establishment of national priorities. To date no action has been taken on this legislation.

I have received a very thoughtful analysis of our legislative energy problems from the Secretary of Commerce, Rogers C. B. Morton, who was a member of this body for many years. He points out that piecemeal solutions will simply not do the job that this Congress should be doing to formulate policy, head off future shortages, and provide our energy-dependent economy with adequate supplies to maintain production and growth.

This message from the Secretary raises the obvious question of whether or not the House, as currently organized, can deal realistically with energy.

Results so far indicate that we should be considering a new approach. I believe the time has come to appoint a Select Committee on Energy so that the nearly 1,000 bills relating to the discovery, development and marketing of vital fuel supplies can be considered, and workable solutions moved forward.

I urge that my colleagues read this outline of our legislative energy needs, and move to form a select committee so that we can meet our responsibilities to the American people.

Text of Mr. Morton's letter is as follows:

The Secretary of Commerce,
Washington, D.C., July 17, 1975.

Hon. John J. Rhodes,
House of Representatives,
Washington, D.C.

Dear John: It is regrettable that the House resolution, which you introduced in January to create a House Select Committee on Energy, was never seriously considered by the Congress. Since January, I believe there has developed more positive evidence that such a committee is needed. It is apparent that no significant energy program, based on a policy for energy independence within a reasonable time frame, is likely to come from the Congress.

I am convinced that the Congress itself is not institutionalized to deal with the supply, conservation and economic aspects of energy management in a balanced fashion. We have diverse sources of energy and so many patterns for its use that it is literally impossible to segment broad energy proposals in such a way that they can be dealt with by several legislative committees. All aspects of programs making up a national energy policy are interlocked. Piecemeal solutions usually are counter productive and very difficult to administer. What has come out of the Ways and Means Committee and the Commerce Committee of the House and various committees of the Senate are perfect examples.

Because no single committee has put it all together, members of the House are confused and lack an overall understanding of the problem as it exists in our country and throughout the world. They do not recognize a total concept of the solutions which must be implemented if we are to maintain our national security and a dynamic economy throughout the years ahead.

I am not implying that the Executive Branch is simon-pure in the way it is organized to deal with energy, but at least we have made significant strides through the creation of the Federal Energy Administration and the Energy Research and Development Administration as well as the establishment of the Energy Resources Council. I congratulate the Congress on doing this for us, but I do not see why they cannot take similar steps for themselves.

The Energy Resources Council is a good coordinating body. My job as chairman is to see that the interested agencies function concurrently and with unified purpose. This is not a perfect system, but within our total legislative authority it is working quite well. I keep the Federal Energy Administration as the central core of the Executive Branch effort and bring in all other appropriate agencies in a supporting role. Our great obstacle, as you well know, is lack of Congressional approval that will permit us to design a program for conservation, supply development and economic neutrality.

Most of the industrial nations of the world have pretty well proven that energy conservation must be continually motivated through the price mechanism. Any type of promotional approach inevitably results in sporadic efforts by the public which are not sustained in the presence of available supply. I have yet to discuss this with an economist who differs from that point of view.

Supply development depends on investment, return on investment and permission to explore and develop. Economic neutrality depends on reimbursement to the economy of a fair share of the increased cost that is incurred by tariffs, excise taxes and windfall taxes. Once these fundamental elements are put into balance, things will begin to move. It has become apparent that this cannot be achieved within the current Congressional approach to the problem.

I have asked my department to analyze all of the energy legislation which has been introduced as well as the method by which it has been considered. I am sure this analysis will further bear out my conviction that under the present jurisdictional organization of the Congress it is highly unlikely that a balanced pragmatic solution to the energy problems can be achieved.

The President is doing everything he can within his authority. As far as I can see, he is being well supported by the Cabinet departments, by ERDA and FEA. Admittedly, I am very apprehensive as to the effectiveness of the Federal Power Commission and other regulatory agencies.

I conclude that the time has come when the Congress itself must examine itself as to its adequacy to serve the Nation in this complicated but pervasive area of energy. Failure in meeting our energy requirements and failure to live within the dimensions of our energy resources is failure of civilization itself. The world's greatest tragedy can be the experience of these failures because of political ineptitude on the part of representative government.

Yours sincerely,
Rogers C. B. Morton.

POLL SUPPORTS 200-MILE ZONE

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BONKER. Mr. Speaker, yesterday the Committee on Merchant Marine and Fisheries reported out S. 200, thus clearing the first hurdle toward enactment of a 200-mile bill some time this session. I was extremely pleased to participate in the committee's lengthy deliberations on this issue and commend the chairman, Leonor Sullivan, the subcommittee chairman, Representative Robert Leggett, and the bill's principal sponsor, Representative Gerry Studds, for their tireless work and commitment to passage of this measure.

Committee testimony provided overwhelming evidence of our valuable fishing resources being rapidly depleted by Japanese and Russian fishing vessels, equipped with sophisticated fishing equipment, off our coastal waters. There was almost unanimous agreement that a 200-mile zone was necessary to protect and conserve American fishing resources for now and years to come.

Recently, the Seattle Post Intelligencer printed a poll showing that 84 percent of the respondents felt, most of them emphatically, that a 200-mile limit should be enacted to ban foreign fishing fleets from fishing in our coastal waters. The poll clearly indicates strong public support of the legislation we have just acted on.

The poll also reveals citizen attitudes on a variety of related questions about fishing issues. Mr. Speaker, this poll is timely and appropriate, and I insert it in the Record at this time:

Poll Shows 200-Mile Limit Favored

Some 84 per cent of those responding to a People Power poll relating to fishing management in Puget Sound and other Western Washington waters agree, most of them emphatically, that a 200-mile limit should be enacted to ban foreign fleets from fishing in coastal waters.

The response was the strongest noted among those answering the poll, which appeared in the April 27 issue of The P-I.

KING-TV, as an adjunct to the People Power effort, will re-run this afternoon at 3:30 a program first aired that date entitled "Troubled Waters—It's No Fish Story."

People Power is a coalition of area school, church and research groups which works toward getting public agencies and government groups to respond to problems in the community.

The results of the People Power poll on fishing management follow:

As to whether the number of fishermen should be reduced by limiting commercial fishing licenses to those whose major source of income is from fishing, 72 per cent agreed, 52 per cent of them agreeing "strongly."

More than 53 per cent of the pollees disagreed with the idea of spending federal or state money to buy back boats and gear of those fishermen "who are no longer able to make a living from fishing because of reduced stocks, foreign competition and other causes." Thirty-six per cent agreed and another 11 per cent either "didn't know" or abstained from answering.

A total of 836 responded to the questionnaire, including 582 people who identified themselves as "fisherpersons" or people with a direct link to the fishing industry. Only six respondees identified themselves as Indians and the majority, or 441 of the 836, identified themselves as being 50 years of age or older or as "senior citizens."

The other propositions on the questionnaire and the response, only in terms of agreeing or disagreeing:

The number of fishermen should be reduced by limiting commercial licenses to those who have landed a specified amount of fish for a specified number of years—38 per cent agreed, 50 per cent disagreed.

There should be a ban on net fishing of salmon on the high seas to allow more fish to return to Washington waters—69 per cent agreed, 18 per cent disagreed.

Foreign fleets should be permitted to fish for stocks that American fishermen are not currently harvesting—22 per cent agreed, 67 per cent disagreed.

Rather than a 200-mile limit, a species approach should be adopted to give control of certain species to the country of origin—23 per cent agreed, 54 per cent disagreed.

More public funds should be invested in state hatcheries to increase the number of salmon—75 per cent agreed, 16 per cent disagreed.

Ocean ranching (raising fish to a certain age, releasing them to find their way to the ocean, and then harvesting them upon their return) should be permissible for private companies and individuals in Washington—58 per cent agreed, 29 per cent disagreed.

Public funds should be used to encourage forms of aquaculture that may prove useful in the future, such as mussel or seaweed culture—63 per cent agreed, 21 per cent disagreed.

More research and management efforts should be devoted to regulating the number of available fish stocks—60 per cent agreed, 22 per cent disagreed.

There is a need for better quality control of fish offered to the American public—66 per cent agreed, 16 per cent disagreed.

Stockpiles of unsold frozen fish should be made available to hospitals, schools, prisons, low-income families and senior citizens at reduced cost-subsidized by tax dollars—66 per cent agreed, 24 per cent disagreed.

The importation of foreign fish products should be curtailed to help American fishermen, even though this might mean higher costs for fish products for the American consumer—49 per cent agreed, 40 per cent disagreed.

Americans should be encouraged to eat more fish, particularly underused species such as hake, dogfish, shark, mussels, geoducks, squid, skate, seaweed, etc.—73 per cent agreed, 15 per cent disagreed.

THE SNAKE RIVER

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ULLMAN. Mr. Speaker, in debating the future of Hells Canyon we tend to forget that we are talking about a monument to the fortitude of man and his great courage in the face of adversity. In this case, the adversary is not an enemy, but a cantankerous old friend that offers some of the most challenging white water in the world.

There has been a resurgence in the popularity of challenging the rapids of wild rivers, especially the awesome white water in Hells Canyon. Today, this is done for pleasure, but once upon a time, it was done out of necessity when the Snake River was the only means of transportation in the area. One of the more notable stories is the journey of the sternwheeler *Norma* and her crew who took on the wildest river of them all in a steamship.

Walter Meacham was a member of the *Norma's* crew and I would like to share his story which originally appeared in the Oregon Journal on May 27, 1971.

Mr. Meacham, like any man who has spent time in Hells Canyon, can tell you that when you are on the Snake, you are a million miles from nowhere, but the river always leads home no matter how difficult the journey may be:

[From the Oregon Journal, May 27, 1971]

With the "Norma" on the Snake

All was excitement in the little railroad town of Huntington, Ore., on a June day in 1895. The Norma was going to steam down the Snake River to Lewiston, Idaho, or at least try to. It was a dangerous, foolhardy venture, but it appealed to the sporting instincts of everyone in the Old Oregon Country.

The Snake River between Huntington and Lewiston, is a one-way river, with a drop of 1,320 feet in 187 miles. Boats might go down, but they could not return.

The Norma had been built for use between the copper mines in the Seven Devils district and Huntington but that venture proved unsuccessful; so the Norma was tied up on the river bank. She was about as much use there as a horse tied in a barn, and would soon rot; so her owners decided to risk her on a trip down the river to where she could be used to advantage on the lower Snake and upper Columbia.

The question arose as to who was capable and daring enough to take her down the turbulent Snake.

Choice fell on Capt. William P. Gray, a descendant of the William Gray who came to the Oregon Country with Dr. Marcus Whitman in 1836. The offer was a challenge to Capt. Gray's courage and ability, for it was a difficult and dangerous undertaking. He, nor anyone else, had any knowledge of that section of the river, but that made no difference to the intrepid captain, so he gathered a crew and proceeded on the great adventure.

Capt. Ed Lyons, veteran "swift water" man and the last of the survivors of that voyage, told us the story.

It was in June, 1895, that Capt. Gray asked me if I would like to go with him to help take the steamer Norma down the Snake River from Huntington to Lewiston. The offer appealed to me, for I had never been on that section of the river but had heard a lot about it. It stirred my imagination, so I signed up for the venture. There were 13 in the crew, but evidently no one was superstitious; nobody quit when the count was made.

William P. Gray was captain; "Al" Gray, pilot; Charley Jennings, engineer, Elisha D. Kellogg, second engineer—all of them well-known "river-men," with years of swift water experience behind them. Much to my surprise, I was appointed mate. We had two firemen and two deck hands.

The Norma was a wooden boat, 160 feet in length, 32.5 feet in width, and a 5.5 hold. She was a stern wheeler of light draft, drawing less than 2 feet of water. The boys said she would float on a heavy dew.

We started out in the afternoon of June 12, 1895, from the mouth of Burnt River, just below Huntington, where the Snake river leaves the Old Oregon Trail and enters the canyon.

At least half of the town's population was there to see us off, never expecting to see us take the Norma through safely. One wag told us to be sure to give his regards to the devil when we met him. We passed through Whiskey, Eagle and Shoofly rapids in record time, the river dropping 38 feet in 4.5 miles. We had passed the Bay Horse rapids and were congratulating ourselves on our luck when we got a big jolt. Looking over the side, I saw several planks floating off down-stream. "Captain," I reported, "we have hit a sunken rock and tore her bottom out."

We did tear a hole in her bottom 2 feet wide and 20 feet long, but she had plenty of compartments and kept afloat, though she listed and rolled like a man over-loaded with moonshine.

We drifted downstream until we came to Sturgill Bar, where a number of men were placer mining for gold. We tied up there and spent two days repairing the hole as best we could. In between times, I tried my hand at panning for gold, but the gold was so fine that I gave up in disgust and decided to stick to steamboatin'.

On the fourth day we came to Brownlee Ferry. This ferry consisted of a steel cable stretched across the river. Attached to it was a flat-boat which was propelled across the stream by the current. As we couldn't go under the cable, we had to stop and lower it under the water then float over it. The ferryman was an old fellow with long gray hair and beard, a typical, old-time hill-billy. He had a young, red-haired wife called Juley, who seemed to be contended with her husband and her lot.

"Where the hell are you damn fools goin' with that boat?" he asked.

"We're goin' to Lewiston," we answered.

"It's a damn fool idea," he replied. "Two men lost their lives in the rapids only last week. You young fellers had better quit and hit the road to Baker City, you'll live a damn sight longer."

He put some doubts in our minds, but we were young and eager for adventure, so we thanked him for his interest and advice and went merrily on our way, with the ancient ferryman stroking his beard and shaking his head as he and Juley waved us goodbye.

A few miles down the river we put in to shore at the mouth of a small creek to lay in a supply of drinking water. We did not relish Snake River water as a beverage, for it was discolored on account of the usual spring freshet. While filling our casks we were startled by a wild whoop and several shots, which sounded for a minute like the Nez Perces had gone on the warpath again. On looking around, we found that the cause of the disturbance was a young cowboy, mounted on a pinto cayuse.

"What you fellers doin' 'way down here with that there steamboat?" he demanded. "If you go any farther you can't get back."

"We've just started, young feller," we told him. "We're pointin' her nose straight for Lewiston, and we aint comin' back."

"Well, I'll be dadgummed," was his startled reply. "I'd sure like to be goin' along, if it weren't for leavin 'old Pinto."

"Lived here long, pardner?" we inquired.

"Lived here nigh on to 30 years an' know every coyote in these here hills by the first name," our cowboy modestly replied.

Somehow or other, Capt. Gray got the idea that it would be a good stunt to take the cowboy along as a co-pilot, because he knew the country so well. The cowboy gladly took up the captain's offer, rode old Pinto on board and tied him in the hold. Our friend from the hills, still wearing his big hat, chaps and spurs, stood up in the pilot house with the captain and pilot—and seemed to enjoy the adventure. However, it quickly developed that he knew nothing of the river and, had the Norma not been a good "backer," we would have come to grief on the rocks. The Norma had powerful engines and escaped a crash several times by backing up and dodging the rocks.

Eventually we reached a long, narrow loop which we knew was the famous Ox Bow. It was only a quarter of a mile across the neck of the bow, but three miles around the loop. There were three miles of jagged rocks, foaming waters and dangerous risks, which would take the Norma down a precipitous incline of 50 feet. The speed was breathtaking, and the rapids so swift that steering was almost a matter of chance. We bumped against a number of rocks in making the loop, then tied up at Lime Point, five miles below Homestead, at the end of the fifth day.

Below us lay Copper Creek Falls, as they called them then, where the river took a decided turn and sudden drop, with plenty of white water and rocks ahead. Our chances of getting through didn't look good; but, if we didn't succeed, it wouldn't be because we didn't try.

It was here that the captain decided that the cowboy pilot would be of no further use, and the commodore (as we nicknamed him) concluded that he had had enough of steamboatin' for a while; so he mounted his horse, rode down the gang plank and, with a wave of his hat and a cheery "so long, boys," disappeared into his native hills.

Capt. Gray called all hands on deck and said: "Boys, 25 years ago, Capt. Cy Smith tied the Shoshone up at this very spot, declaring that she could not be taken any farther. But Capt. Bas Miller took her over the falls, and tore eight feet off her bow in doing it. He succeeded in taking her down to Lewiston, somewhat battered but still afloat. Maybe the Norma won't fare so well, but I figure that what has been done before can be done again. If any of you are not game enough to take the chance, now is your time to quit."

We gave the captain a big cheer, but nobody quit. We prepared for the task ahead of us, shooting Hell's Canyon. Capt. Gray had the men cut wood and fill the bow of the boat with it, in order to strengthen her and make her more buoyant.

When we were all ready, the captain said to me: "Ed, I want you to stand on the bow and relay my orders to the men. We might strike rocks and tear the bow off, for it doesn't look like we can dodge them all."

This didn't sound very good to me, as I had no desire to be standing on the bow if it was knocked off, so I asked him to say it again. He had a peculiar twinkle in his eyes when he repeated the order, and I surmised that he was having some fun at my expense, so I decided to use some diplomacy on the old boy.

"Captain," says I, "I can't hear you very well when I stand on the bow, on account of the noise the water makes as it dashes on the rocks. I can hear better if I stand beside you on the upper deck." The captain politely agreed to this suggestion, and I felt a lot easier.

We cut loose after the noon meal and headed into the rapids. The roar of the waters was deafening, and it looked as though the force of the current would drive us head-on into the rocks on our right. The fall at this point was 10 feet in half a mile, and our speed was greater than was conducive to safety. Capt. Gray gave the order, "Full speed astern." Charley Jennings backed her, and we got but a slight jar on the guard rail, and a side-swipe that didn't do much damage. All of this sounds easy, but if our pilot had not maneuvered the Norma to the nicety of a flea's eyebrow, we would have gone to pieces on the rocks.

We were now approaching the dreaded box-canyon called Hell's Canyon, so Capt. Gray considered it prudent to tie up for the rest of the day and check up on the Norma before sailing into the 20-mile stretch of plunging water that no one knew anything about.

This wild section just ahead of us had been named Hell's Canyon for a reason. At its upper end is Lynch Creek, at its lower end Rush Creek, both flowing into the Snake from the Oregon side. The distance between the two is approximately 20 miles, with a drop of 300 feet—15 feet to the mile. The width of the canyon varies from 80 to 150 feet.

In the afternoon of the seventh day we "shot" the 20 miles of rushing fury. It was just a continuous succession of rapids, too numerous to count. Miles of whitecaps stretched ahead, like white horses racing through the hills and columns of spray arose where the swift water hit the larger obstructions. Black, forbidding rocks thrust their heads above the swirling waters, while others lay hidden under the surface, as though determined to crush our frail craft for its temerity in encroaching on the age-old domain. The voices of the river seemed to chide us.

The paddle wheel of the Norma kept backing all the time to retard her speed and enable her to dodge the rocks that threatened to break her up. At times we hit stretches where the river fell at the rate of 60 feet to the mile and our speed was often 20 miles an hour, which is faster than a horse can run. Frequently our paddle wheel was completely out of the water, spinning helplessly in the air, and our little boat was at the mercy of Old Man River.

As the Norma raced and tossed about in the raging mill-race, we looked up at the mountains towering thousands of feet above us. We felt mighty small and insignificant. We did not know at that time we were sailing through the deepest gash on the North American continent. The hills were so high that we had to look twice to see their tops, and it often seemed as though the hills would close in on us and crush us as a giant pincer would crush a peanut. Every second we expected to hit a rock head-on and be smashed to pieces, but there was nothing we could do about it. It was all up to the captain, the engineer, and Lady Luck. As one of the deckhands said: "It seems like we were born to be hanged, not drowned, so why worry?"

Capt. Gray stood at the wheel, apparently as calm as though shooting Hell's Canyon was an everyday occurrence. His confidence gave us all courage, and we watched fascinated with the wild scene, our hearts pounding against our ribs as each new danger approached and quickly passed. We didn't escape unscathed, however, for we scraped many a rock but did not hit any head-on.

Sheep Creek Rapids, at the end of the canyon, were real tough; and we had a few seconds of doubt and anxiety as we shot through them, side-swiping a few rocks in the operation. Hominy Creek Rapids were nearly as bad and also took their toll. Finally, the mountains seemed to recede a little and the river to grow quiter in spots, allowing us to get glimpses of the sun. But our troubles were not over as we got several thrills and jolts in shooting White Horse Rapids.

Though it was early in the afternoon, Capt. Gray decided to tie up at the mouth of the Imnaha River and give all hands a chance at trout fishing. The captain said there was nothing quite so good as fishing to calm the nerves and nothing to compare with mountain trout to appease the appetite of "swift water" sailors. His decision met with approval of all, for our nerves were getting jumpy by that time. We always tied up at night, for it would have been suicide to have tried to navigate the river after dark.

The next morning we patched the Norma up as best we could and proceeded on our way. Everybody lost count of the number of rapids we "shot," for the Snake is just one rapid after another. We found the Wild Goose Rapids, 33 miles above Lewiston, extra bad. I don't know how these rapids got their name; but, I imagine, that any kind of a goose would get plenty wild if it attempted to light on the crazy waters. It looked for a few seconds as though our cruise was to end there, but again Capt. Gray's coolness and skill, and Lady Luck's kindness, brought us through with only a jolt or two.

On the evening of the eighth day after leaving Huntington, the Norma limped alongside the Lewiston docks, and everyone heaved a sigh of relief. We had stuck lengths of stovepipe into the holes in the Norma's hull, in order to drain off the water she had shipped, so that she looked like a gunboat that had been in a hard battle.

Thus was written the final chapter of steamboating on the upper Snake River!

THE MEDICAL MISSION SISTERS 50TH ANNIVERSARY

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. EILBERG. Mr. Speaker, the Medical Mission Sisters are an international religious community of women who dedicate themselves to a life and mission of healing in the needy areas of the world. Their 700 members are of every race and many nations—all women motivated by healing, trying to reach out to those who are critically broken, to those who are without resources and to whom others are not willing to go.

Founded in 1925 by Anna Dengel, M.D., today the Sisters serve the sick in 27 countries in Asia, Africa, Europe, North and South America. Working side-by-side with citizens of these countries and local governments the Medical Mission Sisters try to contribute to the full development of people.

Their long concern for healing people all over the world makes me very proud that their American headquarters are located in my district in Philadelphia. Now celebrating their 50th anniversary, I wish to enter into the RECORD at this time an essay on the Medical Mission Sisters entitled "Yesterday . . . Today . . . and Tomorrow." May their good work continue for many years to come.

The essay follows:

YESTERDAY . . . TODAY . . . AND TOMORROW

For a religious community, being 50 years old is very young indeed. And young is a very good thing to be when it means being committed, concerned about injustices and able to adapt and respond to changing needs. In their past 50 years of healing service to the developing nations the Medical Mission Sisters have tried to faithfully live their commitment and concern, and shift their emphasis in health care as the needs presented themselves. Their goal has always been to help persons develop to their fullest capacity. As each medical facility was built, nursing schools, training labs, midwifery programs and health-aide courses were begun, for a high priority of the Sisters is to influence the education of local nationals so they can learn to direct their own health care.

In cooperation with national and local health plans the Medical Mission Sisters are now involved in integrating community health and social welfare programs into comprehensive health care; developing sanitation, nutrition and health education demonstrations; contributing to labor relations and credit union developments; conducting mothercraft projects; leading leprosy control and immunization campaigns; sponsoring home-industry projects and beginning community-based primary health care among the marginal and oppressed groups of society. While the healing work in 50 hospitals and health centers in 27 countries around the world continues, the Sisters are also trying to effectively reach out to the thousands and thousands of people who also need healing because of the many injustices of the systems in our world today.

In their recent 1973 General Chapter the Sisters reemphasized that, motivated by healing, their priority is "to go to those who are more in need, the critically broken, to those who are without resources and to whom others are not willing to go." New works of the Society will now begin only after a social analysis of the area is undertaken to determine that the work the Sisters are asked to do will contribute toward achieving justice for the critically broken or contribute to social change to this end.

As the Medical Mission Sisters celebrate 50 years of healing they remember with deep gratitude the people of India, Pakistan, Burma, Venezuela, Ghana, Afghanistan, Guatemala and Jordon and so many other nations who have shared life and the pain and joy of healing with them in very meaningful ways. Through these very personal relationships the Sisters have also been healed. The Medical Mission Sisters are also grateful for the overwhelming support and generosity of parents, relatives, friends and benefactors who have so selflessly climbed this path of healing with them. As they utter a sincere "thank you" for these past 50 years, the Medical Mission Sisters are convinced that in many ways their healing ministry has only just begun.

CONYERS ASSESSES RELATIONSHIP BETWEEN VIETNAM, WATERGATE, AND THE ECONOMIC CRISIS

HON. RALPH H. METCALFE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. METCALFE. Mr. Speaker, it is a privilege for me to enter in the RECORD the remarks of my good friend and distinguished colleague from Michigan (Mr. JOHN CONYERS, JR.), delivered before the Cook County Bar Association on June 28. His analysis of the relationship between Vietnam, Watergate, and our economic crisis is very persuasive. Watergate mesmerized a great many people. While the top leadership of our Government was undermining our liberties, the military with its corporate allies through the war in Southeast Asia was draining us of our resources. We are paying the price in massive unemployment, shortages in goods and services, and pervasive alienation from Government. The sensational offenses and crimes of the Nixon administration have distracted the attention of too many Americans from the basic defects in our political-economic system.

I urge my colleagues to read the remarks of the gentleman from Michigan.

CONYERS SPEAKS TO THE COOK COUNTY BAR ASSOCIATION

I am especially grateful to be the recipient of the J. Ernest Wilkens Award. You are to be commended for preserving the memory of a great black leader. J. Ernest Wilkens was a Phi Beta Kappa from the University of Chicago, an Assistant Secretary of Labor and a brilliant lawyer who made his career the public service.

I was not able to be with you last year. You may recall that we on the House Judiciary Committee were trying to resolve a certain matter that had come to our attention—and everyone else's. How might we best deal with a President who gave this country its first genuine experience with executive tyranny.

My good friend, Congressman Ron Dellums, was with you. In the year since your last meeting the same President has been forced from office and the disastrous military adventure in Southeast Asia has finally been abandoned. This summer it is Dellum's turn in the box. As you know, he has been serving on the Select Committee on the CIA, an investigation which is an extension of the Watergate revelations which began in the summer of 1972. We are now into the fourth summer of Watergate.

The activities in the Executive branch which led to my work last summer and Dellum's this summer actually began in 1969, scarcely three months after Richard Nixon assumed office. You recall his allegedly "secret plan" to end the Vietnam war contributed to his election. Because there never was such a plan, a two-front campaign was launched in the White House to hide from the Congress and from the American people the full extent of American military escalation in Southeast Asia.

As the prospect of discovery became imminent, the White House spent ever more time and energy in concealing this deception. The heads of four major intelligence agencies were prevailed upon to undertake illegal surveillance of administration officials, journalists, elected officials and thousands of private citizens. Resources and personnel from the Central Intelligence Agency and the Federal Bureau of Investigation were diverted to spying and disruption and the result was burglary, entrapment, forgery and fraud so unconscionable as to have defied belief. This activity was expanded to engineer Nixon's re-election and was coordinated through the "Plumber's Unit" and the Committee to Re-Elect the President. Massive illegal campaign contributions, amounting to millions of dollars, were extracted from citizens and corporations alike, and even the Internal Revenue Service was plugged into the dirty tricks machinery.

As the revelations began to surface, only a massive cover-up plan could conceal the deceit. Congress and the Judiciary were by turns ignored, deceived and intimidated but the sheer weight of the evidence and the national clamor for Nixon's removal left resignation or impeachment as his only alternatives. Eight months later the Saigon regime collapsed and the war in Vietnam ended. This was seven years after candidate Nixon first proclaimed his secret plan to end the war.

We are in the fourth year of an era of Watergate summers. Watergate involved more than the offenses and crimes of one man and his lieutenants. It revealed pervasive institutional corruption and decay which has led us to the current investigations of illegal activities spanning the executive branch. And what have we learned from these summers of national introspection?

The noted political scientist, Professor Sheldon Wolin of Princeton, warns that before we are wholly numbed by the refrain, "the system has worked," we might raise a few questions. In what sense has the system worked? What system is it that has worked? What system is it that is working when, for the first time, we have a President who has not been elected and who is the hand-picked appointee of the man who was nearly impeached, and who in turn has given us our second non-elected Vice President in less than a year?

The constitutional process of impeachment was, in my judgment, aborted. Lower-level Watergate figures received minor sentences but the big enchilada, John Mitchell, and other former top Nixon lieutenants most assuredly will never see the inside of a prison cell. Nixon himself was unconditionally pardoned without ever owning up to even a single act of wrong-doing. And now we are learning on a daily basis that high crimes, ranging from assassinations to drug trafficking, have been committed by intelligence agencies, supposedly in the interest of national security.

Many believe that events confirm the bankruptcy, corruption and decay of the American system. Understandably, in the aftermath of Vietnam and Watergate, citizens have been turned off by government. It has become fashionable nowadays to argue that what we need is less rather than more government.

The Nixon administration fostered this disillusionment with its deliberate politics of benign neglect. Now the Ford administration offers us the politics of oblivion, really a politics of selective forgetfulness. One day we are told to remember and commemorate our rich past, the old ways and traditional values. The next day we are told to put behind us the horrors of Watergate, to forget the pardon of Richard Nixon, the war in Vietnam and the indiscretions and illegal activities of the CIA and the FBI. We are told to ignore the racism that has, in effect, created a dual society which has conditioned black Americans to think and to react to public issues in a dualistic way. First, how will it affect blacks? And second, how will it affect people generally? The answers to both questions should be, but as we know is not always, the same. And more recently, the Ford administration has even urged us to forget the immediate present—the plight of millions of Americans out of work, without incomes and who are losing hope as each day passes.

The obvious casualty of Watergate was a deceived and manipulated electorate in 1972 and one of the most fraudulent presidential elections in history. The less obvious casualty of Watergate is the lingering insensitivity of a great many Americans and their leaders to, and their escapism from, the problems plaguing the country, and their unwillingness to own up to the obligations of government in providing remedies.

Watergate mesmerized a great many people. It diverted attention away from the corrosive effects of the military-corporate stranglehold on the economy. While the top leadership of our government was attempting to steal our liberties, the war in Vietnam and its interface with corporate interests was draining us of our resources to the tune of $150 billion. Watergate made it easy for the present administration to practice its politics of oblivion, masking the grim realities of the everyday lives of millions of Americans with homilies about traditional virtues and ancient verities.

To those who argue we need less government, I agree we should reduce the bloated military establishment and rein in the CIA and the FBI. I would consider reducing the role of public government if at the same time we curbed the power of private corporate governments. What poses an equally dangerous menace are the few hundred corporations—some of which are bigger and more powerful than most nation-states—that have come to dominate not just the national economy, but the world economy. These transnational entrepeneurs, for whom corporate loyalty transcends any national loyalty, work together to create resource shortages, to push up and administer prices, to drive independent producers out of business and to ensure ever higher corporate profits, without any regard whatsoever for the effects of their activities on the lives of millions of people.

But the question is really not, more versus less government. It is, what type of government is best suited to the promotion of the economic well-being and the liberty of the American people. Let us face it, government is at the center of each of our lives, for better or worse, and either we make it work for our happiness or we become its victims.

I say we have been living too long under "more or less" government, that is to say, irresponsible government. Frankly, I have yet to hear one administration official stand up and say genuinely he cares about ending unemployment, that he thinks unemployment is the most urgent issue facing us, that he sympathizes with the suffering of the 75 million people who will experience unemployment personally or in their immediate families this year.

We see a government that cannot provide jobs for its own people, yet can offer a new way of life to more than 130,000 Vietnamese refugees. A government that denies relief to its own cities and refuses long-term, low-interest housing loans to its own citizens, and yet advances 3 percent interest loans to its adversaries.

A government that can be a short-order cook to the armies of the world—as we were to the Cambodian army in its final days—and yet allow twenty million or more Americans to go hungry each day.

We have all lived too long in a "hit or miss" economy that operates on the insidious principle of the survival of the fittest: the strong will take care of themselves whereas the weak and underprivileged are left to make it anyway they can. In America this principle assumes its most novel form—social welfare for the rich and rugged individualism for the poor.

Those who insist that the fiscal cost of employing all adults able and willing to work is prohibitive should consider the even greater human, social and economic costs of massive, chronic unemployment. These result from an economic orthodoxy the central tenet of which is the necessity of a trade-off between employment and inflation. Yet during the years 1953–1974 the nation forfeited more than $2.6 trillion in gross national products (measured in 1974 dollars). Unemployment cost us nearly $760 billion in government revenues and more than 54 million man-years of work and production lost forever. The toll unemployment has taken on our communities and especially on the spirit of our youth is incalculable. Well over half the total number of black youth cannot find jobs. Some will succeed despite all obstacles because they are gifted. Others will drop out of society through drugs, or try to beat the system through hustling and crime. Tragically, too many will be chewed up by the very system that professes to serve them.

The President's arrogant vetoes of vital social and economic legislation, in effect, constitute a tyranny of a minority and force the Congress to muster the two-thirds majorities needed to override, which he knows it cannot do. If the government is not concerned with creating a full employment economy, then what is it concerned with? Abstract economic principles? Mythical inflationary consequences? Meaningless deficit totals?

We must reject the counsel of men of little faith in this country who are running the economy, who spread democratic illusions while destroying democratic expectations. Who say America must now tighten its belt and slash social programs, that the government has overextended its commitments to the needy. This is saying, in effect, "let the poor take the rap for the blunders of government." Yet the sacred cow of military spending is still being fattened, if not for the kill, then for the elusive glory of American empire.

Unemployment is our domestic Vietnam. Like a war, it creates casualties of all kinds—it maims some, kills others and turns yet others onto drugs and crime.

We need now a federal program that provides jobs to all adults willing and able to work and an adequate guaranteed income to those who are certifiably unable to work. We don't need alibis about how broke this nation of ours is.

Full employment and economic planning legislation such as Augustus Hawkin's "Full Employment Act" is what is required and can form the basis for a new standard of citizenship, an economic Bill of Rights. A full employment policy would also be far and away the best vehicle for giving our young people the renewed sense of worth and of purpose that accompanies work which they so desperately need today. Without economic choice and security, how can any citizen fully exercise his political citizenship? A hungry belly knows no politics.

And so it is not surprising that our government is fast becoming a government by minority rule in form as well as fact—rule by a minority of the wealthy and the powerful. When federal, state and local elections are combined, less than half of the citizens body participates. This state of affairs can only strengthen the already entrenched centers of power in this country—the giant corporations and the national security bureaucracy.

The House of Representatives in June passed the Voting Rights Act of 1975. Those of us who fought for it met stiff resistance. Why? Because any legislation that broadens the base of the American political arena threatens to alter the political agenda which determines what needs and interests are given priority and which are relegated to oblivion. We know too well how the present political agenda places our needs on the back burner or often completely off the stove. Broadening the constituent base of politics also promises to alter the composition of leadership from city halls to the United States Congress—namely, who gets to decide the agenda.

There is to be gleaned, however, from the unending struggle for justice in this country an important rule: namely, the people must apply pressure to get results. The simple truth of the matter is that no government will function adequately without the constant vigilance and keen oversight of its citizens. This applies without exception and without regard to the number of dedicated, conscientious office-holders who may be elected at any given time. If there is to be economic progress and constructive political change there is no way to avoid the necessity of citizens engaging in struggle with their government, even when it is controlled by their party or pretends to be in general sympathy with their philosophy. Frederick Douglass captured for all time the meaning of this:

"If there is no struggle, there is no progress. Those who profess to favor freedom and yet depreciate agitation are men who want crops without plowing the ground. They want the rain without thunder and lightning. They want the ocean without the roar of its many waters. This struggle may be a moral one; or it may be a physical one; or it may be both moral and physical; but it must be a struggle. Power concedes nothing without a demand. It never did and never will."

The labor movement learned this in the early decades of this century as it pressed for collective bargaining. The civil rights movement discovered it even as Dr. Martin Luther King, Jr. emerged as the national spokesman for simple justice and won civil rights and voter rights legislation which had not been enacted for 100 years. The anti-war movement once more reconfirmed the importance of citizen pressure and generated massive public opposition to bring the war to an end and a President not to seek re-election. None of these struggles have been won conclusively but considerable and significant gains have been made and will continue to be made.

What can black lawyers do? What is our responsibility? Is it merely advocacy on one side or the other within the framework of existing law? Or does our responsibility also mean to advance the cause of social justice and to shape law for the benefit of, and make real the Constitution to, the humblest of our citizens? We as lawyers have this larger task as citizens and advocates and can impact powerfully upon government. If we choose to, we can be prime catalysts of social, political and legal change.

Example: the Honorable George Crockett, Jr., judge of the Detroit Records Court who has dared to uphold the rights of each and every person who comes before him, oftentimes under heavy fire from those who cannot forgive him for upsetting the established legal arrangements for meting out justice to the poor. Judge Crockett has established himself as a foremost authority on constitutional and criminal law. And from the bench and from the dais he does not hesitate to confront the reality in which we find ourselves. "To deny that racism exists throughout our judicial system," he has stated, "is to be oblivious to the most fundamental truths about 20th century America. There is no equal justice for black people today; there never has been. To our everlasting shame, the quality of justice in America has always been and is now directly related to the color of one's skin as well as to the size of one's pocketbook."

Example: Haywood Burns, formerly the director of the National Conference of Black Lawyers and Professor of Law at the State University of New York at Buffalo. Since the Attica rebellion in September 1971 he has devoted his professional life in leading the team of defense lawyers in the complex series of trials that the State of New York has embarked upon. He has demonstrated his skill and endurance in a way that makes us all very proud.

Example: My legal colleagues in the Congressional Black Caucus who serve with such distinction: Yvonne Brathwaite Burke of California; Barbara Jordan of Texas; Charles Rangel of New York; Robert Nix of Pennsylvania and Louis Stokes of Ohio. And in the United States Senate, the former Attorney General of the State of Massachusetts, Edward Brooke.

As we approach the eve of America's Bicentennial, we must feel ourselves in a state of dissonance. Our ears resonate with the incantation of the glowing promises of the Constitution. But our eyes perceive the stark reality of the disillusionment of our young, the impoverishment of so many of our working people and the glaring neglect by our government of its own citizens.

There can be no liberty without choice and when you can't find a job you have no choice. There is no justice when a kid steals to survive and is sent to prison, while corporate executives who bribe are merely slapped on the wrist. There can be no domestic tranquility in a society in which racism is so deeply engrained, in which the powerless must battle with the privileged and narcotics sap the hearts and minds of the young.

This country was the first to announce in the Declaration of Independence that governments derive their just powers from consent of the governed. Yet it was one of the last to achieve universal adult suffrage for its citizens through the Voting Rights Act of 1965 which now requires extension. It has the smallest percentage of voters in national elections of any industrial country in the world. It was the first to declare that "life, liberty and the pursuit of happiness" were the natural prerogatives of mankind, and yet this government is one of the few which still refuses to ratify the international agreement against genocide.

And so, at the end of two centuries, the relevance of our institutions must continue to be questioned and the actions of our government to be challenged, both from within and outside government, in the universal struggle for constructive change. And yet the leaders of this government give little indication of understanding, much less sympathizing with, the American and worldwide impetus for social and economic progress.

This is an unconscionable state of affairs for the oldest so-called democracy in the world on the occasion of its 200th anniversary.

But I will not give up or become cynical. It just is not in my nature. I am a believer, a worker, a fighter. There has been progress but much too slow for my tastes. I hold to the view, and all the evidence that has been brought to my attention is corroborative: that black women and men throughout this long struggle have demonstrated a vitality and ingenuity of such intensity that their unrelenting determination to make this country become what it says it is, but never has been, will ultimately prevail. It is my faith in these propositions that sustains me in my public life.

And finally I could not accept this honor tonight if I did not say that your award has not been given just to a black legislator but to one who still dares to dream in an age when dreams are so difficult to fulfill. Armed with vision and courage, we can turn this country of ours along the path of hope, not despair, well-being, not gnawing insecurity humanism, not racism, freedom, not submission. If each of us assumes responsibility for our common future, if all of us band together to reclaim our national and Constitutional rights as free and economically-independent people. And in doing this we shall have redeemed the promise of the Constitution and restored sanity, compassion and responsibility to our public life.

JAPANESE AMERICANS

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. MATSUNAGA. Mr. Speaker, a new group of Asian immigrants, the Vietnamese war refugees, are presently attempting to settle and assimilate themselves into our country. Because I find it particularly apt, I would like to draw to the attention of my colleagues a recent Parade magazine article by Mr. David Ushio, the National Director of the Japanese American Citizens League (JACL). In his article, Mr. Ushio discusses the problems of racial bigotry another group of Asian Americans, the Japanese Americans, has had to face in the past and continues to deal with in the present. I hope that Mr. Ushio's article will cause us to reflect on this problem and in that way play a part in lessening the racial intolerance the Vietnamese refugees may encounter.

Mr. Ushio also recognizes the vigorous and important role of the JACL in combatting the racial bigotry that has been directed against Japanese Americans and other Asian Americans. I hope that the Vietnamese refugees will be able to organize and receive aid from a similarlarly minded group. But it may be more optimistic to hope that the Vietnamese will be more easily assimilated into our society and thus have no need for a parallel organization.

At this point I include the text of the article:

JAPANESE-AMERICANS SAY "WE ARE AMERICANS, TOO"

(By David Ushio)

SAN FRANCISCO, CALIF.—I have been following with intense interest the news accounts of the Vietnamese ware refugees who have come to the United States and are struggling to establish themselves in American society.

I don't envy them, because I, too, know what difficulty a person of Oriental descent faces in trying to integrate himself into American life—even when he happens to be an American himself.

I happen to be such an American—born and raised in Salt Lake City by parents who also were born here. I attended public schools, watched Dizzy Dean and the "Game of the Week" on television, listend to the Limeliters and the Kingston Trio. Yet recently, after I made a speech to 300 people in a large Midwestern city, people came up to me and asked me where I'd learned to speak English so well. To them, because I'm a Japanese-American, I'm somehow foreign, suspicious, and not really a citizen of this land.

A CONGRESSMAN'S VIEW

Almost all Japanese-Americans can relate incidents of some well-meaning person asking how they like it in "our" country. Even our leaders aren't immune. I once talked for over an hour with a Midwest Congressman about civil rights legislation. I explained why it was important to Japanese-Americans because of our personal history and the tragedy of the internment camps in the 1940's. The Congressman's final words were: "Young man, if you can guarantee to me that your country will not bomb Pearl Harbor again, then I'll vote for your bill."

John J. Wilson, the Watergate lawyer for Robert Haldeman and John Ehrlichman, was heard over public television to refer to Sen. Daniel Inouye of Hawaii as a "little Jap." Since the Senator had lost his arm in defense of America in World War II, Wilson's attempt to justify the racial slur was even worse. Wilson said he wouldn't feel bad if someone called him a little American.

FEEL STRONG TIES

Few groups of U.S. citizens have been so closely associated with a foreign country as the Japanese-Americans are with Japan. As U.S. and Japanese relations go, so go the fortunes of these citizens. During World War II, this ethnic group suffered its worst humiliation. On Feb. 19, 1942, Executive Order 9066 directed that 110,000 Japanese Americans be removed to 10 inland relocation camps because it was feared they might attempt sabotage.

Germans and Italians were also enemies in World War II. However, these immigrants and their children were not interned or removed from "strategic" locations. Even a great civil libertarian like Earl Warren, then Attorney General of California, said in 1942: "We believe that when we are dealing with the Caucasian race we have methods that will test the loyalty of them, and we believe that we can, in dealing with the Germans and the Italians, arrive at some fairly sound conclusions because of our knowledge of the way they live in the community and have lived for many years. But when we deal with the Japanese we are in an entirely different field and we cannot form any opinion that we believe to be sound."

After the war a period of friendly relations began for the U.S. and Japan, Japanese-Americans profited from this. They put their education to work, worked extra hours and extra hard, sacrificed, and basically realized the American Dream. They "made it" economically. Edwin O. Reischauer, Harvard professor and former ambassador to Japan, calls the history of the second-generation Japanese-Americans the "Horatio Alger tale on an ethnic scale."

RACIAL STEREOTYPE

Their success story created a new problem. Many Japanese-Americans were pressured by being part of a model minority. The social cliché that all Asians are industrious, thrifty, self-sufficient, victimize the individual. Much more was expected of a Japanese-American because of this racial stereotype. When he produced only average work, he and others felt he had failed.

Growing economic competition between Japan and the U.S. and concern over environmental problems have caused new problems between Japan and the U.S. and, therefore, between Japanese-Americans and their fellow citizens.

Japanese have been investing recently in U.S. hotels and real estate. This has caused fear in some of a second economic "Pearl Harbor." What Americans fail to realize is that Canada and European ("white") countries have much larger investments in the U.S. than Japan.

In 1972, when the Japanese American Citizens League (JACL) held its national convention in Washington, D.C., Congressman Spark M. Matsunaga of Hawaii took 300 delegates on a tour of the city. They ran into a demonstration against foreign imports sponsored by one of the electrical unions. The union members looked at the Japanese-Americans and saw them as "Japs" from Japan who were taking away their jobs and displacing American electronic products with their low price exports.

EPITHETS ON HOMES

Racial epithets have been scrawled on Japanese-American homes. This past year in California, a Japanese-American politician was called home in the middle of the campaign because police had found "Go back to Japan!" and "Dirty Jap" painted on his home. Although this highly respected public official was reelected, the incident shows that when people get intense, they often look at a person in a stereotypic manner.

Certain environmental groups are campaigning to save the whales, a campaign that Japanese-Americans support. The JACL has been on record with the State Department and the Japanese government in support of a 10-year moratorium on harvesting whales. The environmental movement has called for a boycott of Japanese imports because that nation continues to have a large whaling industry.

Often schoolchildren are so sympathetic to the Save the Whale movement that they take out their feelings on the first thing that appears Japanese. My own 3-year-old daughter was at a playground when a little girl came up and said, "You're bad." My daughter asked, "Why am I bad?" The child replied, "Because you kill whales."

The half million Americans of Japanese ancestry do not want to be misidentified. America is the country of their birth and citizenship and Japan is the country of their ancestral heritage. Japanese-Americans are concerned that those two countries remain friendly. On the one hand they want to make certain there is a distinction made between Japanese-Americans and Japan and on the other hand they are very proud of their Japanese cultural heritage. It is troubling that the public at large too often fails to make this distinction.

The Japanese American Citizens League seeks to explain and solve these problems. A grassroots civil rights organization, JACL was organized in 1930 for Japanese-Americans to help each other. It now works through education and public service for civil rights of all minorities. In the 96 chapters throughout the country the 30,000 members are encouraged to participate in and serve the greater community.

HOME AND HERITAGE

Interestingly, many of the values brought to the United States from Japan by the immigrants corresponded very closely to the the strength of education, value on religion, Protestant ethic: value on family, value of value on hard work. The Japanese culture encouraged many of the same things that had produced success in this country for a long time.

The Vietnamese who have come here also have a contribution to make to American society. Instead of fearing that they will take "our" jobs and weaken "our" culture—racist cries that have been raised against Orientals for generations—we should give them the chance to make good without prejudice or discrimination.

THE 17TH OBSERVANCE OF CAPTIVE NATIONS WEEK

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. FLOOD. Mr. Speaker, by all evidence the 17th observance of Captive Nations Week was a huge success. The President issued his proclamation well in advance of the week, Governors of most major States and mayors of our largest cities proclaimed the week, and citizens in all sections of the country participated in this important annual observance via newspaper editorials, radio commentaries, religious services, rallies and parades. Significantly, the week served as an excellent and timely stage for the nationwide discussion about Solzhenitsyn, détente, and the meaning of morality in our foreign policy, particularly as concerns the Soviet Union and the majority of captive nations within its borders.

The leadership shown by Congress in the observance augurs well for our future. The massive reality of the captive nations cannot be ignored if we truly believe in basic principles of national independence and self-determination, in human rights, in the fundamental insecurity the captive nations in toto represent to the Communist imperialists and totalitarians, and in the security of our own Nation and the free world. Captive Nations Week expressed this and more.

As compiled by the National Captive Nations Committee, the following examples of the week's activities merit the reading of our Members and citizenry:

First. Proclamation by Gov. George C. Wallace of Alabama.

Second. The proclamations of Mayor Frank L. Rizzo of Philadelphia, Mayor Stephen P. Clark of Metropolitan Dade County, Fla., and Mayor Edward Zorinsky of Omaha, Nebr.

Third. A release by Fred Schlafly, president of the American Council for World Freedom.

Fourth. An editorial "Captive Nations Week: in America of Philadelphia.

Fifth. A report on the New York observance in Svoboda.

The material follows:

PROCLAMATION BY THE GOVERNOR, STATE OF ALABAMA

Whereas, the imperialistic politics of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Byelorussia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, Cambodia, South Vietnam and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as the leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayer, ceremonies and activities; expressing their sympathy with and support for the just aspirations of captive peoples:

Now, therefore, I, George C. Wallace, Governor of the State of Alabama, do hereby proclaim the week of July 13–19, 1975, as Captive Nations Week in Alabama.

PROCLAMATION, CITY OF PHILADELPHIA

Whereas the principles of self-government and human freedom proclaimed in Philadelphia in 1776 are universal ideals and the common heritage of all mankind; and

Whereas Philadelphia is linked to the Captive Nations of the world through bonds of family, since among the people of Philadelphia are hundreds of thousands of citizens whose ancestral homes have been subjugated by totalitarian rule; and

Whereas the people of this city, in common with all people of the United States, want for the people of the Captive Nations the same freedom and justice which is theirs:

Now, therefore, I, Frank L. Rizzo, Mayor of the City of Philadelphia, do hereby proclaim July 13–19, 1975 as Captive Nations Week in Philadelphia, and do urge all citizens to join in support of the just aspirations for freedom and national independence of the people of the Captive Nations of the world.

CAPTIVE NATIONS WEEK IN METROPOLITAN DADE COUNTY, 1975

(By the mayor of Metropolitan Dade County, Fla.)

A proclamation:

Whereas: Russian Communist imperialistic politics have led, through direct and indirect aggression, to the oppressive subjugation and enslavement of the peoples of many captive nations with South Vietnam, Cambodia and Laos as the latest, and

Whereas: The fervent desire for liberty and independence by the overwhelming majority of some one billion people in these conquered nations constitutes a powerful deterrent to the war-like ambitions of Communist leaders, and

Whereas: The freedom loving peoples of the captive nations see the United States as the citadel of human freedom and a leader in working for their freedom and independence, and

Whereas: The U.S. Congress, by unanimous vote, passed Public Law 86–90 establishing the third week in July each year as Captive Nations Week;

Now, therefore: Be it resolved that I, Stephen P. Clark, mayor of Metropolitan Dade County, Florida, do hereby proclaim the week beginning Sunday, July 13, 1975, as Captive Nations Week.

In observance thereof: I call upon the people of Metropolitan Dade County to join with me and the dedicated members of the National Captive Nations Committee, Inc. in their program of appropriate prayer, ceremonies and activities expressing sympathy with and support for the just aspirations of captive peoples all over the world.

PROCLAMATION

Whereas, the imperialistic politics of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Luthuania, Ukraine, Czechoslovakia, Latvia, Estonia, Byelorussia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia, Slovenia, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, Cambodia, South Vietnam and others; and

Whereas, the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas, the freedom loving peoples of the captive nations look to the United States as the citadel of human freedom and to the people of the United States as the leaders in bringing about their freedom and independence; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 86–90 established the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayer, ceremonies and activities; expressing their sympathy with and support for the just aspirations of capitive peoples.

Now, therefore, I Edward Zorinsky, Mayor of the City of Omaha, do hereby proclaim the week of July 13–19, 1975, as Captive Nations Week in Omaha, and call upon the citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed subjugated peoples all over the world.

JULY 7, 1975.

AMERICAN COUNCIL FOR WORLD FREEDOM

To: Members, American Council for World Freedom.
From: Fred Schlafly, President.
Re Captive Nations Week, July 13–19.

This coming July 13–19 marks the 17th observance of Captive Nations Week. Unhappily since last year, three nations have been added—South Vietnam, Cambodia and Laos—bringing the total to 26 nations captured by Soviet and Chinese communism.

Prof. Lev Dobriansky, chairman of the National Captive Nations Committee and ACWF member, is again leading the national campaign which will include Congressional speeches, state and local proclamations, rallies, marches, dinners and other activities calling the attention of Americans to this most important week. The week is authorized by Public Law 86–90 passed by the U.S. Congress and approved by Pres. Dwight Eisenhower in 1959.

I urge you and your organization to cooperate to the fullest extent possible in this year's Captive Nations Week. I enclose a copy of Prof. Dobriansky's letter to Members of Congress as well as a communication from Dr. Ku Cheng-kang, honorary chairman of the World Anti-Communist League, suggesting possible pro-freedom and anti-communist programs.

As dark as the present situation seems to be, I believe we must heed the eloquent address of Aleksandr Solzhenitsyn here in the Nation's Capital earlier this week. He spoke of the two processes going on in the world—one of concession and the other liberation—and called on the U.S. to resist concession and détente and encourage liberation.

As is well stated in the Captive Nations Law:

"It is vital to the national security of the United States that the desire for liberty and independence on the part of peoples of these conquered nations should be steadfastly kept alive; and

"The desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace."

The week of July 13–19, 1975, will be the 17th consecutive observance of "Captive Nations Week" in the United States. On July 17, 1959, the United States Congress enacted the "Captive Nations Week Resolution" which, upon signature by President Dwight D. Eisenhower, became Public Law 86–90. Each year the "Week" the President of the United States issues a special Presidential Proclamation, urging the American people to rededicate themselves to the cause of universal freedom and the liberation of all captive nations. The Resolution enumerated 22 captive nations of Europe and Asia, including Ukraine.

This year's observance of the "Week" will be held in the aftermath of the Communist conquest of South Vietnam and Cambodia. Hence, the roster of the captive nations has been increased by two new captive lands. Laos, too, may soon join that long list of enslaved.

Soviet Russian diplomacy, triumphant and arrogant as even, is doing everything possible to take advantage of general confusion and loss of U.S. prestige and influence in the world.

Leonid Breshnev, is busier than ever in preparing for a 35-nation East-West summit "Conference on Security and Cooperation in Europe," which he wants to start on July 22, 1975. President Ford had been thinking in terms of July 28, 1975.

Whatever the date, it would still be of far greater importance to the USSR than to the U.S., which has little to gain and possibly a very great deal to lose.

The overall purposes of the summit meeting—sought by the Kremlin for two decades—is to ratify a new European security pact that for all practical purposes would put a stamp of approval on all Soviet Russian territorial conquest in East and Central Europe.

Moreover, this action would confer formal recognition on the Soviet Union's absorption of Estonia, Latvia and Lithuania, and all the captive nations, for which the U.S. Congress expressed great solicitude in the "Captive Nations Week Resolution."

In addition, the Communists want the "Europeans to renounce the use of force or threats of force and settle disputes by peaceful means . . ." Also, following the signing of the security pact, the Communists would insist on "withdrawal of foreign troops . . . liquidation of foreign military bases, establishment of denuclearized zones in Central Europe, the Balkins, the Danubian countries, the Mediterranean area and Northern Europe. . . ."

Nothing is mentioned, of course, about the vast Soviet forces in Central and Eastern Europe, or of the Communist agitation in Portugal, or the Kremlin's importance contributions, military and economic, to the conquest of South Vietnam and Cambodia by the Communists.

The signing of the European security pack would be a great victory in a drive for the Sovietization of Europe and the formal nail on the coffin of the captive nations.

VITAL IMPORTANCE OF THE "WEEK"

In view of this increased Communist drive to communize Europe the observances of this year's "Captive Nations Week" assume especial significance.

Therefore, the Ukrainian communities, which have always spearheaded these observances, must exert their maximum efforts to make them more meaningful than ever. In every community the UCCA Branches must be alert and articulate. They should engage as many American and ethnic organizations in these observances as possible. They should approach the offices of local newspapers, TV and radio stations, and supply them with the necessary information on the significance of the captive nations. One important document is Prof. Lev E. Dobriansky's Congressional reprint, "The Despairing West and the Confident East," which appears in the Summer 1975 issue of "The Ukrainian Quarterly," and which summarizes the grave threat to the U.S. and the free world from the USSR.

Above all, we must impress upon our fellow American citizens that our prestige as a great, freedom-loving nation and the leader of the free world will be considerably enhanced if the U.S. Congress and the American people as a whole would stand firm in defense of the captive nations, which are our true allies in the world today.

OBSERVE CN WEEK IN NEW YORK

(By Andrij Priatka)

NEW YORK, N.Y.—The 17th annual captive nations week commemoration got off to a start amid torrential downpours and monsoon type weather here. The program started Sunday, July 13, at 9:30 a.m. with a procession down Fifth Avenue from 59th Street to St. Patrick's Cathedral. Despite the dismal weather there was a turnout of about 1,000 people from the metropolitan New York area, representing nations held captive under Communist regimes, many of them in their ethnic costumes.

A Divine Liturgy was celebrated at St. Patrick's at the outset of the day's program. The celebrant was Rev. Mladen Cuvalo, a Croatian American. Assisting him were Rev. Raymond J. DeJaeger, a priest known for his many years of missionary work in the Far East, and Rev. F. Iglicki, from Cracow, Poland now a student at Columbia University. The sermon was delivered by Msgr. John Balkunas, a Lithuanian American.

Rev. Balkunas stressed the absence of religious freedom in Communist occupied countries, listing statistical data on the number of priests and faithful arrested and executed by the Communists.

He said that "we must not forget the nations who are still struggling under the yoke of Communist slavery and we must help those who cannot help themselves in the struggle for religious and national freedom."

He called on the Holy See to place the plight of the captive nations high on its agenda and to use its influence to the fullest in order to gain relief for these peoples from religious persecution.

After the Liturgy the organizers of the observances decided to call off the program scheduled for the afternoon at Central Park due to the persistently heavy rainfall.

On Tuesday, July 15, Angier Biddle Duke, commissioner of public events, presented Judge Troy with Mayor Abraham Beame's Captive Nations Week Proclamation.

Mr. Duke said in his brief address to the representatives of the Captive Nations gathered in the City Hall's Blue Room that the city administration has always sympathized with the causes of all the inhabitants of New York, including freedom and justice for nations of the world.

Among the delegates present were: Dr. Ivan Docheff and Michael Shpontak, American Friends of the Anti-Bolshevik Bloc of Nations; Ivan Bazarko, executive director of the UCCA; Dr. Walter Dushnyck, editor of "The Ukrainian Quarterly"; Atty. John O. Flis and Dr. Wasyl Weresh, local UCCA branch; Kornel Wasylyk, SUMA; Dr. Ivan Kozak, Ukrainian Veterans; and a representative of the Assembly of Captive European Nations.

HAWAII'S KAMEHAMEHA WINS GOLD MEDAL AT MEXICO MUSIC FESTIVAL

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. MATSUNAGA. Mr. Speaker, visitors to my State retain memories of the lyrical music of our islands. Music has been a long-standing cultural tradition that is still being kept alive today in Hawaii. Now, the Kamehameha Schools' Boys Concert Glee Club has demonstrated to the people of Mexico the musical talent Hawaiians are famous for. It is with great pride that I announce that the Kamehameha Schools Boys Concert Glee Club has been awarded a gold medal for its performance at the Mexico Music Festival.

The news release of the event follows:

THE KAMEHAMEHA SCHOOLS BOYS CONCERT GLEE CLUB WAS AWARDED A GOLD MEDAL AT MEXICO FESTIVAL

The Kamehameha Schools Boys Concert Glee Club was awarded a gold medal for its performance at the Fiesta Musical Mexicana held in Oaxtepec, Mexico, June 23–29. It was the only group to receive four "outstanding" ratings from the adjudication panel. Seven other music groups representing schools, colleges, and churches from across the United States also participated in the event. The 41-member group sang four selections for the event. They were: "O Filii et Filiae" by Leisring-Davison, "A Canticle of Commemoration" by Lloyd Pfautsch, "My Horn Shall Weight A Willow-Bough" (Op. 41, No. 1) by Johannes Brahms, and "Hole Waimea" by Leleiohoku. These selections were judged by various musicians including Allen Ross and George Krueger, School of Music at the University of Indiana; James Fischer, University of Maryland; and Ramion Noble, Cultural Center of Mexico City.

Fiesta Musical Mexicana is only one of the worldwide music events sponsored by International Festivals, Inc. and Performing Arts Abroad, Inc. Other festivals are held annually in Italy, Bermuda, the Bahamas, Japan, Switzerland, England, Ireland, and areas of the United States—including Hawaii. Each festival combines travel, musical performance, cultural exchange, and sightseeing. Amateur music groups interested in participating in a festival audition by tape since certain musical standards must be met before a group is accepted.

In addition to the performances at Fiesta Musical Mexicana, the Boys Concert Glee Club presented concerts in Vancouver, British Colombia, and several cities in Mexico. They will also travel to California where they will perform nine concerts.

Boys on tour are: Rodney Awong, Karl Baker, George Bartels, Dante Carpenter, Patrick Choy, Thomas Chun, Mark Cluney, Nolan Crabbe, Stuart Domingo, Dean Ernst, Wendall Fong, Rockwell Fukino, Kent Haina, Edward Hanobano, Keith Holderbaum, Roland Huddy, Kimo Jenkins, Alfred Kaai, Samuel Kaauwai, John Kahaialii, Frank Fahala, Ellsworth Kalalau, Richard Kamanu, Philip Kamoku, Daryl Kauleinamoku, Earle Kealoha, Charles Keoho, Tim Lino, Paul Luckey, Kevin NeSmith, Kyle Paishon, Keith Purdy, Mark Quindica, Samuel Sheldon, Isaac Smith, Philip Swain, Joseph Uahinui, Kaihehau Uahinui, Newell Woodward, Glenn Yim, and Jonathan Zane. They are accompanied by Jack Darvill, President of The Kamehameha Schools, James Harpstrite, Principal of the High School Division, and Dale Nobel, Director of the Boys Concert Glee Club.

U.S. RACISM EXPORTED TO SOUTH AFRICA

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. STOKES. Mr. Speaker, I would like to call to the attention of my colleagues the following article from the Boston Globe of July 22, 1975, by the distinguished Congressman from Missouri, William L. Clay.

His speech was on a subject of importance to our Nation and as such I commend this article to my colleagues:

U.S. Racism Exported to South Africa

(By William L. Clay)

Nowhere in the world is American racism more starkly revealed than in South Africa, where 18 million blacks are ruled at literal gunpoint by fewer than five million whites.

Human suffering is nothing short of a way of life. The blacks, who comprise over three-fourths of the population, are allocated but 13 percent of the land mass. Blacks are denied the right to vote, to travel freely, to own weapons, to own land, to assemble in groups of 10 without permission and to use public facilities other than those marked, colored or Bantu.

To the white minority responsible, the United States has responded with a quality of indulgence befitting a big brother who approves his younger sibling's basic outlook but only wishes, ever so mildly, that he would polish his style. To what other conclusion could we be led by the more than $1 billion in US private investment, full and comfortable diplomatic relations and US support for South Africa (one must count abstentions and feckless criticism as support) on the floor of the United Nations?

One finds heavy involvement by US corporations on every level of corporate interest. More than 300 US corporations operate without qualm or doubt in pursuit of the highest corporate objective—to make a buck at any social cost.

Clearly, some American companies are more prominently involved than others. Many merely gobble up profits and run, providing South Africa with the foreign exchange it finds essential to remain stable. Others, like Polaroid and IBM, participate more directly in making apartheid work on a day to day basis.

Those notorious pass books, the badges of slavery that all Africans are required to carry and present to whites upon demand, are produced through the government's purchase and use of Polaroid's ID–2 system. The famous 60-second picture has enabled the government to keep every African on a tether.

Perhaps of greater value to the policy enforcers in Pretoria is the contribution of IBM, a company whose local subsidiary now controls over 50 percent of the computer industry in South Africa.

Approximating South Africa in rights denied is Rhodesia. There is, however, an important distinction: the South African regime is stable; Rhodesia's is tottering. We have had a role in retarding the birth of freedom there, too. We saw fit to violate international law with the importation of Rhodesian chrome.

But a bad seed invariably gives a bitter harvest. When last month the Peoples Republic of Mozambique, the former Portuguese colony that borders South Africa, celebrated its independence, the United States was pointedly not invited to send a delegation. Said Rep. Charles C. Diggs, who was invited personally by the new government, "The exclusion of the United States from an invitation to this affair did not have to happen, had the United States followed a policy of more than lip service to the independence movements in Africa."

A SOVIET DAY OF SHAME

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. STRATTON. Mr. Speaker, liberty is a subject about which we all, as Americans, feel very strongly. As we approach our Bicentennial year our awareness of the "blessings of liberty" described in the preamble of the Constitution must certainly be heightened, and we must feel sympathy for the citizens of countries whose liberty has been suppressed by external military force.

One such country is Czechoslovakia. On August 21, the seventh anniversary of the Soviet invasion of that country will pass, and the Czechs and Slovacks whose reform-minded government was crushed by the Red army in 1968 will have little to celebrate. Their hopes for new freedom under Alexander Dubcek disappeared as the Russian tanks thundered across the border 7 years ago.

On January 5, 1968, Dubcek replaced Antonin Novotny, the last of the repressive die-hard Stalinist leaders of Eastern Europe, and immediately launched a program of social reform that promised a brighter future for the people of Czechoslovakia. Dubcek lifted the Novotny-imposed censorship, instituted rehabilitation proceedings for those unjustly treated by his predecessor, and made peace with the church. Although the new leader maintained the primacy of the country's communist party, he tolerated dissent. The unity of the people of Czechoslovakia behind their leader and the inevitable bad feelings which would be generated by any suppressive action put the Russians in a difficult diplomatic position. They did not like it, but in late July the Soviet leaders in Moscow seemingly acknowledged Dubcek's "separate road to socialism." It appeared as though freedom had found its niche behind the iron curtain. Such was not the case, however.

The Russians quickly reversed themselves, and invaded Czechoslovakia with the help of several Warsaw Pact allies during the night of August 20. Their action was condemned by everyone, by free world and communist countries alike. The invasion was clear evidence that the Soviet Union would not tolerate deviation from its brand of communism or any exercise of freedom in an allied country. This was a blow to the freedom loving people of the world, especially those in Czechoslovakia.

The actions of the Russians on that "Soviet Day of Shame" were not unlike those of the king of England in the early 1770's. As Americans, we must continue to stand up for Czechoslovakian freedom and self-determination and continue to look forward to the day of their deliverance.

SOCIALIZED MEDICAL SYSTEMS ARE NEAR COLLAPSE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CRANE. Mr. Speaker, no American who carefully reviewed the status of health care in those societies which have embarked upon a program of socialized medicine would argue that our private practice system of medical care should be changed.

There are some who urge a system of nationalized medicine for the United States. They tell us that the results of socialized medicine in countries such as England and Sweden have proven these systems to be better than our own.

After reviewing the data about these systems in some detail, I find it difficult to believe that those who would substitute such systems for our own have looked carefully at them.

Recently, more than 200 doctors from London's St. Thomas Hospital predicted in a letter to The Times of London that the National Health Service will collapse "in the near future unless the community pays more for its health care." They declared that:

> Inadequate financing of the NHS is leading to a state of crisis . . . We believe that the collapse of the NHS would be a national catastrophe.

At the same time, the London Daily Mirror published a grim report of deteriorating standards in state hospitals and mounting despair among demoralized doctors and nurses.

In a similar vein, Dr. Sigmund Lofstead, a Swedish doctor who recently immigrated to the United States, discusses the medical system he left. He notes that:

> The experience is saddening; the quality of health care, generally, has not been effected positively. A governmental and bureaucratic superstructure has created incredible waiting lines for specialty care. It is not unusual to wait a year or more for a cataract operation. Primary care is not what a U.S. citizen would find acceptable.

Those who hail the socialized systems of England and Sweden would do well to study these systems more carefully before deciding to impose such nationalization upon our own country.

I wish to share with my colleagues the article, "Health Service in Britain Near Collapse," as it appeared in the Charleston News and Courier of July 8, 1975, and the letter, "Experience From Sweden," as it appeared in the Journal of the American Medical Association of June 30, 1975, and insert them into The RECORD at this time.

HEALTH SERVICE IN BRITAIN NEAR COLLAPSE

LONDON.—Britain's state-run National Health Service (NHS) once vaunted as the world's best socialized medicare system, is near collapse and only a massive cash transfusion can save it, doctors claimed Monday.

But Prime Minister Harold Wilson's Labor government, battling the country's gravest economic crisis since World War II, said there is no money to spare.

More than 200 doctors from London's St. Thomas' Hospital, one of the city's biggest health centers, predicted in a letter to the Times of London that the NHS will collapse "in the near future unless the community pays more for its health care."

They said "inadequate financing of the NHS is leading to a state of crisis . . . We believe that the collapse of the NHS would be a national catastrophe."

The Daily Mirror published a grim report of deteriorating standards in state hospitals and mounting despair among demoralized doctors and nurses.

The newspaper, reporting on an investigation it made into the NHS, declared: "We regret to announce that the National Health Service is gravely ill."

It cited, among other examples of decline, the case of a hospital near London that cannot run a new operating theater because it has no money to pay specialized nurses.

The paper concluded: "Worst of all is the problem of morale. Doctors and nurses . . . feel pretty sick themselves when they see it falling apart."

The NHS was founded in 1948 as the embodiment of the Socialist ideal of free medicare for rich and poor. It is basically free for everyone and provides virtually every conceivable kind of treatment.

But it has been lurching deeper into financial trouble for years. Eighty-five per cent of its money comes from general taxation, but successive governments have been reluctant to impose higher taxes to bail it out.

Dwindling resources, worsened by 25 per cent inflation and big pay hikes for NHS employes, plux complex political pressures, bureaucratic chaos and mounting demands on its services, have plunged the state system into more turmoil.

The British Medical Association (BMA) which represents 25,000 doctors, launched its annual week-long congress Monday with a renewed campaign to persuade the government that it must find the badly needed cash to save the NHS.

"We need everything we have now just to hold ourselves together," BMA Chairman Walpole Lewin declared.

Social Services Secretary Barbara Castle told the BMA in a letter released Monday that the government last year put an extra $1.32 billion into the NHS to keep it going after the BMA demanded more funds for the service.

But much of that money was swallowed up in pay raises for doctors, nurses and other NHS groups. With inflation making the money shortage even more critical, health economists estimate at least $1.98 billion is urgently needed for the NHS.

EXPERIENCE FROM SWEDEN

To the Editor:—As a newly immigrated Swedish general practitioner in this country, I am both amused and saddened to observe the intense and sometimes inflamed debate over issues like National Health Insurance and socialization of medicine in the United States. There are virtually no pros and cons in the arguments that I did not hear over and over again as a part of the struggle that preceded the Swedish reform. Now, after a few years of testing the Swedish experiment, it is striking to see the negative effects that neither the advocates nor the opponents of government take-over were able to foresee.

Summing up, the experience is saddening: the quality of health care, generally, has not been affected positively. A governmental and bureaucratic superstructure has created incredible waiting lines for specialty care (heavily centralized). It is not unusual to wait a year or more for a cataract operation. Primary care is not what a US citizen would find acceptable: chances are that in trying to reach a physician in an emergency, you may find yourself listening to a taped message referring you to a distant hospital switchboard, where a registered nurse whose job is to screen calls will suggest you take an aspirin and see your doctor tomorrow. If in desperation you go to the emergency room and are admitted, you will be taken care of by a young physician-in-training, whom you have never seen before and who is responsible for up to 20 other patients on the floor during the day. Your own doctor won't see you during your whole stay, and bedside conversation with your hospital doctor is kept to a minimum. After all, the doctor sees you as one of the patients on his ward, not as one of his own patients, a point of distinction and a characteristic feature of Swedish assembly line medicine.

The administrators, being the executive branch of the medico-political system, obey their commandment to save money by closing down hospitals on a large scale, creating greater and greater distances between people and their hospitals. The suggestions and attempts to cut the cost of medical care, which must be paid by the working people, have yielded negligible results.

Doctors are salaried employees with fixed working hours, having to negotiate every aspect of their work. The former "Provincial Medical Officers," often grossing $30,000 a year, were, by governmental decision renamed "District Medical Officers" and had to see their income drop sharply in addition to a confiscatory tax increase.

This and other parts of the Swedish welfare system have led to a tax of 50% for the average worker, surely the highest in the world. He has very little chance of setting aside any money when the cost of living eats up his check. It seems that many legislators and health care providers are missing the point in the debate over soaring costs of health care. The Swedish example shows that it is not mainly a problem of high doctors' fees, mismanagement of hospitals, or even questionable pharmaceutical practice. It should be noticed, parenthetically, that physicians, working within a socialized system where "the patient doesn't have to pay anyway," have less restraint in prescribing expensive drugs, more pills than necessary, and extensive laboratory and x-ray work-ups. There is also an indisputable tendency to abuse medical services: being able to see a doctor for a minor complaint without economic sacrifice gives one a legitimate reason for taking a few days off a boring job or to recover from a hangover.

Health care is in a crisis. We must face the reality that public demand for medical care is increasing at the same rate as the ever increasing diagnostic and treatment possibilities. This costs money. I am all for some form of general health insurance, cost being shared by employees and employers. But socialized medicine brings no answer and is not the cup of tea for America!

SIGMUND J. LOFSTEAD, MD.,
Swedish Covenant Hospital, Chicago.

TRIBUTE TO MALVINA REYNOLDS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. DELLUMS. Mr. Speaker, today, I am honored with the opportunity to pay tribute before this body to a great individual, Malvina Reynolds, Berkeley singer-songwriter, scholar, businesswoman, and activist. Ms. Reynolds will celebrate her 75th birthday on August 23. She has greatly contributed to the wealth of songs of this country and has reached over four generations of music listeners with her rich and inspiring folk-music.

Malvina Reynolds songs tell a story, in one part documenting the social and cultural changes of America and another part reflecting her vast experience in life as sensitive and socially conscious person. As the representative from Berkeley I am especially proud of Malvina Reynolds, but in all honesty all Berkeleyans recognize that Malvina's real constituency is the world. I want to honor her and to express to her sincere appreciation for all she has done, for all she has given to us and the world.

Malvina Reynolds was born in San Francisco at the turn of the century and received her baccalaureate, master, and doctorate degrees in English from the University of California at Berkeley. Malvina said that at the time she graduated,

> I couldn't get a job. I think it was because of my ideas. Then, you know, there were as many English teachers as flies and the most stupid man would get the job while a brilliant woman wouldn't.

So Malvina worked in a factory, as a telephone operator and did other odd jobs.

During the folk-song revival of the late forties Malvina became involved in the music industry. Malvina says:

> I started to write songs and some people picked 'em up, but they didn't pick up enough of my stuff so I started to sing myself.

But that statement is a bit deceiving since Malvina's songs became presented to the world by musicians such as Peter Seeger, Harry Belafonte, Joan Baez, The Seekers, among others. Since Malvina first began to write and sing, her music audience has continuously spread. She has performed at colleges, festivals, churches, and given concerts throughout the world.

Many of us are familiar with her compositions "Little Boxes," "Morningstown Ride," "What Have They Done To The Rain," "Magic Penny," and other songs which exhibit Malvina's enormous sensitivity to the world around her and her desire to see changes.

Malvina's perspective is not limited to her songs, but is expressed also in her daily activities in the community and the business world. She actively pursues to open up areas in our society historically closed to minorities and women. In terms of her active participation in the world around her Malvina expresses her love for people through her actions, and we in turn love her. I am submitting a newspaper article which explains why we feel Malvina Reynolds is some kind of miracle. The article follows:

[From the Olympia (Wash.) Sunday Olympian, May 4, 1975]

MALVINA REYNOLDS: "SHE'S SOME SORT OF MIRACLE"

(By Joan Valles)

Frankly, after seeing Malvina Reynolds in concert a week ago today, we went to interview her seeking solace.

Not that the 74-year-old folksinger-songwriter's performances are comforting. Her songs tickle with satire and prickle with irony.

But visiting her the day before May Day would dawn in Chi Minh City, we thought this wise woman who'd ridden out the 1906 San Francisco earthquake in a four-poster on casters would have something reassuring to say about the future—like she'd been around three-quarters of a century and was sure life went on despite turns for the worse

In a speaking voice sometimes reminiscent of Ruth Gordon (and other times of Gloria Grahame, if you've the memory for it), Malvina said this:

"These times are terrifying.

"I find the basis of civilization torn apart by people who don't know what the hell they're doing."

Her analogy for the destruction of the human community: big men in bulldozers pushing the topsoil, which took eons to develop, into the river with no understanding of its precious biotic interplay.

Talking over tea in the warm sunshine on a deck overlooking Eld Inlet (the home of Chuck and Sandie Nisbet), she spoke of the human need for community, tradition, language to express it, and work.

"The natural growth situation for the soul of the human being is being destroyed in every single aspect," it says in the 40-page pamphlet, which is sold along with her songbooks and records at the back of the concert hall where she performs.

Who frightens you the most? we asked.

"People with power. People in business on a large scale because even they can't stop it. They have to make more profit every year, and they'll do anything including war or building nuclear power plants—even if it means poisoning thousands of people."

Certainly not comforting, yet Malvina Reynolds doesn't come off depressing or pessimistic either.

"She's anecdotes and antics," said her hostess.

Take one of her best known songs, "Little Boxes" (made of ticky, tacky) about middle class conformity. It makes its point tersely, with understatement, "which is what you learn from the folk tradition," she says.

She writes songs about adults ("The Bloody Neat") and about causes (saving the whales and the Skagit Valley) and for children ("Little Red Hen", "Cheerful Tunes for Lutes and Spoons," one of the songbooks) and about children ("Turn Around—and you're two, turn around and you're four. . .")

But the adults like the children's songs and vice versa. A favorite of her hosts' children is "Rosy Jane—I forgot to take my pill. I guess it was God's will."

Her songs, poignant without pity, witty without sarcasm, angry without whine or cant, have been sung and recorded by Pete Seeger, Joan Baez, Harry Belafonte and other stars. Just about everybody's heard them, but maybe didn't know who wrote 'em.

They're often salted with mild expletives, as is her talk, which she's careful to mind around children, but the language doesn't offend—though the ideas might when they hit too close to home.

She says her voice isn't pretty, and it isn't.

But "pretty" damns with faint praise when it comes to voices, and hers is good to listen to whether it's singing or telling some things about her life.

"I'm a ham. I had an aunt. She was real gutsy. Kinda fat. Lived in Santa Cruz. Had a tough husband with no sentiment. It was around 1904. She was crazy about the theater. When my father wanted her to babysit me, he would give her the money and we'd go to the theater. I would sit there absolutely fascinated. When the curtain started to go up, I'd get this feeling, I still get it even now.

"Later I fell in love with some of my teachers so I decided to be a teacher, and a writer. I wanted to get up in front of people and perform."

So she got her doctorate in English. She had a three-year old daughter. It was during the Depression.

"I couldn't get a job, I think it was because of my ideas." (She was active in the union and her second husband was blacklisted as a worker because of his organizing activities.)

"Then, you know, there were as many English teachers as flies, and the most stupid man would get the job while a brilliant woman wouldn't."

She worked in a factory, as a telephone operator and other things. "It was hard."

Because of her involvement with the labor movement in the late 40's, she got involved with musicians who were collecting folk songs.

"So I started to write songs and some people picked 'em up, but they didn't pick up enough of my stuff so I started to sing myself.

Her husband died three years ago a year after a debilitating stroke. "It was not hard to accept after that year. We were together about 40 years. He was a good person and the reason our daughter turned out so well. I was much too self indulgent.

"So now I'm traveling and on television (she appeared as Kate on Sesame Street) and on radio more than ever and I'm sure I'm going to fall apart some day because I don't take care of myself."

Because of her experiences with big corporations, this time music corporations, she handles all her own business.

"I call myself a vertical trust. I'm singer, songwriter, publisher. I hold my own copyrights and I'm my own book publisher and I'm just about my own booking agent."

It's all done out of her two-story shingle house in an economically and ethnically mixed neighborhood in Berkeley.

About 10 days of the month she travels, as she did to the Pacific Northwest for a series of appearances under the auspices of Eye-5.

Malvina Reynolds' last performance this time around was yesterday at the University of Puget Sound.

But she'll probably be back either for Eye-5 or because someone with a cause invites her. Part of the reason for her burgeoning popularity is the women's movement, she says.

"If it's a cause I dig, I'll always come unless it's some little thing that's not well organized. If it's anything on the colonial nations, the plutonium thing, ecology, the rights of kids, I'll write a song or have one appropriate to the occasion."

Malvina will be the subject of a feature article in the June or July Ms. Magazine, she said. And on May 18 in Berkeley, at an early 75th birthday party, there'll be a preview showing of a television documentary being made of her.

Included will be a segment with her friend, Pete Seeger, who has called her "some sort of miracle."

When Malvina comes back, catch her.

THE CHRISTIAN MOVEMENT IN EAST EUROPE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. McDONALD of Georgia. Mr. Speaker, the rapidly growing Christian movement in Eastern Europe coincides with, and indeed is the same as, the individual national movements for independence and freedom in all of the Christian nations of Eastern Europe. It is neither Pan-Slavic—for it embraces as equals non-Slavic Georgians, Armenians, Romanians, Hungarians, Lithuanians, Latvians, Estonians and Finns—nor Pan-Orthodox—for it embraces as equals Catholic Croats, Slovenes, Hungarians, Slovaks, Czechs, Poles and Lithuanians and Protestant Latvians and Estonians—but elements of Pan-Slavism and Pan-Orthodoxism, in their best sense, are found within the Pan-Christian framework.

Every Slavic nation—Orthodox Russians, Ukrainians, Byelorussians, Cossacks, Bulgars and Serbs and Catholic Croats, Slovenes, Slovaks, Czechs and Poles—has suffered tragically from the most materialistic of Western diseases, atheistic Marxism. It is the common suffering from that disease that has encouraged a revival of Pan-Slavic sentiments, but on the principle of self-determination of nations, not domination by one or another Slavic nation.

In 1659 the Croatian Catholic priest Juraj Krizanio visited Orthodox Moscow to propagate Pan-Slavism and the Union of the Greek and Roman Churches. It is in that spirit that we find today's Pan-Slavism. The Slavs well know that narrow Pan-Russianism is not real Pan-Slavism, witness Ukraine and Poland; nor narrow Pan-Serbianism, witness Croatia and Slovenia; nor narrow Pan-Czechism, witness Slovakia.

Today's Russian Christians recognize that Russia's past view of Pan-Russianism being synonymous with Pan-Slavism is erroneous. Thus the desire expressed by such as Alexandr Solzhenitsyn for Russia to develop Siberia and Russia's North-East and give independence to the non-Russian nations. Only in that way can Slavic solidarity be achieved, as an Alliance among free, independent and equal nations. And that Alliance cannot entail Slavization of the non-Slavic nations, for that would destroy the entire moral basis of the Slavs gained through the martyrdom of all of their nations at the hands of Nazi and Communist tyrannies.

The Pan-Orthodox currents have a similar origin. Only Greece, the Mother of Orthodoxy, has been spared among the Orthodox nations from the Marxist disease. And even Greece has had to endure a bitter and sanguinary war against armed Marxist bandits and the current Christian tragedy in Cyprus. All of the Orthodox consider the Russians to be the most deeply spiritual people among the nations. But the Orthodox of all non-Russian nations, Slavic and non-Slavic alike, do not want to suffer from Pan-Russianism in a Pan-Orthodox guise. Fortunately, today's Russian Christians recognize that the long-awaited re-unification of Christendom will be accomplished through Russian spiritual inspiration, and not through the concept of "Moscow as the Third Rome." Thus their emphasis on pure Christian Saints such as St. Sergei of Ratdonezh and St. Nil Sorksy.

Christians in East Europe know that the new Pan-Slavic and Pan-Orthodox currents are but tendencies to assist in a truly great goal: the Union of Christianity after centuries of disunity and fratricidal conflict, first between Greek and Latin, then between Catholic and Protestant.

An important new book containing writings by Alexandr Solzhenitsyn and other Russian Orthodox writers, "From Under the Rubble," gives clues to the future. Even in a large advertisement for this book in the New York Times the message is inescapable:

> It is at once a devastating attack on the Soviet regime, a moral indictment of the liberal West, and a Christian manifesto calling for a new society, one whose dominant values would be spiritual rather than economic.

That Christian manifesto first became organic in the program of the Croatian national movement and its Croatian liberation army. The same concepts motivate the Christian resistance in every other East European nation.

The Brezhnev's and the Tito's represent the rapidly dying past. The Christian manifesto represents the real, imminent future.

In the West, however much we are inflicted by a materialistic cancer eating into our fundamentally Christian moral fiber, it is necessary for us to respond to our Christian brethren in the East.

Let no man mistake the future. Democratic, Christian rule will come in the East, and each and every nation there will gain its independence and freedom. As a consequence, a moral tide of love, not hate, of freedom, not oppression, of hope, not fear, will inevitably roll westward. And we in the West should examine ourselves and also begin to build a new society whose dominant values will be spiritual rather than materialistic.

The battle being waged in the world is materialism versus spiritualism. Whether the cross or barbed wire prevails depends upon Western attitudes and support of Christians behind the Iron and Bamboo Curtains. The choice for the world is quite clear.

THE HUMAN AND SOCIAL COSTS OF YOUTH UNEMPLOYMENT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CONYERS. Mr. Speaker, statistics enlighten us about the shape of the world, but too often they are impersonal, cold figures that in their repetitive reciting anesthetize us to the human meaning behind them. I recommend a close examination of a Newsweek article on the human and social costs of youth unemployment. It searches behind unemployment statistics for the meaning of prevailing economic conditions.

Unlike the gentle rain, unemployment does not fall on everyone equally. It falls first on the poor, of longest duration on the black and hardest on black youth. Well over half of the total number of black youth cannot find jobs. Most of them do not even get counted in the Bureau of Labor Statistics monthly employment survey, which fails to include discouraged job-seekers, part-time workers and youth who never had jobs.

By and large, unemployed black youth are demoralized and degraded and they know it. They know there is little they can do about it, and many know why. Living in the wealthiest, most technologically advanced society in history, condemned to urban ghettos, they already realize their immediate challenge in life is to escape a fate devoid of opportunity, purpose and productivity. Some will succeed despite all obstacles. They are the gifted. Others will drop out of society through drugs, or try to beat the system through hustling and crime. Unfortunately, too many will be chewed up by the very system that professes to serve them. What kind of a future can Americans hope for when millions of its young feed off of, and are nurtured by, drugs, crime or exist on nothing at all, rather than gainful, dignified work?

Those who insist that the fiscal cost of employing all adults able and willing to work is prohibitive should consider the even greater social and economic costs of unemployment, highlighted in the article. These result from an orthodox economic theory the central tenet of which is the necessity of trade-off between employment and inflation. Yet many notable economists challenge this orthodoxy and point out that each percentage point of unemployment costs approximately $50 billion in lost national productivity and $16 billion in lost Government revenues. Rather than weakening the economy, a full employment policy such as embodied in the Hawkins-Humphrey Equal Opportunity and Full Employment Act would rejuvenate it. A full employment policy would also be far and away the best vehicle for giving our young people the renewed sense of worth and of purpose that accompanies work which they so desperately need today.

The question has to be asked, why are such dangerous levels of unemployment countenanced? Why is the shortage of jobs for the young with its attendant demoralization, rising crime rates and deterioration of the quality of life tolerated by our national leaders and by so many citizens with jobs? Why is the obvious solution of providing socially useful work to those who cannot find jobs in the private sector so conspicuously ignored?

The following article vividly depicts the malaise of youth unemployment and takes us a step closer to what should become a public policy—auditing yearly the social and psychological benefits and costs involved in the implementation of particular economic policies and social programs as these impinge on employment, income distribution, productivity, inflation and social morale.

[From Newsweek, May 5, 1975]

UNEMPLOYMENT: WHERE IT HITS HARDEST

The day starts early for Bobby Barnhart, a 17-year-old black who lives in Washington, D.C. He begins his rounds of personnel offices at 9 a.m., and he has made the frustrating circuit nearly every weekday since November, when he quit high school to help his parents support six children. "I don't feel right," Barnhart says softly, fingers drumming the desk top in yet another office where he will be turned away. "I went to all the hospitals, I went to all the stores downtown and I filled out all the applications. But none of them call you back."

The day starts late for Jimmy Hampton and James Wallace—both dropouts, both 18, both unemployed. They don't start to cruise 63rd Street, mainstem of Chicago's-fire scarred Woodlawn ghetto, until well after noon. They spend hours prowling the crowded sidewalk, stopping at a corner newsstand to swap street talk—or to brood. Once they picked up leads to odd jobs at the newsstand, but now even those jobs are gone. The two friends say they are still looking for work, but they also speak of other ways to get along. "You have to get some money someplace," says Wallace. "So you might steal some, or sell a little smoke [marijuana]."

Thousands of other black, Puerto Rican and Chicano teen-agers from East Los Angeles to East Harlem are just as frustrated as they search for jobs these days. They have always been at the bottom of the economic heap, with the highest jobless rate of all groups, and now they are getting crushed in the recession. Even in prosperous times, employers are not eager to hire young, unskilled and sometimes uneducated workers. Now, with the national unemployment rate at 8.7 per cent among all workers, the rate among minority teenagers is a record 41.6 per cent.

Many community workers suggest that government figures understate the problem and that the jobless rate among black and Hispanic youths is really closer to 60 per cent. And the number should swell very soon, as summer vacation dumps thousands more teenagers into the street to join the competition for the dwindling supply of beginners' jobs. "We used to get a little help from places like supermarkets, dry cleaning stores and the like," says Louis Rose, who runs the Neighborhood Youth Corps office in Harlem. "But those places are cutting back, too, because of the recession, and they aren't taking anyone on now." The most menial jobs are often claimed by older, more experienced workers who might have spurned them in former days.

There will still be federally funded job programs for the young this summer, as there have been every year since the riots of the mid-1960s. President Ford has asked Congress for $412.7 million, which he will probably get, to provide 760,000 jobs. This is the same number of positions offered last summer, and city officials say they need more jobs this year. In Detroit alone, at best an estimated 25,000 jobs will be open—for 100,000 applicants. Detroit's budget is already so strained that the city shut down its recreation department for April, in the hope of saving enough to go full tilt all summer and absorb the energies of idle youth. "That will help," according to Walter Douglas, vice president of New Detroit, Inc., the high-powered civic group that was founded to rebuild the inner city after the 1967 riots. "But kids don't want to play basketball all day. A kid wants to accumulate a little cash."

What happens when legitimate cash is hard to come by? "It's a highly volatile situation," says executive director Vernon Jordan of the National Urban League. "I'm not predicting riots. But I do say the situation in the black ghetto areas of our big cities is a powder keg." St. Louis is already seeing some explosions among its unemployed young, according to Arthur J. Kennedy Sr., director of the Mayor's Office of Manpower. "Just walk down Martin Luther King Drive and you'll see what the kids are doing," Kennedy says. "It's plain hell around here. They're pushing dope, they're in prostitution and they're into mugging. It's not because they want to do this, but dammit, there is little left for them to look forward to." In central Harlem, Louis Rose agrees: "Those kids aren't thieves by nature. But what are they going to do if they have no job and nothing to keep them busy?"

Cautions: The Ford Administration insists that summer-job funds will prove adequate, and cautions against scare-mongering. "I don't sense the kind of riot trouble that some people have been talking about," says William B. Hewitt, an associate manpower administrator at the Department of Labor. Even Administration critics in the AFL–CIO and hard-pressed cities concede that big-scale riots are unlikely, although they do expect more street crime. "The '60s were a different thing altogether. People had a militant leadership, and they were motivated by other forces in addition to unemployment," says street-wise William Butler, a youth expert with Washington, D.C.'s, manpower office. "Things have changed. The level of toleration is higher." Sociologist Sar Levitan, however, sees a deeper danger—the erosion of future potential. "Even if we escape social dynamite, we will have serious problems that will last for years," predicts Levitan, chairman of the National Manpower Policy Task Force. "We will not be giving these youngsters critical experience in the labor market."

Many of the teen-agers despair of getting that experience any time soon. "All I ever do is fill out papers," said Ronald Mims, 17, as he stood with other job applicants at a community "Teen Post" in Los Angeles. Most of the jobs the Teen Posts have last only a few months, and that is not what Ronald Mims has in mind. "I want a job to keep until I'm 65. Nobody understands that I just want a job to grow old in," he said. For Mims, as for the rest of the last-hired, first-fired teen-agers, that goal will be a long time coming, even after the recession fades.

ORGANIC ACT OF GUAM

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 21, 1975

Mr. FOLEY. Mr. Speaker, August 1 marks the 25th anniversary of the Organic Act of Guam and it is my pleasure to join in commemorating this historic occasion. This act conferred American citizenship on the Chamorros of Guam and established civil government after more than 50 years of military control. It is, in my personal opinion, one of the most remarkable developments in the political life of the United States. It is, therefore, a personal honor for me to join with my good friend and highly respected Member of this Chamber, Antonio B. Won Pat, Member of Congress for the Territory of Guam, in celebrating this event and the solid principles of friendship, common purpose, and common citizenship that it established.

HISTORY WITH A BIAS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the Record, I include the following:

Book Review: History With A Bias

(By Hal McKenzie)

I.F. Stone's *Hidden History of the Korean War* is billed as a "classic analysis" in the leftist "exposé" and historical revisionism genre. First published in 1952, when the Korean peace talks were bogging down at Kaeson, the book received little attention in the United States (the result of "an almost complete press boycott and blackout" because of its "extremely damaging" analysis, according to the publishers), and remained out of print until 1969, when the *Monthly Review* publishers resurrected it as ammunition to attack U.S. involvement in Vietnam.

"Not many Americans read Stone's book in those days of McCarthyism," the book jacket proclaims, "but today, in the era of the credibility gap, after the exposure of the Tonkin Bay fraud which was used to launch the Vietnam War, . . . after Americans have seen public opinion manipulated and manufactured by official cover stories, the mysterious origins and conduct of the Korean War and peace negotiations are once again being questioned."

Now that Vietnam has fallen and Korea is once again a focus of world attention, *Hidden History,* is being quoted more and more as an authoritative source discrediting U.S. involvement in Korea.

To nearly every historian of the Korean conflict, except those in the employ of Communist regimes, there is nothing "mysterious" about the origins of the Korean War. The historical evidence is overwhelming that the North Koreans, aided and sanctioned by the Soviets and Red Chinese, planned and carried out the invasion of South Korea, being led to believe by official State Department and congressional statements that the U.S. would never intervene.

On the morning of the invasion, Kim Il-sung broadcast the charge that the North Koreans' massive, coordinated, assault was launched to repulse a South Korean invasion. Every major historian in the non-Communist world has written that this allegation was obviously false, a "big lie" designed to legitimize Pyongyang's invasion. I.F. Stone is the only major author in the democratic world who offers evidence in support of the North Korean version of events.

Stone is clever enough not to try to directly refute the overwhelming evidence of North Korean premeditation. He tries only to "raise questions" about the origin of the war by making a circumstantial case that the United States and the Syngman Rhee regime wanted war all along. Stone says that Rhee wanted war to "prop up his tottering dictatorship" by forcing the U.S. to send military aid; and the U.S. anti-Communists wanted war to whip up war hysteria against the Communists and increase defense spending. In the words of the publishers, "The Korean War, far from being a simple case of unprovoked aggression, was the outcome of deliberate and sinister maneuvering by those with an interest in war in the Far East." Of course, Stone makes it clear that "those with an interest in war" are none other than the United States and its Asian allies.

Stone's book, then, is a classic example of the "conspiracy theory" of history, from a leftist point of view. Ad hoc decisions made in the press of events by leaders who are basically unsure of themselves and divided in their opinions, are depicted as cunning plans hatched in advance toward a hidden end. The stupidest blunders of Free World leaders become masterful maneuvers in a secret strategy. Obtuse State Department and military jargon is interpreted to indicate hidden motivations and attempts at covering up.

THE SOYBEAN PLOT

One of the most laughable examples of the conspiracy theory at work is "soybean story," added by the publishers in the appendix. This sinister plot is based on the revelation that "certain Chinese established a corner on the American soybean market" before the war.

"The Herald Tribune printed a short item," the publishers say darkly, "which revealed (1) That the Chinese corner of the soybean market in June 1950 had netted a profit of $50 million; (2) that at least fifty-one Chinese were involved . . . and (3) that the operation was begun just before the outbreak of the Korean War. In view of the great importance of Northeast China (Manchuria) as a producer of soybeans, of the certainty that war in Korea would disrupt the world supply of this product, and of the known close connections between South Korean President Syngman Rhee and the Chiang Kai-shek government, these facts could not but create a strong presumption that Nationalist Chinese in the United States had got advance notice of a Rhee plan to start war in Korea and were turning their knowledge to financial advantage."

The publishers present no evidence that the war actually did disrupt the world's soybean supply. Even if it were true that some Chinese profited from the war, this is no evidence of collusion between the United States, China, and Korea to start the war.

Stone's conspiracy-spinning results in several ironic twists. He cites United States' indifference to intelligence reports of the North Korean military buildup and to the ROK's plea for aid, as evidence that the United States wanted the war to happen. United States failure to support Korea certainly encouraged the North Korean attack, but the policy of non-support owes much to the influence of "liberal" U.S. State Department advisers, such as Owen Lattimore and Lawrence Rosinger, (who were later identified by Louis Budenz as former members of the Communist Party). These "experts" recommended, among other things, withdrawal of U.S. aid to defend South Korea and Taiwan, which led to the famous statement of Secretary of State Dean Acheson on January 1950, in which he implied that the U.S. Asian defense perimeter excluded Korea. Thus Stone covers up the complicity of liberal advisers in encouraging North Korea to invade, by charging unnamed "anti-Communists" with conspiring to provoke the war.

A more objective analysis indicates that, in 1950, America's attention was focused on the Communist threat to Europe. The military buildup in North Korea was only one aspect of a growing military threat all along the borders of the Iron Curtain. Besides, intelligence analysts assumed that the North Koreans had not yet exhausted every attempt to overthrow the South Korean government through subversion, guerrilla warfare, and other cover means and that therefore they would continue along those lines. U.S. intelligence was fully aware that North Korea had the capacity to launch an invasion, but, lacking agents within the Communist leadership itself, could only make educated guesses as to the intentions of the Communists. U.S. intelligence guessed wrong, and advised MacArthur's headquarters that an invasion was not likely that year. Stone presents this blunder as evidence of a sinister cover-up designed to hide the true facts from the American people.

Here Stone's analysis becomes completely self-contradictory, and his bias stands out in sharp relief. Stone never once questions why the North Koreans were building up troops and tanks along the 38th parallel. He even quotes South Korean intelligence sources as saying that a North Korean invasion was "imminent," but blithely ignores this as evidence of North Korea's aggressive intent. The entire thrust of his argument is that Syngman Rhee had reason to provoke a North Korean invasion, because then he could count on increased U.S. aid to help keep him in power.

In fact, considering the numerous official statements from the U.S. State Department and Congress that the U.S. would *not* defend Korea, Syngman Rhee had much more reason to believe, as the Communists did, that the U.S. would not come to South Korea's aid. For Rhee to provoke a war in that situation would be the greatest folly.

In any case, all the evidence shows that North Korea was certainly planning an invasion. Captured documents show that the decision to invade was made long in advance of any "provocation" from the South. Stone's analysis resembles charging a mugging victim with assault and battery, because the victim provoked the mugger by being too weak to defend himself!

KOREA A "BLESSING"

As further evidence of the U.S. desire for war in Asia, Stone quotes General Van Fleet, who said, "Korea has been a blessing. There had to be a Korea either here or some place in the world."

Taken in context it is clear that General Van Fleet meant by this that the Korean War had at last awakened the American people to the aggressive nature of Communist totalitarianism. According to *Hidden History*, however, "With Korea, as the generals well understood, an atmosphere of anti-Communist hysteria became firmly established and the U.S. military budget began its climb to astronomical heights. It is for these reasons that the author finds, in Van Fleets simple-minded confession, the key to the hidden history of the Korean War."

Notice that in this analysis, no aggressive intent is attributed to the Communists. The U.S. only wants to build up anti-Communist hysteria supposedly for the purpose of increasing arms sales. No mention is made of the Communists' theory and action directed toward overthrowing the Free World with Communist-led violent revolution.

In fact, in the summer of 1950, the U.S. army had dwindled to 592,000 men, only 7 percent of its peak at the end of World War II. Even at the time of Pearl Harbor, the classic example of American unpreparedness, the Army had 1,600,000 men under arms. The American public, in the wake of World War II, were tired of war, and desperately desired a return to "normalcy;" thus U.S. congressmen were eager to pare U.S. defenses down to a mere skeleton.

To informed U.S. leaders, especially military men, who were fully aware of this massive buildup of Soviet and Chinese military power, American apathy and defenselessness in the face of Communist aggressiveness must have seemed catastrophic. By that time Soviet Russia had already become a far worse totalitarianism than Nazi Germany had ever been.

BIASED INTERPRETATIONS

Stone's technique throughout *Hidden History* is to take isolated quotes, like that of General Van Fleet, and interpret them in accord with his ideological preconceptions. For Stone the U.S. is the center of evil and the Communists are high minded reformers.

Given such a world view, Stone finds it easy to exaggerate the corruption of the Rhee government and the inept diplomacy of the United States, while overlooking the self-proclaimed intentions of the North Koreans.

Not that Stone's *Hidden History* contains outright falsehoods. Probably fifty-one Chinese did corner the soybean market in 1950. But to attribute great importance to that event in analyzing an ideologically motivated war involving 18 nations requires an ideological bias. History interpreted from such a bias can only result in contrivances, tenuously connected to reality.

Hidden History is just such a contrivance. In it, Stone displays the same sort of mind-set as those who believe that Communism is a conspiracy run by a small clique of Jewish bankers.

Stone depicts the Soviet Union as peace-loving and reasonable, the United States war-mongering and belligerent. U.S. bombing "devastation" of Korea is played up, while Communist massacres of civilians and prisoners are never mentioned, or discredited by quoting contradictory official figures. The United States is depicted as intransigent and obstructionist at the conference table; no mention is made of the attempts of the North Koreans and Red Chinese to drag out the talks as a propaganda forum. The Chinese intervention into the war is depicted as if it were mostly a hoax of U.S. military propagandists. Eyewitness accounts of vicious battles with the Chinese armies, many of which came out after Stone's book was published, indicated the opposite.

In short, all evidence which reflects negatively on the Communists is branded as "the official picture" and therefore not worthy of consideration. All evidence which supports the Communist viewpoint, or points out American weakness and contradictions, is played up as "the hidden history" or "the news behind the news;" that is, the Real Story.

Stone is far from a blanket apologist for the Soviet Union. Indeed, he has personally taken part in protests against Soviet repression of dissident intellectuals. But in his line on Vietnam and Korea he has, whether wittingly or unwittingly, supported the "big lie" by which Communist aggression is rhetorically transformed into "national liberation."

THE KGB'S EXPANDING OPERATIONS AND DIRTY TRICKS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. McDONALD of Georgia. Mr. Speaker, while the media wolf pack remains busy hunting down every alleged transgression of our Central Intelligence Agency, there is a distinct lack of corresponding interest in the activities of the Soviet KGB, an organization probably listening to the long distance phone calls made from Capitol Hill.

The May–June issue of Problems of Communism, the bimonthly publication of the USIA, contains a perceptive review by Harry Rositzke of two books on aspects of the Soviet KGB's work—John Barron's "KGB—The Secret Work of Soviet Secret Agents," Readers Digest Press, 1974; and Ladislav Bittman's "The Deception Game: Czechoslovak Intelligence in Soviet Political Warfare," Syracuse University Research Corp., 1972. For the information of my colleagues, the review follows:

The KGB's Broadening Horizons

(By Harry Rositzke)

John Barron: "KGB—The Secret Work of Soviet Secret Agents." New York, Reader's Digest Press, 1974. And Ladislav Bittman: "The Deception Game. Czechoslovak Intelligence in Soviet Political Warfare." Syracuse, N.Y., Syracuse University Research Corp., 1972.

The paramount function of USSR's Committee of State Security (KGB—*Komitet Gosudarst-vennoi Bezopastnosti*) has been and continues to be the maintenance of the Communist Party's control over Soviet society. Through its Second and Fifth Chief Directorates, the KGB has served as a stable and indispensable element of the official control system, assigned to counteract all potential troublemakers ranging from intellectual dissidents and dissatisfied Jews to hostile members of other ethnic minorities and restless workers. However, through its First Chief Directorate (the Foreign Directorate), the KGB also carries out an important range of secret operations abroad. It is this aspect of KGB activities which is the focus of the books under review and of the present discussion.

While the domestic operations of the KGB have remained essentially unchanged, there have been radical changes in both the scope and content of its overseas operations in the past 15 years. First, as Khrushchev extended the range of Soviet interests to include the Third World and the rapidly expanding number of post-colonial states, the KGB was forced to "go global," placing heavy recruiting and training strains on the KGB's Foreign Directorate, which for the previous decade had been able to concentrate on Europe. At the same time, and perhaps as a result of mounting manpower needs elsewhere, the organization turned increasingly to the use of "illegals" (*i.e.*, Soviet intelligence officers operating clandestinely under the cover of private citizenship) in the US and Western Europe, even though the number of KGB representatives under regular diplomatic cover did continue to grow steadily in Rome, Bonn, Paris, London, and New York. A second factor affecting KGB operations was the emergence, in the early 1960's, of a new "main enemy"—the People's Republic of China. The PRC became both an espionage target and, perhaps more important, a competitor with the Soviet Union during the mid-1960's for political influence in the world Communist movement. Moreover, as the protagonists of capitalism and communism groped toward an uneasy *modus vivendi* called "peaceful coexistence," the more traditional intelligence aspects of KGB work began to recede before an increasing emphasis on political action.

While it is this political-action facet of KGB work to which we shall devote major attention, one cannot ignore the continuing "bread-and-butter" operations of espionage and penetration of Western intelligence services which have occupied the KGB and its associated sister services in Eastern Europe and Cuba. The main target of these activities has been the power establishment of the United States and its allies, with an eye to acquiring important military as well as industrial-technological secrets. Soviet requirements for conventional military intelligence may have diminished in light of a growing

Soviet capacity for overhead photography and electronic surveillance, but the networks of the KGB and the Main Intelligence Directorate (GRU—*Glavnoe Razvedyvatelnoe Upravlenie*) of the Soviet Armed Forces are still heavily devoted to penetrating the foreign offices and general staffs of the Western powers. The exposure of Soviet spies in London, Bonn, and Paris, and in NATO organizations, in recent years attests to the persistence, if not to the full scope, of the Soviet effort. While there is no evidence to suggest that the KGB has yet penetrated the power bureaucracies in Washington, its effort to "get into" the Departments of State and Defense, the Central Intelligence Agency, and the National Security Agency is unremitting. There are several hundred KGB and GRU officers stationed in New York and Washington. Moreover, the effort is not restricted to activities on American soil. Each year several hundred American officials abroad, from code clerks to foreign service officers, are approached by socially active Soviet intelligence officers with tempting inducements to "cooperate."

On these routine matters of espionage and counterespionage, Barron's book is a highly useful compilation. He has assiduously collected material from open sources, from interviews with Soviet defectors, and from Western intelligence services including the U.S. Federal Bureau of Investigation. He provides a brief history of the KGB, the organizational breakdown of the KGB and other Soviet intelligence services, a long list of "Soviet citizens engaged in clandestine operations" (most of them staff officers under diplomatic cover), and the text of an interesting "top-secret" KGB document on "The Practice of Recruiting Americans in the U.S.A. and Third Countries."

Barron's narrative, interspersing true spy stories with analysis or comments on the organization of the KGB, makes for easy and sometimes exciting reading. We learn of the seduction of a French ambassador by a Soviet agent, the adventures of a Mata Hari working for the Cubans, the penetration of the "impenetrable" vaults of the US Armed Forces Courier Center at Orly airport, the life and adventures of a Soviet "illegal" operating in the US, and even the career of a Soviet official who was actually working for the CIA. While no one can hope to write a fully current history of the KGB, this careful presentation of a miscellany of specific cases from the 1950's and 1960's serves to illustrate only too convincingly the patience, care, and money the KGB will expend on key targets.

While the KGB has continued its efforts to capture enemy secrets and to infiltrate opposing intelligence operations, it has—in today's world of trade and negotiation, of multipolar diplomacy—also become increasingly valuable as a political instrument of the Soviet state. "Political" is, of course a broad term, and even the successful recruitment of agents such as Kim Philby in the British Intelligence Service or Heinz Felfe in the West German service can serve political purposes and not just the mere accumulation of secret data. (Even more political was the work of the agent, Günter Guillaume, who became a personal assistant to former West German Chancellor Willy Brandt.) But, under the policy of "peaceful coexistence," the KGB has come to perform a number of other, more explicitly political functions.

Take, for example, Moscow's broad effort to win friends and influence people in both the capitalist and developing worlds. Parallel with such official measures as military and economic aid programs, official propaganda, and the grant of scholarships for study in the USSR, more quiet work has been carried on by the KGB with leftist and rightist politicians and labor leaders, government officials and bureaucrats, bankers and businessmen.

The activist subversion of the 1950's has been gradually transformed into a program of persuasive conversion. In that middle stratum of "confidential" or informal relationships lying between normal diplomatic contacts and strictly clandestine levels of association, KGB officers have become a significant presence in many societies, both capitalist and developing. They are actively at work around the dinner tables of establishment figures in New York, in cosy lunches with professors and academic deans in Boston and Tokyo, in seminars and informal chats with politicians and labor leaders in Bonn, in visits to small bankers and provincial editors in countries from Italy to India. They spread the word—often circumspect, sometimes blatant—for the Soviet cause; they seek to be helpful to their hosts, occasionally taking the opportunity to caution them against the military-minded Americans and the profit-seeking capitalists.

Out of this vast system of personal contacts come prospects for more serious cultivation whether as spies or as "agents of influence." The latter can range from a friendly newspaper editor who happily accepts Soviet Embassy advertising to a European businessman on a monthly KGB salary acting as an intermediary in negotiating a truck factory contract, from a provincial legislator who is given a modest contribution for his election campaign to a cabinet minister who gets his cut out of a trade deal with the Soviet Union. Now that the Soviet Union is in business around the world, such KGB-generated influence can save Moscow both time and rubles.

Another facet of KGB political action today is "disinformation," which is the subject of a whole chapter in the Barron volume. The author cites such examples of "the dissemination of false and provocative information" as Moscow's systematic effort to conceal Soviet housing difficulties and the use of forged documents designed to create Turkish hostility toward Americans. How this "deception game" was played by the KGB's allied service in Czechoslovakia is documented in great detail in the book by Ladislav Bittman. The author was a member of the Czech political intelligence service (the First Directorate of the Czechoslovak Ministry of the Interior) in the period from 1954 to 1968, during the last four years of which he worked in Department Eight, a section specializing in projects in the field of disinformation.

The Deception Game sketches some of the objectives of Soviet inspired disinformation campaigns: to isolate the US from its friends and allies, to break up the NATO partnership, to weaken the German Federal Republic. Many of the projects Bittman describes were designed to muddy or destroy American relations with Third World countries, to paint the US as the Great Conspirator. A series of forged documents "exposed" a Western plan to overthrow the government of Tanzania. "Operation Thomas Mann" was designed to expose a new (mythical) hard-line policy of Washington toward Latin America and CIA preparations for political coups in half a dozen countries. It involved counterfeiting a USIA press release, publication of a number of circulars by a non-existent committee, and forging letters written by FBI director J. Edgar Hoover (the Czech service had no samples of CIA stationery). Another anti-American campaign, this time in Indonesia, was a short-term success. A forged document passed to an Indonesian ambassador and the buildup of an innocent American film-importer as a sinister CIA master-agent impressed Sukarno, but this minor gain was more than offset by the unsuccessful Communist revolt of September 1965, perhaps the most spectacular debacle for Communist policy in the postwar period.

Beyond cultivating opinion and spreading false information, the KGB also resorts to more explicit political action, such as triggering demonstrations, strikes, or coups abroad. Such operations are enormously simplified by the availability of Soviet proxies in almost all foreign countries. These include not only local Communist parties receiving direct KGB subsidies, but also the broad range of confidential and secret contracts whom, as noted above, the KGB has cultivated among the Left in labor unions, the media, and the universities, and who can be called upon at any time to carry out specific tasks. It also has at its disposal the contacts developed by the East European and Cuban services. For example, the main political action work in Allende's Chile was carried out by the Cuban service, with the Soviet Embassy keping its hands fairly clean. Covert political action as it is generated in Washington—a specifically American operation directly executed by overseas CIA stations—clearly runs far greater risk of exposure.

The KGB, then, is a most useful instrument of the Soviet government in advancing its interests abroad. Unfortunately, there is little merit in Barron's prescription for solving the "problem" posed by the KGB—to have its officers thrown out of all the Soviet embassies around the world. For one thing, this leaves unsolved the problem of illegal agents. For another, in today's political climate, such a prescription is more likely to be applied to the CIA.

More important, Barron tends to overestimate the significance of the KGB. One must disagree with his assertion that it is "the primary executor" of Soviet foreign policy and that "there can be no real détente until this massive KGB aggression stops." Whatever détente may mean in the complex world of capitalist-socialist rivalry, its substance will hardly be determined by such an organization, for the KGB—despite its secrecy and broad range of activities—remains only a servant of the Soviet Communist Party.

MORE ON PROCEEDINGS OF FEDERAL ELECTION COMMISSION

HON. TOM STEED

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. STEED. Mr. Speaker, for the benefit of my colleagues I am again today providing for the RECORD material furnished to me by the Federal Election Commission. Members wishing copies of earlier material should consult the RECORDS of June 2 and 25, and July 9, 14, 15, 16, 17, 23, 24, and 30.

([Notice 1975-16, AOR 1975-18—AOR 1975-23])

FEDERAL ELECTION COMMISSION—ADVISORY OPINION REQUESTS

In accordance with the procedures set forth in the Commission's Notice 1975-4, published on June 24, 1975 (40 FR 26660), Advisory Opinion Requests 1975-18 through 1975-23 are published today. Some of the Requests consist of similar inquiries from several sources which have been consolidated in cases where appropriate.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views with respect to such requests within 10 calendar days of the date of the publication of the request in the Federal Register. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C. 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Public Law Citations.

AOR 1975–18: Continuous Reporting of Campaign Debts From 1972.

A. Request by Muskie Illinois Campaign (Continuous Reporting by Inactive Committee with Outstanding Debts) (Request Edited by the Commission)

"* * * Since 1973, there has been no activity in the Muskie Illinois Campaign. The political committee has (i) disbanded; and (ii) not received any contributions nor made any expenditures since 1973, in an aggregate amount totaling more than $1,000, and does not expect to make any such expenditures or receive any such contributions. In other words, *all* activities have ceased.

The Committee still owes, however, the sum of $166,432.72, as reported in Section D, Part 12, of the 1972 and 1973 Comprehensive Revised Report. This "debt" will continue to be owed, since the Committee has no funds to extinguish the debt, and does not contemplate the receipt of any funds or contributions from any source at any time in the future.

Please advise if the "Committee," which no longer exists, is under an obligation to continue to file the report, setting forth that it owes a debt of $166,432.75, and if so, for how many years this report is to be filed. * * * Signed: James R. Sneider, Sneider and Troy.

Source: Muskie Illinois Campaign by James R. Sneider, Esq., Sneider and Troy, One North LaSalle St., Suite 2025, Chicago, Illinois 60602 (June 16, 1975).

B. Senator Ellender Campaign Committee (Continuous Reporting of Disputed Debt under Litigation) (Request Edited and Paraphrased by the Commission)

The subject committee has been inactive during the last reporting period except for receiving contributions and refunds of $577.50 and paying a late-arriving bill for $428.50.

"* * * There is an outstanding claim by Innovative Data Systems of Louisians, Inc., for $43,194.68, which is disputed by the Committee. The claimant has filed suit for this amount in the Thirty-Second Judicial District Court, Parish of Terrebonne, State of Louisiana, against Dr. Allen J. Ellender, Jr., as the sole heir of the late Senator Ellender, against the Committee, and against its individual members, Elward Wright, George Arceneaux, Jr., and myself. It probably will be a long-drawn out lawsuit, and I can see no need for the committee to continue to file reports showing no activity. In fact, the Committee is non-existent, except for the lawsuit. Would you please advise if it will be permissible to discontinue reporting until the pending lawsuit is terminated? At that time, we would file a final report." * * * Signed: Frank W. Wurzlow, Jr., Treasurer Senator Ellender Campaign Committee.

Source: Senator Ellender Campaign Committee by Frank W. Wurzlow, Jr., Treasurer, Ellender, Wright & Wurzlow, 254 Barrow Street, Houma, Louisiana 70360 (May 19, 1975).

AOR 1975–19: Candidate's Relationship to Unauthorized Committees Acting in Candidate's Interest. (Request by Senator Packwood) (Request Edited by the Commission)

* * * * *

"A committee has been formed in Oregon under the name 'Packwood 1980'. I have not authorized this committee, either to receive contributions or make expenditures. It is the committee's understanding that the only effect of a lack of authorization is that a disclaimer must appear on any literature from the committee. Please advise me whether the committee's understanding is complete and accurate." Signed: Bob Packwood, U.S. Senator.

Source: Senator Bob Packwood, 6827 Dirksen Senate Office Building, Washington D.C. 20510 (May 8, 1975).

AOR 1975–20: Status of Political Education Committee—Committee for Thorough Agricultural Political Education (Request Edited by the Commission)

"GENTLEMEN: In addition to financially supporting candidates in their campaign efforts our Committee is considering undertaking some or all of the activities listed below.

1. Pay for the cost of educating and training dairy farmers how to be efficient and effective in organizing and participating in (1) political campaigns, (2) voter registration drives and (3) get-out-to vote campaigns.

2. Pay for the expenses incurred in voter registration drives and get-out-to vote activities.

3. Reimburse the travel expenses of dairy farmers, their spouse and employees of dairy cooperatives in connection with the following:

a. travel to visit the public officials who represent them in either state or federal offices;

b. travel to attend fund raising dinners, political rallies, etc.;

c. travel to testify at hearings held by elected officials for public agencies.

4. Pay per diem to dairy farmers in addition to the reimbursed expenses under 3(a), (b) and (c).

5. Pay for the cost of informing public office holders, consumers, and the general public about farmer cooperatives, dairy industry, beef and dairy imports, agriculture, etc.

Possible expenses involved would be:

a. films;
b. speakers;
c. media advertisements;
d. information mailings;
e. meeting facilities, meals, travel expenses;
f. professional consultation in this activity;
g. membership and participation in consumer and/or agriculture organizations.

6. Share in the expenses of non-campaign meetings or functions held by public office holders. A few examples would be:

a. Governor conference;
b. Annual meeting of various associations of local and state public officials;
c. Inaugural balls.

7. Purchase small Christmas or birthday gifts for public officials, i.e., cheese ($5–$25).

8. Pay honorariums to public office holders to speak to dairy farmer groups.

The original purpose and powers clause of C-TAPE is broad enough and is intended to cover many activities * * *

1. *Purpose and Powers*. The Committee is organized for the purpose of carrying on lawful activities to foster governmental recognition and adoption of policies and practices, which are consistent with the sound and effective functioning of the agricultural, and in particular the dairy industry. The Committee may conduct such educational and voter registration activities, support the enactment of such legislation, and the nomination and election or appointment of such elective and other public officials, solicit and accept contributions of such services, money and other property, make contributions and expenditures of such services, money and other property and take such other action, all as it may deem will properly further such purpose.'

Before undertaking any of the above activities the Committee feels that official guidance is needed. We respectfully request * * * an 'advisory opinion' in these matters." Signed: J. S. Stone, Secretary, Committee for T.A.P.E.

Source: J. S. Stone, Secretary, Committee for Thorough Agricultural Political Education, P.O. Box 32287, San Antonio, Texas 78284 (May 1, 1975).

AOR 1975–21: Corporate Contributions To Political Committees Supporting State and Federal Candidates (Request of Republican Central Committee of San Diego County) (Request Edited by the Commission).

"DEAR SIR:

* * * * *

We have in the past accepted contributions from corporations, placing them into a separate account. Funds from that account are used only for State candidates, not federal, and in compliance with state and federal law.

The question is, can corporate donations be used by the Central Committee for day-to-day operational uses, i.e., office rent, utilities, secretarial salaries, office supplies? No direct or measurable benefit to federal candidates is involved, we feel, and certainly none distinguishable from benefit to the party as a whole.

If this question is answered affirmatively, the next would be, can such contributions be used to finance a Republican registration drive. Again, benefit to federal candidates as opposed to state candidates is indistinguishable. * * *" Signed:

Mrs. D. C. WILLMON,
General Counsel.

Source: Mrs. D. C. Willmon, General Counsel, Republican Central Committee of San Diego County, 422 E Street, Room 200, San Diego, California 92101 (June 10, 1975).

AOR 1975–22: Contributions or Transfers from Principal Campaign Committees.

A. Endorsing Contribution to Political Party Committee (Request Edited by the Commission).

"DEAR MR. CURTIS:

* * * * *

The principal campaign committee of a candidate is the payee of a check. Upon receiving the check, the only action taken is an endorsement by the treasurer and immediate forwarding to a state committee of a political party. Does this constitute a receipt and expenditure by the principal campaign committee?

* * *" Signed:

STROM THURMOND, *U.S. Senator*.

Source: Senator Strom Thurmond, 4241 Dirksen Senate Office Building, Washington, D.C. 20510 (April 17, 1975).

B. Expenditures of Committees Not Authorized by Candidate (Request Edited by the Commission).

"DEAR MR. CURTIS:

* * * * *

If a person or political committee is specifically authorized to solicit and receive contributions, and specifically unauthorized to make expenditures, will the incidental expenditures of that person or committee be treated as expenditures by the candidate's principal campaign committee or as independent expenditures? * * *" Signed:

STROM THURMOND, *U.S. Senator*.

Source: Senator Strom Thurmond, 4241 Dirksen Senate Office Building, Washington, D.C. 20510 (April 17, 1975).

AOR 1975–23: Establishment of Political Action Committee and Employee Political Giving Program by Corporation (Request by Sun Oil Company).

"DEAR COMMISSIONERS: Pursuant to Section 437f of Title Two, United States Code, it is respectfully requested hereby that the Commission issue advisory opinion with regard to the following Sun Oil Company Responsible Citizenship Program.

Sun proposes by appropriate corporate action to create a political action committee

(Sun PAC) which will be maintained as a separate segregated fund and will be a reporting political committee under the applicable Federal laws and regulations.

In addition Sun proposes, also by appropriate corporate action, to establish a political giving program for its employees (Sun EPA) which will be separate and apart from the activities of Sun PAC.

Sun PAC will be established as a voluntary nonprofit unincorporated political association by certain employees of Sun appointed by Sun's management for the purpose of creating such a committee. Sun PAC will be a membership association and every full-time hourly or full-time salaried employee of Sun or any of its subsidiaries shall be eligible for membership. [The Commission notes that Sun PAC has recently registered.] Sun PAC will be independent of any political party, candidate or organization except that Sun will defray the costs and expense incurred in the establishment and administration of, and the solicitation of contributions to, Sun PAC.

The purpose of Sun PAC as stated in its Articles of Organization will be the "protection, preservation and furtherance of the private enterprise system and, in particular, the protection and advancement of the industries and other types of businesses, in which petroleum-oriented industries may be engaged from time to time.'

To achieve its purposes, Sun PAC will solicit and accept contributions from individuals and from other political committees. Any funds so received will be expended to influence the nomination for election and the election, of candidates for Federal and State elective public office. It is further contemplated that Sun PAC could make contributions to National, State and local committees of National political parties.

Sun PAC will have a Chairman, Vice-Chairman, Treasurer, Assistant Treasurer, and Secretary. These officers will be appointed by Sun. The Articles of Organization of Sun PAC (Article VIII) specify that each officer shall continue in office until his successor is appointed and qualified. Section Three of Article VIII reposes in the Treasurer the responsibility for all funds collected by Sun PAC and for maintaining all financial records. Further, the Treasurer is specifically authorized by the Articles to prepare, sign and file all reports required of Sun PAC by law.

Sun PAC will also have a Contribution Committee which shall be responsible for the overall financial operations of Sun PAC and which shall have the responsibility of selecting the recipients of contributions by Sun PAC. Section Two of Article IX, however, provides that the Contribution Committee may delegate to the Chairman, subject to the overall direction of the Contribution Committee, the responsibility for managing the financial affairs of Sun PAC including the power to determine the candidates and/or political committees that Sun PAC shall support.

The contributions to Sun PAC will be voluntary. No contribution to Sun PAC will be solicited or secured by job discrimination or financial reprisal, or by threat of job discrimination or financial reprisal, or as a condition of employment by Sun or any of its subsidiaries.

The Articles of Organization provide that no funds of Sun PAC will inure to the private benefit of any member of Sun PAC, or any contributor thereto. The Articles also contain the usual provision regarding their amendment, except that certain sections are not susceptible to such amendment. In addition, the Articles make appropriate provisions for the distribution of funds upon dissolution of Sun PAC.

Sun also proposes to establish a mechanism, whereby its employees may engage in political giving without contributing to Sun PAC. This political contribution plan, known as Sun EPA, will permit employees to contribute directly to political candidates, committees, and parties of their choice. As its involvement in Sun EPA, Sun will establish a payroll deduction program whereby an employee may direct that a certain amount of his compensation be deducted and sent to one bank chosen by Sun where the funds will be maintained on deposit in a separate account for such employee. When and if such employee wishes to make a political contribution out of his Sun EPA account, he will notify the bank directly, stating the name and address of the recipient of such contribution, and direct the bank to draw a check to the designated payee. The bank will then draw the check to that named payee, deducting the amount from the employee's account. The bank will transmit the draft directly to the candidate, committee, or political party designated by the employee.

The Sun EPA program is also entirely voluntary. An employee's participation will not be encouraged or secured by job discrimination or financial reprisal, or as a condition of employment by Sun or any of its subsidiaries.

Further, Sun EPA will be entirely confidential. Except for the employee and the bank, no one will have any knowledge as to the recipients of contributions made by Sun EPA participants. It should be pointed out here that the bank, on a quarterly basis, will inform Sun of the total amounts of contributions under Sun EPA for the quarter to specific candidates, committees, or political parties receiving them, so it may be published for those participating in the plan. However, there will be no report as to the individuals whose contributions are included in those totals.

In establishing Sun EPA, Sun proposes to assume costs incident to implementing the payroll deduction plan, plus any charges by the bank. These charges, if any, will cover the costs incurred by the bank in establishing and administering the separate accounts for participants, and for postage costs in mailing checks to candidates, committees, or political parties. In short, no participant in Sun EPA will incur any cost as a result of his participation in Sun EPA. signed: Kenneth R. Burton, Jr., Senior Attorney.

Source: Sun Oil Company by Kenneth R. Burton, Senior Attorney, 240 Radnor-Chester Road, St. Davids, Pennsylvania 19087 (July 9, 1975)

Dated July 23, 1975.

NEIL STAEBLER,
Vice-Chairman for the Federal Election Commission.

STOP THE B-1, DISHONESTLY

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. SYMMS. Mr. Speaker, during the last year or so there has been an intensified campaign by left wing and prodisarmament groups to halt the development and production of the new B-1 strategic bomber. These efforts reached a new high this past spring just prior to consideration of the fiscal year 1976 Defense Procurement Authorization by Congress.

The drive to stop the B-1 program has been spearheaded by all factions of the disarmament lobby including Americans for Democratic Action, United World-Federalists, the Arms Control Association, and—the Soviet delegation to the SALT talks. This hard-core group has been aided by Common Cause and several radical environmental groups.

However, one of the more active groups in this campaign recently has been Clergy and Laity Concerned—CALC. This organization sent out a fundraising letter signed by Don Luce, director of CALC, saying that $100,000 was needed to stop the B-1 bomber program. The letter went on to say, and I quote:

> Your contribution to CALC will help us STOP THE B-1 BOMBER. Clergy and Laity Concerned is working with the National Council of Churches on this program. If tax-deductibility enables you to make a larger gift, your check may be made payable to the National Council of Churches.

Now, Mr. Speaker, this disturbs me greatly. The National Council of Churches—NCC—is a tax-exempt organization and, as such, is prohibited from carrying on propaganda or influencing legislation as part of its activity. So what is going on here? I think we need to have an investigation of this incident to determine if, in fact, the NCC is laundering money to be used in a campaign to get Congress to stop the B-1 program.

Actually, Mr. Speaker, this entire effort against the B-1 bomber program is full of distortion and dishonesty, and it is playing right into the hands of the Soviet Union for one reason or another. The June issue of Air Force magazine contains an editorial by Claude Witze which addresses this issue. The editorial is entitled "Stop the B-1, Dishonestly" and I would like to commend it to my colleagues in the Congress:

> STOP THE B-1, DISHONESTLY
>
> (By Claude Witze)
>
> WASHINGTON, D.C., *May* 7.
>
> "G. E. Defends Its Weapons Business," says a headline on the financial page of the New York *Times* of April 24. The defense, according to the *Times* report from the company's annual meeting at a Boston hotel, was necessitated by seventy-five protestors who picketed the four-hour session of about 700 shareholders. They carried signs: "Power Over Millions, Decisions by a Few," and "Jobs for Peace, Not for War."
>
> One of the leaders, according to the *Times* was David Gagne of the Unitarian-Universalist Association. He demanded that GE Chairman Reginald H. Jones tell when the company would "draw the line" on weapons production. The answer was that GE will stop when Congress decides weapons are not necessary for national security.
>
> Mr. Gagne, who appears to be a stockholder, nominated Natalie Shiras, a first-year student at the Harvard Divinity School, for a seat on the board of directors. She received 11,241 votes out of more than 150,000,000 that were cast. Most of them, the *Times* says, were cast by proxy before Miss Shiras' nomination.
>
> The newspaper says many of the demonstrators represented the American Friends Service Committee (AFSC) and Clergy and Laity Concerned. These two organizations are the moving powers behind NARMIC, which is an acronym for National Action/Research on the Military Industrial Complex. Their current activist campaign is called "The Super-Sonic (sic) Swing-Wing Swindle," subtitled, "The Story of the B-1 Bomber." This is a slide show, provided with documentation and a script. There are 140

slides, and the presentation runs about a half hour. AFSC says you can order a copy of your own for $50 from: Stop the B-1 Bomber, National Peace Conversion Campaign, 160 North 15th St., Philadelphia, Pa. 19102.

So far, there has been no report that this effort is the product of a lobby, financed, in the main, by tax-exempt contributions. We do have at hand a letter from Clergy and Laity Concerned, denouncing the B-1 project and appealing for contributions for a fight against it in Congress. The letter is signed by Don Luce, Director of CALC, and he says he needs $100,000 for the campaign. He adds this postscript:

"Your contribution to CALC will help us Stop the B-1 Bomber. CALC is working with the National Council of Churches on this program. If tax-deductibility enables you to make a larger gift, your check may be made payable to the NCC."

Air Force Magazine has found that CALC is not registered with the Clerk of the House of Representatives as a lobby. Nor is it listed as a tax-exempt organization. The NCC is tax-exempt and, as such, is proscribed from carrying on propaganda or influencing legislation as a "substantial part" of its activity. On Capitol Hill, the CALC appeal has raised a few eyebrows, which is easy to do so soon after Watergate and its disclosures of how money can be "laundered."

The $50 slide show of AFSC and CALC had its premiere on April 15, income tax day. The sponsors say it was exhibited in nearly a hundred cities across the country. In Washington, the show was sponsored by our busiest spokesman for unilateral disarmament, the Center for Defense Information, whose director is Rear Adm. Gene LaRocque, USN (Ret.). The Admiral's financing is reported to come from the Fund for Peace, the Field Foundation, and individuals, including Stewart Mott, the automotive heir sometimes called an "activist philanthropist."

It was in quarters owned by Mr. Mott at 122 Maryland Ave., across the street from the Supreme Court, that Admiral LaRocque gathered an audience of about twenty-five for the unveiling of "The Super-Sonic Swing-Wing Swindle," as produced by NARMIC. The script gives credits, incidentally, to Debby Frazer for the words, Leon Carlin and another cartoonist whose name is not revealed, for the illustrations and graphs, and to Phil Stanford, once on the staff of Rep. Les Aspin of Wisconsin, for "timely information." One Jamie Lewenton of CALC also contributed some of the research, writing and documentation. There is no evidence of any input from recognized authorities on airpower or bombers.

The technique used in this show is one familiar to fans of Peter Davis, producer of the CBS 1971 spectacular, "The Selling of the Pentagon," and the current prize-winning movie, "Hearts and Minds." The text is replete with half-truths, outright errors, distortions, and misinterpretation. Wide use is made of the Davis approach of placing text and slides in juxtaposition when there is no relation between them. Examples are easy to find.

The opening picture is of an F-111 assembly line, followed by a shot of the B-1 bomber. The script says America continues to arm, despite peace, and the B-1 is "one of many lavish new weapons being developed." This is followed by two slides of a slum in Philadelphia, and the author says it is "plagued with problems . . . poor housing . . . old and dilapidated schools, few places for recreation." Then there is a photo of the unemployed. After a pause, the script says, "This slide show is a production of 'Stop the B-1 Bomber; National Peace Conversion Campaign.' The campaign questions why our government spends vast sums of our tax money on the military, while the needs of communities like Kensington [the slum pictured] are ignored." There is no mention, anywhere in the show, of the weaponry programs of any other nation or of the vast increase in US budgeting for social programs during the past few years.

The show's major effort is spent in attacks on Rockwell International, General Electric, and Boeing—the major contractors in the B-1 program. One slide, for example, shows these firms on a chart. The script says, "They are among the largest corporations in the country" and goes on to report that "the average profit on a sample of large military contracts was fifty-six percent." According to the 1974 report of the Rockwell firm, their after-tax profit, as a percentage of sales, for aircraft operations was 1.4 percent. The corporate total profit was 2.95 percent after taxes.

Another slide purports to show the Rockwell company's bomber history. The script tries to prove that the firm, formerly North American, always has bombers on the line. It says Rockwell "has been in the bomber business since World War II. As they finish one plane, they begin another—what's known as the follow-on system. They built the B-25 (slide) . . . followed by the B-45 (slide) . . . the B-70 (slide)." Well, the B-25 is a real oldie, the plane used by Jimmy Doolittle in his 1942 Tokyo raid. North American built only 143 B-45s between 1948 and 1951. They have not had a bomber in production since. As all airmen know, there have been six postwar strategic bombers—three built by the Convair Division of General Dynamics and three by the Boeing Co. Rockwell's role as a bomber-builder has been minor.

There is a portrayal of a sad executive on one slide. The text says: "Many companies depend on huge military profits to stay alive. In 1970, Rockwell Chairman Willard Rockwell said, 'We knew that as a company we had just one more chance—the B-1.'" Rockwell's reference here was to the future of military aircraft contracts only. Last year the B-1 represented, to Rockwell International, a sale of $250 million out of corporate sales of $4.4 billion. The corporation would stay alive without the B-1.

At another point, showing a picture of the B-1, the text accuses the industry, specifically Rockwell, of ensuring profits by constantly promoting "new and more costly weapons." The implication is that the B-1 is a Rockwell invention. This ignores the formative years of the concept, which go back to 1961, when the Air Force conducted a study called SLAB (for Subsonic Low Altitude Bomber). This was followed by ERSA (Extended Range Strategic Aircraft) and LAMP (Low Altitude Manned Penetrator). Then there was AMP (Advanced Manned Penetrator) and AMPSS (Advanced Manned Penetrating Strategic Systems). Only then were Rockwell and others invited to take part in a newer AMSA (Advanced Manned Strategic Aircraft) study that led to the B-1. Industry was not asked to bid on the bomber itself until December 1969. It is a long chapter in history not known to experts of NARMIC.

One of the more disgraceful intervals in the slide show is devoted to a vicious attack on David Packard, former Deputy Secretary of Defense. He is pictured, and the script tells us he knows the game of musical chairs in business and government. This is illustrated with a cartoon of a man shedding his civilian clothes for a uniform. Then: "David Packard . . . knows this game. He made a personal fortune as a founder of Hewlett-Packard, a military electronics firm. He was also a director of General Dynamics, the nation's largest military company. In 1969, he was made Deputy Secretary of Defense. . . . From inside the Pentagon, Packard fought hard for the B-1. . . ."

There were more words to distort the role played by David Packard, but no suggestion that he made a contribution to his country and did it at huge personal financial sacrifice.

This subject was discussed at length with Admiral LaRocque, a week after the performance at his office. The Admiral told AIR FORCE Magazine that he personally is in favor of the military-industrial complex and believes it is essential to our defense. He believes it must work under stern government controls, as it does. On the subject of David Packard, the Admiral agreed that this administration had been good for the Pentagon, that he made genuine contributions to management there, and that the personal sacrifice was immense.

Then, how did he justify his sponsorship of the NARMIC slide show that portrays David Packard as an industrial scoundrel, bleeding the taxpayer? Admiral LaRocque's answer was that he agreed to sponsor the performance without ever having seen the presentation. "I saw it for the first time when you did, here on April 15," he said. He indicated he was surprised with much of the content and, specifically, did not agree at all with the evaluation of David Packard as portrayed by the Admiral's young friends from Philadelphia.

At the showing, Admiral LaRocque argued that he is in favor of a strong defense for the US, but considers the present establishment far too expensive. He calls the B-1 bomber the No. 1 target for elimination from this year's budget proposals. His Center for Defense Information is circulation literature, and campaigning, to this end.

In an interview, the Admiral contended that information given out by the military services is sometimes incorrect, more frequently misinterpreted. He is frankly in favor of unilateral disarmament and is associated in his work with others who favor it, including, in addition to Stewart Mott, Dr. Jeremy Stone, Dr. Jerome Wiesner, Richard A. Falk, former Sen. Joseph Clark, Richard Barnet, and Seymour Melman. Some are listed as consultants to the Center. The Admiral says the United States should step out and disarm first, and in that way show its "leadership."

The activities of the antidefense lobby are more evident this year than they have been in the past, but there are few signs they have important impact. Much of the energy previously devoted to opposing US war policy in Vietnam now is looking for new outlets, and finding them.

An excellent example of this is the previously mentioned motion picture called "Hearts and Minds," put together by Peter Davis. In early April, the movie empire gave the film an Academy Award as the year's best feature-length documentary. Like his CBS show, "The Selling of the Pentagon," "Hearts and Minds" is a skillful running together of unrelated film clips, designed to portray our country as silly, racist, brutal, and childish.

One of the worst examples in the film involves Gen. William Westmoreland, now retired Army Chief of Staff, who once commanded our land forces in Vietnam. In "Hearts and Minds," there is a sequence of a multiple funeral. The families of the deceased display something close to hysteria at the graveside; one old lady, almost crazed by grief, tries to climb into a grave. For the next shot, Davis uses a clip of General Westmoreland, on a hillside in South Carolina, saying "The Oriental doesn't put the same high price on life as does the Westerner. Life is cheap in the Orient. As the philosophy of the Orient expresses it, life is not important."

The juxtaposition, of course, makes the General sound heartless. In the Washington theater where this reporter saw the film, a woman in the audience screamed "MURDERER!" as the General faded from the screen.

In a telephone interview with Air Force

Magazine, General Westmoreland said he was interviewed by the movie crew, and Mr. Davis, for two hours. "Hearts and Minds" includes less than two minutes of the footage that resulted. General Westmoreland says that much of what he put on the film was about his experiences in combat in that part of the world. He had talked about the callousness of commanders in the East, their practice of cruelty, the 1968 massacre in Hué, and such deviations as the practice of immolation and the Japanese resort to the kamikaze.

It was in that sense that he made his remarks about the value of life in the Orient. Peter Davis used the clip next to a picture of a family funeral.

At the Academy Awards festival in Hollywood on April 8, the prize was accepted by an associate of Davis, a man named Bert Schneider. He read to the audience a wire of congratulations he had received from representatives of the Communist regime in Manoi. "Please transmit to all our friends in America our recognition of all that they have done on behalf of peace," it said.

The form of intellectual and factual dishonesty perfected by Peter Davis, first for TV and now the movies, is moving on. You can expect to see more of it, even in slide shows about bombers, and, who knows, maybe at the GE annual meeting.

THE GRAIN DRAIN

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. ROSENTHAL. Mr. Speaker, the late American philosopher George Santayana once said:

> Those who do not remember the past are condemned to relive it.

If there is one lesson to be learned from the 1972 Soviet grain deal, it is that no one in the administration, particularly the Department of Agriculture, ever stopped to question the long-term outcome of these sales.

Instead of asking what impact massive Soviet grain purchases would have on the American consumer, the administration saw these sales as a relatively fast and effective way of subsidizing its fragile détente policy with the Soviet Union.

Consequently, and despite the administration's assurances to the contrary, the Soviet grain sales of 3 years ago touched off an explosive round of food-price inflation, the impact of which is still being felt today.

Yet, despite the financial hardships caused by the "great grain robbery of 1972," the administration already may be on its way to a new myopia as it prepares to sell the Soviets a whopping 15-million tons of wheat, corn, barley, and soybeans.

To date, Agriculture Secretary Earl Butz, who tragically underestimated the impact of the 1972 grain deal, has maintained that the 1975 grain sales will have a "negligible impact" on U.S. food prices. All the evidence, however, clearly demonstrates that Mr. Butz is wrong again.

Indeed, since July 2, when the commodity markets began to reflect rumors of possible massive Soviet grain purchases, prices have risen sharply. Wheat was up nearly 30 percent by Tuesday of this week, flour nearly 17 percent, corn almost 13 percent, soybeans 22 percent, soybean meal 16 percent, sugar 21 percent, butter 16 percent, cocoa 22 percent, milo 14 percent, and eggs 11 percent.

It should be noted that for every $1 rise in the price farmers receive for a bushel of wheat, the price of a 1-pound loaf of bread for consumers goes up 1.5 cents. Wheat went from $3.08¼ a bushel on July 2 to 3.99½ by July 29.

Despite the implications of these wholesale price increases for the retail market, the Agriculture Department announced plans last week to sell the Soviets an additional 5 million tons—supplementing the 10.3 million tons already sold the Russians.

These sales come at a very critical time, for Iowa, Nebraska, and the rest of the Corn Belt are experiencing a severe drought. Prices on the commodities markets fluctuate wildly with the weather forecasts. That part of the country desperately needs at least 1 inch of rainfall right away. Experienced observers say adequate rainfall in the next several days could make the difference between a 1975 harvest of 6.1 billion bushels of corn and 4.8 billion bushels.

If the rains come, as we all hope they do, the corn crop should be adequate to meet domestic as well as foreign demand. But we should not be put in an "if" position of possibly selling more than we may have.

The Common Market countries' latest estimate of production is down 10 percent from previous forecasts. That may mean they will be unable to meet their own export commitments and some EEC nations may possibly be buying on the U.S. market.

In addition, fearing further price hikes as a result of Soviet purchases other nations have increased their purchases at this critical time. For example the Japanese have been buying wheat and soybeans heavily in the past week.

Clearly, these additional sales will cause domestic prices to rise even higher in the coming months. This view was reflected in testimony earlier this week by Federal Reserves Board Chairman Arthur F. Burns. In addition, Tom Camerlo, president of the Mountain Empire Dairymen's Association, recently said that Soviet wheat sales are proving the kind of "last straw" for many dairymen, forcing them to pay higher feed costs.

Clearly, any sizable increase in feed grain prices would have a direct effect on consumer food prices. Higher feed costs would discourage the cattle industry from feeding large numbers of livestock and in the long run, as numbers of livestock on feed were reduced, there would be less meat available to consumers—meaning higher meat prices.

I hope we are not doomed to a replay of last year's spectacle of cattle ranchers destroying their livestock, unable to afford the price of cattlefeed.

Mr. Speaker, the time has come for the administration to realize that its first obligation is to the American people. If we are to refute Santayana's prediction about history repeating itself and avoid another round of excessive inflation at the grocery store, the President must immediately clamp a ceiling on the amount of wheat and other U.S. grains to be sold the Soviet Union this year.

Not only do these sales place an unfair burden on the American people, but, ironically, as Prof. Marshall I. Goldman has pointed out:

> American resentment over these periodically disruptive purchases may create lasting damage to détente.

I am placing Professor Goldman's excellent discussion of this subject, which appeared on the Op Ed page of the July 31, 1975, New York Times, in the RECORD at this point:

THE RUSSIANS ARE BUYING!

(By Marshall I. Goldman)

CAMBRIDGE, MASS.—The reappearance of Soviet grain purchasers in American markets is a remarkable testimony to the rapidity of international economic change.

In 1972, when the Soviet Union purchased $1 billion worth of American grain, it found itself with a severe shortage of foreign currency.

Almost miraculously the situation was reversed in late 1973. First, Soviet harvests improved, eliminating the need to divert similar large sums for the importation of food. Second, and most important, in the wake of the Arab-Israeli war the Soviet Union earned hundreds of millions of dollars in windfall gains on the sale of its petroleum and natural gas.

In 1975, the situation has apparently changed again. As in 1972, because of the latest crop failure the Soviet Union may have had to divert another $1 billion from its machinery-import program. Moreover, on the basis of preliminary evidence for the last part of 1974 and the first quarter of 1975, Soviet export surpluses to the hard-currency countries of the world have turned into striking deficits.

In particular, the surplus with Japan, which was almost $600 million in 1973 and exceeded $300 million in 1974, has reverted to an unprecedented deficit of $130 million in the first quarter of 1975.

Only in the United Kingdom does the Soviet Union sell significantly more than it buys, and even in England there has been a reduction of the Soviet surplus. The explanation is that apparently the worldwide recession has necessitated a drop in purchases from the Soviet Union that has not been reciprocated by the Soviet Union.

What is the significance of such a turn of events? The economic bargaining power of the Soviet Union has suffered. American foreign-policy makers and businessmen should be aware of this when negotiating with Soviet officials. Too often we fail to recognize Soviet weaknesses just as we sometimes fail to recognize strengths.

Furthermore, officials in the Department of Agriculture must include periodic Soviet purchases of great magnitude in their projections for the future.

As Soviet officials seek to build up livestock herds, most likely they will become regular purchasers of such American feedgrains as corn. The Soviet Union is too far north to grow its own corn supplies. In addition, the Soviet climate is such that every three or four years there is a drought that causes a shortfall in wheat, too.

The Soviet Union has found it convenient to use the American farmer as a buffer reserve for its own climatic and productive inadequacies. This means that we in the United States have to bear the cost of storing the grain until it is needed by the Soviet Union. Similarly, we also have to suffer the high prices set off when the episodic Soviet purchases deplete the normal reserves built up to satisfy our regular world and domestic needs.

Some way must be found to transfer some of this cost to the Soviet Union. Naturally, as long as it can play one private trader off against another, there is no reason why the Soviet Union should agree to any such financial commitment. Incomprehensibly, our Agriculture Department seems unperturbed by the present state of affairs.

Sometimes one wonders about the department. It was in large part responsible for failing to alert the country to the secret Soviet purchase in 1972, which in turn made it possible for the Russians to buy at low subsidized prices. It is true that this year the Russian purchase is not being subsidized. Yet, the Agriculture Department and Secretary of Agriculture Earl L. Butz in particular may again have made it possible for the Russians to buy at bargain prices.

For several days Mr. Butz let stand the impression that the total Soviet purchase in the United States would be only about 10 million tons of grain. If he had troubled to reflect on the 1972 situation, he would have discovered that the Russians had made their purchases in two parts.

The first one was made from July 5 to 20, when they purchased about 12.5 million tons of grain. That is not too different from what they have done this year.

But then in 1972, the Soviet grain purchasers returned home only to find that the hot, dry weather pattern had not changed and that the crop would be even worse than anticipated. This necessitated another trip to the grain market, from Aug. 1 to 9, when they acquired the remaining 40 per cent of their purchase. Since Soviet weather this year is very similar to that of 1972, it is entirely possible Soviet buyers may also return for more next month.

As someone who was involved in both 1972 and 1975, Mr. Butz had a responsibility to point out the similarities at the first hint of another large Soviet purchase a few weeks ago. If instead of protecting the Russians by insisting that their grain purchases would be limited he had at least raised the possibility that Soviet purchases might easily be of a scale comparable to that of 1972, grain prices would probably have increased more than they did initially. This in turn would have meant that the Russians would have had to share a part of this increase.

As it is now, if the Russians do re-enter the market the price may rise belatedly, but the Russians, as in 1972, will have purchased their grain at bargain prices. If this fear is correct, as before it will be the American, not the Russian consumer, who will be stuck with the price increase.

If something is not done to prevent the Russians from taking advantage of us in this way, then American resentment over these periodically disruptive purchases may create lasting damage to détente.

CHILE AND THE CANAL ZONE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. McDONALD of Georgia. Mr. Speaker, over 2 months ago, 100 Members of this body joined me in sending a letter to Secretary Kissinger asking certain questions relative to what appears to be an illegal prohibition against Chile purchasing arms for cash in this country. Since this period of time and strange silence by the Department of State, the arms buildup by the military dictatorship of Peru has continued, with great assistance by the Soviet Union. So it appears to be our official policy to encourage the left wing military dictatorship of Peru to attack Chile and we are also furnishing certain arms to Peru I am told, such as armored personnel carriers. One would think and hope that our policy would be to promote peace in the Latin American countries and not war. In this regard, a very timely column appeared in the Stars and Stripes on Thursday, July 31, 1975, by Col. F. P. Jones USA, Retired, on this topic. I commend it to the attention of my colleagues.

CHILE AND THE CANAL ZONE

(By F. P. Jones, Col. USA (Ret.) Director National Security and Foreign Aaffirs, Veterans of Foreign Wars)

1a. As the 94th Congress hastens towards yet another recess, Chief John J. Stang set forth the position of the Veterans of Foreign Wars of the United States on two important and topical security concerns: Chile and the Canal Zone.

b. Our Chief sent the following message on the Canal Zone to all members of the United States Senate:

"Call upon you as a United States Senator to join with your colleagues, led by Senator Thurmond (S.C.) and Senator Byrd (Va.), who have already gone on clear record to keep the United States Canal, located on the Isthmus of Panama, an American enterprise without caveat, quibble or equivocation.

"Reasons for support of both S. Res. 97 and the Byrd Amendment to the State Department funding bill before the Appropriations Committee follow:

"U.S. stewardship of the Canal has since 1914, been a task well and fairly done to the benefit of the entire world shipping community;

"Contrast with Suez Canal is self-evident;

"Canal, and Zone, a strategic choke point which must never be under control of power potentially or actually hostile to U.S.; and

"Panamanian threats of violence—with attendant and sympathetic U.S. television and press coverage—is unvarnished international blackmail."

2a. The growing arms imbalance between Chile and Soviet-supplied Peru, caused in no small part by the "Kennedy Amendment" of last January, prompted Chief Stang to send the following telegram to members of the Senate Foreign Relations Committee. Senate Appropriations Committee, House International Relations Committee, and House Appropriations Committee:

"Strongly urge self-imposed inhibitions on military and economic aid to Chile, as set forth in "Kennedy Amendment" of January, 1975, be set aside in view of stepped-up deliveries of Soviet military equipment to Peru, most notably tanks and armored vehicles.

"While I understand that no legal restriction on U.S. arms and other aid to Chile carries over into the new fiscal year, I call for your reconsideration on a policy basis of a U.S. posture which can only result in penalizing our friends and strengthening forces inimicable to the United States.

"Please advise as to your reaction."

3. Unless promptly checked and turned around, our government will continue its nonsensical policy of accommodating a leftist dictatorship (Panama) and rebuffing a would-be friend (Chile). The Soviets, unlike us, know who their friends are and act accordingly.

BICENTENNIAL EXPLORATION INTO GOVERNMENT AND INDIVIDUAL NEEDS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. BROWN of California. Mr. Speaker, I want to call attention to an effort, started by a coalition of organizations in California, which strikes at one of our key political-economic problems. The problem is the overdependence of our economy on military spending. Almost all of us have had the experience of being told that we must vote for a particular piece of military spending legislation because it means "jobs for our constituents". It is not a healthy position to be in. We must protect and truly represent our constituents, but we should not have to vote for useless or threatening military hardware to do so. Too often this question has pitted good people against one another—labor versus antiwar groups, for instance—even when broad goals were shared. Many economists believe that we do not have to face this conflict. There are many needs in energy and environmental areas which our industry could address—and provide jobs in doing so. The problem is to make the transition.

BEGIN, the Bicentennial Exploration into Governmental and Individual Needs, is addressing the problem of this transition. BEGIN is a coalition of individuals representing ecology, peace, political, labor and religious organizations in California. It will try to create an open public dialog about how we can direct our economy into more healthy channels, and have less unemployment as well. I commend the group for their initiative, and hope that I will be able to contribute to their dialog. I think that we may all profit from the ideas that are generated and I hope that my colleagues will pay close attention to them. I would like to include, for the record, a brief statement of the goals of BEGIN:

"BEGIN" A BICENTENNIAL EXPLORATION INTO INDIVIDUAL NEEDS

BEGIN is a group of individuals active in a wide range of ecology, peace, political, labor and religious organizations in California with the initial goals and program outlined below:

GOAL

A healthy economy directed toward genuine human needs and based on sound ecological principles.

Let us BEGIN with public forums which will involve people in all walks of life—business, labor, government, the arts, religion, education, the media—in considering:

New economic potentials.

Our military budget and its relationship to income, realistic defense needs, and economic stability.

The impact of multinational corporations on domestic policy.

Energy: Resources and use—Nuclear Power and Alternative Energies—safety and feasibility.

Human needs—What kind of world do we want?

PROPOSAL

To organize and develop and promote statewide forums, starting with a prime time TV program.

That such forums have large regional meetings as well as smaller meetings held in schools, churches, civic clubs, and living rooms.

"The choice is to act now or be overwhelmed by the future."

LET US BEGIN

Since there is no major national program of this kind, we believe that it is appropriate that California, the largest state and one with a large defense industry, launch an effort of this kind. This idea is not new inasmuch as programs of this general nature, looking ahead to the year 2000, have already been launched in Iowa and Hawaii.

We hope that we can reach out, break through the apathy that prevails, reach the public, inform, include and urge people to action. We shall not stop with the forums. Our program includes getting the message to our legislators.

This is not another organization, but existing groups working together on specific issues.

IS THE UNITED STATES THE REAL LOSER AT HELSINKI?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. CRANE. Mr. Speaker, the accords to be signed in Helsinki should be seriously questioned by all Americans who are concerned with both freedom and justice in international affairs.

These accords have been referred to by Soviet dissident author Alexandr Solzhenitsyn as "the betrayal of Eastern Europe." The reason for making this statement is that the accords will recognize the legitimacy of Communist rule in the nations of Eastern Europe, even though such rule is opposed by the people involved. We need only remember the revolutions which have taken place in East Germany, Hungary and Czechoslovakia and the brutal manner in which they were repressed by Soviet troops.

Another reason for being skeptical about the Helsinki statement is that although the statement calls for a "hands-off" policy by each nation signing the agreement in the affairs of the other signatories, the Soviet Union already is in violation. Since the U.S.S.R. is contributing large sums of money to the Portuguese Communist Party in an effort to thwart the will of the Portuguese people, only 12 percent of whom voted for the Communists in the recent election, the Helsinki accords appear to be a mere sham.

What the Soviet Union gains from such a sham is legitimacy for its own colonial empire in Eastern Europe. What the United States and the West receive are simply more paper assurances of "détente" and "good will."

The fact is that the Helsinki accords are, as C. L. Sulzberger has written in The New York Times:

> A brass monument to patient, careful Soviet diplomacy which, for 21 years has been seeking an East-West accord formally acknowledging East Europe's de facto frontiers.

Mr. Sulzberger writes that events in Helsinki are further proof of Charles Bohlen's old formulation that Moscow's approach vis-a-vis the West is, "What is ours is ours, what is yours is negotiable." By signing the Helsinki accords, the West plays directly into the hands of this Soviet strategy.

In an editorial discussing "The Meaning of Helsinki," The Santa Ana (Calif.) Register points out that:

> It puts Chairman Brezhnev in a better position among party circles at the Kremlin. Helsinki means post-World War II borders are recognized. In other words, the peoples of the captive nations are written off.

The Register concluded that:

> If Helsinki is to be symbolic only, why doesn't President Ford go in for a superior symbolism: like staying home, thereby communicating to captive peoples that America still stands for their ultimate, even if they have to accomplish it themselves, liberation?

I wish to share with my colleagues the column, "What's Yours is Negotiable," by C. L. Sulzberger as it appeared in the New York Times of July 30, 1975, and the editorial, "The Meaning of Helsinki," as it appeared in the Santa Ana Register of July 27, 1975, and insert them into the RECORD at this time:

WHAT'S YOURS IS NEGOTIABLE

(By C. L. Sulzberger)

HELSINKI, FINLAND.—I don't know what else the Helsinki summit will be remembered for in history but there is no doubt it serves as a brass monument to patient, careful Soviet diplomacy which, for 21 years, has been seeking an East-West accord formally acknowledging East Europe's de facto frontiers.

Moreover, it signalizes a personal triumph for Leonid Brezhnev. He continued the basic foreign policy gingerly begun by Stalin's successors. With unflamboyant persistence, he has now brought to a legal conclusion the process of gaining recognition for all Russia's World War II territorial conquests—as well as the ideological ascendance Moscow has since reaffirmed in that area.

And Brezhnev, by holding the West adamantly to his own timetable, managed to do this in the immediate wake of the Soviet-American space link-up. That event dramatically reminded the world there are only two genuine superpowers. This in turn exacerbates suspicions all the way from Paris to Peking that these superpowers are imposing their own patterns, thereby weakening the voluntary support on which Washington relies more than Moscow.

It is fitting that leaders from 35 nations should meet in Helsinki. Finland's political position has given its name to a condition conceivably slated to apply elsewhere in Europe, which might henceforth focus on a revised version of Marx's 1848 Communist Manifesto, beginning the new edition: "A spectre is haunting Europe—the spectre of Finlandization."

While Finlandization frightens West Europeans because it implies helpless strategic dependence on Moscow, even though acknowledging considerable ideological independence and a largely pluralistic society, it heartens East Europeans. They dream of the day when they will be permitted as much freedom as the doughty Finns have been allowed in exchange for their loyalty.

But the rest of East Europe is unlikely to gain much more liberty as a consequence of the Helsinki summit. In 1984 the Russians are not going to be less tough about what they consider their private business than they were in Hungary (1956) or Czechoslovakia (1968). Nor is the deal to be ratified here going to alter Soviet determination

As the late Charles E. Bohlen discerned years ago, Moscow's approach to these matters, vis-a-vis the West, is: "What's ours is ours, what's yours is negotiable." So while the West tacitly accepts everything in Europe East of the Elbe as permanently Communist, the same West looks on like a paralyzed chicken while an avowedly pro-Soviet minority in NATO Portugal attempts to establish a Marxist dictatorship.

Washington and most Western capitals today have an inferiority complex about doing anything that might be construed as hostile to the Russians or their friends. Aleksandr Solzhenitsyn is kept out of the White House and President Ford comes to Helsinki—while Mr. Brezhnev's cobelligerents infiltrate the Portuguese Government, British trade unions, French media, Greek politics, Italian regional administration, and Irish revisionism.

To be sure some Communist activists are at present opposing Muscovite methods and proponents. They proclaim their support for democratic freedoms and party pluralism. Even Lenin can be cited as favoring this as a tactic—but Lenin was not notable for applying it.

And, as Western unity and political dynamism turn to cornmeal mush, it is unlikely that sponsors of an "occidental renaissance" for Marxism will feel their independent backbones becoming stiffer.

All this doesn't mean the summit—if it signifies anything more than symbolism—heralds an ideological end to political and social democracy. But right now too many democratic countries are run by a collection of unimaginative mediocrities who focus more on tomorrow's elections than the day after tomorrow's problems.

So even if the Soviet dictatorship has become sclerotic and the so-called classless society is dominated by a new class of pampered bureaucrats, it nevertheless remains coherent and clearly knows where it is heading.

The flabbiness of NATO is fated to get worse. China, which has been urging Western togetherness, has every reason to worry; Russia's allies in India and North Vietnam (which worry Peking) are getting respectively more anti-democratic and more strong.

The Russians are extending their broad-gauge railway system deep into Eastern Europe, a matter of some military importance and certainly a sign of confidence in the durability of Moscow's policy—to have and to hold.

Nor are restrictions on Soviet emigration or dissidence relaxing further. Helsinki and the diplomatic trend it punctuates won't change Moscow's society as much as it may change our own.

THE MEANING OF HELSINKI

Alexandr Solzphenitsyn's name has great staying power. It begins to seem as though all topical discussions these past months, like pebbles dropped from Pisa, fall directly towards the pre-eminent source of moral gravity of our times. Who Solzhenitsyn is, what libertarian principles he stands for, which spiritual heights he leads us on toward—these issues infuse the immediate climate, as they will continue to do. His dissenters will eventually be reduced to remarking how bored they are with him, but Solzhenitsyn's emphasis and meaning—that good and evil are still stage center—will be indelible and permanent.

Whereas Soviet dictator Brezhnev plainly now enjoys sway over United States diplomacy (as George F. Will notes, he controls the appointments calendar of the Oval Office). Solzhenitsyn is exercising considerable, graceful influence over Americans' consciences. When commentators weigh the advisability of a Soviet wheat deal, they find themselves wondering what Solzhenitsyn would think; indeed, American longshoremen, voting to stay away from the docks whence the grain will be loaded for transport, cheer Solzhenitsyn's name.

The Russian exile and Nobel laureate even seems to register some effect on presidential popularity polls. A recent 10-point discrepancy between Gallup and Harris findings as regards Americans' approval of Gerald Ford might illustrate. The polls were taken more than a week apart, during which stretch, a puzzled George Gallup said, nothing momentous happened. The Wall Street Journal, however, discovered that week was exactly when President Ford refused to see Solzhenitsyn at the White House—a classic political faux pas.

When Ford attempted to correct the blunder by extending a belated invitation, Solzhenitsyn deliciously returned the snub. He had no intention, Solzhenitsyn said, of visiting with the man who was going to betray Eastern Europe in Helsinki. Thus Solzhenitsyn dominates the American conscience as the American president this week goes a'summitting in Helsinki.

Just what, we are required to ask, does the Helsinki agreement mean? For one thing, it puts Chairman Brezhnev in better position among party circles at the Kremlin, an internecine power play in which President Ford has sided with the dictator. It is supposed to increase visits between East and West European families. Nonetheless, when Russian dissident writer Andrei Amalrik returned from prison last week the Soviet police ordered him not to see him wife. Saliently, Helsinki means post-World War II borders are recognized. In other words, the peoples of the captive nations are written off.

It is argued that, because the U.S. has no liberation designs for Eastern Europe (nor should it especially, not in a military sense), then the Helsinki pact means nothing. It is further argued that recognizing those perimeters of enslavement makes for simply an acknowledgment, on the United States' part, of "reality." The metaphor (and it is more of a metaphor in this case than in any other) of "recognizing reality" is always supposed to conjure up a belief in reduced tensions, as if reality were always pacific. It is not. True reality is in the Gulag Archipelago, the Soviet prison system from which Solzhenitsyn emerged. True reality is that cutaway of the Dark Ages implanted in the Twentieth Century known as Eastern Europe.

Surely reality—the recognition thereof—does not negate, does not obviate, moral courage. Or even moral suasion. If Helsinki is to be symbolic only, then why doesn't President Ford go in for a superior symbolism: like staying home, thereby communicating to captive peoples that America still stands for their ultimate, even if they have to accomplish it themselves, liberation."

WEATHER UNDERGROUND TERRORISTS SELECT NEW TARGETS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 1, 1975

Mr. McDONALD of Georgia. Mr. Speaker, during the month of July, the Weather Underground Organization—WUO—terrorists began distribution of the second edition of their clandestinely printed journal, Osawatomie, No. 2.

On the index page, in a section entitled "Who Are We," the Weather Underground Organization states:

> The Weather Underground Organization (WUO) is a revolutionary organization of communist women and men. We grow from the civil rights, anti-war and youth movements of the 1960's. * * *
>
> The Weather Underground Organization is responsible for over 25 armed actions against the enemy. * * * Together they have resulted in approximately $10 million damage to the imperialists and a significant blow to their arrogance. * * *
>
> *Osawatomie,* the revolutionary voice of the WUO, is guided by a commitment to struggle, a determination to fight the enemy, [and] the certainty that we will see revolution in our lifetime.

A statement by the Central Committee of the Weather Underground Organization, "Where We Stand," under the slogan from Mao Tse-tung, "Root the tree of revolution deep within the people," casts new light on tactical changes in the terrorist group.

In particular, the involvement of the Weather Underground terrorists with the Cuban-supported Puerto Rican independence movement is of interest. The close connections of the WUO with the Cuban Communists over the years has been a matter of public record from the creation of the Venceremos Brigade in 1969.

The WUO position on mass organizing has also come closer to the current revised Cuban position that armed guerrilla terrorists must have a mass base of support. The first edition of Osawatomie included a feature article in which unnamed members of the WUO claimed to have pentrated closed meetings of the Boston organization Restore Our Alienated Rights—ROAR—which supports community schools. In its new statement, the WUO Central Committee implies that Weathermen marched in various pro-school-busing marches in Boston earlier this year.

The WUO Central Committee statement reads in part:

> The world has entered a new era of historic importance: the era of the liberation of Vietnam. The Vietnamese people have thrown back the full force of aggressive U.S. power and catapulted their country into a bright future. The timetable for world revolution has been moved irrevocably forward, and for this all the people of the world, notably the American people, owe the Vietnamese a great debt of gratitude. We live in a new and better world.
>
> This is the stage of anti-imperialist struggle. This recognizes the particular stage of development of the capitalist system, the worldwide character of the struggle against U.S. capital, the critical leading role of Third World movements both abroad and at home in attacking and weakening our common enemy, and the glaring fact that imperialism cannot meet the needs of the U.S. people. Revolution is the only path of liberation for oppressed and exploited people; there is tremendous potential ready to be called into being to organize the working class to find common cause with the leading revolutionary energy. Naming this as the stage of anti-imperialist struggle puts first things first and makes sense out of the real world.
>
> Our movement has accomplished a lot over the past year, bringing the case for Puerto Rican independence before the people, marching against racism in Boston, building many demonstrations and organizing projects and actions. But we find ourselves many steps behind where we need to be. Work cries out to be done.
>
> In the first issue of OSAWATOMIE we argued that the left is not situated to fulfill its historic mission—to focus and lead and make sense of mass discontent—to carry the present situation to its furthest limits. We urged leftists to root themselves deeply in the people and to develop struggle and organization. Some comrades criticized us for this approach: they argued that we were ignoring the primary importance of developing cadre organization at this stage. We disagree.
>
> Cadre organization, developed along Leninist lines of democratic-centralism and discipline is essential for continuity and effectiveness at every stage and ultimately for seizure of power by the working class. The Weather Underground Organization is a cadre organization and we support other cadre formations around correct politics and good work as a step toward developing a revolutionary communist party. But we are opposed to the mechanistic idea that developed cadre organizations are a necessary prerequisite to mass work.
>
> Revolutionaries who are involved in organizing projects are not holding back the development of cadre forms; on the contrary they are cadre worth noting. The purpose of cadre and cadre organization at each stage is to lead, to reach out and organize, to test ideas in practice and learn from the people. Unfortunately, too many revolutionaries who are involved primarily in building cadre organization tend to turn inward and hold back the development of mass work. They define cadre organization purely in terms of form, but the heart of cadre organization is a high level of political struggle, political unity in action and exemplary social practice. Beginning to develop cadre organization is a process which includes Marxist-Leninist study, criticism and self-criticism, and collective work. Some people oppose mass organizing to cadre work. This is ridiculous. It is the dialectical relationship of the organizer to the people which seeds revolution.

The criminal terrorists of the Weather Underground are now arrogantly seeking to become the revolutionary theoreticians of the U.S. radical movement, proposing from their secret lairs organizational plans for others to implement. They propose:

> We see three urgent and immediate jobs for the revolutionary movement:
>
> First, we must build a revolutionary anti-imperialist and antiracist base among the oppressed and exploited. We must join the struggles of the people, identify with their anger and suffering and develop the full potential of their fight against the state. This means building anti-imperialist consciousness among hundreds of thousands, millions of people and means organizing the people into all forms of struggle against the corporate bosses, the government and the military—strikes, marches local and national, boycotts, sit-ins. We must spread a common understanding of the realistic possibility of revolution in our country, and in our lifetime, and of the socialist alternative to the way things are.
>
> Second, we need unity among all the anti-imperialist forces. Without a broad alliance and coming together on a simple and revolutionary basis the anti-imperialist movement will be doomed to ineffectiveness, reduplication of effort, localism and isolation of each of the parts from the whole. Principled unity of revolutionary forces is past due. Fidel speaking in Chile in 1972 bemoaned the immaturity of the North American left which proliferated a hundred organizations where one or two or three would serve.
>
> Third, we must struggle to build principled

> working relationships with Black and Third World people and organizations. White revolutionaries have largely cut themselves off from these relationships. Great opportunities exist at this time, waiting to be seized. But too often white revolutionaries shrink from these openings, sometimes using "support for self-determination" as an excuse. It is backward when white revolutionaries stand aloof from those Black-led events and activities which are open to them and need support, with the unconvincing excuse that they weren't asked. You can always ask if you're welcome. The negligible white turn-out at the recent African Liberation Day marches is one example.

Finally, the WUO urges all dedicated revolutionaries to actively involve themselves in analysis of various sectors of society to determine more clearly how pressure may be more effectively applied and various groups "neutralized." The WUO recommends:

> People should study the class analysis of Puerto Rico done by the Puerto Rican Socialist Party as a model.

Osawatomie No. 2's pages contain various articles strident in their praise of the totalitarian Communist regimes in Cuba and China. For example, in a note on the "Politics of Day Care," the required labor of children in their day-care centers doing "socially productive" work "like packing pencils or folding boxes" for use in nearby factories is used to "remind us of what is possible" under a Communist system. It is difficult to comprehend how state-required child labor can find advocates in America.

In reference to terrorist acts in support of the Cuban-sponsored Marxist-Leninist Puerto Rican Socialist Party, the WUO proclamation in Osawatomie reaffirms Weather Underground Organization responsibility for a June 16 blast at the Banco de Ponce which I previously reported in my remarks of July 9. In part the WUO statement read:

> On June 16, the Weather Underground Organization bombed the Banco de Ponce in New York City, a bank controlled by the multimillion dollar Ferré Enterprises of Puerto Rico. We acted in solidarity with the 500 striking cement workers and their families at the Ferré-owned Puerto Rican Cement in Ponce, * * *.
>
> The strike has become a rallying point for the militant independent trade union movement in Puerto Rico—a movement which the U.S., the Puerto Rican colonial government, the big corporations and the top leadership of the AFL–CIO are trying to crush. We say to the cement workers of Ponce: we are with you, compañeros y compañeras.
>
> * * * * *
>
> The strike has received the full backing of the United Workers Movement (MOU), a federation of 40 progressive unions in Puerto Rico. The Puerto Rican Socialist Party (PSP) has launched a major drive for funds and strike support. Acts of sabotage have also taken place on the Island against operations of Puerto Rican Cement and other Ferré-owned companies.
>
> * * * * *
>
> A fighting workers movement in Puerto Rico terrifies the US rulers not only because of its impact on Puerto Rico but also because of its effect here. With two million Puerto Ricans now living in the US and a broad movement of solidarity with the Puerto Rican struggle emerging, the lessons of the cement strike can be brought home to further challenge the imperialists' rule in the US. Solidarity with the cement workers is part of the class struggle here. With the US testing out its anti-worker, strikebreaking tactics on our Puerto Rican brothers and sisters, this is the time to show militant support for the Ponce strike.

In the past, the Weather Underground terrorists have singled out for attack such Government agencies as the Defense Department, Pentagon, 1972 and Oakland offices, 1975; State Department, Agency for International Development, 1975; and the Department of Health, Education, and Welfare, San Francisco offices, 1974. Now the Weather Underground has turned its attention to the Department of Agriculture and Secretary Butz, and to the large agribusinesses and conglomerates.

In light of the potential for kidnapping, it is certainly significant that the Weather Underground is aware of details of the personal habits of Secretary Butz.

It appears that the main complaint of the Weather Underground is that the capitalist system in agriculture is so efficient and highly productive that the swine and cattle of America eat better than the victims of socialism in Communist China.

As examples of the "struggle against the food monopolies," the Weather Underground commends the United Farm Workers strikes and the activities of the Symbionese Liberation Army and the terrorist Chicano Liberation Front active in California. In the words of the WUO:

> Many examples exist of struggle against the food monopolies: the United Farm Workers' strikes and boycotts, demonstrations for adequate welfare and more food stamps, bombings by the Chicano Liberation Front of Safeway, Del Monte, and the Bank of America, the ever-expanding food cooperative movement, the SLA kidnapping winning millions of dollars in free food for the poor. Working on many fronts, uniting diverse actions, a program can be built to confront US agribusiness with the demand "Food for People, Not for Profit."
>
> *Attack and expose the USDA*. The USDA is the executive committee of US agribusiness. Attack Earl Butz. Oppose USDA export subsidy system, its agribusiness connections, its ineffective food inspection, its anti-food production worker and anti-consumer practices.
>
> *Fight food stamp and welfare cutbacks* by every means necessary. Oppose any food tax; it is a tax on the poor. Feed the people, not the Pentagon.
>
> *Support food workers' struggles*. Eight to ten million workers work in food production at low wages. They work long hours in dangerous conditions. This is most true of farm laborers. Build support for these workers' struggles. Boycot Coors beer. Boycott Gallo wine.
>
> *Build and join food co-ops;* eat healthy food; shorten your supply lines. Food co-ops save on fresh produce, which has the biggest markup in supermarkets. Use food co-ops as a base for agitation; reach out and respond to the needs of poor and working people.
>
> *Organize teach-ins, study groups, Food Days*. Destroy the myths of "benevolent" US food aid. Teach the truth about the food crisis.
>
> *Support Third World liberation*, the right of Third World countries to reclaim their natural resources and build self-reliant economies. Demand an end to the blockade of socialist Cuba.

The Weather Underground's intentions cannot be more clear. They say, "Attack and expose the USDA," and "Attack Earl Butz."

Following Mao Tse-tung's maxim that "As every Communist knows, political power stems from the barrel of a gun," the Weather Underground has subjected its previous targets to both propaganda and terrorist attacks. There is no indication of a change.

I am referring this matter to the appropriate authorities.

HOUSE OF REPRESENTATIVES—*Wednesday, September 3, 1975*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

We are laborers together with God.—I Corinthians 3: 9.

Renewed in spirit and restored in mind, our Father, we return from our recess and together we pray that we may be ready for the responsibilities we face in these troubled and trying times. By Thy grace grant us strength to do our work well and to continue doing it well until we accomplish what we sincerely feel is best for our beloved country.

Keep our minds so clear, our hearts so clean, and our spirits so creative that no failure may dishearten us, no frustration may discourage us, and no fear take away from us the reality of an inner integrity of soul.

God bless America. Lead her and all nations in the paths of peace and into a higher degree of human brotherhood.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Marks, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On July 31, 1975:

H.R. 6799. An act to approve certain of the proposed amendments to the Federal

Rules of Criminal Procedure, to amend certain of them, and to make certain additional amendments to those Rules.

On August 5, 1975:

H.J. Res. 560. Joint resolution to amend the Defense Production Act of 1950, as amended, to extend the National Commission on Supplies and Shortages;

H.R. 5447. An act to amend the act of August 16, 1971, as amended, which established the National Advisory Committee on Oceans and Atmosphere, to increase and extend the appropriation authorization thereunder, and for other purposes;

H.R. 5522. An act to give effect to the International Convention for the Conservation of Atlantic Tunas, signed at Rio de Janeiro May 14, 1966, by the United States of America and other countries, and for other purposes; and

H.R. 7767. An act to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans and to increase the rates of dependency and indemnity compensation, and for other purposes.

On August 6, 1975:

H.R. 6219. An act to amend the Voting Rights Act of 1965 to extend certain provisions for an additional seven years, to make permanent the ban against certain prerequisites to voting, and for other purposes.

On August 8, 1975:

H.R. 5327. An act to reserve a site for the use of the Smithsonian Institution;

H.R. 7728. An act to suspend until the close of October 31, 1975, the duty on catalysts of platinum and carbon used in producing caprolactam; and

H.R. 7731. An act to suspend the duty on open-top hopper cars exported for repairs or alterations on or before June 30, 1975.

On August 9, 1975:

H.R. 83. An act to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe;

H.R. 1553. An act for the relief of Victor Henrique Carlos Gibson;

H.R. 2559. An act to amend title 39, United States Code, to apply to the United States Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, to provide for cost-of-living adjustments of Federal executive salaries, and for other purposes;

H.R. 3130. An act to amend the National Environmental Policy Act of 1969 in order to clarify the procedures therein with respect to the preparation of environmental impact statements;

H.R. 4241. An act to designate the John C. Kluczynski Federal Building;

H.R. 4723. An act authorizing appropriations to the National Science Foundation for fiscal year 1976;

H.R. 5405. An act to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise;

H.R. 5884. An act to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended, and for other purposes;

H.R. 7710. An act to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, to amend child support provisions of title IV of the Social Security Act, and for other purposes;

H.R. 7716. An act to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978, and for other purposes;

H.R. 8564. An act to amend the Federal Aviation Act of 1958 relating to war risk insurance;

H.R. 8597. An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes;

H.R. 8714. An act to amend the Railroad Unemployment Insurance Act to increase unemployment and sickness benefits, and for other purposes; and

H.R. 9091. An act to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested bills of the House of the following titles:

H.R. 3979. An act to authorize appropriations for the Indian Claims Commission for fiscal year 1976;

H.R. 6151. An act to authorize appropriations for services necessary to nonperforming arts functions of the John F. Kennedy Center; and

H.R. 8240. An act to amend title 38, United States Code, to provide special pay and incentive pay for certain physicians and dentists employed by the Department of Medicine and Surgery of the Veterans' Administration in order to enhance the recruitment and retention of such personnel, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 10. An act to amend section 5(a) of the Wild and Scenic Rivers Act;

S. 74. An act to study certain lands in the Angeles and San Bernardino National Forests, Calif., for possible inclusion in the National Wilderness Preservation System;

S. 151. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Polecat Bench area of the Shoshone extensions unit, Pick-Sloan Missouri Basin program, Wyoming, and for other purposes;

S. 391. An act to amend the Mineral Leasing Act of 1920, and for other purposes;

S. 521. An act to increase the supply of energy in the United States from the Outer Continental Shelf; to amend the Outer Continental Shelf Lands Act; and for other purposes;

S. 865. An act to promote more efficient use of the Nation's construction resources, to foster the preservation of buildings of historic, architectural, or cultural significance, and to enhance the social and economic environment within and surrounding Federal office buildings;

S. 1004. An act to amend the Wild and Scenic Rivers Act of 1968 by designating a portion of the Allegheny River, Pa., for potential addition to the National Wild and Scenic Rivers System;

S. 1391. An act to study certain lands in the Mendocino National Forest, Calif., for possible inclusion in the National Wilderness Preservation System; and

S. 1469. An act to authorize the Secretary of the Interior to enroll certain Alaska Natives for benefits under the Alaska Native Claims Settlement Act, to resolve certain issues arising from the implementation of such act, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Friday, August 1, 1975, he did, on August 2, 1975, sign the following enrolled bills of the House and enrolled bills of the Senate:

H.R. 83. An act to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian tribe;

H.R. 1553. An act for the relief of Victor Henrique Carlos Gibson;

H.R. 4241. An act to designate the John C. Kluczynski Federal Building;

H.R. 5405. An act to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise;

H.R. 7710. An act to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, to amend child support provisions of title IV of the Social Security Act, and for other purposes;

H.R. 7716. An act to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978, and for other purposes;

H.R. 9091. An act to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands;

S. 409. An act to increase the authorization for the Council on Wage and Price Stability, and to extend the duration of such Council; and

S. 1531. An act to designate the Mountain Park Reservoir, Okla., as the Tom Steed Reservoir.

IMPROVING PROSPECTS FOR PEACE

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. SIKES. Mr. Speaker, the improving prospects for peace in the Middle East are very encouraging. Nevertheless, the high cost to the United States of the present agreement between Egypt and Israel is, of course, a matter of concern. So is the prospect of detailing American civilian volunteers to monitor the sensors in the truce line. I feel that Congress will approve the proposal, for it is important to have greater assurance of peace without the constantly recurring threat of war.

We must not overlook the fact that what has been accomplished is really only a beginning. The hard core issues remain. They will be in focus and a possible source of trouble for many years. Syria and Israel have yet to attempt to reach an agreement and the importance of the Golan Heights to both countries may preclude a settlement. Jerusalem continues to be a knotty issue. Both Israel and the Arab countries are determined to keep a foothold in Jerusalem and both sides want control. The most difficult problem of all is that of a Palestinian state. Continuing postponement of this problem will certainly aggravate the Palestinians to take more drastic steps, including terrorism.

The great demands upon Secretary Kissinger by the Middle East problem have largely precluded his efforts in other trouble areas, such as Portugal. We have steadily been losing ground in many parts of the world, while we sought a solution in the Middle East. All in all, there are difficult world confrontations still to be resolved and there is not the slightest sign of a lessening of activity for world domination by the Russians during the time the United States is wrestling with the difficulties of other countries.

FINANCING ALTERNATE ENERGY RESOURCE FACILITIES

(Mr. THORNTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THORNTON. Mr. Speaker, I understand that the administration is deciding whether to introduce a bill to provide public financing for needed energy resource facilities.

This would be a positive approach to resolving the Nation's energy problems. By adding to the proposal the concept of actually planning and constructing needed facilities, the Government would be making a wise use of methods similar to those used to develop the aluminum resources in the State of Arkansas during World War II and which were later pioneered by my own State in constructing governmentally sponsored industrial plants to provide employment.

Like those industrial plants, a national energy resource program would provide employment for American workers while developing domestic energy resources needed to sustain a full employment economy in future years.

This idea of having the Federal Government design, finance, and construct needed plant facilities which could then be leased and operated by the private sector was the basis of the bill H.R. 3809, the National Power Resources Act of 1975, which I introduced last February.

Mr. Speaker, I believe that all of us must face up to the fact that America is now going through a transition of energy resources. Our reliance on oil and gas must soon be replaced by energy from new and unconventional sources. In this transition, private industry needs help to build alternate energy resource facilities, and American workers need jobs. I hope that the administration and the Congress will move forward speedily with legislation based on these needs so that our Nation will have the facilities for alternate sources of energy when they are required.

HEARINGS OF SUBCOMMITTEE ON ADMINISTRATIVE LAW AND GOVERNMENTAL OPERATIONS

(Mr. FLOWERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLOWERS. Mr. Speaker, I wish to announce that the Subcommittee on Administrative Law and Governmental Operations of the Committee on the Judiciary will begin hearings on lobbying disclosure legislation on next Thursday, September 11, 1975. The opening day of hearings and the day thereafter, which will be on Friday, we will hear testimony from the congressional sponsors of the legislation. Also on Friday, September 12, we will begin to receive testimony, hopefully, from private witnesses.

We will continue, then, during the next week, on the 18th and 19th of September, for the purpose of taking further testimony from interested private witnesses and for such time thereafter as any need may arise.

RESIGNATION AS REPRESENTATIVE IN HOUSE OF REPRESENTATIVES FROM TENNESSEE'S FIFTH CONGRESSIONAL DISTRICT

The SPEAKER laid before the House the following communication, which was read:

WASHINGTON, D.C., *August 14, 1975.*

Hon. RAY BLANTON,
Governor, State of Tennessee,
Nashville, Tenn.

DEAR GOVERNOR BLANTON: This is to respectfuly inform you that I am hereby resigning my seat as Tennessee's Fifth District Representative to the United States House of Representatives effective this date.

Sincerely,

RICHARD H. FULTON.

SEPTEMBER 3, 1975.

Hon. CARL ALBERT,
Speaker, U.S. House of Representatives
2205 Rayburn Building
Washington, D.C. 20515

DEAR MR. SPEAKER: On August 14, 1975, I transmitted my letter of resignation from the U.S. House of Representatives, Fifth Congressional District of Tennessee to Honorable Ray Blanton, Governor, State of Tennessee.

Respectfully,

RICHARD H. FULTON.

PERMISSION FOR COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO SIT TODAY DURING 5-MINUTE RULE

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the Committee on Standards of Official Conduct may sit today during proceedings under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 6674, DEPARTMENT OF DEFENSE APPROPRIATION AUTHORIZATION ACT, 1976/197T

Mr. PRICE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill—H.R. 6674—to authorize appropriations during the fiscal year 1976, and the period beginning July 1, 1976, and ending September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a further conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none, and appoints the following conferees: Messrs. PRICE, HÉBERT, BENNETT, STRATTON, ICHORD, NEDZI, RANDALL, CHARLES H. WILSON of California, BOB WILSON, DICKINSON, WHITEHURST, and SPENCE.

CHANGE IN LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, I have taken this time in order to announce the legislative schedule for the week. Those Members who have copies of the whip's notice will note that for the balance of the week we had scheduled H.R. 7014, the Energy Conservation and Oil Policy Act, for consideration of further amendments to that bill. That matter has now been taken off the calendar for this week and will not be placed back on the calendar until such time as the President's expected veto of the Emergency Petroleum Act Extension has been disposed of.

For today we will have H.R. 5328, Smithsonian facilities, with an open rule of 1 hour of debate, and following that H.R. 4415, the Intergovernmental Personnel Act also with an open rule and 1 hour of debate. The rules concerning these bills will be taken up first and then we will proceed with the consideration of the legislation. That will be the schedule for today.

On tomorrow we will consider H.R. 3884, national emergencies, with an open rule and 1 hour of debate.

I do not know whether any conference reports are ready or not, but they can be brought up at any time.

I would add further that the Committee on Rules will be meeting tomorrow and it is still expected that additional legislation will be reported out so that we do anticipate at this time a Friday session.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
August 29, 1975.

Hon. CARL ALBERT,
The Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 3:05 P.M. on Friday, August 29, 1975, and said to contain a message from the President wherein he transmits a Federal Pay Comparability Alternative Plan.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.
By: W. RAYMOND COLLEY,
Deputy Clerk.

FEDERAL PAY COMPARABILITY ALTERNATIVE PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-233)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered to be printed:

To the Congress of the United States:

Consideration of an adjustment in Federal white collar pay comes at a time when, although the economy is recovering, unsettling conditions are still adversely affecting the Nation's general welfare.

Under the Pay Comparability Act of 1970, an adjustment in Federal white collar pay will be required on October 1.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 489]

Alexander
Andrews, N.C.
Archer
Ashley
AuCoin
Biester
Burke, Fla.
Carney
Chappell
Conyers
Daniels, N.J.
Derwinski
Diggs
Duncan, Oreg.
Edwards, Calif.
Esch
Evins, Tenn.
Fary
Findley
Flood
Foley
Fraser
Gude
Hamilton
Hansen
Hébert
Heckler, Mass.
Helstoski
Holland
Holtzman
Hungate
Jarman
Jeffords
Jones, N.C.
McClory
McKay
Macdonald
Mink
Moakley
Moorhead, Pa.
Murphy, N.Y.
Obey
Pepper
Riegle
Risenhoover
Ruppe
Scheuer
Shipley
Solarz
Spellman
Stephens
Stuckey
Ullman
Van Deerlin
Walsh
Young, Alaska

The SPEAKER. On this rollcall 377 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL PAY COMPARABILITY ALTERNATIVE PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-233)

The SPEAKER. The Clerk will conclude the reading of the message from the President.

The Clerk concluded the reading of the message from the President, as follows:

I have reviewed the report of my "pay agent" and the recommendations of the Advisory Committee on Federal Pay relative to a pay adjustment. Their findings indicate that an 8.66 percent increase will be required to achieve comparability with the private sector. I would normally order such a pay raise in recognition of the loyal service given the country by the Government's civilian and military personnel.

However, pay comparability must be viewed in the light of the country's current economic situation. Inflation, unemployment, and recession continue to cause hardships on American consumers, workers, and taxpayers—with inflation showing a new spurt which hits hardest at the jobless and the disadvantaged.

I have attempted to curtail inflation by proposing Federal cost-saving measures and drawing the line at a $60 billion deficit. However, with Congressional inaction on the expenditure reduction proposals made in my budget, this proposed deficit has already been exceeded by more than $1 billion and will increase month after month unless there is new fiscal restraint

A Federal white collar pay increase at the proposed 8.66-percent figure would add more than $3½ billion to Federal expenditures. A 5-percent increase, as I proposed in my budget would reduce these expenditures by about $1.6 billion.

Over the past several months, I have had to veto legislation involving a number of programs because of the costs involved. This meant some curtailment in the future expectations of many Americans. However, the cost impact of these proposals would have added to inflationary pressures and thus proven to be a hoax rather than a help.

My overriding objective is to achieve national economic stability for all Americans. Full comparability pay, at this time, is inconsistent with my course of action to build a strong and stable economy and to bring inflation under control. Therefore, the size of the proposed pay raise must be temporarily restrained for the economic well-being of the Nation as a whole.

The pay act gives me the authority to propose whatever alternative pay adjustment I consider appropriate in the light of "economic conditions affecting the general welfare." The pay increase I have chosen will allow the Federal Government to lead the fight against inflation by example, and not just words alone.

It is my considered judgment that the salary adjustment should level off at the five percent increase which I called for last January. I strongly urge the Congress to support the alternative recommendation which is attached.

GERALD R. FORD.

THE WHITE HOUSE, *August 29, 1975.*

REPORT ON STATUS OF CAPITALIZATION OF RURAL TELEPHONE BANK BY UNITED STATES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-234)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Agriculture and ordered printed:

To the Congress of the United States:

Pursuant to Section 406 of the Rural Electrification Act of 1936, as amended, the Secretary of Agriculture is required to make a report, on or before July 1, 1975, to the President for transmittal to the Congress on the status of capitalization of the Rural Telephone Bank by the United States.

The report of the Secretary is enclosed.

GERALD R. FORD.

THE WHITE HOUSE, *September 3, 1975.*

REPORT CONCERNING ACTIONS TO BE TAKEN BY THE UNITED STATES TO STRENGTHEN INTERNATIONAL PROCEDURES OF THE INTERNATIONAL ATOMIC ENERGY AGENCY TO PREVENT UNAUTHORIZED DISSEMINATION OR USE OF NUCLEAR MATERIALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on International Relations and Joint Committee on Atomic Energy:

To the Congress of the United States:

As required by the Foreign Assistance Act of 1974, I am submitting the following report concerning actions to be taken by the United States to strengthen international procedures of the International Atomic Energy Agency (IAEA) to prevent the unauthorized dissemination or use of nuclear materials.

The Act requires that a reasonable amount of the funds authorized for the IAEA as technical assistance should be used to improve such safeguards. The $200,000 program outlined in this report in conjunction with other U.S. programs, will support the task of assessing, influencing and strengthening these preventive procedures.

GERALD R. FORD.

THE WHITE HOUSE, *September 3, 1975.*

PROVIDING FOR CONSIDERATION OF H.R. 4415, AMENDMENTS TO THE INTERGOVERNMENTAL PERSONNEL ACT OF 1970

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 549 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 549

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4415) to amend the Intergovernmental Personnel Act of 1970 to provide more effective means to improve personnel administration in State and local governments; to correct certain inequities in the law; and to extend coverage under the law to the Trust Territory of the Pacific Islands. After general debate, which shall be confined to the bill and shall continue not to exced one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be ready for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Post Office and Civil Service now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Louisiana (Mr. LONG) is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes for the minority to the distinguished gentleman from Mississippi (Mr. LOTT), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 549 provides for an open rule with 1 hour of general debate on H.R. 4415, a bill to amend the Intergovernmental Personnel Act of 1970.

This bill continues for an additional 3 years, until October 1, 1978, the authority of the Civil Service Commission to make grants for up to 75 percent of the approved costs of programs and projects to improve personnel administration in State and local governments. H.R. 4415 also extends full coverage of the Intergovernmental Personnel Act to the Trust Territory of the Pacific Islands and includes the U.S. possessions in the formula grant provisions.

This bill further provides that public employee organizations may apply directly to the Civil Service Commission for labor-management training grants. Under the terms of the bill, grants to employee organizations will be for training only in those areas specified in the bill which will enable employee organizations to function effectively and knowledgably.

H.R. 4415 authorizes appropriations of $40 million for fiscal year 1976; $12 million for the transition period through September 30, 1976, and $50 million for fiscal year 1977.

Mr. Speaker, I urge the adoption of House Resolution 549 in order that we may discuss and debate H.R. 4415.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as has been explained previously by the gentleman from Louisiana, House Resolution 549, the rule presently before us, provides for the consideration of H.R. 4415, the Intergovernmental Personnel Act of 1975. Under the terms of the rule the House is directed to resolve itself into the Committee of the Whole; and after 1 hour of general debate, the bill shall be read and open to all germane amendments under the 5-minute rule. The substitute recommended by the Committee on Post Office and Civil Service is made in order as an original bill for purposes of amendment.

The primary intent of H.R. 4415 is to extend and amend the Intergovernmental Personnel Act of 1970. This act was originally designed to provide State and local governments with the resources to deal effectively with management problems by supplying them with direct grants, permitting mobility assignments of personnel between Federal and State governments, and the establishment of a fellowship program.

The 1975 version of the Intergovernmental Personnel Act proposes to continue for 3 years the Civil Service Commission's authority to make grants for up to 75 percent of the cost of IPA's programs—current law requires a reduction of the Federal share to 50 percent on July 1, 1975. The bill also would extend full coverage under the IPA to the Trust Territory of the Pacific Islands.

H.R. 4415 would authorize public employee unions to apply directly to the Civil Service Commission for grants for training officers and employees of employee organizations and employees of State and local governments in labor management relations. Finally, the legislation requires that States and localities notify employee organizations of IPA funded activities which relate to and affect conditions of employment and provide these organizations with access to that information.

The authorizations called for under this measure are a total of $102 million for fiscal 1976 and 1977. While there is no present limit on annual appropriations, they were $10 million in 1974 and $15 million in 1975. The budget request for 1976 is $20 million.

Mr. Speaker, only 2 days of public hearings were conducted in subcommittee relating to H.R. 4415. After such a brief analysis, to substantially change the concept of the Intergovernmental Personnel Act by allowing Federal grants to labor unions and by continuing the Federal share at 75 percent for another 3 years beyond the point at which this share was to be reduced to 50 percent, is a questionable legislative practice at best. In addition to this, the proposed authorization levels of $40 million for fiscal year 1976, $12 million for the fiscal year transition to October 1976, and $50 million for fiscal year 1977 are inconsistent with the administration's budget request and serve only to increase the already unacceptable budget deficit.

Therefore, I welcome the passage of this rule, which will provide for the opportunity to offer several correcting amendments to this legislation.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. LONG of Louisiana. Mr. Speaker, I have no requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SMITHSONIAN INSTITUTION TO PLAN MUSEUM SUPPORT FACILITIES

Mr. YOUNG of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 602 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 602

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5328) to authorize the Smithsonian Institution to plan museum support facilities. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto final passage without intervening motion except one motion to recommit.

THE SPEAKER. The gentleman from Georgia (Mr. YOUNG) is recognized for 1 hour.

Mr. YOUNG of Georgia. Mr. Speaker, I yield the usual 30 minutes to the gentleman from California (Mr. DEL CLAWSON), and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 602 provides for an open rule with 1 hour of debate on H.R. 5328, a bill that would provide for the Smithsonian Institution to undertake the planning for a museum support facility. This support facility is to be used for the care and study of our national collections of scientific, historic, and artistic objects and artifacts. It would also be used for documentation of the collection, and the training of museum curators. The facility is to be located on federally owned land within the metropolitan area of Washington, D.C. The total of estimated planning, design, and review costs for which H.R. 5328 provides authorization is $1,575,000. Mr. Speaker, I urge the adoption of House Resolution 602 in order that we may discuss and debate H.R. 5328.

Mr. DEL CLAWSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 602 provides for 1 hour of general debate on H.R. 5328, authorizing the Smithsonian Institution to plan museum support facilities. Germane amendments may be offered under the 5-minute rule. There are no waivers of points of order in the resolution.

The purpose of H.R. 5328 is to provide the Smithsonian Institution with off-Mall facilities. It is estimated that the planning and design costs will be $1,575,000, and additional construction costs will be $37,638,000 at present prices.

Mr. Speaker, while there may be some reservations concerning this bill, I propose we adopt the rule and debate any reservations during the allotted debate time.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. YOUNG of Georgia. Mr. Speaker, I have no requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. NEDZI. Mr. Speaker, I move that

the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5328) to authorize the Smithsonian Institution to plan museum support facilities.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5328, with Mr. Thornton in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan (Mr. Nedzi) will be recognized for 30 minutes, and the gentleman from Alabama (Mr. Dickinson) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. Nedzi).

Mr. NEDZI. Mr. Chairman, it is my understanding that the gentleman from Louisiana (Mr. Moore) will be representing the minority on this bill.

The CHAIRMAN. The Chair will take cognizance of that fact.

Mr. NEDZI. Mr. Chairman, this bill would authorize the Smithsonian Institution to prepare plans for a museum support facility to be located on federally owned land in Silver Hill, Md.

When completed, the facility will support the care, curation, and conservation of the Institution's collections. Additionally, the facility will handle the necessary documentation of the collections, and have the capability to train museum conservators.

In 1846 Congress established the Smithsonian Institution to administer the trust obligations of the United States under the will of James Smithson, an English scientist who died in 1829. In carrying out this mandate, the Smithsonian has accepted the responsibility for the development, preservation, study, exhibition, and interpretation of the national collections. These are necessarily growing and expanding activities. The connections which the Smithsonian preserves and documents are examples of man's culture and creativity and the diversity of the planet. As more of the natural world is destroyed, as civilizations change, and as habitable space decreases, museums have increasing responsibilities for preserving the material documentation of our history. As the Nation grows and changes, the Smithsonian will continue to expand.

Even though acquisitions are rigidly screened, the rate of increase of the national collections over the past two decades has averaged about 1 million objects and specimens per year. The Smithsonian has a responsibility to accept, subject to rigid standards of selection, valuable collections offered to the United States. This selective growth of collections is an essential part of the Smithsonian's mission to increase and diffuse knowledge.

The Subcommittee on Library and Memorials attests to the growth of the Smithsonian's collections. Today, these collections overflow into corridors and stairwells of the Natural History Building. Curators and visiting scientists work in cramped areas surrounded by collections; 40,000 square feet of space designed for exhibits are closed to the public and occupied by the collections. These crowded collections are less accessible than they should be for efficient use and study. At a time when concern for the quality of the environment and the proliferation of impact studies have increased the research demands on the collections, it is increasingly urgent that we improve their accessibility. Studies have shown that the National Museum of Natural History needs an additional 310,000 net assignable square feet of space outside its facility on the Mall to remedy the overcrowding and to provide for the growth of the collections until the mid-1980's. This is the requirement for but one of the Smithsonian's museums.

In the past it has been possible to build new museum buildings on the Mall and to construct additions to existing buildings. However, no land remains on which to build further additions to the buildings. Another approach is required and the Subcommittee on Library and Memorials believes that the development of a museum support facility within a reasonable distance from the Mall will provide the best long-range solution of the museum space problem.

The institution's experience over the last 20 years in developing and operating a depository and shop facility at Silver Hill, Md., to supplement some Mall activities, has demonstrated the feasibility of concentrating future support facilities in the same area. The present facility at Silver Hill has been developed with one-story, prefabricated metal buildings for the preservation and study of the National Air and Space Museum's collections, and these activities will continue there.

The proposed location in Silver Hill is adjacent to the existing one, and is only 6½ miles from the Mall. It can be reached by car in 15 to 20 minutes. The existing and new buildings could be administered as one, sharing a number of operational services such as security, maintenance, and transportation.

The General Services Administration has estimated that it would cost $37,638,000—prices as of February 28, 1975—to meet the Smithsonian's immediate requirement of 528,000 net assignable or 776,000 gross square feet of building space.

The total estimated design and review costs, which are included in the larger figure, and for which H.R. 5328 provides the authorization, is $1,575,000. The Secretary of the Smithsonian, in testimony on this bill before the Subcommittee on Library and Memorials, has stated his anticipation that no funds for this authorization would be requested until the spending moratorium established by the President has been lifted.

Development of the museum support facility concept has been undertaken primarily by the Smithsonian staff, with the assistance of outside sources. In fiscal year 1967 $22,700 was appropriated for a feasibility study that considered the project in the context of storage only. Internal analysis subsequently advanced the current concept, and in fiscal year 1974 $35,000 was expended for site studies. In fiscal year 1975 an appropriation of $75,000 for preliminary facility planning was received. The preparation of plans, which this bill authorizes, will address the first of a four-phase support facility development which would ultimately provide a total of 1,852,000 gross square feet, which is the projected long-term need of the Smithsonian for support space during the remainder of this century.

The General Services Administration has included the Smithsonian's needs for additional support space in the master plan concept for the development of the Suitland Federal Center, which includes the Silver Hill area. Additionally, all boards and commissions having an interest in the development of this area have reviewed the GSA's master plan. The Prince Georges County Planning Board, the Maryland National Capitol Park and Planning Commission, the National Capitol Planning Commission, and the GSA have endorsed the Smithsonian's proposal.

This proposal was initially introduced during the 91st Congress and passed by the Senate. It was again passed by the Senate in the 93d Congress. The last 5 years have increased rather than mitigated the dimensions of the Smithsonian's needs and I, therefore, urge my colleagues to join the Committee on House Administration in supporting this authorization for the long-term solution to the Smithsonian's urgent need and to allow the Institution to carry out its responsibilities for the development, conservation, and employment of the national collections.

Mr. NEDZI. Mr. Chairman, I have no requests for time.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. Mr. Chairman, I would like to ask the Chairman, the gentleman from Michigan (Mr. Nedzi) whether the gentleman's committee is aware of the desire by various organizations spread throughout the country for establishing satellite Smithsonian Institution facilities in various areas of the country? In other words, to decentralize this facility? Has the committee approached that subject at all?

Mr. NEDZI. The committee has not reviewed that specific proposal but, as a general proposition, the committee is aware that there is some interest in establishing Smithsonian facilities in areas outside the Washington area.

Mr. MYERS of Pennsylvania. Mr. Chairman, I might add that it would be my opinion that if we are being asked at this time for a major investment for alternative facilities that this might well be a good time to evaluate such a proposal of taking the Smithsonian Institution's facilities and spreading them out throughout the country so as to make them available to all geographical sectors and locations of our Nation.

Of course I realize that it is late to approach this subject on this particular bill but I would ask the gentleman from Michigan if there is any way during this preliminary study that such an evaluation could be made of that proposal?

Mr. NEDZI. Let me say that I agree with the gentleman from Pennsylvania. I think there is merit in what the gentleman suggests. This legislation, however, addresses itself to support facilities for the existing plant on the Mall. This legislation would authorize the planning of a facility which would provide a support capability for the Smithsonian's facilities in Washington.

Mr. MYERS of Pennsylvania. Mr. Chairman, I understand what the gentleman from Michigan says, but I also understand that the justification for this facility is in part the fact that the room for the display of these articles is insufficient, and they are increasing to such a number that they are encroaching on the existing facilities which have been used to prepare for display purposes.

The reason I bring this up at this time is that I would hate to see a decision made to go ahead with such supporting facilities that would preclude the opportunity of spreading these facilities of the Smithsonian Institution across the country. If such a major investment at this time to provide additional space for the Smithsonian Institution in the metropolitan area would preclude such a consideration, then I would have to oppose this.

Mr. NEDZI. I understand the point the gentleman from Pennsylvania is making and I am in sympathy with the thrust of the gentleman's remarks.

However, the problem we have right now is that the conditions which exist on the Mall are not conducive to either adequately displaying the collections, or permitting a study of these collections by scholars. Because the collections overflow into public areas, the scholars cannot have access to them, and that space is not available for the public, either. So we have a two-pronged situation that this legislation addresses itself to. The additional question of satellite institutions or installations is one that is worthy of consideration and certainly the subcommittee would entertain any legislative suggestions which the gentleman from Pennsylvania (Mr. MYERS), or any other Member may have to offer.

Mr. MYERS of Pennsylvania. I thank the gentleman from Michigan.

Mr. NEDZI. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. MOORE).

Mr. MOORE. I thank the Chairman.

During committee consideration of this bill and subcommittee consideration of this bill, there was no minority objection raised before the subcommittee and the committee. There has been none raised thus far, so far as I know.

Mr. Chairman, we have no additional requests for time; therefore I yield back the balance of my time.

Mr. NEDZI. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 5328

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The Regents of the Smithsonian Institution are authorized to prepare plans for museum support facilities for the care, curation, conservation, deposit, preparation, and study of the national collections of scientific, historic, and artistic objects, specimens, and artifacts; for the related documentation of such collections of the Smithsonian Institution; and for the training of museum conservators.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 4, immediately following the word "facilities" insert the words "to be used".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 5, immediately preceding the word "the" insert "(1)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 7, strike the word "for" and insert in lieu thereof "(2)".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 9, strike the word "for" and insert in lieu thereof "(3)".

The committee amndment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. The museum support facilities referred to in section 1 shall be located on federally owned land within the metropolitan area of Washington, District of Columbia. Any Federal agency is authorized to transfer land under its jurisdiction to the Smithsonian Institute for such purposes without reimbursement.

SEC. 3. There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary to accomplish the purposes of this Act.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THORNTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 5328 to authorize the Smithsonian Institution to plan museum support facilities, pursuant to House Resolution 602, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. NEDZI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 907) to authorize the Smithsonian Institution to plan museum support facilities, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the Senate bill as follows:

S. 907

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The regents of the Smithsonian Institution are authorized to prepare plans for museum support facilities for the care, curation, conservation, deposit, preparation, and study of the national collections of scientific, historic, and artistic objects, specimens, and artifacts; for the related documentation of such collections of the Smithsonian Institution; and for the training of museum conservators.

SEC. 2. The museum support facilities referred to in section 1 shall be located on federally owned land within the metropolitan area of Washington, District of Columbia. Any Federal agency is authorized to transfer land under its jurisdiction to the Smithsonian Institution for such purposes without reimbursement.

SEC. 3. There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary to accomplish the purposes of this Act.

MOTION OFFERED BY MR. NEDZI

Mr. NEDZI. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NEDZI moves to strike all after the enacting clause of S. 907 and insert in lieu thereof the provisions contained in H.R. 5328, as passed by the House, as follows:

The Regents of the Smithsonian Institution are authorized to prepare plans for museum support facilities *to be used* for (1) the care, curation, conservation, deposit, preparation, and study of the national collections of scientific, historic, and artistic objects, specimens, and artifacts; (2) the related documentation of such collections of the Smithsonian Institution; and (3) the training of museum conservators.

SEC 2. The museum support facilities referred to in section 1 shall be located on federally owned land within the metropolitan area of Washington, District of Columbia. Any Federal agency is authorized to transfer land under its jurisdiction to the Smithsonian Institution for such purposes without reimbursement.

SEC. 3. There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary to accomplish the purposes of this Act.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 5328) was laid on the table.

AMENDMENTS TO THE INTERGOVERNMENTAL PERSONNEL ACT OF 1970

Mr. CLAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4415) to amend the Intergovernmental Personnel Act of 1970 to provide more effective means to improve personnel administration in State and local governments; to correct certain inequities in the law; and to extend coverage under the law to the Trust Territory of the Pacific Islands.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4415, with Mr. **KAZEN in the chair.**

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Missouri (Mr. CLAY) will be recognized for 30 minutes and the gentleman from California (Mr. ROUSSELOT) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Intergovernmental Personnel Act of 1970 is a comprehensive Federal program for improving and strengthening State and local personnel administration. It focuses upon three basic areas in the public manpower sector: the interchange of Federal, State, and local employees; training programs; and personnel management.

The 4 years since enactment of IPA have revealed some areas in which the law could be improved. H.R. 4415 as reported fills gaps in program coverage and corrects inequities in the original legislation.

The bill makes the following changes in existing law:

First. Continues the Federal share of grant program costs at 75 percent for 3 additional fiscal years, until October 1, 1978.

Second. Authorizes reimbursement to State and local governments for up to 75 percent of the salary of recipients of Government service fellowships and establishes an obligated service requirement for these fellowships.

Third. Modifies the IPA's mobility program by adding provisions which assure flexibility, fairness, and equity.

Fourth. Includes the U.S. possessions in the formula grant provisions of the IPA, and provides full coverage of the IPA to the Trust Territory of the Pacific Islands.

Fifth. Authorizes public employee unions to apply directly to the Civil Service Commission for grants for training officers and employees of employee organizations and employees of State and local governments in labor management relations.

Sixth. Requires States and localities to notify employee organizations, upon request of IPA programs or projects which relate to the formulation of policies and procedures affecting conditions of employment and to provide such organizations access to summaries of such programs or projects.

Seventh. Requires biennial evaluations of the grant and mobility programs by the Comptroller General of the United States.

Eighth. Authorizes annual appropriations of $40,000,000 for fiscal year 1976, $12,000,000 for the 3-month transitional period from July 1, 1976, to September 30, 1976, and $50,000,000 for fiscal year 1977.

Mr. Chairman, the Subcommittee on Employee Political Rights and Intergovernmental Programs conducted 2 days of public hearings on this bill and received testimony from the U.S. Civil Service Commission, employee organizations, and public interest groups. In addition, there was extensive consultation with interested individuals and organizations.

There was widespread agreement on the effectiveness and the need for the continuance of this program. Witnesses were unanimous in their concern that States and localities would be unable to continue their participation in this program should they be forced to bear an increased financial burden.

The bill was favorably reported by the subcommittee by a vote of 6 to 3 and by the full committee by a voice vote.

I urge my colleagues to support this legislation.

Mr. ROUSSELOT. Mr. Chairman, I do not think there are too many on this side of the aisle that objected to continuing this program as it was. In other words, if the legislation remained at the $20 million authorization-level year, or encouraged an appropriate intergovernmental relation between the Federal Government, State and city governments, that would be acceptable; but as we go into the hearings many of us generated some very substantial doubts about the necessity of, No. 1, increasing the authorization to $40 or $50 million a year and second, not sticking by the formula that was originally proposed in this House of having the funding of this activity shared on an equal basis with local governments.

Mr. Chairman, let be review some of the reasons why several committee members have serious reservations about this act as it is now before the House:

The legislation, H.R. 4415, as amended, is unacceptable in its present form and should be substantially amended or defeated.

ADMINISTRATION'S PROPOSAL

On February 28, 1975, the administration sent to the Congress its legislative recommendations for amendments to the Intergovernmental Personnel Act. With the exception of extending the cost ratio of the grant program of 75–25 percent for an additional 3 years, the amendments were noncontroversial.

SUBCOMMITTEE ACTION

However, after only 2 days of public hearings and a caucus of the Democrats on the Subcommittee on Political Rights and Intergovernmental Programs, agreement was reached on a number of additional amendments which substantially changed the concept of the IPA.

CONGRESSIONAL INTENT

In enacting the IPA, Public Law 91–648, the Congress determined that there was a need to provide State and local governments the resources by which they could more effectively deal with management problems. The act provides for direct grants to State and local governments, mobility assignments of personnel between Federal and State governments, and a fellowship program. All programs, without exception, were designed to assist State and local governments develop management competence. The IPA is almost the only source of such specialized assistance to State and local governments. Even the act's provisions for grants to organizations other than State and local governments are carefully prescribed to insure that such training grants are made for and only on request of State and local governments.

FEDERAL GRANTS TO UNIONS

The subcommittee changed this concept by accepting an amendment sponsored by the American Federation of State & County Employees which permits employee labor unions to apply directly to the Civil Service Commission for grants under the IPA. Therefore, for the first time Federal moneys could be used to finance training for labor unions.

The amendment would equate labor organizations which have no governmental responsibilities with State and local governments for which the act was specifically designed.

To establish broad congressional policy after but a few days of hearings, and a Democrat caucus, is a questionable legislative practice.

Should the Congress be disposed to open the U.S. Treasury to private labor unions, then closer scrutiny must be given the issue by the committees of Congress charged with jurisdiction of labor matters.

The IPA is not the vehicle for such an important policy decision, and our Committee on Post Office and Civil Service is not the proper body to make such a determination.

This amendment on grants to unions directly contravenes the purpose of the act and would result in the involvement of the Federal Government in the sensitive area of local labor disputes.

It would be a grievous error if Congress were to change the intent of the IPA without an in-depth analysis by a panel charged with the responsibility of dealing with labor problems.

If this amendment prevails, the Congress should be prepared to accept similar language to a host of other grant programs coming to the floor in the 94th Congress and in the future.

EQUAL COST SHARING

In 1970, Chairman Robert E. Hampton of the Civil Service Commission testified before the House Education and Labor Committee in support of legislation establishing the IPA. He clearly spelled out the Commission's philosophy on the grant sharing ratio. He said:

> We understand the arguments for a 75-percent Federal and 25-percent State or local matching ratio as provided in H.R. 5546. However, we feel that on an "over the years" basis, a 50–50 ratio would be more desirable.

We share that philosophy and find no reason to depart from it, even though the Commission this year testified in favor of extending the 75–25 cost sharing ratio.

The first section of the bill would extend the 75–25 cost sharing ratio through October 1, 1978. Under existing provisions of the act, the Federal share will decrease to 50 percent on July 1, 1975.

We are opposed to continuing the Federal share at 75 percent for another 3 years. The Civil Service Commission contends that State and local governments cannot afford to provide 50 percent of the funding for IPA. The point simply stated is the Federal Government faces an $86 billion deficit in 1976 and is certainly not in a better position than the States to provide the funding.

If the States are forced to provide 50 percent funding, they would take a closer look at some of the programs that are currently being funded. This will force the States to make some tough decisions as to the merits of the programs. This approach was contemplated when the legislation was originally enacted. It was the intention at that time, that the 75–25 grant funding ratio would give the IPA a "temporary stimulus" which would allow the program to be implemented throughout the States. This has been accomplished.

The argument was also made by the Civil Service Commission in 1970 that the initial 3-year period would allow the State and local governments a breathing spell to produce additional revenues in order to meet the 50-percent requirement.

Experience has shown that once the Congress sets a matching formula with the Federal Government providing the larger share of funding, the sliding ratio of funding never does slide. The time has come for the States to pay their fair share of the cost for the IPA and the Congress to stand firmly behind the original intent of the legislation.

AUTHORIZATION FOR APPROPRIATIONS

Under existing law, appropriations for the IPA are permanently authorized, so that appropriations requests are at the discretion of the administration. For fiscal year 1976, this request is $20 million, $15 million of which is for grants.

The proposed increases of $40 million for fiscal year 1976, $12 million for the fiscal year transition to October 1976, and $50 million for fiscal year 1977 are unacceptable and inconsistent with the administration's moratorium on new spending initiatives.

In addition, these increases are premature because of the prospective evaluation of the Intergovernmental Personnel Act, of which $300,000 is earmarked in the President's budget.

Further, the subcommittee expects to conduct its own in-depth investigation with technical assistance from the General Accounting Office of the Intergovernmental Personnel Act programs throughout the United States.

The GAO is also mandated by this legislation to conduct a comprehensive evaluation of the effectiveness of the programs under the IPA by July 1, 1977.

Until such time as these reviews are completed on the merit and efficiency of programs financed under the IPA, no additional moneys should be authorized.

Unless the above-mentioned provisions, with the exception of the GAO report, are sticken from the bill, this legislation should be defeated. To do otherwise would be a costly mistake.

Several committee members intend to offer amendments, when we get to the amendment stage, to try to strike some of these deficient sections from the bill. I would like to emphasize that when committee members asked for concrete proof of what this agency had contributed or what productive results could be shown, although some of the examples were submitted in writing later, there was not much in the way of convincing evidence that these Federal services are in very much demand.

So, I hope that my colleagues will be present when some of these amendments that we feel will be corrective will be offered.

Mr. CLAY. Mr. Chairman, I yield 5 minutes to the gentlewoman from Maryland (Mrs. SPELLMAN).

Mrs. SPELLMAN. Mr. Chairman, H.R. 4415 consists of a series of amendments to one of the more significant pieces of intergovernmental legislation passed by the Congress in recent years—the Intergovernmental Personnel Act of 1970.

IPA was enacted to enable the Federal Government to provide both technical and financial assistance to State and local governments to help them help themselves develop strong systems of personnel management—a task at which IPA has been immenently successful.

The financial assistance provided by IPA grants has not been Federal doles, but Federal seed moneys designed to provide incentives to State and local governments to explore avenues which could not have been pursued otherwise for lack of funds. Many pilot IPA projects have been of such demonstrated benefit that they have been adopted by sponsoring local governments and have earned permanent places in municipal budgets.

In Denver, IPA funds were used to validate the job relatedness of class specifications for employees of the city and county: In Montana funds were used to produce workshops on collective bargaining for State and local employees, and in New Jersey funds were used to develop model personnel systems. These are but a few of the uses to which IPA funds have been applied; there are scores of others. I personally am fully aware of a good many of the programs that IPA funds have been used for.

One of the most important amendments before us in H.R. 4415 extends the 75 percent Federal match for IPA funded projects for an additional 3 years. Under the provisions of IPA enacted in 1971, an original 75 percent Federal match reverted to a 50 percent Federal match as of July 1 of this year.

When the act was passed by the Congress in 1971 it was thought that after 3 years of 75 percent Federal matches, enough momentum would have been created to sustain and even strengthen the IPA program, and that a 50 percent Federal match thereafter would be sufficient. And indeed, that might have been the case had not events overshadowed the initial wisdom of the Congress.

But the Congress was not able, in 1971, to forsee the economic recession which has since brought many State and local governments to the brink of financial crisis. As a result of this crisis, many worthwhile and successful IPA pilot programs which, all things being equal, ought to be strong and self-sustaining, are in jeopardy of being discontinued. Local and State governments unable to accept the additional burden imposed by a January 1, 1975, reduction of the Federal match to 50 percent have already begun to cancel much needed IPA programs. The letters come in daily.

This is saddening. Here we have a program that not only works, but works as it was intended: with a minimum of red tape, with minimal Federal involvement, and with maximum local decisionmaking and initiative. It deserves a better fate than to be emaciated by economic circumstances beyond the control of the Congress that so widely passed this important legislation 3 years ago.

I urge the House to pass all the committee-recommended amendments that are contained in H.R. 4415, but to give special consideration to that provision which extends the 75 percent Federal match for IPA funded programs for an additional 3 years.

Other important amendments in H.R. 4415 modify the mobility regulations, making them more equitable; put ceilings on the salaries the Federal Government can pay non-Federal employees on temporary assignment to the Federal Government; extend the provisions of IPA to the Trust Territories and to other U.S. possessions; and make public employee organizations eligible for training grants administered through the Civil Service Commission.

Each of these amendments improves the effectiveness of IPA. I urge that the House approve H.R. 4415 in its entirety.

Mr. ROUSSELOT. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. ESCH).

Mr. ESCH. Mr. Speaker, we have before us today, amendments designed to improve the effectiveness of the Intergovernmental Personnel Act. The IPA, which was enacted in 1971, has a proven record of helping State and local governments improve their personnel administration procedures.

Since the enactment of IPA, we have had the opportunity to evaluate its effectiveness and now we have the chance to insure that it continues to reflect the intent of Congress.

In this regard, an amendment included in H.R. 4415, which extends the right for public employee organizations to apply directly to the Civil Service Commission for funds is particularly important.

IPA, as originally passed, does not preclude the participation of public employee training programs, but experience has shown that programs sponsored by local governments have had a management slant, which has tended to diminish the interest of potential labor participants.

There is nothing improper with this practice, but if we want to improve the negotiation process between labor and management, reduce misunderstandings, and insure that both parties in the negotiations have a thorough knowledge of the process of labor-management relations, then we must recognize the need to educate both labor and management.

I believe this amendment is needed to clarify the intent of the original act to insure that both labor and management are guaranteed the opportunity for training under this act.

Mr. ROUSSELOT. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, the objectives of the Intergovernmental Personnel Act of 1970 are sound in seeking to provide more effective means of improving personnel administration in State and local governments. However, the admendments to this act H.R. 4415 as amended, are unacceptable in their present form. The bill requires substantial amendment.

Under existing law, appropriations for the Intergovernmental Personnel Act are permanentaly authorized, so that appropriations requests are made by the administration in conformance with the overall Federal budget. For fiscal year 1976, the IPA request is $20 million, $15 million of which is for grants.

The committee changed this procedure by specifically authorizing appropriations of $40 million for fiscal year 1976, $12 million for the fiscal year transition to October 1976, which is nearly three times the amount requested by the administration, and $50 million for fiscal year 1977.

This precipitous action by the subcommittee majority, which adopted this amendment, is highly questionable. The hearings produced no evidence that the Intergovernmental Personnel Act needs to be expanded. In fact, the Civil Service Commission testified that:

> The IPA program has now been in effect for 4 years and we believe it would be desirable to evaluate its impact and effectiveness. Accordingly, we are undertaking with funds provided in our fiscal year 1976 budget, an evaluation of all aspects of the program including a review of matching fund requirements.

In other words, a comprehensive review of the Intergovernmental Personnel Act has not yet been undertaken. Accordingly, there is no factual basis for an increase in the program's appropriation.

It seem only logical therefore that before the Congress puts more money into the Intergovernmental Personnel Act, it should await the results of this study by the Civil Service Commission.

Further, the subcommittee expects to conduct its own in-depth investigation with technical assistance from the General Accounting Office of the Intergovernmental Personnel Act programs throughout the United States.

The General Accounting Office is also maintained by this legislation to conduct a comprehensive evaluation of the effectiveness of the programs under the Intergovernmental Personnel Act by July 1, 1977.

Until such time as these reviews are completed on the merit and efficiency of programs financed under the Intergovernmental Personnel Act, it is premature for additional money to be authorized.

If these proposed studies are favorable, there will be time enough in the future to increase the authorization for appropriations for the Intergovernmental Personnel Act. To do otherwise, would be to blindly commit the money of the American taxpayer.

Mr. Chairman, during the course of consideration of this measure I intend to offer an amendment striking the section dealing with the authorization for the appropriation under section 4. I would like to make it clear that my amendment will not affect the administration's request of $20 million for funding the IPA program for fiscal year 1976. But it does strike the committee's $32 million increase in appropriation levels over and above the President's request for fiscal year 1976, and removes the $50 million figure for fiscal year 1977.

Mr. CLAY. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. HARRIS).

Mr. HARRIS. Mr. Chairman, if I were asked to review the history of this legislation, I think the first thing I would point out is that it has been remarkably bipartisan and nonpartisan legislation. I am frankly somewhat disturbed that we would see here the lack of enthusiasm for the program that we have seen from the other side of the aisle.

I do not think that the philosophy behind this law has been grasped by the Members. I do not think the law should be condemned just because it came out of the Nixon administration. I believe we should understand that many good things could have come out of that administration.

This is the concept of new Federalism. This is the concept where the Federal Government and the local government can work together and can exchange personnel so that they know what one another is doing.

I think there was great excitement about the idea as it was proposed as a part of the total new Federalism idea where one has cooperation between the Federal Government and the local government. Unfortunately, I think what we had is a great deal of publicity about the program and a great deal of credit taken for the program and then a failure to fund for the program, saying, "We are for the program, but we are not for spending any money to implement the program."

This is what we have done for the last 2 years. We have had a nationwide program, supposedly to implement an exchange of personnel between the Federal Government and the local governments, and we have funded it with $15 million of grants nationwide.

One does not have to do much arithmetic to figure out that a program funded like that is not going to have much effect anywhere. I think it has been remarkable that the number of local governments that have participated have had the success that they have had.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield at that point?

Mr. HARRIS. I will be glad to yield to the distinguished gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman's yielding.

I think that the concern that many of us have is not that this kind of activity does not have some value, but if the IPA was so beneficial to State and local governments, which some of them say it is, then we should move to the original concept of 50-50 funding. If the IPA is productive, as the gentleman claims, then why should we not go to what was originally intended by the House, a 50-50 funding concept, where the State and the city government would fund at least on an equal basis with the Federal Government?

Mr. HARRIS. Mr. Chairman, I thank my colleague, the gentleman from California (Mr. ROUSSELOT) for his remarks.

I almost feel as though he is pressing the next point that I was going to raise here: If, in fact, we are going to continue the program, if, in fact, we are going to become serious about implementing the program, and if, in fact, we put in the necessary funding so that we do have an operational program, not just urging it, but implementing it, then all of the local governments will be able to improve their conditions before they come back here to a big Federal agency.

However, should we economize now by moving to a 50-50 proposition instead of to a 75-percent proposition? Is this the time to do this?

Economy is a great thing. There is nothing like cutting the Federal budget here and there, but all we are doing by moving from a 75-percent to a 50-percent proposition is saying that we are going to economize in the Federal Government and shift a greater part of the burden to the local government.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield further?

Mr. HARRIS. Yes, I yield to the gentleman from California.

Mr. ROUSSELOT. An equal share is all that we are asking. Many cities are in better shape financially than the Federal Government. As the gentleman knows, many cities and State governments have surpluses and reserves, whereas we are apt to be in deficit to the tune of $90 billion this year.

Mr. HARRIS. I am not sure what the administration's latest estimate of its deficit is, and I am not sure that all the local governments are in as great financial shape as my colleague, the gentleman from California, seems to think they are.

Many of them in my area are not, and many on the east coast are not.

In any event, I think the idea of economizing by shifting a greater part of the burden to the local government is wrong. It is a bad time to do it. There is not any question that the local governments basically have to be funded by and rely almost entirely on property taxes for their revenue. This is the worst time to shift the tax burden to the single-family property owner in these localities. Many of the people are on fixed incomes. If, in fact, we move to shift the tax burden from the Federal Government to the individual property owners at the local government level, we will be doing them a great disservice.

I think the idea is that only the local governments benefit from this program and that is wrong.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLAY. I yield 1 additional minute to the gentleman from Virginia.

Mr. HARRIS. I believe that a Federal official is a much better Federal official when he learns of some of the problems the local governments face and some of the difficulties that they encounter in moving up close to those problems. Also I think we would do a much better job here in Washington if more of our Federal officials had more experience in the problems facing the local governments.

Mr. ROUSSELOT. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Texas (Mr. COLLINS), a member of the committee.

Mr. COLLINS of Texas. Mr. Chairman, H.R. 4415, as amended, is another Federal Government spending program which we cannot afford.

During the 2 days of hearings on this legislation, I repeatedly asked witnesses to provide me with some hard evidence on how the Intergovernmental Personnel Act has resulted in cost savings to State and local governments. One particular example cited was the city of San Francisco saving $1.2 million as a result of a training project for management analysts.

After further questioning on how the city of San Francisco reduced its budget, I was told:

> I would doubt I can show you that they have reduced the budget in the hospital by $1.2 million . . . but it would have cost them $1.2 million more if they hadn't done this.

I could find no savings achieved through this Intergovernmental Act.

I am not satisfied with these answers, and I question the need to continue to involve the Federal Government in a program of dubious benefit.

I would like to draw attention to several amendments which will be offered to this measure, and which will help to improve it.

Amendments will be offered to strike the authorization language from the bill, to strike the section dealing with grants to labor unions, and to strike the provision extending for 3 years the 75–25 percent cost-sharing ratio for grants under the IPA.

Mr. Chairman, Congress should improve this bill with these amendments if it has any intention of coming to grips with the economic issues associated with this legislation.

The time has arrived when we must quit talking about the Federal deficit. Here we have an opportunity to do something about it.

We have too much Government today. Let us move forward by cutting back on this duplicated effort. The gentleman on the other side of the aisle called this "New Federalism," but I prefer the old basic Americanism known as a balanced budget constitutional system of Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROUSSELOT. Mr. Chairman, I yield 2 additional minutes to the distinguished gentleman from Texas.

Mr. Chairman, will the gentleman yield?

Mr. COLLINS of Texas. I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I appreciate my colleague, the gentleman from Texas, bringing out the point that many people who testified before the Committee found it very difficult to come up with specific examples of where this program had really saved money or been considered a cost-cutting operation in any city or State.

Mr. COLLINS of Texas. I believe the gentleman from California is right. In fact, I do not remember a single example of definite facts where there were really any cost savings under this bill.

Mr. ROUSSELOT. I might say that there were some letters that were sent to the committee where some claims were made that there were such savings. But I also notice that many of these claims came in from New York City where they spent a lot of this money and I can understand why because that is probably an almost impossible task to bail that city out of the financial dilemma in which it is now engulfed.

My point is this, that many of the cities that want this program are the very ones who are running up the biggest deficits throughout this country.

In response to my colleague, the gentleman from Virginia (Mr. HARRIS) who says that there are a lot of cities in his district that need this program, let me say that many cities that are able to run their own affairs, or who have made use of this program, have not found that it contributes that much to their improvement in cost savings or improvement in techniques. So I want to compliment my colleague, the gentleman from Texas, because I know that he did an excellent job of bringing this out in the committee hearings. It was difficult for the major advocates of this program to prove that this program had really contributed that much of value.

Mr. COLLINS of Texas. I would like to ask the gentleman from California who sat in on all the hearings if he did not get the same impression that I did that many agencies, many States, many groups were using this plan because it was a 3-to-1 matching ratio, and they felt that if they put up $25,000, they would get $75,000? It was a method of just milking the Federal Government for more money.

Mr. ROUSSELOT. If the gentleman will yield further, it was kind of an extra free-lunch program. There was no doubt of the fact, too, that many of the people in this program said that they found it easy to "request people for mobility assignments" from the Federal Government, and that way they could get their "friends" in the Federal Government to come and spend some time in the local city government, or county or State government, on a friendly assignment. In some cases the Federal Government was handling the cost of these mobility assignees on a 100 percent basis. So I can see why many of these cities would like that program when they get "free help."

Mr. COLLINS of Texas. To go back to what the gentleman said, I think we have brought on the troubles of the cities and of the States by encouraging them to expand their activities. As the gentleman from California mentioned, the City of New York would do better to take care of its basic fundamental matters that concern the city. When we get into programs like we have here that are all extraneous, all unneeded, and all vague, mostly ambiguous programs, we are putting an unfair burden on the cities and States by encouraging them to go in for unneeded spending programs.

Mr. ROUSSELOT. If the gentleman will yield further, the gentleman is correct. I want to give the figure for New York City under this IPA program—$859,386. Obviously all of these assignees and others were not able to save the city of New York from its present plight. So the cost-saving there obviously was not too great.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. COLLINS of Texas. I yield to the gentleman from Virginia.

Mr. HARRIS. I appreciate the gentleman's yielding. I am amazed at this reversal position. I understood that my colleague supported this program. I now understand that the gentleman actually feels that this is just another boondoggle, extra freelunch program and completely rejects the new federalism that I understand my colleagues are really enthusiastic about. I am really disturbed to find this position that we no longer believe in this custom of returning local government to the localities. I do not think the question is 25–75 or 50–50. I think the question is whether this program can be torpedoed.

Mr. COLLINS of Texas. When the gentleman implies that we have done anybody a favor, let me state if we have any more generosity like we have had for New York City, the whole country will be in trouble.

Mr. CLAY. Mr. Chairman, will the gentleman yield?

Mr. COLLINS of Texas. I yield to the gentleman from Missouri.

Mr. CLAY. I thank the gentleman for yielding.

In the gentleman's statement he said nobody has pointed out where any of these programs saved any money. We requested from the Civil Service Commission and got a list of the projects where money had been saved, and I would like to cite two of them. In Fresno County, Calif., an IPA-funded occupational safety training project lowered the county accident rate, thereby saving the county over $40,000 in lost employee time.

In San Francisco, employees trained to analyze city operations identified improved work procedures which saved the city an estimated $1.2 million on an annual basis.

Mr. COLLINS of Texas. If I could answer the gentleman, the Chairman of our committee and an authority on the subject, the gentleman knows that something like that second one, $1.2 million on work-saving procedures, is an ambiguous estimate of savings.

Mr. CLAY. Will the gentleman yield further?

Mr. COLLINS of Texas. I yield to the gentleman from Missouri.

Mr. CLAY. I thank the gentleman for yielding.

If one can actually document different kinds of procedures that were being used by the city of San Francisco that would have cost $1.2 million additional, and one imposes other procedures, I think that is a bona fide way of computing what we are saying.

Mr. COLLINS of Texas. The example the gentleman gave was Fresno, Calif.

Mr. CLAY. If the gentleman will yield, one was Fresno, and one was San Francisco.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ROUSSELOT. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. COLLINS of Texas. Mr. Chairman, I venture to say if we would check both Fresno and San Francisco we will find year by year the budgets of both those cities have gone up and up and up. However they validate their cost allocation, it still will not show this intergovernmental personnel agency program improved those costs. The only way to improve those costs is to cut the budgets, and I am not aware of any city in this country has cut its budget.

Mr. CLAY. Mr. Chairman, if the gentleman will yield, this Congress is responsible in great part for the increase in inflation in this country, and I do not believe we can blame the cities for having their budgets increase year after year. The budget of this Congress increases year after year.

Mr. COLLINS of Texas. I agree with the gentleman from Missouri 100 percent. The fault of inflation in America begins in the halls of Congress. We are the big spenders.

Mr. CLAY. I did not say that. The gentleman is not agreeing with me on that. I say the responsibility lies here because we refuse to do some of the things that need to be done. One thing is to cut the interest rate. I do not think the Federal budget is the main cause of inflation in this country.

Mr. COLLINS of Texas. What would the gentleman say is the main cause?

Mr. CLAY. I would say if the Federal deficit is even greater than it is, if we funded enough jobs to put the 10 percent unemployed back to work we would eliminate our deficit. I do not think we can stand here and debate what is the cause of inflation in this country, but I think we ought to agree that this has been a good program. The majority of the people who testified before our committee admitted it was a good program and worth saving. I think that is the question to be addressed.

If the gentleman wants to discuss inflation and all these other matters, I will be glad to do that after this is over.

Mr. CLAY. Mr. Chairman, I have no further request for time.

Mr. ROUSSELOT. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, I would like to respond to my two colleagues, one the gentleman from Missouri and one the gentleman from Virginia.

It was amazing and somewhat perplexing to those of us in the committee that it took as long as it did for the advocates of this legislation to come up with even 10 examples of results, one which my colleague, the gentleman from Missouri quoted, which is in the report, about Fresno County, Calif. We were amazed it took that long, if this was such a fine and great program. Why did it take that long for an accountability of 10 instances where supposedly this program helped save costs?

In addition, responding to my colleague, the gentleman from Virginia, I do favor the continuation of the program at its present level, which would be at $20 million, but that is not what this bill calls for. This is an accelerated program which is unnecessary and that is my complaint, as the gentleman from Virginia knows.

I want to quote from the report itself to show the Members that some of the examples are given here really did not save money. On page 44 of the hearings of our subcommittee it is stated:

> Although these projects did not result in reduced budgets for the jurisdictions——

That is, in the 10 examples that are quoted, nobody reduced any budget as a result of these actions.

> they did reduce certain costs and thereby prevented budgets from increasing (assuming the activities involved would have been performed at a higher cost in the absence of the IPA project).

That applies in these individual areas but even in these examples that are given we really have to scratch to find out how much real cost saving there was. This really did not reduce any budgets in any of these 10 examples that are given. It did save some costs, but the budgets went right on up in these individual jurisdictions.

I think the point we are trying to make on this side is that we do not need the kind of increases and authorizations that are called for in this bill and we will offer amendments to try to bring this into line.

Two. We totally disagree with the concept of continuing the 75–25 percent funding ratio. We think if this program is so good, the State and city governments should share the costs equally with the Federal Government, because they are supposedly getting the benefits. Let them share the cost.

Finally, I think it is wrong to fund unions in this program. It has not been done before. I think we should understand that.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. ROUSSELOT. Mr. Chairman, I yield myself 1 additional minute and I yield to the gentleman from Virginia (Mr. HARRIS).

Mr. HARRIS. Mr. Chairman, first of all, the point has to be made that the objective of the program as designed by the Republican administration and enacted by Congress was the training of personnel and not the cutting of the budget. It results in the cutting of the budget by having good training of personnel.

Number two, we have to put the facts on the table, as the gentleman says, he believes in the program. If we say we want to retain the funding level at $20 million, which is in fact $15 million for grants, it does not take much to figure out that $15 million nationwide in grants gives us $300,000 per State and $300,000 for all local governments in a State means there is not much in this program. There is not any question with the funding program that way, the program goes down. We ought to say on the one side we want to see it continued, but not at a level that will make it ineffective.

Mr. ROUSSELOT. Mr. Chairman, of course, if we went to the 50–50 funding level, it would be available in more areas.

But I wanted to answer the gentleman's charge that I want to cut the program off. I think we can continue at the $20 million level and I think that is more than adequate on the basis of the experience we have had in the committee hearings.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. ROUSSELOT. Mr. Chairman, I yield myself 1 additional minute and I am happy to yield to the gentleman from Ohio (Mr. HAYS).

Mr. HAYS of Ohio. Mr. Chairman, at the risk of making myself popular with both sides, I would like to share an experience I had just before the recess. I took advantage of the news letter legislation to send out the first news letter I ever sent out in my years in Congress. The opening page of it was an open letter to my constituents expressing my dissatisfaction with the fact that bureaucracy was not performing. In all the 27 years I have been here in Congress, I never received such a good reaction to anything I have said or done. As far as I am concerned, my judgment is that this intergovernmental thing we are talking about is an opportunity for State bureaucrats to get together with Federal bureaucrats to exchange ideas on how not to do anything at all. Perhaps we ought not to fund this thing at all.

Mr. ROUSSELOT. Mr. Chairman, I could not have made the point better myself.

Mr. Chairman, I reserve the balance of my time.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 4415, amendments to the Intergovernmental Personnel Act of 1970, which is essential, in my judgment, to insure the meaningful operation of an important program.

Perhaps the most important feature of the pending bill is its retention of the 75–25 Federal-State matching fund ratio. Under existing law, that ratio changes to 50–50 as of July 1, 1975. Given the financial strictures facing most States and local governments today, increasing the matching requirements would probably mean that these governmental units would make less use of the act's programs.

In addition, the bill would enable public employee organizations to apply directly to the Civil Service Commission for labor-management training grants. Too often in recent years State and local governments have been stalemated by strikes which could have been avoided with a more efficient collective bargaining effort. Lack of communication has often been a major cause for delay of settlements and for the promotion of incompatibility between labor and management. The IPA program has been successful in training State and local administrative personnel in sound personnel and labor-management practices. The act, however, has an inherent imbalance in not giving the same training to representatives of public employee organizations as to those of governmental management and administration. Such an imbalance leads to a lack of communication and to the promotion of an unfair bargaining position.

Mr. Chairman, the IPA program has proved its usefulness; we need the program. But more importantly, we need to insure its continued effectiveness and increase the equity in its application.

Mr. Chairman, I strongly urge all members of the House to vote for the passage of these amendments to the Intergovernmental Personnel Act, and to vote against any attmpt to remove the public employee organization provision from this bill.

Mr. ASHBROOK. Mr. Chairman, I rise in strong opposition to H.R. 4415, which would amend the Intergovernmental Personnel Act. This legislation constitutes an unprecedented attempt by labor unions to raid the Public Treasury.

When the Intergovernmental Personnel Act was enacted in 1970, its purpose was to provide assistance to State and local governments in improving management competence. This gives the IPA a rather unique role. It is offering almost the only source of such specialized assistance to State and local governments.

H.R. 4415, however, would substantially alter the original intent of the act. It would allow labor unions to apply directly to the Civil Service Commission for IPA grants. For the first time labor unions would be eligible to receive federal tax dollars to finance union training programs.

Labor organizations which have no governmental responsibilities should not be granted equal access to the benefits reserved for State and local governmental entities. Federal tax dollars should not be used to improve the skills and competence of private groups such as labor organizations. This is not and should not be the purpose of the IPA.

I urge my colleagues to take a firm stand on this issue. We must not allow the public treasury to be raided by labor unions.

Mr. DERWINSKI. Mr. Chairman, the legislation under consideration, H.R. 4415, is a classic example of the risks Republicans run when we introduce administration-proposed legislation, and then turn it over to the whims and devices of our colleagues on the other side of the aisle. It is like the old story of the auto mechanic who jacked up the license plates and shoved a jalopy between them.

While my name remains as a cosponsor of this bill, the major surgery performed in committee has completely gutted its original purpose, and therefore I must oppose it. For a more thorough statement of my objections, I refer my colleagues to the minority views which accompany the committee report.

So, rather than comment on every objection raised by the Republicans in committee, I will direct my arguments to section 3 of the bill, which would permit labor unions to apply directly to the Civil Service Commission for IPA grants.

The Intergovernmental Personnel Act was enacted in 1971 to help State and local governments improve their overall personnel management. It was the first comprehensive Federal aid program for improving and strengthening State and local government personnel administration. Its purpose was unique.

Our committee, however, saw fit to change this concept by accepting an amendment promoted by the American Federation of State and County Employees which permits labor unions to apply directly to the Civil Service Commission for grants to finance training of labor union officials in labor relations and collective bargaining techniques.

The amendment would equate labor organizations, which have no governmental responsibilities, with State and local governments for which the act was specifically designed. Further, it directly contravenes the purpose of the act and would result in the involvement of the Federal Government in the sensitive area of local labor disputes.

The policy embraced by this amendment was adopted after but a few days of hearings and a Democratic caucus. This, to me, is questionable legislative practice.

Should the Congress be disposed to open the U.S. Treasury to private labor unions, then closer scrutiny must be given the issue by the committees of Congress charged with jurisdiction of labor matters.

The IPA is not the vehicle for such an important policy decision, and the matter deserves greater attention than was given to it by our committee.

It would be a grievous error if Congress were to change the intent of the IPA without an in-depth analysis by a panel charged with the responsibility of dealing with labor problems.

This is a precedent-setting amendment which, if adopted, could be expected to be offered to other grant programs.

Mr. Chairman, I repeat this is an ill-conceived provision. If adopted, it will signal congressional approval of taxpayers' moneys for private labor unions. At a time when our country is experiencing economic difficulties, it is irresponsible to open the Treasury for such purposes.

Mr. BRADEMAS. Mr. Chairman, I was a sponsor of the Intergovernmental Personnel Act in the House in 1970.

At that time, we did not foresee—we could not have foreseen—that labor-management relations in the public sector would mature as quickly as they have. Since 1970 at least 18 States have passed new laws or significantly strengthened existing ones allowing collective bargaining for State and local employees. One of these was my own State of Indiana.

The rapid evolution of public sector labor relations calls for one major reform in the IPA. The present language of the act—while it does not prohibit the use of funds for joint training of both labor and management personnel—requires that only local and State governments may request such training funds.

Only one State—Washington—has from the very beginning included employee organizations in its IPA programs. In this State, there has traditionally been very good relationships between labor and management.

Fair and peaceful labor relations require that both parties be well versed in what they are doing, but the record clearly indicates that, without provision for direct applications for IPA funds by employee organizations, their inclusion in IPA training programs will at best be infrequent.

H.R. 4415 would, among its other provisions, amend the IPA so that employee organizations could apply directly to the U.S. Civil Service Commission for training grants to train their officers, staff, and members in labor-management relations techniques. Under the language of the relevant provision in H.R. 4415, the training would cover "the techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relation laws and administrative orders; the role of Civil Service Commissions—or equivalent agencies—antidiscrimination laws and procedures, statutory employee appeal procedures, position classification procedures, or mediation and arbitration processes and procedures."

In short, H.R. 4415 would allow the Civil Service Commission to provide training for the labor relations personnel of both management and labor. Surely, this provision can only improve labor relations on the State and local government level and thereby contribute to the fulfillment of the original purposes of the act.

Mr. BIAGGI. Mr. Chairman, I rise to give my support to H.R. 4415 legislation which amends and improves the Intergovernmental Personnel Act of 1970.

I wish to express my strong support for one of the key provisions of the law which will allow public employee organizations to apply directly to the Civil Service Commission for labor management training grants. This will correct an inequity in the current law which has resulted in the virtual exclusion of public employee organizations from participating in IPA training grants designed to better improve labor management relations.

The committee points out in the report that the failure of public employee organizations to fully utilize IPA training grants has created an imbalance in the collective bargaining process to the advantage of management. The perpetuation of this imbalance can only intensify labor-management conflicts in the public sector.

This amendment has powerful support including the American Federation of State, County, and Municipal Employees, the U.S. Conference of Mayors, and the National Association of Counties. It deserves our swift approval today and it will be a vote which the workingmen and women of America will follow very closely.

Mr. CLAY. Mr. Chairman, I have no further requests. I yield back the balance of my time.

Mr. ROUSSELOT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

INTERGOVERNMENTAL PERSONNEL GRANTS

SECTION 1. (a) Sections 202(a), 203(a), 303(a), 303(c), and 304(a) of the Intergovernmental Personnel Act of 1970 (84 Stat. 1909–1929), relating to grants to State and local governments and other organizations, are each amended by striking out "after the expiration of three years following the effective date of the grant provisions of this Act" and inserting in lieu thereof "on and after October 1, 1978".

(b) Section 305(a)(2) of such Act, relating to Government Service Fellowships, is amended by striking out "one-fourth" and inserting in lieu thereof "75 per centum".

(c) Section 305(c) of such Act is amended—

(1) by redesignating paragraph (3) as paragraph (4), and by striking out "and continuation" from such paragraph (4), as redesignated;

(2) by striking out "and" at the end of paragraph (2); and

(3) by inserting immediately after paragraph (2) the following new paragraph:

"(3) require, as a condition for the award of a fellowship, that the recipient enter into a written agreement to serve with such State or local government, upon the completion of the fellowship, for a period equal to the length of the fellowship; and"; and

(4) by adding at the end thereof the following new sentences:

"Each agreement required under paragraph (3) of this subsection shall provide that in the event the recipient fails to carry out such agreement (except for good and sufficient reason, as determined by the State or local government concerned) he shall be liable for payment of all expenses (excluding salary) of such fellowship. Such agreement shall also provide that any amount for which a recipient becomes so liable shall be paid to the State or local government concerned and shall be paid within the three-year period beginning on the date he becomes so liable. All amounts received by a State or local government under the preceding sentence shall be available for use by such government for advanced education of its employees."

(d)(1) Section 502(3) of such Act, relating to the definitions of eligible jurisdictions, is amended by inserting "the Trust Territory of the Pacific Islands," immediately before "and a territory or possession of the United States,".

(2) Paragraph (2) of section 506(b) of such Act, relating to the distribution of grants, is amended by inserting after "the District of Columbia" the following: ", the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands".

(3) Paragraph (5) of section 506(b) of such Act, relating to the distribution of grants, is amended by striking out "and the District of Columbia" and inserting in lieu thereof ", the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands".

INTERGOVERNMENTAL PERSONNEL MOBILITY ASSIGNMENTS

SEC. 2. (a) Paragraph (1)(A) of section 3371 of title 5, United States Code, relating to definitions of eligible jurisdictions for the purpose of intergovernmental mobility assignments, is amended by inserting "the Trust Territory of the Pacific Islands," immediately after "Puerto Rico,".

(b) Section 3372(a) of title 5, United States Code, relating to general provisions regarding assignments to and from States, is amended by adding at the end thereof the following new sentence: "An employee of an executive agency, or a State or local government, may be assigned under this subchapter only if he signs a statement in writing of his intent, upon the completion of such assignment, to remain in the employ of such agency, or State or local government, for a period of at least one year, or the length of such assignment, whichever is longer."

(c) Section 3373 of title 5, United States Code, relating to the assignment of Federal employees to State and local governments, is amended by adding at the end thereof the following new subsection:

"(e) Notwithstanding the provisions of sections 203 and 205 of title 18, an employee of an executive agency assigned under this subchapter to a State or local government or institution of higher education may act as an agent or attorney on behalf of that State or local government or institution of higher education before any executive agency, other than his employing agency or an executive agency with which he was employed during the one-year period before his assignment under this subchapter, in connection with a proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter in which the United States is a party or has a direct and substantial interest."

(d) Section 3374(b) of title 5, United States Code, relating to assignments of employees from State or local governments, is amended by adding at the end thereof the following new sentence:

"The preceding sentence shall not be construed to deny any employee coverage for benefits under any provision of law, or any system, referred to in paragraphs (1), (2), and (3) of this subsection who is covered under such provision or system by virtue of employment immediately prior to assignment and appointment under this section."

(e) Section 3374(c)(1) of title 5, United States Code, relating to State or local government employees detailed to an executive agency, is amended by inserting immediately before the semicolon at the end thereof the following: ", except to the extent that the pay received from the State or local government is less than the appropriate rate of pay which the duties would warrant under the provisions of chapter 51 and subchapter III of chapter 53 of this title, or other applicable authority".

(f) The last sentence of section 3374(c) of title 5, United States Code, relating to reimbursement for pay of State or local government employees detailed to an executive agency, is amended by inserting immediately before the period at the end thereof the following: ", or for the contributions of the employer, or a part thereof, to employee benefit systems; except that the reimbursement for pay for any employee so detailed may not be at a rate which is in excess of the rate of pay payable for positions in GS–18 of the General Schedule of subchapter II of chapter 53 of this title".

(g) Section 3375(a) of title 5, United States Code, relating to the travel expenses of a Federal, State, or local government employee while on a mobility assignment, is amended by striking out "and" after paragraph (4), by redesignating paragraph (5) as paragraph (6), and by inserting after paragraph (4) the following new paragraph:

"(5) section 5724a(b) of this title, for miscellaneous expenses related to change of station where movement or storage of household goods is involved; and".

EMPLOYEE ORGANIZATIONS

SEC. 3. (a)(1) Section 304 of the Intergovernmental Personnel Act of 1970 is amended by redesignating subsection (b) as subsection (c), and by inserting after subsection (a) the following new subsection:

"(b) The Commission is authorized to make grants to employee organizations to pay up to 75 per centum (or, with respect to fiscal years commencing on and after October 1, 1978, up to 50 per centum) of the costs of providing training of officers and employees of employee organizations, and of employees of State and local governments, to enable their effective participation in labor-management relations if the Commission—

"(1) determines that the capability to provide such training does not exist, or is not readily available, within the employee organization or within any organization, council, or federation with which such employee organization is affiliated, or if such capability does exist that such organization, council, or federation is not disposed to provide such training, and

"(2) approves the program with respect to which such grants are to be made as meeting such requirements as may be prescribed by the Commission in its regulations pursuant to this Act.

Such a program may not be approved unless it covers training related to the following: the techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relations laws and administrative orders, the role of civil service commissions (or equivalent agencies), antidiscrimination laws and procedures, statutory employee appeal procedures, position classification processes, or mediation and arbitration processes and procedures. An application to be submitted to the Commission under this subsection shall first be submitted by the employee organization to the Governor for review, comments, and recommendations. The Governor may refer the application to the State office designated under section 202(b)(1) of this Act for review. Comments and recommendations (if any) made as a result of the review, and a statement by the employee organization that it has considered the comments and recommendations of the Governor, shall accompany the application to the Commission. The application need not be accompanied by the comments and recommendations of the Governor if the employee organization certifies to the Commission that the application has been before the Governor for review and comment for a period of sixty days without comment by the Governor. An explanation in writing shall be sent to the Governor of a State by the Commission whenever the Commission does not concur with recommendations of the Governor in approving any employee organization applications."

(2) Section 304(c) of such Act, as redesignated by paragraph (1) of this subsection, is amended by striking out "For the purpose of this section" and inserting in lieu thereof "For the purpose of subsection (a) of this section".

(3) Section 301 of such Act is amended by inserting immediately after "State and local government employees and officials" the following: ", and officers and employees of certain employee organizations,".

(b)(1) Section 202(b) of such Act, relating to personnel administration grant applications, is amended by striking out "and" at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon, and by adding at the end thereof the following new paragraphs:

"(6) provides assurance that the State office designated under paragraph (1) of this subsection will, within thirty days after any program or project has been approved which relates to the formulation of policies and procedures affecting conditions of employment of State and local government employees, transmit a summary of such program or project to any employee organization which has notified such State office that it wishes to receive such summaries; and

"(7) provides that the State office designated in paragraph (1) of this subsection shall (subject to subsection (c) of this section) make available at a reasonable time and place to any employee organization entitled under paragraph (6) of this subsection to receive a summary of a program or project, all records (such as reports, survey results, survey data, manuals, document collections and models) regarding such program or project."

(2) Section 202 of such Act is amended by adding at the end thereof the following new subsection:

"(c) The State office designated under subsection (b)(1) of this section shall specify a uniform fee schedule applicable to requests for records under subsection (b)(7) of this section. Such fees shall be limited to reasonable standard charges for document searches and duplication and provide for recovery of only the direct costs of such searches and duplication."

(c) Section 502 of such Act is amended by striking out "and" at the end of paragraph (3) by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(5) 'employee organization' means any organization, union, association, agency, committee, council, or group of any kind in which State and local government employees participate, a primary purpose of which is to represent State and local government employees in matters concerning wages, hours, or other terms and conditions of employment."

APPROPRIATION AUTHORIZATION

SEC. 4. Effective with respect to fiscal years beginning after June 30, 1975, section 509 of the Intergovernmental Personnel Act of 1970 is amended by striking out "limitation," and all that follows and inserting in lieu thereof "limitation—

"(1) $40,000,000 for the fiscal year ending June 30, 1976,

"(2) $12,000,000 for the period commencing July 1, 1976, and ending September 30, 1976,

"(3) "$50,000,000 for the fiscal year ending September 30, 1977, and

"(4) for fiscal years ending thereafter, such sums as may be expressly provided in any law enacted after the date of the enactment of this Act."

EVALUATIONS BY COMPTROLLER GENERAL

SEC. 5. Title V of the Intergovernmental Personnel Act of 1970 is amended by adding at the end thereof the following new section:

"EVALUATION BY COMPTROLLER GENERAL

"SEC. 514. (a) The Comptroller General shall provide for the examination and audit of—

"(1) policies and programs under title II of this Act to assist States and local governments in the improvement of their personnel administration;

"(2) policies and programs under title III of this Act to strengthen the training and development of State and local government employees and officials;

"(3) policies and programs under subchapter VI of chapter 33 of title 5, United States Code (relating to assignments of employees to and from States); and

"(4) any other similar policy or program carried out under this Act.

"(b) The Comptroller General shall include in each examination and audit conducted under subsection (a) of this section an evaluation which describes and measures—

"(1) the manner in which policies and programs described in subsection (a) of this section are being carried out;

"(2) the impact of such policies and programs; and

"(3) the effectiveness of such policies and programs in achieving stated goals.

"(c) The Comptroller General shall develop standards and criteria for the examination and audit of policies and programs described in subsection (a) of this section. Such standards and criteria shall take into account the purposes and goals established under title II of this Act, title III of this Act, and subchapter VI of chapter 33 of title 5, United States Code (relating to assignments of employees to and from States).

"(d) The Comptroller General shall transmit reports to the Congress no later than July 1, 1977, and every second year thereafter. Each such report shall contain a detailed statement and review with respect to the findings and conclusions of each examination and audit conducted under subsection (a) of this section during the period covered by such report, together with recommendations of the Comptroller General for such legislative or other action as he considers necessary or appropriate.".

EFFECTIVE DATE

SEC. 6. Except as otherwise expressly provided in this Act, the amendments made by this Act shall take effect on the ninetieth day after the date of the enactment of this Act, or any earlier date which occurs after such date of enactment (but not before July 1, 1975) which the Commission may prescribe.

Mr. CLAY (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. Are there any amendments?

AMENDMENT OFFERED BY MR. ROUSSELOT

Mr. ROUSSELOT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROUSSELOT: On page 5, strike all of subsection 1(a)—lines 17 through 25, and designate subsequent subsections accordingly.

Mr. ROUSSELOT. Mr. Chairman, the essential issue which would be addressed in this colloquy is whether or not we are willing to stand firmly behind the original intent of the Congress. It was decided upon enactment of the IPA that the Federal Government would fund 75 percent of the program only for the first 3 years. There was a thorough discussion that once the Federal Government started to pay 75 percent of the funds, the States would never want to increase their payments—which so often happens in grant programs.

However, Members were assured that the 75-25 ratio would only be a temporary measure which would allow the States to raise additional revenues to fund the program on equal basis.

I submit that the "breathing spell" for the States is over and it is time for the States to take a hard look at the current programs to see if their benefits justify additional funding. If we allow the 75–25 ratio of funding to continue, the States will never make a cost/benefit analysis of the program grants. It is time that the Federal Government stop funding programs that States would ordinarily have little interest in if it were not for the Federal funds.

The philosophy which is so pervasive among State grant managers is that "we cannot afford not to take the money when the Federal Government is paying $3 for our $1—and besides, if we do not take it someone else will."

I am offering an amendment which would allow the IPA to operate on an equal basis. It would delete the committee amendment which forces the Federal Government to continue paying 75 percent of the funding. My amendment simply allows the IPA to operate as originally enacted, that is that the States should pay an equal share of funding as of July, 1975.

The Federal Government faces a deficit of $68.8 billion in fiscal year 1976. Certainly the States are in a better position to contribute an additional 25 percent to fund the IPA programs which State and local organizations have praised for being so beneficial and worthwhile.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, the gentleman knows the high regard I have for him and for his competence as a member of the committee. I have enjoyed serving with him for many years, but the inconsistency of his position today leaves me puzzled. The gentleman has been a strong advocate of strong local government and of local control of local affairs.

At a time when local resources are pressed to the breaking point because of lost revenues due to conditions both of inflation and of unemployment, concentrated particularly in the cities, the gentleman would increase the load on the local community which is trying to defend itself in personnel practices by 50 percent.

Mr. ROUSSELOT. No, from 25 percent to 50 percent. Local governments now share in the cost 25 percent. Yes, I do ask that we change this formula for very definitive reasons.

The overwhelming majority of the combined city and county governments of this country have surpluses and reserves far in excess of the Federal Government. The U.S. Government as we all know is going into deficit financing. The overwhelming majority of local governments are far more capable of handling this cost than is the Federal Government, especially when we are increasing the overall cost of the authorization in this bill.

We had great difficulty in finding people who would say, "This is what this program has done, and here are the examples that show constructive results.

When we asked for a General Accounting Office audit, we did not get back a Federal audit to show that the productive side of this program had accomplished very much. As a mater of fact the accomplishments were very meager.

Yes, there were some areas where it had been productive. But in the overwhelming majority of cases we did not have clear-cut, decisive results of the program.

So in that regard, I think we should insist on the fifty-fifty concept of funding, and build into this bill the requirement that the General Accounting Office do a more intensive investigative job, and then we will have a better idea of what the productive results are.

Mr. Chairman, I thank my colleague for bringing up the point.

Mr. CLAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to point out one thing in regard to the previous speaker's comments, and I would like to ask the gentleman a question since he is at the microphone.

Can the gentleman from California name any other Federal program where the matching fund is 50 percent?

Mr. ROUSSELOT. We have had some programs where they have been 50 percent. For example, title 6 of the Social Services Act, Public Law 92–603, which requires a 50–50 cost-sharing basis for the Emergency Services Component (42 United States Code 801–5). The Anadromous Fish Act of 1965, Public Law 89–304, and the Crippled Children Services Act, Public Law 90–248, also require that the States pay for 50 percent of the funding. These are just a few of the many Federal programs which require the States to contribute an equal amount.

Mr. CLAY. Are they still in existence?

Mr. ROUSSELOT. For instance, the highway program. The State government only provides in some cases 10 percent of the funding.

I was sure that that argument would come up. But I think, in the case of the highway fund, for instance, one can at least show where the highway has been built. In this case, we do not have that much of an accountability of productive results from this program.

My attitude is that if the program has been so good, then the cities will want to jump in and finance 50 percent of this because it is so wonderful.

Mr. CLAY. I assume that the Safe Streets Act has been so wonderful too, and that is why the cities have jumped in and reduced it from 25 percent to 10 percent matching funds.

There is no program in the Federal Government that I know of in which the localities are required to match 50 percent.

Mr. ROUSSELOT. Is not this supposed to be a program to benefit local government? Then why should not they share 50–50 of the cost?

Mr. CLAY. For the same reason that they cannot share 50–50 cost in the other programs. They do not have the money to share.

Mr. ROUSSELOT. That is what everybody is saying, including New York City.

Mr. CLAY. Mr. Chairman, I think this amendment ought to be defeated.

The testimony before the committee was in unanimous support of that provision requiring 75 percent matching funds. States and localities are unable to afford the increased financial burden which an increase in matching funds would place upon them. Most of these programs are low in visibility. They do not have the kind of visibility that would make the front page stories in the news. Therefore, they do not have the kind of support in the community where one can get overwhelming numbers of people to write letters to their legislators asking that these programs be funded.

Mr. Chairman, I predict that if we decrease the funding to 50 percent and require the local communities to put up that kind of matching, these programs will soon go out of business because the States just are not going to be able to finance them.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. CLAY. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California. This amendment, if approved, will gut the entire bill because the economic strictures of the State and local governments are such that they will never be able to use the benefits intended by the act. The thing which makes the present act worthwhile to the intended beneficiaries is, of course, the 75/25 ratio of sharing in the cost. We must continue this ratio if this act is going to mean anything. The amendment should be defeated.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CLAY. I yield to the gentleman.

Mr. MYERS of Pennsylvania. I thank the gentleman for yielding.

The gentleman has indicated that the testimony was 100 percent in support of the 75/25. Who testified, can the gentleman tell us?

Mr. CLAY. Yes; Mr. Chairman, we had testimony from the Civil Service Commission, we had testimony from people in the Federal Government, and we had testimony from people in labor organizations.

On page 2 of the committee report we can see some of those who testified. They include the Civil Service Commission, the American Society for Public Administration, the National Governors' Conference, the National Conference of State Legislatures, the National League of Cities, the National Association of Counties, the Public Employee Department of the AFL–CIO, and the American Federation of State, County, and Municipal Employees.

Mr. MYERS of Pennsylvania. Mr. Chairman, if the gentleman will yield further, did any general taxpayers and consumers testify?

Mr. CLAY. I assume that all of these people are taxpayers and they represent taxpayers in general.

Mr. MYERS of Pennsylvania. Are there any taxpayers who are providing support for this bill?

Mr. CLAY. Mr. Chairman, I believe the people who came from the League of Cities, the National Association of Counties, and the American Federation of State, County, and Municipal Employees, for instance, could be said to represent taxpayers.

Mr. MYERS of Pennsylvania. But, Mr. Chairman, the people who testified may in fact have a vested interest in the legislation; some of them might be employees and they may be in a role whereby they would benefit from the program, is that not true?

Mr. CLAY. Mr. Chairman, I would think that the average taxpayer would be more inclined to support the proposition that the Federal Government provide 75 percent of the funds for this program.

Mr. LOTT. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, we are not debating in this amendment the merits or demerits of this program. I think there are some good things that will come out of the program or that could come out of the program. I know of at least one instance in which my State has taken advantage of this program, and I think it has served us very well.

What we are debating here is only the percentage of participation by the Federal Government, the 75 percent participation by the Federal Government.

To me it is not a legitimate argument to point out that no other program is funded only at 50 percent. The point to me is that we are wrong in other areas where we insist that the Federal Government participate at an ever-increasing level in every program that comes along, whether it is by 95 percent participation, 75 percent, or 50 percent.

The Federal Government is the one that is broke. The Federal Government is in the red, but we will find there were very few States in the United States last year that did not wind up in the black. Almost every one of them had a balance in their programs, and yet we are saying to the States and the local governments, "You only have to pay 25 percent. We will pay 75 percent."

Mr. Chairman, this could be a good program. It could be a very good program if it is used properly. However, to come in here and have the Federal Government say that we are going to give them funding up to 75 percent is the height of fiscal irresponsibility. We want to have a good program, but that is not the proper approach.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. LOTT. I yield to the gentleman from Virginia.

Mr. HARRIS. Mr. Chairman, does my colleague, the gentleman from Mississippi, realize that the current act calls for 75 percent, that the program has been operating at the 75 percent level, and that the question here is whether we should reduce the participation by the Federal Government to 50 percent?

Mr. LOTT. Mr. Chairman, I understand that, but I also understand that is during the interim period, to provide a breathing spell. The real question is whether we are going to make this participation permanent at 75 percent, and I say that is not the right thing to do at this time.

Mr. SIMON. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I support the bill. However, we are in a situation now where we are going to have to find practical ways to save money. We would be putting no burden on local or State governments if we would say to them that from here on out it is 50–50. I think that is not an unreasonable request on the part of the Federal Government.

So, Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROUSSELOT).

The question was taken; and on a division (demanded by Mr. CLAY) there were—ayes 35, noes 16.

Mr. O'HARA. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Sixty-seven Members are present, evidently not a quorum.

The Chair announced that pursuant to clause 2, rule XXIII, he will vacate proceedings under the call when a quorum of the Committee of the Whole appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. 101 Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business before the Committee is the request for a recorded vote on the amendment offered by the gentleman from California (Mr. ROUSSELOT).

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 226, noes 168, not voting 39, as follows:

[Roll No. 490]

AYES—226

Abdnor
Adams
Anderson, Ill.
Andrews, N. Dak.
Archer
Ashbrook
Bafalis
Bauman
Beard, R.I.
Beard, Tenn.
Bell
Bennett
Bevill
Breaux
Breckinridge
Brinkley
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burleson, Tex.
Burlison, Mo.
Butler
Byron
Carr
Carter
Casey
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins, Tex.
Conable
Conlan
Conte
Coughlin
Crane
Daniel, Dan
Daniel, R. W.
Davis
Delaney
Derrick
Devine
Dickinson
Downing, Va.
Duncan, Tenn.
du Pont
Edwards, Ala.
Emery
English
Erlenborn
Esch
Eshleman
Evans, Ind.
Fenwick
Findley
Fish
Fithian
Flowers
Flynt
Forsythe
Fountain
Frenzel
Frey
Fuqua
Giaimo
Gilman
Goldwater
Goodling
Gradison

Grassley
Gude
Guyer
Hagedorn
Haley
Hammerschmidt
Hannaford
Hansen
Harsha
Hastings
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Hefner
Heinz
Hicks
Hightower
Hillis
Hinshaw
Holt
Horton
Howe
Hubbard
Hughes
Hutchinson
Hyde
Ichord
Jacobs
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Kasten
Kazen
Kelly
Kemp
Ketchum
Kindness
Krebs
Krueger
LaFalce
Lagomarsino
Landrum
Latta
Lent
Levitas
Lloyd, Tenn.
Long, Md.
Lott
Lujan
McCloskey
McCollister
McDade
McDonald
McEwen
McKinney
Madigan
Mahon
Mann
Martin
Mathis
Mazzoli
Michel
Milford
Miller, Ohio
Mills
Mitchell, N.Y.
Mollohan
Montgomery
Moore
Moorhead, Calif.
Mosher
Murtha

Myers, Ind.
Myers, Pa.
Natcher
Neal
Nichols
O'Brien
Passman
Patman, Tex.
Patten, N.J.
Pettis
Pickle
Pike
Poage
Pressler
Preyer
Pritchard
Quie
Quillen
Railsback
Randall
Regula
Rinaldo
Roberts
Robinson
Rogers
Rose
Roush
Rousselot
Runnels
Russo
Santini
Sarasin
Satterfield
Schneebeli
Schulze
Sebelius
Sharp
Shriver
Shuster
Sikes
Simon
Skubitz
Smith, Nebr.
Snyder
Spence
Stanton, J. William
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stratton
Sullivan
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Thone
Treen
Vander Jagt
Vigorito
Waggonner
Wampler
Whalen
White
Whitehurst
Whitten
Wiggins
Wilson, Bob
Winn
Wright
Wydler
Wylie
Yatron
Young, Fla.
Young, Tex.
Zeferetti

NOES—168

Abzug
Addabbo
Ambro
Anderson, Calif.
Annunzio
Ashley
Aspin
Badillo
Baldus
Barrett
Baucus
Bedell
Biaggi
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling

Bowen
Brademas
Brodhead
Brooks
Brown, Calif.
Burke, Calif.
Burke, Mass.
Burton, John
Burton, Phillip
Carney
Chisholm
Clay
Collins, Ill.
Conyers
Corman
Cornell
Cotter
D'Amours
Daniels, N.J.
Danielson

de la Garza
Dellums
Dent
Dingell
Dodd
Downey, N.Y.
Drinan
Early
Eckhardt
Edgar
Eilberg
Evans, Colo.
Fascell
Fisher
Flood
Florio
Foley
Ford, Mich.
Ford, Tenn.
Gaydos

Gibbons
Ginn
Gonzalez
Green
Hall
Hanley
Harkin
Harrington
Harris
Hawkins
Helstoski
Henderson
Holland
Howard
Jeffords
Jenrette
Johnson, Calif.
Jordan
Karth
Kastenmeier
Keys
Koch
Leggett
Lehman
Litton
Lloyd, Calif.
Long, La.
McCormack
McFall
McHugh
Macdonald
Madden
Maguire
Matsunaga
Meeds
Melcher
Metcalfe

Meyner
Mezvinsky
Mikva
Miller, Calif.
Mineta
Minish
Mitchell, Md.
Moakley
Moffett
Moorhead, Pa.
Morgan
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
Nolan
Nowak
Oberstar
Obey
O'Hara
O'Neill
Ottinger
Patterson, Calif.
Pattison, N.Y.
Perkins
Price
Rangel
Rees
Reuss
Richmond
Riegle
Risenhoover
Rodino
Roncalio

Rooney
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
Sarbanes
Scheuer
Schroeder
Seiberling
Sisk
Slack
Smith, Iowa
Spellman
Staggers
Stark
Stokes
Studds
Symington
Thompson
Thornton
Traxler
Tsongas
Udall
Ullman
Vander Veen
Vanik
Waxman
Weaver
Wilson, C. H.
Wilson, Tex.
Wirth
Wolff
Yates
Young, Ga.
Zablocki

NOT VOTING—39

Alexander
Andrews, N.C.
Armstrong
AuCoin
Bergland
Biester
Bonker
Burke, Fla.
Chappell
Derwinski
Diggs
Duncan, Oreg.
Edwards, Calif.
Evins, Tenn.

Fary
Fraser
Hamilton
Hébert
Heckler, Mass.
Holtzman
Hungate
Jarman
McClory
McKay
Mink
Pepper
Peyser
Rhodes

Roe
Ruppe
Shipley
Solarz
Stanton, James V.
Stephens
Stuckey
Teague
Van Deerlin
Walsh
Young, Alaska

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Ms. Holtzman against.

Mr. Teague for, with Mr. Pepper against.

Mr. Chappell for, with Mrs. Mink against.

Mr. Burke of Florida for, with Mr. Diggs against.

Mr. Derwinski for, with Mr. Fary against.

Mr. Jarman for, with Mr. Solarz against.

Mr. McClory for, with Mr. Edwards of California against.

Mr. Young of Alaska for, with Mr. Roe against.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROUSSELOT

Mr. ROUSSELOT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROUSSELOT: Strike out all of Section 3 of the bill, beginning in line 19 on page 10 down through line 24 on page 14, and insert in lieu thereof the following:

SEC. 3. (a) Section 303(a) of the Intergovernmental Personnel Act of 1970, relating to grants to State and local governments for training, is amended by inserting immediately after the period at the end of the second sentence of such section the following new sentence:

"Such grants may not be used to cover costs of developing and carrying out programs to train and educate professional, administrative, and technical employees and officials of State and local governments in matters relating to labor-management relations, including: the techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relations laws and administrative orders, or mediation and arbitration processes and procedures."

(b) Section 304(a) of such Act, relating to grants to other organizations, is amended by adding at the end thereof the following new sentence:

"Such grants may not be used to cover costs of developing and carrying out programs to train and educate professional, administrative, and technical employees and officials of State and local governments in matters relating to labor-management relations, including: the techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relations laws and administrative orders, or mediation and arbitration processes and procedures."

Mr. CLAY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. ROUSSELOT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will read.

(The Clerk concluded the reading of the amendment.)

Mr. ROUSSELOT. Mr. Chairman, the amendment will strike all of section 3 of the bill, which permits the following labor union activity:

First, authorize grants to employee organizations for training officers and employees of those organizations; and

Second, requires a State or local government which received an Intergovernmental Personnel Act grant for labor-management matters, to transmit a summary of the program or project financed by the grant to any employee organization which has indicated an interest in such matters.

In its stead, language is added to specifically prohibit State and local governments, as well as labor organizations, from using Intergovernmental Personnel Act grant money to finance the costs of programs relating to labor-management relations. These include techniques of negotiation, interpretation of collective bargaining agreements, use of grievance procedures, orientation in public sector labor relations laws and administrative orders, the role of civil service commissions—or equivalent agencies, antidiscrimination laws and procedures, statutory employee appeals procedure, position classification processes, or mediation and arbitration processes and procedures.

The Intergovernmental Personnel Act was enacted to provide assistance to State and local governments in improving their management competence. This is its unique purpose.

The IPA is almost the only source of such specialized assistance to State and local governments. Even the act's provisions for grants to organizations other than State and local governments are carefully prescribed to insure that such training grants are made for and only on request of State and local governments.

The subcommittee amendment would equate labor organizations which have no governmental responsibilities with State and local governments for which the act was specifically designed.

To extend the IPA to provide financial assistance to labor organizations would take this program into areas far beyond those contemplated by the Congress in passing the act. In fact, the declaration of policy of the IPA is entirely devoted to stressing the need to assist State and local governments to develop effective systems of personnel administration.

To change the purpose for which the IPA was enacted would be a mistake. This is not the proper vehicle for determining important congressional policy on the award of Federal funds to labor organizations.

Mr. Chairman, this is an issue which requires in-depth study by a panel charged with the responsibility of dealing with labor problems. To do otherwise would not be responding to an issue in a responsible manner.

Mr. CLAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to point out to my colleagues that the oratory just heard on this floor is an effort to confuse the issue of this bill and the purpose of this bill.

The impression has been created that we are attempting to do something in this bill that does not already exist. The impression is being created that we are attempting to authorize that labor unions be allowed the right to use Federal money for the purpose of negotiating and for the purpose of organizing members into their organizations. This is not true.

The truth of the matter is that labor unions are already permitted, under the existing IPA legislation, to use grants from the Federal Government for the purpose of facilitating their efforts and making themselves more expert in the negotiating of labor-management contracts.

All we are doing now is asking that the procedure under which they receive the grants be revised.

Presently they have to go through the State organization, and out of 50 applications over the past 4 or 5 years only 2 of those applications have been approved by State organizations.

So what we are attempting to do now is to give them the right to appeal directly to the Civil Service Commission, and after consideration by the Civil Service Commission, their grants will either be refused or accepted.

Mr. JOHN L. BURTON. Mr. Chairman, will the gentleman yield?

Mr. CLAY. I yield to the gentleman from California.

Mr. JOHN L. BURTON. Mr. Chairman, I am glad the gentleman has clarified the point that this amendment would eliminate the opportunity for local governments to have their people trained in labor-management negotiations.

My city just went through a policemen's strike. Had we had negotiators in the government, we could have headed off what turned out to be a disastrous strike before it happened.

This amendment does not affect the labor unions. What it does affect is local governments and their ability to have trained people to deal with the work force. I think it is very important that we clarify that point. Had we had this type of funding available and these types of trained personnel, San Francisco might very well have avoided its disastrous police strike.

Mr. Chairman, I believe this amendment would be a disaster to local governments and could cause serious problems in the labor-management field.

Mr. CLAY. Mr. Chairman, I want to make one other point clear, and that is that this legislation specifically points out the purposes for which such programs may be approved. I will read from page 11 of the bill. It says as follows:

> Such a program may not be approved unless it covers training related to the following: the techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relations laws and administrative orders, the role of civil service commissions * * *.

There is nothing in this legislation that will permit a labor organization to train its employees for the purpose of organizing labor unions.

Mr. Chairman, I think that if this amendment were adopted, it would render this legislation completely useless. Therefore, I urge the defeat of the amendment.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. CLAY. Yes, I yield to the distinguished gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman's yielding.

I wanted to correct what I considered to be a misunderstanding by my colleague, the gentleman from California (Mr. JOHN L. BURTON), of what this amendment does.

The law has never prevented city officials from requesting grants to have training for negotiations. What this will do is prohibit labor unions from getting direct grants to do that.

I would be glad to discuss with my colleague, who I know has a great deal to tell us about what went on in San Francisco with the firemen and policemen, but the city officials were not prevented from getting grants under this current program to better provide for staff training as it relates to negotiations.

As the gentleman knows, what happened in San Francisco is that there was a breakdown between the board of supervisors and the police and firemen. It had nothing to do with funding under this program.

Mr. CLAY. Mr. Chairman, I would like to point out that the statements just made by the gentleman from California (Mr. ROUSSELOT) may be true in some respects, but I think the point made in San Francisco is that even though the law did not prevent the labor organizations from having access to this program, in fact, they have not had that access, and that concerns labor unions as well as city officials.

The CHAIRMAN. The time of the gentleman from Missouri (Mr. CLAY) has expired.

(On request of Mr. CHARLES H. WILSON of California and by unanimous consent, Mr. CLAY was allowed to proceed for 3 additional minutes.)

Mr. CLAY. Mr. Chairman, I think that this body ought to be aware that labor-management is an integral part of the personnel process, and failure to provide for equal labor as well as management expertise at the collective bargaining table could and does engender increased labor-management conflict.

I think this is precisely what the gentleman from San Francisco was pointing out, that this kind of expertise ought to be available to both sides of the table, and we should not be using Federal money to enhance the position of one side to the detriment of the other side.

Mr. CHARLES H. WILSON of California. Mr. Chairman, will the gentleman yield?

Mr. CLAY. Yes, I yield to the gentleman from California.

Mr. CHARLES H. WILSON of California. Mr. Chairman, I have great respect and admiration for my colleague, the gentleman from California (Mr. ROUSSELOT), but I think the statements that the gentleman from Missouri (Mr. CLAY) made that this would gut the bill—I think the gentleman said something like that—are correct.

There are three amendments that the gentleman from California (Mr. ROUSSELOT) will probably introduce. One of them has already passed.

I think the sole purpose of each of these amendments is to gut the bill and make it useless. This is an antilabor amendment. There is no question about it. It should be identified as that, and I think we should try to reject this and the next amendment that will also be introduced.

Again, Mr. Chairman, I will say that I have great respect and admiration for the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. CLAY. Yes, I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman's yielding.

I will tell the gentleman, as I did in committee, that if these three amendments are passed, I do not think they gut the bill, but will improve the bill.

This language to amend with respect to training strikes concepts that were not in the bill that has been in existence for the past several years. Therefore, to say that the amendment will gut the bill, I think, is unfair. It does not gut the bill. It merely prohibits the use of taxpayers' funds—which, by the way, our taxpayers are watching more carefully now—for the use of a nonpublic body, a union, for certain types of training. These unions are already capable of training their advocates. The unions are not incapable of training in how to negotiate. They will provide "free" assistants to do that, but why should the Federal taxpayer bear that cost?

I can assure my colleague, the gentleman from California, that if these three amendments are passed, I will support the bill, as I said I would in the committee.

Mr. CLAY. Mr. Chairman, I would like to point out that I think the gentleman who offered the amendment is well intentioned, but I do not think he understands the scope of his own amendment.

The reason I say that he would gut the bill is because he would prohibit even the labor-management people from getting such grants.

> Such grants may not be used to cover costs of developing and carrying out programs to train and educate professional, administrative, and technical employees and officials of State and local governments in matters relating to labor-management relations, including: the techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relations laws and administrative orders, or mediation and arbitration processes and procedures.

That guts the bill.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. CHARLES H. WILSON of California, Mr. CLAY was allowed to proceed for 2 additional minutes.)

Mr. CHARLES H. WILSON of California. Mr. Chairman, will the gentleman yield?

Mr. CLAY. I yield to the gentleman from California.

Mr. CHARLES H. WILSON of California Mr. Chairman, let me say to my good friend, the gentleman from California (Mr. ROUSSELOT), that I do not think the purpose of legislating here today is to just pass what we have previously been doing. On the contrary, I think it is our role to try to improve the present legislation.

In my opinion, Mr. Chairman, the three amendments that the gentleman from California (Mr. ROUSSELOT) has in mind will prevent us from improving upon what has been a fine act, and I believe that we can make a finer act of it by not pursuing this course.

I thank the gentleman for yielding.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment offered by the gentleman from California (Mr. ROUSSELOT).

Mr. Chairman, I have already expressed this afternoon my deep admiration and respect for the author of this amendment with whom I have served on this committee for many years. The gentleman from California and I have been on opposite sides on a great many issues and yet sometimes we have even agreed. I am sure, therefore, on the basis of the experience I have had with the gentleman that he has not really intended nor did the gentleman set out to mislead the House. However, a reading of the record up to this is clearly misleading because the most important thrust of his amendment is not that it removes from Mr. CLAY's bill something that we have not done in the past that we would like to do in the future, but the most important functional part of the gentleman's amendment is that it will reverse one of the principal purposes of this law for the last 5 years, a law that went into effect with virtually across-the-board support in 1970.

What is the purpose of this act? The purpose of this act is to relieve communities, especially the smaller communities who need more relief, across this country, of the new phenomena and new burden that has come to them with advent of large and complicated Federal programs bringing new kinds of employees with whom they have to deal on sophisticated personnel matters.

Even when we deal with traditional public employees like schoolteachers, policemen, firemen, rubbish collectors, and so on, at the local and county levels, local officials are encountering real difficulty across this country. If the Members of the House want to see where the real frontier of labor management relations in this country is, this is it. It is not where you find the great big corporations anymore, it is in the local communities and in the counties, where we are encountering the bitter struggles between the locally elected officials and their employees, the local employees and the city councils, the employees and the school board members.

In my State of Michigan, the school boards are even today trying to figure out how many schools are going to go back to work. They are trying to sit down with professionals, trying to sit down and go through the entire process of arriving at sound arguments and positions so that there is some order on the side of the management, or if you will, those representing the local officials as well as the oftentimes more experienced union representatives.

So, do not let the gentleman from California (Mr. ROUSSELOT) even though inadvertently, mislead you into thinking that what you are doing is taking a whack at these uppity public employees and their unions by voting for the gentleman's amendment. What you would really be doing is reversing 5 years of effort; an effort to help the local communities, States, and counties and that includes everybody. We have heard this afternoon a lot of funny remarks about New York City and its problems. I wish that those Members who have been making them could forget New York City for a few minutes and realize that Keokuk, Iowa, has problems too, and every small town in this country will face them in the near future. They will face the probability of some kind of dealings with their employees on the basis of collective bargaining, on the basis of grievance procedures, on the basis of modernizing and operating in a complex modern society in the new relations that exist across this country between public employees and those who represent all of us as the elected local officials.

You are not just voting against public employees or their unions when you vote for the Rousselot amendment. You are voting against every school board mem-

ber, city council member, and county commissioner in this country if you vote for the Rousselot amendment.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from Virginia.

Mr. HARRIS. I thank the gentleman for yielding.

The remarks of my colleague, the gentleman from Michigan, indicate that the Rousselot amendment would actually prevent these grants from going to local governments for the purpose of their developing expertise in labor-management negotiations. I did not understand that this was what he said was the purpose of the amendment. Did I understand the gentleman to say that that was what the amendment does?

Mr. FORD of Michigan. Yes. I am reading from the amendment:

> SEC. 3. (a) Sec. 303(a) of the Intergovernmental Personnel Act of 1970, relating to grants to State and local governments for training, is amended by inserting immediately thereafter the following:

The entire thrust of the first operative paragraph of this amendment has nothing to do with employees, or their unions, it has only to do with those employees who are in the role of management at the local government level.

Mr. HINSHAW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to offer a few comments of my own and then to see if I can clarify what I understand the present situation to be between the gentleman from Missouri (Mr. CLAY) and the gentleman from California (Mr. ROUSSELOT).

Mr. Chairman, it is my personal position that governmental employees at all levels of government should not be permitted to strike, but at the same time I say that I also believe that there should be some form of compulsory arbitration so that we do not reach the kind of impasse which now obtains all over the country where government employees, particularly those at State and local government levels, are going out on strike.

I noticed recently in California that we had a major strike in central California which made the national headlines. Also, in a Los Angeles newspaper the employees of the county of San Joaquin in California engaged in a 1-day strike. In my own county, Orange County, I am informed that some of the deputy district attorneys called in sick, which is a form of a strike. I noticed in the papers where there is an attempt in Massachusetts to attack governmental employees simply because governmental employees are demanding more of the rights to which they believe they are entitled.

Mr. Chairman, if the thrust of the amendment offered by the gentleman from California (Mr. ROUSSELOT) were to strike all forms of money to employee organizations to better deal with the problems of rights of employees, then I think I would be inclined to vote against that amendment.

In California our former Governor attempted to bypass the State personnel board with his recommendations for pay raises, and he was subsequently overruled in the courts. Our present Governor said at one point that he did not believe State employees should be subject to political pressures, and he also has now advocated that perhaps the State employees' pay raise be held to a level of approximately 5 percent, in spite of what the State personnel board recommends.

Mr. Chairman, I would like to clarify with the gentleman from California (Mr. ROUSSELOT) and the gentleman from Missouri (Mr. CLAY) when the amendment speaks of an employee organization, would that include, for example, the State employees association in California? Would it include the Los Angeles County Employees Association? Would it include the employee associations which are not union associations?

Mr. ROUSSELOT. I will repeat that it would eliminate funding of the type described in my amendment to those organizations described in the present law. Under this Act the original intent was to have the Federal Government help in better understanding Federal programs and the use to accomplish that of exchanges of personnel and funding. I do not believe that the intent of this law as we read its history was to have the Federal Government funding negotiations or training for labor negotiations for various kinds of labor unions. I am clearly trying to prohibit funding directly to a union or an employee association for the purpose of negotiation because I believe the unions already have that capability. I do not think they need the additional capability funded by the Federal taxpayers' money.

Mr. HINSHAW. Does the gentleman equate employee associations which are only State or local government employee associations or does he distinguish between those organizations and organizations such as the Teamsters or the AFL–CIO organizations?

Mr. ROUSSELOT. No. My amendment does not make a distinction between those. I would accept an amendment to clarify that point.

Mr. FORD of Michigan. If the gentleman will yield, if he will look at page 14 in the bill he will see that the words "employee organization" are there defined. The gentleman's amendment does not change the definition and therefore adopts the definition in the bill which says:

> "(5) 'employee organization' means any organization, union, association, agency, committee, council, or group of any kind in which State and local government employees participate, a primary purpose of which is to represent State and local government employees in matters concerning wages, hours, or other terms and conditions of employment."

But note that unions are one of the kinds of associations or groups that are covered by "employee organization." It is made very clear, by enumerating unions as one of several kinds of organizations, that the bill extends far beyond unions and encompasses any group that associates for the purpose of affecting wages and hours and working conditions, and it could be any form of professors or professional organization as well as a union.

Mr. ROUSSELOT. The gentleman is correct.

Mr. CLAY. Mr. Chairman, I do not believe the gentleman is correct and I want to tell the Members why he is not correct. I do not believe it would affect those organizations. If the gentleman's amendment is adopted, he strikes the very definition the gentleman from Michigan (Mr. FORD) read on page 14 of the bill. The gentleman's amendment goes all the way through page 14.

Mrs. SPELLMAN. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Chairman, I am frankly appalled to think we are even considering this amendment. The National Association of Counties is not considered to be a hotbed of wild-eyed radicals and yet the National Association of Counties recognizes the need for this provision in the bill.

More and more of our local governments are being chartered and the charter invariably today calls for collective bargaining. With the amendment the gentleman from California is offering here we are destroying the opportunity to train people in collective bargaining. I ask the Members if they have ever sat down to the table to work with people who do not know the rules and who do not know how to engage in collective bargaining. That is a wild experience.

The local officials are saying they need training and they can get the traning today under the existing bill, but with the gentleman's amendment that provision will be wiped out. It is very clearly eliminated by the language of the amendment:

> Such grants may not be used to cover costs of developing and carrying out programs to train and educate professional, administrative, and technical employees and officials of State and local governments in matters relating to labor-management relations, including: the techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relations laws and administrative orders, or mediation and arbitration processes and procedures.

So if we adopt this amendment we put people on both sides of the bargaining tables who are ignorant of bargaining procedures, who are ignorant of how to sit down and amiably agree on working relationships and we assure that the collective bargaining in our cities and our counties will become bloody melees.

So I would ask the House to take a very good look at the amendment that is being offered and, for goodness' sake, vote it down.

Mr. ROUSSELOT. Mr. Chairman, will the gentlewoman yield?

Mrs. SPELLMAN. I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentlewoman for yielding. Mr. Chairman, let us take the city of San Francisco. Does the gentlewoman think the Federal taxpayers should be asked to finance the training of the firemen and the policemen that were engaging in that "collective bargaining" activity? Does the gentlewoman think that is a proper function of Federal funding?

Mrs. SPELLMAN. I would say that if the Chief Executive of the State of California or of Maryland or of any other State feels that this is necessary, then it should be done.

There is a provision in the bill today as it stands that requires that the Chief Executives of the States may review and comment on the proposed programs prior to consideration by the Civil Service Commission and for the Civil Service Commission to set forth the standards under which such a grant may be made.

Mr. ROUSSELOT. I am engaged in attempting to establish an understanding of a principle. Does the gentlewoman believe that it is a proper role of the Federal Government to fund the training of collective bargaining personnel as it relates to San Francisco policemen and firemen; is that a function of the Federal Government?

Mrs. SPELLMAN. Since I am not an expert on San Francisco matters, I accept the word of the gentleman from California who said that San Francisco would have benefited and whose opinion I respect.

Mr. ROUSSELOT. How about Baltimore?

Mrs. SPELLMAN. If the Governor of Maryland feels it is necessary to train local government officials in Baltimore to deal with its employees and to have employees trained so that they are able to sit down and properly engage in management-employee relations talks, I would certainly buy that. The recommendation of the Governor of Maryland would be required before the Civil Service Board could consider the application.

Mr. ROUSSELOT. We have an honest disagreement.

Mr. ECKHARDT. Mr. Chairman, will the gentlewoman yield?

Mrs. SPELLMAN. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I agree with all the gentlewoman said. I myself have been a person engaged in negotiations as a lawyer bargaining with unions. The last person I would like to have on the other side from management is a person who knows no labor law, because under those circumstances one's opponent may pull the house down on both parties' heads.

This is not a partisan matter. This is a matter to lift the question of collective bargaining from acrimony into the area of intelligent management-employee labor relations.

Mr. BAUMAN. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the amendment.

Mr. Chairman, apparently 30 days away from Capitol Hill has taught us nothing. Just before the Members of the House of Representatives left town the last thing with which we stuck the taxpayers was direct subsidies for our newsletters, for office staffs and a boost in our own pay. Today we are confronted with a bill which would provide Federal tax subsidies for labor unions. That is really in substance what the Rousselot amendment seeks to prevent. When we have the rollcall the issue will be whether we should take Federal tax dollars, and in a precedent-setting move, to the tune of $100 million, a greatly increased authorization, subsidize labor unions involved with State and local governments. That to me is totally improper and I will tell this House why. The gentlewoman from Maryland (Ms. SPELLMAN) paints a picture of ignorant boobs going to the bargaining table, people who know nothing about the bargaining process.

I do not know where the gentlewoman from Prince Georges County has been, but in the State of Maryland, the government union leaders, teachers, representatives are the shrewdest negotiators alive. When labor negotiations occur they send in their expert organizers from all over the country and State. In the State of Maryland these negotiators do not need any training. They know every paragraph of labor law. So this subsidy is not needed to train labor officials.

But why do unions want this Federal money? Why do they want to see up to 75 percent of these grants being funded by Federal taxes? The Members should take a look at page 11 of the report; "The techniques of negotiation; interpretation of collective-bargaining agreements; use of grievance procedures; or orientation in public sector labor relations laws and administrative orders . . ." That is what will be subsidized.

This bill is an invitation to indeed tie up States and local governments, to ignore antistrike laws and train labor bosses so that there will not be any garbage picked up, there will not be essential services, there will be no firemen when buildings are burning down, so that we will have many San Franciscos all across this land.

I have heard one of my liberal friends say in private, "This is the one, this is the section the labor unions want. We have got to keep this one in here. The unions want this."

Of course they do. They will get money under this program for paying their union officers. With the subsidy they will transfer salary money the union would have had to pay into funds that go into political action, organizing and all the other things unions do so well under Federal law.

Members should not kid themselves. The gentleman from California has learned something during the recess, something about what the people of America are saying, when we have a $80,000,000,000 deficit. The best thing to do is to turn this bill down unless this amendment is adopted. Still better, we should improve it and make a good program better by denying this precedent-setting action of subsidizing unions.

Members should vote for the Rousselot amendment, not because they are for or against labor, but because they are for the consumer, the taxpayer, and want to preserve State and local government and the essential services they provide.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from California.

Mr. HINSHAW. Mr. Chairman, I think that if the labor unions and employees' negotiators are so smart, we ought to make money available to city officials and to county officials and State officials to resist this kind of smart attempt on the parts of the unions and employees' associations to beat down State and local officials, and therefore preserve our tax dollars.

Mr. BAUMAN. Unfortunately, State and local governments are disadvantaged against unions. They have to maintain the very fabric of civilization. When strikes are called by unions, the local government leaders owe it to their constituencies to preserve order and provide essential services, but the unions do not have that responsibility. If we pass this bill without amendment we are subsidizing irresponsibility in labor relations.

Mr. HINSHAW. If the gentleman will yield further, should not have Mayor Alioto of San Francisco and his negotiators been better advised to know how to resist these situations?

Mr. BAUMAN. I have heard that their best path of resistance would have been to have sent Mrs. Alioto to handle the situation.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BAUMAN. I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. Mr. Chairman, I would like to ask the gentleman a basic question about the operation of this particular section. If it remains the way it now stands, is it not true that an applicant goes directly to the Federal Government, which would mean that the Government could obligate, whether the local government wanted to or not, 50 percent of a grant to a local union?

Mr. BAUMAN. I am not sure that that is the case. It it true that the U.S. Civil Service Commission would administer this program.

Mr. MYERS of Pennsylvania. The Federal Government can say to the local government, the county or whatever, "You must support by 50 percent the cost of supporting the union activities."

Mr. BAUMAN. I do not believe that would be the case, if this amendment is adopted.

Mr. LANDRUM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, during the debate and the discussion on this bill, I have been trying to formulate in my mind some idea of about how many training programs, how many training programs outside direct aid to elementary and secondary education, and other education programs are supported by grants from the Federal Government.

I would say that if the American people knew how much money is being spent by this Federal Government on grants for training programs, they would not allow any Member of this delegation here in this Congress to support them without incurring their opposition.

Mr. Chairman, I want to bring something to the attention of the Members. I do not bring this to their attention to criticize the town or the city. If one stretched the term of what the difference is between "city" and "town" it might be a city. It is more of a town in Georgia, near the district where I live, and not too far from Atlanta, Ga. It is called Powder Springs. Look what happened down there last week under one of these Federal training programs where you get money to train people. One of the councilmen resigned and he was appointed immediately as director of public works, and that job will carry a salary of $12,600. All but $2,600 of that is being paid by the Federal Government out of the grant from the Comprehensive Employment Training Act, the CETA program.

Why should the taxpayers of these United States be called upon to pay $10,000 in salary to a man in the city of Powder Springs, Ga., or the town of Powder Springs, Ga., to supervise the water and sanitation department and, in addition, be the city building inspector?

That is how ridiculous we are getting with these training grants.

The Members might say that is unrelated to what is being debated in this bill. It is not unrelated when we take into account the fact that we are bankrupt and we are spending $102 million here in this bill that can very well be done without. We ought to have the guts to stand up here and cut the whole thing out.

Mr. DENT. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I want to compliment the gentleman from Georgia (Mr. LANDRUM). I think he hit the problem exactly where it ought to be hit. We spend too much for too many training programs. Why do we suddenly get such a conscientious view of it to stop at this point? I did not hear much screaming here when we made a grant for $2,000 a year for the 4 years a student studied medicine. He could pay it back if he went into the slums. If he did not go into poor districts to practice, he did not have to pay it back, and the school would get that money, not the Federal Government, although the Government paid it as tuition.

We have paid for a lot of training programs, but this is something I think the gentleman from Georgia (Mr. LANDRUM) ought to consider on the same basis I am considering it.

First of all, under the Landrum-Griffin bill we changed the entire rules under which contracts were written between labor and management. In the old days, labor would set up its bargaining teams and they would meet with bargaining teams in industry. They would arrive at some kind of a solution to their problem and come out with a contract. That contract, once signed by the bargaining teams and sent to the executive committee of the international would become binding on all of the participants of that particular organization, all of the local unions and the State organizations and everybody else affected. However, after the Landrum-Griffin bill it had to go back to every local union. The biggest problem we have in America today is that we do not have enough members in the newer unions, particularly municipal unions, that have any knowledge whatsoever of negotiations, arbitrations, or anything else dealing with labor. All these years they have been blanked out. They have been under a very good security. They have had civil service to protect them on the one hand and the Hatch Act to protect them against political pressures.

They have had the protection of Government, from the lowest entity of Government to the highest. They cannot be fired; they can only be hired, and that is the end of it. But now they have labor organizations, and they do not understand that there are procedures to set up negotiations.

They should not just say to the opposite party, the employer, whether it is the city council or the school board, "We are going to announce that unless you come through with a contract, at 4 o'clock on date certain, we are going out on strike." That is exactly what has happened.

I just came from an area where there are four school districts out on strike. They establish their procedure before they go into negotiations, without any arbitration whatsoever, without discussing their different requests and their different views; they state what they are going to achieve, and they set the date for strike before they even meet with the other side. They do not understand that this is a very serious business. They do not understand that they have to meet and give their facts and take the facts from the other side and decide whether or not the demands they are making will destroy or help the organization.

Some of us have had some experience. I know it is not easy for them to say to their members at home, "We are not going in there and say that whatever we establish is what we are going to get. Those are our demands, and if we are not going to get them, we are going out on strike." We must learn to negotiate and arbitrate. It is not an exact science, but it is a science nevertheless.

They should say, "Give us a chance for some negotiation in the meantime. Let us arbitrate."

They do not understand how to arbitrate. I will state that the greatest amount of trouble in the municipal and educational fields, from the standpoint of arbitration and negotiation today, is because of the lack of knowledge as to how to proceed in labor negotiations. They have never had any problems before. All their wages and all their working conditions were either legislated or given to them by the chief executive of the State or the chief executive of the municipality, because they had that big vote they could cast without being interfered with.

So the situation today is a new ball game, and the money we will spend on this, believe me, will give a great deal of help to the situation we are going through today. No one has calculated the cost in money, lost time, and strained relations in many of our communities.

Mr. Chairman, we may have a nationwide strike within the near future, if certain conditions prevail, in the area of education. We may also have one in the municipal area.

Recently there was a State strike that was called on the basis of catchup salary needs. The national leaders could do little about it. The local leaders wanted to do what was best for their members. When it finally came to the point where it was going to be a very serious matter in that State and the whole State was going to go through serious problems, they got together and came to an agreement. But the bargaining committees who were handling the matter never had experience before with negotiations in this type of labor differences. It was a civil service type of employment.

The CHAIRMAN. The time of the gentleman from Pennsylvania (Mr. DENT) has expired.

(By unanimous consent, Mr. DENT was allowed to proceed for 1 additional minute.)

Mr. DENT. Mr. Chairman, the situation is this: All this really does is to say to a labor organization that it can apply directly to the Civil Service Commission for participating funds in order to train its people.

The Members of Congress know what is happening, and I know what is happening. Let us put the cards right on the table. In some States they can make a request and it will be approved because that particular State has a Governor who feels that they are justified in asking for it. The same thing may happen with respect to management which happens to be the borough council or the school board. They can ask for it and get it.

But in other States they have not received grants since the law was passed, and yet they are entitled to it.

So I do not think we are doing anything here for the benefit of the Treasury. We should not talk about making grants. We started that a long time ago, and as the gentleman from Georgia (Mr. LANDRUM) told us, this is one little drop of rain in a barrel, compared to what we are spending on grants for educational and specialized training purposes all over the country.

The argument that the country is "broke" advanced here by a previous speaker is a good and valid argument.

But let us consider that when we are called upon to vote for billions for foreign aid, aid in training, aid for industrialization of foreign productions, much of it in competition here at home with the very workers we are complaining about getting training to do their jobs better.

The time to argue this point is when we "go along" for moneys that hurt the economy not the money that helps the economy.

Mr. Chairman, further proposed amendments to the Intergovernmental Personnel Act contained in H.R. 4415 are supported by the National Association of Counties, the American Nurses Association, the International Association of Firefighters, the American Federation of State, County and Municipal Employees, the Public Employee Department of the AFL-CIO, the National Education Association, and the National Conference of Mayors.

This is a remarkably wide spectrum of support. It reflects the reality that a diversity of organizations participate as partners in responsible personnel administration and the delivery of public services at the State and local level.

These amendments increase the opportunity for public employee organization members to receive training in labor-management relations skills, training in the laws and ordinances of the State or local governments for which they work. By doing so these amendments help to insure that public employee organizations and the people they represent will be better able to participate responsibly in personnel administration.

Increasing the availability of information about government and its practices can only improve government's provision of public services.

I include the following:

Grants to Employee Organizations Under Section 3 of H.R. 4415

I. THE PROBLEM

State and local governments have used IPA funds extensively to train their management personnel in labor-management relations techniques.

The problem here is that it now takes both sides working together to efficiently administer agreements, peaceably resolve disputes and effectively carry out their respective duties and responsibilities. Labor-management relations is now an integral part of the personnel administration process at all levels of government. Through the IPA, the Federal government supports only the management side in the complicated area of public employee labor relations.

Section 3 of the amendments to the Intergovernmental Personnel Act of 1970 (H.R. 4415) would, if it became law, resolve this imbalance.

II. THE AMENDMENT

The amendment simply allows public employee organizations to submit grant applications to the Civil Service Commission to be considered on their merits.

Section 3 of H.R. 4415 would mean the IPA so that employee organizations could apply directly to the U.S. Civil Service Commission for training grants to train their officers, employees and/or members in programs specifically relating to "the techniques of negotiation; interpretation of collective bargaining agreements; use of grievance procedures; or orientation in public sector labor relation laws and administrative orders; the role of Civil Service Commissions (or equivalent agencies), anti-discrimination laws and procedures, statutory employee appeal procedures, position classification processes, or mediation and arbitration processes and procedures.

Such grants are presently available to non-profit organizations which offer professional services to governments.

There would be several conditions applied to grants made by the C.S.C. under this amendment:

1. Funds could only be used for labor-management relations related training as defined above—they could not be used for organizing, political activity, etc.

2. The Commission would have to make a prior determination that the capability to provide training does not exist, or is not readily available within any organization with which the employee organization is affiliated, or if the capability does exist, that such organization is not disposed to provide the training, before releasing any funds.

3. The grant application must meet requirements prescribed by the U.S. Civil Service Commission, itself, under this section of the Act. (These last two conditions are similar to those already placed on grants to "other organizations" under the IPA.)

4. The Governor of the state or his designee must have the opportunity to review, comment upon and make recommendations on each grant application. (The review procedure contained in the amendment is similar to that required of local governments when they apply directly to the Civil Service Commission for IPA funding.)

For the purposes of this amendment "employee organization" means "any organization, union, association, agency, committee, council, or group of any kind in which state and local government employees participate, a primary purpose of which is to represent state and local government employees in matters concerning wages, hours, or other terms and conditions of employment."

This amendment would not "turn over" millions of dollars to labor organizations:

There is no percentage set aside for employee organizations.

Public employee organizations are limited to applying for grants under the 20% share of IPA funds held by the Civil Service Commission (the so-called discretionary funds). The amendment does not involve the 80% share (the so-called formula money) which goes to the states.

The amendment simply would allow public employee organizations to submit grant applications to the Civil Service Commission to be considered on their merits.

III. POSSIBLE AMENDMENTS TO SECTION 3

1. To strike (this fails to deal with the imbalance in the Act recognized by the Committee when it adopted this Section.)

2. To prohibit all labor-management relations related training under the Act (this amendment was defeated in Committee as a step backwards. The number of applications and grants concerning labor-management relations under the Act since its adoption is an indication of the importance states and localities have attached to this aspect of sound, efficient and responsible personnel administration. In addition, state and local employee organizations have indicated that they prefer trained management personnel than inexperience which can lead to unnecessary conflict.)

3. To simply include employee organizations within the already existing section of the Act which permits some grants to organizations other than governments (by requiring the jurisdiction involved to request such grants, this would eliminate direct applications by employee organizations to the Civl Service Commission. Such requests are unlikely. This would perpetuate the present imbalance under the Act.)

4. To limit eligibility under this proposed section of the Act to "recognized" employee organizations by amending the definition of "employee organizations" (the term "recognize" has a specific meaning in labor law. Because few states or localities have collective bargaining laws, let alone recognition procedures, such an amendment would effectively nullify the original intent of the Section.)

AMENDMENT OFFERED BY MR. HINSHAW TO THE AMENDMENT BY MR. ROUSSELOT

Mr. HINSHAW. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Hinshaw to the amendment offered by Mr. Rousselot: In the first sentence, strike out the comma immediately following the figure "14" and strike out all that follows and insert in lieu thereof a period.

Mr. HINSHAW. Mr. Chairman, the purpose of this amendment is to maintain the present law.

As the Members will recall, I spoke in favor of maintaining some training for employee-management negotiations and arbitration, because I think in today's climate, that is essential. I think we want to forestall strikes by public employees whenever and wherever we can.

I also think, Mr. Chairman, that both sides should be adept in negotiating employees' rights.

Therefore, Mr. Chairman, the purpose of this amendment is to maintain the law as it presently exists, which provides, for example under section 304(a)(2), and I read from the existing law:

> determines that the capability to provide such training does not exist, or is not readily available, within the Federal or the State or local governments requesting such program or within associations of State or local governments, or if such capability does exist that such government or association is not disposed to provide such training;

It then goes on and provides that the chief executives of the various States can, if they so choose, provide that such money shall be available for the type of training which we have been discussing now for some half hour to 45 minutes.

Mr. Chairman, I repeat, before closing, that it would be my hope that the Members will support this amendment to the amendment offered by the gentleman from California (Mr. Rousselot) and maintain the law in this particular regard as it presently exists.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. Yes, I yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I think the gentleman does a much better job in legislatively making it possible and clearer for a State government or a city government to request funds for the kind of activities and negotiations that are needed. At the same time it does prevent the direct funding to a labor union if, obviously, in the opinion of the Commission, they do not need this kind of funding.

Mr. Chairman, I support the gentleman's amendment. I think it is a clarifying amendment.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. Yes, I yield to the gentleman from Virginia.

Mr. HARRIS. I can understand the purpose of the clarifying amendment of the gentleman from California because it takes out about 90 percent of what we had.

Do I understand that the gentleman's amendment would permit Federal participation in a program that helps the management side of the labor negotiation, but this would prohibit Federal assistance with regard to any help to the labor side of any negotiations; is that correct

Mr. HINSHAW. If the gentleman will yield, no, I do not think that is correct.

We have confused the issue by talking about labor unions, per se, but there are many employee associations where the technical people in the employee associations and even the officers of the employee associations are State and local government employees. Therefore, I do not believe that to be true.

Mr. HARRIS. Does the gentleman feel that this amendment would permit associations other than governmental to come in for Federal grants?

Mr. HINSHAW. Do I feel that this amendment would do that? No, not necessarily that. I think there are employee associations which are composed only of governmental employees.

Mr. HARRIS. However, they could not apply under the amendment as the gentleman has presented it; is that correct?

Mr. HINSHAW. If the gentleman will wait until I have finished, those governmental employees, just by the sheer nature of their work, may get involved both in management and labor or employee relationships.

In fact, there are many State and local government employees who get involved with drafting the budget, the salaries, and the fringe benefits, and then on the other side they represent those employees when they deal with management, of which the particular employee is not a member of the management team.

Therefore, I think it will improve the expertise of State and local governmental employee associations, but not that of the unions per se.

Mr. Chairman, I support the amendment.

Mr. FORD of Michigan. Mr. Chairman, I move to strike the requisite number of words and rise in opposition to the amendment.

Mr. Chairman, I would like to say to the gentleman who just appeared in the well, the gentleman from California (Mr. Hinshaw), that we are still having some difficulty in interpreting what the gentleman's amendment does.

I think I understand what the gentleman said he intended to do.

Am I correct, as I heard it read into the record, that the import of the amendment would cause the Rousselot amendment to read as follows:

"Strike all of section 3 of the bill beginning on line 18 on page 10 down through line 24 on page 14."

Mr. HINSHAW. Yes, that is correct.

Mr. FORD of Michigan. That becomes the sum total of the Rousselot amendment.

Mr. HINSHAW. If that is the sum total of it then that would be the effect of the amendment to the amendment.

Mr. FORD of Michigan. That is what we thought you meant and that is why the gentleman from Virginia (Mr. Harris) pointed out to you a few moments ago that your amendment would not do what you think it is doing, and you are compounding the troubling problems created by the Rousselot amendment. The gentleman from Missouri (Mr. Clay) and I had problems a few moments ago here because of the form of the amendment. When you try to coordinate it with the bill and your amendment, you will discover there is no definition of "employee organization" left in the legislation by the language of your amendment or in the language of the Rousselot amendment as amended by you.

The only mention of employee organizations whether one calls them union or nonunion employee organizations is in the Clay bill. And the only mention in the Clay bill is still stricken in the language you leave in the Rousselot amendment. You did not go far enough in changing the Rousselot amendment.

The gentleman from California (Mr. Rousselot) is getting what he wants because he is striking out all "employee organizations."

I respectfully submit to my colleague, the gentleman from California (Mr. Hinshaw), and the gentleman from New York (Mr. Gilman) that you are not getting what you think you are getting through what the gentleman from California (Mr. Rousselot) is getting. Therefore I ask the Members to vote against this amendment because it compounds an already very bad amendment and creates a situation where it would be difficult to justify continuation of this legislation that has been so very helpful to the local, State, and county governments for the last 5 years.

Mr. ROUSSELOT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, let me, in response to my colleague, the gentleman from Michigan (Mr. Ford)—because I know the gentleman wants to be right—state that what is left in place as result of my colleague the gentleman from California's (Mr. Hinshaw) amendment is simply the language of the present law. You are correct it strikes that portion of section 3 which puts a new definition into "organization."

Let me read from the present act, Public Law 91-648. This is what the gentleman from California (Mr. Hinshaw) is talking about:

GRANTS TO OTHER ORGANIZATIONS

Sec. 304. (b) For the purpose of this section "other organization" means—

(1) a national, regional, statewide, areawide, or metropolitan organization, representing member State or local governments;

(2) an association of State or local public officials; or

(3) a nonprofit organization one of whose principal functions is to offer professional advisory, research, development, educational or related services to governments.

So what remains in place by the gentleman's amendment, combined with my amendment, is that the present definition of "other organizations" remains intact. It is the definition we have been living with for several years. It is more than adequate. If the gentleman from Michigan would say that it strikes or does great mischief he must then admit that the previous act did great mischief in its definition of "other organizations."

I believe that the amendment proposed by the gentleman from California (Mr. Hinshaw) to my amendment is a correct amendment and I hope that my colleagues will support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. Hinshaw) to the amendment offered by the gentleman from California (Mr. Rousselot).

The question was taken; and on a division, demanded by (Mr. Rousselot) there were—ayes 34, noes 63.

RECORDED VOTE

Mr. ROUSSELOT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 213, not voting 31, as follows:

[Roll No. 491]

AYES—189

Abdnor
Ambro
Anderson, Ill.
Andrews, N.C.
Archer
Armstrong
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Bedell
Bell
Bennett
Bevill
Bowen
Breckinridge
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burleson, Tex.
Burlison, Mo.
Butler
Byron
Carter
Casey
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins, Tex.
Conable
Conlan
Crane
Daniel, Dan
Daniel, R. W.
Davis
de la Garza
Derrick
Devine
Dickinson
Downing, Va.
Duncan, Tenn.
du Pont
Edwards, Ala.
Emery
Erlenborn
Eshleman
Evans, Ind.
Fenwick
Findley
Fish
Fithian
Flowers
Flynt
Forsythe
Fountain
Frenzel
Frey
Fuqua
Gibbons
Gilman
Goldwater
Goodling
Gradison
Grassley
Gude
Guyer
Hagedorn
Haley
Hammerschmidt
Hansen
Harkin
Harsha
Hastings
Hays, Ohio
Hefner
Henderson
Hightower
Hillis
Hinshaw
Holland
Holt
Horton
Hutchinson
Hyde
Ichord
Jeffords
Jenrette
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Kasten
Kazen
Kelly
Kemp
Ketchum
Kindness
Krueger
Lagomarsino
Landrum
Latta
Lent
Lloyd, Calif.
Lloyd, Tenn.
Lott
Lujan
McCollister
McDonald
McEwen
McKinney
Madigan
Mahon
Mann
Martin
Mathis
Mazzoli
Michel
Miller, Ohio
Mills
Mitchell, N.Y.
Montgomery
Moore
Moorhead, Calif.
Mosher
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nichols
O'Brien
Passman
Pettis
Preyer
Pritchard
Quillen
Railsback
Regula
Rhodes
Roberts
Robinson
Rose
Roush
Rousselot
Runnels
Sarasin
Satterfield
Schneebeli
Schulze
Sebelius
Sharp
Shriver
Shuster
Sikes
Skubitz
Smith, Iowa
Smith, Nebr.
Snyder
Spence
Stanton, J. William
Steelman
Steiger, Ariz.
Stephens
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Thone
Treen
Vander Jagt
Waggonner
Wampler
White
Whitehurst
Whitten
Wiggins
Wilson, Bob
Winn
Wright
Wydler
Wylie
Young, Fla.

NOES—213

Abzug
Adams
Addabbo
Anderson, Calif.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
Badillo
Baldus
Barrett
Baucus
Beard, R.I.
Bergland
Biaggi
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Brademas
Breaux
Brinkley
Brodhead
Brooks
Brown, Calif.
Burke, Calif.
Burke, Mass.
Burton, John
Burton, Phillip
Carney
Carr
Chisholm
Clay
Collins, Ill.
Conte
Conyers
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniels, N.J.
Danielson
Delaney
Dellums
Dent
Diggs
Dingell
Dodd
Downey, N.Y.
Drinan
Early
Eckhardt
Edgar
Eilberg
English
Esch
Evans, Colo.
Fascell
Fisher
Flood
Florio
Foley
Ford, Mich.
Ford, Tenn.
Gaydos
Giaimo
Ginn
Gonzalez
Green
Hall
Hanley
Hannaford
Harrington
Harris
Hawkins
Hayes, Ind.
Hechler, W. Va.
Heinz
Helstoski
Hicks
Howard
Howe
Hubbard
Hughes
Jacobs
Johnson, Calif.
Jones, Okla.
Jordan
Karth
Kastenmeier
Keys
Koch
Krebs
LaFalce
Leggett
Lehman
Levitas
Litton
Long, La.
Long, Md.
McCloskey
McCormack
McDade
McFall
McHugh
Macdonald
Madden
Maguire
Matsunaga
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Mineta
Minish
Mitchell, Md.
Moakley
Moffett
Mollohan

Moorhead, Pa.
Morgan
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Nedzi
Nix
Nolan
Nowak
Oberstar
Obey
O'Hara
O'Neill
Ottinger
Patman, Tex.
Patten, N.J.
Patterson, Calif.
Pattison, N.Y.
Perkins
Peyser
Pickle
Poage
Pressler
Price
Quie
Randall
Rangel
Rees
Reuss
Richmond
Riegle
Rinaldo
Risenhoover
Rodino
Rogers
Roncalio
Rooney
Rosenthal
Rostenkowski
Roybal
Russo
Ryan
St Germain
Santini
Sarbanes
Scheuer
Schroeder
Seiberling
Simon
Sisk
Slack
Spellman
Staggers
Stanton, James V.
Stark
Steed
Steiger, Wis.
Stokes
Stratton
Studds
Sullivan
Symington
Thompson
Thornton
Traxler
Tsongas
Udall
Ullman
Vander Veen
Vanik
Vigorito
Waxman
Weaver
Whalen
Wilson, C. H.
Wilson, Tex.
Wirth
Wolff
Yates
Yatron
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NOT VOTING—31

Alexander
AuCoin
Biester
Burke, Fla.
Chappell
Derwinski
Duncan, Oreg.
Edwards, Calif.
Evins, Tenn.
Fary
Fraser
Hamilton
Hébert
Heckler, Mass.
Holtzman
Hungate
Jarman
McClory
McKay
Mink
Pepper
Pike
Roe
Ruppe
Shipley
Solarz
Stuckey
Teague
Van Deerlin
Walsh
Young, Alaska

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Ms. Holtzman against.

Mr. Teague for, with Mr. Solarz against.

Mr. Chappell for, with Mr. Edwards of California against.

Mr. Alexander for, with Mrs. Mink against.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROUSSELOT).

The amendment was rejected.

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GILMAN: Strike out all of section 4 of the bill, beginning in line 1 on page 15 down through line 15 and redesignate the succeeding sections accordingly.

Mr. GILMAN. Mr. Chairman, under existing law the Intergovernmental Personnel Act is permanently authorized so that appropriation requests are at the discretion of the administration. For fiscal year 1976, the administration's request for this program is $20 million.

The $15 million of that amount is for grants. The proposed increases of $40 million for fiscal year 1976 and $12 million for the fiscal year transition to October 1976, and the $50 million for fiscal year 1977 are unacceptable and inconsistent with the President's moratorium on new spending initiatives.

In other words, these increases are premature. They are premature because Intergovernmental Personnel Act, for which $300,000 is earmarked in the President's budget. Further, the subcommittee has stated that it expects to conduct its own indepth investigation with technical assistance from the General Accounting Office of the IPA programs throughout the United States.

The General Accounting Office, in its March 1975 study of this act, setting forth the problems of implementing the Intergovernmental Personnel Act, stated on the first page of its report:

"Selection processes for mobility assignments vary among agencies and involve a three-way agreement with the employee, the Federal agency, and the State or local government. Although many assignments were arranged properly, others were made to resolve personality conflicts within a Federal agency, remove employees from specific positions, satisfy personal considerations, ease out employees nearing retirement, or meet manpower planning—ceiling—objectives."

The General Accounting Office is mandated by this legislation to conduct a comprehensive evaluation of the effectiveness of the programs under the IPA not later than July 1, 1977.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I will be pleased to yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding. In other words, if individual members of Congress went home and found that their constituents were concerned about escalating cost of Government, here is a clear chance to maintain a program at its present level, not increase it by two or threefold for a 2-year period, but maintain it at its present level until the General Accounting Office has a better chance to see what this act produces. If the individual Member did perceive from his constituents that they were anxious to see clear signs of keeping Government spending at present levels, we should support the gentleman's amendment?

Mr. GILMAN. That is exactly the point, and I thank the gentleman from California for hitting the nail right on the head.

The committee, on page 7 of its report, in seeking to justify the appropriation, states under "Appropriation Authorization":

Accordingly, the committee makes this authorization with two intentions: First, to indicate its concern for more adequate funding of this program by the Administration; and, second, to establish a means by which the program administrators will, by necessity, return to this committee and justify their budget request, thereby providing another means whereby this committee may justify its oversight responsibilities.

Mr. Chairman, I submit that the committee's statement is the precise reasoning for rejecting the increased appropriation.

Until such time as these reviews are completed on the merit and efficiency of programs financed under the IPA, no increased funding should be authorized.

Mr. Chairman, in conclusion, I want to make it clear that my amendment does not affect the administration's request of $20 million to fund the IPA program for fiscal year 1976. Rather, it strikes the committee's $32 million increase in appropriation levels over the President's request for fiscal year 1976, and it removes the $50 million figure for fiscal year 1977, requiring Congress to exercise its oversight responsibilities.

Accordingly, Mr. Chairman, I urge my colleagues to support this amendment.

Mr. FORD of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if the Gilman amendment is adopted, it removes the limitation on expenditure that is in the Clay bill. We should read what the Clay bill says on page 15. It says "Appropriation Authorization."

What we are dealing with here is a classic case of a misunderstanding of the difference between the budget request process and the congressional action with respect to a budget increase and the authorizing process, which is the process we are going through here and, ultimately, the appropriating process. They are all separate. They are all separately handled.

There are several times when we come to consider the level of expenditures. We are not talking here today about how much money is actually going to be spent. On page 15 of the bill what we are talking about is controlled by one word, and the word on line 6 of page 15 is "limitation."

The Clay bill says, "not to exceed '$40 million shall be authorized and appropriated for fiscal year 1976'."

We must always read authorizing figures with the words, "not to exceed," because they are a limitation on the Committee on Appropriations, and they are also a limitation on actions on this floor. Members tend to forget that if we keep the law the way it is, section 509 of the existing law would be unchanged, and this is supposed to be fiscal sanity and fiscal conservatism.

This is how the law, as they would now suggest, would read:

There are authorized to be appropriated in the fiscal year appropriation such sums as may be necessary to carry out the programs under this Act.

This is an unlimited and open-ended authorization.

We should not let anybody sell us the idea that they are going to turn us into fiscal conservatives and protect the Federal tax dollars by providing an open-ended authorization as this amendment would do.

For 11 years I have heard a constant and never-ending and totally consistent attack on open-ended authorizations coming from the other side of the aisle. I commend any Member who voted for the Congress to accept its responsibility in the budgeting process by not voting for open-ended authorizations in preference to a specific limitation on the appropriating process. That is what we have here in the Clay bill, which this amendment seeks to remove.

This says that not more than $40 million may be asked for by the President or may be appropriated by the Congress or may be spent by the President after it is appropriated.

The removal of a fiscal limitation cannot be called fiscal responsibility.

What they want is a year after year after year battle on this floor and in the Committee on Appropriations, instead of in front of the subcommittee of the gentleman from Missouri (Mr. CLAY) where it belongs, over the level of funding necessary to carry out the functions of this legislation.

What it really comes down to is that the adoption of the Gilman amendment would take away a primary reason for the subcommittee of the gentleman from Missouri (Mr. CLAY) to continue oversight over the functions of this legislation in the foreseeable future.

The only way the gentleman from Missouri (Mr. CLAY) could ever get a handle on what communities and States and others were doing with this money in the future would be to try to reenact some basic change in the law. He would never get a handle on the expenditures of the funds and the level of funding.

The only way the principal authorizing committee has an opportunity to do this on a continuing basis is to carry out the kind of oversight that every congressional reformer has advocated in the last decade, and that is to leave this language in the Clay bill.

Mr. Chairman, I urge that the committee defeat the amendment.

Mr. ROUSSELOT. Mr. Chairman, I move to strike the requisite number of words and rise in support of the amendment.

Mr. Chairman, my colleague, the gentleman from Michigan (Mr. FORD) has acted as though it is a great transgression for this House to set a limitation of $20 million. Remember, my colleagues, this organization has never spent more than that. As a matter of fact, they hardly justified what they have already spent.

Mr. Chairman, the point is that the Committee on Appropriations tells us constantly that the pressure is always on them, the Committee on Appropriations, because we do not exercise restraint in our authorizing legislative committees.

With the greatest imagination, I do not believe that we can support $50 million a year under this program unless we just dole it out willy nilly.

Nobody who came before this committee talked about $50 million authorization. We heard no testimony that asked for this huge increase.

I think if we would be helpful to the Committee on Appropriations by not creating overexpectation. This is a reasonable amendment, and I think it makes it more palatable for some of us who would genuinely like to support this legislation if it were more reasonable in its expenditure level.

I clearly state that this authorization at $50 million creates an overexpectation on the part of cities and creates an overexpectation on the part of many people around the country. The amendment will help take the pressure off the Committee on Appropriations by not overauthorizing. Therefore, I cannot understand the rationale of my colleague, the gentleman from Michigan (Mr. FORD), who says that we have to follow the subcommittee because if we do not, somehow we transgress on our responsibility to not keep expenditures within reason.

The reason that this amendment is offered is that all the administration has asked for is $20 million a year. I believe that that is a reasonable expenditure level.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I will be glad to yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I thank the gentleman for yielding. I am sorry that the gentleman was not on the floor before.

Mr. ROUSSELOT. I heard the gentleman. I was on another part of the floor.

Mr. FORD of Michigan. I would like to say that on this issue the gentleman from California (Mr. ROUSSELOT) does not understand the Gilman amendment. The Gilman amendment does not set a limitation. It removes the only language in this bill that sets a limitation and leaves intact the existing law, which is an open end limitation. It has no $20 million figure in it. It says "such sums as may be appropriated." That is the limitation.

Mr. ROUSSELOT. It sets a figure of $20 million. That is all that could be authorized. A $40 or $50 million figure creates an add-on expectation.

Mr. FORD of Michigan. It does not create any such expectation at all.

Mr. ROUSSELOT. It creates an add-on expectation by creating a limitation in the first year of $40 million. The administration says that all that is needed is $20 million, so why add to it?

I think we make ourselves look silly when we add on $20 million that is not even requested by the administration.

My colleague, the gentleman from Michigan (Mr. FORD) knows, because he is a member of this committee, that nobody demanded or made a request for $40 million, we just gave it to them, because we are "extra good people."

My point is: Let us stop adding money when it is not even requested. The request of the administration is for $20 million. And on that, Mr. Chairman, I rest my case.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. GILMAN).

The question was taken; and on a division (demanded by Mr. CLAY) there were ayes 68, noes 66.

So the amendment was agreed to.

The CHAIRMAN. If there are no further amendments to be offered, the question is on the Committee amendment in the nature of a substitute, as amended.

The Committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KAZEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4415) to amend the Intergovernmental Personnel Act of 1970 to provide more effective means to improve personnel administration in State and local governments; to correct certain inequities in the law; and to extend coverage under the law to the Trust Territory of the Pacific Islands, pursuant to House Resolution 549, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read a third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ROUSSELOT. Mr. Speaker, I demand a recorded vote.

The SPEAKER. Does the gentleman ask for the yeas and nays?

Mr. ROUSSELOT. Yes, Mr. Speaker.

The SPEAKER. Twenty-nine Members have arisen, an insufficient number.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair was looking directly at the gentleman from Ohio. If the gentleman states he was seeking recognition before the vote was announced, the Chair would be disposed to recognize the gentleman.

Mr. ASHBROOK. Mr. Speaker, I am not inclined to argue with the Speaker.

The SPEAKER. The Chair was looking at the gentleman. He was not on his feet until after the vote was announced.

Mr. SHUSTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count the House.

Two hundred twenty-four Members are present, a quorum.

So the bill was passed.

The title was amended so as to read: "A bill to amend the Intergovernmental Personnel Act of 1970 and subchapter VI of chapter 33 of title 5, United States Code, to provide more effective means to improve personnel administration in State and local governments, to correct certain inequities in such laws, to extend coverage under such laws to the Trust Territory of the Pacific Islands, and for other purposes."

A motion to reconsider was laid on the table.

AUTHORIZING CLERK TO CORRECT SECTION NUMBERS AND PUNCTUATION IN ENGROSSMENT OF H.R. 4415

Mr. CLAY. Mr. Speaker, I ask unanimous consent that the Clerk, in the engrossment of the bill, be authorized and directed to make such changes in section numbers, cross references, and other technical and conforming corrections as may be required to reflect the actions of the House.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 492]

Alexander
AuCoin
Barrett
Biester
Blanchard
Brademas
Broomfield
Burke, Fla.
Chappell
Cochran
Conyers
Dent
Derwinski
Dingell
Drinan
Duncan, Oreg.
Edwards, Calif.
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fary
Flynt
Foley
Fraser
Gibbons
Hamilton
Harsha
Hastings
Hébert
Heckler, Mass.
Hinshaw
Holland
Holtzman
Horton
Hungate
Jarman
Jones, N.C.
Karth
Kastenmeier
Kindness
McClory
McKay
Macdonald
Madigan
Milford
Mink
Moorhead, Pa.
Morgan
Mosher
Nix
Patten, N.J.
Pepper
Pike
Ruppe
Sarasin
Shipley
Solarz
Stuckey
Taylor, Mo.
Teague
Van Deerlin
Walsh
Wright
Young, Alaska

The SPEAKER pro tempore (Mr. DANIELSON). On this rollcall 368 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PUBLIC BUILDINGS COOPERATIVE USE ACT OF 1975

(Ms. ABZUG asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Ms. ABZUG. Mr. Speaker, prior to the recess, I introduced H.R. 9187, legislation that would encourage the use of Government facilities for cultural, educational, commercial, and recreational activities. It will promote greater flexibility and efficiency in the way the Federal Government acquires and uses its office buildings. A similar measure, S. 865, introduced by Senator JAMES BUCKLEY has passed the Senate.

This bill would help conserve our Nation's energy resources, produce more jobs through the rejuvenation of older buildings and encourage cooperative use of space in Federal office buildings by both the private and public sectors.

According to the General Services Administration, a $1 million investment in repair and improvement of existing Federal buildings produces five times as many jobs as $1 million spent on new construction. These figures indicate how the type of renovation contemplated in this bill can and will produce a substantial number of new jobs to alleviate the depressed condition that the construction industry has been experiencing.

The significant portions of this bill are in sections 2, 3, and 4. Section 2 lists a number of policy directives to the Administrator of General Services, directives that are implemented in the following two sections.

Section 3 would amend the Public Buildings Act of 1959, to encourage the Federal Government to purchase and rejuvenate older buildings when practicable, and to convert those buildings into new Federal offices. The bill directs that GSA contract with the National Trust for Historic Preservation for an inventory of possible local renovation alternatives whenever GSA initiates a survey of building needs. But this would not simply amount to occasionally acquiring a historical building and then renovating it. It would involve the acquisition, when desirable, of many other types of older structures, such as old private office buildings, warehouses, railway stations, and theaters. The interiors in these buildings, would not need to be preserved as originally constructed. They would be remodeled to suit modern office styling, while as much of the original basic structure would be saved in order to reduce costs.

Section 4 of this legislation would amend section 210 of the Federal Property and Administrative Services Act of 1949 to permit cooperative use of Federal office buildings. A recent staff report to the Federal Architectural Task Force stated that—

> The very term "public building" has become a contradiction: no one in his right mind now goes into a public building except on business.

This bill seeks to remedy the situation—to bring the public back into Federal buildings. This would be accomplished by granting GSA authority to lease ground-floor space in Federal office buildings for "commercial, cultural, educational, or recreational" uses. Establishment of local day-care centers in Federal buildings is one activity that would be promoted by this legislation. They could be included under the broad category of "recreational" activities. Art exhibits, youth recreation centers, and special educational programs of various kinds are other examples of the types of activities which could occupy the space made available in Federal office buildings.

This bill would result in the saving of a considerable amount of energy, inasmuch as the design of older buildings lends itself to a less wasteful rate of fuel consumption than does the design in recently constructed buildings.

Many precedents involving the cooperative use of public buildings have already been set in the United States and other countries. New York City has pioneered in such an approach as it has encouraged the use of complexes which mix governmental, commercial, residential, and educational space. The Canadian Government is actively pursuing a similar policy. For example, the Canadians are now developing a number of mixed-use office buildings in their capital city of Ottawa, with about a quarter of the space being rented for private commercial use. Several European governments have also pursued similar projects successfully.

I recognize that neither renovation nor mixed cooperative use would be appropriate everywhere. In some communities, conditions exist where rejuvenation of a business district can be achieved only with new construction. In this regard, it is important to note that this legislation does not mandate, but rather permits, such an option to be exercised in areas where it is deemed desirable by local residents and entrepreneurs and is seen as a measure which would improve the overall economic and social environment of the community.

COOPERATION WITH PRESIDENT FORD IN ORDER

(Mr. RONCALIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RONCALIO. Mr. Speaker, Editorialist Joseph Kraft recently referred to President Ford's energy program as an "energy mess." This is a harsh but true description, and it applies to congressional attempts as well. This body has spent many months on an oil pricing bill. When we adjourned for the August recess there were still some 40 amendments pending to title 3. We too have made little if any progress.

I understand that further consideration of the energy bill scheduled for today has been deferred in an attempt to reach a compromise between the President and Congress. I commend you, Mr. Speaker, for this action. It is time for Congress and the President to act in concert on what is a vitally necessary program for the people of this country.

Let us look at the various sides in this issue.

First, comes the consumer. Economic analyses of sudden decontrol vary. Estimates are given ranging from 5 to 7 cents a gallon for gasoline during the next 6 months with additional increases of 3 to 5 cents over the next 6-month period. Mr. Eric Zausner, Deputy Administrator of the FEA, indicated earlier this summer that the impact of decontrol would be felt almost immediately. Furthermore the effect of decontrol would be felt throughout the entire economy. All phases of the economy would record increased costs; the petrochemical industry, the fibers industry, all manufacturing, and the agriculture sector of the economy. And with added transportation costs which are obvious few items would reach the consumers of this country without added costs. This could indeed lead to intolerable economic chaos.

Next, the majors, or large oil conglomerates. It is clear that present prices for old oil are inadequate to cover expenses of increased exploration and production necessary if we are to achieve any semblance of energy independence. Adequate prices for oil are directly related to costs of drilling for new oil. It is in this country's interest to drill for new oil to achieve the desired independence. The depletion allowance has been taken from most of the oil industry and it is imperative that new incentives be provided to maximize exploration of new oil—which means prices for new oil that will cover costs.

On a third side is the nonintegrated or "independent" of the oil industry.

The integrated companies may indeed be able to hold down retail prices voluntarily. If this is the case they will be forced to subsidize such prices from profits they make in supplying the nonintegrated independent marketers who have no crude oil. This group will simply be priced out of the market completely.

In recent days we have seen promises by the large oil companies to voluntarily continue to supply gasoline to the independent refiners. However, the top twenty integrated companies control over 90 percent of all domestic crude reserves, over 85 percent of total domestic refining capacity, and over 90 percent of total gasoline sales through their branded service stations. These same companies made similar commitments to a voluntary allocation program in 1973, and still 26,000 stations have closed since that time. Some have been telling me that they will not raise profits by price-boosting, but I do doubt the truth of that.

In applying this situation to my own State of Wyoming, Mr. Speaker, I can appreciate all sides. The distances between places in Wyoming are long. Increased cost of gasoline at the pump will mean higher prices for Wyoming consumers. Increased energy costs to the agricultural sectors of the State's economy will also be felt and will continue to be felt all the way down the food processing and marketing chain.

Yet the oil industry in Wyoming is essential to the State's economy as well in terms of revenues and jobs. This industry must be allowed to develop new sources and must have the incentive that an increased price would bring about.

We must reach a compromise. It is imperative that we extend present allocation programs to allow time for such a compromise to be worked out between the President and this Congress. If the President vetoes our simple extension bill we must have a commitment from him that controls will stay in effect until we reach a workable program.

We must look at a phased decontrol plan to allow supply to catch up with the price increases that decontrol will bring about.

We must investigate the areas of windfall profit tax and plowback to insure that increased profits are used for exploration to indeed increase supplies.

And we must look at the possibilities of extending further tax rebates to the American consumer to alleviate short-term increases in energy costs.

It is inevitable that there will eventually be one price for crude oil. The oil industry does need a reasonable higher price in order to meet the costs of developing new sources of oil. But this cannot take place with total disregard for consumer interests in every State and ignoring the overall economic impact increased fuel prices will bring about.

We can be patient, but with no present controls we must act definitively so the country has an energy program. This can be done. But this can only be done through all sides reevaluating what their respective needs truly are and through compromise. And now is the time for such an effort.

SECOND DISTRICT OF NEW HAMPSHIRE ANSWERS THEIR CONGRESSMAN

The SPEAKER pro tempore. (Mr. DANIELSON), under a previous order of the House, the gentleman from New Hampshire (Mr. CLEVELAND) is recognized for 60 minutes.

Mr. CLEVELAND. Mr. Speaker, during each of the 13 years I have served in Congress I have sent questionnaires to my constituents in the Second District of New Hampshire. The results, together with my own answers and comments, are reported here for the RECORD and then mailed to my constituency.

This has been one of many ways in which I have attempted to keep in touch with the people in my district. Representing 400,000 people living in 148 cities and towns in a district stretching from Massachusetts to Canada and bounded by Vermont and Maine presents difficult problems of communication. Thanks to the new congressional policy, with which I agree, of establishing regular congressional recesses throughout the year, with advance notice, keeping in touch has been somewhat easier. It has permitted me to back up conferences, mail, telephone calls, and the questionnaire with more visits to the district, office hours, and an increased number of personal appearances on a scheduled basis.

Based on the experience of previous years, it is clear that the results of my questionnaire reflect quite accurately an important cross-section of opinion and the shifting focus of public concern.

Later in my remarks, the priorities section of the questionnaire will be discussed. This year for the first time in a number of years, government waste heads the list, followed closely by reform of the welfare system. Here in Washington, this stark message may fall on deaf ears but it underscores my confidence in the collective wisdom of the people.

This year, approximately 12,000 individuals responded, compared with last year's record of 18,000.

Mr. Speaker, it is always difficult to frame questions and to do so objectively. In retrospect, some of this year's questions could have been better. This became evident through some of the comments my constituents were kind enough to share with me. However, for better or worse they represented an honest attempt to do the job.

You will note that some of these questions are duplicates of previous years. It is interesting to ascertain shifts in opinion and, of course, changing times do require the reconsideration of continuing concerns and fresh approaches to the problems we face.

The questions I asked and my comments thereon follow:

1. Government Regulatory Authority: Should Congress support the President's request that government regulation in such areas as transportation, business, and trade be reduced in order to increase business competition?

[In percent]

Strong yes	41
Yes	27
Uncertain	10
No	13
Strong no	9

The strong affirmative answer to this question, with which of course I agree, is good news for me and it should be bad news for Washington. A study by the Office of Management and Budget reported in U.S. News & World Report on June 30, 1975, indicated that Government regulation may be costing the consumer a staggering $130 billion—yes, $130 billion—per year. That President Ford's proposals for regulatory reform in light of these shocking facts have drawn so little thoughtful discussion in Washington is a sign of the times. That my constituency recognizes the issue is encouraging. It is one reason why I view with increasing distrust and skepticism the bright and easy promises to go to Washington for the solution of problems. The great expectations thus aroused have become one of the great exploitations of our times.

This is not to say all regulation by Government is bad. Without any at all, there would be anarchy. It is time, however, for a bit more commonsense.

2. New Programs: Should Congres postpone enactment of new or expanded federal programs this year to hold down government spending and to permit reevaluation of existing programs?

[In percent]

Strong yes	54
Yes	28
Uncertain	6
No	8
Strong no	4

Here is good news again, and of course I agree with my constituency. And what is more, I intend to continue to implement my position with actual votes. The problem is that even if Congress has the courage to reject costly and untested new programs, will it get down to the hard work of studying, improving, and in some cases, terminating, the myriad programs we already have? Alas, the answer is probably no. It is easier to promise than to perform. The politics of promise, despite the visible reality of bankruptcy in New York City and inflation throughout the country still seems to be the safest route to a political roost.

3. Intelligence Agencies: Does the need to investigate the secret operations of the Central Intelligence Agency by a Presidential Commission and Select Committees of the House and Senate outweigh the danger of new leaks and unauthorized disclosures?

[In percent]

Strong yes	24
Yes	21
Uncertain	13
No	22
Strong no	20

This question drew a good deal of criticism. The reason for this is obvious as the issue is complex and difficult. In fact, we have competing considerations of great importance—the need for Congress or at least part of Congress, to know everything that our government is doing and the unassailable fact that for a government to exist in this untidy world it is going to have to conduct some operations on a secret basis. I am inclined to agree with the majority of my constituents. That position is an act of faith in the Congressmen and staff who are conducting the investigations. One can only hope that the confidence will not be misplaced in spite of the poor record on the part of at least some Congressmen and staff in regard to maintaining necessary secrecy for reasons of national security.

4. Off-Shore Oil: Should oil and natural gas explorations off the coast of New England be speeded up?

[In percent]

Strong yes	49
Yes	24
Uncertain	9
No	9
Strong no	9

The answer to this question is encouraging and reflects a position I have taken for a long time. It is incredible to me that so many New England leaders and commentators have been in stubborn opposition to offshore resource development while at the same time complaining bitterly about energy shortages. It is the same type of inconsistency that is bothersome with regard to New England political leaders who have opposed the use of alternative sources of energy such as coal and atomic power while at the same time protesting the high price of foreign oil on which we have become dependent. And for years many of them opposed the trans-Alaska pipeline and the construction of oil refineries in New England. It seems that much of the misinformation in this area is being dressed up as protecting the consumer when actually it is the New England consumer who is paying so dearly for the long list of miscalculations directly attributable to opponents of alternate exploration and development.

I recognize the serious concern over the possibility of an oil spill damaging our beautiful coastline. But balancing our need for locally produced oil and the proven safeguards against such a spill, I am convinced that such explorations are essential.

5. Role of a Representative: On matters on which a Congressman has strong convictions, should he use his own knowledge, experience and judgment to decide on how to vote and represent his constituents even though the views of a majority of his constituents as reflected in letters, polls, and personal conversations may differ from his view?

[In percent]

Strong yes	17
Yes	25
Uncertain	10
No	23
Strong no	25

Here I find myself in disagreement with a majority of my constituency.

First of all, it would be difficult if not sometimes impossible to ascertain how a majority of my constituents might feel on many of the issues which reach me, some of which require immediate decision.

Also, there is the familiar problem involving legislation which constituents urge me to support but which is later changed drastically before it comes up for final passage. A recent example of this was the energy tax legislation which initially contained some conservation provisions, including a "gas guzzler" tax. My office received a large number of letters urging my unequivocal support for the bill. The legislation was amended to such an extent during its days on the House floor that the organization which had generated much of the mail denounced the bill as "meaningless."

This question was included in the questionnaire because so many people ask it. It is an old question. It was addressed in the late 18th century by Edmund Burke, who said:

> Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.

I think that many people who would disagree with Mr. Burke's position and mine feel that Representatives have a tendency to go to Washington and get "brainwashed," succumb to Potomac fever and forget the people who elected them. I guess some do. This is one reason why I am fortunate in being able to get home on almost every weekend and why I continue to applaud the new congressional plan of regularly scheduled recesses with advance notice.

6. The Environment: In your opinion are efforts to reduce air, water, and other forms of pollution now receiving adequate attention and effort by various levels of government?

[In percent]

Strong yes	13
Yes	39
Uncertain	9
No	24
Strong no	15
1974:	
Yes	45
No	50
Undecided	5
1973:	
Yes	41
No	50
Undecided	7

This question has been asked now for 3 straight years and it shows an interesting shift in opinion, in part perhaps because of the worsened economic situation. Those who feel that not enough is being done to improve the quality of our environment must also face the stark reality of costs.

Perhaps the best explanation of how I now feel on this is the reasoning behind my decision to change my vote on Federal strip mining regulation—a goal I basically support and had voted for previously. Due to the energy and economic crisis, which I consider to be very serious, I felt the risk of diminishing the availability of an energy resource, coal, which we have in abundant supply, outbalanced at this time the desirable objectives of Federal strip mining regulation legislation.

An additional reason why, for the first time, a majority may feel we are doing enough is the fact that in at least some areas, water pollution particularly, we have actually accomplished a great deal and it is increasingly evident. The sighting of salmon in the Connecticut River and the fact that there is better fishing and swimming in the Pemigewasset and other New Hampshire rivers are examples. In New Hampshire, our water pollution clean-up program is now considerably bigger than the highway program.

This is not to justify complacency. For example, the related problems of solid waste disposal and conservation of natural resources/recycling are areas which need more attention and leadership.

7. News Media: Do you believe that the news you read, see, and hear is generally accurate and fair?

[In percent]

Strong yes	4
Yes	33
Uncertain	16
No	26
Strong no	21
1974:	
Yes	44
No	50
Undecided	6
1973:	
Yes	46
No	42
Undecided	10
1972:	
Yes	34
No	49
Undecided	12
1971:	
Yes	36
No	48
Undecided	11

I have now asked this question for 5 years and I have discussed many aspects of it in great detail. I agree with the majority of my constituents but admittedly we may have different reasons for doing so. I asked the question not because I think there is much the Government can or should do about fair and factual reporting beyond being more candid, but because I consider the issue of getting facts and information to the American people one of the most important of the day.

If one wishes to point a finger of blame for the lack of information available to the public and decisionmakers, there are many villains and certainly politicians with their self-serving statements and their penchant for secrecy are high on the list.

The lack of objective and factual information is a major national problem. There is evidence that the problem exists throughout the entire spectrum of our society, but there have been heartening developments. Some major newspapers have adopted a policy of presenting a wide spectrum of opinion on their editorial pages and some have even gone so far as to establish ombudsman sections to address the problem.

When I discussed some of the shortcomings of Congress in my last 6-month report, I pointed out on an optimistic note that "a strength of Congress as an institution is its built-in systems for self-correction." An important factor contributing to that self-correction is a public adequately informed through the media which will eventually insist on reform. An informed public may also be persuasive in similarly encouraging steps toward further self-correction of the media.

8. Defense: Have world tensions relaxed to the point where the U.S. should substantially reduce our defense establishment and expenditures?

[In percent]

Strong yes	10
Yes	13
Uncertain	8
No	30
Strong no	39
1974:	
Yes	29
No	67
Undecided	4

I agree with my constituency. The results of this question are substantially similar to last year when I discussed this matter at some length. It is interesting to note that this year the House with my assenting votes has consistently resisted efforts to whack away at the defense authorization bill. The Senate, unfortunately, failed to follow the House in this matter; but the realities of the untidy world in which we live will hopefully result in a reappraisal by that body.

9. Limited terms for elected Representatives: Do you believe that there should be a limit on the number of years a Member of Congress can serve?

[In percent]

Strong yes	25
Yes	26
Uncertain	8
No	32
Strong no	9

I agree with the concept of limited terms and in fact introduced legislation at one time, patterned after that of former Congressman Curtis of Missouri, to set a limit on the number of consecutive years a Congressman can serve. Given the present situation, as one increases in years of service and experience, there is a tendency to either be, or appear to be, more useful and effective as seniority and experience do play an important though probably an exaggerated, role. This is often accompanied by the regrettable tendency of a Congressman to move his abode and family to Washington and to become increasingly removed from his constituency and the real world.

10. Age limit for elected Representatives: Do you believe that there should be an upper age limit for Members of Congress?

[In percent]

Strong yes	34
Yes	32
Uncertain	5
No	22
Strong no	7

Here again I agree with my constituents although I am not quite sure of what age limit I would suggest. In any event, I believe the same age limit should be applied also to Federal judges. Many of my constituents pointed out the close connection between this and the previous question and noted that if one limitation applied, there might not be as much need for the other.

Both questions reflect my continuing interest and concern in the reform of Congress. If Congress is enabled to perform better it may not have to promise more.

President Ford: How would you rate President Gerald Ford's performance in office thus far?

[In percent]

Excellent	9
Good	40
Fair	36
Poor	15

My personal view is that the President is doing a good job and I am pleased that a majority of my constituents rate him as good or fair. From my vantage point, I do not see how anybody could have done much better in taking over under the circumstances. The return of candor is refreshing.

In addition, I believe that the U.S. Government has now become practically unmanageable. For this reason, I am not sure if I think anybody can be an excellent President until he has a Congress with enough guts to start reducing agencies and bureaus and sending back more of the problems to where they belong—to the States and local governments and the private sector.

Responsive government: Which of the following levels of government do you feel is most responsive to the needs of the people?

[In percent]

Federal	26
State-local	74

My previous comment suggests my satisfaction in finding so many of my constituents agreeing that local and State government is more responsive than the Federal bureaucracy which the U.S. Congress has permitted to proliferate here on the banks of the Potomac. In my last report to you, I spoke of the bureaucracy as "proliferating beyond reason and beyond control." I repeat the sentiment because I feel it is not only true but relevant to my response to this question.

Perspective: As the approaching Bicentennial observances focus our attention on our country's heritage, at which one of the following periods in our history do you feel that the average American family had the most difficult times and faced the most trying problems?

[In percent]

Revolutionary War Period (1776)	13
Civil War Period (1862)	19
Great Depression (1933)	40
World War II (1942)	2
The Present (1975)	26

A number of constituents criticized this question. Some pointed out quite perceptively that not having lived through the different periods it is difficut to accurately answer the question. True enough. My principal reason for asking the question was as a reminder to those who feel that our own period is presenting the most difficult and trying of times. There have been other difficult and trying times and there are many blessings for which we can be thankful. Although I wasn't alive at the time, my answer would be 1776, with 1862 as a close second. Personally, 1942 was a pretty tough year but then at least the Nation was united and had a clear sense of common purpose.

Foreign affairs: The United States and the World: Which one of the following two choices most closely coincides with your views?

(1) The U.S. should sharply reduce its foreign commitments and concentrate on solving its social and economic problems at home. 65%.

(2) The U.S. should take the view that its own interests and those of the world at large impose upon us the obligation to bear the burdens of world leadership in keeping the peace. 35%.

In answering and commenting on this question I again find myself in disagreement with my constituency although I'm not sure if the question was as well phrased as it should have been. I do think that many of our foreign commitments should be reevaluated and on a continuing basis.

As a starter, I think each of the eight treaties that call for us to defend a total of 43 countries should be reviewed publicly by the U.S. Senate. I have also long felt that any further treaties which call for a military commitment by the United States should also be reviewed by the House of Representatives which is normally closer to the people. In addition, I have voted against foreign aid for the last 8 years. I do not think it is getting down to the people we are trying to help or accomplishing its intended result. Nor do I think we can afford this aid given other more pressing demands on the available tax dollar.

However, given the treaties and the commitments which we do have, there is no acceptable way we can now avoid the burdens of leadership which our position as a nation and history have imposed upon us.

The two-party system: Which one of the following two choices most closely coincides with your views?

(1) The two-party system (Democrat and Republican) despite its problems, is still the best way for the U.S. to conduct its government and politics and elect its officials. 59%.

(2) The two-party system is out-dated and inadequate and offers voters too little choices; one or more additional political parties are needed to strengthen the political system and broaden voters' choices. 41%.

I agree with the majority of my constituents that the two-party system is still the best way we have to conduct our political system. The large number of responses suggesting the need for additional political parties is noteworthy.

One reason why many people may have lost confidence in the two-party system is their lack of appreciation of the fact there are still some real differences between the two parties. Based on my 25 years experience in elective office, I view these differences as real and substantial. From my vantage point, more fiscal restraint, more problem-solving at the State and local level and a more important role for private institutions would be illustrative.

In conclusion, I would add two thoughts: at least part of the ills besetting both parties can be attributed to a failure by individuals to avail themselves of the opportunity to work to affect Government through the party system. It is also worth recalling that our system of government has through the interaction of the major parties managed to accommodate a massive amount of change over the years while essentially preserving stability.

Presidential Preferences: In order of preference, whom would you like to see as Presidential candidates, regardless of party, in the 1976 election?

[In percent]

Ford	45
Reagan	20
Wallace	12
Goldwater	7
Kennedy	12
Rockefeller	4

As would be expected, I agree with the majority on this question. Many people, of course, pointed out and quite properly, that it is entirely too soon to ask for such a choice. The principal reason I included this question was to generate interest and because our first-in-the-Nation presidential primary is fast approaching.

Senate election: Should the disputed Senatorial election in New Hampshire—

[In percent]

(1) be decided by the U.S. Senate	19
(2) be returned to the people of New Hampshire for a runoff election	81

By this time, of course, the U.S. Senate has come to its senses and has thus agreed with me and more than 80 percent of people who returned the questionnaire. The way the matter had evolved, it seemed so obvious the election was too close to call.

I certainly hope that now the election has been returned to the people of New Hampshire, it will be decided definitely and as the result of an election in which there has been good voter participation. It would seem quite ironic if we didn't have a good turnout in view of the very strong feeling in favor of returning the election to the State.

1975 priorities: Perhaps the most important function of Congress is to set priorities in meeting the needs of the country. Keeping in mind the often conflicting problems of restraining inflation and stimulating the economy, use the following scale of 1 to 5 to indicate how much attention or financial support Congress should devote to each of the following:

	Much more	More	Same	Less	Much less
1. Government waste	69	18	6	2	5
2. Reform of the welfare system	64	24	8	2	2
3. Energy shortages	57	30	9	2	2
4. Income tax reform and simplification	47	30	17	4	2
5. Confidence in Government	46	23	15	7	9
6. Crime	40	33	22	3	2
7. Conservation of natural resources	35	32	27	4	2
8. Recession/depression	33	29	24	8	6
9. Unemployment	33	29	28	6	4
10. Financing of social security	32	33	26	5	4
11. Social security benefit reform	32	32	28	5	3
12. Mass transportation	29	35	22	9	5
13. National defense	29	20	29	11	11
14. National health insurance	28	26	20	12	14
15. Recycling	26	37	25	8	4
16. Postal Service	25	22	33	11	9
17. Consumer protection	24	31	30	8	7
18. Aid to the elderly	22	40	33	3	2
19. Drug abuse	22	26	36	9	7
20. Vocational/technical training	15	31	41	8	5
21. Poverty	15	26	38	14	7
22. Pollution control	15	23	38	16	8
23. Land use	14	25	36	14	11
24. Education	13	22	44	14	7
25. Housing	11	27	42	13	7
26. Equal rights	10	13	38	19	20
27. Highway safety	9	21	51	13	6
28. Roads in rural areas and small cities	8	17	45	17	13
29. World hunger	8	16	38	21	17
30. Foreign aid	1	3	17	35	44

1974 priorities: Using the following scale of 1 to 5, rate each of the following issues as to the urgency of its consideration by Congress. (1)—Most important. (2)—Very important. (3)—Important. (4)—Somewhat important. (5)—Not important.

Issues are ranked in this report in order of votes as "Most important."

	Percent				
	1	2	3	4	5
1. Inflation	72	18	7	2	1
2. Energy shortages	61	26	10	2	1
3. Confidence in Government	61	18	11	6	4
4. Government waste	59	23	11	5	2
5. Tax reform	45	27	19	7	2
6. Crime	44	26	22	6	2
7. Conservation of natural resources	43	27	21	7	2
8. Reform of welfare system	41	27	22	8	2
9. Water pollution	33	32	25	8	2
10. Drug abuse	32	26	26	12	4
11. Congressional reform	32	23	25	15	5
12. Consumer protection	31	28	25	11	5
13. Air pollution	30	27	28	11	4
14. Protection of private pensions	28	23	26	16	7
15. National health insurance	28	21	22	15	14
16. Social security reform	25	25	28	15	7
17. Unemployment	25	27	31	12	5
18. Campaign financing reform	25	21	24	17	13
19. Poverty	22	25	31	15	7
20. Education	21	26	31	15	7
21. Land use	21	24	29	17	9
22. Transportation	19	23	32	18	8
23. Economic development	17	26	33	17	7
24. Postal Service	17	17	29	24	13
25. Trade legislation	13	21	34	24	8
26. Housing	13	20	34	23	10
27. Amnesty	13	9	12	17	49
28. Foreign aid	7	9	22	29	33

Determining priorities is, of course, vital to any national decisionmaking process. Unfortunately, although national priorities seem to change rapidly, congressional attempts to deal with them often are very slow. By the time the congressional response has taken shape, there is often a new set of priorities resulting in an increasing difficulty in establishing national objectives.

This year we left spaces for people to write in priorities which had been omitted from the list. The problem of inflation, last year's No. 1 priority, was omitted; and it was interesting to note how few people chose to write it in although it clearly remains a serious problem.

That government waste is first on the list, followed closely by reform of the welfare system, is an interesting commentary. It obviously reflects the outrage of many of my constituents that in spite of high taxes and proliferating government, visible performance is woefully inadequate.

The energy crisis or energy shortage was again high on the list of my constituents' priorities. This indicates my constituency is well ahead of Congress. We have not yet had a return to the shortages which were so highly visible in the long lines at the gasoline pumps and an almost day-to-day problem for many people with their heating oil. However, the problem does remain one of crisis proportion, and regrettably the congressional response to date has been one of inaction.

Tax reform and the equally important and related matter of simplifying our tax system is again high on the list of priorities. It would appear that my constituents agree with an increasing number of people who are raising the fundamental question of whether we are getting our money's worth out of government. Taxes at all levels continue to increase and now account for more than one-third of the gross national product. But what the average American seems to be getting from his government does not appear commensurate. This helps to explain, following of course the Watergate situation, why confidence in government continues to be a matter of important concern.

As happened last year, a number of constituents criticized this part of the questionnaire as suggesting that Congress could or should solve the problems enumerated. This was obviously not my intent. My position that State and local government, private institutions and individuals still have important roles to play should make that clear.

The comparison between this year's results and last year's cannot be precise as we did not use exactly the same categories. However, a comparison between results of the 2 years should be of interest.

HEARING OF SUBCOMMITTEE ON MONOPOLIES AND COMMERCIAL LAW OF THE COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, ON SEPTEMBER 10, 1975

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, the Subcommittee on Monopolies and Commercial Law of the Committee on the Judiciary, of which I am chairman, announces that it will hold a hearing on the necessity for ownership of pipelines by major oil companies on September 10, 1975, at 9:30 a.m. in committee room 2141 of the Rayburn Building.

THE 36TH ANNIVERSARY OF THE INVASION OF POLAND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, during this month 36 years ago a tragic event occurred in the history of free nations, for it was on September 1, 1939, that the peaceful state of Poland was invaded by the forces of Hitler.

The Poles fought courageously and heroically against the brutal invader, but without modern equipment or help from its allies, the Polish Army was forced to retreat. Sixteen days after the initial Nazi attack, Stalin saw that the Poles were fighting against overwhelming odds, and gave orders for a treacherous assault from the east. The Red Army marched in and the Polish homeland thus was divided between the Nazi and Soviet conquerors.

During the years of World War II, the Polish nation suffered grave casualties, losing 25 percent of its population and many of its cities and industrial centers. The beautiful and historical capital of Warsaw was leveled to the ground.

Although the end of the war brought with it the end of Nazi death camps, forced labor, and military occupation, Hitler's tyranny was replaced by the tyranny of communism. A repressive puppet government was imposed on the Polish people by the Kremlin and its stifling controls affected all aspects of Polish life. All attempts by the valiant Polish people to throw off the yoke of the oppressor were savagely put down by armed force.

In Poland, as in the other East European countries, it is the average citizen who suffers most under Communist repression. The religious and personal freedoms we take for granted in the United States are not tolerated. National decisions, as well as decisions affecting the personal lives of the Polish people are made by the select few, who belong to the Communist Party. Dissent is not allowed and personal opinions are not invited.

It is an enormous tragedy that a people as industrious, courageous, and free-spirited as the Poles should be forced to submit to a government so obviously not of their choosing. Free peoples everywhere must continue to speak out against the denial of freedom and self-determination for the Polish people.

On this, the 36th anniversary of these tragic events, I join with my constituents of Polish descent in the 11th District of Illinois, which I am privileged to represent, and Americans of Polish heritage all over this Nation, in observing the 36th anniversary of the tragic invasion of Poland and in looking forward to the day when the people of Poland can live in personal and economic freedom with the right to choose their own national destiny.

ANNOUNCEMENT OF OVERSIGHT SUBCOMMITTEE HEARINGS WITH IRS ON ADMINISTRATIVE CHANGES TO BE INCLUDED IN TAX REFORM BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 5 minutes.

Mr. VANIK. Mr. Speaker, the Oversight Subcommittee of the House Ways and Means Committee will meet tomorrow, Thursday, September 4, at 3 p.m. in room 1302 with IRS Commissioner Donald Alexander and IRS Chief Counsel Meade Whitaker.

The hearing will be on the various administrative proposals listed in the Ways and Means Committee print of August 25, 1975, entitled "Committee Member Selections of Proposals for Consideration in First Phase of Tax Reform." The hearing will attempt to determine the effect of various administrative changes on the day-to-day operations of the IRS.

BEHAVIOR MODIFICATION PROGRAMS OF THE FEDERAL BUREAU OF PRISONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE) is recognized for 10 minutes.

Mr. METCALFE. Mr. Speaker, in November 1973, I asked the General Accounting Office to investigate the behavior modification programs of the Federal Bureau of Prisons. On August 5, during the congressional recess, I received the GAO report and I am deeply disturbed by its findings.

The GAO reported that these programs, which are intended to serve as an alternative to punishment within Federal prisons, are, in fact, no better and often worse than traditional forms of inmate punishment. The GAO reported that these behavior modification programs were poorly organized, never assessed for their effects upon inmates, and "not operated in accordance with either Bureau of Prisons or institution policy guidance."

On February 27, 1974, the Director of the Bureau of Prisons, Norman Carlson, told the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the House Committee on the Judiciary that—

> The objective of behavior modification programs was to work with these offenders so that they could better control their behavior and become participants in . . . programs designed to help them make a successful community adjustment when released from custody.

Those are laudable objectives with with, I am sure, very few would disagree. In fact, however, the GAO reported that these programs were more often than not long-term solitary confinement in the harshest possible conditions.

In some programs, inmates have been confined in segregation for as long as 3 years. They are placed in segregation without the benefit of due process—a right which is guaranteed an inmate when he is placed in segregation for punishment. The period of confinement is often indeterminate, inmates are often not told what they have to do to earn the "good-days" credit necessary to gain privileges and eventual release into the general inmate population.

Inmates have reported to me that they and their colleagues have been assaulted by guards while in these programs and, in at least one instance, an inmate was found hanged in a segregation cell while confined in a behavior modification program which the Federal Bureau of Prisons called CARE.

The GAO report was based on investigations of behavior modification programs in Federal prisons at Marion, Ill., Leavenworth, Kans., El Reno, Okla., and Springfield, Mo. The GAO also reported that similar programs existed in Federal institutions at Milan, Mich., and Lompoc, Calif.

The report found that the Bureau of Prisons has administered two basic behavior modification programs in recent years. The first, called special treatment and rehabilitative training—START—was begun in September 1972 at the Federal facility at Springfield, Mo., and discontinued in March 1974. The second program, originally referred to as the control and rehabilitative effort—CARE—is now known as control unit treatment program—CTP—and is currently operating in at least five Federal prisons.

The basis for both of these programs has been segregation or solitary confinement. The segregation facilities vary from prison to prison but the situation at Leavenworth is typical. According to the GAO, inmates assigned to Leavenworth's CTP program are placed in a one-man cell and are allowed "the use of a Bible, if desired, legal materials and hygienic items; 2 hours of exercise—depending on staff availability—and two showers per week. No commissary, work, or educational privileges were allowed." Leavenworth officials told the GAO that this phase of confinement "usually lasted about 10 days." The GAO's independent investigation showed that inmates were confined in this situation for as long as 540 days.

The Leavenworth CTP program put inmates through a three-phase program; the Marion, Ill., CTP program put inmates through an eight-level program. The GAO found, however, that at neither facility was any kind of progression system actually established nor were any progress goals set.

In effect, then, these programs placed inmates in maximum segregation, with the minimum facilities and privileges allowed by the Federal Bureau of Prisons, and left them there, until they "cooperated." Although inmates were never told what they could do to "cooperate", they could be left in these facilities until they performed to the satisfaction of guards and prison officials.

The GAO also attempted to determine for what offenses inmates were assigned to CTP programs.

At the penitentiary at Marion, 134 inmates were assigned to the CTP at the time of GAO's review. 51 were assigned solely because they participated in a work stoppage. Many of these men remained in segregation for 16 months until they were released by court order.

In fact, the GAO found that the Marion CTP program was established as a direct result of a work and food strike in 1972. According to the report, 89 of Marion's inmates were assigned to long-term segregation following the strike. The prison, having no room in its regular segregation facility, established the program that was initially called CARE and now called CTP.

The policy guidelines for the program included selection and staffing criteria, program requirements, review and documentation requirements, inmate counseling and the progression system to reward "good" behavior. The GAO found that few, if any, of these guidelines were ever implemented at Marion.

Indeed, the GAO found that few if any policy guidelines were ever adhered to in any of the Bureau's behavior modification programs. There was no control of the program, no real guidelines or safeguards, and no followup to determine the effects of such programs. Although behavior modification itself is an admittedly experimental technique, the Bureau made no attempt to determine what effects such programs had on its involuntary participants.

The dangers of long-term segregation, even as part of some positive reinforcement program, should be clear even to a layman. Its dangers have been more than apparent to the Bureau of Prisons in whose custody an inmate was found hanged while confined to Marion's CTP program. This experience alone should have made Marion officials, and the Bureau itself, reexamine its program.

Instead, the Bureau's response involved changing the program's name because, it was felt, the acronym CARE generated adverse publicity. Nothing was done to revise the program.

Mr. Speaker, the Federal Bureau of Prisons has been nothing short of irresponsible in its administration of its behavior modification programs. I have asked that these programs immediately be discontinued unless, or until, the Bureau can justify their necessity and document their effects upon inmates.

I have introduced, in the 93d Congress, and, with the distinguished chairman of the Subcommittee on Courts, Civil Liberties, and the Administration of Justice, Mr. KASTENMEIER, in the 94th Congress, a bill to establish a Federal ombudsman with authority to act on complaints of Federal prison inmates.

This GAO report has provided a powerful example of the importance of an impartial party with authority to insure due process within the Federal prison system.

The report has shown how counterproductive and dangerous a poorly conceived, maladministered, and highly experimental venture such as the Federal Bureau of Prisons' behavior modification program can be.

Its full effect upon the inmates themselves, their families, and society at large has yet to be determined. These programs can only serve to instill further bitterness, at the very least, upon those inmates it purports to help. All of us, in the end, must pay the price for their bitterness and anger.

Mr. Speaker, I urge my colleagues to read the report. I urge the subcommittee to examine the facts described in the report and I ask that early hearings be held on the Federal correctional ombudsman bill.

AUTOMOTIVE AIR POLLUTION IS A NATIONAL PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of California. Mr. Speaker, this morning the Big Four automobile manufacturers placed full page political ads in nearly 1,800 daily newspapers in the United States. This effort to sell a 5-year moratorium on cleaning up auto exhausts cost them hundreds of thousands of dollars, an investment which they undoubtedly hope to profit from. I cannot fault the automobile companies, who want to make money, for trying to do so, but I certainly would not trust them to give me good advice about public health and the general welfare.

In spite of the claims in the ad, the facts speak for themselves. The automobile is the major source of pollution in the United States. In several regions it is the most serious public health problem confronting local officials. The 1970 amendments to the Clean Air Act called for installing the auto exhausts controls required to protect the health of people no later than 1975. That deadline has since been pushed back to 1978. The House and Senate committees reviewing this issue are recommending further, partial extensions. Yet the Ford administration and the automobile companies demand even further delays—to 1982.

The results of such a policy can best be demonstrated by considering the air pollution alerts that startled the Washington metropolitan area just prior to the congressional recess. In case any Member has forgotten the foul air that permeated Washington at the end of July, I would encourage them to read the articles which I will insert into the RECORD at the conclusion of these remarks.

My purpose in speaking here today is to correct a false impression that the automobile company ads created. Automotive air pollution is, in fact, a national problem, and it will not be solved by a moratorium on progress in cleaning up automobile exhausts. Public relation campaigns cannot change atmospheric chemistry; but reducing auto emissions will reduce air pollution.

At this time I wish to insert an article from the August 14 issue of the Washington Star, an article from the August 15 issue of the Washington Times, and a letter to the editor of the Washington Star, dated August 15.

The articles follow:

[From the Washington Star, Aug. 14, 1975]

CRISIS AIR POLLUTION: A GRIM POSSIBILITY FOR BICENTENNIAL SUMMER

(By Mary Ellen Perry)

It's 9 a.m. Monday morning in downtown Washington. The streets radiating out from the Capitol are silent. The sidewalks, usually teeming with pedestrians hurrying to their jobs in massive government buildings, are empty.

No exhaust-spewing buses grind their gears. No impatient drivers snarl, honk their horns, shake their fists. No bicyclists weave in and out daring to be hit.

Suddenly, the silence is broken by the squeal of an ambulance siren echoing eerily off the facades of locked office buildings as the emergency vehicle careens down Pennsylvania Avenue. Out of habit, its drivers dodge traffic that's not there. They are outfitted in gasmasks.

The city is at a standstill. So are Montgomery and Prince Georges Counties. So is Northern Virginia. The Potomac region swelters under a thick, yellowish-gray blanket of humid, throat-clutching, eye-watering, lung-choking "air."

The air pollution count has reached 750 on the Council of Government's Air Quality Index. The governors of Maryland and Virginia and the mayor of the District have declared a state of emergency under the powers vested in them by laws passed in the early 1970s.

More than 2.6 million men, women, and children cower behind their closed doors and drawn shades. They have been ordered not to go outside, not to drive their cars, not to go to the grocery store. Those who don't have air conditioning have been advised not to open their windows. The air on the other side of the glass is unbreathable.

Science fiction? Only because it hasn't happened yet.

And while everyone hopes it never will, government officials have written into the law regulations that would allow them to "shut down the world" as one Maryland administrator puts it—or at least that part of the world that matters to Washington area residents who already live under some of the potentially poorest air in the nation.

Citizens with heart and respiratory ailments crossed the line between science fiction and reality during last week's pollution episode when COG's air quality index crept up to an all-time high of 180. They were advised to stay inside, curtail their physical activities, take sick leave, if necessary, to avoid the 0.26 parts-per-million (PPM) of pollutants hanging over the region.

Healthier individuals became frightened, complaining of sore throats, stinging eyes, headaches. Joggers found it took them longer to run their courses.

At last, a ferocious thunderstorm struck, helping to clear and cool the air. A bracing wind swept through, breaking up the stagnant weather inversion that had trapped the hydrocarbons released by millions of auto engines and turned into noxious oxidants by the burning sun.

But hot weather inversions, blamed by some air quality control officials for last week's episode, will happen again and there is real concern that combinations of circumstances could very well lead to far more dramatic problems than those faced to date.

And at least one official is apprehensive that during the height of next year's Bicentennial summer season there will be the potential for the pollution count to go up to

250, the next higher crisis point on the scale between zero and the "doomsday" level.

"My concern in terms of what we've experienced in the last several days is that we expect 16 million visitors in addition to the regular population," says Dennis R. Bates, director of COG's Department of Health and Environmental Protection. "That means more people in more autos.

"If it (a weather inversion) happens again, we could get up near 250," Bates says, the beginning of the "dangerous" level that reaches the "emergency" point at 750.

If the area's atmosphere reaches 250 on COG's index, it will mean there are 0.4 PPM of oxidants floating around (compared to last week's top of 0.26 PPM or a dreaded 0.6 PPM at the 750 level).

"If we reached 250, we would tell the general public they may be affected," Bates says.

"The difference between the alert stage (180) and the warning stage (250)," explains Joseph W. Paise, a public health engineer in the Maryland Bureau of Air Quality and Noise Control, "is that we would warn everybody to take precautions, take it easy, avoid exertion. In the strongest possible language," Paise continues, "we would request that the general public form car pools, use mass transit."

If pollution reaches 250 levels in Northern Virginia, according to state air quality spokesman Robert Osgueda, residents would be asked not to burn anything outside. Municipal incinerators in Alexandria and Arlington would be asked to suspend operations; fuel-burning industries would refrain from cleaning their boilers of ash and soot between noon and 4 p.m.; "and the public would be asked to curtail its use of autos."

"The only problem is that Alexandria and Arlington are afraid that the public health effects of allowing trash (in Alexandria) and sludge (in Arlington) to pile up might be worse than the pollution," Osgueda says.

If things ever get to the 750 "emergency" level, Osgueda says, "all construction work, manufacturing, wholesaling and trade establishments except grocery and drug stores; all local, county and state offices would shut down."

"At that point, the Pentagon has agreed that it would reduce its normal 30,000-member work force to a skeleton crew of 3,000 which would cut the normal number of cars in its parking lots from 10,000 to more like 1,000," he says. Whether National and Dulles Airports would suspend operations has not been decided by the federal government, according to Osgueda.

Though officials hope and pray the air never goes completely bad, they do expect seasonal pollution episodes to get worse in the short run before they get better in the long run.

"Long-term solutions are the key to success in improving the quality of life in the metropolitan area," COG's Bates says, "And public awareness will increase as the general public is affected by pollution."

Long-term solutions in the Washington area inevitably involve cleaning up and reducing auto emissions, the primary culprit cited by expert after expert.

"The only answer is to control traffic, period," declares Sid Wolfe, director of a Ralph Nader-sponsored research health group that is studying the effects of pollution. "This has been done in London and in Italy, and we're trying to come up with some similar alternatives," he says.

There are two ways to control traffic pollution, air quality people say: to reduce the emissions coming from auto engines and to reduce the number of cars on the road and the number of miles they drive.

Thanks to federal standards requiring smog control devices to be installed on autos, the amount of hydrocarbons and carbon monoxide emissions has decreased by about 85 percent since pre-1968 levels, according to information from the Environmental Protection Agency.

But requests by President Ford to delay imposition of further standards until as late as 1982 to allow auto manufacturers to allegedly keep retail costs down and improve fuel economy are discouraging to those engaged in the clean air battle.

And even if pollution per car decreases, predicts Venkataraman Ramadass, acting chief of the D.C. Bureau of Air and Water Quality Control, "increases in auto usage may still lead to more bad air."

He and other area air quality people are happy over Transportation Secretary William T. Coleman's decision to ax Interstate 66 and now they'd like highway proponents to forget about the long-projected Outer Beltway.

Furthermore, advises Karl Braithwaite, staff member on the Senate subcommittee on environmental pollution, places like Washington need to do more than just curb auto traffic. Reducing vapor from service stations, solvents from cleaning plants, and vehicle miles traveled per car are necessary or else "you can wipe out the gain" brought about by cutting down auto emissions, he warns.

Meanwhile, Jean Packard, chairman of the Fairfax County Board of Supervisors and president of COG, has called for a meeting of local and state officials to discuss short-term steps that can be taken to reduce auto use during "smog days" and to authorize a study of the enduring effects of pollution on health.

"The automobile is the biggest polluter in the Washington area and until auto traffic is curtailed, we can expect pollution levols to continue to build," Packard predicts.

She suggests reserving special highway lanes and preferential parking spots for car poolers and asking Metro to charge lower bus fares on "smog days" to encourage mass transit use.

And perhaps more than before, area citizens will pay a bit more attention to the pronouncements of their elected officials—at least while they remember those burning eyes and scratchy throats of last week.

"It was pretty rotten, so you're seeing more alarm," one official said.

"You can look at charts, averages, projections, strategies, economic, political and social factors," points out Richard Wade, formerly of the American Public Health Association here and now director of environmental programs for Seattle and King County, Wash. "But that's a whole different, remote attachment that professionals have to the situation."

"When you have a patient coming in saying he can't breathe, that becomes an emotional confrontation. He doesn't give a damn about charts and graphs, he just knows he can't breathe."

[From the Washington Times, Aug. 15–28, 1975]

MOTORING TOWARD OUR LAST GASP

(By Mike Magner)

At National Airport, all planes have been grounded even though flying conditions are nearly perfect. In downtown Washington the streets are deserted and silent, although it is a hot summer day in the middle of the week.

Throughout the metropolitan area, people are sitting behind sealed windows and locked doors, nervously waiting out the first air pollution emergency in the city's history.

There have already been a number of deaths attributed to the poisonous quality of the air, and hospitals are filled to overflowing with cases of lung congestion, nausea, blurred vision, and impaired mental processes. A fleet of specially equipped emergency units has been dispatched to the streets to assist those unable to venture out into the harmful atmosphere.

As the city's water supply rapidly dwindles, government officials draw up a massive rationing plan and arrange to have emergency supplies set aside in case of a severe drought. Power brownouts have occurred in many areas, and power company officials are growing increasingly concerned about the possibility of a major blackout cutting off millions from their life-sustaining air-conditioning systems.

Although a scene like this may seem rather remote and far-fetched, there are many authorities on Washington's air pollution problems who believe that our present-day practices and policies are leading us right in the direction of such a calamitous event.

"I see no sign today that government agencies are taking any steps to reduce air pollution," says John S. Winder, Jr., former director of the Metropolitan Washington Coalition for Clean Air (MWCCA), and now the director of the Environmental Impact Assessment Project. "Our current policies are in direct conflict with each other. While government leaders pay lip service to improving mass transportation, at the same time they are encouraging more extensive use of the automobile by building more highways and providing more available parking space downtown."

Two weeks ago, Washington area residents suffered through the worst air pollution "episode" in the city's history. (A pollution episode is defined by the Metropolitan Washington Council of Governments (COG), the area's designated air quality "watchdog," as a period of time when atmospheric conditions can cause a potentially hazardous buildup of airborne contaminants.)

At one point during the recent episode, COG's air quality index (which measures the level of pollutants in the air) reached the 180 mark, and it hovered between 100 and 160 for most of the week-long pollution alert. Any reading between 100 and 250 is considered "hazardous," and people with lung, heart and eye problems are urged to stay indoors; readings between 250 and 750 call for a pollution "warning," and all area residents are urged to curtail activities; readings above 750 call for a pollution emergency.

While we are admittedly a long way from an emergency situation, the area's air pollution problem has grown increasingly worse over the past five years, and 1975 may well end up being the most polluted year ever. Already this summer, the level of pollutants in Washington's air has exceeded the national air quality standard 38 out of 85 days, or about half the time.

Washington's air pollution problem is unique in that it is one of only two cities (Los Angeles being the other) where automobile emissions constitute the major source of pollution. This fact leads John Embick, current director of MWCCA, to speculate that "we have a better shot at solving the problem" than other cities where heavy industrial pollution is a major problem.

Embick says that the key to the whole problem in Washington is quite simple. "We've got to get people out of their cars," he says.

"There are a number of ways to do this," Embick says. "Improving mass transit is one, encouraging people to form car pools is another. But we feel that the most effective method of solving the problem is by placing stringent controls on parking in the city, so that people will be forced to adopt some other means of transportation."

Embick and other environmentalists would like to see a heavy parking tax imposed on commuters who drive their cars to work every day, with possibly a higher tax on one-person automobiles. Congress rejected such a plan for the District last year, however, partly because of heavy pressure from the city's parking lot owners and partly because they felt that such a tax would place an unfair burden on lower income commuters.

Another concept, known as "indirect source control," calls for a limitaion on the amount of automobile access to new construction areas, such as shopping centers and recreational facilities, so that more people are forced into using mass transit.

Also being considered are plans for greatly reducing the availability of on-street parking in the District. This would not only relieve much of the traffic congestion that intensifies the air pollution problem, but it would also improve the effectiveness of mass transit by making it easier for buses to maneuver.

There are those who believe that Washington's pollution problem will take care of itself once Congress sees to it that auto emission standards are enforced.

"It seems to me that what we are talking about is putting up with a situation like this (more pollution alerts) for a number of years until we have cleaner cars," says Raphael Kasper, staff officer on the Environmental Studies Board at the National Academy of Sciences. "Once the emission standards go into effect, it will take about ten years to turn over a new fleet of cleaner cars, and then we will not have problems with photochemical smog any longer."

"Cleaning up exhausts is not going to solve the whole problem," says Winder. "In the first place, Congress is continually delaying the deadline for the new standards to go into effect. In the second place, it would take years before all the cars on the streets meet the standards. Our problem is so serious now that we can't afford to wait any longer to begin solving it."

Dennis R. Bates, COG's Director of Health and Environmental Protection, is most concerned about the problems that are likely to develop next year when millions of visitors bring their cars to Washington for the Bicentennial celebration.

"Unless there are some rather significant ways for moving people around made available, we will have a very serious pollution problem on our hands next year, says Bates.

"Some important decisions are going to have to be made about this problem very soon," he says. "Otherwise, I'm afraid we may become so adapted to these conditions that the problem itself will become irreversible."

[From the Washington Star, Aug. 15, 1975]

LETTERS TO THE EDITOR—THE AUTO AND OUR AWFUL AIR

The effects of the overuse of autos in the Washington metropolitan area are being clearly demonstrated again this summer. We've set new records for the earliest smog alert recorded and the highest levels reached. At a time when the Clean Air Act emission deadlines are under attack, Washington must redouble its efforts to reduce auto emissions.

We need awareness of the good solutions available to match our growing recognition of the problems of air pollution. The only remedy for burning eyes, headaches and having to gasp for enough breath to stay alive is a major change in our transportation habits.

Washington must progress more rapidly with the measures specified in the Transportation Control Strategies if it is ever to achieve a measure of clean air. This means we must expedite development of exclusive bus and bike lanes and car pools. We must eliminate free parking, institute a mass transit incentive and strictly manage the parking supply.

Washington citizens should support maintaining the emission deadlines specified in the Clean Air Act of 1970. Metropolitan area residents must demand tough emission, inspection and auto retrofit bills in their respective jurisdictions.

Washington must embrace a mass transit ethic if it is to solve its air pollution problems. We must all strive to reduce unnecessary auto trips and decrease our energy consumption. We urge Washington citizens to consider the health effects of continued high levels of pollution: increased property damage, respiratory disease and death.

We also ask Washington area residents to reflect on the problems of the Bicentennial celebration in 1976. If similar metrological conditions present themselves then in conjunction with enormously increased auto traffic and pollution, we just may get a chance to see what Washington's Emergency Episode Plan is like when index levels climb above 250.

This is a problem in which every metropolitan area resident can play a part in the solution. We must act now.

JOHN R. EMBICK,
Director, Metropolitan Washington Coalition for Clean Air, Inc.

WASHINGTON, D.C.

Looking back over Star photographer Paul Schmick's graphic frontpage panorama of our recently haze-ridden city, aptly captioned, "Breathing Is Hazardous to Your Health," it seemed to me that something had been left out. I think it was: "Warning: The Surgeon General Has Determined That . . ."

J. C. LEUKHARDT.

WASHINGTON, D.C.

SST SECRETS REVEALED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, the time of decision on the British-French Concorde SST is rapidly approaching, and it is my understanding that a 300-page version of the DOT's final recommendations on regular commercial service is even now being circulated for comment prior to a formal decision by the White House on this ill-advised, noisy, and expensive aircraft.

Since late this January, this House has repeatedly listened to those of us who have attempted to shed some light on the confusion deliberately spread on the SST question by Concorde proponents in government—on both sides of the Atlantic.

Just last week, we saw the latest in an apparently unending series of revelations showing that elements in the executive branch have systematically withheld the truth about Concorde from the public, and, no doubt, from members of the decisionmaking establishment who—were they told the truth—would without hesitation recommend against the SST as presently designed.

In brief, we discovered last week, courtesy of the unflagging efforts of the environmental defense fund, and its highly-respected attorney, John Hellegers, that as far back as 1972 the White House, State Department, the Council on Environmental Quality and the Department of Health, Education, and Welfare were fully aware that Concorde had requested special treatment and special handling.

Specifically, we discovered that even though the FAA in January told us that Concorde would not need special treatment, and that fuel reserves and other questions need raise no alarm, the actual truth was fully discussed at this 1972 meeting which detailed Concorde backers' requests to be exempted from the fuel reserve requirements imposed on U.S. carriers.

As I said when the minutes of this meeting were first released by Mr. Hellegers, it would appear that the Concorde backers are quite willing to risk human life by tampering with the life-safety factor of minimum fuel reserves. It is a well-known fact that Concorde's fuel efficiency is minimal at best, and that the absolute range of the aircraft may not be sufficient to allow it to fly with safety from Dulles to Paris with anything approaching a full passenger load.

At the conclusion of my remarks today, I will insert into the RECORD a copy of my letter of Tuesday to Hon. William T. Coleman, Jr., the Secretary of Transportation, asking that he immediately address himself to the questions raised by the minutes of the 1972 meeting, and by the excellent newspaper accounts which appeared in the Washington Star, by that paper's aviation expert, Mr. Tom Love, and in the newspapers of my home district—the Long Island Press, thanks to the efforts of Mr. Otto Erbar, who, I gather, celebrated his birthday by writing his excellent story, and Newsday, whose able Washington correspondent Russell Sackett filed on a short deadline.

I might also add that 2 weeks ago, we in New York were somewhat startled to learn that the FAA has certified as "safe" the Concorde's proposed 26° turn at a mere 100 feet altitude on takeoff in order to "beat the box" measuring sound at John F. Kennedy Airport.

I will be meeting early next week with Mr. R. P. Skully, the FAA's Director of Flight Standards, and I intend to ask him how the FAA managed to certify a maneuver which the Airline Pilots Association has branded "aerobatics," flatly stated that no American pilot will be allowed to perform.

As I noted at the time of this astonishing decision by the FAA, the only people apparently fooled by the noise abatement technique being planned by Concorde's operators are the FAA. Certainly the people of Long Island will not be fooled, and I am shocked that the FAA would mandate such a shoddy trick as this maneuver in a desperate—and obviously dangerous—attempt to avoid the law.

I will also submit for the RECORD today a copy of an article by Harry Pearson in Newsday which very clearly explains the problems with this 26° turn.

Mr. Pearson has been one of the great leaders of the fight against the rape of our environment by the SST. Thank you, Mr. Speaker.

The material follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 2, 1975.

Hon. WILLIAM T. COLEMAN, Jr.,
Secretary of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: Thank you for your Aug. 27 reply to my letter of May 15 urging you to turn down the Concorde on environmental and other grounds. I also enjoyed our meeting of late July, and was encouraged by your statement that perhaps as much as $1 billion could be secured from the airport development fund to help promote a retro-fit noise abatement program for the commercial air fleet.

Since my letter and our meeting, more evidence has emerged on Concorde, most of its confirming once again my opposition to any thought of allowing this ill-conceived, noisy and expensive aircraft into the U.S. Perhaps you noted the story in last Friday's Washington Star which discussed at some length the implications of several documents secured by the Environmental Defense Fund. These documents would appear to confirm what critics of Concorde have been saying ever since we first suspected that the draft environmental impact statement was not telling us the whole truth—indeed, if it was not in fact distorting the actual truth. I enclose a copy of the Star article for your files, and respectfully call your attention to remarks made by a spokesman for the FAA, commenting on the revelation that the draft EIS not-with-standing, special waivers have been asked by Concorde sponsors in order to escape the minimum fuel reserve standards enforced on American aircraft.

According to Mr. Love, of the Star, the FAA feels that since "the U.S. Government does not mandate safety standards for foreign-built aircraft operated by foreign carriers . . . the agency cannot require a larger fuel reserve than (that) set by France and Britain. Only if the Concorde is operated by American airlines—and none has announced plans to buy any—can the FAA set any standards for the plane . . ." My staff has confirmed that these statements were made, and that they represent the FAA's policy on this matter. Accordingly, I must formally address the following questions to you, and must respectfully request that they be answered as quickly as possible in order to aid in the deliberations of the Government Operations Committee Subcommittee on Government Activities, which is studying the entire involvement of the U.S. government in re Concorde:

1. If a U.S. flag carrier were to buy the Concorde, would the FAA permit that carrier to operate the plane on North Atlantic routes with fuel reserves one-third less than the minimum now required? In other words, would the Concorde flights now proposed by the foreign carriers of Britain and France be illegal for safety reasons if they were proposed by U.S. flag carriers?

2. If the British and French were to make a commercial success of their Concorde flights across the Atlantic, and if U.S. flag carriers were forced to acquire the Concorde in order to compete, would the FAA have any realistic choice but to lower U.S. fuel reserve requirements by one-third, so as to permit U.S. carriers to operate on equal terms with the foreign competitors?

3. Are there any regularly scheduled flights across the Atlantic, under any flag, which now routinely arrive in the U.S. with fuel reserves one-third less than those required of U.S. carriers? If so, what flights are these, and what is the position of U.S. carriers on this?

4. Does your department consider that an airport operator is legally entitled to impose reasonable minimum fuel reserve requirements on aircraft bound for that airport, in view of the fact that local operators have the right to control take-off noise levels?

5. Does the DOT consider that a state or municipal government is legally entitled, in the exercise of its police power, to impose reasonable minimum fuel reserve standards on aircraft bound for an airport within its borders?

6. Referring once again to the Star article, a British Aircraft spokesman is quoted as saying that while my charges that the range of Concorde as published by the FAA does not appear to permit a fully loaded aircraft fly the Dulles-Paris route of some 3,800 miles, "the 3,800 figure is only 'approximate' and the plane could actually fly up to 4,000 miles, depending on conditions." Obviously, we need to know just what "conditions" allow the Concorde to exceed its stated range, especially in view of the Report of the International Civil Aviation Organization Technical Panel on Supersonic Operations, Third Meeting (1971) which says, on page 4.2-4, that by "comparison with subsonic jet operations, there will be little margin available for carrying fuel over and above the minimum specified."

7. Building on the last question, we must know how this delicate balance between payload and fuel, discussed by the DEIS and other sources, is to be struck so as to comport with the life-safety regulations covered by the fuel reserve requirement.

8. Finally, I have spoken with a number of sources who recall reading at the time that a Concorde flight from Dulles to Paris last year arrived with barely 15 minutes fuel left in its tanks. Needless to say, the facts behind this occurance must be fully explored, and the answers must be shared with Congress, and the Port Authority of New York and New Jersey, which is being asked by the U.S. Government to approve Concorde flights.

Mr. Secretary, having given you a list of eight questions needing answers as swiftly as possible, let me conclude with the thought that as more and more of the secret agreements and secret understandings between U.S. government officials and Concorde proponents come to light, I am left wondering just how anyone can maintain that a fair, objective and trustworthy decision on Concorde can be reached by anyone in the Executive Branch. I do not say this to in any way imply that I do not honor your attention to reach an unbiased decision on Concorde. Rather, I make it to express my sincere appreciation of the difficulties you face in this matter, and to express my sincere appreciation for your efforts to help lift the cloud of misstatements, shoddy reports and other unfortunate circumstances which have persistently come to light this year, and which have presented us with grave questions concerning the FAA and other individuals involved with Concorde over the years.

Thank you for your prompt attention to this matter.

Sincerely,

LESTER L. WOLFF,
Member of Congress.

WILL FUEL-SHY CONCORDE NEED TO LAND FAST?

(By Thomas Love)

The British-French Concorde supersonic transport cannot carry the fuel reserves required for other jet aircraft and therefore might have to be granted preferential landing treatment to avoid normal holding patterns if allowed to operate in this country, according to a confidential State Department report.

British Airways and Air France have applied for permission to operate two flights a day into Dulles Airport and four a day into John F. Kennedy Airport in New York. Environmental and other citizen groups have opposed the request, charging that the plane violates noise standards, pollutes the atmosphere, poses a danger to the earth's ozone layer and is unsafe.

A spokesman for the Federal Aviation Administration said that the U.S. government does not mandate safety standards for foreign-built aircraft operated by foreign carriers and accepts the manufacturing country's operating specifications under international agreements.

Thus, he said, the agency cannot require a larger fuel reserve than set by France and Britain. Only if the Concorde is operated by American airlines—and none has announced plans to buy any—can the FAA set any standards for the plane, he explained.

The State Department document reported that Charles Cary, FAA assistant administrator for international affairs, "described several problems the Concorde must face" before being certified for use by U.S. airlines.

The document, released to the Environmental Defense Fund in connection with a lawsuit involving Concorde noise levels, reports on a 1972 interagency meeting called to discuss what actions about the Concorde should be taken by the government.

"The French and British have asked FAA for an execption to U.S. standard operating procedures to permit the Concorde to arrive at U.S. airports with less than the normal fuel reserves," the document states.

Rep. Lester Wolff, D-N.Y., a leading opponent of Concorde operations within the United States, charged that the statement proves "backers of the Concorde are willing to risk lives by demanding a waiver of fuel reserve requirements imposed on all other aircraft to ensure life-safety margins in the event of emergency conditions."

Philip Rogers, a spokesman for British Aircraft, producer of the Concorde along with its French counterpart, yesterday insisted that a supersonic plane needs a smaller fuel reserve than subsonic jets because of the plane's higher speed and its unique operating characteristics.

Subsonic planes are required to carry a 7.5 percent fuel reserve for emergencies, he explained, but only 5 percent will be carried by Concordes. "We do not mean to operate unsafe aircraft," he said. The smaller amount in SSTs will be "statistically as safe" as the larger amount in other planes, he said.

The FFA is now preparing an environmental impact statement on the British-French request and expects to make a decision in 30 to 45 days, the spokesman said. The FAA must amend the airlines' operating certificates to include any newly introduced airplane.

Environmental Defense Fund attorney John Hellegers said, "The problem of fuel reserves is one which the FAA studiously avoided in its draft environmental impact study on the Concorde—except for an intriguing admission that the distance between Dulles and Paris exceeds the stated maximum range of the plane."

Rogers admitted that the stated maximum range is 3,800 miles while the Dulles-Paris distance is 3,838, but he said the 3,800-mile figure was only "approximate" and the plane could actually fly up to 4,000 miles, depending on conditions.

The State Department document also stated that the Concorde would not be able to meet noise limits required for subsonic planes and stated that night curfews at major airports could "substantially limit potential usefulness of the Concorde."

The document also raises the question of pollution from the plane's engines, danger to the ozone layer and the possible need for a 50 percent surcharge to make the plane profitable.

The meeting was attended by representatives of the White House, FAA, Environmental Protection Agency, the Department of Health, Education and Welfare, Office of Management and Budget, the Council for Environmental Quality and the State Department.

EDF's Hellegers said yesterday the list of those attending the meeting proved the truth of previous charges that the executive branch is applying undue pressure on the FAA to approve the British-French request for diplomatic reasons.

SST MAKERS WANT FUEL EXEMPTIONS

(By Russell Sackett)

Washington—The makers of the Concorde supersonic transport asked the Federal Aviation Administration as early as 1972 for a waiver of U.S. operating standards to permit the controversial British-French jet to arrive over U.S. airports with less than normal fuel reserves, according to minutes of a federal interagency meeting.

The minutes recently declassified by the State Department in connection with a pending lawsuit by the Environmental Defense

Fund, a citizens coalition based in East Setauket, L.I., were released yesterday by John F. Hellegers, attorney for the fund.

The document drew an immediate accusation by Rep. Lester L. Wolff (D-Kensington) that "backers of the [Concorde] apparently are willing to risk innocent lives by demanding the waivers." Fuel reserves are set for use in the event of delays and emergencies.

[A spoksman for British Aircraft Corp., one of Concorde's builders, said Wolff's charges were "utter nonesense" and said no aircraft manufacturer could afford to take risks with safety and stay in business long. "The fuel requirements for subsonic airplanes are excessive for Concorde," the spokesman said.]

The minutes of the October, 1972, meeting of the interagency committee on the SST also contain the statement that "the French and British have asked for preferential landing treatment to enable the Concorde to avoid normal holding patterns." This, charged Hellegers, was at odds with the FAA's draft environmental impact statement, released in March, which held that the Concorde "does not require any unique air traffic procedures in which to operate in the approach, cruise or departure phases of flight or in ground maneuvering."

"There appear to be substantial discrepancies," said Hellegers, "between the FAA's public statements on the Concorde and its private admissions."

Said Wolff: "We are being told that since the Concorde does not have the fuel capacity to safely allow it to fly across the Atlantic with a full passenger load and meet the life-safety standards at the same time, our American aircraft are simply going to have to get out of the way when this foreign aircraft is ready to land at our airports."

The FAA is evaluating the environmental effect of allowing the Concorde to land at U.S. airports, including Kennedy Airport in New York and Dulles International outside Washington. The agency is expected to issue its final environmental report this fall.

Aerospatiale is building the Concorde for France. Britain and France together have sunk over a billion dollars into the development of the SST.

The defense fund's suit seeks to compel the agency to publish noise standards for the airplane. Hellegers said that the agency promised to do so in 1972 but so far has not.

Wolff termed the requested variances from standard regulations "totally unacceptable," and called for their rejection by the FAA and by the Port Authority of New York and New Jersey, which controls airports in the New York metropolitan area.

FAA officials could not be reached last night to get the agency's position.

WOLFF: SECRET CONCORDE PACTS WITH UNITED STATES THREATEN SAFETY

(By Otto Erbar)

Proponents of the controversial Concorde supersonic transport jet have secretly requested priority for immediate landings at Kennedy Airport regardless of other aircraft, a Long Island congressman has charged.

Rep. Lester Wolff said the request stems from the application of British and French manufacturers of the jet for a waiver of Federal Aviation Administration fuel reserve requirements.

The waiver request came to light yesterday in documents released by the State Department which Wolff said show Concorde backers "are willing to risk lives."

"The documents show that Concorde boosters in the State Department, the FAA and Department of Transportation have consistently withheld the truth from the American people by making secret agreements and inordinate requests that compromise the safety and environmental acceptability of the aircraft," Wolff said.

The documents show that as far back as 1972 Concorde backers realized that the jet could not carry enough fuel to meet the FAA's minimum fuel reserve standards, Wolff said. The Kensington Democrat asked a House Government Activities Committee to investigate.

A spokesman for British Aircraft Corp., one of the jet's builders, confirmed that Concorde officials had discussed with the FAA the possibility of developing new fuel reserve rules but branded Wolff's remarks "utter nonsense" saying that no aircraft manufacturer could afford to take safety risks and stay in business long.

"The fuel requirements for subsonic planes are excessive for the Concorde either directly or in the way they are applied," the spokesman said. Manufacturers of the jet maintain it can predict from mid-ocean its airport arrival time with a one-minute accuracy making traditional aircraft holding patterns unnecessary.

Current Federal standards strive to ensure that passenger planes have enough fuel to keep them in the air in the event of delays or emergencies preventing scheduled landings.

"We are being told that since the Concorde doesn't have enough fuel capacity to safely allow it to fly across the Atlantic with a full passenger load and meet the life safety standards at the same time, our American aircraft are simply going to have to get out of the way when this foreign aircraft is ready to land . . .," Wolff said.

A Concorde spokesman said the jet would probably start flying under subsonic fuel reserve rules which he said may be changed as experience is gained.

The FAA's final recommendations on the Concorde are expected early in September. Limited regular commercial service to Kennedy Airport and Washington D.C.'s Dulles Airport was requested by Concorde officials.

The Port Authority of New York and New Jersey which controls Kennedy Airport, has indicated it will not rule on the Concorde's landing rights application until after the FAA report.

The report, newly declassified by the State Department and given to the Environmental Defense Fund in Washington, D.C., listed the fuel supply matter as a "problem area."

"RISKY" TURN AN SST METER CHEATER

(By Harry Pearson)

If the British-French supersonic transport, the Concorde, is to meet noise limits at Kennedy Airport, the plane will have to make a 26-degree turn while 100 feet off the ground during takeoff, a maneuver that some pilots have called risky. The Federal Aviation Administration, it was learned yesterday, has approved that maneuver. But the turn would only allow the planes to avoid the Port Authority's sound-measuring devices and would not lessen their noise in any way.

"That wraps it up," said a spokesman for British Aircraft, one of the Concorde's manufacturers. "We can make the noise limit and they'll have to let the plane into Kennedy."

Not necessarily so, according to spokesmen for the Port Authority of New York and New Jersey, operators of the airport, who said the Concorde would have to meet other criteria before the agency gave it permission to land at Kennedy.

In a letter to the authority, dated July 30, the FAA wrote: "As you are probably aware, British and French airworthiness authorities have approved the safety aspects of the maneuver.

"During the last week in May and first week in June, R. P. Skully, director of [FAA] flight standards and service, and Ralph H. Noltemeier, chief of the flight technical progress staff, went to England and France to conduct an independent evaluation of the maneuver . . . Based on this evaluation, flight standards and service has determined that the maneuver is safe."

The FAA approval drew instant fire. Joseph R. Lewis, head of the Metro Suburban Aircraft Noise Association, called the maneuver "a kamikaze effort by the pilot to beat the black box" that measures airplane takeoff noise at the airport. Rep. Lester L. Wolff (D-Kensington) said that British and American pilots interviewed by his staff "have expressed grave reservations about the turn—they feel it is unsafe." Several TWA and Pan Am pilots told a reporter that they thought the turn was unsafe, and that most pilots probably would "fudge" the required 26-degree bank.

The spokesman for the Port Authority said the FAA letter would make little difference to the authority. He said that noise was not the only criterion the authority had in mind for the Concorde, that the airplane must meet other "environmental, economic and social" criteria before it received approval to land at Kennedy. The authority has not been more specific on what standards the plan must meet.

The FAA said that its two experts, Skully and Noltemeier, had flown a Concorde simulator in France, duplicating the maneuver and introducing deliberate engine failures to see if the turn were safe. The two men also conducted test flights in the Concorde itself, and both were satisfied that the turn posed no real risk, the FAA said.

A veteran TWA captain, who has commanded international flights for years, said that pilots presently are required to make a 15-degree turn to reduce noise (although at much higher altitudes than the proposed Concorde turn) and "many of us fudge that. We don't even think a 15-degree turn is safe with a fully loaded plane. Sure, some guys—the hothead pilots—will try the turn, but most of us will cheat on it."

The Port Authority has sound-measuring devices, called black boxes, near takeoff points to each Kennedy runway. The purpose of the Concorde maneuver will be to throw the loud Concorde sounds in another direction so the box will read no more than the 112 decibels of noise that the authority allows. It does not mean the Concorde will create less noise for those in communities under the plane's flight path.

Wolff said: "There is no moral excuse for allowing a test pilot's trick to beat the box measuring sound at JFK. The people of Long Island will not be fooled by this trick. The sound box will be fooled."

The Port Authority cannot make its decision on whether to allow the Concorde into Kennedy until the FAA finishes its evaluation of the environmental effects of allowing Concorde flights into the United States. That evaluation will not be issued in final form until the fall.

SPECIAL ORDER TO HONOR THOMAS C. "PISTOL PETE" WALKER OF NEW LONDON, CONN., NEWLY ELECTED NATIONAL COMMANDER-IN-CHIEF, VETERANS OF FOREIGN WARS

The SPEAKER pore tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. DODD) is recognized for 10 minutes.

Mr. DODD. Mr. Speaker, it is with great pride and pleasure that I bring to my colleagues attention news of a singular distinction recently bestowed on a most-deserving constituent of mine, Thomas C. "Pistol Pete" Walker of New London, Conn.

"Pistol Pete," or "Pete," as he is known to all in Connecticut's Second Congressional District and throughout our State, has just been elected as national commander-in-chief of the Veterans of Foreign Wars.

It is a great privilege for me to be able to pay tribute to a man of the caliber of Pistol Pete Walker, and I am gratified that the national VFW recognized this man's leadership abilities and elected him to its highest office.

We in New London, the rest of the Second Congressional District, and the entire State of Connecticut are proud to be neighbors of Pete Walker.

I extend to him and his family my heartiest congratulations and best wishes as he takes on this new leadership position, and I know the rest of my colleagues in this House of Representatives share this sentiment.

Mr. Speaker, this latest honor to Pistol Pete is only one of many this true American patriot has earned during his many years of service to his State and his country.

It is only the culmination of many national VFW offices which Pistol Pete has filled so capably.

Let me elaborate on this man's noteworthy career.

In 1940, Pete began his military career, which spanned 11 years and two wars, and took him from the rugged New England shores of our native Connecticut to the tropical climes of the South Pacific and the Far East.

A veteran of World War II and the Korean conflict, Pistol Pete enlisted in the Connecticut National Guard as a private. When that local militia was federalized, he soon became an Army corporal and then a technical sergeant.

Advancing rapidly, he completed Officer Candidate School in Fort Benning, Ga., and was commissioned a lieutenant in the infantry. The Army quickly recognized the leadership qualities of Pete Walker, for it made him an instructor at Fort Benning.

But teaching was not what Pete joined up to do, Mr. Speaker, and in order to get overseas to the fighting, he transferred to the Army Air Corps. Winning his pilot wings, he flew fighter aircraft in the South Pacific and rose to the rank of captain.

With the peace, Pete returned to Connecticut, where he rejoined the National Guard and became leader of an antiaircraft unit.

He was recalled to active duty in 1950 with the outbreak of the Korean conflict, and he served 5 more years as commander of an antiaircraft battery in the Far East.

Mr. Speaker, Pete has followed this active military career with service no less distinguished to his civilian community, and to the VFW.

In 1958, Pete was elected to his first office—as a local junior vice commander. He then served two terms as post commander, from 1960 to 1962, and was honored by being selected to the all State post commanders team, and in 1963 to the all American district commanders team as fourth district commander.

Four years later, Pete's dedication and hard work were recognized by veterans throughout the State, who elected him commander of the Department of Connecticut, Veterans of Foreign Wars.

The next year, Pete was elected vice chairman of the national convention general resolutions committee and the Eastern States conference. He became chairman of the Eastern States conference the following year.

Chosen vice chairman of the national budget and finance committee, he was elected senior vice commander-in-chief of the national VFW last year.

In his community, Pete has taken an active role in many endeavors. A past exalted ruler of the Elks, he was a past president of the board of directors of New London's Pequot Country Club. He belongs to the Allen Hook and Ladder Volunteer Fire Department.

A sports-minded person, Pete for many years has been a baseball and softball official in our local leagues and has served as president of the Thames Valley Baseball Officials, the Eastern Connecticut Board of Baseball Umpires and the New London Softball Umpires Association, of which he also is a charter member.

Pete further has served his community honorably and well as vice chairman of the New London Selective Service Board.

Mr. Speaker, this long life of service continues with Pete's new command at the head of this Nation's many veterans who belong to the VFW.

I know that the national VFW, Connecticut, and the country will be the better for his service.

On Saturday, Mr. Speaker, Pete's fellow Connecticut citizens and comrades in the Connecticut department of the VFW will hold a gala "homecoming" for the new commander-in-chief in our capital city of Hartford.

I know my colleagues join me in wishing Pete every success in his new post, and I shall carry those sentiments with me to convey to him on this stirring occasion.

WILLIAM W. "BILLY" SIMPSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 5 minutes.

Mr. DIGGS. Mr. Speaker, on behalf of myself and all the members of the Congressional Black Caucus, I rise with a sense of both keen personal grief and profound civic loss, to inform the House of the passing last Saturday, August 30, of William "Billy" Simpson, one of Washington, D.C.'s most industrious and admired citizens.

Billy Simpson's House of Seafood and Steaks at 3815 Georgia Avenue NW., has been a historic landmark to the black community in Washington for many years. Not only is it one of the best restaurants in our Nation's capital, it also evolved into a hub of D.C.'s black political discussions and strategy when Billy established the famous "Round Table," the informal forum which met at the restaurant and which involved top Government officials, including Members of Congress, local political figures, civic leaders, and members of the media. He also honored the members of the African diplomatic corps when he opened the upstairs "Ebony Room" of the restaurant, with a ceiling map of the African continent. Many members of the Black Caucus, the diplomatic corps, and others have spent countless hours enraptured in political debate and other discussions at Billy's, while dining on some of the most classic soul food in Washington.

Billy never ran for office. Yet he was central in effectively bringing about major political consciousness and growth for Washington's black community. He was a District of Columbia delegate to the Democratic conventions in Chicago in 1968 and in Miami in 1972. At the latter, he had the honor of seconding the nomination of Senator GEORGE McGOVERN to be President of the United States. Billy was a champion for home rule for the District of Columbia and individual rights for its citizens.

He did much to establish close relationships between diplomats from African countries and many Washingtonians. Billy was invited to Liberia as a guest of that country to attend the inauguration of its President, William V. S. Tubman. The Liberian Government conferred upon him the African Star of Redemption, one of its highest honors to a noncitizen.

Over the years Billy Simpson also received many local awards for his work in community affairs. He was on the board of directors of Howard University Cancer Research Center: a board member of the Washington Urban League; and a chairman of the YMCA fundraising drive. As a matter of fact, no major community endeavor took place to which he did not contribute time, energy, money, or other resources.

Mr. Speaker, I am personally grieved at the loss of one of my most valued friends; the best man at my wedding; and a truly gracious and generous human being.

I also grieve, with the entire Congressional Black Caucus, for this community, which will seldom see anything comparable to Billy Simpson's unselfish and tireless efforts for the betterment of all.

To his widow, Edith, to his family and legions of friends and admirers around this country and beyond these shores, Billy will live forever.

Let us hope that the ideals for which Billy fought, and the issues of freedom and justice which he espoused, will also endure.

LEGISLATION TO AMEND THE FEDERAL METAL AND NONMETALLIC MINE SAFETY ACT OF 1966

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DOMINICK V. DANIELS) is recognized for 10 minutes.

Mr. DOMINICK V. DANIELS. Mr. Speaker, today I am introducing legislation to amend the Federal Metal and Nonmetallic Mine Safety Act of 1966.

Painful experience has clearly revealed this so-called safety law to be woefully inadequate. Since its enactment over 9 years ago, 157,489 metal and nonmetal miners have been killed or injured in mine accidents; in 1973 alone, metal and nonmetal mine injuries cost this Nation $85 million in lost national income. We have no reliable statistics on the prevalence of occupational disease among the Nation's 261,000 metal and nonmetal miners. If the black lung disease experience is a guide, we can anticipate a problem of similarly tragic proportions among those who labor in the metal and nonmetal mines of this country.

All of this deplorable, costly, and needless loss has been incurred despite the existence of a Federal Metal and Nonmetallic Mine Safety Act. It is abundantly clear to me that we must take steps to improve and strengthen the act.

We must act now, before more productive lives are senselessly wasted.

We cannot allow a growing number of miners' tombstones to be the silent monuments to congressional inaction in the vital field of mine safety. Metal and nonmetallic miners need and deserve the guarantees of safe and healthy working places—guarantees already enjoyed by their counterparts in the Nation's coal mines and other industries.

I am sure that most of my colleagues remember the disaster that occurred at the Nation's largest silver mine in Kellogg, Idaho. On a fateful spring morning in 1972, a cloud of black smoke laden with carbon monoxide rolled through hundreds of miles of narrow tunnels deep within the Sunshine Mine and snuffed out the lives of 91 men.

The hearings held by my subcommittee just 13 days after the disaster revealed how neglect and callous disregard for even the most basic mine safety procedures had set the stage for this tragedy.

Let me take a few moments to share with my colleagues some of the subcommittee's findings as a result of these hearings:

In the first place, the company's method of keeping track of men on duty was so inadequate that it was not initially known how many men were actually trapped underground.

There had never been any fire drills held in the mine. Instead, each miner had been instructed to ask his supervisor what to do in event of fire.

The stench warning system which was supposed to warn of carbon monoxide in the air did not function during the fire.

Self-rescuers—air filters that convert carbon monoxide into harmless carbon dioxide—were available for only half the men and these were stored in padlocked boxes. Furthermore, the men had not been taught how to use them.

There were no self-contained oxygen supplies available underground. Consequently, operators of hoists that could have brought men to the surface died at their posts.

We will never know how many men could have been saved if adequate safety procedures had been in effect. But I am willing to wager that 91 men would not have died in painful, choking agony 3,700 feet below the ground if a more effective mine safety law had been on the books.

What we have learned from the Sunshine Mine and other noncoal mine disasters must now be applied to prevent, to the maximum extent practicable, similar disasters in the future.

Our legislative action must also bring to bear all that we have learned about worker safety and health in these 9 years since enactment of the 1966 Metal and Nonmetallic Mine Safety Act. During this period, we have developed a greater understanding, both in human and economic terms, of the importance of a safe and healthy working environment.

We have worked together, in the finest tradition of bipartisan cooperation, to develop and enact the Construction Safety Act, the Coal Mine Safety Act, and the Occupational Safety and Health Act.

We must act now, in this same bipartisan spirit, to correct the deficiencies in the present law that serves as the principal protection for the 261,000 miners who labor above and below ground to wrest from the Earth the vital resources that fuel our industrial base.

The number of workers employed in the mining industry, and the importance of the metal and nonmetal resources that they extract, will grow in the years ahead. In the international scramble for dwindling resources, the United States will be increasing the scope and intensity of domestic mining operations.

We are now standing on the threshold of a new mining era in this country. We cannot, in good conscience, encourage young Americans to enter this dangerous but crucial industry if we fail to provide them with a meaningful law to protect their health and safety.

The black lung disease experience in the coal mining industry provides us with a valuable object lesson on the economic wisdom of disease prevention—a concern and a recognition that must be reflected in the legislation we adopt to protect miners in the metal and nonmetallic mining industry.

The Social Security Administration is projecting the final cost of the black lung compensation program in excess of $10 billion. Currently, 370,000 miners or miners' families are receiving monthly payments ranging from $187 to $375, totaling $72 million per month.

By 1981, administration of the compensation program will shift to State workers' compensation agencies, which will pay black lung benefits from an employer-financed fund. Until that time, the Federal Government will be footing an enormous bill for industry's indifference to the problem of occupational disease.

In the case of black lung disease, hindsight has been an extremely costly proposition.

Occupational disease is no bargain: This Nation can no longer afford its tremendous economic, social, and human cost.

My legislation insures that the tragic and expensive lessons learned by the coal mining industry will not be lost on the metal and nonmetal mining industry.

Mr. Speaker, the legislation I am introducing today will correct weaknesses in the 1966 Act which have prevented it from adequately protecting the workers in metal and nonmetal mines. I shall comment briefly on some of the deficiencies in the present law, and the steps I have taken in my bill to correct these deficiencies.

First, under the terms of the existing law, States are able to develop and enforce their own health and safety standards, providing that certain Federal standards enumerated in the act are met. However, the record shows that State plans have failed to give miners adequate protection. To prevent further weakening of the metal and nonmetal mine safety program, my legislation mandates the adoption of Federal standards and encourages States to supplement Federal responsibilities.

Second, there is currently no provision for the promulgation of emergency temporary standards in cases of newly discovered environmental hazards or dangers. My bill provides for promulgation of such emergency temporary standards if the Assistant Secretary of Labor for Metal and Nonmetallic Mine Safety determines that miners are exposed to grave danger from exposure to substances or agents determined to be toxic or to cause injury, or from new hazards.

Third, there is no "general duty" clause under present law to cover unique circumstances where no standards have been promulgated. My bill considers it a duty of each mine operator to furnish to his miners employment and a place of employment which are free from hazards that are causing or are likey to cause death or injury. If an inspector finds a violation not covered by an existing standard, he can invoke this general duty clause to protect the health and safety of miners endangered by such violation.

Fourth, the existing law does not prohibit advance notice of an inspection. My bill prohibits any advance notice and provides appropriate penalties for violations of this provision.

Fifth, the present law makes no provision for employers to obtain the results of an inspection. My bill requires that citations be prominently posted at or near each place where violations occurred, and at a location where miners check in and out on a daily basis.

Sixth, the current law only provides for permissive penalties. My bill authorizes mandatory penalties under appropriate circumstances.

Seventh, under the existing law, there is no provision for a variance in standards or for the employees to be informed of an application for variance. My bill provides that any affected operator may apply to the Assistant Secretary for Metal and Nonmetallic Mine Safety for a variance from a promulgated standard. Affected miners shall be given notice of each such application and an opportunity to participate in a hearing.

My bill also provides for a transfer of the administration of the act from the Department of the Interior to the Department of Labor. This transfer has been recommended repeatedly by those who maintain that the Department of the Interior has placed secondary emphasis upon the health and safety of miners. It is a well-known fact that the Department of the Interior is a resource-production-oriented department that lacks experience in the field of occupational safety and health. It has also been claimed that the Department of the Interior is more philosophically alined with mine operators than with the workers who labor in those mines.

The record of the Department of Labor in the field of occupational safety and health is very impressive. The Labor

Department has accumulated 5 years of valuable experience in inspection, enforcement, and education and training programs which should now be made applicable to those working in the metal and nonmetallic mines of this country.

The fragmentation of certain occupational safety and health programs into different agencies has vitiated the intent of Congress to guarantee all workers an equal right to a safe and healthy worksite. My legislation takes an important step toward correcting this dispersion by placing the administration of the metal and nonmetal mine safety and health programs into the single agency which has been historically concerned with the welfare of the American worker.

To guard against the loss of expertise developed by personnel in the Department of the Interior's metal and nonmetal mine safety program, my bill authorizes the transfer of these personnel to the Department of Labor.

My bill would also create a three-member Federal Metal and Nonmetallic Mine Safety Commission which would function as an independent agency of the U.S. Government. The Commission would have the authority to appoint hearing examiners who would, in turn, conduct hearings and adjudicate disputes under the Metal and Nonmetallic Mine Safety Act. The Commission would review the decisions of the hearing examiners and be authorized to change such decisions. Due process is assured by the application of the Administrative Procedures Act and appeal of the Commission's decision to an appellate court for further review.

Mr. Speaker, in the development of my bill I have not ignored the economic realities facing the small mine operator. In order to assist the small mine operator to come into compliance with the act, my legislation provides for financial assistance to the small operator in the form of loans to be administered by the Small Business Administration.

My bill authorizes the appropriation of such sums as may be necessary to carry out the provisions of the act, including inspection of underground mines at least four times a year and the inspection of surface mining operations at least twice each year.

My legislation also extends to miners who work in the Nation's metal and nonmetallic mines certain basic rights not heretofore secured by law. These rights include:

The right to request an inspection;

The right to accompany an inspector touring the mine and not to lose pay while doing so during working hours;

The right to notify an inspector verbally or in writing of any hazards or violations of standards that are believed to exist;

A prohibition of employer discrimination against miners who exercise these rights;

The right to the promulgation and enforcement of standards which will adequately protect his life and health over a long period of time;

The right to be represented in the development of these standards;

The right to medical examinations at the owner's expense, and the right of access to results of such examinations;

The right to be advised as to the toxicity of any substance in his work environment; and

The right to compensation for the periods he is idled because of a mine closure.

Mr. Speaker, in addition to these enumerated rights, section 10 of my bill provides for a comprehensive program of miner education in occupational safety and health, which includes access to information concerning the toxicity of materials to which miners may be exposed in their work, and the degree to which their health may be affected by such exposure. Furthermore, where exposures to harmful substances or materials poses a safety or health hazard to miners, section 10 entitles miners to a transfer and a compensation at a regular rate of pay until such time as action is taken to correct the safety or health hazard.

Finally, to insure that miners are aware of their rights under the act and are kept abreast of regulations affecting their health and safety, section 10 requires mine operators to inform miners of their protections and obligations under the act, including the provisions of applicable standards.

Mr. Speaker, safety must be more than a slogan for the workers who labor in the 14,000 metal and nonmetallic mines of this Nation. Safety is a miner's right; it is a right that has been earned by the blood and agony of his fellow miners who have perished in the searing flames, choking smoke, and under tons of crushing rock.

We have an obligation to the widows and orphans of those miners who have died in metal and nonmetal mine accidents. We have an obligation to take action to prevent the further loss of life in tragedies such as the Sunshine Mine disaster.

We have a responsibility to the miners who plead for justice and equity with every painful breath of their dust-ravaged lungs.

Mr. Speaker, the first priority and concern of all those involved in the metal and nonmetallic mine industry must be the health and safety of its most precious resource—the miner. This is the paramount concern of my legislation, and it will be the main issue in the hearings I have scheduled on the bill commencing in mid-September.

I invite meaningful and objective recommendations from the mining industry, and from mineworkers. I hope that all who have something to contribute will do so in a spirit of cooperation and concern for the welfare of those who labor in this country's metal and nonmetallic mines.

There can be no shifting of priorities when health and lives are at stake. Death and mutilation must not be institutionalized through our benign neglect.

There is much we can, and must do to improve health and safety conditions in this, the second most dangerous industry in the United States. It is the intention of the Subcommittee on Manpower, Compensation, and Health and Safety to fully declare its commitment to safe and healthful working conditions for the metal and nonmetallic mines of this Nation through the adoption of appropriate legislation.

Mr. Speaker, I hope that our colleagues in the House will join the subcommittee in this effort. It is time to call a halt to the carnage in our metal and nonmetallic mines. It is time to recognize the weaknesses in the 1966 Metal and Nonmetallic Mine Safety Act and to adopt legislation that will fulfill the promise of a safe and healthy workplace for the Nation's 261,000 metal and nonmetal miners.

Mr. Speaker, a section-by-section analysis of my bill will be inserted in tomorrow's Congressional Record.

LIBERATION DAY ADDRESS TO THE PEOPLE OF KOREA BY PRESIDENT PARK CHUNG HEE

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, America's preoccupation with domestic problems and our concern for the negotiations leading toward peace in the Middle East have to some extent taken out of focus our relations with the Republic of Korea. It is well to remind ourselves of the warm and close relationship which exists between our two countries, to recall that the Republic of Korea continues to be a principal bulwark of strength for the free world in Asia, and that Korea's sons fought with great bravery and distinction alongside our own forces in Indochina.

The Republic of Korea has become a model among developing nations. Great progress has resulted from the progressively successful channeling of the country's human and material resources by President Park Chung Hee. This progress is demonstrated by industrial development and by rural improvement. This is even more remarkable in view of the fact that it is taking place despite growing militarism and continuing threat against the Republic of Korea by Communist North Korea. The failure of the Communist regime to conquer the brave people of the Republic of Korea during the war of the early 1950's continues to rankle the Communist leadership, and the Communist world movement sees in the Republic of Korea a successful example of the free enterprise system which must be destroyed if the Communists are to continue their conquest of Asia.

The Republic of Korea deserves the continued support and friendship of the United States. I am confident there will be no change in the close and cordial relationship which now exists. The removal of American forces from South Korea would be an open invitation for further aggression by the Communists.

It is my pleasure, Mr. Speaker, to submit for reprinting in the Congressional Record the Liberation Day address by President Park Chung Hee delivered in Seoul on August 15, 1975. In it he tells of the progress of the Republic of Korea, of the determination of the dedicated citizens of that country to remain free and, in time, to bring about a peaceful reunification of the North and the South. I feel that my colleagues will want the opportunity to study his thoughtful and inspiring message:

TEXT OF PAK CHONG-HUI'S LIBERATION DAY ADDRESS

Dear 58 million fellow countrymen in the North and the South: Today marks the 30th anniversary of the day when our people were liberated from Japanese rule and national rights were restored to them.

I believe the real significance of our national resurrection, which we greeted 30 years ago today, lies in the fact that we regained an opportunity to found a strong, unified sovereign and independent state on our soil and to actively contribute to world peace and the development of mankind while carrying forward our historical national traditions.

That is why we have exerted strenuous efforts for national prosperity until now while translating the emotions we felt on our liberation into efforts for construction and developing the hopes we entertained on that day into national devotion.

Today we are marking the 30th anniversary of our liberation, but our country is still in a troubled condition because we have been unable to remove the sorrows of national division. Nevertheless, we celebrate this day as a national festival for the shining future of our nation thanks to our efforts for national prosperity, which have been arduous but worthwhile.

In this sense, I want to join with you in looking back upon the path we have traversed in the past and renew our firm determination for the prosperity and peaceful unification of our country.

Fellow countrymen, the Republic of Korea, our fatherland, has for the past 30 years made continuous progress toward national development and prosperity and peaceful national unification, resourcefully overcoming challenges and trials posed at home and from abroad. At the time of liberation, our economy was very poor and weak and, worse still, the surprise invasion of the south by the North Korean Communist clique completely devastated our economy and reduced our entire land into ashes.

But, with dauntless courage and arduous efforts, we have successfully implemented the three successive 5-year economic development plans and turned the ruined country of yesterday into the land of prosperity as we see it today.

As the new village movement—whose mottoes are diligence, self-help and cooperation—snowballed into a nationwide spiritual revolutionary movement, we filled shores to create farmland. Industrial complexes, which are constantly growing in number, are crowded with large factories which rank among the world's largest. As a result, our country has completely changed its appearance.

Thanks to the construction of expressways, which have expanded each year, all parts of the country are reachable in a day. This in turn has greatly accelerated the improvement of the distribution system and the people's standard of living. As a result, distinctions between cities and the countryside have gradually disappeared. We are now laying the foundation for eliminating poverty and enabling every one of us to enjoy happier life. As a consequence, our ROK is being highly praised as a member of the world community which can now aspire to become an advanced welfare state. It has consolidated the foundation for the peaceful unification of the country and the prosperity of the nation.

We cannot afford to relax these precious efforts for creative construction. Particularly, we must do our best to see that all the fruits of our arduous efforts will not be lost due to the scourges of war.

That is why a long time ago we called upon the North Korean Communist regime to abandon its wild dream of invading the south and join the (peaceful competition) for development, construction and creation, in order to prevent the recurrence of war on the Korean peninsula. And for that reason, we took the initiative in issuing the 4 July north-south joint statement and carrying out the north-south dialog. To place the dialog on a firmer track, we made the 23 June diplomatic policy statement on peaceful unification. We proposed a nonaggression pact between the north and south.

We also announced the basic three-point (as heard) principle of peaceful unification. According to this principle, when peace is established and the north and the south expand the dialog and exchanges and regain mutual trust, free north-south general elections will be held under fair election supervision and observation and according to the proportion of the population of the north and south to establish a unified government.

The North Korean Communists, however, have pursued a diametrically opposite road. They have attempted aggression to the detriment of peace. They have been engaged in a scheme to bring the Korean peninsula under communism and disrupt our national history while betraying our national interests and fanatically following an incompatible foreign ideology.

At one time they supported trusteeship, but they rejected the north-south general election plan recommended by the United Nations, thus sowing the seed of national division and territorial partition.

Furthermore, they launched aggression on 15 June 1950 and mercilessly murdered our fellow countrymen en masse, thus committing a traitorous crime and betraying our nation's desire for the peaceful unification of the country.

Even after the armistice, this group of war criminals, still seized with aggressive illusions, continued to ruthlessly exploit our fellow countrymen in the north while pursuing the so-called four-point military line. As a result, they have completely transformed all North Korea into a huge barracks and completed preparations to invade the south.

In addition, they have turned our North Korean brothers into slaves serving an unprecedentedly fiendish personality cult. By wiping out our nation's culture and traditions, they have even undermined our traditional mores, fine customs and manners, and even our national homogeneity.

Using the same methods and ruses they employed on the eve of the Korean war, they have continued to carry out aggressive provocations against us by force of arms and violence on the one hand while, on the other hand, intensifying their deceptive agitation campaign through a false peace propaganda.

The attempted attack on the presidential mansion, the large-scale infiltration into the Ulchin-Samchok area by armed Communist bandits, and the highjacking of a Korean airlines plane into North Korea in the 1960's are examples of their armed provocations still vivid in our memory.

More recently, they infiltrated into our coastal waters near the five islands in the west sea, attempted to assassinate the President at the liberation day ceremony last year, and dug a dozen tunnels for use in aggression against the south. In this way they have continued to perpetuate acts of armed aggression against us.

Particularly in 1972, while accepting our proposal for a north-south dialog, the North Korean aggressors already began to dig tunnels (behind our backs) for use in aggression against the South. In less than a year after the dialog started, they unilaterally suspended the North-South dialog under an absurd pretext and by making preposterous demands.

Judging from this, they cannot deny the fact that right from the beginning they have used the North-South dialog as a means of aggression against us rather than for the purpose of encouraging mutual trust and promoting exchanges.

Recently, encouraged by the turn of events in Indochina, they attempted to launch another Korean War. But seeing that our total security posture was solid and that world public opinion was critical of them. They tried every trick to cover up their aggressive designs with false propaganda until an opportunity for aggression presents itself.

The tunnels they built for aggression against the South are sufficient proof that their propaganda is full of falsehoods. They are opposed, with valid reasons and for no cause. To our proposal for carrying a joint investigation of the underground tunnels. This patently proves the falsity of their propaganda.

Dear fellow countrymen, we are observing the 30th liberation day anniversary under these circumstances today. This is the stark reality on our Korean peninsula. Our situation has been a succession of ordeals and challenges, but we have never, ever for a moment, abandoned our efforts for the peaceful unification of the country. Nor will we ever abandon them in the future, for the peaceful unification of the country is a unanimous desire cherished by all our people in their hearts. To fulfill this national desire, we must do our best. This is a historic mission assigned to us.

However, no matter how urgent a task national unification may be, we should never resort to violence or force of arms to accomplish it. It is my belief, and the keystone of our ROK government's unification policy, that national unification should be achieved through peaceful means.

Therefore, I want to take this opportunity to clearly reiterate our basic stand to North Korea—namely that as in the past, we will never resort to violence or weapons in the future as well to achieve unification. At the same time, we warn the North Korean Communist regime that if it misunderstands our determination and efforts for peaceful unification, misjudges the situation and launches another aggression against us, we will resolutely annihilate the aggressors.

Fellow countrymen, nothing is more urgent and important for us at present than to let peace take root. To strive for permanent peace is tantamount to striving for the development and prosperity of our nation and achieving national unification. This is because peaceful unification is inconceivable unless peace has taken root.

However, peace can never be achieved merely by shouting beautiful slogans or expressing onesided hopes. Peace requires the cultivation of solid national strength, which in turn requires lofty intelligence and effort. Wisdom to achieve national strength is lofty wisdom to achieve the prosperity of our people and the peaceful unification of our country.

For this reason, let us all resolve firmly on this significant day that we will translate the emotions and hopes we entertained 30 years ago into unity and devotion today and do our best in our respective duties so that we can quicken the building of our national strength and actively contribute to peaceful unification and national prospertity.

At the same time, I want to stress once again to the North Korean side that it should respond to our call for the unconditional resumption of the North-South Dialog which it unilaterally suspended, and particularly so that urgent humanitarian problems such as mutual visits and reunion of scattered families should be solved as soon a possible.

Furthermore, I strongly urge the North Korean side to open the hermetically sealed, dark North Korean society as soon as possible, free the North Korean brothers from enslavement under the totalitarian dictatorship and the cult of personality, and grant them at least minimum freedom and their fundamental rights so that they can live like human beings.

At the same time, I want to reiterate our government's stand that as an interim

transitional measure before unification is achieved, it is desirable for the North and the South to enter the United Nations and other international organizations in order to contribute to the easing of tension and the promotion of international cooperation.

The history of the United Nations shows that admissions into it has no direct bearing on the unification or division of a country. We are well aware of the case in which two parts of a country, admitted first as two separate members,: were subsequently unified as a single member state. Accordingly, I want to stress that the separate admission into the United Nation of the North and the South as an interim transitional measure before they achieve peaceful unification will serve as an occasion not for perpetuating division but for facilitating the peaceful unification of the country by restoring trust between the North and the South and enabling peace to take root more firmly.

I therefore, I also urge the North Korean side to discontinue forthwith its antinational act of forcing us to abandon our national interests and our legitimate voice in the international community and of blocking us from exercising our rights.

At the same time, I am convinced that our allies will continue to support our efforts for a lasting peace on the Korean peninsula and the unification of the country. I want to reiterate that, we will continue to promote our friendly and cooperative relations with them.

I also hope that we and those countries with different ideals and systems from ours will open doors to each other on the principle of mutual benefit and equality so as to normalize relations, and will cooperate with each other in easing tension and maintaining peace on the Korean peninsula.

Dear fellow countrymen in the north and the south: our country is one, and our Nation is a permanent single entity which no force on each can divide. Let us all revive the emotions and ecstacy we felt 30 years ago today, I urge those of us in the south to make more devoted and determined efforts to build our national strength with which to firmly preserve our genuine national traditions, and urge our brothers in the north to resolutely fight the incompatible foreign ideology and the anachronistic personality cult, defend the homogeneity of our Nation to the end and join us in vigorously striving for the peaceful unification of the country. While so doing, let us achieve true national restoration and unification by our own efforts and create a brilliant new history of national prosperity.

SUCCESS WILL COME TO THOSE WHO WORK

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, my State is indeed proud of the progress made by two black Floridians who have proven in an outstanding way that American opportunity is alive and well. They are Air Force Gen. Daniel—Chappie—James of Pensacola and Florida's supreme court justice, Joseph W. Hatchett, of Daytona Beach.

General James received his fourth star and became the highest ranking black officer in the U.S. Armed Forces when he assumed command recently of the North American Air Defense Command. A member of a well known and highly respected Pensacola family, Chappie James is recognized and appreciated for his staunch Americanism as well as for his ability as a military leader.

Judge Hatchett was appointed to the Florida Supreme Court after serving as Florida's first black special prosecutor and U.S. magistrate. Their accomplishments are well illustrated in an editorial of the Pensacola Journal of Monday, September 1, which I submit for reprinting in the CONGRESIONAL RECORD.

SUCCESS WILL COME TO THOSE WHO WORK

The labors of all Americans, management and members of the labor force, merit a genuine salute on this day that is acknowledged nationally as recognition of the true spirit of productivity.

The forging of a nation came through the energies of the American worker, and the root structure of the free economic system remains healthy and vital despite several potholes that continue to hamper the national economy.

Opportunity to labor and reap the harvest are basic elements of American economic life, and this is manifest today in the many success stories of citizens hurdling seemingly immovable obstacles to prove and reprove the spirit of the productive labor force.

America has sprinted ahead at high speed since the days of the abuses of the sweat shop, when discrimination kept whole segments of the social order from productive work, when horizons of opportunity were limited in a nation struggling to find its destiny.

We cite two examples on this Labor Day—two more "firsts"—for Blacks to prove, we think, that American opportunity is indeed alive and well in a republic that is nearing its 200th birthday.

Fortunately, they are Floridians—one a Pensacolian—and we are proud of these trailblazers, Air Force General Daniel (Chappie) James and Florida Magistrate Joseph W. Hatchett.

As Jackie Robinson, first black baseball player in the major leagues, Robert C. Weaver, first black cabinet member and Thurgood Marshall, first black U.S. Supreme Court Justice, these Floridians are reaching pinnacles of success with individual ability and energy. They prove new doorways are being opened for all Americans who work productively for individual freedom.

When General James took command of the North American Air Defense Command Thursday at Colorado Springs, he was awarded a fourth star and thus became the highest-ranking black officer in any branch of the armed services.

And when Judge Hatchett is sworn in as a justice of the Florida Supreme Court Tuesday, he will be the first black to serve on the state's high bench. Civil rights organizations claim, in addition, that Hatchett will be the first black to sit as an appellate judge in any state of the former Confederacy.

Chappie James long ago became a sterling figure in Pensacola, and his accomplishments will be recognized here Sept. 14-15-16 during a Chappie James celebration that will feature parades, picnics, a naturalization ceremony at Washington and a Rotary Club luncheon.

The 55-year-old Pensacolian was commissioned in 1943, when the U.S. armed forces were racially segregated. In time promotions came along with 101 Korean War combat missions. James climbed to the rank of colonel in Vietnam, where he flew 78 missions as commander of the 8th Tactical Fighter Wing. He received his first star in 1970.

Hatchett, 42, a graduate of Howard University Law School in Washington, D.C., began his legal career in private practice in Daytona Beach. For the past nine years he has served as Florida's first black special prosecutor and U.S. magistrate. The seat Hatchett will occupy fell vacant when David L. McCain resigned after a legislative committee, charging corruption, recommended that he be impeached.

General James, speaking to equal racial opportunities in the United States, sheds light on the success that both he and Hatchett have achieved: "We've still got another mile to run in that race for equality, but we have a lot better track to run on and the trophies are a lot better than they used to be."

Both James and Hatchett are symbolic of individuals who understand that the real spirit of productivity pay dividends in today's America, and their's are but two of many success stories that warrant high recognition on this important national holiday, Labor Day.

CORRUPTION IN OUR SOCIETY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, on July 29, I issued a statement setting forth my feelings on corruption in our society. I did two things with it: One was to hand it out mornings at subway and bus stops during the congressional recess asking my constituents to give me the benefit of their opinion on the subject; and I also sent the statement to leaders in both Government and industry asking them to respond as well.

I think the responses are worthy of examination so as to give us an insight into their thinking and I am placing those responses in the RECORD as they come in.

The statement and responses follow:

[From the CONGRESSIONAL RECORD, Tuesday, July 29, 1975]

ON CORRUPTION IN OUR SOCIETY

Mr. KOCH. Mr. Speaker, we live in a country that has no peer in terms of political freedom and the ability of its citizens to develop their individual capabilities. Yet there is one aspect of contemporary American culture that deeply troubles me, which I fear may be our Achilles heel, and that relates to corruption.

Corruption appears to be pervasive in our society. I am thinking not simply of the public officeholder who betrays his trust—a corrupt former President, a convicted Attorney General, police officers who extort bribes, building inspectors who exact illegal commissions. What also troubles me is the corruption of our ordinary citizens.

I am thinking of children who learn from their parents to cheat the storekeeper, the telephone company, and the government. I am thinking of corporations who in turn cheat the consumer, bribe officials, and do not level with their stockholders. We see evidence of this corruption daily in the sale of shoddy merchandise, tax fraud performed openly and without remorse, medicaid charged for services not rendered, the elderly ripped off by nursing home operators, just to cite a few examples.

As an opponent of the Vietnam war, I regarded the North and South Vietnamese governments as equally corrupt and totalitarian. But in one conversation toward the end of the Vietnam conflict a constituent replied:

"No Congressman, they may both be totalitarian but you can't say that North Vietnam is corrupt, while South Vietnam surely is."

And of course from all reports he was right. While that does not in any way effect my judgment concerning the totalitarian regime in North Vietnam, it is something to think about.

Why is it that the Communist countries, including the Soviet Union, China, and North Vietnam, are by most reports less plagued with corruption than are so many democratic countries? In part, of course, it is because it is more difficult to commit crimes in a thoroughgoing police state. However, I think it is also because corruption is viewed in the Soviet Union, and perhaps in other countries as well, as a truly serious crime—even a capital crime—while we here in the United States tend to treat corruption with much less rigor than we apply to other crimes.

I believe that this casual, even cynical, attitude toward antisocial behavior is a serious error in judgment and that we ought to consider corruption in the same class as that of a physical assault upon an individual. The corporate officer who engages in an illegal act in order to extort excessive profits from the public or obtain a governmental concession should not simply be fined, but should receive a jail sentence.

I have studied the prison system and have sought to reform it because I believe that in its current state it acts neither as a deterrent nor as a place to reform those persons now sent there, primarily the poor convicted of physical crimes.

But I am equally persuaded that the white-collar criminal, the corruptor, will be deterred and reformed if he or she serves just 30 days behind bars.

It is because I have such a high regard for our political freedom and free-enterprise system that I believe we must root out the corruption which has also flourished here. If we do not, then we may see happening to us what has happened in Italy nad Latin America and other places where non-Communist populations have been attracted to communism or other extremist groups in increasing numbers to express their opposition to the corrupt society about them. I do not want this to happen, but it may if we do not eliminate or substantially reduce the corruption in our society and install a greater morality amongst our young.

International Business
Machines Corp.,
Armonk, N.Y., August 28, 1975.

Hon. Edward I. Koch,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Koch: I agree completely that nothing is more important to this country than adherence to the highest ethical standards. We've been through some difficult times in the business world as well as in politics, and some hard lessons have been learned.

I've long had a personal interest in the subject of business ethics. It's an integral part of my own company's basic beliefs. And I firmly believe that the prime responsibility for ethics in IBM or any company rests with the chief executive.

Moreover, leaders in business and government must do more than just set a good example. It's important to take positive actions to eliminate any traces of unethical behavior and make sure that everyone knows the high moral standards that are expected—standards that must extend beyond what is required by law. And, of course, I would agree with you that lawbreakers should be punished according to the seriousness of the crime; the "white collar" should have no bearing on the severity of the sentence.

I share your concerns, and I thank you for writing to me about them.

Sincerely,

Frank T. Cary.

Monsanto,
August 27, 1975.

Hon. Edward I. Koch,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Koch: Thank you for your letter of August 14th soliciting my opinion on corruption in our society. I most assuredly share with you a very active concern about this corruption.

In the fuller perspective, however, I'd like to observe that while there are opportunities for improvement in our country—and the curtailment of corruption is a very high priority one—there has been and always will be room for improvement in the fabric of American life. At the same time I am proud of the things my country has accomplished during 200 years. I believe that the free enterprise system during the history of our nation has brought us to a state of relative well-being virtually unmatched in the world.

In recent years the reputation of business has suffered because a small minority of businessmen apparently involved in unethical or illegal activities has repeatedly cast new suspicion on all of industry. But obviously, the negative attitude of the public toward business predates the recent scandals to a great degree. Beyond wrongdoing, the attitude has been attributed in part to the hostility of radicals, of youth and of headline-seeking politicians. Much of it, though, is rooted in misinformation and misunderstanding on the part of the general public about the business process in general and specific issues including profits. It is here business must take a major share of the blame; we in business must do a better job of explaining the economic system of the country. Beyond this, I believe we should look to two other sources for significant efforts in developing greater understanding of our free enterprise system.

The first source is our high school and college systems, where some basic and practical economics should be a part of each student's curriculum. That this can be helpful is readily illustrated—a recent survey showed that the general public estimates that after-tax profits on the sales dollar of the average manufacturer is 33 cents, when in fact the actual profit is 5.2 cents.

Another example: In the last 10 years the American industrial community has invested 1.5 trillion dollars in new facilities. The forecast for the next 10 years is that we will have to invest 4 to 4.5 trillion, up to three times as much, to meet the country's requirements. The only source of those capital investment funds is from industry profits.

Unfortunately, neither the business community nor the educational system has explained our economic system to the full understanding of the American people.

The second source for building understanding is the news media. Recognizing the American public's general lack of comprehension of our economic system, I believe those Americans who make up the news media should help enlarge our knowledge—not build sensationalism on our collective ignorance.

The anti-business climate is clearly dangerous, and one of my concerns is excessive government controls in the free enterprise system. While I endorse a certain amount of appropriate regulations and guidelines, the great overlap of regulatory bodies that influence American business today is clearly causing inefficiency. I would caution against continued unreasoned government regulations; while regulations are created for a beneficial end, there are costs involved in every case, and these costs should be weighed against the benefits to determine whether they are justified.

At Monsanto our personnel are expected to comply fully with the company policies and the laws in each of the nations in which we do business. Our principles of operation spell out the requirement for meticulous obedience to the law, but I believe this approach simply places Monsanto among the broad majority of American business organizations. We will continue to operate in this framework while seeking ways to help explain and defend our nation's business system.

Thank you again for your interest in my views.

Yours very truly,

John W. Hanley.

American Can Co.,
Greenwich, Conn., August 21, 1975.

Hon. Edward I. Koch,
House of Representatives,
Washington, D.C.

My Dear Mr. Koch: I, too, am concerned with corruption in our society because a corrupt society is a dying society. History, however, gives us hope that where corruption has invaded the body politic, human nature recaptures the basic societal and moral laws and thereby survives.

Very few people understand that these basic laws of society and mortality were developed over generations of mankind's existence and are absolutely requisite to man living with man. As someone said, you really break these basic laws because they are immutable and stand through the ages, but, rather, you break yourself upon the law.

Further, there is no question that a great deal of inequity exists in our application of justice. As a Director of the National Council on Crime and Delinquency, I favor and promote equal application of the law, whether it be to white collar offenders or impoverished minority individuals. The NCCD has prepared, with the help of the judiciary and legal community, a pamphlet on the equal application of justice and equal sentencing. It is hoped that justice should apply equally to the person who robs a bank or one who engages in a clever financial swindle.

I trust that you will speak out further on these issues and that eventually our society will come to its senses and understand the constraints and values which it must adopt in order to prevent a repetition of another long, dark age.

Sincerely yours,

William F. May.

Institute of Life Insurance,
New York, N.Y., August 19, 1975.

Hon. Edward I. Koch,
26 Federal Plaza,
New York, N.Y.

Dear Ed: Thanks for your nice note of August 8. It was good to see you again, and I enjoyed our discussion.

You gave us a copy of your statement on corruption, and I would like to make a few comments about it, because it seems to me that it reflects exactly what we were talking about.

I happen to agree with your concern about the spread of corruption. It is, I think, far more widespread than most people realize. For example, I recently saw a report which stated that the major cause of bonding losses for banks was bank officer dishonesty. This is just one isolated example of how our society is fragmenting to the point where everyone takes care of himself, even at the expense of institutions which earlier commanded loyalty and respect. There is a kind of "rip-off" mentality which gives people a sense that there is nothing wrong in cheating or stealing from large impersonal institutions.

I feel very strongly that a root cause of this is the dissolution of community which we see manifested in so many other ways.

And one reason why this sense of community is becoming ever weaker is the growing sense on the part of people that they are helpless and powerless and the victims of forces over which they have no control or even influence.

As we told you on August 8, we believe that Anticipatory Democracy might help by restoring a sense of participation thereby bringing back that essential sense of community. I must admit that I don't honestly know that it will help, but I feel that the situation has become so bad that we must try anything which offers even the slightest hope.

Cordially,

ARNOLD BROWN,
C.L.U. Vice President.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., August 21, 1975.
Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR ED: I read with interest the remarks you made and had inserted in the CONGRESSIONAL RECORD with respect to corruption in our society. I agree with you (except I may disagree with some of the examples you give) and have tried to the best of my ability to operate the Department of Transportation in such a way that all officers and employees, including the Secretary, realize that to discharge the public trust properly we must not engage in any corrupt act and we must expose it wherever we find it regardless of the temporary political costs.

I hope to see you when you return to Washington after Labor Day.

With warm regards,

Sincerely,

WILLIAM T. COLEMAN, Jr.

CPC INTERNATIONAL, INC.,
Englewood Cliffs, N.J., August 27, 1975.
Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KOCH: Thank you for your recent letter to our president, James W. McKee, Jr., who is on vacation.

The question of moral standards is a problem as subtle in its roots as it is serious in its manifestations. Corruption is one of its more devastating aspects, but by no means the only such facet of the larger problem with which American society must come to grips.

Clearly, crimes and other overt forms of corruption must be sternly punished to provide necessary disincentive which a certain percentage of people will always require. But the heart of the problem lies in the education we give our youth—whether that be in the schools, within the family, or in our national media.

For our long-term social health it is not enough to deal with the outbreak of corruption and other degenerating moral standards; rather, basic causes must be dealt with and these lie within the attitudes we convey every day to tomorrow's adults. Here is where our most effective future efforts must be applied.

With best wishes for the success of your crusade,

Sincerely,

CHARLES S. MACK,
Director, Public and Government Affairs.

HOME HEALTH CARE—PART XXIII

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, together with 114 House cosponsors, I have introduced H.R. 4772 and H.R. 4774, the National Home Health Care Act of 1975. The bill has been given equally strong support in the Senate where it has been introduced as S. 1163 by Senators FRANK Moss and only ⅔ of the older person's medical bills. FRANK CHURCH, respective chairmen of the Senate Subcommittee on Long Term Care and Committee on Aging, HUGH SCOTT, Senate minority leader, and Senators WILLIAMS, DOMENICI, and TUNNEY.

To discuss the need for home health services and the public support this proposal is receiving, it is my intention to place statements in the RECORD several times a week by experts and lay persons commenting on this subject.

As the 23d part in this series, I am enclosing two statements, one by the secretary of state of the State of Connecticut and the second by the department of elder affairs of the Commonwealth of Massachusetts.

[Press release from the Connecticut Secretary of State]

MRS. SCHAFFER SUPPORTS EXTENSION OF MEDICAID TO COVER HOMEBOUND AGED

BURRVILLE.—Speaking to the Winsted Rotary Club today Secretary of the State Gloria Schaffer said she supports an extension of Medicaid coverage to include aid to elderly persons who are homebound but who do not require institutional care. Mrs. Schaffer went on to say:

This is the kind of approach which can help us improve and expand care to the aged while actually saving the taxpayers dollars. I am hopeful that under the auspices of the Council on Human Services, which I chair, innovative federal pilot programs such as this can be implemented and tested here. I have written to Sen. Frank Moss, chairman of the Senate Subcommittee on Long Term Care, to solicit his suggestions on ways the Council might implement better programs for Connecticut's older citizens.

Extension of Medicaid coverage to non-institutionalized persons would go far to help our aged citizens in their bitter battle with inflation while actually saving tax dollars now being spent on institutional care which is not always necessary.

A recent study shows that it is three times as expensive to care for a person in an institution as it is to provide the same medical care, social services, rent and food for the person at home. Since Medicaid will not presently pay for at-home care, many elderly persons who could remain at home are forced to live in institutions where the per month cost is about $800.

A recurring theme in the message we get from the elderly themselves is that institutional care should be a last resort. The aged maintain they live longer, healthier and more productive lives when they are allowed to remain in their own homes rather than being placed in institutions.

Many aged persons are forced out of their homes, however, by an inability to meet rising costs of property taxes, transportation, food and medical bills.

While the chronically ill and totally infirm do need institutional care, many elderly now living in nursing homes could have continued to be at least partially self-sufficient if the money spent by Medicaid to institutionalize them had been spent instead on supplementing their living costs at home.

Rep. Edward Koch of New York has introduced a bill to this effect which is currently before Congress. I believe this is only one of several innovative approaches which can be used to improve conditions for the elderly while guaranteeing that the taxpayer is getting his money's worth.

I would hope that Connecticut can serve as a laboratory for federal pilot programs aimed at restructuring the kinds of care we give our elderly without escalating the costs.

Ten years have elapsed since the passage of Medicare and Medicaid. And yet, today all public health care programs combined pay Per capita health expenses are three times as high for the person over 65 than for the rest of the population. These ever-rising medical costs are coupled with spiraling costs of food, housing and basic transportation. While inflation is taking a big bite out of everyone's budget, it is devastating to the aged, half of whom have no other income than Social Security. All these factors mean that elderly people who have worked a lifetime to guarantee their self-sufficiency are being forced to sacrifice it in the end.

New ideas, fresh approaches, don't have to cost more. Pumping more money into our programs of institutional care isn't the only answer. National economics as well as common sense dictate new approaches designed to curb high costs of care by helping the elderly remain self-sufficient for as long as possible.

[A Synopsis by the Department of Elder Affairs, Commonwealth of Massachusetts, Boston, Mass.]

WORCESTER RESEARCH AND DEMONSTRATION PROJECT

INTRODUCTION

In the past decade increasing numbers of elderly citizens have ended up living in nursing homes and other institutions for want of a better alternative. The growth of the elderly population together with changing familial patterns has contributed significantly to this trend. Practitioners in the field have long suspected, however, that much of this institutionalization is both unnecessary and preventable. They have asked such questions as how much is unnecessary and in what ways it can be prevented.

In 1971 the Executive Office of Elder Affairs, forerunner of the Department of Elder Affairs, addressed itself to these issues. The Massachusetts Department of Elder Affairs, the first such cabinet level department in the country, has as part of its mandate the following:

The department shall be the principal agency of the Commonwealth to mobilize the human, physical and financial resources available to plan, develop and implement innovative programs to insure the dignity and independence of elderly persons, including the planning, development and implementation of a home care program for the elderly in the communities of the Commonwealth.

In the context of these responsibilities the Department began to search for more desirable and efficient options for the care of the elderly. DEA felt that a community-based Home Care program supported with the same resources used to pay for institutionalization (Medicaid) was among the alternatives that warranted investigation. It was assumed that the community's resources would be utilized more effectively and efficiently by providing preventive supportive services aimed at reducing the rate of institutionalization. Similarly, it seemed a reasonable assumption that most people would rather live in their own homes or with their families and among friends than in an institutional setting.

In order to test these assumptions to provide sufficient data and support for policy, program and legislative changes on both state and federal levels, the Department initiated a research and demonstration project. In June 1972, the Department submitted a grant application to DHEW entitled: Home Care: An Alternative To Institutionalization. Known as the Worcester R&D, the proposed project would:

set up an innovative array of services to the elderly,

test out alternative payment systems,

examine the impact of this approach to service delivery on the community service deliverers,

generate reliable data sufficient for policy and program development.

Funds were awarded through DHEW's consolidated grants program by the Health Resources Administration, U.S. Public Health Service and the Administration on Aging. The City of Worcester, Massachusetts was selected as the site for the project. It was felt that the Worcester area had both a sufficient population of potential participants and a fairly extensive complement of community service providers.

PROJECT FOCUS

The central goal of the project was to demonstrate that the provision of a range of supportive services to the elderly would be a viable and efficient alternative to institutionalization. Concurrently, the primary research goal was to examine the impact that system would have on a number of areas. Among the variables and/or dimensions to be examined were:

the average cost of a service unit,

the cost of a given mix of services,

the effectiveness of service delivery,

the comparable rates of institutionalization.

In addition to these quantifiable questions, the project would also investigate more subjective variables:

change in the participant's outlook,

the participant's health status,

the effects of the program on the participant's adjustment to daily life.

To develop substantive answers to these and other questions the research design incorporated "before-and-after" testing of two groups with comparable characteristics. Participants were assigned to a group on a random basis. One group would consist of individuals who would continue to receive services as they had been. The other group would receive both regular services and additional supportive services developed by the project which were usually unavailable in a community setting.

TARGET POPULATION

The target population was those elderly persons who were identified as "in crisis" (that is, who probably soon would be institutionalized) and those in institutions who could return to the community if necessary services were available. Initially, the focus among those living in the community was on "very high risk" individuals. Subsequently, the target population was expanded to include "high risk" individuals, thereby assuring a representative sample—a total of 430 participants.

The target population and subsequent project population were identified in Worcester with the assistance of local community agencies and a special unit of the Department of Elder Affairs. Randomly selected individuals were invited to participate in the intensive services aspect of the project. The remainder of the project population continued at its regular level of service. The principles of DHEW policy on Protection of Human Subjects were observed; more specifically, all potential and eventual participants were informed as to the nature of the project and asked to give their knowledgeable consent to its conditions.

PAYMENT SYSTEM

In order to facilitate the innovative payment system and the test of several project goals, a waiver was requested and received from DHEW which allowed Massachusetts to pay Medicaid-eligible individuals for services not normally covered by such payments. For the non Medicaid-eligible, the services were paid for by the Department of Elder Affairs and the Department of Public Welfare Social Services Program.

PROGRAM OPERATIONS

All persons participating in the study were to be extensively interviewed (pre-tested) on a broad range of dimensions—adjustment to daily living, social-psychological, health and health-related issues, demographic characteristics, housing and familial status, among others. After one year's participation in the program all individuals will be re-interviewed (post-tested) as part of program impact evaluation. All interviewing (testing) is done by the Social Gerontological Division of the Hebrew Rehabilitation Center for Aged (HRCA) in Boston, Massachusetts. In order to control for bias, the researchers have no knowledge of whether the individual being interviewed is a member of the regular group or of the intensive services group. On the basis of pre-testing, a highly specialized group of HRCA clinicians designed an Ideal Service Plan for each individual detailing what services would be necessary for him to remain in or return to the community.

The Department's Special Unit (administratively distinct from the Worcester Home Care Corporation) in conjunction with WHCC service personnel and HRCA clinicians, developed a Real Service Plan for each individual. The Real Plan operationalized the Ideal Plan based upon available services. The comparison of Ideal and Real service pans for each individual indicated which services needed to be developed. It was the Special Unit's responsibility to work toward the development of those services within the community. Additionally, the Special Unit monitors service delivery on a monthly basis, contacting each client by telephone or in person to determine satisfaction with service delivery, current or new problems, and general life-adjustment.

The Worcester Home Care Corporation, primary service vendor for the local home care system, was designated primary service provider for Worcester R&D, subcontracting as necessary with other agencies for the provision of services. Services were contracted for at a rate comparable to all other such services, as defined and monitored by the Massachusetts Rate Setting Commission. The payment for services was based on a capitation rate for each individual.

Community Research Applications, Inc. of New York City was contracted by DEA to perform the service and cost research and evaluation for Worcester R&D. The service monitoring data are sent to CRA, where they are processed and forwarded monthly to DEA. Fiscal monitoring is performed under the same CRA contract and data are analyzed for overall cost effectiveness, cost per service unit, cost per individual and other fiscal parameters. Additionally, CRA is undertaking an analysis of the impact of Worcester R&D on the linkages among various service providers in the community and are also analyzing the viability of the payment system developed for the program. While these various types of monitoring have been done on a monthly basis, final analysis of these data will not be available until the end of the project in late 1975.

SUMMARY

Fully half of the project participants will be post-tested by April 1975. It is expected that all data will have been collected and analyzed by December 1975. The Department of Elder Affairs presently has only raw processed data. Until all data have been analyzed it is inappropriate to draw conclusions about the results of the study.

The Department anticipates and hopes, however, that the information generated by the project will be significant on both the Federal and State level. It is hoped to demonstrate that Medicaid monies could be better used in the provision of home care services in some cases than in support of institutionalized services. Furthermore, this information should assist the Department in policy and program development; should serve as a model for overall service monitoring; and should contribute materially to agency capability in program operation.

Thus, the findings from the Worcester R&D Project are expected to have a significance not only for DEA's programs and policies, but also for the entire concept of Home Care Services.

INTRODUCTION OF H.R. 9306 TO EXTEND AIRPORT AND AIRWAY DEVELOPMENT ACT

(Mr. MILFORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILFORD. Mr. Speaker, today I introduce an updated bill, H.R. 9306 to extend the Airport and Airway Development Act for 5 years through 1980.

This bill replaces my previous bills, H.R. 4312 and H.R. 7720 and fully reflects the extensive consultation, analysis, hearings, and reviews conducted by the Subcommittee on Aviation of the Public Works and Transportation Committee. The consultation which fostered this bill involved all segments of the aviation community including knowledgeable and responsible people in the FAA, State aeronautical agencies, airport operators—small and major, local government airport officials, general aviation associations, air carrier associations, pilot associations, indeed every section of the aviation industry.

While my name is present as author, many features in the bill are the ideas of other members of the Aviation Subcommittee. I have simply put them all together into one package.

The Airport and Airway Development Act of 1970, as amended by the Airport Development Acceleration Act of 1973, expired June 30 of this year.

My bill will provide for—

A 5-year extension giving long-term predictable funding to facilitate more effective local planning with the assurance of Federal support for major developments which often span several years;

A focus of Federal involvement on critical national transportation system requirements, rather than detailed review of projects, while making the program more responsive to the needs of the industry and the public;

Grant authorization to construct public-use portions of terminal buildings;

Grant authorizations for land purchase buffer zones near runways to solve environmental noise problems;

Direct payments of enplanement funds to air carrier airports with a significant reduction of Federal redtape;

Special consideration to assist growing of commuter airports;

A new loan program to assist public sponsors desiring to acquire privately owned airports that are now being closed due to high land cost and peculiar liability problems.

Funding levels provide $425 million per year for air carrier reliever airports; $75 million per year for general aviation and commuter airports; $15 million annually for master planning and system studies. These funding levels are substantially below the income of the aviation trust fund being paid by the aviation industry and users so that absolutely no general revenue funds are required.

This bill extends the basic Federal airport grant program which has been shaped and proved itself to be effective over the past 30 years. While retaining the basic program, provisions are made to eliminate outdated procedures and to require the streamlining of Federal management to cut delays, eliminate unnecessary workload by the FAA, and require less redtape for the airport sponsors.

It is an evolutionary proposal to improve the grant process, in lieu of the present committee print proposal to convert this successful public works development program into a revenue-sharing, funds distribution process. Furthermore, this bill will not abandon the smaller metropolitan and reliever airports that need Federal support to survive while channeling most of the money to the big hub airports as would be the case in the present committee print. It will not levy unreasonable fees on the general aviation segment for the payment of strictly public services performed by the FAA. It will not bust the aviation trust fund that was established for capital improvements, by dispensing its funds for a completely different use. In short, my bill will continue the airport-airway program in the same context and spirit as that mandated by the Congress in 1970, as amended in 1973.

Today many airports have pavements that are deteriorating from normal use, which require expensive overlay and reconstruction. Many military surplus airports built during World War II and subsequently turned over to public sponsors are now badly in need of improvements. In addition, the introduction of heavier jets, including the executive fleet, necessitates strengthening of pavements which were not designed for the current family of aircraft. During fiscal year 1975, large numbers of projects were unable to be funded from available Federal resources and national forecasts show increasing demands for airport developments. Expeditious action by the Congress is essential so that new legislation can be enacted promptly to insure the continuation of this vital program.

It should be noted that these developments add directly to the Nation's overall economic vitality while providing useful productive work to many of our citizens who are now unemployed in large numbers.

We recognize there have been deficiencies in the Aid to Airport Development Act. These can easily be corrected without abandoning Federal responsibilities for the development of a national system of airports for all segments of civil aviation. The features most criticized in the present airport grant program are corrected by the bill I introduce today.

BRIEF OUTLINE OF SECTION-BY-SECTION PROVISIONS OF H.R. 9306 AS COMPARED TO THE RECENTLY EXPIRED LAW

Section 2 provides a revised total for the obligational authority consistent with the funding proposed under this bill. The former limit of $2,500 million has been raised to $4,085 million.

Section 3 modifies the previous definitions to make land buffers needed to offset adverse environmental effects, as well as public use portions of terminal buildings, eligible for Federal assistance; provides definition of capital improvement program and modified master planning concepts to foster adequate planning for all NASP airports and to permit direct expeditious payments to air carrier airports; and provides a consolidated listing of all definitions to support the concepts included under this extension bill.

Section 4 continues the requirement for Federal leadership in fostering the national system of airports which will clearly serve as the operational blueprint for necessary airport developments. It includes a requirement for all NASP airports to submit master plans. Portions of the current act, such as environmental consultation provisions have been deleted and updated; while completed provisions regarding the former Aviation Advisory Commission have been dropped.

Section 5 continues the Federal program for airport master plans and system studies and standardizes the Federal share at 75 percent, the same as the percentage allowed for development projects. This eliminates an inconsistency created when the ADAP Acceleration Act was enacted, under which the Federal share of development projects was raised from 50 percent to 75 percent but no change was made in the two-third's limitation on planning grants.

Section 6 continues the Federal program for airport development assistance providing $425 million per year for air carrier and reliever airports compared to $275 million curently, and $75 million for general aviation and commuter airports up from $35 million in the present act. It also provides a new program to permit loans to public sponsors desiring to acquire privately owned airports that are required for the national system.

Funding of airway facilities system projects will remain unchanged at $250 million per year.

Section 7 continues the previous formula for distribution of air carrier-reliever funds but will provide for direct payments to air carrier airports of enplanement funds tied to the proposed capital improvement program, in lieu of present programing-grant agreement process.

The previous general aviation State apportionment formula has been modified to replace the prior population factor with the States registered aircraft figures which are considered to be a better index of relative need.

Section 8 provides revised procedures for receiving Federal assistance for airport developments. Procedures for air carrier airports to receive direct payments utilizing the capital improvement program process are outlined. It requires that Federal standards be followed for air carrier airports but authorizes the Secretary to approve standards established by States for general aviation airports.

Environmental procedures for airport projects will also be substantially streamlined to allow FAA to concentrate on those projects with significant environmental problems in urban areas, or involving use of public parks, wildlife refuges, or recreational areas.

Also provided under this section is the authorization to the Secretary to accept sponsor certifications that requirements of law have been complied with, thus sharply reducing paperwork and program delays and encouraging the streamlining of the Federal review process.

Section 9 will standardize the Federal share of eligible airport developments at 75 percent, with adjustments for public land States continued from the original act. This will provide greater assistance to the large hub airports currently limited to 50 percent Federal assistance and will also simplify Federal administrative requirements. It also provides specific guidelines limiting the Federal participation rate for terminal buildings to 50 percent of eligible project costs.

Sections 10, 11, and 13 update and amend prior project requirements, many of which have been relocated to more appropriate sections of the new bill.

Section 12 allows application of liberalized sponsor payments in accordance with OMB A 102 provisions. It also establishes the intent of Congress to streamline and simplify the Federal grant administration process.

Section 14 provides specific guidelines re flight service station facilities which will permit the Secretary to take necessary actions to improve aeronautical services, while at the same time providing for a more efficient use of limited manpower.

Since H.R. 9306 is designed to be a substitute bill for the committee print now being considered by the Aviation Subcommittee, I will make some remarks in regard to the committee print and some recommendation for ADAP improvements.

PROLOGUE

Please let it be clearly understood by all that this is not intended, in any way, to be an adverse criticism of the work of any member of staffer that has participated in trying to write the ADAP bill. Everyone has worked hard on this bill, and everyone has presented his best. This critique is offered on the basis of its merit and should be judged strictly on the basis of merit.

Quite naturally there will be some honest and honorable differences of opinions between Members. There will also be some philosophical political differences. These differences can only be settled during markup, and I can only say: "May the best man win."

AN INADVERTENT BUT SERIOUS DEFECT

The most glaring deficiency in the staff draft committee print, is the enplanement formula in the air carrier airport section. Like the majority of the subcommittee, I had initially favored the formula. However, after careful study and analysis, I found that under the provisions of the print, we have a block grant revenue sharing program.

To understand what has happened, I must refer you back to the old law. Under previous law, air carrier airports were allocated funds on the one-third, one-third, one-third basis—one-third based on State area and population, one-third based on enplanements, and one-third on the Secretary's discretion.

In reality, two-thirds of the total air carrier funds were in fact distributed at the Secretary's discretion, because that one-third apportioned to airports on the State area/population formula was also disbursed at the Secretary's discretion.

The key thing to remember is the fact that under the old bill, "direct funding enplanement money consisted of a maximum of one-third of the air carrier pot." Furthermore, the only head count used in determining enplanements were those passengers flying from air carrier airports on interstate flights.

AIR CARRIER AIRPORT FORMULA IN THE PRINT

Now let us examine the change as reflected in the print. Whereas the old bill simply used an enplanement head count to determine each airport's proportion of the one-third enplanement money, the print goes to a fixed amount per head. Furthermore, where the old bill had a guaranteed one-third allotment to States—based on area/population—and a guaranteed one-third discretionary fund, the print commits this amount-per-head enplanements from the total air carrier pot with remainder going into the discretionary fund. In other words, no funds are specifically earmarked or reserved for the States and none are specifically reserved for discretionary distribution. As presently written the print mandates that air carrier airports will receive a fixed amount per head from the air carrier pot with the balance going into the discretionary fund.

Frankly, the big hubs will really "rip off" the trust fund. New York, Los Angeles, Chicago, Dallas, and other huge airports—that already have the greatest potential for generating revenue—will get all the money at the expense of the medium and small hubs.

On the other hand, the declared aim of this bill, to develop a national system of airports, would be prostituted.

WHERE DID THE AMOUNT-PER-HEAD ENPLANEMENT FORMULA ORIGINATE?

Now, let us examine what happened in drafting the print, and how this fixed-amount-per-head formula got into the picture.

During hearings, three bills were being considered: H.R. 5017, the administration bill; H.R. 4830, introduced by Mr. ANDERSON—basically a modification of the administration bill—and H.R. 4312, introduced by Mr. MILFORD—with eight subcommittee cosponsors.

The amount-per-head formula was the brainchild of the administration. In their testimony, this formula was offered as a means of fairly and efficiently distributing air carrier airport money. Also during the hearings, each of us heard of the massive redtape problems involved in getting an air carrier project approved—even though one-third of the funds were specifically earmarked for these airports.

Next our very brilliant new Secretary of Transportation appeared to offer the administration amount-per-head formula. Coupled with the 1973 enplanement figures, this new formula did not seem to change patterns too drastically. The subcommittee's obvious desire to cut redtape and speed up the grant award process undoubtedly encouraged our staff—and this author—to accept the administration's formula. Furthermore, all of us made the assumption that everyone would count enplanements as in the past. Each of us had a true desire to cooperate as much as possible and turn out a bill so that the ADAP law would be continued.

BASIC DIFFERENCES IN PHILOSOPHY

(ADMINISTRATION VERSUS CONGRESS)

Some very important factors must be recognized at this point:

First. The administration basically wanted a "block grant" and "revenue sharing" ADAP program.

Second. The subcommittee majority wanted a grant-in-aid program designed to develop a National Airport system.

Third. The administration desired a lessening of the Federal role in airport development with greater state control and administration.

Fourth. The majority of the subcommittee wanted a construction of a national airport system plan under Federal control.

In this light, let us now closely examine the "enplanement formula" in the print. Without repeating it verbatim, I think you will agree that: First, it specifies a set-amount-per-head amount; second, it comes directly out of the air carriers airport pot; and third, it contains no specific discretionary fund allotment.

Next, let us examine the legal definition of "enplanements" as specified in the print:

> For the purpose of this section, the term "passenger enplaned" shall include United States domestic, territorial, and international revenue passenger enplanements in scheduled and nonscheduled service of air carriers and foreign air carriers in intrastate and interstate commerce as shall be determined by the Secretary pursuant to such regulations as he shall prescribe.

DIFFERENT INTERPRETATIONS OF THE LAW

As the law clearly specifies, "enplanements" literally can consist of any commercial passenger boarding any airplane. This means that interstate passengers, intrastate passengers, foreign passengers, air-taxi passengers, commuters and private aircraft passengers all can be counted for enplanement purposes.

All of these passengers were previously never counted, because under the old law, there was nothing really to be gained by going to the extra trouble of compiling the statistics. Remember, under the old law, air carrier airports received a proportional share of the one-third enplanement funds according to their comparison with all other air carrier airports. Under the print, they will receive a guaranteed dollar-amount-per-passenger direct from the pot.

This situation is further aggravated when one closely examines the figures that were presented during the hearings. Our staff and the administration based all conclusions on the 1973 passenger statistics. Unfortunately, 1973 was a very unusual year.

If you will recall, 1973 was the year of the energy crisis and the Arab boycott. That was the year that thousands of airline employees were laid off and several commercial airplanes were moth-balled. In other words, 1973 had a drastic passenger—enplanement—drop. When our staff plugged these figures into the proposed administration amount-per-head formula—using 1973 figures—there was not a great deal of difference in the old law ADAP formula.

During the July 4 recess, I did some private research on this matter. First, I obtained from FAA and CAB the 1974 interstate enplanement figures. Then, I compiled a representative sampling of intrastate commuter, air taxi and private passenger enplanement figures. Finally, I obtained realistic projections of the passenger growth potential for 1975 through 1980.

CONCLUSIONS ON PRINT AIR CARRIER AIRPORT FORMULA

The conclusions are obvious. If the administration follows the law that we are proposing in the print, we will have turned ADAP into a 100 percent block grant revenue sharing program in so far as air carrier airports are concerned.

There will be no discretionary funds to assist medium and small hubs in rebuilding runways, building new runways or relocating airports.

Since "reliever airports" have been taken out of the larger "air carrier airport" pot, there will be insufficient funds to purchase the "disappearing runways" in the form of private airports that are being converted to industrial and home sites due to high land costs.

The absence of discretionary funds means that all spending is "automatic" with no congressional control or influence.

The amount-per-head formula means that the big hubs will get most of the money with very little going to medium and small hubs regardless of their need.

THE PROPOSED 2 YEAR PLAN—SECOND SERIOUS DEFECT

While the rhetoric of the print speaks of a 5-year program and spells out funding amounts for this period, deep in the bill—under section 12, page 18—a dagger is thrust into its belly. This gutting section simply says, "regardless of what we have said before in this bill, everything grinds to a halt in 2 years."

Proponents of this section say, "we are a new committee, we need to look at this again in 2 years."

Opponents say, "so look at it, we can reexamine the program anytime the chairman chooses to whack his wooden hammer."

The 2 year feature is the second greatest defect in the print. On the surface this would appear to be a relatively innocuous feature that would simply require the Congress to come back in 2 years and reauthorize and reapporpriate the necessary funding.

In actuality, it means: First, that all airport construction loses a season every third year; second, a realistic and practical "national airport systems plan" cannot be completed; third, airport sponsors cannot carry out long-term and efficient planning; fourth, local governments are frustrated in raising matching funds through revenue or general obligation bond raisiing procedures; and fifth, the FAA cannot efficiently make grants in accordance with the "national airport system" needs.

Please take note: "No Government agency can make any type of promise or commitment beyond the provisions of law." If the law ends in 2 years, it ends. Everything has to start over again. This means that all sponsors have to reapply for grants again, all of the redtape has to be repeated, all regulations have to be reviewed.

The time frame is such that a construction season is lost in the process and the development of a national airport system is set back 1 full year.

Members will please take note of the fact that we do not allow the highway bill to lapse before reviewing at least a year ahead. We do this to keep from losing a construction season. Airports are no different.

THIRD SERIOUS DEFECT—LACK OF MANDATORY AIRPORT PLANNING

During the hearings, every witness—from both industry and Government—complained of the inadequacies of the national airport system plan (NASP). Under the old law, the Secretary was charged with drawing up a national airport plan—NASP—and revising it annually along with an annual report to Congress.

This has been done and each Member can obtain a copy of the NASP, along with each annual revision, by contacting the committee staff or FAA.

As presently structured, the NASP is a conglomerate "wish-book" that reveals little in the way of meaningful information to Congress. Furthermore, while the print authorizes $2,000,000 for still another NASP, Congress will gain absolutely nothing more than is already in hand.

WHAT IS THE NASP (NATIONAL AIRPORT SYSTEM PLAN) SUPPOSED TO DO?

Under the original 1946 Airport and and Airway Development Program Act, the Congress set out to assist in the development of a national system of airports to further interstate air commerce. A rather limited NASP was ordered by Congress at that time. The NASP was revised and greatly extended in the 1970 act.

As presently drawn, NASP includes over 4,000 airports. The term "national airport system plan—NASP"—is truly a misnomer. Indeed, it is no plan at all. It was intended to be, but it definitely is not.

As the witnesses at the hearings capably pointed out, NASP is a "wish-book" collection of inaccurate data that reveals hardly more than the total number of airports in the Nation and their locations.

The NASP inventory of airport facilities, individual airport projections or plans and airport user traffic—other tower-equipped fields—is highly unreliable. The base date for compiling the present NASP has been gathered over the years in a helter-skelter fashion through informal questionnaires to sponsors, casual visits by FAA safety personnel—untrained in airport engineering or construction—and other equally inefficient means.

WHY CAN NOT ADAP BE RUN LIKE THE HIGHWAY PROGRAM?

Quite naturally, members of the Public Works and Transportation Committee would tend to try to shape ADAP into essentially the same form as the very successful highway program.

If we really had a good national airport system plan—NASP—this theory would work. Indeed, the absence of an effective NASP is the prime reason why ADAP cannot be fashioned after the successful highway program.

One must take note of the very important facts that, in the case of highways:

First. Every State has an effective highway department or transportation department containing trained talent and effective organization.

Second. Every State either had detailed and technically competent plans for road nets, or had personnel capable of developing these plans.

Third. In compiling a "National Interstate Road System," the Federal role was simply one of coordinating State efforts and supplying funds.

Fourth. The general public could quickly identify the need for roads because everyone was directly touched.

Fifth. Motor vehicles are State controlled, State regulated, and State oriented. Therefore, roads are very much a part of State business.

In the case of airports, the problems are somewhat more complex and different:

First. States have only rudimentary knowledge of aviation because airplanes are federally controlled, federally regulated, and interstate oriented.

Second. Only about five States have aviation agencies or departments of any real significance and, even the top aviation-oriented State aviation departments have fewer than one-tenth of 1 percent of the talent contained in their highway departments.

Third. Over 50 percent of the States operate their entire aviation departments with less than five full-time people.

Fourth. Real significant statistics—such as those needed for an effective national airport system plan—cannot be obtained in the manner as one could obtain highway statistics.

Five. The general public does not readily identify with airport needs as readily as road needs, even though both are a vital national necessity.

WHAT IS REALLY LACKING IN NASP?

The greatest deficiency in our national airport system plan—NASP—is the fact that it does not reveal the information necessary for the Congress to make the kind of decisions that are needed.

As the Public Works and Transportation Committee considers the ADAP bill that is before it at this time, it must responsibly answer the following questions:

One. How much money is really needed to develop a system of national airports?

Two. What proportional share of our national resources should we allocate to airports; as opposed to railroads and mass transit?

Three. Which airports really should be included, and which should be eliminated, in the national airport system?

Four. How do we decide the relative merits of which particular airport should receive grants?

Five. How do we decide what the proper grant amount should be among the various categories of airports?

Obviously, the Congress needs legitimate and accurate information in order to responsibly make these decisions. The high point of this section is to point out that neither our present national airport system plan—NASP—nor the new study that the print recommends will render the product that is needed by Congress.

The old effort failed, and the new attempt will fail, for the same basic reason: The Federal Government alone, cannot obtain the needed information.

It can come only from the State and local government sponsors. The Congress can again legislatively mandate the FAA to make another study and formulate another NASP, but until the basic data input is changed, the results will be the same.

WHAT IS REALLY NEEDED TO FORMULATE AN EFFECTIVE NASP?

The Congress will never know what resources are truly needed to develop a national system of airports, to support interstate air commerce, until the following information is in hand:

One. Meaningful data that will differentiate between those particular airports that has a significant effect on interstate air commerce as opposed to those primarily of local or State values.

Second. An accurate accounting of our present airport assets and airport capabilities, including runway inventories, facility inventories, location problems, et cetera.

Third. Individual airport growth potentials and projected user demands.

Fourth. Specific plans of airport sponsor ability to raise matching funds for airport growth and improvements.

Fifth. A system of appraising relative need of the individual airports necessary for a National System of Airports.

Federal agencies alone simply cannot obtain the vital data listed above. It can only come through the cooperation of the local airport sponsors.

As stated earlier, the FAA has tried to obtain this information in the past through questionnaires, visits by field safety personnel and other non-binding means. Generally two different results were obtained—all unsatisfactory:

First. Airport sponsors, eager to obtain Federal funds, tended to exaggerate their needs, minimize their assets, and "blue-sky" their projects.

Second. Airport sponsors, who did not want Federal aid or who did not have the matching funds—and parenthetically did not want their airport nationally downgraded—would say: "It's none of your 'dern' business."

Third. Hundreds of small airports had no one that was technically capable of replying to the Federal inquiry.

As a result our present NASP and the new study mandated in the print does not, and will not, provide the input that Congress really needs.

Two very important elements must be obtained from every airport that has a significant impact on interstate air commerce if we are to truly have a national system of airports:

First. An FAA approved capital development program.

Second. A master plan.

WHAT IS AN AIRPORT "CAPITAL DEVELOPMENT PROGRAM" (CDP)?

A capital development program—CDP—is a logical plan of development drawn up by professional engineering and planning talent that includes the following minimum requirements in airport development and/or improvements:

First. Accurate and professional competent inventory of airport assets, facilities and operational record.

Second. Specific and detailed plans of improvements, repairs, expansions, and modifications that the airport sponsor considers feasible within the next 3 to 5 years.

Third. Specific revenue raising plans, including matching fund sources.

Fourth. Realistic and professionally obtained projections of growth during the 3 to 5 year period.

Fifth. Environmental impact statement for proposed repairs, improvements, modifications, or expansions.

In other words, when an airport prepares a capital development program, the airport is put on a business basis that shows what it is, where it is going and how it will get there during the next 3 to 5 years.

If this information were available on all airports in the National Airport System Plan, Congress would then have an intelligent and accurate insight into the requirements for developing a National System of Airports. The CDP would be revised at least every 3 years.

By comparing one airport with all others, Congress could also establish fair and responsible fund allocation formulas.

WHAT IS A MASTER PLAN?

The master plan is similar to the capital development program but broader in scope. Whereas the CDP is a positive and definite plan for the next 3 to 5 years, the master plan would look at the next 10 to 30 years or even longer.

Master planning would examine long-term expansions and growth potentials according to the needs of the airport's service area. Specific airport expansion projects would be identified and a rough timetable and costs would be established for inclusion into later revised capital improvement programs.

OTHER PROBLEMS THAT ARE NOT SOLVED BY THE PRINT

As every single industry and government witness stated during committee hearings, one of the key problems found in the old Airport and Airway Development Act was "excessive red tape." The print does absolutely nothing to alleviate this situation or to streamline grant approval procedures.

A large preponderance of witnesses testified in favor of streamlining environmental procedures that affected minor projects and country airport projects. The print fails to face this problem.

RECOMMENDATIONS

Since the print is drafted as a 2-year bill, it is automatically incompatible with legal mandates that would require airport sponsors to develop capital improvement programs and airport master plans. The drafting of such a bill would be considerably different from the present print.

The text of the bill follows:

H.R. 9306

A bill to amend the Airport and Airway Development Act of 1970, as amended, to authorize the Secretary of Transportation to make grants for airport development by grant agreements with sponsors and to provide for direct payments to certain types of sponsors during fiscal years 1976 through 1980, to make loans to public agencies for acquisition of private airports, to provide national policy for protection and enhancement of the natural resources and the quality of the environment of the Nation in projects for airport development, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE, ETC.

SECTION 1. (a) SHORT TITLE.—This Act may be cited as the "Airport and Airway Development Extension Act of 1975".

(b) Amendment of 1970 Act.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Airport and Airway Development Act of 1970 (84 Stat. 219), as amended (49 U.S.C. 1701 et seq.).

SEC. 2. Section 2 is amended by striking out "$2,500,000,000" and inserting in lieu thereof "$4,085,000,000".

DEFINITIONS

SEC. 3. (a) Section 11 is amended as follows:

(1) Immediately preceding paragraph "(1)", add the following new paragraph:

"(1) 'Air carrier airport' means an existing public airport regularly served, or a new public airport which the Secretary determines will be regularly served, by an air carrier certificated by the Civil Aeronautics Board under section 401 of the Federal Aviation Act of 1958 (other than a supplemental carrier)."

(2) Paragraph (2) is amended by inserting immediately before the period "or to mitigate adverse environmental effects resulting from an airport development project or the operation of aircraft; (C) non-revenue producing public use areas of terminal buildings; and (D) buildings or parts of buildings intended to house facilities or activities directly related to the safety of persons at the airport, *Provided however,* That construction, alteration or repair of a public parking facility for passenger automobiles, of hangars or of other airport buildings are specifically excluded from the term airport development.

(3) Paragraph (4) is amended to read as follows:

"(4) 'Airport master planning' means development for planning purposes of information and guidance to determine the extent, type, and nature of development needed at a specific airport. It includes the preparation of an airport layout plan and feasibility studies, the conduct of such other studies, surveys, and planning actions as may be necessary to determine short- and long-range aeronautical demands and airport access requirements. It shall not require the development of environmentally related documentation which may be prerequisites to approval of subsequent airport development projects. To be acceptable, such planning shall be accomplished in the context of and consistent with state and regional airport system plans, shall be based upon a comprehensive, coordinated and continuing planning process for the proivsion of all airport and airport related services."

(4) After paragraph (5), add the following new paragraphs:

"(6) 'Capital improvement program' means a document which (A) is submitted by an airport sponsor for its airport; (B) covers a period of at least three years from the date submitted to the Secretary; (C) includes only airport development consistent with the Airport Master Plan; (D) includes a layout plan showing the airport boundaries and location of existing and planned facilities; (E) identifies development accomplished or undertaken during the preceding fiscal year; (F) sets out cost and means of financing of the items accomplished in the preceding year; (G) identifies planned airport development and that portion eligible under this part; (H) sets out schedules for such development; (I) provides cost estimates and means of financing each annual increment; (J) includes full documentation covering all environmental considerations necessary for the Secretary's approval; and (K) has been developed so that the requirements of section 16(c) of this part are provided for.

"(7) 'Commuter service airport' means an airport, served by an air carrier operating under exemption granted by the Civil Aeronautics Board from section 401(a) of the Federal Aviation Act of 1958, which enplaned no less than fifteen hundred passengers during the previous calendar year."

"(8) 'Eligible airport development' means that airport development needed for a public airport to satisfy its functional role as set out in the National Airport System Plan."

"(9) 'General aviation airport' is an airport not regularly served by an air carrier certificated by the Civil Aeronautics Board under section 401 of the Federal Aviation Act of 1958."

"(10) 'Good title' means (A) merchantable fee title to land or (B) a lease of land for more than 20 years from the United States or a public agency."

"(11) 'Non-revenue producing public use area' means the public use area of a terminal building designed for uses other than direct sales activities by concessionaires, lessees, or tenants. It includes, but is not limited to baggage claim or delivery areas, baggage handling equipment, corridors connecting public passenger use areas, equipment or vehicles designed for movement of passengers between terminal buildings or terminals and aircraft, central waiting rooms, public restrooms, holding areas, foyers, and entry ways."

"(12) 'Passengers enplaned' means those commercial passengers enplaned on scheduled or non-scheduled flights of aircraft operated from airports having more than 1500 such enplanements during the preceding calendar year (A) by air carriers certificated by the Civil Aeronautics Board under Section 401 of the Federal Aviation Act of 1958, (B) by interstate commuter air lines operating under exemptions granted by the Civil Aeronautics Board, (C) by intrastate commuter airlines operating scheduled flights under authority of a State regulatory body, and (D) foreign flag air carriers."

(5) After existing paragraph (12) which defines public airport, add the following new paragraph:

"(13) 'Reliever airport' means a general aviation airport designated by the Secretary as having a primary function to relieve congestion at an air carrier airport."

(6) After existing paragraph (14) which defines "sponsor", add the following new paragraph:

"(15) 'Standard metropolitan statistical area' means a county or group of contiguous counties which contains at least one city of fifty thousand inhabitants or more or 'twin cities' with a combined population of at least fifty thousand as designated by the Office of Management and Budget. In the New England States, standard metropolitan statistical areas consist of towns and cities instead of counties."

(b) Section 11 is further amended by renumbering the paragraphs of such section as paragraphs (1) through (27), respectively, and renumbering all references to such paragraphs accordingly.

NATIONAL AIRPORT SYSTEM PLAN

SEC. 4. Section 12 is amended as follows:

(a) Subsection (a) is amended to read as follows:

"(a) Formulation of Plan.—The Secretary shall publish, within two years after the date of enactment of this part, and thereafter to review and revise as necessary, a national airport system plan for the development of airports in the United States which are essential to the needs of the Nation's air transportation system. The plan shall serve as the operational blueprint for airport development for those airports and shall set forth, for at least a ten-year period, the type and estimated cost of airport development considered by the Secretary to be necessary to provide a system of public airports adequate to anticipate and meet the needs of the air transportation system. Effective two years from the enactment of this provision, no air carrier airport may be included in the National Airport System Plan unless there is on file with the Secretary a current airport master plan and a current capital improvement program. Effective four years from the enactment of this provision, no general aviation airport may be included in the National Airport System unless there is on file a current airport master plan.

(b) Subsections (f) through (h) are repealed.

PLANNING GRANTS

Sec. 5. Section 13(b) is amended as follows: (1) The side heading is amended by striking out "APPORTIONMENT" and inserting in lieu thereof "LIMITATION".

(2) Paragraph (1) is amended by—

(A) striking out "$75,000,000 and" inserting in lieu thereof "$153,750,000,"; and

(B) striking out the period and inserting in lieu thereof ", and the amount obligated during the period July 1, 1976, through September 30, 1976, may not exceed $3,750,000.".

(3) Paragraph (2) is amended by striking out "two-thirds" and inserting in lieu thereof "75 per centum".

(4) Paragraph (3) is amended by striking out "7.5" and inserting in lieu thereof "10", and by striking out "funds made available" and inserting in lieu thereof "amount authorized".

AIRPORT AND AIRWAY DEVELOPMENT PROGRAM

Sec. 6. (a) Section 14(a) is amended—

(1) by changing the period after "1975" in paragraph (1) thereof to a comma and adding "and $425,000,000 for the period of July 1, 1975 through June 30, 1976, $111,000,000 for the period of July 1, 1976 through September 30, 1976, and $425,000,000 for each of the fiscal years 1977 through 1980; and"; and

(2) by changing the period after "1975" in paragraph (2) thereof to a comma and adding "and $75,000,000 for the period of July 1, 1975 through June 30, 1976, $14,000,000 for the period of July 1, 1976 through September 30, 1976, and $75,000,000 for each of the fiscal years 1977 through 1980. A minimum of one-third of the funds available each year shall be set aside for commuter service airports."

(b) Section 14(b), relating to airport and airway development program obligational authority is amended—

(1) by striking out "fiscal year ending June 30, 1971 and the succeeding four fiscal years in a total amount not to exceed $1,460,000,000" in the first sentence thereof and inserting in lieu thereof "period July 1, 1970 through September 30, 1980 in a total amount not to exceed $4,085,000,000",

(2) by striking "June 30, 1975" from the second sentence thereof and inserting in lieu thereof "September 30, 1980"; and

(3) by striking out "and" in the last sentence thereof and inserting immediately before the period," an aggregate amount exceeding $1,960,000,000 prior to June 30, 1976, an aggregate amount exceeding $2,085,000,000 prior to September 30, 1976, an aggregate amount exceeding $2,585,000,000 prior to September 30, 1977, an aggregate amount exceeding $3,085,000,000 prior to September 30, 1978, an aggregate amount exceeding $3,585,000,000 prior to September 30, 1979, and an aggregate amount exceeding $4,085,000,000 prior to September 30, 1980.".

(c) At the end of paragraph (b) add a new paragraph (c) as follows:

"(c) Loans to Public Bodies for Acquisition of Private Airports—To help prevent the continuing conversion of privately owned airports to other uses, and to provide ready cash to assist public agencies in the acquisition of such private airports, the Secretary is authorized (effective the date of enactment of this provision) to make low interest loans direct to public agencies to purchase any private airport in the National Airport Systems Plan limited only by the balance available in the Airport and Airway Trust Fund. As long as any outstanding balance remains on such loans, (1) all airport income over actual operating expenses shall be used for repayment of the loan, (2) all operations and accounts of such airports shall be subject to regulations promulgated by the Secretary, and to audits conducted thereunder."

(d) Existing Section 14(c), relating to airway facilities, is amended by striking out "1975" and inserting in lieu thereof "1980".

(e) Existing Section 14(d), relating to Other Expenses, is amended by striking the word "and" immediately before the letter "(c)", inserting in its place a comma, and immediately after the letter "(c)" inserting the words "and (d)".

(f) Existing sections 14(c), 14(d), and 14(e) are renumbered "14(d)", "14(e)" and "14(f)", respectively.

Sec. 7. Section 15 is amended as follows:

(1) Subsection (a)(1) is amended by striking the words "July 1 of each fiscal year" and inserting in their place the words "the commencement of each fiscal year (or period, in the case of that of July 1, 1976 through September 30, 1976)" and by inserting the words "(or period)" immediately following the words "made available for that year".

(2) Subsection (a)(1)(B), relating to the apportionment of funds, is amended by inserting the words "directly (as provided in Section 16(a))" immediately after the word "distributed" in the first line thereof.

(3) Subsection (a)(2)(A), strike the word "population" each place it appears and insert in lieu thereof the words "number of aircraft registered".

(4) Subsection (a)(4) is repealed.

Sec. 8. Existing Section 16 is repealed and the following is enacted in its place:

Sec. 16. Airport Development Project Requirements.

"(a) Special Provision: Capital Improvement Program—The sponsor of an air carrier airport having an Airport Master Plan on file with the Secretary and a current capital improvement program approved by the Secretary may directly and immediately undertake projects included in such program with funds apportioned for the current fiscal year or period under section 15(a)(1)(B) of this part provided only that sponsor certifies to the Secretary (1) the amount of federal funds he plans to use for and the development in such projects and (2) that all applicable laws and regulations are known and will be complied with. In such event the Secretary shall, without more formality, obligate such funds certified as needed and thereafter routinely make grant payments as though a formalized written grant agreement had been executed by sponsor. In addition thereto, utilizing the same simplified procedures, such a sponsor may apply for assistance beyond his section 15(a)(1)(B) entitlement simply by submission to the Secretary of a certification (1) setting out the proposed work from the capital improvement program, and federal funds needed therefor, and (2) that all applicable laws and regulations are known and will be complied with. In such event, the Secretary may concur in all or part of sponsor's proposed additional undertaking utilizing funds otherwise available. Notwithstanding any contrary provision in this part, participation in costs for airport development carried out under this subsection shall not be denied on the basis of absence of prior approval of plans and specifications, the absence of a formal project application, the absence of a formal grant agreement, or on the basis of some other procedural requirement. The Secretary will develop simplified procedures consistent with this subsection."

"(b) Approval.

"(1) Unless the Secretary renders a finding in writing following a full and complete review, which shall be a matter of public record, that no feasible and prudent alternative exists and that all reasonable steps have been taken to minimize such adverse effect, the Secretary may not authorize a project or approve a capital improvement program involving airport location, a major runway extension or major runway location within a standard metropolitan statistical area found to have an adverse effect on natural resources including, but not limited to fish and wildlife, natural, historic, scenic and recreation areas, water and air quality, and other factors affecting the human environment. For purpose of this section 'major' means only those runways and runway extensions which require the extension of airport boundaries, permit the operation of significantly noisier aircraft or cause a change in flight paths at an airport. Airport development projects or capital improvement programs outside of standard metropolitan statistical areas shall be deemed to have no significant impact on the environment unless items of special significance such as wildlife refuges, public parks, and recreational areas or historic sites of Federal, State, or local significance are involved. These procedures are designed to give reasonable effect to Section 102(2)(C) of the National Environmental Policy Act of 1969 (Public Law 91–190). Once these procedures are complied with, the National Environmental Policy Act of 1969 shall have no further force and effect with regard to other airport development projects authorized by this part.

(2) Unless the public agency sponsoring the project certifies to the Secretary that there has been afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the project and its consistency with the goals and objectives of such urban planning as has been carried out by the community, the Secretary may not authorize a project or approve a capital improvement program involving the location of an airport, a major runway location, or a major runway extension in a standard metropolitan statistical area.

"(3) Except as provided in subsection (a) of this section, all airport development projects shall be subject to the approval of the Secretary, which approval may be given only if he is satisfied that—

"(A) The work proposed is eligible airport development and costs therefor will be allowable;

"(B) All development will be accomplished in accordance with configuration, construction and planning standards established by the Secretary, except for general aviation airports the Secretary is authorized to approve and apply standards established by a State;

"(C) The public agency or public agencies which submitted the project application have legal authority to engage in the airport development as proposed;

"(D) Sufficient funds are available for that portion of the project costs which are not to be paid by the United States under this part;

"(E) The project will be completed without undue delay;

"(F) Airport sponsors have consulted with airport users prior to filing application for assistance hereunder;

"(G) All work proposed is consistent with the role of the airport in the current revision of the National Airport System plan;

"(H) The project is reasonably consistent with plans (existing at the time of approval of the project) of planning agencies for the development of the area in which the airport is located and will contribute to the accomplishment of the purposes of this part;

"(I) Sponsor holds or certifies he will acquire (i) good title to the landing area of the airport or (ii) such lesser interests deemed acceptable to the Secretary to other lands needed for the project.

"(J) Airport sponsors will keep the airport available for public use as a facility for the landing and takeoff of aircraft on fair and reasonable terms without unjust discrimination;

"(K) Airport sponsors will keep all airport facilities used in the landing and takeoff of aircraft available for use by aircraft of the United States Government without charge except when such use becomes substantial, in which case the United States Government may be charged for such use based upon its reasonable share of the cost of operating and maintaining the facilities used by it;

"(L) Airport sponsors will furnish to the United States Government without cost such permits and property rights in lands on the airport as may be necessary to permit the construction of buildings or facilities used by the United States Government in weather reporting or air traffic control required for the operation of aircraft using such airport;

"(M) Airport sponsors will not use directly or indirectly the cost of airport development financed with funds made available under the Act in establishing rates and charges for airport users;

"(N) Airport sponsors will take reasonable steps, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft, and to protect the aerial approaches to the airport against obstructions determined as such under standards established by the Secretary;

"(O) Other requirements, including those elsewhere in this part, promulgated under this part, or set out hereinafter are met.

"(P) The airport will be suitably maintained.

"(d) Supporting Materials for Secretary's Findings—As bases for determining sponsors' compliance with any Federal requirement imposed on projects under this part, the Secretary is authorized to accept and, absent knowledge otherwise, rely on conclusory certifications provided by project sponsors.

"(e) Public Agencies Whose Powers are Limited by State Law—Nothing in this part shall authorize the submission of a project application by any municipality or other public agency which is subject to the law of any State if the submission of the project application by the municipality or other public agency is prohibited by the law of the State."

UNITED STATES SHARE OF PROJECT COSTS

SEC. 9. Section 17 is amended to read as follows:

"SEC. 17. United States Share of Costs.

"(a) The United States share of costs for any airport development project may not exceed 75 per centum of the costs of the project. In the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands (individual and tribal) exceeding 5 per centum of the total area of all lands therein, the United States share under this section shall be increased by whichever is the smaller of the following percentages thereof: (1) 25 per centum, or (2) a percentage equal to one-half of the percentage that the area of all such lands in that State is of its total area."

"(b) Terminal Development—Limitation on Participation.

"(1) Notwithstanding the provisions of subsection (a) of this section, upon certification by the sponsor of any air carrier airport that such airport has, on the date of submittal of the project application, all the safety and security equipment required for certification of such airport under section 612 of the Federal Aviation Act of 1958 and upon meeting project requirements of section 16 of this Act, the Secretary may approve a project including in the non-revenue producing public use areas of terminal buildings, provided, however, that the maximum United States share of allowable project costs shall not exceed 50 per centum, that only sums apportioned under section 15(a) (1) (B) may be obligated therefor, and that the United States' obligation therefor in any one fiscal year shall not exceed 30 per centum of such apportionment for that year.

"(2) If the sponsor of an air carrier airport at which terminal development was carried out on or after July 1, 1970, and before the date of enactment of this paragraph, submits the certification required under paragraph (1) of this subsection, sums apportioned under section 15(a) (1) (B) to the sponsor of such airport shall be available, subject to the same limitations contained at their maturity or other evidences of indebtedness the proceeds of which were used for construction of non-revenue producing public use areas of terminal buildings on the airport.

SEC. 10. Section 18, relating to project sponsorship, is repealed.

SEC. 11. Section 20 is amended as follows:

(a) From subsection, strike the words "Except as provided in section 21 of this part," and capitalize the "T" on the following word, "the".

(b) Repeal subsection (b).

SEC. 12. Repeal Section 21 and enact the following:

"SEC. 21. Simplification of Program Requirements; Special Report.

In the administration of the programs authorized by this part, the Secretary should take all steps to eliminate unnecessary and superfluous technical and procedural program requirements, all with the goal of delivery to the public of an adequate, safe national system of airways and public airports in the most efficient manner feasible, commensurate with protection of the interests of the United States government. Within two years of the enactment of this section, the Secretary shall report to the Congress (1) steps undertaken in compliance herewith and (2) plans for further simplification of its grant-in-aid delivery system."

SEC. 13. Sections 19 through 27 are renumbered as sections 18 through 26, respectively; renumber all section references accordingly.

SEC. 14. The following new section is added.

"PROHIBITION OF FLIGHT SERVICE STATION CLOSURES

"SEC. 27. The Secretary of Transportation shall not close or operate by remote control any existing flight service station operated by the Federal Aviation Administration, except (A) for part-time operation by remote control during low-activity periods, and (B) in not more than one air route traffic control center area, at the discretion of the Secretary, not more than five flight service stations may be closed or operated by remote control from such air route traffic control center for the purpose of demonstrating the quality and effectiveness of service at a consolidated flight service station facility. Nothing in this section shall preclude the physical separation of a combined flight service station at another site within the same flight service area if such flight service station continues to provide the same service to airmen without interruption."

SENIOR CITIZENS CENTERS

(Mr. BIAGGI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BIAGGI. Mr. Speaker, 27 days from now, thousands of older Americans will be forced to abandon their senior centers, only to be imprisoned once again, in their homes or apartments. Millions more will be subjected to demeaning questions relating to their incomes and sources of support. States and localities will be overburdened with paperwork and costs of administration.

Who is responsible for all of this? Sad to say, the U.S. Congress. Title XX of the Social Security Act passed last December, is designed to coordinate all social services programs—a laudable goal. However, it limits all social services—including programs for the elderly—to those with incomes of less than $6,000. This, despite the fact that the Older Americans Act specifically prohibits means tests for its programs.

All programs for older Americans have been built around senior centers where our senior citizens gather for companionship, meals, recreational, and social activity. They have put new meaning and new life into many of our oldster's declining years. These centers have brought together people of all social and economic backgrounds. Now, through title XX they will be limited to only the very poor.

Sadly, most older Americans do qualify and do live in poverty. Why then, should we exclude those who have a little more, from these worthwhile programs? Why should we force States to impose this demeaning and insulting means test on people to prove they qualify? The expense of administration will far exceed any savings that might be derived from kicking out several thousand people.

Let us put an end to this ridiculous law, now. My bill, H.R. 8456, calls for the elimination of the means test. Let us offer our older Americans a life of dignity and freedom, rather than one of isolation and loneliness.

STATEMENTS IN OPPOSITION TO MOVE TO OUST ISRAEL FROM THE U.N.

(Ms. ABZUG asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Ms. ABZUG. Mr. Speaker, the impending Sinai agreement and the defeat of recent attempts to oust Israel from the United Nations strengthens our hope for a peace settlement in the Middle East.

On three recent occasions a bloc of nations attempted to expel or suspend Israel from the world body, beginning with the meeting of the foreign ministers of the Islamic countries on July 18.

These efforts, which threatened an already tense situation in the Mideast, were continued at the meeting of the Organization of African Unity on July 29 and were pursued at last week's meeting of the nonalined nations in Lima, Peru.

While a number of countries in the nonalined bloc backed away from these most recent attempts to isolate and intimidate Israel, many organizations and individuals were concerned about this campaign to undermine Israel's participation in the world community and were moved to speak out on this important issue.

I am extremely pleased and grateful that a number of my colleagues as well as prominent individuals, and peace disarmament and women's groups have issued statements strongly upholding Israel's right to remain in the United Nations.

It is especially meaningful that at this crucial moment in the history of world diplomacy, those who believe deeply in peace and international justice have joined me and others in opposing any efforts to deny Israel the right to membership in the community of nations.

The statements of the individuals and groups I mentioned above follow:

STATEMENT ON ISRAEL AND THE UNITED NATIONS

It has become apparent that in violation of the principles on which the UN was founded, the Arab nations may lead an attempt to suspend Israel from the UN General Assembly this fall.

We the undersigned are shocked by this effort to ostracize this small, Democratic nation from this international body. The suspension of Israel would not only be morally untenable, but would also contribute to the likelihood of conflict in the region, just as negotiations are at their most critical stage.

As we noted in October 1973, we are struck by the similarities between the position of the people of Israel and that of the oppressed black peoples of South Africa. Just as the Southern African liberation movements seek the right of self-determination and nationhood for the oppressed black majority, the state of Israel fights for the same rights for the Jewish people. If we support the fight of our black brothers in South Africa to overcome the territorial oppression upon them by a colonial regime and establish their rightful national identities, we support the struggle of Israel to keep alive its own national identity. As we oppose the business interests whose political influence make U.S. policy toward Africa dependent upon economic rather than moral considerations, we oppose the same interests who seek to weaken our support for Israel because of Arab oil.

We recall the friendship of the U.S. for Israel ever since its birth as a nation, and its entry into the United Nations. We reiterate the words of the late Reverend Dr. Martin Luther King, Jr. uttered just ten days before his death:

"I think it is necessary to say that what is basic and what is needed in the Middle East is peace. . . . Peace for Israel means security, and we must stand with all our might to protect its right to exist, its territorial integrity and the right to use whatever sea lanes it needs. Israel is one of the great outposts of democracy in the world, and a marvelous example of what can be done, how desert land can be transformed into an oasis of brotherhood and democracy. Peace for Israel means security and that security must be a reality."

We ask the Administration and the Congress to call upon the nations of the world to desist from attempts to suspend Israel. If such attempts succeed we believe the U.S. and many other nations will be forced to reassess the basis of their membership in the United Nations. This would bring to an end the bright promise of an organization which once offered so much hope for mankind.

FELLOWSHIP OF RECONCILIATION STATEMENT ON THE PROPOSED EXPULSION OF ISRAEL FROM THE U.N.

The Fellowship of Reconciliation is unalterably opposed to the expulsion of the state of Israel from the U.N.

Consistent with their 60-year history of opposition to war and its dedication to the peaceful resolution of conflicts on the basis of justice, the FOR views as essential to any settlement in the Middle East:

(1) The recognition of the just claims of all parties i.e., by Israel of the Palestinian claim to a homeland and by the Arab states the integrity of the nation's state of Israel.

(2) Implementation of U.N. Resolution 242 and 338 in calling for withdrawal of Israel occupation forces from territories seized in 1967, and negotiations with the Palestine Liberalization Organization to that end.

The purposes of peace and justice in the Middle East cannot be served by threats of expulsion from the U.N. The U.N. cannot mediate disputes between states it expels. Israel at this point must take the initiative in negotiations, Israel will not be able to make the necessary moves unless its citizens feel secure from threats to the very existence of Israel. Peace will be a difficult accomplishment in the Middle East at best, but it is an absolute imperative not only to the parties directly involved but to all peoples of the world. The escalation of quantity and quality of armaments in the Middle East constitutes a major threat to world peace. Therefore, the first priority of all diplomatic efforts must be the reduction of tensions so that the processes of reconciliation might be possible.

Toward that end the FOR calls upon those 39 member states of the U.N. to withdraw their petition for the expulsion of Israel. This statement was released today 30 July by Barton Hunter, Executive Secretary of the FOR, Nyack, New York on behalf of its 24,000 members.

UNITED NATIONS MEMBERSHIP AND UNITED STATES PARTICIPATION

(Statement approved by the Policy Committee of the Friends Committee on National Legislation, July 30, 1975)

From the beginning of the United Nations, the Friends Committee on National Legislation has endorsed the principle that all nations should be represented in it. Only then can the United Nations be a true forum for hammering out the tough political and economic decisions that must be made to build a just and peaceful world. Thus, beginning in 1953, we supported the then unpopular proposal to seat the People's Republic of China.

Universality is even more important today than when the United Nations was founded. Human survival itself depends on recognition of the interdependence of the world's people and on international cooperation on all of the most important issues: food, energy, environment, population, ocean resources, poverty, and war prevention.

United Nations membership and the right to speak and vote in the General Assembly and other United Nations bodies are rights which must be maintained for all, because in the final analysis they benefit all. The United Nations is not and should not be a private club, which can expel or silence members. Imperfect though it is, the United Nations is the best institution yet devised to represent the human family.

We support admission of all nations seeking United Nations membership.

We oppose the present trend to suspend or expel members from the United Nations and the Specialized Agencies, as evidenced by actions directed against Israel and South Africa. We see nothing to be gained and much to be lost by such moves. We feel the utmost concern regarding the powerful move now under way against Israel.

In the coming United Nations session, we hope that every member will act in the best interests of an open world community. We regret that our own nation, when it led a majority in the United Nations, acted in too many cases on narrow national or ideological grounds rather than in the best interests of the world community, although in this it differed little from most other nations. In today's world we are in a difficult transition period. Increasing limitations on national sovereignty are essential in order to build institutions which reflect the growing interdependence in the world and to assure human survival. The world also needs a spirit of magnanimity and empathy which is still too rare in international affairs.

For Israel to be denied effective participation in the United Nations would be contrary to this spirit and the necessity for international cooperation. Yet, if it occurred, we would still oppose any effort to have the United States withdraw its presence or financial support from the United Nations. To withdraw would compound the disaster and could well begin the rapid disintegration of the United Nations. The United States has solemn treaty obligations regarding the United Nations which are of supreme importance in building a peaceful world. Our country must seek more creative ways to deal with this problem than negative financial action or withdrawal.

As only one nation among more than 135, with only six percent of the world's population, we in the United States must adjust to the world's realities. United States proposals should be of such quality that they are accepted because they are fair, reasonable, and sound. Any attempt on the part of the United States to exercise political or economic coercion has become morally reprehensible to the conscience of mankind and will almost surely militate against United States long-term interests. Withdrawal from the United Nations in anger or self-righteousness is a theatrical gesture which neither the world community nor our own best interests can afford.

The United Nations urgently needs the participation of Israel, the United States, and all other member states in reshaping it into a more effective instrument for building world peace and justice.

KEEP ISRAEL IN U.N., SANE URGES ARAB, COMMUNIST, THIRD WORLD NATIONS

Responding to the threat by some Arab governments to seek Israel's expulsion from the United Nations, SANE has urged Arab, Communist and Third World countries to reject such a move and pursue instead "political solutions based on common interest in the Middle East, as elsewhere." SANE is a citizens' lobby working for East-West disarmament.

In a letter to the UN Ambassadors of these countries, SANE Co-Chairman Seymour Melman and Congressman Andrew Young asserted that the expulsion of Israel would encourage the pursuit of military options; aggravate the arms race in the Middle East; lead to withdrawal of U.S. financial support from the UN, and "lead to the further erosion of the United Nations at a time when the world needs stronger international institutions."

In March, 1974, SANE and the World Federalists USA adopted a joint policy on the Middle East which stressed: recognition of Israel's existence by her neighbors; withdrawal of Israel's forces from occupied territories; self-determination for the Palestinians; an important role for the UN; regional cooperation between the Arab states and Israel, and restrictions of the arms trade to the Middle East.

The full text of the SANE letter to the UN Ambassadors of the Arab, Communist and Third World countries follows:

"We are writing as a citizens' oragnization which has worked since 1957 against the militarization of our government's foreign policy, to urge at this time of delicate diplomacy that your government help promote a peaceful political settlement of the conflict in the Middle East.

"There are many approaches to a peaceful settlement—and we enclose a statement on the problem issued jointly by SANE and World Federalists USA in 1974—but one action that would *not* lead in that direction is the expulsion of a principal party to the dispute from the United Nations or its subdivisions.

"We therefore hope that your government will oppose any move to expel Israel from the UN.

"A useful vantage point from which to view the current situation is to recall that the State of Israel was the creation of the UN, as was a Palestinian Arab state whose existence was terminated by the war of 1948. Military hostilities compounded the difficulties in 1948, and political hostilities directed selectively against one small state would further compound the difficulties in 1975.

"The expulsion of Israel from the UN would grievously damage both the prospects for peace in the Middle East and the broader fabric of relations between the industrialized nations and the less developed countries. Just as there can be no military solutions to the conflict in that turbulent region, there can be no solutions to the global problems that affect all peoples without new forms of international cooperation.

"The expulsion of Israel from the UN

would chill the hopes of those who believe in the process of negotiation, strengthen the hand of those who believe in military confrontation, and increase tensions on both sides. As the antithesis of a political approach, it would encourage the pursuit of military options.

"The expulsion of Israel from the UN would undoubtedly aggravate the dangerous arms race already under way in the Middle East. As we have seen elsewhere, modern arms races lead to a staggering burden for all participants even if the arms are never used. In the case of the Middle East, the increasingly sophisticated weapons flowing to both sides are likely to be used unless there is a settlement.

"The expulsion of Israel from the UN would generate reactions within the United States which could have far-reaching repercussions on the prospects for international cooperation. The drastic step of withdrawing financial support for the UN would become a serious possibility, and the U.S. government would receive widespread support from the American people. The American reaction might not stop even there. It could affect the whole range of relations with less developed countries.

"The expulsion of Israel from the UN would start a sequence of events which could lead to the further erosion of the United Nations at a time when the world needs stronger international institutions. Once a majority of member states decides to expel those with political differences, the UN will soon cease its existence as a world organization of even limited functions.

"Logic compels pursuit of political solutions based on common interest in the Middle East, as elsewhere. We trust that your government agrees, and will apply that logic to the search for a peaceful settlement."

STATEMENT BY WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM

The Women's International League for Peace and Freedom today issued a statement voicing concern and regret over the call by thirty-nine Islamic nations and the Palestine Liberation Organization to oust Israel from the United Nations as part of an effort to force Israel's withdrawal from occupied Arab territories. The move to bar Israel's participation in the United Nations was announced at a meeting last week of Islamic nations in Saudi Arabia.

The Women's International League for Peace and Freedom, in its statement to the countries concerned, reiterated its support for the principle of universal membership in the United Nations and in all its agencies.

"The United Nations," the statement reads, "can fulfill its purpose only if it represents all the people of the world. The role of the United Nations in the peaceful resolution of conflicts must be strengthened. This cannot be done unless all governments that do, in fact, represent the people they govern are seated and able to participate in political discussion.

"The Women's International League for Peace and Freedom, an organization now celebrating its sixtieth anniversary, has often voiced its concern with those regional arrangements outside the United Nations which undermine the authority of that body and with super power diplomacy which bypasses the United Nations entirely. We believe that the cause of peace, freedom and justice in our troubled world can be served only by a world body in which all people are represented. The tensions in the Middle East and the danger of war in that area are very serious matters which must be dealt with at all levels with the full participation of those directly concerned. To expel the state of Israel from the United Nations would be a serious setback to the cause of world peace."

JULY 24, 1975.

DEAR MR. AMBASSADOR: On the basis of our strong support for the principle of universality in membership in the United Nations, and for Israel's right to remain within that body. We deplore your country's threat to remove Israel from the General Assembly and/or the United Nations.

We strongly oppose the misuse of power by any bloc of nations for the purpose of punishing any nation with which it has a quarrel.

The United Nations is the only international body in which differences between nations can be arbitrated. We therefore feel that your threatened action will further weaken that organization at a time when greater unity is needed if the hope of world peace is to be realized.

Yours in Deep Concern,
ETHEL TAYLOR,
National Coordinator.

STATEMENT BY PATRICIA BURNETT, MEMBER NOW INTERNATIONAL RELATIONS COMMITTEE

It is incredible to me that the United Nations would even consider turning against one of its smaller, democratic states. The whole character of the United Nations has changed in the past few years. Of more than 100 newly emerging nations, more than ⅔ are aligned with the Soviet Union or with China. Less than 33 are aligned with the West. Now by force of numbers there will be an attempt to separate from the community of nations a country that is democratic and aligned with Western ideals and principles. This political maneuvering cannot be tolerated.

At the International Women's Year Conference in Mexico City I was shocked at the insistence of the Tribune to delete the State of Israel from the World Plan of Action and the condemnation of Zionism. Zionism is the national liberation movement of the Jewish people. Zionism is as sacred to the Jewish people as the national liberation movements are sacred to other peoples of the world. In the universal struggle for human rights, Zionism is the backbone of the Jewish people striving to preserve its life, to defend its right of independence and sovereignty, and its prerogative to create and develop in freedom.

NOW stands for equality between the sexes and between nations; a communion of feminism with humanism. If sheer numbers and political expediency take precedence over what is right and proper conduct between peoples then we have not learned a thing from the holocaust and may be forced to repeat the errors which can only lead to another world catastrophe.

STATEMENT BY KAREN DE CROW, PRESIDENT OF THE NATIONAL ORGANIZATION FOR WOMEN, ON THE MOTION TO EXPEL ISRAEL FROM THE UNITED NATIONS

The National Organization for Women (NOW) is shocked and horrified that the United Nations is even contemplating the expulsion of Israel from the UN this year. It is particularly ironic that the consideration of such a move coincide with President Ford's visit to Auschwitz.

We are well aware of the age-old relationship between the oppression of women and oppression of Jews. Jews and women together were persecuted during the Middle Ages. Jews and women both face job discrimination: women because they are the last hired and the first fired; Jews because the Arabs are demanding that Jewish employees be fired from multinational corporations. Jews and women have both continually encountered academic discrimination; both groups have been excluded systematically from institutions of higher education. Jews and women both traditionally face discrimination in private clubs; both groups are told the "quality" of the club will diminish if they are permitted to join.

At the International Women's Year Conference in Mexico City I was appalled at the blatant display of anti-semitism I witnessed. Many of the speeches condemned Israel and praised the P.L.O.; most of the delegates walked out on Mrs. Rabin's speech. The Conference adopted a declaration calling for the abolition of Zionism by a vote of 89–2.

It is impossible to single out one class for persecution without endangering all others. We can't deal with discrimination at one level while advancing it on another.

For these reasons, in addition to the all too obvious reason that Israel must survive, NOW demands an end to the attempt to expel Israel from the U.N.

STATEMENT FROM AUDREY COLOM, NATIONAL CHAIRWOMAN, NATIONAL WOMEN'S POLITICAL CAUCUS

I deplore the recent action of the organization of African unity and the thirty-nine Islamic nations which have called for ousting Israel from the United Nations. As the Chairwoman of a national organization that advocates the full participation of women in all facets of political life, I am committed as well to the principle of the full political participation of all nations in the world community. I believe the United Nations offers the best existing forum for resolving international conflict; to remove Israel from the United Nations would have far reaching and extremely negative implications for international peace. I strongly favor the retention of all member nations within the United Nations structure and within all its member agencies.

VERNON E. JORDAN, JR., EXECUTIVE DIRECTOR OF THE NATIONAL URBAN LEAGUE

Ever since its formation in 1948 the United Nations has enjoyed the undivided support of the Urban League movement. We utterly endorse the principles of cooperation, negotiation and reconciliation between nations upon which this eminent world body conducts its operations. But we just as emphatically reject attempts on the part of any group of nations to expel a fellow member of the United Nations on what we consider flimsy and parochial political bases. If the overriding criterion and the process of admission of a state to the United Nations rests on the question of that state's ability to represent its people and not on its political philosophy and/or its foreign policy posture there is no reason why the criterion for expulsion should be different. The Urban League considers the state of Israel the sole, legitimate representative of its people. Therefore, we cannot support any consideration of their expulsion from the U.N.

TO CONGRESSWOMAN BELLA ABZUG FROM MARCUS RASKIN

International politics in the Middle East must be based on answering two practical questions. What series of actions will keep the peace? What series of actions by states, peoples and international organizations will promote justice in the Middle East? The question of peace and justice in the Middle East cannot be separated. Those who seek peace must give justice. Those who seek justice must give peace. It is the task of the UN to find ways of obtaining these linked ends. It cannot do so if the major actors in the drama are not members of the UN.

1. There is no way that the expulsion of Israel will keep the peace. This situation will cause the Israelis to be isolated from the rest of the world. Contrary to other nations where there is a split between the people and the government, there is widespread agreement between the citizenry and its government. Israel will be placed in a position of relying more heavily on great powers and its own devices operating outside of the UN exactly at a time when nations should

be turning to the UN and its conciliation mechanisms outlined in Articles 33–38. It is crucial for the member states to make these conciliation mechanisms operative. It is crucial for Israel to understand that the fate of the world is tied to finding a peaceful and just solution in the community of nations. This understanding will be greatly undermined by expulsion. It will strengthen those in various governments and nations who are in the habit of responding with a sword in any crisis, while stifling the spirit of generosity and wisdom which does exist in the world. If Israel were expelled the very organization which had as its purpose keeping the peace will have had the reverse effect.

2. The question of whether or not justice would be promoted by explusion of Israel. Again the answer is No. Justice will be found in the Middle East by recognizing Israel's legitimate right to exist and to be secure. However, its right of security and the question of justice is linked to the fate of the Palestinian people and to UN Resolution 256. This means that a proposed Palestinian state which renounces perpetual conflict and terrorism should be discussed and developed through negotiations, which the UN might initiate under Article 33–38.

There are those who now criticize Israel for its agressive and bellicose attitude in foreign affairs. In the past, however, bellicose attitudes have not been the reason for expulsion. If that were the criterion, the United States should have been expelled from the UN because of the 12 year intervention in Indo-China, and the Soviets should have been expelled from the UN because of their interventions in Czechoslovakia and Hungary, the Indians should have been expelled for their invasion of Gao, etc. The United Nations is not a club. It has evolved into a universal organization which must now take direct responsibility for encouraging and developing settlement in the Middle East—within its organizational structure. The future of Israel and the UN are inextricably intertwined, just as the fate of the UN is inextricably intertwined with finding a solution in justice for the Arab and the Palestinian people. Neither the Arabs, the Palestinians and the UN can escape each other.

Statement by Ms. Gloria Steinem

As one of many Americans who has worked for the inclusion in the United Nations of the People's Republic of China and all representative governments, I deplore the recent discussions by 39 Islamic nations, by the Organization of African Unity, and at the meeting of the non-aligned countries in Peru, to the effect that they expel the legitimate government of Israel from the United Nations.

I believe this is an issue on which Americans of many different class, race and political backgrounds are united and will continue to stand firm.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Biester (at the request of Mr. Rhodes), for September 3 through 12, on account of official business as congressional adviser to the U.S. delegation to special session of the United Nations.

Mr. Edwards of California (at the request of Mr. O'Neill), for today, on account of illness in family.

Mr. Frey (at the request of Mr. O'Neill), until further notice on account of illness.

Mr. Fraser (at the request of Mr. O'Neill), until December 20, on account of service as congressional delegate to the United Nations General Assembly.

Mr. Hungate (at the request of Mr. O'Neill), until September 15, on account of official business.

Mr. McClory (at the request of Mr. Rhodes), for today through September 12, 1975, on account of official business, attending IPU meeting.

Mr. McKay (at the request of Mr. O'Neill), through Friday, September 5, on account of official business (Military Construction Subcommittee of Appropriations Committee).

Mr. Walsh (at the request of Mr. Rhodes), for today and tomorrow, on account of attending the funeral of a personal friend.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. O'Brien) to revise and extend his remarks and include extraneous matter:)

Mr. Cleveland, for 60 minutes, today.

(The following Members (at the request of Mr. Wirth) to revise and extend their remarks and include extraneous matter:)

Mr. Gonzalez, for 5 minutes, today.

Mr. Rodino, for 5 minutes, today.

Mr. Annunzio, for 5 minutes, today.

Mr. Vanik, for 5 minutes, today.

Mr. Metcalfe, for 10 minutes, today.

Mr. Brown of California, for 5 minutes, today.

Mr. Wolff, for 5 minutes, today.

Mr. Dodd, for 10 minutes, today.

Mr. Dominick V. Daniels, for 10 minutes, today.

Mr. Diggs, for 5 minutes, today.

Mr. Sikes, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Milford.

Ms. Abzug, and to include extraneous material, notwithstanding the fact that it exceeds two pages of the Record and is estimated by the Public Printer to cost $786.50.

(The following Members (at the request of Mr. O'Brien and to include extraneous material:)

Mr. Archer.

Mr. Broomfield.

Mr. Steiger of Wisconsin in two instances.

Mr. Rhodes in two instances.

Mr. Derwinski.

Mr. Carter in two instances.

Mr. Buchanan in two instances.

Mr. Robert W. Daniel, Jr.

Mr. Findley in five instances.

Mr. Michel.

Mr. Bell.

Mr. Collins of Texas in five instances.

Mr. Quie.

Mr. Gude.

Mr. Miller of Ohio in four instances.

Mr. Kemp in two instances.

Mr. Gradison.

Mr. Crane.

Mr. Del Clawson.

Mr. Abnor.

(The following Members (at the request of Mr. Wirth) and to include extraneous matter:)

Mr. Sisk.

Mrs. Lloyd of Tennessee in five instances.

Mr. Annunzio in six instances.

Mr. Anderson of California in three instances.

Mr. Gonzalez in three instanecs.

Mr. Vanik in three instances.

Mr. Harris in 10 instances.

Mr. Nowak in 10 instances.

Mr. Rosenthal in 10 instances.

Mr. Rangel in 10 instances.

Mr. Roybal in 10 instances.

Mr. Howard.

Mr. Moakley in 10 instances.

Mr. Byron in 10 instances.

Mr. Seiberling.

Mr. Clay in 10 instances.

Mr. Udall in 10 instances.

Mr. Stokes in five instances.

Mr. Brown of California in 10 instances.

Mr. Miller of California.

Mr. Long of Maryland in 10 instances.

Mr. Obey in 12 instances.

Mr. Corman.

Mr. Kastenmeier.

Mr. Mathis.

Mr. Downey of New York.

Mr. Howe.

Mr. Simon in three instances.

Mr. Downing of Virginia.

Mr. Dingell in three instances.

Mr. Drinan.

Mr. Moffett.

Ms. Abzug in two instances.

Mr. Reuss.

Mr. Florio.

Mr. Wolff in 10 instances.

Mr. Teague in 10 instances.

Mr. Brodhead.

Mr. McDonald of Georgia in three instances.

Mr. Fraser in five instances.

Mr. Ottinger.

Mr. Smith of Iowa.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 10. An act to amend section 5(a) of the Wild and Scenic Rivers Act; to the Committee on Interior and Insular Affairs.

S. 74. An act to study certain lands in the Angeles and San Bernardino National Forests, Calif., for possible inclusion in the National Wilderness Preservation System; to the Committee on Interior and Insular Affairs

S. 151. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Polecat Bench area of the Shoshone extensions unit, Pick-Sloan Missouri Basin program, Wyoming, and for other purposes"; to the Committee on Interior and Insular Affairs.

S. 391. An act to amend the Mineral Leasing Act of 1920, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 865. An act to promote more efficient use of the Nation's construction resources, to foster the preservation of buildings of historic, architectural, or cultural significance, and to enhance the social and economic environment within and surrounding Federal office buildings; to the Committee on Public Works and Transportation.

S. 1004. An act to amend the Wild and Scenic Rivers Act of 1968 by designating a portion of the Allegheny River, Pa., for potentional addition to the National Wild and Scenic Rivers System; to the Committee on Interior and Insular Affairs.

S. 1391. An act to study certain lands in the Mendocino National Forest, Calif., for possible inclusion in the National Wilderness Preservation System; to the Committee on Interior and Insular Affairs.

S. 1469. An act to authorize the Secretary of the Interior to enroll certain Alaska Natives for benefits under the Alaska Native Claims Settlement Act, to resolve certain issues arising from the implementation of such act, and for other purposes; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILLS SIGNED

The **SPEAKER** announced his signature to enrolled bills of the Senate of the following titles.

S. 409. An act to increase the authorization for the Council on Wage and Price Stability, and to extend the duration of such Council; and

S. 1531. An act to designate the Mountain Park Reservoir, Okla., as the Tom Steed Reservoir.

ENROLLED BILLS SIGNED

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 83. An act to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe;

H.R. 1553. An act for the relief of Victor Henrique Carlos Gibson;

H.R. 4241. An act to designate the John C. Kluczynski Federal Building;

H.R. 5405. An act to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than sixteen passengers when emergency situations arise;

H.R. 7710. An act to amend the Tariff Schedules of the United States to provide duty-free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, to amend child support provisions of title IV of the Social Security Act, and for other purposes;

H.R. 7716. An act to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978, and for other purposes; and

H.R. 9091. An act to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS of Ohio, from the Committee on House Administration, reported that that committee did on August 2, 1975, present to the President, for his approval, bills of the House of the following title:

H.R. 83. An act to exclude gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe;

H.R. 1553. An act for the relief of Victor Henrique Carlos Gibson;

H.R. 4241. An act to designate the John C. Kluczynski Federal Building;

H.R. 4723. An act authorizing appropriations to the National Science Foundation for fiscal year 1976;

H.R. 5405. An act to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise;

H.R. 7710. An act to amend the Tariff Schedules of the United States to provide duty-free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, to amend child support provisions of title IV of the Social Security Act, and for other purposes;

H.R. 7716. An act to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978, and for other purposes; and

H.R. 9091. An act to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands.

ADJOURNMENT

Mr. WIRTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 41 minutes p.m.), the House adjourned until tomorrow, Thursday, September 4, 1975, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1531. A letter from the President of the United States, transmitting proposed supplemental appropriations for the Department of the Treasury for fiscal year 1976 and the transition quarter (H. Doc. No. 94–235); to the Committee on Appropriations and ordered to be printed.

1532. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting eight plans for works of improvement in various watersheds, none of which involves a project with a structure which provides more than 4,000 acre-feet of total storage capacity, pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005); to the Committee on Agriculture.

1533. A letter from the Secretary of Agriculture, transmitting the annual report for fiscal year 1975 on the location of new Federal offices and other facilities in rural areas, pursuant to section 901(b) of the Agricultural Act of 1970, as amended; to the Committee on Agriculture.

1534. A letter from the Assistant Secretary of Agriculture, transmitting draft materials used in preparing the prevously submitted report on the food stamp program; to the Committee on Agriculture.

1535. A letter from the Secretary of Agriculture and the Secretary of Housing and Urban Development, transmitting a joint report on financial and technical assistance provided for nonmetropolitan planning districts during fiscal year 1975, pursuant to section 901(c) of Public Law 91–524; to the Committee on Agriculture.

1536. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting a cumulative report on rescissions and deferrals of budget authority for fiscal year 1976 as of August 1, 1975, pursuant to section 1014 (e) of Public Law 93–344 (H. Doc. No. 94–236); to the Committee on Appropriations and ordered to be printed.

1537. A letter from the Acting Assistant Secretary of Defense (Comptroller), transmitting a report on the value of property, supplies, and commodities provided by the Berlin Magistrate, and under the German Offset Agreement for the quarter ended June 30, 1975, pursuant to section 819 of Public Law 93–437; to the Committee on Appropriations.

1538. A letter from the Acting Secretary of the Interior, transmitting certification that an adequate soil survey and land classification has been made of the lands in the La Branza Water District, Central Valley Project, Calif., and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to Public Law 83–172; to the Committee on Appropriations.

1539. A letter from the Acting Secretary of the Interior, transmitting certification that an adequate soil survey and land classification has been made of the lands in the Hollister and Santa Clara subareas, San Felipe Division, Central Valley Project, Calif., and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to Public Law 83–172; to the Committee on Appropriations.

1540. A letter from the Acting Secretary of the Interior, transmitting certification that an adequate soil survey and land classification has been made of the lands in the Savery-Pot Hook project, Colorado-Wyoming, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation, pursuant to Public Law 83–172; to the Committee on Appropriations.

1541. A letter from the Deputy Secretary of Defense, transmitting the semiannual report on funds obligated in the chemical warfare and biological defense research programs, covering the second half of fiscal year 1975, pursuant to section 409 of Public Law 91–121; to the Committee on Armed Services.

1542. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend section 501 of title 37, United States Code, to limit the total cumulative entitlement to payment for unused accrued leave to 60 days, and for other purposes; to the Committee on Armed Services.

1543. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of a construction project proposed to be undertaken for the Air Force Reserve, pursuant to 10 U.S.C. 2233a (1); to the Committee on Armed Services.

1544. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to authorize the sale and shipment incident to such sale of the chemical substance carbonyl chloride by the Department of Defense; to the Committee on Armed Services.

1545. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to approve the sale of certain naval vessels, and for other purposes; to the Committee on Armed Services.

1546. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to approve the sale of certain naval vessels, and for other purposes; to the Committee on Armed Services.

1547. A letter from the Acting Commander, Naval Facilities Engineering Command, Department of the Navy, transmitting the annual report for fiscal year 1975 on Navy military construction contracts awarded on other than a competitive basis to the lowest responsible bidder, pursuant to section 604 of Public Law 93–552; to the Committee on Armed Services.

1548. A letter from the Secretary of the Air Force, transmitting the semiannual report on Air Force experimental, developmental, and research contracts of $50,000 or more, for the period ending June 30, 1975, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1549. A letter from the Secretary of the Treasury, transmitting a special report of the National Advisory Council on International

Monetary and Financial Policies on expansion of membership of the Inter-American Development Bank and lending to the Caribbean Development Bank (H. Doc. No. 94–237); to the Committee on Banking, Currency and Housing and ordered to be printed with illustrations.

1550. A letter from the Secretary of Housing and Urban Development, transmitting a report on mobile home safety and construction standards, inspection requirements, and problems of disposal, pursuant to section 626 (c) of Public Law 93–383; to the Committee on Banking, Currency and Housing.

1551. A letter from the Secretary of Housing and Urban Development, transmitting report on condominium and cooperative housing, pursuant to section 821 of the Housing and Community Development Act of 1974 (Public Law 93–383); to the Committee on Banking, Currency and Housing.

1552. A letter from the Secretary of Housing and Urban Development, transmitting a the first report on implementation of the Emergency Homeowners' Relief Act of 1975, pursuant to section 111 of the act (Public Law 94–50); to the Committee on Banking, Currency and Housing.

1553. A letter from the Acting Assistant Administrator of General Services, transmitting the final report on borrowing authority under the Defense Production Act, covering the first quarter of fiscal year 1975, pursuant to former section 304(b) of the act [50 U.S.C. app. 2094(b)]; to the Committee on Banking, Currency and Housing.

1554. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report covering the quarter ended June 30, 1975, on the export expansion facility program, pursuant to Public Law 90–390; to the Committee on Banking, Currency and Housing.

1555. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council Act No. 1–37, "To amend the District of Columbia Code to facilitate stepparent adoptions by exempting them from the requirement that the adoption petition contain specified statements concerning race and religion," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1556. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council Act No. 1–38, "To eliminate all ethnic references in the laws of the District of Columbia relating to education," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1557. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council Act No. 1–19, "To amend the District of Columbia Self-Government and Governmental Reorganization Act to change the name of the Advisory Neighborhood Councils," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1558. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to authorize adequate appropriations for the President's Committee on Employment of the Handicapped; to the Committee on Education and Labor.

1559. A letter from the Secretary of Health, Education, and Welfare, transmitting the third annual report on Headstart services to handicapped children, pursuant to section 3(b)(2) of Public Law 92–424; to the Committee on Education and Labor.

1560. A letter from the Secretary of Health, Education, and Welfare, transmitting the fifth annual report on the administration of the black lung benefits program, covering calendar year 1974, pursuant to section 426 (b) of the Federal Coal Mine Health and Safety Act of 1969, as amended [30 U.S.C. 936(b)]; to the Committee on Education and Labor.

1561. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting proposed regulations governing the women's educational equity program, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1562. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting notice of proposed technical amendments to regulations for State-administered adult education programs under the Adult Education Act, as amended, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1563. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting notice of proposed regulations relating to the eligibility of part-time students and other administrative matters under the basic educational opportunity grant program, pursuant to section 431(d) (1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1564. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting notice of proposed rules governing the metric education program, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1565. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting notice of priorities and closing date for receipt of applications for grants for training teachers in the education of the handicapped, pursuant to section 431 (d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1566. A letter from the Chairman, National Advisory Council on Supplementary Centers and Services, transmitting the eighth and final report of the Council, pursuant to section 309(c) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 847a(c)); to the Committee on Education and Labor.

1567. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide policies and procedures for the procurement of property and services by Federal agencies; to the Committee on Government Operations.

1568. A letter from the Deputy Under Secretary of the Interior, transmitting a report on the disposal of surplus Federal real property for park and recreation purposes during fiscal year 1975, pursuant to section 203(o) the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 484(o)]; to the Committee on Government Operations.

1569. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on personal property donated to public health and educational institutions and civil defense organizations under section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and real property disposed of to public health and educational institutions under section 203(k) of the act, pursuant to section 203(o) of the act [40 U.S.C. 484(o)]; to the Committee on Government Operations.

1570. A letter from the Administrator of General Services, transmitting a draft of proposed legislation to amend section 2301 of title 44, United States Code, to change the membership of the National Archives Trust Fund Board; to the Committee on Government Operations.

1571. A letter from the Administrator of Veterans' Affairs, transmitting a report covering fiscal year 1974 on the disposal of foreign excess property by the Veterans' Administration, pursuant to section 404(d) of the Federal Property and Administrative Services Act of 1949 [40 U.S.C. 514(d)]; to the Committee on Government Operations.

1572. A letter from the Executive Director, Joint Financial Management Improvement Program, transmitting volume II entitled "Case Studies" of a report on productivity programs in the Federal Government; to the Committee on Government Operations.

1573. A letter from the Director of Government Affairs, National Railroad Passenger Corporation, transmitting a report on the activities of the Corporation under the Freedom of Information Act during calendar year 1974, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1574. A letter from the Acting Librarian of Congress, transmitting the annual report of the Library of Congress, including the Copyright Office and the Library of Congress Trust Fund Board, pursuant to 2 U.S.C. 139 and 163; to the Committee on House Administration.

1575. A letter from the Acting Secretary of the Interior, transmitting notice of a proposed refund of the excess minimum royalty paid by the Atlantic Richfield Co., on an Outer Continental Shelf lease, pursuant to section 10(b) of the Outer Continental Shelf Lands Act of 1953 [43 U.S.C. 1399(b)]; to the Committee on Interior and Insular Affairs.

1576. A letter from the Acting Secretary of the Interior, transmitting a proposed plan for the use and distribution of the judgment funds awarded to the Creek Tribe of Indians in dockets 167 and 273 before the Indian Claims Commission, pursuant to 87 Stat. 466; to the Committee on Interior and Insular Affairs.

1577. A letter from the Acting Secretary of the Interior, transmitting a proposed plan for the use and distribution of the judgment funds awarded to the Navajo Tribe of Indians in U.S. Court of Claims Case 49692, pursuant to 87 Stat. 466; to the Committee on Interior and Insular Affairs.

1578. A letter from the Deputy Assistant Secretary of the Interior, transmitting his approval of the application of the Valley Center Municipal Water District of Valley Center, Calif., for a supplemental loan under the Small Reclamation Projects Act, as amended, pursuant to section 4(c) of the act; to the Committee on Interior and Insular Affairs.

1579. A letter from the Deputy Assistant Secretary of the Interior, transmitting his approval of the application of the Farmington Pressurized Irrigation District of Farmington, Utah, for a loan under the Small Reclamation Projects Act, as amended, pursuant to section 4(c) of the act; to the Committee on Interior and Insular Affairs.

1580. A letter from the Deputy Assistant Secretary of the Interior, transmitting a further amendment to the contract between the United States and the Westlands Water District, Calif., for the construction of additional water supply and distribution facilities in the San Luis unit of the Central Valley project, pursuant to section 8 of Public Law 86–488; to the Committee on Interior and Insular Affairs.

1581. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed amendment to the concession contract authorizing the provision of accommodations, facilities, and services for the public at Cedar Pass Lodge in the Badlands National Monument, N. Dak., for a term ending December 31, 1975, pursuant to 67 Stat. 271 and 79 Stat. 543; to the Committee on Interior and Insular Affairs.

1582. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act of June 22, 1948, as amended, to provide for the acquisition of additional lands, and for other purposes; to the Committee on Interior and Insular Affairs.

1583. A letter from the Under Secretary of State for Security Assistance, transmitting a statistical report covering fiscal year 1974 on exports of arms, ammunition, and implements of war, pursuant to section 657 of the Foreign Assistance Act of 1961, as amended; to the Committee on International Relations.

1584. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. 76–1, finding that the sale of defense articles and services to the Government of Fiji will strengthen the security of the United States and promote world peace; to the Committee on International Relations.

1585. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of the determination of the Secretary of State that it is in the national interest to waive the prohibition in the case of Panama against assistance to countries which permit ships or aircraft under their registry to transport materials to Cuba, pursuant to section 664 of the Foreign Assistance Act of 1961, as amended (88 Stat. 1805; 22 U.S.C. 2424); to the Committee on International Relations.

1586. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by the Government of Australia for permission to sell certain U.S.-origin military supplies to the Royal Thai Government, pursuant to section 3(a) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1587. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by the Government of Sweden for permission to transfer certain U.S.-origin military equipment to the Government of Switzerland, pursuant to section 3(a) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1588. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by the Government of Australia for permission to transfer certain U.S.-origin military supplies to the Government of New Zealand, pursuant to section 3(a) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1589. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by the Government of the United Kingdom for permission to transfer certain U.S.-origin military supplies to the Government of Oman, pursuant to section 3(a) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1590. A letter from the Administrator, Agency for International Development, Department of State, transmitting a report on the drought situation in Sub-Sahara Africa, pursuant to section 639A of the Foreign Assistance Act of 1961, as amended; to the Committee on International Relations.

1591. A letter from the Assistant Administrator for Legislative Affairs, Agency for International Development, Department of State, transmitting a report for the fourth quarter of fiscal year 1975 on the programing and obligation of contingency funds, pursuant to section 451(b) of the Foreign Assistance Act of 1961, as amended [22 U.S.C. 2261 (b)]; to the Committee on International Relations.

1592. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to section 112 (b) of Public Law 92–403; to the Committee on International Relations.

1593. A letter from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to section 112(b) of Public Law 92–403; to the Committee on International Relations.

1594. A letter from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to section 112(b) of Public Law 92–403; to the Committee on International Relations.

1595. A letter from the Chairman, Board of Foreign Scholarships, transmitting the 12th annual report of the Board, pursuant to the Mutual Educational and Cultural Exchange Act of 1961; to the Committee on International Relations.

1596. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Army to offer to sell certain defense articles to Jordan, pursuant to section 36(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1597. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Army to offer to sell certain defense articles to Jordan, pursuant to section 36(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1598. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Army to offer to sell certain defense articles and services to the Federal Republic of Germany, pursuant to section 36(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1599. A letter from the Comptroller, Defense Security Assistance Agency, transmitting a quarterly report on foreign military sales letters of offer, pursuant to section 36 (a) (1) and (2) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1600. A letter from the Secretary of Commerce, transmitting the 19th annual report of the U.S. Travel Service, covering calendar year 1974, pursuant to section 5 of the International Travel Act of 1961, as amended; to the Committee on Interstate and Foreign Commerce.

1601. A letter from the Secretary of Health, Education, and Welfare, transmitting the final report on the Health Professions Educational Assistance program, pursuant to section 206 of Public Law 92–157; to the Committee on Interstate and Foreign Commerce.

1602. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on medically underserved areas, population groups, and nonmetropolitan areas, pursuant to section 5 of Public Law 93–222; to the Committee on Interstate and Foreign Commerce.

1603. A letter from the Secretary of Transportation, transmitting the annual report on the financial condition of the Central Railroad Co. of New Jersey, pursuant to section 10 of the Emergency Rail Services Act of 1970; to the Committee on Interstate and Foreign Commerce.

1604. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of June 30, 1975, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

1605. A letter from the Administrator, Federal Energy Administration, transmitting a report on changes in market shares for petroleum products during the month of March and April, 1975, pursuant to section 4(c) (2) (A) of the Emergency Petroleum Allocation Act of 1973; to the Committee on Interstate and Foreign Commerce.

1606. A letter from the Administrator, Federal Energy Administration, transmitting a report covering the quarter ended March 31, 1975, on private grievances and redress, pursuant to section 21(c) of Public Law 93–275; to the Committee on Interstate and Foreign Commerce.

1607. A letter from the Administrator, Federal Energy Administration, transmitting a report covering the period April–June, 1975, on imports of crude oil, residual fuel oil, refined petroleum products, natural gas and coal; domestic reserves and production of crude oil, natural gas, and coal; refinery activities; and inventories; pursuant to section 11(c) (2) of Public Law 93–319; to the Committee on Interstate and Foreign Commerce.

1608. A letter from the Chairman, Federal Power Commission, transmitting a copy of a publication entitled "Sales of Firm Electric Power for Resale 1969–1973" (Volume I of the National Gas Survey, "FPC Report"); to the Committee on Interstate and Foreign Commerce.

1609. A letter from the Chairman, Federal Power Commission, transmitting a copy of a publication entitled "Steam-Electric Plant Air and Water Quality Control Data, 1972"; to the Committee on Interstate and Foreign Commerce.

1610. A letter from the Chairman, Federal Trade Commission, transmitting a statistical supplement to the Commission's report on cigarette labeling and advertising; to the Committee on Interstate and Foreign Commerce.

1611. A letter from the Chairman, Interstate Commerce Commission, transmitting the Commission's evaluation of the U.S. Railway Association's final system plan for reorganizing the bankrupt railroads of the Northeast and Midwest region, pursuant to section 207(d) of the Regional Rail Reorganization Act of 1973, as amended, to the Committee on Interstate and Foreign Commerce.

1612. A letter from the Chairman, Securities and Exchange Commission, transmitting the fourth annual report of the Securities Investor Protection Corporation for the year 1974, with the Commission's comments thereon, pursuant to section 7(c) (2) of Public Law 91–598; to the Committee on Interstate and Foreign Commerce.

1613. A letter from the President, National Railroad Passenger Corporation, transmitting the Corporation's 5-year financial and operating plan for fiscal years 1976–80, pursuant to section 601(b) (1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1614. A letter from the Director of Government Affairs, National Railroad Passenger Corporation, transmitting a report covering the month of June 1975, on the average number of passengers per day on board each train operated, and the on-time performance at the final destination of each train operated, by route and by railroad; to the Committee on Interstate and Foreign Commerce.

1615. A letter from the Chief Justice of the United States, transmitting the proceedings of the meeting of the Judicial Conference of the United States held March 6–7, 1975 (H. Doc. No. 94–238); to the Committee on the Judiciary and ordered to be printed.

1616. A letter from the Chairman and members, U.S. Commission on Civil Rights, transmitting a report on the Commission's findings and recommendations on the implementation of court-ordered school desegregation in Boston, Mass., pursuant to Public Law 83–315, as amended; to the Committee on the Judicary.

1617. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report on the facts in each application for conditional entry of aliens into the United States under section 203(a)(7) of the Immigration and Nationality Act for the 6-month period ending June 30, 1975, pursuant to section 203 (f) of the act; to the Committee on the Judiciary.

1618. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, for the period June 2–13, 1975, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1619. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, for the period June 16–30, 1975, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1620. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification for the period of July 1–15, 1975, pursuant to section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1621. A letter from the Commissioner, Immigration and Naturalization Service. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, for the period July 16–31, 1975, pursuant to section 204(d) of the Immigration and Nationality Act, as amended [8 USC 1154(d)]; to the Committee on the Judiciary.

1622. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, for the period August 2–15, 1975, pursuant to section 204(d) of the Immigration and Nationality Act, as amended [8 USC 1154(d)]; to the Committee on the Judiciary.

1623. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act [8 USC 1182(a)(28)(I)(ii)(b)]; to the Committee on the Judiciary.

1624. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised on behalf of certain aliens, pursuant to section 212(d)(6) of the act; to the Committee on the Judiciary.

1625. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1626. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a request to withdraw a case involving suspension of deportation, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1627. A letter from the Executive Director, American Historical Association, transmitting the audit of the Association for the year ended June 30, 1975, pursuant to section 3 of Public Law 88–504; to the Committee on the Judiciary.

1628. A letter from the Secretary of Commerce, transmitting the annual report for calendar year 1974 on ocean dumping research, pursuant to section 201 of the Marine Protection, Research and Sanctuaries Act of 1972 (Public Law 92–532); to the Committee on Merchant Marine and Fisheries.

1629. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting the third annual report on the administration of the ocean dumping permit program, pursuant to section 112 of the Marine Protection, Research, and Sanctuaries Act of 1972, as amended; to the Committee on Merchant Marine and Fisheries.

1630. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Federal Boat Safety Act of 1971 to extend the authorization of appropriations for financial assistance for State boating safety programs beyond fiscal year 1976, and for other purposes; to the Committee on Merchant Marine and Fisheries.

1631. A letter from the Administrator, American Revolution Bicentennial Administration, transmitting the first annual report of the American Revolution Bicentennial Administration, pursuant to section 7(b) of Public Law 93–179; to the Committee on Post Office and Civil Service.

1632. A letter from the Assistant Administrator for Planning and Management, U.S. Environmental Protection Agency, transmitting a report on the number of EPA employees in each general schedule grade as of June 30, 1974, and June 30, 1975, pursuant to section 1310 of the Supplemental Appropriation Act of 1952; to the Committee on Post Office and Civil Service.

1633. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the number of NASA employees in each general schedule grade as of June 30, 1974, and June 30, 1975, pursuant to section 1310 of the Supplemental Appropriation Act of 1952; to the Committee on Post Office and Civil Service.

1634. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on scientific and engineering positions established in NASA as of June 30, 1975, pursuant to section 206(b) of Public Law 87–367; to the Committee on Post Office and Civil Service.

1635. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting four plans for works of improvement in various watersheds, each of which involves a project with at least one structure which provides more than 4,000 acre-feet of total storage capacity, pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005); to the Committee on Public Works and Transportation

1636. A letter from the Secretary of Transportation, transmitting a report on the study of problems of user access to recreation areas, pursuant to section 134(b) of the Federal-Aid Highway Act of 1973; to the Committee on Public Works and Transportation.

1637. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Act of August 18, 1894, the Act of March 3, 1899, the Bridge Act of 1906 and the General Bridge Act of 1946, to provide for civil penalties in certain circumstances, and for other purposes; to the Committee on Public Works and Transportation.

1638. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Act of June 21, 1940, as amended, to remove the 90-day requirement for the submission of general plans and specifications for altering a bridge in accordance with an order of the Secretary of Transportation; to the Committee on Public Works and Transportation.

1639. A letter from the Administrator of General Services, transmitting a prospectus proposing alterations at the Everett McKinley Dirksen Building, Chicago, Ill., pursuant to section 7(a) of the Public Buildings Act of 1959, as amended; to the Committee on Public Works and Transportation.

1640. A letter from the Administrator, Energy Research and Development Administration, transmitting a report defining a comprehensive program for effectively developing solar energy resources, pursuant to section 15(b) of Public Law 93–473; to the Committee on Science and Technology.

1641. A letter from the Administrator, Energy Research and Development Administration, transmitting a report setting forth in detail the proposed implementation of the program plan summary previously submitted (national plan for energy research and development), pursuant to section 6(a) of Public Law 93–577; to the Committee on Science and Technology.

1642. A letter from the Senior Technical Advisor, Office of Solar, Geothermal and Advanced Energy Systems, Energy Research and Development Administration, transmitting information updating the plans of the administration for the establishment of a national Solar Energy Research Institute; to the Committee on Science and Technology.

1643. A letter from the Administrator, Small Business Administration, transmitting the 1974 annual report of the agency, pursuant to section 10 of the Small Business Act, as amended (15 U.S.C. 639); to the Committee on Small Business.

1644. A letter from the Administrator, Small Business Administration's surety bond guarantee program, pursuant to section 11(b) of Public Law 93–386; to the Committee on Small Business.

1645. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1974–May 1975, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Small Business.

1646. A letter from the Administrator of Veterans Affairs, transmitting reports covering fiscal year 1975 on the Veterans' Administration's programs for the sharing of medical resources and the exchange of medical information, pursuant to 38 U.S.C. 5057; to the Committee on Veterans' Affairs.

1647. A letter from the Adjutant General, United Spanish War Veterans, transmitting the proceedings of the stated convention of the 76th national encampment of the United Spanish War Veterans (H. Doc. No. 94–239); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

1648. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide incentives for the expansion of electric power facilities other than petroleum-fueled generating facilities by reducing the costs of construction for electric utility property through changes in the investment credit and the allowances for amortization and depreciation, and by encouraging investment in electric utilities; to the Committee on Ways and Means.

1649. A letter from the Acting General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954, with respect to the deduction for moving expenses; to the Committee on Ways and Means.

1650. A letter from the Secretary of Commerce and the Chairman, U.S. International Trade Commission, transmitting a report on principles and concepts which should guide the organization and development of an enumeration of articles which would result in comparability of U.S. import, production, and export data, pursuant to section 608(b) of Public Law 93–618; to the Committee on Ways and Means.

1651. A letter from the Assistant Secretary of Agriculture, transmitting notice of further delay in the submission of the final report on the evaluation of the special supplemental food program for women, infants, and children, required by section 17(e) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786); jointly, to the Committees on Education and Labor, and Agriculture.

1652. A letter from the Secretary of Health, Education, and Welfare, transmitting the third annual report of the National Professional Standards Review Council, pursuant to section 1163(f) of Public Law 92-603; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

Received From the Comptroller General

1653. A letter from the Comptroller General of the United States, transmitting his review of the proposed rescissions and deferrals of budget authority and the supplementary reports revising two previously reported deferrals contained in the message from the President dated July 26, 1975 (House Document No. 94–225), pursuant to subsections 1014(b) and (c) of Public Law 93–344 (H. Doc. No. 94–240); to the Committee on Appropriations and ordered to be printed.

1654. A letter from the Assistant Comptroller General of the United States, transmitting a followup report on the impoundment of budget authority for the Housing for the Elderly or Handicapped program; to the Committee on Appropriations.

1655. A letter from the Comptroller General of the United States, transmitting a list of reports issued or released during the month of July, 1975, pursuant to section 234, Public Law 91–510; to the Committee on Government Operations.

1656. A letter from the Comptroller General of the United States, transmitting a report that a reduction in Federal expenditures is possible if the Department of Defense, the National Aeronautics and Space Administration, and the Energy Research and Development Administration assume the risk of loss or damage to their inventories; to the Committee on Government Operations.

1657. A letter from the Comptroller General of the United States, transmitting a report concerning fundamental changes which are needed in Federal assistance to State and local governments; to the Committee on Government Operations.

1658. A letter from the Comptroller General of the United States, transmitting comments on the proposed Consumer Product Safety Commission Improvements Act of 1975; to the Committee on Interstate and Foreign Commerce.

1659. A letter from the Acting Comptroller General of the United States, transmitting a report and recommendation concerning the claim of TV Facts against the United States, pursuant to 45 Stat. 413; to the Committee on the Judiciary.

1660. A letter from the Comptroller General of the United States, transmitting a report on some of the problems impeding economic improvement of small-farm operations and efforts of the Department of Agriculture and land-grant colleges to improve farming operations; jointly, to the Committees on Government Operations, and Agriculture.

1661. A letter from the Comptroller General of the United States, transmitting a report on the need for a single manager to obtain cost and fuel savings in the Spectrometric Oil Analysis Program; jointly to the Committees on Government Operations, and Armed Services.

1662. A letter from the Comptroller General of the United States, transmitting a report on increased savings and productivity which could be obtained by consolidating military support functions in the Pacific; jointly to the Committees on Government Operations, and Armed Services.

1663. A letter from the Comptroller General of the United States, transmitting a report on the need for better overall planning to improve the standard of living of White Mountain Apache Indians of Arizona (Department of the Interior and Bureau of Indian Affairs); jointly, to the Committees on Government Operations, and Interior and Insular Affairs.

1664. A letter from the Comptroller General of the United States, transmitting a report on improvements needed in Federal civilian employee training evaluation; jointly, to the Committees on Government Operations, and Post Office and Civil Service.

1665. A letter from the Comptroller General of the United States, transmitting a report on the audit of the financial statements of the Saint Lawrence Seaway Development Corporation for calendar year 1974, pursuant to section 106 of the Government Corporation Control Act, as amended [31 U.S.C. 851] (H. Doc. No. 94–241); jointly, to the Committees on Government Operations, and Public Works and Transportation, and ordered to be printed.

1666. A letter from the Comptroller General of the United States, transmitting a report concerning the Federal Aviation Administration's efforts to upgrade the safety of airports used by the traveling public; jointly, to the Committees on Government Operations, and Public Works and Transportation.

1667. A letter from the Comptroller General of the United States, transmitting a report on the need for improved planning and management of information systems development for the Federal Aviation Administration; jointly, to the Committees on Government Operations, and Public Works and Transportation.

1668. A letter from the Comptroller General of the United States, transmitting a report on the application of aerospace technology to urban problems in California; jointly, to the Committees on Government Operations, and Science and Technology.

1669. A letter from the Acting Comptroller General of the United States, transmitting a report on improvements needed in the Veterans Administration alcohol treatment program; jointly, to the Committees on Government Operations, and Veterans' Affairs.

1670. A letter from the Comptroller General of the United States, transmitting a report on the need to reexamine some support costs which the United States provides to the North Atlantic Treaty Organization; jointly, to the Committees on Government Operations, International Relations, and Armed Services.

1671. A letter from the Comptroller General of the United States, transmitting a report concerning problems in coordinating multilateral assistance to Thailand; jointly, to the Committees on Government Operations, International Relations, and Banking, Currency, and Housing.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[*Pursuant to the order of the House on August 1, 1975, the following report was filed on August 20, 1975.*]

Mrs. SULLIVAN. Committee on Merchant Marine and Fisheries. H.R. 200. A bill to extend on an interim basis the jurisdiction of the United States over certain ocean areas and fish in order to protect the domestic fishing industry, and for other purposes; with amendment (Rept. No. 94–445). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted September 3, 1975*]

Mr. WHITE: Committee on Post Office and Civil Service. H.R. 6642. A bill to provide for allotment or assignment of payments from civil service annuities, and for other purposes; with amendment (Rept. No. 94–446). Referred to the Committee on the Whole House on the State of the Union.

Mr. WHITE: Committee on Post Office and Civil Service. H.R. 7976. A bill to amend title 5, United States Code, to provide that annual leave lost by a Federal employee because of an unjustified or unwarranted personnel action shall be restored to the employee, and for other purposes (Rept. No. 94–447). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITE: Committee on Post Office and Civil Service. H.R. 8550. A bill to amend chapter 83 of title 5, United States Code, to grant an annuitant the right to elect within 1 year after remarriage whether such annuitant's new spouse shall be entitled, if otherwise qualified, to a survivor's annuity, and for other purposes (Rept. No. 94–448). Referred to the Committee of the Whole House on the State of the Union. ,

Ms. SCHROEDER: Committee on Post Office and Civil Service. House Joint Resolution 540. Joint resolution to require the American Revolution Bicentennial Administration to establish a committee to report to the Congress ways to significantly commemorate our Nation's Bicentennial (Rept. No. 94–449). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRASER: Committee on International Relations. House Concurrent Resolution 309. Concurrent resolution expressing the sense of the Congress with respect to International Women's Year; with amendment (Rept. No. 94–450). Referred to the Committee of the Whole House on the State of the Union.

Ms. SCHROEDER: Committee on Post Office and Civil Service. S. 331. A bill to redesignate November 11 of each year as Veterans Day and to make such day a legal public holiday (Rept. No. 94–451). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 7656. A bill to enable cattle producers to establish, finance, and carry out a coordinated program of research, producer and consumer information, and promotion to improve, maintain, and develop markets for cattle, beef, and beef products; with amendment (Rept. No. 94–452). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILFORD:

H.R. 9306. A bill to amend the Airport and Airway Development Act of 1970, as amended, to authorize the Secretary of Transportation to make grants for airport development by grant agreements with sponsors and to provide for direct payments to certain types of sponsors during fiscal years 1976 through 1980, to make loans to public agencies for acquisition of private airports, to provide national policy for protection and enhancement of the natural resources and the quality of the environment of the Nation in projects for airport development, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. BENNETT:

H.R. 9307. A bill to provide for the establishment of the Electric Power Authority, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 9308. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 9309. A bill to amend title 18, United States Code, to make unlawful the administration by any Federal employee of a drug for research purposes to any uninformed or nonvoluntary person; to the Committee on the Judiciary.

By Mr. BLANCHARD (for himself, Mr. Levitas, Mr. Weaver, Mr. Mineta, Mr. Jones of Oklahoma, Mr. Johnson of Pennsylvania, Mr. Whitehurst, Mr. Ottinger, Mr. Sharp, Mr. Hubbard, Mrs. Pettis, Mr. English, Mrs. Meyner, Mr. Patterson of California, Mr. LaFalce, Mr. Beard of Rhode Island, Mr. Brodhead, Mr. Downey of New York, Mr. Hannaford, Mr. Bafalis, Mr. Carr, Mr. Howe, Mr. Burgener, Mr. Grassley, and Mr. AuCoin):

H.R. 9310. A bill to amend the Congressional Budget Act of 1974 to require full congressional review of each Federal program once every 2 years under zero-base budgeting procedures; to the Committee on Rules.

By Mr. BRODHEAD:

H.R. 9311. A bill to amend title XIX of the Social Security Act to provide that, in determining the eligibility of an individual who is a paraplegic for assistance under a State medicaid plan, the financial responsibility of such individual's spouse shall not be taken into account, and to require that each such plan include the provision of private duty nursing services for such individuals; to the Committee on Interstate and Foreign Commerce.

By Mr. DEL CLAWSON (for himself, Mr. AuCoin, Mr. Bell, Mr. Bafalis, Mr. Bowen, Mr. Brinkley, Mr. Broomfield, Mr. Brown of Ohio, Mr. Burgener, Mr. Byron, Mr. Collins of Texas, Mr. Devine, Mr. Dickinson, Mr. Erlenborn, Mr. Findley, Mr. Flood, Mr. Fuqua, Mr. Hagedorn, Mr. Haley, Mr. Harsha, Mr. Hastings, Mr. Henderson, Mr. Hinshaw, Mrs. Holt, and Mr. Johnson of Pennsylvania):

H.R. 9312. A bill to establish a method whereby the Congress (acting in accordance with specified procedures) may prevent the adoption by the executive branch of rules or regulations which are contrary to law or inconsistent with congressional intent or which go beyond the mandate of the legislation which they are designed to implement; jointly to the Committees on the Judiciary, and Rules.

By Mr. DEL CLAWSON (for himself, Mr. Kemp, Mr. Ketchum, Mr. McEwen, Mr. Madigan, Mr. Martin, Mr. Milford, Mr. Mollohan, Mr. Moorhead of Pennsylvania, Mr. Myers of Indiana, Mr. Nedzi, Mr. O'Hara, Mr. Patman, Mr. Poage, Mr. Risenhoover, Mr. Robinson, Mr. Rousselot, Mr. Sikes, Mr. Stark, Mr. Steed, Mr. Steiger of Wisconsin, Mr. Stephens, Mr. Talcott, Mr. Taylor of Missouri, and Mr. Thone):

H.R. 9313. A bill to establish a method whereby the Congress (acting in accordance with specified procedures) may prevent the adoption by the executive branch of rules or regulations which are contrary to law or inconsistent with congressional intent or which go beyond the mandate of the legislation which they are designed to implement; jointly to the Committees on the Judiciary, and Rules.

By Mr. DEL CLAWSON (for himself, Mr. Waggonner, Mr. Walsh, Mr. Bob Wilson, Mr. Charles H. Wilson of Texas, Mr. Winn, Mr. Wright, and Mr. Yatron):

H.R. 9314. A bill to establish a method whereby the Congress (acting in accordance with specified procedures) may prevent the adoption by the executive branch of rules or regulations which are contrary to law or inconsistent with congressional intent or which go beyond the mandate of the legislation which they are designed to implement; jointly to the Committees on the Judiciary, and Rules.

By Mr. COHEN (for himself and Mr. Badillo):

H.R. 9315. A bill to amend the Social Security Act to direct the Secretary of Health, Education, and Welfare to develop standards relating to the rights of patients in certain medical facilities; jointly to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. CORMAN:

H.R. 9316. A bill to provide that States may not in certain cases terminate the unemployment compensation benefits of unemployed individuals unless the termination is pursuant to a written decision by an impartial tribunal after a fair hearing; to the Committee on Ways and Means.

By Mr. D'AMOURS:

H.R. 9317. A bill to amend title 5, United States Code, to correct inequities in the determination of rates of basic pay in conversions to the general schedule of employees and positions subject to prevailing rate pay schedules; to the Committee on Post Office and Civil Service.

By Mr. DOMINICK V. DANIELS:

H.R. 9318. A bill to amend the Federal Metal and Nonmetallic Mine Safety Act; to the Committee on Education and Labor.

By Mr. DOMINICK V. DANIELS (for himself, Mr. Esch, and Mr. Duncan of Oregon):

H.R. 9319. A bill to amend the Occupational Safety and Health Act of 1970 to provide additional consultation and education to employers, and for other purposes; to the Committee on Education and Labor.

By Mr. ROBERT W. DANIEL, JR.:

H.R. 9320. A bill to authorize and direct the Secretary of the Interior to acquire the Wallace House in Petersburg, Va., and to administer it as part of the Petersburg National Battlefield; to the Committee on Interior and Insular Affairs.

H.R. 9321. A bill to deauthorize a portion of the Nansemond River Project, Va.; to the Committee on Public Works and Transportation.

By Mr. DAVIS:

H.R. 9322. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DERRICK:

H.R. 9323. A bill to amend title 18, United States Code, to provide for increased sentences for habitual violent offenders; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 9324. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the disposal of certain surplus property for court and law enforcement purposes; to the Committee on Government Operations.

By Mr. FITHIAN (for himself, Mr. Solarz, Mr. Vigorito, Mr. Bowen, Mr. Seiberling, Mr. AuCoin, Ms. Keys, and Mr. Ichord):

H.R. 9325. A bill to assist the States to provide additional facilities for research in agriculture and forestry at State agricultural experiment stations, land grant colleges, and cooperating forestry research institutions funded under Public Law 87-788; to the Committee on Agriculture.

By Mr. FOLEY (for himself, and Mr. Symington):

H.R. 9326. A bill to amend the act of August 24, 1966, as amended, to assure humane treatment of certain animals, and for other purposes; to the Committee on Agriculture.

By Mr. HARRINGTON:

H.R. 9327. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to individuals with permanently handicapped children for amounts contributed to a trust fund which is to be used for the care and support of such child; to the Committee on Ways and Means.

By Mr. HASTINGS (for himself, Mr. Kemp, and Mr. Mitchell of New York):

H.R. 9328. A bill to amend section 402 of the Regional Rail Reorganization Act of 1973 with respect to the percentage of the Federal share of rail service continuation subsidies; to the Committee on Interstate and Foreign Commerce.

By Mr. HEINZ (for himself, Mr. Frey, Mr. Forsythe, Mr. McCloskey, Mr. Regula, Mr. Pritchard, and Mr. Eshleman):

H.R. 9329. A bill to amend the Clayton Act with respect to acquisitions affecting commerce; to the Committee on the Judiciary.

By Mr. HEINZ (for himself, Mr. Charles Wilson of Texas, Ms. Keys, Mrs. Lloyd of Tennessee, Mrs. Collins of Illinois, Mr. Cohen, Mr. Thompson, Mr. Harris, Mr. Mazzoli and Mr. Dodd):

H.R. 9330. A bill to amend title XX of the Social Security Act to provide that no State shall be required to administer individual means tests for provision of education, nutrition, transportation, recreation, socialization, or associated services provided thereunder to groups of low-income individuals aged 60 or older; to the Committee on Ways and Means.

By Mr. HUBBARD:

H.R. 9331. A bill to repeal the Real Estate Settlement Procedures Act of 1974; to the Committee on Banking, Currency and Housing.

By Mr. KASTENMEIER (for himself, and Mr. Railsback):

H.R. 9332. A bill to amend title 18, United States Code to permit a Federal Court, upon the recommendation of the U.S. prosecutor, to place certain persons charged with Federal crimes in programs of community supervision and services; to the Committee on the Judiciary.

By Mr. LOTT:

H.R. 9333. A bill to repeal the Real Estate Settlement Procedures Act of 1974; to the Committee on Banking, Currency and Housing.

Mr. MANN:

H.R. 9334. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIS:

H.R. 9335. A bill to amend the Internal Revenue Code of 1954 to exempt certain agricultural aircraft from the aircraft use tax, to provide for the refund of the gasoline tax to the agricultural aircraft sponsor with the consent of the farmer, and other purposes; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 9336. A bill to deny Members of Congress any increase in pay under any law passed or plan or recommendation received, during a Congress unless such increase is to take effect not earlier than the first day of the next Congress; to the Committee on Post Office and Civil Service.

By Mr. NOWAK:

H.R. 9337. A bill to terminate age discrimination in employment; to the Committee on Education and Labor.

By Mr. PATTEN:

H.R. 9338. A bill to amend title XVIII of the Social Security Act to authorize payment under the supplementary medical insurance program for optometric and medical vision care; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 9339. A bill directing the Secretary of the Interior to include in the National Register the covered bridges within the Commonwealth of Kentucky; to the Committee on Interior and Insular Affairs.

By Mr. RAILSBACK (for himself Mr. Kastenmeier, Mr. Hyde, Mr. Lehman, and Mrs. Meyner):

H.R. 9340. A bill to regulate lobbying and related activities; jointly to the Committees on the Judiciary, and Standards of Official Conduct.

By Mr. RANGEL:

H.R. 9341. A bill to establish a National Rebuilding and Development Bank, to provide for a long-range program to assist in assuring decent neighborhoods for all citizens, and for other purposes; to the Committee on Banking, Currency and Housing.

By Mr. REUSS:

H.R. 9342. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1954 to provide that an individual who has attained age 65 may elect to treat any employment or self-employment performed by him as not covered for social security benefit purposes and exempt from social security taxes to the extent income from such employment and self-employment does not exceed $2,520; to the Committee on Ways and Means.

By Mr. RINALDO:

H.R. 9343. A bill to amend the Agricultural Act of 1970 for the purpose of requiring the Secretary of Agriculture's approval of export sales of wheat and wheat flour, feed grains, and other commodities; jointly to the Committees on Agriculture, and International Relations.

By Mr. RISENHOOVER:

H.R. 9344. A bill to authorize the Secretary of the Army to convey to the State of Oklahoma certain real estate within Camp Gruber for the use of the Oklahoma National Guard; to the Committee on Armed Services.

By Mr. STEELMAN (for himself, Mr. McCloskey, and Mrs. Mink):

H.R. 9345. A bill to amend section 552 of title 5 of the United States Code to clarify certain exemptions from its disclosure requirements, to provide guidelines and limitations for classifying official information; to the Committee on Government Operations.

By Mr. UDALL (for himself, Mr. Bingham, Mr. Carr, Mr. Seiberling, and Mr. Weaver):

H.R. 9346. A bill to provide for the addition of certain lands to Mount McKinley National Park and Katmai National Monument, to establish new areas of the National Park System, and to designate new additions to the Wild and Scenic Rivers System, all in the State of Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WOLFF (for himself, Mr. Brodhead, Mrs. Burke of California, Mrs. Collins of Illinois, Mr. Diggs, Mr. Harrington, Mr. Hawkins, Mr. Lent, Mrs. Meyner, Mr. Moakley, Mr. Patterson of California, Mr. Seiberling, Mr. Solarz, Mrs. Spellman, Mr. Stark, and Mr. Waxman):

H.R. 9347. A bill relating to the admission of female individuals to the Coast Guard Academy; to the Committee on Merchant Marine and Fisheries.

By Mr. WRIGHT:

H.R. 9348. A bill to name a building in Temple, Tex., as the "W. R. Poage Federal Building"; to the Committee on Public Works and Transportation.

By Mr. BALDUS (for himself and Mr. Bergland):

H.J. Res. 625. Joint resolution to amend section 201 of the Agricultural Act of 1949, as amended, relating to the support price of milk; to the Committee on Agriculture.

By Mr. BINGHAM (for himself, Ms. Spellman, Mr. Studds, Mr. Howe, Mr. Corman, Mr. Mineta, Mr. Bedell, Mr. Solarz, and Mr. Dodd):

H.J. Res. 626. Joint resolution to renounce the strategy of the first strike with nuclear weapons; to the Committee on International Relations.

By Mr. EILBERG (for himself and Mr. Duncan of Oregon):

H.J. Res. 627. Joint resolution to designate January 4, 1976, as Haym Salomon Day; to the Committee on Post Office and Civil Service.

By Mr. HUBBARD:

H.J. Res. 628. Joint resolution proposing an amendment to the Constitution of the United States to prohibit compelling attendance in schools other than the one nearest the residence and to insure equal educational opportunities for all students wherever located; to the Committee on the Judiciary.

By Mr. MAZZOLI:

H.J. Res. 629. Joint resolution proposing an amendment to the Constitution of the United States providing that no public school student shall, because of his race, creed, or color, be assigned to or required to attend a particular school; to the Committee on the Judiciary.

By Mr. SIKES (for himself, Mr. Stratton, Mr. Symington, and Mr. Boland):

H.J. Res. 630. Joint resolution asking the President of the United States to declare the fourth Saturday of each September National Hunting and Fishing Day; to the Committee on Post Office and Civil Service.

By Mr. TRAXLER (for himself, Mr. Heinz, Mr. AuCoin, Mr. Aspin, Ms. Abzug, Mr. Solarz, Mr. Neal, and Mrs. Heckler of Massachusetts):

H.J. Res. 631. Joint resolution to require the Attorney General of the United States to conduct an investigation to determine whether antirust violations are occurring in the manufacture or marketing of replacement home canning lids, and for other purposes; to the Committee on the Judiciary.

By Mr. MATHIS (for himself, Mr. Addabbo, Mr. Nix, Mr. Bafalis, Mr. Kemp, Mr. Martin, Mr. Eilberg, Mr. Del Clawson, Mr. Burgener, Mr. McDonald of Georgia, Mr. Yatron, Mr. Dan Daniels, Mr. Bevill, Mr. Symms, Mr. Flood, Mr. Zeferetti, Mr. Won Pat, Mr. Stratton, Mr. Miller of Ohio, Mr. Charles H. Wilson of California, Mr. Dominick V. Daniels, Mr. Conlan, Mr. Sikes, Mr. Hyde, and Mr. Snyder):

H. Con. Res. 378. Concurrent resolution with respect to the freedom of the Republic of China and its people; to the Committee on International Relations.

By Mr. MATHIS (for himself, Mr. Rousselot, Mr. Spence, Mr. Beard of Tennessee, Mr. Hastings, Mr. Wampler, Mr. Burlison of Missouri, Mr. Montgomery, Mr. Hubbard, Mr. McEwen, Mr. Hefner, Mr. Bergland, Mr. Holland, Mr. Risenhoover, Mr. Hicks, Mr. Casey, Mr. Burleson of Texas, Mr. Lujan, Mr. Milford, Mr. Landrum, Mr. Hightower, Ms. Jordan, Mr. Taylor of Missouri, Mr. Crane, and Mr. Taylor of North Carolina):

H. Con. Res. 379. Concurrent resolution with respect to the freedom of the Republic of China and its people; to the Committee on International Relations.

By Mr. MATHIS (for himself, Mr. Harsha, Mr. Levitas, Mr. Fuqua, Mr. Jones of Oklahoma, Mr. English, Mr. Jones, of Tennessee, Mr. Breaux, Mr. Andrews of North Carolina, Mr. Runnels, Mr. Jenrette, Mr. Clancy, Mr. Chappell, Mr. Conable, Mr. Kindness, Mr. Jones of North Carolina, Mr. Fountain, Mr. Ichord, Mr. Byron, Mr. Flowers, Mr. Pickle, Mr. Winn, Mr. Nichols, Mrs. Lloyd of Tennessee, and Mr. Breckinridge):

H. Con. Res. 380. Concurrent resolution with respect to the freedom of the Republic of China and its people; to the Committee on International Relations.

By Mr. MATHIS (for himself, Mrs. Holt, Mr. Mollohan, Mr. Sisk, Mr. Biaggi, Mr. Conte, Mr. Stuckey, Mr. Russo, Mr. Murphy of Illinois, Mr. St Germain, Mr. Downing of Virginia, Mr. McKay, Mr. Leggett, Mr. Bob Wilson, Mr. Treen, Mr. Abdnor, Mr. Moore, Mr. Dickinson, Mr. Young of Florida, Mr. Duncan of Tennessee, Mr. Hinshaw, Mr. Henderson, Mr. Ginn, and Mr. Davis):

H. Con. Res. 381. Concurrent resolution with respect to the freedom of the Republic of China and its people; to the Committee on International Relations.

By Mr. MINISH:

H. Res. 686. Resolution to halt U.S. grain sales to the Soviet Union; to the Committee on International Relations.

By Mr. O'NEILL (for himself, Mr. Howe, Mr. Yatron, Mr. Heinz, Mr. Barrett, Mr. Moorhead of Pennsylvania, Mr. Morgan, Mr. Dent, Mr. Johnson of Pennsylvania, Mr. Davis, Mr. Eshleman, Mr. Shuster, Mr. Zeferetti, Mr. Edgar, Mr. Bedell, Mr. Kasten, Ms. Collins of Illinois, Mr. Hastings, Mr. Carr, Mr. Hinshaw, Mr. Blanchard, and Mr. Fish):

H. Res. 687. Resolution disapproving of efforts to expel Israel from the United Nations; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

243. By the SPEAKER: Memorial of the Legislature of the Territory of Guam, relative to transferring title to Cabras Island from the U.S. Navy to the Government of Guam; to the Committee on Armed Services.

244. Also, memorial of the Legislature of the Territory of Guam, relative to continuing construction of an oil tank farm on Cabras Island; to the Committee on Armed Services.

245. Also, memorial of the Legislature of the State of Washington, relative to the effects of certain State legislative enactments on the financing of public education in the State of Washington; to the Committee on Education and Labor.

246. Also, memorial of the Legislature of the State of Louisiana, relative to recognizing the Tunica-Biloxi Indian Community of Louisiana and requesting Federal recognition thereof; to the Committee on Interior and Insular Affairs.

247. Also, memorial of the Legislature of the Territory of American Samoa, relative to the efforts of the Honorable Patsy T. Mink on behalf of the Territory of American Samoa; to the Committee on Interior and Insular Affairs.

248. Also, memorial of the Legislature of the State of Louisiana, relative to proposed Federal land use legislation; to the Committee on Interior and Insular Affairs.

249. Also, memorial of the Legislature of the State of California, relative to the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

250. Also, memorial of the Legislature of the State of Louisiana, relative to the Army Corps of Engineers requiring work permits for conservation work; to the Committee on Public Works and Transportation.

251. Also, memorial of the Legislature of the State of Louisiana, relative to removing the silt buildup near the mouth of the Mississippi River; to the Committee on Public Works and Transportation.

252. Also, memorial of the Legislature of the State of Louisiana, relative to amending the Highway Beautification Act of 1965; to the Committee on Public Works and Transportation.

253. Also, memorial of the Legislature of the State of Louisiana, relative to the Federal/State funding ratio for State highways; to the Committee on Public Works and Transportation.

254. Also, memorial of the Legislature of the State of Lousiana, relative to requesting an investigation of the Veterans Administration Hospital of New Orleans, La.; to the Committee on Veterans' Affairs.

255. Also, memorial of the Legislature of the State of California, relative to the Automotive Transport Research and Development Act of 1975; jointly to the Committees on Interstate and Foreign Commerce, and Science and Technology.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, provide bills and resolutions were introduced and severally referred as follows:

By Mr. HARRINGTON:

H.R. 9349. A bill for the relief of Yen Han Sheng; to the Committee on the Judiciary.

By Mr. HOWE:

H.R. 9350. A bill for the relief of Raul Melgar; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 9351. A bill for the relief of Ricky Lee Trautvetter; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 9352. A bill for the relief of Alissa Anne Browne; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 9353. A bill for the relief of Maj. Jack F. Jans, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 9354. A bill for the relief of Glenda R. McDuff; to the Committee on the Judiciary.

H.R. 9355. A bill for the relief of Michael Francis Jackson; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.R. 9356. A bill to authorize the President to appoint Capt. John E. Tsavaris, U.S. Navy Reserves (retired) to the grade of rear admiral on the Reserves retired list; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

185. By the SPEAKER: Petition of the Southern Legislative Conference of The Council of State Governments, Atlanta, Ga., relative to The Wholesome Meat Act of 1967; to the Committee on Agriculture.

186. Also, petition of Claude L. Warren, Jr., San Francisco, Calif., relative to redress of grievances; to the Committee on Armed Services.

187. Also, petition of the 14th Annual Midwestern Governors Conference, Cincinnati, Ohio, relative to home winterization; to the Committee on Banking, Currency, and Housing.

188. Also, petition of Barry Dale Holland, Portsmouth, Va., relative to aid for educationally handicapped persons; to the Committee on Education and Labor.

189. Also, petition of the Southern Legislative Conference of The Council of State Governments, Atlanta, Ga., relative to vocational rehabilitation; to the Committee on Education and Labor.

190. Also petition of the Fourteenth Annual Midwestern Governors' Conference, Cincinnati, Ohio, relative to providing uniform dian Reservations; to the Committee on In-Federal funding and administration on Interior and Insular Affairs.

191. Also, petition of Jacob F. May Jr., Counsel for the Cherokee Freedmen, Kansas City, Kans., relative to the proposed plan for the use and distribution of Cherokee judgment funds; to the Committee on Interior and Insular Affairs.

192. Also, petition of Jack Gambrell, Baton Rouge, La., relative to the use of coal in the production of electricity; to the Committee on Interior and Insular Affairs.

193. Also, petition of Carl McIntire, Collingswood, N.J., relative to redress to grievances; to the Committee on International Relations.

194. Also, petition of Herb Joiner, Upland, Calif., and others, relative to U.S. involvement in the United Nations; to the Committee on International Relations.

195. Also, petition of Maido Kari, Rockville, Md., and others, relative to the right to self-determination for the Baltic people; to the Committee on International Relations.

196. Also, petition of Sidney Fisch, Philadelphia, Pa., and others, relative to support for Israel; to the Committee on International Relations.

197. Also, petition of the National Assembly of Women Religious, Chicago, Ill., relative to the Nuclear Free Pacific Conference; to the Committee on International Relations.

198. Also, petition of the 14th Annual Midwestern Governors' Conference, relative to U.S. Railway Association final system plan; to the Committee on Interstate and Foreign Commerce.

199. Also, petition of the Southern Legislative Conference of The Council of State Governments, relative to allocation of natural gas; to the Committee on Interstate and Foreign Commerce.

200. Also, petition of Barry Dale Holland, Portsmouth, Va., relative to providing a public forum between the Federal Government and the people of the United States; to the Committee on Interstate and Foreign Commerce.

201. Also, petition of Col. Tran Nguon Nhung and others, Pulau, Trengganu, Malaysia, relative to the immigration status of Vietnamese refugees; to the Committee on the Judiciary.

202. Also, petition of the 14th Annual Midwestern Governors' Conference, Cincinnati, Ohio, relative to an antitrust investigation of the energy industry; to the Committee on the Judiciary.

203. Also, petition of Johnny Holmes, Pontiac, Ill., relative to redress of grievances; to the Committee on the Judiciary.

204. Also, petition of Mr. and Mrs. Dewey S. Crites, Malaga, Wash., relative to redress of grievances; to the Committee on the Judiciary.

205. Also, petition of the Southern Legislative Conference of The Council of State Governments, Atlanta, Ga., relative to reaching a balanced Federal budget; to the Committee on the Judiciary.

206. Also, petition of the city council, Tucson, Ariz., relative to the Federal Aid Highway Act; to the Committee on Public Works and Transportation.

207. Also, petition of the 14th Annual Midwestern Governors' Conference, Cincinnati, Ohio, relative to rural public transportation; to the Committee on Public Works and Transportation.

208. Also, petition of the Southern Legislative Conference of the Council of State Governments, Atlanta, Ga., relative to highway trust fund; to the Committee on Public Works and Transportation.

209. Also, petition of the 14th Annual Midwestern Annual Midwestern Governors' Conference, Cincinnati, Ohio, relative to State reimbursement for energy management activities; to the Committee on Science and Technology.

210. Also, petition of the Board of Directors of the California Democratic Council, Los Angeles, Calif., relative to disciplinary action against Representative Michael Harrington; to the Committee on Standards of Official Conduct.

211. Also, petition of the 14th Annual Midwestern Governors' Conference, Cincinnati, Ohio, relative to excess profits of the natural gas industry; to the Committee on Ways and Means.

212. Also, petition of John E. Manning II and others, Brooklyn, N.Y., relative to the importation of baseballs; to the Committee on Ways and Means.

213. Also, petition of the Metropolitan Chamber of Commerce, Warren, Mich., relative to energy; jointly to the Committees on Government Operations, and Interstate and Foreign Commerce.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3884

By Mr. DRINAN:

Page 2, line 22, insert immediately after the period the following: "The President shall issue such a proclamation pursuant only to: (1) a declaration of war; (2) an attack upon the United States, its territories or possessions, or its Armed Forces; or (3) the prior enactment of a joint resolution specifically authorizing the President to issue such proclamation. The President in every possible instance shall seek the advice and counsel of Congress and provide Congress with all pertinent information before proclaiming the existence of a national emergency. After such proclamation has been issued, the President shall consult regularly with Congress until the national emergency has been terminated.

Page 3, strike out the period at the end of line 15 and insert in lieu thereof the following: "; or

"(3) thirty calendar days elapse following the declaration of an emergency unless Congress (A) has authorized by concurrent resolution the extension of such an emergency to a date certain, or (B) is physically unable to meet as a result of an armed attack upon the United States."

Page 3, line 16, strike out "year" and insert "month" in lieu thereof.

Page 3, line 24, insert immediately after the comma the following: "or on the date specified in any concurrent resolution referred to in clause (3) of this subsection, or on the 30th day following the declaration of such an emergency,".

Page 4, line 21, strike out "fifteen" and insert "five" in lieu thereof.

Page 5, line 7, strike out "fifteen" and insert "five" in lieu thereof.

Page 5, line 16, strike out "six" and insert "two" in lieu thereof.

Page 5, line 17, strike out "conference" and insert the following: "unless both Houses of Congress shall otherwise determine by yeas and nays".

Page 5, line 21, strike out "six" and insert "two" in lieu thereof.

Page 7, line 2, insert immediately after "act" the following: ", and unless such provisions of law are among those enumerated by the Attorney General pursuant to section 503 of this Act".

On page 10, immediately after line 19, insert the following new section:

"SEC. 503. Not later than six months after the date of enactment of this Act, the Attorney General shall submit to the Congress a list of all provisions of law (including but not limited to statutes, executive orders, and departmental regulations) conferring powers and authorities which may be exercised during a national emergency declared by the President. Such list shall be published in the Federal Register."

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

REGISTRATIONS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following registrations were submitted for the second calendar quarter 1974:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

PAGE 1◄

A. Dean E. Abrahamson, 1092 25th Avenue SE., Minneapolis, Minnesota 55414.
B. Congress Watch, 133 C Street SE., Washington, D.C.

A. Ad Hoc Committee of Concerned Cable Television Operators for a Fair Copyright Law, P.O. Box 389, Painted Post, N.Y. 14870.

A. Akin, Gump, Strauss, Hauer & Feld, 1100 Madison Office Building, 1155 15th Street NW., Washington, D.C. 20005.
B. The Industry Coordinating Committee To Conserve Energy, 222 Cedar Lane, Teaneck, N.J. 07666.

A. Alaskan Arctic Gas Pipeline Co., P.O. Box 979, Alaska Mutual Bank Building, Anchorage, Alaska 99510.

A. Alcalde, Henderson & O'Bannon, Ltd., 1911 Fort Myer Drive, No. 1207, Rosslyn, Va. 22209.
B. Latin American Manufacturers' Association, 1728 East 14th Street, San Leandro, Calif.

A. Barbara Reid Alexander.
B. Sierra Club, 324 C Street SE., Washington, D.C. 20003.

A. Ricardo R. Alvarado, 6108 Fort Hunt Road, Alexandria, Va. 22307.
B. Lockheed Aircraft Corp., P.O. Box 551, Burbank, Calif. 91520.

A. American Committee on U.S.-Soviet Relations, 122 Maryland Avenue NE., Washington, D.C. 20002.

A. The American Copper Council, 1122 East 180th Street, New York, N.Y. 10460.

A. American Hellenic Institute, Public Affairs Committee, Inc., 1730 K Street NW., Suite 903, Washington, D.C. 20006.

A. American Nuclear Energy Council, 1629 K Street NW., Suite 700, Washington, D.C.

A. American Rape Prevention Association, 50 Muth Drive, Orinda, Calif. 94563.

A. Virginia Andary, 204 Thistle Drive, Silver Spring, Md. 20901.
B. Catholics for a Free Choice, 515 Madison Avenue, New York, N.Y. 10022.

A. Scott G. Anderson, 11800 Sunrise Valley Drive, Reston, Va. 22091.
B. Burlington Northern, Inc., 176 East Fifth Street, St. Paul, Minn. 55101.

A. Florian J. Anfang, 815 16th Street NW., Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, Freight Handlers, Express & Station Employees, 6300 River Road, Rosemont, Ill. 60018.

A. Apco Oil Corp. 1700 Houston Natural Gas Building, Houston, Tex. 77002.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C. 20006.
B. National Association of Recording Merchandisers, Inc., 1060 Kings Highway North, Suite 200, Cherry Hill, N.J. 08034.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Quintana Petroleum Corp., 500 Jefferson Building, Houston, Tex. 77002.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Quintana Refining Co., 500 Jefferson Building, Houston, Tex. 77002.

A. Association of Trial Lawyers of America, 20 Garden Street, Cambridge, Mass. 02138.

A. Automotive Parts & Accessories Association, Inc., 1730 K Street NW., Washington, D.C.

A. Richard E. Ayres, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

A. Jacqueline Balk-Tusa, 1730 M Street NW., Washington, D.C. 20036.
B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.

A. Roger V. Barth, 1140 Connecticut Avenue NW., Suite 412, Washington, D.C. 20036.
B. American Association of Clinical Chemists, 1725 K Street NW., Washington, D.C. 20006.

A. Kenneth C. Bass III, Reasoner, Davis & Vinson, 800 17th Street NW., Washington, D.C. 20006.
B. Arctic Slope Regional Corps., P.O. Box 566, Barrow, Alaska 99723.

A. Lucius D. Battle.
B. Communications Satellite Corp., 950 L'Enfant Plaza SW., Washington, D.C. 20024.

A. Orren Beaty, 417 New Jersey Avenue SE., Washington, D.C. 20003.
B. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.

A. Christine T. Beatty, Suite 911, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. St. Joe Minerals Corp., 250 Park Avenue, New York, N.Y. 10017.

A. Alexander B. Bell, 9618 Cottrell Terrace, Silver Spring, Md. 20903.
B. United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of the United States & Canada, 901 Massachusetts Avenue NW., Washington, D.C. 20001.

A. Jeffrey P. Berg, 10880 Wilshire Boulevard, Suite 2121, Los Angeles, Calif. 90024.
B. Grayson, Gross & Sherman, 10880 Wilshire Boulevard, Suite 2121, Los Angeles, Calif. 90024.

A. Linda M. Billings, Sierra Club, 324 C Street SE., Washington, D.C. 20003.
B. Sierra Club, 1050 Mills Tower, 220 Bush Street, San Francisco, Calif. 94104.

A. F. Porter Blackard, Post Office Box 23652, L'Enfant Plaza Station, Washington, D.C. 20024.
B. Norfolk & Western Railway Co., 8 North Jefferson Street, Roanoke, Va. 24042.

A. Boasberg, Hewes, Klores & Kass, 1225 19th Street NW., Suite 602, Washington, D.C. 20036.
B. Committee for the Preservation of Migrant Programs, 1225 19th Street NW., Suite 602, Washington, D.C. 20036.

A. Boasberg, Hewes, Klores & Kass, 1225 19th Street NW., Washington, D.C. 20036.
B. National Board of Young Men's Christian Associations, 291 Broadway, New York, N.Y. 10007.

A. Becky Bogard, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

A. Christie K. Bohner, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C. 20006.

A. Boyden, Kennedy, Romney & Howard, 1000 Kennecott Building, Salt Lake City, Utah 84133.
B. The Zuni Indian Tribe, Zuni, N. Mex

A. Cyril F. Brickfield, Miller, Singer, Michaelson, Brickfield & Raives, 1909 K Street NW., Washington, D.C. 20006.
B. National Retired Teachers Association, American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20006.

A. Claude S. Brinegar, 461 South Boylston Street, Los Angeles, Calif. 90054.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90054.

A. Joe B. Browder, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

A. Donald K. Brown, 1127 11th Street, Suite 525, Sacramento, Calif. 95814.
B. Hughes Air Corp., 3125 Clearview Way, San Mateo, Calif.

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B. Summa Corp., Post Office Box 309, Las Vegas, Nev.

A. Brownstein Zeidman Schomer & Chase, 1025 Connecticut Avenue NW., Suite 900, Washington, D.C. 20036.
B. New York State Urban Development Corp., 1345 Avenue of the Americas, New York, N.Y. 10019.

A. J. Charles Bruse, 1700 Pennsylvania Avenue NW., Suite 750, Washington, D.C.
B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill. 60062.

A. J. Charles Bruse, 1700 Pennsylvania Avenue NW., Suite 750, Washington, D.C. 20006
B. Allstate Insurance Cos., Allstate Plaza, Northbrook, Ill. 60062.

A. Timothy F. Burns, 1133 20th Street NW., Washington, D.C. 20036.
B. National Canners Association, 1133 20th Street NW., Washington, D.C. 20036.

A. Busby Rivkin Sherman Levy & Rehm, 900 17th Street NW., Suite 1100, Washington, D.C. 20006.
B. Pluswood, Inc., Post Office Box 1340, Oshkosh, Wis. 54901.

A. Janette F. Byrne, 1230 Princeton, Apt. 7, Santa Monica, Calif.

A. John W. Byrnes, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006. (For Encyclopaedia Britannica, Inc.)

A. M. Douglas Caddy, 925 15th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 925 15th Street NW., Washington, D.C. 20005.

A. Arthur E. Cameron, 918 16th Street NW., Washington, D.C.
B. LFE Corp., 1601 Trapelo Road, Waltham, Mass. 02154; Eagle Signal, 736 Federal Street, Davenport, Iowa 52803.

A. Arthur E. Cameron, 918 16th Street NW., Washington, D.C. 20006.
B. Prismo Universal Corp., et al.

A. John E. Campbell, One Farragut Square South, Washington, D.C. 20006.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.

A. Ross Capon, 417 New Jersey Avenue SE., Washington, D.C. 20003.

B. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.

A. Harlon B. Carter, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

A. Casey, Lane & Mittendorf, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Apco Oil Corp., 1700 Houston Natural Gas Building, Houston, Tex. 77002.

A. Casey, Lane & Mittendorf, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Arctic Gas Study Co., 1730 Pennsylvania Avenue NW., Washington, D.C.

A. Casey, Lane & Mittendorf, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Northwest Energy Co., P.O. Box 1526, Salt Lake City, Utah 84110.

A. Catholics for a Free Choice, 515 Madison Avenue, New York, N.Y. 10022.

A. Ray Chambers, 1776 F Street NW., Suite 303, Washington, D.C. 20006.
B. Boston and Maine Railroad, North Billerica, Mass. 01862.

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B. Bangor and Aroostook Railroad, Bangor, Maine 04401.

A. Gale H. Chapman, 5300 Williston Road, Minnetonka, Minn. 55343.
B. Upper Mississippi Waterway Association, 700 Midland Bank Building, Minneapolis, Minn. 55401.

A. Carlton S. Clark, 1412 Gas & Electric Building, Baltimore, Md. 21203.
B. Baltimore Gas & Electric Co., Gas & Electric Building, Baltimore, Md. 21203.

A. Clark, West, Keller, Sanders & Butler, 2424 First National Bank Building, Dallas, Tex. 75202.
B. National Music Publishers' Association, Inc., 110 East 59th Street, New York, N.Y. 10022.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Colonial Sugar Refining Co., Ltd., 1–7 O'Connell Street, Sydney, Australia.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Interbank Card Association, Suite 3600 110 East 59th Street, New York, N.Y. 10022.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Synthetic Organic Chemical Manufacturers Association, 1075 Central Park Avenue, Scarsdale, N.Y. 10533.

A. Walter S. Clement, P.O. Box 23652, L'Enfant Plaza Station, Washington, D.C. 20024.
B. Norfolk & Western Railway Co., 8 North Jefferson Street, Roanoke, Va. 24042.

A. Coalition of Private University Students (COPUS), c/o Andrew Kerstein, 78 East Broadway, Staten Island, N.Y. 10306.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Patton, Boggs & Blow (for American Imported Automobile Dealers Association), 1200 17th Street NW., Washington, D.C. 20036.

A. Committee for Jobs Through Economic Development, 1006 State Street, Erie, Pa. 16501.

A. Committee for the Preservation of Migrant Programs, 1225 19th Street NW., Suite 602, Washington, D.C. 20036.

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B. Chessie System, Terminal Tower, Cleveland, Ohio 44101.

A. Aurelian H. Cooledge, 955 L'Enfant Plaza North, SW., Washington, D.C. 20024.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash. 98124.

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A. Council of Community Hospitals (CCH), 4614 Fifth Avenue, Pittsburgh, Pa. 15213.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. American Can Co., American Lane, Greenwich, Conn. 06830.

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A. Cramer, Haber and Becker, 475 L'Enfant Plaza, SW., Suite 4100, Washington, D.C. 20024.
B. Appalachian Organization of Surface Miners, Professional Arts Building, Norton, Va. 24273.

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B. Jockeys' Guild, Inc., 555 Fifth Avenue, New York, N.Y. 10017.

A. Davis, Wright, Todd, Riese & Jones, 4200 Seattle-First National Bank Building, Seattle, Wash. 98154
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A. Sandra DeMent, Washington, D.C. 20006.
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B. Association of Texas Soil & Water Conservation Districts, Inc., Temple, Tex. 76501.

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A. J. Burton Eller, Suite 1015, National Press Building, 14th and F Streets NW., Washington, D.C. 20045.
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B. Ford Motor Co., The American Road, Dearborn, Mich. 48121.

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A. Richard M. Fairbanks III, 1 Farragut Square South, Washington, D.C. 20006.

B. Commonwealth of Puerto Rico, c/o Hon. Carlos R. Rios, P.O. Box 192, San Juan, P.R. 00902.

A. Samuel Stephen Fields, 1424 16th Street NW., No. 704, Washington, D.C. 20036.
B. Americans For Democratic Action, 1424 16th Street NW., No. 704, Washington, D.C. 20036.

A. First Class Mailers Association, Inc., 1101 New Hampshire Avenue NW., Suite 107, Washington, D.C. 20037.

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B. National Employment Association, 2000 K Street NW., Washington, D.C. 20006.

A. James H. Fitzgerald, 767 Fifth Avenue, New York, N.Y. 10022.
B. The J. B. Williams Co., Inc.

A. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Encyclopaedia Britannica, Inc., 425 North Michigan Avenue, Chicago, Ill. 60611.

A. Harry L. Freeman, 1701 K Street NW., Washington, D.C. 20006.
B. American Express Co., 65 Broadway, New York, N.Y. 10006.

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B. Action for Legal Rights, 2030 M Street NW., Washington, D.C. 20037.

A. Fried, Frank, Harris, Shriver & Kampelman, Suite 1000, 600 New Hampshire Avenue NW., Washington, D.C. 20037.
B. LTV Aerospace Corp., P.O. Box 5907, Dallas, Tex. 75222.

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B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.

A. Franklin L. Gage, 153 E Street SE., Washington, D.C. 20003.
B. Task Force Against Nuclear Pollution, Inc., 153 E Street, SE, Washington, D.C. 20003.

A. Gausewitz, Carr & Rothenberg, Suite 711, South Tower, Union Bank Square, Orange, Calif. 92668.
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B. Blue Bell, Inc., P.O. Box 21488, Greensboro, N.C. 27420.

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B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.

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A. Gould, Reichert & Strauss, 2613–20 Carew Tower, Cincinnati, Ohio 45202.
B. Francis J. Rorke, et al.

A. Elliott Stone Graham, 1630 Calle Vaquero Drive, Glendale, Calif. 91206.

A. Grayson, Gross & Sherman, 10880 Wilshire Boulevard, Suite 2121, Los Angeles, Calif. 90024.
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A. Holly Corp., 2001 Bryan Tower, Dallas, Tex. 75201.

A. Fortescue W. Hopkins, Box 218, Danville, Va.
B. Long Branch Coal Co., P.O. Box 4367, Roanoke, Va.

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A. Hudson, Creyke, Koehler & Tacke, 1744 R Street NW., Washington, D.C. 20009.

B. S&E Contractors, Inc., 5700 Swiss Avenue, P.O. Box 2399, Dallas, Tex. 75221.

A. Vester T. Hughes, Jr., 4300 First National Bank Building, Dallas, Tex. 75202.

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B. Midcontinent Farmers Association, Columbia, Mo. 65201.

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B. Advance Publications, Inc., 950 Fingerboard Road, Staten Island, New York, N.Y.

A. Morris J. Levin, 1620 I Street NW., Washington, D.C. 20006.

B. New York News, Inc., 220 East 42d Street, New York, N.Y. 10017.

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B. Times Mirror Co., Times Mirror Square, Los Angeles, Calif. 90053.

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B. UAL, Inc., P.O. Box 66100, Chicago, Ill. 60666.

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B. Montana Railroad Association, Box 1172, Helena, Mont. 59601.

A. Dianne McLaughlin, American League of Anglers, Inc., 810 18th Street NW., Washington, D.C. 20006.

B. American League of Anglers, Inc., 810 18th Street NW., Washington, D.C. 20006.

A. Margaret Elizabeth McNamara, Council for a Livable World, 100 Maryland Avenue NE., Washington, D.C.
B. Council for a Livable World.

A. Joy M. Midman, National Association of Private Psychiatric Hospitals, Inc., 1 Farragut Square South NW., Washington, D.C. 20006.
B. National Association of Private Psychiatric Hospitals, Inc., 1 Farragut Square South NW., Washington, D.C. 20006.

A. Jay A. Miller, 410 First Street SE., Washington, D.C. 20003.
B. American Civil Liberties Union, 22 East 40th Street, New York N.Y. 10016.

A. Larry Alan Miller, 2727 29th Street NW., Washington, D.C. 20008.
B. Portable Sanitation Association, 1101 Vermont Avenue NW., Suite 206, Washington, D.C. 20005.

A. Miller, Cassidy, Larroca & Lewin, 2555 M Street NW., Suite 500, Washington, D.C. 20037.
B. Alaska Federation of Natives, International, 133 Queen Ann Avenue North, Seattle, Wash., 98109.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pacific Lighting Corp., Box 60043, Terminal Annex, Los Angeles, Calif. 90054.

A. Linda Mills, 1629 K Street NW., Suite 403, Washington, D.C. 20006.
B. General Mills, Inc., P.O. Box 113, Minneapolis, Minn. 55440.

A. John B. Minnick, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.
B. Chocolate Manufacturers Association of the United States of America, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.

A. William E. Minshall, 1730 M Street NW., Suite 905, Washington, D.C. 20036.
B. Warner G. Smith, Inc., 1730 Train Avenue, Cleveland, Ohio 44113.

A. Woodrow B. Moats, Jr., 1156 15th Street NW., Suite 731, Washington, D.C. 20005.
B. Associated Builders & Contractors, Inc.

A. Christopher Monek, 1957 E Street NW., Washington, D.C. 20006.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Montana Railroad Association, Box 1172, Helena, Mont. 59601.

A. Moore-McCormack Resources, Inc., 1 Landmark Square, Stamford, Conn. 06901.

A. Cynthia Mordaunt, 1717 Massachusetts Avenue NW., No. 701, Washington, D.C. 20036.
Inc., 1717 Massachusetts Avenue NW., Wash-
B. Group Health Association of America, Inc., 1711 Massachusetts Avenue NW., Washington, D.C. 20036.

A. E. Joyce Morgan, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Alan B. Morrison, Public Citizen, Inc., Suite 700, 2000 P Street NW., Washington, D.C. 20036.
B. Public Citizen, Inc., Box 19404, Washington, D.C. 20036.

A. Christopher M. Mould, 1666 Connecticut Avenue NW., Washington, D.C.
B. National Board of Young Men's Christian Associations, 291 Broadway, New York, N.Y. 10007.

A. Timothy R. Murphy, Route 7, Grimes Mill Road, Lexington, Ky. 40802.
B. Save Our Cumberland Mountains/Appalachian Coalition, Box 457, Jacksboro, Tenn. 37757.

A. National Action Committee on Secondary Boycotts, 1957 E Street NW., Washington, D.C. 20006.

A. National Association of Air Traffic Specialists, 4630 Montgomery Avenue, Suite 200, Washington, D.C. 20014.

A. National Association of Farm and Ranch Trailer Manufacturers, Inc., 109 West Houston, Sherman, Tex. 75090.

A. National Association of Federally Licensed Firearms Dealers/American Press Media, 7001 North Clark Street, Chicago, Ill. 60626.

A. National Association of Manufacturers, 1776 F Street NW., Washington, D.C.

A. National Association of Private Psychiatric Hospitals, Inc., 1 Farragut Square South NW., Washington, D.C. 20006.

A. National Association of Professional Administrators (NAPA), 1801 K Street NW., Suite 220, Washington, D.C. 20006.

A. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.

A. National Board of Young Men's Christian Associations, 291 Broadway, New York, N.Y. 10007.

A. National Committee for Effective No-Fault, 2535 Massachusetts Avenue NW., Washington, D.C. 20008.

A. National Consumer Center for Legal Services, 1750 New York Avenue NW., Washington, D.C. 20006.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20003.
B. North American Telephone Association, 1725 De Salles NW., Washington, D.C. 20036.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20008.
B. Purolator Services, Inc., 2 Nevada Drive, Lake Success, N.Y. 11040.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20003.
B. Western Railroad Association, 222 South Riverside Plaza, Chicago, Ill. 60606.

A. National Employment Association, 2000 K Street NW., Washington, D.C. 20006.

A. National Organization for the Reform of Marijuana Laws, 2317 M Street NW., Washington, D.C. 20037.

A. National Realty Committee, Inc., 230 Park Avenue, New York, N.Y. 10017.

A. New England Petroleum Corp., 825 Third Avenue, New York, N.Y. 10022.

A. Carl A. Nordberg, Jr., Suite 500, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Gulf Oil Corp., Gulf Oil Building, Pittsburgh, Pa. 15219.

A. Norfolk and Western Railway Co., P.O. Box 23652, L'Enfant Plaza Station, Washington, D.C. 20024.

A. Julia J. Norrell, 1730 M Street NW., Washington, D.C.

B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.

A. Northwest Energy Co., P.O. Box 1526, Salt Lake City, Utah 84110.

A. George O'Bea, Jr., 815 16th Street NW., Suite 304, Washington, D.C. 20006.
B. United Paperworkers International Union, 815 16th Street NW., Suite 304, Washington, D.C. 20006.

A. Richard T. O'Connell, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.
B. Chocolate Manufacturers Association of the United States of America, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Automotive Parts & Accessories Association, Inc., 1730 K Street NW., Washington, D.C. 20006.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. Committee for Jobs Through Economic Development, 1006 State Street, Erie, Pa. 16501.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. Van R. Olsen, 1156 15th Street NW., Suite 1019, Washington, D.C.
B. U.S. Beet Sugar Association, 1156 15th Street NW., Washington, D.C. 20005.

A. Joseph G. O'Neill, 1620 Eye Street NW., Washington, D.C. 20006.
B. The Association of Trial Lawyers of America, 20 Garden Street, Cambridge, Mass. 02138.

A. Otis Elevator Co., Transportation Technology Division, P.O. Box 7293, Denver, Colo. 80207.

A. Our Land, Our Lives, 103 North Seventh Street, P.O. Box 1000, Gatesville, Tex. 76528.

A. The Pack River Company, 425 Peyton Building, Spokane, Wash. 99201.

A. Michael J. Parker, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

A. The Patent Law Association of Los Angeles, Suite 2400, Equitable Plaza, 3435 Wilshire Boulevard, Los Angeles, Calif. 90010.

A. David J. Pattison, 1701 K Street NW., Washington, D.C. 20006.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.
B. Atlantic Richfield Company, P.O. Box 360, Anchorage, Alaska 99510.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.
B. BP Alaska, Inc., 100 Pine Street, San Francisco, Calif. 94111.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.
B. Exxon Company, U.S.A., P.O. Box 2180, Houston, Tex. 77701.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Louisiana Educational Television Authority, P.O. Box 44064, Baton Rouge, La. 70804.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. The Standard Oil Company (Ohio), Midland Building, Cleveland, Ohio 44115.

A. Peabody, Rivlin & Lambert, 1730 M Street NW., Washington, D.C. 20036.

B. Independent Oil & Gas Association of West Virginia, P.O. Box 1740, Clarksburg, W. Va. 26301.

A. Peabody, Rivlin & Lambert, 1730 M Street NW., Washington, D.C. 20036.

B. Westinghouse Electric Corporation, 1801 K Street NW., Washington, D.C. 20006.

A. Jack Pearce, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association for Milk Marketing Reform, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

A. George C. Pendleton, One Farragut Square, South Suite 800, Washington, D.C. 20006.

B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C. 20006.

A. Elizabeth W. Philip, 5215 Falmouth Road, Washington, D.C.

B. National Taxpayer's Union, 625 East Capital Street SE., Washington, D.C.

A. Pierson, Ball & Dowd, 1000 Ring Building, Washington, D.C. 20036.

B. National Music Publishers Association, 110 E. 59th Street, New York, N.Y. 10022.

A. Ralph Pomerance, Jr., 620 C Street SE., Washington, D.C. 20003.

B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.

A. Kenneth B. Pomeroy, 10404 Conover Drive, Silver Spring, Md. 20902.

B. Association of State College and University Forest Research Organizations (ASCUFRO).

A. Portable Sanitation Association, 1101 Vermont Avenue NW., Suite 206, Washington, D.C. 20005.

A. Edmond A. Potter, NCR Corp., 2301 Research Boulevard, Rockville, Md. 20850.

B. NCR Corp., Main and K Streets, Dayton, Ohio 45479.

A. Preston, Thorgrimson, Ellis, Holman & Fletcher, Suite 201, 1776 F Street NW., Washington, D.C. 20006.

B. The Pack River Company, 425 Peyton Building, Spokane, Wash., 99201.

A. Jerry Z. Pruzan, 1025 Connecticut Avenue NW., Washington, D.C.

B. Atlantic Richfield Company, 515 South Flower Street, Los Angeles, Calif. 90071.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.

B. American Rice Growers Cooperative Association, Lake Charles, La.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.

B. American Rice, Inc., Houston, Tex.

A. Graham Purcell, 1819 H Street NW., Washington, D.C. 20006.

B. Clayton Brokerage Co. of St. Louis, Inc., Clayton, Mo. 63105.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.

B. CSR, Limited, Box 483 G.P.O., Sydney, Australia.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.

B. United Rice Growers & Millers, Maxwell, Calif.

A. Susan Recce, 1600 Rhode Island Avenue, Washington, D.C. 20036.

B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

A. Thomas J. Reese, 3751 Jenifer Street NW., Washington, D.C. 20015.

B. Taxation with Representation, 2369 North Taylor Street, Arlington, Va. 22207.

A. Redwood Industry Park Committee, P.O. Box 697, Arcata, Calif. 95521.

A. John C. Reid, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Blue Bell, Inc., P.O. Box 21488, Greensboro, N.C. 27420.

A. Peter Regalado, 1025 Vermont Avenue NW., Suite 713, Washington, D.C. 20005.

A. Diane Bennert, 1920 L Street NW., Washington, D.C. 20036.

B. Association of American Publishers, 1920 L Street NW., Washington, D.C. 20036.

A. Reproductive Freedom League, P.O. Box 11921, Lexington, Ky. 40511.

A. John H. Reurs, 25 Broadway, New York, N.Y. 10004.

B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y. 10004.

A. James W. Riddell, 723 Washington Building, Washington, D.C. 20005.

B. Atlantic Time Products Corp., et al.

A. John R. Rivers, 1 Farragut Square South, Washington, D.C. 20006.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.

A. Riviana Foods, Inc., 2777 Allen Parkway, Houston, Tex. 77019.

A. Kenneth A. Roberts, 888 17th Street NW., Washington, D.C.

B. David C. Sharman, Sharman Associates, Inc., 1100 17th Street, Suite 1000, Washington, D.C. 20036.

A. Ted V. Rodgers, Suite 304, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. Nationwide Insurance Cos. & Affiliates, 246 North High Street, Columbus, Ohio 43216.

A. Frank W. Rogers, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. Frank W. Rogers, Suite 793, 1801 K Street NW., Washington, D.C. 20006.

B. Vetco Offshore Industries, Inc., 5808 Telephone Road, Suite 201, Ventura, Calif. 93003.

A. Rogers & Wells, 1666 K Street NW., Washington, D.C. 20006.

B. The F. & M. Schaefer Brewing Co., 430 Kent Avenue, Brooklyn, N.Y. 11211.

A. Rogers & Wells, 1666 K Street NW., Washington, D.C. 20006.

B. Twentieth Century Fox Film Corp., P.O. Box 900, Beverly Hills, Calif. 90213.

A. Albert B. Rosenbaum III, 1616 P Street NW., Washington, D.C. 20036.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Ruckelshaus, Beveridge, Fairbanks & Diamond, One Farragut Square South, Third Floor, Washington, D.C. 20006.

B. The Society of the Plastics Industry, Inc., 1150 17th Street NW., Suite 1000, Washington, D.C. 20036.

A. Nicholas L. Ruggieri, 1155 15th Street NW., Washington, D.C. 20005.

B. Pharmaceutical Manufacturers Association.

A. Leonard H. Ruppert, New Jersey Petroleum Council, Division of API, 212 West State Street, Trenton, N.J. 08608.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Suite 514, Washington, D.C. 20036.

B. Alaska Federation of Natives International, 1412 F Street NW., Washington, D.C. 20004.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Suite 514, Washington, D.C. 20036.

B. American Association of Bioanalysts, 411 North Seventh Street, Suite 805, St. Louis, Mo. 63101.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Suite 514, Washington, D.C. 20036.

B. Calista Corp., 516 Denali Street, Anchorage, Alaska 99501.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Suite 514, Washington, D.C. 20036.

B. International Society for Clinical Laboratory Technology, 411 North Seventh Street, Suite 805, St. Louis, Mo. 63101.

A. Stephen L. Samuels, 133 C Street SE., Washington, D.C. 20003.

B. Congress Watch, 133 C Street SE., Washington, D.C.

A. Charles W. Sandman, Jr., 475 L'Enfant Plaza SW., Suite 4100, Washington, D.C. 20024.

B. Appalachian Organization of Surface Miners, Professional Arts Building, Norton, Va. 24273.

A. Save Our Cumberland Mountains/Appalachian Coalition, Box 457, Jacksboro, Tenn. 37757.

A. Kenneth I. Schauer; John S. Hoff, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Leva, Hawes, Symington, Martin & Oppenheimer (for: Council of Community Hospitals, 4614 Fifth Avenue, Pittsburgh, Pa. 15213).

A. Jacques T. Schlenger, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.

B. Maryland Savings-Share Insurance Corp., 901 North Howard Street, Baltimore, Md. 21201.

A. Charles W. Schoeneman, 11800 Sunrise Valley Drive, Reston, Va. 22091.

B. Bureau of Salesmen's National Associations, 1819 Peachtree Road NE., Atlanta, Ga. 30309.

A. William J. Schreiber, Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, 815 16th Street NW., Washington, D.C. 20006.

B. Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employes, 6300 River Road, Rosemont, Ill. 60018.

A. Roger A. Schultz, 767 Fifth Avenue, New York, N.Y. 10022.
B. The J. B. Williams Company, Inc.

A. Donald E. Selby, National Paint and Coatings Association, Inc., 1500 Rhode Island Avenue NW., Washington, D.C. 20005.
B. National Paint and Coatings Association, Inc., 1500 Rhode Island Avenue NW., Washington, D.C. 20005.

A. Self-Determination for District of Columbia, 3705 Porter Street NW., Washington, D.C. 20016.

A. Yvonne L. Shafer, c/o Classroom Teachers of Dallas, 3816 San Jacinto Street, Dallas, Tex. 75204.
B. National Education Association, 1201 16th Street NW., Washington, D.C. 20036.

A. Harry D. Shapiro, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland Savings-Share Insurance Corp., 901 North Howard Street, Baltimore, Md. 21201.

A. Jerome G. Shapiro, One Wall Street, New York, N.Y. 10005.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10022.

A. Sharman Associates, Inc., 1100 17th Street NW., Suite 1000, Washington, D.C. 20036.
B. National Association of Professional Administrators, 1801 K Street NW., Suite 220, Washington, D.C. 20006.

A. James R. Sharp, 1108 16th Street NW., Washington, D.C. 20036.
B. American Fur Merchants Association, 224 West 30th Street, New York, N.Y.

A. Shaw, Pittman, Potts & Trowbridge, 910 17th Street NW., Washington, D.C. 20006.
B. Institute of Foreign Bankers, 10 Pine Street, New York, N.Y. 10005.

A. Seymour Sheriff, 1126 Woodward Building, Washington, D.C. 20005.
B. Man-Made Fiber Producers Association, Inc.

A. Jerold Sherman, 10880 Wilshire Boulevard, Suite 2121, Los Angeles, Calif. 90024.
B. Janette F. Byrne, 1230 Princeton, Apt. 7, Santa Monica, Calif.

A. Sierra Club, 1050 Mills Tower, San Francisco, Calif. 94104.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. Venezuelan-American Chamber of Commerce and Industry, Apartado 5181, Caracas 101, Venezuela.

A. Small Producers for Energy Independence, Suite 970, 4th Financial Center, Wichita, Kans. 67202.

A. Hugh H. Smith, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Express Company, 65 Broadway, New York, N.Y. 10006.

A. Hugn H. Smith, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. Weyerhaeuser Company, Tacoma, Wash. 98401.

A. James Gustave Speth, 3237 Arcadia Place, Washington, D.C. 20015.

B. Congress Watch, 133 C Street SE., Washington, D.C.

A. Harker Stanton, 1701 Pennsylvania Avenue, NW., Washington, D.C. 20006.
B. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C. 20005.

A. Leon P. Stavrou, 1730 K Street NW., Washington, D.C. 20006.
B. American Hellenic Institute Public Affairs Committee, Inc., 1730 K Street NW., Suite 903, Washington, D.C. 20006.

A. Stein, Halpert & Miller, 910 17th Street NW., Washington, D.C. 20006.
B. National Association of Insurance Agents, 85 John Street, New York, N.Y. 10038.

A. Arthur H. Stoup, 1006 Grand Avenue, Room 950, Kansas City, Mo. 64106.

A. R. Keith Stroup, 2317 M Street NW., Washington, D.C. 20037.
B. National Organization for the Reform of Marijuana Laws, 2317 M Street NW., Washington, D.C. 20037.

A. John H. Studebaker, 1019 19th Street NW., Washington, D.C. 20036.
B. United Fresh Fruit & Vegetables Association, 1019 19th Street NW., Washington, D.C. 20036.

A. Surrey, Karasik and Morse, 1156 15th Street NW., Washington, D.C.
B. Aguirre Company, 110 Wall Street, New York, N.Y. 10005.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Carnegie Corporation of New York, 437 Madison Avenue, New York, N.Y. 10022.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Connecticut Mutual Life Insurance Company, 140 Garden Street, Hartford, Conn. 06115.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. The Equitable Life Assurance Society of the United States, 1285 Avenue of the Americas, New York, N.Y. 10019.

A. Sutherland, Asbill & Brennan, Suite 800, 1666 K Street NW., Washington, D.C. 20006.
B. Governors of the Knights of Ak-Sar-Ben, 63 and Shirley Streets, Omaha, Nebr. 68106.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. Massachusetts Mutual Life Insurance Company. 1295 State Street, Springfield, Mass. 01101.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. New England Mutual Life Insurance Company, 501 Boylston Street, Boston, Mass. 02117.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.
B. The Northwestern Mutual Life Insurance Co., 720 East Wisconsin Avenue, Milwaukee, Wis. 53202.

A. Task Force against Nuclear Pollution, Inc., 153 E Street SE., Washington, D.C. 20003.

A. Fred D. Thompson, Thompson, Liebengood & Crawford, 15th Floor, First American Center, Nashville, Tenn. 37238.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. Terence Hastings Thorn, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.

A. Timmons & Co., Inc., 1776 F Street NW., Washington, D.C. 20006.
B. Association of Trial Lawyers of America, 1620 I Street NW., Washington, D.C. 20006.

A. Timmons & Co., Inc., 1776 F Street NW., Washington, D.C. 20006.
B. Laclede Gas Co., 720 Olive Street Louis, Mo. 63101.

A. Timmons & Co., Inc., 1776 F Street NW., Washington, D.C. 20006.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

A. Timmons & Co., Inc., 1776 F Street NW., Washington, D.C. 20006.
B. Riviana Foods, Inc., P.O. Box 2636, Houston, Tex. 77001.

A. H. Willis Tobler.
B. E. A. Jaeneke & Associates, Inc., 1735 I Street NW., Suite 610, Washington, D.C. 20006.

A. Roger Lawson Tresolini, 334 Maryland Avenue NE., Washington, D.C. 20002.
B. National Taxpayers Union, 625 East Capitol Street SE. 20003.

A. John P. Trimmer, 1156 15th Street NW., Suite 731, Washington, D.C. 20005.
B. Associated Builders & Contractors, Inc.

A. St. Clair J. Tweedie, Suite 800, 1101 17th Street NW., Washington, D.C. 20036.
B. American Footwear Industries Association, 1611 North Kent Street, Arlington, Va. 22209.

A. St. Clair J. Tweedie, Suite 800, 1101 17th Street NW., Washington, D.C. 20036.
B. International Leather Goods, Plastics & Novelty Workers Union, 265 West 14th Street, New York, N.Y. 10011.

A. St. Clair J. Tweedie, Suite 800, 1101 17th Street NW., Washington, D.C. 20036.
B. The National Handbag Association, 347 Fifth Avenue, New York, N.Y. 10016.

A. United Paperworkers International Union, 163–03 Horace Harding Expressway, Flushing, N.Y. 11365.

A. Wayne Underwood, 1030 15th Street NW., Washington, D.C.
B. American Seed Trade Association, Suite 964, 1030 15th Street NW., Washington, D.C. 20005.

A. Jerry T. Verkler, 1660 L Street NW., Suite 901, Washington, D.C. 20036.
B. Texas Eastern Transmission Corp., P.O. Box 2521, Houston, Tex. 77001.

A. Andrew Vitali, Jr., 1801 K Street N.W., Washington, D.C. 20006.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. Jerome R. Waldie, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. American Association of Independent News Distributors, 50 California Street, San Francisco, Calif. 94111.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Federal National Mortgage Association, 1133 15th Street NW., Washington, D.C. 20005.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Geothermal Kinetics, Inc., 301 West Indian School Road, Phoenix, Ariz., 85013.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Union Oil Co. of California, 461 South Boylston, Los Angeles, Calif. 90017.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Wheelabrator-Frye, Inc., 299 Park Avenue, New York, N.Y. 10017.

A. Thomas P. Walsh, 10 Broadway, St. Louis, Mo. 63102.

B. St. Louis Regional Commerce & Growth Association, 10 Broadway, St. Louis, Mo. 63102.

A. Leonard Warner, P.O. Box 100, Ashburn, Va. 22011.

B. Len Warner, Inc., P.O. Box 100, Ashburn, Va. 22011.

A. Robert B. Washington, Danzansky, Dickey, Tydings, Quint & Gordon, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. Potomac Electric Power Co., 1900 Pennsylvania Avenue N.W., Washington, D.C. 20006.

A. Webster, Kilcullen & Chamberlain, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Paratransit Institute, 222 Wisconsin Avenue, Lake Forest, Ill. 60045.

A. Webster, Kilcullen & Chamberlain, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Society of Association Executives, 1101 16th Street NW., Washington, D.C. 20036.

A. David M. Weiman.

B. The Farmers' Educational and Co-Operative Union of America, 1012 14th Street, NW., Washington, D.C.

A. Weisman, Celler, Spett, Modlin & Wertheimer, 1025 Connecticut Avenue NW., Suite 910, Washington, D.C. 20036.

B. American Society of Composers, Authors & Publishers, ASCAP Building, 1 Lincoln Plaza, New York, N.Y. 10023.

A. Francis J. Welsh, 1445 East Meadowbrook, Phoenix, Ariz. 85014.

B. Citizens Concerned About the Project, P.O. Box 2628, Phoenix, Ariz. 85002.

A. Harvey J. Wexler, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Continental Airlines, Los Angeles International Airport, Los Angeles, Calif. 90009.

A. White & Case, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. North American Car Corp., 222 South Riverside Plaza, Chicago, Ill. 60606.

A. H. Philip Whitworth, Jr., P.O. Box 1148, Austin, Tex. 78767.

B. Texas Power & Light Co., Dallas, Tex.; Texas Electric Service Co., Ft. Worth; Dallas Power & Light Co., Dallas, Tex.; Central Power & Light Co., Corpus Christi, Tex.; West Texas Utilities, Abilene, Tex.

A. Anne Wickham, 620 C Street SE., Washington, D.C. 20003.

B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.

A. Louise D. Wides, 208 Ninth Street SE., Washington, D.C. 20003.

B. Center for Public Financing of Elections, 201 Massachusetts Avenue NE., Washington, D.C. 20002.

A. Thomas D. Wilcox, 919 Eighteenth Street NW., Washington, D.C. 20006.

B. National Association of Stevedores, 919 Eighteenth Street NW., Washington, D.C. 20006.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.

B. National Health Legislation Council, P.O. Box 4626, Columbus, Ohio. 43212.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.

B. Northrop Corp., 1800 Century Park East, Los Angeles, Calif.

A. Irwin Wolkstein, American Hospital Association, 1 Farragut Square South, Washington, D.C. 20006.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.

A. Joyce Wood, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

A. Charles Steven Yerrid, One Farragut Square South, Washington, D.C. 20006.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611

A. Robert Zacharias, 1957 E Street NW., Washington, D.C. 20006.

B. Associated General Contractors of America, 1957 E Street NW., Washington, D.C. 20006.

A. Robert C. Zimmer, 1775 K Street NW., Suite 220, Washington, D.C. 20006.

B. Citicard Services, Inc., 575 Lexington Avenue, New York, N.Y. 10022.

A. Roger H. Zion, Resources Development, Inc., 1155 15th Street NW., Suite 418, Washington, D.C. 20005.

B. American Hoechst Corp., Route 202-206 North, Somerville, N.J. 08876.

A. Roger H. Zion, Resources Development, Inc., 1155 15th Street NW., Suite 418, Washington, D.C. 20005.

B. Appalachian Organization of Surface Miners, Wise, Va.

QUARTERLY REPORTS*

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following quarterly reports were submitted for the second calendar quarter 1975:

(NOTE.—The form used for report is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the esesntial answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ <

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.<

AFFIDAVIT

[Omitted in printing]

PAGE 1<

NOTE ON ITEM "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $--------Dues and assessments
2. $--------Gifts of money or anything of value
3. $--------Printed or duplicated matter received as a gift
4. $--------Receipts from sale of printed or duplicated matter
5. $--------Received for services (e.g., salary, fee, etc.)
6. $--------TOTAL for this Quarter (Add items "1" through "5")
7. $--------Received during previous Quarters of calendar year
8. $--------TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $--------TOTAL now owed to others on account of loans
10. $--------Borrowed from others during this Quarter
11. $--------Repaid to others during this Quarter

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12. $--------"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": --------

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through ----------------, 19----)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $--------Public relations and advertising services
2. $--------Wages, salaries, fees, commissions (other than item "1")
3. $--------Gifts or contributions made during Quarter
4. $--------Printed or duplicated matter, including distribution cost
5. $--------Office overhead (rent, supplies, utilities, etc.)
6. $--------Telephone and telegraph
7. $--------Travel, food, lodging, and entertainment
8. $--------All other expenditures
9. $--------TOTAL for this Quarter (Add "1" through "8")
10. $--------Expended during previous Quarters of calendar year
11. $--------TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $--------TOTAL now owed to person filing
13. $--------Lent to others during this Quarter
14. $--------Repayment received during this Quarter

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15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7–11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7–15, 8–15, 9–15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

PAGE 2

A. Ad Hoc Committee of Concerned Cable Television Operators for a Fair Copyright Law, P.O. Box 389, Painted Post, New York 14870.
D. (6) $8,246. E. (9) $7,166.95.

A. Bruce Adams, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $3,000.

A. John J. Adams, Suite 1060, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Ethyl Corporation, 330 South Fourth Street, Richmond, Va.
D. (6) $400.

A. John J. Adams, Suite 1060, 1730 Pennsylvania Avenue NW., Washington, D.C.
B. Vepco, 7th and Franklin Streets, Richmond, Va.
D. (6) $500.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C. 20006.
D. (6) $300.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C. 20036.
D. (6) $9,814.78. E. (9) $9,814.78.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue N.W., Washington, D.C. 20001.
D. (6) $3,000. E. (9) $2,984.67.

A. Aircraft Owners & Pilots Association, P.O. Box 5800, Washington, D.C. 20014.
E. (9) $3,455.50.

A. Randolf H. Aires, 1211 Connecticut Avenue NW., Suite 802, Washington, D.C. 20036.
B. Sears, Roebuck and Co., Sears Tower, Chicago, Ill. 60684.
D. (6) $1,100. E. (9) $227.

A. Air Traffic Control Association, Suite 409 ARBA Building, 525 School Street S.W., Washington, D.C. 20024.

A. Akin, Gump, Strauss, Hauer & Feld, 1100 Madison Office Building, 1155 15th Street NW., Washington, D.C. 20005.
B. Gibbs Oil Co., 40 Lee Burbank Highway, Revere, Mass. 02151.
D. (6) $3,000.

A. Akin, Gump, Strauss, Hauer & Feld, 1100 Madison Office Building, 1155 15th Street NW., Washington, D.C. 20005.
B. The Industry Coordinating Committee to Conserve Energy, 222 Cedar Lane, Teaneck, N.J. 07660.
D. (6) $20,000. E. (9) $1,170.

A. Akin, Gump, Strauss, Hauer & Feld, 1100 Madison Office Building, 1155 15th Street NW., Washington, D.C. 20005.
B. Riviana Foods, Inc., 2777 Allen Parkway, Houston, Tex. 77019.
D. (6) $2,217. E. (9) $114.

A. Akin, Gump, Strauss, Hauer & Feld, 1100 Madison Office Building, 1155 15th Street NW., Washington, D.C. 20005.
B. Society of Independent Gasoline Marketers of America (SIGMA), 230 South Bemiston Street, St. Louis, Mo. 63105.
D. (6) $7,500. E. (9) $9.

A. Alcalde, Henderson & O'Bannon, Ltd., 1911 Ft. Myer Drive, No. 1207, Rosslyn, Va. 22209.
B. Jim Walter Corp., P.O. Box 22601, Tampa, Fla. 33622.
D. (6) $3,000.

A. Alcalde, Henderson & O'Bannon, Ltd., 1911 Ft. Myer Drive, No. 1207, Rosslyn, Va. 22209.
B. Latin American Manufacturers Association, 1728 East 14th Street, San Leandro, Calif.
D. (6) $500.

A. Alcalde, Henderson & O'Bannon, Ltd., 1911 Ft. Myer Drive, Suite 1207, Rosslyn, Va. 22209.
B. Tampa Electric Co., P.O. Box 111, Tampa, Fla. 33601.
D. (6) $1,500.

A. Alcalde, Henderson & O'Bannon, Ltd., 1911 Ft. Myer Drive, No. 1207 Rosslyn, Va. 22209.
B. Tampa Port Authority, P.O. Box 2192, Tampa, Fla. 33601.
D. (6) $3,600.

A. Alderson, Catherwood, Ondov & Leonard, 105 East Oakland Avenue, Austin, Minn. 55912.
B. The Hormel Foundation, Austin, Minn. 55912.

A. Willis W. Alexander, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,500.

A. Maxton Allcox, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich. 48203.
D. (6) $4,200.

A. John Allen, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Union Oil Company of California, 461 South Boylston Street, Los Angeles, Calif. 90017.
D. (6) $300. E. (9) $65.

A. Nicholas E. Allen, 1701 K Street NW., Suite 706, Washington, D.C. 20006.
B. Music Operators of America Inc., 228 North La Salle Street, Chicago, Ill. 60601.
D. (6) $2,118. E. (9) $139.58.

A. Webb M. Alspaugh, 1660 L Street NW., Suite 212, Washington, D.C. 20036.
B. The Standard Oil Co. (an Ohio corporation), Midland Building, Cleveland, Ohio, 44115.
D. (6) $300. E. (9) $225.

A. Ricardo R. Alvarado, 6108 Fort Hunt Road, Alexandria, Va. 22307.
B. Lockheed Aircraft Corp., P.O. Box 551, Burbank, Calif., 91520.
D. (6) $200. E. (9) $42.80.

A. Amalgamated Transit Union, National Capitol Local Division 689, 100 Indiana Avenue NW., No. 403. Washington, D.C., 20001.

A. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. American Academy of Family Physicians, 1740 West 92nd Street, Kansas City, Mo. 64114.
D. (6) $1,220.84. E. (9) $1,220.84.

A. American Association of Meat Processors, 224 East High Street, Elizabethtown, Pa. 17022.
D. (6) $67.62.

A. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22042.
E. (9) $21.

A. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $27,384. E. (9) $27,384.

A. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill. 60606.
D. (6) $2,078.39. E. (9) $2,078.39.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $10,274.02. E. (9) $10,274.02.

A. American Farm Bureau Federation, 425 13th Street NW., Washington, D.C. 20004.
D. (6) $49,596. E. (9) $49,596.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C. 20006.
E. (9) $73,014.87.

A. American Frozen Food Institute, 919 18th Street NW., Washington, D.C. 20006.
D. (6) $109,409.60. E. (9) $550.

A. American Hellenic Institute, Public Affairs Committee, Inc., 1730 K Street NW., Suite 903, Washington, D.C. 20006.
D. (6) $550. E. (9) $487.50.

A. American Hotel & Motel Association, 888 7th Avenue, New York, N.Y. 10019.
D. (6) $4,435.36. E. (9) $2,995.05.

A. The American Humane Association, 5351 South Roslyn Street, Englewood, Colo.
E. (9) $1,800.

A. American Institute of Merchant Shipping, 1625 K Street NW., Washington, D.C. 20005.
E. (9) $2,707.32.

A. American Insurance Association, 85 John Street, New York, N.Y. 10038.
D. (6) $40,324. E. (9) $40,324.

A. American Land Title Association, Suite 303, 1828 L Street NW., Washington, D.C. 20036.

A. American League of Anglers, Inc., 810 18th Street NW., Washington, D.C. 20006.
D. (6) $26,514.50. E. (9) $20,506.31.

A. American Library Association, 50 E. Huron Street, Chicago, Ill. 60611.
D. (6) $354. E. (9) $2,882.56.

A. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
E. (9) $1,400.

A. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
E. (9) $6,596.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
E. (9) $22,517.57.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill. 60606.
E. (9) $6,875.

A. American National Cattlemen's Association, 1001 Lincoln, Denver, Colo. 80202.
E. (9) $4,513.80.

A. American Optometric Association, 120 South Hanover Street, Carlisle, Pa. 17013.
D. (6) $2,104.39. E. (9) $2,104.39.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.
E. (9) $645.

A. American Parents Committee, Inc., 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $7,673.65. E. (9) $4,082.89.

A. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $31,150. E. (9) $69,939.

A. American Physical Therapy Association, 1156 15th Street NW., Washington, D.C. 20005.
D. (6) $8,006.10. E. (9) $8,006.10.

A. American Podiatry Association, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
E. (9) $17,443.99.

A. American Postal Workers Union AFL–CIO, 817 14th Street NW., Washington, D.C. 20005.
D. (6) $1,936,195.01. E. (9) $88,714.41.

A. American Pulpwood Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

A. American Seed Trade Association, 1030 15th Street NW., Suite 964, Washington, D.C. 20005.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $895.46. E. (9) $895.46.

A. American Surveys, Embassy Square, Suite 901, 2000 N Street NW., Washington, D.C. 20036.
B. National Customs Brokers & Forwarders Association of America, Inc., One World Trade Center, Suite 1109, New York, N.Y. 10048.
D. (6) $225. E. (9) $188.07.

A. American Textile Manufacturers Institute, Inc., Wachovia Center, 400 South Tryon Street, Charlotte, N.C. 28285.
D. (6) $21,109.04. E. (9) $21,109.04.

A. American Trucking Association, Inc., 1616 P Street NW., Washington, D.C. 20036.
D. (6) $10,290.06. E. (9) $58,467.78.

A. The American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1101, Arlington, Va. 22209.
D. (6) $204,534.

A. Anthony L. Anderson, Sun Oil Co., Suite 820, 1800 K Street NW., Washington, D.C. 20006.
B. Sun Oil Co., 240 Radnor-Chester Road, St. Davids, Pa. 19087.
D. (6) $5,000. E. (9) $1,175.

A. J. Lem Anderson, 400 First Street NW., Washington, D.C. 20001.
B. Time, Inc., Rockefeller Center, New York, N.Y. 10020.
D. (6) $1,750. E. (9) $201.74.

A. M. Kent Anderson, 2020 14th Street, North, Arlington, Va. 22201.
B. The Trane Co., 3600 Pammel Creek Road, LaCrosse, Wis. 54601.
D.(6) $350. E. (9) $18.60.

A. William C. Anderson, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $2,687. E. (9) $90.53.

A. Scott P. Anger, 1725 K Street NW., Washington, D.C. 20006.
B The Superior Oil Co., P.O. Box 1521, Houston, Tex. 77001.

A. Andrea N. Anglin, 1730 M Street NW., Washington, D.C. 20036.
B. League of Women Voters of the U.S., 1730 M Street NW., Washington, D.C. 20036.
D. (6) $437.

A. J. Donald Annett, 1001 Connecticut Avenue NW., Suite 510, Washington, D.C. 20036.
B. Texaco, Inc., 135 East 42nd Street, New York, N.Y. 10017.
D. (6) $100.

A. Leonard Appel, Wilson, Woods & Villalon, 425 13th Street NW., Suite 1032, Washington, D.C. 20004.
B. Everett Terminal Co., Inc., Post Office Box 1478, Hewitt Avenue Marine Terminal, Everett, Wash. 98206.
E. (9) $378.41.

A. Clarence A. Arata, Metropolitan Washington Board of Trade, 1129 20th Street NW., Washington, D.C. 20036.
B. Metropolitan Washington Board of Trade.
D. (6) $17,500.

A. John C. Archer, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.
D. (6) $1,100. E. (9) $300.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C. 20006.
B. Government of the Virgin Islands of the United States, c/o The Honorable Verne A. Hodge, Attorney General, Box 280, St. Thomas, V.I. 00801.
D. (6) $1,829.35.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C. 20006.
B. National Association of Recording Merchandisers, Inc., 1060 Kings Highway North, Suite 200, Cherry Hill, N.J. 08034.
D. (6) $25.

A. Arent, Fox, Kintner, Plotkin & Kahn, 1815 H Street NW., Washington, D.C. 20006.
B. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
D. (6) $880. E. (9) $16.

A. Howard Arnett, Pacific Power and Light Co., 918 16th Street NW., Washington, D.C. 20006.
B. Pacific Power and Light Co., Public Service Building, Portland, Oreg. 97204.
D. (6) $918. E. (9) $303.36.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $7,500.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Electronic Data Systems Corp., 7171 Forest Lane, Dallas, Tex. 75230.
E. (9) $96.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Quintana Petroleum Corp., 500 Jefferson Building, Houston, Tex. 77002.
D. (6) $800.

A. Carl F. Arnold, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Quintana Refining Co., 500 Jefferson Building, Houston, Tex. 77002.
D. (6) $800.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Council on Atmospheric Sciences, Chemical Specialties Manufacturing Association, Inc., 1001 Connecticut Avenue, Washington, D.C. 20036.
D. (6) $4,892.50. E. (9) $273.42.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Fairchild Camera and Instrument Corp., 464 Ellis Street, Mountain View, Calif. 94040.

A. Associated Builders & Contractors, Inc., 1156 15th Street NW., Suite 731, Washington, D.C. 20005.
D. (6) $8,000. E. (9) $9,146.78.

A. Associated Credit Bureaus, Inc., 6767 Southwest Freeway, Houston, Tex.
E. (9) $210.61.

A. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J. 07102.
D. (6) $105. E. (9) $90.

A. Associated Third Class Mail Users, Suite 607, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $300. E. (9) $300.

A. Association for Improvement of Mississippi River, c/o T. P. Walsh, 10 Broadway, St. Louis, Mo. 63102.
E. (9) $5,539.85.

A. Association of American Publishers, Room 750, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $5,225.07. E. (9) $5,225.07.

A. Association of American Railroads, Room 211, American Railroads Building, 1920 L Street NW., Washington. D.C. 20036.
D. (6) $9,584.23. E. (9) $9,584.23.

A. Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.

A. The Association of Trial Lawyers of America, 20 Garden Street, Cambridge, Mass. 02138.
D. (6) $9,402. E. (9) $9,402.

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y. 10017.
E. (9) $500.

A. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $900. E. (9) $250.

A. Robert L. Augenblick, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $40. E. (9) $2.50.

A. Richard W. Averill, American Optometric Association, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, 120 South Hanover Street, Carlisle, Pa. 17013.
D. (6) $800. E. (9) $301.

A. Donald L. Badders, 2030 M Street NW., Suite 800, Washington, D.C. 20036.
B. TRW Credit Data, 100 Oceangate, Suite 800, Long Beach, Calif. 90802.
D. (6) $525. E. (9) $161.62.

A. Baer & Marks, 70 Pine Street, New York, N.Y. 10005.
B. Commodity Exchange, Inc., 81 Broad Street, New York, N.Y. 10004.
D. (6) $500.

A. Carl E. Bagge, Coal Building, Washington, D.C. 20036.
B. National Coal Association, Coal Building, Washington, D.C. 20036.
E. (9) $2,015.58.

A. George F. Bailey, Jr., P.O. Box 21, Montgomery, Ala. 36101.

B. Alabama Railroad Association, P.O. Box 21, Montgomery, Ala. 36101.

A. James F. Bailey, 101 Constitution Avenue NW., Washington, D.C. 20001.

B. United Brotherhood of Carpenters & Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.

D. (6) $6,750. E. (9) $439.25.

A. Grace C. Baisinger, 2870 Arizona Terrace NW., Washington, D.C. 20016.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill. 60611.

E. (9) $650.22.

A. Emil F. Baker, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.

A. Thomas F. Baker, National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.

B. National Soft Drink Association.

D. (6) $11.42.

A. Donald Baldwin, 906 1625 I Street NW., Washington, D.C. 20006.

B. American Electric Power Co., 2 Broadway, New York, N.Y. 10004.

A. Jacqueline Balk-Tusa, 1730 M. Street NW., Washington, D.C. 20036.

B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.

D. (6) $45.

A. James G. Banks, Washington Board of Realtors, 1511 K Street NW., No. 439, Washington, D.C. 20005.

B. Washington Board of Realtors, 1511 K Street NW., No. 439, Washington, D.C. 26005.

A. Thomas H. Barksdale, Jr., 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $3,400. E. (9) $225.

A. Irvin L. Barney, 400 First Street NW., Washington, D.C. 20001.

B. Brotherhood Railway Carmen of the United States and Canada, 4929 Main Street, Kansas City, Mo. 64112.

D. (6) $5,166.65.

A. Richard L. Barr, 620 Capital City Bank Building, Des Moines, Iowa 50309.

B. Iowa Railway Association, 620 Capital City Bank Building, Des Moines, Iowa 50309.

A. Robert W. Barrie, 777 14th Street NW., Washington, D.C. 20005.

B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431.

D. (6) $235.

A. David S. Barrows, 214 Century Building, Portland, Oreg. 97205.

B. Association of Oregon & California Land Grant Counties, Douglas County Court House, Roseburg, Oreg. 97470.

D. (6) $1,200.

A. T. Michael Barry, 1771 N Street NW., Washington, D.C. 20036.

B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.

D. (6) $1,500. E. (9) $244.57.

A. Kenneth C. Bass III, Reasoner, Davis & Vinson, 800 17th Street NW., Washington, D.C. 20006.

B. Alaska Federation of Natives, Inc., 1675 C Street, Anchorage, Alaska 99501.

D. (6) $500.

A. William M. Bates, William M. Bates/Public Relations, Inc., 814 Carnegie Building, Atlanta, Ga. 30303.

B. Georgia Farm Bureau Federation.

D. (6) $4,500. E. (9) $1,161.22

A. Lucius D. Battle.

B. Communications Satellite Corp., 950 L'Enfant Plaza SW., Washington, D.C. 20024.

A. John F. Battles, Massachusetts Petroleum Council, 11 Beacon St., Boston, Mass. 02108.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. Batzell & Nunn, 1523 L Street NW., Washington, D.C. 20005.

B. Independent Terminal Operators Association, 1523 L Street NW., Washington, D.C. 20005.

D. (6) $500.

A. Gary Lee Bauer, Direct Mail/Marketing Association, Inc., 1730 K Street NW., Suite 905, Washington, D.C. 20006.

B. Direct Mail/Marketing Association, Inc., 1730 K Street NW., Suite 905, Washington, D.C. 20006.

D. (6) $5,000. E. (9) $1,250.

A. Bruce A. Beam, 40 Franklin Road SW., Roanoke, Va. 24011.

B. Appalachian Power Co., 40 Franklin Road SW., Roanoke, Va. 24011.

D. (6) $1,297.60. E. (9) $1,297.60.

A. Donald S. Beattie, 400 First Street NW., Washington, D.C. 20001.

B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.

D. (6) $1,770.04.

A. Orren Beaty, 417 New Jersey Ave. SE., Washington, D.C. 20003.

B. National Association of Railroad Passengers.

D. (6) $5,940.

A. Daniel S. Bedell, 1125 15th Street NW., No. 600, Washington, D.C.

B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 800 East Jefferson Avenue, Detroit, Mich. 48214.

D. (6) $6,152.59. E. (9) $379.79.

A. R. C. Beerbower, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. John H. Beidler, 1125 15th Street NW., No. 600, Washington, D.C. 20036.

B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), 800 East Jefferson, Detroit, Mich. 48214.

D. (6) $8,943.49. E. (9) $367.39.

A. Thomas S. Belford, 2030 M Street NW., Washington, D.C. 20036.

B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.

D. (6) $4,200. E. (9) $8.

A. Alexander B. Bell, 9618 Cottrell Terrace, Silver Spring, Md. 20903.

B. United Association of Journeymen & Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, 901 Massachusetts Avenue NW., Washington, D.C. 20001.

D. (6) $3,750. E. (9) $90.30.

A. C. Thomas Bendorf, 1620 I Street NW., Washington, D.C. 20006.

B. Association of Trial Lawyers of America.

D. (6) $3,000. E. (9) $150.

A. Bruce Benefield, 2030 M Street NW., Washington, D.C. 20036.

B. TRW, Inc., Suite 800, 2030 M Street NW., Washington, D.C. 20036.

D. (6) $2,000.

A. Kathleen M. Bennett, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. E. M. Benson, Jr., 515 South Flower Street, Los Angeles, Calif. 90071.

B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

D (6) $900.

A. Nancy C. Benson, 1625 I Street NW., Suite 514, Washington, D.C. 20006.

B. American Cyanamid Co., Wayne, N.J. 07470.

D. (6) $368. E. (9) $134.30.

A. Jeffrey P. Berg, 10880 Wilshire Boulevard, Suite 2121, Los Angeles, Calif. 90024.

B. Janette F. Byrne, 1230 Princeton, Apt. 7, Santa Monica, Calif.

D. (6) $2,000.

A. Berry & Gipson, 1700 Pennsylvania, Avenue, NW., Washington, D.C. 20006.

B. Atlanta Corp., 17 Varick Street, New York, N.Y. 10013.

D. (6) $4,500. E. (9) $162.93.

A. Berry & Gipson, 1700 Pennsylvania, Avenue, NW., Washington, D.C. 20006.

B. East-West Trade Council, 1700 Pennsylvania Avenue, NW., Washington, D.C. 20006.

A. Berry & Gipson, 1700 Pennsylvania, Avenue, NW., Washington, D.C. 20006.

B. OEHEG, Sudtiroler Platz 8, A-6020 Innsbruck, Austria-Austrian Hard Cheese Association, OEMOLK, P.O. Box 176, A-1013 Vienna, Austria-Austrian Soft Cheese Association.

A. Max N. Berry, Berry & Gipson, 1700 Pennsylvania Avenue, NW., Washington, D.C. 20006.

B. Meat Products Group, American Importers Association, 420 Lexington Avenue, New York, N.Y. 10017.

A. Robert L. Bevan, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

D. (6) $1,620. E. (9) $152.74.

A. Andrew J. Biemiller, 815 16th Street, NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street, NW., Washington, D.C.

D. (6) $9,607. E. (9) $187.35.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

B. Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Charles L. Binsted, No. 301, 2021 K Street NW., Washingon, D.C. 20006.

B. National Congress of Petroleum Retailers.

D. (6) $1,554. E. (9) $1,575.

A. Robert J. Bird, 1140 Connecticut Avenue NW., Suite 412, Washington, D.C. 20036.

B. Ad Hoc Coalition for Cemetery Care, 6216 South Stanford Way, Whittier, Calif. 90601.

A. Robert J. Bird, 1140 Connecticut Avenue NW., Suite 412, Washington, D.C. 20036.
B. Occidental Life Insurance Co., 12th Street at Hill, Los Angeles, Calif. 90054.

A. Robert J. Bird, 1140 Connecticut Avenue NW., Suite 412, Washington, D.C. 20036.
B. The Paul Revere Corp., Worcester, Mass. 01808.

A. Tracy Bird, Suite 302, 1725 K Street NW., Washington, D.C. 2006.
B. National Motorsports Committee of ACCUS, Suite 302, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $275.

A. Lydia Bitter, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
B. United States Independent Telephone Association, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
D. (6) $85. E. (9) $85.

A. Neal R. Bjornson, 30 F Street NW., Washington, D.C. 20001.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $1,750. E. (9) $ 9.75.

A. Richard W. Blake, 1776 K Street NW., Washington, D.C. 20006.
B. National Sugarbeet Growers Federation, Greeley National Plaza, Suite 740, Greeley, Colo. 80631.
D. (6) $240.

A. Edwin C. Bliss, National Association of Manufacturers, Western Division, P.O. Box 998, Mountain View, Calif. 94042.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $550. E. (9) $67.36.

A. Richard W. Bliss, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $75. E. (9) $125.

A. Jerald Blizin, 1425 K Street NW., Washington, D.C. 20005.
B. Hill & Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017.

A. Blumberg, Singer, Ross, Gottesman & Gordon, 245 Park Avenue, New York, N.Y. 10017.
B. Cigar Association of America, Inc., 575 Madison Avenue, New York, N.Y. 10022.
D. (6) $6,000.

A. Becky Bogard, 2600 Virginia Avenue NW., Washington, D.C. 20037.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.
D. (6) $600.

A. Becky Bogard, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $130.

A. Christie K. Bohner, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

A. Phyllis O. Bananno, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. A. Dewey Bond, P.O. Box 3556, Washington, D.C. 20007.
B. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
D. (6) $500. E. (9) $18.65.

A. Thomas J. Boone, Jr., 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. Gulf Oil Corp., P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $750. E. (9) $200.

A. Mark Borinsky, 1910 K Street NW., Washington, D.C. 20006.
B. National Council to Control Handguns, 1910 K Street NW., Washington, D.C. 20006.

A. G. Stewart Boswell, Suite 1001, 1150 17th Street NW., Washington, D.C. 20036.
B. American Textile Manufacturers Institute, Suite 2124, 400 South Tryon Street, Charlotte, N.C.
D. (6) $959.25. E. (9) $145.52.

A. A. D. Boulrand, 1660 L Street NW., Suite 804, Washington, D.C., 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.
D. (6) $3,000. E. (9) $2,633.31.

A. Kenneth J. Bousquet, 2021 K Street NW., Suite No. 709, Washington, D.C. 20006.
B. General Atomic Co., San Diego, Calif.
D. (6) $1,600. E. (9) $360.

A. Frank J. Bowden, Jr., Associated Petroleum Industries of Pennsylvania, P.O. Box 925, Harrisburg, Pa. 17108.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $240.84. E. (9) $142.23.

A. Rodney A. Bower, 1126 16th Street NW., Washington, D.C. 20036.
B. International Federation of Professional & Technical Engineers, AFL–CIO, 1126 16th Street NW., Washington, D.C. 20036.
D. (6) $240. E. (9) $20.

A. Robert R. Bowers, West Virginia Petroleum Council, Suite 714 Atlas Building, Charleston, W. Va. 25301.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $622. E. (9) $436.28.

A. Edward L. Bowley, 817 14th Street NW., Washington, D.C. 20005.
B. American Postal Workers Union, AFL–CIO, 817 14th Street NW., Washington, D.C. 20005.
D. (6) $8,451.85. E. (9) $1,707.84.

A. Richard P. Bowling, 1616 P Street NW., Washington, D.C. 20036.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) $138.10.

A. Boyden, Kennedy, Romney & Howard, 1000 Kennecott Building, Salt Lake City, Utah 84133.
B. The Zuni Indian Tribe, Zuni, N. Mex.
D. (6) $2,590. E. (9) $8,799.88.

A. Melvin J. Boyle, 1125 15th Street NW., Washington, D.C. 20005.
B. International Brotherhood of Electrical Workers, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $8,500.

A. Frank W. Bradley, Suite 1204, 1700 K Street NW., Washington, D.C. 20006.
B. Chevron Oil Co., Subsidiary of Standard Oil Co. of California, Suite 1204, 1700 K Street NW., Washington, D.C. 20006.
E. (9) $100.

A. Gene M. Bradley, 955 L'Enfant Plaza North SW., Washington, D.C. 20024.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash., 98124.
D. (6) $637. E. (9) $940.

A. George E. Bradley, 1341 G Street NW., Washington, D.C. 20005.
B. Organization of Professional Employees of USDA (OPEDA), 1341 G Street NW., Washington, D.C.
D. (6) $1,260. E. (9) $25.

A. Charles N. Brady, 8111 Gatehouse Road, Falls Church, Va. 22042.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22042.
E. (9) $21.

A. Joseph E. Brady, 5018 East Summer Moon Lane, Phoenix, Ariz. 85044.
B. National Coordinating Committee of the Beverage Industry.

A. Charles G. Bragg, P.O. Box 12285, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $1,561.54. E. (9) $328.03.

A. Jacques Bramhall, Jr., 199 Cherry Hill Road, Parsippany, N.J. 70754.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,250.

A. John Henry Brebbia, 1800 M Street NW., Suite 1000, Washington, D.C. 20036.
B. National Data Corp., One National Data Plaza, Atlanta, Ga. 30329.
D. (6) $5,020.

A. Claude S. Brinegar.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.
D. (6) $2,400.

A. Parke C. Brinkley, The Madison Building, 1155 15th Street NW., Washington, D.C. 20005.
B. National Agricultural Chemicals Association.
D. (6) $12.50 E. (9) $2.

A. Wally Briscoe.
B. National Cable TV Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $135. E. (9) $16.50.

A. David A. Brody, 1640 Rhode Island Avenue NW., Washington, D.C. 20036.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y. 10016.
D. (6) $450.

A. Michael D. Bromberg, 1101 17th Street NW., Suite 810, Washington, D.C. 20036.
B. Federation of American Hospitals, 1101 17th Street NW., Suite 810, Washington, D.C. 20036.
D. (6) $4,500.

A. David W. Broome, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $600. E. (9) $50.50.

A. Charles B. Brown, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

A. Chris Brown, 3249 O Street NW., Washington, D.C. 20007.

B. National Council for World Peace Tax Fund, 2111 Florida Avenue NW., Washington, D.C. 20007.

D. (6) $380. E. (9) $100.

A. Donald K. Brown, 1127 11th Street, Suite 525, Sacramento, Calif. 95814.

B. Hughes Air Corp., 3125 Clearview Way, San Mateo, Calif.

D. (6) $140. E. (9) $47.

A. Donald K. Brown, 1127 11th Street, Suite 525, Sacramento, Calif. 95814.

B. Summa Corp., P.O. Box 309, Las Vegas, Nev.

A. J. D. Brown, 2600 Virginia Avenue NW., Washington, D.C. 20037.

P. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.

D. (6) $400.

A. Michael F. Brown.

B. American Frozen Food Institute, 919 18th Street NW., Washington, D.C. 20006.

D. (6) $200. E. (9) $50.

A. Travis Taylor Brown, 2525 49th Street NW., Washington, D.C.

A. Brown, Vlassis & Bain, 222 North Central Avenue, Phoenix, Ariz. 85004.

B. Navajo Tribe, Window Rock, Ariz. 86515.

D. (6) $500.

A. Brownstein, Zeidman, Schomer & Chase, Suite 900, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Council of Housing Procedures, Suite 312, 9301 Wilshire Boulevard, Beverly Hills, Calif. 90210.

A. Brownstein, Zeidman, Schomer & Chase, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. International Foodservice Manufacturers Association, 1 East Wacker Drive, Chicago, Ill.

A. Brownstein, Zeidman, Schomer & Chase, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. International Franchise Association, 7315 Wisconsin Avenue, Washington, D.C. 20014.

A. Brownstein, Zeidman, Schomer & Chase, 1025 Connecticut Aveune NW., Suite 900, Washington, D.C. 20036.

B. Massachusetts Bankers Association, 125 High Street, Boston, Mass.

A. Brownstein, Zeidman, Schomer & Chase, 1025 Connecticut Aveune NW., Suite 900, Washington, D.C. 20036.

B. Mortgage Guaranty Insurance Corp., MGIC Plaza, Milwaukee, Wis. 53201.

A. Brownstein, Zeidman, Schomer & Chase, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Restaurant Association, Suite 2600, 1 IBM Plaza, Chicago, Ill. 60611.

A. Brownstein, Zeidman, Schomer & Chase, 1025 Connecticut Aveune NW., Suite 900, Washington, D.C. 20036.

B. New York State Urban Development Corp., 1345 Avenue of the Americas, New York, N.Y. 10019.

D. (6) $1,262.50.

A. Brownstein, Zeidman, Schomer & Chase, 1025 Connecticut Avenue NW., Suite 900, Washington, D.C. 20036.

B. PruLease, Inc., 1255 Boylston Street, Boston, Mass. 02215.

A. Lawrence E. Bruce, Jr., Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.

B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.

D. (6) $3,073. E. (9) $4,385.

A. Gary W. Bruner, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. G. D. Searle & Co., P.O. Box 1045, Skokie, Ill. 60076.

D. (6) $20.

A. Paul A. Brunkow, 1776 F Street NW., Washington, D.C. 20006.

B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

D. (6) $1,225.00.

A. J. Charles Bruse, 1700 Pennsylvania Avenue NW., Suite 750, Washington, D.C. 20006.

B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill. 60062.

A. J. Charles Bruse, 1700 Pennsylvania Avenue NW., Suite 750, Washington, D.C. 20006.

B. Allstate Insurance Co., Allstate Plaza, Northbrook, Ill. 60062.

A. Marguerite E. Bryan, 400 First Street NW., Suite 700, Washington, D.C. 20001.

B. District No. 1, Pacific Coast District, Marine Engineers' Beneficial Association, AFL–CIO, 17 Battery Place, New York, N.Y. 10004.

D. (6) $990. E. (9) $226.83.

A. George S. Buck, Jr., P.O. Box 12285, Memphis, Tenn. 38112.

B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

A. Philip N. Buckminster, 1100 Connecticut Avenue NW., Washington, D.C. 20036.

B. Chrysler Corp., 12000 Oakland Avenue, Highland Park, Mich. 48231.

D. (6) $2,000. E. (9) $493.25.

A. Robert D. Buehler, 1800 K Street NW., Suite 929, Washington, D.C. 20006.

B. The B. F. Goodrich Co., Akron, Ohio 44318.

D. (6) $500.

A. Norman D. Burch, 1775 K Street NW., Washington, D.C. 20006.

B. College of American Pathologists, 7400 North Skokie Boulevard, Skokie, Ill. 60076.

D. (6) $3,375. E. (9) $153.25.

A. William J. Burhop, 133 C Street SE., Washington, D.C. 20003.

B. Congress Watch, 133 C Street SE., Washington, D.C. 20003.

D. (6) $2,250.

A. Thomas G. Burke, 1625 I Street NW., Washington, D.C. 20006.

B. Association of General Merchandise Chains, Inc., 1625 I Street NW., Washington, D.C. 20006.

A. Burley and Dark Leaf Tobacco Export Association, 1100 17th Street NW., Washington, D.C.

D. (6) $30,700.89. E. (9) $640.75.

A. George Burnham, IV, 1625 K Street NW., Washington, D.C. 20006.

B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.

D. (6) $286. E. (9) $318.

A. Phillip C. Burnett, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.

B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

D. (6) $693.75. E. (9) $39.59.

A. Charles S. Burns, 1620 I Street NW., Washington, D.C. 20006.

B. Phelps Dodge Corp., 300 Park Avenue, New York, N.Y. 10022.

D. (6) $1,200. E. (9) $433.36.

A. David Burpee, Fordhook Farms, Doylestown, Pa. 18901.

E. (9) $500.

A. James L. Burridge, 10 Hardwicke Place, Rockville, Md. 20850.

B. FMC Corp., 1625 I Street NW., Suite 520, Washington, D.C. 20006.

D. (6) $1,000. E. (9) $374.25.

A. Kenneth R. Burton, Jr., 240 Radnor-Chester Road, St. Davids, Pa. 19087.

B. Sun Oil Co., 240 Radnor-Chester Road, St. Davids, Pa. 19087.

D. (6) $2,500. E. (9) $1,855.

A. Busby Rivkin Sherman Levy & Rehm, 900 17th Street NW., Suite 1100, Washington, D.C. 20006.

B. Automobile Importers of America, Inc., 900 17th Street NW., Suite 1100, Washington, D.C. 20006.

D. (6) $2,250.

A. Richard M. Bush, Suite 501, Barr Building, Washington, D.C. 20006.

(B) Pacific Northwest Power Co., Suite 501, Barr Building, Washington, D.C. 20006.

D. (6) $550. E. (9) $550.

A. Business Executives Move for New National Priorities, 901 North Howard Street, Baltimore, Md. 21201.

D. (6) $7,353. E. (9) $3,725.15.

A. James J. Batera, 1709 New York Avenue NW., Suite 200, Washington, D.C. 20006.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10017.

D. (6) $1,325. E. (9) $107.47.

A. William C. Byrd, 1775 K Street NW., Suite 315, Washington, D.C.

B. Miles Laboratories, Inc., 1127 Myrtle Street, Elkhart, Ind. 46514.

A. Janette F. Byrne, 1230 Princeton, Apt. 7, Santa Monica, Calif.

E. (9) $6,000.

A. John W. Byrnes, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Foley, Lardner, Hollabaugh & Jacobs, (for Cabot Corp.), 815 Connecticut Avenue NW., Washington, D.C. 20006.

A. John W. Byrnes, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Foley, Lardner, Hollabaugh & Jacobs, (for Dealer Bank Association), 815 Connecticut Avenue NW., Washington, D.C. 20006.

A. John W. Byrnes, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Foley, Lardner, Hollabaugh & Jacobs (for Insurance Association of Connecticut), 815 Connecticut Avenue NW., Washington, D.C. 20006.

A. John W. Byrnes, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Foley, Lardner, Hollabaugh & Jacobs (Jos. Shlitz Brewing Co.), 815 Connecticut Avenue NW., Washington, D.C. 20006.

A. John W. Byrnes, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs (for Natomas Co.), 815 Connecticut Avenue NW., Washington, D.C. 20006.

A. John W. Byrnes, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Foley, Lardner, Hollabaugh & Jacobs (for U.S. Steel Corp., et. al.), 815 Connecticut Avenue NW., Washington, D.C. 20006.

A. M. Douglas Caddy, 925 15th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 925 15th Street NW., Washington, D.C. 20005.
D. (6) $2,000. E. (9) $192.76.

A. Alan Caldwell, 1825 K Street NW., Washington, D.C. 20006.
B. Del Monte Corp., 215 Fremont Street, San Francisco, Calif. 94119.
D. (6) $1,000. E. (9) $50.

A. Gordon L. Calvert, 1800 K Street NW., Washington, D.C. 20006.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y. 10005.
D. (6) $1,000. E. (9) $475.

A. Donald L. Calvin, 11 Wall Street, New York, N.Y. 10005.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y. 10005.

A. Arthur E. Cameron, 918 16th Street NW., Washington, D.C. 20006.
B. Prismo Universal Corp., et al.
D. (6) $1,332.

A. Carl C. Campbell, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $538.46.

A. Charles Argyll Campbell, 1615 H Street NW., Washington, D.C. 20006.
B. Chamber of Commerce of the USA, 1615 H Street NW., Washington, D.C. 20006.
E. (9) $256.80.

A. Charles O. Campbell, 8111 Gatehouse Road, Falls Church, Va., 22042.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va.

A. Sharyn G. Campbell, 1620 I Street NW., Suite 603, Washington, D.C. 20006.
B. National BankAmericard Inc., 555 California Street, San Francisco, Calif. 94126.
D. (6) $2,500. E. (9) $2,511.

A. W. Dean Cannon, Jr., 1444 Wentworth Avenue, P.O. Box R, Pasadena, Calif. 91109.
B. California Savings and Loan League, 1444 Wentworth Avenue, P.O. Box R, Pasadena, Calif. 91109.
D. (6) $1,500. E. (9) $1,158.26.

A. David L. Cantor, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
D. (6) $368.75. E. (9) $89.72.

A. Marvin Caplan.
B. Industrial Union Department, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $3,670.25. E. (9) $149.15.

A. Caplin & Drysdale, 1101 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Aetna Life & Casualty, et al.
D. (6) $10,100. E. (9) $290.

A. Caplin & Drysdale, 1101 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Council on Foundations, Inc., 888 Seventh Avenue, New York, N.Y. 10019.
D. (6) $21.30. E. (9) $101.35.

A. Ross Capon.
B. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.
D. (6) $2,700.

A. Ronald A. Capone, Kirlin, Campbell & Keating, 900 17th Street NW., Room 505, The Farragut Building, Washington, D.C. 20006.
B. Council of European & Japanese National Shipowners' Association, 30/32 St. Mary Avenue, London, EC3A 8ET, England.
D. (6) $5,000. E. (9) $475.71.

A. Cardon Sanders & Ferrell, 1776 F Street NW., Washington, D.C. 20006.
B. CIT Financial Corp., 650 Madison Avenue, New York, N.Y. 10022.
D. (6) $200.

A. Norval E. Carey, 2021 K Street NW., Washington, D.C. 20006.
B. General Atomic Co., San Diego, Calif.
D. (6) $1,000. E. (9) $375.

A. Charles R. Carlisle, Suite 911, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. St. Joe Minerals Corp., 250 Park Avenue, New York, N.Y. 10017.
D. (6) $5,300. E. (9) $762.40.

A. Philip Carlip, 675 Fourth Avenue, Brooklyn, N.Y. 11232.
B. Seafarers International Union, 675 Fourth Avenue, Brooklyn, N.Y. 11232.
D. (6) $2,500. E. (9) $2,120.31.

A. Austin B. Carlson, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $3,324.32.

A. Elizabeth Carpenter, 1425 K Street NW., Washington, D.C. 20005.
B. Hill and Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017.
D. (6) $300. E. (9) $15.

A. Henry A. Carrington, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
B. National Savings & Loan League, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.

A. John R. Carson, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
B. American Podiatry Association, 20 Chevy Chase Circle NW., Washington, D.C. 20015.
D. (6) $6,250.

A. Frank H. Case III, 1211 Connecticut Avenue NW., Suite 802, Washington, D.C. 20036.
B. Sears Roebuck & Co., Sears Tower, Chicago, Ill. 60684.
D. (6) $150. E. (9) $75.

A. John L. Casey, 127 East 59th Street, New York, N.Y. 10022.
B. Investment Counsel Association of America, Inc., 127 East 59th Street, New York, N.Y. 10022.

A. Robert J. Casey, 330 Madison Avenue, New York, N.Y. 10017.
B. Santa Fe Natural Resources, Inc., 80 East Jackson Boulevard, Chicago, Ill., Champlin Petroleum Co., P.O. Box 9365, Fort Worth, Tex.; Union Pacific Corp., 345 Park Avenue, New York, N.Y. 10022.
D. (6) $12,209. E. (9) $976.75.

A. James B. Cash, Jr., 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,000. E. (9) $162.20.

A. Frank R. Cawley, Room 511, Wilson Plaza Building, 2425 Wilson Boulevard, Arlington, Va. 22201.
B. Agricultural Publishers Association, 511 Wilson Plaza Building, 2425 Wilson Boulevard, Arlington, Va. 22201.
E. (9) $227.

A. Frank R. Cawley, Room 511, Wilson Plaza Building, 2425 Wilson Boulevard, Arlington, Va. 22201.
B. Media General, Inc., 333 East Grace Street, Richmond, Va. 23219.
D. (6) $182.50. E. (9) $20.50.

A. Center for Public Financing of Elections, 201 Massachusetts Avenue NE., Washington, D.C. 20002.
D. (6) $3,539.48. E. (9) $8,399.48.

A. Charles E. Chace, Nebraska Petroleum Council, 334 South 13th Street, Lincoln, Nebr. 68508.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $338.76. E. (9) $303.64.

A. Justice M. Chambers, 2300 Calvert Street, Washington, D.C. 20008.
B. Swaziland Sugar Association, P.O. Box 445, Mbabane, Swaziland.
D. (6) $7,500. E. (9) $1,101.91.

A. J. M. Chambers & Co., Inc., 2300 Calvert Street NW., Washington, D.C. 20008.
B. Cordage Institute, 2300 Calvert Street NW., Washington, D.C. 20008.
D. (6) $1,181.25.

A. J. M. Chambers & Co., Inc., 2300 Calvert Street NW., Washington, D.C. 20008.
B. Satra Corp., 475 Park Avenue South, New York, N.Y. 10016.
D. (6) $1,500.

A. William C. Chapman, 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $3,000. E. (9) $3,317.97.

A. John E. Chapoton, 2100 First City National Bank Building, Houston, Tex. 77002.
B. Belco Petroleum Corp., One Dag Hammarskjold Plaza, New York, N.Y. 10017.
E. (9) $139.70.

A. John E. Chapoton, 2100 First City National Bank Building, Houston, Tex. 77002.
B. Domestic Wildcatters Association, 900 First City National Bank Building, Houston, Tex. 77002.
E. (9) $690.98.

A. John E. Chapoton, 2100 First City National Bank Building, Houston, Tex. 77002.
B. Quintana Petroleum Corp., 500 Jefferson Building, Houston, Tex. 77002.
E. (9) $210.52.

A. Leslie Cheek, III, 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.
B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.
D. (6) $1,500. E. (9) $250.

A. Children's Rights, Inc., 3443 17th Street NW., Washington, D.C. 20010.
D. (6) $330. E. (9) $230.74.

A. Hal M. Christensen, 1101 17th Street NW., Washington, D.C. 20036.

B. American Dental Association, 1101 17th Street NW., Washington, D.C. 20036.
D. (6) $3,000.

A. Cigar Association of America, Inc., 575 Madison Avenue, New York, N.Y. 10022.
D. (6) $99,357.26.

A. Citizens Committee for the Right to Keep and Bear Arms, 1601 114th SE., Suite 151, Bellevue, Wash. 98004.
D. (6) $230,970.04. E. (9) $12,193.54.

A. Earl W. Clark, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. Labor-Management Maritime Committee.
D. (6) $1,725. E. (9) $19.73.

A. Kimball Clark, 40 Ivy Street SE., Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $119.22. E. (9) $111.40.

A. Richard W. Clark, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $5,250. E. (9) $196.63.

A. Robert M. Clark, the Atchison, Topeka & Santa Fe Railway Co., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Atchison, Topeka and Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill. 60604.
D. (6) $2,000. E. (9) $300.

A. Clark, West, Keller, Sanders & Butler, 2424 First National Bank Building, Dallas, Tex. 75202.
B. National Music Publishers' Association, Inc., 110 East 59th Street, New York, N.Y. 10022.
D. (6) $1,500. E. (9) $750.

A. Joan Claybrook, 133 C Street SE., Washington, D.C. 20003.
B. Congress Watch, 133 C Street SE., Washington, D.C. 20003.
D. (6) $3,000.

A. Jacob Clayman, 815 16th Street NW., Washington, D.C. 20006.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $875.

A. Clay Pipe Industry Depletion Committee, P.O. Box 6, Pittsburg, Kans. 66762.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Getty Oil Co., 3810 Wilshire Boulevard, Los Angeles, Calif. 90010; Standard Oil of California, 225 Bush Street, San Francisco, Calif. 94120; Standard Oil Co. (Ind.), P.O. Box 5910A, Chicago, Ill. 60680; Exxon Corp., 1251 Avenue of the Americas, New York, N.Y. 10020.
D. (6) $3,300. E. (9) $65.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Interbank Card Association, Suite 3600, 110 East 59th Street, New York, N.Y. 10022.
E. (9) $30.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Natomas Co., 601 California Street, San Francisco, Calif. 94108.
D. (6, $150.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Synthetic Organic Chemical Manufacturers Ass'n., 1075 Central Park Avenue, Scarsdale, N.Y. 10533.
E. (9) $12.90.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. American Brands, Inc., 245 Park Avenue, New York, N.Y. 10017.
E. (9) $82.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Brown & Williamson Tobacco Corp., Louisville, Ky. 40201.
E. (9) $82.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Liggett & Myers Inc., 4100 Roxboro Road, Durham, N.C. 27702.
E. (9) $82.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Lorillard, Division of Loews Theatres, Inc., 200 East Forty-Second Street, New York, N.Y. 10017.
E. (9) $82.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. Philip Morris Inc., 100 Park Avenue, New York, N.Y. 10017.
E. (9) $82.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. R. J. Reynolds Industries, Inc., Winston-Salem, N.C. 27102.
E. (9) $82.

A. Earle C. Clements, 1776 K Street NW., Washington, D.C. 20006.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.

A. Ronald D. Clements, 1016 20th Street NW., Washington, D.C. 20036.
B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.
E. (9) $90.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Australian Meat Board, 30 Grosvenor Street, Sydney, N.S.W., Australia.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Avco Corp., 750 Third Avenue, New York, N.Y. 10017.
E. (9) $1.25.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. National Railroad Passenger Corp. (AMTRAK), 955 L'Enfant Plaza North SW., Washington, D.C. 20024.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. New York Cocoa Exchange, Inc., and New York Cocoa Clearing Association, Inc., 127 John Street, New York, N.Y., New York Coffee & Sugar Exchange, Inc., 79 Pine Street, New York, N.Y., Commodity Exchange, Inc., 81 Broad Street, New York, N.Y.
D. (6) $750. E. (9) $157.50.

A. Clifford, Warnke, Glass, McIlwain & Finney, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Owens-Illinois, Inc., Madison Avenue and St. Clair St., Box 1035, Toledo, Ohio 43601.

A. Larry D. Cline, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $12.35.

A. Charles M. Clusen, 324 C Street SE., Washington, D.C. 20003.
B. Sierra Club, 1050 Mills Tower, San Francisco, Calif. 94104.
D. (6) $3,825. E. (9) $159.

A. Coalition for Fair Copyright, Protection, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $946.49. E. (9) $3,243.91.

A. Coalition of Independent Ophthalmic, Professionals, 75 East 55th Street, New York, N.Y. 10022.
D. (6) $2,700. E. (9) $2,727.62.

A. Coalition of Private University Students, c/o NSL, 2000 P Street NW., Suite 515, Washington, D.C. 20036.
D. (6) $350. E. (9) $26.

A. Grover B. Cobb, 1200 Travis, Houston, Tex. 77001.
B. Houston Natural Gas Corp., P.O. Box 1188, Houston, Tex. 77001.

A. The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.
E. (9) $2,129.20.

A. John J. Coffey, Suite 793, 1801 K Street NW., Washington, D.C. 20006.
B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif. 90017.
D. (6) $825.

A. Jeffery Cohelan, Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., No. 701, Washington, D.C. 20036.
B. Group Health Association of America, Inc., 1717 Massachusett Avenue NW., No. 701, Washington, D.C. 20036.
D. (6) $1,080.

A. David Cohen, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $7,125. E. (9) $1,124.83.

A. Jerry S. Cohen, Suite 708, 1776 K Street NW., Washington, D.C. 20006.
B. National Congress of Petroleum Retailers, Suite 301, 2021 K Street NW., Washington, D.C.
D. (6) $3,000.

A. Cohen and Uretz, 1775 K Street NW., fourth floor, Washington, D.C. 20006.
B. PHM & Co., 1300 EDS Center, Exchange Park, Dallas, Tex. 75235.
D. (6) $17,750. E. (9) $481.40.

A. Cohen and Uretz, 1775 K Street NW., fourth floor, Washington, D.C. 20006.
B. United Service Organizations, Inc., 237 East 52d Sreet, New York, N.Y. 10002.

A. Timothy A. Colcord, 1620 I Street NW., Suite 603, Washington, D.C. 20006.
B. National BankAmericard Inc., 555 California Street, San Francisco, Calif. 94126.
D. (6) $6,875. E. (9) $7,932.75.

A. Cole Corette & Bradfield, 1200 17th Street NW., Washington, D.C. 20036.
B. The Chase Manhattan Bank, N.A. One Chase Manhattan Plaza New York, N.Y. 10015
D. (6) $638. E. (9) $75.92.

A. Cole Corette & Bradfield, 1200 17th Street NW., Washington, D.C. 20036.
B. Claude Charles, 37 Severn Road, The Peak, Hong Kong.

A. Cole Corette & Bradfield, 1200 17th Street NW., Washington, D.C. 20036.
B. H. H. Robertson, Two Gateway Center, Pittsburgh, Pa.

A. Cole Corette & Bradfield, 1200 17th Street NW., Washington, D.C. 20036.
B. PPG Industries, Inc., One Gateway Center, Pittsburgh, Pa. 15222.

A. Eleanor Cole, 720 Hotel Washington, Washington, D.C. 20004.
B. UBA, Inc.
D. (6) $1,000. E. (9) $1,000.

A. R. Michael Cole, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $5,250. E. (9) $74.

A. Stacey W. Cole, New Hampshire Petroleum Council, 23 School Street, Concord, N.H. 03301.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $193.08. E. (9) $169.16.

A. William Cole.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.
D. (6) $300. E. (9) $45.

A. Lynn R. Coleman, Vinson, Elkins, Searls, Connally & Smith, Suite 1120, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $1,440.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Committee of American Tanker Owners, Inc., One Chase Manhattan Plaza, New York, N.Y. 10005.

A. Coles & Goretner, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Independent U.S. Tanker Owners Committee, 1612 K Street NW., Suite 510, Washington, D.C. 20006.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Academy of General Dentistry, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $3,000.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Cardio Pulmonary Contractors Association, 1200 17th Street NW., Washington, D.C. 20036.
D. (6) $9,000.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. National Ethical Pharmaceutical Association, P.O. Box 13547, St. Petersburg, Fla. 33733.
D. (6) $12,000.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Patton, Boggs & Blow (for American Society of Association Executives), 1200 17th Street NW., Washington, D.C. 20036.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Patton, Boggs & Blow (for Association of Trial Lawyers of America), 1200 17th Street NW., Washington, D.C. 20036.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Patton, Boggs & Blow (for Boating Industry Associations), 1200 17th Street NW., Washington, D.C. 20036.
D. (6) $600.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Patton, Boggs & Blow (for Machinery Dealers National Association), 1200 17th Street NW., Washington, D.C. 20036.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Patton, Boggs & Blow (for National Association of Engine & Boat Manufacturers), 1200 17th Street NW., Washington, D.C. 20036.
D. (6) $600.

A. William J. Colley, 1200 17th Street NW., Washington, D.C. 20036.
B. Patton, Boggs & Blow (for Reading Co.), 1200 17th Street NW., Washington, D.C. 20036.
D. (6) $525.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
B. American Feed Manufacturers Association, Inc., 1701 North Fort Myer Drive, Arlington, Va., 22209.
D. (6) $300.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
B. American Footwear Industries Association, Inc., 1611 North Kent Street, Arlington, Va., 22209.
D. (6) $500. E. (9) $475.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
B. Bicycle Manufacturers Association of America, Inc., 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $500. E. (9) $100.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
B. Department of Information, Private Bag X152, Pretoria, 0001, Republic of South Africa.
D. (6) $832.14. E. (9) $2,332.43.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C. 20006.
D. (6) $300.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
B. National Broiler Council, 1155 Fifteenth Street NW., Washington, D.C. 20005.
D. (6) $300.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
B. Tool and Stainless Steel Industry Committee, 1666 K Street NW., Washington, D.C. 20006.
D. (6) $1,250. E. (9) $525.

A. Robert B. Collyer, 720 Hotel Washington, Washington, D.C. 20004.
B. UBA, Inc.
D. (6) $1,000. E. (9) $1,000.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo. 80202.
D. (6) $800. E. (9) $1,825.

A. Committee for a Healing Repatriation, 604 East Armory Avenue, Champaign, Ill. 61820.
E. (9) $81.75.

A. Committee For Do-It-Yourself Household Moving, 1100 17th Street NW., Suite 1000, Washington, D.C. 20036.
D. (6) $7,461.14. E.(9) $7,461.14.

A. Committee for Jobs Through Economic Development, 1006 State Street, Erie, Pa. 16501.
D. (6) $3,880. E. (9) $3,000.

A. Committee on Strikes in Transportation, 1100 17th Street NW., Suite 1101, Washington, D.C. 20036.

A. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $1,380,213.99. E. (9) $328,903.42.

A. Harold B. Confer, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street, NE., Washington, D.C.
D. (6) $2,077.

A. Congress Watch, 133 C Street SE., Washington, D.C. 20003.
D. (6) $20,242.19. E. (9) $20,242.19.

A. Robert A. M. Conley, 6640 Old Dominion Drive, McLean, Va., 22101.
B. Coalition for Fair Copyright Protection, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $1,050. E. (9) $10.25.

A. Raymond F. Conkling, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Texaco Inc., 135 East 42nd Street, New York, N.Y. 10017.
D. (6) $120. E. (9) $32.60.

A. Ross Conlin, Chessie System, 840 Washington Building, 15th Street and New York Avenue NW., Washington, D.C. 20005.
B. Chessie System, Inc., Terminal Tower, Cleveland Ohio 44101.
D. (6) $2,000. E. (9) $1,000.

A. Connecticut Bankers Association, 100 Constitution Plaza, Hartford, Conn. 06103.
D. (6) $542.76. E. (9) $542.76.

A. Robert J. Conner, Jr., 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Chrysler Corporation, 1200 Oakland Avenue, Highland Park, Mich. 48231.
D. (6) $500. E. (9) $612.50.

A. Jerry C. Connors, 8111 Gatehouse Road, Falls Church, Va. 22042.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22042.

A. Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y. 10003.

A. Consolidated Natural Gas Service Co., Inc., Four Gateway Center, Pittsburgh, Pa. 15222.
E. (9) $4.

A. Consumer Action Now, Inc., 30 East 68th Street, New York, N.Y. 10021.
D. (6) $286.90. E. (9) $783.73.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill. 60611.
B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $2,600.

A. Charles F. Cook, Jr., 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $872.17. E. (9) $57.80.

A. Cook & Franke, 660 East Mason Street, Milwaukee, Wis. 53202.
B. M&I Marshall & Ilsley Bank, 770 North Water Street, Milwaukee, Wis. 53202.

A. Frederick N. Cook, Vermont Petroleum Association, P.O. Box 566, Montpelier, Vt. 05602.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $195.13.

A. James A. Cook, 2311 W. El Segundo Boulevard, Hawthorne, Calif. 90250.
B. Ernest W. Hahn, Inc., 2311 West El Segundo Boulevard, Hawthorne, Calif. 90250.
E. (9) $1,075.

A. Eileen D. Cooke, 110 Maryland Avenue NE., Suite 101, Washington, D.C. 20002.
B. American Library Association, 50 East Huron Street, Chicago, Ill. 60611.
D. (6) $693.30.

A. Thomas R. Coonan, 1156 15th Street NW., Suite 731, Washington, D.C. 20005.
B. Associated Builders & Contractors, Inc.
D. (6) $950. E. (9) $990.

A. Edward Cooper, 1600 I Street NW., Washington, D.C. 20006.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. Jesse D. Cooper, North Dakota Petroleum Council, P.O. Box 1395, Bismarck, N.D. 58501.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $192.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va. 22314.
B. Portsmouth-Kittery Armed Services Committee, Inc., Box 1123, Portsmouth, N.H. 03801.
D. (6) $1,250. E. (9) $514.63.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Council of Forest Industries, 1055 West Hastings Street, Vancouver 1, Canada.
D. (6) $3,000.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Footwear Division, Rubber Manufacturers Association, 1901 Pennsylvania Avenue, NW., Washington, D.C.
D. (6) $7,500. E. (9) $252.51.

A. Samuel Cooper, III.
B. National Cable TV Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $127.50. E. (9) $15.

A. Cooperative League of the USA, 1828 L Street NW., Suite 1100, Washington, D.C. 20036.
D. (6) $3,000. E. (9) $1,013.50.

A. Darrell Coover, 1625 I Street NW., No. 1001, Washington, D.C. 20006.
B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
D. (6) $2,000. E. (9) $214.

A. James T. Corcoran, National Association of Motor Bus Owners, 1025 Connecticut Avenue NW., Washington, D.C., 20036.
B. National Association of Motor Bus Owners, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $975. E. (9) $87.50.

A. Richard L. Corrigan, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $1,008.33. E. (9) $145.61.

A. Allan D. Cors, 1800 K Street NW., Washington, D.C. 20006.
B. Corning Glass Works, Corning, N.Y. 14830.

A. William R. Corson, 1707 H Street NW., Washington, D.C. 20006.
B. Penthouse International Ltd., 1707 H Street NW., Washington, D.C. 20006.
D. (6) $7,500. E. (9) $5,457.

A. Eugene E. Cortright, 1660 L Street NW., Washington, D.C. 20036.
B. Cities Service Company, 1660 L Street NW., Washington, D.C. 20036.

A. David Cosson, 2100 M Street NW., Suite 307, Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2100 M Street NW., Suite 307, Washington, D.C. 20037.

A. Bertram Robert Cottine, 2000 P Street NW., Suite 708, Washington, D.C. 20036.
B. Health Research Group, 2000 P Street NW., Suite 708, Washington, D.C. 20036.

A. Council for a Livable World, 100 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $34,073.36. E. (9) $35,267.49.

A. Council for Responsible Nutrition, Suite 600, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
E. (9) $4,624.84.

A. Council of Construction Employers, Inc., 1625 I Street NW., Suite 711, Washington, D.C. 20006.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $401.50. E. (9) $397.01.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Classroom Periodical Publishers Association, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Industrial Diamond Association of America, 59 East Main Street, Moorestown, N.J. 08057.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Linen Supply Association of America, 917 Arthur Godfrey Boulevard, Miami Beach, Fla. 33140.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Association of Casualty and Surety Agents, 5225 Wisconsin Avenue NW., Washington, D.C. 20015.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Association of Printing Ink Manufacturers, 101 Executive Building, Elmsford, N.Y. 10523.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Optical Manufacturers Association, 1730 North Lynn Street, Arlington, Va. 22209.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. American Society of Oral Surgeons, 211 East Chicago Avenue, Chicago, Ill. 60611.
D. (6) $11,850. E. (9) $81.50.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90021; BP Alaska, Inc., 100 Pine Street, San Francisco, Calif. 94111; Exxon Corp., 1251 Avenue of the Americas, N.Y. 10020; The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio. 44115.
E. (9) $11.50.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. Business Men's Assurance Co. of America, BMA Tower, 1 Penn Valley Park, Kansas City, Mo. 64141.
E. (9) $86.23.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. Eli Lilly and Co., P.O. Box 618, Indianapolis, Ind. 46206.
E. (9) $59.43.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. Irving Trust Company, 1 Wall Street, New York, N.Y. 10015.
E. (9) $8.71.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. National Committee for Limited Profit Housing, c/o HRH Construction Corp., 515 Madison Avenue, New York, N.Y. 10022.
E. (9) $15.81.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C. 20005.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. Perdue, Inc., P.O. Box 1537, Salisbury, Md. 21801.
E. (9) $24.68.

A. Covington & Burling, 888 16th Street NW., Washington, D.C. 20006.
B. The Superior Oil Co., P.O. Box 1521, Houston, Tex. 77001.

A. Eugene S. Cowen, 9024 Willow Valley Drive, Potomac, Md. 20854.
B. American Broadcasting Co., 1150 17th Street NW., Washington, D.C. 20036.
D. (6) $180. E. (9) $180.

A. Carol A. Cowgill, 470 L'Enfant Plaza East SW., Suite 3100, Washington, D.C. 20024.
B. American Academy of Family Physicians, 470 L'Enfant Plaza East SW., Suite 3100, Washington, D.C. 20024.
D. (6) $450. E. (9) $333.24.

A. Cox, Langford & Brown, 21 Dupont Circle NW., Washington, D.C. 20036.
B. American Society of Anesthesiologists, Inc., 515 Busse Highway, Park Ridge, Ill. 60068.
D. (6) $77. E. (9) $4.

A. Cox, Langford & Brown, 21 Dupont Circle NW., Washington, D.C. 20036.
B. Association of Research Libraries, 1527 New Hampshire Avenue NW., Washington, D.C. 20036.

A. Cox, Langford & Brown, 21 Dupont Circle NW., Washington, D.C. 20036.

B. The National Collegiate Athletic Association, U.S. Highway 50 and Nall Avenue, P.O. Box 1906, Shawnee Mission, Kans. 66222.
E. (9) $719.92.

A. Cramer, Haber and Becker, 475 L'Enfant Plaza SW., Suite 4100, Washington, D.C. 20024.
B. Appalachian Organization of Surface Miners (AOSM), Professional Arts Building, Norton, Va. 24273.
D. (6) $28,500. E. (9) $11,682.91.

A. William M. Crane, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. Robert W. Crawford, 1625 I Street NW., Washington, D.C. 20006.
B. Association of General Merchandise Chains, Inc., 1625 I Street NW., Washington, D.C. 20006.

A. William D. Crawford, 400 First Street NW., No. 820, Washington, D.C. 20001.
B. Brotherhood Railway Carmen of the United States and Canada, 4929 Main Street, Kansas City, Mo. 64112.
D. (6) $470.

A. Joseph M. Cribben, 3101 South Manchester Street, No. 110, Falls Church, Va. 22044.
B. United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of the United States & Canada, 901 Massachusetts Avenue NW., Washington, D.C. 20001.
D. (6) $1,750. E. (9) $265.27.

A. P. H. Croft.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C. 20036.
D. (6) $999.99. E. (9) $1,172.92.

A. H. C. Crotty, Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich. 48203.

A. Jack A. Crowder, American Textile Manufacturers Institute, Suite 1001, 1150 17th Street NW., Washington, D.C. 20036.
B. American Textile Manufacturers Institute, 400 South Tryon Street, Suite 2124, Charlotte, N.C. 28285.
D. (6) $1,500. E. (9) $84.58.

A. Cuba Claims Association, Executive Committee, P.O. Box 014004, Miami, Fla. 33131.
E. (9) $128.35.

A. James M. Cubie, 133 C Street SE., Washington, D.C. 20003.
B. Congress Watch, 133 C Street SE., Washington, D.C.
D. (6) $2,000.

A. Barry M. Cullen.
B. International Paper Co., 1620 I Street NW., Washington, D.C. 20006.
D. (6) $400. E. (9) $85.

A. William E. Cumberland, Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $1,018. E. (9) $2,850.

A. Frank Cummings, Gall, Lane & Powell, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Institute of Electrical & Electronics Engineers, 345 East 47th Street, New York, N.Y. 10017.
D. (6) $1,800.

A. Cummins Engine Co., Inc., 1000 Fifth Street, Columbus, Ind. 47201.
E. (9) $6,575.

A. Henry E. Cunningham, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

A. John T. Curran, 905 16th Street NW., Washington, D.C. 20006.
B. Laborers' International Union of North America, AFL–CIO, 905 16th Street NW., Washington, D.C. 20006.
D. (6) $9,240. E. (9) $3,167.10.

A. Cystic Fibrosis Foundation, 3379 Peachtree Road NE., Atlanta, Ga. 30326.
E. (9) $15,824.61.

A. John Jay Daly, 1730 K Street NW., Suite 905, Washington, D.C. 20006.
B. Direct Mail/Marketing Association, Inc., 1730 K Street NW., Suite 905, Washington, D.C. 20006.
D. (6) $5,000. E. (9) $2,250.

A. Thomas A. Daly, 1101 16th Street NW., Washington, D.C. 20036.
B. National Soft Drink Association.

A. David A. Daniel, Jr., 1156 15th Street NW., Suite 731, Washington, D.C. 20005.
B. Associated Builders & Contractors, Inc.
D. (6) $942.30. E. (9) $987.30.

A. Dumitru G. Danielopol, 2401 Calvert Street NW., Washington, D.C. 20008.
B. Government of Chile, c/o Gen. Enrique Morel, Military Attaché, 1736 Massachusetts Avenue NW., Washington, D.C., Chilean Embassy.

A. David S. Danielson, American Optometric Association, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, c/o Alvin Levin, O.D., 120 South Hanover Street, Carlisle, Pa. 17013.
D. (6) $28.85. E. (9) $12.

A. Danzansky, Dickey, Tydings, Quint & Gordon, Suite 1010, Bender Building, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Stephen I. Danzansky, Danzansky, Dickey, Tydings, Quint & Gordon, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. John C. Datt, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $4,375. E. (9) $114.81.

A. Philip J. Daugherty.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $3,585.75. E. (9) $62.65.

A. John B. Davenport, Jr., 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $286.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. Bankers Life and Casualty Co., 4444 Lawrence Avenue, Chicago, Ill. 60630.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. The Frst National Bank of Chicago, One First National Plaza, Chicago, Ill. 60670.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. Inland Steel Company, 30 West Monroe Street, Chicago, Ill. 60603.
D. (6) $410.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. The Myron Stratton Home, P.O. Box 1178, Colorado Springs, Colo. 80901.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
E. (9) $5.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. Northwest Industries, Inc., 6300 Sears Tower, Chicago, Ill. 60606.
D. (6) $350.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. Peoples Gas Co., 122 South Michigan Avenue, Chicago, Ill. 60603.
E. (9) $328.30.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. Sears, Roebuck & Co., Sears Tower, Chicago, Ill 60684.
E. (9) $10.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. Trans Union Corp., 90 Half Day Road, Lincolnshire, Ill. 60015.
D. (6) $350.

A. Charles W. Davis, One First National Plaza, No. 5200, Chicago, Ill. 60603.
B. United Insurance Co., One East Wacker Drive, Chicago, Ill. 60601.

A. Claire Davis, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $165.

A. David R. Davis, Indiana Petroleum Council, 714 Harrison Office Building, 151 W. Market Street, Indianapolis, Ind. 46204.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $261.60. E. (9) $119.05.

A. George R. Davis, 100 Indiana Avenue NW., No. 403, Washington, D.C. 20001.
B. Amalgamated Transit Union, National Capital Local Division 689, 100 Indiana Avenue NW., Washington, D.C. 20001.

A. Ovid R. Davis, c/o The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.
B. The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.
D. (6) $570. E. (9) $235.

A. R. Hilton Davis, 1615 H Street NW., Washington, D.C. 20062.
B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C. 20006.

A. Thomas A. Davis, 1776 F Street NW., No. 108, Washington, D.C. 20006.
B. American Horse Council, Inc., 1700 K Street NW., Washington, D.C. 20006
D. (6) $1,560. E. (9) $1,533.62.

A. Thomas A. Davis, 1776 F Street NW., No. 108, Washington, D.C. 20006.
B. Chicago Board of Trade, La Salle at Jackson, Chicago, Ill. 60604.
D. (6) $1,875. E. (6) $591.74.

A. Thomas A. Davis, 1776 F Street NW., No. 108, Washington, D.C. 20006.
B. Florida Power & Light Co., P.O. Box 013100, Miami, Fla. 33101.
D. (6) $1,000. E. (9) $251.75.

A. Walter L. Davis, 1775 K Street NW., Washington, D.C. 20006.
B. Retail Clerks International Association, AFL–CIO, 1775 K Street NW., Washington, D.C. 20005.
B. (6) $750.

A. Davis, Wright, Todd, Riese & Jones, 4200 Seattle-First National Bank Bldg., Seattle, Wash. 98154.
B. Inupiat Community of the Arctic Slope, Arctic Slope Regional Corp., Arctic Slope Native Association, P.O. Box 566, Barrow, Alaska 99723.
E. (9) $1,472.46.

A. Charles W. Day, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., The American Road, Dearborn, Mich. 48121.
D. (6) $325. E. (9) $201.

A. J. Edward Day, 21 Dupont Circle NW., Washington, D.C. 20036.
B. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C. 20006.

A. J. Edward Day, 21 Dupont Circle NW., Washington, D.C. 20036.
B. Electronic Industries Association, Consumer Electronics Group, 2001 I Street NW., Washington, D.C. 20006.

A. Dealer Bank Association, P.O. Box 8796, St. Louis, Mo. 63102.
E. (9) $1,073.

A. Tony T. Dechant.
B. The Farmers' Educational and Co-Operative Union of America, 1012 14th Street NW., Washington, D.C.
D. (6) $4,000. E. (9) $100.56.

A. DeHart and Broide, Inc., 1505 22d Street NW., Washington, D.C. 20037.
B. Council on Foundations, 888 Seventh Avenue, New York, N.Y. 10019.
D. (6) $595. E. (9) $37.

A. DeHart and Broide, Inc., 1505 22d Street NW., Washington, D.C. 20037.
B. Kansas City Southern Industries, Inc., 114 West 11th Street, Kansas City, Mo. 64105.
D. (6) $140.

A. DeHart and Broide, Inc., 1505 22d Street NW., Washington, D.C. 20037.
B. Recording Industry Association of America, Inc., One East 57th Street, New York, N.Y. 10022.
D. (6) $2,065. E. (9) $6.

A. DeHart and Broide, Inc., 1505 22d Street NW., Washington, D.C. 20037.
B. Recycled Paperboard Division of the American Paper Institute, 260 Madison Avenue, New York N. Y. 10016.
D. (6) $630. E. (9) $20.10.

A. John L. Delano, P.O. Box 1172, Helena, Mont. 59601.
B. Montana Railroad Association, Box 1172, Helena, Mont. 59601.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $133.25.

A. Vincent A. Demo, 25 Broadway, New York, N.Y. 10004.
B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y. 10004.
D. (6) $7,500. E. (9) $1,090.

A. Ray Denison, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.
D. (6) $7,865. E. (9) $571.37.

A. John H. Denman, Missouri Oil Council, 208 Madison Street, Jefferson City, Mo. 65101.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $483. E. (9) $331.

A. Daniel B. Denning, 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. Gulf Oil Corporation, P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $625. E. (9) $200.

A. Claude J. Desautels, Suite 811, 1725 K Street NW., Washington, D.C. 20006.
B. American Society of Composers, One Lincoln Plaza, New York, N.Y. 10023.

A. Claude J. Desautels, Suite 811, 1725 K Street NW., Washington, D.C. 20006.
B. Flavor and Extract Manufacturers Association of the United States, 900 17th Street NW., Washington, D.C. 20006.

A. Claude J. Desautels, Suite 811, 1725 K Street NW., Washington, D.C. 20006.
B. Merrill Lynch, Pierce, Fenner & Smith, Inc., One Liberty Plaza, New York, N.Y. 10006.

A. Claude J. Desautels, Suite 811, 1725 K Street NW., Washington, D.C. 20006.
B. O'Brien Associates, 2700 Calvert Street NW., Suite L–517, Washington, D.C. 20006.

A. C. H. DeVaney, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $3,000. E. (9) $83.25.

A. R. Daniel Devlin, 1000 16th Street NW., Washington, D.C. 20036.
B. Trans World Airlines, Inc., 605 Third Avenue, New York, N.Y. 10016.
E. (9) $170.

A. Ralph B. Dewey, 1150 17th Street NW., No. 1109, Washington, D.C. 20036.
B. Pacific Gas & Electric Co., 77 Beale Street, San Francisco, Calif 94106.
D. (6) $3094. E. (9) $1504.15.

A. Dialog, 1156 15th Street NW., No. 900, Washington, D.C. 20005.
B. Eli Lilly & Co., 370 East McCarty Street, Indianapolis, Ind. 46206.
E. (9) $135.33.

A. Charles J. DiBona, 1801 K Street NW., Washington, D.C. 20006.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. John M. Dickerman, John Dickerman & Associates, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. National Lumber & Building Material Dealers Association, 1990 M Street NW., Suite 350, Washington, D.C. 20036.
D. (6) $8,266.86. E. (9) $134.32.

A. Annette Dickinson, Suite 600, 1225 Connecticut Avenue NW., Washington, D.C. 20036.
B. Council for Responsible Nutrition, Suite 600, 1225 Connecticut Avenue NW., Washington, D.C.
D. (6) $3750.

A. Jane Dickson, Phelps Dodge Corp., 1620 I Street NW., Washington, D.C. 20006.
B. Phelps Dodge Corporation, 300 Park Avenue, New York, N. Y. 10022.
D. (6) $300. E. (9) $43.

A. Timothy V. A. Dillon, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. Committee for Marysville Dam, P. O. Drawer B, Marysville, Calif. 95902.
D. (6) $1,652.20. E. (9) $20.20.

A. Timothy V. A. Dillon, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. Department of Water Resources, State of California, P.O. Box 388, Sacramento, Calif. 95802.
D. (6) $2,226.36. E. (9) $126.36.

A. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky. 41076.
D. (6) $58,543.54. E. (9) $58,543.54.

A. Disabled Officers Association, 1612 K Street NW., Suite No. 310, Washington, D.C. 20006.
E. (9) $3,587.76.

A. District of Columbia Bankers Association, 1709 New York Avenue NW., Washington, D.C. 20006.
E. (9) $3,668.58.

A. DK Consultants, Inc., 918 16th Street NW., Suite 402, Washington, D.C. 20006.
B. Holiday Inns, Inc., P.O. Box 18127, Memphis, Tenn. 38118.

A. James F. Doherty, Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., No. 701, Washington, D.C. 20036.
B. Group Health Association of America, Inc., 1717 Masschusetts Avenue NW., No. 701, Washington, D.C. 20036.
D. (6) $4,812.48.

A. Robert C. Dolan, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
D. (6) $297. E. (9) $116.18.

A. Leo Donahue, 230 Southern Building, Washington, D.C. 20005.
B. American Association of Nurserymen, 230 Southern Building, Washington, D.C. 20005.

A. Richard M. Donaldson, 1735 Midland Building, Cleveland, Ohio 44115.
B. The Standard Oil Co. (an Ohio Corporation), Midland Building, Cleveland, Ohio 44115.

A. Gary W. Donnelly, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $16.80.

A. James A. Dorsch, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $208. E. (9) $82.39.

A. F. Raymond Downs, 1801 K Street NW., Suite 1104, Washington, D.C. 20006.

B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio 45201.

A. Robert H. Doyle, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $5,875.

A. Andrew Drance, Room 511, Wilson Plaza Building, 2425 Wilson Boulevard, Arlington, Va. 22201.
B. Media General, Inc., 333 East Grace Street, Richmond, Va. 23219.
D. (6) $1,069.50. E. (9) $232.13.

A. Wilbur B. Dronen, Caterpillar Tractor Co., 100 NE. Adams Street, Peoria, Ill. 61629.
B. Caterpillar Tractor Co., 100 NE. Adams Street, Peoria, Ill. 61629.
D. (6) $600. D. (9) $593.88.

A. Thomas E. Drumm, Jr., 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. Macmillan, Inc., 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
D. (6) $400. E. (9) $1,804.37.

A. Franklin B. Dryden.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.
D. (6) $500. E. (9) $300.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y. 10019.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y. 10019.
D. (6) $4,896.45. E. (9) $2,577.68.

A. Morgan D. Dubrow, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $115.

A. William E. Duke, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

A. Robert A. DuLong, 1421 Peachtree Street NE., Suite 201, Atlanta, Ga. 30309.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,468.75. E. (9) $68.24.

A. M. L. DuMars, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $60.

A. R. Michael Duncan, 1250 Connecticut Avenue N.W., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Natomas Co.), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Douglas G. Dunn, 1133 15th Street NW., Suite 503, Washington, D.C. 20005.
B. Northern Natural Gas Co., 2223 Dodge Street, Omaha, Nebr. 68102.
D. (6) $1,500.

A. Bruce Dunton, 1126 16th Street NW., Washington, D.C. 20036.
B. Textile Workers Union of America, 99 University Place, New York, N.Y. 10003.
D. (6) $4,225. E. (9) $100.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Roy W. Easley, 1735 DeSales Street NW., Washington, D.C. 20036.

B. Association of Maximum Services Telecasters, Inc.

A. East-West Trade Council, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
E. (9) $1,200.

A. Donald R. Ebe, Suite 622, 1800 K Street NW., Washington, D.C. 20006.
B. The Goodyear Tire & Rubber Co., Akron, Ohio, 44316.

A. Robert E. Ebel, Lone Star Gas Co., 1025 Connecticut Avenue NW., Suite 1206, Washington, D.C. 20036.
B. Lone Star Gas Co., 301 South Harwood, Dallas, Tex. 75201.

A. N. Boyd Ecker, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42nd Street, New York, N.Y. 10017.
D. (6) $1,500. E. (9) $51.15.

A. William R. Edgar, 1025 Connecticut Avenue NW., Euite 1215, Washington, D.C. 20036.
B. General Aviation Manufacturers Association, Inc., 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.
D. (6) $1,531.25.

A. Arthur B. Edgeworth, Jr., 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $712.50.

A. J. Rodney Edwards, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. John P. Edwards, 1030 15th Street NW., Suite 72J, Washington, D.C. 20005.
B. Caterpillar Tractor Co., 100 NE., Adams Street, Peoria, Ill. 61629.
D. (6) $2,500. E. (9) $1,077.70.

A. Johnathan W. Edwards, 429-B New Jersey Avenue SE., Washington, D.C. 20003.
B. The Navajo Nation, Window Rock, Ariz. 86515.

A. Johnathan W. Edwards, 429-B New Jersey Avenue SE., Washington, D.C. 20003.
B. Portland General Electric Co., 621 SW., Alder Street, Portland, Oreg. 97205.

A. Macon T. Edwards, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $1,750. E. (9) $71.69.

A. J. C. B. Ehringhaus, Jr., 1600 South Eads Street, Arlington, Va. 22202.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.
D. (6) $180.

A. Harmon L. Elder, 2000 L Street NW., Suite 520, Washington, D.C. 20036.
B. Wilson E. Hamilton & Associates, Inc. (for United States Industrial Council, Nashville, Tenn.), 200 L Street NW., Washington, D.C.
D. (6) $250. E. (9) $380.82.

A. Electronic Data Systems Corp., 7171 Forest Lane, Dallas, Tex. 75230.
E. (9) $96.

A. J. Burton Eller, Jr., National Press Building, Suite 1015, 14th and F Streets NW., Washington, D.C. 20045.
B. American National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 80202.
D. (6) $1,000.

A. Charles W. Elliott, Wisconsin Petroleum Council, 25 West Main Street, Room 703, Madison, Wis. 53703.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $439.44. E. (9) $289.51.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md. 20784.
E. (9) $13.88.

A. Ruth Bowdey Elliott, 5500 Quincy Street, Hyattsville, Md. 20784.
D. (6) $913. E. (9) $805.23.

A. Emergency Committee for American Trade, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,917.73. E. (9) $2,730.51.

A. Richard W. Emory, 1800 Mercantile Bank and Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $7.35.

A. Employers Insurance of Wausau, 2000 Westwood Drive, Wausau, Wis. 54401.
E. (9) $780.10.

A. Lowell J. Endahl, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $235.

A. Gertrude Engel, 2450 Virginia Avenue, NW., Washington, D.C. 20037.
B. York Barbell Co., York, Pa. 17405.
D. (6) $1,800. E. (9) $402.86.

A. Steven L. Engelberg, 1737 DeSales Street NW., Suite 400, Washington, D.C. 20036.
B. American Association of Marriage and Family Counselors, 225 Yale Avenue, Claremont, Calif. 91711.
D. (6) $10,480.33. E. (9) $116.33.

A. Susan M. Engelhart, 1920 L Street NW., Suite 750, Washington, D.C. 20036.
B. Association of American Publishers, Inc., 1920 L Street NW., Washington, D.C. 20036.
D. (6) $1,250. E. (9) $250.

A. John R. Englehorn, P.O. Box 948, Stamford, Conn. 06904.
B. Texasgulf, Inc., 200 Park Avenue, New York, N.Y.
D. (6) $2,031.26. E. (9) $801.64.

A. M. Dale Ensign, 1625 I Street NW., Washington, D.C.
B. Husky Oil Co., P.O. Box 380, Cody, Wyo.
E. (9) $50.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y. 10017.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10017.
D. (6) $759.

A. Barry Ensminger, 2000 P Street NW., Suite 708, Washington, D.C. 20036.
B. Health Research Group, 2000 P Street NW., Suite 708, Washington, D.C. 20036.

A. John L. Erickson, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., The American Road, Dearborn, Mich. 48121.

A. George T. Esherick, United States Steel Corp., 1625 K Street NW., Washington, D.C. 20006.

B. United States Steel Corp., 600 Grant Street, Pittsburgh, Pa. 15230.
D. (6) $85. E. (9) $125.

A. David C. Evans, Suite 404, Madison Building, 1155 15th Street NW., Washington, D.C. 20005.
B. Brick Institute of America, 1750 Old Meadow Road, McLean, Va. 22101.

A. Robert D. Evans, 1705 DeSales Street, Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $400. E. (9) $50.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C. 20002.
B. Veterans of Foreign Wars of the United States.
D. (6) $3,364. E. (9) $10.

A. Robert R. Fahs, 1030 15th Street NW., Washington, D.C. 20005.
B. Cargill, Inc., 1200 Cargill Building, Minneapolis, Minn. 55402.
D. (6) $2,500. E. (9) $27.25.

A. Robert J. Falasca, 1030 15th Street NW., Washington, D.C.
B. American Seed Trade Association, Suite 964, 1030 15th Street NW., Washington, D.C. 20005.
A. Thomas B. Farley II, 1801 K Street NW., Washington, D.C. 20006.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $1,250. E. (9) $174.81.

A. The Farmers' Educational and Cooperative Union of America, 1012 14th Street NW., Washington, D.C.
D. (6) $119,074.58. E. (9) $32,331.86.

A. Federation of American Controlled Shipping, 17 Battery Place North, New York, N.Y. 10004.
D. (6) $359.02. E. (9) $359.02.

A. Federation of American Hospitals, 1101 17th Street NW., Suite 810, Washington, D.C. 20036.
D. (6) $9,000. E. (9) $4,500.

A. Stuart F. Feldstein.
B. National Cable TV Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $127.50. E. (9) $50.

A. Kenneth E. Feltman, 205 West Wacker Drive, Suite 1822, Chicago, Ill. 60606.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,281.25. E. (9) $149.34.

A. Carol Fielders, 1030 15th Street NW., Washington, D.C. 20005.
B. American Nurses' Association, Inc., 2420 Pershing Road, Kansas City, Mo. 64108.
D. (6) $5,284.14. E. (9) $5,284.14.

A. C. H. Fields, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $3,063. E. (9) $60.15.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C. 20036.
B. Council of Forest Industries of British Columbia, 1500/1055 West Hastings Street, Vancouver V6E 2H1, British Columbia, Canada.
D. (6) $8,867.94. E. (9) $380.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C. 20036.
B. Joint Committee on Printing and Publishing Industries of Canada, Suite 1001, 150 Ferrand Drive, Don Mills, Ontario M3C 1H6, Canada.
D. (6) $2,000. E. (9) $405.

A. Francis S. Filbey, 817 14th Street NW., Washington, D.C. 20005.
B. American Postal Workers Union, AFL-CIO, 817 14th Street NW., Washington, D.C. 20005.
D. (6) $5,856.90.

A. Maurice W. Fillius, 5040 Lowell Street NW., Washington, D.C. 20016.
B. Bacardi Imports, Inc., 2100 Biscayne Boulevard, Miami, Fla. 33137; Castleton Beverage Corp., P.O. Box 26368, Jacksonville, Fla. 32218.

A. Matthew P. Fink, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $37. E. (9) $12.20.

A. James W. Finley, 1660 L Street NW., Suite 915, Washington, D.C. 20036.
B. Crown Zellerbach, One Bush Street, San Francisco, Calif. 94119.
E. (9) $250.

A. Firearms Lobby of America, 325 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $29,747.17. E. (9) $27,116.64.

A. William J. Flaherty, 1221 Massachusetts Avenue NW., Washington, D.C. 20005.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $8,491.67.

A. James J. Flanagan, 20 Turnpike Road, Westborough, Mass. 01581.
B. New England Power Service Co., 20 Turnpike Road, Westborough, Mass. 01581.
D. (6) $484.60. E. (9) $860.14.

A. James F. Fleming, 991 National Press Building, Washington, D.C.
B. United Egg Producers, 1001 International Boulevard, Suite 1105, Atlanta, Ga. 30354.
D. (6) $1,000.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $2,175. E. (9) $24.30.

A. Carl J. Fleps, 1629 K Street NW., Suite 300, Washington, D.C. 20006.
B. The Greyhound Corp., Greyhound Tower, Phoenix, Ariz. 85077.
D. (6) $100. E. (9) $22.

A. John F. Fochtman, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $2,000. E. (9) $756.

A. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Cabot Corp. and Subsidiaries, 125 High Street, Boston, Mass. 02110.
D. (6) $550. E. (9) $15.17.

A. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. The Dealer Bank Association, P.O. Box 479, Wall Street Station, New York, N.Y. 10005.
D. (6) $3,700. E. (9) $1,172.28.

A. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Insurance Association of Connecticut, 60 Washington Street, Hartford, Conn. 06106.
D. (6) $6,965. E. (9) $73.26.

A. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Jos. Schlitz Brewing Co., 235 West Galena Street, Milwaukee, Wis. 53201.
D. (6) $3,725.

A. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Natomas Co., International Building, 601 California Street, San Francisco, Calif. 94108.
D. (6) $2,730. E. (9) $5.99.

A. Foley, Lardner, Hollabaugh & Jacobs, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. U.S. Steel Corp., et al.
D. (6) $2,140. E. (9) $7.34.

A. Gordon Forbes, 203 Hanover Building, 480 Cedar Street, St. Paul, Minn. 55101.
B. Minnesota Railroads Association.
D. (6) $500. E. (9) $635.61.

A. Forest Farmers Association, 4 Executive Park East, NE., Atlanta, Ga. 30329.
D. (6) $264.14. E. (9) $264.41.

A. James W. Foristel, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Asssociation, 535 North Dearborn Street, Chicago, Ill.
D. (6) $2,300. E. (9) $365.

A. John S. Forsythe, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $55. E. (9) $10.

A. Francis C. Fortune, Suite 107, 1107 New Hampshire Avenue NW., Washington, D.C. 20037.
E. (9) $43.75.

A. Ebert E. Fournace, 301 Cleveland Avenue SW., Canton, Ohio 44702.
B. Ohio Power Co., 301 Cleveland Avenue SW., Canton, Ohio 44702.
D. (6) $1,680. E. (9) $1,302.65.

A. John G. Fox, 2000 L Street NW., Washington, D.C. 20036.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y. 10007.

A. Joe H. Foy, 1200 Travis, Houston, Tex. 77001.
B. Houston Natural Gas Corp., P.O. Box 1188, Houston, Tex. 77001.

A. Ron Frank, 1101 16 Street NW., Washington, D.C. 20036.
B. Independent Petroleum Association of America, 1101 16 Street NW., Washington, D.C. 20036.
E. (9) $17.50.

A. Walter L. Frankland, Jr., 1717 K Street NW., Washington, D.C. 20006.
B. Silver Users Association, 1717 K Street NW., Washington, D.C. 20006.
D. (6) $842.47. E. (9) $233.10.

A. Robert M. Frederick, 1616 H Street NW., Washington, D.C. 20006.
B. The National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $5,732.50.

A. Harry L. Freeman, 1701 K Street NW., Washington, D.C. 20006.

B. American Express Co., 65 Broadway, New York, N.Y. 10006.

A. James O. Freeman, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.

B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.

D. (6) $2,500. E. (9) $41.

A. Verrick O. French, 1317 F Street NW., Washington, D.C. 20004.

B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y. 10001.

D. (6) $100. E. (9) $2.50.

A. Benjamin W. Fridge, 1900 South Eads Street, Arlington, Va. 22202.

B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

D. (6) $4,250. E. (9) $1,995.89.

A. Susan Fridy, 30 F Street NW., Washington, D.C. 20001.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

D. (6) $837.50. E. (9) $65.27.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Hualapai Tribe of the Hualapai Reservation, Peach Springs, Ariz.

D. (6) $78.25. E. (9) $7.20.

A. Fried, Frank, Harris, Shriver & Kampelman, Suite 1000, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. LTV Aerospace Corp., P.O. Box 5907, Dallas, Tex. 75222.

E. (9) $3,521.02.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Navajo Tribe, Window Rock, Ariz.

E. (9) $261.95.

A. Fried, Frank, Harris, Shriver & Kampalman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Nez Perce Tribe, Lapwai, Idaho.

D. (6) $900. E. (9) $15.40.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., D.C. 20037.

B. The Oglala Sioux Tribe of the Pine Ridge Reservation, Pine Ridge, S. Dak.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Pueblo of Laguna, Box 194, Laguna, N. Mex.

D. (6) $3,575. E. (9) $199.50.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. Salt River Pime-Maricopa Community, Box 120, Route No. 1, Scottsdale, Ariz.

D. (6) $193.75. E. (9) $8.85.

A. Fried, Frank, Harris, Shriver & Kampelman, 600 New Hampshire Avenue NW., Washington, D.C. 20037.

B. The Seneca Nation of Indians, Box 331, Salamanca, N.Y. 14779.

D. (6) $1,757.50. E. (9) $9.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C. 20005.

B. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C. 20005.

D. (6) $225. E. (9) $5.

A. Gay H. Friedmann, 1025 Connecticut NW., Suite 1206, Washington, D.C. 20036.

B. Lone Star Gas Co. 301 South Harwood, Dallas, Tex. 75201.

D. (6) $1,000. E. (9) $590.09.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $64,628. E. (9) $15,923.

A. Frank W. Frisk, Jr., 2600 Virginia Avenue NW., Washington, D.C. 20037.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.

D. (6) $750.

A. Charles H. Fritzel, 1625 I Street NW., No. 1001, Washington, D.C. 20006.

B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.

D. (6) $1,500. E. (9) $87.

A. Cornelius F. Froeb, 1660 L Street NW., Washington, D.C. 20036.

B. Cities Service Co., 1660 L Street NW., Washington, D.C. 20036.

D. (6) $174.

A. Paul K. Frost II, 1730 Pennsylvania Avenue NW., No. 1250, Washington, D.C. 20006.

B. Union Carbide Corp., 1730 Pennsylvania Avenue, NW., Washington, D.C. 20006.

A. David C. Fullarton, 2100 M Street NW., Suite 307, Washington, D.C. 20037.

B. National Telephone Cooperative Association, 2100 M Street, Suite 307, Washington, D.C. 20037.

D. (6) $240.

A. James E. Gaffigan, American Hotel & Motel Association, 777 14th Street NW., Washington, D.C. 20005.

B. American Hotel & Motel Association, 888 Seventh Avenue, New York, N.Y. 10019.

D. (6) $230.78. E. (9) $29.87.

A. Mark J. Gallagher.

B. National Committee for a Human Life Amendment, Inc., 1707 L Street NW., No. 400, Washington, D.C. 20036.

D. (6) $3971.58. E. (9) $688.96.

A. Peter N. Gammelgard, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. William B. Gardiner, Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington, D.C. 20005.

B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.

D. (6) $7,504.16.

A. John W. Gardner, 2030 M Street NW., Washington, D.C. 20036.

B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.

D. (6) 3,750. E. (9) $709.94.

A. W. Bradford Gary, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. The Proprietary Association, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $4,250. E. (9) $80.

A. Gas Appliance Manufacturers Association, 1901 North Fort Myer Drive, Arlington, Va. 22209.

E. (9) $870.

A. Gausewitz, Carr & Rothenberg, Suite 711, South Tower, Union Bank Square, Orange, Calif. 92668.

B. The Patent Law Association of Los Angeles, Suite 2400, Equitable Plaza, 3435 Wilshire Boulevard, Los Angeles, Calif. 90010.

A. Robert B. Geddie, Jr., Alabama Petroleum Council, 660 Adams Avenue, Suite 188, Montgomery, Ala. 36104.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $240.84. E. (9) $510.78.

A. Margaret L. Gehres, 1156 15th Street NW., Suite 731, Washington, D.C. 20005.

B. Associated Builders & Contractors, Inc.

D. (6) $384.60. E. (9) $401.10.

A. General Aviation Manufacturers Association, Inc., 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.

E. (9) $2,056.25.

A. Geothermal Resources International, Inc., 4676 Admiralty Way, Suite 503, Marina del Rey, Calif. 90291.

E. (9) $1,311.35.

A. Lesley Chapman Gerould, 1730 M Street NW., Washington, D.C. 20036.

B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.

D. (6) $1,248. E. (9) $6,845.

A. Donald H. Gerrish.

B. American Bakers Association, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. William T. Gibb III, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Wayne Gibbens, 1800 K Street NW., Washington, D.C. 20006.

B. Mid-Continent Oil & Gas Association, 1111 Thompson Building, Tulsa, Okla. 74103.

D. (6) $934.25. E. (9) $126.10.

A. Joseph L. Gibson, 1101 15th Street NW., Washington, D.C. 20005.

B. Montgomery Ward & Co., Inc., 535 West Chicago Avenue, Chicago, Ill.

D. (6) $50. E. (9) $150.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio 45219.

B. National Conference of Brewery & Soft Drink Workers, 300 South Ashland Boulevard, Chicago, Ill. 60607.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio 43215.

B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio 43215.

E. (9) $353.14.

A. James T. Gillice, 1776 F Street NW., Washington, D.C. 20006.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill. 60606.

E. (9) $1,620.

A. Frederick H. Gillmore, Jr., 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton (for Exxon Corp.), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Frederick H. Gillmore, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Cleary, Gottlieb, Steen & Hamilton (for Getty Oil Co., Standard Oil Co. of Calif., and Standard Oil Co. (Indiana)), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Dave Givens, Tennessee Railroad Association, 916 Nashville Trust Building, Nashville, Tenn. 37201.

B. Class I Railroads in Tennessee.

A. Glass-Steagall Act Study Committee, 1000 Ring Building, Washington, D.C. 20036.

D. (6) $10,250. E. (9) $9,905.91.

A. Godfrey Associates, Inc., 918 16th Street NW., Washington, D.C. 20006.

A. Horace D. Godfrey, 918 16th Street NW., Washington, D.C. 20006.
B. Godfrey Associates, 918 16th Street NW., Washington, D.C. 20006.

A. Patrick Lewis Godfrey, 601 North Vermont Avenue, No. 101, Los Angeles, Calif. 90004.
B. National Association of Manufacturers, 1776 F Street, NW., Washington, D.C. 20006.

A. John Goldsum, P.O. Box 1148, Austin, Tex. 78767.
B. Texas Power & Light Co., et al.
E. (9) $2,490.08.

A. Don A. Goodall, 1625 I Street NW., Suite 514, Washington, D.C. 20006.
B. American Cyanamid Co., Wayne, N.J. 07470.
D. (6) $468. E. (9) 243.58.

A. Vance V. Goodfellow, 307 Fourth Avenue South, P.O. Box 15047, Minneapolis, Minn. 55415.
B. Crop Quality Council, 307 Fourth Avenue South, P.O. Box 15047, Minneapolis, Minn. 55415.
D. (6) $7,249.98. E. (9) $210.55.

A. Frederick D. Goss, 2100 M Street NW., Suite 307, Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2100 M Street NW., Suite 307, Washington, D.C. 20037.
D. (6) $1,150.

A. Edward Gottlieb & Associates, 485 Madison Avenue, New York, N.Y. 10022.
B. Florists' Transworld Delivery Association, P.O. Box 2227, Southfield, Mich. 48076.

A. David B. Graham, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $120.

A. John S. Graham III, 1800 M Street NW., Suite 1000, Washington, D.C. 20036.
B. National Data Corp., One National Data Plaza, Atlanta, Ga. 30329.
D. (6) $5,020.

A. Dan L. Grant, 230 Peachtree Street, Suite 1507, Atlanta, Ga. 30303.
B. American Petroleum Inst., 1801 K Street NW., Washington, D.C.
D. (6) $150. E. (9) $50.

A. James A. Gray, 7901 Westpark Drive, McLean, Va. 22101.
B. National Machine Tool Builders' Association, 7901 Westpark Drive, McLean, Va. 22101.
D. (6) $877. E. (9) $25.

A. Robert K. Gray, 1425 K Street NW., Washington, D.C. 20005.
B. Hill and Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017.
D. (6) $800. E. (9) $125.

A. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C. 20008.
B. Citizens Committee for UNICEF, 110 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $527. E. (9) $283.97.

A. Grayson, Gross & Sherman, 10880 Wilshire Boulevard, Suite 2121, Los Angeles, Calif. 90024.
B. Janette F. Byrne, 1230 Princeton Street, Apartment 7, Santa Monica, Calif.
D. (6) $6,000.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho 83702.
B. Union Pacific Railroad, 1416 Dodge Street, Omaha, Nebr. 68179.
E. (9) $988.78.

A. Claiborne D. Gregory, Virginia Petroleum Industries, 1809 Staples Mill Road, Richmond, Va. 23230.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. William G. Greif, 1155 15th Street NW., Washington, D.C. 20005.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10022.
D. (6) $1,000.

A. Grocery Manufacturers of America, Inc., 1425 K Street NW., Washington, D.C. 20005.

A. Groom & Nordberg, Suite 500, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Prudential Insurance Co. of America, Prudential Plaza, Newark, N.J. 07101.
D. (6) $100. E. (9) $2.

A. Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., No. 701, Washington, D.C. 20036.
D. (6) $14,896.79. E. (9) $14,896.79.

A. Charles S. Gubser, 8905 Bradley Boulevard, Bethesda, Md. 20034.
B. Applied Technology, a Division of Itek Corp., 645 Almanor Avenue, Sunnyvale, Calif. 94086.
D. (6) $1,000. E. (9) $6.40.

A. Charles S. Gubser, 8905 Bradley Boulevard, Bethesda, Md. 20034.
B. Morena Enterprises, Presidio of San Francisco, Calif. 94129.
D. (6) $1,500.

A. Charles S. Gubser, 8905 Bradley Boulevard, Bethesda, Md. 20034.
B. WEMA, 2600 El Camino Real, Palo Alto, Calif. 94306.
D. (6) $1,500. E. (9) $23.69.

A. James J. Gudinas, 8111 Gatehouse Road, Falls Church, Va. 22042.
B. American Automobile Association, 8111 Gatehouse Road, Falls Church, Va. 22042.
E. (9) $21.

A. Kenneth J. Guido, Jr., 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $726.

A. Samuel Gusman, Suite 202, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Rohm and Haas Co., Independence Mall West, Philadelphia, Pa. 19105.
D. (6) $500. E. (9) $100.

A. Paul R. Haerle, Thelan, Marrin, Johnson & Bridges, Two Embarcadero Center, No. 2200, San Francisco, Calif. 94111.
B. Energy Transportation Systems, Inc., 50 Beale Street, San Francisco, Calif. 94119.
E. (9) $380.50.

A. William S. Haga, Volunteer State Oil Committee, 19th Floor, Third National Bank Building, Nashville, Tenn. 37219.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $101.52.

A. Gary Haggart, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, c/o Alvin Levin, O.D., 120 South Hanover Street, Carlisle, Pa. 17013.
D. (6) $206.25. E. (9) $714.12.

A. Howard R. Hague, Jr.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $2,698.90. E. (9) $24.

A. Hall, Estill, Hardwick, Gable, Collingsworth & Nelson, Harker Stanton and John Coffey, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Williams Companies, National Bank of Tulsa, Tulsa, Okla.

A. J. G. Hall, General Motors Corp., 1660 L Street NW., Washington, D.C. 20036.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.
D. (6) $4,500. E. (9) $3,066.64.

A. Keith Halliday, 1725 K Street NW., Washington, D.C. 20006.
B. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C. 20006.
D. (6) $300.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Belize Sugar Industries, Ltd., Belize City, Belize.
D. (6) $3,750. E. (9) $63.28.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. The Business Roundtable, 888 17th Street NW., Washington, D.C. 20006.
D. (6) $250. E. (9) $15.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Government of Republic of Panama, Compania Azucarera La Estrella, S.A., and Azucarera Nacional, S.A., Panama City, Panama.
D. (6) $3,000. E. (9) $14.60.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. International Nickel Co., 1 New York Plaza, New York, N.Y. 10004.
D. (6) $500. E. (9) $25.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. National School Supply & Equipment Association, 1500 Wilson Boulevard, Arlington, Va. 22209.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah 84101.
D. (6) $7,500. E. (9) $703.25.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Sociedad Agricola e Industrial San Carlos, S.A., Compania Azucarera Valdez, S.A., Azucarera Tropical Americans, S.A., Tababuela Industrial Azucarera, C.A. Ecuador.
D. (6) $10,362.82. E. (9) $89.42.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Standard Oil Co. (Indiana), 200 East Randolph Street, Chicago, Ill. 60601.
D. (6) $1,365.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. Sugar Association of the Caribbean, Port of Spain, Trinidad.
D. (6) $8,750. E. (9) $378.35.

A. Hamel, Park, McCabe & Saunders, 1776 F Street NW., Washington, D.C. 20006.
B. United Student Aid Funds, Inc., 200 East 42d Street, New York, N.Y. 10017.

A. Fowler Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Exxon Corp.), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Fowler Hamilton, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Getty Oil Co., Standard Oil Co. of California, Standard Oil Co. of Indiana), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Thomas A. Hammer, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $3,063. E. (9) $49.29.

A. Patricia L. Hanahan, 1155 15th Street NW., Washington, D.C. 20005.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10022.
D. (6) $500.

A. Christopher G. Hankin, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $10.25.

A. Robert B. Harding, 1801 K Street NW., No. 1041, Washington, D.C. 20006.
B. Southern California Edison Co., P.O. Box 800, Rosemead, Calif. 91770.
D. (6) $200. E. (9) $148.75.

A. William E. Hardman, 9300 Livingston Road, Washington, D.C. 20022.
B. National Tool, Die and Precision Machining Association, 9300 Livingston Road, Washington, D.C. 20022.

A. Eugene J. Hardy, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $2,500. E. (9) $60.85.

A. Bryce N. Harlow, 1801 K Street NW., Suite 1104, Washington, D.C. 20006.
B. The Procter & Gamble Mfg. Co., 301 East Sixth Street, Cincinnati, Ohio 45203.
D. (6) $350.50. E. (9) $350.50.

A. Donald L. Harlow, 310 Riley Street, Falls Church, Va. 22046.
B. Air Force Sergeants Association, Inc., 4235 28th Avenue, Marlow Heights, Md. 20031.

A. C. Wayne Harmon, 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. Gulf Oil Corp., P.O. Box 1166, Pittsburgh, Pa. 15230.
D. (6) $700. E. (9) $300.

A. William B. Harmon, Jr., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $120. E. (9) $87.

A. A. J. Harris II, 490 L'Enfant Plaza East, SW., Washington, D.C. 20024.
B. Securities Industry Association, 490 L'Enfant Plaza East, SW., Washington, D.C. 20024.
D. (6) $409.48. E. (9) $36.89.

A. Godfrey Harris, 9200 Sunset Boulevard, Los Angeles, Calif.
B. Embassy of the Republic of Panama, 2862 McGill Terrace NW., Washington, D.C. 20008.
D. (6) $1,150. E. (9) $5.

A. Saul J. Harris, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
D. (6) $240. E. (9) $29.39.

A. Stephanie G. Harris, 2000 P Street NW., Washington, D.C.
B. Health Research Group, 2000 P Street NW., Washington, D.C. 20036.

A. James W. Hart, Jr., 660 Adams Avenue, Suite 188, Montgomery, Ala. 36104.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $701.90. E. (9) $372.80.

A. William C. Hart, 1625 I Street NW., Washington, D.C. 20006.
B. Columbia Gas System Service Corp., 20 Montchanin Road, Wilmington, Del. 19807.
D. (6) $612.50. E. (9) $857.25.

A. Fred L. Hartley, 461 South Boylston Street, Los Angeles, Calif. 90017.
B. Union Oil Co. of California, 461 South Boylston Street, Los Angeles, Calif. 90017.

A. Rita M. Hartz, 1737 H Street NW., Washington, D.C. 20006.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C. 20006.
D. (6) $7,576.80. E. (9) $775.37.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C. 20036.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Charles W. Havens III, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Reinsurance Association of America, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $25.

A. Sidney G. Hawkes, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Mead Corp., 118 West First Street, Dayton, Ohio 45402.
D. (6) $825. E. (9) $605.

A. John H. Hawkins, Jr., 600 North 18th Street, Birmingham, Ala. 35291.
B. Alabama Power Co., 600 North 18th Street, Birmingham, Ala. 35291.
D. (6) $2,125. E. (9) $282.22.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $106. E. (9) $20.88.

A. Robert T. Hayden, 815 16th Street NW., Suite 706, Washington, D.C. 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $5,463.18. E. (9) $706.80.

A. Patrick J. Head, 1101 15th Street NW., Washington, D.C. 20005.
B. Montgomery Ward & Co., Inc., 535 West Chicago Avenue, Chicago, Ill. 60680.
D. (6) $236.50. E. (9) $150.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $4,904.48. E. (9) $4,904.48.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C. 20001.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $393.75. E. (9) $59.10.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N.Y. 10017.
B. American Parents Committee, Inc., 1346 Connecticut Avenue NW., Washington, D.C. 20036.

A. William H. Hecht, 1776 K Street NW., Washington, D.C. 20006.
B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.

A. John F. Heilman, Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington, D.C. 20005.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $5,270.83.

A. Spencer H. Heine, 1101 15th Street NW., Washington, D.C.
B. Montgomery Ward & Co., Inc., 535 West Chicago Avenue, Chicago, Ill.
D. (6) $75. E. (9) $150.

A. Ross E. Heller, 2100 M Street NW., Suite 307, Washington, D.C. 20037.
B. National Telephone Cooperative Association, 2100 M Street NW., Suite 307, Washington, D.C. 20037.
D. (6) $200.

A. Phil D. Helmig, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.
D. (6) $225. E. (9) $250.

A. Leslie P. Hemry, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $237. E. (9) $6.85.

A. Robert C. Hendon, 6845 Elm Street, Suite 608, McLean, Va. 22101.
B. Consolidated Freightways, Inc., 601 California Street, San Francisco, Calif. 94108.
E. (9) $2,053.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y., 10017.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y., 10017.
D. (6) $1,500. E. (9) 89.74.

A. George F. Hennrikus, Jr.
B. The Retired Officers Association, 1625 I Street, NW., Washington, D.C. 20006.
D. (6) $2,727.

A. Maurice G. Herndon, 425 13th Street, NW., Washington, D.C., 20004.
B. National Association of Insurance Agents, 85 John Street, New York, N.Y., 10038.
E. (9) $4,638.57.

A. Esther Herst, 510 C Street NE., Washington, D.C., 20002.
B. National Committee Against Repressive Legislation, 1250 Wilshire Boulevard, No. 501, Los Angeles, Calif., 90017.
D. (6) $1755. E. (9) $1,003.76.

A. Elena Hess, 3705 Porter Street NW., Washington, D.C.
B. Self-Determination for D.C., 3705 Porter Street NW., Washington, D.C., 20016.
E. (9) $179.81.

A. Andrew I. Hickey, Jr., 1133 15th Street NW., Washington, D.C. 20005.
B. Federal National Mortgage Association, 1133 15th Street NW., Washington, D.C. 20005.
D. (6) $11,750. E. (9) $606.28.

A. Paul T. Hicks, 150 Francis Street, Providence, R.I. 02903.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $87.

A. J. Thomas Higginbotham Mellon Bank, N.A., Pittsburgh, Pa. 15230.
B. Mellon Bank, N.A. and Mellon National Corp., Mellon Square, Pittsburgh, Pa. 15230.
D. (6) $2,000. E. (9) $684.25.

A. J. Eldred Hill, Jr., 720 Hotel Washington, Washington, D.C. 20004.
B. UBA, Inc.
D. (6) $2,000. E. (9) $2,000.

A. E. Joseph Hillings, 1025 Connecticut Avenue NW., Suite 511, Washington, D.C. 20036.
B. National Airlines, P.O. Box 592055 AMF, Miami, Fla. 33159.
D. (6) $1,100. E. (9) $50.

A. Richard deC. Hinds, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Exxon Corp.), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Richard deC. Hinds, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Getty Oil, Standard Oil Co. (Indiana), Standard Oil Co. (California), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. J. D. Hittle, 3137 South 14th Street, Arlington, Va. 22204.
B. LTV Aerospace Corp., P.O. Box 5907, Dallas, Tex. 75222.
D. (6) $3,000. E. (9) $114.30.

A. Robert Hitzhusen, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $2,250. E. (9) $58.63.

A. Lawrence S. Hobart, 2600 Virginia Avenue NW., Washington, D.C. 20037.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.
D. (6) $543.75.

A. Claude E. Hobbs, 1801 K Street NW., Ninth Floor, Washington, D.C. 20006.
B. Westinghouse Electric Corp., Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $900. E. (9) $195.

A. Ralph D. Hodges, Jr.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
E. (9) $186.69.

A. Howard E. Hoelter, Illinois Petroleum Council, 524 South 2nd Street, Suite 570, Springfield, Ill. 62701.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $164. E. (9) $143.

A. Herbert E. Hoffman, 1705 DeSales Street, Washington, D.C. 20036.
B. American Bar Association, 1155 East 60th Street, Chicago, Ill. 60637.
D. (6) $400. E. (9) $50.

A. Hogan & Hartson, 815 Connecticut Avenue, Washington, D.C. 20006.
B. Energy Transportation Systems, Inc., 50 Beale Street, San Francisco, Calif.
D. (6) $2,425. E. (9) $243.35.

A. Dale Curtis Hogue, 1128 16th Street NW., Washington, D.C. 20036.
B. Concerned Sportsmen of America, 1128 16th Street NW., Washington, D.C. 20036.
D. (6) $300.

A. Dale Curtis Hogue, 1128 16th Street NW., Washington, D.C. 20036.
B. Specialty Equipment Manufacturers Association, 11001 East Valley Mall, Suite 204, El Monte, Calif., 91734.
D. (6) $300.

A. Thomas W. Holland, Suite 370, One Dupont Circle NW., Washington, D.C.
B. Association of American Law Schools, Suite 370, One Dupont Circle NW., Washington, D.C. 20036.

A. Thomas P. Holley, 1625 I Street NW., Washington, D.C. 20006.
B. Boise Cascade Corp., 1625 I Street NW., Washington, D.C. 20006.
D. (6) $1,000. E. (9) $116.48.

A. Henry W. Holling, 100 Northeast Adams Street, Peoria, Ill. 61629.
B. Caterpillar Tractor Co., 100 Northeast Adams Street, Peoria, Ill. 61629.
D. (6) $142. E. (9) $73.

A. Holly Corp., 2001 Bryan Tower, Dallas, Tex. 75201.
E. (9) $425.

A. Thomas D. Holman, 1776 F Street NW., Washington, D.C. 20006.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill. 60606.
E. (9) $1,600.

A. Eric Holmes, Jr., 161 Peachtree Street NE., Suite 506, Atlanta, Ga. 30303.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. Lee B. Holmes, 1125 15th Street NW., Washington, D.C. 20005.
B. Mortgage Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $4,687. E. (9) $21,318.

A. John W. Holton, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Seventh Floor, Washington, D.C.
D. (6) $1,750. E. (9) $33.

A. Fortescue W. Hopkins, Box 218, Daleville, Va. 24083.
B. Longbranch Coal Co., P.O. Box 4367, Roanoke, Va.
D. (6) $1,000. E. (9) $568.87.

A. Wayne K. Horiuchi, Japanese American Citizens League, 1730 Rhode Island Avenue NW., Suite 204, Washington, D.C. 20036.
B. Japanese American Citizens League, 1765 Sutter Street, San Francisco, Calif. 94115.
D. (6) $687.

A. The Hormel Foundation, Austin, Minn. 55912.

A. Douglass C. Horstman, 1612 K Street NW., Suite 1210, Washington, D.C. 20006.
B. Northern Textile Association; Maytag Co.
D. (6) $2,000. E. (9) $200.

A. Thomas B. House.
B. American Frozen Food Institute, 919 18th Street NW., Washington, D.C. 20006.
D. (6) $750.

A. Houston Natural Gas Corp., P.O. Box 1188, Houston, Tex. 77001.
E. (9) $1,440.

A. C. T. Hoversten, 209 West 53d Street, Western Springs, Ill. 60558.
B. National Advertising Co., 6850 South Harlem Avenue, Bedford Park, Argo, Ill. 60501.

A. Thomas Howarth, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
B. United States Independent Telephone Association, 1801 K Street NW., Suite 1201, Washington, D.C. 20006.
D. (6) $907.73. E. (9) $907.73.

A. Joe L. Howell, 1700 Pennsylvania Avenue NW., Suite 750, Washington, D.C. 20006.
B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill. 60062.

A. Joe L. Howell, 1700 Pennsylvania Avenue NW., Suite 750, Washington, D.C. 20006.
B. Allstate Insurance Cos., Allstate Plaza, Northbrook, Ill. 60062.

A. Allan C. Hubbard, 1800 M Street NW., Suite 1000, Washington, D.C. 20036.
B. National Data Corp., One National Data Plaza, Atlanta, Ga. 30329.
D. (6) $5,020.

A. Charles L. Huber, Disabled American Veterans, 1221 Massachusetts Avenue NW., Washington, D.C. 20005.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $10,937.50. E. (9) $100.

A. Vester T. Hughes, Jr., 4300 First National Bank Building, Dallas, Tex. 75202.
B. American National Financial Corp., 300 Delaware Avenue, Wilmington, Del. 19801.

A. Vester T. Hughes, Jr., 4300 First National Bank Building, Dallas, Tex. 75202.
B. Holly Corp., 2001 Bryan Tower, Dallas, Tex. 75201.
E. (9) $380.

A. Stanley W. Hulett, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. David C. Hull, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $210.

A. Richard M. Hunt, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. NL Industries, Inc., 111 Broadway, New York, N.Y. 10006.
D. (6) $1,125.

A. Milton F. Huntington, 283 Water Street, Augusta, Maine 04330.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $498. E. (9) $393.76.

A. James L. Huntley, 1775 K Street NW., Washington, D.C. 20006.
B. Retail Clerks International Association, AFL–CIO, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $8,770.50. E. (9) $2,132.12.

A. John Edward Hurley, 1101 New Hampshire Avenue NW., Washington, D.C. 20037.
E. (9) $25.

A. Philip A. Hutchinson, Jr., 475 L'Enfant Plaza SW., Suite 2450, Washington, D.C. 20024.
B. Volkswagen of America, Inc., 818 Sylvan Avenue, Englewood Cliffs, N.J. 07632.
D. (6) $500. E. (9) $10.

A. Elmer P. Hutter, P.O. Box 2255, Washington, D.C. 20014.
B. American Unity Institution, Washington, D.C., Veterans Service, et al.
E. (9) $181.

A. Elmer P. Hutter, P.O. Box 2255, Washington, D.C. 20013.

D. (6) $5.

A. David C. Hyer, 88 East Broad Street, Columbus, Ohio 43215.

B. American Petroleum Institute, 1801 K Street, NW., Washington, D.C. 20006.

A. F. N. Ikard, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $2,750. E. (9) $957.

A. Independent Gasoline Marketers Council, Suite 604, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

E. (9) $735.61.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.

D. (6) $11,910.70. E. (9) $11,910.70.

A. Intalco Aluminum Corp., P.O. Box 937, Ferndale, Wash. 98218.

E. (9) $1,605.50.

A. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

E. (9) $11,278.02.

A. International Brotherhood of Painters and Allied Trades, 1750 New York Avenue NW., Washington, D.C. 20006.

E. (9) $5,626.68.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.

E. (9) $19,387.67.

A. International Union, United Automobile Aerospace and Agricultural Implement Workers of America, UAW, 8000 East Jefferson, Detroit, Mich. 48214.

D. (6) $138,132. E. (9) $138,132.

A. Investment Company Institute, 1775 K Street NW., Washington, D.C. 20006.

E. (9) $856.95.

A. Investment Counsel Association of America, Inc., 127 East 59th Street, New York, N.Y. 10022.

E. (9) $685.95.

A. Iron Ore Lessors Association, Inc., 1500 First National Bank Building, Saint Paul, Minn. 55101.

D. (6) $5,575.39. E. (9) $13,575.96.

A. Joseph S. Ives, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenuve NW., Washington, D.C. 20009.

D. (6) $120.

A. Robert C. Jackson, American Textile Manufacturers Institution, Inc., 1150 17th Street NW., Suite 1001, Washington, D.C. 20036.

B. American Textile Manufacturers Institute, Inc., 400 South Tryon Street, Suite 2124, Charlotte, N.C.

D. (6) $2,750. E. (9) $4.91.

A. E. A. Jaenke & Associates, Inc., 1735 I Street NW., Washington, D.C. 20006.

B. Midcontinent Farmers Association, Columbia, Mo. 65201.

D. (6) $500.

A. Jim Jaffe.

B. American Bakers Association, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $287.50. E. (9) $5.75.

A. Joseph A. Jeffrey, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Philip F. Jehle, 300 National Press Building, Washington, D.C. 20045.

B. Smith Kline Corporation, 1500 Spring Garden Street, Philadelphia, Pa. 19101.

D. (6) $6000. E. (9) $1255.

A. Chris L. Jensen, Florida Petroleum Council, 111 North Gadsden Street, Tallahassee, Fla. 32301.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $258.50. E. (9) $277.76.

A. A. W. Jessup, 1025 Connecticut Avenue NW., No. 1014, Washington, D.C. 20036.

B. Exxon Corporation, 1251 Avenue of the Americas, New York, N.Y. 10020.

A. Guy E. Jester, J. S. Alberici Construction, Inc., 2150 Kienlen Avenue, St. Louis, Mo. 63121.

B. Association for Improvement of Mississippi River, c/o T. P. Walsh, 10 Broadway, St. Louis, Mo. 63102.

A. Anita Johnson, 2000 P Street NW., Washington, D.C. 20036.

B. Health Research Group, 2000 P Street NW., Washington, D.C. 20036.

D. (6) $10.

A. H. Bradley Johnson, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Jess Johnson, Jr., Shell Oil Company, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Shell Oil Company, One Shell Plaza, P.O. Box 2463, Houston, Tex. 77001.

D. (6) $500.

A. John B. Johnson, Alabama Petroleum Council, 660 Adams Avenue, Suite 188, Montgomery, Ala. 36104.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $213.63. E. (9) $505.38.

A. Rady A. Johnson, 1000 16th Street NW., Washington, D.C. 20036.

B. Standard Oil Co. (Indiana), 200 East Randolph Drive, Chicago, Ill. 60601.

D. (6) $2,395.55. E. (9) $14.78.

A. Reuben L. Johnson.

B. The Farmers' Educational and Co-Operative Union of America, 1012 14th Street NW., Washington, D.C.

D. (6) $5,196.96. E. (9) $243.58.

A. Stanley L. Johnson, 1001 Connecticut Avenue NW., Suite 510, Washington, D.C. 20036.

B. Texaco Inc., 135 East 42nd Street, New York, N.Y. 10017.

D. (6) $75.

A. James D. Johnston, 1660 L Street NW., Washington, D.C. 20036.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich. 48202.

D. (6) $3,600. E. (9) $508.89.

A. Allan R. Jones, 1616 P Street NW., Washington, D.C. 20036.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C., 20036.

D. (6) $6,000. E. (9) $1,139.49.

A. Charlie W. Jones, 1150 17th Street NW., Suite No. 310, Washington, D.C. 20036.

B. Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Washington, D.C. 20036.

D. (6) $900. E. (9) $300.

A. Jones, Day, Reavis & Pogue, 1100 Connecticut Avenue NW., Washington, D.C. 20036.

B. Pan American World Airways, Inc., Pan Am Building, New York, N.Y. 10017.

E. (9) $30.

A. L. Dan Jones, 1101 16th Street NW., Washington, D.C. 20036.

B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.

E. (9) $13.38.

A. Oliver H. Jones, 1125 15th Street NW., Washington, D.C. 20005.

B. Mortgages Bankers Association of America, 1125 15th Street NW., Washington, D.C. 20005.

D. (6) $3,750. E. (9) $11,926.

A. Ronald K. Jones, 7841 Doane Court, Springfield, Va. 22152.

B. Manufactured Housing Institute, P.O. Box 201, Chantilly, Va. 22021.

D. (6) $5,530. E. (9) $99.72.

A. Carl D. Jordan, 408 East Maple Street, Fremont, Mich. 49412.

B. Gerber Products Company, 445 State Street, Fremont, Mich. 49412.

D. (6) $430. E. (9) $75.

A. Brenda Joyce, 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20006.

B. Gulf Oil Corp., P.O. Box 1166, Pittsburgh, Pa. 15230.

D. (6) $750. E. (9) $200.

A. Robert E. Juliano, Hotel and Restaurant Employees and Bartenders International Union, 1666 K Street NW., Suite 304, Washington, D.C. 20006.

B. Hotel & Restaurant Employees and Bartenders International Union, 120 East Fourth Street, 13th Floor, Cincinnati, Ohio 45202.

D. (6) $7,500. E. (9) $4,552.74.

A. Mrs. Fritz R. Kahn, 9202 Ponce Place, Fairfax, Va. 22030.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill. 60611.

E. (9) $14.05.

A. Charles W. Karcher, 1735 Midland Building, Cleveland, Ohio 44115.

B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

D. (6) $185. E. (9) $810.

A. Gerald M. Katz, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza Baltimore, Md. 21201.

B. Maryland State Fair and Agriculture Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.

E. (9) $7.35.

A. Carleton R. Kear, Jr.

B. The Retired Officers Association, 1625 I Street NW., Washington, D.C. 20006.

D. (6) $206.

A. William J. Keating, 725 15th Street NW., Room 500, Washington, D.C. 20005.

B. National Grain and Feed Association, 725 15th Street NW., Washington, D.C. 20005.

A. Howard B. Keck, 555 South Flower Street, Los Angeles, Calif. 90071.

B. The Superior Oil Co., 555 South Flower Street, Los Angeles, Calif. 90071.

E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Suite 1110, Los Angeles, Calif. 90067.

B. The Superior Oil Co., 555 South Flower Street, Los Angeles, Calif. 90071.

E. (9) $275.

A. Patricia Keefer, 2030 M Street NW., Washington, D.C. 20036.

B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.

D. (6) $3,937.50.

A. Paul J. Kelley.

B. Amerco, Inc., 2727 No. Central Avenue, Phoenix, Ariz. 85004.

E. (9) $2,250.

A. Harold V. Kelly, 1101 15th Street NW., Washington, D.C. 20005.

B. Republic Steel Corp., Republic Building, Cleveland, Ohio 44101.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C. 20005.

B. Pharmaceutical Manufacturers Association.

A. George Kelm, Suite 5200, One First National Plaza, Chicago, Ill. 60603.

B. The Myron Stratton Home, P.O. Box 1178, Colorado Springs, Colo. 80901.

A. R. G. Kendall, Jr., P.O. Box 21, Montgomery, Ala. 36101.

B. Alabama Railroad Association, P.O. Box 21, Montgomery, Ala. 36101.

A. Harold L. Kennedy, Marathon Oil Co., 420 Cafritz Building, Washington, D.C. 20006.

B. Marathon Oil Co., Findlay, Ohio 45840.

E. (9) $420.90.

A. Jerry W. Kennedy, 1030 15th Street NW., Suite 700, Washington, D.C. 20005.

B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

A. Jeremiah J. Kenney, Jr., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Union Carbide Corp., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Robert T. Kenney, 1001 Connecticut Avenue NW., Washington, D.C. 20036.

B. Texaco Inc., 135 East 42d Street, New York, N.Y. 10017.

A. John V. Kenny.

B. National Cable Television Association, Inc., 918 16th Street NW., Washington, D.C. 20006.

D. (6) $127.50. E. (9) $15.

A. Kenyon & Kenyon Reilly Carr & Chapin, 59 Maiden Lane, New York, N.Y. 10038.

B. Estate of Bert N. Adams, et al.

E. (9) $50.

A. James L. Kimble, 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.

B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.

D. (6) $1,500. E. (9) $250.

A. Kenneth L. Kimble, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $100. E. (9) $60.

A. Charles L. King, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $80.

A. Susan B. King, 421 4th Street SE., Washington, D.C. 20003.

B. Center for Public Financing of Elections, 201 Massachusetts Avenue NE., Washington, D.C. 20002.

D. (6) $3,365.39.

A. John M. Kinnaird, 1616 P Street NW., Washington, D.C. 20036.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.

D. (6) $7,500. E. (9) $1,491.56.

A. Kirkland, Ellis & Rowe, 1776 K Street NW., Washington, D.C. 20006.

B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Washington, D.C. 20005.

A. Paul K. Kirkpatrick, Jr., 1000 Ouachita Bank Building, Monroe, La., 71201.

B. National Association of Manufacturers of Agricultural Trailers, Inc., 421 North Crockett Street, Sherman, Tex. 75090.

E. (9) $10.46.

A. Ralph W. Kittle.

B. International Paper Co., Room 700, 1620 I Street NW., Washington, D.C. 20006.

D. (6) $840. E. (9) $960.

A. Richard P. Kleeman, Association of American Publishers, Inc., Trade Association for Book Publishers, 1920 L Street NW., Suite 750, Washington, D.C. 20036.

B. Association of American Publishers, Inc.

A. Andrew Kneier, 2030 M Street NW., Washington, D.C. 20036.

B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.

D. (6) $3,000.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $200.76. E. (9) $20.

A. Philip M. Knox, Jr., 1211 Connecticut Avenue NW., Suite 802, Washington, D.C. 20036.

B. Sears, Roebuck and Co., Sears Tower, Chicago, Ill. 60684.

D. (6) $1,000. E. (9) $100.

A. Joseph L. Koach, 2000 L Street NW., Washington, D.C. 20036.

B. Wilson E. Hamilton & Associates, Inc. (for Farm Labor Research Committee), 2000 L Street NW., Washington, D.C. 20036.

A. Joseph L. Koach, 2000 L Street NW., Washington, D.C. 20036.

B. Wilson E. Hamilton & Associates, Inc., (for the National Labor Management Foundation, Louisville, Ky.), 2000 L Street NW., Washington, D.C. 20036.

A. Ruth E. Kobell.

B. The Farmers' Educational and Co-Operative Union of America, 1012 14th Street NW., Washington, D.C.

D. (6) $2,215.37. E. (9) $173.13.

A. Bradley R. Koch, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $132.45.

A. Robert M. Koch, 1315 16th Street NW., Washington, D.C. 20036.

B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.

E. (9) $35.60.

A. Robert M. Koch, Jr., 1315 16th Street NW., Washington, D.C. 20036.

B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.

E. (9) $12.75.

A. Horace R. Kornegay, 1776 K Street NW., Suite 1200, Washington, D.C. 20006.

B. The Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.

D. (6) $1,000. E. (9) $150.

A. Paul A. Korody, Jr., 1725 I Street NW., Washington, D.C. 20006.

B. National Association of Food Chains, 1725 I Street NW., Washington, D.C. 20006.

E. (9) $500.

A. Kenneth S. Kovack, United Steelworkers of America, 815 Sixteenth Street NW., Suite 706, Washington, D.C. 20006.

B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.

D. (6) $5,463.18. E. (9) $1,226.17.

A. Mylio S. Kraja, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $6,465. E. (9) $411.74.

A. Amos Kramer, Kansas Petroleum Council, 8th and Jackson Streets, Suite 1414, Topeka, Kans. 66612.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $353.75; E. (9) $313.

A. Stephen W. Kraus, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Lawrence E. Kreider, 1015 18th Street NW., Washington, D.C. 20036.

B. Conference of State Bank Supervisors, 1015 18th Street NW., Washington, D.C. 20036.

A. Richard W. Kreutzen, 1700 K Street NW., Washington, D.C.

B. Chevron Oil Company, Subsidiary of Standard Oil Co. of California, 1700 K Street NW., Washington, D.C. 20006.

D. (6) $600. E. (9) $450.05.

A. William J. Kuhfuss, 225 Touhy Avenue, Park Ridge, Ill. 60068.

B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill. 60068.

D. (6) $1,175.

A. Lloyd R. Kuhn, 1725 De Sales Street NW., Washington, D.C. 20036.

B. Aerospace Industries Association of America, Inc., 1725 De Sales Street NW., Washington, D.C. 20036.

D. (6) $8,448. E. (9) $1,239.27.

A. Daniel M. Kush, 1615 H Street NW., Washington, D.C. 20006.

B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C. 20006.

A. Labor Bureau of Middle West, 1200 15th Street NW., Washington, D.C. 20005; 11 South LaSalle Street, Chicago, Ill. 60603.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $11,154. E. (9) $10,214.

A. Laborers' International Union of North America, AFL–CIO, 905 16th Street NW., Washington, D.C. 20006.

E. (9) $15,373.10.

A. Edward J. Lachowicz, 4317 Brandwine Street NW., Washington, D.C. 20016.

B. International Brotherhood of Electrical Workers, 1125 15th Street NW., Washington, D.C. 20005.

D. (6) $1,440.

A. Philip A. Lacovara, 1660 L Street NW., Washington, D.C. 20036.

B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10022.

D. (6) $2,540. E. (9) $40.

A. Richard M. Lahn, Sierra Club, 324 C Street SE., Washington, D.C. 20003.

B. Sierra Club, 324 C Street SE., Washington, D.C. 20003.

D. (6) $4,000. E. (9) $25.

A. Nick L. Laird, Shell Oil Company, Suite 200, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Shell Oil Company, One Shell Plaza, P.O. Box 2463, Houston, Tex. 77001.

D. (6) $500.

A. David P. Lambert, 1701 K. Street NW., Waashington, D.C. 20036.

B. Health Insurance Association of America, 1701 K. Street NW., Washington, D.C.

A. David R. Lambert, 1616 H Street NW., Washington, D.C. 20006.

B. The National Grange, 1616 H Street NW., Washington, D.C. 20006.

D. (6) $2,000.

A. A. M. Lampley, 400 First Street NW., Suite 704, Washington, D.C. 20001.

B. United Transportation Union, 400 First Street NW., Suite 704, Washington, D.C. 20001.

E. (9) $200.

A. Karl S. Landstrom, 510 North Edison Street, Arlington, Va.

B. Geothermal Resources International, Inc., 4676 Admiralty Way, Suite 503, Marina del Rey, Calif. 90291.

D. (6) $2,371.30. E. (9) $97.

A. Karl S. Landstrom, 510 North Edison Street, Arlington, Va. 22203.

B. Sportsmans Paradise Homeowners Association, 8102 Milliken Avenue, Whittier, Calif. 90602.

D. (6) $382.40. E. (9) $48.90.

A. R. Josh Lanier.

B. National Cable Television Association, 918 16th Street NW., Washington, D.C.

D. (6) $1,325. E. (9) $25.

A. James J. LaPenta, Jr., 905 16th Street NW., Washington, D.C. 20006.

B. Laborers' International Union of North America, AFL–CIO, 905 16th Street NW., Washington, D.C.

E. (9) $1,091.34.

A. George H. Lawrence, 1515 Wilson Boulevard, Arlington, Va. 22209.

B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.

D. (6) $1,000. E. (9) $250.

A. Delmar Dale Lawson, 900 15th Street NW., Washington, D.C. 20005.

B. United Mine Workers of America, 900 15th Street NW., Washington, D.C. 20005.

D. (6) $385. E. (9) $206.

A. Leadership Action, Inc., 2029 Connecticut Avenue NW., Washington, D.C. 20008.

D. (6) $2,545.21. E. (9) $2,288.21.

A. Robert F. Lederer, 230 South Building, Washington, D.C. 20005.

B. American Association of Nurserymen, 230, Southern Building, Washington, D.C. 20005.

A. Robert W. Lee, 1028 Connecticut Avenue NW., No. 1004, Washington, D.C. 20036.

B. The John Birch Society, 395 Concord Avenue, Belmont, Mass. 02178.

A. Robert J. Leigh, 2100 M Street NW., Suite 307, Washington, D.C. 20037.

B. National Telephone Cooperative Association, 2100 M Street NW., Suite 307, Washington, D.C. 20037.

A. Gilbert LeKander, 910 17th Street NW., Suite 501, Washington, D.C. 20006.

B. Montana Power Company, 40 East Broadway, Butte, Mont. 59701; Washington Water Power Company, P.O. Box 3727, Spokane, Wash. 99220.

D. (6) $450.

A. Nils A. Lennartson, 801 North Fairfax Street, Alexandria, Va. 22314.

B. Railway Progress Institute, 801 North Fairfax Street, Alexandria, Va. 22314.

D. (6) $783.34.

A. David M. Lenny, 133 C Street SE., Washington, D.C. 20003.

B. Congress Watch, 133 C Street SE., Washington, D.C.

D. (6) $1,875.

A. Earl T. Leonard, Jr., c/o The Coca-Cola Company, P.O. Drawer 1734, Atlanta, Georgia 30301.

B. The Coca-Cola Company, P.O. Drawer 1734, Atlanta, Ga. 30301.

D. (6) $476. E. (9) $848.20.

A. Donald Lerch & Co., Inc., 1030 15th Street NW., Washington, D.C.

B. Shell Chemical Company, 2401 Crow Canyon Road, San Ramon, Calif.

A. Morris J. Levin, 1620 I Street NW., Washington, D.C. 20006.

B. Advance Publications, Inc., 950 Fingerboard Road, Staten Island, New York, N.Y.

D. (6) $1,500.

A. Morris J. Levin, 1620 I Street NW., Washington, D.C. 20006.

B. The Times Mirror Company, Times Mirror Square, Los Angeles, Calif. 90053.

D. (6) $1,500.

A. Morris J. Levin, 1620 I Street NW., Washington, D.C. 20006.

B. New York News, Inc., 220 East Forty-Second Street, New York, N.Y. 10017.

D. (6) $1,000.

A. Harry LeVine, Jr., General Electric Co., 777 14th Street NW., Washington, D.C.

B. General Electric Co., 3135 Easton Turnpike, Fairfield, Conn. 06431.

A. David Lewis, American Optometric Association, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, c/o Alvin Levin, O.D., 120 South Hanover Street, Carlisle, Pa. 17015.

D. (6) $182.39. E. (9) $168.04.

A. Robert G. Lewis.

B. The Farmers' Educational and Co-Operative Union of America, 1012 14th Street NW., Washington, D.C.

D. (6) $1,476.92. E. (9) $77.93.

A. Ronald L. Leymeister, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $500. E. (9) $63.85.

A. Russell B. Light, 955 L'Enfant Plaza North SW., Washington, D.C. 20024.

B. The Boeing Company, P.O. Box 3707, Seattle, Wash. 98124.

D. (6) $1,200. E. (9) $1,183.50.

A. Lester W. Lindow, Association of Maximum Service Telecasters, Inc., 1735 DeSales Street NW., Washington, D.C. 20036.

B. Association of Maximum Service Telecasters, Inc.

A. John E. Linster, 2000 Westwood Drive, Wausau, Wis. 54401.

B. Employers Insurance of Wausau, 2000 Westwood Drive, Wausau, Wis. 54401.

D. (6) $500.

A. Charles B. Lipsen.

B. National Cable Television Association, 918 16th Street NW., Washington, D.C.

D. (6) $11,442.32. E. (9) $400.

A. Robert G. Litschert, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.

B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.

D. (6) $480. E. (9) $118.24.

A. E. F. Livaudais, Jr., 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Atlantic Richfield Company, 515 South Flower Street, Los Angeles, Calif. 90071.

D. (6) $200. E. (9) $200.

A. Harold D. Loden, 1030 15th Street NW., Washington, D.C.

B. American Seed Trade Association, 1030 15th Street NW., Washington, D.C. 20005.

A. Sheldon I. London, National Home Furnishings Association, 1025 Vermont Avenue NW., Washington, D.C. 20005.

B. National Home Furnishings Association, 405 Merchandise Mart, Chicago, Ill. 60654.

D. (6) $800.

A. Edward J. Lord, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $3,480. E. (9) $245.35.

A. Philip J. Loree, 17 Battery Place North, New York, N.Y. 10004.

B. Federation of American Controlled Shipping, 17 Battery Place North, New York, N.Y. 10004.

D. (6) $200.

A. James F. Lovett, 1801 K Street NW., Washington, D.C. 20006.

B. Westinghouse Electric Corp., Westinghouse Building, Gateway Center, Pittsburgh, Pa. 15222.

D. (6) $500. E. (9) $100.

A. James P. Low, 1101 16th Street NW., Washington, D.C. 20036.

B. American Society of Association Executives, 1101 16th Street NW., Washington, D.C. 20036.

A. Gerald M. Lowrie, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $2,000. E. (9) $4,507.14.

A. Freddie H. Lucas, 1156 Fifteenth Street NW., Washington, D.C. 20005.

B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.

D. (6) $225. E. (9) $226.80.

A. Charles Emmet Lucey, 1701 Pennsylvania Avenue NW., Suite 500, Washington, D.C. 20006.

B. Catholic Press Association, 432 Park Avenue South, New York, N.Y. 10016.
D. (6) $750. E. (9) $10.

A. Charles Emmet Lucey, 1701 Pennsylvania Avenue NW., Suite 500, Washington, D.C. 20006.
B. Massachusetts Cooperative Bank League, 225 Franklin Street, Boston, Mass. 02110.
D. (6) $100. E. (9) $10.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $1,000.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.
B. The Consolidate Edison Co. of New York, Inc., 4 Irving Place, Room 208, New York, N.Y. 10003.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.
B. Pacific Northwest Power Co., Public Service Building, Portland, Oreg. 97204.
E. (9) $26.97.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.
B. Pennsylvania Power & Light Co., 2 North 9th Street, Allentown, Pa. 18101.
D. (6) $600. E. (9) $59.79.

A. Lund Levin & O'Brien, 1625 I Street NW., Washington, D.C. 20006.
B. Shanghai Power Co., 100 West 10th Street, Wilmington, Del. 19801.
D. (6) $120.

A. Lusk-Evans, Ltd., 1730 North Lynn Street, Suite 400, Arlington, Va. 22209.

A. James H. Lynch, Jr., 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $5,703.60. E. (9) $220.10.

A. Robert N. Lynch.
B. National Committee for a Human Life Amendment, Inc., 1707 L Street NW., No. 400, Washington, D.C. 20036.
D. (6) $4,788.30. E. (9) $7,232.59.

A. Richard Lyng, P.O. Box 3556, Washington, D.C. 20007.
B. American Meat Institute, P.O. Box 3556, Washington, D.C. 20007.
E. (9) $6,596.

A. James H. Mack, 7901 Westpark Drive, McLean, Va. 22101.
B. National Machine Tool Builders' Association, 7901 Westpark Drive, McLean, Va. 22101.
D. (6) $600. E. (9) $500.

A. Duncan H. Mackenzie, 3019 Goat Hill Road, Bel Air, Md. 21014.
E. (9) $464.12.

A. John P. Mackey, Ad Hoc Committee in Defense of Life, Inc., 810 National Press Building, Washington, D.C. 20045.
B. Ad Hoc Committee in Defense of Life, Inc., 150 East 35th Street, New York, N.Y. 10016.
D. (6) $3,750. E. (9) $3,348.46.

A. Thomas J. Mader, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $2,625. E. (9) $40.

A. Charles D. Mahaffie, Jr., 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Exxon Corp.), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Charles D. Mahaffie, Jr., 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Getty Oil Co., Standard Oil Co. (California), Standard Oil Co. (Indiana)), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. John F. Mahoney, 1776 K Street NW., Washington, D.C. 20006.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $2,000. E. (9) $971.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Aluminum & Chemical Corp., 900 17th Street NW., Washington, D.C. 20006.
D. (6) $500. E. (9) $40.

A. Andre Maisonpierre, 1776 F Street NW., Washington, D.C. 20006.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $1,005.

A. Thomas M. Malone, Suite 1014, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Exxon Corporation, 1251 Avenue of the Americas, New York, N.Y.
E. (9) $626.84.

A. Ben J. Man, 400 First Street NW., Suite 700, Washington, D.C. 20001.
B. District No. 1, Pacific Coast District, Marine Engineers' Beneficial Association, AFL–CIO, 17 Battery Place, New York, N.Y. 10004.
D. (6) $1,301.80. E. (9) $309.49.

A. Man-Made Fiber Producers Association, Inc., 1150 17th Street NW., Suite No. 310, Washington, D.C. 20036.
E. (9) $1,200.

A. Carter Manasco, 5932 Chesterbrook Road, McLean, Va. 22101.
B. National Coal Association, 1130 17th Street NW., Washington, D.C. 20036.
D. (6) $7,334.99. E. (9) $148.70.

A. Mike Manatos, 1801 K Street NW., Suite 1104, Washington, D.C. 20006.
B. The Proctor & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio 45202.
D. (6) $421.49. E (9) $429.64.

A. ManExec, Inc., 231 East Vermijo Avenue, Box 572, Colorado Springs, Colo.
B. Red River Valley Cooperative, Inc., Box 43, Hillsboro, N. Dak. 58045.

A. H. Warren Mann, Houston Natural Gas Corp., Houston, Tex. 77001.
B. Houston Natural Gas Corp., P.O. Box 1188, Houston, Tex. 77001.

A. Manufactured Housing Institute, P.O. Box 201, 14650 Lee Road, Chantilly, Va. 22021.
D. (6) $1,627.72. E. (9) $1,627.72.

A. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C. 20009.
D. (6) $5,000. E. (9) $3,000.

A. Dallace E. Marable, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,050. E. (9) $37.75.

A. J. Eugene Marans, 1250 Connecticut Avenue NW., Washington, D.C. 20036.
B. Cleary, Gottlieb, Steen & Hamilton (for Natomas Co.), 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. March For Life Inc., Box 2950, Wash., D.C. 20013.
D. (6) $717.98. E. (9) $3,584.

A. Marilyn Marcosson, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Parents Committee, Inc., 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,250.

A. Carl Marcy, 122 Maryland Avenue NE., Washington, D.C. 20002.
B. American Committee on United States-Soviet Relations, 122 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $2,000.

A. Carl Marcy, 100 Maryland Avenue NE., Washington, D.C. 20002.
B. Council for a Livable World, 100 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $4,299.13.

A. Marine Engineers' Beneficial Assn., AFL–CIO, District No. 1, Pacific Coast District, 17 Battery Place, New York, N.Y. 10004.
E. (9) $7,419.17.

A. David J. Markey, 1771 N Street NW., Washington, D.C. 20036.
B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.
D. (6) $800. E. (9) $399.05.

A. Rodney W. Markley, Jr., 815 Connecticut Avenue NW., Washintgon, D.C. 20006.
B. Ford Motor Co., Dearborn, Mich. 48121.
D. (6) $1,500. E. (9) $294.

A. Ralph J. Marlatt, 1511 K Street NW., Washington, D.C. 20005.
B. National Association of Mutual Insurance Agents, 640 Investment Building, 1511 K Street NW., Washington, D.C. 20005.
E. (9) $915.

A. Dan V. Maroney, Jr., 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C. 20005.
B. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C. 20005.

A. C. Travis Marshall, Suite 1100, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Motorola, Inc., 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $500. E. (9) $90.

A. J. Paull Marshall, 40 Ivy Street SE., Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washintgon, D.C. 20036.
D. (6) $286.86. E. (9) $237.55.

A. Thomas A. Martin, 1801 K Street NW., Washington, D.C. 20006.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $500. E. (9) $200.

A. Steven A. Martindale, 1425 K Street NW., Washington, D.C. 20005.
B. Hill and Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.

A. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $7.35.

A. Mike M. Masaoka, Suite 520, The Farragut Building, 900 17th Street NW., Washington, D.C. 20006.

B. American Japanese Trade Committee, Suite 520, 900 17th Street NW., Washington, D.C.

A. Mike M. Masaoka, Suite 520, 900 17th Street NW., Washington, D.C. 20006.

B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y. 10017.

D. (6) $500.

A. Mike M. Masaoka, Suite 520, The Farragut Building, 900 17th Street NW., Washington, D.C. 20006.

B. Nisei Lobby, 900 17th Street NW., Suite 520, Washington, D.C. 20006.

A. Mike M. Masaoka, Masaoka-Ishikawa and Associates, Inc., Suite 520, 900 17th Street NW., Washington, D.C. 20006.

B. West Mexico Vegetable Distributors Association, P.O. Box 848, Nogales, Ariz. 85621.

D. (6) $500.

A. Paul J. Mason, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Cliff Massa III, 1776 F Street NW., Washington, D.C. 20006.

B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Jon G. Massey, Suite 3, 125 C Street SE., Washington, D.C. 20003.

B. Oil Investment Institute.

A. P. H. Mathews, 40 Ivy Street SE., Washington, D.C. 20003.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $759.75. E. (9) $223.62.

A. Charles D. Matthews, 1100 17th Street NW., Suite 410, Washington, D.C. 20036.

B. National Ocean Industries Association, 1100 17th Street NW., Washington, D.C. 20036.

D. (6) $1,505.46. E. (9) $436.57.

A. Daniel E. Matthews, 5109 Western Avenue NW., Washington, D.C. 20016.

B. National Public Employer Labor Relations Association, 5109 Western Avenue NW., Washington, D.C. 20016.

D. (6) $156. E. (9) $16.

A. Robert A. Matthews, 801 North Fairfax Street, Alexandria, Va. 22314.

B. Railway Progress Institute, 801 North Fairfax Street, Alexandria, Va. 22314.

D. (6) $391.66.

A. Charles E. Mattingly, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $4,683. E. (9) $147.32.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C. 20004.

B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C. 20004.

B. Joint Government Liaison Committee, 1111 E Street NW., Washington, D.C. 20004.

D. (6) $550. E. (9) $191.25.

A. Anthony F. Mauriello, New York State Petroleum Council, 551 Fifth Avenue, Room 718, New York, N.Y. 10017.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $667. E. (9) $319.43.

A. Thomas H. Maxedon, Kentucky Petroleum Council, 1810 Commonwealth Building, Louisville, Ky. 40202.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $270.82. E. (9) $95.70.

A. Albert E. May, 1625 K Street NW., Washington, D.C. 20006.

B. American Institute of Merchant Shipping, 1625 K Street NW., Washington, D.C. 20006.

D. (6) $410. E. (9) $16.38.

A. Arnold Mayer, 100 Indiana Avenue NW., Room 410, Washington, D.C. 20001.

B. Amalgamated Meat Cutters and Butcher Workmen of North America (AFL–CIO), 2800 North Sheridan Road, Chicago, Ill. 60657.

D. (6) $7,236. E. (9) $525.

A. Mayer, Brown & Platt, 231 South LaSalle Street, Chicago, Ill. 60604.

B. Encyclopaedia Britannica, Inc., 425 North Michigan Avenue, Chicago, Ill. 60611.

E. (9) $213.49.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.

B. Nokota Company, P.O. Box 1633, Bismarck, N.D. 58501.

E. (9) $27.86.

A. Mayer, Brown & Platt, 888 17th Street NW., Washington, D.C. 20006.

B. Santee River Cypress Lumber Co. & Beidler Owners, Suite 1354, 222 West Adams Street, Chicago, Ill. 60606.

A. Mayer, Brown & Platt, 231 South LaSalle Street, Chicago, Ill. 60604.

B. Scott Foresman & Co., 1900 East Lake Avenue, Glenview, Ill. 60025.

A. Mayer, Brown & Platt, 231 South LaSalle Street, Chicago, Ill. 60604.

B. Trustees of L. M. Williams and Clayton Burch families, c/o Continental Illinois National Bank & Trust Co., 231 South LaSalle Street, Chicago, Ill. 60693.

A. Mayer, Brown & Platt, 231 South LaSalle Street, Chicago, Ill., 60604.

B. UAL, Inc., P.O. Box 66100, Chicago, Ill. 60666.

A. H. Wesley McAden, Cook Industries, Inc., 1707 L Street NW., Suite 650, Washington, D.C. 20036.

B. Cook Industries, Inc., 2185 Democrat Road, Memphis, Tenn. 38116.

D. (6) $1,500.

A. J. R. McAlpin, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Armco Steel Corporation, Suite 419, 815 Connecticut Avenue NW., Washington, D.C. 20006.

D. (6) $360. E. (9) $74.13.

A. William J. McAuliffe, Jr., 1828 L Street NW., Suite 303, Washington, D.C.

B. American Land Title Association, 1828 L Street NW., Suite 303, Washington, D.C. 20036.

A. Ann McBride, 2030 M Street NW., Washington, D.C. 20036.

B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.

D. (6) $4,500.

A. William C. McCamant, 1725 K Street NW., Washington, D.C. 20006.

D. (6) $300.

A. Robert C. McCandless, 1707 H Street NW., Washington, D.C. 20006.

B. National Association of Real Esate Investment Trust, 1101 17th Street NW., Suite 700, Washington, D.C. 20036.

D. (6) $750. E. (9) $61.70.

A. Robert C. McCandless, 1707 H. Street NW., Washington, D.C. 20006.

B. Transamerica Insurance Corporation of California (Occidental Life), Occidental Center, Hill and Olive at 12th Street, Los Angeles, Calif. 90015.

D. (6) $525. E. (9) $81.35.

A. John A. McCart, 815 16th Street NW., Washington, D.C. 20006.

B. Public Employee Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.

D. (6) $4,206.02.

A. Jack F. McCarthy, 2330 Johnson Drive, Shawnee Mission, Kans. 66205.

B. United Telecommuncations, Inc., 2330 Johnson Drive, Shawnee Mission, Kans. 66205.

D. (6) $35. E. $7.50.

A. Robert L. McCaughey.

B. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.

D. (6) $2,250. E. (9) $736.

A. McClure & Trotter, 1100 Connecticut Avenue, Suite 600, Washington, D.C. 20036.

B. Alfred P. Slaner, 640 Fifth Avenue, New York, N.Y. 10019.

A. McClure & Trotter, 1100 Connecticut Avenue, Suite 600, Washington, D.C. 20036.

B. Cities Service Company, Box 300, Tulsa, Okla. 74102.

A. McClure & Trotter, 1100 Connecticut Avenue, Suite 600, Washington, D.C. 20036.

B. The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.

A. McClure & Trotter, 1100 Connecticut Avenue, Suite 600, Washington, D.C. 20036.

B. Gulf and Western Industries, Inc., One Gulf and Western Plaza, New York, N.Y. 10023.

A. McClure & Trotter, 1100 Connecticut Avenue, Suite 600, Washington, D.C. 20036.

B. Mobil Oil Corp. 150 East 42 Street, New York, N.Y. 10017.

A. McClure & Trotter, 1100 Connecticut Avenue, Suite 600, Washington, D.C. 20036.

B. Montgomery Coca-Cola Bottling Co., Inc., North Perry & Jefferson Streets, Montgomery, Ala. 35102.

A. McClure & Trotter, 1100 Connecticut Avenue, Suite 600, Washington, D.C. 20036.

B. Quaker State Oil Refining Corp., Oil City, Pa. 16307.

A. McClure & Trotter, 1100 Connecticut Aveune, Suite 600, Washington, D.C. 20036.

B. United Artists Corp., 729 Seventh Avenue, New York, N.Y. 10019.

A. Harry G. McComas, 1016 20th Street NW., Washington, D.C. 20036.

B. National Association Plumbers-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.

D. (6) $3,372.41. E. (9) $3,372.41.

A. Robert A. McConnell, 2721 North Central Suite 802, Phoenix, Ariz. 85004.

B. AMERCO, International, 2727 North Central, Phoenix, Ariz. 85004.

D. (6) $1,036. E. (9) $620.84.

A. E. L. McCulloch, 819 Railway Labor Building, 400 1st Street NW., Washington, D.C. 20001.

B. Brotherhood of Locomotive Engineers, Engineers Building, Cleveland, Ohio, 44114.

D. (6) $284.60 E. (9) $81.50.

A. D. McCurrach, 1500 Wilson Boulevard No. 609, Arlington, Va. 22209.
B. National School Supply & Equipment Association, 1500 Wilson Boulevard, Arlington, Va. 22209.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C. 20005.
B. American Hotel and Motel Aassociation, 888 Seventh Avenue, New York, N.Y. 10019.
D. (6) $509.14. E. (9) $245.50.

A. Francis O. McDermott, 1750 K Street NW., Suite 1110, Washington, D.C. 20006.
B. The First National Bank of Chicago, One First National Plaza, Chicago, Ill. 60670.

A. Francis O. McDermott, 1750 K Street NW., Suite 1110, Washington, D.C. 20006.
B. Iowa Beef Processors, Inc., Dakota City, Nebr. 68731.
D. (6) $150. E. (9) $30.74.

A. Francis O. McDermott, 1750 K Street NW., Suite 1110, Washington, D.C. 20006.
B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.
E. (9) $5.

A. Francis O. McDermott, 1750 K Street NW., Suite 1110, Washington, D.C. 20006.
B. Peoples Gas Co., 122 South Michigan Avenue, Chicago, Ill. 60603.
E. (9) $328.30.

A. Francis O. McDermott, 1750 K Street NW., Suite 1110, Washington, D.C. 20006.
B. Sears, Roebuck and Co., Sears Tower, Chicago, Ill. 60684.
E. (9) $10.

A. Francis O. McDermott, 1750 K Street NW., Suite 1110, Washington, D.C. 20006.
B. Trustees Under Will of Warren Wright (deceased), c/o The First National Bank of Chicago, One First National Plaza, Chicago, Ill. 60670.
E. (9) $172.60.

A. Michael D. McDonald, Maryland Petroleum Association, 409 Washington Avenue, Towson, Md. 21204.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. Joseph A. McElwain, 40 East Broadway, Butte, Mont. 59701.
B. The Montana Power Co., Butte, Mont. 59701.
E. (9) $129.91

A. Robert E. McGarrah, Jr., Suite 708, 2000 P Street NW., Washington, D.C. 20036.
B. Health Research Group, 2000 P Street NW., Washington, D.C. 20036.

A. J. Raymond McGlaughlin, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich. 48203.
D. (6) $8,637.60.

A. Robert M. McGlotten, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $7,448.60. E. (9) $595.55.

A. Marshall C. McGrath.
B. International Paper Co., 1620 Eye Street NW., No. 700, Washington, D.C. 20006.
D. (6) $761.25. E. (9) $130.75.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $7,865. E. (9) $474.85.

A. Peter E. McGuire, National Association of Retired & Veteran Railway Employees, Inc., 400 First Street NW., Washington, D.C. 20001.
B. National Association of Retired & Veteran Railway Employees, Inc., P.O. Box 6060, Kansas City, Kans. 66106; Hotel & Restaurant Employees & Bartenders International Union, 1666 K Street NW., Washington, D.C.; International Conference of Police Association, 1239 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $800. E. (9) $800.

A. Clarence M. McIntosh, Jr., 400 First Street NW., Washington, D.C. 20001.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.
D. (6) $900.72.

A. W. F. McKenna, McKenna & Fitting, 1156 15th Street NW., Washington, D.C. 20005.
B. First Federal Savings, Phoenix, Ariz.; First Federal Savings, Tampa, Fla.; City Federal Savings, Elizabeth, N.J.; First Federal Savings, Milwaukee, Wis.
D. (6) $1,500.

A. William F. McKenna, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
B. National Savings and Loan League, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.

A. Dianne McLaughlin, 810 18th Street NW., Washington, D.C. 20006.
B. American League of Anglers, Inc., 810 18th Street NW., Washington, D.C. 20006.
D. (6) $200.

A. John S. McLees, 1615 H Street NW., Washington, D.C. 20006.
B. Chamber of Commerce of the U.S.A., 1615 H Street NW., Washington, D.C. 20006.
E. (9) $200.

A. C. W. McMillan, National Press Building, Suite 1015, 14th and F Streets NW., Washington, D.C. 20045.
B. American National Cattlemen's Association, 1001 Lincoln, Denver, Colo. 80202.
D. (6) $1,500.

A. Ralph J. McNair, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $400.

A. Margaret Elizabeth McNamara, 100 Maryland Avenue NE., Washington, D.C. 20002.
B. Council for a Livable World, 100 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $2,427.76.

A. McNutt, Dudley, Easterwood & Losch, 910 17th Street NW., Washington, D.C. 20006.
B. American Dredging Company, et al.
D. (6) $11,250. E. (9) $1,379.48.

A. Harry McPherson, Suite 1100, 1660 L Street NW., Washington, D.C.
B. Montgomery Ward, Inc., P.O. Box 18339, Chicago, Ill. 60680.
D. (6) $500. E. (9) $25.

A. Harry McPherson, Suite 1100, 1660 L Street NW., Washington, D.C. 20036.
B. Small Producers Group for Energy Independence, Suite 970, 4th Financial Center, Wichita, Kans. 67202.
D. (6) $12,562.50. E. (9) $200.

A. George G. Mead, 1616 P Street NW., Washington, D.C. 20036.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.
D. (6) $6,000. E. (9) $908.23.

A. William H. Megonnell, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $456.50. E. (9) $26.31.

A. Louis L. Meier, Jr., 1625 Eye Street NW., Washington, D.C. 20006.
B. American Society of Civil Engineers, United Engineering Center, 345 East 47th Street, New York, N.Y. 10017.
D. (6) $300. E. (9) $220.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $7,865. E. (9) $481.71.

A. Robert L. Melbern, Route No. 3, Gatesville, Tex. 76528.
B. National Association of Farmer Elected Committeemen, c/o Robert L. Melbern, Route No. 3, Gatesville, Tex. 76528.
E. (9) $101.60.

A. R. Otto Meletzke, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Jeffrey M. Menick, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Insurance Association, Suite 415, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,500. E. (9) $250.

A. Ellis E. Meredith, 1611 North Kent Street, Arlington, Va. 22209.
B. American Apparel Manufacturers Association, Inc., 1611 North Kent Street, Arlington, Va. 22209.
E. (9) $14.84.

A. John A. Merrigan, 1660 L Street NW., Washington, D.C. 20036.
B. Small Producers Group for Energy Independence, Suite 970, 4th Financial Center, Wichita, Kans. 67202.
D. (6) $8,000. E. (9) $50.

A. Lawrence C. Merthan, The Carpet and Rug Institute, 1015 18th Street NW., Washington, D.C. 20036.
B. The Carpet and Rug Institute, Dalton, Ga. 30720.
D. (6) $1200. E. (9) $205.

A. Metropolitan Washington Board of Trade, 1129 20th Street NW., Washington, D.C. 20036.

A. George F. Meyer, Jr.
B. The Retired Officers Association, 1625 I Street NW., Washington, D.C. 20006.
D. (6) $492.

A. James G. Michaux, 1801 K Street NW., Washington, D.C. 20006.
B. Federated Department Stores, Inc., 222 West 7th Street, Cincinnati, Ohio 45202.
D. (6) $500.

A. Bryan P. Michener, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,514.

A. Ronald Michieli, National Press Building, Suite 1015, 14th and F Streets NW., Washington, D.C. 20054.
B. American National Cattlemen's Association, 1001 Lincoln, Denver, Colo. 80202.
D. (6) $1,000.

A. Mid-Continent Oil & Gas Association, 1111 Thompson Building, Tulsa, Okla. 74103.
D. (6) $6,522.79. E. (9) $1,512.88.

A. Roy H. Millenson, 1920 L Street NW., Room 750, Washington, D.C. 20036.
B. Association of American Publishers, 1920 L Street NW., Room 750, Washington, D.C. 20036.
D. (6) $1,325. E. (9) $135.

A. A. Stanley Miller, 910 16th Street NW., Room 302, Washington, D.C. 20006.
B. Federation of American Controlled Shipping, 17 Battery Place North, New York, N.Y. 10004.
D. (6) $100.

A. Miller, Cassidy, Larroca & Lewin, 2555 M Street NW., Suite 500, Washington, D.C. 20037.
B. Alaska Federation of Natives, International, 133 Queen Ann Avenue North, Seattle, Wash. 98109.
E. (9) $300.

A. Miller, Cassidy, Larroca & Lewin, 2555 M Street NW., Suite 500, Washington, D.C. 20037.
B. American Motors Corporation, 14250 Plymouth Road, Detroit, Mich. 48232.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Columbia Gas System, Inc., 20 Montchanin Road, Wilmington, Del. 19807.
D. (6) $1,100.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Investors Diversified Services, Inc., IDS Tower, Minneapolis, Minn. 55402.
D. (6) $100.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pacific Lighting Corporation, Box 60043 Terminal Annex, Los Angeles, Calif. 90054.
D. (6) $675.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Sperry and Hutchinson Company, 330 Madison Avenue, New York, N.Y. 10017.
D. (6) $325.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C. 20036.
B. Gulf Intracoastal Canal Association, Houston, Tex.
D. (6) $262.50. E. (9) $26.40.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C. 20036.
B. Texasgulf, Inc., New York, N.Y.
D. (6) 375. E. (9) $368.89.

A. Edwin Reid Miller, Union Pacific Building, Room 815, 1416 Dodge Street, Omaha, Nebr. 68179.
B. Nebraska Railroad Association, Union Pacific Building, 1416 Dodge Street, Omaha, Nebr. 68179.
D. (6) $7,049.89. E. (9) $550.90.

A. Joe D. Miller, 535 North Dearborn Street, Chicago, Ill. 60610.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill. 60610.
D. (6) $875.

A. Joseph L. Miller, 1612 K Street NW., Washington, D.C. 20006.
B. The Maytag Co., Northern Textile Association.
D. (6) $1,000. E. (9) $100.

A. Luman G. Miller, 620 S.W. Fifth Avenue Building, Suite 912, Portland, Oreg. 97204.
B. Oregon Railroad Association, 620 S.W. Fifth Avenue Building, Suite 912, Portland, Oreg. 97204.
E. (9) $263.05.

A. Jack Mills, 1776 K Street NW., Washington, D.C. 20006.
B. Tobacco Institute, Inc., 1776 K Street NW., Washington, D.C. 20006.
D. (6) $1,500. E. (9) $150.

A. M. & I. Marshal & Ilsley Bank, 770 North Water Street, Milwaukee, Wis. 53202.

A. John B. Minnick, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.
B. Chocolate Manufacturers Association of the United States of America, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.

A. William E. Minshall, Suite 905, 1730 M Street NW., Washington, D.C. 20036.
B. Trustees of the Property of Erie Lackawanna Railway Co., Midland Building, Cleveland, Ohio 44115.

A. William E. Minshall, Suite 905, 1730 M Street NW., Washington, D.C. 20036.
B. Werner G. Smith, Inc., 1730 Train Avenue, Cleveland, Ohio 44113.

A. Thomas F. Mitchell, Georgia-Pacific Corp., 1735 I Street NW., Washington, D.C. 20006.
B. Georgia-Pacific Corp., 900 Southwest Fifth Avenue, Portland, Oreg. 97204.
E. (9) $390.

A. Woodrow B. Moats, Jr., 1156 15th Street NW., Suite 731, Washington, D.C. 20005.
B. Associated Builders & Contractors, Inc.
D. (6) $865.38. E. (9) $1,005.38.

A. Phillip W. Moery, 1110 Marion Drive, Wynne, Ark. 72396.
B. Riviana Foods, Inc., 2777 Allen Parkway, Houston, Tex. 77019.
D. (6) $1,365. E. (9) $154.

A. Graham T. T. Molitor, 1629 K Street NW., Suite 403, Washington, D.C. 20006.
B. General Mills, Inc., Post Office Box 1113, Minneapolis, Minn. 55440.
D. (6) $650. E. (9) $950.

A. Lawrence A. Monaco, 1600 I Street NW., Washington, D.C. 20006.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C. 20006.

A. John S. Monagan, Whitman & Ranson, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Connecticut Bankers Association, 100 Constitution Plaza, Hartford, Conn. 06103.
D. (6) $390. E. (9) $152.76.

A. Michael Monroney, 2030 M Street NW., Washington, D.C. 20036.
B. TRW, Inc., 23555 Euclid Avenue, Cleveland, Ohio 44117.
D. (6) $1,000.

A. Montgomery Ward & Co., Inc., 535 West Chicago Avenue, Chicago, Ill.
E. (9) $1,011.50.

A. G. Merrill Moody, 40 Ivy Street SE., Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $91.06. E. (9) $74.80.

A. O. William Moody, Jr., 815 16th Street NW., Room 510, Washington, D.C. 20006.
B. Maritime Trades Department, AFL–CIO, 815 16th Street NW., Room 510, Washington, D.C. 20006.
D. (6) $2,500. E. (9) $1,109.33.

A. Moore-McCormack Resources, Inc., One Landmark Square, Stamford, Conn. 06901.
E. (9) $9,606.

A. E. Joyce Morgan, American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C. 20005.
B. The American Humane Association, P.O. Box 1266, Denver, Colo. 80201.
D. (6) $1,800. E. (9) $16.

A. Morison, Murphy & Haddock, 1776 K Street NW., Suite 900, Washington, D.C. 20006.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. Gene P. Morrell, 1025 Connecticut Avenue NW., Suite 1206, Washington, D.C. 20036.
B. Lone Star Gas Co., 301 South Harwood, Dallas, Tex. 75201.
D. (6) $1,500. E. (9) $1,010.

A. Alan B. Morrison, Suite 700, 2000 P Street NW., Washington, D.C. 20036.
B. Public Citizen, Inc., Box 19404, Washington, D.C. 20036.
D. (6) $505. E. (9) $505.

A. James A. Morrissey, Suite 1001, 1150 17th Street NW., Washington, D.C. 20036.
B. American Textile Manufacturers Institute, Suite 2124, 400 South Tryon Street, Charlotte, N.C., 28285.
D. (6) $900. E. (9) $34.

A. John W. Morton, 1660 L Street NW., Washington, D.C. 20036.
B. Cities Service Co., 1660 L Street NW., Washington, D.C. 20036.
D. (6) $374.50.

A. Jack Moskowitz, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $8,100. E. (9) $149.80.

A. Lynn E. Mote, 1133 15th Street NW., Suite 503, Washington, D.C. 20005.
B. Northern Natural Gas Co., 2223 Dodge Street, Omaha, Nebr. 68102.
D. (6) $2,000.

A. John J. Motley.
B. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Suite 3206, Washington, D.C. 20024.
D. (6) $2,250. E. (9) $534.

A. Robert M. Mulligan, 1105 Barr Building, Washington, D.C. 20006.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C. 20006.
E. (9) $400.18.

A. Daniel J. Mundy, 815 16th Street NW., Suite 603, Washington, D.C. 20006.
B. Building and Construction Trades Department, 815 16th Street NW., Suite 603, Washington, D.C. 20006.
D. (6) $6,249.88. E. (9) $2,506.22.

A. Jerome E. Murphy, 133 C Street SE., Washington, D.C.

B. Congress Watch, 133 C Street SE., Washington, D.C. 20003.

D. (6) $2,500.

A. Richard W. Murphy, 1200 18th Street NW., Suite 1109, Washington, D.C. 20036.

B. Merck & Co., Inc., Rahway, N.J. 07065.

D. (6) $500. E. (9) $60.15.

A. Timothy R. Murphy, Route 7, Grimes Mill Road, Lexington, Ky. 40502.

B. Save Our Cumberland Mountains/Appalachian Coalition, Box 457, Jacksboro, Tenn. 37757.

D. (6) $300.

A. D. Michael Murray, 1120 Connecticut Avenue, No. 842, Washington, D.C. 20036.

B. Chicago, Milwaukee, St. Paul & Pacific Railroad Co., 516 West Jackson Boulevard, Chicago, Ill. 60606.

D. (6) $200. E. (9) $235.

A. D. Michael Murray, 1120 Connecticut Avenue, No. 842, Washington, D.C. 20036.

B. The Cleveland Cliffs Iron Co., 1460 Union Commerce Building, Cleveland, Ohio 44115.

D. (6) $100. E. (9) $67.

A. D. Michael Murray, 1120 Connecticut Avenue, No. 842, Washington, D.C. 20036.

B. Freeport Minerals Co., 161 East 42d Street, New York, N.Y. 10017.

D. (6) $100. E. (9) $130.

A. D. Michael Murray, 1120 Connecticut Avenue, No. 842, Washington, D.C. 20036.

B. Iron Ore Lessors Association, Inc., 1500 First National Bank Building, St. Paul, Minn.

D. (6) $100.

A. D. Michael Murray, 1120 Connecticut Avenue, No. 842, Washington, D.C. 20036.

B. National Association of Industrial Parks, 1800 North Kent Street, Arlington, Va., 22209.

D. (6) $100. E. (9) $115.

A. D. Michael Murray, 1120 Connecticut Avenue, No. 842, Washington, D.C. 20036.

B. National Council of Coal Lessors, Inc., 1130 17th Street NW., Washington, D.C.

D. (6) $100. E. (9) $35.

A. D. Michael Murray, 1120 Connecticut Avenue, No. 842, Washington, D.C. 20036.

B. United Service Organization, 237 East 52d Street, New York, N.Y. 10022.

D. (6) $100. E. (9) $54.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $170.

A. William G. Mustard, Box 24042, Washington, D.C. 20024.

B. National Federation of Fishermen, Box 24042, Washington, D.C.

D. (6) $1,600. E. (9) $438.

A. Thomas H. Mutchler.

B. International Paper Co., 1620 I Street NW., Suite 700, Washington, D.C. 20006.

D. (6) $300.

A. J. Walter Myers, Jr., 4 Executive Park East NE., Atlanta, Ga. 30329.

B. Forest Farmers Association, 4 Executive Park East NE., Atlanta, Ga. 30329.

D. (6) $83. E. (9) $181.41.

A. Naman, Howell, Smith & Chase, 800 First National Building, Waco, Tex. 76701.

B. Our Land, Our Lives, a Coalition for Human Rights, P.O. Box 1000, Gatesville, Tex. 76528.

E. (9) $1,409.69.

A. John J. Nangle, 1625 I Street NW., Suite 1001, Washington, D.C. 20006.

B. National Association of Independent Insurers, 2600 River Road, Des Plaines, Ill. 60018.

D. (6) $2,000. E. (9) $500.

A. Augustus Nasmith, Pennsylvania Station, Raymond Plaza, Newark, N.J. 07102.

B. Associated Railroads of New Jersey, Pennsylvania Station, Raymond Plaza, Newark, N.J. 07102.

D. (6) $90. E. (9) $43.55.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C. 20005.

D. (6) $14.50. E. (9) $14.50.

A. National Air Carrier Association, 1730 M Street NW., Washington, D.C. 20036.

D. (6) $962.50. E. (9) $962.50.

A. National Alliance of Senior Citizens, P.O. Box 40031, Washington, D.C. 20016.

D. (6) $159. E. (9) $1,596.81.

A. National Association for Humane Legislation, Inc., 675 Pinellas Point Drive South, St. Petersburg, Fla. 33705.

D. (6) $145.

A. National Association of Electric Cos., 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.

D. (6) $4,307.37. E. (9) $11,563.93.

A. National Association of Farmer Elected Committeemen, c/o Robert L. Melbern, Route 3, Gatesville, Tex. 76528.

D. (6) $1,968.24. E. (9) $1,968.24.

A. National Association of Food Chains, 1725 Eye Street NW., Washington, D.C. 20006.

D. (6) $300. E. (9) $300.

A. National Association of Insurance Agents, Inc., 85 John Street, New York, N.Y. 10038.

E. (9) $9,277.13.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.

D. (6) $1,086,364.75. E. (9) $61.670.58.

A. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

D. (6) $32,796.84. E. (9) $32,796.84.

A. National Association of Margarine Manufacturers, 1725 K Street NW., Suite 1202, Washington, D.C. 20006.

A. National Association of Mutual Insurance Cos., 2511 East 46th Street, Suite H, Indianapolis, Ind. 46205.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y. 10017.

D. (6) $7,178.76. E. (9) $7,178.76.

A. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C. 20036.

D. (6) $687.45. E. (9) $40.

A. National Association of Railroad Passengers, 417 New Jersey Avenue SE., Washington, D.C. 20003.

D. (6) $22,950.77. E. (9) $23,594.73.

A. National Association of Realtors, 925 15th Street NW., Washington, D.C.

E. (9) $22,386.38.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.

D. (6) $300. E. (9) $300.

A. National Coal Association, Coal Building, Washington, D.C. 20036.

D. (6) $898,846.94. E. (9) $3,679.30.

A. National Committee Against Repressive Legislation, 1250 Wilshire Boulevard, No. 501, Los Angeles, Calif. 90017.

D. (6) $1,256.21. E. (9) $2,586.47.

A. The National Committee for a Human Life Amendment, Inc., 1707 L Street NW., No. 400, Washington, D.C. 20036.

D. (6) $13,800. E. (9) $10,300.98.

A. National Committee for Research in Neurological Disorders, 927 National Press Building, Washington, D.C. 20045.

D. (6) $18,380. E. (9) $11,777.85.

A. National Consumer Finance Association, 1000 16th Street NW., Washington, D.C. 20036.

E. (9) $537.90.

A. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

D. (6) $25,025.80. E. (9) $25,025.80.

A. National Council for a Responsible Firearms Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $5,649.18. E. (9) $486.

A. National Council for a World Peace Tax Fund, 2111 Florida Avenue NW., Washington, D.C. 20008.

D. (6) $6,107.20. E. (9) $5,839.19.

A. National Council to Control Handguns, 1910 K Street NW., Washington, D.C. 20006.

D. (6) $7,600. E. (9) $9,824.65.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20003.

B. Cenco Instrments Corp., 2600 South Kostner Avenue, Chicago, Ill.

D. (6) $2,475. E. (9) $196.79.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.

B. Committee for Study of Revenue Bond Financing, 1000 Ring Building, Washington, D.C.

D. (6) $1,055.55. E. (9) $103.85.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20003.

B. Domestic Wildcatters Association, 900 First National Bank Building, Houston, Tex. 77002.

D. (6) $15,000. E. (9) $2,496.09.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20003.

B. Encyclopaedia Britannica Educational Corp., 425 North Michigan Avenue, Chicago, Ill.

D. (6) $1600. E. (9) $156.66.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20003.

B. North American Telephone Association, 1725 De Salles NW., Washington, D.C. 20036.

D. (6) $3,333.33 E. (9) $3,133.15.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C. 20003.

B. Western Railroad Association, 222 South Riverside Plaza, Chicago, Ill. 60606.

D. (6) $3,000. E. (9) $761.31.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y. 10017.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C. 20006.

D. (6) $368,224.45. E. (9) $24,336.39.

A. National Federation of Fishermen, Box 24042, Washington, D.C. 20024.
D. (6) $4,675. E. (9) $4,064.

A. National Home Furnishings Association, 405 Merchandise Mart, Chicago, Ill. 60654.
E. (9) $1,025.

A. National Grain and Feed Association, 725 15th Street NW., Washington, D.C. 20005.

A. National Guard Association of the United States, 1 Massachusetts Avenue NW., Washington, D.C. 20001.
D. (6) $5,680. E. (9) $731.51.

A. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
D. (6) $7,708.25. E. (9) $7,708.25.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Neb. 68107.
D. (6) $8,891.21. E. (9) $8,891.24.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.
D. (6) $5,296.57. E. (9) $5,296.57.

A. National Motorsports Committee of ACCUS, Suite 302, 1725 K Street NW., Washington, D.C. 20006.
E. (9) $1,867.48.

A. National Oil Jobbers Council, 1750 New York Avenue NW., Washington, D.C. 20006.
D. (6) $88,604.67. E. (9) $12,782.75.

A. National Public Employer Labor Relations Association, 5109 Western Avenue NW., Washington, D.C. 20016.
D. (6) $123. E. (9) $387.

A. National Rehabilitation Association, 1522 K Street NW., Suite 1120, Washington, D.C. 20005.
D. (6) $8,159. E. (9) $895.

A. National Retail Merchants Association, 100 West 31st Street, New York, N.Y. 10001.
E. (9) $1,602.50.

A. National Savings and Loan League, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
D. (6) $8,485. E. (9) $1,762.

A. National Security Traders Association, Inc., 55 Broad Street, New York, N.Y. 10004.
E. (9) $1,742.35.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $12,500. E. (9) $18,263.33.

A. National Soft Drink Association, 1101 16th Street NW., Washington, D.C. 20036.
E. (9) $5,330.10.

A. National Telephone Cooperative Association, 2100 M Street NW., Suite 307, Washington, D.C. 20037.
E. (9) $1,390.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $230. E. (9) $230.

A. Alexander W. Neale, Jr., 1015 18th Street NW., Washington, D.C. 20036.
B. Conference of State Bank Supervisors, 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $1,645. E. (9) $61.50.

A. Alan M. Nedry, 1801 K Street NW., No. 1401, Washington, D.C. 20006.
B. Southern California Edison Co., P.O. Box 800, Rosemead, Calif. 91770.
D. (6) $250. E. (9) $167.30.

A. Allen Neece, Jr., 512 Washington Building, Washington D.C. 20005.
B. National Association of Small Business Investment Co's., 512 Washington Building, Washington, D.C. 20005.
D. 6) $1,500.

A. Frances E. Neely, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $2,087.

A. Stanley Nehmer, Suite 800, 1101 17th Street NW., Washington, D.C. 20036.
B. American Footwear Industries Association, 1611 North Kent Street, Arlington, Va. 22209.
D. (6) $750. E. (9) $500.

A. Stanley Nehmer, Suite 800, 1101 17th Street NW., Washington, D.C. 20036.
B. International Leather Goods, Plastics and Novelty Workers' Union, 265 West 14th Street, New York, N.Y. 10011.
D. (6) $250. E. (9) $225.

A. Stanley Nehmer, Suite 800, 1101 17th Street NW., Washington, D.C. 20036.
B. The National Handbag Association, 347 Fifth Avenue, New York, N.Y. 10016.
D. (6) $250. E. (9) $225.

A. George R. Nelson, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $4,000. E. (9) $48.79.

A. L. James Nelson, 801 Northland Towers West, Southfield, Mich. 48075.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $906.25.

A. Robert W. Nelson, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $160.

A. Network, 224 D Street SE., Washington, D.C. 20003.
D. (6) $3,145. E. (9) $3,923.19.

A. E. John Neumann, 1515 Wilson Boulevard, Arlington, Va. 22209.
B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va.
D. (6) $1,380. E. (9) $800.

A. Robert B. Neville, 1155 15th Street NW., Suite 505, Washington, D.C. 20005.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C.; One IBM Plaza, Suite 2600, Chicago, Ill.
D. (6) $1,900. E. (9) $56.99.

A. Louis H. Nevins, 1709 New York Avenue NW., Suite 200, Washington, D.C. 20006.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York N.Y. 10017.
D. (6) $2,312.50. E. (9) $825.27.

A. John A. Nevius, 600 New Hampshire Avenue NW., No. 250, Washington, D.C. 20037.
B. District of Columbia Bankers Association, 1709 New York Avenue NW., Washington, D.C. 20006.
D. (6) $3,448.56. E. (9) $336.98.

A. E. J. Newbould, 1130 17th Street NW., Washington, D.C. 20036.
B. National Clay Pipe Institute, P.O. Box 310, Crystal Lake, Ill. 60014.
D. (6) $150. E. (9) $61.50.

A. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y.
D. (6) $2,350. E. (9) $19,542.

A. Charles E. Nichols, 101 Constitution Avenue, Washington, D.C. 20001.
B. United Brotherhood of Carpenters and Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.
D. (6) $550. E. (9) $201.14.

A. F. Clayton Nicholson, Box 15, Route 1, Henryville, Pa. 18332.
B. Northern Helex Co., 2223 Dodge Street, Omaha, Nebr. 68102.
D. (6) $2,256. E. (9) $344.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. American Postal Workers Union, AFL–CIO, 817 14th Street NW., Washington, D.C.
D. (6) $9,104.32. E. (9) $2,115.19.

A. NL Industries, Inc., 111 Broadway, New York, NY. 10006.
E. (9) $1,275.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $100.

A. Carl A. Nordberg, Jr., Suite 500, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Chrysler Corp., P.O. Box 1919, Detroit, Mich. 48231.
D. (6) $400. E. (9) $6.25.

A. Carl A. Nordberg., Jr., Suite 500, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Gulf Oil Corp., Gulf Oil Building, Pittsburgh, Pa. 15219.
D. (6) $400. E. (9) $6.25.

A. Julia J. Norrell, 1730 M Street NW., Washington, D.C. 20036.
B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.
D. (6) $160.

A. Robert B. Norris, 1000 16th Street NW., Suite 601, Washington, D.C. 20036.
B. National Consumer Finance Association, 1000 16th Street NW., Suite 601, Washington, D.C. 20036.
D. (6) $512.

A. Robert H. North, 910 17th Street NW., Washington, D.C. 20006.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 910 17th Street NW., Washington, D.C. 20006.

A. Seward P. Nyman, 20 Chevy Chase Circle, NW., Washington, D.C. 20015.
B. American Podiatry Association, 20 Chevy Chase Circle, NW., Washington, D.C. 20015.
D. (6) $650.

A. Dallin H. Oaks, Brigham Young University, Provo, Utah 84602.
B. Brigham Young University, Provo, Utah 84602.

A. O'Brien Associates, 2700 Calvert Street, Suite L–517, Washington, D.C. 20008.
B. Parcel Post Association, 1211 Connecticut Avenue NW., Washington, D.C.; American Business Press, Wyatt Building, Washington, D.C.; National Newspapers Association, National Press Building, Washington, D.C.
D. (6) $7,250.

A. Coleman C. O'Brien, 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006.

B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.
D. (6) $1,312.50. E. (9) $36.

A. John F. O'Brien, Connecticut Petroleum Council, 410 Asylum Street, Hartford, Conn. 06103.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $300. E. (9) $177.28.

A. W. Brice O'Brien, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Richard T. O'Connell, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.
B. Chocolate Manufacturers Association of the United States of America, 7900 Westpark Drive, Suite 514, McLean, Va. 22101.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Alleghany Corp., New York, N.Y.
D. (6) $500. E. (9) $50.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. American Clinical Laboratory Association, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
D. (6) $2,500. E.(9) $157.25.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. American Public Transit Association, 1100 17th Street NW., Washington, D.C. 20036.
D. (6) $3,000. E. (9) $255.22.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. Committee for Jobs Through Economic Development, 1006 State Street, Erie, Pa. 16501.
D. (6) $3,000. E. (9) $132.64.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. Glass-Steagall Act Study Committee, 1200 18th Street, NW., Washington, D.C. 20036.
D. (6) $3,333.33. E. (9) $206.78.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. Hospital Financing Study Group, New York, N.Y.
D. (6) $2,687.50. E. (9) $263.67.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Investors Diversified Services, Inc., Suite 2900 IDS Tower, Minneapolis, Minn. 55402.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. Minneapolis City Council, 307 City Hall, Minneapolis, Minn. 55415.
D. (6) $2,466. E. (9) $569.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. National Association of Church and Institutional Financing Organizations, 1747 Pennsylvania NW., Suite 600, Washington, D.C. 20006.
D. (6) $100. E. (9) $108.03.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Association of Women's & Children's Apparel Salesmen (NAWCAS), 515 Peachtree-Palisades Building, Atlanta, Ga.
D. (6) $1,000.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Federation of Independent Business, 150 West Twentieth Avenue, San Mateo, Calif. 94403.
D. (6) $2,000.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue, Suite 600, Washington, D.C. 20006.
B. National Hockey League, Two Pennsylvania Plaza, Suite 2480, New York, N.Y. 10001.
D. (6) $1,100. E. (9) $50.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Suite 600, Washington, D.C. 20006.
B. Upper Mississippi Waterway Association, 700 Midland Bank Building, Minneapolis, Minn. 55401.
D. (6) $2,500. E. (9) $356.85.

A. O'Connor & Hannan, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

A. L. L. O'Connor, 20 North Wacker Drive, Chicago, Ill. 60606.
B. Profit Sharing Council of America, 20 North Wacker Drive, Chicago, Ill. 60606.

A. T. J. Oden, Suite 604, 1001 Connecticut Avenue NW., Washington, D.C. 20036.
B. Independent Gasoline Marketers Council, No. 604, 1101 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,400.

A. James F. O'Donnell, 1119 A Street, Tacoma, Wash. 98401.
B. American Plywood Association, 1119 A Street, Tacoma, Wash. 98401.

A. John A. O'Donnell, 1001 Connecticut Avenue NW., No. 716, Washington, D.C. 20036.
B. Philippine Sugar Institute.
D. (6) $3,000. E. (9) $250.

A. Jane O'Grady, Amalgamated Clothing Workers of America, AFL-CIO, 815 16th Street NW., Washington, D.C. 20006.
B. Amalgamated Clothing Workers of America, AFL-CIO, 15 Union Square, New York, N.Y. 10003.
D. (6) $5,194.98. E. (9) $790.41.

A. Bartley O'Hara, 25 Louisiana Avenue NW., Washington, D.C. 20001.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.
D. (6) $5,400.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C. 20005.
B. Harness Tracks of America, 333 North Michigan Avenue, Chicago, Ill. 60601.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio 43215.
E. (9) $353.14.

A. Oil Investment Institute, Suite 3, 125 C Street SE., Washington, D.C. 20003.

A. Alvin E. Oliver, 752 15th Street NW., Room 500, Washington, D.C. 20005.
B. National Grain and Feed Association, Washington, D.C. 20005.
D. (6) $37.32.

A. Edward W. Oliver, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Michael Sanders Olson, P.O. Box 2776, Raleigh, N.C., 27602.
B. Carolinas Association of Mutual Insurance Agents, Inc., P.O. Box 2776, Raleigh, N.C. 27602.
E. (9) $25.

A. Roy E. Olson, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. Samuel Omasta, 1315 16th Street NW., Washington, D.C. 20036.
B. National Limestone Institute, Inc., 1315 16th Street NW., Washington, D.C. 20036.
E. (9) $15.40.

A. Charles T. O'Neill, Jr., 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $2,000. E. (9) $383.09.

A. Organization of Professional Employees of the U.S. Department of Agriculture, (OPEDA), 1341 G Street NW., Washington, D.C. 20005.
D. (6) $741.16. E. (9) $2,969.12.

A. Edward R. Osann, 2147 O Street NW., No. 201, Washington, D.C. 20037.
B. Save the Dunes Council, Inc., P.O. Box 303, Chesterton, Ind. 46304.
D. (6) $1,601.60. E. (9) $1,042.62.

A. John L. Oshinski, United Steelworkers of America, 815 16th Street NW., Suite 706, Washington, D.C. 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $5,532.60. E. (9) $1,158.21.

A. Otis Elevator Co., P.O. Box 7293, Denver, Colo. 80207.
E. (9) $4,926.81.

A. Our Land, Our Lives, 103 North Seventh Street, P.O. Box 1000, Gatesville, Tex. 76528.
D. (6) $10,480.50. E. (9) $4,001.58.

A. David A. Oxford, 1016 North Carolina Avenue SE., Washington, D.C. 20003.
B. Manufactured Housing Institute, 14650 Lee Road, Chantilly, Va., 22021.
D. (6) $6,625. E. (9) $28.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
D. (6) $1,178.58. E. (9) $65.50.

A. Juris Padegs, 127 East 59th Street, New York, N.Y. 10022.
B. Investment Counsel Association of America, Inc., 127 East 59th Street, New York, N.Y. 10022.

A. Norman Paige, 1300 Pennsylvania Building NW., Washington, D.C. 20004.
B. Distilled Spirits Council of the United States, Inc., 1300 Pennsylvania Building NW., Washington, D.C. 20004.

A. Edward J. Panarello, 1775 K Street NW., Washington, D.C. 20006.
B. Retail Clerks International Association, AFL-CIO, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $7,601.10. E. (9) $1,413.90.

A. Frederick Panzer, 1776 K Street NW., Washington, D.C.

B. The Tobacco Institute, Inc., 1776 K Street NW., Suite 1200, Washington, D.C. 20006.

D. (6) $520. E. (9) $160.

A. G. Oliver Papps, New Jersey Petroleum Council, 212 West State Street, Trenton, N.J. 08608.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

E. (9) $19.50.

A. Lew M. Paramore, P.O. Box 1160, Kansas City, Kans. 66117.

B. Mo-Ark Basins Flood Control & Conservation Association, P.O. Box 1160, Kansas City, Kans. 66117.

A. Herschell E. Parent, Arkansas Petroleum Council, Division of A.P.I., Little Rock Ark. 72201.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $35.20. E. (9) $10.80.

A. Robert D. Partridge, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $553.92.

A. The Patent Law Association of Los Angeles, Suite 2400, Equitable Plaza, 3435 Wilshire Boulevard, Los Angeles, Calif. 90010.

A. David J. Pattison, 1701 K Street NW., Washington, D.C. 20006.

B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

D. (6) $19. E. (9) $2.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

D. (6) $1,200.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Alyeska Pipeline Service Corporation, P.O. Box 576, Bellevue, Wash. 98004.

D. (6) $2,932.50. E. (9) $261.43.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. American Imported Automobile Dealers Association, 1129 20th Street NW., Washington, D.C. 20036.

D. (6) $360. E. (9) $22.75.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. American Maritime Association, 17 Battery Place, New York, N.Y. 10004.

D. (6) $180. E. (9) $54.72.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. American Society of Association Executives, 1101 16th Street NW., Washington, D.C. 20006.

D. (6) $370. E. (9) $20.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Armco Steel Corp., General Offices, Middletown, Ohio 45042.

D. (6) $804. E. (9) $14.80.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Association of Oil Pipelines, 1725 K Street NW., Washington, D.C. 20006.

D. (6) $615.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Association of Trial Lawyers of America, 20 Garden Street, Cambridge, Mass.

D. (6) $2,781.50 E. (9) $332.88.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Atlantic Richfield Co., P.O. Box 360, Anchorage, Alaska 99510.

D. (6) $925.50.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Boating Industry Association, 401 N. Michigan Avenue, Chicago, Ill. 60601; National Association of Engine & Boat Manufacturers, P.O. Box 5555, Grand Central Station, New York, N.Y. 10017.

D. (6) $4,025.25. E. (9) $1,477.65.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. BP Alaska, Inc., 100 Pine Street, San Francisco, Calif. 94111.

D. (6) $925.50.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Central American Sugar Council, 1200 17th Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Chippewa-Cree Tribe, Rocky Boy Route, Box Elder, Mont. 59521.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Classic Chemicals, Ltd., 1101 Avenue G East, Arlington, Tex. 76011.

D. (6) $375. E. (9) $150.45.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Council of State Chambers of Commerce, 1028 Connecticut Avenue NW., Suite 1018, Washington, D.C. 20036.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Donaldson, Lufkin & Jenrette, Inc., 140 Broadway, New York, N.Y. 10005.

D. (6) $4,495. E. (9) $432.11.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Exxon Company, U.S.A., P.O. Box 2180, Houston, Tex. 77701.

D. (6) $925.50.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Institute of Scrap Iron and Steel, Inc., 1729 H Street NW., Washington, D.C. 20006.

D. (6) $2,380. E. (9) $807.86.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Landmark Services, Inc., 900 Ohio Drive SW., Washington, D.C. 20024.

D. (6) $450. E. (9) $34.34.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Louisiana Educational Television Authority, P.O. Box 44064, Baton Rouge, La. 70804.

D. (6) $1,482.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Machinery Dealers National Association, 1400 20th Street NW., Washington, D.C. 20036.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Marcor, Inc., 619 West Chicago Avenue, Chicago, Ill. 60607.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C.

B. National Medical Care, Inc., 560 Sylvan Avenue, Englewood Cliffs, N.J. 07632.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. The Nestle Co., 100 Bloomingdale Road, White Plains, N.Y. 10605.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Outboard Marine Corp., 1401 Cushman Drive, P.O. Box 82409, Lincoln, Nebr. 68501.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Ralston Purina Co., Checkerboard Square, St. Louis, Mo. 63188.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Reading Co., Reading Terminal, 12th and Market Streets, Philadelphia, Pa. 19107.

D. (6) $2,555.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Simon Kenton Estates, Inc., 115 West Court Street, Urbana, Ohio 43078.

D. (6) $191.25.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

D. (6) $925.50.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. State of Louisiana, Department of Conservation, P.O. Box 44275, Baton Rouge, La. 70804.

D. (6) $2,900. E. (9) $1,318.50.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Tax Corporation of America, 2441 Honolulu Avenue, Montrose, Calif. 91020.

D. (6) $2,550.50. E. (9) $10.70.

A. Patton, Boggs & Blow, 1200 17th Street NW., Washington, D.C. 20036.

B. Uncle Ben's, Inc., 13000 Westheimer Blvd., Houston, Tex. 77001.

D. (6) $1,350. E. (9) $45.50.

A. Andrew R. Paul, Suite 1100, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Motorola, Inc., 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $100. E. (9) $40.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, N.Y. 10022.

B. Warner Brothers, Inc., 4000 Warner Boulevard, Burbank, Calif. 91505.

D. (6) $4,430. E. (9) $343.84.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, N.Y. 10022.

B. Warner Communications, Inc., 75 Rockefeller Plaza, New York, N.Y. 10019.

D. (6) $110.55. E. (9) $2.80.

A. Diana R. Payne, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $1,260.

A. Peabody, Rivlin & Lambert, 1730 M Street NW., Washington, D.C. 20036.

B. Los Angeles Trial Lawyers Association, 1730 West Olympic Boulevard, Los Angeles, Calif. 90016.

A. John J. Pecoraro, 1750 New York Avenue NW., Washington, D.C. 20006.

B. International Brotherhood of Painters & Allied Trades, 1750 New York Avenue NW., Washington, D.C. 20006.

D. (6) $2,932.

A. Pennsylvania Power & Light Co., 2 North Ninth Street, Allentown, Pa. 18101.
E. (9) $659.79.

A. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.
E. (9) $11,445.

A. Dominic V. Pensabene, 1700 K Street NW., Washington, D.C. 20006.
B. Chevron Oil Co., Subsidiary of Standard Oil Co. of California, 1700 K Street NW., Washington, D.C. 20006.
D. (6) $50. E. (9) $25.

A. J. Carter Perkins, Shell Oil Co., Suite 200, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Shell Oil Co., 1 Shell Plaza, P.O. Box 2463, Houston, Tex. 77001.
D. (6) $1,000.

A. A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn. 55402.
B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn. 55402.
D. (6) $3,333.33. E. (9) $2,067.45.

A. Kenneth Peterson, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $7,605. E. (9) $364.92.

A. Homer B. Pettit, Room 1014, Brawner Building, 888 17th Street NW., Washington, D.C. 20006.
B. Northern Virginia Transportation Commission, Arlington Executive Building, 2009 North 14th Street, Arlington, Va. 22201.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C. 20005.

A. John P. Philbin, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y. 10017.
D. (6) $1,500. E. (9) $83.75.

A. Daphne Philos, 3150 Spring Street, Fairfax, Va. 22030.
B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va. 22030.
D. (6) $1,950.

A. Sam Pickard, Monsanto Corp., 1101 17th Street NW., Washington, D.C. 20036.
B. Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166.
E. (9) $187.86.

A. Pierson, Ball & Dowd, 1000 Ring Building, Washington, D.C. 20036.
B. Glass-Steagall Act Study Committee, 1000 Ring Building, Washington, D.C. 20036.
D. (6) $3,333.33. E. (9) $104.59.

A. Plains Cotton Growers, Inc., P.O. Box 10425, Lubbock, Tex. 79408.
D. (6) $24,704.13. E. (9) $1,350.

A. Amos A. Plante, Suite 1014, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.
E. (9) $122.74.

A. Kenneth B. Pomeroy, 10404 Conover Drive, Silver Spring, Md. 20902.
B. Association of State College and University Forest Research Organizations (ASCUFRO).
D. (6) $675. E. (9) $63.11.

A. Kenneth B. Pomeroy, 10404 Conover Drive, Silver Spring, Md. 20902.
B. National Association of State Foresters.
D. (6) $3,750. E. (9) $464.94.

A. Frederick T. Poole, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $2,812. E. (9) $109.13.

A. Everett O. Post, 1511 K Street NW., Washington, D.C. 20005.
B. National Association of Service Contractors, 1511 K Street NW., Wahsington, D.C. 20005.
D. (6) $250. E. (9) $14.05.

A. John Post, 888 17th Street NW., No. 601, Washington, D.C. 20006.
B. The Business Roundtable, 888 17th Street NW., Washington, D.C. 20006.
D. (6) $100. E. (9) $5.

A. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Ramsay D. Potts, Shaw, Pittman, Potts & Trowbridge, 910 17th Street NW., Washington, D.C. 20006.
B. Investment Co. Institute, 1775 K Street NW., Washington, D.C. 20006.
D. (6) $750. E. (9) $15.25.

A. Ramsay D. Potts, Shaw, Pittman, Potts & Trowbridge, 910 17th Street NW., Washington, D.C. 20006.
B. Investment Counsel Association of America, Inc., 127 East 59th Street, New York, N.Y. 10022.
D. (6) $681.75. E. (9) $4.20.

A. Richard M. Powell, 7315 Wisconsin Avenue, Washington, D.C. 20014.
B. International Association of Refrigerated Warehouses, 7315 Wisconsin Avenue, Washington, D.C. 20014.

A. Robert D. Powell, 734 15th Street NW., Suite 400, Washington, D.C. 20005.
B. National Business Aircraft Association, Inc., 425 13th Street NW., Suite 401, Washington, D.C. 20004.

A. William I. Powell, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.
E. (9) $89.50.

A. Carlton H. Power, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $750. E. (9) $146.74.

A. John J. Power, 101 Constitution Avenue NW., Washington, D.C. 20001.
B. United Brotherhood of Carpenters and Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.
D. (6) $3,364. E. (9) $35.

A. William C. Prather, United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.
B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.
D. (6) $650.

A. Brainard E. Prescott, 220 C Street SE., Apartment 309, Washington, D.C. 20003.
B. Coalition of Independent Ophthalmic Professionals, 75 East 55th Street, New York, N.Y. 10022.
D. (6) $2,761.79. E. (9) $2,452.37.

A. Dan Prescott.
B. Mid-Continent Oil & Gas Association, 1111 Thompson Building, Tulsa, Okla. 74103.
D. (6) $198.17. E. (9) $105.75.

A. Preston, Thorgrimson, Ellis, Holman & Fletcher, Suite 201, 1776 F Street NW., Washington, D.C. 20006.
B. Intalco Aluminum Corp., P.O. Box 937, Ferndale, Wash. 98218.
D. (6) $1,605.50.

A. Preston, Thorgrimson, Ellis, Holman & Fletcher, Suite 201, 1776 F Street NW., Washington, D.C. 20006.
B. Moore-McCormack Resources, Inc., 1 Landmark Square, Stamford, Conn. 06901.
D. (6) $9,606.

A. Preston, Thorgrimson, Ellis, Holman & Fletcher, Suite 201, 1776 F Street NW., Washington, D.C. 20006.
B. Port of Seattle, P.O. Box 1209, Seattle, Wash. 98111.
D. (6) $3,096.22.

A. Forrest J. Prettyman, 730 15th Street NW., Washington, D.C. 20005.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C. 20005.
D. (6) $437.50.

A. Price, Cushman, Keck, Mahin & Cate, 8300 Sears Tower, 233 South Wacker Drive, Chicago, Ill. 60606.
B. Schwinn Bicycle Co., 1856 North Kostner Avenue, Chicago, Ill. 60639.
D. (6) $1,271.25. E. (9) $461.08.

A. Profit Sharing Council of America, 20 North Wacker Drive, Chicago, Ill. 60606.

A. The Proprietary Association, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $4,250. E. (9) $80.

A. Public Employee Department, AFL–CIO, 815 16th Street NW., Washington, D.C. 20006.
D. (6) $29,444.42. E. (9) $14,492.83.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.
B. American Rice Growers Cooperative Association, Lake Charles, La.
D. (6) $300.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.
B. American Rice, Inc., Houston, Tex.
D. (6) $300.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.
B. United Rice Growers & Millers, Maxwell, Calif.
D. (6) $500.

A. Earle W. Putnam, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Howard Pyle, 1000 16th Street NW., Washington, D.C. 20036.
B. Standard Oil Company (Indiana), 200 East Randolph Drive, Chicago, Ill. 60601.
D. (6) $1,638.44. E. (9) $20.87.

A. Joseph E. Quin, 1616 H. Street NW., Washington, D.C. 20006.
B. The National Grange, 1616 H Street NW., Washington, D.C. 20006.
D. (6) $1,250.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $2,338.

A. Alex Radin, 2600 Virginia Avenue NW., Washington, D.C. 20037.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C. 20037.
D. (6) $534.16.

A. Raymond Raedy, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $75. E. (9) $140.

A. Richard J. Ragan, 1140 Connecticut Avenue NW., Suite 1010, Washington, D.C. 20036.
B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $393.75. E. (9) $112.47.

A. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C. 20001.
D. (6) $17,586. E. (9) $17,586.

A. Railway Progress Institute, 801 North Fairfax Street, Alexandria, Va. 22314.

A. Clarence B. Randall, Jr., 1156 15th Street NW., Suite 731, Washington, D.C. 20005.
B. Associated Builders & Contractors, Inc.
D. (6) $1,000. E. (9) $1,500.

A. Donald A. Randall, Suite 1201, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Automotive Service Councils, Inc., Suite 112, 188 Industrial Drive, Elmhurst, Ill. 60126.
D. (6) $3,000. E. (9) $794.50.

A. Jerry F. Rapp, 1155 15th Street NW., Suite 606, Washington, D.C. 20005.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10022.
D. (6) $500.

A. D. Michael Rappoport, P.O. Box 1980, Phoenix, Arizona 85001.
B. Salt River Project, P.O. Box 1980, Phoenix, Arizona 85001.
D. (6) $736.24. E. (9) $922.32.

A. G. J. Rauschenbach.
B. Communications Satellite Corp., 950 L'Enfant Plaza South SW., Washington, D.C. 20024.
D. (6) $1,000. E. (9) $720.

A. Harry A. S. Read, 2 Militia Drive, Lexington, Mass. 02173.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.
D. (6) $1,312.50. E. (9) $100.

A. Sydney C. Reagan, 6815 Prestonshire, Dallas, Tex. 75225.
B. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex. 75225.
D. (6) $150.

A. Timothy J. Redmon, American Optometric Association, 1730 M Street NW., Washington, D.C. 20036.
B. American Optometric Association, c/o Alvin Levin, O.D., 120 South Hanover Street, Carlisle, Pa. 17013.
D. (6) $14.42. E. (9) $20.90.

A. Dwight C. Reed, 1101 16th Street NW., Washington, D.C. 20036.
B. National Soft Drink Association.
D. (6) $126.90. E. (9) $41.

A. D. J. Reedy, 3306 Sheffield Circle, Sarasota, Fla. 33580.
B. National Advertising Co., 6850 South Harlem Avenue, Bedford Park, Argo, Ill. 60501.
D. (6) $2,363.

A. Lawrence D. Reedy, 1730 M Street NW., Suite 805, Washington, D.C. 20036.
B. American Association of Advertising Agencies, 200 Park Avenue, New York, N.Y. 10017.
D. (6) $1,250. E. (9) $600.

A. J. Mitchell Reese, 1025 Connecticut Avenue NW., Suite 700, Washington, D.C. 20036.
B. Gulf Oil Corp., Pittsburgh, Pa. 15230.
D. (6) $1,500. E. (9) $300.

A. Robert S. Reese, Jr., 1616 P Street NW., Washington, D.C. 20036.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.
D. (6) $6,000. E. (9) $1,521.73.

A. W. W. Renfroe, 69 Fountain Place, Capital Plaza, Frankfort, Ky. 40601.
B. Kentucky Railroad Association, 69 Fountain Place, Capital Plaza, Frankfort, Ky. 40601.
E. (9) $332.42.

A. Diane Rennert, 1920 L Street NW., Room 750, Washington, D.C. 20036.
B. Association of American Publishers, 1920 L Street NW., Suite 750, Washington, D.C. 20036.
D. (6) $950. E. (9) $592.44.

A. Reproductive Freedom League, Inc., P.O. Box 11921, Lexington, Ky. 40511.
D. (6) $311. E. (9) $237.54.

A. The Retired Officers Association, 1625 I Street NW., Washington, D.C. 20006.
D. (6) $3,425.

A. James J. Reynolds, 1626 K Street NW., Washington, D.C. 20006.
B. American Institute of Merchant Shipping, 1625 K Street NW., Washington, D.C. 20006.
D. (6) $1,875. E. (9) $405.94.

A. William L. Reynolds, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
B. National Savings and Loan League, 1101 15th Street NW., Suite 400, Washington, D.C. 20005.
D. (6) $1,690. E. (9) $72.

A. Rice Genocide Research, P.O. Box 7307, Washington, D.C. 20044.
E. (9) $88.80.

A. Theron J. Rice, 1130 17th Street NW., Suite 400, Washington, D.C. 20036.
B. Continental Oil Co., High Ridge Park, Stamford, Conn. 06904.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La. 70427.
B. Louisiana Railroads, 335 Austin Street, Bogalusa, La.

A. S. F. Riepma, 1725 K Street NW., Suite 1202, Washington, D.C. 20006.
B. National Association of Margarine Manufacturers, 1725 K Street NW., Suite 1202, Washington, D.C. 20006.

A. Judith Assmus Riggs, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
B. Washington Research Project Action Council, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $1,181.25.

A. John D. Ritchie, Sr., 1119 A Street, Tacoma, Wash. 98401.
B. American Plywood Association, 1119 A Street, Tacoma, Wash. 98401.

A. Stark Ritchie, 1801 K Street NW., Washington, D.C. 20006.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. William Neale Roach, 1616 P Street NW., Washington, D.C. 20036.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C. 20036.
D. (6) $6,000. E. (9) $457.36.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C. 20006.
B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C. 20006.
D. (6) $1,500.

A. William S. Roberts, 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $40.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C. 20009.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.
D. (6) $227.52.

A. Thomas G. Roderick, 1101 16th Street NW., Washington, D.C. 20036.
B. Consolidated Natural Gas Service Co., Inc., Four Gateway Center, Pittsburgh, Pa. 15222.
E. (9) $4.

A. Ted V. Rodgers, Suite 304, 1000 Connecticut Avenue NW., Washington, D.C. 20036.
B. Nationwide Insurance Companies & Affiliates, 246 North High Street, Columbus, Ohio 43216.
D. (6) $2,500. E. (9) $25.

A. Byron G. Rogers, 666 Gaylord Street, Denver, Colo. 80206 and 918 16th Street NW., Washington, D.C. 20006.
B. Denver Board of Water Commissioners, 144 West Colfax Avenue, Denver, Colo. 80202.
D. (6) $1,175. E. (9) $9.05.

A. Donald L. Rogers, 730 15th Street NW., Washington, D.C. 20005.
B. Association of Registered Bank Holding Companies, 730 15th Street NW., Washington, D.C. 20005.
D. (6) $937.50.

A. Frank W. Rogers, Suite 793, 1801 K Street NW., Washington, D.C. 20006.
B. Western Oil and Gas Association, 609 South Grand Avenue, Los Angeles, Calif. 90017.
D. (6) $750.

A. Walter E. Rogers, 1660 L Street, Suite 601, Washington, D.C. 20036.
B. Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.
D. (6) $1,000.

A. John F. Rolph III, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $500.

A. Kenneth S. Rolston, Jr., 1619 Massachusetts Avenue NW., Washington, D.C. 20036.
B. American Pulpwood Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

A. Nicholas Roomy, Jr., 301 Virginia Street East, Charleston, W. Va. 25301.
B. Appalachian Power Co., 301 Virginia Street East, Charleston, W. Va. 25301.
D. (6) $353.84. E. (9) $291.41.

A. Albert B. Rosenbaum III, 1616 P Street NW., Washington, D.C. 20036.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Larry M. Rosenstein, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. William F. Ross, South Carolina Petroleum Council, 716 Palmetto State Life Building, Columbia, S.C. 29201.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $371. E. (9) $277.73.

A. William C. Rountree, 1660 L Street NW., Suite 212, Washington, D.C. 20036.

B. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

D. (6) $200. E. (9) $10.

A. John W. Rowland, Jr., 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

B. Amalgamated Transit Union, AFL-CIO, 5025 Wisconsin Avenue NW., Washington, D.C. 20016.

A. Ruckelshaus, Beveridge, Fairbanks & Diamond, 1 Farragut Square South, Third Floor, Washington, D.C. 20006.

B. The Society of the Plastics Industry, Inc., 1150 17th Street NW., Suite 1000, Washington, D.C. 20036.

D. (6) $560.

A. John Forney Rudy, 1800 K Street NW., Suite 622, Washington, D.C. 20006.

B. The Goodyear Tire & Rubber Co., Akron, Ohio 44316.

A. Leonard H. Ruppert, New Jersey Petroleum Council, 212 West State Street, Trenton, N.J. 08608.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $187.50. E. (9) $10.

A. Joseph Ruskiewicz, American Optometric Association, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, c/o Alvin Levin, O.D., 120 South Hanover Street, Carlisle, Pa. 17013.

A. Perry A. Russ, 901 North Washington Street, Alexandria, Va. 22314.

B. Society of American Florists and Ornamental Horticulturists, 901 North Washington Street, Alexandria, Va. 22314.

A. Albert R. Russell, P.O. Box 12285, Memphis, Tenn. 38112.

B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.

D. (6) $8,653.85. E. (9) $653.93.

A. Wally Rustad, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $150.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Suite 514, Washington, D.C. 20036.

B. American College of Radiology, 20 North Wacker Drive, Chicago, Ill. 60606.

D. (6) $750. E. (9) $1,033.62.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Suite 514, Washington, D.C. 20036.

B. American Optometric Association, 1730 M Street NW., Washington, D.C.

D. (6) $600. E. (9) $1,425.30.

A. J. T. Rutherford & Associates, Inc., 1660 L Street NW., Suite 514, Washington, D.C. 20036.

B. American Trucking Association, 1616 P Street NW., Washington, D.C.

D. (6) $350. E. (9) $333.06.

A. Millard H. Ruud, Suite 370, 1 Dupont Circle NW., Washington, D.C. 20036.

B. Association of American Law Schools, Suite 370, 1 Dupont Circle NW., Washington, D.C. 20036.

A. Ella Marice Ryan, 1156 15th Street NW., Washington, D.C. 20005.

B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.

D. (6) $100. E. (9) $277.66.

A. William Ryan, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $3,500. E. (9) $28.93.

A. C. Hill Rylander, 425 13th Street NW., Washington, D.C. 20004.

B. National Association of Insurance Agents, 85 John Street, New York, N.Y. 10038.

E. (9) $4,638.57.

A. Fred J. Sacco, New Jersey Petroleum Council, 212 West State Street, Trenton, N.J. 08608.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $340. E. (9) $193.47.

A. Carl K. Sadler, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.

B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.

D. (6) $6,888. E. (9) $10,812.75.

A. Sand Springs Home, Sand Springs, Okla.

A. Frank P. Sanders, 815 Connecticut Avenue NW., Washington, D.C.

B. Burmah Oil & Gas Co., P.O. Box 94193, Houston, Tex. 77018.

A. Frank P. Sanders, 815 Connecticut Avenue NW., Washington, D.C.

B. The Signal Cos., Inc., 9665 Wilshire Boulevard, Beverly Hills, Calif. 90212.

D. (6) $1,060.

A. Charles E. Sandler, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $1,000.

A. Peter G. Sandlund, Room 400, 919 18th Street NW., Washington, D.C. 20006.

B. Council of European & Japanese National Shipowners' Associations, 30–32 St. Mary Axe, London EC3A 8ET, England.

D. (6) $11,250. E. (9) $10,011.61.

A. Thomas H. Saunders, 1825 K Street NW., Suite 501, Washington, D.C. 20006.

B. The Dow Chemical Co., Midland, Mich. 48640.

A. Save Our Cumberland Mountains, Inc., Appalachian Coalition, Box 457, Jackaboro, Tenn. 37757.

E. (9) $444.84.

A. Ruth M. Saxe, 2030 M Street NW., Washington, D.C. 20036.

B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.

D. (6) $3,499.98.

A. Henry Schacht.

B. California Canners & Growers, 3100 Ferry Building, San Francisco, Calif. 94106.

D. (6) $2,850. E. (9) $1,107.11.

A. Jacques T. Schlenger, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.

B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.

E. (9) $7.35.

A. Stephen I. Schlossberg, 1125 15th Street NW., Suite 600 Washington, D.C. 20005.

B. International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW), 8000 East Jefferson Ave., Detroit, Mich. 48214.

D. (6) $10,288.47. E. (9) $1,655.52.

A. Richard M. Schmidt, Jr., 1920 L Street NW., Washington, D.C. 20036.

B. Association of American Publishers, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $500. E. (9) $2.50.

A. Richard M. Schmidt, Jr., Suite 700, 1920 L Street NW., Washington, D.C. 20036.

B. Coalition for Fair Copyright Protection, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $2,000.

A. Robert L. Schmidt, 1709 New York Avenue, NW., Washington, D.C. 20006.

B. Association of Trial Lawyers of America, 20 Garden Street, Cambridge, Mass.

D. (6) $3,344.13.

A. Mahlon Schneider, Hazeltine Gates, Chaska, Minn. 55318.

B. Green Giant Co., Hazeltine Gates, Chaska, Minn. 55318.

D. (6) $250. E. (9) $280.

A. Amber Scholtz, 900 15th Street NW., Washington, D.C. 20005.

B. United Mine Workers of America, 900 15th Street NW., Washington, D.C. 20005.

D. (6) $395. E. (9) $143.13.

A. Hilliard Schulberg, 733 15th Street NW., Suite 620, Washington, D.C. 20005.

B. National Liquor Stores Association, Inc., 1025 Vermont Avenue NW., Washingon, D.C. 20005.

D. (6) $225. E. (9) $96.55.

A. Robert L. Schulz, Iowa Petroleum Council, 1012 Fleming Building, Des Moines, Iowa 50309.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

A. Donald H. Schwab, 200 Maryland Avenue, NE., Washington, D.C. 20002.

B. Veterans of Foreign Wars of the United States.

D. (6) $2,014.05.

A. Sydnee M. Schwartz, 900 15th Street NW., Washington, D.C. 20005.

B. United Mine Workers of America, 900 15th Street NW., Washington, D.C. 20005.

D. (6) $615. E. (9) $51.75.

A. Harold B. Scoggins, 1101 16th Street NW., Washington, D.C. 20036.

B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.

E. (9) $15.25.

A. John W. Scott, 1616 H Street NW., Washington, D.C. 20006.

B. The National Grange, 1616 H Street NW., Washington, D.C. 20006.

D. (6) $6,250.

A. Scribner, Hall, Thornburg & Thompson, Suite 502, 1200 18th Street NW., Washington, D.C. 20036.

B. Colonial Penn Group, Inc. & Affiliated Corps., 5 Penn Center Plaza, Philadelphia, Pa. 19103.

A. Scribner, Hall, Thornburg & Thompson, Suite 502, 1200 18th Street NW., Washington, D.C. 20036.
B. Occidental Life Insurance Co. of California, Occidental Center, Los Angeles, Calif. 90054.

A. Scribner, Hall, Thornburg & Thompson, 1200 18th Street NW., Washingon, D.C. 20036.
B. Provident Life & Accident Insurance Co., Chattanooga, Tenn. 37402.

A. Earl W. Sears, P.O. Box 12285, Memphis, Tenn. 38112.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn. 38112.
D. (6) $700. E. (9) $32.47.

A. Port of Seattle, P.O. Box 1209, Seattle, Wash. 98111.
E. (9) $3,096.22.

A. Carol A. Seeger.
B. National Cable Television Association, 918 16th Street NW., Washington, D.C.
D. (6) $4,500. E. (9) $50.

A. Ronald C. Seeley, 1357 Nicolet Place, Detroit, Mich. 48207.
B. Estate of Bert N. Adams, et al.
E. (9) $266.67.

A. Self-Determination for D.C., 3705 Porter Street NW., Washington, D.C. 20016.
D. (6) $560. E. (9) $179.81.

A. Peter J. Semper, 13915 Panay Way, Marina del Rey, Calif. 90291.
B. Council for Responsible Nutrition, 13915 Panay Way, Marina del Rey, Calif. 90291.
D. (6) $9,554.84. E. (9) $4,304.84.

A. Stanton P. Sender, 1211 Connecticut Avenue NW., Suite 802, Washington, D.C. 20036.
B. Sears, Roebuck and Co., Sears Tower, Chicago, Ill. 60684.
D. (6) $375. E. (9) $10.

A. J. Richard Sewell, 1701 K Street NW., Suite 503, Washington, D.C. 20006.
B. Florida Power & Light Co., P.O. Box 013100, Miami, Fla. 33101.
D. (6) $1,708. E. (9) $862.34.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pfizer Inc., 235 East 42d Street, New York, N.Y. 10017.
D. (6) $400. E. (9) $265.

A. James M. Shamberger, 1025 Connecticut Avenue NW., Washington, D.C. 20036.
B. Reinsurance Association of America, 1025 Connecticut Avenue NW., Washington, D.C.
E. (9) $25.

A. Harry D. Shapiro, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $7.35.

A. Jerome G. Shapiro, One Wall Street, New York, N.Y. 10005.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10022.
D. (6) $720. E. (9) $162.98.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. American National Cattlemen's Association, Denver, Colo.
D. (6) $400.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. Independent Grocers' Alliance, 5725 East River Road, Chicago, Ill. 60631; Topco Associates, Inc., 7711 Gross Point Road, Skokie, Ill. 60076.
D. (6) $5,758. E. (9) $568.73.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. Mauritius Sugar Syndicate, Mauritius Chamber of Agriculture, Plantation House, Port Louis, Mauritius.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.
B. Rubber Manufacturers Association, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Shaw, Pittman, Potts & Trowbridge, 910 17th Street NW., Washington, D.C. 20006.
B. Association for the Improvement of Mississippi River, c/o T. P. Walsh, 10 Broadway, St. Louis, Mo. 63102.
D. (6) $5,530. E. (9) $9.85.

A. Shaw, Pittman, Potts & Trowbridge, Barr Building, 910 17th Street NW., Washington, D.C. 20006.
B. Doubleday & Co., Inc., 245 Park Avenue, New York, N.Y. 10017.

A. Shaw, Pittman, Potts & Trowbridge, 910 17th Street NW., Washington, D.C. 20006.
B. Institute of Foreign Bankers, 10 Pine Street, New York, N.Y.
D. (6) $3,000.

A. John J. Sheehan, 815 16th Street NW., Suite 706, Washington, D.C. 20006.
B. United Steelworkers of America, Five Gateway Center, Pittsburgh, Pa. 15222.
D. (6) $7,222.44. E. (9) $5,006.95.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Seymour Sheriff, 1126 Woodward Building, Washington, D.C. 20005.
B. Man-Made Fiber Producers Association, Inc.
E. (9) $5.40.

A. Jerold Sherman, 10880 Wilshire Boulevard, Suite 2121, Los Angeles, Calif. 90024.
B. Janette F. Byrne, 1230 Princeton, Apartment 7, Santa Monica, Calif.

A. Harvey A. Shipman, 1725 K Street NW., Suite 1103, Washington, D.C. 20006.
B. Penn Central Transportation Co., Six Penn Center Plaza, Philadelphia, Pa. 19104.
D. (6) $250. E. (9) $1,395.

A. James K. Shiver, 1629 K Street NW., Suite 600, Washington, D.C. 20006.
B. Diamond Shamrock Chemical Co., Cleveland, Ohio.
D. (6) $200. E. (9) $125.

A. W. Ray Shockley, 1150 17th Street NW., Suite 1001, Washington, D.C. 20036.
B. American Textile Manufacturers Institute, Inc., 400 South Tryon Street, Suite 2124, Charlotte, N.C. 28285.
D. (6) $2,550. E. (9) $30.54.

A. L. J. Sichel, 1730 M Street NW. No. 808, Washington, D.C. 20036.
B. Abbott Laboratories, North Chicago, Ill 60064.

A. Mark S. Sigurski, Suite 1100, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Motorola, Inc., 1737 Pennsylvania Avenue NW., Washington, D.C. 20006.
D. (6) $500.
E. (9) $182.

A. Harry G. Silleck, Jr., 200 Broad Street, New York, N.Y. 10005.
B. Trustee of Erie Lackawanna Railway Co., Midland Building, Cleveland, Ohio.
D. (6) $3,657.30.

A. David Silver, 1775 K Street NW., Washington, D.C. 20006.
B. Investment Company Institute, 1775 K Street NW., Washington, D.C. *20006*.

A. Silver Users Association, Inc., 1717 K Street NW., Washington, D.C. 20006.
E. (9) $1,781.47.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. Association For Advanced Life Underwriting, 1922 F Street NW., Washington, D.C. 20006.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10002.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. Federal National Mortgage Association, 1133 15th Street N.W., Washington, D.C. 20005.

A. Silverstein & Mullens, 1776 K Street NW., Washington, D.C. 20006.
B. General American Transportation Co., 120 South Riverside Plaza, Chicago, Ill. 60606.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. Government of the Netherlands Antilles, Fort Amsterdam, Willemstad, Curacao, Netherlands Antilles.
E. (9) $240.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. MCA, Inc., 100 Universal City Plaza, Universal City, Calif. 91608.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. National Association of Home Builders, 15th and M Streets NW., Washington, D.C.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. National League of Insured Savings Associations, 1200 17th Street N.W., Washington, D.C. 20036.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. National Venture Capital Association, 4300 Sigma Road, Dallas, Tex. 75240.

A. Silverstein & Mullens, 1776 K Street N.W., Washington, D.C. 20006.
B. Venezuelan-American Chamber of Commerce and Industry, Apartado 5181, Caracas 101, Venezuela.
E. (9) $118.70.

A. James S. Simmons, 1730 Pennsylvania Avenue N.W., Suite 220, Washington, D.C. 20006
B. National Association of Blue Shield Plans 211 East Chicago Avenue, Chicago, Ill. 60611.

A. Gilbert Simonetti, Jr., 1620 I Street N.W., Washington, D.C. 20006.
B. American Institute of CPAs, 1211 Avenue of Americas, New York, N.Y. 10036.
E. (9) $100.

A. Talmadge E. Simpkins, 100 Indiana Avenue NW., Washington, D.C. 20001.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
E. (9) $386.80.

A. Talmadge E. Simpkins, 100 Indiana Avenue N.W., Washington, D.C. 20000.

B. Labor-Management Maritime Committee.

D. (6) $1,725. E (9) $39.50.

A. Julian H. Singman, International Longshoremen's Association, 815 16th Street N.W., Washington, D.C. 20006.

B. International Longshoremen's Association, AFL–CIO, 17 Battery Place, Suite 1530, New York, N.Y. 10004.

D. (6) $5000. E. (9) $2,767.68.

A. James A. Skinner, Jr., 1136 Second Avenue North, Nashville, Tenn. 37208.

B. Brick Institute of America, 1750 Old Meadow Road, McLean, Va. 22101.

A. Barney J. Skaladany, Jr., 1100 Connecticut Avenue, N.W., Washington, D.C. 20036.

B. Mobil Oil Corp. 150 East 42d Street, New York, N.Y. 10017.

D. (6) $1,125.

A. Carstens Slack, 1825 K Street NW., Washington, D.C. 20006.

B. Phillips Petroleum Co., Bartlesville, Okla. 74004.

A. G. Bernard Slebos, 1825 K Street NW., Washington, D.C. 20006.

B. United Airlines, P.O Box 66100, Chicago, Ill. 60666.

D. (6) $2,000. E. (9) $103.

A. Jonathan W. Sloat, 1425 K Street N.W., Suite 900, Washington, D.C. 20005.

B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Suite 900, Washington, D.C. 20005.

A. Small Producers Group for Energy Independence, Suite 970, Fourth Financial Center, Wichita, Kans. 67202.

D. (6) $201,500. E. (9) $20,562.50.

A. Smathers, Merrigan & Herlong, 888 17th Street NW., No. 1200 Washington, D.C. 20006.

B. American Horse Council, Inc., 1776 K Street NW., Washington, D.C.

D. (6) $5,500. E. (9) $1,608.95.

A. Smathers, Merrigan & Herlong, 888 17th Street NW., Washington, D.C. 20006.

B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20006.

D. (6) $6,250. E. (9) $142.09.

A. Smathers, Merrigan & Herlong, 888 17th Street NW., Washington, D.C. 20006.

B. The Chicago Board of Trade, LaSalle at Jackson, Chicago, Ill. 60604.

D. (6) $6,000. E. (9) $216.17.

A. Smathers, Merrigan & Herlong, 888 17th Street NW., No. 1200, Washington D.C.

B. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.

D. (6) $6,000. E. (9) $500.56.

A. Donald E. Smiley, 1025 Connecticut Avenue NW., Suite 1014, Washington, D.C. 20036.

B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.

E. (9) $509.56.

A. Arthur J. Smith, Shell Oil Co., 1025 Connecticut Avenue NW., Suite 200, Washington, D.C. 20036.

B. Shell Oil Co., P.O. Box 2463, Houston, Tex. 77001.

D. (6) $500.

A. Gordon L. Smith, 818 18th Street NW., Washington, D.C. 20006.

B. Edward Gottlieb & Associates Ltd., 485 Madison Avenue, New York, N.Y. 10022.

E. (9) $137.21.

A. Hugh H. Smith, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Express Co., 65 Broadway, New York, N.Y. 10006.

A. Hugh H. Smith, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. Engelhard Minerals & Chemical, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Hugh H. Smith, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. Weyerhaeuser Co., Tacoma, Wash. 98401.

D. (6) $150.

A. J. Kenneth Smith, Suite 820, 1800 K Street NW., Washington, D.C., 20006.

B. Sun Oil Co., 240 Radnor-Chester Road, St. Davids, Pa. 19087.

D. (6) $4,500. E. (9) $1,175.

A. James R. Smith, 1600 Wilson Boulevard, Suite 1101, Arlington, Va. 22209.

B. The American Waterways Operators, Inc., 1600 Wilson Boulevard, Suite 1101, Arlington, Va. 22209.

A. Robert B. Smith, Jr., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $298. E. (9) $40.

A. Robert Wm. Smith, Ford Motor Co., 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Ford Motor Co., Dearborn, Mich. 48121.

D. (6) $630. E. (9) $281.

A. William H. Smith, 1120 Connecticut Avenue NW., Washington, D.C., 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

A. Wayne H. Smithey, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $2,465. E. (9) $917.80.

A. Arthur V. Smyth, 1625 I Street NW., Washington, D.C. 20008.

B. Weyerhaeuser Co., Tacoma, Wash. 98401.

D. (6) $3,900.

A. Frank B. Snodgrass, 1100 17th Street NW., Suite 306, Washington, D.C. 20036.

B. Burley and Dark Leaf Tobacco Export Association, 1100 17th Street NW., Suite 306, Washington, D.C. 20036.

D. (6) $640.75.

A. Edward F. Snyder, 245 Second Street NE., Washington, D.C.

B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

D. (6) $2,505.

A. John M. Snyder, 1735 DeSales Street NW., Suite 500, Washington, D.C.

B. Citizens Committee for the Right to Keep and Bear Arms, Bellefield Office Park, 1601 114th SE., Suite 151, Bellevue, Wash. 98004.

D. (6) $3,500.

A. J. R. Snyder, 400 First Street NW., Suite 704, Washington, D.C. 20001.

B. United Transportation Union, 400 First Street NW., Suite 704, Washington D.C. 20001.

E. (9) $250.

A. Society for Animal Protective Legislation, P.O. Box 3719, Georgetown Station, Washington, D.C. 20007.

D. (6) $10,279.38. E. (9) $9,108.46.

A. Carl A. Soderblom, One East First Street, Suite 803, Reno, Nev. 89501.

B. Nevada Railroad Association, One East First Street, Suite 803, Reno, Nev. 89501.

A. Charles B. Sonneborn, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. National Association of Blue Shield Plans, 211 East Chicago Avenue, Chicago, Ill. 60611.

A. Shelby E. Southard, 1828 L Street NW., Suite 1100, Washington, D.C. 20036.

B. Cooperative League of the USA, 1828 L Street NW., Washington, D.C. 20036.

D. (6) $3,000. E. (9) $1,013.50.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex. 75225.

D. (6) $150. E. (9) $150.

A. Charles E. Spahr, 1750 Midland Building, Cleveland, Ohio 44115.

B. The Standard Oil Co. (an Ohio corporation), Midland Building, Cleveland, Ohio 44115.

D. (6) $124.

A. William W. Spear, 1000 16th Street NW., Washington, D.C. 20036.

B. Standard Oil Co. (Indiana), 200 East Randolph Drive, Chicago, Ill. 60601.

D. (6) $623.52. E. (9) $4.73.

A. Frank J. Specht, 1725 DeSales Street NW., Washington, D.C. 20036.

B. Schenley Industries, Inc., 888 Seventh Avenue, New York, N.Y. 10019.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C. 20006.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C. 20006.

A. William S. Spence, P.O. Box 683, Houston, Tex. 77001.

B. Columbia Gulf Transmission Co., Box 683, Houston, Tex. 77001.

D. (6) $20. E. (9) $3.10.

A. Joseph L. Spilman, Jr., 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $483. E. (9) $100.

A. J. Roy Spradley, Jr., 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $500. E. (9) $9.

A. Squibb Corp., 40 West 57th Street, New York, N.Y. 10019.

E. (9) $162.

A. Lynn E. Stalbaum, 30 F Street NW., Washington, D.C. 20001.

B. National Milk Producers Federation, 30 F Street NW., Washington, D.C. 20001.

D. (6) $1,718.75. E. (9) $462.45.

A. The Standard Oil Co. (Ohio), Midland Building, Cleveland, Ohio 44115.

E. (9) $1,854.

A. Harker Stanton, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C. 20005.

A. Melvin L. Stark, 1025 Connecticut Avenue NW., Suite 415—Blake Building, Washington, D.C. 20036.

B. American Insurance Association, 1025

Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.

D. (6) $3,000. E. (9) $350.

A. Leon P. Stavrou, 1730 K Street NW., Washington, D.C. 20006.

B. American Hellenic Institute Public Affairs Committee, Inc., 1730 K Street NW., Suite 903, Washington, D.C. 20006.

D. (6) $487.50.

A. Eugene H. Stearns, South Dakota Petroleum Council, P.O. Box 669, Pierre, S.D. 57501.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $71.68. E. (9) $211.25.

A. David J. Steinberg, 1028 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Council for a Responsible Firearms Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C. 20036.

A. Steinhart, Goldberg, Feigenbaum & Ladar, One Post Street, Suite 3400, San Francisco, Calif. 94104.

B. Valley Center Municipal Water District, Valley Center, Calif. 92082.

D. (6) 1,847.50. E. (9) $164.10.

A. Steptoe & Johnson, 1250 Connecticut Avenue, Washington, D.C. 20036.

B. Atlantic Richfield Co., 515 South Flower Street, Los Angeles, Calif. 90071.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

B. Robert College of Istanbul, Turkey, 380 Madison Avenue, New York, N.Y. 10017.

D. (6) $190. E. (9) $4.

A. Paul W. P. Sternberg, 1750 New York Avenue NW., Washington, D.C. 20006.

B. National Oil Jobbers Council, 1750 New York Avenue NW., Washington, D.C. 20006.

D. (6) $5,250. E. (9) $72.40.

A. Wynne A. Stevens, Jr., 1901 North Fort Myer Drive, Arlington, Va. 22209.

B. Gas Appliance Manufacturers Association, 1901 North Fort Myer Drive, Arlington, Va. 22209.

D. (6) $870.

A. Travis B. Stewart, Hoffman-La Roche Inc., 1775 K Street NW., Washington, D.C. 20006.

B. Hoffmann-La Roche Inc., 340 Kingsland Street, Nutley, N.J. 07110.

D. (6) $375. E. (9) $150.

A. Edward W. Stimpson, 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.

B. General Aviation Manufacturers Association, Inc., 1025 Connecticut Avenue NW., Suite 1215, Washington, D.C. 20036.

D. (6) $525.

A. John D. Stringer, 1776 F Street NW., Washington, D.C. 20006.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill. 60606.

E. (9) $2,650.

A. Stroock, Stroock & Lavan, 1100 Connecticut Avenue, Washington, D.C. 20036.

B. National Music Publishers Association, 110 East 59th Street, New York, N.Y. 10022.

D. (6) $220.

A. William M. Stover, 1825 Connecticut Avenue NW., Washington, D.C. 20009.

B. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C. 20009.

D. (6) $1,000. E. (9) $100.

A. Norman Strunk, 111 East Wacker Drive, Chicago, Ill. 60601.

B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill. 60601.

D. (6) $2,750. E. (9) $587.46.

A. John H. Studebaker, 1019 19th Street NW., Washington, D.C. 20036.

B. United Fresh Fruit & Vegetable Association, 1019 19th Street NW., Washington, D.C. 20036.

D. (6) $200. E. (9) $349.97.

A. Walter B. Stults, 512 Washington Building, Washington, D.C. 20005.

B. National Association of Small Business Investment Cos., 512 Washington Building, Washington, D.C. 20005.

D. (6) $2,400.

A. Roger H. Sullivan, Hawaiian Sugar Planters' Association, 733 Investment Building, Washington, D.C. 20005.

B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. Glenn A. Swanson, 1625 Massachusetts Avenue NW., No. 203, Washington, D.C. 20036.

B. Independent Bankers Association of Ammerica, Sauk Centre, Minn., 56378.

D. (6) $34,992.02. E. (9) $6,661.46.

A. Irving W. Swanson, 1155 15th Street NW., Washington, D.C. 20005.

B. Pharmaceutical Manufacturers Association.

A. Noble J. Swearingen, 101 Second Street NE., Washington, D.C. 20002.

B. American Lung Association, 1740 Broadway, New York, N.Y. 10019.

D. (6) $1,000.

A. David A. Sweeney, 25 Louisiana Avenue NW., Washington, D.C. 20001.

B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C. 20001.

D. (6) $8,749.98.

A. John R. Sweeney, Solar Building, 1000 16th Street NW., Washington, D.C. 20036.

B. Bethlehem Steel Corp., Bethlehem, Pa. 18016.

D. (6) $200. E. (9) $312.80.

A. Ronald E. Sweet, 1126 16th Street NW., Washington, D.C. 20036.

B. International Federation of Professional & Technical Engineers, AFL–CIO, 1126 16th Street NW., Washington, D.C. 20036.

D. (6) $350. E. (9) $20.

A. Russell A. Swindell, P.O. Box 2635, Raleigh, N.C. 27602.

B. North Carolina Railroad Association, P.O. Box 2635, Raleigh, N.C. 27602.

D. (6) $336.60. E. (9) $448.71.

A. Charles C. Talley, 100 Angus Court, Charlottesville, Va. 22901.

B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. William A. Taylor, Mississippi Petroleum Council, P.O. Box 42, Jackson, Miss. 39205.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $161.60. E. (9) $342.92.

A. William K. Tell, Jr., 1001 Connecticut Avenue NW., Washington, D.C. 20036.

B. Texaco Inc., 135 East 42d Street, New York, N.Y. 10017.

D. (6) $75.

A. Paul Tendler, 1030 15th Street NW., Washington, D.C. 20005.

B. American Nurses' Association, Inc., 2420 Pershing Road, Kansas City, Mo. 64108.

D. (6) $4,990.84. E. (9) $4,990.84.

A. L. D. Tharp, Jr., 1660 L Street NW., Suite 601, Washington, D.C. 20036.

B. Interstate Natural Gas Association of America, 1660 L Street NW., Suite 601, Washington, D.C. 20036.

D. (6) $300.

A. J. Woodrow Thomas Associates, Inc., 734 15th Street NW., Suite 600, Washington, D.C. 20005.

B. Avis Rent-A-Car System, Inc., 900 Old Country Road, Garden City, N.Y. 11530.

D. (6) $1,000.

A. J. Woodrow Thomas Associates, Inc., 734 15th Street NW., Suite 600, Washington, D.C. 20005.

B. REA Express, Inc., 219 East 42d Street, New York, N.Y. 10017.

D. (6) $3,000.

A. Fred D. Thompson, Thompson, Liebengood & Crawford, First American Center, 15th Floor, Nashville, Tenn. 37238.

B. Westinghouse Electric Corp., 1801 K Street NW., Washington, D.C. 20006.

E. (9) $1,394.24.

A. Jerry P. Thompson, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

B. International Association of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $3,432. E (9) $269.30.

A. William D. Thompson, 1660 L Street NW., Suite 804, Washington, D.C. 20036.

B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

D. (6) $3,000. E. (9) $3,393.09.

A. Robert T. Thornburg, Minnesota Petroleum Council, 1020 Northern Federal Building, St. Paul, Minn. 55102.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $530. E. (9) $480.20.

A. George W. Thorpe, One National Data Plaza, Atlanta, Ga. 30329.

B. National Data Corp., One National Data Plaza, Atlanta, Ga. 30329.

A. Cyrus C. Tichenor III, 815 Connecticut Avenue NW., Suite 1007, Washington, D.C. 20006.

B. A. H. Robins Co., Inc., 1407 Cummings Drive, Richmond, Va. 23220.

D. (6) $5,500. E. (9) $4,518.77.

A. Drew V Tidwell, 1725 K Street NW., Washington, D.C. 20006.

B. Consumer Bankers Association, 1725 K Street NW., Washington, D.C. 20006.

D. (6) $2,000. E. (9) $2032.13.

A. Paul J. Tierney, 1100 17th Street NW., Washington, D.C. 20036.

B. Transportation Association of America, 1100 17th Street NW., Washington, D.C. 20036.

D. (6) $60. E. (9) $110.

A Wallace Tillman, 2000 Florida Avenue NW., Washington, D.C. 20009.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C. 20009.

D. (6) $175.50.

A. Timmons & Co., Inc., 1776 F Street NW., Washington, D.C. 20006.

B. Association of Trial Lawyers of America, 1620 I Street NW., Washington, D.C. 20006.

D. (6) $276.

A. Timmons & Co., Inc., 1776 F Street NW., Washington, D.C. 20006.

B. Riviana Foods, Inc., Post Office Box 2636, Houston, Tex. 77001.

D. (6) $120.

A. Timmons & Co., Inc., 1776 F Street NW., Washington, D.C. 20006.

B. Standard Oil Co. of Indiana, 1000 16th Street NW., Washington, D.C. 20036.

D. (6) $625.

A. Michael L. Tiner, 1775 K Street NW., Washington, D.C. 20006.

B. Retail Clerks International Association, AFL–CIO, 1775 K Street NW., Washington, D.C. 20006.

D (6) $3,429.53. E. (9) $491.25.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C. 20006.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C. 20036.

E. (9) $2,011.

A. Patrick F. Tobin, 417 4th Street SE, Washington, D.C. 20003.

B. International Longshoremen's and Warehousemen's Union, 1188 Franklin Street, San Francisco, Calif. 94109.

D. (6) $4,647.

A. H. Willis Tobler, 1735 I Street, Washington, D.C. 20006.

B. E. A. Jaenke & Associates, Inc., 1735 I Street NW., Suite 610, Washington, D.C. 20006.

D. (6) $750.

A. David R. Toll, 1140 Connecticut Avenue, No. 1010, Washington, D.C. 20036.

B. National Association of Electric Companies, 1140 Connecticut Avenue NW., No. 1010, Washington, D.C. 20036.

D. (6) $975. E. (9) $481.90.

A. John Tope, 1101 15th Street NW., Washington, D.C. 20005.

B. Republic Steel Corporation, Republic Building, Cleveland, Ohio 44101.

A. John P. Tracey.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C. 20036.

D. (6) $400. E. (9) $50.

A. Transportation Association of America, 1100 17th Street NW., Suite 1107, Washington, D.C. 20036.

E. (9) $88.

A. W. M. Trevarrow, 976 National Press Building, Washington, D.C. 20045.

B. American Motors Corporation, 14250 Plymouth Road, Detroit, Mich. 48232.

D. (6) $4,130. E. (9) $187.50.

A. John P. Trimmer, 1156 15th Street NW., Suite 731, Washington, D.C. 20005.

B. Associated Builders & Contractors, Inc., 1156 15th Street NW., Suite 731, Washington, D.C. 20005.

D. (6) $3200. E. (9) $3263.

A. Glenwood S. Troop, Jr., 1709 New York Avenue NW., Suite 801, Washington, D.C. 20006

B. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.

D. (6) $6,875. E. (9) $118.95.

A. Francis J. Tucker, Haverford Towers, Haverford, Pa. 19041.

B. Penn Central Co., No. 3 Penn Center Plaza, Room 823, Philadelphia, Pa. 19102.

D. (6) $500. E. (9) $177.01.

A. Ronald Tullos, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $350. E. (9) $25.60.

A. C. Roger Turner, 1106 Paper Mill Road, Wyndmoor, Pa. 19118.

B. Penn Central Co., No. 3 Penn Center Plaza, Room 823, Philadelphia, Pa. 19102.

D. (6) $2,400. E. (9) $274.66.

A. John G. Turner, Jr., Suite 1204, 1700 K Street NW., Washington, D.C. 20006.

B. Chevron Oil Co., a subsidiary of Standard Oil Co. of California, Suite 1204, 1700 K Street NW., Washington, D.C. 20006.

D. (6) $150. E. (9) $51.40.

A. Richard F. Turney, 1725 K Street NW., Washington, D.C. 20006.

B. Courtney & McCamant, 1725 K Street NW., Washington, D.C. 20006.

D. (6) $300.

A. Joseph D. Tydings, Danzansky, Dickey, Tydings, Quint & Gordon, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20006; Danzansky, Dickey, Tydings, Quint & Gordan, 1120 Connecticut Avenue NW., Washington, D.C.

A. Wayne Underwood, 1030 15th Street NW., Washington, D.C.

B. American Seed Trade Association, Suite 964, 1030 15th Street NW., Washington, D.C. 20005.

A. United Brotherhood of Carpenters and Joiners of America, 101 Constitution Avenue NW., Washington, D.C. 20001.

E. (9) $16,010.83.

A. United Egg Producers, 1001 International Boulevard, Suite 1105, Atlanta, Ga. 30354.

E. (9) $1,350.

A. United Mine Workers of America, 900 15th Street NW., Washington, D.C. 20005.

E. (9) $2,525.53.

A. U.S. Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C. 20036.

E. (9) $353.18.

A. United States League of Savings Associations, 111 East Wacker Drive, Chicago, Ill.

E. (9) $65,008.58.

A. Herbert C. Upson, 260 Madison Avenue, New York, N.Y. 10016.

B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. J. Joseph Vacca, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C. 20001.

D. (6) $3,426.61.

A. Jack J. Valenti, 1600 I Street NW., Washington, D.C. 20006.

B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D.C.

A. John A. Vance, 1150 17th Street NW., No. 1109, Washington, D.C. 20036.

B. Pacific Gas & Electric Co., 77 Beale Street, San Francisco, Calif. 94106.

D. (6) $962.50. E. (9) $705.44.

A. Ted Van Dyk Associates, Inc., 1156 15th Street NW., Suite 912, Washington, D.C. 20005.

B. United Airlines, P.O. Box 66100, Chicago, Ill. 60666.

E. (9) $17.80.

A. Gerard J. VanHeuven, 100 NE. Adams Street, Peoria, Ill. 61629.

B. Caterpillar Tractor Co., 100 NE. Adams Street, Peoria, Ill. 61629.

D. (6) $450. E. (9) $102.68.

A. Lois Van Valkenburgh, 1673 Preston Road, Alexandria, Va. 22302.

B. Citizens Committee for UNICEF, 110 Maryland Avenue NE., Washington, D.C. 20002.

D. (6) $187.50.

A. Jerry T. Verkler, 1660 L Street NW., Suite 901, Washington, D.C. 20036.

B. Texas Eastern Transmission Corp., P.O. Box 2521, Houston, Tex. 77001.

E. (9) $495.37.

A. Richard E. Vernor, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $150.

A. R. Eric Vige, 1660 L Street NW., Washington, D.C. 20036.

B. Cities Service Co., 1660 L Street NW., Washington, D.C. 20036.

A. Elizabeth Alderman Vinson, 1730 M Street NW., Washington, D.C. 20036.

B. League of Women Voters of the U.S., 1730 M Street NW., Washington, D.C. 20036.

D. (6) $750.

A. Walter D. Vinyard, Jr., 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.

B. American Insurance Association, 1025 Connecticut Avenue NW., Suite 415, Washington, D.C. 20036.

D. (6) $1,500. E. (9) $250.

A. Andrew Vitali, Jr., 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1802 K Street NW., Washington, D.C. 20006.

D. (6) $3,000. E. (9) $400.

A. Donn L. Waage, 730 15th Street NW., Washington, D.C. 20005.

B. Association of Registered Bank Holding Cos., 730 15th Street NW., Washington, D.C. 20005.

D. (6) $250. E. (9) $64.50.

A. Robert J. Wager.

B. American Bankers Association, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $1,437.50. E. (9) $9.60.

A. Jerome R. Waldie, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. Alameda Naval Employees' Association, Alameda Naval Air Station, Alameda, Calif.

D. (6) $750. E. (9) $554.18.

A. Jerome R. Waldie, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. American Association of Independent News Distributors, 50 California Street, San Francisco, Calif. 94111.

D. (6) $2,000. E. (9) $165.05.

A. Jerome R. Waldie, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. Friends of Earth, 529 Commercial, San Francisco, Calif. 94111.

D. (6) $624. E. (9) $250.

A. Jerome R. Waldie, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. National Association of Letter Carriers, 100 Indiana Avenue, Washington, D.C. 20001.

D. (6) $8,739.98. E. (9) $292.29.

A. Jerome R. Waldie, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. Recording Industry Association of America, 1 East 57th Street, New York, N.Y. 10022.
D. (6) $4,998. E. (9) $352.23.

A. Robert E. Waldron, Associated Petroleum Industries of Michigan, 930 Michigan National Tower, Lansing, Mich. 48933.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $368.75.

A. E. F. Waldrop, Jr., 40 Ivy Street SE., Washington, D.C. 20003.
B. Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.
D. (6) $1,849.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Allen Products Co., Inc., P.O. Box 2187, R.D. No. 3, Allentown, Pa. 18001.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Allied Chemical Corp., P.O. Box 1057R, Morristown, N.J. 07960.
D. (6) $50.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Aluminum Co. of America, Washington, D.C. 20006.
D. (6) $407.14.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Bethlehem Steel Corp., Bethlehem, Pa. 18016.
D. (6) $50.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Cigar Association of America, Inc., 575 Madison Avenue, New York, N.Y. 10022.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Federal National Mortgage Association, 1133 15th Street NW., Washington, D.C. 20005.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Ford Motor Co., The American Road, Dearborn, Mich. 48121.
D. (6) $407.14.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Electric Co., Washington, D.C. 20005.
D. (6) $407.14.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. General Motors Corp., General Motors Building, Detroit, Mich. 48202.
D. (6) $50.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. International Paper Co., 1620 I Street, Suite 700, Washington, D.C. 20006.
D. (6) $357.14.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Laredo National Bank, et al.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Steel Corp., 2800 Grant Building, Pittsburgh, Pa. 15219.
D. (6) $50.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Procter & Gamble, Cincinnati, Ohio 45201.
D. (6) $357.14.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Goodyear Tire & Rubber Co., 1800 K Street NW., Washington, D.C. 20006.
D. (6) $357.14.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017.
D. (6) $407.14.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. United States Steel Corp., 1625 K Street NW., Washington, D.C. 20006.
D. (6) $50.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Weyerhaeuser Co., Tacoma, Wash. 98401.
D. (6) $50.

A. Charls E. Walker Associates, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Wheelabrator-Frye, Inc., 299 Park Avenue, New York, N.Y. 10017.
E. (9) $5.

A. Carl S. Wallace, 1800 K Street NW., Suite 614, Washington, D.C. 20006.
B. Bipartisan Committee on Absentee Voting, Inc., 1800 K Street NW., Suite 614, Washington, D.C. 20006.
E. (9) $206.21.

A. Carl S. Wallace, 1800 K Street NW., Suite 614, Washington, D.C. 20006.
B. Purolator, Inc., 970 New Brunswick Avenue, Rahway, N.J. 07065.
D. (6) $105.40. E. (9) $3.90.

A. Lionel L. Wallenrod, 260 Madison Avenue, New York, N.Y. 10016.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y. 10016.

A. Jack A. Waller, 1750 New York Avenue NW., Washington, D.C. 20006.
B. International Association of Firefighters, 1750 New York Avenue NW., Washington, D.C. 20006.
D. (6) $13,901.50.

A. Charles S. Walsh.
B. National Cable TV Association, Inc., 918 16th Street NW., Washington, D.C.
D. (6) $127.50. E. (9) $15.

A. J. W. Walsh, 400 First Street NW., Washington, D.C. 20001.
B. Brotherhood of Railroad Signalmen, 601 West Golf Road, Mt. Prospect, Ill. 60056.
D. (6) $350.

A. Johnnie M. Walters, 1730 Pennsylvania Avenue NW., Suite 1060, Washington, D.C. 20006.
B. Vepco, Seventh & Franklin Streets, Richmond, Va.
D. (6) $300. E. (9) $5.

A. William A. Walton, 800 Merchants National Bank Building, Eighth and Jackson Streets, Topeka, Kans. 66612.
B. Kansas Railroad Committee, 800 Merchants National Bank Building, Eighth and Jackson Streets, Topeka, Kans. 66612.
D. (6) $1,281.75. E. (9) $505.56.

A. Richard D. Warden, 1125 15th Street NW., Washington, D.C. 20005.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 8000 East Jefferson Avenue, Detroit, Mich. 48214.
D. (6) $6,960.74. E. (9) $668.30.

A. Jack Ware, 1801 K Street NW., Washington, D.C. 20006.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $2,964. E. (9) $82.65.

A. Michael O. Ware, 1776 F Street NW., Washington, D.C. 20006.
B. National Association of Manufacturers, 1776 F Street NW., Washington, D.C. 20006.

A. Washington Board of Realtors, 1511 K Street NW., No. 439, Washington, D.C. 20005.

A. Washington Research Project Action Council, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.
D. (6) $2,730. E. (9) $2,564.93.

A. Robert B. Washington, 1120 Connecticut Avenue NW., Washington, D.C. 20036.
B. Potomac Electric Power Co., 1900 Pennsylvania Avenue NW., Washington, D.C. 20006; Danzansky, Dickey, Tydings, Quint & Gordon, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

A. George A. Watson, Suite 800, 1612 K Street NW. 20006.
B. The Ferroalloys Association, Suite 800, 1612 K Street NW. 20006.
E. (9) $1,500.

A. Ralph J. Watson, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Rockwell International Corp.
D. (6) $400. E. (9) $195.75.

A. George B. Watts, 1155 15th Street NW., Washington, D.C. 20005.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C. 20005.
D. (6) $300.

A. W. H. Weatherspoon, North Carolina Petroleum Council, P.O. Box 167, Raleigh, N.C. 27602.
B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.
D. (6) $200. E. (9) $150.

A. Clyde M. Webber, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
B. American Federation of Government Employees, 1325 Massachusetts Avenue NW., Washington, D.C. 20005.
D. (6) $12,314.40. E. (9) $1,690.35.

A. Webster, Kilcullen & Chamberlain, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Paratransit Institute, 222 Wisconsin Avenue, Lake Forest, Ill. 60045.

A. Webster, Kilcullen & Chamberlain, 1947 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. American Society of Association Executives, 1101 16th Street NW., Washington, D.C. 20036.

A. Webster, Kilcullen & Chamberlain, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Sand Springs Home, c/o E. J. Doerner, 1200 Atlas Life Building, Tulsa, Okla.

E. (9) $2.

A. Webster, Kilcullen & Chamberlain, 1747 Pennsylvania Avenue NW., Washington, D.C. 20015.

B. Truck Body & Equipment Association, Inc., Suite 1220, 5530 Wisconsin Avenue NW., Washington, D.C. 20015.

D. (6) $5,790. E. (9) $44.60.

A. Theodore F. Weihe, 1730 M Street NW., Washington, D.C. 20036.

B. League of Women Voters of the United States, 1730 M Street NW., Washington, D.C. 20036.

D. (6) $650.

A. David M. Weiman.

B. The Farmers' Educational and Co-Operative Union of America, 1012 14th Street NW., Washington, D.C.

D. (6) $1,569.24. E. (9) $54.05.

A. Weisman, Celler, Spett, Modlin & Wertheimer, 1025 Connecticut Avenue NW., Suite 910, Washington, D.C. 20036.

B. Beneficial Management Corp., 200 South Street, Morristown, N.J.

D. (6) $2,000.

A. Weisman, Celler, Spett, Modlin & Wertheimer, 1025 Connecticut Avenue NW., Suite 910, Washington, D.C. 20036.

B. National Football League Players Association, 1300 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $2,000.

A. Morton N. Weiss, 55 Broad Street, New York, N.Y. 10004.

B. National Security Traders Association, Inc., 55 Broad Street, New York, N.Y. 10004.

D. (6) $1,500. E. (9) $242.35.

A. Thomas F. Wenning, 1625 K Street NW., Washington, D.C. 20006.

B. National Association of Retail Grocers of the United States, 2000 Spring Road, Oak Brook, Ill.

D. (6) $25. E. (9) $2.

A. Fred M. Wertheimer, 2030 M Street NW., Washington, D.C. 20036.

B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.

D. (6) $8,250. E. (9) $182.97.

A. Harry H. Westbay III, 1625 I Street NW., Suite 805, Washington, D.C. 20006.

B. St. Regis Paper Co., 150 East 42d Street, New York, N.Y. 10017.

D. (6) $300. E. (9) $150.

A. West Mexico Vegetable Distributors Association, P.O. Box 848, Nogales, Ariz. 85621.

E. (9) $500.

A. Harvey J. Wexler, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Continental Airlines, Los Angeles International Airport, Los Angeles, Calif. 90009.

D. (6) $200. E. (9) $299.90.

A. Clyde A. Wheeler, Jr., 1800 K Street NW., Suite 820, Washington, D.C. 20006.

B. Sun Oil Co., 240 Radnor-Chester Road, St. Davids, Pa. 19087.

D. (6) $10,000. E. (9) $2,025.

A. Wheeler, Van Sickle & Anderson, 25 West Main Street, Madison, Wis. 53703.

B. Marshall & Ilsley Bank, 770 North Water Street, Milwaukee, Wis. 53202.

A. White & Case, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. North American Car Corp., 222 South Riverside Plaza, Chicago, Ill. 60606.

E. (9) $5.

A. John C. White, Room 1008, 1101 17th Street NW., Washington, D.C. 20036.

B. Private Truck Council of America, Inc., Room 1008, 1101 17th Street NW., Washington, D.C. 20036.

A. John S. White, Marathon Oil Co., 1625 I Street NW., Suite 420, Washington, D.C. 20006.

B. Marathon Oil Co., Findlay, Ohio 45840.

E. (9) $763.37.

A. Douglas Whitlock II, 1660 L Street NW., Suite 512, Washington, D.C. 20036.

B. Zale Corp., 1660 L Street, Suite 512, Washington, D.C. 20036.

D. (6) $500. E. (9) $150.

A. H. Philip Whitworth, Jr., P.O. Box 1148, Austin, Tex. 78767.

B. Texas Power & Light Co., Dallas, Tex.; Texas Electric Service Co., Fort Worth, Tex.; Dallas Power & Light Co., Dallas, Tex.; Central Power & Light Co., Corpus Christi, Tex.; West Texas Utilities, Abilene, Tex.

E. (9) $498.90.

A. Leonard M. Wickliffe, 1620 I Street NW., Suite 615, Washington, D.C. 20006.

B. California Railroad Association, Eleventh and L Building, Sacramento, Calif. 95814.

D. (6) $8,750.01. E. (9) $4,430.52.

A. Louise Wides, 208 Ninth Street SE., Washington, D.C. 20003.

B. Center for Public Financing of Elections, 201 Massachusetts Avenue NE., Washington, D.C. 20002.

D. (6) $2,423.23.

A. Richard J. Wiechmann, 260 Madison Avenue, New York, N.Y. 10016.

B. American Paper Institute, 260 Madison Avenue, New York, N.Y. 10016.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y. 10017.

E. (9) $1,072.08.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Arapahoe Tribe of Indians, Fort Washakie, Wyo.

E. (9) $72.90.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Association of Data Processing Service Organizations, Inc., 420 Lexington Avenue, New York, N.Y. 10017.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Bonneville International Corp., 136 East South Temple, Salt Lake City, Utah.

E. (9) $64.34.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Brigham Young University, Provo, Utah.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. College Placement Council, Inc., 65 East Elizabeth Street, Bethlehem, Pa.

E. (9) $143.89.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.

E. (9) $113.92.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Estate of Albert W. Small, c/o Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. The Hoopa Valley Tribe, P.O. Box 817, Hoopa, Calif.

E. (9) $53.26.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Nana Regional Corp., Inc., Box 48, Kotzebue, Alaska 99752.

E. (9) $403.41.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. National Association of Insurance Agents, Inc., 85 John Street, New York, N.Y. 10038.

E. (9) $6.75.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. Quinaielt Tribe of Indians, Taholah, Wash.

E. (9) $30.73.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

E. (9) $63.92.

A. Wilkinson, Cragun & Barker, 1735 New York Avenue NW., Washington, D.C. 20006.

B. U.S. National Bank, Medford, Oreg., acting for the "Remaining Members" of the Klamath Indian Tribe, Oreg.

E. (9) $34.43

A. Williams, Connolly & Califano, 1000 Hill Building, Washington, D.C. 20006.

B. The Coca-Cola Co., P.O. Drawer 1734, Atlanta, Ga. 30301.

D. (6) $225. E. (9) $2.

A. Williams, Connolly & Califano, 1000 Hill Building, Washington, D.C. 20006.

B. Pfizer, Inc., 235 East 42d Street, New York, N.Y. 10017.

A. Francis G. Williams.

B. American Frozen Food Institute, 919 18th Street NW., Washington, D.C. 20006.

D. (6) $50.

A. Williams & King, 1620 I Street NW., Washington, D.C. 20006.

B. National Nutritional Foods Association, 7727 South Painter Avenue, Whittier, Calif. 90602.

D. (6) $7,500. E. (9) $424.50.

A. Robert E. Williams, 1825 K Street NW., Washington, D.C.

B. United Airlines, P.O. Box 66100, Chicago, Ill. 60666.

D. (6) $1,250. E. (9) $765.22.

A. Robert G. Williams, 2020 14th Street North, Arlington, Va. 22201.

B. The Trane Co., 3600 Pammel Creek Road, La Crosse, Wis. 54601.

D. (6) $462.50. E. (9) $109.40.

A. Samuel M. Williams, 1515 Wilson Boulevard, Arlington, Va. 22209.

B. American Gas Association, 1515 Wilson Boulevard, Arlington, Va. 22209.

D. (6) $1,425. E. (9) $500.

A. George S. Wills, Hill and Knowlton, Inc., 1425 K Street NW., Washington, D.C. 20005.

B. Hill and Knowlton, Inc., 633 Third Avenue, New York, N.Y. 10017.

D. (6) $175. E. (9) $15.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.

B. Dealer Bank Association, P.O. Box 8796, St. Louis, Mo. 63102.

D. (6) $1,073.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.

B. Manufacturing Chemists Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,576. E. (9) $92.20.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.

B. Oil Investment Institute, 2500 Dunstan, Houston, Tex. 77005.

A. Wilmer, Cutler & Pickering, 1666 K Street NW., Washington, D.C. 20006.

B. Marianas Political Status Commission, P.O. Box 977, Saipan, Marianas Islands 95650.

A. W. E. Wilson, 623 Ockley Drive, Shreveport, La. 71106.

B. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.

D. (6) $937.50. E. (9) $57.50.

A. R. J. Winchester, 900 Southwest Tower, Houston, Tex. 77002.

B. Pennzoil Co., 900 Southwest Tower, Houston, Tex. 77002.

D. (6) $7,200. E. (9) $3,250

A. Winston & Strawn, Suite 1040, 1730 Pennsylvania Avenue, Washington, D.C. 20006.

B. Gould, Inc., 8550 West Bryn Mawr Avenue, Chicago, Ill. 60631.

D. (6) $637.50. E. (9) $179.97.

A. Winston & Strawn, Suite 1040, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. International Council of Shopping Centers, 445 Park Avenue, New York, N.Y. 10022.

D. (6) $225. E. (9) $518.30.

A. Russell C. Wisor, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C. 20036.

D. (6) $4,525. E. (9) $713.03.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo. 80202.

B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo. 80202.

D. (6) $800. E. (9) $1,825.

A. Glenn P. Witte, 1105 Barr Building, Washington, D.C. 20006.

B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C. 20006.

A. James E. Wolf, 2020 14th Street North, Arlington, Va. 22201.

B. The Trane Co., 3600 Pammel Creek Road, La Crosse, Wis. 54601.

D. (6) $600 E. (9) $20.40.

A. Sidney M. Wolfe, 2000 P Street NW., Suite 708, Washington, D.C. 20036.

B. Health Research Group, 2000 P Street NW., Suite 708, Washington, D.C. 20036.

A. Nathan T. Wolkomir, 1737 H Street NW., Washington, D.C. 20006.

B. National Federation of Federal Employees, 1737 H. Street NW., Washington, D.C. 20006.

D. (6) $9,693.60. E. (9) $3,436.02.

A. David G. Wood, 1825 K Street NW., Washington, D.C. 20006.

B. United Airlines, P.O. Box 66100, Chicago, Ill. 60666.

D. (6) $1,230. E. (9) $487.46.

A. Merle E. Wood, 10236 Bunker Ridge Road, Kansas City, Mo. 64137.

B. Marion Laboratories, Inc., 10236 Bunker Ridge Road, Kansas City, Mo. 64137.

D. (6) $550. E. (9) $555.12.

A. Merle E. Wood, 10236 Bunker Ridge Road, Kansas City, Mo. 64137.

B. Ewing M. Kauffman, Marion Laboratories, Inc., 10236 Bunker Ridge Road, Kansas City, Mo. 64137.

D. (6) $400. E. (9) $450.

A. Albert Young Woodward, 1625 I Street NW., Washington, D.C.

B. The Flying Tiger Line Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Perry W. Woofter, 1801 K Street NW., Washington, D.C. 20006.

B. American Petroleum Institute, 1801 K Street NW., Washington, D.C. 20006.

D. (6) $9,900. E. (9) $152.60.

A. George M. Worden, 1425 K Street NW., No. 1000, Washington, D.C. 20005.

B. Hill & Knowlton, Inc., 1425 K Street N.W., No. 1000, Washington, D.C. 20005.

A. Edward E. Wright, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Rubber Manufacturers Association, 1901 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $5,400.

A. Wyatt and Saltzstein, 1300 Wyatt Building, Washington, D.C. 20005.

B. American Business Press, Inc., 205 East 42d Street, New York, N.Y. 10017.

D. (6) $2,250. E. (9) $100.

A. Dennis M. Yamamoto, American Optometric Association, 1730 M Street NW., Washington, D.C. 20036.

B. American Optometric Association, c/o Alvin Levin, O.D., 120 S. Hanover Street, Carlisle, Pa. 17013.

D. (6) $266.22. E. (9) $270.20.

A. Jack Yelverton, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.

B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C. 20036.

A. John H. Yingling, 1156 15th Street NW., Suite 701, Washington, D.C. 20005.

B. First National City Bank, 399 Park Avenue, New York, N.Y. 10022.

D. (6) $200. E. (9) 138.75.

A. Young, Kaplan & Edelstein, 277 Park Avenue, New York, N.Y. 10017.

B. Starrett Housing Corp., 909 Third Avenue, New York, N.Y. 10022.

D. (6) $10,000.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $8,073. E. (9) $285.69.

A. Robert J. Young, Suite 1014, 1025 Connecticut Avenue NW., Washington, D.C. 20036.

B. Exxon Corp., 1251 Avenue of the Americas, New York, N.Y.

E. (9) $117.75.

A. Eugene A. Yourch, 17 Battery Place North, New York, N.Y. 10004.

B. Federation of American Controlled Shipping, 17 Battery Place North, New York, N.Y. 10004.

A. John S. Zapp, 1776 K Street NW., Washington, D.C. 20006.

B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

D. (9) $2,400. E. (9) $654.

A. Thomas K. Zaucha, 1725 I Street NW., Washington, D.C. 20006.

B. National Association of Food Chains, 1725 I Street NW., Washington, D.C. 20006.

E. (9) $500.

A. Donald P. Zeifang, 1771 N Street NW., Washington, D.C. 20036.

B. National Association of Broadcasters, 1771 N Street NW., Washington, D.C. 20036.

D. (6) $3,000. E. (9) $555.92.

A. Roger H. Zion, Resources Development, Inc., 1155 15th Street NW., Suite 418, Washington, D.C. 20005.

B. Appalachian Organization of Surface Miners, Wise, Va.

D. (6) $750. E. (9) $750.

A. Charles O. Zuver, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $4,000. E. (9) $121.69.

*All alphanumeric characters and monetary amounts refer to receipts and expenditures on page 2, paragraphs D and E of the Quarterly Report Form.

The following reports for the first calendar quarter of 1975 were received too late to be included in the published reports for that quarter:

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ <

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report. <

AFFIDAVIT

[Omitted in printing]

PAGE 1 <

A. Action for Legal Rights, Inc., 2030 M Street NW., Room 300, Washington, D.C. 20037.
D. (6) $464.62.

A. Actors Equity Association, 1500 Broadway, New York, N.Y. 10036.
D. (6) $2,500. E. (9) $2,500.

A. Thaddeus A. Adams, III, 925 15th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 925 15th Street NW., Washington D.C. 20005.
D. (6) $1,812.50.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $300.

A. Ad Hoc Committee of Concerned Cable Television Operators For a Fair Copyright Law, P.O. Box 389, Painted Post, N.Y. 14870.
D. (6) $7,717.37. E. (9) $7,203.34.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C. 20001.
D. (6) $3,000. E. (9) $2,841.99.

A. Air-Conditioning & Refrigeration Institute, 1815 North Fort Myer Drive, Arlington, Va. 22209.
D. (6) $815.10. E. (9) $744.

A. Alaskan Arctic Gas Pipeline Co., P.O. Box 979, Alaska Mutual Bank Building, Anchorage, Alaska 99510.
E. (9) $8,425.

A. John L. Altieri, Jr., 20 Broad Street, New York, N.Y. 10005.
B. Trustees of Erie Lackawanna Railway Co., Midland Building, Cleveland, Ohio.

A. American Association of University Women, 2401 Virginia Avenue NW., Washington, D.C. 20037.
D. (6) $514. E. (9) $14,996.85.

A. American Civil Liberties Union, 22 East 40th Street, New York, N.Y. 10016.
D. (6) $34,579.05. E. (9) $34,579.05.

A. American Conservative Union, 422 First Street SE., Washington, D.C. 20003.
D. (6) $17,965.06. E. (9) $23,411.41.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $4,758. E. (9) $4,758.

A. American Institute of Merchant Shipping, 1625 K Street NW., Washington, D.C. 20006.
E. (9) $2,512.64.

A. American League of Anglers, Inc., 810 18th Street NW., Washington, D.C. 20006.
D. (6) $11,314. E. (9) $13,224.06.

A. American Society of Radiologic Technologists, 500 North Michigan Avenue, Suite 836, Chicago, Ill. 60611.
D. (6) $4,973.38. E. (9) $5,503.61.

A. American Veterinary Medical Association, 1522 K Street NW., Suite 828, Washington, D.C. 20005.
E. (9) $310.

A. William C. Anderson, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $2,750. E. (9) $28.45.

A. Leonard Appel, Wilson, Woods & Villalon, 425 13th Street NW., Suite 1032, Washington, D.C. 20004.
B. Everett Terminal Co., Inc., P.O. Box 1478, Hewitt Avenue Marine Terminal, Everett, Wash. 93206.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Commissioner of Baseball, 15 West 51st Street, New York, N.Y. 10019.
E. (9) $54.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Montgomery County, Md., Lawyers Association, c/o George Ballman, 3720 Farragut Street, Kensington, Md. 20795.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Puerto Rican Government, Economic Development Administration, GPO Box 2350, San Juan, P.R. 00936.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. Recording Industry Association of America, Inc., 1 East 57th Street, New York, N.Y. 20022.
D. (6) $20,172. E. (9) $1,108.63.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C. 20036.
B. State Farm Mutual Automobile Insurance Co., One State Farm Plaza, Bloomington, Ill. 61701.
E. (9) $4,500.

A. Associated Credit Bureaus, Inc., 6767 Southwest Freeway, Houston, Tex.
E. (9) $363.71.

A. Associated Employers Inc., 8107 Broadway, Suite 202, San Antonio, Tex. 78209.

A. Association for the Advancement of Psychology, 1200 17th Street NW., Washington, D.C. 20036.
D. (6) $4,300. E. (9) $4,300.

A. Association of American Publishers, 1920 L Street, NW., Room 750, Washington, D.C. 20036.
D. (6) $5,076.67. E. (9) $5,076.67.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C. 20006.
E. (9) $425.

A. Authors League of America, Inc., 234 West 44th Street, New York, N.Y. 10036.
D. (6) $358.58. E. (9) $358.58.

A. Automotive Parts and Accessories Association, Inc., 1730 K Street NW., Washington, D.C. 20006.
E. (9) $2889.72.

A. Carl E. Bagge, Coal Building, Washington, D.C. 20036.
B. National Coal Association, Coal Building, Washington, D.C. 20036.
E. (9) $2,375.53.

A. Markham Ball, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Cooperative for American Relief Everywhere, Inc., 600 First Avenue, New York, N.Y.

A. Sheila M. Bamberger, 1133 20th Street NW., Washington, D.C. 20036.
B. National Canners Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $500. E. (9) 79.95.

A. Robert D. Bannister, 925 15th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 925 15th Street NW., Washington, D.C. 20005.
D. (6) $1,787.50. E. (9) $131.27.

A. Jo Ann S. Barefoot, 925 15th Street NW., Washington, D.C. 20005.
B. National Association of Realtors, 925 15th Street NW., Washington, D.C. 20005.
D. (6) $1,156.

A. Joseph Baroody, 1100 17th Street NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $300. E. (9) $150.

A. Barrett Smith Schapiro & Simon, 26 Broadway, New York, N.Y. 10004.
B. New York Cocoa Exchange, Inc., 127 John Street, New York, N.Y. 10038; New York Coffee and Sugar Exchange, Inc., 79 Pine Street New York, N.Y. 10005.
D. (6) $275.

A. Davis M. Batson, 1155 15th Street NW., Suite 611, Washington, D.C. 20005.
B. Ethyl Corp., 1155 15th Street NW., Suite 611, Washington, D.C. 20005.
E. (9) $800.

A. R. C. Beerbower, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building NW., Washington, D.C. 20036.

A. C. Thomas Bendorf, 1620 I Street NW., Washington, D.C. 20006.
B. Association of Trial Lawyers of America.
D. (6) $3,000. E. (9) $150.

A. Linda M. Billings, Sierra Club, 324 C Street SE., Washington, D.C. 20003.
B. Sierra Club, 220 Buch Street, San Francisco, Calif. 94104.
D. (6) $3,825. E. (9) $320.

A. Brent Blackwelder, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.
D. (6) $817.71.

A. Richard W. Blake, 1776 K Street NW., Washington, D.C. 20006.
B. National Sugarbeet Growers Federation, Greeley National Plaza, Suite 740, Greeley, Colo. 80631; 1776 K Street, Washington, D.C. 20006.
D. (6) $120.

A. Larry Blanchard, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $1,333. E. (9) $145.58.

A. Richard W. Bliss, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building NW., Washington, D.C. 20036.
D. (6) $15. E. (9) $21.

A. Seth M. Bodner, 1101 15th Street NW., Washington, D.C. 20005.
B. Lead-Zinc Producers Committee, 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $1,051.32.

A. Rodney A. Bower, 1126 16th Street NW., Room 200, Washington, D.C. 20036.
B. International Federation of Professional and Technical Engineers, AFL–CIO, 1126 16th Street NW., Room 200, Washington, D.C. 20036.
D. (6) $240. E. (9) $20.

A. Melvin J. Boyle, 1125 15th Street NW., Washington, D.C. 20005.
B. International Brotherhood of Electrical Workers, AFL–CIO–CLC, 1125 15th Street NW., Washington, D.C. 20005.
D. (6) $6,333.

A. William W. Brackett, Alaskan Arctic Gas Study Co., 1730 Pennsylvania Avenue NW., Suite 230, Washington, D.C. 20006.

B. Alaskan Arctic Gas Study Co., P.O. Box 979, Alaska Mutual Bank Building, Anchorage, Alaska 99510.
D. (6) $4,500. E. (9) $100.

A. Gene M. Bradley, 955 L'Enfant Plaza North SW., Washington, D.C. 20024.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash.
D. (6) $850. E. (9) $620.

A. Cyril F. Brickfield, (Miller, Singer, Michaelson, Brickfield & Raives), 1909 K Street NW., Washington, D.C. 20006.
B. National Retired Teachers Association, and American Association of Retired Persons, 1909 K Street NW., Washington, D.C. 20006.
E. (9) $702.26.

A. Thomas C. Brickle, 1625 Massachusetts Avenue NW., Suite 203, Washington, D.C. 20036.
B. Independent Bankers Association of America, Sauk Centre, Minn. 56378.
E. (9) $524.57.

A. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.
D. (6) $23,447.72. E. (9) $23,447.72.

A. Gary W. Bruner, Suite 320, 1750 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. G. D. Searle & Co., P.O. Box 1045, Skokie, Ill. 60076.
D. (6) $20.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. The Hearst Corp., 959 Eighth Avenue, New York, N.Y. 10019.
D. (6) $900. E. (9) $300.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y. 10022.
D. (6) $4,000. E. (9) $300.

A. David A. Bunn, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
B. Parcel Post Association, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,000. E. (9) $700.

A. George J. Burger, 30 Clinton Place, New Rochelle, N.Y. 10801.
B. National Federation of Independent Business, 30 Clinton Place, New Rochelle, N.Y. 10801.

A. J. J. Burke, Jr., 40 East Broadway, Butte, Mont. 59701.
B. The Montana Power Co., Butte, Mont. 59701.
E. (9) $108.16.

A. David W. Calfee III, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.
D. (6) $1,875.

A. Caplin & Drysdale, 1101 17th Street NW., Suite 1100, Washington, D.C. 20036.
B. Aetna Life & Casualty, 151 Farmington Avenue Hartford, Conn. 06115, et al.
D. (6) $6,000. E. (9) $130.

A. Ronald A. Capone, Kirlin, Campbell & Keating, 900 17th Street NW., Room 505, The Farragut Building, Washington, D.C. 20006.
B. Council of European and Japanese National Shipowners' Association, 30–32 St. Mary Axe, London EC3A 8ET, England.
D. (6) $5,000. E. (9) $210.86.

A. Chapin Carpenter, Jr., Magazine Publishers Association, Inc., 1629 K Street NW., 603, Washington, D.C. 20006.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y. 10022.
D. (6) $1,000. E. (9) $550.

A. David C. Carter, 1156 15th Street NW., Washington, D.C. 20005.
B. United States Beet Sugar Association, 1156 15th Street NW., Washington, D.C. 20005.

A. John E. Chapoton, 2100 First City National Bank Building, Houston, Tex. 77002.
B. Domestic Wildcatters Association, 900 First City National Bank Building, Houston, Tex. 77002.
E. (9) $2,343.55.

A. John E. Chapoton, 2100 First City National Bank Building, Houston, Tex. 77002.
B. Quintana Petroleum Corp., 500 Jefferson Building, Houston, Tex. 77002.
E. (9) $1,351.44.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Suite 712, Washington, D.C. 20036.
D. (6) $1,565. E. (9) $8,683.38.

A. Charles M. Clusen, 324 C Street SE., Washington, D.C. 20003.
B. Sierra Club, 1050 Mills Tower, San Francisco, Calif. 94104.
D. (6) $3,825. E. (9) $180.

A. Coalition Against Strip Mining, 324 C Street SE., Washington, D.C. 20003.
D. (6) $3,775. E. (9) $3,364.76.

A. Coalition of Concerned Charities, c/o Barbara J. Washburn, 1776 F Street NW., No. 200, Washington, D.C. 20006.
D. (6) $900.

A. Coalition of Independent Ophthalmic Professionals, 75 East 55th Street, New York, N.Y. 10022.
D. (6) $2,700. E. (9) $3,337.65.

A. Carl A. S. Coan, Jr., 15th & M Streets NW., Washington, D.C. 20005.
B. National Association of Home Builders of the United States, 15th & M Streets NW., Washington, D.C. 20005.
D. (6) $8,437.50. E. (9) $1,039.18.

A. Coca-Cola Bottlers' Association, 166 16th Street NW., Atlanta, Ga. 30318.
E. (9) $990.58.

A. Jeffery Cohelan.
B. Group Health Association of America, Inc., 1717 Massachusetts Avenue NW., No. 701, Washington, D.C. 20036.
D. (6) $999.99.

A. John M. Collier, 4436 Perrier Street, New Orleans, La. 70115.
B. Southern Forest Products Association, P.O. Box 52468, New Orleans, La. 70152.
D. (6) $5,712.54. E. (9) $2,070.99.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.

B. American Footwear Industries Association, Inc., 1611 North Kent Street, Arlington, Va. 22209.

D. (6) $500. E. (9) $475.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C. 20006.

B. Bicycle Manufacturers Association of America, Inc., 1101 15th Street NW., Washington, D.C. 20005.

D. (6) $500. E. (9) $100.

A. Collier, Shannon, Rill & Edwards, 1666 K Street NW., Suite 701, Washington, D.C 20006.
B. Tool & Stainless Steel Industry Committee, 1666 K Street NW., Suite 701, Washington, D.C. 20006.
D. (6) $1,250. E. (9) $525.

A. Committee For Do-It-Yourself Household Moving, 1100 17th Street NW., Suite 1000, Washington, D.C. 20036.
D. (6) $4,797.93 E. (9) $4,797.93.

A. Committee of Publicly Owned Companies, 22 Thames Street, New York, N.Y. 10006.
D. (6) $144,625. E. (9) $68,523.63.

A. Committee on Modern, Efficient Transportation (COMET), 1000 Connecticut Avenue NW., No. 1200, Washington, D.C. 20036
D. (6) $11,500. E. (9) $19,225.34.

A. Richard J. Congleton, 734 15th Street NW., Washington, D.C. 20005.
B. American Academy of Actuaries, 208 South LaSalle Street, Chicago, Ill. 60604.
D. (6) $900. E. (9) $127.75.

A. Richard J. Congleton, 734 15th Street NW., Washington, D.C. 20005.
B. Equitable Life Assurance Society of the United States, 1285 Avenue of the Americas, New York, N.Y. 10019.
D. (6) $1,500. E. (9) $200.

A. Consumer Action Now, Inc., 30 East 68th Street, New York, N.Y. 10021.
D. (6) $2,252. E. (9) $1,233.46.

A. Jack T. Conway, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $2,812.50.

A. Charles F. Cook, Jr., 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building NW., Washington, D.C. 20036.
D. (6) $495. E. (9) $21.

A. Harry N. Cook, 1130 17th Street NW., Washington, D.C. 20036.
B. The National Waterways Conference, Inc.

A. William R. Corson, 1707 H Street NW., Washington, D.C. 20006.
B. Penthouse International Ltd., 1707 H Street NW., Washington, D.C. 20006.
D. (6) $7,500. E. (9) $5,634.07.

A. Eugene E. Cortright, 1660 L Street NW., Washington, D.C. 20036.
B. Cities Service Co., 1660 L Street NW., Washington, D.C. 20036.

A. Council for the Advancement of the Psychological Professions & Sciences, 1725 I Street NW., No. 606, Washington, D.C.
D. (6) $31,594. E. (9) $6,190.

A. Council of AFL–CIO Unions for Professional Employees, 815 16th Street NW., Washington, D.C.
D. (6) $1,250. E. (9) $1,250.

A. John A. Couture, 15th and M Streets NW., Washington, D.C. 20005.
B. National Association of Home Builders of the United States, 15th and M Streets NW., Washington, D.C. 20005.
D. (6) $5,671.89. E. (9) $363.60.

A. Elizabeth M. Cox, 1266 National Press Building, Washington, D.C. 20045.
B. National Organization for Women, Inc., 1266 National Press Building, Washington, D.C. 20045.
D. (6) $3,249.99. E. (9) $9.

A. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $11,043. E. (9) $1,726.95.

A. Robert J. Cushman, 15th and M Streets NW., Washington, D.C. 20005.
B. National Association of Home Builders of the United States, 15th and M Streets NW., Washington, D.C. 20005.
D. (6) $2,050. E. (9) $129.86.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C. 20006.
B. American Importers Association, 420 Lexington Avenue, New York, N.Y. 10017.
E. (9) $715.35.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C. 20006.
B. National Office Machine Dealers Association, 1510 Jarvis Avenue, Elkgrove, Ill. 60007.
D. (6) $4,000. E. (9) $1,083.27.

A. Richard C. Darling, 1156 15th Street NW., Washington, D.C. 20005.
B. J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019.
D. (6) $480. E. (9) $381.68.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $4,500. E. (9) $130.06.

A. P. M. Davison, Jr., 418 East Rosser Avenue, P.O. Box 938, Bismarck, N. Dak. 58501.
B. North Dakota Railway Lines.

A. Daniel P. Dawson, 200 East Randolph Drive, M.C. 3101, Chicago, Ill. 60601.
B. Standard Oil Co. (Indiana), 200 East Randolph Drive, M.C. 3101, Chicago, Ill. 60601.
D. (6) $346.89. E. (9) $235.09.

A. Donald S. Dawson, 723 Washington Building, Washington, D.C. 20005.
B. Opticians Association of America, 1250 Connecticut Avenue NW., Washington, D.C. 20036.

A. Dawson, Riddell, Taylor, Davis & Holroyd, 723 Washington Building, Washington, D.C. 20005.
B. Air Transport Association, 1709 New York Avenue NW., Washington, D.C. 20005.
D. (6) $3,000.

A. Dawson, Riddell, Taylor, Davis & Holroyd, 723 Washington Building, Washington, D.C. 20005.
B. Association of Plaintiffs Trial Attorneys for Metropolitan Washington, D.C., Washington, D.C. 20005.

A. Dawson, Riddell, Taylor, Davis & Holroyd, 723 Washington Building, Washington, D.C. 20005.
B. Beneficial Finance Co., Morristown, N.J.

A. Dawson, Riddell, Taylor, Davis & Holroyd, 723 Washington Building, Washington, D.C. 20005.
B. Consumer Credit Insurance Association, 307 North Michigan Avenue, Chicago, Ill. 60601.

A. Dawson, Riddell, Taylor, Davis & Holroyd, 723 Washington Building, Washington, D.C. 20005.
B. C.T.I. Financial Corp., 650 Madison Avenue, New York, N.Y. 10022.

A. Dawson, Riddell, Taylor, Davis & Holroyd, 723 Washington Building, Washington, D.C. 20005.
B. Standard Oil Co., (Ohio), Midland Building, Cleveland, Ohio 44115.
D. (6) $12,500.

A. Dawson, Riddell, Taylor, Davis & Holroyd, 723 Washington Building, Washington, D.C. 20005.
B. United States Brewers Association, Inc., 1750 K Street NW., Washington, D.C. 20006.
D. (6) $25,000.

A. Leslie E. Dennis, 815 16th Street NW., Room 511, Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.
D. (6) $925. E. (9) $319.

A. C. H. DeVaney, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $3,166.

A. Dickstein, Shapiro & Morin, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Committee for the Martin Report, 1735 New York Avenue NW., Washington, D.C.
E. (9) $585.18.

A. Dickstein, Shapiro & Morin, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Federated Investors, Inc., Pittsburgh, Pa.; Vance Sanders & Co., Boston, Mass.; Fidelity Management & Research Co., Boston, Mass.

A. Dickstein, Shapiro & Morin, 1735 New York Avenue NW., Washington, D.C. 20006.
B. Tennessee Gas Transmission Co., P.O. Box 2511, Houston, Tex. 77001.
D. (6) $1,525. E. (9) $67.45.

A. John D. Doherty, Jr., 900 17th Street NW., Washington, D.C. 20006.
B. The Chase Manhattan Bank, 1 Chase Manhattan Plaza, New York, N.Y. 10015.
D. (6) $176.25 E. (9) $67.96.

A. Cushing N. Dolbeare, 517 Westview Street, Philadelphia, Pa. 19119.
B. National Rural Housing Coalition, 1346 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,000.

A. Jack Donahue, 1725 Eye Street NW., Suite 606, Washington, D.C. 20006.
B. Council for the Advancement of the Psychological Professions and Sciences, 1725 Eye Street NW., No. 606, Washington, D.C. 20006.
D. (6) $1,500. E. (9) $361.

A. William DuChessi, 1126 16th Street NW., Washington, D.C.
B. Textile Workers Union of America, 99 University Place, New York, N.Y. 10003.
D. (6) $1,850. E. (9) $100.

A. Louise C. Dunlap, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.
D. (6) $3,499.98. E. (9) $106.49.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Hope Eastman, 410 First Street SE., Washington, D.C. 20003.
B. American Civil Liberties Union, 22 East 40th Street, New York N.Y. 10016.
D. (6) $1,095.

A. Hallett D. Edson, 956 North Monroe Street, Arlington, Va. 22201.
B. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va. 22201.
D. (6) $2,012.50.

A. Charles E. Ehrhart, 1800 K Street NW., No. 924, Washington, D.C. 20006.
B. Ralston Purina Co., Checkerboard Square, St. Louis, Mo. 63188.
D. (6) $400. E. (9) $139.

A. J. Burton Eller, Suite 1015 National Press Building, 14th and F Streets, Washington, D.C. 20045.
B. American National Cattlemen's Association, 1001 Lincoln Street, Denver, Colo. 80202.
D. (6) $1,000.

A. Dorothy A. Ellsworth, 815 16th Street NW., Room 511, Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.
D. (6) $6,750. E. (9) $2,117.35.

A. Emergency Committee for American Trade, 1211 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $1,183.60 E. (9) $1,838.62.

A. Richard W. Emory, 1800 Mercantile Bank and Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $57.69.

A. Employee Relocation Council (ERR EAC), 333 North Michigan Avenue, Chicago, Ill. 60601.
E. (9) $1,992.91.

A. Steven L. Engelberg, 1737 DeSales Street NW., Suite 400, Washington, D.C. 20036.
B. American Association of Marriage & Family Counselors, 225 Yale Avenue, Claremont, Calif. 91711.
D. (6) $2,499. E. (9) $418.36.

A. Susan M. Engelhart, 1920 L Street NW., Washington, D.C. 20036.
B. Association of American Publishers, Inc., 1920 L Street NW., Washington, D.C. 20036.
D. (6) $1,250. E. (9) $200.

A. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.
D. (6) $22,528.97. E. (9) $20,498.63.

A. Ethyl Corp., 1155 15th Street NW., Washington, D.C. 20005.
E. (9) $800.

A. Brock Evans, 1050 Mills Tower, San Francisco, Calif. 94104.
B. Sierra Club, 1050 Mills Tower, San Francisco, Calif. 94104.
D. (6) $7,000. E. (9) $150.

A. Fensterwald & Ohlhausen, 910 16th Street NW., Washington, D.C. 20006.
B. Committee for Humane Legislation, Inc., 11 West 60th Street, New York, N.Y. 10023.
D. (6) $600. E. (9) $796.76.

A. C. H. Fields, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.
D. (6) $3,146. E. (9) $11.63.

A. Samuel Stephen Fields, 1424 16th Street NW., No. 704, Washington, D.C. 20036.
B. Americans for Democratic Action, 1424 16th Street NW., No. 704, Washington, D.C. 20036.
E. (9) $2,490.51.

A. Firearms Lobby of America, 325 Pennsylvania Avenue SE., Washington, D.C. 20003.
D. (6) $7,036. E. (9) $5,805.70.

A. Robert R. Fitzgerald, 13174 Putnam Circle, Woodbridge, Va. 22191.

B. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va. 22201.

D. (6) $2,800.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.

D. (6) $2,208. E. (9) $21.36.

A. Tim C. Ford, Glass Container Manufacturers Institute, 1800 K Street NW., Washington, D.C.

B. Glass Container Manufacturers Institute, 1800 K Street NW., Washington, D.C.

E. (9) $1,148.17.

A. Carol Tucker Foreman, 1012 14th Street NW., Washington, D.C. 20005.

B. Consumer Federation of America, 1012 14th Street NW., Washington, D.C. 20005.

D. (6) $612. E. (9) $125.

A. Forest Farmers Association, 4 Executive Park East NE., Atlanta, Ga. 30329.

D. (6) $818.18. E. (9) $818.18.

A. Ronald C. Frankis, 1730 Rhode Island Avenue NW., Washington, D.C.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $1,578. E. (9) $73.26.

A. Burton D. Fretz, 2030 M Street NW., Room 300, Washington, D.C. 20037.

B. Action for Legal Rights, Inc., 2030 M Street NW, Room 300, Washington, D.C. 20037.

A. Owen V. Frisby, 900 17th Street NW., Washington, D.C. 20006.

B. Chase Manhattan Bank, 1 Chase Manhattan Plaza, New York, N.Y. 10015.

D. (6) $659.31. E. (9) $2,932.14.

A. Cornelius F. Froeb, 1660 L Street NW., Washington, D.C. 20036.

B. Cities Service Co., 1660 L Street NW., Washington, D.C. 20036.

D. (6) $347.

A. William R. Ganser, Jr., 4804 Folse Drive, Metairie, La. 70003.

B. Southern Forest Products Association, P.O. Box 52468, New Orleans, La. 70152.

D. (6) $1,125.

A. Terry D. Garcia, 2000 North Adams Street, No. 610, Arlington, Va. 22201.

B. World Federalists, U.S.A., 1424 16th Street NW., Washington, D.C. 20036.

D. (6) $4,191. E. (9) $4,191.

A. Leo J. Gehrig, American Hospital Association, 1 Farragut Square South, Washington, D.C. 20006.

B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.

D. (6) $3,238. E. (9) $462.

A. Louis Gerber, 1925 K Street NW., Washington, D.C. 20006.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.

D. (6) $3,264.20. E. (9) $3,516.99.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio 45219.

B. National Conference of Brewery & Soft Drink Workers, 300 South Ashland Boulevard, Chicago, Ill. 60607.

A. Jay W. Glasmann, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Employee Relocation Council (ERREAC), 333 North Michigan Avenue, Chicago, Ill. 60601.

D. (6) $2,000. E. (9) $60.93.

A. Jack Golodner, 1990 M Street NW., Washington, D.C. 20036.

B. Actors Equity Association, 1500 Broadway, New York, N.Y. 10036.

D. (6) $2,500. E. (9) $310.

A. Jack Golodner.

B. Council of AFL-CIO Unions for Professional Employees, 815 16th Street NW., Washington, D.C. 20006.

D. (6) $1,000.

A. Michael Goodman, 15th and M Streets NW., Washington, D.C. 20005.

B. National Association of Home Builders of the United States, 15th and M Streets NW., Washington, D.C. 20005.

D. (6) $3,749.99. E. (9) $420.83.

A. Gould, Reichert & Strauss, 2613-20 Carew Tower, Cincinnati, Ohio 45202.

B. Francis J. Rorke, et al., Box 1336, Cristobal, C.Z.

A. Dale Greenwood, 302 Hoge Building, Seattle, Wash., 98104.

B. Washington Railroad Association, 302 Hoge Building, Seattle, Wash. 98104.

A. Grocery Manufacturers of America, Inc., 1425 K Street NW., Suite 900, Washington, D.C. 20005.

A. Jerome R. Gulan, 1133 20th Street NW., Washington, D.C. 20036.

B. National Canners Association, 1133 20th Street NW., Washington, D.C. 20036.

D. (6) $2,000. E. (9) $275.51.

A. Joseph J. Halbach, 2777 Allen Parkway, Houston, Tex. 77019.

B. Riviana Foods, Inc., 2777 Allen Parkway, Houston, Tex. 77019.

D. (6) $1,000. E. (9) $1,200.

A. Donald L. Harlow, Air Force Sergeants Association, 310 Riley Street, Falls Church, Va. 22046.

B. Air Force Sergeants Association, 4235 28th Avenue SE., Suite 713, Washington, D.C. 20031.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C. 20036.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Barbara Heller, 324 C Street SE., Washington, D.C. 20003.

B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.

D. (6) $342. E. (9) $120.73.

A. Richard A. Henneges, 1730 Rhode Island Avenue NW., Washington, D.C.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wisc.

D. (6) $1,481. E. (9) $443.33.

A. Thomas M. Hennessy, 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Getty Oil Co., 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $100.

A. Robert Hitzhusen, American Farm Bureau Federation, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.

D. (6) $1,500. E. (9) $12.38.

A. Ralph D. Hodges, Jr.

B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C. 20036.

E. (9) $21.30.

A. Hogan & Hartson, 815 Connecticut Avenue, Washington, D.C. 20006.

B. Energy Transportation Systems, Inc., 50 Beale Street, San Francisco, Calif.

D. (6) $1,875. E. (9) $26.40.

A. Dale Curtis Hogue, 1128 16th Street NW., Washington, D.C. 20036.

B. Specialty Equipment Manufacturers Association, 11001 East Valley Mall, Suite 204, El Monte, Calif. 91734.

D. (6) $300.

A. Holiday Inns, Inc., 3742 Lamar Avenue, Memphis, Tenn. 38118.

E. (9) $464.

A. Douglass C. Horstman, 1612 K Street NW., Suite 1210, Washington, D.C. 20006.

B. Northern Textile Association; Maytag Co.

D. (6) $2,000. E. (9) $200.

A. Casey Hughes, 1266 National Press Building, Washington, D.C. 20045.

B. National Organization for Women, Inc., 1266 National Press Building, Washington, D.C. 20045.

D. (6) $3,300. E. (9) $40.75.

A. William J. Hull, 1025 Connecticut Avenue NW., No. 507, Washington, D.C. 20036.

B. Ashland Oil, Inc., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1025 Connecticut Avenue NW., No. 507, Washington, D.C. 20036.

B. Ohio Valley Improvement Association, Inc.

A. The Human Life Amendment, The Bellevue Hotel, 15 E Street NW., Washington, D.C.

D. (6) $1,047.50. E. (9) $1,305.21.

A. Gregory A. Humphrey, 1012 14th Street NW., Washington, D.C. 20005.

B. American Federation of Teachers, AFL-CIO, 1012 14th Street NW., Washington, D.C. 20005.

D. (6) $5,025. E. (9) $511.97.

A. Richard M. Hunt, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.

B. NL Industries, Inc., 111 Broadway, New York, N.Y. 10006.

D. (6) $1,125.

A. Bernard J. Imming, 1019 19th Street NW., Washington, D.C. 20036.

B. United Fresh Fruit & Vegetable Association, 1019 19th Street NW., Washington, D.C. 20036.

D. (6) $500.

A. INA Corp., 1600 Arch Street, Philadelphia, Pa. 19101.

E. (9) $290.

A. Jamaica National Guild, U.S.A., Brevoort Station, P.O. Box 162, Brooklyn, N.Y. 11216.

D. (6) $45. E. (9) $10.

A. Japanese American Citizens League, 22 Peace Plaza, Suite 203, San Francisco, Calif. 94115.

D. (6) $3,130. E. (9) $687.

A. Gary Jarmin, 422 First Street SE., Washington, D.C. 20003.

B. American Conservative Union, 422 First Street SE., Washington, D.C. 20003.

D. (6) $175.

A. Joseph A. Jeffrey, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association of Electric Cos., 1140 Connecticut Avenue NW., Washington, D.C. 20036.

A. H. Bradley Johnson, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Stuart H. Johnson, Jr., 910 17th Street NW., Washington, D.C. 20006.
B. New York Dock Railway, 334 Furman Street, Brooklyn, N.Y.

A. Jones, Day, Reavis & Pogue, 1100 Connecticut Avenue NW., Washington, D.C. 20036.
B. Pan American World Airways, Inc., Pan Am Building, New York, N.Y. 10017.
E. (9) $70.15.

A. Ardon B. Judd, Jr., 1100 Connecticut Avenue, Washington, D.C. 20036.
B. Dresser Industries, Inc., 1100 Connecticut Avenue.

A. Gerald M. Katz, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.
B. Maryland State Fair & Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $57.69.

A. George J. Kelley, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Blue Cross Association, 840 North Lake Shore Drive, Chicago, Ill. 60611.
D. (6) $2,000. E. (9) $350.

A. James J. Kennedy, Jr., 815 16th Street NW., Room 511, Washington, D.C. 20006.
B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.
D. (6) $6,000. E. (9) $1,487.61.

A. Gibson Kingren, 900 17th Street NW., Washington, D.C. 20006.
B. Kaiser Foundation Health Plan, Inc.
D. (6) $1,125. E. (9) $2,395.25.

A. Ralph W. Kittle.
B. International Paper Co., Room 700, 1620 I Street NW., Washington, D.C. 20006.
D. (6) $765. E. (9) $925.

A. Richard P. Kleeman, 1920 L Street NW., Suite 750, Washington, D.C. 20036.
B. Association of American Publishers, Incorporated.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C. 20036.
B. American Mining Congress, 1100 Ring Building NW., Washington, D.C. 20036.

A. John S. Knox, Jr., 166 16th Street NW., Atlanta, Ga. 30318.
B. The Coca-Cola Bottlers' Association, 166 16th Street NW., Atlanta, Ga. 30318.
D. (6) $850.

A. Ann Kolker, 1921 Pennsylvania Ave. NW., Washington, D.C. 20006.
B. National Women's Political Caucus, 1921 Pennsylvania Ave. NW., Washington, D.C. 20006.
E. (9) $60.

A. Robert L. Koob, Koob Associates, 1155 15th Street NW., Suite 311, Washington, D.C. 20005.
B. Biscuit & Crackers Manufacturers' Association, 1660 L Street NW., Washington, D.C.
D. (6) $750. E. (9) $185.

A. Mylio S. Kraja, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $6,465. E. (9) $261.83.

A. Philip Kugler, 1012 14th Street NW., Washington, D.C. 20005.
B. American Federation of Teachers, AFL–CIO, 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $4,525.02. E. (9) $386.01.

A. Norman G. Kurland, 2027 Massachusetts Avenue NW., Washington, D.C. 20036.
B. Bangert & Co., Inc., 111 Pine Street, San Francisco, Calif. 94111.
D. (6) $4,600. E. (9) $6,072.06.

A. Clifford C. LaPlante, 955 L'Enfant Plaza North SW., Washington, D.C. 20024.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash. 98124.
D. (6) $4,065. E. (9) $422.93.

A. Robert B. Laurents, 7205 Reservoir Road, Springfield, Va. 22150.
B. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va. 22201.
D. (6) $3,525.

A. Lead-Zinc Producers Committee, 1101 15th Street NW., Washington, D.C. 20005.
D. (6) $2,400. E. (9) $2,315.48.

A. League for Economic Assistance and Development, Inc., 390 Plandome Road, Manhasset, N.Y. 11030.
D. (6) $25. E. (9) $295.05.

A. Richard J. Leighton, 1701 K Street NW., Washington, D.C. 20006.
B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Washington, D.C. 20005.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C. 20006.
B. Cooperative for American Relief Everywhere, Inc., 660 First Avenue, New York, N.Y. 10016.

A. S. R. Levering, 245 Second Street NE., Washington, D.C. 20002.
B. U.S. Committee for the Oceans, 245 Second Street NE., Washington, D.C. 20002.
D. (6) $3,446.03.

A. Morris J. Levin, 1620 I Street NW., Washington, D.C. 20006.
B. Association of American Railroads, American Railroad Building, Washington, D.C. 20006.
D. (6) $1,000.

A. Liberty Lobby, Inc., 130 Third Street SE., Washington, D.C. 20003.
D. (6) $32,544.43. E. (9) $24,289.90.

A. Russell B. Light, 955 L'Enfant Plaza North SW., Washington, D.C. 20024.
B. The Boeing Co., P.O. Box 3707, Seattle, Wash. 98124.
D. (6) $1,050. E. (9) $677.

A. Jonathan Lindley, 1730 Rhode Island Avenue NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $2,989. E. (9) $252.12.

A. Ron M. Linton, 1015 18th Street NW., Suite 200, Washington, D.C. 20036.
B. County of Wayne, Board of Commissioners, City-County Building, Detroit, Mich. 48226.
D. (6) $7,500. E. (9) $575.69.

A. Edgar Lockwood, 1711 S Street NW., Washington, D.C. 20009.
B. Washington Office on Africa, 110 Maryland Avenue NE., Washington, D.C. 20002.
D. (6) $3,750. E. (9) $158.14.

A. Edward J. Lord, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,480. E. (9) $143.26.

A. James Rowland Lowe, Jr., Alaskan Arctic Gas Study Co., 1730 Pennsylvania Avenue NW., Suite 230, Washington, D.C. 20006.
B. Alaskan Arctic Gas Study Co., P.O. Box 969, Alaska Mutual Bank Building, Anchorage, Alaska 99510.
D. (6) $212. E. (9) $35.

A. Michael Maggio, 3820 Morrison Street, Washington, D.C.
B. National Association for Milk Marketing Reform, 1000 Connecticut Avenue NW., Suite 1204, Washington, D.C. 20036.
D. (6) $2,236.50. E. (9) $94.62.

A. March For Life, Inc., Box 2950, Washington, D.C. 20013.
D. (6) $48,016.17. E. (9) $28,532.41.

A. Edwin E. Marsh, 2800 Quebec Street NW., Washington, D.C. 20008.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah 84101.
E. (6) $4,885.26. E. (9) $683.41.

A. Clarence J. Martin, 1200 17th Street NW., Washington, D.C. 20036
B. Association for the Advancement of Psychology, 1200 17th Street NW., Washington, D.C. 20036.
D. (6) $3,000. E. (9) $3,000.

A. Richard E. Martinez, 1730 M Street NW Washington, D.C. 20036.
B. American Optometric Association, c/o Jack A. Potter, O.D., 820 First National Bank Building, Peoria, Ill. 61602.

A. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.
E. (9) $57.69.

A. Charles D. Matthews, 1100 17th Street NW., Suite 410, Washington, D.C. 20036.
B. National Ocean Industries Association, 1100 17th Street NW., Washington, D.C. 20036.
D. (6) $625. E. (9) $422.63.

A. Charles E. Mattingly, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $4,683. E. (9) $215.44.

A. Albert E. May, 1625 K Street NW., Washington, D.C. 20006.
B. Amercan Institute of Merchant Shipping, 1625 K Street NW., Washington, D.C. 20006.
D. (6) $410. E. (9) $1.

A. Anthony Mazzocchi, 1126 16th Street NW., Washington, D.C. 20036.
B. Oil, Chemical & Atomic Workers International Union, 1636 Champa Street, Denver, Colo. 80201.
D. (6) $2,362.50. E. (9) $318.50.

A. Ann McBride, 2030 M Street NW., Washington, D.C. 20036.
B. Common Cause, 2030 M Street NW., Washington, D.C. 20036.
D. (6) $4,286.67.

A. Ellen M. McCartney, 2401 Virginia Avenue NW., Washington, D.C. 20037.
B. American Association of University

Women, 2401 Virginia Avenue NW., Washington, D.C. 20037.
D. (6) $4,375.12. E. (9) $66.35.

A. John L. McConnell, 1800 K Street NW., Suite 1100, Washington, D.C. 20006.
B. New York Stock Exchange, Inc., 11 Wall Street, New York, N.Y. 10005.
D. (6) $1,200. E. (9) $175.

A. John L. McCormick, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.
D. (6) $1,979.17.

A. Gordon McGowan, Box 1172, Helena, Mont. 59601.
B. Montana Railroad Association, Box 1172, Helena, Mont. 59601.
E. (9) $841.12.

A. Frank L. McHugh, 422 First Street SE., Washington, D.C.
B. American Conservative Union, 422 First Street SE., Washington, D.C. 20003.
D. (6) $1,176.91.

A. Jane Pierson McMichael, 1921 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. National Women's Political Caucus, 1921 Pennsylvania Avenue NW., Washington, D.C. 20006.
E. (9) $4,281.

A. Carl J. Megel, 1012 14th Street NW., Washington, D.C. 20005.
B. American Federation of Teachers, AFL–CIO, 1012 14th Street NW., Washington, D.C. 20005.
D. (6) $7,000. E. (9) $300.

A. Ted H. Meredith, 6030 Warwick Court, New Orleans, La. 70114.
B. Southern Forest Products Association, P.O. Box 52468, New Orleans, La. 70152.
D. (6) $2,281.26.

A. Marc Messing, 324 C Street SE., Washington, D.C. 20003.
B. Environmental Policy Center, 324 C Street SE., Washington, D.C. 20003.
D. (6) $1,500.01.

A. Roy H. Millenson, 1920 L Street NW., Room 750, Washington, D.C. 20036.
B. Association of American Publishers, 1920 L Street NW., Room 750, Washington, D.C. 20036.
D. (6) $1,325. E. (9) $150.

A. Miller, Cassidy, Larroca & Lewin, 2555 M Street NW., Suite 500, Washington, D.C. 20037.
B. American Motors Corporation, 14250 Plymouth Road, Detroit, Mich. 48232.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Investors Diversified Services, Inc., IDS Tower, Minneapolis, Minn. 55402.
D. (6) $2,000. E. (9) $32.22.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. Pacific Lighting Corporation, Box 60043, Terminal Annex, Los Angeles, Calif. 90054.
D. (6) $375.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Sperry and Hutchinson Company, 330 Madison Avenue, New York, N.Y. 10017.
D. (6) $600.

A. Miller & Chevalier, 1700 Pennsylvania Avenue NW., Washington, D.C. 20006.
B. The Sperry and Hutchinson Company, 330 Madison Avenue, New York, N.Y. 10017.
D. (6) $225.

A. Clinton R. Miller, 4620 Lee Highway, Room 240, Arlington, Va. 22207.
B. National Health Federation, 212 West Foothill Boulevard, Monrovia, Calif. 91016.
D. (6) $6,034.80. E. (9) $7,674.27.

A. Joseph L. Miller, 1612 K Street NW., Washington, D.C. 20006.
B. The Maytag Co., N. Textile Association.
D. (6) $1,000. E. (9) $100.

A. Joseph S. Miller, 210 A Street NE., Washington, D.C. 20002.
B. MEBA Political Action Fund, 17 Battery Place, New York, N.Y. 10004.
D. (6) $3,000. E. (9) $1,516.40.

A. Joseph S. Miller, 210 A Street NE., Washington, D.C. 20002.
B. The Navajo Nation, Window Rock, Ariz. 86515.

A. Joseph S. Miller, 210 A Street NE., Washington, D.C. 20002.
B. O. & C. Counties Association, Douglas County Court House, Roseburg, Oreg.

A. Joseph S. Miller, 210 A Street NE., Washington, D.C. 20002.
B. The Port of Portland, Box 3529, Portland, Oreg. 97208.
D. (6) $600.

A. Joseph S. Miller, 210 A Street NE., Washington, D.C. 20002.
B. Western Forest Industries Association, 1500 SW. Taylor Street, Portland, Oreg. 97205.

A. Charles Morgan, Jr., 410 First Street SE., Washington, D.C. 20003.
B. American Civil Liberties Union, 22 East 40th Street, New York, N.Y. 10016.
D. (6) $7,000.02. E. (9) $47.

A. John Morgan, 1925 K Street NW., Washington, D.C. 20006.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.
D. (6) $588. E. (9) $43.13.

A. John W. Morton, 1660 L Street NW., Washington, D.C. 20036.
B. Cities Service Company, 1660 L Street NW., Washington, D.C. 20036.
D. (6) $238.

A. Timothy R. Murphy, Route 7, Grimes Mill Road, Lexington, Ky. 40502.
B. Save Our Cumberland Mountains, Appalachian Coalition, Box 457, Jacksboro, Tenn. 37757.
D. (6) $300.

A. Gary D. Myers, 1015 18th Street NW., Washington, D.C. 20036.
B. The Fertilizer Institute, 1015 18th Street NW., Washington, D.C. 20036.
D. (6) $444.99. E. (9) $397.20.

A. George E. Myers, 1730 Rhode Island Avenue NW., Washington, D.C.
B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $1,343. E. (9) $313.04.

A. National Associated Businessmen, Inc., 1000 Connecticut Avenue NW., Washington, D.C. 20036.
D. (6) $374.80. E. (9) $622.11.

A. National Association for Milk Marketing Reform, 1000 Connecticut Avenue NW., Suite 1204, Washington, D.C. 20036.
D. (6) $22,970. E. (9) $22,345.23.

A. National Association for Uniformed Services, 956 North Monroe Street, Arlington, Va. 22201.
D. (6) $38,084. E. (9) $11,851.11.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $300. E. (9) $300.

A. National Association of Home Builders of the United States, 15th and M Streets NW., Washington, D.C. 20005.
D. (6) $38,238.12. E. (9) $47,493.70.

A. National Audio-Visual Association. Inc., 3150 Spring Street, Fairfax, Va. 22030.
D. (6) $235,082.23. E. (9) $5,116.91.

A. National Beer Wholesalers Association of America, Inc., 6310 North Cicero Avenue, Chicago, Ill. 60646.
D. (6) $23,587.20. E. (9) $485.02.

A. National Canners Association, 1133 20th Street NW., Washington, D.C. 20036.
D. (6) $705,355.98. E. (9) $4,173.46.

A. National Coal Assoication, Coal Building, Washington, D.C. 20036.
D. (6) $843,330.41. E. (9) $3,370.73.

A. National Coalition for Marine Conservation, Inc., P.O. Box 5131, Savannah, Ga. 31403.
D. (6) $4,590. E. (9) $10,864.06.

A. National Federation of Independent Business, 490 L'Enfant Plaza East SW., Washington, D.C. 20024.
B. National Federation of Independent Business, 150 West 20th Avenue, San Mateo, Calif. 94403.
D. (6) $25,818.41. E. (9) $25,818.41.

A. National Hairdressers & Cosmetologists Association, 3510 Olive Street, St. Louis, Mo. 63103.
D. (6) $1,161.87.

A. National Housing Conference, Inc., 1126 16th Street NW., Washington, D.C. 20036.
D. (6) $59,821. E. (9) $33,522.31.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr. 68107.
D. (6) $8,891.23. E. (9) $8,891.23.

A. National Organization for the Reform of Marijuana Laws, 2317 M Street NW., Washington, D.C 20037.
D. (6) $5,990. E. (9) $2,426.90.

A. National Organization for Women, Inc., 1266 National Press Building, Washington, D.C. 20045.
D. (6) $13,142.44. E. (9) $13,142.44.

A. National Parking Association, 1101 17th Street NW., Washington, D.C. 20036.

A. National Public Employer Labor Relations Association, 5109 Western Avenue NW., Washington, D.C. 20016.
D. (6) $733. E. (9) $526.

A. National Right to Life Committee, Inc., 529 14th Street SW., No. 557, Washington, D.C. 20045.
E. (9) $12,350.

A. National Rural Housing Coalition, 1346 Connecticut Avenue NW., No. 500G, Washington, D.C. 20036.
D. (6) $2,941. E. (9) $3,127.77.

A. National School Transportation Association, 9001 Braddock Road, Springfield, Va. 22151.
D. (6) $2,782.60. E. (9) $2,782.60.

A. National Student Lobby, 200 P Street NW., Washington, D.C. 20036.
D. (6) $32,001.47. E. (9) $31,404.57.

A. National Tax Equality Association, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $4,109.81. E. (9) $3,707.63.

A. National Water Resources Association, 955 L'Enfant Plaza North SW., Suite 1202, Washington, D.C.

D. (6) $13,029.96. E. (9) $4,778.

A. National Women's Political Caucus, 1921 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $31,652.23. E. (9) $14,268.30.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah 84101.

D. (6) $29,890. E. (9) $6,705.42.

A. Ivan A. Nestingen, 1010 16th Street NW., Suite 700, Washington, D.C. 20036.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $900. E. (9) $225.

A. Network, 224 D Street SE., Washington, D.C. 20003.

D. (6) $14,021.17. E. (9) $4,976.16.

A. New England Petroleum Corp., 825 Third Ave., New York, N.Y. 10022.

E. (9) $2,423.60.

A. NL Industries, Inc., 111 Broadway, New York, N.Y. 10006.

E. (9) $1,125.

A. Rebekah Norton, 422 First Street SE., Washington, D.C. 20003.

B. American Conservative Union, 422 First Street SE., Washington, D.C. 20003.

D. (6) $2,646.82.

A. Dallin H. Oaks, Brigham Young University, Provo, Utah 84602.

B. Brigham Young University, Provo, Utah 84602.

A. W. Brice O'Brien, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building NW., Washington, D.C. 20036.

D. (6) $360. E. (9) $40.

A. James F. O'Donnell, 1119 A Street, Tacoma, Wash. 98401.

B. American Plywood Association, 1119 A Street, Tacoma, Wash. 98401.

A. James J. O'Neill, 22 Thames Street, New York, N.Y. 10006.

B. The Committee of Publicly Owned Companies, 22 Thames Street, New York, N.Y. 10006.

D. (6) $16,128. E. (9) $827.87.

A. Michael Sanders Olson, P.O. Box 2776, Raleigh, N.C. 27602.

B. Carolinas Association of Mutual Insurance Agents, Inc., P.O. Box 2776, Raleigh, N.C. 27602.

E. (9) $25.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

D. (6) $720. E. (9) $127.

A. Lew M. Paramore, P.O. Box 1160, Kansas City, Kans. 66117.

B. Mo-Ark Basins Flood Control & Conservation Association, Box 1160, Kansas City, Kans. 66117.

A. Kenton Pattie, 3150 Spring Street, Fairfax, Va. 22030.

B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va. 22030.

D. (6) $1,632.69.

A. Jack Pearce, Pearce & Brand, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. Committee on Modern Efficient Transportation (COMET), 1000 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $9,500. E. (9) $1,725.34.

A. Jack Pearce, Pearce & Brand, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. Computer Industry Association, 1911 North Fort Meyer Drive, Rosslyn, Va.

D. (6) $,6000. E. (9) $318.68.

A. Jack Pearce, Pearce & Brand, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Association for Milk Marketing Reform (NAMMR), 1000 Connecticut Avenue, Washington, D.C. 20036.

D. (6) $8,250. E. (9) $1,290.09.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., No. 200, Washington, D.C. 20006.

B. Coalition of Concerned Charities, c/o Barbara J. Washburn, 1776 F Street NW., No. 200, Washington, D.C. 20006.

A. Pepper, Hamilton & Scheetz, 1776 F Street NW., No. 200, Washington, D.C. 20006.

B. Sun Oil Co.

E. (9) $1,740.

A. A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn. 55402.

B. National R.E.A. Telephone Association, 715 Cargill Building, Minneapolis, Minn. 55402.

D. (6) $3,333.33. E. (9) $2,197.41.

A. Homer B. Pettit, Room 1014 Brawner Building, 888 17th Street NW., Washington, D.C. 20006.

B. Northern Virginia Transportation Commission, Arlington Executive Building, 2009 North 14th Street, Arlington, Va. 22201.

A. Daphne Philos, 3150 Spring Street, Fairfax, Va. 22030.

B. National Audio-Visual Association, 3150 Spring Street, Fairfax, Va. 22030.

D. (6) $975.

A. Frederick T. Poole, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 225 Touhy Avenue, Park Ridge, Ill.

D. (6) $2,896. E. (9) $84.70.

A. Everett O. Post, 1511 K Street NW., Washington, D.C. 20005.

B. National Association of Service Contractors, 1511 K Street NW., Washington, D.C. 20005.

D. (6) $250. E. (9) $35.27.

A. William I. Powell, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

E. (9) $137.20.

A. PROD, Inc., 2000 P Street NW., Suite 700, Washington, D.C. 20036.

D. (6) $80. E. (9) $79.90.

A. Brainard E. Prescott, 220 C Street SE., Apartment 309, Washington, D.C. 20003.

B. Coalition of Independent Ophthalmic Professionals, c/o Theo. E. Obrig, Inc., 75 East 55th Street, New York, N.Y. 10022.

D. (6) $2,452.37. E. (9) $2,452.37.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.

B. American Rice Growers Cooperative Association, Lake Charles, La.

D. (6) $1,000.

A. Graham Purcell, 1819 H Street NW., Suite 230, Washington, D.C. 20006.

B. United Rice Growers & Millers, Maxwell, Calif.

D. (6) $250.

A. Recording Industry Association of America, Inc., One East 57th Street, New York, N.Y. 10022.

D. (6) $298,712.65. E. (9) $14,185.45.

A. Recreation Vehicle Industry Association, P.O. Box 293, 14650 Lee Road, Chantilly, Va. 22021.

E. (9) $15,001.

A. Thomas J. Reese, 3751 Jenifer Street NW., Washington, D.C. 20015.

B. Taxation with Representation, 2369 North Taylor Street, Arlington, Va. 22207.

D. (6) $346.05.

A. Diane Rennert, 1920 L Street NW., Room 750, Washington, D.C. 20036.

B. Association of American Publishers, 1920 L Street NW., Suite 750, Washington, D.C. 20036.

D. (6) $950. E. (9) $368.25.

A. Reserve Officers Association of U.S., 1 Constitution Avenue NE., Washington, D.C.

D. (6) $1,501.80. E.(9) $444.75.

A. James J. Reynolds, 1625 K Street NW., Washington, D.C. 20006.

B. American Institute of Merchant Shipping, 1625 K Street NW., Suite 1000, Washington, D.C. 20006.

D. (6) $1,875. E. (9) $226.64.

A. John Arthur Reynolds, P.O. Box 512, Fresno, Calif. 93709.

B. Western Cotton Growers Association of California, P.O. Box 512, Fresno, Calif. 93709.

D. (6) $1,952.50. E. (9) $1,023.14.

A. James W. Riddell, 723 Washington Building, Washington, D.C. 20005.

B. The Kellogg Co., Battle Creek, Mich.

A. James W. Riddell, 723 Washington Building, Washington, D.C. 20005.

B. Pan American World Airways, Inc., 1800 K Street NW., Washington, D.C. 20006.

D. (6) $10,000.

A. James W. Riddell, 723 Washington Building, Washington, D.C. 20005.

B. Volume Footwear Retailers of America, 51 East 42d Street, New York, N.Y. 10017.

A. James W. Riddell, 723 Washington Building, Washington, D.C. 20005.

B. W. K. Kellogg Foundation, Battle Creek, Mich.

A. Judith Assmus Riggs, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.

B. Washington Research Project Action Council, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.

D. (6) $2,362.50.

A. John Riley, 15th and M Streets NW., Washington, D.C. 20005.

B. National Association of Home Builders of the United States, 15th and M Streets NW., Washington, D.C. 20005.

D. (6) $764.79. E. (9) $6.81.

A. George W. Ritter, 3914 King Arthur Road, Annandale, Va. 22003.

B. Alton Box Board Co., Alton, Ill. 62002.

D. (6) $3,333. E. (9) $1,762.

A. Riviana Foods, Inc., 2777 Allen Parkway, Houston, Tex. 77019.

E. (9) $8,665.

A. Kenneth Roberson, 193 Stuart Road, Valley Stream, N.Y. 11581.

B. Meat Importers Council of America, Inc., One Penn Plaza, New York, N.Y. 10001.

D. (6) $35. E. (9) $6.50.

A. James C. Roberts, 422 First Street SE., Washington, D.C. 20003.

B. American Conservative Union, 422 First Street SE., Washington, D.C. 20003.

D. (6) $1,885.57.

A. Ted V. Rodgers, Suite 304, 1000 Connecticut Avenue NW., Washington, D.C. 20036.

B. Nationwide Insurance Companies & Affiliates, 246 North High Street, Columbus, Ohio 43216.

D. (6) $2,500.

A. Nathaniel H. Rogg, 15th and M Streets NW., Washington, D.C. 20005.

B. National Association of Home Builders of the United States, 15th and M Streets NW., Washington, D.C. 20005.

D. (6) $5,011.50. E. (9) $102.39.

A. Ann Roosevelt, 620 C Street SE., Washington, D.C. 20003.

B. Friends of the Earth, 620 C Street SE., Washington, D.C. 20003.

D. (6) $2,125.

A. Christine Root, 4024 Franklin Street, Kensington, Md. 20795.

B. Washington Office on Africa, 110 Maryland Avenue NE., Washington, D.C. 20002.

D. (6) $937.50. E. (9) $50.66.

A. Albert B. Rosenbaum, III, 1616 P Street NW., Washington, D.C. 20036.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C. 20036.

A. Sand Springs Home, Sand Springs, Okla.

E. (9) $1,020.

A. Save Our Cumberland Mountains, Appalachian Coalition, Box 457, Jacksboro, Tenn. 37757.

D. (6) $1,000. E. (9) $344.85.

A. Stanley J. Sawicki, 16543 Beech Daly Road, Detroit, Mich.

B. Stanley Sawicki & Son, Inc., 1521 W. Lafayette, Detroit, Mich.

E. (9) $174.

A. Jerome D. Schaller, 1750 Pennsylvania Avenue, NW., Washington, D.C. 20006.

B. Minnesota Mining & Manufacturing Co., 3M Center, St. Paul, Minn. 55101.

E. (9) $2,306.60.

A. Kenneth I. Schaner, 815 Connecticut Avenue NW., Washington, D.C. 20006.

B. Leva, Hawes, Symington, Martin & Oppenheimer (for Cooperative for American Relief Everywhere, Inc., 600 First Avenue, New York, N.Y.)

A. Jacques T. Schlenger, 1800 Mercantile Bank and Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.

B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.

E. (9) $57.69.

A. Richard M. Schmidt, Jr., 1920 L Street NW., Washington, D.C. 20036.

B. Association of American Publishers, 1920 L Street NW., Washington, D.C. 20036.

D. (6) $500.

A. Mahlon Schneider, Hazeltine Gates, Chaska, Minn. 55318.

B. Green Giant Co., Hazeltine Gates, Chaska, Minn. 55318.

D. (6) $250. E. (9) $12.

A. Durward Seals, 1019 19th Street NW., Washington, D.C. 20036.

B. United Fresh Fruit & Vegetable Association, 1019 19th Street NW., Washington, D.C. 20036.

D. (6) $350. E. (9) $32.20.

A. Harry D. Shapiro, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Md. 21201.

B. Maryland State Fair and Agricultural Society, Inc., Timonium State Fair Grounds, Timonium, Md. 21093.

E. (9) $57.69.

A. Sharman Associates, Inc., Suite 1000, 1100 17th Street NW., Washington, D.C. 20036.

B. Committee for Do-It-Yourself Household Moving, Suite 1000, 1100 17th Street NW., Washington, D.C. 20036.

D. (6) $4,797.93.

A. Sharon, Pierson, Semmes, Crolius & Finley, 1054 31st Street NW., Washington, D.C. 20007.

B. Oklahoma Natural Gas Company, P.O. Box 871, Tulsa, Okla. 74102.

A. Jowanda Shelton, 910 16th Street NW., Washington, D.C. 20006.

B. Committee for Humane Legislation, Inc., 11 West 60th Street, New York, N.Y. 10023.

D. (6) $3,600.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C. 20036.

B. American Mining Congress, 1100 Ring Building, Washington, D.C. 20036.

A. Barry M. Siegel, 22 Thames Street, New York, N.Y. 10006.

B. The Committee of Publicly Owned Companies, 22 Thames Street, New York, N.Y. 10006.

D. (6) $11,250. E. (9) $821.80.

A. Harry G. Silleck, Jr., 20 Broad Street, New York, N.Y. 10005.

B. Trustees of Erie Lackawanna Railway Co., Midland Building, Cleveland, Ohio.

E. (9) $3,657.30.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.

B. Arkansas Best Corporation, 1000 South 21st Street, Fort Smith, Ark. 72901.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.

B. Association for Advanced Life Underwriting, 1922 F Street NW., Washington, D.C. 20006.

A. Silverstein and Mullens, 1176 K Street NW., Washington, D.C. 20006.

B. Bristol-Myers Co., 345 Park Avenue, New York, N.Y. 10002.

A. Silverstein and Mullens, 1176 K Street NW., Washington, D.C. 20006.

B. Federal National Mortgage Association, 1133 15th Street NW., Washington, D.C. 20005.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.

B. General American Transportation Co., 120 South Riverside Plaza, Chicago, Ill. 60606.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.

B. Government of the Netherlands Antilles, Fort Amsterdam, Willemstad, Curacao, Netherlands, Antilles.

D. (9) $3,200.50. E. (6) $2,594.84.

A. Silverstein and Mullens, 1176 K Street NW., Washington, D.C. 20006.

B. MCA, Inc., 100 Universal City Plaza, Universal City, Calif. 91608.

A. Silverstein and Mullens, 1176 K Street NW., Washington, D.C. 20006.

B. National Association of Home Builders, 15th and M Streets NW., Washington, D.C.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.

B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C. 20036.

A. Silverstein and Mullens, 1776 K Street NW., Washington, D.C. 20006.

B. National Venture Capital Association, 4300 Sigma Road, Dallas, Tex. 75240.

E. (9) $40.

A. Talmage E. Simpkins, 100 Indiana Avenue NW., Washington, D.C. 20001.

B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, DC. 20001.

E. (9) $410.94.

A. Julian H. Singman, International Marine Division, International Longshoremen's Association, 815 16th Street NW., Room 310, Washington, D.C. 20006.

B. International Longshoremen's Association, AFL–CIO, 17 Battery Place, Suite 1530, New York, N.Y. 10004.

D. (6) $5,000. E. (9) $2,367.68.

A. Hall Sisson, 1925 K Street NW., Washing, D.C. 20006.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C. 20006.

D. (6) $3,264.20. E. (9) $3,587.41.

A. Jonathan W. Sloat, 1425 K Street NW., Suite 900, Washington, D.C. 20005.

B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Suite 900, Washington, D.C. 20005.

A. Small Producers for Energy Independence, Suite 970, Fourth Financial Center, Wichita, Kans. 67202.

D. (6) $12,500. E. (9) $12,500.

A. Smith and Hewes, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

B. Pennsylvania Petroleum Association, Building 2, Suite D, 2101 North Front Street, Harrisburg, Pa. 17110.

D. (6) $1,000. E. (9) $1,979.55.

A. Spencer M. Smith, Jr., 1709 North Glebe Road, Arlington, Va. 22207.

B. Citizens Committee on Natural Resources 1346 Connecticut Avenue NW., Suite 712, Washington, D.C. 20036.

D. (6) $3,419.95. E. (9) $963.45.

A. Arthur V. Smyth, 1625 I Street NW., Washington, D.C. 20006.

B. Weyerhaeuser Co., Tacoma, Wash. 98401.

D. (6) $1,860.

A. Southern Forest Products Association, P.O. Box 52468, New Orleans, La. 70152.

D. (6) $12,408.20. E. (9) $12,408.20.

A. Charles E. Spahr, 1750 Midland Building, Cleveland, Ohio 44115.

B. The Standard Oil Co. (an Ohio Corporation), Midland Building, Cleveland, Ohio 44115.

D. (6) $247.

A. Wilbur D. Sparks, 1815 North Fort Myer Drive, Arlington, Va. 22209.

B. Air-Conditioning and Refrigeration Institute, 1815 North Fort Myer Drive, Arlington, Va. 22209.

D. (6) $624. E. (9) $120.

A. J. Gilbert Stallings, 1211 Connecticut Avenue NW., Washington, D.C. 20036.

B. INA Corp., 1600 Arch Street, Philadelphia, Pa. 19101.

D. (6) $186.64. E. (9) 103.36.

A. Francis W. Stover, 200 Maryland Avenue NE., Washington, D.C. 20002.

B. Veterans of Foreign Wars of the United States, 200 Maryland Avenue NE., Washington, D.C. 20002.

D. (6) $6,039.35. E. (9) $743.12.

A. Roger J. Stroh, 1019 19th Street NW., Washington, D.C. 20036.

B. United Fresh Fruits & Vegetable Association, 1019 19th Street NW., Washington, D.C. 20036.

D. (6) $237.50. E. (9) 20.35.

A. Stroock & Stroock & Lavan, 1100 Connecticut Avenue NW., Washington, D.C. 20036.

B. National Music Publishers Association, 110 East 59th Street, New York, N.Y. 10022.

D. (6) $900.

A. R. Keith Stroup, 2317 M Street NW., Washington, D.C. 20037.

B. National Organization for the Reform of Marijuana Law, 2317 M Street NW, Washington D.C. 20037.

D. (6) $2,076.90.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.

B. Central States Health & Life Company of Omaha, Howard at 18th Street, Omaha, Nebr. 68102.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.

B. The Coca-Cola Bottlers' Association, 166 16th Street NW., Atlanta, Ga.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.

B. National Association of Life Companies, 1365 Peachtree Street NE., Atlanta, Ga. 30309.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.

B. Retail Credit Co., P.O. Box 4081, Atlanta, Ga., 30302.

D. (6) $2,500. E. (9) $100.

A. Sutherland, Asbill & Brennan, 1666 K Street NW., Washington, D.C. 20006.

B. The William K. Warren Foundation, 6465 South Yale Avenue, Suite 1000, Tulsa, Okla. 74136.

A. John R. Sweeney, Solar Building, 1000 Street NW., Washington, D.C. 20006.

B. World Airways, Inc., Oakland International Airport, Oakland, Calif. 94614.

D. (6) $200. E. (9) $10.

A. Sutherland, Asbill & Brennan, 1666 K 16th Street NW., Washington, D.C. 20036.

B. Bethlehem Steel Corp., Bethlehem, Pa. 18016.

D. (6) $300. E. (9) $331.

A. Ronald E. Sweet, 1126 16th Street NW., Room 200, Washington, D.C. 20036.

B. International Federation of Professional & Technical Engineers, AFL–CIO, 1126 16th Street NW., Room 200, Washington, D.C. 20036.

D. (6) $350. E. (9) $20.

A. Taxation With Representation, 2369 North Taylor Street, Arlington, Va. 22207.

D. (6) $24,797.82. E. (9) $13,653.45.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C. 20036.

E. (9) $2,011.

A. Patrick F. Tobin, 417 Fourth Street SE Washington, D.C. 20003.

B. International Longshoremen's & Warehousemen's Union, 1188 Franklin Street, San Francisco, Calif. 94109.

D. (6) $4,257.44.

A. John P. Tracey.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C. 20006.

D. (6) $400. E. (9) $50.

A. Joseph P. Trainor, 815 16th Street NW., Room 511, Washington, D.C. 20006.

B. Brotherhood of Railway, Airline & Steamship Clerks, 6300 River Road, Rosemont, Ill. 60018.

D. (6) $4,249.98. E. (9) $1,253.97.

A. W. M. Trevarrow, 976 National Press Building, Washington, D.C. 20045.

B. American Motors Corp., 14250 Plymouth Road, Detroit, Mich. 48232.

D. (6) $6,000. E. (9) $174.25.

A. Richard P. Trotter, 925 15th Street NW., Washington, D.C. 20005.

B. National Association of Realtors, 925 15th Street NW., Washington, D.C. 20005.

D. (6) $2,500.

A. Truck Body & Equipment Association, Inc., Suite 1220, 5530 Wisconsin Avenue NW., Washington, D.C. 20015.

E. (9) $276.50.

A. United Fresh Fruit & Vegetable Association, 1019 19th Street NW., Washington, D.C. 20036.

D. (6) $2,494.69. E. (9) $2,494.69.

A. U.S. Committee for the Oceans, 245 Second Street NE., Washington, D.C. 20002.

D. (6) $4,946.88. E. (9) $5,955.97.

A. Richard E. Vernor, 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. American Life Insurance Association, Inc., 1730 Pennsylvania Avenue NW., Washington, D.C. 20006.

D. (6) $120.

A. R. Eric Vige, 1660 L Street NW., Washington, D.C. 20036.

B. Cities Service Co., 1660 L Street NW., Washington, D.C. 20036.

A. Robert E. Vinson, 1101 16th Street NW., Washington, D.C. 20036.

B. Independent Petroleum Association of America, 1101 16th Street NW., Washington, D.C. 20036.

E. (9) $12.

A. Charlotte Voorde, 133 Duddington Place SE., Washington, D.C. 20003.

B. Association for the Advancement of Psychology, 1200 17th Street NW., Washington, D.C. 20036.

D. (6) $1,300. E. (9) $1,300.

A. Wald, Harkrader & Ross, 1320 19th Street NW., Washington, D.C. 20036.

B. INA Corp., 1600 Arch Street, Philadelphia, Pa. 19101.

A. DeMelt E. Walker, 1730 Rhode Island Avenue NW., Washington, D.C.

B. Credit Union National Association, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $1,119. E. (9) $124.62.

A. Washington Office on Africa, 110 Maryland Avenue NE., Washington, D.C. 20002.

D. (6) $3,854. E. (9) $6,902.02.

A. Washington Research Project Action Council, 1520 New Hampshire Avenue NW., Washington, D.C. 20036.

D. (6) $4,635. E. (9) $4,116.39.

A. Webster, Kilcullen & Chamberlain, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Sand Springs Home, c/o E. J. Doerner, 1200 Atlas Life Building, Tulsa, Okla.

E. (9) $1,020.

A. Webster, Kilcullen & Chamberlain, 1747 Pennsylvania Avenue NW., Washington, D.C. 20006.

B. Truck Body & Equipment Association, Inc., Suite 1220, 5530 Wisconsin Avenue NW., Washington, D.C. 20015.

E. (9) $276.50.

A. Western Cotton Growers Association of California, P.O. Box 512, Fresno, Calif. 93709.

D. (6) $29,501.16. E. (9) $3,285.86.

A. Thomas E. Wheeler, 1425 K Street NW., Suite 900, Washington, D.C. 20005.

B. Grocery Manufacturers of America, Inc., 1425 K Street NW., Suite 900, Washington, D.C. 20005.

D. (6) $236. E. (9) $1,569.

A. Donald K. White, 417 New Jersey Avenue SE., Washington, D.C. 20003.

D. (6) $835.50. E. (9) $852.38.

A. Harry D. Williams, 1025 Connecticut Avenue NW., No. 507, Washington, D.C. 20036.

B. Ashland Oil, Inc., P.O. Box 391, Ashland, Ky. 41101.

D. (6) $250.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.

B. Blomquist, Batte & Campbell, Inc., 1039 College Avenue, Wheaton, Ill. 60187.

D. (6) $100. E. (9) $25.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.

B. Estee Lauder, Inc., 767 Fifth Avenue, New York, N.Y. 10022.

D. (6) $500. E. (9) $35.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.

B. IU International Management Corp., 1500 Walnut Street, Philadephia Pa. 19102.

D. (6) $1,000. E. (9) $100.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.

B. The Louisiana Land and Exploration Co., P.O. Box 60350, New Orleans, La. 70160.

D. (6) $1,250. E. (9) $100.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.

B. School Bus Manufacturers Institute, 5530 Wisconsin Avenue NW., Suite 1220, Washington, D.C.

A. Williams & Jensen, 1130 17th Street NW., Washington, D.C. 20036.

B. Ward Industries, Inc., P.O. Box 849, Conway, Ark. 72032.

D. (6) $100. E. (9) $25.

A. Melanie J. Wirken, 2144 California Street NW., Washington, D.C. 20008.

B. Zero Population Growth, Inc., 1346 Connecticut Avenue NW., Suite 603, Washington, D.C. 20036.

D. (6) $3,500. E. (9) $25.

A. Burton C. Wood, 15th and M Streets NW., Washington, D.C. 20005.

B. National Association of Home Builders of the United States, 15th and M Streets NW., Washington, D.C. 20005.

D. (6) $6,140.61. E. (9) $545.59.

A. World Federalists, USA., 1424 16th Street NW., Washington, D.C. 20036.

D. (6) $4,191. E. (9) $4,191.

A. James S. Yonk.

B. Johns-Manville, P.O. Box 5108, Greenwood Plaza, Denver, Colo. 80217.

A. Zero Population Growth, Inc., 1346 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) $10,800. E. (9) $6,322.

A. Ziontz, Pirtle, Morisset, Ernstoff & Chestnut, 208 Pioneer Building, 600 First Avenue, Seattle, Wash. 98104.

B. Confederated Tribes of the Colville Indian Reservation, P.O. Box 150, Nespelem, Wash. 99155.

D. (6) $1,387.75. E. (9) $283.27.

A. Ziontz, Pirtle, Morisset, Ernstoff & Chestnut, 208 Pioneer Building, 600 First Avenue, Seattle, Wash. 98104.

B. Lummi Tribe of Indians, P.O. Box 309, Marietta, Wash. 98268.

D. (6) $1,296. E. (9) $281.07.

A. Ziontz, Pirtle, Morisset, Ernstoff & Chestnut, 208 Pioneer Building, 600 First Avenue, Seattle, Wash. 98104.

B. Makah Indian Tribe, P.O. Box 115, Neah Bay, Wash. 98357.

D. (6) $1,341. E. (9) $281.96.

A. Ziontz, Pirtle, Morisset, Ernstoff & Chestnut, 208 Pioneer Building, 600 First Avenue, Seattle, Wash. 98104.

B. Metlakatla Indian Community, P.O. Box 8, Annette Islands Reserve, Ark. 99926.

D. (6) $1,341. E. (9) $199.80.

A. Ziontz, Pirtle, Morisset, Ernstoff & Chestnut, 208 Pioneer Building, 600 First Avenue, Seattle, Wash. 98104.

B. Northern Cheyenne Tribe, P.O. Box 128, Lame Deer, Mont. 59043.

D. (6) $18. E. (9) 95.08.

A. Ziontz, Pirtle, Morisset, Ernstoff & Chestnut, 208 Pioneer Building, 600 First Avenue, Seattle, Wash. 98104.

B. Suquamish Indian Tribe, P.O. Box 556, Suquamish, Wash. 98392.

D. (6) $76. E. (9) $88.11.

SENATE—*Wednesday, September 3, 1975*

The Senate met at 12 noon and was called to order by the Vice President.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God of creation and of providence, in whose sovereign will is the destiny of all men and nations, guide us in this moment of history as Thou didst guide our fathers.

Guide us as a nation, day by day and hour by hour, in the ways of truth and righteousness.

Guide by Thy higher wisdom the President in his awesome responsibilities.

Guide us in this body in legislation which assures peace and justice at home and abroad.

Guide us in our inner lives, that we may seek to know and to do Thy will. Give us courage in the midst of fear, faith in the midst of doubt, love in the midst of hatred, and hope in the midst of despair. And, finally, grant us the purity of heart of those who see God.

We pray in the name of the Great Redeemer. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, August 1, 1975, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATOR FROM NEW HAMPSHIRE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate the credentials of the Senator-designate from New Hampshire, our old colleague, NORRIS COTTON.

The VICE PRESIDENT. The Chair lays before the Senate a certificate of appointment of Senator NORRIS COTTON, which the Clerk will read.

The legislative clerk read as follows:

STATE OF NEW HAMPSHIRE,
SECRETARY OF STATE,
August 8, 1975.

Hon. NELSON A. ROCKEFELLER,
President of the U.S. Senate,
Washington, D.C.

DEAR SIR: Enclosed please find a certified copy of the appointment by Governor Meldrim Thomson, Jr. of New Hampshire of Norris Cotton to fill the vacancy in the office of United States Senator from New Hampshire.

Very truly yours,

ROBERT L. STARK,
Secretary of State.

CERTIFICATE OF APPOINTMENT

Under the authority of New Hampshire Revised Statutes Annotated 63:3, as amended by Chapter 1, Section 3 of the 1975 Laws of the State of New Hampshire, I hereby appoint the Honorable Norris Cotton to fill the vacancy in the office of United States Senator from the State of New Hampshire for the period commencing August 8, 1975 until filled by election as provided by law.

MELDRIM THOMSON, JR.,
Governor of New Hampshire.

In presence of: Robert L. Stark, Secretary of State.

August 8, 1975.

[Two days subsequent the following certificate in the form suggested by the Senate was received:]

CERTIFICATE OF APPOINTMENT

To the PRESIDENT OF THE SENATE OF THE UNITED STATES

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the Laws of the State of New Hampshire, I, Meldrim Thomson, Jr., the Governor of said State do hereby appoint Norris Cotton as Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the declaration of the United States Senate, is filled by election as provided by law.

WITNESS: His excellency our Governor, Meldrim Thomson, Jr. and our Seal hereto affixed at Concord, New Hampshire this 3rd day of September in the year of our Lord nineteen hundred and seventy-five.

MELDRIM THOMSON, Jr.
Governor

Robert L. Stark
Secretary of State

The VICE PRESIDENT. The credentials will be recorded and placed on file, and if there is no objection, the Senator-designate will present himself at the desk and the Chair will administer the oath of office.

Mr. COTTON, of New Hampshire, escorted by Mr. MCINTYRE, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the official oath book.

[Applause, Senators rising.]

RECESS FOR 3 MINUTES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief recess, not to exceed 3 minutes, for the purpose of greeting our old colleague and newest Member.

There being no objection, the Senate, at 12:04 p.m., recessed until 12:07 p.m., whereupon, the Senate reassembled when called to order by the Vice President.

ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS AND FOR CONSIDERATION OF H.R. 8121

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the leaders have been recognized there be a period for the transaction of routine morning business, with a time limitation of 10 minutes attached thereto for each Member, the time not to extend beyond 2 o'clock at the latest; and that immediately upon the conclusion of the morning business, the Senate then turn to consideration of H.R. 8121, Order No. 321, the State-Justice-Commerce appropriations bill.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

ENERGY LEGISLATION

Mr. MANSFIELD. Mr. President, on Friday last, on my own initiative, I requested a meeting with the President of the United States to discuss energy legislation and the approaching September 1 deadline, at which time decontrols and allocations would automatically expire. As I say, I went down there in my own capacity, on my own initiative. As a result of the conversations I had with the

President, I informed him that it was my intention to call a conference of the Democratic Senators on either Wednesday or Thursday to discuss his suggestions and my conversation. That meeting will be held at noon tomorrow, at which time I will make a full report to the Democrats assembled, and whatever action will be taken at that time will be taken by the Democrats in conference assembled.

Mr. President, I ask unanimous consent that I may have printed in the RECORD at this time a statement I made on the price of gasoline and what I proposed, dated July 22, 1975; also, a letter to the President dated August 1, 1975; a letter to the President dated August 29, 1975; a paper on the Energy Allocation Act and why it should be extended; a paper entitled "The National Interest Would Best Be Served by Extending the Emergency Petroleum Allocation Act"; and also a paper entitled "Settling the Oil Price Issue With a Program of Gradual Decontrol Is Possible," stating that it would be enacted in 30 days under certain circumstances. All the material from August 29, 1975, has been sent to every Senator in this body, both Republican and Democrat, including our newest Member (Mr. COTTON), and also to the House leadership, so that everybody will be aware of what I was attempting to do on my own initiative and be informed thereby.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MIKE MANSFIELD, JULY 22, 1975

There is no question but that the price of gasoline is going to increase, no matter which way we turn. The President has proposed a gradual decontrol of prices on oil produced in this country from fields that were in operation in 1973, that is "old" oil. The price of that oil is $5.25 per barrel, while the "new" oil produced sells for roughly $13.50 a barrel, the same, in effect, as imported foreign oil. There are no price controls on crude oil produced from new fields, from small stripper wells in old fields, or on above-1972 production levels for old wells.

There is little or no incentive for owners of wells which produce an average of 15-20 barrels a day to keep on producing under present circumstances. They could let their production decline below ten barrels daily so that they could qualify for the free-market stripper-well prices and, as a result, could make more money from producing less oil. They will not invest in secondary or tertiary recovery methods because they could not afford to do so while they receive $5.25 per barrel.

The existing controls expire on August 31. If they do, there will be a very abrupt increase in prices which will tend to halt the economic recovery which now seems to be in progress and turn it into a backward slide. The President has proposed a plan to gradually lift controls on a month by month basis over a thirty-month period. Federal Energy Administrator Zarb estimates that prices would increase by 1½ cents per gallon by the end of this year, by 2½ cents more in 1976 and by 3 cents more in 1977, for a total increase of 7 cents a gallon. This, in my opinion, is an underestimation of the price rises which would very likely occur.

I would suggest that, instead of decontrols being phased out over a thirty-month period, that serious consideration should be given to phase them out over a 4-6 year period. The President also should put an end to the $2 a barrel tax on imported oil. An excess profits tax should apply not just on producers of decontrolled oil, but on profits from new oil as well.

It appears to me that there is room for compromise between the Congressional and the Administration points of view. If something is not done and this deadlock is allowed to continue, the people will suffer more and more. The oil produced will be less and less and the consequences, based on the effect this would have throughout the economy, would be disastrous. The President cannot and must not allow all controls to expire on August 31. The deadlock which now exists must be broken and perhaps some of the suggestions I have made could be used as the basis for a compromise which would benefit the people of the nation and the economy. If we cannot, as representatives of the two branches of government, work towards such a possibility for the common good, then what I have said at the beginning would still hold, except that the "rippling" economic results would be catastrophic.

No matter what we do, it is going to call for increased costs. What we ought to endeavor to do is to handle these increased costs on a prolonged basis so that the economic effect will be minimal. I repeat, no matter which way we turn, the cost of oil is going to increase. There is no way to avoid this and with that fact in mind, the Congress and the President have a duty to get together to work out an agreement which will be best for the nation.

OFFICE OF THE MAJORITY LEADER,
Washington, D.C., August 1, 1975.

THE PRESIDENT
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As we enter the statutory August adjournment, an assessment of national energy policy is essential. During the past six (6) months, the federal government has attempted to overcome 40 years of inattention by giving the highest priority to the development of a national energy policy. You have provided great focus and stimulus to these efforts. I personally have never witnessed a more intensive undertaking by any Congress and I believe these efforts by so many have been most productive. However, there remain certain aspects of the comprehensive program that have yet to be resolved. Among these are pricing aspects with regard to domestic oil. I believe, however, that even this difficult determination will soon be achieved. This is particularly so in view of the fact that on so many energy policy issues there has been substantial cooperation and accord between the Congress and the Administration.

We have all become more informed on the details of the energy problem and especially on how energy decisions precipitate economic consequences. I, myself, have advocated a policy of gradual removal of controls and I believe the development of such a policy will evolve as the legislative process is permitted to work its will. Over what period and to what price are questions that can be answered in a legislative forum.

As you know, in the last several days, many of us here in the Congress have been meeting with Mr. Greenspan, Mr. Zarb and others within the Administration to the end that a mutually agreeable solution along these lines would emerge. My impression is that we have come close—very close—to arriving at a satisfactory answer; one that all sides could live with and one that would demonstrate to the American people that their government—both branches, both houses of Congress and both parties—is working in harmony to resolve this most difficult issue. As close as we have come, however, time did not permit the solution to emerge. As a result, we are left in an extraordinary position.

Without restraint, oil price increases could seriously damage the economy at a time when some hopeful signs are beginning to develop in certain sectors. Without restraint, oil price increases would provide profit rewards of inordinate and unconscionable dimensions and at the cruel expense of those of our citizens least able to afford enormous price increases. No single economist, in or out of government, welcomes the all-at-once spectre of unrestrained oil prices with unrestrained impact on the American consumer. That the final details of an agreeable pricing formula have not been worked out, however, does not mean that, at least for the interim, we should not seek together to prevent what all agree would be the disasterous consequences brought on by the full economic impact of abrupt decontrol and no restraining or mitigating levers at all, be they aimed at equitable allocations, prices or profits or offsetting rebates. If allowed to happen, in my judgment, the damage occasioned would not and could not be rectified.

To avoid such an occurrence is the reason I write this letter. It is to provide you with my thoughts on this issue which I view with the greatest degree of concern. It is to advise you that in my judgment the opportunity exists to enact a sensible oil price policy; one perhaps that will not give all sides everything they seek, but one which does not leave the Nation with the worst of all possible worlds—as is the situation we face if the Emergency Allocation Act is not extended. In my judgment, an extension of the Allocation Act would avoid for the Nation the "worst of all" options. I am confident that you will provide the leadership that will permit the constructive process of the past six months to continue.

Sincerely,

MIKE MANSFIELD.

P.S.—I believe the added time will permit the completion of a truly national policy on energy worked out between the branches. We have come a long way since January, both on energy and economic recovery.

OFFICE OF THE MAJORITY LEADER,
Washington, D.C., August 29, 1975.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On August 1, I wrote you expressing my personal view that the national interest could best be served at this time by an extension of oil price restraints beyond the current month. Since that time I have had an opportunity to consider the matter further and am even more firmly convinced of the impending peril to the economy posed by unrestrained across-the-board price increases in petroleum products. I am convinced as well that if given a little time the Executive and Legislative Branches can come to terms with a solution to the energy price problem agreeable to all sides.

It is for these reasons that I again write you to the end that the Nation might avoid the extraordinary position now faced. Neither the Administration nor the Congress seek abrupt and total decontrol. Together, both Branches and both parties have worked diligently to produce a solution to the energy pricing issue. I am frank to say that it has been your effort that has provided the primary impetus to the energy issue and to the need to develop a comprehensive energy policy for the Nation. Because of your effort, much has been done to shape and implement such a policy; more, in fact, in the past six months than ever before in the Nation's history. Before the August adjournment it was clear that we had come close to resolving the only major energy issue remaining to be resolved—the question of phasing out price controls in the most orderly and non-disruptive manner possible.

On July 15, the Senate passed S-1849, the Emergency Petroleum Allocation Extension

Act of 1975, by a vote of 62 to 29 with eight Senators not voting. On July 31, the House of Representatives passed the Senate bill by a vote of 303 to 117 with 14 not voting. Thus, the Congress has overwhelmingly expressed its view with regard to the pressing need for an extension of the Act for a 6-month period. The issue now centers on whether or not there will be a veto of the Act when it is presented for your signature, which brings me directly to the point of major concern.

What I suggest is that simply because the final details of an agreeable pricing policy have not emerged, the Nation should not be made to suffer the consequences of no pricing policy at all as is the case with total decontrol, nor should the efforts to work out the final details of such a policy be abandoned.

I am frank to say that I do not know what will happen come Labor Day with winter close behind, when, barring an extension, all controls will end. There are as many views on this matter as there are "experts." What further confuses the picture is the fact that no one knows what will happen when the OPEC cartel meets three weeks from now to discuss further price increases. What is clear to me, however, in spite of the ifs, ands and buts, is that the consumer will be hurt come September if controls are not extended, that the price of petroleum and all of its by-products will go up, that the prices of other energy sources will go up, that inflation will be rekindled throughout the economy, that the burden of all of this will be borne most by those in our society who can least afford it, that the flickers of economic recovery now indicated could well be snuffed out and that we might expect a return to double-digit inflation, close to double-digit unemployment and a much greater budget deficit than already projected. What is also compelling in these circumstances is that there are absolutely no measures on the books that would serve to mitigate the adverse impact of total decontrol, be they in the form of windfall profits taxes, tax rebates to particularly hard-pressed consumers or protection for small, independent producers who might otherwise be driven out of the marketplace.

In short, the potential perils posed by abrupt and total decontrol are clear enough to me to urge that we in the Congress be permitted to continue to explore with the Executive the possibility of a more orderly and less disruptive approach to the pricing issue. That we have come close to agreement already is encouraging. For the sake of the Nation, I hope we are allowed to continue these negotiations. To them and to their success I stand firmly committed.

Respectfully,

MIKE MANSFIELD.

THE ENERGY ALLOCATION ACT SHOULD BE EXTENDED

1. The Congress and the Administration can produce a reasonable solution to the oil price question which includes an orderly phase-out of controls and far less disruption to the economy than would occur from total and abrupt decontrol.

2. Total decontrol with the ripple effect means a return to double-digit inflation with higher costs for food, gasoline, clothing, air transportation, medical costs, home heating oil, etc.

3. Total decontrol means a return to 9 percent unemployment and, very likely, double digits.

4. Total decontrol means a budget deficit even larger than now projected.

5. Total decontrol falls hardest on the poor, the unemployed—those least able to bear the burden.

6. There are no mitigating measures; no windfall profits taxes; no tax cuts or rebates; and no competitive protections for small, independent producers who will be driven out of the market.

7. OPEC intends to raise prices—it meets September 23—thus creating even greater disruption to the economy.

THE NATIONAL INTEREST WOULD BEST BE SERVED BY EXTENDING THE EMERGENCY PETROLEUM ALLOCATION ACT

1. Virtually all economists agree that if the Petroleum Allocation Act is not extended, it means chaos and disruption to the economy.

(a) Even without the $2 per barrel tariff on imported oil, oil decontrol will directly inflate oil prices by $13 billion annually.

(b) The multiplier and ripple effect could cause between $20 and $30 billion in inflationary impact on the economy.

(c) The stimulus of the tax cut would be wiped out.

(d) It will drain consumer spending power for all other goods and services and will badly hurt economic recovery.

As Examples: The costs of propane, of fertilizers, of air transportation, of auto transportation, of synthetic fibers will all increase.

2. OPEC is scheduled to meet September 23 to discuss increases.

(a) A $1.50 per barrel OPEC increase will add another $8 to $10 billion annually to inflation—further increasing the costs of all goods and services dependent upon petroleum and its by-products.

(b) Domestic decontrol of oil prices signals OPEC that high prices are o.k. Decontrolling domestic prices and removal of the tariff provides OPEC with an opportunity to increase their prices by $2 and claim they are not increasing the total price for the United States consumers.

(c) In the absence of domestic controls, any increase posted by OPEC may be quickly followed by increases in domestic prices as well. Veto of the Petroleum Allocation Act removes the FEA's authority to establish domestic oil prices and effectively substitutes OPEC price control over domestic energy.

(d) Steeply higher petroleum prices will reduce the demand for all other goods and services. As a consequence, the impact on employment has been estimated to be a loss of up to 500,000 jobs. The transportation industry, food producers, medical services, universities that can't pass on costs, and many other sectors will be especially hard hit.

3. Winter is approaching. The loss of petroleum allocation authority will severely impact the nation this winter.

(a) With the expiration of allocation authority, controls over propane will lapse. Propane prices to farmers and rural residents will steeply rise and supplies of propane will be very tight to household consumers. Without allocation, utilities and large industrial users that are experiencing natural gas curtailments will monopolize available supplies.

(b) With projected shortages of natural gas, it is imperative to have a petroleum allocation program in place to assure that alternative fuel supplies are made available to curtailed gas customers. This will help minimize the number of plant closings due to fuel shortages.

(c) The availability of oil products to sparsely settled sections of the country will be endangered in the absence of a mandatory petroleum allocation program.

(d) In the event of a severe winter, or in case of a future oil embargo, it is essential that the machinery for allocating petroleum products be continually in place.

4. There are no measures on the books that would mitigate the adverse impact of total/abrupt decontrol.

(a) Congress has not passed windfall profits taxes.

(b) Congress has not passed further tax cuts to alleviate the consumer's burden.

(c) There are no protections for small independent producers.

5. The termination of the Emergency Petroleum Allocation Act threatens to severely reduce competition in the petroleum industry.

(a) Elimination of controls will mean that many independent refiners will be squeezed out of business because major integrated petroleum companies will have access to much lower cost crude oil. The old oil will not go up in cost to the integrated producer, but only to the independent purchasers.

(b) Elimination of controls will mean the independent service station operators will be further squeezed out of business because of the cost and supply advantages that will accrue to the major integrated petroleum companies.

6. There is already evidence of the damage to the economy of decontrol.

(a) Many petroleum companies have already substantially increased their prices in recent months by passing through costs.

(b) This has created much greater public hostility to even further price increases.

(c) The most recent reports on inflation indicate that food and fuel prices are again causing rapid inflation throughout the economy. To prevent this cycle from getting out of hand, it is imperative that oil prices be controlled.

(d) Even the petroleum industry no longer speaks with one voice. The Mobil Oil Corporation, in a letter to the members of the Senate dated August 22, 1975, calls for phased decontrol of oil prices over an extended period of time and indicates that immediate decontrol as would occur with the expiration of the Emergency Petroleum Allocation Act "might cause a shock to America's fragile economic recovery."

(e) Arthur Burns has indicated that oil price decontrol may result in a 2-percent increase in inflation, substantially more than the Administration's estimate. All of these factors may shift the balance in favor of overriding the President's veto.

7. A veto will hurt the chances for enacting a national energy program. A veto at this time means a total commitment to sky-high prices by the President. Signing the bill provides the opportunity for the compromise (simply because it is only a six-month extension). The House is currently considering H.R. 7014, which is scheduled to be completed on an urgent basis. To that measure can be added the product of any compromise worked out between the Congress and the Administration.

SETTLING THE OIL PRICE ISSUE WITH A PROGRAM OF GRADUAL DECONTROL IS POSSIBLE—IT COULD BE ENACTED WITHIN 30 DAYS

I. Only a short time is needed to settle the decontrol issue.

The House voted 228 to 189 on the President's proposal to phase out controls over a 39-month period. A needed switch of 20 members indicates that the two branches are coming closer to settling the oil price issue. In the national interest this effort must be continued to avoid the economic disruption of total and abrupt decontrol and to prevent the OPEC cartel from setting oil price policy for the nation. A phase-out over what period of time and to what price lid are issues that can be resolved.

It is reasonable to propose that the matter can be settled within 30 days. But time is needed.

If signed into law and not vetoed, S. 1849 would provide the time. It would extend current controls for six months. Six months may be too long. But the two Houses could act on a measure for an orderly, less-disruptive phase-out well within the next 30 days. When it returns on Wednesday, the House will have under consideration H.R. 7014, the energy bill to which a phase-out program could be added. For its part, the Senate could consider a phase-out proposal well within the next 30 days and the Leadership is willing to commit the Senate to that undertaking.

The alternative of veto (unless overridden) provides no time for cooperation and compromise. This alternative moves the nation into total and abrupt decontrol on Labor Day. OPEC meets in three weeks and oil prices then and thereafter would be dictated by the OPEC cartel. In 30 days, Congress and the Executive together can settle on an oil price policy for American consumers. The veto alternative would vest the OPEC cartel with this power.

II. Time is needed to act on other essential measures related to decontrol.

Gradual decontrol is part of a comprehensive program requiring other legislative action. Time is required to enact these proposals needed to offset the adversity of decontrol.

Only if S. 1849 is not vetoed would Congress have the time—the opportunity to enact other essential elements of the President's program which complement decontrol and provide protection for consumers and the economy.

These include windfall profits taxes, tax rebates/cuts and the preservation of competition (protection for small, independent producers from predatory practices by large companies).

None of these measures are now on the books. They too could be considered and disposed of within 30 days.

THE ENERGY SITUATION

Mr. HUGH SCOTT. Mr. President, not for the first time I rise to express approval of the initiative undertaken by the distinguished majority leader in proposing a meeting with the President, with himself and the distinguished Speaker of the other body for the purpose of seeking to work out a compromise on the very much tangled and bedeviled energy situation.

I understand the majority leader, the Speaker and the President arrived at a basic understanding as to an extension, a relatively brief extension, of the controls following the veto message of tomorrow from the President on the proposed legislation which has gone to him, and that during that period it is the hope of the majority leadership—and certainly the hope of the minority leadership as well—that a compromise along the lines they have discussed can be worked out.

It is certainly in the public interest, and we ought to consider the alternative. The alternative would be a continual failure to enact any legislation, continual uncertainty, utter inability to figure out the ultimate price structure of the fuel oils working a considerable disservice to the American people. There is, therefore, a necessity that Congress and the President get together and that they enact a workable compromise.

If I heard anything more often than anything else during my time away from Washington, it was the expression that "Congress and the President ought to solve this energy mess between them. They ought to act constructively, and that the time for recrimination is long past."

I certainly agree with that, and I am sure I can speak for our side of the aisle when I say that we will give the majority the fullest measure of cooperation. We will seek to work out, first, the extension and, second, the proposed solution.

We would like very much to see it done as quickly as possible, and it is the one way by which we can avoid a breakdown of the price structure through which we can avoid uncontrollable shortages, by which we can limit the cost of energy and energy production as much as is feasible, and by which we hope to establish measures which will lead to increased conservation of energy.

The country is pretty fed up with inactivity. They talked about that a lot more than they talked about anything else. They do not understand why we have not done more about it. I think we are on notice. I think it is up to all of us to forget any politics, to forget the demagogic utterances, to stop playing Presidential politics and congressional politics or senatorial politics; get off the dime and get off the spot and get right with the American people and earn their respect again. I am sure we can do it, and we must all so dedicate ourselves.

ROUTINE MORNING BUSINESS

The VICE PRESIDENT. Under the previous order, there will now be a period for the transaction of routine morning business, not to exceed beyond 2 p.m., with a 10-minute time limitation on statements.

The Senator from Mississippi is recognized.

NEED FOR NATIONAL ENERGY POLICY

Mr. STENNIS. Mr. President, I thank the Chair for recognizing me.

Mr. President, my remarks are going to be in the nature of a summary of what I have concluded we are up against with reference to an energy policy, a subject we have all pursued with such painful efforts now almost for 2 years.

Mr. President, I have firmly decided in my own mind that the time has come now for some very definite action by Congress and the President in this field of a short-range as well as a long-range energy policy for the Nation. The Congress and the administration have searched for an energy policy for 2 years. During this time we have had constructive committee hearings and have learned much about the problem. But we have not developed a policy to solve it.

We have differences of opinion, and that is expected and accepted. There are differences in our own backgrounds as well as the economy of our areas of the country, and those matters have to be taken into consideration. But each Senator I think, needs to make up his mind as to what he thinks is the best energy policy for the Nation. Then each Member must actively work toward that end and actively support measures which most closely represent his chosen policy and remedies.

I have recognized, along with other Members, from the beginning that both a short-range and long-range energy policy and pattern of operation were finally going to have to be enacted.

I find that people, by and large, recognize the need, but a better job could be done in bringing home to them the true facts. If we should have an emergency of some kind or have an unusually severe winter or another oil embargo, or another flare-up in the Middle East, we could be in a crisis, almost a total crisis, in a matter of weeks, and a matter of months at the very most. The existing critical situation could expand and explode. Our entire economy which is so largely based upon oil could find itself in a truly major crisis.

While we have passed a great deal of energy legislation, much of it has been related to our long-range solutions based on further research and development of alternate sources of energy, of pure conservation measures. What we need is a definitive energy policy which we can follow until we have solved the problem, making, of course, the necessary changes as we go down the road.

Our economy, our business, our industry, agriculture, and the livelihood of our people depends upon the availability of energy at a fair price. Today, oil is the major portion of that energy. It permeates every phase of our economy and truly greases the wheels of our commerce. But the boat that carries our economy along is leaking. It matters not which end or which side of the boat the leak is in. All of us are in the boat together and it will finally sink unless we find a remedy.

The main reason, I emphasize, Mr. President, that I am speaking on this subject now is I think the time for action is here.

The PRESIDING OFFICER (Mr. CULVER). The Senate will be in order.

Mr. STENNIS. The economy and the people will suffer greatly if we do not produce definite policies and programs. It seems to me that the President and the congressional leaders and spokesmen have made definite headway in their recent conferences, on this subject last week and I refer to the Senator from Montana, the Senator from West Virginia, the Speaker of the House, and the other leaders.

I conferred with the Senator from Montana this morning to find out if he were going to speak on this today and if he were, I would, of course, defer these few remarks until after he had spoken. But he has already given his reason why he wanted to defer.

I hope this conference with the President will lead to a 60-day continuation of price controls on old oil, during which time we should put the passage of an oil bill as the first priority of business both by Congress and the President. Other important matters are pending, of course; that will always be true. But I believe the time has come now to put the passage of legislation of this nature as our first priority of business. Of course, we must lay aside all political and personal considerations. We must continue to tell the people that this is an economic matter and not a political matter.

This effort should be entirely free of any contest between the President and the Congress, between the partisans of different forms of energy, or between different areas of the economy or areas of the country.

I want to emphasize that I do not

think it has been a contest between the President and the Congress.

It is the most complex and perplexing problem that I have ever had to deal with as a Member of this body, that is, a comprehensive national energy policy that will take care of the needs of our security, our economy, and the people as a whole, something that they can operate in within their present earning capacities.

First, and I emphasize again, the most immediate remedy is conservation of existing and available energy. Virtually every man, woman, and child of the Nation can take part in such a program and most of them will if properly led.

I found that the people are wanting to be brought into this problem and want to be told something that they should do and that all must do. They are willing to do their part.

I refer particularly now to the 55-mile-per-hour speed limit which should be enforced in every State.

A genuine program of conservation will appeal to all, will cost little, will injure only a few, and will actually appeal to and help almost everyone.

Some conservation measures which would help include: First, building automobiles which get better gasoline mileage—and some headway has been made there, thankfully—second, installing more insulation in existing homes and buildings as well as in new homes and buildings; third, eliminating unnecessary automobile travel; fourth, using our air-conditioning, lights, and heat less; fifth, using carpools and public transportation where available; and sixth, adhering to the 55-miles-per-hour-speed limit, and many, many more.

It has been my privilege to take part in the long-range research and development energy program through my services as chairman of the Subcommittee of the Senate Appropriations Committee which holds hearings and handles the funds for long- and short-range research in existing and possible added sources of energy, including solar energy, nuclear power—for the creation of electricity—geothermal energy, energy from the waves, the transmission of electricity, and other programs. These and related efforts must be pushed, some on a crash basis, perhaps, and will doubtless be effective and fill our increased needs in future years. However, the timetable for perfecting these undertakings and making them cost effective have already been extended considerably beyond the early estimates. Most of these programs will not be ready for practical utilization for many years to come.

These long-range plans are now in being and are ongoing, and must have continued attention and support.

It is oil that demands our most urgent legislative and executive attention.

Many of us have recognized all the while that some plan of price decontrol is necessary, and that this would cause gasoline prices to go up some. But, I have been totally opposed to the idea or plan, by whatever name called, of conserving gasoline by having the price go so high that many people could not afford to buy it. Such a plan is not only unnecessary, but it is unfair on its face. Also, I think that any plan that abruptly takes off all controls and thereby causes the price of all oil products to take a free ride upward is unfair and unsound.

I favor a plan of gradual removal of price controls and will, therefore, vote to override the expected veto of the bill to extend controls for 6 months. As a safeguard against the possibility that the Presidential veto will be sustained, I would favor sending to the President, before September 9, a bill extending for 60 days the Emergency Petroleum Allocation Act. I understand even though I have had no communication with him that the President has said he will accept and approve such an extension. I do not think we cannot afford to allow price controls to end overnight.

Thereafter, in my humble opinion, we should pass an equitable and appropriate windfall profits tax. This should provide that the windfall profits tax could be avoided by a plowing back of a certain amount of these profits into additional drilling and exploration and also for refunding to consumers a portion of their increased costs for energy, thus cushioning the economic impact on our people.

If Congress is going to "take off controls," I think the major oil companies should be called on to state publicly what they can and will do toward holding down the price of gasoline and other oil products and what they will do toward increased exploration and production of petroleum from domestic sources. This is just common sense. This, under all the circumstances, is only fair play. I do not know what they can promise and deliver, but I think they should put all the facts out on the table. If they cannot promise anything, they can give the facts and the reasons why they cannot promise. I have discussed this to some slight degree with some oil people. It would present them with problems, but they have not all totally rejected the idea.

Some persons have expressed the apprehension that such statements by the oil companies would raise the possibility of an antitrust law violation. If there is any substance to this, I would, of course, be willing to amend the existing laws to provide the necessary limited leeway.

The people, the purchasers of these oil products, have taken about all they can. Inflation and high prices from other sources are whipping them down. The price of oil is reflected in many of our major necessities. To name a few, the cost of transportation, the cost of fuel for power units—trucks and bulldozers—the cost of electricity for homes and shops, the cost of fertilizer and curing of crops.

The OPEC nations will meet soon and in all probability will raise the price of their crude oil to us, just as much as they dare. They will undoubtedly raise the price substantially, yet keep it just low enough to prevent our taking serious action in this country to lessen our dependence upon their oil.

Mr. President, I think this is a serious point. Until we show positive action toward becoming independent of supplies of foreign oil and other energy, we invite the OPEC nations to continue to raise their prices of oil which we import.

Mr. President, I hope we can get additional facts. I hope the oil companies will make further statements as to what they will do under a long-time decontrol plan. I think time is running out on us and that we should give oil legislation the No. 1 priority and make every effort to work with the entire Congress and the President in enacting a long-term, phaseout decontrol plan, if at all possible, within the next 60 days.

At the same time, I think we should try to reach an agreement on an effective conservation plan and pass the necessary legislation where necessary within the next 90 days, or certainly in this calendar year.

Also, it seems to me we should make a special review by appropriate congressional committees on all the long-range plans that pertain to energy and energy sources for the 1980's and beyond.

This problem of energy gnaws at the very vitals of our economy. Our citizens and the business community, including the oil industry, all are entitled to have an energy policy. We want the best policy we can evolve, but time is running out. Business, industry, all segments of the economy, and the people can adjust to whatever reasonable policy we adopt. Presently, no one knows what to do, because we have no defined policy.

This approach to decontrol old oil is merely a start. There is nothing final about it whatsoever. Should it appear later that prices for gasoline and oil have increased and that no corresponding increase in oil supplies takes place, then we can always go back and take another look at it and revise the legislation. The truth of the matter is that none of us knows whether or not this is exactly the right course of action to take, but it is a start, and as I said, if it turns out to be the wrong course of action, we can always go back later and remedy the situation. However, we cannot afford further delay and inaction. We must face up to the problem and act now.

I am glad to yield to the Senator from West Virginia. He understands my limited time is why I did not yield earlier. I was talking then about conservation.

Mr. RANDOLPH. Mr. President, the Senator from Mississippi (Mr. STENNIS) makes a well-reasoned and realistic statement. I wish to comment briefly on the matter of the speed limit of 55 miles per hour on interstate highways; sometimes we forget that this is now the national law. It is not just a matter of the States; it has the imprint of the Congress on it.

If this speed limit is strictly enforced, I say to my colleagues, nationally we can save approximately 125,000 to 140,000 barrels of gasoline every 24 hours.

It is important that the record also indicate that some States are enforcing this law while other States are not enforcing it. The Department of Transportation has the responsibility to withhold highway funds to those States which do not enforce the law. I believe that the administration, through the Department of Transportation, must take a closer look at its responsibility in reference to the enforcement of the 55-mile-per-hour speed limit.

Strict adherence to the 55-mile speed

limit was emphasized by President Ford in a letter to me earlier this year. I ask unanimous consent that it appear in the RECORD at this point in my remarks:

THE WHITE HOUSE,
Washington, March 17, 1975.

Hon. JENNINGS RANDOLPH,
U.S. Senate,
Washington, D.C.

DEAR JENNINGS: Thank you for your March 13 letter. I am pleased you noted my reemphasis of the importance of enforcing the 55 mile hour speed limit and share with me recognition of its importance.

As you know, this was one facet of the fully integrated energy program I set forth in the State of the Union address. I received legislative authority for the uniform speed limit. I cannot stress strongly enough the need for the additional authority to implement a responsible and comprehensive energy program. Your efforts to move toward this mutual objective are appreciated very much.

With warmest personal regards,
Sincerely,
JERRY FORD.

Mr. RANDOLPH. As noted by our Chief Executive, what is needed is "additional authority to implement a responsible and comprehensive energy program."

Many months ago, Mr. President, the first energy action of the Senate in the 94th Congress was the matter of a national program for energy conservation.

In a truly bipartisan resolution the Senate approved on February 5 of this year Senate Resolution 59, providing for a National Energy Conservation Crusade. Authorized by this Senator, our resolution was cosponsored by 44 Democrats, including the Senator from Mississippi, and 23 Republicans. I commend my colleagues and request that their names appear in the RECORD at this point.

The PRESIDING OFFICER (Mr. STONE). Without objection, it is so ordered.

Mr. Abourezk, Mr. Allen, Mr. Baker, Mr. Bartlett, Mr. Bellmon, Mr. Bentsen, Mr. Buckley, Mr. Burdick, Mr. Byrd of Virginia, Mr. Byrd of West Virginia.

Mr. Cannon, Mr. Case, Mr. Chiles, Mr. Clark, Mr. Cranston, Mr. Culver, Mr. Curtis, Mr. Dole, Mr. Domenici, Mr. Eagleton.

Mr. Eastland, Mr. Fannin, Mr. Ford, Mr. Gravel, Mr. Hansen, Mr. Hart of Colorado, Mr. Hart of Michigan, Mr. Hartke, Mr. Haskell, Mr. Hatfield.

Mr. Hathaway, Mr. Helms, Mr. Hollings, Mr. Huddleston, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Johnston, Mr. Laxalt.

Mr. Magnuson, Mr. Mathias, Mr. Mansfield, Mr. McClure, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Montoya, Mr. Morgan, Mr. Moss.

Mr. Muskie, Mr. Nunn, Mr. Pastore, Mr. Pearson, Mr. Percy, Mr. Pell, Mr. Ribicoff, Mr. Schweiker, Mr. Scott of Pennsylvania, Mr. Stennis, Mr. Stevens, Mr. Stone, Mr. Talmadge, Mr. Thurmond, Mr. Tunney, Mr. Williams, and Mr. Young.

Mr. RANDOLPH. Although this earlier energy initiative was endorsed by the President, regrettably, it was never fully implemented by the administration.

Mr. President, seldom have we seen this sort of bipartisan cosponsorship. Such support reflects the fact that there is a national consensus on the need for more prudent use of our country's energy resources in our quest for greater energy self-sufficiency.

Mr. STENNIS. I thank the Senator from West Virginia and commend him for the fine work he has done over many months in his committee in this field. I recall that as early as 1959, the Senator from West Virginia warned the Senate and the Nation that we were headed for an energy crisis. He introduced a Senate resolution providing for an evaluation of the facts and action in the field. It was my privilege to join him in that resolution. He has been a splendid leader in the field.

I pointed out that the measure would include adhering to this 55-mile-per-hour limit which I understand, in many States where it is enforced, has a great favor, really, with the people, and with the fatality record for the recent holiday.

Mr. President, I thank the Senator from West Virginia.

Mr. DOMENICI. Mr. President, I wish to commend the distinguished Senator from Mississippi on his statement on the energy problem in our country. If it took 30 days for us to get away from it all, for us to come back committed to the proposition that the energy crisis in our country is not a political issue and not a partisan issue but, as the Senator so aptly indicated, one of the most complicated and serious economic problems that our country has ever faced, then I am delighted that we had a rest. I only hope that the remarks made this morning by the distinguished majority leader, by the distinguished minority leader, and by the distinguished Senator from Mississippi are read by all Senators. I hope they take those remarks to heart.

I do believe the Senator is correct that it is very complicated and there is no easy solution. But I think the Senator is also correct in saying that our people, our industry, and the OPEC cartel are sitting around waiting for us to come up with something definite. Unless and until we come up with some certainty there will be no solution. No one will make the kinds of decisions that have to be made until there is built into an energy policy the certainty that leads to predictability, that lets people make long-term decisions, long-term investments, and long-term changes in their way of life, because it is good for their country.

I commend the Senator for the spirit in which he made his statement and for the premise that we need to begin now to do something definite and then move ahead in the remaining months of this year on the four or five fronts the Senator has indicated. I am also confident that the beginning point has to do with crude oil. Whether we like it or not we have let our Nation get into a position where we are about 65 to 70 percent dependent upon crude oil and natural gas to run this economy. Now we find ourselves 40 percent dependent on foreign sources. I say to my distinguished friends we have to make that transition to alternates. That is not an easy job. Built into that is the requirement of a game certain, a plan certain, so that both the private sector and the average American will have something to rely upon, something to act upon.

I do hope that the statements made by our three distinguished Senators this morning are carefully read by all Senators. I include the Senator from Mississippi. I say this in all honesty to my good friend from Mississippi who is not on one of the principal authorizing committees but who has seen the issue as a distinguished senior Senator and has come forth this morning to argue that we get on with the very serious job. I commend the Senator for that.

Mr. STENNIS. May I take a half minute of the Senator's time to thank him for his remarks, and to point out that there has been a lot of effort here, a lot of good faith, and a lot of work done. I do not charge anyone with delinquency. It is a matter of formulating and enacting a law.

I again commend the Senator from Montana for his work in the last week.

Mr. THURMOND. Will the distinguished Senator yield?

Mr. STENNIS. My time has expired.

Mr. DOMENICI. I will yield on my time.

Mr. THURMOND. Mr. President, I just want to be associated with the remarks of the distinguished Senator from Mississippi. During the recess period I had the opportunity to travel in my State from the ocean to the mountains. If there was any one topic that was paramount above all others it was the energy subject.

People are vitally interested in the matter, and I think the remarks of the distinguished Senator from Mississippi today have hit the bull's-eye.

I want to say further that in my State we have the Davis Engineering Plant at Greenwood, S.C., developing a solar plant. They expect that to be successful. It could be a pilot plant for the Nation. If this is successful, it will be a tremendous asset in providing energy to the homes, businesses and industries of this Nation.

Also, I wish to make the statement that I am concerned about the determined effort of some so-called environmentalists to stop industries from going ahead and building more nuclear plants.

We have two nuclear plants that are ready to be built in my State, and there are many other States which desire to build. Instead of taking 3 months it is taking 3 years to make the decision. No one values clean air, clean soil, and clean water more than the Senator from South Carolina. But we must realize the facts as they are. We must be practical. Our people have to have jobs. The experts tell me that the danger from these nuclear plants is very minimal.

It seems to me that for the next 5 years the best hope of more energy lies in the nuclear field more than any other field.

Mr. STENNIS. I thank the Senator.

INDIA MOVES TOWARD TOTALITARIANISM

Mr. HARRY F. BYRD, JR. Mr. President, it was nearly three decades ago, in 1947, when India's new Prime Minister Pandit Jawakarlal Nehru, eloquently set forth his hopes on the future of the young Republic of India.

Observed Prime Minister Nehru:

> Long years ago, we made a tryst with destiny and now the time comes when we shall redeem our pledge, not wholly or in full, but very substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends and when the soul of a nation, long suppressed, finds utterance. It is fitting that at the solemn moment we take the pledge of dedication to the services of India and her people and to the still larger cause of humanity.

The United States was a firm supporter of Indian independence.

Our country watched with great interest and hope to see how a nation with a population of nearly 600 million people—the world's most populous democracy—would succeed with its experiment in free, republican government.

The United States has been a good friend to India through these years.

We have given India over $10 billion in economic assistance, more than any other nation has given her, and more than we have given any other nation.

It is, then, not surprising that the American people would be bitterly disappointed in recent political developments in India.

Mrs. Gandhi has rejected the founding principles of her father and his hopes for a democratic India by assuming increasingly dictatorial powers and suppressing the freedoms and liberties of all Indians.

With one quick and far-reaching blow, Mrs. Gandhi has taken India from the path of democracy. She has set in motion events the outcome of which I fear none can foretell.

Prime Minister Gandhi, convicted of corrupt election practices, was under pressure from the political opposition to resign from her post pending the outcome of a Supreme Court review of her appeal of the conviction.

One of India's most respected statesmen-philosophers, and a disciple of Mahatma Gandhi, the 73-year-old Mauyan, called for a campaign for nonviolent civil disobedience in opposition to Mrs. Gandhi.

Mrs. Gandhi reacted by placing herself above the law when she ordered her nation's President to decree a state of emergency that gives her full dictatorial powers.

It was a reaction totally unwarranted by the unfolding of events.

The decree of a state of emergency permits Mrs. Gandhi to arrest those who oppose her without formal charges; she has introduced a stringent press censorship, including the censorship of foreign journalists, and public criticism is now impossible without fear of retribution.

It is estimated that Mrs. Gandhi has personally selected more than 5,000 persons for arrest, including members of her own political party.

Under India's constitution, the emergency decree issue could stay in effect for only 2 months, without parliamentary approval.

But Mrs. Gandhi's action was not designed to defuse a tense political situation.

Both houses of the Indian Parliament, controlled by Mrs. Gandhi's ruling party, have approved the emergency decree giving Prime Minister Gandhi dictatorial powers indefinitely.

The opposition parties in India walked out of the Parliament in protest over the rubber stamp approval.

Mrs. Gandhi then used this as an opportunity to rush through the Indian Parliament an amendment retroactively changing the law she was convicted of violating. Ex post facto, Mrs. Gandhi has struck at the very fiber of a free and democratic society.

The reasoned voices of opposition and moderation no longer have a place in India.

It is not surprising, then, that the only political party to support Mrs. Gandhi, other than her own, is the Soviet-backed Communist Party of India.

For as in all totalitarian systems, Mrs. Gandhi has taken all power unto herself and her small clique of cohorts.

Indeed, she has decreed that Indira is India, and that India is Indira.

Mrs. Gandhi, convinced of the efficacy of herself, and her own righteousness, has transformed the world's largest democracy into the world's second largest dictatorship.

Under these circumstances, I believe we should reexamine our massive foreign aid program to India. As I mentioned earlier, this has totaled $10 billion.

In the 1975 Foreign Assistance Act, the United States is providing, for the first time since 1971, new economic aid to India.

Moreover, United States and Indian officials currently are negotiating the sale of 300,000 tons of wheat to India on concessionary credit terms, including at least a 20-year repayment period and low interest rates. Administration officials have admitted that this may be part of a total commitment of over 1 million tons of food.

My information, by the way, is that India may use this food to help repay the Soviet Union in 1976 for 2 million tons of wheat sent by Moscow in 1974, rather than to alleviate hunger among the Indian people.

Walt Whitman Rostow coined the phrase "takeoff point" to describe a country's movement into self-sustaining economic growth. Unfortunately, in India, as in many other countries, the "takeoff' 'theory remains an unfulfilled prophecy.

From fiscal year 1969 through fiscal year 1974, India in effect defaulted on $93.1 million of its debt to the United States and $720 million of its debt to other Western lending countries. The debts were rescheduled by the lending countries. Given India's current economic and political performances, I doubt that these debts will ever be paid.

On the contrary, the future will more likely entail new and ever larger defaults on repayment and more and more rescheduling. In effect this will become a new form of aid without the approval of Congress and without the knowledge of the American people.

The U.S. aid program increasingly is shown to be the giant giveaway program that the critics have long claimed it to be, rather than an honest lender-debtor relationship.

The recent rupee agreement with India points up the myth of repayment. Since the Public Law 480 food aid program began in the 1950's, the United States had accepted payment for agricultural products in Indian rupees rather than dollars.

Of the $3.3 billion equivalent in rupees held by the United States at the end of 1973, the rupee agreement, in effect, wipes out $2.2 billion. This amount is now handed over to the Government of India in the form of outright grants.

India's economic stagnation and the likelihood of substantial defaults by India in the repayment of its debts to this country ought to cause both the Congress and the Executive to reevaluate aid programs in India.

Let us recall that despite $10 billion in U.S. economic aid since Indian independence in 1947, India's economic performance has failed to improve the basic lot of the poverty-stricken Indian people. India has not achieved the kind of continuous growth necessary for self-sustaining development.

Industrial output has remainded virtually stagnant since the mid-1960's. Agricultural performance has been uneven at best, and recent reductions in farm output have quieted earlier forecasters of India's "green revolution."

What progress there was, has been wiped out by a massive system of hoarding and smuggling of food. Mrs. Gandhi herself has admitted that hoarding is perhaps the principal reason for hunger in India.

The Government of India continues its policy of bolstering the inefficient public sector at the expense of the private sector: a primary cause of the industrial stagnation. Its priorities remain distorted, with the military and heavy industry taking a disproportionate slice of the annual national budgets at the expense of agriculture.

The armed forces consume about 25 percent of the annual budget each year, despite the absence of any real external threat to India's security.

The Indian Government's refusal of several major U.S. proposals in the 1960's for private U.S. investment in fertilizer-producing facilities is another major reason why India today experiences such a large shortfall in fertilizer supplies, and the Government's basic hostility toward American private capital remains intact.

Even many of India's own scholars and intellectuals recognize that country's bleak future. The highly respected National Committee of Science and Technology, a Government advisory body, issued a report in 1974 predicting that, if present trends continue, by the year 2000 half the population will be homeless, food will be scarce, most forest areas will have disappeared, and Calcutta-like cities will be proliferating.

In short, the promises of prosperity and progress that accompanied the American aid program have been negated by the Government of India's distorted priorities, including gross mismanagement, widespread corruption and the recent investment of manpower and resources to develop a nuclear explosive device.

American aid, in fact, may have helped to perpetuate India's weaknesses. The massive U.S. Public Law 480 food shipments over the past 20 years have contributed to the Government of India's reluctance to invest a much greater proportion of its own resources in agriculture, fertilizer production, and the development for irrigation of India's vast underground water system.

So we have come to a time for reassessment of the relationship between the United States and India.

To summarize:

Prime Minister Gandhi has eliminated democracy in India.

There is little ground for hope that new American aid will materially benefit the people of India.

I see no reason why the U.S. taxpayers should be called upon to pay for further aid to the dictatorial Government of India.

At this point, Mr. President, I ask unanimous consent to have included in the Record a number of editorials on the recent political developments in India.

There being no objection, the material was ordered to be printed in the Record, as follows:

[Editorial from the Norfolk, Va., Ledger-Star, June 27, 1975]

INDIA: SETBACK FOR FREEDOM

India's Watergate has an entirely different script from the original in the United States, where public scrutiny and free probing finally brought down the Nixon Administration.

Mrs. Indira Gandhi, India's Prime Minister, has been under some of the same severe criticism, to be sure, since a lower Court found her guilty of illegally using government officials in her election campaign in 1971. The Court barred her from holding office for six years.

She continues as Prime Minister, however, because the Supreme Court said she could remain as head of the government—but without a vote in Parliament—while appealing the verdict.

This ruling didn't deter political opponents from calling for her to step down. In fact, their fervor apparently increased. Now, as a result of these attacks, the Gandhi government has declared a State of Emergency and has ordered the arrest of her leading critics and some lesser ones, too, since the number jailed is now around 700. Further, some newspapers were not being distributed, either because their power supplies were cut off or their copies were confiscated.

The severe crack down was unprecedented in the 28 years of Indian Independence. But, Mrs. Gandhi said the government's action was necessary because "forces of disintegration were trying to destroy democracy in the name of saving democracy."

No doubt those forces would similarly accuse Mrs. Gandhi—if they could be heard.

[Editorial from the Norfolk, Va., Ledger-Star, Aug. 6, 1975]

INDIA: A FINAL TRAVESTY

The stripping away of India's veneer of democracy has involved one shameful exercise of dictatorial power after another. But the latest is surely the greatest mockery of justice.

This was the action of the Indian Parliament (so-called) to eliminate the provision of the corrupt election practices statute under which Prime Minister Indira Gandhi had been convicted in a duly constituted Court of law. It was that conviction, with its possibility of a removal from office, which prompted Mrs. Gandhi to assume total power.

And while the imprisonment of her political foes, the erasure of free speech and free press, and the imposition of raw central tyranny on the people were tragic enough, there is something especially offensive in the rewriting of law so that the tyrant can escape its toils.

This chicanery may dispose of a technical ascendency, and perhaps the Indian people will not learn for sometime yet just what was involved in the shouted approval of the law's amendment, ostensibly designed to get rid of "ambiguities." (The Press is forbidden to report that Mrs. Gandhi is the beneficiary of the changes.)

But if the Prime Minister and her accomplices presume that somehow they are cleansing the judicial record for posterity, they are deceiving themselves. For the world can read the record for what it is right now, and the Indian people will so read it one of these days, too. And that record will be a blot on the name of the tamperer and on the history of the Indian nation.

[From the Washington Post, July 23, 1975]

WHAT IS ACTUALLY HAPPENING IN INDIA

By way of trying to deal with the considerable grievances of the Indian government against the newspaper, we are publishing elsewhere on these pages today both a letter and a separate communication from the Indian Ambassador to this country, Mr. T. N. Kaul. The letter has to do with The Post's coverage of recent events in India; the communication offers the Ambassador's view of "what has actually happened in India." While we are pleased to present the Ambassador's version of events, we are not quite prepared to yield the field. For it seems to us that, among other things, Mr. Kaul, in the course of vigorous denunciation of the work of our former correspondent in New Delhi, has stumbled into a trap that has caught up all too many other apologists for autocracy at other places and in other times.

On the one hand, he claims that a large and fervent majority supports Mrs. Ghandi for her declaration of internal emergency last June 26. On the other hand, he contends that the declaration was required to prevent that same majority from being subverted. How can this be, if in fact the Indian army is nonpolitical and well-disciplined as he says? If support for Mrs. Ghandi is so strong among businessmen, union members, teachers and students, and if the average consumer and the common man are "so happy," why should Mrs. Ghandi have paid the slightest attention to the appeals of the "motley combination" of her opposition?

That, it seems to us, is the fatal contradiction in the Ambassador's argument; but it is not its only flaw. His complaint that Post correspondent Lewis Simons did not "bother" to check certain of his stories must be set against the Indian government's determined efforts since the emergency declaration to keep journalists from doing any checking at all. For the censorship measures installed recently have been designed to choke off just such normal professional practices of a free press and to ensure that only the government's version of the news is told. This week, the government issued guidelines which, among other things, would prevent foreign correspondents (the domestic press has already been muzzled) from reporting the statements of those parliamentary opponents who are not already in jail or intimidated. Foreign journalists also were asked, under threat of expulsion, to sign a written pledge to honor the guidelines. The whole notion of press guidelines for a nation with India's democratic traditions is an abomination. This newspaper does not accept them.

The guidelines were meant to assure that what opposition might be voiced at this week's special session of parliament would not be heard beyond its halls. By heavy-handed pressure Mrs. Gandhi assured that the session would deal with just one item of business—giving a parliamentary rubber stamp to the emergency she had proclaimed with her executive powers last month. Thus after yesterday's 136-30 upper house vote, in which her Congress Party was joined only by the Communists, she can claim to be acting with a parliamentary mandate and in a manner consistent with the letter of the Indian constitution. The lower house is to vote today. The same press guidelines will also allow Mrs. Gandhi to block full reporting of the Supreme Court's hearing in August of her appeal from an electoral-law conviction. It was the public's outraged reaction to her decision to remain in office despite that conviction that brought on the continuing—and still deepening—crisis.

Where is Mrs. Gandi heading? She has made it impossible for the parliamentary opposition to function. Members of the upper house confirmed this yesterday by walking out; lower house opposition members are expected to walk out today. Mrs. Gandhi is also apparently moving to have her Congress Party amend the constitution so that the emergency declaration cannot be challenged in the courts. Defending the emergency as a "painful necessity" yesterday, Prime Minister Gandhi said that there would be no return to the previous "political permissiveness"—a cruel reference to a state of affairs which she and many other Indians had previously extolled as the world's largest working democracy. A new balance must be struck, she said, "between the political rights of people and the economic rights of the dejected masses." This is, of course, the typical rationale of 20th-century dictatorships. It becomes increasingly sad but necessary to take Mrs. Gandhi at her word and to adjust our thinking to the grim prospect of indefinite one-person rule in India.

[From the Washington Post, July 1, 1975]

INDIA AND DEMOCRACY

Mrs. Gandhi has gone too far—much too far. She has taken the serious but manageable crisis resulting from her campaign violation conviction and, by her harsh reaction to it, turned it into the greatest crisis of independent India's 28 years. If last week the instant question was whether Mrs. Gandhi would survive, this week it is whether Indian democracy will survive. Pessimists even ask if India itself can withstand the disintegrative forces, now released, which were held in check before in good measure by the country's common commitment to democratic process. Frighteningly, Mrs. Gandhi gives no public recognition that India may be on the edge of the abyss. Grossly misusing emergency powers which parliament granted in an entirely different context, she has been busy locking up political rivals by the thousand, choking off the foreign as well as the domestic press, and otherwise acting like a British regimental commander imposing order in a restive colonial province. How or whether she intends to release her personal grip and to restore India to its democratic ways are questions she has yet to address.

Does it matter whether India holds to democracy? Whether it matters to Indians is, of course, their affair. To many Indians, democracy has been at once blessing and burden: a system glorious in its political values and promise but one of uncertain practical advantage to a large poor nation trying to modernize against breath-taking odds; the pride of the educated classes but something of little direct meaning to the country's illiterate and miserable majority; a cultural lifeline to India's former masters and its friends in the West but a barrier between it and the Soviet Union, its chief foreign patron in recent years. Sensitive to these shadings, Mrs. Gandhi has long hailed democracy as the slow but sure way for India. She has done this even as, in the past, she used constitutional shortcuts like "President's rule" to get around political challenges. Even now she justifies her crackdown in the name of saving democracy. But many Indians, both to her left and her right, do not deem it worth saving. And many more Indians, of her own centrist or moderate persuasion, have done far less than they could over the years to ease the cruel economic and social strains which make democracy such a cross for India to bear. Corruption, bureaucracy, dogma, jingoism, self-seeking: these are the enemies of democracy. India's crisis began years ago.

Does it matter to Americans how democracy fares in India? With the partial thawing of the cold war, the United States no longer regards India so much as a showcase in which democracy's superiority to communism must be proven. Rather, Americans in their chastened post-Vietnam mood are uncertain whether it is appropriate or right at all to want to see our system of democracy and free enterprise take root in foreign soil: It sounds imperialistic, risky. A kind of situation ethics has become popular in which Americans are reluctant to tout democracy to others unless it can be shown to "work," that is, to produce economic progress. It is a tough question. Precious as are American values at home, Americans can hardly place a higher premium on the fortune of those values in a foreign land than do the people of that country themselves.

Yet there is, we believe, something inarguably good about democracy. As a system of government, it can help a willing country to do the work it must do. It can also contribute to an international environment in which legitimate American interests are nourished. And even if it fails to prove its clearcut effectiveness in this sort of pragmatic testing, democracy represents, we believe, the values which define us best. Not to wish democratic values to fare well elsewhere would be an unhappy comment on our own faith in ourselves.

[From the Los Angeles Times, June 27, 1975]

INDIA: DOWN, DOWN

Democracy in India may not survive the campaign that Indira Gandhi is waging in the name of saving it.

There are indications that she has embarked on the road to despotism.

Her arguments for jailing her political rivals and muzzling her critics are not persuasive. She claims to be acting in the name of freedom and in behalf of the harijans and other disadvantaged. But in fact she is destroying the basis of open and popular government, and is acting primarily in her own behalf, for her own political protection.

Her actions are the more shocking because they contrast so brutally with what had preceded in terms of the proper and appropriate functioning of an independent judiciary guaranteeing minority rights in a democratic state.

She had been found guilty two weeks ago of violations of the election law in a case dating back to her last race in 1971. She appealed and won temporary, partial relief that denied her only the privileges of parliament. She and the nation were awaiting a final resolution of the matter in the Supreme Court. There were demonstrations, in support of her and against her. There was an invigoration of the opposition, and some outrageous public comments were heard. But there was nothing to suggest the kind of "grave emergency" threatening national security that was cited in justifying her draconian measures.

Mrs. Gandhi was in trouble, no question about it—deeper trouble than at any time in the nine years she has served as prime minister. The troubles were cumulative, climaxed by her court conviction. Her two most popular accomplishments, victory in the Bangladesh war in 1971 and development of India's nuclear device last year, did not distract the nation from a perception of failure in government.

Any judgment of government in India must begin, however, with an acknowledgement that governing that nation under any system may be an impossible task. Every dimension of every problem appears overwhelming, and progress more often than not is frustrated by the natural calamities of flood and drought that intertwine with the human failures of corruption, indecision, greed, injustice and bureaucratic paralysis. What can anyone do with the future of a nation growing at the rate of 12 million people a year?

But it has become more and more evident to the people of India that Mrs. Gandhi's government has fulfilled neither its promise nor its potential. No single statistic is more damning than the growth of the poverty sector in her term. Time and again she has been unable to exercise the discipline and control required to discourage corruption and advance the economic and social reforms so urgently required.

Indian officials are now asking a postponement of judgment. They argue that national emergencies and the temporary incarceration of political personalities are not novelties and have proved essential in the past to prevent intolerable stress on the police. They insist that democracy is not dead, only momentarily suspended.

Perhaps. But it will not take long to test Mrs. Gandhi's true intentions. The Supreme Court must decide her election appeal next month. If she suspends the summer session of Parliament, what will she do about requirements for the November session? And what of the national elections that must be held by March of next year?

[From the Washington Star, June 29, 1975]

MRS. GANDHI'S "DEMOCRACY"

Indira Gandhi had us fooled. We thought the righteous prime minister of India was so proud of her leadership of "the world's largest democracy" that she would not settle for running the world's second largest dictatorship. Yet Mrs. Gandhi has made that demeaning transition by suspending democratic rights in her vast country and arresting some 900 members of the political opposition. Her assumption of dictatorial power, though announced as a temporary measure to meet a threat of internal disorder, could have tragic consequences for Indian democracy.

The immediate occasion of the crisis was the increasingly strident clamor for Mrs. Gandhi's resignation because of her recent conviction on two rather technical counts of campaign corruption. The court's sentence—her banishment from elective office for six years—had been stayed pending her appeal to the Supreme Court. But a Supreme Court justice made her interim position less comfortable last week by ruling that, while she could continue as prime minister awaiting a final decision, she could not vote or debate or draw her pay as a member of Parliament. This encouraged opponents to cry the louder for her immediate removal, and a prominent critic raised the specter of a civil disobedience campaign to begin tomorrow.

Mrs. Gandhi acted fast and indiscriminately. Claiming a "deep and widespread conspiracy" at variance with the openness of the multi-party opposition, she jailed a wide range of non-Communist opponents. Press censorship has been imposed. No one can know whether there was a serious threat of civil disobedience, or whether normal police work could have handled any likely disturbance.

The prime minister has sought to depict the struggle as involving the fate of her government's social and economic programs on behalf of India's poor multitudes—efforts that have fallen far short of Mrs. Gandhi's promises as the ruling party has come under a darkening cloud of corruption charges. "It is not important whether I remain prime minister or not," she told her people, adding that her concern was for "the institution of the prime minister." Do we hear an echo of Mr. Nixon's solicitude for "the presidency"?

The conclusion to be drawn from events so far is that Mrs. Gandhi assumed emergency power and locked up the opposition primarily in order to hang onto office during her severe legal embarrassment. By doing this she has put Indian democracy in extreme jeopardy; once the free play of a multi-party system is deemed to be too dangerous, it may be hard to re-establish circumstances in which it is once again seen to be safe. It would have been far better if Mrs. Gandhi, rebuffed a second time by the independent judiciary, had stepped down while the Supreme Court deliberated.

[From the Washington Star, July 12, 1975]

INDIA: OVER THE BRINK?

Those who still nurture hope for the restoration of democracy in India argue that everything Indira Gandhi has done so far is entirely within her legal right as prime minister. This is true enough: The Indian constitution provides for emergency powers far more sweeping than what would be permissible in this country. The jailing without trial of more than 1,000 members of the political opposition, the suppression of political parties, the muzzling of India's often rambunctious press are all technically legal. Whether they will remain so for long, however, is another matter.

The important question is why these powers were invoked so suddenly on June 26. So far at least no real evidence has been produced to back up Mrs. Gandhi's vague charges of a "deep-rooted conspiracy" that threatened the nation with "economic chaos and collapse." To be sure, the prime minister had been found guilty of electoral misconduct that threatened her job. The verdict had encouraged the opposition to call for her immediate resignation, despite a conditional stay of sentence by a standby judge of the vacationing supreme court. And her major antagonist, Jayaprakash Narayan, before his arrest, had called for civil disobedience and encouraged the police and military to ignore "illegal orders."

All this, however, did not convey the impression of a genuine national emergency grave enough to justify dictatorial powers that have never been invoked before, even in wartime. The impression, rather, was that of an imperious leader who found herself suddenly in a vulnerable spot and who was determined to preserve her own position at all cost. As Mrs. Gandhi explained the situation, "In India, democracy has given too much freedom to people."

In any event, it may not be long before the prime minister's real intentions become clear. Within the next two months, events are likely to allow Mrs. Gandhi to restore the civil liberties which she has so abruptly suppressed or reveal her intention to rule India unconstitutionally from now on. A special session of the parliament has been called for July 21, presumably to extend the emergency decree on which her extraordinary powers depend. To hold the session while the opposition leadership is out of action would be awkward, to say the least. To free the opposition for the occasion would be to invite a resounding denunciation of her style of leadership. To extend the emergency without recalling parliament, however, would place Mrs. Gandhi clearly outside the law.

Even more critical will be the ruling of the full supreme court when it gets back to work on the verdict of the election charges handed down last month by a provincial judge. Under that verdict, Mrs. Gandhi would be forced to resign as prime minister and would be barred from running for electoral office again for six years.

If there is any real hope of a restoration of Indian democracy, it almost certainly lies in a reversal of the finding of the lower court. If that should happen (and one must assume that the supreme court judges are not insensible to the political realities) there is at least a chance that the prime minister will find her position sufficiently strengthened to restore civil liberties and something like a normal political process. If the court finds against her, all bets are off. From what has happened so far, there is no reason whatever to suppose that Indira Gandhi will meekly step aside. And since there is also no reason to suppose that the country—including her own Congress Party, the civil servants, police and military—will meekly follow her over the brink of despotic rule, the direst predictions would be amply justified.

THE WORLD'S LARGEST DEMOCRACY

The Fourth of July might be an appropriate time to reflect on the recent events in India. It is an appointed day for celebration, after all, and the United States has just become the world's largest democracy.

Irony aside, to see the nation that previously prided itself in that title transformed overnight into a personal dictatorship teaches no few lessons about democracy itself. Democratic government does not grow out of sterile constitutions or diffuse good will. It is a living, breathing thing, rooted in place and time and above all in the traditions and in-bred instincts of both a people and their leaders. In the United States these roots reach back officially 199 years and in truth far longer, and it is this good fortune that we celebrate on Independence Day.

In India, the roots of democracy look to have been shockingly shallow, despite 25 years of independence and countless professions of piety. The threat to Prime Minister Indira Gandhi arose from court findings of trifling campaign misconduct, an appeals court ruling that she could continue as prime minister but could not vote in parliament, and a call for civil disobedience seeking her resignation. She reacted by invoking constitutional provisions for a state of emergency, arresting all opposition party leaders, clamping tight censorship on the press and using gunfire where necessary to curb street protest.

"There is no way to write a constitution to avoid the ultimate question—who will the military commanders obey?", we recall an eminent constitutional authority telling us back in the midst of the Watergate crisis. India neatly proves his point. But it also makes a point to observe that throughout the travail of Watergate, this elementary notion never became a topic of public discussion.

This is because a Gandhi-like coup would not work here, but in a larger part because it would not be tried. Imagine an impeached and convicted President ordering the military to preserve his office; they would not obey. An attempt to use force to preclude impeachment would mean summary conviction. The people, whose wrath was directly felt at various moments in Watergate, would stand for nothing else. In reality, as we saw, events would never be allowed to reach this stage. At an earlier point, the President's own men, the Alexander Haigs and James St. Clairs, would be easing him from office. And the President would acquiesce.

This is because all concerned—the commanders, the people, the officials, the President—have been reared in the American tradition reaching back these 200 years. From earliest memory ideals such as the rule of law are impressed upon them, until the ideals become part of the men. Various men may sometimes violate the ideals, of course, but few if any could bring themselves to utterly rupture them. And the collective weight means that even in a Watergate crisis democracy not only prevails but remains unquestioned.

India lacked this collective weight of democratic tradition, though one hopes the roots will still prove deep enough to guide it back to something closer to democratic rule. Indeed, certain of its traditions, tracing back to its independence, seem in retrospect perverse for democracy. The history of civil disobedience, even when due process of law is running, would make any ruler nervous. There remains a strong element of Brahmin aristocracy, of which Mrs. Gandhi was very much a part. This, plus the tradition of one-party rule and a special claim to morality, may have made it easier for her to summon the self-righteousness bespoken in her rupture with the rule of law.

The lesson once again is that democracy cannot be grown overnight, or even in a generation. The very success of American democracy makes it easy for Americans to forget this lesson. Perhaps the example of India may make it easier for Americans to be less impatient with the democratic imperfection of some of its allies, more willing to distinguish the gray from the black in nations around the world.

More than that, the spectacle of India's democracy collapsing so swiftly and for so little immediate reason ought to make Americans more aware of how rare and precious is the sturdy democracy they take for granted at home.

[From the Chicago Tribune, June 29, 1975]

> The newspaper is an institution developed by modern civilization to present the news of the day, to foster commerce and industry, to inform and lead public opinion, and to furnish that check upon government which no constitution has ever been able to provide.
>
> —THE TRIBUNE CREDO

MRS. GANDHI COULDN'T TAKE IT

We spoke too soon when we complimented India the other day on the healthy state of its democracy. That was after Prime Minister Gandhi was ordered into court to testify and then convicted of violating an election law.

India tried hard to prove that it, too, could handle a Watergate, but it was just too much for Mrs. Gandhi. In the space of a few hours, Thursday morning, her police routed hundreds of her political enemies out of bed and into jail, her government has declared a state of emergency, and she has imposed stiffling controls on the Indian press, hitherto one of the freest in the world.

Mrs. Gandhi lost control of herself when her critics—including some of the most respected figures in India—urged demonstrations and civil disobedience to persuade her to resign in the wake of her conviction. She has appealed the conviction to the supreme court, which has allowed her to stay on as prime minister but not to vote during the course of her appeal.

Mrs. Gandhi, the heroine of so many American liberals, has done almost exactly what some of Richard Nixon's bitterest liberal critics warned that he might do if Watergate became too uncomfortable. Mr. Nixon was smart enough to contain himself; Mrs. Gandhi was not.

The situation is filled with further irony. The victims of Mrs. Gandhi's predawn sweep, chafing under what they consider an oppressive if not illicit government, are using the same methods employed by the late Mahatma Gandhi [not related to the present prime minister] when he faced what he considered an oppressive government. His policy of nonviolent opposition to British rule made him almost a saint in the eyes of the Congress Party, which has governed India ever since. Now his tactics have been espoused by those who detest the Congress Party for its spreading corruption and Mrs. Gandhi for her increasing authoritarianism.

The actual charges against Mrs. Gandhi are minor by Watergate standards, but some of her critics believe that far more serious ones could and should have been brought against her or her party. They allege vast illegal election spending by parliamentary candidates and the illegal collection of untaxed funds from corporations and individuals. They believe that after 27 years in power, the Congress Party is barnacled with corruption and arrogance.

And now Mrs. Gandhi has given them good reason for the worst of their suspicions. Jaya Prakash Narayan, an influential independent, warns that "step by step, Mrs. Gandhi is moving toward dictatorship and facism." It is hard to avoid that melancholy conclusion. The most plausible explanation for her behavior is that her government has lost the support of the people and must resort to undemocratic means to stay in power. It's an old story, in this flawed world, but it's always a sad one.

[From the Christian Science Monitor, June 27, 1975]

MRS. GANDHI CRACKS DOWN

It must be hoped that Prime Minister Indira Gandhi's positive contributions on the national and world scene will not be long overshadowed by the censorship, arrests-without-trial, and other repressive measures she has instituted in the world's most populous democracy. They are announced as emergency security actions. But they are directed at what appears to be the very kind of nonviolent protest or civil disobedience in which her father, Jawaharlal Nehru, and she herself engaged on behalf of Indian independence.

One thinks of the 12-year-old Indira organizing her contemporaries into the Monkey Brigade to support the struggle for freedom by addressing envelopes, running errands, even gathering information on the police. And now Mrs. Gandhi herself calls out the police. They have reportedly arrested more than 650 of her political opponents, including the man who brought the corrupt campaign practices case in which she stands convicted—and, most notably, the septuagenarian Jaya Prakash Narayan, a leading independent, who had made the call to seek her resignation through "satyagraha," the kind of passive resistance with which independenence leader Mohandas Gandhi often courted arrest to fight injustice. He could hardly have imagined such arrests by his own government rather than the British colonial forces.

Does Mrs. Gandhi remember what Mahatma Gandhi said: "Whoever wants to drink the ozone of freedom must steel himself against seeking military or police aid"?

She may honestly feel that her antidemocratic measures are in the interests of preserving democracy. But, as one who has been quick to judge the actions of other governments from the outside, she ought to be particularly sensitive to the ominous impression conveyed by her crackdown on dissidents. Here another statement of Mahatma Gandhi's pertinent: Nature has so made us that we do not see our backs, it is reserved for others to see them. Hence it is wise to profit by what they see."

What the world sees in India now is a leader convicted in court, staying in office through judicial grace while appealing the conviction, and using her position of power to suppress the voices raised against her. This does not look like democratic leadership to the world. May Mrs. Gandhi profit by what the world sees and end the course she has so ingloriously begun.

POSTPONEMENT OF VARIOUS RESOLUTIONS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the first two resolutions on the calendar of resolutions and motions over under the rule, Senate Resolution 224, to direct the President to enter into negotiations with the U.S.S.R. relating to limiting military deployments in the Persian Gulf and the Indian Ocean, and Senate Resolution 225, relating to the expansion of U.S. naval presence in the Indian Ocean, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS PLACED ON CALENDAR UNDER GENERAL ORDERS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the third and fourth resolutions on the same calendar, Senate Resolution 228, establishing a temporary procedure for ensuring coordinated Senate action on legislative proposals on energy, and Senate Resolution 233, requesting that the Federal Communications Commission expedite decisions relating to the sale of certain joint newspaper-broadcast properties, be placed on the calendar under General Orders.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION ON MONDAY, SEPTEMBER 8, 1975, OF S. 963, A BILL TO AMEND THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the consideration of S. 963, a bill to amend the Federal Food, Drug, and Cosmetic Act, be postponed until the conclusion of morning business on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 12 NOON TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 12 noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION TOMORROW OF S. 1281

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of routine morning business tomorrow, the Senate resume consideration of S. 1281, a bill to improve public understanding of the role of depository institutions in home financing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR PERIOD FOR ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that after the two leaders or their designees have been recognized tomorrow, there be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements therein limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESUMPTION OF CONSIDERATION OF S. 1281

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the resumption of consideration of S. 1281, the so-called red line bill, follow the final action on the State, Justice appropriation bill with the understanding that no action be taken on S. 1281, the red line bill, today.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL PAY COMPARABILITY ALTERNATIVE PLAN — MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

The VICE PRESIDENT laid before the Senate a message from the President of the United States transmitting a Federal Pay Comparability Alternative Plan which was received on August 29, 1975, during the adjournment of the Senate, and which was referred to the Committee on Post Office and Civil Service. The message is as follows:

To the Congress of the United States:

Consideration of an adjustment in Federal white collar pay comes at a time when, although the economy is recovering, unsettling conditions are still adversely affecting the Nation's general welfare.

Under the Pay Comparability Act of 1970, an adjustment in Federal white collar pay will be required on October 1.

I have reviewed the report of my "pay agent" and the recommendations of the Advisory Committee on Federal Pay relative to a pay adjustment. Their findings indicate that an 8.66 percent increase will be required to achieve comparability with the private sector. I would normaly order such a pay raise in recognition of the loyal service given the country by the Government's civilian and military personnel.

However, pay comparability must be viewed in the light of the country's current economic situation. Inflation, unemployment and recession continue to cause hardships on American consumers, workers and taxpayers—with inflation showing a new spurt which hits hardest at the jobless and the disadvantaged.

I have attempted to curtail inflation by proposing Federal cost-saving measures and drawing the line at a $60 billion deficit. However, with Congressional inaction on the expenditure reduction proposals made in my budget, this proposed deficit has already been exceeded by more than $1 billion and will increase month after month unless there is new fiscal restraint.

A Federal white collar pay increase at the proposed 8.66 percent figure would add more than $3½ billion to Federal expenditures. A 5-percent increase, as I proposed in my budget, would reduce these expenditures by about $1.6 billion.

Over the past several months, I have had to veto legislation involving a number of programs because of the costs involved. This meant some curtailment in the future expectations of many Americans. However, the cost impact of these proposals would have added to inflationary pressures and thus proven to be a hoax rather than a help.

My overriding objective is to achieve national economic stability for all Americans. Full comparability pay, at this time, is inconsistent with my course of action to build a strong and stable economy and to bring inflation under control. Therefore, the size of the proposed pay raise must be temporarily restrained for the economic well-being of the Nation as a whole.

The pay act gives me the authority to propose whatever alternative pay adjustment I consider appropriate in the light of "economic conditions affecting the general welfare." The pay increase I have chosen will allow the Federal Government to lead the fight against inflation by example, and not just words alone.

It is my considered judgment that the salary adjustment should level off at the five percent increase which I called for last January. I strongly urge the Congress to support the alternative recommendation which is attached.

GERALD R. FORD.

THE WHITE HOUSE, *August 29, 1975.*

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of July 31, 1975, the Secretary of the Senate received a message from the House of Representatives stating that the House agrees to the amendments of the Senate to the bill (H.R. 7710) to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements.

The message also stated that the House agrees to the amendments of the Senate to the bill (H.R. 7716) to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978.

The message further stated that the House agrees to the amendment of the Senate to the bill (H.R. 9091) to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands.

The message also stated that the House passed without amendment the bill (S. 1531) to designate the Mountain Park Reservoir, Okla., as the Tom Steed Reservoir.

ENROLLED BILLS SIGNED

The message further stated that the Speaker had affixed his signature to the following enrolled bills:

S. 409. An act to increase the authorization for the Council on Wage and Price Stability, and to extend the duration of such Council;

S. 1531. An act to designate the Mountain

Park Reservoir, Okla., as the Tom Steed Reservoir;

H.R. 83. An act to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe;

H.R. 1553. An act for the relief of Victor Henrique Carlos Gibson;

H.R. 4241. An act to designate the John C. Kluczynski Federal Building;

H.R. 5405. An act to amend the Merchant Marine Act, 1920, in order to permit cargo vessels to carry more than 16 passengers when emergency situations arise;

H.R. 7710. An act to amend the Tariff Schedules of the United States to provide duty free treatment to watches and watch movements manufactured in any insular possession of the United States if foreign materials do not exceed 70 percent of the total value of such watches and movements, to amend child support provisions of title IV of the Social Security Act, and for other purposes.

H.R. 7716. An act to amend the Tariff Schedules of the United States to suspend the duty on certain forms of zinc until the close of June 30, 1978, and for other purposes; and

H.R. 9091. An act to provide that certain unemployment compensation funds may be used for repayable loans to the Virgin Islands.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. METCALF).

ENROLLED BILL SIGNED

The bill (H.R. 4723) authorizing appropriations to the National Science Foundation for fiscal year 1976, having been signed previously by the Speaker of the House of Representatives, was signed by the Acting President pro tempore (Mr. METCALF) on August 2, 1975.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Vice President laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

CAPITALIZATION OF THE RURAL TELEPHONE BANK—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate a message from the President of the United States transmitting a report on the status of capitalization of the Rural Telephone Bank, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry. The message is as follows:

To the Congress of the United States:

Pursuant to Section 406 of the Rural Electrification Act of 1936, as amended, the Secretary of Agriculture is required to make a report, on or before July 1, 1975, to the President for transmittal to the Congress on the status of capitalization of the Rural Telephone Bank by the United States.

The report of the Secretary is enclosed.

GERALD R. FORD.

THE WHITE HOUSE, *September 3, 1975.*

REPORT ON THE PREVENTION OF UNAUTHORIZED DISSEMINATION OR USE OF NUCLEAR MATERIALS—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate a message from the President of the United States transmitting a report concerning actions to be taken by the United States to prevent the unauthorized dissemination or use of nuclear materials, which, with the accompanying report, was referred to the Committee on Foreign Relations. The message is as follows:

To the Congress of the United States:

As required by the Foreign Assistance Act of 1974, I am submitting the following report concerning actions to be taken by the United States to strengthen international procedures of the International Atomic Energy Agency (IAEA) to prevent the unauthorized dissemination or use of nuclear materials.

The Act requires that a reasonable amount of the funds authorized for the IAEA as technical assistance should be used to improve such safeguards. The $200,000 program outlined in this report in conjunction with other U.S. programs, will support the task of assessing, influencing and strengthening these preventive procedures.

GERALD R. FORD.

THE WHITE HOUSE, *September 3, 1975.*

APPROVAL OF BILLS AND JOINT RESOLUTIONS

A message from the President of the United States stated that he had approved and signed the following bills and joint resolutions, as follows:

On July 31, 1975:

S.J. Res. 41. A joint resolution to provide for the appointment of Thomas J. Watson, Jr., as citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 42. A joint resolution to provide for the reappointment of Dr. John Nicholas Brown as citizen regent of the Board of Regents of the Smithsonian Institution.

On August 5, 1975:

S. 555. A act to amend the Consolidated Farm and Rural Development Act.

S.J. Res. 23. A joint resolution to restore posthumously full rights of citizenship to Gen. R. E. Lee.

On August 9, 1975:

S. 409. An act to increase the authorization for the Council on Wage and Price Stability, and to extend the duration of such Council.

S. 1531. An act to designate the Mountain Park Reservoir, Oklahoma, as the Tom Steed Reservoir.

S. 1716. An act to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, and for other purposes.

S. 2073. An act to authorize the American Indian Policy Review Commission to accept voluntary contributions of services, and for other purposes.

MESSAGE FROM THE HOUSE

At 1:03 p.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 6674) to authorize appropriations during the fiscal year 1976, and the period of July 1, 1976, through September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loans, and for other purposes; requests a further conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. PRICE, Mr. HÉBERT, Mr. BENNETT, Mr. STRATTON, Mr. ICHORD, Mr. NEDZI, Mr. RANDALL, Mr. CHARLES H. WILSON of California, Mr. BOB WILSON, Mr. DICKINSON, Mr. WHITEHURST, and Mr. SPENCE were appointed managers of the conference on the part of the House.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on August 2, 1975, he presented to the President of the United States the following enrolled bills:

S. 409. An act to increase the authorization for the Council on Wage and Price Stability, to extend the duration of such Council;

S. 1531. A act to designate the Mountain Park Reservoir, Okla., as the Tom Steed Reservoir;

S. 1716. An act to authorize appropriations to the Nuclear Regulatory Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and section 305 of the Energy Reorganization Act of 1974, and for other purposes; and

S. 2073. An act to authorize the American Indian Policy Review Commission to accept voluntary contributions of services, and for other purposes.

On August 28, 1975, he presented to the President of the United States the enrolled bill (S. 1849) an act to extend the Emergency Petroleum Allocation Act.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE DEPARTMENT OF THE AIR FORCE

A letter from the Secretary of the Air Force transmitting, pursuant to law, the Air Force Report on experimental, developmental and research contracts of $50,000 or more, by company, covering the period January 1, 1975 through June 30, 1975 (with an accompanying report); to the Committee on Armed Services.

PROPOSED CONSTRUCTION BY THE AIR FORCE RESERVE

A letter from the Deputy Assistant Secretary of Defense notifying the Congress, pursuant to law, of a proposed construction project to be undertaken for the Air Force

Reserve; to the Committee on Armed Services.

REPORT OF THE SECRETARY OF DEFENSE

A letter from the Acting Assistant Secretary of Defense transmitting, pursuant to law, the report of Department of Defense Procurement from Small and Other Business Firms for July 1974–May 1975 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

REPORT OF THE GENERAL SERVICES ADMINISTRATION

A letter from the Acting Assistant Administrator of General Services transmitting, pursuant to law, a report concerning borrowing authority covering the period July 1, 1974 through September 30, 1974 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

REPORT OF THE INTERSTATE COMMERCE COMMISSION

A letter from the Chairman of the Interstate Commerce Commission transmitting, pursuant to law, a report on the evaluation of the United States Railway Associations Final System Plan (with an accompanying report); to the Committee on Commerce.

REPORT OF THE ENVIRONMENTAL PROTECTION AGENCY

A letter from the Administrator of the Environmental Protection Agency transmitting, pursuant to law, a report on the ocean dumping permit program (with an accompanying report); to the Committee on Commerce.

REPORT OF THE SECRETARY OF COMMERCE

A letter from the Secretary of Commerce transmitting, pursuant to law, a report on the Ocean Dumping Research for the period January through December 1974 (with an accompanying report); to the Committee on Commerce.

PUBLICATIONS OF THE FEDERAL POWER COMMISSION

Two letters from the Chairman of the Federal Power Commission each transmitting a copy of a publication; the first entitled "The National Power Survey 'Energy Conversion Research Task Force Report'" and the second entitled "Sales of Firm Electric Power for Resale 1969–1973" (with accompanying publications); to the Committee on Commerce.

AGREEMENT BETWEEN EGYPT AND ISRAEL

A communication from the President of the United States transmitting the text of a proposal to be signed by the President of Egypt regarding the terms under which American civilian personnel could play a role in connection with an early warning system in the zone between Egypt and Israel (with accompanying papers); to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATIONS REQUEST

A communication from the President of the United States proposing amendments to the request for appropriations in the amount of $37.5 million for the fiscal year 1976 and $125,000 for the transition quarter July 1 to September 30, 1976, for the Navajo and Hopi Relocation Commission, and in amounts totaling $2.4 million for the fiscal year 1976 for the Department of the Interior (with accompanying papers); to the Committee on Appropriations.

REPORT OF THE OFFICE OF MANAGEMENT AND BUDGET

A letter from the Acting Director of the Office of Management and Budget transmitting, pursuant to law, the cumulative report required by Section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (with an accompanying report); jointly, to the Committees on Appropriations, Budget, Agriculture and Forestry, Labor and Public Welfare, Interior and Insular Affairs, Commerce, Finance, Armed Services, Public Works, and Government Operations, pursuant to the order of January 30, 1975, and ordered to be printed.

IMPOUNDMENT OF BUDGET AUTHORITY FOR THE HOUSING FOR THE ELDERLY OR HANDICAPPED PROGRAM

A letter from the Assistant Comptroller General of the United States providing follow-up information concerning the unreported impoundment of budget authority for the Housing for the Elderly or Handicapped Program; jointly, to the Committees on Appropriations, Budget, and Banking, Housing and Urban Affairs, pursuant to the order of January 30, 1975, and ordered to be printed.

REPORT OF THE COMPTROLLER GENERAL ON RESCISSIONS AND REFERRALS

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report summarizing by agency the total budget authority and fiscal year 1976 outlay reductions involved in certain messages of the President; jointly, to the Committees on Appropriations, Budget, Agriculture and Forestry, Labor and Public Welfare, Interior and Insular Affairs, and Government Operations, pursuant to the order of January 30, 1975, and ordered to be printed.

REPORT OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Administrator of the National Aeronautics and Space Administration reporting, pursuant to law, on the number of individuals in each General Schedule grade employed on June 30, 1974, and on June 30, 1975; referred jointly to the Committees on Post Office and Civil Service and Appropriations, by unanimous consent.

REPORT OF THE ENVIRONMENTAL PROTECTION AGENCY

A letter from the Assistant Administrator of the Environmental Protection Agency reporting, pursuant to law, on the number of employees in each General Schedule grade employed by the Agency on June 30, 1974 and on June 30, 1975; referred jointly to the Committees on Post Office and Civil Service and Appropriations, by unanimous consent.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that two communications, one from the National Aeronautics and Space Administration, one from the United States Environmental Protection Agency, each of which is submitted pursuant to section 1310 of the Supplemental Appropriations Act of 1952, be referred jointly to the Committees on Post Office and Civil Service and Appropriations.

The PRESIDING OFFICER. Without objection, it is so ordered.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

House Concurrent Resolution No. 183 adopted by the Legislature of the State of Louisiana; to the Committee on Veterans' Affairs:

"HOUSE CONCURRENT RESOLUTION NO. 183

"A concurrent resolution to petition the United States Congress expeditiously to initiate a thorough investigation of the Veterans Administration Hospital of New Orleans, Louisiana with emphasis upon the deficiencies in the area of outpatient care, radiology, pharmacy, laboratory, and in the physical facility

"Whereas, the Veterans Administration Hospital at New Orleans has lost its National Hospital accreditation due to numerous deficiencies; and

"Whereas, no efforts were made to correct such deficiencies during a one-year probationary period for the purpose of making such corrections; and

"Whereas, the outpatient service of the hospital is in a state of disorganization due to overcrowding; and

"Whereas, three thousand three hundred and sixty-five applications for admission were rejected in 1974 primarily due to lack of space; and

"Whereas, the facility has been cited for several severe fire hazards; and

"Whereas, the Veterans of Foreign Wars Organization has condemned the facility and its operation and has recommended the construction of a new facility; and

"Whereas, the Veterans Organization has cited the hospital as one of the worst it has ever inspected.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring herein, that the Congress of the United States is hereby petitioned expeditiously to initiate a thorough investigation through its appropriate committees and staff, of the Veterans Administration Hospital of New Orleans, Louisiana.

"Be it further resolved that such investigation center upon deficiencies in the areas of outpatient care, radiology, pharmacy, laboratory, and in the physical plant of the facility.

"Be it further resolved that a report of such investigation be forwarded to the director of the hospital and the United States Veterans Administration.

"Be it further resolved that copies of this Resolution be transmitted to the clerk of the United States House of Representatives, the Secretary of the United States Senate and to each member of the Louisiana delegation in the United States Congress.

Senate Joint Resolution No. 11 adopted by the Legislature of the State of California; to the Committee on Commerce:

"SENATE JOINT RESOLUTION NO. 11

"Legislative counsel's digest—SJR 11, as introduced, Presely (Rls.). Automotive Research and development.

"This measure would request the Congress and the President of the United States to accord full and favorable consideration to the Automotive Transportation Research and Development Act of 1975, now pending before the Congress.

"Fiscal committee: no.

"Whereas, There is presently pending before the Congress the Automotive Transport Research and Development Act of 1975; and

"Whereas, Having the greatest number of motor vehicles and the greatest dependence upon automotive transportation, California would benefit significantly from research and development of advanced motor vehicles and components that would afford greater safety, enhance environmental protection, and conserve energy; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress and the President of the United States to accord full and favorable consideration to the research and development program which would be provided by the Automotive Transportation Research and Development Act of 1975; and be it further

"Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representatives in the Congress of the United States.

Resolution No. 131 adopted by the Legislature of the Territory of Guam; to the Committee on Armed Services:

"RESOLUTION NO. 131

"Relative to requesting the Department of the Navy to allow Guam Power Authority to continue construction of an oil tank farm on Cabras Island

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, Guam Power Authority has in the past few years made valiant efforts to provide electricity for the entire island; and

"Whereas, it is anticipated that in a relatively short time Guam Power Authority will be able to fully supply the electrical power needs of not only the civilian but also the military sectors of the community; and

"Whereas, a major step in the upgrading of Guam Power Authority's production capability was the construction of the Cabras Island Power Plant, which was a project the agency funded in its entirety; and

"Whereas, in order to develop the maximum utilization of the new power plant it is necessary that an oil tank farm be constructed in close proximity to the plant; and

"Whereas, the House of Representatives of the United States Congress has already overwhelmingly passed H.R. 5210, a bill which authorizes the transfer from the United States Navy to the Government of Guam title to Cabras Island, land which is the site of both the power plant and the tank farm; and

"Whereas, Guam Power Authority has commenced construction of the tank farm because it is imperative that an adequate oil supply be available to operate the plant; and

"Whereas, Guam Power Authority commenced this construction without proper authority from the Department of the Navy, which is still the lawful owner of the land; and

"Whereas, Guam Power Authority took this action in good faith upon the belief that the Congress of the United States would shortly complete the legislation necessary to effectuate the transfer of title to Guam; and

"Whereas, the officer in charge of construction for the Navy in Guam, acting as the agent of the Naval Facilities Engineering Command, issued a stop work order on the tank farm August 11, 1975; and

"Whereas, the stopping of construction would not only result in an eventually higher cost of construction for the tank farm but also delay the full utilization of the power plant because Guam Power Authority could not proceed with accepting bids for oil since there would be no tanks in which to store it; now, therefore, be it

"Resolved, that the Thirteenth Guam Legislature does respectfully urge the Department of Navy to authorize and allow Guam Power Authority, in the interests of both the civilian and military communities of Guam, to continue with construction of the tank farm so that the power plant may be used to its maximum efficient level; and be it further

"Resolved, that the Speaker certify and the Legislative Secretary attest the adoption hereof and that thereafter copies be transmitted to the Secretary of Defense, the Secretary of the Navy, the Commander of the Naval Facilities Engineering Command, the Officer in Charge of Construction for the Navy in Guam, the Commander, Naval Forces Marianas, Chairman of the Senate Armed Services Committee, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, Honorable Antonio B. Won Pat, and to the Governor of Guam.

Resolution No. 132 adopted by the Legislature of the Territory of Guam; to the Committee on Armed Services:

"THIRTEENTH GUAM LEGISLATURE—RESOLUTION NO. 132

"Relative to respectfully urging the Chairman of the Senate Armed Services Committee to consider favorable action on H.R. 5210 in order that Title to Cabras Island be transferred from U.S. Navy to the Government of Guam.

"Be it resolved by the Legislature of the Territory of Guam:

"Whereas, Guam Power Authority has in the past few years made valiant efforts to provide electricity for the entire island; and

"Whereas, it is anticipated that in a relatively short time, the Guam Power Authority will be able to fully supply the electrical power needs of not only the civilian but also the military sectors of the community; and

"Whereas, a major step in the upgrading of Guam Power Authority's production capability was the construction of the Cabras Island Power Plant, which was a project the agency funded in its entirety; and

"Whereas, in order to develop the maximum utilization of the new power plant, it is necessary that an oil tank farm be constructed in close proximity to the plant; and

"Whereas, the House of Representatives of the United States Congress has already overwhelmingly passed H.R. 5210, a bill which authorizes the transfer from the U.S. Navy to the Government of Guam of title to Cabras Island, land which is the site of both the power plant and the tank farm; and

"Whereas, Guam Power Authority has commenced construction of the tank farm because it is imperative that an adequate oil supply be available to operate the plant; and

"Whereas, Guam Power Authority commenced construction without proper authority from the Department of the Navy, which is still the lawful owner of the land; and

"Whereas, the Guam Power Authority took this action in good faith upon the belief that the Congress of the United States would shortly complete the legislation necessary to effectuate the transfer of title to Guam; and

"Whereas, the Officer-in-Charge of Construction for the Navy in Guam, acting as the agent of the Naval Facilities Engineering Command, issued a stop work order on the tank farm August 11, 1975; and

"Whereas, the stopping of construction would not only result in an eventually higher cost of construction for the tank farm but also delay the full utilization of the power plant because Guam Power Authority could not proceed with accepting bids for oil since there would be no tanks in which to store it; now, therefore, be it

"Resolved, that the Thirteenth Guam Legislature does respectfully urge the Chairman of the Senate Armed Services Committee to act favorably on H.R. 5210, in the interest of all the civilian and military communities of Guam, so that title to Cabras Island may soon be transferred to the Government of Guam, and so that construction of the tank farm can continue and the power plant may be used to its maximum efficient level; and be it further

"Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that thereafter copies be transmitted to the Honorable John C. Stennis, Chairman of the Senate Armed Services Committee, to the Secretary of Defense, the Secretary of the Navy, the Commander of the Naval Facilities Engineering Command, the Officer-in-Charge of Construction for the Navy in Guam, the Commander, Naval Forces Marianas, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, Honorable Antonio B. Won Pat, and to the Governor of Guam."

House Concurrent Resolutions Nos. 110, 123, 172, and 198 adopted by the Legislature of the State of Louisiana; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION NO. 110

"A concurrent resolution to memorialize the Congress of the United States and the members of the Louisiana Delegation in the Congress to initiate action to eliminate the United States Department of the Army Corps of Engineers requirement that individuals, groups, or agencies undertaking conservation work in small streams and areas of wetlands, not navigable in fact but legally navigable, obtain work permits from said Corps of Engineers

Whereas, work done in, surrounding, or affecting navigable waters has and continues to be of upmost importance to soil conservation efforts in this state; and

"Whereas, the term legally navigable waters is now broadly defined by the United States Army, Corps of Engineers, to include many small streams, not navigable in fact, and large areas of wetlands, and under such definition conservation work requires a permit for such work as cattle walkways, drainage channels, and water control structures; and

"Whereas, criminal and/or civil proceedings resulting in fines, imprisonment, or orders requiring restoration at the violator's expense may result by the undertaking of any conservation work affecting navigable waterways without first obtaining work permits issued by the United States Army, Corps of Engineers; and

"Whereas, many individuals, groups, or agencies may not be aware of the necessity of obtaining such work permits and the resulting legal action which can be taken if conservation work on navigable waterways is begun without first obtaining a work permit and, in addition, the requirement that a permit be obtained with respect to many types of conservation work are felt by many to be unnecessary and unduly onerous and restrictive, thus hampering essential soil conservation efforts.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the Congress of the United States is hereby memorialized to initiate action through the appropriate committees or otherwise to investigate the serious problems posed by the existing interpretations requiring individuals, groups, or agencies undertaking conservation work in small streams and areas of wetlands, not navigable in fact though legally navigable, to obtain work permits from the United States Army, Corps of Engineers, and to take such action, by the enactment of laws or otherwise, as are deemed advisable for the protection of waterways under the jurisdiction of the United States Corps of Engineers while at the same time unnecessary restrictions are not placed upon farmers and others engaged in soil conservation work to the detriment of the essential agricultural pursuits of this nation.

"Be it further resolved that the members of the Louisiana Delegation in the Congress are hereby urged to assume roles of leadership in promoting such actions, studies, and/or legislation as will alleviate the problems set forth in this Resolution.

"Be it further resolved that copies of this Resolution shall be transmitted without delay to the presiding officers of the Senate and House of Representatives of and to each member of the Louisiana Delegation in the Congress of the United States."

"HOUSE CONCURRENT RESOLUTION NO. 123

"A concurrent resolution to urge and request the United States Congress to change the existing federal/state funding ratio for state highways in such manner that the percentage of cost made available by the federal government to the states for the repair and maintenance of existing highways will be equal or at least comparable to the percentage cost made available for the construction of new highways, so that the incentive to engage in either of the two programs will be the same

"Whereas, the Congress makes federal funds available to the states for construction of new highways in an amount equal to ninety percent of cost of construction, but the federal funds made available to the states for repair or maintenance of existing highways is on a basis of only fifty percent of the cost of such repair or maintenance; and

"Whereas, the federal highway funds ratio actually encourages the states to construct new highways rather than update, repair, and maintain existing highways; and

"Whereas, the encouragement to neglect existing highways leads to an increasing deterioration of state and federal highway systems, thus depriving those motorists who rely on existing highways as major routes of travel and, in addition, the deterioration of existing highways increases the dangers of traveling upon such highways, contributes to poor gas mileage, and in the long run increases highway costs; and

"Whereas, the construction of new highways requires the expropriation of more land and rights of way, which could be better utilized by the agricultural or other revenue-producing industries.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the United States Congress is hereby urged and requested to give consideration to the factors set forth herein and such others as are pertinent to the problem here explored, with a view to changing the existing federal/state funding ratio for state highways in such manner that the percentage of cost made available by the federal government to the states for the repair and maintenance of existing highways will be equal or at least comparable to the percentage of cost made available for the construction of new highways, so that the incentive to engage in either of the two programs will be the same.

"Be it further resolved, that a copy of this Resolution shall be transmitted to each member of the Louisiana Delegation in the Congress and to the speaker of the House of Representatives of the Congress of the United States and to the president of the Senate thereof."

"HOUSE CONCURRENT RESOLUTION No. 172

"A concurrent resolution to urge and request the Louisiana Congressional Delegation and the Congress of the United States to do everything necessary to remove the silt build-up near the mouth of the Mississippi River

"Whereas, the build-up of silt near the mouth of the Mississippi River, particularly in Southwest Pass and in that portion of the river from Southwest Pass to fifteen miles above Pilottown, poses a severe hindrance to the passage and safety of deep draft vessels; and

"Whereas, the silting problem has become particularly acute in recent times due to the effects of Hurricanes Betsy and Camille and the excessive flooding of the river over the last three years; and

"Whereas, this problem is to a large degree caused by inadequate maintenance of the bank stabilization systems, particularly those along the east bank of the river; and

"Whereas, the United States Army Corps of Engineers has done an excellent job with limited funds and equipment in keeping the river navigable, but needs more funds and equipment to adequately relieve the silting problem; and

"Whereas, this problem is likely to become even more acute in the next few years if the degree of maintenance and dredging is not substantially improved; and

"Whereas, the authorized depth of the channel in this area of the river is forty feet; and

"Whereas, due to the excessive siltation of the river, the Associated Branch Pilots for the Port of New Orleans has found it necessary to set draft limits of thirty-five feet for vessels of under one hundred thousand dead weight tons and thirty-three feet for vessels of over one hundred thousand dead weight tons; and

"Whereas, in order to meet these draft limits, vessels traveling the Mississippi River must reduce their cargo loads by many thousands of tons; and

"Whereas, this reduction of cargo capacity greatly increases the costs of shipping on the Mississippi River and thereby has a direct, detrimental economic effect not only to the Port of New Orleans and the state of Louisiana but also to the entire Mississippi Valley; and

"Whereas, the Mississippi Valley contributes approximately fifty percent of the total economy of the United States; and

"Whereas, in recent times vessels traveling the river have become grounded in silt deposits; and

"Whereas, salvage operations for such a grounded vessel often cost as much as one hundred twenty-five thousand dollars a day; and

"Whereas, in order to alleviate this silting problem, the United States Army Corps of Engineers needs additional funds of at least sixty-two million dollars for increased dredging operations, bank stabilization, closure of unnecessary outlets, construction of dikes and training works, and other projects to improve the navigation of the river; and

"Whereas, any cost of relieving this silting problem will be small compared to the economic benefits that such relief will bring to the state, the nation and even the world.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the Louisiana Congressional Delegation and the Congress of the United States is hereby urged and requested to do everything necessary to remove the deposits of silt near the mouth of the Mississippi River and to maintain the navigability of the river in such a manner that will keep commerce flowing through the Mississippi Valley at a reasonable rate.

"Be it further resolved that copies of this Resolution be sent to each member of the Louisiana Congressional Delegation, to the speaker of the House of Representatives, to the president of the Senate and vice president of the United States, the chairman of the House Committee on Interstate and Foreign Commerce and the chairman of the House Committee on Commerce."

"HOUSE CONCURRENT RESOLUTION No. 198

"A concurrent resolution to urge and request the United States Congress to exempt from the provisions of Section 131 of Title 23 of the United States Code, commonly referred to as the Highway Beautification Act of 1965, commercial signs advertising and promoting travel-oriented services essential to the welfare of the motoring public

"Whereas, as a result of the nation's expanded highway system there is an increased need for motorists to have access to information concerning such travel-oriented services and facilities as lodging, food service, automobile service, camping areas, truck stops and tourist and recreation attractions; and

"Whereas, the industrial and governmental revenues of the state of Louisiana are dependent upon the activities of such travel-oriented services; and

"Whereas, a great number of such travel-oriented services within the state of Louisiana are not easy to locate without explicit directive instructions; and

"Whereas, without the benefit of commercial signs many such travel-oriented services within the state of Louisiana will suffer severe losses especially in the smaller communities; and

"Whereas, as a result of the federal Highway Beautification Act travel-oriented services which are located in areas not designated as commercial or industrial are being placed at a greater hardship than other such travel-oriented services which are located in areas designated as commercial or industrial; and

"Whereas, as a result of this federal provision many commercial signs owned and maintained by travel-oriented services within the state of Louisiana must be completely destroyed or removed; and

"Whereas, commercial signs not only promote the business from tourists within the state of Louisiana but also provide an invaluable service to the motoring public within the state.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the United States Congress is hereby urged and requested to take all necessary steps to exempt from the provisions of Section 131 of Title 23 of the United States Code, commonly referred to as the Highway Beautification Act of 1965, those commercial signs advertising and promoting such travel-oriented services and facilities as lodging, food service, automobile service, camping areas, truck stops, and tourist recreation attractions, which are essential to the welfare of the motoring public.

"Be it further resolved that copies of this Concurrent Resolution shall be transmitted to each of the members of the Louisiana Congressional Delegation, the speaker of the United States House of Representatives, the president of the United States Senate and the President of the United States of America."

House Concurrent Resolutions Nos. 205 and 240 adopted by the Legislature of the State of Louisiana; to the Committee on Interior and Insular Affairs:

"HOUSE CONCURRENT RESOLUTION No. 205

"A concurrent resolution to urge Congress to oppose federal land use legislation and particularly H.R. 3510 by Representative Udall

"Whereas, the United States Congress is presently considering proposals, including HR 3510 proposed by Representative Udall, which would provide for federal land use regulation; and

"Whereas, the federal bureaucracy has exhibited its inability to regulate and control matters which are of a local nature; and

"Whereas, the federal bureaucracy has in many ways violated the rights of the American people; and

"Whereas, respect for the right to property is basic to the continuance of a free society; and

"Whereas, federal land use regulations would create a bureaucratic monster which would attempt to usurp and undermine this right.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the Legislature of Louisiana is opposed to any and all proposals of Congress which would result in federal land use regulation and particularly HR 3510.

"Be it further resolved that the United States Congress is urged to oppose and defeat any and all efforts toward federal land use regulation and particularly HR 3510.

"Be it further resolved that a copy of this Resolution be transmitted to the Speaker of the House, the President Pro Tempore of the Senate, and each member of the Louisiana Congressional Delegation."

"HOUSE CONCURRENT RESOLUTION No. 240

"A concurrent resolution to recognize the Tunica-Biloxi Indian Community of Louisiana and to request federal recognition thereof

"Whereas, an identifiable Tunica-Biloxi Indian Community has existed in the vicinity of Marksville, Louisiana, since prior to the acquisition of Louisiana by the United States; and

"Whereas, the Tunica-Biloxi of Louisiana were constituent parts of the Tunica Nation and Biloxi Nation which were recognized by France, Spain and the United States, particularly in an order issued October 6, 1786 from Governor Miro to Jacques Gagnard, Commandant of the post of Avoyelles to the effect that "One league of land 'belonged to the Indians' and 'that Indians have known rights that ought to be respected everywhere.'" (American State Papers, Volume III, Public Lands, Pg. 254); and

"Whereas, federal officials in the first years after the Louisiana Purchase recognized the Tunica-Biloxi Indians of Louisiana as a distinct self-governing Indian Community; and

"Whereas, the Congress of the United States confirmed the claim of Bosra, an Indian, on February 5, 1825 (U.S. Statutes, Volume IV, Pg. 81); and

"Whereas, the Tunica-Biloxi Tribe has always maintained a traditional self-governing tribal organization which has been recognized by Avoyelles Parish as a distinct governmental entity whose right to retain tax-free communal land holdings was always acknowledged; and

"Whereas, it is the policy of the State of Louisiana to recognize the Indian Tribes within the borders of the state, and to support their aspirations for the preservation of their cultural heritage and the improvement of their economic conditions, and to assist them in achieving their just rights.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the State of Louisiana formally recognizes the Tunica-Biloxi Indian community at Marksville, Louisiana, as an Indian Tribe.

"Be it further resolved that the Government of the United States of America, and particularly the Bureau of Indian Affairs, is hereby memorialized, requested and urged to take such steps as are necessary to effect in the near future formal recognition of the Tunica-Biloxi Indian community at Marksville, Louisiana, and to acknowledge that the rights of the Tunica-Biloxi people are no less, if not indeed greater, than that of other Indian Tribes in the United States, and thereupon to take appropriate executive and/or Congressional action.

"Be it further resolved that copies of this Resolution shall be transmitted to the President of the United States, the presiding officers of the Senate and the House of Representatives of the Congress of the United States, and the Director of the Bureau of Indian Affairs, United States Department of the Interior."

Assembly Joint Resolution No. 38 adopted by the Legislature of the State of Nevada; to the Committeee on Veterans' Affairs:

"ASSEMBLY JOINT RESOLUTION No. 38

"Assembly Joint Resolution—Memorializing Congress to authorize and fund a veterans' hospital in Southern Nevada

"Whereas, There are 92,000 veterans living in Nevada who have honorably served their country; and

"Whereas, Approximately 50,000 of these veterans reside in Southern Nevada; and

"Whereas, The closest veterans' hospitals for these 50,000 veterans are in Los Angeles and Reno, a fact which makes hospital care for any of these veterans an extreme inconvenience and even a real hardship; and

"Whereas, United States Senators Cannon and Laxalt have introduced legislation to authorize a new veterans' hospital in Southern Nevada to care for the many veterans now in the area as well as those to come in this rapidly growing region; now, therefore, be it

"Resolved by the Assembly and Senate of the State of Nevada, jointly, That the legislature hereby memorializes the Congress of the United States to act favorably upon the legislation introduced by Senators Cannon and Laxalt and to authorize and fund a veterans' hospital in Southern Nevada; and be it further

"Resolved, That copies of this resolution be prepared and transmitted forthwith by the legislative counsel to the Vice President of the United States as presiding officer of the Senate, to the Speaker of the House of Representatives and to all members of the Nevada congressional delegation; and be it further

"Resolved, That this resolution shall become effective upon passage and approval."

H.S.R. No. 168 adopted by the Legislature of the State of Texas; to the Committee on Labor and Public Welfare:

"H.S.R. No. 168

"Whereas, Legislation has been introduced in the U.S. Congress (H.R. 77) which represents an outright invasion by the federal government into matters properly reserved to the states; and

"Whereas, This legislation would nullify state and local statutes and ordinances, and countermand the will of the people of many states and localities; and

"Whereas, This legislation would allow public employee unions to strike, regardless or any state or local law to the contrary; and

"Whereas, This legislation would permit public employees to unionize, and would grant employee unions the right to bargain collectively, and to contract for union shops, union dues checkoffs, and agency shops; and

"Whereas, As a result of this legislation teachers could close schools indefinitely, police could walk off and allow cities to be looted, firemen could vanish and permit towns to burn to the ground, and garbage could pile up in the streets; yet striking public employees would be immune from legal sanctions against such actions; and

"Whereas, In a system of government service monopolies, citizens could be faced with the highly odious choice of either paying more taxes to meet union demands or living in a chaotic, unsanitary, and dangerous environment; and

"Whereas, If public employees are allowed to strike as a result of federal legislation, they will become the real masters of states and cities, and most elected officials will be unable to withstand their almost unlimited power; now, therefore, be it

"Resolved by the House of Representatives of the State of Texas, That the Congress of the United States is hereby memorialized not to enact H.R. 77, H.R. 1488, or any other legislation which would result in public employee unions striking, imposing union shops, or instituting compulsory dues checkoffs; and, be it further

"Resolved, That official copies of this resolution be prepared and forwarded to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to all members of the Texas delegation in the Congress with the request that this resolution be entered officially in the Congressional Record as a memorial to the Congress of the United States.

Senate Joint Memorial No. 112 adopted by the Legislature of the State of Washington; to the Committee on Labor and Public Welfare:

"ENGROSSED SENATE JOINT MEMORIAL No. 112

"To the Honorable Gerald R. Ford, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, to the Senate and House of Representatives of the United States, in Congress assembled, and to the Secretary of Health, Education, and Welfare:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas, On April 15, 1973, House Bill 186 was passed by the Washington State Legislature and was credited as Chapter 195, Laws of 1973 First Extraordinary Session; and

"Whereas, Prior to the passage of this bill by the Washington State Legislature, it was fully debated both in the committees of the House and Senate and on the floor of the Legislature; and

"Whereas, Opponents of the measure argued forcibly that the enactment of such a measure could jeopardize federal funding to local school districts because it would take away from the school districts, and transfer to the State, the sole means that the school district itself had traditionally had to levy property taxes, without a vote of the people, for the support of the common schools; and

"Whereas, The opponents believed that this, along with the effect that said Act would have in substantially increasing the property taxes in some instances, would eliminate or seriously reduce the potential for success a local school district might have in asking the taxpayers to vote additional revenue in the form of a special levy; and

"Whereas, It was feared that the net effect would be that local school districts would not be able to meet the maintenance of effort requirements of the Federal government; and

"Whereas, The proponents of the measure (Chapter 195, Laws of 1973 First Extraordinary Session) acknowledged that passage of such a measure, which resulted in the collection of property taxes at the state level, could tend to increase property taxes, would take away from the local school districts their last sole source of revenue from the property tax, and would indeed have the effect of substantially discouraging further passage of special levies for schools by the taxpayers within a given school district; and

"Whereas, The proponents of the measure, and the Legislature, thought, that equal education throughout the entire state, along with the equalization of the property taxes, was of far greater importance than the acknowledged fact that a local school district's annual aggregate expenditures and expenditures per pupil, from its local sources, would be reduced solely as part of the passage of this comprehensive state plan to reorganize public education financing; and

"Whereas, It is interesting to note now, two years later, that the enactment of Chapter 195, Laws of 1973 First Extraordinary Session, has had the salutary effect, state-wide, of increasing the combined state and local expenditure per pupil from $950 in 1973–74 to a projected $1184 in 1975–76; and

"Whereas, This sizable increase could not have occurred without the passage of the comprehensive act of 1973, nor could it have occurred without the enactment of Engrossed Senate Bill No. 2971, the latter being part and parcel of the educational financing reform measure of 1973 and, as such, complementary to such previous measure, and a contribution of the Washington State Legislature's commitment to meet the provisions of Article 9, Section 1, of the Washington Constitution which states:

"'It is the paramount duty of the State to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex.'

"Now, therefore, Your Memorialists Respectfully Pray That the Executive and Legislative Branches of the Federal Government recognize that, with the passage of the Engrossed Senate Bill No. 2971 of the Washington Legislature providing further funds for the elimination of the necessity to rely upon special levies, this Legislature and the citizens of this State have taken one more major step in the process, begun in 1973, of completely reforming the State's system for financing the education of children in the public schools and be it further

"Resolved, That copies of this Memorial be immediately transmitted to the Honorable Gerald R. Ford, President of the United States, the Secretary of Health, Education, and Welfare, the President of the United

States Senate, the Speaker of the House of Reprsentatives, and each member of Congress from the State of Washington."

Assembly Joint Resolution No. 13 adopted by the Legislature of the State of California; to the Committee on Commerce:

"Assembly Joint Resolution No. 13—Relative to the Federal Power Commission

"Legislative Counsel's Digest

"Memorializes the President and Congress of the United States to consider legislation that would require the Federal Power Commission to audit supplies of power to cities in California

"Whereas, Under present federal law, the sale of power by utility companies to cities in the State of California is regulated by the Federal Power Commission; and

"Whereas, That commission neither conducts audits of the books of those suppliers, nor allows the cities to conduct such audits and, additionally, that commission allows the suppliers to directly pass on increased fuel costs to the consumer cities; and

"Whereas, These and related practices on the part of the commission and the suppliers have resulted in a fuel charge increase of from 100 percent to 600 percent to residential users in the City of Riverside, California, over the last two-month billing period; now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to consider legislation that would require the Federal Power Commission to audit suppliers of power to cities in California and that would restrict the suppliers' ability to pass on fuel cost increases to the consumer city; and be it further

"*Resolved,* That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

House Resolution No. 121 adopted by the House of Representatives of the State of Illinois; to the Committee on Foreign Relations:

"House Resolution 121

"Whereas, At the second anniversary of the conclusion of the Viet Nam cease-fire agreements, more than 1,000 American servicemen and nearly 25 American civilians are still not accounted for in Southeast Asia; and

"Whereas, Among the Missing in Action (MIA) are sixty citizens of the State of Illinois; and

"Whereas, The People of the State of Illinois and of the United States, and their governments, must bend every effort to the location of the missing and to accounting for them to their families, who wait anxiously for word of their fate; and

"Whereas, Any Americans who remain alive in the hands of the Communists in Southeast Asia must be returned to their homeland; and

"Whereas, More than fifty men were known to be alive at the cessation of hostilities involving American forces, and they are being unlawfully and brutally held in a state akin to kidnapping; and

"Whereas, The responsible officials of the United States Departments of State and Defense have failed in their responsibilities to obtain an accounting for each United States citizen in the hands of a foreign power; therefore, be it

"Resolved, By the House of Representatives of the Seventy-ninth General Assembly of the State of Illinois, that we express our deep concern for the fate of American soldiers, sailors, marines, and airmen as well as the civilians who are in the hands of vicious and unfeeling captors thousands of miles from home; and, be it further

"Resolved, That the President of the United States is requested to appoint a special investigative body and to charge it with the responsibility of presenting ways and means for resolution of the MIA issue for his consideration; and, be it further

"Resolved, That the officials now concerned with the issue be replaced with persons who can bring about desired results; and, be it further

"Resolved, That the President of the United States be encouraged to present periodic reports to the People of the United States of progress which is being made to bring Americans home from Southeast Asia, and the diplomatic, military, economic and other measures which will be taken to encourage the release of information and personnel by Communist authorities; and, be it further

"Resolved, That the Secretary of State of Illinois is directed to transmit copies of this preamble and resolution to the President of the United States, to the United States Secretaries of State and Defense, and to the members of the Illinois Delegation to the Congress of the United States as a formal expression of the concern and feeling of this House on the plight of the Missing in Action and their families."

A resolution urging more emphasis on human needs adopted by the Diocese of Western North Carolina; to the Committee on the Budget.

Five petitions seeking a redress of grievances from citizens of Pennsylvania, Ohio, Maryland, and Washington; to the Committee on Government Operations.

A resolution adopted by the Fourth Yap District Legislature urging the inclusion of the Trust Territory of the Pacific Islands in the Federal Highways Trust Funds Act; to the Committee on Public Works.

A resolution of the Board of Airport Commissioners of the City of Los Angeles, Calif., urging the Federal Aviation Administration to require retrofitting of transport aircraft; to the Committee on Commerce.

A petition seeking a redress of grievances from certain citizens of Pittsburg, Calif.; to the Commtitee on Foreign Relations.

A resolution adopted by the Communications Workers of America relating to congressional adjournments; to the Committee on the Judiciary.

A resolution adopted by the American Council of the Blind, Inc., concerning reductions in certain Federal programs for the blind; to the Committee on Labor and Public Welfare.

A resolution adopted by the Council of the County of Maui, Hawaii, concerning public works projects for the State of Hawaii; to the Committee on Appropriations.

A resolution adopted by the Common Council of the City of White Plains, N.Y., urging passage of the Burn Facilities Act of 1975; to the Committee on Labor and Public Welfare.

Eight resolutions adopted by the Southern Legislative Conference of the Council of State Governments, as follows: No. 3 relating to vocational rehabilitation; to the Committee on Labor and Public Welfare; No. 5, relating to the Highway Trust Fund; to the Committee on Finance; No. 6, relating to a balanced Federal budget; to the Committee on the Judiciary; No. 8, relating to the Wholesome Meat Act of 1967; to the Committee on Agriculture and Forestry; No. 9, relating to Pesticide Applicator Licensing; to the Committee on Agriculture and Forestry; No. 11, relating to allocation of natural gas; to the Committee on Commerce; and No. 12, relating to grain inspection; to the Committee on Agriculture and Forestry.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. MONDALE:

S. 2284. A bill for the relief of InSoo Oh. Referred to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 2285. A bill to amend the Federal Reserve Act to provide for Senate confirmation of certain appointments, and for other purposes. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. DOMENICI:

S. 2286. A bill to amend the Act of June 9, 1906, to provide for a description of certain lands to be conveyed by the United States to the City of Albuquerque, N. Mex. Referred to the Committee on Interior and Insular Affairs.

By Mr. McINTYRE:

S. 2287. A bill for the relief of Linda Mary Theresa Guay. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PROXMIRE:

S. 2285. A bill to amend the Federal Reserve Act to provide for Senate confirmation of certain appointments, and for other purposes. Referred to the Committee on Banking, Housing and Urban Affairs.

REFORMING THE FEDERAL RESERVE

Mr. PROXMIRE. Mr. President, I am introducing today a bill to amend the Federal Reserve Act. This legislation, if enacted, will bring about the first major reforms in the Federal Reserve System in 40 years, since the passage of the Banking Act of 1935. It will promote the representation of a broader diversity of interests and opinions on the Board of Governors and make the Board and the Reserve banks more accountable to Congress and to the American people.

The Federal Reserve System, or the "Fed" as it is commonly called, has an enormous influence on the shape and functioning of our economy. Its primary responsibility, under the Federal Reserve Act, is to control the growth of the money supply and thus set monetary policy. In addition, the Fed is responsible for administering an extensive and sophisticated check clearing system, regulating bank holding companies and supervising member banks. The Fed has also been assigned responsibilities by the Congress in the Employment Act of 1946, and in House Concurrent Resolution 133 for promoting economic growth, high employment, and stable prices.

Mr. President, the performance of our economy is crucially dependent on how well or badly the Fed does its job. If the money supply grows too fast, we get inflation; if it grows too slowly, we get recession. And if the Fed switches suddenly from too fast to too slow, then we experience the phenomenon of recession in the midst of inflation that has haunted us in the past year.

So Congress must do all it can to insure that the Federal Reserve System not only functions but functions well and in the interest of the Nation as a whole.

The Fed is influential and also relatively autonomous. Deriving its authority from the constitutional power delegated to it by Congress to "coin money" and "regulate the value thereof," the Fed operates outside of both the legislative and executive branches. This means it can actively promote or totally frustrate the economic policy goals set by Congress and the President.

While it is vital that the Fed be able to exercise its independent judgment, there also needs to be sufficient congressional oversight to insure that the Fed is open and responsive to the complex problems and diverse currents of opinion present in our economy and our society. Without this openness and responsiveness, the Fed cannot perform its job effectively.

The acute ills of inflation and recession which have plagued our economy in the last couple of years have brought the Federal Reserve into the spotlight and focussed attention on the actions of the Board of Governors, the Federal Open Market Committee, and 12 regional Federal Reserve Banks which comprise the system's policymaking bodies. Criticisms of the Fed abound. There are frequent charges that its policies are exacerbating the recession and responding more to political pressures than to the genuine needs of the economy. Tempers run high on both sides of the issue.

Mr. President, the legislation I am introducing today will do a great deal to dampen this controversy and restore public confidence in the Federal Reserve. The amendments to the Federal Reserve Act contained in the bill will accomplish two major objectives.

First, they will make the Fed more accountable to Congress and to the public, by strengthening congressional oversight of the System. This is done in two ways: by requiring Senate confirmation of nominations for Chairman of the Board of Governors and for Presidents of the various Reserve banks, and by limiting spending by the Board and Reserve banks for administrative and operating purposes to amounts approved by Congress in appropriations acts.

Second, the bill will promote wider representation of interests on the Board and the expression of a broader diversity of opinion. It adds labor and consumer interests to the list of groups which are already supposed to be represented on the Board, that is, financial, agricultural, industrial and commercial interests. In addition, it authorizes members of the Board to appoint their own personal staff, so that each member will have the means to develop and present alternative independent views on monetary policy and regulatory issues.

Mr. President, the reforms in the structure and functioning of the Federal Reserve System which I am proposing today are necessary changes to help the Fed adjust to 40 years of dramatic change in the economy and in its own operations, so that it can successfully promote maximum employment and stable prices in the years ahead.

The proposed reforms also are a logical complement to the changes in the Fed's monetary policy procedures made by Congress earlier this year in House Concurrent Resolution 133, which requires the Federal Reserve Board to consult with the House and Senate Banking Committees twice yearly regarding targets for growth in monetary and credit aggregates in the upcoming 12 months.

Let me describe my proposals in more detail.

CONFIRMATION OF CHAIRMAN

The Federal Reserve Act provides that every 4 years the President shall designate one of the seven Governors of the Federal Reserve Board to serve as Chairman. Unlike other nominations to high-level Federal Government positions, this designation does not require the "advice and consent of the Senate." My bill would amend the act to require Senate confirmation of the Chairman of the Board of Governors of the Federal Reserve System.

Nominations to this powerful and sensitive post should clearly be subject to Senate scrutiny, over and above that given to any nominee for a 14 year term on the Board. There is no doubt at this point that the Chairman is "first among equals." The law states that:

> The Chairman of the Board, subject to its supervision, shall be its active executive officer.

The Board has delegated to the Chairman primary administrative responsibility including hiring, firing and controlling its staff. He sets the agenda and chairs meetings of both the Board and the Federal Open Market Committee. As titular head of the Federal Reserve, the Chairman also is its spokesman. He delivers major public policy pronouncements and presents testimony before the Congress on major legislation and on the state of the economy. He also represents the Board in the high councils of Government where overall economic policy is planned and different agency and departmental policies are coordinated. Confirmation by the Senate of this critical appointment is essential for effective congressional oversight of the Federal Reserve.

Senate confirmation will also bolster the credibility of the Chairman and make him better able to exercise his independent judgment. At the present time, the Chairman is open to accusations that he is the President's man and susceptible to Presidential pressure, particularly in election years. The fact that the Chairman owes his position solely to the President's good will, without the additional endorsement of Congress, contributes to this impression. Last year the story was widely circulated that President Nixon pressured Arthur Burns into following an easy money policy in 1972, which helped reelect Nixon in that year and contributed to inflation in 1973 and 1974.

Senate confirmation would increase public confidence in the Chairman and help to shield him from any political pressure from the executive branch.

CONFIRMATION OF RESERVE BANK PRESIDENTS

Under existing law, the presidents of the 12 Reserve banks are appointed by the Directors of their respective banks and approved by the Board of Governors. My bill would require that these appointments also be made "by and with the advice and consent of the Senate."

Aside from heading up the operating arms of the system, the Reserve bank presidents also serve on the Federal Open Market Committee, which has major monetary policy responsibilities. The president of the Federal Reserve Bank of New York is the Vice Chairman of the Committee, and it is his bank which conducts the open market operations that constitute the principal means of carrying out monetary policy decisions. Appointments to these important posts should receive close congressional scrutiny; now they receive none.

The confirmation requirement should increase the prestige of Reserve bank presidents and attract more qualified persons to serve in these positions. This amendment would in no way affect the salaries or other existing amenities of the bank presidents, nor would it change the procedures now used in searching for the most qualified candidates.

Senate confirmation of Federal Reserve bank presidents will provide more effective congressional oversight of this major component of the system. It also will create additional public confidence and trust in the Federal Reserve System.

LIMITATION ON EXPENDITURES

Another proposal contained in my bill would limit the expenditures and disbursements of the Board and the Reserve banks to amounts approved in annual appropriations acts. This limitation would cover only administrative and operating expenses of the Federal Reserve System and would not include expenditures to cover losses on sales of securities and foreign exchange transactions, interest on Federal Reserve notes, statutory dividends or additions to surplus.

Under this provision, the Appropriations Committees of the Congress would set a limit on total spending by the Board and Reserve Banks for administrative and operating expenses. Within that ceiling, the Board and the Reserve Banks would continue to exercise complete control over allocation of the funds available to them and would set their own spending priorities. At the same time, Congress would have some oversight of the level of spending by the Fed, the annual increases, and the purposes for which the money is spent.

Under the Budget Act, Congress is required to take account of all Federal spending, from whatever source. According to the rigorous provisions of the act, spending by the Fed must be considered Federal spending, however financed. Whatever income the Fed does not spend is paid into the Treasury as interest on Federal Reserve notes; so the more the Fed spends, the less goes to the Treasury, and the Federal deficit goes up accordingly. Thus it is essential that Congress have the authority to set a limitation on on expenditures and disbursements by the Federal Reserve Board and Federal Reserve Banks to cover their administrative and operating requirements.

Whether people realize it or not, the Fed is big business. In 1974, it spent $548 million, according to its 1974 Functional Expense Report. The Board of Governors alone spent $43 million, about 8 percent of the total, and had a staff of 1,456 people in fiscal year 1975. The Federal Reserve Banks employ about 28,000 more people.

Not only does the Federal Reserve System have a large budget, but its spending is going up rapidly. Over the 10-year period from 1964 to 1974, Fed spending increased by 200 percent. Compare this with an increase in the Federal budget as a whole during the period of 126 percent. Whether the growth in Federal Reserve spending has come from its own profligate practices or from added responsibilities mandated by law, Congress must get a handle on it.

Furthermore, recent congressional investigations have uncovered numerous examples of wasteful and highly questionable spending by the Federal Reserve System. A staff report in July 1975 released by the Domestic Monetary Policy Subcommittee of the House Banking Committee reveals that the Fed spent $273,306 for social, recreational, and athletic activities in 1974, including for such things as parties and dinners, wristwatches and paperweights. Other items revealed by the subcommittee included $134,329 for dues and contributions to a wide variety of banking and other organizations.

Placing a limitation on the Fed's expenditures will encourage the Board and the Reserve banks to scrutinize their spending policies and procedures more closely. It will also give Fed officials the opportunity to demonstrate financial prudence in-house, thus giving more weight to the Fed's call for government and private industry to cut out inflationary spending practices.

BROADEN MEMBERSHIP CRITERIA

Existing law directs the President, in making nominations to the Board of Governors, to give "due regard to a fair representation of financial, agricultural, industrial, and commercial interests." Critics have often alleged that the Fed is dominated by big business and banking interests. My bill would make the Board reflect a broader spectrum of interests, by adding labor and consumer groups to the list.

Presumably the intent of this provision, when it was enacted in 1913, was to insure representation on the Board of those sectors of the economy most affected by the actions of the Board. Given the myriad changes in our economy since that time, and the growth of the Fed's power and economic impact, it is not surprising that the original list is no longer adequate. Adding labor and consumers to the other interests already represented on the Board will make the Board more responsive to public concerns and enable it to operate more effectively.

STAFF FOR MEMBERS

Finally, I propose to authorize each member of the Federal Reserve Board to appoint staff to serve under his or her exclusive jurisdiction, subject to the constraint that the total compensation of such persons shall not exceed four times the annual rate of compensation of such member. Under current practices and procedures, where the staff is appointed by the full Board, individual Governors necessarily receive essentially the same staff analyses and advice on questions of common interest. There is evidence that this has diminished independence of viewpoint in monetary policy decision-making. In voting on open market policy over the last 5 years, Board members dissented less than 3 percent of the time, while Reserve bank presidents, each of whom has his own staff of experts, dissented 8 percent of the time. Providing staff to individual members will enhance their independence, encourage greater diversity and competition of ideas within the Board and on the Open Market Committee, and strengthen the Fed's policy-making process. Since my bill requires that funding for members' staff come out of the regular Federal Reserve budget, no additional spending is contemplated.

Mr. President, the legislation I am proposing will be a major reform of the Federal Reserve System, making it more effective, more representative, and more accountable to Congress and the American people. I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Reserve Act Amendments of 1975."

Sec. 2. (a) The fourth paragraph of section 4 of the Federal Reserve Act (12 U.S.C. 341) is amended by inserting after "Federal Reserve System" in the second full sentence in the clause beginning "Fifth" the following: ", and by and with the advice and consent of the Senate."

(b) The amendment made by subsection (a) becomes effective on January 1, 1976, and applies to any individual appointed by the board of directors of a Federal Reserve bank to be the president of such bank on or after such date.

Sec. 3. The second sentence of the first paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 241) is amended by striking out "financial, agricultural, industrial, and commercial interests" and inserting in lieu thereof "agricultural, commercial, consumer, financial, industrial, and labor interests."

Sec. 4. (a) The third sentence of the second paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 242) is amended to read as follows: "Of the persons thus appointed, one shall be designated by the President, by and with the advice and consent of the Senate, to serve as chairman of the Board for a term of 4 years, and one shall be designated by the President to serve as vice-chairman of the Board for a term of 4 years."

(b) The amendment made by subsection (a) becomes effective on January 1, 1976.

Sec. 5. The fourth paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 244) is amended by inserting after the third sentence thereof the following: "The expenses and disbursements of the Board shall not exceed amounts approved in appropriations Acts. Each member of the Board is authorized to appoint professional and clerical employees to serve under his exclusive direction at such annual rates of compensation as he determines to be appropriate, but the aggregate compensation of such employees may not exceed four times the annual rate of compensation of that member."

Sec. 6. Section 11(j) of the Federal Reserve Act (12 U.S.C. 248(j)) is amended by adding at the end thereof the following new sentence: "In exercising such supervision, the Board shall limit the expenditures of such banks (other than expenditures to cover losses on sales of securities and foreign exchange transactions, interest on Federal Reserve notes, statutory dividends and additions to surplus) to amounts approved in appropriations Acts."

By Mr. DOMENICI:

S. 2286. A bill to amend the act of June 9, 1906, to provide for a description of certain lands to be conveyed by the United States to the city of Albuquerque, N. Mex. Referred to the Committee on Interior and Insular Affairs.

Mr. DOMENICI. Mr. President, I send to the desk, for appropriate reference, a bill to amend the act of June 9, 1906, to provide for a description of certain lands to be conveyed by the United States to the city of Albuquerque, N. Mex.

This is a relatively simple measure to correct an error in the land description for parcel 1 contained in Public Law 93–574. Unfortunately, the land description I received from the city of Albuquerque contained errors which make it impossible for the city to do what they had intended.

Mr. President, S. 2125—93d—which subsequently became Public Law 93–574, authorized the Secretary to relinquish a reversionary interest in two parcels of land. The conveyance would be authorized only if the city showed to the satisfaction of the Secretary that the two parcels were no longer suitable for park and other public purposes, two parcels would be sold at not less than fair market value, that the proceeds from the sale of the parcels would be used to acquire another specified tract which is suitable for park and other public purposes and that any amount by which the proceeds of sale of the two parcels exceeds the price of the other tracts will be paid to the United States. In addition, the reversionary interest which exists on the two parcels would be transferred to the tract acquired with the proceeds of the sale of the two parcels.

The city finds these two parcels no longer suitable for park or other public purposes and desires to sell the land to help cover the cost of purchasing a 135-acre tract to be used as a park. The 135-acre tract is located in an area where there is an urgent need for park land.

Mr. President, I hope the Senate will act quickly on this measure so that the city of Albuquerque can move forward with the purchase of this much-needed parkland.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 319

At the request of Mr. Talmadge, the Senator from Oregon (Mr. Packwood) was added as a cosponsor of the bill (S. 319) to provide natural gas for essential agricultural purposes.

S. 1327

At the request of Mr. Jackson, the Senator from Wisconsin (Mr. Nelson) was added as a cosponsor of the bill (S. 1327) to declare that certain submarginal land of the United States shall be held in trust for certain Indian tribes and be made a part of the reservations of said Indians, and for other purposes.

S. 1475

At the request of Mr. Proxmire, the Senator from Wyoming (Mr. McGee) was added as a cosponsor of the bill (S. 1475), the Credit Union Financial Institutions Act Amendments of 1975.

S. 1652

At the request of Mr. Stone, the Senator from New York (Mr. Buckley) was added as a cosponsor of the bill (S. 1652) to amend the Internal Revenue Code of 1954 to provide that no interest is payable on income tax deficiencies in the case of returns prepared by the Internal Revenue Service until the expiration of 30 days after notice to the taxpayer of such deficiency.

S. 1681

At the request of Mr. Eagleton, the Senator from Alaska (Mr. Gravel) was added as a cosponsor of the bill (S. 1681), the Cosmetic Safety Amendments of 1975.

S. 1864

At the request of Mr. Jackson, the Senator from South Dakota (Mr. Abourezk) was added as a cosponsor of the bill (S. 1864) the Energy Information Act.

S. 1908

At the request of Mr. Mansfield, on behalf of the Senator from Washington (Mr. Magnuson), the Senator from Nevada (Mr. Cannon) was added as a cosponsor of the bill (S. 1908) to regulate commerce by directing the Secretary of Commerce to establish and maintain an industrial energy conservation program.

S. 1970

At the request of Mr. Stone, the Senator from Alaska (Mr. Gravel) was added as a cosponsor of the bill (S. 1970) to amend title 28 of the United States Code to provide that information relating to the administration of the U.S. courts be made available to the public.

S. 2015

At the request of Mr. Eagleton, the Senator from Maine (Mr. Muskie) was added as a cosponsor of the bill (S. 2015) to amend title 39, United States Code, to assure that certain publications of institutions of higher education continue to qualify as second-class mail.

S. 2271

At the request of Mr. Domenici, the Senator from Minnesota (Mr. Humphrey) was added as a cosponsor of the bill (S. 2271) to amend the Interstate Commerce Act by including independent owner-operator truckers as an exempted class under section 203(b) of that act, and for other purposes.

SENATE JOINT RESOLUTION 115

At the request of Mr. Domenici, the Senator from Massachusetts (Mr. Kennedy) and the Senator from New Jersey (Mr. Williams) were added as cosponsors of the joint resolution (S.J. Res. 115) relating to the publication of economic and social statistics for Americans of Spanish origin or descent.

SENATE RESOLUTION 136

At the request of Mr. Mondale, the Senator from South Dakota (Mr. Abourezk), the Senator from New York (Mr. Javits), the Senator from California (Mr. Cranston), the Senator from Minnesota (Mr. Humphrey), and the Senator from Alaska (Mr. Gravel) were added as cosponsors of the resolution (S. Res. 136) to amend the standing rules of the Senate to provide for a question and report period.

SENATE RESOLUTION 234

At the request of Mr. Robert C. Byrd, the Senator from New Hampshire (Mr. McIntyre) was added as a cosponsor of the resolution (S. Res. 234) relating to sales for export of wheat and other grain.

SENATE RESOLUTION 238—SUBMISSION OF A RESOLUTION RELATING TO BRIEFINGS ON THE MIDDLE EAST ACCORDS TO MEMBERS OF THE SENATE

(Referred to the Committee on Foreign Relations.)

Mr. ROTH (for himself and Mr. Nunn) submitted the following resolution:

S. Res. 238

Whereas the agreement between Israel and the Arab Republic of Egypt entails commitments and obligations on the part of the United States of America concerning the provision of military and economic assistance to the parties in the Middle East and the manning of an early-warning system in the Sinai Peninsula;

Whereas these proposals require the approval of the Congress;

Whereas the Congress has an obligation to determine whether these proposals are in the best interests of the people of the United States and are essential to the preservation and consolidation of peace in the Middle East;

Whereas it is essential to a sound decision by the Congress that all Members of the Senate be fully informed regarding the background of the negotiations and the exact nature and potential costs of American commitments in connection with the Middle East accords: Now, therefore, be it

Resolved, That it is the sense of the Senate that the majority and minority leaders, together with the chairman and ranking member of the Committee on Foreign Relations use their good offices to arrange for the comprehensive briefing of Senators who are not members of the committee by the Secretary of State concerning the background of the negotiations, the full extent of American commitments and obligations to Israel and to the Arab Republic of Egypt made in connection with the agreement, the likelihood that Americans stationed in the Sinai Desert would be involved in any conflict, and the future steps the Executive branch plans to take to consolidate peace in the Middle East.

Mr. ROTH. Mr. President, the Israeli-Egyptian agreement, so painstakingly worked out through the good offices of our Secretary of State appears to be a step forward on the road to peace in the Middle East. However, before making a final decision on whether or not to support an American role as envisaged in the agreement and associated understandings, I want to know the full facts and extent of American obligations and to hear the arguments on both sides.

I believe that it is essential that Secretary Kissinger come before the Congress to explain in detail the background of the accord and reasons he believes that an American role is essential to its success. Because I believe that all Members of the Senate should have a full briefing on the negotiations and the extent of American obligations and be able to ask questions of Secretary Kissinger, Senator Nunn and I are submitting a resolution calling for the minority and majority leaders to work with the chairman and ranking member of the Foreign Relations Committee to arrange a briefing by the Secretary of State for all Members of the Senate and not only the members of the Foreign Relations Committee and Senate leadership.

The price of this agreement is high, both in terms of military and economic assistance and in terms of the commitment of our technicians to help monitor any military activity in the Sinai passes. We must measure this price against the alternatives. The price of no agreement may be much, much higher. We have only to remember the Soviet-American confrontation during the 1973 war to realize that war in the Middle East tinderbox always carries the danger of world war III. Almost certainly, a new conflict would mean another oil embargo.

No American can be enthusiastic about sending our technicians to monitor the agreement. But the distinction should be kept in mind that our military advisers were sent to South Vietnam to help fight a war, while our civilian technicians would be sent to the Middle East to help keep a peace. If there is an analogy with Vietnam, it is more with the four nation International Control Commission whose men remain uninvolved in the fighting that followed the 1973 Paris accord.

AMENDMENTS SUBMITTED FOR PRINTING

DEFENSE PRODUCTION ACT AMENDMENTS OF 1975—S. 1537

AMENDMENT NO. 868

(Ordered to be printed and to lie on the table.)

Mr. PROXMIRE submitted an amendment intended to be proposed by himself to the bill (S. 1537) to amend the Defense Production Act of 1950, as amended.

NOTICE OF HEARINGS

Mr. JACKSON. Mr. President, in accordance with the rules of the Committee on Interior and Insular Affairs, I wish to advise my colleagues and the public that the following hearings and business meetings have been scheduled before the committee for the next 2 weeks:

September 4: Full committee, 10 a.m., room 3110, hearing. Information hearing re impact of petroleum price decontrol on the economy and on the structure of competition in the oil industry.

September 5: Full committee, 10 a.m., room 3110, hearing. Information hearing re impact of petroleum price decontrol on the economy and on the structure of competition in the oil industry.

September 5: Joint hearing, Interior

and Commerce Committees, 10 a.m., room 3302, hearing. Nomination of Austin Heller to be Assistant Administrator for Conservation of ERDA.

September 6: Full committee, field hearing, Medford City Hall, Medford, Oreg. Information hearing re contamination of water supply at Crater Lake National Park, Oreg. Hearing will begin at 9 a.m.

September 8: Full committee, 10 a.m., room 3110, hearing. Nomination of William G. Rosenberg to be Assistant Administrator of FEA.

September 10: Full committee, 10 a.m., room 3110, business meeting. Pending calendar business.

September 11: Environment and Land Resources Subcommittee, 10 a.m., room 3110, hearing. S. 1958, S. 1134, S. 864, S. 726, and S. 301.

September 16: Energy Research and Water Resources Subcommittee, 10 a.m., room 3110, hearing. S. 1794, to amend the Small Projects Act.

September 17: Full committee, 10 a.m., room 3110, business meeting. Pending calendar business.

September 18: Indian Affairs Subcommittee, 9:30 a.m., room 3110, hearing. S. 1823, disposition of funds in favor of Sac and Fox Indians.

NOTICE OF HEARING

Mr. CHURCH. Mr. President, I wish to announce for the information of the Senate and the public, the scheduling of a public hearing before the Energy Research and Water Resources Subcommittee of the Senate Interior and Insular Affairs Committee.

The hearing is scheduled for September 16, at 10 a.m. in room 3110 of the Dirksen Senate Office Building. Testimony is invited regarding S. 1794, a bill to amend the Small Reclamation Projects Act of 1956, as amended.

For further information regarding the hearing, you may wish to contact Mr. Russell Brown of the subcommittee staff on extension 41076. Those wishing to testify or who wish to submit a written statement for the hearing record should write to the Energy Research and Water Resources Subcommittee, room 3106, Dirksen Senate Office Building, Washington, D.C. 20510.

NOTICE OF HEARING

Mr. JACKSON. Mr. President, I wish to announce for the information of the Senate and the public the scheduling of hearings before the Senate's National Fuels and Energy Policy Study, Committee on Interior and Insular Affairs.

The hearings are scheduled for September 4 and 5, at 10 a.m. in room 3110 of the Dirksen Senate Office Building. Testimony will be heard on the competitive and economic impacts of oil price decontrol from representatives of the petroleum industry; the administration; and consumer, farm, and business groups.

NOTICE OF HEARING ON POTENTIAL IMPACT OF PETROLEUM DEREGULATION ON U.S. AGRICULTURE

Mr. McGOVERN. Mr. President, I wish to announce that the Subcommittee on Agricultural Credit and Rural Electrification, which I chair, of the Committee on Agriculture and Forestry, will hear testimony on the likely impact on American agriculture if price control and allocation authority over petroleum is allowed to expire.

Many farmers are deeply concerned about the already shocking increase in the prices they must pay for gasoline, fuel oil, diesel fuel and propane—as well as a host of petroleum derivatives such as pesticides, herbicides and nitrogen fertilizer.

To better assess what might happen in the absence of petroleum price controls, the subcommittee has invited a number of expert witnesses to testify at 10 a.m. Tuesday, September 9, in the Agriculture Committee room, 324 Russell Building.

NOTICE OF HEARINGS ON SURVEILLANCE TECHNOLOGY

Mr. TUNNEY. Mr. President, the Senate Judiciary Subcommittee on Constitutional Rights will resume hearings on surveillance technology. The hearings will begin on September 9 at 9:30 a.m. in room 457 Russell Senate Office Building, and will meet again at 9:30 a.m. on September 10 in room 2228, Dirksen Senate Office Building.

On September 9, the following White House officials are to be members of a panel: Brig. Gen. Lawrence Adams, Commander, White House Communications Agency; Paul H. O'Neill, Deputy Director, Office of Management and Budget; and James T. Burke, Assistant Director, U.S. Secret Service.

Each will give a short statement and then will answer questions regarding computers under their supervision, their general use, and what procedural safeguards exist to prevent their misuse.

Another witness on Tuesday morning will be Gen. Leslie W. Bray, Jr., Director of the Federal Preparedness Agency, who will discuss the technology and information maintained at Mount Weather, Va., and other emergency underground repositories and will also describe the wartime information security program—WISP.

On Wednesday, September 10, Dr. Jerome B. Wiesner, president of the Massachusetts Institute of Technology, will assess the technological threats to constitutional rights, the possible need for new governmental structures and processes to control the threats, and advise us on how Congress can best use its resources to explore the problems posed by the proliferation of surveillance technology today.

ADDITIONAL STATEMENTS

THE BUREAUCRATIC REVOLUTION

Mr. FANNIN. Mr. President, one of the worst byproducts of the growth and centralization of Government power has been the gradual shift of decisionmaking from the private to the public sector. This process is described most eloquently by Dr. Murray Weidenbaum in his book "Government-Mandated Price Increases—A Neglected Aspect of Inflation," a domestic affairs study published by the American Enterprise Institute.

Dr. Weidenbaum is director of the Center for the Study of American Business at Washington University in St. Louis and an adjunct scholar at the American Enterprise Institute in Washington, D.C. Dr. Weidenbaum was Assistant Secretary of the Treasury for Economic Policy during 1969–71 and served earlier as a fiscal economist in the U.S. Bureau of the Budget. He is the author of numerous books and articles, including "The Economics of Peacetime Defense" and "The Modern Public Sector." As a former Government official and economist, Dr. Weidenbaum is an expert on Government regulation and its impact on the economy.

It is Professor Weidenbaum's thesis that the country is currently going through a second managerial revolution, which he terms "a silent bureaucratic revolution," in the course of which decisionmaking processes are shifted from business managers, who represent the shareholders, to a cadre of Government officials, Government inspectors, and Government regulators. In this process the power to make local business decisions is being taken away from management and assumed by Government. Unfortunately, for the public, these Government officials and agencies are not responsive to the pressures of profit and loss and, although their decisions affect management, they have no management responsibility.

The decisions of these bureaucrats affect the operation of business and the economy in many ways. For instance, regulators determine such things as how you hire people, what products you can make, how you make those products, personnel policies, production methods, marketing, and financing—decisions that were normally assumed by private enterprise but are now controlled or influenced, directly or indirectly, by one or more Federal agencies. Sometimes the regulations and decisions of one agency can even conflict with those of another.

This subtle revolution has had pronounced effects in the marketplace. Overregulation of business has resulted in higher prices for the goods and services that consumers need.

Unfortunately, the changes brought about by this subtle bureaucratic revolution have not been visible or dramatic to most people, except to the businessman under the gun. However, recently consumers have become aware of the shift in power away from themselves, from the local merchants, and toward faceless bureaucrats in Washington. The people are beginning to realize that they are paying for this new managerial revolution in a number of ways.

For one thing, their tax bill is higher. Professor Weidenbaum has estimated that it costs the taxpayers over $4 billion a year to support all the Federal regulatory agencies. Recently U.S. News & World Report estimated that the yearly cost to consumers of Government, economic, environmental and health, safety, and product regulation amounted to about $130 billion, or $2,000 a year for each American family.

In addition, there are other more indirect costs to the consumer. Proliferation of Government controls has led to our country's economic sluggishness and lack of growth in productivity. Many critics of Government regulation charge that there is a cozy relationship between many Government agencies and the industries they are supposed to regulate, with the result that many businesses begin to feel comfortable in a Government-regulated environment and expect the Government to bail them out when they are in trouble and to protect them from competition.

No wonder those of us who favor regulatory reform believe that Government regulation is more anticonsumer than antibusiness.

Professor Weidenbaum has provided an excellent analysis of the problems created by this "silent bureaucratic revolution" in the AEI study to which I referred. As he points out, all Government regulators are not at fault, and some Government regulation is necessary. As Dr. Weidenbaum states:

> As a general proposition, a society—acting through its government—can and should take steps to protect consumers against rapacious sellers, individual workers against unscrupulous employers, and future generations against those who would waste the nation's basic resources. But, as in most things in life, sensible solutions are not matters of either-or, but rather of more or less. Thus, we may enthusiastically advocate stringent and costly Government controls over industry to avoid infant crib deaths without simultaneously supporting a plethora of detailed Federal rules and regulations which, as we have seen, deal with the size of toilet partitions, the color of exit lights, and the maintenance of cuspidors.

Dr. Weidenbaum does not advocate elimination of all Government regulation, only those controls which have been proved unnecessary or harmful, and for which the costs clearly exceed the benefits.

Mr. President, I recommend Professor Weidenbaum's interesting thesis to my Senate colleagues as it appeared in the AEI monograph "Government-Mandated Price Increases—A Neglected Aspect of Inflation." An excerpt of that study was published March 24, 1975, in the Money Manager, a financial weekly. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DECISIONMAKING SHIFTING FROM CORPORATE MANAGERS TO FEDERAL BUREAUCRATS

(By Murray L. Weidenbaum)

The first "managerial revolution" was noted by Berle and Means more than four decades ago and given the title by James Burnham a decade later. These observers were referring to the divorce of the formal ownership of the modern corporation from the actual management.

A second managerial revolution is now under way—a silent bureaucratic revolution—in the course of which the locus of much of the decision making in the American corporation is shifting once again. This time the shift is from the professional management selected by the corporation's board of directors to the vast cadre of government regulators that influences and often controls the key decisions of the typical business firm.

The added costs flowing from this change are ultimately borne by the public, in the form of higher taxes; higher prices, and lower real standards of living.

This revolution is neither deliberate nor socially disruptive. But a revolution it truly is—for it is forcing a fundamental change in the structure of our industrial society. The traditional concerns in business-government relations—Are we moving toward socialism? Are we in the grips of a military-industrial complex?—should be recognized as relevant to an age that has already passed.

Extending the analysis of Berle, Means and Burnham to the current situation, it is not who owns the means of production but who makes the key decisions that is crucial in determining the relative distribution of public and private power. Who exercises the major influence in deciding what lines of business a firm should go into? Which investments should it under take? What products should it make? Under what conditions should they be produced? What prices should be charged?

The current trend is for the Government to assume or at least share many of the key aspects of decision making of all firms. This is a silent revolution in many ways. It is not led by a host of noisy trumpeters. It is not intentional or even noticeable to the day-to-day observer. But that does not alter its deep impact.

The change that our industrial economy is undergoing must be understood as a bureaucratic revolution, not a conspiracy. What is involved are the lawful efforts of governmental civil servants going about their routine and assigned tasks, tasks whose purposes are hard to deny, Who, after all, is opposed to cleaning up the environment? Or enhancing job safety? Or improving consumer products?

Yet, if we step back and assess the long-term impact on the private enterprise system of the host of government inspections, regulations, reviews, and subsidies, we find that the fundamental business-government relationship is being changed.

To be sure, the process is far from complete—and it proceeds unevenly—but the results to date are clear enough: Increasingly the Government is participating in and often controlling the internal decisions of business, the kinds of decisions that lie at the heart of the capitalist system.

Those who have assigned the tasks, the Congress and the leadership of the Executive Branch, have failed to appreciate the enormous significance of their actions. If specific laws or regulations had been proposed for the government formally to take over private risk-bearing and initiative, the problem would have been faced head on, and the proposals probably defeated. And that of course is the crunch.

This silent revolution is unintentional; it is an unexpected by-product—but a critical serious one—of the expanding role of government in our modern society. President Ford, who served in the House of Representatives for 24 years, has stated, "Most members of Congress don't realize the burdens that are placed upon business by the legislation they pass."

The new types—and the infinite variety—of Governmental regulations of business are not limited to the traditional regulatory agencies—the FTC, SEC, FPC, ICC, FCC, and so forth. Today the line departments and bureaus of government—the Departments of Agriculture, Commerce, HEW, Interior, Justice, Labor, Transportation, and Treasury—are deeply involved in actions that affect virtually every firm and most of its key operations. Governmental controls, influence manufacturing, research and development, finance, personnel, marketing, facilities, and planning.

Let us take as a basic starting point the launching of a new business. In many cases, the prospective entrepreneur will find that entry is strictly controlled by a Government agency. Examples vary from operating an airline or a radio or television station to distilling alcohol to manufacturing ethical drugs to producing nuclear materials.

Governmental regulation also extends to the introduction of new products into the marketplace. Clothing must now meet the requirements of the Wool Products Labeling Act. Drugs, of course, must be approved by the Food and Drug Administration.

The administration of the Consumer Products Safety Act is just getting under way and its view of its charter appears to be extremely generous.

Governmental controls over the internal operating procedures of private companies also are expanding. Government contractors must adhere to the pay and other standards of the Walsh-Healey Act, the Davis-Bacon Act, the Armed Services Procurement Act, and so forth.

But far more employers are subject to laws governing minimum wages, overtime hours, equal pay, equal employment opportunity, and relations with unions. The often unwelcome Federal inspector makes his appearances with increasing frequency and covers more facets of business activity each year.

No businessman today, whether the head of a large company or the corner grocer, can operate without considering a multitude of governmental restrictions and regulations. His or her costs and profits can be affected as much by a bill passed in Washington as by a management decision in the front office or a customer's decision at the checkout counter.

The design and manufacture of the 1973 automobile, for example, was subject to 44 Government standards and regulations involving about 780 separate test points which must be met on each car. In the words of Richard C. Gerstenberg, chairman of General Motors:

"Government today has something to say about how we design our products, how we build them, how we test them, how we advertise them, how we sell them, how we warrant them, how we repair them, the compensation we pay our employees, and even the prices we may charge our customers."

Virtually every major department of the typical industrial corporation in the United States has one or more counterparts in a Federal agency that controls or strongly influences its internal decision making. The company's production department is aware of the presence of the Labor Department's occupational safety and health inspector. The marketing department must take account of the possibility of adverse rulings by the Consumer Product Safety Commission resulting in product recalls.

The advertising department must respond to the Government's efforts to shift the purpose of product packaging and labeling from sales promotion to safety and efficiency information. The personnel department must avoid running afoul of the equal employment opportunity regulations.

The finance department must keep its books and financial reports so as to satisfy the Internal Revenue Service, the Securities and Exchange Commission, and governmentally sponsored credit agencies. The R&D department must work on products and processes that meet the requirements of the Environmental Protection Agency.

In this day of rising attention to the costs as well as the benefits of public action, we must recognize the substantial costs that consumers pay for the truly massive expansion of Government regulation of the private sector. These costs stem in part from the increased and unproductive overhead expenses that government requirements impose.

They may not mean much to the taxpayer, but to the extent that they raise the cost of production, they result in higher prices to consumers. Because the government-mandated costs result in no measurable output, they also are reflected in the lower rate of productivity that has been experienced by the American economy in recent years.

John C. Whitehead of the investment banking firm of Goldman, Sachs & Co. has measured the cost of one aspect of Government regulation of business, the growing mass of financial information required by the SEC prior to its approval of a new securities issue. He reports that a foreign-based firm, a world famous public company, concluded that SEC requirements were so cumbersome that the company would raise its money elsewhere until there was at least a 1% annual interest differential in favor of issuing in the United States.

Yet, the critical price we pay for Government regulation is the attenuation of the risk bearing and entrepreneurial nature of our private enterprise system—a system which, at least in the past, has contributed so effectively to rapid rates of innovation, productivity, and growth.

A hidden cost of Government restrictions of various kinds is a reduced rate of innovation. The longer that it takes for some change to be approved by the Federal regulatory agency—a new or improved product, a more efficient production process, et cetera—the less likely that the change will be made. In any event, innovation will be delayed.

Prof. William Wardell of the University of Rochester's School of Medicine and Dentistry has studied in detail the advantages and disadvantages of Britain's liberal policy toward the introduction of new drugs. He concludes that, on balance, Great Britain gained in comparison with the United States from its more "permissive" policy toward the marketing of new drugs:

> . . . Britain suffered more toxicity due to new drugs than did the United States, as could have been anticipated from the fact that more new drugs were marketed there. However, considering the size of the total burden of drug toxicity, the portion due to new drugs was extremely small, and would in any case be at least partially offset by the adverse effects of older alternative drugs had the latter been used instead. Conversely, Britain experienced clearly discernible gains by introducing useful new drugs, either sooner than the United States or exclusively.

Prof. Sam Peltzman of the University of Chicago has estimated some of the costs of the drug lag in the United States. He analyzed the 1962 amendments to the Food and Drug Act, amendments that were ostensibly designed to keep ineffective drugs off the market by extending the process of authorizing new drugs prior to their being available to the public. The main impact of the legislation has been to delay the introduction of effective drugs by about four years and to lead to higher prices of drugs.

He estimates the resultant loss to the consumer to be in the neighborhood of $200 million-$300 million a year. Prof. Peltzman also calculates that if the drugs that combat tuberculosis had been delayed by two years, the average delay now imposed by the Food and Drug Administration, the result would have been approximately 45,000 additional deaths.

The adverse effect of regulation on innovation is likely to be felt more strongly by smaller firms than by the large companies. Thus it will have an anticompetitive impact. According to Dr. Mitchell Zavon, president of the American Association of Poison Control Centers:

> We've got to the point in regulatory action where it's become so costly and risky to bring out products that only the very largest firms can afford to engage in these risky ventures. To bring out a new pesticide you have to figure a cost of $7,000,000 and seven years of time.

Federal regulation imposes other "costs" on the economy. The impact on the prospects for economic growth and productivity can be seen by examining some recent estimates of the size and composition of investment by manufacturing companies. Lewis Beman has estimated, in real terms (after eliminating the effects of inflation), total capital spending by American manufacturing companies was no higher in 1973 than it was in 1969—about $26 billion in both years.

However, in 1973 a much larger proportion of capital spending was devoted to pollution and safety outlays than in 1969—$3 billion more. Hence, the effective additions to plant and equipment—the real investment in modernization and new capacity—were lower in 1973. This helps to explain why the American economy, for a substantial part of 1973, appeared to lack needed productive capacity, despite what had been large annual investments in new plant and equipment in recent years.

Those unproductive Federally mandated costs are not all behind us. The House of Representatives recently passed the Energy Transportation Security Act, a measure which would require that 20% of all oil imports be carried in U.S.-flag vessels immediately and 30% after June 30, 1977. (The "protection" of the Jones Act is limited to coast-wise shipping within the United States.)

The House Merchant Marine Committee estimates that the higher transportation costs might add "a penny a gallon at most" to the price of gasoline. The Maritime Administration projects the added costs at two cents a gallon by 1985. With domestic consumption now at approximately 100 billion gallons a year, the proposed law would raise gasoline costs in the United States by about $1 billion a year now and at least $2 billion by 1985.

In the guise of achieving equality in the treatment of men and women workers, a major effort is under way to shift an important and discretionary element of family costs to the society as a whole. The specific point at issue is whether companies should be required to pay disability benefits to employes on maternity leave. If the effort is successful, working women who become pregnant will receive sick pay for the period they are away from the job and also will be covered for the medical and hospitalization costs of childbirth.

These increased costs of course will show up in higher prices for the products and services sold by the companies involved. Thus, the average consumer will find that he or she is paying the pregnancy-related expenses of a large part of the population, including those of families who can pay these costs themselves.

The phenomenon described in this monograph is still in the process of development. Virtually all policy proposals affecting business are variations on the same theme: increase the scope and degree of Governmental involvement while shifting costs from the federal treasury to the products and services that consumers buy.

Restrictions on the use of land owned by private individuals are an obvious example which has received great Congressional and public attention. Yet, more indicative of future policy may be the bill introduced by Senators Walter Mondale and Philip Hart in the first session of the 93d Congress (S. 2809, the National Employment Priorities Act).

This bill would require, whenever possible, that employees and affected communities be given two-year advance notification of plant closings or relocations. It also would establish a National Employment Relocation Administration to investigate and report on the economic justification for plant shutdowns.

If the closings were found to be "unjustified," investment tax credits would be withdrawn for up to ten years. Businesses also would receive technical and financial aid to forestall "unnecessary" closings. The possibility thus looms that in the future it literally may be impossible for a firm or a plant to go out of business, without at least some form of prior Federal review.

Some understanding of what lies at the end of the course on which the nation has embarked can be gained by examining that sector of American industry which already relies, to a substantial degree, upon governmental leadership and assistance.

In the last three decades, the major U.S. defense contractors have become accustomed to Federal offials making the basic decisions on which products a firm shall produce, how it shall go about producing them, and how capital shall be provided—with the government, in the process, assuming a major portion of the risk and the role of the entrepreneur.

More Lockheeds and General Dynamics—or more 1011s and TFXs (to cite the well-known products of the two large defense contractors most dependent on the government)—are surely not the route to a rising living standard or a reduced rate of inflation.

In its pioneering report on "Social Responsibilities of Business Corporations," the Committee for Economic Development stated in 1971.

> The evidence clearly indicates that many of the goals of American society can best be realized by developing a system of incentives for private firms to do those social jobs which business can perform better and more economically than other institutions.

Indeed, the entrepreneurial thrust of business—if encouraged, guided, and carefully audited by Government at all levels—may well be indispensable in achieving a permanent solution to the urban and other socio-economic problems that have badly overtaxed the capacity of public agencies.

One basic incentive to which the Federal Government should give greater attention is the nurturing of an economic climate conducive to the high level of saving and investment necessary to finance a widening array of private sector undertakings. Given such a climate, Federal involvement with many problems which, at least in the past, have been successfully handled in the private sector would become unnecessary.

This study is not intended to be a simple-minded attack on all forms of government control over industry. As a general proposition, a society—acting through its government—can and should take steps to protect consumers against rapacious sellers, individual workers against unscrupulous employers, and future generations against those who would waste the nation's basic resources.

But, as in most things in life, sensible solutions are not matters of either or, but rather of more or less. Thus, we may enthusiastically advocate stringent and costly Government controls over industry to avoid infant crib deaths without simultaneously supporting a plethora of detailed Federal rules and regulations which, as we have seen, deal with the size of toilet partitions, the color of exit lights, and the maintenance of cuspidors.

THE STRENGTH OF A NATION

Mr. McCLELLAN. Mr. President, I ask unanimous consent that a recent address by Rev. Joe Taylor titled "The Strength of a Nation," printed in the Osceola Times, Osceola, Ark., on July 31, 1975, be printed in the Record. At this 200 anniversary year point in our history as a nation, it is good that we be reminded of the roots of our heritage and the sources of our strength. Reverend Taylor's address is very impressive and persuasive and I recommend its reading by Members of Congress and by patrons of the Congressional Record.

There being no objection, the address was ordered to be printed in the Record. as follows:

"TIME TO DIG WELLS OF OUR PAST," SAID THE REV. JOE TAYLOR

The Rev. Joe Taylor, Methodist pastor here 1964–68, was back in Osceola on Tuesday night of last week to speak to a capacity crowd at the Ladies Night of the Methodist Men's Club.

The ladies served one of those legendary "church dinners."

Dr. L. D. Massey, club president, arranged for the program, but he made Dr. Joe Thomas the master-of-ceremonies and Faber White made the introduction.

In the audience were many of the speaker's local friends who were not members of the church. This is the text of his talk, outstanding as his talks always are, and worthy of the perusal of all of our readers.

THE STRENGTH OF A NATION

Genesis 26: 18: "And Isaac dug again the wells of water which had been dug in the days of Abraham his father."

The coming Bicentennial celebration for our nation, now less than a year away, has had the effect of causing many of us to dig again the old wells of our heritage. This digging is a worthwhile pursuit. It is good for us to know what lies at the roots of our heritage. There is a nobler past there than most of us suspect or believe.

The last generation or so in our country has been characterized by an unparalleled national negativism. We have seen the ascendancy of a variety of anti-patriotism which has been widely accepted. I, for one, have had more than enough of this. I'm entirely ready to see this badmouthing of America drowned out by a serious historically grounded, chorus of good-mouthing. I suspect many of you are, too.

Please don't understand me to be saying that I would be happy with a return to the variety of patriotism once characterized by the phrase "my country—right or wrong." No serious Christian can accept the principle that national policy takes precedence over the Laws of the Almighty. It does not! And no man serves the best interests in his country by burying his conscience and supporting a national policy he is convinced is in direct conflict with the revealed will of God.

What I do mean to say is that there is so much good in this country's beginnings, so much that is praiseworthy in her history, so much that is well worth remembering in her heritage, that I'm glad to see Americans re-digging these old wells this pre-centennial year.

There is in Luke's Gospel (7:5) a verse that describes the attitude of a certain Roman Centurion toward the Jewish people:

"He loves our nation. . . ."

There is a very real sense in which these words describe the way most Americans believe God relates Himself to the United States of America. "He (God) loves our nation."

Think about this with me. To say that God has loved our nation does not mean that He loves us exclusively, or even more than our neighbors. It doesn't mean He supports us in all wars and against all foes. It doesn't assure us of victory or prosperity. But who could deny that God has richly, bountifully blessed America? Was any nation ever given as much with which to build as we?

Before we allow this kind of thinking to convince us that God loves us because of our basic lovability, though, we need to realize this is entirely wrong. God has loved us nationally as He has individually—in spite of our sinfulness rather than because of our goodness.

There is another verse that comes to mind, too. Jeremiah says in 2:32—"My people have forgotten me days without number."

There is no way that you and I can ignore the fact that as a nation we have forgotten the supremacy of God. We have become fat and prosperous—and like the Israel of the Bible, we too have forgotten. Like Israel we have said, "Our hand hath gotten us all this."

Ezekiel spoke accurately for his day—and do his words not sound strangely contemporary as he said, "The land is full of bloody crimes" (7:23) and again, "They have filled the land with violence!" (8:17).

We have gone far afield from the intent of those who dreamed and lived America into existence. One of the things we have heard repeatedly in our anti-patriotic days is that there never was a time when America really sought to be God's people—His nation. They say it is just part of a myth dreamed up and promoted by nationalists and imperialists. They quote from each other and a few early sources to convince us that our heritage was no different from or better than anybody else's.

Surely it is true, there never was a time when America was uniformly, consistently all-Christian. But what is as clearly true is that in her intentions, in her highest hours of resolve, her moments of deepest commitment, America set out to be a nation of God's people.

The earliest documents detailing the purpose of America's settlers bear clear proof of the intention of those who found our land. The first of these documents, the Mayflower Compact, begins: While the Mayflower lay anchored in the harbor at Cape Cod, the leaders write:

"In the name of God. Amen. We whose names are underwritten, the loyal subjects of our dread sovereign Lord King James, by the grace of God . . . having undertaken for the glory of God and advancement of the Christian faith this voyage to plant the first colony in the northern parts of Virginia . . ."

"For the glory of God and the advancement of the Christian faith . . ." How could it be said plainer?

Of these same men and women Bradford wrote, "They left that goodly and pleasant city which had been their resting place near twelve years; but they knew they were Pilgrims, and looked not so much on those things, but lifted up their eyes to the Heavens, their dearest country, and quieted their spirits."

After they landed at Plymouth and established the first permanent colony on North American shores, they gave themselves without reserve to build the nation they had dreamed of where God's righteousness was normative, not exceptional.

Daniel Marsh wrote of these earliest settlers, "They believed in God with passionate devotion. Their lives were God-centered. God was no mere figure of speech to those sturdy Pilgrimsires; nor to their wives; nor to their children."

Later when the Declaration of Independence was adopted by Congress, that body added to the original draft the words, "with a firm reliance on the protection of divine Providence" in the summation of the document. We might not get those words past the Congress Supreme Court today—but they are in the Declaration of Independence.

During the difficult days when the "Constitution" was being hammered out, at a point of impasse when some were ready to quit, Benjamin Franklin made one of the most memorable and effective speeches of his long and illustrious life. In it he said.

"I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth: That God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without his aid?

We have been assured, sir, in the sacred writings, that 'except the Lord build the House they labor in vain that build it.' I firmly believe this; and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of the tower of Babel.

I therefore beg leave to move that henceforth prayers imploring the assistance of Heaven, and its blessings on our delibations, be held in this Assembly every morning."

One can go on and on and quote from document after document, person after person—America did start out and fully intended to be a nation of God's people doing God's will.

Neither can there be any doubt that in these secular times our nation has forgotten this foundation of its heritage. And, having so long forgotten, we are now in the process of officializing that forgetfulness in Supreme Court decisions and Acts of Congress.

I remember another verse—really two—that seem terribly contemporary at this time.

Matthew 21:43 says: "The Kingdom of God shall be taken from you, and given to a nation bringing forth the fruits thereof."

I wish that one didn't come to me, but it does. The second verse is from Deuteronomy (4:7) "What nation is there so great who hath God so nigh unto them, as the Lord our God in all the things that we call on Him for."

Isn't that the problem—"in all the things we call on Him for....."

Isn't it time for us to redig the wells of our past? To view again with appreciation and respect the past from which we sprang? Time to repent of our infidelity, our forgetfulness? Time to seek again the high calling of being God's people—His nation? Will there be a better time to seek to make God's will our national policy than today? Will there be another day and another opportunity?

THE ECONOMICS OF FOOD IN AMERICAN FOREIGN POLICY

Mr. GOLDWATER. Mr. President, during the past several days demands have once more been made on the United States by the so-called nations of the new world for money and food. It has long been my contention that there are very few nations in this world that cannot be self-sustaining as far as food is concerned. In fact, some of them could easily become food surplus nations.

In a number of papers that I have been presenting to groups throughout America, papers whose preparation has been aided by that eminent expert on world conditions, Dr. Ronald Nairn, one of these deals with the economics of food in American foreign policy, and I ask unanimous consent that it be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

THE ECONOMICS OF FOOD IN AMERICAN FOREIGN POLICY

To chart new directions in foreign policy is a critical task facing the United States as it moves into its Third Century. In a series of speeches, I have been making suggestions, even developing a blueprint for such new directions. Tonight I have a very special issue to which I would like to direct your attention. It is the relationship of economics to foreign policy. I know of no area of United States foreign policy which has been more neglected than this. Neglect has ranged from United States Embassies refusing to assist United States businessmen abroad to an absence of economic factors in the formulation of foreign policy. As a result of our ignoring of economics, we have been forced on the defensive as we apologized to the rest of the world for our great economic wealth. We have in addition missed great opportunities for furthering United States economic and foreign policy interests.

Tonight I would like to take the most critical element in world economics as my vehicle to offer you some concepts and ideas whereby we can interweave economics into the fabric of our foreign policy so as to make that policy more effective in service of the United States national interests. My vehicle is the economics of food.

Food is more important than oil. The United States of America is the greatest repository of food, including surplus food, that the world has ever seen. At the same time great segments of the world (what is popularly called the "Third World") in Africa, in Asia, in Latin America, are short of food. The Soviet Union, a grain surplus region in Tsarist times, now imports grain. Before we relate this striking imbalance to our foreign policy, we might consider for a moment why the imbalance exists.

There is no need for starvation anywhere in the world. The 7,000 million acres of cultivatable land can produce sufficient food and fibre to give massive abundance for every man, woman and child on this planet and indeed for many, many more. It has been estimated for example that if the world's arable lands produced food and fibre on the same scale as does Japan, the planet could support 100 billion people on Japanese standards of diet and 35 billion people on a Western Europe diet. Yet today there is famine in this planet, even though the world's population is a mere 3½ billion. Why should this incredible situation exist?

It certainly does not come about because we have too many people and insufficient land. Indeed if the world were to adopt Japanese methods of agriculture, more people would be needed. I do not however advocate unlimited population expansion. There are many other good reasons for stabilizing the planet's population. At this time, however, food production is not one of them. On the contrary, in a country such as India, if population were halved over night and India persisted in her current attitude towards agriculture all that would happen is that India would halve the number of starving people.

Neither is the problem that of agricultural techniques. We know what to do to massively increase food production. The techniques required are available. These do not necessarily include the transfer of American techniques. In fact our techniques have extremely limited transferability: rather it requires imaginative mixing of many techniques to take the maximum advantage of local economic, cultural and land use considerations. But as we shall see—imagination along with many other critical ingredients is in short supply.

Neither is the critical factor shortage of capital. In fact, as of now the Third World agricultural situation is such that this same Third World is incapable of utilizing large capital investments in agriculture effectively. What then is the problem? If it is not too many people, undeveloped techniques or capital shortages, what is it? I raise these questions because in their answering lies the roots of a challenge to our foreign policy and a critique of our foreign policy as it has been formulated to date.

The first, but by no means the only, reason why some Communist states and most of the Third World have difficulty in feeding themselves is ideology. It is a particular kind of ideology namely, Marxist-Socialism. To Marx, the new world order arose solely from industrialization. He scathingly referred to "the idiocy of agriculture."

Later, his antecedents in the London School of Economics, who were so influential amongst the current crop of Third World leaders, espoused the same doctrine. Worse than the doctrine and its neglect of agriculture was the abysmal ignorance of agriculture the doctrine engendered. It was left to Mao Tse Tung to bring agriculture to prominence in Socialist doctrine when to the anger of the doctrinaires he turned Marxism upside down and made the peasant and agriculture the focus of his system. And so it comes about today that Sri Lanka turns aside an offer from the World Bank to finance an irrigation scheme because it represents "neo colonialism." India invests in steel mills while her agriculture stagnates in the techniques of two thousand years ago. The rich province of Angola lapses into agricultural stagnation while six factions fight each other as to which kind of socialism they will have. Burma which once exported nearly four million tons of rice a year exports nothing and becomes internally food deficient because, in the name of socialism, the private market sector and the private agricultural financiers (incidentally a fairly rapacious bunch) are run out and not replaced, all in the name of ideology. Ideology in its most monstrous form manipulated itself in the Soviet Union where on his own admission Josef Stalin liquidated eight million land-owning peasants—the Kulaks, for what? To serve an ideology. And this incredible subordination of peoples' livelihood to an idea still goes on all over the world—in one form or another. Ideology and agriculture simply do not mix and the removal of ideology from the scene is the first step the world must take if it is to feed itself.

The handmaiden of ideology is politics. As far as I am aware, only in Communist China and the Republic of China in Taiwan does any political system give primacy to the production of food and fibre. In the Third World, the politicians are creatures of the City. If one can generalize, their future as they see it lies not in the mud of the padi field or the backbreaking tasks of sowing and reaping but in the factional fight with others who vie for power and prestige. This is a city-based activity. The forms of life that give prestige are also city-based; the fancy uniforms, the visits to the United Nations, the demagogic statement (usually against the United States), the acquisition of money and the subordination of their people to their various schemes. These arise in the city. It is interesting to note that from the Third World has come no new political concepts, no new political organizations, no new political implementations but only poorly expressed reiterations usually of outmoded Marxist ideas. There is a reason for this. It seems to me that most of these Third World political leaders are too busy playing political games in the city to think. Meanwhile, their peasants toil away oblivious to their significance to the world or of the potential for development inherent in their situation. For, if the food and fibre crisis is to be solved, peasants must be part of it in spite of their politicians.

The third factor inhibiting agriculture in these vast regions is external politics. As but one example, last year the people of Chad in sub-equatorial Africa endured an enormous famine. This region of Africa is not too different from my own State of Arizona which is arid and water short. I suggest to you, however, that if Arizona faced a debilitating drought (and we have them), we would still get wheat from Kansas, butter from Wisconsin and meat from Iowa. Why, then, did Chad have to depend upon Western Europe and the United States for relief while potentially rich Africa held aloof? Primarily because Africa, fragmented and tribalized Africa would not share what surpluses they had with their fellow inhabitants of that continent. Their external differences had primacy. Similarly, the great Mekong River in Asia, as yet without a bridge or dam along its 3,200 mile length, could provide to Southeast Asia in terms of electric energy, irrigation and navigation a boon as significant to that region as was the Marshall Plan to Europe. But the Mekong is likely to roll on to the sea unharnessed while the riparian states of China, Burma, North Vietnam, South Vietnam, Laos, Cambodia and Thailand remain isolated from each other in hostility, fear and suspicion and thereby, fail to realize the production potentials of this rich agricultural region. This realization could arise only through their mutual efforts. They are collectively responsible for the failures—or success. No one else is to blame.

A fourth critical factor preventing agricultural development is bureaucracy. All over the world it seems, ordinary people are laboring under some form of bureaucratic yoke. Once we used to deride bureaucracy for its inefficiencies but the situation is now more serious than that—bureaucracy has become an ever-growing devourer of the substance of nations. I have often wondered how much bureaucracy costs the Indian peasant. When one has a per capita income of about One Hundred Dollars per year any cost without a return is rapacious. For example, from the taxes of her people, India established agricultural colleges. At this time about twenty-five thousand young persons, trained in India as agriculturists at the peasants, expense are totally unemployed—doing nothing. There is in addition about twice the number of similarly trained agriculturalists operating as clerks in city-based offices. Trained agriculturists operating amongst Indian peasants are a mere handful. Virtually all of the Third World needs agricultural extension workers in large quantities, yet they virtually have none because those with the ability and the training will not work in rural areas. As another example, rural credit, a vital factor in a viable peasant agriculture, is virtually nonexistent in the Third World's countryside, simply because those with business training promote their careers within the city-based bureaucratic structure. Professional jealousies amongst bureaucratic departments cripple projects which the peasant needs, usually pays for, and then becomes the victim of the failure. If the so-called Green Revolution has failed, and it certainly has, as much as anything else, it has been because of bureaucratic incompetence, neglect and interference in pursuit of bureaucratic rather than agricultural needs.

The most pervasive factor of all amongst the real inhibitors of agricultural development is culture. Most of the world's farmers are peasants with small holdings, people with deeply rooted methods of work and long established social organizations. People who have worked with peasants, stress time and time again that they, the peasants, are reluctant to change their ways not so much that they dislike change but usually because tradition and experience tell them that change is rarely for the better. In modern times their caution has been amply borne out. The peasants of the Third world have been promised so much while they watched their actual living standards deteriorate. Once it took four or five days to irrigate an acre with a human or wind operated Persian wheel. The peasant gave up his wheel when the electricity came and then came the electrical shortages as power was bled off for the city. The politicians and bureaucrats scorned the native cattle and imported prize animals from the West. Through artificial insemination, (a technique that works badly in the tropics) every peasant was to breed a calf like the picture of the Charolais bull in the politicians bag of tricks. Again failure. But the peasant held on to his native cow. She could pull a plow. Put in its bluntest terms, peasants have been "ripped off" so often that they, with justifiable suspicion, reject the new while they cling to the old. After all, they play for high stakes. If the crops fail—they die.

The last and least significant factor inhibiting world agriculture is primitive technologies. In the minds of many in the West, improvement in agricultural technology is seen as the sole factor requiring attention. If steel plows replaced wooden, if fertilizer factories were built and especially if "miracle" seed strains were developed, this, it was stated, would solve everything. As experience has borne out, this view could hardly have been more incorrect. Agricultural techniques that could double and even treble food production are available as of now. Why then are they not implemented? Because of ideology, politics, bureaucracy and culture. Let me give another example of culture at work. Culturally an American system of rice growing does not fit the rice plains of Thailand, although it would technically. Even though our American yields are double that of Thailand, some one hundred Thai families obtain their livelihood from each square mile of plain. The entire cultural concept of Thai peasantry is based on this organization. With American machines, no families per square mile would be needed. Such an implementation of the United States techniques is simply not acceptable—something else, something culturally acceptable needs to be worked out and can. With imagination and adaptability, some modern techniques can and must be employed as culturally acceptable. But with this barrier erased, we still face the barriers I have already stated; ideology, politics, and bureaucracy. Technologies are largely irrelevant in the face of these. This is one of the critical factors I have been expressing tonight. If agricultural technology were the only problem, we could solve the food shortages immediately. But such is not the case.

Every example I have given you here tonight is based upon fact. Not only did it all happen, it is happening now and the scale of occurrence and variety of these reasons for agricultural failure are overwhelmingly greater than anything I have yet portrayed. The reason why tens of millions of the world's poor go to bed hungry tonight is not because of insufficient technology, capital shortage or over-population but, I repeat, because of ideology, internal and external politics, bureaucracies and culture. As yet another example of these forces at work—our own USDA has made a report which says that in forty-six or so nations surveyed, some kind or kinds of government policy hamper agricultural production. They list these as price controls, non-competitive buying, export controls, export taxes, import subsidies, restrictions on farm size, land tenure and credit, restrictions on the movement of agricultural products and transportation restrictions. The USDA report says in detail what I have been saying in general. When we look at the picture this way, I suggest to you that a different perspective arises as to what might be done about it all and what role the United States ought to play. Let us examine our role.

Last year at the FAO Conference in Rome on the food and fibre crises, not once was it even suggested that hunger could be averted if nations would put their ideological, political and bureaucratic houses in order. Only Secretary Butz of the United States even made a move in that direction. Instead the United States was battered around the verbal arena. First, we were excoriated because we consumed so much of the world's resources. No one, no one rose to respond with the proper defense which is, "Yes, we do but we produce more than we consume and you can, too!" We were sermonized as to how we should produce more food and fibre at home, consume less ourselves and give our surpluses away to those who are hungry. This kind of demand was often made by those very same politicians and bureaucrats who prevent their own peoples from feeding themselves and who would rather attack their neighbors with arms than give them bread. The United States was represented at the Conference. What was our response? Basically it was an apology for having created the world's greatest agricultural cornucopia. And remember, we are talking about a commodity more valuable than oil, and basic to the very existence, let alone economic growth of nations.

It seemed to me as I pondered the Rome experience and as I reflected upon the past relationships of American foreign policy to economics that either the architects of our foreign policy did not understand these relationship or did not want to so understand. It is time they did—if not for their own country's honor, integrity and leadership role then at least to offer to the hungry a formula for escape from their misery. Let me make some suggestions.

First and foremost, we must begin to tell the truth as we see it. "Right your own ideological, political, bureaucratic and cultural situation yourselves if your farmers are to have any chance of moving into new agricultural frameworks. This we must say as part of a foreign policy declaration. We should continue to say, "Perhaps the same concepts might be applied to other related forms of economic growth." The time has come in fact to "tell it like it is." This is not always the best diplomacy. But, I feel, that the United States by its example at home and by what I hope will be its new move into an independent foreign policy stance is ready to express realities.

Second, we might use our sophisticated space technology to prove the point. We have the capacity to inventorize the planet with satellite and thence be able to tell the world's peoples that this planet has the natural resources in terms of agricultural potential to feed and clothe itself abundantly. This, I believe, would have a salutary effect on those who say "it is someone else's fault that we starve." I further believe that this kind of visual proof would greatly curb the rhetoric of politicians and bureaucrats and give ordinary folk the evidence whereby they can charge their politicians and bureaucrats with neglect, deceit and abuse. We should provide this service free.

Third, we should not give anything to anybody, neither food, techniques or capital. As I have suggested in other speeches we should lend and expect repayment on projects which we anticipate a prior will be economically viable. Let us analyze this seemingly hard-nosed statement a little further. A new guideline for us might be "Giving creates distrust and hate amongst the recipient." Another guideline could be, "Self-sufficiency in food and fibre production or related trade is any nation's first duty and cannot be provided by others." Yet another guideline is that, "American agricultural technology has limited application and basically you must work out your own." And, our last guideline might be, "When you have a program that fits your economic and social system and which has freedom to operate to its potential, we in the United States will lend you capital and will help with personnel on those occasions where it seems our personnel might fit." Like good bankers we should then require that any loan recipient accept all of the guidelines suggested in some coherent form relative to their own internal and external situation. These are the 'strings' that any economically sound venture must accept and implement. As an example, with limited United States help, the Republic of China on Taiwan developed in the early 50's a Joint Commission on Rural Reconstruction. It was spectacularly successful and its results are a model for the world. It is this kind of organized and conscious effort that must become the collateral for capital investment in any aid process. As a symbol of our intent, we ought abolish AID which in form, substance and intent has long ceased to serve reality and is no longer necessary.

Fourth, we should no longer subscribe either financially or by our presence in those international bodies, especially those of the United Nations who systematically attack America and its policies in the field of agriculture. As a more effective substitute we should conduct individual relationships with those nations who are serious about their own individual economic development and who are short in rhetoric but long in reason. I would not, however, oppose a food bank whose principal function was to alleviate suffering or, more importantly, help nations seriously involved in agricultural development to tide over bad spots and more importantly develop in those nations more sophisticated markets for more varied and more nutritious food. But the food bank must be run like a bank and not become a give-away program.

Fourth, and again I plead guilty of repetition, what we need is a foreign policy of new conception based on what the planet is really like and what kind of imaginative leadership the United States can offer in a new role as an independent super-power. At this time in our history, opportunities such as I have outlined tonight abound in profusion. Let us please exercise our imaginative minds. The food and fibre crisis is but one example of such opportunity. The liberal shibboleths have failed. Shiploads of Kansas wheat will never solve India's grain problems any more than American rice-growing techniques will once again make Burma a surplus nation. And so I could go on and on again with more and more examples. These are not the solutions and surely by now even my liberal friends will agree.

The world can feed itself more adequately. To a significant degree we can help but not by pious hand-wringing and energetic do-goodism. I am not advocating that America turn its back on this massive human suffering. On the contrary I am advocating that we recognize our past mistake, go forward to find the men and policies to make America the leader of enlightenment of the World.

VIEW FROM THE JUDGES

Mr. ABOUREZK. Mr. President, in October, the Congress will again face the difficult question of the appropriate level for a cost-of-living increase for civil servants. I think that it is appropriate to realize that for some, this cost-of-living increase will be of only limited utility. For the first time since 1969, members of the Federal judiciary will be eligible for a cost-of-living increase. I think it is about time. However, that increase does not help address the more elementary problem of their "base pay."

I believe that Federal judges should be given an increase in their basic pay rates, and I have introduced legislation to accomplish that. Needless to say, I received over a hundred letters of support for that legislation. One letter I received was particularly detailed and thoughtfully presented. I do not necessarily agree with all the arguments made, but I believe it important that all Members of Congress be aware of the views of some members of the judiciary.

Mr. President, I ask unanimous consent that the correspondence I have received from Judge John V. Singleton, Jr. of the U.S. District Court for the Southern District of Texas be printed in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. DISTRICT COURT,
SOUTHERN DISTRICT OF TEXAS,
Houston, Tex., July 30, 1975.

Hon. JAMES ABOUREZK,
U.S. Senate,
Committee on the Judiciary,
Washington, D.C.

DEAR SENATOR ABOUREZK: You recently asked for comments on the bill you introduced to provide for an increase in salaries for federal judges. I most respectfully make the following comments.

First, for the reasons that I will attempt to state, not only is an increase in compensation for federal judges needed but also the failure to enact such an increase is an abrogation of the constitutional mandate.

Secondly, the amount of the proposed increase, I most respectfully submit, is wholly inadequate. In 1968 the Commission on Executive, Legislative and Judicial Salaries recommended that federal district judges be paid $50,000 a year. As you know, that recommendation was not followed by President Johnson and the leadership of the Congress but, instead, the recommendation was reduced to $40,000. Since that time we are all aware of what has happened so, consequently, if $50,000 was recommended by this independent commission in 1968, $48,000 today is wholly inadequate.

Thirdly, last Sunday I heard the Majority Leader, Senator Mansfield, state over the radio that the Senate, in connection with its deliberations relating to the New Hampshire senatorial election dispute, was following the constitutional mandate set forth in Section 5 of Article I of the Constitution. I most respectfully submit that the constitutional mandate regarding the payment of an undiminished compensation to federal judges, as set forth in Article III, Section 1 of the Constitution, is not only much more explicit but also is of greater importance to all of the people of the United States. Therefore, I only wish that the leadership and membership of the Senate would follow this constitutional mandate regarding judicial compensation.

Lastly, I will set forth what I consider to be logical reasons why the Congress should immediately cope with and correct this matter.

I start with the firm opinion that an independent judicial system was not only the aim of the founders of our constitutional form of government but also that this effort was a true innovation in the government of man and that such is an indispensable part of the form of government that was devised. Without an independent judicial system to enforce the laws proposed by the President and passed by the Congress, such laws would be of minimal effect. More importantly, without an independent judicial system to give definitive and enforceable interpretations to the meaning of constitutional provisions, such provisions would be of little if any value. An independent judicial system, it seems to me, truly distinguishes our system of government from that of any other civilized and industrialized country. Independence insofar as it relates to a judicial system can only be obtained through tenure and a provision for permanent support of the judges through undiminished compensation.

Certainly, the framers of our Constitution were convinced that the compensation question relating to the federal judicial system was important. They recognized that the federal judiciary was the weakest of the three branches of government which has been so pointedly stated by Mr. Hamilton in his Federalist Papers 78 and 79, and that because of this weakness, they needed the protection of tenure and undiminished compensation. After all, the Constitution provides that congressmen and senators be paid a compensation but is silent as to diminution of such compensation. The Constitution provides that the President of the United States shall be paid a compensation which shall not be increased nor diminished during his tenure in office. Consequently, it seems to me that we must start with the premise that the Constitution treats members of the federal judicial system differently in this respect than any other constitutional officers.

As Article III, Section 1 was originally enacted, it was designed to place the federal judiciary completely away from the influence of the other branches of the government. By this action, the framers of the Constitution hoped that the United States would be forever free from the kind of tyranny indulged in by the absolute English monarchies which made the judges dependent upon the Crown for their tenure and the amount and payment of their salaries.

Traditionally, there have been said to be two purposes of the provisions of Article III, Section 1: (1) to attract good and competent men for the federal branch and (2) to promote that independence and judgment which is essential to the maintenance of the guarantees, limitations, and pervading principles of the Constitution and to the administration of justice without respect to persons and with equal concern for the poor and the rich.

The framers attempted to carry out both of these objectives by the language used in Article III, Section 1. There is a frightening possibility, however, that both purposes, especially the first, are being destroyed by the congressional failure to take affirmative action to raise judicial salaries to a level commensurate with the status and respect which members of this separate but coequal branch of our federal government were meant to enjoy.

A study of the constitutional debates, the Federalist Papers, and the following language from the Supreme Court case of *Miles* v *Graham* clearly lead one to conclude that Congress has an affirmative duty to take action under Article III, Section 1:

"Obviously, diminution may be effected in more ways than one. Some may be direct and others indirect, or even evasive, as Mr. Hamilton suggested. But all which by their necessary operation and effect withhold or take from the judge a part of that which has been promised by law for his services must be regarded as within the prohibition. . . . The prohibition is general, contains no excepting words, and appears to be directed against all diminution, whether for one purpose or another."

In the Federalist Paper No. 79, Alexander Hamilton writes of this provision of the Constitution:

"This, all circumstances considered, is the most eligible provision that could have been devised. It will readily be understood that the fluctuations in the value of money and in the state of society rendered a fixed rate of compensation in the Constitution inadmissible. What might be extravagant today, might in half a century become penurious and inadequate. It was therefore necessary to leave it to the discretion of the legislature to vary its provisions in conformity to the variations in circumstances, yet under such restrictions as to put it out of the power of that body to change the condition of the individual for the worse. A man may then be sure of the ground upon which he stands, and can never be deterred from his duty by the apprehension of being placed in a less eligible situation. The clause which has been quoted combines both advantages. The salaries of judicial offices may from time to time be altered, as occasion shall require, yet so as never to lessen the allowance with which any particular judge comes into office, in respect to him. . . ."

I strongly believe that Congress has the constitutional duty and responsibility to provide an adequate compensation for federal judges. The Constitution leaves it up to Congress to provide "a compensation which shall not be diminished during their continuance in office" and to the framers assumed that Congress would provide a compensation that would be commensurate with the times and with the judges' responsibilities. If we assume people in society are paid according to their responsibilities and positions, then surely you can agree that our present compensation is out of line with the times. Significant is the fact that in 1969 there was only one state (New York) in which state judges were compensated more than the United States judges, whereas, there are now twenty states (including Texas) compensating judges at rates equal to or in excess of the present pay scale of the federal judiciary.

A failure to raise judicial salaries in the face of the mounting inflation sets a dangerous precedent for the future. If the trend continues as it has begun, fewer and fewer outstanding legal talents will be willing to take on the mantle of the federal judge. No one who aspires to the federal bench intends to get rich there. Federal judges should not and cannot be relegated to the same position as salaried employees of the federal government in connection with its various departments and bureaus, if our present system is to remain a viable one. Federal judges, just as congressmen, are constitutional officers. They cannot be compared with salaried government employees, heads of bureaus, cabinet officers, and other members in the working community because federal judges are the only members of American society that are so protected by the relevant constitutional provision. The fact that others in society need a pay raise is irrelevant insofar as the constitutional argument is concerned. The framers intended that Congress take care of the judiciary and established certain mandates for Congress to follow in Article III, Section 1. If Congress attempts to circumvent the clear constitutional mandate by simply doing nothing, then I fear our present system of government will eventually be destroyed.

It is for these reasons that the questions of judicial pay raise should be entirely separated from the consideration of the justification for a raise for the generals, admirals, congressmen, senators, or cabinet members. Only the federal judges' salaries are provided for in the Constitution. It is illogical to compare federal judges to senators and congressmen; the jobs of the federal judges were conceived of as lifetime, full-time jobs. The federal judge is the only real constant in the federal government. He has and ideally should have no reason to leave his office after several years of service. Few did leave until this unprecedented inflation hit. Constitutionally speaking, it is not proper to compare congressmen, senators, and federal judges insofar as the compensation problem is concerned. Congressmen and senators properly can participate in and receive compensation from other business activities. In this respect, the important fact to consider is that congressmen and senators are not necessarily relegated solely to the compensation they receive for their services as such. Federal judges, on the other hand, unless they are blessed with provident ancestors or unless they have managed to accumulate wealth before taking a federal judgeship, are completely dependent upon their salaries. They hold a lifetime, full-time job. No amount of hard work or expertise can increase their income, unless they have the time and talent for writing law treatises.

Although Congress has not directly diminished our salary, nevertheless, Congress is violating the spirit of the Constitution because it has not looked beyond its inaction to the inevitable result. Whatever its motives—whether a conscious effort to destroy the federal judiciary or merely a desire not to raise federal judges' salaries in an election year or during a recession—the continued inaction of Congress will inevitably serve to severely cripple, if not destroy, the federal judiciary. It is for that reason that I and my brothers on the bench are so vitally concerned about this question.

I hope that I have been able to at least make a persuasive case for the position that I take, which is that the Constitution of the United States places an affirmative burden and duty upon the Congress to see that federal judges receive a compensation that shall not be diminished. After all, a provision to pay a compensation and a provision to pay a compensation which shall not be diminished are two entirely separate and different obligations.

I am indeed familiar with the statutes creating a Commission on Executive, Legislative and Judicial Salaries. This plan seemed at the time to be a good and workable solution not only for the problem relating to adequate compensation for the executive and legislative branches of the government but also for the judicial branch. However, as we have seen, this plan did not work. Apparently, it did not work because it left too much discretion in the hands of the President of the United States. There needs to be another and more than likely different approach to the problem. I personally believe that a workable and permanent solution would be to establish a permanent compensation for federal judges and tie this to a realistic and meaningful cost of living index. In this way, I submit that the constitutional obligation of the Congress with respect to federal judges could be met. Looking realistically at the situation, I would suggest that for federal district judges a permanent compensation in the nature of $60,000 and, as stated, tying this to a meaningful and realistic cost of living index, would be a permanent solution.

It seems rather unusual that legislative bodies throughout the nation closer to the local scene have seen fit over the past two or three years to raise the salaries of public officials, be they judges, councilmen, commissioners, legislators, etc., and yet the Congress of the United States has not met the problem head-on. We all know that if this question is not resolved this year, it will not again be approached until at least 1977, and by that time I can assure you that a federal judge compensation-wise will be reduced to the status of a law clerk.

I realize that this is a long letter, but the problem is important and I sincerely hope that I have been able to present to you and others a well-reasoned and logical approach.

Sincerely,

John V. Singleton.

U.S. District Court,
Southern District of Texas,
Houston, Tex., August 11, 1975.

Hon. James Abourezk,
U.S. Senate,
Committee on the Judiciary,
Washington, D.C.

Dear Senator Abourezk: As a supplement to my recent letter and in an attempt to emphasize my point of congressional abrogation of its constitutional mandate, the following will indicate what has happened here in Houston, Texas.

In our state judicial system, the district court is the highest trial court. At the time of the last raise applicable to federal judges in 1968, the state district court judges in Houston, Texas, were paid a total of $28,000 (at that time the federal judges had been raised to $40,000). Since that time, the state district court judges were raised as follows: in 1971 to a total of $30,000; in 1973 to a total of $33,000; and in 1974 to a total of $40,000. As of September 1, 1975, the state district court judges will be making an annual salary of $43,600 plus an automatic annual increase of $1,800.

The lowest tier of trial judges in our state's judicial system is our county court at law judges. As of September 1, 1975, such Houston judges will be making an annual salary of $42,600 with an automatic annual increase of $1,800.

I am rather confident that this same pattern has been followed in practically all of the states of the union. This situation alone has led and is leading to a lessening of respect for our federal judicial system among the bar and the public.

I strongly and sincerely suggest to you and to the Congress as a whole that the compensation question as it affects the federal judiciary is the single most serious question facing the federal judiciary system today. I certainly do not mean to imply that all of those who occupy the federal bench are good judges. Certainly we do have some bad judges, some lazy judges, and some judges who abuse the power inherent in lifetime tenure, but all of that is relatively unimportant when you look at the federal judicial system as a whole. Certainly, our constitutional judicial system should not be destroyed because of the incompetency or inefficiency of some, or because of congressional inaction or neglect.

Sincerely,

John V. Singleton.

AN ENERGY PROGRAM

Mr. FANNIN. Mr. President, the time has come for Congress to level with the American people and approve an energy program that will meet the problems head on.

President Ford has shown immense patience in attempting to work out a program which not only will allow us to cope with immediate problems but which will enable us to move positively toward solving our energy problems of the future. Virtually everyone, including those of us who are the most ardent supporters of free enterprise, agreed that an abrupt end to oil price controls was not desirable. Yet Congress recessed for more than a month and allowed controls to lapse.

Now that we have gone through the ritual testing of resolve it is time for the Congress to face the issues squarely and honestly. Our Government cannot control oil prices indefinitely without drastic intrusions on a great many of the economic and personal freedoms which traditionally have been fundamental to American life. President Ford has offered a program which would control inflation and put the business enterprise system fully to work to solve our energy problems now and in the future. It is my hope that the Congress will act responsibly and quickly on this matter.

Mr. President, the Phoenix Gazette, on August 18, 1975, carried an editorial concerning President Ford's leadership in attempting to formulate an honest, sensible energy policy. I ask unanimous consent to have this editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

President Right on Oil

President Ford is displaying a lot of political courage in leveling with the American people on oil prices and the energy crisis. What the President says isn't pleasant to hear perhaps, but it is the hard truth.

President Ford says he intends to veto an extension of price controls on domestic oil and then remove his $2 a barrel tariff on imported oil if Congress sustains the veto.

That will increase prices, the President admits at the risk of losing votes, but he is right in contending that higher prices will promote conservation and increased efficiency in the use of petroleum products.

More important still, higher prices also promise to encourage the development of new domestic sources of fuels and to promote new energy technology, such as solar energy.

In contrast to President Ford's forthright talk on oil and energy, Congress wallows in political expediency, promising lower prices and more oil without suggesting any means of reaching that goal. Hoping to gain in political popularity, congressmen lash out at "big oil," while ignoring a national crisis.

The nation is importing 40 percent of its petroleum from nations that may raise prices or cut the supply on whim. As long as the country remains dependent on unreliable supplies—the price of which Congress cannot control—the United States is threatened with economic disaster and dangers to national security as well.

Events in recent times corroborate the President's straight talk on prices. When federal authorities imposed price controls on beef not too long ago, beef products virtually disappeared from the market. And it is generally acknowledged that the nation is short of natural gas because the federal government held prices to such an artificially low level that new production was discouraged.

The president's honesty won't go unpunished. He will be charged with everything from discriminating against the poor to favoring Arab oil interests. It is only to be hoped that the people prove Lincoln right—that it is not possible to "fool all the people all the time"—and back the President in his sensible efforts to establish a sensible energy policy.

THE FEDERAL DEPOSIT INSURANCE CORPORATION

Mr. PROXMIRE. Mr. President, for the information of my fellow Senators, I wish to insert into the Record an article which appeared in the American Banker on August 19, 1975, concerning the disposal of a bank merger by the Federal Deposit Insurance Corporation illustrating the competition in laxity among our bank regulatory agencies contrary to the public interest.

The article points out that the FDIC with the Comptroller of the Currency dissenting denied a bank merger on competitive grounds. Upon reconsideration, with the threat by the banks involved to structure the transaction for the sole review of the Comptroller by switching the charter of the resultant bank, the FDIC reversed itself and approved the merger.

This case illustrates once again that under the present system of divided regulatory jurisdiction, banks are able to play off the regulators against one another to get what they want. The Bank Merger Act has not been enforced in a manner consistent with the public interest in this case. Regulation at the lowest common denominator level has become the rule of the day. A single regulatory agency at the Federal level would stop this pernicious practice.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the American Banker, Aug. 19, 1975]

Wille Says FDIC Reversed Merger Denial on Banker's Threat To Switch Regulators

(By Robert Dowling)

Washington.—Frank Wille, chairman of the Federal Deposit Insurance Corp., charged that a Texas banker pressured his agency into reversing a merger denial by threatening to switch to a Federal charter under the Comptroller of the Currency, who was in favor of the merger.

The statement by chairman Wille, who opposed the merger, came as the FDIC overturned, 2–1, a December denial and agreed to reconsider allowing the $23.6 million-deposit Bank of South Texas, Alice, Tex., to acquire the $16.6 million-deposit First National Bank of Alice. The agency had called the combination substantially anti-competitive in its earlier order.

The decision in favor the merger was victory for Frederick Erck, the principal common stockholders in the two banks Agency officials said he had substantially reduced competition and blocked the chance for potential competition between the banks by a 1970 acquisition of stock in both that was a violation of the spirit of the Bank Merger Act.

Approval of the merger of the two banks "would encourage widespread evasion of the purposes" of the act, the FDIC declared in its December order.

The agency's reversal Monday resulted from a vote change in favor of the combination by George LeMaistre, one of three members of the FDIC board. Comptroller James E. Smith had voted for the merger in December and did so again in the reconsidered decisions.

Although it may be "indelicate to suggest," the "real reason for the board's reversal has something to do with the explicitness of Mr. Erck's reminder that he can recast the proposal so that the resulting bank would be a national bank, thus permitting the Comptroller of the Currency alone to approve the desired transaction under the Bank Merger Act," a Wille statement dissenting in the decision said Monday.

He said there were no "overriding factors of convenience and need" in the reconsidered application "sufficient to justify the approval of this merger."

The FDIC Board's original consideration of the merger concluded there would be "no overriding banking factor or considerations of convenience and need" to warrant approval.

"If the acquisition of stock control eliminated substantial existing competition, or foreclosed significant competition, between two or more banks sought to be merged, the merger would, obviously, give permanence to that anti-competitive effect," the original statement said.

Additionally, it noted that the two banks were direct and significant competitors in the Alice market. There are a total of five banks in the market.

The FDIC's original decision said that the merger would "adversely affect the convenience and needs of the community." First National's office, which would be closed if the banks merged, was located in downtown Alice along with the market's largest bank, Alice National Bank. It said that this part of Alice was "a deteriorating area with an increasing number of vacant buildings."

The FDIC said that although the continuation of First National's office may not prevent the deterioration of downtown Alice, "its closing will surely serve to accelerate it."

According to the FDIC's revised statement, new facts presented show that the anticompetitive factors, which remain the same as in the original consideration, "are clearly outweighed by the convenience and needs of the markets served."

The revision stemmed from the FDIC Board's appraisal that the merger would lead to a relocation of an outside bank in the Alice market. The bank is the Sandia State Bank, Sandia, Tex. It has $1.1 million in deposits. The revised statement said that "notwithstandiing its limited size and scope of operations, the Sandia Bank will possess the requisite management skill and access to financial resources to enable it to become an aggressive competitor in the Alice market."

The facts surrounding the case were disclosed in detailed summary released by the agency, in which its chairman charged the FDIC board got a "reminder" from the banker that he could take his case elsewhere if it was turned down a second time.

The decision is likely to get widespread review in Congress, where senior members of its banking committees have charged the existing system of three agencies regulating banks allows too much room for bankers to play off regulators against each other.

LEGISLATIVE JURISDICTION OVER THE SBA

Mr. TAFT. Mr. President, last June 2, I announced my cosponsorship of Senate Resolution 104. This resolution would give legislative jurisdiction over the Small Business Administration to the Select Committee on Small Business.

I am concerned that even though more than 90 percent of our Nation's businesses are classified as small businesses, and small businesses employ over 50 percent of all working Americans, the legislative authority over the SBA is buried in the broad jurisdiction of the Banking, Housing and Urban Affairs Committee. As an ex-member of that committee I am well aware that little time can be spent on small business concerns as a result. The Small Business Subcommittee is only one of eight subcommittees, others of which cover such important subject areas as housing and urban affairs, international finance, financial institutions, and consumer credit.

Congress needs to realize to a greater extent that the interests of small companies are not necessarily the same as the interests of Xerox or General Motors. Just to give a few obvious examples, small businesses have much more trouble raising needed capital from outside sources, have a harder time coping with Government paperwork which they just do not have the staff to handle, and may not take advantage of complicated Government tax incentive programs unless a special effort is made.

The Tax Reduction Act of 1975 was the first tax bill in years which specifically recognized the unique needs of small business through the design of its corporate tax reductions. This resolution is another major step in that direction.

I hope that this legislation will be acted upon promptly.

CAN WE SURVIVE?

Mr. McCLELLAN. Mr. President, an article by Joe Snyder printed in a recent edition of the Shawnee, Okla., News Star, has been brought to my attention. This article makes some thought provoking and challenging observations about the future of western democracy and the free world. This country has been blessed far beyond any other in the history of the world. It is well for us to ask ourselves—as Mr. Snyder does—whether we "really understand the price of liberty and the cost of freedom and if we are willing to pay it?"

Mr. President, I ask unanimous consent that Mr. Snyder's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Can We Survive?

(By Joe Snyder)

The biggest lesson the editor of this newspaper learned while in Poland, and it isn't pleasant, is that the forces of Communism and Socialism are winning, and Democracy is losing.

Please don't misunderstand what we are saying. We are not saying that Communism is best for personal freedom. We despise it. We are saying that under the Socialist system everyone works hard and the state benefits as a result of this labor and becomes increasingly strong. Under our Democratic form of government we have been given so many rights that have been taken for granted and are so abused, that America is being torn asunder.

And how we hate to write such words. But our feeling is being shared by a lot of thinking people who recognize that many things in this country have become so mismanaged and are so askew, that our survival may be at stake.

Aleksandr Solzhenitsyn, the Russian author now living in exile, has warned that World War III has already taken place and that the west has been defeated. Listing the loss of China, North Korea, Cuba, North and South Vietnam and Cambodia, Solzhenitsyn says Laos is about to go, Thailand, South Korea and Israel are threatened. Portugal is rushing into the same abyss. Finland and Austria are awaiting their fate with resignation, powerless to defend themselves and clearly unable to count on outside help. He added that it would be impossible to count the little African and Arab nations that have become puppets of the Communists.

"Two or three more decades of so-called 'peaceful co-existence as glorious as the last, and the very concept of the west will vanish from the face of the earth."

And he says, "those young people who refused to bear the trials and anguish of the war in Vietnam will not have had the time to pass into the reserves before they fall . . . in the defense of America."

It is depressing to look about our country today. Most people are completely frustrated and skeptical of government. Not only is the Federal government bankrupt, but towns, cities and states all over the U.S. are in financial trouble. And there is a very fine line between Democracy and Anarchy. When government employees threaten to strike, no matter what level of government employs them, we are near a state of rebellion.

We have so many "rights" that freedom threatens our existence. We are all like children, demanding toys and candy.

On all sides people are unhappy. Most cannot make ends meet because their personal demands, and their governments' demands, can never be completely satisfied. Rationing of energy, including gasoline, is desperately needed, but nobody in government has the guts to force a little discipline on the American people. It appears we will head into disaster because so few are willing to give up non-essential driving.

The labor unions are in complete control. They strike on the slightest provocation and for unreasonable demands that only fuel the fires of inflation with no effort to improve lagging productivity that places America at a poorer disadvantage in world markets. They apparently do not care, as long as they get more and more for less and less.

One has to wonder about the honest strength, and will to fight, of our all-volunteer Army. If a call to mobilize comes, will our young people stand in the streets and yell, "Hell no, we won't go" as many did during Vietnam? When the missiles are falling will our politicians still be running for reelection and trying to make Brownie points against the opposition party?

How much longer will our government penalize hard work instead of rewarding it? Free enterprise, the cornerstone of Democracy, struggles to cope with a tangled web of government regulation and red tape, the masses of disinterested paper shufflers, and increasing obligations, while government itself continues to encourage dependence on it.

The Communists don't have all these things to worry about. The government has substituted regimentation for liberty. Their people don't have any rights. The people work hard for survival in a lack-luster society in which the state reaps the benefits. Civil rights are not challenged because there are none. Politicians don't make silly speeches because if they do, they disappear.

What we're saying is that Communist governments have a big advantage over freedom-loving nations. And all that can save Democracy is a complete reversal of each individual's sense of values. In any event, the lives of people in America are going to change in the future. Either we are going to manifest our love of America and its way of life with abolishment of greed and self centered attitudes, or our way of life is going to perish under the ominous waves of Communism that are moving with increasing speed to engulf the world.

Do we Americans really understand the price of liberty and the cost of freedom—and are we willing to pay it?

THE SPENDING ENGINE AND FISCAL YEAR 1977

Mr. FANNIN. Mr. President, I would like to share with my colleagues an editorial from the August 26, 1975, issue of the Wall Street Journal entitled "Ready for '77?" This editorial makes several timely observations regarding the newly established congressional budget procedure as it relates to future fiscal years.

As a fiscal conservative, I encouraged and supported the development of the present congressional budget procedure as a means by which to inject some rational thinking and planning into the Federal budget. It is my belief that the resulting organization and staffing of the Congressional Budget Office is excellent.

What concerns me is that the Senate and Congress will renounce the purposes of the enacting legislation by voting for budget-busting authorization and appropriations bills. My concerns also extend to the belief that some congressional leaders will utilize the new budget procedure as an excuse for rejecting certain pieces of legislation, such as the Military Procurement Authorization Conference Report (H.R. 6674), with which those Members do not agree, as a matter of principle rather than for purely budgetary objections. The opportunity for abuse in this area will never cease to exist.

While it was my position to support enactment of the budget procedure, I found it necessary, as a fiscal conservative, to vote against the first concurrent resolution on the 1976 budget. The figures in the resolution of $395.8 billion in new budget authority and $367 billion in estimated outlays with a resulting deficit of $68.8 billion were beyond all reason.

I do not agree that these massive deficits are necessary to stimulate the economy back to vitality. I have stated before, and reaffirm now that these huge Federal deficits will hinder recovery at its most vulnerable point.

Virtually all economists agree that the recession has "bottomed out" and the economy is beginning to build again. This development means that businesses will begin to borrow in order to provide the jobs which will reduce the unemployment rolls and increase production. Such borrowing is a fundamental part of the recovery cycle. However, due to the massive Federal deficit financing which will take place during this fiscal year, private sources of capital will be reduced far below the private sector demand. The pending result is where the so-called stimulative deficit becomes an abortive deficit.

The editorial which follows recognizes this premise and proceeds to look toward fiscal year 1977. It is clear to me that our economy faces another huge inflation if Congress does not exert a strong sense of fiscal responsibility in order to bring the "Federal spending engine" under control.

Mr. President, I ask unanimous consent that the editorial referred to be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Ready for '77?

The "dry run" of the new congressional budget procedures this year has been an altogether healthy exercise. At worst, it generated figures to embarrass Congress' big spenders, and at best it may have provided the crucial difference between a troublesome budget deficit and a catastrophic one.

It should already be clear, however, that if Congress is ever to get a meaningful hold on its spending, it will have to start looking more than one year ahead. The budget scorekeeping report shows that of the $367 billion Congress targeted for fiscal 1976 spending, some $200 billion had already been committed by legislation enacted in prior years. Yet there is no detailed analysis of what this year's legislation is going to do to next year's budget—a type of analysis that clearly should be a priority item as the Budget Office procedures are refined.

Anyone who doubts this necessity ought to consider the budget for fiscal 1977, now starting to be shaped in bureaucratic inner sanctums. The widespread assumption, even among some commentators of conservative cast, is that the current deficits are chiefly an artifact of the recession, and will go away with recovery. But it turns out, Treasury Secretary Simon notes, "To the contrary, we face the disappointing prospects of large deficits—of magnitudes that would have been considered unbelievable just a few years ago—for at least several more years."

Specifically, if Congress adopted all of the President's proposals and then took a two-year vacation, the deficit in fiscal 1977 would be $34 billion (on the basis of revenue projections assuming real economic growth of 6.5% a year). But of course, Congress will not do any such thing.

If Congress extends the one-year personal tax cut, it will increase the deficit by another $14 billion. If it refuses the presidential money-saving ideas, like a 5% cap on federal pay increases, add another $8 billion. Make allowances for the spending proposals now under active consideration in Congress, and according to Office of Management and Budget estimates, you come up with a congressional effect of about $46 billion, and a total deficit of $80 billion.

Because of the change in the dates of the fiscal year, fiscal 1977 does not even start until October of 1976. To get some notion of the economic impact of an $80 billion deficit then, all you have to do is look briefly at what a similar deficit is doing right now, in the trough of a recession. Already the federal borrowing necessary to finance the deficits is sending interest rates up, imperiling mortgage institutions and putting the Federal Reserve under tremendous pressure to unleash inflationary rates of monetary growth.

We can be deeply thankful that it is not worse, as it would have been had Congress run the deficit up to more than $100 billion. With timely warnings of this prospect by Secretary Simon and others, Congress set its target deficit at $69 billion. Congress will almost certainly exceed this, but the work of the budget committee and the presidential vetos may have averted total chaos. The economy is right now telling us that the deficit it is feeling is at the brink of its tolerance.

By October of 1976, the recovery presumably will be well under way. Business loan demand would normally be brisk, leaving little slack in the credit markets for a huge deficit. It is hard to imagine that even the most wild-eyed expansionist would prescribe an $80 billion deficit for the economic conditions that now seem likely in fiscal 1977. And while real growth faster than 6.5% would reduce the deficit, it would also reduce the slack in both the financial markets and the real economy. Unless Congress can somehow slow the spending it is already committing itself to for fiscal 1977, the economy faces the prospect of huge inflation.

There were scoffers when the administration started to make five-year economic predictions, but looking ahead to fiscal 1977, one can see that such projections are the heart of fiscal wisdom. The spending engine is never going to be brought under control unless Congress starts to do the same thing.

RHODESIA

Mr. TUNNEY. Mr. President, last year, Dr. John Hutchinson of the University of California at Los Angeles traveled to Rhodesia at the behest of the African National Council to study the prospects for a negotiated settlement of that country's 10-year stalemate over majority rule.

On July 8 of this year, Dr. Hutchinson testified before the Subcommittee on Africa of the Senate Foreign Relations Committee chaired by my distinguished colleague Senator Dick Clark. In his oral statement he urged the United States to adopt a more positive and active role in the settlement process. I ask unanimous consent that his brief prefatory remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Statement by Dr. Hutchinson on the Rhodesian Question

I am grateful, Mr. Chairman, for the opportunity to speak briefly today about a somewhat maligned and certainly neglected country whose future is related to ours. I have placed a formal statement in the record, and with your permission will add only a few supplementary and summary remarks, which should take only nine minutes to read. A colleague of yours has suggested that you might wish to hear additional testimony in executive session, and I will of course be glad to supply that.

Last year I paid two visits to Rhodesia for a total stay of nearly three months. I went in January, 1974 on my own account to study the prospects for a negotiated settlement in Rhodesia. During that time I was fortunate to meet with Prime Minister Ian Smith, with Bishop Abel Muzorewa—the President of the African National Council, and with a cross-section of African and European labor, business, political and community leaders.

In April, 1974 I went back to Rhodesia at the invitation of an officer of the African National Council. In subsequent discussions it was agreed that I would render what help I could to the ANC in its current negotiations and relations with the Rhodesian Government, and in the event of an agreement would visit various African capitals and London and Washington to discuss the merits of the agreement and—a most vital question—the representativeness of the ANC.

On May 7, 1974 it was agreed between Mr. Smith and Bishop Muzorewa that certain constitutional proposals would be placed before the Central Committee of the ANC for its consideration. I received a copy of the proposals the following day, and for the next four weeks was privy to a number of discussions of the proposals by both African and European leaders. Later in the month I was asked on several occasions to relay certain suggestions or proposals between the African National Council and the Rhodesian Government, and I did so. I was thus a witness to the process of disintegration in will and trust and communication which killed any prospect for an agreement. On June 2, 1974 the Central Committee refused to accept the proposals and increased its own demands.

There has been speculation that the Rhodesian Government did not anticipate the consequences of the Lisbon coup in the raising of African expectations and demands, and that the African National Council failed to maintain its own internal communications and cohesion and finally bowed to the very real intimidation from outside Rhodesia.

I do not want to add to that speculation, but it should be known that there was a sad reality then which is still a reality; which is poorly appreciated abroad; and about which the United States is probably the only power which can do anything useful and corrective.

The reality is fear. The Europeans fear that they will eventually be swamped and oppressed and ejected and even liquidated by the Africans. The Africans fear that the Europeans will renege on an agreement once it has been ratified by the Parliament of the United Kingdom. Both the Africans and the Europeans are apprehensive that any agreement they sign will not be respected at their borders and by the international community. They are well aware—or least convinced—that most of the outside world is blind to the conditions for peaceful political and economic development in Rhodesia and essentially indifferent to the wishes of the Rhodesian people in the matter.

The Rhodesian predicament is serious, but the international—including the British and American—debate on Rhodesia is largely irrelevant. The necessity for the transition of Rhodesia into a society of equality—in law and consideration and opportunity—is not open to practical doubt. However, I have strong reservations about the term majority rule, since it contributes hardly at all to an understanding of the political systems characteristic of Africa; there are no free societies in the entire continent, and we would do well to discipline our own terminology and make uniform our standards when discussing African political change.

On the matter of Rhodesia I personally doubt if any country in modern times has been preached at for so long and with such piety by so many nations so poorly qualified to censure or prescribe. I doubt if anything approaching decent recognition has been given to the European contribution to Rhodesian development and to the European right to survival and reward. I doubt if any sustained thought has been given abroad to the proposition that the African people in Rhodesia should choose their own destiny rather than have it thrust upon them from outside. The fact is that—until the recent and most praise-worthy initiative of Zambia and Tanzania and Botswana to reinforce and maintain the representativeness of the ANC—the pressure of international opinion and action on Rhodesia has been directed, not towards a negotiated agreement, but towards capitulation or war.

Rhodesia does not need any more intimidation. The issues of sanctions and the Byrd Amendment are symbolically important to both sides, and I respect the legitimacy of their concern; but those issues are almost irrelevant to the problem of negotiating a responsible and stable agreement in the short time there is left before the negotiating table is deserted for the bundu and the battlefield. It is not wise for the United States to expend still more energy and time and taxpayers' money on that idle and most infertile of debates. As it is, enough destructive intimidation will probably be provided—unsolicited and free of charge, against both Africans and Europeans in Rhodesia—across the Mozambiquan border by professionals. Given its philosophical basis, I find it hard to regard the recent political change in Mozambique as a blow for liberty.

What Rhodesia needs is the confidence that a negotiated settlement will be respected by other countries and given a chance to work. It needs a sense of *augury*, the feeling that some nation with power to influence has a practical interest in the good faith administration of an agreement within Rhodesia. Only the United States can provide that confidence.

I asked Prime Minister Smith if he would welcome such help, and he said he would. I asked Bishop Muzorewa if he would welcome such help, and he said he would. I asked every African and European leader I met in Rhodesia if they would welcome such help, and they said they would.

It is not a matter of interfering in the internal affairs of other nations. It is simply and only a matter of providing good offices where they are needed and wanted. We have shown not the slightest interest in offering or providing such limited but crucial assistance.

Our stock and stolid policy seems to be that it is a British problem. So it is, to some extent. The British must ratify any agreement, but they need help in persuading other nations to respect it. In any event, with Northern Ireland still on fire, they have no need for further troubles in Rhodesia. I know enough members of the Government and Parliament of my native land well enough to suspect that they would be delighted with our assistance on Rhodesia, provided it was offered with the normal political and constitutional proprieties. They have accepted 1776, but retain their sensitivities.

Let me summarize here the suggestions I have made in my formal submission.

First, the stability of Southern Africa—with Rhodesia as the test of our ability to contribute in welcome and useful ways—is of political and economic and strategic consequence to the United States.

Second, the probable result of current British, American, and international policy toward Rhodesia will be a war between extremists rather than a negotiated settlement between reasonable men.

Third, the African National Council should be encouraged to unify its structure and policy to put beyond doubt its claim to be the prime representative of the African people in Rhodesia.

Fourth, we should declare now and firmly—in advance of further negotiations—that any agreement reached between the Government and the Council and ratified by the British Parliament will be supported by us in the UN Security Council, in the UN General Assembly, and before the Organization for African Unity.

Fifth, the United States should make available any assistance—whether in mediation, in constitutional research, or in discussions on the economic future of Rhodesia within the regional development of Southern Africa—that might be requested.

Sixth, the President of the United States—as an augury of his interest in peace and fraternity in Southern Africa—should send an envoy to Rhodesia and to the rest of the subcontinent to study the means whereby the United States could contribute welcome help to the pursuit of political cooperation, regional economic development, and racial justice in Southern Africa.

I am not aware of anything useful that the United States has done in Southern Africa in recent years. We have wasted a great deal of time on denunciations but have contributed little but banalities to conciliation. We have tolerated and even joined in the hypocrisies about Rhodesia by the worst of political and racist overlords, and have condoned the weakening of traditional international law and custom. We have properly declared ourselves for racial equality in Southern Africa, but have done nothing at all to gird its weak foundations.

This Subcommittee will have rendered fine service to the United States and to all the people of Southern Africa if it directs the attention of the President of the United States and the Congress away from the ceremonies of censure and boycott toward the most urgent need for negotiation and settlement. In so doing it might provide us with the option of peace instead of the certainty of war.

A VISIT TO CAMP LEJEUNE

Mr. TAFT. Mr. President, during the August recess, Mr. William S. Lind of my staff had an opportunity to visit the 1st Battalion of the 6th Marine Regiment at Camp Lejeune, N.C. I would like to express my personal thanks to those who gave their time and effort to my staff assistant during that visit, especially Colonel Glascow of the 6th Marine Regiment, Major Throckmorton of the 1st Battalion, and Lieutenant Tulley and Second Lieutenant Culver of Alpha Company.

In reviewing with Mr. Lind his observations on his visit, several thoughts occurred to me which I thought might be of interest to my colleagues.

It is evident that the new Commandant of the Marine Corps, General Wilson, is taking effective steps to deal with certain problems relating to personnel matters. Under General Wilson the troop commanders are being given the tools they need to create the high-quality force which the Marine Corps must be if it is to be effective. I fully support the Commandant's initiatives to emphasize quality in personnel, even at the expense of numbers. Marines who are chronic discipline problems are in no way an asset to the service, and the overall effectiveness to the corps is increased when such individuals are separated from the service. I would hope that my colleagues in Congress would be aware that the Marine Corps is now doing a good job of keeping its house in order in this respect, and that they would support the Commandant's effort as I support them. I would note that, from the report of my staff assistant, these efforts have the full and enthusiastic support of the officer corps of the Marine Corps—the men whose responsibility it is to face the personnel problem on a daily basis.

In considering the overall personnel situation, and the commandant's efforts to improve the personnel quality of the corps, it is useful to consider carefully how important good discipline is in a military service. Discipline is not a goal for its own sake; rather, it is a tool to preserve human lives. In a military service lives depend on good discipline. In combat, if discipline breaks down, the price is paid in human lives, for a military unit either functions as a unit—which requires discipline—or it risks annihilation. Thus, in its essence, discipline is not in contradiction with human rights, but it is rather a necessary tool for maintaining human rights, because the preservation of life is the precondition for all other rights. Life is, in fact, itself the most basic human right.

It is my belief that we in the Congress, and the American people, must understand the necessary role of military discipline in any armed service, and that we must support measured and proper steps, such as those General Wilson is now taking, which are at times necessary in any service to maintain discipline. We have in the Marine Corps an officer corps equal to the finest to be found anywhere at any time. We should give those officers the tools which they must have to do their job—a job which is, in the final analysis, the preservation of the lives of their men under combat conditions.

Finally, I would like to repeat my thanks to the 1st Battalion, 6th Marine Regiment, for their cooperation and assistance to Mr. Lind. All of the reports to me confirmed what I have always believed, that the Marine Corps and, especially its officer corps, is one of our Nation's greatest assets, in war and in peace.

COSMOPOLIS IN THE HEARTLAND

Mr. SYMINGTON. Mr. President, each day it seems, the print and electronic media bring us reports about the mounting problems of our cities. We are told many are dead or dying.

However, I am happy to inject a bit of good news into the usually dreary urban picture. That news is that Kansas City is alive and well—and thriving.

In the past decade, Kansas City has demonstrated what a determined community spirit can do to make an urban area a better place to work and live.

Frederic A. Birmingham, in his article "Kansas City: Cosmopolis in the Heartland," appearing in the September 1975 edition of the Saturday Evening Post, has done an excellent job of capturing the community feeling that is so uniquely Kansas City's.

To Mr. Birmingham's praises of the Crown Center Hotel, I would like to add my praise of the Alameda Plaza Hotel. In these fine establishments, Kansas City has two of the great hotels in the world.

I feel that the article is well worth sharing and I therefore ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

KANSAS CITY: COSMOPOLIS OF THE HEARTLAND

(By Frederic A. Birmingham)

"There are now two great powers in the world, Saudi Arabia . . . and Kansas"—comment by an Italian news correspondent taking a hard look at activity at the Kansas City Board of Trade.

Cosmopolis out there in the wheat fields?

Surely the Kansas City Chamber of Commerce has plied the reporter with bevies of nubile beauties, gallons of fermented grain juice, Lucullan feasts, and perhaps a modest but practical memento in the form of a Swiss bank account?

Happily, no. Kansas City, beguiling in a strangely innocent way, has invented a marvelous formula in which the stray visitor finds himself, from no matter how sophisticated a background, quietly metamorphosed into that typically Midwest and frequently scorned creature—a booster.

Counsel for the defense submits the following evidence:

"Who in Europe, or in America for that matter, knows that Kansas City is one of the loveliest cities on earth? And yet it is true. The downtown section is like any other in the United States, with its violent contrasts of skyscraper and wasteland. But the residential section is a masterpiece of city planning. The streets follow the curves of the hills or the winding of streams. Flowering shrubs encircle the houses. The homes themselves, designed in the best of taste, are artfully grouped in an immense park whose trees are unequaled in variety and luxuriance. At street crossings an antique statue, three shafts of Grecian columns rise from a carpet of low growing foliage. Few cities have been built with so much regard for beauty."

The writer of the above is not a cub reporter for the Kansas City Star, stretched on the rack with bamboo slivers under his fingernails, to encourage a little hometown fantasy. He is a prominent name in French letters, author of many internationally acclaimed novels, member of the Académie Francaise, knight of the British Empire, and a gentleman of highly polished European credentials—the late André Maurois. A few years ago, he had the opportunity to study the community while teaching at the University of Kansas City.

Says BBC's Brian Dunning, in London: "If Kansas City were in Europe everyone would rave about it."

Author Harold Peter, who confesses to a "genuine love affair with this city," reports in some slight wonder at his own lack of resistance: "A good friend in Paris is homesick for Kansas City, and another artist friend in London said, after visiting here, 'I had no idea a city could be so beautiful.'"

This reporter intended to prove of sturdier stock. I am willing to grant—since I did not have the option of checking it out on my adding machine—that Kansas City is built on more hills than ancient Rome. That it is second only to the Eternal City in the number of its gushing public fountains, nearly fifty of them in all. Not every city has a $750,000 fountain behind the fence in right center field of a new major league baseball park. It's 322 feet wide and shoots 50,000 gallons of water 70 feet into the air, almost hiding a 10-foot high waterfall and two 40-foot-wide fountain pools that serve as its backdrop. Kansas City's fascination with aqua-aesthetics doesn't stop outdoors, either. In the magnificent Crown Center Hotel, the multilever lobby is refreshed by the backdrop of a tumbling waterfall in a sixty-foot-high garden which is built right into the natural hillside on which the 730-room hotel rests. (Not to mention that the mighty Missouri could drown the Tiber without so much as a lick of its muddy chops.) Kansas City is grassier than Ireland. But when I was advised that Kansas City has more "promenades" than Paris itself, I protested. "Prove it," I said. "You are talking about streets, alleys, and cowpaths, not promenades in the classic sense. A barefaced statistical lie."

They proved it. The city once named Gully Town, where Wild Bill Hickok, Wyatt Earp, Doc Holliday and Bat Masterson once stalked in the dust down by the riverfront saloons, hands hooked for the draw against the bad man of the bloody moment, indeed contains 140 miles of regally wide, shaded promenades, with a sweep and sense of timelessness truly European in aspect and mood. Greater Kansas City's population of 1.3 million has access to 7,188 acres in 150 parks. Q.E.D.

I have before me an advertisement printed in the Transvaal, South Africa about a local beverage. It says: "Kansas City is nie 'n koeldrank nie. Ook nie 'n wyn nie. Dis 'n nuwe sorgurye vonkeldrankie. Dit maak 'n dors nat en little los."

"Kansas City is not a soft drink. It's not a wine. It's a new kind of sparkling drink that turns a thirst off as easily as it turns you on. Come to Kansas City."

On the other hand, closer to home, I am back in Kansas City, and I see with almost unbelieving eyes a high red double-decked bus, like an antediluvian monster out of some past age in Piccadilly Circus, London, rumbling its way through the city on a journey of some blocks (free, by the way) to carry one from midcenter who would like to hike to River Quay Kansas City's rejuvenated "Old Town," for a few hours where the vibes are young and gay, the goods for sale quaint and curious, and the food zesty and for the zingly. The bus, it turns out, is one of two actually imported from England by River Quay businessmen to bring visitors to their colorful part of town in high style. The Piccadilly bus covers the same path down to the bank of the wide Missouri marked by the hoofprints of the horses ridden by General George Armstrong Custer and Jesse James.

Another kind of international flavor is lent Kansas City by its Country Club Plaza a Spanish-styled marketplace and the oldest suburban shopping center in the United States. Please, please, do not let this conjure up in your head any image of a couple of department-store annexes surrounded by gas stations and hot dog dispensaries so frequently dubbed a "shopping center." Country Club Plaza is on fifty-five acres of land, and is, in fact, a tiny gem of a separate city within a city. Its beauty is legendary—it's a place of waterfalls, tree-lined walks wrought iron-encompassed courtyards, gardens, fountains, statues, and exquisite landscaping. There are over 150 stores, and over a dozen and a half restaurants. In addition to this planned retail center, the Plaza is rimmed by a residential area of private homes, high rises, multiple unit dwellings, town houses and condominiums. The Plaza has its own hotels. The new Alameda Park, quite naturally, sports a large waterfall at its entrances and a plethora of fine statuary. There are no overhead power lines to be seen at Country Club Plaza. Nor huge wastelands of parked cars—there are eight gigantic multilevel enclosed free parking areas.

It really is time to say a word about this Kansas City statuary. These are no rude cowtown conceits. Let's just take two as examples. On Ward Parkway there is the Sea Horse Fountain, royally imported from Venice. Country Club Plaza itself makes a specialty of creating a relaxing mood by the relaxing play of water over bronze and marble. Chandler Court, for example, is enclosed by a Spanish-style wrought-iron fence, rimmed with flowers and tiled in the manner of a fine Spanish courtyard, even though it is the entrance to a retail establishment. It is dramatized by a fountain of Pan, a sixteen-ton grouping of figures cast in lead in 1911 by the Brossgrove Guild, of Worcestershire, England. These touches—a Wild Boar fountain, cast in bronze by Marinelli of Florence, Italy, the Neptune Fountain, the Boy and Frog Fountain—were the dreams of Jesse Clyde Nichols, who created the Plaza in 1922, and they were dreams of taste and beauty. He revolutionized the planning of residential districts and planning centers, and without a doubt his Country Club Plaza is famed for its beauty throughout the world. One Kansas Citian, a top executive, tells me that every Saturday morning he and his wife simply take off for the day to the Plaza, to dine, shop, take in a show, but mostly to enjoy the parklike and elegant atmosphere. I will take a chance and say right here that while Berkeley Hills in California is justly proud of its quiet streets, of its fine shops in a quality setting, it is a mere shopping hamlet when compared with the Country Club Plaza.

The pride and joy of the Plaza, the Seville Light and the Giralda Tower, enhance its Spanish mood. The Light is the same size in every detail as the original in Seville, Spain. The marble shaft is six feet square at the base and the light with its cast-bronge chandelier stands thirty-eight feet high, with a reflection pool twenty feet across. The world-famous Giralda Tower of Seville was the inspiration for this tallest of the ten towers on the Plaza—it is about one-third the size of the 130-foot-high tower of the original in Seville, but it is as exquisitely fashioned as the original, one of the proud architectural monuments in Spain. Illus Davis, the quietly impressive ex-mayor of Kansas City who is credited with contributing so much to its present growth and vitality, smiles at the remembrance of a visit by a group of Seville residents, including its mayor, to check out whether a gauche American city on the prairie could rightfully lay claim to being a "sister city" to a classical European community largely on the basis of the Spanish theme of Country Club Plaza.

"I followed the cavalcade of our Spanish guests down to the Plaza in my own car, just to make sure that everything worked out happily," he told me. "I expected it would, but then . . . When I arrived, they were all standing there and looking up at the Giraldi Tower—*their* Giraldi Tower. The mayor of Seville could not say a word: he just stood there, so deeply touched that he was in tears. We were sister cities, starting then."

But trees and paving blocks do not make a cosmopolis, I weakly reminded myself. Still, I stopped even that type of feeble remonstrance at the Kansas City spell that evening at dinner. I found myself at a table for six; our host was Mayor William J. Wheeler, Jr., and his wife Marjorie, ebullient in spite of what the international time zones had done to them, since they had only minutes before stepped off a plane from Japan, where they had been visiting Kurashiki City, another "sister city" to Kansas City. At my right was Mayor D. T. Akibo-Betts, of Freetown, Sierra Leone, Africa. At my left, Mr. and Mrs. Henry W. Bloch (of H & R Block who will straighten you out with your friendly income tax collector in a jiffy). The conversation was—to put it simply—astonishing

Mayor Wheeler, who has been described by a somewhat disloyal constituent as a "middle-aged, slightly fussy 155-pounder with a voice like stewed alfalfa," is a doctor of forensic medicine, a pathologist who once served as county coroner on his way to city hall (he wrote a highly diverting book about it—*Doctor in Politics*), lawyer, and a shrewd and accomplished politician (he has just been reelected) who apparently takes considerable delight in throwing opponents off guard with his collection of over 200 slightly mad hats, and his penchant for riding elephants and donkeys in public. Mayor Wheeler does not consider his contact with Japan unusual—he has in Kansas City alone almost two dozen registered agents of foreign governments, the Consular Corps of Kansas City (representing Belgium, Bolivia, Colombia, Costa Rica, Denmark, Finland, Germany, Great Britain, Ireland, Italy, Japan, Luxembourg, the Netherlands, Sierra Leone, Sweden, Switzerland, and Thailand, among others) which includes two career diplomats, Consul General for the Republic of China, and Consul for Mexico, officially posted to Kansas City by their governments. Marion and Henry W Bloch are agog over another event of international cachet connected with Kansas City. That is the exhibit of one of the largest international art collections ever to visit the United States, the 385 individual pieces, each an ancient treasure, of "The Exhibition of Archaeological Finds of the People's Republic of China."

These Kansas Citians are proud that the exhibit came directly to their own Nelson Gallery and Atkins Museum after an initial showing in Washington, D.C. The Chinese did not select Kansas City by an accident—they are well aware of the superb collection of Oriental art which is permanently exhibited at Nelson-Atkins, and Kansas City struck them as the ideally structured place, culturally speaking, for a stopover in America's heartland.

As you may guess, the conversation at our table was hardly confined to cowtown chitchat. My own small contribution managed to strike the proper cosmopolitan key. I had met a young chap on the Chamber of Commerce who was to be in contact with the Chinese archaeologists; by pure coincidence he had majored in Mandarin Chinese in college. Can you imagine the effect of that upon the Chinese? Mandarin they might well expect in Washington. But in Kansas City! Cosmopolis on the plains is the only phrase for it.

These cosmopolitan sentimentalities, if you will excuse me, are still part of the charm and surprise which Kansas City springs upon the vistor who has never been there before, or the guile it exerts upon others to return again and again. But there are hard-nosed facts which support the sentiment with a clout which is equally astonishing.

Take wheat, alone.

The two most powerful words in the world today are not guns and money, but wheat and oil. And wheat may be the stronger.

William F. Buckley recognized that when he had as his guest on his TV program, "Firing Line," a well-known Kansas Citian, Morton I. Sosland, editor and publisher of *Milling and Baking News*, and also publisher of *Retail Baking Today*, at about the same time that *The Wall Street Journal* was also running a front-page story on the same unassuming gentleman. One reason was that the U.S. government had just concluded a grain deal with Russia which Secretary of Agriculture Earl Butz proudly called the greatest grain sale in 4,000 years, "larger than that negotiated between Joseph and the Pharaoh."

This interest in Mr. Sosland reflects that agribusiness is big business and he comes from where it's at. Quoting Secretary Butz: ". . . in our Cornbelt and Great Plains area—within a 60-mile radius from Kansas City—we have the world's largest contiguous land mass of fertile soil, favorable topography, adequate rainfall, good growing climate, scientifically equipped farms, and high-management capacity farmers. You can travel wherever you want to and you will not find this combination duplicated anyplace on the face of the earth." Farmers from within this 600-mile radius produce 89 percent of the nation's cattle, 89 percent of the nation's hogs, 78 percent of the nation's wheat, 93 percent of the nation's grain sorghum, and 89 percent of the nation's soybeans. And right in the front of Kansas City's telephone directory, before you find your number, you learn that Kansas City is first in hard wheat marketing.

Last year Kansas alone exported $470 million worth of wheat and flour, among other surrounding midwest states accounting for $951 million worth of wheat exports.

And as William Buckley said in introducing Editor Sosland as his guest, "In Kansas City resides one of the top American authorities on the subject of hunger in the world. He exercises as editor and publisher of *Milling and Baking News* something like sovereignty over those who think about the problems of grain agriculture and economics. All the more remarkable since his weekly magazine has a circulation of about 5,000, but it is the Jane's Fighting Ships of the trade, and Mr. Sosland, who left Kansas City only to attend Harvard College, as its owner and policy-maker. He is widely consulted by everyone from American presidents to Communist spies."

On the program, Sosland called the Russian wheat deal "the most dramatic thing that had ever happen in the grain economy of the world." The fact was that the Russian government discovered itself in a huge food shortage and could not cope with the possible internal political consequences of such a situation.

Mr. Buckley went right to the point. "Might we at that point have exacted some political and military concessions in return for making the wheat available?"

The Kansas Citian replied: "There are those who say that it was because of our making wheat available at that time to Russia and because of our willingness to sell food to China—all this came about in the same year when Mr. Nixon went to Peking—that the Vietnam War was ended. Mr. Butz has said this; Mr. Kissinger has hinted at it at times: that the availability of American food at that point really was an important factor in persuading Russia to bring the pressure to bear that ended the Vietnam War."

Some others in the wheat industry confirm this opinion. Says R. H. Uhlmann, "What was the war costing us per day? It was a wonderful sale from a cost point of view, from a diplomatic point of view, from a publicity point of view . . . how they hated to buy that grain. Think of the admission that the leaders of the masses had to come to these capitalists because they couldn't grow enough to feed their own people. Sure they made money out of it, but what of it? As a grain man and a concerned citizen, I thought it was a wonderful thing."

The Kansas City picture gets bigger and bigger as you get closer, Jim Burke, Honorary Consul General for Japan, is very bullish about it. "I feel that in the next five years Kansas City will become the most international city in the United States."

Vic Studley, Honorary Consul for Great Britain says: "I really believe that Kansas City—some distance down the line—is going to replace the Chicago of earlier days. It is a city in the right place at the right time."

Edward T. Y. Wu, Consul General for the Republic of China in Kansas City, goes to a point of interest for him: "Kansas City has a great future in its foreign trade zone. It is really the heart of the country. You can export anything from here by rail, freight or lash-barges."

Foreign trade zone? Kansas City within 200 miles of the precise geographical and population center of America, is a *port?* A *harbor* in the land-locked heartland?

Yes. The centuries-old dominance of foreign trade by port cities is ending. There are only 200 foreign trade zones in the world, with less than 10 percent located in the United States and its territories, so that you can see that Kansas City, a trade zone since 1973, has a real tiger going for it.

The Kansas City zone is unique among the ten American foreign trade zones designated by the federal government. It is the only one far inland. *But* it is also the first to be entirely operated by private enterprise with no bureaucratic supervision.

Marshall J. Miller of Kansas City, secretary and general counsel of the Greater Kansas Foreign Trade Zone, has taken me to the high-style roof-top restaurant of the Alameda Hotel to explain the Kansas City Trade Zone, and his enthusiasm is put to a severe test by some first-rate rock music, and also by some of the most attractive women and some of the most uninhibited dance stepping this side of Acapulco. He wins out, eventually, over the din and the whirling, both quite narcotic, but really no match in the long run for what he is saying.

Foreign trade zones are not to be confused with so-called "free ports" where miscellaneous consumer products can be purchased at airports, for example, free of local customs and excise taxes. But it's got the same magic about it.

Miller explains that a foreign trade zone can be warehouses, manufacturing or assembly plants, and exhibition areas that have the advantage of being technically outside the U.S. customs territory.

The Kansas City zone, he says, has a total of 3.5 million square feet—more than all the other U.S. zones combined. The Kansas City zone is made up of 2,815,000 square feet of unique underground storage belonging to the Great Midwest Corporation; 405,000 square feet of underground space owned by the Inland Storage and Distribution Center in Kansas City, Kansas, and 250,00 square feet in the Radial Warehouse owned by Belger Cartage and Service, Inc. An additional 74,000-square-foot site has been added at Gateway Plaza near Kansas City International.

In zones such as Kansas City's, foreign goods or parts can be imported duty-free to be mixed with domestic parts in a new product or indefinitely stored or exhibited. Duty is not paid if the product is exported outside the United States, or until it leaves the zone for an American market, Miller added.

If the imported part is used to make an American product, the importer has the option of paying tariffs on the finished product or the raw materials—whichever is lower. In addition, the importer pays on only the actual raw materials that are used—not scraps that may be discarded as in the case of leather goods.

The zone, he pointed out, can be used for the assembly of Japanese motorcycles or bikes, German cars, Italian shoes, Swiss watches or bulk shipment of Scotch whiskey or French wines. The possibilities, he said, are almost endless.

A major benefit to foreign businessmen, Miller continued, is in saving money through delayed cash flow—and also in "playing" the U.S. tariff regulations by picking the lowest tariff possible. While products are stored, exhibited, or assembled, the dollars that would be tied up in tariffs can be put to work by the foreign business.

In addition, foreign trade zones can lead foreign business to new, untapped markets and foreign investment. And that's what U.S. cities such as Kansas City are after, he notes.

Marshall Miller continues: "A foreign bicycle manufacturer can ship component parts into the Kansas City trade zone without paying any duty. He can assemble them into complete bicycles with American labor. When he ships them out of Kansas City to other parts of the U.S., he pays only the 5.5 percent duty." If he ships them abroad, he pays no duty at all.

Marshall Miller also points out that American makers of products can import up to 49 percent foreign components at substantial savings into the Kansas City zone without paying any tariff duty. The finished products can be assembled in the trade zone with American labor, and then legally shipped anywhere in the United States without paying duty so long as the foreign cost component is 49 percent or less. Everybody wins.

So you can see these Kansas Citians are smart cookies.

Kansas City is plumb full of spokesmen. Students who went away to Ivy League schools and came back because they wanted to work and live here. Young career women who find it exciting to mingle with the city's leaders. Cab drivers like the youngish-oldish one I had from the airport who boasted of a hack career of over fifty years. The high points came when he was Harry Truman's special favorite driver from the charming white home in Independence, built by Mrs. Truman's grandfather in the 1860's, over the short haul down to the political canyons of the city. "A real gentleman. Always friendly. Talked to me like a brother. Liked a laugh. Smart. Touchy as all get out. Washington never changed him. When he got back here, he was the same Harry I always knew." The Man Who Always Drove Harry says that he left Kansas City many times, but he always came back to stay, and this time it's for good.

Perhaps Kansas City's best spokesman, though, is a man of implacable Midwest optimism, originally from Boston, with degrees from Northeastern and Harvard. He has taught at the graduate school of New York University, but these academic laurels are balanced by career posts as Technical Director of the Research Laboratories Division, Bendix Corporation, and a long list of appointments to government commissions and advisory councils. His name is Charles Newton Kimball and the present record awards him seniority in executive management of the nation's applied research establishment—he has been president of the famed Midwest Research Institute in Kansas City since 1950. As described by a friend in the community: "He has challenged, loved, sternly lectured to and served his adopted Midwest of America in myriad ways . . . Much of his effort has been devoted to discussing ways in which the attractive features of Midwest Living can be enhanced through judicious coupling of technology."

The Midwest Research Institute states, "The resources of MRI are available under contract to industry, government agencies, trade associations, foundations and others interested in problem solutions which scientific research can achieve. . . . Since its founding in 1944, MRI has completed some 6,000 undertakings in science and technology and economics for 1,600 public and private clients. These efforts in the application of scientific studies and research to the discovery of new products and processes, to the improvement of existing products and processes, and to the formulation of scientific marketing principles for companies in the Central States have not only stimulated the economy of this area, but have helped resolve regional and national problems as well, in pollution, health and safety, materials improvement, leisure/recreation, education and crime."

It is clear that MRI is one of the jewels in the crown of Kansas City. But that is also why I am going to quote its president at some length. Dr. Kimball has the best understanding of urban problems I have ever encountered, and he is most articulate in discussing them. As we shall see later, he also is an urban activist. But at this point, he is explaining a bit to me personally; in a certain sense also musing aloud to himself.

"The time has come for a new set of alternatives quite different from the dark caverns of New York and the bland row housing of the sunny Southland. In Kansas City, the people and the leadership are serving notice to this nation that we intend to offer an attractive new option for urban dwellers, an attractive new quality of life within the metropolitan center. We feel this option is so favorable that it may very well serve as a progressive model to other perceptive cities throughout the balance of this century.

"We are beginning to concentrate on our unique situation and we have turned our back on former idols. We are not New York. We are not San Francisco. We are not Boston. We are not Seattle. We are Kansas City and we have isolated our specific problems and opportunities and have planned and designed for them.

"Working together in metropolitan Kansas City means bi-state compacts and agreements among two state legislatures—Kansas and Missouri—six counties, two major cities and some thirty other self-determining subdivisions. The land surrounding the Kansas City International Airport for 100 square miles, encompassing a multitude of communities, counties and the two states, is zoned according to a master plan.

"In planning we realized that Kansas City did not have a bad image, nor a good one. It had virtually no image and was widely ignored by national decision makers, because it never came to mind. We had so much to holler about, yet nobody would listen. We were not underdeveloped, but underutilized and underrecognized."

At a conversational point like this, Dr. Kimball pauses reflectively as if to gather his thoughts. The truth of the matter is that he is actually testing his listener's stamina: any sign of continued interest is a signal for him to press forward even more eloquently. My job is to learn more about Kansas City, and he knows more. So I raise my eyebrows encouragingly. He grabs the signal and launches into a factual breakdown of what Kansas City is doing about things today, brushing aside the philosophy and rushing into the statistics like a sure swimmer diving into the surf, plunging into the biggest wave just before it breaks:

"Time after time Eastern and Western industrialists have come here and seen our city and asked, 'Where are the plains; where is the wheat piled in the streets; where is the dust bowl; where are the Cowboys and Indians?' Instead they are surprised to see Crown Center, KCI, the Truman Sports Arena, the Country Club Plaza, the Nelson Gallery, the Johnson County residences, fountains, wooded hills, Westport, River Quay, and all the rest that characterizes our Kansas City renaissance.

"Our 'Prime Time' representatives—a coalition of county government, city government, and private businessmen—have made a very firm commitment here toward a controlled growth, a manageable growth. We will not hustle and bustle pellmell in all directions to achieve growth for growth's sake. Our rate of in-migration is slower than that of Dallas, Houston, and Atlanta, and we like it that way. Bigness for its own sake is increasingly evil, and can only lead to the huddled inhumanity found too often in too many of our present cities. . . .

"One of our most interesting construction projects deserves discussion. It is Crown Center, a 100-acre, fifty-building downtown suburb being developed with private capital by Hallmark Cards, Incorporated. It will cost more than $250 million, perhaps as much as $400 million. It will have a daytime population of more than 50,000 persons and a permanent population of 10,000 residents.

"It is offices and apartments and condominiums and a hotel and retail and parks and things to see and do. Yet it also affords a man a chance to slip away by himself into a park and refresh the human spirit.

"I single this out because it is America's best example of an inducement to redistribute the population within a city. Crown Center offers an attractive option to those who might move to the suburbs. It is returning leadership to the central core to live, not just to work. It offers a stimulating residential climate to the intelligentsia, to the cultural leadership—to young and old alike. In the word of Joyce Hall, founder of Hallmark, it is designed to be an address people can be proud of—and given such an address they will live there, whether in the city or on its edge.

"But our revitalization has been much more than brick and mortar.

"To correct past misconceptions we have emphasized our thirty-third consecutive year of progressive reform government.

"Although people remember the era of KC

jazz and speakeasies and Pendergast, we have one of the finest police forces in America and recently gave our chief of police, Clarence Kelley, to replace J. Edgar Hoover. We rank as one of the nation's safest cities.

"Although we're considered an agriculture center, only Detroit builds more cars and trucks.

"Although we're not considered culturally conscious, our Nelson Gallery is among the top ten in the United States and one of the top three in the excellence of its Oriental collection.

"Even New York fashion editors have discovered us and compare our magnificent Country Club Plaza area to what New York's Fifth Avenue 'used to be.'

"Early this year, the Midwest Research Institute published its finding on the Quality of Life in the United States. As we have seen, it is the quality of the human existence and human experience that appeals so strongly to the fast growing service industries. Not density, not income, not Broadway theater no one can afford, not historic decay and congestion, but those uplifting factors that make up the nation's overall health and its citizens' well-being."

Dr. Kimball had very simply put his finger, or voice, on the cogent characteristic I had come upon in Kansas City and was struggling to define—Quality of Life. I had seen it in the Oriental collection at the museum where I amused myself by utilizing transcendental meditation to make an ancient many-armed Indian figure with an elephant's head dance a slow Himalayan gavotte for my eyes alone. I had felt it by standing on the five-yard line in the center of the huge empty stadium Lamar Hunt built for his Kansas City Chiefs, and having the wits frightened out of me as I imagined myself running back a kickoff, a member of the suicide squad hunted by eleven 285-pound killers hurtling down the field at me. I had sensed it in driving slowly through Mission Hills, surely one of the most beautiful residential sections to be found anywhere in America. There is room for whimsy in Mission Hills, too, in spite of its grandeur. State Line Road runs north and south there, with Missouri on the left going down, and Kansas on the right. Most of Mission Hills is in Kansas, although possibly 99 percent of its inhabitants make their living in Kansas City, Missouri. They play their golf in Kansas, too, at the lovely club set there in the center of Mission Hills, but just across the road from the 18th hole across State Line Road, let me emphasize, is the *clubhouse,* The Carriage Club, set with infinite wisdom and resourcefulness by the founding fathers of the club on the Missouri side of the road, where a tired and thirsty golfer, wearied from his game in officially "dry" Kansas, can properly refresh himself with the right drinks in "wet" Missouri.

Other things make a city, too—history, and fun, and people.

The first settler was Francois Chouteau, who found the landing under the big bluffs to his liking for a trading post in 1821, and settled where the city now starts at the Missouri's edge. In 1835, Kansas City was the beginning of the American desert, the jumping-off place of the Conestoga wagons to the Santa Fe and the Oregon trails. (At 27th and Topping you can still trace, if you look real hard, the tracks of the great lumbering prairie schooners.)

No less a personage than Frontier Marshal Wyatt Earp gives us a nice colorful view of the waterfront at a time when bullets were zinging around in the 1870's: "During the hot, sunshiny days the men sat around in their shirt-sleeves, with as much pride in fine spotless linen as they had for the velvet-trimmed frock coats and fancy vests which they wore later in the day. Evenings were spent at variety shows, in the dance halls, or at the theater when a traveling dramatic company was in town. After the show, the real sport of the day got under full steam—monte, faro, and poker."

As recently as the Thirties bullets were still zing in Kansas City. The entire Midwest was overrun by hoods and bank robbers, now being glorified as romantic source material for Hollywood epics. Baby Face Nelson got his just outside Kansas City's huge railroad station. The bullet marks are still there from the fusillade flung at him by a rival gangster as the Feds were moving him from one jail to another. But that was the end of the rough stuff. Two modern symbols of the New Times impress me mightly. The first is Kansas City's new police chief, Joseph D. McNamara. He not only came straight to the Midwest from a career including a ten-year stint in that most terrifying of all schools of survival, New York City's Harlem, but he also has a master's and a doctor's degree from the John F. Kennedy School of Government at Harvard. (He's believed to be the only police chief in the country with a doctorate from Harvard.) Such a man should be just about ready for anything A second significant sign of the times: The imposing former residence of Boss Tom Pendergast (Kansas City was know as "Tom's Town" from 1928 to 1939) is now the home of a man of quite another stamp, the distinguished Dr. E. Grey Dimond, Professor of Medicine and Provost for Health Sciences at the University of Missouri—Kansas City, and also (cosmopolis, again!) Consultant to the China Medical Association, People's Republic of China.

"What is the city but the people?" said Shakespeare, and Kansas City touches the rest of the nation with its ambiance. Walt Disney, Thomas Hart Benton, Goodman Ace, Burt Bacharach, Ed Asner, Charles Luckman, Ginger Rogers, Lee Tracy, Jean Harlow, Joan Crawford, Walter Cronkite, Craig Stevens, and Sally Rand are all Kansas Citians who influenced American national mores. Others closely associated with Kansas City by virtue of going to school there or simply workingly for a spell are Gladys Swarthout, William Powell, Virgil Thomson, Casey Stengel, and Ernest Hemingway. And, of course, the names of those associate with Kansas City jazz are never to be forgotten when the blues rise of a smoky evening. . . . They first danced the Charleston on a Kansas City thoroughfare as an eleven-year-old boy prodigy caught the beat and immortalized the spot with his "Twelfth Street Rag." Count Basie, Hot Lips Page, Bennie Moten, and even Red Skelton sprang into the spotlight to the wail of the Kansas City Blues.

Fun? Kansas City is a great sports town, and with its big-league contenders on all fronts—the football Chiefs, the baseball Royals, the basketball Kings and the hockey Scouts—it competes loud and clear for national headlines. Howard Turtle, the editor of the *Kansas City Star's* Sunday magazine section, a star in its own right, gives a lot of credit to Lamar Hunt in building up Kansas Citians' feeling of togetherness witn his Texas-style concepts of stadia and will to win. Kansas City people took their Super Bowl win seriously: and now they're on the comeback trail, as you may read elsewhere in this issue.

Then there's the American Royal Livestock and Horse Show, a showcase of America's purebred animals—cattle, swine, sheep, and horses—now in its seventy-seventh year, which brings in 2,500 livestock entries and 1,500 horses each autumn from all over the world, and over 200,000 people to look on at the nine-day show. Some of that flesh is eatin' stuff. So, risking my life, I mentioned that Easterners are of the general opinion that Kansas City, like Chicago, knows where the best steaks are—and for that reason ships 'em on to New York City, leaving for home town consumption only thick and imposing cuts which turn out to be a serious challenge to the molars, except that you're supposed to be tough enough yourself not to notice this: size and fighting qualities are esteemed above prime tenderness.

I had already conceded that Kansas City roast beef was the best in the land. The simplest roast beef lunch sandwich all over Kansas City contains a cut which would have headwaiters swooning and prices going up like a balloon in any other place. But now, a bristling Kansas Citian accepted my challenge on the steak. He took me to The Hereford House, where I practically outraged a buxom waitress by ordering a filet, the choice of an effete gourmet, one barely tolerated in a robust Midwest restaurant. Once more, I capitulate. I have never tasted a better steak. I did not order it large, but for a filet, it was large, tender, and handsome, and simply not to be outdone by any, wherever a long career in steak hunting has never taken me.

Kansas City has other attractions to offer in food.

Jasper's, with Continental cuisine, has won the *Holiday* Award every year since 1971. Calvin Trillin, the whimsical food specialist, has already written that "the best restaurants of the world are, of course, in Kansas City. Not all of them; only the top four or five . . . the single best restaurant in the world is Arthur Bryant's Barbeque." Now, since even James Beard had admitted that he considered the two top restaurants in Kansas City to be The American at the top of the Crown Center Hotel and Bryant's, I determined to test that latter one out. Well, it has plently of color, being a battered cafeteria down by the Municipal Stadium where obviously millions of ballplayers and newspapermen have feasted, all of whom have left their knicks on the table and splashes of gravy on the walls, each so dearly cherished by the owners as to be held in perpetuity.

Bryant's cooks over a wood fire and has a special sauce which sells in gallon jugs like McDonald's dispenses chocolate milk shakes. Not being a barbecue aficionado, I still munched on the smoked meat and found it good. The final verdict, however, was rendered by a stout-hearted associate of mine. He ate a gargantuan portion of barbecued beef, swimming in sauce, which would have thrown Babe Ruth and Hank Aaron put together. Then, sighing at the prospect of leaving Bryant's, possibly forever, for work in other climes, he ordered a second lunch all over again, which he polished off like a famished Kodiak bear. I guess Bryant's is really OK. I couldn't eat at every restaurant in Kansas City in a short stay, but I also enjoyed very much the old-time grandeur and ancient courtesy of the waiters at the fine old Savoy, a proud relic of great times past, but still lordly in oak paneling and hushed obeisance to the niceties of dining.

The minute you step off the plane at Kansas City's magnificent new international airport, unrivaled in the nation for its huge capacity and a design which still brings you to a hop, skip and jump from plane to luggage and transportation, instead of the long agonizing treks so many airports demand, you know that Kansas City is different. For one thing, the airport flooring is wood parquet, all 12,105,425 pieces of it! A living room at your doorstep. Good vibes down there in Gully Town. A Kansas City bookie, who should know something about the quality of life to be found in the future, says the last word out of the corner of his mouth: "Good odds that Kansas City'll be doing all right. That's all I gotta say."

HEW DEFIES CONSTITUTION IN HARASSING UNIVERSITY OF NORTH CAROLINA

Mr. HELMS. Mr. President, as I am sure my colleagues are aware, in 1862 Representative Justin S. Morrill of Vermont sponsored the Land-Grant Act enacted by the Congress that year. That act was amended in 1890 and again in 1907. Initially, however, it endowed a college or university in every State with 30,000 acres of land for each Senator and Representative it had in Congress. The land was to be sold, the proceeds invested, and the income used to create and maintain a college for agriculture and the mechanical arts. Under this legislation some 11,367,832 acres of public land were appropriated for the purpose of endowing education in these fields.

Specifically, the stated purpose of the Morrill Act, as contained in that legislation, was—

> The endowment, support, and maintenance of at least one college (in each state) where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such a manner as the legislatures of the states may respectfully prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life. *Morrill Land-Grant Act of 1862*, section 4.

Not all of the States used the land-grant money provided by the act, but a great many did take advantage of it. Thirty States in all set up new agricultural and mechanical colleges, 18 gave the money to State universities to finance new agricultural and mechanical departments and 3 gave the money to private colleges. Realizing that a concentrated education in such intellectual luxuries as Latin and philosophy were not within the grasp of many average citizens of the period who needed to prepare themselves to earn a living, such advocates as Horace Greeley suggested that the Nation needed high-level instruction for young people in practical engineering and the new scientific farming, fertilizers, crop rotation, and selective breeding still neglected by many farmers of that day.

The wealth of scientific-technical and agricultural research done by these land-grant colleges ever since has proven their worth. And, the quality of engineering has been one of excellence. Indeed, this Nation clearly stands foremost in the world in scientific agriculture and engineering capability.

The second Morrill Act, enacted in 1890, provided for the use of land grant funds for the establishment of agricultural and mechanical colleges for "colored students" and provided further that—

> The establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act . . .

In 1891, immediately following the second Morrill Act, what is now known as North Carolina State Agricultural and Technical University was established in Greensboro to provide an educational opportunity for minority students in the fields of the agriculture and mechanical sciences.

This dual system was established during a period in our history when the Congress and the U.S. Supreme Court approved such an educational structure. It was done in compliance with the Morrill Act of 1890, the then existing law. Now, of course, the law has changed. And, North Carolina education has changed. Both of the agricultural and mechanical schools in the State are open to members of all races. That is the current law, and North Carolina is in compliance.

In North Carolina today, the tradition of land-grant colleges lives on, 113 years after Congressman Morrill's original legislation. The primary focal point of this tradition is North Carolina State University, located in the State's capital city of Raleigh. Founded in 1887 as the North Carolina College of Agriculture and Mechanic Arts, the university is now a part of the 16-member consolidated University of North Carolina. It has grown from its original student body of 72 students and 8 professors located on a small amount of land donated by interested citizens to its present campus encompassing more than 600 acres on the main campus with over 120 buildings. With an enrollment of over 17,000 students, it has an enviable student-faculty ratio of about 14 to 1, with over 70 percent of the faculty members holding doctorate degrees. Salaries for professors are at the national average, and the institution has attracted leading authorities in their respective fields.

It is accredited by the Southern Association of Colleges and Universities as well as the American Chemical Society, the American Institute of Chemical Engineers, the American Library Association, the American Mathematics Society, the American Society of Landscape Architects, the Engineering Council for Professional Development, the National Architectural Accrediting Board, and the Society of American Foresters, among others.

The eight schools which make up the university are the School of Agriculture and Life Sciences, the School of Design, the School of Education, the School of Engineering, the School of Forest Resources, the School of Liberal Arts, the School of Physical Sciences and Applied Mathematics and the School of Textiles.

The School of Agriculture and Life Sciences offers majors in agronomy, animal science, biochemistry, biological and agricultural engineering, biological sciences, Botany, conservation, crop science, economics, entomology, fisheries and marine biology, food science, poultry science, preveterinary, wildlife biology, zoology, and a host of others. The other schools comprising the university offer an impressive educational opportunity in a variety of related fields as well. In short, North Carolina has made good use of the Land-Grant Act and the modest institution that began in 1887 is now one of the major technical and agricultural institutions in the Southeast. It serves not only thousands of North Carolinians who join the over 2,500 entering new students each year, but a host of students from throughout the United States and many foreign countries. One finds the diversified backgrounds of this academic family not only in the undergraduate programs, but throughout the graduate school as well, earning masters degrees and doctorates in a vigorous and academically taxing program of solid courses carefully designed to prepare the individual to take a place in society as a highly trained, competent professional. Indeed, North Carolina State University is a "lively learning place."

Additionally, the contribution that this institution has made to agriculture in North Carolina and the region is very great. And, agriculture is a very important part of the economy of North Carolina. In point of actual fact, farming is the most prominent means of earning a living in the State. With some 140,000 farms in North Carolina, the State is second only to Texas in the number of farms.

With over 231,000 citizens earning their living directly on farms, North Carolina is third among the States in the number of farmers and farmworkers in the Nation. When the families of these farmers and farmworkers are considered, over 1 million North Carolinians are supported directly by agricultural enterprises. And, needless to say, millions of other North Carolinians gain their livelihood indirectly from agriculture.

To these millions of North Carolinians involved in agriculture, not to mention the thousands of engineers, textile manufacturers, architects, foresters, conservationists, and scores of others who gained their professional expertise in the land-grant college tradition, North Carolina State University is very important. It is a center of culture and academic excellence for those who have the spirit, the intellect and, indeed, the will and the wit to tackle a tough engineering or scientific curriculum and master it.

To be sure, there is now a liberal arts curriculum at North Carolina State. A student may earn a degree in history, political science, or any of a number of other fields, but the primary and major thrust remains as Congressman Morrill intended it to be way back in 1862. It is first and foremost a place where competence and solid learning abounds in an atmosphere of excellence built upon the foundation of an agricultural and mechanical school pursuant to the provisions of the Morrill Land-Grant Act.

Realizing that the farmers of North Carolina and the Southeast generally are now exhibiting an increasing interest in raising livestock—the State and region has formerly been more oriented to the production of crops such as tobacco, cotton, peanuts, corn and soybeans, among others—some years ago, North Carolina State University established a Department of Veterinary Science within the School of Agriculture and Life Sciences. There has been a great deal of interest in the field. Indeed, we are told that applications for admission and attention generally to the department has been rising sharply both because of the great void that it has filled—there is no school of veterinary science in North Carolina or any of the adjoining States—there are only 12 in the Nation—and because of the dramatically increased interest in that field of study in recent years as young people have exhibited a greater awareness of their environment—physical, vegetable, and animal.

In response to this accelerating need and desire for a full veterinary school in

North Carolina, the officials at North Carolina State University and the Board of Governors of the Consolidated University—of which North Carolina State is a member—agreed decisively that the Department of Veterinary Science at North Carolina State University should be expanded into a school of veterinary medicine. They realized that such action was consistent with the long established goals of the university set out so long ago in the Morrill Land-Grant Act. Additionally, the concept of establishing the much needed veterinary school there is academically sound, because the supporting and collateral curriculum needed for a truly worthwhile program already exists at North Carolina State by virtue of its long established emphasis on the field of agriculture encompassing biology, animal science, biochemistry, zoology, and many other areas.

The North Carolina State Legislature, the ultimate governing body of the Consolidated University of North Carolina, through the enactment of an appropriations bill, has gone on record as favoring the establishment of a School of Veterinary Medicine at North Carolina State University. Session Laws of North Carolina, chapter 922—first session—1975.

However, despite the overwhelming public support for the location of a school of veterinary medicine at North Carolina State University and the decisive approval of such action by the board of governors of the consolidated university and the action by the North Carolina State Legislature approving the location of the school at North Carolina State, a group of unelected Federal bureaucrats within the Department of Health, Education, and Welfare have decided that they believe that the veterinary school should be located at North Carolina State Agricultural & Technical University in Greensboro. Or, failing that, two separate and equal schools of veterinary medicine should be established, one at North Carolina State and the other at North Carolina A. & T.

These faceless bureaucrats cite in support of their contention that North Carolina A. & T. was initially established a great many years ago as an all black institution. Of course, North Carolina A. & T. was created in 1891, during an earlier era when education throughout the South was offered on a racially separate basis. It was established because of the realization of the legitimate need for an educational opportunity in the agricultural and technical fields for members of all races. It was part of a tradition in North Carolina during that period in our history to attempt to meet that need and provide that needed educational opportunity to members of minority races. Of course, the dual educational system of that era was then sanctioned by the U.S. Supreme Court.

Now, of course, a great many things have changed. That period has passed into history, and North Carolina has a thoroughly modern consolidated university system of which both North Carolina State University and North Carolina State Agricultural & Technical University are both members, both administered to by the same board of governors. That board of governors, after a careful deliberation of the matter, concluded that the appropriate location for a school of veterinary medicine in North Carolina is at North Carolina State in Raleigh. The State legislature has concurred in that conclusion.

These competent and highly trained educators and legislatures realize that the former position of the U.S. Supreme Court has changed and that since the decision in Brown against Board of Education in 1954, the law has changed. Prior to the Brown decision, the State operated its colleges and universities in compliance with the then existing law. Now, 20 years after the Brown decision, North Carolina operates its colleges and universities in compliance with the current law. The law has changed and North Carolina has changed. Minorities are admitted at North Carolina State and are in regular attendance there and have been for a long time. By the same token, the formerly all black institution of North Carolina A. & T. is open to members of other races. That is what the law requires.

The Supreme Court has not stated or in any way limited the authority of the North Carolina Legislature to determine where it feels it should locate a veterinary school. No legislation enacted by Congress has conferred upon the bureaucrats of the Department of Health, Education, and Welfare the authority to dictate where North Carolina should locate its veterinary school. Yet, the Office of Civil Rights of HEW has threatened to withhold Federal funds from the Consolidated University of North Carolina which is the entire system of postsecondary public education in the State, unless a veterinary school is located at North Carolina State Agricultural & Technical University in Greensboro.

But how does HEW justify that? What facts does it point to as being supportive of the requirement. The veterinary school proposed to be located at North Carolina State will be open to all students regardless of race, just as the present Department of Veterinary Science there is open to all students regardless of race. If it were located at North Caroline A. T., it would likewise be open to all students regardless of race. What is the difference?

There is one difference and only one. North Carolina State University at Raleigh is the primary focal point of the land-grant college tradition established pursuant to an act of the U.S. Congress in 1862 to provide education in the fields of agricultural and mechanical sciences just as Congressman Morrill intended. It has been doing that since its inception 88 years ago. It proposes to continue to do so in a more meaningful way through the establishment of a school of veterinary medicine. The board of governors of the Consolidated University of North Carolina want that, the State legislature wants that, and most importantly of all, the people of North Carolina want that. But, a small handful of unelected HEW bureaucrats in Washington and Atlanta do not want that; they want something else. The fact that their position defies reason, flies in the face of the Constitution, and makes a mockery of democracy does not deter them. These arrogant, self-serving bureaucracy building consumers of tax money insist that they must have it their way, though their position is devoid of legal justification.

Indeed, by their contention that a veterinary school must be located at North Carolina State Agricultural & Technical University in Greensboro, because it is a formerly all black institution, the bureaucrats of HEW are seeking to perpetuate the racists features of the second Morrill Act of 1890 which expressly approved separate and equal educational institutions based upon race. The U.S. Supreme Court clearly held in 1954 that such a proposition is in violation of the Constitution. HEW's contention, in addition to being educationally unsound and democratically repugnant, is unconstitutional.

HEW has further compounded its illegality by indicating that if the veterinary school is located at North Carolina State in Raleigh, an unspecified "program of a similar stature" must be located at the formerly all black North Carolina A. & T. in Greensboro. There are three problems with this: First, North Carolina cannot afford two schools of veterinary medicine; second, North Carolina does not need two schools of veterinary medicine; and third, the creation of two schools of veterinary medicine based upon race is unconstitutional.

The matter is now pending in the Federal courts. The distinguished president of the Consolidated University of North Carolina has indicated steadfast resistance to the untenable and illegal demands of HEW. This Senator from North Carolina supports the university president in his position, and he supports the right of the State of North Carolina to decide if it needs a veterinary school as well as where it will be located.

Mr. President, this is another example of faceless, unelected, Federal bureaucrats ignoring the educational needs of the students, and seeking solely to serve their own illegitimate and illegal purposes without caring that they are making a negative contribution to the well-being of the students of North Carolina and the Nation. How long will it take for Congress to wake up and put an end to it?

THE PASSING OF EAMON DE VALERA

Mr. WILLIAMS. Mr. President, last week the world noted the passing of one of this century's legendary figures. For decades, Eamon de Valera stood as the living symbol of the Irish Republic which he served for so long.

Born in New York City in 1884, of a Spanish father and an Irish mother, De Valera was sent to Ireland at the age of 2, just after the death of his father. Upon his graduation from Blackrock College in Dublin, he appeared destined for a career as a mathematics professor, but his love for Ireland and its culture, and the growing political unrest among the Irish people soon drew him into the struggle for his country's freedom. When the bloody Easter rebellion broke out in 1916, De Valera became a battalion commander of Irish freedom fighters. He gained wide fame as one of the last to surrender to British forces, and for his brave declaration to his captors, "I am De Valera. Shoot me, but spare my men." For almost 60 years afterward, the story of his life intertwined with the history of Ireland, a history which he largely shaped. In the events of the 1920's and 1930's that led to Irish independence, De Valera played a key role, and by the time of his retirement from public life in 1973 at the age of 90, he had been elected Prime Minister of Ireland three times and President twice.

Among his goals were a united Ireland, and the widespread use of the Gaelic language, but these objectives were not realized. The continuing bloodshed and terror in Northern Ireland perhaps saddened him even more. Yet De Valera's contributions as a world leader and as a leader of the Irish people were of major significance. He was often at the center of the great events of the 20th century, and many consider him to be the most important Irish figure of our time. His friendship with the United States helped cement even further the close relationship between the American and the Irish people.

A fighter for freedom, a lover of peace, a man of principle and moral strength, a world leader, Eamon de Valera will be sorely missed.

THE SINAI AGREEMENT

Mr. McGOVERN. Mr. President, with certain reservations, and pending the submission to Congress of related aid agreements, I announce my provisional support of the new Egyptian-Israeli agreement.

My reservations are based on two strong convictions: First, that a general settlement must be made as soon as possible; and second, that the step-by-step approach to which the administration is committed is at best very limited, and at worst a dead end. I question that approach now, as I did in a report to the Senate after a Middle East trip last spring, not on grounds of principle, but on the practical grounds of the likelihood of long-term success. It is my understanding that Middle Eastern leaders, including Prime Minister Rabin, now share this view.

The present agreement will prove to have been a good or bad agreement depending on what follows—or what does not follow. If it is followed by vigorous diplomacy leading to early further agreements on the Golan and the West Bank, the Secretary of State's policy will be vindicated as sound and even prescient. If on the other hand the current agreement provides an occasion for complacency, it will prove to have been a misstep and a misfortune—a precursor to rising tensions and another Middle East war. As strongly as possible, therefore, I urge Israel, Egypt and the Ford administration to take further measures without delay to give practical meaning to article VIII of the agreement, which specifies that "This agreement is regarded by the parties as a significant step toward a just and lasting peace. It is not a final peace agreement," and further, "The parties shall continue their efforts to negotiate a final peace agreement within the framework of the Geneva peace conference. * * *"

In my report to the Senate, I outlined the terms which I believe to be the basis of that final agreement. They include the full recognition of Israel by all Middle Eastern States and the appropriate Palestinian body; suitable guarantees of Israel's ability to defend itself; the return of Israel to the 1967 borders, with practical modifications; and the right of the Palestinian people to self-determination on the West Bank, either in the form of an independent State or federation with Jordan, whichever they themselves freely choose. The United States should set forth and support such minimum requirements for a general settlement. This is not a time to relax or to retrench.

My support for this latest agreement must also remain tentative pending the submission to Congress of supplementary unpublished commitments which are said to include future pledges of aid to Israel and Egypt. After assessing the nature and size of these commitments, I will determine whether to reaffirm that tentative support, which I offer today in my capacity as chairman of the Near Eastern and South Asian Affairs Subcommittee.

The most sensitive aspect of the agreement from the standpoint of the United States is the prospective assignment of as many as 200 American civilian personnel to exercise surveillance of non-United Nations military movements in the Egyptian-Israeli buffer zones. Although I am apprehensive of a direct American commitment to anything less than a general settlement, I do not agree that the assignment of American civilians in this situation is comparable to our early involvement in Vietnam.

There are fundamental differences between what we are being asked to do now in the Middle East and what we insisted on doing in Southeast Asia. The first of these—which I have stressed for more than a decade—is that the United States had no real national interest in Vietnam while authentic American interests are at stake in the Middle East. Israel's survival and security are vital to our national interest; the preservation of peace and good relations with the Arab States are also important national interests. There is another difference: In the Middle East, the United States has been asked to participate to a limited degree in a truce by both parties, not to intervene with nearly limitless armed force in favor of one party against another, as we did in Vietnam.

This is a unique and dangerous responsibility, but it is also a unique and compelling opportunity to advance the cause of peace. Here we are responding to the request of both sides for no more than 200 technicians to prevent a war between them; in Vietnam, we sent more than 500,000 troops to wage a war on behalf of one side.

Further, it is specified that the United States may withdraw its personnel "if it concludes that their safety is jeopardized or that continuation of their role is no longer necessary." I trust and urge that the administration will not shrink from acting on this provision if circumstances warrant.

I believe that Secretary of State Kissinger, Prime Minister Rabin, President Sadat and others involved in the recent negotiations deserve our gratitude and commendation for shaping a new accord and easing the threat of war. It is equally important that while we may welcome the agreement for what it is, we do not delude ourselves into seeing it for what it surely is not—the assurance of a permanent peace. Rather this new accord only increases the remaining time for negotiation; it does not decrease the need for an overall settlement.

Mr. President, the ultimate merit of the present agreement will become clear only when we know whether it has in fact led toward a general settlement. The agreement is a pause, not a peace. It is a precious gift of time to negotiate that peace.

GENOCIDE TREATY

Mr. PROXMIRE. Mr. President, I wish to spend these few minutes on this, our first day back from the August recess, reminding our colleagues that we have a piece of unfinished business before us. I refer to the Genocide Treaty, which has remained before this body for 26 years now, while 86 other nations have ratified it.

As we left for this recess, I reminded our colleagues that an entire generation had grown up, from birth to adulthood, while this Convention sat before this body. While we were home, we all saw many of these people, who are now the young voters and constituents we serve. What are we going to tell them the next time they come to the polls? That we are unable to condemn and make a crime the heinous act of genocide? That we are too busy with private bills and resolutions to deal with an international horror? That we can cut off arms to Turkey, and restore them, but cannot condemn mass murder?

This fall is the time to bring this treaty to the floor and ratify it. In this long series of short statements I have conclusively refuted all of the many arguments which have been presented against the Convention. It will not affect our sovereignty. It will not change the Federal Government's relationship to the States. It will not give the World Court any power over our Nation or any citizen or official. It does not violate due process. It is a good, well-written treaty which is plain on its face. It deserves to be ratified. We should act upon it.

THE GRUENBERG CUBA SERIES

Mr. McGOVERN. Mr. President, one of the journalists who accompanied me to Cuba in early May was Mr. Robert Gruenberg of the Washington bureau of the Chicago Daily News.

Mr. Gruenberg is a specialist on Latin American affairs, and has especially good credentials for measuring the changes Prime Minister Castro has made. Some

16 years ago, he was in the Sierra Maestra as a witness to Castro's rise to power.

After we left Cuba, Mr. Gruenberg remained behind for a more careful look. The articles he filed subsequently, along with those covering the trip, demonstrate exceptional insight and sensitivity. His accounts of Cuban policy will serve as helpful guides as we reexamine our official relationship with that country. But beyond that, Mr. Gruenberg has supplied an intriguing portrayal of daily life in Cuba, and of the methods Castro has used to sustain his revolution.

Because I believe they will be of interest to my colleagues, I ask unanimous consent that Mr. Gruenberg's series of articles on Cuba be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

McGOVERN IS GIVEN A LONG DAY DOWN ON THE FARM, CUBA-STYLE

(By Robert Gruenberg)

HAVANA.—Sen. George McGovern, a good ol' farm boy from South Dakota, has been thrown headlong into the Cuban revolution.

Within an hour after he and his wife, Eleanor, and a party of 34 staff aides and reporters, had landed here Monday on a special charter flight, McGovern was rushed off to begin learning how many eggs a Cuban hen lays yearly (232), how much land was under irrigation (10 to 15 per cent) and hundreds of other facts and statistics on Cuban agriculture.

The lecture at the government agrarian reform headquarters 25 miles south of here became so overwhelming that the senator gently but firmly had to ask his hosts, after two hours to abbreviate the rest of it.

Tuesday, the second day of his four-day visit, is crammed with activities ranging from visits to a psychiatric hospital, a technological school named after V.I. Lenin and a child-care center to the Tropicana nightclub.

It is the first time he has been to Cuba and he said: "It is an educational trip for me."

Before leaving from Miami late Monday, McGovern told reporters: "The time has come for a review of our policies. The present one no longer serves either their interest or our interest. I want to become acquainted with their system."

"I don't see anything to be gained by the economic boycott" of Cuba by the United States, he said. "They just trade with others instead of us."

Although he has not received any confirmation thus far, McGovern said he expects to confer with Prime Minister Fidel Castro and President Osvaldo Dorticos.

He wants to learn about Cuban progress in education and health and is ready to discuss the question of political prisoners held in Cuban jails, although he declined to say exactly what he would tell Castro on the matter.

McGovern emphasized that he is not here as a U.S. emissary, and had no messages from President Ford, informal or otherwise. He conferred with Sec. of State Henry Kissinger and other State Department officials, as well as Defense Department brass, before leaving, he said.

Kissinger expressed "no opposition" to his trip and even said he would appreciate hearing the senator's views on his return. Nevertheless, he left the impression lesser officials were not altogether happy with his sojourn.

McGovern originally listed several dates for the visit. The Cubans' selection of this week, when the Organization of American States (OAS), from which Cuba was ousted in July, 1964, meets in Washington, is considered significant.

The OAS is expected to end its diplomatic ostracism of Cuba, in turn leading to preliminary steps toward re-establishing relations between the island and the United States.

McGovern said he has "the impression" that Cuba wanted the meeting with him now to give Castro a "peg" to comment on the OAS. In the past the Cuban prime minister has indicated he wouldn't be enchanted with OAS action "accepting" Cuba.

CUBANS STILL CAN LIVE IT UP AT TROPICANA

(By Robert Gruenberg)

HAVANA.—Cuba may be all socialist norms and production quotas, but there is one place where decadent capitalism is making its last stand—the Tropicana nightclub.

There is plenty of fleshly exposure.

The acts are sumptuous, lavishly staged, riots of color and movement, full of costumes, feathers, boas and furs, with trapeze artists soaring across the open night skies among the royal palms, clutching spotlighted flags of Cuba and Peru.

A baseball game turns into semiburlesque and semiballet and, as only Cubans can do, the whole show winds up in a glorious patriotic finale on "Beautiful Cuba" and "a Fidel who vibrates in the mountains."

There are only two American melodies in the extravaganza—"I Love Paris in the Springtime," and the theme song from "Love Story."

To some Cuba watchers, this is considered significant in that it indicates the gulf between Washington and Havana, which Sen. George S. McGovern (D-S.D.) is trying to bridge on an unofficial basis.

A member of the Senate Foreign Relations Committee, the 1972 Democratic presidential candidate met for approximately half an hour very late Tuesday night in what was described as a "friendly chat" with Prime Minister Fidel Castro.

But it was merely to make arrangements for another longer in-depth discussion about Cuban-U.S. problems before McGovern departs Thursday, it was learned.

The meeting took place in the House of Protocol in the beautiful Miramar section of Havana, a posh residential area that once housed rich Cubans who have long since fled.

McGovern and his wife, Eleanor, dined with Carlos Rafael Rodriguez, who although he is one of seven vice prime ministers, is virtually behind Castro in power. He is also a member of the secretariat of the Central Committee of the Cuban Communist Party.

Also attending were foreign minister Raul Roa and Jesus Montane Oropesa, who welcomed McGovern to Cuba Monday. Both also are members of the policy-making Central Committee. No details were disclosed of what was discussed.

McGovern has been on a whirlwind round of visits to education and mental health institutions, as well as to agricultural and dairy products centers. All are modern, and mechanized, and were presented as the pride of the 16-year-old Cuban revolution that brought Castro to power.

The Senator made it clear he believes the United States can take a page from the Cuban experiment—and benefit.

He praised a Cuban education plan that calls for students to work three hours a day along with five hours of classroom attendance—and ventured that a similar idea ought to be tried in the United States to combat student boredom.

"It's the best single idea I have witnessed here," he said.

He also was "tremendously impressed" after a visit to a psychiatric hospital with a scheme for several different levels of patient supervisions, all related to work therapy.

"It may be a usable clue to some of our alienation (in the United States) that we don't have useful work for many people to do anymore," he said.

McGovern hoped to discuss with Castro the U.S. trade embargo against Cuba, a highly emotional issue here; the question of $2 billion in confiscated U.S. property, and travel curbs on Cuban diplomats at the United Nations.

CASTRO HINTS THAW IF TRADE BAR ENDS

(By Robert S. Gruenberg)

HAVANA.—Prime Minister Fidel Castro, in a surprisingly conciliatory mood, indicated he would begin a renewal of U.S.-Cuban relations if Washington lifts its boycott of food and medical shipments to this island nation.

The Cuban leader, in a press conference Wednesday night, discussed "important gestures" leading to reconciliation and saaid:

"I should consider the removal of this (economic) prohibition" as an important gesture.

Limited quantities of special foods and medicines for individuals are allowed to be shipped from the United States to Cuba. It is believed the Cuban leader was speaking of larger quantities on a commercial basis.

Asked if talks between both nations could begin "on a limited basis," Castro pointedly did not rule it out, saying he preferred the economic embargo be "lifted completely."

But he said resumption of shipments of food and medicine, embargoed along with other goods in 1964 after expulsion of Cuba from the Organization of American States, would have a "very important effect."

"It will bring reconciliation from the Cuban side," he said.

Asked to make a special statement in English at the press conference's conclusion, the Cuban leader first apologized for his lack of facility in English, then declared:

"We wish for the people of the United States friendship. We belong to two different worlds. We are neighbors. And in one way or another, we ought to live in peace."

Castro's statements preceded a dinner with visiting Sen. George McGovern (D-S.D.) Wednesday night. The Cuban commander-in-chief also met the senator briefly Tuesday night, and spent several hours with him in a back-country tour of dairy farms discussing on a highly technical basis cattle-raising and other agricultural topics.

They then visited a housing project, where they distributed free ice cream to children and adults, and made a brief stop at a rum distillery, where they sampled a highly potent brew in its early stages.

It was apparent that Castro had taken a liking to McGovern, and he said so at his press conference.

He praised the senator, a bombardier in World War II, as a man "who fought bravely against fascism and in defense of peace," opposed the Vietnam War, and was "a realist and a man of common sense."

Castro said that "never, repeat never, in all of the years of the revolution"—which dates from 1959 when he took power—"have I said a foul word against the people of the United States," adding he had "always separated the people from the government."

"Are you asking me if we want good relations?" he replied to a reporter who reminded him of past rhetoric. "My answer is 'Yes'. It is in the interest of our people and the people of the United States."

To a question on the current Chilean government, ruled by a military junta that overthrew his close friend, Marxist President Salvador Allende, Castro said Chileans were suffering.

But, pointedly, he added, "We do not say what Chileans must do. It is up to them to decide." This statement was a marked departure from the "exporting revolution" policy that Cuba had long been accused of carrying out.

Castro explained earlier Cuban activity in other Latin countries by saying that "a small bloc tried to destroy the Cuban revolution" and it "was logical that Cuba not be destroyed by our adversaries."

* * * country that never followed such a policy, and added: "We're ready to follow all international norms and respect all countries that respect us."

While Castro exhibited a friendlier public attitude toward the possibility of re-establishing U.S.-Cuban relations, he indicated there also could be hard times ahead after such bilateral recognition.

He said Cuba already had made "more important gestures" than the United States toward peaceful co-existence by co-operating on a 1969 bilateral hijacking agreement. "It wasn't our problem. It was a problem of the United States and this gesture has not been sufficiently answered," he said.

He also pointed out "we have no naval base in Florida," a not-so-veiled hint that the Guantanamo U.S. Naval station at the eastern end of Cuba, established in 1903, is still a stain on Cuban sovereignty.

Discussing charges that Cuba was involved in the assassination of President John F. Kennedy in retaliation for alleged CIO plots against his own life, Castro said any Cuban role would have been "absurd, crazy."

Fidel the Spellbinder Still 1-Man Show

(By Robert Gruenberg)

HAVANA.—The dominant figure is Fidel, even though this city is singularly free of giant pictures and statutes of the Cuban leader.

Observers of Cuban developments say the revolution—everything that has been done to change the nation since Jan. 1, 1959—is becoming more "institutionalized."

A greater effort is under way to sort out responsibilities and systematically tie government policy into the policy of the Communist Party, the only legal party.

The party is the government, and vice-versa, for all practical purposes.

But no one can "institutionalize" Fidel Castro, even though the 47-year-old first secretary of the party, commander-in-chief of the armed forces and the head of government.

Driving his Russian-made jeep over the back roads, or suddenly helicoptering down on a farm in a remote region, he may appear anywhere, at any time.

On his overland treks, he is usually accompanied by a group of aides, including radio communications experts, in two other jeeps. When the visits are part of an official function—as was South Dakota Sen. George McGovern's tour this week—a caravan of cars follows.

Castro leaves the impression that he would rather not be tied down to the office. He genuinely appears to enjoy being out in the fields and hills, "vibrating," as a popular song describes him.

As son of a rancher in Oriente Province, in eastern Cuba, he appears at his most relaxed when talking about agriculture, especially cattle.

He is heavier than the tall, almost gaunt, figure that came out of Sierra Maestra 16 years ago.

He wears carefully creased, immaculate olive green fatigues—and is that a bulletproof vest one glimpses under his shirt?

Traveling with McGovern this week—from farm, to new city, to rum distillery—Castro was the supreme politician every moment, chatting amiably with the senator, milling freely with his people, playing to the ever-present television cameras.

Politicians play similar scenes everywhere, but Castro does it superbly. Having been in power 16 years, he appears ready to leave the tedious everyday administration to the technocrats and bureaucracy. He would be the last to object, he said, to a lightening of his work load.

But nobody is wearing blinders.

There are reminders everywhere—billboards, slogans, newspapers—that this is a one-party country dedicated to building socialism. The party philosophy is government policy, and Castro, the party secretary, brings the faith.

He did it spellbindingly Thursday night at a giant rally to mark the end of celebrations of the 30th anniversary of the "victory over fascism"—the defeat of the Germans in world war II.

Castro delivered a fiery, 70-minute speech attacking "imperialist" and "bourgeois" democracies' contributions to the victory.

The "Yanquis" were blasted repeatedly, especially for the battle at the Bay of Pigs.

The speech came after McGovern's almost euphoric visit ended and served to sober up a few lingering Americans who were about to welcome a new era in Cuban-American affairs.

"The imperialists don't have a monopoly on nuclear arms," Castro declared, and the Soviet Union is now the "defender of the peace."

Thirty years have passed since the Russians "liberated Berlin," and that it was marked by the "fall of Saigon," Castro declared, is an "irony of history."

Canada Quietly Building Up Cuba Trade

(By Robert Gruenberg)

HAVANA.—The Canadians and the Cubans are making beautiful music together. The sound can be heard in the ring of the cash registers in Ottawa and Havana.

The Canadians also have an aid program for the government of Fidel Castro—even though the two countries have widely different concepts of democracy and economics.

Unlike the United States, which broke relations in January, 1961—following two years of economic warfare between the two countries, including the confiscation by Cuba of what the U.S. estimates at $2 billion in American-owned properties—Canada did not.

Because Canada is not a member of the Organization of American States (OAS), it also didn't join in the economic sanctions against Cuba voted by that organization in 1964.

Political and economic relations between Cuba and Canada have increased "in momentum" during the past five years, according to Canadian Ambassador Malcolm Bow, and particularly so in the last two.

This has led to visits here by various members of Parliament, the head of Canada's development assistance agency, and the national librarian. This year's exchange includes the ministers of industry, commerce and health and welfare. Prime Minister Pierre Trudeau has been invited here, and has accepted in principle, although no date has yet been sent for his visit.

Meanwhile, trade between both countries has been accelerating.

Canadian exports to Cuba in 1972 totaled approximately $58 million, rose to $83 million the following year, almost doubled to $144 million last year. In 1975 they are expected to be well above $200 million, according to Bow.

Cuban exports to Canada amounted to only about $13 million in 1972, rose to about $16 million the next year, then zoomed last year to $70 million. Exports are expected to reach more than $100 million in 1975.

Total exports between the two countries, more than $300 million, is not very great, of course, on a comparative basis.

For example, Cuba is believed to be selling currently $1 billion worth of sugar alone to Japan, while in 1973 this was the value of its entire sugar exports.

But the increasing amount of sales to and from Canada, a Western hemisphere industrialized nation which also has substantial agricultural resources, may—or may not—point up a lesson to Washington. Trade with Canada, which used to be 5 to 1 in Ottawa's favor, is now 2 to 1.

Originally the Canadians were sending mainly agricultural output, said Bow, such as wheat, flour, cattle and related products.

Now more than 200 different items are carried in the holds of an expanding Cuban merchant fleet, as well as in Russian and other nations' vessels, besides Canadian.

The export from Canada cover more than 200 items, including "a large variety" of manufactured goods, among which are machinery and locomotives.

Havana Today Wherever You Look, People Stand in Line

(By Robert Gruenberg)

HAVANA.—Almost the first sight that wins a visitor's attention here are the lines.

They are virtually everywhere, at the newsstand, at the grocery store, in the department store, in front of the theater, at the ice cream parlor and at the taxi stand.

It is Cuba "sharing," both the shortages and the surpluses.

It would be easy to blame mismanagement for these problems. And the Cuban officials who almost constantly accompany visitors wherever they go might acknowledge that here and there exists a "problema."

A 10-year-old motion picture, "It's Your Turn to Speak," dwells on the issue of bungling and bureaucratic failure, to the applause of audiences.

Yet, says one non-Cuban who has lived in this country for several years, "It would be a mistake to say that rationing is only the result of mismanagement or bad economic performance."

As the thinking goes, rationing has been an important factor in achieving—as much as it has been achieved—the support of the society at large, and in striving for unity.

Arnaldo Vega Gonzales, director of sales systems and commerce, has a direct say in the rationing system. He quickly runs through the prerevolution (1959) figures with which almost every briefing begins—the 700,000 unemployed in a population of 6 million, the million illiterate adults—all of it to emphasize the bad economic and class conditions the Castro revolution aimed at eradicating.

In 1960 laws were passed fixing the prices for basic products, from beans to clothes. That was followed in 1962 by a rationing system on foods and nutritional needs, and in 1964 on industrial goods, including clothes, Vega said.

Now there are 9.2 million Cubans, production has improved, "but there still exist difficulties," he acknowledged.

Seventy-two items require rationing coupons for purchase, including leather shoes and textile products; 156 products are under various quantity limitations, while no limitations exist on 353 others.

Nine basic products are on monthly ration.

These include, for each adult and child, the following: 6 pounds of rice; 4 pounds of sugar; 6 ounces of coffee; 7 ounces of detergent; 1.5 pounds of lard; 1 cake (390 grams) of washing soap, 1.5 cakes of bathroom soap and 1.25 pounds of beans.

Meat is distributed at the rate of 12 ounces every nine days, with milk at 1 liter daily (about a quart) for children up to 13 and persons over 65. Six cans of evaporated or condensed milk are available monthly for persons in between. Up to 15 eggs monthly may be bought without ration coupons.

Two packages of 20 cigarets each are available weekly at regular prices (about 25 and 31 U.S. cents, depending on taste), but more are available without limit at prices ranging about 8 or 10 times the regular tariff.

Two cigars at a cost of about 18 or 19 cents apiece (U.S.) are available per week; more may be bought at prices from four to seven times that amount.

Vegetables are supposed to be available "without limit" but Vega said they frequently are not because of a lack of proper refrigeration facilities—which the government is trying to remedy, he said. A severe drought is also aggravating the situation.

Fish, he said, is in adequate supply, although not necessarily the kind one may seek on a particular day.

A television set—all those on display during a visit to one store were made in the Soviet Union—cost 650 pesos, or the equivalent of about $780; a refrigerator, $720; a washing machine, $275 and a six liter pressure cooker, about $42.

The purchase of such heavy appliances as televisions and refrigerators, a Cuban government information official explained, required a certain amount of "merits" or "points." These are usually voted the most "deserving" or productive, worker by the members of the union to which he belongs.

Doctors and other professionals get first opportunities to purchase autos. The most frequently quoted price for a car about the size of a Ford Falcon was about $6,000 to $6,200. But not just any doctor may buy a car; as with the factory worker, his colleagues at the clinic must designate him as the most worthy of having one.

The system would appear to be ideal for manipulation and favoritism. But the government insists that no "new class" has been created.

There does exist a black market in gasoline and cigarets, and there is considerable bartering for commodities prices.

A hotel maid earns about $145 a month, elementary school teachers from about $180 to $205; doctors about $780 top—according to queries made of various persons by reporters.

No Cuban maintains that a "Communist paradise" has been achieved.

"The people are not dressed overly well—in fact, they're a bit shabby.

But they are not in rags, either; and the barefoot urchins begging for coins are gone, as are the prostitutes who, the government maintains, have been "re-educated" into "useful work."

There are, to be sure, poorly housed persons here. There are also poorly clothed persons. But unlike some other underdeveloped countries, it seems that the hunger, disease and misery are gone.

And the Church Still Hangs On

(By Robert Gruenberg)

HAVANA.—Religion may be the opiate of the masses, as doctrinaire Marxism holds. But in Cuba, which is striving to be a socialist state, the Catholic Church is hanging on.

It obviously does not possess the influence it had in pre-Castro days before 1959. But it is generally agreed here that relations between state and church, including Protestant denominations, while encountering difficulties in some of the post-revolution years, have reached some sort of low-keyed accommodation.

The Vatican has an ambassador in Havana, and a proposed constitution—the first such Communist document in the Western Hemisphere, expected to be voted on early in 1976—would appear to guarantee freedom of religion.

Article 56 of the draft reads:

"The socialist state, which bases its activity and educates the people in the scientific materialist concept of the universe recognize and guarantee freedom of conscience and the right of everyone to profess any religious belief and to practice within the framework of respect for the law the belief of his preference."

But it also goes on to state that the law regulates the activities of religious institutions, and declares it illegal and punishable to use one's faith or religious belief to oppose the revolutionary education of fulfillment of the duty to work to defend Cuba and to show reverence for its symbols and related duties.

On a quiet Sunday morning recently, there were a few uncertain notes for a visitor to the Cathedral of Havana, the main Roman Catholic center of worship. First, the cab driver, gray-haired man in his 60s, insisted he didn't know where the cathedral—reputed to have been the burial place of Columbus before his remains were sent to Spain was located in the old city.

"I haven't been in that business for some time," he said. His passengers here less than a week, guided him.

At the church, someone had chalked the word "mercenary" on one of the 300-year-old wooden doors, a not-surprising note in the light of the generally controversial history of the church in Latin American history.

One tower of the cathedral that had fallen into the street was under repair by the government because it is considered a historical site. Inside, giant arches and colonnades, where probably a thousand persons could be seated, there were 125 to 150 worshippers. They were mostly older persons, with only a scattering of youths and girls. About two-thirds of those praying were women.

Three altar boys in plainclothes—no vestments—helped with the mass, the second of the day, celebrated by Msgr. Evelio Ramos, an auxiliary bishop.

The hours for confessions, confirmations and marriages were listed on the church door. A worshipper, who appeared to be in his late 40s, assured the visitors there was freedom to worship, that the number of worshippers was about the same as usual and there were no undue pressures.

Christmas, which in pre-revolution days was celebrated as a state holiday, is now a workday. However, religious services can be celebrated in nonwork hours. That is all right, the worshipper said, because the religious significance of Christmas was being drowned in materialism in the old days, anyway.

As for Easter, Cubans never did have those "big parades you have in New York" said the worshipper, and it appeared it was just as well with him.

At the service's end, an elderly woman distributed copies of "Christian Life," a flyer carrying church notes; the "Voice of the Pope" and a "Question Box."

One writer commented, "I did not ask to be baptized. Why did they commit me" to the church? "Don't you give parents the rights to render affection to the children," was the answer. "It is normal and necessary that parents give their little ones not only food but love."

After the service, the visitors sought to talk with Msgr. Ramos, "I have no time," he said. Could one return later? "I am very busy," he replied.

Cuba Future: Through Its Youth

(By Robert Gruenberg)

HAVANA.—The government of Fidel Castro is building for a long time in the future—through its youth.

While services such as medical aid, education and jobs are provided for everyone, special attention is paid to the young.

The training and the ambience in which it is carried out aim at insuring there can be no other philosophy or form of government taking root in the soil in which Cuban socialism has been growing for 16 years.

It starts in the day care centers, where a child may be left as early as 40 days after birth while the mother is working. The centers care for the children until the age of 5 or 6.

The child receives an education in good habits in order to reach his or her greatest development of skills and he is taught Communist principles, explained a Cuban youth leader in the foreign ministry, himself only 24 years old.

How does one teach Communist principles to a 4-year-old?

His small daughter, who is in nursery school, knows she must be a good comrade with her friends. She must love them, and must be good to them. She is taught not to seize toys from her friends, at the same time that her friends are taught not to withhold them. They are taught to share. So you see it all works together, he said.

When children are ready for primary school at the age of 6, they know what all the symbols of the state mean. They are taught to respect the national anthem and to be respectful of elders.

At the age of 7 or 8, a child whose conduct is good and who has always done his homework becomes a Pioneer. The child is given a blue and white neckerchief, to match the light and dark blue shirt and pants, or blouse and skirt, that all schoolchildren wear. He also gets a little sleeve patch identifying him as a Pioneer.

Pioneers go on outings to the zoo, the park, and the beach. They receive little talks—all of this under the leadership of the Young Communists, whose age may range from 14 to 27. There also are serious tasks for the young Pioneers to perform. These may include country outings, doing such things as helping clear a field of stones, weeding and other simple agriculture tasks. In the city they care for their own school yard, sweeping it clean.

Each morning, the Pioneers line up in the yard and are informed of the day's schedule. They also recite aloud together:

"Pioneers por el comunismo. Seremos como el Che!"

"Pioneers for communism. We will be like Che!"

Ernesto (Che) Guevara was one of Castro's two top lieutenants during his revolutionary days in Cuba's Sierra Maestra. He was killed in Bolivia in 1967, allegedly with U.S. help.

Whatever the Pioneros do, it is explained they are made to feel a part of the society, that they are helping with the revolution.

At age 12, they enter junior high school, and Pioneer activity continues. But they also attend meetings called by their Young Communist leaders, as well as going to fiestas, on camping trips and beach outings.

"It is rare to find a child who doesn't enter the Pioneers," said the official. Parents must give permission, but this is nearly always done. Objectors such as Jehovahs Witnesses have the right to withhold approval.

But peer pressure, the sense of isolation, the natural unwillingness of parents to have their child feel hurt—all of these contribute to the certainty that a child will be a Pioneer.

Parents who still persist in withholding permission are likely to be viewed as "counterrevolutionary." No overt action is taken against them—such as denying benefits or government allowances—the official said, as long as they take no overt actions against the government.

The 14th birthday is important, for at that age a child may become a member of the Young Communists.

"We begin talking to them much more about what is going on in the world, and the reasons why. We begin to teach them the political line of the revolution, and what our position is in the world and with everything that is going on," the official explained.

A Young Communist's duties are to "participate in the productive work," attend study groups and become "integrated" with his fellow Young Communists. If there is a rally to be held, there is work to be done—from mimeographing material to painting signs to scores of other tasks.

Appearances at assemblies, rallies and ceremonies is expected. "One must have a good reason," if one is to be absent, said the official. Tending to one's sick mother is a good reason.

"If you separate yourself from the group, you must be punished, because you are not being a disciplined person and not acting as a Communist should," he said. Punishment may take such forms as being openly criticized in and by the group, even suspended from membership for a period of time, but not loss of one's job.

Work . . . study . . . devotion . . . the integrated person—this leads eventually to a privilege: membership in the Communist Party, the only legal party in Cuba.

There are estimated to be between 200,000 and 250,000 members.

Meanwhile, on all sides in daily life, the youth of the nation are exhorted to do better, work harder, give more to the revolution.

"Revolution" is an all-encompassing term that means not only the change of government 16 years ago, but also all the changes in national life that have since taken place, and those that are to take place in a future envisioned as the rule of the workers in a socialist society.

There are awards and decorations and special honors for achieving well in school (including coveted admission to the high level V.I. Lenin School of Scientific and Technical Knowledge), achieving well on the farms and in the sugar cane fields, and just generally achieving.

Thus, the new society is being built through its youth.

If the Cuban officials are to be taken at their word, nothing and nobody can stop them.

Castro Offers Equality to Women

(By Robert Gruenberg)

HAVANA.—In the Cuban Revolution all are presumed equal, but some are "more equal" than others. Those others consist of about half the population: women.

No less a person than Prime Minister Fidel Castro may be held responsible for that view and he says the time has come for women's liberation.

Despite the changes in the economic and social order that have taken place since 1959—a state-run economy and, officially, a wiping out of the class system—women, while declared equal before the law, are not equal, in fact.

It is a "problem of an old culture, of old habits, of old mentalities, of old prejudices," the Cuban leader believes.

But while Cuba reaches for equality among the sexes, he says, the struggle "must never be converted into any lack of consideration for women. It never means the loss of habits of respect that every woman deserves."

Woman is, said the chief of the Cuban state, "nature's workshop where life is formed."

"Certain small privileges and certain small inequalities in favor of women" should still be extended, such as giving up a seat on the bus, he said.

In fact, he added, it "would be very sad" if Cubans did forget a "bourgeois" notion or two about chivalry.

But, "instead of bourgeois and feudal chivalry there must exist proletarian chivalry, proletarian courtesy, proletarian manners and proletarian consideration. . . "

The women attending a recent meeting of the Federation of Cuban Women, one of the most important in government plans for incorporating revolutionary principles in the daily life, and before whom Castro spoke, applauded.

In the teachers' lounge of a primary school here, a sign is tacked upon a wall:

"A society will be poor always if women are not included in its works." Another reads: "Toward the first (Communist) Party Congress, we battle for the equal status of women."

The Congress is expected to be held in December. Sometime early next year Cubans also are expected to hold a referendum on a new, 141-article constitution, which is said to reflect in almost every provision, Castro's philosophy.

Chapter 5, on equality, starts off declaring that "All citizens have equal rights and are subject to equal duties." It goes on to declare as punishable, discrimination because of race, color, sex, or national origin.

It then spells out in detail that "all citizens" have the right to equal treatment in every facet of the nation's life: from achieving officer positions in the military to enjoying the same parks and social centers.

Article 43 in the proposed charter nails it down even more specifically for women. They "have the same rights as men" in the economic, political and social field, "and as far as the family goes," it says.

Women, the document adds, are to be "given jobs in keeping with their physical makeup," a concept that raises some interesting questions.

They also are to receive paid maternity leave, while state day-care centers and boarding schools are "to create all the conditions that help to make real the principle of equality."

"There are some things—some attitudes—we are still struggling against," says Miss Rafaela Morgado, 23, the assistant director of the 865-pupil school, when asked about the signs on the wall. "But there is no legal limit or obstacle."

"Legal limits" and "obstacles" aside, it all has a familiar sound in collectivist Cuba or capitalist U.S.A.

According to Cuban statistics, there were 194,000 women working, 70 per cent of them domestics, before the 1959 revolution. Now there are close to 600,000, out of a total of 2.3 million workers, or something less than 25 per cent.

But the number of women holding "leadership posts . . . in production, services and administration" is only 15 per cent.

In politics, the ratio is even more unfavorable.

Feminine membership in the party is only 12.8 per cent, "a notably low figure," Castro noted. Women working as party cadres and officials is 6 per cent.

Elections held in adjacent Matanzas Province last year for local assemblies—a process that is still being studied with the idea of possibly extending it to Cuba's six other provinces—were deemed by some as exemplary, when compared to one-candidate elections in other Communist countries.

At least two candidates on the ballot were required, according to a neutral, expert political observer. Frequently there were three or four, he said, and party membership was not a prerequisite.

Yet, according to Castro, the percentage of women candidates was only 7.6, and the ratio elected was 3 per cent.

"The figures are really something to be concerned about," Castro said, especially because "the candidates were proposed by the masses."

The figures "reflect nothing more than the reality that after 15 years of revolution we are still politically and culturally behind in this area," he declared.

One shouldn't forget, however, said the premier, that "in capitalist society women remain culturally and politically downtrodden."

"With fewer educational opportunities than men . . . many women in class society are deceived precisely because of that low political level and are frequently used against the revolutionary processes," he said.

So much, therefore, for "bourgeois chivalry."

Viva Papa: He's Still a Hero in Cuba

(By Robert Gruenberg)

He is still remembered, one Yanqui about whom Cuba still talks with affection and respect and admiration.

Ernest Hemingway understood, they say, when many others couldn't—or wouldn't—when Fidel Castro came out of the mountains in the east to fight his way to Havana in 1959.

Fourteen miles southeast of Havana, at the town of San Francisco de Paula, the spirit of Hemingway is preserved intact at La Finca Vigia (Lookout Farm).

Beyond the royal palms the road runs; beyond the orange-colored puffs of the flamboyant trees, the mango, the laurel, the tropical flowers, to his stone-and-frame home, to the tower, stretching upward in the clear sky two or three stories.

The tower was built, says 59-year-old Luis Fuentes—a spirited, outspoken revolutionary partisan who is now director of the Hemingway Museum—at the "desire" of Hemingway's wife Mary.

It was to be a hideaway in which Hemingway could do his writing, but, says Fuentes, the master novelist never cared for it much. He preferred instead to do his writing standing up at an old Royal typewriter atop a massive "Who's Who" on a bureau in his bedroom.

It was more comfortable for Hemingway that way, explained Fuentes. Hemingway had an injured leg, suffered when he was struck by shrapnel while a volunteer ambulance driver in Italy during World War I.

More than 2,000 persons a month "from the socialist countries and Canada" now visit the Hemingway home, an official government tourist site.

Gathered there are all the mementos of those far-off, almost forgotten days: bullets of all caliber standing on end, German medals and eagle decorations, officers' bars and a collection of other memorabilia from World War I and the 1936–39 Spanish Civil War.

There are carved wooden animal figures from Africa, the huge head of an African cape buffalo and a Winchester rifle in one room, along with a number of photographs, including one of actress Marlene Dietrich and flamenco dancer Carmen Luz.

In still another room there are three Alaskan bear heads, five hunting rifles, a collection of fishing rods, a picture of a 6-foot swordfish caught in the Peruvian Pacific, and even the size-11 boots in which, says Fuentes, Hemingway tramped the hills of Spain.

In the spacious living room, things are arranged just as they were when Papa left Cuba in 1960 to seek medical treatment in the United States. Among them are the same gin and whisky bottles at the side of his favorite armchair. Walls are covered with paintings. Standing out among them are those of the bullfight: Matadors being tossed in the air and charging animals.

And around the walls are thousands of his books. If titles are to be believed, he read almost everything—from "Peyton Place" to "And Quiet Flows the Don," from Mary McCarthy to Anatole France.

Did Hemingway, who hunted big game in Africa, reported on wars, and survived several near-fatal accidents, personify the cult of masculinity, the "machismo" of the Latin man?

Fuentes reacted as if he had been struck by a shot. His words were stern, but coldly controlled:

"In Cuba, we should let you know that we don't like 'machismo.' It is a false conception of life. If it did have any influence at any given time, it has been eradicated."

Fuentes spoke on, seemingly heedless that while he might say that "machismo" was a discredited concept, the government is currently on a campaign to convince Cubans that women are indeed equal.

"In Cuba we think Hemingway has other things to be recognized by. For instance, in 'The Old Man and the Sea,' he gives us the image of Man, who might be conquered, but never defeated.

"It is in the personality of the fisherman, the man who is searching for an ideal or a goal. Things like this have a fundamental value for everybody. Anyone who cares for life could like his writing." Frequently, Fuentes said, reader attention is fixed on "certain aspects of his work that are not as important as his human side."

To Fuentes, incidentally, Hemingway was just another Cuban. He added: "I never considered him a foreigner. He was a 'North American' Cuban—he was a bit of us."

Hemingway, born in Oak Park in 1899, lived in Cuba from 1939 to 1960. It was Herbert Matthews, the famous New York Times reporter, who wrote during that last year that Hemingway was "still a great hero" to Cubans. Staying on there after Castro's trimuph was "a deliberate gesture to show his support" for the Cuban revolution, Matthews said.

"He hated violence, injustice, abuses," Fuentes emphasized over and again on parting. Fuentes seemed anxious that the American visitor not forget that as he made his way down the sun-dappled path toward the road to Havana.

Castro's New World of Tourism

(By Robert Gruenberg)

HAVANA.—Remember the days, back before 1959, when gay Havana meant a wild fling across the water, just a short hop from Miami?

Remember when it meant wide-open gambling at the casinos, women in the raw from gaming table to the tower suite and live pornography in not-so-secret hideaways?

Remember?

Well, forget it.

The government of Fidel Castro is bent on developing a totally different kind of tourism. It is one that will cater, says Jose Cruz Montano, spokesman for the Cuban Government Tourist Office, primarily to families, and not high rollers, women of adventure and drug freaks.

Like sugar, tourism in the old days was one of the main sources of foreign income to Cuba, and the government has a five-year plan for reviving it.

Cruz Montano said he could not provide the figure for the total amount of investment, but said that the project calls for 62 top-rated hotels on the 700-mile length of the island, with 18 now a-building.

Already in Havana, he said, "mini-brigades"—33-member groups of workers, in particular industries—are renovating three well-known hotels, the Victoria, the Plaza and the Inglaterra. The workers and their families are expected to get first crack at enjoying them.

Resorts are being built in all the provinces, including fabled Varadero Beach, about 85 miles east of Havana, facing on the Strait of Florida. The emphasis is on developing tourism for Cubans, so they may spend at least part of what Cruz Montano said were obligatory four-week paid vacations in family facilities, with cook-in arrangements or combination sleeping cabin-hotel dining arrangements.

Foreign tourists also are being welcomed, and so far, he said, the Canadians and the Russians are sending the most, with other European nations also represented.

The government would like the number of tourists to zoom.

The Canadians—who never broke relations with the Castro government—are already here in force. They started arriving in small numbers three or four years ago and, according to Canadian Ambassador Malcolm Bow, 1975 will see between 15,000 and 20,000 of his country's visitors here.

The Canadians come on charter operations, mainly by Unitour, Suntour and Globe travel agencies, operating from Toronto and Montreal, at what are certainly bargain prices compared with other Caribbean vacations. A one-week vacation last year, with air fare, hotel accommodations, meals and interpreter included, cost $295. This year the price is up to about $360. There are various combinations: six days at Varadero with one in Havana, or a five-and-two itinerary or four days at the Isle of Pines and three in Havana.

Life is serious, even on vacation, and one of the Canadian tours had listed for the day a visit to a tobacco factory, among other educational sights.

Havana, like many U.S. cities, appears to need a face-lifting. Yet it is neither as drab as has been portrayed, nor as exciting as the travel posters would have it.

The Malecolm, that wonderful, wide seaside drive, needs grass and trees to soften the cement seawall's trysting sites, if for no other reason.

Old Havana, with its Spanish fort, cannons, and old houses, is still charming, and clean.

Repairs under way on one tower of the 205-year-old Cathedral of Havana and installation of old-style wooden paving blocks on a tree-shaded plaza a short distance away suggest that the government, loudly proclaiming itself Socialist and of a new generation, still considers the colonial Spanish scene as part of its own identity and worthy of preservation.

Havana is a city of paradoxes. It may be seen in little things, such as the huge posters in Soviet realist art style showing Proletarian Man with sleeves rolled up, to the tuxedoed waiters at the Hotel Riviera, awaiting one's order.

There are the tasseled and befeathered girls with plumed headdress at the Tropicana nightclub who still rotate some mean hips to a rhumba beat and, simultaneously, the constant reminders on all sides that 1975 is "the year of the First (Communist) Party Congress."

Among these paradoxes is La Bodeguita del Medio, "The Little Tavern in the Middle of the Block," on Empedrado Street, not far from the cathedral.

It might be dismissed to the casual U.S. tourist as just another "hole in the wall," except that here are pre-revolution mementoes left over from a discredited era. There are vestiges of the late-great and near-great.

A picture of Errol Flynn drinking with a Hungarian artist friend is on one wall; a framed, faded 1957 newspaper column of Hearst columnist Dorothy Kilgallen and friends adorns another.

Here also is where Ernest Hemingway, a hero figure in Cuba, took his rum.

But here, also in frames, or carved in the wall, or scrawled, or carefully lettered, are now slogans like "Victory to the Vietnamese People," "Long Live Cuban-Czechoslovak Socialist Republic Friendship" and a special one, "Viva Cuba Libre, Chile Espera" ("Long Live Free Cuba, Chile waits with Hope"). It was signed by Salvador Allende on June 28, 1961. Behind a special glass on the wall lies what are said to be the shoes, hat and spurs of the late Chilean president.

There also is another entry, just recently added: "George McGovern, May 5, 1975."

DON'T BUY TICKETS YET

When can Americans visit Cuba? None will say, least of all Jose Cruz Montano, the government tourist spokesman who replies somewhat coldly that the decision is in higher hands than that of the director of tourism.

It will come, no doubt, after the "normalization" of relations. But when it does, one may ask, will they change two little notations on the current, official tourist map?

One, printed in a box near the southeast coast of Cuba, reads: "Guantanamo Naval Station. Territory occupied illegally by the United States of America."

The second also is in a little box on the south coast of Cuba, near the Bay of Pigs. It reads: "First Defeat of Imperialism in America. April 19, 1961."

The 1,700 Jews in Cuba Have "Full Religious Freedom"

(By Robert Gruenberg)

HAVANA.—"We respect the government, and the government respects us."

Thus did a Cuban Jew sum up the situation in which this city's 1,500 Jews, and an estimated 150 to 200 others spread across the rest of the country, find themselves.

The speaker was a man in his 40s, with a work-lined face, and a quiet, generally cheerful disposition. He is an engineer in the government, but that did not appear to influence his conversation.

He spoke in a matter-of-fact, neutral manner, neither fault finding nor praiseful. "There is complete freedom to practice the religion," he said.

The Jewish community here was 10 times its present size before Fidel Castro came to power in 1959. As in many countries, they were largely members of the commercial and professional classes.

And, as did many members of the commercial and professional classes, they were part of the estimated 600,000 to 650,000 Cubans who left the country, mostly for the United States.

Those who remained, according to U.S. sources, were largely of three groups:

Some who were ideologically oriented to the Castro revolution.

Others who believed they could continue living comfortably in Cuba, working and drawing upon savings.

A number who felt themselves too old or—having been refugees once before, from Central Europe—too tired of running and starting life a third time in another country.

Of the 1,500 here, about two thirds are elderly, and retired, living on payments for nationalized proportions or other means. The rest work, mostly as professionals and, as with other Cubans, the government is their employer.

Five synagogs, the same number as before 1959, are still maintained, with services held several times weekly and on the Sabbath. As usual, most attend during the High Holy days. The houses of worship range through Orthodox, conservative and reform, along with a Sephardi Jewish temple.

(Sephardi Jews are of Hispanic background, although the term is generally applied to those from the rest of the Mediterranean basin, and the Mideast. They differ in language and certain religious observances from the majority American and European Ashkenazi Jews.)

The community maintains a private elementary school, but as with all Cuban schools, it is nationalized. A Hebrew-speaking, but non-Jewish, Cuban instructor teaches all the regular subjects that other primary school students learn.

There are only 37 students in the school and, as are Cuban students elsewhere, they are Pioneers also. Pioneers are the blue-uniformed young school-age group to whom the principles of the Cuban revolution are inculcated. Membership is virtually obligatory.

What will happen to Jewish faith and practice, with a dwindling group of 37 out of a population of 1,500? Someone shrugs and smiles thinly. "Much depends upon the home, too," is the reply.

Cuba, as did other Third World countries, broke relations with Israel during the 1973 war. While Castro has referred to the "aggressor Israeli state" and newspaper headlines may speak of "Zionist troops" in Lebanon, this has not expressed itself in any kind of overt government anti-Semitism toward Jews, according to several Jewish residents.

CASTRO COY ABOUT LINK WITH U.S.

(By Robert Gruenberg)

HAVANA.—Nobody speaks of a definite timetable for resuming U.S.-Cuba relations, but it generally is expected that this will take place before the end of 1975.

If a timetable exists, Prime Minister Fidel Castro and his few, privileged top advisers are the only ones aware of it.

The projected meeting in mid-July of a special group of the Organization of American States to end the ostracism of Havana in that hemispheric body is expected to play prelude to ending the 11-year-old U.S.-imposed embargo on Cuba and to open the way to subsequent consideration of U.S.-Cuban problems.

Castro has never hesitated to indicate his disdain for the OAS. He once called it the "whorehouse of imperialism" further U.S. political commercial and diplomatic exploitation.

He condemned it all over again during the recent visit by Sen. George S. McGovern (D-S.D.).

Cuban officials leave the formal impression they are in no hurry to resume the interchange.

While statements by McGovern about future U.S.-Cuban relations almost bordered on the euphoric, it was noteworthy that stories about his arrival, visit and departure were limited to several tersely written paragraphs in Havana's two government-controlled dailies.

The image of the eager, pliant "little brown brother to the south," which held sway before the Cuban revolution 16 years ago, is gone.

With the Soviet Union pouring something like $340 million to $350 million (according to U.S. estimates) annually into the Cuban economy—aside from military aid—Cuba appears to be able to cope without U.S. assistance.

The evidence of Russian aid is everywhere. It ranges from the raw material, spare parts, training and technical advice to revitalize Cuba's only steel mill to the dour, unsmiling Russian military officers who frequent the formerly luxurious, now faded, Hotel Riviera.

At a housing construction site at Alamar, about eight miles east of here, the motor running the crude elevator that carries the cement to the fourth floor—has Russian markings. The cement itself is from Romania. The Behemoth trucks grinding by are Soviet-built.

If the embargo hadn't been imposed, it all might have come from the United States.

But, despite the official posture of restraint, Castro himself has openly indicated, he would welcome a resumption of relations with the United States.

It is implied when he says the United States has not sufficiently reciprocated the Cuban "gesture" in agreeing to the 1967 hijacking resolution to solve a "strictly U.S. problem."

It was implied in his frank answer to McGovern when they were discussing farming and cattle breeding.

Would Castro be interested in buying beef cattle if trade relations were restored? McGovern asked.

"Absolutely," replied the Cuban leader, going on to discuss the "excellent agricultural products" of the United States, its geographical proximity and the difficulties in importing Cuba's necessities over long overseas distances.

Experienced observers here, not necessarily Cuban but at the same time familiar with the successes and failures of the last several years, put the case for dropping the embargo and resuming relations this way:

It is important that Cuba be brought back into the mainstream. A "momentum" in Cuban national existence has been developed that reaches beyond strictly economic terms.

Further, it has been done across the various facets of Cuban life in an exactly opposite manner from that in most developing countries.

In those countries the emphasis was, first, on achieving economic development, then improving the social sector and, finally, fleshing out a political framework.

Cubans have gone about it almost exactly the opposite way: trying to improve social conditions—albeit at great cost to the economy and the democratic process as Americans understand it. With the establishment of what one observer called "a strong, human base" they then tended to the other factors.

Cubans maintain they now have that base.

You can stand on a street corner and shout "Down with Fidel!" insisted one non-Cuban who has lived here for a number of years. "But you can except to get clobbered by about 20 other Cubans."

The "human base" was created as a result of advances in education, public health, employment, medical care and housing. Government and non-government persons alike acknowledge there are persons who oppose the government, especially those who were in a higher economic group before, but they are not regarded as a threat.

One political expert noted that in the beginning Cuba was seen as, first, a Communist country; second, a revolutionary country; third, an undeveloped country and, finally, a Latin American country.

Now it is seen in reverse order. "It has never been anything else but a Latin American country, nor will it ever be," he said.

Testimony to this, it may be argued, is not only in its own Latin personality, but in its increasingly close relations with nations in Central and South America—all of them, with the possible exception of Peru, with economic and social systems that defy Cuba's.

The Cuban atmosphere is heavy with exhortation for achieving the socialist millennium. The papers are filled with the thick prose of proletarianism; signs urging greater production beat down from all sides; there are constant celebrations and limitless "fraternal" meetings of groups from East European and Third World countries.

Yet, for all of this, Cuba still doesn't have the same ambience reported by visitors to Eastern Europe.

Nobody blinks at the fact that there are political prisoners. Cuban officials refused to allow reporters to see them or to visit labor camps where, presumably, character "development" is under way.

Castro, when asked about prisoners, replied that "every country has them."

Dissent is reported to be limited largely to the intellectual community. If there is any kind of an underground, there are no outward signs of it, no slogans scrawled on walls as there were when Castro's 26th of July followers were underground before 1959.

"The 'Pioneros' (elementary school children, dressed in blue uniforms and under the guidance of high-school age Young Communists) could maintain public order," said one man.

It appears to be an organized, if not disciplined, society. It is the only society that an entire generation of youngsters has known. "The revolution," somebody said, "is history."

Older persons remember the era of dictator Fulgencio Batista, whom Castro overthrew. There were labor camps and prisons and death by gunfire in those days, when Cuba professed to be "democratic."

Soviet control, according to one authority, is less than it may appear to be.

Castro and those who fought at his side are still in key command posts. The hierarchy includes some old-time Cuban Communists who are presumed to have more than a touch of nationalism.

But upward bound now are the technocrats, men and women who pay vocal—and probably genuine—public tribute to socialism. However, their priority is to get the job done—get that Romanian cement up to the fourth floor and more eggs in the henhouse.

Gaiety does not prevail. One senses in conversations with middle-level bureaucrats and the limited number of ordinary citizens with whom reporters manage to converse, a sense of guarded optimism.

The year 1970 was bad. All efforts had been devoted to achieving a record 10-million-ton sugar harvest. Eight million tons were gathered, a record. But to do so, people and resources were drafted from other areas of the economy, and the economy suffered as a result. The curve has been upward in 1974 and 1975, Cubans say.

Now preliminary consideration is being given to "institutionalizing" the government with a constitution that provides some surprisingly flexible ideas on the traditional freedoms.

Yet it is only on paper. And it is structured within the limits of the "socialist state of workers and peasants and all other manual and intellectual workers" (Art. 1). And it declares that "the Communist Party of Cuba, the organized Marxist-Leninist vanguard of the working class is the highest leading force of the society . . ." (Art. 5).

The test of whether wider liberties will be introduced is ahead.

One can speculate whether Castro—commander-in-chief, first secretary of the Communist Party and prime minister—is risking his own existence by trying to edge closer to the Western countries.

Currently, the answer appears to be no. He is a legend in his own time.

THE FOLLY OF CONCORDE

Mr. TUNNEY. Mr. President, during consideration of the Department of Transportation appropriations shortly before the August recess, an amendment to ban commercial flights of foreign supersonic aircraft into U.S. airports was offered by Senators PROXMIRE, CASE, and BAYH. As a cosponsor of this amendment and a proponent of this position, I was naturally dismayed that the measure failed to carry the Senate by a mere three votes.

In my statement during debate, I cited a number of reasons why Concorde and other SST's should be prohibited from commercial flights into this country. One of those reasons was the economics of the vehicle itself. I was convinced that the Concorde and the TU–144 would prove to be cost-ineffective from the standpoint of passengers who would use the service, and the numbers of passengers who would be diverted from U.S. carriers to Concorde.

In order to ascertain the impact of Concorde on our international carriers and the actual and potential use of Concorde by Americans on a regular commercial basis, I requested the Council on Wage and Price Stability to analyze the available data and estimate the cost/benefit tradeoff of Concorde.

Their response is anything but encouraging to British Airways and Air France, and stands as evidence of the folly of allowing such flights. The tradeoffs are too great. Concorde alone would divert $30 million of service from Pan American and Trans World Airlines, based on flights between New York and Washington and Heathrow and Orly. Approximately 30,000 passengers would be diverted to Concorde. Further, the report points out that long-term flights would prove to be a financially losing proposition.

Based on this new data, I again call on the Federal Aviation Administration and the Department of Transportation to reconsider the value of approving these flights which will not continue over the long run, but will create environmental and financial discomfort if carried out over the short run.

I ask unanimous consent that the text of the Council on Wage and Price Stability report and an article by Reuters which appeared in the Los Angeles Times be printed in the Record.

There being no objection, the report and article were ordered to be printed in the Record, as follows:

Executive Office of the President, Council on Wage and Price Stability,
Washington, D.C., August 13, 1975.
Hon. John V. Tunney,
U.S. Senate,
Washington, D.C.

Dear Senator Tunney: Enclosed please find the investigation of the economic impact of the foreign-made SSTs on the U. S. domestic market that you requested in your June 3, 1975 letter to Secretary Simon and that I promised you in my letter of July 3, 1975. As you requested, we are filing the report before the FAA docket on the EPA proposal to FAA on the noise requirements for Civil Supersonic Airplanes.

Because of time and data limitations, the report only attempts to estimate the upper range of the possible diversion of passenger revenue from Pan Am and TWA to the Concorde. The study placed this upper bound estimate to be about $30 million a year assuming four Concorde flights a day from New York and two flights a day from Dulles as requested by British Airways and Air France. This estimate of lost revenue amounts to about 1.2% of Pan Am's and TWA's 1974 total passenger revenues.

Since the Soviet Union has not requested regular commercial operation of the TU-144 to the U.S., revenue diversion to the TU-144 was not considered.

If you have any questions or if the staff of the Council on Wage and Price Stability can be of any further assistance, please feel free to call me.

Sincerely,
George C. Eads,
Acting Director.

Enclosure.

Comments of the Staff of the Council on Wage and Price Stability Regarding EPA's Proposed Noise Requirements for Civil Supersonic Airplanes

Senator John Tunney has asked the Council on Wage and Price Stability to provide to the docket on the Civil Supersonic Airplane Noise Requirements submitted to the Federal Aviation Administration by the Environmental Protection Agency an analysis of the economic impact of the proposed Concorde flights on the U.S. flag carriers. A copy of this request follows as Attachment #1. Attachment #2 is the above-mentioned study done by one of our analysts.

The study assesses the economic impact on the U.S. carriers of allowing four Concorde flights a day into New York and two flights a day into Washington. These are the number of flights requested of the FAA by British Airways and Air France. The study was completed with a minimum amount of data and time and is only a guide to the order of magnitude involved. However, the study attempted to estimate an upper bound of passenger diversion. The estimate is that up to $30 million of revenue may be diverted from Pan Am and TWA—an amount equal to about 1.2 percent of their combined 1974 passenger revenues.

The FAA notice of March 20, 1975, set May 30, 1975, as the closing date for the docket. However, since we did not receive the request until after the closing date and since we understand that the final decisions on these matters have not been made, we hope that this filing will be taken into consideration.

Respectfully submitted,
Thomas D. Hopkins,
Acting Assistant Director, Government Operations & Research Council on Wage & Price Stability.
Vaughn C. Williams,
General Counsel, Council on Wage & Price Stability.

Executive Office of the President, Council on Wage and Price Stability,
Washington, D.C., August 6, 1975.

Memorandum to: George Eads, Assistant Director, Government Operations and Research.

From: John Morrall, Economist, Government Operations and Research.

Subject: Impact of Proposed SST Flights on Pan American and TWA.

In estimating the demand for a wholly new travel option such as the SST, many assumptions and estimates must be made that greatly reduce the reliability of the projections. Lack of time and resources also handicapped this effort. However, I believe some reasonable inferences can be made based on the limited data presently available and conventional economic demand theory.

The major finding of the investigation is that compared to TWA and Pan American's total passenger generated revenue, the diversion of revenue envisaged by the limited flights of the Concorde requested of the Federal Aviation Administration by British Airways and Air France would be small. An upper estimate is that Pan Am and TWA could lose $30 million a year in revenue or approximately a one percent decline on their total passenger revenues. It should be emphasized that this is a "worst case" estimate. In actuality I expect the actual figure to be somewhat less. However, it was thought that a conservative approach should be taken here.

The approach I have followed in estimating the potential demand for Trans Atlantic SST service is to identify three subgroups of travelers from whose midst most candidates would come. The groups are: first class travelers, people on time-sensitive business, and individuals with incomes of over $50,000 per year. The passengers willing to pay the extra money for the time saving promised by the Concorde are most likely to come from one or more of these groups.

THE DEMAND FOR THE SST

The demand for a particular travel mode depends upon three major factors. The price, the quality of the service, and the time saving involved. Only for the latter factor does the SST enjoy a clear cut advantage over subsonic aircraft. The time saving on the SST is estimated to be about a three hours advantage over the present subsonic aircraft on the North Atlantic route.

However, in exchange for this time savings, the fare is expected to be 20 percent above the first class fare. Since the present round trip first class fare between London and New York is $1,156, the additional cost would be $231.20, or $1,387 in total. Thus one would be paying $38.53 per hour saved on a round trip. Other things equal, e.g., quality of service, a passenger might be expected to choose the SST over first class if spending one hour less on a plane was worth to him (or to his company, if on business) more than about $39. For a passenger presently flying economy class at the present average round trip cost of $650, the extra costs for the six hours total saving would be about $123 per hour.

One method of calculating the value of time to an individual is to use his or her hourly wage rate. However, this procedure is only legitimate if the individual has control over the time he works and if the lost time has no utility. For the income group implied here, the first condition probably holds but the second likely does not. A person can sleep, eat, read, and even work on an airplane and, therefore, this time does have positive value. Thus, using one's hourly wage rate to estimate the value of saving time on an SST likely overstates the true benefits of the faster mode of travel.[1]

Using this estimate and maintaining the *certeris paribus* assumptions on the quality of service except for time, the annual income threshold for passengers that might be expected to choose the New York to London and back SST flight over first class may be estimated to be about $78,000 while about $245,000 per year would be required in order for one to choose the SST over the economy fare. Note that these figures should be just wage or salary income per passenger not total family income. It is therefore highly unlikely that many passengers would be diverted from the economy fare.

About eighty percent of TWA and Pan Am's passengers fly the North Atlantic using the various discount and charter options available. These flights frequently require advance booking and/or travel restrictions such as length of stay, group membership, and ground accommodations. The fares are also much lower than economy class, ranging down to less than one quarter of the proposed SST fare. It is even less likely that these travelers would pay $800 to $1,000 more to save six hours of travel time when they have already chosen scheduling inconvenience in return for saving money.

The potential demand for the SST would be widened if the quality dimension clearly favored the SST. However, except for the novelty and glamour of the plane (which may be expected to wane in the long run) and the time factor (which has already been counted), most of the quality factors favor the subsonic aircraft. The seats are wider, the plane less cramped in space, the load factor may be less, and the frequency of service will be greater. And certainly at first, the reliability and the number of on time departures is likely to be greater for the subsonic aircraft.

From the above analysis it appears that most of the diversion from the subsonic airlines will be from their upper income first class passengers. However, first class passengers make up a relatively small percentage of Pan Am and TWA's total number of passengers. In fact, Pan Am and TWA's 1972 transatlantic passenger mix (a relatively good year) consisted of only 4.6 percent first class and 16.8 percent economy class with the rest being discount and charters.[2]

In 1971 Pan Am and TWA carried 50,310 first class passengers between New York and London and New York and Paris. If this traffic kept pace with the overall increase in North Atlantic traffic from 10.7 million in 1971 to 12.7 million in 1974, approximately 60,000 passengers flew first class in 1974. The four departures from New York per day imply approximately 368,640 available seats per year (4 flights × 138 seats × 360 days × 2 for round trips). Even if 60 percent of the passengers came from foreign carriers, the potential capacity is more than enough to accommodate all of the present first class traffic. However, although the supply is there, the factors discussed above indicate that the demand may not be.

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[1] Indeed, many analysts arbitrarily use one half of a passenger's hourly earned income to estimate the opportunity cost of travel time. If we took this approach it would double our annual earned income estimates.

[2] See "The Effect of Discount Fares and Charter Operations on Yields and Operating Revenues in Transatlantic Operations" (*CAB Report,* June 1973).

An individual probably has to be earning over $75,000 a year to make the Concorde a viable option. One study done for the International Air Transport Association by Robinson Associates found that approximately 6.5 percent of the passengers that had flown the North Atlantic in the last three years had family income of over $50,000.[3] Applying that percentage to the approximately one million passengers flown by TWA and Pan Am between New York and London and Paris implies that about 65,000 had family incomes over $50,000 per year in 1974. Certainly the number of individuals earning over $75,000 per year who might be candidates for the SST would be a small percentage of the 65,000.

However, at any one point in time an individual's time might be worth quite a bit more than his hourly income. This situation might occur for a businessman who is trying to close a deal before his competition. In such a case, the firm would value its employee's time according to the profitability of the deal and the probability by which a shorter time period enhances the completion of the deal. Furthermore, because a firm values an employee's contribution according to his average revenue product yet pays him in a competitive market according to his marginal revenue product, the hourly wage rate may undertake a firm's evaluation of its employee's time.

This line of reasoning indicates that the number of individuals traveling the Atlantic for such business purposes may provide further evidence of the potential demand for the SST. According to the *Census of Transportation*, 19 percent of the travel to Europe in 1972 was for purposes of business and conventions while another question revealed that 17 percent were "not on vacation." However, these figures overstate the number of individuals on time-sensitive business because they include travel for academic, educational, and convention purposes.

One revealing survey done for the IATA study cited above, found that 14 percent of North Atlantic travelers expected that their next trip across the Atlantic would be for business or business and pleasure but that only 2.7 percent expected the trip to be for business only. Since a trip that mixes business with pleasure is not likely to be time-crucial, it is not likely that these travelers would be candidates for the SST. This argument leaves the figure of 2.7 percent, or about 30,000 passengers, as our best estimate of the pool of potential business travelers that might be candidates for the SST.

In predicting diversion from the flag carriers to the Concorde, a further consideration is that the flag carriers are not apt to sit back and do nothing if it appears that they might lose passengers. They would react by changing the quality of service or the price of the service in such a way as to recapture the loss revenues. Possible reactions include, but are not limited to, lowering the price or improving the quality of the first class service. One possibility might be to provide secretarial service. Another move already mentioned by the carriers is to introduce an intermediate class between first and economy that would cater and possibly be limited to just businessmen. A natural reaction is to space departure around SST departures to take advantage of the greater frequency and flexibility of service that the subsonics could enjoy.

Indeed, it should be pointed out that the net effect of the increased competition provided by the SST may be to cause TWA and Pan Am to make changes in their fares and fare structure that might actually stimulate their revenues.

THE REVENUE LOSS

Given the above observations, it is possible to make a ball park estimate of the revenue diversion from TWA and Pan Am on the New York to London and Paris runs. The estimates of 60,000 first class passengers, 30,000 business-only travelers, and 65,000 individuals with incomes over $50,000 are all maximums, not predictions. They are pools of potential travelers, all of whom are not likely to be willing to pay the added cost for the shorter flight. Furthermore, the pools are certainly not additive since there will be a lot of overlapping between these subsets of passengers. Given these considerations, a reasonable guess is that perhaps 30,000 passengers might be diverted. Assuming they are all first class passengers produces an estimated $23 million revenue loss or about $30 million a year including the two flights a day Washington-Dulles runs. That figure amounts to 1.2 percent of Pan Am and TWA's almost 2.5 billion passenger revenues for 1974.

This figure is probably an upper estimate of the revenue loss of the domestic carriers because:

(a) It does not take into account the fact that a large part of Pan Am and TWA's traffic is captured due to the requirements that U.S. Government workers and military personnel must fly domestic flag carriers.

(b) It assumes all diverted passengers were paying first class fares while some would be paying economy fares that average about one-half that of the first class fare.

(c) It assumes that Pan Am and TWA allow the empty seats of the diverted passengers to remain empty while one would expect that they would take steps to fill that space, perhaps with lower fare paying passengers.

In other words, the overall effect on the revenues of the U.S. flag carriers of the limited operations of the Concorde recently proposed is likely to be small. Furthermore, offsetting this effect is the benefit of the increased competition and the greater number of travel options opened up to U.S. citizens traveling the North Atlantic.

Finally, these estimates imply that the Concorde will not be covering its direct operating costs on the North Atlantic runs. In fact, the shortfall is quite large. Based on data as of December 1974, the FAA estimates direct operating costs per seat mile for the Concorde to be 4.5 to 6 cents. These figures imply direct operating costs of about $97 to $129 million per year (7,200 miles × 360 days × 6 roundtrips × 138 seats × 4.5 or 6 cents costs) for the proposed flights. Our estimate of passenger revenue is about $50 million (doubling the $30 million for diversion from foreign flag airlines). If these figures are in the ball park, it is not likely that the proposed frequency of Concorde flights would be maintained for long on the North Atlantic routes.

$75,000 Annual Income Bracket—Study Shows Concorde a Toy of Rich

Washington.—Only people earning more than $75,000 a year are likely to choose to fly the Concorde supersonic jet across the Atlantic, according to a report released here Thursday.

The U.S. Council on Wage & Price Stability said this would limit the potential number of passengers on transatlantic flights to about 60,000 people a year. It said this would result in large operating losses for British Airways and Air France.

And about half of the passengers would be diverted from Pan American World Airways and Trans World Airlines, the U.S. flag carriers, who would lose $30 million a year in revenues, it added.

The report, prepared at the request of Senator John Tunney (D-Caif.), bases its estimates on a return fare of $1,387, 20% more than current first class fare across the Atlantic.

Council economist John Morrall said such fares would offset the Concorde's speed advantage over conventional jets, except for very wealthy persons. He said the faster flights by the Anglo-French Concorde also would be offset by more comfortable conditions on conventional jets and their more frequent services.

British Airways and Air France have requested authority from the United States to operate four return trips a day between New York and London and Paris and two a day between Washington and London and Paris beginning early next year.

There is strong opposition to the flights among a number of congressmen and citizens' groups who claim Concorde will be too noisy. Both the Senate and the House recently defeated legislation which would have banned Concorde flights.

"An individual probably has to be earning over $75,000 a year to make the Concorde a viable option," Morrall said in his report.

"A reasonable guess is that perhaps 30,000 passengers might be diverted (from Pan Am and TWA)," he said.

Morrall said the Federal Aviation Administration was estimating direct operating costs of the Concorde at between $97 million and $129 million a year based on six round trips a day between the United States and Europe.

But the flights would produce only about $50 million a year in revenue, the report estimated.

"If these figures are in the ballpark (reasonably accurate) it is not likely that the proposed frequency of Concorde flights would be maintained for long on the North Atlantic routes," Morrall said.

DEATH OF EAMON DE VALERA OF IRELAND

Mr. KENNEDY. Mr. President, Eamon de Valera dreamed great dreams and he was blessed with both the ability and the opportunity to make those dreams come true. His death last week deprives the people of Ireland of one of their greatest leaders and takes from the world one of its finest symbols of courage and leadership.

The accident of American birth that saved him from a firing squad in the bloody days of 1916 was the prelude to a lifetime of historic achievement for the cause of Irish liberation and the development of Ireland. Under his guidance, the Republic of Ireland took its rightful place among the world's free and independent nations. His accomplishments are the stuff of legend. His example will continue to guide and inspire all those who carry on his work.

There are also many personal recollections. Eamon de Valera was a good friend of my father. And when President Kennedy landed at Dublin Airport on his memorable visit to Ireland in 1963, President De Valera was there to meet and welcome him. Later, in addressing the Irish Parliament in Dublin, President Kennedy noted that, if President De Valera "had never left Brooklyn, he might be standing up here instead of me."

Mr. President, I ask unanimous consent that a number of editorials and articles on Eamon de Valera may be printed in the RECORD.

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[3] *Consumer Perceptions and Evaluations of Transatlantic Air Fares*, prepared for the International Air Transport Association by Robinson Associates (Bryn Mawr, Pennsylvania, Nov. 1974), p. 20, Vol. II.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Boston Globe, Aug. 30, 1975]

IRELAND LOSES A HERO

He was "Dev", or "The Long Fellow", and—to those who followed him in battle—"The Chief." But, though Eamon DeValera lived to be 92, he did not live to see his dream of a unified Irish republic become a reality.

The austere, scholarly Irishman who died this week wave a symbol of nationalism in a world where the identity and integrity of small nations have become a renewed and burning concern. But, when his hopes were thwarted, when his dreams failed, he turned to political action and kept hoping and dreaming. And because of this, the old Irish Volunteer was shunned at his resignation as president, two years ago, by both the Sinn Fein and the Fine Gael.

Nearly 60 years have elapsed since the New York-born mathematics teacher from Dublin led a puny force of poorly armed Irish Volunteers into a roadside flour mill to challenge the might of an empire in the uprising of Easter, 1916. That made him a hero with the Irish who found his combination of courage and mysticism quite irresistible.

The Ireland of his childhood was a dreary land, still smarting from the wounds of a disastrous famine, its people aching for land reform and, above all, Home Rule.

Timelessly he crusaded for those objectives. And history must show that his victories outnumbered his reverses. But reverses are also part of the DeValera record. He failed to carry the Irish people in opposition to the Anglo-Irish Treaty of 1921 or in support of a civil war to sustain the ideal of an Irish republic. And, if Ireland is now a prosperous part of Europe and an active member of the Common Market, Ulster is still painfully divided from the 26 counties of the south.

Despite DeValera's rebel image, it was through constitutional action that he achieved the most for his country—the virtual repeal of the 1921 Treaty clauses he found most obnoxious, the development of industry, agriculture and the expansion of educational facilities.

His role at the League of Nations—he served twice as its president—made him a world figure over 40 years ago, as did his participation in the European conferences that modelled the Marshall Plan and later the Common Market.

During World War II the Irish Republic maintained its neutrality despite offers from Winston Churchill to support union in exchange for Dublin's participation in the war. So long as the Ulster government had a veto, DeValera would not bargain on the issue of partition. But in any case, the former prime minister and then president believed with Roger Casement that "Ireland has no blood to give any land or any cause but that of Ireland." In the end, his battle was reduced to trying to restore the use of Gaelic to his native land.

[From the New York Times, Aug. 30, 1975]

A MAKER OF IRELAND

"If I wish to know what the Irish want," said Eamon de Valera, "I look into my own heart." It was a claim that recalled Charles de Gaulle's self-identification with France; but not even Mr. de Valera's onetime British enemies nor his most implacable foes on Ireland's political battlefronts would seriously challenge its validity.

On his eightieth birthday in 1963, one among the many tributes provided an accurate assessment of Mr. de Valera's life: "He demanded nationality, and where there was no country to contain that nationality, he made one." And when he retired at 90 two years ago after two terms as President of the Republic and three as Prime Minister, he predicted that he would live long enough to see a united Ireland.

That last prophecy was not to be fulfilled in the two years remaining to him; yet, he could look back with deep satisfaction on the struggles he had survived, to become the father of an independent Irish Republic, as well as on the long ensuing career of service to his country—a period that brought his own mellowing along with a steady accretion of ungrudging tribute from long-time opponents.

The British spared his life in 1916 in deference to American public opinion—and not only Ireland was the beneficiary.

[From the Washington Star, Sept. 2, 1975]

IRELAND NEVER WILL FORGET

So they are burying Eamon de Valera today in Ireland, and for this moment the past sweeps back; one visualizes, as in an amber mist, the deadly earnest faces of those young men he helped lead in the Easter uprising of 1916 against the British. One hears again, thin in the distance of time, those songs both sad and lusty of the revolution. Out of all the desperate sacrifice and terror from whence finally sprang an independent Republic of Ireland, de Valera emerged as a peerless symbol of his country, to dominate its politics for 40 years.

And his death last Friday at 92 reminds us how few leaders are left who can, by their very presence, electrify as he once did. The power of character was there, the solemn heroic mold, proved in the test of fire. As a nationalist, his was an iron determination that bowed eventually to needful and constructive compromise, which caused him trouble with some of his countrymen. But true nationhood, divorcement from Britain, came at last through all the recurrent agonies. And none in Ireland ever could forget what he said to the British troops that day when he was the last commander to surrender, as the rising of '16 was crushed: "I am de Valera. Shoot me, but spare my men."

They'd have shot him, too, except for his American citizenship. Born in New York of a Spanish immigrant father and an Irish mother, he was sent to Ireland as a small child. And how fortunate is that flourishing country that the birthplace saved him from execution to become twice president of the Republic of Ireland, three times its prime minister. For he was a force for stability perhaps as no one else could have been, after independence had been won. Though his dream of unifying the Republic and the six counties of Northern Ireland was unrealized at his death, he was wise enough long ago to give up the idea of attempting this by force.

True enough, his refusal to make any alignment in World War II was not one of Ireland's more prideful postures, but there has been none greater in service to his people, and in courage to defend what he deemed their honor and interests. There was a special, towering dignity about him that they never will forget, nor will the rest of us.

[From the Boston Globe, Aug. 30, 1975]

IRELAND'S EAMON DE VALERA; FORMER PRESIDENT WAS 92

(By Brendan Malin)

Ex-President Eamon de Valera, the dominant figure in Irish politics for half a century, died in Dublin yesterday. He was 92.

He died in a Dublin nursing home of bronchial pneumonia and heart failure. At his bedside were his family and staff, two priests, including his grandson, and his personal physician.

His body will lie in state in Dublin Castle for two days before a state funeral Tuesday. Burial will be in Glasnevin Cemetery.

The austere Irish leader who piloted Southern Ireland from a British dependency to a confident democracy was the oldest ruling head of state in Europe when he closed out his second term as president two years ago.

The last surviving commandant of the 1916 uprising against British rule, "Dev," as his Irish admirers called him, combined force with constitutional reform to give southern Ireland the status of a republic.

Born on Oct. 14, 1882, in Brooklyn, N.Y., de Valera made his childhood home in Ireland by virtue of a family tragedy. His father, Spanish immigrant Vivion de Valera, died when his son was 2 years old, and his mother, Limerick-born Catherine Coll, decided that the boy should spend his formative years with her parents.

Young Eamon matured on a Southern Ireland farm and by virtue of rural atmosphere and scholarship took the land of his adoption to his heart.

The famine which consigned millions of Irish to the grave or the emigrant ship was still a grim memory in the community of his boyhood and anchored to it was the crusade for Home Rule—"the land for the people and death to the landlords."

A scholarship took him to college education in Dublin and into the vortex of the nationalist movement culminating in his dramatic involvement in the uprising against Britain of Easter, 1916.

DeValera was a professor of mathematics in 1908 when an outcrop of the Ireland-for-the-Irish crusade drew him to the Gaelic League, proferring inexpensive classes in Irish language and culture. His teacher was a petite golden-haired Irish-Irelander named Jane O'Flanagan. Two years later they were married, a union which for 50 subseqeunt years was to add a constant spark to his enthusiasm for a Gaelic-speaking Ireland.

From this rarefied Celtic compound it was a short step to alliance with the physical force movement—Sinn Fein and the Irish Volunteers—planning and arming secretly for "a strike" for Irish freedom. It came in April 1916 and 'Dev'—the last surviving commandant of the 'Easter Week' uprising—was posted with 120 men in a commandered Dublin suburban flour mill, to deny the entry of British reinforcements to the main conflict in the city center. He was, to use his own words, "still in a good position" when orders came from his commander-in-chief, Padraig Pearse, to surrender.

Thereafter came a court martial sentence to death, commuted to life imprisonment, and many, many dreary months in three different British prisons, ending in a dramatic escape.

Back home he could sense a remarkable resurgence in the national response—sparked mainly by the out-of-hand shooting of most of the 1916 uprising leaders. It swept him and more than 70 other revolutionary leaders into power as members of a Republican assembly called Dail Eireann. Soon he was president of the fledgling Irish Republic and on his way to America as its emissary to seek official recognition and financial aid. In a coast-to-coast campaign he raised $7 million for the rebel cause, staging his biggest and most productive rally in Boston, an event which made this city very much part of his memory.

The cease-fire in the Anglo-Irish war came in the fall of 1921, and with it came "the winter of his years" for Eamon de Valera. The terms of the treaty insisted on by Britain—the alternative, Prime Minister Lloyd George said, was "immediate and terrible war"—conceded none of the de Valera precepts of Irish sovereignty. The Irish Republican movement split on the issue and Ireland, and with it de Valera, plunged into the abyss of civil war.

In about 12 months the rebel side which he led was crushed, and de Valera again was back in jail—this time the guest of his own countrymen.

On release he gathered the broken legions of his clan together, formed a new party called Fianna Fail (Soldiers of Destiny) and within seven years was swept back into governmental power.

Now he set his hand to the achievement by constitutional process what had been denied him through force.

In less than two years he had emasculated the Anglo Irish treaty which he fought in arms to abort. He scrapped the oath of allegiance to the British crown required from Irish members of Parliament under the 1921 pact, set aside the right of the British Privy Council to finally adjudicate on the rulings of the Irish Supreme Court, abolished the office of governor general, the Crown representative in Ireland, denied Britain the right to extract a land tax from Ireland as an annex to the 1921 settlement, and eventually instituted a new constitution giving southern Ireland the pattern of a republic headed by a president.

At the same time, he pressed forward with a relentless policy of economic and social reform, based on the revolutionary Sinn Fein policy of "ourselves alone." By tariffs and subsidies he guaranteed the home market to Irish farmers, spurred employment by the formation of diversified industry, launched slum clearance and funded working-class housing estates in the city suburbs, introduced "family allowances" to aid lower-income wage earners.

From 1932 he held power, unchallenged, for 16 years and during all that time he combined the office of minister for foreign affairs with that of prime minister.

His world impact ranged from the League of Nations—he was its president twice—through the European Recovery Program (Marshall Plan) and on to the structuring of the Council of Europe the godfather of the Common Market.

Throughout his career he made some six visits to Boston, ranging from the fund-raising crusade of 1919 to a short stop at the end of his official visit as president to his US counterpart Lyndon Johnson.

Statistically his record is impressive: six years as revolutionary leader; 13 as leader of the parliamentry opposition; 21 years as prime minister; 14 years as president.

Opponents and political observers have expended a wealth of words in an effort to assess de Valera's extraordinary influence on the people of Ireland. His aloofness, introspection, almost ascetic bearing would appear to find little response in the emotional Celts. And as an orator his showing was consistently poor. His mathematical mind dominated every speech—as if he was diluting the English language with the progressions of Euclid.

But time and again his limitless energy—15 hours was his normal election campaign day—his readiness to talk to the people, in almost endless detail, on the problems of the day, especially in relation to agriculture, won him fantastic waves of support. In relation to other political contestants the Irish found him "different"—and maybe that's why they lofted him to the summit for so long.

[From the Washington Post, Aug. 30, 1975]

DE VALERA DIES AT 92; FREEDOM FIGHTER BECAME IRISH PRESIDENT

DUBLIN, August 29.—Eamon de Valera, the tall, scholarly, New York-born revolutionary who rose from guerrilla leader to prime minister and president of the Republic of Ireland, died today in a nursing home. He was 92.

"Dev" was the last of the rebel commanders to surrender in the 1916 Easter Rebellion, when he told the British, "I am de Valera. Shoot me, but spare my men." His American citizenship is often cited as a factor in saving his life.

He was three times prime minister and twice president, retiring in 1973, after his second seven-year term, to the nursing home where he died.

In failing health for years, he suffered from a severe cold for several days before his death. His grandson, the Rev. Sean O'Cuiv, administered Roman Catholic rites.

Members of his family and staff were at his bedside as his condition worsened. An official statement said he died at 11:55 a.m. of bronchial pneumonia and cardiac failure.

Prime Minister Liam Cosgrave, whose father was a bitter political foe of de Valera, expresesd his regrets and offered the family a state funeral for the dead statesman. The family accepted and the funeral is expected to be Tuesday.

De Valera's body is to lie in state at Dublin Castle for two days, with burial in Glasnevin Cemetery.

Irish President Cearbhall O'Dalaigh called de Valera one of the towering figures in Irish history. "Throughout the world and in particular among peoples striving to be free, his name has been a synonym for the struggle for Irish independence," he said.

President Ford extended his "deepest sympathy and that of the American people" and said De Valera "personified the ties of kinship and friendship between Ireland and the United States."

[From the Washington Post, Aug. 30, 1975]

EAMON DE VALERA: SHAPED IRISH REPUBLIC

(By John M. Scott)

Half Spanish by descent and American by birth, Eamon de Valera, during his long lifetime, came almost to personify the Irish Republic.

For 60 years, from the day he joined the Irish Volunteers in 1913 to the day he stepped down as president of the republic in 1973, his biography was a virtual history of modern Ireland.

He fought in the Easter Rebellion, was elected the first president of the revolutionary Irish Republic and became the leader of the die-hard Republicans during the bitter Irish civil war of 1922–23. Later, as prime minister of the Irish Free State, he fashioned the constitution that severed virtually all ties between Ireland and the British Commonwealth, and demonstrated his country's independence by keeping it neutral during World War II. When he finally declined, because of age, to serve any longer as prime minister, he was elected to the largely ceremonial post of president and served in that capacity until he was 90.

Although he was venerated in his old age, throughout most of his life de Valera was a violently controversial figure. His enemies ranged from British loyalists, who considered him a traitor to the crown, to recalcitrant Republicans who could not forgive him for proscribing the Irish Republican Army in 1939.

Trained as a mathematics teacher, de Valera looked more like a professor than a politician. Tall, thin and bespectacled—he was almost blind for many years—he was aloof and unsmiling in public, with an unshakable self-assurance that infuriated those who disagreed with him.

One such person was David Gray, the United States minister to Ireland during World War II. He described de Valera in the following terms in a dispatch to Washington:

"He is probably the most adroit politician in Europe and he honestly believes that all he does is for the good of his country. He has the qualities of a martyr, fanatic and Machiavelli. No one can outwit him, frighten or blandish him."

In private life, however, de Valera was warm and charming. He led a simple life, devoted to his family and the Catholic religion, whose principles he tried to apply to his politics.

Although de Valera shaped modern Ireland according to his concept of its destiny, he nevertheless fell short of the goal he set himself. He envisioned an Ireland that was free, united and Gaelic in language and culture. He led Ireland to independence, but at his death the island is still divided, and Gaelic is still far from replacing English as the everyday language in most parts of the country.

During the Anglo-Irish treaty debate in 1921, de Valera declared, "Whenever I wanted to know what the Irish people wanted, I had only to examine my own heart." It was a statement that his enemies never let him forget. However, when de Valera ended his public career more than 50 years later, the statement sounded much less arrogant than it did in 1921.

Eamon de Valera was born in New York City on Oct. 14, 1884, of immigrant parents. His mother, Catherine Coll, was from Ireland and his father, Vivion de Valera, from Spain. He was baptized Edward, but adopted the Gaelic form, Eamon, when he reached manhood.

When de Valera was only 2, his father died and his mother went to work as a domestic. Her brother Ned was returning to Ireland, and she sent her son with him, to her family in the village of Bruree, County Limerick.

Young de Valera proved to be a good student, and at 16 won a government scholarship to Blackrock College in Dublin. There he developed an interest in mathematics, and upon graduation, began a career as a college mathematical professor.

Another of de Valera's interests was the Irish language, which he had not learned as a child. In 1908 he joined the Gaelic League, an organization devoted to preserving Irish, and entered enthusiastically into his Irish studies. On Jan. 8, 1910, he married Sinead Flanagan, who had been his Irish teacher.

Under the influence of the Gaelic League, de Valera's Irish nationalism flowered, but it was the events of 1913 that converted him into a political activist and soldier.

In that year, the British Parliament passed a bill granting home rule to Ireland. Delayed by the House of Lords, the statute was to take effect in the summer of 1914.

In Ulster, however, opponents of home rule announced that they would never accept the law. They organized a military force, the Ulster Volunteers, imported arms from Germany, and prepared to fight.

The Ulster resistance movement convinced de Valera that Irish independence would not be won by parliamentary means. When the Irish volunteers were formed in Dublin, to counter the Ulster Volunteers he signed up. In the next couple of years he became an officer in the volunteers and a member of the Irish Republican Brotherhood, an underground organization that was plotting a republican uprising.

Easter, 1916, was chosen as the date for the rebellion. Arms were expected from Germany, and when they were intercepted by the British, the revolt seemed doomed to failure. Nevertheless, such forces as could be mustered took to the field in Dublin on Easter Monday.

De Valera's battalion seized Boland's bakery, in southeast Dublin, commanding the approach to the city from the Irish Sea. The members of the battalion came under heavy attack by British troops, but held out until Sunday, when they obeyed orders to surrender. They were the last rebel troops to give up the fight.

After his surrender, de Valera was sentenced to death, as were all the leaders of the uprising. Fourteen were executed, while 97, de Valera included, had their sentences reduced to life imprisonment. It is often said that he was spared because he was by birth an American citizen, but it is more likely that it was the revulsion of British public opinion to the executions that saved his life. At any rate, he was the senior commander of the Easter Rebellion to survive.

In British prison, he was chosen by the Irish prisoners as their spokesman and leader. When the prisoners were released under a general amnesty in June, 1917, he returned to Ireland to a hero's welcome.

During the year de Valera was in prison, the Irish nationalists had united under the banner of Sinn Fein (which means 'Ourselves Alone' in Irish). De Valera agreed to become the Sinn Fein candidate for a seat in the British Parliament from East Clare, and was elected. He did not take his seat, however, being pledged, like all Sinn Fein candidates, to sit only in an Irish Parliament.

De Valera consolidated his new position of leadership by being elected president of Sinn Fein and the Irish Volunteers, and in 1918 he was back again in a British prison.

Parliament had proposed extending conscription to Ireland, and the plan met with widespread resistance throughout the country. De Valera and other nationalist leaders were in the forefront of the opposition, and were arrested by the British authorities, who claimed to have evidence of a conspiracy between Sinn Fein and Germany.

In 1918, while de Valera was in Lincoln Prison in England, a general election was held in the United Kingdom, and, out of 102 Irish seats in Parliament, 73 were won by Sinn Fein candidates. De Valera was elected from his old seat in East Clare and from Mayo. Many other prisoners were also elected.

The successful nationalist candidates—those who were not in jail—met in Dublin in January, 1919, and formed an Irish parliament, the Dail Eireann. Irish independence was declared and de Valera, still imprisoned, was elected president.

The following month he escaped from prison. The Catholic chaplain at Lincoln Prison always left his prison key in the sacristry while celebrating mass.

De Valera obtained the key and made an impression of it in the wax from an alter candle. The impression was smuggled out of prison, and a key was smuggled back inside a cake.

With the help of the duplicate key, de Valera made his way out of prison where he was met by two other Irish leaders, Michael Collins and Harry Boland. They took him to a hiding place in Manchester. He later moved secretly to Dublin, then to Liverpool, before a general amnesty for Irish prisoners made it possible for him to return to Ireland openly.

The fledgling government decided to send its president to the United States to raise funds to be used in the fight for independence, so de Valera was smuggled aboard a ship for New York.

He stayed in America for a year and a half crossing the country raising funds and trying to keep peace between rival Irish-American groups. His fund-raising tours were great successes, but he was unsuccessful in obtaining political support for the Irish Republic from the American government.

He returned to Ireland in the midst of guerrilla warfare between the Irish Republican Army and the British police auxiliaries, the "Black and Tans." Once more he went into hiding, and in June, 1921, he was again a British prisoner.

This time, however, he was released in 24 hours. The British government of Prime Minister David Lloyd George had decided to seek peace negotiations.

A truce between British and Irish forces was arranged, and de Valera met Lloyd George in London to discuss a settlement.

Throughout the summer they discussed the twin problems of Irish independence and the status of Ulster. De Valera proposed that Ireland become a republic associated with the British Empire, the formula eventually used by India and other former colonies, but the proposal was too radical for the time and Lloyd George rejected it. Nevertheless, it was agreed that a conference on a peace treaty should be held in London.

De Valera decided not to attend the peace conference. Instead, the Irish delegation was headed by Arthur Griffith. Michael Collins was also a member.

The negotiations went badly from the Irish point of view. The British were willing to grant limited independence, but insisted that the Irish recognize the kind as their sovereign and swear allegiance to him. They also insisted on the right of Ulster to secede from the proposed Irish Free State. Faced with a threat from Lloyd George to resume warfare, the Irish delegates signed the treaty.

The treaty touched off a fierce debate in the Irish parliament, with de Valera leading the party opposed to it.

Oddly enough, the opposition to the treaty centered, not on the partition of Ireland, but on the oath of allegiance to the king. Both sides apparently felt that a boundary commission, provided by the treaty, would so reduce the size of Northern Ireland that a separate state would be impractical. In fact, however, the boundary commission never took any effective action.

The Dail ratified the treaty by a narrow vote, and de Valera resigned as president. He took the question to the people in the parliamentary election, but the election gave the proponents of the treaty a substantial majority.

Before the new parliament assembled, civil war broke out.

Extremist members of the Irish Republican Army seized the Four Courts, one of the principal public buildings in Dublin, in the name of the republic. When they refused to end their occupation, armed forces of the emerging Free State opened fire on them.

The bitter war that followed left divisions that still scar Ireland. Michael Collins assumed command of the Free State Army. Leading an armored column near Cork he was shot and killed. Three months later, Erskine Childers, the Republican propaganda minister and de Valera's secretary, was arrested by Free State police. He was executed for possessing a pistol.

The military situation became more and more hopeless for the Republicans. The people were weary of war and anxious to give the new Free State government a chance.

As the political leader of the Republicans, de Valera struggled to find a way to end the war short of unconditional surrender. Finally, however, he ordered the Republican forces to lay down their arms.

In the summer of 1923, a general election was called and de Valera agreed to come out of hiding and campaigned for re-election to his Clare seat. He appeared at a campaign rally in the town of Ennis, was arrested by Free State police and again imprisoned. But he was re-elected. He remained in prison for 11 months.

In addition to representing Clare, de Valera was also an elected representative of County Down in Northern Ireland. The Ulster government had forbidden him to enter his constituency, but he was determined to campaign there during the election in the fall of 1924.

On his arrival at an election rally, he was arrested and escorted over the border. Returning immediately to another campaign platform, he was again arrested, placed in solitary confinement until after the election, and then expelled from the province.

The following year the Boundary Commission, which was supposed to determine the border between the section of Ireland remaining in the United Kingdom and the Irish Free State, broke up in disagreement. The Free State government then signed an agreement with Northern Ireland and Great Britain recognizing the existing six-county border. This action greatly shocked de Valera and his fellow Republicans who were unable to accept the partition of their country.

Increasingly, de Valera recognized the necessity of pursuing his goal of an independent, united Ireland by reentering political life. To this end he organized a new political party, Fianna Fail. In the 1927 election, de Valera's new party gained 45 seats. The strength of the pro-treaty, which had held 63 seats before the election, was reduced to 47.

All that prevented de Valera from returning to the Dail was the detested oath of allegiance to the king. After wrestling with his conscience, he announced that he would "take no oath" but would "sign the book" (containing the oath). Thus he re-entered the Dail.

De Valera was now the leader of the opposition and his party gained in popularity. In the 1932 election, under the deepening economic difficulties of the Depression, Finna Fail emerged as the largest party and de Valera was named prime minister.

He immediately proceeded to abolish the oath of allegiance, taking advantage of the new powers that had been granted to British dominions by the Statute of Westminister passed by the British Parliament in 1931.

De Valera's next target was the payment of land annuities, the annual sum paid to Britain as compensation for land taken from British landlords for purchase by Irish tenant farmers.

De Valera stopped the payments, and a trade war resulted, with Britain and the Irish government responding in kind.

An election in 1933 strengthened de Valera's position by giving him an absolute majority in the Dail. Shortly thereafter he embarked on his major project: the drafting of a new constitution for an independent Ireland "externally associated" with the British Empire.

The process of constitution-making was interrupted by a constitutional crisis in Britain—the abdication of Edward VIII. Special legislation was required, and the existing Free State constitution was hastily amended to eliminate all references to the king and governor general. Then a bill was passed recognizing the king's authority to act on behalf of Ireland "for the appointment of diplomatic and consular representatives, and the conclusion of international agreements."

When the new constitution was approved by referendum in June, 1937, it contained no reference to the king and eliminated the position of governor-general. A president was the head of the new state, which was renamed Eire, or Ireland.

The constitution also recognized the "special position" of the Catholic Church as the faith of the great majority of Irish people. The article was repealed in 1972 as a gesture of conciliation to the Protestants of Northern Ireland.

Another problem that concerned de Valera was posed by the so-called "treaty ports." Under the 1922 treaty Britain retained the three ports of Cobh, Berehaven and Lough Swilly for use of the Royal Navy. De Valera feared that, with these ports in British hands, Ireland would inevitably be drawn into any European war in which England was involved. He wanted the ports back.

The British government of Prime Minister Neville Chamberlain began talks with de Valera on the unsettled issues between the two countries: partition, the future of the treaty ports, the land annuities and the trade war.

No progress was made on ending partition, but de Valera used this impasse as a lever to force other concessions.

In April, 1938, an agreement was signed by which Britain agreed to turn over the treaty ports. Ireland was to make a single payment of 10 million pounds to settle the land annuities question, and both countries were to end their trade restrictions.

While he was prime minister, de Valera also served as foreign minister and as such represented his country in the League of Nations. In the deepening international crises of the 1930s, his role there attracted world attention, and in 1938 he was elected president of the League of Nations Assembly.

As World War II approached, the Irish Republican Army launched a bombing campaign in England in an attempt to force the British out of Northern Ireland. The bombings wrecked de Valera's political efforts to end partition, and also threatened to undermine Irish neutrality. De Valera's government therefore outlawed the IRA, but it continued its terrorist tactics.

When war broke out, Chamberlain asked for the return of the treaty ports, but de Valera refused, thereby arousing much bitter feeling in Britain.

De Valera adhered strictly to his policy of neutrality. He maintained diplomatic relations with Germany, despite the fact that Ireland was technically a part of the British Commonwealth. Relations with Britain were kept up by means of a special representative sent from London to Dublin.

As German troops overran Europe, Ireland was faced with the threat of German invasion. The IRA was flirting with the Nazis.

In Britain, Winston Churchill replaced Chamberlain as prime minister, and Ireland also seemed in danger of being occupied by Britain. In an effort to get Ireland to enter the war on the British side, the Churchill government offered to support Irish unity "in principle." De Valera refused, insisting on both neutrality and unity.

To increase the pressure on Ireland, Britain discontinued shipping goods there, making some rationing necessary. The war also struck home on May 30, 1941, when the Germans bombed Dublin by accident.

After the United States entered the war and the tide of battle turned, de Valera continued to resist pressures to abandon neutrality. He protested the stationing of American troops in Northern Ireland, and rejected a United States request for the use of the former treaty ports. He also resisted pressure from America and Britain to close the German and Japanese legations in Dublin.

In 1945, de Valera provoked a storm of criticism in America and Britain when, in accordance with diplomatic usage, he called on the German minister to present his condolences on the death of Adolf Hitler.

De Valera's neutrality policy was supported by the voters in 1943 and 1944, but in 1948, after 16 years in power, de Valera was voted out of office.

The principal accomplishment of the government that replaced his was to proclaim Ireland a republic, thus severing its last tie to the British Commonwealth. De Valera welcomed this step, although he had shrunk from taking it himself in the hope that remaining associated with the Commonwealth might help overcome the opposition in Ulster to a united Ireland.

In 1951, de Valera returned to power. He was now 69, and still vigorous although his poor eyesight was deteriorating rapidly. He was voted out of office in 1954, but returned to power three years later.

He continued his policy of neutrality in the postwar years, refusing to join the North Atlantic Treaty Organization. He supported the United Nations, however, and Irish troops have served on U.N. peacekeeping missions from the Congo to the Sinai.

De Valera unexpectedly resigned as prime minister in 1959 to become a candidate for president. He was elected to the largely ceremonial post, and was subsequently reelected to a second 7-year term.

As president he greeted President John F. Kennedy of the United States on his visit to Ireland in 1963. Five months later, he visited Washington to attend the funeral of the assassinated chief executive.

He visited Washington again in 1964 to meet with President Lyndon Johnson, and he received President Richard Nixon when he visited Ireland in 1970.

De Valera was also host to one of Europe's elder statesmen whose austere personality had often been compared to his own—Charles de Gaulle.

At the end of his second term as president, at the age of 90, de Valera retired from public life.

He stepped down on June 24, 1973, almost 60 years after he had first joined the Irish Volunteers. His last speech was delivered in Gaelic at Boland's bakery, the site of his stand during the 1916 uprising. "I have always been loyal to the country and to the Irish language," he said.

With characteristic simplicity, he and his wife left the presidential mansion in Phoenix Park, Dublin, and retired to an old people's home run by the Sisters of Charity in suburban Blackrock.

De Valera's wife Sinead died on Jan. 7, the eve of the couple's 65th wedding anniversary.

The de Valeras had seven children. A son was killed in a horseback riding accident in 1936. The other six children survive, as do 17 grandchildren.

[From the New York Times, Aug. 30, 1975]

FORD ON DE VALERA: A "SYMBOL OF IRELAND"

(By Frank J. Prial)

President Ford expressed "profound regret" yesterday over the death of Eamon de Valera of Ireland, who, he said had been "a symbol of Ireland's ideals and aspirations for more than half a century."

"He served the Irish people devotedly and unstintingly as parliamentarian, Prime Minister and as President for 14 years," Mr. Ford said, adding:

"Mr. de Valera also personified the ties of kinship and friendship between Ireland and the United States. Together with the Irish people, we mourn his passing."

IRISH HERE TO PAY RESPECTS

The White House said that it was not immediately known who would represent Mr. Ford at Mr. de Valera's funeral in Dublin on Tuesday. However officials ruled out the President's making the trip.

New York City's Irish community will pay its last respects to Mr. de Valera, at a special memorial mass at noon next Thursday in St. Patrick's Cathedral.

The city has a special tie to Mr. de Valera, who died in Dublin yesterday at the age of 92. He was born on East 43d Street on Oct. 14, 1882, and was christened Edward in St. Agnes' Church, a few doors from his parents' home. He was taken to Ireland at 2, after the death of his father.

In a telegram to Mr. de Valera's son, Vivion, City Council President Paul O'Dwyer said:

"New York City mourns the passing of one of its most distinguished sons. The links which were forged between us and your revered father did not depend alone on New York being his place of birth. In addition, New York City listened to his plea for help and became an enthusiastic comrade in Ireland's historic fight for freedom."

NATIVE OF IRELAND

Mr. O'Dwyer, a native of Ireland, recalled that his first political activity was to put up campaign signs for Mr. de Valera when he ran for the Sinn Fein in 1918. Mr. O'Dwyer said that his family fought on the side opposing Mr. de Valera's in the Irish civil war in the nineteen-twenties.

Although a private citizen at his death, Mr. de Valera remained a figure of intense controversy until the end of his life. While John Lynch, leader of Fianna Fail, the political party Mr. de Valera founded, said he was "among the greatest of all Irishmen," tributes from some of his former political opponents were cooler.

Liam Cosgrave, the Irish Prime Minister, said that he had learned of Mr. de Valera's death "with regret." Mr. Cosgrave's father, William T. Cosgrave, led the first Irish Free State government, which Mr. de Valera opposed in the civil war of 1922–23.

AT DUBLIN CASTLE

A former Prime Minister, John A. Costelloe, who took Ireland out of the British Commonwealth in 1948, said that Mr. de Valera had left "nothing of permanent value," but was "a great man with great courage and charm of manner."

Mr. de Valera's body will lie in state over the weekend at Dublin Castle, once the center of the British administration in Ireland that he did so much to destroy.

Despite the old quarrel, Queen Elizabeth II and Prime Minister Harold Wilson of Britain were among the first to express their sympathy. In a message to Liam Cosgrave, Mr. Wilson said: "We recognize and respect his life-long devotion to his country."

Among other tributes was one from a former Prime Minister of Northern Ireland, Brian Faulkner. Although their politics had been "poles apart," Mr. Faulkner said, he recognized the former president as a man of principle.

Maureen Ford, editor of The Irish World, America's oldest Irish-American weekly newspaper, said that an editorial praising de Valera would appear in next Tuesday's edition but that it had not been prepared last night. The World was founded by Miss Ford's grandfather, and she said that Mr. de Valera had long been a friend of the Ford family.

When the newspaper celebrated its 100th anniversary here in 1971, Mr. de Valera was among those who sent messages of congratulations.

John Thornton, editor of The Irish Echo, also published here, said he, too, was "writing and rewriting" an editorial on Mr. de Valera's death for the edition that will appear next Thursday. "He was probably the single Irishman who influenced history the most in this century," Mr. Thornton said "That will be the theme of the editorial."

[From the New York Times, August 30, 1975]

EAMON DE VALERA, 92, DIES; LIFELONG FIGHTER FOR IRISH

(By Albin Krebs)

Eamon de Valera, a chief strategist and fighter in the cause of Irish independence, who became Prime Minister, President, and revered elder statesman of the Republic of Ireland, died early yesterday. He was 92 years old.

Mr. de Valera, a heroic figure to thousands of his countrymen ever since his pivotal role in the 1916 Easter Monday Rebellion, had been suffering a heavy cold for more than a week, and death was attributed to "bronchial pneumonia and cardiac failure."

With Mr. de Valera, who dominated Irish politics for more than a half-century, at his death was a son, Maj. Vivion de Valera, and other relatives, who had been keeping vigil for several days at the Linden nursing home near Dublin. A nursing nun reported that shortly before his death, Mr. de Valera whispered to her: "All my life I have done my best for Ireland; now I am ready to go."

During the last several days, as word spread that "Dev" was not expected to live, many of his old comrades-in-arms had come to Dublin to be near him.

One of them, Sean Tracey, from Tipperary, who is an 87-year-old veteran of the fight for independence, said, "We are thin on the ground now, but we are still able to pay our respects to The Chief."

The passing of "The Chief" was announced on a special radio broadcast, and throughout the day, normal programs were canceled in favor of somber funeral music and programs relating to Mr. de Valera's life. Irish television also carried special programs.

Mr. de Valera's body will lie in state for two days in Dublin Castle, before a state funeral Tuesday, which will be a national day of mourning. He will be buried in Glas Nevin Cemetery beside his wife with the somber pageantry Ireland reserves for her dead patriots. The ceremony is expected to be in keeping with Mr. de Valera's reputation as a national hero.

Despite his often stubborn and implacable leadership, Ireland had not by 1973—when he retired after two seven-year terms as President—achieved his most cherished dream, the union of all 32 counties on the island.

To his death, bitter strife has persisted over the separate political existence, under British control, of the six Protestant-dominated counties of Northern Ireland.

A national hero to many of his countrymen, Mr. de Valera at one time supported the militancy of groups such as the Irish Republican Army. But some of his critics maintain that he ferociously suppressed the I.R.A. beginning in the late nineteen-thirties, when the movement again resorted to violence.

PERSISTENTLY FOR INDEPENDENCE

He nevertheless waged a persistent battle for complete Irish independence from Britain, which was finally achieved by the Irish Republic of the 26 southern counties in 1949.

His opponents, who probably equaled his supporters, held him largely responsible for the nation's civil war in 1922–23. The bitterness between these political forces plagued Irish politics for decades.

Ever a crusader for independence and the preservation of Gaelic as the official Irish language, Mr. de Valera maintained until his death that "Ireland can never abandon hope of regaining territory hallowed by so many memories and the scene of so many historic incidents in her history; the efforts of her people will inevitably be bent upon undoing partition until all the lands within her four seas are once more united."

Mr. de Valera's granite-like faith in himself seldom wavered, and he was a formidable opponent, one who barely escaped execution by a British firing squad.

In the prime of his career, the tall, darkly brooding Mr. de Valera held many of his countrymen in emotional thrall. There was an element of mystique arising from his appearance, his reserve and a partly Spanish origin that set him apart from contemporaries.

His oratorical style was colorless, however. Many thought his appeal lay rather in an unyielding and single-minded pursuit of goals, a scrupulous habit of self-explanation, idealism and political skill and undeniable rectitude.

IRISH-SPANISH DESCENT

The man whom some have called "the father of modern Ireland," was born in New York City, on Oct. 14, 1882, and was of Irish-Spanish descent. His father Vivion, born in Spain, listed himself on the boy's birth certificate as an artist. His mother was the former Catherine Coll, called Kate back in her native Bruree, near Limerick in southwest Ireland.

In later years, some of Mr. de Valera's enemies challenged his Irishness, suggesting that his father was a Portuguese-American Jew. This incensed the fiercely devout Mr. de Valera, who said:

"I was baptized in a Catholic church; I was brought up in a Catholic home. I have lived among the Irish people and loved them and loved every blade of grass that grew in this land. I do not care who says I am not Irish."

When the boy, then named Edward de Valera, was 2 years old, his father died, and he was sent by his mother, who later remarried, to live in Bruree with her youngest brother, Patrick Coll. He lived in Mr. Coll's small cottage and as he grew older helped him till the hardscrabble farm.

TAUGHT BY CHRISTIAN BROTHERS

Local Christian Brothers teachers saw a certain brightness in the pale, dark-eyed, dark-haired youth. They instilled in him an almost fanatic belief in the Catholic faith and the righteousness of the cause of Irish independence.

The Christian Brothers sent him to Blackrock College near Dublin, and in 1904 Mr. de Valera was graduated with a degree in mathematics from the Roman Catholic National University in Dublin. Mathematics fascinated him, and if he had a special hobby, that was it. After teaching mathematics in several Catholic schools, he became an instructor in St. Patrick's College, a seminary at Maynooth, not far from Dublin.

By then he had become immersed in the nationalistic campaign to increase the use of ancient Gaelic, and at a meeting of the Gaelic League he met 18-year-old Jennifer Flanagan, an actress fluent in Gaelic who changed her name to Sinead Ni Flannagain before their marriage in 1910.

Mr. de Valera, who had changed his name from Edward to Eamon, its Gaelic equivalent, joined the Sinn Fein (We Ourselves) movement, founded in 1912 by the long-time agitator for independence, Arthur Griffith. Tension between the nationalist counties in the south and the unionist ones in the north over the British plan to concede limited independence (home rule) led to the organization of paramilitary forces by both factions.

JOINED SECRET GROUP

Mr. de Valera joined the Irish Republican Brotherhood, a secret organization, and the paramilitary Irish Volunteers, forerunners of the Irish Republican Army. He became commandant of the Third Battalion of the Volunteers and adjutant to the Dublin brigade.

Mr. de Valera gained hero status in the Easter Rebellion that began April 24, the Monday after Easter in 1916. While Britain fought the Germans in Flanders, the Irish Volunteers and the Citizens Army staged an armed revolt against the British garrison at Dublin. It was an uprising in which poetry and idealism were intermingled with ambush and wanton murder and incompetence on both sides, but it was a turning point in Irish history.

Commandant de Valera led a force of about 125 men who seized Westland Row railroad station and the huge Boland's mill and bakery, points from which they could cover the British Army installation in Beggars Bush barracks and, if need be, engage enemy reinforcements expected to come by sea into Kingstown.

The rebellion fizzled, but the 33-year-old Commandant de Valera was the last detachment officer to surrender, saying: "Shoot me if you will, but arrange for my men."

SIXTEEN LEADERS EXECUTED

After drumhead courts-martial, the British executed 16 leaders of the revolt, but other executions were delayed so long that public opinion in Britain became so aroused that the death sentences were not carried out.

"My name was next on the list to be shot," Mr. de Valera liked to tell his audiences in years to come, and it may have been so, since he was one of the most prominent and obdurate of the rebel leaders.

The major reason for his salvation was probably public opinion: people in Britain as well as Ireland were becoming sickened by daily news of further executions. Most commentators would agree, however, that his dual citizenship helped spare his life. His wife had gone to the United States Consul in Dublin even before his court-martial to argue his rights as an American citizen, and the Consul got in touch with British officials.

Mr. de Valera was released from an English prison in a general amnesty in June, 1917, and returned to Dublin. Later that year he was elected president of Sinn Fein and of the Volunteers. He was thus formally the leader of both the political and military wings of the struggle against British rule. His prestige with the Irish nationalist population at this time was enormous, both because of his personal magnetism and because he was the senior survivor of the 1916 rebellion. But he played no direct part in the military campaign that was soon to begin.

That campaign was conducted by the I.R.A., and in the main led and organized by members of the small and secretive Irish Republican Brotherhood.

Soon after his release from prison, he won the East Clare by-election to the Westminster Parliament, but in line with Sinn Fein policy refused to take his seat.

Mr. de Valera, who continued to be a thorn in the side of the English, was arrested on May 17, 1918, and packed off without trial to Lincoln Jail in England.

There, while serving mass for the prison chaplain, Mr. de Valera was able to procure candle wax to make an impression of a prison pass key, which was smuggled out of the jail. Then, a key made from the impression was smuggled into the prison in a fruit cake, and on Feb. 3, 1919, Mr. de Valera and several other prisoners escaped and returned to Dublin.

Two months before his escape, the abstentionist policy of Sinn Fein had been triumphantly vindicated when the party swept to victory in the general election of December, 1918. The 76 elected Sinn Fein members formed themselves into a Dail or legislative assembly intent on running the country without reference to Britain. Mr. de Valera became its president.

In June, 1919, he crossed the Irish Sea to Liverpool and stowed away on a ship bound for the United States, where he hoped to drum up support for Ireland's independence struggle.

COLLECTED $6 MILLION

In the United States, Irish-Americans made Mr. de Valera's presence known and won for him the aid of several influential Tammany Hall figures in New York. His message to Americans was blunt and simple: "The men who established your republic sought the aid of France. I seek the aid of America."

He failed in an effort to have the 1920 Republican and Democratic national conventions adopt resolutions supporting Irish independence, but Mr. de Valera returned to his homeland with $6 million for his cause, most of the money having been raised from the sale of bonds.

Mr. de Valera's critics in later years pointed out that the man who gloried in being a national hero was away from Ireland most of the time from 1919 to 1921, when there was a bitter war of assassination and reprisal between the Irish Republican Army and the British Army, reinforced by the hated auxiliary police groups known as the Black and Tans, named after the colors of their uniforms.

Weary of the violence, both sides finally agreed to negotiate and Mr. de Valera, who was president of the shadow cabinet, sent Arthur Griffith to London for talks with Prime Minister David Lloyd George. Later Mr. de Valera joined in the prolonged, suspicion-laden negotiations. His presence led Mr. Lloyd George to observe that bargaining with the Irishman was like "trying to pick up mercury with a fork."

"Then why doesn't he try a spoon?" was Mr. de Valera's reply.

On another occasion, Mr. Lloyd George complained about Mr. deValera by saying: "I listened to a long lecture on the wrong done by Britain to Ireland starting with

Cromwell. When I tried to bring him back to the present day, he would go back to Cromwell again."

Mr. de Valera: "Aye, he needed a lesson in Irish history."

But despite his ability to match wits with Lloyd George in the early negotiations, Mr. De Valera chose not to go to London for the major conference intended to settle the Irish question, which began in October, 1921. His decision to stay behind aroused controversy, which still continues.

William T. Cosgrave, first president of the Irish Free State and father of the present Prime Minister, said at the time that it was a pity to "leave the best player among the reserves." Far more bitter reproaches were heaped on Mr. De Valera when the tragic consequences of the London negotiations became apparent.

The Irish delegation led by Arthur Griffith and Michael Collins was outmaneuvered by a British team that included Winston Churchill and Lord Birkenhead, as well as Lloyd George. After six weeks of talks, Lloyd George abruptly demanded that the Irish accept the limited form of independence he was offering or face the prospect of "immediate and terrible war."

A TREATY WAS SIGNED

This ultimatum proved effective. A treaty was signed at 2:30 A.M. on Dec. 6, 1921. It was soon repudiated by Mr. de Valera and the more committed republicans, including a large section of the I.R.A.

The treaty gave to the 26 mainly Roman Catholic counties of southern Ireland much of what they wanted, including semi-autonomy. The island had already been partitioned in the previous year, and the predominantly Protestant six counties of Northern Ireland were managing their own affairs through their Parliament at Stormont.

Partition was intolerable to all nationalists, but it was not at the time uppermost in the minds of the anti-treatyites. What offended Mr. de Valera and his followers was the limited, and as they saw it humiliating form of independence conceded by Lloyd George. They had set their hearts on a separate republic.

The British had insisted that Ireland must stay within the Empire and her parliamentarians take a pledge of allegiance to the King. This in particular was anathema to the republicans. They were not impressed by Mr. Collins's arguments that the treaty offered "freedom to win freedom."

DE VALERA'S STRATEGY

Moreover, they accused the London delegation of ignoring strict instructions that any draft treaty should be submitted to the Cabinet in Dublin before signature. Mr. de Valera's strategy in staying behind had been just this: that he could calmly assess any terms negotiated away from the emotion and fatigue of the conference room.

Disagreement over the treaty led to a bloody civil war that lasted from June, 1922, until May, 1923, and, many would say, determined the basic patterns of Irish politics until the present day. Michael Collins was killed in the early months of the war, and the skirmishes, executions and reprisals claimed the lives of many other leaders on both sides. Mr. de Valera was forced into hiding.

By early 1923 it became clear to him that the republican fight was hopeless. Largely through his influence, the I.R.A. command called off the struggle. Mr. de Valera drafted a personal message to the fighting men along with the order to down arms. It said: "Military victory must be allowed to rest for the moment with those who have destroyed the Republic."

SEVERAL YEARS OF CONFUSION

There followed several years of confusion and demoralization for the anti-treatyites. Having abandoned the hope of a military success, they could not bring themselves to participate in constitutional politics, since that meant sitting in the despised Free State Parliament, and taking the oath of allegiance.

But by 1925 Mr. de Valera had decided that the constitutional course, for all its unacceptable features, was the only way forward. Moving with the infinite caution that marked all his political activity, he first proposed to a conference of Sinn Fein that, if the oath of allegiance were removed, participation in the southern Parliament should be judged a matter of policy rather than of principle. This suggestion was narrowly defeated, whereupon Mr. de Valera left Sinn Fein and in a few months formed his own party, Fianna Fail.

This was in time to become the most successful political organization in Ireland, but its beginnings were fraught with anxiety and misgivings. In 1927 it fought its first elections and won more than a quarter of the seats, but there remained the problem of the oath.

In a decision quite as controversial and momentous as his refusal to go to London in 1921, Mr. de Valera suddenly announced that he would regard the oath as no more than "an empty formula."

When he led his supporters into the Dail and was required to sign the oath, he first removed the Bible to another part of the room and then, while he signed, covered the words of the oath with a piece of paper.

This strategy earned him the mockery of his political opponents in the Dail, and the contempt of the irreconcilable republicans who had remained in Sinn Fein, and who were the forerunners of the contemporary I.R.A.

But Irish opinion as a whole welcomed his commitment to ordinary democratic politics, and in 1932, Mr. de Valera came to power for the first time. He was to remain in office for 16 years.

Mr. de Valera earned the undying gratitude of the small farming class, which for the next three decades formed the backbone of his party's support.

During that first 16-year spell in office, Mr. de Valera was both Prime Minister and Foreign Minister. In the latter capacity he became a prominent figure at the League of Nations, being in 1932 President of the Council and in 1938 President of the Assembly of the League.

In 1948 Mr. de Valera and his Fianna Fail had to yield to a coalition that made John Costello Prime Minister. And so he was deprived of the satisfaction of being Ireland's leader when, on April 18, 1949, the last tie with Britain was severed and the fully independent Irish Republic of the 26 southern counties was born.

His public stance was to let it be known grumpily that he felt no particular relation over the establishment of a republic that did not comprise all 32 counties.

In 1951, Mr. de Valera's Fianna Fail returned to power, only to be ousted again in 1954. But three years later, fighting his last parliamentary election at the age of 74, he led his party to a period in power that was to last for 15 years, although he himself retired from active politics in 1959 after having been Ireland's Prime Minister for a total of 21 years.

During the nineteen-thirties, there had been much criticism of his intransigent use of power against the Irish Republican Army, the militant, extremist group that still fights against British rule of Northern Ireland. But Mr. de Valera's supporters say that his actions were the only alternative to anarchy and war.

CONSTITUTION IN GAELIC

In 1937 Mr. de Valera was largely responsible for the Irish Constitution, which he insisted be written in Gaelic. Not enough of his countrymen were as well-versed in the traditional Irish language as he was, however, and so it had to be set down in English and translated.

The Constitution recognized the "special position" of the Roman Catholic Church as the faith of the great majority of the Irish people, but religious freedom was guaranteed to all. Most of the protestants in Ulster, where they were and are a majority, remained unconvinced on that point, which was said to be one of the chief causes of continuing strife in Northern Ireland, as well as a deterrent to unification. The special recognition, however, was withdrawn by a referendum in 1972.

During World War II, Mr. de Valera maneuvered shrewdly to keep Ireland neutral—some said "neutral on England's side"—but his position dismayed and angered President Franklin D. Roosevelt, and Winston Churchill tried to entice Mr. de Valera into the war by offering vague but alluring promise of Irish unification. Mr. de Valera ignored the criticism and used Ireland's insistence on neutrality for propaganda purposes.

ECONOMY STAGNATES

While becoming a vital, almost legendary figure in his country's political life, Mr. de Valera as he grew older seemed to hang on desperately to his idea of Ireland as a nation of simple, happy—and poor—peasants. The economy continued to stagnate under his leadership, and emigration bled off the best of the nation's youth.

In 1959 leaders of his own party quietly persuaded him to leave active politics and stand for the Presidency, a largely titular office. By that time, his eyesight, which had been bad for many years, had deteriorated so severely that he was almost blind.

He was elected to his first presidential term by a huge margin in 1959, and won reelection seven years later.

Although in failing health, as President he was able to return to the United States 81 years after his birth. He was formally received by President Lyndon B. Johnson, and told a joint session of Congress how grateful the Irish were for American support of Irish independence.

The fighting between the I.R.A. and the British Army and Protestant extremists in Northern Ireland was a source of much concern to Mr. de Valera during the last years of his life.

DEPLORED LOSS OF LIVES

As President he could express no views publicly on the conditions in Ulster, but close friends reported that in private he deplored the heavy loss of Irish lives on both sides and had become resigned to the prospect that the unity of Ireland would not be achieved in his lifetime.

"Dev," as his supporters called him at the height of his political powers, dominated Irish public life for 30 years. During general election rallies, supporters sang "We'll Crown de Valera King of Ireland." The "anti-Devites" were equally strong, but less fanatical, in their support of such rivals as William T. Cosgrave.

Mr. de Valera spent his declining years being read to and listening to the radio for hours. He and his wife retired to a nursing home in June, 1973. She died in 1974. He enjoyed visiting with his three sons, two daughters and many grandchildren and great grandchildren. Another son, Brian, died in a fall from a horse in 1936.

FOREIGN POLICY CONCERNS EXPRESSED BY SENATOR RANDOLPH

Mr. RANDOLPH. Mr. President, on Tuesday it was my privilege to address a meeting of Kiwanis, Lions, and Rotary Clubs in Clarksburg, W. Va. I discussed a number of foreign policy issues, including my grave reservations over the assignment of U.S. personnel to monitoring stations in the Sinai for surveillance purposes under the interim Israeli-Egyptian agreement.

My general concern is that such assignments create an untenable situation for the United States. My strong inclination is to oppose this part of the agreement. I will be most interested in Secretary Kissinger's presentation of the details of this pact, including the substantial outlays of U.S. funds which are projected in the billions.

Additionally, my strong endorsement was given to a full-scale review of U.S. foreign policy by the Senate Foreign Relations Committee beginning early this month. The need for sensible and realistic priorities in our contacts with other countries makes this review necessary—the first of its type since 1960.

On the subject of Cuba, I expressed the conviction that we should go slowly in reinstituting formal relations with Cuba. Premier Castro's initiatives toward the United States are minimal. We should not be fooled by soft talk. Let Castro free American prisoners from his jails; return hijackers and make restitution of more than $1 billion he owes this country. He returned $2 million to Southern Airways, paying in Canadian currency which shortchanged that firm by $800.

It is my belief also that the United States should reevaluate its level of financial support of the United Nations. We have consistently supported this organization and have been subjected to arbitrary rebuffs, including unresponsiveness to our plea for refugee aid during the time North Vietnam was taking over the South. The new U.N. budget calls for a 21.6-percent increase with 25 percent of this funding coming from the United States. This inflated funding will have tough going in the Congress.

On the Panama Canal, I do not know what course negotiations will take. But the United States cannot give the canal away. Our interests and our ability to maintain the commercial flow of traffic must be strongly protected.

Finally, Mr. President, I noted that the administration on Russian grain sales has apparently overlooked the fact that American consumers will be impacted by higher prices for food and increased energy costs due to large-scale grain sales. Natural gas and natural liquids are the primary fuels for agriculture. Increased grain production requires higher levels of natural gas, a fuel already in short supply. Because of a priority for agriculture, other sectors of the economy must turn from lower cost natural gas to higher priced oil imports. American consumers will foot the bill. If we continue to sell grain to Russia, the United States must demand that the Soviets make purchases at consistent levels as do other importers.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION ACT, 1976

The PRESIDING OFFICER. Under the previous order, the Senate will now resume the consideration of the unfinished business, H.R. 8121, which the clerk will state.

The legislative clerk read as follows:

A bill (H.R. 8121) making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

The Senate resumed the consideration of the bill.

Mr. McCLURE. Mr. President, I ask unanimous consent that Sylvia Castellanos, of Senator FANNIN's staff, be accorded the privileges of the floor during all stages of proceedings on the pending legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE TRADEMARK REGISTRATION TREATY—REMOVAL OF INJUNCTION OF SECRECY

Mr. ROBERT C. BYRD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Trademark Registration Treaty, signed at Vienna, Austria, on June 12, 1973, with regulations (Executive H, 94th Congress, first session), which was transmitted to the Senate today by the President of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. I also ask unanimous consent that the treaty with accompanying papers be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to its ratification, I transmit herewith the Trademark Registration Treaty, signed at Vienna, Austria, on June 12, 1973, together with the Regulations under the Trademark Registration Treaty. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Trademark Registration Treaty will establish an international trademark filing arrangement, through which persons and companies residing in one of the member States can more easily register trademarks (including service marks, and collective and certification marks) and maintain these property rights in all of the member States.

Separate actions in approximately 150 jurisdictions (i.e. States, possessions, territories, etc.) are now required of United States companies in order to extend the protection of a trademark throughout the world. The complexity and high cost of establishing and protecting trademarks in international markets through the diverse national laws and procedures is a serious problem for international business concerns.

This Treaty would alleviate these problems by establishing a uniform international registration procedure through which national trademark registration effects in the member countries may be secured, maintained and renewed on a central international register of marks. With few exceptions, the effects of international registration are subject to the substantive legal requirements of the participating States.

One of the exceptions is that for the first three years after the filing date of the application for registration, no member State may refuse trademark protection on grounds that the mark has not been used during that period. Because of this provision, and others of lesser importance, it is necessary, in order to implement the Treaty, that our national trademark law ("Trademark Act of 1946, As Amended") be further amended. Opinion among interested persons and associations is divided as to the desirability of making the required amendments. So that this important legislative question may be considered in connection with the question of ratification, proposed implementing legislation will be forwarded to the Congress in the near future. Since the Treaty is not self-executing, the instrument of ratification will not be deposited until the necessary implementing legislation has been enacted.

It is important that a Treaty such as this one have the broadest possible membership. Since this Treaty was initiated by the United States, the interest of many countries is contingent on positive United States action. I recommend, therefore, that the Senate give early and favorable consideration to the Treaty submitted herewith and give its advice and consent to ratification.

GERALD R. FORD.

THE WHITE HOUSE, *September 3, 1975.*

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask

unanimous consent that I may be allowed to proceed for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GLOBAL CONSENSUS AND ECONOMIC DEVELOPMENT

Mr. JAVITS. Mr. President, the United States, at the United Nations' seventh special session of the United Nations General Assembly, has put forth a most enterprising and forthcoming program for consideration by the members of the United Nations with a special reference to the developing countries, those with natural resources and major exports of such commodities, and those without.

The comprehensiveness of the presentation, its affirmative quality, its understanding and recognition of the interdependence of the world economically of the need of the developed countries, the industrialized countries, for raw materials, of the need of the developing countries for resources, capital, technology, and trade, in order to advance their state of development, were all so completely recognized in this statement as to almost catch the Third and Fourth Worlds by surprise, so striking was the effect of this affirmative and positive statement.

It says a good deal about what the United States is willing to do, Mr. President, but it is conditioned upon the OPEC countries, and others, doing their full share, also, and upon the developing countries wanting to get this kind of assistance, putting out to help themselves as well; and in those respects, in my judgment, they represent a solid and positive American position.

I hope that Members of Congress will not be alarmed or react too quickly to the proposals which are made.

What will finally result, in my judgment, will be a balances program, deserving of our support and well worth it in terms of our national interest in trade, in world tranquillity, in decent supply of food to those who need it, and in the general economic progress of mankind.

I commend the President and the Secretary of State and our new Ambassador to the U.N., Pat Moynihan, on this very constructive and historic declaration by the United States.

I am one of a committee of the House and Senate, which has been appointed for the special purpose of advising with the Secretary upon this great subject at this special session.

Mr. President, I ask unanimous consent that an address by the Honorable Henry A. Kissinger, Secretary of State, before the Seventh Special Session of the United Nations General Assembly, September 1, 1975, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

GLOBAL CONSENSUS AND ECONOMIC DEVELOPMENT

(By Hon. Henry A. Kissinger)

We assemble here this week with an opportunity to improve the condition of mankind. We can let this opportunity slip away, or we can respond to it with vision and common sense.

The United States has made its choice. There are no panaceas available—only challenges. The proposals that I shall announce today on behalf of President Ford are a program of practical steps, responding to the expressed concerns of developing countries. We have made a major effort to develop an agenda for effective international action; we are prepared in turn to consider the proposals of others. But the United States is committed to a constructive effort.

For some time the technical capacity has existed to provide a tolerable standard of life for the world's four billion people. But we—the world community—must shape the political will to do so. For man stands not simply at a plateau of technical ability; he stands at a point of moral choice. When the ancient dream of mankind—a world without poverty—becomes a possibility, our profound moral convictions make it also our duty. And the convening of this special session bears witness that economic progress has become a central and urgent concern of international relations.

The global order of colonial power, that lasted through centuries, has now disappeared; the cold war division of the world into two rigid blocs has now also broken down and major changes have taken place in the international economy. We now live in a world of some 150 nations. We live in an environment of continuing conflicts, proliferating weapons, new ideological divisions and economic rivalry. The developing nations have stated their claim for a greater role, for more control over their economic destiny, and for a just share in global prosperity. The economically advanced nations have stated their claim for reliable supplies of energy, raw materials, and other products, at a fair price; they seek stable economic relationships and expanding world trade, for these are important to the well-being of their own societies.

These economic issues have already become the subject of mounting confrontations—embargoes, cartels, seizures, countermeasures, and bitter rhetoric. Over the remainder of this century, should this trend continue, the division of the planet between north and south, between rich and poor, could become as grim as the darkest days of the cold war. We would enter an age of festering resentment, of increased resort to economic warfare, a hardening of new blocs, the undermining of cooperation, the erosion of international institutions—and failed development.

Can we reconcile our competing goals? Can we build a better world, by conscious purpose, out of the quality and cooperation of states? Can we turn the energies of all nations to the tasks of human progress? These are the challenges of our time.

We profoundly believe that neither the poor nor the rich nations can achieve their purposes in isolation. Neither can extort them from the other—the developing countries least of all, for they would pay the greater cost of division of the planet, which would cut them off needlessly from sources of capital and markets essential to their own progress.

The reality is that ample incentives exist for cooperation on the basis of mutual respect. It is not necessarily the case that if some grow worse off, others will be worse off. But there is an opposite proposition, which we believe is true: that an economic system thrives if all who take part in it thrive. This is no theory; it is our own experience. And it is an experience that we, a people uniquely drawn from all the other peoples of the world, truely desire and hope to share with others.

Therefore it is time to go beyond the doctrines left over from a previous century that are made obsolete by modern reality.

History has left us the legacy of strident nationalism—discredited in this century by its brutal excesses a generation ago, and by its patent inadequacy for the economic needs of our time. The economy is global. Recessions, inflation, trade relations, monetary stability, gluts and scarcities of products and materials, the growth of transnational enterprises—these are international phenomena and call for international responses.

History has also left us discredited doctrines of economic determinism and struggle. One of the ironies of our time is that systems based on the doctrine of materialism, that promised economic justice, have lagged in raising economic welfare.

And contrary to the ideologies of despair, many developing countries have been increasing their per capita incomes at far faster rates than obtained historically in Europe and North America in comparable stages of their growth.

It is also ironic that a philosophy of nonalignment, designed to allow new nations to make their national choices free from the pressure of competing blocs, now has produced a bloc of its own. Nations with radically different economic interests and with entirely different political concerns are combined in a kind of solidarity that often clearly sacrifices practical interests. And it is ironic also that the most devastating blow to economic development in this decade came not from "imperialist rapacity" but from an arbitrary, monopolistic price increase by the cartel of oil exporters.

The reality is that the world economy is a single global system of trade and monetary relations on which hinges the development of all our economies. The advanced nations have an interest in the growth of markets and production in the developing world; with equal conviction we state that the developing countries have a stake in the markets, technological innovation and capital investment of the industrial countries.

Therefore, the nations assembled here have a choice: we can offer our people slogans, or we can offer them solutions. We can deal in rhetoric, or we can deal in reality. My government has made its choice.

The United States firmly believes that the economic challenges of our time must unite us, and not divide us.

So let us get down to business. Let us put aside the sterile debate over whether a new economic order is required or whether the old economic order is adequate. Let us look forward and shape the world before us. Change is inherent in what we do, and what we seek. But one fact does not change: that without a consensus on the realities and principles of the development effort, we will achieve nothing.

There must be consensus, first and foremost, on the principle that our common development goals can be achieved only by cooperation, not by the politics of confrontation.

There must be consensus that acknowledges our respective concerns and our mutual responsibilities. All of us have rights and all of us have duties.

The consensus must embrace the broadest possible participation in international decisions. The developing countries must have a role and voice in the international system, especially in decisions that affect them. But those nations who are asked to provide resources and effort to carry out the decisions must be accorded a commensurate voice.

We have learned from experience that the methods of development assistance of the 1950s and 60s are no longer adequate. Not only did the technical accomplishments of many programs fall short of expectations, the traditional approaches are less acceptable to the industrialized world because they have seemed to become an endless and one-sided financial burden. And they are less acceptable to the developing world because they have seemed to create a relationship of charity and dependency, inconsistent with equality and self-respect.

Therefore, we must find new means. The United States offers today concrete proposals for international actions to promote economic development. We believe that an effective development strategy should concentrate on five fundamental areas:

First, we must apply international cooperation to the problem of ensuring basic economic security. The United States proposes steps to safeguard against the economic shocks to which developing countries are particularly vulnerable: sharp declines in their export earnings from the cycle of world supply and demand, food shortages and natural disasters.

Second, we must lay the foundations for accelerated growth. The United States proposes steps to improve developing countries' access to capital markets, to focus and adapt new technology to specific development needs, and to reach consensus on the conditions for foreign investment.

Third, we must improve the basic opportunities of the developing countries in the world trading system so they can make their way by earnings instead of aid.

Fourth, we must improve the conditions of trade and investment in key commodities on which the economies of many developing countries are dependent, and we must set an example in improving the production and availability of food.

Fifth, let us address the special needs of the poorest countries, who are the most devastated by current economic conditions, sharing the responsibility among old and newly wealthy donors.

The determination of the devoloping nations to mobilize their own effort is indispensible. Without it, no outside effort will have effect. Government policies to call forth savings, to institute land reform, to use external aid and capital productivity, to manage and allocate national resources wisely, to promote family planning—for these there are no substitutes.

But there must be international as well as national commitment. The United States is prepared to do its part. The senior economic officials of our Government have joined with me in developing our approach. Treasury Secretary Simon, with whom I have worked closely on our program, will discuss it tomorrow in relation to the world economy. The large Congressional delegation that will attend the session, and the seriousness with which they and the Executive branch have collaborated in preparing these proposals, are evidence of my country's commitment.

We ask in return for a serious international dialogue on the responsibilities which confront us all.

ENSURING ECONOMIC SECURITY

Our first task is to ensure basic economic security.

The swings and shocks of economic adversity are a global concern, tearing at the fabric of developed and developing nations alike. The cycle of good times and bad, abundance and famine, does vast damage to lives and economies. Unemployment, falling standards of living, and the ravages of inflations, fuel social and political discontent. We have recently seen the corrosive effects in many countries.

Developing economies are by far the most vulnerable to natural and man-made disasters, the vagaries of weather and of the business cycle, sharp increases in the prices of oil and food have a devastating effect on their livelihood, recessions in the industrial countries depress their export earnings.

Thus economic security is the minimum requirement of an effective strategy for development. Without this foundation, sound development programs cannot proceed and the great efforts that development requires from poor and rich alike cannot be sustained.

And because economic security is a global problem, it is a global challenge:

The industrial nations must work together more effectively to restore and maintain their non-inflational expasion.

Nations which supply vital products must avoid actions which disrupt that expansion, and

The international community must undertake a new approach to reduce drastic fluctuations in the export earnings of the developing countries.

Since the economic health of the industrial countries is central to the health of the global economy, their efforts to avoid the extremes of recession and inflation become an international, as well as a national, responsibility.

In a new departure this past year, the leaders of the United States and its major trading partners have begun closer coordination of their national economic policies. A shared sense of urgency, and the exchange of information about trends and intentions, have already influenced important policy decisions. President Ford intends to continue and intensity consultations of this kind. The successful recovery of the industrial economies will be the engine of international stability and growth.

Global economic security depends, secondly, on the actions of suppliers of vital products.

Thus the United States has believed that the future of the world economy requires discussions on energy and other key issues among oil consuming and producing nations. The Government of France is inviting industrialized oil producing, and developing nations to re-launch a dialogue this fall on the problems of energy, development, raw materials, and related financial issues. The United States has supported this proposal and worked hard to establish the basis for successful meetings.

But this dialogue is based on an approach of negotiation and consensus, not the exercise of brute economic power to gain unilateral advantage. The enormous, arbitrary increases in the price of oil of 1973 and 1974 have already exacerbated both inflation and recession worldwide. They have shattered the economic planning and progress of many countries. Another increase would slow down or reverse the recovery and the development of nearly every nation represented in this Assembly. It would erode both the will and the capacity in the industrial world for assistance to developing countries. It would, in short, strike a serious blow at the hopes of hundreds of millions around the world.

The forthcoming dialogue among consumers and producers is a test. For its part, the United States is prepared for cooperation. We will work to make it succeed, in our own self-interest and in the interest of all nations. We hope to be met in that same spirit.

The third basic factor in economic security is the stability of export earnings. The development programs—indeed the basic survival—of many countries rest heavily on earnings from exports of primary products which are highly vulnerable to fluctuations in worldwide demand. Countries which depend on one product can find their revenues reduced drastically if its price drops or if exports fall precipitously. Most have insufficient reserves to cushion against sharp declines in earnings, and they cannot quickly increase the exports of other products. Facing such economic problems, most cannot borrow to offset the loss, or can only do so at extremely high interest rates. In such situations countries are frequently forced to cut back on the imports on which their growth and survival depend. Thus the unpredictability of export earnings can make a mockery of development planning.

The question of stabilization of income from primary products has become central in the dialogue on international economic concerns. Price stabilization is not generally a promising approach. For many commodities it would be difficult to achieve without severe restrictions on production or exports, extremely expensive buffer stocks, or price levels which could stimulate substitutes and thereby work to the long range disadvantage of producers. Even the most ambitious agenda for addressing individual commodities would not result in stabilization arrangements for all of them in the near term. And focusing exclusively on stabilizing commodity prices would not provide sufficient protection to the many developing countries whose earning also depend on the exports of manufactured goods.

The United States Government has recently completed a review of these issues. We have concluded that, because of the wide diversity among countries, commodities, and markets, a new, much more comprehensive approach is required—one which will be helpful to exporters of all commodities and manufactured goods as well.

Let me set forth our proposal: The United States proposes creation—in the International Monetary Fund—of a new development security facility to stabilize overall export earnings.

The facility would give loans to sustain development programs in the face of export fluctuations—up to $2.5 billion, and possibly more, in a single year, and a potential total of $10 billion in outstanding loans.

Assistance would be available to all developing countries which need to finance shortfalls in export earnings, unless the shortfalls are caused by their own acts of policy.

The poorest countries would be permitted to convert their loans into grants under prescribed conditions. These grants would be financed by the proceeds of sales of IMF gold channeled through the proposed $2 billion trust fund now under negotiation.

Eligible countries could draw most, or under certain conditions all of their IMF quotas, in addition to their normal drawing rights. Much of that could be drawn in a single year, if necessary—part automatically, part subject to balance of payments conditions, and part reserved for cases of particularly violent swings in commodity earnings.

Shortfalls would be calculated according to a formula geared to future growth as well as current and past exports. In this way the facility helps countries protect their development plans.

This facility would replace the IMF's compensatory finance facility; it would not be available for industrial countries.

The United States will present its detailed proposals to the Board of Directors of the International Monetary Fund this month.

This development security facility would provide unprecedented protection against disruptions caused by reductions in earnings—both for countries whose exports consist of a few commodities and for those with diversified and manufactured exports whose earnings also fluctuate with business cycles. In the great majority of countries, this new facility will cover nearly all the earnings shortfall.

This new source of funds also reinforces our more traditional types of assistance—without the stabilization of earnings, the benefits of concessional aid for developing countries is vitiated. For industrialized countries, it means a more steady export market. For developing countries, it helps assure that development can be pursued without disruption and makes them more desirable prospects in international capital markets. For consumers and producers, rich and poor alike, it buttresses economic security.

Thus the success of our efforts in this area will demonstrate that our interdependence can strengthen the foundations of prosperity for all while promoting progress in the developing countries.

ACCELERATING ECONOMIC GROWTH

It is not enough to ensure the minimal economic security of the developing countries. Development is a process of growth, of acceleration, of greater productivity, higher living standards, and social change. This is a process requiring the infusion of capital, technology, and managerial skills on a massive scale.

Developing countries themselves will have to provide most of the effort, but international support is indispensable. Even a moderate acceleration of recent growth rates will require some $40 billion a year in outside capital by 1980. The requirement for technological innovation, though impossible to quantify, is similarly great.

How can these needs for capital, technology, and skills be met?

Bilateral concessional assistance from the industrialized countries has been one important source. Last year it amounted to some $7.2 billion. This must continue to grow. But realistically, we cannot expect the level to increase significantly over the coming years. To put it frankly, the political climate for bilateral aid has deteriorated. In the industrial countries, support for aid has been eroded by domestic economic slowdown, compounded by energy problems in the developing countries. There is resentment at forms of assistance which imply dependence.

The oil exporters have only begun to meet their responsibility for assistance to the poorer countries. Last year their concessionary aid disbursements were roughly $2 billion; it could—and must—rise substantially this year.

But the industrial nations and the oil exporters cannot, even together supply all the new resources needed to accelerate development. It follows inescapably that the remaining needs for capital and technology can only be met, directly or indirectly, from the vast pool of private sources. This investment will take place only if the conditions exist to attract or permit it. The United States therefore believes it is time for the world community to address the basic requirements for accelerating growth in developing countries:

First, developing countries must have better access to capital markets;

Second, we must promote the transfer of technology;

Third, it is time to reach an international consensus on the principles to guide the beneficial operation of transnational enterprises.

First, access to capital markets. The private capital markets are already a major source of development funds, either directly or through intermediaries. The World Bank and the regional development banks borrow extensively to lend to developing nations. The United States urges the expansion of these programs. We are gratified that advanced countries outside of the Western Hemisphere are joining us shortly in a $6 billion expansion of the Inter-American Development Bank. We will participate in negotiations for replenishment of the Asian Development Bank; and we are seeking Congressional authority to join the African Development Fund.

But the developing countries that have been most successful and that no longer require concessional aid, especially in Asia and Latin America, have relied heavily on borrowing in the capital market. Their future access must be assured.

We must now find new ways to enhance the opportunities of developing countries in the competition for capital. And we need to match in new ways potential sources of capital with the investment needs of developing countries.

Several courses of action offer promise. First, the United States will support a major expansion of the resources of the World Bank's International Finance Corporation—the investment banker with the broadest experience in supporting private enterprise in developing countries. We propose a large increase in the IFC's capital, from the present $100 million to at least $400 million.

Secondly, the United States proposes creation of an International Investment Trust, to mobilize portfolio capital for investment in local enterprises. The trust would attract new capital by offering investors a unique opportunity—participation in a managed broad selection of investments in developing country firms, public, private and mixed. The International Finance Corporation would manage it and perhaps provide seed capital, but most of its funds would come from government and private investors. Investors would have their exposure to major losses limited by a $200 million loss-reserve, provided by governments of industrialized, oil-producing, and developing nations. This institution could be a powerful link between the capital market and the developing world, and could provide billions of dollars of essential resources.

Thirdly, the United States will contribute actively to the work of the IMF/World Bank Development Committee to find ways to assist developing countries in their direct borrowing in the capital market. It is encouraging that the Latin American countries are considering a regional financial safety net to underpin their access to capital markets by mutual commitments of financial backing.

Finally, we believe that all industrial countries should systematically review the conditions for developing-country access to their national markets, to assure that they offer fair and open opportunity. The United States is prepared to provide technical assistance and expertise to developing countries ready to enter long-term capital markets, and we ask others to join us.

Developing countries need not only new funds but also new technology. Yet the mechanisms for the transfer of technology and for its local development are limited, and are seldom at the sole command of national governments, and the technologies of industrial countries must often be adapted to local economic and social conditions. New institutions and new approaches are therefore required.

For technology to spur development, it must spur growth in priority areas: energy, food, other resources strategic to their economies, and industrialization itself.

First, energy is critical for both agricultural and industrial development. The enormous rise in the cost of oil in the last two years has more than wiped out the total of the foreign aid that developing countries have received. It has undermined their balance of payments and has mortgaged their future by forcing them into larger borrowing at higher interest rates. There is no easy short-term solution, but if energy dependence is to be reduced, efforts to exploit new and diversified sources must be intensified now.

The United States invites other nations to join us in an increase of bilateral support for training and technical assistance to help developing countries find and exploit new sources of fossil fuel and other forms of energy.

Methods of discovering and using less accessible or low-grade resources must be fully utilized. So must technology to produce solar and geothermal power. And these techniques must be suited to the conditions of the developing countries.

The United States believes the topic of energy cooperation should be high on the agenda for the forthcoming dialogue between consumers and producers. We will propose, in this dialogue, creation of an International Energy Institute bringing together developed and developing, consumer and producer, on the particular problem of energy development. The International Energy Agency and the International Atomic Energy Agency should both find ways to give technical assistance and support to this Institute.

A second critical area for technological innovation is food production and improvement of nutrition.

During the past decade, a number of international agricultural research centers have been established to adapt techniques to local needs and conditions. In 1971 the Consultative Group for International Agricultural Research was formed to coordinate these efforts. The United States is prepared to expand the capacity of these institutes. In collaboration with national research organizations with more skilled manpower and funds, they could grow into a worldwide research network for development of agricultural technology.

We are also supporting legislation in the Congress to enable our universities to expand their technical assistance and research in the agricultural field.

Non-food agricultural and forestry products are a third strategic area for technological assistance. The export earnings of many of the poorest countries—and the livelihood of many millions of their people—depend on such products as timber, jute, cotton, and natural rubber, some of which have encountered serious problems in the face of synthetics. They urgently need assistance to improve the productivity and competitiveness of these products and to diversify their economies.

The United States therefore proposes creation of an organization to coordinate and finance such assistance. Its task will be to attract manpower and capital for research. The financing of this effort should be a priority task for the new International Fund for Agricultural Development.

But developing countries' need for technology is not only for development of strategic sectors, but for the broad promotion of industrialization itself. This requires the broadest application of skills, resources, and information.

This is not an easy task. The storehouse of technology is already huge and is growing geometrically. Developing practical devices to transfer technology beyond those which already exist will require careful thought. We are prepared to join with other nations in examining new initiatives.

To this end the United States supports creation of an International Industrialization Institute, to sponsor and conduct research on industrial technology together with the governments, industries, and research facilities of developing countries.

We support creation of an International Center for the Exchange of Technological Information, as a clearing house for the sharing of ongoing research and new findings relevant to development.

We will expand our bilateral support of industrial technology appropriate to developing country needs.

We will work with others in this organization in preparing guidelines for the transfer of technology and in the planning of a conference on science and technology for development.

Access to capital markets, and special programs to transfer new technology, are but two factors of accelerated growth. There is a third—which may well be one of the most effective engines of development—the transnational enterprise.

Transnational enterprises have been powerful instruments of modernization both in the industrial nations—where they conduct most of their operations—and in the developing countries, where there is often no substitute for their ability to marshall capital, management, skills, technology and initiative. Thus the controversy over their role and conduct is itself an obstacle to economic development.

It is time for the world community to deal with the problems, real and perceived, that have arisen. If the nations assembled here cannot reach consensus on the proper role of these enterprises, the developing countries could lose an invaluable asset. Let us make this issue a test of our capacity to accommodate mutual concerns in practical agreement.

For our part, the United States is prepared to meet the proper concerns of governments in whose territories transnational enterprises operate. We affirm that enterprises must act in full accordance with the sovereignty of host governments and take full account of their public policy. Countries are entitled to regulate the operations of transnational enterprises within their borders. But countries wishing the benefits of these enterprises should foster the conditions that attract and maintain their productive operation.

The United States therefore believes that the time has come for the international community to articulate standards of conduct for both enterprises and governments. The United Nations Commission on Transnational Corporations, and other international bodies, have begun such an effort. We must reach agreement on balanced principles. These should apply to transnational enterprises in their relations with governments, and to governments in their relations with enterprises and with other governments. They must be fair principles, for failure to reflect the interests of all parties conceived would exacerbate rather than moderate the frictions which have damaged the environment for international investment.

Specifically, the United States believes that:

Transnational enterprises are obliged to obey local law and refrain from unlawful intervention in the domestic affairs of host countries. Their activities should take account of public policy and national development priorities. They should respect local customs. They should employ qualified local personnel, or qualify local people through training.

Host governments in turn must treat transnational enterprises equitably, without discrimination among them, and in accordance with international law. Host governments should make explicit their development priorities and the standards which transnational enterprises are expected to meet, and maintain them with reasonable consistency.

Governments and enterprises must both respect the contractual obligations that they freely undertake. Contracts should be negotiated openly, fairly, and with full knowledge of their implications. Greater assurance that contracts will be honored will improve the international commercial environment, increase the flow of investment, and expand economic transactions. Destructive and politically explosive investment disputes, which spoil the climate for large commitments and investment, will occur less frequently.

Principles established for transnational enterprises should apply equally to domestic enterprises, where relevant. Standards should be addressed not only to privately owned corporations, but also to state owned and mixed transnational enterprises, which are increasingly important in the world economy.

A statement of principles is not the only or necessarily a sufficient way of resolving many of the problems affecting transnational enterprises. We must develop others:

Governments must harmonize their tax treatment of these enterprises. Without coordination, host-country and home-country policies may inhibit productive investment.

Fact-finding and arbitral procedures must be promoted as means for settling investment disputes. The World Bank's International Center for the Settlement of Investment Disputes, and other third-party facilities, should be employed to settle the important disputes which inevitably arise.

Laws against restrictive business practices must be developed, better coordinated among countries, and enforced. The United States has long been vigilant against such abuses in domestic trade, mergers, or licensing of technology. We stand by the same principles internationally. We condemn restrictive practices in setting prices or restraining supplies, whether by private or state-owned transnational enterprise or by the collusion of national governments.

Insurance for foreign private investors should to the extent possible be multilateralized, and should include financial participation by developing countries to reflect our mutual stake in encouraging foreign investment in the service of development.

And there must be more effective bilateral consultation among governments to identify and resolve investment disputes before they become irritants in political relations.

The United States believes that just solutions are achievable—and necessary. If the world community is committed to economic development, it cannot afford to treat transnational enterprises as objects of economic warfare. The capacity of the international community to deal with this issue constructively will be an important test of whether the search for solutions or the clash for ideologies will dominate our economic future. The implications for economic development are profound.

TRADE AND DEVELOPMENT

The third basic area for our attention is trade. Improving the world trading system will magnify our success in every other sphere of the development effort.

Trade has been a driving force in the unprecedented expansion of the world economy over the last thirty years. Comparative advantage and specialization, the exchange of technology and the movement of capital, the spur to productivity that competition provides—these are central elements of efficiency and progress. Open trade promotes growth and combats inflation in all countries.

For developing nations, trade is perhaps the most important engine of development. Increased earnings from exports help pay for both the imports that are essential to expand production and the food and for growing populations. These earnings reduce dependence on aid, limit the accumulation of debt, and help finance essential borrowing. Growing export industries can provide jobs and increase the government revenues necessary for development programs. It is no accident, therefore, that the success stories in development of the past three decades have been those very countries that have taken full advantage of the opportunities in world trade.

But today the global trading system is threatened by the most serious recession since the Second World War. We face the danger of proliferating artificial barriers, and unfair competition reminiscent of the 1930's which contributed to economic and political disaster. Every day that economic recovery is delayed, the temptation grows to restrict imports, subsidize exports, and control scarce commodities. Concerted action is necessary now to safeguard and improve the open trading system on which the future well-being of all our countries depends.

The multilateral trade negotiations now taking place in Geneva are central to this effort. They will have a profound impact on the future of the world economy and the prospects for development. If these negotiations fail, all countries risk a slide into an increasingly fragmented closed world of nationalism, blocs, and mounting frictions. If they succeed, all countries will benefit and there will be major progress toward a cooperative and prosperous world.

Many of the less-developed nations are emerging as important commercial powers. But developing countries need assistance to take better advantage of trading opportunities, especially to help them open up new markets. In revising rules to govern trade we must take account of their particular needs. In this connection, regional trading associations can help many small countries by providing the economies of scale which result from larger markets.

Thus success in the negotiations depends critically on promoting the interests of the developing countries. For if they do not help to make the rules, assume part of the responsibility to maintain a stable trade system and share in the benefits of trade, the rules will be subject to increasing challenge, the stability of the system undermined and the benefits for all nations jeopardized.

The United States therefore believes that a major goal of the multilateral trade negotiations should be to make the trading system better serve development goals. Let me briefly outline our policy.

First, there must be fundamental structural improvement in the relationship of the developing countries to the world trading system. In the earlier stages of their development, they should receive special treatment through a variety of means—such as preferences, favorable concessions and exceptions which reflect their economic status. But as they progress to a higher level of development, they must gradually accept the same obligations of reciprocity and stable arrangements that other countries undertake. At some point they must be prepared to compete on more equal terms, even as they derive growing benefits.

Second, we must improve opportunities for the manufacturing sectors of developing countries. These provide the most promising new areas for exports at the critical stage in development, but the tariffs of industrial countries are a substantial obstacle. To ease this problem the United States has agreed to join other industrial countries in instituting generalized tariff preferences to permit developing countries enhanced access to the markets of industrialized nations.

I am pleased to announce today that the United States program will be put into effect on January 1, 1976. And before that date, we will begin consultations and practical assistance to enable exporting countries to benefit from the new trade opportunities in the American market—the largest single market for the manufactured goods of developing countries.

Third, in keeping with the Tokyo Declaration, we should adapt rules of non-tariff barriers to the particular situation of developing countries. In setting international standards for government procurement practices, for example, the United States will negotiate special consideration for the developing countries. We will also negotiate on the basis that under prescribed conditions, certain subsidies may be permitted without triggering countervailing duties for a period geared to achieving particular development objectives.

Fourth, we will work for early agreement on tariffs for tropical products, which are a major source of earnings for the developing world. Moreover, the United States will implement its tariff cuts on these products as soon as possible.

Finally, we are ready to join with other participants in Geneva to negotiate changes in the system of protection in the industrialized countries that favors the import of raw materials over other goods. Many countries impose low or no duties on raw materials and high duties on manufactured or processed goods; the tariff protection increases or "escalates" with the degree of processing. Nothing could be better calculated to discourage and limit the growth of processing industries in developing countries. The United States will give high priority in the Geneva negotiations to reducing these barriers.

The developing countries have obligations in return. The world needs a system in which no nation, developed or developing, arbitrarily withholds or interferes with normal exports of materials. This practice—by depriving other countries of needed goods—can trigger unemployment, cut production, and fuel inflation. It is therefore as disruptive as any of the other trade barriers I have discussed. We urge negotiations on rules to limit and govern the use of export restraints, a logical extension of existing rules on imports. The United States will join others in negotiating supply access commitments as part of the reciprocal exchange of concessions.

But commodities can be addressed only in part in the context of the trade negotiations. For some serious commodity problems, special arrangements and different institutional structures are required. Let me now turn to that subject.

COMMODITY TRADE AND PRODUCTION

Exports of primary products—raw materials and other commodities—are crucial to the incomes of developing countries. These earnings can lift living standards above bare subsistence; generate profits to support the first steps of industrialization; and provide tax revenues for education, health, and other social programs for development. The history of the United States—and many other countries—confirms the importance of commodities.

But this path can be precarious in an uncertain global environment. Those developing countries which are not oil exporters rely on primary commodities for nearly two-thirds of their export earnings. Yet their sales of raw materials and agricultural products have not grown as fast as those of industrial countries. Agricultural commodities, particularly, are vulnerable to the whims of weather and swings of worldwide demand. The market in minerals is especially sensitive to the pendulum of boom and bust in the industrial countries. The result is a cycle of scarcity and glut, of under-investment and over-capacity.

Developing countries are hit hard by commodity cycles also as consumers; higher prices for energy imports, swings in the price and supply of food, and greater costs for other essential raw materials have been devastating blows, soaking up aid funds and the earnings by which they hoped to finance imports. All this can make a mockery of development plans.

But the problems of commodities are not the problems only of developing countries. The industrialized countries are in fact the largest exporters of food and most minerals. Gyrating prices complicate economic decisions in industrial countries. And consumers in industrial countries have painfully learned that high commodity prices leave their inflationary impact long after the commodity market has turned around.

Therefore, both industrial and developing countries would benefit from more stable conditions of trade and an expansion of productive capacity in commodities.

Many solutions have been put forward to benefit producers of particular products—cartelization, price indexing, commodity agreements and other methods. But reality demonstrates the interdependence of all our economies, and therefore the necessity for approaches that serve global rather than narrow interests.

The most vital commodity in the world is food. The United States is its largest producer and exporter. We recognize our responsibility. We have also sought to make international collaboration in food a model for realistic and cooperative approaches to other international economic issues.

The United States policy is now one of maximum production. At home, we want a thriving farm economy and moderate prices for consumers. Internationally, we wish cooperative relations with nations that purchase from us, an open and growing market, and abundant supplies to meet the needs of the hungry through both good times and bad.

For hundreds of millions of people, food security is the single most critical need in their lives; for many it is a question of life itself. But food security means more than emergency relief to deal with crop failures, natural disasters and pockets of famine. It means reasonable stability in the availability of food in commercial markets, so that harvest failures in some parts of the world will not make food impossibly expensive elsewhere. We have seen with dramatic frequency in recent years how the international food market, strained to capacity, can shake the international economy. Its fluctuations have accelerated inflation, devastated development plans, and wreaked havoc with human lives. Yet in good times, the world community has not summoned the will to take obvious corrective steps to stabilize the market structure.

The United States believes that a global approach to food security—which contains elements that can apply to other commodities—should follow these basic principles:

The problem must be approached globally, comprehensively, and cooperatively, by consultation and negotiation among all significant producers and consumers;

Producers should recognize the global interest in stability of supply; and consumers should recognize the interest of producers in stability of markets and earnings;

Special consideration should be given to the needs of developing countries; and

Where volatile demand is combined with limited ability to make short-term increases in production, buffer stocks may be the best approach to achieving greater security for both consumers and producers.

At the World Food Conference last November, which was convened at our initiative, the United States proposed a comprehensive international cooperative approach to providing food security. We proposed an international system of nationally-held grain reserves, to meet emergencies and improve the market. The United States has since then offered specific proposals and begun negotiations. But the international effort lagged when improved harvests seemed to diminish the immediate danger of worldwide shortage. My government today declares that it is time to create this reserve system. If we do not, future crises are inevitable.

Specifically, we propose:

To meet virtually all potential shortfalls in food grains production, total world reserves must reach at least 30 million tons of wheat and rice. We should consider whether a similar reserve is needed in coarse grains.

Responsibility for holding reserves should be allocated fairly, taking into account wealth, production and trade. The United States is prepared to hold a major share.

Acquisition and release of reserves should be governed by quantitative standards such as anticipated surpluses and shortfalls in production.

Full participants in the system should receive assured access to supplies. Among major producers, full participation should require complete exchange of information and forecasts.

Special assistance should be extended to developing countries that participate, to enable them to meet their obligation to hold a portion of global reserves.

The United States is ready to negotiate the creation of such a system. Let us move ahead rapidly.

And let us apply the same approach of cooperation to other primary commodities that are similarly beset by swings of price and supply—and that are similarly essential to the global economy.

There is no simple formula that will apply equally to all commodities. The United States therefore proposes to discuss new arrangements in individual commodities on a case-by-case basis.

Buffer stocks can be an effective technique to moderate instability in supplies and earnings. On the other hand, price-fixing arrangements distort the market, restrict production, and waste resources for everyone. It is developing countries that can least afford this waste. Restricted production idles the costly equipment and economic infrastructure that takes years to build. Artificially high prices lead consumers to make costly investment in domestic substitutes, ultimately eroding the market power of the traditional producers.

Accordingly, the United States proposes the following approach to commodity arrangements:

We recommend that a consumer-producer forum be established for every key commodity to discuss how to promote the efficiency, growth, and stability of its market. This is particularly important in the case of grains, as I have outlined. It is also important in copper, where priority should be given to creating a forum for consumer-producer consultation.

The first new formal international agreement being concluded is tin. We have participated actively in its negotiation. President Ford has authorized me to announce that the United States intends to sign the tin agreement, subject to Congressional consultations and ratification. We welcome its emphasis on buffer stocks, its avoidance of direct price-fixing, and its balanced voting system. We will retain our right to sell from our strategic stockpiles, and we recognize the right of others to maintain a similar program.

We are participating actively in negotiations on coffee. We hope they will result in a satisfactory new agreement that reduces the large fluctuations in prices and supplies entering the market.

We will also join in the forthcoming cocoa and sugar negotiations. Their objective will be to reduce the risks of investment and moderate the swings in prices and supplies.

We will support liberalization of the International Monetary Fund's financing of buffer stocks, to assure that this facility is available without reducing other drawing rights.

I have already announced my government's broad proposal of a development security facility—a more fundamental approach to stabilizing the overall earnings of countries dependent on commodities trade. My government also believes that an effective approach to the commodities problem requires a comprehensive program of investment to expand worldwide capacity in minerals and other critical raw materials. This is basic to the health of both industrial and developing economies.

There are presently no shortages in most basic raw materials; nor are any likely in the next two or three years. But the adequacy of supplies in years to come will be determined by investment decisions taken now. Because the technology for processing lower-grade ores is extremely complex, and the financing requirements for major raw material investments are massive, new projects take several years to complete. In some countries, the traditional source of funds—private foreign investment—is no longer as welcome, nor are investors as interested, as in the past.

The United States therefore proposes a major new international effort to expand raw material resources in developing countries.

The World Bank and its affiliates, in concert with private sources, should play a fundamental role. They can supply limited amounts of capital directly; more importantly, they can use their technical, managerial and financial expertise to bring together funds from private and public sources. They can act as intermediary between private investors and host governments, and link private and public effort by providing cross guarantees on performance. World Bank loans could fund government projects, particularly for needed infrastructure, while the International Finance Corporation could join private enterprise in providing loans and equity capital. The World Bank group should aim to mobilize $2 billion in private and public capital annually.

In addition, the United States will contribute to and actively support the new United Nations revolving fund for natural resources. This Fund will encourage the worldwide exploration and exploitation of minerals, and thus promote one of the most promising endeavors of economic development.

THE POOREST NATIONS

Any strategy for development must devote special attention to the needs of the poorest countries.

The fate of one billion people—half the developing world and a quarter of mankind—will be affected by what we do or fail to do.

For the last four years, per capita income in the poorest countries—already below minimal standards for development—has declined. Their exports are most concentrated in the least dynamic sectors of world demand. It is they who have been most cruelly affected by the rise in the costs of oil, food and other essential imports.

Whatever adversity the rest of mankind endures, it is these peoples who endure the most. Whatever problems we have, theirs are monumental. Whatever economic consequences flow from the decisions that we all make, the consequences are greatest for them. If global progress in economic development falters, they will be submerged.

This challenge transcends ideology and bloc politics. No international order can be considered just unless one of its fundamental principles is cooperation to raise the poorest of the world to a decent standard of life.

This challenge has two dimensions. We must look to elemental economic security and the immediate relief of suffering. And we must give preference to these countries' needs for future economic growth.

First, security means balance of payments support for the poorest countries during periods of adversity. For them global recessions and wide swings in prices of key commodities have a particularly disastrous impact. Yet these countries have very little access to short and medium-term capital to help them weather bad times. The little finance to which they have access often involves interest rates that are too high considering their chronic debt repayment problems.

To provide greater balance of payments support at more acceptable rates of interest for the poor nations, the United States last November proposed a trust in the International Monetary Fund of up to $2 billion for emergency relief. Although this proposal met with wide support, it has been stalled by a dispute over an unrelated issue—the role of gold in the international monetary system. We cannot let this delay continue. The United States is making a determined effort to move forward the monetary negotiations at the IMF meetings now underway. If others meet us in this same spirit, we could reach a consensus on the Trust Fund by the next meeting in January.

Second, security requires stable export earnings. The new approach that we are proposing today for earnings stabilization can provide major new economic insurance in the form of loans and grants for the poorest countries.

Third, security means having enough to eat. There must be determined international cooperation on food.

The World Food Conference set a target of 10 million tons of food aid annually. This fiscal year the United States food aid budget provides for almost 6 million tons of foodgrains—sixty percent of the world target, and a twenty percent increase over last year. Other producers must also provide their share.

Another priority in the poorest countries must be to reduce the tragic waste of losses after harvest from inadequate storage, transport, and pest control. There are often simple and inexpensive techniques to resolve these problems. Investment in such areas as better storage and pesticides could have a rapid and substantial impact on the world's food supply—indeed the saving could match the total of all the food aid being given around the world. Therefore, we urge that the Food and Agricultural Organization, in conjunction with the UN Development Program and the World Bank, set a goal of cutting in half these post-harvest losses by 1985, and develop a comprehensive program to this end.

Finally, security means good health and easing the strains of population growth. Disease ravages the poorest countries most of all and exacts a devastating economic as well as human cost. At the same time we face the stark reality that there will be twice as many people to feed by the end of this century as there are today. One of the most promising approaches to these problems is the integrated delivery of basic health services at the community level, combining medical treatment, family planning, and nutritional information and using locally trained paramedical personnel. The United States will support a major expansion of the efforts already underway, including those in cooperation with the World Health Organization, to develop and apply these methods. We strongly urge the help of all concerned nations.

Programs to achieve minimum economic security, however essential, solve only part of the problem. We must help the poorest nations break out of their present stagnation and move toward economic growth.

This means first of all that they should have preferential access to official, concessionary financial aid. They have the least dynamic exports, but they lack the capital to develop new ones. They have the direst need for financing, but they have no access to capital markets and little ability to carry greater debt.

If these countries themselves can summon the effort required, outside assistance can be productive. All nations with the financial capacity must share the responsibility. We will do our part. More than seventy percent of our development assistance goes to low-income countries. More than sixty percent of this year's proposed programs is devoted to food and nutrition, which are of particular importance to the poorest.

The special financial needs of the poorest countries can be met, particularly by expanded, low-interest loans of the international financial institutions. The International Development Association of the World Bank group is a principal instrument whose great potential has not been fully realized. After Congressional consultations, the United States will join others in a substantial fifth replenishment of the resources of the International Development Association; provided that the oil exporting countries also make a significant contribution.

An effective strategy for sustained growth in the poorest countries must expand their agricultural production. For external food aid cannot possibly fill their needs. The current gap between what the developing countries need and what they can produce themselves is 15 million tons; at present rates of growth, the gap is expected to double or triple within the next decade. Failure to meet this challenge will doom much of the world to hunger and malnutrition and all of the world to periodic shortages and higher prices.

Traditional bilateral aid programs to boost agricultural production remain indispensable. President Ford is asking Congress for authorization to double our bilateral agricultural assistance this year to $582 million. We urge the other affluent nations to increase their contributions as well.

Clearly a massive program of international cooperation is also required. More research is needed to improve agricultural yields, make more efficient use of fertilizer, and find better farm management techniques. Technical assistance and information exchange are needed for training and for technological advance. Better systems of water control, transportation and land management are needed to tap the developing countries' vast reserves of land, water and manpower.

To mobilize massive new concessional resources for these purposes, the United States proposes the early establishment of the new International Fund for Agricultural Development. President Ford has asked me to announce that he will seek authorization of a direct contribution of $200 million to the fund—provided that others will add their support for a combined goal of at least one billion dollars.

The International Fund for Agricultural Development can be the major source of new capital to attack the most critical problems of the poorest developing countries. The United States urges the world community to give it prompt and major support.

THE POLITICAL DIMENSION

In every area of endeavor that I have described—economic security, growth, trade, commodities and the needs of the poorest—the developing countries themselves want greater influence over the decisions that will affect their future. They are pressing for a greater role in the institutions and negotiations by which the world economic system is evolving.

The United States believes that participation in international decisions must be widely shared, in the name of both justice and effectiveness. We believe the following principles should apply:

The process of decision should be fair. No country or group of countries should have exclusive power in the areas basic to the welfare of others. This principle is valid for oil. It also applies to trade and finance.

The methods of participation must be realistic. We must encourage the emergence of real communities of interest between nations, whether they are developed or developing, producer or consumer, rich or poor. The genuine diversity of interests that exists among states must not be submerged by bloc discipline or in artificial, unrepresentative majorities. For only genuine consensus can generate effective action.

The process of decision should be responsive to change. On many issues developing countries have not had a voice that reflects their role. This is now changing. It is already the guiding principle of two of the most successful international bodies, the IMF and the World Bank, where the quotas of oil producing states will soon be at least doubled—on the basis of objective criteria. Basic economic realities, such as the size of economies, participation in world trade and financial contributions, must carry great weight.

Finally, participation should be tailored to the issues at hand. We can usefully employ many different institutions and procedures: sometimes we should seek broad consensus in universal bodies, as we are doing this week in this Assembly; sometimes negotiations can more usefully be focused in more limited forums, such as the forthcoming consumer-producer dialogue; sometimes decisions are best handled in large, specialized bodies such as the IMF and World Bank, where voting power is related to responsibility; and sometimes most effective action can be taken in regional bodies.

Most relevant to our discussion here is the improvement of the United Nations system, so that it can fulfill its charter mandate "to employ international machinery for the promotion of the economic and social advancement of all peoples." We welcome the thoughtful report by the Secretary-General's group of 25 experts on structural reform in the UN system. We will seriously consider its recommendations. In our view, an improved UN organization must include:

Rationalization of the UN's fragmented assistance programs;

Strengthened leadership within the central Secretariat and the entire UN system for development and economic cooperation;

Streamlining of the Economic and Social Council;

Better consultative procedures to ensure effective agreement among members with a particular interest in a subject under consideration; and

A mechanism for independent evaluation of the implementation of programs.

The United States proposes that 1976 be dedicated as a year of review and reform of the entire UN development system. An intergovernmental committee should be formed at this session, to begin work immediately on recommendations that can be implemented by the General Assembly in its 1976 session. We consider this a priority in any strategy for development.

CONCLUSION

Mr. President, Mr. Secretary-General, colleagues, ladies and gentlemen:

I began today with the statement that we have, this week, an opportunity to improve the condition of mankind. This fact alone represents an extraordinary change in the human condition. Throughout history, man's imagination has been limited by his circumstances—which have now fundamentally changed. We are no longer confined to what Marx called "the realm of necessity." And it has always been the case that the wisest realists were those who understood man's power to shape his own reality.

The steps we take now are not limited by our technical possibilities, but only by our political will. If the advanced nations fail to respond to the winds of change, and if the developing countries choose rhetoric over reality, the great goal of economic development will be submerged in our common failure. The speeches made here this week will be placed alongside many other lofty pronouncements made over decades past in this organization on this subject, buried in the archives of oblivion.

But we would not all be here if we did not believe that progress is possible and that it is imperative.

The United States has proposed a program of action. We are prepared to contribute, if we are met in a spirit of common endeavor.

We have proposed steps to improve basic economic security—to safeguard the world economy, and particularly the developing countries, against the cruel cycles that undermine their export earnings.

We have proposed measures to improve developing countries' access to capital, new technology, and management skills to lift themselves from stagnation onto the path of accelerating growth.

We have proposed structural improvements in the world trading system, to be addressed in the ongoing multilateral trade negotiations, to enhance developing countries' opportunities to earn their own way through trade.

We have proposed a new approach to improving market conditions in food and other basic commodities, on which the economies and indeed the lives of hundreds of millions of people depend.

We have proposed specific ways of giving special help to the development needs of the poorest countries.

My government does not offer these proposals as an act of charity, nor should they be received as if due. We know that the world economy nourishes us all, we know that we live on a shrinking planet. Materially as well as morally, our destinies are intertwined.

There remain enormous things for us to do. We can say once more to the new nations: we have heard your voices. We embrace your hopes. We will join your efforts. We commit ourselves to our common success.

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION ACT, 1976

The Senate continued with the consideration of the bill (H.R. 8121) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending business?

The PRESIDING OFFICER. H.R. 8121 is the pending business. The question is on the first committee amendment.

Mr. PASTORE. Mr. President, H.R. 8121, the State, Justice, Commerce, the Judiciary and related agencies appropriations bill, as reported to the Senate, contains recommendations totaling $6,130,670,000 in new budget—obligational—authority. The committee considered a total budget request of $5,721,597,400, including $119,690,000 in budget requests not considered by the House. These requests came to us for consideration after the House had acted on its bill.

The total of the committee's recommendations is a decrease of $85,259,400 below last year.

The increase of $409,072,600 over the budget request consists of four major changes.

First, the Senate committee identified about $100 million worth of House reductions below the budget request. The committee is recommending that the Senate accept these reductions.

Second, the House added $200 million for the Small Business Administration for business loans and nonphysical disaster loans. Here the President's budget had made provision for the $200 million—but for later transmittal based on revised legislation that would provide for full cost recovery. Because the administration's legislative proposal would have resulted in increasing the interest on SBA loans to 9 to 10 percent, the House felt it was obvious that the legislative proposal was not going to be enacted. Consequently, the House put the $200 million into the bill to continue the ongoing program under the existing authorizations. These amounts are, therefore, included in the overall totals of the President's budget for 1976. However, specific requests have not been transmitted to the Congress—they have been approved by the Office of Management and Budget and have been sent to the White House for transmittal to the Congress.

The House did not show these amounts in the budget request column and the Senate committee report treats this item the same as the House. In summary, the administration apparently wishes the Congress to appropriate the $200 million, but they have been slow to send forward the formal request. This makes the budget request figure $200 million lower than it should be and the committee increase over the budget request $200 million higher than it really should be. Because this means jobs for our citizens, the committee felt this item could not be deferred.

The third major change relates to a $92 million increase over the budget request and the House allowance for increased law enforcement efforts. These funds would be used to restore the proposed 45-percent reduction in the law enforcement education program and provide $75 million for the juvenile justice program. The House had proposed the restoration of the law enforcement education program and $40 million for the juvenile justice program—without increasing the overall amount for LEAA.

The effect of the House action would have been to force a $57 million reduction on the established LEAA programs—above and beyond the $110 million cut proposed in the President's budget and allowed by the House. Based on testimony from the Department, the committee believes that further cuts in the program are not warranted. The committee's judgment is based on the fact that serious crime is up 17 percent, police officers from some of the big city police departments are being laid off, and over half of the serious crime is committed by youth under 19 years old. Even the President, in his recent message to the Congress on the subject of crime, has indicated that more—not less—needs to be done in this area.

The fourth major change relates to a $209 million increase over the budget request and House allowance for the economic development assistance programs. This includes an additional $42 million for the regional commissions. The amount here is exactly the amount that we voted for in the Senate version of the vetoed Emergency Employment Appropriation Act. This is consistent with the congressional program of economic recovery and energy sufficiency which was transmitted to the President in February.

The additional funds provided by the committee for economic development assistance programs will provide increased job opportunities while constructing facilities of lasting value to the community.

Now is a time for great economic stress—the new composite index of economic indicators is still more than 25 percent below 1973 and unemployment is at the highest level since the depression days of the 1930's. Yet the budget request for the basic public works programs authorized under titles I, II, and IV of the Public Works and Economic Development Act has been reduced in the President's budget request to the lowest level since the inception of the program in 1965. This is the program that is designed to stimulate growth in the private sector by investing Federal funds to create an environment in which private enterprise may flourish.

The effect of the Senate increases will be to provide the seed money to stimulate short- and long-term economic growth in economically depressed areas—to put people who are unemployed back to work. If we could get our unemployed citizens back to work and paying taxes, this big deficit we are faced with would vanish. We must do more to put people back to work than the budget recommendation—which, after all, was formulated almost a year ago when inflation was rampant and the current unemployment problems were unforeseen. If we do not, we will be faced with massive deficits and 8 percent unemployment for years to come—and that is totally unacceptable.

Finally, the amounts in the bill are several hundreds of millions of dollars below the target ceiling submitted by this subcommittee to the chairman of the full committee earlier this year. All the amounts in the recommendation are fully covered by the first concurrent resolution— and in fact, we are several hundreds of millions below that ceiling also.

Mr. President, I have a motion to make on the adoption of the committee amendments en bloc. I am wondering whether my distinguished colleague and counterpart, the Senator from Nebraska, prefers that I do that now, before he makes his opening statement.

Mr. HRUSKA. That will be perfectly agreeable.

Mr. PASTORE. I thank the Senator.

Mr. President, I ask unanimous consent that the committee amendments, with the exception of the amendment on page 62, line 9, be considered and agreed to en bloc, and that the bill, as thus amended, be regarded, for purposes of amendment, as an original text; provided, that no point of order shall be considered to have been waived by reason of agreement to this order.

Mr. SPARKMAN. Will the Senator yield?

The PRESIDING OFFICER. Is the Senator from Alabama objecting?

Mr. SPARKMAN. Reserving the right to object, I have discussed with the chairman one slight amendment which he says he is willing to take. That is on page 60, line 21, to strike the word "direct." Would this be the proper time to consider that, rather than later?

Mr. PASTORE. No, I think if we consider the committee amendments en bloc, then I will accept that amendment immediately thereafter.

Mr. SPARKMAN. I was not sure.

Mr. PASTORE. I excepted that from my statement. I move that our committee amendments with the exception of the amendment on page 62, line 9, be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments agreed to are as follows:

On page 3, in line 13, strike out "$410,000,000" and insert "$425,400,000".

On page 4, in line 6, strike out "$114,900,000" and insert "$119,100,000".

On page 6, in line 19, strike out "$217,853,000" and insert "$223,495,000".

On page 7, in line 9, strike out "$8,600,000" and insert "$9,000,000".

On page 7, in line 11, strike out "$2,560,000" and insert "$2,673,000".

On page 14, in line 7, strike out "$60,000,000" and insert "$62,000,000".

On page 14, in line 16, strike out "$13,000,000" and insert "$13,500,000".

On page 16, beginning with line 18, strike out:

SEC. 104. None of the funds appropriated in this title shall be used for the purposes of negotiating the surrender or relinguishment of any U.S. rights in the Panama Canal Zone.

On page 17, in line 9, strike out "$20,735,000" and insert "$21,048,000".

On page 17, in line 14, strike out "$5,145,000' and insert "$5,223,000".

On page 18, in line 17, strike out "$20,661,000" and insert "$22,529,000".

On page 18, in line 22, strike out "$5,605,208" and insert "$5,600,000".

On page 19, in line 5, strike out "$141,800,000" and insert "$142,800,000".

On page 19, in line 8, strike out "35,900,000" and insert "$36,300,000".

On page 21, in line 19, strike out "463,400,000" and insert "$468,700,000".

On page 21, in line 24, strike out "$122,900,000" and insert "$124,000,000".

On page 26, in line 25, strike out "$769,638,000" and insert "$861,638,000".

On page 27, in line 2, strike out "$194,960,000" and insert "$217,960,000".

On page 30, in line 13, strike out "$52,090,000" and insert "$52,471,000".

On page 30, in line 15, strike out "$13,540,000" and insert "$13,636,000".

On page 31, in line 6, strike out "$290,000,000" and insert "$453,500,000".

On page 31, in line 9, strike out "$72,500,000" and insert "$112,500,000".

On page 31, in line 14, strike out "$23,880,000" and insert "$27,380,000".

On page 31, in line 19, strike out "$5,990,000" and insert "$6,890,000".

On page 32, in line 1, strike out "$42,068,000" and insert "$84,068,000".

On page 32, in line 4, strike out "$10,520,000" and insert "$21,000,000".

On page 33, in line 6, strike out "$61,000,000" and insert "$61,410,000".

On page 34, in line 19, after the semicolon, insert "and for necessary expenses to carry out the provisions of the Act of July 19, 1940, as amended,".

On page 34, in line 21, strike out "$11,565,000" and insert "$14,065,000".

On page 34, in line 24, strike out "$2,892,000" and insert "$3,517,000".

On page 35, in line 18, strike out "$490,000,000" and insert "$501,342,000".

On page 36, in line 6, strike out "$135,000,000" and insert "$137,000,000".

On page 36, in line 10, strike out "$18,000,000" and insert "$19,500,000".

On page 36, in line 13, strike out "$4,500,000" and insert "$4,900,000".

On page 36, beginning with line 22, insert:

CONSTRUCTION

For expenses necessary for the National Oceanic and Atmospheric Administration for planning, design, and construction of facilities, $1,160,000, to remain available until expended.

For "Construction" for the period July 1, 1976, through September 30, 1976, $1,790,000, to remain available until expended.

On page 37, in line 8, strike out "$8,435,000" and insert "$9,135,000".

On page 38, in line 1, strike out "$62,475,000" and insert "$64,033,000".

On page 38, in line 3, strike out "$2,085,000" and insert "$2,585,000".

On page 38, in line 8, strike out $16,058,000" and insert "$16,198,000".

On page 46, in line 24, strike out "$115,700,000" and insert "$118,450,000".

On page 47, in line 21, after "above", insert a comma and the following: "said salary to be paid from this appropriation and be set by the Judicial Council of the Circuit, which Council shall also prescribe the duties and qualification of the position".

On page 47, in line 25, strike out "$29,000,000" and insert "$29,916,000".

On page 48, in line 8, strike out "$16,551,000" and insert "$16,590,000".

On page 48, in line 11, strike out "$4,138,000" and insert "$4,148,000".

On page 48, in line 20, strike out "$18,500,000" and insert "$20,153,000".

On page 48, in line 23, strike out "$4,500,000" and insert "$4,883,000".

On page 49, in line 5, strike out "$10,489,000" and insert "$10,510,000".

On page 49, in line 9, strike out "$2,589,000" and insert "$2,594,000".

On page 49, in line 13, strike out "$24,046,000" and insert "$24,096,000".

On page 49, in line 22, strike out "$5,996,000" and insert "$6,008,000".

On page 50, in line 8, strike out "$7,140,000" and insert "$7,233,000".

On page 50, in line 14, strike out "$1,800,000" and insert "$1,823,000".

On page 50, in line 18, strike out "$6,400,000" and insert "$6,565,000".

On page 50, in line 20, strike out "$1,680,000" and insert "$1,721,000".

On page 53, in line 8, strike out "$62,350,000" and insert "$65,640,000".

On page 53, in line 10, strike out $17,375,000" and insert "$18,200,000".

On page 58, beginning with line 5, insert:

"LEGAL SERVICES CORPORATION

"To enable the Community Services Administration to make payment to the Legal Services Corporation, as authorized by, and to carry out the purposes of, the Legal Services Corporation Act of 1974 (P.L. 93–355), $96,466,000: *Provided,* That all obligations and expenditures incurred in fiscal year 1976 by the Community Services Administration, pursuant to the provisions of the Continuing Appropriations Resolution for Fiscal Year 1976, for carrying out programs and activities relating to legal services and assistance under the provisions of the Economic Opportunity Act of 1964 shall be charged against this appropriation.

"For 'Legal Services Corporation' for the period July 1, 1976 through September 30, 1976, $27,000,000".

On page 62, beginning with line 11, insert 000" and insert "$48,885,000".

On page 60, in line 12, strike out "$12,425,000" and insert "$12,925,000".

On page 62, beginning with line 11, insert "and $10,000,000 is for the direct loan program authorized by section 7(h) of said Act."

Mr. PASTORE. Mr. President, if the Senator will make his amendment, I think I can agree to it.

Mr. SPARKMAN. Mr. President, I move that on page 60, line 21, the word "direct," the last word in that line, be stricken.

Mr. PASTORE. That is page 62.

Mr. SPARKMAN. I have the House bill.

Will the Senator give the citation in the Senate bill?

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

On page 62, line 9, after the word "the", strike the word "direct".

Mr. SPARKMAN. Mr. President, I withdraw that motion and make this motion: that on page 62, line 9, the last word in the line, "direct," which the committee struck as part of its amendment, be left in the bill—be restored.

Mr. HRUSKA. There is no objection on my part.

Mr. PASTORE. No objection. We accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. To achieve the Senator's objective, the committee amendment will have to be rejected.

Mr. PASTORE. That is right. I move that the committee amendment be rejected insofar as its action in deleting the word, "direct," on line 9 of page 62 is concerned.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open for amendment.

Mr. SPARKMAN. Mr. President, I ask the chairman if we might have a short discussion on the other matter that I mentioned to the chairman.

Mr. PASTORE. Yes.

Mr. SPARKMAN. It has to do with the elimination of the request that was made by the administration of $1 million for work in the Passport Division. The committee has not allowed that and I have discussed this with the chairman. As I have told him, that there is a bill on the calendar now, reported out by the Committee on Foreign Relations, in which this provision is sought to be authorized.

Mr. PASTORE. Will the Senator yield?

Mr. SPARKMAN. Yes.

Mr. PASTORE. I am in complete sympathy with the objective of what the Senator from Alabama proposes. The point is that it has not been authorized. This calls for a modernization of our passport issuing system. I think we need to modernize it.

Mr. SPARKMAN. And it is provided in the administration request.

Mr. PASTORE. It is in the administration request, but the only trouble is that the request in the funding came up before the program was authorized. I understand there is a bill pending at the desk now to authorize this program. I doubt very much that it has been authorized in the House.

Mr. SPARKMAN. It has not.

Mr. PASTORE. I give the Senator from Alabama the assurance that once the Senate does pass it—because then we will have something to pass on; otherwise it will always be subject to a point of order—I am perfectly willing to consider this favorably. I am speaking only for myself, but I will use all the persuasiveness that is at my command to see that we carry out this program on the first supplemental.

Mr. SPARKMAN. I appreciate that. I did want to discuss it with the chairman, because I believe that it is an important provision.

I thank the chairman very much.

Mr. HRUSKA. Mr. President, the statement of the distinguished chairman of the subcommittee, the Senator from Rhode Island, just made, well describes the scope and the results of our committee action on this bill. I applaud and express appreciation for the chairman's leadership in promptly reporting this bill to the Senate. I thank him for his many courtesies during its development.

I am particularly pleased Mr. President, that this legislation contains additional funding over the House allowance for support of criminal justice efforts.

The committee's recommendation for the Law Enforcement Assistance Administration reflects its concern in the increase in serious crime in past years. The committee is mindful that reductions in funds for LEAA block grants and other activities could have adverse effects on the law enforcement activities of the already financially pressed State and local police, courts, and corrections agencies.

The committee recommendation of $92 million over the House-passed bill provides funds for the law enforcement education program and programs under title II of the Juvenile Justice and Delinquency Prevention Act of 1975. The bill passed by the other body would have, in effect, required that funding for these programs be taken from other ongoing LEAA activities, which had already been reduced in the budget request by some $110 million. This diversion of funds from other LEAA programs would force a reduction in direct assistance to State and local governments and limit LEAA's support of the career criminal program, the efforts to reform our courts, and State and local efforts to control organized crime. To my mind, these reductions would have serious consequences in our overall efforts to reduce and control crime in the United States.

In line with that, Mr. President, and aware of the reliance placed by the Department of Justice on its U.S. attorneys to conduct litigation in the 94 judicial districts across the country, the committee recommended that 56 of the 112 requested U.S. attorney employee positions that were deleted by the House be restored. The workload of the U.S. attorneys has increased greatly in past years, and it has become apparent that the speedy trial legislation passed by the Congress last year, which went into effect on July 1 of this year, will place further burdens on their offices. These additional positions will be needed to meet this increased amount of litigation.

Although no funds were appropriated for the recently created National Institute of Corrections, the committee did take cognizance of the need for funding of this vital addition to the administration and research activities of the American prison system. The Institute, housed in the Bureau of Prisons of the Department of Justice, was created last year by Congress when it passed the Juvenile Justice and Delinquency Prevention Act of 1975—Public Law 93-415. The committee has recommended that the administration submit a budget request at an early date for this much needed activity.

The committee recommends an increase of some $14 million, over the 1975 appropriation for the Drug Enforcement Administration, as does the House passed bill.

The importance of this relatively new agency is even more apparent than when it was created, in light of the increasing drug traffic in this country and throughout the world.

Although the legislation before us may contain a total appropriation higher than some of us would care to see, I am of the firm belief that in view of the ever rising instances of crime, this is no time to relax our efforts to combat this social evil.

There are certain items in this bill about which I have major reservations. One is the $209 million increase over the House allowance for the economic development assistance programs. That amount and the purposes for which it is intended are exactly what was contained in the Senate version of the vetoed Emergency Employment Appropriation Act.

Another area of major concern is the continued funding of the Federal Trade Commission's line-of-business program. This FTC program is enmeshed in litigation. More than 100 corporations are challenging the program on the grounds that it is so fundamentally flawed that its stated objectives cannot possibly be achieved. With respect to two court challenges to the legality of the line-of-business program, one court in Delaware has already issued a preliminary injunction against the FTC. The court found that in all probability the FTC has violated the rulemaking provisions of the Administratve Procedure Act in implementing the program last year.

Because Chairman Engman of the FTC has informed this committee that this year's program is likewise being adopted without regard to the Administrative Procedures Act, a decision adverse to the FTC in court would automatically nullify the 1974 program as well as the 1973 program.

A Federal district court in New York has ruled that companies suing the FTC need not file their forms unless the FTC ultimately prevails in all the litigation. In other words, a final decision in either court adverse to the FTC would prevent the program from being implemented against anyone, even parties not before either court. Thus, should the FTC attempt to implement a new round of reporting before the present litigation is resolved, its action would accomplish nothing. Instead, the agency would generate still more litigation because of continuing objections by all affected against incurring staggering compliance costs for a "worthless" program.

The FTC has been attempting to develop a line-of-business program since 1970. It seems hasty for this committee to permit appropriated funds to be used for collecting data under a program which has been found to be grossly deficient by the Comptroller General, the courts, and the organizations affected.

There should be a moratorium on FTC line of business appropriations until the status of all the litigation becomes advanced to a point of finality.

Mr. President, in reviewing this bill section by section I find that for the Department of State we are: $56,688,000 above 1975; $51,380,000 below the 1976 budget; and $23,442,000 over the House allowance.

For the Department of Justice we are: $58,998,000 above 1975; $67,709,000 above the 1976 budget; and $100,481,000 over the House allowance.

For the Department of Commerce we are: $261,029,000 below 1975; $210,198,000 above the 1976 budget; and $228,551,000 over the House allowance.

For the Judiciary the Committee recommends: $23,369,000 above 1975; $16,572,400 below the 1976 budget; and $4,771,000 over the House allowance.

For related agencies the figures are: $36,714,000 above 1975; $119,118,000 above the 1976 budget; and $101,756,000 over the House allowance.

Therefore, Mr. President, the totals recommended by this bill for the Departments of State, Justice, Commerce, the Judiciary, and related agencies are: $85,259,400 below 1975; $409,072,600 above the 1976 budget; and $459,001,000 over the House allowance.

The chairman of the subcommitee has well-delineated the reasons for these amounts, and they will stand on their own.

On balance, Mr. President, notwithstanding the misgivings I have as to certain of these amounts and certain sections of the bill, it is a bill which should be endorsed and approved by this body so that we may proceed to conference and, in due time, come out with a final bill so that it will serve, as early as possible, as the basis for expenditures by the many departments and governmental activities involved.

In closing Mr. President, I once again want to thank my chairman, the Honorable JOHN O. PASTORE, for his many courtesies to me and every other member of the subcommittee.

I thank the chairman for having yielded.

Mr. PASTORE. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island (Mr. PASTORE) proposes an amendment. On page 59, after line 20, insert the following:

PRIVACY PROTECTION STUDY COMMISSION

For necessary expenses of the Privacy Protection Study Commission pursuant to the provisions of the Privacy Act (Public Law 93–579), $150,000.

Mr. PASTORE. Mr. President, this is an amendment that is being suggested by Mr. MAHON who is chairman of the House Appropriations Committee to provide $150,000 in startup funding for the Privacy Protection Study Commission pursuant to the provisions of the Privacy Act (Public Law 93–579). This will allow the Commission to get started promptly and will still allow the Appropriations Committees adequate opportunity for a fuller consideration of the full request.

I have a letter he wrote on July 28 to our chairman, Senator JOHN MCCLELLAN. I ask unanimous consent that the letter and the attachment thereto be printed in the RECORD at this point.

There being no objection, the letter and attachment were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
July 28, 1975.

Hon. JOHN MCCLELLAN,
Chairman, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR JOHN: I am enclosing a copy of the budget request which has been made by the newly created Privacy Protection Study Commission. It is my understanding that the Office of Management and Budget is reviewing this request and will soon be transmitting it to the Congress.

I believe that the best procedure at this time might be to include some start-up money for this group, say $150,000 or $200,000, in the State-Justice bill and to consider what remaining needs it has in connection with the Fall Supplemental. This will allow the Commission to get started promptly and will allow us adequate time for a fuller consideration of its request.

Representatives Koch and Goldwater are the House members of the Commission, and there are two Senate appointees and three members appointed by the President.

I appreciate your help.

Sincerely,

GEORGE MAHON,
Chairman.

NEW YORK, N.Y.,
July 25, 1975.

Hon. JAMES T. LYNN,
Director of Office of Management and Budget, Executive Office of the President, Washington, D.C.

DEAR MR. LYNN: We ask that there be an amended request of appropriation for fiscal year 1976 for the Privacy Protection Study Commission in the amount of $747,756. This amount is requested pursuant to Public Law 93–579.

The Privacy Act (P.L. 93–579) assigns the Commission with a number of responsibilities which will necessitate employment of a high level staff with system, research and legal skills. Some of the functions outlined in the Act include:

"Study data banks and information systems to ascertain what procedures are in place for ensuring the privacy of individuals.

"Determine the extent to which the requirements for privacy applicable to Federal agencies should be extended to non-Federal governmental, regional, and private organizations.

"Determine the extent to which mailing lists violate individual privacy and whether individual names should be removed upon the request of the individual.

"Review those laws, Executive orders, regulations and so forth which relate to individual privacy, due process of law, and other Constitutional guarantees.

"Upon request, prepare model legislation for State and local governments to be used in establishing standards for disseminating and maintaining personal information at those levels of government.

"Conduct such inspections and hold such hearings (including subpoena power over witnesses and documents) as necessary in carrying out the objectives of the Act."

In order to carry out these responsibilities it is anticipated that the Commission would require a full-time staff of approximately 14 persons and substantial expert and consultant support.

The accompanying budget request was prepared after careful analysis of the Act, and is based largely on the following considerations:

Staff salaries—Fourteen staff positions were developed after a detailed study of the Commission's mandate. Salaries for the positions are estimated to be commensurate with the degree of expertise required, and are consistent with staff salaries of similar commissions and agencies. It is estimated that in the Commission's initial year of operation, there will be a period of "staffing up", which will translate to a 15% lapse (or "savings") in total staff salaries.

Commission Members—Salaries for the five Commission Members who are eligible for compensation are estimated to cost $40,000. This estimate would allow for a two day Commission meeting every month, plus one day preparation time. It also provides for nine subcommittee meetings of equivalent time during the year.

Consultants and experts—The $30,000 estimate for consultants and experts allows for approximately 215 days at a rate of $139.00 per day. This estimate will vary with the actual rate of pay, and the dependence of the Commission on such intermittent services.

Personnel benefits—This estimate is based on review of actual cost data which indicates that personnel benefits average about 9% of staff salaries.

Travel and transportation—The $60,000 estimated for travel will allow for Commission Members and staff travel, and travel of experts and consultants. Allowable per diem rates pertaining to travel are also included in this estimate.

Rent and communications—Office space for a commission staff of fourteen, (approx. 4,000 sq. ft.) in Fiscal Year 1976 will cost approximately $8.76 per square foot. ($35,040). In addition, this estimate includes amounts for equipment rental (office machines, copier machines, etc.), telephone service, postage, and any alterations to office space which may be required.

Printing and reproduction—The $10,000 estimated for printing will allow for any reports the Commission may publish in its first year of operation, as well as letterhead stationery, reproductions, etc.

Contract services—This estimate includes amounts for contractual services, i.e., research studies, administrative support agreement, etc. This estimate is subject to vary with the dependence that the Commission plans on contractual services.

Supplies and materials—equipment—The estimates for supplies and equipment are nominal amounts, which should be adequate for the Commission's initial year of operation.

Thank you for your consideration of this request.

Sincerely,

DAVID F. LINOWES,
Privacy Protection Study Commission.

PRIVACY PROTECTION STUDY COMMISSION—BUDGET REQUEST FOR FISCAL YEAR 1976

PERSONNEL COMPENSATION

Staff salaries	
Executive director, GS–18	$36,000
General counsel, GS–18	36,000
Deputy executive director, GS–16	34,607
Director, research, GS–18	36,000
Public information director, GS–15	29,818
Research assistant, GS–14	25,581
Administrative assistant, GS–13	21,816
Administrative officer, GS–13	21,816
Secretary, GS–11	15,481
Secretary, GS–9	12,841
Administrative assistant, GS–9	12,841
Assistant public information director, GS–9	12,841
Clerk-typist, GS–5	8,500
Clerk-typist, GS–5	8,500
Total staff salaries	312,642
Less lapse—15 percent	46,896
Net staff salaries	265,746
Intermittent services	
Commission members	40,000
Consultants and experts	30,000
Total personnel compensation	335,746
Personnel benefits	25,000
Travel and transportation	60,000
Rent and communications	50,000
Printing and reproduction	10,000
Contract services	250,000
Supplies and materials	7,010
Equipment	10,000
Total	747.756

Mr. PASTORE. As is already stated in the reading of the amendment, this is for the purposes of starting up funding for the privacy protection study. I do not think there is any objection to it. I think it should be adopted.

Mr. HRUSKA. There are no objections on my part.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

Mr. ABOUREZK. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota (Mr. ABOUREZK) proposes an amendment (business loan and investment fund). On page 62, line 8, strike "$250,000,000," and insert in its place "$307,500,000".

On page 62, line 9, strike "$100,000,000," and insert in its place "$139,500,000".

Mr. ABOUREZK. Mr. President, the amendment I propose would maintain the appropriation level for SBA direct loans—the business loan and investment fund—at its fiscal year 1975 level.

In his budget request, the President severely cut back funds for section 7 loan programs. He asked no money whatsoever for the important and successful 7(a) direct business loans, unless Congress raised the interest rate from the current 6⅝ to 9½ percent.

I think that most Members of Congress realized that raising the interest rate would be a serious mistake and would all but eliminate the value of the program to the Nation's small businessmen. Thus, the increase was not even considered, and the House wisely voted $100 million for the 7(a) business loans and a total of $250 million for this section.

However, even this $100 million increase—over the President's request of zero—is clearly inadequate to meet the needs of the small business community in this country.

In the last fiscal year, the Small Business Administration appropriations was $307.5 million, including $139.5 million for the 7(a) business loans. Field hearings before the Senate Select Committee on Small Business, of which I am a member, show that even this figure was far short of what could have been productively used to assist new entrepreneurs, minority businesses, local development companies and other applicants.

In the current economic recession, many small businesses have reached the end of their credit from commercial lenders. Businesses which might previously have been accepted for SBA guaranteed bank loans now have only the direct loan option. High interest rates have further made the direct loans a necessary option for the businessman trying to make a go of it.

Increased demand for direct loans have caused a backlog in many areas of the country. Small businesses which the SBA find qualified in all respects for direct loans are unable to obtain them simply because the well regularly runs dry. Around the country, SBA offices have been running out of loan authority well before the time period for which that money is supposed to be available. I believe that cutting the appropriation for this program at a time like this is shortsighted and a false economy.

I do not believe we should consider an addition of $57.5 million to an appropriations bill lightly, even when it is only to maintain the status quo.

I want to emphasize first that this is a loan program. This is not money irretrievably lost to the taxpayers. Besides going for a useful purpose, this new budget authority will be largely recouped through repayment.

As a member of the Senate Budget Committee, I believe it is also important to point out that this amendment is consistent with the provisions of the congressional budget resolution. The Budget Conference Committee report specifically noted a figure of $450 million in new SBA direct loan authority; $307.5 million is well within this goal and well below the $400 million authorized for this fund.

Finally, I would like to ask my colleagues to join me in rejecting the reasoning which allows the President to fail to request an appropriation for a good program—one which creates jobs and fights recession—and then pin Congress as big spenders when we try to provide the kind of budget the agency needs to do its job.

The small businesses of the Nation need direct loans at least as much as they did last year. I urge the adoption of my amendment.

Mr. President, I reserve the remainder of my time.

Mr. PASTORE. If the Senator will yield, Mr. President, the Senator has discussed this amendment with me, and I have, in turn, discussed it with Mr. HRUSKA.

The amount that was appropriated last year was $307,500,000, and this year the administration asked only for $150 million. The House made it $250 million, and this amendment brings it back to the appropriation level of last year.

But there is this to be said: Insofar as the overall program is concerned, it has increased from $1.3 billion up to $1.7 billion, which is the loan level of the program, and this is all because as these loans are paid back into the revolving fund, the amount of money that can be reloaned increases, naturally, and the overall program becomes larger. I guess that might have been one reason why the administration reduced it to $150 million.

But in these times when we are trying to recover from a very bad economic situation, I see no harm in the amendment, and I am perfectly willing to take it to conference. My colleague agrees with me. We make no assurances as to how the House might look at it, but we will try our hardest to maintain it.

Mr. ABOUREZK. I might add one thing, that this amount that the amendment increases it by is within the limit of the budget resolution and also within the authorization.

Mr. PASTORE. That is correct.

Mr. HRUSKA. Mr. President, the committee has considered this item from several standpoints. The standard approach it has taken on all of these items on which amendments are offered is based on the necessary strictures upon the total budget. In this particular instance we went further and examined the requirements of the Small Business Administration. We believe the circumstances demonstrate that the capability of this Administration is fully provided for within the amounts that are presently in the bill. So from those two standpoints there would be no necessity for the amendment, and it would serve small purpose, if any, except to distort the budget total.

However, I am in full agreement with the chairman of the subcommittee that we can take this amendment to conference, and there discuss it in the light of all of these facts, including those brought out by the Senator from South Dakota, and make disposition of it at that point.

Mr. NELSON. Mr. President, the Senator from South Dakota (Mr. ABOUREZK) is offering an amendment to the pending Appropriations bill (H.R. 8121) which would increase from $250 million to $307.5 million the funds appropriated to the Small Business Administration business loan and investment fund. The Senator's amendment would mandate $139.5 million of this amount for direct loans by SBA to small business concerns under section 7(a) of the Small Business Act.

I support the amendment.

The bill as it passed the House and has been reported by the Senate committee would authorize $250 million for the SBA business loan and investment fund and would earmark $100 million for the business loan program authorized by section 7(a). Those are precisely the type of loans which SBA was originally created to make as its most important reason for being.

The Abourezk amendment would increase this business loan and investment fund authority from $250 million to $307.5 million total and the section 7(a) business loan authority from $100 million to $139.5 million, the same figures as in fiscal year 1975.

The amount of the administration's budget request for all business loan and investment fund authorizations was only $150 million and the President expressly asked that none of that money be used for section 7(a) direct business loans unless the interest rate authorized were increased from the the present 6⅝ to 9½ percent. I have been informed that the administration could find no Member of Congress who would introduce a bill to make that interest increase. On the other hand, both the full House and the Senate Appropriations Committee have been apprehensive about a rumored intention of the President to veto any appropriation bill containing additional direct business loan authorization without an interest increase.

As a result, we are faced with a bill that would give the SBA substantially reduced amounts for the type of loans that were its original and are still its most important function: Direct loans to small business concerns for their business purposes. And this comes at a time when other sources of small business financing at reasonable or even high interest rates have all but disappeared.

I hope that the amendment offered by the Senator from South Dakota will be adopted.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. ABOUREZK. I yield.

Mr. JAVITS. Mr. President, I am glad the Senator has offered this amendment. I am the ranking member of the Small Business Committee, and considering the present economic uncertainty and the stimulus which increased credit will give, I think it is a very useful precaution, and I join the Senator in appreciation for both Senator PASTORE's and Senator HRUSKA's constructive attitude.

Mr. ABOUREZK. I thank the Senator from New York and also the chairman of the Small Business Committee, Senator NELSON, who has indicated strong support for this amendment as well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota.

The amendment was agreed to.

Mr. ABOUREZK. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I send to the desk an amendment to the pending bill and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read as follows:

> On page 37, line 9, strike out $9,135,000 and insert $9,068,000.
>
> On page 37, line 9, after "expended" insert the following: ": Provided, that no part of the appropriation shall be available for the Federal Fire Council subsequent to enactment of this legislation."

Mr. LEAHY. Mr. President, I have discussed this amendment with the distinguished senior Senator from Rhode Island prior to calling it up.

Mr. PASTORE. Will the Senator please repeat that? I was distracted on another matter.

Mr. LEAHY. I was advising the President of the Senate that I had discussed this amendment with the distinguished senior Senator from Rhode Island prior to introducing it, and that it is my hope that this will be an acceptable amendment.

Mr. PASTORE. If the Senator will yield, it is, absolutely.

I want to congratulate the Senator from Vermont. This is a commission that has not met in I do not know how long. They have, actually, nothing to do and it goes on and on and on and on, like Tennyson's brook.

I think the Senator from Vermont should be congratulated and I am perfectly willing to accept this amendment and will fight for its elimination, that is, for the elimination of this money if we go to conference.

Mr. LEAHY. I thank the distinguished Senator from Rhode Island who has been extremely helpful to me in this matter.

Mr. President, my amendment, which has been cosponsored by the distinguished senior Senator from Illinois (Mr. PERCY), would eliminate all appropriations for the Federal Fire Council. While the sum involved is relatively small, $67,000, the principle involved is, in my estimation of great importance. In essence it is whether or not the Congress is going to be accountable in appropriating taxpayers' money. And I include in that accountability cutting out the unnecessary underbrush which has infested much of the Federal bureaucracy, however small each individual clump may be

The fact is that the Federal Fire Council is an agency that long ago outlived its usefulness and no longer performs any function justifying its existence.

Mr. President, this Council has over the years been shunted about from the jurisdiction of one Federal agency to another. It has only been funded under this appropriation bill since fiscal year 1974. It is an obscure entity not identified as a line item; in fact, the Department of Commerce funds it out of a discretionary account. I am confident that had the distinguished floor manager of the bill been aware of this situation, my amendment would not be necessary.

The Federal Fire Council was established in 1936 by Executive order. According to its charter, it is "an official advisory agency in matters relating to the protection of Federal employees and property from fire." In brief, the Council's job is to organize and direct meetings of Government officials who have an interest in fire safety. At these meetings it is intended that these officials discuss their common problems and coordinate Federal safety programs.

In the course of a study concerning problems of the Federal bureaucracy conducted by members of my staff, they discovered that since 1968 the Council held a maximum of two meetings, the last being held in June 1974.

During this 6-year period, a full-time executive director and a secretary, employed periodically, receiving an annual budget of $67,000, were employed to administer the activities of the Council.

Why continue appropriating money for a governmental unit that has been virtually idle for 6 years?

Legislation enacted in 1968, the Fire Safety Act, and in 1974, the Fire Prevention and Control Act, created new fire protection agencies and offices to perform some of the same functions for which the Federal Fire Council was originally intended. We have here a classic case of the creation of new agencies without full consideration for eliminating others made obsolete by them.

The National Fire Prevention and Control Administration, of which the Fire Council is now a part, was created by Congress in 1974 and is presently engaged in a massive fire protection effort that applies to both Federal and private safety interests. In addition, the General Services Administration employs a staff of six that is concerned solely with fire safety in federal buildings.

There is no argument over the need for strong federal fire protection legislation and for the necessary funds for the agencies entrusted with that responsibility. With the exception of this $67,000 for the obsolete Federal Fire Council, I strongly support the committee recommendation which is substantially higher than the amount voted by the House of Representatives.

The striking of funds for the Federal Fire Council in no way precludes officials of interested agencies from periodically meeting to discuss matters of mutual concern. I just do not believe that such normal business and professional procedures require a full-time staff, however small.

Over the past 15 years, the Federal Government has given birth to 236 new agencies, bureaus, and departments. Once organized agencies tend to stay in business, regardless of how much the conditions that fostered their inception may change.

The Federal Fire Council is an example, albeit a small one, of such agency survival. It is a place to begin doing something about the problem and my amendment is intended for that purpose.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

The amendment was agreed to.

Mr. METCALF. Mr. President, I am concerned by the disregard of the Federal Advisory Committee Act by a task force which would be funded under this bill.

I have discussed this matter with the distinguished Senator from Rhode Island. I have some documentation as to a disregard of the Federal Advisory Committee Act and an official of the Department of Justice advising his advisory committee as to how the Advisory Committee Act can be thwarted and can be disregarded by dinner meetings or breakfast meetings or dismissals of the stenographer, and so forth. I think it is most remarkable.

The Federal Advisory Committee Act imposed some fairly tough requirements on the Government's farflung network of citizen advisory committees, and one of these was that each advisory committee meeting be open to the public unless it is "concerned with matters" which the Freedom of Information Act exempts from mandatory public disclosure. In effect, it converted the Freedom of Information Act into an open-meeting law.

It is therefore astonishing and ironic to find an official of the Law Enforcement Assistance Administration counseling an advisory committee on how to thwart the open-meeting provisions of the Federal Advisory Committee Act.

This happened May 7 at the first meeting of the Organized Crime Task Force to the National Advisory Committee on Criminal Justice Standards and Goals. Here is the background:

Chartered April 10, the National Advisory Committee is a re-creation of the group of the same name which existed in 1972–73 and produced criminal justice standards and goals reports dealing with the courts, police, corrections, community crime prevention, and other areas. It was the most expensive of the 1,439 advisory committees in existence in 1972, costing $1,750,000.

Re-creation of the National Advisory Committee launches the second phase of the standards and goals effort, but this time the reports are to be produced by individual task forces dealing with organized crime, civil disorders and terrorism, juvenile delinquency, and so on. It is expected to be a $2 million enterprise taking 18 months.

On May 7 the Organized Crime Task Force met in public session with William T. Archey, Acting Director of the Policy Analysis Division in LEAA's Office of Planning and Management, and other LEAA officials. According to the transcript of the meeting, Archey explained how the requirements of the Federal Advisory Committee Act and the Freedom of Information Act would affect the operation of the task force. Then a member of the task force asked a question, leading to this exchange:

> Mr. BYRNE. I understand the press are going to be in here in all of our deliberations except when we notify you a month in advance that we want it closed?
>
> Mr. ARCHEY. First, this is the only meeting required to be in Washington. All other meetings can take place wherever Jack Kehoe wants to have them take place, which poses you much less of a problem, much less of an issue. You will find that the first meeting attracts generally some public interest and some media interest, but I think after the first meeting, you won't find that.
>
> Mr. RUBINSTEIN. Well, the transcripts are available if the meetings are closed up.
>
> Mr. ARCHEY. Yeah. But, I am saying that also when a meeting is closed, there is no requirement also for minutes to be public on a closed meeting.
>
> Mr. BYRNE. Is there some federal law that requires this?
>
> Mr. ARCHEY. Yes, two federal laws. One is the Federal Advisory Committee Act that pertains to Jack and all of the staff directors. It is quite explicit, quite. You know I am in a difficult position on that myself because I understand what you are saying and——
>
> Mr. BYRNE. We are all in a difficult position here if the press are going to be present.
>
> Mr. ARCHEY. Well, again, I think, Garrett, at this point in time the first meeting is the one that the press exhibits some interest in, after that it doesn't. At least that's been historically the case with all our advisory committees, even the original commissions weren't. Also, as I am saying, the committee is not going to have to meet in Washington all the time anyway.
>
> Mr. BYRNE. It is a job getting over here.
>
> Mr. KOHN. We could have all our good, honest-to-goodness discussions over the lunch hour while the stenographer is gone. (General laughter.)
>
> Mr. ARCHEY. I hate to be talking about how the hell we get around this because that puts me in a rather difficult position. But at the same time, I would suggest henceforth you have dinner meetings which can be picked up as a result of the grant and which do not have to have minutes and are not of public record. That is what we did with one group already, where they met the night before at a dinner meeting. You can conduct business as long as you have a business agenda of some sort, but that does not apply because it says something about dinner meetings as different.
>
> Now, I suppose if the dinner meeting would last seven or eight hours, that, you know, that is—I am not going to get into that side of it. . . .

The superb irony in the May 7 meeting was that later the task force discussed the problem of communicating with businessmen and the public about organized crime. Here is a tidbit from the transcript of the meeting, with a member of the task force observing:

> We can't expect the press to communicate what government does, what government's problems are unless we teach them to understand the subtleties that are not so obvious of the organized crime problem. We have to start teaching the press as we teach our police officers and our prosecutors to understand organized crime. They have got to become equal partners in the teaching and training process.

Amazingly, no participant remarked on the contradiction of excluding the press from task force deliberations while making the press "equal partners in the teaching and training process."

My Subcommittee on Reports, Accounting and Management will be holding more oversight hearings on advisory committees. But I know that the distinguished senior Senator from Rhode Island and his Appropriations Subcommittee share my concern that the LEAA from the Department of Justice, of all agencies, and its advisory committees and task forces, set an example of compliance with all laws including the Federal Advisory Committee Act.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the membership of the Organized Crime Task Force and the list of members present at the May 7 meeting.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ORGANIZED CRIME TASK FORCE

Benjamin Zelenko, Esq., Weisman, Celler, Spett, Modlin, Wertheimer Law Firm, 1025 Connecticut Avenue, N.W., Washington, D.C. 20036.

Victor Rosenbloom, Professor of Law and Political Science, Northwestern University, 357 E. Chicago Avenue, Chicago, Ill. 60611.

Garrett Byrne, District Attorney, New Court House, Pemberton Square, Boston. Mass. 02108.

Jonathan Rubinstein, 168 Congress Street, Brooklyn, N.Y. 11201.

Honorable Judge Robert W. Warren, U.S. Eastern District Court, 517 E. Wisconsin Avenue, Milwaukee, Wis.

Bud Purdy, Director, Dade County Department of Public Safety, 1320 14th Street, N.W., Miami, Fla. 33125.

John E. Kehoe, Jr., Chairman, Commissioner of Public Safety, 1010 Commonwealth Avenue, Boston, Mass. 02215.

Special Prosecutor Maurice Nadjari, New York Office of Special Prosecutor, No. 2 World Trade Center Building, 57th Floor, New York, N.Y. 10047.

John J. Mullaney, Executive Director, New Jersey State Law Enforcement Planning Agency, 3535 Quaker Bridge Road, Trenton, N.J. 08625.

Mr. Aaron M. Kohn, Managing Director, Metropolitan Crime Commission, 1107 National Bank of Commerce Building, New Orleans, La. 70112.

Rex Armisted, Attorney General's Office, Organized Crime Division, Post Draw 7, Lula, Miss. 38644.

ORGANIZED CRIME TASK FORCE, LAW
ENFORCEMENT ASSISTANCE ADMINISTRATION,
Washington, D.C., May 7, 1975.

Members present: John F. Kehoe, Chairman; Garrett Byrne; Benjamin Zelenko; Victor Rosenbloom; E. Wilson Purdy; Aaron M. Kohn; Jonathan Rubinstein; Judge Robert Warren; Maurice Nadjari; and John J. Mullaney.

Speakers: John Herzig; William Archey; John Golden; and Steven Cooley.

Mr. PASTORE. If the Senator will yield, I am not too familiar, of course, with this because apparently a presentation was made before another committee and it did not come up before our committee.

Of course, naturally, no one can argue that the law should be subverted in any way, and I am not suggesting that in the least.

On the other hand, of course, we are dealing here with, possibly, organized crime, and I do not want to do anything that would impede the Justice Department in dealing with that very nefarious activity. Also, we have to deal, of course, with national security.

But I will state what I am perfectly willing to do, and I hope my colleague from Nebraska will agree with me. We are going to take this part of the RECORD and I am going to send it down to the Attorney General to get his reaction to all this, to tell us in detail what this is all about and then take it from there.

I hope that this will be satisfactory to the Senator from Montana. He is very astute and he believes, as we all do, in the freedom of information, that nothing should be taken away or hidden from the Government.

On the other hand, when we are dealing with organized crime and dealing with national security we are in a very sensitive area, and I would not want to commit myself one way or the other this afternoon without knowing all the facts, but I do not think it ought to end here.

I am going to instruct the staff, both for the majority and the minority, to take this matter right out of print and let us write a letter, and I hope Senator HRUSKA will join me in signing that letter, to get a reaction from the Department as to what this is all about, why these things are being done.

Mr. METCALF. I compliment the Senator from Rhode Island, and that is in accord with his usual consideration for enforcement and basic consideration of the law.

I am putting in the RECORD this colloquy whereby they say that funds that are appropriated under this act will be used for dinner meetings for 6 or 7 hours while the stenographer is dismissed and a member of the Department of Justice says that this is a way to avoid either the Freedom of Information Act or the Federal Advisory Committee Act.

For instance, one of the members of the committee said, "We should have all our good, honest-to-goodness discussions over the luncheon hour while the stenographer is gone," and then there was general laughing.

It is not a laughing matter, Mr. President, when a member of the Department of Justice comes into this LEAA and in an advisory committee for the LEAA which, more than any other committee, should be concerned with enforcement of the law and suggests in some way to thwart and evade the law.

I am delighted that the Senator from Rhode Island, and I hope the Senator from Nebraska will concur, will take this up with the Department of Justice and see that there will be compliance with the act.

Mr. PASTORE. I am perfectly willing to do it and I make that recommendation.

Mr. METCALF. I thank the Senator very much.

Mr. PASTORE. Mr. President, I do not know if there are any more amendments, but before third reading I suggest the absence of a quorum. I hope the cloakrooms will advise the various Senators that we are ready for the third reading.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC DEVELOPMENT ADMINISTRATION

Mr. MONTOYA. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. Yes, I yield to the Senator from New Mexico.

Mr. MONTOYA. In the bill I am pleased to see the committee has added $3,000,000 for district planning grants. The Senator will recall a letter sent to him by Mr. Randolph, the chairman of the Public Works Committee, and the Senator from New Mexico as chairman of the Economic Development Subcommittee, requesting that the committee consider adding these additional funds for districts.

In that letter we said:

> We are concerned that the administration requested no funding for new economic development districts. In the 1974 extension legislation, we increased the potential for the creation of EDD's and raised the title III authorization for these programs from $35 million to $75 million. We also recommended that an additional $2.5 million be appropriated for administrative support grants to 40 new districts.

Am I correct that the Senator and his colleagues on the subcommittee which he ably chairs are in accord with that sentiment by providing the $3 million in the bill for section 301(b) grants?

Mr. PASTORE. The Senator is entirely correct.

Mr. MONTOYA. I thank the Senator.

INS APPROPRIATIONS

Mr. TUNNEY. Mr. President, I am pleased to note that Senator Pastore and his colleagues on the Appropriations Committee have included an additional $26.86 million in the Justice Department portion of the appropriations bill for provision of 750 new positions within the Immigration and Naturalization Service. This is the same amount requested by the administration and appropriated by the House of Representatives several weeks ago. It reflects a sevenfold increase from the 100 positions added during fiscal 1975. However, it is less than half of the Justice Department's request to the White House, and far fewer than the INS request of 3,200 positions which it submitted to the Justice Department.

While the funds and personnel which this appropriation will provide will go a long way to relieve the tremendous backlog in the Immigration and Naturalization Service, the small size of the enforcement arm and uneven quality of services provided by this organization, I fear they will not go far enough to ameliorate the tremendous problems faced across our entire Nation as a result of the continuing influx of illegal aliens. For example, it is estimated that anywhere between 24,840 and 276,000 illegal aliens are employed in Los Angeles, 20,000 in Detroit, and 6,500 in Boston.

After long discussions with INS officials and union leaders in my home State, all of whom stressed the understaffing problems in the region, I wrote to the chairman of the State, Justice, and Commerce Subcommittee requesting that the committee double the appropriation in order to provide 2,000 positions nationwide. I felt that this sum was justified for several reasons. First, a tremendous backlog exists in the southern region of California alone: 10,000 in naturalization, 20,000 in travel visas, and 40,000 in applications processing. The information service line in Los Angeles often runs out the door of the INS office and around the entire block.

In a meeting with Joseph Sureck, District Director, and Ed O'Connor, Regional Director for INS in California during this recess, I was informed that the influx of illegal aliens into my home State alone ranges from 20,000 to 30,000 each month, and that there are currently over 2 million illegals living in California today. Almost 75 percent of these are under the age of 15, and virtually undetectable.

Second, INS has informed me that they are unable to adequately respond to calls to remove illegals from work sites because they are understaffed. From union officials, I hear of INS-management cooperative efforts to remove illegals from worksites, efforts which may be in breach of NLRB since such efforts often yield union workers alone—workers unaware of the impending INS visit.

Third, as my friend in the House of Representatives, Mr. Biaggi pointed out, the INS has been forced to establish priorities of function within their service, despite the fact that all of INS enforcement functions are critical to solving the illegal alien problem. A specific casualty under that directive was the area control apprehension program, a program responsible for locating illegal aliens living in our major urban areas.

The appropriation proposed by the House and under consideration now, as INS informs me, will not be sufficient to revive this program.

Last, there are over 1 million jobs in this Nation which are now being held by illegal aliens. Not all of those positions call for unskilled or semiskilled labor. Hearings in the House Judiciary Committee pointed out that a good number of those jobs are skilled construction positions, white collar office positions. That is 1 million jobs which American citizens and legal immigrants now out of work could be holding.

I had intended to offer an amendment today to increase the appropriations for INS, but in lieu of that, I would like to pose several questions to the distinguished chairman of the State, Justice, and Commerce Appropriations Subcommittee.

First, does the chairman feel that the addition of 750 new positions is an adequate response to the ever-increasing problem of illegal aliens? In other words, does he believe that this appropriation will prove to be effective?

Mr. PASTORE. The committee is aware that 750 positions may not be all that is required to clear up the backlog of casework and adjudication. It may not be sufficient to tighten up the Border Patrol and enforcement arm of INS. It is, however, the kind of beginning we need. An amendment of the nature the Senator describes is commendable. However, INS does not have the facilities to train and accommodate 2,000 individuals at one time. It is far more reasonable to add personnel gradually so they may be absorbed more readily into the INS work force.

Mr. TUNNEY. We have worked on that assumption for several seasons of appropriations so far, and have had little success in improving the strength of INS. I frankly do not feel that we can wait until June 1976, to add more personnel. I would suggest, then, that a commitment be made today to again increase the INS force by an additional 750 during our first supplemental appropriation for this year, due sometime later this fall. By then, the personnel approved during our current deliberations may well be on the job, their training complete. It is my further understanding that the House of Representatives has similar plans in this regard.

Mr. PASTORE. I think my colleague from California has made a reasonable response to my concern that the personnel will not be readily absorbed into the INS force. The supplemental appropriation is several months away. If the illegal alien situation persists, I feel that the committee would seriously entertain a budget request to further increase INS staffing.

Mr. TUNNEY. I thank the Senator.

INTERNATIONAL WOMEN'S YEAR

Mr. PERCY. Mr. President, as is known, 1975 is International Women's Year. The major national IWY effort is spearheaded by the National Commission on the Observance of International Women's Year. Senator Bayh and I are both Commission members. To support the staff and operational costs of the National Commission, $450,000 was included in the general administrative budget of the State Department authorizing bill. Subsequently, the House included language in its State, Justice, and Commerce, the Judiciary, and related agencies appropriations bill report that $450,000 in the salaries and expense account of the Administration of Foreign Affairs section is to be used for National Commission related activities. As I understand it, the Senate version does not include such language. May I enlist the support of the chairman in seeing to it that appropriate language is included in the conference report on this bill?

Mr. PASTORE. In support of International Women's Year, appropriate language will be included in the conference report. I should like to point out for the record that the funds are included in the Senate version of the bill.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PASTORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further amendment?

Mr. DOLE. Mr. President, I send an amendment to the desk——

Mr. CHILES. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOLE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 29, between lines 17 and 18, insert the following new section:

SEC. 209. No part of the funds contained in this title may be used to provide assistance for, intervene in or institute against any school or school district any proceeding which has as a stated objective a desegregation remedy or order which would require action to force the busing of students; to force on account of race, creed, or color the abolishment of any school; or to force over the protest of his or her parents or parent the transfer or assignment of any student attending any elementary or secondary school to or from a particular school which is not closest or next closest to his or her place of residence.

Mr. DOLE. Mr. President, I ask unanimous consent that the distinguished Senator from South Carolina (Mr. Thurmond) and the distinguished Senator from North Carolina (Mr. Helms) be made cosponsors of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, as I think most Senators are aware, the purpose of this amendment is to impose certain limitations on the use of Department of Justice funds necessary to carry out its civil rights enforcement responsibilities. Specifically, it would have the effect of prohibiting the Attorney General from pursuing any desegregation order designed to require forced busing of schoolchildren; the forced closing of any schools; or the forced transfer or reassignment of any student.

Since it is not my intention to frustrate the Justice Department's prosecution of constitutional violations—but rather only to insure that the relief which it seeks is compatible with congressional will and public desires—the amendment is drafted in such a way that the end result being sought determines the propriety of expenditures. Accordingly, there should be no concern on the part of busing advocates that the Justice Department's ability to carry out the law might be inhibited.

PROPER PERSPECTIVE

Mr. President, in order to avoid in our consideration of this amendment an emotional debate on individual philosophies and the merits of the busing issue itself—an exercise which we went through rather thoroughly last year, and the 2 years before that—I think it would be well to put this matter in its proper perspective. In so doing, we will be able to confine our discussion to the basic policy question involved.

That question is, of course, whether we want to permit the Justice Department to engage in activity which is contrary to congressional intent as expressed in the form of restrictions on spending by the Department of Health, Education, and Welfare. I do not believe we do, and feel that the language which I am proposing represents a natural transition in the series of busing restrictions which have evolved in recent years.

LEGISLATIVE CURB ON BUSING

In justifying the expedience of this amendment, I think it would be useful to go back to section 407(a) of the Civil Rights Act of 1964 itself. For even at that time, in empowering the Attorney General to sue for "such relief as may be appropriate," the law stipulated that no order should be sought ". . . requiring the transportation of pupils or students from one school to another to achieve . . . racial balance."

Later, title VIII of the Education Amendments of 1972 prohibited the use of Federal funds for the transportation of students to carry out a desegregation plan unless voluntarily requested by school officials. More recently, the education amendments last year included a restriction on the use of Federal funds for busing either to achieve racial balance or to carry out a plan of racial desegregation.

RESTRICTIONS ON APPROPRIATION MEASURES

The first curb on busing in an appropriations measure came with adoption of a narrow version of the so-called Whitten amendments on the Labor-HEW bill for fiscal year 1969. Although subsequent forms of those amendments have generally been watered down by the Senate, we, last September, agreed to an amendment offered by the distinguished Senator from North Carolina (Mr. Helms) which incorporated in the Labor-HEW appropriation bill unweakened House language outrightly forbidding the use of funds for desegregation busing.

Antibusing language directed toward HEW was routinely included in the second supplemental appropriations measure this May, and again made a part of the education appropriation bill for fiscal year 1976. It is apparent, then, that the trend in Congress is definitely against the acceptance of massive busing in order to achieve racial balance in our schools—and that HEW has been effectively restrained from promoting such practices.

JUSTICE ACTIONS INCONSISTENT

Seemingly, these fund restrictions would have operated to relax the pressure on school districts to implement new and more extensive busing programs. What has happened, however, is that HEW—the previous torchbearer for busing solutions—has responded to congressional actions by turning over everything it had begun to the Department of Justice.

As a result, the Attorney General is pursuing busing orders more vigorously than ever, and our constraints on HEW have been of little consequence in discouraging further busing. It seems to me highly inconsistent that we should permit one department of the Federal Government to continue activity that we have sought to curtail in another, and for that reason I have devised this somewhat different approach to further qualifying the Government's busing advocacy role.

EFFECTS OF AMENDMENT

I believe most of my colleagues have been provided with a factsheet setting out the intended effects of my amendment, but so there will be no misunderstanding, I might just point out that its purpose is to insure that the Justice Department does not use federally appropriated funds to promote busing as a solution to racial imbalance problems. It would accomplish this by limiting the Attorney General's involvement in cases which seek busing orders, school closings, or involuntary reassignments as part of the relief for any constitutional violation.

In more basic terms, we would—with the adoption of this amendment—simply be going back on the original 1964 Civil Rights Act and clarifying again that busing is neither an appropriate nor a desirable remedy. So, in substance, the restriction I am proposing would prohibit the Justice Department from instituting, intervening in, or continuing with any desegregation action in which busing is articulated among the relief being sought.

NONEFFECTS OF AMENDMENT

With this type of measure, it is perhaps equally important to outline what would not be affected. Foremost among the "nonresults," of course, is that the language would in no way interfere with the Attorney General's pursuit of desegregation orders themselves or the active enforcement of 5th and 14th amendment rights.

Other factors to consider are that private parties could still litigate busing-oriented suits; school districts could still choose to devise their own busing plans for desegration purposes; and the courts themselves would still be free to initiate orders which include busing as a last resort remedy. I have prepared a factsheet which I think better explains the thrust of my amendment, and if there is no objection, I think it would be helpful to include it in the Record at this point.

There being no objection, the factsheet was ordered to be printed in the Record, as follows:

Factsheet on Dole Busing Amendment

The Amendment would:

Compel the Justice Department to withdraw from active cases in which busing, school closings or involuntary transfers are being sought unless the relief prayed for is modified to exclude those remedies.

Preclude the Justice Department from joining and supporting a proceeding brought against school districts by private parties proposing any of those three categories of action.

Prevent the Justice Department from itself initiating against any school district a desegregation suit that seeks an order incorporating forced busing, school abolishment, or involuntary reassignments.

The Amendment would not:

Affect existing finalized orders.

Preclude the Justice Department from involvement in actions which have as their purpose only the determination on the merits of Constitutional violations.

Interfere with the pursuit by the Department of desegregation orders per se or the general enforcement of the 5th and 14th Amendments.

Eliminate the Justice Department from

participation in proceedings which have as a declared objective the implementation of a desegregation plan or remedy that stipulates other than busing, school closings, or involuntary transfers as part of the desired relief.

Prohibit parties other than the Justice Department from instituting civil suits which specify busing as a solution to racial imbalance.

In any way infringe on the right of courts themselves to develop a plan which may include busing as a remedy.

Have any bearing on the prerogative of school districts to voluntarily decide upon and implement—in response to an order to desegregate—a plan that includes busing, closings, or transfers.

UNIFORMITY OF APPROACH

Mr. DOLE. Mr. President, I have already alluded to the principal need for this amendment: that of establishing some degree of consistency in our approach to desegregation problems. That is, where we have indicated on repeated occasions that we do not condone busing as a preferred means of carrying out integration goals, we should make that policy apply evenly throughout all departments and agencies.

In order to accomplish that, we must not allow the Department of Justice to continue its pursuit of policies which we have already said should not be followed by HEW. If we do, we would only be inviting even greater criticism of our lack of a uniform and planned approach to solving national problems.

BALANCING OF RESOURCES

In addition to the paradox resulting from toleration of these conflicting practices, I am disturbed by—and hope to correct with this amendment—the vast inequality of resources between the Department of Justice and a school district trying to defend a desegregation action. That is, there is no way with their limited budgets financed by tax-levied funds that they can successfully compete with the forces of the Federal Government—even where the factual situations give some merit to their counterarguments.

This disparity is further aggravated in situations such as that in Omaha, Nebr., where the school district not only lost the case but was directed to pay the Government's attorneys' fees and costs as well. Certainly, where there are substantial constitutional violations, we do not want to—and indeed, this amendment would not—restrain the Justice Department's enforcement capabilities; but we should at least be interested in permitting more flexibility for school boards to present a reasonable case and then respond to any adverse order with a workable and affordable plan.

ACCEPTABLE ALTERNATIVES

Since there will undoubtedly be those who suggest, Mr. President, that our taking the Justice Department out of cases in which busing, the abolishment of schools, or the involuntary transfer of students would effectively deny any meaningful remedies, I would like to call attention to section 214 of the education amendments approved by this body last year. For under that heading of "Priority of Remedies," Senators will recall that the possibility of busing was listed last among seven categories of relief.

I ask unanimous consent that that section be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRIORITY OF REMEDIES

SEC. 214. In formulating a remedy for a denial of equal educational opportunity or a denial of the equal protection of the laws, which may involve directly or indirectly the transportation of students, a court, department, or agency of the United States shall consider and make specific findings on the efficacy in correcting such denial of the following remedies and shall require implementation of the first of the remedies set out below, or of the first combination thereof which would remedy such denial:

(a) assigning students to the schools closest to their places of residence which provide the appropriate grade level and type of education for such students, taking into account school capacities and natural physical barriers;

(b) assigning students to the schools closest to their places of residence which provide the appropriate grade level and type of education for such students, taking into account only school capacities;

(c) permitting students to transfer from a school in which a majority of the students are of their race, color, or national origin to a school in which a minority of the students are of their race, color, or national origin;

(d) the creation or revision of attendance zones or grade structures without requiring transportation beyond that described in section 215;

(e) the construction of new schools or the closing of inferior schools;

(f) the construction or establishment of magnet schools; or

(g) the development and implementation of any other plan which is educationally sound and administratively feasible, subject to the provisions of sections 215 and 216 of this part.

Mr. DOLE. Among the suggested remedies required to be considered first by that section are the assigning of students to schools closest to their places of residence; permitting voluntary transfers; revising attendance zones; building new schools; or establishing magnet-type facilities. Accordingly, it would seem to me that adoption of my amendment would leave the Justice Department with a suitable range of relief measures to seek, and that in specifying objectives, their proposed orders would be more realistic and more in keeping with congressional intent.

A QUESTIONABLE CONCEPT

Mr. President, there are few issues that can compare with busing for its degree of emotion and divergence of opinion. That was well illustrated by the heated debates in the Senate last year and the narrow margins by which the Gurney amendment was defeated—47 to 46—and the Helms amendment was adopted—45 to 42.

The problem continues to confront us, however, and controversy over the viability of the busing concept hangs over us with ever-increasing uncertainty. Many former advocates—and in particular, Prof. James S. Coleman of the University of Chicago—have now begun to question whether or not busing has really backfired and resulted in "resegregation" instead of the integration which we have sought.

REFLECTIONS OF PUBLIC ATTITUDES

In Omaha, Denver, Kansas City, Boston, Philadelphia, Louisville, Wilmington, Detroit, Indianapolis, Atlanta, and elsewhere there is the fear of disruption and a crunch for funds in the educational process from implementation of busing orders. I, for one, firmly believe that the polls are accurate when they show that 95 percent of the people—black and white—do not think busing is the answer to equal educational and social opportunity, and feel that our actions in Congress should correspond with the attitudes of those we represent.

I would hope, therefore, that each of us here will give serious thought to the scope and purpose of this amendment. It is essential that we maintain a legislative posture of responsiveness to the times, and by agreeing to my proposal we will, I think, be bringing our spending priorities more in line with national sentiment on this important matter.

SUMMARY OF PROVISIONS

Mr. President, I have previously made a part of the RECORD what I referred to as a factsheet. It does, I believe, clearly set forth the proper interpretation of the language which I have proposed, but just as a matter of summary, let me state again briefly what this amendment would do.

First, it would compel the Justice Department to withdraw from active cases in which busing, school closings, or involuntary transfers are being sought unless the relief prayed for is modified to exclude those remedies; second, it would preclude the Justice Department from joining and supporting a proceeding brought against school districts by private parties proposing any of those three categories of action; and finally, it would prevent the Justice Department from itself initiating against any school district a desegregation suit that seeks an order incorporating forced busing, school abolishment, or involuntary reassignments.

SITUATIONS NOT COVERED

Probably just as important, as I indicated earlier, is what the amendment would not do, and here it is significant to note that it would not, as has been a matter of great controversy in the Senate before, have any effect on existing finalized orders. Neither would it preclude the Justice Department from involvement in actions which have as their purpose only the determination on the merits of constitutional violations.

It would not interfere with the pursuit by the Department of desegregation orders per se, or the general enforcement of the 5th and 14th amendments. And it would not eliminate the Justice Department from participation in proceedings which have as a declared objective the implementation of a desegregation plan or remedy that stipulates other than busing, school closings, or involuntary transfers as part of the desired relief.

It would not, and I emphasize would not prohibit parties other than the Justice Department from instituting civil suits which specify busing as solution to racial imbalance. Similarly, it would in no way infringe on the right of courts themselves to develop a plan which may include busing as a remedy and would have no bearing on the prerogative of school districts to voluntarily decide upon and implement—in response to an order to desegregate—a plan that includes busing, closings, or transfers.

NEED FOR CONSISTENT POLICY

Mr. President, that, in essence, explains the thrust of my amendment and spells out the reasons why the Senator from Kansas believes it should be adopted. That justification could, I think, be boiled down to one word: consistency.

By that I mean that if we say, on the one hand—as we did in the relevant appropriation bill amendments of last year—that we should deny the use of funds by HEW to promote busing, and yet permit some other Federal Department to continue doing the very thing we have sought to restrict, we certainly are not being consistent. So I would hope that that policy conflict might be recognized and properly corrected through the adoption of this amendment.

Mr. President, with that I yield the floor for further discussion.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. PASTORE. Mr. President, at the proper time, I am going to move that this be laid on the table.

Frankly, this is an old chestnut. We have swept up the floor of the Senate a half-dozen times on busing amendments.

I made it my duty to have the staff communicate with the Justice Department. Word comes back that the Justice Department is vigorously opposed to this amendment.

The Department, they claim, is under a constitutional duty to assist, if needed, in the implementation of orders of a Federal court entered in private school desegregation cases. Nor is this duty any the less where the court order involves the busing of students. To deprive the Department of its ability to furnish such assistance could well have the effect of fostering and encouraging widespread violence.

That is all I have to say. I have no further discussion on it.

I am going to move to lay the amendment on the table.

Mr. HELMS. Mr. President, will the Senator withhold the motion?

Mr. PASTORE. I certainly will until all who want to speak can speak.

Mr. HELMS. I thank the Senator for his courtesy.

Mr. President, I will be brief.

I commend the distinguished Senator from Kansas (Mr. Dole) on his amendment. I am delighted to join in the cosponsorship of it.

The distinguished Senator from Rhode Island has described this antibusing amendment as an "old chestnut." I would suggest to the Senator that it could be better characterized as a "hot potato," one of the hottest in America today.

If the Senators really need any evidence that this Senate has the duty to take a step, belated as it may be, in the right direction, that is to say, in the direction of doing away with the absurdity, the insanity of forced busing, the daily headlines describing the turmoil and hostility in Boston, Detroit, and other cities around the Nation, supply the stark, tragic evidence every day.

Let the record be clear, Mr. President, when the motion to table comes, any Senator voting to table this amendment will be voting to continue forced busing. Let us not hide behind a parliamentary procedure. At the very least, we should have an up and down vote on this amendment so Senators can show their colors and show where they stand.

If Senators are against forced busing, they will vote against tabling this amendment. If they are for forced busing——

Mr. PASTORE. Mr. President, will the Senator yield on that?

Mr. HELMS. Yes, gladly.

Mr. PASTORE. This is a restriction against our own Attorney General, appointed by the President of the United States, and all the Senator is doing here is telling him that he cannot enforce a court order. That is what the Senator is doing. To give this malarkey about "if you vote to lay on the table you are voting for forced busing," the Senator can call it any name he wants, but what he is saying here is that the Attorney General and the Department of Justice cannot carry out a court order, and the day that that comes democracy will disintegrate.

Mr. HELMS. The Senator, I am sure, believes everything he says, and I accord him every sincerity.

Mr. DOLE. Mr. President, will the Senator from North Carolina yield?

Mr. HELMS. I am delighted to yield.

Mr. DOLE. The Senator from Kansas is not saying, and we are not suggesting that the Attorney General should not fully enforce a court order. On the contrary, this amendment pertains only to actions taken by the Justice Department prior to, or during the litigation phase of any desegregation proceeding.

Mr. HELMS. Of course, the amendment is clear in that respect.

Mr. DOLE. It should be clear in everyone's mind that once a court order is issued, it must be carried out whether it involves busing, school closings, involuntary transfers, or whatever. We are not suggesting that the Attorney General's responsibility in that regard should in any way be affected, and by no means would it be with this amendment.

Mr. HELMS. The able Senator is absolutely correct.

The English language is still the English language, and the amendment speaks for itself.

This morning's headlines, yesterday morning's headlines, and the headlines for the rest of this school year cry out for approval of this amendment.

Now, as far as North Carolina is concerned we have, I hope, the worst behind us. For years, the South has endured swarms of Federal bureaucrats and steady harrassment. We have done more in the South to integrate than any other section of the country. The battleground is now elsewhere.

I am talking about Boston. I am talking about Detroit. I am talking about States that are currently being inundated with hostility and violence, not the South.

I say, Mr. President, that this Senate had better take a step now in the right direction toward doing away with this absurdity, because that is all it is—a tragic absurdity.

I do not care who is against it down at the Justice Department. They are wrong. They have not looked at the situation in Detroit or else they do not care. They have not looked at it in Boston. They had better start looking, and they had better drop all of the platitudes. Forced busing is an invasion of the right of the American people to decide where their children shall go to school.

As I have said in this Chamber many times, this is not a racial matter; it is a biracial matter. The blacks of America, by every poll I have seen, are just as disgusted with forced busing as anyone else.

I defy any Senator to produce any measurement of public opinion in which this is not the case.

We are allowing education in America to be destroyed. We are placing education secondary to other things which have no place in the schools.

I commend the Senator from Kansas on his amendment, and I say again I am proud to be a cosponsor of it. I urge its adoption.

Mr. JAVITS. Mr. President, we certainly hear echoes of the past, but one thing which has brought me to my feet is the idea that violence shall prevail over law in the United States.

What is the Constitution all about? We did not submit to the violence of young people who rioted with respect to the Vietnam war. We did not submit to the violence of blacks on 14th Street in Washington, who rioted because they did not think there were adequate civil rights laws on the books to protect them. We should not and we cannot—and whole history shows it—submit to the violence of misguided whites who wish the constitutional remedies and protections denied the people just because their skins are black, though they are fully Americans, like everyone else. We settled that in the civil rights law of 1954.

Mr. President, to show the web of contradiction that one gets into in a matter like this, I always like to read the amendments as does the Senator from Rhode Island (Mr. Pastore). The first provision of the amendment relates to "no part of the funds contained in this title may be used to provide assistance for".

So we have the really absurd situation where our colleague from Kansas said, It does not "in any way infringe on the right of courts themselves to develop a plan which may include busing as a remedy." But it does prohibit the Attorney General from giving the view of the Attorney General to that court, even if the court asks for it, if the court wants to proceed along this line.

Mr. President, all this is is another way to skim the busing controversy and to avoid the fact that many Americans favor civil rights and will fight for civil rights, even though they may disagree personally with a particular remedy which is invoked, because they realize that the morality and the sanctity of the Constitution is at stake. If the courts have a right to order busing, according to Senator Dole himself, then the Attorney General of the United States certainly has a duty to be a party to what the court wishes to do in order to advise the court, as the Government lawyer, what in his opinion the law requires, or what is the feasibility of remedy, and many other questions which are involved.

So the amendment just doubles back upon itself, Mr. President, and simply tries again to find another way to prohibit busing, which the courts require.

Now, why does our colleague do this? He does it because he is trying to avoid the argument, which is a very effective and important argument, that we cannot have a confrontation between the Constitution and the duties which the Constitution imposes on courts and Congress. That is what we have always tried to avoid.

Another one of the points in this matter, which is very interesting to me, is the effort to analogize what our colleague from Kansas is trying to do in this amendment with what is the existing law. It is contradicted by the very quotation he made himself.

It may be that on the list of seven remedies busing is the last. I know that Congress is not happy about it. But, nonetheless, it is given as a remedy.

This would result in emasculating and making that remedy absurd, to say the courts can do it but the Attorney General can have no hand in the process.

If we really want to be frank we should bring in again an amendment which would be successful, in my judgment, unless it were a constitutional amendment to prohibit the courts from prescribing busing as a remedy. That is exactly what the Senator who has argued in favor of this has done before. That is about the only way in which you can flatly interject in that kind of situation.

Finally, Mr. President, it is true that those affected—generally, the black population of the United States—are a minority. But as I said when I began, what is the Constitution all about? If violence can intimidate the people of the United States to deny constitutional rights to a minority, then you may just as well forget about the Constitution, which in its first 10 amendments was written especially to protect the individual against the power of the state.

You might just as well talk about absolving criminals from any responsibility for their criminal acts if you are going to use the argument which I just heard used: How can you expect the school district to stand up against the power of the United States? How can you expect a single miscreant charged with robbery or counterfeiting or homicide on the high seas to stand up against the power of the United States?

We do, because that is what the Constitution is written to protect, and that is how we seek to equate the power of the Attorney General or the United States with the rights of the individual. But if you are going to destroy the structure of the Constitution in this way, by whittling away at the remedies which courts can prescribe and by making them absurd, saying the judge can do it but the Attorney General of the United States can intervene in no way, then you really jeopardize the rights which are guaranteed to every individual under the Constitution.

Mr. President, I have been a party to these debates for 25 years. I am one of the major movers. I am the ranking member of the committee which worked out the so-called Scott-Mansfield compromise. On the whole, taken overall, it works; and it has kept this country in a reasonable state of balance respecting this highly vexing and highly difficult proposition. The fact that there is violence in Boston or violence in some other place is now a very rare occurrence. In fact, I note with great interest that the people of Boston favor the reelection of Mayor White, though he has taken a vigorous and strong constitutional position, in the face of what from the sound of the decibels seems like a lot of fury in the Boston area. But when it gets down to the nitty-gritty and the voter goes to the voting booth, he may not be happy about it, but his conscience dictates his vote, and it is to sustain the Constitution. That is what is at stake in this amendment.

I am very gratified that my colleague, Senator Pastore, as has been his tradition here—even a longer time than I have spent here—will move to table this amendment. I believe it should be tabled, if for no other reason than these amendments constantly pop up as nongermane amendments on appropriations bills and other measures, and in appropriations bills there are restrictions.

Fortunately, Senator Dole, as is typical of him, gave notice that he would bring up this kind of amendment. We have had these amendments brought up when they were not printed, when no notice was given. They were submitted at the desk at the tail end of great debate that had nothing to do with busing. That is a Member's right, but it is a right of the Senate to be prudent. If there were, as there have been, these anguished debates on this subject, they rate the importance of the subject, and that is the way in which, if a change is to be made, it should be made, rather than in this way.

Therefore, the tabling method is the right method, because it says we will not, within this context, pass on so critical an issue as this one. We will pass on it deliberately, in an education bill or in another substantive bill which deals with policy; but we will not, on this ad hoc basis, as part of this constant war which is being waged upon the remedy of busing, entertain it in the Senate. For that reason alone, it seems to me that Members, whether they agree or do not agree, should at least agree with the prudence of preventing this kind of foray, with this kind of atmosphere, on a particular bill. A Member has a perfect right to do it.

As I say, Senator Dole, as is his wont, graciously has given us notice of it. Nonetheless, it is that practice on which the Senate has somewhat expressed itself on previous tabling motions, and that is why I believe this one should be successful, too.

Mr. DOLE. Mr. President, in order to make the propriety of this amendment perfectly clear—as that term is currently being used—it would be well, I think, to review the history of limitations on other appropriation bills. In doing so, I would point out also that the imposition of spending limitations is in many instances the only real opportunity we have to reflect the will of Congress.

It is neither an uncommon nor unacceptable practice, that is, and has been utilized with respect to the busing issue on numerous occasions. For example, Public Law 93-517, enacted December 7, 1974, contained the following restriction on the use of funds by HEW, and I say to the distinguished Senator from New York and the distinguished Senator from Rhode Island that that, in essence, is the basis for the language the Senator from Kansas has used in drafting this amendment.

I refer to section 208 of the law, which reads, in part:

> Sec. 208. No part of the funds contained in this title may be used to force any school or school district to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school; or to force the transfer or assignment of any student attending any elementary or secondary school to or from a particular school over the protest of his or her parents or parent.

Included in that section, but not read by the Senator from Kansas, was some language which, in effect, gutted the whole intent of that limitation. The language added was "which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352." And for obvious reasons, that qualifying provision has been omitted from my amendment.

The identical language was used again in the supplemental appropriation bill signed on June 12, 1975, Public Law 94-32. So there is precedent for these types of restrictive provisions and I am only seeking to complement and expand upon those already in effect.

The only difference the Senator from Kansas can distinguish is the fact that we are trying to be consistent. We are saying that what HEW cannot do should not be accomplished simply by transferring the pursuit of the matter to another department of this Government, in this case the Justice Department.

I reiterate that the Senator from Kansas does not suggest in any way that the courts should be restricted in the actions they deem necessary. Indeed, nothing in the amendment prevents the court from ordering busing, from ordering school closings, or from requiring involuntary transfers of students if they are necessary to remedy constitutional violations. It simply says that these are remedies that cannot be advocated—I think "promoted" might be a better word—by the Department of Justice.

I might also in passing refer to Public Law 93-380, section 215, which refers to transportation of students, and section 214 of that law, with reference to priorities of remedies. I think it is well to read the preamble:

> Sec. 214. In formulating a remedy for a denial of equal educational opportunity or a denial of the equal protection of the laws, which may involve directly or indirectly the transportation of students, a court, department, or agency of the United States

shall consider and make specific findings on the efficacy in correcting such denial of the following remedies and shall require implementation of the first of the remedies set out below, or of the first combination thereof which would remedy such denial:

The suggested remedies already have been made a part of the RECORD.

I say to those who feel otherwise that we are not stripping the Department of Justice of authority or responsibility for seeking desegregation orders. Neither are we suggesting in any way that the courts would be deprived of its discretion to formulate an order requiring busing or transfer of students or closing of schools.

I point out that in the recent August 11 issue of U.S. News & World Report there appeared a very timely article on this subject entitled "Busing: Why Tide Is Turning." The article quotes not only whites but blacks as well. It quotes Americans all across the country—regardless of economic status and regardless of race, color, or creed—who are now having second thoughts about busing.

As the Senator from Kansas indicated earlier, one of the strongest advocates of busing several years ago was Professor Coleman, of the University of Chicago, a sociologist. In this article, he says, however, that busing in most large cities has been futile and often self-defeating, for it has merely speeded up the flight of whites and led to resegregation instead of the desired integration.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Busing: Why Tide Is Turning

The tide is turning against busing as a way of increasing racial integration in city schools.

The trend shows up in many parts of the nation, in Congress, among federal officials, even among federal judges, blacks, and civil-rights leaders who once were the prime movers for busing.

This does not mean that busing is dead. Programs ordered by U.S. courts are not being abandoned. Demands for more busing are still being made. A few new programs are being initiated, as in Omaha, Boston and Detroit. And the biggest of all civil-rights groups, the National Association for the Advancement of Colored People (NAACP), remains firmly committed to school integration, and busing where needed to achieve it.

CHANGE IN THINKING

The battle over busing will continue. But there has been a significant and widespread change in thinking on this controversial issue. Angry white parents are no longer alone in their opposition to uprooting their children from their neighborhood schools.

There are several reasons for this change. But the main new factor is growing evidence that busing children to schools outside their neighborhood has neither significantly improved their education nor succeeded in its aim of getting more blacks in schools that are predominantly white.

Statistics show that there is more racial concentration in many big-city schools today than there was before the push for busing began in the late 1960s. What has been happening is a flight of white families from central cities to suburbs, accompanied by an increase of blacks in central cities.

The result is that in many of the nation's major cities today there are so many more black pupils than white that every school would still be predominantly black, no matter how many children were bused in pursuit of what is known as "racial balance." The chart on page 26 shows this problem.

"NOT ENOUGH WHITE KIDS"

As one official of the U.S. Department of Health, Education and Welfare said about Baltimore: "There are just not enough white kids to go around."

This is true of a dozen or more big cities and many smaller ones, in the North and West as well as in the South.

Public schools are 96 per cent black in Washington, D.C., 81 per cent in Atlanta, 77 per cent in New Orleans. In all, as the chart on page 26 shows, there are at least 19 major school systems in which half or more of the pupils are black.

In virtually all of these cities, the percentage of black pupils has increased rapidly in recent years. And, in most of them, some form of school integration has been imposed.

FLIGHT FROM BUSING?

What role integration played in the blackening of city schools is a matter of dispute. In some cities of the South, white pupils by the thousands have shifted to private schools and the movement of white families has gained speed. Many blame this on a flight from busing.

Others, including NAACP's executive director, Roy Wilkins, point out that whites were moving from cities to suburbs long before busing became an issue, and that this movement is strong even in cities without forced integration.

Whatever the cause, the resulting problem is the same. And it is widespread. Racial concentration in public schools is no longer viewed as just a Southern problem. It has become a national concern.

The question in growing dispute is what to do about it. Is busing really an answer?

PROBLEM IN DETROIT

A spreading view was expressed by Detroit's black mayor, Coleman Young, in an NBC "Meet the Press" telecast: "Busing within the city of Detroit alone, where already over 70 per cent of the pupils are black, can solve no problem."

The only way to get what many civil-rights leaders regard as "meaningful" integration—a black minority in every school—would be to bus Detroit blacks into heavily white suburban schools and whites from the suburbs into Detroit's black schools.

A federal judge ordered just such a remedy in 1972. But the U.S. Supreme Court in 1974 struck down that order. It held, on a 5-to-4 vote, that suburbs could not be forcibly included in a desegregation plan unless they were found to have practiced deliberate segregation in their own schools.

So now Detroit is faced with a new order for busing inside the city—the kind of busing that Mayor Young says "can solve no problem."

IN RICHMOND, TOO

Richmond, Va., is in the same situation. Its attempt to merge schools of the city and surrounding counties into one big area of cross-busing was struck down by a U.S. court of appeals, whose ruling was allowed to stand when the Supreme Court split 4 to 4 on whether it was constitutional.

The idea of city-suburban busing is not yet dead. It will come next fall in Louisville, Ky., where the city school district has been combined with that of surrounding Jefferson County. A plan ordered by a U.S. judge on July 30 will require the busing of 22,600 pupils.

On August 1, a federal judge ordered Indianapolis to start busing more than 6,500 black pupils in the coming school year into eight school districts in surrounding Marion County—an area where city and county governments have been unified for years, except for schools. And a U.S. court has ordered a hearing on an integration plan involving Wilmington, Del., and its suburbs.

The NAACP still hopes to convict Detroit suburbs of deliberate segregation and thus bring them into an area-wide busing program.

Court rulings make plain, however, that it will require a lot of evidence, with long investigations and court hearings, to extend busing beyond a city's boundaries.

That means that cities are stuck with a seemingly insoluble problem. Some who actively promoted busing in the past are beginning to wonder if it is really worthwhile to bus in search of a "racial balance" that cannot be achieved.

"EDUCATION COMES FIRST"

Ruby G. Martin, a black attorney who headed HEW's Office of Civil Rights in the Johnson Administration, says this:

"We have to accept the fact that we have 35 cities that are 75 per cent or more black in schools. My first priority now would be to deal with the education of those children where they are. I can't treat every city alike any more. I think busing might work still in a lot of cases. But it doesn't fit everywhere. I haven't really changed my views. I just have set some priorities. The education of the kids comes first."

The value of busing to seek racial balance has been challenged by both the outgoing Secretary of HEW, Caspar Weinberger, and the man named by President Ford to succeed him, F. David Mathews, former president of the University of Alabama.

"It is not producing good results," Mr. Mathews told a Senate hearing. He said he supports "equal educational opportunity for all children," but added that "any policy in terms of its effectiveness." And, he went on, busing "has left many people feeling their rights have been violated."

WRONG APPROACH?

Mr. Weinberger, a Nixon appointee, told *U.S. News & World Report:* "Today most of the deliberate segregation has been dealt with, and we have fallen into a statistical approach to school desegregation.

"There is too much emphasis on numbers and racial balance. Often, this has no regard for the education of the child or the quality of the school."

President Ford, like his predecessor, Richard Nixon, has spoken out against busing for racial balance. So have some noted educators.

Prof. James S. Coleman, a University of Chicago sociologist, recently stirred a dispute by describing busing in most large cities as futile and often self-defeating, merely speeding the flight of whites and leading to resegregation.

Nine years ago, Mr. Coleman had made a report which was used as support for promoting racial balance in schools. That report for HEW, a study of "Equality of Educational Opportunity," said surveys show a child has a greater opportunity in a school with children from backgrounds that are "educationally stronger" than his own.

Those findings, says Mr. Coleman, were misinterpreted and misused by courts as justifying busing to put more blacks in schools with white majorities.

The indicated result, in Mr. Coleman's view, is that "desegregation through the courts probably will have served in the long run to separate whites and blacks more severely than before."

A DANGEROUS "SOLUTION"?

Another criticism of busing comes from Biloine Whiting Young and Grace Billings Bress, two black women who have studied the history of school desegregation since the Supreme Court outlawed it in 1954.

In an article in the *Phi Delta Kappan,* an educational journal, they cited several studies which they said showed "integration's lack of significant effect on black achievement" in schools. They wrote:

"For 20 years the national remedy for low minority achievement has been busing for integration—the faith that if the correct racial mix can be provided in a classroom, problems of low achievement and racial tension will disappear.

"Such a 'solution' now appears to have been dangerously simplistic, creating expectations it has, so far, been unable to satisfy. Further, mandatory busing has contributed to the racial and economic segregation of our cities on a scale undreamed of in 1954, to the extent that in many there are no longer enough white pupils to integrate."

Federal judges, whose rulings have initiated busing in many cities, are showing signs of turning away from that method of desegregation.

In Montgomery, Ala., a U.S. judge accepted a desegregation plan which would leave a number of schools substantially of one race. He said they were "deep in black residential areas" and the busing required to integrate them would not "accomplish any effective and realistically stable desegregation."

CHANGE IN ATLANTA

In Atlanta, public schools were 70 per cent white before desegregation began, with 115,000 pupils. Today, schools are about 81 per cent black and there are fewer than 90,000 children in the system.

In approving an agreement which retained some elements of a neighborhood school system, a federal judge ruled that "across-the-board racial balancing at all schools is not required." He added: "Nor does the court believe that the Constitution requires further attempts to dilute the relatively few remaining majority white schools in the Atlanta system by sprinkling these few white students left into predominantly black schools."

Both the Atlanta and Montgomery plans were upheld by the U.S. Court of Appeals for the Fifth Circuit. There are several other similar cases in the South, including Jackson, Miss., where a school system that once was 60 per cent white became 70 per cent black after four years of extensive busing.

In Inglewood, Calif., minority groups made up 38 per cent of the public-school enrollment five years ago. This year they made up 80 per cent—and a State judge withdrew a busing order he had handed down in 1970. He said it had reached the point where the schools were "busing black children from predominantly black schools to other predominantly black schools."

Some busing programs are cited as having proved successful. But when civil-rights leaders talk about "success stories" of busing, they point mostly to small towns or to such communities as Charlotte, N.C., Nashville, Tenn., and others where city and county schools are combined in one system, thus permitting a mixture of city blacks with suburban whites. In Florida, where a recent study found few whites had left mixed schools, even where there was busing, the study report said: "Part of the explanation for the relatively low level of rejection may be that Florida's school districts are countrywide and all 67 are desegregated. Thus, desegregation cannot be escaped by residential mobility from one municipality to another, or from one county to another."

NEW BUSING TARGETS

A significant shift in the battle over busing is this: Where once busing was applied only against schools of the 17 Southern and Border States which until 1954 were segregated by State laws, now the attack is turning to the North and West, where there were no such laws.

The reason is that—under pressure from HEW and the courts—schools in the South are now more thoroughly mixed than in any other part of the country, as the chart on page 25 shows.

The shift to Northern schools has resulted in what a high federal official describes as "a dramatic change in the attitude of Congress." He explained:

"When integration was seen as mainly a Southern problem, Congress was pro-busing. The minute the issue moved north—into their own districts—many Congressmen changed, even some who had been strong backers of civil-rights laws. Now the trend in Congress is to limit the scope of busing."

Another roadblock to busing in the North and West is this: Black schools there are presumed to be the result of *de facto* segregation—caused by housing patterns—rather than *de jure* segregation caused by laws which the Supreme Court ruled unconstitutional in 1954.

The High Court has never ruled *de facto* segregation to be unconstitutional. So deliberate discrimination must be proved—and that is often difficult.

So far, courts have found *"de jure* discrimination" in only a few non-Southern cities, such as Boston, Detroit, Omaha, Indianapolis, San Francisco, Denver and Pontiac, Mich. HEW has pressured at least 18 non-Southern cities into adopting integration plans under threat of cutting off federal aid under the 1964 Civil Rights Act.

Now new pressure is being put on HEW to move more strongly.

Civil-rights groups led by the NAACP filed on July 3 a suit charging HEW with failing to enforce the Civil Rights Act in 33 States of the North and West. It asked a federal court order requiring immediate HEW investigation of alleged segregation in 22 districts and proceedings to cut off federal funds to 48 other districts.

The outcome of this suit may go far in deciding the battle over busing.

SOUTH LEADS THE WAY IN SCHOOL INTEGRATION

Of all the black students in the region, the following proportion attended schools with at least one white—

[In percent]

	1968	*1972*
South	32.0	91.3
Border	74.8	76.4
North and West	87.7	89.1

Of all the black students, the following proportion attended schools in which at least half the students were white—

[In percent]

	1968	*1972*
South	18.4	46.3
Border	28.4	31.8
North and West	27.6	28.3

NOTE.—1972 is latest year for which complete details are available.

Source: U.S. Dept. of Health, Education and Welfare.

BIG SCHOOL SYSTEMS WITH HEAVY BLACK ENROLLMENT

Major school systems in which black students comprise at least half the enrollment

[In percent]

Washington, D.C	96
Atlanta	81
New Orleans	77
Richmond, Va	73
Newark	72
Gary, Ind	72
Detroit	70
Baltimore	70
St. Louis	69
Memphis	68
Oakland	62
Birmingham	62
Philadelphia	61
Chicago	58
Cleveland	57
Kansas City, Mo	56
Louisville	52
Shreveport	51
Norfolk	50

NOTE.—Figures are for fall of 1973, latest available.

Source: U.S. Dept. of Health, Education and Welfare.

Mr. DOLE. Mr. President, the article points up the difficulties in Richmond, Va.; in Detroit, Mich.; in Kansas City, Mo.; in cities all across this country. In the first two paragraphs it says:

> The tide is turning against busing as a way of increasing racial integration in city schools.
>
> The trend shows up in many parts of the nation, in Congress, among federal officials, even among federal judges, blacks, and civil-rights leaders who once were the prime movers for busing.

I think that analysis speaks for itself.

Before yielding, Mr. President, I wish to clarify one point which might be questioned, and that is with reference to the inclusion in my amendment of language pertaining to involuntary transfers and the closing of schools, in addition to forced busing itself. Let me say to those who may have an interest, those two criteria have been associated with the busing activity in the past as reflected in earlier-specified appropriation bill limitations. Accordingly they have been retained in this amendment to correspond with the remedies which are currently proscribed for HEW.

Again, the Senator from Kansas wishes to make it as clear as the Senator can that his amendment will not in any way impede or interfere with the right of the courts to institute any order it considers appropriate, and the responsibility of the Attorney General to enforce any decision so rendered. It is both timely and prudent, and I urge its adoption.

Mr. President, I yield the floor.

Mr. PASTORE. Mr. President, I move to lay the amendment on the table.

The PRESIDING OFFICER (Mr. FANNIN). The question is on agreeing to the motion to lay the amendment on the table.

Mr. DOLE. I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Alabama (Mr. ALLEN), the Senator from Texas (Mr. BENTSEN), the Senator from Delaware (Mr. BIDEN), the Senator from North Dakota (Mr. BURDICK), the Senator from Michigan (Mr. PHILIP A. HART), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), and the Senator from Utah (Mr. MOSS) are necessarily absent.

I further announce that the Senator from Indiana (Mr. BAYH), the Senator from Iowa (Mr. CLARK), the Senator from Alaska (Mr. GRAVEL), the Senator from

Indiana (Mr. HARTKE), the Senator from Louisiana (Mr. LONG), the Senator from North Carolina (Mr. MORGAN), and the Senator from Connecticut (Mr. RIBICOFF) are absent on official business.

I further announce that, if present and voting, the Senator from Iowa (Mr. CLARK), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Washington (Mr. MAGNUSON), and the Senator from North Dakota (Mr. BURDICK) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. BROOKE), the Senator from Utah (Mr. GARN), the Senator from Arizona (Mr. GOLDWATER), the Senator from Maryland (Mr. MATHIAS), the Senator from Virginia (Mr. WILLIAM L. SCOTT), and the Senator from Texas (Mr. TOWER), are necessarily absent.

I further announce that, if present and voting, the Senator from Texas (Mr. TOWER) would vote "nay."

The result was announced—yeas 42, nays 35, as follows:

[Rollcall Vote No. 377 Leg.]

YEAS—42

Abourezk
Bellmon
Cannon
Case
Church
Cranston
Culver
Eagleton
Fong
Glenn
Hart, Gary W.
Haskell
Hatfield
Hathaway
Inouye
Jackson
Javits
Kennedy
Leahy
Mansfield
McGovern
McIntyre
Mondale
Montoya
Muskie
Nelson
Packwood
Pastore
Pearson
Pell
Percy
Schweiker
Scott, Hugh
Stafford
Stevens
Stevenson
Symington
Taft
Tunney
Weicker
Williams
Young

NAYS—35

Baker
Bartlett
Beall
Brock
Buckley
Bumpers
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Chiles
Cotton
Curtis
Dole
Domenici
Eastland
Fannin
Ford
Griffin
Hansen
Helms
Hruska
Huddleston
Johnston
Laxalt
McClellan
McClure
Metcalf
Nunn
Proxmire
Randolph
Roth
Sparkman
Stennis
Stone
Talmadge
Thurmond

NOT VOTING—23

Allen
Bayh
Bentsen
Biden
Brooke
Burdick
Clark
Garn
Goldwater
Gravel
Hart, Philip A.
Hartke
Hollings
Humphrey
Long
Magnuson
Mathias
McGee
Morgan
Moss
Ribicoff
Scott,
  William L.
Tower

So the motion to lay Mr. DOLE's amendment on the table was agreed to.

Mr. PASTORE. Mr. President, for the benefit of the Members of the Senate, I understand there is going to be a short colloquy, if at all, and then we are going to have third reading.

I do not know of any amendments and we are going to have a rollcall vote on final passage, so I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, my colleague suggested that he wanted a colloquy on the sea-grant college, but I do not see him on the floor.

Mr. President, I suggest the absence of a quorum for 1 minute.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, for the purpose of the record, my colleague is not here. He was a little bit concerned about funding.

The budget request for the sea-grant college program was $21 million, and last year it was $23 million, and the House restored the $2 million and we went along with it.

My colleague raised a question as to whether or not, if there was any reprograming to be done under available funds, would the committee go along with the idea of enlarging the sea-grant program. Certainly we would because in the report, on page 35, we said that the committee would have no objection if this program were expanded within existing resources.

Mr. President, we are ready for a vote.

Mr. GRIFFIN. Mr. President, if I might have the attention of the distinguished Senator from Rhode Island, the manager of the bill, I want to focus for a moment or two on page 21 of the report, the appropriation provided for Federal prison facilities.

I call attention to the fact that the bill, the committee recommendation——

The PRESIDING OFFICER. May we have order so that the Senator may be heard?

The Senator may proceed.

Mr. GRIFFIN. Only $12.5 million, which is a reduction of $13.3 million below the 1975 appropriation level, $23 million below the budget estimate.

I realize that the action taken here by the committee is consistent with or in line with the House Appropriations Committee which for the time being is taking a new look at questions about construction of Federal prison facilities.

I want to call attention of the chairman to a situation in the city of Detroit which is of great concern to the senior and junior Senators from Michigan, it does not have to do with the incarceration of prisoners on a long-term basis, but the short-term detention of Federal prisoners in a situation in a city where all of the prisons and jails are overcrowded now.

On page 22, the committee does provide everything that is requested to make contracts with State and local jurisdictions to have Federal prisoners housed in State and local jails.

That is fine if there is room and State and local jails available for Federal prisoners. One of the difficulties is that we have an increase in crime.

Mr. PASTORE. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

Mr. GRIFFIN. The city of Detroit has no more room for Federal prisoners.

The judges there and the Department of Justice made arrangements to have Federal prisoners housed in an adjoining county, Oakland County. Now there is no room there.

We are finding that Federal prisoners are being transported a long distance and to various places rather on a disorganized basis.

I do not expect the manager of the bill to do anything about it in this particular situation, but I want to call his attention to it. It is a serious problem and we have been working with the head of the Federal prisons, Mr. Carlson, and the administration seeking to have some type of a detention center planned and constructed in Detroit, which desperately needs it.

Unfortunately, this crime situation, until we find some better solution, we will have to accord prisoners due process and their constitutional rights and they are entitled to decent housing in jails.

The Federal Government has a heavy responsibility and it seems to me, and I say most respectfully, we are sort of putting the subject to one side at this time.

Mr. PASTORE. If the Senator will yield, we are not at all putting it off to one side. This was gone into quite thoroughly before our committee. We had Mr. Carlson there, and he made a very, very strong pitch for the money.

The fact is that this is now being studied by the General Accounting Office; they will report in the future.

I think the legislative committees ought to go into this quite thoroughly. I do not think there will be any question about the funding, to do the right thing at the right time.

At the moment, there seems to be quite a controversy as to certain prisoners, those who are there for nonviolent crimes, whether or not some of the terms are not too long and whether society would better be served and rehabilitation take a stronger hold if, of course, these terms were not stretched out as long as they are. That is one of the problems that is involved.

Of course, this has nothing to do with murderers, this has nothing to do with gangsters, it has nothing to do with rapists. As far as I am concerned, they can throw them in jail and throw away the keys.

Mr. GRIFFIN. We must make certain there is a jail to put them in.

Mr. PASTORE. We will find room for those guys. Do not worry about them.

Mr. GRIFFIN. The problem is many of these prisoners are put out on bail or let out on the streets because there are not adequate jail facilities available.

Mr. PASTORE. That is true, but the fact still remains that this whole matter has to be reviewed on the national level, and I would hope that the legislative committees would do it.

Mr. GRIFFIN. May I urge that we move expeditiously on it? I hope the chairman will keep in mind the serious situation that we have in Detroit.

Mr. PASTORE. I certainly will.

Mr. HRUSKA. Will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. HRUSKA. May I say, Mr. President, that the arguments and position taken by the Senator from Michigan were considered by the subcommittee and also by the committee. There were some of us who felt, as the Senator from Michigan does, that we should go forward now with at least a limited part of the new construction, the necessity for which is now sufficiently established. On the other hand, the majority, both in the other body and in our committee, felt that in view of the ongoing studies on this topic by the subcommittee in the other body and by the General Accounting Office it would be best to defer, at present, funds for new construction. It was decided rather to merely continue at this time the ongoing projects and to continue with the rehabilitation of certain of our present facilities to increase their capacity to take on new inmates.

We will await the report of the General Accounting Office and of the inquiry being made by the House, both of which are expected to be completed shortly, and consider the matter of new construction in the supplemental budget which will be coming up in the near future. This budget will, of course, have been processed in the regular fashion, not only by the Department of Justice but by the Office of Management and Budget, and sent here as a supplemental budget. In the interest of expediting the passage of the present bill, rather than awaiting all of that process, I feel we should take care of this matter in the supplemental appropriations bill. The points made by the Senate from Michigan are well taken indeed.

Mr. GRIFFIN. I thank the Senator from Nebraska.

Mr. PELL. Mr. President, I would like to pay tribute——

Mr. PASTORE. Mr. President, may we have order, please?

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order.

Mr. PELL. I would like to pay tribute to my senior colleague for the work he has done in handling this bill, and particularly the help it will be to our part of the Nation. I am thinking of the pilot demonstration facilities for all phases of salmon production, the research in practical application of research to the marketplace, and, more particularly, to his remarks of a few moments ago to the effect that some additional funds for the seas grant program would be given high priority treatment when it came to consideration of any reprograming requests that might be proposed.

I thank him very much indeed.

Mr. PASTORE. I want to say to my colleague that he and former Senator Murphy of California were the fathers of the sea-grant college program. They have been intensely interested in it. The budget estimate was only $21 million, as I have already said. The House put it back to what it was last year, $23 million. We went along with the House on that. We also said that we have no objection if they desire to expand it any further out of the available funds. They could go along with it.

Mr. PELL. I thank my colleague very much.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the Senator from Michigan (Mr. PHILIP A. HART) relating to this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR PHILIP A. HART

I support the Senate Appropriations Committee's recommendation for a substantial increase in appropriations for Economic Development Assistance Programs. These programs are specifically directed at stimulating economic development and creating employment opportunities in economically distressed areas. Unfortunately, with a July statewide unemployment rate of more than 14 per cent, Michigan more than qualifies in anyone's book as an economically depressed area.

Along with the other recommendations, I am pleased to note the suggested increase of $92.5 million for EDA Title I public works grants, which would raise available funding to $200 million in fiscal 1976 and restore the program to its 1973 obligational level.

It has come to my attention that, subject to EDA approval, Title I funds are needed in Michigan to replace a fish rearing facility which had to be abandoned this spring after whirling disease spores were discovered in rainbow trout and coho salmon reared at the facility. To prevent the spread of whirling disease in Michigan and the Great Lakes Basin, 2.5 million fish were destroyed. This was a loss of 35 per cent of Michigan's coho and 80 per cent of Michigan's rainbow trout planting stock for 1975, representing nearly one-half of the entire Great Lakes coho and inland trout stocking programs.

While not harmful to humans, whirling disease may kill all trout and salmon in a hatchery facility and survivors become carriers. The annual benefit to Michigan's economy and to fishermen in restoring Michigan's fish production capabilities is valued at $5.8 million.

Here is an opportunity to get many needed projects considered and hopefully underway. These funds will give boosts to numerous economically-depressed communities throughout the country and provide employment in 40,000 short and long-term jobs. Therefore, I urge my colleagues to seize this opportunity and approve these funds without delay.

Mr. TUNNEY. Mr. President, the law enforcement education program, under the aegis of the Law Enforcement Assistance Administration, is one of the most acclaimed programs under the administration. It provides a program of grants and loans for higher education in the field of criminology. In the main, these funds are used by colleges and universities for the continuing higher education of individuals involved in the areas of corrections and criminal justice. A majority of those enjoying the benefits of these loans and grants are police officers, honing their ability in the areas of community relations, criminology, and the social sciences, to better perform their jobs.

I was greatly disappointed when the administration called for a 45-percent reduction in funds for this key program, and requested a full explanation of the magnitude of this cut. Unfortunately, I have not to date received a response from the Attorney General in this regard. Independently, I have learned, however, that it was believed that this program was the most "expendable" in the administration's effort to cut fat from the Federal budget. I do not consider education to be "fat," nor do I believe that the immediate returns of funds in this program deem it to be the most appropriate for cutting. Many of those in the administration of justice in my home State agreed with me, and urged my efforts to insure full funding for this program.

The pleas came not only from police chiefs around California, but from those in uniform who had reaped the benefits of this program in the past, and those who were depending on the LEEP grants to continue their educations. A deputy sheriff from Ventura County told me:

> I have used LEEP to acquire an A.A. Degree, in Aug. 1975 I will receive my B.A. Degree, and I had planned to enroll in Sept. for my M.A. Degree work. I am a good policeman because I want to be. However, LEEP has given me the invaluable educational background and exposure to be an effective, empathetic and dedicated officer. I serve the law and our society with an open mind and an awareness that could only have been gained through the assistance of LEEP.

A Santa Ana sergeant wrote:

> Though I had to pay for the first semester out of my own pocket, I was finally awarded LEEP funds and that is all that has enabled me to continue my education in Public Management. . . . Most of the policemen in my classes (in fact all but two) are receiving some LEEP funds. If these funds are cut, or dropped, the higher education of police officers will indeed suffer.

Last, a captain from San Bernardino indicated that:

> Any cut in LEEP funds will drastically slow the process of education of our policemen who are expected to be qualified to cope with a very complex American society. The educational level of all policemen in the United States must be raised to an equal plane if Law Enforcement is ever expected to become a true profession.

In the United States as a whole, over 200,000 persons have either received grants or loans under LEEP as of the first of this year. California alone has had over 30,000 participate in this program in 1974 and 1975. The proposed cut by the administration would have meant the halving of the program in my State. According to the manpower training branch of the California Office of Criminal Justice Planning, the administration's budget request would mean that California schools would be unable to accept any new LEEP students, and would have to cut current LEEP enrollments by half in order to meet the administration's cut. Further, the implication remains that if the colleges do not have the students to support criminology classes, such programs will be discontinued within the school curricula. That means the professors will be laid off, entire departments shut down, despite a continued demand.

Schools in California are going to be caught in a double bind situation, since LEAA has recently adopted stringent guidelines for determining whether a school can qualify for LEEP funds. These guidelines include a demonstration of adequate and competent faculty, demand for the course curriculum, and comprehensiveness of the curriculum being offered. What these guidelines mean, specifically, is that fewer and fewer schools will meet the criteria if their LEEP budgets are cut. If their enrollment drops as a result of administration cuts, the very criteria upon which their funds depend will not be met. The schools will be caught in a vicious circle which will inevitably mean the end of the LEEP program for many affected schools in California.

It is indeed gratifying to know that my colleagues on the Appropriations

Committee have shared my concern in this regard, and have voted to restore the funds for this badly-needed program which has been called by one mayor in California "the primary catalyst in upgrading the criminal justice system."

As a result of the full $40 million appropriation, my own State will probably gain over $2 million in grants and loans. The Nation as a whole will gain a better educated, more compassionate criminal justice system. I urge my colleagues to favor the retention of this badly needed money, and to join me in insuring that such funds will not be cut now and in upcoming supplemental appropriations.

Because the addition of funds in the fiscal year 1976 budget for the most part will allow California schools to receive funds comparable to those received in fiscal 1975, I ask unanimous consent that the comparison between last year's funding levels and the awards proposed based on the administration's budget request be printed in the RECORD. In this way, the benefits of those restored funds will become plain, and their need obvious.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LAW ENFORCEMENT EDUCATION PROGRAM—CALIFORNIA

[Award based on administration budget request reflecting 45 percent reduction in law enforcement education program funds]

Cong. district	Name and address of institution	Fiscal year—	
		1976 award	1975 award
13	Allan Hancock College, Santa Maria, Calif	$1,069	$2,100
3	American River College, Sacramento, Calif	2,023	7,865
24	Antelope Valley College, Lancaster, Calif	0	1,140
2	Butte College, Durham, Calif	2,317	2,737
12	Cabrillo College, Aptos, Calif	1,470	1,100
38	California Baptist College, Riverside, Calif	8,020	23,487
13	California Lutheran College, Thousand Oaks, Calif	61,063	156,916
12	California Polytechnic State University, San Luis Obispo, Calif.	3,798	21,855
36	California State Col., Bakersfield, Bakersfield, Calif	32,748	16,167
33	California State College, San Bernardino, San Bernardino, Calif.	8,004	29,543
1	California State College, Sonoma Rohnert Park, Calif	6,424	24,642
15	California State College, Stanislaus, Turlock, Calif	2,676	11,673
17	California State College, Dominguez Hills, Calif	11,149	17,349
24	California State Polytechnic University, Pomona, Calif	10,221	34,233
23	California State University, Fullerton, Calif	14,064	28,050
2	California State University, Chico, Chico, Calif	27,535	85,862
16	California State University, Fresno, Fresno, Calif	12,333	33,711
9	California State University, Hayward, Hayward, Calif	2,372	10,935
1	California State University, Humbolt, Arcata, Calif	0	630
32	California State University, Long Beach, Long Beach, Calif.	25,062	43,759
29	California State University, Los Angeles, Los Angeles, Calif.	132,971	121,161
27	California State University, Northridge, Northridge, Calif	13,088	23,445
3	California State University, Sacramento, Sacramento, Calif.	120,226	214,636
36	California State University, San Diego, San Diego, Calif.	55,523	76,115
6	California State University, San Francisco, San Francisco, Calif.	4,601	11,318
9	California State University, San Jose, San Jose, Calif	37,382	95,995
11	Canada College, Redwood City, Calif	3,675	13,400
19	Cerritos College, Norwalk, Calif	8,670	2,000
33	Chaffey College, Alta Loma, Calif	2,534	2,330
35	Chapman College, Orange, Calif	176,329	275,899
6	City College of San Francisco, San Francisco, Calif	0	1,470
11	College of Notre Dame, Belmont, Calif	43,441	68,792
11	College of San Mateo, San Mateo, Calif	0	2,700
1	College of the Redwoods, Eureka, Calif	1,002	2,800
18	College of the Sequoias, Visalia, Calif	401	1,600
2	College of the Siskiyous, Weed, Calif	0	287
6	College of Marin, Kentfield, Calif	5,404	1,200
27	College of the Canyons, Valencia, Calif	2,131	3,600
21	Compton College, Compton, Calif	2,272	2,555
14	Contra Costa College, San Pablo, Calif	869	2,132
12	Cuesta Community College, San Luis Obispo, Calif	0	3,750
14	Diablo Valley College, Pleasant Hill, Calif	0	12,016
6	Dominican College, San Rafael, Calif	42,105	2,098
30	East Los Angeles College, Los Angeles, Calif	0	26,573
2	Feather River College, Quincy, Calif	902	1,625
16	Fresno City College, Fresno, Calif	0	2,150
34	Fullerton College, Fullerton, Calif	1,113	3,061
5	Golden Gate University, San Francisco, Calif	300,634	346,737
34	Golden West College, Huntington Beach, Calif	0	864
12	Hartnell Community College, Salinas, Calif	2,271	3,072
14	John F. Kennedy University, Martinez, Calif	9,402	22,866
33	La Verne College, La Verne, Calif	51,858	86,261
2	Lassen College, Susanville, Calif	4,027	7,232
33	Loma Linda University, Riverside, Calif	22,066	33,068
35	Los Angeles Harbor College, Wilmington, Calif	0	8,320
7	Merritt College, Oakland, Calif	7,600	1,950
42	Mira Costa College, Oceanside, Calif	974	2,900
15	Modesto Junior College, Modesto, Calif	0	1,500
12	Monterey Peninsula College, Monterey, Calif	0	4,672
43	Mount San Jacinto College, Gilman Hot Springs, Calif	245	1,000
25	Mount San Antonio College, Walnut, Calif	3,007	4,866
42	Palomar College, San Marcos, Calif	1,141	2,050
43	Palo Verde College, Blythe, Calif	0	1,462
20	Pasadena Area Community College, Pasadena, Calif	931	1,919
31	Pepperdine University, Los Angeles, Calif	291,354	758,266
25	Rio Hondo College, Whittier, Calif	2,606	6,467
3	Sacramento City College, Sacramento, Calif	5,001	24,290
33	San Bernardino Valley College, San Bernardino, Calif	0	1,658
37	San Diego City College, San Diego, Calif	0	1,781
15	San Joaquin Delta College, Stockton, Calif	0	1,122
17	San Jose City College, San Jose, Calif	0	5,376
34	Santa Ana College, Santa Ana, Calif	2,296	1,380
13	Santa Barbara City College, Santa Barbara, Calif	2,606	3,600
1	Santa Rosa Junior College, Santa Rosa, Calif	0	15,200
2	Sierra College, Rocklin, Calif	417	1,737
4	Solano Community College, Suisun City, Calif	1,336	3,369
41	Southwestern College, Chula Vista, Calif	0	801
36	U.S. International University, San Diego, Calif	0	76,393
7	University of California, Berkely, Calif	25,992	39,192
42	University of California, Irvine, Calif	8,897	14,636
43	University of California, Riverside, Calif	6,690	12,150
13	University of California, Santa Barbara, Calif	59,475	100,350
4	University of California Extension, Davis, Davis, Calif	32,670	73,061
12	University of California Extension, San Cruz, Santa Cruz, Calif.	5,430	13,709
26	University of California at Los Angeles, Los Angeles, Calif	84,304	128,326
15	University of the Pacific, Stockton, Calif	10,136	7,869
21	University of Southern California, Los Angeles, Calif	302,087	672,970
33	Victor Valley College, Victorville, Calif	935	1,500
16	West Hills, College, Coalinga, Calif	0	600
10	West Valley College, Campbell, Calif	0	1,031
04	Yuba Community College, Marysville, Calif	3,3 6	6 520
	Total funds committed	2,138,355	4,032,555
	Total institutions	69	92

Mr. MUSKIE. Mr. President, the bill before the Senate, H.R. 8121, makes appropriations for the Departments of State, Justice, Commerce, the judiciary, and related agencies.

I wish to congratulate Chairman MCCLELLAN and subcommittee Chairman PASTORE for the work they and their members have done on the appropriations bill for State, Justice and Commerce, the judiciary, and related agencies which is accommodated by the spending targets set by the budget resolution.

H.R. 8121 make appropriations for programs that cut across 7 of the 16 functional categories. The total budget authority in this bill is $6.1 billion. The Budget Committee staff's analysis of the bill shows that it is at least $200 million below the totals which the Budget Committee contemplated for the programs in those seven categories which are funded in H.R. 8121.

The Senate committee version of H.R. 8121 is nearly half a billion dollars above the House version. At first glance, that might seem to mean trouble. But in every case, the Senate Appropriations Committee increases are within the targets which the Budget Committee used as building blocks for the various functional categories to arrive at the overall spending ceiling.

The amounts for some specific programs within those categories are higher than the figures which the Budget Committee and the Senate-House conferees had before them. But the totals still fit—at this point in the session—within the margins which the Budget Committee allowed for changes in specific programs within those functional categories.

For example, the Appropriations Committee increased the budget for the Economic Development Administration and for managing economic assistance programs from the House figure of $314 million to the figure before you of some $481 million.

The Appropriations Committee's reason for raising that figure is sound. It will make available some $92 million for public works projects, business loans and assistance to distressed communities that will create or save more than 40,000 jobs. In these times of high unemployment and economic uncertainty, that is good Federal policy, particularly when it can be done without breaching the budget target.

The Appropriations Committee used similar reasoning in raising the amount of money available for loans to small businesses, many of which have been hurt by the recession. The Senate committee authorizes $250 million for such loans. The House authorized $150 million. The Senate Budget Committee originally assumed the lower figure in its calculations on a budget target. In conference, House Members argued for a higher figure and the conferees settled on a target of $450 million for Small Business Administration loans. The Appropriations Committee figure is well below that target. The Senate committee and the House both would allow $100 million for disaster relief, again a figure that matches the Budget Committee target.

The one area in which H.R. 8121 goes beyond the levels which the Budget Committee used in calculating its overall budget target is in appropriations for the Law Enforcement Assistance Administration.

The Senate Appropriations Committee has increased spending in that area by $92 million, but while that specific program is up, there was enough margin in the categorical function covering law enforcement and justice to accommodate the increase.

Again, my congratulations to Senators McCLELLAN and PASTORE and the members of the Appropriations Committee. This is the kind of close match that I am sure all of us had in mind when we created the new budget process for Congress.

Mr. MANSFIELD. Mr. President, the Appropriations Committee has included in H.R. 8121, the Departments of State, Justice, and Commerce, the Judiciary, and related agencies appropriations bill of 1976, the sum of $84,068,000 for title V Regional Economic Development Commissions. Although this sum is only slightly more than 50 percent of the current annual authorization, I congratulate the committee for having the wisdom and foresight to plan ahead for increased regional economic planning and development.

Many of us from title V Commission States believe this is a fair and just approach to the problem of regional economic development. We believe that the title V Commissions have during their short few years of operation, I might add years with scant financial support, proven their effectiveness and deserve to be upgraded as passage of H.R. 8121 will begin to do.

Experience has shown that all of the myriad activities required at State and local levels of government will not, by themselves, add up to an optimal regional strategy. Locally conceived and implemented projects may serve local needs, but that is no guarantee that in so doing all of the activities will blend together in a supportive and harmonious way or that the most critical needs will be met first. As an example, consider the work that has been accomplished by the Old West Regional Commission in pulling together the socioeconomic costs that would occur because of energy development. It is only when the local initiatives and projects are fitted together with regional objectives that the best possible solution occurs. The program of Regional Commission grant assistance is designed to provide regional economic advancement.

I am also gratified, Mr. President, to note that the committee has found it appropriate to include the balance of funding through the Old West Commission needed to continue operation of the mountain plains education and economic development program. This will allow the mountain plains program to continue operation through August 1976, when the program should begin permanent funding under the Old West Regional Commission. This program is an excellent example of regional development and coordination and should continue, especially in view of its demonstrated high potential for economic development. The program is displaying outstanding characteristics and deserves to have its momentum continued, and I am confident it will be included in the fiscal year 1977 budget request.

I sincerely urge my colleagues to support H.R. 8121, and express my appreciation to the committee for its efforts.

Mr. PROXMIRE. Mr. President, I shall vote against H.R. 8121, the State-Justice-Commerce appropriations bill, because I am wholly opposed to the large increase in funding for the Law Enforcement Assistance Administration contained in the bill as reported out of the Senate committee.

The bill before us today contains a total of $861,638,000 for LEAA. This is $91,854,000 above the budget estimate, an increase of 11 percent, which is unconscionable. The House acted to cut the budget by $146,000.

Mr. President, when are we going to realize and admit that we cannot solve the Nation's crime problem by mindlessly throwing money at it? Since 1968, LEAA has poured $4.2 billion in taxpayers' money into fighting crime—and yet the crime rate has risen every year since then, except for 1972, and last year it went up an alarming 17 percent.

When I questioned Velde, the LEAA administrator, about these disastrous figures in hearings before the Appropriations Committee, he claimed that the rise in crime in 1974 was due to decreased spending by State and local governments for law enforcement. Further examination of this claim reveals that it is utterly incorrect. Spending for crime fighting by State and local governments has risen constantly since 1968—according to LEAA's own figures. Velde could not produce one statistic to support his contention.

So what are we left with? The fact is that LEAA has been and continues to be a dismal failure by any and all accounts. LEAA has shown an appalling lack of priorities, of accountability, and of results. It has concentrated on police programs, on fancy hardware and gadgetry, and on shoveling money out to States and localities without any criteria for efficient use of this money.

LEAA is supposed to develop innovative methods for law enforcement and criminal justice procedures, but what are its innovations? It has spent $300,000 to develop a "Dick Tracy" watch to measure policemen's reactions to stress, and plans to spend still more thousands on research into the perfect shoe for police wear. How can anyone call this an innovative approach to solving our crime problem?

Spending even more money in 1976 is not the answer to the crime problem. Throwing good money after bad is no way to protect the interests and security of the American people, whether we are talking about crime or about any other social problem. Until we understand this fact, the country will not and cannot begin the long, painful process of finding out what we as a nation must do to meet the challenge of crime.

Mr. President, I oppose and will continue to oppose big spending for the Law Enforcement Assistance Administration so long as these conditions remain.

Mr. HUDDLESTON. Mr. President, as a member of the Subcommittee on State, Justice and Commerce, the Judiciary and Related Agencies Appropriations, I would like to call the attention of my colleagues to several matters which I believe to be of particular importance.

First, the subcommittee and the committee have agreed to a $453 million appropriation for the Economic Development Administration. EDA has, over the years, provided funding for a series of public works and development facilities, for technical assistance to redevelopment areas, and for planning activities. It has brought jobs, economic opportunity, and new hope to a number of communities throughout this country, including some 80 in my State of Kentucky. Efforts to restrict the program, particularly at a time when unemployment still plagues our Nation and when certain areas continue to require economic stimulation are, in my opinion, unmerited. I am, therefore, pleased that the subcommittee determined that additional funding could be used wisely and effectively in this program and included it.

Second, the subcommittee recommended certain changes in the House provisions relating to the LEAA program. Under the House proposals, certain LEAA funds would be earmarked for the law enforcement education program—LEEP and juvenile delinquency, two extremely worthwhile programs. Unfortunately, however, such earmarking would have the effect of reducing other, important on-going programs of crime prevention and criminal justice reform. As a result of Senate subcommittee actions, however, LEEP and juvenile delinquency programs would be funded separately and above and beyond the funding for on-going programs.

Third, the committee included in its report language indicating its concern over delays in the implementation of the national VHF-FM radio disaster weather warning system and expressing its belief that the program should be implemented as promptly as possible, and certainly within 3 years or less of the date of enactment of this bill.

The importance of this system was dramatically illustrated to me in April of 1974 when a series of killer tornadoes swept the State of Kentucky, leaving a trail of death and devastation. Seventy-one persons were killed; 1,377 were injured; damage was estimated at $110 million; between 1,800 and 2,000 farms were damaged; some 6,625 families sustained losses.

This is only one situation—albeit a dramatic one. Many other States have suffered serious destruction and loss as a result of extreme weather conditions—destruction and loss which might have been prevented or minimized had adequate warnings been available.

Under current NOAA plans, the full system of some 350 transmitters may not be completely installed for another 4 or

5 years. I do not believe we can afford to wait that long. I do not believe we can continue to allow deaths and destructions which an existing system, which can be installed in a shorter time, can help prevent.

My study of the matter indicates at least 100 new transmitter sites could be ordered, installed, and operational by the end of fiscal year 1976 under the existing budget request. That is more than twice the number which NOAA said could be installed.

I know that a number of Senators on the committee are interested in this system, and I expect NOAA to be guided by the report language.

Mr. FANNIN. Mr. President, H.R. 8121 includes appropriations for international organizations among various State Department activities. We are debating this funding bill without the benefit of an appropriate authorization bill to define the programs which we are expected to support or reject in this fiscal year. We are presented, here, with funding requests for international organizations which remain at last year's levels. I, for one, do not think that the United Nations and its related agencies, for example, should continue to draw 25 percent of its budget from U.S. contributions. During the past years, the U.N. has not lived up to its mission and I do not think we should portray silent approval of that organization's activities by continuing to support it at the same funding level.

I would offer an amendment to reduce our contribution to the U.N. if that could be done sensibly at this time. After considering the possibilities of such a step, I felt that my deep dissatisfaction with the U.N. could be expressed best when the Senate takes up authorizing legislation. At that time I will propose an amendment to eliminate the U.S. contribution to the U.N. if a member nation in good standing is sanctioned or expelled for purely political, partisan reasons.

Sixty-four percent of the U.N.'s membership is composed of a Third World voting bloc. This coalition has succeeded in virtually controlling the scope and direction of the U.N. with little regard, and in fact contempt, for the older more established, industrial member nations. They are destroying the reason for the U.N. to continue as an international guarantor of peace and security as it was originally conceived in 1945. They are openly determined to press their special interests to the detriment of larger, international interests. For example, it was more for the benefit of the Arab bloc that Yasir Arafat was invited to address the Assembly last November. It was to the benefit of the same group that Israel was excluded from certain UNESCO programs. These actions did not open up an avenue of possibilities for lessening Middle East tensions. In fact, hostilities were more imminent in the Mideast in November of 1974 than they had been for some time. This collective action of the U.N. served to promote hostilities which is in direct contradiction not only to stable international relations but also to the primary U.N. mission to guarantee peace and stability.

The United Nations Charter states that its purposes and principles are:

> (1) to maintain international peace and security . . .; (2) to develop friendly relations among nations . . .; (3) to achieve international cooperation in solving international problems . . .; and (4) to be a center for harmonizing the actions of nations in the attainment of these common ends.

Mr. President, in recent years the principles of the Charter have taken a back seat to political maneuvering. The majority Third World members with the strong support of the oil rich Arab nations are pushing their common interest in the destruction of Israel at every opportunity. Just recently they had the World Health Organization condemn Israel, they had the International Women's Year Conference pass resolutions against Zionism. Two foreign ministers conferences—one made up of Islamic leaders and the other of African leaders—agreed that Israel should be expelled from the United Nations. A third ministerial meeting of nonalined nations fell just short of a similar proclamation. These actions serve not to impress me of the great political and economic power of the Third World but to convince me that these newly independent nations do not live up to the standards of international cooperation, peace and development that the United Nations was created to foster.

If the General Assembly and the related Agencies cannot control their member nations and assure the progression of the international organization toward the goals of peace and stability in the world, then they have not lived up to their charters and either should be revamped drastically or eliminated completely.

The proposed appropriations for the U.N. for fiscal year 1976 and the transition period total $307.8 million. This is far too high a price to ask the American people to pay for the continued support of an organization which does not abide by its stated principles. I oppose this portion of the foreign aid authorization and appropriation legislation for fiscal 1976.

Since the United Nations no longer honors the principles of its charter and since the United States has achieved greater success in encouraging peace and stability among nations on a unilateral basis, I can no longer support the level of our financial commitment to the United Nations. The United Nations has changed directions; it is no longer projecting an image we can support. It is allowing itself to be used by a tyrannical, self-serving majority of its members and I cannot support this destructive trend.

Mr. HATFIELD. Mr. President, this afternoon I would like to briefly discuss two amendments that Senator MAGNUSON and I proposed to H.R. 8121, the State, Justice, Commerce, and related agencies appropriations bill for 1976. Having become a member of the State, Justice, Commerce Subcommittee of the Senate Appropriations Committee this year, I am anxious to insure that important fisheries programs in the Pacific Northwest are adequately funded.

Historically, the river system formed by the Columbia River and its tributaries have been one of the world's major producers of Pacific salmon and steelhead trout. Today, stocks of these fish are far below the system's potential. According to the National Marine Fisheries Service, the annual catch of salmon and steelhead from the system is now averaging about 30 million pounds in contrast to the 50 million pound average that prevailed at the turn of the century.

Hydroelectric dams, foreign fishing, and the general encroachment of modern life on nature have all contributed to the problem. A variety of actions are necessary to bring the stocks of these fish back closer to their potential. Washington and Oregon are both spending substantial amounts each year to protect and enhance these fish resources. We have long insisted that the Corps of Engineers work to improve fish passage at dams along the Columbia River and its tributaries. Progress is being made by the Corps and they budgeted over $10 million in fiscal year 1976 for their efforts. Also of great significance, of course, is the 200-mile fishing zone legislation.

Mr. President, in view of the fact that we felt that immediate steps to accelerate the production of salmon and steelhead were necessary, Senator MAGNUSON and I introduced two amendments to this appropriations bill, both of which were accepted in subcommittee markup, and are now part of the bill itself.

The first amendment appropriates an additional $2,200,000 to the National Oceanic and Atmospheric Administration (NOAA) for improving programs at the 21 existing Columbia River fishery development program hatcheries in Oregon and Washington. This includes more fish food and personnel, new rearing facilities at four of the hatcheries, and funds for planning and design studies of 13 potential rearing-facility sites on the Columbia and its tributaries.

The second amendment accepted by the subcommittee restores the Federal-State marine fisheries program to the $5.8 million level provided by Congress in fiscal year 1975. This was an addition of $800,000 to the budget request. This additional money was made necessary when the President's deferral of $600,000 from the fiscal year 1975 fisheries grant-in-aid program—which was disapproved by the Congress, House Resolution 309—was passed along to the fiscal year 1976 budget request. NOAA, figuring that these deferred 1975 funds would automatically become available in 1976, requested not only $600,000 less than last year, but on top of that reduced their request by an additional $200,000—thereby cutting their total appropriations for these vital fisheries programs by a total of $800,000. This was a 14 percent cut—from the $5.8 million in fiscal year 1975 to $5.0 million for fiscal year 1976. These grant-in-aid programs have been level-funded for the last 4 years, so their effectiveness have already been impaired by the inflationary spiral. This further cut would have been unacceptable. In my State of Oregon, for example, this amendment restores $74,110 to fisheries aid programs which would have been otherwise lost. The fiscal year 1976 apportionment is now level-funded at $482,850 instead of the proposed $408,740.

I wish to thank my colleagues on the State, Justice, Commerce Subcommittee, especially the chairman, Senator PASTORE, and the ranking Republican, Senator HRUSKA, for their fine work on this bill, and their assistance with these fisheries issues. I also wish to urge my colleagues here in the Senate to retain these important fisheries funds during consideration of the bill here today, and in conference.

Mr. President, I ask unanimous consent to have printed in the RECORD, reports prepared by the Director of the National Marine Fisheries Service, Mr. Robert W. Schoning, pertaining to the fish hatcheries amendment; and a statement prepared by the Directors of the Atlantic States, Gulf States, and Pacific Marine Fisheries Commissions regarding the fisheries grant-in-aid programs.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OPPORTUNITIES FOR INCREASED FISHERIES PRODUCTION IN THE COLUMBIA RIVER BASIN

(Prepared in response to the request of Senator WARREN G. MAGNUSON, chairman, Committee on Commerce, by the National Marine Fisheries Service)

Historically, the Columbia River has been one of the world's major producers of Pacific salmon and steelhead. Catches reached an all time high of approximately 50 million pounds at the turn of the century, but declined to an all time low of approximately 10 million pounds in 1960. Although a variety of factors contributed to the declining catches, the primary cause has been the loss of spawning and rearing habitat resulting from the construction of numerous large dams on the Columbia River and its tributaries. To compensate for these losses the Columbia River Fishery Development Program (CRFDP) was established by the Act of May 11, 1938 (52 Stat. 345), as amended (16 U.S.C. 755, the "Mitchell Act"). Under the CRFDP, the National Marine Fisheries Service (NMFS) has constructed and now manages 21 fish hatcheries, with the day-to-day operation carried out by contracts with the States and the Fish and Wildlife Service (FWS). Additional hatcheries have been constructed by Federal water resource development agencies to mitigate the effects of project construction and by the Columbia Basin States in an effort to maintain the salmon and steelhead resources. It has not been until recent years, however, that improvements in hatchery and pond rearing technology and other advances in management techniques and devices have allowed fishery agencies to reverse the declining trend in the harvest of Columbia River salmon and steelhead. Catches are now averaging about 30 million pounds per year and restoring the yield to its historic level of 50 million pounds per year seems to be realistic and attainable.

There are three steps that can be taken immediately to work towards restoring harvests of salmon and steelhead to historic levels:

1. Fully develop the production potential of existing fish propagation facilities.

2. Construct additional facilities at sites where land and water rights are either owned or are readily available to fishery agencies, and where preliminary planning and engineering has already been completed.

3. Undertaken planning and preliminary design studies for future projects so that costs of land, water, construction, and operation and maintenance (O&M) can be obtained and compared with fish production figures.

The following tabulation summarizes estimates of cost, increased annual catch, and types of facilities that would be involved.

Item	Construction and planning cost (year)	Annual O. & M. (1st yr)	Increased catch pounds (1st yr)	Annual value of catch
Develop existing facility potential	0	[1] [2] $546,250	[3] 2,420,000	$2,100,000
Construction facilities (4 sites)	[4] $1,330,000	[5] 350,000	[6] 1,953,000	2,236,560
Planning and design studies (13 sites)	[4] 344,000			
Total	1,674,000	(1)	4,373,000	4,336,560

[1] Annual O. & M. in subsequent 4th quarter years would amount to $437,000; the fiscal year 1977 total for O. & M. would thus amount to $787,000.

[2] Fiscal year 1976.

[3] Calendar year 1978.

[4] Fiscal year 1976.

[5] Fiscal year 1977.

[6] Calendar year 1979.

ITEM 1.—TABLE 1A.—FUNDS REQUIRED TO BRING PRESENT COLUMBIA RIVER FISHERY DEVELOPMENT PROGRAM HATCHERIES TO FULL PRODUCTION

Operating agency	Annual O & M		Increased annual production (pounds)	Added annual catch (pounds)	Added annual value
	Amount	Fiscal year			
O.F. & WC	$190,000	1976¼	[1] 125,000	900,000	$735,000
	152,000	1977+			
WDF	162,500	1976¼	[2] 100,000	700,000	720,000
	130,000	1977+			
WDG	50,000	1976¼	[3] 32,000	190,000	45,000
	40,000	1977+			
FWS	143,750	1976¼	[2] 90,000	630,000	600,000
	115,000	1977+			
Total	546,250	1976¼	347,000	2,420,000	
	437,000	1977+			2,100,000

[1] Coho, chinook and steelhead smolts.

[2] Coho and chinook smolts.

[3] Steelhead smolts.

Note: All agencies can increase the pounds of fish reared at each hatchery if funded for additional fish food, salaries, and general maintenance. The Fish and Wildlife Service would bring 10 ponds into production that are not being used because the Willard Nutritional Laboratory was deactivated. Contingent on receipt of fiscal year 1976 O. & M. funds in time for calendar 1975 egg take, added annual catches and values would begin accruing in calendar year 1978.

Hatchery location [1]	Operating agency	Species of fish reared
1. Gnat Creek	O.F. & W.C.	Steelhead.
2. Klaskanine River	O.F. & W.C.	Steelhead, coho, chinook.
3. Big Creek	O.F. & W.C.	Steelhead, chinook, coho, chum.
4. Bonneville Dam	O.F. & W.C.	Chinook, coho.
5. Sandy River	O.F. & W.C.	Do.
6. Cascade	O.F. & W.C.	Do.
7. Ox Bow	O.F. & W.C.	Chinook.
8. Beaver Creek	WDG	Steelhead.
9. Skamania	WDG	Do.
10. Grays River	WDF	Chinook, coho.
11. Elokomin	WDF	Do.
12. Kalama Falls	WDF	Do.
13. Washougal	WDF	Do.
14. Toutle River	WDF	Do.
15. Klickitat River	WDF	Do.
16. Eagle Creek (Clackamas)	FWS	Steelhead, chinook, coho.
17. Spring Creek	FWS	Chinook.
18. Kittle White Salmon	FWS	Chinook, coho.
19. Willard	FWS	Coho.
20. Carson	FWS	Chinook, coho.
21. Abernathy	FWS	Chinook.

[1] See map, p. 11.

Note: O. & M. would total $546,250 in fiscal year 1976¼ due to the additional quarter in that fiscal year.

ITEM 1.—TABLE 1b.—ALLOCATION OF ANNUAL O. & M. FUNDS TO BRING PRESENT CRFDP HATCHERIES TO FULL PRODUCTION

	Hatcheries	Amount
Oregon Fish and Wildlife Commission (O.F. & W.C)	7	$152,000
Washington Department of Fisheries (WDF)	6	130,000
Washington Department of Game (WDG)	2	40,000
U.S. Fish and Wildlife Service (FWS)	6	115,000
Total	21	437,000

ITEM 2.—ESTIMATED COSTS, ANTICIPATED CATCH AND ANNUAL VALUE FROM PROPOSED NEW CRFDR REARING INSTALLATIONS

Proposed project	Operating agency	Construction cost	O. & M. (1st yr)	Fish released			Anticipated total catch		Alaska	Estimateo number and location of catch			Cali-fornia	Colorado River	Total Estimated value per year [1]
				Pounds	Numbers	Species	Pounds	Number		British Columbia	Wash-ington	Oregon			
Toutle River Rearing Ponds.	WDF	$950,000	[2] $230,000	230,000	3,700,000	Coho	1,450,000	207,200	0	12,225	68,790	80,187	20,927	25,071	$1,657,760
Herman Creek Ponds	OFWC	150,000	[3] 50,000	40,000	600,000	do	235,000	33,600	0	1,982	11,155	13,003	3,394	4,066	268,800
Vancouver Rearing Ponds.	WDG	130,000	[3] 25,000	20,000	700,000	Steelhead.	28,000	7,000		(4)	(4)	(4)	(4)	(4)	140,000
Big White Salmon Ponds.	FWS	100,000	[3] 45,000	30,000	2,000,000	Fall chinook.	240,000	20,000	40	6,740	7,580	900	80	4,660	170,000
Total		1,330,000	350,000	320,000	7,000,000		1,953,000	267,800		20,947+	87,525+	94,090+	24,401+	33,797+	2,236,560

[1] Values based on weighted averages of current ex-vessel value of commercial catch and cost to angler of sport catch. Values shown are thus conservative: fall chinook—$8.50 per fish; coho—$8 per fish; steelhead value based on averages from sport and Indian fisheries—$20 per fish. Values would begin accruing in 1979 assuming fiscal year 1976 construction.

[2] Fiscal year 1978.

[3] Fiscal year 1977.

[4] Columbia River Sport Fishery.

Note: The 4 projects listed above could be put under construction in fiscal year 1976. Land and water rights for these projects are available or could be obtained without delay. Some preliminary planning and engineering design has been completed. Operation and maintenance costs (O. & M.) and the initial year funding is required are shown, and assume construction would begin in fiscal year 1976. A brief description of each project is given on pp. 7 and 8.

ITEM 2

Facility: Toutle River Hatchery Rearing Pond and Pipeline.

Location: Cowlitz County, Washington.

Project: Enlarge pipeline to present hatchery and add 2-acre rearing pond. Land and water rights are secured by Washington Department of Fisheries.

Annual Production: 3.7 million coho smolts weighing 230,000 pounds.

Anticipated Catch: 207,200 coho weighing 1,450,000 pounds.

Construction Cost: $950,000.

Annual O&M: $230,000.

Operator: Washington Department of Fisheries.

Facility: Herman Creek Pond and Well Development (Oxbow Hatchery).

Location: Multnomah County, Oregon.

Project: Drill wells and renovate four old 50' x 100' ponds on Herman Creek for year around rearing. These ponds are satellite to the Oxbow Hatchery. Water rights are secure and land is owned by Oregon Fish and Wildlife Commission. This project would supplement work underway with FY 1975 add-on funds and would further increase production.

Annual Production: 600,000 coho smolts weighing 40,000 pounds.

Anticipated Catch: 33,600 coho weighing 235,000 pounds.

Construction Cost: $150,000.

Annual O&M: $50,000.

Operator: Oregon Fish and Wildlife Commission.

Facility: Vancouver Hatchery.

Location: Clark County, Washington.

Project: Construct four 10' x 100' concrete rearing ponds, pipeline and water intake system; purchase house trailer residence. Land and water rights are owned by Washington Department of Game. Facility is to be used as winter warm water starting and rearing area when Skamania water temperatures inhibit growth.

Annual Production: 700,000 summer run steelhead weighing 20,000 pounds.

Anticipated Catch: 7,000 summer steelhead weighing 28,000 pounds.

Construction Cost: $130,000.

Annual O&M: $25,000.

Operator: Washington Department of Game.

Facility: Big White Salmon River Hatchery.

Location: Klickitat County, Washington.

Project: Two large ponds on the Big White Salmon River may presently be used only when a low flow year is anticipated as they are periodically subject to seasonal flooding. New construction for flood control would protect the integrity of the area for year around rearing. Land and water are owned by Fish and Wildlife Service. Some coho may be reared when ponds are not used for chinook.

Annual Production: 2,000,000 fall chinook smolts weighing approximately 30,000 pounds.

Anticipated Catch: 20,000 fall chinook weighing 240,000 pounds.

Construction Cost: $100,000.

Annual O&M: $45,000.

Operator: U.S. Fish and Wildlife Service.

ITEM 3

A number of potential fish rearing sites have been identified in the Columbia Basin, but little planning or engineering design has been conducted. To ensure that future construction of additional fish rearing facilities is done in an orderly cost-effective manner, funds for planning and design are required. The following general items would be included in planning contracts for specific projects.

1. Obtain data on availability and quality of water.

2. Determine availability, cost and ownership of land.

3. Test rear fish.

4. Conduct topographic survey of site.

5. Prepare preliminary plan of facility.

6. Estimate production of fish.

7. Complete structural design and cost estimates.

Planning should be conducted on a systems basis to:

1. Develop benefit-cost comparisons for construction and operation of new hatcheries versus expansion of existing facilities.

2. Examine contribution of various alternatives towards restoring 50,000,000-pound annual catch.

3. Evaluate and incorporate in planning, the probable effects of present and planned hatchery expansion by all agencies and the likely outcome of additional fish protective measures for the Columbia River.

Table 3 presents an estimate based on readily available information for planning and preliminary design that totals $344,000. The proposed developments are listed in order of estimated priority.

ITEM 3.—PLANNING FOR FUTURE CRFDP PROJECTS TO INCREASE COLUMBIA RIVER FISHERIES PRODUCTION

Project area	Planning and design	Proposed developments	Planning agency
1. Columbia River	$50,000	Overall planning and comparisons for all Columbia River fish rearing facilities with estimates of production.	NMFS and outside architecture engineering firms
2. Lewis River	40,000	New hatchery	WDF.
3. Husum Springs	25,000	Satellite rearing pond	FWS.
4. Plympton Creek Pond	20,000	do	OFWC.
5. Washougal water supply	20,000	Place inactive ponds in operation with new water supply.	WDF
6. Kalama water supply	20,000	Added water to hatchery to increase production.	WDF.
7. Carson rearing pond	25,000	Satellite rearing pond	WDF.
8. Indian Springs	30,000	do	WDF.
9. Klaskanine Pond	20,000	Satellite pond	OWWC.
10. Ringold Pond (I)	15,000	do	WDC.
11. Ringold Pond (II)	32,000	do	WDF.
12. Goldendale Pond	12,000	do	WDG.
13. Salmon River	35,000	do	OFWC.
Total	344,000		

ATLANTIC STATES MARINE
FISHERIES COMMISSION,
1717 Massachusetts Avenue, N.W., Washington, D.C., June 26, 1975.

To: Honorable John O. Pastore, chairman, Subcommittee for State, Justice, Commerce and the Judiciary Committee on Appropriations, U.S. Senate.

Re: Augmentation of FY 1976 Funding for Fisheries Grant-in-Aid Programs Under NOAA/NMFS.

From: Joint Statement of: Irwin M. Alperin, Executive Director, Atlantic States Marine Fisheries Commission; Joseph V. Colson, Executive Director, Gulf State Marine Fisheries Commission; John P. Harville, Executive Director, Pacific Marine Fisheries Commission.

Mr. Chairman, we three executive officers are appealing to you as representatives of the twenty-three coastal States which comprise our three marine fisheries commissions, and thereby we are speaking for the fisheries interests of the entire oceanic coastline of the continental United States. We wish to argue in the strongest possible terms for maximum augmentation, in the national interest, of federal appropriations for fisheries Grant-in-Aid programs for FY 1976. We submit, Mr. Chairman, that at this time of change in ocean fisheries—with the United States on the verge of establishing control over the richest fisheries resources available to any country by assuming jurisdiction over fisheries management and exploitation out to 200 miles—this point in history certainly is not the time to permit evisceration of the cooperative Federal-State fisheries management programs which are fundamental to protection and wise use of those resources.

Mr. Chairman, over recent years the Congress of the United States has consistently demonstrated a national concern for enhancement of fisheries research and management capabilities first in order to assure protection of fish stocks and their ecosystems as primary prerequisites for continuing productivity; and second as a means to improve methods and practices in production and harvest of these renewable natural resources. Among the most tangible and certainly most successful expressions of this Congressional intent have been the fisheries Grant-in-Aid programs—the Commercial Fisheries Research and Development Act of 1964 (PL 88–309) and the Anadromous Fish Conservation Act of 1965 (PL 89–304). These Acts established federal financial assistance grants to the States on a cost-sharing basis to aid the States to establish facilities, carry out researches, and develop management procedures for protection and wise use of fisheries resources.

Only last year, Congress addressed the need for developing an effective national policy for protection and effective development of fisheries resources, by unanimously approving Senator James O. Eastland's S. Con. Res. 11. That resolution singled out for special endorsement the strong State-Federal programs developed in recent years, including the Grant-in-Aid programs mentioned above. The Eastland Resolution also reaffirmed the primary role of the States in management of fisheries resources within State jurisdictional limits.[1]

Unfortunately, the Grant-in-Aid programs never have approached full-funding; too often because Federal Departments administering those programs presently operate under budgetary procedures which assign far higher priorities to internal activities than these Congressionally mandated State-Federal programs.

In his testimony before the House Subcommittee for State, Justice, Commerce and the Judiciary, NOAA Administrator Robert White illustrated this difference in priorities. For Fiscal Year 1976, Dr. White requested an increase of thirty-eight positions and $7,430,000 for ocean fisheries and living marine resources activities within NOAA. He justified these proposed increases by emphasizing the vastly greater activities which will be necessary as this nation moves toward extended fisheries jurisdiction out to 200 miles. We strongly endorse and support both the increase and the reasons set forth for that increase.

However, and here we equally strongly object and disagree, as partial offset for this $7.4 million increase, Dr. White proposed a $200,000 reduction in funding for the fisheries Grant-in-Aid programs! Since the Administration's budgetary manipulations also would pass forward to FY 1976 the deficit created by Congress's restoration of the proposed FY 1975 deferral ($600,000), the aggregate result would be an $800,000 reduction in funds for FY 1976—and this for programs which have been subject to level funding for some four years!

Mr. Chairman, we find this proposal by the Administration to be philosophically and operationally inconsistent with the objectives stated in the President's own budget message for 1976. For example, under the NOAA program activity Ocean fisheries and living marine resources (P. 83), subactivity Managing and using fishery resources (P. 84), the following goal is stated: To foster the effective management, economic utilization, and protection of the fisheries . . . through cooperative activities with the States . . . Later in that document appears the following: The use of our Grant-in-Aid program (PL 88–309) with States on a cost-sharing basis is becoming an effective mechanism to achieve cooperative management and development goals. (P. 85)

Given this goal and NOAA's own recognition of success in developing cooperative Federal-State action, how can one rationalize a cut in funding which would total 14%, at a period in our history where we need more, not less creative and productive achievements in marine fisheries research and management?

Mr. Chairman, the reason for this apparent inconsistency rests not with the rationality of the programs but with the mechanisms for the administrative budget building process. In recent years, all elements of the NOAA budget have been amalgamated together into a single budget package over which OMB places a general ceiling for total expenditures. Grant-in-aid and other Congressionally mandated programs are not held separate in budget planning as before; therefore, under a total ceiling imposed from higher levels, those Grant-in-Aid programs must compete with other internal NOAA/NMFS program elements for available funds. Since they constitute almost entirely "pass through" funds destined for allocation to the States, it is not hard to see how their priority must suffer when they are viewed as direct competitors with in-house projects and programs for the limited funds available.

Mr. Chairman, we respectfully and earnestly urge your Subcommittee, and through it, the Congress as a whole, to reassert the Congressional mandate for energetic development of strong Federal-State cooperative fisheries conservation and management programs. We believe that the Congress has already served notice of its intent to establish greater fiscal control through the Congressional Budget and Impoundment Control Act of 1974 (PL 93–344). That Act provides both rationale and mechanism for two actions which we believe could immeasurably improve our capabilities for accepting the multiple responsibilities which lie ahead under extended jurisdiction. These needed actions are:

First, augmentation of budgets for FY 1976 funding for fisheries Grant-in-Aid programs (PL 88–309, and 89–304) not only by the $800,000 needed to restore level-funding, but by an additional fraction designed to offset at least in part the program-crippling spiral of inflation.

Second, establishment of the intent of Congress that the fisheries Grant-in-Aid programs be treated as a Congressional mandate for implementation, and therefore be fiscally separate from other elements of the NOAA/NMFS budget, and no longer competitive with those elements for funding under OMB or other Administration-imposed budget ceilings.

Mr. Chairman, in earlier letters to the House Subcommittee, we have detailed the serious impacts of the proposed budgetary cuts upon cooperative fisheries research and management programs of all our coasts.

Accordingly, we urge that your Subcommittee initiate budgetary restorations which would reverse the progressive erosion by fiscal attrition of these key programs, and would enable us to move forward together toward goals of enhanced fisheries production and improved economic health for U.S. commercial and recreational fishing enterprises. We are advised that House Subcommittee Chairman, Honorable John M. Slack, Jr., recently received strong parallel representations via a letter signed by twelve distinguished Congressmen, including the Chairman of the House Budget Committee and a number of members of the House Merchant Marine and Fisheries Committee, and representing our seaboard States from Alaska, Washington, Oregon, and California on the Pacific Coast, to Georgia, New Jersey, New York, Massachusetts, and Maine on the Atlantic Coast.

We know we do not have to convince you of the gravity of this situation and of the need for vigorous Congressional restorative action, since you already have demonstrated full responsiveness to these problems. We are deeply appreciative of your unequivocal support for restoration of proposed deferrals for fisheries Grant-in-Aid programs in the FY 1975 budget. Because of the expeditous manner in which H. Res. 309 was brought forward through Committee to an affirmative vote in the House of Representatives, our State fisheries agencies were enabled to avoid the irreversible program and personnel losses which otherwise would have had a devastating effect this past spring.

We regret the necessity to appeal for your intervention; however, the funds restored in 1975 automatically will be subtracted from FY 1976 budgets unless you once more take remedial action. Without Congressional intervention, cuts proposed for fisheries Grant-in-Aid programs for FY 1976 would total $800,000, a reduction to $5,000,000 for the two programs (PL 88–309 and PL 89–304) from the $5,800,000 funding which has prevailed over the past four years.

This nearly 14% actual dollar reduction, added to the double-digit inflation that already has reduced the program capabilities of all our projects by an additional 14–28 per cent, can only have the gravest possible consequences if it is permitted to occur. For example, California advises that in the Commercial Fisheries and Development programs alone, staffing complements must be reduced by at least two professional positions; therefore, the approximate $100,000 cumulative deficit will sharply curtail two programs we consider critical in terms of national fisheries objectives. One is an aquaculture project designed to increase production of presently underutilized species, including a deepwater shrimp off the California coast. The other is the Sea Survey program through which California cooperated with NMFS in stock assesments of the very offshore species over which we anticipate extended U.S. jurisdiction in the months ahead. The States of Oregon and Washington report parallel problems and potential impacts.

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[1] S. Con. Res. 11, adopted unanimously by both Houses of Congress, states in Sec. 2: "The Congress also recognizes, encourages, and intends to support the key responsibilities of the several States for conservation and scientific management of fisheries resources within United States territorial waters; and in his context the Congress particularly commends Federal programs designed to improve coordinated protection, enhancement, and scientific management of all United States fisheries, both coastal and distant, including presently successful Federal aid programs under the Commercial Fisheries Research and Development Act of 1964, and the newly developing Federal-State fisheries management programs."

The proposed budget cuts will have equally devastating effects on the Anadromous Fish Conservation Act Program—a situation very hard to explain in terms of rationality since the Department of Interior's Fish and Wildlife Service has proposed a one-third increase in funding for their half of the PL 89–304 program. As we advised in our earlier letters, some hatchery construction projects designed to support sagging salmon production in the Pacific Northwest will have to be delayed, monitoring of juvenile salmon stocks to provide predictive indexes for management of future returning runs must be reduced or cancelled, and sampling of the troll fishery to determine stocks being harvested will be crippled if not totally destroyed. In this last context, consequences are particularly grave because of international agreements with Canada for cooperative marking and sampling of troll fisheries of the two countries in order to evaluate interceptions by fishermen of each country of stocks belonging to the other. This program has been supported from its inception by joint Federal-State funding under the Anadromous Fish Conservation Act. We cannot afford to abort the U.S. Commitment to this effort at this time of hard negotiations between our two governments on this salmon interception problem.

Mr. Chairman, we will be pleased to answer any questions or furnish any further documentary information that your Subcommittee and staff may desire. We feel confident that by working more effectively together, the Congress, NOAA/NMFS, and our coastal States can move forward constructively into a new era of much-enhanced competence in ocean fisheries research and management.

FEDERAL GRANT-IN-AID TO FISHERIES FOR FISCAL YEARS 1975 AND 1976—APPORTIONMENT BY STATES

State	Fiscal year 1975 apportionment	Fiscal year 1976 apportionment	Difference
Alabama	$82, 600	$115, 196	($32, 596)
Alaska	650, 000	562, 740	87, 260
Arizona	19, 000	16, 300	2, 700
Arkansas	27, 900	21, 441	6, 459
California	500, 200	433, 632	66, 568
Colorado	19, 000	16, 300	2, 700
Connecticut	34, 000	26, 140	7, 860
Delaware	20, 000	16, 300	3, 700
Florida	228, 000	195, 600	32, 400
Georgia	88, 100	65, 008	23, 092
Hawaii	33, 900	27, 351	6, 549
Idaho	19, 000	16, 300	2, 700
Illinois	19, 000	16, 300	2, 700
Indiana	19, 000	16, 300	2, 700
Iowa	19, 000	16, 300	2, 700
Kansas	19, 000	16, 300	2, 700
Kentucky	19, 000	16, 300	2, 700
Louisiana	240, 500	208, 100	32, 400
Maine	204, 100	165, 243	38, 857
Maryland	220, 800	179, 961	40, 839
Massachusetts	273, 000	221, 840	51, 160
Michigan	54, 000	49, 100	4, 900
Minnesota	19, 000	16, 300	2, 700
Mississippi	117, 600	114, 283	3, 317
Missouri	22, 400	19, 104	3, 296
Montana	19, 000	16, 300	2, 700
Nebraska	19, 000	16, 300	2, 700
Nevada	19, 000	16, 300	2, 700
New Hampshire	53, 200	62, 153	(8, 953)
New Jersey	110, 400	111, 125	(725)
New Mexico	19, 000	16, 300	2, 700
New York	178, 500	137, 777	40, 723
North Carolina	111, 600	89, 509	22, 091
North Dakota	19, 000	16, 300	2, 700
Ohio	45, 200	42, 931	2, 269
Oklahoma	19, 000	16, 300	2, 700
Oregon	482, 850	408, 740	74, 110
Pennsylvania	88, 100	71, 834	16, 266
Rhode Island	49, 600	43, 149	6, 451
South Carolina	57, 900	35, 016	22, 884
South Dakota	19, 000	16, 300	2, 700
Tennessee	19, 000	16, 300	[illegible], 700
Texas	228, 000	195, 600	32, 400
Utah	19, 000	16, 300	2, 700
Vermont	19, 000	16, 300	2, 700
Virginia	214, 500	188, 391	26, 109
Washington	557, 650	481, 429	76, 221
West Virginia	19, 000	16, 300	2, 700
Wisconsin	38, 500	31, 217	7, 283
Wyoming	19, 000	16, 300	2, 700
American Samoa	107, 900	95, 590	12, 310
Guam	19, 000	16, 300	2, 700
Puerto Rico	228, 000	195, 600	32, 400
Virgin Islands	19, 000	16, 300	2, 700
PMFC	14, 000	14, 000	0
Total	5, 800, 000	5, 000, 000	800, 000

Mr. ABOUREZK. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the Senator from Michigan (Mr. PHILIP A. HART), together with certain inserts, relating to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF SENATOR PHILIP A. HART

Tucked away in this $6 billion appropriation bill is an appropriation of $22.5 million for the Antitrust Division of the Department of Justice. This amount is essentially the same amount requested internally by the Antitrust Division before the Administration forwarded its substantially reduced budget request for the Division to the Congress. I ask unanimous consent that at the end of my remarks there be printed in full a letter from 41 Senators to Senator Pastore detailing the justification for such funds and urging that the full amount requested by the Antitrust Division be appropriated.

The distinguished Chairman of the Appropriations Subcommittee on State, Justice, Commerce, and the Judiciary, Mr. Pastore, should be commended for his leadership and commitment to permitting a return to vigorous enforcement of the antitrust laws. Antitrust enforcement is the only alternative to ever-increasing Government regulation and its inevitable inefficiencies. Antitrust also is one of the more powerful weapons to lessen inflation and unemployment. Money expended for antitrust enforcement thus should be viewed as an investment, not an expenditure.

I fully agree with the statement in the Committee report that:

"The Committee strongly believes that additional funds expended for antitrust activities is returned to consumers and business manyfold. The Committee is in agreement with the Administration that antitrust is one of the more powerful weapons to lessen inflation and unemployment and has provided what it considers a minimum amount necessary for an effective antitrust effort in fiscal year 1976."

Mr. President, I hope my colleagues will support the Committee's recommendation that $22,529,000 be appropriated for the Antitrust Division for fiscal 1976, and I urge that the Senate stand firm on this amount in conference with the House. A recent letter from the Antitrust Division reinforces the need for the full amount appropriated by the Committee. In response to a series of questions from the Antitrust and Monopoly Subcommittee, Acting Assistant General Bruce B. Wilson advised that the cost to the Division of litigating just one case—the giant IBM monopoly case—has thus far cost the Antitrust Division "slightly less than $4 million." He further advised that if another significant case were filed "it clearly would require curtailment of other, largely investigatory, law enforcement activities to some unpredictable extent." He further advised that with respect to the AT&T monopolization case, "our best estimate today is that we will expend about $1.6 million for the employment of experts and at least $2.0 million for the computerization of documents and other materials." To the best of my knowledge, Mr. President, only a fraction of that estimate is included in the Administration's fiscal 1976 request for the Antitrust Division.

The House appropriated $20,661,000 for the Antitrust Division, or some $1,868,000 less than recommended by the Senate Appropriations Committee. It is important to note that both the Senate Committee and House approved funds ($1.919 million) for the additional 193 positions requested internally by the Antitrust Division but cut by the Attorney General and OMB. These funds and positions, in the Division's words, would be used primarily to "deter private conspiratorial conduct" and to "reduce the incidence of monopoly and oligopoly" in the economy. This is the heart of the Government effort to prosecute price-fixing and free the economy from unjustified monopolistic practices. Notwithstanding Administration opposition to appropriation of these funds, it is vital that this amount be retained in conference.

Subsequent to House passage of H.R. 8121, the Administration submitted a budget amendment seeking an additional $1,930,000 and 50 positions for the Antitrust Division. This amount is included in the $22,529,000 appropriated by the Committee. It is not included in the $20,661,000 appropriated by the House. And, it is essentially this budget amendment which is the difference between the amounts appropriated by the Senate and House. It is important to recognize that the $1,930,000 and 50 positions in the Administration's budget amendment do not overlap with the $1.919 million and 139 positions included in both the Senate and House bills. The budget amendment was requested by the Antitrust Division before the Administration cut the 193 positions and $1,919,000. The budget amendment is primarily for support of major cases already underway. Thus, I urge my colleagues to appropriate the full $22,529,000 and to stand firm on this amount in conference committee.

Mr. President, H.R. 8121 also contains the fiscal 1976 appropriation for the Federal Trade Commission as well as provisions similar to those enacted in the 93rd Congress pertaining to FTC's line-of-business program. The data that will be generated under this program will take much of the guesswork out of antitrust enforcement. I view line-of-business data as one of the most important information-gathering efforts in the antitrust area. This type of information also is vital to our war on inflation, as Albert Rees made clear shortly before his resignation as head of the Council on Wage and Price Stability.

GAO recently approved the second round of FTC's line-of-business program. I ask unanimous consent that there be printed in the RECORD at the end of these remarks the GAO letter of approval dated August 18, 1975, and FTC's August 6, 1975, letter to GAO pertaining to this program. It is troublesome to note the continued resistance to supplying the data required under this program by many of our Nation's largest companies. I am deeply concerned about the substantial delays in obtaining the data. Line-of-business data has been specifically authorized by the Congress on two occasions. I hope it will not become necessary to consider the issuance of Congressional subpoenas to expeditiously obtain this vitally needed information.

SUBCOMMITTEE ON ANTITRUST
AND MONOPOLY,
Washington, D.C., June 24, 1975.

Hon. JOHN O. PASTORE,
Chairman, Subcommittee on State, Justice, Commerce, and the Judiciary, Committee on Appropriations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We are writing to express our concern about the level of funding in the President's budget for antitrust enforcement purposes, especially for the Department of Justice. For example, the President's 1976 budget request is $18,812,000, an increase of only $482,000 over the Antitrust Division's 1975 appropriation. This is at a time when the Division is pressing an unprecedented amount of litigation in the courts. The Division has engaged in 19 litigated cases to date in calendar year 1975, compared to the preceding 10-year average of 11; its 1975 man-years in court has already tripled the previous 10-year average; and this heavy load is expected to increase still further, rather than diminish. Yet, since 1950 the Division's level of staff and funds, in constant dollars, has remained almost static while the gross national product increased by almost 150%.

All this led the Antitrust and Monopoly and Consumers Subcommittee to hold joint hearings last week on S. 1136—the Antitrust Enforcement Authorization Act—a bill to increase substantially the funds authorized for the antitrust responsibilities of the Department of Justice and the Federal Trade Commission. The bill is cosponsored by some 45 Senators. It is clear to us from the hearings that both the Antitrust Division and the FTC's Bureau of Competition are sorely in need of additional staff and funds. At a minimum, we believe effective antitrust enforcement in fiscal 1976 requires increasing the Antitrust Division appropriation by $3.849 million to $22.661 million, and the FTC's appropriation for antitrust purposes by $1.5 million to $18.136 million. A comparative table setting forth the amount of funds and number of positions requested is attached.

During the course of the hearings, it was established that $1.849 million of the additional $3.849 million and 139 positions (44 attorneys) requested by the Antitrust Division during formulation of the President's 1976 budget were deleted by the Attorney General and OMB. The Division's budget justification programmed 120 positions and $1.587 million of the amount cut to "deter private conspiratorial conduct" and to "reduce the incidence of monopoly and oligopoly" in the economy. This is the heart of the Government effort to prosecute price fixing and free the economy from unjustified monopolistic practices. The balance cut was programmed toward "limiting government interference with the free market system" and supporting "government programs regulating abuse of market power." As to the other $2 million, the Antitrust Division requested this from OMB as a fiscal 1976 budget amendment. Assistant Attorney General Kauper testified that $1 million is needed for extraordinary litigation expenses projected in the IBM and other major trials, and $1 million for increased regulatory and other activities in view of President Ford's recent emphasis on anticompetitive conduct in regulated industries. Possibly $110,000 of the $2 million may overlap with the Division's fiscal 1976 request included in the $1.849 million figure. But the balance of the budget amendment relates to activities not included in the Division's fiscal 1976 budget request.

The record provides little rationale for the Administration's deletion of these positions and funds. Nor do we know whether or when the Administration will act upon the Division's budget amendment request. We believe that the requested positions and funds would be a step in the right direction to restore the health of the free enterprise ethic, and that the time to make this commitment is now.

With respect to the FTC's antitrust responsibilities, OMB cut $1.5 million and 45 positions from the agency request. FTC supports restoration of the cut funds and believes it can be efficiently programmed. Due to the fiscal 1976 authorization ceiling of $46 million, it may not be possible to restore more than $351,000 of that amount until S. 1136 is enacted. If other pending amendments are accepted by the Committee, we recognize that it may not be possible to provide additional antitrust funds to the FTC. If that is the case, we hope the Committee will look favorably upon a supplemental appropriation request when S. 1136 increases FTC's authorization ceiling.

While there may be disagreement over the inflationary impact of some appropriations, money expended for antitrust enforcement is returned to consumers and business manyfold. And, there is no doubt in our minds that antitrust is one of the more powerful weapons to lessen inflation and unemployment. In President Ford's words:

"Competition—I think it is good in politics, I think it is good in athletics, and I think competition is the key to productivity and innovation. Even the businesses that enjoy a protective status under regulation are adversely affected.

"Although it is difficult to come up with an exact price tag on the cost of unnecessary and ineffective Government regulation, some estimates I have seen place the combined cost to consumers of Government regulation and restrictive practices in the private sector at more than the Federal Government actually collects in personal income taxes each year—or something in the order of $2,000 per family—unbelievable."

We strongly believe that these funds represent the minimum amount necessary for an effective antitrust effort in fiscal 1976, and trust that your Committee will favorably regard this request and reaffirm this Nation's commitment to a free enterprise system by appropriating $22.661 million for the Department of Justice's 1976 antitrust efforts. As Assistant Attorney General Kauper put it in the Division's request for increased fiscal 1976 funds:

"The additional expenditure is clearly warranted by its contribution to a sound economy. The ultimate target of antitrust enforcement has been estimated in terms of billions of dollars of inflated prices. The precise costs of non-competitive market structure and performance are elusive, but experts in the field of economic organization estimate the economic losses due to resource misallocation, inefficiency due to ineffective cost control, wasteful promotional efforts and excessive and inefficient capacity, at from 3 to 6.2 percent of GNP—or as much as $80 billion in terms of 1973 GNP."

Throughout your long and distinguished career in the Senate, you have supported efforts to assure vigorous and effective enforcement of the antitrust laws. We hope you will agree that these funds are necessary to accomplish that objective. Thank you for your cooperation.

Sincerely,

Philip A. Hart, Warren G. Magnuson, John V. Tunney, George McGovern, Thomas J. McIntyre, Gary Hart, William D. Hathaway, Charles McC. Mathias, Jr., Robert Morgan, Vance Hartke, Patrick J. Leahy, Edward M. Kennedy, Walter D. Huddleston.

Hugh Scott, Frank E. Moss, James Abourezk, Joseph R. Biden, Jr., Birch Bayh, Pete V. Domenici, Harrison A. Williams, Jr., Walter F. Mondale, Floyd K. Haskell, Gaylord Nelson, Lee Metcalf, Frank Church, Lowell P. Weicker, Jr.

Abraham Ribicoff, Jake Garn, Edward W. Brooke, Dick Clark, Edmund S. Muskie, Alan Cranston, Henry M. Jackson, Howard Baker, Lloyd Bentsen, Bill Brock, William Proxmire, Gale W. McGee, Jacob K. Javits, Adlai E. Stevenson III, Hubert H. Humphrey.

FISCAL 1976 APPROPRIATION REQUEST—ANTITRUST DIVISION, DEPARTMENT OF JUSTICE

[Dollars in thousands]

	1975 appropriation	Request of division	Request to Congress
Enacted appropriation or request	$16,762	$19,791	$18,017
Supplemental appropriation	955		
Pay supplemental request or adjustment for pay in budget year	536	870	795
Budget amendment		2,000	
Proposed transfer from LEAA for legal transcripts	77		
Total appropriation or request	18,330	22,661	18,812
Total positions	712	934	745
Number of attorneys	367	[1] 432	388

[1] Plus an unspecified additional number of attorneys out of the 50 supplemental positions included in the total of 934.

FEDERAL TRADE COMMISSION—MAINTAINING COMPETITION MISSION

[Dollars in thousands]

	1975 appropriation	Request of FTC	Request to Congress
Enacted appropriation or request	$12,839	$18,136	$16,636
Total positions	502	612	567
Number of attorneys	202	276	238

U.S. GENERAL ACCOUNTING OFFICE,
Washington, D.C., August 18, 1975.

Hon. LEWIS A. ENGMAN,
Chairman, Federal Trade Commission.

DEAR MR. ENGMAN: On July 2, 1975, we received your request for review and clearance—pursuant to section 409 of Public Law 93–153—of a revised questionnaire, Form LB, to be used by the Federal Trade Commission (FTC) in its 1974 line-of-business program.

In evaluating your request, we are required to determine whether the information sought is presently available from another Federal source and whether the agency has minimized respondent burden.

BACKGROUND

Last May 13, 1974, your initial line-of-business submission of March 27, 1974, was approved for the initial round of reports. Our clearance letter indicated that approval of additional rounds would be conditioned on several actions leading toward reduction or elimination of problems which, in our opinion, would make the initial data unreliable.

We felt that, notwithstanding the time in development of the FTC LB program, many areas of misunderstanding, lack of information and disagreement remained regarding it. FTC cost estimates indicated that its decision to seek line-of-business data was based on an assumption that collection cost would be relatively small. However, business cost estimates reflected a judgment, in some instances supported by cost data, that the cost of producing the information would be higher by one or two orders of magnitude than FTC estimates.

Even more basic than cost estimation problems, however, were uncertainties regarding the reliability of the information which would be collected and, indeed, the feasibility of collecting it. These uncertainties seemed to us to be due in substantial part, at least, to inadequate communication between the FTC and affected businesses. We were aware, of course, of extensive contact and controversy, but much of this appeared to have been concerned with whether or not the information sought by the FTC should or could be collected.

These data reliability problems clearly would have made the initial responses unreliable, at best. These unreliabilities appeared to us to be a product of unresolved dilemmas in adapting the FTC classification system to individual business practice, and in the proposed procedures for common cost allocation and transfer pricing.

We felt that the unresolved dilemmas were too complex and too pervasive to be resolved by any combination of changes that could be made in the requirements of any annual Form LB prior to a rather long test period of data collection and analysis. In our judgment, continuous, cooperative efforts on the part of the FTC and industry were needed to resolve the dilemmas.

We recommend that FTC conduct extensive discussions with business representatives, either on an across-the-board basis or on a sample or pilot basis, to advance the ease and accuracy of reporting as rapidly as possible; and we recommended that FTC explore, with other Federal agencies, including the Bureau of the Census and the Securities and Exchange Commission, the possibility of coordinating or consolidating its data with similar data collected by those agencies.

CURRENT DEVELOPMENTS

Since May 1974, numerous actions have taken place in line with the foregoing recommendations.

In an announced effort to consult and cooperate with those corporations subject to the 1973 reporting requirements, FTC made 17 "question and answer sheets" available to any interested reporting company. The stated purpose of these "question and answer sheets" was to clarify reporting instructions where they were found to be troublesome. In addition, the FTC has had numerous face-to-face discussions with interested parties including respondents with a view to finding the best approach to obtaining line-of-business data. Most notably, in April 1975 FTC, after having analyzed input from its first collection of data, circulated to interested parties for comment, a revised line-of-business form. In May 1975, FTC held public hearings on this revised form and made additional changes to the form prior to sending it to us for clearance.

With regard to a suggestion in our letter of May 13, 1974, FTC met with the Securities and Exchange Commission and the Bureau of the Census to explore the possibility of coordinating and consolidating similar data. It was concluded that coordination of SEC and FTC reporting requirements is difficult because of a basic inconsistency in approaches. Each approach has been devised to serve differing needs and FTC has stated the SEC approach does not meet its information requirements. Regarding Census, FTC states that access to Census files would permit modest burden reductions for both the Commission and some respondents; however, this is precluded because of the Census disclosure law. Further, FTC states that a continuing effort is being exerted to ensure that line-of-business industry definitions match those of Census categories to the maximum meaningful degree so that data sets can eventually be linked. At the suggestion of Census, specific linking variables are included in the 1974 Form LB.

Another important development since May 1974 was that approximately 122 respondent companies filed suit or intervened in suits to enjoin enforcement of the line-of-business program, challenging both FTC's authority to require the reports and the validity of our May 1974 approval. The two leading actions are *Aluminum Co. of America, et al.* v. *Federal Trade Commission, et al.*, 75 Civ. 17, filed January 3, 1975, in the United States District Court for the Southern District of New York, and *A. O. Smith Corp. et al.* v. *Federal Trade Commission, et al.*, Civil Action No. 75–15, filed January 22, 1975, in the United States District Court for Delaware. Plaintiffs in these and similar actions allege, among other things, that the line-of-business program is conceptually unsound, that it will not produce meaningful data, that the confidentiality of individual company data may be jeopardized, and that the program was adopted in violation of the rulemaking requirements of the Administrative Procedure Act. On February 5, 1975, the district court, in *Aluminum Co. of America*, denied plaintiffs' motion for preliminary relief. Subsequently, the FTC filed actions to enforce the line-of-business program which are now being pursued against approximately 106 companies in the United States District Court for the Southern District of New York. However, on February 19, 1975, and March 18, 1975, the district court, in *A. O. Smith Corp.*, preliminarily enjoined FTC from taking action against plaintiffs in those actions for failure to comply. The preliminary injunction was based upon the court's conclusions that, among other things, plaintiffs had established the likelihood that the program should have been promulgated in conformance with the rulemaking procedures of the Administrative Procedure Act. These matters are still pending.

The fundamental differences in the proposed 1974 Form LB as against the 1973 Form LB lie in changes in accounting methodology, greater flexibility in reporting requirements, and in definitions and instructions intended to facilitate company compliance. The structure of the reporting forms has been revised to permit consolidation of various lines of business using existing company books of account paralleling more closely with companies' established accounting practices as against the 1973 Form LB which involved more rigid FTC accounting standards. In general, the instructions and definitions have been revised to improve the quality of data. Some of the key changes made were the special treatment afforded vertically integrated companies permitting broad consolidation of operations, and the broadening of the concept and definition of a line of business. For example, FTC now permits a company to integrate separate lines of business when the majority of an activity's sales are to other company units.

CONCLUSIONS

Generally speaking, the FTC revisions for the 1974 Form LB represent a constructive attempt to reduce respondent burden and avoid FTC dictation of accounting standards. These revisions should produce less homogeneous, but more accurate and, therefore, more useful data.

Of course, the revisions do not dispose of the philosophical and economic issues which surround the line-of-business program, nor do they fully answer questions as to whether any meaningful hypotheses could be tested by the data developed by the line-of-business program. Finally, the revisions cannot allay company fears about disclosures, potential FTC abuse of authority in using the data, and related questions. Statutory authority provided GAO by Sec. 409 of P.L. 93–153 does not run to these questions.

Companies commenting on the revised Form LB have rather generally complained that FTC in its efforts to reduce burden has further degraded the quality of the data. Some maintain that burden has been increased as a result of the FTC revisions. For instance, they continue to maintain that it is not practical or meaningful to allocate common costs to lines of business. We believe these complaints can only be assessed against the background of further experience with the form.

With respect to the still incompletely resolved questions of burden and reliability, we believe joint FTC and industry efforts to reduce burden and increase reliability should continue. These efforts should focus particularly on the improvement of the "line of business" classification system, in our judgment.

Specifically, we find the information sought in the proposed FTC Form LB is not presently available from another source within the Federal Government and its collection is consistent with the provisions of the requirements of section 409 of Public Law 93–153. The FTC, consistent with its determined information needs, has made constructive efforts to minimize burden to respondents as required by the statute. In our opinion, a rather long test period of data collection and analysis will be required to fully reconcile FTC's data needs with minimum respondent burden, and the FTC is justified in proceeding with its proposed 1974 Form LB.

When the questionnaire is printed and sent out by your agency, it should carry the following information in the first page:

Approved by GAO
B–180229 (R0048)
Expires 12–31–76

It is requested that a copy of the form, containing our clearance information, be provided to this office.

Sincerely yours,

MONTE CANFIELD, JR.,
Director.

FEDERAL TRADE COMMISSION,
Washington, D.C., August 6, 1975.

Mr. CARL F. BOGAR,
Assistant Director, Office of Special Programs, U.S. General Accounting Office, Washington, D.C.

DEAR MR. BOGAR: I am grateful for being given the opportunity to meet Friday with your advisory committee on our Line of Business reporting program clearance request. Permitting the responsible agency to answer technical questions directly is, it seems to me, an excellent precedent—one which will minimize misunderstandings.

Last Wednesday we received the first 34 letters of comment submitted by law firms, trade associations, and companies on the proposed 1974 Form LB revision. I was pleased to see that there were some constructive criticisms. However, much of the criticism was inaccurate or unsubstantiated. The Line of Business effort is considered by the Federal Trade Commission to be one of its most important programs. I think it is vital therefore that the record be clarified before the Comptroller General makes his clearance request decision. I should note at the outset that the comments which follow are my own and have not been reviewed or approved by the Commission as a whole.

I shall address the remaining portion of this letter to three main topics: (1) pointing out certain particularly serious factual errors and misleading implications in the comments you have received; (2) expanding upon some broad substantive issues where genuine disagreement between the FTC and companies appears to exist; and (3) noting how the FTC intends to respond to certain constructive suggestions. I begin with the correction of factual errors, referring in turn to five specific submissions which will be identified by headings.

Weil, Gotshal & Manges (for Twelve Companies)

On page 4, paragraph 1, of the Weil, Gotshal letter, it is stated that "On March 5, 1975, the Comptroller General reported to the [House Appropriations] Committee that the FTC had made no progress over the ten month period since the May 1974 conditional clearance in satisfying the conditions established by the Comptroller General." I have reread the GAO's March letter to Mr. Mahon carefully and can find absolutely no statement to that effect, nor do I find any possibility of drawing such an inference from the overall text of the report.

At the middle of page 5, the letter alleges that at the May 20 hearing on Line of Business reporting "the Commissioners consistently sought to focus the discussion on the mechanical question of 'how to fill in the boxes'." I might note that the internal quotation marks refer to a statement by Mr. Millstein, not to any Commission statement. Moreover, I believe a careful reading of the hearing transcript, which is a public document, will show that this is an inaccurate characterization of what actually took place at the hearings.

In the last paragraph of p. 6, the Weil, Gotshal letter contrasts "the grandiose claims the Commission consistently has advanced as to the reliability and utility . . . of published LB data aggregates" to the "concessions" made in our July 1, 1975 staff memorandum. This is an inaccurate description of the LB Program's history. The "Statement of Purpose" issued by the Staff in August 1973 in connection with OMB-sponsored hearings contains at pp. 8–16 a thorough discussion of technical difficulties that had to be conquered in implementing a line of business reporting program. A copy of the relevent pages is attached as Exhibit A. There is a similar discussion in the Bureau of Economics staff report of May 1974, a copy (reprinted in the *Congressional Record*) of which is attached as Exhibit B. Among other things, that report observes that "While everyone would prefer to have absolutely perfect statistics, those who work with data realize that perfect data are never attainable. Thus, the basic question is whether the LB data will be substantially better than what could be generated by the only alternative means—namely, forming lines of business by assigning firms to the industry of their largest-selling product line."

In the first full paragraph of p. 7, the Weil, Gotshal letter provides its interpretation of the LB program's essential economic premise. Mr. Millstein is, of course, entitled to his own interpretation, but it should be made clear that he is speaking neither for the Commission nor the Bureau of Economics. In the double asterisk footnote to that paragraph, the letter quotes our March 1974 supporting statement to the GAO incompletely and hence out of context. The full quote is, "Although there is general agreement that a relationship between industry structure and industry performance exists, there is not unanimity of opinion on the subject." There is then a footnote statement, "Among the dissenters are Harold Demsetz, Yale Brozen and J. Fred Weston." I find our new supporting statement in no way inconsistent with the discussion of conflicting views and data quality problems in our March 1974 supporting statement.

On p. 8, the Weil, Gotshal letter asserts that the Commission's stated intent to use LA data as a basis for law enforcement investigation priority-setting "belies any notion that any *bona fide* research effort is underfoot." The assertion is completely false, and it shows a total lack of understanding of the Federal Trade Commission's history and organization. The FTC has from its inception had a dual mission: law enforcement and basic studies of the industrial economy. I enclose as Exhibit C two pages from our FY 1976 Program Budget Justification to Congress to show the scope of the research efforts underway and contemplated in our Division of Industry Analysis.

In the second paragraph of p. 9, the letter observes that the Bureau of Economics "concedes the 'fundamental' nature of the Brozen arguments." We do indeed concede that they are fundamental; we do not however concede that they are valid. There is an important difference.

On page 10, the letter refers to my testimony in *United States* v. *IBM Corporation*. As Mr. Millstein should know, I am prevented by court order from commenting or expanding upon my testimony in that case. I am not however prevented from calling attention to the record, my personal copy of which I am transmitting to you on a loan basis. I am also not prevented from commenting upon others' statements which may be made in conjunction with citations of my testimony. In this regard, I should note that in the fifth line of the second paragraph on p. 8, the word "even" appended to "first approximation" is Mr. Millstein's not mine. Also, in the single asterisk footnote to p. 10, the statement "factors which have no established or recognizable correlation . . ." is Mr. Millstein's, not mine. I believe that there is in fact an important recognizable correlation among the sets of indicia. For my views on this subject, I am enclosing on a loan basis my 1970 book, *Industrial Market Structure and Economic Performance*. Chapters 2, 4, 7, 8, 14, 15, and 17 are especially relevant to the correlation question raised by Weil, Gotshal.

On p. 11, first paragraph, there is a quotation from a 1941 article by Professor Bain, one of the foremost authorities in the field of industrial organization analysis. The Weil, Gotshal letter fails to note the existence of later works by Professor Bain which use accounting profit data to test hypotheses about the relationship between market structure and economic performance. I enclose as Exhibit D a copy of a reprinted version of his path-breaking 1951 article. Note in particular the first full paragraph on p. 43, including the sentence "Thus in general the accounting profit showings of different firms should have at least roughly similar significance and bear a fairly systematic and similar relation to theoretical profits, subject to qualifications mentioned above concerning price-level changes." See also his theoretical discussion of the use of accounting data for measuring economic profits in the revised edition of his textbook, *Industrial Organization*, the relevant pages of which are attached as Exhibit E. From Professor Bain's later work, a conclusion follows which is exactly the opposite of Mr. Millstein's imputed conclusion.

In the first full paragraph of p. 13, the Weil, Gotshal letter attempts, by quoting certain references to "markets" in the Commission's supporting statement, to show an inconsistency between the Bureau of Economics' focus on industries and the Commission's alleged preoccupation with markets. This inconsistency does not in fact exist. Consider for example the first sentence in the second full paragraph on p. 2 of the Commission's supporting statement—the same paragraph as that from which Mr. Millstein quotes. It says that Section III . . . "is designed to elicit information vitally needed in evaluating *industry* performance" (underscoring mine). The word "industry" occurs no fewer than nine times on p. 2 of the Commission's supporting statement; the word "market" appears twice, both quoted by Mr. Millstein.

In the last line of text on p. 14, the quotation marks around "anything goes" are presumably there because Mr. Millstein is quoting himself. He is certainly not quoting the Commission, which has no such policy.

Finally, on p. 21 Mr. Millstein states that even though confidentiality problems have plagued the LB program since 1970, the Commission is "at last prepared to acknowledge" their seriousness. This is a misleading characterization of the LB program's history. The confidentiality problem was stressed in early consultations between the FTC, OMB, and the Business Advisory Council for Federal Reports. The result was the development of formal confidentiality rules for both the Quarterly Financial Report and Line of Business programs. The FTC was fully aware of how much concern the confidentiality question aroused, and it did not return to OMB with a revised Line of Business proposal until it had prepared a set of rules and published them in the Federal Register for its QFR program (which was the only program with ongoing status in the summer of 1973). Since then, the Commission has devoted continuing attention to perfecting the original rules. It has inter alia recommended the continuation of language in its appropriations act which would bolster its own provisions. It believes that a permanent statutory solution would be desirable. The very permanency of such a statute suggests that it should be carefully considered before being enacted.

Reed Smith Shaw & McClay (for Seven Companies)

On p. 3, Mr. Rau says that the Line of Business program staff is headed by an economist wholly lacking in industrial accounting experience and that "In discovery . . . we have been unable to find any indication that any other member of the LB staff has that kind of expertise." In fact, the deposition of Myron J. Hubler showed that the Commission was in the process of hiring (and has in fact hired) as head of our Division of Financial Statistics Mr. William H. Sprunk, who served on the accounting staff of Peat Marwick Mitchell & Co. and later as accountant in the Curtiss Wright Corporation and still later, as vice president and controller of the Susquehanna Corporation. The chief accountant of the Line of Business team, Edward C. McReady, was previously a supervising senior accountant with Peat Marwick Mitchell and treasurer/controller of the Pipe and Iron Division of the Liberty Equities Corporation. He is also a CPA. Two other members of the LB staff have passed their CPA exams, and four have worked in accounting positions at public accounting firms or in industrial companies.

On page 4, first full paragraph, Mr. Rau alleges that at the May 20 hearing or otherwise "No opportunity was, or has been, given to comment on the basic infirmities which GAO has already found to exist in the program." I believe a careful reading of the May 20 transcript will show that industry representatives were given substantial opportunity to comment on "basic infirmities." To the extent that there was any inhibition on the discussion, it was to avoid duplication of the written statements which, the record shows, the Commissioners had studied carefully before the oral hearing. Those written statements have, I believe, been transmitted to GAO for examination. They dwell at length on what the various preparers considered to be basic infirmities.

Also on page 4, Mr. Rau asserts that the staff's contacts with business "have largely been restricted to inquiries, explanations and brief discussions of the Commission's approach." I do not know where he has obtained evidence to this effect, since the minutes of meetings and conversations with LB sample firms have been kept confidential. I personally sat in by company invitation on two such meetings which delved at some length into the detailed problems the firms might face in completing their 1973 and 1974 LB forms. Although I am not privy to the other meeting minutes, I am told by the staff that the eight out-of-town meetings averaged six to seven hours in duration. And in Washington, as the Commission statement notes, thirteen substantive face-to-face meetings took place.

Howrey & Simon (for More than Twenty Companies)

On p. 2, Mr. Adair refers to Mr. Hubler as if he were still chief accountant of our Division of Financial Statistics. In point of fact, he was asked on December 9, 1974—after he had been with the FTC for only a few days more than four months—to step aside as chief of DFS. At no time while he was directly or indirectly responsible for the Line of Business program did he express to me or other officials of the FTC views like those which are quoted by Mr. Adair. Mr. Hubler's history at the FTC is traced in an affidavit by me dated April 2, 1975. I enclose a copy as Exhibit F.

On p. 2, it is alleged that more than 400 organizations filed adverse comments totaling thousands of pages. This must be a typographical error. Some hundred comments were received in conjunction with the May 20 hearings. A few law firms commented on behalf of multiple clients, but even counting all clients as separate organizations, the number is less than 150.

On p. 3, paragraph one, it is said that "Average compliance costs are now admitted by the Commission to be in excess of $25,000 per company . . ." The Commission staff has in fact submitted an estimated $24,000 per company average.

On p. 7, the last two paragraphs suggest that there is a requirement for reporting freight charges. Such a requirement was proposed in an early draft of the 1974 Form LB, but it was deleted when several companies indicated that such reporting would be highly burdensome. An alternative percentage dichotomy estimate (lines 38 and 39 of Schedule III) was substituted.

Financial Executives Institute

The last paragraph of p. 1 asserts that the "FTC continues to advance the same arguments . . . without ever having responded to criticism of the value of intended uses of the program." I believe the Commission's supporting statement and the accompanying Bureau of Economics staff memorandum provided a substantial response, as did the Bureau of Economics staff report of May 1974 attached as Exhibit B. Other members of the Commission staff and I have spoken on numerous occasions at industry forums, where a lively give-and-take over fundamental issues typically occurred.

In the third paragraph of p. 2, Mr. Hornbostel appears to believe that Professor Beals' criticisms of Gardiner Means' work constitute a new development calling for reevaluation of the LB program. In fact, I advanced the same criticisms in 1970. See pp. 294–295 of my enclosed book, *Industrial Market Structure and Economic Performance.* Those criticisms in no way undermine the underlying rationale of the LB program. Indeed, I believe a careful reading of my Chapters 12 and 13 will show that obtaining Line of Business data is extremely important to understanding the economic relationships which have led us into such unprecedented inflation cum recession of the past two years. That the Line of Business data will be helpful in the Government's wage and price monitoring effort is also attested in an affidavit prepared by Albert Rees, at the time Director of the Council on Wage and Price Stability and (since August 1) Provost of Princeton University. See Exhibit G attached.

In the first paragraph of p. 4, the FEI letter points to an apparent inconsistency between Commission statements on the average number of lines of business per reporting company. In fact, there is no inconsistency. A careful reading of the Interim Status Report to Congress would have shown that there were 7.02 *manufacturing* lines of business per company, while an equally careful reading of the BE staff memorandum would reveal that there were 8.43 *manufacturing and non-manufacturing* lines.

The fourth paragraph on p. 4 states that "there was no indication by the FTC at the May 20, 1975 public hearing that such change (in the industry code structure) was possible or even being considered." It may be true that the matter was not discussed at the hearing, since the industry category study was still in progress. But the Bureau of Economics staff statement of April 12, 1975, circulated in preparation for the May 20 hearing states clearly at p. 9 that "The list for 1974 is not yet considered final. Further changes are anticipated when the processing of available specialization ratio data for 1973 is completed and in response to industry suggestions."

The last paragraph on p. 5 asserts that certain key terms "have no generally accepted meaning and are not well understood." If this is in fact true the staff would be willing to issue question and answer memoranda clarifying matters. However, the impression I gained from attending a meeting on May 30, 1975, with representatives of five public accounting firms was that no one had difficulty understanding what the terms mean. The concepts were extensively discussed, and the principal issue was whether the FTC should publish detailed rules specifying which costs were and were not traceable and how non-traceable costs should be allocated. There was disagreement on this point, and the FTC has opted consciously for not attempting to prescribe detailed rules alongside the rules already promulgated by the Cost Accounting Standards Board and those which might be issued in the future by the Financial Accounting Standards Board.

The last paragraph of p. 6 and the first paragraph of p. 7 implies that the FTC's reaction to a National Science Foundation suggestion for change in Form LB was "offhand." This is by no means the case. During eight years of my professional career I specialized in the economics of research and development. I have worked extensively with research and development data. I gave the NSF suggestion my careful personal consideration and concluded that it had compelling merit. I appreciate the sensitivity of industry to data which might signal a company's future plans. The R&D data, like other data in the Line of Business reports, will be covered by the Commission's disclosure and confidentiality rules.

In the third paragraph on p. 9, Mr. Hornbostel states that since sending a letter to Mr. Long on June 9, 1975, suggesting a meeting, the FEI has heard nothing further from the FTC concerning such a meeting. It may be true that Mr. Hornbostel has heard nothing further. However, following receipt of that letter, Mr. Sprunk engaged in discussions with the FEI's Washington staff about such a meeting. After no clear consensus emerged concerning an agenda, the matter was left in limbo pending the completion of form revisions and other urgent matters.

E. I. du Pont de Nemours & Company

In his letter dated July 28, 1975, Mr. Siers of Du Pont takes exception to the discussion of his company's compliance cost estimates appearing at p. 7 of the Bureau of Economics staff memorandum submitted to GAO. He objects to both our interpretation of his earlier October 30, 1974, memorandum and to the fact that we drew inferences from it without consulting with responsible Du Pont personnel. It is true that we did not contact Du Pont specifically about the interpretations drawn in our supporting memorandum. Under our 1973 confidentiality rules, I am not able to know whether the staff met with Du Pont concerning its October 30 memorandum or other matters. I do know that on the basis of its analysis of the October 30 memorandum, the Commission offered Du Pont a 30 day extension of time for compliance conditional upon consulting with the staff, and I know also that the 30 day extension was granted.

Concerning the substance of Mr. Siers' comments, a most crucial point is made in the fourth paragraph of p. 2 of the July 28 letter. He says that the October 30 letter "specifically stated that we might be able to accomplish the *first year* report at an estimated cost of $60–75 thousand dollars . . ." (my emphasis). I do not know how one can interpret "first year" except as meaning "1973." If this were a correct interpretation, an increase in costs for 1974 reporting would be understandable. But a careful reading of the October 30 letter, which I enclose as Exhibit H, makes abundantly clear that it was the application of the 1973 Form LB to 1974 which was contemplated. See for example in the October 30 letter the references on p. 6 to completing Exhibit F, the determination of profits, and the allocation of research and development, selling and administrative expenses; the similar references on p. 11; and the discussion of allocating "all other assets" on p. 7. None of these items were required for the 1973 report. The key question remains then, is the proposed revision for 1974 more or less burdensome than application of the old form would have been?

We were quite aware that the $60–75 thousand figure cited by Mr. Siers in his October 30 letter assumed the use of departmental accounting data which necessarily involved some contamination. The upper bound of $200,000 on the other hand assumed extremely pure data. On p. 3 of his July 28 letter Mr. Siers says that with an expenditure of $200,000 it would be possible to "eliminate distortion in the sales category, and to some extent at the operative profit level . . ." This represents some backing off from his October 30 letter, in which he said at p. 12 that the product line approach would "essentially eliminate any distortion of sales and revenue and operative profit data reported for each FTC market code" and at p. 13 that he would provide sales and transfer data with "minimal distortion."

We have never insisted that all contamination or distortion be eliminated. Our staff memorandum refers at p. 7 to "the acceptance of modest secondary product sales contamination." Application of straight departmental reporting for Du Pont's lines of business would lead to weighted average contamination of 16.1 percent (p. 10 of the October 30 letter). Note that nearly 54 percent of company sales would be in two lines of business with contamination of 5.9 percent. Our staff memorandum assumed that we would not require Du Pont to break those departments down further unless it could do so at minimal additional cost, but we would ask for further detail on some of the more contaminated medium-sized departments—most likely, on five of them. This approach would surely not cost as much as going to full, minimal distortion, product line reporting.

Moreover, the July 28 letter from Mr. Siers contains information which we could only guess from the October 30 letter. On p. 9 of the July 28 letter, Mr Siers acknowledges that "Our allocation system is designed to allocate investment and cost on the basis of operating departments, and *within operating departments to profit centers*" (my emphasis). In the October 30 letter there was no clear admission that Du Pont had profit centers at a lower level than its operating departments. See for example the second line on p. 2, the fourth line of para. 2 on p. 6, and para. 1 on p. 9. Now if in fact Du Pont has lower level profit centers to which it allocates costs and investments, it could almost surely provide finer Line of Business breakdowns than the departmental accounts permit without going all the way to the $200,000 strict product line accounting alternative.

Note too the third paragraph concerning strict product line accounting on p. 12 of the October 30 letter: "However, this procedure would considerably increase the amount of analytical work required to develop expense elements detailed by labor, material and depreciation expense. Allocations of research and development, advertising, selling, general and administrative expenses would follow existing allocation programs." What this says in simple terms is that the labor, material, and depreciation cost breakdown required if the 1973 Form LB had been maintained would have been burdensome. To reduce burden, we no longer ask for such breakdowns in the accounting section of Schedule III. Rather, they are put into Part C of Schedule III with the clear indication that well-informed estimates will suffice. This, I should think, would lead to a significant reduction in burden even if strict product line accounting yielding minimal distortion were pursued. It was for this reason that we were confident Du Pont's costs would not be as high as $200,000.

Granted, costs might nevertheless be somewhat higher than the $60–75 thousand departmental reporting estimate despite these burden reductions if Du Pont were required—e.g., because of our 85 percent specialization rule—to break out activities beyond the level of its existing profit center structure. Page one of the Bureau of Economics staff memorandum states explicitly that "exceptions will be authorized when significant burdens can thereby be avoided." All we are asking, then, is that Du Pont consult in good faith with the staff on its problems, and not adhere mechanically to a rule which might cost it a lot of effort and money.

The same comment applies to the other alleged 1974 revised form problems which Mr. Siers considers to be potentially burdensome. At p. 7, for example, he points to possible problems in reporting product sales at the five-digit level for Schedule II. Those data are collected primarily to assess the magnitude and nature of secondary product contamination. They do not have to be perfectly accurate, nor do they need to reconcile with the Schedule III magnitudes. By reading a paragraph further in our staff memorandum, Mr. Siers would have found that Caterpillar Tractor Company had similar problems which were worked out through consultation with the FTC staff.

I am sure a moderate-cost solution can be found for Du Pont too. I am equally confident that solutions can be found through consultation to the traceable vs. nontraceable cost and investment problem discussed in the second paragraph of p. 9 in Mr. Siers' letter and the Schedule III(C) problems suggested on p. 10. Pinpoint precision is not required for the Schedule III(C) magnitudes, and we do not want Du Pont to spend vast sums on computer programming to achieve unnecessary precision. Rather, all we ask is a cooperative effort to identify the problems and solve them in a reasonable manner.

For all these reasons, I am convinced that our cost projection in the staff memorandum is nearer the truth than the $275–350 thousand estimate contained in Mr. Siers' July 28 letter. But I repeat the statement on p. 8 of our memorandum that "if companies refuse to [use well-informed estimates] and insist upon developing wholly new accounting systems to fill particular data voids, compliance costs will continue to be much higher than the FTC's estimates."

The Problem of SIC Industry Definitions

I turn now away from individual comment letters to some general questions of LB Program substance. Let me begin with the issue of the SIC Code's suitability for Line of Business reporting.

Our general position on this matter is laid out on pp. 10–12 of the Bureau of Economics staff memorandum. There are two broad issues here: to what extent the SIC codes as modified or grouped by the FTC represent meaningful entities for analysis (whether those entities be called industries, markets, or what); and who shall decide exactly what it is that the FTC needs for the purposes it has in mind in conducting the Line of Business program. The answer to the second question is, I think, quite clear. Mr. Millstein and Dr. Bock and others can maintain that the FTC should use only data organized according to economic market concepts one might adopt in a full-blown (and very costly) antitrust proceeding. (I ignore here the fact there have been few merger and monopolization cases in which definition of the relevant economic market was a simple, clear-cut matter.

More commonly, a wide spectrum of plausible alternative definitions is presented, and the courts and the Commission have on occasion said that more than one definition is applicable to a given set of facts.) But the crux of the matter is, the Federal Trade **Commission has been in business for 61 years and has developed considerable expertise in these questions. The Commission and the staff have devoted much thought to the definition of categories for the Line of Business program. We have arrived at a set of categories which, we believe, are highly meaningful and useful for our purposes and which strike an excellent balance between richness of detail and minimization of compliance burden.**

Some of the categories correspond more closely to "industries" than to "markets." But "industries" are of substantial interest to the Commission. If the Commission were not interested in "industries," why should the Bureau of Economics have a division called the "Division of Industry Analysis?" Why is it not called the "Division of Market Analysis"? And why should I have on my bookshelf FTC staff reports on the cement "industry" (which consists of regional markets), the sugar "industry" (same story), the frozen fruit, juice, and vegetable "industry;" promotions in the coffee "industry," the baking "industry," the dairy "industry," the fertilizer "industry," the steel "industry," the motor vehicle "industry," the tobacco "industry," the meat packing "industry," the lumber "industry," and the petroleum "industry," among others?

Some of the categories are admittedly too broad even to be of interest from an industry study perspective. They are there for three good reasons: because of strong commonalities in production and/or marketing (which might argue for their characterization as an "industry"); because they involve typically small lines for which the benefits of more detailed category proliferation were considered to be outweighed by the added costs of compliance; and because exhaustive coverage, including the various "not elsewhere classified" fields, is important to obtaining financial performance information of high quality and reliability. See pages 11–12 of the Bureau of Economics staff memorandum.

Moreover, even if one were to conclude that the Line of Business categories must be drawn according to the lines that would pass muster in an antitrust case, it is clear that Dr. Bock has drawn those lines in too one-sided a fashion. The heart of her argument is found at page 7 of her May 15, 1975, affidavit included with the Weil, Gotshal & Manges statement to the Commission: "An LB category could represent a market only if it were made up of substitutable products; even a simple inspection of the categories and their makeup demonstrates that a high proportion cannot meet this test." It is clear that Dr. Bock is considering substitution only on the demand side. She ignores altogether that substitution may take place also on the supply side: e.g., that a company which is making tranquilizers today might well shift into the production and marketing of antibiotics (with quite different demand-side uses) tomorrow if the price signals are favorable.

On the question of market definition generally and substitution on the supply side in particular, see my book, *Industrial Market Structure and Economic Performance*, pp. 53–57. See also the transcript of my testimony on market definition in *United States* v. *IBM*, especially pp. 2350–2357, 2394–2396, 2501–2505, 2524–2529, and 2532–2534. Pp. 2526-2528, by the way, are quite relevant to the comment by Mr. Barrett of the Inmont Corporation. For an instance where cross elasticity of supply was considered in defining the relevant "market" for antitrust purposes, see FTC slip opinion, *Beatrice Foods Co.*, Docket No. 8864 (1975), p. 4.

The Line of Business categories will be highly useful as they are currently defined even when one is studying the relationships between market structure, as considered according to the most stringent criteria of economic analysis, and various indicia of industrial performance. See in particular p. 57 of my book, *Industrial Market Structure and Economic Performance*. What one does in such analyses is take the best data one can obtain on performance variables and relate them to measures of market structure which have been adjusted and weighted to reflect the economics of the situation as accurately as possible. Thus, if one were dealing with performance observations on the cement "industry," one would use concentration ratios adjusted (as it is possible to do from Census reports) to a regional local market basis.

Similarly, if one were dealing with the pharmaceutical industry, the performance measures would be aggregated at something like the four-digit level, but market structure would be characterized by five-digit data (e.g., from our Corporate Patterns survey) or in certain instances at the seven-digit level (e.g., from our Pre-Merger Notification program). This is the way economists have always had to work in studies of structure-performance relationships. Usually they have taken data for whole companies or whole groups of companies and lumped them together into a single industry category whose concentration ratio was measured. Alternatively, they computed weighted average concentration ratios to match the particular company's weighted average product sales structure. The Line of Business data will be vastly more powerful and meaningful for carrying out such analyses than the whole-company or whole-group-of-companies data with which economists have been forced to work thus far.

Accounting Convention Variations and Regression Analysis

Several letters of comment expressed puzzlement or concern over the statement on p. 13 of the Bureau of Economics staff memorandum that "powerful multiple regression methods" can be used to estimate correction factors associated with accounting convention heterogeneities and differences in capital asset lives. A more detailed discussion of the methods to be used was not included in the staff memorandum largely because the Federal Reports Act as amended and the GAO's clearance rules do not ask regulatory agencies to describe the specific methods of analysis to be used with respect to data collected in surveys. Also, the analysis of accounting convention effects will not begin until a year or so from now, and a commitment to specific regression model specifications at this time would be premature, especially in view of the fact that a senior corporate finance analyst who is expected to participate in the data analysis effort will join the FTC staff only later this summer. Nevertheless, I have no reservations about describing the general approach to be pursued.

The approach will be similar to some work I have done recently in correcting data on plant sizes covering twelve industries and six nations for systematic international productivity differences. The work is presented in a book, *The Ecnomics of Multi-Plant Operation*, which will be released next month by the Harvard University Press, and relevant portions of which are xeroxed and attached as Exhibit I. The nation and industry sample is described on pp. 6–10. (Note that the twelve industry definitions, which I found quite meaningful for purposes of my five-year-long research effort, are in every case quite similar to the comparable Line of Business industry categories.) The analysis analogous to what we will perform to investigate accounting convention effects is concentrated on pp. 115–117 and 224–225, where the most closely analogous variable is the productivity adjustment dummy variable ADJ.

Note that in every case ADJ compensates in the proper direction and by reasonable amounts for the biases known to exist in the unadjusted plant size figures. It must be recognized however that the analysis in *The Economics of Multi-Plant Operation* is extremely crude compared to what we will be able to do with the Line of Business data. For one thing, I was limited to a maximum of 71 nation-industry observations, whereas the Line of Business survey will provide roughly 4,000 separate observations, counting each firm's report in a given line of business as a distinct observation. Second, in analyzing the effect of international productivity differences I was limited to using a zero-one "dummy" variable discriminating between employment-based plant size observations which had and had not been appropriately adjusted. The Line of Business correction factor data will be incomparably richer, measuring inter alia the *proportions* of individual lines' inventories valued on diverse bases, the proportions of plant assets in diverse age classes, etc. In terms of both sample size and richness of variables, the Line of Business accounting bias analyses will be closer to the analysis of factors affecting labor earnings published by Leonard Weiss in the March 1966 *American Economic Review*, a copy of which is attached as Exhibit J. Note that in his key equation (3), Weiss is able simultaneously to introduce roughly 40 different explanatory variables.

In view of this, I am not impressed, and I do not believe the General Accounting Office should be impressed, by the objections raised by Professor Brozen in his letter of July 25 accompanying the Weil, Gotshal & Manges comment. The objections he raises in the third paragraph of his letter show that he has considered neither the FTC staff's explicit statements nor the inherent analytic possibilities carefully. He claims that the FTC will be unable to measure either the rate of change in purchased material prices or the length of the production cycle for purposes of estimating inventory valuation effects. But in fact, raw material input coefficients and inventory turnover rates can be determined from the Census of Manufactures and available Input-Output tables, while rates of material price change can be determined from the Wholesale Price Index series. To splice such outside data sources to the Line of Business file for analytic purposes has, to the best of my knowledge, always been the intention of Bureau of Economics staff.

Certainly, it has been my intention since assuming the Bureau directorship. Moreover, as p. 12 of the Bureau of Economics staff memorandum states explicitly, we expect to link the Line of Business data file to another unusually rich data set for purposes of assessing the impact of switches to LIFO accounting: the data from the special survey (covering all QFR corporations with assets of $10 million or more) conducted this past year to measure how overall corporate profits were affected by the late 1973 and 1974 accounting method changes. With this combined data base, I have absolutely no doubt that we will be able to carry out the most powerful analysis ever attempted of the effects of alternative inventory valuation conventions.

Aggregation and the Law of Large Numbers

A number of commentators have taken exception to the staff's assertion (on p. 13 of its supporting memorandum) that the law of large numbers would enhance the reliability of aggregated Line of Business statistics. The most pointed criticism comes from Professor Burton Singer in a letter appended to the Weil, Gotshal & Manges comment. Professor Singer makes four main points: (1) it is not clear the choice of reporting conventions is such that errors will be random; (2) it is not clear that the differences between financial performance variable values under different conventions for different companies will be of the same order of magnitude (i.e., that homoscedasticity is approximated); (3) it is not clear that the number of observations will be sufficiently large that the law will be able to operate; and (4) it is not clear that we will in fact be able to "filter out" systematic error components.

The fourth point has been discussed in the previous section on regression analyses. Point (1) is closely related. It is indeed improbable that all systematic accounting biases can be filtered out through regression analysis, and one can never be certain in using economic statistics that the errors remaining after all filtering techniques have been applied are truly and completely random. But suppose they are not. The worst case occurs when all remaining errors are systematic and in the same direction: i.e., when there is no unsystematic component at all. Then the aggregated Line of Business statistics will tend to be as inaccurate proportionately as the raw individual company data. Aggregation cannot make the data *more* inaccurate; it can only leave them as inaccurate as the individual source statistics. To the extent however that there is any unsystematic component in the error generation process (associated with randomness in the choice of accounting conventions, the age of assets, etc.)—and I am convinced that there will be such a component—the aggregated Line of Business performance measures will be more accurate proportionately than the individual company data, the more so, the more unsystematic the residual error components tend to be.

Professor Singer observes correctly that the law of large numbers will not work if the measurement errors for some companies are vastly different in magnitude than the errors for other companies. I might note that I have identified in a previous work a concrete case in which this problem occurs. See F. M. Scherer, "Firm Size, Market Structure, Opportunity, and the Output of Patented Inventions," *American Economic Review*, December 1965, p. 1098. Whether or not the problem occurs in connection with Line of Business data depends in part upon the nature of the analysis.

For purposes of financial performance *ratio* analysis, the "errors" introduced by differences in accounting conventions apply for the most part to differences in the allocation of common costs (which, both we and Dr. Mautz have found, typically represent a small fraction of total costs); differences in the handling of depreciation (which in total amounts to about three percent of our *QFR* report manufacturing corporations' sales); the "expensing" rather than capitalizing of R & D outlays (which average about two percent of sales on a company-funded basis); and differences in the handling of materials cost changes (which, the experience of food chains switching to LIFO accounting in 1974 revealed, had an impact of about a percentage point on pre-tax profit-to-sales ratios).

In all such cases, the errors introduced by accounting convention variations appear to be well founded and hence not susceptible to the greater than order of magnitude variations against which Professor Singer warns. This is not necessarily the case, however, when one is concerned with the impact of accounting variations on *total* industry profits (or other financial performance magnitudes) and the size distribution of companies in the industry is heavily skewed.

This means, say, that if Western Electric uses strongly biased accounting methods, aggregation of the financial data of other telephone equipment manufacturers with different accounting conventions is not going to have a major offsetting effect on the reports for LB category 36.19. In other words, where there is a single highly dominant firm, the law of large numbers will work at best weakly, and the aggregated performance statistics will be significantly influenced by the reported performance of the dominant firm. This, I find, is hardly inappropriate, although it requires proper analytic caution.

Professor Singer's other point is that the law of large numbers deals with what happens as the number of entities approaches infinity, so it may not work when the number of entities is small, as in the Line of Business sample for many industries. In fact, the average number of companies reporting per manufacturing line for 1974 is expected to be approximately twelve [(425 companies x 7.5 manufacturing lines)/261 categories]. To see how the law might work with a sample of this size and reporting errors like those which might be generated as a consequence of inescapable common cost allocation method ambiguities, I conducted a modest statistical experiment. What I was concerned with was a measurement process in which there exist "true" values of the variables in which we are interested, but in which errors intrude into the measurement process. I tried to devise a synthetic error generation process which imparted errors with a distribution and magnitude like that found by Dr. Robert Mautz in his sensitivity analysis of common cost allocation methods. See his *Financial Reporting by Diversified Companies* (1968), pp. 357–373. To do so, I used a table of random numbers drawn from Herbert Arkin and Raymond R. Colton, *Tables for Statisticians* (1950) p. 142, attached as Exhibit K.

Before examining the numbers in the table I established some rules by which my sample of observations would be drawn. Specifically, I would let the very first digit in the table (it turned out to be 2) determine which tableau of 1,000 I should sample from, and the second digit (3) determine the row from which I should begin sampling. I would then let each observation be characterized by a series of four digits, and my sample would consist of ten such four-digit groups taken in order from the randomly selected row. The first two digits in any four-digit group would represent the "true" (but not observable) value of the observation in which I was interested. The second two digits would describe the error entering the measurement process. The measurement error would be positive if the third digit of a four-digit group was an even number (including zero) and negative otherwise. The fourth digit is the actual value of the measurement error. Having set these rules, I proceeded to draw my sample. The first four-digit group in the third row of the second set of 1,000 random numbers is 7101. This means that the "true" value of the observation is 71. The third digit (zero) tells me that a positive measurement error is injected. The fourth digit tells me that the error is 1, or 1.41 percent of the "true" observation value. What one would actually be able to observe as a result of the measurement process is 71+1=72.

Continuing this set of operations for the first ten four-digit groups, we obtain the following table:

4-digit group	7, 101	7, 984	9, 551	3, 085	0, 374	6, 659	1, 028	8, 753	7, 656	9, 149
True value	71	79	95	30	03	66	10	87	76	91
Error	+1	+4	−1	+5	−4	−9	+8	−3	−6	+9
Percentage error	1. 4	5. 1	1. 1	16. 7	133. 3	13. 6	80. 0	3. 5	7. 9	9. 9
Actually observed	72	83	94	35	−1	57	18	84	70	100

The percentage errors range widely from 1.1 percent to 133 percent, suggesting a sizeable error factor in measuring any specific value. Yet when we add up the ten "true" values, we find the total to be 608. And when we add up the ten "actually observed" values, the sum turns out to be 612. The difference is only four, or 0.65 percent of the "true" total. In other words, with the kind of error generation process assumed (in technical language, homoscedastic with respect to absolute values), which is by no means implausible unless the industry size distribution is highly skewed, unsystematic measurement errors cancel out very quickly with aggregation even when the size of the sample is quite small.

To sum up, Professor Singer is right in insisting that the law of large numbers is complex. But he has in no way demonstrated the falsity of the basic statement on p. 13 of the Bureau of Economics staff memorandum: "aggregation of performance data prepared according to varying accounting rules is likely on the average to improve the quality of the data, not degrade it." Operation of the law of large numbers cannot make the data less accurate on the average. And to the extent that there are any unsystematic errors of measurement at all, it must make the industry aggregates more accurate than individual company observations would be on the average.

DISAGGREGATION TECHNIQUES AND CONFIDENTIALITY

In a letter accompanying the Weil, Gotshal & Manges comment, Dr. Ronald Christensen criticizes the Commission's statement (on p. 19 of its supporting statement to the GAO) of why the disaggregation techniques he developed do not in fact pose a threat to keeping individual company data confidential. Dr. William Long, Line of Business program manager, has prepared an extensive affidavit on the disaggregation question for use in connection with the Commission's effort to seek compliance with its 1973 Line of Business reporting order. It deals both with hypothetical examples like those Dr. Christensen proposed in an earlier memorandum to the Commission and an actual disaggregation analysis performed on the available 1973 data set. It is attached as Exhibit L. I believe it shows conclusively that Dr. Christensen's techniques are not capable of disclosing individual company data or even generating close estimates thereto.

SUPPORT FOR THE LINE OF BUSINESS PROGRAM

Some commentators have argued that because no organization came forward at the May 20 hearings on Line of Business to support the program, an inference should be drawn that the program is somehow defective. See for example p. 5 of the Weil, Gotshal & Manges letter and pp. 1–2 of the Howrey & Simon letter.

The argument is irrelevant to the Comptroller General's determination. The Federal Reports Act does not call for a popularity contest in determining what special surveys shall be approved. It stipulates that the appropriate regulatory agency shall judge what its own needs are.

Furthermore, the process by which comments were solicited in April and May of 1975 on the proposed Form LB revisions was not designed to encourage praise. Criticism—preferably constructive—was the goal. Consider for example the comment received from Dr. Arnold Collery, Assistant Director of the Council on Wage and Price Stability. He wrote on April 23, 1975, nothing more than: "I suggest for your consideration that the certification on the cover sheet of the annual report add the clause 'when company accounts do not provide the requested data' after the word 'made.'" This provides little or no indication of affirmative support. Yet as one can discern from Exhibit G, the Council's director completed an affidavit on April 18, 1975, indicating strong support for the program. Similarly, no attempt was made to solicit positive testimonials at the May 20 hearings. The Commission was anxious to give critics of the program the fullest possible opportunity to articulate their views and to suggest how the program might be improved.

CONSTRUCTIVE CRITICISMS

Some of the comments transmitted to the General Accounting Office in connection with its clearance review have been constructively critical. Our staff is grateful for the opportunity to review them, and we shall react in an equally constructive manner. For example, the comment by Mr. Bousquette of Ford Motor Company on automobile industry vertical integration guidelines will probably lead to changes in the guidelines. I have asked the Line of Business staff to consult directly with Mr. Bousquette and appropriate representatives of other auto companies and recommend modifications. Similarly, certain companies have commented that the generation of inter-line transfer data required for lines 3–5 of Schedule III and the special ten percent rule stated on p. 12 of the Instructions might be particularly burdensome. Comments on the earlier form revision draft did not reveal this to be a significant problem, but I have asked the staff to consider the matter carefully in consultation with companies and, if appropriate, issue a Question and Answer memorandum outlining methods of reporting which will meet the Commission's needs while minimizing company burden.

I assume from past experience with your office that such small changes in the Line of Business reporting instructions will not adversely affect the GAO's overall clearance decision. Administering such a complex program in an inflexible way would add unnecessarily to reporting burden while not improving and perhaps even degrading data quality. We will keep your office informed of all such general changes authorized in Question and Answer memoranda or otherwise.

CONCLUSION

It is clear that there are strong differences of opinion concerning the Line of Business program. Many industrial firms say that the program is unsound. The Federal Trade Commission believes that it is soundly conceived and that it will generate information useful to the Commission and to the general public. Under the Federal Reports Act, the independent regulatory agency shall determine the necessity of the information it proposes to collect. And under numerous Supreme Court decisions, regulatory agencies are presumed to have special competence for judging the complex factual questions before them unless there is evidence that they have acted capriciously or unreasonably. The Form LB revision effort was headed by Mr. William Sprunk, who has had long experience as an industrial accountant and corporate executive, in consultation with some of the Nation's leading academic experts on segmental accounting.

During the past year there has been continuing intensive consultation with industry and with public accounting firms. The Commission has sought a wide range of comment and advice in reaching its decision to go forward with the 1974 Line of Business reporting round. I earnestly hope that the General Accounting Office will take all these factors into account in its review process and, in particular, that it will evaluate the views of industry commentators as critically as it evaluates the Federal Trade Commission's proposed Form LB and the statements it advances in support thereof.

Respectfully submitted,

F. M. SCHERER,
Director.

Attachments—Exhibits A thru L.

LIST OF EXHIBITS

A. Excerpts from the Statement of Purpose submitted by the Bureau of Economics Staff to the Office of Management and Budget in 1973.

B. Bureau of Economics Staff Report, "The Federal Trade Commission Line of Business Reporting Program," May 1974, reprinted in *Congressional Record.*

C. Program Summaries from the FTC's FY 1976 Program Budget Justification to Congress.

D. Joe S. Bain, "Relation of Profit Rate to Industry Concentration: American Manufacturing, 1936–1940."

E. Joe S. Bain, excerpts from revised edition of *Industrial Organization.*

F. Affidavit of F. M. Scherer dated April 2, 1975, in *Federal Trade Commission* v. *American Standard, Inc., et al.*

G. Affidavit of Albert Rees dated April 18, 1975, in *Federal Trade Commission* v. *American Standard, Inc., et al.*

H. Letter to Federal Trade Commission from Mr. H. L. Siers, Assistant Comptroller, E. I. du Pont de Nemours & Company, October 30, 1974.

I. Excerpts from F. M. Scherer et al., *The Economics of Multi-Plant Operation: An International Comparisons Study.*

J. Leonard W. Weiss, "Concentration and Labor Earnings."

K. Table 23: Table of Random Numbers.

L. Affidavit of William F. Long dated May 14, 1975, in *Federal Trade Commission* v. *American Standard, Inc., et al.*

F. M. Scherer, *Industrial Market Structure and Economic Performance.*

Transcript, *United States of America* vs. *International Business Machines Corporation*, pp. 2465–2758.

Mr. TUNNEY. Mr. President, today the Senate is considering the appropriation for expenses for the Antitrust Division of the Department of Justice. H.R. 8121, as reported by the Appropriations Committee, provides for $22,529,000 for the enforcement of antitrust and consumer protection laws. This figure represents an increase of $4.2 million over the 1975 appropriation of $18 million. I am grateful that Chairman PASTORE and the members of the committee saw fit to provide the Department with the additional resources to enforce the statutes enacted to stimulate competition and curb the growth of monopolies. It is my hope that the Department will allocate a substantial portion of this money for the investigation and diversification of oil company holdings in competitive energy industries.

The Division needs more money if the antitrust laws are to be adequately enforced. Earlier this year I introduced S. 449, a bill to authorize appropriations for the enforcement of the antitrust laws by the Department of Justice. That bill would authorize increasing the present budget from $18 million to $35 million and a further 40 percent increase in fiscal year 1977 which would bring the total budget to $50 million annually. I believe that the present rate of expansion of the oil companies into competing energy industries requires action of this magnitude.

The availability of abundant energy at reasonable prices is fundamental to the economic soundness of the United States. If we run low on energy, we lose our ability to produce goods, unemployment increases, people buy fewer goods, production falls further, and so on. If the cost of energy, regardless of its availability, rises too fast, inflation occurs, people buy fewer goods, jobs are lost, and the same recessionary cycle operates.

Energy, therefore, is the central source of our material well-being; and the Government must take steps to assure that it is plentiful at reasonable prices to consumers.

But the Government does not run the energy industry. That function is entrusted to private enterprise on the theory that companies operating in free markets and in search of profits will provide energy most efficiently. Industry regulated by the marketplace, serves our purpose far better than industry regulated or operated by the bureaucracy in Washington.

In recent years, however, the energy industry has not been well regulated by the marketplace. Oil companies in particular have achieved power so great that the concentration of their economic and political influence has enabled them to regulate the marketplace itself. Vast economic influence eliminates competition and places power to control supply and price in the hands of private individuals. Such power is dangerous and is fundamentally contrary to our concepts of democracy. This is especially true when the commodity controlled, energy, is so vital to our national interests.

The antitrust laws of the United States were created to prevent such concentrations of economic power. They must be enforced with diligence to assure that energy, our most vital resource, is available at reasonable prices for the benefit of all.

There is alarming evidence that the corporate giants which control oil in this country are moving now toward the aggrandizement of other primary energy sources, such as coal, oil shale, uranium, and geothermal power. The implications of this trend are substantial, and the antitrust laws must be swiftly employed to control it.

Since we are unable to supply our energy needs domestically and unwilling to depend on foreign sources for energy, it is of the utmost national priority that we develop those plentiful resources found in our own domain, such as coal, oil, shale, nuclear fuels, solar energy, and geothermal power. But should the development of these vast resources be entrusted to major oil companies, whose concentrated economic power is already tremendous?

The answer is that it should not, and that the antitrust laws should be enforced to prevent the further aggrandizement of power in the energy area.

Oil companies are acquiring tremendous assets, and, therefore, economic power, in the areas of coal, nuclear generation, geothermal energy, and other domestic sources. So long as oil remains the most widely-needed and most profitable energy source, oil companies will not expend the massive capital sums needed to develop less profitable energy sources. Their money is better spent now on the production and refining of oil. When oil becomes less plentiful and other basic fuels become more valuable, the oil companies will turn to their alternative sources, which by that time will be profitable as oil is now.

The basic point is that it is not in the interest of the profit-oriented oil giants to develop and produce alternative sources as quickly as this country needs them.

But development of alternatives, leading to interfuel competition, is very much in the interest of the people of the United States, since it will lead to cheaper and more abundant energy from domestic sources. Accordingly, resources such as coal should be held by companies that have an immediate interest in developing them. With assistance as needed from the Federal Government for research, development, and capital requirements, independent energy companies can and will compete effectively with oil—all to the benefit of the consumer.

This is the concept of "forced competition," and it can be achieved by swift enforcement of the antitrust laws to break up anticompetitive concentration where necessary and to prevent future assumption of unwarranted economic power.

If the Justice Department and Federal Trade Commission, the chief enforcers of Federal antitrust law, cannot control the aggrandizement of economic power by major oil companies, then the task will fall to Congress. Although the Federal Trade Commission now has a major antitrust case pending against the eight major oil companies, that case addresses oil only and does not attempt to remedy the problems posed by oil company diversification into other areas. The Commission is now studying competition in all areas of the energy industry, but its study has produced no results thus far, and its resources have been severely drained by its efforts in the oil area. For that reason, the Antitrust Division of the Department of Justice should act—perhaps with assistance from the Commission.

The alternative to antitrust enforcement and the restoration of competition in the energy industry is governmental control of that industry. Since regulation from Washington is a poor alternative, action is needed now to prevent the unwarranted growth of economic power.

In conclusion, Mr. President, I again call upon the Antitrust Division to act expeditiously in investigating the energy industry. It is, without a doubt, an area which affects us all and we must have as much competition among energy sources as is possible. The increased appropriation provided for in this bill is the necessary first step. If it proves to be ineffective then I plan to introduce legislation designed to make the energy industry more competitive. I call upon my colleagues to approve this bill and to encourage the Antitrust Division to use the money to increase forced competition among the differing segments of the energy industry.

THE LEGAL SERVICES CORPORATION BUDGET

Mr. HATFIELD. Mr. President, one budget item in this appropriations bill of particular interest to me is the Legal Services Corporation budget for some $96 million. As one who has been following legal services development closely in Oregon, I want to comment on an aspect of this program.

When the budget was frozen at about $71 million in 1971, only three Oregon legal services programs were covered: Portland, Salem, and Eugene. Others were being developed to serve Oregonians in various sections of the country, and, when the freeze was put into effect, naturally these new programs could not be funded under the regular legal services budget. These three older regular ones now are referred to as the "section 222" programs.

Because of the need for added legal services in Oregon, eight added programs now have been created throughout the State. Funding has been provided by the Community Services Administration, through their community action agencies. Local initiative funds have been made available to provide these needed services. These are known as "section 221" programs.

During this time in which the Legal Services Corporation has been in limbo, CSA, through these local initiative funds, continued to fund these eight Oregon legal services programs. This was done, however, with the understanding that when the regular Legal Services Corporation began functioning, it would take over these programs and remove the need for CSA support.

I should add at this point, Mr. President, that the State of Washington has eight of these programs also operating, and that, taken together, they account for about half of the total section 221 programs in the country. When the LSC presented its budget to our subcommittee, no funds were included specifically to pick up the cost of operating these programs.

Soon after that, I was contacted, as was Senator MAGNUSON, by people involved in legal services in the Northwest. We were told that these people had received an indication from CSA regional personnel that CSA did not plan to continue funding these programs, now that the new LSC had been created and was getting off the ground.

Naturally, Senator MAGNUSON and I were concerned about talk of such a move, and we contacted both the Chairman of the Board of the new Legal Services Corporation, Roger Cramton, as well as the Director of the CSA, Bert Gallegos, expressing this concern. I ask unanimous consent that these two joint letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 31, 1975.

Mr. ROGER CRAMTON,
Chairman, Board of Directors, National Legal Services Corporation, Washington, D.C.

DEAR MR. CRAMTON: As you are aware, we have been continuous supporters of a strong legal services program. We were disturbed, therefore, to learn of a funding problem threatening the future of 16 established legal services programs in Oregon and Washington. We refer to programs currently operating in several cities under Section 221 of the Economic Opportunity Act. Together, our two states account for over half of the legal services program funded under that section of the Act.

It is our understanding that funds to continue these programs were not included in your budget presentation of July 16. From people in our states involved in legal services, we are told that the Community Services Administration has indicated it will not continue to fund these programs after the Corporation begins operating.

We feel strongly that these already functioning programs must not be permitted to "slip through the cracks" as the Corporation begins functioning. We ask that you work with Mr. Gallegos of CSA and develop a satisfactory solution to this problem in the near future. (We have made a similar request of Mr. Gallegos.)

We look forward to hearing from you and Mr. Gallegos when a satisfactory plan is developed to assure the uninterrupted functioning of the jeopardized programs.

Sincerely,
Mark O. Hatfield,
Warren G. Magnuson,
U.S. Senators.

U.S. Senate,
Washington, D.C., July 31, 1975.
Mr. Bert A. Gallegos,
Director, Community Services Administration, Washington, D.C.

Dear Mr. Gallegos: Currently, the Community Services Administration funds a number of local legal services programs in Oregon and Washington. Eight Oregon and eight Washington programs currently account for over half of the CSA Section 221 legal services programs.

From legal services personnel in our states we have learned that CSA currently plans to end funding for the programs after the Legal Services Corporation begins functioning. However, when the Legal Services budget was presented to the Senate on July 16, no funds were included to cover these programs.

We feel strongly that these worthwhile and established programs must not be allowed to "slip through the cracks" during this transition period. We ask that you work together with Mr. Cramton, the Chairman of the Board of Directors of the Legal Services Corporation to reach an early satisfactory solution to the problem. (A similar request has been made of Mr. Cramton.) We look forward to hearing from you and Mr. Cramton when a satisfactory plan is worked out to assure the uninterrupted functioning of the jeopardized programs.

Sincerely,
Mark O. Hatfield,
Warren G. Magnuson,
U.S. Senators.

Mr. HATFIELD. Mr. President, subsequent to that time, Mr. Gallegos responded indicating that the Oregon and Washington programs would be forward funded through March 31, 1976. I ask unanimous consent that this letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Community Services Administration,
Washington, D.C., August 6, 1975.
Hon. Mark O. Hatfield,
U.S. Senate,
Washington, D.C.

Dear Senator Hatfield: This is in answer to your letter of July 31, 1975. Since the organization of the Legal Services Corporation, I have followed the policy for forward funding legal services programs in order to assist the Corporation during its transition period and for a sufficient period of time afterwards to allow the Corporation to make careful and thoughtful decisions.

Programs funded with local initiative money are in a unique position since most of them are funded by Community Action Agencies in recognition of local needs for legal services, but are not part of the regularly established legal services program grants made by the Office of Legal Services under Section 222(a)(3).

The question of the continuation of these local initiative or CAA sponsored programs is a matter which the Corporation will wish to address. This will take time, especially since the Corporation has neither an appropriation nor a permanent staff as yet, and because these programs do not all follow the same pattern: some have been in existence for a considerable period of time and have separate Boards of Directors; others represent supplements to existing programs.

It is my expectation that the Community Action Agencies, having created these local legal services programs in response to their local priorities, will wish to continue to provide funds for an additional period during the transition so that the Corporation can have time for investigation and decision.

Community Services Administration has never said that it plans to discontinue funding these programs "now that the newly created Legal Services Corporation has begun functioning." On the contrary, I expect and will see to it that all concerned work together during an interim period until permanent decisions are worked out. I expect to work closely with the Corporation seeing to it that decisions can be made, and with enough advance notice—March 31, 1976—to assure the uninterrupted functioning of these programs and that no program will face sudden or unexpected termination.

Sincerely,
Bert A. Gallegos,
Director.

Mr. HATFIELD. Lastly, Mr. President, I want to call attention to letters I received from the general counsel of the Legal Services Corporation, responding to further questions I had about LSC review of section 221 programs in Oregon. With these programs funded until March 31, 1976, I believe the LSC should make a prompt review of these programs in Oregon, and then to fold them into the regular LSC funding operation. They are good programs, already in operation, and existing with broad-based local community support. I feel confident that they will stand on their own strength, and that the LSC will approve them.

I was concerned, however, that the LSC might begin a review and approval of new programs, as yet unfunded, before it examined the existing section 221 programs. Because of the delays in starting up legal services programs, I do not believe this is a wise approach.

In letters from Mr. Louis Oberdorfer, counsel to the LSC, he indicates that review of these section 221 programs will be a high priority item for the LSC as they get staffed up, and that no new programs will be reviewed or approved until this review of the existing programs can be undertaken. I ask unanimous consent that these two letters from Mr. Oberdorfer be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Legal Services Corporation,
Washington, D.C., September 2, 1975.
Hon. Mark O. Hatfield,
U.S. Senate, Washington, D.C.

Dear Senator Hatfield: Roger Cramton, Chairman of our Board, has asked me to reply to your letter of August 21 and your telegram of September 1 concerning the Section 221 programs in Oregon.

We were reassured by Mr. Gallegos' letter of August 6 to you that he was applying to those programs his general policy of forward funding legal services through March 31, 1976 in order to assist the Corporation during its transition period thereafter to allow the Corporation to make careful decisions about such problems.

We are, as you know, just getting underway with a skeleton transition staff. We are making staffing arrangements for the period after the transition which will include personnel to develop the facts and make recommendations to the Board about funding of these programs after March 31, 1976. This matter will be given a high priority by the staff and the Board of Directors.

If you or your staff has any further questions of us with respect to this matter or any other aspect of the pending appropriation, please feel free to get in touch with us.

Sincerely yours,
Louis F. Oberdorfer,
Counsel.

Legal Services Corporation,
Washington, D.C., September 2, 1975.
Hon. Mark O. Hatfield,
U.S. Senate,
Washington, D.C.

Dear Senator Hatfield: Mr. Evans of your staff inquires further about the statement in my earlier letter that "this matter will be given a high priority by the staff and the Board of Directors."

By that I meant to indicate that the Corporation will undertake to review the Section 221 programs before considering and acting upon any new programs which are not now operational.

I trust that this fully responds to your earlier inquiries.

Sincerely yours,
Louis F. Oberdorfer.

Mr. HATFIELD. Mr. President, in conclusion, I want to express my support for the concept of a strong Legal Services Corporation providing a needed social service throughout the country. While I am most familiar with the situation in Oregon, I presume it is typical. Legal services are needed by people unable to hire attorneys, and such a service should be provided. I trust the board will do a fine job in administering these programs

I want to thank both Mr. Gallegos for the decision by CSA to forward fund these eight Oregon and eight Washington programs. As well as the other "section 221" programs elsewhere in the country. I want to thank Mr. Cramton and Mr. Oberdorfer for the assurances of the board that these will receive a high priority for a prompt review of their individual merits.

Mr. RANDOLPH. Mr. President, the bill before the Senate is a broad measure providing funds for a variety of Federal activities during the current fiscal year. It finances the programs of three departments of the Government—State, Justice, and Commerce—as well as related agencies and the Federal judiciary.

I will limit my remarks on the provisions of this bill to those programs that are authorized by the Committee on Public Works. These are the activities of the Economic Development Administration and the title V Regional Action Planning Commissions.

The distinguished manager of the bill, Senator Pastore, has brought to the Senate a measure that responds positively to the need for Government action to stem the economic recession that continues to sap our national strength. The Senator from Rhode Island knows well what the impact of the recession means in human terms, for his State has been affected to a greater degree than many others. Further, Senator PASTORE knows the benefit of public works programs in putting people to work and thereby stimulating activity throughout the economy.

I commend the committee for increasing the appropriations for the Economic Development Administration by $163.5 million to a total of $453.5 million. This figure is nearly twice what was expended during the past fiscal year and comes at a time when it is greatly needed.

Mr. President, it is significant that $92.5 million of the proposed increase is for the construction programs carried out under title I of the Public Works and Economic Development Act. By raising the total for title I to $200 million the committee has expressed its desire to put Americans to work building badly needed community facilities.

Another significant increase is the addition of $25 million to the $50 million approved by the House for the title IX economic adjustment program. Communities and individuals who have been adversely affected by the recession are assisted under this program in recovering from the loss of employment and in building stable economies.

At a time when many businesses are faced with the prospect of declining income and closure, these funds for business loans may often mean the difference between failure and survival. The bill recommends $65 million for this purpose, $35 million more than proposed by the President and a substantial increase over the $16 million expended last year.

Appropriations recommended by the committee of $57 million for title III and $21.5 million for title IV will enable these activities to move forward.

Mr. President, the Economic Development Administration is well situated from the standpoint of experience and organization to be a force in our national economic recovery. Its programs are sufficiently varied and flexible to meet the needs of communities throughout the country. The funding level provided in H.R. 8121 will give it the financial muscle to help restore strength to the economy by putting Americans back to work.

I note that there are no funds provided in this bill for the title X job opportunities program. This is not an omission by the committee, for the full $500 million authorization for this program already has been funded in legislation passed earlier in the year by the Congress. This program, established last winter, is now at work.

Mr. President, the bill also provides $84,068,000 to carry out the programs of the title V Regional Action Planning Commissions. These seven regional bodies have been created over the past 10 years and are now in a position to move forward in implementing their programs. These funds are nearly double the amount proposed by the President and are fully justified.

These commissions operate as Federal-State partnerships and must have the financial backing necessary to attack economic problems on a long-term regional basis. I remind the Senate that legislation to strengthen the authority of the title V commissions was passed by this body on July 17. That measure, the Regional Development Act of 1975 is now pending in the House of Representatives.

Mr. President, this measure contains funds for many worthwhile Government activities. There are few, however, that are as important as those relating to economic development at this time. I know that the Senate will again express its commitment to ending the recession by its enthusiastic passage of H.R. 8121.

Mr. MONTOYA. Mr. President, as chairman of the Subcommittee on Economic Development of the Committee on Public Works, I wish to express my thanks to the Senator from Rhode Island, who ably chairs the subcommittee that nurtured and brought forth this bill.

Through the efforts of the Senator from Rhode Island, as well as the chairman of the Appropriations Committee and others, this bill provides additional funds for the Economic Development Administration and the title V regional commissions over and above those requested by the administration for the current fiscal year.

Our goal in the Economic Development Subcommittee has been to get more funds into these programs to fight unemployment. Accordingly, we increased the authorizations for the past fiscal year and for the current fiscal year.

The bill before us provides an increase of $163,500,000 for the programs of the Economic Development Administration over the budget estimate and the House allowance. Together with the $290 million requested for EDA programs, the total of $453.5 million will provide increased employment opportunities at a time when the economy continues to lag dangerously, when the high levels of unemployment show no signs of tapering off.

The bill also provides $42 million over the budget estimates and the House allowance for the title V regional action planning commissions. The total of $84 million is in keeping with the spirit of Senate action in passing an increase in the authorizations for these programs in July. At that time the authorization was increased by the Senate from $150 to $200 million. The increase, modest as it is, will help the title V commissions to expand their activities in helping States and local governments to meet pressing economic problems including energy, transportation, and industrial development.

What concerned me about the budget request for these programs this year was that in a time of severe recession, the administration literally came in for a budget request for these job-creating programs smaller than last year in important program categories. The Senator from Rhode Island recognized this. The committee report on this bill says:

> It is disturbing to note that at a time of great economic distress and high unemployment, the basic public works program authorized under Titles I, II, and IV of the Public Works and Economic Development Act has been reduced in the President's budget request by $32 million below the fiscal year 1975 level, bringing the amount recommended in the President's budget for fiscal year 1976 to the lowest level since the . . . Act was enacted by the Congress in 1965. (p. 26)

The biggest share of the increase is for traditional public works, increasing the requested $107.5 million by $92.5 million. The total is $200 million, still $50 million short of the $250 million authorization for fiscal year 1976.

Mr. President, I commend the Appropriations Committee for recognizing that these additional funds can be used to fight this lingering recession—for increased public works, business loans and guarantees, planning and technical assistance, and economic adjustment programs. These are the tools for creating jobs. I hope the House will concur in these important additions.

LEGAL SERVICES CORPORATION APPROPRIATION

Mr. CRANSTON. Mr. President, I rise in support of the provisions in H.R. 8121 as reported from committee—page 58—making an appropriation of $96,466,000 for the Legal Services Corporation. The committee action in adding this item, not considered by the other body, is highly responsible and deserving of the Senate's full support.

Mr. President, this appropriation item was not included in the bill as passed by the other body because, at the time this measure was under consideration there, the Board of Directors of the Legal Services Corporation had not yet been confirmed by the Senate pursuant to its advice and consent function under section 1004(a) of the act. On July 9, after completion of 6 days of hearings by the Committee on Labor and Public Welfare, the Senate unanimously approved the nominations of all 11 members of the Board, and on July 14, the Board held its inaugural meeting. On July 16, the Board transmitted to the Congress its unanimous budget request.

Mr. President, in a most unusual July 16, 1975, letter to the distinguished chairman of the State, Justice, Commerce and Judiciary Subcommittee on Appropriations, the Senator from Rhode Island (Mr. PASTORE), the full membership of the Labor and Public Welfare Committee recommended that the Appropriations Committee approve the full $96.5 million for the Legal Services Corporation pursuant to the $100 million authorization of appropriations for fiscal year 1976 in section 1010 of the Economic Opportunity Act of 1964, as added by the Legal Services Corporation Act of 1974 (Public Law 93-355). This is the amount of the budget estimate submitted by the newly established Board of Directors of the Legal Services Corporation.

Mr. President, the Corporation will succeed to the responsibility long held by the Office of Legal Services in the Office of Economic Opportunity, and now in the Community Services Administration, for the provision of comprehensive, economical, and effective legal services to our Nation's poor. But the legal services program has never been funded at a level that is adequate even to begin doing the job. Despite the effects of inflation, increased unemployment, and the resulting increased demand for services, legal services programs have remained for 4 consecutive years at a static program funding level—now $71.5 million. The effects of this 4-year freeze upon legal services program funding, during a period of sharply accelerating operational costs, have been severe.

As the Corporation Board and the Appropriations Committee in its report have indicated, the level of $96.5 million will serve only to maintain legal services programs at their 1971 operating levels. This amount will provide no real possibility for initiation of new programs or for the extension of existing programs into new areas. In this regard, the members of the Labor and Public Welfare Committee have unanimously stated their opinion that such expansion is vital to the eventual achievement of the goals of the Legal Services Corporation Act.

Mr. President, the appropriation language in the pending bill derives from the recommendation made in the Labor and Public Welfare Committee letter. Mr. President, I ask unanimous consent that the full text of that letter and its enclosure be printed in the RECORD at this point.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

JULY 16, 1975.

Hon. JOHN O. PASTORE,
Chairman, Subcommittee on State, Justice, Commerce, the Judiciary, Committee on Appropriations, Dirksen Senate Office Building, U.S. Senate.

DEAR MR. CHAIRMAN: We are writing to urge the Subcommittee to include $96.5 million for the newly created Legal Services Corporation, under the Legal Services Corporation Act of 1974 (Public Law 93-355), in the State, Justice, Commerce, Judiciary Appropriations Act for 1976, H.R. 8121. This is the amount requested by the Board of Directors of the Legal Services Corporation in its July 16, 1975, letter to you, pursuant to the FY 1976 appropriation authorization of $100 million.

Mr. Chairman, the Corporation is responsible for the provision of comprehensive, economical, and effective legal services to our Nation's poor. The legal services program has never been funded at a level that is adequate even to begin doing the job. Yet, despite the effects of inflation, increased unemployment, and the resulting increased demand for services, legal services programs remain, for the fourth consecutive year, at a funding level of approximately $70 million. The effects of this four-year freeze upon legal services program funding during a period of sharply accelerating operational costs, has been profound.

Many prorgams have had no alternative but to cut back the number of attorneys they employ, reduce the essential legal services they offer their low-income clients, cut case preparation costs in areas that may Corporation itself. These are costs which gram and center recipients for a suffiaries they pay.

Mr. Chairman, in light of these factors—more fully discussed and elaborated upon in the enclosed *Discussion and Justification Statement*—we, as members of the authorizing Committee, unanimously urge that the Appropriations Committee approve an appropriation of $96.5 million for the Legal Services Corporation.

Mr. Chairman, we have sought in the enclosed Statement to indicate the Corporation's most minimal needs if it is simply to continue legal services programs at their present operating levels. The figure we are endorsing will provide no real possibility for initiation of new programs or for the extension of existing programs into new areas, although we believe such expansion is vital to eventual achievement of the goals of the Legal Services Corporation Act. These goals, nevertheless, can only be begun to be met at substantially higher budgetary levels.

The Legal Services Corporation Board and staff will obviously have to decide which of the priority budgetary needs outlined in the enclosed Statement will have to be reduced or postponed in view of the limitation on the first-year appropriation. But an appropriation of the full amount requested by the Corporation is of critical importance, and can be and will be fully and effectively utilized.

Finally, Mr. Chairman, it has occurred to us that there might be some technical difficulties in actually devising the appropriate language for the appropriation item in light of the complex problems in providing for continuation of the funding of legal services programs and activities by the Community Services Administration during the transition period established by the Act (between July 14 and October 12, 1975). Thus, we are enclosing a suggested version that has been developed in consultation with various staff members who worked on the authorizing legislation.

Thank you very much, Mr. Chairman, for your consideration of this request and your courtesy in providing the Corporation and us an opportunity at this late date to make our recommendations to you.

Sincerely,

Harrison A. Williams, Jr., Chairman; Jacob K. Javits, Ranking Minority Member; Jennings Randolph, Richard S. Schweiker, Claiborne Pell, Edward M. Kennedy, Gaylord Nelson, Walter F. Mondale, Thomas F. Eagleton, Alan Cranston, William D. Hathaway, Robert Taft, Jr., J. Glenn Beall, Jr., Robert T. Stafford, and Paul Laxalt.

DISCUSSION AND JUSTIFICATION STATEMENT

Appropriations for legal services have remained constant since FY 1973. Although there were apparent increases in appropriations in FY 1972—from $59.1 million to $67.7 million— and in FY 1973—from $67.7 million to $71.5 million—these increases represented an intra-agency transfer within the Office of Economic Opportunity in 1972, and an increase for activities other than local legal services programs in FY 1973. Thus, the vast majority of programs have received, in fact, no grant increases since FY 1971 or earlier. We should note parenthetically, Mr. Chairman, that although an appropriation of $90 million was authorized for the program for FY 1975, there was a nearly 10-month delay between the passage of the Act on July 25, 1974, and the President's submission of nominations for the Board of Directors of the new Corporation. Thus, the Corporation was prevented from making any request for an appropriation at the authorized level of $90 million for FY 1975, and is now confronted with the disastrous possibility of a fifth standstill funding level for the legal services program.

Mr. Chairman, our request for appropriations at the $96.5 million level authorized for FY 1976 rests upon seven basic considerations. Those considerations are as follows:

COST-OF-LIVING INCREASE

First, the cost of living, according to the Consumer Price Index, has risen over 25% since June of 1972, and over 35% since June of 1970. In addition, the current recession has increased the pressures on operating programs to respond to the needs of blue-collar unemployed and to senior citizens on fixed incomes.

Mr. Chairman, inflation has placed virtually all programs in serious financial straits. Field reports from programs to the Office of Legal Services (OLS) in the Community Services Administration indicate that over the past two years nearly 80% of all programs nationally have suffered appreciable reductions in size or effectiveness due to budgetary strangulation; 27% of all programs have been forced to close at least one area office, and 52% of all programs have had to reduce their attorney and other staff personnel because of the budget squeeze. In this regard, there has been a 20% reduction in the number of OLS-funded attorneys since 1972.

Working from the FY 1972 base of $71.5 million, nearly $20 million would be required just to offset the inflationary factor through FY 1975. Assuming a 7% inflation rate for FY 1976, an additional $6.5 million would be required to achieve FY 1972 program levels.

UNAVAILABILITY OF OTHER FEDERAL FUNDING

Second, past sources of potential Federal funding for legal services programs have become unavailable. The Model Cities program which once had provided an annual $3.6 million to supplement the budgets of operating programs, ended in 1974. Succeeding legislation in the Housing and Community Development Act of 1974 has failed to fill this gap.

ANNUALIZED FUNDING PROCEDURE

Third, Mr. Chairman, in order to squeeze maximum impact out of the very limited funding, the Office of Economic Opportunity, and its successor agency, the Community Services Administration, has in recent years utilized "short-funding" techniques to meet ever-increasing budgetary pressures. The resulting "annualized" expenditures equal approximately $79 million—7.5 million above the current fiscal year appropriation level of $71.5 million. Consequently, the Corporation will be forced to commit funds at the $79 million rate if it is to preserve current—though reduced—operating levels. Thus, simply moving to a fully annualized basis will add $7.5 million to the Corporation's funding needs.

COST OF FUNDING MANDATED STUDIES

Fourth, the Corporation must undertake certain studies—mandated by law—of alternative legal services delivery systems. Section 1007(g) of the Legal Services Corporation Act calls for the Corporation to conduct comprehensive studies of the existing staff attorney programs and, through the use of demonstration projects, of alternative methods of legal services delivery systems. Based upon these studies, the Corporation is to make recommendations to the President and the Congress, within two years, concerning improvements in or alternative methods for the economical and effective delivery of legal services. A conservative estimate of the cost of fulfilling this statutory responsibility for these studies, including evaluations of existing programs and the necessary demonstration projects, is $1 million for each of the two years.

STAFF SALARY COMPARABILITY

Fifth, we believe it is essential to establish some semblance of salary comparability between legal services attorneys and attorneys in other governmental entities and private practice.

In addition to the obvious equity considerations, Mr. Chairman, low salaries result in high turnover rates among legal services attorneys. A 1974 survey conducted by the legal services training program revealed that 46% of staff attorneys had commenced legal services employment within the preceding two years. These high turnover rates result in an inexperienced staff, which in turn limits the quantity and effectiveness of client representation.

The salary inequity to which we refer is illustrated by the following example: according to OLS data, the salary differential between legal services attorneys and the average salaries of District Attorney and Public Defender attorneys (who are generally remunerated at a lower rate than other attorneys) runs from well over $3,000 per year for staff attorneys, to over $7,000 for directing attorneys. This situation serves to subvert the Act's most critical purpose: the delivery of comprehensive and effective legal services to our Nation's poor.

To remove this disparity a reasonable working figure appears to be $4,500 per attorney for the approximately 2000 legal services attorneys, or a total of $9 million. By spreading this process over a two-year period, removing only half the disparity each year, $4.5 million would be required in FY 1976.

ASSUMPTION OF COMMUNITY SERVICES ADMINISTRATION—ADMINISTRATIVE SUPPORT AND EXPENSE

Sixth, the Corporation must reserve funds for the administration and conduct of the Corporation itself. These are costs which OEO/OSA has borne for activities in support of the legal services program and OLS, such as budgetary, legal, Congressional relations, personnel, and logistical matters. Although these costs cannot be ascertained with certainty until the Board has made major policy and program decisions that will affect staffing and budget projections, the Comptroller of CSA has estimated that the total cost of supporting the Office of Legal Services has been over $2 million per year. These costs must now be shifted to the Corporation.

START-UP COSTS

Seventh, start-up costs for the Corporation, over and above the expense of assumption of current administrative costs now borne by CSA, will include the costs of Board meetings, selection of management and staff, transition staffing, and the other costs of beginning any new major operation. These costs will be significantly greater than $1 million.

SUGGESTED LEGAL SERVICES APPROPRIATION ITEM FOR FISCAL YEAR 1976

To enable the Community Services Administration to make payment to the Legal Services Corporation, as authorized by the Legal Services Corporation Act of 1974 (P.L. 93–355), $96,460,000: *Provided*, That all obligations and expenditures incurred in fiscal year 1976 by the Community Services Administration pursuant to the provisions of the Continuing Appropriations Resolution for Fiscal Year 1976 for carrying out programs and activities relating to legal services and assistance under the provisions of the Economic Opportunity Act of 1964 shall be charged against this appropriation.

Mr. CRANSTON. Mr. President, the form of the appropriation item is based on the appropriation language for appropriations to the Corporation for Public Broadcasting—CPB—the enabling legislation which was a model for the Legal Services Corporation Act, insofar as making the appropriation through a conduit Federal agency. In the case of CPB, the conduit agency was HEW; in the case of the Legal Services Corporation, we proposed, and the committee agreed, that the conduit agency should be the Community Services Administration, because of the extremely complex situation involved with transition from CSA funding and support of legal services programs and activities to the Corporation's assumption of funding and support responsibility on October 12, 1975—the 19th day after the first meeting of the Corporation Board. In future years, the conduit agency for the Corporation's appropriation might well be the Department of the Treasury, but we believe it is important for CSA to serve this function for fiscal year 1976.

The proviso in the appropriation item is designed to resolve some highly complex problems in providing for continuation—between July 1 and October 12, 1975—of the funding of legal services programs and activities by the Community Services Administration during the transition period to initiation of Corporation responsibility as established by section 3 of the Legal Services Corporation Act of 1974. Our committee recommended this proviso language so as to reaffirm and clarify in several respects the intent of the Committee on Labor and Public Welfare, in designing the authorizing statute. Under section 3(d) of the Legal Services Corporation Act of 1974, the Community Services Administration, utilizing existing authority—section 222(a)(3), and other authority, in the Economic Opportunity Act of 1964—must take the steps during the transition period necessary to fund existing programs and activities for a period sufficiently lengthy to allow the Corporation to staff up, establish policies and procedures, and make decisions in accordance with the provisions of the Legal Services Corporation Act as to future funding of these programs and activities.

The enactment of this appropriation would in no way limit CSA's authority to continue to incur obligations and make expenditures for legal services programs and activities pursuant to these Economic Opportunity Act of 1964 provisions out of funds made available under Joint Resolution 499, making continuing appropriations for fiscal year 1976 (Public Law 94–41).

However, the appropriation item proviso would make clear that expenditures and obligations incurred—before or after enactment of H.R. 8121—in fiscal 1976, pursuant to that Continuing Resolution authority, are to be charged against this appropriation in H.R. 8121, even though this appropriation will not technically be the one replacing the continuing resolution authority for CSA.

Finally, the language in the appropriation item proviso would clarify and reaffirm the authority and obligation of CSA to continue to provide financial assistance for legal services programs and backup and other support activities pursuant to the Economic Opportunity Act of 1964. Continued CSA commitments of such financial assistance to these program and center recipients for a sufficient period to allow the Corporation the time to act appropriately and with full consideration with regard to existing grants or contracts, is clearly crucial to the orderly transition from CSA to the Corporation, as directed by the Congress in section 3(d)(1)(D) of the Legal Services Corporation Act of 1974.

Mr. President, I want to make the situation as clear as possible: CSA will be renewing grants to its grantees pursuant to the previous authority in the Economic Opportunity Act, principally section 222(a)(3) which continues in effect during the transition period—until October 12. CSA needs to know that the amount of these grants will come out of funds specifically allocated for legal services purposes, and this language provides the authority and mechanism for the Corporation fiscal year 1976 appropriation to absorb the fiscal year 1976 grant obligations incurred by CSA pursuant to the Continuing Resolution. This language thus would make absolutely explicit what is clear from the language of the authorizing statute itself; namely, that the Community Services Administration is expected and required to take the steps necessary during the transition period to provide for the orderly continuation of legal services programs and activities until such time as the Corporation is prepared to take action with respect to those programs and activities.

For example, a legal services program may have a grant which expires in September of 1975. The Corporation at that time obviously will not be in a position to consider whether to refund, defund, increase the funding, or decrease the funding, of such a grant since the Corporation at that time will not have staff or regulations which will enable it to make those decisions. It will, therefore, be necessary for the Office of Legal Services at CSA to assure the continued funding of that grantee by taking a grant action which extends the grantee's funding for a sufficient period of time to allow the Corporation to have its staff, regulations, information, and policies in shape to make a determination with respect to that grant. The particular time frame necessary for this process with respect to particular categories of grants will be a matter for CSA, in consultation with the Corporation, to determine in implementing the transition responsibilities established by the Legal Services Corporation Act of 1974.

The proviso language makes clear that such consultation and assistance is expected and that the Community Services Administration is expected within its existing authority to make such continuation grants in the interest of orderly transfer with the understanding that the obligation committed by the CSA actions eventually will be absorbed by the Legal Services Corporation appropriation and not by other CSA funds.

The appropriation item also would provide funds for the 3-month transition period between fiscal year 1976 and fiscal year 1977, which under the Budget Act will run from October 1 to September 30 each year beginning October 1, 1976. The bill provides funding for this interim period at the level of $27 million. This amount will probably be insufficient to meet the needs of the Corporation fully during that period, but commitment of this amount now will place the Corporation in a sound position 1 year from now to determine its further financial needs.

Mr. President, the Board of the Corporation at its first meeting on July 14, 1975, decided not to seek the remainder of the $100 million authorized for fiscal year 1976 until it could come up with solid estimates for the additional costs for Corporation operations, expansion of services, and the studies of alternative forms of delivery that the statute requires the Corporation to undertake. The Appropriations Committee has indicated in its report that it expects such a supplemental request to be forthcoming from the Corporation. The Corporation Board in its first meeting also discussed the possibility that its review might indicate the need for an additional authorization of appropriations this year. The Labor and Public Welfare Committee, of course, would seriously consider any such request, since it is clear that at the $100 million level the Corporation will fall behind this year, rather than move ahead in addressing the Nation's legal services needs.

Mr. President, I want to thank the distinguished floor managers of this bill, the chairman of the Appropriations Subcommittee on State, Justice, Commerce, and the Judiciary, Mr. Pastore, and the ranking minority member, Mr. Hruska, for their cooperation and assistance to me, the Labor Committee, and the committee staff, and for their dedication to the principles of the Legal Services Corporation Act of 1974. I want also to express my personal gratitude for the wise counsel and generous commitment of time made by Terry Sauvain, the professional staff member of the Appropriations Subcommittee.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Do the Senators yield back their time?

Mr. HRUSKA. I yield back the remainder of my time.

Mr. PASTORE. I yield back the remainder of my time.

The PRESIDING OFFICER. All the time has been yielded back.

The bill, having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Alabama (Mr. Allen), the Senator from Texas (Mr. Bentsen), the Senator from Delaware (Mr. Biden), the Senator from North Dakota (Mr. Burdick), the Senator from Michigan (Mr. Philip A. Hart), the Senator from South Carolina (Mr. Hollings), the Senator from Minnesota (Mr. Humphrey), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), and the Senator from Utah (Mr. Moss) are necessarily absent.

I further announce that the Senator from Indiana (Mr. Bayh), the Senator from Iowa (Mr. Clark), the Senator from Alaska (Mr. Gravel), the Senator from Indiana (Mr. Hartke), the Senator from Louisiana (Mr. Long), the Senator from North Carolina (Mr. Morgan), and the Senator from Connecticut (Mr. Ribicoff) are absent on official business.

I further announce that, if present and voting, the Senator from Iowa (Mr. Clark), the Senator from Alaska (Mr. Gravel), the Senator from Minnesota (Mr. Humphrey), the Senator from Washington (Mr. Magnuson), the Senator from North Carolina (Mr. Morgan) and the Senator from North Dakota (Mr. Burdick) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Utah (Mr. Garn), the Senator from Arizona (Mr. Goldwater), the Senator from Virginia (Mr. William L. Scott) and the Senator from Texas (Mr. Tower) are necessarily absent.

The result was announced—yeas 61, nays 18, as follows:

[Rollcall Vote No. 378 Leg.]

YEAS—61

Abourezk
Baker
Beall
Bellmon
Brooke
Bumpers
Cannon
Case
Chiles
Church
Cranston
Culver
Domenici
Eagleton
Eastland
Fong
Ford
Glenn
Hart, Gary W.
Haskell
Hatfield
Hathaway
Hruska
Huddleston
Inouye
Jackson
Javits
Johnston
Kennedy
Leahy
Mansfield
Mathias
McClellan
McClure
McGovern
McIntyre
Metcalf
Mondale
Montoya
Muskie
Packwood
Pastore
Pearson
Pell
Percy
Randolph
Schweiker
Scott, Hugh
Sparkman
Stafford
Stennis
Stevens
Stevenson
Stone
Symington
Taft
Talmadge
Tunney
Weicker
Williams
Young

NAYS—18

Bartlett
Brock
Buckley
Byrd, Harry F., Jr.
Byrd, Robert C.
Cotton
Curtis
Dole
Fannin
Griffin
Hansen
Helms
Laxalt
Nelson
Nunn
Proxmire
Roth
Thurmond

NOT VOTING—21

Allen
Bayh
Bentsen
Biden
Burdick
Clark
Garn
Goldwater
Gravel
Hart, Philip A.
Hartke
Hollings
Humphrey
Long
Magnuson
McGee
Morgan
Moss
Ribicoff
Scott, William L.
Tower

So the bill (H.R. 8121) was passed.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossment of the Senate amendments to H.R. 8121.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Pastore, Mr. McClellan, Mr. Mansfield, Mr. Hollings, Mr. Magnuson, Mr. Eagleton, Mr. Johnston, Mr. Huddleston, Mr. Sparkman, Mr. Hruska, Mr. Fong, Mr. Brooke, Mr. Hatfield, Mr. Stevens, and Mr. Young conferees on the part of the Senate.

Mr. PASTORE. Mr. President, I take this occasion to pay a word of compliment to my counterpart, Senator Hruska.

As a matter of fact, it may be the last time that he and I may be working on such a bill.

Mr. HRUSKA. The last time but one.

Mr. PASTORE. The last time but one.

It has been a delight and a pleasure, though. He has always been cooperative.

I also take this opportunity to compliment the members of the staff, Mr. Sauvain, Mr. Salesses, and Mr. Van Kirk, who have been very helpful. It has been a joy and a great delight in this cooperative effort.

Mr. MANSFIELD. Mr. President, I commend the distinguished chairman of the committee, the senior Senator from Rhode Island, as well as the ranking Republican Member, the distinguished Senator from Nebraska.

Whenever they have handled an appropriations bill, I feel better because of it, because there is no time wasted, the work is expedited, all arguments are considered, and the finished product is well worth the effort put into it.

So I commend Senator Pastore once again for the savings he has been able to achieve in this bill and for his record on economy down through the years in handling other important appropriations bills.

ADDITIONAL MEMBERSHIP ON COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES AND THE COMMITTEE ON COMMERCE

Mr. MANSFIELD. Mr. President, I submit a resolution and ask for its immediate consideration.

The resolution (S. Res. 236) was read, considered by unanimous consent, and agreed to as follows:

Resolved, That paragraph 2 of Rule XXV of the Standing Rules of the Senate is amended—

(1) by striking out of the item relating to Aeronautical and Space Sciences, the number "10" and inserting in lieu thereof "11";

(2) by striking out of the item relating to Commerce, the number "18" and inserting in lieu thereof "19".

The PRESIDING OFFICER. Does the Senator from Michigan seek recognition?

Mr. GRIFFIN. Mr. President, I seek recognition.

APPOINTMENT OF SENATOR TO COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES AND THE COMMITTEE ON COMMERCE

Mr. GRIFFIN. Mr. President, on behalf of the distinguished minority leader, the Senator from Pennsylvania (Mr. Hugh Scott), I submit a resolution and ask for its immediate consideration.

The resolution (S. Res. 237) was read, considered by unanimous consent, and agreed to as follows:

Resolved, That Senator Norris Cotton of New Hampshire be, and he is hereby, assigned to service on the Committee on Aeronautical and Space Sciences and the Committee on Commerce, to fill vacancies on those committees.

ORDER FOR YEAS AND NAYS ON S. 2195

Mr. ROBERT C. BYRD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the parliamentary inquiry.

Mr. ROBERT C. BYRD. Have the yeas and nays been ordered on final passage of S. 2195?

Mr. President, I ask unanimous consent that it be in order to order the yeas and nays at this time on final passage of S. 2195, a bill to establish a National Center for Productivity and Quality of Working Life, and for other purposes.

The PRESIDING OFFICER. Is there objection?

The Chair hears none.

Mr. ROBERT C. BYRD. I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ROBERT C. BYRD. Mr. President, I understand there is a time limitation of 20 minutes on that measure.

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBERT C. BYRD. I thank the Chair.

ORDER FOR CONSIDERATION OF S. 2195 AND S. 1281 TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, upon the conclusion of routine morning business, the Senate proceed to the consideration of S. 2195, a bill to establish a National Center for Productivity and Quality of Working Life, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of S. 2195 on tomorrow the Senate then resume consideration of S. 1281, the redline bill.

The PRESIDING OFFICER. Without objection, it is so ordered

DEPARTMENT OF DEFENSE AUTHORIZATION ACT OF 1975

Mr. ROBERT C. BYRD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 6674.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6674) to authorize appropriations during the fiscal year 1976, and the period beginning July 1, 1976, and ending September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loans and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ROBERT C. BYRD. I move that the Senate further insist upon its amendment and agree to the request of the House for a further conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Stennis, Mr. Symington, Mr. Jackson, Mr. Cannon, Mr. McIntyre, Mr. Harry F. Byrd, Jr., Mr. Nunn, Mr. Thurmond, Mr. Tower, Mr. Goldwater, Mr. William L. Scott, and Mr. Taft conferees on the part of the Senate.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene tomorrow at the hour of 12 noon. After the two leaders, or their designees, have been recognized, under the standing order, there will be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements therein limited to 10 minutes each.

Upon the conclusion of routine morning business tomorrow, the Senate will proceed to the consideration of S. 2195, a bill to establish a National Center for Productivity and Quality of the Working Life, and other purposes, on which there is a time limitation of 20 minutes, and on final passage of which the yeas and nays have already been ordered. Therefore, there will be a rollcall vote tomorrow, presumably at around 1 p.m., give or take a little bit.

Upon the disposition of S. 2195, the Senate will resume consideration of S. 1281, a bill to improve public understanding of the role of depository institutions in home financing. There is a time agreement on that bill and rollcall votes will undoubtedly occur.

ADJOURNMENT

Mr. ROBERT C. BYRD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 12 noon tomorrow.

The motion was agreed to; and at 3:18 p.m., the Senate adjourned until tomorrow, Thursday, September 4, 1975, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate September 3, 1975.

DEPARTMENT OF TRANSPORTATION

Judith T. Connor, of Pennsylvania, to be an Assistant Secretary of Transportation, vice Benjamin Oliver Davis, Jr., resigned.

DEPARTMENT OF JUSTICE

E. Edward Johnson, of Kansas, to be U.S. attorney for the district of Kansas, for the term of 4 years vice Robert J. Roth, resigned.

Julio Morales-Sanchez, of Puerto Rico, to be U.S. attorney for the district of Puerto Rico for the term of 4 years. (Reappointment.)

COUNCIL ON WAGE AND PRICE STABILITY

Michael H. Moskow, of New Jersey, to be Director of the Council on Wage and Price Stability. (New position.)

U.S. ADVISORY COMMISSION ON INFORMATION

The following-named persons to be members of the U.S. Advisory Commission on Information for the terms indicated:

For a term expiring January 27, 1977: Arthur C. Nielsen, Jr., of Illinois, vice James A. Michener, term expired.

For a term expiring January 27, 1978: George H. Gallup, of New Jersey. (Reappointment.)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

John B. Rhinelander, of Virginia, to be Under Secretary of Housing and Urban Development, vice James L. Mitchell, resigned.

DEPARTMENT OF STATE

The following-named Foreign Service officer for promotion from class 2 to class 1:

Virgil L. Moore, of the District of Columbia.

For appointment as a Foreign Service information officer of class 2, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Mourad William Haratunian, of New Jersey.

For appointment as a Foreign Service information officer of class 4, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Robert Lynn Brown, of Arizona.

For promotion from a Foreign Service officer of class 6 to class 5:

Malachy T. Minnies, of Virginia.

For appointment as Foreign Service officers of class 5, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Anthony Arredondo, of Colorado.
David H. Jackson, of California.

For appointment as Foreign Service information officers of class 5, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Charles Edward Bernier, of Washington.
Patrick Tadashi Hodai, of Washington.

For promotion from Foreign Service officers of class 7 to class 6:

Arnold Jackson Croddy, Jr., of Maryland.
Patrick Francis Kennedy, of Illinois.
Paul M. McGonagle, of Virginia.

For appointment as Foreign Service officers of class 7, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Bernard Alter, of Colorado.
Jeffrey A. Bader, of Florida.
James D. Bindenagel, of Illinois.
William G. Black, of Arkansas.
Shaun M. Byrnes, of Indiana.
George M. Caldwell, of Virginia.
John Campbell, of Virginia.
Oscar Willard Clyatt, Jr., of Florida.
Caryl M. Courtney, of Louisiana.
Robert B. Courtney, of Louisiana.
Maryke Cramerus, of Texas.
Kenneth B. Davis, of Maryland.
Lynwood M. Dent, Jr., of Virginia.
Steven A. Hardesty, of California.
David E. T. Jensen, of Wisconsin.
Margaret Carnwath Jones, of Pennsylvania.
Charles Kartman, of the District of Columbia.
Charles F. Keil, of Texas.
Michael Klosson, of Maryland.
Daniel James Lawler, Jr., of New York.
Peter Vincent Londono, of Colorado.
Franklin Carl Marcus, of New York.
Gary H. Maybarduk, of Minneosta.
Daniel J. McDade, of California.
Edmond Anthony McGill, Jr., of Pennsylvania.
James M. McGlinchey, of Virginia.
Thomas W. Mears, Jr., of Maryland.
William H. Memler, of Virginia.
William F. Menold, Jr., of Minneosta.
Jeffrey V. S. Millington, of New Jersey.
Mark C. Minton, of Indiana.
William A. Muller, of Michigan.
Mayer Nudell, of California.
Bernard F. Oppel, of Pennsylvania.
Jack P. Orlando, of New York.
William E. Primosch, of the District of Columbia.
Peter A. Quandt, of New York.
Sheldon J. Rapoport, of Connecticut.
Glen R. Rase, of Florida.
Robert Thomas Raymer, of California.
Nancie Anne Schalk, of Virginia.
Peter G. Schoettle, of California.
Robert F. Simmons, Jr., of New York.
Anthony Spakauskas, of Virginia.
Russell J. Sveda, of New York.
Earl A. Wayne, of California.
Marie Welling, of New York.
Gary Williams, of Florida.
Henry C. Zimerowski, of Massachusetts.

For appointment as Foreign Service information officers of class 7, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Kenneth R. Audroué, of Massachusetts.
Ellen S. Berelson, of New York.
William D. Cavness, Jr., of Georgia.
Patrick J. Corcoran, of New York.
John Davis Hamill, of Ohio.
Frank L. Jenista, of New York.
Marjorie E. Smith, of California.
Joseph Stigen-Straubhaar, of California.

For appointment as Foreign Service officers of class 8, consular officers, and secretaries in the Diplomatic Service of the United States of America:

Michael Donald Bellows, of Iowa.
William J. Duffy, of Michigan.
Mark Craig Eaton, of South Dakota.
Gerald Michael Feierstein, of Pennsylvania.
Gregory T. Frost, of Iowa.
Thomas Patrick Furey, Jr., of Oregon.
Wendy Marie Hansen, of New Mexico.
David T. Hopper, of New Jersey.
Edward T. Kelsch, of Kentucky.
Gregory B. Kenny, of New York.
Michael Ben Libenson, of Pennsylvania.
Linda McIntosh, of the District of Columbia.
Edward Joseph Michal, of Colorado.
James A. Pierce, of the District of Columbia.

For appointment as a Foreign Service information officer of class 8, a consular officer, and a secretary in the Diplomatic Service of the United States of America:

Jane Daniel Wilson, of Arizona.

Foreign Service reserve officer to be a consular officer of the United States of America:

Ronald G. Bowling, of West Virginia.

Foreign Service reserve officers to be consular officers and secretaries in the Diplomatic Service of the United States of America:

Dick C. Adams, of Florida.
Gary E. Anderson, of Virginia.
Joel H. Beyer, of Florida.
Vincent S. Daly, of Maryland.
Daniel F. Donohue, of New York.
Dale Warren Dover, of New York.
Michael J. Dubbs, of Indiana.
Barry R. Gibson, of Maine,
Robert J. Hammond, Jr., of Maryland.
Sally L. Harman, of Texas.
Joseph P. Hayes, of Virginia.
Peter G. Holt, of Maine.
Charles William Law, of Maine.
Mati Lohuaru, of Virginia.
Timothy J. Long, of Virginia.
Robert E. MacDonald, of the District of Columbia.
Joseph T. Murphy, of Florida.
Arthur J. Porn, of Virginia.
John J. Robbins, of Missouri.
Royce W. Snyder, Jr., of Virginia.
Gordon D. Sund, of Virginia.
James P. Van Der Rhoer, of Virginia.

Foreign Service reserve officer to be a secretary in the Diplomatic Service of the United States of America:

William E. Handford, of Oregon.

Foreign Service staff officers to be consular officers of the United States of America:

Daniel J. Calloway, of Virginia.
Jacques A. deCoster, of Virginia.
Alan D. Fiers, of Virginia.
Thomas A. Pettit, of Ohio.

IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the National Oceanic and Atmospheric Administration:

To be commanders

Ronald L. Crozier
Carl W. Fisher
John O. Holland
Glen R. Schaefer
John K. Callahan, Jr.

To be lieutenant commanders

Ronald J. Smolowitz
George C. Fuller
William M. Hornick, Jr.
Andrew N. Bodnar, Jr.
Dean R. Seidel
Nicholas A. Prahl
Gerald B. Mills
Dennis Pepe

To be lieutenants

Robert E. Losey
Dirk R. Taylor
Stuart H. Thorson
Patrick D. Harman
Mark A. Miller
Ronald D. Polvi
Kurt X. Gores
Michael S. Bohle
Pamela R. Chelgren
Michael C. McMillan
Andrew W. Armstrong III
Gregory V. Segur
Alan D. Anderson
John A. Murphy
Alan J. Potok
Christopher D. Lawrence

To be lieutenants (junior grade)

Lee R. Doering
William J. Harrigan
Gary S. E. Lagerloef
George A. Baisley
John L. Oswald
Garth W. Stroble
George J. Hauser, Jr.
Andrew M. Snella
Alan H. Yanaway
Kenneth F. Van Train
Thomas G. Russell
David Pasciuti
Kenneth M. Holden II
David L. Rogers
Dennis J. Sigrist
Thomas L. Meyer
John B. Nelson
Robert J. Pawlowski
Fred L. Kleinschmidt

To be ensigns

Guy B. Stanke
Susan J. Brady
Alan R. Bunn
Edward M. Clark, Jr.
Jeffrey D. Conrad
Joseph G. Gofus III
Maurine R. Kenny
Ted I. Lillestolen
Mark F. Sullivan
John M. Tokar
John C. Osborn, Jr.
George D. Carroll
Kent A. Doggett
Stuart E. Garb
Nicholas L. Konchuba
James W. Lyon, Jr.
James F. McGough, Jr.
Patricia A. Pipho
Kenneth G. Vadnais
Neal G. Millett
E. Scott Varney
Roger L. Parsons
Warren T. Dewhurst
Michael J. Kretsch
Gary M. Barone
James W. Peterson
Bryce M. Scott
Stanton M. Ramsey
Kathy J. Doering
Patrick M. Woods
Dean L. Smehil
Lawrence E. Cosgriff

IN THE AIR FORCE

The following-named officer for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10, United States Code, to the grade indicated, to which grade he was appointed during the last recess of the Senate:

To be major general

Maj. Gen. Thomas P. Stafford, [redacted] [redacted]FR (lieutenant colonel, Regular Air Force), U.S. Air Force.

IN THE ARMY

The following U.S. Army Reserve officer for appointment to the grade of brigadier general, Army of the United States, and brigadier general, U.S. Army Reserve, under the provisions of title 10, United States Code, sections 593a, 3371, 3442 and 3447:

To be brigadier general

Col. Russell Ivan Berry, [redacted].

The following U.S. Army Reserve officer for appointment to the grade of brigadier general, U.S. Army Reserve, under the provisions of title 10, sections 593a and 3371:

To be brigadier general

Col. Demetri Michael Spiro, [redacted].

The Army National Guard of the United States officer named herein for promotion as Reserve commissioned officer of the Army under the provisions of title 10, United States Code, sections 593(a) and 3385:

To be brigadier general

Col. Thomas Kennon Williams, Jr., [redacted] [redacted].

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. John Blatsos, [redacted].
Brig. Gen. Kennedy Cornelius Bullard, [redacted] [redacted].
Brig. Gen. Franklin Everett Miles, [redacted] [redacted].

To be brigadier general

Col. Thomas Craft Armstrong, [redacted].
Col. James George Sieben, [redacted].
Col. James LeRoy Spence, [redacted].
Col. William David Weller, [redacted].

IN THE NAVY

Adm. Means Johnston, Jr., U.S. Navy, for appointment to the grade of admiral on the retired list, pursuant to the provisions of title 10, United States Code, section 5233.

Vice Adm. Robert S. Salzer, U.S. Navy, for appointment to the grade of vice admiral on the retired list pursuant to the provisions of title 10, United States Code, section 5233.

The following-named Reserve officers of the U.S. Navy for permanent promotion to the grade of rear admiral:

LINE

James Grealish
Philip C. Koelsch
Robert N. Pitner
Frank B. Guest, Jr.
Richard G. Altmann
John R. Rohleder
Robert M. Garrick

MEDICAL CORPS

William J. Mills, Jr.

SUPPLY CORPS

Lee E. Landes

CIVIL ENGINEER CORPS

Philip V. King

JUDGE ADVOCATE GENERAL'S CORPS

Hugh H. Howell, Jr.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Andrew W. O'Donnell
Adolph G. Schwenk
Herbert L. Wilkerson
Clarence H. Schmid
Arthur J. Poillon
Kenneth McLennan
Joseph Koler, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

Francis W. Tief
Calhoun J. Killeen
Edward J. Megarr
William B. Fleming
Charles G. Cooper
John K. Davis
Darrel E. Bjorklund
George L. Bartlett
Richard C. Schulze
William R. Maloney
Charles D. Roberts, Jr.

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of major general:

Harold Chase
Robert E. Friedrich

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of brigadier general:

Jack M. Frisbie
Dorsey J. Bartlett

IN THE AIR FORCE

The following Air National Guard of the United States officers for promotion in the Reserve of the Air Force under the provisions of section 593(a), title 10 of the United States Code, as amended:

LINE OF THE AIR FORCE

To be lieutenant colonel

Maj. Alfred T. Bachman, [redacted].
Maj. Raymond L. Barrett, [redacted].
Maj. Robert L. Cole, [redacted].
Maj. Jacques J. Creppel, [redacted].
Maj. Robert A. Crisp, [redacted].
Maj. George H. Damato, [redacted].
Maj. Denton D. Diestler, [redacted].
Maj. Billy C. Edwards, [redacted].
Maj. Thomas R. Elliott, Jr., [redacted].
Maj. Robert L. Faux, [redacted].
Maj. Charles J. Gebhardt, [redacted].
Maj. Ronald L. Godbey, [redacted].
Maj. Thaddeaus R. Harper, [redacted].
Maj. Stephen Havas, [redacted].
Maj. William J. Hooks, Jr., [redacted].
Maj. Ralph H. Jenkins, [redacted].
Maj. Ralf C. Kuehnel, [redacted].
Maj. Ronald H. Langley, [redacted].
Maj. Theodore F. Lowe, Jr., [redacted].
Maj. Darryl E. Montgomery, [redacted].
Maj. Gail E. Morgan, [redacted].
Maj. James W. Powers, [redacted].
Maj. Wayne A. Robertson, [redacted].
Maj. William E. Scott, Sr., [redacted].
Maj. William D. Seiber, [redacted].
Maj. Donald M. Soignet, [redacted].

MEDICAL CORPS

Maj. Charles A. T. Foreman, [redacted].

The following-named officers for promotion as a Reserve of the Air Force, under the appropriate provisions of chapter 35 and 837, title 10, United States Code.

LINE OF THE AIR FORCE

Major to lieutenant colonel

Abert, Karl J., [redacted].
Addison, Edwin S., III, [redacted].
Akins, Alvin A., [redacted].
Albea, Wyatt B., Jr., [redacted].
Alexander, George W., [redacted].
Alford, Kenneth J., [redacted].
Allen, Robert J., [redacted].
Allsop, Dale A., [redacted].
Alpers, Fred E., [redacted].
Anderson, Francis O., [redacted].
Anderson, Richard D., [redacted].
Andrews, Robert E., [redacted].
Apple, Robert N., [redacted].
Arcilesi, Salvatore A., [redacted].
Arvo, Waino E., Jr., [redacted].
Augustine, Mark E., Jr., [redacted].
Ayers, Richard L., [redacted].
Babcock, Daniel L., [redacted].
Bachman, Joseph M., Jr., [redacted].
Baczewski, Matthew T., [redacted].
Baer, John C., [redacted].
Bailey, George C., Jr., [redacted].
Bainbridge, Martin K., [redacted].
Bake, Louis S., Jr., [redacted].
Baker, Douglas B., [redacted].
Balcom, Ralph C., [redacted].
Baldwin, William H., [redacted].
Balint, Stephen J., [redacted].
Balkcum, Bryant O., [redacted].
Ballard, Neil E., [redacted].
Barden, Alvin L., [redacted].
Barger, Richard V., [redacted].
Barker, John H., [redacted].
Barrett, John L., Jr., [redacted].
Barrett, Thomas E., [redacted].
Bartholf, Charles R., [redacted].
Batliner, Leo F., [redacted].
Beasley, Milam W., Jr., [redacted].
Beatty, Robert N., [redacted].
Beckens, Lowell G., [redacted].
Beckman, Edward H., [redacted].
Beckman, Richard B., [redacted].
Behre, Roger E., [redacted].
Belgau, Stephen A., [redacted].
Bell, James W., [redacted].
Benedek, Armand, [redacted].
Benson, George E., Jr., [redacted].
Berg, Lawrence W., [redacted].
Bernard, Richard O., [redacted].
Bertrand, Richard E., [redacted].
Bevilacqua, Joseph, [redacted].
Biddle, William W., [redacted].
Bishop, Kenneth, [redacted].
Bissett, William F., Jr., [redacted].
Bjorkman, James F., [redacted].
Bjornsen, Leroy A., [redacted].
Black, Geoffrey S., [redacted].
Blackmon, John A., Jr., [redacted].
Blacksher, Uriel W., [redacted].
Blalock, Gerald D., [redacted].
Bocci, George A., [redacted].
Boede, William C., [redacted].
Bonin, Jerry F., [redacted].
Borgeson, Charles A., [redacted].
Bosse, Paul G., [redacted].
Botsford, Ronald A., [redacted].
Bottomly, Byron E., [redacted].
Bourbon, Richard W., [redacted].
Boutwell, Isaac M., [redacted].
Bowen, David H., [redacted].
Boyden, Robert W., [redacted].
Bracke, George P., [redacted].
Bradley, Robert L., Jr., [redacted].
Brandes, Herbert P., [redacted].
Brauer, Walter H., [redacted].
Brechbuhler, Wanda M., [redacted].
Breihan, Roger R., [redacted].
Brett, George E., III, [redacted].
Brewer, James H., [redacted].
Brezinsky, Allen E., [redacted].
Briggs, Robert S., [redacted].
Bright, Thomas A., [redacted].
Brink, Donald W., [redacted].
Brinson, Kinsey A., [redacted].
Bristol, Harry W., [redacted].
Broadhurst, Frank S., [redacted].
Brooks, Robert A., [redacted].
Brooks, William L., [redacted].
Brown, Francis B., [redacted].
Brown, Marvin E., [redacted].
Brown, Orval L., [redacted].
Brown, Paul A., [redacted].
Brown, Richard L., [redacted].
Brown, Robert K., [redacted].
Brown, Ronald G., [redacted].
Brown, Samuel M., [redacted].
Bruce, Robert C., [redacted].
Bruner, Maxwell Jr., [redacted].
Brzezinski, Michael S., Jr., [redacted].
Buchanan, Lynn K., [redacted].
Buchanan, Robert B., [redacted].
Buchsbaum, Paul, [redacted].
Buck, Melvin V., [redacted].
Buckel, Charles A., [redacted].
Bucklin, Lyman A., [redacted].
Burgess, Thomas K., [redacted].
Burkart, Charles W., Jr., [redacted].
Burnham, Don B., [redacted].
Burns, James W., [redacted].
Burnsed, Charles L., [redacted].
Burr, Lavern H., [redacted].
Burton, Jerry M., [redacted].
Butchin, Samuel B., [redacted].
Butler, Harold S., Jr., [redacted].
Butler, James H., [redacted].
Butler, William M., [redacted].
Calhoun, Gilbert T., Jr., [redacted].
Cali, Andrew, III, [redacted].
Callaghan, Thomas E., [redacted].
Callis, Theodore, [redacted].
Campbell, Roger L., [redacted].
Canaan, Larry J., [redacted].
Cannon, William E., [redacted].
Card, Douglas R., [redacted].
Carlstrom, David E., [redacted].
Carnes, George F., Jr., [redacted].
Carr, William H., [redacted].
Carroll, Peter L., [redacted].
Carrow, Roy J., Jr., [redacted].
Carter, Richard G., [redacted].
Carter, Warren J., [redacted].
Cartwright, Don J., [redacted].
Case, Dean R., [redacted].
Castberg, James P., [redacted].
Castellone, Louis J., [redacted].
Castle, Deland D., [redacted].
Castro, Oswald M., [redacted].
Cauthen, Melton D., [redacted].
Chancellor, Lee, [redacted].
Chaput, Paul T., [redacted].
Charte, William E., [redacted].
Chavez, William, [redacted].
Chewing, Jack, [redacted].
Chicca, Leo D., [redacted].
Choate, David E., [redacted].
Christensen, Wendell N., [redacted].
Christian, Frank M., [redacted].
Church, Glenn J., [redacted].
Chutek, Anthony B., [redacted].
Clark, Edward R., [redacted].
Clark, Jerry B., [redacted].
Clark, John J., Jr., [redacted].
Clark, John S., [redacted].
Clemens, Robert A., [redacted].
Clendening, Warren E., [redacted].
Clesson, Edwin E., [redacted].
Cohan, John M., [redacted].
Cohen, Bernard, [redacted].
Colbert, Donald J., [redacted].
Colbert, Donald L., [redacted].
Coleman, Bruce P., [redacted].
Colson, Kenneth R., [redacted].
Comar, Ernest M., [redacted].
Comer, Howard E., Jr., [redacted].
Condon, Richard B., [redacted].
Coniglione, Carmine, [redacted].
Copsey, Ronald L., [redacted].
Cornett, Robert L., [redacted].
Costello, Lewis M., [redacted].
Cotton, David L., [redacted].
Covell, James A., [redacted].
Cratty, Bernard, [redacted].
Crowe, Clyde W., [redacted].
Crowner, Jack M., [redacted].
Cuffari, Paul I., [redacted].
Culp, Sherman A., [redacted].
Curl, David H., [redacted].
Cutting, Sam, [redacted].
Dalke, Dean R., [redacted].
Dandrea, Eugene M., [redacted].
Daniels, Dale R., [redacted].
Darling, Robert E., [redacted].
Dartez, Curley J., [redacted].
Davis, Hugh E., [redacted].
Davis, Larry M., [redacted].
Dawson, Charles W., [redacted].
Day, William R., [redacted].
Dean, Douglas L., [redacted].
Deblasi, Richard A., [redacted].
Deckard, Clyde C., Jr., [redacted].
Decker, Paul E., [redacted].
Decleene, Joseph E., Jr., [redacted].
Decoe, Richard J., [redacted].
Delaney, John P., [redacted].

Demers, Harrison H., [redacted].
Demitriades, Paul B., [redacted].
Denardo, George A., [redacted].
Dennison, Robert R., [redacted].
Deppe, Herbert J., [redacted].
Desin, Allan N., [redacted].
Devlin, Robert B., [redacted].
Devriend, Gustave, [redacted].
Dilzell, William T., [redacted].
Disalvo, John C., [redacted].
Dixon, Wyatt T., Jr., [redacted].
Doennebrink, Frederick A., [redacted].
Dolley, Carleton H., [redacted].
Donald, Henry L., [redacted].
Donley, William H., [redacted].
Donnellon, John N., [redacted].
Dooley, Kenneth D., [redacted].
Dorffi, William E., [redacted].
Dorfman, Donald P., [redacted].
Dorn, Raymond J., [redacted].
Dorn, Robert B., Jr., [redacted].
Downing, Donald W., [redacted].
Doyle, Robert E., [redacted].
Drake, Richard J., [redacted].
Draper, John P., [redacted].
Driano, Dominick V., [redacted].
Driggers, Charles R., [redacted].
Dubbert, James W., [redacted].
Duffy, Daniel M., [redacted].
Duffy, Edward R., [redacted].
Dunn, John J., [redacted].
Dunn, Philip G., [redacted].
Durante, William V., [redacted].
Durek, Thomas A., [redacted].
Durham, Tom D., Jr., [redacted].
Duvall, Leland R., [redacted].
Dye, Ronald G., [redacted].
Dyslin, Dale A., [redacted].
Easley, James J., [redacted].
Eastin, Philip M., [redacted].
Eddins, Boyd L., [redacted].
Edrington, John D., Jr., [redacted].
Edwards, James O., Jr., [redacted].
Edwards, William B., [redacted].
Eggers, Robert E., [redacted].
Elliot, Robert M., [redacted].
Ellis, Ryan B., [redacted].
Elvidge, Robert S., [redacted].
Emmert, Calvin H., [redacted].
Endrikat, Fred R., [redacted].
Engelberg, Sanford H., [redacted].
England, Thomas G., [redacted].
Ennis, George S., Jr., [redacted].
Ennis, Ralph E., Jr., [redacted].
Enzler, Joseph J., [redacted].
Ericson, Donald W., [redacted].
Essigmann, Karl P., [redacted].
Essl, Edward A., Jr., [redacted].
Estill, Frank S., Jr., [redacted].
Evans, Hawthorne C., Jr., [redacted].
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Foster, James O., [redacted].
Foust, Wilson A., Jr., [redacted].
Fowler, Frederick V., Jr., [redacted].
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Whitesides, Stephen E., [redacted].
Wiegleb, Frederick L., [redacted].
Wight, William L., [redacted].
Wilkey, Harry D., [redacted].
Wilkins, James A., [redacted].
Wilkinson, Frank S., [redacted].
Wilkinson, John S., [redacted].
Willard, Wayne P., [redacted].
Williams, Charles E., [redacted].
Williams, Charles U., II, [redacted].
Williams, Floyd W., [redacted].
Williams, John J., [redacted].
Willms, Emil F., Jr., [redacted].
Wilson, Charles G., [redacted].
Wilson, Gail H., [redacted].
Wilson, Norman G., [redacted].
Wilson, William J., [redacted].
Wilson, William P., Jr., [redacted].
Wilson, William R., [redacted].
Wing, Jerry L., [redacted].
Wiser, William D., Jr., [redacted].
Witemeyer, John S., [redacted].
Witherington, Aubrey T., [redacted].
Wolcott, George A. D., [redacted].
Wolf, Delman L., [redacted].
Wolfe, Leland K., [redacted].
Wolfer, Frereric F., [redacted].
Wolters, Donald R., [redacted].
Wood, Calvin L., [redacted].
Worrell, Robert D., [redacted].
Wren, George C., [redacted].
Wrobleski, Charles F., [redacted].
Wyers, Paul T., [redacted].
Wyles, Duane C., [redacted].
Yanney, Robert H., [redacted].
Yarchever, Jerome, [redacted].
Yonemoto, James T., [redacted].
Yoshiura, Seichi, [redacted].
You, Francis C. H., [redacted].
Young, Lyle E., [redacted].
Yount, David A., [redacted].
Zamarra, Louis, [redacted].
Zanaty, Wadell C., Jr., [redacted].
Zegadlo, Raymond W., [redacted].
Zenor, Carl A., [redacted].
Ziegler, Donald G., [redacted].
Zimmerman, Marvin F., [redacted].

CHAPLAIN

Andreasen, Samuel G., [redacted].
Black, Richard M., [redacted].
Boehlke, Melvin R., [redacted].
Braafladt, Paul, [redacted].
Bridges, William H., [redacted].
Brown, James R., [redacted].
Crosby, Charles E., [redacted].
Deadwyler, George V., [redacted].
Flaherty, William J., [redacted].
Flood, Wallace D., [redacted].
Heaps, Charles M., [redacted].
Hutcheson, Kenyon, [redacted].
Johnson, Curtis G., [redacted].
Lyons, John F., [redacted].
Mabry, Paul E., [redacted].
McClatchy, John P., [redacted].
McGarry, Joseph P., [redacted].
Mooney, Donald J., [redacted].
Panitz, Seymour M., [redacted].
Parker, John B., [redacted].
Petrowsky, Arthur E., [redacted].
Phillips, J. E. Clayton, [redacted].
Pope, John M., [redacted].
Raines, William H., [redacted].
Renfroe, John C., [redacted].
Richardson, George R., [redacted].
Rodgers, Glen E., [redacted].
Roe, Edward D., [redacted].
Rooks, Charles E., [redacted].
Schreiter, Daniel A., [redacted].
Schwartzkopf, Elmer J., [redacted].
Shaffer, Robert K., [redacted].
Sides, Jack K., [redacted].
Washington, Warner B., Jr., [redacted].
Willard, Kenneth V., [redacted].
Wisse, Donald P., [redacted].

DENTAL CORPS

Adams, Robert N., [redacted].
Cleveland, William C., [redacted].
Dodson, Charles A., [redacted].
Esmay, John C., [redacted].
Harmer, Jay F., [redacted].
Iannazzo, Salvatore, [redacted].
Jamar, Joseph F., [redacted].
Micek, John J., [redacted].
Murrell, Charles E., Jr., [redacted].
Nill, Christian W., [redacted].
Nowicki, Robert S., [redacted].
Rhyne, Robert R., [redacted].
Ricks, Claude L., Jr., [redacted].
Wiess, Richard T., [redacted].

MEDICAL CORPS

Beals, Norman K., Jr., [redacted].
Demarco, Salvatore J., III, [redacted].
Jensen, Eric M., [redacted].
Lindgren, Ivan T., [redacted].
McLean, Preston A., [redacted].
Mumby, Robert C., [redacted].
Pennington, Richard D., [redacted].
Pummill, Charles L., [redacted].
Sklenar, Donald E., [redacted].
Snyder, Clarence D., [redacted].
Thomason, Thomas L., [redacted].

NURSE CORPS

Abbott, Joanne L., [redacted].
Adam, Patricia L., [redacted].
Anaya, Victoria T., [redacted].
Aungst, Constance L., [redacted].
Bash, Eleanor J., [redacted].
Bellinghausen, Helen R., [redacted].

Bishop, Mary E., [redacted].
Bishop, Virginia M., [redacted].
Borneman, Lorraine A., [redacted].
Bruce, Mary F., [redacted].
Buchanan, Alice M., [redacted].
Burns, Norma L., [redacted].
Capps, Sarah F., [redacted].
Carroll, Margaret E., [redacted].
Cater, Carmen M., [redacted].
Cosmea, Gloria A., [redacted].
Davis, Eleanore L., [redacted].
Davis, Maryln T., [redacted].
Depriest, Martha E., [redacted].
Dobbins, Mary L., [redacted].
Doerig, Idonna L., [redacted].
Dutra, Vivian, [redacted].
Engelstad, Shirley B., [redacted].
Fraser, Margaret S., [redacted].
Gabbert, Bettye J., [redacted].
Goodwin, Myrtle B., [redacted].
Grubaugh, Mary A., [redacted].
Grysh, Hildegarde E., [redacted].
Gutierrez, Herlinda, [redacted].
Heil, Rosella C., [redacted].
Hester, Martha V., [redacted].
Hilquist, Clara A., [redacted].
Holt, Maurita E., [redacted].
Jaquez, Belen B., [redacted].
Johnson, Charlene M., [redacted].
Jorgensen, Marilyn J., [redacted].
Kiehlbauch, Clara R., [redacted].
Kocik, Helen G., [redacted].
Kuhne, Alice L., [redacted].
Mahoney, Margaret J., [redacted].
Matthews, Daphine, [redacted].
Matuzek, Lorraine I., [redacted].
Maul, Phyllis R., [redacted].
McSweeney, Patricia I., [redacted].
Mitchell, Bernice, [redacted].
Nagle, Phyllis J., [redacted].
Nord, Bonita F., [redacted].
Norris, Helen M., [redacted].
Penta, Dorothea T., [redacted].
Prue, Mildred S., [redacted].
Pugh, Georgie B., [redacted].
Rapp, Margaret I., [redacted].
Rheaume, Therese J., [redacted].
Robertson, Margaret J., [redacted].
Sanson, Marion H., [redacted].
Sisk, Jeannine E., [redacted].
Smiley, Martha J., [redacted].
Splawn, Eunice E., [redacted].
Strachan, Shirley A., [redacted].
Stransky, Arlene M., [redacted].
Sulger, Evelyn M., [redacted].
Szalwinski, Mary F., [redacted].
Tenyo, Sophie, [redacted].
Vatamaniuck, Eugenia, [redacted].
Vaughn, Mary L., [redacted].
Williams, Hazel L., [redacted].
Wolf, Josephine L., [redacted].

MEDICAL SERVICE CORPS

Praucher, Charles L., [redacted].
Collins, Stephen B., [redacted].
Crume, Elwyn E., [redacted].
Donatelli, Peter N., [redacted].
Gowings, Dan D., [redacted].
Hale, Roy E., [redacted].
Hicks, Warren S., Jr., [redacted].
Isaksen, Victor E., Jr., [redacted].
McCaffrey, Charles R., Sr., [redacted].
Pearce, James T., [redacted].
Picton, Harold D., [redacted].
Rauk, Neil H., [redacted].
Sarmo, Thomas G., [redacted].
Thompson, Martin W., [redacted].

VETERINARY CORPS

Anderson, Howard F., [redacted].
Burgher, Clarence M., [redacted].
Christenberry, Curtis C., [redacted].
Craig, Dan J., [redacted].
Diamond, Sheldon S., [redacted].
Duff, John E., [redacted].
Feeter, James W., [redacted].
Fetter, Arthur W., [redacted].
Hempel, Hugo O. III, [redacted].
Hutchinson, Lea R., [redacted].
Imes, George D., Jr., [redacted].
Klemm, William R., [redacted].
Krupp, Jerome H., [redacted].
Ryno, Richard R., [redacted].
Shiels, John A., [redacted].
Snyder, Gerald R., [redacted].
Stunkard, Jim A., [redacted].
Williams, Curtis L., [redacted].

BIOMEDICAL SCIENCES CORPS

Bleything, Willard B., [redacted].
Grubbs, Howard B., [redacted].
Kealoha, Patricia M., [redacted].
Olson, Robert H., [redacted].
Stewart, Bonnie J., [redacted].
Sullivan, Walter B., Jr., [redacted].
Wichers, Max F., [redacted].

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

LINE OF THE AIR FORCE

Major to lieutenant colonel

Aamodt, Clark E., [redacted].
Abbott, Charles E., [redacted].
Abbott, Joseph S., Jr., [redacted].
Abel, Jerry L., [redacted].
Abel, Richard F., [redacted].
Abell, John B., [redacted].
Achor, John N., [redacted].
Acres, Robert D., [redacted].
Adams, Floyd P., [redacted].
Adams, Francis R., Jr., [redacted].
Adams, Harlen G., [redacted].
Adams, Paul P., [redacted].
Adams, Ralph E., [redacted].
Adams, Richard E., [redacted].
Adcock, Billy D., [redacted].
Adkisson, Robert B., [redacted].
Ahlefelder, Henry J., [redacted].
Aiken, James R., [redacted].
Albers, Bernard F., [redacted].
Albes, Robert J., [redacted].
Alberts, John R., [redacted].
Albertsen, John S., [redacted].
Albright, Theodore L., [redacted].
Alcock, Nolan C., [redacted].
Alder, James W., [redacted].
Alderman, Winters G. H., [redacted].
Aldrich, Richard B., [redacted].
Aldrich, William S., [redacted].
Alexander, Dean E., [redacted].
Alexander, Douglas M., [redacted].
Alexander, James W., [redacted].
Alexander, Michael H., [redacted].
Alexander, Robert M., III, [redacted].
Alexander, Ronald S., [redacted].
Alexander, William D., [redacted].
Allbritton, James W., [redacted].
Alldever, Duane G., [redacted].
Allee, Robert S., [redacted].
Alleman, George T., Jr., [redacted].
Allen, Bennie R., [redacted].
Allen, Benny J., [redacted].
Allen, David H., [redacted].
Allen, Ira F., [redacted].
Allen, Melvin L., [redacted].
Allen, Theodore J., [redacted].
Allfrey, William D., [redacted].
Allison, George B., [redacted].
Allison, John C., [redacted].
Allison, Paul J., [redacted].
Allison, Thayer W., [redacted].
Allman, Fred D., [redacted].
Allred, Ralph L., [redacted].
Almeter, Francis J., [redacted].
Alser, Donald J., [redacted].
Altieri, Michael A., [redacted].
Ames, Donald L., [redacted].
Ammon, Glendon L., [redacted].
Amsler, Gordon M., [redacted].
Amundson, John D., [redacted].
Anderson, Allen L., Jr., [redacted].
Anderson, Austin D., [redacted].
Anderson, B. C., Jr., [redacted].
Anderson, Billy W., [redacted].
Anderson, Bruce D., [redacted].
Anderson, Charles T., [redacted].
Anderson, Darrell L., [redacted].
Anderson, David L., [redacted].
Anderson, Don L., [redacted].
Anderson, Edwin M., Jr., [redacted].
Anderson, Francis B., [redacted].
Anderson, George M., [redacted].
Anderson, Glenwood J., [redacted].
Anderson, Jerry B., [redacted].
Anderson, John M., [redacted].
Anderson, John M., [redacted].
Anderson, Mylus G., [redacted].
Anderson, Neil R., [redacted].
Anderson, Richard E., [redacted].
Anderson, Robert D., [redacted].
Anderson, Warren L., [redacted].
Anderson, Wayne C., Jr., [redacted].
Anderson, William G., [redacted].
Anderson, William L., [redacted].
Ando, Joe K., [redacted].
Andraitis, Arthur A., [redacted].
Ankenbrandt, Gerald D., [redacted].
Ankerstar, Bradley D., [redacted].
Ansberry, Thomas H., [redacted].
Anthony, Alexander E., Jr., [redacted].
Appel, Bernard, [redacted].
Apple, Nick P., [redacted].
Applebaugh, Robert G., [redacted].
Arata, Harold J., [redacted].
Arata, Paul F., III, [redacted].
Arcari, Paul W., [redacted].
Archer, James B., [redacted].
Arenas, Thomas J., [redacted].
Armstrong, Dwight A., [redacted].
Armstrong, Spence M., [redacted].
Arnau, Robert R., [redacted].
Arnet, Charles D., [redacted].
Arnold, Albert G., [redacted].
Arnold, Edwin A., [redacted].
Asbury, Francis L., [redacted].
Ashcraft, Robert G., [redacted].
Ashenberger, Richard H., [redacted].
Ashley, Daniel L., Jr., [redacted].
Ashley, Paul D., [redacted].
Ashley, Wendell R., [redacted].
Ashnault, Paul O., [redacted].
Aslin, Clinton H., [redacted].
Atchley, Jimmie O., [redacted].
Atkins, David G., [redacted].
Atkinson, Gary D., [redacted].
Atkinson, Rowland R., Jr., [redacted].
Aulbach, George F., Jr., [redacted].
Aunapu, Donald S., [redacted].
Austin, George A., [redacted].
Austin, Larry M., [redacted].
Avey, Donald B., [redacted].
Avila, George C., Jr., [redacted].
Avila, Miguel A., [redacted].
Aviles, Arturo, Jr., [redacted].
Axelton, Larry E., [redacted].
Aycock, James W., Jr., [redacted].
Babbitt, Frank K., Jr., [redacted].
Babcock, Leon W., Jr., [redacted].
Baber, Ralph K., [redacted].
Babin, Shirly A., [redacted].
Bachelor, James T., [redacted].
Bachman, Kenneth J., [redacted].
Backhaus, Murray D., [redacted].
Backues, Billy G., [redacted].
Baechle, William, [redacted].
Baetz, Gary D., [redacted].
Bagley, Bobby R., [redacted].
Bagwell, Robert E., [redacted].
Bagwell, William L., [redacted].
Bailes, Onnie L., Jr., [redacted].
Bailey Charles S., [redacted].
Bailey, Donald R., [redacted].
Bain, Donald W., Jr., [redacted].
Bainum, Charles W., [redacted].
Baird, David M., [redacted].
Baird, George F., [redacted].
Baird, Kenneth R., [redacted].
Baird, Robert V., [redacted].
Baird, Sidney A., [redacted].
Baird, William F., Jr., [redacted].
Baker, Charles L., [redacted].
Baker, Elmo C., [redacted].
Baker, Marlin R., [redacted].
Baker, Thomas P., Jr., [redacted].
Baker, Ward J., [redacted].
Baldasari, Paul, [redacted].
Balish, Donald G., [redacted].
Balko, Curtis P., [redacted].

Ballard, Arthur T., Jr., [redacted].
Ballif, Bruce B., [redacted].
Balogh, John C., [redacted].
Baltzell, Robert E., [redacted].
Banks, George G., [redacted].
Banks, Marlon C., [redacted].
Banks, Webb F., [redacted].
Bannon, John P., [redacted].
Barger, Philip J., [redacted].
Bargery, Basil L., [redacted].
Barker, Ronald L., [redacted].
Barlow, Wesley J., [redacted].
Barlow, William J., [redacted].
Barnard, Austin A., Jr., [redacted].
Barnes, Edd G., [redacted].
Barnes, Gordon L., [redacted].
Barnes, Robert C., [redacted].
Barnes, Walter E., III, [redacted].
Barnum, Dale C., [redacted].
Barott, Philip J., [redacted].
Barras, Gregory I., [redacted].
Barrett, William R., [redacted].
Barron, Larry L., [redacted].
Barron, Richard A., [redacted].
Bartek, Albert S., [redacted].
Bartels, Allan E., Jr., [redacted].
Bartholomew, David B., [redacted].
Bartholomew, Owen, [redacted].
Bartholomew, Richard A., [redacted].
Bartlett, Dean D., [redacted].
Bartlett, Stanley D., [redacted].
Barton, George C., [redacted].
Barton, Gerard S., [redacted].
Barton, Larry K., [redacted].
Bartosh, John F., [redacted].
Baskett, Silas R., [redacted].
Bass, Gordon, [redacted].
Bass, Thomas D., [redacted].
Bassett, Cecil A., Jr., [redacted].
Bassett, James R., [redacted].
Batchelor, Charles C., [redacted].
Bates, Albert R., [redacted].
Bates, Bobby J., [redacted].
Bates, Charles T., [redacted].
Bates, Wayne E., [redacted].
Batson, Billy W., [redacted].
Batson, Clinton E., [redacted].
Batson, Louis R., Jr., [redacted].
Battle, Ed I., [redacted].
Bauer, Richard F., [redacted].
Baugh, William J., [redacted].
Bauman, Edward J., [redacted].
Baumgardner, Max E., [redacted].
Baumgartner, Daniel J., [redacted].
Baumgartner, William P., [redacted].
Baxter, Edward G., [redacted].
Bayless, Thomas H., [redacted].
Bayly, Philip A., [redacted].
Beale, Robert S., [redacted].
Beall, Charles B., Jr., [redacted].
Beall, George S., [redacted].
Beamer, Harold F., [redacted].
Beard, James P., [redacted].
Beardsley, Clarence J., [redacted].
Beardsley, Ralph J., [redacted].
Beatty, Joseph A., [redacted].
Beaudoin, Clarence J., Jr., [redacted].
Beckley, Jerry S., [redacted].
Beckman, Rodney B., [redacted].
Bedke, Ernest A., [redacted].
Bedsworth, Bobby D., [redacted].
Beer, Carl N., [redacted].
Beery, Raymond E., [redacted].
Behunin, Otto E., [redacted].
Belden, David L., [redacted].
Belinne, Francis, [redacted].
Belknap, Dennis J., [redacted].
Bell, Jimmie E., [redacted].
Belli, Robert E., [redacted].
Bellinger, Richard A., [redacted].
Bellion, Clement E., Jr., [redacted].
Bender, Leo H., [redacted].
Bendrick, Frank E., [redacted].
Benedict, Donald F., [redacted].
Benedict, Ronald J., [redacted].
Benet, Lorenzo P., Jr., [redacted].
Bengston, Don S., [redacted].
Bennett, Clyde E., [redacted].
Bennett, Robert E., [redacted].
Benson, Douglas W., [redacted].
Benson, Lonnie D., [redacted].
Benson, Ronald N., [redacted].
Bent, Peter W., [redacted].
Benton, Charles R., [redacted].
Bentz, Richard, [redacted].
Beoddy, John J., [redacted].
Beran, John F., [redacted].
Berg, Allan G., [redacted].
Berger, Lawrence W., [redacted].
Bergman, Arthur J., [redacted].
Bernal, Albert M., [redacted].
Bernasconi, Louis H., [redacted].
Berroth, Karl G., Jr., [redacted].
Berry, Kay I., [redacted].
Berryhill, James V., [redacted].
Berthold, David F., Jr., [redacted].
Bethke, George E., [redacted].
Beuke, Theodore R., [redacted].
Beyer, Robert C., Jr., [redacted].
Beyer, William R., [redacted].
Bianckino, Richard A., [redacted].
Bianco, Frank A., [redacted].
Bibb, Kenneth C., [redacted].
Biehn, Paul T., [redacted].
Biersack, Elmer R., [redacted].
Biggar, Kaye H., [redacted].
Biggs, Robert L., [redacted].
Billings, Wilbur D., [redacted].
Billington, George R., [redacted].
Bills, Alfred E., [redacted].
Billy, George J., [redacted].
Bilott, Raymond L., [redacted].
Binish, Robert H., [redacted].
Birchman, Clifton A., [redacted].
Bird, John R., [redacted].
Bird, Lewis L., Jr., [redacted].
Birkett, Robert C., [redacted].
Birkner, Harry, [redacted].
Birmingham, Daniel J., Jr., [redacted].
Birr, Thomas G., [redacted].
Birt, Joseph A., [redacted].
Bischoff, Keith M., [redacted].
Bishop, Arthur N., [redacted].
Bittaker, Joe R., [redacted].
Bitton, John B., [redacted].
Bittrolff, Eugene E., [redacted].
Bjorkman, Paul H., [redacted].
Black, William H., [redacted].
Blackwell, Eldred E., [redacted].
Blackwell, John W., [redacted].
Blair, Richard L., [redacted].
Blair, William D., [redacted].
Blake, Daniel, Jr., [redacted].
Blake, Donald P., [redacted].
Blake, Thomas C., Jr., [redacted].
Blakely, Norman D., [redacted].
Blakely, Robert A., [redacted].
Blaker, William A., [redacted].
Blanchard, Phillip B., [redacted].
Blanchard, Wesley K., [redacted].
Bland, William J., [redacted].
Blandford, James C., [redacted].
Blank, Emanuel T., [redacted].
Blanton, Harvey B., Jr., [redacted].
Blanton, John W., [redacted].
Blaufuss, Philipp R., [redacted].
Bliss, Alonzo O., III, [redacted].
Bliss, Theodore E., [redacted].
Blocher, Robert M., [redacted].
Block, Emil N., Jr., [redacted].
Blossman, Eugene S., Jr., [redacted].
Blum, Joseph J., [redacted].
Bockelman, Harold L., [redacted].
Boddie, James T., Jr., [redacted].
Bodenhamer, Kenneth D., [redacted].
Boe, Harold T., [redacted].
Boggess, Lawrence L., [redacted].
Bogiages, Christos C., Jr., [redacted].
Boice, Russell T., Jr., [redacted].
Boinest, James W., [redacted].
Boivin, Richard H., [redacted].
Bolduc, Roger J., [redacted].
Bolin, John W., Jr., [redacted].
Bolstad, Richard E., [redacted].
Bolte, Wayne L., [redacted].
Bonanni, Peter A., [redacted].
Bond, Doyle H., Jr., [redacted].
Bond, Gerald E., [redacted].
Bond, Wayne C., [redacted].
Bonderer, Lawrence F., [redacted].
Boockholdt, John C., [redacted].
Boone, Earle M., [redacted].
Boone, Orville B., Jr., [redacted].
Boone, Roland T., [redacted].
Boos, Albert G., III, [redacted].
Booth, William K., [redacted].
Boots, Thomas E., [redacted].
Borel, James C., [redacted].
Borland, Jack G., [redacted].
Bors, Joseph C., [redacted].
Boshoven, Bernard W., [redacted].
Bott, Ernest G., [redacted].
Bottoms, William H., Jr., [redacted].
Bouchard, Philippe O., [redacted].
Bouldin, Ronnie O., [redacted].
Boulware, Robert H., [redacted].
Bourgeois, James E., [redacted].
Bouton, Lloyd M., [redacted].
Bowden, Charles K., [redacted].
Bowen, Stuart W., [redacted].
Bowers, Robert N., [redacted].
Bowman, Robert M., [redacted].
Bowman, Robert U., [redacted].
Boyd, Harry V., [redacted].
Boydstone, James B., [redacted].
Boyland, John S., [redacted].
Boyle, Thomas E., [redacted].
Brabson, George D., Jr., [redacted].
Brackett, Donald F., [redacted].
Braddock, Julian C., [redacted].
Braden, Robert H., [redacted].
Bradley, Bruce V., [redacted].
Bradley, Charles W., [redacted].
Bradley, James P., Jr., [redacted].
Bradshaw, Claude J., Jr., [redacted].
Brady, Conal J., Jr., [redacted].
Braeden, Cecil H., [redacted].
Brakebill, Dale L., [redacted].
Bramwell, Stanley K., [redacted].
Brandon, Francis E., Jr., [redacted].
Brandt, Paul E., [redacted].
Brandt, Thomas C., [redacted].
Brannon, Gordon L., [redacted].
Branson, Duane C., [redacted].
Branton, Charles E., [redacted].
Braswell, Steve, [redacted].
Brattkus, Arthur L., [redacted].
Bray, John R., Jr., [redacted].
Breckner, William J., Jr., [redacted].
Bregman, Morton, [redacted].
Brehm, Lawrence R., [redacted].
Brennan, William F., [redacted].
Breslin, Leo H., [redacted].
Brewer, Stanley M., [redacted].
Briggs, Roger M., [redacted].
Brigman, David A., [redacted].
Brimm, James S., [redacted].
Brindley, Gary W., [redacted].
Brinson, Kenneth G., [redacted].
Brister, Eric J., [redacted].
Bristow, John L., [redacted].
Brittain, Charles R., [redacted].
Brittain, Douglas B., [redacted].
Britton, Alonzo G., [redacted].
Broadway, Cary L., [redacted].
Broberg, Paul W., [redacted].
Brock, Eugene B., [redacted].
Brockman, Lawrence E., Jr., [redacted].
Brocks, James H., [redacted].
Brodie, Richard N., [redacted].
Brog, David, [redacted].
Brooks, Donald L., [redacted].
Brooks, Elmer T., [redacted].
Brooks, Jackson P., [redacted].
Brooks, Jerrell W., [redacted].
Brooks, Kenneth L., [redacted].
Brooks, Richard L., [redacted].
Broschat, Donald F., Sr., [redacted].
Brotherston, Joseph H., [redacted].
Brotnov, Harmon M., [redacted].
Broussard, Arthur E., Jr., [redacted].
Broussard, William F., [redacted].
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Tubb, Donald J., xxx-xx-xxxx.
Tucker, Sidney L., xxx-xx-xxxx.
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Tuttle, George G., xxx-xx-xxxx.
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Uhrich, Edward, xxx-xx-xxxx.
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Underhill, George, Jr., xxx-xx-xxxx.
Underwood, David B., xxx-xx-xxxx.
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Urevich, Ralph J., xxx-xx-xxxx.
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Ursini, Samuel M., xxx-xx-xxxx.
Usher, William R., xxx-xx-xxxx.
Ussery, Bobby J., xxx-xx-xxxx.
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Vacin, Frank L., xxx-xx-xxxx.
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Vance, David R., xxx-xx-xxxx.
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Vandriel, Charles E., xxx-xx-xxxx.
Vanhook, James R., xxx-xx-xxxx.
Vanhorn, Arthur E., xxx-xx-xxxx.
Vanhoutum, Richard K., xxx-xx-xxxx.
Vanmeter, Thomas R., xxx-xx-xxxx.
Vanness, Charles R., xxx-xx-xxxx.
Vanree, Harold G., xxx-xx-xxxx.
Vanry, Charles D., xxx-xx-xxxx.
Vanslambrook, Richard T., xxx-xx-xxxx.
Vanwinkle, Wayne E., xxx-xx-xxxx.
Vanzandt, Richard D., xxx-xx-xxxx.
Vargo, Ronald L., xxx-xx-xxxx.
Varnum, John W., xxx-xx-xxxx.
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Vautrindt, Theodore A., xxx-xx-xxxx.
Verble, David E. L., xxx-xx-xxxx.
Verfurth, Jan E., xxx-xx-xxxx.
Vernon, Roland M., xxx-xx-xxxx.
Verrelli, David M., xxx-xx-xxxx.
Vestal, Perry M., xxx-xx-xxxx.
Vick, Dewain C., xxx-xx-xxxx.
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Voehl, Richard K., xxx-xx-xxxx.
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Volkmann, Thomas L., xxx-xx-xxxx.
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Von, Vernon M. H., xxx-xx-xxxx.
Vondersmith, William M., xxx-xx-xxxx.
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Waddell, Franklin D., xxx-xx-xxxx.
Waddill, Roger G., xxx-xx-xxxx.
Waddle, Bobby G., xxx-xx-xxxx.
Wade, Conrad L., xxx-xx-xxxx.
Waggoner, Robert F., xxx-xx-xxxx.
Wagner, Eugene P., xxx-xx-xxxx.
Wagner, Paul E., xxx-xx-xxxx.
Wagner, Richard A., xxx-xx-xxxx.
Wagner, Richard N., xxx-xx-xxxx.
Wagner, Robert B., xxx-xx-xxxx.
Wagner, Robert L., xxx-xx-xxxx.
Wagnon, Jerry R., xxx-xx-xxxx.
Wagoner, Paul D., xxx-xx-xxxx.
Waikem, Frederick U., xxx-xx-xxxx.
Waiss, Terrill F., xxx-xx-xxxx.
Wakafuji, James I., xxx-xx-xxxx.
Wakefield, Thomas E., xxx-xx-xxxx.
Walbridge, James S., xxx-xx-xxxx.
Waldbillig, Robert M., xxx-xx-xxxx.
Walden, Charles E., xxx-xx-xxxx.
Waldman, James H., xxx-xx-xxxx.
Walker, Donald E., xxx-xx-xxxx.
Walker, Leonard S., III, xxx-xx-xxxx.
Walker, Lorenz J., xxx-xx-xxxx.
Walker, Norman B., xxx-xx-xxxx.
Walker, Phillip N., xxx-xx-xxxx.
Walker, Whitney C., xxx-xx-xxxx.
Walkowski, Raymond J., xxx-xx-xxxx.
Wallace, Bruce M., Jr., xxx-xx-xxxx.
Wallace, George B., xxx-xx-xxxx.
Wallace, Jarrell R., xxx-xx-xxxx.
Wallace, Matthew B., xxx-xx-xxxx.
Wallace, Richard S., xxx-xx-xxxx.
Wallace, Thomas L., xxx-xx-xxxx.
Wallin, Donovan, L., xxx-xx-xxxx.
Walter, Charles W., xxx-xx-xxxx.
Walter, Donald H., xxx-xx-xxxx.
Walters, Alan B., xxx-xx-xxxx.
Walters, Merrill B., xxx-xx-xxxx.
Waltman, Donald G., xxx-xx-xxxx.
Waltz, Burton L., xxx-xx-xxxx.
Ward, Brien D., xxx-xx-xxxx.
Ward, David M., xxx-xx-xxxx.
Ward, James E., xxx-xx-xxxx.
Ward, Ronald J., xxx-xx-xxxx.
Wargowsky, Richard G., xxx-xx-xxxx.

Warinner, Algernon S., II, [redacted].
Warloe, Roger O., [redacted].
Warne, Evans E., [redacted].
Warner, Glenn A., [redacted].
Warner, Morris T., Jr., [redacted].
Warner, Ronald L., [redacted].
Wathen, John A., [redacted].
Watkins, Frederick L., [redacted].
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Watson, Ronald W., [redacted].
Watts, George O., [redacted].
Watts, Keith P., [redacted].
Waugh, Jimmie G., [redacted].
Weatherford, Roscoe L., Jr., [redacted].
Weaver, James A., Jr., [redacted].
Weaver, Kenneth L., [redacted].
Weaver, Philip A., [redacted].
Weaver, Richard C., [redacted].
Weaver, Robert L., Jr., [redacted].
Weaver, Robert W., [redacted].
Weaver, Thomas G., [redacted].
Webb, Gerald M., [redacted].
Webb, Leonard W., [redacted].
Webber, Peter J., [redacted].
Weber, Alban L., [redacted].
Weber, Daniel R., [redacted].
Weber, Lee E., [redacted].
Weber, Paul L., [redacted].
Webster, Donald N., [redacted].
Webster, Fate L., [redacted].
Weida, Ralph E., [redacted].
Weigel, Robert D. P., [redacted].
Weiner, Arthur C., [redacted].
Weiner, Sidney W., [redacted].
Weiss, Bernard L., [redacted].
Weiss, James E., [redacted].
Weissenborn, Ronald E., [redacted].
Wejroch, Joseph L., Jr., [redacted].
Welch, John F., [redacted].
Welch, Larry D., [redacted].
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Welles, Harrison D., [redacted].
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Wells, Edwin V., [redacted].
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West, Dennis G., [redacted].
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West, Jerry G., [redacted].
Westcott, Lawrence P., [redacted].
Westcott, Russel G., Jr., [redacted].
Wester, Donald E., [redacted].
Westhausen, Gary H., [redacted].
Wetzel, Richard W., [redacted].
Wetzel, William T., [redacted].
Whalen, Donald L., [redacted].
Whalen, James P., [redacted].
Wharton, Browning C., Jr., [redacted].
Wheeler, Elmer G., Jr., [redacted].
Wheeler, Karl A., [redacted].
Wheeler, Terrence G., [redacted].
Wheeler, William H., [redacted].
White, Alford M., Jr., [redacted].
White, George A., [redacted].
White, James W., Jr., [redacted].
White, Joseph T., [redacted].
White, Leslie W., [redacted].
White, Milton E., [redacted].
Whitehouse, Larry V., [redacted].
Whitener, James C., [redacted].
Whiteside, Jack H., [redacted].
Whitman, John F., [redacted].
Whitney, Richard K., [redacted].
Whitt, Joe B., [redacted].
Whitten, William E., [redacted].
Whitwell, Franklin C., [redacted].
Wichy, Bismarck, [redacted].
Wicker, Thomas J., [redacted].
Wickwar, Richard N., [redacted].
Wiese, Richard B., [redacted].
Wilby, Walter L., [redacted].
Wilde, James B., [redacted].
Wilkinson, Thomas C., [redacted].
Will, Jimmy D., [redacted].
Williams Arthur B., Jr., [redacted].
Wiliams, Bob F., [redacted].
Williams, Chester Y., [redacted].
Williams, David M., [redacted].
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Willis, Robert E., [redacted].
Wilma, Douglas C., [redacted].
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Wilson, Albert H., [redacted].
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Wilson, Kenneth V., [redacted].
Wilson, Powell J., Jr., [redacted].
Wilson, Samuel W., [redacted].
Wilson, Thomas E., [redacted].
Wilson, William C., [redacted].
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Winborn, Sam R., Jr., [redacted].
Wing, Richard L., [redacted].
Wingate, Dale E., [redacted].
Wingertzahn, James R., [redacted].
Wingfield, Billy J., [redacted].
Wink, Frank R., [redacted].
Winkler, John L., Sr., [redacted].
Winkler, Roy N., [redacted].
Winner, Donn C., [redacted].
Winston, Donald K., [redacted].
Winters, Albert C., Jr., [redacted].
Wirth, Peter C., [redacted].
Wirth, William R., [redacted].
Wise, Lee B., [redacted].
Wiseman, William R., [redacted].
Wissert, James L., [redacted].
Withrow, Bobby L., [redacted].
Witzig, Herman R., [redacted].
Woche, Paul R., Jr., [redacted].
Wojahn, John R., [redacted].
Wolf, Donald K., [redacted].
Wolf, Richard H., [redacted].
Wolfe, John W., [redacted].
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Wolfkeil, Wayne B., [redacted].
Wolford, Leland, [redacted].
Wollaston, Dean E., [redacted].
Wolniewicz, Peter F., [redacted].
Wolverton, James R., [redacted].
Womack, Vernon L., [redacted].
Womack, Willis G., [redacted].
Womble, William O., [redacted].
Wood, Barry O., [redacted].
Wood, David B., [redacted].
Wood, Don C., [redacted].
Wood, Floyd D., [redacted].
Wood, James E., [redacted].
Woodcock, Gerald E., [redacted].
Woodhull, Richard G., Jr., [redacted].
Woodnal, Robert F., [redacted].
Woods, Thomas W., [redacted].
Woodson, Sidney B., [redacted].
Woodworth, Richard D., [redacted].
Woolwine, David F., [redacted].
Wootton, Wayne F., [redacted].
Worrick, Mark J., [redacted].
Wortman, Llewellyn F., Jr., [redacted].
Wray, Robert D., [redacted].
Wright, Charles W., [redacted].
Wright, Chris D., [redacted].
Wright, Clifton D., Jr., [redacted].
Wright, James R., [redacted].
Wright, Richard D., [redacted].
Wright, Sidney J., [redacted].
Wyatt, James G., [redacted].
Wyman, Myron L., [redacted].
Wyrick, Carl A., [redacted].
Yager, Donald E., [redacted].
Yamada, Hisad, [redacted].
Yamamoto, Toru, [redacted].
Yancey, Kenneth E., Jr., [redacted].
Yankowski, Nicholas, [redacted].
Yarrington, Arthur, [redacted].
Yates, Donald R., [redacted].
Yeabower, John A., [redacted].
Yeager, Jerry L., [redacted].
Yearsley, William R., [redacted].
Yingst, H. S., [redacted].
Yoder, Robert D., [redacted].
Young, James G., [redacted].
Young, John F., [redacted].
Youngblood, Russell W., [redacted].
Youngstedt, Gene L., [redacted].
Younkman, Robert J., [redacted].
Yount, Charles F., [redacted].
Yow, Bobby, [redacted].
Yuill, John H., [redacted].
Zacharias, Jon E., [redacted].
Zachary, John D., [redacted].
Zahhos, Danny, [redacted].
Zaike, Donald A., [redacted].
Zalewski, Leonard A., [redacted].
Zambiasi, Raymond J., [redacted].
Zampino, Robert J., [redacted].
Zani, Robert C., [redacted].
Zarnowiec, Felix L., [redacted].
Zdeb, Paul D., [redacted].
Zeeck, Richard C., [redacted].
Zeller, Eldon W., [redacted].
Zeybel, Henry L., [redacted].
Zielinski, Chester A., Jr., [redacted].
Zienert, Clarence E., [redacted].
Ziman, Robert L., [redacted].
Zimmerman, Ralph, [redacted].
Zink, H. J., [redacted].
Zinnecker, Bennett B., [redacted].
Zopf, William D., Jr., [redacted].
Zuckerman, Donald L., [redacted].

Chaplains

Abernethy, Alfred J., [redacted].
Barcome, Earl W., [redacted].
Bause, George H., Jr., [redacted].
Bizer, Waldemar A., [redacted].
Black, Bobby C., [redacted].
Braun, Serran R., [redacted].
Brown, Preston C., Jr., [redacted].
Browne, Vincent T., [redacted].
Buckalew, Lester T., [redacted].
Condon, Thomas W., Jr., [redacted].
Czarnota, Reynold A., [redacted].
Doonan, John A., [redacted].
Flinn, James E., [redacted].
Fox, Winston P., [redacted].
Francis, Donald K., [redacted].
Gibson, Vancil V., [redacted].
Halloran, Jerome D[redacted].
Hardin, Newton R. N., [redacted].
Hayes, Harold E., [redacted].
Hines, Dale A., [redacted].
Hunt, Mansfield E., [redacted].
Jay, Mearle H., [redacted].
Kilpatrick, August C., [redacted].
Kingsley, Earl J., II, [redacted].
Lengel, Stuart H., Jr., [redacted].
Ludwig, Paul W., Jr., [redacted].
Madden, Wayne S., [redacted].
McDonald, Paul F., [redacted].
McManus, Robert T., [redacted].
Moreau, Ernest P., [redacted].
Mundinger, Carl S., Jr., [redacted].
Myers, James T., [redacted].
Nebiolo, Emilio, [redacted].
Nelson, Sigurd J., [redacted].
O'Connor, Maurice J., [redacted].
O'Malley, James G., [redacted].
Rasberry, John E., [redacted].
Reed, William H., [redacted].
Rice, Frank A., [redacted].

Roberts, John B. G., Jr., [redacted].
Schneider, Edward L., [redacted].
Shoupe, Edward E., [redacted].
Smith, Eldon R., Jr., [redacted].
Smith, Malcolm E., [redacted].
Sprowl, Richard E., [redacted].
Taylor, James R., [redacted].
Vaughn, Earl F., [redacted].
Wragg, Paul H., Jr., [redacted].

DENTAL CORPS

Amy, Donald H., [redacted].
Aslanis, James T., [redacted].
Awtry, Teddy D., [redacted].
Baer, Marvin L., [redacted].
Battock, Richard O., [redacted].
Beardslee, Eric E., [redacted].
Bernhard, Lee F., [redacted].
Bernui, Rolando, [redacted].
Berte, Joseph J., [redacted].
Bigalke, James F., [redacted].
Boyle, William D., Jr., [redacted].
Brown, Cecil E., Jr., [redacted].
Buchen, Bayard A., [redacted].
Burch, Robert A., [redacted].
Burrows, Bradley H., [redacted].
Butz, Donald J., [redacted].
Calem, Herbert M., [redacted].
Cecconi, Bert T., [redacted].
Charron, Thomas W., [redacted].
Corrigan, William J., [redacted].
Costley, Albert W., Jr., [redacted].
Crockett, Leonard D., [redacted].
Doran, John E., [redacted].
Eberly, David S., [redacted].
Fowler, James A., Jr., [redacted].
Franciose, Angelo, [redacted].
Francis, Evan D., [redacted].
Frisbie, Orton D. [redacted].
Fry, Hiram R., [redacted].
Garner, Robert S., [redacted].
Gerhardt, Donald E., [redacted].
Gibson, Ronald M. E., [redacted].
Giertych, Henry A., Jr., [redacted].
Granger, Dale T., [redacted].
Grayson, Frank W., [redacted].
Grochowski, Daniel C., [redacted].
Hall, Paul C., [redacted].
Hawkins, Maynard A., [redacted].
Helder, John C., [redacted].
Infeld, Paul, [redacted].
Killoy, William J., [redacted].
Krenzel, Daniel J., [redacted].
Krusee, Paul A., [redacted].
Lee, Lawrence M. H., [redacted].
Legan, Joseph J., [redacted].
Lehman, Carl A., [redacted].
Leichtman, William S., [redacted].
Marks, Thomas C., [redacted].
McKinney, James F., [redacted].
Miller, Charles D., [redacted].
Morgan, John P., [redacted].
Morse, Donald P., [redacted].
Nadeau, James E., [redacted].
Ohta, Ralph M. [redacted].
Orman, Albert G., [redacted].
Rehg, Paul J., [redacted].
Richards, Ellsworth R., [redacted].
Richardson, William D. [redacted].
Sanders, Dick W., [redacted].
Shiller, Edwin B., [redacted].
Simmonds, Charles R., [redacted].
Skweir, Michael J., Jr., [redacted].
Steed, Donald L., [redacted].
Stobie, James L., [redacted].
Svensson, Ernest D., [redacted].
Swanson, Ben Z., Jr., [redacted].
Swayne, Paul R., [redacted].
Swimley, Dwight C., [redacted].
Wee, Clifford G. H., [redacted].
Welker, William A., [redacted].
Wellins, Stanley L., [redacted].
Wysocki, Stanley F., [redacted].

Judge Advocates

Applegate, James E., [redacted].
Arnts, Donald F., [redacted].
Ball, Thomas V., [redacted].
Bayus, Richard M., [redacted].
Bowden, Fred L., [redacted].
Brinson, Alfred C., [redacted].
Butler, Alva J. [redacted].
Cooke, William M., [redacted].
Early, William N., [redacted].
Fay, Elvir A., [redacted].
Goodall, Sim W., [redacted].
Griffies, William H., [redacted].
Haines, Robert D., [redacted].
Hill, Vaughn E., [redacted].
Holte, Roger L., [redacted].
Irving, Bruce, [redacted].
Keenan, Thomas P., Jr., [redacted].
Lee, Richard R., [redacted].
Murphy, John T., [redacted].
Nelson, Keithe F. [redacted].
Nero, James J., [redacted].
Peyser, Daniel B., [redacted].
Phillips, B. Ellis, [redacted].
Pollock, Arnold H., [redacted].
Ratcliff, Kenneth E., [redacted].
Reimer, Gary B., [redacted].
Riccio, Charles A., Jr., [redacted].
Schieman, Gordon E., [redacted].
Shreve, Larry W., [redacted].
Smith, Howard K., [redacted].
Stirk, John J., [redacted].
Teagarden, C. C., [redacted].
Templeton, Williamb P., [redacted].
Thorpe, Norman R., [redacted].
Templeton, William P., [redacted].
Trout, Richard B., [redacted].
Wendel, Gary C., [redacted].
Williams, Douglas L., [redacted].

Medical Corps

Alcazar, Esteban A., [redacted].
Bennett, Raymond S., Jr., [redacted].
Bielstein, Henry V. A., [redacted].
Bratton, Jack L., [redacted].
Burney, Robert E., II, [redacted].
Campbell, John L., II, [redacted].
Chambers, Clint E., [redacted].
Chapman, Calvin C., [redacted].
Chapman, Robert M., [redacted].
Christensen, Dennis W., [redacted].
Coursey, John W., [redacted].
Curtis, Kenneth W., Jr., [redacted].
Dehart, Roy L., [redacted].
Dunn, Jared M., [redacted].
Ferguson, Emmett B., Jr., [redacted].
Franks, Bert M., [redacted].
Grillo, Donald, [redacted].
Hallewell, John D., [redacted].
Hart, James E., [redacted].
Hauver, Robert C., [redacted].
Heimbach, Richard D., [redacted].
Hermann, Elmer R., Jr., [redacted].
Igelman, Jon M., [redacted].
Jennings, James F., [redacted].
Johnson, Willard L., Jr., [redacted].
King, William H., [redacted].
Martinezoferrall, Jose A., [redacted].
Mauk, Bryant D., [redacted].
Mediavilla, Antonio F., [redacted].
Metheny, Ralph S., Jr., [redacted].
Narboni, Gino R., [redacted].
Neal, Joseph A., [redacted].
Neisler, James W. H., [redacted].
Nonas, Constantine J., [redacted].
Perkins, Robert S., [redacted].
Poel, Robert W., [redacted].
Reynolds, Ralph D., [redacted].
Rogers, John R., [redacted].
Self, Robert G., [redacted].
Shapiro, Stephen R., [redacted].
Shirley, Louis A., [redacted].
Sloan, Alexander M., [redacted].
Smith, Oren R., Jr., [redacted].
Stahl, Norman L., [redacted].
Turk, Robert P., [redacted].
Vanvonderen, Vernon R., [redacted].
Walter, William H., III, [redacted].
Weber, Carl H., Jr., [redacted].
White, Jerry A., [redacted].
Whiteside, Clarence K., Jr., [redacted].
Wildemann, Mark F., [redacted].
Williams, Ariel L., Jr., [redacted].
Willis, John C., [redacted].
Wood, Edward H., [redacted].
Zimmerman, Frank W., Jr., [redacted].

Nurse Corps

Ball, Evelyn F., [redacted].
Barnes, Peggy J. T., [redacted].
Barry, Mary E., [redacted].
Bemis, Elizabeth B., [redacted].
Bennett, Leland R., [redacted].
Boatright, Mary A., [redacted].
Byron, Lois J., [redacted].
Carter, Phyllis J., [redacted].
Clementi, Mary F., [redacted].
Daniels, Della J., [redacted].
Davenport, Lorraine M., [redacted].
Dean, Charlene R., [redacted].
Deffner, Mary R., [redacted].
Duval, Lorraine M., [redacted].
Ellis, Pauline V., [redacted].
Engle, Raye C., [redacted].
Farrell, George E., II, [redacted].
Farrell, Patricia A., [redacted].
Fellin, Elizabeth T., [redacted].
Florence, Susie A., [redacted].
Foley, Eileen H., [redacted].
Furfure, Joseph A., [redacted].
Gilbertson, Joan C., [redacted].
Giniewski, Mary T., [redacted].
Googe, Marjorie C., [redacted].
Greene, Mary B., [redacted].
Hale, Beatrice J., [redacted].
Harris, Nancy S., [redacted].
Hause, Helen E., [redacted].
Heath, Lois M., [redacted].
Hosmer, Marilyn E., [redacted].
Huffman, Marcia C., [redacted].
Jones, Florence L., [redacted].
Kanz, Rita G., [redacted].
Kirby, Dennis J., [redacted].
Klajnowski, Martha G., [redacted].
Lawrence, Annie L., [redacted].
Lynch, Mary C., [redacted].
Maine, Hugh C., [redacted].
Matheson, Billie G., [redacted].
McLaughlin, Mary L., [redacted].
Merrow, Jean T., [redacted].
Miller, Frances R., [redacted].
Miyagawa, Cora H., [redacted].
Moran, Barbara M., [redacted].
Moyer, Donald S., [redacted].
Mumper, Monna L., [redacted].
Nakatani, Lilly A., [redacted].
Navarro, Pete, [redacted].
Novotny, Dorothy R., [redacted].
Obarr, Joyce E., [redacted].
Ohrt, Valerie A., [redacted].
Parcells, Phyllis P., [redacted].
Phillips, Hazel L., [redacted].
Powers, Joan E., [redacted].
Pratt, Leroy O., [redacted].
Radvansky, Mary E., [redacted].
Richardson, Evelyn G., [redacted].
Santacroce, Anthony F., [redacted].
Sargent, Arlene M., [redacted].
Schrader, Biddie R., [redacted].
Shaffer, Joan A., [redacted].
Sidisin, Ruth K., [redacted].
Skler, Rose, [redacted].
Staudenmaier, Herbert V., [redacted].
Strippy, Elizabeth J., [redacted].
Swansburg, Russell C., [redacted].
Thale, Margaret M., [redacted].
Tucker, Ona M., [redacted].
Watson, Herbert T., [redacted].
Welsh, Dorothy M., [redacted].
Wetherby, Shirley M., [redacted].
White, Betty J., [redacted].
Williams, Sara J., [redacted].

MEDICAL SERVICE CORPS

Bluhm, John L., [redacted].
Clark, Gerald R., [redacted].
Collom, James D., [redacted].
Corley, Horace A., [redacted].
Corum, B. H., [redacted].
Dansby, Bradley L., Jr., [redacted].
Demuth, William J., Jr., [redacted].
Farringer, John R., [redacted].
Gildner, John L., [redacted].
Grady, Eddie L., Jr., [redacted].
Graves, Frederick J., [redacted].
Kaplan, Burton, [redacted].
Kelley, Ronald L., [redacted].
Lensch, John P., [redacted].
Lindsley, Adolph A., [redacted].
Lund, Richard A., [redacted].
Mansfield, William P., Jr., [redacted].

McAfee, Charles A., [redacted].
Morgan, Josephine A. L., [redacted].
Mugford, Frank M., [redacted].
O'Connor, James P., [redacted].
Pence, James M., [redacted].
Penner, Norman R., [redacted].
Pomeroy, Gary J., [redacted].
Pridgen, Aubrey W., [redacted].
Reevesman, Sanford L., [redacted].
Rosenthal, Harry, [redacted].
Schussele, Jerry H., [redacted].
Scolaro, Dominic C., [redacted].
Slagel, Ronald V., Jr., [redacted].
Wells, Darius L., [redacted].

VETERINARY CORPS

Anstadt, George L., [redacted].
Ashby, William T., [redacted].
Blackman, Daniel A., [redacted].
Britz, William E., Jr., [redacted].
Brown, Richard J., [redacted].
Carter, Vernon L., Jr., [redacted].
Casey, Harold W., [redacted].
Ewing, Dean E., [redacted].
Kupper, James L., [redacted].
Mackenzie, William F., [redacted].
McKinney, Hubert E., [redacted].
Olson, Roland C., [redacted].
Parker, Cleveland L., [redacted].
Pryor, William H., Jr., [redacted].
Rychener, John H., [redacted].
Shannon, Robert O., [redacted].
Smith, Alvin W., [redacted].
Springs, John M., Jr., [redacted].
Sturges, Dewey V., [redacted].
Temple, Harold G., [redacted].
Tom, Henry K., Jr., [redacted].
Williams, Walter W., [redacted].
Wise, David, [redacted].
Wisecup, William G., [redacted].

BIOMEDICAL SCIENCES CORPS

Burns, Carol H., [redacted].
Choisser, Donald C., [redacted].
Cravotta, Charles A., Jr., [redacted].
Elliott, Albert M., [redacted].
Foley, Thomas J., Jr., [redacted].
Gunter, James J., [redacted].
Haffer, Charles T., [redacted].
Hartley, James E., [redacted].
Higgins, Donald D., [redacted].
Hill, Sherwood S., [redacted].
Johnson, Jordan D., Jr. [redacted].
Keleske, Dolores P., [redacted].
Kingsley, Willard E., [redacted].
Margolis, Hannah S., [redacted].
Maxwell, Muriel O., [redacted].
McKinney, Vernor L., [redacted].
Meade, John P., [redacted].
Noe, Edward R., [redacted].
Page, Carolyn T., [redacted].
Pilmer, Richard B., [redacted].
Pizzuto, Joseph S., [redacted].
Podkin, Marvin, [redacted].
Rubin, Martin G., [redacted].
Sadanaga, John Y., [redacted].
Schenkel, Edward F., [redacted].
Smith, Billy S., [redacted].
Spence, Kenneth J., [redacted].
Steffen, Robert, [redacted].

The following-named Air Force officer for reappointment to the active list of the Regular Air Force in the grade indicated, under the provisions of sections 1210 and 1211, title 10, United States Code:

LINE OF THE AIR FORCE

To be major

McClary, James B., Jr., [redacted].

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8607, title 10, United States Code, to perform the duties indicated, and with the dates of rank to be determined by the Secretary of the Air Force:

DENTAL CORPS

To be captain

Seifried, James R., [redacted].

To be first lieutenant

Justice, Owen W., [redacted].

The following officers for promotion in the Air Force Reserve, under the provisions of sections 8376 and 593, title 10, United States Code:

MEDICAL CORPS

Lieutenant colonel to colonel

San Diego, Armando G., [redacted].

LINE OF THE AIR FORCE

Major to lieutenant colonel

Frazer, David E., [redacted].
Dewitt, Clinton, [redacted].
Dugas, Russell G., [redacted].
Erickson, Douglas M., [redacted].
Gaither, Wyndell C., [redacted].
Gallagher, George, [redacted].
Griffin, James W., [redacted].
Hatch, Ralph E., [redacted].
Henningsen, Donald E., [redacted].
Hoo, Calvin B. T., [redacted].
Koll, Charles H., [redacted].
Landman, Nelson B., [redacted].
Little, Bille D., [redacted].
Manz, Joe E., Jr., [redacted].
Peck, Vincent B., [redacted].
Posey, Charles E., [redacted].
Smith, Earl C., [redacted].

MEDICAL CORPS

Campbell, Jene D., [redacted].
Jacobs, Wesley R., [redacted].
Lefton, Theodore E., [redacted].
Sherman, Howard H., [redacted].
Silver, James A., [redacted].

NURSE CORPS

Arseneau, Audrey E., [redacted].
Cote, Klarika J., [redacted].
Gabbert, Bettye J., [redacted].
Haga, Phyllis A., [redacted].
Hiltz, Ronald G., [redacted].
McCampbell, Ruth M., [redacted].
Patton, Patricia C., [redacted].

MEDICAL SERVICE CORPS

Dawson, Emmett B., [redacted].

BIOMEDICAL SCIENCES CORPS

Cox, Hugh N., [redacted].
Sinclair, Richard D., [redacted].

The following-named persons for appointment as Reserve of the Air Force in the grade indicated, under the provisions of section 593, title 10, United States Code, with a view to designation under the provisions of section 8067, United States Code, to perform the duties indicated:

MEDICAL CORPS

To be lieutenant colonel

Abramson, David, [redacted].
Bauer, Edward C. R., [redacted].
Calene, James G., [redacted].
Collins, William R., [redacted].
Edinger, Albert G., Jr., [redacted].
Fromhagen, Carl, Jr., [redacted].
Horton, Granville E., [redacted].
Hoyer, Thomas V., [redacted].
Jay, Byron B., [redacted].
Kendall, Colin H. G., [redacted].
King, Elmer G., [redacted].
Lundblad, Wilfred M., [redacted].
McClure, James E., [redacted].
Michael, Calvin A., [redacted].
Montgomery, Robert N., [redacted].
Niles, James E., [redacted].
Phelps, Herschel R., Jr., [redacted].
Pike, Benjamin F., [redacted].
Roger, Nestor L., [redacted].
Sapio, Fred J., [redacted].
Sisson, William R., [redacted].
Van Leeuwen, Gerald J., [redacted].
Wherry, David C., [redacted].

DENTAL CORPS

To be lieutenant colonel

Hammelman, James A., [redacted].

The following person for appointment as a Reserve of the Air Force, in the grade indicated, under the provisions of section 593, title 10, United States Code:

LINE OF THE AIR FORCE

To be lieutenant colonel

Moskowitz, Saul, [redacted].

The following officer for appointment as a Reserve of the Air Force (ANGUS), in the grade indicated, under the provisions of sections 593, 8351, and 8392, title 10, United States Code:

LINE OF THE AIR FORCE

To be colonel

Wright, Emory M., [redacted].

The following officer for appointment as a Reserve of the Air Force, in the grade indicated, under the provisions of sections 593 and 1211, title 10, United States Code:

LINE OF THE AIR FORCE

To be lieuntenant colonel

Foster, Thomason R., [redacted].

The following officer for appointment as a Reserve of the Air Force (ANGUS), in the grade indicated, under the provisions of sections 593 and 8351b, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duty indicated:

CHAPLAIN

To be colonel

Cooke, Bruce H., [redacted].

The following-named persons for appointment as temporary officers in the U.S. Air Force, in the grade indicated, under the provisions of sections 8444 and 8447, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated:

MEDICAL CORPS

To be lieutenant colonel

Abramso, David, [redacted].
Bauer, Edward C. R., [redacted].
Bice, Clarence M., [redacted].
Calene, James G., [redacted].
Castro, Juan M., [redacted].
Collins, William R., [redacted].
Dissen, Paul T., [redacted].
Donovan, Robert J., [redacted].
Edinger, Albert G., Jr., [redacted].
Fry, Delos H., [redacted].
Garcia, Felipe C., [redacted].
Gilman, Robert T., [redacted].
Graham, David E., [redacted].
Hagen, William M., [redacted].
Hoche, Georges A., [redacted].
Horton, Granville E., [redacted].
Hover, Thomas V., [redacted].
Huber, Stanley J., [redacted].
Jay, Byron B., [redacted].
Keilly, John E., [redacted].
Kendall, Colin H. G., [redacted].
Kercher, Raymond L., [redacted].
Lundblad, Wilfred M., [redacted].
Mapes, Donald L., [redacted].
McClure, James E., [redacted].
Michael, Calvin A., [redacted].
Mickey, Marilyn A., [redacted].
Montgomery, Robert N., [redacted].
Niles, James E., [redacted].
Richter, Jaroslav K., [redacted].
Roger, Nestor L., [redacted].
Sample, Robert L., [redacted].
Sapio, Fred J., [redacted].
Shipp, Robert H., [redacted].
Sisson, William R., [redacted].
Van Leeuwen, Gerald J., [redacted].
Warrender, Charles L., [redacted].
Wax, Howard B., [redacted].
Winter, Oliver S., [redacted].

The following officers for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be major

Carpenter, George W., Jr., [redacted].
Coady, Thomas J., [redacted].
Donald, Henry L., [redacted].
Dunham, Robert L., [redacted].
Wililams, Arnold, [redacted].

To be captain

Abbey, Dennis O., [redacted].
Abraham, Warren E., [redacted].
Adams, Nathaniel J., [redacted].
Allen, Roger L., [redacted].
Anderson, Neal T., [redacted].
Anderson, Thomas W., [redacted].
Armstrong, Gerald R., [redacted].
Arnestad, James A., [redacted].
Bauder, John W., [redacted].
Bauer, Bruce L., [redacted].
Baumann, Norman J., [redacted].
Beard, Robert J., [redacted].
Beckman, Richard H., [redacted].
Bell, Kenneth B., [redacted].
Bergseth, Robert R., [redacted].
Bernard, Paula A., [redacted].
Bethea, Philip P., III, [redacted].
Boasso, Herbert J., Jr., [redacted].
Bollman, James R., [redacted].
Bouvier, Ronald D., [redacted].
Bowen, Paul B., [redacted].
Breland, John G., Jr., [redacted].
Brown, Mervin R., Jr., [redacted].
Burch, Robert E., [redacted].
Burkholder, James A., Jr., [redacted].
Cabral, William R., [redacted].
Cali, Richard, [redacted].
Campbell, Burton W., [redacted].
Carmack, Wayne A., [redacted].
Chamberlain, Peter W., [redacted].
Champion, Archie J., Jr., [redacted].
Chandler, Vincent, [redacted].
Chockley, Julian H. M., [redacted].
Christon, Christopher L., [redacted].
Cimino, William A., Jr., [redacted].
Clark, Gary E., [redacted].
Cochran, Dennis R., [redacted].
Collins, James M., [redacted].
Cook, Larry T., [redacted].
Costello, John S., [redacted].
Cseh, Thomas A., [redacted].
Defreese, William C., [redacted].
Denigris, Michael P., [redacted].
Depp, Herbert D., [redacted].
Dinsmore, David W., [redacted].
Doman, Allan M., [redacted].
Dopson, George F., [redacted].
Dumond, John, [redacted].
Durante, Blaise J., [redacted].
Edwards, Robert D., [redacted].
Elder, Frank R., Jr., [redacted].
Emanuel, Alice L., [redacted].
England, David A., [redacted].
Evans, Harry R., [redacted].
Fallness, Ronald W., [redacted].
Finaraaten, James A., [redacted].
Forrester, Ronald G., [redacted].
Fortin, Thomas D., [redacted].
Fowler, William T., [redacted].
Fullerton, Brian R., [redacted].
Funk, Charles W., [redacted].
Fuquay, Gary H., [redacted].
Gearhart, Bruce E., Jr., [redacted].
Gibson, Gary P., [redacted].
Grabda, John F., Jr., [redacted].
Greeley, Andrew T., [redacted].
Greene, Edward A., [redacted].
Griff, John P., [redacted].
Gutterson, Roger S., [redacted].
Hale, Dwight B., Jr., [redacted].
Hardy, Richard F., [redacted].
Harrell, Thomas L., [redacted].
Hebfbrand, Roger C., [redacted].
Heffernan, John P., Jr., [redacted].
Hegarty, Kevin F., [redacted].
Helfrich, James F., [redacted].
Hill, James S., [redacted].
Hill, William R., [redacted].
Hirko, Michael J., [redacted].
Hoffman, Jerome E., [redacted].
Hurwitz, Steven, [redacted].
Janson, Stephen P., [redacted].
Janzen, James A., [redacted].
Jeffreys, Myron D., [redacted].
Jemiola, James M., [redacted].
Jendrek, John P., Jr., [redacted].
Joest, James E., [redacted].
Johnson, James L., [redacted].
Jones, Thomas R., [redacted].
Kalinowski, Sharon A., [redacted].
Karp, Merrill R., [redacted].
Kelmereit, Alan H., [redacted].
Kenney, John F., [redacted].
Kochis, Philip J., [redacted].
Kohut, Orest L., [redacted].
Krater, Ronald O., [redacted].
Lafond, Ronald H., [redacted].
LaFontaine, Richard M., [redacted].
Lambert, Brian M., [redacted].
Lankford, William S., [redacted].
Lattig, John M., [redacted].
Leadbetter, Robert B., Jr., [redacted].
Leary, John R., [redacted].
Leffler, Ronald L., [redacted].
Lestina, Roger H., [redacted].
Lewis, Harold R., [redacted].
Lewis, Ronald E., [redacted].
Llewellyn, Richard E., [redacted].
Loeser, Sol, [redacted].
Loftis, Gary D., [redacted].
Luesse, Kari E., [redacted].
Maloy, Curtis K., [redacted].
Manley, William J., [redacted].
Manno, John F., [redacted].
McCormack, Randolph W., [redacted].
McCoy, Richard C., [redacted].
McDuff, Curtis L., Jr., [redacted].
McElhenie, Richard L., [redacted].
McEwen, James A., [redacted].
McKittrick, Robert J., [redacted].
Meacham, Maurice C., [redacted].
Meserve, Phillip A., [redacted].
Miller, Walter J., III, [redacted].
Milstead, James P., [redacted].
Mobley, Ronald L., [redacted].
Murdoch, Donald G., [redacted].
Murray, Edward H., [redacted].
Nethery, Michael J., [redacted].
Norton, William G., [redacted].
Norum, Neil L., [redacted].
Offholter, Charles F., [redacted].
Pacheco, Nelson S., [redacted].
Pagliassotti, Edward J., [redacted].
Parker, Ronald C., [redacted].
Parkhill, Gordon R., [redacted].
Parkinson, Edward L., [redacted].
Patton, Gene N., [redacted].
Peterson, Eric L., [redacted].
Peterson, James B., [redacted].
Phillips, Elmo D., Jr., [redacted].
Piirto, David J., [redacted].
Powers, Clarke W., [redacted].
Pritzlaff, Charles P., [redacted].
Radford, Kent V., [redacted].
Raiskums, Peter, [redacted].
Rakowski, Albin M., [redacted].
Ratley, Lonnie O., III, [redacted].
Ray, Richard R., [redacted].
Reeves, Thomas E., [redacted].
Rendine, Michael J., [redacted].
Rice, Dennis E., [redacted].
Rice, Michael M., [redacted].
Roggero, Michael J., [redacted].
Rosenbaum, Arthur J., [redacted].
Rusing, Ronald L., [redacted].
Russell, Stephen H., [redacted].
Sadow, Fredrick N., [redacted].
Schichtle, David R., [redacted].
Schroff, John M., [redacted].
Schulstad, Jon M., [redacted].
Seward, Walter D., [redacted].
Simmons, James H., [redacted].
Simon, Thomas C., [redacted].
Sivills, Robert C., [redacted].
Snow, Jerry P., [redacted].
Snyder, Robert K., [redacted].
Solga, Dimitri J. C., [redacted].
Soukup, Stephen M., [redacted].
Spence, Michael R., [redacted].
Stamps, Robert E., [redacted].
Stanford, Kenneth L., [redacted].
Stenftenagel, Michael F., [redacted].
Stephens, Jack R., [redacted].
Stewart, John B., Jr., [redacted].
Stoebner, Lloyd E., [redacted].
Stones, Ernest H., Jr., [redacted].
Tepedino, Anthony R., [redacted].
Testerman, Douglas E., [redacted].
Thieme, Frank E., Jr., [redacted].
Thorsell, John C., [redacted].
Todd, Richard L., [redacted].
Trainer, Harold A., [redacted].
Trammell, James A., [redacted].
Trotta, Thomas N., [redacted].
Unitt, Peter J., [redacted].
Vansteenburg, Ronald V., [redacted].
Vasiliou, Vasilio, [redacted].
Volloy, Gerald R., [redacted].
Waddell, Donald E., III, [redacted].
Walkey, Theodore J., [redacted].
Walsh, Peter, [redacted].
Walton, James R., [redacted].
Washington, Donnell M., [redacted].
Watson, James E., [redacted].
Wayman, David S., [redacted].
Weaver, Donald P., Jr., [redacted].
Welch, Robert J., [redacted].
Wenzel, Thomas E., [redacted].
White, Thomas F., [redacted].
Whitehurst, Ben J., [redacted].
Wightman, Dennis J., [redacted].
Williams, Robert J., [redacted].
Wolf, Edward G., [redacted].
Wolfe, George F., [redacted].
Wong, Harvey L., [redacted].
York, John E., [redacted].
Yoshina, Thurston T., [redacted].
Young, Daniel D., [redacted].
Zahradka, Joseph F., [redacted].

To be first lieutenant

Abrami, John R., [redacted].
Abshere, Philip M., [redacted].
Acquaviva, James F., [redacted].
Adams, Kenneth W., [redacted].
Adams, Lloyd S., III., [redacted].
Adams, Robert W., [redacted].
Alekna, Louis, [redacted].
Alexander, Albert J., [redacted].
Alexander, Marvin D., [redacted].
Alexandrow, Nick, [redacted].
Allan, John P., [redacted].
Allen, Douglas M., [redacted].
Allen, Russell L., [redacted].
Allen, Stephen D., [redacted].
Aly, Stewart F., [redacted].
Andersen, Leslie C., [redacted].
Arnemann, Frank B., Jr., [redacted].
Arthur, David A., [redacted].
Ashford, James F., [redacted].
Askins, Edward A., [redacted].
Atkinson, Randall L., [redacted].
Aufderheide, Edward H., [redacted].
Auyer, David H., [redacted].
Baehr, Franklin G., Jr., [redacted].
Bagley, Hollis R., [redacted].
Balsillie, David C., [redacted].
Banks, Charles L., [redacted].
Barager, James V., [redacted].
Barfield, James S., [redacted].
Barkalow, Jimmy R., [redacted].
Barnes, Duane L., [redacted].
Barnes, Edwin C., [redacted].
Barosky, Frank D., [redacted].
Barrett, Douglas E., [redacted].
Barringer, Richard J., [redacted].
Bartlett, Ronald S., [redacted].
Barton, Kenneth A., [redacted].
Baukus, William J., Jr., [redacted].
Baum, Peter J., [redacted].
Bauman, Robert F., Jr., [redacted].
Beard, Daniel A., [redacted].
Beatty, David L., [redacted].
Beck, Donald T., [redacted].
Becka, Richard R., [redacted].
Becker, David M., [redacted].
Behm, Paul C., [redacted].
Benzel, Douglas A., [redacted].
Berkowitz, Barry E., [redacted].
Berry, John B., [redacted].
Berry, Robert D., [redacted].
Bertapelle, Anthony L., [redacted].
Bertrand, Thomas D., [redacted].
Bettenhausen, Gerald W., [redacted].

Bettine, Frank J., [redacted].
Betts, Ronald G., [redacted].
Betts, Thomas K., [redacted].
Beverly, Raymond E., [redacted].
Bigbee, Kenneth W., [redacted].
Bishop, Raymond C., [redacted].
Black, Kenneth L., [redacted].
Blacketer Marcus D., Jr., [redacted].
Blackwell, Jimmy L., [redacted].
Blazer, Douglas J., [redacted].
Bly, Lawrence L., [redacted].
Bock, Charles H., [redacted].
Boggs, Elmer D., [redacted].
Boissonneault, Paul A., [redacted].
Boroughs, Thomas R., [redacted].
Bortel, Stanley D., Jr., [redacted].
Boyce, Charles W., Jr., [redacted].
Boyd, Charles S., [redacted].
Boystel, Gary M., [redacted].
Bradford, Michael D., [redacted].
Brasure, Neal G., [redacted].
Broussard, Dennis R., [redacted].
Brown, George W., Jr., [redacted].
Brown, John P., [redacted].
Brown, Paul L., [redacted].
Brown, Thomas R., [redacted].
Browning, Charles L., [redacted].
Buckley, William C., [redacted].
Bueto, James H., [redacted].
Bumpus, William O., [redacted].
Burdick, Raymond J., [redacted].
Burleigh, Richard D., [redacted].
Burns, Brian W., [redacted].
Busch, Robert E., II, [redacted].
Buxton, John H., [redacted].
Byrne, David E., [redacted].
Cahill, Michael J., [redacted].
Capotosti, David, [redacted].
Cardon, Vern R., [redacted].
Carlson, Dale W., II, [redacted].
Carricato, Robert A., Jr., [redacted].
Carrier, Rick T., [redacted].
Carter, James M., [redacted].
Castleberry, Wilberton A., Jr., [redacted].
Cecil, Terry C., [redacted].
Celia, Joseph S., [redacted].
Centanni, Lebo S., Jr., [redacted].
Chapman, Brent E., [redacted].
Christein, Wayne, [redacted].
Christenberry, Gilber H., III, [redacted].
Christesun, Gerald F., [redacted].
Christie, Jonathan C., [redacted].
Cilento, John W., [redacted].
Clack, Billy S., [redacted].
Colbert, Donald D., [redacted].
Cole, Richard A., [redacted].
Collins, Ronald A., [redacted].
Concannon, Charles W., [redacted].
Condefer, Frank L., [redacted].
Condon, Michael R., [redacted].
Connell, Carl H., [redacted].
Cook, Jack D., Jr., [redacted].
Cook, Robert M., [redacted].
Cool, Michael P., [redacted].
Coombs, Curtis S., [redacted].
Cooper, Robert J., [redacted].
Cooper, Thomas J., [redacted].
Coutts, James B., [redacted].
Creel, William T., [redacted].
Croco, Curtis C., Jr., [redacted].
Crumley, Gaylan B., [redacted].
Cummins, Charles C., [redacted].
Cummins, John J., [redacted].
Currie, Jerry C., [redacted].
Curry, Bruce O., [redacted].
Cutcliff, Leo M., Jr., [redacted].
Dabbs, Roger A., [redacted].
Dahlke, Richard G., [redacted].
Dammer, Richard, [redacted].
Dang, Peter K. W., [redacted].
Daniels, Robert E., [redacted].
Danner, William E., [redacted].
Davidson, George H., [redacted].
Davis, Jack S., [redacted].
Dean, Harold W., [redacted].
Debaun, John S., [redacted].
Dekraker, Dale L., [redacted].
Dempsey, John M., [redacted].
Dennis, Anthony D., [redacted].
Desplinter, Richard D., [redacted].
Destout, James L., [redacted].
Dillard, Thomas L., [redacted].
Divis, Richard T., [redacted].
Donnelly, Michael J., [redacted].
Dorenbush, Ronald R., [redacted].
Doucet, Dennis E., [redacted].
Drage, Wallace S., [redacted].
Driscoll, John A., [redacted].
Dubois, Herbert S., III, [redacted].
Duff, Alan D., [redacted].
Duggan, Louis E., Jr., [redacted].
Dulinawka, Robert J., [redacted].
Dull, Gregory F., [redacted].
Dunn, Jameslynn E., [redacted].
Dunn, Ruel M., [redacted].
Dunn, Stephen W., [redacted].
Dupre, James R., [redacted].
Dupree, James R., [redacted].
Dyckman, William R., [redacted].
Earl, Stephen M., [redacted].
Earles, George III, [redacted].
Eastman, Eugene A., [redacted].
Easton, Dari E., [redacted].
Eckhart, Paul D., [redacted].
Edwards, Joseph E., Jr., [redacted].
Edwards, Leroy W., Jr., [redacted].
Edwins, William P., [redacted].
Eichenlaur, Peter R., [redacted].
Elliott, Mark D., Jr., [redacted].
Emerson, Eric T., [redacted].
Engle, John F., [redacted].
Ertlschweiger, Herman, Jr., [redacted].
Eshelman, Ronald C., [redacted].
Evans, Robert D., [redacted].
Eveland, Roy R., [redacted].
Fallin, Benjamin H., Jr., [redacted].
Farrell, John D., Jr., [redacted].
Felman, Mark R., [redacted].
Ferrell, Joseph M., [redacted].
Ferruolo, Alfred, Jr., [redacted].
Finch, Ronald A., [redacted].
Fleming, Michael E., [redacted].
Fletcher, Robert A., [redacted].
Foertsch, Walter R., [redacted].
Forres, David K., [redacted].
Ford, William S., [redacted].
Fowler, Donald L., [redacted].
Fox, Fleming M., IV, [redacted].
Fox, John J., Jr., [redacted].
Francis, Jerry A., [redacted].
Frank, Douglas J., [redacted].
Freeberg, Alfred G., [redacted].
Frichtl, Paul J., [redacted].
Fritts, George A., [redacted].
Fritz, Robert F., [redacted].
Fujii, Marvin M., [redacted].
Fullmer, Gary L., [redacted].
Gaddie, Richard D., [redacted].
Gaiffe, Michael J., [redacted].
Galbraith, William W., [redacted].
Galligan, Michael K., [redacted].
Gardner, Katherine J., [redacted].
Gardner, Rollin G., [redacted].
Garland, Dennis W., [redacted].
Garland, Markcus V., [redacted].
Garr, Richard E., Jr., [redacted].
Gartner, Russell S., [redacted].
Gaspar, Charles J., Sr., [redacted].
Gee, Robert M., [redacted].
Geeser, Gerald J., [redacted].
Gibson, James P., [redacted].
Gidney, Lee H., [redacted].
Gilbert, Gerald P., [redacted].
Gill, Ronnie H., [redacted].
Gillaspie, Danny L., [redacted].
Giordano, Michael R., [redacted].
Godfrey, David R., [redacted].
Goff, Richard H., [redacted].
Golden, Loyd E., [redacted].
Golly, John M., [redacted].
Gordon, Deane T., [redacted].
Goslin, Thomas B., Jr., [redacted].
Gosnell, Larry R., [redacted].
Gottschang, John C., [redacted].
Graham, Dennis W., [redacted].
Graham, Richard L., [redacted].
Grannis, Lawrence A., [redacted].
Grant, James M., [redacted].
Graver, James G., [redacted].
Greeson, Gary L., [redacted].
Gregoire, Ronald J., [redacted].
Grillo, John W., [redacted].
Grurer, George S., [redacted].
Guinsler, Carl S., [redacted].
Gunter, Ronald C., [redacted].
Hacker, Bruce D., [redacted].
Hagemeier, Dennis G., [redacted].
Hale, Frederick N., III, [redacted].
Hall, Siguurney D., [redacted].
Hammer, Raymond R., [redacted].
Hankins, Homer J., [redacted].
Hansen, Robert N., Jr., [redacted].
Hanson, Darrell R., [redacted].
Harbour, Grady W., Jr., [redacted].
Harbula, Gene L., [redacted].
Harding, Gary A., [redacted].
Hardy, Jerry B., [redacted].
Harrel, Alan D., [redacted].
Harris, Frederick J., [redacted].
Harris, Zulite W., Jr., [redacted].
Harrison, Michael J., [redacted].
Hayes, David L., [redacted].
Hays, Donald K., [redacted].
Hays, Robert D., [redacted].
Heer, Michael R., [redacted].
Heimer, Len R., [redacted].
Heinmiller, Philip J., [redacted].
Heinrich, Paul D., [redacted].
Hembree, Roger O., [redacted].
Henichek, Thomas J., [redacted].
Henman, Steven M., [redacted].
Henneke, Lawrence E., Jr., [redacted].
Henrich, Stephen G., [redacted].
Henry, Kennard D., [redacted].
Henthorne, Frederick E., [redacted].
Herrington, Michael C., [redacted].
Hewes, James M., [redacted].
Hilton, Gary G., [redacted].
Hirsch, Richard R., [redacted].
Hockersmith, Benny D., [redacted].
Hodsdon, Gary F., [redacted].
Holley, William A., [redacted].
Holmlund, Dale R., [redacted].
Holoviak, Nicholas J., [redacted].
Horst, Brian W., [redacted].
Hosch, Dean H., [redacted].
Hostetler, James T., [redacted].
Howard, George W., [redacted].
Hritsik, Michael J., [redacted].
Hudson, Reginald E., [redacted].
Huneycutt, Bobby T., [redacted].
Hunter, Michael W., [redacted].
Hutcherson, William M., [redacted].
Hutchinson, Larry J., [redacted].
Hyland, Lawrence N., [redacted].
Ingerick, Jerry D., [redacted].
Ingram, Gregory W., [redacted].
Iozzia, Peter F., [redacted].
Irwin, Arthur S., Jr., [redacted].
Jackson, George R., [redacted].
Jackson, Nokomis, Jr., [redacted].
Jacobson, Richard N., [redacted].
James, James R., [redacted].
Jarecke, Robert J., [redacted].
Jaros, Stephen E., [redacted].
Jenkins, George T., [redacted].
Johns, Donald G., [redacted].
Johnson, Alan L., [redacted].
Johnson, Jay D., [redacted].
Johnson, Joseph R., [redacted].
Johnson, Ronald L., [redacted].
Kaminski, Peter C., [redacted].
Kammler, Larry R., [redacted].
Karner, Robert J., [redacted].
Kasenchak, Robert T., [redacted].
Kaszczuk, Robert E., [redacted].
Keith, Michael R., [redacted].
Kelly, Barry, [redacted].
Kemerling, William S., [redacted].
Kenny, Michael A., [redacted].
Kesler, Robert W., [redacted].
Keyt, Harold R., Jr., [redacted].
Kiburtz, Carl A., [redacted].
Kiesel, James L., [redacted].
Kimmel, Robert E., Jr., [redacted].
Kiner, Jeffery L., [redacted].
King, John E., [redacted].
Kirchner, Peter A., [redacted].
Kline, Theodore J., [redacted].
Kobold, Michael J., [redacted].
Konrad, John W., Jr., [redacted].
Kruse, Jonathan E., [redacted].

Kuhlman, Henry J., [redacted].
Lacklen, Jay F., [redacted].
Ladurini, David J., [redacted].
Laffoon, Jack C., [redacted].
Landon, John R., [redacted].
Landry, Dalton D., [redacted].
Larson, Charles D., [redacted].
Larson, Eric Y., [redacted].
Lauffer, Michael J., [redacted].
Leblanc, David J., [redacted].
Lehrer, Mark S., [redacted].
Lemaster, Larry S., [redacted].
Lemelin, Jacques I., [redacted].
Leonard, Stephen F., [redacted].
Leykam, Joseph N., Jr., [redacted].
Lile, Bing I., [redacted].
Lindsay, Judy W., [redacted].
Linke, Donald D., [redacted].
Linnen, Donald C., [redacted].
Lipsey, Samuel D., [redacted].
Locke, John R., [redacted].
Lockney, John P., [redacted].
Loucks, Donald A., [redacted].
Lowe, Linda A., [redacted].
Luetge, Kenneth W., [redacted].
MacArthur, Timothy S., [redacted].
Macko, Ronald R., [redacted].
Macry, Thomas V., [redacted].
Mague, James H., [redacted].
Maguire, Robert F., Jr., [redacted].
Malone, Tummy F., [redacted].
Mann, Edward C., III, [redacted].
Manning, Michael B., [redacted].
Marcum, Ray L., [redacted].
Maricle, Chip L., [redacted].
Marko, Michael G., [redacted].
Marshall, John W., Jr., [redacted].
Marsteller, John M., [redacted].
Martensen, Robert B., [redacted].
Martin, Glen E., [redacted].
Martino, Keith A., [redacted].
Marzec, Walter M., [redacted].
Mather, Neal F., [redacted].
Mathias, Dennis L., [redacted].
Mayfield, Thomas L., [redacted].
McClaugherty, James M., Jr., [redacted].
McClellan, James R., [redacted].
McClellan, Thomas J., [redacted].
McClung, Larnie, [redacted].
McConnell, Steven C., [redacted].
McCue, Joseph J., [redacted].
McDaniel, David A., [redacted].
McKim, Eddie D., [redacted].
McMahon, Bradley E., [redacted].
McNichols, Joseph B., Jr., [redacted].
McPhie, Jack E., [redacted].
Mein, Stewart B., III, [redacted].
Mendell, Thomas A., [redacted].
Merrifield, John T., [redacted].
Miller, Duris A., [redacted].
Miller, Eugene P., [redacted].
Miller, John E., [redacted].
Mills, George G., Jr., [redacted].
Milner, Richard W., [redacted].
Minnich, Thomas G., [redacted].
Mitchell, Louis E., Jr., [redacted].
Moelich, Robert E., [redacted].
Mogel, Jacob A., [redacted].
Moore, Carl F., [redacted].
Moore, Donald R., [redacted].
Moore, John C., III, [redacted].
Moore, William R., III, [redacted].
Morrison, John S., [redacted].
Murdock, Robert M., [redacted].
Myers, Eddie J., [redacted].
Myers, Grover F., III, [redacted].
Naig, Robert T., [redacted].
Nassee, Namon A., [redacted].
Nemeckay, Charles P., [redacted].
Nevius, Lyle D., [redacted].
Newsom, Allan L., [redacted].
Nida, Robert L., [redacted].
Niziol, Michael A., [redacted].
Nodine, Wright A., Jr., [redacted].
Nolte, Dennis E., [redacted].
Oates, Ronald G., [redacted].
O'Brien, William D., [redacted].
O'Brien, William J., Jr., [redacted].
O'Dell, Robert D., [redacted].
O'Halloran, Richard L., [redacted].
Olson, Daniel N., [redacted].
Omann, Ralph B., [redacted].
O'Neal, Michael A., [redacted].
Orear, Ronald L., [redacted].
Page, Robert D., [redacted].
Page, Wayne B., [redacted].
Palanuk, Jerome P., [redacted].
Parker, Lyle R., [redacted].
Parsons, Kenneth A., [redacted].
Pasini, Ralph, [redacted].
Pate, Joseph H., [redacted].
Patterson, James B., Jr., [redacted].
Peppe, Timothy A., [redacted].
Peterson, Michael W., [redacted].
Pfaff, Raymond F., Jr., [redacted].
Phillips, Earnest R., [redacted].
Piccotto, Carl G., [redacted].
Pickard, Michael M., [redacted].
Picklesimer, Gary L., [redacted].
Plake, Kenneth R., [redacted].
Pletan, Richard W., [redacted].
Poling, Kenley R., [redacted].
Polk, Stanley B., [redacted].
Pomietto, Robert J., [redacted].
Postell, David F., [redacted].
Powers, Edward R., [redacted].
Preston, Thomas M., [redacted].
Prible, John P., III, [redacted].
Printz, Randall A., [redacted].
Pritchard, Jeff O., [redacted].
Pryze, Edward M., [redacted].
Pugsley, Charles S., III, [redacted].
Purser, Roland W., [redacted].
Quibell, Paul D., [redacted].
Radatz, Edward B., [redacted].
Ragsdale, William O., [redacted].
Ramirez, Ronald A., [redacted].
Rausch, Robert G., [redacted].
Redmond, Howard J., [redacted].
Reid, Albert G., [redacted].
Reinovsky, Robert E., [redacted].
Reynolds, Clifford C., [redacted].
Reynolds, Joseph P., [redacted].
Rhodes, John W., [redacted].
Richardson, Gary A., [redacted].
Richey, Billy F., [redacted].
Richter, Edward A., [redacted].
Ricketts, Larry D., [redacted].
Rimkus, Daniel M., [redacted].
Ritz, Thomas G., [redacted].
Robbins, Richard A., [redacted].
Roberts, Charles A., [redacted].
Roberts, Robert G., [redacted].
Robinson, Gregory B., [redacted].
Roddy, Dawn Valarie, [redacted].
Rohner, George K., [redacted].
Romero, Benjamin G., [redacted].
Romig, Keith E., [redacted].
Rooney, Thomas V., [redacted].
Rosa, Frank L., [redacted].
Rosenbaum, Franklin P., Jr., [redacted].
Roser, James N., [redacted].
Ross, Terry A., [redacted].
Rossow, Larry W., [redacted].
Rouse, James D., [redacted].
Rudolph, Thomas D., [redacted].
Sandbach, Wallace F., Jr., [redacted].
Sayer, Michael W., [redacted].
Scaringi, Patrick C., [redacted].
Schappert, Allen C., Jr., [redacted].
Schneider, Aloysius J., [redacted].
Schoeneck, Mark E., [redacted].
Schomaker, Wayne A., [redacted].
Schorling, Steven M., [redacted].
Schurr, Steven D., [redacted].
Schwetke, William L., [redacted].
Sechler, Lawrence D., [redacted].
Seeby, William W., Jr., [redacted].
Selders, Michael T., [redacted].
Settecerri, Thomas J., [redacted].
Seward, John H., Jr., [redacted].
Shafer, Lester D., [redacted].
Sherwood, Jay D., [redacted].
Sherwood, Stephen C., [redacted].
Shiban, Vincent J., [redacted].
Shiffrin, James H., [redacted].
Siller, George L., II, [redacted].
Simek, Martin G., [redacted].
Simnacher, Gerald H., [redacted].
Skrypczuk, Oleh, [redacted].
Sladin, John P., [redacted].
Slasienski, Bruce E., [redacted].
Slockbower, Robert C., [redacted].
Smith, Bruce A., [redacted].
Smith, Charles F., Jr., [redacted].
Smith, Douglas M., [redacted].
Smith, Gary T., [redacted].
Smith, James F., [redacted].
Snyder, Thomas C., [redacted].
Sober, Charles T., Jr., [redacted].
Soderquist, Larry L., [redacted].
Sorenson, Houston S., [redacted].
Speir, Ronald N., [redacted].
Spencer, Mark L., [redacted].
Sprague, Earl J., Jr., [redacted].
Sprenger, Michael R., [redacted].
Staber, James E., II, [redacted].
Stacy, Lawrence M., [redacted].
Stadjuhar, James L., [redacted].
Staley, Anthony T., [redacted].
Stancil, John M., [redacted].
Stanley, William H., [redacted].
Steenrod, Russell C., [redacted].
Stertz, Joseph K., [redacted].
St Germain, Robert A., [redacted].
Stinebaugh, William G., [redacted].
Stokes, James D., [redacted].
Stoneman, Rolland R., [redacted].
Stottlemyer, Victor R., [redacted].
Stout, Roger L., [redacted].
Straley, Philip B., [redacted].
Stroup, Thomas F., [redacted].
Stuck, Wayne A., [redacted].
Stump, Kern V., [redacted].
Suggs, Jack R., [redacted].
Sullivan, Paul J., [redacted].
Sultemeier, George S., [redacted].
Sutter, Edward T., [redacted].
Swan, Terence J., [redacted].
Swantner, Lawrence J., [redacted].
Swink, Gordon, [redacted].
Symons, Stanley M., [redacted].
Tanzola, James R., [redacted].
Taylor, Hanry A., Jr., [redacted].
Taylor, Louis S., [redacted].
Taylor, Wayne H., [redacted].
Temkow, Robert S., [redacted].
Tetzlaff, Neil R., [redacted].
Thibodeau, David A., [redacted].
Thomas, Vernon E., Jr., [redacted].
Thomson, Michael L., [redacted].
Thorne, Gary L., [redacted].
Timmerman, Larry A., [redacted].
Tippit, Jimmy W., [redacted].
Toombs, William R., [redacted].
Totty, Michael N., [redacted].
Tourtellutt, Richard B., [redacted].
Triska, Charles S., [redacted].
Troffo, Judith A., [redacted].
Turner, Donald W., [redacted].
Twaddell, James W., III, [redacted].
Uptmor, Clemens E., [redacted].
Urone, William V., [redacted].
Valentine, Russell P., [redacted].
Valenzia, Thomas S., [redacted].
Vannoy, Rubert N., [redacted].
Vaughn, John W., [redacted].
Veatch, Henry L., [redacted].
Velander, David A., [redacted].
Vincent, Robert W., [redacted].
Vise, Donald G., [redacted].
Voreadis, Lazaros, [redacted].
Wade, Thomas L., [redacted].
Walcher, James H., [redacted].
Walker, Richard R., [redacted].
Walker, Steven B., [redacted].
Walton, James C., [redacted].
Ward, Joseph P., [redacted].
Ward, Richard D., II, [redacted].
Wartburg, Ronald J., [redacted].
Watson, Stephen H., [redacted].
Webb, Sankey E., III, [redacted].
Weber, David A., [redacted].
Weber, Verne A., Jr., [redacted].
Weiner, Bruce G., [redacted].
Weitman, Michael, [redacted].
Welch, Joseph C., [redacted].
West, James A., [redacted].
Westgate, David L., [redacted].
Weyer, Douglas C., [redacted].
Weyman, James C., [redacted].
Wheeler, Larry F., [redacted].

Whiston, William C., [redacted].
White, Douglas S., [redacted].
Wibbeler, Richard M., [redacted].
Wieman, Kenny L., [redacted].
Wilkerson, Robert L., [redacted].
Wilkins, Thomas E., [redacted].
Wilkinson, Dennis A., [redacted].
Williams, Charles E., [redacted].
Williams, Gary B., [redacted].
Williams, James C., [redacted].
Williams, Jimmie L., [redacted].
Williams, Scott K., [redacted].
Wilson, Dugald E., III, [redacted].
Wineteer, Larry D., [redacted].
Witkowski, Chester J., [redacted].
Wolf, Paul B., III, [redacted].
Wolf, Paul J., Jr., [redacted].
Woods, Ransom B., III, [redacted].
Workman, Richard C., [redacted].
Wursten, Douglas J., [redacted].
Yaffe, Robert J., [redacted].
Yager, William L., [redacted].
Yates, Gerald A., [redacted].
Yeager, Harley M., [redacted].
Young, Thomas W., Jr., [redacted].
Zank, Gary D., [redacted].
Zellmer, Richard B., [redacted].
Zeluff, Robert M., [redacted].
Zollars, Gerald J., [redacted].
Zubel, John S., [redacted].
Zulfer, Charles F., [redacted].
Zurawka, Russell E., [redacted].

The following officers for appointment in the Regular Air Force, in the grade indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be first lieutenant

Abbott, Frederick M., Jr., [redacted].
Adams, Terry R., [redacted].
Adams, Wayland K., [redacted].
Adams, Wiley F., [redacted].
Ahearn, Edward J., [redacted].
Albert, Larry J., [redacted].
Alexander, John W., [redacted].
Allen, Michael D., [redacted].
Allison, Steven R., [redacted].
Allyn, Ronald C., [redacted].
Andersen, Paul C., [redacted].
Angle, George M., Jr., [redacted].
Anthamatten, Leo F., Jr., [redacted].
Apel, William A., [redacted].
Armbrust, Gregory N., [redacted].
Ashcraft, Joe C., [redacted].
Ashura, Patrick J., [redacted].
Atkinson, John M., [redacted].
Avramovich, Jim L., [redacted].
Ayres, Harrison G., Jr., [redacted].
Bach, Michael J., [redacted].
Backman, Stephen M., [redacted].
Baethge, Jonathan D., [redacted].
Bagwell, Terry D., [redacted].
Bailey, Burnell W., [redacted].
Bailey, Jefferson M., [redacted].
Baker, Glenn F., [redacted].
Baker, William P., [redacted].
Ballard, Michael W., [redacted].
Baltzer, Robert L., [redacted].
Bangs, Daniel P., [redacted].
Banner, Clifden A., [redacted].
Bante, Thomas M., Jr., [redacted].
Baptiste, Samuel J., [redacted].
Barber, Gary N., [redacted].
Barilleaux, Ira C., Jr., [redacted].
Barker, Daniel H., [redacted].
Barker, Kerry B., [redacted].
Barnes, Gary I., [redacted].
Barnes, Michael, [redacted].
Barnidge, Leroy, Jr., [redacted].
Barrow, Charles M., Jr., [redacted].
Barry, James A., Jr., [redacted].
Barry, Richard J., [redacted].
Barton, James D., [redacted].
Beal, Thomas L., [redacted].
Bean, James M., [redacted].
Beard, Albert I. B., [redacted].
Beavers, Robert G., Jr., [redacted].
Beckman, Thomas R., [redacted].
Beebe, James R., [redacted].
Bell, John W., Jr., [redacted].
Bender, Donald C., [redacted].
Bender, Richard L., [redacted].
Bendixen, Lonnie H., [redacted].
Benger, Jeffrey S., [redacted].
Beno, William G., Jr., [redacted].
Bernhard, Craig A., [redacted].
Berry, Thomas A., [redacted].
Bertran, Eldon E., [redacted].
Bielanski, Allan, [redacted].
Binder, Gregory A., [redacted].
Binnebose, James P., [redacted].
Bird, Donald M., [redacted].
Black, Donald A., [redacted].
Blodgett, Dennis R., [redacted].
Bloom, James P., [redacted].
Bockbrader, K. Nathan, [redacted].
Boling, Ellis D., [redacted].
Booth, William H., [redacted].
Bordelon, Vernon P., Jr., [redacted].
Botch, Gregory G., [redacted].
Bovey, Edward M., [redacted].
Bowen, Robert S., [redacted].
Boyer, Paul E., [redacted].
Bradley, Steven A., [redacted].
Brady, William R., [redacted].
Brandt, Frederick S., [redacted].
Braun, John M., [redacted].
Brazell, Willis E., Jr., [redacted].
Breuhl, Timothy E., [redacted].
Brickman, Eugene, [redacted].
Brooks, Leo C., Jr., [redacted].
Brooks, William C., [redacted].
Brown, Ollie W., [redacted].
Brown, Sidney A., Jr., [redacted].
Browning, Roger S., [redacted].
Brunelle, Francis R., [redacted].
Brunn, Herbert L., [redacted].
Bryan, Steven A., [redacted].
Bryant, Leonard W., [redacted].
Burke, Bryant N., Jr., [redacted].
Burklund, Bernard B., Jr., [redacted].
Bushore, Randy L., [redacted].
Button, Ronald E., [redacted].
Butts, James N., [redacted].
Byrd, Michael C., [redacted].
Cabezas, Jorge E., [redacted].
Callan, Thomas M., [redacted].
Calvino, Harry S., [redacted].
Canning, David W., [redacted].
Carlson, David A., [redacted].
Carman, Timothy L., [redacted].
Carr, James R., [redacted].
Carr, Ronald A., [redacted].
Carr, Wiley R., [redacted].
Carson, John H., [redacted].
Carter, John H., [redacted].
Carter, Raymond N., [redacted].
Carter, Ted J., [redacted].
Case, Donald R., [redacted].
Cashero, Gary A., [redacted].
Cassity, Michael T., [redacted].
Castiaux, Darel D., [redacted].
Caton, William T., [redacted].
Caudle, Keith H., [redacted].
Caywood, Douglas F., [redacted].
Cessna, Dennis M., [redacted].
Chaplin, Leighton D., [redacted].
Chavezgarcia, Pedro, [redacted].
Chedister, Robert W., [redacted].
Cioli, Brian H., [redacted].
Clark, John A., [redacted].
Clark, Steven E., [redacted].
Cline, Scott S., [redacted].
Clohan, Paul S., Jr., [redacted].
Clymer, Gregg N., [redacted].
Cockerham, Lynnwood M., [redacted].
Coffey, Gregory D., [redacted].
Collier, Charles W., Jr., [redacted].
Collins, James E., [redacted].
Combee, Donald E., Jr., [redacted].
Connor, Gary W., [redacted].
Conrad, Charles W., [redacted].
Considine, John R., [redacted].
Cook, Gene A., [redacted].
Cook, Kenneth G., [redacted].
Cook, Ronald R., [redacted].
Cooning, Michael J., [redacted].
Cordova, John P., Jr., [redacted].
Costain, Arthur H., III, [redacted].
Covington, Fred D., Jr., [redacted].
Cox, Alan D., [redacted].
Craft, Robert L., [redacted].
Crandall, Walter M., III, [redacted].
Cranford, Steven M., [redacted].
Creekbaum, Emery S., [redacted].
Crews, Lawrence S., [redacted].
Crook, Donavan E., [redacted].
Crozat, Roger P., [redacted].
Crump, Gary G., [redacted].
Cucuel, Bruce R., [redacted].
Cumiskey, Michael R., [redacted].
Cunningham, Robert I., [redacted].
Currence, William D., [redacted].
Curtis, Gary R., [redacted].
Cutler, Edward M., Jr., [redacted].
Dahl, Gary L., [redacted].
Daniel, Ronald E., [redacted].
Daniel, William T., Jr., [redacted].
Danielle, Michael G., [redacted].
Dardis, Stanley K., [redacted].
Dark, Frederick H., [redacted].
Darnell, William L., [redacted].
Darter, Marvin E., [redacted].
Daugavietis, George, [redacted].
Davis, Gary A., [redacted].
Davis, Michael D., [redacted].
Day, David E., [redacted].
Dean, James N., [redacted].
Deangelis, Randall A., [redacted].
Debban, Alan W., [redacted].
Decurtins, Ronald J., [redacted].
Dendy, Donald W., [redacted].
Deframus, David C., [redacted].
Derrick, Donald E., [redacted].
Dervaes, John R., [redacted].
Dewitt, Thomas B., [redacted].
Dibbern, John C., [redacted].
Dietz, Ronald F., [redacted].
Dillard, Charles D., [redacted].
Dimuro, Alex R., [redacted].
Disbrow, Harry C., Jr., [redacted].
Donaldson, Joe W., [redacted].
Donegan, Walter J., [redacted].
Donnelly, Michael J., [redacted].
Donovan, Phillip B., [redacted].
Dove, Richard R., [redacted].
Down, Robert E., [redacted].
Downing, William C., [redacted].
Drobot, Nicholas J., [redacted].
Drollinger, Donald M., [redacted].
Duarte, Melvin L., [redacted].
Dudley, Garry A., [redacted].
Dudley, William H., [redacted].
Duffy, Edward R., [redacted].
Duffy, John A., Jr., [redacted].
Dugan, John F., [redacted].
Dugan, Patrick M., [redacted].
Duggan, Oscar W., [redacted].
Dunbar, Alston E., Jr., [redacted].
Dunnigan, Dennis M., [redacted].
Durdaller, Kenneth H., [redacted].
Dutton, Don V., [redacted].
Dwyer, James P., [redacted].
Dwyer, Robert E., [redacted].
Ebensperger, Gregory A., [redacted].
Edie, Halson K., [redacted].
Ellis David J., [redacted].
Ellis, Edward R., [redacted].
Elrod, John A., II, [redacted].
Elsdon, Ronald C., [redacted].
Ely, Mark M., [redacted].
Emery, Richard A., [redacted].
Enquist, Stephen T., [redacted].
Enzweiler, Louis E., [redacted].
Epperson, Lewis M., [redacted].
Ercoline, Lawrence C., [redacted].
Escarzaga, Alexander, [redacted].
Estep, Terry L., [redacted].
Evans, Lewis V. IV, [redacted].
Eyrich, Peter H., [redacted].
Fahle, William J., [redacted].
Falcione, Albert A., [redacted].
Fallis, Jerre D., [redacted].
Farage, Michael N., [redacted].
Farson, Michael T., [redacted].
Fast, Dwight W., [redacted].
Favaloro, Ronald C., [redacted].
Feldkamp, Alan C., [redacted].
Fender, Jeffrey N., [redacted].
Fernallo, Richard C., [redacted].
Finn, Harvey W., [redacted].

Finnan, Brian G., [redacted].
Fitzpatrick, Paul F., [redacted].
Fleischman, Richard A., [redacted].
Flournoy, James T., [redacted].
Fluck, David R., [redacted].
Foglesong, Ivan E., [redacted].
Forman, Wesley W., Jr., [redacted].
Fowler, Danny R., [redacted].
Fowler, Reginald M., [redacted].
Fox, Michael L., [redacted].
Frazee, Donald W., [redacted].
Full, William J., [redacted].
Fullen, Ronnie E., [redacted].
Furtick, Marc R., [redacted].
Gabriel, James J., [redacted].
Gagliano, Stephen V., [redacted].
Galbraith, Denis R., [redacted].
Gallop, Wesley W., [redacted].
Garber, Garold L., [redacted].
Garcia, Edward L., [redacted].
Gare, Lars E., [redacted].
Garic, Thomas D., [redacted].
Garland, Gary D., [redacted].
Garland, Joe L., [redacted].
Garrison, Donald R., [redacted].
Gaspard, Randolph P., [redacted].
Gaston, Harold R., [redacted].
George, William M., [redacted].
Gero, James R., [redacted].
Geyer, George J., [redacted].
Gieger, William L., Jr., [redacted].
Gilderhus. Rodney W., [redacted].
Gilliam, Ronald E., [redacted].
Gingles, Joe E., [redacted].
Glawe, Peter H., [redacted].
Glinka, Ronald R., [redacted].
Godek, David A., [redacted].
Goodman, Thomas B., [redacted].
Goodman, William E., [redacted].
Goodrum, Earl A., [redacted].
Gorczyca, John A., [redacted].
Gordon, Ronald H., [redacted].
Gordon, Terry T., [redacted].
Gordon, William F., [redacted].
Gorman, John W., [redacted].
Gothard, David H., [redacted].
Graham, Lawrence P., [redacted].
Graninger, James H., [redacted].
Gray, Frank B., Jr., [redacted].
Greenstreet, Sydney J., [redacted].
Greenwood, Frank A., Jr., [redacted].
Gregg, Charles N., [redacted].
Gregg, Wayne D., [redacted].
Gregory, James T., [redacted].
Griswold, Robert W., [redacted].
Gronewald, Kenneth R., [redacted].
Grove, Kenneth B., [redacted].
Hagedorn, Christopher L., [redacted].
Hager, Gilbert J., [redacted].
Hagins, Charles B., [redacted].
Hale, Charles H., [redacted].
Hale, Phillip W., [redacted].
Hale, Robert L., Jr., [redacted].
Halik, Edwin J., Jr., [redacted].
Hallam, Stanley R., [redacted].
Halverson, Gregory A., [redacted].
Hamilton, James B., [redacted].
Hamley, Richard C., [redacted].
Hannah, Stephen J., [redacted].
Hanner, Charles K. III, [redacted].
Hansen, James L., [redacted].
Hansen, Larry K., [redacted].
Hansen, Lon M., [redacted].
Hanson, Breck F., [redacted].
Harbage, G. O. Dustin, [redacted].
Harper, Michael S., [redacted].
Haskell, George A., Jr., [redacted].
Hastings, Stephen E., [redacted].
Haval, James M., [redacted].
Hawk, John R., Jr., [redacted].
Hawker, Curtis D., [redacted].
Hawkins, Keith D., [redacted].
Hawkins, Michael S., [redacted].
Hawley, Edwin D., [redacted].
Hayes, Richard T., [redacted].
Haynes, Thomas J., [redacted].
Hays, Larry W., [redacted].
Heath, Rolen S., [redacted].
Heidenreich, Wesley J., [redacted].
Heitzig, William J., [redacted].
Henderson, Jerry L., [redacted].
Hennigan, Edward N., [redacted].
Henning, Ronald C., [redacted].
Hennings, Gregory L., [redacted].
Hensz, Robert L., [redacted].
Hider, Allen E., [redacted].
Hill, Dale C., [redacted].
Hill, Donald R., [redacted].
Hill, Richard A., [redacted].
Hinman, David R., [redacted].
Hinson, Robert C., [redacted].
Hintze, Jan B., [redacted].
Hlavacek, James J., [redacted].
Hlavaty, Charles W., [redacted].
Hodgden, Evan R., [redacted].
Hodges, Tommy D., [redacted].
Holcomb, Omer K., [redacted].
Holland, Edward J., Jr., [redacted].
Hollingsworth, Joe B., [redacted].
Holmes, Dave B., [redacted].
Holmes, David C., II, [redacted].
Holmes, Timmie D., [redacted].
Holstius, Mark E., [redacted].
Holt, Henry H., [redacted].
Honeywell, David R., [redacted].
Horn, Karl D., [redacted].
Horton, Henry W., [redacted].
Horton, Robert V., [redacted].
Howe, Frederick W., [redacted].
Hughston, Thomas E., [redacted].
Hutchinson, Clifton L., [redacted].
Hutton, William M., [redacted].
Jameson, Robert, [redacted].
Jeffery, William T., [redacted].
Jensen, Gary P., [redacted].
Jermain, Clark A., [redacted].
Jiggens, James M., [redacted].
Johnson, Damon T., [redacted].
Johnson, David C., [redacted].
Johnson, Eric N., [redacted].
Johnson, James C., IV, [redacted].
Johnson, James W., [redacted].
Jones, Clayton M., [redacted].
Jones, Ronald A., [redacted].
Jones, Thaddeus, Jr., [redacted].
Jordan, Robert C., [redacted].
Judson, Richard W., [redacted].
Jungk, Robert E., [redacted].
Kalman, Thomas A., [redacted].
Kamolz, Jerry R., [redacted].
Kanny, Otto, III, [redacted].
Karasek, James F., [redacted].
Karraker, Perry N., [redacted].
Kaseman, Jay R., [redacted].
Kaseman, Jeffrey M., [redacted].
Kesse, Ronald E., [redacted].
Keller, Richard B., [redacted].
Kemp, Jerry L., [redacted].
Kendall, Clinton R., [redacted].
Kidd, James K., [redacted].
Kinser, John W., [redacted].
Kirby, James B., [redacted].
Kissick, Calvin E., Jr., [redacted].
Kitchell, Charles H., [redacted].
Klein, Kenneth C., [redacted].
Klementowski, Lawrence J., [redacted].
Knapp, John G., [redacted].
Knight, Steven J., [redacted].
Koch, Philip C., [redacted].
Koenig, Kerwin W., [redacted].
Kopren, Gary L., [redacted].
Kortum, Dale M., [redacted].
Kramer, Russell D., [redacted].
Krans, Michael J., [redacted].
Kring, Charles T., [redacted].
Krstich, Donald L., [redacted].
Kudlacz, Michael S., [redacted].
Kudrick, Paul G., [redacted].
Kuiper, Cornelius E., [redacted].
Kullman, Lawrence W., [redacted].
Ladewig, Robert D., [redacted].
Ladoucfur, William J., Jr., [redacted].
Lamourfaux, Donald W., [redacted].
Landers, Gregory H., [redacted].
Lane, Arthur R., Jr., [redacted].
Larson, Stephen W., [redacted].
Laurie, Gerald T., [redacted].
Lavers, Brenton M., [redacted].
Lawrence, James J., [redacted].
Lawson, George A., Jr., [redacted].
Lazere, Joel H., [redacted].
Ledford, Jerry D., [redacted].
Lee, Dennis C., [redacted].
Lee, James R., [redacted].
Lefevre, Norman B., [redacted].
Legodais, Thomas J., [redacted].
Lemak, David J., [redacted].
Lenneman, James A., [redacted].
Lewis, Donn M., [redacted].
Lewis, Gregory V., [redacted].
Libaire, Milton S., [redacted].
Liller, Philip M., [redacted].
Link, Charles M., [redacted].
Lively, Michael D., [redacted].
Livengood, John M., [redacted].
Lowary, Earl C., [redacted].
Lowell, Neil E., [redacted].
Lowry, Christopher A., [redacted].
Ludick, Stephen G., [redacted].
Lueckenotte, Leon L., [redacted].
Lutz, Eugene A., [redacted].
Lynch, Douglas B., [redacted].
Macdonald, Bruce A., [redacted].
Mackey, Richard R., [redacted].
Maddox, Owen E., Jr., [redacted].
Madrigal, Albert, Jr., [redacted].
Magnuson, Larry D., [redacted].
Malat, Douglas C., [redacted].
Manibusan, Dennis A., [redacted].
Marr, William E., [redacted].
Marx, Robert I., [redacted].
Masley, David A., [redacted].
Masuda, Martin D., [redacted].
McCain, Garland, Jr., [redacted].
McCarley, David L., [redacted].
McCourt, Richard J., [redacted].
McCoy, Clay P., [redacted].
McCoy, Douglas R., [redacted].
McCracken, Alfred P., [redacted].
McDaniel, Jay W., [redacted].
McDonough, Virgil J., [redacted].
McDow, Richard H., [redacted].
McElroy, Randy L., [redacted].
McGregor, John R., Jr., [redacted].
McGruder, James T., [redacted].
McIver, David B., [redacted].
McKenna, Gerald W., [redacted].
McKie, Newell T., [redacted].
McKuin, Glen L., [redacted].
McMahan, Michael C., [redacted].
McMillan, Jon V., [redacted].
McNair, Billy W., [redacted].
Meeuwissen, John E., [redacted].
Meier, Patrick E., [redacted].
Melton, Ronnie M., [redacted].
Melvin, Richard O., [redacted].
Menendez, Joseph C., [redacted].
Mestemaker, Michael J., [redacted].
Meyer, Hal R., [redacted].
Michalowski, Joseph S., Jr., [redacted].
Mikos, Daniel H., [redacted].
Miles, Patrick, J., [redacted].
Miller, Sherman C., [redacted].
Milligan, John N., [redacted].
Mills, Gordon L., [redacted].
Mills, James H., [redacted].
Mills, James T., [redacted].
Moeller, Raymond M., [redacted].
Moldenhauer, Larry E., [redacted].
Montan, John R., [redacted].
Monts, Jeffrey S., [redacted].
Moody, Harvey W., [redacted].
Moore, James R., Jr., [redacted].
Moore, John W., [redacted].
Morasch, Richard W., [redacted].
Morefield, Kenneth S., [redacted].
Moreland, Larald D., [redacted].
Morrill, Thomas R., [redacted].
Morrissey, Gregory E., [redacted].
Morse, Ronald L., [redacted].
Moss, Thomas M., [redacted].
Mudrick, Roy T., [redacted].
Mulcrone, Daniel J., [redacted].
Mullener, William R., [redacted].
Mummert, Gary L., [redacted].
Murphy, Michael J., [redacted].
Myers, Timothy J., [redacted].
Myles, Stephen E., [redacted].
Nagle, Ray E., II, [redacted].
Noel, Robert R., [redacted].
Noelle, James F., [redacted].
Noffsker, John C., [redacted].
Noll, Duane E., [redacted].
Notley, Michael D., [redacted].

Nowlin, Bobby R., [redacted].
Oakley, Linwood E., [redacted].
Oaks, Kenneth J., [redacted].
Obrien, Terence E., [redacted].
Oday, Michael K., [redacted].
Odonnell, Victor B., Jr., [redacted].
Oelfke, Richard H., [redacted].
Ogburn, Steven A., [redacted].
Ohlmeyer, William K., [redacted].
Olson, Robert C., Jr., [redacted].
Osborne, Richard L., Jr., [redacted].
Osterholtz, Robert A., [redacted].
Ostermann, Thomas M., [redacted].
Ostrander, Robert L., Jr., [redacted].
Ouellette, Robert J., [redacted].
Owens, Ronald E., [redacted].
Page, Dale E., [redacted].
Palesh, Mark R., [redacted].
Parady, Richard T., [redacted].
Pattee, Ralph B., [redacted].
Patterson, Freddie A., [redacted].
Pease, John C., Jr., [redacted].
Peck, William A., Jr., [redacted].
Peede, Floyd A., III, [redacted].
Penny, Daniel G., Jr., [redacted].
Pertzborn, Geoffrey H., [redacted].
Peterson, Charles V., [redacted].
Peterson, Drew A., [redacted].
Peterson, Joseph N., III, [redacted].
Phillips, Michael R., [redacted].
Pierce, Donald G., [redacted].
Pletcher, Denver L., [redacted].
Pohoski, James G., [redacted].
Polk, Carroll R., [redacted].
Poole, Thomas R., [redacted].
Porter, Lloyd R., [redacted].
Poulson, Jeffrey P., [redacted].
Preisser, Alan D., [redacted].
Pretortus, Bruce L., [redacted].
Pribnow, Andreas W., [redacted].
Prins, Paul H., [redacted].
Pritchett, William J., Jr. [redacted].
Profit, Roger K., [redacted].
Propp, Lawrence L., Jr., [redacted].
Protz, Michael A., [redacted].
Prowell, James S., [redacted].
Purcell, Roger L., [redacted].
Pustka, Louis L., [redacted].
Quenneville, Donald J., [redacted].
Quesenberry, John J., [redacted].
Raichlen, Daniel K., [redacted].
Rall, Theodore C., Jr., [redacted].
Randle, Stephen D., [redacted].
Randolph, Jeffrey G., [redacted].
Ray, Clell H., III, [redacted].
Ray, Stephen M., [redacted].
Reasonover, George D., Jr., [redacted].
Reding, Robert W., [redacted].
Rehage, Rhett L., [redacted].
Reilly, John F., [redacted].
Reinheimer, Douglas R., [redacted].
Remont, David R., [redacted].
Rice, Gregory S., [redacted].
Rice, Leonard T., [redacted].
Richards, Alan H., [redacted].
Richardson, James D., [redacted].
Richie, George E., [redacted].
Ricketts, Frank B., [redacted].
Ricketts, Gary G., [redacted].
Riley, Charles F., [redacted].
Rindy, Kent S., [redacted].
Rivard, David T., [redacted].
Roberts, Lonnie D., [redacted].
Robinson, Arthur E., [redacted].
Rodi, Con M., [redacted].
Romer, Thomas V. L., [redacted].
Roser, Steven A., [redacted].
Ross, Richard R., [redacted].
Roundy, Stephen T., [redacted].
Royce, Charles A., [redacted].
Rudd, James T., III, [redacted].
Rundle, John S., [redacted].
Runge, Thomas G., [redacted].
Rupp, Edward L., [redacted].
Russo, Richard R., [redacted].
Salz, Joseph W., Jr., [redacted].
Sanders, Bernie R., Jr., [redacted].
Sanders, Bill, [redacted].
Scheer, Cloyce W., [redacted].
Schefelker, Jeffrey L., [redacted].
Schell, William H. C., Jr., [redacted].

Schiff, Nathan E., [redacted].
Schless, William F., Jr., [redacted].
Schmalz, Kirk L., [redacted].
Schmick, John W., [redacted].
Schmidt, George G., [redacted].
Schreier, David F., [redacted].
Schroeder, Kurt F., [redacted].
Schultz, August L., [redacted].
Schwarzentraub, Leslie G., [redacted].
Seals, Benjamin L., [redacted].
Seiler, George J., [redacted].
Senft, Bruce H., [redacted].
Sessoms, William H., [redacted].
Seymour, Michael F., [redacted].
Sheffer, Steven J., [redacted].
Shelden, Harold J., III, [redacted].
Sheldon, Sherman R., [redacted].
Shelt, Frank P., [redacted].
Sherrer, Van C., [redacted].
Sherwood, Dewitt M., [redacted].
Shilkitus, Michael A., [redacted].
Shipley, William G., [redacted].
Sillup, John S., Jr., [redacted].
Silverman, John F., [redacted].
Sitton, William R., [redacted].
Skidmore, John L., [redacted].
Skrdla, Robert A., [redacted].
Slade, Robert W., [redacted].
Slaton, James H., [redacted].
Slaughenhaupt, Barry L., [redacted].
Sloan, David F., [redacted].
Small, James L., [redacted].
Smith, Garrison L., [redacted].
Smith, Roy L., [redacted].
Sneyd, James C., Jr., [redacted].
Sniffen, Robert S., [redacted].
Snowden, James R., [redacted].
Sonnenberg, David L., [redacted].
Sorola, Ernest H., [redacted].
Spada, Thomas A., [redacted].
Speer, James O., [redacted].
Sromek, Michael E., [redacted].
Stadler, Thomas E., [redacted].
Stair, Lester A., [redacted].
Stanfill, Ronnie A., [redacted].
Starlin, Calvin C., Jr., [redacted].
Steele, Charles L., Jr., [redacted].
Stengel, John D., Jr., [redacted].
Stephens, Larry R., [redacted].
Stephens, Peter J., [redacted].
Stephens, Wendell D., [redacted].
Stevens, Dana E., [redacted].
Stevens, Howard, [redacted].
Stevenson, Robert L., [redacted].
Stewart, Bruce E., [redacted].
Stewart, Hamilton S., Jr., [redacted].
Stewart, Robert S., Jr., [redacted].
Stiman, Kerry G., [redacted].
St. John, Ronald C., [redacted].
Stoerner, Larry G., [redacted].
Stokes, Samuel I., [redacted].
Storey, David E., [redacted].
Stratman, Daniel R., [redacted].
Strunc, William F., [redacted].
Stuart, Donald B., [redacted].
Stuckey, John D., [redacted].
Sullivan, Robert F., [redacted].
Sundgren, John W., [redacted].
Swann, Ralph L., [redacted].
Sweeney, John J., [redacted].
Switzer, Richard A., [redacted].
Talley, Robert W., [redacted].
Tanksley, Randall R., [redacted].
Tanner, Stephen D., [redacted].
Tario, James R., [redacted].
Taylor, Arvil V., Jr., [redacted].
Taylor, Jim M., [redacted].
Taylor, Kerry L., [redacted].
Taylor, Roger E., [redacted].
Taylor, Thomas J., [redacted].
Teague, Brian J., [redacted].
Tebbs, Robert B., [redacted].
Teixeira, Leonard D., [redacted].
Teliska, Richard J., [redacted].
Tester, Robert W., [redacted].
Thomassie, Dennis W., [redacted].
Thompson, Gary G., [redacted].
Thompson, Gregory J., [redacted].
Thompson, James L., [redacted].
Thomson, Thomas M., [redacted].
Thornton, Carl J., [redacted].

Thorpe, Leonard E., III, [redacted].
Turman, Ralph H., [redacted].
Tillotson, Ronald S., [redacted].
Tindal, Thomas D., [redacted].
Tomeny, Terry F., [redacted].
Tonjes, Raymond M., [redacted].
Topper, Luther J., [redacted].
Trees, Ronald J., [redacted].
Trennepohl, Gerald D., [redacted].
Trexler, Garry R., [redacted].
Turner, Steven L., [redacted].
Unser, Richard J., [redacted].
Usiak, Robert D., [redacted].
Vainius, Peter P., [redacted].
Vance, Ronald W., [redacted].
Vancott, Gary A., [redacted].
Vandenburg, David R., [redacted].
Vanderheyden, Thomas L., [redacted].
Vandurek, Charles P., Jr., [redacted].
Vanwagner, Ralph D., [redacted].
Vanwinkle, David A., [redacted].
Vargo, Ronald D., [redacted].
Veazey, James A., [redacted].
Vehige, Henry F., [redacted].
Vermeersch, Stephen J., [redacted].
Villines, James R., [redacted].
Voogd, William J., [redacted].
Voss, Bill L., [redacted].
Wahl, Richard W., [redacted].
Wald, Charles F., [redacted].
Walker, David E., [redacted].
Walker, Jerry E., [redacted].
Walsh, James J., [redacted].
Walsh, Richard F., [redacted].
Wampler, Brian D., [redacted].
Wanzek, Stephen J., [redacted].
Ward, Homer B., [redacted].
Ware, Robert M., [redacted].
Watkins, Archer A., [redacted].
Watkins, Mark G., [redacted].
Watters, Douglas G., [redacted].
Weir, Stan G., [redacted].
Wells, Earl C., [redacted].
Werner, Paul A., Jr., [redacted].
Wessinger, Carl J., [redacted].
West, Tommy L., [redacted].
Wheeler, George H., [redacted].
Whitaker, James L., [redacted].
Whitaker, James W., [redacted].
White, Allan C., [redacted].
White, Stephen E., [redacted].
Whitford, Jeffrey B., [redacted].
Wilder, Robert A., [redacted].
Williams, Jeffrey N., [redacted].
William, Jimmy Z., [redacted].
Williams, Kenneth W., [redacted].
Williams, Robert D., [redacted].
Williamson, Ray B., [redacted].
Williamson, Wayne R., [redacted].
Williford, James H., Jr., [redacted].
Wilson, Jimmy H., [redacted].
Wisdom, James L., [redacted].
Wobker, Larry D., [redacted].
Wojcik, Thomas F., [redacted].
Wolf, Edward L., [redacted].
Wood, Gary B., [redacted].
Wood, Leslie, E., [redacted].
Wood, Samuel T., [redacted].
Woodring, David W., [redacted].
Woods, Clinton C., [redacted].
Woody, Albert M., [redacted].
Woolworth, James C., [redacted].
Yackel, Stanley J., [redacted].
Yates, Richard L., [redacted].
Young, James M., [redacted].
Youngbluth, Timothy, [redacted].
Yount, Joseph D., [redacted].
Yunag, Robert D., Jr., [redacted].
Zaborowski, Paul E., [redacted].
Zahn, William H., [redacted].
Zook, Randall E., [redacted].
Zumpf, Joseph E., [redacted].

IN THE ARMY

The following-named officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, sections 3370 and 3383:

To be colonel

Bates, Jimmy F., [redacted].
Bowler, William E., [redacted].

Clem, Donald S., [redacted].
Curtis, Byrd C., [redacted].
De Shazo, John J., [redacted].
Edwards, Cleveland S., [redacted].
Eng, Barry, [redacted].
Fox, Jack E., [redacted].
Franklin, Wade F., [redacted].
Gentilezza, A. F., [redacted].
Good, Frederick J., [redacted].
Groff, Henry A., [redacted].
Gross, Irving J., [redacted].
Hahn, Clarence M. O., [redacted].
Hughes, John W., [redacted].
Knowles, Lawrence F., [redacted].
Linscott, Dean L., [redacted].
Martin, John L., [redacted].
Morgan, G. R., Jr., [redacted].
Norman, Richard H., [redacted].
Northcutt, Raymond E., [redacted].
Penner, Robert, [redacted].
Pennington, J. R., Jr., [redacted].
Racca, Ralph A., [redacted].
Richardson, Donald L., [redacted].
Rieg, George S., Jr., [redacted].
Sallee, Jimmie R., [redacted].
Sandefer, James L., [redacted].
Shamburger, John H., [redacted].
Shaw, Earl, [redacted].
Stagg, Paul W., [redacted].
Timmerman, John S., [redacted].
Torino, Ralph A., [redacted].
Weaver, Theodore A., [redacted].
Whalen, Richard J., [redacted].
Wolfsheimer, N. J., [redacted].
Woody, Wayne S., [redacted].

CHAPLAIN

To be colonel

Mansur, Richard W., [redacted].

MEDICAL CORPS

To be colonel

Evans, Carvell H., [redacted].
Harrell, James E., [redacted].

MEDICAL SERVICE CORPS

To be colonel

Bhird, Thomas J., [redacted].
Mackanic, G., Jr., [redacted].
Rudolph, John E., [redacted].

The following-named officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, sections 3366, 3367, and 3383:

To be lieutenant colonel

Abernethy, Fred C., [redacted].
Barringer, David F., [redacted].
Beales, Kirk, [redacted].
Boles, Franklin D., [redacted].
Boyajian, Karnig, [redacted].
Brenning, Eugene D., [redacted].
Brooks, Joseph H., [redacted].
Burdett, R. A., Jr., [redacted].
Byrn, James H., [redacted].
Calderara, Wayne P., [redacted].
Cantrell, Charles E., [redacted].
Carleton, H. D., [redacted].
Carlson, Roger K., [redacted].
Cates, Edward L., [redacted].
Cathey, Hayes W., [redacted].
Cavileer, Caleb F., [redacted].
Christian, Robert C., [redacted].
Close, Ralph J., [redacted].
Coon, Robert E., [redacted].
Crout, Oris E., [redacted].
Darling, George E., [redacted].
Del Chiaro, M. J., [redacted].
Dessalet, J. R., Jr., [redacted].
Detar, Norman C., [redacted].
Devine, James F., [redacted].
Dial, Alfred M., [redacted].
Dowdell, Donald G., [redacted].
Edson, Ronald A., [redacted].
Eiler, Alan H., [redacted].
Emmerich, Charles E., [redacted].
Evans, Elisha J., Jr., [redacted].
Farro, Patsy M., [redacted].
Ford, Frederic H., [redacted].
Fowler, Donald L., [redacted].
Freis, Richard E., [redacted].
Friese, Roland, [redacted].
Gaddini, Louis, [redacted].
Gedeon, Ernest R., [redacted].
Gifford, Paul E., [redacted].
Gleaves, Marvin L., [redacted].
Graves, Walter H., Jr., [redacted].
Gray, Joseph G., [redacted].
Grigsby, Gaynael R., [redacted].
Haight, James O., Jr., [redacted].
Hale, Ronald E., [redacted].
Halla, Roman J., [redacted].
Hammond, Rudolph E., [redacted].
Hansen, Lloyd S., [redacted].
Harvey, Samuel J., [redacted].
Haugen, Darrell G., [redacted].
Hicks, John R., [redacted].
Higgins, C. W., Jr., [redacted].
Higgins, David L., Jr., [redacted].
Higgs, Marion E., [redacted].
Hirst, Herbert L., [redacted].
Holland, Hoyt L., [redacted].
Howe, David W., [redacted].
Hoyer, Irvin W., [redacted].
Humes, William K., [redacted].
Jendzio. William J., [redacted].
Junk, Paul E., [redacted].
Kelly, Clyde E., [redacted].
Kraft, Thomas J., [redacted].
Lambert, Richard L., [redacted].
Leonard, Gordon R., [redacted].
Levi, John T., [redacted].
Lucas, William R., Jr., [redacted].
Lundgren, George H., [redacted].
Magnuson, Donald L., [redacted].
Manthe, Roland D., [redacted].
Marsh, James D., [redacted].
Martin, Luther T., [redacted].
McClinton, Calvin R., [redacted].
Meredith, Bruce A., [redacted].
Messenger, George H., [redacted].
Mick, Adam S., Jr., [redacted].
Mikel, Richard A., [redacted].
Morris, Charles E., [redacted].
Morton, Linwood B., [redacted].
Olivieri-Reyes, R. A., [redacted].
O'Neal, William H., [redacted].
Pagan-Aldrich, R. A., [redacted].
Page, Thomas A., [redacted].
Page, Wayne J., [redacted].
Persons, C. C., Jr., [redacted].
Phillips, Alcott E., [redacted].
Pierce, Robert B., [redacted].
Pingel, Kenneth E., [redacted].
Pope, William A., [redacted].
Porter, Kenneth W., [redacted].
Porter, Richard C., [redacted].
Ramos-Rodriguez S., [redacted].
Raus, Juri, [redacted].
Rehorn, Glen E., [redacted].
Reiner, Harry N., [redacted].
Rodgers, John W., Jr., [redacted].
Rozeboom, Galen A., [redacted].
Rutledge, Robert B., [redacted].
Sackman, John W., [redacted].
Sant, Donald R., [redacted].
Schmidt, Gordon W., [redacted].
Sellers, Ernest C., [redacted].
Sherman, Gordon M., [redacted].
Sigmund, Robert O., [redacted].
Simmons, Carlos N., [redacted].
Stacy, Terry L., [redacted].
Stearney, Richard E., [redacted].
Stemley, Gary A., [redacted].
Stone, Luther M., [redacted].
Sullivan, Clifford J., [redacted].
Sumberg, William R., [redacted].
Swoger, William F., [redacted].
Symannek, E. K., [redacted].
Thiess, Donald I., [redacted].
Torres, Alonzo, [redacted].
Tuttle, Arthur N., Jr., [redacted].
Warlikowski, J. J., [redacted].
Wathen, Robert L., [redacted].
Westbrook, C. E., Jr., [redacted].
White, Lewis O., [redacted].
Williams, James A., [redacted].
Wills, Leland A., [redacted].
Wills, Vernon L., [redacted].
Wilson, Leland A., [redacted].
Wishart, Francis E., Jr., [redacted].
Woodside, Jon L., [redacted].
Zimmer, Dennis N., [redacted].

CHAPLAIN

To be lieutenant colonel

Burris, Lee D., [redacted].
Johnson, Glenn R., [redacted].
Muilenburgh, Lloyd, [redacted].
Olsen, Walter M. D., [redacted].
Winemiller. Paul L., [redacted].

MEDICAL SERVICE CORPS

To be lieutenant colonel

Hodges, Martin C., [redacted].
Miller, Robert W., [redacted].
Stivers, Rupert E., [redacted].

The following-named officers for appointment in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, sections 591, 593, and 594:

DENTAL CORPS

To be lieutenant colonel

Patane, Salvatore A., [redacted].
Runge, William H., [redacted].

MEDICAL CORPS

To be lieutenant colonel

Berman, Irwin B., [redacted].
Collins, William R., [redacted].
Ditmore, H. B., Jr., [redacted].
El-Mahmoudi, W. N., [redacted].
Galuppo, John A., [redacted].
Groh, Lawrence, [redacted].
Handte, Robert E., [redacted].
Klemme, William M., [redacted].
Konwinski, Edward S., [redacted].
Norman, William R., [redacted].
Rodriguez, Luis M., [redacted].
Taylor, Billy B., [redacted].
Thompson, Raymond D., [redacted].

The following-named officers for appointment in the Army of the United States, under the provisions of title 10, United States Code, section 3494:

MEDICAL CORPS

To be lieutenant colonel

Alabanza, F. V., [redacted].
Brown, Joel, [redacted].
Brown, Stanton R., [redacted].
Driver, Doyle, Jr., [redacted].
Dubin, David B., [redacted].
Fabrigar, Carmelo S., [redacted].
Frattaroli, N. F., [redacted].
Gordon, Marvin T., [redacted].
Hicks, Philip S., [redacted].
Jackson, Stephen M., [redacted].
Lindley, Sheldon K., [redacted].
Moynihan, Francis W., [redacted].
Raskin, Jack, [redacted].
Riffle, John E., [redacted].
Rosa-Amador, R., [redacted].
Sayre, Malcolm M., [redacted].
Thomas, John P., [redacted].
Tipton, William R., [redacted].
Vinson, William M., [redacted].

The following-named Army National Guard officers for appointment in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3385:

To be colonel

Anderson, Donald E., [redacted].
Fritz, Robert L., [redacted].
Kiefner, Charles M., [redacted].
Landry, Murray F., Jr., [redacted].
Meagher, William E., [redacted].

VETERINARY CORPS

To be colonel

Stanton, Earl W., [redacted].

To be lieutenant colonel

Barney, James A., Jr., [redacted].
Becker, John B., [redacted].
Bouchie, Cyril, Jr., [redacted].
Cook, Boyd M., [redacted].
Davis, Robert E., Jr., [redacted].
Deitz, Don R., [redacted].
Del Sesto, Joseph R., [redacted].
Dorsey, Harry M., [redacted].
Ellis, Carl T., Jr., [redacted].
Enderlein, W. J., Jr., [redacted].

Ethridge, Harold O., [redacted].
Gaus, Louis E., [redacted].
Goldstein, S. B., [redacted].
Gomez, Stephen A., [redacted].
Gonzalez, R. E., Jr., [redacted].
Grymes, Herbert L., Jr., [redacted].
Hearn, Lloyd W., [redacted].
Heath, C. P., II, [redacted].
Isaacs, Eddie R., [redacted].
Issler, Harry, [redacted].
Kowalski, Raymond M., [redacted].
Latchford, F. M., Jr., [redacted].
Lennan, Richard G., [redacted].
Linton, Daniel A., Jr., [redacted].
McCullough, R. W., [redacted].
McNairy, John L., [redacted].
Marshall, Alfred H., II, [redacted].
Matthews, Charles G., [redacted].
Mueller, Ralph F., [redacted].
Myers, Fred E., [redacted].
Neff, Kenneth W., [redacted].
Oelrich, Frederick C., [redacted].
Pyle, Langston, [redacted].
Race, Jay N., [redacted].
Sanchez, Joe L., [redacted].
Sleeper, John D., [redacted].
Varnado, Billy W., [redacted].
Villar, Nolan R., [redacted].
Walters, James T., [redacted].
Weil, Robert E., [redacted].
Whitcomb, Ernest W., [redacted].
Worthington, Earle E., [redacted].

CHAPLAIN

To be lieutenant colonel

Winstead, Henry G., Jr., [redacted].

MEDICAL SERVICE CORPS

To be lieutenant colonel

Brown, Bobby L., [redacted].

The following-named officers for promotion in the Army of the United States, under the provisions of Public Law 92–129:

To be colonel

Sadler, Clyde D., [redacted].

WOMEN'S ARMY CORPS

To be colonel

Archambault, Claire A., [redacted].

MEDICAL CORPS

To be colonel

Butkus, Donald E., [redacted].
Smith, Roger H., [redacted].

WOMEN'S ARMY CORPS

To be lieutenant colonel

Messer, Rhoda M., [redacted].

MEDICAL CORPS

To be lieutenant colonel

Kaufmann, Robert L., [redacted].
Wear, Douglas J., [redacted].

MEDICAL SERVICE CORPS

To be lieutenant colonel

Carper, Robert R., [redacted].

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonel

Moore, Harry L., [redacted].
Torgerson, Thorveld R., [redacted].

MEDICAL CORPS

To be lieutenant colonel

McDowell, Milton K., [redacted].

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be major

Disney, Robert C., [redacted].
Fink, Jerry D., [redacted].
Kenyon, Richard H., [redacted].
Montgomery, John J., [redacted].
Wilson, James E., [redacted].

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be major

Absher, Donald E., [redacted].
Achenbach, Garland, [redacted].
Acklin, James M., [redacted].
Acree, Charles D., [redacted].
Adams, Bobby R., [redacted].
Adams, Charles L., [redacted].
Adams, Charles W., [redacted].
Adams, Elmer E., [redacted].
Affourtit, Rene J., [redacted].
Aikman, Peter R., [redacted].
Ailinger, Lawrence, [redacted].
Akagi, Hart M., [redacted].
Alberghini, Joseph, [redacted].
Albertella, Raymond, [redacted].
Alcala, Raoul H., [redacted].
Alexander, Joe L., [redacted].
Alix, Richard R., [redacted].
Allan, Jon A., [redacted].
Allen, Carl R., [redacted].
Allen, David L., [redacted].
Alley, Norman L., [redacted].
Allison, William C., [redacted].
Amick, Robert L., [redacted].
Anderson, Charles E., [redacted].
Anderson, Eugene L., [redacted].
Anderson, Jerome F., [redacted].
Anderson, Raymond L., [redacted].
Anderson, Roy C., [redacted].
Andres, Dudley M., [redacted].
Andrews, Roger C., [redacted].
Andrews, Russell W., [redacted].
Archer, John R., [redacted].
Armstrong, David A., [redacted].
Armstrong, Robert C., [redacted].
Arnold, Preston T., [redacted].
Arnold, Steven L., [redacted].
Arrington, Robert D., [redacted].
Arsenault, Philip N., [redacted].
Arter, Jerome S., [redacted].
Aschbacher, Arthur, [redacted].
Ashley, Adrian A., [redacted].
Askins, William M., [redacted].
Assenberg, Harry J., [redacted].
Aucoin, James S., [redacted].
Austin, James L., [redacted].
Axelson, Gordon S., [redacted].
Ayers, Thomas III, [redacted].
Bachelor, Larry D., [redacted].
Bacon, Douglass P., [redacted].
Bacon, William E., [redacted].
Badami, James A., [redacted].
Baggett, Fred K., [redacted].
Bailey, John E., [redacted].
Bailey, Willard E., [redacted].
Bailey, William E., [redacted].
Baker, Mark A., [redacted].
Baker, Richard C., [redacted].
Baker, Ronald L., Jr., [redacted].
Baker, Rudolph, [redacted].
Baltes, Paul A., [redacted].
Banks, Gary G., [redacted].
Barber, Don W., [redacted].
Barclay, Douglas H., [redacted].
Barham, Thomas B., [redacted].
Barkley, Craig C., [redacted].
Barnes, Michael V., [redacted].
Bartelme, Michael J., [redacted].
Bartholomew, Alanso, [redacted].
Bartlett, Charles M., [redacted].
Bateman, Robert E., [redacted].
Bates, Robert E., [redacted].
Baumann, Philipe F., [redacted].
Bayer, Lawrence W., [redacted].
Beach, Dwight W., [redacted].
Becker, Robert A., [redacted].
Bedford, Ben C., [redacted].
Behrens, Robert W., [redacted].
Beim, Alexander, [redacted].
Bell, Richard F., [redacted].
Beltson, Richard D., [redacted].
Benchoff, Dennis L., [redacted].
Bender, Charles D., [redacted].
Benka, Daniel L., [redacted].
Bennett, Walter D., [redacted].
Benson, Frederick W., [redacted].
Berg, James M., [redacted].
Berk, Clarence G., [redacted].
Berry, Peter T., [redacted].
Berry, Roy C., [redacted].
Berry, Terry G., [redacted].
Bertelkamp, John N., [redacted].
Bickert, Dale J., [redacted].
Biggio, John E., [redacted].
Bila, Ronald V., [redacted].
Bilberry, Ralph W., [redacted].
Bilund, James A., [redacted].
Bissell, Norman M., [redacted].
Bitler, William D., [redacted].
Black, James S., [redacted].
Black, Richard A., [redacted].
Blackwell, Philip A., [redacted].
Blair, Larry A., [redacted].
Blair, Willis A., [redacted].
Blue, James R., [redacted].
Blumhardt, Glen A., [redacted].
Blundell, James D., [redacted].
Blynn, David M., [redacted].
Bobbitt, Joseph R., [redacted].
Bohannon, William H., [redacted].
Bohls, Robert J., [redacted].
Boice, Craig H., [redacted].
Bond, Richard R., [redacted].
Bondshu, Arthur F., [redacted].
Bone, David M., [redacted].
Boose, Donald W., [redacted].
Boozer, Wilburn L., [redacted].
Borrello, Ronald A., [redacted].
Borriceno, Nicholas, [redacted].
Bosserman, David C., [redacted].
Bouton, Peter H., [redacted].
Bowers, George W., [redacted].
Bowker, Lewis W., [redacted].
Bowman, Patrick A., [redacted].
Bowman, William R., [redacted].
Boyd, Thomas C., [redacted].
Bradham, John R., [redacted].
Bradley, Larry E., [redacted].
Brady, Brian W., [redacted].
Brady, Noel P., [redacted].
Brafford, Robert T., [redacted].
Brantner, Carter H., [redacted].
Brauer, Paul F., [redacted].
Briggs, David S., [redacted].
Brinkley, Jimmie T., [redacted].
Britton, Joseph D., [redacted].
Brizee, Harold R., [redacted].
Broderick, Edward S., [redacted].
Brogi, Robert P., [redacted].
Brooks, Lawrence D., [redacted].
Brooks, Milton D., [redacted].
Broshous, Charles R., [redacted].
Brown, Arthur S., [redacted].
Brown, Billy C., [redacted].
Brown, Gary L., [redacted].
Brown, Henry T., [redacted].
Brown, John B., [redacted].
Brown, John L., [redacted].
Brown, Morris E., Jr., [redacted].
Brown, Richard L., [redacted].
Brown, Robert E., [redacted].
Brown, Robert W., [redacted].
Brown, Roger A., [redacted].
Brown, Thomas M., [redacted].
Browning, Philip Y., [redacted].
Brownlee, Romie L., [redacted].
Bruce, Gene D., [redacted].
Bryde, Walter J., [redacted].
Buckley, James M., [redacted].
Buczek, Henry F., [redacted].
Bukowski, Edward F., [redacted].
Bungay, David J., [redacted].
Bunton, Terry R., [redacted].
Burdick, Mario A., [redacted].
Burke, Edward J., [redacted].
Burke, Millard, [redacted].
Burlingame, John C., [redacted].
Burns, James E., [redacted].
Burns, Jerald C., [redacted].
Burns, Ray L., [redacted].
Burns, William C., [redacted].
Burr, Ralph R., Jr., [redacted].
Burroughs, Dale A., [redacted].
Burtner, James R., [redacted].
Burton, Thomas D., [redacted].
Bush, William E., [redacted].
Bushong, James T., [redacted].
Butler, Perry C., [redacted].
Buttolph, Dan D., [redacted].
Butzer, Charles B., [redacted].
Buyle, Kenneth R., [redacted].

Byrne, William F., [redacted].
Cable, Lewis R., [redacted].
Call, William A., [redacted].
Callahan, James E., [redacted].
Cameron, Vaughn W., [redacted].
Campbell, John H., [redacted].
Campbell, Paul M., [redacted].
Campbell, Winton G., [redacted].
Canary, Patrick L., [redacted].
Canatsey, John D., [redacted].
Caram, Meredith H., [redacted].
Caristo, Frederick, [redacted].
Carlson, Richard I., [redacted].
Carnes, George P., [redacted].
Carpenter, Harold D., [redacted].
Carroll, Robert C., [redacted].
Carter, James E., [redacted].
Carter, James R., [redacted].
Caruso, James R., [redacted].
Casani, Andrew B., [redacted].
Case, David W., [redacted].
Cassady, John R., [redacted].
Cassidy, Edwin C., [redacted].
Causer, William R., [redacted].
Cauthen, William A., [redacted].
Celata, Donald V., [redacted].
Champion, John E., [redacted].
Charbonneau, Ronald, [redacted].
Chesney, Ralph M., [redacted].
Chew, Moylan S., [redacted].
Chewning, Ward M., [redacted].
Childers, Jerry W., [redacted].
Childree, William C., [redacted].
Chiodo, Eugene J., [redacted].
Chipman, John E., [redacted].
Chladek, Gary F., [redacted].
Chomko, John, [redacted].
Christie, David C., [redacted].
Christopher, John C., [redacted].
Chrobak, Walter J., [redacted].
Chronis, Nicholas N., [redacted].
Chun, Merton Mun K., [redacted].
Chura, Howard J., [redacted].
Clark, Daniel D., [redacted].
Clark, Luke E., [redacted].
Clements, Lawrence, [redacted].
Cleveland, Charles, [redacted].
Click, Ira M., [redacted].
Clifton, James D., [redacted].
Clune, James M., [redacted].
Coates, Richard R., [redacted].
Coates, Thomas, [redacted].
Cobb, Tyrus R., [redacted].
Coffee, Charles W., [redacted].
Coffman, Charles O., [redacted].
Colan, Albert R. Jr., [redacted].
Cole, Paul A., [redacted].
Cole, Perry E., [redacted].
Coles, Louis E., [redacted].
Collins, Michael D., [redacted].
Collins, Robert F., [redacted].
Comello, Jerome J., [redacted].
Cone, Billy J., [redacted].
Cone, Kenneth A., [redacted].
Conn, Joseph E., [redacted].
Conner, Victor S., [redacted].
Conners, David C., [redacted].
Conrad, Jimmy A., [redacted].
Cook, Ronal B., [redacted].
Copenhaver, Warren, [redacted].
Corbett, John E., [redacted].
Corcoran, Edward A., [redacted].
Corcoran, George M., [redacted].
Corder, Joseph W., [redacted].
Costain, Phillip A., [redacted].
Costello, Daniel S., [redacted].
Cothran, James M., [redacted].
Coty, Adrian P., [redacted].
Couch, John L., [redacted].
Coughlin, James P., [redacted].
Cours, John D., [redacted].
Cowles, James H., [redacted].
Cowling, Bobby W., [redacted].
Cox, Dallas L., [redacted].
Coy, Dale E., [redacted].
Coyne, Robert C., [redacted].
Craft, Jack J., [redacted].
Craig, Richard P., [redacted].
Cramer, Larry V., [redacted].
Crawford, Raymond E., [redacted].
Crawford, William R., [redacted].
Creech, William R., [redacted].
Crismon, Frederick, [redacted].
Crockett, Darwin T., [redacted].
Crockett, James R., [redacted].
Cronhimer, John F., [redacted].
Cropsey, Karl S., [redacted].
Crow, Stuart J., [redacted].
Crowell, Arthur N., [redacted].
Culp, Clovis R., [redacted].
Cummings, John W., [redacted].
Cundiff, Brian H., [redacted].
Curren, Grindley C., [redacted].
Cuttino, Peter F., [redacted].
Czubrki, Joseph A., [redacted].
Dacunto, Lawrence J., [redacted].
Damewood, John H., [redacted].
Darcy, Richard E., [redacted].
Dargle, John W., [redacted].
Darling, Dean H., [redacted].
Darling, Merlin D., [redacted].
Daugherty, William, [redacted].
Davis, David L., [redacted].
Davis, John F., [redacted].
Davis, Joseph S., [redacted].
Davis, Richard E., [redacted].
Davis, Terel E., [redacted].
Daws, Robert N., [redacted].
Debastiani, Richard, [redacted].
Debauche, Gary A., [redacted].
Deeds, Richard T., [redacted].
Dekeyrel, Burdette, [redacted].
Demarco, Francis H., [redacted].
Demchsak, John G., [redacted].
Deprie, Michael C., [redacted].
Deryck, John L., [redacted].
Desapri, Donald A., [redacted].
Devlin, Terrence E., [redacted].
Dewey, Victor O., [redacted].
Dibble, George B., [redacted].
Dibenedetto, Anthony, [redacted].
Dill, Earnest W., [redacted].
Dillard, James H., [redacted].
Dingwall, Bennett T., [redacted].
Dixon, Richard A., [redacted].
Doerr, Marvin L., [redacted].
Dolloff, Theodore J., [redacted].
Dolson, Kenneth R., [redacted].
Domask, Jerome H., [redacted].
Dominy, Charles E., [redacted].
Dommer, Paul P., [redacted].
Dompe, John W., [redacted].
Donahue, Philip P., [redacted].
Dondlinger, Jerome, [redacted].
Donoghue, Glen M., [redacted].
Dooley, James C., [redacted].
Dorr, Charles D., [redacted].
Doten, Frederick S., [redacted].
Douglas, Robert E., [redacted].
Downing, Wayne A., [redacted].
Driskill, Joe G., [redacted].
Duberstein, George, [redacted].
Dunaway, Fred C., [redacted].
Duncan, George R., [redacted].
Dunham, Richard A., [redacted].
Dunmyer, James W., [redacted].
Dunn, David R., [redacted].
Dunning, Martin V., [redacted].
Dunnington, Joseph, [redacted].
Dupuy, Trevor N., Jr., [redacted].
Dupwe, Robert L., [redacted].
Dutcher, James A., [redacted].
Dye, Preston C., [redacted].
Earhart, Larry L., [redacted].
Earp, Curtis D., [redacted].
Easterbrook, John E., [redacted].
Ebbesen, Samuel E., [redacted].
Eckman, Philip L., [redacted].
Eden, William G., [redacted].
Edmondson, Bert D., [redacted].
Edwards, Fred C., [redacted].
Edwards, Thomas B., [redacted].
Eggleston, Daniel, [redacted].
Elliott, David R., [redacted].
Elliott, McPherson, [redacted].
Elliott, Thomas L., [redacted].
Ellis, James R., [redacted].
Emanuel, Peter J., [redacted].
Emge, William M., [redacted].
Emmert, Richard W., [redacted].
Entrekin, Philip B., [redacted].
Eppley, Vernon L., [redacted].
Erickson, James M., [redacted].
Errickson, Andrew J., [redacted].
Ervin, James R., [redacted].
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Farris, James L., [redacted].
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Flores, Jose M., [redacted].
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Jones, Leonard M., [redacted].
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Osterhoudt, Michael, [redacted].
Oualline, Charles E., [redacted].
Outlaw, Joe E., [redacted].
Overby, Glen A., [redacted].
Pakula, Kenneth R., [redacted].
Palmer, Charles S., [redacted].
Paris, William F., II, [redacted].
Parker, Frederick E., [redacted].
Parowski, Paul R., [redacted].
Parrish, Donald R., [redacted].
Parsons, Al D., [redacted].
Partain, Rufus J., [redacted].
Pate, Robert A., [redacted].
Patete, Frank M., [redacted].
Patla, Norbert I., [redacted].
Paul, Leroy W., [redacted].
Pauley, Earl A., [redacted].
Paulison, Robert P., [redacted].
Paxton, Gary L., [redacted].
Pearson, Thomas D., [redacted].
Peasley, Bill, [redacted].
Peay, James H., [redacted].
Peck, Howard F., [redacted].
Pedersen, Ralph D., [redacted].
Pedone, Peter J., [redacted].
Peetz, Robert G., [redacted].
Peiper, Richard W., [redacted].
Pellegrino, Joseph, [redacted].
Pendergrass, Larry, [redacted].
Penrod, James L., [redacted].
Perdew, Eldon L., [redacted].
Perles, Philip J., [redacted].
Perrin, William H., [redacted].
Perrine, Charles H., [redacted].
Perry, Richard O., [redacted].
Perry, Stephen M., [redacted].
Peters, Donald L., [redacted].
Petersen, Elwin A., [redacted].
Peterson, Frederick, [redacted].
Peterson, James C., [redacted].
Petrolino, Joseph A., [redacted].
Petty, James D., [redacted].
Phillips, Charles N., [redacted].
Phillips, David J., [redacted].
Phillips, Robert L., [redacted].
Piche, Ronald J., [redacted].
Pierce, Robert V., [redacted].
Pigaty, Leo J., [redacted].
Pike, James L., [redacted].
Pincince, George S., [redacted].
Pinkney, Roy G., [redacted].
Pitcher, Rudolph A., [redacted].
Plymale, Charles F., [redacted].
Poch, Todd R., [redacted].
Pocock, Fred R., [redacted].
Poinier, David N., [redacted].
Pons, Philip E., [redacted].
Poole, George E., [redacted].
Porter, Joseph G., [redacted].
Porter, Richard W., [redacted].
Posey, Larry O., [redacted].
Potter, Richard W., [redacted].
Power, Joseph W., III, [redacted].
Powers, James H., [redacted].
Powers, William S., [redacted].
Poynter, William D., [redacted].
Pratt, James T., [redacted].
Prescott, Daniel J., [redacted].
Price, Carl N., [redacted].
Price, Donald A., [redacted].
Price, Edward E., [redacted].
Price, Hugh A., [redacted].
Price, James F., [redacted].
Prickett, Thomas R., [redacted].
Primmer, Ronald R., [redacted].
Proctor, Robert C., [redacted].
Prow, William F., [redacted].
Pruitt, Donald E., [redacted].
Pryor, Ralph W., [redacted].
Quattromani, Anthony, [redacted].
Quick, James B., [redacted].
Quijano, Ramon, Jr., [redacted].
Quinn, Kenneth L., [redacted].
Quirk, Gerald L., [redacted].
Ray, Ernst R., [redacted].
Rea, Billy C., [redacted].
Reavill, Jackson C., [redacted].
Redick, Earl P., [redacted].
Redmond, Lawrence A., [redacted].
Redmond, Robert A., [redacted].
Reed, Charlie W., [redacted].
Reese, George W., [redacted].
Reeves, Stacy E., [redacted].
Reimer, Dennis J., [redacted].
Remener, Lawrence J., [redacted].
Remling, Arthur A., [redacted].
Renner, John A., [redacted].
Residori, Lawrence, [redacted].
Reynolds, Robert H., [redacted].
Richardson, Dennis, [redacted].
Richardson, Johnny, [redacted].
Richardson, Joseph, [redacted].
Richardson, Lawrence, [redacted].
Richardson, Thomas, [redacted].
Ricketts, Thomas L., [redacted].
Rickman, Jack R., [redacted].
Riegle, Seth J., [redacted].
Rigabar, William R., [redacted].
Rigby, Joe W., [redacted].
Riggs, David K., [redacted].
Riley, James E., [redacted].
Rinelella, Don E., [redacted].
Ringham, Lee O., [redacted].
Riordan, Richard G., [redacted].
Ritenour, Thomas J., [redacted].
Rittenhouse, William, [redacted].
Ritterspach, Frederick, [redacted].
Robb, Allan D., [redacted].
Roberts, Thomas C., [redacted].
Roberts, William M., [redacted].
Robertson, Robert S., [redacted].
Robertson, William, [redacted].
Robinson, John R., Jr., [redacted].
Robison, Thomas W., [redacted].
Roder, William E., [redacted].
Roderick, Gary L., [redacted].
Rondfak, Roman, [redacted].
Roop, William J., [redacted].
Roper, Emil M., [redacted].
Rosengrant, Larue R., [redacted].
Ross, Bill R., [redacted].
Rosser, Terry N., [redacted].
Rowe, Dorsey E., [redacted].
Rowe, William J., [redacted].
Rozelle, H. Joseph, [redacted].
Rubery, Daniel J., [redacted].
Ruggerio, Dominic W., [redacted].
Rumph, Robert R., [redacted].
Runey, Dennis I., [redacted].
Rupp, Melvin C., [redacted].
Rushatz, Alfred S., [redacted].
Rusk, James E., [redacted].
Russell, Eugene N., [redacted].
Russell, John B., Jr., [redacted].
Russell, Stanley W., [redacted].
Rutz, Stephen F., [redacted].
Ryan, Thomas F., [redacted].
Saari, Donald R., [redacted].
Sagedy, Robert A., [redacted].
Sagerty, Kenneth T., [redacted].
Salvitti, Joseph M., [redacted].
Sampson, Jon L., [redacted].
Samuel, Charles H., [redacted].
Sanders, David J., [redacted].
Sandlin, John G., [redacted].
Sanzotera, Robert H., [redacted].
Sarda, Ram M., [redacted].
Saulnier, Philip J., [redacted].
Saunders, Francis V., [redacted].
Saville, Duane E., [redacted].
Sawczyn, William, [redacted].
Sawyer, Frederick H., [redacted].
Scarsdale, Bobby R., [redacted].
Schaffler, Albert B., [redacted].
Scherr, William A., [redacted].
Schlitz, Donald W., [redacted].
Schmidt, John C., Jr., [redacted].
Schmidt, John L., [redacted].
Schmidt, Marlin E., [redacted].
Schmitz, James W., [redacted].
Schneeweis, Harold, [redacted].
Schneider, Robert H., [redacted].
Schumacher, William, [redacted].
Scruggs, James T., [redacted].
Seely, John B., [redacted].
Seifert, Richard F., [redacted].
Selby, John R., [redacted].
Sellers, Thomas H., [redacted].
Sessoms, William R., [redacted].
Sexton, Donald E., [redacted].
Sharp, Fred A., [redacted].
Sharp, Raymond D., [redacted].
Shaw, Edward W., [redacted].
Shaw, Stanley L., [redacted].
Sheaffer, Frederick, [redacted].
Sheehy, Stephen P., [redacted].
Sheetz, Michael L., [redacted].
Shepard, John D., [redacted].
Shepherd, William M., [redacted].
Sherard, Stewart, [redacted].
Sherburn, John H., [redacted].
Sheridan, John T., [redacted].
Sheridan, Richard L., [redacted].
Sheridan, Richard M., [redacted].
Shires, Charles D., [redacted].
Shiroma, Warren H., [redacted].
Shienker, Lenard L., [redacted].
Sholly, David J., [redacted].
Shope, Walter R., [redacted].
Short, Alonzo E., [redacted].
Short, Robert W., [redacted].
Shreffler, Lynn D., [redacted].
Shuey, Martin W., [redacted].
Sifrit, Roger W., [redacted].
Sikorski, Robert J., [redacted].
Simcox, Thomas A., [redacted].
Simerly, Julian C., [redacted].
Simpson, Donald A., [redacted].
Simpson, Jerry J., [redacted].
Simpson, William N., [redacted].
Sims, Thomas L., [redacted].
Skarupa, Ronald A., [redacted].
Sklar, Richard R., [redacted].
Slater, Duane L., [redacted].
Sloan, John N., [redacted].
Slye, William T., Jr., [redacted].
Smart, Eric E. [redacted].
Smith, Charles F., [redacted].
Smith David B., [redacted].
Smith Doyle E., [redacted].
Smith James A., [redacted].
Smith, Jimmy R., [redacted].
Smith, John M., [redacted].
Smith, Robert H., [redacted].
Smith, Robert P., [redacted].
Smith, Ted H., [redacted].
Smith, Thomas J., [redacted].
Smith, Tommy J., [redacted].
Smith, Wardell C., [redacted].
Smith, William H., [redacted].
Smock, James E., [redacted].
Sneed, Thomas A., [redacted].
Snider, Don M., [redacted].
Snuffer, Garner D., [redacted].
Snyder, Charles R., [redacted].
Sobieski, Henry F., [redacted].
Sobke, John F., [redacted].
Solymosy, Edmond S., [redacted].
Sones, Richard A., [redacted].
Spangler, David R., [redacted].
Speaker, Theodore A., [redacted].
Spencer, James J., [redacted].
Spencer, Samuel W., [redacted].
Spencer, Thomas A., [redacted].
Spencer, Wilbur P., [redacted].
Spicuzza, William L., [redacted].
Spisak, John J., [redacted].
Spradling, Eldon H., [redacted].
Sprague, Harold E., [redacted].
Sprouse, James V., [redacted].
Stafne, James A., [redacted].
Stanley, Gerald I., [redacted].

Stanley, Richard P., [redacted].
Stanley, Warner D., [redacted].
Starbird, Edward A., [redacted].
Statum, Herman C., [redacted].
Stauffer, Wallace J., [redacted].
Steinhauer, William, [redacted].
Stephenson, Dan T., [redacted].
Stevenson, Julian L., [redacted].
Stewart, Alan F., [redacted].
Stewart, Alan P., [redacted].
Stewart, Asa E., [redacted].
Stewart, Phillip R., [redacted].
Stewart, Thomas L., [redacted].
Steiglitz, Gilbert, [redacted].
Stiehl, Gustav H., [redacted].
Stillman, Jon C., [redacted].
Stinson, Robert J., [redacted].
Stockton, Patrick D., [redacted].
Stone, Bert, [redacted].
Stone, Wayne F., [redacted].
Stong, Todd D., [redacted].
Stpeter, Norman L., [redacted].
Street, Donald R., [redacted].
Striler, Raymond J., [redacted].
Stroup, Theodore G., [redacted].
Stryjewski, Robert, [redacted].
Sughrue, Lawrence T., [redacted].
Sullivan, Dennis B., [redacted].
Sullivan, Milton L., [redacted].
Sweet, George B., [redacted].
Swendson, Joe A., [redacted].
Swift, Ivan C., [redacted].
Swift, William D., [redacted].
Swing, Walter M., [redacted].
Syczylo, Rodney S., [redacted].
Szwarckop, Joseph D., [redacted].
Szydlo, Robert B., [redacted].
Szymczak, Robert W., [redacted].
Tasket, Ronald W., [redacted].
Tate, Raymond A., [redacted].
Taylor, Carl S., [redacted].
Taylor, Dell W., [redacted].
Taylor, John L., [redacted].
Taylor, Rex A., [redacted].
Teel, Kenneth L., [redacted].
Telenko, George J., [redacted].
Telfair, William D., [redacted].
Templeton, Geoffrey, [redacted].
Tempton, Willie A., [redacted].
Tessmer, Lee W., [redacted].
Theisen, David J., [redacted].
Thomas, Billie N., [redacted].
Thomas, Billy M., [redacted].
Thomas, Everett R., [redacted].
Thomas, John K., [redacted].
Thomas, Robert B., [redacted].
Thompson, Earl A., [redacted].
Thompson, Owen R., [redacted].
Thompson, Robert W., [redacted].
Thompson, Stanley E., [redacted].
Thorson, Glen J., [redacted].
Thrasher, Carl D., [redacted].
Thrasher, Robert H., [redacted].
Tichenor, Carroll J., [redacted].
Tierney, James L., [redacted].
Tifverman, Lawrence, [redacted].
Tilden, George E., [redacted].
Tilson, Charles E., [redacted].
Tilt, William M., [redacted].
Tilton, William M., [redacted].
Timmons, Aurin C., [redacted].
Tindale, Alan C., [redacted].
Tindall, James E., [redacted].
Tippin, Scott M., [redacted].
Tippins, Gerald M., [redacted].
Tipton, James D., [redacted].
Tobin, Jacob G., [redacted].
Tomblinson, William, [redacted].
Tomlinson, Gene B., [redacted].
Toomepuu, Tonu, [redacted].
Torres, Peter B., [redacted].
Townsend, Kenneth L., [redacted].
Townsend, Willis M., [redacted].
Trammell, Johnny C., [redacted].
Trbovich, Tyrone M., [redacted].
Treadwell, David O., [redacted].
Trimble, James A., [redacted].
Trombley, Thomas H., [redacted].
Tucker, Billy D., [redacted].
Tumelson, Ronald A., [redacted].
Turley, James M., [redacted].
Turner, Frederick C., [redacted].
Turner, Harvey E., [redacted].
Turner, John A., [redacted].
Turner, John M., [redacted].
Turner, Robert W., [redacted].
Ulrich, Charles H., [redacted].
Urna, Henry D., [redacted].
Vachon, Raymond F., [redacted].
Vannes, Clayton L., [redacted].
Varela, Louis, Jr., [redacted].
Varnado, Charles B., [redacted].
Vaughan, Bernard W., [redacted].
Vaughan, Walter A., [redacted].
Vaughn, Thomas B., [redacted].
Veal, Monte R., [redacted].
Vejar, Ray J., [redacted].
Velez, Agustin E., [redacted].
Villarreal, Hector, [redacted].
Volta, Donald H., [redacted].
Vonhoene, John P., [redacted].
Voss, James G., [redacted].
Vozka, David, [redacted].
Wagner, David W., [redacted].
Wagner, William J., [redacted].
Wake, William E., [redacted].
Walden, John W., [redacted].
Walker, Charles R., [redacted].
Walker, Edward G., [redacted].
Walker, John B., [redacted].
Walker, Neal R., [redacted].
Wall, Richard W., [redacted].
Wallace, Kenneth M., [redacted].
Wallenborn, Frederic, [redacted].
Walters, David L., [redacted].
Walters, Floyd J., [redacted].
Walton, Bradford L., [redacted].
Walton, Jamie W., [redacted].
Ward, Robert E., [redacted].
Ward, Theron W., [redacted].
Warnock, William H., [redacted].
Warren, Robert J., [redacted].
Warren, Wayne S., [redacted].
Wasaff, Samuel K., [redacted].
Washburn, Curtis J., [redacted].
Washington, Thomas, [redacted].
Wasserburger, John, [redacted].
Waterston, Robert J., [redacted].
Watkins, Leo F., [redacted].
Watson, Samuel J., [redacted].
Watt, Murray B., [redacted].
Watters, Robert A., [redacted].
Waynick, William C., [redacted].
Weatherford, William, [redacted].
Webb, Ernest L., [redacted].
Webb, Quentin R., [redacted].
Webb, Richard G., [redacted].
Weber, Glenn R., [redacted].
Weber, Neal J., [redacted].
Webster, Robert H., [redacted].
Weigand, Gerald L., [redacted].
Weinfurter, Robert [redacted].
Weiss, Stephen R., [redacted].
Weitzel, Kenneth P., [redacted].
Wells, Virgil R., [redacted].
Wertz, Paul F., [redacted].
West, Steven G., [redacted].
Westendick, William, [redacted].
Weyand, John W., Jr., [redacted].
Whaley, Karroll C., [redacted].
Wheeler, Jack C., [redacted].
Whigham, John A., [redacted].
Whitaker, Bobby V., [redacted].
Whitley, James R., [redacted].
Whitmore, Stanley E., [redacted].
Wicker, Wayne M., [redacted].
Wiggins, Harry R., [redacted].
Wilbur, Paul A., [redacted].
Wilcox, John G., [redacted].
Wilhelm, Alfred D., [redacted].
Wilkins, Harold H., [redacted].
Willdermood, Lance, [redacted].
Williams, Donald W., [redacted].
Williams, James D., [redacted].
Williams, James E., [redacted].
Williams, John C., [redacted].
Williams, Michael J., [redacted].
Williams, Phillip W., [redacted].
Williams, Roger T., [redacted].
Williams, Wade J., [redacted].
Williams, Warren B., [redacted].
Williamson, Donald, [redacted].
Williamson, John G., [redacted].
Williamson, Robert, [redacted].
Willis, Deral E., [redacted].
Willis, Wayne D., [redacted].
Willis, William M., [redacted].
Willms, Walter R., [redacted].
Wilson, Lee B., [redacted].
Wilson, Richard A., [redacted].
Wilson, Ronald D., [redacted].
Wilson, William R., [redacted].
Windom, David L., [redacted].
Winkler, John C., [redacted].
Winter, Norman E., [redacted].
Winterbottom, Rodney, [redacted].
Wise, A. J., [redacted].
Withers, Geoffrey D., [redacted].
Wolf, Harrison F., [redacted].
Wolf, Robert L., [redacted].
Wolfe, Ralph R., [redacted].
Wolfe, Robert M., [redacted].
Wong, Robert Y., [redacted].
Wood, James F., [redacted].
Wood, Smythe J., [redacted].
Woodbury, Paul W., [redacted].
Word, Alan A., [redacted].
Word, Larry E., [redacted].
Worrell, Benton, [redacted].
Worthington, Henry, [redacted].
Wosepka, James L., [redacted].
Wright, Allen W., [redacted].
Wright, James A., [redacted].
Wuerpel, Charles L., [redacted].
Wulf, Bruce L., [redacted].
Wylie, Richard W., [redacted].
Xenakis, William A., [redacted].
Yager, Lawrence, W., [redacted].
Yardas, Douglas A., [redacted].
Yearout, Robert D., [redacted].
York, Val D., [redacted].
Young, Danny A., [redacted].
Young, Robert A., [redacted].
Zaremba, Walter C., [redacted].
Zelez, Gordon N., [redacted].
Zenker, Ernest G., [redacted].
Zetterburg, Robert, [redacted].
Zick, Robert E., [redacted].
Zielenski, Peter T., [redacted].
Zimmerman, Guy G., [redacted].
Zipperer, Frank E., [redacted].
Zmuida, Paul T., [redacted].
Zwicker, Gary L., [redacted].
Zynda, Gerald I., [redacted].

CHAPLAIN CORPS

To be major

Bruns, James D., [redacted].
Danielson, Wendell, [redacted].
Devine, Kevin A., [redacted].
Ennis, Robert J., [redacted].
Gardner, Elijah H., [redacted].
Greenburg, Alcuin E., [redacted].
Gushwa, Robert L., [redacted].
Huntley, Jack R., [redacted].
Johnson, Leroy, [redacted].
Keutzer, Walter J., [redacted].
Schumacher, John W., [redacted].
Steffey, Chester R., [redacted].
Stock, Joseph E., [redacted].
Williams, David W., [redacted].

WOMEN'S ARMY CORPS

To be major

Cadoria, Sherian G., [redacted].
Hinkson, Betty M., [redacted].
Scribner, Elizabeth, [redacted].
Stallings, Betty J., [redacted].
Williamson, Myrna H., [redacted].

MEDICAL CORPS

To be major

Alden, Errol R., [redacted].
Almquist, Howard T., [redacted].
Ayerdi, Evalt, [redacted].
Babcock, William S., [redacted].
Baker, John Q., [redacted].
Beltran, Normandy B., [redacted].
Blount, Richard B., [redacted].
Bouzigard, Ray Jose, [redacted].
Clark, Thomas H., [redacted].
Coldewey, Johann F., [redacted].
Cox, Jack A., [redacted].

Cuartas, Francisco, [redacted].
Devillez, Richard L., [redacted].
Drake, Frank R., Jr. [redacted].
Ekland, David A., [redacted].
Fedde, Charles W., [redacted].
Flanagan, Clyde H. J., [redacted].
Gagon, Terry E., [redacted].
Gates, Davis F., [redacted].
Glass, Billy L., [redacted].
Glass, Richard S., [redacted].
Glouberman, Stephen, [redacted].
Goldberg, Bertram, [redacted].
Hameister, Herbert, [redacted].
Haynes, James L., [redacted].
Johnson, Dariel Lee, [redacted].
Judy, Kenneth Lee, [redacted].
Keeports, Richard L., [redacted].
Kitchings, Olen, [redacted].
Larson, Arthur W., [redacted].
Leftik, Martin I., [redacted].
Leman, Milton H., Jr., [redacted].
Lepine, Eugene M., [redacted].
Lull, Robert J., [redacted].
Maher, Paul Joseph, [redacted].
Martin, Carroll M., [redacted].
McAllister, Hugh A., [redacted].
McCormick, Wilbur S., [redacted].
Merenstein, Gerald, [redacted].
Merrill, Richard H., [redacted].
Murgo, Joseph P., [redacted].
Pardi, Livio F., [redacted].
Payne, Ronald J., [redacted].
Sasada, Allan M., [redacted].
Sayers, Ronny J., [redacted].
Shuger, Richard D., [redacted].
Staiano, Ralph A., [redacted].
Steudel, Wolfgang T., [redacted].
Stutz, Friedrich H., [redacted].
Swallow, Charles T., [redacted].
Tiesenga, Sidney W., [redacted].
Tremaine, Myron D., [redacted].
Wagner, Stanley C., [redacted].

DENTAL CORPS

To be major

Boglarski, Stephen, [redacted].
Boynton, Robert E., [redacted].
Brokaw, William C., [redacted].
Brown, Alan R., [redacted].
Burg, Hans A., [redacted].
Cunningham, David E., [redacted].
Davila, Manuel A., [redacted].
Hajduk, Carl J., [redacted].
Hartwell, Gary R., [redacted].
Jagels, Arlen E., [redacted].
Kozel, Eugene W., [redacted].
Larue, John R., [redacted].
Meagher, John R., [redacted].
Morgan, Don W., [redacted].
Robinson, Phillip H., [redacted].
Schow, Sterling R., [redacted].
Serwatka, Walter J., [redacted].
Shulski, Fred P., [redacted].
Strope, Michael B., [redacted].
Thompson, David A., [redacted].
Woodyard, Stephen G., [redacted].

MEDICAL SERVICE CORPS

To be major

Alba, Ricardo, [redacted].
Amos, William H., Jr., [redacted].
Anderson, Charles H., [redacted].
Armstrong, Chalmer, [redacted].
Bambery, Thomas W., [redacted].
Beman, Charles E., [redacted].
Betasso, Joseph J., [redacted].
Biggs, Barry L., [redacted].
Black, Robert G., [redacted].
Bolte, Gordon L., [redacted].
Bowen, Gail O., [redacted].
Breen, Richard N., [redacted].
Brickhouse, Eugene, [redacted].
Brothers, Chauncy P., [redacted].
Brown, Herman D., Jr., [redacted].
Candelaria, John J., [redacted].
Carestia, Ralph R., [redacted].
Carter, Jimmie B., [redacted].
Casey, Thomas D., [redacted].
Childers, Leon W., [redacted].
Chin, Gordon O., [redacted].
Colbert, Bill N., [redacted].
Cole, Evan H., [redacted].
Collins, Robert P., [redacted].
Ebner, Donald G., [redacted].
Edwards, Joseph D., [redacted].
Fox, Charles E., [redacted].
Gerukos, John G., [redacted].
Gilliam, Frank H., Jr., [redacted].
Gordon, Thomas J., [redacted].
Grady, Milton, [redacted].
Graham, Richard W., [redacted].
Gray, John W., [redacted].
Grider, Robert J., [redacted].
Gustat, Matthew P., [redacted].
Guthrie, Jack N., [redacted].
Hantman, Richard K., [redacted].
Hays, Walter R., [redacted].
Heaton, Billy A., [redacted].
Heimendinger, Richard, [redacted].
Helin, Donald D., [redacted].
Hill, Arthur E., [redacted].
Huff, Fred V., [redacted].
Hunt, Dan W., [redacted].
Hyde, Gary P., [redacted].
Johnson, Donald A., [redacted].
Johnson, Walter F., [redacted].
Keel, Robert H., [redacted].
Kinion, Ronald O., [redacted].
Kishimoto, Richard, [redacted].
Kovach, Frank J., [redacted].
Kullbom, Merrill C., [redacted].
Lacey, Donald A., [redacted].
Lillard, Joseph K., [redacted].
Loryea, Robert S., [redacted].
Lynch, Jeffrey G., [redacted].
Maruca, Robert T., [redacted].
Mayer, Henry A., Jr., [redacted].
Mazur, John F., [redacted].
McCormack, John C., [redacted].
McEntire, Fred W., [redacted].
McGarry, Joseph J., [redacted].
McKinster, Lowell, [redacted].
McNeill, Douglas W., [redacted].
Meade, William C., II, [redacted].
Miller, William C., [redacted].
Montgomery, Gordon, [redacted].
Mueller, Hans J., [redacted].
Munley, Thomas C., Jr., [redacted].
Neely, James M., [redacted].
Nesbit, Earl W., [redacted].
Nolan, Kenneth J., [redacted].
O'Barr, Billy J., [redacted].
O'Brien, Joseph D., [redacted].
Oliver, Gerald C., [redacted].
Palmer, William W., [redacted].
Parsons, Ray E., [redacted].
Pederson, Carl E., [redacted].
Peters, Lowell F., [redacted].
Pfetsch, John J., [redacted].
Pottle, Lloyd E., [redacted].
Prince, Howard T., II, [redacted].
Pugh, Paul M., [redacted].
Radcliffe, John H., [redacted].
Riley, Harold E., [redacted].
Roby, William W., [redacted].
Rose, Robert D., [redacted].
Rose, Walter E., [redacted].
Rosenbleeth, Milton, [redacted].
Roussin, Robert D., [redacted].
Rowlette, Lemuel A., [redacted].
Savage, Linnaeus B., [redacted].
Schiefer, Bernard A., [redacted].
Schlaeppi, Lloyd A., [redacted].
Silverstein, Herman, [redacted].
Sisk, Michael G., [redacted].
Snyder, Charles W., [redacted].
Soberg, David A., [redacted].
Soule, James L., Jr., [redacted].
Spencer, William R., [redacted].
Spiker, James E., [redacted].
Spruiell, Jerry B., [redacted].
Stepp, Wendell, [redacted].
Stutz, Douglas R., [redacted].
Tedrow, Thomas N., [redacted].
Thompson, Dale L., Jr., [redacted].
Thornton, Joseph A., [redacted].
Timberlake, John S., [redacted].
Troy, Milton W., [redacted].
Truscott, James J., [redacted].
Vermillion, James G., [redacted].
Wade, Douglas E., [redacted].
Wahl, George H., [redacted].
Ward, Stewart R., [redacted].
Warner, David J., [redacted].
Weiss, James W., [redacted].
White, Miles H., [redacted].
Whitehouse, Roy L., [redacted].
Williams, Charles, [redacted].
Williams, Charles M., [redacted].
Wright, Robert E., [redacted].
Young, James R., [redacted].

ARMY MEDICAL SPECIALIST CORPS

To be major

Dayton, Miller P., II, [redacted].
Durey, Doris J., [redacted].
Elbeheri, Mahmoud S., [redacted].
Haley, Donald L., [redacted].
Laubscher, Sonya R., [redacted].
Lavin, Jacqueline M., [redacted].
Lewis, Gerald H., [redacted].
Ong, Harry M., [redacted].
Sakson, Donald A., [redacted].
Swanson, John A., [redacted].
Turpin, Marcia L., [redacted].
Webb, Annie J., [redacted].
Yokoi, Frances N., [redacted].

VETERINARY CORPS

To be major

Goldsboro, Jerome A., [redacted].
Hall, Robert D., [redacted].
Jennings, Paul B., Jr., [redacted].
Kerr, William K., [redacted].
Matney, Harvey R., [redacted].
McGovern, Lawrence, [redacted].
Palo, Matti W., [redacted].
Pope, Conrad R., [redacted].
Roberts, Clifford R., [redacted].
Whitmire, Richard E., [redacted].

ARMY NURSE CORPS

To be major

Biddle, William M., [redacted].
Boddie, Julia A., [redacted].
Borg, Naldean J., [redacted].
Brice, Betty, [redacted].
Courts, Dorothea A., [redacted].
Cusick, Judith M., [redacted].
Dockal, Harvey J., [redacted].
Foley, Mary D., [redacted].
Gabbert, Kenneth K., [redacted].
Garcia, Amelia, [redacted].
Golden, Raymond L., [redacted].
Halliburton, Sarah, [redacted].
Hamilton, Aida L., [redacted].
Hildebrand, Teddy L., [redacted].
Kral, Thomas E., [redacted].
Kuhn, Patricia A., [redacted].
Morris, Wayne S., [redacted].
Petrello, Judith M., [redacted].
Phillips, Angeles E., [redacted].
Reulein, Carol E., [redacted].
Rossi, Marguarite J., [redacted].
Shinskie, Edward F., [redacted].
Sokoloski, James L., [redacted].
Umphenour, Jo H., [redacted].
Walls, Marian J., [redacted].
Wheeler, Marvin W., [redacted].
Winnicki, Michael L., [redacted].

ARMY PROMOTION LIST

To be captain

Abney, Lincoln M., [redacted].
Abramovitz, Irwin J., [redacted].
Adams, Ernest C., [redacted].
Adams, Frank B., [redacted].
Adams, James W., [redacted].
Adams, Lonnie B., [redacted].
Adams, Samuel B., [redacted].
Adams, Tommy M., [redacted].
Adamson, James C., [redacted].
Adinaro, Joseph T., [redacted].
Adkins, Charles E., [redacted].
Affeldt, John F., [redacted].
Aileo, William A., [redacted].
Albanese, Ernest L., [redacted].
Albrecht, George W., [redacted].
Albright, Paul S., [redacted].
Aldridge, Marion J., [redacted].
Allard, John W., [redacted].
Allen, James M., [redacted].
Allen, James M., [redacted].
Allen, Robert W., [redacted].
Allen, Roy J., [redacted].
Alley, Claude R., [redacted].
Alley, Richard F., [redacted].

Alvarey, Joel R., [redacted].
Alvarez, Angel H., Jr., [redacted].
Ammon, Peter J., [redacted].
Anconetani, Anthony, [redacted].
Anders, Howard G., [redacted].
Anderson, Charles W., [redacted].
Anderson, Robert W., [redacted].
Anderson, Thomas M., [redacted].
Andrew, Zalph H., [redacted].
Angus, James W., [redacted].
Anshus, Richard C., [redacted].
Anstrom, Charles V., [redacted].
Anthony, Steven C., [redacted].
Antoniotti, Joseph, [redacted].
Arakaki, Don, [redacted].
Armour, Wayne T., [redacted].
Armstrong, Eugene G., [redacted].
Armstrong, Marion V., [redacted].
Arndt, Richard J., [redacted].
Arnold, Buddy L., [redacted].
Arnold, James J., [redacted].
Arquilla, Alfred F., [redacted].
Arthur, Ralph W., III, [redacted].
Artola, George H., [redacted].
Ashley, Richard C., [redacted].
Auerbach, Steven L., [redacted].
Aykroyd, Douglas S., [redacted].
Bacevich, Andrew J., [redacted].
Bacon, John E., [redacted].
Bailey, Alton P., [redacted].
Bailey, Edward L., [redacted].
Bailey, Ronald R., [redacted].
Bailey, Sedell, [redacted].
Bair, Tracy R., [redacted].
Baker, David C., [redacted].
Bald, James F., [redacted].
Baldenweck, Thomas, [redacted].
Baldwin, Robert H., [redacted].
Bale, Hugh O., [redacted].
Ball, Blaine S., [redacted].
Ball, James A., [redacted].
Ballou, Justin G., [redacted].
Bancroft, Ronald K., [redacted].
Bandel, Raymond L., [redacted].
Banks, John T., [redacted].
Barber, David S., [redacted].
Barcellos, Terrance, [redacted].
Barclay, Robert P., [redacted].
Barefield, Robert L., [redacted].
Bareford, Jackson D., [redacted].
Barnett, Forrest W., [redacted].
Barrett, Williams J., [redacted].
Barry, Charles L., [redacted].
Barstis, George A., [redacted].
Barth, James M., [redacted].
Barton, Curtis B., [redacted].
Basilotto, John P., [redacted].
Bastey, Mark F., [redacted].
Bateman, William V., [redacted].
Battles, Dennis O., [redacted].
Bauman, Stephen A., [redacted].
Baur, Richard A., [redacted].
Bazzel, Peter J., [redacted].
Beauchamp, Frederic, [redacted].
Becker, Lawrence J., [redacted].
Beckworth, Tim K., [redacted].
Begland, Robert R., [redacted].
Behncke, Robert H., [redacted].
Bell, Burwell B., [redacted].
Bell, Thomas A., [redacted].
Benjamin, William E., [redacted].
Benninghoff, William, [redacted].
Berenato, Joseph C., [redacted].
Bergh, Roger S., [redacted].
Berry, Wildy F., [redacted].
Besozzi, Paul C., [redacted].
Bessent, Elmo V., [redacted].
Best, Robert B., [redacted].
Bettencourt, Vernon, [redacted].
Bewley, William M., [redacted].
Beyer, Ronald F., [redacted].
Biasi, Peter M., [redacted].
Bickel, John W., [redacted].
Biliter, Patrick E., [redacted].
Billingsley, Sidney, [redacted].
Binder, Gregory C., [redacted].
Bish, Gary A., [redacted].
Blackburn, Linwood, [redacted].
Blake, Donald W., [redacted].
Blake, Thomas J., [redacted].
Blaney, Daniel J., [redacted].
Block, David J., [redacted].
Blood, Leigh J., [redacted].
Boatwright, Leroy, [redacted].
Boggs, James D., [redacted].
Bohn, William H., [redacted].
Bolger, John T., [redacted].
Bonebrake, Charles, [redacted].
Bongiorni, Dominic, [redacted].
Boothman, Richard S., [redacted].
Booton, Paul M., [redacted].
Bornhoft, Stewart H., [redacted].
Borresen, David F., [redacted].
Bosking, Robert P., [redacted].
Bourne, Garrett D., [redacted].
Bowers, Frame J., [redacted].
Bown, Gilbert F., [redacted].
Boyd, Robert S., [redacted].
Boye, Brooks A., [redacted].
Bradley, David R., [redacted].
Bradley, Jerry W., [redacted].
Brandt, William M., [redacted].
Branham, Terry W., [redacted].
Bratton, Marshall S., [redacted].
Braud, Gerald R., [redacted].
Brennan, James M., [redacted].
Bresnan, Frederick, [redacted].
Bresnick, Terry A., [redacted].
Brethorst, William, [redacted].
Brillante, Joseph R., [redacted].
Brittain, Frank W., [redacted].
Brittenham, Billy F., [redacted].
Brooks, Mack M., [redacted].
Brosnan, Francis M., [redacted].
Bross, Paul J., [redacted].
Browder, Dewey A., [redacted].
Brower, Charles F., [redacted].
Brown, Albert D., [redacted].
Brown, Chandler R., [redacted].
Brown, Frederic C., [redacted].
Brown, Geoffrey P., [redacted].
Brown, Henry E., [redacted].
Brown, James D., [redacted].
Brown, James R., [redacted].
Brown, Jerry L., [redacted].
Brown, Keirn C., [redacted].
Brown, Norman A., [redacted].
Brown, Richard A., [redacted].
Brown, Roger F., [redacted].
Brown, Royal A., [redacted].
Brown, Thomas L., [redacted].
Bryant, Fred E., [redacted].
Bryant, Robert B., [redacted].
Bryant, Scott A., [redacted].
Bubb, Ernest E., [redacted].
Buchanan, Michael A., [redacted].
Buck, Doyle A., [redacted].
Buechner, Daniel A., [redacted].
Bueno, Antonio, [redacted].
Bulloch, Bobby J., [redacted].
Bullock, Gary B., [redacted].
Bunn, Giles F., III, [redacted].
Bunton, William E., [redacted].
Burch, Thomas E., [redacted].
Burke, William J., [redacted].
Burkhart, Ralph L., [redacted].
Burks, Ishmon F., [redacted].
Burns, Robert P., [redacted].
Burrell, Ralph W., [redacted].
Bushong, Richard H., [redacted].
Butler, Anthony K., [redacted].
Butler, William W., [redacted].
Byard, Robert W., [redacted].
Byers, John B., [redacted].
Cababa, Robin R., [redacted].
Caber, Lawrence W., [redacted].
Caldwell, Vacal D., [redacted].
Caletine, Jack E., [redacted].
Calfee, William E., [redacted].
Callaway, Thomas M., [redacted].
Callen, Paul J., [redacted].
Calocci, Thomas F., [redacted].
Cameron, Thomas B., [redacted].
Campbell, David R., [redacted].
Campbell, Francis J., [redacted].
Campbell, John G., [redacted].
Campbell, Larry O., [redacted].
Campbell, William J., [redacted].
Canas, Henry R., [redacted].
Cannava, Thomas J., [redacted].
Cantlay, George G., [redacted].
Carey, Stephen W., [redacted].
Carfagna, Don R., [redacted].
Caris, Roger L., [redacted].
Carlisle, Ronald W., [redacted].
Carlson, Adolph, [redacted].
Carlson, Robert E., [redacted].
Carlton, William, Jr., [redacted].
Carpenter, Fred V., [redacted].
Carpenter, James N., [redacted].
Carr, Michael V., [redacted].
Carter, J. Floyd, III, [redacted].
Carter, Richard A., [redacted].
Carter, Thomas W., [redacted].
Carter, William E., [redacted].
Caryl, Michael R., [redacted].
Casey, James T., [redacted].
Casey, John T. D., [redacted].
Casey, William M., [redacted].
Cassidy, Richard P., [redacted].
Castner, William B., [redacted].
Catalfamo, Francesc, [redacted].
Catani, Albert J., [redacted].
Cato, Lemuel J., [redacted].
Causey, Danny P., [redacted].
Chambers, William W., [redacted].
Champlin, Guy E., [redacted].
Chancellor, Darrell, [redacted].
Chang, Roger, [redacted].
Chapin, Steven W., [redacted].
Chase, Michael S., [redacted].
Chasler, Charles D., [redacted].
Chernauskas, Paul J., [redacted].
Chessnoe, John M., [redacted].
Chilcote, Ted C., [redacted].
Childers, William M., [redacted].
Childs, Edward M., [redacted].
Christian, John K., [redacted].
Christian, Robert F., [redacted].
Church, Scott F., [redacted].
Ciccolella, Charles, [redacted].
Ciccolella, Richard, [redacted].
Clancy, Edward F., [redacted].
Clark, Jerry S., [redacted].
Clark, Philip A., [redacted].
Claxton, John D., [redacted].
Cleary, Daniel J., [redacted].
Clegg, Robert H., [redacted].
Clemens, Robert B., [redacted].
Clements, Willis L., [redacted].
Clowery, Stephen M., [redacted].
Cloyd, Walter L., III, [redacted].
Clukey, Gary P., [redacted].
Coan, George P., Jr., [redacted].
Cochrane, William M., [redacted].
Cody, Jerry B., [redacted].
Colacicco, Michael, [redacted].
Colbert, David K., [redacted].
Cole, Christopher C., [redacted].
Cole, George P., [redacted].
Cole, John H., [redacted].
Coling, James H., [redacted].
Collier, Allen S., [redacted].
Collins, Michael W., [redacted].
Collins, Rollins J., [redacted].
Collins, William P., [redacted].
Collinsworth, Tim A., [redacted].
Conk, Michael J., [redacted].
Conn, Daniel J., [redacted].
Connolly, Michael P., [redacted].
Connor, Dennis R., [redacted].
Conrad, Thomas E., [redacted].
Conway, Richard G., [redacted].
Cooch, Robert L., [redacted].
Cook, Craig A., [redacted].
Cook, Gary A., [redacted].
Cooney, Terrence E., [redacted].
Copeland, Michael J., [redacted].
Corica, Vincent C., [redacted].
Cornellson, Joseph, [redacted].
Cornes, William B., [redacted].
Coryell, Thompson O., [redacted].
Costello, John, [redacted].
Cosumano, Joseph M., [redacted].
Cottell, Philip G., [redacted].
Coughenour, Kavin L., [redacted].
Coulter, Martin A., [redacted].
Cox, Daniel J., [redacted].
Cox, Frank J., [redacted].
Cox, James G., [redacted].
Coyle, Philip V., [redacted].
Crabbe, James D., [redacted].
Craft, Douglas W., [redacted].

Craig, David B., [redacted]
Craig, Larry B., [redacted]
Craig, Terence G., [redacted]
Crawford, Robert G., [redacted]
Crayton, Juan V., [redacted]
Creech, William A., [redacted]
Creek, James H., [redacted]
Crenshaw, Walter A., [redacted]
Cronin, Robert M., [redacted]
Crosby, Donald R., [redacted]
Crosby, Ralph D., [redacted]
Cross, Dennis D., [redacted]
Cross, James B., [redacted]
Crowden, Gary G., [redacted]
Culhane, Kevin V., [redacted]
Culp, Trygve H., [redacted]
Culwell, Kenneth L., [redacted]
Cumbie, Donovan R., [redacted]
Cunningham, James E., [redacted]
Cupelli, Ralph P., [redacted]
Curl, Louis J., [redacted]
Curran, Anthony K., [redacted]
Curtis, Howard G., [redacted]
Cuviello, Peter M., [redacted]
Dabbieri, Ronald A., [redacted]
Dahlgren, Steven L., [redacted]
Dale, Allen W., [redacted]
Dale, Thomas D., [redacted]
Daly, John V., [redacted]
Daly, William F., [redacted]
Dantone, Joseph D., [redacted]
Daprix, Barry R., [redacted]
Darr, George J., [redacted]
Daugherty, Stanley, [redacted]
David, Philip J., [redacted]
Davidson, Donald G., [redacted]
Davis, Michael S., [redacted]
Davis, Ralph J., [redacted]
Davis, William T., [redacted]
Day, Curtis J., Jr., [redacted]
Deale, Robert C., [redacted]
Dean, Charles L., [redacted]
Deaton, Lloyd R., [redacted]
Deck, William R., [redacted]
Deeker, Donald L., [redacted]
Defilippi, Stanley, [redacted]
Delacy, Peter W., [redacted]
Deller, William J., [redacted]
Demartinis, Nicholas, [redacted]
Demetriou, George, [redacted]
Deming, Dennis C., [redacted]
Dencker, Peter A., [redacted]
Denler, Douglas P., [redacted]
Dent, Samuel R., [redacted]
Denton, Samuel E., [redacted]
Desiderio, Timothy, [redacted]
Dethlefsen, Mac H., [redacted]
Devault, Dean L., [redacted]
Devos, Edward G., [redacted]
Dewald, Lee S., [redacted]
Dey, Michael J., [redacted]
Dibella, Alfred L., [redacted]
Dickens, Ralph K., [redacted]
Dickens, William P., [redacted]
Dickinson, Don P., II, [redacted]
Dickinson, Mark V., [redacted]
Dickson, Dwight B., [redacted]
Dickson, Michael A., [redacted]
Diffley, Michael, [redacted]
Dimichel, Francis E., [redacted]
Dittmar, Joseph A., [redacted]
Dixon, James W., [redacted]
Dolton, Henry J., Jr., [redacted]
Domino, Thomas C., [redacted]
Donaldson, Jeffrey, [redacted]
Dooley, Joseph C., [redacted]
Doremus, Darrell D., [redacted]
Dorn, William E., [redacted]
Dotsey, George J., [redacted]
Dowell, David R., [redacted]
Dowling, Raymond B., [redacted]
Downey, Frederick M., [redacted]
Doyle, Edward, [redacted]
Doyle, John E., [redacted]
Drake, James M., II, [redacted]
Drake, Lincoln T., [redacted]
Drescher, Gary A., [redacted]
Druener, Ronald K., [redacted]
Dudley, Derrell E., [redacted]
Duke, James E., [redacted]
Dull, Robert J., [redacted]
Dunn, George R., [redacted]
Dunn, Richard J., III, [redacted]
Durham, Donald S., [redacted]
Durham, Jesse C., [redacted]
Duval, William G., [redacted]
Duvall, William E., [redacted]
Duveneck, William S., [redacted]
Duvic, Robert C., [redacted]
Dye, Robert J., [redacted]
Dyer, Joseph C., [redacted]
Dyson, James H., [redacted]
Eargle, Francis L., [redacted]
Eckmann, Lawrence J., [redacted]
Edens, James E., [redacted]
Edmonds, Lucien L., [redacted]
Edmondson, Gilbert, [redacted]
Edwards, Fred H., [redacted]
Edwards, Michael D., [redacted]
Edwards, Thomas E., [redacted]
Edwards, William C., [redacted]
Egan, John J., [redacted]
Eggers, John L., [redacted]
Eichler, Clifford L., [redacted]
Eisenhardt, Kenneth, [redacted]
Eisentrout, Bruce M., [redacted]
Elfner, Alan G., [redacted]
Elias, Thomas E., [redacted]
Ellerston, Jack W., [redacted]
Ellis, Larry R., [redacted]
Ellis, Thomas W., [redacted]
Elston, Kenneth D., [redacted]
England, John C., [redacted]
Epting, Richard M., [redacted]
Erb, Allan L., [redacted]
Erickson, Andrew E., [redacted]
Erickson, Matthew H., [redacted]
Esterrich, Tomas, [redacted]
Estler, Gary L., [redacted]
Evans, Edgar A., [redacted]
Evans, William L., [redacted]
Evenson, Michael K., [redacted]
Eyrich, Norviel R., [redacted]
Ezell, James J., [redacted]
Fagan, James D., [redacted]
Fagan, James F., [redacted]
Fagan, Thomas W., [redacted]
Fairlamb, John R., [redacted]
Fairman, Frederic C., [redacted]
Farel, Douglas G., [redacted]
Faris, Arthur L., [redacted]
Farquhar, Benjamin, [redacted]
Faulkner, Ronald W., [redacted]
Fellinger, Paul W., [redacted]
Fenimore, David L., [redacted]
Fenton, Thomas D., [redacted]
Ferchek, Gary R., [redacted]
Ferguson, William G., [redacted]
Feuge, Dennis W., [redacted]
Feyerisen, Paul S., [redacted]
Fiebiger, John F., [redacted]
Finch, Frank R., [redacted]
Finch, John R., [redacted]
Finger, Michael J., [redacted]
Finley, Gibson R., [redacted]
Fisher, Jerald W., [redacted]
Fisher, Michael F., [redacted]
Fiske, Roger C., [redacted]
Fitzgerald, Douglas, [redacted]
Fitzpatrick, James, [redacted]
Flack, Michael M., [redacted]
Flagg, Albert C., Jr., [redacted]
Flauto, Frank J., [redacted]
Fleetham, Ralph E., [redacted]
Flowers, Robert B., [redacted]
Flusche, Mark S., [redacted]
Foggy, Dennis D., [redacted]
Fogle, George C., Jr., [redacted]
Folsom, James D., [redacted]
Fontana, Dennis J., [redacted]
Foos, Robert C., [redacted]
Foote, Robert D., [redacted]
Fore, Robert L., [redacted]
Foreman, James E., [redacted]
Forrest, Christopher, [redacted]
Foss, James D., [redacted]
Fossom, Earl G., II, [redacted]
Foster, William G., [redacted]
Fouche, James T., [redacted]
Fouts, Leroy K., [redacted]
Frandsen, Dana C., [redacted]
Frank, Mitchell C., [redacted]
Franklin, Cleo R., [redacted]
Franzello, Arthy J., [redacted]
Frawley, Lester F., [redacted]
Frederick, Richard, [redacted]
Freeman, Carl H., [redacted]
Freeman, Terence M., [redacted]
French, John D., [redacted]
Frey, Mark L., [redacted]
Fricas, John, [redacted]
Friedman, Michael J., [redacted]
Friedrichs, Louis G., [redacted]
Friese, William F., [redacted]
Fritchley, William, [redacted]
Fritz, Paul H., [redacted]
Fruge, James E., [redacted]
Frykman, Richard M., [redacted]
Fucci, Joseph A., [redacted]
Fueger, Gregory G., [redacted]
Fullerton, Robert A., [redacted]
Furbank, Jeffrey E., [redacted]
Gafford, Jack B., [redacted]
Gaglia, Joseph, Jr., [redacted]
Galloway, James E., [redacted]
Gamble, John A., [redacted]
Gandara, Guillermo, [redacted]
Garczynski, Casimir, [redacted]
Garfield, Jefferson, [redacted]
Garlinger, John C., [redacted]
Garlock, Warren D., [redacted]
Garrett, Joseph G., [redacted]
Garrett, Robert W., [redacted]
Garrett, Thomas W., [redacted]
Garwood, Charles E., [redacted]
Garwood, Paul A., [redacted]
Gass, Robert G., [redacted]
Gavitt, James S., [redacted]
Gaylord, Stanley C., [redacted]
Geis, John P., [redacted]
Geloso, Peter J., [redacted]
Gfeller, Larry D., [redacted]
Giacomini, James L., [redacted]
Gibbens, Charles A., [redacted]
Gibbs, Charles, [redacted]
Gibney, Alan W., [redacted]
Gibson, James F., [redacted]
Gibson, William R., [redacted]
Giger, John R., [redacted]
Giguere, Michael J., [redacted]
Gilbert, Michael D., [redacted]
Gilbreth, Alan S., [redacted]
Gillette, John E., [redacted]
Gilbreath, Johnnie B., [redacted]
Glacel, Robert A., [redacted]
Glave, Charles M., [redacted]
Glazner, Alan M., [redacted]
Glendon, John W., [redacted]
Glore, Jodie K., [redacted]
Gloriod, John A., [redacted]
Glover, Donald L., [redacted]
Goff, Donald G., [redacted]
Goff, Leroy R., III, [redacted]
Goldberg, Lewis J., [redacted]
Gonser, Kent R., [redacted]
Gordon, Ray C., [redacted]
Gossett, Warren C., [redacted]
Gotowko, Peter F., [redacted]
Graham, Jimmie C., [redacted]
Gramlich, Andrew F., [redacted]
Grant, George R., [redacted]
Grant, Johnnie W., [redacted]
Grant, Paul D., [redacted]
Gravatt, Arthur B., [redacted]
Grazier, Edward H., [redacted]
Greathouse, John M., [redacted]
Green, Ronald D., [redacted]
Greene, George K., [redacted]
Greer, Charles W., [redacted]
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Gregor, William J., [redacted]
Grevert, Donald C., [redacted]
Griffin, Derek, [redacted]
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Griffin, Troy D., [redacted]
Griffith, Joseph H., [redacted]
Grisham, Danny S., [redacted]
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Guerra, William M., [redacted]

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Gulakowski, Denis E., [redacted].
Gunn, Thomas A., [redacted].
Gust, David R., [redacted].
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Haas, Helmut H., [redacted].
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Haker, John W., [redacted].
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Hall, Thomas M., Jr., [redacted].
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Hand, William M., [redacted].
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Harben, Harley J., [redacted].
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Harden, Richard C., [redacted].
Hardy, Christopher, [redacted].
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Homann. Dwight F., [redacted].
Homza, Eli A., [redacted].
Hoopengardner, Roger, [redacted].
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Klein Leland W., [redacted].
Kleinsteiber, Larry, [redacted].
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Knickerbocker, Will, [redacted].
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Lee, Larry R., [redacted].
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Lindsey, Wallace R., [redacted].
Linthwaite, Stephen, [redacted].
Littlejohn, Edward, [redacted].
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Lopresti, Thomas T., [redacted].
Lorenz, Grant G., [redacted].
Lott, Willie C., [redacted].
Love, George U., [redacted].
Love, James F., [redacted].
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Maddocks, Emery A., [redacted].
Madigan, Douglas H., [redacted].
Maeger, Henry V., [redacted].
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Magill, Jay N., [redacted].
Malachosky, Edward, [redacted].
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Milnes, Russel E., Jr., [redacted].
Mims, Samuel E., [redacted].
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Rankin, Dennis R., [redacted].
Rankin, Jerry A., [redacted].
Rast, John E., [redacted].
Raupp, Lloyd N., [redacted].
Rausch, Steven F., [redacted].
Ray, Douglas J., [redacted].
Raymond, Brian L., [redacted].
Reams, James P., [redacted].
Rearden, Robert S., [redacted].
Reece, Ralph G., [redacted].
Reed, John L., [redacted].
Rehm, Donald A., [redacted].
Reid, William H., [redacted].
Reilly, John M., [redacted].
Reimers, Ronald J., [redacted].
Reinker, James R., [redacted].
Reiss, David M., [redacted].
Reiva, Thomas J., [redacted].
Remmel, Carl L., [redacted].
Renner, Earl W., [redacted].
Reynolds, George D., [redacted].
Reynolds, Jesse E., [redacted].
Rhodes, Danny L., [redacted].
Rice, Terry L., [redacted].
Rice, William J., [redacted].
Richard, Floyd H., [redacted].
Richards, James D., [redacted].
Richmond, Charles D., [redacted].
Richmond, Henry B., [redacted].
Richmond, Terry L., [redacted].
Ricks, Ned B., [redacted].
Riddle, Terry L., [redacted].
Ridgeway, Starling, [redacted].
Riffle, Scottie R., [redacted].
Robella, Barry J., [redacted].
Roberts, Gary B., [redacted].
Robertson, Darrell, [redacted].
Robertson, John K., [redacted].
Robinette, Stephen, [redacted].
Rock, Clifford T., Jr., [redacted].
Rockhold, Neal W., [redacted].
Rodrigues, Alfred B., [redacted].
Rogers, Douglas C., [redacted].
Rogers, Oliver M., [redacted].
Rogers, Richard S., [redacted].
Rogers, Thomas C., [redacted].
Rogers, Thomas E., Jr., [redacted].
Rohacik, James J., [redacted].
Rohler, Dennis I., [redacted].
Roper, Everette L., [redacted].
Rosa, Robert J., Jr., [redacted].
Rose, Joseph C., [redacted].
Rose, Steven A., [redacted].
Rosenbaum, Henry M., [redacted].
Rossow, Michael J., [redacted].
Roszkowski, Joseph, [redacted].
Roth, Lester C., [redacted].
Rothermich, Michael, [redacted].
Roux, Russell P., [redacted].
Rowan, James M., [redacted].
Rowe, Robert B., [redacted].
Rowlett, Ricky M., [redacted].
Rowley, Stephen H., [redacted].
Roy, James W., Jr., [redacted].
Rucker, Tinsley W., [redacted].
Rudewick, William K., [redacted].
Ruesch, Kenneth J., [redacted].
Ruiz, Daniel, Jr., [redacted].
Rusk, Jon G., [redacted].
Russell, David R., [redacted].
Russell, James P., [redacted].
Rust, Charles M., [redacted].
Ruth, Dennis R., [redacted].
Ryan, Sylvester A., [redacted].
Rybicki, David N., [redacted].
Rynearson, William, [redacted].
Rystrom, Robert E., [redacted].
Sadoff, Lawrence R., [redacted].
Saffold, Donnell F., [redacted].
Salazar, Timothy C., [redacted].
Samuels, Thomas A., [redacted].
Sanders, Clarence S., [redacted].
Sanders, John T., [redacted].
Sandness, Stephen G., [redacted].
Sartor, Billy F., [redacted].
Sauer, John G., [redacted].
Sautter, Fred C., [redacted].
Savage, Frank R., [redacted].
Sawtelle, Matthew T., [redacted].
Scarangella, Henry, [redacted].
Schade, Jon C., [redacted].
Schempf, Bryan H., [redacted].
Scherer, William F., [redacted].
Schierholz, Orval P., [redacted].
Schmid, Harold W., [redacted].
Schmidt, Kendall A., [redacted].
Schmitz, Thomas F., [redacted].
Schneider, Lawrence, [redacted].
Schoenberger, Dale, [redacted].
Scholtes, Wayne H., [redacted].
Schonewetter, Dennis, [redacted].
Schoomaker, Peter J., [redacted].
Schoville, Robert T., [redacted].
Schreifer, Stephen, [redacted].
Schroeder, Henry J., [redacted].
Schroeder, Waldo, Jr., [redacted].
Schuepbach, John W., [redacted].
Schultz, Douglas P., [redacted].
Schultz, John T., [redacted].
Schultze, Richard W., [redacted].
Schwan, Carlton F., [redacted].
Schwankl, David N., [redacted].
Schwartzman, Charles, [redacted].
Scibetta, David L., [redacted].
Scoggins, James E., [redacted].
Scott, Henry A., [redacted].
Scott, James G., [redacted].
Scott, Robert E., Jr., [redacted].
Scotto, David W., [redacted].
Scruggs, Rhett W., [redacted].
Scull, Kenneth C., [redacted].
Sebes, Joseph D., [redacted].
Seck, John F., [redacted].
Seehausen, Verne P., [redacted].
Seeman, Michael J., [redacted].
Seitz, Richard R., [redacted].
Seland, Charles A., [redacted].
Selby, Frederick S., [redacted].
Selden, George H., [redacted].
Sell, Mark F., [redacted].
Semmens, Eugene P., [redacted].
Serrano, Alfredo, [redacted].
Seymour, John F., [redacted].
Shaffer, Richard A., [redacted].
Shanahan, Michael K., [redacted].
Shane, Michael J., [redacted].
Shannon, Daniel J., [redacted].
Sharphorn, Daniel H., [redacted].
Shaw, Johnnie D., [redacted].
Shean, Arthur R., [redacted].
Shelton, Donnie R., [redacted].
Sheon, Jesse P., [redacted].
Shepherd, John D., [redacted].
Shields, Michael R., [redacted].
Shimmick, Jay H., [redacted].
Shirron, William E., [redacted].
Shockley, Peter S., [redacted].
Shooner, Robert J., [redacted].
Short, Earle H., [redacted].
Shrigley, Ralph E., [redacted].
Shumaker, Gary E., [redacted].
Shumate, David M., [redacted].
Siekman, Dwayne K., [redacted].
Sieving, Immanuel C., [redacted].
Simmons, Oscar W., [redacted].
Simmons, Richard L., [redacted].
Simmons, William T., [redacted].
Simms, Edward D., [redacted].
Simms, James B., [redacted].
Simpson, John R., [redacted].
Skells, Peter J., [redacted].
Skelly, Lawrence E., [redacted].
Skidmore, Keith L., [redacted].
Skipper, Donald B., [redacted].
Small, Richard F., [redacted].
Smith, Charles A., [redacted].
Smith, Clyde G., [redacted].
Smith, David O., [redacted].
Smith, Dean T., [redacted].
Smith, Donald B., [redacted].
Smith, Edward S., [redacted].
Smith, George E., [redacted].
Smith, Leigh W., [redacted].
Smith, Maurice L., [redacted].
Smith, Michael E., [redacted].
Smith, Michael G., [redacted].
Smith, Milton D., [redacted].
Smith, Paul C., [redacted].
Smith, Paul S., [redacted].
Smith, Robert J., [redacted].
Smith, Roger E., [redacted].
Smith, Ronald R., [redacted].
Smith, Thomas D., [redacted].
Smith, Thomas Q., [redacted].
Smith, Vernon E., [redacted].

Smrtic, Jon T., [redacted].
Snedeker, Donald C., [redacted].
Sneed, Joel W., [redacted].
Snell, Michael G., [redacted].
Snow, Joel J., [redacted].
Snow Richard A., [redacted].
Snyder, James C., [redacted].
Snyder, Neil N., III, [redacted].
Snyder, Robert L., [redacted].
Sohrakoff, John B., [redacted].
Solomon, John O., [redacted].
Southcombe, William, [redacted].
Spann, Patrick J., [redacted].
Spara, Theodore J., [redacted].
Spearman, Johnnie J., [redacted].
Speltz, Michael J., [redacted].
Spencer, Thomas J., [redacted].
Spiceland, Evans C., [redacted].
Spicer, Joseph G., [redacted].
Springer, Carl D., [redacted].
Stafford, James B., [redacted].
Stanfield, Charles, [redacted].
Stankus, Arnold R., [redacted].
Stapler, John G., [redacted].
Stark, Robert L., [redacted].
Starkey, Galen E., [redacted].
Steck, Earl N., [redacted].
Steeb, John E., [redacted].
Steele, Edgar W., [redacted].
Steele, Robert L., [redacted].
Steiger, William A., [redacted].
Stenzel, Leroy G., [redacted].
Stephenson, Michael, [redacted].
Stevens, John H., [redacted].
Stewart, John F., [redacted].
Stewart, Peter H., [redacted].
Stewart, Robert D., [redacted].
Stinnett, George H., [redacted].
Stobbs, Emmett E., [redacted].
Stockwell, Robert L., [redacted].
Stolt, Gregory A., [redacted].
Stone, David N., [redacted].
Stone, William E., [redacted].
Stonge, Robert J., Jr., [redacted].
Stovall, Willard M., [redacted].
Straw, Dale E., [redacted].
Strickler, Terry E., [redacted].
Strouth, Cecil L., [redacted].
Stubbs, Richard W., [redacted].
Stube, John D., [redacted].
Stuhrke, Frederick, [redacted].
Stull, Lynn B., [redacted].
Subelsky, Lewis B., [redacted].
Suchke, Robert K., [redacted].
Sudnik, Michael P., [redacted].
Suggs, William J., [redacted].
Sullivan, Andrew L., [redacted].
Sullivan, John K., [redacted].
Sullivan, Walter R., [redacted].
Sutton, Joseph W., [redacted].
Swearengin, Don A., [redacted].
Sweat, George W., Jr., [redacted].
Swick, Richard L., Jr., [redacted].
Swihart, John B., [redacted].
Sylvester, John B., [redacted].
Tabela, Francis E., [redacted].
Tanksley, James E., [redacted].
Tansey, Bruce M., [redacted].
Tanzillo, John M., [redacted].
Tatro, Bernard J., [redacted].
Tatum, Larry D., [redacted].
Taylor, Douglas E., [redacted].
Taylor, James M., [redacted].
Taylor, James T., [redacted].
Taylor, Jaffrey W., [redacted].
Taylor, Michael W., [redacted].
Taylor, Thomas W., [redacted].
Taylor, William B., [redacted].
Taylor, William L., [redacted].
Taylor, William R., [redacted].
Teepe, Karl W., [redacted].
Terrien, Max V., [redacted].
Tesdahl, Robert M., [redacted].
Tesko, Steven R., [redacted].
Tewalt, Ronald J., [redacted].
Thede, Peter J., [redacted].
Theobald, Arthur E., [redacted].
Thieme, Thomas N., [redacted].
Thimmesch, Stephen, [redacted].
Thomas, David L., [redacted].
Thomas, Kenneth A., [redacted].
Thomasson, Duncan A., [redacted].
Thompson, Darrell G., [redacted].
Thompson, Gayden E., [redacted].
Thompson, Roland P., [redacted].
Thompson, William K., [redacted].
Thorlakson, Robert, [redacted].
Thorne, William H., [redacted].
Thorstens, Gary H., [redacted].
Tigges, Daniel L., [redacted].
Tighe, Dennis W., [redacted].
Timmons, Thomas H., [redacted].
Tippie, Bryan T., [redacted].
Tobin, Gary M., [redacted].
Tobin, Thomas M., [redacted].
Tolliver, Edmund R., [redacted].
Tomes, Jonathan P., [redacted].
Torovsky, Richard H., [redacted].
Torre, Joseph F., [redacted].
Totten, James P., [redacted].
Townsend, Donald P., [redacted].
Townsend, James W., [redacted].
Townsend, Ronald E., [redacted].
Troup, Craig, [redacted].
Tryon, John E., [redacted].
Tunstall, Donald W., [redacted].
Tupa, James E., [redacted].
Turman, William E., [redacted].
Turner, Stephen D., [redacted].
Tweed, Frederick D., [redacted].
Tyer, Gary S., [redacted].
Tyler, Kenneth J., [redacted].
Updike, Godfrey W., [redacted].
Valentine, Jame I., [redacted].
Vanaskie, William F., [redacted].
Vanderclute, Burt A., [redacted].
Varner, George C., [redacted].
Varrieur, Michael R., [redacted].
Vassaur, Tommy W., [redacted].
Vaughan, James T., [redacted].
Vaughn, Rayford B., [redacted].
Veitch, Douglas S., [redacted].
Velte, Lawrence R., [redacted].
Vengelen, Frederick, [redacted].
Vereb, Thomas A., [redacted].
Verona, Robert W., [redacted].
Vibbert, Dallas M., [redacted].
Viehweg, Peter A., [redacted].
Villavaso, Alfred G., [redacted].
Vinten, Dean J., [redacted].
Vitucci, Samuel S., [redacted].
Vogas, James L., [redacted].
Voigt, Thomas F., [redacted].
Vonasek, Stanley C., [redacted].
Vonkaenel, Howard J., [redacted].
Vorder, Bruegge H., [redacted].
Vossler, William T., [redacted].
Voyles, Wilford C., [redacted].
Wade, Gregory K., [redacted].
Wagner, Donald P., [redacted].
Wagner, Robert A., [redacted].
Walker, Henry P., [redacted].
Wallace, Don W., [redacted].
Wallace, John A., [redacted].
Wallace, John R., [redacted].
Wallace, William H., [redacted].
Wallace, William S., [redacted].
Wallestad, David K., [redacted].
Walsh, Jerry C., [redacted].
Walsh, Robert J., [redacted].
Walters, Douglas F., [redacted].
Wance, Dennis M., [redacted].
Wanless, Kenneth M., [redacted].
Ward, Talmadge O., [redacted].
Ward, William H., [redacted].
Warner, Donald E., [redacted].
Warner, Donald E., [redacted].
Warren, James C., [redacted].
Washington, Donald, [redacted].
Watson, Floyd E., [redacted].
Watson, Jerome A., [redacted].
Watson, Raymond T., [redacted].
Watt, Donald H., [redacted].
Webb, James L., [redacted].
Weber, Jack E., [redacted].
Webster, Robert L., [redacted].
Wegleitner, Thomas, [redacted].
Wehmeyer, John G., [redacted].
Weien, Glen F., [redacted].
Welch, James M., [redacted].
Wells, Brian F., [redacted].
Welsh, Johnnie L., [redacted].
Wemlinger, John V., [redacted].
Werts, Douglas D., [redacted].
West, Charles E., [redacted].
West, Richard D., [redacted].
Westerhoff, Cornelius, [redacted].
Wheeler, Gregory A., [redacted].
Wheeler, James S., [redacted].
Wheeler, Joseph J., [redacted].
Wheelock, Thomas R., [redacted].
Whitaker, Steven J., [redacted].
Whitaker, Thomas E., [redacted].
White, Lance M., [redacted].
White, Terry W., [redacted].
Whitehead, Erwin E., [redacted].
Whitley, Thomak H., [redacted].
Whitney, Richard G., [redacted].
Wielkoszewski, Andrew, [redacted].
Willard, Barry D., [redacted].
Willbanks, James H., [redacted].
Williams, Charles R., [redacted].
Williams, Christopher, [redacted].
Williams, James D., [redacted].
Williams, Jimmy W., [redacted].
Williams, Jonathan, [redacted].
Williams, Ken M., [redacted].
Williams, Rodney L., [redacted].
Williams, Stephen D., [redacted].
Williams, Stephen J., [redacted].
Williams, Wayne Q., [redacted].
Willis, Clifford G., [redacted].
Wilson, Charles A., [redacted].
Wilson, Frederick R., [redacted].
Wiltshire, Robert B., [redacted].
Wintermute, Sheldon, [redacted].
Winters, Stephen C., [redacted].
Wisser, George R., [redacted].
Witchen, Gary L., [redacted].
Witt, Thomas B., [redacted].
Wohlfert, Kenneth F., [redacted].
Wolvington, William, [redacted].
Wonnell, Donn T., [redacted].
Wood, Bruce F., [redacted].
Wood, Ernest E., Jr., [redacted].
Wood, Kenneth R., [redacted].
Woodard, Michael C., [redacted].
Woodbury, George A., [redacted].
Woods, George, Jr., [redacted].
Woods, James G., [redacted].
Wooten, Ralph G., [redacted].
Worley, Joe R., [redacted].
Wright, James M., [redacted].
Wright, Stafford E., [redacted].
Yaap, Robert W., [redacted].
Yeisley, John C., [redacted].
Yerkes, William N., [redacted].
Yerks, Austin J., III, [redacted].
Yocom, Michael L., [redacted].
Yost, James D., [redacted].
Yoste, Harry M., [redacted].
Young, Randolph S., [redacted].
Yount, Everett R., [redacted].
Yuhas, Steven L., [redacted].
Zais, Mitchell M., [redacted].
Zamora, Richard O., [redacted].
Zepko, William F., [redacted].
Zilinakas, Matthew, [redacted].
Zito, Alvin H., [redacted].

CHAPLAIN CORPS

To be captain

Scott, Quincy, Jr., [redacted].

WOMEN'S ARMY CORPS

To be captain

Browning, Judith A., [redacted].
Hickerson, Patricia, [redacted].
Hicks, Gail S., [redacted].
Palmer, Ragena, [redacted].
West, Kathryn G., [redacted].

MEDICAL CORPS

To be captain

Arner, Mark C., [redacted].
Burgos, Victor L., [redacted].
Byers, Norman T., [redacted].
Freeley, Douglas A., [redacted].
Haburchak, David R., [redacted].
Karl, Robert D., Jr., [redacted].
McPhail, John F., [redacted].
Mortimer, Evan E., [redacted].
Oetgen, William J., [redacted].

Phillips, George L., [redacted].
Read, John A., III, [redacted].
Slay, Robert D., [redacted].
Smith, Steven R., [redacted].
Stewart, Charles E., [redacted].
Sutton, Ernest L., [redacted].
Walker, Robert A., [redacted].
Washburn, Michael E., [redacted].
Wehunt, William D., [redacted].
Youngblood, Lloyd A., [redacted].

DENTAL CORPS

To be captain

Cook, Phillip A., [redacted].
Dixey, Robert J., [redacted].
Meade, Francis J., [redacted].
Nelson, Donald F., [redacted].

MEDICAL SERVICE CORPS

To be captain

Apland, James P., [redacted].
Ayala, Isaac, [redacted].
Bailey, Charles L., [redacted].
Bassham, Lanny R., [redacted].
Bellamy, Thomas N., [redacted].
Bodie, George A., [redacted].
Bost, William G., [redacted].
Bradford, Ralph E., [redacted].
Brigham, Robert A., [redacted].
Bryant, Gordon V., Jr., [redacted].
Burden, Charles G., [redacted].
Burleson, David G., [redacted].
Coffman, James H., [redacted].
Cook, David R., Jr., [redacted].
Costello, Joseph A., [redacted].
Cox, John C., [redacted].
Cox, Marcus, [redacted].
Deaderick, Robert D., [redacted].
Dionne, Raoul B., [redacted].
Dohanos, Dennis W., [redacted].
Donahue, Richard I., [redacted].
Donohue, Hugh J., Jr., [redacted].
Dorothy, Wade A., [redacted].
Draude, John F., Jr., [redacted].
Driskill, Thomas M., [redacted].
Fall, Stephen M., [redacted].
Farlow, Joseph E., [redacted].
Ferrell, Richard J., [redacted].
Fritsch, Robert G., [redacted].
Garrett, Creig R., [redacted].
Henderson, Raymond, [redacted].
Higgins, John A., [redacted].
Higgins, Walter E., [redacted].
High, Blanco T., [redacted].
Horne, Daniel W., III, [redacted].
Houston, Donald A., [redacted].
Hudak, Ronald P., [redacted].
Illingworth, William, [redacted].
Johnson, Carl W., [redacted].
Jones, Brian S., [redacted].
Keller, Raymond L., [redacted].
Kramer, Richard D., [redacted].
Krieger, Donald A., [redacted].
Lacher, Gary N., [redacted].
Langone, William J., [redacted].
Lankford, John M., [redacted].
Lawson, Marvin A., [redacted].
Leary, William J., [redacted].
Lindell, Steven W., [redacted].
Malewski, Edward, [redacted].
McAtee, William E., [redacted].
McIntire, Jon C., [redacted].
Mitchell, Walter J., [redacted].
Mott, Loran C., [redacted].
Natkin, Ian L., [redacted].
Norder, Nickolas W., [redacted].
Nygaard, Nathan A., [redacted].
Overend, Robert K., [redacted].
Ozimek, Carl D., [redacted].
Parker, Raymond A., [redacted].
Pendlyshok, Charles, [redacted].
Quigg, Loren T., [redacted].
Read, John T., [redacted].
Ristroph, Joseph D., [redacted].
Ritchie, James L., [redacted].
Roden, Jackraboren, [redacted].
Rosnick, Denis, [redacted].
Saunders, Theodore, [redacted].
Schumeyer, Gerard, [redacted].
Schwartz, Allen, [redacted].
Shaw, Peter B., [redacted].
Sheppard, Samuel J., [redacted].
Smith, David S., [redacted].
Spenser, Kenneth E., [redacted].
Sprowls, John F., Jr., [redacted].
Steinberg, Arthur F., [redacted].
Stratta, James M., [redacted].
Strohmeyer, Michael, [redacted].
Tanaka, Robert Y., [redacted].
Tancredi, Peter L., [redacted].
Taylor, Roy G., [redacted].
Tragis, John C., [redacted].
Tremblay, Peter D., [redacted].
Tuell, Henry O., III, [redacted].
Venard, Thomas G., [redacted].
Vigna, John E., [redacted].
Voss, James E., [redacted].
Warren, Pierre S., [redacted].
Washburn, Lee P., [redacted].
Wheeler, Bruce R., [redacted].
Wika, Norman A., [redacted].
Williams, Barry O., [redacted].
Wiltrout, Robert E., [redacted].
Wise, George R., [redacted].
Yonushonis, William, [redacted].

ARMY NURSE CORPS

To be captain

Anna, David J., [redacted].
Antle, Linda C., [redacted].
Aswad, Madeline N., [redacted].
Aust, Lorraine L., [redacted].
Bartz, Claudia C., [redacted].
Beers, Richard P., [redacted].
Bennett, Dennis H., [redacted].
Birdseye, Helen M., [redacted].
Biskey, Valerie E., [redacted].
Bleck, Dorothy A., [redacted].
Bolt, Brenda A., [redacted].
Bonnell, Jeffrey R., [redacted].
Brewsaugh, Dorothy, [redacted].
Campbell, Edward P., [redacted].
Carty, John L., [redacted].
Colbert, Joanne G., [redacted].
Corcoran, Diane K., [redacted].
Deuster, Kathryn P., [redacted].
Edgington, Sonja, N., [redacted].
Elliott, Mary L., [redacted].
Florine, James E., [redacted].
Gardner, Mary K., [redacted].
Gates, Elise R., [redacted].
Gruber, Michael G., [redacted].
Gysler, Rochelle I., [redacted].
Hagey, Antionette, [redacted].
Holtzer, Naomi J., [redacted].
Jeglijewski, Judith, [redacted].
Johnson, Valerie A., [redacted].
Kelly, Shelley D., [redacted].
Kennedy, Terris E., [redacted].
Ludham, Louis C., [redacted].
Martin, Jerry A., [redacted].
Mathis, Donald L., [redacted].
McDivitt, Richard L., [redacted].
McKenna, Mary K., [redacted].
Meyer, Robert A., [redacted].
Moskowitz, Dorcas M., [redacted].
Murphrey, Shelia M., [redacted].
Pelchat, Herve, E., [redacted].
Peterson, Charlene, [redacted].
Rettig, Fannie M., [redacted].
Riester, Anthony C., [redacted].
Robbins, James H., [redacted].
Robinson, John E., [redacted].
Rollings, Jo Ann, [redacted].
Shaffer, Gayle A., [redacted].
Shaw, Constance D., [redacted].
Shipley, Susan B., [redacted].
Stroup, Dennis R., [redacted].
Vannostrand, Joyce, [redacted].
Warren, Patricia A., [redacted].
Zawislak, Edward W., [redacted].
Zimmerman, Carol H., [redacted].

VETERINARY CORPS

To be captain

Berryman, Carl, III, [redacted].

ARMY MEDICAL SPECIALIST CORPS

To be captain

Beaty, Helen C., [redacted].
Domyslawski, Raymond, [redacted].
Fisher, Robert A., [redacted].
Greenhalgh, William, [redacted].
Hancock, Dexter V., [redacted].
Loveless, Steven D., [redacted].
Rinke, Wolf J., [redacted].
Sosa, Gilbert, [redacted].
Trammell, Alan R., [redacted].

The following officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298:

ARMY PROMOTION LIST

To be first lieutenant

Arrotta, Richard B., [redacted].
Ashley, Richard W., [redacted].
Bickford, Stephen M., [redacted].
Borgen, Mack W., [redacted].
Boucher, David W., [redacted].
Bowe, Thomas G., [redacted].
Browning, Joseph W., [redacted].
Butler, James L., [redacted].
Carter, Victor S., [redacted].
Carter, William J., [redacted].
Corbin, Robert P., [redacted].
Darrell, Daniel, [redacted].
Dickinson, James G., [redacted].
Donnelly, Terence M., [redacted].
Dowell, David P., [redacted].
Fagan, Peter T., [redacted].
Fierke, Thomas G., [redacted].
Finch, William L., [redacted].
Finlayson, Robert M., [redacted].
Florsheim, Charles, [redacted].
Frothingham, Edward, [redacted].
Grant, Artis C., [redacted].
Gregg, Robert E., [redacted].
Hargus, Patrick K., [redacted].
Henderson, Stephen P., [redacted].
Hershman, Roger D., [redacted].
Huffman, Laurence M., [redacted].
Knight, Sammy S., [redacted].
Kodak, Robert D., [redacted].
Leeling, Gerald J., [redacted].
Lewis, John W., [redacted].
MacPherson, John R., [redacted].
Masengale, Roy L., [redacted].
McDade, Lawrence G., [redacted].
Miller, Ralph I., [redacted].
Milne, John H., [redacted].
Mullin, Timothy J., [redacted].
Nagle, James F., [redacted].
Pogge, Philip T., [redacted].
Recasner, James, [redacted].
Riley, Dennis J., [redacted].
Rovak, Stephen H., [redacted].
Schwarz, Paul W., [redacted].
Searcy, Jon W., [redacted].
Simmons, Harvey O., [redacted].
Smith, Brian K., [redacted].
Somers, Bruce W., [redacted].
Spitz, Terry L., [redacted].
Stauffer, Ronald E., [redacted].
Taylor, Vaughan E., [redacted].
Thompson, Jeffrey B., [redacted].
Vickery, Arnold A., [redacted].
Waple, Mark L., [redacted].
Wickstead, Michael G., [redacted].
Wingate, Thomas P., [redacted].
Wonnell, Donn T., [redacted].
Wzorek, Lawrence F., [redacted].

The following-named persons for reappointment in the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be lieutenant colonel, Regular Army, and colonel, Army of the United States

Kemske, Dorothy L., [redacted].

To be lieutenant colonel, Regular Army, and lieutenant colonel, Army of the United States

Skadorva, Estelle M., [redacted].

The following-named persons for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be captain

Aulick, Louis H., [redacted].
Grabowski, William S., [redacted].

Maron, Andrew W., xxx-xx-xxxx.
Wall, Henry G., xxx-xx-xxxx.
Williams, William E., III, xxx-xx-xxxx.

To be first lieutenant

Altieri, Richard T., xxx-xx-xxxx.
Bergin, Donald J., xxx-xx-xxxx.
Bickford, Stephen M., xxx-xx-xxxx.
Butt, William J., II xxx-xx-xxxx.
Easton, William G., Jr., xxx-xx-xxxx.
Ellis, Lester N., xxx-xx-xxxx.
Gaylord, Stanley C., xxx-xx-xxxx.
Hagan, Michael P., xxx-xx-xxxx.
Hart, John M., Jr., xxx-xx-xxxx.
Moore, Jack, Jr., xxx-xx-xxxx.
Noll, Jon G., xxx-xx-xxxx.
Schwarz, Paul W., xxx-xx-xxxx.
Shumski, Edward J., xxx-xx-xxxx.

To be second lieutenant

Hopkinson, William J., xxx-xx-xxxx.

The following-named persons for appointment in the Regular Army of the United States, in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294 and 3311:

To be major

Wunder, William H., xxx-xx-xxxx.

To be captain

Bowrer, Gary A., xxx-xx-xxxx.
Edge, Harold B., Jr., xxx-xx-xxxx.
Goetze, Robert J., xxx-xx-xxxx.
Hurst, Bobby R., xxx-xx-xxxx.
McCarden, Carl M. A., xxx-xx-xxxx.
Mort, Mary A., xxx-xx-xxxx.
Poling, Charles W., xxx-xx-xxxx.
Rees, Raymond F., xxx-xx-xxxx.
Roberts, Daniel C., xxx-xx-xxxx.
Werner, Robert M., xxx-xx-xxxx.

To be first lieutenant

Bolcar, Blinn S., xxx-xx-xxxx.
Brady, John E., xxx-xx-xxxx.
Cornwell, Lewis W., xxx-xx-xxxx.
Dickinson, Thomas R., xxx-xx-xxxx.
Hauser, Charles B., xxx-xx-xxxx.
Johnson, Eliot R., xxx-xx-xxxx.
Kopp, Kathleen A., xxx-xx-xxxx.
Levesque, Raymond H., xxx-xx-xxxx.
Maslowski, Charlotte N., xxx-xx-xxxx.
McChrystal, Herbert J., xxx-xx-xxxx.
McDonald, Richard E., xxx-xx-xxxx.
McGraw, Kenneth S., xxx-xx-xxxx.
McQueen, Viola C., xxx-xx-xxxx.
Meadows, Richard F., xxx-xx-xxxx.
Melcher, Maureen, xxx-xx-xxxx.
Nipps, Marcella A. D., xxx-xx-xxxx.
Purol, Rose M., xxx-xx-xxxx.
Ray, Karen L., xxx-xx-xxxx.
Reisenleiter, Philip C., xxx-xx-xxxx.
Sassi, Raffaele A., xxx-xx-xxxx.
Soden, Virginia D., xxx-xx-xxxx.
Stich, Kristen E., xxx-xx-xxxx.
Uhrhammer, Racquel, xxx-xx-xxxx.

To be second lieutenant

Andresen, James A., xxx-xx-xxxx.
Harrison, Harold H., Jr., xxx-xx-xxxx.
Isaac, Carol A., xxx-xx-xxxx.
Meis, Harold J., xxx-xx-xxxx.
Nishimoto, Patricia L., xxx-xx-xxxx.
Patrick, Norman H., xxx-xx-xxxx.
Porch, Alan G., xxx-xx-xxxx.
Sessoms, Kathleen M., xxx-xx-xxxx.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Alford, Lynn B., xxx-xx-xxxx.
Arnold, Stephen T., xxx-xx-xxxx.
Avila, Mario, xxx-xx-xxxx.
Barnette, Philip L., xxx-xx-xxxx.
Blakeney, Charles, xxx-xx-xxxx.
Blakeney, John O., xxx-xx-xxxx.
Bowen, Robert W., Jr., xxx-xx-xxxx.
Bowerman, Rand D., xxx-xx-xxxx.
Buckon, Neal J., xxx-xx-xxxx.
Chambers, Lawrence, xxx-xx-xxxx.
Chiu, James P., xxx-xx-xxxx.
Clifford, James T., xxx-xx-xxxx.
Clough, Robert E., xxx-xx-xxxx.
Collins, Vincent L., xxx-xx-xxxx.
Cox, Carlisle B., xxx-xx-xxxx.
Cox, Homer T., III, xxx-xx-xxxx.
Crosby, Willie J., xxx-xx-xxxx.
Crumpton, Charles, xxx-xx-xxxx.
Daniels, Luther C., xxx-xx-xxxx.
Dertzbaugh, John H., xxx-xx-xxxx.
Fritz, Steven A., xxx-xx-xxxx.
Goldberg, Peter S., xxx-xx-xxxx.
Green, Bobby Lee, xxx-xx-xxxx.
Hackel, Ronald D., xxx-xx-xxxx.
Hengst, Louis C., Jr., xxx-xx-xxxx.
Hill, Darrell J., xxx-xx-xxxx.
Hinson, Alan T., xxx-xx-xxxx.
Hollis, John H., Jr., xxx-xx-xxxx.
Hudnall, Robert K., xxx-xx-xxxx.
Hundley, David L., xxx-xx-xxxx.
Jones, Karl H., xxx-xx-xxxx.
Kelley, Steven D., xxx-xx-xxxx.
Kemp, Barrett M., xxx-xx-xxxx.
Korenchan, Frank J., xxx-xx-xxxx.
Kurth, Robert L., Jr., xxx-xx-xxxx.
Lawless, Michael G., xxx-xx-xxxx.
Lewis, Milton K., xxx-xx-xxxx.
Maloney, Mark W., xxx-xx-xxxx.
Morales, Miguel A., xxx-xx-xxxx.
Moser, David C., xxx-xx-xxxx.
Murphy, James W., Jr., xxx-xx-xxxx.
Oliver, Charles D., xxx-xx-xxxx.
O'Neil, Richard M., xxx-xx-xxxx.
Pforr, Jonathon G., xxx-xx-xxxx.
Pickens, Fred P., xxx-xx-xxxx.
Plichta, Christopher, xxx-xx-xxxx.
Pratt, Horace L., xxx-xx-xxxx.
Russell, Jack W., Jr., xxx-xx-xxxx.
Simpson, Steve P., xxx-xx-xxxx.
Smith, Gregory J., xxx-xx-xxxx.
Sodergren, Alan D., xxx-xx-xxxx.
Stibrany, Charles, xxx-xx-xxxx.
Tate, Paul A., xxx-xx-xxxx.
Townsend, David R., xxx-xx-xxxx.
Watermeir, Ralph G., xxx-xx-xxxx.
Weaver, Franklin B., xxx-xx-xxxx.
White, Clay C., xxx-xx-xxxx.

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Beard, Walter L. xxx-xx-xxxx.
Bergner, Kirk M. xxx-xx-xxxx.
Chamales, Constant, xxx-xx-xxxx.
Childs, Craig D., xxx-xx-xxxx.
Costigan, John A., xxx-xx-xxxx.
Cranford, Allen D. xxx-xx-xxxx.
Dawley, David I. xxx-xx-xxxx.
Dones, Julio E., xxx-xx-xxxx.
Fuller, Rodney K., xxx-xx-xxxx.
Hanson, Lynn C., xxx-xx-xxxx.
Hershberger, John, xxx-xx-xxxx.
Jackson, Anthony L., xxx-xx-xxxx.
Jones, James R., xxx-xx-xxxx.
Laymon, William, xxx-xx-xxxx.
Macdougall, Robert, xxx-xx-xxxx.
Malave, Ramon A., xxx-xx-xxxx.
Marvin, Charles R., xxx-xx-xxxx.
Miller, Richard A., xxx-xx-xxxx.
Morgan, David B., xxx-xx-xxxx.
Pickering, Michael, xxx-xx-xxxx.
Pool, Jimmy L., xxx-xx-xxxx.
Richardson, Ira R., xxx-xx-xxxx.
Scholz, Steven R., xxx-xx-xxxx.
Shadle, Charles R., xxx-xx-xxxx.
Smith, Ronald M., xxx-xx-xxxx.
Testa, Michael J., xxx-xx-xxxx.
Vesely, Garry D., xxx-xx-xxxx.
Wayt, Gregory L., xxx-xx-xxxx.
Williams, Carl K., xxx-xx-xxxx.
Wood, Dennis M., xxx-xx-xxxx.
Worley, Gary L., xxx-xx-xxxx.
Young, Bryon J., xxx-xx-xxxx.

IN THE NAVY

The following-named officers of the Reserve of the U.S. Navy for temporary promotion to the grade of commander in the staff corps of the Reserve of the U.S. Navy, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Bortz, Bernard J.
Browning, Robert W.
Lutz, Robert D.
Riepe, Dale B.
Sapala, Joseph C.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the line and staff corps of the U.S. Navy, as indicated, subject to qualification therefor as provided by law:

LINE

Burke, Jerome J., Jr.

MEDICAL CORPS

Freeman, Roger A., Jr.
Shewmaker, Stephen W.
Penner, Gary E.
Smith, Richard C.
Spencer, Terry D.
Walker, Marshall D.
Wilson, Richard L.
Hopper, Richard E.

DENTAL CORPS

Carter, Winthrop B.
Duell, Robert L.
Golden, Daniel P.
Forsberg, Paul S.
Oehlberg, Robert C.

NURSE CORPS

Dempsey, Frederick J.
Shields, Roberta J.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps of the U.S. Navy, as indicated, subject to qualification therefor as provided by law:

LINE

Corder, Robert A.
Fodor, Louis C.
Mattos, John C.
Thierrien, Alfred E.
Tipps, Richard D.
Weiss, Christopher L.

SUPPLY CORPS

Smith, Raymond W.

CIVIL ENGINEER CORPS

Bacon, Thomas A.
Keifer, John M.
Hanes, Samuel H., Jr.

NURSE CORPS

Bechtel, Robert H.
Johnston, Laurie L.
Cornish, David L.

Cmdr. Harry A. Edwards for temporary promotion to the grade of captain in the Medical Corps of the Reserve of the U.S. Navy, subject to qualification therefor as provided by law.

Lt. Cmdr. Douglas M. Grodin for temporary promotion to the grade of commander in the Medical Corps of the U.S. Navy, subject to qualification therefor as provided by law.

The following named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps of the U.S. Navy, as indicated, subject to qualification therefor as provided by law:

LINE

Clements, Joseph E.
Haberlandt, Frederick R.
McDaniel, Charles C.
Vance, Stephen G.

SUPPLY CORPS

Faerber, Leonard R., Jr.
Finneran, John G., Jr.
Keenan, Kevin B.

Cmdr. Donald E. Petersen for permanent promotion to the grade of commander in the line of the U.S. Navy, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for transfer to and appointment in the Supply Corps in the permanent grade of ensign and temporary grade of lieutenant (junior grade):

Adams, Mark M.
Bristow, James S.
Broussard, Thomas G.
Domis, Henry A.
Kolasa, Dennis R.
Marquart, Donald G.
Mayeaux, Kenneth P.
Shick, Jack E.

The following named officers of the U.S. Navy for transfer to and appointment in the Civil Engineer Corps in the permanent grade of ensign and temporary grade of lieutenant (junior grade):

Swenson, Lawrence J.
Walker, James L.

The following named officers of the U.S. Navy for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of lieutenant (junior grade) and temporary grade of lieutenant:

Coonrad, Douglas V.
Nelson, Edward D.
Harris, John K.
Wurzel, David L.

Lt. Robert A. Gustafson, of the U.S. Navy, for transfer to and appointment in the Supply Corps in the permanent grade of lieutenant (junior grade) and temporary grade of lieutenant.

Lt. Oscar N. McNeil, of the U.S. Navy, for transfer to and appointment in the Civil Engineer Corps in the permanent grade of lieutenant (junior grade) and temporary grade of lieutenant.

Richard E. Strutner (Naval Reserve Officers Training Corps candidate) to be a permanent ensign in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

The following-named naval enlisted scientific educational program candidates to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law

Anthony J. Delicata
David L. Goudelock
David C. Neily
Eric E. Nelson
David W. Taylor

The following-named (Naval Reserve officers to be appointed permanent lieutenants in the Medical Corps of the U.S. Navy, subject to the qualifications therefor as provided by law:

Richard E. Berryhill
Julian S. Chestnut
Robert M. Clayton, Jr.
James D. Coullahan, Jr.
Norman A. Dean
John C. Hedges
Robert F. Hofmann
Foster A. Knapp
William R. Page
Geoffrey L. Robb
David A. Snyder
John E. Sutphin, Jr.
Emmett L. Tate
Glenn N. Wagner
John D. Yeast

The following-named (Naval Reserve officers) to be appointed permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the U.S. Navy, subject to the qualifications therefor as provided by law:

Philip R. Albert
Robert D. Capell
Hunter A. McKay
Paul C. Marshall
Terrence D. Schuhrke
Gary W. Watson

Ira B. Horton, Jr. (civilian college graduate) to be appointed a permanent commander and temporary captain in the Medical Corps of the U.S. Navy, subject to the qualifications therefor as provided by law.

The following-named U.S. Navy officers to be appointed temporary commanders in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law:

Homer A. Anderson, Jr.
Barry B. Campbell
Joe C. Cole
Frank E. Ehrlich
Daniel J. Marnell
David D. Parker
Osbey L. Sayler

William H. Nicolaus (ex-USAF officer) to be appointed a permanent commander in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law.

Ludwig A. Rossillo (ex-Army officer) to be appointed a permanent commander in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law.

Harold R. Hunt (ex-USN officer) to be appointed a permanent commander and temporary captain in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law.

HMCM Anthony A. Skrapits (USN) to be appointed a chief warrant officer, W-2, for temporary service in the U.S. Navy, subject to the qualifications therefor as provided by law.

William T. Callen (Naval Reserve officer) to be reappointed from the temporary disability retired list as a permanent captain in the line in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law.

CW03 Michael P. Varvel (USNR (T)) to be appointed a permanent chief warrant officer, W-2 and temporary chief warrant officer, W-3, in the U.S. Navy, subject to the qualifications therefor as provided by law.

Burton Stone (civilian college graduate) to be appointed a temporary commander in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law.

Robert W. Taylor (ex-USN officer) to be appointed a permanent captain in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law.

James R. Abel (ex-USNR officer) to be appointed a temporary commander in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law.

The following-named ex-USNR officers to be appointed permanent commanders in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualifications therefor as provided by law:

William B. Gauert
Jose O. Morales

IN THE MARINE CORPS

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of colonel:

Joseph S. Agee
Russell W. Armstrong, Jr.
Harold J. Bogan
Vincent J. Borelli
Anthony Cardinale
Roland F. Cinciarelli
Marshall A. Colo
Francis B. Corry
Lloyd R. Day
James M. Decicco
William H. Degen, Jr.
Robert W. Dobbs
John F. Dougherty, Jr.
Edward J. Driscoll
John W. Duchesne
James E. Earp
Charles B. Erickson
George H. Eversman
Lewis C. Ferretti J.
Edward S. Fletcher
James E. Frazier
John A. Gilbert
Raymond T. Gilmartin, Jr.
Robert A. Grinstead, Jr.
John A. Gunn
Russell M. Harwood
Alfred D. Heck
Richard W. Herbst
Hal D. Hichborn
Lee M. Holmes
William R. Holzapfel
John A. Huffman
Jack E. Hunter
William K. Jenkins
John E. Johnson
Erich V. Kilmer
Edward S. Krass
Thomas H. Krigbaum
Frederick H. Kruck
Robert B. Laird
Edward J. Leavitt
William O. Lenihan
Edward B. Lewis
David P. Loughran
Bernard J. Maryanski
John F. McGee
James H. Mooney
Henry R. Morris
Norman D. Mueller
John R. Niemann
Gerald L. Niesen
James D. Page
James F. Pope
Frank R. Pound, Jr.
Joseph J. Purtill
J. C. Ray
John H. Reich
Fred E. Romero
Michael J. Ryan
James F. Schulz
Louis G. Scott
John K. Springer
Robert D. Taylor
Lance D. Thomas
Gayle F. Twyman
Herbert R. Waters, Jr.
Uzziel W. Weeks, Jr.

The following-named woman officer of the Marine Corps Reserve for permanent appointment to the grade of colonel:

Sandra L. Detwiler

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Ronald M. Abshire
Richard J. Ahlers
Thomas H. Aiken
Robert B. Alexander
Rodney H. Alley, Jr.
Myrl W. Allinder, Jr.
Donald E. Andersen
Randall W. Austin
Horace W. Baker
William D. Bauer
Richard W. Beason
Frank S. Bell
Gene E. Berbaum
Daniel F. Bergen
Harper L. Bohr, Jr.
Bruce B. Boman
Francis D. Booth
Arthur E. Burkhart
Ray W. Bowles
James T. Brackman II
Glenn D. Bratcher
Arthur P. Brill, Jr.
Richard L. Brinegar
Oscar W. Britton
Larry K. Brown
Peter C. Brown
John H. Buchanan
Howard V. Bucknam
Joseph C. Burger, Jr.
John P. Burke
Eugene B. Burleson, Jr.
Frank H. Butler, Jr.
Frederick A. Carolan
John J. Carty
Matthew P. Caulfield
Ross C. Chaimson
John C. Chambliss
Robert S. Charles
Ralph L. Close
Patrick G. Collins
Matthew T. Cooper
Donald H. Cormack
Dennis M. Cunningham
James H. Curd, Jr.
Charles L. Daugherty, Jr.
Charles E. Davis III
Bernard C. Day
Bennett R. Dean
Barrie O. Delp
Pasquale W. Demartino
John H. Ditto
Gerald F. Dooley
Dale D. Dorman
George H. Douse
Robert F. Edwards
John M. Eichelberger
Duane E. Eley
Philip C. English
Robert J. Esposito
Thomas J. Faleskie
Philip J. Fehlen
Billy M. Floyd
Edward B. Foster
Anthony J. Fraioli
Ray A. Fugate
Richard H. Glass
Charles J. Goode, Jr.
Francis L. Gould
Robert J. Graham
Joseph M. Gratto
John S. Grinalds
John E. Harms
James E. Herlocker
John J. Hilgers W
William P. Hillsman
Donald A. Hodgen
Pieter L. Hogaboom
James A. Honse
Samuel M. Horton
John J. Houtchens
Walter R. Huf
Edwin L. Huff
William H. Huffcut II
Donald R. Huffman
Jacob E. Iles
Jerry H. Jenkins
Stephen J. Jennings
Duane S. Jensen
Paul G. Judkins
Michael F. Keane, Jr.
Noel J. Keller
Richard A. Kerr
Kenneth W. King, Sr.
James H. Kirkham
Roger E. Knapper
Robert C. Knowles, Jr.
Robert E. Langton
Joseph F. Lavin
Robert W. Layer
George T. Lengauer, Jr.
Floyd C. Lewis
William E. Loftus
James S. Loop
William B. Ludwick
John M. Mahoney
David W. Mailler
Charles H. Manazir
Richard W. Marsden
Franklin H. Marsh
Warren L. Martin
Michael R. McDonough
Theodore R. McElroy
David L. McEvoy
Robert C. McFarlane
John F. McNelly
Curtis D. McRaney
Ronald E. Merrihew
William C. Miesch
Anthony D. Miller
Donald E. Miller P.
Richard A. Miller
Miles E. Mixson
Joseph F. Molineaux, Jr.
Richard H. Moore
Jesse G. Mulkey
John R. Murphy
Louis T. Nappi
George D. Navadel
Cledith E. Oakley
John F. Obrien
Robert E. Odare
Jack L. Omer
Joseph J. Oravits
Harold M. Owens
Charles R. Patton
Harry F. Philson
Richard T. Poore
Donald A. Powell
Thomas M. Pratt III
Robert C. Prewitt
Richard C. Raines
John R. Rasavage
Gerald F. Reczek
William A. Renner
Richard C. Reynolds
Clifton L. Rushing, Jr.
Bobby G. Rutledge
Michael D. Salmon
Ralph J. Salvati
James F. Sherry, Jr.
Robert D. Shoptaw
David K. Shroyer, Jr.
William T. Sinnott
Ronald A. Smaldone
Jerry R. Smiley
Walter G. Smith, Jr.
James E. Sniffen
John F. Spangler
Henry C. Stackpole III
William L Stein
Samuel H. Stevenson
Robert E. Stoffey
Anthony W. Stremic
Thomas A. Stumpf
Smith Sweeney
Wayne R. Swenson
Dale R. Thibault
Robert R. Thrasher
James E. Toth
Paul B. Tubach
Henry W. Tutterow, Jr.
James H. Tutterrow
Robert J. Ulses
James L. Underwood
John H. Vanniman
David G. Vest
David E. Vowell
Melvin N. Wall
Warren S. Walters
David C. Watkins
Paul E. Westphal, Jr.
Oliver M. Whipple, Jr.
Edward R. Whiting
John M. Willmarth

Robert B. Wilson
Abraham W. Wolson
Howard C. Wood
Leonard A. Wunderlich
Michael J. Zachodni

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of lieutenant colonel:

Pasquale Abbate
Jonathan F. Abel
Ray A. Alberigi
Donald F. Alford
Ralph E. Anderson
Boyd F. Baldwin, Jr.
David A. Ballantyne
Robert F. Barrell
David L. Barry
Walter E. Baumann
Joseph M. Bender
Emile A. Bernard
Austin L. Beveridge
Larry B. Boggs
Gerald G. Bosworth
Phillip S. Carletti
James P. Casey
Alan B. Cassalia
Clayton E. Cavender
Thomas B. Chudzik
Anthony G. Coleman
Stanley N. Collins, Jr.
John C. Conner
George E. Constantino Jr.
Marion D. Cook, Jr.
Jerome G. Cooper
Glen A. Cotta
Donald V. Courtney
Tibbott G. Csik
Richard E. Deichmann
Christian J. Dettle
Michael C. Drury
Donald Ducoff
William J. Egan
Ronald J. Ehrle
Loran C. Eldred
Myron H. Engel
Harold Fay
Larry D. Field
David R. Freeman
Nick Galifianakis
Walter J. Gallo
Patrick J. Garvey
Warren E. Gilson, Jr.
Victor H. Golletz
Richard M. Graven
Howard W. Greenup
George E. Hames
Alfred L. Hamilton
James C. Hammond
Russell L. Hanthorn
William A. Hayward
Claude G. Hertler
John F. Hickman, Jr.
Wesley G. Hinkle
William Hochman
B. A. Holaday, III
Harry C. Holmberg
Karl Honsberger
Jack W. Humphrey
Robert R. Jespersen
William S. Johnson
John Karabetsos
Donald D. Knold
Lanny A. Kope
George T. Kupper
Norman J. Labhart
Lewis E. Labin
Gerald J. LaValle
Robert B. Lee
Robert F. Leftwich, Jr.
David J. Leighton
John C. Leite
Douglas W. Lemon
Paul R. Liddell
Mark G. Lipscomb, Jr.
Patrick H. Lyons, Jr.
Lawrence P. Magilligan
James J. Manley
Robert A. Marchese
Susano Mascorro
Robert E. McClure
Robert B. McCrea
Patrick G. McDonald
James E. McKeever
James W. Merkle
Richard J. Molyneaux
Aaron D. Murdock
Benjamin F. Napheys, III
Daniel W. Nauman
Alexander D. Necco
Charles H. Nichols, Jr.
Robert J. Nippolt
Charles E. Nixon
Robert E. Noska
Tobias Obrigawitch
Daniel J. O'Connor
Robert F. Odom, Jr.
Dino Oliva
Reid H. Olson
George R. Omrod
Fred J. Pasquale
Darrell K. Pastrell
Robert J. Perlak
Robert R. Perry
Thomas E. Persing
George H. Pinckney, Jr
Gerald R. Pitzl
Clemens M. Plattner
William E. Pope
Lewis M. Porter, Jr.
Dominick A. Prezzano
William C. Price
Paul N. Prichard
James H. Radcliffe
Robert F. Reiland
Michael J. Reynolds
James B. Riley
Harold C. Roberson
Earl V. Rose
Dennis N. Roth
Jesse R. Rothenberger
William C. Ryan, III
John J. Safark
Richard H. Sargent
George Schall
James F. Schmidt
Raymond A. Sears
Frederick N. Shaffer
Calvin F. Simerly
John C. Simkins
David P. Smalley
Fredie R. Souders
Larry P. Stevens
Russel H. Stolfi
Albert H. Strickland F.
Jonathan F. Swain
Charles P. Swedish, Jr.
George D. Sylvester
Bruce C. Taylor
Carl R. Thomas
Robert D. Thomas
Chester J. Tricca
James M. Troxell
Clovis S. Vaughn
Clarke E. Vollbrecht, Jr.
Joseph W. Vowell
Donald M. Waits
Robert H. Wakefield
Charlie D. Walker
Harry R. Warfield
Mitchell J. Waters
Robert F. Welch
John F. Wengert
Thomas W. White
Waylon A. White
Frank E. Whitman, Jr.
Raymond S. Wicker, Jr
Stanley C. Wiggins
Louis M. Withiam
William A. Wren
Arthur R. Zasio
Charles A. Zielinski
William G. Zook

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Ronald E. Ablowich
David P. Abrams
Carl P. Ackerman
William R. Acree
Charles N. Adams
David H. Adams
Larry G. Adams
Robert A. Adams
Wayne T. Adams
John L. Adkinson, Jr.
John D. Alexander
Alfred J. Allega
David G. Amey
Andrew G. Anderson, II
David L. Anderson
Donald F. Anderson
John C. Arick
Lowell E. Austin, Jr.
Clair E. Averill, Jr.
Wayne A. Babb
Larry A. Backus
Robert A. Baer
Maurice R. Banning
Emory W. Baragar
Richard D. Barba
Harvey C. Barnum, Jr.
John J. Barrett
William C. Bartels
Delbert M. Bassett
Harry C. Baxter, Jr.
Thomas M. Beldon
Donald R. Bell, Jr.
Charles S. Bentley
Allan E. Berg
George Berthelson
George V. Best, Jr.
Lance V. Bevins
Dennis C. Beyma
Richard L. Bianchino
James W. Bierman
Arthur C. Blades
Clifford G. Blasi
Harold W. Blot
Michael A. Blunden
Ronald R. Borowicz
James A. Brabham, Jr.
Robert A. Bracy
Robert G. Bradley
Walter J. Breede, III
Patrick J. Brennan
Anthony D. Brewin
William T. Bridgham, Jr.
Gary E. Brown
Michael E. Brown
Raul B. Brown
Robert D. Brown
Samuel H. Brown, Jr.
Robert A. Browning
Frederick T. Bryan
Ronald G. Burnsteel
Henry W. Buse III
Thomas C. Byall
Michael J. Byron
Richard D. Camp, Jr.
Jack R. Campbell, Jr.
Henry S. Carr III
John J. Carroll
Marshall N. Carter
Paul R. Catalogne
Oscar L. Caudill
Thomas J. Caulfield, Jr.
James H. Champion
David L. Chilcote
David J. Christensen
George R. Christmas
Donald E. Christy
Dennis Churchin
Theodore C. Cieplik, Jr.
John J. Clancy III
Gary D. Clark
Robert F. Clark
William B. Clary
Robert F. Clemmons
William H. Climo, Jr.
David W. Clingman
Michael L. Cluff
Richard L. Cody
William F. Coenen
Richard V. Coffel
Lee D. Coker
Ernest E. Collins
Randy J. Collins
Bernis B. Conatser, Jr.
Thomas M. Conley
William J. Conley
Robert A. Connly, Jr.
Everett E. Cossaboon
Walter J. Costello
Paul H. Courtney
Cryspin J. Cowell
David E. Cox
Merle L. Crabb
Miles H. Crafton, Jr.
Wayne N. Crafton
Richard J. Craig
Richard W. Crain
Robert A. Crane
John B. Creel, Jr.
Ronald R. Critser
Albert B. Crosby
Allen D. Crosier
Harvey F. Crouch, Jr.
Jerald D. Crow
Thomas B. Cullen
Paul W. Culwell
Charles E. Daniel
James F. Davis
James R. Davis
Leslie H. Davis
Marshall B. Darling
Reid E. Dahart
Robert G. Dawson
Carmine J. DelGrosso
Thomas F. Dempsey
Chadwick H. Dennis
Elliott S. Dix
Billy H. Dobbs
Howard R. Donehower
David J. Douglas
Arnold H. Dow
William J. Dowd
Thomas V. Draude
Thomas J. Dumont, Jr.
David S. Durham
William G. Dwinell
Joseph M. Dwyer
Terry J. Ebbert
Ronald R. Eckert
Jerry A. Edwards
Francis X. Egan
Robert E. Enis
John O. Enockson
James L. Eyre
Gerald D. Fabricius
Brian J. Fagan
Fred T. Fagan, Jr.
Rupert E. Fairfield, Jr.
Robert W. Falkenbach
Thomas A. Farley
Leo J. Farrell
Peter B. Field
Alan J. Finger
Walter J. Fleming
George A. Focht
James J. Foley, Jr.
James F. Foster
Bert R. Francis
Donald R. Frank
Alvin E. French
Luis R. Fresquez
Frederick C. Frey
James R. Furleigh
Robert J. Gadwill
William R. Gage
Willard F. Galbraith, Jr.
James A. Gallagher, Jr.
Gerald G. Garwick
Albert R. Gasser, Jr.
Ronald L. Gatewood
Robert W. Gehring
Charles R. Geiger
John R. Gentry
Larry R. Gibson
Robert F. Gibson
James H. Gillespie
Donald S. Giusto
Aloys A. Glose
Paul B. Goodwin
Henry F. Gotard
William B. Gray
Robert R. Green
Richard L. Greene
Joseph P. Greeves, Jr.
Michael V. Griffith
Nicholas H. Grosz, Jr.
Norman R. Guidry
Gordon H. Gunniss
Michael A. Gurrola
Joseph S. Hack, Jr.
Joseph J. Hahn, Jr.
Mark L. Haiman
John F. Hales
Samuel T. Hall
George C. Hamilton
Thomas L. Hampton
William M. Harborth
John D. Harrill, Jr.
Billy M. Harris
William G. Harris, Jr.
Edward T. Harrison
John C. Harrison
Frederick F. Harshbarger
Jude M. Hartnett
Edward J. Hassinger
Leonard C. Hayes
John L. Haynes
Hans R. Heinz
Frederick H. Hemphill, Jr.
Thomas W. Hemsath
Porter K. Henderson
Gene D. Hendrickson
Billy C. Henry
Jerry L. Henson
Jerome L. Hess
William A. Hesser
Francis E. Heuring
Martin C. Higgins
Jon C. Hill
Solomon P. Hill
Michael J. Hilsinger
Thomas F. Hinkle
Amos B. Hinson III
Alan W. Hitchens
Daniel A. Hitzelberger
Kenneth L. Holm
Richard J. Hooton, Jr.
Harvey D. Houck, Jr.
John Y. Howo S.
Ray E. Huebner
Robert A. Hughes
Richard C. Hulit
Gerald Hunt
Robert M. Hunter
Delbert M. Hutson
Jack C. James
Ken H. Johnson
John N. Jolley, Jr.
Patrick J. Jones
Philip T. Jones
Ray C. Jones
William D. Jones
Hugh L. Julian
Joseph J. Karrer
Ernest H. Kasold II
Thomas P. Keenan, Jr.
John R. Kelbaugh
Gerald J. Keller
Gerald H. Kelly
John A. Kelly
John A. Kelly
John H. Key
George A. Kiesel
Francis T. Klabough
Timothy J. Klug
Frank H. Kos, Jr.
Thomas L. Kosciw
Dennis E. Kraus
Charles C. Krulak
William M. Krulak
Larry J. Kuester
Nicholas J. Laduca, Jr.
James E. Lake
Richard H. Langenfeld
Alfred Lardizabal, Jr.
Anthony V. Latorre, Jr.
James Lau
Linden T. Laviano
Glenn C. Lawty
David C. Lecount
Antone D. Lehr
Edward O. Leroy
Karl F. Liebert
Perry C. Lindberg
Wayne M. Lingenfelter
Raymond A. List
David R. Little
James E. Livingston
Calvin A. Lloyd II
Edward J. Lloyd
Michael J. Lucci
Howard L. Luttrell
Charles A. Lyle
Robert B. Mackenzie
Ronald T. Macy
Robert W. Maddox
Robert A. Madeo
Gerald G. Madson
Raymond C. Madonna
Stanley W. Main
Phillip S. Makowka
James P. Mangan
Brian M. Mathews
Lyle D. Mathews
Gregory A. McAdams
John F. McCammon
Harry M. McCloy, Jr.
James L. McClung
Danied B. McDyre
Robert McGinn
Michael J. McGowan
Gerald L. McKay
Denis A. McKinnon
John J. McNamara
Richard G. McPherson
Donald M. McVay
Laurence R. Medlin
Michael E. Mee
Bruce Mellon
Thomas H. Metzger
Anthony F. Mielczarski
John L. Mikkelson
Donald G. Miller
Jon Miller
Glenn P. Milliman
Wallace L. Mills
George J. Miske
Richard L. Morey
Charles H. Mulherin, Jr.
Thomas P. Mulkerin
Joseph F. Mullane, Jr.
Raymond M. Murphy
John A. Murray
Peter J. Murray
James M. Myatt
Bert L. Nale
Eugene A. Nelson
Eugene T. Nervo
David N. Noble
Mell B. Nolley
William B. Nye
Gerald J. Oberndorfer
Peter J. O'Brien, Jr.
William L. O'Connor
Paul F. OKeefe
Loren J. Okrina
Jeffrey W. Oster
Larry J. Oswalt
Sammy L. Owens
John F. Palchak
Nelson Paler
Fred Palka
Richard K. Palmer
Robert L. Pappas

Edwin E. Parker
Lawrence Parretti
Carmen N. Pastino
James A. Patterson
Jerome T. Paull
Frank G. Pearce
David T. Penman
Nicola M. Pereira, Jr.
Allan E. Peters
Harold D. Pettengill
William E. Phelps
Marvin F. Pixton, III
Stephen P. Porcari, Jr.
Gary L. Post
David G. Pound
Stanley G. Pratt
Charles P. Preston, Jr.
Ernest E. Price, III
Jesse L. Pugh
David G. Purdy
Charles J. Pyle
Thomas F. Rafferty
Arch Ratliff, Jr.
Malcolm S. Rawlins
John P. Ray
Thomas E. Redican
Lawrence E. Reed
Clyde M. Regan
Ronald W. Rensch
John A. Ressmeyer H.
Alfred J. Reyer, Jr.
Albert R. Rideout, III
Jon K. Rider
Edward F. Riley
Michael B. Riley
John W. Ripley
Larry C. Roberts
Thomas W. Roberts
Donald J. Robinson, II
John M. Rodosta
Thomas E. Roe
Maurice A. Roesch, III
William R. Roll
Joseph M. Romero A.
Christopher J. Rooney
Donald L. Rosenberg
James H. Rosenthal
Dale C. Ross
George A. Ross
John W. Ruymann
James E. Sabow
Henry J. Sage
William Sahno
Vinson J. Sanangelo
Richard K. Sanders
Anthony A. Scafati
Neil H. Scarborough
Paul M. Schafer
Thomas A. Scheib
Arthur J. Schmidt, Jr.
Dennis A. Schoen
Ludwig J. Schumacher
Richard E. Schwartz
Norvel M. Scott
Edward R. Seiffert
Robert E. Setser
Bernard K. Severin
Arthur G. Shadforth
Harry J. Shane
John F. Shea
John J. Sheehan
Roy H. Shelton, Jr.
Donald K. Shockey, Jr.
John C. Short, Jr.
Louis L. Simpleman
James M. Sims
Roy W. Sims
Harold W. Slacum
Albert C. Slater, Jr.
Darrell M. Smith
Frank E. Smith
George E. Smith, Jr.
Gordon F. Smith
William R. Smith
Ray G. Snyder
Edward W. Sonneborn, Jr.
Charles R. Sorensen
Don F. Sortino
Ronald D. Sortino R.
Peter B. Southmayd
Gerald R. Sowa
James D. Sparks
William M. Sparks
Robert E. Spiker
Ray L. Springfield
Roger F. Staley
Robert D. Staples
John D. Steel
John F. Stennick
William A. Stickney
Julian P. Stienon
Phillip A. Stone
Simon F. Stover
J. K. Stringer, Jr.,
Laurence A. Stults
John P. Sullivan T.
Frank R. Sutherland
Alver J. Swett
Victor M. Szalankiewicz
Richard T. Tanner
Walter Tarnopilsky
Joseph Taylor
Thomas C. Taylor
Gary L. Telfer
Gary E. Thiry
James R. Thomas
Harry J. Tobin
Richard P. Toettcher
Richard D. Tomlin
Philip H. Torrey, III
Patrick L. Townsend
Richard B. Trapp
Timothy M. Treschuk Jr.
Timothy M. Treschuk
Bennie J. Trout
Robert L. Turley
Jimmy Turrietta, Jr.
Samuel D. Turner, Jr.
David F. Underwood, III
Kenneth R. Updegrove
Klaas Vanesselstyn
James E. Vangorder, Jr.
Dennis S. Vanliew
James K. Vanriper
Paul K. Vanriper
Morton Vaserberg
Leslie R. Vay
Jimmie Veater
Michael H. Vidos
John L. Vogt
Bill D. Waddell
David L. Walker
Philip J. Walsh
Milton T. Warring, Jr.
Lewis C. Watt
Allen B. Webb
Dellas J. Weber
Dwight D. Weber
Jerry R. Weibel
John D. Weides
George J. Weinbrenner
John B. Whalen
Donald L. Whisnant
Robert C. Whitener, Jr
Harold W. Whitten
Charles E. Wilhelm
James R. Williams
John K. Williams
Robert B. Williams
Bobby J. Williamson
Donald T. Wilson
Robert J. Wilson
David F. Winecoff
Thomas J. Wise, Jr.
Regan R. Wright
Robert M. Wright
Edwin A. Wroblewski
Michael W. Wydo
Michael D. Wyly
Peter B. Wyrick
Michael G. Wystrach
Rufus C. Young, Jr.
Carl H. Yung
Frank J. Zanin
Stanley M. Zenda

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Garth L. Adams
Jesse W. Addison
Larry G. Adkins
Burt E. Alexander
Robert C. Allen
Steve N. Allen
Gary C. Allord
Joseph T. Anderson
David A. Andriacco
Bruce R. Archie
Williar P. Armes
Charles R. Armstrong
Michael L. Aslaksen
James W. Atherton
William F. Atwater, Jr.
Grey C. Axtell
Peter T. Bahry, Jr.
Harold L. Baker
Michael S. Baker
George W. Ball
Robert W. Banta, Jr.
Dale E. Barnes
Harry K. Barnes
Michael J. Barnes
Peter T. Baron
Gary W. Basham
Marcus M. Baukol II
Albert E. Bauman III
William W. Baumann
David C. Beard
Robert M. Beasley
Donald A. Beaufait
Donald B. Beaver
Jennings B. Beavers II
Bruce R. Belrose
John C. Beitz, Jr.
Edward A. Benes
James H. Benson
James R. Benson
Michael W. Benton C
Robert A. Benson
Stephen C. Berg
Dennis M. Bevis
Steven R. Bland
Frederick M. Bobbitt
John A. Bohn
Charles F. Bolden, Jr.
Reed T. Bolick
Michael W. Bolish
Joseph M. Boyle
James W. Brady
Frank L. Brewer
Christopher W. Brindle
William W. Broadaway
Matthew E. Broderick
Michael O. Brosee
David Brown
Jack P. Brown
Kenneth J. Brown
Richard A. Brown
Thomas F. Brunk
Kenneth E. Brust
M. L. Buchanan, Jr.
Robert R. Buckley
Dennis M. Buckovetz
Richard D. Buettner
Michael W. Burkhart
Bruce B. Byrum
Conrad H. Cadman
Robert E. Cahill
Thomas P. Callahan
Rodney L. Campbell
Thomas H. Campbell
Roland E. Carey, Jr.
Reid O. Carlock
Martin E. Carney
Thomas R. Carstens
Roy L. Carter
Garry R. Carver
Thomas P. Carras
Mark H. Caspersen
Richard P. Cassidy
Blake J. Cate, Jr.
Richard W. Chambliss
John B. Champeau
Orville G. Chase
Robert A. Cheever
Dennis E. Clancey
John E. Clancy
James L. Clark, Jr.
William A. Clark III
Larry G. Clarke
Larry B. Coffman
Robert L. Collins
William R. Collins
Leonard J. Comaratta
Paul R. Conner
Gerald J. Cooper
George S. Converse
Thomas V. Cowperthwait
Wayne L. Courtney
Larry A. Craig
Thomas M. Craig
Wallace R. Creel, Jr.
Daniel D. Critchfield
Charles D. Cross
Jerald L. Cross
Wayne T. Crowder
Clarence S. Crowe
Anthony H. Cucina, Jr.
Michael J. Cummings
Thomas R. Cushman
John F. Dalton
George B. Davis
James L. Dawson
James W. Dearborn
Leonard E. Dechant
Bernard M. Demahy, Jr.
John F. Demars, Jr.
Theodore A. Demosthenes
Albert A. Desantis, Jr.
Charles A. Dittmar, Jr.
James M. Dixon
Ronald B. Dobie
Walter L. Domina
William I. Donaldson, Jr.
Thomas P. Donnelly, Jr.
Charles R. Donofrio
Robert M. Dowd
Hilary B. Downey II
Jeffery A. Drew
Larry W. Dudley
Gregory W. Duesing
Brendan Duff
Richard H. Duff, Jr.
John F. Dupont
Douglas C. Earle
Jerry D. Edwards
Phillip P. Egoscue
Harvey W. Emery, Jr.
Richard S. Everhart
Richard G. Ewers
Walter G. Fallman
Paul C. Farmer
Ronald R. Faucher
William W. Faulkner
Peter O. Fay
Oscar B. Fears, Jr.
David E. Feigel
Roger L. Feldhaus
Alfred T. Felter
John R. Fenton
Richard J. Ferry
Thomas P. Finnerty
John J. Flaherty
Marvin H. Floom, Jr.
Howard C. Florence
Thomas J. Fong G
Walter G. Ford
Frederick T. Fowler
Anthony Franovich, Jr.
John F. Fraser, Jr.
Kenneth R. Frederickson
Thomas N. Fremin
Warren T. Frommelt, Jr.
James J. Frydrychowicz
James A. Fulks
Frank A. Gagliardi, Jr.
James M. Galbraith
John F. Gale
William N. Gamble
Kent M. Gammel
Jon A. Gangloff
Milton J. Ganier
Thomas E. Garrick
Royce C. Garrison
Anthony L. Gasper
Lyle D. Gearhart
Henry C. Geren II
John W. Gerwig, Jr.
Andre G. Gib
James C. Gilmore
Richard W. Girard
Richard E. Glantz
John X. Golich
Ronald J. Gonzales
Adrian J. Gordon
Joel L. Goza
Jimmy L. Graham
Richard H. Green
William H. Green
William W. Green
Michael J. Greene
Robert J. Greene
Wallace C. Gregson, Jr.
Thomas J. Greska
Paul S. Griffin
John F. Grossweiler
James M. Guerin
David R. Guernsey
Steven E. Gugas
William H. Hackett, Jr.
Robert A. Hackley
Earl B. Hailston
Johnnie A. Hall
George E. Halloran
Thomas B. Hamilton, Jr.
Stuart D. Hammons
George W. Hance, Jr.
James H. Haney
Paul E. Hanover III
Robert P. Hansen
Stephen A. Hanvey
Thomas G. Harkins
William Harley
Ralph E. Harvey
Ronald C. Harrington
Randall R. Harris
Jerry B. Hatfield
Daniel J. Healy
Richard A. Hedin
Matthew J. Heck
Lloyd M. Hekhuis
William D. Helling
Hal W. Henderson
John F. Hendry
Clifford F. Henes II
Robert W. Hensley
Ralph E. Henson
John C. Hergert III
Donald J. Herrick
Walter T. Hicock
Michael G. Hire
Thomas H. Hicks
Michael C. Hodgins
Michael D. Hoke
Ronnie Holloway
John J. Holly
William J. Holverstott
John W. Hooper
William J. Horne
Assen A. Horster K.
Danny G. Horton
Edward F. Houff
John C. Howland
Harvey E. Huffman
James G. Hulsey, Jr.
William C. Hunt
William R. Hyatt III
Thomas M. Ingram
Erin L. Ireland, Jr.
Thomas H. Irwin H.
Peter G. Jacobs
Roger A. Jacobs
Richard L. Jaehne
Barry E. Jankiewicz
Harry Jensen, Jr.
Charles C. Johnson
Fred W. Johnson
Gerald E. Johnson
Kenneth W. Johnson
Maxwell O. Johnson
Morelle C. Jones
Robert D. Jones
Ronald L. Jones
Larry J. Jordan
Ronald L. Kaba
Michael A. Kalashian
Ronald F. Karsten
Richard H. Kayser
James Keane
Lawrence G. Kelley
John R. Kelly
Lawrence H. Kener
Charles W. Kershaw II
Willis J. King, Jr.
Charles H. Kinney
Samuel V. Kirk
Richard A. Klehm
Bruce B. Knutson, Jr.
Frank L. Kocevar
Bernard F. Kolb
John H. Korneder
John L. Kosinski
John E. Kotte
Dwight D. Kranz, Jr.
James A. Kuch
George C. Ladd
Philip A. Lahlum
Robert D. Lankes
Ralph V. Lanning
William P. Lanza
Arlen L. Larose
Robert G. Larson
Arthur K. Law
Charles F. Laughinghouse
Gregory C. Lee
Frederick E. Leek II
Donald K. Leland
John P. Leonard III
John W. Leslie
Alastair J. Livingston
Stanley H. Livingston
David M. Lohr
Frederick M. Lorenz
Thomas E. Loughlin
Bernard F. Luby, Jr.
Bruce C. Lyon
John M. Mack
Robert J. Mack
David B. MacFarlane
Kendall A. Madaras
Robert W. Magnuson
James D. Majchrzak
George M. Malone, Jr.
Thomas O. Malzahn
James A. Marapoti
Richard J. Marien
Jeffrey A. Marlin
Roger D. Marlow
John P. Martin
Robert P. Mauskapf
Warren D. Maxon
Craig L. Mayer
Charles W. Mayo, Jr.
Willard J. McAtee
David J. McCarty
Michael R. McCarty
Merrill C. McClure
William P. McElyea
Thomas M. McEntire
John C. McKay
Lauren M. McKenzie
Richard E. McLane, II
Sidney E. McLaughlin
David D. McNally
Jon M. McNerney
Kenneth E. McNutt, Jr
Anthony R. Medley
Jerry A. Merritt

James M. Messer
Charles A. Millard
Thomas S. Miller
Barry C. Milo
Roger D. Milton
Charles P. Minor, III
Hubert Minx, Jr.
Gordon E. Miscoi
Joseph A. Mitchell, Jr.
Thomas E. Mitchell, Jr
Earl M. Miyamoto
Gerald D. Mullinix
Terrence P. Murray
Christopher R. Mohr
Thomas J. Molon
Charles E. Moore
William W. Moore, Jr.
Bernard P. Mordret A.
Dennis W. Morgan
Jon W. Morrow
Michael C. Morschauser
John C. Muir
Mark K. Mulder
Curtis W. Murray, Jr.
James M. Murray, Jr.
John T. Murray
Stefan Mytczynsky
Martin J. Nacrelli
Garry D. Nelson
Larry G. Nelson
Frank A. Neubauer
Gary A. Neumann
Edwin R. Newsom
Leonard L. Nicholson
Dominic Nicolosi, Jr.
Michael J. Nipper
Harvey R. Norton
Patrick A. Nourot
Timothy P. Nunan
Randall W. Nunley
Michael A. Nyalko
William L. Nyland
Bryan D. O'Connor
Malcolm L. Ogilvie, Jr.
Patrick A. O'Hare
William B. Oldfield, Jr.
Willie J. Oler
John R. Oliphant
Richard J. Olsen
John F. O'Neil, Jr.
Arthur M. O'Reilly
Glenn P. Orgeron
Thomas M. Orth
James M. Osborne
Anthony M. Palermo
Steven S. Palmer
William M. Palmer, Jr.
Edward R. Palmquist, Jr.
Thomas A. Pantke
John E. Parker II
Robert D. Parker
Thomas L. Parrish, Jr.
Gregory W. Parsons
Larry F. Parsons
Michael L. Patrow
Daniel P. Pender
John A. Penne
Lawrence E. Pergerson
George N. Perrault III
Philip J. Persiani
William G. Peters
Harry W. Peterson III
Samuel F. Pfeiffer, Jr.
Gordon W. Phelps
Chester R. Pino
Peter T. Pitterle
Simon Poljakow
Robert V. Poveromo
Phillip E. Prince
Theodore M. Printy
Lloyd H. Prosser
Billy J. Pruett
Robert L. Pruett, Jr.
Jerry B. Pullium
Richard L. Pugh
Theodore L. Quinter
Burton C. Quist
Raymond C. Raece
James B. Ramsden
Anthony Raniszewski, Jr.
Arthur J. Rauchle, Jr.
Alfred Rawls, Jr.
John E. Ready
Thomas F. Reath
Bruce J. Reed
Charles T. Reilly, Jr.
Robert P. Reiten
Victor F. Reston
John E. Rice
Larry M. Ricker
John H. Rickert
Eric T. Richardson
Daryl D. Riersgard
Jesse W. Rigby
Ernest S. Riggins
Edward J. Ritchie
James H. Roach
Collin C. Roberts
John H. Robertus
Joe D. Robinson
Sands A. Robnick
Earl C. Rodenberg
Humberto W. Rodriguez
Michael P. Rohlfs
Donald E. Roeder
Robert C. Roland
Lester D. Roth, Jr.
Thomas H. Rouse
Daniel M. Rowland
Clinton L. Rudesill
Harry G. Rudge
William R. Rupp
Charles A. Sakowicz
Jon A. Schara
Larry S. Schmidt
David B. Schnack
Gary D. Schwing
John A. Scire
William R. Seagraves
Keith T. Sefton
James P. Sexton
Robert A. Shinn
James P. Sheehy
Darrel W. Sheets
Charles F. Shepard
George Solhan
Mark S. Splain
Gordon L. Silliker, Jr.
Ronald C. Skelton
Ronald D. Skow
Clyde E. Smith, Jr.
Crawford W. Smith
Lawrence W. Smith, III
William A. Smith
Carrol P. Soape
Ricky E. Somerall
Elmer R. Spears, Jr.
Hugh B. Speed, III
David M. Spottswood
William F. Stacey, II
Christopher C. Staley
Louis J. Stanislao
Eric N. Steinbaugh
Arnold T. Stevens, Jr.
Kent R. Stone
Dennis M. Storm
Michael W. Stortz
John S. Strong
William J. Sublette
Tom E. Sulick, Jr.
Fredric J. Swango
Calvin L. Swanson
Anthony L. Sweers
Thomas W. Swihart
James E. Switzer, Jr.
Thomas M. Talty
Michael B. Taggart
Thomas K. Tardy
Gregory D. Taylor
James W. Taylor, Jr.
Ronald L. Taylor
Barry A. Teller
Dan M. Tennent
James P. Terry
Steven J. Testrake
Allan G. Thaut
Donald R. Thompson
Thomas H. Timberlake, Jr.
Gary G. Todd
John R. Todd
David F. Tomsky
George L. Townsend
Tompson R. Toyama T.
Dick A. Tracy
Byron M. Trapnell
James N. Treadwell
Robert A. Tretsch, Jr.
Drake F. Trumpe
George E. Tucker
William T. Tucker
Thomas D. Turner
Robert R. Tyler
Daniel V. Urban
Edwin R. Valdez
Dyrck H. Vandusen
Rondall L. Vanhoutan
Earnest A. Vanhuss
John W. Vagnetti
Richard W. Vaughn
Alexander C. Verduci
Thomas E. Vida
Richard E. Vogel
James L. Volkmar
Henry J. Vonkelsch III
Edwin C. Walke
James P. Walsh
Raymond L. Walters, Jr.
Arthur J. Walz, Jr.
Roger P. Waniata
Buddy A. Ward
Milo J. Warner III
William D. Warren
Myron Wasiuta
Urulee Watson
Charles E. White
Cornelius B. Whitehurst
James L. Whitlow
John F. Whittle
Thomas G. Woods
Willie T. Worrell
Patrick D. Wilder
Robert L. Windham
F. C. Williams, Jr.
John R. Williams
Thomas W. Williams
Rickey D. Williamson
Leonard H. Willis
Charles E. Wilson, Jr.
Paul E. Wilson
Walter J. Wood
James D. Wojtasek
Roger A. Wrolstad
Wayne W. Wynkoop
Frank A. Yahner III
Joseph C. Yannessa
Robert A. Yaskovic
Billy L. Young
Jeffrey M. Zimmerman
Jeffrey L. Zorn

The following named officers of the Marine Corps for temporary appointment to the grade of first lieutenant:

Thomas C. Adang
Louis J. Alfieri
Charles H. Allen
Steven D. Anderson
Wilbur C. Anderson
Paul A. Andres
Gregory M. Anthony
Robert E. Apple, Jr.
Peter L. Aseritis
Donald H. Atchison
Joseph R. Ayala
Berwick P. Babin
Bruce M. Bachman
Leland W. Bacon
Johnny P. Bailey
Robert H. Bailey
William F. Bain
Ernest N. Balignasay
Charles L. Baker
Richard A. Bandlow
John A. Barrett
William M. Barth
Robert L. Bartley
Richard A. Bean
Robert L. Beatty, Jr.
Paul E. Beckhart
Brian L. Behl
Richard G. Beil, Jr.
David C. Bender
Robert H. Bender
Kenneth Berger
Mark H. Biser
James Black
M. W. Blackledge
Charles H. Blackwell
James E. Bond
Edward J. Bonkoski
Charles T. Botkin
Joseph S. Boyd
Raymond A. Boyd, Jr.
Glenn A. Brewer
Michael A. Brooks
R. L. Brotherton
Mark J. Brousseau
Jerry L. Brown
Scott L. Brown
Richard A. Bryant
Andrew J. Budka
Cecil C. Bulock
Mark A. Bultemeier
John D. Burell
Steven F. Burke
Ted M. Burkhart
Carl L. Burney, Jr.
Jay E. Burzak
Michael G. Byrnes
Lee R. Cain, Jr.
Larry W. Calhoun
Steven C. Calkins
Thomas R. Calkins
Charles J. Callaghan
Steven M. Callis
Paul A. Calvert
J. H. Campbell III
William G. Carey
Gary R. Carlson
Robert C. Carlson, Jr.
Robert W. Carlson
A. R. Carmoney, Jr.
Robert A. Carnot
Edgar B. Carr
Jere J. Carroll
Brett M. Carter
Richard R. Carter
Jackie V. Casey
James M. Casey
Carroll L. Cawyer
Vincent Cerqua
Jeffrey C. Christman
Frank Chukes, Jr.
Gary B. Clark
Gerald M. Clark, Sr.
James G. Clark, Jr.
William M. Clark H.
John A. Clauer
David R. Clifton
Quentin M. Cole
Kenneth L. Collyer
Joseph H. Compton
Joseph G. Corbin
Carl H. Corby, Jr.
James M. Cormani
Tony L. Corwin
Robert B. Cory
Mark A. Costa
John W. Cox
Victor T. Cronauer
Joseph A. Crookston
Glen K. Cunningham
K. D. Cunningham
Terrence J. Cuny
Charles K. Curcio
Daniel E. Curfiss
Joseph F. Dalton, Jr.
Walter W. Damewood, Jr.
John S. Davidson
Charles M. Davis
Edward W. Davis
Robert J. Debellis
Enrico G. Delpuppo
Bruce A. Denault
Mark F. Devane
John J. Dicks
Duane A. Dinehart
Brian S. Dinwiddie
Arthur D. Doherty, Jr.
Paul E. Dohring
Stanley Domino
Scott E. Donaldson
Edward J. Donofrio
John P. Dorsett
David G. Dotterer
Thomas C. Douglas
Thomas J. Doyle
Peter J. Dubuisson
Bruce E. Duderstadt
Patrick J. Dulin
Frank D. Dunn
James A. Dunnigan
Edmund D. Eaton, Jr.
Gary H. Ebanks
Robert W. Elflein
John R. Elliott
Dan S. Ellis
Kenneth E. Elsbury
Hugh T. Elwood
Howard F. Eslick
Vincent P. Everman, Jr.
Charles R. Fairchild
Dennis F. Fallon
Daniel F. Fennell, Jr.
Ralph H. Files
Richard W. Fleet
Ronald R. Fleming
James C. Forney
William B. Fraser
Robert R. Frederickson
John E. Freed, III
Mark P. Freeman, Jr.
Herbert L. Frink
Frank A. Fucci
David D. Fulton
David A. Galati
Joey R. Gallegos
Brian E. Gapco
Michael W. Gardner
Roger L. Gemar
Timothy F. Ghormley
John R. Giberson
Christopher P. Gieser
Gary G. Gisolo
Steele H. Glenn
Wellington H. Gordon
George E. Graham
John W. Graham
Sammy C. Graham
Peter V. Gray
Steven P. Grohsmeyer
Stanley L. Grossman
David A. Groves
Harry W. Gullett
Jackie W. Guthrie
Ralph D. Haddock
Ronald H. Haley
Patrick K. Halton
Donald W. Hammer
James L. Hampton
Stephen D. Hanson
Roger H. Harlow, Jr.
Samuel T. Harrelson, Jr.
Gregory Harrison
Dennis E. Haskins
Michael D. Haynes
Lawrence P. Hebron
Jacky C. Henderson
Leif H. Hendrickson
Terry W. Hendrix
Lawrence M. Hennebeck
Leonardo G. Hernandez
Joseph F. Hickey
Harry H. Hicks, Jr.
Kenneth W. Hill
David L. Hoagland
Thomas W. Hoffman
Gerald P. Hogan
John J. Hogan, III
Ides L. Holdridge, Jr.
Roy J. Hollingsworth
Larry N. Hollington
Harry L. Holloway, III
Daniel D. Holstein
Luther E. Holt, Jr.
John C. Hoogerwerff
William D. Hook
William J. Horan, Jr.
Gregory A. Hunter
John P. Hutchings
Gary R. Ing
Donald A. Innis
Robert D. Iverson
David K. Jackson
Dennis M. Jackson
James E. Jackson, Jr.
Wesley T. Jackson
Joseph M. Jacobs
John A. Jauregui
Donald S. Jefferson
Benjamin W. Jeffrey
David W. Johns
Andrew L. Johnson
Billy P. Johnson
Patrick M. Johnson
Richard F. Johnson
Henry L. Jones
Jimmy B. Jones
Larry W. Jones
Harold A. Juhl
Charles M. Justice
Stephen C. Kanaga
Michael W. Karnath
Edward M. Kasica, Jr.
Sean Kelly
Earl L. Kent III
George Kerlek, Jr.
Michael B. Kessler
Richard K. Ketler
John B. Kiser
Thomas G. Klappert
Kerry A. Knowles
Richard C. Koch
Joseph C. Koen
Thomas H. Koger
George E. Kondreck, Jr.
Richard S. Kramlich
Michael R. Kupar
Richard W. Lachowicz
William J. Lademan
Allen O. Lamm
Franklin D. Lane
Francis P. Lanzer
Robert L. Larkin, Jr.
Leonard W. Latour
Harold W. Laughlin, Jr.
Howard J. Laurie
Charles A. Leader III
James M. Leavis
Robert E. Lee, Jr.
Stanley J. Lehto
John A. Lemoine
Dyer T. Lennox
Brian P. Lever
Candace A. Lewis
John M. Lilienthal
Michael W. Lindberg
Forrest R. Lindsey
George W. Lindstrom
David C. Ling
William F. Linnehan
William M. Lipsmeyer
James D. Logan
James C. Lotito
Daniel E. Lund
Robert E. Lupton
David W. Lutz
Steven C. Macallister

Gary D. Macfadden
Gilbert A Macklin
Michael H. Mahlock
Harry Manchester, Jr.
Bruce H. Marquardt
William E. Marsh
Chez Marshall, III
Robert W. Martin
Arthur Martinez, Jr.
William L. Maruchi, Jr.
William J. Marvin
John M. McAfee
Clifton McAllister
Francis A. McBride, III
Brad A. McCanna
John W. McCarthy
William J. McCormick
Arthur R. McDaniel
Danny J. McDaniel
Chance E. McDonald, Jr.
Michael M. McDonough
Edward A. McGuigan, Jr.
Daniel M. McHale
Charles E. McKeone
David C. McLellan
Edward J. McLyman
Robert A. McMichael
Andrew D. Mechling
Gene Menke
Charles W. Michalk
Donald E. Miller
John S. Miller
Scott D. Miller
John S. Miller
Jon T. Minerich
Michael W. Minter
Michael C. Mitchell
Steven R. Mock
John Moisuk, Jr.
Marion K. Morgan
Ralph F. Morgan
Harvey D. Morrow
Anthony D. Moseley
Mark S. Moses
Dirk P. Mosis D
James M. Mulholand
Daniel J. Murphy
Steven M. Mutzig
Harry L. Myers, Jr.
Mark H. Naster
Richard F. Natonski
James P. Naughton
Victor P. Neshyba, Jr.
Lester K. Newell
John D. Newmyer
David N. Neuenschwander
Edward J. Novicki
Daniel C. O'Brien
Edward J. O'Brien
William P. O'Donnell
John F. Ogden
William R. O'Hara, Jr.
David P. O'Neil
Bryant C. Orr
Paul W. O'Toole
Charles T. Owen
Jack E. Owen, Jr.
John M. Pagel
James L. Patterson
Ronald W. Peck
Michael P. Perry
Douglas T. Peters
Charles L. Peterson
Darwin D. Peterson
Harriesclichy Peterson
Jerrold B. Peterson
Mark A. Peterson
James R. Philson
Richard F. Piasecki
Douglas E. Pickelsimer
Lawrence J. Pietropaulo.
James W. Piggott
Cleve B. Pillifant
Richard L. Plautz
Mark M. Pollitt
James E. Pons
Thomas S. Pope
Dale A. Prondzinski
Rodney N. Propst
Joseph J. Quaglia, Jr.
Anthony J. Quinn
Robert P. Raclaw
Douglas G. Raeburn
John Recine
Michael A. Reep
David M. Renzelman
Arlen D. Rens
Stephen M. Rich
Thomas A. Richards
Edmond T. Richardson, Jr.
Karen E. Riecks
Steven M. Ritacco
Jay W. Roach
Richard W. Roan
David B. Roche
Mark E. Robbins
Donald E. Roberson
William J. Robinson
Otis E. Rowland
Donald R. Ruch
Edwin A. Rudolph, Jr.
Ronald W. Ruescher
Timothy J. Ryan
Richard J. Salsman
Donald L. Sammons
Russell O. Scherck
Norman G. Schlaich
Joseph H. Schmid
Richard F. Schmidt, Jr.
Robert L. Schmitt
Steven J. Schneider
Mark A. Seamans
Charles C. Senn, Jr.
Steven W. Shaulis
Edward T. Shea
Howard D. Shea
Thomas E. Sheets
Donald R. Shepherd
Harry B. Shimp, Jr.
Larry K. Shipman
Donald P. Shirk
Richard A. Showman
George C. Siller, Jr.
Larry W. Slaugh
Barry L. Smith
David L. Smith
Paris G. Smith, Jr.
Spencer H. Smith
Russell A. Snodgrass, Jr.
Franklin J. Sofio
George C. Solley
Steven B. Sonnenberg
James M. Sorley
Dennis C. Sorrell
Roger K. Spencer
Grafton A. Spinks
Thomas S. Stanmore
Gordon B. Staples
Craig M. Steenberg
Stanley W. Stevens
Paul A. Stewart, Jr.
Richard A. Stewart
Richard Stockburger
Robert D. Stockman
Richard A. Stolz
Douglas M. Stone
Jacob F. Stone, Jr.
Thomas M. Strait
James A. Stuart, III
Michael G. Sudholt
Jerry L. Suenaga
Jesse O. Sunderland
Larry A. Sunn
Charles N. Tate
Don W. Tatone
Norman B. Taylor
James G. Teskey
James E. Thomas
Kenneth E. Thomas
William E. Thomas, Jr.
Thomas H. Thomiszer
David L. Thompson
Steven M. Timm
James R. Tomlinson
Billy W. Tongate
Garvin O Tootle
Stephen P. Toth
Lawrence E. Troffer, Jr.
Barry W. Trudeau
Robert K. Tucker
Glenn H. Turley
William M. Twaddell
Peter Ulrich
Robert J. Urban
Edward B. Vanhaute
Servando J. Velarde III
Jose Villanueva, Jr.
Peter R. Vogt
Charles P. Voith
James P. Voss
Daniel D. Vuilleumier
Jack S. Wakefield
Vernon E. Wallace
Thomas A. Walliser
Quentin R. Walsh, Jr.
Edward E. Waltrip
Brad Wambach
John F. Wardell
William Waters, Jr.
Gene D. Watson M.
William P. Watson, III
Loyd T. Weeks
Walter W. Weigle
Eric W. Weiss
Walter F. Welch
Thomas B. White, III
Harold E. Whitney, Jr.
Clifford N. Wildsmith
Eddie N. Williams
Raymond E. Willis
Timothy T. Wilson
William E. Winter
Lance Wismer
Ronald L. Withrow
John D. Woods
Arthur A. Wydler
John M. Yencha, Jr.
David H. Young.

The following named officers of the Marine Corps for permanent appointment to the grade of first lieutenant:

Leo L. Accursi
John H. Adams, Jr.
Mark W. Adams
Michael A. Adams
Arthur A. Adkins
Michael E. Aldridge
Martin B. Ancellotti
James B. Archbell
Christopher M. Arey
Brian S. Armstrong
James M. Ashley
Robert M. Bach
Allan R. Bacon, Jr.
Martin P. Bailey
Michael J. Barr
Richard M. Barry.
Ronald L. Bailey
Edwin C. Barnett
Floyd L. Bass, Jr.
John E. Barton
Bill R. Beauchamp
Gary A. Besaw
Steven C. Blair
Wayne F. Blankenship
Anthony D. Blice
Jonathan C. Block
Barry L. Bodine
David L. Bogardus
Bruce K. Bohnker
Scott R. Borderud
Robert W. Borek, Jr.
Gregory D. Borgert
William F. Botkins
Sheryl E. Bouchie
Stephen F. Bouton
Robert A. Brandon
Philip E. Bray
Bruce H. Brothers
Allen D. Broussard
Franz K. Brown
Mary L. Brown
Michael A. Burgener
Edwin A. Burnette
Mary S. Burns
Elizabeth F. Burroughs
Ronniere L. Burton
James A. Bussiere
Dean E. Butler
Michael J. Byers
Robert S. Byrd
Michael Cajohn
John Caldwell
William B. Caldwell, Jr.
Cesare Cardi
David H. Carl
Michael E. Carroll
Stephen A. Case
John G. Castellaw
Gail S. Caufield
Jesse P. Cavasoz
Wendell C. Chinn
Eric C. Christenson
James R. Christian
John B. Christie
Michael J. Clark
Phillip W. Colantonio
Francis J. Condino
Robert E. Cook
Michael G. Cooper
Whylen G. Cooper
Stephen M. Corriher
David C. Covert
Walter M. D. Creech
Lyn L. Creswell
Walter L. Crump, Jr.
Douglas R. Cuenin
William S. Culler
Donovan C. Cullison
Thomas J. Cummins
Robert C. Curtis
Michael T. Cygan
Alan E. Davis
Alphonse G. Davis
Andrew L. Davis
Calvin R. Davis
Dequincey A. Davis
Samuel J. Davis
John R. Daymude
Amo R. Debernardis
Raymond J. Decker, Jr.
William F. Degan, Jr.
Robert W. Delbridge, Jr.
Alan G. Denison
Richard E. Deremiah
Mark E. Detering
Robert S. Donaghue
Patrick E. Donahue
Paul F. Donohue
Susen A. Driggs
Billy D. Dunsmore
John A. Dzierzak
Dana A. Eckel
Arthur E. Edinger
William R. Edwards
Thomas C. Efird
Thomas C. Ehler
Alex G. Endres
Richard L. Engelen
Joseph P. Enos
Barry D. Evans
Larry G. Fanning
Daniel C. Farina
Peter B. Farley
Dennis G. Feldhoelter
Stephen T. Fisher
Michael J. Fitzgerald
Timothy H. Foley
Robert C. Fox
Richard J. Frawley
Douglas N. Frazier
Larry G. Fulton
Michael L. Gale
Patrick E. Gallagher
Emerson N. Gardner, Jr.
John R. Gaumer, Jr.
George M. Gebhardt
Charles E. George III
James R. Gevock
Frank L. Gibson
Paul A Gido
Lawrence J. Giles
James A. Gillis III
Clifford J. Gion
Joe H. Glover, Jr.
John E. Glover
Mark T. Goodman
Lauren E. Gordon
Chad L. Grabow
Gerold W. Graham
Roy E. Gray
Jeffrey D. Greene
James S. Grimes, Jr.
Russell W. Grove
William L. Groves
Albert J. Guidotti
Ronald G. Guilliams
Max G. Gunn
David P. Gwin
Gerald L. Haden
William J. Haffey
Darrell F. Halse
Dennis A. Halterman
James A. Harler
Robert A. Harper
Robert J. Harrington
Neil T. Hartenstein
John D. Hattaway
Frederick L. Hauenstein
Glenn B. Hausold
Kenneth G. Hawkes
Daniel G. Hawthorne
Michael J. Hedin
Joseph P. Heine
Rebecca L. Heldt
Ronald B. Helle
Patrick T. Henry
James T. Hickey
David C. Hilmers
David E. Hinkle
Robert C. Hubner
William T. Huff, Jr.
Douglas B. Hodsdon
Jeffrey B. Holmes
Thomas A. Holton
Paul C. Hoover
James F. Houston
Arthur J. Howard, Jr.
Robert L. Hunt
Michael J. Hutchinson
Daniel C. Ingram
Charles H. Jackson IV
Edgar W. Jatho, Jr.
Joseph F. Jennings, Jr.
Michael S. Jindra
Dallas W. Johnson
Francis A. Johnson III
Johnnie Johnson
Raymond H. Johnson
Stephen T. Johnson
John J. Johnston
Danny R. Jones
Homer Jones
Nelson M. Jones III
Thomas D. Jones
William M. Jones
Donnie B. Jordan
William J. Jorgens
Darryl F. Keane
Lloyd W. Keaser
John A. Keenan
Ronald W. Kelemen
Robert E. Kenney
Edward M. Klein
Gerard J. Kline
William L. Knapp
Thomas J. Kosnik
David A. Kratochvil
Wayne E. Krout
Ray D. Kroeschen
Fred A. Krumm
Gregory D. Lamberth
Mark S. Larson
Robert W. Leas
Don R. Lecander
Lawrence E. Leggett
Thomas C. Lenke
Miklos Lestyan
Donald C. Lewis
Timothy P. Lindner
Richard J. Linhart, Jr.
George H. Linnemeier II
Barbara J. Loomis
Gilbert B. Loomis III
Mary K. Lowery, P.
Michael T. Lundblad
Glen G. Lyons
James J. Macinnis
Stephen Mack
Donald B. Mackenziegraham
John W. Macroglou
Michelle Manning
Lawrence R. Martin
Paul W. Martin
William F. Martin
James M. Marshall, Jr.
Michael W. Mather
Wesley F. May
Henry R. Mayer
John D. McAndrew, Jr.
Ruthanna M. McBride
Thomas P. McClowry
John S. McFarland
Patrick H. McGann, Jr.
Jeffrey J. McGillivrae
Steven M. McLaughlin
Robert W. McLean
Robert J. McLellan
John W. McLeod
Julius A. McMillan, Jr.
Daniel W. McSpadden
Babs M. Meairs
Edward L. Melton
Richard P. Meserve
George A. Messier
Robert L. Metcalfe
Michael P. Mihalik
Charles W. Miller
John E. Miller
Harold L. Mitchell
Henry P. Mitchell
Thomas P. Mitchell
Donald N. Mizell
David W. Murray
Monte G. Montgomery
John T. Mooney
Bertram E. Moore, Jr.
William P. Moore, Jr.
William J. Moore, Jr.
Robert J. Morgan
Richard W. Morrell II
Richard R. Morris
Richard A. Mu
Patrick C. Murphy
Linda L. Murray
Rex E. Nelson
Ronald F. Nelson
Harold P. Newhart
Frank W. Nichols
Clark C. Nielsen
Dennis E. Norman
Clayton W. Noto
John A. Nugent
Dennis P. Ogeary
James L. O'Neill
James V. Orlando III
Thomas J. Padden III
Thomas W. Parker
Wayne A. Patrick
Roger C. Patton
Edward J. Perrott
Alfred M. Perry
George L. Peterson
Charles E. Petrusch II
Joe D. Phillips
William J. Piatnitza
John R. Pipho
Richard K. Polly
Michael K. Popper
Patrick G. Port
William S. Proctor
Cecil E. Ralston
William E. Rambow
Bryan G. Ramey
Michael L. Rapp
Randy F. Rasmussen

Robert D. Rasmussen
Earl K. Reed
Frank C. Revels
Lynnae C. Reynolds
Ronald R. Rhoads
Theron D. Rogers
Sumner J. Rollings
Christopher J. Ross
Richard K. Rothell
Samuel J. Routson
Byron D. Ruble
Charles H. Rucks
Gregory M. Russell
Francis X. Ryan
Fay G. Sanford, Jr.
John W. Saputo
Ronald R. Sauer
Kenneth E. Schaub
Gordon K. Schmaus
Mark C. Schickner
Thomas M. Schuler
Randolph L. Schultz
Jerry D. Schutt
Kenneth A. Schwarz
Peter R. Seal
Vincent A. Sessa
John L. Sexton
Jerry M. Seybert
Thomas C. Shoger
Robert W. Skaggs
James M. Sluder III
Charles R. Smith III
Edward M. Smith
Gary E. Smith
Guilford V. Smith, Jr.
Randall E. Smith
Peter K. Solecki
Wayne A. Spencer
Marc A. Spurgeon
Keith J. Stalder
Philip A. Stanley
Sally A. Stansbury
John E. Steele
Thomas G. Stefek
Dennis L. Steigmann
Blake R. Stephens
Cortez D. Stephens
Frank D. Stephens
Mark Stevens
Michael K. Stevens
Scott H. Stevens
Clayton E. Stillings
Randolph B. Strautman
John S. Street
Joseph J. Streitz
Steven D. Summers
Kenneth W. Tarrent, Jr.
John M. Taska
John R. Taylor, III
Carl W. Thiem
Mark C. Thoman
Gregory E. Thompson
Lloyd M. Thorne
John D. Thornton
John M. Thornton
Julius S. Tindall
Carl E. Treutle
Lon A. Troxel
George T. Tucker
Ronald D. Twardy
John G. Upton
Steven K. Vandoren
Frank A. Vargas III
Thomas J. Venters
Kenneth A. Vincent
Joseph M. Vizzier
Joel R. Voneida
Patricia A. Wahls
William Wallace, Jr.
Thomas H. Walsh, Jr.
Larry E. Walther
Michael B. Warlick
Charles R. Waters
Ray E. Watkins
Jo A. Weatherford
Randell A. Webb
Alfred W. Webber
Curtis A. Weber
Robert A. W. Wehrle
Randall B. West
John A. Wester, Jr.
Michael J. Wheeler
James R. Wheeler
Allen K. White
Roderick E. White
Michael G. Whitten
Douglas L. Wood
Steven C. Wry
Ronald A. Wickes
Rodney J. Wijas
Ronald D. Wilczak
John A. Wilkerson
Richard P. Wilks
Glenn R. Williams
Herlis A. Williams, Jr.
Cornell A. Wilson, Jr.
Frances C. Wilson
Gregory V. Wilson
Paul T. Wilson
Robert T. Wolfertz
Franklin P. Wood
Michael S. Woodson
John A. Woodward
Stephen T. York
Brett N. Younkin
Joseph M. Zeimetz
George E. Zhookoff
Robert R. Zimmerman
Andrew D. Zinn

EXTENSIONS OF REMARKS

LAKEWOOD, N.J., "TOWN OF CHAMPIONS" WINS LITTLE LEAGUE WORLD SERIES

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. HOWARD. Mr. Speaker, it is with a great deal of pride and pleasure that I take this opportunity to offer my congratulations to the Lakewood Little League baseball team on its stunning victory over Tampa, Fla., in the Little League world series title game at Williamsport, Pa.

The 4 to 3 win came on the strong arm of Lakewood pitcher Bob DelConte who, after allowing a two run homer in the first inning, stopped the Tampa team cold by not giving up a single hit for the rest of the game.

DelConte's fine effort, which included a hit of his own, was backed up offensively by shortstop Dion Lowe who had two hits; catcher Scott Schulman, second baseman John Reizer, and third baseman George Starr each turned in a hit.

Other starters include Jay Teitlebaum in right field, Wayne Richardson in center field, Rich DelConte at first base, and Gary Edwards in left field. The roster is completed by Mark Goldberg, Alex Mendez, Scott Moresco, Kenneth Lawrence, and Paul Zabarsky.

Much credit for this victory obviously goes to the team's comanagers, Steve "Butch" Belitrand and Dick Work, who steered the Lakewood Little Leaguers through the 15 consecutive victories which led to the Little League world championship crown.

I would like to again offer my sincere congratulations on a job well done, and to submit for the RECORD an article commemorating this important piece of shore area sports history which appeared in the August 24, 1975, Asbury Park Press:

IT WAS A DAY THEY'LL NEVER FORGET

(By Bill Edwards)

WILLIAMSPORT, PA.—It was one day no one will ever forget.

For members of the Lakewood Little League baseball team, yesterday's 4–3 Little League World Series title victory over Tampa, Fla., climaxed the fullfilment of six goals it had set some seven weeks ago.

For Lakewood co-managers Steve "Butch" Belitrand, and Dick Work, it represented the ultimate climax for a pair of friends whose teams tied each other for third place during the regular season.

But most of all, the team's 15th consecutive victory added an illustrious chapter to Shore sports history.

"This is certainly the biggest thrill of my life," said Belitrand amid a group of happy kids. "Not for me, but for those 14 boys. I'm so happy for all of them and they deserve everything they get."

Ten years from now, Belitrand may not remember so fondly the victory at Howard J. Lamade Memorial Stadium, here, as he will a pair of dramatic comebacks on the way to the finale.

"I can remember two key games very well—Bergenfield and Burlington," smiled Belitrand. "If anything, they were the games that got us this far." Lakewood rallied in eight innings to top Bergenfield in the state semifinals, and scored four runs in the last of the sixth to beat Burlington, Vt. in the Eastern Regionals.

Co-Manager Work called the key: discipline.

"This team is very disciplined," he maintained. "We try to preach it and work the kids hard. I think it helps the kids understand that hard work and some dedication is what it takes to be a winner."

Yesterday it took a masterful one-hitter by pitcher Bobby DelConte coupled with enough drive to overcome a two-run deficit in the first inning, a sensational diving catch by centerfielder Wayne Richardson in the third, and the polished poise that has become their trademark that nailed down the 29th annual Little League crown.

"I knew in the second inning that when we got men on base, we'd end up winning the ballgame," claimed Belitrand. "I said the other day that if we could cut down on our strikeouts, and keep them from hitting the ball out of the park, that we would win."

Lakewood did cut down on its total strikeouts (seven) but the way it started out for DelConte, few realized at the time that Rick Cum's first-inning two-run home run was the only hit the Southern Regional champions would manage off the 12-year-old righthander.

"They were definitely the best-hitting team we faced," said DelConte in something of an overstatement. "The home run shook me up a little and if it was in any inning but the first, it wouldn't have bothered me."

It did little to upset his teammates who sent nine batters to the plate in a four-run second inning as DelConte pitched hitless ball the rest of the way.

"I thought Bobby pitched one heckuva ballgame," lauded Belitrand. "He hung a curve ball to their clean-up hitter (Crum) but I told him there's no club that can hold us to two runs, and if we hold them to two we'd win."

Trailing 4–3 with two down in the third, Tampa's Rick Davis sent a towering pop fly to short center that, had it dropped in, would have scored Crum with the tying run. Richardson, however, charged, dived and speared the would-be base hit with his glove hand.

"I ran my hardest and got in front of the ball, so if I missed it, it wouldn't get past me," explained Richardson. "We work very hard on defense during practice and believe me, it pays off."

And with the exception of a pair of Dion Lowe errors spaced out over the final three innings, the Lakewood defense was exceptionally sharp in leaving five Tampa runners stranded.

"Dion is not used to playing shortstop," said Belitrand. "It's a new position for him and he only plays short when Bobby pitches in relief. He did an adequate job."

"Defense has helped us," he added. "George Star, (Wayne) Richardson, and John Reizer did an excellent job. When it was 4–3, I certainly wasn't worried, but I was surprised we didn't score more than four runs."

It was Reizer's chop single over Tampa pitcher Vance Lovelace that launched Lakewood's four-run second. Reizer moved to second on a wild pitch, and moved to third on DelConte's line single to left putting runners at the corners.

After Gary Edwards walked to load the bases—still with no outs—Starr duplicated Reizer's infield safety over the mound that scored Reizer with the first run.

DelConte raced home on a low ball that got by Tampa catcher Rick Davis to tie the game. Jay Teitelbaum's grounder to third scored Edwards with the go-ahead run, and Scott Schulman closed out the rally when his ground ball to short was booted to Cecil Coley allowing Starr to score the fourth run.

"It just seems that when we need a hit, we get it," said Work. "That kid (Lovelace) threw it fast and our kids did the best they could. They didn't strike out a lot today and that's what counts. They hung in there and swung."

The Eastern Regional champions appeared on the verge of striking again in the fifth inning when they loaded the bases with two down for Edwards. But Edwards, hitless since the Mid-Atlantic Division II tournament, averted the threat when he popped back to the mound.

Edwards, though, could not avert Crum's fifth tournament home run in the first inning.

DelConte, making his first tournament start, retired the first two Tampa hitters before he walked its most feared hitter—centerfielder Albert Everett—on five pitches.

Crum looked at DelConte's first pitch but delivered the next one—a slow curve—over the fence in left field . . . barely.

"It didn't look like it would go over," said Edwards of Tampa's only hit, "and I thought I had a chance to catch it, but I jumped on it too early."

Tampa manufactured its third run in the third inning when John Davis walked, moved to second when Crum was intentionally walked, and scored when Edwards dropped Cawsey Sheffield's low line drive in left.

DelConte, who closed out the tournament with a 4-0 record, displayed the same poise and cool confidence he showed when he pitched out of a bases-loaded sixth-inning jam to preserve a 6–3 victory in a previous game.

The Philadelphia native, protecting the one-run lead in the fifth inning, set down the heart of the Tampa lineup in order. After John Davis grounded to third, Everett, a .500 plus hitter with nine home runs, struck out, and Crum lined to Reizer at second.

"Everett—he's the one I wanted to strike out the most," claimed DelConte who struck out four. "I wasn't throwing as hard as I could, but I never do."

"I went out there and did my thing Wednesday," said Lowe, who beat North Ridge, Calif., 2-0, "and Bobby went out there and did his thing today."

And after Lakewood had done "its thing" for the last time, Work admitted he was somewhat happy to see it end.

"It's been a real grind over the last three weeks or so," he said, "and the kids have taken it pretty good. But for me, I'm kind of happy it's over."

Players were feted at banquet last night. They were expected to arrive back at Lakewood Little League field at 1 o'clock this afternoon . . . "Mr. Cub," Ernie Banks, threw out first ball to Schulman . . . Dr. Creighton J. Hale, president of Little League Baseball, presented Belitrand the championship plaque.

PERSONAL EXPLANATION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. FRASER. Mr. Speaker, the President has nominated me and I am now serving as a representative on the U.S. Delegation to the Seventh Special Session of the General Assembly of the United Nations. I will also serve on the U.S. Delegation to the 30th Session of the U.N. General Assembly scheduled to begin September 16. This 30th Session will continue into December of this year.

In order that I might faithfully pursue my new responsibilities at the United Nations, I have requested that I be granted a leave of absence beginning September 3 and continuing until my duties are completed in New York.

Certain crucial matters and possible close votes on important issues may bring me to Washington during this period. But I plan to limit these occasions to the fewest possible.

Mr. Speaker, I want to be an active participant in the U.N. deliberations. This can be accomplished only if I devote a considerable amount of time to my U.N. assignment. That is what I intend to do.

THE IMPENDING RISE IN ENERGY COSTS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the appendix of the CONGRESSIONAL RECORD the newsletter of the Bankers Trust Co., on energy, dated August 6, 1975.

This excellent commentary, published by one of the major banks in the United States, sets out the consequences of sudden decontrol with the expiration of the Emergency Petroleum Allocation Act at midnight on August 31.

The arguments made in this excellent publication make it plain that failure to override the veto of S. 1849, legislation extending the Emergency Petroleum Allocation Act for 6 months, can have a disastrous consequence upon the whole of the American economy.

The newsletter follows:

THE IMPENDING RISE IN ENERGY COSTS

Unless Congress and the Administration can agree to an extension, the Emergency Petroleum Allocation Act will expire on August 31. Without this restriction some 40 per cent of our domestic crude production will be freed of controls which have held its price to approximately $5.25 per barrel. If it is permitted to rise quickly to the present free-market price of $13.00 or more a barrel, the impact on our economic recovery will be devastating and might not only delay the recovery, but could easily precipitate a worsening of the recession. Bankers Trust Company agrees with President Ford's desire to encourage energy conservation and stimulate production through gradual price decontrol, but the Bank also feels that federal policymakers and legislators must give careful consideration to the probable impact on the economy if controls are suddenly lifted on August 31.

THE EFFECTS OF DECONTROL

Under immediate decontrol the average price of crude oil used in the United States would rise rapidly from just above $10.00 to over $13.00 per barrel, as shown in Table 1. The 30 per cent jump in price would amount to over 7¢ per gallon of product at retail. For the nation as a whole, the costs of petroleum products alone would soar by almost $20 billion per annum.

In addition, the price of competing fuels would clearly rise in response to the 30 per cent rise in the petroleum price. If it is assumed that coal prices would rise by only two-thirds the percentage increase of petroleum, or 20 per cent, then the average price of coal would increase from $25.00 to $30.00 per ton. Since coal output approximates 650 million tons per annum, the $5.00 per ton price hike translates into roughly a $3 billion jump in U.S. coal costs per annum.

Another competing fuel, intrastate natural gas, would also rise in price. Presently about 7 trillion cubic feet of gas, or one-third of all domestic gas production, is sold in intrastate markets which are free from government price controls. If the Allocation Act were to expire this gas could also rise in price by 20 per cent, or by 38c per thousand cubic feet. In this case total gas costs would rise by about $2.5 billion. This estimate assumes that the FPC will continue to control interstate gas prices.

In summary, abrupt decontrol could raise the costs of competing fuels by over $5 billion in addition to the $20 billion hike in petroleum costs. Altogether total U.S. energy costs would rise $25 billion. (See Table 1 for calculations.)

THE EFFECTS OF AN OPEC PRICE HIKE

In addition to these domestic increases, the price of foreign crude may also rise. The Organization of Petroleum Exporting Countries (OPEC) has announced its intention to review its price structure in September. Although a major increase seems unlikely, it is possible that an upward adjustment of $1.50 per barrel could be imposed. The higher OPEC price would establish a new world price which without controls would effectively raise the domestic price to approximately the same level. An OPEC price hike of $1.50 per barrel would raise U.S. petroleum costs alone by $9 or $10 billion. Competing fuel costs would also rise by $2 or $3 billion. Thus, the combination of sudden decontrol and an OPEC price hike would raise the nation's total energy bill by more than $35 billion per annum.

EFFECTS ON THE ECONOMY

Given the present depressed state of the economy, such an increase could only be detrimental, unless certain countermeasures are taken. Thirty-five billion dollars amounts to nearly 4 per cent of U.S. disposable personal income. It is over one-quarter the amount spent on consumer durables in this country and exceeds the federal tax reduction granted earlier this year by 50 per cent. Clearly the purchasing power of American consumers would be significantly eroded. Moreover, inflationary pressures would undoubtedly be stimulated and the housing industry would suffer another setback as interest rates rose. Higher gasoline costs would further curtail U.S. auto sales and production. The cumulative effect of all these pressures would abort any economic recovery and could send it on to new lows.

THE PRESIDENT'S PROPOSAL

Description

President Ford's proposal of July 25 calls for the gradual decontrol of old oil over the next 39 months. Under his program the amount of old oil would be reduced each month by 1½ per cent in the first 12 months, 2½ per cent in the following 12 months, and 3½ per cent in the remaining 15 months. The President's proposal would also put a price ceiling of $11.50 per barrel on all domestic free-market crude, except crude from stripper wells producing less than 10 barrels a day. In effect this means the price of previously exempted crude would be rolled back by $1.50 to $2.00 per barrel. Beginning this October 1 the ceiling would be lifted by 5¢ per month, ultimately reaching $13.45 on December 1, 1978. Thereafter all controls would be lifted. The President has also called on Congress to enact a windfall profits tax with plowback provisions. The revenue from the tax would be rebated to taxpayers.

Is it feasible?

Whether or not the new program would be administratively feasible has not been investigated. The Bank merely wishes to note that under Ford's program a four-tier pricing system would emerge. There would be different prices for old oil, new and released oil, stripper oil and foreign oil. The administrative problems associated with the distribution of entitlements and allocations under such a system could possibly prove insurmountable. In addition, it creates a condition where producers could be exposed to the criticism that they were temporarily withholding output in anticipation of much higher future decontrolled prices. In short, the program could be an administrative

nightmare for the government and a source of further complaint against the industry.

Effect on prices

Assuming, however, that the President's program is administratively feasible, it makes economic sense to gradually decontrol the price of crude. Clearly decontrol is needed to stimulate exploration and development while restricting consumption. Prices must be allowed to rise to cover replacement costs if this country wishes to become less dependent on foreign sources of petroleum and thus more secure both economically and militarily. At the same time under President Ford's phased decontrol program the purchasing power of energy consumers would hardly be affected during **the crucial early stages of economic recovery.**

TABLE 1.—CALCULATION OF INCREMENTAL ENERGY COSTS UNDER DECONTROL

INCREASE IN AVERAGE CRUDE PRICE PER BARREL

Classification	Current			Sudden decontrol		
	Price	Market share (percent)	Weight	Price	Market share (percent)	Weight
Old domestic	$5.25	40	$2.10	$13.00	40	$5.20
Free-market domestic [1]	13.00	25	3.25	13.00	25	3.25
Foreign	13.50	35	4.73	13.50	35	4.73
Average price			10.08			13.18
Increase per barrel			3.10			
Increase per gallon (cent)			7.4			

INCREASE IN TOTAL ENERGY COSTS IN 1976

Fuel source	Additional cost per unit	Number of units	Increase in costs (billion)
Oil	$3.10 per barrel	6,300,000,000 bbls	$19.5
Coal	$5.00 per ton	650,000,000 tons	3.3
Gas	$0.38 per thousand cubic feet	7,000,000,000,000 ft³	2.7
Total			25.5

[1] Includes new, released and stripper crude.

CALCULATION OF AVERAGE CRUDE PRICES PER BARREL UNDER PRESIDENT FORD'S DECONTROL PROGRAM

TABLE 2A.—FIXED FOREIGN PRICE AND MARKET SHARE

Classification	Sept. 1, 1975			Sept. 1, 1976			Dec. 1, 1978		
	Price	Market share (percent)	Weight	Price	Market share (percent)	Weight	Price	Market share (percent)	Weight
Old domestic	$5.25	40	$2.10	$5.25	33	$1.73	$5.25	0	
New domestic	11.50	13	1.49	12.10	20	2.42	13.45	53	$7.13
Stripper	13.00	12	1.56	13.10	12	1.57	13.50	12	1.62
Foreign	13.50	35	4.73	13.50	35	4.73	13.50	35	4.73
Average price			9.88			10.45			13.48
Cumulative increase per barrel [1]			($0.20)			$0.37			$3.40
Cumulative increase per gallon [1]			(0.5¢)			0.9¢			8.1¢

TABLE 2B.—RISING FOREIGN PRICE AND MARKET SHARE

Classification	Sept. 1, 1975			Sept. 1, 1976			Dec. 1, 1978		
	Price	Market share (percent)	Weight	Price	Market share (percent)	Weight	Price	Market share (percent)	Weight
Old domestic	$5.25	40	$2.10	$5.25	31	$1.63	$5.25	0	
New domestic	11.50	13	1.49	12.10	18	2.18	13.45	45	$6.05
Stripper	13.00	12	1.56	14.60	11	1.61	16.50	10	1.65
Foreign	13.50	35	4.73	15.00	40	6.00	16.50	45	7.43
Average price			9.88			11.42			15.13
Cumulative increase per barrel [1]			($0.20)			$1.34			$5.05
Cumulative increase per gallon [1]			(0.5¢)			3.2¢			12.0¢

[1] From current price of $10.08 as calculated in table 1.

As can be seen in Table 2A, the average price of crude under the program would rise by less than a penny per gallon through September 1976. The bulk of the increase—7¢ per gallon—would be postponed until after 1976, but presumably by that time a resurging economy would be better able to withstand the resulting drain of higher energy prices on consumer purchasing power. If the economy, however, were to remain sluggish through 1977 and 1978, the government could offer a tax rebate to offset the detrimental impact of rising energy prices.

Foreign Oil Changes

It should be emphasized that Table 2A measures no changes except the rise in price that would result directly from President Ford's phased decontrol program. It makes no attempt to realistically forecast crude prices.

In reality crude prices will climb much more than shown in Table 2A, which has assumed both a constant price of foreign crude and a constant foreign share of the U.S. market. Both assumptions are probably wrong. In all likelihood the delivered price of foreign crude, and therefore also the stripper price, will rise in the next few years. Moreover, Bankers Trust Company expects that the foreign market share will climb as the United States energy demand becomes increasingly dependent on foreign crude. With both the share of foreign crude and its price rising through 1978, the average price of crude will rise much more than shown in Table 2A.

Finally, it should be noted that when all controls are abandoned in early 1979, the average price of oil will rise abruptly to the world price plus the $2.00 tariff. Given the assumptions of the previous paragraph, the price would rise to $16.50 per barrel, meaning that the crude price would climb by $6.40 within the next 3 years, or 15¢ per gallon. Of course, the prices of alternative fuels would rise proportionately. Whether it will be possible for the Administration to counteract the income-reducing effects of such rising energy costs depends heavily on the state of the economy during the late 1970's.

Thus, although the Ford Program would by itself be responsible for only an 8¢ per gallon rise in price through 1978, the actual increase may be closer to 12¢ per gallon. This is true because the market share and price of foreign crude is expected to rise during the next few years, dragging up the average petroleum price.

SUMMARY

If the President and Congress fail to reach a compromise on price decontrol, old oil prices will be abruptly decontrolled on August 31. Coupled with a moderate rise in the foreign price of oil, the sudden decontrol of old crude prices would next year transfer about $35 billion per annum away from consumers to energy producers, the federal government and the OPEC nations.

The jolt to the economy would be severe, sharply reducing the discretionary income of consumers and raising the rate of inflation. To counteract the negative impact of sudden decontrol, the President could unilaterally repeal the $2.00 per barrel tariff, which would limit the net increase in petroleum prices to 2¢ or 3¢ per gallon. To offset the depressive impact of an OPEC price rise, the President could request from Congress a temporary reduction in federal taxes.

One alternative to abrupt decontrol would be phased decontrol as proposed by President Ford. His proposal allows for an orderly reintroduction of free-market forces with a minimum effect on energy prices during the early crucial months of economic recovery. Under his program the earnings of energy producers would eventually rise, providing the industry with much needed additional capital to reinvest in the energy industry. At the same time the higher prices, reflecting the reality of higher costs, would limit the growth of energy consumption. Ultimately as reliance on foreign crude is diminished, the economic and military security of this country would be strengthened because of the Ford decontrol program.

FOOD STAMPS—HALF OF USDA BUDGET

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. MICHEL. Mr. Speaker, the July/August issue of the American Farmer contains some particularly illuminating comments concerning this Nation's food stamp program, again underscoring first, how it is that middle-income Americans find themselves in the position of being eligible for food stamps and second, the fact that the farm community—often cited as a presumed beneficiary of food stamp use—is as disturbed as anyone about the abuses in this program. The problems that the article highlights are covered, point by point, in the National Food Stamp Reform Act which I introduced on June 23 and which now has over 95 cosponsors in the House and Senate. Early congressional attention and action on this bill can result in correcting many of the problems described in this article by Donald T. Donnell:

OUR FAST GROWING FOOD STAMP PROGRAM

This month I'd like you to meet Arthur. Or perhaps you know him already. He's a bit older than I am, but he's in excellent health. He runs a small farm, raises some vegetables for the fresh market, and grows the best raspberries you ever ate. He and his wife have a comfortable home, a 1969 Chevrolet, and a fairly new color television set. They set a good table (Grace makes the best corn muffins in the county), and they wear good clothes to church on Sunday. Their children are all grown now and have left home; one of them is a dentist somewhere out West.

Arthur and Grace never made much money, but that doesn't bother them. They have their little farm and some life insurance, and they'll get by, as Arthur says, "with the Good Lord's help."

Arthur's rather proud that nobody in his family ever was "on welfare." And so I hope he doesn't see this report, because some people think he needs help.

The fact of the matter is that Arthur and his wife are probably eligible for the federal food stamp program.

Last year was not a very good one for Arthur (too wet in the spring; too dry later on). He and Grace ended up with only $2147.68 in net income.

They don't own any stocks and have only a few hundred dollars in government savings bonds plus $117 in their checking account. Of course they have the Chevrolet and the tractor and the little farm, but they're allowed to own these and still get food stamps.

I wonder what Arthur would say if someone from the county court house came out to sign him and Grace up for food stamps.

How is it that middle-class Americans who aren't eligible for welfare can be eligible for food stamps? Let's take a look at the present program and its operation and development in an effort to find the answer.

The program is designed to reduce the cost of food for low income persons. Eligible persons are permitted to buy a monthly allotment of food stamps for amounts which vary with their income and the number of persons in their household. Household resources are taken into account in determining eligibility. Many recipients of food stamps receive other welfare program benefits.

From 1939 to 1943 an experimental federal food stamp program assisted 11 million Americans at a four-year cost of about $260 million. But this program was dropped during World War II, and it was not until 1961 that a new "experimental" program was authorized.

By 1964, about 350,000 people in 22 states were receiving food stamps under the experimental program. In that year Congress authorized a permanent program and appropriated $35 million to fund it.

The appropriation had risen to $610 million by 1970. Today the annual cost is close to $5 billion.

At the present time anyone is entitled to some food stamps if his after-tax income is less than a certain amount ($513 a month for a family of four) and his resources (cash, bank account, bonds, and other assets) are less than $1500. The value of a recipient's house, car, life insurance policies, and income-producing real estate are not counted as a part of his "resources."

Today up to 16 million Americans receive food stamps. Millions of others are eligible to do so.

Most of the food stamp recipients pay for their stamps with cash.

A four-member family gets food stamps which will buy $154 worth of food each month. If the family income is only $50 to $60 per month, the $154 worth of food stamps would cost $10. If the family income were over $450, the same food stamps would cost $130.

The food stamp program is administered by the United States Department of Agriculture, and its cost represents nearly half of the total USDA budget this year.

Proposals to shift the food stamp program from USDA to the Department of Health, Education and Welfare have the support of Farm Bureau and many other groups. Several bills to make this shift have been introduced in the 94th Congress.

Many other changes in the program have been suggested, but Congress has shown little interest in them in the past.

Most controversial has been the effort to make families of striking workers ineligible for food stamps. The House of Representatives has twice voted to do this on the grounds that providing strikers with food stamps places the federal government on one side in a labor dispute. However, a coalition of urban and farm-state lawmakers has successfully fought to keep strikers eligible for the program as part of a "deal" to secure urban support for government farm program legislation.

Another controversy involves the eligibility of college students, many of whom now qualify for food stamps on the basis of "low income."

A complete Congressional review of the food stamp program may come later this year. The House Agriculture Committee expects to hold broad hearings on the issue. The White House is reportedly preparing a study. And there is discussion that Congress may decide to revise the food stamp program as part of a proposed new National Food and Fiber Act of 1975.

When Congress gets around to reviewing the program, my friend Arthur might have some sound recommendations. Perhaps you will too.

FOOD STAMPS

What Farm Bureau Delegates Said: We support the food stamp program as a means of assisting those truly in need. Only domestic food should be used for this program. We urge that emphasis be placed on nutrition, that procedures for stamp distribution be improved, and that eligibility requirements be such that only the deserving may participate.

We recommend that funds for the food stamp program be transferred from the Department of Agriculture's budget to the Department of Health, Education and Welfare's budget.

We are opposed to the use of federal funds for the production of radio and television spots designed to increase the number of food stamp recipients. Furthermore, families of workers on strike should be ineligible to receive food stamps in order to avoid placing the government on one side of a labor dispute.

PREVENTIVE MEDICINE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. MILLER of California. Mr. Speaker, I would like to call attention to an important issue in connection with our discussions of health care delivery and our need of effective utilization of available resources. During the last two decades taxpayer-supported research in the basic sciences as well as in clinical investigation has made considerable strides in the various branches of medicine with resultant significant sophistication of patient care.

We have for too long avoided facing the issue of developing an adequate health care delivery system for the American people. We must improve our systems of delivering health care and insure that medical care is available throughout the Nation, but we must not forget the extraordinary significance of preventive medicine. There is a significant need for educating the public in certain important problems of disease prevention.

The medical service of the Martinez Veterans' Administration Hospital, at Martinez, Calif., in my district, has initiated an extremely valuable and unique program of public education on certain key areas of preventive medicine.

This program has been initiated by a most prestigious constituent of mine, Dr. Michael Geokas, Professor of Medicine at U.C.-Davis School of Medicine and Chief of Medicine at the Martinez VA Hospital. I am most pleased, as well, to serve as the honorary chairman of the program and as its keynote speaker.

The program consists of a series of evening lectures followed by panel discussions, open to the public and given by medical experts at the Veterans' Hospital and the University of California, Davis School of Medicine. The following areas of enormous public health interest are included: alcoholism, high blood pressure, coronary artery disease, the relationship of diet to health, the early detection of cancer, new information on various types of arthritis, the hazards of smoking, and the significance of obesity in our affluent society. The main goal of this program is the direct and vigorous dissemination of what I consider invaluable information to the citizens of my district concerning the latest scientific knowledge, provided in a simplified, lucid and convincing manner by highly qualified physicians of the Veterans' Administration and the U.C.-Davis School of Medicine.

I wish to emphasize that this program is offered purely as a community service with no cost to the taxpayer, to the Veterans' Administration or to the University of California.

This is a volunteer program emanating from the desire of the medical faculty at Martinez, to disseminate useful, up-to-date scientific information to citizens in the surrounding community, veterans and nonveterans alike.

I believe that such a project reflects very favorably on the Veterans' Administration, an institution supported by the taxpayers as: First, a health delivery system for our veterans; second, as a basic and clinical research setting for the advancement of medical knowledge. Preventive medicine should constitute a substantial goal of any well-organized and sophisticated health delivery system.

With the emergence of medicine as an art and a science, modern society has become more sophisticated in its awareness of appraisal of medical services.

Scientific achievement through basic and clinical investigation means little unless it can be translated in the prevention and better cure of disease. The Veterans' Administration represents the largest hospital system in the western world and includes 171 hospitals. One hundred and eleven VA hospitals are affiliated with 91 medical schools and thus include highly qualified physicians in the various branches of medicine, representing an extremely valuable resource for the dissemination of useful information to the public, especially in certain crucial areas of preventive medicine. An expansion of such programs will substantially improve the image of the Veterans' Administration and of the affiliated medical schools among veterans and nonveterans alike.

This fine initiative of the medical staff at the Martinez VA Hospital to undertake such a program devoted to enlightenment of the public is in my view highly commendable and I would suggest that other Members of Congress should encourage the development of similar programs in the VA hospitals of their district.

VIEW WITH ALARM

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. GRADISON. Mr. Speaker, it is a popular pastime today to "view with alarm" the activities of both Government and private enterprise. I call your attention to a volunteer enterprise that we all should "view with pride," one which involves close cooperation between Government and private enterprise. I refer to the Service Corps of Retired Executives—SCORE—sponsored by the Small Business Administration. I am confident that many of us have constituents who have been, or are being, helped by SCORE volunteers.

I especially wish to recognize the dedicated SCORE volunteers who are providing an invaluable service in my own district and neighboring districts. Our Cincinnati SCORE Chapter No. 34, was recently awarded "Regional SCORE Chapter of the Year" recognition, by SBA's Region 5, which includes the States of Minnesota, Wisconsin, Michigan, Illinois, Indiana, and Ohio. The honor was a special tribute to the exceptional service rendered by Cincinnati SCORE volunteers in the course of providing direct guidance to hundreds of small business operators, including workshops, seminars, and top quality professional counseling.

The roster of our local SCORE organization includes 44 men. They are specialists who have demonstrated, throughout their careers, an exceptional capacity to get things done. They are widely recognized for skills in developing and managing successful business enterprises. To their credit, theirs is an active retirement. As a matter of fact, many of them work harder as counselors than they did in the past. They inspire harassed small business operators to renew their struggle for success by showing them, step by step, how to achieve.

What do these remarkable specialists expect to receive in return for their contributions? No financial remuneration at all. They simply enjoy the satisfaction that their SCORE counseling is producing rewarding results on behalf of their clients.

We, in the Cincinnati area, are proud that we are blessed with men of spirit and exceptional talent, and an unquenchable determination to help their struggling small business counterparts succeed.

Who are these remarkable specialists who are heroes to the hundreds of entrepreneurs they have helped to revive, survive and succeed? I do not propose to name them all. But on behalf of the entire organization, I single out their chairman, Paul R. Stewart, who, last year, was identified as SBA/SCORE/Action, Region 5, as "Regional SCORE Man of the Year." Their incoming chairman is Edgar Sturr. We should add that their roster of impressive members includes men who have, in the past, achieved widespread acclaim for their business successes. Men like John Frank, Mel Kassel, Leonard Black, Harry Freemond, Carl Junker, Tom Clifton and 38 others.

Cooperating, encouraging and supporting our Queen City's SCORE Program is Cincinnati's SBA Branch Manager, Cecil Boatright and the Branch's Management Assistance Officer, Frank Greene. The Cincinnati SBA Branch also provides office facilities for the SCORE organization in the Federal Building.

Before I conclude my tribute to our citizens in helping to make SCORE an institution for which we all are indebted, I also wish to salute the Dayton, Ohio, SCORE organization. The organization operates out of the Ohio Third District, so ably represented by my colleague, Representative Charles Whalen. The Dayton SCORE Chapter No. 107 organization, directed by Chairman William B. Fischoff, has expanded its staff of consultants by nearly 300 percent in the past 15 months and accepted a 900-percent increase in small business clients in approximately the same period of time.

Mr. Speaker, small businesses are plagued by many perplexing problems. It is comforting that there are organizations like SCORE engaged in helping small businesses help themselves.

THE PERILS OF POWER

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DEL CLAWSON. Mr. Speaker, a column by Mr. James J. Kilpatrick which appeared in the Washington Star of August 16 examines the deterioration of the constitutional power equilibrium, a trend which many in the Congress have deplored during a succession of administrations but have felt relatively powerless to reverse. Mr. Kilpatrick suggests a look at the Federal Register to "perceive where power lies." In calling the attention of my colleagues to Mr. Kilpatrick's excellent column I would also like to call attention to H.R. 8231, legislation being reintroduced today with additional cosponsors. We intend to provide a mechanism for the restoration of the balance of constitutional power and, particularly, the law-writing power in effect usurped by the Executive bureaucracy.

Mr. Kilpatrick's column follows:

THE PERILS OF POWER

(By James J. Kilpatrick)

The American Bar Association, meeting in Montreal, heard three heavyweights the other day on the issue of presidential power. The three distinguished scholars came up with a conclusion that even these lightweights could have reached: Time and events have contrived, willy-nilly, to confer great powers upon our presidents; and willy-nilly, presidents will use them.

Professor Arthur Schlesinger, who helped to foster the imperial presidency, once more expressed dismay at his offspring. Professor James MacGregor Burns, whose faith in the party system remains touchingly strong, once more advocated a strengthening of the party system. Professor Raoul Berger, who contributed so much to the aborted impeachment of Mr. Nixon, turned around on the theme of a president's war-making powers, which he found insufficiently restrained.

The topic is as old as the Constitution itself, but it is not a topic that should be reserved for intellectual disputation. All of us can get in this act.

Does the executive have too much power? Yes. Is the excess of power likely to be surrendered voluntarily? No. Is the presidential power likely to increase? Yes. Will Congress do anything about it? No. Will the judiciary restrain the presidency? Only in the most extraordinary instances. What, then, should be done? The answer is to elect presidents with some sense of self-restraint, and to hope for the best.

If that is a pessimistic catechism, so be it. Under the original plan of our federated union, the states were to provide a massive bulwark against the excesses of national power. But the states today are not even paper barricades. Under the theory of separation of powers, the three branches of government were conceived as related planets, each confined to its own orbit; but the theory no longer commands respect. Inevitably, as national problems have demanded national attack, political power has surged to Washington; and inevitably, within Washington, the exercise of that power has gone to the president and to the executive agencies.

Man and boy, I have spent most of my life hearing talk of "restoring the balance of power," and it is all talk. Now and then Congress stirs its flabby bulk and exercises some forgotten muscle; but it is only now and then. The more familiar pattern is for Congress not to assert its powers, but to abdicate them. Read any day's Federal Register, and perceive where power lies.

All this was foreseen. If I were dean of a college, and could fix required courses, I would require that every student spend a semester studying the Virginia Convention of 1788. This was the greatest recorded gathering of political minds in the history of this republic. The questions of power that absorbed the scholars at Montreal were the identical questions that absorbed the delegates at Richmond.

Listen to Patrick Henry: "If your American chief be a man of ambition and abilities, how easy is it for him to render himself absolute! The army is in his hands . . . There is to be a great and mighty president, with very extensive powers—the powers of a king! He is to be supported in extravagant magnificence . . . Will not the influence of the president himself have great weight in his re-election? The variety of the offices at his disposal will acquire him the favor and attachment of those who aspire after them . . ."

The underlying theme of that convention was power. Henry insisted that power be sparingly delegated and rigorously restrained: "If you give too little power today, you may give more tomorrow. But the reverse of that proposition will not hold. If you give too much power today, you cannot retake it tomorrow, for tomorrow will never come for that purpose."

Henry's prophecies are as timely as Schlesinger's speeches. Under Gerald Ford, the superficial trappings of an "imperial" presidency thankfully have disappeared—the trumpets, the footmen, the "Hail to the Chief"—but the substance remains. The power remains. And the more the people ask of Congress, in the way of social and economic legislation, the more that power must expand. The best way to avoid the ultimate authoritarianism is not to restrain presidents, but to restrain ourselves.

CONGRESSIONAL BUDGET REFORM

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. CRANE. Mr. Speaker, the new budget procedures which we are testing for the first time this year, are already falling far short of expectations for fiscal planning. Although the start of the fiscal year has been moved to October to accommodate the slow passage of congressional appropriations bills, it appears we are still going to be unable to make our deadline. The second budget resolution, which is intended to reconcile the good intentions of May with the fiscal realities of our actual appropriations measures, will now be delayed until at least late October. Of even greater importance than our inability to discipline ourselves to meet a deadline, however, is our projected inability to discipline ourselves to stay within our first target budget. We have shown ourselves unwilling or unable accurately to forecast our own spending measures for 1 year, yet the effect of many of those measures will be felt for years to come. Just as $200 billion of our targeted $367 billion budget had been committed by previous legislatures, our actions will add "uncontrollables" to future budgets.

An excellent editorial in the August 25 Wall Street Journal discussed this problem: "If Congress adopted all of the President's spending proposals and then took a 2-year vacation, the deficit in fiscal 1977 would be $34 billion. Make allowances for the spending proposals now under active consideration in Congress, and according to Office of Management and Budget estimates, you come up with a congressional effect of about $46 billion, and a total deficit of $80 billion."

This assumes the impossible—that no new spending programs will be passed next year. When the Congress begins to consider its budget resolutions for fiscal year 1977, it will face a list of "uncontrollables" passed on from this and preceding Congresses which totals an $80 billion deficit, to which they must add their own spending initiatives. With the recession predicted to be ending and the economy improving, this would clearly be catastrophic in terms of both inflation generated and investment capital consumed.

The new budget procedures are an admirable attempt to bring some planning and fiscal sanity into our chaotic budgetary processes. But until we are forced to consider not just 1 year, but the long-term effects of our actions here in Congress, they will not be successful.

I commend this article to the consideration of my colleagues:

REVIEW & OUTLOOK

READY FOR '77?

The "dry run of the new congressional budget procedures this year has been an altogether healthy exercise. At worst, it generated figures to embarrass Congress' big spenders, and at best it may have provided the crucial difference between a troublesome budget deficit and a catastropic one.

It should already be clear, however, that if Congress is ever to get a meaningful hold on its spending, it will have to start looking more than one year ahead. The budget scorekeeping report shows that of the $367 billion Congress targeted for fiscal 1976 spending, some $200 billion had already been committed by legislation enacted in prior years. Yet there is no detailed analysis of what this year's legislation is going to do to next year's budget—a type of analysis that clearly should be a priority item as the Budget Office procedures are refined.

Anyone who doubts this necessity ought to consider the budget for fiscal 1977, now starting to be shaped in bureaucratic inner sanctums. The widespread assumption, even among some commentators of conservative cast, is that the current deficits are chiefly an artifact of the recession, and will go away with recovery. But it turns out, Treasury Secretary Simon notes, "To the contrary, we face the disappointing prospects of large deficits—of magnitudes that would have been considered unbelievable just a few years ago—for at least several more years."

Specifically, if Congress adopted all of the President's proposals and then took a two-year vacation, the deficit in fiscal 1977 would be $34 billion (on the basis of revenue projections assuming real economic growth of 6.5% a year). But of course, Congress will not do any such thing.

If Congress extends the one-year personal tax cut, it will increase the deficit by another $13 billion. If it refuses the presidential money-saving ideas, like a 5% cap on federal pay increases, add another $8 billion. Make allowances for the spending proposals now under active consideration in Congress, and according to Office of Management and Budget estimates, you come up with a congressional effect of about $46 billion, and a total deficit of $80 billion.

Because of the change in the dates of the fiscal year, fiscal 1977 does not even start until October of 1976. To get some notion of the economic impact of an $80 billion deficit then, all you have to do is look briefly at what a similar deficit is doing right now, in the trough of a recession. Already the federal borrowing necessary to finance the deficits is sending interest rates up, imperiling mortgage institutions and putting the Federal Reserve under tremendous pressure to unleash inflationary rates of monetary growth.

We can be deeply thankful that it is not worse, as it would have been had Congress run the deficit up to more than $100 billion. With timely warnings of this prospect by Secretary Simon and others, Congress set its target deficit at $69 billion. Congress will almost certainly exceed this, but the work of the budget committee and the presidential vetos may have averted total chaos. The economy is right now telling us that the deficit it is feeling is at the brink of its tolerance.

By October of 1976, the recovery presumably will be well under way. Business loan demand would normally be brisk, leaving little slack in the credit markets for a huge deficit. It is hard to imagine that even the most wild-eyed expansionist would prescribe an $80 billion deficit for the economic conditions that now seem likely in fiscal 1977. And while real growth faster than 6.5% would reduce the deficit, it would also reduce the slack in both the financial markets and the real economy. Unless Congress can somehow slow the spending it is already committing itself to for fiscal 1977, the economy faces the prospect of huge inflation.

There were scoffers when the administration started to make five-year economic predictions, but looking ahead to fiscal 1977, one can see that such projections are the heart of fiscal wisdom. The spending engine is never going to be brought under control unless Congress starts to do the same thing.

THE JACK ANDERSON SPY NETWORK

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. McDONALD of Georgia. Mr. Speaker, when an unfriendly foreign government undertakes an intelligence operation against the United States, it starts by infiltrating Government agencies where classified documents are maintained. We know from the history of the Soviet spy rings that men like Alger Hiss, Harry Dexter White, Frank Coe, and others penetrated sensitive Government departments in order to provide information that their Soviet masters needed.

Jack Anderson operates much in the same way. He doesn't send secret documents to the Russians, Chinese or other enemy governments, he simply publishes them in the newspapers so that our country's adversaries have access to them.

Anderson operates like a spy ring. On June 27, 1972, in a speech made to the Congressional Black Caucus, Anderson boasted:

> At the Secret Service, another Government agency which I have managed to infiltrate within the past few months, dossiers are also kept on prominent Americans, including a number of Black leaders.

Who else but a spy ring desires to "infiltrate" a Government agency? Jack Anderson has gone far beyond the concept of disgruntled Government employees stealing documents for him. He now boasts that he undertakes the infiltration of Federal agencies. No one has a right to do that, not even Jack Anderson.

LANZA-RIGANO FAMILIES REUNION IN WESTCHESTER

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. OTTINGER. Mr. Speaker, I am very proud to have been invited to attend a very special occasion in my district on Saturday, September 6. It is the 11th annual family reunion of two of the most outstanding and important families in the County of Westchester—the Lanza and Rigano families—who have contributed greatly to the development and spirit of our Westchester community.

About three quarters of a century ago, two brothers named Lanza left their native Santa Teresa Riva in Messina, Sicily, to seek work in the United States. They were in time for a great building boom which was to provide an opportunity for their skills and energies, as well as those of their children, nephews, and cousins for many decades to come.

The two brothers, Antonio and Carmelo, who were stonecutters, married two sisters, Carmel and Vera Rigano. A third sister, Antonetta, and her husband, Vincenzo Rigano, came from Sicily along with other members of the two families somewhat later, after many of the men in the family became established in the building and construction trades.

They were stonemasons, plumbers, carpenters, electricians, and plasterers. Many became contractors running their own businesses. Together, they built countless schools, residences, and public buildings in Mamaroneck, Larchmont, and Rye. In fact, it is generally accepted that the Lanzas and the Riganos virtually built almost all of this cluster of communities on the Long Island Sound Shore.

Since then, members of the family, which now numbers over 300, have gone into many other fields, some becoming teachers, others becoming accountants, others becoming engineers or working in banks, in real estate or insurance. Many members of the family are leaders in civic, church, and athletic organizations, as well as in politics—almost every phase of the life of the community.

It is to pay my respect to these two outstanding families that I will attend their family reunion this Saturday and that I call this wonderful occasion to the attention of all of my colleagues here in the Congress of the United States.

LEVERETT SALTONSTALL CONTRIBUTES TO DIALOG

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. SIMON. Mr. Speaker, in our continuing dialog, in which I have urged fellow citizens to express their feelings about the future course of this Nation, we have received responses from a great many. One of the most distinguished is the former U.S. Senator from Massachusetts, Leverett Saltonstall. He served the Nation with great credit, and I am pleased to present to my colleagues and to readers of the RECORD, his comments and reflections:

BOSTON, MASS., *July 1, 1975.*

Hon. PAUL SIMON,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: As one who resigned from the U.S. Senate seven years ago, my reactions today come from an experience in local, state and national politics and the reaction of retirement of seven years.

The respective responsibilities of Congress and the executive are vitally important. Under the Constitution they are equal. Congress authorizes and provides, and the executive carries out the laws that are enacted.

Under the heavy load of problems that our nation faces today on a national scale and on an international basis, the burdens of the executive have grown heavier and heavier. At times they seem to be almost overbearing, but it is clear in my mind that the executive must take the lead in carrying out our international relations not only for our security, but also for the peace in the world. The executive must perform such necessary domestic activities as are established by Congress.

The difficulty at the present time, as I see it, is that we are tending to become more and more a Government of bureaus and commissions with duties so spread out that they conflict and are impossible for the President, as the Chief Executive, to lead. Our strength, in my humble judgment, has always lay in keeping Government close to home. The Selectmen know what the people in their locality want and need. The state, in a broader sense, should provide the necessities that the state needs.

In order to keep the Government and our Nation functioning as it should function, Congress should act on appropriation bills on time so as to take care of our Nation's needs in that fiscal period. This has not been true in recent years. If our way of Government is to be maintained in the future, we must keep its expenditures within its means. We have had too many unbalanced budgets in recent years. This has led to inflation and an increasing cost of living for every citizen in our great country.

Mr. Simon, this is just a brief outline of my philosophy and I hope is, in a simple way, a statement along the lines that you think may be helpful to your Dialogue.

Sincerely yours,

LEVERETT SALTONSTALL.

ALLEGED GRANT AWARDS MADE BY THE NATIONAL SCIENCE FOUNDATION

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. TEAGUE. Mr. Speaker, in recent months Congress and the public have heard a good deal about alleged grant awards made by the National Science Foundation for "kooky" projects. A little extra inquiry, 9 times out of 10, has shown that these awards had a genuine scientific potential and also that most of them were made by agencies other than NSF.

In any case, we normally hear very little about the many highly utilitarian results which come from basic research funded by NSF. I would like to call Members' attention to the following release of August 28 which describes some very important findings made by a University of Nebraska research team under an NSF grant:

DISTILLERY GRAIN RESIDUES CAN BE SOURCE OF HIGHER FOOD VALUES IN BREAD

Protein concentrates for the fortification of bread and other foods can be obtained from wheat and corn which have been used in alcohol distilleries, according to a research team at the University of Nebraska at Lincoln.

While providing a means of nutritional improvement, the production of such concentrates could yield a worthwhile financial return serving as an incentive to needed additional production of industrial alcohol, the researchers believe. The grains are left over from the normal distilling process.

The protein concentrates can also be used as extenders and emulsifiers in processing of some meat products such as sausages, the researchers report.

In addition, what is left over after nutrients for humans have been extracted can be used in making animal feeds, the researchers say, although the protein content would be somewhat lower than if the materials were made directly into animal feeds.

The University of Nebraska project, funded by the National Science Foundation program of Research Applied to National Needs (RANN), has now been broadened to find out how to formulate blends of proteins from grains, beans and other sources which will have the best combination of nutrients. The broadened research will also seek methods whereby the food industry can determine the nutritional value of protein blends for various uses more economically, by using a predictive mathematical model rather than time-consuming and expensive rat-feeding programs.

The principal investigator for the project is Dr. James G. Kendrick, professor of agricultural economics. He is assisted by an interdisciplinary team of professors of industrial engineering, chemistry, and food science and technology. The food processing industry has been actively interested.

The research effort has addressed itself not only to the nutritive benefits which might be obtained, but the "functional properties" of resulting food products, such as taste, texture, digestibility and acceptability of appearance on a retail shelf and a family table.

For example, the introduction of protein concentrates into the recipe for a loaf of bread affects the size and density of the loaf. Because the concentrate is less flexible, higher amounts result in somewhat smaller, denser loaves, so that what would be the usual loaf of spongy white bread might have more of the size and consistency of a whole wheat loaf. Research seeks the best balance between protein reinforcement and consumer acceptability.

The first phase of the research project, begun in the spring of 1974, sought to find additional ways of meeting a prospective world-wide increase in demand for proteins for humans, and a shortened supply of industrial alcohols attributable to tight supplies of petroleum. The research examined the feasibility of simultaneously producing alcohol and high quality protein from grains.

A report on that research issued in July, 1975 concluded that such production is feasible from an engineering and economic standpoint, and that acceptable fortified foods—bread, snacks, and cookies were studied—could result.

This research took wheat and corn used in alcohol distilleries and put them through laboratory processes to obtain what were called distillers' protein concentrates—DPC's. The concentrates were then put into bread and the resulting loaf was analyzed for its content of selected amino acids, providing a "profile" of nutritive values. The corn and wheat concentrates were then tested for their economic competitiveness as fortifying ingredients with proteins from established sources such as soybeans, cottonseed, bran, pinto beans, and peanuts.

The research also established that concentrates from any one source were relatively high in some amino acids and relatively low in others. This led to the concept of blends in which a weakness in one source would be covered by a strength in another source and for any particular use, provide the best profile of nutritive values. The broadened research program begun June 1, 1975, and planned for 15 months, has the objective of combining protein concentrates to obtain high quality blends.

It will also seek to develop analytical methods to predict the nutritional value of the blends at less expense than the rat feeding tests now used for establishing food quality, and to predict the characteristics of the blends to make the fortified food edible. The mathematical computations will be tested against the results of 25 rat feeding trials with 25 protein blends.

The rat-feeding method presently accepted is said to require 31 days and cost between $450 and $500 per blend, a deterrent to utilization of fortifying blends by the food industry.

TRIBUTE TO EAMON DE VALERA

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. WOLFF. Mr. Speaker, I would like to pause for a moment to pay tribute to Eamon De Valera.

Born in New York City and educated in Ireland, De Valera displayed a deep concern for Ireland and its people. During his life, which can only be described as full and diverse, he served his people in many ways. As an educator, freedom fighter, government official and statesman, his actions were always grounded in his love and respect for the Irish people, a love and respect that was clearly reciprocal.

Eamon De Valera was truly a founder of the Irish Republic. He was one of the most valiant leaders of the Irish freedom forces that brought their nation into existence. In the Government of the Republic of Ireland, he served in numerous positions. As a member of Parliament, he served as opposition leader and as Taoiseach, the Prime Minister. In his later years, he served as President of the Republic so De Valera had the distinction of serving as both chief executive and head of state of Ireland.

The world has lost a great leader and a great man in the death of Eamon De Valera. I would like to express my sincere condolences to the Irish people on their loss.

KGB STOOGE CAUGHT LYING

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. McDONALD of Georgia. Mr. Speaker, Philip Agee is a former employee of the Central Intelligence Agency. Agee now spends his time collaborating with the Soviet KGB and the Cuban spy network, the DGI, in their attacks on the Central Intelligence Agency. Last year, Agee achieved notoriety with his book, "Inside the Company: CIA Diary" in which he specifically credited the Cuban Communist Party and one of the Cubans' U.S.-based intelligence gathering networks with providing him with vital material and support. Agee's book, originally published in England by Penguin Books, has been reprinted in the United States and Canada.

Since part of the Soviet propaganda line is that any trade union not controlled by Communists must therefore be controlled by the CIA, Agee listed in his book a number of trade union organizations he accused of being CIA controlled. One of those organizations did not take Agee's phony charge lying down.

The British-led, Geneva-based International Federation of Plantation, Agricultural and Allied Workers brought suit in the British courts against Agee and Penguin Books and Tom Sansby Bavin, general secretary of the Federation, denied the Agee-KGB allegations.

On July 22, 1975, the London Times reported that Penguin Books on the previous day had "apologized publicly in the high court to the General Secretary of an international labor federation for the suggestion in one of its books that his organization was under the control of the Central Intelligence Agency. The company also agreed to pay unspecified damages * * *."

Penguin Books is not a Communist publishing house: It is one of the most respected publishers in England. But in England, as in the United States, respectable publishing houses print Communist propaganda tracts and present them as nonfiction books. It is about time that someone, someplace, has had the courage to stand up, answer the Communist lies, and force a non-Communist publisher to retract one of the Communist propaganda lies it has printed.

COMMENTS BY RICHARD ROUDEBUSH AT AMVET'S CONVENTION

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. SMITH of Iowa. Mr. Speaker, a free and open exchange of ideas and suggestions between the agencies of government and the people they are set up to serve, is essential to good and enlightened government.

This principle was highlighted by the Honorable Richard L. Roudebush, Administrator of the Veterans' Administration in a speech he delivered August 16, 1975, in Des Moines, Iowa, before the annual convention of the AMVETS organization, in which he pointed out that the success of all veterans programs depends in large measure on the input of ideas and suggestions from such groups as the AMVETS. Mr. Speaker, I insert those remarks in the RECORD.

SPEECH DELIVERED BY HON. RICHARD L. ROUDEBUSH TO THE AMVETS NATIONAL CONVENTION

It is good to attend a convention of this great organization once again and I appreciate your thoughtfulness in allowing me a place on this program.

It is pleasant to see so many old friends and it is most satisfying to see that they are doing so well, are having a good time and are carrying out the works of AMVETS so energetically and expertly.

You provide evidence that the things we stand for as members are being promoted diligently and faithfully. You give me new reason for pride in my life membership in AMVETS.

This convention is first of five national veterans conventions I will appear at within the next two weeks. It is a schedule that will keep me on the move but I know that I will enjoy each visit.

More importantly, I know that I will learn from attending these convention activities. I will gain new understanding of the feelings and attitudes of the members of these organizations, find out what they think are the most important needs of veterans and dependents today and learn how they would change programs and policies of VA.

I look forward to each stop along the way because I place great value on what advice you and other veterans' groups can give and because I have great confidence in your wisdom and your judgment.

Last year I spoke at your convention in Florida just one week after President Ford had announced my appointment as Administrator of Veterans Affairs. I still awaited Senate confirmation at that time and I had not started the job.

I can report to you that it has been a satisfying year for me presonally and professionally. I thank all of you for courtesies you have extended and I thank AMVETS for support your organization has given VA during that period.

I have said many times that we could not do our work in a manner acceptable to you, to other veterans' groups, to veterans and their families and to the general public without the help you and other associations of veterans give us.

We hope to merit your continued help and support.

At your last convention I pointed out to you that VA would spend $14 billion during the current year. I said that expenditures of this magnitude were evidence of the belief of Congress and the American people in sound programs for veterans and that I realized that such a large budget mandated our being as prudent and productive as possible at VA.

That was last year. This year VA has a larger budget, one that will approach $16.5 billion.

I want you to know that we at VA consider sound planning, good management and a shoulder-to-the-wheel approach to our assignments to be even more important today than in the past.

There is no escaping the fact that it will cost far more in the years just ahead to pay for help that veterans and their families have earned.

And we know that even if we have no more war veterans . . . and we fervently hope that we won't . . . help for veterans already separated from service and for their dependents will still be needed long into the future.

Since there are still Civil War widows getting VA assistance, it is reasonable to assume that there will still be Vietnam war widows a hundred years from now and longer.

But I don't want to make too much of the cost of the programs for veterans and dependents. They are not only part of the cost of war, they are part of the cost of a fair and free society, one that recognizes the performance of its citizens and that assists them when they have sacrificed for the common good.

I just want to assure you that we are aware of the great investment Americans are making in our agency and of the obligation we feel to give the best possible service. There goes with this assurance the request that you and others like you give us what help you can to make our mission a success.

There is no inclination on the part of the Administration, the Congress or the American people to lessen assistance given those who have helped defend this nation. There is no move anywhere that I know of to trim or reduce programs that help those who have been to war.

There are 29.5 million veterans living today, the largest number in the history of our country. The number will probably rise slightly and then level off before starting into a decline.

This will not be a precipitous drop and, for as long as any of us can look into the future, veterans will constitute a considerable fraction of the total population.

But the years ahead will see changes in the focus of VA activity and in the things that you as members of a prominent organization that helps veterans will be most interested in.

Activity related to readjustment of Vietnam veterans is at a high level right now. We are extremely gratified by the fact that more than 5.8 million veterans and servicemen have used the G.I. Bill during the last nine years and that more than three million of these trainees were enrolled in college.

We see this as assurance that a new generation of veterans will not only be productive, contributing members of society but will soon be assuming positions of leadership in their communities, their states and the Nation.

But the peak of this kind of VA activity will soon be behind us and we will be devoting a greater percentage of our attention to the needs of those who have already made their civilian readjustments.

World War II and Korean Conflict veterans will be joining in greater numbers of the considerable number of World War I veterans who need health and financial assistance because of advancing age.

There are nearly twenty million of these veterans and the volume of this kind of help may be larger than it has ever been, although other medical and financial assistance programs will be available to many of them.

I repeat that veterans' programs enjoy high popularity and that there is no move to alter them but I think we should be alert to the prospect that this popularity will wane in the years ahead . . . or at least that the American people will be less aware of these programs.

As Americans grow more accustomed to peace and as memories of the Vietnam War recede, help for veterans will be less thought about.

I don't believe people will be anti-veteran but they will be less interested and will be less inclined to outrage if some veterans' needs are forgotten or neglected.

I hope that because of this possible tendency our veterans' organizations will remain as strong and active as they are today . . . and I am sure that they will.

The fact that the membership of AMVETS is at an all-time high is encouraging and I congratulate you for your success. I hope you continue to grow and I hope especially that you will enroll large numbers of younger veterans.

It is projected that ten years from now Vietnam Era veterans will comprise nearly forty per cent of our veterans population. It is to these young men and women that you need to look for your future strength and vitality . . . but I am sure you do not need to be reminded of this.

I told you earlier that I have enjoyed the year since your last convention, that it has been one of great personal challenge and great personal fulfillment.

I hope that it has been the same for you personally and as an organization. I hope that all of us may look to an even more successful year coming up and that we may work even more closely and more productively for the objectives we share.

It was kind of you to give me a place on this program and I have enjoyed being here with you and with your distinguished guests. I hope there will be many more opportunities for us to be together.

WALLACE HOUSE TO BE INCLUDED IN THE PETERSBURG NATIONAL BATTLEFIELD

HON. ROBERT W. DANIEL, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. ROBERT W. DANIEL, JR. Mr. Speaker, today I am introducing legislation to authorize Federal acquisition of the Wallace House and its administration by the National Park Service as a part of the Petersburg National Battlefield.

The Wallace House, built around 1850, is the location of the last meeting between Union Army Gen. U. S. Grant and President Abraham Lincoln on April 3, 1865. The two men, meeting shortly before Lincoln was assassinated, discussed the anticipated surrender of Gen. Robert E. Lee and the Confederate Army.

The Director of the National Park Service, Gary Everhardt, has informed me that congressional legislation is required to authorize Federal acquisition of the Wallace House and its administration by the Park Service as part of the Petersburg National Battlefield.

Dr. James H. Bailey, local historian and director of the Blandford Church Interpretation Center, said "the Wallace House is, in addition to its historical significance, one of the finest examples, architecturally, of that period" in Petersburg.

I share the concern of a large number of Petersburg residents who have contacted me expressing their fear that the House may be sold by the current owner and demolished.

It is for that reason that I urge the Congress to act expeditiously to avoid losing a landmark which is of national, as well as local, importance.

REMOVAL OF ARCHITECTURAL BARRIERS TO HANDICAPPED

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. ABDNOR. Mr. Speaker, I am pleased to reintroduce today a concurrent resolution making it the sense of Congress that all units of government expeditiously remove the many architectural barriers to the handicapped existing in our public places. Seventy-four of my colleagues join with me in this effort.

For years this country has had a valuable asset that we have ignored—our handicapped fellow citizens. These are courageous individuals who could indeed give us a lesson in living. I am asking this Congress to commit itself to make changes long overdue and in anticipation of the Bicentennial.

The approaching Bicentennial anniversary will be celebrated by all of our citizens. Many will visit historical and institutional centers which personify this Nation's underlying principles and development. The handicapped may not have access in many instances. We cannot allow this to happen. We should not allow this to happen especially when one considers the fact that our Constitution stipulates that the purpose of our Government includes the promotion of the general welfare, protection of individual rights, and the fostering of opportunities for all.

This Nation has the resources to remove existing barriers and to do so before our celebration starts. Many places here in Washington have made provisions for the physically impaired. There are generous quantities of information which will assist the handicapped in making their visit to Washington enjoyable and convenient. But in a different sense, we still have present-day impairments such as the case when an individual in a wheelchair can visit the Washington Monument, but cannot see out the windows once there. Once inside the National Archives, the U.S. Constitution and other meaningful documents are unable to be seen from a wheelchair. Ford's Theatre and the House Where Lincoln Died are candidly termed "inaccessible to those in wheelchairs" by the Park Service. I am pleased to note, however, that the Park Service has plans to renovate the Lincoln and Jefferson Memorials—which are currently viewed from street level by the handicapped—as well as installing curb cuts in the White House area and the Mall.

My legislation would:

First. Promote awareness of existing architectural barriers.

Second. Encourage the expenditure of discretionary and existing appropriate funds toward expeditiously removing architectural barrers.

Third. Encourage government agencies at all levels to make the necessary changes for our fellow handicapped citizens.

I am pleased to note the cooperation I have received from the National Easter Seal Society for Crippled Children and Adults, the American Institute of Architects, Paralyzed Veterans of America, Inc., and Goodwill Industries, Inc.

Architectural barrier removal should not mean the installation of an esthetic eyesore and hazard. Accessibility should mean independence for our handicapped citizens as we celebrate our anniversary and statement that "All men are created equal."

The following are those that have joined in this effort to move toward removing existing barriers to the handicapped:

LIST OF COSPONSORS

Bella S. Abzug, Joseph P. Addabbo, Glenn M. Anderson of California, Mark Andrews of North Dakota, Les AuCoin, Herman Badillo, Edward Beard of Rhode Island, Jaime Benitez.

Michael T. Blouin, Don Bonker, William M. Brodhead, Garry Brown of Michigan, Clair W. Burgener, Shirley Chisholm, William S. Cohn, Cardiss Collins of Illinois.

James C. Corman, Mendel J. Davis, Thomas J. Downey of New York, Robert Duncan, Robert W. Edgar, Don Edwards of California, Joshua Eilberg, Daniel J. Flood.

Bill Frenzel, Louis Frey, Jr., Benjamin A. Gilman, Gilbert Gude, Mark W. Hannaford, Michael Harrington, Augustus F. Hawkins, Ken Hechler of West Virginia.

Marjorie S. Holt, John W. Jenrette, Jr., Jack F. Kemp, William M. Ketchum, William Lehman, Robert J. Lagomarsino, Jerry Litton, Jim Lloyd of California.

Clarence D. Long, Gene A. Maguire, Romano L. Mazzoli, John Melcher, George Miller of California, Donald J. Mitchell, Parren J. Mitchell, Joe Moakley.

Carlos J. Moorhead, John Moss, Ron M. Mottl, Richard L. Ottinger, Claude Pepper, Larry Pressler, Albert H. Quie, Peter W. Rodino, Jr.

Teno Roncalio, Fortney H. (Pete) Stark, Patricia Schroeder, Alan Steelman, William A. Steiger of Wisconsin, William F. Walsh, Henry A. Waxman, G. William Whitehurst.

Bob Wilson of California, Charles Wilson of Texas, Larry Winn, Jr., Lester L. Wolff, Leo C. Zefferetti, Charles Thone, Philip R. Sharp, Stephen J. Solarz, Berkley Bedell, Christopher J. Dodd.

H. CON. RES. —

Concurrent resolution to promote and encourage the removal of architectural barriers to the access of handicapped persons to public facilities and buildings.

Whereas the approach of the bicentennial anniversary of the founding of this country calls all of us to reaffirm the principles attendant that foundation and guiding our growth as a Nation; and

Whereas the Constitution stipulates that the purposes of our government include the promotion of the general welfare; and

Whereas Members of this Congress have sworn to uphold and defend this most basic document and statement of principles; and

Whereas our handicapped fellow citizens have rights, not because of their disabilities, but rights which belong to all citizens; and

Whereas many existing public buildings and facilities have architectural barriers to access and enjoyment by our handicapped fellow citizens, and

Whereas this country, as in no other time in its history, has the resources to provide for the well-being of all its citizens: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress—

(1) that the Constitutional Officers of the United States of America, administrators of institutions supported with public monies, and administrative officers of this Congress, should immediately survey facilities under their direction for all architectural barriers to the handicapped;

(2) that said officers and administrators should make available monies from their discretionary funds for the removal of architectural barriers to the handicapped; and

(3) that all other governmental units should be encouraged to make similar provisions for the handicapped citizens who reside under their jurisdiction.

BILLY SIMPSON, FAMED RESTAURATEUR DIES

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. STOKES. Mr. Speaker, it is with a saddened heart that I announce to my distinguished colleagues the death this past Saturday of an outstanding American. Mr. Speaker, many Members of this body were acquainted with Washington's famed restaurateur, Billy Simpson who suffered a heart attack and died August 30, 1975. The gentleman of whom I speak was no stranger to Capitol Hill. He frequently attended social events here on the Hill and on many occasions attended congressional hearings where legislation affecting Washingtonians was being considered. Mr. Speaker, Billy Simpson was a personal friend for whom I had great respect and admiration. He was truly an unusual human being. He never met a stranger. I had heard of him before coming to Washington. Shortly after I came to Washington in 1969, I visited his famous restaurant on Georgia Avenue and introduced myself to him. That was the first time I had ever heard his famous expression "Always a Pleasure" with which he greeted everyone. From that night forward, I like so many other people grew to love and treasure my friendship with this unusual man. It became my pleasure shortly after I met Billy to meet his lovely wife, Edith who complemented him in every way. They were a team. She understood Billy's great love for people and his dedication to the progress of his race. She stood by his side in his restaurant business, in his civic endeavors, and in his social entertainment of his friends. Both their restaurant and their home has been a mecca for their many friends. It was in his home that Billy loved to entertain his friends who included many African dignitaries. Mr. Speaker, Billy Simpson was a leader and he was a pioneer for black progress. He opened up many doors for young black people today. In his determination to see black people succeed, he set the example of first class service. He strongly believed that black people did not have to take a back seat to anybody. He set the example for black pride long before the expression "Black is Beautiful" became a popular saying. Mr. Speaker, few men live a life in which they earn the respect of their fellow man and make the number of friends Billy made. My wife, Jay and I shall always cherish the friendship we had with this extraordinary man whose congeniality is now famed.

Mr. Speaker and my colleagues, I commend to you the article written by the Washington Post on Monday, September 1, 1975 on the life of my friend, Billy Simpson. After you have read this tribute to this distinguished gentleman, I am sure that you will join with me in saying of the life of Billy Simpson, "Always a Pleasure."

[From the Washington Post, Sept. 1, 1975]

BILLY SIMPSON, RESTAURATEUR, DIES

(By Jean R. Hailey)

William W. (Billy) Simpson, 61, whose restaurant on Georgia Avenue was a mecca for black politicians and African diplomats for many years, died Saturday at Colorado Springs, Colo., after apparently suffering a heart attack.

He had gone there to attend the ceremony, held Friday, at which Gen. Daniel (Chappie) James Jr., the first black general to get four stars, became commander in chief of the North American Air Defense Command and commander of the Aerospace Defense Command.

They had been personal friends for many years.

Gen. James was among the many important figures in all areas of public life who were close friends of Billy Simpson.

When Mr. Simpson and Edith Berkley were married here in 1957, the late Rep. Adam Clayton Powell performed the ceremony. Rep. Charles C. Diggs (D-Mich.) was the best man. Mr. Simpson later returned the favor at the wedding of Diggs.

The restaurant, where an informal political forum known as the Round Table has been going on for years, is Billy Simpson's House of Seafood and Steaks, which he established at 3815 Georgia Ave. NW on November 1, 1956.

Diggs and other top government officials became charter members of the forum. Mr. Powell was an associate member. Other members of Congress, local political figures, judges and newsmen became participants.

While Mr. Simpson never ran for a political office, he was a D.C. delegate to the Democratic convention in Chicago in 1968 and again to the convention in Miami in 1972, when he seconded the nomination of Sen. George McGovern of South Dakota as presidential candidate.

He had long participated in efforts to secure home rule for Washington and individual rights for its citizens.

Mr. Simpson also established a close relationship with the African diplomatic corps. In honor of the corps, he opened the plush upstairs Ebony Room, with Gold Coast bar and overhead map of the African continent, in April, 1963. Eleven African ambassadors or their representatives attended the opening.

In early 1964, he was invited to Liberia as guest of the country's treasury secretary to attend the inauguration of President William

V. S. Tubman. He had made a number of personal loans to fundless African students here.

Liberia honored him that year with its African Star of Redemption.

A native of Washington, Mr. Simpson was a graduate of Dunbar High School and attended Miner Teachers College, now part of D.C. Teachers College.

He worked for a period for the Government Printing Office, then served in the Navy during World War II, seeing duty on Okinawa.

After the war, Mr. Simpson returned to the GPO, but left it a short while later to open his first restaurant, the 652 Club at 652 Newton St. NW.

After he opened his new place on Georgia Avenue, the menu continued to feature the "six-fifty-two" sandwich, a highly seasoned, chopped prime sirloin on toast.

Mr. Simpson had received many awards for his work in community affairs over the years.

He was on the board of directors of the Howard University Cancer Research Center and a board member of the Washington Urban League.

He was also a board member of the Anthony Bowen YMCA. In 1968, when it was known as the 12th Street YMCA, he was general chairman of a drive to raise funds to provide free memberships in the YMCA to 5,000 youth in the Shaw-Cardozo area.

That same year, Mr. Simpson provided some of the food for participants in the Poor Peoples' March here and a year later for persons involved in a sit-in demonstration at Howard University.

He sponsored the Little League baseball teams at Parkview and Raymond playgrounds and a number of adult bowling teams, furnishing them with uniforms and awards.

Mr. Simpson was a life member of the NAACP, a 32d degree Mason and a member of the Pigskin Club.

He was on the board of directors of the Independent Federal Building and Loan Association.

In addition to his wife, of the home, 1725 Verbena St. NW., he is survived by a son, Roger Simpson, and a daughter, Betty Cornish, both of Washington, and three grandchildren.

PRESIDENT MAKES NARCOTICS FOREIGN POLICY PRIORITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. RANGEL. Mr. Speaker, on Thursday before the House commenced its August recess, President Ford called me from Helsinki to discuss the situation in Turkey and the apparent misunderstanding which had developed between the administration and many of us here in Congress regarding Turkish opium production. Having been advised that many of the votes against lifting the embargo on military assistance to Turkey were based on the drug issue, President Ford specifically stated that he considered this a high priority issue and that all nations should be advised that he considered such trafficking a threat to our national security.

Many of us have continuously articulated the view that heroin does indeed pose a grave threat to human life in our Nation. The administration has been unwilling to publicly recognize the import of the need for devising a viable policy for combatting this drug flow. This first step has been taken by the administration, thereby raising the possibility that an accord may be reached on the narcotics issue.

I would hope that my colleagues would read the letter from the President which follows. Those of you who voted against lifting the embargo because of the drug-related issue should find the letter of particular interest, as it represents the initial move in obtaining clarification of our national and foreign policy regarding drugs and more importantly serves as notification that the President will move swiftly and positively in combatting this menace.

I would hope that those Members who are interested in devising a strategy which would minimize the impact of this threat to society would be willing to set some time to present our views to the President and the Secretary of State fairly soon. So that the Members may have the benefit of the President's letter to me, I include it in the RECORD at this point:

THE WHITE HOUSE,
Washington, D.C., July 31, 1975.

Hon. CHARLES B. RANGEL,
House of Representatives,
Washington, D.C.

DEAR CHARLEY: It has come to my attention that many of the votes against the bill to lift the embargo on military assistance to Turkey were based on a misunderstanding of the policies of my Administration regarding the threat to this country posed by foreign producers and exporters of opium.

I want you to know that I have had a thorough conversation on the opium situation with Prime Minister Demirel of Turkey earlier this week. I explained to him the high priority which I place on this problem. I know that you will be pleased as I was to hear how strongly the Prime Minister believes in the most effective controls on the production of opium poppies.

I also want you to know that my concern in Turkey is the same as my concern in every nation in which opium poppies are grown. All nations of the world—friend and adversary alike—must understand that America considers the illicit export of opium to this country a threat to our national security. Secretary Kissinger and I intend to make sure that they do.

As I mentioned to you on the phone from Helsinki this morning, I look forward to discussing this further with you and the Congress upon my return.

Sincerely,

GERALD R. FORD.

GEORGE MEANY ADDRESSES THE PROBLEMS OF DÉTENTE AND ITS POTENTIAL DANGERS TO DEMOCRACY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. KEMP. Mr. Speaker, I should like to call to the attention of all of my colleagues a most thoughtful and important article by Mr. George Meany. It was published on August 14 in a leading British newspaper, the London Daily Telegraph.

Under the title, "Détente: the Danger to Democracy," our country's foremost spokesman for organized labor points out once again why American workingmen have always been among the strongest defenders of democracy, both in our own Nation and around the world.

Mr. Meany declares forthrightly:

> In sum, then, I am arguing that to the extent that the present policy of détente leads to a depreciation of democratic values in the West—and I see considerable evidence of this already—it will be even more harmful for the working man than for anyone else. Remember, the trade union movement's commitment to democracy grows out of the very commonsensical observation that a system that puts numbers above wealth is likely to produce a better deal for the workers than any system that diminishes, frustrates, or obliterates majority rule.

The President of the AFL–CIO goes on to point out the very real dangers in détente unless we always keep our eyes open and insure that in any bargain with the Soviets we receive at least as much as we give.

Nations must learn to live together in peace in this atomic age, but true peace will not come through self-deception.

I should like to insert this perceptive article in the RECORD at this time:

[From the Daily Telegraph, August 14, 1975]

WHAT THE SOVIET UNION IS GETTING AWAY WITH—DÉTENTE: THE DANGER TO DEMOCRACY

(By George Meany, President of the AFL-CIO, the American equivalent of the TUC)

The alternative to détente, we are repeatedly told, is holocaust. Either the East and the West bury their differences, or we shall bury each other.

Thus put, détente is irresistible. Nothing else seems rational; nothing is worth the destruction of the human race. No ideology, no values, no institutions, however virtuous can be vindicated by history if there are no people left on the planet.

So, if détente offers the only detour, the only accessible turn-off, from the collision course of the super-Powers, it must necessarily be in the interest of all people everywhere, including of course the workers of the democratic countries.

But that's a very big if.

What if this popular conception of détente is wrong? What if the term itself has taken on meanings that have nothing to do with the realities of international life? What if détente in fact serves as a mask to disguise dangerous trends that ultimately lead to the destruction of democracy, or to the very global conflagration that détente was intended to avert, or to both?

What if, in fact, détente is appeasement by another name? What if détente does not deter but rather feeds and encourages the forces of war and totalitarianism? When, it seems to me, the workers in the democratic countries have everything to lose and nothing to gain.

There is no doubt that among many intellectuals in the West the embracing of détente has been accompanied by a tendency to downgrade Western institutions, particularly the set of practices, we call political democracy. After all, they say, the United States has its Watergate and Vietnam; besides, democracy may be a luxury the affluent countries can afford, but it doesn't feed anybody, etc., etc.

Now, it may be argued that, logically, these two views need not be connected and I suppose it is true that the pursuit of détente does not necessarily have to entail the depreciation of Western political values and institutions. But abstract logic is not the compelling factor behind the quest for détente. The compelling factor is a form of wishful thinking, and in reality those promoting the virtues of détente feel the need to narrow the gap—no, the vast chasm—that separates the two social systems. Did not your own Clive Jenkins profess to see little difference between your M16 and the Soviet K G B?

Or, in a similar vein, when the President of the United States, acting on the advice of the Secretary of State, declines to see Alexandr Solzhenitsyn on the grounds that doing so might offend the commissars, then clearly the White House itself has been morally subverted by Communist pressure.

Since the President's discourtesy really originates from the American architect of the détente policy, it offers a profound insight into the real meaning of détente in the eyes of Dr. Kissinger. There is no action too abject, too dishonourable, or too disgraceful of our best traditions but that Dr. Kissinger will cheerfully carry it out in return for Soviet smiles.

So, on the record so far, détente has brought about no favourable changes within the Soviet bloc—certainly no easing of the plight of Soviet dissidents—but it has brought about some unfavourable developments within the West, including, it would seem, the downgrading of anti-Communism as an integral part of the democratic philosophy.

This is a matter of no small importance to the working man of the West. Political democracy recognises that groups and classes of people have conflicting interests, and lays out the means by which conflicts can be expressed and resolved.

Since Communist societies proclaim that they have abolished class conflict, they naturally purport to have no need of these means. But for working people in the Western world political democracy has not been a disposable luxury. It has provided the essential tools by which workers could create unions and acquire the power to advance their social and economic interests. Without the freedoms of speech, assembly, association and other modes of collective expression a union simply cannot function. Then you have a society in which it is presumed that the worker is not the best judge of his own interests, and that those interests must be defined and decided by somebody else in the society, i.e. the State.

DIFFERENT FUNCTION

This is, of course, the very system that prevails in the Soviet Union. The destruction of independent workers' organizations—no less thorough than under fascist régimes—is justified in the Communist world by an ideology that claims to have seized control of the State for the workers. The bitter and illuminating irony, of course, lies in the absence of any means by which the workers themselves, can, even indirectly, ratify—or reject—this seizure of power in their name.

This is why the AFL–CIO has refused, and will continue to refuse, to engage in exchange visits with representatives of so-called unions behind the Iron Curtain. They simply are not unions. They are instruments of the State, whose function is the regimentation, not the representation of workers. To legitimize them as trade unions amounts to a betrayal of the Russian workers.

Governments must relate to one another regardless of the social systems they represent. The dreams of anarchists to the contrary notwithstanding, there can be no power vacuum within a country: somebody has to govern.

The same standards cannot be applied to unions. There are countries where they don't exist, there are parts of my country where unions are weak or non-existent—or where so-called "company unions" exist. We don't invite them into our federation just because they are the only show in town. We think it is vital to maintain the distinction between real unions and phoney unions. Western history in this century is full of examples of the terrible consequences that flow from calling things unions that are not unions.

In sum, then, I am arguing that to the extent that the present policy of détente leads to a depreciation of democratic values in the West—and I see considerable evidence of this already—it will be even more harmful for the working man than for anyone else. Remember, the trade union movement's commitment to democracy grows out of the very commonsensical observation that a system that puts numbers above wealth is likely to produce a better deal for the worker than any system that diminishes, frustrates or obliterates majority rule.

What is this détente in whose name the President of the United States snubs one of the greatest writers and freedom fighters of the 20th century?

Détente is not supposed to be a vague understanding, a spontaneous thaw in the cold war. It is encoded in a specific agreement—signed by Nixon and Brezhnev in May, 1972—which provides for "co-operation" between the U.S. and U.S.S.R. It is not merely a negative restraint, it is positive. It includes an agreement that each side notify the other of any potential local flare-up that might spread and envelop the super-Powers themselves.

What have been the fruits of this détente? Eighteen months after the agreement had been signed the Soviet Union failed to notify the United States of Egyptian-Syrian preparations to launch the Yom Kippur war, of which she had advance knowledge. Moreover, anyone who remembers how the Soviets summoned Henry Kissinger to Moscow to arrange a cease-fire—after having refused to go along with U.S. pleas for U.N. action—knows that the Russians used détente to save the Egyptian Third Army Corps from destruction and to deprive Israel of a deserved military victory. To this day, the Soviet role in the Middle East has been destabilising, not peaceful.

And in Vietnam? When even the Vietnamese sought to persuade Hanoi not to go for total military victory but to enter negotiations that would produce a Viet Cong Government, was there any evidence that the Soviets intervened on behalf of moderation?

In Portugal at this moment, is there anyone who will argue that the Russians are restraining Mr. Cunhal and his Communist party—whose members marched through the streets with pictures of Stalin!—from seizing power over a people from whom they just received barely 13 percent of the vote?

Wherever there is trouble in the world today one looks in vain for a shred of hard evidence that the Soviets are following a course of détente.

But that's not quite true. They are following détente of a kind—their kind. Their version of détente is very simple: they take, take, take and give nothing in return.

Détente means we give the Soviets sophisticated Western technology—especially civilian computer technology. We also finance truck plants, nitrogen fertiliser factories, natural gas production, etc.

You might think that a country that needs such technological assistance must at least be doing something all right agriculturally. Not so. In addition to giving the Soviets our superior technology, we must also sell them food to feed their people.

Western workers are being called upon to bail out the Russian economy—to save it from the catastrophe of totalitarian central planning geared to war production. And make no mistake about it—it's the workers who are footing the bill.

The inflation that cuts into the purchasing power of the American worker is largely the result of skyrocketing food and fuel costs—in both of which Soviet policy played a basic role. The cost to the American housewife of the last big Russian grain deal has been put at over a billion dollars, not to mention the 300 million dollars in subsidies paid out by the American taxpayer.

So far the Soviet economy doesn't seem to produce much that Americans need, but that could change, especially with the help of exported American technology. Already some Soviet cars and tractors are making their way into the U.S. at very competitive prices—remember, the Russians can set whatever prices they like on their exports. In their economic system, pricing policies can be made to serve political goals. Unlike our Western businessmen, the Soviets' prime purpose is not related to private profit.

Our businessmen seem to have an unshakeable faith in the power of commerce to achieve practically every imaginable goal—to end war, expand justice, raise living standards. What we have here is a version of the "trickle down" theory applied on an international scale.

But we in the American trade union movement don't buy the "trickle down" theory. We don't buy it at home, and we don't see why we should buy it abroad. It has never worked for us.

We believe that the cause of social and economic justice in the United States must be pursued directly and head-on. That's what the AFL–CIO is in business for. We also believe the cause of peace must be pursued directly, not as a hoped-for fallout from dubious commercial relationships. (We ought not to forget that Germany was Britain's chief trading partner on the eve of both world wars.)

The fact is that a policy of firm resistance to Communist expansion, backed by the military means to make the policy credible, is the best way to keep the peace. When such a policy was followed in Cuba in 1962, it brought no conflagration but a Soviet retreat (and subsequently a slight thaw in Soviet-American relations based on a healthy respect for American power). Our stand in Korea stopped Communist expansion there—without bringing on World War III. Scare words like "cold warrior" should not blind us to the fact that it was America's nuclear superiority that prevented World War III, not peaceful Soviet intentions.

In addition, we need to recognise where the real threat to peace originates today. In an earlier time it originated in fascist regimes. Does anyone really believe there is a global expansionist fascist threat in the world today? Where are Franco's armies marching?

Is there a threat from the Western democracies? Are they embarked on a holy war to roll back the Communist gains? Is the United States attempting to liberate Czechoslovakia, Poland, Hungary, East Germany? Do we have political parties in these countries—or in the Soviet Union itself—that serve as instrumentalities of our Government?

No policy for peace—whether it goes by the name of *détente* or something else—can be successful unless it is based on a clear recognition of where the threat to peace comes from. In our ear, that threat comes mainly from the Communist world—from its imperialistic drive to dominate world society. Not accidentally, the greatest threat to workers' rights emanates from the same source.

There is a peace to be had by accommodating to this threat—or by remoulding our institutions and values in its image or in an image more to its liking. But that is not a peace in which the workers of the world can hope to advance their deepest aspirations for a better life.

Whatever our Government may do, whatever our capitalists may do, we will not accommodate to the commissars.

COMMUNITY CONCERN FOR SENIOR CITIZENS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. RANGEL. Mr. Speaker, the plight of the elderly in our society continues to worsen. The rising cost of food, medical care and housing has brought our senior citizens to the point of acute financial insecurity. In addition, we refuse to treat them as useful, active members of the community. Instead, we regard them as helpless and burdensome. We maintain them in an undignified position of dependence, yet fail to provide them with adequate services.

A welcome counterexample to this pattern is the organization of "Community Concern for Senior Citizens." I would like to bring to the attention of my fellow Members the following statement from the Office of the Mayor of the City of New York.

It is my hope that we will soon recognize our responsibility to senior citizens on a Federal level.

The article follows:

THE PLIGHT OF THE ELDERLY CONTINUES TO WORSEN

Mayor Abraham D. Beame today honored the founder and participants of "Community Concern for Senior Citizens", a retail discount program now beginning its fourth year.

Mayor Beame said: "Community Concern for Senior Citizens is an extraordinary program achievement primarily due to the efforts of its founder, Mrs. Maria Redo, working as an unpaid volunteer, and responsive members of the business community."

Since Mrs. Redo began her first campaign in Manhattan's Yorkville section three years ago to persuade neighborhood retail merchants to offer discounts to Senior Citizens on fixed incomes, she has placed the Program's green and white decal on storefronts throughout the five boroughs, and sent along how-to-do-it starter kits to more than 28 other cities across the country.

Mrs. Redo, working with officials of the New York City Department for the Aging, and with a wide network of cooperative volunteers and agencies in the community, has enrolled 2600 stores throughout the City.

Recently, Mrs. Redo has successfully enlisted the support of a number of large chains including such major food stores as D'Agostino, Daitch-Shopwell, E & B Stores, Gristede Brothers, Pioneer Stores and Sloan's Supermarkets. Other chains participating in Community Concern are Savemart Television and Appliances, Drago Shoe Repair, and E. J. Korvette's hearing aid concession, Eyeglass Service Industries, Inc.

These firms, as well as one of the first Yorkville participants, Medicraft Shops, Inc., representing the many neighborhood businesses where the program originated, will be honored along with Mrs. Redo at a ceremony in the Blue Room, City Hall, 10:30 a.m., August 7th. Mayor Beame and Alice Brophy, Commissioner of the Department For the Aging will present Mrs. Redo and the 10 businesses mentioned above with Certificates of Appreciation in recognition of their innovative and useful contribution to older New Yorkers.

The amount of the retail discount offered by participants in Community Concern for Senior Citizens is set by the individual merchant who posts the distinctive program decal in the store window to alert senior citizens that they can get price reductions in the store by showing either their Reduced Transit Fare or Medicare Card. Discounts vary from store to store between 5 to 20 percent, and many of the large chains have a special service or consideration unique to their stores.

Commissioner Brophy said: "Mrs. Redo has proven to be a most resourceful, tenacious and successful volunteer and the best friend of senior citizens, not only in New York but across the country. She has responded indefatigably to letters on starting the program from as far away as Hawaii, and she has been flexible and generous in offering the idea to anyone who wanted to use it in other communities. She has been an inspiring example of the difference one person can make."

CHILE INSIDE AND OUTSIDE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. McDONALD of Georgia. Mr. Speaker, possibly nowhere is the bias of the news media more evident than in its treatment of the present Government of Chile. Ever since Marxist President Salvador Allende was overthrown on September 11, 1973, the media have characterized the junta governing Chile as brutal torturers and executioners. The fact that Allende had totally destroyed the Chilean economy and was in the latter stages establishing a totalitarian, Communist dictatorship, generally goes unreported.

Also ignored and not investigated are the claims by the junta that what the media is reporting are leftist, Communist inspired lies, fostered by the Soviet Union which was severely stung by the failure of Allende's "Marxist" experiment.

Two months ago I had the privilege of spending 3 days in Chile at the invitation of its President, Gen. Augusto Pinochet, but at the expense of neither the Chilean Government nor the American taxpayers. I found the contrast between the actual situation there and what is reported in the media to be astonishing and outrageous. The country, its people, and its Government are simply nothing like the picture that has been painted by those whose responsibility it is to convey facts to their readers and listeners.

This is most graphically exemplified in recent surveys conducted by Gallup International of people in Chile contrasted with surveys of people from other countries. The results show that the image of the present Chilean Government in the eyes of the Chilean people is very favorable, while the image is very unfavorable in the eyes of the international community.

Gallup International concludes that—

> It is not possible to deny that the international image of Chile, a product mainly of informations transmitted through mass communications media and talks with friends, radically differs from the opinion held by people living in that country, in direct and permanent contact with the actual situation existing therein.

I call these surveys, which are printed below, to the attention of all those interested in the facts about Chile:

CHILE INSIDE AND OUTSIDE

During the first six months of 1975, Gallup International Research Inc. did three surveys whose aim was to measure the image of the present chilean government, both in the eyes of that country's public opinion, as well as in the international environment.

The international survey, conducted during February and March 1975, covered 16 countries—Brazil, Colombia, Venezuela, Canada, USA, Mexico, Western Germany, Austria, Denmark, Spain, France, Great Britain, Italy, Israel, Japan and Australia—representing 806 million people, that is to say, 40.3% of the world's population, if India and the communist countries are excluded.

In Chile, the first survey was conducted during January and February 1975; the second, during May and June.

The first chilean survey (January and February) was based on a random national sample of 1821 interviews to persons 18 years and older, living both in rural and urban sectors. Therefore, it is to be considered representative of the total adult chilean population.

The survey of May–June, whose aim was to update and control the results of the first, was based on 920 interviews to persons 18 years old or more, living in urban sectors and representing 41% of the total adult population of that country.

Each research, in all the countries covered, was done by institutes affiliated to Gallup International, using all standard norms and procedures applied in this field of research.

The results show clearly that there is no relation between the way in which the chilean inhabitants look at their own country, and the way in which people of other countries, envisage the chilean situation.

Internationally, the prevailing opinion is that, in terms of order and peace, Chile suffered a loss because of the change of government (occurred in September 1973).

Question: In your opinion. Do you think that with the change of government Chile has won or lost in terms of order and peace?

[In percent]

	Won	Lost	D.K.
All countries	14.6	36.3	49.1
South America	23.0	51.0	26.0
North and Central America	12.0	41.0	47.0
Europe	13.0	37.0	50.0
East and Australia	14.0	14.0	72.0

Among Chileans themselves, the prevailing opinion is that they live better today, than before September 1973 and mention, as the main asset of their present government (in answer to an open-ended question) the attainment of a way of life whose most relevant features are order, respect, discipline, tranquility, unity, peace and security.

Question: And right now. Would you say you are living better, about the same, or worse than before September 11, 1973?

(January 1975)

[In percent]

	Better	Same	Worse	No opinion
Total sample	64	19	13	4
Socioeconomic level:				
High	82	11	6	1
Medium	67	19	12	2
Low	53	25	18	4

Question: Every government has good and bad things. Thinking about this government. Which would you say are the good things it can show?

The three most frequent answers to this open-ended question were:

(January 1975)

[In percent]

	There is order, respect, discipline, authority and stability	There is unity, peace and security	(The government) put an end to politics and politicians
Total sample	45	32	12
Sex:			
Men	42	29	14
Women	48	34	9
Socio-economic level:			
High	48	29	15
Medium	45	31	12
Low	42	32	9

The world public opinion considers the Chilean case as a problem from a political point of view; for Chileans themselves, their own country's problem is of economic—not political—nature.

The international research included four questions regarding this problem. The answers to these questions show that, in terms of economic development, Chile is placed on an average position among the South American countries but, in political terms (liberty), is considered as the country with less freedom in that same context.

Question: Please look at this card and tell me which three South American countries you consider are the most prosperous, rich and developed?

Question: And which three countries do you consider the poorest and underdeveloped?

Question: Now about these countries' governments. Which would you say are the two South American countries where people live the most freedom?

Question: And in which two countries, in your opinion, is there no freedom?

[In percent]

	The 3 most prosperous	The 3 poorest	Most freedom	No freedom
Brazil	63.4	5.3	38.1	9.0
Argentina	58.7	5.1	27.5	16.1
Venezuela	44.5	7.7	28.2	4.8
Colombia	15.2	17.1	15.7	5.6
Chile	14.4	29.7	4.2	48.1
Peru	10.9	33.3	7.4	15.6
Uruguay	8.1	24.8	6.8	9.4
Ecuador	5.6	32.8	5.1	6.3
Bolivia	5.1	33.1	4.0	12.2
Paraguay	4.3	27.3	4.2	6.7

In Chile, very little importance is given to the political situation and, on the contrary, the present situation in that country, is even preferred by its inhabitants. What really worries the chilean people is the economic problem.

Question: People have different opinions regarding the present government. With which of the following do you agree most:

(June 1975)

[In percent]

	Total group	Socio-economic position		
		High	Medium	Low
The government should continue just like now	39	39	37	43
The government should not call to general elections but should govern with support of civilians	36	40	41	26
The government should not call to general elections, but should govern with nonmarxist politicians	6	8	5	5
All the nonmarxist political parties should come back and the government should call to general elections	14	12	12	20
No opinion	5	2	6	6

Question: This is a list of problems affecting chileans. We will name them one by one and will ask you to classify each one, assigning notes from 1 to 5. Note 1 corresponds to those problems you feel are very important for yourself and, note 5, to those problems you feel are of no importance to you (pass card).

(June 1975)

[In percent]

	Very important or important	Fairly important or of little importance	Without importance
Inflation, cost of living	67	28	4
Wages and salaries	53	35	6
Unemployment	58	24	11
Freedom of expression	19	27	44
The recess of political parties	5	11	70

The world's public opinion envisages the Chilean government as dictatorial, unprogressive, cruel, warlike and unfair:

Question: Which of the following words do you think best describes the present government in Chile?

All countries

	Percent
Democratic	11.2
Dictatorial	54.2
Progressive	21.8
Unprogressive	37.6
Benevolent	13.3
Cruel	44.8
Peaceful	16.9
Warlike	41.7
Fair	14.4
Unfair	42.9

But Chileans have a different opinion of their own government: The absolute majority thinks that the government has been good or very good; feels that, regarding labour relations, the government stands in an impartial position with respect to employers and workers; given the opportunity to choose, they prefer a strong and authoritarian government—and by slightly lower proportion—with no political tendencies.

Question: All governments have good and bad aspects. Taking everything into consideration, how would you rate this government?

(June 1975)

[In percent]

	Total group	Socioeconomic position		
		High	Medium	Low
Very bad	2	--------	2	3
Bad	3	1	2	5
Below average	5	2	5	7
Average	17	3	16	26
Above average	19	21	20	16
Good	37	42	37	35
Very good	15	29	16	7
D.K	2	3	2	1

Question: Supposing you could choose. What kind of government would you choose today for Chile?

	Total group	Socioeconomic position		
		High	Medium	Low
A strong and authoritarian government	54	66	52	48
Or a gentle and dialogist government	16	11	16	20
D.K	30	24	31	31
A moderate government with participation of political tendencies	18	21	20	11
Or a strong government, with no political tendencies	48	55	48	46
D.K	34	25	31	42

Question: Which would you say is generally the position of the present government: it favours employers, it favours workers, or it favours both?

[In percent]

Favours	Total group	Socioeconomic position		
		High	Medium	Low
Employers	11	6	10	15
Workers	14	13	13	17
Both	66	68	70	58
D.K	9	14	8	9

Faced with the alternative of choosing a South American country to live in, the world's public opinion places Chile in the penultimate position of the list of preferences.

Question: Suppose you had to live in a South American country, which one of these would you prefer?

All countries

	Percent
Argentina	21.4
Bolivia	1.7
Brazil	29.8
Colombia	3.7
Chile	1.6
Ecuador	1.8
Paraguay	1.4
Peru	3.4
Uruguay	1.9
Venezuela	12.0

But Chileans, even faced with the possibility of living in another country, would prefer to stay in Chile.

Question: Now, changing the subject. If you had the possibility of living in another country, what would you prefer: staying in Chile, or going to live abroad?

(June 1975)

[In percent]

	Total sample	Socioeconomic position		
		High	Medium	Low
Staying in Chile	81	90	80	77
Going abroad	16	8	16	20
D.K	2	3	3	3

This proportion of "migrating intentions" in Chile, can be favorably compared with other figures obtained by Gallup International in several countries.

In every case, the question asked was the same.

Question: If you had the possibility, would you like to live in some other country?

(February 1971)

[In percent]

	Yes	No	D.K.
Sweden	18	78	4
Holland	16	82	2
Uruguay	32	63	5
Greece	22	78	----------
Great Britain	41	59	----------
Finland	19	74	7
United States	12	85	3
Brazil	17	81	2
Western Germany	27	70	3

The international public opinion feels that its level of information about Chile is higher than the one it has about other South American countries.

Question: Do you know who governs . . . (Uruguay, Colombia, Chile). A president elected by the people, a general or military board?

PERCENTAGES OF PERSONS ANSWERING "DON'T KNOW" TO QUESTION ABOVE

	All countries	South America	North and Central America	Europe	East and Australia
Uruguay	60.2	45.7	61.3	61.0	71.7
Colombia	58.9	33.5	60.0	66.1	77.7
Chile	40.6	22.3	45.7	36.6	63.0

The main source of information of the worlds public opinion about what is happening in South America, are mass communications media and "talking with friends".

Question: What is your main source of information as to what is happening in South America?

All countries

	Percent
TV	62.3
Newspapers	52.4
Radio	30.7
Magazines	11.6
Talking with friends	8.6

It is not possible to deny that the international image of Chile, a product mainly of informations transmitted through mass communications media and talks with friends, radically differs from the opinion held by people living in that country, in direct and permanent contact with the actual situation existing therein.

DECONTROL, YES, BUT NOT THIS WAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert into the Extension of Remarks of the CONGRESSIONAL RECORD an excellent editorial appearing in the Oil and Gas Journal entitled "Decontrol Yes, But Not This Way."

The editorial, appearing on August 18, 1975, in one of the leading journals of the oil and gas industry points out that while decontrol is desirable, sudden decontrol can cause immense problems to the Nation.

I hope my colleagues will keep this editorial in mind when they vote in connection with the impending vote on the veto of S. 1849, legislation extending the Emergency Petroleum Allocation Act for 6 months.

If any solution is to be struck between the Congress and the administration, time is an urgent necessity in achieving the kind of mutual concessions necessary.

The editorial is as follows:

[From the Oil and Gas Journal, Aug. 18, 1975]

DECONTROL, YES, BUT NOT THIS WAY

It may seem carping to criticize an end to allocation and price controls on crude oil and refined products no matter how it happens. But the circumstances under which controls are heading for expiration on Aug. 31 threaten to negate most of the benefits that flow normally from a free market.

Congress may be able to continue controls by overriding the President's promised veto of the 6-month extension of the law. If that comes to pass, the U.S. will be back where it started, with the President wanting to phase out price ceilings and Congress opposing any such action.

If controls actually die, on the other hand, the industry and the country will enter a new period of uncertainty. A Congress angered by rising prices and eager to escape blame for them will surely make renewed efforts to legislate a rollback.

The House and Senate have amply demonstrated their strong feelings in favor of controls. Both houses mustered more than a two-thirds vote to extend the Emergency Petroleum Allocation Act to Mar. 31, 1976.

This heavy margin in favor of controls is not automatically convertible into a veto override. But it does reflect overwhelming sentiment among senators and representatives in support of some ceiling on prices. They want this insurance in the short run to prevent further increases in the event the OPEC cartel jacks up crude prices again next month.

In this climate, even with the power of presidential veto supporting decontrol, producers cannot count on continuation of the free market for very long. Investments in exploration and production, based on $13 oil, may very quickly turn out to have been made on a false premise.

So, even if the little-mourned EPAA dies on Aug. 31, industry will still lack the sound basis for planning it has sought in vain since the price freeze ushered in controls 4 years ago. A pricing policy that rests on the weak reed of a presidential veto is no policy at all.

To be of any value as a guide to the future, policy must enjoy fairly broad support in the Congress. It must owe its existence to something other than the fact that opponents cannot, for the moment anyway, line up two-thirds of the House and Senate against it. The arithmetic can change at any time, just as the veto can pass into other hands in November of next year.

This cold war between the White House and Congress cries for resolution through a compromise acceptable to both. The basis for that bargain, even its details, can be found in the program to phase out controls which President Ford sent up last month, only to have it rejected.

Decontrol over the specified 39 months, if written into law as proposed, offers incentives for an expanded search for oil, especially if the related windfall tax gives proper credit for plowback. And it promises stability that is lacking under sudden decontrol opposed by a big majority of lawmakers.

The veto is a useful weapon provided by the founding fathers as a check against the excesses of a runaway majority. But unless it becomes a vehicle for reasonable compromise, the benefits will soon be wiped out by the backlash that is already building up.

ISRAEL, HABITAT AND THE U.N.'S FUTURE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. ROSENTHAL. Mr. Speaker, responding to another Arab inspired attempt to politicize an international humanitarian organization, the United Nations Preparatory Conference on Human Settlement—Habitat—meeting in Teheran on June 19 adopted a recommendation to exclude Israel from the full conference to be held in Vancouver, B.C., Canada, from May 31–June 14, 1976. A similar anti-Israel proposal was adopted at another United Nations Preparatory Conference on Human Settlement meeting in Cairo in June.

According to reports released by the U.N., the recommendations to exclude Israel were made on the putative grounds that "Israel has always acted contrary to the spirit of Habitat" and that Israel was responsible for the "involuntary migration" of "2 million Palestinian Arabs" and for the destruction of Palestinian settlements.

These claims, however, are totally without foundation.

The Arab refugees were not driven from Palestine. According to impartial records of the British mandate government, the vast majority, numbering at most 590,000 Arabs, left their homes in the area that was to become Israel, as a result of the urging and pressures of the Arab leaders, with the reassurance that their departure would help in the war against Israel.

The truth is that it was in the Arab countries that the savage tale of "involuntary imigration" unfolded. Indeed, the years 1948–60 may well prove to have been the blackest period in the annals of the Jewish communities in the Arab countries. Humiliation and discrimination were the Jews' daily lot. They were continually subjected to government inspired programs of violence, looting, and murder. During these persecutions, the borders were alternately closed to prevent their escape, and then suddenly opened to engender the inevitable empty-handed flight. In fact, it is estimated that some 900,000 Jews were driven from Arab lands—the same Jews whose families had lived there for thousands of years and had contributed greatly to the progress, wealth, and culture to these nations. Forced to leave their homelands they were offered no reparations; in fact, in most cases they were prohibited from taking with them anything more than the clothes on their backs.

Hence, when we speak of "involuntary migration" let us not forget that there were almost twice as many Jewish refugees who were forced from Arab countries as Arab refugees who left Israel of their own free will or at the orders or exhortations of their leaders.

Today, ironically, it is the Arab leaders, not the Israelis, who force the Palestinians to live in debilitating squalor. While Israelis have taken steps to improve health conditions and encourage the economic prosperity of the Palestinians in the West Bank and the Gaza Strip, the Arab leaders prevent the rehabilitation of the Palestinians who reside on their soil, holding out to all of them, instead, the hope of return and of "vengence" on the Jews of Israel to whom the Arabs have transferred blame for the Palestinians' plight.

Moreover, Arab nations today continue to subject their Jewish citizens to numerous forms of discrimination, restrictions, arbitrary arrest, torture and general harassment. Forbidden to leave their country, Syrian and Iraqi Jews live as virtual hostages in their own land, in constant fear of the oppressive and suppressive policies of their governments.

Who is then violating and degrading the "spirit of Habitat"? Is it Israel? Or is it the Arab nations?

While the Arab nations continue to prevent the rehabilitation of the Palestinian people—using them as a tool for specious political ends—and continue to deny their Jewish citizens fundamental human rights, Israel, in the last 8 years, has sponsored far-reaching changes that have markedly improved the Palestinians economic and social welfare. And Arabs living in Israel enjoy more personal freedom and economic opportunity than those in nearly every Arab state.

Since the 1967 war, the number of doctors and dentists in the West Bank has doubled, the number of hospital beds has increased by 20 percent and the number of hospital births has doubled. Malaria is now virtually absent from the West Bank, and there has been a sharp drop in deaths from measles and polio—factors which have halved the infant mortality rate.

Similarly, Israeli agricultural specialists have sponsored changes in West Bank and Gaza agriculture, introducing better techniques to the Arab farmers. Field crops, vegetables, fruits and livestock have all increased in the past 5 years.

The Habitat Preparatory Conferences are but the latest targets of a cunning and continuous effort by the Arabs to isolate Israel diplomatically and politically in the world and to ostracize her from the "family of nations." Having its beginning several years ago, the Arab offensive against Israel pins its hopes on the hypocrisy, the cynical selfishness and the cowardice, which to my regret, characterize the behavior of a large number of countries in the international arena.

Already, the Arab, third world, and Soviet nations have managed to isolate Israel from the regional councils of UNESCO and force a vote at the World Health Organization meeting in Geneva to condemn Israel for nonexistant health inadequacies in the administered territories. In addition, at the Conference of the International Labor Organization in Geneva the Palestine Liberation Organization was granted observer status.

Currently, we are in the midst of a carefully orchestrated attempt by the Arabs to expel Israel from membership in the United Nations General Assembly. A meeting of 40 Moslem foreign ministers in Jidda, Saudi Arabia, on July 16 voted to deprive Israel of her status and rights in the world body.

Mr. Speaker, such irresponsible and blatantly political behavior cannot be permitted. The politicalization of the U.N. and her specialized agencies—the most effective and humanizing parts of the U.N. structure—must be resisted by all nations, particularly the United States. At stake is not only the removal of Israel from the United Nations, but in addition, the credibility of the United States as a responsible ally and the future of the U.N. itself.

It is quite possible that the Arabs are once again contemplating a move to use the upcoming United Nations Preparatory Conference in New York from August 25–28 as a staging ground for their war on Israel.

If we are to discourage other nations from voting to exclude Israel from the Vancouver Habitat Conference next year and from voting to exclude Israel from the General Assembly this fall, the Ford administration must move firmly and resolutely to block the burgeoning Arab offensive.

Such an action would make more credible Secretary of State Kissinger's recent warning that those who seek to manipulate U.N. membership by political abuse run the risk of weakening American public support for the United Nations and inheriting an "empty shell."

AMENDMENTS NEEDED TO IMPROVE NATIONAL EMERGENCIES ACT

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DRINAN. Mr. Speaker, when the House considers H.R. 3884, the National Emergencies Act, I intend to offer a series of amendments to strengthen and improve that important piece of legislation. It is obvious to all that congressional action to terminate the four existing states of national emergency is long overdue. For more than 40 years, the American people have lived under the shadow of laws which empower the President to seize private property, organize and control the means of production, institute martial law, promulgate secret regulations, and otherwise control the lives of American citizens without reference to democratic processes. In the words of Senator CHURCH, cochairman of the Senate Special Committee on the Termination of the National Emergency:

> These powers, if exercised, would confer upon the President total authority to do anything he pleased.

Thankfully, the preponderance of extraordinary powers available to American Presidents since 1933 under the ongoing state of emergency have never been exercised. Nevertheless, as long as a state of emergency remains in effect, the use of such powers conferred upon the President by some 470 different provisions of law is a constant possibility. By terminating the four existing, yet obsolete national emergencies, H.R. 3884 will temporarily eliminate the threat that abuse of emergency powers could be used to subvert our democratic form of government.

The authors of H.R. 3884 also attempted the difficult task of establishing a mechanism for the declaration of any future national emergencies by an American President. The creation of any such set of procedures would be a vast improvement over the status quo in which the President's authority to act in times of emergency is essentially undefined. According to Senator MATHIAS, cochairman of the Senate Special Committee on the Termination of the National Emergency:

> There is no consistent way in which emergencies are invoked, reviewed, or terminated.

Unfortunately, no clear definition of the President's emergency powers has emerged from the few Supreme Court cases in the area. In the words of Senator CHURCH:

> [The Court] has invoked three different doctrines, and it has wobbled all over the place.

It is clear that Congress must act to clarify the conditions under which the President can declare a state of emergency and the procedures by which an emergency can be invoked and terminated. The problem is analogous to, though perhaps more grave than, that faced by Congress in considering the War Powers Resolution in 1973. In that instance, as in this one, Congress was faced with a vast yet undefined facet of Presidential power, with considerable potential for abuse, which had, in effect, become virtually unlimited. There, Congress responded by specifying a limited set of conditions under which a President could commit American forces to combat. Moreover, the War Powers Resolution required the President to consult with Congress whenever possible before taking any such action. Finally, the resolution provided for the automatic withdrawal of American forces after a specified period unless Congress has agreed to an extension of that period. Those provisions, taken together, constitute a basic assurance that an American President will not grossly abuse his authority as Commander in Chief to involve the United States in armed warfare without the consent of Congress.

The declaration of a national emergency, through the awesome extraordinary powers it confers upon the President, is at least as significant and potentially dangerous as the President's exercise of war powers. Yet the current provisions of H.R. 3884 do not apply the same standards of specificity and accountability which were written into the War Powers Resolution for the very purposes of preventing Executive abuse and preserving congressional involvement in the exercise of extraordinary powers. In its present form, H.R. 3884 authorizes the President unilaterally to declare a national emergency whenever he decides it is essential to do so. No necessary conditions must be met nor must Congress be consulted or even informed before such momentous action is taken.

Moreover, once an emergency has been

proclaimed, the burden is on Congress to act to terminate it. Unless both Houses of Congress pass a concurrent resolution terminating a state of emergency, the emergency shall continue indefinitely. Thus, if Congress is divided or fails to act, the emergency will remain in effect. This provision is in sharp contrast to section 5(b) of the War Powers Resolution which provides for automatic termination of the use of American forces unless Congress acts affirmatively to approve an extension. In this case, as in that one, I believe that the burden should be placed on those wishing to continue, not to end, an extraordinary state of affairs in which the President can legally exercise virtually unlimited authority.

A final deficiency of H.R. 3884 is that it fails to provide for the compilation of a definitive and all-inclusive list of those powers which could conceivably be exercised during a national emergency declared by the President. Until such a list has been prepared, the possibility remains that during some future declared emergency, the President will rely upon some previously unnoticed statute to carry out a plan for which no regular legal justification exists. The Senate Special Committee conducted exhaustive research which resulted in the publication of a list of 470 provisions of law conferring emergency powers. But that list was admittedly not necessarily all-inclusive and, of course, has no legal standing of its own. The American people have a right to know of all powers which could conceivably be exercised during a future emergency.

CIRCUMSTANCES IN WHICH AN EMERGENCY CAN BE DECLARED MUST BE DEFINED

These, then are the serious weaknesses of H.R. 3884 which would be remedied by the set of amendments I intend to propose on the floor. First, I will offer an amendment based on sections 2 and 3 of the war powers resolution to specify those circumstances under which the President is authorized to declare a national emergency and requiring the President to consult with Congress before taking such action in every possible instance. The standard set by this amendment is precisely that contained in the war powers resolution. The logical justification for sharp definition and specificity in both cases is identical, as is the justification for prior consultation with Congress. The adoption of this amendment is crucial to preventing the unwarranted declaration of an emergency by a President.

AUTOMATIC TERMINATION

A second amendment would provide for the automatic termination of a declared emergency after 30 days unless Congress acts to extend the state of emergency beyond that deadline or unless Congress is unable to meet to consider such a proposed extension because the United States was under attack. The amendment is also drawn precisely along the lines of the war powers resolution—section 5(b). An emergency is, by definition, a short-term affair. If a continuation of this extraordinary state beyond 30 days is necessary and desirable, affirmative congressional action should be required to prolong the emergency. Once again, the justification for the mandatory withdrawal of American troops from hostilities after 60 days in the absence of congressional action, contained within the war powers, is at least applicable here.

AUTHORITATIVE LIST OF EMERGENCY POWERS

A third key amendment would require the Attorney General to compile a list of all provisions of law which confer emergency powers. The list would be submitted to Congress and printed in the Federal Register. An accompanying amendment would stipulate that no emergency power could be utilized by the President unless it was grounded in a provision of law contained in the Attorney General's list. The adoption of these two amendments would mean that the term "emergency powers" will have an established and definitive meaning for the first time.

OTHER AMENDMENTS

If some or all of these substantive amendments are adopted, I will offer several conforming amendments of a technical nature to retain the internal consistency of the act. In addition, I plan to offer a minor amendment which would require the President to certify monthly, rather than annually, that an emergency remains in effect.

In conclusion, Mr. Speaker, I am hopeful that the House will approve the National Emergencies Act after encompassing the important changes which I will propose. We have all lived under a declared National Emergency for so long that it is sometimes easy to overlook the grave potential for abuse of the awesome powers brought into being by such a declaration. We have been relatively fortunate on this score in the past. Yet that does not give us the right to ignore the potential for such abuse in the future. It is regrettable that we had to endure the tragedy of an undeclared war in Southeast Asia before placing some ostensible limits on the President's war powers in 1973. In the case of national emergencies, we have a chance to act responsibly before an abuse of power occurs which makes us sorry we did not act sooner to define the President's authority to declare an emergency and to assure congressional control and public accountability. I hope that all Members will carefully study these amendments prior to the imminent floor consideration of H.R. 3884. The text of the amendments which I intend to offer follows:

Amendment to H.R. 3884, as Reported, Offered by Mr. Drinan

Page 2, line 22, insert immediately after the period the following: "The President shall issue such a proclamation pursuant only to: (1) a declaration of war; (2) an attack upon the United States; its territories or possessions, or its armed forces; or (3) the prior enactment of a joint resolution specifically authorizing the President to issue such proclamation. The President in every possible instance shall seek the advice and counsel of Congress and provide Congress with all pertinent information before proclaiming the existence of a national emergency. After such proclamation has been issued, the President shall consult regularly with Congress until the national emergency has been terminated."

Amendment to H.R. 3884, as Reported, Offered by Mr. Drinan

Page 3, strike out the period at the end of line 15 and insert in lieu thereof the following: "; or

"(3) thirty calendar days elapse following the declaration of an emergency unless Congress (A) has authorized by concurrent resolution the extension of such an emergency to a date certain, or (B) is physically unable to meet as a result of an armed attack upon the United States."

Amendment to H.R. 3884, as Reported, Offered by Mr. Drinan

On page 10, immediately after line 19, insert the following new section:

"Sec. 503. Not later than six months after the date of enactment of this Act, the Attorney General shall submit to the Congress a list of all provisions of law (including but not limited to statutes, executive orders, and departmental regulations) conferring powers and authorities which may be exercised during a national emergency declared by the President. Such list shall be published in the Federal Register."

Amendment to H.R. 3884, as Reported, Offered by Mr. Drinan

Page 7, line 2, insert immediately after "act" the following: ", and unless such provisions of law are among those enumerated by the Attorney General pursuant to section 503 of this Act".

Amendment to H.R. 3884, as Reported, Offered by Mr. Drinan

Page 3, line 24, insert immediately after the comma the following: "or on the date specified in any concurrent resolution referred to in clause (3) of this subsection, or on the 30th day following the declaration of such an emergency,".

Amendments to H.R. 3884, as Reported, Offered by Mr. Drinan

Page 4, line 21, strike out "fifteen" and insert "five" in lieu thereof.

Page 5, line 7, strike out "fifteen" and insert "five" in lieu thereof.

Page 5, line 16, strike out "six" and insert "two" in lieu thereof.

Page 5, line 17, strike out "conference" and insert the following: "unless both Houses of Congress shall otherwise determine by yeas and nays".

Page 5, line 21, strike out "six" and insert "two" in lieu thereof.

Amendment to H.R. 3884, as Reported, Offered by Mr. Drinan

Page 3, line 16, strike out "year" and insert "month" in lieu thereof.

BEWARE OF DECONTROL ADVOCATES BEARING GIFTS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert page 4 of Airline Reports dated August 21, 1975, entitled "Beware of Decontrol Advocates Bearing Gifts."

This report, a major publication in the airline industry, warns the industry and the Nation of the evil consequences of sudden decontrol of certain oil prices, and the problems little concealed in administration proposals for pass through of jet fuel prices.

The Nation should be aware of the severe economic consequences coming from sudden decontrol through the expiration of the Emergency Petroleum Allocation Act and Presidential veto of S. 1849 which would extend that statute for 6 months to enable opportunity for the Congress and the President to work out a solution with regard to decontrol.

Report follows:

BEWARE OF DECONTROL ADVOCATES BEARING GIFTS

The Ford Administration, oblivious to the 100%-plus increase in jet fuel prices since 1973, this week unveiled a nebulous plan to partially offset fuel price increases if controls are lifted September 1. The proposal, described as a "Joint Petition for Emergency Procedures" was filed Tuesday by DOT, FEA and the Council on Wage & Price Stability (D. 28191). So confusing and impractical is the plan that its main objective appears to be to neutralize harm to the airline industry as an issue which Congress might incorporate in its effort to override the President's veto of an extension of fuel price controls. And a clear secondary objective is to substitute the Administration's idea of rate-making for CAB's.

Significantly lacking in documentation, the Administration's petition draws the conclusion that "the price of aviation fuel is not expected to increase more than three cents a gallon." That, the Administration says, would be the net impact after decontrols and suspension by the President of the $2 import fee on foreign crude which the Courts recently held was illegally imposed. The petition also limits the 3¢ figure to "the next several months" and adds the ominous note that "any new OPEC-dictated increase in the cost of imported crude oil will, of course, further increase the price level of all petroleum products sold in the United States."

Although the petition criticizes CAB's DPFI methodology as "inapproriate protection against the impact of an increase in oil prices," the generalized "emergency procedures" advanced appear to offer considerably less. In fact, in the absence of substantial refinement, chaos in the marketplace would be inevitable.

THE ADMINISTRATION'S PLAN

The suggested procedure would "provide each carrier the ability to recover its own experienced increase in fuel costs." This in lieu of all carriers recovering the industry-wide increase in fuel costs over a given period. In addition, however, the ability of a carrier to recover increased energy costs would be discretionary. As the Administration put it, it "would be the last to urge the Board to rekindle inflationary measures by forcing fare increases upon carriers which may not particularly wish to adopt them." Thus, it recognized that some carriers may prefer to absorb part or all of their increased energy costs.

The discretion of a given carrier would also extend to a choice of markets for fare-increase relief. Thus, a carrier could raise fares in some of its markets and not in others. But there is a catch. No increase in a market could be greater than that needed system-wide. If it takes 3% across-the-board to offset a fuel price hike, then 3% is the maximum in any given market.

The situation grows more complicated when it is realized each carrier would be guided by his own fuel price results. The fare-setter in competitive markets would be the one least affected by the fuel price rise.

In addition, it is not immediately clear how the new procedure would prove more responsive mechanically than that now in use. The Administration petition notes that "the Board's continuing power to review each fare increase proposed should prevent fares in any particular market from absorbing excess increases related to energy costs."

SOLAR CLIMATE CONTROL

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. GUDE. Mr. Speaker, over the past few months I have made a number of comments about the importance of solar energy as an alternative source of energy and the immediate availability of solar heating technology. I have regularly urged the Congress to pass legislation that will lead to greater use of solar heating and cooling in both residential and commercial structures, as well as Federal buildings. An important article has recently appeared in the American Society for Testing and Materials "Standardization News" which affirms the future of solar energy. The article is by Peter E. Glaser, Vice President and Head of Engineering Sciences at Arthur D. Little, Inc., and I would like to bring several excerpts from it to my colleagues' attention:

SOLAR CLIMATE CONTROL: EVALUATING THE COMMERCIAL POSSIBILITIES

(By Peter E. Glaser)

Today, the application of solar energy is perceived as one means of meeting future energy demands. In many countries, government and industry groups are investigating different concepts for harnessing solar energy. Several U.S. companies are beginning to commit significant resources to new solar energy-related activities. Over the last three years, government funds for solar energy have increased dramatically, reaching about $50 million in fiscal 1975. Congress has passed several bills designed to support solar energy. One of these bills for a $60 million demonstration project for solar-heated and solar-cooled buildings became Public Law in September 1974. Legislation for a one billion dollar across-the-board effort over five years which would be guided by an Office of Solar Energy Research was enacted in January 1975.

This nation is not alone in recognizing the potential of solar energy. Japan has announced its "Sunshine Project," for which multibillion dollar expenditures are being planned over the next 25 years. Australia is planning an expanded solar energy program, and France is setting up an Institute of Solar Energy. The Soviet Union has had and is continuing to pursue a significant solar energy development program.

The degree to which solar energy applications can be successfully moved beyond the research and development phase will depend upon many factors. All of these, however, relate to the competing alternative energy sources available at the various stages of development and to the cost/benefit tradeoffs which will have to be made in arriving at a coherent energy policy. Any energy policy must endeavor to satisfy a multitude of conflicting national objectives, for example, the need for energy self-sufficiency versus the need for a clean environment, or the need to tap new resources to meet a burgeoning demand for energy versus reducing this demand and constraining the forces of inflation. Solar energy certainly is abundant enough to provide self-sufficiency and clean enough to satisfy the most ardent environmentalists. The challenge lies in finding methods for converting this energy efficiently and economically into useful forms.

There are two obvious obstacles to harnessing solar energy. First, it is not constantly available on earth. Thus, some form of storage is needed to sustain a solar-powered system through the night and during periods when local weather conditions obscure the sun. Second, solar energy is diffuse. Although the total amount of energy available is enormous, the collection and conversion of solar energy into useful forms must be carried out over a large area: one square yard of land exposed to direct sunlight receives the energy equivalent of only about 1 horsepower, or about 1 kilowatt. However, solar energy is not easily convertible, the conversion apparatus requires a large capital investment, and certainly is not "free." It can be considered a widely distributed resource somewhat akin to low-grade mineral resources. Sophistication is required to "mine" solar energy effectively.

Solar energy, therefore, most likely will be commercialized not because it is cheaper than alternative energy sources, but because these alternative sources sooner or later will be exhausted, will become increasingly more expensive, will continue to be subject to political and economic control by the nations possessing them, and will produce undesirable, and as yet incompletely understood, environmental consequences, especially on the huge scale that will be required to meet projected demands even with controlled growth.

Obviously, the harnessing of solar energy is a goal worth pursuing, but a goal difficult to achieve. The successful and widespread introduction of devices that utilize solar energy will require considerable development to strike the appropriate balance between technology, the environment, and society's needs. Results are unlikely to come about quickly, not because of lack of advanced technology, but rather because of too little industrial experience with such technology. As yet, there is no capacity to mass-produce systems at a cost low enough to create a large market or the institutional arrangements needed to ease the introduction of solar-powered systems.

Nevertheless, the potential payoff of research and development in solar energy applications has been recognized and is being supported on a significant scale for the first time. Thus, the stage is set to establish and examine the options available for solar energy conversion and assess their technological, economic, and social attractiveness within the context of a coherent national energy policy.

SOLAR CLIMATE CONTROL

The most promising near-term application for solar energy is in the heating and cooling of buildings (solar climate control). At least 100 buildings in the United States already include solar heating systems. Moreover, several million solar water heaters are in use in many countries. In the United States several significant demonstration projects are in various stages of completion. For example, several schools have been equipped to use the sun's energy for a portion of their hot water, heating and cooling needs. Public buildings, office buildings, and residences in many locations are providing information on the degree of success achieved with solar-heated and -cooled buildings.

A substantial fuel saving is possible if an increasing percentage of new and existing buildings is heated and cooled with solar energy. By 1985, the energy consumed for household and commercial purposes will amount to 21 percent of our total energy use. If solar energy were used for many of these applications, more than one-half of the total energy used in the year 2000 to heat and cool buildings could be saved. These savings could exceed the yearly amount of oil to be delivered to the United States through the Alaskan Pipeline.

A typical solar climate control system (Fig. 1) includes the following:

Solar Collector—a means for capturing solar thermal radiation in an enclosure with a glass or plastic cover. Since the cover is transparent to the incident solar radiation, but opaque to the re-radiated energy, the solar collector, like a greenhouse, serves to trap solar energy and turn it into heat.

Heat Storage System—material which has a high specific heat or experiences a change of phase accepts collected solar heat as available and allows it to be withdrawn as needed.

Source of Supplemental Energy—fuel or electricity to provide heat during extended cloudy periods and to avoid the need for uneconomically large collection and storage facilities.

Heat-actuated Air Conditioner—a unit that can be driven by the collected solar heat.

Auxiliary Equipment—the necessary piping, controls, heat exchangers, heat transfer fluid, valves, pumps, motors, etc., to couple the essential elements into an operating system.

Critical to the success of solar climate control is the combination of the above components into systems that are cost effective for the required function, building type and climatic condition in combination with conventional energy sources. There is a wide variety of possible system arrangements. These can range from systems which provide hot water and space heating and, with additional complexity, air-conditioning, to systems using heat pumps to provide heat during the winter and air-conditioning during the summer. With the exception of heat-actuated air-conditioning devices, most of the other technology has already reached the stage where it is ready for commercialization.

COST CONSIDERATIONS

Solar climate control systems can be most effective when the cost of the heat produced by these systems is low compared to the cost of the conventional energy source it displaces. In general, the cost of the heat produced by solar climate control systems will be minimized by low capital charges for the equipment and low amortization rates, by favorable climatic conditions, by continuous heat loads and, of course, by efficient system design. Figure 2 indicates typical values for the heat produced by solar climate control systems and the heat value produced by competing energy sources. The sensitivity to the amortization rates and the cost of competing energy sources indicates that these variables outweigh the influence of potentially favorable climatic conditions. Thus, for example, the solar climate control systems in the Northeast, where energy costs are high, are more competitive than solar climate control systems installed in areas where there is copious sunshine but where electricity is produced by very low-cost hydroelectric power plants, so regional variations in the availability of solar energy have less cost impact than regional variations in energy costs. Because of the variety of buildings, use conditions, and competitive energy costs, no one solar climate control system or design solution will be optimum for all situations.

COMMERCIAL CONSIDERATIONS

Major innovations take time to be introduced into the housing industry and to be accepted by the builder and buyer. However, the stage already has been set to develop the application of solar energy to provide hot water, heating, and cooling in buildings. The following factors favor such applications: rising fuel costs; introduction of energy conservation measures; industrialization and increased sophistication of the construction industry; public pressure for environmental quality; government support for the development of solar-energy applications; and consumer desire to reduce dependence on conventional energy supplies.

The installation of the equipment for heating and cooling buildings and providing hot water presents the consumer with the need to raise a substantial capital sum for the equipment and its installation at a time when interest rates are high and mortgage funds are scarce. Economic conditions today conspire to prevent the consumer from appreciating the full benefit of this solar energy application, which will depend upon the increasing life cycle benefits of saving fuels. Market-oriented incentives could make it easier to purchase solar equipment. It is apparent that a comparison of costs of solar equipment with conventional fuels may not adequately reflect the hidden costs, whether they be environmental, social or political, which now are not charged against the conventional fuels. As a more representative cost accounting is developed, these hidden costs will be exposed. Thus, the cost benefits of solar heating and cooling of buildings can be expected to become increasingly favorable as compared with competing fuels.

The basic economic case for substituting solar energy for competing fuels is the desirability of substituting capital for these non-renewable fuels. The capital costs of the installed solar equipment are largely made up of labor at the various stages of production of the equipment and components and the installation of the equipment. Therefore, the application of solar energy embodies human labor together with a certain amount of materials and requires an investment in the equipment as opposed to adopting the easier, short-term option of continuing to use increasingly scarce fuels. The financial burden and the materials and energy used in building the solar equipment present themselves clearly at the time of the initial installation. But once solar equipment is installed, the energy savings achieved will continue to be experienced over many years of operation.

Whether the attractive levels of energy savings can be achieved will depend upon the speed of market penetration and the effective use of materials and energy required to produce the solar equipment. The solar equipment will be a significant user of material. The energy saving will be small during the introductory period. In a typical installation, it will take about one year for the equipment to save the energy required to produce it. Over the life of the equipment, about 20 times the energy required to produce it will be saved. Once solar equipment has been installed on a large scale, the energy required for production will be small compared to the direct savings from the operation of the equipment. The sustained use of solar equipment will have beneficial effects on the trade balance by helping to reduce significantly the projected need for fuel imports. Should this be achieved, the gain to the balance of payments from the operation of solar equipment for heating and cooling of buildings could be several billion dollars per year.

The environmental benefits of this use of solar energy will be directly related to the environmental damages caused by the fuel which will be replaced. Damage to the environment by solar equipment operation is virtually inconsequential compared to any of the conventional fuels: such use of solar energy does not cause air, water, or thermal pollution; it does not require solid waste disposal, fuel storage, or pipelines, transmission lines or other forms of fuel transportation; and it does not create potential hazards. Furthermore, solar equipment installed on building roofs sharply reduces land use associated with other energy production methods.

THE SOLAR CLIMATE CONTROL MARKET

The commercial considerations favor the growth of markets for solar climate control systems which, starting with a few hundred million dollars per year in the late 1970's, are expected to grow to over a billion dollars per year in the mid-1980's depending, of course, upon the availability of efficient system components and particularly solar collectors at reasonable cost, control over installation costs and a continued high level of energy costs. The market growth could further accelerate if the government takes effective actions to stimulate the market through a variety of incentives. However, it is very likely that whether the government takes appropriate actions or not the market will increase, although at a slower growth rate, if industry takes appropriate initiatives and commits itself to a multifaceted strategy for market entry.

The construction industry, representing about 10 percent of the nation's Gross National Product (GNP) is second only to the food industry in the national economy. Building construction represents two-thirds of the industry total. The introduction of solar climate control systems in only a small fraction of existing buildings and an increasing fraction of new buildings can result in the development of a major new market and an industry devoted to supplying this market. But market projections for solar climate control systems have to be made for equipment that has not yet been mass-produced, based on technology which is still in an early stage of demonstration, and energy costs and availability subject to substantial volatility. Furthermore, these projections have to be made within the context of a still inadequately defined government energy policy and based on the probable reactions of a diverse, complicated and fragmented construction industry to systems not yet fully defined. Obviously, since the number of variables which will influence the size of this market is extremely large, with political actions conceivably having dramatic effect, any market forecasts require assumptions regarding the scenarios of the national economy and an analysis of the sensitivity of such forecasts to possible changes in technical and economic assumptions. In addition to the construction industry perception of the status of the technology, the variables which will strongly influence the market include the building types, geographical locations, system performance parameters, energy costs of conventional fuels and the type of fuels used in different regions.

The penetration of solar climate control systems in specific regional markets where there are pronounced shortages of available fuels, such as natural gas, can reach significant levels in a few years and continue to grow in the 1980's, while in markets where cheap hydroelectric power is available, which is the case in the sunny regions of the West, the market growth could be lower. As the market develops, a broad range of new business opportunities is expected to emerge. For example, it could include the manufacture of solar collectors, heat-actuated air conditioners, heat transfer fluids, heat exchangers, thermal storage materials, and selective radiation coatings as well as solar collector glazing seals, controls and corrosion inhibitors. Requirements would be created for systems packaging and integration and there would be demands for materials, such as copper, aluminum, and steel, and components, including glass insulation, pipes, pumps, valves, and plastics.

Like any new market, the growth of the solar climate control market will be slow at the beginning. For those companies which consider entering the market, considerable market development efforts can be expected and manufacturers will have to engage in product-development activities before significant volumes and profits can materialize. Ultimately, as a significant new industry, solar climate control can be a very attractive growth area for those companies which enter it with sophistication and understanding.

Industry can meet the challenges of this emerging market, can develop products based on present technology, and has the capacity to supply the required resources and equipment. For example, Arthur D. Little, Inc., has brought together in one project over 90 industrial organizations from around the world that could make a solar heating and cooling industry a reality. The objectives of this project are to define the technology base, establish market prospects and economic projections, and provide the data on which product development and business decisions can be based. An industry based on this near-term solar application not only could be profitable to those contributing to it, but would provide an important alternative to reduce energy consumption.

EMERGENCE OF A SOLAR CLIMATE CONTROL INDUSTRY

Because of the large size of the potential solar climate control market, the emerging solar climate control industry will benefit by developing as a coherent industry rather than as an uncoordinated group of individual companies. Agreement on performance criteria, standards, equipment guarantees, and insurance rates will aid the growth of this fledgling industry. The construction industry, by which the solar climate control systems will have to be applied, is so diverse that considerable efforts will be needed to establish contacts with it and define the interfaces for the systems. Such contacts most likely can best be accomplished on an industry-wide basis. Furthermore, many components are necessary to produce a solar climate control system. Thus, it is unlikely that any one company will be in a position to produce them all. Instead, for example, as is now the case in the heating, ventilating and air-conditioning industry, a number of companies will produce different components designed to work together to achieve specified objectives. Moreover, the specifiers will want standards for various elements of the system so that the performance of similar products made by different companies can be compared. Only through such standardization can the buyers appreciate the differences between competing solar climate control systems. What, therefore, will be needed is an effort to rationalize the technology and provide a framework in which the industry can operate effectively. Thus, the emerging solar climate control industry, which will include the production, supply, distribution and maintenance of solar climate control systems, will involve both an expansion of existing and the creation of a new set of industrial activities.

THE FEDERAL ROLE

There are several steps the Federal government can take to hasten the introduction of solar climate control technology. Once technological and economic feasibility and potential market acceptance for specific applications are demonstrated, industry should be able to build up the capability to mass-produce the systems and components required. To achieve this, the Federal government should support solar energy research and development and demonstration programs. The Federal government should explicitly prepare and reveal a consistent and coherent national energy policy. The importance of the government's energy role in today's world is obvious. Yet, this role is in flux. Industry does not know whether national policy will result in an energy price structure which is high or low or which directs efforts on developing alternative energy sources toward meeting short- or long-term goals. Hence, industry decisionmakers are still in the dark concerning future investment strategies.

In addition, the government can aid the development and demonstration of solar energy on a commercial scale, through the establishment of a central source of standards, data and research literature; the aggregation of the market among Federal agencies; the identification of and reduction of institutional barriers; and the development of legal concepts to define and protect "sun rights."

Because of the potential harvest of new ideas and developments of solar climate control systems, special attention should be given to solar energy applications within the bureaucratic framework of a government agency to ensure the richness and diversity of development. Solar energy development should be supported by a distinct, viable office within the Federal bureaucracy which has public visibility. Therefore, the efforts of the newly created Energy Research and Development Agency are going to be particularly significant in fostering the growth of solar energy applications.

The early introduction of solar climate control rests in large part on effective encouragement by the Federal government. Thus, concurrent with successful demonstrations, both producers and consumers must be encouraged to take the next logical steps toward developing a mass market through selected and effective subsidy programs. Therefore, legislation dealing with government incentives as well as government support of solar energy-related research and development will be helpful.

Although research and development are necessary, the market and product development needs must also be addressed. For example, the technology base for heating buildings is adequate to meet demonstration program needs. However, solar cooling technologies need further development, particularly to achieve cost reductions so they could be competitive. Industry is looking for potential markets to initiate significant development activities. Before making major investments, industry needs to be assured that, as the market for solar technology develops, there will be a continuity of government policy. Furthermore, industry should be encouraged to invest in new product development and be given the opportunity to retain commercial proprietary rights. An enlightened government policy on proprietary rights will greatly increase industrial participation.

CONCLUSIONS

The evolving energy situation has led to re-examination of the role of solar energy to meet projected energy demands. The importance of the contribution of solar energy will increase as developments proceed and as other alternatives are found to have potential conflicts with resource conservation, public health, international trade and politics, environmental protection, and social equity. A consensus is emerging that solar energy has a significant place as new research initiatives, institutional mechanisms and policies are being developed, combined, and coordinated to evolve a rationale for national energy policies to benefit society.

Industry is recognizing the potential of solar climate control and is taking initiatives to develop products and provide services in several important solar energy application areas. These activities can be reinforced by government funds directed to support research and development in the most promising solar energy application areas and to undertake demonstration projects. At present, the funds allocated to these activities by the government are still only a small percentage of the total United States energy research and development budget, but successful demonstration of solar energy applications should lead to significant increases in the funding levels.

Congress, sensing that the public wants to benefit from expanded solar energy applications, is passing effective legislation to support development and demonstration projects. It is obvious that there are many devices and processes which remain to be invented and developed and to which this nation should devote an appropriate measure of attention.

The financial community is watching the emerging solar climate control industry. The flow of capital to producers and users of solar technology will be essential during the several-years introductory period so that growth can occur on a schedule consistent with the goal to lessen dependence on imported energy sources. The benefits of achieving this goal will be substantial, not only on a national scale but also in their effect on the capital markets.

There is every reason to think that the increased activities in solar energy applications will be of worldwide benefit—for solar energy is the only energy source available to all nations. Its effective utilization by all will not diminish the source of supply and could result in society achieving the balance with nature which will be necessary to attain the full potential of human civilization. The steps we take now to develop solar energy will contribute not only in our national goals but also will be vital to future world economic development to assure a planned transition from limited non-renewable energy sources to alternative energy sources.

FEDERALLY SPONSORED RESEARCH PROJECTS

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. FLORIO. Mr. Speaker, recently we have seen numerous federally sponsored research projects reported in the press which have resulted in much laughter as well as taxpayer anxiety. Though there may indeed be room for criticism it is most important to look beyond a humorous sounding title and investigate a bit further the information and/or product which was born of these research dollars.

I would like to bring to the attention of my colleagues the following article from the Courier-Post, one of the foremost newspapers in New Jersey, which should be very enlightening.

SOME ATTACKS ON WEIRD-SOUNDING SCIENTIFIC RESEARCH PROVE UNFAIR

(By Lee Hickling)

WASHINGTON.—Making fun of weird-sounding scientific research that the federal government finances is a sure-fire way for a congressman to get his name in the newspapers.

After all, millions are out of work. Billions in federal debt are piling up. In times like these, why should taxpayers pay for some professor's studies of the sex life of the screw worm fly, the development of language in chimpanzees or the classification of ants in Indonesia?

Ridiculing the eggheads is a long tradition on Capitol Hill, dating at least back to the famous Sen. Theodore G. Bilbo, D-Miss. It is being carried on today by, among others, Sen William Proxmire, D-Wis., and Rep. Robert E. Bauman, R-Md.

Proxmire recently used California psychologist David Premack's project on language learning in chimpanzees to lead a list of what he called projects "that would have turned Clifford Irving green with envy."

"The American taxpayer," declared the Wisconsin senator, "would get a better return on his money if he put it into White Russian bonds."

What Proxmire didn't know was that Premack's research, although it was intended to be a pure academic investigation of the nature of language, turned out to have immediate and enormous value. Thanks to it, teachers of retarded and autistic children have begun to use new techniques that are teaching children to speak who might never have done so. The same methods are helping adults who have lost the ability to use language because of a stroke.

"Unfair attacks of the most low-level kind," Premack called the senator's criticism. Scientists generally are furious about the philistine roastings they get periodically from congressmen, but are helpless to do much about them.

Premack wrote Proxmire remonstrating with him, and got back a letter that amounted to Proxmire saying he didn't mean to criticize his valuable work—it was some of those other crazy projects he was talking about. Premack was not mollified by a private apology for a public attack.

"It is painful to get this private letter," he said. "Proxmire admits that what I'm doing is apparently well justified, but he never admits in public that he made this attack without justification."

To date, not one of the congressmen who have put their feet in their mouths has apologized publicly to the scientists they maligned.

Last year, many newspapers carried a series of articles by James D. Davidson, executive director of the National Taxpayers Union. Davidson listed 35 seemingly outrageous examples of wasteful government spending, many of them on research.

So many congressmen got letters from constituents about the Davidson articles that the General Accounting Office, Congress' investigative agency, was asked to look into the 35 projects. What the GAO found was that some of them were years old, some of them were grossly misrepresented, the amount spent on some was exaggerated by 10 times or more, and that some never existed.

One example was a "study to find out why children fall off tricycles." The GAO discovered that it was a Bureau of Product Safety project, which cost about $20,000, to investigate what federal safety standards if any should be laid down for "Off-the-road" vehicles like minibikes and trail bikes. Current regulations cover only vehicles operated on public roads.

Another example was described as a $70,000 study of the population biology of Indo-Australian Ants. The GAO found that this one was a 1963 grant to E. O. Wilson of the Agassiz Museum of Comparative Zoology at Harvard.

Davidson could not have picked a worse example of a trivial and wasteful project. On Wilson's field work, he and Robert H. MacArthur of Princeton found a new principle called equilibrium theory that has turned out to be—in the words of Cornell entomologist William L. Brown—"the central idea of modern ecology."

Equilibrium theory makes it possible to predict, with great accuracy, how many kinds of organisms can co-exist on a given piece of land. It also can foretell what organisms are doomed to extinction, and how long it will be until they are extinct.

"A totally unexpected concept, a genuine breakthrough," declared Brown. Wilson and MacArthur's work is being used as the principal theoretical guide to the design and management of parks and nature reserves, but its potential value goes far beyond that. It even has important implications for human populations.

Brown, whose student Wilson once was, is hopping mad. He wrote Proxmire a letter calling the attack "a cheapshot political ploy" that helps undermine public confidence in science at a time when science is becoming increasingly important to society.

Proxmire, Bauman and other politicians who win themselves what Capitol Hill jargon calls "a little ink" by such attacks seldom know more about a project than what they read in a list of National Science Foundation grants: the title, often in dense scientific terms, and the amount of money.

Critics of the study of the sex life of the screw worm fly, which caused a good deal of merriment in the halls of Congress a few years ago, did not have the foggiest idea of what they were making fun of.

They could easily have found out, if they had bothered, that the screw worm fly was a major pest that has destroyed millions of dollars worth of cattle in Texas and was threatening to wipe out that state's herd of wild deer.

The basic research into the fly's life cycle made it possible for other scientists to design a way of attacking the insect. The screw worm fly, it was found, mates only once in its life. So millions of male flies were bred and sterilized with radiation. Released in the areas where the flies breed, they mated with female flies. The result: screw worm flies are no longer numerous, and the damage they cause is all but eliminated.

Scientists are both embarrassed and apprehensive about having to defend their work on the basis of its practical value. Basic research, they believe, is valuable for its own sake.

"People generally have no understanding of the scientific process," Premack said. "The public knows only about the applied end. Everybody has heard of Jonas Salk. They don't know the name of immunologist John Franklin Enders, whose work made the Salk vaccine possible."

Enders received the Nobel Prize in 1954. His studies, especially on culturing poliomyelitis virus in living tissues, were essential to development of the vaccine that has turned polio from an annual summer scourge into a rare disease.

"You start off with a very basic problem," explained Premack. "You are not out to cure polio, or heart disease. You are simply fascinated by a problem, and you can't tell why. This alone makes you very suspect.

"People can't imagine how deeply caught up in his work a basic scientist is. He works 18 hours a day, seven days a week, until he dies. He can't do otherwise. The average person can't understand being that fascinated by something. He can't—he is bored himself."

Premack dislikes having to defend his chimpanzee research on the basis of the practical value it has turned out to have. "We were simply asking a very basic question," he said. "What is language? It did turn out to produce actual language training procedures that are being very widely applied."

But had it not had this result, it would still, Premack believes, have been worth while.

Scientists believe that, in the end, all knowledge is worth having. Good basic research will always have value—somewhere, some time.

"About 20 per cent of the research we finance," said public affairs officer Jack Renirie of the National Science Foundation, "turns out to have immediate practical applications. People joke with us—why don't we just finance that part and save money on the other 80 per cent? The answer is you don't ever know which project is in the 20 per cent and which is in the 80 per cent."

It is not widely known, even in Congress—which passed the law creating the NSF—that until 1968 the federal research foundation was actually forbidden to finance applied research. All its grants were supposed to go to basic researchers. Now a proportion is required to go into applied research with a definite, practical goal.

KOKOMO, IND. TRIBUNE SUPPORTS FINANCIAL DISCLOSURE LEGISLATION

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. KASTENMEIER. Mr. Speaker, the Kokomo, Ind., Tribune, in its June 6, 1975 editorial endorsed H.R. 3249, the Financial Disclosure Act, which Congressman ALAN STEELMAN and I have introduced and which has been cosponsored by 135 of our colleagues. The passage of legislation establishing uniform financial disclosure reporting standards throughout the Government is essential if we are to regain public trust. I commend this editorial to the attention of my colleagues.

CONFLICT OF INTEREST

A recent Chicago Tribune story asked, "Who owns stock in at least two public utility companies, 15 banks, four major oil companies, several airlines, the phone company, three natural gas firms and holds the deed to one Oklahoma oil well? The answer: members of the House Ways and Means Committee.

A Congressional Quarterly survey of financial reports filed by members of the U.S. House of Representatives on their 1973 income showed that 113 had interests in banks, 70 had interests in real estate, and 66 reported holdings in the top 100 defense contractor firms.

Another report, by the Government Accounting Office, noted that 42 employes of the U.S. Geological Survey, the agency which determines the value of natural resources for federal leasing, had financial interests which conflicted with their official duties. The study revealed that several USGS employes had interests in mining companies.

Most sources of outside income are not illegal. However, there is a danger that public officials could be caught in a conflict between the possibility of private gain and their duty to serve the public interest.

In 1974, all candidates for Congress were asked by a private organization, Common Cause: "Will you vote for legislation requiring annual, public disclosure of financial holdings by members of Congress and their professional staff, and by high officials of the executive and judicial branches of the government?" In the 94th Congress, 51 of the 60 responding Senators supported the legislation while 269 of the responding Representatives did, also.

Personal financial disclosure bills that have been introduced include HR 3249, offered by Reps. Robert Kastenmeier (D-Wis.) and Alan Steelman (R-Tex.) and S 181, sponsored by Sens. Philip Hart (D-Mich.) and Clifford Case (R-N.J.) and Lowell Weicker (R-Conn.).

There are presently financial disclosure guidelines for all branches of government, but they are sketchy, weak and require little public disclosure. The Congressional code of ethics requires public reporting only of contributions and gifts received by congressmen. The legislation now before Congress is aimed at correcting these deficiencies. It would require all elected officials, candidates for office, persons in government making more than $25,000 annually, and generals and admirals to file comprehensive disclosure statements.

Those covered by the legislation would have to file annual reports of their assets, liabilities, holdings in securities, commodities or real estate in excess of $1,000, and income and gifts over $100.

It may be a long time before such laws with teeth in them are enacted, but a good many people think they should be.

CONSUMER PRODUCTS SAFETY COMMISSION

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. RHODES. Mr. Speaker, the Comptroller General of the United States has sent me a letter communicating his views on the Consumer Product Safety Commission legislation, S. 644 and H.R. 6844. Specifically, the Comptroller General seeks to inform Members of his views on the Senate-passed version prior to the consideration of H.R. 6844 by the House.

At the request of the General Accounting Office, a copy of the letter is inserted in the RECORD for the benefit of all Members:

AUGUST 4, 1975.

Hon. JOHN J. RHODES,
Minority Leader,
House of Representatives.

DEAR MR. RHODES: Our attention has been called to the likelihood that the bill H.R. 6844, 94th Congress, Consumer Product Safety Commission Improvement Act of 1975, will be before the House of Representatives for consideration in the near future. On Friday, July 18, the Senate passed a companion bill, S. 644, which, as amended on the floor of the Senate, contains provisions affecting the work of this Office on which we wish to offer the following comments.

Section 11 of the bill as passed by the Senate contains a new section 35 of the Consumer Product Safety Act, 15 U.S.C. §§ 2051 *et seq.*, Cong. Rec. S13041 (daily edition, July 18, 1975), entitled "Cost and Benefit Assessment Statements," which proposes to require the Consumer Product Safety Commission (CPSC) to prepare a cost and benefit assessment statement with respect to any rule governed by 5 U.S.C. 553(b) which is likely to have a substantial economic impact. The last sentence of 35(a) provides that before releasing any cost and benefit statement to the public, the agency shall transmit to the Comptroller General such statement and any appendix thereto which indicates the assumption made regarding the means and attendant costs of compliance with the proposed rulemaking, including any manufacturer's costs and consumer costs reflected in the price of any product affected by such rules.

Section 35(i) provides that the Comptroller General shall monitor and evaluate the implementation of section 35, and in addition, 3 years after the effective date of the section conduct a comprehensive review thereof including an evaluation of the advantages of cost and benefit assessment statements and of the nature and extent of Commission compliance with section 35. It further provides that the Comptroller General will submit to Congress a report on such study and review together with his recommendations as to the necessity or advisability of the provisions of section 35, and the need to amend subsection (k) or any other provision of the section. The last sentence of section 35(i) requires the Comptroller General, if he determines the assumptions in any statement submitted to him pursuant to subsection (a) of section 35 are inaccurate, incomplete or unjustified to so report to the committees of the Senate and House having jurisdiction over the Commission.

Concerning the provisions in section 35(i) that we submit the required report to the Congress and include therein our recommendations on certain specified matters, these purposes can be achieved within the legal authority already provided our Office by law, and hence, it would not be necessary to include such language in the bill.

With respect to the last sentence of section 35(i) requiring the Comptroller General to review cost benefit statements submitted to him pursuant to section 35(a), we would review such statements in carrying out our statutory duties on a sample basis as a matter of course and would analyse the accuracy, completeness and justification of the statements. The requirement that we review all statements filed pursuant to section 35(a) would result in substantial additional workload for our Office and have an adverse impact on our ability to carry out all our statutory duties.

Considering the foregoing we recommend that the last sentence of section 35(a) and the last three sentences of section 35(i) be deleted from the bill as passed by the Senate.

A proposed section 35(a) as passed by the Senate provides that:

"(f) The Commission shall issue, pursuant to the provisions of this subsection, regulations providing guidelines as to the nature and content of any cost and benefit assessment statement required by subsection (a) and insuring that information deemed by it to be necessary or appropriate to the preparation of any such cost and benefit assessment statement shall be obtained. Such regulations shall be issued by the Commission *upon recommendations submitted to the Commission by the Office of Management and Budget and the General Accounting Office.* * * *. The Commission shall provide public notice of proposed rulemaking to implement this subsection within 60 days of the effective date of this Act, and shall issue regulations implementing this subsection within 180 days of the effective date of this Act. *After issuance of any regulations implementing this section, the Commission shall transmit them to the Congress, together with all recommendations submitted to the Commission pursuant to this subsection. Such regulations shall take effect 90 legislative days after such transmittal to the Congress by the Commission, unless either House of Congress by resolution of disapproval, pursuant to procedures established by chapter 35, title 44, United States Code, and by section 1017 of the Congressional Budget and Impoundment Control Act of 1974 (31 U.S.C. 1407)*, disapproves such regulations, except that Congress may by concurrent resolution modify such regulations within such 90-day period, in which case such regulations shall take effect in such modified form." (Italic supplied.)

With respect to the language of this section invoking provisions of chapter 35 of title 44, United States Code, as amended by Pub. L. No. 93-153, approved November 16, 1973, we offer the following comment.

The section requires that the regulations to be issued to provide guidelines as to the nature and content of cost and benefit statements shall be transmitted to the Congress. Further provision is made that:

"Such regulations shall take effect 90 legislative days after such transmittal . . . unless either House of Congress by resolution of disapproval, pursuant to procedures established by chapter 35, title 44, United States Code . . . disapproves such regulations. . . ."

Under section 3512 of chapter 35, title 44, United States Code, the General Accounting Office is responsible for reviewing the collection of information required by independent Federal regulatory agencies to assure that information required by such agencies is obtained with a minimum burden upon business enterprises and other persons required to furnish the information. Also, we are required to determine whether information sought to be furnished by proposed regulations is unnecessarily duplicative of other information filed with other Federal agencies and departments. Pursuant to this authority we have assumed authority for review, generally, of regulations issued by the CPSC and would expect to exercise the same responsibility over the regulations proposed by section 35(f) to the extent section 3512 of title 44 *supra* is applicable. This being the case, we believe the reference to chapter 35 of title 44 is ambiguous and misleading.

Insofar as congressional action pursuant "to procedures established by chapter 35 of title 44" *supra*, we find nothing in the cited chapter of title 44 calling for congressional review of regulations promulgated by regulatory agencies.

In view of the foregoing, we recommend deletion of the reference to chapter 35, title 44, United States Code.

Also, the second sentence of subsection (f) refers to "recommendations submitted to the Commission by the Office of Management and Budget and the General Accounting Office" as the basis for issuance of the subject regulations. We find no other reference to or explanation of this provision. If it is intended that this Office make recommendations of the kind suggested, we believe the provision should be clarified. Otherwise we recommend that the sentence be deleted.

Sincerely yours,

ELMER B. STAATS,
Comptroller General of the United States.

COLOMBIA—PROGRESSIVE DEMOCRACY

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. COLLINS of Texas. Mr. Speaker, during this past month I had the opportunity to visit Colombia which is a country growing stronger year by year. I visited Bogotá and Medellin which are two of its greatest cities.

I enjoyed my conversations with U.S. Ambassador Vaky as he is so enthusiastic about Colombia and the future of the country. He believes Colombia's greatest strength is the Republic under which they live and the successful two-party balanced government they maintain.

Colombia has a strong middle class. They have a well-educated, aggressive citizenship. With the rising coffee prices they should experience good years ahead.

I was especially interested in Ambassador Vaky's strong support of Colombia's free enterprise system. With many countries sliding downhill into nationalized socialism, Colombia moves forward with private industry growing and becoming more efficient. Colombia's strong middle class and efficient, well-trained business executives are the base of Colombia's growth. The Communists are inactive there.

As the United States reviews the changing conditions in the world, we need to reassess who are our true and dependable friends. I agree with Ambassador Vaky who speaks so highly of the importance to us of Latin America and the great strength of the progressive Republic of Colombia. Colombia is a friend in whom we are all proud.

SOUTH BOSTON MARSHALS

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. MOAKLEY. Mr. Speaker, I rise today to bring attention to a very courageous group of people in my district—the 9th Congressional District of Massachusetts. I am referring to the more than 200 South Boston volunteer marshals who took part in keeping the situation at Carson Beach in South Boston from turning into a riot.

Let me take a few steps back and relate the incidents that took place on August 10 at Carson Beach. On that Sunday 4,000 whites and 2,000 blacks faced each other at a demonstration on the beach. A confrontation was beginning to take place in that objects were being thrown and insults were being exchanged. At this crucial point the police intervened along with more than 200 South Boston volunteer marshals who wore yellow armbands.

These marshals worked all afternoon to make certain that no actual violence erupted. Although injuries occurred, they were minor compared to the potential danger of this type of situation. The marshals worked steadily to see that an actual violent confrontation did not take place, and they were highly successful.

The marshals were organized by the South Boston Information Center. They worked on that Sunday under the direction of Mr. Warren Zaniboni, who is a volunteer member of the center and resides in our district. I want to especially commend this individual for his peacekeeping efforts.

This incident at Carson Beach began several days of violence in a variety of forms. In all of this turmoil, we tend to forget the positive aspects of a negative incident. These marshals are the positive aspect.

These are the people who restored order to confusion. These are the people who attempted to be fair in the middle of turbulence. And, these are the people who showed courage during a potentially dangerous situation. They volunteered their time and showed outstanding ability during the Carson Beach incident. We of South Boston owe them a great deal of thanks.

CONNECTICUT YOUNG CITIZEN'S CORPS: A PROPOSAL

HON. ANTHONY TOBY MOFFETT

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. MOFFETT. Mr. Speaker, I have suggested on several occasions that we ought to look seriously at the possibility of reviving the Civilian Conservation Corps as a means for reducing unemployment. The environmental and economic benefits of such a program are obvious, but I think we should note as well the educational value.

When the corps was created in the early 1930's, it was heralded as an unemployment measure, and a very successful one it proved to be, providing useful work for 3 million persons over a 3-year period. But it was not very long after its inception that the corps began to emphasize the development of self-expression, mental ability, and an understanding of prevailing social and economic conditions, with the aim of improving those conditions.

Although it ended in 1942, the corps very nearly became a permanent program. I, for one, wish that it had, and am looking into the possibilities for creating a new program along the lines of the Civilian Conservation Corps. In the hopes that it will prompt some discussion of the subject, I am placing in the RECORD a most interesting and thought-provoking proposal recently formulated by several community colleges in Connecticut. The proposal follows:

CONNECTICUT YOUNG CITIZEN'S CORPS: A PROPOSAL

The Connecticut community colleges are enthusiastic about the proposal to provide an organized employment/education program for unemployed young citizens of Connecticut, ages 16 through 19, as put forward by Mayor John Thompson and adopted in the 1974 platform of the Democratic party of this state.

In order to move the platform statement and Mayor Thompson's proposal in the direction of implementation, the Connecticut community colleges hereby indicate their willingness to engage in negotiations to operate such a program, and offers this initial proposal for a format within which it would undertake to conduct such a program.

A. The community colleges will act as prime sponsors for the supervision and coordination of the program for separate modules of community corpspeople, each group numbering no more than 15 with each group assigned a full-time professional coordinator for the two-year period of enrollment of the corpspeople.

B. The college coordinators will have backgrounds which include work with youths. They also will have a broad educational background covering basic instruction in appropriate areas. Further, they must be in good physical condition so they can work directly with the members of the corps on projects. They will therefore be expected to be on the job site a great majority of the time supervising the corpspeople and actually working on the project. It would be the direct responsibility of the coordinator to structure periodic educational activities both at the job site and if possible on the campus. An example of the former would be gathering the entire corps together while on an ecological mission to figure out how many plants are needed to cover an area through the use of basic mathematics.

C. The colleges, acting through their coordinators will undertake to provide the following services:

1. Initial contact interview with corpspeople.
2. Placement testing, both academic and vocational.
3. Arrangements with agencies for work assignments; or develop special work assignments.
4. Plan and conduct programs of educational development to parallel the work assignments, so that corpspeople are ready for entrance to college, possibly in advanced status, upon termination of the two-year enrollment.
5. Schedule regular conferences on academic progress.
6. Arrange transition to college enrollment or permanent employment at end of the corps enrollment.

D. Activities of the corps connected with the community college:

1. No activity undertaken by the corps will be in a job field ordinarily held by a salaried employee or wage earner: the corps is not used to displace workers.
2. All corps assignments will be for public agencies and for the public good.
3. A major emphasis of the corps units will be the improvement of services, including services connected with the environment in the state. The wide geographic spread of community colleges would provide maximum flexibility for corpspeople to work in a large city or rural area in all parts of the state. Potential projects include: working with social service agencies, especially ones concerned with the handicapped and the aged; development of recreational area in the state parks; development of hiking and bike paths in the state and local parks; reforestation of areas ravaged by caterpillars, and replanting of trees in towns hard-hit by Dutch Elms disease; clean-up of rivers and streams; etc.

E. Experimental living-learning centers: The work and learning related to the corps program would dramatically increase if selected corps people could live together with their coordinator in two to four experimental living-learning centers throughout the state of Connecticut. These experimental centers would provide the total environment necessary for dramatic changes in the development of positive attitudes necessary for progress in a college. These experimental living-learning centers could be built through the activities of the initial corpspeople in rehabilitating housing or other smilar structures as living units in the vicinity of their home college. These rehabilitated structures then would be available as living centers for the corps as long as it existed in that area. By rehabilitating structures, the corps will be learning marketable skills. To furnish the living centers, the corps would rebuild and refinish second-hand furniture, again learning marketable skills at little cost to the state. In addition, the corpspeople would be expected to perform all household duties, including the governance of their living-learning centers. Budgeting, cooking, and household work and control thereof would be utilized as teaching opportunities. This value of work and in its totality as a contribution to society will develop positive attitudes about work self.

F. Costs.

1. College costs, and hence contract rate, would be approximately $20,000 per each 15 corpspeople group or fraction thereof per year. This cost would include the salary of the coordinator and all other college services to the corpspeople.
2. College costs, and hence contract rate, would be approximately $3,000 per corps per-

son in 15 corpspeople groups for the four experimental live-in groups. In addition, $10,000 would be needed to lease and equip a living unit for each sub corpspeople group formed.

This proposal is respectfully submitted to the President and the Executive Director of the Board of Trustees for Regional Community Colleges for discussion and modification.

AGRICULTURAL CONSERVATION PROGRAM

HON. ALLAN T. HOWE

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. HOWE. Mr. Speaker, I fail to see any reasoning behind a legislative decision which would take money away from an area that is designed to improve the environment in which we live. When the administration made its recommendations for agricultural appropriations for fiscal year 1976, the budget, like previous budgets under Presidents Ford and Nixon, failed to request funds for the agricultural conservation program.

Fortunately, the House of Representatives was of a different mind and not only reinstated those funds but increased them in the recently passed appropriations bill for the Department of Agriculture. This same course has been necessary other years as well.

It has been brought to my attention that some feel Congress has neglected environmental considerations in the drive to increase our energy resources. On the contrary, the Congress has tried to reach a balance between the utilization of our energy reserves and the protection of our environment through passage of legislation which provides funds to protect the natural resources we have now, as well as increase our energy potential.

Through the agricultural conservation program and the work of the Soil Conservation Service and its nationwide districts, conservation matters have been given priority treatment. The coordination efforts by the agricultural conservation program between Federal and State agencies, as well as adjustments in the use of land, has helped to avoid severe damage to precious soil and water resources. Also, by effectively reducing pollution in outlying rural areas, such as sedimentation buildup, the conservation measures have helped major rivers and harbors near our cities.

It is these kinds of advantages which clearly point to the need for a sound conservation program. Decisions on how we can best use our land, what its capabilities are, and what type of treatments are best for its protection and improvement, have been made at the conservation level. The conservation programs, however, have operated at a disadvantage and the funds they have previously received have not met their needs, particularly in areas of personnel.

In the recently passed appropriations bill, there is an increase in funding for conservation over last year but a total decrease in spending for the entire bill from the previous year and the administration's recommendations.

Through this increased funding, conservation measures can reach a higher degree of coordination between Federal, State, and local levels, with, hopefully, greater input from local officials and less bureaucratic strangulation from the Federal Government.

Funds have also been provided under this legislation for investigations and surveys of watersheds to serve as a guide to balance, develop, and coordinate upstream agricultural aspects with downstream aspects.

The Department of Agriculture has estimated that there is an overall loss of 5 tons of topsoil per acre per year. This is not only a loss of precious productive farmland but it also creates a heavier sediment buildup. Proper planning can help reduce this severe damage that results from flooding or sediment disposal.

The agricultural conservation program has also helped coordinate irrigation methods in my own State of Utah. Because the State is situated in a desert region, water has always been of vital concern to residents. Water runoff during the spring months must be carefully monitored and preserved to be fairly allocated for crop and livestock maintenance.

Under the funding provisions of the program, each State receives moneys based on individual needs. Utah's allotment in 1975 was $178 million and should be close to that figure for fiscal 1976. Some of the funds, of course, will go for irrigation improvement and/or reorganization.

Not only has the agricultural appropriations bill given more funds for soil and water conservation, but the Interior appropriations bill also makes funds available to the Bureau of Land Management for the development of a comprehensive rangeland improvement program.

At the present time, the BLM, in conjunction with livestock operators, develops and restores grazing land through an allotment management planning program. The benefits of this program are not only realized through improvement or availability of additional grazing lands, but it also improves wildlife habitate by planting trees, grass and other plants and stabilizes the soil to improve watershed capabilities.

The additional funding to the BLM budget will provide the extra assistance necessary to coordinate a program to preserve our soil and water resources, so important to the economy of the State of Utah.

Soil and water conservation is not only helpful but necessary if we are to maintain natural resources for future generations, but complying with these measures has placed a burden on farmers, who, like everyone else, are struggling under the pressures of inflation.

To combat this program, an amendment to the Agriculture appropriations bill, offered by Representative John Burton, Democrat of California, was passed providing additional funding to the Farmers Home Administration for their revolving loan fund for soil and water conservation use. There is also a provision for a 5-percent, 40-year loan to small farmers who are having difficulty meeting Environmental Protection Agency water standards.

I strongly supported this measure because I believe that this kind of assistance is definitely needed not only for the success of the overall program but to offset additional costs for farmers. With these funds, programs can be put into motion faster and operate more effectively.

The additional funding to the agricultural conservation program, the Farmers Home Administration and the funding provided in the appropriations bill for the Department of the Interior, will no doubt continue to preserve our environment and natural resources now and for the future.

DESTRUCTION IN THE DESERT

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. BELL. Mr. Speaker, I would like to call to the attention of my colleagues an excellent editorial published in the Los Angeles Times concerning the gradual destruction of the fragile California desert.

The editorial supports the legislative efforts of my friend and distinguished colleague, Congresswoman Shirley Pettis, to stop this wanton and reckless destruction of the California desert with its wealth of ecological, historical, archeological, and recreational assets.

The text of the editorial follows:

DESTRUCTION IN THE DESERT

Continuing motorcycle vandalism and ravages by other off-road vehicles point up the need for speedy congressional action to protect and preserve California's fragile desert and its priceless cultural resources.

Earlier this year, motorcyclists deliberately destroyed a prehistoric Indian intaglio in the desert floor near El Centro. The vandals tore down part of a fence and then rode their bikes in circles over the series of large geometric designs, which may be 5,000 years old. There have been scattered, less flagrant incidents since then, but the Bureau of Land Management doesn't know exactly how many, because it has only 27 rangers to patrol the 16 million acres of desert in the state. They have no arrest powers.

Many operators of off-road vehicles are cooperative, but too many are not; for them, "friendly persuasion" is a waste of time. It would, in fact, endanger the lives of the unarmed and undermanned ranger force. The rangers must be given arrest authority and their ranks substantially increased if they are to cope with the problem.

One hopeful sign is that a House subcommittee has completed the markup of a bill by Rep. Shirley Pettis (R-Loma Linda) that would provide funds for planning and for a larger ranger force with added police powers. The measure would become part of an organic act covering public land policy and management. While other parts of that omnibus measure may produce controversy, the Pettis provisions should not.

Wanton destruction of artifacts has long been a problem in desert management. Congress should not delay in correcting the situation.

DEREGULATION

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. ARCHER. Mr. Speaker, on August 31, 1975, the Emergency Petroleum Allocation Act of 1973 expired and with it died the authority of the executive branch to control the price of domestic oil and to allocate petroleum supplies.

I heartily applaud the end of price controls on domestic oil. It is a positive step forward in our national effort to promote additional exploration for new oil supplies. No action yet taken by the Congress or the executive branch will do more to provide the necessary incentives for the increased production of oil which is essential to our Nation's economic and strategic interests.

This is an action that will be welcomed by most Americans. A comprehensive national energy program is the top priority of the American people. Nothing should be more apparent to my colleagues in the Congress as they return to Washington from their districts across the country. After talking with my constituents and reading their letters, I can testify that there is no more important issue to them.

A July 1975 sampling of national opinion by Louis Harris showed 54 percent of all Americans favored deregulation when asked the question "Would you favor or oppose deregulation of the price of all oil produced in the United States if this would encourage development of oil production here at home?" Only 22 percent of those polled were opposed. This is a dramatic increase over the April 1975 results which showed 46 percent favoring deregulation and 31 percent opposed and a complete reversal of the July 1974 sampling which showed 29 percent favoring deregulation and 42 percent opposed.

The American people have reached a conclusion that should have been apparent to their elected officials in Washington. Controls on oil prices only serve to distort the functioning of our free enterprise system and their removal provides the most effective and immediate means of providing incentive for our Nation's energy industry to invest the billions of dollars needed to stimulate increased exploration and production.

The President is now faced with a critical choice—will he sign the legislation passed by Congress extending price controls and allocation authority until March 1, 1976, or will he veto this measure? I strongly urge the President to veto S. 1849.

A 6-month extension of controls is not the answer to our energy dilemma—it is a de facto admission that the Congress has no energy policy. We cannot reasonably expect any large-scale commitment of funds for exploration by private enterprise when there is no long-term pricing structure in existence from which revenue expectations can be realistically projected. We cannot expect any increase in exploration so long as there are no incentives for investment.

Our Nation's oil industry is slowing to a halt due to the many uncertainties created by the lack of an energy policy upon which basic business decisions can be made. Supply contracts that should be signed and investments that could be made will not be acted upon as long as there is a possibility that price controls will be reinstated or that prices might be rolled back to arbitrary levels. The current energy situation is characterized by indecision and inaction.

The Congress has failed to produce a viable energy program. We must now rely on the force of supply and demand in a marketplace unencumbered by restrictive controls to provide a renewed vigor to our exploration and production efforts.

A Presidential veto of S. 1849 is warranted and necessary. I urge and wholeheartedly support such a course of action.

HAROLD C. TROIDL RETIRES FROM UAW DIRECTOR'S POST

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. NOWAK. Mr. Speaker, for over a quarter of a century Harold C. Troidl has served ably as director of the United Auto Workers western New York district.

His expertise in union matters was earned over many years as he worked up through the ranks, and he is highly respected by labor and management alike, as well as by the civic and community officials with whom he has worked on so many projects.

Harold Troidl has announced his retirement on October 1, 1975, and his leadership will be greatly missed. Yet I am sure he has the gratitude of the countless people he has assisted through the years and their very best wishes for a happy and leisurely retirement. As part of my remarks I am inserting a recent article from the Buffalo Evening News:

TROIDL PLANS RETIREMENT FROM UAW

(By Ed Kelly)

Harold C. Troidl, director of the 55,000-member Western New York district of the independent United Auto Workers, today announced that he will retire from his union post on Oct. 1.

It will be an early retirement for the veteran labor leader, who is 62. Because of the large UAW membership in this area, Mr. Troidl's directorship—which he has held for the last 25 years—made him one of the most influential trade unionists in the community.

His successor will be appointed soon by UAW Regional Director Martin Gerber of Cranford, N.J.

Informed observers believe the appointment will go to Thomas Natchuras of the Town of Tonawanda, a UAW international representative who works with the local unions at General Motors plants in this area.

Mr. Troidl, a native Buffalonian, began working when he was 13 years old. Years later, while employed in the Houdaille plant, he helped organize its work force into the UAW, later serving as bargaining committeeman and executive board member of its Local 850.

He went to work, on special assignment as a time-study and job evaluation specialist, for his international union in May 1944, and has remained on its staff to this day.

He was appointed to his present post of area director in 1950. The bulk of the UAW membership in his jurisdiction is employed at General Motors' Chevrolet plants in the Buffalo area, at GM's Harrison Radiator plants in Lockport and Buffalo, and at Ford Motor's Buffalo stamping plant.

Mr. Troidl, who lives at 109 E. Campus Dr., Snyder, has held, and still holds, a number of nonpaying positions on governmental, civic and community boards, agencies and committees, including the Erie County directorship of the Western Regional Off-Track Betting Corp.

He has been active for years on the political scene, and currently is a member of the Executive Board of the Erie County Democratic Committee.

RESULTS OF THE 1975 QUESTIONNAIRE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DERWINSKI. Mr. Speaker, I am very proud of the great response of my constituents again this year to my annual questionnaire. In my 1975 poll, which has now been tabulated, the residents of the Fourth District of Illinois indicated what issues are of most importance to them not only in their response to the questions, but in the additional comments they made. Since the issues of greatest concern to my constituents are of national and international significance, I take this opportunity to share the results of my questionnaire with my colleagues.

Three issues drew an overwhelming response both in the replies to questions directed to these subjects and in the personal comments of the citizens of my district. They were alarmed at excessive spending by the Federal Government; the failure of Congress to deal with energy and economic problems facing this country; and the menace posed by crime which is being compounded by ineffective handling of lawbreakers by the courts.

The results on the question "Do you believe the Federal Government should reduce its budget even if it means decreasing spending on programs you value?" indicated that 77 percent favored such reduction. On the question "Do you have confidence in Congress ability to deal effectively with the problems of today's economy?", only 19 percent answered in the affirmative. An amazing 80 percent favored legislation to require courts to set a minimum sentence of 20 years for any crime where a gun is used.

The tabulation for the complete 1975 questionnaire sent to residents of the Fourth District of Illinois follows:

RESULTS OF 1975 QUESTIONNAIRE—FOURTH DISTRICT

[In percent]

1. Do you believe the Federal Government should reduce its budget even if it meant decreasing spending on programs you value?

Yes	77
No	14
Not sure	9

2. Is it important that our nation achieve self-sufficiency in energy supply?

Yes	88
No	6
Not sure	6

3. Do you feel the Federal Government should continue providing price supports for agricultural commodities?

Yes	19
No	62
Not sure	19

4. Should the U.S. guarantee the security of Israel?

Yes	20
No	61
Not sure	19

5. In general, public employees are not allowed to strike. Should this basic policy be maintained?

Yes	76
No	17
Not sure	7

6. Do you think laws should be changed to permit private businesses, as well as the Postal Service, to deliver first-class mail?

Yes	67
No	24
Not sure	9

7. Do you believe the U.N. is effective in maintaining world peace?

Yes	12
No	71
Not sure	17

8. Legislation has been introduced which would require courts to set a minimum sentence of 20 years for any crime where a gun is used. Do you support this approach as a crime deterrent?

Yes	80
No	13
Not sure	7

9. Do you have confidence in Congress' ability to deal effectively with the problems of today's economy?

Yes	19
No	64
Not sure	17

WEST VIRGINIA DEAN ADDS TO DIALOG

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. SIMON. Mr. Speaker, Prof. David G. Temple, chairman of the Department of Political Science at West Virginia University, has joined others in responding to the call for discussion on the future of this Nation in this Bicentennial year. I am pleased to present his observations:

WEST VIRGINIA UNIVERSITY,
Morgantown, W. Va., June 17, 1975.

Hon. PAUL SIMON,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SIMON: Clearly members of the Congress are "specialized" and, equally clear, Congress has lost "policy initiative" to the Executive. However, I would be inclined to argue, although I will not do so here, that (a) specialization is unfortunate but probably necessary in view of the scope and complexity of governmental activity and (b) the role of the Congress in policy initiation probably should be confined to prodding the executive to action and exploring ramifications and alternatives to executive proposals.

The great historic role of legislatures generally has been to check the arbitrary or capricious exercise of power by the executive branch and it is chiefly on the basis, I believe, that one should attempt to gauge congressional performance. Admittedly, this role lacks drama and may suggest to some "second class citizenship" for the Congress vis a vis the Executive. At the same time, if Congress failed to fulfill this role, we might as well scrap the constitution and all notions of responsible government.

Unless party discipline and responsibility are strengthened (unlikely), and the party caucus utilized effectively, I seriously doubt that the Congress will be able to assure policy initiative or to mount comprehensive integrated public programs. Members of Congress, moreover, like most layman, are at the informational mercy of the "professionals" and the "semi-professionals" within and without government. It is impossible, for example, for the layperson to comprehend military appropriation for defense needs in terms of actual strategic and tactical problems. In the final analysis, our information for defense needs is supplied by the professional military, and such other information sources that may be available to the layperson rarely supports any viable alternative. Similar observations could be made to medical delivery systems, urban problems, energy, or virtually any other complex policy area.

Please understand I am not arguing that input by public professionals should be abolished. The issue, however, is alternative sources of information available to the Congressmen. Stated in the form of question, how well does Congress utilize alternative information sources that are presently available, and, would a general extension of alternative information sources assist a Congressman to perform more effectively?

Given the multiple demands upon a Congressman's time, I would conjecture that the expansion of alternative information sources requiring additional staff is simply not a meaningful answer for redefinition of the individual congressman's role. As an aside, moreover, having read a variety of congressional committee hearings and reports on various subjects, I believe Congress probably does a better job in obtaining information than most people realize.

It is probably unfortunate that Congressmen as well as agencies of the executive branch tend to reflect specialized interests of particular constituencies. As much as anything else, constituency orientation tends to reinforce subject matter specialization. Short of abandoning subject matter standing committees and pursuing the model such as is utilized in the British House of Commons, or rotating a portion of the congressmen periodically among the various standing committees, I see no real means by which overt specialization can be overcome.

While the well rounded or "generalist" congressman may be "a thing muchly to be desired," I doubt its feasibility in the real and practical world of American politics.

Sincerely yours,

DAVID G. TEMPLE,
Chairman and Professor.

BOLIVIA—GOOD PEOPLE

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. COLLINS of Texas. Mr. Speaker, during this past month, I visited Bolivia and was impressed with their good people. Here is a country that is a solid friend of the United States.

Bolivia is a country with progressive leadership. All the reports I received on President Banzer were excellent. During the past 4 years Gen. Hirgo Banzer Suarez has led the country with a keen understanding of economics and social development. Everyone reported the President to be a hard worker who traveled extensively to the far corners of his rugged country. He is honest and has selected capable associates.

Bolivia shows more fiscal commonsense in managing their budget than we do in the U.S. Congress. Even in the sharply falling price of their major export, tin, they have been able to maintain a balanced budget. In checking, I found Bolivia now has a historically high level of net foreign exchange reserves in the amount of $140 million.

La Paz surprised me. I found the climate delightful despite the high altitude. The air was clear and I felt good. The scenery was superb.

I give General Banzer a large share of the credit for building Bolivia's stability. Although they have entered the oil business, they have not sought participation in OPEC. In addition, the United States has excellent business relations as shown by our 144-percent increase in our exports to Bolivia. We have also shown a big increase in our share of Bolivian imports.

I had two visits with Jorge Lonsdale who is president of Bolivia's Confederation of Businessmen. His solid support for General Banzer comes from the cooperation the government has given private business to grow and expand. It is always refreshing to find a political leader who encourages job opportunities and business growth.

Bolivia needs 25 years to reach its economic potential. There will not be technical jobs in industry available until Bolivia develops its roads and improves the railroads for better transportation.

Bolivia is our friend. Ambassador Stedman has strong confidence in the stability of Bolivia. The United States shares in the pride of achievement of our Latin American neighbors.

GASOLINE PRICES AND COMMONSENSE

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. RHODES. Mr. Speaker, there has been an excessive amount of clamor and claim being circulated about gasoline prices. Some have prognosticated enormous increases in the price of gasoline under any decontrol program. Most of these exaggerated statements have been less predictions than political agitations aimed at stirring up consumer wrath against the Nation's oil companies, and at the same time camouflaging the failure of Congress to enact a sensible and workable oil and energy package..

The Union Oil Co. ran an advertisement in many of the Nation's publications, pledging restraint in gasoline prices, and pointing out that decontrol is the best path to stimulate exploration and development of new oil resources the country needs. This is a fine example of corporate responsibility, and contrasts sharply with the irresponsible and wild statements made without recourse to fact or reality.

I urge my colleagues to read this ad, which injects a note of commonsense into what has become a confused and politically dominated situation. Also, I urge again that we establish a single energy committee in the House, so that we can enact a practical program that is fair to the producers and consumers of vital petroleum products.

Text of the advertisement is as follows:

A PLEDGE FROM UNION OIL COMPANY TO THE AMERICAN PEOPLE—GASOLINE PRICES AND COMMON SENSE

Congress and the President have not yet reached an agreement on how to decontrol "old" crude oil prices. Consequently, all controls may expire at the end of August and the prices for about 40% of the crude oil processed by the nation's refineries could rise to world levels. Many misleading statements have been made about the impact of this decontrol on gasoline prices. Some of these statements claim that prices will rise by 10¢ or more per gallon.

These statements simply don't square with the real world situation. Competitive pressure kept gasoline prices down before the Arab embargo and controls. Competitive pressure will restrain prices once controls are lifted.

Union Oil strongly urges that "old" crude oil prices be decontrolled as a necessary step in developing adequate domestic crude oil supplies for the nation. Coupled with this decontrol Union Oil urges presidential action to suspend the present $2 a barrel tariff on imported crude oil.

If "old" oil is decontrolled and the tariff is suspended on September 1, Union Oil pledges it will *not* increase its prices for gasoline, heating oil and diesel fuel to its service station dealers and its jobbers by a total of more than 2¢ a gallon through the remainder of 1975. Since Union Oil did not increase these prices in July (and does not intend to increase them in August), such action would mean that our average price increase during the second half of 1975 would be less than 2¢ a gallon.

Of course, if the prices of the foreign crude oil that we must purchase are increased, we may find it necessary to attempt to pass through these increases by raising product prices. Likewise, if Congress or other governmental agencies impose new taxes on the petroleum industry, we would have to raise our prices in order to pay such taxes. We cannot escape the fact that such higher costs, in the long run, can only be paid for by the consumer.

The above statements are made in an effort to bring some common sense to an uncommonly confused subject.

UNION OIL COMPANY OF CALIFORNIA,
Los Angeles, Calif.

COMMENTS OF HON. THOMAS J. DOWNEY ON THE STAGGERS AMENDMENT TO H.R. 7014

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DOWNEY of New York. Mr. Speaker, the time has come for the people of this Nation to realize that the energy crisis has not gone away and probably never will. The price of gasoline is still much higher than it was in 1973. And while there is not now a world shortage of oil, an uneasiness exists that if the Arab countries shut off our foreign oil again we are going to be in very deep waters.

The hard fact is that life in this country is never going to be quite the same. The days of cheap and abundant energy are gone forever. With the promise of yet another OPEC price rise, we can see that the price of energy will continue to rise well into the future.

The threat which this situation poses to our security and the impact which it has had upon our economy has generated strong pressures for action to reduce imports, conserve fuel, and increase domestic supply.

On January 15, President Ford outlined his national energy plan to reduce consumption by raising oil prices through increased import fees and decontrol of domestic oil prices. We have been told by the administration that this approach to our energy problems will reduce U.S. reliance on insecure imports and increase U.S. production without significant adverse economic impact.

Yet, Mr. Speaker, it has been estimated by the Energy and Power Subcommittee of this House's Interstate and Foreign Commerce Committee that the President's oil tariffs, combined with his proposed decontrol of domestic oil, and the increase in OPEC prices expected in October would cause an increase in unemployment by one half million by December 1976 and an increase in the rate of inflation of about 12.8% by the same month.

On Wednesday, July 16, the Ford administration submitted its first compromise to the scheme of total domestic decontrol. Under this plan the President proposed the gradual removal of price controls on old oil at a rate of 3.3 percent per month over a 30-month period ending January 31, 1978. Again, in support of his proposal, the President stated that its adoption was necessary in order to enable this Nation to achieve energy independence. He also claimed that its adverse effect upon the American economy would be minimal. The evidence does not support either allegation.

The Power and Energy Subcommittee estimated that the effects of this second plan, as of the fourth quarter of 1977, would be to increase unemployment by 8 percent, increase consumer prices by 2 percent, decrease real GNP by $26 billion, decrease housing starts by 15 percent per year and decrease auto sales by 9.7 percent per year. I was gratified that the House of Representatives on July 22 found this plan unacceptable.

On July 25, the President submitted his second "compromise" which calls for gradual decontrol of the price of old oil over a 39-month period with a ceiling price of all domestic oil—including new oil which is presently not controlled—of $11.50, increasing at $0.05 per month beginning October 1, 1975.

Because this plan begins by rolling back the price of new oil—presently uncontrolled—to $11.50 it effectively defers inflation and the resultant recessionary forces until 1977 and 1978, which conveniently follow an election year. But, Mr. Speaker, inflation at any time is still undesirable.

The question we all have to ask ourselves is whether it is necessary to create these severely adverse economic side effects in order to cut back on our consumption of foreign energy. Numerous studies have indicated that if we, as a nation, make a concerted effort to use our energy efficiently and wisely, we could effectively reach energy independence. I submit that we do not need to go along with the President and place such an undue burden upon this Nations' consumers.

The Congress has already taken affirmative action. In June it passed the Energy Conservation and Conversion Act, a comprehensive measure that establishes a national energy program to encourage conservation. This week we have before us a second piece of major energy legislation, H.R. 7014, which deals with the very important regulatory aspects of this same national energy policy.

It is imperative that this Congress get on with the task of forging a meaningful compromise on this important matter, and I would urge all of my colleagues to support the Staggers domestic oil pricing amendment to this worthy piece of legislation.

I firmly believe that this amendment before us is the best compromise available. It will save the consumers of this Nation $33 billion over the President's most recent plan without harmfully affecting our production of crude oil.

The time has come, Mr. Speaker, for this body to move ahead on these most important energy issues.

IRS WORKING TO IMPROVE TAXPAYER SERVICE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. VANIK. Mr. Speaker, since the formation of the Ways and Means Oversight Subcommittee this year, we have been working with the Internal Revenue Service in an effort to expand and improve the quality of taxpayer services—correct answers to taxpayer questions, clarity in forms, et cetera.

Because of the staggering complexity of the tax code—a complexity created by successive administrations and Congresses—the IRS is faced with a nearly impossible job. Under the direction of Assistant Commissioner Robert Terry and Taxpayer Service Director Stanley Goldberg, I believe that the Service is making improvements in the quality of taxpayer assistance. Mr. Speaker, there is a long way to go before the level of service is completely adequate—but I do believe that the Service is making gains.

I would like to enter in the RECORD at this point a letter from Commissioner Donald Alexander describing current plans for improving the quality of service in the next tax season. During the coming months, the Oversight Subcommittee will be meeting with IRS officials to observe the progress in improving the quality of taxpayer services.

The letter follows:

Internal Revenue Service,
Washington, D.C., July 29, 1975.
Hon. Charles A. Vanik,
House of Representatives,
Washington, D.C.

Dear Mr. Vanik: I want to take this opportunity to express my appreciation to you for the interest and support you, your Subcommittee, and your staff have given the Internal Revenue Service, and particularly our Taxpayer Service Program. Messrs. Terry, Glynn, and Goldberg told me of the positive reception they received and the constructive nature of their meeting with you on July 14.

At this meeting, we committed ourselves to take certain steps or provide certain information.

1. In our testimony before your Subcommittee on April 14, we indicated that we were going to conduct a study before the end of April on the problem of wrong answers and error rates in general. Mr. Terry and the managers of our Taxpayer Service Division studied the problems affecting the quality of our service and have developed actions we can take before the next filing period to improve the quality of our taxpayer service. We met together on April 25 and on two occasions since, to review and further refine the list of proposed actions. A copy of our current action list is enclosed for your information.

2. We expect to issue our *Quality Review and Control Handbook* within the next several weeks, and I will see that copies are furnished to you and your staff. This Handbook should resolve a number of the problems identified by the GAO in their recent study of the Taxpayer Service Toll-Free Telephone System.

3. During FY 1975, we had approximately 750 year-round offices offering taxpayer service. During the filing period we had about 280 additional locations, including eight movable offices (taxmobiles or trailers).

4. Since our discussion with you on July 14, we are expediting our efforts to identify the *Most Frequently Asked Questions*. We will very likely issue these standard questions and the correct answers as a separate publication for the taxpayer. Also, we are exploring your suggestion to have them available as hand-outs in single-sheet form for our tax assistors. We will keep you advised on the specific actions we take in this area.

5. Your staff expressed an interest in attending a Taxpayer Service Division and Branch Chiefs' meeting in the Mid-Atlantic Region. We will determine when the next such meeting will be held and give you plenty of advance notice so that arrangements can be made.

6. We also will make arrangements for members of your staff to attend some of our training courses. They are scheduled at various times within the different regions, and we will provide to Mr. Vaughn several alternate possibilities. In the meantime, we will send to your staff copies of our various Instructor Guides and Coursebooks.

7. We would welcome your staff repeating the GAO Study at several IRS locations during the next filing period. I would suggest that contact be made with Mr. Glynn (964-4073) to work out the specific details.

8. Ms. Adair Atwell requested copies of the Taxpayer Profile, prepared by North-Atlantic Region and the Taxpayer Opinion Survey, both of which we will send her under separate cover. I am enclosing copies for you.

Again, my staff and I are grateful for the opportunities we have had to discuss with you our problems and progress in the Taxpayer Service area. Your questions, criticisms, and suggestions have been most helpful and supportive.

I will be happy to meet with you or furnish any further information whenever you wish.

With kind regards,
Sincerely,
Donald C. Alexander,
Commissioner.

Actions To Improve Quality—Fiscal Year 1976

1. Issue a Quality Control Handbook. It will establish uniform requirements for sampling and other techniques of work review and will provide for the reporting and use of quality review data collected.

2. Revise national training courses; develop local supplements to make course content more relevant to the Taxpayer Service job requirements; explore the use of outside training resources and services to improve training materials. Develop refresher training courses (up to one week long) for all personnel assigned to the Taxpayer Service Program for the 1976 Filing Period.

3. Develop testing programs, revise trainee monitoring techniques, develop additional trainee retention criteria. Testing will also be part of the Refresher Training Courses.

4. Install Work Planning and Control System for Taxpayer Service, to provide a systematic method for planning and scheduling work to provide for optimum use of Taxpayer Service resources.

5. Establish a Seasonal WAE Cadre; work toward establishing a special WAE register. This Seasonal WAE work-force, combined with extended coverage (using staggered hours when possible), should provide maximum flexibility to meet peak hourly and daily workload demands.

6. Complete conversion of selected employees to 526 series. Restrict use of temporaries to clerical positions. Provide for use of experienced details-in from other functions to Taxpayer Service.

7. Develop a procedure on TSS/TSR Specialization, thus encouraging a higher rate of referral.

8. Revise and give Functional Practices Course for Managers to all new managers, as a minimum, before the 1976 Filing Period. It will deal with important topics for Taxpayer Service managers such as Work Planning and Control, Quality Review, and Managing the Toll-Free Telephone Operation.

9. Provide for additional management assistance in the districts to improve quality review and control and resource utilization.

10. Establish new criteria for selection and evaluation of instructors; use, as needed, non-IRS instructors.

11. Establish more effective criteria for Taxpayer Service locations. Establish more specific guidelines for upgrading Taxpayer Service space, with emphasis on noise levels, privacy consideration and first floor locations.

RIGHT TO RESIST MANDATORY RETIREMENT

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DRINAN. Mr. Speaker, I attach herewith a valuable article from the New York Times of August 2, written by Howard Eglit, Esq., a noted civil rights attorney in Chicago.

This article points to the new jurisprudence which is developing which would give individuals a right to resist mandatory retirement imposed on them by the rule of a corporation or the mandate of a governmental unit.

The article follows:

The Green in the Green Pastures Is Brown

(By Howard Eglit)

Each day 4,100 men and women become "senior citizens." And for almost half of them, their 65th birthdays close the door to their jobs. They are mandatorily retired, a commonplace of work in America.

While they may go quietly, all do not go willingly. More than one-third of the men want to continue working. So do 50 per cent of the married women, and 75 percent of the unmarried. Working, after all, is what we are about, in part because of economic necessity. In part, also, because we anchor our egos to our jobs: We are what we do.

Things were not always so. In 1890, 68 per cent of men 65 and over were actively in the work force. Today, when the average 65-year-old man has a life expectancy of eleven years, and his wife fourteen, the new generation of "young" oldsters are economic discards.

Presumably, such an ingrained system, affecting so many, has valid justifications. In fact, the mainstays of mandatory retirement are largely myths. For example, the notion is firmly held that younger workers perform better. Virtually every major study proves the contrary. Older workers are equally, sometimes more, productive; absenteeism rates are lower, work attitudes more positive.

Another myth has as its stalking horse a caricature of a senility-decimated oldster. But senility is rare; indeed, intellectual capacity, the studies now show, can increase throughout life. When physical or mental agility do slow down, the older worker compensates with increased concentration and care.

A third myth holds that employers are unable to decide who shall go and who shall stay. Actually, such decisions are made daily—this man is hired, that one fired; Joe promoted, Jim passed over. The judgments are no different for older workers. All they ask is to be judged—like others—on the basis of performance.

The final myth is two-edged. One side of it says we must make room for younger workers; the other invokes the shibboleth of "deadwood."

Obviously, the supply of jobs in this economy is limited. (Of course, even when the statistics were brighter, they excluded unwilling retirees from the numbers computation.) But ousting older workers simply shifts the burden of too few jobs; the players are changed, but the game's the same

As for deadwood, undoubtedly people do go stale. But that happens after four years as often as after forty. Simply waiting for the forty to remove the dullard or the unbending bureaucrat is hardly a productive solution. Indeed, compulsory retirement is likely counterproductive: The 55-year-old is not going to look for another 65-and-out job. He'll stay where he's at—stale, perhaps, but at least secure.

Even if there is room for argument about the myths, that dispute should not obscure the fundamental inequity of mandatory retirement. The practice is, plain and simple, a passport to second-class citizenship.

Fortunately, the Constitution offers direction in getting to the core concern. The reasoning is straightforward, and was cogently articulated by the Supreme Court last year. The case involved two married schoolteachers, both removed from the classroom because they became pregnant. Justice Potter Stewart wrote: "The [unconstitutional] rules contain and irrebuttable presumption of physical incompetency, and that presumption applies even when the medical evidence as to an individual woman's physical status might be wholly to the contrary."

The constitutionally acceptable prescription is instead individualized assessment of each woman's ability.

Recognizing the implications, Justice William H. Rehnquist and Chief Justice Warren E. Burger hastened to dissent. Demonstrating meager regard for both pregnant women and old people, they warned that the Court would have "to strain valiantly" lest its empathy for the teachers "lead to the invalidation of mandatory retirement."

Unfortunately, what the two dissenters deplored has not yet come to pass. Numerous suits have been filed in Federal courts, but only one has succeeded—in May, 1974, a Boston panel struck down a Massachusetts law requiring state policemen to retire at fifty. The Supreme Court will hear that case in the fall, and given its record thus far of letting forced retirement rulings stand, any forecast must be hedged with pessimism. Nevertheless, the very fact that the Court is going to address the issue squarely is a signal of just how high the stakes have risen.

The prospects are brighter than the court battles indicate, however. For example, just weeks ago the Illinois House of Representatives voted 117–21 to outlaw age-based mandatory retirement in private enterprise. Similar bills have been introduced in the Congress. The senior-citizen lobby is pressing for abolition—a venture supported by the American Medical Association, which finds the practice socially unwise and physically and psychologically unhealthful.

Senior power and enlightened public opinion may yet accomplish what the courts cannot—or will not. However when the end comes, it will be welcome. Mandatory retirement, after all, is just another name for discrimination, segregating the old folks from the rest of us.

ASSESSING ERDA'S ENERGY PLAN AND PROGRAM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. BROWN of California. Mr. Speaker, the Congress now has before it the Energy Research and Development Administration's entire national plan for energy research, development and demonstration. Both the plan and the program were required, by law, to be delivered to the Congress by June 30 of this year, but until a few days ago the second volume, the program for ERDA, was not available from the administration.

The great interest shown in developing future energy sources has, quite rightly, made the administration cautious in its handling of this matter. While I wish to withhold final judgment on the proposals set forth in volume 1 and volume 2 of ERDA–48, I have already considered this subject enough to learn that even ERDA's revised priorities on energy conservation and solar energy are out of alignment with the needs and the desires of the American people.

Mr. Speaker, much will be said about the specifics in ERDA's plan, and while some of the reviews of the plan will not be fair, several will be based upon careful analysis, review and debate. Among the scheduled reviews of the ERDA plan and program are: a detailed assessment by the Office of Technology Assessment, due to be released this month; oversight hearings by the Science and Technology Committee, due to be held at the end of September; and field hearings by the Council on Environmental Quality, which is in the Office of the President, and which began today.

I am fortunate to be involved in all three of these reviews of ERDA's plan, and I expect to gain a great deal from each of these studies. The findings of each review will be made available to the entire Congress and the public. Meanwhile, I believe this Congress should encourage a responsible debate on each and every aspect of the ERDA plan and program. For this reason, I ask that a thoughtful and critical review of ERDA's solar energy development policy be inserted into the RECORD at this time.

The article from the August 12 issue of the Washington Post follows:

ALTERNATE SOURCES OF ENERGY

(By David Morris)

(Mr. Morris, co-director of the Institute for Local Self-Reliance, has written extensively in the field of alternate energy sources.)

The Washington Post does us all a disservice by not going beyond the ERDA report to Congress recently issued when it discusses future energy sources. In its editorial of July 13 entitled, The Future Sources of Energy, the Post observes, "What about solar and geothermal power? Neither, ERDA concludes, is at all likely to be available before 1985. What about the dreams of free and bountiful energy drawn from one natural source or another? ERDA observes that the future sources all require very high technology and it is a reliable rule that high technology means a high investment."

It is important to realize, as pointed out in that editorial, that ERDA's original staff was drawn almost entirely from the old Atomic Energy Commission and thus, as you comment, "inherited with it a strong internal commitment to nuclear power." Yet, with all that commitment ERDA itself has been educated by the people of this country to such an extent that in six short months it has elevated solar generated electricity to an equal priority with nuclear fusion and breeder reactors. Furthermore ERDA indicates quite clearly that solar cells, devices that convert sunlight directly into electricity, will be producing economically competitive electricity by the early 1980s. Some say this will occur by 1979 because ERDA has finally accepted the fact that at least in the solar cell field basic research is no longer critical. What is crucial is the creation of a large enough market to permit manufacturers to automate their facilities and reduce rapidly the costs of the cells. ERDA has now tripled its goal of buying power generated by solar cells. By 1979 it now estimates it will buy 2 MW, up from an estimate of only 600 KW a few months ago. And this doesn't count the potential of wind generated electricity. According to the Project Independence Task Force Report on Solar Energy wind potential is equal to solar cell potential.

How much energy can be supplied by these new technologies? That is no longer a question of technology but of our commitment and will. According to Senator Gaylord Nelson, in late 1972 a joint JSF/NASA energy panel estimated that wind energy conversion would provide 1 per cent of our electricity by the year 2000. In early 1975 NSF reported to believe that 25 per cent of electricity could be wind generated by the year 2000.

Any new technology has a difficult time gaining entrance into our everyday lives. But these are unusual times. We desperately require new sources of energy. Congress is considering bill after bill giving tax credits to those who purchase or manufacture solar energy devices. There is really nothing standing in the way of extrapolating the 2 MW ERDA is planning on purchasing to 200,000 MW. It will take a massive commitment on the part of us all. But editorials such as yours make it seem as if solar energy is in the same camp as nuclear fusion or the breeder reactor, full of the problems of a premature technology still in the theoretical stages. That is untrue. In fact, solar cells are already in operation around the world, and some have been in operation for many years. Clearly new advances will take place as with any technology. But the technology is mature right now. The same is true, of course, with solar heating and cooling systems.

It is unfortunate that those of us who are a very great deal more optimistic than the Washington Post are written off as romantics. The Post notes in its editorial that, "There is a lot of lyrical talk lately about new lifestyles for Americans. But in the real world nobody changes the pattern of his daily life very quickly or very easily." I would disagree with you. If there is one national trait that Americans possess it is our propensity to drop everything and try something new. Look at the fantastic increase in the number of crystal radio sets, from only a few dozen to a few million in the early 1920s. Or the rapid introduction of the automobile after Henry Ford. Almost 90 percent of our current supermarket products did not exist twenty years ago. No, we are not strangers to life style changes.

But I doubt that we are speaking here of enormous changes in lifestyles at all. Americans do not have to greatly alter lifestyles to switch from an internal combustion engine car to an electric one. We do not have to change our way of living tremendously if we buy returnable bottles, or if we install solar cells on our rooftops.

If the technology is available, and Americans are willing to purchase it, you might ask why there has not been a massive movement in that direction.

One reason is that editorials such as the Post's tend to confuse people about the possibilities of change, and government and corporate pronouncements are not very helpful. Why is this? I believe there are two reasons. The first was eloquently expressed by James Piper, a small businessman who has been installing cost competitive solar heating systems for many years. In testifying before the Senate Small Business Committee he went right to the core of the problem by noting:

If Westinghouse or GE came up with a usable solar system immediately it would harm their profitability in other areas. As an example, Westinghouse just submitted a proposal to ERDA for one and three quarter billion dollars for three atomic generating plants. If there was a dramatic increase of solar systems and a lowering of the need for electrical energy in the future it is possible they might not be able to sell those three plants for one and three quarter billion . . . There is not the profit, nowhere near it, in solar technologies and producing equipment that there is in producing other types of energy equipment. It is just not there.

The other reason that solar energy systems, despite the rapid advances made by small businesses and the proven viability of such systems, have not received the kind of attention they demand is more subtle. These new sources of energy have certain characteristics that might make them fearful to centralized corporate and even political institutions. They are basically decentralizing in their impact. They do not require the transportation of fuel from distant points. They do not require transmission of energy over long distances. The economics of solar cell and heating systems are such that one can generate electricity on one's rooftop as cheaply as in a central power station. Where central power stations are required their most economical size is probably at the neighborhood level.

What does this mean for those corporations in this society which have amassed such wealth and power by controlling mines, wells, or pieces of turf? Utility companies operate now on huge cash flows as people pay monthly fees. What will it mean when people purchase their own generating equipment, and pay no more monthly fees? What happens in those cities where there are publicly owned metropolitan utility companies that may prove white elephants in a few years?

There are other problems associated with this new technology. There is, for example, the question of sun rights. High rise office buildings, the most profitable type to build, may well be banned in the near future because they cut off sunlight, that is *energy* from neighboring structures. There are all kinds of questions that these new technologies demand answers to.

I agree with the Washington Post that there are great barriers to overcome in the introduction of this technology. But they are not barriers put up by the American people, but by the largest corporations in the country. There is no need for pessimism where Americans are involved. The major question now is, will our highly centralized political and economic institutions support the solutions which are already there?

MIDPOINT IN 1975

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. MATHIS. Mr. Speaker, a recent article in a publication called the "Gentry Report" has come to my attention. I feel it puts in proper prospective some of the concerns that businesspeople presently have on their minds.

It was written by Jay Jenkins, a young Georgian who is president of the Gentry Group, a land investments firm in Atlanta. Jenkins is a man who realizes we are living in troubled economic times and he is concerned. Yet, he offers some constructive suggestions and says that he believes that with the proper leadership and direction from Washington, we will recover.

I would like to share this article with my colleagues with the hope that the Congress will take the lead in providing the proper incentives for the great free enterprise system of our country:

MIDPOINT IN 1975

(By Jay Jenkins)

Lack, or loss, of self confidence can have a debilitating effect upon an individual. Such self doubt is ruinous and, unless it is overcome, can end or seriously impair a promising career or avocation.

So, too, throughout the ages a lack or loss of public confidence in government has proven injurious—even disastrous—for entire nations.

The United Kingdom, France and Italy are examples of countries where confidence in government is lacking, national pride is sagging, and world influence is diminishing.

And we have experienced, to an alarming degree, symptoms of the same malaise in this country during the past few years.

Of course, no free country can maintain a position of world leadership without the support and confidence of its own people.

That support was weakened and our confidence was shaken in this country by revelations of corruption at the highest levels of our government.

In quick succession, the energy crisis worsened and our involvement in Southeast Asia ended inconclusively, while inflation raged and the economy plunged into recession.

But now, midway into Calendar 75, our Constitutional system remains intact, most of the rascals who were exposed have been turned out of government and decent men are making an effort to get the country on track again.

And there are encouraging signs that the people are responding, that Americans once again are drawing upon their native resiliency to push aside much of the doubt and dejection of recent months.

The rampant pessimism of last December and the early months of this year seems to be giving way to guarded, tentative optimism.

Hopefully, economic recovery soon will begin and governmental stability will be reestablished and effectively maintained so that this optimism may be sustained.

Most economic experts, both private and governmental, say the lingering recession has or soon will have bottomed out.

Nevertheless, private industry appears to be in a conservative mood. Perhaps that mood will be sufficiently contagious so that our elected officials will exercise better judgment and more fiscal restraint—both in the continuation of existing programs and consideration of any new federal spending.

If the Ford Administration and the Congress would devote even a modest amount of energy to the task of structuring adequate incentives for private enterprise investment this country soon could put behind it the last vestiges of recession and within a reasonably short time, most of the lost confidence in government would be restored.

RACHEL CARSON AND PESTICIDES

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. REUSS. Mr. Speaker, in this morning's Washington Post there appeared an article by Ann Cottrel Free which was both a moving tribute to the memory of Rachel Carson and a call to action to save the Federal Environmental Pesticide Control Act, which must be extended by September 30 if it is to remain in force.

The article follows:

[From the Washington Post, Sept. 3, 1975]

RACHEL CARSON'S LIVING LEGACY

(By Ann Cottrell Free)

BANGOR, MAINE.—Usually in early September, Rachel Carson could be found here in Maine at her West Southport cottage overlooking Sheepscot Bay. From there she could see the wide expanse of blue water edged by tidal pools, where millions of tiny aquatic creatures make their home.

She was unable to reach those pools her last summer here—the summer of 1963. Others would bring her those primitive, often lovely, life forms that she, as a marine biologist, so delighted in studying under her microscope.

Her health was almost gone from metastisized cancer. If there could be any consolation, it was knowing that the message given the world in "Silent Spring" was taking wing legislatively in the Congress.

On June 4, before coming to Maine, she appeared before a Senate subcommittee inspired by her book to inquire about control of "miracle" pesticides. In it she warned that unwise use of substances like DDT, dieldrin, and aldrin meant spreading the "elixirs of death" further than to target insects but to all of us and the rest of the natural world. From those hearings conducted by Sen. Abraham Ribicoff came the pesticide reforms of the last 12 years.

Rachel Carson would be sick at heart to know that these congressional mandates could be perilously close to termination this month. If this should happen, it would be turning the clock back to that June day.

"Miss Carson, on behalf of the committee, we certainly welcome you here. You are the lady who started all this," Sen. Ribicoff began. The whole world, he said, owed her a debt of gratitude.

He had introduced the first tiny legislative step in the fierce struggle with the Department of Agriculture over its handling of the 1947 Federal Insecticide, Fungicide and Rodenticide Act. He wanted to close the loophole permitting manufacturers to market pesticides that USDA refused to register as safe. Strangely, USDA would not name the companies. This, said Sen. Ribicoff, was "indefensible."

The list soon appeared. The spotlight on USDA became intense with the release of the Report of the President's Science Advisory Committee vindicating Rachel Carson and asking for greater governmental vigilance.

That last summer in Maine she had time to think more about a suggestion that June 4 by Sen. Ernest Gruening.

"What would you think of creating a department of ecology?" he asked.

"Well, it is certainly a good objective," she replied. There was a note of concern in her calm voice.

Rachel Carson knew that USDA's control over pesticides would be hard to break because of the politically powerful oil, chemical and agribusiness lobby. If control was taken away, would that lobby ever rest until it was reclaimed?

Reluctant to leave Maine, she stayed later than usual before going home to Silver Spring to continue her two battles. Seven months later she was to lose one. She died on April 14, 1964. She was 56 years old.

The other battle continued. The ugly loophole was closed. It was discovered that USDA was registering pesticides the Food and Drug Administration and the Public Health Service had protested as unsafe.

HEW Secretary Robert Finch commissioned a scientific study on pesticides and the environment. And in November 1969 he asked USDA and the Interior Department to join HEW in phasing out DDT in two years. No takers. But miraculously Gruening's idea became a reality in 1972 with creation of the Environmental Protection Agency.

At last, USDA's grip on pesticides was loosened. Its lax pesticides registration division was transferred to EPA. Moving fast, EPA Administrator William Ruckelshaus canceled most uses of DDT. After two years of hearings, the cumbersome 1947 Pesticide Act was overhauled by the adoption in 1972 of the Federal Environmental Pesticide Control Act. (FEPCA).

The new act includes a variety of safeguards. Primarily it makes clear that its sponsors well understood when Rachel Carson said, "We are neglecting the golden opportunity to prevent cancer while we spend millions seeking the cure."

The human cancer connection has been the basis for cancellation of the registration of DDT, dieldrin, aldrin, and suspension of heptachlor and chlordane. These decisions have been strongly protested by USDA and, of course, chemco-agribusiness. But EPA, after exhaustive scientific inquiry, has looked to the growing accumulation of cancer-causing chemicals in our bodies and has shown regard for pain, anguish, loss of life as well as for the billions of dollars lost to cancer.

This month the battle between the kinds of costs—and the merits of the contentions on which they are based—will be joined on Capitol Hill. The outcome depends on how the Congress votes on the final form of the re-authorized 1972 FEPCA. (Re-authorization after three years is required by law. Deadline: Sept. 30.)

The first round of voting occurs in a few days in the House Agriculture Committee where 23 crippling amendments have been temporarily withdrawn for a consolidated amendment sponsored by Reps. W. R. Poage (D–Texas) and William C. Wampler (R–Va.). This is the vehicle in which USDA would ride for its triumphant return to pesticide control—exactly what Rachel Carson feared could happen. The amendment requires USDA's concurrence on all EPA pesticide actions.

"The issue," says EPA Administrator Russell Train, "is whether it is in the public interest to give the Secretary of Agriculture veto authority over a regulatory process designed to protect the public health."

Train went to the heart of the problem. But who is to go to the hearts of the people?

Reaching the heart—where most meaningful thought begins—cannot be dismissed as overemotionalism. That is what Rachel Carson's adversaries charged was her crime when she said that pain does not have to be borne, tears do not have to be shed, lives of children, as well as of the old, do not have to be sacrificed. (It is not only the death of birds and fish that is the concern. Like the cancerous laboratory mice and rats they are the early warners). Read her book again. That is what she said.

Rachel Carson's voice needs to be heard again. What would she have done had she lived? Would her eminence be so great that only a few measured words from her here in Maine could arouse the nation?

Idle speculation. Clearly, others must speak for her. Marshal their facts. Point to the inexpensive substitutes for banned pesticides. They do exist. Look to new agricultural practices. And particularly, remember that the scientist and the poet (for she was that, too) have but one aim: truth.

In a sense, the quality of life in the future depends in large part on the quality of remembrance of Rachel Carson.

VIRGINIA'S CONGRESSIONAL COMMITTEE CHAIRMEN—1911-60

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. DOWNING of Virginia. Mr. Speaker, earlier this year the Virginia Social Science Journal included an article which drew attention to a number of Virginians who served in the Congress in a 50-year period of the 20th century. It was written by Mr. Philip A. Grant, Jr., associate professor of history, Pace College, Pleasantville, N.Y.

I found the article most informative and I am pleased to include it in the RECORD.

VIRGINIA'S CONGRESSIONAL COMMITTEE CHAIRMEN, 1911–1960

(By Philip A. Grant, Jr.*)

On April 4, 1911 the Sixty-Second Congress was called to order. Between the opening ceremonies on this day and the inauguration of President John F. Kennedy on January 20, 1961, the United States was destined to undergo one of the most turbulent periods in its entire history. During this half century the nation participated in two world wars, experienced the ordeal of the Great Depression, assumed a dominant role in international affairs, and prepared to cope with the challenges of the nuclear age.

For thirty of these fifty years the Democratic Party maintained control of both houses of Congress. Among the Democrats serving as chairmen of committees in the Senate and House of Representatives were fourteen prominent Virginians. Furnishing a disproportionately high percentage of committee chairmen, these congressmen from Virginia wielded profound influence on a substantial number of bills, resolutions, and treaties.

Three of the Virginians taking their oaths of office on April 4, 1911 were Representatives John Lamb of Richmond, William A. Jones of Warsaw, and James Hay of Madison. Completing the final stages of their respective congressional careers, Lamb, Jones, and Hay were each chairmen of standing committees of the House.

One of the few remaining veterans of the Civil War serving in Congress, Lamb in April 1911 was beginning his eighth and last term in the House. Between 1911 and 1913, he chaired the Committee on Agriculture. After retiring from active politics, Lamb became Superintendent of Battle Abbey, the famous Confederate Memorial Institute in Richmond.[1]

Jones, who at the time of his death was dean of the House of Representatives, was Chairman of the Committee on Insular Affairs, 1911–1918. Widely acclaimed as Congress' foremost expert on America's overseas possessions, Jones authored both the Philippine Organic Act of 1916 and the Puerto Rican Organic Act of 1917.[2]

Chairman of the Committee on Military Affairs from 1911 and 1916, Hay was the key participant in the historic debates over military preparedness during the two years prior to America's involvement in World War I. Of paramount importance was his co-authorship of the National Defense (Hay-Chamberlain) Act of June 1916. Shortly thereafter Hay resigned from Congress to accept President Woodrow Wilson's appointment to the United States Court of Claims.[3]

Three other Virginia congressman who occupied major committee chairmanships during World War I were Representative Henry D. Flood of Appomattox and Senators Claude A. Swanson of Chatham and Thomas S. Martin of Charlottesville. These gentlemen were three of the most distinguished political figures from Virginia in the twentieth century.

As Chairman of the Committee on Territories, Flood authored the 1912 bill conferring statehood on New Mexico and Arizona. He relinquished the chairmanship of the Territories Committee in 1913 to become Chairman of the Committee on Foreign Affairs. It was Flood who ultimately introduced and guided to passage the joint resolutions by which the United States successively declared war on Germany and Austria-Hungary.[4]

Swanson was Chairman of the Committee on Public Buildings and Grounds, 1913–1918, and the Committee on Naval Affairs, 1918–1919. After the nation entered World War I, he worked diligently in behalf of measures to upgrade the Navy and Marine Corps. Because of Swanson's expertise in naval matters, President Franklin D. Roosevelt was to choose the Virginian as his Secretary of the Navy in 1933.[5]

The first Virginian ever to be sworn in to a fifth term in the Senate, Martin was Democratic Floor Leader, 1916–1919 and Chairman of the Committee on Appropriations, 1913–1919. In the latter capacity he assumed responsibility for the enactment of numerous bills to finance the vastly increased expenditures incurred by the national government throughout the duration of the war. Subsequent to the 1918 armistice, Martin also co-authored a statute providing emergency relief to the devastated nations of Europe.[6]

Four Virginians who chaired committees during the Administrations of Franklin D. Roosevelt and Harry S. Truman were Representative Thomas G. Burch of Martinsville, John W. Flannagan, Jr., of Bristol, and Schuyler Otis Bland of Newport News, and Senator Carter Glass of Lynchburg. Burch, Flannagan, Bland, and Glass spent an aggregate total of one hundred and five years in Congress.

Prior to entering Congress in 1931, Burch had served on the State Boards of Agriculture and Education. A member of the Committee on Post Offices and Post Roads throughout his eight terms in the House, he chaired that organ from 1943 and 1946. Burch's foremost legislative achievement was the Salary Reclassification Act of 1945. In 1946 he resigned from the House to accept an interim appointment to the United States Senate.[7]

Flannagan was a staunch and articulate supporter of the voluminous farm bills approved by Congress during the New Deal period. Chairman of the Committee on Agriculture between 1944 and 1946 he was intrumental in the passage of the Federal Crop Insurance Act of 1944 and was the original sponsor of legislation to establish a permanent school lunch program.[8]

Representing one of the nation's principal shipbuilding districts, Bland was outranked in seniority by only four of his four hundred and thirty-four House colleagues at the time of his death in February 1950. He was Chairman of the Committee on Merchant Marine and Fisheries, 1933–1947 and 1949–50. Among the important laws bearing his name were the United States Maritime Commission Act of 1936 and the Merchant Ship Sales Act of 1946.[9]

As Chairman of the Committee on Banking and Currency, 1913–1918, Glass had co-authorized the Federal Reserve (Glass-Owen) Act of 1913. After serving as Secretary of the Treasury in the latter part of the Second Wilson Administration, he entered the Senate in 1920. Glass was Chairman of the Committee on Appropriations from 1933 to 1946, during which time he was in the forefront of a bloc of senators vigorously opposing President Roosevelt's fiscal policies.[10]

The four remaining chairmen from the Old Dominion were to be especially prominent between the outbreak of the Korean War in June 1950 and the end of the administration of President Dwight D. Eisenhower in January 1961. They were Representatives Thomas B. Stanley of Stanleytown and Howard W. Smith of Broad Run and Senators A. Willis Robertson of Lexington and Harry F. Byrd of Berryville.

At the time of his initial election to Congress in 1946, Stanley was in the midst of his fifth year as Speaker of the Virginia House of Delegates. In 1951 and 1952 he was Chairman of the Committee on House Administration, thus exercising overall jurisdiction over the budgetary operations and personnel of the House. Stanley resigned from Congress in early 1953 in order to launch his successful campaign for Governor of Virginia.[11]

A member of the House between 1931 and 1967, Smith established a record among Virginians for continuous service in that body. Chairman of the Special Committee to Investigate the National Labor Relations Board, 1939–1941, he co-authored the War Labor Disputes (Smith-Connally) Act. More importantly, Smith presided over the powerful

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Footnotes at end of article.

Committee on Rules from 1955 to 1966, in which role he attracted nationwide attention by delaying or obstructing the passage of scores of civil rights and social welfare proposals.[12]

Robertson served in Congress between 1933 and 1967. He chaired both the Select House Committee on the Conservation of Wildlife Resources, 1934–1946, and the Joint Congressional Committee on Defense Production, 1957–1959. Robertson was also Chairman of the Senate Committee on Banking and Currency from 1959 to 1966, throughout which period he was preoccupied with housing and international monetary legislation.[13]

Between his election as Governor in 1925 and his retirement from public life four decades later, Byrd was indisputably the central figure in Virginia politics. During his thirty-two years in the Senate he chaired the following panels: Committee on Rules, 1941–1943; Joint Committee on the Reduction of Nonessential Federal Expenditures, 1941–1947, 1949–1953, and 1955–1965; and Joint Committee on Internal Revenue Taxation, 1956–1957. Byrd's most noteworthy influence was wielded, however, as Chairman of the Committee on Finance from 1955 to 1965. In this capacity he shaped a multitude of bills affecting federal taxation, foreign trade, social security, and unemployment insurance.[14]

The fourteen aforementioned Virginians served as chairmen of a total of twenty-two standing, special, select, or joint committees of Congress. Most of these committees performed vital functions either in the House or Senate. Over a half century the various chairmen not only shouldered considerable responsibilities in their respective congressional bodies, but also demonstrated how profoundly public servants from the Commonwealth of Virginia influenced national affairs.[15]

FOOTNOTES

* Associate Professor of History, Pace College, Pleasantville, New York.

[1] Lawrence F. Kennedy (comp.), *Biographical Directory of the American Congress, 1774–1971* (Washington: United States Government Printing Office, 1971), p. 1257; United States Congress, *Congressional Directory*, Sixty-Second Congress, Third Session, January 1913 (Washington: United States Government Printing Office, 1913), p. 171.

[2] *Biographical Directory of American Congress*, p. 1208; *Congressional Directory*, January 1918, p. 189; Dewey W. Grantham, Jr., "Virginia Congressional Leaders and the New Freedom, 1913–1917," *Virginia Magazine of History and Biography*, July 1948, pp. 304–313; Michael P. Onorato, "The Jones Act and the Establishment of a Filipino Government, 1916–1921," *Philippine Studies*, July 1966, pp. 448–459, Harold G. Wheatley, "The Political Career of William Atkinson Jones," Unpublished M.A. Thesis, University of Virginia, 1953.

[3] *Biographical Directory of American Congress*, p. 1091; *Congressional Directory*, May 1916, p. 189; *Annual Report of the Department of War, 1916* (Washington, United States Government Printing Office, 1916); George C. Herring, Jr., "James Hay and the Preparedness Controversy, 1915–1916," *Journal of Southern History*, November 1964, pp. 383–404; Seward W. Livermore, *Politics is Adjourned; Woodrow Wilson and the War Congress, 1916-1918* (Middletown: Wesleyan University Press, 1966), pp. 5–7.

[4] *Biographical Directory of American Congress*, p. 952; *Congressional Directory*, December 1912, p. 179; January 1919, p. 918; Burton I. Kaufman, "Henry De La * * * an Era of Reform," Unpublished Ph. D. Dissertation, Rice University, 1966; Arthur S. Link, *Wilson: Campaigns for Progressivism and Peace, 1916–1917* (Princeton: Princeton University Press, 1965), pp. 422–431.

[5] *Biographical Directory of American Congress, p. 1779; Congressional Directory*, April 1918, p. 169; January 1919, p. 178; *Annual Reports of the Department of the Navy, 1918–1919* (Washington: United States Government Printing Office, 1918–1919); Grace C. Farnum, "Claude Augustus Swanson," *Directory of American Biography* (22 vols.; New York; Charles Scribner's Sons, 1928–1958), XXII, 641–642; Henry C. Ferrell, Jr., "Claude Swanson of Virginia," Unpublished Ph.D. Dissertation, University of Virginia, 1964.

[6] *Biographical Directory of American Congress*, p. 1345; *Congressional Directory*, January 1919, p. 172; Virginius Dabney, "Thomas Staples Martin," *Directory of American Biography*, VI, 346–347; Josephus Daniels, *the Wilson Era; Years of Peace, 1910–1917* (Chapel Hill: University of North Carolina Press, 1944), pp. 521–525; Allen W. Moger, *Virginia: Bourbonism to Byrd, 1870–1925* (Charlottesville: University of Virginia Press, 1968), pp. 292–295; Paschal Ree-es, "Thomas S. Martin: Committee Statesman," *Virginia Magazine of History and Biography*, July 1960, pp. 344–364.

[7] *Biographical Directory of American Congress*, p. 667; *Congressional Directory*, June 1946, p. 204; *Annual Report of the Post Office Department, 1946* (Washington: United States Government Printing Office, 1946).

[8] *Biographical Directory of American Congress*, p. 949; *Congressional Directory*, June 1946, p. 199; *Annual Reports of the Department of Agriculture, 1944–1946* (Washington: United States Government Printing Office, 1944–1946).

[9] *Biographical Directory of American Congress*, p. 602; *Congressional Directory*, January 1950, p. 203; *Annual Reports of the United States Maritime Commission, 1936–1946* (Washington: United States Government Printing Office, 1936–1946); Samuel A. Lawrence, *United States Merchant Shipping Policies and Politics* (Washington: Brookings Institution, 1966), pp. 44–51, 83–84.

[10] *Biographical Directory of American Congress*, p. 1007; *Congressional Directory*, January 1918, p. 185; January 1946, p. 179; Carter Glass, *An Adventure in Constructive Finance* (Garden City: Doubleday, Page and Company, 1927); Marquis James, "The Gentlemen from Virginia," *Saturday Evening Post*, August 28, 1937, pp. 6, 35–36; James T. Patterson, *Congressional Conservatism and the New Deal* (Lexington: University of Kentucky Press, 1967), pp. 95–99, 200–202, 239–240, 252–257; Rixey Smith and Norman Beasley, *Carter Glass, a Biography* (New York; Longmans, Green and Company, 1939).

[11] *Biographical Directory of American Congress*, pp. 1742–1743; *Congressional Directory*, January 1952, p. 206; *Register of the General Assembly of the Commonwealth of Virginia, 1940–1960* (Richmond: Commonwealth of Virginia, 1961), p. 586; "Thomas B. Stanley," *Current Biography, 1955* (New York: H. W. Wilson Company, 1955), pp. 571–573.

[12] *Biographical Directory of American Congress*, pp. 1714–1715; *Congressional Directory*, January 1941, p. 210; January 1966, p. 262; James A. Robinson, *The House Rules Committee* (Indianapolis: The Bobbs-Merrill Company, Inc., 1963), pp. 82–88; "Howard W. Smith," *Current Biography 1941*, pp. 798–799.

[13] *Biographical Director of American Congress*, pp. 1617–1618; *Congressional Directory*, June 1946, p. 211; January 1946, pp. 244, 275; "A. Willis Robertson," *Current Biography*, 1949, pp. 526–528.

[14] *Biographical Directory of American Congress*, p. 685; *Congressional Directory*, March 1965, pp. 245, 177; Alden Hatch, *The Byrds of Virginia* (New York: Holt, Rinehart and Winston, 1969), pp. 466–504; V. O. Key, Jr., *Southern Politics* (New York: Alfred A. Knopf, 1949), pp. 19–35; Benjamin Muse, "The Durability of Harry Flood Byrd," *Reporter*, October 3, 1957, pp. 26–30; Russell Turner, "Senator Harry Byrd: Mister Economy," *American Mercury*, September 1957, pp. 97–104; J. Harvie Wilkinson, *Harry Byrd and the Changing Face of Virginia Politics, 1945–1966* (Charlottesville: University of Virginia Press, 1968).

[15] Among the Virginians who served as ranking members of committees of the House of Representatives were the following: Edward W. Saunders of Rockymount, Committee on Roads, 1911–1919, and Committee on Woman Suffrage, 1918–1919; Charles C. Carlin of Alexandria, Committee on the Judiciary 1915–1919; Walter A. Watson of Jannings Ordinary, Committee on Labor, 1917–1919; Andrew J. Montague of Richmond, Committee on the Judiciary, 1931–1937; Patrick Henry Drewry of Petersburg, Committee on Naval Affairs, 1935–1947; and Clifton A. Woodrum of Roanoke, Committee on Appropriations, 1941–1946. Also, the following Virginians were chairmen of House subcommittees; C. Bascom Slemp of Big Stone Gap, Appropriations Subcommittee on Fortifications, 1921–1923; J. Vaughn Gary of Richmond, Appropriations Subcommittee on the Treasury and Post Office Departments, 1952–1965; Watkins M. Abbitt of Appomattox, Agriculture Subcommittee on Tobacco, 1955–1973; Porter Hardy, Jr. of Churchland, Government Operations Subcommittee on International Operations, 1955–1959; and Edward J. Robeson of Newport News, Post Office and Civil Service Subcommittee on Postal Operations, 1957–1959.

TURKISH ARMS EMBARGO

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. BROOMFIELD. Mr. Speaker, on August 1 the House adjourned without taking action on the Turkish arms embargo. During the congressional recess the press reported on the arms embargo at some length, interpreting the reasons why the House had continued the suspension of arms deliveries to Turkey, and analyzing the impact of the embargo upon Turkey and its relations with the United States and NATO.

Mr. Speaker, I would like to insert in the RECORD two recent articles on this subject. One, by former Ambassador George C. McGhee, appeared in the September 1 issue of the Washington Post. The other, by Edward Jay Epstein, was in the August 29 issue of the Wall Street Journal. The articles follow:

PERSPECTIVE ON TURKEY

(By George C. McGhee)

It would be useful, as we await the reconvening of Congress, to review the broader implications of the recent narrow House defeat of a bill to restore military aid to Turkey. In doing so it will be helpful to put in perspective the overall role of Turkey in the Middle East.

Many who did not participate in the far-reaching political rearrangements after World War II do not perhaps grasp the full significance of the impasse that has arisen between the United States and Turkey over Cyprus. This resulted from stoppage of arms shipments to Turkey by Congress last December for violation of the Foreign Military Assistance and Sales Acts. Basic to any such review is a determination of where our national interest lies.

In the immediate postwar period the Soviets made a series of well-planned moves;

to consolidate their positions in Eastern Europe, to take political advantage of the economic collapse of Western Europe and to incorporate in their new empire strategic but weak and isolated Greece, Turkey and Iran. One need not recount the details of how Europe was saved by the Marshall Plan, Iran by the freeing of Azerbaijan and Greece and Turkey by our Greek-Turkish Aid, the Marshall plan and their subsequent admission to NATO. The action of the Turkish Parliament in February 1952 in voting unanimously to accept the NATO invitation represented a historic turning point for Turkey. Once the seat of a proud empire based on historic Constantinople which embraced what are now 18 countries, Turkey in her decline in the 19th century became a puppet of the European powers. After the disastrous Turkish defeat in the World War I, Attaturk renounced empire and turned Turkey to the West. The Turkish Republic, a united resolute people with a great fighting tradition, became the Middle East anchor of the NATO line.

Defense of the Middle East, which had remained unresolved after failure of clumsy allied efforts to create a British Middle East Command, a Middle East Defense Organization and a Northern Tier, was assured. Turkey was to replay its classical role as the "cork in the bottle" of Asia Minor—blocking to any erstwhile invader the land, sea and air nexus between Europe and Asia. Soviet efforts to penetrate the Middle East were stopped cold and have so remained to this day.

But there was nearby a time bomb ticking away. Unfortunately there has long existed on the lonely island of Cyprus, within sight of the Turkish coast, a bitter struggle which on July 14 of last year erupted, as a dormant volcano, into a full-blown crisis. Its origins lie deep in the history of early Greek settlement, Turkish rule starting in 1570, the 19th century move for Enosis, or union with Greece, and the attendant centuries of religious and economic rivalry between Turkish and Greek Cypriots. Twice in recent years, in 1963 and 1967, the United States persuaded the Turks, against their better judgment, not to intervene in behalf of their endangered Turkish Cypriot minority.

Few of us, I'm afraid, remember that the 1959 Treaty of Zurich gave the signatory-powers—England, Greece and Turkey—the right (Article 4), if common action is not possible, "to take action with the sole aim of reestablishing the State of Affairs created by the present Treaty." No one questions that the present crisis was initiated by the Greek junta, acting through 650 Greek training officers stationed with the Cyprus National Guard who overthrew the Makarios government, putting in power the notorious EOKA gunman, Nikos Samson. Under the circumstances no Turkish government could have failed to respond to the pleas for protection from the 110,000 Turkish minority. The Ecevit government first sought to act in concert with the British, who declined—also refusing the use of their Cyprus base. The initial Turkish action cannot be interpreted as aggression in any ordinary sense. Could we have failed to react in similar circumstance—say if 100,000 Americans were endangered in Mexico, within sight of the Rio Grande?

In the aftermath of the Turkish landings, which involved fighting with 11,500 so-called "illegal" Greek Cypriot forces, threats of invasion by Greece and excesses by individuals and groups on both sides, a situation was created which resulted in some 200,000 homeless Greek refugees. This is, of course, a great tragedy which has evoked world-wide sympathy. Under the circumstances, however, it is difficult for outsiders who do not fully understand the complex and emotional issues involved to assess blame or to act as arbiters. Suffice it to say that since members of the Congress have concluded that Turkey violated provisions of our arms legislation. Surely, however, our goal should now be an early agreement between Greek and Turkish Cypriots, to alleviate existing hardships and assure a peaceful sharing of the island in the future.

We must also keep in mind the importance of retaining Turkey as our ally in the Middle East. There is no such comparable bulwark available. Greece, although under democratic rule a valuable ally, does not possess the strategic geography or military strength of the Turks. Two generations of Americans have assisted Turkey in building its armed forces and developing its economy. It is now a developing nation of 40 million people. Its 450,000 troops constitute the largest NATO contingent, except for us and Germany, in which we have invested $4 billion. We have in Turkey, as has been well publicized, a whole network of intelligence gathering bases where 7,000 Americans are stationed, and a magnificent NATO airfield at Adana to which we and other NATO allies rotate our squadrons. Our rights to these bases are now in jeopardy.

There is now a new government in Turkey. Although it rules with a slim margin, it is on a democratic basis. Prime Minister Demeril and Foreign Minister Caglayangil are known quantities—staunch friends of the United States and NATO. They understand that peace can only be restored, and the world community satisfied, if there is a negotiation in which reasonable compromises are made. The Greek refugees must be given an opportunity to have land and homes and security. The world will not tolerate another Arab refugee *fait accompli*. At the same time, as I believe most impartial observers recognize, all Turks believe that there is no hope for the future unless Greek and Turkish Cypriots live in separate areas with a high degree of autonomy, under a relatively weak federal government. This was the only solution found for the Greek-Turkish problem itself after the First World War, when 1,750,000 Greeks and Turks were exchanged. Separation was the solution recommended by Dean Acheson when he made a survey of Cyprus after his tenure as Secretary of State.

Already in Vienna there has been progress in the form of a written acceptance of this concept the so-called Vienna 3) in negotiations between Greek and Turkish representatives under U.N. Secretary General Waldheim. It is reported that these talks have also resulted in an unwritten agreement that 8,000–9,000 Turks will move to the North, surrendering their homes to Greeks, as well as limited movement of Greeks to the North.

The Congress has made its point. The Turks are a proud people and find it difficult to appear to be forced to action under pressure. The Turkish leaders have, however, felt our pressure and will, I am sure, take it fully into account. We must now relax and give them an opportunity to negotiate. The best argument against a continuance of the embargo is that it is counterproductive. By foreclosing progress it further weakens the pro-American Karamanlis government of Greece. It severely limits the Demeril government in further negotiations, forces them to proceed against our bases and endangers future Turkish relations with us and NATO. The net result is only to prolong the agony of the displaced Cypriots and to postpone a final settlement.

Simultaneous with progress in Vienna, therefore, I hope Congress will authorize resumption of shipments from the $185,000,000 military pipeline already paid for by the Turks and, as soon as justified by events, resumption of new aid and purchases. This is necessary to keep Turkish forces in fighting form for their NATO mission. This is also necessary to provide Turkey evidence that her position in Cyprus is understood in this country. This will, I am sure, greatly facilitate a broadening of the negotiations and hastening of the time when agreement can be reached in Cyprus which both Greeks and Turks can accept. Only in this way can the traditional enmity between Greece and Turkey be brought again within manageable proportions. Only in this way can Turkey resume her place as a bulwark of NATO and a staunch friend for the United States in the troubled Middle East. This is where our true national interest lies.

How Liberals Aided Israel's Foes

(By Edward Jay Epstein)

The House of Representatives may have inadvertently altered the balance of power in the Middle East and critically diminished Israel's chances for survival when, in a fit of moral indignation inspired by a handful of Congressmen, it voted last month to continue the suspension of military aid for Turkey. In direct response to this vote, Turkey denied the U.S. control over more than 20 "common defense" installations in its territory which electronically monitored, among other things, shipments of military equipment, aircraft, and industrial goods to Middle East nations.

The strategic implications of the House coup proceed from Turkey's unique position in the geography of the Middle East. This NATO ally straddles Europe and Asia and physically separates the Soviet Union from the Arab states which depend on it for arms and ammunition. To reach the Mediterranean from their ports in the Black Sea, Soviet ships must pass through the narrow Turkish Dardanelles.

Before the congressional action, their cargos could be surreptitiously analyzed by U.S. equipment at bases along the shores. To reach Syria and Iraq, Soviet aircraft must either overfly Turkish territory, where they can be "counted" or interdicted in a crisis, or be diverted several thousand miles over Bulgaria, Greece and the Mediterranean. Thus the main flow of Soviet arms traffic to the Middle East is vulnerable either to being "counted" or ultimately cut off because Turkey remains—for the moment at least—a NATO ally (which, not incidentally, maintains both diplomatic and economic ties with Israel).

A "WINDOW" ON RUSSIA

To be sure, the strategic importance of Turkey extends well beyond the security of Israel and the Middle East. Because it has a 1,000-mile border with the Soviet Union along the Black Sea, it provides an irreplaceable window on military and missile activity within the Soviet heartland. The monitoring equipment at U.S.-built bases along the Turkish Black Sea coast could detect the movement of Soviet planes, ships, submarines and tanks, as well as the heat generated by the preparation of Soviet missiles.

Over-the-horizon radar provided an integral link in the early warning system used by NATO and the U.S. and monitored the progress of Soviet missile technology. The American "machinery" was even sensitive enough to intercept walkie-talkie, ground-to-air and microwave telephone messages between military units (which meant in effect that any major military alert or troop movements would probably be monitored).

Aside from the intelligence facilities, Turkey also provided the U.S. bases for nuclear-armed fighters capable of penetrating Soviet defenses over the depression of the Black Sea. These "Quick Alert" bombers, parked on the edge of Turkish airfields with motors running, were by tacit agreement with the Soviets not counted as strategic bombers under the limitations of the SALT treaty, thus they served as an important counterbalance to the apparent Soviet missile superiority. If Turkey were to prohibit American use of these airbases, as it well could do, the entire SALT "balance of terror" would be tilted against the United States.

In more conventional terms, Turkey, with its 500,000-man army, secures the eastern flank of NATO, and that ultimately involves the security of Greece. Congressmen who voted to override these strategic considerations may have believed that detente has advanced to the point where nuclear confrontation with the Soviet Union is improbable—and may therefore consider the early warning system and strategic balances unnecessary. That assumption is doubtful, at best, but surely there is little doubt about the threat to the Middle East.

In October 1973, the installations in Turkey detected: the passage of nuclear warheads through the Dardanelles en route to Egypt or Syria; the mobilizing of paratrooper divisions at Soviet bases through Odessa (land-mobile communications between units were overheard); and the gathering of wide-bodied transports capable of carrying these troops to the Middle East. All signs, including diplomatic signals, pointed toward Soviet military intervention against the Israelis, who at the time had cut off an Egyptian army in the Sinai. But President Nixon decisively called a world-wide military alert. And faced with the distinct possibility that their supply routes through Turkish water and airspace could be interrupted, the Soviets quickly abandoned their apparent plan.

Today the situation is radically different. If another such crisis occurred with the Turkish bases shut down, the President might never know of Soviet troop movements until too late. Even if no dramatic confrontations occur, the interruption of intelligence may ultimately present as serious a threat to the security of Israel as direct Soviet troop intervention. The balance of power in the Middle East depends on the U.S. ability to ascertain the quality and quantity of arms which the Soviet Union is providing its clients, since new weapon systems and military capabilities could obviously give an invading force a decisive advantage.

With the Turkish bases in operation, the United States would probably at least be forewarned of any change in Soviet arms shipments, thus having the option of redressing the balance or informing Israel of the potential danger. Without these monitoring facilities, Israel stands a higher risk of a successful surprise attack.

Why would the House of Representatives vote as it did even after it had been warned of the consequences by Secretary of State Kissinger? One can understand and even admire the brilliant tactics of the Greek lobby, which manipulated Congress into declaring an embargo on aid to Turkey over a dubius legality. In July 1974, after the Greek junta arranged a successful coup against the legitimate government of Cyprus, Turkey intervened with troops to "protect" the sizable Turkish minority from the group of terrorists that assumed control of Cyprus in the coup.

Turkey had the right to intervene as it did under the 1960 "Treaty of Guarantee" in which Greece, Turkey and Great Britain all pledged the integrity of the constitutional government which allocated governmental offices between Greek and Turkish-speaking Cypriots under a complex formula. It also claimed that the coup endangered the defenses of its southern airbases.

In any case, the intervention quickly led to the brutal displacement of thousands of Greek Cypriots from their homes, and the Greek community in the U.S. became understandably concerned over the fate of Cyprus (even though a Greek junta precipitated the crisis). Perhaps the most effective organizer of the Cypriot cause in the U.S. was Eugene T. Rossides, a Washington lawyer, who had formerly served as a close aide to Archbishop Makarios, the President of Cyprus.

While Mr. Rossides was Assistant Secretary of the Treasury for Enforcement and Operations from 1969–1972, he spearheaded the drive to deprive Turkey of military and economic aid over the poppy issue. (Although Turkey grew only 2% of the world's opium supply, it was blamed by Mr. Rossides, and others for the American heroin problem.) With the aid of G. Gordon Liddy, his assistant on "international narcotics" who later went on to other things, Mr. Rossides nearly managed to drive Turkey out of NATO.

Eventually cooler heads in the National Security Council prevailed. Nevertheless, Mr. Rossides had garnered support in his anti-Turkey cause among a large number of Congressmen concerned about drugs in their districts.

THE "SELF-DEFENSE" ARGUMENT

After Turkey's military intervention on Cyprus, the Greek lobby began arguing in Congress that American aid was limited by law to "self defense." What constitutes "defense" is somewhat ambiguous: Under the strict interpretation asserted by the Greek lobby, all military aid to such American allies as Great Britain, France and Israel (which periodically attacks guerrilla bases in Lebanon) could also be cut off. At the time of Watergate, with Congress legitimately concerned about transgressions of law, the Greek lobby managed to organize considerable support for an embargo against Turkey.

But while the shrewd efforts of the Greek lobby are fathomable, it defies explanation why the contingent of liberal Democrats, who in their campaigns and earlier votes had strongly supported Israel, would now join an effort that jeopardizes the Middle East security arrangements vital to the survival of Israel. Certainly, they must realize that giving the Soviet Union unmonitored passage for arms shipments would at the very least heighten the dangers of a surprise attack on Israel. They must also be aware that weakening U.S. defenses in the Eastern Mediterranean, now heavily dependent on Turkish air and naval bases, would reduce our ability to guarantee Israel's or even Greece's security.

ELECTION LAW DECISION

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. STEIGER of Wisconsin. Mr. Speaker, during the August recess, the U.S. Court of Appeals for the District of Columbia issued an opinion upholding most of the Federal Election Campaign Act of 1974.

As one of the plaintiffs appealing this decision, I believe some of my colleagues will draw much comfort from the court's view of the advantages of incumbency. Conceding that incumbents might actually enjoy one or two advantages over their challengers, the court issued the following non sequitur:

> Any advantage gained by incumbents from service to their constituents is neither novel nor pernicious. Indeed, this may be a vindication of the principles of democracy.

Without raising the question of whether the principles of democracy are in need of vindication, least of all by inequalities that may occur at the polls, I want to call attention to David Broder's refreshing review of the court's decision. His column appeared in the August 29 Washington Post:

[From the Washington Post, Aug. 29, 1975]

CAMPAIGN FUNDING SERMON

(By David S. Broder)

It is doubtless an unworthy response, but there are those of us laymen who tend to get nervous when judges start talking like preachers or Fourth of July orators. It may be just their way of clearing their throats before they get down to business, but it still tends to make one nervous.

That was this reporter's reflex on reading the opinion rendered last week by the U.S. Court of Appeals for the District of Columbia, upholding by a 6–2 margin, the constitutionality of the key provisions of the Federal Election Campaign Act of 1974.

The law had been challenged by an assortment of liberal and conservative politicians and organizations. They are united only in their common concern that the law passed by Congress, in response to the Watergate revelations, went so far in limiting campaign contributions and expenditures as to jeopardize freedom of speech and inhibit the competitive forces in American politics.

The majority held their fears were groundless. But it did so in a most peculiar way, in an unsigned opinion that begins with a great proclamation of the historic mission the six judges see themselves performing.

"Our task is the more awesome . . . in that we are pondering legislation passed and reviewed at a time of transition and crisis," the opinion declares in its opening pages.

"The Nation has experienced the shock waves of momentous revelations concerning events of the last presidential campaign. It is preparing in 1976 not only for another campaign but for a time of Bicentennial that sharpens our awareness of our heroic experiment in democracy."

What does that imply? Are the judges suggesting they might have ruled differently if this were not the 200th anniversary year? They do not say, but roll on into another rhetorical outburst, which presumably is designed to embarrass the plaintiffs for even questioning the law:

"No one can doubt the compelling government interest in preserving the integrity of the system of elections through which citizens exercise the core right of a free democracy of selecting the officials who will make and execute the laws under which we all must live. Yet subjection of election campaigns to rules of law means restraints, and those restraints are assailed [by the plaintiffs] as a misguided undermining of the constitutional foundations of our free society." For shame, for shame.

With one exception, there are no provisions of the new law that cause any constitutional problems—or at least so say the six Bicentennial judges. So they approved the complex set of controls, by which today's incumbents tell tomorrow's challengers how much they may spend on their campaigns, and today's major parties subsidize themselves from the public treasury while denying such funds to new parties.

The majority even contrived to defend as constitutional a provision denying any citizen the right to buy so much as a half-page ad in a major metropolitan paper to urge, as an independent voice, the election of his own preferred candidate for federal office.

They justify all these restraints on the very strange grounds that "politics has become a growth industry and a way of life for millions of Americans" and that something needs to be done to curb what they are pleased to call, in a typically understated phrase, "today's quadrennial Romanesque political extravagances," by which one supposes they mean campaigns. Indeed, the six judges tell Congress, rather gratuitously, that even this law "may well not be enough" to "cleanse" the system of these excesses.

One can only guess what additional controls these judicial Puritans would like to see imposed on those nasty politicians. But after all their fustian, one comes with relief to the dissenting opinion of Judge Edward A. Tamm, who shows that he, at least, understood the issue the plaintiffs were trying to raise.

"Never before in our history," he writes, "has the government attempted to regulate the quantity of debate in the political arena. . . . This type of paternalism in the area of ideas and political communication is, or should be, completely alien to our democratic system of government."

It will remain alien only if the Supreme Court, to which the case will be appealed this fall, overturns this unfortunate circuit court decision.

PLIGHT OF THIRD NATION PEOPLE

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. SIMON. Mr. Speaker, on the recent trip to Korea and other nations which a delegation of 11 Members of Congress, headed ably by Congressman Lester Wolff, of New York, we visited briefly on the island of Guam. I am aware that Congressman Joshua Eilberg and his subcommittee have been there and reported in greater detail.

But I was moved by two things.

First, the plight of a small number of third nation people who worked for U.S. contractors or the U.S. Government or for one reason or another, found themselves in Vietnam and now find themselves in refugee camps, some of them now for more than 3 months.

We were advised by representatives of the Department of State that the decision on their fate rests with the Department of Justice.

The second group which has received appreciably more attention is the group of South Vietnamese citizens who wish to return to South Vietnam. While I am sure initial reaction to their wish to return is somewhat negative, I am equally confident that were my colleagues and American citizens generally to talk to them they would understand their plight a little more. For example, one pilot I talked to, who is perhaps 22 or 23 years old, escaped Vietnam hoping and believing that his wife and daughter might also. As it turns out they were not able to escape so he finds himself on the island of Guam in a refugee camp while his wife and daughter are in South Vietnam. He wishes to rejoin them even if it means prison for a short time in South Vietnam when he returns.

The tension and feeling among the people on Guam who wish to return to South Vietnam is very high. They do not believe—and in this they appear to be wrong—that the U.S. Government is doing all it can to see that they are repatriated.

From Guam our delegation flew to Manila and from Manila I sent the following two telegrams in behalf of myself, Congressman Herman Badillo and Congressman Steve Solarz. The telegram to Attorney General Edward Levi reads: "We have just visited the refugee camps on Guam. One of the urgent needs is to grant refugee status immediately to a small number of third-nation people, some of whom have been kept on Guam under undesirable conditions for 3 months. These are primarily Koreans. A representative of AID advised us that the decision on their fate rests in the Justice Department. We urge favorable action as rapidly as possible."

The telegram to Secretary of State Henry Kissinger reads:

"1. We have visited with South Vietnamese refugees who are separated from their families and want to return to South Vietnam.

"2. They are living under undesirable conditions. Our government has properly said that we are willing to help them get back. The PRG says they will accept them. The UN is mediating, but nothing appears to be happening.

"3. If in fact PRG intransigence is the cause of no action, this should be made clear to those who desire repatriation. Perhaps a committee of six of the refugees should be flown to meet with representatives of the PRG to discuss the matter.

"4. We urge that you personally intervene to break the logjam of red tape.

"5. The situation is potentially volatile. Speed is important."

Within 2 days I received a cablegram from Secretary of State Henry Kissinger which said:

"We share your concern for the welfare of Vietnamese refugees who are seeking to return home. We have been in day-to-day touch with the office of the United Nations High Commissioner for refugees, which has been pressing the authorities of both North and South Vietnam to permit the repatriation of these people. The UNHCR has also requested that a delegation of the refugees be permitted to discuss the matter with the Vietnamese Authorities. To date these appeals have not met with a favorable response. The repatriates have been fully informed by both UNHCR representatives and U.S. officials that it is the Vietnamese authorities alone who have been preventing the return of the repatriates. You (sic) interest is greatly appreciated."

I received the following letter from the Department of Justice:

U.S. Department of Justice, Immigration and Naturalization Service,
Washington, D.C., August 29, 1975.

Hon. Paul Simon,
House of Representatives,
Washington, D.C.

Dear Mr. Simon: Reference is made to your wire of August 5, 1975, sent through the American Embassy at Manila, concerning third country nationals within the refugee community on Guam.

You will be pleased, I am sure, to learn that instructions were forwarded to the Immigration and Naturalization Service task force representative on Guam on August 4, 1975, directing him to parole under the Indochina program those Vietnamese or Cambodian families with third country national family heads. During the ensuing three or four days, 56 third country national family heads along with 127 Vietnamese family members were paroled and are currently in refugee reception centers in the United States.

There remains on Guam some 124 third country nationals who do not have Vietnamese or Cambodian family members on Guam or in the United States. The Attorney General has concluded that these individuals are not eligible for parole under the Indochinese refugee program. They are being advised that they must return to their countries of nationality or to another country.

As a matter of interest, 110 of the ineligibles are Korean nationals, of whom, about one third claim to have Vietnamese families in Vietnam.

Sincerely,

L. F. Chapman, Jr.,
Commissioner.

In our concern over the major issues and the major confrontations between nations, I hope we do not overlook the misery of a relatively small number of people who now find themselves on the island of Guam.

I hope we will do everything we can to assist them in their difficulties.

DUE PROCESS FOR U.I. RECIPIENTS

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. CORMAN. Mr. Speaker, under the current law, a claimant must receive unemployment compensation "when due" and must be given an "opportunity for a fair hearing before an impartial tribunal" if his initial unemployment compensation claim is denied. Interpreting the "when due" requirement, the Supreme Court held in 1972, that payment of benefits to a claimant eligible at the initial interview must continue through the period in which his employer's appeal is pending. Before this decision, many States suspended payment of benefits once the employer filed his appeal. Although benefit payment must continue while the employer's appeal is pending, this procedure has not been extended to apply to departmental challenges of claims initially granted. Currently, an individual who has been receiving benefits is subject to suspension of payments upon a challenge of his entitlement by the appropriate administrative agency. For example, payment to an individual, originally entitled to 10 weeks of benefits, could be suspended after 5 weeks if the administrative agency thinks that the claimant has refused a suitable job and decides to contest the claim. While the challenge is pending the claimant is not entitled to collect benefits. The result is that the right to unemployment compensation payments is terminated or suspended without a full evidentiary hearing.

The purpose of this bill is to require that claimants who have been determined eligible for benefits continue to receive benefits during the period when a departmental challenge to the claim is pending as well as provide a full evidentiary hearing before benefit payments can be cut off.

A Bill to provide that States may not in certain cases terminate the unemployment compensation benefits of unemployed individuals unless the termination is pursuant to a written decision by an impartial tribunal after a fair hearing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (3) of section 303(a) of the Social Security Act (42 U.S.C. 503(a)) is amended to read as follows:

"(3) (A) Opportunity for a fair hearing, before an impartial tribunal, for all individuals, whose claims for unemployment compensation are denied; and

"(B) In the case of an individual who initially was determined to be eligible for unemployment compensation for a period of unemployment, no denial of compensation to such individual during such period of unemployment unless—

"(i) before the denial there was a hearing which meets the requirements of subsection (d) before an impartial tribunal, and the denial is pursuant to a written decision by such tribunal after such hearing;

"(ii) the individual knowingly and voluntarily waives his right to such a hearing; or

"(iii) the denial is because the individual is no longer unemployed (within the meaning of the law of such State) or the individual has exhausted all of the compensation available to him under the law of such State; and".

(b) Section 303 of such Act is amended by adding at the end thereof the following new subsection:

"(d) A hearing with respect to the claim of any individual for unemployment compensation shall meet the requirements of this subsection if—

"(1) such individual has been given timely written notice of the hearing;

"(2) such individual may be represented by counsel at the hearing,

"(3) such individual may present evidence at the hearing and cross-examine witnesses presented by the State; and

"(4) the decision by the tribunal before which the hearing is conducted is in writing and based only on evidence presented at the hearing."

(c) The amendment made by this section shall apply with respect to certifications under section 302 of the Social Security Act after December 31, 1975.

JUSTICE DEPARTMENT RIDES THE BACKS OF DAIRY CO-OPS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. STEIGER of Wisconsin. Mr. Speaker, farm cooperatives, if one were to believe some reports, are little more than an evil marketing tool designed to rip-off consumers. Some critics would even have us believe Americans are paying a higher price for their table necessities simply because cooperatives are allowed to exist.

On the contrary, co-ops have been a prime factor in the great American phenomenon which sees U.S. consumers expending a much smaller portion of their take home pay for the commodities they eat than their counterparts in any other nation in the world. It is time for cooperative members to take some credit for their hard work rather than the continuous, poorly thought out barbs that have been indiscriminately tossed about of late.

Hoard's Dairyman in its August 1975, lead editorial proffered an excellent analysis of what American cooperatives are all about, while pointing out some of the more popular misconceptions put forth by those who refuse to examine all the facts. This well-documented piece is one that I commend to your attention:

JUSTICE DEPARTMENT RIDES THE BACKS OF DAIRY CO-OPS

The voices of the anticooperatives are becoming louder. Unless certain Justice Department spokesmen change their attitude on the value of farmer-owned cooperatives, the Capper-Volstead Act, which permits individual farmers to join together to market a product, could be in serious jeopardy.

Some high-ranking Justice officials believe that this law, which has been tested for over half a century, permits farmers to achieve harmful monopoly power through their co-ops and, thus, causes undue food price increases.

The fallacy of this argument is evidenced by the fact that farm prices have dropped in 7 of the last 12 months while food prices have continued to rise. Any first-year student of economics knows that it's necessary to control the national output of a commodity to develop substantial market power. Farmers simply don't have such control. Dairy farmers can't turn off milk production when sales drop like a car manufacturer can shut down an assembly line.

Justice has made several proposals for amending the Capper-Volstead Act. One would eliminate the provision that the Secretary of Agriculture be the authority to determine the presence of monopoly power among co-ops, as well as the one to determine that the existence of this power has led to undue price enhancement. Apparently, the Justice lawyers have been irritated by the fact that the Agriculture Secretary has ruled in favor of cooperatives on five formal charges brought under Capper-Volstead, plus numerous other complaints in which co-ops were accused of "using monopoly power."

Obviously, the Justice proposals have ignored the findings of the National Commission on Food Marketing which, after a two-year comprehensive study, concluded that cooperatives enhance competition and have a constructive effect in food marketing for consumers as well as farmers.

Although the finger is constantly being pointed at the dairy industry, Kenneth Naden, president of the National Council of Farmer Cooperatives, suggests that if Justice is sincerely interested in attacking food monopoly power, it would do well to investigate some obvious areas of concentration in the food industry. Naden points out that no mention is made of the fact that the volume of the four largest dairy cooperatives is less than one-third the volume of the four largest non-cooperative dairy marketing firms.

Or that in such key food areas as meat processing, cooperatives have only a 3 percent share of the market. Or that the four largest manufacturers of breakfast cereals control about 90 percent of the market.

Or that the four largest firms, all non-cooperative, control the following share of these markets: Soup, 92 percent; baby foods, 95 percent; tomato products and catsup, 81 percent; soft drinks, 89 percent; instant coffee, 81 percent; baking powder and yeast, 86 percent; dessert mixes, 86 percent; and grain mill products and refrigerated dough, 81 percent. By contrast, the four largest firms selling butter have control of only 14 percent of the market.

There's no question but what a concerted effort is being made to make farmer cooperatives the scapegoat for rising food prices. The situation has been summarized well by the Agribusiness Accountability Project, a public interest group which has been critical, at times, of some cooperative activities. It stated, "Cooperatives are everybody's easy target today, but overall they don't make much of a difference in the price of food on the shelf. The political scandal over milk prices has put cooperatives in the public mind, and going after them has become a way of looking good without getting at the real problem of domination of food processing and retailing by the giant corporations."

SENATE—*Thursday, September 4, 1975*

The Senate met at 12 noon and was called to order by Hon. HENRY BELLMON, a Senator from the State of Oklahoma.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, giver of every good and perfect gift, we pray that the inner quality of our hearts and the outer conduct of our lives may match the high challenge of the tasks committed to us. Equip us in mind and spirit that we may be part of the answer and not part of the problem of our social order. We pray for all who shape the destiny of the world in our time, for all who administer the affairs of government, for all who legislate in the people's name, for all who shape policy by work and speech and vote, for all who write what other people read and for all who hold aloft the torch of truth and justice in the world. And, above all, we pray for clean hands and pure hearts worthy of the trust the Nation has committed to our keeping.

We pray in the Great Redeemer's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 4, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HENRY BELLMON, a Senator from the State of Oklahoma, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. BELLMON thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, September 3, 1975, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 350 and 351.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RIVER BASIN MONETARY AUTHORIZATION ACT OF 1975

The bill (S. 2270) to authorize an increase in the monetary authorization for certain comprehensive river basin plans previously approved by the Congress, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in addition to previous authorizations, there is hereby authorized to be appropriated for the prosecution of the comprehensive plan of development of each river basin under the jurisdiction of the Secretary of the Army referred to in the first column below, which was basically authorized by the Act referred to by date of enactment in the second column below, an amount not to exceed that shown opposite such river basin in the third column below:

Basin	Date	Amount
Arkansas River Basin	June 28, 1938	$4,000,000
Mississippi River and Tributaries	May 15, 1928	158,000,000
North Branch Susquehana River Basin	July 3, 1958	22,000,000
Santa Ana River Basin	June 22, 1936	2,000,000

(b) The total amount authorized to be apropriated by this section shall not exceed $186,000,000.

ALASKA HIGHWAY

The bill (S. 1245) to amend section 218 of title 23, United States Code, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of subsection (a) of section 218 of title 23, United States Code is amended to read as follows:

"(1) will provide, without participation of funds authorized under this title, all necessary right-of-way for the reconstruction of such highways;".

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF S. 2195 AND FOR ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after the two leaders have been recognized, the Senate turn immediately to the consideration of Calendar No. 326, S. 2195, National Productivity and Quality of Working Life Act of 1975, on which there is a time limitation; that following the disposal of that bill, the period for the transaction of routine morning business, for not to exceed 30 minutes, with statements therein limited to 10 minutes each, be operative.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE DEMOCRATIC CONVENTION

Mr. HUGH SCOTT. Mr. President, I see in the newspapers that our friends of the Democratic Party have decided to hold their convention in New York City. They have yielded to the temptation of Adam in reaching for the Big Apple. I do hope, bearing in mind the problems of New York, that they will arrange to bring their own garbage.

ORDER FOR RECOGNITION OF SENATOR ROBERT C. BYRD

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of legislative business today, I be authorized to speak for not to exceed 1 hour with respect to my observations as a member of the delegation that was invited by the Chinese People's Institute of Foreign Affairs, extended through the President of the United States.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PERCY. Mr. President——

NATIONAL PRODUCTIVITY AND QUALITY OF WORKING LIFE ACT OF 1975

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to the consideration of S. 2195, which will be stated by title.

The legislative clerk read as follows:

A bill (S. 2195) to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respect to continued productivity growth and improved utilization of human resources in the United States; and for other purposes.

The Senate proceeded to consider the bill.

ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, there was to be a brief period for the transaction of routine morning business.

Mr. HUGH SCOTT. Mr. President, I think the Senator from Illinois is seeking recognition in the morning hour.

The ACTING PRESIDENT pro tempore. The Senator from Montana has varied the order of business.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine morning business, with statements therein limited to 3 minutes each, the period not to extend beyond 12:15 p.m. today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. PERCY. I thank the acting majority leader very much.

THE MIDDLE EAST AGREEMENT

Mr. PERCY. Mr. President, the interim agreement in the Middle East was ingeniously designed to accommodate the legitimate concerns of both Israel and Egypt. It eases the tensions, improves the climate for further negotiation, and enhances the possibility for an overall peace agreement.

President Ford and Secretary Kissinger have used American diplomacy to advance the cause of peace, and they deserve our congratulations. Prime Minister Rabin and President Sadat merit praise for their flexibility and realism in making the agreement possible.

Mr. President, I fully support this interim agreement. From what I have seen in the newspapers and heard on other forms of news media, obviously the Committee on Foreign Relations, which will be briefed this afternoon at 3 o'clock by Secretary Kissinger, will have many, many questions to put to him. We will probe very deeply into any agreements—open, secret, whatever they may be—that have been taken in this regard. But based on what I have seen today, I fully support the interim agreement.

It does involve some risks by the United States. It does involve the possibility of 200 volunteers, American personnel, going into this area in connection with the electronic listening equipment. But, after all, we now have 24 Americans as a part of the United Nations force. Though this is a risk we do not seek, we certainly do not shirk taking risks ourselves, inasmuch as we have asked Israel to take risks and we have asked the Arab world—certainly Egypt—to take certain risks. Egypt has taken certain risks in connection with the understanding that its Arab brethren will have as to why Egypt feels it is so necessary to take this interim step.

Having talked with President Sadat, I know he has not given up for one moment the strong feeling on his part that there must be an overall agreement and that there must be movement on three fronts, not just one front. But we must take this first step.

Israel certainly is taking risks. It is giving up territory. Those are measured risks that Israel has now supported overwhelmingly, both at its executive and its parliamentary levels.

Therefore, after full and deliberate debate, I trust and hope that the Congress of the United States will take some measured risk in this regard, so that we can take this step toward peace.

The alternative is awesome. The alternative of a fifth war, of another oil embargo, with its economic consequences, would be very great, indeed.

This morning, in the Washington Post, Joseph Kraft gives an excellent analysis of the agreement. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 4, 1975]

REMAINING MIDEAST QUESTIONS

(By Joseph Kraft)

There are good questions to be asked about the accord negotiated between Israel and Egypt by Secretary Kissinger. But they go to matters of fine detail, not to cosmic, Vietnam-inspired doubts about the role of America in the world.

On that general level, indeed, the accord is an undoubted success. It advances at relatively small risk and cost to this country the interests of Israel, of the moderate Arabs and perhaps of peace itself.

The starting point for analysis is something many people apparently find very hard. That is to acknowledge the many gains achieved by Dr. Kissinger's efforts.

The big gainers are the moderate Arabs. President Sadat, without giving anything, receives a big slice of territory claimed by Egypt in the Sinai Desert. He put the Suez Canal and its cities out of reach of the Israeli guns. He achieves favor in Washington, with assurances of more economic assistance and the prestige conferred by an early visit to this country.

Other Arab leaders prepared to negotiate with Israel are equally strengthened. President Assad of Syria has gone along with the Egyptian-Israeli accord in silence—a sure sign he expects to be in on the next round of Mideast peace talks. King Hussein of Jordan has a new lease on life. The oil countries, notably Saudi Arabia, no longer have to apologize for doing business with the United States.

The Israelis also come off reasonably well. Though they have yielded territory, they have set in motion an ongoing process of negotiation and resumed the tenor of even ways with the United States.

At best they will get what they have always most desired—a peace. At worst they will have to fight another war. But they will be several billion dollars richer in economic and military assistance from the United States. They will be on good terms—not indifferent or hostile ones—with their only reliable friend.

The United States does most of the paying. It has to ante up some $3-billion in military and economic aid to Israel. It also agrees to furnish some 200 civilians to man an early-warning station situated between Israeli and Egyptian lines in the Sinai Desert.

Weighed against these debts are clear American gains. At a minimum the United States has averted a war between now and the election.

Moreover, this country emerges as the only significant power in the Near East. It is there not as an adversary but as the friend—the only friend—of both Israel and the Arabs who count. It has shown that the Soviet Union is not around when it comes to constructive effort. It has, as Dr. Kissinger's latest visit to Saudi Arabia indicates, developed some arguments for urging the Arab states to follow a moderate policy on oil prices.

In weighing up the risks and gains for the United States, the main question is: what next? More specifically, what understanding does Dr. Kissinger have with the Israelis and the Syrians about the next step in the settlement talks? What is the exact pledge he has from President Sadat that Egypt will not take its territorial gains and then open a new war against Israel?

The answer to these questions would help to determine the exact nature of the Egyptian-Israeli accord. They would show whether Dr. Kissinger has merely bought a little time, or set in motion, as I tend to believe, a process for making peace.

Unfortunately, these are not the questions being asked in the Congress and the press. The questions being asked have to do with whether the 200 American monitors in the early-warning stations will not be the nucleus of a new Vietnam.

That line of questioning is an intellectual embarrassment. It confuses intercession with intervention on one side. It mixes up what the United States did in Vietnam with the contributions made regularly to peace-keeping by, say, Sweden.

But I suppose we must take this bogus line of questioning philosophically. It is no new thing for people to imagine the past and remember the future. It was clear long ago that the lessons learned from Vietnam would be no small part of the tragedy.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. BELLMON) laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:05 p.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House has passed the bill (S. 907) to authorize the Smithsonian Institution to plan museum support facilities, with an amendment in which it requests the concurrence of the Senate.

The message also announced that the House has passed the bill (H.R. 4415) to amend the Intergovernment Personnel Act of 1970 and subchapter VI of chapter 33 of title 5, United States Code, to provide more effective means to improve personnel administration in State and local governments, to correct certain inequities in such laws, to extend coverage under such laws to the Trust Territory of the Pacific Islands, and for other purposes, in which it requests the concurrence of the Senate.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. BELLMON) laid before the Senate the following letters, which were referred as indicated:

UPSTREAM WATER PROTECTION

A letter from the Director of the Office of Management and Budget transmitting, pursuant to law, eight work plans for upstream watershed protection (with accompanying papers); to the Committee on Agriculture and Forestry.

EXTENSION OF TIME FOR REPORT BY THE DEPARTMENT OF AGRICULTURE

A letter from the Assistant Secretary of Agriculture requesting an extension of time for the final report containing conclusions and recommendations about the WIC program; to the Committee on Agriculture and Forestry.

PROPOSED LEGISLATION BY THE DEPARTMENT OF AGRICULTURE

A letter from the Under Secretary of Agriculture transmitting a draft of proposed legislation to provide for the acquisition of additional lands, and for other purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT BY THE DEPARTMENT OF AGRICULTURE

A letter from the Assistant Secretary of Agriculture transmitting, pursuant to law, an additional report including evaluation material on the Food Stamp Program (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT BY THE DEPARTMENT OF AGRICULTURE

A letter from the Secretary of Agriculture transmitting, pursuant to law, the 1975 annual report on the location of new offices and other facilities (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND THE DEPARTMENT OF AGRICULTURE

A letter from the Secretary of Housing and Urban Development and the Secretary of Agriculture transmitting, pursuant to law, the sixth annual report on financial and technical assistance provided by the Department of Agriculture and the Department of Housing and Urban Development (with an accompanying report); to the Committee on Agriculture and Forestry.

APPROVAL OF LOANS BY THE RURAL ELECTRIFICATION ADMINISTRATION

Four letters from the Administrator of the Rural Electrification Administration reporting, pursuant to law, on the approval of insured loans for certain facilities (with accompanying papers); to the Committee on Appropriations.

REPORT BY THE ASSISTANT SECRETARY OF DEFENSE

A letter from the Acting Assistant Secretary of Defense reporting, pursuant to law, on the value of property, supplies, and commodities provided by the Berlin Magistrate, and under German Offset Agreement for the quarter April 1, 1975 through June 30, 1975; to the Committee on Appropriations.

REPORT BY THE INDIAN CLAIMS COMMISSION

A letter from the chairman of the Indian Claims Commission transmitting, pursuant to law, a copy of its report on the final determination of the claims of the Seminole Indians of Florida v. United States (with accompanying papers); to the Committee on Appropriations.

Reports by the Department of the Interior

Three letters from the Acting Secretary of the Interior transmitting, pursuant to law, reports on soil surveys taken by the Department on certain irrigation projects (with accompanying reports); to the Committee on Appropriations.

Report by the Secretary of Defense

A letter from the Deputy Secretary of Defense transmitting, pursuant to law, the semiannual report on funds obligated in the chemical warfare and biological defense research programs during the second half of fiscal year 1975 (with an accompanying report); to the Committee on Armed Services.

Proposed Legislation by the Department of Defense

A letter from the General Counsel of the Department of Defense transmitting a draft of proposed legislation to limit the tital cumulative entitlement of payment for unused accrued leave to 60 days, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation by the Department of the Army

A letter from Acting Secretary of the Army transmitting a draft of proposed legislation to authorize the Secretary of Defense to dispose by sale within the United States the Defense Department's entire inventory of the chemical substance carbonyl chloride (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation by the Department of the Navy

A letter from the Secretary of the Navy transmitting a draft of proposed legislation to approve the sale of certain naval vessels and for other purposes (with accompanying papers); to the Committee on Armed Services.

Report by the Department of the Navy

A letter from the Acting Commander of the Naval Facilities Engineering Command transmitting, pursuant to law, a report covering the period July 1, 1974 to June 30, 1975 indicating the military construction contracts awarded on other than competitive bid basis (with an accompanying report); to the Committee on Armed Services.

Reports by the Department of Housing and Urban Development

Three letters from the Secretary of Housing and Urban Development transmitting three reports on (1) condominium and cooperative housing; (2) mobile homes; and (3) the Emergency Homeowners' Relief Act (with accompanying reports); to the Committee on Banking, Housing and Urban Affairs.

Report by the Export-Import Bank

A letter from the president and chairman of the Export-Import Bank transmitting, pursuant to law, a report of the actions taken by the Export-Import Bank during the quarter ended June 30, 1975 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

Report of the Securities and Exchange Commission

A letter from the Chairman of the Securities and Exchange Commission transmitting, pursuant to law, the fourth annual report of the Securities Investor Protection Corporation for the year 1974 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

Reports by the Small Business Administration

Two letters from the Administrator of the Small Business Administration transmitting, pursuant to law, a report on the 1974 activities and accomplishments of the Small Business Administration, and a report on the Small Business Administration/Surety Bond Guaranty Program (with accompanying reports); to the Committee on Banking, Housing and Urban Affairs.

Report by the Secretary of Commerce

A letter from the Secretary of Commerce transmitting, pursuant to law, the nineteenth program report of the U.S. Travel Service for the calendar year 1974 (with an accompanying report); to the Committee on Commerce.

Report by the Federal Trade Commission

A letter from the Chairman of the Federal Trade Commission transmitting, pursuant to law, a statistical supplement to the report on cigarette labeling and advertising dated December 31, 1974 (with accompanying papers); to the Committee on Commerce.

Report by the National Railroad Passenger Corporation

A letter from the Director of the National Railroad Passenger Corporation transmitting, pursuant to law, a report on the activities of Amtrak during the month of June 1975 (with an accompanying report); to the Committee on Commerce.

Report of the National Transportation Safety Board

A letter from the Chairman of the National Transportation Safety Board transmitting, pursuant to law, the report of the Board for the year 1974 with an accompanying report); to the Committee on Commerce.

Proposed Legislation by the Secretary of Transportation

A letter from the Secretary of Transportation transmitting, a draft of proposed legislation to extend the authorization of appropriations for financial assistance for State boating safety programs (with accompanying papers); to the Committee on Commerce.

Report by the Secretary of Transportation

A letter from the Secretary of Transportation transmitting, pursuant to law, a report on the Central Railroad Company of New Jersey (with an accompanying report); to the Committee on Commerce.

Proposed Acts by the Council of the District of Columbia

Four letters from the Chairman of the Council of the District of Columbia transmitting, pursuant to law, copies of four proposed acts passed by the Council of the District of Columbia (with accompanying papers); to the Committee on the District of Columbia.

Report by the Secretary of Commerce and the Chairman of the International Trade Commission

A letter from the Secretary of Commerce and the Chairman of the International Trade Commission transmitting, pursuant to law, a report on the principles and concepts which should guide the organization and development of an enumeration of articles which would result in comparability of U.S. import, production, and export data (with an accompanying report); to the Committee on Finance.

Proposed Legislation by the Department of Defense

A letter from the General Council of the Department of Defense transmitting a draft of proposed legislation to amend the Internal Revenue Code with respect to the deduction for moving expenses (with accompanying papers); to the Committee on Finance.

Proposed Legislation by the Department of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare transmitting a draft of proposed legislation to modify requirements for coordination between the Medicare program and the Federal Employees Health Benefits program (with accompanying papers); to the Committee on Finance.

Report by the Secretary of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare transmitting, pursuant to law, the third annual report of the National Professional Standards Review Council (with an accompanying report); to the Committee on Finance.

Proposed Federal Procurement Act of 1975

A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide policies and procedures for the procurement of property and services by Federal agencies (with accompanying papers); to the Committee on Government Operations.

Proposed Legislation by the Department of State

A letter from the Assistant Secretary of State transmitting a draft of proposed legislation to implement the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (with accompanying papers); to the Committee on Finance.

Proposed Legislation by the Secretary of the Treasury

A letter from the Acting Secretary of the Treasury transmitting a draft of proposed legislation to provide incentivies for the expansion of electric power facilities other than petroleum-fueled generating facilities (with accompanying papers); to the Committee on Finance.

Report of the Board of Foreign Scholarships

A letter from the Chairman of the Board of Foreign Scholarships transmitting, pursuant to law, the annual report of the Board of Foreign Scholarships (with an accompanying report); to the Committee on Foreign Relations.

International Agreements Other Than Treaties

Two letters from the Acting Assistant Legal Advisor for Treaty Affairs and one letter from the Assistant Legal Advisor for Treaty Affairs transmitting, pursuant to law, copies of international agreements other than treaties entered into by the United States (with accompanying papers); to the Committee on Foreign Relations.

Report of Property Donated to Public Health and Educational Institutions and Civil Defense Organizations

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of personal property donated to public health and educational institutions and civil defense organizations and real property conveyed to public health and educational institutions, July 1, 1974 through June 30, 1975 (with an accompanying report); to the Committee on Government Operations.

Report of Disposal of Surplus Property for Park and Recreation Purposes

A letter from the Deputy Under Secretary of the Interior, transmitting, pursuant to law, a report covering the disposal of surplus Federal real property for park and recreation purposes for fiscal year 1975 (with an accompanying report); to the Committee on Government Operations.

Report on Productivity Programs in the Federal Government

A letter from the Executive Director, Joint Financial Management Improvement Program, transmitting, pursuant to law, a report on productivity programs in the Federal Government, Volume Two: Case Studies (with an accompanying report); to the Committee on Government Operations.

National Solar Energy R.D. & D. Program Definition Report

A letter from the Administrator, Energy Research and Development Administration, transmitting, pursuant to law, a report on National Solar Energy R.D. & D. Program Definition (with an accompanying report); to the Committee on Interior and Insular Affairs.

National Plan for Energy Research, Development and Demonstration: Creating Energy Choices for the Future

A letter from the Administrator, Energy Research and Development Administration, transmitting, pursuant to law, a report entitled "A National Plan for Energy Research, Development and Demonstration: Creating Energy Choices for the Future" (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Aggregate Market Shares of Petroleum Products

A letter from the Administrator, Federal Energy Administration, transmitting, pursuant to law, a report with respect to any change in market shares for petroleum products (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Imports of Crude Oil, Residual Fuel Oil, Refined Petroleum Products, Natural Gas and Coal, Domestic Reserves and Production of Crude Oil, Natural Gas and Coal, Refinery Activities, and Inventories

A letter from the Administrator, Federal Energy Administration, transmitting, pursuant to law, a report for the period of April through June 1975 concerning imports of crude oil, residual fuel oil, refined petroleum products, natural gas and coal, domestic reserves and production of crude oil, natural gas and coal, refinery activities, and inventories (with an accompanying report); to the Committee on Interior and Insular Affairs.

Quarterly Report on Private Grievances and Redress

A letter from the Administrator, Federal Energy Administration, transmitting, pursuant to law, a quarterly report on private grievances and redress, January 1, 1975 to March 31, 1975 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Proposed Plan for Use and Distribution of the Navajo Judgment Funds

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a proposed plan for the use and distribution of the Navajo judgment funds awarded in U.S. Court of Claims Case 49692 (with accompanying documents); to the Committee on Interior and Insular Affairs.

Proposed Amendment to Concession Contract, Cedar Pass Lodge, Badlands National Monument

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to Concession Contract No. 14-10-9-900-209 authorizing the Oglala Sioux Tribe to continue to provide accommodations, facilities, and services for the public visiting Cedar Pass Lodge within Badlands National Monument, N. Dak., for a term of 1 year from January 1, 1975 through December 31, 1975 (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Amendment Contract Between the United States and the Westlands Water District of the Central Valley Project, California

A letter from the Deputy Assistant Secretary of the Interior, transmitting a new **contract article 16(a), page 31,** proposed **amendatory contract** between the United States and the Westlands Water District of the Central Valley Project, California, which has been revised to increase the contract obligation from $227,905,000 to $305,220,000 to cover the current total cost estimate (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Petroleum Storage for National Security

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on petroleum storage for national security (with an accompanying report); to the Committee on Interior and Insular Affairs.

Applications for Conditional Entries of Aliens

Nine letters from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice transmitting, pursuant to law, reports of applications for conditional entry under Section 203(a)(7) of the Immigration and Nationality Act, submitted by aliens in Austria, Belgium, France, Germany, Greece, Hong Kong, Italy and Lebanon (with accompanying papers); to the Committee on the Judiciary.

Annual Report of the Board for Fundamental Education

A letter from the Executive Director, Board for Fundamental Education, transmitting, pursuant to law, a report of the Board for Fundamental Education for 1974 (with an accompanying report); to the Committee on the Judiciary.

Report of the National Railroad Passenger Corporation

A letter from the Director, Government Affairs, National Railroad Passenger Corporation, transmitting, pursuant to law, a report under the Freedom of Information Act (with an accompanying report); to the Committee on the Judiciary.

Report of the American Revolution Bicentennial Administration

A letter from the Administrator, American Revolution Bicentennial Administration, transmitting, pursuant to law, the first annual report (with an accompanying report); to the Committee on the Judiciary.

Reports Relating to Aid-in-Education Programs

Four letters from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting pursuant to law, reports of published regulations relating to various aid-to-education programs (with accompanying reports); to the Committee on Labor and Public Welfare.

Report of the National Advisory Council on Supplementary Centers and Services

A letter from the Chairman, National Advisory Council on Supplementary Centers and Services, transmitting, pursuant to law, the eighth annual report on Title III of the Elementary and Secondary Education Act (with an accompanying report); to the Committee on Labor and Public Welfare.

Proposed Legislation to Change the Membership of the National Archives Trust Fund Board

A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend section 2301 of title 44, United States Code, to change the membership of the National Archives Trust Fund Board (with accompanying papers); to the Committee on Post Office and Civil Service.

Report of the National Aeronautics and Space Administration

A letter from the Administration, National Aeronautics and Space Administration, transmitting, pursuant to law, a report on positions established during fiscal year ending June 30, 1975 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report by the Department of Health, Education, and Welfare

A letter from the Director of Legislative Services of the Department of Health, Education, and Welfare transmitting a report on S. 1692 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of the Commission on Civil Rights

A letter from the Chairman and members of the Commission on Civil Rights transmitting, pursuant to law, a report on the implementation of court-ordered school desegregation in Boston, Mass. (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of the Commission on Civil Rights

A letter from the Staff Director of the Commission on Civil Rights transmitting, pursuant to law, a report entitled "Twenty Years After Brown: Equality of Economic Opportunity" (with an accompanying report); to the Committee on Labor and Public Welfare.

Reports by the Secretary of Health, Education, and Welfare

Four letters from the Secretary of Health, Education, and Welfare each transmitting, pursuant to law, a report on certain educational programs (with accompanying reports); to the Committee on Labor and Public Welfare.

Proposed Legislation by the Department of Labor

A letter from the Secretary of Labor transmitting a draft of proposed legislation to assure an adequate authorization of appropriations for the President's Committee on Employment of the Handicapped (with accompanying papers); to the Committee on Labor and Public Welfare.

Work Plans for Upstream Watershed Protection

A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, four work plans for upstream watershed protection (with accompanying papers); to the Committee on Public Works.

Prospectus for Alterations at the Chicago, Ill., Everett McKinley Dirksen Building

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, a prospectus for alterations at the Chicago, Ill., Everett McKinley Dirksen Building (with acompanying papers); to the Committee on Public Works.

Recreation Access Study

A letter from the Secretary of Transportation, transmitting, pursuant to law, a study of the problems of user access to recreation areas (with an accompanying document); to the Committee on Public Works.

Proposed Legislation by the Department of Transportation

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Act of August 18, 1894, the Act of March 3, 1899, the Bridge Act of 1906 and the General Bridge Act of 1946, to provide for civil penalties in certain circumstances, and for other purposes (with accompanying papers); to the Committee on Public Works.

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Act of June 21, 1940, as amended, to remove the ninety day requirement for the submission of general plans and specifications for altering a bridge in accordance with an order of the Secretary of Transportation (with accompanying papers); to the Committee on Public Works.

Report of the Library of Congress

A letter from the Acting Librarian of Congress, transmitting, pursuant to law, a report on the activities of the Library of Congress, including the Copyright Office, fiscal year ending June 30, 1974 (with an accompanying report); to the Committee on Rules and Administration.

Report on Disposal of Foreign Excess Property

A letter from the Administrator, Veterans' Administration, transmitting, pursuant to law, a report on disposal of foreign excess property, July 1, 1974 through June 30, 1975 (with an accompanying report); to the Committee on Veterans' Affairs.

Reports Concerning Sharing of Medical Resources and Exchange of Medical Information Programs

A letter from the Associate Deputy Administrator, Veterans' Administration, transmitting, pursuant to law, reports concerning sharing of medical resources and exchange of medical information programs of the Veterans' Administration (with accompanying reports); to the Committee on Veterans' Affairs.

Report of the Architect of the Capitol (S. Doc. No. 94–97)

A letter from the Architect of the Capitol, transmitting, pursuant to law, a report of all expenditures during the period January 1, 1975 through June 30, 1975 (with an accompanying report); ordered to lie on the table and be printed.

Reports From the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audit of the Saint Lawrence Seaway Development Corporation financial statements for the year ended December 31, 1974, Department of Transportation (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Millions Could Be Saved Annually and Productivity Increased If Military Support Functions In The Pacific Were Consolidated," Department of Defense (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Extending The Government's Policy Of Self-Insurance In Certain Instances Could Result In Great Savings," Department of Defense, National Aeronautics and Space Administration, Energy Research and Development Administration (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Need To Reexamine Some Support Costs Which The U.S. Provides To NATO," Departments of Defense and State (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Better Overall Planning Needed To Improve The Standard Of Living Of White Mountain Apaches Of Arizona," Department of the Interior, Bureau of Indian Affairs (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improvements needed in training evaluation, Federal Executive Departments, Civil Service Commission (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Federal Aviation Administration's Airport Certification Program: Has It Resulted In Safe Airports?", Department of Transportation (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on why the Federal Aviation Administration is having difficulty in developing and implementing several management information systems, Federal Aviation Administration, Department of Transportation (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Technology Transfer And Innovation Can Help Cities Identify Problems And Solutions," National Science Foundation, National Aeronautics and Space Administration (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report discussing some of the problems impeding the economic improvement of small-farm operations and what the Department of Agriculture could do to fully exploit the potential national and individual benefits of extension and research programs to encourage and help small-farm operators to improve their farming operations; (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on ways the Congress and the executive branch can improve the delivery of Federal assistance to State and local governments, Office of Management and Budget and Other Federal Agencies (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a list of reports of the General Accounting Office of the previous month (with an accompanying list); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report concerning the large savings that can be obtained by improving the management and operation of the spectrometric oil analysis program, Department of Defense (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report discussing the Department of Agriculture's performance and difficulty in the past few years in forecasting the outlook for wheat and corn supplies, demands, and prices (with an accompanying report); to the Committee on Government Operations.

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report on problems in coordinating multilateral assistance to Thailand, Departments of State and the Treasury, Agency for International Development (with an accompanying report); to the Committee on Government Operations.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. Bellmon):

A petition seeking a redress of grievances from a citizen of Maryland; to the Committee on Government Operations.

A resolution adopted by the County Legislature of the County of Suffolk, New York, in support of H.R. 6841, to outlaw age discrimination in employment; to the Committee on Labor and Public Welfare.

HOUSE BILL REFERRED

The bill (H.R. 4415) to amend the Intergovernment Personnel Act of 1970 and subchapter VI of chapter 33 of title 5, United States Code, to provide more effective means to improve personnel administration in State and local governments, to correct certain inequities in such laws, to extend coverage under such laws to the Trust Territory of the Pacific Islands, and for other purposes, was read twice by its title and referred to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

S. Con. Res. 62. An original concurrent resolution making apportionment of the funds for the National System of Interstate and Defense Highways (Rept. No. 94–364).

Mr. RANDOLPH. Mr. President, I ask the privilege of reporting from the Committee on Public Works an original Senate concurrent resolution (S. Con. Res. 62) approving the 1975 estimate of cost of completing the National System of Interstate and Defense Highways and specifying factors apportioning funds authorized for the fiscal year 1977, and I ask unanimous consent that the committee have until midnight to file its report.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. HUGH SCOTT:

S. 2288. A bill to raise the limitation on appropriations for the United States Commission on Civil Rights. Referred to the Committee on the Judiciary.

By Mr. FORD:

S. 2289. A bill to amend the Tennessee Valley Authority Act of 1933 in order to increase the number of members on the board of directors of such Authority to five. Referred to the Committee on Public Works.

By Mr. TAFT:

S. 2290. A bill to establish Consumer Protection Study Commission in order to study the desirability and feasibility of establishing various administrative courts and transferring to such courts the adjudicatory, licensing, and rulemaking functions of various regulatory agencies, and for other purposes. Referred to the Committee on Government Operations.

By Mr. PELL:

S. 2291. A bill to amend title II of the Social Security Act to provide that a beneficiary shall (if otherwise qualified) be entitled to a prorated benefit for the month in which he (or the insured individual) dies. Referred to the Committee on Finance.

By Mr. GRIFFIN:

S. 2292. A bill to amend title 10 of the United States Code to provide that persons may qualify for nonregular retirement pay before age 60 if totally and permanently disabled. Referred to the Committee on Armed Services.

By Mr. HELMS:

S. 2293. A bill to amend section 402 of title 23, United States Code, relating to highway safety programs. Referred to the Committee on Public Works.

By Mr. FONG:

S. 2294. A bill for the relief of Leslie R.

Allen and Penelope Eve Allen. Referred to the Committee on the Judiciary.

By Mr. CANNON:

S. 2295. A bill to promote public confidence in the legislative, executive, and judicial branches of the Government of the United States. Referred to the Committee on Government Operations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HUGH SCOTT:

S. 2288. A bill to raise the limitation on appropriations for the United States Commission on Civil Rights. Referred to the Committee on the Judiciary.

Mr. HUGH SCOTT. Mr. President, I am pleased to introduce today a bill to increase the limit on appropriations for the U.S. Commission on Civil Rights. This is the second such bill I have introduced this year. My first bill (S. 1834), cosponsored by Senators PHILIP HART, TUNNEY, and MATHIAS, contained several inaccuracies which needed to be changed. For example, S. 1834 was worded to indicate that the fiscal year ended on September 20, 1976, when, in fact, the fiscal year, because of the new Budget Reform Act, now ends June 30, 1976. This bill consequently failed to provide a separate authorization for this 3-month period.

The bill I introduce today therefore, increases the amount authorized to be appropriated to the U.S. Commission on Civil Rights to compensate for this 3-month period. Under this bill, $7.843 million is authorized for the fiscal year ending June 30, 1976; $1.975 million for the period beginning July 1, 1976 and ending September 30, 1976; and for each fiscal year thereafter through the fiscal year ending September 30, 1978, the sum of $10.276 million is authorized.

For more than 15 years the U.S. Commission on Civil Rights has been a strong and effective force in fighting discrimination. It has quietly waged many campaigns to correct abuses against minority groups and has rung up many successes.

We have all witnessed the work done by the Commission in conjunction with the 1964 Civil Rights Act and the Voting Rights Act of 1965. While the original focus of the Commission was discrimination against blacks, its scope has recently broadened to include all minorities.

It is essential that this outstanding organization be allowed to continue to operate at peak proficiency. This legislation I introduce today will provide the authority for funding for the Commission. I hope early and favorable consideration is given to this vital bill.

By Mr. TAFT:

S. 2290. A bill to establish Consumer Protection Study Commission in order to study the desirability and feasibility of establishing various administrative courts and transferring to such courts the adjudicatory, licensing, and rulemaking functions of various regulatory agencies, and for other purposes. Referred to the Committee on Government Operations.

REGULATORY AGENCY REVISION ACT OF 1975

Mr. TAFT. Mr. President, today I introduce the Regulatory Agency Revision Act of 1975. In my view, this bill would bring substantial reform to the regulatory process. It would help make our regulatory agencies the effective and vigorous watchdogs which the American consuming public deserves and expects.

Never in our history has regulatory reform been a more necessary undertaking. The state of many of our regulatory agencies is near collapse. As the Congress has seen in its consideration of the proposed agency for consumer advocacy, many regulatory agencies have betrayed not only consumers, but they have also wasted the taxpayers' money and constituted a bureaucratic nightmare for American industry.

I do not believe that anyone today, other than those who for parochial reasons may want to keep things the way they are, questions the need for prompt and comprehensive regulatory reform. We are witnessing President Ford driving more diligently for such reform than any other President in recent history. He has called for relaxation of all kinds of economic, safety, and environmental regulations in an attempt to obtain reform, and obtain it now. Accordingly, he has called a "regulatory summit" with the chairmen of 10 Federal agencies to discuss what he describes as "excessive Government regulations that stifle productivity, eliminate compensation, increase consumer costs, and contribute to inflation." As he has so aptly stated:

> **I want small businesses released from the shackles of Federal red tape. I want to end unnecessary, unfair, and unclear regulations—and needless paperwork.**

I could not agree with the President more. However, I feel that regulatory reform is a massive undertaking which should not be left solely to the executive branch. The Congress and the courts must become aggressively involved in this area, and each body must contribute constructively to this immense job.

I believe developments in recent weeks are positive signs that the Congress and the courts are moving in this direction. For example:

First, Congress has moved toward the repeal of the Miller-Tydings and McGuire Acts that for nearly 40 years have allowed manufacturers to fix retail prices under State fair trade laws.

Second, the Federal Trade Commission has also proposed to override State or local laws or professional codes of ethics that prevent druggists from advertising prescription drug prices.

Third, the Securites and Exchange Commission has ended the New York Stock Exchange's fixed commission rate system that dated back to 1792, when stockbrokers simplistically agreed to charge the same prices.

Fourth, the Supreme Court has held that lawyers cannot agree on minimum fee schedules under the guise of regulating professional ethics in the Goldfarb case.

As I have stated, my bill would bring needed reform to the regulatory process. It would establish a consumer protection study commission for the sole purpose of making revised and updated recommendations relative to the desirability and feasibility of transferring the adjudicatory, licensing, and rulemaking functions of our regulatory agencies to newly created administrative law courts.

My bill builds upon the results of the 1955 report of the second Hoover Commission. That report in pertinent part stated:

> **The Administrative Procedure Act thought to achieve an internal separation of functions at the hearing level. The theory of separation was based on the principle that the person who investigates and prosecutes a case should not also serve as a judge. We propose that such an internal separation of functions be applied to agencies themselves as well as to hearing officers. We further propose to include in the requirement for separation of functions, certain proceedings now exempt from this requirement, such as the determination of applications for initial licenses and the validity or applications of rates, facilities, or practices of public utilities or carriers, whenever a hearing is required by law.**

Mr. President, at the conclusion of my statement I will ask unanimous consent to include in the RECORD the recommendations of the second Hoover Commission relative to the transfer of adjudicatory functions of regulatory agencies to new administrative courts.

Unlike the earlier Hoover Commission, the study group created by this bill would have a very limited task. It would be charged with restudying part IV of the 1955 report only. It would reexamine, modify, particularize, and resubmit recommendations numbered 50 and 51 from the earlier report. In addition, it would be the function of this new commission to make recommendations with respect to maintaining within the agencies studied a prime responsibility for protecting the interests of consumers as they relate to the functions performed by such agencies and administrative courts. The Congress could then intelligently proceed with legislation to accomplish this fundamental reform to protect the public and consumer interests.

Of importance is the requirement that the new commission report back to the Congress within 6 months of the confirmation of all members of the commission.

We in the Congress can attest to the fact that all too frequently, executive reorganization has amounted to little more than a reshuffling of executive organization charts.

Experience at prior reform has taught us that the number of bureaucrats and the amount of paperwork has not diminished. Although I believe that the President is earnestly serious about achieving reform, the reforms envisioned by my bill would strike a fundamental blow for consumers who are interested in effective regulation and would provide greater procedural fairness to all interested parties.

The reform mandated by my bill would enable and force those regulatory agencies which have broken down to become effective because they would be turned into advocates before impartial law courts. Stripped of its adjudicatory functions, regulatory agencies would have the sole responsibility of investigation and prosecution. Consumer advocacy would be at the core of their efforts as they vigorously pursue their mandate to protect the public welfare. Instead of one agency for consumer advocacy which would be spread thinly over every function of every agency each agency would be a consumer advocate in its specialty

field of regulation. My proposal would assure consumer protection through specialized agencies not merely advocated by an outside generalist.

Moreover, my bill would eliminate the unfairness in the present system of having a commission which orders the issuance of a complaint and later passes upon the merits of the case. Inherent to the present regulatory system is a conflict of interest within the agency between its responsibilities as a prosecutor and a judge. This conflict of interest offends even the most basic notion of fairness and justice with the consumer being the ultimate loser.

The time has come for those of us in the Congress who are interested in consumers to cease proliferating ideas that more bureaucrats in Washington will make everything better. Nothing could be further from the truth. If we are interested in consumers, which I feel we must be, we should be honest enough with ourselves and with the American people to say that if the present system is not working, it will not be helped with addition of more lawyers to file more briefs and ask for more delays. By creating a new Hoover-type commission, we can quickly call upon the best administrative law scholars in our country and find solutions to the vexing problems of all consumers.

Mr. President, I ask unanimous consent that the recommendations of the second Hoover Commission relative to the transfer of adjudicatory functions of regulatory agencies to new administrative courts be included in the Record at this point. I also ask unanimous consent that two articles entitled, "Where Overregulation Can Lead," appearing in the June 1975 edition of Nation's Business and "Regulatory Report—Ford Building Framework for Attempt to Change Policy," appearing in the June 26 edition of National Journal Reports, be printed in the Record, together with the text of the bill.

There being no objection, the material and bill were ordered to be printed in the Record, as follows:

Part IV. Transfer of Judicial Functions of Administrative Agencies to the Courts

The development of the administrative process has led to a substantial modification of the traditional doctrine of the separation of powers. In special areas of regulation, executive, legislative and judicial powers have been combined in a single instrumentality, but such a commingling of functions is justified only where the Congress finds that it is necessary to the effective performance of the regulatory responsibilities of the Federal Government. Our task force believes that wherever practicable there should be a complete separation of the judicial functions of administrative agencies from their other functions.

Where the proceeding before the administrative agency is strictly judicial in nature, and the remedy afforded by the agency is one characteristically granted by courts, there can be no effective protection of private rights unless there is a complete separation of the prosecuting functions from the functions of decision. The latter should be transferred either to persons who do not participate in the administrative processes or to the courts. As an example, the imposition, remission, or compromise of money penalties, the award of reparations or damages, and the issuance of cease and desist orders, all of which are typical judicial remedies, should be transferred from the administrative agencies to the courts wherever this can be done without harm to the regulatory process. We feel that the Interstate Commerce Commission and the Secretary of Agriculture should be divested of authority to enter orders for reparations and damages, and we suggest that further study be made of this general problem with a view to removing typically judicial functions from the agencies in the executive branch.

RECOMMENDATION NO. 50

Congress should look into the feasibility of transferring to the courts certain judicial functions of administrative agencies, such as the imposition of money penalties, the remission or compromise of money penalties, the award of reparations or damages, and the issuance of injunctive orders, wherever it may be done without harm to the regulatory process.

Where functions performed by administrative agencies may not be readily imposed upon the existing courts of general jurisdiction, but should nevertheless be removed from administrative control, we propose that they be placed in a court of special jurisdiction, to be known as the Administrative Court of the United States. The concept of the task force was that it would serve as a trial court for such matters of special adjudication.

Our task force examined the whole field of adjudicatory functions now performed by administrative agencies and Executive tribunals for the purpose of determining which of those functions not covered by our preceding recommendation might properly be transferred to a court or courts of special jurisdiction. It concluded that there are several areas in which such transfer of functions might be made without endangering the administrative processes.

The first area is that of taxation. The Tax Court of the United States is the only strictly executive tribunal in the United States. We believe that this Court should be removed from the executive branch. It would be a legislative court comparable to the United States Court of Claims.

The second area is that of trade regulation. At present a number of agencies and executive departments attempt to enforce, through injunctive orders, statutes declaring unlawful unfair methods of competition and unfair or deceptive trade practices. Considerable confusion exists as to the jurisdiction of the various agencies and departments in this field. More uniform and effective enforcement of these laws will be gained by transferring this function to a special court.

The third area is that of labor relations where, under the National Labor Relations Act, control is presently vested in the National Labor Relations Board of five members and an independent General Counsel. The Board has investigation powers over unfair labor practices, jurisdictional disputes, and certification of collective bargaining units. It also conducts elections to determine whether a union represents a majority of employees in an apropriate unit, passes upon and determines the certification of employee representatives, and adjudicates unfair labor practice cases. The General Counsel has final authority, on behalf of the Board, with respect to the investigation of charges of unfair labor practices, the issuance of complaints thereon, and the prosecution of such complaints before the Board.

It is not proposed that the new Administrative Court have general jurisdiction over the judicial functions of administrative agencies in any areas other than the three mentioned. We believe, however, that once it is established the Administrative Court will provide an instrumentality to which, from time to time in the future, additional adjudicatory functions in special areas might be transferred. Additional Sections of the Court could readily be established. The Administrative Court thus would serve as an intermediate stage in the evolution of administrative adjudication and the transfer of judicial activities from the agencies to courts of general jurisdiction.

RECOMMENDATION NO. 51

An Administrative Court of the United States should be established with three sections as follows—

(a) A Tax Section which should have the limited jurisdiction in the field of taxation now vested in the Tax Court of the United States;

(*b*) A Trade Section which should have the limited jurisdiction in the trade regulation field now vested in the Federal Trade Commission, the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Federal Reserve Board, the United States Tariff Commission, the Federal Power Commission, the Department of the Interior, and the Department of Agriculture; and

(*c*) A Labor Section which should have the jurisdiction now vested in the National Labor Relations Board by the National Labor Relations Act over the adjudication of cases involving unfair labor practices.

It is further recommended that the Congress study and determine whether the Trade Section and the Labor Section of the Administrative Court should have *original* or appellate jurisdiction.

Where Overregulation Can Lead

(An interview with Dr. Murray L. Weidenbaum)

This specialist in government regulation, a former federal official himself, tells how more and more firms are threatened by the new federal seizure of management's right to decide profit-and-loss questions.

Government power to control and influence the decisions of business threatens the very existence of many business firms and the financial health of many thousands more.

Washington, warns Dr. Murray L. Weidenbaum, a former government official himself, is snatching much of the vital decision-making power away from businessmen and handing it over to a growing federal bureaucracy. The result, he says, is a revolutionary change in our national economic system.

The big problem, he points out, is that more and more of the decisions of business management that affect profit and loss are being controlled and influenced by government agencies which are insulated from the pressures of management responsibility. Businessmen who are responsible for profit and loss no longer have full freedom to make the profit-and-loss decisions.

Dr. Weidenbaum, a distinguished economist and author, is an expert on government and its impact on the economy. That is the theme of his recent book, "Government-Mandated Price Increases," a study of government regulation published by the American Enterprise Institute for Public Policy Research.

Because of his expertise, Dr. Weidenbaum was asked to elaborate on what he calls "the second managerial revolution." In this interview with Nation's Business, he says there has been not merely a loss of managerial freedom, but an enormous cost to the public. Unless the nation changes course, he adds, our economic system is threatened with stagnation and continuous high inflation.

Dr. Weidenbaum is Director of the Center for the Study of American Business, established at Washington University, St. Louis, Mo., last January with a grant from the John Olin Foundation. The center's purpose is the study of the role of private enterprise in the development of American society and the relationship between a market economy and a free society.

Its Director has had an outstanding career in government as well as business. He was

Assistant Secretary of the Treasury for Economic Policy during 1969–71 and served earlier as a fiscal economist in the U.S. Bureau of the Budget.

From 1958 to 1963, he was the Corporate Economist at the Boeing Co. and is now a consulting economist to Mallinckrodt, Inc., and the First National Bank in St. Louis.

He is the author of "The Economics of Peacetime Defense" and "The Modern Public Sector." With Dr. Paul McCracken, former Chairman of the President's Council of Economic Advisers, he also wrote "Fiscal Responsibility," a study of national economic policy.

Dr. Weidenbaum was interviewed in St. Louis by an editor of Nation's Business.

Is business in the United States facing a threat it never faced before?

Yes, this country is going through a second managerial revolution. The first occurred many years ago, with the divorce of corporate ownership from management. That revolution involved the rise of professional managers, as distinct from owners.

This new revolution is far more subtle. It involves the shift of decision-making from managers, who represent the shareholders, to a cadre of government officials, government inspectors, government regulators.

Increasingly, the power to make business decisions is being taken away from management and assumed by government. The problem is that these government officials and government agencies are not responsive to the pressures of profit and loss and, though their decisions affect management, they have no management responsibility.

In what areas do their decisions affect management?

How you hire people, what products you make, how you go about making them, personnel practices, production methods, marketing, financing. There isn't much, in terms of company decision-making, that isn't closely controlled or influenced by one or more federal agencies. And sometimes the control of one agency conflicts with the control of another.

Since the 1960's, there has been a massive expansion, not only in the number of laws, but in the areas of business under government's thumb.

Some of this is very costly, not only to business, but to the public as well.

The increase in the cost of producing consumer goods is the ultimate burden imposed by government regulation of business.

So this is part of the revolution you mentioned. What are some of the other vital business areas it affects?

It is most apparent, perhaps, in industries like transportation, where literally you can't go into business until government gives its approval. You can't even get started, unless government gives you the go-ahead.

That applies to communications—radio, television—as well as trucking, for example.

But it goes beyond that, doesn't it?

Yes. Obviously, you can't build a factory if it violates the standards of the Environmental Protection Agency. You have to make sure, of course, that in cleaning up air pollution you don't generate water pollution.

That's an example of a growing problem. There is such a proliferation of government regulations that, in trying to obey one, you run afoul of another.

For example, to desulfurize coal—and reduce air pollution—requires a combination with lime. But when you do that, you generate large quantities of solid waste, calcium sulfate. And disposing of calcium sulfate creates water pollution problems.

Let me give you another example.

Federal food standards require meat-packing plants to be kept clean and sanitary. Surfaces that are easiest to clean are usually tile or stainless steel.

But tile and stainless steel are highly reflective of noise and don't always meet Occupational Safety and Health Administration standards.

More is involved than the environment and health, isn't it?

Just go through the major departments of any company.

Let's take the personnel department. It's quite clear that before you can hire anyone, you have to make sure you follow the rules of the Equal Employment Opportunity Commission.

Certainly, once people are hired, you have to meet the requirements of the wage and hour law.

If you have landed a federal contract, you have to file an affirmative action program. Also, you will have to make sure you comply with the Davis-Bacon Act or the Walsh-Healy Act.

In all cases, you must make sure you don't violate the rules of the Occupational Safety and Health Administration. And sometimes those rules get in the way of the Equal Employment Opportunity Commission.

For example, both OSHA and EEOC have jurisdiction over toilets. OSHA once said women need special lounge facilities as part of their restrooms. But EEOC says, well, if you provide lounges for women, you have to provide them for men also.

Regulation, like justice, must be blind.

What if you clear hurdles like these?

You are not out of the woods yet.

Along comes the Consumer Product Safety Commission. It has the power to ban your product in the marketplace. In the commission's eyes, you are guilty until proven innocent.

That is a clear example of the shift of power.

The commission puts out a list of banned products. But it warns that, even if you aren't on the list, you should consider your products banned unless you can prove they meet the commission's standards. That's what I mean by guilty until proven innocent. They have shifted the whole burden of proof on you.

When you look at the power of the Consumer Product Saftey Commission, it is really scary. The commission has the ability, and has used it on occasion, to drive a company out of business—through the commission's own mistakes.

The commission put the Marlin Toy Co., a small firm in Wisconsin, out of the toy business by inadvertently putting its products on the banned list.

Later, the commission recognized its error, but it was too late.

As it turns out, this company was an employer of handicapped people in the little town where it is located. So we are talking about a socially responsible business.

By forcing it to lay off employees, the commission not only added to unemployment, but hurt a group of people who find it especially hard to get jobs—the handicapped.

Isn't it rare for Washington to put a company out of business and people out of work?

Not at all.

For example, about 350 foundries in this country have closed in the past three years because they couldn't meet EPA or OSHA requirements. Basically, these were smaller foundries.

As a result, the larger foundries are working to capacity. They're so busy that they can't take on a lot of military work, including castings for our big M–60 tank.

Now, we have a shortage of tank castings. It is so serious that the army has been investigating tank casting facilities in Britain and West Germany.

Meanwhile, of course, unemployment here continues to rise.

I wonder how much thought EPA or OSHA gave to the unemployment problem or to national defense.

Doesn't this run counter to creating full employment, a top national priority?

Precisely. The old breed of regulatory agencies, like the Interstate Commerce Commission, have been criticized for excessive concern with the health of industries they regulate.

No one has ever accused newer agencies like EPA or OSHA of that. All they're concerned about is their programs.

Somehow, we've got to get that broader idea of the total national interest across to OSHA, EPA, and the rest of the federal regulators Congress has created.

How many federal regulators get into the act?

It varies industry by industry.

We now have what I call a matrix form of regulation. Some agencies specialize by industry.

In other words, the Civil Aeronautics Board regulates the airline industry. The Federal Communications Commission regulates all aspects of radio and television. ICC regulates railroads.

Then we have a new kind of government regulatory agency, like OSHA. It regulates only one aspect of business activity—job safety—but its authority takes in all industries.

Or EEOC, which regulates personnel practices for all businesses.

And EPA. It deals with environmental impact only, but again for all industry.

Why aren't Americans aware of what's happening?

The change isn't visible or dramatic enough, except to the businessman under the gun. However, some symbols of the shift of power to government should be apparent to the man in the street.

For example, the consumer is paying for the new managerial revolution in a number of ways. One is his tax bill. It costs him $4 billion a year to support all the federal regulatory agencies that ride herd on business.

But that's only the tip of the iceberg. The real cost to the consumer is indirect, but much larger.

We are now deeply concerned about our economy's lack of increase in productivity. It is crystal-clear to me that much of our potential growth in productivity is eaten up by the proliferation of government controls.

Government regulation imposes a lot of burdens on business, like mountains of paperwork, that decrease productivity.

But I guess what worries me most is what happens to an industry when it really becomes controlled by government, as some are.

Look at the cost overruns, for instance, in so many Defense Department projects. Also, look at the time delays.

To me, there is a close relationship between them and the very close, day-to-day government regulation of the defense industry—the most closely regulated industry in our society.

More closely regulated than utilities?

Oh, yes. We think of utilities as our most tightly regulated industry. But they aren't regulated anything like the defense industry.

Look at the regulations issued by state utility commissions, and you are talking about a pamphlet. Look at the regulations given the defense contractor by the federal government and you are talking, literally, about volumes.

Government bureaus aren't set up to minimize cost. They have a different outlook on life.

Different in what way?

A smart bureaucrat knows how to say no.

I spent a lot of time in the federal government during the course of my career, and I know that the safest thing to say is no. That way, you won't get into trouble.

Don't stick your neck out.

Well, that runs counter to what happens in private industry, where you are sticking your neck out all the time. When you bring out a new product, you stick your neck out. When you introduce a new production process, you stick your neck out.

But that's the way the system works.

What all this so-called government protection does is protect the consumer against new products, new processes, and lower costs.

The result could well be economic stagnation.

Why don't consumers and business resist more?

Business may be part of the problem. Many companies learn to live in a government-regulated environment and feel comfortable.

But if you expect the government to bail you out when you have losses, you're not going to have the freedom to earn the profits.

You mean government makes the decisions?

More and more every day—and not always wisely.

Look at the automobile industry and catalytic converters.

Big Brother, or Big Mother, however you prefer to think of Washington, got into the auto industry to put in the converters. Now Big Mother finds that she may have been hasty. The catalytic converters may cause worse pollution than they eliminate.

But the point is that the decision was shifted from business to government. The irony of it! Think of the outcry if Detroit, on its own, had gone ahead and installed catalytic converters without a full environmental impact statement.

Well, the agency in charge of these environmental impact statements, EPA, apparently went ahead on converters without checking the full impact on the environment.

That's part of the problem of dealing with government. It has a double standard. Business can be forced by government to follow rules and regulations. But the government itself is free to ignore them.

Doesn't that apply to the Consumer Product Safety Commission, too?

Yes, in a way. Last fall, it bought 80,000 toy-safety buttons to be worn on the lapel. The idea was to encourage people to be safety-minded about toys.

Well, it turned out that they used lead paint on the buttons. There was a danger of lead poisoning if they were licked by children. So the commission had to ban its own buttons.

It sounds funny.

But think about the taxpayers who had to foot the bill for producing 80,000 useless buttons.

Isn't that a drop in the bucket for Uncle Sam?

There are so many drops that even that bucket is overflowing.

Each agency is preoccupied with its own narrow interests and isn't concerned with what's happening to the company, an industry, or even to society as a whole.

EPA and the fire ants offer a good case history. EPA has told the Agriculture Department it is imposing severe restrictions on the use of pesticides to kill fire ants. The department had a major program under way to get rid of them. Now the department says EPA's ruling makes it impossible to carry out its eradication program.

So the department thinks fire ants may spread over a third of the United States—as far north as Philadelphia.

Fire ants may not harm the environment as much as EPA thinks pesticides harm it. But their bite is not only painful but can even cause death.

All EPA cares about is the environment. Apparently, the fact that these ants can kill you and me isn't EPA's problem.

I suggest, facetiously, that the Agriculture Department try to breed a special strain of fire ants that bite only people who make such EPA rules.

But much of the public apparently favors these new federal agencies.

Of course.

If you were told only of the benefits of government regulation—and not its costs—wouldn't it sound great?

That's a proverbial free lunch, something that will help you and won't cost you a dime. But there aren't any things in life that will benefit you with no cost.

And that's true of government regulation, as well as anything else.

Do you think public opinion will change?

I think so. I am an optimist. But a patient optimist.

To me, Congress's decision to reverse the federal regulators on the interlock, seat-belt system this year was encouraging. It's an example of what can happen when the public gets aroused.

It became obvious to Americans that they were paying through the nose for a complicated system they didn't want. It was extravagant nonsense.

Congress got the picture pretty fast. It threw the interlock out the window.

But only, of course, after the auto industry had spent millions to perfect and install it.

Any straws in the wind there?

Yes, I think so. Congress almost outlawed air bags at the same time.

I think this is a message those who are so much in favor of regulation should take to heart.

When the pendulum swings, it swings with a vengeance. You can get a reaction against all this regulatory cost—and waste—that will involve a wholesale liquidation of these police agencies.

If so, you'll see the end of the good, as well as the bad.

So not all regulation is bad?

No. Unless you are an anarchist you must believe that government should set the rules for society. The question is what kind of rules and how many.

Economics has an answer for that. It says, carry regulation to the point where the added benefits barely exceed the added costs. That's where you stop.

Overregulation is where the added costs exceed the added benefits.

Can you give an example of a useful role for a government regulator?

Take OSHA. It has a basic role in investigating lethal hazards. That's why Congress set it up. But it should not also be deciding questions like these:

How big is a hole?

What color to paint a door?

What is a ladder?

That's the kind of nonsense that should be eliminated.

What's the right way to promote job safety in your view?

I'd shift the whole emphasis to reducing accident rates and health hazards.

The objective is safer working conditions. Establish some goals, provide some incentives, then let the companies—individually or through trade associations—decide what they'll do to reach those goals.

There's no one royal road to safety. Some companies may find that it is most effective to redesign their equipment, others that a training program is best for them. Still others, more work on supervision.

Get away from the emphasis on detailed federal rules and regulations.

For one thing, from the data I've seen, there's no indication that these government regulators have cut accident rates in industry.

So, even if you follow them to the letter, that doesn't mean the place is safer. It just means you won't get in trouble.

That's the bureaucratic mentality.

We have to realize there are more effective ways of using the private sector to achieve national objectives.

Are more regulations inevitable?

In the short run, I am afraid we are in for more.

I have looked at the proposed new legislation in Congress—and I'm afraid that, for the next year, business must brace itself for another round of federal straitjackets.

In fact, at least 23 congressmen in the House literally believe you should have to get Washington's permission to go out of business. They introduced H.R. 76 last January. It would require a two-year prenotification to the Secretary of Labor to close or move a business—if that would result in 15 percent of the employees losing their jobs.

What can businessmen do if they don't like this trend?

Support something like the bill of Sen. J. Glenn Beall, Jr., of Maryland.

It would require each new law, including those that regulate business, to carry a price tag.

That would alert us to the cost—as well as the promised benefits—of each regulatory proposal put before Congress.

That's progress—a cost-benefit analysis. If we could limit new regulations only to those whose benefit to society exceeds the cost, there'd be a lot fewer of them.

Then we must see that the same yardstick is applied to existing regulations and regulatory agencies.

Anything else?

Take a leaf from the environmentalists. They pushed through a rule that before you do anything, anywhere, you must determine what impact this will have on the environment.

I would like to turn that around.

I'd like to see legislation which says that, before EPA or any other regulatory body does anything, it must file a statement describing what this will do to the economy—an economic impact statement.

Can business look for allies elsewhere?

Well, the thing that amazes me is that liberals, who attack the government when it infringes on civil liberties of individuals, couldn't care less when it does the same thing to businessmen.

You know of the outcry over no-knock searches for narcotics.

Well, OSHA inspectors all have no-knock power. They can come into your plant without warning anytime they please.

Liberals should wake up to the fact that there isn't a sharp cleavage between civil liberties in the personal sphere and civil liberties in the business sphere.

Regulatory Report/Ford Building Framework for Attempt To Change Policy

(By Richard E. Cohen)

President Ford has begun to take "regulatory reform" out of the talking stage and is seeking to build a legislative and political framework to make significant changes in federal policy. But many parts of his program have not been completed and the congressional response so far still is primarily one of interest, not action.

Ford has set as one of his Administration's domestic priorities the modernization of regulatory rules and practices, both through agency actions and new laws.

Asked at a July 12 press conference in Chicago to list his accomplishments as President as he began his campaign for election, Ford answered, in part: "We have promoted what I think is very important—some constructive steps to deregulate the American economy, getting rid of those regulations that are no longer needed and necessary, and progress in this area, I think, will be more significant in the months ahead."

The responses generated during "summit" meetings June 25 with congressional leaders and July 10 with regulatory agency officials indicate that the initiative which he has taken on the issue has general support, but that it will be a difficult process to translate his program into specific changes.

Roderick M. Hills, counsel to the President and Ford's chief adviser on regulatory reform issues, told *NJR* July 15: "We have not proved anything yet. Much that has been done is rhetoric." However, Hills said, the "umbrella of rhetoric" which followed the two meetings has resulted in the creation of "a mechanism for dealing with the agencies and the Hill and getting things done."

Hills heads a White House task force that has the responsibility to make that mechanism work and to reduce federal regulation. His agenda foresees enactment of "a couple of major reforms" by 1976, including changes in rail and, perhaps, other transportation regulatory laws and the repeal of the federal fair trade laws.

He said he also hopes there will be a "political constituency" for action after 1976 in "nine or 10" areas where he believes "the regulatory system has become bogged down and is not working well for anyone."

Among the potential areas of action on the agenda for the task force are antitrust reform, creating "incentives for industry" rather than imposing certain health, safety and environmental rules, and "genuinely rethinking whether some independent agencies should exist."

Paul W. MacAvoy, a member of the Council of Economic Advisers and a key member of the White House task force on regulation, identified the Federal Energy Administration as one agency slated for "a stripping away of its procedures to get the absolute minimum amount of regulatory activity," assuming Ford and Congress agree on a bill to extend its life, scheduled to expire Aug. 31.

Hills said that the recent performance of some of the regulatory agencies has been "less than inspired," but added, "We can do an awful lot administratively." Within a few months, it is likely that Ford appointees will be serving as chairmen of the Interstate Commerce Commission, Federal Power Commission and Federal Maritime Commission. John E. Robson was sworn in April 21 as the chairman of the Civil Aeronautics Board.

Issues: There are three separate sets of issues surrounding the debate on federal regulatory policy. At times, the issues have been meshed, sometimes because they are inextricably related and at other times for political purposes.

The long-term goal supported by Administration planners and some Members of Congress is overhaul of federal economic regulation, including the extent to which government sets rates and rules of entry for certain industries and the manner in which those rules are imposed.

In a second area, Ford has made several speeches before business groups in which he has called for a reevaluation of federal regulation of health and safety practices. While White House spokesmen have said recently they view this issue as separate from changes in economic regulation, congressional and consumer spokesmen said some Administration statements have not made clear the distinction.

The final piece of the regulatory debate deals with making the existing process work better. This goal has strong support among Members of Congress frustrated by what they consider are bureaucratic delays in implementing federal programs.

Agreement: Sen. Frank E. Moss, D-Utah, and chairman of the Senate Commerce Consumer Subcommittee, said there is "general agreement" between Ford and Congress about the need for regulators to take into account views in addition to those of the industry they regulate. He said the June 25 summit also showed a consensus calling for "quicker action and better procedures" in setting health and safety regulations.

Rep. Jim Wright, D-Texas, a key House figure in the enactment of environmental and transportation laws, praised Ford's efforts to streamline federal programs. "Programs are being over-implemented. There is a terrible congressional frustration in doing anything about it because we don't have the capacity to require administrators to carry out congressional intent," Wright said.

Wright expressed caution, however, over the likelihood of sweeping changes in economic or health regulation. "I've investigated many claims of overregulation of rates and entry and they have been grossly overstated and over-simplified in some cases."

Rep. Frank Horton, R-N.Y., senior GOP member of the House Government Operations Committee, said it is important that Ford has begun debate on these issues. "It will take some time to comprehend what is involved in these complex problems," Horton said. "In the past, regulatory problems have been addressed on a case-by-case basis; we need to look at the whole picture of the regulatory process and the multitude of problems affecting the ability of the agencies to work more efficiently."

WHITE HOUSE

Since October 1974, when he requested Congress to create a commission to examine regulatory practices, President Ford has taken several steps to outline his philosophy of federal regulation and submit proposed changes in the laws. According to Hills, White House efforts have gone in recent weeks from "study papers and analysis" to "creating a structure for decisions with Congress and the agencies and going with them."

Organization: The foundation for the White House structure was set during the two summit meetings as well as a Cabinet meeting July 17, at which Ford gave the department heads a similar message about the need to make the regulatory process work more smoothly and at a minimum expense to the consumer.

The coordination of these meetings and subsequent actions has been assigned to the task force—officially called the Domestic Council Review Group on Regulatory Reform—which includes Hills as executive director; MacAvoy of the Council of Economic Advisers; Paul C. Leach, associate director of the Domestic Council; F. Lynn May, a Domestic Council staff assistant; and Calvin J. Collier, associate director (economics and government) of the Office of Management and Budget.

The task force is receiving staff assistance from the offices of its members as well as aides from the Council on Wages and Price Stability, Council on International Economic Policy and the Justice Department's Antitrust Division. In addition, the task force will be aided by a separate White House task force studying antitrust immunuities chaired by Thomas E. Kauper, assistant attorney general (Antitrust Division). (For a report on the antitrust task force, see Vol. No. 20, p. 726.)

Hills said the task force has prepared an agenda detailing issues to be considered and how each proposal should be prepared and advocated by the White House, either in individual dealings with agency officials or with Members of Congress.

The agenda, which received general approval July 17 from the Economic Policy Board, likely will be expanded, Hills said, as the task force considers new issues. The subjects now on the agenda include lessening economic regulation of transportation and energy industries, amending the antitrust laws and the Robinson-Patman Act (49 Stat. 1526) dealing with price discrimination, changing health and safety regulations and considering the abolition of agencies that have outlived their usefulness.

Philosophy: During each of the three meetings Ford has convened to discuss regulatory reform, he has opened the session with a general statement of his views, MacAvoy has discussed some of the economic issues and Hills has served as moderator of the subsequent exchange.

During the July 10 meeting with the regulators, the only meeting not held in closed session, Ford stressed his belief that "the cost which regulation imposes on private citizens should be faced very squarely" and he called on the agencies to restore "inventiveness and growth" to the economy. He said the four major areas in need of action are identifying costs, reducing regulatory backlog and delays, legislative changes and examining procedures to protect consumers' interests.

MacAvoy, who was a professor of economics and management at the Massachusetts Institute of Technology from 1963 until his nomination in May 1975 as a member of the Council of Economic Advisers, said in an interview that he has spent much time during the past decade "looking for common threads" in federal regulations and has arrived at the following generalizations applicable to the existing regulatory process:

The burden of proof for changes in regulatory pricing and entry is on the person seeking to provide new service, who must use evidence of historical pricing practices, which are at least two years old. The result, said MacAvoy, is that "regulated prices are not in keeping with the original goal of replicating market conditions by regulating to produce the results of competition."

Rather than replicating the behavior of competition, "regulatory agencies have for the most part prevented competition," MacAvoy said. He said the result is that the regulatory commissions protect the well-being of the "established firm" in the industry.

Because they place the burden of proof on the applicant, the regulators have been "very effective in retarding technological progress," MacAvoy said. He cited the slow development of cable television and alternate forms of transportation and energy as casualties of lengthy federal certification proceedings.

In the health and safety area, the regulatory process has operated to "reward commissioners with public approval and promotion if they eliminate the occurrence of spectacular health and safety disasters," MacAvoy said, but the resulting tradeoff often has created a very high product cost and low health and safety risk. He said more economic analysis is needed so the public can understand the relative costs and benefits of health and safety rules.

Plans: Hills said that the reception Ford received at the summit meetings "makes it clear we've made this a non-partisan issue with a heavily Democratic Congress." Hills said the task force will take advantage of this spirit in order "to get things done."

He said his own role will be to bring together disagreeing parties in Congress, the Administration and the regulatory agencies to find points of agreement. Before Hills took this leadership position in April, there was no White House aide with ready access to Ford in a position to coordinate these efforts and attempt to break the logjams that developed in the formulation of an Administration position.

Legislation filed in Congress which White House officials list as a part of Ford's program to change regulatory laws include a bill (HR 6971, S 408) to repeal the federal law enabling states to pass "fair trade" statutes, which the House pased July 21 on a 380-11 vote and which the Senate Judiciary Subcommittee on Antitrust and Monopoly unanimously approved May 5, the Financial Institutions Act (HR 5291, S 1267), the Railroad Revitalization Act (S 1876, HR 7681), and the bill to deregulate the price of natural gas (HR 2650, S. 594). For reports on the rail and natural gas bills, see Vol. 7, No. 27, p. 993; Vol. 7, No. 28, p. 1021.)

As of mid-July, the task force had completed nearly all details on proposals to change Interstate Commerce Commission (ICC) regulation of motor carriers and amend the Robinson-Patman Act. A task force aide said that the bill to modify Civil Aeronautics Board (CAB) regulation of air rates and routes would be ready in September and that a bill to set new rules for Federal Communications Commission (FCC) regulation of cable television will take a more extended time period. However, White House aides said in March and April, respectively, that the communications and aviation bills would be ready within a month.

CONGRESS

Congressional Democrats represent a broad variety of views on Ford's efforts to reduce federal regulatory practices. While most welcome his interest and are aware of the political need to show some response to his initiative, they do not express any need for quick action to cut back federal regulation nor is there any agreement on specific problems that should be addressed.

Summit: A "Congressional Democratic policy statement on regulatory reform" was prepared by staff members of several of the 12 Democrats who attended Ford's June 25 summit meeting with Members of Congress. Michael Pertschuk, chief counsel of the Senate Commerce Committee, directed the drafting of the statement. However, none of the Members signed it because each did not subscribe to all of the positions.

Rep. John E. Moss, D-Calif., said the statement represents a "consensus of the views" of the 12 Democrats and was a "general statement of principles" issued in the context of the discussion stimulated by Ford. Rep. Wright said he first saw the statement the day before the meeting with Ford and "subscribed to it in part."

In the preamble, the statement said ". . . It is fitting that the President assign to regulation a position of the highest priority in domestic affairs. We share his appreciation of the profound impact which regulation has had upon the shaping of our economy and our society. In this time of economic stress, we believe that our regulatory machinery must be held accountable to the public for the costs it imposes as well as the benefits it conveys. . . . We are perhaps closest to common ground with the President in the shared judgment that much economic regulation has proved a poor substitute for competition."

Following the meeting, Sen. John O. Pastore, D-R.I., told While House reporters that the meeting was "very productive" and showed "a broad consensus that something needs to be done, and rather quickly."

James M. Cannon, director of the White House Domestic Council, said in an interview that the 24 Members of Congress were "unanimous" in their feeling that something should be done. "We didn't really think they would object," Cannon said, "but we were astonished at their enthusiasm."

Moss: Rep. Moss of California, who has been a principal author in the past three years of laws to establish the Consumer Product Safety Commission and strengthen the regulatory powers of the Federal Trade Commission and Securities and Exchange Commission, was more cautious on the extent of congressional agreement with Ford. "We concede a need for a critical examination of the functions of the CAB and ICC," Moss said, "although we may come up with a different answer than the President, perhaps 'more informed' regulation." On the other hand, Moss stressed at the meeting the agencies "set up to protect our health, safety and environment need more—not less—authority to do their jobs right."

Moss chairs the House Interstate and Foreign Commerce Subcommittee on Oversight and Investigations, which has begun an examination of the nine major regulatory agencies which are under the committee's jurisdiction.

He has sent a questionnaire with nearly 100 questions to each of the agencies and said he will conduct hearings and make recommendations to the full committee on the "effectiveness" of each agency and likely will propose administrative and legislative actions. He said that this will be a long-term project lasting beyond the 94th Congress, but that he will keep in close contact with the other subcommittee chairmen as the study proceeds.

Wright: Rep. Wright, second ranking member of the House Public Works and Transportation Committee, whose jurisdiction includes motor carrier, aviation and environmental regulation, echoed Moss's caution about details of the Ford program while voicing some support for the initiative.

Wright said the principal evil with government regulation has been "galloping guidelines." He said there seems to be "an almost inexhaustible tendency by every agency to stretch out the processing phase," and cited the implementation of the Federal Water Pollution Control Act Amendments of 1972 (86 Stat 816) of which less than 10 per cent of the authorized money is now being spent for projects, he said.

"I think the President is sincere in wanting to cut the red tape and excessive bureaucracy throughout government," Wright said, but was less than sympathetic with Ford's call for reducing economic regulation.

Using the trucking industry as an example, he said "there is often more rhetoric than fact about overregulation." He said he was "enormously impressed" with testimony about ICC regulation of trucks given the Government Operations Committee, on which he serves, by ICC chairman George M. Stafford compared to the "glib, superficial" statement criticizing ICC regulations by John W. Snow, deputy undersecretary of Transportation.

Moss: Sen. Frank Moss of Utah, a leading consumer advocate in the Senate, said he is "delighted" with Ford's initiative to improve the regulatory process. He said Ford is addressing the twin problems of making sure that regulators consider the impact of rate making from a view other than that of the regulated industry and that manufacturers do not stall the implementation of health and safety regulations or other rules they dislike.

"There is an emerging consensus in Congress that something needs to be done both to improve economic regulation and the procedures themselves but that this process should keep from becoming one of 'dog eat dog' that might result if we took precipitate action," Moss said. "I don't expect any new statutes from this Congress. There is an element of caution before upsetting the apple cart."

To prepare the Senate for possible action to change the regulatory laws, the Commerce and Government Operations Committees each requested $375,000 for a special study to look at the functioning of the regulatory agencies. In considering the funding resolution (S. Res. 71) July 16, the Senate Rules and Administration Committee cut about one-third from each panel because the annual funding of Senate committees traditionally runs to March 1, a period more than one-third completed.

The two committees had planned to begin the studies by March 1 but the Rules Committee delayed consideration of all funding resolutions pending the Senate debate in June that resulted in additional funds for Senators to hire committee staff.

AGENCIES

The July 10 summit meeting of President Ford with commissioners from 10 independent regulatory agencies provided the agencies an opportunity to tell what they are doing to meet Ford's goal of expedited regulation and gave Ford an opportunity to advocate further steps. The meeting was believed to be the first in which a President met jointly with chiefs of the major regulatory agencies.

Cost-benefit: MacAvoy told the regulators they should consider whether their rate regulation is bringing regulated prices in line with current costs and whether the health and safety rules they set have resulted in consumer benefits and greater reliance on product quality that "are worth the additional costs of higher prices and in the institution of new technology."

In an interview after the meeting, MacAvoy said, "If I had a half-solid economist at the FCC or a number of other agencies, I could make the place work better, but that hasn't happened because economic analysis is not a part of the regulatory process; there is no justification of the process in the aggregate."

FCC—Richard E. Wiley, FCC chairman, said at the meeting that the regulatory process in the past has been "dominated" by legal, technical and sociological issues. He said the FCC has begun to consider the "economic ramifications of our decisions," citing the commission's investigation of the telephone industry. The FCC initiated in 1971 a comprehensive study of the American Telephone and Telegraph Co. Its special panel is not expected to complete its recommendations until 1976.

Glen O. Robinson, an FCC commissioner and a former professor of administrative law, said of the telephone study: "I fear that unless we get access to more and better economic skills than we have had in the past, the project may fail simply because we are in a class which is a very high-stepping class. . . . The Bell System commands resources so far in excess of ours there is no way, of course, that we can match them man for man. . . . But we do have to focus on the talent part of this."

CPSC—Barbara Hackman Franklin, a member of the Consumer Product Safety Commission, agreed with MacAvoy about the need for more cost-benefit analysis and suggested to improve the process.

Procedures: MacAvoy said the past decade has witnessed increasing delay in acting upon requests for rate changes as well as a duplication of certain procedures.

NRC—William A. Anders, chairman of the Nuclear Regulatory Commission, reported on his new agency's efforts to accelerate the licensing of nuclear power plants. The efforts have included upgrading the agency's management and review procedures, changing the rules to get public comment at an earlier point in the licensing process and proposing legislation (HR 7002, S. 1717) permitting earlier decisions on plant design. Anders said these actions would reduce to 7½ years a process that currently takes eight to 10 years.

ICC—A. Daniel O'Neal, ICC vice chairman, reported that the Interstate Commerce Commission is reviewing 61 recommendations from an internal staff study of its operations. He said one step that can be taken to reduce delay is "requiring a better case to be presented in the first instance by attorneys practicing before the agency and by eliminating perhaps one review level," saving several months.

Competition: The final issue discussed during the summit was how to encourage competition in regulated industries. MacAvoy said the justification for regulation in most cases has been that "competition failed to exist in the industry to a sufficient extent to allow the market to operate in an unregulated fashion." But, he said, "rather than being a substitute for poor competition, regulation has prevented what competition there is from working."

CAB—John Robson, chairman of the CAB, discussed its experiment announced July 7 to loosen regulatory constraints on selected air routes. Robson said the proposal will permit the testing of some concepts of flexible pricing and freer entry and exit.

In initiating its experiment, the CAB issued a statement which included a discussion of conflicting views on regulatory policy: "The debate is marked by strong assertions by both the deregulators and the pro-regulators as to the potential benefits or harm of deregulation. . . . Which side is right? Does the existing 'evidence' point conclusively to a path of substantial deregulation or to maintaining the status quo? We think the evidence is not sufficiently conclusive." The Board said that it will investigate the consequences of various proposals.

SEC—Ray J. Garrett Jr., chairman of the Securities and Exchange Commission, reviewed the history of the effort leading to the abolition as of May 1, 1975, of minimum rate schedules for brokerage services. Garrett said this action may provide a "useful example" for other regulatory agencies, adding: "In many areas, competitive regulatory shields have become so subtle an accepted part of life that reexamination of their justification requires a major intellectual effort."

OUTLOOK

White House and congressional policy makers agree that while there is much room for improvement, it is unlikely that a consensus can be reached in the next year, with the possible exception of the rail industry.

Representatives of each side of the issue agree, nevertheless, that there is a need for action and that they will be searching for answers to make sure the regulatory laws reflect modern economic and social conditions.

"A surprisingly large number of people 'out there' understand our fumbling articulation of what we're trying to do—to cut down on the burden that government places on ordinary citizens. People understand this better than we thought they would," said Cannon of the Domestic Council.

Thomas M. Susman, an aide to Sen. Kennedy, who has proposed substantial reduction of airline rate and entry regulation, said, "This will be a long process but Ford has made it an issue in the good sense. The Democrats have to keep in mind they are giving him an issue if they don't respond in some way."

REGULATORY FOCUS—MONITORING AGENCY NURTURES PRICE RULES

(By Louis M. Kohlmeier)

Even while President Ford clips and snips at the branches and boughs of old regulatory agencies, a new and sturdy breed of government regulation is growing in Ford's backyard.

The Council on Wage and Price Stability was established by Congress slightly less than a year ago to fight inflation. Inasmuch as recession, not inflation, has been the problem of the past year, nobody has paid much attention to the council. It has been called a "paper tiger" and other unkind names. It is not even known in the Washington alphabet soup by an acronym.

The wage and price council, however, has proved remarkably sturdy, even in a year of inflation. Now recession fears are easing and inflation fears are rising. Congress is renewing the council's mandate, the council is readying a new charge against inflation and a new council director soon will lead the charge.

Monitor: The council is not a traditional variety of regulatory agency. It has power only to monitor wage and price movements, while old agencies fix prices. The council, however, has certain compensating strengths.

Most older agencies regulate prices in one industry, but the council can monitor wages and prices in all industries. As the successor to former President Nixon's wage and price control program, the council is the potential predecessor of new wage and price controls, if double-digit inflation recurs. Whatever inflation's pace, the council is implicit acknowledgement of the permanence of inflation and of wage and price regulation.

Moreover, the wage and price council has the strength of the President. All the older agencies are independent of the White House. The council was created at President Ford's request and operates within the Executive Office of the President. The council's power is the President's prestige. The council relies on presidential persuasion to roll back wages and prices.

In sum, the council is the institutionalization of what used to be called presidential "jawboning."

Continued inflation: The council's strength has grown even in the past year because this recession is unique. Wages and prices never have stopped rising, although the recession has been the deepest since the Great Depression. Treasury Secretary William F. Simon, chairman of the wage and price council, recently told a group of journalists at a luncheon in his office that he is "concerned" about a renewal of inflationary pressures. Simon expects the rate of consumer price increases to rise to about 6 per cent by year's end. The new Congressional Budget Office estimates that the annual rate of inflation may rise to 9 per cent next year. Even at 6 per cent, the rate would be high by historic standards and political preferences.

Like the recession, regulation of wages and prices also is unusual. Never before in peacetime, except when Nixon's wage and price controls were in effect, has the government maintained surveillance over private industry and asked unions and corporations to justify wage and price increases.

Under Albert Rees, who will resign July 31 as director, the council with Ford's help persuaded major steel manufacturers to scale down a price increase by more than $100 million. The council investigated and probably helped reduce sugar prices. It probed tin can price increases and the increases did not hold. It petitioned old regulatory agencies in opposition to higher telephone rates and in support of lower airline fares.

Concentration: But the council's most significant investigation was least noticed. The council asked whether huge corporations in highly concentrated industries cause inflation. Its tentative answer is that prices in concentrated industries do not behave the same as prices in competitive industries. Its conclusion is that, in recession, concentrated industry prices rise more or fall less than competitive prices.

The council's pending investigation of aluminum price increases is a direct result of the concentration study. "This is the first general price increase this year in a highly concentrated industry," Rees has said. "If such industries make decisions to increase prices at the first stirrings of recovery, such actions could blunt the recovery."

The nation's three largest aluminum manufacturers, accounting for well over 60 per cent of U.S. aluminum production, did not cut prices during the recession but instead cut production and increased inventories. At the end of June, the companies announced price increases. The wage and price council members, headed by Simon, immediately asked the companies to delay the increases and the companies complied. At public hearings July 22–23, the companies tried to justify higher prices to the council and the council tried to persuade the companies to roll back the increases.

The council is watching pricing in the highly concentrated automobile and steel industries. Its staff is studying agricultural machinery prices, which have risen 22 per cent since May 1974. The council wants to know why coal prices have risen 80 per cent in two years. And it demands justification from Seattle plumbers for a 16.5 per cent wage increase.

Presidential "jawboning" thus has acquired form and substance. As inflation grows, wage and price regulation will grow more rapidly and become more institutionalized. Congress, in renewing the council's mandate, is strengthening the council's staff and formalizing the staff's leadership. Under the legislation, the director must be confirmed by the Senate.

To succeed Rees, Ford intends to nominate Michael H. Moskow, 37, an economist who has been at the Department of Housing and Urban Development as assistant secretary for policy development and planning. Moskow, highly regarded inside the Ford Administration, has worked also at the Council of Economic Advisers and the Labor Department.

Ford apparently sees no contradiction between nurturing the new wage and price regulation and cutting back the old regulatory agencies. And, in one way, there is no contradiction. The wage and price council fights inflation and Ford fights the old agencies because they allegedly are inflationary.

But in another way, there is a very large contradiction. Ford clips and snips at the old independent agencies, calling for "maximum freedom for private enterprise." But wage and price regulation, enforced by presidential power, is a large and potentially overwhelming threat to maximum freedom for private enterprise.

S. 2290.

REGULATORY AGENCY REVISION ACT OF 1975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF COMMISSION

SECTION 1. There is established a Consumer Protection Study Commission (hereinafter referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 2. (a) The Commission shall be composed of nine members who shall be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) two individuals shall be representatives of consumers;

(2) two individuals shall be representatives of regulatory agencies of the United States who at the time of their appointment are serving as members of the governing body of such a regulatory agency;

(3) three individuals who by reason of their scholarly achievements in the study of law are well qualified to serve on the Commission; and

(4) two individuals who are attorneys engaged in the private practice of law in the United States.

(b) Any vacancy in the Commission shall not affect its powers but shall be filled in the same manner in which the original appointment was made.

(c) The Commission shall elect a chairman from among its members.

(d) A quorum of the Commission shall consist of five members.

FUNCTIONS OF THE COMMISSION

SEC. 3. (a) The Commission shall make a full and complete study of the desirability and feasibility of establishing various administrative courts and transferring to such courts the adjudicatory, licensing, and rulemaking functions of the Federal Trade Commission, the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Federal Reserve Board, the United States Tariff Commission, the Securities and Exchange Commission, the National Labor Relations Board, and the Consumer Product Safety Commission, and such other agencies of the Federal Government as the Commission shall recommend. In addition, the Commission shall study the feasibility of transferring the functions of the United States Tax Court to such an administrative court.

(b) In carrying out the study required under subsection (a), the Commission shall—

(1) make recommendations with respect to maintaining within the agencies studied a prime responsibility for protecting the inter-

ests of consumers as they relate to the functions performed by such agencies and administrative courts; and

(2) review and update the report recommendations numbered 50 and numbered 51 with respect to legal services and procedures with or before such agencies or courts made by the Commission on Organization of the executive branch of the Government in 1955.

(c) The Commission shall submit its findings and recommendations to the President and the Congress not later than six months after the appointment and confirmation of all members of the Commission.

POWERS OF THE COMMISSION

Sec. 4. (a) The Commission may, in carrying out its duties under this Act, sit and act at such times and places, hold such hearings, take such testimony, require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, have such printing and binding done, and make such expenditures as the Commission deems advisable. Subpenas shall be issued under the signature of the Chairman or any member of the Commission designated by him and shall be served by any person designated by the Chairman or any such member. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission.

(b) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title; and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.

COMPENSATION

Sec. 5. (a) Members of the Commission who are not otherwise full-time officers or employees of the United States shall receive $125 per diem when engaged in the active performance of the functions of the Commission.

(b) All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the functions vested in the Commission.

AUTHORIZATION OF APPROPRIATIONS

Sec. 6. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

EXPIRATION OF THE COMMISSION

Sec. 7. The Commission shall cease to exist thirty days after the submission of its final report.

By Mr. PELL:

S. 2291. A bill to amend title II of the Social Security Act to provide that a beneficiary shall (if otherwise qualified) be entitled to a pro-rated benefit for the month in which he (or the insured individual) dies. Referred to the Committee on Finance.

Mr. PELL. Mr. President, today I am introducing legislation which would amend that section of the Social Security Act, which prohibits benefit payments for the last month of a beneficiary's life from being paid to a beneficiary's survivor or estate.

Under present law, benefit payments for the last month of a beneficiary's life must be refunded to the Social Security Administration. The Social Security Administration then issues a lump sum death benefit, which is designed to help defray the expenses associated with funeral and mortuary expenses.

However, these death benefits do not cover the expenses which a beneficiary can be expected to have incurred, during that portion of the month he or she was alive.

Under present law, regardless of the date of month of the decedent's death, all of the due benefits for that month must be returned to the Social Security Administration. In these times of economic hardship, exceedingly high medical costs, and very tight budgets, I do not need to remind anyone of the importance of every dollar and each penny of a beneficiary's income.

Let me give as an example the case of an elderly couple who have lived most of their lives in Coventry, R.I. Mr. A died on March 20; when his widow received their March benefits in early April, she was told that she must return the benefits, and that she would eventually receive a replacement check equivalent only to her survivor's benefits. As a consequence, Mr. A's own monthly expenses were not covered by benefits and Mrs. A experienced real difficulty in paying the bills for that month. Statistics show us that the average retired couple has an annual income of $6,400. I should not have to emphasize here the smallness of this income, which at best barely covers food, housing, and medical expenses. Poverty among America's senior citizens is endemic. I do not believe that we should deny a person's survivors or estate due benefits for the last month in which they lived, and thus worsen their financial situation.

Today, I am introducing legislation to rectify this unjust situation. This bill would guarantee a proportional benefit payment to a survivor or to an estate, equal to the percentage of the month that the deceased had lived. His past monthly expenses would then be fairly covered by the social security benefit check. This would lift a fairer proportion of the heavy financial burden off the survivor's shoulders.

It is important to keep our complicated social security system up to date and adjusted to cope with today's problems, instead of yesterday's, and I believe that this legislation represents a step in that direction.

Mr. President, I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2291

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"Prorated Benefit for Month of Death

"(x) (1) (A) Notwithstanding any provision of subsection (a), (b), (c), (d), (e), (f), (g), or (h) of this section, subsection (a) of section 223, or subsection (a) of section 228 which (but for this paragraph) would terminate an individual's entitlement to benefits with the month preceding the month in which he (or the person on the basis of whose wages and self-employment income such benefits are payable) dies, any individual who is entitled to a monthly benefit under any such subsection for the month preceding the month in which he (or such person) dies shall (unless another event terminating his entitlement occurs after such preceding month and before such death) be entitled for the month in which he (or such person) dies to a benefit in an amount determined under subparagraph (B)

"(B) The monthly benefit to which an individual is entitled by reason of subparagraph (A) for the month in which he (or the person on the basis of whose wages and self-employment income such benefit is payable) dies shall be in an amount which bears the same ratio to the benefit to which he would have been entitled for such month if he (or such person) had died in the following month as the number of days in such month through the date of such death bears to the total number of days in such month.

"(2) Notwithstanding any provision of subsection (e), (f), (g), or (h) of this section, the monthly benefit to which an individual may be entitled under any such subsection for the month in which the person on the basis of whose wages and self-employment income such benefit is payable dies shall be in an amount which bears the same ratio to the benefit to which such individual would have been entitled for such month if such person had died in the preceding month as the number of days in such month after the date of such person's death bears to the total number of days in such month. This paragraph shall not apply to any individual with respect to any month if the person on the basis of whose wages and self-employment income such individual's benefits are payable is not entitled to a benefit for such month under paragraph (1).".

Sec. 2. Section 202(d) (2) of the Social Security Act is amended by adding at the end thereof the following new sentence: "Notwithstanding the preceding provisions of this paragraph, such child's insurance benefit for the month in which such individual dies shall be equal to the sum of (A) one-half of the primary insurance amount of such individual for such month multiplied by a fraction having for its numerator the number of days in such month through the date of such individual's death and for its denominator the total number of days in such month, and (B) three-fourths of the primary insurance amount of such individual multiplied by a fraction having for its numerator the number of days in such month after the date of such individual's death and for its denominator the total number of days in such month (except that if such individual is not entitled to a benefit for such month by reason of subsection (x) the preceding sentence shall apply as though such individual had died prior to such month).".

Sec. 3. The amendments made by this Act shall apply only in the case of deaths occurring after the month in which this Act is enacted.

By Mr. HELMS:

S. 2293. A bill to amend section 402 of title 23, United States Code, relating to highway safety programs. Referred to the Committee on Public Works.

COMPULSORY HELMET LAWS RAISE CONSTITUTIONAL QUESTION

Mr. HELMS. Mr. President, the Highway Safety Act of 1966 is another example of Federal legislation encroaching upon the freedom of the American citizen and the reserved powers to the States. Section 402 of this statute authorizes the Secretary of Transportation to establish highway safety program standards. In pursuance of this authority, the Secretary issued on June 27, 1967, the Motorcycle Safety Program Standard (23 C.F.R. Part 204), requiring every State in the Union to have a motorcycle safety program. In meeting the standards of this program, the States are required, among other things, to enact a compulsory helmet law, whereby every motorcycle operator and passenger is required to wear an approved safety helmet when the motorcycle is being operated on streets and highways.

State compliance through the enactment of compulsory helmet laws is practically guaranteed, by virtue of the fact the Secretary of Transportation has ruled that any State which refuses to follow the Secretary's commands is subject to severe economic penalties. These penalties include forfeiture by the State of all of its Federal highway safety funds and 10 percent of its Federal highway construction funds.

In my view, Mr. President, these compulsory helmet laws, which are forced upon the several States, are a violation of our constitutional liberties. There are others who share this view. The American Motorcycle Association, representing approximately 140,000 members, has challenged these laws since their very inception. The State of California has gallantly refused to sacrifice the liberty of its citizens for the sake of a Federal handout, and is one of two States having no compulsory helmet law. The other is the State of Illinois, whose legislature repealed the State's compulsory helmet law after the Illinois Supreme Court ruled that it was an unconstitutional denial of due process.

The widespread opposition to these laws is further indicated by the fact that there were 43 separate court challenges to State and municipal headgear legislation by January 1, 1970. In 31 instances, such legislation was upheld; but in 12 it was declared unconstitutional. More specifically, headgear legislation has been declared unconstitutional by one State supreme court—Illinois; by three appellate courts—Idaho, Arizona, Michigan; and eight trial courts—two in New York, and one each in Ohio, Florida, Missouri, Kentucky, Colorado, and Michigan. In addition, the attorney general of Oklahoma has issued an opinion that the State's compulsory headgear law is unconstitutional, and the attorney general of New Mexico has determined that a proposed city ordinance would be invalid if it applied to citizens over eighteen years of age.

STATE POLICE POWER VERSUS INDIVIDUAL LIBERTY

The supporters of compulsory helmet laws maintain that such legislation is a valid exercise of the State police power. Although it cannot be precisely defined, the State police power is a reserved power of the States, and includes the power to enact legislation to promote the public health, safety, morals, and welfare of its citizens. Traditionally, this power has been broadly construed by the Supreme Court, and some State courts have taken full advantage of this by relying on strained interpretations of the police power in upholding compulsory helmet laws. "Those decisions upholding the laws," reads a Case Note from the Wisconsin Law Review (1969), "rely on a strange mixture of catchphrases. The prevention of needless additions to the welfare rolls; the protection of 'the reckless citizen against himself'; and the promotion of a healthy citizenry 'capable of self-support, of bearing arms, and of adding to the resources of the country' have been stressed."

Conceivably, Mr. President, almost any law compelling an individual to protect himself from possible personal injury could be justified on grounds such as these. As the Supreme Court of Michigan pointed out in the case of American Motorcycle Association against Davids (1968), it could be argued that all automobile drivers should also be required "to wear helmets or buckle their seat belts for their own protection." Indeed, motorcycles themselves, or automobiles, or planes, or boats, or guns, or any number of items could be outlawed through this extension of the State police power, as their use clearly involves an element of personal risk.

Fortunately, there are well-established limitations to the State police power, which stand in opposition to the kind of benevolent paternalism that is inherent in the motorcycle safety program. The Supreme Court has held that a State law creating an unreasonable, arbitrary, or oppressive infringement of individual liberty, and of the right to the free use of one's property, is a violation of due process. To meet the test of constitutionality, the law must bear a real and substantial relation to an end which is public. In the case of Mugler against Kansas (1887), the Supreme Court explained that:

> While . . . the state may control the tastes, appetites, habits, dress, food, and drink of the people, our system of government, based upon the individuality and intelligence of the citizen, does not claim to control him, except as to his conduct to others, leaving him the sole judge as to all that only affects himself.

Because a compulsory helmet statute is directed toward the safety of the individual rather than the safety of the public, it can thus be seen that such a law represents a clear departure from established principles regulating the State police power. Mr. Bruce Kogan, writing in the Dickinson Law Review (1968), emphasizes this crucial consideration in his analysis of headgear legislation:

> The ancient maxim *sic utere tuo ut alienum no laedas* (so use your own that you do not injure that of another) has often been cited as one of the essential bases of the police power. In this regard, the protection of the public welfare through past applications of the police power has been limited to instances where one individual's conduct adversely affected others. The helmet statutes, if valid, represent an extension of the limits of the police power to include the regulation of an individual's conduct where he alone could be adversely affected.

The test of legitimacy of the exercise of the police power, then, is the existence of a direct and substantial relationship between the safety of the motorcyclist and the public health, safety, morals, or the general welfare. Clearly, as the Michigan Supreme Court observes, a compulsory helmet law "has a relationship to the protection of the individual motorcyclist from himself, but not the public health, safety, and welfare."

In my judgment, Mr. President, an individual has a fundamental right to determine for himself whether he wishes to increase his risks or reduce them—so long as he alone is endangered. Helmets may prevent injuries, but they do not prevent accidents, and the government has no business telling the individual when he can or cannot wear a helmet when only the individual's personal safety is involved. Even if it is true that helmets reduce traffic injuries and fatalities, the fact remains that the decision to wear a helmet should be left to the individual, using his own judgment and not having the government do his thinking for him. The individual has a right to be left alone when his actions do not affect the public health, safety, morals, and the general welfare. Justice Louis Brandeis stated this principle eloquently in his famous dissent in Olmstead against United States (1928).

He noted:

> The makers of our Constitution sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the government, the right to be let alone—the most comprehensive of rights and the right most valued by civilized men . . . Experience should teach us to be most on our guard to protect liberty when the government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.

THE SAFETY OF SAFETY HELMETS

Although the statistics seem to indicate that helmet legislation has brought about a substantial reduction of highway injuries and deaths in motorcycle accidents, it should be noted that there are countervailing arguments which deny the effectiveness of such laws. The American Motorcycle Association insists that crash helmets may actually have little or no effect on reducing motorcycle fatalities, because their advantages are offset by the fact they impair sight and hearing, create a false sense of security, cause physical discomfort that can be distracting, and aggravate or possibly even cause neck injuries because of the extra weight of the helmet.

Responses to these arguments by the National Highway and Traffic Safety Administration have not been entirely satisfactory, and there seems to be a lack of scientific data supporting arguments for or against mandatory helmet laws. In 1969, for example, the New York State Department of Motor Vehicles made a study which indicated that the effects of helmets in reducing serious injuries to the head and face were counterbalanced by an increase in fatal neck injuries. By comparing the distribution of injuries to head, face, and neck before and after helmets were required, the study showed a 34-percent reduction in serious injuries to the head, a 27-percent reduction to serious face injuries, but a 75-percent increase in the proportion of serious injuries to the neck. On August 9, 1973, the National Transportation Safety Board adopted the recommendation that:

> NHTSA take immediate steps to confirm or disconfirm the implications of the New York State report that the wearing of helments, as currently designed, increases the number of fatal neck injuries.

Thus far, the National Highway Traffic Safety Administration has failed to act upon this recommendation. To be sure, the National Highway Traffic Safety Administration has had 7 years to conduct research and compile data on the effectiveness of motorcycle helmets, and the only study that it has completed since 1968 is the Michigan-Illinois motorcycle safety helmet study, which concludes that compulsory helmet usage in Michigan reduced fatal or serious head injury by 63 percent.

In response to this study, Lloyd G. Turner, former chief of the California Office of Traffic Safety, makes the point that:

> If one assumes the Michigan-Illinois Motorcycle Safety Helmet Study is valid and that it covers all aspects of the problem, then it would appear that States with compulsory helmet laws would have from 40 percent to 60 percent lower motorcycle fatality rates. The actual figures prove this is not the case. Therefore, California must be doing something that is just as effective as mandatory motorcycle helmets. California needs proof positive that helmet legislation will further reduce the fatalities.

Pointing to California's comprehensive motorcycle safety program, which includes motorcycle driver education in the public schools, Turner insists that:

> Mandatory motorcycle helmet legislation is not indispensable to an effective comprehensive traffic safety program. Motorcycle helmet legislation is only one small unproven element in a comprehensive program desiring to ameliorate a complex multi-faceted program.

Indeed, California motorcycle accident statistics do not seem to support headgear legislation. According to Turner, California motorcycle fatalities per 10,000 registered motorcycles are approximately the same as the national average. Moreover, adds Turner:

> California has better roadways and year round riding climate, which indicates more miles of travel at higher speeds, and thus a higher exposure rate. The death to injury ratio is approximately the same as the national average of the states with mandatory helmet legislation. The downward trend of death per 10,000 registered motorcycles and death per injury is approximately the same in California as for the States with mandatory motorcycle helmet legislation.

The conclusion is inescapable, Mr. President, that the scientific data on helmet usage is incomplete, and compulsory helmet legislation, on the grounds of safety alone, may be premature.

Whatever the effectiveness of crash helmets in reducing traffic fatalities, the fact remains that their mandatory use is a denial of due process. This is especially so inasmuch as there is even some doubt as to whether a direct and substantial relationship exists between headgear legislation and reduced motorcycle fatalities. "Most cyclists agree," asserts the author of the case note in the Wisconsin Law Review, "that wearing a helmet takes much of the enjoyment out of riding the motorcycle. Helmets are a nuisance when the cyclist reaches his destination, and their required use often prevents a cyclist from taking riders since they seldom have a helmet available. This result infringes on the cyclist's right to the use of his property. The law deprives the cyclist of his freedom to choose what risks he will take, and if and how he will guard himself from these risks. These infringements may seem trivial to the noncyclists, but if helmets were required for all motorists, these and other 'trivial' infringements would suddenly become very important."

During the last Congress, Mr. President, we abolished the National Highway Traffic Safety Administration's requirement that seat belt interlocks be installed in all new automobiles. We should now proceed to abolish the compulsory helmet provisions of the Highway Safety Act, in recognition of the fact that there are better ways to deal with the problem of motorcycle traffic fatalities. In the well-known case of Shelton against Tucker (1960), it was said that:

> In a series of decisions this Court has held that, even though the governmental purpose be legitimate and substantial, that purpose cannot be pursued by means that broadly stifle fundamental personal liberties when the end can be narrowly achieved.

In my judgment, Mr. President, there are ways to protect the motorcyclist through a more traditional use of the police power. Motorcycle manufacturers and dealers, for example, could be required to include acceptable safety helmets as part of the original equipment of the motorcycle, in the same way that automobile manufacturers are required to provide safety seat belts. In this way, the motorcyclist would be encouraged, but not required, to wear a helmet and the decision to wear the helmet would be made by the individual rather than the Government.

The bill that I am introducing today to achieve these ends amends section 204 of title 23 of the United States Code, and provides that any highway safety program approved by the Secretary of Transportation shall not include any requirement that a State adopt a law requiring motorcycle operators or passengers 18 years of age or over to wear a safety helmet while riding on the streets and highways.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD. I also ask unanimous consent that the editorial titled "Fuzzy's Point," which appeared in the May 21, 1975, issue of the Richmond News Leader, and the letter of Mr. Bruce Davy to the editor of the Richmond News Leader, dated June 6, 1975, be printed in the RECORD.

There being no objection, the bill and material were ordered to be printed in the RECORD, as follows:

S. 2293

THE FREE MOTORCYCLING ACT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately following the ninth sentence thereof the following new sentence: "For the purpose of the seventh and eighth sentences of this subsection, a highway safety program approved by the Secretary shall not include any requirement that a State implement such a program by adopting or enforcing any law, rule, or regulation based on a standard promulgated by the Secretary under this section requiring any motorcycle operator 18 years of age or older or passenger 18 years of age or older to wear a safety helmet when operating or riding a motorcycle on the streets and highways of that State.".

[From the Richmond News Leader, May 21, 1975]

FUZZY'S POINT

Frankly, we're not much for those mean machines that some people call motorcycles, and that aficionados call bikes. We have other names for them. But we might as well confess it: We're for Fuzzy Davy—a bike fancier of the first water. He has a case to make, and it is a good one.

Early this month, Fuzzy and about 150 bikers riding about 120 bikes varoomed into Capitol Square. They were members and supporters of A Brotherhood Against Totalitarian Enactments (ABATE). Their complaint? Virginia's law requiring riders of motorcycles to wear safety helmets.

Using a portable PA system, Fuzzy Davy—director and state co-ordinator of ABATE—told the crowd that safety helmets "restrict vision and hearing." He also said that helmets "hinder the ability to ride defensively," and that they often cause neck and whiplash injuries. "Most important," he said, the helmet law "is an infringement of our individual liberty." He contended that weara helmet should be a matter of personal choice.

In our opinion, Fuzzy and his fellow members of ABATE make a nice philosophical point. No government has any legitimate business in attempting to force individuals to be "safe" through statutes and laws. And the reason for that is as fundamental as it is clear: No government knows better than the individual, what is in the individual's best interest. Generally, government tends to be on its firmest ground when it seeks to protect the individual from others; similarly, government tends to be on its weakest ground when it seeks to protect the individual from himself.

For example, it is one thing to have traffic safety laws requiring vehicles to move in a certain direction on a certain side of the road; without such laws, roadways would be nightmares of chaos. It is something else entirely to compel the wearing of a safety helmet—or, in automobiles, the wearing of a safety belt—on the presumption that in the event of an accident, the driver is less likely to emerge looking like a crushed pretzel.

If a biker or the driver of a car believes that he is safer *not* wearing a helmet or *not* wearing a safety belt, then it ought to be his privilege in a free society to act on the basis of that belief. No government should succumb to the superficially seductive arguments of paternalistic protectionists forever declaiming their commitment to "safety." Taking care of one's self is the self's—not the government's—concern.

Fuzzy Davy and 35 of his supporters were ticketed by the police for not wearing safety helmets. That was on May 4. Fuzzy's case is scheduled to be heard in the traffic division of Richmond's General District Court on Friday. ABATE's intent is to challenge Virginia's compulsory helmet law in court, and to have the law overturned. Despite our sentiments regarding motorcycles, we hope that—come Friday—Fuzzy and his friends prevail.

We believe in the usefulness of safety helmets for bikers, as we believe in the usefulness of safety belts for drivers of automobiles. But we also believe that no individual should be governmentally required to wear them. With Fuzzy and ABATE, we subscribe to the proposition that forcing individuals to be "safe" is not a matter justifiably subjectable to governmental decree.

[From the Richmond News Leader, June 6, 1975]

SPECIAL TO THE FORUM: MOTORCYCLIST EXPLAINS VIEWS ON HELMET LAW

GAINESVILLE.

EDITOR, THE NEWS LEADER: I was pleased by *The News Leader's* support of motorcyclists' opposition to compulsory helmet laws ["Fuzzy's Point," May 21].

It is significant that during discussions of the mandatory helmet law for motorcyclists, supporters of the law never ask where the idea of helmet laws originated. The common assumption is that motorcyclists saw the need for a safety device to protect them in case of accident. Then the motorcyclists suggested the idea to a legislator, who introduced a bill that eventually became law and spread across the country because the results were excellent.

The truth is that one ambitious man, who worked at the time for the Department of Health, Education, and Welfare, wrote a study of motorcycle safety. He sent that study to the National Highway Traffic Safety Administration, an agency of the Department of Transportation, claiming that helmets would reduce highway fatalities by 40 to 60 per cent.

Congress passed the Highway Safety Act in 1966. That law says that states which have not implemented a highway safety program will have their share of federal highway money cut by 10 per cent. The mandatory helmet law was part of that safety program. This is blackmail.

While this legislation was being debated, the bikers were on the road, having a good time riding their machines. Nobody asked their opinion. The next thing the bikers knew was that they had to buy $40 helmets that hinder the ability to ride defensively and could break a person's neck in the event of an accident. Bikers complained to their elected officials, but these officials did not want to jeopardize federal highway assistance.

Then bikers started doing some checking. They learned that statistics proved what they knew all along: helmets don't save lives. The average national fatality rate for bikers has *increased* 1.5 to 3.5 per cent since the national helmet law was passed. There were no statistics anywhere near the 40 per cent decrease predicted by the National Highway Traffic Safety Administration.

Some engineers who are also bikers decided to test the helmets. They found that helmets offer only a little protection in some sliding-type accidents which occur at speeds less than 15 miles an hour. They found that it would take a helmet seven inches thick to offer the same protection at 30 miles an hour.

Now comes the scary part.

We are told we are protecting all citizens because we will become tax burdens if we are injured, because of lost jobs, police investigation costs, and increased insurance premiums. But what of auto accidents? Many more persons are injured in car accidents than in motorcycle accidents. But drivers of cars are not required to wear helmets—or even seat belts. What of alcoholism? Isn't that a public burden? The government's answer to the question of alcoholism was to reduce the drinking age to 18.

If the government can pass a helmet law and claim that it is protecting everybody, how long will it be before pedestrians will be required to wear helmets? How long will it be before motorcycles and even cars are outlawed? Will we be required to ride subways because only then we will be safe?

Everyone knows that the Constitution of the United States was written to establish a government that would be controlled by the people. The men and women who founded this country revolted against an all-powerful king, over whose actions they had no control. The Founding Fathers produced a Bill of Rights to guarantee individual liberty. Liberty is what the bikers lost. All of us will continue to lose our liberty, unless we stand up and fight for our rights—now, before it is too late.

BRUCE R. DAVY.

By Mr. CANNON:

S. 2295. A bill to promote public confidence in the legislative, executive, and judicial branches of the Government of the United States. Referred to the Committee on Government Operations.

FEDERAL FINANCIAL DISCLOSURE ACT 1975

Mr. CANNON. Mr. President, for several years I have expressed my interest in and support of legislation requiring disclosure by public officials of income, assets, debts, and other transactions in securities, commodities, and real estate.

Previous proposals dealt only with the Congress—presumably because Congressmen are elected public officials who should be answerable to the citizens who elected them.

I have never had any quarrel with that position, but I have always believed that disclosure by Members of Congress covers only a very small percentage of the overall need for public information.

The Congress is but one of the three branches of the Federal Government which comprises the executive, judicial, and legislative arms, of which the executive is by far the largest.

In my opinion, a financial disclosure bill, to be of any value, must include public statements by policy-making officials of all three Government branches. Elected officials are answerable to their constituents, but to whom are appointed officials responsive?

For that reason, in 1973, I introduced S. 366 which would have required every Federal officer and employee of all branches of the Government to file annual statements of income, assets, liabilities, transactions in securities, and commodities. The cutoff for filing at that time was $15,000. Now, due to inflation and changes in attitude toward policy, it is believed that a more realistic limit should be $25,000.

My bill, which I introduce today, calls for the annual filing of a public statement by every candidate for election to Federal office, every Member of Congress, every member of a uniformed service, every officer and employee of the United States, including the President and Vice President, compensated at a rate in excess of $25,000 per annum, or in excess of pay grade O-6 of the uniformed service.

The bill calls for disclosure in general, of:

First. Each item of income, or gift in excess of $100.00;

Second. The identity of each asset valued in excess of $1,000.00;

Third. Each transaction in securities of any business in excess of $1,000.00 in value;

Fourth. Each transaction in commodities valued in excess of $1,000.00; and

Fifth. Each purchase or sale of real property—except for a personal residence—having a value in excess of $1,000.00.

All reports would be filed not later than May 15 in each year with the Comptroller General, and would be maintained as public records.

Mr. President, I believe that my bill for public financial disclosure is fair. It applies to every officer and employee of the U.S. Government fairly.

It seeks information relative to income, assets, gifts, et cetera, received during the preceding calendar year. It does not seek total information relative to inherited or acquired holdings prior to the holding of Federal office or to net worth.

The public is entitled to know the outside sources of income and the nature of investments in securities and commodities lest there be conflicts of interest during the period of holding public office. But beyond that there would be an invasion of privacy.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 19

At the request of Mr. DOLE, the Senator from California (Mr. TUNNEY) was added as a cosponsor of S. 19, a bill to amend title XVI of the Social Security Act so as to provide for the referral, for appropriate services provided by other State agencies, of blind or disabled children who are receiving supplemental security income benefits.

S. 104

At the request of Mr. INOUYE, the Senator from Utah (Mr. MOSS) was added as a cosponsor of the bill (S. 104) to amend the Social Security Act to provide for inclusion of the services of licensed registered nurses under medicare and medicaid.

S. 454

At the request of Mr. CHILES, the Senator from Louisiana (Mr. JOHNSTON) and the Senator from Tennessee (Mr. BROCK) were added as cosponsors of S. 454, a bill to amend the Occupational Safety and Health Act of 1970.

S. 854

At the request of Mr. NELSON, the Senator from California (Mr. TUNNEY) was added as a cosponsor to S. 854, a bill to amend the Foreign Military Sales Act to require congressional approval for any sale, credit sale, or guaranty involving a major weapons system or major defense service, and to require congressional approval of the total amount of sales, credit sales, and guaranties made to any country or international organization.

S. 948

At the request of Mr. BROOKE, the Senator from Oklahoma (Mr. BELLMON) was added as a cosponsor of S. 948, the Home Purchase Incentive Act of 1975.

S. 1736

At the request of Mr. McINTYRE, the Senator from Michigan (Mr. GRIFFIN), the Senator from Wyoming (Mr. McGEE), the Senator from Hawaii (Mr. INOUYE), the Senator from Vermont (Mr. LEAHY), the Senator from Colorado (Mr. HASKELL), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Alaska (Mr. STEVENS), the Senator from Vermont (Mr. STAFFORD), the Senator from New Mexico (Mr. DOMENICI), the Senator from Utah (Mr. MOSS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Maine (Mr. HATHAWAY), the Senator from California (Mr. CRANSTON), the Senator from Ohio (Mr. TAFT), and the Senator from Michigan (Mr. HART) were added as cosponsors of S. 1736, a bill granting the National Ski Patrol Association a Federal charter.

S. 1985

At his own request, the Senator from Michigan (Mr. GRIFFIN) was added as a cosponsor of the bill (S. 1985) authorizing and directing the Secretary of Agriculture to provide a continuing survey of existing methods of direct marketing from farmers to consumers in each State.

S. 2156

At the request of Mr. MCINTYRE, the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2156, a bill to amend the provisions of the Social Security Act to consolidate the wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes.

S. 2157

At the request of Mr. JAVITS, the Senator from Washington (Mr. MAGNUSON), the Senator from New Mexico (Mr. DOMENICI), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Iowa (Mr. CULVER) and the Senator from Alaska (Mr. GRAVEL) were added as cosponsors of the bill (S. 2157) to amend title XX of the Social Security Act to provide that no State shall be required to administer individual means tests for provision of education, nutrition, transportation, recreation, socialization, or associated services provided thereunder to groups of low-income individuals aged 60 or older.

SENATE JOINT RESOLUTION 65

At the request of Mr. INOUYE, the Senator from Alaska (Mr. GRAVEL) was added as a cosponsor of the joint resolution (S.J. Res. 65) to authorize and request the President to call a White House Conference on Women in 1976.

SENATE JOINT RESOLUTION 115

At the request of Mr. DOMENICI, the Senator from Illinois (Mr. STEVENSON) was added as a cosponsor of the joint resolution (S.J. Res. 115) relating to the publication of economic and social statistics for Americans of Spanish origin or descent.

SENATE RESOLUTION 175

At the request of Mr. ROTH, the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of the resolution (S. Res. 175) amending rule XLIV of the Standing Rules of the Senate to require that copies of confidential personal financial disclosure reports filed under such rule be furnished in response to subpenas issued in criminal cases.

SENATE RESOLUTION 239—SUBMISSION OF A RESOLUTION DISAPPROVING THE ALTERNATIVE PLAN FOR PAY ADJUSTMENTS FOR FEDERAL EMPLOYEES

(Referred to the Committee on Post Office and Civil Service.)

Mr. METCALF submitted the following resolution:

Resolved, That the Senate disapproves the alternative plan for pay adjustments for Federal employees under statutory pay systems recommended and submitted by the President to Congress on August 29, 1975, under section 5305(c) of title 5, United States Code.

SENATE RESOLUTION 240—SUBMISSION OF A RESOLUTION RELATING TO THE SALE OF GRAIN TO THE SOVIET UNION

(Referred to the Committee on Agriculture and Forestry.)

Mr. DOLE submitted the following resolution:

S. RES. 240

Whereas stability of grain prices is necessary to minimize inflation in the price of many foods, including meat; and

Whereas stability of grain prices is also necessary to avoid excessive fluctuation in the income of farmers; and

Whereas regular and more detailed information regarding grain export sales is needed to permit better planning in the agricultural sector of the United States; and

Whereas sporadic purchases of large quantities of United States grain by the Soviet Union are disruptive of the world grain market, are not in the best economic and political interests of either country, are detrimental to world food security, and may cause difficulties for our regular foreign customers: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should immediately attempt to negotiate an agreement with the Soviet Union under which the United States would agree to sell and the Soviet Union would agree to purchase annually, for the next three or more years, specified quantities of grain agreed upon by the governments of the two countries.

SEC. 2. It is further the sense of the Senate that the President should intensify efforts to obtain from the Soviet Union that information concerning crop prospects and grain import requirements of the Soviet Union which was to be supplied in accordance with the terms of the Cooperation in Agriculture Agreement entered into by the United States and the Soviet Union on June 19, 1973.

SEC. 3. The Secretary of the Senate shall transmit a copy of this resolution to the President of the United States.

BILATERAL GRAIN AGREEMENT WITH THE U.S.S.R.

Mr. DOLE. Mr. President, today I am submitting a resolution that would urge the President to negotiate with the Soviet Union a bilateral agreement whereby the Russians would annually buy a regular amount of grain from the United States. This resolution also urges the President to work more actively to obtain from the Soviet Union the import and short-term crop forecast information the Russians agreed to give us in 1973.

There are a great many reasons why the Senate should approve such a resolution and as far as I can see, the "pros" greatly outnumber the "cons." Any bilateral negotiation with the Soviet Union, of course, can only be negotiated if it is mutually advantageous. Such an agreement as outlined in the resolution would be mutually advantageous. First, I would like to discuss the reasons why it is advantageous to the United States.

BENEFITS FOR THE UNITED STATES

Grain sales to the Soviet Union, or any other country for that matter, are greatly beneficial to the United States for several reasons which I and many other advocates of grain exports have been speaking of in recent weeks. Grain sales made in a regular amount every year, as envisioned under this resolution, would have all those same advantages without the disadvantages that critics of the sales have been talking about ever since the most recent sales were announced.

Grain exports are important not just to farmers, but to consumers and taxpayers, and to the public and national interest as a whole. I would just like to underscore the main advantages at this point.

First, grain exports improve our balance of trade. That means the U.S. dollar is strengthened on the world market which in turn means that every American who buys foreign goods, and that is nearly everybody, is able to get more for his money. So grain exports are important to consumers. Grain exports also bring a great deal of wealth into this country which we might not have had otherwise. That wealth is an economic stimulus which is especially important now as our economy attempts to recover from the recession.

Third, grain exports keep the farm sector healthy. That means American taxpayers have less to worry about getting back into the Federal agricultural subsidies that cost the taxpayer roughly $4.5 billion as recently as 1972.

Finally, grain exports and other farm exports create a great number of jobs directly and indirectly. A great many more people would have been unemployed last year had we not exported $22 billion worth of farm products. Regular grain sales to the Soviet Union as envisioned under this resolution would contribute to all those benefits.

Most critics of the Russian grain sales recently have been talking in terms of the inflationary impact the sales would have on food prices for consumers. Many of us feel strongly that the inflationary impact on food prices of the most recent sales is negligible. However, we can judge from the experience of recent years that food prices rise most quickly when the farm commodities go up and down, or fluctuate, sharply. If the Soviet Union were to purchase regular amounts of grain every year, it would greatly stabilize the price of grain. Thus, it would also hopefully stabilize the price of food for consumers.

Regular grain purchases by the Soviet Union would help stabilize the income for farmers as well. In the 1974–75 wheat crop year, for example, farmers went all out to produce a bumper crop of grain. A good portion of their effort was directly in response to urging by the U.S. Government. Farmers in Kansas and other States have succeeded in producing a bumper wheat crop. Now they strenuously object to efforts by Congress or labor unions or consumer advocates or anybody else to restrict their access to world markets which they have worked so hard to produce for. I am very sympathetic with their concerns and I believe that a bilateral agreement with the Russians as envisioned by this resolution would help insure that our farmers would have access to sales to the Soviet Union. In this manner, farmers would be able to receive a more stable income that they have worked so hard for.

A regular sales agreement with the Soviet Union would allow farmers and the Department of Agriculture to more accurately plan what should be planted in order to meet the needs of our own market and the world market. It would allow farmers and fertilizer companies and equipment companies and other related industries to more accurately plan what amount of material to produce in order to meet the input needs of agriculture.

So, Mr. President, this resolution, if adopted and carried out, would have a great number of advantages for the United States. But as I mentioned earlier, in order to be successful, there must be mutual advantages for both the United States and the U.S.S.R.

BENEFITS TO THE U.S.S.R.

There are several advantages to be gained by the Russians from a bilateral agreement. The main advantage obviously should be the additional food security they would gain. For if the Russians buy a regular amount of grain every year, they should be able to accumulate some additional stocks which they would be able to use in their lean years. The concept of buying a regular amount of grain every year implies that the U.S.S.R. would buy more grain in some years than they need and buy less grain in other years than they need. In this manner, they would accumulate excess stocks in some years and use up those excess stocks in other years.

But the advantage would be that by buying regularly, the Russians would not be dependent upon the uncertainties of weather and crop production in our country and in other countries such as Canada and Australia. As has happened this year, the crops in Australia, Canada, and other countries have been reduced due to adverse weather conditions. We have been fortunate in the crop production in this country but it clearly would not be impossible for weather conditions to be bad in all the countries the Soviet Union normally buys from. Such a combination of events could put the Soviet Union in a position of not being able to obtain the grain they need from any source. By purchasing regular amounts of grain from us every year, the Russians would be less vulnerable to uncertainties in the weather worldwide and to crop conditions that can change from year to year.

In addition, the Russians presumably would obtain some economic advantage by buying grain regularly. In other words, if the Russians purchase grain here during times of surplus, they obviously would be able to obtain it at a better price. In addition to stabilizing our own market, it would help the Russians since by only purchasing what they need from year to year they run the risk of being forced to make large purchases at times when our own supply is short and prices are high. So the economic benefit to the U.S.S.R. is another reason for negotiating such an agreement.

The political factor for the Soviet Union is important and should be considered as one that supports such an agreement. It is undoubtedly extremely politically embarrassing for the Soviet Union to come to the center of the capitalist world, the United States, and purchase the grain their country needs. Such huge purchases by the U.S.S.R. are blatant demonstrations that the Soviet agricultural system is not capable of feeding its own country. Large purchases by the Soviet Union underscore the fact that 31 percent of the Russian population is engaged in agriculture while only 4 percent of the U.S. population is necessary to produce food for our entire country. On the other hand, regular purchases every year by the Soviet Government would probably largely go unnoticed throughout the world, just as purchases by our regular customers, like Japan, normally do. Rather than have headlines splashed across newspapers throughout the world, it would unquestionably be more acceptable to the Soviet Union to quietly make the purchases they need every year.

Regular purchases of grain every year would also allow the Soviet leaders to meet their commitments and promises to the Soviet people more easily. Soviet leaders have promised the Russian people a better standard of living. The Russian people have been promised a better diet with more protein. That means the U.S.S.R. must maintain large livestock herds. And as I understand, the Department of Agriculture has estimated that the Soviet Union is presently feeding over 100 million tons of grain every year to livestock. Regular grain purchases in this country would give the Soviet leaders the assurance they need to be able to provide the grain and food they have promised. The absence of the food security that could be provided under this resolution could mean that the Russians would be forced to devastate a great portion of their livestock herds in lean years. In 1963, that resulted in a reduction of the number of pigs from 70 million to 40 million in a matter of months.

So there are a great many advantages in this resolution for the Soviet Union and the United States as well. But a bilateral agreement between the two countries would be important for the rest of the world as well.

IMPORTANCE TO THE WORLD

USDA and international grain officials estimate that 80 percent of the world fluctuation in food prices is due to shortfalls in grain production by the Russians and their subsequent purchases on the world market. Last year, we held the World Food Conference to attempt the creation of a food reserve system that would guard the world food security against such purchases. But the world food reserve concept is difficult and loaded with political and practical problems that have not been overcome yet.

However, the world food security problem could be greatly reduced by the bilateral agreement envisioned under this resolution. Regular purchases by the Soviet Union would allow the United States and other producing nations to regularly plan the production necessary to meet those needs. And it would end the periodic drawdowns and volatile price swings that have caused such problems for importing countries.

Regular sales to the Soviet Union would also better protect our regular customers. The Europeans and the Japanese for example, have been concerned with and affected by supply drawdowns and volatile price swings in our market. The supply and price stability that could be achieved with regular sales to the Russians would undoubtedly be of great benefit to all those nations that buy in our market.

So for all these reasons, Mr. President, I would hope the Senate would approve this resolution and the President act promptly on it. For, as I have indicated, the benefits are numerous

FORM OF THE AGREEMENT

As indicated in the text of my resolution, the precise form of the agreement would have to be negotiated between the Governments of the United States and the U.S.S.R. Presumably, the agreement should be for a period of at least 3 years, but would be better for a period of 5 or more years.

The quantity of grain to be purchased by the Russians every year would also have to be negotiated. The Department of Agriculture has estimated that the Soviet Union will probably need about 60 million tons in the next 5 years. On an average, that would be about 12 million tons per year. In all likelihood, the Russians would not need nearly as much as 12 million tons in some years but would need substantially more than that in others.

It would be my expectation that some flexibility should be permitted in the amount of grain to be purchased every year. That would be to our advantage as well as to the Russians. In other words, if 12 million tons were agreed upon as the average amount to be sold it might be agreed that the annual amount could be as little as 8 to 10 million tons or as much as 14 to 16 million tons. That would be mutually advantageous. For in our own case, obviously, we might find ourselves with a relatively short crop and want to sell only the minimum amount to the Russians. The Russians, on the other hand, might find in some years where their storage capacity is limited or shipping capacity is reduced, where they in turn might want to only purchase the minimum amount.

In other years of surplus, of course, with the domestic prices here lower, we might find it mutually advantageous to sell the maximum amount. But if the minimum and maximum variations in the annual amounts could be set, the supply and price variation could be greatly reduced which, as I have already indicated, would be greatly beneficial to all parties concerned.

The agreement should further specify that the Soviets would buy on a regular month-to-month basis just as our normal customers do, rather than buying sporadically in huge amounts as we have seen in recent years which has caused volatile price swings and great concern among consumers in this country and others.

Month-by-month sales would allow our market to adjust and would allow farmers to sell in a uniform manner. This is something that should not be an unusual request since it is the method of purchase followed by our normal customers. The Soviet Union should be willing to do nothing less than our regular customers do.

FORCE OF AGREEMENT

Critics of this concept and this resolution will probably immediately ask "What force does this agreement have?" They may ask, "How will we compel the Russians to abide by such an agreement even if we are able to negotiate it?"

There are several answers to these questions. And I might start with another question. "What assurances do the Russians have that we will stand by our own part of the agreement?" The answer to this question must be considered with the answer to the previous questions. That is, it must be advantageous to both the Russians and to us. The Russians will purchase a regular amount of grain every year because it is advantageous to them. We, in turn, will sell them a regular amount of grain every year because it is advantageous to us. And by doing this regularly, both countries should be better able to hold up their ends of the bargain. In other words, with a better expectation of what will be needed, American farmers will be better able to produce it. For their part, the Russians, by being able to better plan what they can obtain, will be able to better plan the size of their herds and domestic production.

Another reason why the Russians should abide by an agreement is that the assurance of supply is becoming more and more important. Officials in the Department of Agriculture can testify to the fact that foreign countries are constantly seeking stronger assurances that they can obtain in this country the amount of grain they need. The Soviet Union is undoubtedly aware of that pressure and they must be conscious that if they cannot show themselves to be regular customers, they may find at some point that they cannot purchase what they need in our market. The recent agreement with the Japanese on a purchase of 42 million tons over a period of 3 years is an excellent example. Foreign buyers are becoming more and more aware that it is to their advantage to be regular customers in the interest of having a regular supply.

The importance of abiding by an agreement certainly would not be lost upon the Russians either. And this would be another reason why they should stand by their part of the bargain. A good example occurred earlier this year when the Turkish Government decided that the price they had contracted for earlier on grain here in the United States was too high and refused to stand by their end of the bargain. As those in the trade well know, the Turks have consequently had difficulty in making the purchases they need this year. The importance of that lesson surely has not been lost on the Russians.

So I expect that the Soviet Union, if this agreement can be negotiated, will stand by its end of the bargain. And the United States, with the incentives these sales provide to our agricultural sector with the ingenuity and hard work of American farmers, will be able to stand by its end of the bargain.

POSSIBLE PROBLEMS

If the President begins negotiations on an agreement as envisioned under this resolution, problems will undoubtedly arise. One such problem is potentially the limited storage capacity in the Soviet Union. It is my understanding that the Russians only have a storage capacity of about 130 million tons. That compares with a normal crop annually of about 200 million tons. Reportedly, the spoilage of grain and food stocks has been a substantial problem for them. Obviously, the purchase and storage of additional grain stocks creates a problem for the Russians.

In response, I would say there are two possible solutions underway already. First, the Russians are building additional storage capacity. It is my understanding that they are constructing about 8 million tons of additional storage capacity every year and will continue this for several years to come.

Even the construction of this additional storage capacity will leave the Russians short for years to come. Therefore, I would like to mention at this time a bill I have introduced that would greatly reduce this problem. This bill, S. 1354, would assure foreign countries that reserve stocks of agriculture commodities which they purchase and store in the United States under certain conditions shall not be subject to export controls.

The conditions that must be met are: First, the buyers must certify the stocks to be part of their national reserve; second, the stocks must be stored in this country for a minimum period of 1 year; and third, they could not be resold into our domestic market or into the international market. By meeting these conditions, the Russians could thus use the vast storage capacity we have in this country to store the food stocks they purchase here regularly.

It is my understanding that we have in this country about 6 billion bushels worth of storage capacity and that only about half of this capacity is presently being utilized. In addition, we have another 6 billion bushels of onfarm storage that could be used if necessary. Putting this surplus grain storage capacity to use would be beneficial to both the Russians and to us.

We have had hearings in the Senate Agriculture Committee on this bill and the concept was generally endorsed by all those testifying although practical problems may exist with the implementation of such legislation. This Senator is not strongly wedded to the particular form of S. 1354 but it is my hope that some form of this type of legislation, whether it be my own or some other Senator's bill, could be enacted. The main point here is that problems will potentially arise with the implementation of a bilateral agreement envisioned under this resolution. However, I am confident that just as with the grain storage problem, these difficulties can be worked out and resolved in a manner mutually beneficial to both countries.

CROP AND IMPORT INFORMATION

The second section of this resolution would urge the President to intensify efforts to obtain from the Soviet Union information concerning crop prospects and grain import requirements for the current crop year as agreed to in 1973. It is my understanding that the Department of Agriculture has repeatedly made its request to the Soviet Union to provide information on crop forecasts and import needs so that we in turn can make better plans for crop production and export needs.

The Soviets steadfastly have refused to provide this information and it is my feeling that we are in a position to more strongly demand that that information be provided. As I pointed out previously, grain sales to the Soviet Union are beneficial to farmers, consumers, taxpayers and the entire Nation as a whole. But I believe it would also be in the interest of all Americans to have more precise and specific details from the Soviet Government on their own current crop year outlook and import needs. So I hope the Senate will agree with me on the merit of this resolution and adopt it promptly.

SENATE RESOLUTION 241—SUBMISSION OF A RESOLUTION TO HONOR MEN LISTED AS MISSING IN ACTION IN SOUTHEAST ASIA

(Referred to the Committee on the Judiciary.)

Mr. BUCKLEY submitted the following resolution:

S. RES. 241

Whereas there are one thousand three hundred men captured and missing in action in Southeast Asia; and

Whereas the Paris Peace Agreement dated January 27, 1973 in articles 8a and 8b of the Paris Agreement or the Laotian Protocol set forth the provisions in accounting for our missing in action; and

Whereas the demands of North Vietnam relative to the Saigon government have now been complied with; and

Whereas the war in Vietnam has come to an end and the President of the United States has stated that our military involvement has ceased; and

Whereas the search teams and other means of locating our captured and missing in action are no longer in existence; and

Whereas the families of our captured and missing men are still suffering the torment of their loss and uncertainty; and

Whereas proper and fitting tribute should be paid to these valiant men: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President of the United States shall request the heads of all executive departments and agencies to take steps to require all buildings under their jurisdiction to fly the national flag at half-staff on the last day of each month until the captured and missing in action are properly accounted for; and

(2) the President pro tempore of the Senate shall transmit this resolution to the President who is requested to report to the Senate in sixty days on steps taken to implement this resolution.

Mr. BUCKLEY. Mr. President, I submit a resolution, as suggested by the East Rockaway, N.Y., American Legion Post No. 958, which proposes that our national flag on all Federal buildings be flown at half-mast on the last day of each month in honor of the men listed as missing in action in Southeast Asia until such time as we have received definite word of their status.

Despite their solemn commitment to do so under the Paris Accords, the North Vietnamese persist in refusing to help us locate the bodies of American war dead, to return the remains to their families, or to release any information about men who might still be alive as was required by the Paris Accords. I have strongly urged and continue to urge, that all available pressures be employed to secure information about these men. The only language the North Vietnamese appear to understand is force, but our Government—through the Congress—has made it clear that it will not apply the necessary pressures which might have insured a complete accounting.

What the future holds for these men and their families, I do not know. But I do know that we have a continuing duty to the MIA's and their families that we must find some way to honor. Adoption of my resolution will at least constitute a continuing reminder of the great humanitarian task that still lies before us, while doing fitting honor to these men.

SENATE CONCURRENT RESOLUTION 61—SUBMISSION OF A CONCURRENT RESOLUTION RELATING TO THE 75TH ANNIVERSARY OF THE WORKMEN'S CIRCLE

(Referred to the Committee on the Judiciary.)

Mr. JAVITS submitted the following concurrent resolution:

S. Con. Res. 61

Whereas the Workmen's Circle has since its founding given leadership and inspiration in the striving for the elimination of all forms of discrimination and political inequality, and

Whereas it has vigorously and wholeheartedly participated in all efforts toward an America that will provide needed social welfare services, an economy of full employment, and a comfortable livelihood for all Americans, and

Whereas it has inscribed in the minds and hearts of many Americans the need to pursue the cause of social progress and live by the principles of mutual understanding among all peoples, and

Whereas it has set high standards of cultural living and education in Jewish life and in the broader American community, and

Whereas this renowned fraternal society has achieved its 75th anniversary and still continues to perform the commendable tasks which have earned it the esteem of our community, therefore be it

Resolved by the Senate of the United States (the House concurring) that 1975 is hereby designated as "Workmen's Circle Anniversary Year," and the citizens of our States are urged to share in the meaning and spirit of this occasion and join in greeting the Workmen's Circle on its 75th Jubilee.

SENATE CONCURRENT RESOLUTION 62—ORIGINAL CONCURRENT RESOLUTION REPORTED RELATING TO APPORTIONMENT OF FUNDS FOR THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. RANDOLPH, from the Committee on Public Works, reported the following concurrent resolution:

S. Con. Res. 62

Resolved by the Senate (the House of Representatives concurring), That the Secretary of Transportation shall apportion the sums authorized to be apportioned for the fiscal year 1977 for immediate expenditure on the National System of Interstate and Defense Highways, using the apportionment factors contained in Table 5, House Committee Print Numbered 94–14.

AMENDMENTS SUBMITTED FOR PRINTING

DEFENSE PRODUCTION ACT AMENDMENTS OF 1975—S. 1537

AMENDMENT NO. 869

(Ordered to be printed and to lie on the table.)

Mr. PROXMIRE submitted an amendment intended to be proposed by him to the bill (S. 1537) to amend the Defense Production Act of 1950, as amended.

DEPARTMENT OF STATE AUTHORIZATIONS, 1976—S. 1517

AMENDMENTS NOS. 870 AND 871

(Ordered to be printed and to lie on the table.)

Mr. BENTSEN submitted two amendments intended to be proposed by him to the bill (S. 1517) to authorize appropriations for the administration of foreign affairs; international organizations, conferences, and commissions; information and cultural exchange; and for other purposes.

Mr. BENTSEN. Mr. President, on May 6, 1975, I introduced S. 1667 to prohibit one person from simultaneously holding the positions of Secretary of State and Assistant to the President for National Security Affairs. I am today submitting this bill as an amendment to S. 1517, the State Department authorization bill which will come before the Senate in the coming days.

Mr. President, I am certain that many of my colleagues in this body share my own concern over the unprecedented concentration of machinery of this country in the hands of one person—one person who wears two official hats and unofficially wears a third: that of roving ambassador. It is time to restructure the foreign policy decisionmaking apparatus in this country.

My amendment would begin that job. I am seeking to prohibit future Secretaries of State from serving as the President's National Security Adviser, Executive Secretary of the National Security Council, or any other position directing or controlling the National Security Council.

I view this as an important first step to diversify and strengthen the process by which the foreign policy of this country is developed and implemented.

I was struck recently by an article in the New York Times by John Hersey, who described several days he spent with President Ford.

In the article, Mr. Hersey pointed out that a sizable group of aides and Cabinet officers met regularly with the President to debate, discuss, and advise him as he shapes domestic policy.

But on foreign policy questions, the President meets with the Secretary of State alone. Just the two of them. No outside views. No differing perspectives.

Mr. Hersey wrote:

> In the formulation of settled policy, this President, who had a minimal exposure to foreign affairs before he came to office, hears, I am told, only one voice, and a mercurial voice it is, Henry Kissinger's.

He continued:

> Yes, this is the most alarming thought I have had all week.

Mr. President, this thought alarms me too.

Mr. President, the Senate may be interested to know that the President's Commission on the Organization of the Government for the Conduct of Foreign Policy, the so-called Murphy Commission, whose comprehensive study of the foreign policy decisionmaking process and recommendations for changes in that structure were published in June of this year, also supports my contention that future Secretaries of State should not also exercise the function of Assistant to the President for National Security Affairs. Let me quote from the pertinent section of the Commission's study:

> *The Assistant for National Security Affairs.* It is eloquent testimony to the extraordinary abilities of the present Assistant to the President for National Security Affairs that he has met the requirements of that post while simultaneously serving as an active and effective Secretary of State. His holding of both positions has arisen from quite special circumstances, it is well established, and we make no recommendation concerning it. As we have stressed earlier, we seek not to address matters of topical interest, but the enduring and longer-term problems of Government organization.
>
> Having reviewed the responsibilities the Assistant for National Security Affairs must meet over the long term, we conclude that these responsibilities, involving essential personal assistance to the President, management of issues for Presidential decision, and the direction of the National Security Council staff, should normally in future be performed by an individual with no other official responsibilities. The actual choice would of course rest with the President.
>
> The reasons for this are two. The first is simply that the responsibilities of that Assistant are heavy and important enough to require the undivided attention of even the ablest public servant. The second is that an Assistant to the President must be a facilitator of decision, a conduit to the President, a force for balance and even-handedness in the presentation and consideration of issues. These are staff functions. They are not easily made compatible with the responsibilities of a Cabinet officer, a line official who must necessarily act as the chief of a great department.

Mr. President, the issue is a clear one and I urge the Senate's support of my amendment.

SENATE BUDGET COMMITTEE TASK FORCE SEMINARS ANNOUNCED

Mr. CHILES. Mr. President, the Budget Committee's task force on capital needs and monetary policy, which I chair, will hold a series of seminars in September. While these are designed primarily to improve the task force members' understanding of the major issues and policy options in the areas of capital formation and money supply, we invite the attendance of our colleagues in the Senate or any interested members of the public.

In this first series of seminars we will concentrate on the issues of relevance to the second concurrent resolution of the budget which will be introduced this fall.

Later on we will schedule seminars and hearings on a more extensive set of long-term issues of capital formation. The schedule of hearings follows:

Schedule

September 10. 10 a.m., Room 357RSOB, "The Money Supply as a Policy Instrument". We will focus on the workings of various monetary variables in the economy. Panelists will explain from both an analytic and practical viewpoint, the monetary policy levers, what time lag is required for their effect, and how monetary policy interacts with the federal deficit to affect the private sectors of the economy. Panelists: Professor Allen Meltzer, Carnegie Mellon University, and Dr. Edgar R. Fiedler, Vice President for Economic Research, the Conference Board, and former Assistant Secretary of the Treasury for Economic Policy.

September 11. 10 a.m., Room 357RSOB, "Crowding Out in 1975 and 1976". This seminar will explain the various dimensions of "crowding out" in the credit markets. Panelists will discuss under what conditions crowding out may or may not occur in the next two years. We will consider both the total effects of federal borrowing and monetary policy, and the effects of federal policies on particular industries. Panelists: Professor William White, Harvard Business School, and one other person to be designated.

September 17. 9:30 a.m., Room 357RSOB, "Long-Run Capital Needs of Public and Private Sectors". We will attempt to set this year's budgetary decisions into the context of long-term trends in the economy. Major issues are the relative needs and growth of government and private borrowers; the factors affecting capital formation and household savings; the changing needs of leading sectors such as energy, housing, transportation and manufacturing; the anticipated growth and composition of the labor force. Panelists: Mr. Allen Sinai, Data Resources, Inc.; Mr. Barry Bosworth, Brookings Institution.

On September 18 at 9:30 a.m. and September 19 at 10 a.m. in room 357RSOB, the capital needs task force will conduct seminars jointly with the tax policy task force which is chaired by Senator Mondale. These seminars will examine the effects of present tax policies in encouraging or discouraging capital investment and various proposals for new incentives.

NOTICE OF HEARING

Mr. BURDICK. Mr. President, as chairman of the Judiciary Committee's Subcommittee on National Penitentiaries, I wish to announce that the hearings for consideration of S. 1243, legislation providing for the relocation of certain District of Columbia correctional facilities will reconvene on September 9, 1975, at 10 a.m. in room 2228, Dirksen Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record of the hearings should communicate as soon as possible with the Subcommittee on National Penitentiaries, room A-404, Senate Annex, telephone 224-5461.

ADDITIONAL STATEMENTS

RALPH F. WALDROP AND HIS DAUGHTER SUSAN

Mr. THURMOND. Mr. President, I recently received a very heart-warming letter from a young woman in my home city of Aiken, S.C., which illustrates so well the fact that we have such fine young people in this country. It also illustrates most clearly the invaluable worth of a good parent and the need each person has for steady parental guidance during formative years.

The letter I received was from Miss Susan Waldrop who is a 19-year-old student at the Aiken Branch of the University of South Carolina. Her correspondence to me was a glowing tribute to her father, Ralph F. Waldrop. In words which left no doubt of the self-sacrifice and devotion that her father had displayed through the years, Miss Waldrop wanted only to honor him. She told of her mother's death 13 years ago and her father's shouldering the dual roles of parenthood. Her letter is abundant evidence that his sense of family responsibility and parental love was genuine and that the intangible rewards will be his for a lifetime.

Furthermore, the harvest of such devoted care and concern can be reaped by everyone. It is an example for all to follow and, if heeded, could benefit our entire Nation. One of the crying needs in America today is a total commitment by parents to set the highest example, to bear willingly the burdens of responsibility, and to hew to the principles of morality. If parents will do these things throughout the years, their children will generally act accordingly. There is a deep wellspring of decency and dependability among youth. It only takes a little inspiration and example to keep it intact for generations to come.

I commend Miss Waldrop for her tribute to her father and I am particularly pleased to commend him for the selfless dedication which has evidently characterized his life.

Mr. President, in order that my colleagues may also have the opportunity to read this thoughtful letter, I ask unanimous consent that it be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Aiken, S.C.,
August 5, 1975.

Senator Strom Thurmond,
Aiken, S.C.

Dear Mr. Thurmond: I realize you are most busy as a Senator and have little time to spend reading mail. However, I feel that I share with you a common interest—that is, Aiken, and more importantly, South Carolina. I'm sure we would both agree that perhaps the most important resource of a state is its people—concerned citizens like you and I. For this reason, Mr. Thurmond, I ask a favor of you. I feel very strongly about people who truly care for their country, fellow man, and life itself. I honestly know of no one who better fits this description than my father.

Please, Mr. Thurmond, help me. I am nineteen years old and attend the University of S.C. here in Aiken. For as long as I can remember I have wanted to do something special for my father, but have not been able to afford the gift I want to give him. My father has always shown me the best things in life. No, not those which cost, but the beauty life offers to those who desire it. He has unselfishly given me everything that is dear to him. Many times he has sacrificed his wants for mine. He has truly overreached the boundaries of fatherhood for me. My mother died when I was six—which made his burden a heavy one. Not once did he pity himself or us, but worked to give me what others had. Being both father and mother wasn't easy for him, but he did not let this interfere with our relationship.

Sacrificing his hobbies and vacations for me, he took me places where I wanted to go—did things that would make me happy. My father has worked hard all his life but has never had a chance to enjoy his efforts. Mr. Thurmond, I am writing to you because I know you understand these things. Is there any agency, etc. which honors such people? My father has never been too tired or too busy to help anyone who asked him for help. Now I want to help him. He works so hard every day. Even after he gets home from the Savannah River Plant he works at least seven more hours on his farm. Why? Not to earn money for a new boat or car, but to help make my life easier.

Mr. Thurmond, I would so much like to send my father on a nice trip, somewhere where he could rest and enjoy life, just for a few days. He would never take a trip himself—he stays home and works. As a student with little money I cannot afford this and don't know when I might be able to. He is not an important man to many, he isn't a "big wheel." He simply works in Health Physics at S.R.P. Mr. Thurmond I am not asking for charity, but only for the chance to reward a wonderful citizen for being just that.

Honestly, no one knows how much I do appreciate him and I want them to. I want to thank him in a special way where others can see how much South Carolina benefits from such persons. Please, please, help me if possible, Mr. Thurmond. I am powerless to make this a reality without help. Life is so short and so few deserving people are rewarded. Could you please check into this in any way you can and help me to give my father this one experience. Just a few short days' trip or some sort of well-deserved recognition. You understand.

I thank you for your time, I really do. If I can do just this one thing for my father, my life will be much happier for me. Thank you. Please reply.

Most sincerely,

Susan Waldrop.

P.S. My father is Mr. Ralph F. Waldrop.

"FIRST ASSEMBLY DAY" ADDRESS BY AMBASSADOR MORETON

Mr. HARRY F. BYRD, JR. Mr. President, on July 30, 1619—356 years ago—the first representative legislature in North America met in the church at the tiny Virginia settlement of Jamestown. Each year, the Virginia General Assembly commemorates that historic meeting with great pride.

This year's program was brought to my attention by the Honorable Lewis A. McMurran, Jr. Mr. McMurran is a member of the House of Delegates from Virginia's 49th Legislative District, the city of Newport News. He has distinguished himself as chairman and one of the most active members of the Virginia Independence Bicentennial Commission, the 18-member panel charged with development and coordination of the Commonwealth's Bicentennial activities.

Those attending the First Assembly Day festivities were privileged to hear the address of the Honorable John O. Morton, CMG MC, the British Chargé d'Affaires in Washington, D.C. Ambassador Moreton's thoughtful remarks present a glimpse of Great Britain's future that has not received widespread recognition in this country. His observations provide a hopeful and encouraging picture of the prospects for the British people during the next decade.

I ask unanimous consent that the address of the Honorable John O. Moreton, CMG MC, the British Chargé d'Affaires, delivered on First Assembly Day in Jamestown, Va., be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Text of the Address by the British Chargé D'Affaires, Mr. John O Moreton, CMG MC, on First Assembly Day, Jamestown, Va., July 29, 1975

Mr. Chairman, Governor Godwin, Members of the Virginia General Assembly.

Over 350 years ago, at just about the time when the new Colony of Jamestown was taking root, an Englishman, Sir Nicholas Wotton, wrote:

"An Ambassador is an honest man sent to lie abroad for the good of his country".

Without commenting on the truth of either part of that proposition, it is certainly still the case that public speaking is an accepted hazard of a diplomatic career. As a representative of my country overseas, I have had my share of speechmaking; but I cannot remember any occasion when I have been more honoured by an invitation than the present one. Why do I say this? Because I am a Briton, with a deep sense of history, and proud of my country's achievements in opening up the world. I am therefore proud indeed to be invited to address the members of the General Assembly of the Commonwealth of Virginia, with its historic associations and enduring links with my own country. It is, after all, the oldest Parliamentary Assembly in the American continent, and one of its original members had formerly sat in Parliament in Westminster.

In addressing you today, I follow some distinguished predecessors and feel that I am part of a continuing tradition a tradition which looks back to the founding of America and looks forward to continued and close Anglo/American cooperation and friendship.

When Lord Lothian, the British Ambassador to the United States, addressed the House of Delegates and the Senate of Virginia in February, 1940, at the start of the dark days of the Second World War, he said:

"You in Virginia, like we in Britian, have long realized, like the Romans before you, how meet and right it is to respect and cherish the past. We yield to none in our faith in the future. But we think to look back constantly to the great figures of our earlier history, and to keep in good repair the house and halls and groves in which they fought out the principles of statesmanship and created the traditions of conduct upon which our Commonwealths still stand, is to feed once more at the sources which inspired and ennobled our ancestors."

I cannot better those words. That is what we are doing here today.

When King James granted a joint Charter to two companies to settle what was to become the United States of America, little was known of the land, the climate or the native inhabitants of where the settlers were hoping to found a new dominion. Nor were the earliest settlers perhaps the best equipped by background and upbringing to cope with this new environment. Nor did the London company have the long-term vision necessary to help and sustain the colonists. It was interested in quick profits: in precious metals and discovery of a new passage to the South Seas. John Smith, who had quickly, by force of personality, become leader of the colonists, delivered his riposte to the London company's demands in his letter known to day to historians as Smith's Rude Reply. He said:

"When you send supplies again, I entreat you rather send but thirty carpenters, husbandmen, gardners, fishermen, blacksmiths, masons, and diggers up of trees, than a thousand of such as we have; for except we be able both to lodge them and feed them, the most will consume with want of necessaries before they can be made good for anything."

In short, John Smith was showing an early sign of American commonsense and hardheaded practicality. And of course the colony did pull itself round and from its earliest days began to develop its independence of mind and a sturdy capacity for self-government.

Today we are celebrating the three hundred and fifty-sixth anniversary of First Day, and this year, in the United States, you are starting the celebrations of your Bicentennial. You in Virginia have much to celebrate, for many of the greatest figures of the Revolution were from this State, including of course George Washington, the resolute and decisive man of action, and Thomas Jefferson, the draftsman of the Declaration of Independence. (And might I note in passing that a namesake of mine, John Morton, was a signatory of the Declaration of Independence. Indeed, he cast the decisive ballot that swung Pennsylvania over to an affirmative vote in the Continental Congress. But I cannot claim any reflected credit for that—my researches show that he was of Finnish-Swedish descent).

The British will join in your celebrations with you. We have got used to the idea of your independence by now. The British Parliament's contribution will be to lend for one year one of the two original copies of the Magna Carta dated 1215. The principles which underlie the Magna Carta—trial by jury, *habeas corpus* and no taxation without representation—are the ultimate foundation of your liberties no less than ours. A showcase will be set up in the Capitol in Washington to display the document, which will later be replaced by the permanent gift of a specially made replica. A Bicentennial bell is also to be presented to the people of America from the people of Britain. This will be cast by the same Whitechapel Bell Foundry in London that cast the original Liberty Bell in 1752. It will hang in a new Bell Tower in Independence National Historical Park in Philadelphia. Another major contribution from Britain will be a programme of Fellowships in the creative and performing arts. And, of course, as you will know, Her Majesty Queen Elizabeth II is to pay a State Visit to the United States from 7–11 July.

The spirit of 1776, I suggest, should not only be one of celebration but also of appraisal. There is a lot of gloom and despondency these days about our ability to continue as democratic societies. Many people argue that today's problems are so complex, so sophisticated, that democracy, as it has developed, is unable to cope and will need to be "adapted". Now I believe that one thing we can learn from studying history, and the history particularly of two hundred years ago in this country, is that such problems can be overcome. While paying homage to the great men who founded your country, we should not allow ourselves to believe that the likes of Washington and Jefferson, Hamilton and Madison were super men. They were not. They were ordinary men imbued with a strong sense of equity and justice who set out to right what was wrong. They did not have superhuman capacities anymore than we do or our generation does today. We belittle ourselves if we believe that we cannot do today what they did then. We have an equal capacity to right the distortions and wrongs in our societies. That, I suggest, is one of the lessons we should draw from the Bicentennial.

In this Bicentennial Year a good deal of attention in America will be focused on Britain. And I think it is true to say that many Americans today regard the state of Britain with a particular interest and concern. Some experienced observers see serious social and political ills in Britain which might, in their view, one day affect this country. There is no point in denying that Britain is going through a peculiarly difficult phase in her long history. Prime Minister Wilson has said that if we do not, over the next twelve months, achieve a drastic reduction in the present disastrous rate of inflation, the British people will be engulfed in a general economic catastrophe of incalculable proportions. Now I believe that the moderation and sense of the British people will prevail. I do not anticipate that an economic catastrophe, in the event, will overtake us. There are already some pointers that Britain is weathering this crisis as she has successfully weathered other crises in her long history.

The first pointer is that the Trade Unions Movement in Britain, by and large, has responded positively to the Government's new pay policy which is designed to bring inflation down to ten per cent by the end of the year. Secondly, in the Referendum on Europe which was held about two months ago the overwhelming majority of British people voted to remain in Europe, and that vote was interpreted by all political commentators as a vote for moderation for commonsense and for forward-looking policies. Thirdly, there is North Sea oil. One of Britain's chronic problems over the years has been our lack of natural resources. We cannot feed ourselves. We have to import an enormous range of raw materials to produce the manufactured goods which we sell overseas to import the necessary food, clothing and other things to maintain our standard-of-living. And when raw materials rise in price as they did in 1973 by forty per cent, the British economy is bound to take a hard knock. Now we have found these immense resources of oil and we are exploiting them.

The first oil came ashore from the North Sea seven days after the Referendum. By 1977 half our oil requirements will be met from our North Seas reserves. By the end of the decade we will be self-sufficient in oil and by the early years of the 1980s we shall be exporting substantial amounts. *And* there are thought to be further reserves to the West and Southwest of Britain in the Celtic Sea and the Channel approaches. More than that, the largest coal deposit ever known in Britain has been discovered in the flat lands of South Yorkshire which is said to contain energy equivalent to all the oil resources in the North Sea. In short, with our oil, our coal, and our nuclear power stations which have been working successfully for twenty years, we shall be dependent on no one for energy by the end of the decade. Our North Sea oil, our new recourse, will in a sense, play the same role for us as tobacco did for the early colony of Virginia. And so instead of a bankrupt, ungovernable Britain emerging in the next years, as some prophets of gloom have predicted, I believe that in the coming months and years you will see a Britain reborn, of surprising strength and vitality.

One of the things that has happened to Britain in the last thirty years is that we have, in a sense, shrunk back into our tiny island. At the end of the last war, the British Empire covered large parts of the globe; 800 million people fell within its range. Since that time the British Empire has, largely by a process of voluntary withdrawal, been dissolved and replaced by the independent countries of the Commonwealth of whom there are now thirty-four. The latest is the West Indian Spice Island of Grenada, an island which has in its time been French, Spanish and British, and is now an independent member of the Commonwealth. We in Britain, are proud of the Commonwealth and are proud of what it has achieved. Membership is, of course, entirely voluntary. We believe that the Commonwealth enables nations from the north and the south, the developed and the underdeveloped parts of the world, to come together, to talk together in a relaxed and rational manner, in the same language, understanding one another's points of view without the shrill rhetoric which often characterises more formal international gatherings. Britain's imperial and Commonwealth experience has given us an understanding of the Third World and an opportunity to provide a bridge between them and the developed world. For example, the Commonwealth meeting which took place in Kingston, Jamaica, in April and May of this year concentrated on hard economic questions of international equity and on practical ways in which the under-privileged areas of the world might be helped.

And so, even though we are physically back in our tiny island, we still have the habit and experience of taking a global view. Indeed, we still have quite substantial residual responsibilities overseas—for example, in Hong Kong and Cyprus. We still spend a greater proportion of our gross national product on defence than any other of your major European allies. Our naval contribution is very much greater than that of any of your other allies and we contribute rather more combat aircraft. Our army on the Continent is the only other professional all-volunteer army and for this reason we believe that its three divisions are particularly effective.

I mentioned just now the Referendum reaffirming our membership of the European Communities. The Communities are not just an economic arrangement to create greater prosperity. The vision is far greater than that. In two devastating wars this century the countries of Europe spilled and spent their blood and treasure. Many in Europe, and Winston Churchill was one of them, saw clearly that the future lay not in states divided and at each others' throats, but with a new unity into which they could sink their differences and work together for the common good. We believe that Britain can bring a major contribution to this new dynamic Europe—a Europe not turned in on itself, but active and interested in the world at large, putting more and more at the disposal of others its great resources and hard-won experience. And we see no incongruity between being Europeans and, at the same time, being close transatlantic friends and allies of America. We think that Europe and America between them can solve most of the difficult problems of the world today.

I have spoken at some length about Britain's present difficulties and prospects because I imagine that is what you wanted to hear from me. Perhaps you will allow me to make a brief reference to your own situation.

You have just passed through two traumatic experiences—the Watergate affair and the bitter *dénouement* in Vietnam.

In the wake of those experiences there were some who feared that America might turn isolationist—might wash her hands of other people's problems and concentrate exclusively on her own problems at home. But your leadership—and indeed the mood of the people—gave the lie to that. President Ford's reaffirmation of traditional alliances during his recent visit to Europe was an act of responsible statesmanship which came as a welcome tonic to all who still look to you as the sheet-anchor of their security. There is no escaping the fact that we live in an interdependent world, in which none can be self-sufficient.

So, on a day like today when we are celebrating an event of the past, in the year 1976 when we celebrate the birth of the most powerful nation the world has ever seen, we should not only cast back our minds down the years of history, but also see history as a continuing process: that what we are today is, in part, the creation of the past and what the future will bring for our children and grandchildren will, in large measure, be a result of what we do, or omit to do, today. So a celebration of the past must be a rededication for the future. The world has changed out of all recognition since the early days of Jamestown. It has changed since 1776. It has even changed fundamentally in its shape and possibilities in our own lifetimes. There seem few certainties: the old foundations of world order and prosperity seem to shift before our very eyes. But if we remain as firm in our self-confidence as did John Smith, there is no reason to falter or fail.

The leadership of the free world has passed to you. It is an awesome responsibility. But I ask you to believe that to the limits of our resources, we British will remain, as always, steadfast allies in defense of our joint heritage.

TRANSFER OF OLD FEDERAL COURTHOUSE IN PHILADELPHIA TO LOCAL GOVERNMENT

Mr. HUGH SCOTT. Mr. President, I am pleased that the American Bar Association and the Philadelphia Inquirer have both endorsed legislation introduced by Senator SCHWEIKER and myself to permit the transfer of the old Federal Courthouse at Ninth and Chestnut Streets in Philadelphia to the local government. This bill will help the Philadelphia court system by providing additional space.

Mr. President, I ask unanimous consent that an editorial from yesterday's Philadelphia Inquirer explaining this legislation be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOOD USE FOR THE COURTHOUSE

At its recent meeting in Montreal, the American Bar Association gave its support to a bill now before Congress which would meet the critical need—quickly and economically—for more courtroom space in Philadelphia.

The proposed legislation, sponsored by Sens. Scott and Schweiker, would permit the transfer of the old Federal Courthouse at 9th and Chestnut Sts. to the local government now that the new federal Courthouse at 6th and Arch Sts. is occupied.

Such legislation is necessary to make such a transfer possible because under present law property vacated by one federal agency must be made available to other federal agencies before any other use for it can be considered. The result is that some other federal agency usually claims it.

That makes sense as a general proposition, but because of its unique facilities, the Federal Courthouse could not be used by any other agency without extensive and expensive remodeling. The Philadelphia courts, on the other hand, should be able to move in and make immediate use of the space with little or no alterations.

That seems to make sense for the taxpayers, who otherwise would have to bear the expense both of remodeling the Federal Courthouse and providing new space elsewhere for the overcrowded Philadelphia courts.

"At least a portion of the problem" of the delays in Philadelphia's judicial system can be attributed to inadequate physical facilities, the presidents of the Philadelphia and Pennsylvania bar associations told the ABA. And while they are right in cautioning that the Scott-Schweiker bill would not be "a panacea for all current problems of judicial administration" here, they are also right in arguing that it would not only help solve those problems—at least on an interim basis—but would do so at minimal expense. The legislation should be enacted.

NATIONAL SKI PATROL ASSOCIATION CHAPTER

Mr. McINTYRE. Mr. President, I am pleased today to present to the Senate a lengthy list of cosponsors supporting legislation which I introduced granting the National Ski Patrol Association a Federal charter. The National Ski Patrol Association has, for many years, been educating the Nation's many skiers in safe skiing techniques. This nonprofit organization not only teaches skiers about safe skiing practices and safe ski equipment, but helps in protecting skiers while they are on the slopes.

Organizations like the Red Cross and the Boy Scouts of America have been granted Federal charters to aid these nonprofit organizations in dealing with the growing paperwork burden mandated by State chartering.

As the number of Americans enjoying this sport grows every year, the job of the National Ski Patrol Association grows as well. I hope more of my colleagues who come from States which depend on skiing as a revenue source or have constituents who enjoy skiing will join me in supporting this legislation.

GOVERNMENT ACTIONS WHICH HAVE HAD SERIOUS IMPACT ON VIABILITY OF SHEEP, CATTLE, AND POULTRY

Mr. GARN. Mr. President, in 1971, the Federal Government took two actions which have had serious impact on the viability of the sheep, cattle, and poultry industries of the United States. The two actions were the issuance of an Executive order banning the use of chemical toxicants for predator control on Federal land and in Federal programs and the suspension of the registrations of the three chemicals most widely used for this purpose: Sodium cyanide, strychnine, and sodium monofluoroacetate (1080). In the view of many observers, these two actions were taken as a result of political pressure and without any scientific justification. Between them they established a situation marked by rigidity and irrationality, and one which has prevented ranchers from defending their flocks against an increasing predator population.

Last July the President did issue some minor modifications to the Executive order, indicating a growing willingness to face reality in this question, although the modifications were, in my view, mainly cosmetic. At the same time, the Environmental Protection Agency announced hearings into applications for reregistration of sodium cyanide for use in the M–44 ejector device. Under the schedule announced by EPA, the Administrator must, before September 16, make a decision on those applications.

In the meantime, the hearings on the applications have now been completed, and the administrative law judge has issued his opinion on the applications. The findings of the administrative law judge are thoughtful and well reasoned, and I sincerely hope that the Administrator of EPA, Mr. Russell Train, will act in accordance with them. Essentially, the hearings showed that "the conditions of use of the M-44 as embodied in actual practice avoid most if not all of the dangers mentioned in the 1972 order." In fact, Mr. President, the only witness called in opposition to the applications gave evidence which supported the applications.

In view of these facts, Mr. Train should move promptly to register the M-44 device. Such action would not involve a return to the sometimes indiscriminate poisoning which characterized earlier predator control programs. As I have noted before, the Environmental Protection Agency has ample authority to insist on severe restrictions on the application of chemical toxicants, and a number of restrictions are called for by the administrative law judge's findings. The important point is that, if the administrative law judge's recommendation is accepted, the States of Montana, Wyoming, Colorado, Oregon, Nevada, and Texas will be able to use cyanide under these restrictions, and under the supervision of the Bureau of Sport Fisheries and Wildlife, which will, itself, be a registrant.

I make one further point, Mr. President. The registration called for by the administrative law judge will require some modification in the Executive order which still basically bans the use of chemicals in predator control programs on Federal land. I urge the President, through his Domestic Counsel, to meet with representatives of the States, and with interested Senate offices, to discuss the way in which the modifications can best be accomplished to protect all the interests involved. It is good to see that inflexibility is disappearing in at least this one corner of the bureaucracy, and that progress can be made.

Mr. President, so that all Senators can have the benefit of his findings, I ask unanimous consent that the administrative law judge's findings be printed in the RECORD.

There being no objection, the findings were ordered to be printed in the RECORD, as follows:

[Environmental Protection Agency Before the Administrator—FIFRA Docket No. 382]

INITIAL DECISION [1] OF FREDERICK W. DENNISTON, ADMINISTRATIVE LAW JUDGE

In the matter of: Applications to register sodium cyanide for use in the M-44 device to control predators.

This proceeding was initiated by the Administrator's order dated July 11, 1975, published in the Federal Register of July 15, 1975 (40 F.R. 29755). The proceeding is based on an application filed July 7, 1975, by the Fish and Wildlife Service of the U.S. Department of Interior, which seeks to register sodium cyanide M-44 capsules pursuant to Section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (FIFRA) (86 Stat. 979, 7 U.S.C. 136a). Pursuant to the provisions of subpart D of the EPA regulations (40 CFR 164.130-133), the application under Section 3 has been treated as a petition for reconsideration of an order issued March 9, 1972 (37 F.R. 5718).

The notice provided for an expedited hearing, which was specified to begin on August 12, 1975, and to last 4 days unless, pursuant to a recommendation of the presiding officer, it was further extended for an additional three days. The parties were allowed 4 days from the close of the hearing to file proposed findings and briefs. The presiding officer was allowed 6 days thereafter for the issuance of his initial decision, to which the parties could file exceptions 4 days thereafter.[2] Finally, it was provided that the Administrator's final order would be issued 21 days following the hearing, or 7 days after the filing of the exceptions. Saturdays, Sundays, and holidays were to be excluded from the foregoing count.

A prehearing conference was held on July 30, 1975, as a result of which Special Rules for the conduct of the proceedings were discussed, and were included in a Report of First Prehearing Conference issued July 31, 1975 (40 F.R. 33069). A second prehearing conference was held on August 7, 1975, at which some supplemental rules were adopted (Report of Second Prehearing Conference, August 11, 1975).

As permitted by the initiating order, certain interests filed applications which parallel that of the Fish and Wildlife Service, and by a second order, dated August 8, 1975, the following applications were, in effect, incorporated into this proceeding (40 F.R. 34455, August 15, 1975):

Montana Department of Livestock
Wyoming Department of Agriculture
Colorado Department of Agriculture
Oregon Department of Agriculture
Nevada State Department of Agriculture
Texas Department of Agriculture
M-44 Safety Predator Control Company, Midland, Texas

Also, as allowed by the order, the following interventions occurred:

Interventions in support of application:

Wyoming
Montana
Navajo Nation
National Turkey Federation
American National Cattlemen's Association
National Wool Growers' Association

Interventions in opposition to application:

Environmental Defense Fund
Defenders of Wildlife
Friends of the Earth
National Audubon Society
Natural Resources Defense Council
National Wildlife Federation
Sierra Club
Oregon Environmental Council [3]
Animal Protection Institute
Wildlife Management Institute
Humane Society of the United States

Amicus Curiae: As further provided by the initiating order, persons desiring to file briefs without becoming parties were permitted to do so and such *amicus* briefs were filed by the following:

American Farm Bureau Federation
Texas Department of Agriculture
California Department of Food and Agriculture
Montana Wool Growers' Association
Montana Stockgrowers' Association
Congressman W. R. Poage
Texas and Southwestern Cattle Raisers Association

HISTORY OF PROCEEDING

On March 9, 1972, the Administrator issued a notice of suspension of the registration of certain products containing sodium fluoroacetate (1080), strychnine, and sodium cyanide. That document was published in the Federal Register of March 18, 1972 (37 F.R. 5718). The document referred to a report prepared under the aegis of the Secretary of Interior by a committee of which Dr. Stanley Cain, Director, Institute for Environmental Quality and Professor of Botany and Conservation at the University of Michigan, was chairman. The text of that order and the accompanying findings of fact are incorporated herein by reference. The order cancelled and suspended all uses of sodium cyanide and the other chemicals mentioned.

On January 10, 1974, EPA issued a notice that it would consider applications for the use of a so-called M-44 device and sodium cyanide for coyote control (39 F.R. 2295, January 18, 1974). This was followed by an amendment to the EPA regulations dated January 29, 1974 and effective February 1, 1974 by which a new Section 162.19 was added to the Rules which provided for the filing of experimental use applications for the use of sodium cyanide in a spring-loaded ejector unit as a predator control.

Finally, on July 11, 1975, the Administrator issued the instant notice of hearing which commenced this proceeding. In that notice, it was recited that, pursuant to the foregoing regulations, experimental use permits had been issued as follows:

Texas Department of Agriculture
Montana Department of Agriculture
California Department of Food and Agriculture
Department of the Interior
South Dakota Department of Game, Fish, and Parks
Idaho State Department of Agriculture
Nebraska State Department of Agriculture
Kansas State University
Texas A & M

ISSUES

The issues for determination in this proceeding are whether the following three items constitute substantial new evidence:

1. Four of the seven specific findings concerning sodium cyanide in the 1972 Order were directly related to the issue of human safety. Based on the data gathered in accordance with the applicant's experimental use permit, sodium cyanide when used in the M-44 has been shown to be significantly less hazardous to man than sodium cyanide when used in the explosive device for which it was registered at the time of the 1972 Order and which was known to cause injuries to humans.

2. Based on data derived from studies conducted subsequent to the 1972 Order and submitted by the applicant, use of sodium cyanide in the M-44 device is more selective than use of the chemical in the explosive device and more selective than some other chemical and non-chemical predator control methods.

3. In view of the data submitted by the applicant with respect to significant reduced hazards to humans and the greater selectivity of sodium cyanide when used in the M-44, it is likely that proposed restrictions that might be developed, could be adopted and followed as a matter of practice by trained personnel subject to the supervision or control of the applicant.

These are followed by the following, which have been numbered for convenience:

4. Finally, if the above facts are determined to exist and to constitute substantial new evidence, the hearing must also determine whether such facts require modification of the 1972 Order to permit the regis-

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[1] Exceptions may be filed by the parties pursuant to 40 CFR 164.101 but must be received on or before September 5, 1975. *Note:* This is a correction of the date of September 4, 1975, announced on the record (Tr. 4-64) the fact that September 1 (Labor Day) is a holiday not having been considered.

[2] In the original notice, the exceptions were inadvertently referred to as "a reply brief."

[3] The precise status of the Council is not clear as notwithstanding intervention in opposition has been entered, the Council, by letter dated June 19, 1975, to the Assistant Director of the State Department of Agriculture, has indicated approval.

tration of sodium cyanide for use in the M–44 to control predators in accordance with FIFRA.

5. The determination of these issues shall be made taking into account the human and environmental risks found by the Administrator in the 1972 Order and the cumulative effect of all past and present uses, including the requested use, and uses which may reasonably be anticipated as a result of a modification of the 1972 Order.

Hearings were held on August 12, 13, 14, and 15, 1975, and it was not necessary to seek the three-day extension which was conditionally provided. While arrangements were made to extend the workday for an additional hour on August 13, 14, and 15, the additional time was not required, and the hearing concluded prior to 11:00 o'clock on August 15, 1975. The following appearances of counsel were entered:

David Fisher, Fish and Wildlife Service, U.S. Department of Interior.

Glenn Davis and John H. Midlen, Jr., States of Wyoming and Montana.

George S. Andrews, Special Counsel, State of Wyoming.

Arthur Lee Quinn and Jeffrey Petrash, National Wool Growers' Association, American National Cattlemen's Association, National Turkey Federation, Navajo Nation.

Harold Burke, Assistant Attorney General, State of Oregon.

Richard E. Gutting, Jr., Environmental Defense Fund, Defenders of Wildlife, Friends of the Earth, National Audubon Society, Natural Resources Defense Council, National Wildlife Federation, Oregon Environmental Council, Sierra Club, Animal Protection Institute, Wildlife Management Institute.

Murdaugh Stuart Madden and Roger A. Kindler, Humane Society of the United States.

Ronald McCallum and Colburn T. Cherney, U.S. Environmental Protection Agency.

Proposed Findings of Fact and Conclusions, and Briefs in support, have been filed by Fish and Wildlife Service, Department of Interior, the States of Montana, Wyoming and Oregon, American Farm Bureau Federation, Environmental Defense Fund and the associated environmentalist groups, and Respondent (Assistant Administrator, U.S. Environmental Protection Agency).

FINDINGS OF FACT

1. The M–44 is a mechanical device used to eject sodium cyanide into the mouth of canids when they activate it. It was developed in response to a need to replace the explosive shell of the Coyote Getter. Although serious injuries (14 documented human injuries for 550,000 getter-years of Service use since 1959) were infrequent with the latter, the potential for serious accidents was sufficient to warrant development of an alternative device. The manner of placement, use of scents that are offensive to humans, and elimination of the explosive charge made the M–44 relatively safe for humans.

2. The M–44 is composed of four parts: (1) the case—a sealed, impermeable plastic capsule containing one gram of formulated toxicant (0.88 gram of NaCN); (2) the case holder—a short, hollow tube wrapped with absorbent material to retain olfactory attractant and into which the case is inserted; (3) the ejector—a spring loaded plunger and triggering mechanism which is seated in and fastened to the tube and to which the case holder is fastened; (4) the tube—a hollow metal tube which is driven into the ground to support and anchor the mechanism.

3. Placement in the field is as follows: The tube is driven into the ground; the ejector is cocked, seated into the tube and the trigger mechanism engaged; the case is placed in the case holder which is then fastened to the ejector mechanism previously placed; and last, the absorbent material on the case holder is saturated with an olfactory attractant. Canids drawn to the attractant grasp the case holder by their teeth and pull up, thus triggering the device, which then ejects the sodium cyanide into the animal's mouth.

4. The M–44 device will be used in accordance with formal policies and regulations established by the U.S. Fish and Wildlife Service. This use will conform to all applicable Federal, State, and local laws and regulations.

5. The U.S. Fish and Wildlife Service does not have authority over most lands on which the M–44 device will be used. To assure consideration, input, and approval from all responsible parties, M–44 use in programs on public lands will be controlled by cooperative agreement with appropriate jurisdictional agencies. Use of the device in programs on private lands would be controlled by written and signed cooperative agreement with the landowner or leasee.

6. Each individual M–44 use will be subject to careful analysis at the field level to assure that application is necessary, safe, and effective. Full documentation of livestock depredations, including evidence that such losses were caused by wild canids, or laboratory-confirmed verification that wild canids are, in fact, vectors of a communicable disease such as rabies, will be required before application is undertaken.

7. M–44 devices will be used only in areas specified under programs approved by U.S. Fish and Wildlife Service Regional Directors. They will not be used in: (1) National Parks or Monuments; (2) areas where threatened or endangered species might be adversely affected; or (3) areas where excessive exposure to public and family pets is probable.

8. M–44's or capsules will not be given to, or entrusted to the care of, any person not under the supervision of the Service or other cooperating Government agencies. Care will also be taken to prevent theft or loss and the possibility of subsequent use of the capsules by nonauthorized persons.

9. M–44's will be used in locations and at times that will minimize encounters by humans, pets, and nontarget species. Special concern will be given to hunting and other seasonal use areas.

10. On private lands, M–44's will be used in areas where fencing, topography, seasons, climatic conditions, or other factors normally limit human access, while on public lands, M–44's will be used during those times of the year when use of the particular public land by the general public is at a minimum, or on areas not generally frequented by the public. Specific locations and time periods of M–44 use will be established by the appropriate Bureau representative, based upon land-use information provided by the land administrator and with his concurrence.

11. Warning signs in English and Spanish will be used to provide warning of all areas containing M–44's. Individual unit sites also will be clearly identified to protect persons who might happen upon them.

12. All Service-supervised employees will be instructed in the safe use of M–44's before being entrusted with them, including caution to be exercised to prevent personal injury from accidental discharge of the device.

13. Cyanide antidote kits will be carried by all employees using M–44's.

14. Special precautions will be in effect for the storage and disposal of capsules.

15. M–44 devices will be maintained on a routine basis (at least weekly) in order to replace discharged capsules and damaged warning signs, and to check them for human interference or abnormal conditions. They will be removed when unsafe conditions develop (i.e., new human activity in the area), when livestock depredation losses are stopped, or when evidence of the target species can no longer be found in the area.

16. All accidents involving humans and domestic animals as well as reports of animals taken by the device, will be reported immediately in accordance with established procedures.

17. During the experimental permit period from June 1, 1974 to October 31, 1974 the livestock losses were 3.4 percent before M–44 use was initiated and 0.6 percent during and after their use, or a 2.8 percent reduction in losses (M–44 Efficacy report 1974). This shows the trend but is not an exact loss ratio or solely attributable to M–44's for several reasons: 1, in many cases other damage reduction methods were used simultaneously with M–44's; 2, funding does not allow for absolute search for kills; 3, time periods for collecting the "before" and "after" data are not equal.

18. Data taken from the same field reports, but limited to 2 months after initiation of M–44 use on each area, and including 13 months from June 1, 1974 to July 31, 1975 showed a reduction in sheep and goat losses of 2.9 percent from 3.3 percent before M–44 use to 0.4 percent after use began. The same data shows a reduction of cattle losses (mostly calves) of 3.0 percent from 3.3 percent before M–44 use to 0.3 percent after. Again this shows a trend, but not exact losses or exact loss ratios.

19. An important comparison should be pointed out, that these reductions of whatever size they are, were made where mechanical methods had been unsuccessful thus requiring the use of chemical methods.

20. The relative ratio by which M–44's take coyotes and fox as compared to nontarget species is indicated by data from the USFWS 1974 report which shows a target species take of 95 percent and nontarget species 5 percent. Data from the USFWS 1975 report indicates a take of 88 percent target species and 12 percent nontarget species.

21. The leader of the Predator Ecology and Behavior Project of the Fish and Wildlife Service, with credentials both academic and in research in the field of wild animal populations in general and predators in particular, testified as to the overall results of the FWS use of the M–44 device. In his opinion, the M–44 device is an effective device for achieving temporary reductions in canid populations; the device is selective for canids because of the nature of the attractant and manner of exposure; the risk to populations of nontarget species is minimal; and it is significantly safer for operating personnel than the Humane Coyote Getter. The risks associated with the Humane Coyote Getter, as used in the Federal program, were largely related to mechanical injuries caused by the top wad and sealant which effectively became a projectile. Those risks have been essentially eliminated in the M–44. The potential risk of Cyanide toxemia to operating personnel is present with either device, but evidence from the operational programs suggests that risk is extremely low.

22. Data compiled by the Fish and Wildlife Service indicate that the M–44 device is more selective for wild canids than are steel traps. A study covering the period 1970–1972, during which the M–44 and the Humane Coyote Getter were both used during part of the period, indicates that of the animals taken, 89 percent represented coyotes and foxes, and other species such as bear, bobcat, skunk, badger, raccoon, opossum and porcupine, represented very small percentages of the total. On the other hand, a study made in Mexico, Colorado, and Wyoming of carnivores taken on steel trap lines, indicated that coyotes and red foxes comprised only 27.6 percent of the total taken. Thus while some nontarget animals are taken by the M–44's, they represent a very small proportion and substantially less than the steel traps.

23. A research scientist from the Texas A&M University, testified with respect to certain studies of predator-prey relationships. From these studies, he drew the conclusion

that the M-44 is a selective device for capturing coyotes.

24. While in the 1972 Order the Administrator found that "There is no true effective antidote" with respect to the use of cyanide there considered, the record does not disclose on what that statement or finding was based. The evidence adduced herein indicates antidotes do exist and one of the requirements of the Fish and Wildlife Service will be that every person engaged in placing the devices must carry an antidote kit. There is question as to whether the antidote treatment could be self-administered by a person who might be suffering from the initial effects of poisoning by making an intravenous injection; however, antidotes do exist and the previous finding in 1972 is incorrect.

25. The States of Montana and Oregon offered copies of the rules governing the use of chemical toxicants for predator control in their states and similar rules for the State of Wyoming were submitted.

26. Currently a critical situation exists in the State of Montana due to serious losses to livestock producers caused by predatory animals, primarily coyotes. Present methods of trapping, denning, shooting and aerial hunting are being employed but livestock depredation continues to be a serious problem. Various alternate methods of control are being utilized.

27. On April 4, 1974, the Montana Department of Livestock was granted permission to use the M-44 device for experimental use purposes only. The expiration data on that permit is October 15, 1975. From July 1, 1974 to February 20, 1975, a total of 278 people from 22 counties and an Indian reservation were trained by the Montana Department of Livestock and licensed as government pesticide M-44 applicators. The training consists of techniques for the selection of placement sites, recordkeeping and reporting safety precautions, and various aspects of the use of the M-44 device. Special emphasis was given to environmental and human safety precautions to be observed when using the device and predacide.

28. During these training sessions, all participants were issued an amyl nitrite antidote kit and instructed in its proper use. All applicators were required to submit monthly reports on capsule usage, species taken, and the number of M-44 units in the field.

29. Between July 1, 1974 and June 30, 1975, a total of 608 coyotes, 148 foxes, and 23 skunks, 6 raccoons, 4 dogs, and 1 badger were taken by the licensed applicators in Montana. Coyotes and foxes are the target species for this program and account for 96 percent of the species taken. The Department of Livestock computes the cost of the program per coyote or fox taken as $19.32. This compares to the average cost to take a coyote or fox by the state helicopter, fixed-wing aircraft or state trapper using mechanical methods of $45.00, $25.00 and $200.00, respectively. Thus proving the M-44 to be economically feasible.

30. Montana considers the M-44 device using sodium cyanide to be a selective, efficient, humane, economically and environmentally-safe predatory control tool, and urges its registration.

31. The State of Oregon has adopted a comprehensive system of regulations to implement its application for registration. Those regulations become effective October 15, 1975. Under its program only registered or licensed governmental applicators will be authorized to utilize the toxicant and device, and then only for coyote control.

32. EDF and the opposing group of environmentalists offered the testimony of a field representative for Defenders of Wildlife, Richard L. Randall. Mr. Randall has had life-long experience in varying capacities with livestock and wildlife in the Western areas. He was formerly employed by the Fish and Wildlife Service, or its predecessor, until 1973 when he retired from government service because of injuries suffered in two aerial accidents which occurred while he was hunting coyotes in Wyoming.

33. He has had personal experience in both the Humane Coyote Getter and the M-44. In his experience, use of any predator control was not effective in significantly reducing losses due to predation. Randall believes that the M-44 presents a potential danger to children and others who may be attracted to the devices by the warning signs posted. He indicates that there is much vandalism of the devices by persons damaging them with rocks or running over them with vehicles and that many who disapprove of their use deliberately set them off and therefore they present a hazard to that group of people. Randall perceives no objection to the registration of the M-44 device provided adequate restrictions on its use are promulgated. While he did not specify the particular conditions he deemed appropriate, one of his principal criticisms was in opposition to placing the devices on or near roads. He does not believe that the M-44 is any more effective or selective than its predecessor the Humane Coyote Getter.

34. The foregoing facts constitute substantial new evidence which was not available to the Administrator when he issued his March 1972 order, and could not have been presented or discovered by parties to that matter in view of the lack of a proceeding.

35. Based on the data gathered in accordance with the applicant's experimental use permit, sodium cyanide when used in the M-44 has been shown to be significantly less hazardous to man than sodium cyanide when used in the explosive device for which it was registered at the time of the 1972 order and which was known to cause injuries to humans.

36. The use of sodium cyanide in the M-44 device is more selective than use of the chemical in the explosive device and more selective than some other chemical and nonchemical predator control methods.

37. It is also apparent that with appropriate restrictions as hereinafter discussed, the use of the M-44 should be approved and that the 1972 order should be modified accordingly.

CONCLUSIONS

The evidence is clear that the conditions of use of the M-44 as embodied in actual practice under the experimental use permits avoid most if not all of the dangers mentioned in the 1972 order. The testimony of the only witness in opposition tends to confirm this fact rather than controvert it. While apparently disagreeing that the M-44 is more selective than the former Humane Coyote Getter, that witness' statement was a general observation unsupported by data, and actual data of record establishes the contrary.

While the evidence presented might be considered lacking in the niceties of politico-economic analysis, when consideration is given to the subject-matter, i.e. wild animal predators, and the vast undeveloped areas in which these devices are utilized, the data presented indicate that the benefits of the proposed use greatly outweigh the risks which are shown to be minimal. A precise dollar evaluation of benefits versus risks, however, is not possible.

OPPOSITION CONTENTIONS

EDF contends it has been denied due process of law and a fair and proper hearing, and in support offers five contentions of procedural errors.

1. *Intervention by Oregon:* EDF points out that the initiating notice of July 11, 1975, provided that motions to intervene were to be filed no later than August 6, 1975. It also provided for states to file M-44 applications and allowed for their filing by July 31, 1975, to be reviewed and then made subject to a determination by the Administrator as to whether they qualified under Subpart D of the Rules. That determination was not made until the August 8, 1975 Notice, or after the date for filing interventions as such. As Oregon became an applicant on that date, it was appropriate that it become a party and offer evidence in support of its application. It should be noted that such evidence dealt with the manner in which the program would be administered within Oregon, but did include a letter of the Oregon Environmental Council expressing approval of these applications.

2. *Application dates:* EDF contends the August 8, 1975 Notice "ruled that applications received after this date [July 31, 1975] would be considered." No such language is contained in the Notice, which lists the applications received "on or before July 31, 1975." It therefore cannot be determined what the basis of this objection may be.

3. *Irrelevant material:* Throughout the hearings EDF objected to any evidence beyond the issues 1 and 2 above, dealing with human hazards and selectivity, and thus asserts that irrelevant material was received. In taking this position, EDF ignores issues 4 and 5 in the initiating order as summarized above and cites no testimony which is irrelevant to those issues.

4. *Special Rules:* EDF points out that the Special Rules issued by the Presiding Officer provided for submission of all testimony on applications in writing and the distribution to parties on August 7, 1975, but that it did not receive the Oregon and Montana exhibits until after that date. As noted above, the Order incorporating those applications was not issued until August 8, 1975, and being proper parties provision for their testimony was required. In any event, EDF received the testimony in advance of the witness taking the stand and had opportunity for prior review; there is no indication that EDF was in any way prejudiced by this procedure.

5. *Underlying data:* EDF correctly points out that the Special Rule (Report of First Prehearing Conference) provided that data must be made available by the proponents of exhibits or expert testimony, but alleges testimony was allowed where such was unavailable to EDF, citing two references to the transcript. Those references indicate that EDF did in fact have the underlying studies when questioning the witness, and afford no support for its contention. Further, the record indicates that where a witness had failed to supply the complete article from which he had quoted excerpts, the proposed testimony was stricken (Tr. 2–22). Moreover, with respect to the Special Rules which were discussed at the Prehearing Conference of July 30, 1975, various counsel, including EDF, urged that provision be made for special situations, and the Administrative Law Judge indicated that such would be entertained. (Tr. 1–28).

6. *Subpoena of EPA official:* A witness in the course of his testimony stated that an EPA official had told him the present applications would be granted. Later, EDF requested and was denied a subpoena requiring that official to testify and be cross-examined, on the grounds of relevancy. The decision-making process, in this instance, involves the Administrative Law Judge in the first instance and the Administrator, or his delegee, in the second. The views of staff members outside of this record are irrelevant unless it would appear to be related to the development of "secret law" as to which there is no indication here. Compare *Sterling Drug Inc. v. F.T.C.*, 4502d 698 (1971).

Applicability of Section 102 of the National Environmental Policy Act: On brief, EDF also contends that Section 102(2)(c) of the National Environmental Policy Act (NEPA) [83 Stat. 852; 42 U.S.C. 4332(2)(c)] requires that an environmental impact statement (EIS) is a prerequisite to the FWS application, and that its absence prevents any modification of the 1972 Order. In support, it offers a quotation from *Aberdeen and Rockfish Railroad et al. v. S.C.R.A.P.* (—— U.S. —— No. 73-

1966, June 24, 1975). The quotation is *dictum* in a case in which such a statement was held not to be required, and affords little guidance here. The issuance of the initiating notice herein, by the Administrator in the absence of an EIS, necessarily represented a determination by him that none was required. With regard to EPA itself, none is required and this proceeding does not fall within those as to which the Administrator has announced a voluntary program of preparing the EIS. See Statement of Policy and Procedures, 39 F.R. 16186 and 37119.

Effect of E.O. 11870: EDF contends the present FWS proposal is prohibited by Executive Order No. 11870 (July 18, 1975) (40 F.R. 30611) which amended Executive Order No. 11643 of February 8, 1972, by citing Section 3(c) thereof which deals with programs limited to one year. But this proceeding would be governed by Section 3(b), and no doubt represents the consultation with EPA which is required.

Section 3 of FIFRA: Finally, EDF contends the applications do not meet the requirements of Section 3 of FIFRA by asserting that the proposed use would have "unreasonable adverse effects on the environment." No attempt is made to justify the assertion, but reference is made to 40 CFR 162.11 of the recently issued Registration rules, effective August 4, 1975. But this proceeding is subject to Section 18 of FIFRA, as well as Section 3, and is governed by Subpart D of the Rules (40 CFR 164.130) and the statement of issues herein.

RESTRICTIONS

The Respondent in this proceeding (Assistant Administrator of EPA), on brief, urges the modification of the 1972 Order to permit the registration of sodium cyanide for use in the M–44 device to control canid predators subject to the 26 numbered conditions or restrictions set forth in the Appendix hereto.

These restrictions are based on the statements of intended use by the applicant witnesses herein or may reasonably be inferred from their testimony and appear to be appropriate in the light of the record. They also appear to meet the suggested restrictions offered by EDF in the alternative that their challenge of the proceeding is not accepted, and accordingly, the approval granted herein will be made subject to those restrictions.[4]

ULTIMATE FINDINGS AND CONCLUSIONS

In view of the foregoing, the 1972 Order should be modified to permit the registration of the M–44 device by the applicants herein subject to the conditions set forth in the Appendix hereto.

FREDERICK W. DENNISTON,
Administrative Law Judge.

August 29, 1975.

APPENDIX A—RESTRICTIONS

1. Use of the M–44 device shall conform to all applicable Federal, State, and local laws and regulations.

2. The M–44 device shall be used only to take wild canids suspected of preying upon livestock and poultry.

3. The M–44 device shall not be used solely to take animals for the value of their fur.

4. The M–44 device shall only be used in instances where actual livestock losses due to predation by wild canids are occurring. M–44 devices may also be used prior to recurrence of seasonal depredation, but *only* when a chronic problem exists in a specific area. In each case, full documentation of livestocks depredation, including evidence that such losses were caused by wild canids, will be required before application of the M–44 is undertaken.

5. The M–44 device shall not be used in: (1) National or State Parks; (2) National or State Monuments; (3) Federally designated Wilderness areas; (4) Wildlife refuge areas; (5) Prairie dog towns; (6) Areas where exposure to the public and family pets is probable.

6. The M–44 shall not be used in areas where threatened or endangered species might be adversely affected. Each applicator shall be issued a map which clearly indicates such areas.

7. The M–44 device shall not be placed within 200 feet of any lake, stream, or other body of water.

8. The M–44 device shall not be placed in areas where food crops are planted.

9. M–44 devices shall not be placed within 50 feet of public rights-of-way.

10. The maximum density of M–44's placed in any 100-acre pastureland area shall not exceed 10; and the density in any one square mile of open range shall not exceed 12.

11. The M–44 device may be placed in the vicinity of draw stations (livestock carcasses); provided, that no M–44 device shall be placed within 30 feet of a carcass; no more than 4 M–44 devices shall be placed per draw station; and no more than 3 draw stations shall be operated per square mile.

12. M–44 devices shall be inspected at least once a week to check for interference or unusual conditions and shall be serviced as required.

13. Used sodium cyanide capsules shall be disposed of by deep burial or at a proper landfill site.

14. An M–44 device shall be removed from an area if, after 30 days, there is no sign that a target predator has visited the site.

15. Damaged or non-functional M–44 devices shall be removed from the field.

16. In all areas where the use of the M–44 device is anticipated, local hospitals, doctors, and clinics shall be notified of the intended use, and informed of the antidotal and first-cyanide poisoning.

17. Bilingual warning signs in English and Spanish shall be used in all areas containing M–44 devices. All such signs shall be removed when M–44 devices are removed.

a. Main entrances or commonly used access points to areas in which M–44 devices are set shall be posted with warning signs to alert the public to the toxic nature of the cyanide and to the danger to pets. Signs shall be inspected weekly to insure their continued presence and insure that they are conspicuous and legible.

b. An elevated sign shall be placed within 6 feet of each individual M–44 device warning persons not to handle the device.

18. Registrations for sodium cyanide M–44 capsules may be granted to persons other than State and Federal agencies; provided, that such persons shall be authorized to sell said capsules only to State and Federal registrants. Only State and Federal registrants shall be permitted to sell, give, or otherwise distribute capsules to individual applicators. Such State or Federal registrants of sodium cyanide M–44 capsules shall be responsible for insuring that the restrictions set forth herein are observed by individual applicators to whom such registrants sell or distribute such capsules and/or M–44 devices. State and Federal registrants shall train applicators, and such training shall include, but need not be limited to: (1) Training in safe handling and placement of the device; (2) Training in the proper use of the antidote kit; (3) Instructions regarding proper placement of the device; and (4) Instructions in recordkeeping.

19. Each authorized M–44 applicator shall keep records dealing with the placement of the device and the results of each placement. Said records shall include, but need not be limited to:

1. The number of devices placed.

2. The location of each device placed.

3. The date of each placement, as well as the date of each inspection.

4. The number and location of devices which have been discharged and the apparent reason for each discharge.

5. The species of animal taken.

6. All accidents or injuries to humans or domestic animals.

20. M–44 devices and capsules shall not be sold or transferred to, or entrusted to the care of, any person not licensed by, or under the supervision of a State or Federal registrant.

21. All persons authorized to possess and use M–44 capsules and devices shall store said devices under lock and key.

22. Each authorized M–44 applicator shall carry an antidote kit on his person when placing and/or inspecting M–44 devices. The kit shall contain 12 pearls of amyl nitrite and instructions on their use. The kit may also contain sodium nitrite and sodium thiosulfate.

23. One person other than the individual applicator must have knowledge of the exact placement location of all M–44 devices in the field.

24. Supervisors shall periodically check the records, signs, and devices of each applicator to verify that all applicable restrictions, laws, and regulations are being strictly followed.

25. In areas where more than one governmental agency is authorized to place M–44 devices, the agencies shall exchange placement information and other relevant facts to insure that the maximum number of M–44's allowed is not exceeded.

26. Registrants and applicators shall also be subject to such other restrictions as may be prescribed from time to time by the U.S. Environmental Protection Agency.

THE 1975 CROP DISASTER PROGRAM

Mr. McGOVERN. Mr. President, during my travels in South Dakota over the congressional recess, one of the persistent complaints I received was the manner in which the U.S. Department of Agriculture was administering the current crop disaster program. Prolonged drought and hot weather severely damaged our South Dakota corn crop. Similar conditions prevailed in 1974. However, this year the Department's administration of the program has had the net effect of costing farmers in my State almost $10 million. Crop disaster payments of about 46 cents per bushel is little enough to assist a farmer with little or no corn in his fields. The Department's formula of docking the producer 7 bushels of corn for each ton of silage he can salvage has about cut the program in half.

Robert N. Duxbury, the secretary of the South Dakota Department of Agriculture has sent me a copy of a well-reasoned letter to Secretary Butz on this question. For the information of my colleagues, I ask unanimous consent that the text of this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SOUTH DAKOTA
DEPARTMENT OF AGRICULTURE,
Pierre, S. Dak., August 28, 1975.

Hon. EARL L. BUTZ,
Secretary of Agriculture,
U.S. Department of Agriculture,
Washington, D.C.

MY DEAR MR. SECRETARY: I am sure you agree with me that if we are to have a disaster program, it should be administered as efficiently as possible and be designed, as nearly as possible, to help those who need it most. I believe that the changes you have made in this year's program, primarly that all silage produced will count against production when determining the producer's disaster payment, is counterproductive to that intent.

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[4] It is noted that by letter of August 27, 1975, counsel for the State of Montana takes exception to proposed restrictions No. 2, 14 and 22. No provision was made for such a filing, which is essentially a reply brief, and time does not permit provision therefor, and they have not been considered. They may, of course, be renewed on exceptions.

It is difficult to understand, for example, why we should further penalize the grain producer, who has seen his total crop wiped out by drought, by requiring any silage he may salvage be used to reduce his disaster payment.

Some of my reasonings are as follows:

1. The payment of 46c per bushel is very small in comparison to his production costs and can only be considered a token amount to help him survive until next year. To take any part of that away is unfair, especially from those hardest hit.

2. If he raised the crop for grain only and has no way of utilizing the silage, he must sell it. However, in many areas in this state there will be little or no market for the silage because of the excess supplies available due to the drought.

3. Selling silage is a marketing method unfamiliar to him and the humus lost to the soil because the stalks are not plowed down becomes another cost to his operation.

The above illustration relates some of the hardship endured by one type of producer but similar justification can be made for others. I recognize that it is very difficult to administer a national program that treats everyone fairly but I would argue that last year's program was a great deal more fair to our drought-stricken producer than the present one. *I urge you to return to the practice of making disaster payments to the grain producer on the basis of his grain production and to the silage producer on the basis of his silage production.*

Another very important concern that I have is not new but is more relevant today than in past years. The regulation that requires total production from all acres, including those planted in excess of allotment, be counted against the total allotted production is grossly unfair. If the producer responded to your urging of all-out production, he is now penalized for doing so when he is faced with drought. Surely, if we are to help the drought-stricken producer, we should not penalize those that cooperated the most. While I believe he has a right to be paid on *all* his planted acres, he should at a minimum be paid on his allotted acres. *However, I can see no justification in having his "excess acres" used against him. I urge your immediate attention to remedying this injustice.*

In conclusion I would like to point out some injustices in the conversion ratio of silage corn that is used in computing the disaster payment. In South Dakota this ratio is one ton of silage equals seven bushels of corn. My understanding is that this is computed by taking a five-year state production average. In the case of corn, the acres harvested for grain are divided into the total grain production and the acres harvested for silage are divided into the total silage production and the ratio of those two yields is the conversion ratio that is assigned to the state. Three reasons I think this to be unfair are:

1. On most farms, particularly those that utilize part of their acreage for grain and part for silage on a regular basis, acres harvested for grain will be the best corn and those harvested for silage the poorest. Thus, the conversion ratio becomes distorted and unfair and should be substantially lower.

2. A seven-to-one ratio implies that the worth of one ton of silage has a dollar value worth of seven bushels of corn. Figuring corn at only $3 per bushel, the implication then is that one ton of silage is worth $21.

I have studies before me from the University of Nebraska, Lincoln, made in July of 1974, that estimates the worth of immature drought corn compared with that of alfalfa hay. An example of this study indicates that when alfalfa hay is worth $40 per ton, 25% dry-matter corn silage is worth $4.53 a ton and 20% dry-matter corn silage worth only $2.62 a ton. These figures are extremely smaller than the worth allotted to it on the seven-to-one conversion ratio.

3. The conversion ratio fails to recognize the extra cost per ton in harvesting poor yielding silage in comparison to that which is higher. This has the effect of helping the least those producers who need it the most.

Producers and adjusters in South Dakota have told me that producers are developing a very frustrated attitude when they see any small payment that they think they have coming reduced even further when they salvage any silage from that acreage.

Mr. Secretary, I hope my points are favorably considered. I earnestly request that you act favorably to help keep our producers on the land so that they might continue to supply us with food and fiber.

Sincerely,

ROBERT N. DUXBURY,
Secretary, South Dakota Department of Agriculture.

ADDRESS BY SECRETARY OF THE NAVY J. WILLIAM MIDDENDORF II

Mr. THURMOND. Mr. President, during the recess, the American Legion held its annual convention in Minneapolis, Minn.

On August 15, Secretary of the Navy J. William Middendorf II spoke to the National Security Commission. In his remarks Secretary Middendorf discussed the role of the U.S. Navy in wake of the recent buildup in Soviet seapower. His remarks and his assessment of our naval capabilities are timely and important.

Mr. President, so my colleagues will have an opportunity to review the Secretary's speech, I ask unanimous consent that the address by Secretary Middendorf before the American Legion National Security Commission be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY J. WILLIAM MIDDENDORF II

It is a pleasure to be here in Minneapolis to address you, the leaders of the American Legion. Since its founding in 1919, the American Legion has supported the concept that the greatest benefit a nation can give its citizens is to insure their individual liberty, security and freedom. And I can assure you that every man and woman of the United States Navy and Marine Corps appreciates that support.

At the 56th National Convention of the American Legion, held in Miami Beach last August, Resolution #279 was passed. That Resolution petitioned, in part, to:

"Take immediate steps to restore the United States to a position of global naval supremacy and appropriate adequate monies to ensure the fastest possible modernization of our Navy with emphasis on a balanced sea control force of aircraft carriers, aircraft, other surface ships and submarines."

I think this Resolution is a tremendous example fo the foresight, wisdom and dedication to this nation which the American Legion has shown for the last 56 years.

Your resolution comes at a most appropriate time. For the first time in this nation's history we are challenged by a powerful threat from the sea. For the last 200 years the Atlantic and Pacific Oceans have been a protective cloak for America, protective buffers which enabled our first President, George Washington, to warn against "intangling alliances."

Today this protective cloak is infested with deadly spiders. This very day stealthy Soviet ballistic missile submarines—the "jaws" of Soviet seapower—are on patrol off both our coasts. And Soviet surface ships have circumnavigated one of our states—Hawaii.

The build-up of the modern Soviet Navy is unprecedented. From a coastal defense navy in the 1950's, the Soviets have, since 1962, outbuilt us in every category of ship except aircraft carriers. Today the Soviet Navy has more than two and a half times the number of submarines as your Navy and almost twice the number of major surface combatants as the U.S. Navy.

The Soviets have deployed aboard their ships highly sophisticated sensors, electronics and offensive and defensive weapons systems. They have developed an arsenal of some 20 types of anti-ship capable missiles and their variants. Having ranges from 20 to 400 miles, these missiles can be fired from aircraft, surface ships, and submerged submarines.

You may justifiably ask: "Why? Why this tremendous naval build-up?" Quite frankly, a major emphasis of the Soviet Navy is the capability to interdict U.S. and allied sea lines of communication.

The second question you may rightly ask is what are we doing about it? I would use this forum to answer that question and to discuss the direction the Navy is going in meeting the defense needs of our country. At the outset it is not the Navy of today that is of concern. The ships and aircraft of today's Navy—like the nuclear-powered aircraft carrier NIMITZ which was commissioned on May 3 or the sophisticated F-14 TOMCAT fighter aircraft—are the results of decisions made in some cases ten or more years ago. And therefore it is the Navy of the 1980's that is our major concern. The ships of that fleet may be only concepts today. But they will be active units of the fleet well into the next century.

There has been of late much public discussion on the adequacy of our naval forces. This discussion is based, in part, on the recognition of the following facts:

In June, 1968, the U.S. Navy had a total active fleet of 976 ships, including 15 attack aircraft carriers and 8 anti-submarine warfare carriers.

A great number of these ships were of World War II vintage and were rapidly approaching technical and material obsolescence. The Navy decided to retire these ships, reduce the size of the active, and invest in new ships with the funds made available.

At 1000 on August 13, the World War II vintage fleet oiler NAVASOTA (AO-106) was decommissioned in San Diego. While this event went unheralded, as a simple change of command ceremony, the Navy now has an active fleet of just 482 ships, less than half the number of ships in the fleet in 1968 (976), and representing the smallest fleet since mid-1940—a year and a half before Pearl Harbor (460 ships June 30, 1940).

We therefore face one of the most significant challenges to our maritime superiority since the end of World War II. That challenge is to rebuild the U.S. fleet to such a size and having sufficient ships of various capabilities that it can do the job assigned in support of our national strategy.

In order to meet this challenge, we must first establish the force requirements—the minimum number and kinds of ships we need to do the job.

How big a Navy do we need? One thousand ships, eight hundred ships, seven hundred ships? There are justifications for each of these force levels.

A navy—just like its sister services—exists to support national policy, and its adequacy must be judged according to that standard.

And maritime power is a substantial element in the total continuum of the national strategy of the United States.

Therefore, the process of determining the direction, the size and compensation of the Navy is based on four logical steps:

(1) Define the national strategy which the Navy must support.

(2) Assess the potential threats to that strategy.

(3) Assess the prudent and acceptable risks we take in the judgmental process.

(4) Establish an objective force level requirement designed to carry out national strategy.

In defining our national strategy, more concepts than strict military issues must be taken into account. Indeed, history, geography, economics and politics all exert a unique effect on our national interest and our resultant national policy.

By geographical considerations alone, the United States is, in the strictest sense, an island nation. Having a shoreline exceeding 88,000 miles in predominantly temperate climates, the United States enjoys free and unlimited access to the two, major oceans of the world.

The land borders of the United States adjoin nations with whom we have enjoyed most open and friendly relations for more than a century. Indeed, ourt 5,525-mile border with Canada and our 1,933-mile border with Mexico are the longest non-fortified national boundaries in the world.

Furthermore, since the seaborne British invasion during the War of 1812, the United States has been free from foreign invasion.

The American historical experience and geographical considerations have had a significant effect on the development of our international political, economic and resultant military structures.

The emergence of the United States as a world power was the result of the rapid expansion of our industrial base and the coincident development of foreign trade. During the period from our industrial development up until the end of World War II we were relatively self-sufficient in abundant energy and cheap raw materials. Today, with only 7% of the world's population, we consume about 40% of these raw materials. Although we today still have vast quantities of natural resources, we must now import significant quantities of these increasingly expensive raw materials and energy sources to support our industrial base. The day of cheap, readily accessible raw materials and energy sources, upon which the industrial might of this nation was founded, is long since past and never to return.

A more important consideration is the volume of our foreign trade, the lifeblood of our economy, that moves by sea. It is estimated that more than 70% of U.S. trade is with nations other than the two contiguous states of Canada and Mexico. And more than 99% of our raw materials and overseas foreign trade moves by sea.

These factors have in turn affected our alliance structure. Other than Canada and Mexico, all of the allies of the United States are overseas. Our allies of western Europe and Japan are themselves maritime nations. Indeed the western alliance is an oceanic alliance, and without the capability for full and free utilization of the seas the effectiveness of our alliance structures are seriously undermined.

It is these oceanic factors that contribute to the development of our national strategy. As a component of national strategy, the function of military strategy is to support the national interests by:

(1) Deterring the outbreak of war and other infringements on U.S. interests.

(2) Contributing to international stability through the maintenance of a balance of military power.

(3) By maintaining a war-fighting capability to respond to crisis ranging from a minor confrontation to global war.

U.S. military forces implementing this strategy therefore must not only be optimized to meet the challenge of our geography, but must also be adapted to the functional concerns associated with the expansion of the military capabilities of our potential adversaries, the vulnerability of our critical imports, the continued viability of unilateral U.S. interests outside our alliance areas, and the fragility of regional power balances.

In Europe, substantial forward-based ground forces together with naval forces will continue to preserve the credibility of NATO, provided there is a demonstrable link to the capability of the U.S. to augment these forces, resupply them and provide reinforcement.

Elsewhere in the world, forward afloat deployed forces and sea-mobile tactical air forces, supported by a quick-reaction strategic reserve, can fulfill most U.S. defense commitments, including the projection of power when necessary.

Therefore, U.S. national and military strategy is intimately tied to the ready availability of naval forces structured to support the basic concept that control of the sea is absolutely vital to our national interests.

Your Navy is, then, the forward deployed arm of the United States. It functions as a protective buffer to keep the threat as far away from our shores as possible, as a shield to guard the arteries of commerce of this nation and our allies, and as a visible manifestation of the presence of the United States protecting our interests around the world.

However, from a naval point of view, the coincident reduction of the size of our fleet and the impressive build-up of the Soviet Navy pose a significant threat to this maritime strategy. Our nation is no longer in the dominant position at sea that we have enjoyed until recently. There are now two powerful navies on the high seas instead of one.

The only valid comparison of these two navies is whether each can carry out its missions in suppport of its role in the national strategy. To put it simply, our mission is to control the seas, theirs is to deny us this control.

The U.S. Navy has a substantial lead in aircraft carriers, while the Soviet Navy numbers many more ships. While certain classes of ships are common to both fleets—such as destroyers (DD) and nuclear-powered attack submarines (SSN)—the U.S. Navy has no cruise missile equipped submarines, nor does the Soviet Navy have attack aircraft carriers. The existing deployment patterns of the two fleets are different. U.S. deployments may best be characterized as a continuous maintenance of commitments. Soviet deployments vary radically in size, and appear to be directed toward developing the capability of concentrating the naval forces necessary to achieve a particular goal for a limited period of time.

Comparing individual ships is no less difficult than comparing the fleets as a whole. Aside from the readily apparent difficulty in comparing different ship classes—e.g. a U.S. attack aircraft carrier vs. a Soviet cruise missile submarine—a wide variance of capabilities and characteristics is found within common ship classes. Different design philosophies result in trade-offs among the various uses to which a ship's internal volume and topside weight might be put. In general Soviet designs emphasize lightweight, high maneuverability and great offensive firepower—with little apparent emphasis on reload capability perhaps relying on a "First Strike" concept. U.S. designs on the other hand stress endurance, survivability and habitability.

In view of these strategic considerations, the threat posed by potential adversaries and the shrinking size of the U.S. Navy, a critical national security issue we face is the size and structure of the U.S. Navy.

Our solution to this critical issue is a balanced objective force level of 600 active ships in the U.S. Navy by the mid-1980's. This active fleet is built around 13 to 15 aircraft carriers and 190 to 220 surface combatants.

The following considerations are relevant in determining the composition of this 600 ship force level:

(1) With a balanced fleet of 600 active ships, their aircraft, supplemented by reserve forces, the U.S. Navy can with confidence carry out its most important tasks in the event of conflict with any potential adversary.

(2) We presently maintain four to five continually deployed task groups and Marine Amphibious Units required to support our overseas national policy. With an evaporating overseas base structure and regional uncertainties, it is unlikely that the Navy's forward-deployment responsibilities will diminish.

(3) The Navy must have the flexibility for operational fleet response to reinforce deployed ships and have the capability to meet—simultaneously—more than one situation of potential conflict.

The key element in this naval strategy remains the aircraft carrier. As a mobile, forward-deployed base, the aircraft carrier remains today that single platform which is capable of carrying out all the missions of the U.S. Navy.

Yet we have reached what I call the "fiscal crunch." There is no question that the NIMITZ-class nuclear-powered aircraft carrier is the most complex weapons systems in the world. Yet the cost of these ships has risen to a point where we must now choose between small numbers of these sophisticated and expensive carriers or larger numbers of smaller, less complex and therefore less expensive aircraft carriers.

We are therefore studying extensively the construction of a new class of aircraft carrier. This ship would be smaller than our NIMITZ-class carriers and displace about two-thirds the tonnage of the 90,000 ton NIMITZ. What we would lose in single-ship capability we would gain in having numbers available to meet the vast majority of anticipated commitments.

Aircraft carriers of these classes, along with very sophisticated ships at the high end of the spectrum and less sophisticated, less expensive ships designed to carry their missions in low threat areas, will be a key element in the Navy in the future.

We have reached a critical juncture in the history of the U.S. Navy and our Nation.

On the one hand, since 1968 as a result of the Vietnam War and a reordering of fiscal priorities, the Navy undertook the construction of 119 new ships—an average of only 13 ships per year. Were this trend to continue, it would result in a Navy of substantially less than 450 ships by 1980.

On the other hand, the President and the Congress have recognized the need for more ships to modernize the Navy. Last year 23 new ships were approved. However, in order to reach the objective of a 600 ship Navy, arithmetically this nation would have to build an average of at least 35 new ships a year starting next year.

In my judgment, it is critical that we preserve this shipbuilding momentum in order to ensure maritime superiority.

A great American, Chairman George Mahon of the House Appropriations Committee said only last week at the launching of the *USS Texas:*

"It is well to remind ourselves that defense is expensive, but the lack of defense is even more expensive. The first priority is to keep the citizen alive and to keep the citizen free."

In closing, I would quote the words of our President:

"I deeply believe that the vast majority of our citizens today want to maintain American sea, land and air forces that are second to none.

"Let it never be said that our generation allowed American seapower to erode into a second class status. Let it never be said that we permitted our Merchant fleet to disappear by attrition.

"Only a strong America, an America strong of will, strong of purpose, can be an effective force for peace in a troubled, modern world and a strong Navy and Merchant Marine are essential to a strong America."

GENOCIDE—TWO ASPECTS

Mr. PROXMIRE. Mr. President, everyone seated here today knows that the outrageous act of murdering in whole or in part a national, ethnical, racial, or religious group is known as genocide. However, the term "genocide" encompasses much more than mass executions. It refers to subjecting people to life in a concentration camp. Immediately one thinks of the Germans loading "enemies of the Third Reich" into cattle cars and shipping them off to such unthinkable places as Auschwitz, Dachau, or Bergen-Belsen.

We are all too familiar with the brutal slaughtering process which took place, but yet we also know that there were survivors. These people survived because they were strong, because they prostituted their bodies, because they worked like dogs under intolerable conditions, and because they were used as guinea pigs for new, mysterious and harmful drugs. This is also genocide. No government, at any time, at any place has the right to impose a life worse than death on its inhabitants. Such low, demeaning treatment of human beings should be condemned by the United States and indeed would be when this Congress acts to ratify the treaty outlawing genocide.

One need only to read the famed Nobel Prize winner, Alexandr Solzhenitsyn, to realize that Nazi Germany was not the only nation guilty of committing genocide. When people are awakened at night only to disappear in Siberia it is also a form of genocide. In fact, any nation which sets out with the purpose of brainwashing is guilty of genocide. When a group of people is no longer able to think freely—when they are beaten, tortured, killed for speaking against the government it is a form of genocide.

When people are no longer able to pray as they choose, when Christians are being fed to the lions and Jews marched to the gas chambers it is genocide. When governments subject people to forced labor as is presently going on in some parts of the world it is genocide. When a government designates certain people to be the recipient of unproven drugs which could cause mental and emotional anguish or even possible death it is genocide. All in all, genocide is much more than merely killing people. It is a mental condition as well as a physical condition.

Laws are established to promote an orderly society and to set up a moral code of do's and don'ts. If genocide is legally permissible then we cannot expect nations to refrain from the infringement of human rights. We know genocide has happened in the physical sense. We know genocide is happening in the mental sense. We also know that we want to eliminate genocide in the future in all senses. To do that, action must be taken.

S. 1110—COUNCIL ON JUDICIAL TENURE

Mr. GARN. Mr. President, earlier this year I cosponsored, with Senator NUNN, S. 1110, a bill to create a Council on Judicial Tenure, which would alleviate the problem of disabled judges and judges whose performance is inconsistent with the standards of the Federal judiciary. Such a Council has been called for by the Chief Justice of the Supreme Court, and has been recommended by many conferences of jurists and lawyers.

Recently, at the 1975 annual meeting of the Conference of Western Attorneys General, a resolution in support of S. 1110 was adopted. I believe this action shows again the support for such legislation, and I urge the Judiciary Committee to hold hearings on this bill as soon as they can be scheduled. In this day of concern for the rights of the accused, and for the rights of the victims of crime, we cannot tolerate less than the best in our judicial system.

Mr. President, I ask unanimous consent that the text of the resolution adopted by the Western Attorneys General be printed in the RECORD.

There being no objection the resolution was ordered to be printed in the RECORD, as follows:

II. JUDICIAL TENURE

Whereas, a bill designated S1110 has been introduced in the United States Senate to establish a Council on Judicial Tenure within the judicial branch of the government, to establish a procedure to effect the retirement of disabled Justices and judges of the United States and to remove Justices and judges whose conduct is or has been inconsistent with the good behavior required by article III, section 1 of the Constitution; and

Whereas, this bill has been approved in principle by the Federal Judicial Council and endorsed by Chief Justice Warren E. Burger; and

Whereas, the National Association of Attorneys General adopted a resolution at its meeting in San Diego, California in December, 1972, calling for the creation of a Council on Judicial Tenure; and

Whereas, it is of utmost importance that the standard of conduct by Federal Judges be of the highest order;

Now, therefore, be it resolved that the Conference of Western Attorneys General endorses and urges passage of S1110 and recommends to Congressional delegations of said states that they support passage of this bill; and

Be it further resolved that the Secretariat furnish each Congressman and Senator from the states represented by this Conference with a copy of this resolution, and that copies also be sent to the Federal Judicial Council.

PROPOSED SALE OF HAWK MISSILES TO JORDAN

Mr. SPARKMAN. Mr. President, on July 10 the Department of Defense submitted information, as required in section 36(b) of the Foreign Military Sales Act, in regard to a proposed arms sale of Hawk missiles to Jordan. Under normal circumstances, the Congress would have had 20 calendar days during which the sale could have been prohibited by means of concurrent resolution.

In this instance, the Department of Defense decided to resubmit the proposal to allow consideration by the Congress following the August recess. The Committee on Foreign Relations has just received the final notification of the proposed sale.

In keeping with my intention to see that such information is immediately available to the full Senate, I ask unanimous consent to have printed in the RECORD the notification I have just received.

There being no objection, the notification was ordered to be printed in the RECORD, as follows:

OFFICE OF THE DIRECTOR DEFENSE
SECURITY ASSISTANCE AGENCY,
Washington, D.C., September 3, 1975.

Hon. JOHN J. SPARKMAN,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Foreign Military Sales Act, as amended, we are retransmitting under separate cover Transmittal No. 75-40c, concerning the Department of the Army's proposed Letter of Offer to Jordan for the Hawk Air Defense System.

This retransmittal is submitted in order to provide a review period after the Congressional August 1975 recess.

Sincerely,

H. M. FISH,
Lieutenant General, U.S.A.F.

TRANSMITTAL No. 75-40c

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Foreign Military Sales Act, as amended.)

a. Prospective Purchaser: Jordan.

b. Total Estimated Value: (Deleted).

c. Description of Articles or Services Offered: Improved Hawk Air Defense Equipment. [D] Batteries with supporting test equipment, current spare parts and [D] Improved Hawk Missiles.

d. Military Department: Army.

e. Date Report Delivered to Congress: 3 Sep. 1975.

IMPROVING RELATIONS WITH ARGENTINA

Mr. HELMS. Mr. President, a few months ago, I had the privilege of visiting Argentina and visiting there with a number of its distinguished citizens. The visit was most illuminating for me, because it opened up to me the fact that many of our Latin American friends have difficulty in getting the attention of the United States for their problems. Too often our attention has been engaged elsewhere, and our relations with Latin America have suffered because we have ignored differences between us when such differences have arisen.

At a luncheon with the Argentine Rural Society, I met a group of distinguished agricultural and business leaders, where we discussed this problem. Among them was Señor Julio Werthein, who subsequently sent me a memorandum which I have earlier discussed on this floor.

Recently, the President of the Argentine Rural Society, Señor Celedonio V. Pereda, has also sent me such a statement, containing suggestions as to ways in which we could ease our restrictions so as to help the marketing of the Argentine meat production. I do not necessarily endorse the substance of every suggestion which Señor Pereda has made; there are others who are more familiar with the impact such actions would have on the health and safety of meat imports. But I applaud the practical spirit with which Señor Pereda's suggestions are made. They are reasonable proposals and a good starting point for discussions. The beef industry worldwide is hard pressed, but it particularly hits Argentina because the Argentine agricultural industry depends so heavily on its beef and its internal currency is pressed by inflation. Perhaps some of these proposals could help Argentina compete for its share of our beef import market.

What I endorse, therefore, is the friendly discussion of such problems and a practical approach to improving relations with those Latin American countries which are willing to work with our kind of economic system. I recommend Señor Pereda's memorandum to my colleagues, and I want to thank him sincerely for his kindness in preparing it.

Today I had an opportunity to meet the distinguished new Argentinian Ambassador to Washington, the Honorable Rafael M. Vazquez. We spoke of the mutual benefits of such educational exchanges to the citizens of both of our countries, and I promised to do whatever I could in my role as a U.S. Senator to promote such understanding. I was greatly impressed with the Ambassador's dedication, and I feel that he is in a position to help all of us take stock in our relations with each other. Ambassador Vazquez has had many years of experience in the United States, and understands perfectly that our Nation is composed of many regions and many peoples. For his part he has promised to help Argentinians understand the complexity of our Nation, and for mine, I will do what I can with the reverse dialog. I am sure there will be times when our national interests differ, but these differences ought to be stated frankly and without animosity. I salute Ambassador Vazquez, and welcome him to Washington.

Mr. President, I ask unanimous consent that Señor Pereda's memo be printed in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Memorandum of Señor Celedonio V. Perida, President of the Argentine Rural Society

The most important problem in economic relations between the United States and Argentina is the difficulty facing Argentine meat exports to the U.S. We understand that the problem of foot and mouth disease is a real one and we do not pretend that the present U.S. sanitary regulations can be eliminated. Nevertheless, something more could be done toward a solution and to avoid extension of the effects of the sanitary restrictions any further than necessary. The following should be pointed out:

1. U.S. sanitary restrictions could be eliminated for cattle and sheep from Patagonia, which is a hoof and mouth-free area;

2. The importation of Argentine meat in transit through U.S. ports could be authorized in refrigerated containers for the supply of ocean-going vessels once they depart port. Thus, the meat would not actually enter U.S. territory; only the handling of sealed containers would take place in restricted areas of the ports concerned.

3. The research that is being carried out at Plum Island should be intensified. It would be advantageous to conclude an agreement with Argentina for a joint research program on the basis of the present conditions existing in the country. Argentina would have no difficulty in carrying out a thorough investigation of foot and mouth disease. On the other hand, local results should be double checked in Plum Island, although this would take additional time. Finally, it must be pointed out that investigations with the aftosa-free animals which are used in Plum Island trials are very different from those with animals coming from aftosa endemic areas, which have already developed defenses.

The launching of a joint aftosa research program, with the necessary resources, would give political credibility in Argentina to the U.S. sanitary thesis, thus helping to improve relationships between both countries.

In other sectors of agricultural production, Argentina is interested in the elimination of import quotas, at present in force, for cheeses and tung oil. Otherwise, Argentine agriculture is competitive with that of the U.S. so that what really counts is a common policy toward third countries, especially the European Community. The preponderance of U.S. exports in the world market is so great that U.S. sales have decisive importance for prices and sales possibilities of third countries. For this reason a closer relationship in order to coordinate marketing policies of both countries, with the inclusion of other countries in the temperate zone, would be of advantage to Argentina.

RACHEL CARSON'S LIVING LEGACY

Mr. NELSON. Mr. President, on behalf of the Senator from Michigan (Mr. Philip Hart) I ask unanimous consent that a statement by him and an article entitled "Rachel Carson's Living Legacy" be printed in the Record.

There being no objection, the statement and article were ordered to be printed in the Record, as follows:

Statement by Senator Philip A. Hart

Eleven years have elapsed since the death of Rachel Carson, the eloquent biologist who first alerted the Nation to the ecological hazards of the misuse of pesticides.

A living legacy of Miss Carson is the strengthened pesticide control laws which Congress passed in 1972. The Senate will soon be asked to consider whether these laws have gone too far or whether they were strong enough.

As a contribution to this debate I recommend the article on Rachel Carson by Ann Cottrell Free, which appeared in the Washington Post on September 3, 1975, and ask that the article be printed in the Record.

Rachel Carson's Living Legacy

(By Ann Cottrell Free)

Bangor, Maine—Usually in early September, Rachel Carson could be found here in Maine at her West Southport cottage overlooking Sheepscot Bay. From there she could see the wide expanse of blue water edged by tidal pools, where millions of tiny aquatic creatures make their home.

She was unable to reach those pools her last summer here—the summer of 1963. Others would bring her those primitive, often lovely, life forms that she, as a marine biologist, so delighted in studying under her microscope.

Her health was almost gone from metastisized cancer. If there could be any consolation, it was knowing that the message given the world in "Silent Spring" was taking wing legislatively in the Congress.

On June 4, before coming to Maine, she appeared before a Senate subcommittee inspired by her book to inquire about control of "miracle" pesticides. In it she warned that unwise use of substances like DDT, dieldrin, and aldrin meant spreading the "elixirs of death" further than to target insects but to all of us and the rest of the natural world. From those hearings conducted by Sen. Abraham Ribicoff came the pesticide reforms of the last 12 years.

Rachel Carson would be sick at heart to know that these congressional mandates could be perilously close to termination this month. If this should happen, it would be turning the clock back to that June day.

"Miss Carson, on behalf of the committee, we certainly welcome you here. You are the lady who started all this," Sen. Ribicoff began. The whole world, he said, owed her a debt of gratitude.

He had introduced the first tiny legislative step in the fierce struggle with the Department of Agriculture over its handling of the 1947 Federal Insecticide, Fungicide, and Rodenticide Act. He wanted to close the loophole permitting manufacturers to market pesticides that USDA refused to register as safe. Strangely, USDA would not name the companies. This, said Sen. Ribicoff, was "indefensible."

The list soon appeared. The spotlight on USDA became intense with the release of the Report of the President's Science Advisory Committee vindicating Rachel Carson and asking for greater governmental vigilance.

That last summer in Maine, she had time to think more about a suggestion that June 4 by Sen. Ernest Gruening.

"What would you think of creating a department of ecology?" he asked.

"Well, it is certainly a good objective," she replied. There was a note of concern in her calm voice.

Rachel Carson knew that USDA's control over pesticides would be hard to break because of the politically powerful oil, chemical and agribusiness lobby. If control was taken away, would that lobby ever rest until it was reclaimed?

Reluctant to leave Maine, she stayed later than usual before going home to Silver Spring to continue her two battles. Seven months later she was to lose one. She died on April 14, 1964. She was 56 years old.

The other battle continued. The ugly loophole was closed. It was discovered that USDA was registering pesticides the Food and Drug Administration and the Public Health Service had protested as unsafe.

HEW Secretary Robert Finch commissioned a scientific study on pesticides and the environment. And in November 1969 he asked USDA and the Interior Department to join HEW in phasing out DDT in two years. No takers. But miraculously Gruening's idea became a reality in 1972 with creation of the Environmental Protection Agency.

At last, USDA's grip on pesticides was loosened. Its lax pesticides registration division was transferred to EPA. Moving fast, EPA Administrator William Ruckelshaus cancelled most uses of DDT. After two years of hearings, the cumbersome 1947 Pesticide Act was overhauled by the adoption in 1972 of the Federal Environmental Pesticide Control Act. (FEPCA).

The new act includes a variety of safeguards. Primarily it makes clear that its sponsors well understood when Rachel Carson said, "We are neglecting the golden opportunity to prevent cancer while we spend millions seeking the cure."

The human cancer connection has been the basis for cancellation of the registration of DDT, dieldrin, aldrin, and suspension of heptachlor and chlordane. These decisions have been strongly protested by USDA and, of course, chemco-agribusiness. But EPA, after exhaustive scientific inquiry, has looked to the growing accumulation of cancer-causing chemicals in our bodies and has shown regard for pain, anguish, loss of life as well as for the billions of dollars lost to cancer.

Protesting agriculturists, most closely tied to agribusiness, talk of higher food prices, claiming that substitute pesticides are more expensive.

This month the battle between the kinds of costs—and the merits of the contentions on which they are based—will be joined on Capitol Hill. The outcome depends on how the Congress votes on the final form of the re-authorized 1972 FEPCA. (Re-authorization after three years is required by law. Deadline: Sept. 30.)

The first round of voting occurs in a few days in the House Agriculture Committee where 23 crippling amendments have been temporarily withdrawn for a consolidated amendment sponsored by Reps. W. R. Poage (D-Texas) and William C. Wampler (R-Va.). This is the vehicle in which USDA would ride for its triumphant return to pesticide control—exactly what Rachel Carson feared could happen. The amendment requires USDA's concurrence on all EPA pesticide actions.

"The issue," says EPA Administrator Russell Train, "is whether it is in the public interest to give the Secretary of Agriculture veto authority over a regulatory process designed to protect the public health."

Train went to the heart of the problem. But who is to go to the hearts of the people?

Reaching the heart—where most meaningful thought begins—cannot be dismissed as overemotionalism. That is what Rachel Carson's adversaries charged was her crime when she said that pain does not have to be borne, tears do not have to be shed, lives of children, as well as of the old, do not have to be sacrificed. (It was not only the death of birds and fish that are the concern. Like the cancerous laboratory mice and rats they are the early warners). Read her book again. That is what she said.

Rachel Carson's voice needs to be heard again. What would she have done had she lived? Would her eminence be so great that only a few measured words from her here in Maine could arouse the nation?

Idle speculation. Clearly, others must speak for her. Marshal their facts. Point to the inexpensive substitutes for banned pesticides. They do exist. Look to new agricultural practices. And particularly, remember that the scientist and the poet (for she was that, too) have one aim: truth.

In a sense, the quality of life in the future depends in large part on the quality of remembrance of Rachel Carson.

SENATOR HUGH SCOTT'S RECORD ON MONETARY AND FISCAL POLICY

Mr. BELLMON. Mr. President, the key held by Congress to America's economic well-being lies in its control over fiscal policy. Over the years, big spending by the Congress has contributed to the inflationary spiral. Record quantities of imports have also had a detrimental effect on our economy.

The minority leader, the distinguished Senator from Pennsylvania (Mr. Hugh Scott), has long advocated, as I have, congressional restraint on spending. He has also favored, as I have, easing the tax burdens on both business and individual taxpayers.

As the ranking Republican member of the Senate's new Budget Committee, I ask unanimous consent that Senator Scott's legislative record on monetary and fiscal policy be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Senator Scott's Legislative Record on Monetary and Fiscal Policy

NINETY-FOURTH CONGRESS—VOTES

Voted for resolution referring to the conduct of monetary policy.

NINETY-THIRD CONGRESS—LEGISLATION

S. 1541—a bill to provide for the reform of congressional procedures with respect to the enactment of fiscal measures.

S. 1648—a bill to establish the calendar year as the fiscal year of the Government.

S. 4113—a bill to insure that budget outlays by the United States Government during the fiscal year ending June 30, 1975 do not exceed $300 billion.

S. Res. 275—a resolution expressing the sense of the Senate to initiate immediately for the legislative year 1974 an improvement in our procedures pending an enactment of the budget reform bill.

S. Res. 363—a resolution calling for a domestic summit meeting to develop a unified plan of action to restore stability and prosperity to the American economy.

VOTES

Voted for amendment to condition the imposition of mandatory wage and price controls upon prior approval by Congress.

Voted for amendment to limit to $246.3 billion Federal expenditures for fiscal year 1973, and require the President to notify Congress of necessary reductions, after which Congress would have 30 days to rescind proposed cuts.

Voted for Economic Stabilization Act Amendments of 1973.

Voted for Interest Equalization Tax Extension Act of 1973.

Voted for amendment to repeal the law prohibiting any person from purchasing or otherwise dealing with gold.

Voted for amendment to require, in future fiscal years, that Congress prescribe a limit on Federal expenditures prior to enactment of any appropriations bills.

Voted for Federal Impoundment Control Procedure Act.

Voted for amendment to require the interest rate to be equal to the cost of the money on dollar credit sales under Public Law 480 to any country with which the President could not otherwise enter into a Title I agreement.

Voted for Securities Exchange Act Amendments.

Voted for amendment to state the sense of the Congress that salaries of Members of Congress, members of the President's Cabinet, and members of the Federal Judiciary should not be increased in excess of the annual wage guidelines so long as wage and price controls continued.

Voted for International Economic Policy Act of 1972.

Voted for National Energy Emergency Act of 1973.

Voted for amendment to require, beginning fiscal year 1976, the President to submit a budget in which non-trust-fund outlays shall not exceed non-trust-fund revenues.

Voted for amendment to provide that Government expenditures not exceed its revenues during any fiscal year in budget enacted by Congress.

Voted for Federal Act to Control Expenditures and Establish National Priorities.

Voted for Civil Service Retirement Annuities.

Voted for Depository Institutions Amendments of 1974.

Voted for Emergency Livestock Credit Act of 1974.

Voted for Home Purchase Assistance Act of 1974.

ADDRESS BY RICHARD L. ROUDEBUSH TO 82D AIRBORNE DIVISION ASSOCIATION NATIONAL CONVENTION

Mr. THURMOND. Mr. President, when America recently observed the 30th anniversary of the end of World War II, it was quite natural that memories of some of the great military units which helped win that war should also be revived.

One such unit was the famed 82d Airborne Division which saw action in both North Africa and on the continent of Europe. During the Normandy invasion, it was an honor for me to be attached to the 82d Airborne Division, and to be associated with such brave and courageous men.

On August 8, 1975, as part of its national convention, the 82d Airborne Division Association held a memorial luncheon to honor its fallen comrades of World War II as well as those who died in the Vietnam conflict. The speaker on that occasion was the Honorable Richard L. Roudebush, Administrator of the Veterans' Administration.

In his remarks, Mr. Roudebush wisely pointed to the folly and destruction of war. He also addressed himself to the ongoing challenge facing America to provide the best care possible for the men who have fought to preserve our Nation's ideals and principles.

Mr. President, I ask unanimous consent that the address of Hon. Richard L. Roudebush before the 82d Airborne Division Association be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by the Honorable Richard L. Roudebush

When the major campaigns and the major battles of World War II are discussed . . . when the history of the war is recounted by people who know and proper credit is given to those men and those units of great accomplishment . . . the deeds of the 82nd Airborne Division are always remembered.

Later, another generation of young men added to the superb history of the 82nd with valiant service and high achievement in Vietnam.

I consider it an honor to have been invited to a reunion of men of that division and to be given the opportunity to speak at your memorial luncheon.

I think it is admirable that such an organization as the 82nd Airborne Division Association exists. You have determined to perpetuate old friendships and contacts and to keep alive over the years the spirit that has made your division one of the most successful in American military history.

You still give help and support to each other. You still care about each other's welfare. You still enjoy each other's company.

And, of course, you still have great pride in what you did individually and as a team under the greatest possible duress and danger.

Next week we mark the Thirtieth Anniversary of the end of World War II.

It was the most widespread and destructive war in history and, though it has been followed by two other major conflicts in which American troops took part and countless smaller wars that involved other nations, World War II still dominates the history of the middle part of the Twentieth Century.

You who were there know of the total devastation and universal suffering and misery of World War II. Certainly those who had long duty in the 82nd Airborne had a variety of misery and hardship . . . from training in the heat of Africa to bloody combat in the snow and cold of western Europe.

You know how cities were pulverized and the countryside laid waste and you know of the pain endured by innocent inhabitants.

You know all the horrors it is possible to know about war, all the sights, sounds, smells and feelings of war.

You who have been to war, whether in Europe or Vietnam, know far better than those who have never had such an experience that there is no glamour and no glory in war.

One of the things you know particularly . . . that no noncombatant can ever know . . . is the pain of losing friends and companions in battle, of the sorrow that comes with such loss and of the feeling of outrage and helplessness that overrides even the sorrow.

Even thirty years later these feelings persist as you think of those who gave up their lives to make the brilliant victories you achieved possible.

I know that each combat veteran present brings personal recollections of a painful nature to this memorial luncheon. You recall individuals . . . places . . . circumstances . . . objectives . . . plans of action . . . and lives lost.

You have a feeling of sadness and tenderness that the years have not overcome and you still wonder if a companion might not have been spared if the battle had developed a little differently

You feel grateful for having been privileged to associate with fine young men who did not survive.

You feel grateful for having been spared by the fortunes of war to return home and to participate years later in a reunion of your old outfit.

And, all of us who have been to war wonder why we were the ones to survive and friends of ours were the ones to die. There is no way to explain our survival, no way to express our appreciation to those who did not survive . . . or to apologize to them for our own good fortune.

Our only course is to work to keep alive that which remains of those who died . . . the causes and principles to which they were devoted, the determination they had that something good would come out of their service.

The greatest tribute we can pay our fallen comrades is to do the best we can and the most we can, to help prevent future conflicts that will take the lives of other young men.

In May 1945, shortly after the war in Europe had ended, the Memorial Day speaker at Arlington National Cemetery, Fred M. Vinson, later Chief Justice, said:

"Wars are not acts of God. They are caused by man, by man-made institutions, by the way in which man has organized his society. What man has made, man can change."

It would be easy to be cynical about our ability to end war, of course. We have been to war twice since this speech was made and more than half the period since World War II has seen young Americans in combat.

But I think we must accept this proposition that war is not inevitable, that it is caused by the weaknesses and shortcomings of human beings and that man has it within his ability to improve himself and the way he does things.

If we are to remain out of war we must have a strong country. We have learned from history that strength can be a deterrent to others who are unfriendly.

If we are to remain out of war, and this is equally important, we must know how to use our strength wisely. We must understand what is important to us as a nation and devote ourselves to those policies that protect our interests and our principles.

And, of course, if we are to avoid future war we must have good leadership and an enlightened, aware and active populace.

A great deal of the leadership in communities throughout the country comes from organizations such as this one. It is natural that it should.

Your military service showed you to be capable, strong and dedicated individuals. The remarkable record you compiled as soldiers was a clue to the kind of civilians that would emerge from the 82nd Airborne Division, and you and your compatriots have done well.

Citizen interest and citizen responsibility like that you have shown have been among America's great strengths for 200 years.

I don't have to tell you how important it is that citizens really participate in their government and their society if we are to fulfill the promise of America and if we are to keep faith with those who died for American objectives and American principles.

I hope I have not seemed to direct my remarks too much to the World War II veterans here. Strong citizenship and good leadership are needed from our younger veterans even more than from those of my generation, whose years of activity will end sooner.

You younger veterans are aware that those of us who are older have made a lot of mistakes in the last few years. Maybe you can help us do better. Maybe *you* can do better.

Since I am entrusted with the important task of administering programs on behalf of America's 29 million veterans, I think it is appropriate that I mention the work of the Veterans Administration briefly.

I would like to do so by stating what I think the attitude of VA employees should be toward their jobs and toward the veterans they serve . . . the kind of attitude I have tried to foster in VA.

And I would like to do so by using somebody else's words. They were written for people in VA nearly 30 years ago by the man who then held the job I have now.

He said:

"Now more than ever before we must concentrate on prompt and direct service to veterans. We are dealing with men, not procedures; with their problems, not ours. We must constantly seek to understand those personal problems and exercise the imagination to solve them. We cannot permit administrative difficulties to obscure the objectives of our work.

"We cannot do our job as it should be done until we remember that the end is more important than the means, that every bit of work must contribute something to the veteran. . . .

". . . We are simply servants of the public ordained to represent their wishes through administration of the laws of Congress."

Those are the words of an old colleague of yours and the first Administrator of Veterans Affairs after World War II, Omar N. Bradley.

I might add that I am proud of the men and women who work for VA. I know that we can always find much room for improvement within the agency but I believe that they are doing a good job.

We at VA are constantly aware of the solemn obligation we have to care for those who can no longer care for themselves because of their war service. And I would like to assure you that we are equally aware of the obligation we have to survivors of those who died, widows of the men you honor today and others who felt the tragedy of war.

I have appreciated the opportunity to be here with you today and I hope that your convention is productive and enjoyable.

One of the great things the 82nd Airborne Division had going for it in its days of combat was the great esteem that its members felt for each other and for their outfit. You were pioneers and innovators in the kind of war you fought. You know that you were good and the enemy knew it too.

You were proud of yourselves and the Nation was proud of you. It was pride well placed and well deserved.

Today, as you honor fallen comrades, let me express the opinion that those you honor would be proud of you today. You have remembered them faithfully, sincerely and thoughtfully.

You are keeping alive the spirit and the tradition of a great outfit. By doing so you do great service to the memory of those who died.

ANNUAL REPORT OF JANE'S FIGHTING SHIPS

Mr. THURMOND. Mr. President, the latest report by the respected publication Jane's Fighting Ships further confirms the trend of the last few years that the Soviets are rapidly, and at great expense and effort, building a naval force far in excess of legitimate requirements of national defense.

Of particular concern is the Soviet submarine force. While a Soviet antisubmarine role in response to our ballistic missile fleet appears legitimate, the excesses in this area amount to a classic overkill.

This point is firmly supported by the fact that the U.S. submarine fleet consists of 105 nuclear vessels, 12 conventional craft, and 28 under construction or in reserve. Against this force the Soviets have countered with 120 nuclear, 191 conventional, and another 96 both nuclear and conventional submarines under construction or in reserve.

By the end of this year the Soviets expect to have a dozen of the new Delta submarines which can launch their nuclear missiles to any part of the United States from the safety of Soviet waters. As a counter, the United States is building the Trident, but the first boat will not be ready until the end of this decade.

Mr. President, I ask unanimous consent that articles on Jane's latest edition, which appeared in the August 21 issues of the Augusta Chronicle newspaper, Augusta, Ga., and the Washington Star, Washington, D.C., along with an editorial published in the August 24 issue of the Chronicle, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Augusta (Ga.) Chronicle, Aug. 21, 1975]

Jane's Fighting Ships—Ever Growing Soviet Navy Built "For Aggressive Action"

London.—The Soviet Union has spent 50 per cent more than the United States on naval shipbuilding in the past 10 years and the still growing Russian fleet can only be intended for aggressive action, the authoritative Jane's Fighting Ships said Wednesday.

In a foreword to its 1975–76 edition Jane's editor, Capt. John E. Moore, said, "There is no answer to the question which of the superpowers' navies is 'Number one.'

"But," he said, "the Soviet Union has spent 50 per cent more than the United States on naval shipbuilding in the last 10 years and is currently expending one-third more than the United States for this purpose.

"The ever growing Soviet navy has outrun the legitimate requirements of national defense and has no logical merchant defense role in time of war. Until the adherents of unilateral disarmament can persuade the Soviets that they should reduce their massive armaments to the level of necessity, the NATO nations must abide by the lesson of history—unnecessarily large forces are intended for aggressive action."

Jane's said the French navy is rapidly becoming the largest in Western Europe. It said the British navy, once the world's mightiest, while "by no means on its beam ends," would be "desperately stretched in the event of a crisis."

It said China now has 58 submarines—seven more than a year ago—and has the world's largest fleet of small, fast attack craft. But it said the Chinese navy is primarily a defensive one.

Jane's said by the end of this year the Red fleet may include a dozen huge 8,000-ton "Delta" class nuclear powered submarines, each capable of launching 12 nuclear missiles 4,200 miles from the safety of the Barents Sea against any part of the United States and a large area of China.

Jane's listed the Soviet submarine fleet as 120 nuclear and 191 "conventionally" powered craft, with another 19 nuclear and 77 "conventional" subs either under construction or in reserve.

Jane's said the U.S. submarine fleet totals 105 nuclear vessels, with another 28 building or in reserve, and only 12 "conventional" craft, with three more building or in reserve.

The United States, Jane's said, continues to maintain an overwhelming lead in aircraft carriers, with 14 in service and eight building or in reserve, compared with the Red fleet's three small flat tops in service and one still building.

It said the Soviets have small leads in other vessels with 33 cruisers, 106 destroyers and 109 frigates compared with the United States' 27 cruisers, 105 destroyers and 65 frigates.

[From the Washington Star, Aug. 21, 1975]

Moscow's "Overkill" Fleet Threat to Shipping Lanes?

London.—The Soviet Union's fleet of nuclear and conventional submarines has outgrown the legitimate requirements of national defense, possibly posing a threat to mercantile shipping lanes, says the latest edition of the authoritative Jane's Fighting Ships.

The Soviet Union has spent 50 percent more than the United States on naval shipbuilding and is currently expending one-third more than the United States for this purpose, the book says.

"Until the adherents of unilateral disarmament can persuade the Soviets that they should reduce their massive armaments to the level of necessity, NATO must abide by the lesson of history—unnecessarily large forces are intended for aggressive action," the book's editor, John Moore, writes in a foreword.

The 1975–76 edition of the book, recognized as a leading authority on naval matters, was published simultaneously here and in New York yesterday.

Moore said the six countries with the largest merchant fleets are Japan, Britain, Norway, Greece, the United States and the Soviet Union, in that order.

Despite having the smallest merchant fleet of the six, the Soviet Union has the largest number of destroyers and frigates available as escort ships, the editor said.

The Soviet Union, he added, is the only one of the six nations not heavily dependent on the import of raw materials.

He said the Soviets have 215 destroyers and frigates compared to fleets of 170 in the United States and 67 in Britain.

In addition to this disparity, Moore said, the Soviet Union's fleet of nuclear and conventional submarines is growing.

"Now that the nuclear strike task has been assumed by the Polaris-Poseidon-Trident submarine fleet of the U.S.A., France and Great Britain," Moore said, "it could be argued that the Russian force is intended for the anti-submarine role, but the numbers concerned must be a classic case of 'overkill.' "

Jane's listed the Soviet submarine fleet as consisting of 120 nuclear and 191 conventionally-powered craft, with another 19 nuclear and 77 conventional subs either in reserve or under construction. The U.S. submarine fleet totals 105 nuclear vessels, with another 28 building or in reserve, and only 12 conventional craft, with three more building or in reserve.

By the end of this year the Red fleet may include a dozen huge 8,000-ton Delta class nuclear powered submarine, each capable of launching 12 nuclear missiles 4,200 miles from the safety of the Barents Sea against any part of the United States and a large area of China.

Moore said if the Soviet fleet were not needed for defense, its size "must be placed in the upper bracket of political pressure—as a threat to mercantile shipping lanes."

The greatest change of sea balance since last year has been in the Indian Ocean, the editor said.

"With South Africa aware of the inadvisability of trusting other countries' contracts preparing to build her own frigates at Durban; India, showing a continued impartiality in adding ships of both Western and Russian design to her fleet and Pakistan taking Western and Chinese ships on her list, these areas seemed to be the main focus of attention. The presence of the Soviet squadron in the Arabian Sea and the establishment of a Russian Base at Berbera lent further interest."

The focus of naval power may be shifting to the Persian Gulf, he added, with Iran and Saudi Arabia having embarked on considerable re-equipment programs.

"The message is clear enough—with their own growing number of tankers, new docks such as the 300,000-ton construction in Bahrain, new oil installations and a standard of living rising at an unprecedented rate, the rulers of the Gulf states intend to rule their own sea areas."

[From the Augusta (Ga.) Chronicle-Herald, Aug. 24, 1975]

Frightening Comparison

For anyone with the slightest concern for the well being of this country, there are frightening overtones in the latest edition of Jane's Fighting Ships, a periodical that has become the world's most authoritative guide to navies, warships and naval weaponry.

What it reveals is something that many an American has suspected, but now knows for certain. It is that America's defenses are being "emasculated" by increasing reductions in a U.S. Navy that is already outnumbered by its Soviet counterpart.

It is, also, that "the ever-growing Soviet navy has outrun the legitimate requirements of national defense and has no logical merchant defense role in time of war." What those words from Jane's tell us is that the lesson of history boldly declares that "unnecessarily large forces are intended for aggressive action."

What should be appalling to concerned Americans is that the growing disparity in the rate of spending on naval strength between the U.S. and U.S.S.R. is obvious to an Englishman, the editor of Jane's, but seemingly is lost upon those in our government whose business it ought to be to keep the U.S. Navy at least on even terms with that of the Soviet Union.

Yet, said the editor, Capt. John Moore, the Soviets have spent 50 per cent more than the United States on naval shipbuilding in the past 10 years and are now spending one-third more.

For such a situation to have been allowed to develop is tragic. For it to be permitted to exist borders on treason.

CRUIKSHANK REBUKES PRESIDENT FOR REJECTION OF COUNCIL ADVICE

Mr. CHURCH. Mr. President, on July 28, I made a statement to the Senate criticizing President Ford for his out-of-hand rejection of recommendations made by the Federal Council on Aging.

The Council, I pointed out, was charged by Congress with the responsibility, among others, of advising and assisting the President on matters related to aging. I think it is clear that the Congress regarded the Council as a high-level and significant participant in the development of national policy on aging. Certainly, the Council deserves far better treatment than it received from the President when he rejected recommendations made in the Council's first annual report.

One of the Council members, Nelson Cruikshank, has responded vigorously to Mr. Ford's message. Mr. Cruikshank, president of the National Council on Aging, is also former Social Security Director of the AFL–CIO.

He is a respected, articulate spokesman on aging and other social issues of concern to all age groups in this Nation. He, too, responded to the President's negative reaction to the Federal Council's recommendations; and he made important comments about the significance of Mr. Ford's position. I ask unanimous consent that a news release issued by the National Council of Senior Citizens be printed in the Record.

There being no objection, the news release was ordered to be printed in the Record, as follows:

President Ford Rebuked for "Callous Indifference" to the Needs of the Elderly Poor

Washington, D.C.—The leader of America's most politically-active organization of older people—representing 3 million older Americans—has sharply rebuked President Ford for his "callous indifference to the needs and sufferings of our elderly poor."

The rebuke came from Nelson H. Cruikshank, President of the National Council of Senior Citizens, following the release of the annual report of the Federal Council on Aging and the subsequent message by President Ford on transmitting the report to Congress. In that message Ford rejected the recommendations contained in the report. The Federal Council expressed its deep concern about the financial burden falling upon the elderly as a result of the reductions proposed in the federal budget. Its recommendations include "legislative action to develop high standards of safety and care in nursing homes," and a request that "assistance be provided to enable facilities to meet such standards especially those homes serving minorities and the poor."

President Ford's rejection of the Federal Council's report was on the ground that it "does not reflect the Administration's policies."

"This is a curious statement," said Cruikshank. "Nowhere in the provisions of the Older Americans Act is it suggested that the Federal Council on Aging shall reflect the Administration's policies. On the contrary, the Act says the Federal Council shall serve as a spokesman on behalf of older Americans by making recommendations to the President and shall inform the public about the problems and needs of the aging.

"Mr. Ford has the best advice available on how to help the elderly, but he consistently chooses to ignore it," said Cruikshank. "His rejection of suggestions, however, is not unexpected. It is in keeping with the President's past performance as regards older people."

Cruikshank noted that among the first recommendations Ford sent to Congress on becoming President were proposals to cut back on Medicare and Medicaid, and to raise the price of food stamps. Later, he tried to get Congress to renege on its own law and reduce its scheduled cost-of-living increase in Social Security.

"When the President starts thinking of improving our economic situation why must it always be at the expense of some poor old man or woman?" Cruikshank asked.

The senior citizens leader said that a major part of the President's message to the Congress is devoted to a defense of his inept policies with regard to nursing homes. "However, the President had apparently not read a recent report by the U.S. Department of HEW following a new nursing home survey. Nor had the President been told of the recent remarks of Dr. Theodore Cooper, Assistant Secretary of HEW for health matters. Cooper said that present federal regulations "fail to achieve what they are designed to accomplish," and recommended they be replaced with new regulations which would emphasize the performance evaluation of a nursing home.

Cruikshank said the HEW study, in addition to other federal and state level investigations, revealed that hundreds of thousands of dollars in Medicare and Medicaid funds have gone to support owners and administrators of nursing homes that have flagrantly wasted taxpayers' money. "If the President is really interested in stopping all kinds of inflation why does he resist efforts to exert control over these homes and stop this shameful practice?" he said.

The National Council of Senior Citizens is a non-partisan organization of over 3,000 older people's clubs across the country which seeks to improve life for older Americans through social and political action. Since it was set up in August 1961, the Council has been the leading senior citizens organization involved in the legislative battle to enact Medicare, the Older Americans Act, improvements in Social Security, elderly housing, part-time community service employment for seniors, and other proposals to help the elderly.

THE NATIONAL SCIENCE FOUNDATION

Mr. JAVITS. Mr. President, shortly before recess, the Senate approved the agreement reached by the conference committee on H.R. 4723, a bill to authorize funds for the activities of the National Science Foundation. The National Science Foundation is the principal Federal agency concerned with assuring that the U.S. maintains its world leadership in the field of science research—a leadership which has enabled our technology—though now challenged more than ever—to be the strongest and most productive in the world.

The committee of conference's recommendation of $787 million plus $4 million in excess foreign currencies represents a stable level of support for vital research. I am particularly pleased that the committee of conference recommends $10 million for Intergovernmental Science and Research and Development incentives, with a floor of $8 million for the intergovernmental science program.

I am pleased to note that the conferees concluded that review by the Congress of all proposed National Science Foundation grants—a mechanism included in the House bill—is an unwise and inappropriate method by which to attempt oversight of NSF utilization of research tax dollars. Such a requirement would have required the Congress to set up a large bureaucracy to repeat the process of grant review presently carried out by the NSF, and that cure most certainly would have been worse than the disease.

Another provision in the House bill would have required the National Science Foundation to make available to the public, curricular materials being used in local schools. There can be no doubt that parental access to educational materials should be guaranteed on the local level. However, to require the National Science Foundation to make materials available for inspection is inappropriate. The National Science Foundation does not own or control curriculums developed with the assistance of National Science Foundation grant moneys.

The conferees have redrafted this provision to assure appropriate inspection by parents of science curriculum materials developed under grants from the NSF. The conference provision will require the Director of the National Science Foundation to include as a condition of any grant for developing precollege science curriculums, a requirement that the grantee include in any testing agreement, sales contract, or other comparable legal document, a provision mandating that the publisher of such curricula make all instructional materials available for inspection in each local school district using the materials. Thus, access by parents to materials used in local schools is assured. At the same time, the NSF is not placed in the position of conducting expositions throughout the country of materials which do not belong to the Federal Government.

Mr. President, I have one further issue I would like to briefly discuss. Recently, it has become increasingly popular to ridicule specific research grants based upon the particular title used to describe a grant rather than upon its substance—which is an entirely appropriate action. Therefore I am also disturbed that the conferees suggest that the research community devote more effort to drafting titles in order to avoid the attention of those who criticize grants on this basis. For in that way we could compromise substance in the name of form.

The specter of a bureaucracy of "Awards, Grants, and Contracts Titles Specialists" is frightening. Both Congress and the Nation Science Foundation would do better to stick to the substantive aspects of the uses of research dollars, rather than concern themselves unduly with the titles under which particular grants may be identified.

EARTH INVENTORY FROM SPACE

Mr. ABOUREZK. Mr. President, a great deal has been written and said about the Earth resources satellite and its successor Landsat in the past 3 years. It has been called the space success story of the seventies, the most productive tool now in space and one of the best programs NASA has ever produced.

This year, the Landsat system has proved beyond any doubt that it has been worthy of all these acclamations. Demand for data from Landsat is continuing to grow and utilization of this information by government and business alike is becoming commonplace.

A few months ago, I presented an amendment before the Senate Appropriations Subcommittee on the Interior which would increase the budget for EROS by $2 million which would be used to acquire a "quick-look" antenna and a digital processing unit at the EROS Data Center in Sioux Falls. This will allow the United States to maintain its leadership in Earth resources photography and it will insure that users who have come to rely on Landsat data will continue to obtain the information quickly and cheaply.

An article by Gerald Jonas was published in the Nature/Science annual by Time-Life Books. It is an excellent report of the capabilities and potential of the system. Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EARTH INVENTORY FROM SPACE

An eye-in-the-sky called the Earth Resources Technology Satellite (ERTS) celebrated its first anniversary aloft on July 23, 1973, with a list of record-shattering accomplishments in Earth-watching—and promised to continue functioning for many more months even though it had been designed to last only a year. The 10-foot-high, one-ton satellite uses a sophisticated "multi-spectral scanner" instead of conventional cameras to produce weirdly colored images that tell scientists what crops are growing where, reveal water pollution and help locate mineral deposits. It tracks the globe from a near-polar orbit, shifting westward as the earth rotates to cover the entire terrestrial surface, excluding the polar ice caps, once every 18 days. Each scene, from an altitude of 570 miles, covers an area of 13,000 square miles—and is recorded by a ground-based computer that turns it into a picture equivalent to 1,000 conventional high-altitude aerial photographs. For the first time cartographers were given an accurate record of the earth's land surface, three fourths of which was scanned during ERTS's first year. They were able to correct maps of the Amazon basin and to rechart the poorly known African state of Mali.

Especially useful have been the startling false colors of the ERTS pictures, which allow a multitude of investigators to study normally invisible conditions as well as those in the ordinary visual range. In addition to gauging the sprawl of suburbs into untouched countryside, specialists have begun to apply ERTS data to crop and forest management, water and mineral studies and pollution control. Ultimately, ERTS's users foresee the continuing knowledge it makes available as an invaluable tool in planning efficient use of natural resources on a regional, national and even international scale.

NATURE'S SECRETS IN UNNATURAL COLORS

ERTS's information-packed pictures look bizarre—forests come out bright red, while treeless city centers appear blue—because they record not only some visible colors but also some conditions that cannot be seen by the human eve. The false colors are created from three simultaneous scans: one of visible blues and greens, one of visible red and another of invisible infarred, which is strongly reflected by healthy vegetation.

As electronic data from each scan is received on the ground, it is transformed with the aid of a computer into a black-and-white image. The three scenes are then combined into a single color composite, usually by projecting each through an appropriate color filter and superimposing the three on a sheet of color film.

The selection of color filters is governed by the necessity of making infrared features visible. The blue-green tones are printed in blue, the red in green and the infrared in red. The choice of colors was not arbitrary: it duplicates the characteristics of the infrared color film that has been used in aerial photography for over a decade. Thus the photographs obtained from ERTS's scans can be deciphered by the same methods to which investigators are already accustomed.

The signals from the satellite's scanners are relayed instantaneously so long as ERTS is within receiving range of ground stations in California, Maryland, Alaska and Saskatchewan; scenes of more-distant areas are stored on videotape for night transmission when the receiving stations come into range. In this way most of the earth can be kept under almost constant surveillance, and subtle changes, whether natural or man made, detected from one scan to the next.

Documenting a Record Mississippi Flood

Never since records were first kept in 1764 had the Mississippi River and its tributaries gone on such a torrential rampage as they did in the spring of 1973. The flood started with exceptionally heavy rains beginning the previous October—just a few days after ERTS had sighted the St. Louis, Missouri, area (above). Heavy winter snows followed, accumulating in the Great Lakes region and adding to the ground water supplies. As soon as the spring thaw started in March, the rivers began to swell and then to overflow their banks. By the time of ERTS's overflight in late March the entire landscape north of St. Louis was one of soggy desolation, as the Illinois, Missiouri and Mississippi rivers merged and spilled their onrushing waters, drowning islands in their streams as well as suburbs and farms beyond. By late April, the Mississippi was gushing past St. Louis at the rate of 13.5 million gallons per second—enough to supply all of the daily water requirements for New York City in a minute and a half.

Farther downstream, the flooding was even worse; near Vicksburg, more than 1,100 square miles of farmland was turned into a lake. Thousands of houses were submerged and families left homeless; all hope of planting cotton and soybeans, the area's main crops, had to be abandoned. Agricultural losses in the state of Mississippi alone were estimated at $700 million. The ERTS pictures provided for the first time an overall view of a flood in the making, plus a quick assessment of the extent of the damage without time-consuming surveys on the ground. And it became evident that ERTS's repetitive coverage could also provide early warning of future spring floods, as well as summer water shortages, by constant monitoring of winter precipitation and snow accumulation in mountain ranges.

CHARTING AN UNKNOWN DESERT

The Chinese territory of Sinkiang, wedged between Mongolia and Siberia, is one of the most desolate areas of central Asia, and until ERTS was launched, one of the world's least known—the area was marked on most maps "unexplored." Whipped by winds that blow furnace-hot in summer and bitterly cold in winter, it is a region of bare mountains and arid deserts where virtually no vegetation can survive, as the almost total absence of red indicates in these striking views. For the first time, the peculiar dune pattern crisscrossing Sinkiang's Takla Makan—a large barren area west of the Gobi Desert—can be studied for clues to prevailing winds. Geologists are also interested in correlating data from such odd, wind-formed dunes with older sandstone formations, which in other desert areas of the world often harbor rich water or petroleum supplies.

A Census of California Crops

An ERTS picture of the San Joaquin Valley—the breadbasket of northern California—became one of the most closely studied of the satellite's output. From such scans, state and federal agricultural planners could learn faster and more economically about crop growth than by any other means used previously, and thus could predict total harvests as well as labor and transportation needs.

Thanks to computerization, the analysis of the false-color pictures is surprisingly simple. Areas for study are selected from an enlarged image; the computer is then programmed to recognize each crop within the area by its texture and tone (using known ground samples as a starting point) and to code it with a selected color. The resulting mosaic is displayed on the computer's TV-like screen and recorded photographically; inspection of this image yields a detailed tally of the agriculture of the region. Accurate identification of crops is achieved more than 90 per cent of the time, at one twentieth the cost of similar statistics derived from conventional ground and aerial surveys.

NEW PERSPECTIVE TO HELP UNSCRAMBLE URBAN SPRAWL

As more and more of the world's population concentrates in cities and their expanding suburbs, rational allotment of land becomes urgent. Until ERTS was launched, city and regional planners had to rely on time-consuming surveys to sort out needed information; now they have instant mapping to provide new perspectives on urban growth. For the Dallas-Forth Worth area, for example, the satellite located new housing, roads, reservoirs and even airports that did not appear on recent maps. In similar fashion, a research team was able to analyze the entire state of Rhode Island in eight days and break it down into 11 categories of existing land use.

In the Los Angeles area, ERTS scans proved invaluable in establishing broad regional relationships not evident in pieced-together mosaics of photographs made from airplanes. The high-level views are particularly useful in charting the extent and direction of the city's celebrated sprawl, in which transportation is a major problem and housing and commercial development eat up more agricultural land each year. Planners hope to identify areas that should be saved from urbanization for farming, recreation and green belts. But one of the most important immediate results for the city was the mapping of the region's geological faults along which earthquakes are most likely to occur—including not only the famed San Andreas fault but a possible new one—thus yielding a clear indication of where Los Angeles should, and should not, build.

EAMON DE VALERA: IRISH PATRIOT

Mr. BUCKLEY. Mr. President, I have just returned from the Republic of Ireland where I had the honor to represent the President and the people of the United States at the funeral of the great Irish patriot, Eamon De Valera. At this time, I would like to place in the Record remarks I made on the Senate floor on June 29, 1973, on the occasion of Eamon De Valera's retirement as President of Ireland. In those remarks I said:

> As for this patriot, we already know his epitaph when the time comes for him to go home to God. The epitaph will be in stark, simple words in the ancient tongue he so loved all his life: Bhi gra mor aige do Eireann, pronounced: Vee gră mora ĕgga dō Airen (he had a great love for Ireland).

Mr. President, Eamon De Valera had not only a great love of Ireland but a great love of freedom and I am certain that his example will inspire all those who cherish freedom.

Mr. President, I ask unanimous consent that my remarks of June 29, 1973, be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Eamon De Valera: Irish Patriot

Mr. Buckley. Mr. President, the great Irish patriot, Eamon de Valera, retired this week as President of Ireland. At the time of his retirement he was, at age 90, the oldest head of state in the world. As he said his farewell to the political life of his country, which he has so obviously dominated and greatly enhanced for almost 60 years, he said:

"I was once afraid I would not live to see Ireland united. I now think I will see it. I have always been loyal to the country and to the Irish language."

Thus, one of the most controversial and dynamic political leaders in Ireland's history bade farewell to public life. It is fitting that he should mention, in his last words as a public official, the three facts that have inspired his remarkable career: the need for a united Ireland; his unquenchable patriotism; and his lifelong love affair with the Gaelic language. It has been said of his oratorical gifts:

"De Valera is marching . . . at the head of twenty thousand words."

He began his public career when the Irish people had little more than their gift for oratory to aid them in their long struggle for freedom. Now, at the time of his retirement, there is good if not overwhelming reason to hope that the country may be united. For the fact of Irish freedom and the promise of Irish unity, Eamon de Valera is to be praised.

I do not think it is necessary to emphasize that although "Dev," as he is popularly known, is an Irish patriot, he was born in New York City, at Lexington Avenue and Fifty-First Street on October 14, 1882.

In fact, during his arrest by the British after his courageous stand during the Easter Uprising in 1916, and after his release, when he was elected to the Parliament, he was still technically an American citizen.

De Valera came to Ireland as a small child, after the death of his father. The home rule bill had just been defeated by the British Parliament, so the young De Valera grew up in a land aflame with patriotic sentiment. After his graduation from Dublin Royal University he began to teach college mathematics—a subject which has proved to be as long beloved by De Valera as Gaelic. As one of the leaders in the Easter Week uprising, he held out longest against the superior force of the British: It was his American citizenship and the protest against the killings of the Irish leaders by the British that saved De Valera's life.

"On his first trip back to America," the Washington Post has noted, "Eamon De Valera came alone—smuggled aboard an ocean liner after escaping from jail. He came as a propagandist for Irish freedom." He remained an eloquent spokesman for Irish freedom all his life.

Mr. President, I would be the last to say that Eamon de Valera's life and works have been without controversy. Indeed, it might be said that wherever he went, controversy was either there before him or not far behind. There are persons, equally devoted to Irish freedom, who disagree with some of his historical decisions. Yet, throughout his life runs the same theme, the same unswerving devotion to his country. He is, as I have said, a controversial figure. But there has never been a difference of opinion concerning one fact of his life: his love of Ireland.

I think that de Valera's life has meaning for all of us, even those who, through no fault of their own, cannot claim Irish ancestry. The son of a Spanish father and an Irish mother, born in New York City, raised in County Limerick, he has demonstrated that the love of freedom is universal, knowing no bounds of ancestry, nationality or birthplace. At a time when Ireland is once again plunged into bloodshed, it is good to know that this man, who can take the long view of history, is still hopeful that his dream of a united Ireland will be realized. You do not have to agree with all of de Valera's actions taken in support of what he has believed to be the best interests of Ireland to agree with him on basic principle: Ireland should be one. The Irish people because of, not despite, their differences, are strong and vigorous, and that strength and vigor can best be realized in a free, peaceful, prosperous united Ireland.

Mr. President, Ireland has given many martyrs to the cause of freedom, in that island and all over the world. Whatever history may say about Eamon de Valera, whatever differences he might have had with others who love freedom just as passionately as he does, whatever fate may decree concerning his hope for Irish unity, one unassailable truth remains: he is yet another in the great tradition of Irish patriots who have enobled their cause and benefited all mankind by their unparalleled devotion to freedom.

What better gift could be given to this great fighter in his twilight years than the gift of united Ireland? What divides the Irish people is accidental, peripheral, and momentary in the long view of history; what should unite them is imperishable, central and eternal. It is my hope that while Eamon de Valera still walks his beloved Irish soil, a movement toward a free and united Ireland will be consummated. As for this patriot, we already know his epitaph when the time comes for him to go home to God. The epitaph will be in stark, simple words in the ancient tongue he so loved all his life: Bhi gra mor aige do Eireann, [he had a great love for Ireland].

MEANY'S DICTATORIAL BEHAVIOR

Mr. McGOVERN. Mr. President, today's Washington Post carries a reply by Mr. George Meany to my criticism of his earlier statements on the shipment of American wheat and the 1976 Democratic Presidential nomination.

Since the Post did not carry my original statement, I ask unanimous consent that my statement of September 1, the Post article of September 4 and a further commentary by me be printed in the Record:

There being no objection, the material was ordered to be printed in the Record, as follows:

Statement by Senator George McGovern

The refusal of longshoremen to load American wheat is dramatic evidence of the bankrupt leadership of George Meany who is the real instigator of the shipping boycott.

The function of a labor union is to protect the conditions of work of its members—not to dictate American foreign or agricultural policy.

Mr. Meany is entitled to express his views on public issues, but no one has appointed him to play God over the national interest.

The wheat loading boycott which he has organized has already undercut the markets of American farmers and our balance of payments. Beyond this, it has shaken international confidence in America's capacity to keep its commercial contracts.

Mr. Meany's action is a part of his growing tendency to abuse the power of labor to inflate his own sense of self-importance.

I have noted with interest his threatened veto of the Democratic Party if it should decide to nominate me again for the presidency next year. I am not seeking the presidency, but if I had been one of the few labor leaders who couldn't make up his mind between Nixon and McGovern in 1972, I would keep quiet in 1976.

[From the Washington Post, Sept. 4, 1975]

Policy Role Is Backed by Meany

In a scathing attack on Sen. George McGovern, AFL–CIO President George Meany said yesterday the labor movement has every right to call for a total reassessment of American foreign policy.

Speaking to a convention of the Seafarers International Union, Meany described McGovern (D-S.D.), as a "farmer who wears suede shoes," and also lashed out at Secretary of State Henry A. Kissinger and Agriculture Secretary Earl L. Butz.

"Come what may, we're going to continue to have our say on American foreign policy," said the 81-year-old labor leader in support of a boycott by union dockworkers on U.S. grain shipments to Russia.

McGovern said earlier this week that labor should not get involved in foreign policy and détente in connection with the recent Russian purchase of nearly 10 million tons of American grain.

"If we have a foreign policy it's being kept secret from the American people," Meany said "I don't think Henry Kissinger knows what it is until he gets up in the morning."

Meany said the United States is operating a foreign policy of "appeasement" to nations like the Soviet Union. He said American foreign policy should be run on the "good old Yankee principle of give and take."

"Should we not say, 'As you do with the oil which we need so shall we do with our grain which you need?'" Meany asked.

Mr. McGOVERN. Mr. Meany's characterization of me as a "farmer who wears suede shoes" is inaccurate. I do not own any suede shoes. And most family farmers cannot afford to own any under the administration which Mr. Meany helped to reelect in 1972. Then it was a case of Mr. Meany, a $100,000 a year plumber who had not fixed a washing machine in 40 years helping to reelect a corrupt President who was an expert at laundering money.

Let me warn Mr. Meany against any attempted dictatorship, either of American foreign policy or within the Democratic Party. I will do all in my power to see to it that the 1976 Democratic Convention nominates a candidate who favors reform at home and peace abroad. And if Mr. Meany then wants to help Gerald Ford, let him. It would be consistent with the anti-Democratic, antilabor course he adopted in 1972. This time the only people with him would be the monopolists who are supposed to sit on the other side of the table from labor.

SENATOR HUGH SCOTT'S RECORD ON ENERGY MATTERS

Mr. FANNIN. Mr. President, never before in the history of the United States has energy been a more important issue. Rapidly diminishing energy resources and soaring prices are causing great concern among Americans. In these troubled times, the public looks toward our elected officials for guidance, and one man who does not turn away is Senator Hugh Scott.

The distinguished minority leader has suported certain tax incentives and legislation to conserve our resources, and has strongly advocated methods of finding and developing new energy sources. As ranking Republican member of the Interior Committee, I ask unanimous consent that Senator Hugh Scott's record on energy matters be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Energy

94TH CONGRESS LEGISLATION

S. 57—a bill to establish a program of Federal assistance to provide relief from energy emergencies and energy disasters.

S. 62—a bill to establish University Coal research laboratories and to establish energy research fellowships.

S. 168—a bill to amend the Internal Revenue Code of 1954 to allow an income tax credit or an income tax deduction for certain expenditures of a taxpayer relating to the thermal design of the residence of such taxpayer.

S. 504—a bill to protect consumers, preserve jobs, and provide emergency relief for natural gas shortages.

S. 594—a bill to increase domestic oil supplies and availability; and for other purposes.

S. 764—a bill to provide for the reclamation of abandoned coal mine lands.

S. 1421—a bill to provide for the prohibition of certain discriminatory practices in the pricing of fuels and forms of energy including electricity.

S. 1666—a bill to prescribe certain rules for Federal, State, and local agencies regulating electric rates by usage.

S. Res. 59—a resolution to aid in energy conservation.

S.J. Res. 117—resolution to extend the Coal Conversion Program.

S. Con. Res. 37.—a resolution relating to the problems of pollution and energy shortages.

94TH CONGRESS VOTES

Voted for amendment excluding imported petroleum or products derived from imported petroleum, except gasoline crude oil to be refined into gasoline, from future tariffs or fees.

Voted for amendment exempting for 60 days the imposition of a tariff on petroleum products only.

Voted for amendment to withdraw from all forms of surface mining operations lands where the Federal Government owns the coal and other mineral rights but not the surface rights.

Voted for Surface Mining Control and Reclamation Act.

Voted for amendment to reduce from 3,000 to 1,000 barrels of oil, and 18 million to 6 million cubic feet of natural gas, the average daily production on which the percentage depletion allowance would be continued for the independent oil producers.

Voted for amendment to retain depletion allowance for production of up to 2,000 barrels of oil or 12 million cubic feet of natural gas.

Voted for amendment to provide tax incentives for certain residence energy-conserving improvements.

Voted for amendment to provide that the national goal to be achieved by the FEA shall be an energy savings of not less than 4 percent of the projected domestic consumption of refined petroleum products for the 12-month period following the effective date of the Act.

Voted for amendment changing from a "new" oil price not to exceed $7.50 the amount which may be charged per barrel of oil produced by secondary and tertiary recovery methods.

93RD CONGRESS LEGISLATION

S. 2731—a bill to amend the Tariff Schedules of the United States to provide for the duty-free entry of methanol imported for use as fuel.

S. 3068—a bill to extend the use of tax-free bonds without limit, the bonds to be used in those activities which would contribute toward relieving our energy crisis.

S. 3434—a bill to establish University Coal Research Laboratories and to establish energy resources fellowships.

S. Res. 279—a resolution expressing the sense of the Senate regarding the Washington Energy Conference.

S. Res. 281—a resolution expressing the sense of the Senate to provide adequate supplies of energy to all parts of the tourism industry.

Amendment No. 694 to provide that daylight savings time shall be observed on a year-round basis.

Amendment No. 735 to provide that daylight savings time on a year-round basis exist for a trial period, of two years, and to require the FCC to permit certain daytime broadcast stations to operate before local sunrise.

Amendment No. 1265—Allocation of Petrochemicals in short supply.

VOTES

Voted for Emergency Petroleum Allocation Act of 1973.

Voted for Atomic Energy Commission Authorization.

Voted for amendment to provide for equitable allocation of crude oil and petroleum products throughout all regions of the United States, particularly in connection with oil shipped through the Alaska Pipeline.

Voted for amendment to require exports of Alaskan crude oil be in the national interest and be allowed only if they would diminish the quality or quantity of petroleum available in the U.S. Markets.

Voted for amendment authorizing and directing construction of a trans-Alaska Pipeline and barring further court review of environmental aspects of that project.

Voted for the Federal Lands Right-of-Way Act of 1973.

Voted for amendment to exempt from price controls established pursuant to the Economic Stabilization Act, and any fuel allocation program, the first sale of crude oil and natural gas liquids produced from any oil lease whose average daily production did not exceed 10 barrels per day per well.

Voted for amendment to provide a criminal penalty for the second offense of willful black marketeering of petroleum products.

Voted for amendment to establish an Office of Emergency Fuel Allocation to receive complaints and act on emergency requests from State and Local governments concerning shortages in gasoline or fuel oil supplies.

Voted for Emergency Daylight Saving Time Energy Conservation Act of 1973.

Voted for National Energy Research and Development Policy Act of 1973.

Voted for Clean Air Act Amendments.

Voted for Federal Energy Emergency Administration Act.

Voted for Naval Petroleum Reserves Defense Production Authorization Act of 1973.

Voted for Energy Emergency Act.

Voted for amendment to give states discretionary authority to increase the speed limit on interstate highways from 55 to 60 miles per hour.

Voted for Special Energy Research and Development Appropriation Act.

Voted for Public Works for Water and Power Development and Atomic Energy Commission Appropriation Act.

Voted for amendment to provide a policy for non-nuclear research and deveolpment to be administered by ERDA.

Voted for Energy Transportation Security Act of 1974.

Voted for Energy Supply Act of 1974.

Voted for Deepwater Port Act of 1974.

Voted for Non-nuclear Energy and Development Act of 1974.

SSI: THE NEED FOR BALANCED JUDGMENT

Mr. CHURCH. Mr. President, the supplemental security income program has come under considerable fire within recent weeks, and for good reason.

The Washington Star has led the way in revealing that computer error and other administrative problems have resulted in more than $400 million in overpayments and at least $36 million in underpayments since the program began in January 1974.

In addition, stories written by the Star reporters tell of long delays before SSI payments or adjustments are made. To the persons waiting for these checks, contact with SSI has meant frustration, inability to pay even for the basic necessities of life, and quite often the growing conviction SSI is just another demeaning welfare program.

That, of course, is far from the intent expressed by Congress when we authorized SSI in 1972. We envisioned an equitable, federally administered program which would provide a floor under benefits throughout the Nation. It was to be a major improvement over old age assistance, which it was to replace. The Social Security Administration—with a generally commendable record of efficiency and low administrative costs—was to serve SSI recipients, along with payments to the disabled and the blind.

It was a major undertaking, one requiring a major commitment by the SSA. Of special concern to me as chairman of the Senate Committee on Aging was this question: Would the administration ask for, and would the Congress provide adequate funding to provide additional staff members to deal with the drastically increased workload in local social security offices and in SSA headquarters in Baltimore? At hearings in January 1973, I asked then outgoing Social Security Commissioner Robert Ball whether SSA had planned adequately to meet the new manpower demands. He assured me that a plan to increase the staff significantly was in existence, and that it would soon be implemented.

The Congress has certainly been responsive to requests for additional funding. The Second Supplemental Appropriations Act which became law on June 12 included $78.6 million for salaries and expenses for an additional 10,000 employees, 6,000 long-term employees, and 4,000 temporary and part-time positions. Approximately 8,000 employees were to be assigned to SSI to help reduce the backlog for disability insurance claims and in the hearings and appeals process.

I hope that SSA is making good use of these additional funds, and that there will soon be some relief in the most overburdened of the SSA offices.

In the meantime, however, I must express concern about reports I have received which indicate that demoralization is taking place in some district offices because of 54-hour work week requirements and poor working conditions in general. I have also been informed that widespread dismissals in one region have caused severe problems. I am asking the General Accounting Office to investigate both of these reports. I have also expressed my concern to the SSA about computer failures which delay payments or do worse. For example, my office had to work for months to help one elderly woman who had been declared dead by social security headquarters in Baltimore. She appeared at a hearing in Idaho to declare emphatically that this was not the case.

Still other questions have been raised by Senator KENNEDY who in May conducted a hearing on behalf of the committee in order to investigate complaints about SSA performance. He is persisting in efforts to evaluate SSA capacity to deal with the many assignments it has received from the Congress. He also wants to know what SSA is doing to enroll all eligible persons on the SSI rolls.

It is imperative that the Congress investigate these issues and others related to SSI. I believe that this program has great potential, but it is having more than the normal problems associated with implementation of a major new program. Overpayments, underpayments, and deterioration of standards of performance in SSA offices cannot be tolerated. Over the decades, SSA has won the confidence of the Congress and the people it serves. We cannot allow present difficulties—transitional difficulties, we can hope—to affect the overall service SSA gives to the Nation. To overcome these problems, we will have to take a balanced view. To that end, I ask unanimous consent to have printed in the RECORD, at the end of my remarks, a letter to the editor which appeared in the September 2 issue of the Washington Post.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CHURCH. In the letter, SSA Acting Deputy Commissioner Arthur Hess provides important information about the problems now facing SSA. He also makes the point that "perhaps the best prospects for eventual improvement in SSI payment efficiency lie in simplifying the program." Several studies are underway toward that goal, and the Senate Committee on Aging will certainly maintain its interest in the issue.

Finally, Mr. President, I would like to point out that the present controversy surrounding SSI makes it all the more important that the Congress soon act favorably upon S. 388, my bill to establish the Social Security Administration as an automous agency outside the Department of Health, Education, and Welfare. SSA operations, so important to almost every family in the Nation, should be conducted entirely outside of the realm of HEW pressures and of political considerations of any kind.

EXHIBIT 1

[From the Washington Post, Sept. 2, 1975]

SUPPLEMENTAL SECURITY INCOME: THE ACHIEVEMENTS

Your August 23 editorial made some useful points in explaining the background of the severe problems the Social Security Administration has been coping with in administering the Supplemental Security Income (SSI) program. Nonetheless, the achievements of the program do not warrant your headline characterization of it as a "fiasco," defined by Webster as a "complete failure."

Despite the problems of overpayment and other serious transitional systems and staffing problems we faced in putting SSI into place, the fact remains that the program is putting $490 million a month (almost all of it through correct payments) into the hands of 4.2 million of our very neediest aged, blind, and disabled people. This is about one million more people and about $200 million more a month than was paid out under the state-federal categorical assistance programs that SSI replaced January 1, 1974.

Although it is true that most states would have increased their assistance payments between then and now, the facts remain that 55 per cent of all recipients converted to our rolls in January 1974 received a higher payment under SSI; that SSI provides automatic cost of living increases; and that many needy persons who did not previously qualify (for example, because of laws requiring relatives' responsibility or liens or home ownership) are now receiving payments under more dignified circumstances.

Many of the difficulties encountered in administering SSI result from what, in retrospect, were undesirable complexities of the law. In particular, eleventh hour changes in the law applying to the transitional disability payment feature wreaked havoc with our capacity to deal with recipients in an orderly fashion. Other problems, however, are inherent in the concept of a basic minimum payment that takes into account income, assets and living arrangements—including work and other income disregards and the imputed income of other family members. It is not generally understood that SSI payments are calculated in advance based on a recipient's expected need for a calendar quarter as determined by these complex factors. Should his circumstances change during that period, the monthly check could very well constitute an overpayment, albeit a completely unavoidable one. Nevertheless, due process requires us to continue these overpayments until the recipient has been given notice and opportunity for an evidentiary hearing or waives his right to one.

Perhaps one of the greatest complications was the belated drafting of the mandatory and optional state supplements in many states, involving adoption of a vast number of state variables, onto the federal payment system.

I am not suggesting that overpayments did not result from other causes. Some were due to errors in the data entered in our computers, including inaccurate data transferred from state to federal records during the conversion process. Still others arise from the fact that it was impossible to design a full automated system in the time frame allowed and with unexpected interim legislative changes.

Regardless of the causes, the problems have long since been identified and we are working hard to correct the deficiencies. Though emerging audit data (which covers past periods and hence past deficiencies) will continue to reflect problems, I feel sure we have turned the corner. There is, however, still a long road ahead and there is no complacency among SSA's top executives.

Perhaps the best prospects for eventual improvement in SSI payment efficiency lie in simplifying the program. The House Ways and Means Committee, the Senate Finance Committee, GAO, a special outside study group of public administration specialists and many others are all engaged in reviewing various aspects of this initial experience. I am hopeful that these studies will lead to eventual agreement on simplifying a number of areas affecting a recipient's eligibility and may reduce the number of supplementary payment variations Social Security is required to administer for one state or another.

ARTHUR E. HESS,
Acting Deputy Commissioner, Social Security Administration.

E. ROY STONE, JR.

Mr. THURMOND. Mr. President, I want to call to the attention of the Senate the election of a distinguished South Carolinian, E. Roy Stone, Jr., of Greenville, as national president of the American Legion Past Department Commanders.

He was elected to succeed Past National Commander Joe L. Matthews of Texas at the American Legion Convention in Minneapolis, Minn., on August 18.

Legionnaires in South Carolina and throughout the Nation have long recognized and respected the leadership of Roy Stone. After serving the American Legion as post commander, district commander, and South Carolina department commander, he was elected to the National Executive Committee in 1953. He has served continuously since then. He is now chairman of the subcommittee on resolutions, a member of the Spirit of '76 committee, and a member of the finance commission liaison.

Mr. President, veterans everywhere are indebted to Roy Stone for the time and effort he has spent to assure a first-rate VA hospital system and veterans benefits program in the VA.

Mr. President, Roy Stone takes great pride in his work with vocational rehabilitation, and justifiably so. He is chairman of the South Carolina State Agency of Vocational Rehabilitation. He was highly honored in 1969 when the American Legion awarded him the Distinguished Public Service Award for his work in this field.

In 1971, the E. Roy Stone, Jr., War Veterans Pavilion of the South Carolina Department of Mental Health was dedicated in his honor.

Mr. President, Roy Stone is an active member of the Augusta Heights Baptist Church, where he serves as a Sunday school teacher and deacon. He also finds time for involvement in numerous civic and community affairs, among which are the Masons, Elks, and the Lions Club. He has done extensive work with the Boy Scouts, and received the Silver Beaver Award for his outstanding service.

In a July 7, 1975, editorial, the Greenville Piedmont, Greenville, S.C., referred to him as "an institution." I agree.

Mr. President, I want to congratulate Roy Stone on his election as president of the past department commanders of the American Legion. I am confident that he will serve with great distinction.

Through the years, it has been my privilege to have the wise counsel of Roy Stone.

Mr. President, it is a pleasure for me to recognize the latest achievement of this outstanding South Carolinian. I continue to value his advice and judgment.

REMOVAL OF OIL PRICE CONTROL: A MISTAKE

Mr. McGOVERN. Mr. President, over the weekend, the distinguished majority leader of the Senate and the Speaker of the House met with President Ford. After the meeting, they announced that the President would propose what was described as a compromise on oil price deregulation to the Congress. The Washington Post reports that the President will delay his veto of legislation extending the Emergency Petroleum Allocation Act until he determines whether his measure can pass.

Instead of the immediate oil price decontrol which would follow a successful veto, the compromise would spread decontrol over the next 39 months in order to cushion the short-term impact on our economy. The proposal would also set a ceiling price of $11.50 per barrel on domestic oil to insulate domestic production from further OPEC price increases. It includes rather vague provisions for a windfall profits tax.

The majority leader has said that he would rather override the veto than accept the administration's plan. I am in full agreement with him.

The leadership has made a commendable effort to find an acceptable solution. But the administration is obviously not willing. What comes back to us is not a genuine compromise, it is simply the administration's program postponed. And robbery postponed is still robbery.

The administration's chief assumption is that decontrol, that is, a dramatically higher price, is the answer if we want to increase domestic oil supplies. The 39-month stretch-out plan incorporates precisely the same assumption. Yet it is this issue which is at the heart of the debate over decontrol. And the assumption is based on a dangerously naive conclusion about the way these multinational oil giants operate.

Everyone knows that crude oil prices are not set according to competition. Despite pretense to the contrary, they also are not set according to the cost of production. Instead they are established by cartel price fixing.

Anyone who thinks we will get more oil simply by transferring more money from consumer pockets to the oil giants should explain why that has not already happened. In the past year so-called "new" oil has been deregulated, and prices have been extraordinarily high. Yet production actually went down. One estimate sets the revenue increase for oil companies at $90 billion over the past year, and on less output. Does anyone really think the proper response for Government is to conclude that we have not yet bribed them enough?

The fact is that higher American production would put a strain on the OPEC cartel. Its members and their industrial allies—the multinational oil companies—would then have to share a more competitive market. The oil companies have every incentive to avoid that. Their predictable response to deregulation would be to accept a price rise to OPEC levels, keep domestic production to the minimum excusable levels, and keep pushing the oil on which they make the most money—oil which originates outside the United States.

So whether we do it immediately or over 39 months, the net effect of decontrol of prices will be to make the oil companies full-fledged members of OPEC, and to make the American people pay the dues. And all that can be said for the compromise is that it would do the wrong thing slower.

At the same time the stretched-out version accepts by implication the broader assertion that Government has no place in the energy market. It sets the stage for unfettered rising prices across the board, first for oil, then for gas, and then, as Btu pricing comes into effect, for coal as well. What we are really discussing here, on this most critical ingredient in our economy, is simply an abandonment of the Federal Government's proper role to protect the American people from forces beyond their control.

No one is saying that the managers of these energy conglomerates are evil men. But even if they were saints we should not expect them to place the public interest first. That is not their job. They will put long-term profits and expanding economic power first. If the public interest is to be served, it must be by Government.

If we even consider abandoning that responsibility in energy, then we have no cause at all to wonder at public cynicism about Government. We have found a multitude of ways to inject Government regulation and red tape into the lives of ordinary people. No one has yet come up with an answer to that. We have commissions and committees to study it. And now we have an absurd answer. If we have to keep regulating the little guy, by all means, let us at least get the Government out of the hair of big oil.

We have come back from a recess with our ears ringing about congressional inaction on energy. But I talked to no one in my State who urged me to rush back here and arrange dollar-a-gallon gas for them. I talked to no one who agreed that the way to conserve energy is to shift even more of the real cost of the energy shortage to those who can least afford to bear it. I talked to no one who pleaded for another round of inflation, which this one proposal will do more to bring about than all the constructive legislation Preisdent Ford has sent back unsigned.

Instead, I think the American people are demanding action on the good legislation pending in Congress, to both conserve energy and increase supplies. Along with serious action on alternative energy sources, we must consider proposals to tap public resources in the public interest, including reserve development under direct public control. A positive energy program must also include major steps in transportation. It would include mileage requirements for motor vehicles, and incentives for better home construction. It includes also building an efficient railway and public transit system. These are some of the steps we know will have an effect.

I do not think the Congress needs to be intimidated by veto threats. We need not be coerced into accepting the unacceptable in watered down form.

Instead, we should look toward overriding the most mistaken veto of all, and toward prompt action on energy initiatives that both do justice and make sense.

LACK OF ACTIVE ARMY PERSONNEL TO TRAIN NATIONAL GUARD ENLISTEES

Mr. THURMOND. Mr. President, it was with shock that I read in the Army Times issue of September 10, 1975, that Army personnel strength had been diminished to the point that training facilities lacked manpower to receive and train incoming National Guardsmen.

This is an intolerable situation, if true, and I have contacted Army Secretary Martin R. Hoffmann urging an immediate investigation and remedial action, if necessary.

Because of my great respect for former National Guard Bureau Chief, Francis S. Greenlief, there is little doubt in my mind that the situation he describes in the Army Times article is an accurate one,

During the past few years there has been great pressure in the Congress to whittle away at military manpower strength levels despite large personnel reductions imposed by the services upon themselves.

Mr. President, I ask unanimous consent that the article entitled "Active Duty Cutback Hurts NG Training," which appeared in the September 10, 1975, issue of the Army Times, be printed in the RECORD.

There being no objection the article was ordered to be printed in the RECORD, as follows:

ACTIVE DUTY CUTBACK HURTS NG TRAINING

WASHINGTON.—Former National Guard Bureau chief Maj. Gen. Francis S. Greenlief says the Army has removed so many active duty people from training duties that it is no longer able to train reservists.

The retired general, now executive vice president of the National Guard Association, says there is a backlog of more than 14,000 National Guardsmen awaiting initial active duty for training.

He said there's little chance that the backlog will be reduced soon because of "tremendous effort by the active Army to convert support spaces to combat spaces."

"The training base is inadequate to train the backlog of reservists awaiting initial active duty training," Greenlief told Army Times.

The support spaces being taken away from Army units are being transferred to the three active Army divisions being organized.

Greenlief said the failure of the active Army to furnish training spaces for guard recruits is preventing many citizen-soldiers from drawing drill pay.

The Defense Department has established a policy of not permitting the payment of drill pay to reserve recruits until they have formally entered basic combat training. The exceptions to this policy are high school graduates who join the Reserve Components. They're not affected by the "no-pay" rule for six months.

HENRY FONDA ON AMERICAN PLACE NAMES AND THE AMERICAN FLAG

Mr. KENNEDY. Mr. President, in recent years, some of the most eloquent moments in the annual fund-raising telethons sponsored by the Democratic National Committee have been the dramatic readings by the noted actor Henry Fonda.

In 1974, Mr. Fonda gave an extremely moving reading of "American Place Names," highlighting the beauty, poetry, nobility and variety by which the places in America are known.

In 1975, Mr. Fonda gave an equally moving dissertation on the history of the American flag, from its origins in the colonial period to its planting on the surface of the moon.

Even apart from the effectiveness of Mr. Fonda's fine delivery, his eloquent words themselves helped to evoke the best in America. They make each of us who watched his performances even prouder to be citizens of this land.

I believe that his texts will be of interest to all of us, and I ask unanimous consent that they may be printed in the RECORD.

There being no objection, the texts were ordered to be printed in the RECORD, as follows:

AMERICAN PLACE NAMES

(By Henry Fonda)

My name is Henry Fonda. I'm an American actor. Listen to the names of our land. Mississippi. Monongahela. Natchez and Wounded Knee. Kalamazoo and Appomattox.

In 1892, Robert Louis Stevenson wrote: "There is no part of the world where nomenclature is so rich, poetical, humorous and picturesque as the United States of America. All times, races and languages have brought their contribution. Pekin is in the same state with Euclid, with Bellfontaine, and with Sandusky. The names of the states themselves form a chorus of sweet and most romantic vocables: Delaware, Indiana, Florida, Dakota, Iowa, Minnesota and the Carolinas: there are few poems with a nobler music for the ear: a songful, tuneful land."

Listen to the names of America: Chickamauga, Salem, Concord and Manassas, Dover and Yarmouth, Savannah, Winnemucca, Boca Raton, Utah, Leesburg, Eldorado, Saratoga, Flat Rock, Chimney Rock, Little Rock, Rock Springs, Wyoming, Albuquerque, Ceder Rapids and Blueberry Hill, Hassayampa, Niagara, Powder River, Tuckahoe and Tennessee, Mamaroneck and Minneapolis, Susquehanna, Omaha, Allegheny, Tampa and Penobscot, Ossining, Tioga, Saranac Lake and Coffeepot Creek.

The Rio Grande, Missouri and Snake, Sarasota, Sewanee, Kettle Creek, Bear Valley, Pumpkin Hill, Grasshopper Flat, Chestnut Grove, Maple Springs, Wildcat Hollow, Twin Falls, Atlanta, Chattanooga, Carlsbad Caverns, Mammoth Cave, Cripple Creek and Spotted Horse, Alder Gulch and Great Salt Lake, Alamagordo, Carthage, Terre Haute, Tarzanna, Tacoma, and Ticonderoga.

Babylon, Butte, Bethesda, Syracuse, Selma, San Francisco, Cicero and Sumter, Mobile and Mount Vernon, Memphis, Nogales, Okeefenokee, Pueblo, Quincy, Redwood City, Seattle, Tallahassee, Utica, Valdosta, Walla Walla, Xenia, Yosemite, and Zanesville, Ohio, America.

The American Flag

(By Henry Fonda)

Old Glory, the Stars and Stripes, the Star Spangled Banner. By any name it's a beautiful sight—makes me feel proud.

But a flag is nothing in itself—some cloth, some dye, some thread, nothing to be thrilled about in itself—an abstract design of colors and shapes, a symbol, like a cross or a star or a coat of arms are symbols, only as good or as bad as what it stands for, nothing in itself.

And the flag, being only a symbol, will change as the country it symbolizes changes, as our country has changed. And so it becomes a tangible record of these changes, of our beginnings, our growth, our history, a visual memory. And, as with most things remembered, it's the positive things, the great moments, the beloved people, the stirred emotions, that remain in the heart and in the mind.

Before there was a country called the United States of America there were separate states and many states of mind and a mother country, and so there were many flags. But soon those states and states of mind came together in a common cause—"Give me liberty or give me death."

And the British began to refer to our flags as "The Rebellious Stripes." While our friend from France, the Marquis de Lafayette, called them our "dear noble stars and stripes."

Our greatest revolutionary struggle began under General George Washington—a disorderly and dangerous struggle by inadequately armed civilians, without even an official flag to fly until 1777, when Congress declared, "Resolved that the flag of the United States be thirteen stripes, alternate red and white, that the Union be thirteen stars, white in a blue field, representing a new constellation." And that flag flew at Yorktown as General Cornwallis surrendered. Our nation had begun.

And that's what we remember, that glorious beginning—not the confusion, the uncertainty, the defeats, but that glorious beginning. "The rockets red glare, the bombs bursting in air, gave proof through the night that our flag was still there." There at Fort McHenry on the night of September 13, 1814, and still flying on the morning of September 14—fifteen stars and fifteen stripes, that had survived, as did our country survive, this threat to our newly gained independence.

Fifteen stars and fifteen stripes, yes, and soon twenty stars and twenty stripes. Where would it end? The flag was already too big and too busy and the end was not even in sight.

So in 1818, wisdom triumphed over stately pride. Thirteen stripes for the original thirteen, and a new star for each new state.

And then a harder problem, a terrible problem. Not one of too many stripes, but of too many flags, one too many. Four bloody years to decide whether one flag or two would fly over this American territory. In the end, after a long and painful struggle, one flag flew over our country once more.

Now came a time to gladden the heart of every flag maker—the blue field of that flag became a constellation—38 stars by 1876, 45 by the turn of the century, 48 by 1912. And there it held fast for nearly 50 years.

But not history, for now our country passed through a time like nothing before, a World War, a ten-year fling, a searing depression, still another World War, the nuclear age, assassinations, civil upheaval, Vietnam—and the incredible sight of an American raising a banner of 50 stars and 13 stripes on the surface of the moon.

The world has become more complex, not a black and white world any more, or even a red, white and blue one. The two hundred years that lie ahead may prove even more challenging than the two hundred that went before, making it even more important for all of us to stand by our flag and by our country. Not somebody else, each one of us. Answer America.

HALF-FARE FOR THE UNEMPLOYED WILL HELP REDUCE UNEMPLOYMENT

Mr. BENTSEN. Mr. President, in the midst of economic adversity, too many Americans and businesses sit passively by and demand that the Federal Government take the sole initiative in fighting inflation and unemployment. It is refreshing to see business take this kind of initiative.

Earlier this week, Continental Trailways Bus Co. proposed establishing half-price interstate bus fares for the unemployed, to run between September 8 and November 21, 1975.

Continental Trailways will also set up job opportunity information centers in many Trailways terminals, where they will list information useful to job hunters and make available Labor Department publications.

This action by Continental Trailways could help a number of the unemployed find jobs that might otherwise be beyond their reach. The Nation today is experiencing its highest unemployment since the Great Depression. At the same time, there are communities across the country where jobs exist and go unfilled because local workers do not have the needed skills. The unemployed in distant cities and towns do not know about these jobs and often do not have the resources to move themselves and their families to communities where jobs exist. Continental Trailways' half-fare for the unemployed can be a big factor in reducing the cost of bringing jobs and workers together and removing one barrier to reducing unemployment.

In order for these fares to become effective, the Interstate Commerce Commission must agree to Continental Trailways' application. I have written the Commission in support of this innovative fare proposal, and I urge other companies in the communications and transportation fields to follow Trailways' lead.

Continental Trailways traces its corporate history back to a small bus company founded in the 1920's in east Texas. Today, it is the second largest interstate bus company in the United States, and still a Texas firm with headquarters in Dallas.

Continental Trailways is an excellent example of a Texas business doing its part to help our economy get back on its feet, and I commend it for its public service initiative.

VOICE OF AMERICA

Mr. MATHIAS. Mr. President, much of this Nation's standing throughout the world is entrusted to the Voice of America; the medium through which millions of people perceive us both as individuals and as a Nation. We are aware of the changes in direction which have been taken by the Voice of America over the years, and of the criticisms, often from opposed sides, of its performance in one role or another. Frank Stanton, who served as chairman of a panel studying the Voice of America, has summarized his findings in an article which appeared in the New York Times on July 19, 1975. This brief overview provides a framework for future decisions not only about the Voice of America, but about the entire spectrum of our Nation's efforts to show itself to the rest of the world. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Separating American Messages

(By Frank Stanton)

The Commission on the Organization of the Government for the Conduct of Foreign Policy, appointed by the Congress and the President, issued its report on July 1. Among its many recommendations, a section on the American overseas informational and cultural programs endorses the findings of an independent nongovernment panel.

Our panel of experts, which I had the privilege of heading, was constituted because over the last few years those in and out of Congress concerned with the oversight of these programs have questioned their effectiveness and organizational arrangements in today's interdependent world.

We learned that what is usually called the information and cultural program or public diplomacy is really composed of two quite separate functions: the articulation of day-to-day American policies and the cultural communications programs supporting longer-range policy objectives.

Since all of these efforts are intended for overseas audiences, there are clear differences in the way these audiences accept our political messages and our cultural messages. They know that the former flow from the

Government, while the latter come from the American scene as a whole. They accept the political messages as Government controlled; they welcome the cultural message precisely because they consider them not to be governmentally controlled.

As George Kennan recently stated: "The Government does not make culture and should not try to use it as a means of political expression and propaganda. The cultural community, on the other hand, does not make policy and should not seek or bear the responsibility for stating it.

There should be a separation between the conduct of political-information operations and cultural-information operations. Other countries recognize this separation. While I do not want to suggest this course because of the practice of others, it is neither novel nor untried.

Having decided conceptually to separate the direct support of foreign policy—the articulation and advocacy role—from the indirect support of foreign policy—the cultural communications role—and having further decided that both are necessary and mutually supportive elements of a dynamic supportive elements of a dynamic foreign policy, we concluded that they must be organized separately to be effective.

The articulation and advocacy of current foreign policy requires the closest kind of operational integration with the State Department's policy process and hence should be located in the department. The cultural communications operation, however, should be a step removed organizationally from this process. It should concentrate on programs designed to create and reinforce favorable attitudes about this country without being harassed by day-to-day foreign policy issues. The long-range strategic obejectives should be pursued without the pressure of tactical policy requirements.

The longer-range cultural operations have been on the whole, more effective. This cultural-information operation should be in a separate agency, not in the State Department but with its director reporting to the Secretary of State, since his operations are conducted in support of foreign policy.

What of the Voice of America? It has three functions: to broadcast accurate, effective, and comprehensive news; to portray the variety and uniqueness of American soceity; to resent the foreign policy of the United States.

The Voice is a tactical tool for policy articulation and, at the same time, a strategic tool for cultural communications. In addition, and most importantly, it is a broadcaster of views. The structural conclusion is evident: Since it is impractical to divide the Voice or to have it located in three places at once, the problem is obviously to choose the functional location which does least violence to the performance of the other two functions. Placing it in either the State Department or in the new agency would severely compromise its independence as a source of news. A location outside either of these bodies would avoid this and other problems.

The Voice should be set up as a Federal agency under a board of directors, five in number, reflecting its functions. The Secretary of State would be represented on the board to see that the policy articulation function is adequately fulfilled. The director of the new agency would be on the board to advise on the portrayal of American society, and three members from the private sector, having broad experience in public diplomacy and appointed by the President with the approval of the Senate, would round out the board. This arrangement would permit the Voice to function as a credible medium serving the interests of the United States.

ENERGY POLICY

Mr. TAFT. Mr. President, this Congress has been dominated by discussions of our energy problem, yet no coherent policy seems to be emerging. In view of that situation, I feel it would be extremely useful to step back and try to provide an overview of the issues involved.

The problem is stated simply enough. It is to assure that we and future Americans have adequate supplies of energy to meet our basic needs, in a manner which minimizes the adverse economic impact, vulnerability to foreign countries and environmental problems.

The major challenge for the immediate and mid-term is to reduce America's dependence on imported petroleum. The oil embargo cost Americans $10 to $20 billion and exacerbated the recession greatly, while the quadrupled world oil prices resulted in a payment from the United States to OPEC countries of $26 billion last year.

Clearly, the economic effects of our oil import dependence are a serious drain on the economy. The foreign policy implications of vulnerability to an embargo are intolerable. Yet, we are already far more vulnerable to an embargo than we were in 1973. The Federal Energy Administration estimates that if no new energy initiatives are made, by 1985 we will be importing over half of our oil and about twice as much as we import presently, at an annual cost of about $60 billion.

In the longer term, the problem is likely to be an absolute shortage of fossil fuels. The Energy Research and Development Administration recently estimated that as a result of this situation, without enhanced recovery techniques, the domestic production of oil and natural gas will begin to fall drastically in the mid-1980's. For both of these fuels, America's estimated total remaining supplies even if enhanced recovery and stimulation techniques are used is under 50 years.

Thus, in addition to the import problem, America faces a longer term problem of conversion from fossil fuels to other sources of energy. While the economy has already converted from wood to coal and from coal to oil and natural gas during the last 125 years, the supply situation is such that this conversion will have to be a much faster one, in a far more complex economy.

These facts lead to several obvious conclusions. First, we must take immediate action to establish the standby programs necessary for reducing the Nation's vulnerability to another oil embargo. Second, we must do all we can to cut unnecessary energy consumption, which now is estimated to be about 30 percent of the total energy we consume. This will help combat both the oil import problem and the long-run problem of dwindling oil and gas supplies. Third, we must do what we can to improve the domestic energy supply picture for both the short run and the longer run. This means facilitating the maximum exploitation over time of our entire oil and gas reserves, continuing to use foreign oil to the extent economic and foreign policy considerations allow, and doing all we can to promote the development and use of energy sources other than oil and natural gas.

MEASURES TO COUNTER ANOTHER EMERGENCY

I feel that the Senate took a major step forward recently when it passed legislation calling for the buildup over 7 years of a strategic petroleum reserve, which would consist of a full 90 days' supply of imported oil. This is likely to be a major deterrent against another embargo and a major help if there should be a supply interruption.

The protection afforded is likely to be considerably longer than 90 days, because an embargo is not likely to result in a complete shutoff of supply. During the recent embargo, the supply of imports was reduced by about one-third. If one makes the reasonable assumption that an embargo is not likely to result in the curtailment of more than 50 percent of our imports, the stockpile would provide protection for 180 days.

The stockpile may cost several hundred million dollars or more per year to assemble. However, the large cost of even the very short 1973 embargo is a good indication that this idea is likely to prove worthwhile. It is possible that it will also have a stabilizing effect upon the oil price structure even without any embargo.

The Congress also should pass promptly the standby emergency authority needed to help minimize and manage the damage which another embargo would bring. The needed authorities would allow for emergency Federal direct regulation of petroleum production and allocation of scarce materials essential to the production process. The authority to implement emergency energy conservation plans, with gasoline rationing if necessary for the embargo period, must be included.

My constituents appear to face another type of emergency this winter, in the form of a natural gas shortage which could be severely disruptive to the economy, especially employment. As I will discuss more fully, we must do everything possible both legislatively and administratively to prepare for this eventuality.

The key longer term energy issue facing Congress is the pricing of oil and natural gas. The issue is plagued by a lack of much semblance of agreement among experts about the effect on energy supplies and conservation of any particular price level.

I believe it is crucial that oil and natural gas prices be high enough to stimulate the investment necessary for a much greater effort to expand our potential fuel supplies than we have had in the past. Over the short term, we will have to rely more heavily on this strategy than conversion away from oil and natural gas for meeting the Nation's energy needs successfully. Of course, there is also an incidental conservation effect of higher prices.

At the same time, these pricing policies must be carried out in a manner which minimizes the economic impact and burden on consumers to the extent possible. As long as OPEC is setting world oil prices, doctrinal statements about the need for a prompt return to the free market are not particularly helpful. Furthermore, largely because it is so difficult to say what energy prices are "necessary," the taxation of windfall profits not used for further energy development is crucial to assure that the consuming public is treated fairly.

I am not enthusiastic about reliance on higher energy prices across the board to achieve energy conservation. There are several serious problems with this approach. First, the recent drastic rise in fuel prices already has forced some conservation. As prices rise higher and higher, the likelihood of achieving additional energy savings relative to the hardship caused to consumers undoubtedly drops. Second, and unfortunately as far as overcoming our energy problems are concerned, Americans' willingness or ability to conserve energy does not appear to be very responsive to energy price increases. To achieve any particular percentage reduction in energy use as a result of higher prices, prices must be raised by a much greater percentage. Third, it appears that such conservation policies would be extremely regressive, by causing great hardship for poor people and small businesses without resulting in much reduction in their energy use. A study for the Ford Foundation's energy policy project indicated that families classified as poor with incomes averaging $2,500 per year or less spent 15 percent of disposable income on energy; lower middle income families with annual incomes of $8,000 spent 7.2 percent; and well-off families with annual incomes in excess of $24,500 consumed more than twice as much energy as the average poor family but spent only 4.1 percent of disposable income in the process. These statistics suggest that energy consumption for the poor and lower middle income persons already may have been cut to the bone; families in these groupings today consume only 40 to 60 percent of what is being consumed by the well-to-do families. Four, I think it is obvious that we can achieve much greater conservation with respect to some types of energy usage, such as gasoline for automobiles, than for other types.

For these reasons, I feel that to the extent possible we should rely on more specifically directed conservation measures than across-the-board price increases. Thus, the need for higher prices basically should relate to energy development needs, although the national need for conservation is so great that the conservation effects of such proposals cannot be ignored. Across-the-board increases for conservation purposes also seem justified when the price of a particular fuel is so low relative to other fuel prices that wasteful consumption obviously is encouraged, as is the case for natural gas.

NATURAL GAS

In my judgment, as far as natural gas prices are concerned, these production and conservation considerations translate into the necessity for immediate deregulation at the wellhead of prices for natural gas newly committed to or contracted for interstate commerce. As I have mentioned, this policy must be accompanied by a tax on any windfall profits not used for further energy development.

Natural gas presently constitutes one-third of all energy consumed in the United States. More than half of the energy consumed by industry is derived from it and it constitutes over 40 percent of domestic energy production. Fifty-five percent of our homes are heated by it.

Thus, shortfalls in natural gas supplies obviously will be crippling. Yet, as my constituents are well aware, we are in trouble as far as natural gas supplies are concerned. A short time ago there was estimated to be about a 16-percent shortfall in supplies this year. However, in Ohio, which may be the most severely affected State, the major supplier estimated a 28-percent firm contract curtailment rate for this year. Other and more recent estimates of the statewide shortfall have been much more severe.

If we do not take remedial action, the long-term outlook is considerably worse. Natural gas production was stable in 1970 through 1973, dropped about 6 percent in 1974 and is expected by the Federal Energy Administration to drop about 40 percent by 1985, even if additions to new reserves until then equal the 1970 to 1974 average.

For my constituents and most of the rest of the Nation, the situation is exacerbated by the disparity between interstate and intrastate natural gas prices. Natural gas shipped interstate, which amounts to over 90 percent of Ohio's supply, is sold at a much lower federally regulated price than the unregulated price of the natural gas sold in the same State it was discovered. As a result, virtually no natural gas discovered since 1971 has been placed in the interstate market.

I believe there is ample evidence that the partial deregulation of natural gas prices would help the situation considerably. Natural gas discoveries and consumption have responded well to price increases during the last several years in Texas and other intrastate markets. Furthermore, the price increases should make possible development of some enhanced recovery techniques which can extend the life of our nautral gas reserves approximately an additional 10 years. As a result, for example the development of the massive Devonian shale reserves which underlie Ohio and much of Appalachia may become much more of a possibility.

The Federal Energy Administration estimates that this partial deregulation of natural gas prices could result in an oil import savings of perhaps 4 million barrels per day by 1985, which is the equivalent of about $16.8 billion annually. In any event, a well-designed windfall profits tax could help to assure that consumers' money is not squandered as a result of deregulation.

I have pointed out that there is also a unique conservation consideration with regard to natural gas prices. These prices have been and still are extremely low relative to the price of oil in particular. Partly as a result, between 1950 and 1970 the average increase in consumption of natural gas was 6.7 percent per year, while the average in demand for oil was in the 4-percent range. Thus, while deregulation does involve the shotgun approach to conservation which I have criticized, in the case of natural gas price corrections are necessary to overcome the distortive effects of past policies. Deregulation of "new" natural gas would simply place that fuel in a somewhat comparable price situation to oil, in which "old oil" is price controlled, but "new oil" is not.

There is no question that partial natural gas deregulation will impose substantial costs on consumers, but these costs will be tempered by several factors. First, the wellhead price on natural gas makes up less than 20 percent of its final price to consumers. Second, since natural gas under fixed contracts would remain at present prices, the impact would be spread out perhaps over a decade. Thus, the most recent Federal Energy Administration study indicated that the average cost of such deregulation would be between $13 and $18 per annual residential bill in 1977.

CRUDE OIL

As I just mentioned, the decontrol of natural gas newly committed to interstate commerce would result in a natural gas control situation somewhat comparable to the present price control situation for crude oil, in which only the volume of oil produced by 1972 is price controlled. The President has urged Congress to take the further step of decontrolling "old oil," with the latest proposal for a phaseout over a 3-year period. Thus far this approach has been rejected.

Presently, "old oil," which constitutes two-thirds of our domestic oil supply and 40 percent of our total oil supply, is price controlled at $5.25 per barrel. Domestically produced "new oil" is not subject to price controls and tends to rise toward the imported oil price of about $13.50 per barrel. Of course, that imported oil price includes the President's $2 per barrel oil tariff.

Thus, the average price of domestically produced oil today is about $7.50 to $8. If crude oil were decontrolled, the price of old oil would rise and cause increases in this average domestic oil price, with the ceiling set by the OPEC price. It appears likely that the average price of domestic oil would rise over an adjustment period to the $10 to $12 range.

Several of the considerations which make the immediate decontrol of new natural gas imperative do not apply, at least in as drastic a fashion, to the crude oil situation. Although the long-run crude oil supply outlook is very unfavorable, there are no shortages looming immediately ahead as is the case for natural gas. Nor is there the long history of regulation which has held down natural gas production in the past. Absent also, relative to the natural gas situation, are any comparable needs to correct a present price disparity with other fuels for conservation purposes, or to correct the unequal distibution of supplies brought about by the difference between interstate and intrastate natural gas prices.

Nevertheless, of course, adequate supplies of domestically produced oil are vitally important, particularly since they constitute a direct replacement for OPEC imports. The key question is what the necessary price must be to stimulate adequate development of domestic petroleum supplies, without burdening consumers unnecessarily. This is a difficult question and estimates of the necessary price have varied widely. For example, the National Petroleum Council in 1972 estimated that this price would be $3.65 per barrel by 1975; the Independent Petroleum Association of America that year estimated that it would be $4.10 per barrel by 1980; that association 1 year later estimated that the price would be $6.50 per barrel for 85 percent domestic self-sufficiency by 1980 and $8.40 per barrel for 100 percent self-sufficiency by that time; Treasury Secretary Simon estimated in 1974 that it is about $7 per barrel; and a recent study by Economist Robert Nathan estimated that the figure in 1974 was about $12.73 per barrel.

Regardless of the figure estimated, however, there are significant short-run constraints to increased oil production. These constraints include the several-year lead time for the planning and development of energy investments and serious shortages of drilling rigs and other drilling-related supplies. For example, the House Commerce Committee recently reported that drilling rigs ordered in 1974 cannot be delivered until the first quarter of 1977. Manufacturers of walking drag lines are fully committed for deliveries through 1979.

In addition, the proposal for decontrol of crude oil prices should be tempered by its possible impact on the economy. The estimates of this impact have varied considerably, but the range of estimates appeared to be that direct cost to consumers annually by 1977 of the President's proposal might be between about $13 and $20 billion per year; the additional impact on prices by then would result in about a 1.2 to 2.5 percent increase in inflation; while the additional impact on unemployment would range from about three-tenths to seven-tenths of 1 percent. The Government's well-developed estimates were among the more conservative, but nevertheless it is worth noting that some private forecasters indicated the impact of the President's 2½-year phaseout plan by comparing it to that of another embargo and that the likely impact would be far more powerful than the stimulative effect of extending the present tax cut for individuals through 1976.

These considerations lead me to believe that it would be unnecessary and detrimental to phaseout oil price controls too quickly. On the other hand, I opposed the rollback of new oil prices to $7.50 suggested by the House Commerce Committee. While the price of new oil presently may be higher than necessary in the long-run, in view of the uncertainty involved in this matter, the tremendous need for additional development of our oil supplies, the incidental conservation benefits involved and the protection against price abuses which a windfall profits tax would bring, the Commerce Committee went too far. The House of Representatives instead has adopted a more moderate approach, but one which may involve an unreasonable administrative task and continued price incentive problems.

A gradual increase in old oil prices appears desirable in the long run both to provide the working capital needed to expand supplies and in recognition that recovery of the same volume of old oil becomes more expensive as a well declines. Thus, a compromise along the lines the President has proposed may be workable. But any compromise must be designed in view of the lack of any need for immediate decontrol or even too short a phaseout, and the great need to proceed in a way which minimizes consumer impact. Thus, I have felt that decontrol over a 5-year period would be a reasonable compromise.

With his most recent proposal for decontrol over 39 months—now rejected by the House—coupled with a rollback of domestic "new oil" prices to $11.50 per barrel, a cap on new oil prices at that level and the elimination of the tariff on imported refined oil products, the President indicated his willingness to compromise. The domestic price cap was a positive step which would prevent domestic new oil prices from being determined solely by OPEC cartel prices. His proposal would have softened the impact of decontrol on the economy. He came a long way. The Congress urgently needs to move in the same spirit of compromise.

At the same time, Congress must continue to insist that any decontrol proposal be accompanied by a windfall profits tax. The tax must be free of loopholes and assure consumers that the higher prices are being reinvested in energy development.

COAL

The other major fossil fuel resource, coal, is the only one which has never been subject to price controls. In tandem with the increase in oil prices, the price of coal on spot markets rose as much as 200 percent last year, while the price of long-term contract coal rose about 45 percent.

It is ironic that relative to other fuel prices, little attention has been paid to the skyrocketing price of coal. One of the most painful energy cost increases has been in consumers' utility bills. Since 40 percent of his country's electricity generation is based upon coal, the drastic recent coal price increases are certainly part of the utility bill problem.

Furthermore, the Government rightly has been urging industrial users to convert from oil or natural gas to coal where possible, because the long-term coal supply situation is so much better. It would be consistent with his goal to desire that if there is to be any disparity between coal prices and other fuel prices, coal prices should be lower. At least with respect to natural gas, the opposite is now true.

The Senate has twice passed my amendment to correct this lack of attention to coal prices, by requiring an immediate assessment of these prices in relation to national energy policy goals and an ongoing quarterly monitoring of coal price trends. Hopefully, this amendment will be enacted promptly and the situation will receive more attention.

ENERGY CONSERVATION

I have already made clear my belief that strong energy conservation measures are essential for several reasons. Lower levels of energy consumption will help this Nation combat the undesirable economic and political consequences of oil import dependence. Conservation will also provide some extra time for our conversion away from reliance upon oil and natural gas, by lengthening the life of these reserves. In addition, a lessening in energy production needs would lighten somewhat the environmental and economic strains likely to be raised by our efforts to overcome the energy problem.

Some of the early votes on these matters in Congress cast doubts upon the public's willingness to take meaningful energy conservation steps, or at least indicate that we in Congress percieve the situation that way. It is true that as long as the public can go to the corner gasoline station and fill up the tanks of the family cars, there may be difficulties in obtaining support for conservation programs. This is a difficult problem, but I believe that Americans can come to understand the need for a strong energy conservation program. However, we can only hope for such a result if the entire energy program is seen as a fair and equitable one.

I feel that the best way to accomplish that task with regard to energy conservation is to target the program to all the areas of potential energy savings. No particular type of energy users should have to bear a disproportionate share of the burden or be hurt unnecessarily. On the other hand, no major area of energy waste should be left unaffected.

Thus, it is helpful to examine each category of energy users' possibilities for energy savings. Very roughly, about 35 percent of our energy is used by the residential and commercial sectors, about 25 percent by the transportation sector and about 40 percent by the industrial sector.

HOUSEHOLD AND COMMERCIAL SECTOR

In the household and commercial sector, the main possibility for energy savings is to improve the efficiency of our buildings' insulation, heating, cooling, and ventilation systems. Other savings can be realized by improving the energy efficiency of appliances and changing our usage habits for lighting, appliances and buildings generally.

As part of its original emergency housing bill, the Senate-passed legislation which would have required the phasing in of mandatory energy conservation standards for new buildings, to be administered through the State and local building code mechanism. I feel it is unfortunate that the final bill deleted any such provision and I hope that the Congress will act upon such legislation.

It is estimated that by 1985, 29 percent of our housing stock will be of post-1974 construction. Studies have shown that up to 36 percent of the energy used annually in single-family dwellings can be saved by altering construction designs, without drastically changing the average new-house cost or the lifestyle of the occupants. For high rise structures, the figure is about 24 percent. The possible energy savings percentage associated with this strategy for commercial buildings is about 32 percent.

Obviously, this is a vast energy savings and in my judgment, it far outweighs the Government administrative costs of several hundred million dollars per year. While this policy action might increase the initial cost of new housing by about $1,500 per unit, much or all of this increase eventually would be recouped through lower energy operating costs over the years.

I feel that this approach is well-targeted to an area of large potential energy savings. Energy efficiency is particularly important in new buildings, because these buildings hopefully will be with us for many years.

With regard to the existing stock of buildings, it is estimated that the installation of energy saving devices would result in savings of about 10 to 20 percent of the energy used in residences and up to 40 percent of the energy used in commercial buildings if accompanied by improved operating and maintenance practices. There is no practical way to force private owners to make these expenditures and I do not believe the Government should try to do so in any event. To mention just one problem, the potential for greater energy conservation varies considerably among existing buildings. I do feel that the Federal Government should encourage these actions by providing a limited percentage tax credit to owners who voluntarily make the improvements. This tax credit should be available, for a limited time, to owners of both commercial and residential buildings.

The major criticism of this proposal is that higher energy prices would give persons a natural incentive to improve the insulation of their homes and commercial buildings, even without the tax credit. Thus, the tax credit would provide Government assistance for action which would benefit the individual undertaking it in any event.

That is a valid criticism, but I feel that the question mainly is one of degree. In addition to the extra financial incentive provided, the temporary tax credit would call to the public attention the need for taking these actions. I feel that the public benefit in the additional energy likely to be saved because the tax credit program entices more persons to take these actions promptly is likely to be substantial enough to justify this approach.

In addition to these steps, I think it is important that the Government promote, or at least not discourage, energy efficient forms of housing. In that connection, I was pleased to see a proposal I introduced, to include condominium units and apartment projects in the Government's mortgage credit assistance program, recently become law. These forms of housing cannot serve everybody, but where possible their use is desirable from an environmental as well as an energy conservation standpoint. They are also the only forms of housing available to some consumers with low and moderate incomes.

I have also encouraged the greater use of rehabilitation of existing housing, as opposed to new construction, for meeting housing needs of those with low incomes and others to the extent possible. For example, I authored the proposal to extend and amend the 3 percent Federal housing rehabilitation loan program—section 312—which has now become law. Housing rehabilitation is likely to involve energy conserving improvements and can save additional energy to the extent it reduces the need for new construction.

INDUSTRIAL SECTOR

A major energy conservation effort by industry is essential in view of the large portion of our energy consumed by that sector. About 70 percent of that energy is consumed in manufacturing. In turn, 80 percent of that amount is consumed by the 2,000 largest energy consuming manufacturers. Eighty percent of the energy consumed in manufacturing is consumed by six energy-intensive primary goods industries—food, paper, chemicals, petroleum, stone, clay, and glass, and primary meals. Thus, the effort will have to be concentrated there.

Industries vary so much that the only strategy which makes sense is to let each concern determine its own energy conservation policy. I would favor a requirement that at least the largest energy consumers have energy conservation plans which would be available for Government scrutiny, advice, and comment. I also believe that there is considerable useful research and development to be performed on industrial energy conservation, although industries ought to bear much of the cost themselves for efforts likely to reduce their own energy costs. The Federal effort in these areas could concentrate largely on energy-intensive industrial processes and equipment, 11 types of which account for over 50 percent of the energy consumed by industry.

Another way to save energy in the industrial sector is to encourage the use of recycled oil. Each year in this country we generate more than one billion gallons of waste oil. Less than 40 percent of it is processed for reuse, usually either as lube oil or for fuel. Most of the rest is dumped on the ground or in sewers.

This practice is detrimental from an environmental as well as an energy policy standpoint. To help end it, I have cosponsored legislation that would require labeling of recycled oil according to its quality, which should help remove the stigma that it is a poor product; encourage the Federal and State governments to use recycled oil; require EPA to oversee State programs to license and monitor oil collectors and recyclers; provide for research on new processes and technology for waste oil recycling; and change the existing excise tax structure so that it is more favorable to recycled oil.

TRANSPORTATION SECTOR

The hottest debate on energy conservation problems **has** concerned the transportation sector—mainly, the extent to which automobile users should carry the energy conservation burden. This has happened largely because of the well-founded impression that automobile gasoline use contains the highest proportion of energy waste of any major energy use.

A recent Washington Post article stated that because of this issue's relationship to the automobile industry's problems, many Midwestern Senators and Congressmen would rather settle upon virtually any other energy conservation strategy than one which leans heavily on gasoline consumption. There is no question that this is a difficult problem to face. However, I believe that there is a great national need to face it now.

At the same time, we must not be unrealistic about the potential energy savings from policies which concentrate solely on gasoline. Gasoline accounts for only about 19 percent of the Nation's annual energy consumption. Passenger automobile gasoline consumption accounts for only about 14 percent of total energy consumption. It would be extremely foolish and inequitable to rely almost entirely on energy conservation measures affecting only one-seventh of our energy consumption for accomplishing the conservation we need.

With regard to the automobile problem, it appears that weight is the worst offender. According to the Environmental Protection Agency, a 5,000-pound vehicle consumes 100 percent more gasoline that its 2,500-pound counterpart. Thus, major improvements in automobile design which would lead to a 40- to 50-percent increase in fuel efficiency by 1980 could save about 700,000 barrels of oil per day by then and almost 2 million barrels per day, assuming continued improvements, by 1985. That amount is very large relative to the prospects for other specific conservation strategies.

The automobile redesign needed to accomplish this type of action would be likely to raise the average cost of a new car in 1980 by about $250 to $300. However, the fuel savings to consumers would be so great as a result that for most car models, such a cost easily would be recouped and exceeded by the car owner's savings in gasoline costs. For some models, that would happen in a very short time. Partly because of that favorable situation, the impact of such a proposal on automobile sales is expected to be only in the 3-percent range.

Thus, I favor a strong automobile fuel efficiecny program. The President has obtained agreements from major automobile producers that they will realize a 40-percent improvement in fuel efficiency by 1980, if the stricter automobile emission standards scheduled to be imposed in future years are delayed temporarily. I feel that this is a major step in the right direction, but I also note that several studies, including studies by the Treasury Department, EPA, and the Federal Energy Administration, indicate that the industry can do even better.

Earlier in this Congress, I cosponsored Senator PERCY's legislation to help bring that about, by imposing an excise tax to $1,000 on the sale of each new "gas guzzler." The same bill provided tax rebates to consumers who buy fuel-efficient cars, to help further the sale of those cars and to offset any depressing effect on the industry whch might be caused by the excise tax. There has been some concern that this approach may discriminate against those who have a valid need for large cars, such as large families. A recent Treasury study indicated that this need not be the case, because the technology exists now for producing large cars which meet the fuel efficiency standard contemplated for 1980. However, because of that problem and others, the recently passed Senate bill establishing mandatory fleetwide automobile fuel economy standards may be an acceptable alternative. Either approach should be accompanied by a miles per gallon labeling requirement, to encourage consumers to take that factor into account fully.

To help assure that the investment burden for the industry of this task is manageable, I do support the President's proposal to defer the strengthening of our automobile emission control standards. This proposal generally would freeze the standards at the 1975 interim standards level in effect for California. These standards represent roughly a 90-percent reduction in carbon monoxide and hydrocarbons over pre-1968 vehicles. Thus, the replacement on the road of older cars with automobiles meeting these standards will continue our progress toward reducing automobile pollution, while the moratorium on standards increases will ease the task considerably of obtaining the fuel economy standards.

The fuel economy program should improve the gasoline usage situation drastically with regard to new cars. However, it does not affect peoples' old cars or old driving habits. The often-quoted estimates that one-third of all driving is discretionary and that even with respect to work-related driving, there is an average of only 1.2 passengers per car, have led me to be sympathetic to a large gasoline tax.

Such a tax would have to be accompanied by appropriate credits to ease the burden for those with a large amount of work-related or other essential driving or those whose low or moderate incomes make the additional tax a real hardship. Even with these credits, however, such a tax would be likely to raise considerable money. These funds could be used to fund the development of alternative energy sources or for a small general tax cut or similar purposes.

Lately I have seen some analyses, however, which have tempered my enthusiasm for such a measure. It appears that although some gasoline would be saved, Americans' consumption habits would not be changed easily. For example, the House Ways and Means Committee's $25 billion gasoline tax bill might be saving less gasoline by 1985 than a strong fuel economy program. It appears that the tax also might have a very severe effect on the automobile industry, related industries and the recreation and tourism industry.

These circumstances and the uncertainty regarding possible higher prices for all oil products in the near future convince me to refrain from endorsing a large gasoline tax at the present time. I remain sympathetic to the idea and depending on other energy price and supply developments, I may feel at a later point that the proposal has to be endorsed.

Of course, in addition to the energy savings involved, programs which reduce automobile dominance will have side effects in terms of reductions in urban congestion and pollution.

Energy savings in the transportation sector also could be realized by increasing the use of mass transit relative to automobiles and railroads relative to airplanes. With regard to mass transit, I have supported operating subsidies, an expanded capital grant program and the freedom to use highway trust funds for this purpose. I also have supported strongly some innovative individual mass transit applications, such as Dayton's light rail application. The design of our mass transit facilities is particularly important because the problem of stimulating a greater demand for mass transit is at least as serious as, and of course integrally related to, the problem of adequate funding.

For freight movement, railroads are about 60 times more energy-efficient than airplanes and four times more energy-efficient than trucks. Tremendous energy savings for passenger travel could also be realized through the greater use of trains rather than airplanes over medium distances. I have sponsored comprehensive legislation which would improve the viability of the railroads, by ending outmoded rate regulations and restoring private competition.

UTILITIES AND OTHER CONSERVATION CONCERNS

Of the energy conservation concerns which do not fit neatly into the categories I have discussed, perhaps the most important concerns utilities pricing. A few figures demonstrate clearly the magnitude of this problem. At the present rate of growth of electricity demand, more than six times the 1970 electricity capacity will be required by 1985. Approximately $20 billion in new plant construction occurs every year and $110 billion is expected to be spent on construction between now and 1980. Yet, because the utilities must accommodate "peak load" demand which is considerably higher than the average demand, only about 51 percent on average of the Nation's utility generating capacity is in use. Furthermore, inefficiencies in the generation and transmission of electricity are so high that only 30 percent of the energy consumed at the utility reaches the end user.

One of the primary potential corrective actions would concern electric utility rate structures, which typically are designed to promote consumption of electricity through prices which decline in steps with increasing usage. Alternative rate structures which discourage the use of electricity at peak times may have considerable potential for reducing our electricity production capacity needs. Demonstrations of other utility-related improvements, such as actions to develop processes and equipment which would recapture "waste" heat, also should be undertaken.

I have not yet mentioned energy conservation measures already considered which I have opposed. Although I voted for the 55-mile-per-hour speed limit, I supported discretionary authority to allow an increase in the limit to 60 by States which judge that this would reduce drivers' aggravation considerably without resulting in much energy or safety loss. Much more importantly, I opposed yearround daylight saving time and helped lead the fight for its repeal. I simply felt that the small energy savings were not worth the problems involved, such as the problems of sending children to school before sunrise. This program also affected Ohio very harshly, because of its position on the western edge of the eastern standard time zone.

Last but far from least, I feel that if the Government is to demand these kinds of sacrifices from its citizens, it has an obligation to set the example. Thus, I have cosponsored resolutions to require a reduction in Federal energy consumption by one-third and a reduction in Federal employees' travel activities by 25 percent.

ENERGY PRODUCTION AND SUPPLY

With the political and economic undesirability of high oil import levels, the fact that shortfalls in our domestic energy supplies have been made up almost totally by oil imports, the widespread projections that energy consumption will rise again with the end of the recession and could be double the present level by the year 2000 and the dwindling of our oil and natural gas supplies, it is obvious that a strong positive effort to brighten our energy supply alternatives is essential. This effort must be two-pronged. It must involve a more complete utilization and development of the oil and gas reserves which we have to meet rising demands and to provide extra time for answering questions clouding the possible use of every other major energy source. It must also involve a long-term effort of research, development, demonstration, and commercialization of energy sources which can replace oil and natural gas.

OIL AND NATURAL GAS

At the present time, about 49 percent of our energy consumption is petroleum and about 32 percent is natural gas. Thus, the most pressing immediate energy supply questions clearly involve these two fuel sources. I have already outlined my feelings on the most important component considerations affecting these fuels: their pricing and a vigorous energy conservation program.

For the short-term, our policy with regard to domestic oil and natural gas production must be to stimulate enough production so that shortages are avoided and oil imports are kept to a politically and economically tolerable level. We must bear in mind that the encouragement of domestic oil and gas production serves to deplete our finite resources. Thus, we will be using these scarce resources to buy time. If that time is wasted, we will face a real energy squeeze.

The extent to which this type of policy

could lead to an energy squeeze at some point depends upon the extent and long-term availability of domestic oil and gas reserves, our progress on energy alternatives to oil and natural gas, the availability of oil imports and our success at restraining energy consumption. It appears that for the near future we will need to promote a high level of domestic oil and gas production, as well as the obviously needed exploration and development. However, we must realize the additional pressure which this predicament puts on our conservation efforts, as probably the most controllable means of easing our fuel conversion problem.

The factor which sets the timetable for such policies is our estimated supply of oil and natural gas reserves. The known supply of domestic reserves is only about 8 years' worth for petroleum and 11 years' worth for natural gas. The additional reserves presently undiscovered, according to the U.S. Geological Survey, may be about another 20 to 38 years' worth for petroleum and another 20 to 41 years' worth for natural gas.

Based on such projections, the Energy Research and Development Administration made its prediction that without enhanced recovery, the production of both domestic oil and natural gas will begin to drop rapidly in the mid-1980's. However, ERDA also estimated that enhanced recovery techniques for oil and stimulation techniques for natural gas could buy roughly 10 additional years of time for the development and application of new energy sources. These 10 years will be crucially important to the country, because they will virtually double the time available. We must strive to win them.

Hopefully, enhanced recovery techniques could increase the average percentage of oil recoverable from existing fields by a figure well above the present 30 percent. With regard to natural gas, the development of stimulation techniques may have special meaning for Ohio and other States in the Appalachian region. It has been estimated that the Devonian shale underlying this region contains about 285 trillion cubic feet—TCF—of natural gas, which is about 48 trillion cubic feet more than the present amount of proven reserves nationwide.

As I have mentioned, considerable enhanced petroleum recovery and natural gas stimulation is likely to be conducted as a result of the higher price incentives. However, some elements of the technology needed to make these approaches commercially feasible are now lacking, including the technology needed for full-scale utilization of the Devonian shale natural gas. Because of the potential importance of these approaches in the near term, the Government should be willing to commit all the research and development funds which can be spent productively for improving them. I have already taken action to help assure that the fiscal 1976 ERDA authorization bill will take account of this need, although I was disappointed with the Senate's largely negative response.

Apart from the development of advanced recovery processes, it is necessary that we take action to assure use of the capacity to produce oil and natural gas through conventional processes from all possible resource fields. In that regard, I feel that the passage of the Alaska Pipeline Act in the last Congress was a major step forward and I strongly supported that act. It is also important that the necessary pipeline or pipelines be built to transport the associated Alaskan natural gas to the lower 48 States. This is crucial to the Midwest, near or in which a pipeline terminal might be located.

The other domestic resource thought to contain huge amounts of undeveloped oil and natural gas reserves is the Outer Continental Shelf. I believe it is in the national interest to press ahead vigorously with oil and natural gas development there, which could save us more imported oil, for example, than a gasoline tax by 1985.

Of course, Outer Continental Shelf development must proceed with commonsense and a decent respect for the environment. Necessary components of that development would include appropriate environmental studies for each leased sale, strict and total industry liability for the cost of any oil spills, strict regulation of Outer Continental Shelf operations to prevent environmentally destructive accidents in the first place and full participation of the coastal States in program planning.

There may also be a case for a limited program of assistance to the coastal States for mitigating adverse environmental, economic and social consequences of Outer Continental Shelf Development. However, any such program ought to be reviewed continually in the congressional appropriations process rather than receiving any automatic funding through a percentage of lease revenues, as has been proposed.

We also have had a large amount of oil resources going unused in the form of the four naval petroleum reserves. Production from any of these reserves for defense purposes has only been authorized once. Yet, the NPS No. 1 at Elk Hills, Calif., contains proven reserves of about 1.2 bilion barrels of petroleum and 1.2 trillion cubic feet of natural gas. NPR No. 4 in Alaska is estimated to contain betwen 10 and 33 billion barrels of oil, or enough to supply the entire country for several years.

I believe that we can safely use some of this oil for purposes other than defense. This is particularly appropriate for the years ahead when we should be using some of our oil supply to build a strategic oil stockpile. Either this oil could be used directly for the stockpile or the revenues from the sale of it could be used for the national security-related purpose of financing research and development relating to alternative fuel sources.

Thus, I would favor immediate development and production, particularly from NPR No. 1, for this purpose. It is also important that the vast resources of NPR No. 4 in Alaska be explored and, in the long-run, developed. Continued regulation over the amounts produced, plus the development of the stockpile and the Government's present authority under the Defense Production Act to divert civilian petroleum supplies if necessary for defense purposes, should assure that defense needs are not compromised by this action.

COAL

The other domestic fuel source now widely available is coal. Coal is our most abundant fuel source, with over 800 years' worth of proven reserves remaining. We have almost half of the world's coal supplies and are far richer in coal than the Middle East is in oil. Yet, we rely on coal only for about 17 percent of our present energy supplies.

Before World War II, coal energized railroads and much of our industries. But coal was pushed from the market by cheaper oil and gas and by its adverse environmental effects. The time has come to do all we can to restore coal to its rightful place as a mainstay of our domestic energy supply.

Coal production has remained almost constant for the past 35 years. While it seems logical that the recent drastic price increases would stimulate increased production, investments and production efforts have been held back by uncertainty concerning strip mining legislation, Western coal lands leasing policy, Clean Air Act implementation, and the economic prospects for competing fuels. Thus, the Government can help to improve the situation simply by resolving some of these uncertainties.

The most obvious case in point is the surface mining legislation. There is absolutely no question that America needs a mine land reclamation law with teeth. However, I have not been satisfied that reclamation requirements in the bills thus far have been realistic for all types of mine operations, or that they have fulfilled the obligation to provide for suitable reclamation with the minimum possible impact on coal production. I hope that congress promptly will enact a suitable bill.

Since almost half of our coal resources are located beneath Western Federal lands, virtually all of which is of the low-sulfur variety, future Federal leasing policy is obviously crucial to coal development. I am pleased that the President has developed a "diligence requirement" to assure timely production from existing leases and is exploring on a priority basis with Western Governors the economic, environmental and social problems associated with new Federal coal leases.

It appears that the sluggish demand for coal has been at least as important an impediment to its further use as any constraints on coal production. One of the major problems the Congress has before it in that regard is the legislation to ease air pollution standards so that electricity generation in particular can be based on coal to a greater extent. The Federal Power Commission's estimate that 200 million tons of coal needed for use in 1980 will require action to lower its sulfur content is testimony to the seriousness of the problem. This is the BTU equivalent of 800 million barrels of oil.

However, we have made considerable technical progress recently with regard to the development of coal stack scrubbers. I feel that while some variances from the clean air act deadlines may be needed, as well as some relatively minor overall adjustments, the great burden of proof on those who feel that the standards need drastic alteration has not been met. Nevertheless, we should keep these standards under continual review and make any alterations necessary so that they will continue to be acceptable from an economic policy as well as an environmental policy standpoint.

RESEARCH DEVELOPMENT, AND DEMONSTRATION POLICY

Our other energy sources, to a greater or lesser degree, are still in the research, development, and demonstration stage. Yet, it is likely that we will rely a great deal on some of these sources for meeting future energy requirements.

The Congress took the first major step toward the development of a coherent research, development, and demonstration strategy last year, when it created the Energy Research and Development Administration. The purpose of this legislation was to centralize responsibility for such efforts, which had been spread throughout the Federal Government in an unmanageable number of agencies. I strongly supported that legislation. Recently, ERDA has come out with its first comprehensive proposal for proceeding in the energy R.D. & D. field.

I am far from an expert on the possible potential of any of these resources. However, simply as a Member of Congress exposed almost daily to wide-ranging and often conflicting arguments on the issue, several principles for the conduct of our energy research, development, and demonstration program seem apparent to me.

First, we must pursue all of the major energy options fully. No major approach is so problem-free or obviously superior to the others that we can depend on its development and use. Furthermore, if we were to foreclose a major option prematurely, such as nuclear power, we would put an undesirable amount of pressure on the other options to come through. That would be very unwise at this uncertain time. Thus, the question is not whether to attempt development of each option, but how much effort to allocate to each and with what timing.

Second, the energy research, development and demonstration program should receive all the money it can possibly use productively. However, that does not mean that we can afford to squander this money by allowing unnecessary or duplicatory demonstrations, funding research extremely unlikely to be productive, or allowing the Government to assume financial burdens which the private sector ought to assume.

Third, our highest priorities must be to solve our near-term fuel problems and to search for the highest-yield long-term answers in the form of virtually inexhaustable energy resources. Translated into fuel sources, this means that we should concentrate heavily on improving the technology for oil and natural gas enhanced recovery and stimulation, as I have already discussed, and bringing to fruition the substantial work already done on producing substitutes for these fuels from coal. The virtually inexhaustable sources of energy which deserve this high priority are nuclear power, including the liquid metal fast breeder reactor, and solar energy. Within this category, nuclear fusion also may come along down the line.

Fourth, the program must not be geared just to the development or even the demonstration stage, but instead must be conducted with sensitivity to the possibilities for commercialization of the energy resources involved. There is a great danger of conducting our research and development in too much of a vacuum, with too little attention paid to the pracitcal problems of commercializing the results of that work. The development of alternative energy sources is only useful to the extent that these sources actually can achieve widespread usage.

Last, we must conduct the program with flexibility and without concern for damaged egos. Some of the options we are pursuing may not work or may be disappointing, while others may prove to be much more favorable options than they seem now. We must be able to change our priorities to respond to any such developments in a timely manner, once they are established. At the same time, we must continue some basic as opposed to incremental research, which may lead to important breakthroughs.

FURTHER DEVELOPMENT OF SPECIFIC ENERGY ALTERNATIVES

In the debate over future energy sources, the nuclear energy issue is the loudest one. We have already concerned ourselves with this matter for two decades and spent billions of dollars to develop nuclear energy.

Although nuclear energy supplies only about 8 percent of our Nation's electricity and 2 percent of our total energy base at the present time, it is the only nonfossil fuel which could fulfill a substantial portion of our energy needs in the near future. Its proponents are hopeful that nuclear lightwater reactors could be responsible for meeting half of our electricity needs within the next 15 to 20 years. In the long run, it may provide the cheapest and cleanest form of electricity generation.

I believe that nuclear energy's possible contribution for the near term, just at the time when domestic oil and natural gas production is likely to be becoming much harder to sustain, makes it crucial that we press ahead with its development. Thus, I am extremely concerned about the much-publicized large-scale deferrals and cancellations of nuclear powerplants—and coal-fired plants, for that matter. To help turn the situation around, I have supported various improvements in the investment tax situation of the utilities, a prompt extension of the Price-Anderson nuclear indemnification law and a streamlining of the nuclear regulatory licensing process. With regard to the latter point, however, I am not opting for any insufficient consideration of environmental concerns, nor am I blaming the slippage wholly on the regulatory process. I think it has come about in large part because of economic factors, particularly the widespread uncertainty about the economy and the energy situation.

One of the first nuclear-related problems we must encounter is the possibility of a uranium shortage, which would be ironic to say the least after we have encouraged conversion away from scarce oil and natural gas resources. Unless expanded facilities for the enrichment of uranium can be brought in line, the nuclear industry could face a serious fuel shortage by 1985. As a first step in combatting this problem, the Government should expand its present enrichment facilities. Thus, I have been urging the expansion of the Portsmouth, Ohio, facility. Eventually, however, the nuclear industry itself should assume responsibility for enlarging our uranium enrichment capacity.

The most serious question about nuclear energy in the minds of our citizens is its possible threat to health and safety. A large majority of scientific opinion foresees this as much less of a problem than it has been portrayed publicly in many instances. For example, the most comprehensive report done on the subject, the Rasmussen report, done for the Atomic Energy Commission, concluded that the likelihood of reactor accidents is much smaller than that of many nonnuclear accidents having similar consequences; that nonnuclear accidents such as fires, explosions, dam failures, or airline crashes are much more likely to occur and can have consequences comparable to or larger than nuclear accidents; and that nuclear plants are about 100 to 1,000 times less likely to have costly large dollar value accidents than other sources. Similarly, a year-long American Physical Society study, although not as optimistic as the Rasmussen report, indicated it had not uncovered reasons for a substantial short-range concern regarding the risk of accidents in the present type of reactors. Other experts have advised that reactors pose less of a threat to health and safety than the generation of electricity from other energy sources, particularly coal.

Nevertheless, because considerable doubt about the issue remains, we must do all we can to reduce the health and safety risks involved in the generation of nuclear power. This means a continuing research effort and very strict regulation of the safety aspects of these plants' operation.

For the long term, the development of the liquid metal fast breeder reactor—LMFBR—is of vital importance. Without the breeder, only about 1 percent of the uranium atoms in nature are useful for nuclear fuel. With the breeder, the recoverable energy is multiplied at least 60-fold. As a result, nuclear fission would be transformed into an energy source lasting for centuries.

At the same time, there is no question in my mind that successful commercialization of the breeder will complicate the problem of keeping dangerous plutonium out of the hands of thieves and terrorists and will increase the effort required to store radioactive wastes safely. I do not think anyone is now satisfied with present provisions for nuclear safeguards and waste disposal. Improvements have to be made.

I feel that in view of its tremendous potential and the rather long time that the breeder demonstration may take, there may be ample time to work out these problems. Thus, demonstration of the breeder should continue to receive high priority, with parallel high priority to developing the technologies for safeguards and waste disposal that would permit the widespread safe use of the breeder.

I was pleased to see the elevation of priority for solar energy research in the recent ERDA report. I have been impressed with the materials and demonstrations I have seen concerning this energy source. Partly for that reason, I coauthored an amendment to the 1974 Housing Act initiating research and demonstrations designed to improve residential solar heating and cooling facilities. That amendment has now become law.

Because of unsolved technological problems, the need for large facilities to collect this diffuse and intermittent source of power and the need to develop much-improved means of solar energy storage, it is evident that the use of solar power for generating electricity in central powerplants is years away. However, some uses of solar power are at or near the commercialization point. Solar heating and cooling for buildings is the best case in point. Such facilities are now available, but not at prices which are competitive with other fuels and equipment.

Since it is the commercialization of these new energy sources which counts, I am willing to support some measure of assistance for persons who decide to install these facilities, such as tax credits. These persons are performing a public service by demonstrating the viability of solar facilities and helping to develop the needed industrial capacity for the facilities' production and servicing. Furthermore, there are likely to be technological improvements in these systems from which these first purchasers will not be able to benefit. On the other hand, any such assistance should not be designed in a manner which sustains the industry indefinitely even though its prices are not competitive with those of other fuels, or which creates such a sudden demand that it funds all kinds of "ripoff" solar energy "specialists."

Because solar energy is an essentially inexhaustible, pollution-free, and widely distributed energy source, further research and development to make its widespread use for electricity generation a reality should receive our total support. America and the world would be extremely fortunate if this turns out to be a viable energy source.

The other virtually inexhaustible possible energy source is nuclear fusion, and as such it should receive concentrated research attention. However, this presently is a vast energy source only in theory. We may not even be able to demonstrate its possibilities in the remainder of this century.

Another area which deserves top research and development attention is the possibility for better use of our coal resources. I have already mentioned my concern that we underutilize this vast resource, which can help to improve our short-term energy predicament. This is a research and development problem, as well as a problem involving the regulatory isues I discussed earlier.

Thus, before the Energy Research and Development Administration even had become a reality, I cosponsored the Coal Research Laboratory and Energy Research Fellowship Act. This legislation was designed to foster a wide-ranging program of increase research on coal-related problems. For example, a high priority of the new research would be to develop methods by which use of high sulfur coal would be made more environmentally acceptable.

Continued research and development work on coal gasification and liquefaction also is extremely important, because these synthetic fuels can serve as direct replacements for oil and natural gas within a decade. I welcome the President's new national synthetic fuels commercialization program, which would facilitate the use of these fuels for fulfilling a small but significant portion of our energy needs by 1985. This program will include the development of synthetic fuels from oil shale as well as coal.

Of course, there are many other potential sources of energy which should continue to be explored and developed. For example, I supported legislation in the last Congress which provides loan guarantees to foster the commercial development of geothermal energy. Geothermal steam is already being used commercially in California to generate electricity. Another good example is the use of solid waste, which is combined with coal for powerplant firing in St. Louis. Both of these energy sources appear to be capable of making some impact within the next 10 to 15 years. It appears that improved technology to make the electricity generating process we already have more efficient could also make an impact during this period. As I already have emphasized, in view of the uncertain status of other future energy sources and the possibility of breakthroughs, all such alternatives should continue to be explored.

CONSTRAINTS ON FUTURE ENERGY PRODUCTION

Translating this outline of promising energy production possibilities into a reality will be one of our dominant economic and scientific tasks for the rest of this century and beyond. The most serious constraints appear to be raw materials and water resources in particular, and environmental problems. Other problems, such as capital shortfalls, manpower shortages, transportation problems and skilled labor and equipment shortages, are likely to develop on a spot basis from time to time.

The Energy Research and Development Administration believes that the capital, manpower and equipment energy production needs generally can be met satisfactorily. ERDA has estimated that capital investment just over the next 10 years of $450 to $600 billion will be necessary. Because a very large portion of this burden will fall on the oil, natural gas and utilities industries, I have already mentioned special price and tax considerations for these industries which I feel are appropriate.

With regard to the manpower situation, the largest problem may be in construction. Potential problem job slots could include architects, engineers and the pipe/steamfitters who comprise at least one-fourth of the construction tradesmen needed for building oil refineries, synthetic fuel plants, or electric powerplants.

ERDA feels that we are presently experiencing the most serious problems we will face in the near future with regard to the availability of manufacturing equipment. However, various steel goods in particular may be in short supply from time to time.

As more energy must be transported and energy facilities are developed further from population centers, there also will be considerable pressure placed on the transportation sector. The most severely affected form will be rail, where increased coal transport needs may necessitate a four-fold increase in rolling stock by the end of the century. This translates mostly into a concentrated effort to upgrade existing tracks. Substantial new investment in pipeline facilities obviously also will be required. In addition to the need for oil and gas pipelines, coal slurry pipelines may become the most efficient way to transport large coal volumes in areas not constrained by water resources. These pipelines also can take some of the pressure arising from coal transport needs off the rail system. However, legislation appears to be needed to establish rights-of-way before they can be built.

Raw materials shortages may become a serious problem. The future availability of chromium and alloying elements for steel is particularly sensitive because of our almost complete dependence on imports for supplies of these materials.

By far the most serious of all these problems, however, could be a water shortage. It is projected by ERDA that we need to increase our reliable water supplies by at least 50 percent in the next decade, with much of the new increase needed to meet expanded energy production requirements. The higher requirements for energy will result largely from the shift toward electric power and the substitution of synthetic fuels and oil shale production for oil and natural gas, which will create a ten-fold increase in water requirements per unit of energy.

It appears that this increase can be accommodated through improved facilities and methods for trapping the additional supplies needed. However, regional difficulties are likely to persist. I am extremely concerned that we are not devoting adequate attention to the technological and legal aspects of this problem.

Thus far, I have discussed only in passing the environmental, health, and safety problems associated with foreseeable energy production activities. Of course, that does not reflect their importance. These considerations are so great that they are likely to have a fundamental impact upon our energy production strategies.

There are no simple answers to these problems. Everyone is familiar with the oil spills, strip mining problems, and air pollution associated with today's energy sources. As our energy needs grow, there also will be a great need for additional land on which to locate the facilities. A good deal of this land previously will have been unspoiled. Furthermore, the facilities which are created to service these activities, such as the facilities which will develop along our coastlines relating to the activities on the Outer Continental Shelf, in some cases may cause more environmental and ecological disturbance than the energy production itself.

None of the new energy sources can afford a total escape from these problems. Some of them even involve new environmental problems, such as the tremendous demand for water associated with oil shale development. Geothermal plants emit naturally radioactive wastes and unpleasant chemical pollutants.

Solar and nuclear energy have been portrayed as our cleanest potential fuels, but even in those cases the possible "pollutants" simply take different forms. The use of some forms of solar energy involves land use problems, because of the large areas required for collection, and generates waste heat which imposes water cooling requirements similar to those faced by conventional power systems. Nuclear energy involves the safety problems associated with waste control and disposal which I have already discussed, as well as the same types of water cooling requirements as solar thermal systems and conventional power systems.

Nevertheless, nuclear and solar energy are much more environmentally benign than our present fuels. Our environmental problems would be much reduced by reliance on these fuels, with the major caveat that a satisfactory solution be found to the nuclear waste problem.

A Federal Energy Administration projection of likely pollution levels by 1985 as a result of energy production activities, however, does provide some cause for hope. The study projected that the Federal water pollution standards would be effective in keeping water pollution generally below 1972 levels. Air pollution is viewed as a more mixed picture, but is expected to be kept around the 1972 level by the Federal emission standards. This would depend partly on the extent to which coal is substituted for oil and gas, which could worsen the situation. On the other hand, substitution of nuclear energy for these fuels would improve the situation greatly. In any event, surface mining-related problems could increase drastically and the energy production-related demand for land will increase drastically. As far as Ohio's region is concerned, both air pollution and the energy facility-related demand for new land are expected to be heavy relative to other parts of the country.

One of the best steps we can take to help minimize these impacts is to have a strong energy conservation program, which reduces the need for increased production facilities. By the same token, relative increases in imported oil would shift the environmental problems out of the United States. That adds to the dilemma concerning imports. Reliance on fuels other than coal also would help unless technological developments can reduce the pollution associated with coal use, but that appears to be a luxury we probably cannot afford.

There are going to be serious environmental impacts associated with the new facilities we must build. We will have no choice other than to accept some environmental risks. Some areas will be hurt much worse than others. At the same time, however, I do not believe that our people would or should accept energy policies which are likely to compromise seriously the environment on a widespread basis. That means consumers and regulatory agencies probably will have to accept large pollution control investments not as "unproductive" spending, but as a necessary component of our energy development policies. We will have to speed up the determination of the steps necessary for meeting environmental needs and assess these needs more critically, but we cannot give them short shrift.

How much environmental considerations will have an impact upon the development of any particular energy source or project is impossible to say. That is another reason for a flexible energy production policy which pursues initially every promising alternative.

FAIR TREATMENT FOR THE CONSUMING PUBLIC

Energy prices already have risen severely and are likely to rise further, at least in the short run. We also have had problems already of absolute shortages. We may have extremely serious problems in that regard this winter with respect to interstate natural gas.

The kind of conservation policies I have outlined, which target the conservation where possible, rather than forcing it through general price increases, would mitigate the hardship somewhat upon consumers. Nevertheless, the energy predicament still will inflict adverse effects upon most of our citizens through higher prices. The Government must do what is reasonable to mitigate these effects.

General economic policy will have to be very sensitive to the purchasing power losses suffered by consumers due to higher energy prices. In particular, we will have to be more sensitive to the tax burden upon our citizens. Tax relief measures and similar stimulative economic measures will have to be evaluated with this concern in mind. However, it is a fact of life that to some extent the higher energy prices today represent a real reduction in our standard of living, and thus Government fiscal and monetary policy should not be expected to restore to consumers their entire purchasing power in the shortrun.

Continuing special attention must be paid, of course, to the needs of low-income persons and small businesses which suffer the most serious hardships as a result of higher energy prices. Passage of legislation in the last Congress allowing special SBA loan assistance for small businesses hurt by the energy situation was a good example of responsive policymaking, as were the recent tax cuts.

These special needs put even more pressure on the Federal budget and on the Government to eliminate unessential spending wherever possible.

We also must do what is necessary to insure that the energy industries do not take unfair advantage of consumers as a result of our energy predicament. Assuming that we allow energy prices over time to rise to a level higher than the market would allow if it were not for the OPEC cartel, in a sense we are investing in the energy industries a quasi-governmental function and allowing them to receive the revenues necessary to carry it out. Thus, I have no qualms about imposing the windfall profits taxes I have described only upon the energy industries. They are a necessity. The taxes raised in this manner should be returned to consumers or used to promote development of alternative energy sources.

An exceptional degree of cooperation between companies undoubtedly will be in the public interest for some energy ventures. However, I do not believe that there is an established case for any general weakening of antitrust enforcement with regard to these industries. Competition in this industry is particularly important to consumers. Thus, I am following with interest the Federal Trade Commission's complaint of anticompetitive behavior against eight major oil companies.

I also feel that the present situation requires specific protection for petroleum dealers, specifically independent service station operators. Now that oil supplies have tightened, these dealers are much more vulnerable to such actions as franchise terminations from their energy suppliers unless they take certain actions not required by their franchises, but desired by these suppliers. For example, I have heard extremely disturbing stories of gasoline stations forced to stay open extra hours, which is directly contrary to the energy conservation we are trying to promote. It is important to the public that we have the competitive benefits which these small businessmen can bring.

The Federal Energy Administration's controversial crude oil entitlements program is also designed to promote competition within the industry. It recognizes that companies which presently have large domestic oil production volume otherwise would have a great competitive advantage over other oil companies which are forced to rely to a greater extent upon imports, and mitigates somewhat the price advantage. However, a strong argument has been made against the oil entitlements program on the grounds that it involves costly redtape and softens the penalties involved in companies' reliance upon imports rather than increased domestic production. It also would be undesirable as permanent policy to have one oil company subsidizing another.

Thus, I certainly do not think the entitlements program is a permanent answer to the problem. However, I have refrained from opposing it thus far, because of its positive effects on the industry's competitive structure. It also must be pointed out that the program does not eliminate the cost disadvantage of a company's reliance upon imports.

There are a number of other ways in which the Government must act to assure the public fair treatment by the energy industries. For example, I support the diligence requirements which I mentioned in connection with the leasing of Federal lands for coal production and which are also proposed for Outer Continental Shelf leases. I also supported the repeal of the oil and gas depletion allowance. However, I supported its retention for "independents" in recognition of both their large historic role in exploration and development and the positive competitive effects of providing further incentives to that sector.

On the other hand, I have opposed the proposed creation of a Federal oil and gas corporation to compete against the private companies. I see nothing in the Government's past record at program administration that would lead me to believe the Government could do this job any better than, or anywhere near as well as, the private sector.

In the past, the Government has not had energy information which is sufficient and reliable enough to use for the important policy decisions that have been necessary. With that in mind, in the last Congress I cosponsored legislation which would require the industry to provide detailed regular reporting of essential energy statistics, with strict enforcement provisions and penalties for supplying false information. The Federal Energy Administration was provided this type of authority in the Energy Supply and Environmental Coordination Act, which was enacted in June 1974. We should make whatever improvements prove necessary to assure that the Government has adequate energy information, but at the same time we must avoid any duplication that simply would impose unnecessary costs on the energy companies, consumers and taxpayers.

Lastly, there may be continuing energy distribution problems which affect consumers greatly. During the embargo period of short petroleum supplies, the allocation program undertaken under the Emergency Petroleum Allocation Act helped to mitigate the effect of shortages on industry and thus to dampen their job impact.

While there is no such problem as far as petroleum is concerned at the present time, natural gas shortage and distribution problems are predicted for this winter to be very severe. The curtailment projections for my own State, which would be one of the hardest hit, are positively alarming and could cause extremely serious disruptions and job losses. The Government agencies involved at all levels should be doing all they can to gear up for this problem, with Congress encouraging them by exercising its oversight function. Every possible adjustment we can make so that supplies can be diverted from one State to another to take care of emergencies should be made now. This includes the adoption of any further Government allocation authority which is necessary and the alteration of any rules which constrict the movement of natural gas to shortage States, including any temporary price control exemptions necessary to help move the required fuel. We also should take the natural gas conservation, development, and production steps I have already outlined so that this problem can be mitigated over the longer term.

INTERNATIONAL ASPECTS

The energy problem became recognized as a crisis with the oil embargo and the rigging of world oil prices by the Organization of Petroleum Exporting Countries. Its most dominant short-run aspects, in addition to the natural gas shortage situation, are the economic threat caused by OPEC sky-high cartel prices and the political threat resulting from our dependence on oil imports. The United States has no choice other than to place its response to the problem on a worldwide framework.

The dominating question is how to cope with OPEC. We obviously must adopt policies which prevent crises arising from the present international economic situation and any further OPEC manipulation of that situation. There is no basis for assuming that OPEC will fall apart. The cartel may become even stronger in the immediate future as worldwide economic recovery gains momentum, assuming that the demand for petroleum increases as expected. At the same time, however, we should do all we can to avoid the adoption of policies which take the permanency of OPEC as a given fact and may contribute to that permanency. This is important not only in view of the much-publicized minor strains OPEC has endured as it has attempted to keep oil production low enough to prevent any price breaks, but also because OPEC is a group of countries whose political, sociological, and economic situations vary immensely. For example, the two OPEC superpowers, Saudi Arabia and Iran, have an intense historical rivalry. These types of considerations at least contribute to the chance that OPEC could become weaker or be destroyed in the years ahead.

It is to the consuming nations' obvious advantage in dealing with OPEC to have as much solidarity as possible. I feel that some of the strides made promptly in this regard by the new international energy agency have been remarkable. The best example is the international consuming nations' agreement to share oil in the case of another supply emergency, which just by its existence should serve as a deterrent to such an emergency.

The efforts of the agency to encourage conservation and an improved production situation among its members are also extremely important. Although I doubt that this type of international agency can have much effect on participating Government's energy conservation strategies, it can play a significant role in the development of more adequate non-OPEC energy supplies. For example, I support Secretary of State Kissinger's proposals for the development of a synthetic fuels consortium, an energy research and development consortium, and a comprehensive energy technology information exchange within the international energy agency.

In the short time since OPEC quadrupled world oil prices, there has been some significant energy production and development progress by the non-OPEC nations. Some of the most publicized gains were the discovery of oil resources in Mexico, Indonesia, and India, and progress toward the actual utilization of the vast North Sea oil resources. The oil consuming nations should be mutually supportive in this worldwide energy supply expansion effort, because supply improvements in any part of the world are likely to ease the situation elsewhere, at least to some extent.

Another major activity of the international energy agency has been the creation of a financial "safety net" for IEA members prepared to cooperate in efforts to increase energy conservation and production. The mechanism would allow loans to any such country—basically the world's non-Communist industrialized countries—which has short-term balance-of-payments problems.

I feel that this type of facility might help to deter OPEC from using the "recycling" of its huge financial surpluses as a foreign policy weapon, by refusing to do business with certain countries. However, it must continue to be financed equitably and it should not be used in a manner which helps a consuming nation sustain long-term balance-of-payments problems. Of course, the Members hope it will not have to be used at all.

While the recycling problem has not as yet become as serious to the industrialized nations as most economists predicted, it is a grim reality for the developing nations. The international monetary fund estimates roughly that with foreign aid discounted, these nations' balance-of-payments deficits grew by over $14 billion last year and may grow an additional $6 billion this year. The growth in foreign aid is likely to compensate for only about one-fourth of this total at best.

In view of this situation, I support the International Monetary Fund's program of low-interest loans for these countries. However, because of their much greater economic power than previously and their role as exacerbators of the developing countries' problems, the OPEC nations should fund a larger share of this assistance. As a further support to the developing nations, I cosponsored legislation in the last Congress which authorized a proportionately reduced but continuing U.S. contribution to the International Development Association.

The recycling situation has generated considerable concern about the effects of foreign investment in the United States. In general, I believe that we should encourage foreign investment, because it stimulates our economy and improves our balance-of-payments situation. Nevertheless, it obviously would be undesirable to allow OPEC investors to have controlling interests in some of our key strategic industries. Although this problem has not developed as yet, I do favor the existence of an adequate screening process for major foreign investments which could have strategic impact. I also favor the adoption of requirements to provide the Government more sufficient more general information concerning the identity and financial participation of foreign investors.

Despite all the discussion, the only important energy conservation action taken this year has been the President's crude oil tariff. I supported the legislation to defer this tariff for 3 months, largely to give Congress some time to respond to the energy situation and because I felt it should not be imposed during a recession without a mechanism to return to consumers the money it takes away from them.

Assuming the latter problem is corrected, however, the long-run considerations are different. It appears that the tariff can result in some conservation, and it is a direct disincentive to oil importing. However, it is an inefficient conservation incentive, because the higher prices hit everyone regardless of whether they can cut back on energy use. It also could hurt our international economic position by imposing higher energy prices on our industries than the world price. The incentive not to import is present regardless of the tariff, because of the lower cost in any event of domestic oil.

Thus, I am inclined to believe that the tariff ought to be removed at some point. It has already served its worthwhile purpose of forcing congressional attention, belatedly, to the need for action on energy. However, the removal of the tariff is now a touchy diplomatic problem, in view of OPEC's open consideration of further price increases this fall. That consideration and the lack of any other conservation measures in place thus far lead me to believe that as a matter of economic and foreign policy—as opposed to the legal question concerning the tariff which is being decided in court—removal of the tariff unfortunately should be made to wait. However, I have urged that its removal be considered in the unfortunate event of immediate oil price decontrol, as an aid to consumers and a means of getting rid of it without inviting OPEC to substitute a price increase. The President apparently is willing to follow that course of action.

I favor the imposition of "mild" import quotas. Although I would not be disappointed if these quotas has some "bite," generally I feel they should not serve as an energy conservation measure in themselves. Instead, they should be used as a regulatory mechanism, to insure that energy conservation gains actually are translated into lower import levels. Import quotas have tended to be abused in the past, but I think that the hardships caused by the overly strict use of the quotas in this situation helps insure that they will not be abused this time.

I am sympathetic to those who advocate the involvement of our Government in the purchase of foreign oil. With only their private interests at stake, the international oil companies cannot be relied upon to make purchasing decisions with full consideration of the public interest involved. However, I am not convinced that we have the answer to this problem as yet. The Government would have a difficult and perhaps impossible time developing the necessary expertise to be the sole oil purchasing agent, unless it relied totally upon oil company expertise. Furthermore, whether such action would put us in a better foreign policy position than presently is far from beyond question.

There are other, less drastic alterations which would improve the operation of the international oil industry from the United States standpoint. For example, I felt that several of the tax changes relating to foreign oil-related income in the tax reduction act of 1975 were necessary to alter previous tax provisions which had the effect of allowing the oil companies to generate excessive U.S. tax credits in their foreign operations. I must add, however, that I am strongly opposed to some of the punitive tax legislation which has been proposed in conjunction with some of the provisions I have favored. Such measures include, for example, the taxation of multinationals' corporate earnings which have not even been returned to the United States and which are being taxed by the host country.

I have been opposed to Secretary Kissinger's proposal to deal with OPEC over the longer term partly by setting a floor price among consuming nations for future oil imports. I feel that this type of price guarantee can only strengthen OPEC. It has been argued that such a guarantee is necessary to encourage energy investments from those who are concerned that reduced future OPEC oil prices may make their investments uneconomical. However, I see no conclusive evidence that this is the case. There may be a case for assisting the domestic energy industry if a price break does occur, but there is certainly no justification for deciding that an import price floor is necessary now on those grounds.

Along the same lines, I am hesitant about the attempt to negotiate a long-term oil price agreement with OPEC. Particularly since the consuming nations' market position has not been strengthened substantially by increased conservation and production as yet, I doubt that OPEC would offer a good enough deal to justify the risk that we could be sustaining considerably the life of the cartel. I also feel that such an agreement might set a pattern for other world commodity agreements that are not in the United States' best interests.

Thus, I am not very enthusiastic even about our attempts to negotiate with OPEC in the near future. I do think we will have to keep open minds on the subject. Changes in market conditions could change the situation. Some of the other consuming nations also may force a shift in this position by attempting to negotiate their own oil supply agreements. I do not think, however, that the United States should lead the pack.

Of course, our foreign policy relationship with the Arab and other OPEC countries is at the heart of these problems. We should continue to strive for improved relations with these countries, who should share our economic interest in a prosperous and peaceful world. However, this does not mean that we should take any action which would compromise Israel's fundamental interests. For example, the Arab economic boycott of firms doing business with Israel is simply intolerable and should be opposed as strongly as possible. We also should continue working for international arms control agreements which would affect the Middle East, although it would make no sense for the United States to stop its own arms sales until such an agreement can be achieved.

CONCLUDING REMARKS

The intensified action on energy bills in July seems to indicate that Congressional debate on energy is finally coming to a head. I fervently hope this is the case. The time for action should have been yesterday and certainly is now.

Yet, although 1½ years have passed since the oil embargo and more than 6 months since the President presented his comprehensive energy program, Congress hardly has begun to address these problems. We have not even managed to complete action on legislation needed to protect the country from another embargo, such as the bill to create petroleum strategic reserves for use in emergency situations. The only Government-imposed energy conservation measure thus far is President Ford's import tariff, which Congress did not have to endorse but has tried to remove. The Congress also has failed to take the kind of domestic action necessary to improve our long-run domestic energy production outlook.

I mention these facts not for any partisan purpose, but because I am extremely concerned about them.

If nothing else, I hope that this statement has emphasized the many-faceted nature and multitude of ramifications of the energy problem we face. No one person possibly can be an expert on all of these problems. I certainly am not.

If my suggestions for energy conservation and production strategies sound ambitious, it is because I would rather go too far in the direction of assuring an adequate energy supply than not far enough. We always can ease our conservation and production efforts, but an energy squeeze for the long-term would leave us the worst kinds of choices.

This statement represents my best judgments, based on what I know at this time, of the directions our energy policies ought to take. However, the overwhelming nature of these problems demands that we proceed with flexibility and with open minds. It demands that we not let those large egos, for which politicians are famous, obstruct our progress on these problems. It demands that we do all we can to resolve our honest differences in judgment, based upon the best knowledge and facts available. We must forge a consensus with which to move ahead.

The Nation must move on with the business of helping to meet the energy challenge. As Congress shapes its contribution, we must strive hard to treat all our citizens fairly. We also must never lose sight of our goal—to develop the most beneficial energy policy possible for fulfilling the diverse needs of all the people.

DEATH OF EAMON DE VALERA

Mr. KENNEDY. Mr. President, in yesterday's RECORD, in tribute to Eamon de Valera, the former President and Prime Minister of the Republic of Ireland who died last week, I included a number of editorials and articles from U.S. newspapers. Today, I have had the chance to see the memorials in the Irish Times. In tribute to the passing of this great leader of Irish history, I ask unanimous consent that these materials may be printed in the RECORD. I also ask unanimous consent that an editorial from the current issue of the Irish Echo may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Irish Times, Aug. 30, 1975]

A TOWERING FIGURE

In one respect at least there will be no disagreement about Eamon de Valera: he was a great man. Great in controversy, it is true, but great also in his love for Ireland, in his vision, his tenacity, his independence of mind, his feeling for the people and his generosity. In a large measure his monument is the Republic of Ireland of today, with its weaknesses, its imperfections, its ends still to be tied off; but also its national pride realised, its sense of dynamism, its stability and its old divisions largely eradicated.

The controversies which surrounded Mr. de Valera—most notably, those regarding his activities between the opening of the Treaty negotiations and his leading Fianna Fail into the Dail—still have the power to move. His use of language was not so much careful as convoluted, giving the appearance of ambiguity even to the reasonable, and to his rancorous opponents that of dishonesty or deceit.

So strong was his personality and so violent were the passions of the day that even his great age, his lengthy absence from active politics and his indisputable quality of representative national leadership have not altogether overcome the partisan feelings inevitably involved, even to the present day.

But the overwhelming mass of people in the Republic recognise his greatness, accept his representative quality, and could not but be proud of the massive dignity which always characterised him, especially as President. Abroad, as many an Irishman can personally testify, his name is almost synonymous, to the ordinary foreign, with that of Ireland: only the very oldest can remember a period in which the name of de Valera was not a household word to be held in honour, adulated or execrated. In politics, that is no mean record, particularly since his name is borne by no philosophy or school of political thought. Perhaps its closest identification is with a style, equally dogged in opposition or Government, that consistently expressed one large and sometimes dominant strand of Irish history.

Mr. de Valera first came to prominence as a soldier, but essentially he was a constitutional politician, even if the tag "slightly constitutional" was far from Fianna Fail. He broke with Sinn Fein and founded his party. He was eager to get into the Dail and W. T. Cosgrave was determined to help him to get there. The shifts and strategems of the time, and the hair-splitting nonsense about the oath, are of comparatively little importance. The great fact is that Fianna Fails entry into the Dail was successfully and peacefully accomplished, and since 1932 there have been several impeccable exchanges of power.

Mr. de Valera ruled his own party (and the country, where he judged it appropriate) with a rod of iron, but his attachment to parliamentary democracy is beyond all question. Indeed, a good deal of credit for the very survival of parliamentary democracy in this part of Ireland belongs to him.

His long term of office began in 1932 and continued unbroken until 1948. Before the second World War he had on his hands the economic struggle over land annuities which led to the agreement with Neville Chamberlain, giving the ports back to Ireland. This had followed the passing in December, 1937, of a new Constitution and the appointment of Douglas Hyde as first President under its provisions.

The main achievement of this early period was the Constitution, a document that can now be criticised for its narrow approach to social matters or, still more, for the muddled thinking it has encouraged on the question of nationhood. Even in its time it was a mishmash of philosophies, ranging from Mr. de Valera's innate conservatism to 18th-century concepts of the Rights of Man, 19th-century nationalism by way of Wolfe Tone and O'Connell, and in a strange way the British Constitution. To Northern Unionists, of course it staked an unacceptable claim, but the de Valera pragmatism was responsible: refusing to limit the march of a nation, he chose a formula that confined jurisdiction effectively. No subsequent Government has seen the Constitution as endorsing any action, overt or covert, to further the objective of unity against the will of the majority in the North. In this generation something much more precise is required to reflect the shedding of outdated notions of statehood; but the de Valera model served its purpose at a period that still bore the imprint of the Civil War.

But more than this can be said for the 1937 Constitution: the thrust of its provisions was generally excellent insofar as they were designed to secure the sovereignty of parliament, assure the independence of the judiciary, and preserve the integrity of the institutions of State.

The first test of the reinforced independence thus formally declared came at the outbreak of war in 1939. Mr. de Valera's policy of neutrality, firmly adhered to, in spite of threats and cajolery at various times by Britain, Germany and the United States, is by many people regarded as the most excellent achievement of his long career. In an exchange over the radio at the end of the war, his dignified reply to Winston Churchill's scathing attack was generally applauded. Those who condemn Ireland's opting out of the war tend to forget the sensitivities of the time: Mr. de Valera's choice was not founded on any lack of humanity or unwillingness to participate in the struggle for democracy against totalitarianism, as his opponents sometimes claimed; it was based on the necessity to steer a course between those who contended that England's difficulty would justify any alliance, however ugly, and the advocates of joining in the war (as many did by enlisting in the British forces). It has been argued with considerable effectiveness that Ireland's neutrality during the war was, in fact, the best contribution the country could make in such circumstances to ensure the Allied victory.

Inevitably, much that happened at this period deepened the division between North and South; many of the things that Mr. de Valera did during his long lifetime, from his early meetings with Sir James Craig, the first Northern Prime Minister, heightened the suspicions of the Northern Unionists, by whom he was consistently misunderstood. This misunderstanding was reciprocal: Mr. Erskine Childers (senior) used to try to explain the Unionist position to him without success. In this failing, also, he was representative of a vast section of his fellow countrymen.

It was fitting that the outstanding Irish politician of the century should have ended his career as President. He filled the office for two terms. Since his retirement he lived in comparative seclusion; but he was never a man for display outside his official functions.

The long story of his political career is an extraordinary one. He survived all the great figures of his era, and there is nobody in the political world today with quite the eminence he won and kept abroad.

Whatever disputes there may be about his politics, he maintained against all odds, and sometimes in exacting circumstances, high personal dignity and integrity, in private and public life. He never descended to personalities or the jeer that so often accompanies such behaviour. In matters of religion he was a model of tolerance before that was generally acceptable in this country, and it is clear that in his concept of Ireland there was not a shred of religious animosity. He dearly wanted the restoration of the Irish language. His efforts to achieve this were not imaginative, but they were sincere.

Although he was not involved in the first Government or in forming the structures that led to it, Eamon de Valera left an indelible mark on the body politic of this country. It was he who, through the 30s and 40s, more than anybody else created the tradition of democratic party politics. His style, his elegance and sincerity were unmistakable.

The party which he created, Fianna Fail, is still the greatest political grouping in this country, a living, vibrant, political memorial. Perhaps his personality was too dominant, so that the natural leader often triumphed over the democrat. But these are small faults. Political Ireland, as we know it today, owes an incalculable debt to the memory of this great man. He will be mourned far outside these shores.

[From the Irish Times, Aug. 30, 1975]

EAMON DE VALERA IS DEAD

MOST INFLUENTIAL IRISH POLITICAL LEADER OF THIS CENTURY DIES PEACEFULLY IN HIS 93RD YEAR—STATE FUNERAL TO GLASNEVIN NEXT TUESDAY

Eamon de Valera, former President and Taoiseach, the dominant Irish national leader of this century, died just before noon yesterday at Linden Convalescent Home, in Blackrock, Co. Dublin. Aged 92, he had been ill for some time with a heavy cold and had grown steadily weaker over the past few days.

Last night, as tributes were paid to the former President by public figures in Ireland and abroad, the Government announced that he will be accorded a State funeral next Tuesday, which will be a day of national mourning.

Heads of State and national representatives from many countries are expected to attend the funeral ceremonies for the late Mr. de Valera, whose prominence at home was paralleled by his stature overseas as Europe's most distinguished elder statesman.

Eamon de Valera was the most dominant, influential and controversial Irish national leader of this century. Head of Government for a total of 21 years, President for 14, he was Ireland's best-known statesman abroad, and his political and national career was inextricably woven into all the major events before, during and after the foundation of the State up to his retirement from active politics. His last fight—that for his life—lasted about 14 days. He caught cold two weeks ago and developed bronchial pneumonia.

In turn, he was a teacher, soldier, prisoner, President of the 1918–21 Republic, Civil War and Opposition leader and, finally, Taoiseach and President.

PUBLIC REACTION SUBDUED

His death had been expected and public reaction was subdued rather than shocked. People in towns and villages throughout the country spoke quietly of the extraordinary career of the revolutionary leader who founded Fianna Fail and influenced the course of Irish history for over half a century.

Within hours of his death the Tricolour was flown at half mast over Boland's Mill in Dublin, where Mr. de Valera was in command of the garrison of Volunteers during the 1916 Rising.

President O Dalaigh went on R.T.E. radio and television to broadcast a tribute, in Irish, and English, in the course of which he described the late Mr. de Valera as "one of the towering figures in Irish history."

The Taoiseach, Mr. Cosgrave, said he had learned with regret of the death; and the Tanaiste, Mr. Corish, said that Mr. de Valera would occupy a significant place in the history of this country. The Fianna Fail leader, Mr. Jack Lynch, said he believed that history would put Mr. de Valera among the greatest Irishmen of all time.

FAMILY AT BEDSIDE

Mr. de Valera died at 11:55 a.m., at Talbot Lodge, the small self-contained residence in the grounds of Linden Convalescent Home, where he was living in retirement. He and his wife, Sinead, had moved there in 1973 at the end of his second term as President. Sinead Bean de Valera died last January, aged 97.

The announcement of Mr. de Valera's death was made by members of his family, who said he had died peacefully. The cause of his death was bronchial pneumonia and cardiac failure.

Soon after midday, R.T.E. radio programmes were interrupted and news of the death was broadcast. Normal programmes on radio and television were suspended and replaced by solemn music, documentaries on Mr. de Valera's life and broadcast tributes.

The former President's four sons and two daughters were present at his bedside throughout the morning as his condition deteriorated rapidly and inexorably. Also present in his final moments were two priests—Mr. de Valera's grandson, the Rev. Shan O Cuiv, who administered the Last Rites, assisted by the Rev. William O'Mera, C.S.Sp., Blackrock College, Chaplain to Linden Convalescent Home.

Mr. de Valera's personal physician, Dr. Brian Alton, attended him at the end and also present were his personal secretary for very many years, Miss Máire Ní Cheallaigh, and Col. Tom McNamara, who was one of his A.D.C.'s during his time in Aras an Uachtarain. Mr. Lynch called at the home during the morning and was present when Mr. de Valera died.

PRESIDENT PAYS RESPECTS

Soon after the death, President O'Dalaigh and his wife drove from Aras an Uachtarain to the home to pay their respects.

The de Valera family issued a request that no flowers be sent, and also that Talbot Lodge should remain private. After consultation with the family during the afternoon, the Government prepared details of the funeral arrangements.

Mr. de Valera had, by his own wishes, lived quietly at the Linden home and remained silent in public on the political issues of the day. One of his few public appearances since his wife's death last January was at the Mansion House last March, when he was made a Freeman of the City of Dublin.

He is survived by his sons, Major Vivion de Valera, T.D., controlling director of Irish Press, Ltd., Dr. Eamon de Valera, the gynacologist, Dr. Toirleach de Valera, Taxing Master, and Professor Ruaidhri de Valera, professor of archaeology, U.C.D., and by his daughters, Mairin, who is a professor of botany at U.C.G. and Mrs. Emer O Cuiv.

BODY WILL LIE IN STATE FROM TONIGHT IN DUBLIN CASTLE

(By James Downey)

Mr. De Valera's body, dressed in the habit of the Carmelite Order, will lie in state in St. Patrick's Hall, Dublin Castle, from this evening until Monday evening, when the remains will be removed to the Pro-Cathedral.

Tuesday, the day of the State funeral, will be a national day of mourning and Government offices will be closed in the morning. The Government, in a statement last night, expressed the wish that private employers should also give their employees time off to pay their respects as the cortege passes through Dublin.

The lying-in-state and the funeral are likely to be the most massively attended events of their kind in Ireland in this century. Although a total of more than 24 hours has been allocated for public access to the lying-in-state it is not certain that this will be adequate for the vast crowds which are anticipated, and consideration may later be given to extending the hours of access.

The former President's Tri-colour-draped coffin, lying on a gun carriage and accompanied by a motor-cycle escort of honour, will be taken at 7 p.m. today from Talbot Lodge, Blackrock. At the foot of Grafton Street the procession will be joined by a military marching party and by the Army No. 1 Band for the last part of the journey to Dublin Castle.

There, the coffin will be carried into St. Patrick's Hall by a military bearer party, and a guard of honour will be placed on the catafelque. Members of the public will be admitted to St. Patrick's Hall from 8:30 p.m. to 11 p.m. today, from 9 a.m. to 11 p.m. tomorrow and from 9 a.m. to 5 p.m. on Monday.

The State Apartments will be closed then, to enable the de Valera family to pay their last respects privately. At 7 p.m. the gun carriage bearing the coffin, again accompanied by the hand and marching party, will proceed to the Pro-Cathedral. A military guard of honour will be mounted in the cathedral.

After Requiem Mass in the Pro-Cathedral on Tuesday morning, the funeral will take place to Glasnevin Cemetery. About 400 troops will march in the processon; an officer escort will march on either side of the procession.

[From the Irish Times, Aug. 30, 1975]

"AMONG PEOPLE STRIVING TO BE FREE" HIS NAME IS SYNONYMOUS WITH IRELAND

Many tributes to Eamon de Valera, who died at 11:55 a.m. yesterday, were received in Dublin last night. Early messages of sympathy came from Queen Elizabeth II and the British Premier, Mr. Harold Wilson.

President O Dalaigh said: "Throughout the world, and, in particular, among peoples striving to be free, his name has been a synonym for the struggle for Irish independence."

Cardinal Conway remembered him as "a great charismatic figure" and the Archbishop of Armagh and Primate of All Ireland, the Most Rev. Dr. Simms, recalled his concern for the Church of Ireland. The Presbyterian Moderator, Dr. G. Temple Lundie, mentioned that Mr. de Valera was prepared to take unpopular measures to maintain the authority of the State.

The Chief Rabbi, the Very Rev. Dr. Isaac Cohen, said he regarded him as a "world statesman imbued with the highest principles of religious faith, national pride and human brotherhood."

There were very brief messages from the Taoiseach, Mr. Cosgrave, and the Tanaiste, Mr. Corish. Mr. Cosgrave said: "I have just learned with regret of the death of former President de Valera. The Government's offer of a State funeral for the former President has been accepted by the de Valera family."

Mr. Corish said: "I deeply regret the death of Eamon de Valera. I extend my deepest sympathy to his bereaved family. He devoted the greater part of his long life to the service of the Irish people and will occupy a significant place in the history of this country."

The Fianna Fail leader, Mr. Jack Lynch, said he espoused peace and reconciliation after fighting for Ireland's freedom.

The text of President O Dalaigh's message is:

"One of the towering figures in Irish history has answered the last call, with a smile upon his lips.

"But his spirit abides with the land he loved unwaveringly. To the end, he bore himself as a scholar, a statesman and a soldier.

"Throughout the world, and in particular, among peoples striving to be free, his name has been a synonym for the struggle for Irish independence."

Cardinal Conway said the death of Mr. de Valera marked the passing of one of the great figures of Irish history. He was a great charismatic figure, who had played an immensely significant role in the history of Ireland in this century.

"All this is well known," said the Cardinal. "What is less well known is the intensity of his Christian faith and devotion. This was really extraordinary. It is no exaggeration to say that his devotion to the Mass and to the reading of the Gospels lay at the very heart of his personal life. Even up to the end he was meticulous about reciting the Angelus at noon and six in the evening every day.

"In this combination of great intelligence and political acumen, with an intense commitment to his faith, lies the explanation, I believe, of his great strength of character, and of the extraordinary impact which he made on the history of our times," the Cardinal said.

Dr. Simms said former President de Valera's devoted sense of duty and his sustained interest in the welfare of all the citizens, were greatly welcomed by the Church of Ireland.

Mr. de Valera had associated himself with the events in the life of the Church, and in this had done much to foster good relations among all.

KINDLINESS

"I was always impressed by his kindliness and his ability to give time and attention, even in matters of apparently small importance," said Dr. Simms. "I recall a day, just 40 years ago, when he made himself available to me, then an assistant curate, to bring the leader of Assyrian Church to meet him in Dublin, in order to acknowledge Mr. de Valera's helpfulness to his flock in their difficult situation. When President of the Council of the League of Nations, a short time before, Mr. de Valera had shown his concern for the position of this Church and I realised at the time something of his concern for people and his sense of fairness in such a problem.

"On behalf of the Church of Ireland, I send this message of sympathy to members of the family, and assure them of our prayers and special thoughts at this time. With many others he paid tribute to his long and distinguished life of service and statesmanship," the Primate said.

The Rt. Rev. Dr. G. Temple Lundie, Moderator of the General Assembly of the Presbyterian Church in Ireland, said:

"The passing of Eamon de Valera marks the end of a chapter in the history of our island, with which he was closely involved at many points. His political role was often a matter of much controversy but even those opposed to his policies recognised his determination and sincerity of purpose. He believed that a government should govern and was prepared to take unpopular measures to maintain the authority of the State.

"As a democrat, Mr. de Valera had a high regard for the Presbyterian system of Church government, and officially attended the opening meeting of the General Assembly when it last met in Dublin in 1969.

"Mr. de Valera was also notable for his many academic interests. Among these were his devotion to the study of mathematics and astronomy, and he helped to found the Institute of Advanced Studies, which has done much to enhance the standing of Ireland in the world of scientific research.

"We express sympathy to his family and all those who mourn his passing."

The most Rev. Dermot Ryan, of Dublin, sent messages to Major Vivion de Valera, the President, the Taoiseach and to Mr. Lynch.

The most Rev. Dr. Buchanan, Archbishop of Dublin, in a tribute, said: "I knew him best in his later years and always received a warm welcome from him at Aras an Uachtarain. He frequently reminisced about the past and I felt at times that I was listening to history.

"Once he described most vividly his sending the Dublin Fire Brigade to help Belfast on the night of the air raid on Easter Tuesday, 1941. He relived the incident as he recalled his exhortations to haste after brief hesitations about neutrality.

"He was a good friend to my predecessor and was on especially close terms with his near contemporary, Archbishop Gregg.

"I send warmest sympathy from all our people to his family and friends."

Dr. Cohen said: "On behalf of the Jewish community in Ireland I wish to express my deepest sorrow on the death of Ireland's beloved senior statesman. His wise and serene deportment belied the stormy political life that he had successfully led on behalf of Irish independence.

"I consider it one of my outstanding privileges that I enjoyed a close personal relationship of deepest admiration and affection with this great historic personality.

"Mr. de Valera was a world statesman who was imbued with the highest principles of religious faith, national pride and human brotherhood. May his soul be united with the righteous of mankind and bring blessing and peace to his people."

BRITISH MESSAGES

Queen Elizabeth, in a message to President O Dalaigh, said:

"I was sorry to learn of the death of Mr. de Valera. I send my condolences to you and to the people of the Irish Republic."

Mr. Wilson said: "On behalf of Her Majesty's Government I offer our condolences on the death of Mr. de Valera. We recognise and respect his life-long devotion to his country. I send our sympathy to his family and to Irishmen all over the world who are mourning his death."

Another British tribute came from the Foreign Secretary, Mr. James Callaghan, who is holidaying in West Cork. He said, in a message to the Government: "I send you my deepest sympathy on the death of Mr. de Valera. I have known him for 30 years and have always been impressed by his service and dedication to his country, which have earned him a unique place in Irish history."

The former Nationalist Party leader, Mr. Eddie McAteer, said in Derry: "We are still too close to this great figure to measure properly his place in Irish history or our hearts."

The former Northern Premier, Lord O'Neill of the Maine, said he was very sorry to hear of Mr. de Valera's death. "He treated me very kindly when I met him at the Park. I had a happy relationship with him."

Another former Premier, Mr. Brian Faulkner, now U.P.N.I. leader, said: "His Irish politics and mine were poles apart. But he was a man of principle and he was not afraid to take action against the men of violence during the 'fifties I.R.A. campaign."

One of the warmest political tributes came from the Fianna Fail Leader, Mr. Lynch, who served in Mr. de Valera's Government.

He said: "Tá Eamon de Valera marbh agus tá deire laghta do saol a caithfeadh ar son na hEireann.

"It is not possible for me to pay adequate tribute to Eamon de Valera. I have known him and worked under him for half my life. I have admired him and been inspired by him all my life. Therefore I know that my assessment of him is subjective, but I believe that history will put him amongst the greatest Irishmen of all time.

"His influence on the development of modern Ireland was enormous. He loved Ireland; he loved its people; he loved its culture and especially it language.

FOUGHT IN ARMS

"He fought in arms for Ireland's freedom but when he saw that 'the continuance of the struggle in arms was unwise in the national interest' he, for 50 years in elected office, espoused peace throughout the land and reconciliation between all Irish men and women.

"His commitment to Ireland was total; his spirit was indomitable; his concern for, his courtesy towards, and his understanding of all people, even those who did not agree with him, were absolute.

"He had a deep and abiding faith in his God and in his country, and his every word and deed exemplified this.

"He was a simple man and, by any standards, a great man. His simplicity became his greatness and his greatness his simplicity. His expressed wish was that no oration of him be made at his grave on his burial.

"As he joins his dead wife, Sinéad, in the presence of his Creator, I, on behalf of the Fianna Fail Party and organisation, which he founded, offer to our colleague, his son, Vivion, and the other members of his family and to his personal secretary, Máire Ni Cheallaigh, who served him devotedly for so long, my sincere sympathy.

"I thank God that I have had the privilege of knowing and serving under Eamon de Valera."

The Fianna Fail Dublin city council group met last night, conveyed sympathy to the de Valera family and adjourned.

Dublin city community council sent the following message to Major Vivion de Valera.

"Dublin city community councillors extend to you and to your family their sincere sympathy on the death of your eminent father.

"Eamon de Valera's contribution to the cause of human dignity and freedom will be remembered as long as civilisation itself endures. With his death we in Ireland mourn the passing of a patriot and of a statesman of world stature and renown."

(From the Irish Time, Aug. 30, 1975)

EAMON DE VALERA: 1882–1975—THE CONTROVERSIAL GIANT OF MODERN IRELAND; REVOLUTIONARY, HERO, POLITICIAN, AND STATESMAN, HE MOULDED THE NATION OF TODAY

(By Michael McInerney)

Eamon de Valera's almost totally political career paradoxically began with a soldier's role in Easter Week 1916. Barely a year later he became the nation's political leader. For almost 60 years since then his public life was completely confined to politics, to the day in June, 1973, when he retired from the highest "non-political" post of all, President of the Republic. Even in retirement his living presence in Ireland has had its own significance, just as his death now will have its own special effect on the future of Irish politics.

He was born in Manhattan, New York, on October 14th, 1882. His mother, Catherine Coll, was reared in the village of Knockmore, Bruree, Co. Limerick, and his father Vivion de Valera, was born in Spain, the son of a Spanish-Cuban trader. The young Catherine and Vivion were married on September 19th, 1881, in Greenville, New Jersey. Their first child, registered as George and christened Edward, had, however, only the faintest memory of his mother and father in their New York home, for his father died two years after his son's birth. Eamon de Valera, received devoted love and kindness for 14 years when he was brought to his grandmother's cottage at Bruree. His mother remained on in New York and, though she remarried some years later, she kept in life-long touch with her son.

De Valera's life was no continuous triumph. There were high mountain peaks and deep valleys, and also paradox. There was death sentence, commuted to life imprisonment after the glory of 1916. Following 1921, and the mountain peak of compelling the British to the Truce, there came the dark valley of the Civil War, and then the triumphant recovery of Sinn Féin, shortly to be followed by a new Republican split, and yet a later triumph. In all—and this shows the extraordinary resilience of the man—he was to build three great national organisations; after 1916, after 1922, and again in 1926 when he built Fianna Fáil, the organization which proved to be the most lasting and fruitful for him.

De Valera's failures, if they could be directly attributed to him, were related to Northern Ireland and also to social, economic and cultural problems when he was head of Government, with two interludes, between 1932 and 1957.

Eamon de Valera's life story, however, cannot be told simply in snatches from famous headlines. He had many careers, far exceeding Shakespeare's "Seven Ages of Man." First, the military Commandant, then national leader of the freedom struggle, then President of Ireland's first free Assembly and President of the Irish Republic in its military and diplomatic struggle against Britain, then the defeated political leader engaged in Civil War politics against the first Irish Government.

Finally, President of the Executive of the Irish Free State and Taoiseach of a sovereign Republic for more than 20 years, and ultimately its President. When Foreign Minister of the Republic he became a world statesman as President of the League of Nations.

HISTORY LESSONS

His very early background did not foreshadow a great future. He learned of Irish history from his grandmother, Elizabeth Coll, from his Uncle Patrick and from the local parish priest, Father Eugene Sheehy, the "Land League-Priest," uncle of Dr. Conor Cruise O'Brien. The priest "taught me patriotism," he says. He learned of Ireland's struggle against England, of Tone, the United Irishmen, the Young Irelanders, of the Fenians and the Land League, of Mitchelstown in 1887, of the Parnell tragedy, and even of social wrongs from his Uncle Pat, a member of Davitt's Land and Labour League.

Though those years provided barely "frugal comfort," they were by no means unhappy.

In West Limerick he developed that devout Catholicism which was to have such a remarkable influence on his philosophy, character and politics, and which caused him once to think of becoming a priest. And yet, later, on national issues he was to develop an independence of mind in relation to the Church. When charged with being a foreigner he replied "I was reared in a farm labourer's cottage in Co. Limerick and when I want to know the mind of the Irish people, I only have to look into my own heart."

De Valera was to prove a distinguished student at Bruree National School, and also at the Christian Brothers School, Charleville. He won scholarships and exhibitions which paid his way to Blackrock Intermediate and University Colleges, Dublin, his expenses later helped by part-time teaching.

He graduated in the former Royal University and pursued postgraduate studies there in the National University of Ireland, after its formation and also at Trinity College, Dublin, under the Professor of Astronomy and the Royal Astronomer of Ireland, Edmund T. Whittaker. He taught at Belvedere College, at Carysfort College and Rockwell College. Though his applications for professorships at Galway and Cork were turned down, he secured a post at Maynooth College. In these years from 1898 to 1910, Eamon de Valera was fully engaged using his enormous energy, not only in his studies, but also in athletics at both Blackrock and Rockwell and in rugby football in which his close lifelong friend, Mick Ryan, won so many international caps.

In Bruree he had made his first acquaintance with history and tradition and, as he took a horse-tram from Kingsbridge station to O'Connell Bridge in the late summer of 1898, he would be aware that the 1798 Rebellion was being celebrated and that Wolfe Tone, who had united Protestant and Catholic, was being hailed as the greatest of all Irish leaders. He would know that Parnell had died only seven years before, wrecking all hopes of Home Rule from Gladstone, and that only now were efforts being made to unite the sundered and disgraced Irish Party to make a new effort to solve the Northern and Home Rule problem. That year, also, local government had come to Ireland for the first time ever, and Land Acts were being proposed.

He would not have known, however, that about that time Tom Clarke and other Fenian leaders were returning to Ireland from jails and planning revolution already against the British. He would have known of the threat of new Boer wars, though not of the role his future friend, Erskine Childers, was even then planning to play. Griffith was returning to Ireland to found Sinn Féin. Ireland was pregnant with new life: Connolly's *Workers' Republic* was on sale in the streets, Yeats and Lady Gregory and the new National Theatre and its plays were creating controversy and the Gaelic League had been formed.

THE MARRIAGE

With such a renaissance around him it is not surprising that the young de Valera was stimulated into participation. In 1908 he joined the Gaelic League. He was a student of Irish at the Leinster College and through these studies he met and won, against keen competition, his beautiful and gifted bride to be, Sinéad Flanagan, and married her two years later in St. Paul's, Arran Quay, Dublin. He more or less conducted the ceremony in Irish himself; as the priest did not know sufficient Irish the young enthusiast prompted him. Through the Gaelic League he met men like MacDonagh who, five years later, caused him to join the Irish Volunteers on their foundation in November, 1913.

MacDonagh made him captain of the Donnybrook Volunteer Company. He immediately bought himself a rifle and a uniform and took part in the Howth gun-running of Childers and his Asgard, in July 1914. In 1915 he was a Commandant, taking part in meetings with Pearse, MacDonagh and Clarke, to decide on the principles of a Rising. Next he was invited by MacDonagh to become a member of the I.R.B. after he had complained that some of his junior officers were securing more information than he. At first he refused to join the secret, conspiratorial organisation, so subject to secret order, but eventually he joined though he refused to attend any I.R.B. meetings.

Against the decision to call the Easter Week Rising of 1916, "as a soldier" he instantly obeyed MacDonagh. His orders were to guard the south-eastern approaches to the City and his headquarters were at Boland's Mills on Easter Monday, 1916. He proved efficient and enterprising, studying military matters and his allotted area with mathematical thoroughness.

De Valera's men were the last to surrender and he was detained under arrest. His reprieve from a death sentence is attributed to that delay rather than to his American birth. The earlier executions of Clarke, Pearse, MacDonagh and others had caused widespread revulsion in England as well as Ireland. Bernard Shaw made a forceful demand to end the killings and so did Redmond and John Dillon of the Irish Party.

De Valera felt that the death sentence was certain. His "last letters" of farewell were surprisingly cheerful. The death sentence came on May 8th, but after a short interval, was commuted to life imprisonment. He accepted both without visible emotion.

ELECTED PRESIDENT

Released a year later, De Valera was automatically accepted, even by all the Republicans at home, as the man to lead them forward. Dressed in his 1916 uniform he conducted his own electoral campaign in East Clare. The uniform of course had been banned by the authorities.

Eamon de Valera was now in his 35th year, married, with a young family, and only about a month out of prison but with no experience whatever of politics he had become the central figure in an Ireland which had many rival national but fragmented organisations. He saw the key aim as securing the unity of all these bodies into one national organisation, to reconcile the Republican volunteers with the dual-monarchist Sinn Féin and the secret I.R.B. with democratic organisations.

At a vital meeting during which at one point, Cathal Brugha, Rory O'Connor and others were actually storming out of the Mansion House in protest against a statement of Griffith, de Valera achieved what had seemed to be impossible; the agreement of all the diverse elements to unite in one organisation. The formula was "Sinn Féin seeks to secure the Republic, but having achieved that status, the Irish people may, by referendum, choose their own form of Government".

The compromise was accepted unanimously. But it was almost swamped at the first Sinn Féin Ard Fheis, a few weeks later, when de Valera was elected President after Griffith had withdrawn. Michael Collins, then almost unknown, was elected to the executive at the bottom of the poll.

De Valera had become President of the greatest mass organisation that Ireland had ever known. He had combined Volunteers, I.R.B., the Irish Volunteers, the old Sinn Féin, Citizen Army and Labour groups, the Liberty Corps and others into one mass "Sinn Féin" organisation. (The I.R.B., however, remained a separate body, secretly, and all its members remained in Sinn Féin and the Volunteers).

SINN FEIN VICTORY

De Valera himself drafted the comprehensive constitution, aims, means and form of organisation for the new Sinn Féin and for the Volunteers. Now, however, came a remarkable and significant change in tactics, strategy and outlook. Though wearing his Easter week uniform everywhere and proclaiming his eternal allegiance to Easter Week and its martyred leaders and to their aims, de Valera ignored and rejected the methods, tactics and conspiracy of the Irish Republican Brotherhood, the organisation which had planned and carried through Easter Week. He severed his own connection with it and advised his friends to do so. Cathal Brugha also left the I.R.B. From that moment began his rivalry with Collins.

Lloyd George's attempt to impose conscription on Ireland was to be one of the great factors in giving Sinn Féin, after less than a year, a colossal victory in the December General Elections, winning 73 seats out of 105 for the whole of Ireland; the Unionists, however, won 26 seats in the North. On January 21st, 1919, 27 of the 73 elected Republicans set up their own Parliament, Dáil Eireann. Though the 36 members, including de Valera and Griffith, arrested during the conscription campaign, could not be present, the remaining Dáil Deputies ratified the Republic proclaimed in 1916, and referred to "the existing state of war between Ireland and England".

It was a reference acted on literally, but by chance, when Republican Volunteers under Dan Breen ambushed and shot dead two R.I.C. men that same day in Tipperary, it opened a "war" that was to last for more than two years.

De Valera had been arrested in May 1918. On February 3rd, 1919, he made a spectacular escape from Lincoln Jail. He held secret meetings of his "Government" in the grounds of the Dublin Archbishop's Palace. With the general release, in May, of Irish prisoners from British jails, however, he ventured to attend the Dáil and was elected unanimously as President, appointing his own national Government. He was not re-arrested.

Satisfied with the phenomenal success of the Movement at home, de Valera now took a decision which has been severely criticised. He decided to visit the United States. He had four aims: to seek American Presidential and Congress recognition of the newly declared Irish Republic, to seek public support for that Republic, to raise a Republican loan and to unite the different Irish-American organisations which had been bitterly disrupted. He was smuggled to New York in a ship's hold infested with rats. Illegally landed, in a stay that lasted 18 months, he failed in the first mission, recognition from President and Congress, partially succeeded in the unity effort, raised $6m. in Republican Bonds and won wide public support.

The visit, however, had the ominous effect that his absence gave Michael Collins freedom to strengthen the I.R.B. and its influence in the Volunteers and Sinn Féin. It also allowed enmity to grow between Collins and Cathal Brugha, Minister for Defence, on the issue of control of the Army.

When de Valera returned to Ireland in December, 1920, his influence was still so powerful that he was able to effect a strategic change in the army operations. His strategy was to "make British Government impossible in Ireland". He also tried to insist on strict Dáil control of the Army, a blow at I.R.B. influence, which emphasised the growing rivalry between himself and Collins.

TRUCE DECLARED

Events were moving to decision. The Black and Tan repression in Ireland was causing most unrest inside Britain and in the United States. Moves for peace were initiated by Britain and on June 22nd, 1921, King George V opened the Northern Ireland Parliament with a surprisingly sympathetic and eloquent appeal for peace. The peace move had been planned by Lloyd George, with a push by General Smuts, but the launching pad—a Partition Parliament—was double-edged.

On that same day, de Valera was arrested in his hiding place in Sandymout, Dublin. A few hours later he was visited in his cell by Cope, British Under-Secretary, who ordered his immediate removal to comfortable officers' quarters in Portobello. The next day, suspicious and puzzled, he was released and on the following day, June 25th, received a letter from Lloyd George proposing a conference on peace between the British Government, Sir James Craig, other Unionists and himself.

On July 11th, a Truce was declared. A day later—"appropriately" the 12th—de Valera was on his way to London to open "peace negotiations" with Lloyd George. The British Prime Minister, having now established a Northern Partition State, was ready to make peace with the South. Ambivalent Republican optimism hid the grim facts of the North's new and strengthened position.

Accompanied by Griffith, Stack, Barton, Count Plunkett and Erskine Childers (father of the late President) as advisers, but not negotiators, de Valera met Lloyd George on his own. On July 14th he began the fateful talks to decide Ireland's future, but failed to reach agreement. It is interesting that at that meeting the two statemen discussed casually the Irish name for Republic. The Prime Minister, Lloyd George, sought the Irish translation for Republic and Mr. de Valera mentioned Poblacht. Another term, "Saorstát Eireann, could be used, he said. It meant "Free State of Ireland," de Valera explained. "That will do," said Lloyd George in a flash. Six months later the Treaty proposed the name, Irish Free State, for Southern Ireland.

After resumption of the Anglo-Irish negotiations on October 11th, 1921, and two months' talks, the Irish representatives, Griffith, Collins, Barton, Duffy and Duggan, signed on December 6th, 1921, what has become known as the 'Treaty." It meant less than a United Irish Republic, independent of the British Empire, which had been the original aim. Instead it proved to be a divided Ireland of two States, with an Oath of Allegiance to the King even for Deputies in the 26-County Assembly and a link with the Empire.

A Cabinet meeting on December 8th split the Government. De Valera announced to the nation that he could not recommend acceptance of the Treaty either to the Dail or the people. A month later the Dail accepted the Treaty by 64 votes to 57, and a Provisional Government was appointed to establish the Free State.

Six months later the Four Courts was attacked by Free State troops and Civil War had begun. Before it ended, almost 800 had died and thousands were maimed.

Thus was the great Movement of 1917–21 destroyed. Since then, de Valera's whole conduct of the negotiations and his policies on the Treaty itself have been severely criticised. He has been blamed for the Civil War. He had not attended the October-December negotiations, and to criticism that he should have led the negotiators himself, his defense always has been that his presence at home was required, firstly to maintain unity of the Movement, and secondly, to give an opportunity to the plenipotentiaries to delay acceptance until they had obtained the approval of Head of State (de Valera) and their Government. His criticism of the representatives was that they had signed in defiance of their promise not to do so until after they had consulted Dublin. If Griffith had not promised this, he himself would have led the negotiations.

He explained his strategy many times since. He had at first seen the Truce negotiations rather despairingly, as merely giving the I.R.A. and the Movement time to reorganise, re-equip and rest, so as to be ready to renew the war. He had no real hopes for peace, he said. On September 7th, however, Lloyd George had sent a letter which gave him slight hope that peace might be possible. It seemed to contain grounds for a possible settlement in the phrase to call "a conference to ascertain how the association of Ireland with the community of nations known as the British Empire can best be reconciled with Irish national aspirations."

He had begun to think of how some association of Ireland with the British Empire "without being a member" could be devised. He tried to get the idea discussed in Cabinet and failed, but one morning, he explained, dressing for a further Cabinet meeting, "I was tying my bootlace when the word 'external' flashed into my mind. 'External Association of Ireland with the British Empire.' "—that day he clarified his ideas with the Cabinet and all of them saw the significance at once.

The Treaty vote

De Valera's aim was to keep the two extremes of the Movement together. His idea of "external association" of Ireland with the Empire was too moderate for militant Volunteers, however, who wanted the Republic or renewed war, and too extreme for those favouring the Treaty. He has explained that, if the Dail had favoured it, he would have fought for it through political means. But by a majority of seven votes the Dail accepted the Treaty, and from such a slender majority was Ireland to be involved in Civil War and the first free Irish State to be born.

As a result of that and other votes, de Valera was stripped of all his power, which was transferred to the new President, Arthur Griffith. De Valera and the 56 other Deputies who had voted with him now formed a new opposition Party—Cumann na Poblacht—with the aim of fighting the Treaty in the Dail. But the Provisional Government, headed by Collins, was now the real authority.

That Dáil division also had the even more serious effect of causing a split in the I.R.A. Liam Lynch and Rory O'Connor refused to accept General Mulcahy, who had been appointed Minister for Defence instead of Brugha; and declared their own I.R.A. executive as the only authority to which they were responsible. De Valera gave the rebel I.R.A. some cautious support.

On June 18th, ten days before Civil War broke, O'Connor and his section broke with Lynch, taking over the Four Courts. They appointed a new Executive and Chief-of-Staff instead of Lynch. They refused Lynch permission to enter the Four Courts and even de Valera was excluded.

This split could have been of paramount importance in that Collins and Mulcahy, believing the O'Connor wing was isolated from the Lynch I.R.A., attacked the Four Courts on June 28th, 1922. But as they did so Lynch and O'Connor had patched up their disagreement and the result of the Four Courts attack was to unite the rest of the anti-Treaty I.R.A. De Valera rejoined, formally, his unit in the Dublin Brigade, as a private. So did Brugha and many of the de Valera Deputies like Sean MacEntee and Sean Moylan.

Wishing to limit the fighting to a token resistance to the Treaty de Valera immediately urged the I.R.A. leadership to make peace. He persuaded the Lord Mayor of Dublin and the famous Father Albert, to ask Collins for a truce. Collins, however, said there could be no peace until the "irregulars" laid down their arms. The Civil War went on with all its tragedy, including the deaths of Collins himself, Griffith, Harry Boland, Erskine Childers and many others.

For de Valera it was the darkest hour. When, however the war was going seriously against the anti-Treaty I.R.A., Lynch agreed to accept de Valera again as head of "the Republican Government." It was eight months later before he and Frank Aiken were able to persuade the I.R.A., after the death in action of Liam Lynch, to agree to a "cease fire." Republican Ireland seemed well and truly scattered, battered and defeated. It seemed the end of the road for de Valera; a catastrophe.

POLITICAL SOLUTION

Even in the midst of catastrophe de Valera did not give up hope. O'Connor, Mellows and their comrades, were facing firing squads, but a few weeks after the death of his dear friend, Erskine Childers, he was meeting officers of Sinn Féin, in hiding, to tell them that "no matter what way the Civil War ends there will have to be a political solution."

They would fight on but new thinking was required. Now there was an Irish Government, a national army, police and financial resources. Whatever chance military tactics had against a foreign Government they had no chance against an Irish State, particularly without an electoral majority and support of the people. The new fight had to be political. The word went out: "Build Sinn Féin and make it into a new Party and organisation."

So Sinn Féin was built. Less than three months after the Civil War, de Valera had won 44 seats and 286,000 votes, he himself receiving 17,700 against the 8,190 for his pro-Treaty opponent—Eoin MacNeill. So bitter was that election that, in Ennis, de Valera was threatened with shooting by a Free State soldier as he addressed a meeting. Even as he was arrested, he felt a return of confidence that the road back was opening again. In jail he received the hopeful election news, and helped the re-organisation of Sinn Féin with smuggled policy messages. A Sinn Féin Ard Fheis held later that year was a big success, even with 12,000 de Valera supporters still in jail. Another de Valera organisation had been born.

Released in July, 1924, de Valera began yet another new career: leader of a political organization in militant confrontation with an Irish Government. He was no longer the old de Valera, the national revolutionary willing to use physical force and radical policies. Now everything was concentrated on politics and even the I.R.A. was directed to build the political organisation. In November, 1924, the Sinn Féin Ard Fheis had reached its old strength. There was an Irish Parliament and State to be won by politics. Soon ideas which de Valera had formed as far back as December, 1922, of entering the Dáil by some means, began to filter through to Sinn Féin members.

FIANNA FAIL FORMED

His new policy was outlined as a campaign to have the Oath of Allegiance abolished, so that all Republicans could enter the Dáil. In November, 1925, however, the I.R.A. split from de Valera on the idea of entering the Dáil. They had fought a Civil War against the Free State and its "Dáil" and the Oath of Allegiance.

Three months later, in March, 1926, a Sinn Féin Ard Fheis defeated de Valera's proposals by a very small majority. The Ard Fheis, however, refused to carry a substantive motion against their old hero, "Dev," and de Valera, using the classic device, then said he could do no other than resign. A split was inevitable and, now, once again—for the third time in five years—he set himself to build another new organisation.

A few days later he met Seán T. O'Kelly, Seán Lemass, Seán MacEntee, Paddy Ruttledge, Frank Aiken, Dr. Jim Ryan, Gerry Boland and other Republican figures like Mrs. Pearse and Madame Markievicz to form a new organisation. Within little more than a month the new party, Fianna Fáil, was launched at an overflow and enthusiastic meeting in the La Scala Theatre, Dublin. The first Ard Fheis was held less than six months later, when more than 500 delegates attended from nearly as many branches.

In this re-creation of what was virtually the old Sinn Féin and old I.R.A. of 1923 under a new name, Fianna Fáil, pledged to politics rather than the gun, de Valera could be said to have performed a signal service for Ireland. Not alone was the new Party to bring power, fame and the highest honours to himself personally, but it also drew away from the gun and the bomb, almost an entire generation of Republicans, creating a new political system that was to last half-a-century.

The new Party won 44 seats in the 1927 election compared with Cosgrave's 47, and de Valera soon found the opportunity to enter the Dáil. The assassination of Kevin O'Higgins, Deputy Premier of the Free State Government, caused Cosgrave, who had become Free State Executive Council President, to pass laws which de Valera interpreted as giving him the alternative of entering the Dáil or resorting to Civil War. He found an ingenious formula and a procedure which were accepted as complying with the Oath. He entered the Dáil on August 12th, 1927, with 42 other Fianna Fáil Deputies.

BACK IN POWER

A month later his Party won 57 seats (and almost 412,000 votes), only five seats and only 40,000 votes less than Cosgrave. The policy of entering the Dáil had been overwhelmingly endorsed by his supporters. Now for the first time, de Valera was the Leader of the Opposition in a Dáil which really was in control of an Irish State.

Votes were the new battalions—the means to power. Obtaining them required reconciliation with the Church—with which he was on bad terms, so he protested at Protestants being appointed to public posts, insisted that the Dail should not meet on holy days and that prayers should be said before each meeting of the Dail. If votes required retaining favour with the I.R.A. that was done by useful speeches in the Dail. To win Labour voters he claimed that "James Connolly's policies are most in accord with mine."

The master stroke, however, was the founding of the *Irish Press* in 1931 to support Fianna Fail. At the same time, as Leader of the Opposition, he launched devastating attacks on the Government for failure in national policies, as with the Boundary agreement in 1925, its lack of social services, its economic policies, like lack of protection for industry and agriculture, and public safety measures against the I.R.A. To win the farmers he urged retention of the Land Annuities. And, of course, he advocated the abolition of the "Oath." He reassured Protestants in the Republic in various speeches, and later by joining with other parties in inviting Douglas Hyde to be President.

Now at last, after almost 20 years in politics and in the 50th year of his life, de Valera attained real power.

In the February General Election of 1932, he won 72 seats against Cosgrave's 57 and with the support of the Labour Party became President of the Government of the very Irish Free State he had fought against. The victors in the Civil War peacefully handed over the power to the losers.

Now with supreme power, with control of all the resources of a modern State, how was de Valera to use it? What kind of social order would he aim at? What would be his policy towards the partition, towards the Catholic Church, towards politics, towards Britain?

Many among the propertied interests were worried. The small Protestant minority was anxious. It became clear, however, from the beginning, particularly from the first Budget, that no social upheaval was contemplated. The answer as to how he would use the State on national issues was settled at once. His first action, almost, was to repudiate, unilaterally, the Oath of Allegiance and other Articles of the Anglo-Irish Treaty of 1921, to retain the Land Annuities and reduce drastically the status of the Governor-General.

The British imposed economic sanctions against Irish exports in protest. The sanctions caused grave hardship to both workers and farmers and social distress in cities. When a political storm of criticism arose de Valera suddenly called a new election, and secured an overwhelming endorsement of his policies from 692,000 voters—more than 50% of the electorate.

In the next few years he dealt firmly and shrewdly with a "national front" of Cumann nanGael, the Blueshirts, and the National Centre Party, under the name of "Fine Gael" with a total of nearly 60 seats in the Dáil. In 1936 he met a challenge from the I.R.A., now becoming dissatisfied with his national policies.

MINI-CIVIL WAR

The most important national event during those decisive years from 1932–1938 was the conclusion of the Anglo-Irish Agreement (1938) which ended the Economic War, solved problems, settled the Land Annuities question, and, above all, recognised and accepted the abolition of the Oath and other amendments to the Treaty. The British had accepted the fact that the Irish Free State had become, in effect, a Republic, "in external association with (the now) British Commonwealth."

There was more. The British enabled the new sovereignty to be realised in practice by returning the ports which she had held during the terms of 1921 for use in time of war. It was the return of those ports which enabled Ireland to be neutral in the second World War which began the following year.

During these talks de Valera had won a private admission from Mr. Chamberlain, then British Prime Minister, that "Partition" was an "anomaly." It was the first time a British Prime Minister had conceded so much, but he added that nothing could be done unless British public opinion approved. He gave de Valera freedom, however, to establish his own organisation in Britain to influence public opinion.

Unfortunately, a new generation I.R.A. led by a section of the physical-force wing of the 1922–23 I.R.A. chose that moment to begin a terrorist bombing-campaign on British cities, an action which resulted in a mini-civil war in Ireland for the next four years, even during the Second World War. But for that intervention something might have been won for the Catholic minority in Northern Ireland—the only section of the Irish people which lost by all the Agreements of 1921 or 1938.

Whatever criticism may be made of de Valera, however, about the North or about his social and cultural policies—and they are related—there will be none to dispute his superb handling of Ireland's neutrality during the Second World War. Assailed by threats from Germany, Britain and the United States, his superb diplomacy maintained Irish neutrality. He defeated attempts to impose conscription on Northern Ireland, the greatest threat of all to peace in Ireland.

The most serious internal threat, which came from the German-oriented IRA, was defeated by the toughest measures. Over 1,000 IRA men were imprisoned or interned under emergency laws and 16 IRA men were tried on murder charges by the Special Criminal Court, or by the Military Court whose only sentence was death. Six were shot or hanged, four were sentenced to life imprisonment when their death sentences were commuted by the Government, while the remainder were acquitted or jailed for many years. Three IRA men died on hunger strike and another 12 were shot in armed clashes in which about 12 detectives died. All the efforts of German agents for joint working with the IRA were foiled through vigilant police work.

De Valera managed to retain mainly friendly relations with Britain throughout. While tough with Churchill, he turned the blind eye to crashed British pilots finding their way back over the Border or to British aircraft flying over Irish territory. He permitted some 50,000 Irish to join the British Forces and many more thousands to work in British factories, hospitals or transport, etc. and he agreed to defence plans being worked out by top British and Irish Army Chiefs. He offered to receive women and children refugees from air-raid districts. And yet, behind the scenes, there were tough sessions with the British on supplies, on arms, and particularly on threats of occupying the ports.

The only serious public row was when, at the end of the War, Churchill made a famous "Victory Speech" which contained unworthy words on Dev. In reply, De Valera declared his admiration for Britain standing alone, "but there is one small nation that had stood alone—not for two years—but for several hundred years against aggression, a small nation that could not be forced to accept defeat and has never surrendered her soul".

De Valera also stood up to Germany and to the powerful United States and held his own with both. He took risks with Germany at a time when Hitler was rampant in Europe. He made an international protest against the "cruel wrong" of the invasion of Holland and Belgium. He protested vigorously at the bombing of Dublin by the Germans and he took a risk when he sent the Dublin Fire Brigades to the aid of Belfast after the Germans had bombed its citizens. Later he insisted on the Germans surrendering their Embassy radio transmitter. But on the other hand he resisted tempting offers to abandon neutrality even when it was evident that Germany was beaten.

When Hitler died de Valera paid "a formal call of condolence to Hempel, the German Ambassador". Not to do so, he has said, "would have been an act of unpardonable discourtesy to the German people and to Dr. Hempel." His balancing act was adroit. One single serious mistake could have been fatal not only for himself but for the whole nation.

De Valera was in power for 16 years—from 1932 to 1948. As the war receded, the de Valera magic began to fade. In 1948, his Government was rejected. A combination of parties joined together to defeat him and form an Inter-Party Government. The secret of that defeat was the sudden rise of a new Republican Party, Clann na Poblachta, which drew votes from the Fianna Fáil nurseries. The main party in the new Government was Fine Gael.

De Valera's first move in Opposition, was to begin a world campaign on Partition, a move which may have been a factor in the new Government breaking completely the old Fine Gael Commonwealth policy and the link with Britain and defining Ireland (Twenty-six Counties) as a Republic. They were trying to be even more Republican than de Valera.

By 1951 he was in power again. For the following three years he used his own special tact and compromise to defeat the main onslaught of Catholic Church opposition to a Mother and Child Health Scheme, opposition which had brought the Inter-Party Government down. In 1954, now in his 72nd year, and almost completely blind, his old fire gone, de Valera went into Opposition again after another defeat from the Inter-Party grouping.

OLD MAGIC GONE

Incredibly, three years later, almost 75, he was to chalk up the greatest victory of his career when, in what was to prove his last election, he won 78 seats, the greatest number ever, giving his Party an overall majority of 13 in the Báil. It was a rare achievement in a Parliament elected by proportional representation.

Now, however, even closest colleagues like Séan Lemass, could no longer deny the old magic was going. "He had become an adjudicator, no longer the initiator," Lemass said. And, in 1958, with a Presidential election looming, Oscar Traynor, his very close friend, together with Jim Ryan and Seán MacEntee, suggested to him that he should be the Fianna Fáil candidate in that Presidential election.

He announced to a private meeting of the Dáil Party that he would be retiring in 1959 as Taoiseach and President of Fianna Fáil, and that he intended also to put a Bill to the Dáil, and to a Referendum, to abolish the system of proportional representation. He claimed that P.R. made for unstable government by returning too many small political parties. The Party accepted the inevitable. But some Deputies were uneasy about the abolition of proportional representation; it had served them well.

The long debate on P.R. was closed by Mr. de Valera on May 26th, 1959. It was his last Dail speech. His performance on that evening, and his last few moments in the Dail Chamber, remain among the most vivid memories of this writer's years as a political correspondent.

In his 77th year and almost blind in that speech Mr. de Valera showed that he could still be supreme at the high level which the debate had reached. Speaking necessarily without notes for more than an hour, his finest moment came when he purported to read from a Fine Gael journal denouncing coalition Governments necessarily consisting of many parties, the direct fruit of P.R. Holding the journal page in front of him, and quoting, of course from memory, the 77-year-old blind man was actually holding the journal page upside down.

Later, when the Debate ended with victory for his proposal, came his last visit to the Dail Chamber on the day it adjourned for the Referendum on P.R. and the Presidential election. As business ended and the Chamber emptied, I watched from the Press Gallery; he remained behind in the Taoiseach's seat. The lights dimmed in the House and then, after a few moments he rose and slowly walked up the stairs with the aid of the hand-rail, to the exit. There he paused and looked round at what to him could have been only the dim outline of the Chamber where he had been the dominant figure for almost 33 years. Then, somewhat bowed, he walked alone through the exit door and out of active politics forever. It was almost to the day just 42 years before that he had left Lewes Jail to become Ireland's greatest national leader. It had been a long journey and no one doubted that this was the saddest moment of it all.

PRESIDENTIAL YEARS

On June 17th, 1959, he was elected by a majority of 100,000 votes as President. The people however, rejected his proposal to abolish proportional reresentation.

In 1964, de Valera, as President, visited Washington and addressed the joint Houses of Congress. In memorable terms he expressed his joy at this supreme recognition of the Irish Republic. He impressed the House also—this New York-born Irish President—with his quite extraordinary appreciation of the world's prime issue—peace.

But he was still to surprise people, even those who knew him, with his intellectual agility and physical endurance. As on the occasion when he undertook the journey to Donegal to open a school at Cloughaneely in countryside that echoed history and the language he loved. Or when, on Palm Sunday, 1971, he went to Lourdes to attend Mass in the open air and pray in the basilica square.

He continued to be honoured by institutions of international reputation and to receive the statesmen of other nations. In 1967, he became an Honorary Fellow of the Royal College of Physicians of Ireland and a year later he was elected Fellow of the Royal Society, the oldest scientific society in existence. The reasons for election were given as conspicuous service to science and because his fellowship would benefit the society.

In 1969 and 1970 he was host, briefly, to an ex-President and a President—Charles de Gaulle of France and Richard Nixon of the United States. General de Gaulle, on a private visit to Ireland, spent June 17th, 1969, in Aras an Uachtarain and on June 18th was, for the first time in 24 years, out of France for the anniversary of his call for resistance. On October 5th, 1970, Mr. Nixon, who was on a State visit to Dublin, paid a courtesy call on President de Valera.

Some 50,0000 men and women, in June, 1973, turned out to bid him goodbye when he left office, after serving two terms—14 years—as President, the maximum permitted by the Constitution.

Mr. de Valera was succeeded as President by Mr. Erskine Childers, son of one of Mr. de Valera's closest friends who was executed by the Provisional Government in November, 1922, during the Civil War. The new President, however, was hardly in office a year when he died suddenly on November 16th, 1974, after a heart attack. He was succeeded by Cearbhaill O. Dalaigh, former Chief Justice and President of the Court of the European Community.

He has taken care to have set down the reasons for actions that were controversial, not only in biographies but in a more direct form: in April, 1967, he agreed to give a series of interviews, on television, to Brandeis University, Massachusetts. They covered, partly at his request, such subjects as the Articles of Agreement of 1921, the Civil War, the break with Sinn Fein and the establishment of Fianna Fail, the economic war with Britain and Irish neutrality. He stipulated, however, that the material should be kept under seal, at Brandeis and in R.T.E., until a date which he determined.

He made gestures of reconciliation toward people with whom he once fought. On July 7th, 1968, he attended the annual Mass for Michael Collins in Dublin Castle.

He still appealed for conciliation before conflagration. On January 6th, 1970, addressing members of the Diplomatic Corps at a New Year reception, he urged all nations to unite in a solemn covenant to submit all international disputes to arbitration and judicial determination.

As soldier and politician, Eamon de Valera was prominent in creating a sovereign independent State to such an extent as to be able to maintain neutrality in a World War. As President, and later Taoiseach of an Irish State, he had remained true to his role as a national leader.

The great paradox of de Valera, however, is that in the national field, all through his life, in power or out of power, and on the international field, representing Ireland in the World Councils, he demonstrated wisdom, courage, judgment—even radicalism. Yet when he won supreme power over an independent Irish State, when he was faced with the problem of "what to do with freedom" and power, he seemed unable to apply those talents, first to Northern Ireland or secondly to the social, economic and cultural problems of the Republic.

Though social and economic advance was made in the Republic under de Valera, such as the giant State enterprises and relatively improved social welfare, problems of unemployment, housing, health and education were never fully solved. One million free Irish emigrated to seek work in Britain after 1922. While the population of all other countries increased, including Northern Ireland's the Republic's population declined.

SEPARATIST POLICY

For all his achievements, de Valera failed to solve the greatest problem of his own country, the reconciliation between the communities within Northern Ireland and reconciliation between North and South. An even greater paradox is that he not only failed to solve that problem, but that almost everything he did, every measure he enacted in the Republic, pushed solution of that problem even further away, even making it impossible. His politics in the Republic consolidated the Republic as a separate State and consolidated partition.

That such a subtle political mind apparently was unable to grasp or understand the problem of the North is indeed the tragedy of his life and of his politics and of Ireland. Few can doubt that had he applied to that problem the same deep thought which he applied to others, he would have found a way to make at least a step towards its solution, or towards peace between the Northern communities. Failure to understand that question could also be the reason for his failures in the social, economic and cultural fields.

He did not see any role for the North's million Protestants. They were virtually ignored, treated almost as pawns of Britain, who would, given freedom of choice or vote, opt to be Irish. When they were noticed at all it was merely to tell them the conditions, or concessions and equality which they would enjoy in an Irish Republic. In one speech in 1939 he urged that Northerners should declare their allegiance and that the country of their choice should "buy them out." How such a view of the North affected the Treaty negotiations, the Dail Debate on the Treaty, or the Civil War, is incalculable.

Apart from one statement in 1933, that the "one way to secure unity would be to build a State here that would attract the North," Mr. de Valera, before or since, did not mention the Twenty-Six County State as a factor, or instrument—or deterrent—for a United Ireland. His 1937 Constitution declared that the State included all of Ireland. The Northerners were ignored. To him it seemed there was nothing incompatible in the stated national aims of a Republic, United Ireland and the restoration of the Irish language though to most Northern Protestants the three aims would be utterly unacceptable.

On the question of the language, indeed, one is driven to ask if the winning of a United Ireland were really Mr. de Valera's supreme aim. Once he said—at a university lecture in U.C.D.—that if he were offered freedom and unity without the restoration of the language or offered the language without unity or freedom, he would accept the language. On another occasion he told this writer that, offered a United Ireland without the language or the 26 Counties with the language, he would accept the latter.

CATHOLIC CHURCH

The fundamental law contained in the de Valera Constitution of 1937 accorded a "special position" to the Roman Catholic Church and its preamble was unmistakably Catholic. On big Catholic occasions the Church-State relationship was obvious. Protestants also had a deep grievance against the *Ne Temere* decree of the Catholic Church, which forced Protestants carrying Catholics to pledge that children of the marriage should be reared as Catholics and which de Valera, despite his relations with the Church, did little to moderate. On occasion—as in the Tilson case—Court verdicts were biassed against Protestants.

All of these questions, apart from their distress to Southern Protestants, were, of course, of deep significance and relevance to the winning or losing support for Irish Unity among even the most liberal of Northern

Protestants. Such laws, mostly enforced by clerical pressure, as well as Catholic Church control of education, were strong arguments for Northern Protestants conviction that Home Rule was seen to be Rome Rule in practice.

There were also decisions or actions which Northern or Southern Protestants interpreted as threats to the North's existence. In the de Valera Constitution of 1937, for instance, apart from the "special role" accorded to the Roman Catholic Church, Articles Two and Three, define the State as consisting of the whole island, including Northern Ireland and claiming a qualified jurisdiction over the North.

There was—and is—a teaching of history, and the teaching of a general culture, which produced young men—and young women—with anti-British and anti-Northern prejudices. It was a teaching which consolidated the official community culture of the "worship" of the heroic dead killed by the British; and endless commemorations of Republican I.R.A. martyrs which turned on its head Tone's plan "to abolish the memory of all past dissensions."

Despite official condemnation of I.R.A. violence when it occurred, there was the contradiction that the very first generation of young people who were educated in a free Ireland, produced by 1938 a new style I.R.A.—the first Provisionals—who began virtually a second civil war against de Valera's government and State and against the Northern State. Many of these young men were executed by the very society which had produced them and made them what they were.

The social and cultural system in the South was one made in the image and likeness of Eamon de Valera. The State he built was Catholic and Conservative and its laws supplemented Catholic laws. It was a State that was inevitably anathema to all Northern Protestants, and though this expressed, as was often argued, the fact that its population was overwhelmingly Catholic, it inescapably deepened the division of the country made in 1922.

The difficulty of assessment is great. The magic of the man sprang from his work between 1916 to 1921, when, in a nation awakened for freedom, his name was a symbol of all that the people most deeply desired for their country.

History will not criticise de Valera for his work in those years, nor will it criticise him for his national and international work while head of the Government of the Republic. The deep tragedy of Ireland was that this great man, with all his stature and authority, was unable, or did not see the need, or was unwilling to change, even slightly, his overwhelmingly conservative-Catholic outlook, so as to advance the hopes of reconciliation in the North and with the North, by using the resources of the State he commanded.

THE VITAL YEARS

1882—October 14th: Born in New York.

1885—Brought to Ireland and reared in a farm labourer's cottage in Bruree, Co. Limerick.

1898–1910—Student, teacher, athlete.

1908—Joined Gaelic League.

1910—Married Sinéad Ní Fhlannagáin.

1913—Joined Irish Volunteers.

1916—Easter Week: Commandant of Boland's Mills garrison.

1917—Released from jail; elected M.P. for East Clare.

1917–26—President, Sinn Féin.

1917–22—President, Irish Volunteers.

1919–22—President of Irish Republic.

1919–20—In United States seeking official recognition for Republic; raised $6-million loan for Dáil administration.

1921—July 11the; Truce between Irish and British forces; July-October: Negotiated with Lloyd George; December: Rejected Anglo-Irish Treaty.

1921–75—Chancellor, National University of Ireland.

1921–29—M.P. for Down.

1923–24—Interned by Free State Government.

1926–59—President, Fianna Fáil.

1927—Entered Dáil.

1932–48—Fianna Fáil in power.

1932–37—President of Executive Council of Free State and Minister for External Affairs.

1932—President of Council of League of Nations.

1933–37—M.P. for South Down.

1937—Constitution ratified.

1937–48—Taoiseach and Minister for External Affairs; 1939–40, Minister for Education.

1938—Anglo-Irish Agreement ended economic war; President of Assembly of League of Nations.

1939—Offenses Against the State Act introduced.

1939–45—Achieved neutrality for State.

1948–51—Leader of Opposition in Dáil.

1951–54—Taoiseach.

1954–57—Leader of Opposition.

1957–59—Taoiseach.

1959–73—President of Ireland.

1962—Received Order of Christ decoration from Pope John XXIII.

1964—Addressed joint session of Congress in Washington, D.C.

1975—January: Death of Bean de Valera. August 29th: Death of Eamon de Valera.

[From the Irish Echo, Sept. 6, 1975]

EAMON DE VALERA

For more than fifty years, the name of Eamon de Valera has been virtually synonymous with the Irish nation in the eyes of the world. Even in the most remote areas of this planet, he was known, admired and respected.

His career spans an era, from the establishment of the Republic of Ireland through periods of bitter economic and political turmoil up to the Irish accession to the European Common Market. No other individual so epitomized the Irish efforts to both the governments and peoples of the globe. No other individual so influenced the history of Ireland in this century.

Often described as a mystic, he was at the same time a realist. This seeming contradiction gave to him a type of charisma never attained by the merely attractive modern politician to whom that appelation is presently applied.

The reaction to him by the great majority of his countrymen and countrywomen was electric. To the members of his party he was always the Chief. To the academic community he was the Man of Destiny. To the man of the rural village he was the Long Fellow.

Teacher, soldier, revolutionist, politician, Prime Minister, President, he was the epitomy of the natural born leader. His name and his very being became one with the word Irish.

He was, of course, a man of controversy. Any man that so bestrode the political life of his nation for half a century would have to be a man of controversy. But, save for a few, he was admired by friends and political foe alike, as a man of constancy, who had dedicated his life to Ireland.

Men like Eamon de Valera come to a people only rarely. Sometimes, like flashing comets, their stay is all too brief on this earth. Sometimes, like Eamon de Valera, their stay is long like the constant star.

Ireland's constant star is gone now, never to be forgotten by the sons and daughters of this land.

FEDERAL ELECTION COMMISSION NOTICES

Mr. CANNON. Mr. President, I ask unanimous consent that several notices submitted to the Senate during the August recess be printed in chronological order in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL ELECTION COMMISSION,
Washington, D.C., August 26, 1975.

Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of several notices of the Federal Election Commission which will be published in the Federal Register.

Notice 1975–35 contains Advisory Opinions (AO 1975–7 and AO 1975–17).

Notice 1975–36 contains Interim Guideline: Disbursement Procedures For Public Financing of Conventions.

Notice 1975–37 contains additional Advisory Opinion Requests (AOR 1975–38—AOR 1975–57).

All of the above Notices will be published in the Federal Register on Wednesday, September 3, 1975.

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have these notices inserted in the CONGRESSIONAL RECORD.

Sincerely,

JOHN G. MURPHY, Jr.
General Counsel.

(Highlights: Federal Elections—Federal Election Commission Publishes two advisory opinions, contributions and expenditures relating to the constituent services of Members of Congress; campaign contributions from a partnership.)

[Federal Election Commission Notice 1975–35]

ADVISORY OPINIONS

AO 1975–7—Contributions and Expenditures Relating to the Constituent Services of Members of Congress

AO 1975–17—Campaign Contributions from a Partnership

The Federal Election Commission announces the publication today of Advisory Opinions 1975–7 and 1975–17. The Commission's opinions are in response to questions raised by individuals holding Federal office, candidates for Federal office and political committees, with respect to whether any specific transaction or activity by such individual, candidate, or political committee would constitute a violation of the Federal Election Campaign Act of 1971, as amended, of Chapter 95 or Chapter 96 of Title 26 United States Code, or of Sections 608, 610, 611, 613, 614, 615, 616, or 167 of Title 18 United States Code.

ADVISORY OPINION 1975–7: CONTRIBUTIONS AND EXPENDITURES RELATING TO THE CONSTITUENT SERVICES OF MEMBERS OF CONGRESS

This advisory opinion is rendered under 2 U.S.C. § 437f in response to requests for advisory opinions submitted by Mr. Thomas J. Kern for Congressman Dale Evans, Congressman John P. Murtha, and Senator Jake Garn, which were published together as AOR 1975–7 in the July 2, 1975, Federal Register (40 FR 28044). Interested parties were given an opportunity to submit written comments relating to the requests.

The requests generally ask the Commission, under the Federal Election Campaign Act of 1971, as amended, and Title 18 of the United States Code (the Act), what types of contributions to and expenditures by an office account are permissible, and how these accounts shall be reported and administered. Specifically, the following requests were made:

(a) Thomas J. Kern, administrative assistant for Congressman Dave Evans, states that the Congressman has established two fundraising entities to support the Representative's political activities. One entity is the principal campaign committee of the Congressman and the other is an office account (called here a "constituent service fund") set up to collect funds to assist Congressman Evans in providing services for his constituents.

Donations to the office account will be used for printing newsletters; holding neighborhood office hours; conducting meetings and seminars with representatives of governmental and private agencies, and with elected and appointed officials of the cities, counties and towns of the District; holding periodic open house activities at the District and Washington offices, providing constituents with flags, publications and certain other items that must be purchased; and for other expenses incurred in connection with the Congressman's services for his constituents. The account will not be used to present or promote the views of any political party or philosophy or to influence the re-election of Congressman Evans. Mr. Kern asks whether the office account is a political committee under the Act. He also asks how the sponsor of a fundraising event for the benefit of an office account should be identified, and what disclosure requirements are applicable to the use of the proceeds from such an event;

(b) Congressman John P. Murtha states that he has established a franking account (called here a "public service committee") which is used solely to defray the cost of newsletters, reports, and questionnaires sent to constituents. Congressman Murtha asks whether a corporation may make a donation to such an account without violating the statutory provisions governing political contributions; and

(c) Senator Jake Garn asks whether an incumbent Senator or Representative may engage in attitudinal research with his constituency for purposes of measuring the voters' sentiments on policy issues, job approval perceptions, and the like, without having these expenditures allocated against any applicable spending limitation. The proposed polls will ask questions for statistical purposes, open end questions, and forced response questions, but will not ask questions relating to political trial heats. Senator Garn asks further whether the fact that a Member of Congress is a candidate will make any difference in the use of issue-oriented opinion research.

As stated in AO 1975–14 on "Contributions by Banks, Corporations, and Labor Unions to Defray Constituent Service Expenses" (40 FR 34084, August 13, 1975), "[i]t is clear that the Federal Election Commission has the duty to formulate general policy with respect to the Act (2 U.S.C. § 437d(a)(9)), has the power to regulate amounts contributed to a holder of Federal office in order to defray expenses arising in connection with that office (2 U.S.C. § 439a), has the power to formulate general policy regarding contributions and expenditures (18 U.S.C. § 608), and has the power to formulate general policy regarding contributions or expenditures by national banks, corporations or labor organizations (18 U.S.C. § 610)."

Congress has the discretion and power to appropriate sufficient money for staff salaries, newsletters, stationery, travel, constituent services, and the other legislative expenses of a Member of Congress to assure the performance of the Member's legislative duties. Accordingly, except for money raised pursuant to 39 U.S.C. § 3210(f), additional money which is raised by a Member or his supporters shall be treated as a contribution made for purposes of influencing a Federal election and shall be controlled by all appropriate limitations. Similarly, except for money expended pursuant to 39 U.S.C. § 3210(f), additional money which is expended from an office account shall be treated as an expenditure intended for purposes of influencing a Federal election and shall be controlled by all appropriate limitations. As provided in § 3210(f) of Title 39, United States Code, money which is contributed and expended for the preparation or printing of material to be mailed under the frank shall be treated as a contribution or expenditures for disclosure purposes of the Act, although not for purposes of the contribution and expenditure limitations provided in 18 U.S.C. § 608.

The Commission intends to apply its policy on office accounts as follows:

(a) It is the opinion of the Commission that an office account established to provide services for the constituents of a Congressman shall report as if such account is a political committee and contributions to, expenditures by, and the general operation of an office account should be reported and otherwise treated as provided in Notice 1975–18 of the Federal Election Commission "Office Accounts and Franking Accounts; Excess Campaign Contributions" (40 FR 32951, August 5, 1975). See also AO 1975–14, *supra*. As provided in Notice 1975–18 and AO 1975–14, all private contributions received by or on behalf of a Federal officeholder for use by his office account may be deposited in such account or an account of the officeholder's principal campaign committee, pursuant to 2 U.S.C. § 437b. Also as provided in Notice 1975–18, money received for the preparation or printing of material to be sent under the frank (e.g., a newsletter), other than funds appropriated for legislative activities, shall be deposited in a separate segregated franking account which shall report as provided in that notice.

Monies expended from such accounts, other than the franking account, will be counted toward the officeholder's campaign expenditure limits under 18 U.S.C. § 608(c). A Congressman holding a fundraiser should identify that the fundraising is being conducted by either the Congressman's principal campaign committee, his office account or his franking account.

The Commission also is requested to provide guidance as to whether a person holding a fundraiser for the benefit of an office account should state that a donation to the office account is not tax deductible or subject to a tax credit. The Commission is unable to provide such guidance as it lacks authority to rule with regard to such tax consequences. Reference should be made to Sections 41 and 128, Title 26, United States Code.

(b) It is the opinion of the Commission that corporate contributions to a franking account, used solely to defray the cost of newsletters, reports, and questionnaires sent to constituents, are prohibited under 18 U.S.C. § 610. While exempt from the limitations in 18 U.S.C. § 608 (see 39 U.S.C. § 3210 (f)), contributions and expenditures for the preparation or printing of material to be mailed under the frank shall otherwise be treated as contributions and expenditures for purposes of the Act, (including the pertinent provisions of Title 18). Since the proposed contribution would be derived from general corporate funds, and not from separate voluntary funds to support the franking accounts of Congressmen, the contribution by the corporation would be prohibited under 18 U.S.C. § 610.

(c) A Member of Congress may, of course, make expenditures for attitudinal research within his constituency for purposes of measuring the voter's sentiments on policy issues, job approval perceptions, and the like. However, unless the expenditures for the attitudinal research are paid from funds appropriated for legislative purposes by Congress or from a Congressional franking account and are used to print or prepare matter mailed under the frank, they will be treated as an expenditure from the Member's office account and will be subject to the limitations provided in 18 U.S.C. § 608 as well as the other provisions of the Act. See Notice 1975–18, *supra*. The fact that a Member of Congress is an announced candidate thus would not make any difference in how expenditures for attitudinal research will be treated.

The provisions of this opinion represent the opinion of the Commission as to the effect of 2 U.S.C. § 437(a)(9), 2 U.S.C. § 439a, 18 U.S.C. § 608, 18 U.SC § 610, and 39 US.C. § 3210(f) on contributions and expenditures from the office or franking account of a Federal officeholder.

The provisions of this opinion are reflected in the proposed regulations which the Commission has submitted to Congress, see Notice 1975–18, *supra*. Pursuant to the Administrative Procedure Act the Commission will hold public hearings on the proposed regulation on September 16 and 17, 1975, at the U.S. Court of Claims in Washington, D.C.

ADVISORY OPINION 1975–17: CAMPAIGN CONTRIBUTIONS FROM A PARTNERSHIP

This advisory opinion is rendered under 2 U.S.C. § 437(f) in response to a request for an advisory opinion submitted by Congressman Neal and published in the July 17, 1975 Federal Register (40 FR 30259). Interested parties were given an opportunity to submit written comments relating to the request.

The question raised in Congressman Neal's request is "[h]ow much money in campaign contributions may a candidate for Federal office accept from a partnership" under the Federal Election Campaign Act of 1971, as amended in 1974.

Section 608(b)(1) of Title 18, United States Code, states that:

(1) Except as otherwise provided by paragraphs (2) and (3) no person shall make contributions to any candidate with respect to any election for Federal office which, in the aggregate, exceed $1,000 (underlining added for emphasis).[1]

Section 591(g) of Title 18, United States Code, defines "person" as an individual, *patrnership*, committee, association, corporation, or any other organization or group of persons, * * *" (underlining added for emphasis).

It is the opinion of the Commission that the cited statutory provisions impose a $1,000 limit on the amount a partnership may contribute to a candidate for Federal office with respect to each separate election wherein that candidate seeks nomination or election. The Commission further concludes that when a partnership maks a contribution to a candidate for Federal office it counts against each individual partner's limitation under 18 U.S.C. § 608(b)(1) in direct proportion to each partner's share of partnership profits. For example, in the case of a four member partnership (each partner having an equal share) which makes a $1,000 contribution to a Federal candidate, one-fourth of the $1,000, or $250, is counted toward each individual partner's limit. Therefore, each partner may contribute no more than an additional $750 to the same Federal candidate with respect to the same election.

Under the general theory of partnership law a partner is an agent for the partnership, and the partnership has no legal capacity to act as a person in its own right. Therefore, even though a partnership is a "person" for purposes of 18 U.S.C. § 608(b), as well as 2 U.S.C. § 431, *et seq.* contributions made in the partnership's name must be attributed to the individual partners in relations to each partner's interest in the partnership profits. Furthermore, when a contribution is made in the partnership name without accompanying information as to each partner's proportionate share thereof, the candidate or committee recipient must obtain a written statement providing the requisite information within 30 days after receiving the contribution.

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[1] The exceptions to 18 U.S.C. § 608(b)(1) are not relevant to the question of the amount a candidate may receive from a partnership, and contributions to a candidate for nomination to the office of President are subject to an overall $1,000 limit during the entire pre-nominated period. See 18 U.S.C. § 608(b)(5).

If this information is not timely obtained the contribution must be returned. Otherwise, the candidate or committee will be regarded as in violation of 18 U.S.C. § 614 which prohibits an individual from making a contribution in the name of another "person," i.e. partnership, and also prohibits the knowing acceptance of such a contribution.

NEIL STAEBLER,
Vice Chairman for the Federal Election Commission.
Date: Aug. 22, 1975.

(Highlight: Federal Elections; Federal Election Commission Interim Guideline: Disbursement procedures for public financing of conventions.)

INTERIM GUIDELINE: DISBURSEMENT PROCEDURES FOR PUBLIC FINANCING OF CONVENTIONS [NOTICE 1975-36]

TITLE II—FEDERAL ELECTIONS

Chapter I—Federal Election Commission

I. Certification of Entitlement to Public Funds for Nominating Convention Expenses

Title 26 U.S.C § 9008 authorizes the Federal Election Commission to certify to the Secretary of the Treasury for payments of the amounts to which the national committee of any major or minor party is entitled under 26 U.S.C. § 9008 with respect to a presidential nominating convention, but the entitlement of each major party may not exceed the aggregate amount of $2,000,000.[1] The amount of each party's entitlement is adjusted annually based on increases in the Consumer Price Index, See 26 U.S.C. § 9008(b)(5) and 18 U.S.C. § 608(d).

II. Information Required to Receive Certifications for Public Funds

To be eligible for public financing of their conventions, the national committees of the major parties shall submit or otherwise make available the following information to the Federal Election Commission in order that the Commission may forward the appropriate certification to the Secretary of the Treasury.

A. For initial payment:

1. Signature cards containing signatures of officials who have been authorized to sign requests for payment (Exhibit I);

2. The name and address of the commercial bank to be used as the committee's depository;

3. A request for an initial payment, supported by a statement projecting and describing estimated expenditures through the close of December 31, 1975. Specific dollar figures need not be assigned to the various itemized expenditure categories.

B. For subsequent payments:

1. Subsequent requests for disbursements after the initial disbursement shall be submitted quarterly commencing with January 1 in the year in which the convention will be held. Such requests should be submitted to the Commission within 10 days after the commencement of the quarter to which they relate.

2. The request is to include (a) a report in a form consistent with the requirements of 2 U.S.C. 434(b) of actual expenditures made during the previous period or quarter, and (b) the total amount of expenditures estimated through the close of the next quarter and the categories in which the proposed expenditures are to be made. No specific dollar figure need be assigned to the various itemized expenditure categories thus projected and described.

III. Special Approval for Accelerated Payment Schedule

Each quarterly disbursement will be based upon the legally permissible expenses projected for that quarter. The Commission will approve more than one disbursement per quarter where a showing is made that a deficit is likely to be incurred unless a further disbursement is made. Any request for such further disbursement should be supported by a summary of actual expenses previously incurred for the quarter together with the projected expenses which will occasion the deficit if a further disbursement is not forthcoming.

IV. Transmittal of Certification to Secretary of the Treasury

Following Commission approval of any request for disbursement, the Commission shall forthwith transmit a certification for payment to the Secretary of the Treasury, who shall make payment in the amount certified to the national committee designated by the certification, but not to exceed the amounts in each account maintained under 26 U.S.C. § 9008(a).

V. Use of Funds by Committees

Under 26 U.S.C. § 9008(c), funds so disbursed shall be used only (1) to defray expenses incurred with respect to a presidential nominating convention (including the payment of deposits) by or on behalf of the national committee receiving such payments; or (2) to repay loans, the proceeds of which were used to defray such expenses, or otherwise to restore funds (other than contributions to defray such expenses received by such committee) used to defray such expenses. Any investment of public funds or their use in any other way which generates income is permissible only if the income so generated is used for the purposes described in this part V, and such income will be applied against the $2 million ceiling.

VI. Repayments for Funds Improperly Received or Spent

Repayments in an appropriate amount will be required from the national committees whenever they have (1) received payments in excess of their entitlement, (2) incurred expenses in excess of their spending limits, (3) improperly accepted private contributions to defray convention expenses, or (4) expended public funds in any manner other than to defray expenses incurred with respect to a presidential nominating convention. Repayments may not exceed the aggregate amounts actually received by a national committee under section 9008.

A. Notification of need for repayment: If the Commission determines that repayment is required in the circumstances stated above, it shall give written notification to the affected national committee of the amounts required to be paid and the reasons therefor.

B. Collection of repayment by deduction from future payments: The Commission may obtain such repayment by deducting such amount from the amount otherwise due the national committee for its next quarterly payment.

VII. Post-convention Disbursements

Pending the conclusion of any national convention, the Commission may in its discretion withhold an amount to be hereafter determined, but in any event not to exceed $200,000, which would otherwise bring the aggregate funds disbursed to the total allowed by law. Such withheld funds, if any, shall be subject to post-convention disbursement and such disbursement shall be made in the manner provided for in Part II-B above, except that such request shall include a list of all accounts payable and the purpose for which the expense was incurred. Post convention payments shall be subject to audit by the Commission and deduction of unauthorized expenditures in addition to other requirements imposed by law.

EXHIBIT I

Standard form Funds	AUTHORIZED SIGNATURE CARD FOR PAYMENT	Account Number

Issued in favor of (recipient)	Issued by (Federal agency)
Signatures of authorized individuals—	[ ] Only one signature required or [ ] Any two signatures required to sign or countersign
Typed name and signature	Typed name and signature
Typed name and signature	Typed name and signature
I certify that the signatures above are of the authorized individuals	Approved:
Date and signature of authorizing official (recipient)	Date and signature of agency certifying officer

VIII. Commission's Audit Authority

National committees affected by the foregoing should note the Commission's general authority and duties under 2 U.S.C. §§ 437d and 438.

NEIL STAEBLER,
Vice-Chairman for the Federal Election Commission.
Date: August 25, 1975.

(Highlights: Federal Election—Federal Election Commission publishes several requests for advisory opinions, comment invited for ten days.)

FEDERAL ELECTION COMMISSION NOTICES 1975-37, AOR 1975-38 TO AOR 1975-57

In accordance with the procedures set forth in the Commission's Notice 1975-4, published on June 24, 1975 (40 FR 26660),

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[1] Under 26 U.S.C. § 9008(b) the national committees of both major and minor parties are entitled to payments from public funds to defray expenses which they have incurred with respect to a presidential nominating convention. For a minor party to be entitled to its proportionate share of public funds for 1975 or 1976 convention expenses, its 1972 presidential candidate must have received (as the presidential candidate of that party) at least 5 percent of the total popular vote received by all presidential candidates in 1972. Accordingly, since no minor party presidential candidate received that many votes in 1972, there is no minor party that can qualify for convention funds in 1975 or 1976.

Advisory Opinion Requests 1975–38 through 1975–57 are published today. Some of the Requests consist of similar inquiries from several sources which have been consolidated in cases where appropriate.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views with respect to such requests within 10 calendar days of the date of the publication of the request in the Federal Register. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C. 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Public Law Citations.

AOR 1975–38: Use of Excess Campaign Funds for Office Expenses and Federal Preemption (Request Edited by the Commission)

GENTLEMEN: I am writing to request advisory opinions on the following questions, with regard to the Federal Election Laws.

(1) If I, as a Member of Congress, elect to use left-over campaign funds for legitimate office expenses, will these expenditures be counted in determining whether I, or my Campaign Committee, have reached any of the spending limits set forth under the new law?

(2) If I elect to use campaign funds for legitimate office expenses, will it still be necessary for me or my Campaign Committee to file periodic reports with the Clerk of the House up to and until I again announce myself as a Candidate, or may I close out my accounts until that time.

(3) Does the new Federal Election Law supercede state campaign regulations, or must state laws be adhered to separately?

SILVIO O. CONTE,
Member of Congress.

Source: Representative Silvio O. Conte, House of Representatives, 239 Cannon House Office Building, Washington, D.C. 20515 (July 15, 1975).

AOR 1975–39: Settlement of Campaign Debts Owed to Corporations (Request Edited by the Commission)

GENTLEMEN: Your recent Advisory Opinions 1975–5 and 1975–6 prompt us to ask on behalf of the Metzenbaum Post-Campaign Committee:

May a candidate's committee, which incurred debts during the 1974 senatorial campaign, settle those debts with corporate or non-corporate creditors, if the committee has made a serious effort to bring down the amount of said debts since the date of the election and has little likelihood of raising additional funds sufficient to pay all debts in full?

After the election, we found ourselves indebted to the extent of about $113,000.00. A number of fund-raising events and personal solicitations have been made to the point that the committee has now been successful in decreasing that debt to under $79,000.00. The committee has a cash balance of a little over $5,000.00 at the present time. Some of the creditors, both individuals and corporations, have indicated a willingness to settle the amounts due them if we will offer a cash settlement. We believe it may be possible for us to solicit a modest amount of additional money. However, the last sentence of Advisory Opinion 1975–6 issued by the Commission on July 23, 1975 makes reference to the problem possibly faced by corporate creditors that acceptance of such settlements could be construed as violations of the Federal Election Campaign Act.

* * * * *

MELVIN S. SCHWARZWALD,
Counsel for the Metzenbaum
Post-Campaign Committee.

Source: Metzenbaum Post-Campaign Committee, by Counsel, Melvin S. Schwarzwald, Metzenbaum, Gaines & Stern, 1700 Investment Plaza, 1801 East 9th Street, Cleveland, Ohio 44114 (August 1, 1975).

AOR 1975–40: Reporting Contributions from Political Action Committees (Request Edited by the Commission)

* * * * *

The Federal Election law appears to be ambiguous on the question of the requirement of campaign committees to report contributions by political action committees when such funds are used to purchase tickets to a reception. * * *

It is my understanding * * * that campaign committees are not required to report individual contributions of $100 or less by political action committees when such contributions are made for the purpose of purchasing tickets to a reception. * * *

[T]his Committee requests a formal, written [advisory opinion] on whether a campaign committee is required to disclose publicly contributions of $100 or less by political action committees when such contributions are made for the purpose of purchasing tickets to a reception.

I would also like to know the rules covering reporting by donor organizations. I understand they must report their contributions, regardless of the amount.

WALLY JOHANSON, *Treasurer.*

Source: Wally Johanson, Treasurer, Oberstar for Congress, Volunteer Committee, P.O. Box 465, Duluth, Minnesota 55802 (July 17, 1975).

AOR 1975–41: Investment or Savings Deposits of Contributions or Other Receipts (Request edited by the Commission)

DEAR MR. CURTIS: Our Committee * * * formally makes this request of the Commission for an Advisory Opinion as to when, if ever, receipts from contributions, sales, collections, loans and/or transfers may be deposited in an interest-bearing savings account in a state and/or national bank, or invested in government treasury notes.

(Mrs.) ANN M. EPPARD,
Assistant Treasurer.

Source: (Mrs.) Ann M. Eppard, Assistant Treasurer, Shuster for Congress Committee, Star Route 5, Everett, Pennsylvania 15537 (July 24, 1975).

AOR 1975–42: Application of Spending Limits to Candidate Purchase of Advertising in Directories and Yearbooks (Request Edited by the Commission)

DEAR MR. CHAIRMAN: I have been invited by the editors of Hawaii's annual "Labor Director" to purchase a ⅛ page advertisement in the Directory. My photograph will appear with the words "Aloha to Labor from Sparky" superimposed. I have also been invited to purchase a quarter-page advertisement in the Hawaii State Little League Baseball "Souvenir Yearbook," which is published annually at the end of the Little League Baseball season. My photograph will appear with the words "Aloha and Best Wishes.(s) Spark Matsunaga, Member of Congress."

I would appreciate receiving the Commission's opinion as to whether this expenditure must be recorded as a "campaign expenditure" under the provisions of the Federal Elections Campaign Act, as amended. If so, would the cost of the advertisement be credited toward the Primary Election campaign expenditure ceiling established in 1974?

If the proposed advertisement is not a "campaign expenditure" under the provisions of the Federal Elections Campaign Act, could funds from my congressional Communications Fund be used for its purchase? A report of receipts and expenditures under my Communications Fund has been filed with the Clerk of the U.S. House of Representatives and the Lieutenant Governor of the State of Hawaii.

SPARK MATSUNAGA,
Member of Congress.

Source: Representative Spark Matsunaga, 422 Cannon House Office Building, Washington, D.C. 20515. (Two letters dated July 22, 1975.)

AOR 1975–43: Establishment by Corporation of Voluntary Employee Political Donation Program (Request Edited by the Commission)

GENTLEMEN: On behalf of TRW, I would like to respectfully request your advice on the following situation:

TRW operates a Good Government Program whereby employees who desire to participate are permitted to have a certain amount of their paycheck withheld and sent to a designated candidate or party. [The Commission notes that the TRW Good Government Program registered as a political committee on August 7, 1975]

All contributions made by our employees to the designated candidates or committees are fully disclosed to the intended recipient. Each recipient receives a check in the total amount of all contributions designated for such recipient and in addition receives a list of every employee who designated a contribution to such candidate or committee together with the amount contributed by such employee. TRW simply acts as an agent of the employee in forwarding the designated contribution much as a bank operates as an agent of a depositor when a check is written and the bank honors that check upon presentment.

However, it would appear possible to argue that TRW is an "intermediary or conduit" within the meaning of Title 18 § 608(b)(6) of the United States Code. TRW does not believe that our program is within the spirit of this section. However, since the point is arguable we would like to request the Commission's position on this point.

Should the Commission rule that TRW is an "intermediary or conduit" rather than a simple agent of its employees, we would like to be informed of the Commission's requirements for our fund particularly in the following respects:

(1) How frequently should we report or file with the Commission?

In some cases, our payroll departments issue checks biweekly in other cases payroll periods are semi-monthly, monthly or weekly. In some cases the amounts to be withheld pursuant to the employees direction are withheld in each paycheck and others the deduction is made only once a year. I am sure that neither TRW nor the Commission desires to be inundated with paperwork for this program. Accordingly, if the Commission feels a report is necessary at all, TRW respectfully suggests that such report be provided to the Commission annually.

(2) What form should we use for the report?

We are not aware of any form which can be appropriately used for purposes of § 608(b)(6). Accordingly, if the Commission desires TRW to report its program under this section we respectfully request that the Commission adopt some form on which we may make the report or at least inform us of the various items which the report should contain.

* * * * *

William A. Hancock,
Senior Counsel.

Source: TRW Good Government Program, by Counsel, William A. Hancock, TRW, INC., 23555 Euclid Avenue, Cleveland, Ohio 44117 (July 28, 1975).

AOR 1975–44: Request of Socialist Workers 1976 National Campaign Committee (Request Edited by the Commission)

Dear Commissioners:

* * * * *

We seek advisory opinions under 2 U.S.C. § 437f from the Commission on several questions regarding the Act and the 1974 Amendments.

1. In our letter of January 31, 1975 we requested clarification on the $1,000 limitation on contributions. Does this limit apply separately to primary, runoff (if any), and general elections? Section 608(b)(5) indicates that the limitation is $2,000 for presidential candidates but fails to give any time limitation. Is it for instance, $1,000 before the primary and an additional $1,000 between the primary and the general election? If the limitation does apply separately for candidates contending in primary and runoff elections, does it also apply separately for candidates contesting only the general election?

2. Regarding the limitation of $100,000 on petty cash purchases and transactions (18 U.S.C. § 615), does this mean that no check to the order of "cash" can be made for over $100.00? What does a campaign committee do in a situation where a candidate or representative of a candidate is out of town and requires emergency funds in excess of $100.00? What does a committee do in the case where its checks are unacceptable as a means of payment for a certain vendor, for example, the U.S. Postal Service?

* * * * *

4. When candidates are not contesting special, primary, or run-off elections, what are the reporting requirements regarding the 10-day preelection and 30-day postelection reports?

* * * * *

6. What constitutes a "debt" or "obligations" itemizable under parts 11 and 12 of the reports? Does this refer to long-term debts and obligations of say, 60 days, or something else?

7. Do the non-principal campaign committees have to be authorized in writing by the candidates?

8. What constitutes "affiliation" and "relationship" of committees?

* * * * *

Andrea Morell,
Treasurer, Socialist Workers,
1976 National Campaign Committee.

Source: Andrea Morell, Treasurer, Socialist Workers 1976 National Campaign Committee, 14 Charles Lane, New York, New York 10014 (July 10, 1975).

AOR 1975—45: Legality of the Establishment and Administration of "Independent Antonomons" Multicandidate Political Committees. (Request Edited by the Commission)

Dear Sir: We represent the Agricultural & Dairy Educational Political Trust ("ADEPT").

* * * * *

ADEPT submits this advisory opinion request, by counsel, pursuant to the provisions of 2 U.S.C. § 437f(a).

The pertinent facts are that ADEPT is considering the establishment in several states of the Union of independent and autonomous political committees which, like ADEPT, would be multiple candidate committees and which, like ADEPT, would be political committees * * *. Each such committee would operate solely within the state in which it was organized; would be governed by committee members at least one of whom would be resident in such state; would make political contributions as defined by the provisions of 2 U.S.C. § 431(e) and 18 U.S.C. § 591 (e); would exercise its independent judgment as to the beneficiaries and amounts of its contributions; would report to the Federal Election Commission pursuant to the provisions of 2 U.S.C. § 434(a); and, except to the extent it might receive unanticipated and unsolicited donations, would depend solely for its funds upon transfers from ADEPT (which transfers would be reported by ADEPT as contributions by ADEPT); and which might receive the benefit of accounting, clerical, legal or similar services in kind from ADEPT (which services also would be reported by ADEPT as contributions from ADEPT).

The basic question is whether such committees may be established.

If the basic question be answered in the affirmative, ADEPT would propound the following questions.

1. May the Treasurer of ADEPT also serve as the treasurer of one or more of the state committees?

2. Would the limitations upon the quantum of contributions set forth in 18 U.S.C. § 608(b)(2) be applicable (1) separately to ADEPT and to each such committee or (2) in the aggregate to ADEPT and each and every such committee?

3. May one or more members of the ADEPT committee also hold membership on one or more state committees?

4. May each state committee be funded by transfers of funds from ADEPT? In this connection ADEPT envisions that upon being notified by a particular state committee that the funds thereof were depleted to the sum of $1,000.00 or some other relatively small sum, ADEPT would transfer to that particular state committee a substantial sum, as for example, $25,000.00. No part of the transfer would be earmarked for a particular contribution. The state committee would be free to spend the money as it deemed appropriate. The state committee then would be expected to advise ADEPT when at some subsequent date its funds available for contribution again dropped to $1,000.00.

* * * * *

Marion Edwyn Harrison.

Source: Marion Edwyn Harrison, Harrison, Lucey, Sagle & Solter, 1701 Pennsylvania Avenue, NW., Washington, D.C. 20006 (July 15, 1975).

AOR 1975—46: Fee for the Televised Appearance of a Member of Congress (Request Edited by the Commission)

Dear Mr. Curtis: I am writing on behalf of United States Representative Barbara Jordan, 18th District of Texas to request advisory opinions regarding section 616 of the "Federal Election Campaign Act Amendments of 1975." As you know, that section deals with the "Acceptance of Excessive Honorariums."

Miss Jordan has been asked to provide editorial comment once a month which is recorded on video tape, for presentation on the CBS television Morning News Show. She is paid One Hundred and Fifty Dollars for each taping.

It is our position that this payment is salary for services for which a fee is traditionally required, and therefore, should not be included when computing her acceptance of honorariums for the calendar year. * * *

Rufus (Bud) Myers.

Source: Representative Barbara Jordan, by Rufus Myers, Administrative Assistant, 1534 Longworth House Office Building, Washington, D.C. 20515 (July 3, 1975).

AOR 1975—47: Expenditures of Corporate Funds by Host Committees for the Benefit of National Political Party (Request Edited by the Commission)

Dear Commissioners:

* * * * *

On behalf of the Democratic National Committee, a supplementary advisory opinion is requested in this regard.

Specifically, Advisory Opinion 1975–1 provided, in part, that local corporations which are engaged in certain retail businesses may contribute funds to a local civic association, or other similar type of business association ("Host Committee"), which payment, under certain conditions, would not constitute a prohibited corporate contribution within the provisions of 18 U.S.C. § 610. The Opinion did not cover the purposes for which a Host Committee could expend its funds, including funds derived by it from local retail corporations referred to above.

An Opinion is respectfully requested that a Host Committee may offer to the National Committee any of the services, benefits, or uses of property described in paragraphs (1) through (7), inclusive, of Advisory Opinion 1975–1, without violating 18 U.S.C. § 610, and that such transactions do not involve "expenditures" under 26 U.S.C. § 9008(d).

Stuart E. Seigel.

Source: Stuart E. Seigel, Cohen and Uretz, 1775 K Street NW., Washington, D.C. 20006 (August 4, 1975).

AOR 1975–48: Attribution of Contribution to Political Party to Candidate Receiving Funds from that Party (Request edited by Commission)

Dear Commissioner:

* * * We request that the Federal Election Commission issue an Advisory Opinion in answer to this question:

Because the 1974 Act imposes a $1,000 limit on contributions by an individual to a candidate for election to Federal office, if a contributor makes a contribution of less than $1,000 to a candidate's campaign committee and thereafter is asked to contribute to one or more state and local party committees, some portion of whose receipts from contributions will be contributed by that committee to or expended for the election of that same candidate, but where the portion of the individual's contribution has not been earmarked for that candidate either by the contributor or the party committee, can the contributor make that contribution to the state or local party committee without being considered to have exceeded the $1,000 limitation?

If the answer to the foregoing question is now, what steps must the state or local party committee or the contributor take in order to insure that his total contributions to the Federal candidate do not exceed the $1,000 limit?

Richard C. Frame,
State Chairman.

Source: Richard C. Frame, State Chairman, Republican State Committee of Pennsylvania, P.O. Box 1624, Harrisburg, Pa. 17105 (August 5, 1975).

AOR 1975–49: Corporate Contribution to State Political Party Committee Supporting State and Federal Candidates (Request edited by Commission)

Gentlemen: I write in behalf of the New York Republican State Committee respectfully to request [an advisory opinion.] * * *.

On February 13, 1975, the New York Republican State Committee put on a fundraising dinner in New York City in honor of Vice President Rockefeller. The President graciously attended under the auspices and at the expense of the Republican National Committee. As is usual in such cases, the National Committee charged back such expense to the State Committee and we gladly agreed to reimburse them for such expense out of the proceeds of the dinner.

We, of course, want to honor that commitment.

Following the dinner, however, it dawned on both the National Committee and ourselves that we had accepted some corporate checks as subscriptions to the dinner. Subject to certain limitations, corporate checks are legal for political contributions in New York. The corporate checks received for the dinner and otherwise by the Committee had been intermingled in the Committee's general funds. Thus both the National Committee and ourselves concluded that our debt to them could not be paid out of the Committee's general funds.

* * * * *

* * * Our Republican State Committee continues to receive contributions both directly and through an arm called "The Governor's Club", all of whose income, after expenses, goes to the State Committee. Most of these contributions are individual but some of them are corporate.

Question: If we segregate the receipts from individuals as they come in in the future identifiably one by one in a separate account, excluding all corporate receipts from that fund, can we properly and legally pay our debt to the National Committee out of that segregated account?

* * * * *

GEORGE L. HINMAN.

Source: George L. Hinman, Member for New York, Republican National Committee, Room 5600, 30 Rockefeller Plaza, New York, New York 10021 (August 6, 1975).

AOR 1975–50: Application of 1974 Amendments to Debt Transaction Incident to Special Election in 1975 (Request edited by Commission)

DEAR MR. CURTIS: After studying the latest Federal Election Commission Advisory Opinion (1975–6) there remain specific questions to be answered concerning campaign debts owed by this Committee.

Jeff LaCaze was a candidate for the U.S. House of Representatives from The Sixth District of Louisiana. The results of the general election of November 5, 1974 was disputed and after litigation the state courts ordered a new election for January 7, 1975.

* * * * *

* * * [C]ontributions in excess of $1,000 were received by this Committee during 1975 and used for an election held in 1975 * * *.

Please clarify this [question], i.e. were contributions received subsequent to December 31, 1974 and prior to January 8, 1975 subject to the 1971 Act * * * or subject to provisions of the 1974 Act as indicated in Advisory Opinion 1975–6?

Additionally, please consider the following for an [advisory opinion]:

1. Promissory notes made in 1974.

a. Are accrued interest payments made in 1975 on these notes, "debt" incurred during 1974 and therefore, payable with contributions as outlined in Advisory Opinion 1975–6?

b. Can makers of these notes (i.e. co-guarantors, etc.) pay interest accumulated on these notes without having these contributions being subject to the 1974 Act?

2. Corporate debts owed by a Candidate or Committee.

a. Can debts owed by a candidate or committee to a corporation be forgiven or settled for sums less than those previously billed without such forgiveness of debt being considered an "illegal contribution" as outlined under 18 U.S.C. 610–611?

b. Can a corporation write off as bad debts, any debts owed by a candidate or committee for which payment cannot be made?

TED E. DOVE, *Treasurer*.

Source: Ted E. Dove, Treasurer, The Jeff Lacaze Committee, P.O. Box 14649, Baton Rouge, Louisiana 70808 (August 5, 1975).

AOR 1975–51: Use of Excess Campaign Funds to Purchase Congressional Office Equipment (Request edited by the Commission)

DEAR MR. CURTIS: * * * This is a request for an advisory opinion on the use of campaign funds to defray Congressional office expenses above the usual electrical equipment and clerk-hire allotments.

Our office plans to install a computer terminal to meet the demands of constituent mail. The cost of the terminal will exceed our office allotment and, therefore, we would like to use excess campaign funds to establish a separate Oberstar Office Equipment account.

In checking with the Office of the Clerk of the House, Mr. Moss recommended this separate account and suggested the account be set up in a manner allowing a staff member to make disbursement, rather than require the Member's signature.

Mr. Moss assured me that the use of campaign funds in the manner prescribed is legal and preferred (reference Section 439(a) of the 1974 Federal Election law). However, he felt a letter to your office asking for an advisory opinion would be wise. * * *

JAMES L. OBERSTAR, M.C.

Source: Congressman James L. Oberstar, Room 323, Cannon House Office Building, Washington, D.C. 20515, (July 8, 1975).

AOR 1975–52: Assistance by a Multi-candidate Committee to Pay Off a Candidate's Past Campaign Debt. (Request Edited by the Commission)

GENTLEMEN: I am writing to inquire as to whether or not in your opinion a State Committee may assist a successful candidate for the Congress to pay off his 1974 election debt without impairing the limitations on the amount of money it may give to said Congressman under the new law should he be a candidate for re-election in 1976?

JOHN R. LINNELL.

Source: John R. Linnell, Maine Republican State Committee, 187 State Street, Augusta, Maine 04330 (July 14, 1975).

AOR 1975–53: Application of Limitations on Contributions and Expenditures to Nomination by Petition Effort (Request edited by the Commission)

DEAR MR. CURTIS: A group of interested citizens in the State of Maryland have formed a political committee of which I am Chairman to explore the possibility of promoting the independent candidacy of Bruce Bradley for the office of United States Senator in 1976.

In the process of gathering preparatory information, we find that under Maryland law, an independent candidate may qualify by petition to have his name placed on the ballot for the general election.

In reviewing the provisions of the Federal Election Campaign Act of 1971 [as amended in 1974] * * * we find the language of 18 U.S.C. § 608(c)(1) * * * sufficiently vague as to request a formal advisory opinion from you on the following specific issues:

1. * * * Under Maryland law an independent candidate for United States Senator must qualify for election by petition, a method of which, while involving the expenditure of funds for political purposes, is not an expenditure of political funds for nomination by election in a primary election sponsored by an organized political party. We would like an opinion as to whether or not nomination by petition in this case is considered legally equivalent to any other primary election contemplated under [18 U.S.C. § 608(c)(1)(C)] * * *. We would interpret an affirmative ruling in this case to mean that an independent candidate for nomination for election to the office of U.S. Senator from the State of Maryland attempting to qualify as a candidate for the general election by petition would be eligible to raise funds and spend them as if he were any other candidate attempting to obtain nomination for election through the political primary process. Further, such an interpretation would mean that the limitations of [18 U.S.C. § 608(c)(1)(C)] * * * would apply to all political activities of an independent candidate up until such time as he is legally certified as a candidate for the general election by competent state authority.

2. Assuming that the above ruling is in the affirmative, and that an independent candidate is considered for purposes of the spending limitations as any other candidate for nomination by primary, would there be any restrictions on funds used to qualify by petition other than those imposed by the Federal Election Campaign Act of 1971, as amended? We would interpret a no restriction ruling as permitting the expenditure of funds raised to qualify for election by petition for the same types of activities and services as would be procured under the law by any other candidate seeking nomination by primary, i.e. payment of staff salaries, media advertisements, airplane or car rentals, and publications of a promotional nature.

3. If, in fact, qualification by petition constitutes a primary for purposes of [18 U.S.C. § 608(c)(1)(C)] * * * and a surplus remains at the time the candidate's petition is certified and he is, in fact, qualified for election under State law, can the surplus be carried over for use in the general election campaign without regard to the limitations imposed under [18 U.S.C. § 608(c)(1)(D)]? * * *

JOHN F. FALCONER.

Source: John F. Falconer, Chairman, Bradley for Senate Committee, 10600 Seneca Ridge Drive, Gaithersburg, Maryland 20760 (June 30, 1975).

AOR 1975–54: Application of Contribution and Expenditure Limitations to Each Election Held in a State (Request edited by the Commission)

GENTLEMEN: * * * Utah has a somewhat unique nomination process. At the respective State Nominating Conventions, attended by delegates elected at precinct mass meetings, primary contenders are reduced to two. If, however, one candidate receives 70 percent of the vote, he becomes the nominee, without a primary. Both Senator Jake Garn (R–Utah), and his opponent, former Congressman Wayne Owens (D–Utah) in 1974 received a 70 percent convention nomination.

Were there, in Utah, to be 3 phases of a Federal campaign (i.e., convention, primary and general) would the campaign limitation apply to each phase, with no carry-over from one time frame to another? Under the prior law the Secretary of the Senate answered this question affirmatively, denoting, accurately, no difference between primary runoffs and the Utah system.

Your advisory opinion on the question raised is sought.

KENT SHEARER, *Legal Counsel*.

Source: Kent Shearer, Legal Counsel, Utah Republican Central Committee, c/o Mock, Shearer and Carling, 1000 Continental Bank Building, Salt Lake City, Utah 84101 (June 28, 1975).

AOR 1975–55: Organizational Contributions to Charity in Lieu of Honorarium To Federal Office-Holders or Scholarship Fund (Request Edited by the Commission)

DEAR MR. CHAIRMAN: I write to request a clarification and interpretation of the requirements and limitations under Section 616 of Title 18 of the U.S. Code with respect to honorariums received by a Member of Congress.

Would it be proper, assuming no self-dealing or self-serving implications of any kind, for private organizations to make contributions to legitimate charities, either in lieu of or in addition to honorariums that I might otherwise receive? Would such contributions in any way count with respect to the limitations imposed under Section 616?

In addition, a special situation would be the possible establishment of a scholarship fund, properly set up with no self-dealing and an unrelated board of directors. If a private organization were asked in lieu of an honorarium, to make such a contribution only if they wished, and not as a condition for my appearance, would this be proper?

AL ULLMAN,
Member of Congress.

Source: Representative Al Ullman, House of Representatives, Washington, D.C. 20515 (August 11, 1975).

AOR 1975-56: Office Account Expenditures Chargeable to Primary or General Election Campaign

DEAR SIR: I hereby request an advisory opinion in regard to the following:

Are expenditures by an office account to be counted against the expenditure limitations applicable to a campaign for election (general) or should they be counted against the campaign for nomination for election (primary).

STEPHEN J. SOLARZ,
Member of Congress.

Source: Representative Stephen J. Solarz, House of Representatives, 1228 Longworth House Office Building, Washington, D.C. 20515 (August 12, 1975).

AOR 1975-57: Application of Limits to Post-election Contributions to Single Candidate Committee (Request Edited by the Commission)

DEAR SIR: We would appreciate a ruling from you regarding certain points of law regarding candidates/campaigns for Federal Office (U.S. Senate), Title III of Public Law 92-225, the Federal Election Campaign Act.

Please give us a ruling on the following:

(1) Is there any limitation as to time that contributions can be accepted subsequent to the election?

(2) Is it permissable to accept funds raised from Testimonials, Dinners, etc. (given for the benefit of the candidate) subsequent to the election?

(3) If post election contributions are acceptable, is it in any way contrary to the law to repay the candidate for funds loaned to his own campaign fund, which has been used to defray campaign expenses?

A. R. GRIGSBY,
Treasurer, John L. Grady Campaign Fund.

Source: A. R. Grigsby, Treasurer, John L. Grady Campaign Fund, Belle Glade, Florida 33430 (August 1, 1975).

THOMAS B. CURTIS,
Chairman for the
Federal Election Commission.

Date: August 25, 1975.

FEDERAL ELECTION COMMISSION,
Washington, D.C., August 22, 1975.

Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of two notices of the Federal Election Commission which will be published in the Federal Register.

Notice 1975-33, which will be published on Wednesday, September 3, contains Advisory Opinion 1975-10.

Notice 1975-34, which will also be published on Wednesday, September 3, contains Interim Guideline—New Hampshire Senate Election.

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have these notices inserted in the CONGRESSIONAL RECORD.

Sincerely,

ORLANDO B. POTTER,
Staff Director.

(Highlights: Federal elections—Federal Election Commission publishes an advisory opinion, internal transfers of funds by candidates or committees.)

FEDERAL ELECTION COMMISSION

[Notice 1975-33]

ADVISORY OPINION

The Federal Election Commission announces the publication today of Advisory Opinion 1975-10. The Commission's opinions are in response to questions raised by individuals holding Federal office, candidates for Federal office and political committees, with respect to whether any specific transaction or activity by such individual, candidate, or political committee would constitute a violation of the Federal Election Campaign Act of 1971, as amended, of Chapter 95 or Chapter 96 of Title 26 United States Code, or of Sections 608, 610, 611, 613, 614, 615, 616, or 617 of Title 18, United States Code.

ADVISORY OPINION 1975-10

Internal transfers of funds by candidates or committees

This advisory opinion is rendered under 2 U.S.C. § 437f in response to four requests, published as AOR 1975-10 in the July 9, 1975 *Federal Register* (40 FR 28944). All of the requests relate to various types of transfers of funds by candidates or political committees. Interested parties were given an opportunity to submit written comments pertaining to the requests.

A. Request of Congressman John J. McFall

The issue presented is whether a principal campaign committee of a candidate for Federal office may transfer funds from a checking account at a designated campaign depository to a savings account in the same bank or to a savings account in another financial institution which is not a designated campaign depository.

Section 437b(a)(1) of Title 2, U.S. Code, provides that "[e]ach candidate shall designate one or more national or State banks as his campaign depositories." This section further requires that the principal campaign committee shall maintain a checking account at the designated depository, shall deposit any contributions received by it into such account, and shall make all expenditures from said checking account. The statute is silent as to the establishment and use of savings accounts.

It is clear that the statute requires *all* contributions and *all* expenditures to pass through the checking account at the designated depository. However, the statute would not preclude a transfer from a checking account to a savings account if full disclosure is made and the committee retains its complete control of the funds so transferred at all times.

To assure compliance with the reporting requirements of 2 U.S.C. § 434(b) and the specific language of section 437b(a)(1) that all contributions and all expenditures flow through the checking account at the designated depository, the Commission will require:

(1) that all funds transferred from the checking account described above to any savings account, certificates of deposit or other interest-bearing account be reflected clearly on the reporting forms required to be filed with the Commission under 2 U.S.C. § 434(b);

(2) that all funds transferred out of the designated checking account, as described above, be eventually transferred back into such account and clearly reflected on the reporting forms required to be filed with the Commission under 2 U.S.C. § 434(b);

(3) that any interest earned from funds transferred to any savings account, certificates of deposit or other interest-bearing account be timely reflected on the reports required to be filed with the Federal Election Commission under 2 U.S.C. § 434;

(4) that no expenditures be made from any funds transferred to an account other than the checking account at the designated campaign depository.

B. Request of Thomas Coleman

This request raises the question as to how one should report the transfer of surplus campaign funds remaining from an election campaign for local or State office to a Federal election campaign committee. The Commission's response to this question should not be construed as adversely affecting any donor's rights provided by State law as to the use of the donor's original contribution made in connection with a campaign for State or local elective office.

Funds received by a political committee which are transferred from any other source are contributions as defined in 2 U.S.C. § 431(e)(3). As such, they are required to be reported under the provisions of 2 U.S.C. §434 (b)(2)(4) and (7). Specifically, full information as to the source of all funds transferred to a reporting political committee, as well as the amounts and dates of all individual contributions included in the transfer, must be reported. The Commission agrees that Mr. Coleman may presume that the surplus transferred to his Federal campaign committee is comprised of those individual contributions last received before the State election. The Commission contemplates future regulations that will provide more specific guidance as to the proper reporting of transfers of this type.

The Commission also concludes that the funds to be transferred to the Federal campaign committee may not include any contributions by national banks or corporations, labor organizations, Government contractors, or agents of foreign principals. See 18 U.S.C. §§ 610, 611, and 613.

Furthermore, no contributions which exceed $1,000 from any one person and were made after January 1, 1975, may be transferred to the Federal campaign committee. Finally, any funds that were under Mr. Coleman's personal dominion and control, although contributed to a State campaign committee, may be transferred to the Federal campaign committee only to the extent permitted under 18 U.S.C. § 608(a).

C. Request of the Circle Club

The question presented is whether a pre-existing political committee with residual funds may obtain consent from the original contributors of these funds to "earmark" their contributions for a specific Federal candidate, and transfer said earmarked contributions to the principal campaign committee of the candidate designated by the contributor.

Under 18 U.S.C. § 608(b) persons (other than qualified multicandidate political committees) may not lawfully make contributions to any Federal candidate in excess of $1,000 with respect to any election. Subsection (b)(2) allows certain political committees to make $5,000 contributions to any Federal candidate with respect to each separate election.

In the event that contributions are earmarked by the donor (or on the donor's behalf), or otherwise directed through an intermediary or conduit to a particular candidate, they are treated as contributions to that candidate from the original donor and are, therefore, subject to applicable limits under section 608(b). Section 608(b)(6) would not apply to situations where donors relinquish complete control over their contributions and do not at a later time regain such control either by actual return of their contribution or, as in this instance, by request of the recipient committee for authorization to earmark a contribution originally given without such restriction. Since in this case the committee will be asserting some control over the earmarking by reason of the fact that it will actively seek to obtain consent from the donors to earmark funds for a specific Federal candidate, it follows that the committee, as well as the original donor, should be regarded as having made the contribution.

Hence, both aspects of the transaction are subject to limitation under 18 U.S.C. § 608 (b) (1). The committee must regard its involvement in procuring the authorization to earmark as tantamount to its own contribution and, therefore, subject to the $5,000 limit in 18 U.S.C. § 608(b) (2), if it is otherwise qualified to make contributions in that amount. Further, such designated contributions must be reported to the Commission and the intended recipient by the political committee as provided in 18 U.S.C. § 608(b) (6). Until issuance of final regulations, this may be accomplished by complying with the reporting provisions of 2 U.S.C. § 434(b) and the earmarking regulations issued by the previous supervisory officers and adopted by the Commission on an interim basis on June 2, 1975, 40 FR 23833.

D. Request of Senator James Buckley

The Friends of Jim Buckley Committee has established an internal method of allocating political expenditures from "non-political" expenditures for constituent services. The Committee has solicited funds for both political and non-political purposes through its fundraising appeals. Senator Buckley requests an opinion as to:

(1) whether the Commission will recognize the functional distinction between the two types of expenditures;

(2) whether it will be necessary to establish another committee to handle funds expended for constituent services; and

(3) if a separate committee is established, whether a separate committee for constituent services will be able to receive funds from the political committee.

The matter of constituent service accounts is controlled by the provisions of 2 U.S.C. 439a and such rules as may be necessary to carry out the provisions of section 439a. The Commission has formally proposed such rules which treat contributions to and expenditures by constituent service funds as transactions of a political committee. See Notice 1975-18, August 5, 1975 (40 FR 32951).

Furthermore, in Advisory Opinion 1975-14, decided August 7, 1975, the Commission held that contributions to constituent service accounts are subject to 18 U.S.C. §§ 608, 610, 611, 613, 614, and 615. Accordingly, the Commission has no objection to transfers of funds from the existing political committee to another one newly organized, but recognizes no functional distinctions between the two types of expenditures described in the request. Finally, the Commission concludes that all expenditures made by either the existing political committee or a new constituent service committee are subject to the spending limits applicable to a candidate under 18 U.S.C. § 608(c).

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

FEDERAL ELECTION COMMISSION

[Notice 1975-34]

Interim Guideline—New Hampshire Senate Election

On June 2, 1975, the Federal Election Commission issued an Interim Guideline (Notice 1975-1) which directed all individuals, committees, and others subject to the Federal Election Campaign Act of 1971, as amended, to file the July 10, 1975 quarterly report with either the Secretary of the Senate, the Clerk of the House of Representatives, or the Federal Election Commission, depending upon the nature of the candidacy involved. Today, with respect to the Special Election to fill the vacancy in the office of United States Senator from New Hampshire, scheduled for September 16, 1975, the Federal Election Commission issues a guideline which directs the parties involved in the New Hampshire election to file directly with the Commission, and which sets out other rules of general applicability with respect to complying with the Federal Election Campaign Act in the pre- and post-election periods.

Date: August 21, 1975.

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

INTERIM GUIDELINE—NEW HAMPSHIRE SENATE ELECTION

I. DEFINITIONS

For purposes of this interim guideline the term

(a) "candidate" means an individual whose name will appear on the ballot in the September 16, 1975 election to fill the New Hampshire Senate seat.

(b) "election or special election" means the special election to be held on September 16, 1975, to fill the New Hampshire Senate seat.

(c) "political committee" means a political committee which receives (or intends to receive) contributions or makes (or intends to make) expenditures with respect to the September 16, 1975 special election to fill the New Hampshire Senate seat.

(d) "authorized committee" means a political committee which has been authorized in writing by a candidate to receive contributions or make expenditures for or in furtherance of the election of such candidate. Such authorization shall be provided to the chairman of such political committee and a copy shall be sent to the Commission.

II. APPLICABILITY OF THE FEDERAL ELECTION CAMPAIGN ACT AMENDMENTS OF 1974

A. General

For purposes of calculating the limitations on contributions and expenditures under 18 U.S.C. § 608, the Commission has set July 30, 1975, the day that the Senate passed the Resolution declaring the New Hampshire Senate seat vacant, as a cutoff date.

Subject to the next paragraph, all contributions received or expenditures made or incurred prior to July 31, 1975, will be considered as made with respect to the 1974 election, to which the limitations of 18 U.S.C. § 608 did not apply. Such limitations will, however, apply to all contributions received or expenditures incurred subsequent to July 30, 1975, which contributions and expenditures shall be attributed to the September 16 special election, except to the extent that such contributions are earmarked for another purpose.

In the unique circumstances attending the holding of the September 16 special election, funds received or promised in writing subsequent to December 31, 1974 and prior to July 31, 1975 and which remained on hand as of July 30, 1975 may be expended or transferred for that special election by an authorized political committee to the extent that such contributions would be lawful under the Federal Election Campaign Act of 1971, as amended, and Title 18 U.S.C. All contributions to a candidate or his authorized political committee subsequent to December 31, 1974 and prior to July 31, 1975 must, however, be reviewed by the candidate or the appropriate committee treasurer. Such contributions shall be reviewed in reverse order of receipt, beginning with the last contribution received prior to July 31, 1975. To the extent that any contribution exceeds the limits set by 18 U.S.C. § 608, such excess shall be set aside and excluded until the sum of the contributions so reviewed equals the amount of cash on hand on July 30, 1975, at which point an amount equal to the sum of the non-excluded portions of the contributions may be transferred to or expended on behalf of the candidate. If the excluded amounts, thus computed, or any portion thereof have already been transferred or expended, an equivalent sum shall be deducted from the current campaign funds of such candidate's authorized political committee or committees, and may not be used for the September 16 election, although such funds may be used for any other lawful purpose including the retirement of residual campaign debts from the 1974 election.

Excluded portions of contributions will not count against expenditure ceilings under the 1974 Act, but non-excluded portions will count against such ceilings. For example, if the most recent contribution was $500 contributed by an individual, which is non-excluded, that individual may not contribute more than $500 additional for the September 16 special election.

Each candidate must designate a new principal campaign committee to receive contributions and incur expenditures with respect to the September 16 special election.

B. *Prior campaign debts and obligations*

Debts and obligations of any candidate incurred with respect to the 1974 Senatorial election, or with respect to any subsequent recount activities, which remain outstanding will be subject to the guidelines set forth in the Commission's Policy Statement on Pre-1975 Campaign Debts (40 FR 32952 (August 5, 1975)) and Interim Guideline on the Reporting of Debts and Obligations (40 FR 32950 (August 5, 1975)). Reference is also made to Advisory Opinions 1975-5 and 6, 40 FR 31316 (July 25, 1975).

C. Multicandidate committees

Section 608(b) (2) of Title 18, United States Code establishes three requirements which multicandidate committees must satisfy before they qualify as a political committee subject to the $5,000 rather than the $1,000 contribution limitation. These requirements are: (1) registration under 2 U.S.C. § 433 for a period not less than six months; (2) the receipt of contributions from more than 50 persons; and (3) except for any state political party organization, the making of contributions to five or more candidates for federal office.

For the purpose of meeting these requirements for this election only, each politcial committee (1) must have been registered with one of the three previous supervisory officers for six months or more prior to the time the contribution is made, and, (2) with respect to the 1974 Congressional elections, each political committee must have received contributions from more than 50 persons and made contributions to five or more federal candidates. If a political commitee meets these requirements, it may contribute $5,000 to a candidate in this election. If any of these requirements are not met, then the political committee is limited to a $1,000 contribution under § 608(b) (1).

D. *Expenditures by national and State committees*

National and state committees of political parties are entitled to make the expenditures provided in 18 U.S.C. § 608(f) in connection with this election. Section 608(f) establishes separate expenditure limitations for political party committees in connection with a general election. The New Hampshire statute under which this election is to be held terms it a "special" election. For purposes of federal law, a general election is an election that is held to fill a vacancy in a federal office. Since the upcoming New Hampshire contest is such an election, it will be considered within the definition of general election.

E. *New Hampshire State committees—Establishment of segregated funds*

Each New Hampshire state committee, and each subordinate committee of such state committees, which intends to solicit or receive contributions for or on behalf of, or make expenditures, or make transfers, in excess of $1,000, to or on behalf of any candidate for federal office shall:

(1) establish a segregated federal campaign account in either a state or national bank which account may not receive contributions other than contributions earmarked for such account and any expenditure from which must be made exclusively for a candidate or candidates for federal office. Such segregated federal account may not receive transfers from another account established by a state committee or subordinate committee of a state committee unless such state or subordinate committee account is itself a segregated federal campaign account.

(2) file with the Commission reports and statements of receipts, contributions and expenditures made for such account.

III. CANDIDATE DESIGNATIONS AND REPORTING

A. Candidate designations

(a) Within 5 days of the publication of this guideline in the *Federal Register* each candidate shall file a Statement of Candidacy with the Commission on which such candidate shall—

(1) designate a principal campaign committee, and

(2) designate at least one national or state bank as a campaign depository, and

(b) Such candidate shall also file reports of personal receipts and expenditures in accordance with section V of this interim guideline unless a waiver of personal reporting is applied for and granted by the Commission.

B. Waiver of candidate reporting

(a) Upon written application to the Commission, a candidate may be relieved of the duty personally to file reports of receipts and expenditures if the candidate certifies that he will comply with the following conditions:

(1) Within five days after personally receiving any contribution the candidate will surrender possession of the entire contribution to the treasurer of his principal campaign committee without expending any of the proceeds thereof.

(2) Such candidate will not make any personal expenditures for his campaign, except that this paragraph does not preclude a candidate from conveying personal funds, or the personal funds of his immediate family, to such candidate's designated principal campaign committee so long as the amount of funds so transferred does not exceed the limit prescribed by 18 U.S.C. § 608(a).

(b) After the candidate has submitted a verified statement that he will conform to the conditions specified above, the Commission, after such investigation as it deems necessary, may grant a formal waiver relieving the candidate from the obligation to comply personally with the reporting requirements in 2 U.S.C. § 434.

(c) Such waiver will continue in effect only to the extent that the candidate complies with the conditions under which it was applied for and granted.

IV. REGISTRATION OF POLITICAL COMMITTEES

A. Registration

(a) Unless already registered with the Commission or with one of the previous supervisory officers, each political committee which anticipates receiving contributions or making expenditures with respect to the special election during the remainder of calendar year 1975 in an aggregate amount exceeding $1,000 shall file a Statement of Organization with the Federal Election Commission within 5 days after the date of publication of this guideline in the Federal Register, within 5 days after the date of its organization, or within 5 days after the date on which the committee has information which causes it to anticipate receiving such contributions or making such expenditures exceeding $1,000 whichever is later.

(b) Authorized committees which support only a candidate for the Senate seat, and no other candidate, shall file the Statement of Organization required by paragraph (a) of this section, and any amendment thereto, or termination thereof, with the affiliated principal campaign committee and, concurrently, shall file a copy of such Statement with the Commission together with a copy of its written authorization.

B. Forms of filing

(a) The Statement of Organization shall be filed on a form which may be obtained from the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, telephone (202) 382–5162. The Statement shall include the following:

(1) The name and address of the committee;

(2) The names, addresses, and relationships of affiliated or connected organizations (see paragraph (b) of this section);

(3) The area, scope, or jurisdiction of the committee.

(4) The name, address, and committee position of the custodian of books and accounts.

(5) The name, address, and committee position of other principal officers, including officers and members of the finance committee, if any.

(6) The name, address, office sought, and party affiliation of (i) each candidate for federal office whom the committee is supporting and (ii) each candidate whom the committee is supporting for nomination or election to any other federal office or to any public office whatever; and, additionally, if the committee is supporting the entire ticket of any party, the name of the party;

(7) A statement whether the committee's existence will continue beyond the calendar year;

(8) The plans for the disposition of residual funds which will be made in the event of dissolution;

(9) A listing of all banks, safety deposit boxes, or other repositories used;

(10) A statement listing any reports regarding candidates for federal office filed under state or local law by the committee with state or local officers, and the names, addresses, and positions of such officers and,

(11) If the committee is not a principal campaign committee but has been authorized by a candidate to receive contributions and/or make expenditures, a copy of the authorization shall be included in the copy filed with the Commission.

(b)(1) Affiliated organizations include all authorized committees of the same candidate;

(2) Connected organization includes any organization which is not a political committee but which organized or supports the registrant.

C. Change or correction in information

Any change or correction in the information previously filed in the Statement of Organization shall be reported to the Commission within 10 days following the date of the change or correction, it shall (1) be reported by letter to the Commission or to the principal campaign committee (whichever is appropriate); (2) identify the form and the item or schedule containing the information to be changed or corrected; and (3) be verified by oath or affirmation by the person required by law to submit such information at the time the change or correction is reported.

D. Discontinuance of registration

(a) Any political committee not having outstanding debts or obligations owed to or by it which, after having filed one or more Statements of Organization with the Commission, disbands or determines that it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding $1,000, shall so notify the Commission.

(b) Such Notice of Termination shall be filed with the Commission or the principal campaign committee, where appropriate, and shall include a statement as to the disposition of residual funds if the committee is disbanding.

E. Identification number

Upon receipt of a Statement of Organization under this interim guideline, the Commission shall assign an identification number to the organization, acknowledge the receipt thereof, and notify political committee of the number assigned. This identification number shall be entered by the political committee on all subsequent reports or statements filed with the Commission under the Act, as well as on all communications concerning such reports or statements.

IV. CAMPAIGN DEPOSITORIES

Every political committee shall inform the Federal Election Commission, or its appropriate principal campaign committee, of the national or state bank(s) designated by its authorizing candidate as its campaign depository(ies) by listing them in its Statement of Organization.

V. REPORTS OF RECEIPTS AND EXPENDITURES

A. Timing of reports

The filing deadline for campaign finance disclosure reports as prescribed by the Act for the heretofore mentioned special election are as follows:

(a) Pre-election Report (10-day report) Filing date: Actual delivery to the Commission on or by September 6, 1975 or by registered or certified mail postmarked no later than September 4, 1975. Reports mailed first class will be considered filed only upon receipt by the Commission, regardless of date of postmark.

Period Covered: From the last date of previous report filed or from date of organization through close of business September 1, 1975.

(b) Post-election report (30-day report) Filing Date: On or by October 16, 1975—reports filed by registered or certified mail postmarked on or by such date shall be deemed filed as of the filing date.

Period Covered: From September 2, 1975 through the close of business October 6, 1975.

(c) The timely filing of a post-election report as outlined in (b) above shall satisfy the requirements for filing a quarterly report on October 10, 1975.

(d) If any contribution of $1,000 or more is received subsequent to the fifteenth day but more than 48 hours before 12:01 a.m. of the day on which the election is to be conducted, such information shall be reported directly to the Commission within 48 hours of receipt thereof. For purposes of this paragraph, report means—

(1) a letter signed by the treasurer or his designee hand delivered to the Commission within 48 hours of the receipt of the contribution, or

(2) a telegram to the Commission followed by a letter signed by the treasurer or his designee, sent registered or certified mail and postmarked within 48 hours of the receipt of the contribution.

B. Contents of reports

(a) Each report of receipts and expenditures required to be filed under this interim guideline by either a candidate or political committee shall contain the information required by 2 U.S.C. § 434(b).

(b) Such reports may be filed on the Reports of Receipts and Expenditures forms issued previously by the Secretary of the Senate.

C. *Uniform reporting of contributions*

(a) Each contributor of an amount in excess of $100 shall be identified by full name and mailing address (occupation, and principal place of business, if any). If a contributor's name or address is known to have changed since an earlier contribution during the calendar year, the exact name or address previously used shall be noted.

(b) In each case when a contribution received from a person in a reporting period is added to previously unitemized contributions from the same contributor and the aggregate exceeds $100 within the calendar year, the full name and mailing address (occupation, and principal place of business, if any) of that contributor shall then be listed on the prescribed reporting forms.

(c) In determining the aggregate of a person's contributions, all such contributions from the same donor shall be listed under the same name.

(d) Absent evidence to the contrary, any contribution made by check, money order, or other written instrument shall be reported as a contribution by the last person signing the instrument prior to delivery to the candidate or committee.

D. *Uniform reporting of expenditures*

(a) Each expenditure by or on behalf of a candidate or committee in excess of $100 shall be itemized by and shall include the full name and residence or, in the case of a recipient other than an individual, other mailing address of the recipient.

(b) In each case when an expenditure made to a recipient in a reporting period is added to previously unitemized expenditures to the same recipient and the aggregate exceeds $100 within the calendar year, the full name and residence or, in the case of a recipient other than an individual, other mailing address of that recipient shall be listed on the prescribed reporting forms.

VI. DOCUMENT FILING

A. *Place of Filing*

(a) All statements and reports, including any modifications or amendments thereto, required to be filed under 2 U.S.C. § 433 and 2 U.S.C. § 434, shall be filed in original form with the Federal Election Commission. A copy of each statement or report shall be filed with the New Hampshire Secretary of State or the equivalent New Hampshire state officer.

(b) Notwithstanding paragraph (a)—

(1) authorized committees which support only a candidate for the Senate, and no other candidate shall file reports with the authorizing candidate's principal campaign committee, and shall concurrently file a copy of such report with the Commission;

(2) authorized multicandidate committees shall file reports with the Commission, and, in addition, shall file with the authorizing candidate's principal campaign committee the information required by 2 U.S.C. § 434(b) regarding contributions received and expenditures made on behalf of the authorizing candidate;

(3) a multicandidate committee (whether authorized or unauthorized) which receives contributions earmarked by a contributor for any candidate or an authorized committee thereof shall report such contribution to that candidate's principal campaign committee in addition to the Commission.

B. *Copies transmitted to Secretary of Senate*

Upon receiving a statement or report filed by (a) a candidate and/or by (b) any political committee supporting one or more such candidates, the Commission shall within one working day, if practicable, and in any event not later than the second working day after receiving the filed statement or report, furnish a microfilm (or suitable equivalent) copy thereof, together with an index, to the Secretary of the Senate.

C. *Originals transmitted to the Secretary of the Senate*

(a) After receiving a filed statement or report within 5 working days if practicable and in any event no later than 10 days after receiving it, the Commission shall transmit the original statement report filed by (1) a candidate for the New Hampshire Senate seat, and by (2) any political committee supporting such candidate, to the Secretary of the Senate as custodian for the Commission.

(b) For purposes of the above paragraph the phrase "any political committee supporting such candidate" means:

(1) the principal campaign committee designated by a candidate, and

(2) any political committee required to file a statement or report with the principal campaign committee of a candidate.

VII. FORMAL REQUIREMENTS

A. *Authentication*

Each report or statement required to be filed with the Commission or with a principal campaign committee under this interim guideline by a treasurer of a political committee, a candidate, or by any other person, shall be signed by the person filing such report or statement.

B. *Preservation of records*

(a) Every person filing a report or statement with the Commission or with a principal campaign committee under this interim guideline shall preserve a copy thereof for a period of three years from the date of termination of the Committee, but in no event for a period of more than seven years from the last day of the calendar year in which the election was held for which the reports and statements were prepared.

(b) Every candidate, political committee, or other person required to file any report or statement with the Commission or with a principal campaign committee under this interim guideline shall maintain records with respect to the matters required to be reported, including vouchers, worksheets, receipts, bills and accounts, which will provide in sufficient detail the necessary information and data from which the filed reports and statements may be verified, explained or clarified, and checked for accuracy and completeness, and shall keep such records available for audit, inspection, or examination by the Commission or its authorized representatives, for a period of not less than three years from the date of termination of the committee, but in no event for a period of more than seven years from the last day of the calendar year in which the election was held for which the records and statements were prepared.

C. *Effect of acknowledgment and filing by the Commission*

Any acknowledgment by the Commission of the receipt of any statement of organization or any report or statement filed under this interim guideline is intended solely to inform the person filing the same of the receipt thereof by the Commission, and neither such acknowledgment nor the acceptance and filing of any such report or statement by the Commission shall constitute express or implied approval thereof, or in any manner indicate that the contents of any such report or statement fulfills the filing or other requirements of the Act or of this interim guideline thereunder.

D. *Personal responsibility of person signing statement*

(a) Each treasurer of a political committee, each candidate, and any other person required to file any report or statement with the Commission under these regulations and under this interim guideline shall be personally responsible for the timely and complete filing of such report or statement and for the accuracy of any information or statement contained therein.

(b) The treasurer of each candidate's principal campaign committee shall be responsible for collecting, compiling and filing with the Commission a complete report of all authorized contributions received or authorized expenditures made on behalf of such candidate. The pre- and post-election reports filed by such treasurer shall include—

(1) with respect to the principal campaign committee, all of the information required by 2 U.S.C. § 434(b).

(2) with respect to contributions received and expenditures made by authorized committees other than the principal campaign committee, a summary sheet setting forth the totals for all contributions received and expenditures made by such committees but need not include a copy of such authorized committee reports so long as each such authorized committee has mailed a copy of such report to the Commission pursuant to paragraph VI(A)(b) of this interim guideline.

(c) With respect to the pre-election report it shall be the responsibility of the treasurer of each committee other than principal campaign committee which is authorized to receive contributions or make expenditures to file a report containing the information required by 2 U.S.C. § 434(b) complete as of the fifteenth day before the election with the treasurer of the appropriate principal campaign committee by the 12th day prior to the election.

(d) Any willfully false or fraudulent statements or representations in such a report or statement will subject the person making the same to the criminal penalties provided under 18 U.S.C. § 1001.

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

FEDERAL ELECTION COMMISSION,
Washington, D.C. August 21, 1975.

Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of a notice of the Federal Election Commission which will be published in the Federal Register.

Notice 1975–32, which will be published on Tuesday, August 26 contains an Extension Of Time To Comment On Proposed Rulemaking entitled "Office Accounts and Franking Accounts: Excess Campaign Contributions", Notice 1975–18.

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have this notice inserted in the CONGRESSIONAL RECORD.

Sincerely,

ORLANDO B. POTTER,
Staff Director.

Federal Election Commission [Notice 1975–32]

EXTENSION OF TIME TO COMMENT ON PROPOSED RULEMAKING

The time period within which written comments may be submitted to the Federal Election Commission concerning any part of the Notice of Proposed Rulemaking entitled "Office Accounts and Franking Accounts: Excess Campaign Contributions", (Notice 1975–18, 40 F.R. 32951, August 5, 1975), is hereby extended from September 4, 1975 to September 19, 1975.

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

Date: Aug. 20, 1975.

FEDERAL ELECTION COMMMISSION,
Washington, D.C., August 21, 1975.

Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of a notice of the Federal Election Commission which will be published in the Federal Register.

Notice 1975-31, which will be published on Friday, August 22 contains a notice of hearings for the purpose of receiving comments on the proposed rules entitled "Office Accounts and Franking Accounts: Excess Campaign Contributions", Notice 1975-18.

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have this notice inserted in the CONGRESSIONAL RECORD.

Sincerely,

ORLANDO B. POTTER,
Staff Director.

TITLE II—FEDERAL ELECTIONS, CHAPTER I—FEDERAL ELECTION COMMISSION

[11 CRF Part 113]

(Notice of Hearing [Notice 1975-31])

The Federal Election Commission today publishes a notice of hearings to be held on Tuesday and Wednesday, September 16 and 17, 1975. The hearings are for the purpose of receiving further comments from interested persons on the proposed rules published in the Federal Register, Volume 40, Number 151—Tuesday, August 5, 1975, at page 32951, entitled "Office Accounts and Franking Accounts: Excess Campaign Contributions", Notice 1975-18.

All persons wishing to present views at these hearings shall no later than Wednesday, September 10, 1975, request in writing to be placed on the calendar. This request should be addressed to the General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463. Further, all persons desiring to appear must submit to the Commission at its offices at 1325 K Street, N.W., Washington, D.C. 20463, a written statement setting forth their proposed testimony, no later than Thursday, September 11, 1975. All questions regarding the above notice should be addressed to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C., or telephone 202-382-5839. The location and hours of the hearings will be designated by the Commission in a subsequent notice.

THOMAS B. CURTIS,
Chairman of the Federal Election Commission.

Date: August 20, 1975.

FEDERAL ELECTION COMMISSION,
Washington, D.C., August 20, 1975.

Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of a notice of the Federal Election Commission which was published in the Federal Register.

Notice 1975-28, which was published on Wednesday, August 20 extends the comment period on Advisory Opinion Request (AOR 1975-21).

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have this notice inserted in the CONGRESSIONAL RECORD.

Sincerely,

ORLANDO B. POTTER,
Staff Director.

Federal Election Commission
[Notice 1975-28]

ADVISORY OPINION REQUESTS

CORPORATE CONTRIBUTIONS TO POLITICAL COMMITTEES SUPPORTING STATE AND FEDERAL CANDIDATES; EXTENSION OF TIME TO COMMENT

The period of time within which to comment upon AOR 1975-21, is hereby extended by the Commission until the close of business, September 8, 1975. This Advisory Opinion Request was previously printed in the *Federal Register* on July 29, 1975, at 40 FR 31879. The issue posed by a California source, has national ramifications and the Commission encourages submission of comments. The issue presented is whether corporate contributions to state central committees (permitted under State law) which contributions are used to defray day-to-day operational expenses (office rent, utilities, secretaries' salaries, office supplies) and to fund partisan registration drives, are nonetheless prohibited by 18 U.S.C. § 610 because such contributions expended for the stated purposes directly or indirectly benefit Federal candidates.

NEIL STAEBLER,
Vice Chairman for the Federal Election Commission.

Date: Aug. 15, 1975.

FEDERAL ELECTION COMMISSION,
Washington, D.C., August 18, 1975.

Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of several notices of the Federal Election Commission which will be published in the Federal Register.

Notice 1975-29, which will be published on Wednesday, August 20 contains additional Advisory Opinion Requests (AOR 1975-24 through AOR 1975-37).

Notice 1975-30, which will be published on Thursday, August 21, 1975, contains two Advisory Opinions (AO 1975-8 and AO 1975-13).

Notice 1975-25, the proposed rules for the implementation of the Privacy Act and Notice 1975-26, the systems of records for the Privacy Act, both will be published in the Federal Register on Friday, August 22, 1975.

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have these notices inserted in the CONGRESSIONAL RECORD.

Sincerely,

ORLANDO B. POTTER,
Staff Director.

(Highlights: Federal Elections—Federal Election Commission publishes several requests for advisory opinions, comments invited for ten days.)

[Notice 1975-29, AOR 1975-24—AOR 1975-37]

FEDERAL ELECTION COMMISSION ADVISORY OPINION REQUESTS

In accordance with the procedures set forth in the Commission's Notice 1975-4, published on June 24, 1975 (40 FR 26660), Advisory Opinion Requests 1975-24 through 1975-37 are published today. Some of the Requests consist of similar inquiries from several sources which have been consolidated in cases where appropriate.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views within respect to such requests within 10 calendar days of the date of the publication of the request in the Federal Register. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C. 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Public Law Citations.

AOR 1975—24: Constituent Service Committees, Office Accounts and Newsletter Accounts

A. Request of Representative Martha Keys (Request Edited and Paraphrased by Commission)

Gentlemen:

* * * * *

The Martha Keys Congressional Forum is an unincorporated committee having two officers, a chairman (volunteer) and a secretary-treasurer (Congressional Staff member). Membership is limited to individuals on a per family basis and all payouts from the committee will be for office-newsletter expenses, deductible to the Member and are not campaign expenses. All members have been notified that their contributions are not deductible.

Records of income and expenses will be kept by the secretary-treasurer who will be the only authorized signature on the account. Regular reports will be made to members of the Forum and put in The Congressional Record at least every six months.

We will attach a schedule of the Forum receipts and expenditures to Mrs. Keys' personal income tax return, reporting any balance in the fund at year end as income. The records of the Forum will be maintained by the same certified public accounting firm that prepares Mrs. Keys' personal return to insure that an accurate accounting is made.

* * * * *

[We request an advisory opinion as to whether above practices meet the requirement of the Federal Election Campaign Act of 1971, as amended.] /S/ James P. Buchele, Administrative Assistant.

Source: James P. Buchele, Administrative Assistant to Representative Martha Keys, 1207 Longworth House Office Building, Washington, D.C., 20515 (May 1, 1975).

B. Request of J. J. Pickle Political Trust Fund (Request Edited by the Commission)

DEAR MR. CURTIS:

* * * * *

Prior to 1974, a non-campaign type trust fund was formed for the purpose of making expenditures for non-reimbursable, non-campaign items incurred by Congressman J. J. "Jake" Pickle in connection with his official duties as U.S. Representative from the 10th Congressional District of Texas. These expenditures were not for the purpose of "influencing the nomination or the election of any person to Federal office" and, therefore, were not considered to be "expenditures" as defined and required to be reported by the Federal Election Campaign Act. Such expenditures included the cost of newsletters to constituents, unreimbursed trips to the District, constituent luncheons, District newspaper subscriptions, etc. In late summer, 1973, this trust fund was exhausted.

Proceeds from a fund-raising function in

October, 1973, were used to finance a new trust fund, entitled the J. J. Pickle Political Trust Fund, of which I am Chairman. Funds were transferred in 1974 from the Trust Fund to the J. J. Pickle Re-election Committee which was a duly organized "political committee" whose purpose was to conduct Congressman Pickle's re-election campaign in 1974. All contributions received and expenditures made by the Re-Election Committee were reported pursuant to the requirements of the Federal Election Campaing Act. In addition, the Trust Fund was organized as a "political committee" under the Federal law, and all contributions to and expenditures by the Trust Fund have been reported and filed with the Clerk of the House.

As of December 31, 1974, the Re-Election Committee was dissolved, and its surplus transferred back to the Trust Fund. The Trust Fund is still organized as a "political committee", and I have continued to file repors for the Trust Fund in 1975 even though the expenditures from this fund have been non-campaign in nature, i.e. not for the purpose of influencing the nomination or election of any person to Federal office.

I * * * request an advisory opinion on the following questions:

(1) If the Trust Fund receives contributions and makes expenditures for the sole purpose of reimbursing Congressman Pickle for expenses incurred in connection with his official duties but non-reimbursable by the U.S. House of Representatives, is the Trust Fund required to remain organized and report as a "political committee" under the Federal Election Campaign Act, as amended?

(2) Is the Trust Fund required to organize, or to remain organized, and report as a "political committee" if the Trust Fund transfers funds to a "political committee" which will serve as Congressman Pickle's "principal campaign committee" and which also will report the required information concerning the original contributors of the transferred funds?

(3) If the Trust Fund is not required to organize, or to remain organized, and to report as a "political committee", do the expenditures made by the Trust Fund for the purpose of reimbursing the Congressman for non-reimbursable expenses incurred in connection with his official duties count toward the limits imposed on expenditures in the Federal campaign by the Federal Election Campaign Act Amendments of 1974?

(4) If the Trust Fund is required to organize, or to remain organized, and to report as a "political committee", do the expenditures made by the Trust Fund for the purpose of reimbursing the Congressman for non-reimbursable expenses related to his official duties count toward the limits imposed on campaign expenditures by the Federal law?

* * * * *

/S/ R. L. Phinney, Chairman.

Source: R. L. Phinney, Chairman, J. J. Pickle Political Trust Fund, 1907 Exposition Blvd., Austin, Texas, 78703, (July 16, 1975).

C. Request of Representative Christopher J. Dodd (Request Edited and Paraphrased by the Commission)

DEAR CHAIRMAN CURTIS:

* * * * *

There is a group of businessmen in my district who wish to form a Congressional Club. The purpose of this club would be for them to meet with me on a regular basis so that they can inform me about their problems, and I can report to them about current legislation which is relevant to them.

The group would meet on a monthly, or perhaps bi-monthly basis, and they would be willing to pay my travel expenses (roundtrip transportation only) for this purpose.

Because of the value such a program would have to the businessmen in my district as well as to myself, I would like to see it be implemented.

I [request an advisory opinion: (1) as to whether the Federal Election Campaign Act of 1971, as amended] * * * would prohibit such a group from assuming the cost of my travel for this designated purpose [and (2) if so,] * * * as to how the basic concept might be adapted in order to comply.

* * * * *

/S/ Christopher J. Dodd, Member of Congress.

Source: Representative Christopher J. Dodd, 429 Cannon House Office Building, Washington, D.C. 20515, (July 18, 1975).

D. Request of Mineta for Congress Committee (Request Edited and Paraphrased by the Commission)

DEAR SIRS: The [Mineta for Congress Committee requests an advisory opinion] in connection with expenditures for certain activities which are deemed to be political but may otherwise be objectionable on the ground that the disbursement is a diversion and considered as income received by the office holder. If for example:

1. An office holder mails out newsletters during regular intervals under a franking privilege, but the printing expenses of the newsletters are paid for by a committee;

Query: (1) Are such expenditures permissible? (2) Are the printing expenses of the newsletters paid for by the committee, a diversion by the office holder, requiring said office holder to declare such payment as income received?

2. Committee assists office holder by paying part of a telephone bill incurred at his administrative offices located in his district:

Query: (1) Is this type of an expenditure permissible? (2) Are political funds used to pay a part of telephone expenses incurred at administrative headquarters of office holder includible in his income?

* * * * *

/S/ Grant Shimizu.

Source: Grant Shimizu, Attorney at Law, 724 North First Street, San Jose, California 95112, (June 25, 1975).

E. Request of Senator Gary W. Hart (Request Edited by the Commission)

An informal constituent services operation is in the process of being organized on behalf of Senator Gary W. Hart of Colorado. It is contemplated that funds will be solicited from the public and expenditures authorized under Senate Rule 42 will be made. Expenditures will be primarily for lease payments and operating expenses for the use of a mobile can. The van will travel to outlying areas of Colorado to make constituent services more accessible to Colorado residents.

Other expenditures authorized by Rule 42 may also be incurred.

It is not presently contemplated that any attempt will be made to qualify this operation as a "political campaign committee" under Section 41 of the Internal Revenue Code, so no funds solicited would qualify as a tax deductible political contribution.

I * * * request that you advise me whether this committee will be required to register and file reports with your office as a "political committee" pursuant to the Federal Election Campaign Act of 1971, as amended.

* * * * *

/S/ Harold A. Haddon, Attorney for Senator Hart.

Source: Harold A. Haddon, Attorney for Senator Hart, 2878 S. Oakland Circle E, Denver, Colorado 80232, (June 25, 1975).

F. Request of Senator Strom Thurmond (Request Edited and Paraphrased by the Commission)

DEAR MR. CHAIRMAN: I [request] an advisory opinion on several points regarding 24 U.S.C. 439a * * *.

Will the "non-campaign" expenditures of a principal campaign committee be reported separately, in a way that will not count against spending limitations, or must the funds be transferred out of the principal campaign committee to a segregated fund?

Are expenses such as (1) lunches in Washington for constituents and (2) small gifts (paperweights and letter openers with my name embossed) for constituents and press campaign expenditures, ordinary and necessary expenses incurred in connection with my duties as a Federal office holder * * * ?

What is meant by the phrase "or any other lawful purpose"?

* * * * *

/S/ Strom Thurmond, U.S. Senate.

Source: Senator Strom Thurmond, United States Senate, Washington, D.C. 20510, (April 30, 1975).

G. Request of Representative Christopher J. Dodd (Request Edited and Paraphrased by the Commission).

DEAR MR. CURTIS:

* * * * *

Congressman Dodd is preparing plans to make a television report to the people of the Second District in December 1975. This report will be in the nature of a "fireside chat" and will consist of a report to his constituents regarding his activities and the activities of the Congress during the year 1975.

His present intention is to solicit contributions from individual persons to defray the cost of these television programs. These contributions would not in any manner be considered political contributions but would, in my opinion, be considered amounts contributed to Congressman Dodd for the purpose of supporting his activities as a holder of Federal office. [I request an advisory opinion as to: (1) whether these amounts may be used by Congressman Dodd to defray the expense of television program which is an expense incurred by him in connection with his duties as a holder of Federal office, (2) whether the amount contributed and the expenditure thereof would be required to be disclosed under the provisions of 2 U.S.C. Sec. 431 *et seq.*, and (3) whether that amount would be subject to the limitations of 18 U.S.C. Sec. 608.]

/S/ Thomas B. Wilson, Treasurer, Dodd for Congress Committee.

Source: Thomas B. Wilson, Treasurer, Dodd for Congress Committee, Suisman, Shapiro, Wood & Brennan, P.C., 1028 Poquonnock Road, Groton, Connecticut 06340, (July 11, 1975).

AOR 1975–25: Constituent Service Accounts; Contributions by Multi-candidate Political Committees to Drefray Recount Expenses of 1974 Senate Elections (Request of National Republican Senatorial Committee and Democratic Senatorial Campaign Committee) (Request Edited by the Commission)

GENTLEMEN: This is a request on behalf of our respective Senatorial Committee for an advisory opinion dealing with the circumstances, if any, under which expenditures by incumbent Senators for ordinary and necessary expenses of serving their constituents become campaign expenditures, subject to disclosure requirements and expenditure limits.

For years, Senators have assumed that such expenditures made from their own pockets or from a constituent service account were not subject to the campaign laws. However, we would appreciate a clarification of this issue from you as soon as possible.

Specifically, we would like you to consider a circumstance in which a Senator maintains a constituent service account over and above the allowances he receives from the U.S. Senate. The account is funded by donations from private donors and from the Senator himself. The account makes expenditures to publish and distribute newsletters under the frank to the Senator's constituents. Moreover, the account is used to pay the expenses of radio and television broadcasts to a Senator's constituents concerning his official duties. Other ordinary and necessary expenses of running the Senator's office may also be paid from time to time out of the account, but in no case are expenditures made to influence the result of a Federal election, in the traditional meaning of that phrase.

The question is whether or not payments from such an account are "expenditures", subject to the overall campaign spending limits imposed by Section 608(c) of Title 18, U.S. Code. A related question is whether or not donations from private donors into such account are "contributions", subject to the contribution limits in Section 608(b) of Title 18.

We would very much appreciate some rather specific guidance in this area. In passing, we stress the value of consistency with other bodies of law, particularly the franking statute (39 U.S.C., Section 3210) and applicable portions of the Internal Revenue Code.

In addition, our respecting Committees have a difference of interpretation of the provisions of the 1974 Campaign Act Amendments relating to contribution limits for elections taking place prior to January 1, 1975, and we would appreciate having the Commission include in its ruling a determination of whether the $5,000 maximum contribution ceiling applies to elections occurring prior to the effective date of the Amendments. Specifically, can our respective Committee legally contribute more than $5,000 to help defray the recount expenses of any 1974 Senate elections.

/S/ J. Bennett Johnston, Chairman, Democratic Senatorial Campaign Committee; Ted Stevens, Chairman, National Republican Senatorial Committee.

Source: J. Bennett Johnston, Chairman, Democratic Senatorial Campaign Committee, Room 130, RSOB, Washington, D.C. 20510, (June 11, 1975). Ted Stevens, Chairman, National Republican Senatorial Committee, Room 445, RSOB, Washington, D.C. 20510 (June 11, 1975).

AOR 1975—26: Contribution Limitations as Applied to Excess Senatorial Campaign Funds Deposited with National Republican Senatorial Committee (Request of National Republican Senatorial Committee) (Request Edited and Paraphrased by the Commission)

DEAR MR. CURTIS: In 1972, former Delaware Senator J. Caleb Boggs provided $11,402 in leftover funds from his own campaign to the National Republican Senatorial Committee as a depository, with the request that the funds be held by the Committee for the use of the 1976 Republican Senatorial candidate from Delaware. The Committee continues to hold and is prepared to distribute this amount to the Republican Senate candidate from Delaware pursuant to Mr. Boggs' instructions.

* * * I [request an advisory opinion of] the Commission as to whether the Committee can distribute these funds earmarked in 1972 to the Delaware Republican Senate candidate without being in violation of the $5,000 contribution limits contained in the Federal Election Campaign Act Amendments of 1974.

* * * * *

/S/ Ted Stevens, U.S. Senator.

Source: Senator Ted Stevens, National Republican Senatorial Committee, Room 445, Senate Office Building, Washington, D.C. 20510 (July 14, 1975).

AOR 1975—27: Attorney's or Accountant's Fees As Expenditures

A. Request of Warren E. Hearnes (Excluding Fees from Expenditure Limit (Request Edited and Paraphrased by the Commission).

Are expenses incurred by a candidate for legal and accounting fees paid for the purpose of complying with the Federal Election Campaign Act of 1971, as amended, expenditures for the purpose of a candidate's campaign expenditure limit?

/S/ Warren E. Hearnes.

Source: Warren E. Hearnes, 1015 Locust Street, Suite 800, St. Louis, Missouri 63101 (July 14, 1975).

B. Request of Representative John Y. McCollister (Including Accountant's Fees in Fundraising Expenditures) (Request Edited by the Commission).

* * * * *

Can the separate area of fundraising costs not counted against general campaign expenditures be used for paying for the services of a certified public accountant * * * for purposes of handling campaign reports?

* * * * *

/S/ John Y. McCollister.

Source: Representative John Y. McCollister, 217 Cannon House Office Building, Washington, D.C. 20515 (July 21, 1975).

AOR 1975—28: Status and Activities Allowed of a Political Committee Supporting a Former Candidate for the Presidency (Request of the Percy Committee) (Request Edited and Paraphrased by the Commission)

GENTLEMEN:

* * * * *

The Percy Committee was establised on February 9, 1973, in response to a number of requests and initiatives by friends and supporters of Senator Charles H. Percy of Illinois. The committee, which was then known as the Exploratory Committee, resulted from the belief of a number of those individuals that Senator Percy possessed the qualities expected of a President and that it would be in the public interest that ample information be made available to him to make a sound decision as to whether he should become a candidate for President of the United States in 1976.

The Exploratory Committee (later The Percy Committee) received contributions and made expenditures for the purposes stated above. Although Senator Percy was not an announced candidate for President, the contributions and expenditures have been reported in accordance with the Federal Election Campaign Act of 1971. Apart from the Percy Committee's accountants, who have not yet rendered their final bill, The Percy Committee is not aware of any outstanding obligations or anticipated contributions related in any respect to a possible presidential candidacy by Senator Percy in 1976. The Committee has approximately $9,000 of funds on hand.

Senator Percy is not a candidate for President in 1976 and does not expect to be. As a result The Percy Committee is not and will not be soliciting additional contributions or making additional expenditures (with the exception of the bill referred to above) to pursue a possible presidential candidacy by Senator Percy in 1976. Similarly, The Percy Committee will not be taking action toward that end.

We request an advisory opinion as to whether * * * (1) The Percy Committee will cease to be a "political committee" established on behalf of a potential presidential candidate * * * once the last expenditure related to a possible presidential candidacy has been made (that is expected to be the payment to The Percy Committee's accountant referred to above);

(2) * * * since Senator Percy is expected to engage in political activity from time to time in Illinois on behalf of other Republican candidates and is also expected to seek reelection in 1978, and certain political expenses related to these activities can be expected in such regard from time to time, receipts and expenditures of and for this Committee should continue to be recorded and reported in accordance with the law;

(3) * * * the Percy Committee may engage in general political fund raising and may make expenditures related to Senator Percy's political activities as well as expected reelection campaign.

* * * * *

/S/ Arthur C. Nielsen, Jr., Chairman, The Percy Committee.

Source: Arthur C. Nielsen, Jr., Chairman, The Percy Committee, P.O. Box A3503, Chicago, Illinois 60690, (July 8, 1975).

AOR 1975—29: Limitations on Contributions by Local Political Parties (Request of Representative Tom Railsback) (Request Edited by the Commission)

DEAR CHAIRMAN CURTIS: * * * What is the maximum contribution which can be made by a political party's county central committee (an official subordinate organ of a State political party committee) to a candidate for U.S. House of Representatives in the primary and in the general elections? Such county central committee will principally make contributions to State and local party candidates but will also make contributions to its party's candidate for U.S. House of Representatives and President.

* * * * *

/S/ Tom Railsback, Member of Congress.

Source: Representative Tom Railsback, 2431 Rayburn House Office Building, Washington, D.C. 20515, (July 10, 1975).

AOR 1975—30: Use of Campaign Fund for Newspaper Subscriptions and Travel Expenses (Request Edited by Commission)

DEAR MR. CURTIS: My Campaign Treasurer in Mississippi has requested that I make an advisory opinion request with regard to the following two items: (1) may newspaper subscriptions be paid out of the campaign fund? (2) may the Member be reimbursed for travel expenses that he incurs in connection with political appearances in his Congressional District?

* * * * *

/S/ David R. Bowen, Member of Congress.

Source: Representative David R. Bowen, House of Representatives, 116 Cannon House Office Building, Washington, D.C. 20515, (July 31, 1975).

AOR 1975—31: Contributions by Spouses and Individuals Connected with Government Contractors (Request Edited by the Commission)

DEAR MR. CURTIS: * * * [W]e are sending a written request in order that you may render an opinion on the following:

1. Can a wife in a single income family make a contribution to a candidate if the husband has contributed $1,000?

2. Can a partner, officer, or member of a corporation or business holding a federal contract make a personal contribution? In addition, can the wives of those mentioned make a contribution?

/S/ Norval D. Reece, Campaign Manager.

Source: Norval D. Reece, Campaign Manager, Shapp For President Committee, P.O. Box 1012, Federal Square Station, Harrisburg, Pennsylvania 17108.

AOR 1975—32: Limitations on Contributions by Multi-candidate Committee (Request Edited by the Commission)

DEAR SIR: We represent the Committee for the Survival of a Free Congress ("CSFC"), address as above.

CSFC is a "political committee" as defined by the provisions of 2 U.S.C. § 431(d) and 18 U.S.C. § 591(d). * * *

CSFC submits this advisory opinion request, by counsel * * *.

CSFC is a multiple candidate committee which makes political contributions as defined by the provisions of 2 U.S.C. § 431(e) and 18 U.S.C. § 691(e).

CSFC inquires whether the Federal Election Commission interprets the proscription set forth in 18 U.S.C. § 608(b)(2) to prohibit CSFC from contributing more than the sum of $5,000.00 in connection with any one election to or on behalf of any one candidate?

If so, does the Commission also construe that or any other prohibition to limit the total contribution of CSFC to the national committee of a politcal party (whether major, minor or incipient) or political organizational group?

* * * * *

/S/ Marion Edwyn Harrison.

Source: Marion Edwyn Harrison, Harrison, Lucey, Sagle & Solter, 1701 Pennsylvania Avenue, NW., Washington, D.C. 20006 (July 29, 1975).

AOR 1975–33: Interpretation of Spending Limit Exemption for Fundraising Costs (Request Edited by Commission)

DEAR COMMISSIONERS: This Advisory Opinion Request is filed on behalf of the Bentsen in '76 committee, a political committee duly registered and reporting under appropriate sections of the Federal Election Campaign Act and supporting the candidacy of Senator Lloyd Bentsen for nomination for election to the office of President of the United States. The request concerns the proper interpretation of the fundraising exception to the definition of the term "expenditure", found in Section 591(f)(4)(H) of Title 18, U.S. Code.

This subsection exempts from the Section 608(c) candidate expenditure limitations the costs of soliciting contributions, to the extent such costs do not exceed "20% of the expenditure limitation applicable to such candidate under Section 608(c). . . ." Section 608(c) imposes a $10 million expenditure limit for a candidate seeking nomination for election to the office of President. However, expenditures in any one state may not exceed twice the limit available in such state "to a candidate for nomination for election to the office of Senator. . . ."

The question is whether or not fundraising costs in a particular state are exempt if they do not exceed the $2 million nationwide limit, but do exceed 20% of the Presidential candidate's expenditure allocation for such state, as computed under Section 608(c)(1)(A).

* * * * *

You are authorized to publish this Advisory Opinion Request, as required by applicable statutory provisions and FEC regulations.

/S/ Robert N. Thomson, Counsel, Bentsen in '76.

Source: Robert N. Thomson, Counsel, Bentsen in '76, Preston, Thorgrimson, Ellis, Holman & Fletcher, 1776 F Street, NW., Washington, D.C. 20006 (July 28, 1975).

AOR 1975–34: Establishment of "Non-campaign Fund" by Multicandidate Committee (Request Edited by the Commission)

DEAR COMMISSIONERS: Pursuant to Section 437(f) of Title 2, U.S. Code, the National Committee for an Effective Congress (NCEC) hereby requests an advisory opinion from the Federal Election Commission regarding certain activities and transactions. NCEC is an independent political action group, founded in 1948, and supported by a national constituency of approximately 70,000 citizens.

NCEC is a "political committee" as defined by Section 431(d), Title 2, U.S. Code and Section 591(d), Title 18, U.S. Code and in addition qualifies as a multicandidate political committee pursuant to Section 608(b)(2), Title 18.

The purpose and activities of the NCEC extend beyond providing assistance and support to select candidates seeking the nomination for or election to either the U.S. House of Representatives or the U.S. Senate. It is the Committee's belief that certain activities of the NCEC are non-campaign in nature and that funds solicited and received and expenditures made for these non-campaign activities do not constitute a "contribution" or "expenditure" under Section 591, Title 18.

Thus, it is the intention of the NCEC to establish a separate and segregated non-campaign fund patterned after the separate and segregated funds established by certain labor unions, corporations and interest groups. The name of this non-campaign fund will be the Congressional Services Fund. The Board of Directors and the Director of the Congressional Services Fund will be identical to those of the NCEC. Separate accounts will be maintained for campaign and non-campaign activities; the funds will not be transferable. The solicitation of funds for each account will be separate. Funds solicited and received for the NCEC campaign account will be considered contributions as defined by Sec. 591(e), T. 18; funds received for the non-campaign account will not. Staff salaries and overhead will be prorated between the two accounts based on the time spent on each activity.

Section I:

The activities of the Congressional Services Fund will be as follows:

1. To provide management consulting and technical assistance to certain Members of Congress for the purpose of achieving effective execution of the ordinary and necessary functions relating to the official business, activities and duties of the Congress.

Areas for consultation and assistance will include:

—efficient handling of legislative and constituent mail;

—proper preparation for legislative responsibilities, such as committee and Floor activities;

—provision of constituent services;

—preparation and dissemination of materials pertaining to official congressional business which are distributed as franked mail in accord with Sec. 3210(f), T. 39;

—non-campaign polling subject to any pertinent Commission ruling;

—maximum utilization of resources provided Members of Congress for their official business.

2. To organize and conduct non-partisan, educational issue seminars for Members of Congress.

3. To prepare and publish certain communications for the purpose of soliciting funds for the above mentioned purposes.

4. To conduct any other activities for the purpose of soliciting funds for the above mentioned purposes.

Section II:

The activities of the NCEC campaign fund will be as follows:

1. To determine which candidates for federal office shall qualify for receipt of either direct financial or technical campaign assistance.

2. To provide direct financial assistance and in-kind consulting and technical assistance to select candidates for the purpose of influencing or attempting to influence their nomination for election, or election, to federal office. The in-kind consulting program will include but is not limited to assistance with organization and management, fundraising, research, campaign polling, media development and production, voter contact programs.

3. To provide campaign consulting and technical assistance to certain Members of Congress to influence or attempt to influence his or her nomination for re-election, or re-election, to federal office.

4. To prepare and publish certain communications, separate and different from those mentioned under the non-campaign activities (Section I, above), for the purpose of solicitation of funds.

5. To conduct any other activities for the purpose of soliciting funds for the above mentioned purposes.

For the purposes of establishing this separate and fully segregated fund, we shall voluntarily cease providing non-campaign assistance to a Member of Congress from that date six months prior to a contested election or from that date on which the Member is considered to be a candidate, as defined by Section 591(b), Title 18, whichever comes first, even though it is plain and clear that certain consulting services do not constitute a "contribution" or "expenditure" under Section 591, Title 18. From that date, any assistance will be provided by the NCEC campaign funds and fully reported as an expenditure on behalf of such candidate as defined by Section 591(f), Title 18.

Further, we shall consider that the Congressional Services Fund falls under the requirements of Section 437a, Title 2, and shall file reports with the Commission setting forth the source of the funds used in carrying out any activity described in Section I above as if the funds were contributions within the meaning of Section 431(e), Title 18, and payments of such funds in the same detail as if they were expenditures within the meaning of Section 431(f), Title 18.

* * * * *

/S/ Russell D. Hemenway, National Director.

Source: Russell D. Hemenway, National Director, The National Committee for an Effective Congress, 10 East 39th Street, New York, New York 10016 (July 23, 1975).

AOR 1975–35: Officials of Political Committees (Request Edited by the Commission)

DEAR MR. CHAIRMAN: In the structure of the Republican Congressional Boosters Club it is customary to have two or more national co-chairmen.

We would like to have * * * [an advisory opinion] from the Federal Election Commission as to whether a person serving as a member of the executive committee of the official committee of one fund raising national committee can serve as chairman or a member of another national fundraising committee.

/S/ I. Lee Potter, Executive Director.

Source: I. Lee Potter, Executive Director, Republican Congressional Boosters Club, 300 New Jersey Avenue SE., Suite 522, Washington, D.C. 20003 (July 18, 1975).

AOR 1975–36: Payment for Administrative Costs Incurred by Corporation on Behalf of Political Committee Operating As Separate Segregated Fund of Corporation (Request Edited by the Commission)

GENTLEMEN: The Committee for Thorough Agricultural Political Education (C–TAPE) a multicandidate political committee is the successor of the Trust for Agricultural Political Education (TAPE).

C-TAPE was established by Associated Milk Producers, Inc. (AMPI), predecessor Milk Producers, Inc. (MPI). TAPE filed its last report April 20, 1973.

In 1972 and 1973 TAPE transferred funds in the amount of $1,931,541.09 to C-TAPE.

C-TAPE has always reimbursed AMPI for any expenses that AMPI incurred in its behalf, i.e., salaries, data processing, telephone, travel, etc.

TAPE did not reimburse AMPI or MPI for any expenses incurred during the period 1969 through March 1972.

On June 19, 1975 AMPI billed C-TAPE for the TAPE expenses in the amount of $162,500 for the period 1969 through March 1972.

In the opinion of C-TAPE and its counsel the expenses are reasonable and should be repaid. However, out of an abundance of caution and desiring not to take unappropriate action, C-TAPE at its last meeting approved payment of this bill from AMPI on the condition that it receive an advisory opinion from the Federal Election Commission (FEC) approving such a payment.

In the opinion of the FEC can this payment be made?

* * * * *

/S/ J. S. Stone, Secretary, Committee for TAPE. Robert Uvick, Treasurer, General Counsel, Committee for TAPE.

Source: J. S. Stone, Secretary, Committee for TAPE. Robert Uvick, Treasurer, General Counsel, Committee for TAPE, P.O. Box 32287, San Antonio, Texas 78284 (July 29, 1975).

AOR 1975-37: Incorporation of Political Committee (Request Edited by the Commission)

DEAR CHAIRMAN CURTIS: On behalf of the Shriver for President Committee, a political committee registered with the Federal Election Commission, I hereby request confirmation as to the legality under 18 U.S.C. § 610 of the election of the Committee to organize as a nonprofit corporation. The Committee filed a Statement of Organization with the Commission on July 15, 1975 and is organized solely for the purpose of collecting and expending political contributions and carrying out other normal campaign activities.

* * * * *

/S/ David E. Birenbaum, Co-counsel, Shriver for President Committee.

Source: Shriver for President Committee by David E. Birenbaum, Co-counsel, Fried, Frank, Harris, Shriver & Kampelman, Suite 1000, The Watergate 600, 600 New Hampshire Avenue, NW., Washington, D.C. 20037 (August 4, 1975).

NEIL STAEBLER,
Vice Chairman for the Federal Election Commission.

Date: Aug. 15, 1975.

FEDERAL ELECTION COMMISSION

[NOTICE 1975-30]

ADVISORY OPINIONS

(AO 1975-8—Honorariums and Related Benefits for Members of Congress)

(AO 1975-13—Legality of Presidential Candidates Receiving Travel Expenses from Corporations)

The Federal Election Commission announces the publication today of Advisory Opinions 1975-8 and 1975-13. The Commission's opinions are in response to questions raised by individuals holding Federal office and political committees, with respect to whether any specific transaction or activity by such individual, candidate, or political committee would constitute a violation of the Federal Election Campaign Act of 1971, as amended, of Chapter 95 or Chapter 96 of Title 26 United States Code, or of Sections 608, 610, 611, 613, 614, 615, 616, or 617 of Title 18, United States Code.

ADVISORY OPINION 1975-8

Honorariums and Related Benefits for Members of Congress.

This advisory opinion is rendered under 2 U.S.C. 437f in response to requests for advisory opinions submitted by Congressman Dan Rostenkowski, Congressman Rhodes, and Senators Mike Mansfield and Hugh Scott which were published together as AOR 1975-8 in the July 2, 1975, Federal Register (40 FR 28044). Interested parties were given an opportunity to submit written comments relating to the requests.

A. Request of Congressman Dan Rostenkowski

Congressman Rostenkowski in his letter of May 8, 1975, asks for clarification of Section 616 of Title 18, United States Code, which provides limitations on the acceptance of honorariums. He generally describes situations in which a Member of Congress prefers not to accept an honorarium for a speech, and instead suggests to the speech's sponsor that at least part of the intended honorarium could be donated to one of two bona fide charitable organizations. The donation would not be a prerequisite to or a requirement for making the speech. Congressman Rostenkowski wishes to know whether the amount of the donation to charity by the other party will count towards the honorarium limits of a Congressman. Specifically, the following circumstances are described:

(1) A Member of Congress is offered a $500.00 honorarium to speak at a convention when he already has accepted $4,000 in honoraria during the calendar year. Congressman Rostenkowski asks whether the honorarium is considered accepted if the Congressman declines the entire honorarium and suggests instead that it be given to either of two specific charities which are named by that Congressman;

(2) A Member of Congress is offered a $1,500 honorarium to speak at a convention when he already has accepted $4,000 in honoraria during the calendar year. Congressman Rostenkowski asks whether the honorarium is considered accepted if the Congressman specifies that he will accept only $1,000 of the honorarium and suggests that a $500.00 donation be given to either of two specific charities which are named by that Congressman;

(3) A Member of Congress is offered a $500.00 honorarium to speak at a convention when he already has accepted his limit of $15,000 in honoraria during the calendar year. Congressman Rostenkowski asks whether the honorarium is considered accepted if the Congressman agrees to make the speech but declines the honorarium, and suggests instead that it be given to either of two specific charities which are named by that Congressman.

Do these transactions constitute acceptance of an honorarium, and therefore come within the provisions of 18 U.S.C. § 616?

Section 616 of Title 18, United States Code, provides that:

> Whoever, while an elected or appointed officer or employee of any branch of the Federal Government—
>
> (1) accepts any honorarium of more than $1,000 (excluding amounts accepted for actual travel and subsistence expenses) for any appearance, speech, or article; or
>
> (2) accepts honorariums (not prohibited by paragraph (1) of this section) aggregating more than $15,000 in any calendar year; shall be fined not less than $1,000 nor more than $5,000.

This section on its face strictly limits the financial benefits that a Member of Congress may receive from the acceptance of an honorarium. The legislative history of the section indicates that this view accords with the intent of Congress. This history shows a strong Congressional concern with limiting the amounts, and thus the benefits, that a Federal official may receive in exchange for an appearance, speech, or article. Congress does not evidence in this section any interest in specifically exempting from the limitations, honorariums that are accepted and subsequently applied to a particular purpose, no matter how commendable may be this purpose.

Even the indirect acceptance of an honorarium for subsequent charitable use can produce benefits for a Member of Congress. For example, he thereby may become entitled to an income tax deduction for making a charitable contribution. A Congressman also could receive valuable public exposure by donating to charity an honorarium which he possessed or controlled. Accordingly, to implement Congress' intent to limit the benefits which may be received from honorariums, it is the opinion of the Commission that the limits imposed by 18 U.S.C. § 616 shall apply to any honorarium accepted by a Congressman in exchange for an appearance, speech, or article.

The question then arises as to what action by a Member of Congress constitutes acceptance of an honorarium. An honorarium is considered to have been "accepted" under 18 U.S.C. § 616 when there has been active or constructive receipt of the honorarium and the federal officeholder or employee exercises dominion or control over it. A federal officeholder or employee is considered to have accepted an honorarium if he receives it for his personal use, if he receives it with the intent of subsequently donating the honorarium to charity, if he directs that the organization offering the honorarium give the honorarium to a charity which he names, or if he suggests that the honorarium might be given to a charity of the organization's own choosing. In addition, a Federal officeholder will be presumed by the Commission to have accepted as an honorarium, any charitable donation made by an organization in the name of that Federal officeholder or employee, assuming that sometime earlier the officeholder or employee had made an appearance or speech, or written an article, for the donating person or organization.

The Commission intends to apply its policy on honorariums as follows:

(1) If a Congressman declines an entire honorarium and instead requests that it be given to either of two specific charities, the honorarium will be treated as accepted by the officeholder. In this case, a Congressman would be sufficiently attempting to influence an organization's choice of recipients as to constitute, for purposes of 18 U.S.C. § 616, the exercise of dominion.

(2) If a Congressman wishes to accept part and decline part of a proposed honorarium and suggests that the difference in amount be given to either of two specific charities, the honorarium will be treated as accepted by the officeholder. By suggesting how the proposed honorarium should be allocated, a Congressman would exercise sufficient dominion over the honorarium to constitute acceptance under 18 U.S.C. § 616.

(3) If a Congressman declines an entire honorarium to avoid exceeding the aggregate limit on honoraria and then suggests that it be given to either of two specific charities, the Commission would conclude that the honorarium has been accepted by the officeholder. For purposes of 18 U.S.C. § 616, the honorarium has been accepted by the officeholder through an attempt to exercise sufficient dominion and control over its use. Therefore, the officeholder would have violated the limits provided in this section.

The Commission does not wish to discourage charitable donations by Federal officeholders or employees, either directly or indirectly, nor charitable donations by any organization, but it will examine the particulars of each donation for any improper implications under 18 U.S.C. § 616.

This section of this opinion assumes that the officeholder receiving the honorarium is not making an appearance or speech before a substantial number of people who comprise a part of the electorate with respect to which the officeholder is a Federal candidate. Compare part C of this opinion.

B. Request of Congressman John J. Rhodes

Congressman Rhodes in his letter of May 6, 1975, requests an advisory opinion as to whether a Member of Congress may request, in lieu of an honorarium for a speech, that an organization make an appropriate donation to a charitable organization. Congressman Rhodes asks whether a Member of Congress, who has already received the full amount of honoraria permitted by the cited statute, would be in violation of the law if he or she requires or requests that the sponsors of the Member's appearance donate an amount equal to, but in lieu of the honorarium, directly to "bona fide charities" named by the Member or the donor.

The principles established in part A of this advisory opinion also are applicable to this request. Accordingly, no further elaboration is necessary.

The opinion presented in part A of this advisory opinion may be relied upon as controlling the factual situation presented in this request, and if there is good faith compliance with that part of the opinion, there will be a presumption of compliance with the provisions of 18 U.S.C. § 616, pursuant to 2 U.S.C. § 437f(b), with respect to the issues raised by this request.

C. Joint Request of Senators Mansfield and Scott

Senators Mike Mansfield and Hugh Scott in their joint letter of June 26, 1975, request an advisory opinion as to whether travel and subsistence expenses are included in the limitation on honorariums. Specifically, they ask whether a Member of Congress, who has reached the aggregate limit of $15,000 in a calendar year, may accept a speaking engagement, receive no honorarium, and still be able to have travel and subsistence expenses paid by the sponsor of the engagement. As a related issue, they ask whether a sponsor of a speaking engagement may provide travel and subsistence expenses in these circumstances, if the sponsor would ordinarily and otherwise be prohibited from making a campaign contribution.

It is provided in 18 U.S.C. § 616 that:

> Whoever, while an elected or appointed officer or employee of any branch of the Federal Government—
>
> (1) accepts any honorarium of more than $1,000 (excluding amounts accepted for actual travel and subsistence expenses) for any appearance, speech, or article; or . . . shall be fined not less than $1,000 nor more than $5,000.

Thus, this section on its face shows a legislative intent to treat "actual travel and subsistence expenses" differently from honorariums. The legislative history of 18 U.S.C. § 616 confirms that this view accords with the intent of Congress. (See *Congressional Record*, October 8, 1974, p. 34373). The legislative history shows a clear Congressional intent to exclude money given for actual transportation expenses, accommodations, and meals, from any amount given as an honorarium to an elected or appointed officer or employee of the Federal Government. It should be noted that the Internal Revenue Code similarly distinguishes between an honorarium, which is treated as income, and expenses for transportation, accommodations, and meals which are deductible from income as an ordinary and necessary cost of doing business.

Accordingly, it is the opinion of the Commission that the actual costs of transportation, accommodations, and meals are excluded from the limitations on honorariums provided in 18 U.S.C. § 616. Thus, Members of Congress who reach the aggregate limit of $15,000 on honorariums received in any calendar year may continue to accept speaking engagements for which they receive only their own personal actual transportation, accommodation, and meal expenses.

It is further asked whether an organization could provide reimbursement for these expenses, even if the organization is prohibited from making campaign contributions. The language of 18 U.S.C. § 616 expressly applies to any "elected or appointed officer or employee of any branch of the Federal Government." A review of the legislative history of this section (see the *Congressional Record*, August 7, 1974, p. 27231; and October 8, 1974, p. 34373) indicates that the intent of Congress in enacting this section was to limit the amounts of honorariums received by federal officeholders and employees.

On the other hand, 18 U.S.C. § 610 which prohibits contributions or expenditures by a national bank, corporation, or labor organization and 18 U.S.C. § 611 which prohibits contributions by government contractors, are more broadly applicable to contributions or expenditures made to any candidate in connection with any election to federal office. Thus, it seems clear that 18 U.S.C. § 616, is not intended to supersede the application of 18 U.S.C. § 610 and § 611 to officeholders once they become candidates. Accordingly, once an individual (including an officeholder) becomes a candidate for federal office, all speeches made before substantial numbers of people, comprising a part of the electorate with respect to which the individual is a federal candidate, are presumably for the purpose of enhancing the candidacy and the candidate is prohibited from accepting expense money for transportation, accommodations and meals from organizations covered by 18 U.S.C. §§ 610 and 611. See Advisory Opinion 1975–13, issued August 14, 1975.

This advisory opinion is to be construed as limited to the facts of the request and should not be relied on as having any precedential significance except as it relates to those facts at the time of its issuance.

ADVISORY OPINION 1975–13

Legality of Presidential Candidate Receiving Travel Expenses from Corporations.

The Federal Election Commission renders this advisory opinion under 2 U.S.C. § 437f in response to a request submitted by a candidate. The request was made public by the Commission and published in the Federal Register on July 17, 1975 (40 FR 30258). Interested parties were given an opportunity to submit comments relating to the request.

The requesting party seeks an advisory opinion as to whether 18 U.S.C. § 610 prohibits a Presidential candidate from receiving travel expenses for a speaking engagement at a Chamber of Commerce, if the Chamber's general treasury includes money contributed by corporations.

Section 610 prohibits corporations from making contributions or expenditures in connection with Federal elections, and prohibits any person from accepting or receiving any such contributions or expenditures. As used in section 610, contribution includes "any direct or indirect payment, * * * to any candidate, * * * in connection with any election to [Federal office] * * *"

Thus, reimbursing the travel expenses of a Presidential candidate from corporate funds would be prohibited by 18 U.S.C. § 610, since any public appearance of such a candidate before an audience, comprised of individuals who could be influenced to take affirmative action in support of his candidacy as a result of that appearance, is connected with an election.

The Commission's opinion is that, once an individual has become a candidate for the Presidency, all speeches made before substantial numbers of people are presumably for the purpose of enhancing his candidacy. (See also Advisory Opinion 1975–8 issued August 14, 1975, in which the Commission decided that certain travel and subsistence expenses paid to officeholders who are also candidates are subject to 18 U.S.C. § 610 and § 611). Accordingly, since the requesting party is a Presidential candidate, he would be prohibited from accepting corporate funds to pay his travel expenses in connection with the speaking engagement. The Commission notes, however, that organizations, such as Chambers of Commerce, could properly (within the limits of 18 U.S.C. § 608) pay the travel expenses of candidates by making such payments from separate segregated accounts containing non-corporate funds.

Dated: Aug. 18, 1975.

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

FEDERAL ELECTION COMMISSION (NOTICE 1975–25)

PROPOSED RULES FOR IMPLEMENTATION OF PRIVACY ACT

Leading to Publication of Implementation of the Privacy Act of 1974 Regulation.

The Federal Election Commission today publishes its proposed rules regarding Implementation of the Privacy Act of 1974. The Commission also publishes today a statement of its systems of records as required by the Privacy Act of 1974. The information contained in these publications today is designed to aid individual citizens in understanding what systems of records are maintained by the Federal Election Commission, where such records are located, and the manner in which individual access to pertinent records may be expeditiously facilitated. For previous Commission announcements bearing on public access to Commission documents see 40 Federal Register 28580, July 7, 1975.

Dated: August 11, 1975.

NEIL STAEBLER,
Vice Chairman, Federal Election Commission.

FEDERAL ELECTION COMMISSION—11 CFR PART 1

IMPLEMENTATION OF PRIVACY ACT OF 1974

The Privacy Act of 1974 (P.L. 93–579) amended Title 5 U.S.C. Sec. 552 (Freedom of Information Act) by adding Sec. 552a. Title 5 U.S.C. Sec. 552a(f) provides that each agency covered by the Act shall promulgate rules to inform the public about information maintained by the agency about identifiable individuals and to inform those individuals how they may gain access to and correct or amend information about themselves.

The public is invited to comment or inquire about these proposed rules. Comments or inquires should be addressed to: General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463. All material received before September 10, 1975 will be considered. All comments in response to this proposal will be available for public inspection during normal business hours at the foregoing address.

PART 1—IMPLEMENTATION OF PRIVACY ACT OF 1974

Section
1.1 Purpose and Scope
1.2 Definitions
1.3 Procedures for Requests Pertaining to Individual Records in a Record System
1.4 Times, Places, and Requirements for Identification of Individuals Making Requests
1.5 Disclosure of Requested Information to Individuals
1.6 Vacant
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1.8 Agency Review of Request for Correction or Amendment of Record
1.9 Appeal of Initial Adverse Agency Determination on Amendment or Correction
1.10 Disclosure of Record to Person Other Than the Individual to Whom It Pertains
1.11 Fees

1.12 Penalties
1.13 Vacant
1.14 Specific Exemptions

Authority: 5 U.S.C. 552a(f), P.L. 93-579, 88 Stat. 1897, 1900.

001.1 Purpose and scope

(a) The purpose of this part is to set forth rules informing the public as to what information is maintained by the Federal Election Commission about identifiable individuals and to inform those individuals how they may gain access to and correct or amend information about themselves.

(b) The regulations in this part carry out the requirements of the Privacy Act of 1974 (P.L. 93-579) and in particular 5 U.S.C. 552a as added by that Act.

(c) The regulations in this part apply only to records disclosed, or requested under the Privacy Act of 1974, and not to requests for information made pursuant to 5 U.S.C. Sec. 552, the Freedom of Information Act, or requests for reports and statements filed with the Federal Election Commission which are public records and available for inspection and copying pursuant to Title 2 U.S.C. Sec. 438(a)(4).

001.2 Definitions

As defined in the Privacy Act of 1974 and for the purposes of this part, unless otherwise required by the context, the following terms shall have these meanings:

(a) Individual—a citizen of the United States or an alien lawfully admitted for permanent residence.

(b) Maintain—includes maintain, collect, use or disseminate.

(c) Record—any item, collection, or grouping of information about an individual that is maintained by an agency, including but not limited to his or her education, financial transactions, medical history, and criminal or employment history and that contains his or her name, or the identifying number, symbol or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(d) System of Records—a group of any records under the control of the Federal Election Commission from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. The Commission's Systems of Records are published hereunder today.

(e) Routine use—the use of such record for a purpose compatible with the purpose for which the information was collected.

(f) Commission—employees of the Federal Election Commission.

(g) Commissioners—the six appointees confirmed by Congress who are voting members of the Commission.

001.3 Procedures for requests pertaining to individual records in a record system

(a) Any individual may request the Commission to inform him or her whether a particular record system named by the individual contains a record pertaining to him or her. The request may be made in person or in writing at the location and to the person specified in the notice describing that record system.

(b) An individual who believes that the Commission maintains records pertaining to him or her but who cannot determine which record system contains those records, may request assistance by mail or in person from the Staff Director, Federal Election Commission, 1325 K Street N.W., Washington, D.C. 20463 during the hours of 9:00 a.m. to 5:30 p.m.

001.4 Times, places, and requirements for identification of individuals making requests

(a) After being informed by the Commission that a record system contains a record pertaining to him or her, an individual may request the Commission to disclose that record in the manner described in this section. Each request for the disclosure of a record or a copy of it shall be made at the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463 and to the system manager identified in the notice (published hereunder today) describing that system of records, either in writing or in person. Requests may be made by agents, parents, or guardians of individuals as described in 001.10 (a) and (b).

(b) Each individual requesting the disclosure of a record or copy of a record shall furnish the following information with his or her request:

(1) The name of the record system containing the record;

(2) Proof as described in paragraph (c) of this section that he or she is the individual to whom the requested record relates;

(3) Any other information required by the notice describing the record system.

(c) Proof of identity as required by paragraph (b)(2) of this section shall be provided as described in paragraph (c)(1) and (2) of this section. Requests made by an agent, parent, or guardian shall include the authorization described in 001.10 (a) and (b).

(1) Requests made in writing shall include a statement, signed by the individual and properly notarized, that he or she appeared before a notary public and submitted proof of identification in the form of a driver's license, birth certificate, passport, or other identification acceptable to the notary public. In any case in which, because of the extreme sensitivity of the record sought to be seen or copied, the Commission determines that the identification is not adequate, it may request the individual to submit additional proof of identification.

(2) If the request is made in person, the requester shall submit proof of identification similar to that described in paragraph (c)(1) of this section, acceptable to the Commission.

001.5 Disclosure of requested information to individuals

(a) Upon submission of proof of identification as required by 001.4, the Commission shall, as soon as possible, allow the individual to see and/or obtain a copy of the requested record or shall send a copy of the record to the individual by registered mail. If the individual requests to see the record, the Commission may make the record available either at the location where the record is maintained or at a place more suitable to the requester, if possible.

(b) The Commission must furnish each record requested by an individual under this part in a form intelligible to that individual.

001.6 Special procedure: Medical records vacant

001.7 Request for correction or amendment to record

(a) Any individual who has reviewed a record pertaining to him or her that was furnished under this part, may request the Commission to correct or amend all or any part of that record.

(b) Each individual requesting a correction or amendment shall send the request to the Commission through the person who furnished the record.

(c) Each request for a correction or amendment of a record shall contain the following information:

(1) The name of the individual requesting the correction or amendment;

(2) The name of the system of records in which the record sought to be amended is maintained;

(3) The location of the system of records from which the individual record was obtained;

(4) A copy of the record sought to be amended or corrected or a sufficiently detailed description of that record;

(5) A statement of the material in the record that the individual desires to correct or amend;

(6) A statement of the specific wording of the correction or amendment sought;

(7) A statement of the basis for the requested correction or amendment including any material that the individual can furnish to substantiate the reasons for the correction or amendment sought.

001.8 Agency review of request for correction or amendment of record

(a) The Commission shall, not later than ten (10) days (excluding Saturdays, Sundays and legal holidays) after the receipt of the request for a correction or amendment of a record under 001.7, acknowledge receipt of the request and inform the individual whether information is required before the correction or amendment can be considered.

(b) If no additional information is required, within ten (10) days from receipt of the request, the Commission shall either make the requested correction or amendment or notify the individual of its refusal to do so, including in the notification the reasons for the refusal, and the appeal procedures provided in 001.9 of this part.

(c) The Commission shall make each requested correction or amendment to a record if that correction or amendment will tend to negate inaccurate, irrelevant, untimely, or incomplete matter in the record.

001.9 Appeal of initial adverse agency determination on amendment or correction

(a) Any individual whose request for a correction or amendment has been denied in whole or in part, may appeal that decision to the Commissioners no later than thirty (30) days after the adverse decision is rendered.

(b) The appeal shall be in writing and shall contain the following information:

(1) The name of the individual making the appeal;

(2) Identification of the record sought to be amended;

(3) The record system in which that record is contained;

(4) A short statement describing the amendment sought; and

(5) The name and location of the agency official who initially denied the correction or amendment.

(c) Not later than thirty (30) days (excluding Saturdays, Sundays and legal holidays) after the date on which the Commission receives the appeal, the Commissioners shall complete their review of the appeal and make a final decision thereon. However, for good cause shown, the Commissioners may extend that thirty (30) day period. If the Commissioners extend the period, the individual requesting the review shall be promptly notified of the extension and the anticipated date of a decision.

(d) After review of an appeal, the Commission shall send a written notice to the requester containing the following information:

(1) The decision and, if the denial is upheld, the reasons for the decision;

(2) The right of the requester to institute a civil action in a Federal District Court for judicial review of the decision; and

(3) The right of the requester to file with the Commission a concise statement setting forth the reasons for his or her disagreement with the Commission denial of the correction or amendment. The Commission shall make this statement available to any person to whom the record is later disclosed, together with a brief statement, if appropriate, of the Commission's reasons for denying the requested correction or amendment.

001.10 Disclosure to record to Person Other than the Individual to Whom it Pertains

(a) Any individual who desires to have a record covered by this part disclosed to or mailed to another person may designate such person and authorize such person to act as his or her agent for that specific purpose. The authorization shall be in writing, signed by the individual and notarized. The agent shall submit, with the authorization, proof of the individual's identity as required by 001.4(c).

(b) The parent of any minor individual or the legal guardian of any individual who has been declared by a court of competent jurisdiction to be incompetent, due to physical or mental incapacity or age, may act on behalf of that individual in any matter covered by this part. A parent or guardian who desires to act on behalf of such an individual shall present suitable evidence of parentage or guardianship, by birth certificate, certified copy of a court order, or similar documents, and proof of the individual's identity in a form that complies with 001.4(c).

(c) An individual to whom a record is to be disclosed in person, pursuant to this part may have a person of his or her own choosing accompany him or her when the record is disclosed.

001.11 Fees

(a) The Commission shall not charge an individual for the costs of making a search for a record or the costs of reviewing the record. When the Commission makes a copy of a record as a necessary part of the process of disclosing the record to an individual, the Commission shall not charge the individual for the cost of making that copy.

(b) If an individual requests the Commission to furnish a copy of the record, the Commission shall charge the individual for the costs of making the copy. The fee that the Commission has established for making a copy is ten cents ($.10) per page.

001.12 Penalties

Any person who makes a false statement in connection with any request for a record, or an amendment or correction thereto, under this part, is subject to the penalties prescribed in 18 U.S.C. Secs. 494 and 495.

001.13 General exemptions

Vacant.

001.14 Specific exemptions

(a) No individual, under the provisions of these regulations, shall be entitled to access to investigatory material compiled pursuant to authority granted under 2 U.S.C. 437 g (a)(2) for use by the Commission in carrying out its law enforcement responsibilities under 2 U.S.C. 437 d (6) and (11) and 2 U.S.C. 437 g (a)(5), (6), and (7), 2 U.S.C. 437 g (b) and 2 U.S.C. Sec. 438 (a)(9).

(b) The provisions of subsection (a) above shall not apply to the extent that application of the subsection would deny any individual any right, privilege or benefit that he or she would otherwise be entitled to receive:

(1) under federal law unless the disclosure of such material would reveal the identity of a source who furnished information to the Commission under an express promise that the identity of the source would be held in confidence; or

(2) in the course of a formal hearing pursuant to 2 U.S.C. 437 g (a)(4) or in a civil action instituted by the Commission under 2 U.S.C. 437 g (a)(5).

REASON FOR EXEMPTION

In accordance with the provisions of Sec. 3 of the Privacy Act of 1974 under 2 U.S.C. 552a(K), the Commission states the following reasons for exempting the investigatory material compiled for law enforcement purposes:

(1) The information gathered by the investigative staff of the Commission may form the basis for either civil and/or criminal proceedings.

(2) The work of the investigative staff will be in cooperation with the Office of General Counsel in the preparation of the case for either a hearing within the agency or litigation in appropriate courts. The reports compiled may represent the "work product" of the attorney when such information has been gathered at his or her direction and thus may not be subject to access by a party even if litigation has been instituted.

(3) It may be necessary to seek information from persons who desire not to be named and the names of these sources must be kept confidential in order to gather information and to protect the credibility of the Commission for such purpose.

(4) The enforcement process requires that no information be released which may in any way hamper a thorough investigation of possible violations or give an opportunity to one under investigation to frustrate the Commission in the vigorous enforcement of the Federal Election Campaign Act of 1971, as amended.

FEDERAL ELECTION COMMISSION

(Notice 1975–26)

SYSTEMS OF RECORDS

Notice is hereby given pursuant to P.L. 93–579 [Privacy Act of 1974] that the Federal Election Commission has compiled its systems of records published therein. These systems identify the location of data which is available for inspection by an individual about records maintained on him or her. Any individual who believes that this agency maintains a record about him or her may request to inspect such record, if available, and to correct or amend it if necessary. Such request should be addressed to the system manager listed for the appropriate system.

Inquiries about these systems of records may be addressed to the General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, 202 382–5162.

Date: August 13, 1975.

NEIL STAEBLER,
Vice Chairman, Federal Election Commission

SYSTEMS AND RECORDS

1 FEC. Advisory opinion requests and public comment.

2 FEC. Audits and investigations.

3 FEC. Compliance actions.

4 FEC. Correspondence.

5 FEC. Meetings and telephone communications.

6 FEC. Personnel.

7 FEC. Registration of political committees and designations by candidates.

8 FEC. Reports of contributions and expenditures.

9 FEC. Rulemaking and public comment.

10 FEC. Certification for primary matching funds and for election campaign funds.

11 FEC. Payments for presidential nominating conventions.

(The symbol "H" precedes each paragraph initial, i.e., A. FEC 1 below would read HA. FEC 1, etc.)

A. FEC 1.

B. FEC advisory opinion requests and public comment.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Persons requesting advisory opinions from the FEC and persons commenting on such opinion requests.

F. Letters requesting advisory opinions and letters commenting on such requests.

G. 2 U.S.C. Section 437 d (a)(7) and Section 437 f.

H. Commissioners and staff will use this system to draft advisory opinions.

I.

J. Paper records.

K. Indexed by name, date and advisory opinion request (AOR) number.

L. Locked filing cabinets.

M. Indefinite.

N. The General Counsel, FEC, 1325 K Street, N.W., Washington, D.C. 20463 (202) 382–5162.

O. Inquiries should be addressed to the system manager and should include name, address and AOR number.

P. System manager.

Q. System manager.

R. Advisory opinion requests and public comments.

A. FEC 2.

B. FEC audits and investigations.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Political committees, candidates and contributors subject to the Federal Election Campaign Act.

F. Audit and investigative files.

G. 2 U.S.C. Section 437 d (a) 11, Section 437 g (a)(2), Section 437 g (b), and Section 438 (a)(9).

H. The General Counsel, Director of Investigations, Staff Director and Commissioners will use audit and investigation files for hearings, complaints, advisory opinions and regulations. Apparent violations may be referred to law enforcement authorities.

I.

J. Paper records.

K. Indexed by name and identification number.

L. Locked safes in limited access locations. Access is limited to FEC staff on a restricted basis and to appropriate law enforcement agencies as directed by the Commission.

M. Indefinite.

S. The following system is exempt pursuant to the provisions of 5 U.S.C. Section 552 a (K) (2) and accordingly implemented by proposed regulations issued this day under 11 CFR 001.14.

A. FEC 3.

B. FEC compliance actions.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Persons who have filed complaints and persons complained about [respondent].

F. Complaints, referrals and responses.

G. 2 U.S.C. Section 437g(a)(1)(A), (B), Section 437g (a), (2), (3), Section 437g(b), Section 438(a)(9).

H. Compliance actions will be assigned by the General Counsel and Director of the auditing and investigations division to an attorney and an investigator for an investigation into the subject matter of the compliance action. Apparent violations may be referred to law enforcement authorities.

I.

J. Paper records.

K. This system is indexed by compliance action number and respondent's name.

L. This system is kept in locked filing cabinets and behind locked interior office doors.

M. Indefinite.

S. The following system is exempt pursuant to the provisions of 5 U.S.C. Section 552a(K)(2) and accordingly implemented by proposed regulations issued this day under 11 CFR 001.14.

A. FEC 4.

B. FEC correspondence.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Persons who have written to the FEC.

F. Letters and responses.

G. 2 U.S.C. Section 437d.

H. Commission staff will use correspondence files to respond to inquiries from the public.

I.

J. Paper records.

K. This system is indexed by name and date.

L. This system is kept in locked filing cabinets.

M. Indefinite.

N. Assistant Staff Director for Administration, FEC, 1325 K Street, N.W., Washington, D.C. 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name of person or committee and address.

P. System manager.

Q. System manager.

R. Correspondence to the FEC and Commission responses to such correspondence.

A. FEC 5.

B. FEC meetings and telephone communications.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Outside persons who have talked by telephone or met with Commissioners or the Commission staff concerning a substantial interest matter.

F. Summaries of meetings and telephone logs.

G. 2 U.S.C. Section 437 (a) (9).

H. This system may be used by any person for information purposes.

I.

J. Paper records.

K. Indexed by date.

L. Locked filing cabinets.

M. Indefinite.

N. Assistant Staff Director for Administration, FEC 1325 K Street, N.W., Washington, D.C. 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name of outside person or committee, address and date.

P. System manager.

Q. System manager.

R. Looseleaf meeting summaries and telephone logs from Commissioners and staff are consolidated monthly.

A. FEC 6.

B. FEC personnel.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Persons who have applied for employment and persons employed at the FEC.

F. Resumes, applications and employment forms.

G. 2 U.S.C. Section 437c (f) (1).

H. The Staff Director and his or her designates will use the personnel system to hire employees of the Commission, and other appropriate personnel matters such as pay increases, vacation, sick leave and separation from the Commission.

I.

J. Paper records.

K. Indexed by name and job category.

L. Locked filing cabinets.

M. Indefinite.

N. Assistant Staff Director for Administration, FEC, 1325 K Street, N.W., Washington, D.C. 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name and address.

P. System manager.

Q. System manager.

R. Personnel applications, resumes, interviews, employment forms, etc.

A. FEC 7.

B. FEC registration of political committees and designations by candidates.

C.

D. 1325 K. Street, N.W., Washington, D.C. 20463.

E. Political committees.

F. Registration statements filed with the FEC.

G. 2 U.S.C. Section 432, Section 433 and Section 437 b.

H. This system may be used by any person for information purposes. However, any information copies from such reports shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

I.

J. Paper records and/or microfilm.

K. Indexed by candidate's name, by state, by committee name, by congressional district, by office sought, by candidate supported and by committee supporting a candidate.

L. Locked filing cabinets.

M. Reports are preserved for a ten year period except that reports relating solely to candidates for the House of Representatives are preserved for five years from the date of receipt.

N. Director of Public Records, FEC, 1325 K Street, N.W., Washington, D.C. 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name of candidate or committee, identification number and address.

P. System manager.

Q. System manager.

R. Registrations and designations filed with the FEC.

A. FEC 8.

B. FEC reports of contributions and expenditures.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Political committees, candidates and contributors whose reports of contributions and expenditures are filed with the FEC.

F. Reporting forms filed with the FEC.

G. 2 U.S.C. Section 434, Section 437 and Section 437a.

H. This system may be used by any person for information purposes. However, any information copied from such reports shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose.

I.

J. Paper records and/or microfilm.

K. Indexed by candidate's name, by state, by committee name, by congressional district, by office sought, by candidate supported and by committee supporting a candidate.

L. Locked filing cabinets.

M. Reports are preserved for a ten year period except that reports relating solely to candidates for the House of Representatives are preserved for five years from the date of receipt.

N. Director, Public Records Division, FEC, 1325 K Street, N.W., Washington, D.C. 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name of candidate or committee identification number and address.

P. System manager.

Q. System manager.

R. Reports filed with the FEC.

A. FEC 9.

B. FEC rulemaking and public comment.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Persons commenting on FEC proposed regulations.

F. Letters commenting on proposed FEC rules.

G. 2 U.S.C. Section 437d(a)8.

H. This system may be used by any person for information purposes.

I.

J. Paper records.

K. Indexed by subject, date, individual and committee.

L. Locked filing cabinets.

M. Indefinite.

N. Director, Public Records Division, FEC, 1325 K Street, N.W., Washington, D.C. 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name of person or committee, address and subject matter involved.

P. System manager.

Q. System manager.

R. Rulemaking proposals and public comment received by the FEC on such proposals.

A. FEC 10.

B. Certification for primary matching funds and for election campaign funds.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. Candidates for nomination or election to the Office of President of the United States.

F. Certification forms requesting matching funds or election funds and audit and investigation files.

G. 26 U.S.C. 9007 (a), 9006 (c); 26 U.S.C. 9033, 9037(b), 9038(a).

H. Certification of eligibility for funds by presidential candidates.

I.

J. Paper records.

K. This system is indexed by name of candidate.

L. This system is kept in locked filing cabinets.

M. Indefinite.

N. Staff Director, FEC, 1325 K Street, N.W., Washington, D.C. 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name of presidential candidate.

P. System manager.

Q. System manager.

R. Certification reports filed with the Commission, investigations and audits.

A. FEC 11.

B. Payments for presidential nominating conventions.

C.

D. 1325 K Street, N.W., Washington, D.C. 20463.

E. National political parties.

F. Certification forms for entitlement to payment and audit and investigation files.

G. 26 U.S.C. 9008 (b)(3), 9008 (g), 9008 (h).

H. Certification of eligibility for funds for presidential conventions.

I.

J. Paper records.

K. This system is indexed by name of national political party.

L. This system is kept in locked filing cabinets.

M. Indefinite.

N. Staff Director, FEC, 1325 K Street, N.W., Washington, D.C., 20463; (202) 382-5162.

O. Inquiries should be addressed to the system manager and should include name of national political party.

P. System manager.

Q. System manager.

R. Certification reports filed with the Commission, investigations and audits.

FEDERAL ELECTION COMMISSION,
Washington, D.C., August 15, 1975.

Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of an announcement of the Federal Election Commission which will be published in the *Federal Register* on Tuesday, August 19, 1975.

This notice contains two Advisory Opinions (AO 1975-9 and AO 1975-16). AO 1975-9 deals with the Application of Contributions and Expenditure Limits to Unopposed Primary Candidates, and AO 1975-16 which relates to the interpretation of Principal Campaign Committee, Reporting Schedule, and Campaign Depository Provisions; Contributions from Incorporated Membership Organization.

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have this notice inserted in the *Congressional Record.*

Sincerely,

ORLANDO B. POTTER,
Staff Director.

Enclosures.

FEDERAL ELECTION COMMISSION

[Notice 1975-27]

ADVISORY OPINIONS

(AO 1975-9—Application of contribution and expenditure limits to unopposed primary candidates)

(AO 1975-16—Interpretation of principal campaign commitee, reporting schedule, and campaign depository provisions; contributions from incorporated membership organization)

The Federal Election Commission announces the publication today of Advisory Opinions 1975-9 and 1975-16. The Commission's opinions are in response to questions raised by individuals holding Federal office, candidates for Federal office and political committees, with respect to whether any specific transaction or activity by such individual, candidate, or political committee would constitute a violation of the Federal Election Campaign Act of 1971, as amended, of Chapter 95 or Chapter 96 of Title 26 United States Code, or of Sections 608, 610, 611, 613, 614, 615, 616, or 617 of Title 18 United States Code.

ADVISORY OPINION 1975-9

(Application of contribution and expenditure limits to unopposed primary candidates)

The Federal Election Commission renders this advisory opinion under 2 U.S.C. § 437f in response to requests submitted by a candidate and a political committee. The requests were made public by the Commission and published in the Federal Register on July 9, 1975 (40 FR 28944). Interested parties were given an opportunity to submit comments relating to the requests.

The requesting parties seek an advisory opinion as to whether a primary election in which there is only one candidate for nomination is an "election" for purposes of the contribution and spending limitations of 18 U.S.C. § 608. In 18 U.S.C. § 591(a) the term "election", as used in 18 U.S.C. § 608, is defined as, *inter alia*, "a general, special, primary, or runoff election." The Commission's opinion is that this definition includes a primary election in which a candidate runs unopposed and without regard to whether his or her name appears on the ballot. The provisions of 18 U.S.C. § 608 clearly state that the contribution and expenditure limitations "apply separately with respect to each election." No distinction is made between opposed and unopposed primary and general election candidates.

This conclusion is in accordance with the legislative history of the Federal Election Campaign Act Amendments of 1974, (the Act). The Senate bill (S. 3044) as reported from committee contained specific provisions which limited expenditures by unopposed candidates in both a primary and general election to 10 percent of the limits applicable to opposed candidates. The 10 percent limit on unopposed primary candidates was deleted by floor amendment during Senate debate while the 10 percent limit on candidates unopposed in the general election was dropped in conference with the House. Thus, the legislative history also indicates that it was not Congress' intent to make a distinction between opposed and unopposed candidates for purposes of either contribution or expenditure limits. Accordingly, an unopposed candidate in a primary election is entitled to receive contributions and make expenditures with respect to that election within the limitations set by 19 U.S.C. § 608.

The Commission further concludes that those expenditures made solely to defray expenses incurred with respect to the primary election would not be chargeable to the unopposed candidate's expenditure limits in the general election. Until further notice the Commission will assume that all expenditures made and required to be reported with respect to a forthcoming primary election are allocable to that primary election rather than to be subsequent general election.

ADVISORY OPINION 1975-16

(Interpretation of principal campaign committee, reporting schedule, and campaign depository provisions; contributions from incorporated membership organization)

This advisory opinion is rendered under 2 U.S.C. § 437f in response to a request submitted by Congressman John D. Dingell and published as AOR 1975-16 in the July 17, 1975, Federal Register (40 FR 30259). Interested parties were given an opportunity to submit written comments pertaining to the request.

The advisory opinion request submitted by Congressman Dingell raises several issues. Each issue is discussed separately in the following advisory opinion.

1. The first question raised by Congressman Dingell concerns the types of political committees a candidate may establish. Each candidate is required to designate a political committee to serve as his or her principal campaign committee. 2 U.S.C. § 432(f). The candidate may authorize any number of political committees to solicit or receive contributions on behalf of the candidate or to make expenditures on behalf of the candidate. This authorization must be in writing and signed by the candidate. The expenditures made on behalf of the candidate by these authorized political committees are applied to the candidate's overall expenditure limitation.

These authorized committees file reports with the principal campaign committee for the candidate on whose behalf the contributions are accepted or the expenditures are made. The principal campaign committee is required to compile the reports of these authorized committees and file these reports, together with the report on its own activity, with the Commission. 2 U.S.C. § 432(f) (2) and (3).

All political committees must remain in existence and report until all of their debts and obligations are extinguished. 2 U.S.C. § 434(b) (12). The Commission may by future regulation prescribe ways in which continuous reporting of outstanding debts and obligations of campaign committees which have become and remained insolvent for long periods of time may be suspended or terminated. Since the committees authorized by the candidate report to that candidate's principal campaign committee, the candidate's principal campaign committee must remain in existence until all of its debts and obligations are extinguished and all of the debts and obligations of its authorized committees are extinguished or consolidated with the debts and obligations of the principal campaign committee.

2. The second question concerns the reporting requirements of committees which have registered with the Commission but which do not receive contributions or make expenditures in excess of $1,000 during a particular calendar quarter. Generally, a committee is required to file a report of receipts and expenditures for each calendar quarter in which it received contributions in excess of $1,000, or made expenditures in excess of $1,000. 2 U.S.C. § 434(a) (1) (C). The Commission is required to prepare and publish special reports listing those candidates for whom reports were filed as required and those candidates for whom such reports were not filed as so required. 2 U.S.C. § 438(a) (7). If a political committee has registered with the Commission and has previously filed quarterly reports, the Commission will not know, in the absence of other information, whether such a committee has a continuous reporting obligation. Therefore, at the close of the first calendar quarter in which the committee does not receive or expend $1,000, the committee must notify the Commission that "no more than $1,000 was received or expended" during that calendar quarter and that quarterly reports will be suspended until such time as the committee receives or expends $1,000 during a calendar quarter. Upon receipt of this type of notification, the Commission will remove the committee from the list of committees required to file quarterly reports. The Commission is in the process of developing a short form for this purpose.

This procedure will not affect the committee's obligation to file a pre-election report, 2 U.S.C. § 434(a) (1) (A), or an end of the year report, 2 U.S.C. § 434(a) (1) (B). If the committee determines that it has not received contributions or made expenditures during the calendar *year* in an aggregate amount exceeding $1,000, the committee must so report to the Commission in the calendar year report. 2 U.S.C. § 433(d). The Commission will, as noted in Part 1, promulgate regulations pertaining to reporting by committees with outstanding debts and obligations.

3. The third question concerns the time limit which is imposed between the receipt of a campaign contribution and the deposit of such a contribution in a campaign account. The Commission is currently in the process of proposing regulations which would establish such a time limit. Until such time as the regulations are prescribed, the Commission will require the contribution to be deposited within a reasonable time. The Commission considers five days after the receipt of the contribution by the treasurer or other designated official of the political committee to be a reasonable time limit in which to deposit the contribution.

4. The last question is whether a political committee is prohibited by 18 U.S.C. § 610 from accepting a contribution from a VFW Post which is incorporated. Section 610 prohibits *"any corporation whatever"* from making a "contribution or expenditure in connection with any election" to Federal office and prohibits a candidate, political committee or person from accepting such a contribution.

The prohibitions in § 610 apply, with limited exception, to contributions or expenditures by nonprofit corporations just as they apply to contributions or expenditures made by profit-making corporations. If a nonprofit organization is created expressly and exclusively to engage in political activities, however, and has incorporated for liability purposes only, the general prohibitions in § 610 will not apply to that corporation. That type of corporation is essentially a political committee and may contribute its assets to Federal candidates the same as unincorporated political committees. Other types of nonprofit corporations are subject to the prohibitions in § 610, and, therefore, a candidate or political committee is prohibited from accepting a contribution from these types of nonprofit corporations.

A corporation which is subject to the prohibitions in § 610 may, however, establish a separate segregated fund and may make contributions and/or expenditures in connection with Federal elections from that fund. A candidate or political committee may, in turn, accept a contribution from the separate segregated fund of a corporation.

This advisory opinion is issued on an interim basis only pending promulgation by the Commission of rules and regulations or policy statements of general applicability.

NEIL STAEBLER,
Vice Chairman for the Federal Election Commission.

Date: August 13, 1975.

FEDERAL ELECTION COMMISSION,
Washington, D.C., August 15, 1975.
Hon. HOWARD W. CANNON,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed are copies of an announcement of the Federal Election Commission which will be published on Monday, August 18, 1975 in the *Federal Register*.

This notice contains two Advisory Opinions (AO-2 and AO-3) relative to the Michigan Democratic Party and the National Republican Congressional Committee.

In accordance with our previous correspondence, the Commission would be most appreciative if you could make arrangements to have this notice inserted in the *Congressional Record*.

Sincerely,

ORLANDO B. POTTER,
Staff Director.

Enclosures.

FEDERAL ELECTION COMMISSION

(Notice 1975-24, AO 1975-2 and AO 1975-3)

AO 1975-2: MICHIGAN DEMOCRATIC PARTY

This advisory opinion is rendered under 2 U.S.C. §437f in response to a request submitted by the Michigan Democratic Party (hereinafter MDP) and published as AOR 1975-2 in the June 24, 1975, *Federal Register* (40 FR 26660). Interested parties were given an opportunity to submit written comments pertaining to the request.

The advisory opinion request by the MDP raises several issues. Each issue is discussed separately in the following advisory opinion.

1. The first question concerns the practice by the Michigan Democratic Party of maintaining two separate bank accounts—one for Federal election use and one for state election use. The party has established two separate accounts to assist it in meeting the different reporting requirements of the Federal law and of the Michigan state laws. The Federal election account is not the "official" account of the Michigan Democratic Party. The party's question is, then, whether the money from the Federal election account can be used for the 18 U.S.C. §608(f) state committee expenditures.

Section 608(f) does not specify that the expenditures made under this section must be from the "official" account of the state party. Therefore, the general section on campaign depositories, 2 U.S.C. § 437(b), controls. Subsection 437(b) (2) provides:

"The treasurer of each political committee (other than a political committee authorized by a candidate to receive contributions or to make expenditures on his behalf) shall designate one or more national or State banks as campaign depositories of such committee, and shall maintain a checking account for the committee at each such depository. All contributions received by such committee shall be deposited in such accounts. No expenditure may be made by such committee except by check drawn on such accounts, other than petty cash expenditures as provided in subsection (b)."

The MDP has complied with the first requirement of this subsection by establishing a separate account for Federal elections. In addition, the MDP must designate the bank in which it maintains its separate account for Federal elections (or any other National or State banks) as the campaign depository of the committee. All contributions received or expenditures made pertaining to Federal elections must be deposited in or drawn from this account of the party. Each local party committee which intends to solicit contributions, receive contributions, or make expenditures in connection with any Federal election must establish a separate account for Federal election purposes as described above.

All contributions received by the MDP which the contributor designates to be used for Federal election purposes and all contributions received which the MDP intends to use for Federal election purposes must be deposited in this account. Since the individual or political committee whose contribution is deposited in this account is making a contribution within the definition of 18 U.S.C. § 591(e) the contribution limitations established in 18 U.S.C. § 608(b) are applicable. In addition, the sections in Title 18 which prohibit contributions by certain types of contributors are applicable. 18 U.S.C. §§ 610, 611, 613, 614 and 615.

2. The second question raised by the Michigan Democratic Party concerns the application of the expenditures limitations in 18 U.S.C. § 608(f) to the state and local committees in Michigan and the proper place of filing reports by the local committees. Subsection 608(f) (3) provides:

The national committee of a political party, or a State committee of a political party, *including any subordinate committee of a State committee*, may not make any expenditure in connection with the general election campaign of a candidate for Federal office in a State who is affiliated with such party which exceeds . . . (explanation of formula for determining limitation) (emphasis added)

The term subordinate, as used in this section, includes all "branches" or "subsidiaries" which are officially a part of the State Party organization. By statute, each major party in Michigan is required to establish a county committee in each county, a district committee in each Congressional district, and a State central committee. (Hereinafter the County and Congressional committees are referred to as local committees.) Alhough the local committees of each party select the members of the state central committee of that party, each committee on each level retains independent statutory existence and exercises a substantial degree of autonomy with respect to all other committees in its finances and operations. When applied to the political party structure in Michigan, the term subordinate as used in § 608 includes all statutorily required local committees and any other committee which, by virtue of the bylaws of the Michigan Democratic Party, is part of the Democratic Party structure in the state. Therefore, all such committees are included within the state party *expenditure* limitation established in § 608(f) (3).

The Michigan Democratic Party may administer the § 608(f) (3) expenditure by one of the following methods, which the Commission does not intend to be an exhaustive statement of the alternative methods. In the first instance, the state central committee will be responsible for insuring that the expenditures of the entire party organization are within the limitations established in § 608(f) (3). Any § 608(f) (3) expenditure made by a local committee would have to be reported to the state central committee. The state central committee would be responsible for filing reports with the Commission pertaining to all § 608(f) (3) expenditures made by any branch of the party structure.

In the alternative, the state central committee may allocate the § 608(f) (3) expenditure among the local party committees in the following manner. The state committee and the local committees first agree upon an allocation formula whereby a portion of the total § 608(f) (3) expenditure limitation for each Federal candidate is allocated to local committees. The state committee, then, files a statement with the Commission setting forth the agreed upon allocation. This "allocation statement" shall contain, in addition to the allocation for each committee, the following information with regard to each committee which has not filed a statement of organization with the Commission: the name and address of the committee; the name, address, and position of the custodian of books and accounts; the name, address and position of other principal officers; and a listing of all banks, safety deposit boxes, or other repositories used. If the local committee has already filed a statement of organization, the "allocation statement" must contain the name and address of the local committee and the amount allocated to that committee, and state that a statement of organization has already been filed by that committee. Any changes in the information pertaining to the local committees which was submitted in the "allocation statement" must be reported by the local committee to the Commission within 10 days following the change.

Once the "allocation statement" has been filed with the Commission, the actual allocation to a local committee may be changed by an amended report submitted to the Commission by the state central committee. This report must be signed by authorized agents of both the state central committee and that particular local committee and state that both parties have agreed that the original allocation should be changed and set forth the amended allocation.

Each local committee (other than a political committee) which is listed in the "allocation statement" will be required to file appropriate reports of expenditures with the Commission if the total § 608(f) (3) expenditure allocation is in excess of $100.[1] In addition, each local committee will be responsible for insuring that all § 608(f) (3) expenditures by that local committee are within the allocated amount. If the local committee exceeds its allocation as set forth in the "allocation statement" and, as a result, the total party expenditures in the state exceed the overall expenditure limitation in § 608(f) (3), the local committee, rather than the state party officials, will be charged with the responsibility for exceeding the expenditure limitation.

Although § 608(f) (3) specifically includes the local committees within the state party *expenditure* limitation, the local committees may be considered separate organizations for the purposes of applying the ***contribution*** limitations in § 608(b). If the local committees are in fact truly independent of the state central committee, then each local committee may contribute to Federal candidates. If the local committee qualifies under § 608(b) (2), its contribution limitation for each candidate is $5,000. Otherwise, the limitation for each candidate is $1,000 per candidate, 18 U.S.C. § 608(b) (1). Each local committee is responsible for filing with the Commission any appropriate reports made necessary by reason of its contributions to Federal candidates.

3. The next question raised is whether the state committee is required to file the required reports and statements with the appropriate principal campaign committee or with the Commission. The state committee must file reports of any contributions received which are "earmarked" for a particular candidate with that candidate's principal campaign committee. The committee must also file a report pertaining to expenditures which are authorized by the candidate to be made on his or her behalf with the appropriate principal campaign committee.[2] Reports pertaining to all contributions and expenditures will be filed with the Commission.[3]

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[1] The Commission will be issuing regulations pursuant to 2 U.S.C. § 434(e) which will detail this reporting requirement.

[2] This does not include 18 U.S.C. § 608(f) (3) expenditures.

[3] An Interim Guideline pertaining to the filing of the July 10 reports was published in the *Federal Register* on July 26, 1975. Regulations pertaining to reports due on October 10 and thereafter will be published in the *Federal Register* prior to the date when the reports are due.

If the state committee has not registered, the statement of organization should be filed with the Commission.

4. Question 4 concerns the newsletter the Michigan Democratic Party publishes and sends to its members. The question is whether the newsletter comes within the expenditure exemption in 18 U.S.C. § 591(f)(4)(C), which provides:

(C) any communication by any membership organization or corporation to its members or stockholders, if such membership organization or corporation is not organized primarily for the purpose of influencing the nomination for election, or election of any person to Federal office;

Although a state political party does endorse federal candidates, many of the activities of the party are generally not to influence directly Federal elections, but to build a strong party organization. A newsletter of a political party will come within this expenditure exemption if the newsletter is distributed only to dues paying members of the party. Moreover, the state political party or other entity sending the newsletter must not be "organized primarily for the purpose of influencing the nomination for election, or election, of any person to federal office." 18 U.S.C. § 591(f)(4)(C). This concept of being "organized primarily" for such purposes will be particularized by Commission regulations to be issued in the near future.

It is relevant to note that the party may solicit contributions to the Democratic Party in this newsletter (although not for any federal candidate). Such a solicitation will not make the newsletter an expenditure. **Section 591(f)(4)(1) exempts from the definition** of expenditure any costs incurred by a political committee with respect to the solicitation of contributions to such political committee, unless the solicitation is done by general public advertising.

5. The last question concerns the reporting requirements for the local committees of the Michigan Democratic Party which do not receive contributions for federal elections in excess of $1,000 or which are not allocated more than $100 of MDP's § 608(f)(3) expenditures.[4] The question is whether 2 U.S.C. § 437a, pertaining to reports by certain persons, requires such committees to file reports with the Commission. In particular, the MDP asks whether the phrase "commits any act directed to the public for the purpose of influencing outcome of an election" as used in § 437a, includes such routine activities by political committees as putting up a poster for a federal candidate.

The local committee of a state political party organization which is not required to file reports as a political committee or as a "person" under 2 U.S.C. § 434(e) and which is not required to file reports of § 608(f)(3) expenditures, will not be required to file reports under § 437a. Certain "routine activities" of political committees described in the request could frequently come within the exemptions to the definition of contribution in 2 U.S.C. § 431(e) and 18 U.S.C. § 591(e).

For example, a person who put up posters for a federal candidate is usually volunteering his or her services without compensation. If that is the case, such activity is exempt from the definition of contribution by 2 U.S.C. § 431(a)(5)(A) and 18 U.S.C. § 591(e)(5)(A).[5]

This advisory opinion is issued on an interim basis only pending the promulgation by the Commission of rules and regulations of general applicability. Any interpretation or ruling contained herein is to be construed as limited to the facts of the specific advisory opinion request and should not be relied on as having precedential significance except as it relates to those facts at the time of its issuance.

AO 1975–3: NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE

This advisory opinion is rendered under **2 U.S.C. § 437f in response to a request sub**mitted by the National Republican Congressional Committee (hereinafter NRCC) and published as AOR 1975–3 in the June 24, 1975, *Federal Register* (40 FR 26660). Interested parties were given an opportunity to submit written comments pertaining to the request.

This request states that NRCC provides certain services and property to Republican Members of the House of Representatives (hereinafter Member). These services are:

1. The NRCC's preparing and printing newsletters, questionnaires and other printed matter to be mailed by Members under the Congressional frank.

2. The NRCC's reprinting of excerpts from the Congressional Record to be mailed by Members under the Congressional frank.

3. The NRCC's paying the cost of tabulating responses to questionnaires sent by a Member to his constituents under the Congressional frank including the cost of using a computer for such tabulation.

4. The NRCC's reimbursing a Member for the cost of newsletter paper purchased by the Member from the House of Representatives Stationery Room to be used by the member in preparing materials to be mailed by the Member under the Congressional frank.

The NRCC requests the Commission to rule on the question of whether the described activities are noncampaign in nature and, therefore, do not count against the NRCC's contribution limitation to a candidate [18 U.S.C. § 608(b)(2)] and do not apply to the Member's election expenditure limitations [18 U.S.C. § 608(c)(1)(E)].

It is not necessary for the Commission at this time to reach the question of whether the activities described in paragraphs 1, 2 and 4 are noncampaign in nature. 39 U.S.C. § 3210(f) is applicable to material sent under the Congressional frank. This section provides:

Notwithstanding any other provision of Federal, State, or local law, or any regulation thereunder, the equivalent amount of postage determined under section 3216 of this title on franked mail mailed under the frank of the Vice President or a Member of Congress, and *the cost of preparing or printing such frankable matter for such mailing under the frank, shall not be considered as a contribution to, or an expenditure by, the Vice President or a Member of Congress for the purpose of determining any limitation on expenditures or contributions* with respect to such official, imposed by any Federal, State, or local law or regulation, in connection with any campaign of such official for election to any Federal office. (Emphasis added.)

As long as the materials prepared by the NRCC are suitable to be mailed under the frank and, in fact, are mailed under the frank, the cost of preparing or printing the materials will not be charged against the contribution or expenditure limitations in 18 U.S.C. § 608. For purposes of this opinion, the Commission assumes that such mailings are suitable to be mailed under the frank.

In paragraph 3, the NRCC requests the Commission to rule on its practice of paying the cost of tabulating responses to questionnaires sent by a Member to his constituents under the Congressional frank including the cost of using a computer for such tabulation. The exemption in 39 U.S.C. § 3210(f) only extends to the cost of preparing or printing the franked matter. Therefore, in determining whether the cost of tabulating responses is a contribution or expenditure subject to the appropriate limitations in 18 U.S.C. § 608, the question is whether such responses is a contribution or expenditure within the general definition of 18 U.S.C. § 591(e) and (f). The Commission has proposed regulations providing that the cited definitions apply to these activities and that they are therefore subject to limitation under 18 U.S.C. § 608.

This advisory opinion is to be construed as limited to the facts of the request and should not be relied on as having any precedential significance except as it relates to those facts at the time of its issuance.

NEIL STAEBLER,

Vice Chairman for the Federal Election Commission.

Date: August 11, 1975.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

NATIONAL PRODUCTIVITY AND QUALITY OF WORKING LIFE ACT OF 1975

The Senate continued with the consideration of the bill (S. 2195) to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respect to continued productivity growth and improved utilization of human resources in the United States; and for other purposes.

The ACTING PRESIDENT pro tempore. Time for debate on this bill is limited to 20 minutes, to be equally divided between and controlled by the Senator from Georgia (Mr. NUNN) and the Senator from Illinois (Mr. PERCY), with 20 minutes on any debatable motion, appeal, or point of order.

Mr. NUNN. Mr. President, I ask to be notified when I have consumed 5 minutes of my time.

Mr. President, the National Productivity and Quality of Working Life Act of 1975, S. 2195, is the product of more than 9 months of work by the Committee on Government Operations.

It is designed to increase and improve

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[4] See discussion relating to question 2.

[5] **2 U.S.C. § 437a requires any person (other than an individual) "who expends any funds or commits any act directed to the public for the purpose of influencing the outcome of an election" to report the funds received by that person as if they were contributions under 2 U.S.C. § 431(e) and payments of such funds as if they were expenditures under 2 U.S.C. § 431(f). Therefore, even if the local** committee were required to report under § 437a, the local committee would not be required to report the activity described in the request if the person putting up the posters was volunteering his services without compensation. The individual volunteering his services would not be making a contribution to the local committee since such volunteer activity is exempted from the definition of contribution. The local committee would not, in these circumstances, be making an expenditure since it is not compensating the individual for his time.

Federal participation in efforts to reverse the overall decline in the rate of our national productivity growth that has occurred during the past 9 years.

Senator PERCY and I introduced bills—S. 4130 and S. 4212—during the last Congress to reorganize and strengthen the National Commission on Productivity and Work Quality. The committee conducted extensive hearings on those bills on December 16 and 17, 1974.

We revised our bills and introduced new versions this year. These new bills, S. 765 and S. 937, were subject to hearings on March 20 and 21 by the committee.

Since then the committee has worked to draft a new bill which incorporates the best features of our two bills and many of the suggestions made at our hearings. In addition, the committee considered the provisions of a bill which was recommended by the Ford administration and introduced in the House of Representatives as H.R. 6078.

The committee also solicited and received considerable input from several organizations involved in efforts to improve our national productivity growth rate, especially the United Steelworkers of America, the United Automobile Workers of America, and the American Institute of Industrial Engineers.

S. 2195 is the result of the committee's labors to develop the best possible legislation for this particular time. We believe that it provides a very sound approach to the problem and that it satisfies the interests of both labor and management in achieving its objectives.

This new bill is the result of the efforts of many members of the Government Operations Committee and especially of Senators PERCY and JAVITS, who have been interested in the problems of productivity and working conditions for a number of years. Their leadership and efforts on behalf of this legislation have been invaluable, and we owe them a debt of gratitude.

I would also like to mention the significant contribution of Senator ABE RIBICOFF, the chairman of the committee, and the contributions of Senators CHILES, ROTH, and BROCK, all of whom have been instrumental in the development of S. 2195.

Staff members of the Committee on Government Operations and its subcommittees also contributed greatly to this bill. They were Dick Wegman, chief counsel and staff director of the full committee; Matt Schneider, counsel; J. Robert Vastine, former chief counsel to the minority, who is now at the Treasury Department; John B. Childers, who is now the chief counsel to the minority; Mark Bravin, assistant to the minority; David Dunn, professional staff member of the Committee on Labor and Public Welfare, Claudia Ingram of the Subcommittee on Federal Spending Practices; Win Turner, chief counsel, and Vic Reinemer, staff director of the Subcommittee on Reports, Accounting, and Management; Harold C. Anderson and Fred McClintock, staff editors; Bill Goodwin, chief counsel and staff director of my own Subcommittee on Oversight Procedures; Betsy Prichard, chief clerk of the Subcommittee on Oversight Procedures; and two congressional fellows who have worked for the subcommittee, Dani Emery and Roy Jenney.

I would also like to extend my thanks to Peter Henle of the economics division of the Congressional Research Service, Library of Congress, who made a valuable contribution to our consideration of the quality of working life aspects of the bill, and to Ted Mills and Nick Bizony of the National Quality of Work Center, who assisted the committee at the request of Senator PERCY and myself.

The work of all these individuals has resulted in the legislation which is before us today.

The purpose of the bill is to increase the Federal effort to solve one of our most serious and least understood economic problems—a declining rate of productivity growth. It is a serious problem because increases in our standard of living depend to a large extent on increases in our national productivity. Otherwise, price increases devour any increases in our incomes.

Reversing the decline and improving our productivity growth rate also is important if we are to maintain our world leadership in the production of goods and the provision of services.

As explained in the committee report on the bill, our average national productivity growth rate has declined steadily during the past 9 years. At the same time, the growth rate in Japan and most of the other major industrial countries has increased.

No legislation alone can force a turnaround in our productivity growth. Rather, this bill is meant to provide a stimulus for an all-out effort by all sectors of the economy, and particularly by the Federal Government.

Mr. President, I recently read an article in the Washingtonian magazine which recommended that a number of Federal agencies be abolished. One of these was the National Commission on Productivity and Work Quality.

I agree fully that agencies which serve no useful purpose should be done away with. In many respects, the Commission has failed to carry out its mission, and the time has come either to do away with it or to reorganize and revitalize it.

This bill replaces the National Commission on Productivity and Work Quality with a National Center for Productivity and Quality of Working Life, and it attempts to solve many of the problems that have hampered the Commission. With the proper functions and status, which this bill provides, the Center will be able to stimulate productivity growth in America.

On the other hand, should the new Center not make a meaningful contribution to our productivity growth, then I will be as ardent an advocate of its abolition as I have been of its creation.

The bill provides authorization of appropriations for the Center for only 3 years, at the end of which Congress must evaluate its performance and determine whether to continue its existence. In addition, the Comptroller General will be required to evaluate and assess the Center's performance at the end of the 4-year period, thus giving Congress the benefit of his expertise in the area of productivity.

In my opinion, these are adequate provisions to assure that the Center carries out its functions as intended by the bill. If the Center fails to do so, then Congress should abolish it, and I will lead that effort.

The Center will serve as the focal point in a national effort to reverse the downward trend in our productivity growth.

Its primary functions will be to stimulate improvements in our productivity growth and the working environment through coordination and consultation with other Federal agencies, State and local governments, and qualified public and private groups.

For example, Federal agencies which spend funds on productivity-related projects will be required to consult with the Center before doing so. This should enable the Center to implement a coordinated national productivity policy.

This bill makes it the continuing policy of the Federal Government to stimulate a high rate of productivity growth and improvements in the working environment of American workers. The Center will coordinate and promote efforts to carry out this policy.

The Center will have a 25-man Board of Directors, consisting of a Chairman; the Secretaries of Treasury, Commerce, and Labor; the Executive Director of the Center; the Director of the Federal Mediation and Conciliation Service; not less than five members from labor organizations; not less than three members from management; two from State and local government; one public member, and such other members as the President appoints.

The Board of Directors will operate through an executive committee of seven members to be named by the Chairman and including the executive director.

All Federal agencies will be directed to improve their own internal productivity and working conditions, and to assist the Center in carrying out the national productivity policy.

Although an accurate accounting is not available at present, several Federal agencies expend funds on projects related to productivity and quality of working life. The National Science Foundation, for example, has approximately $20 million budgeted for the coming fiscal year for these types of projects.

The Center will coordinate the expenditure of these funds, and it will compile an accounting of the funds available for these purposes, an assessment of how effectively these funds have been used, and its recommendations on how the expenditures can better be coordinated in the future.

There is no intention that the Center should become another large, grant-making Federal bureaucracy, or that it is to be another regulatory agency. Instead, it should remain small and serve mainly as a stimulating and coordinating body for both Federal and non-Federal efforts. Its activities should be aimed at stimulating voluntary efforts to improve productivity growth and at coordinating productivity improvements within the Federal sector.

Its power to make regulations is to be used only to regulate its own internal activities; that is, the Center will not have authority to force productivity improvements in the private sector, either by regulations or any other method. To the contrary, it will work with all Federal agencies to review their laws, regulations, and policies in order to eliminate those which adversely affect productivity growth.

The Center will not be in a position to harrass American businessmen or labor organizations with needless and unwise regulations, nor will it have the power to compel the production of information to carry out its functions, whether by subpena or any other means. In a nutshell, its functions are designed to bring about efforts on the part of others to improve our national productivity growth rate. This will be an important first step in correcting one of our primary economic ills.

I strongly encourage every Member of the Senate to join in supporting this legislation.

Mr. President, I ask unanimous consent that a section-by-section analysis of S. 2195 be printed in the RECORD.

There being no objection, the section-by-section analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF THE BILL

TITLE I—FINDINGS, PURPOSE, AND POLICY; DEFINITIONS

Section 101 contains congressional findings relating to the declining rate of productivity growth. In general, the findings state that the Nation's productivity growth rate has declined since 1965, and that an increasing growth rate is essential to the social and economic welfare of the American people. The section also sets out several national needs which must be met in order to stimulate continued productivity growth.

Statement of purpose

Section 102 states the purpose of the Act, which is to establish a national policy to encourage productivity growth consistent with the needs of the economy, the environment, and the needs, rights, and best interest of management, the work force and consumers; and to establish an independent National Center for Productivity and Quality of Working Life to focus, coordinate, and promote efforts to improve the rate of national productivity growth.

Federal policy

Section 103 establishes a continuing policy of the Federal Government to use all practicable means and measures, including financial and technical assistance, to stimulate a high rate of productivity growth. This policy is to be carried out in cooperation with State and local governments.

The section makes it the continuing responsibility of the Federal Government to use all practicable means to improve and coordinate Federal plans, functions, programs, and resources to carry out the policy set forth in the bill, and it directs that all Federal laws, rules, regulations, and policies shall be interpreted to give full force and effect to the Federal productivity policy.

Definitions

Section 104 provides that the terms "Center" and "Board" as used in the bill means the National Center for Productivity and Quality of Working Life and the Center's Board of Directors, respectively.

It also provides that the terms "productivity growth" and "improved productivity" shall be interpreted to mean, but not be limited to, improvements in technology, management techniques, and the quality of working life. In other words, when the bill speaks of improving productivity growth, it means improvements in all the various factors which affect productivity. Technology, management techniques, and quality of working life considerations are three of these, but they are by no means the only factors to be considered in a Federal effort to improve productivity. By including these three specific factors, the committee does not mean to imply that they should be treated equally or to the exclusion of other factors.

Section 104 also directs that the term "quality of working life" shall be interpreted to mean "the conditions of work relating to the role of the worker in the production process." As explained above in the discussion of the quality of working life, the term refers to the worker, his training, experience, job conditions, and his role in production at his place of employment. For the purposes of this bill, it is not meant to include conditions beyond the actual workplace.

TITLE II—NATIONAL CENTER FOR PRODUCTIVITY AND QUALITY OF WORKING LIFE ESTABLISHED

Section 201 establishes the National Center for Productivity and Quality of Working Life as an independent establishment of the executive branch.

Board of Directors

Section 202 provides that the Center shall have a Board of Directors to be comprised of not more than 25 members, as follows:

(1) a Chairman;
(2) the Secretary of the Treasury;
(3) the Secretary of Commerce;
(4) the Secretary of Labor;
(5) the Director of the Federal Mediation and Conciliation Service;
(6) the Executive Director of the Center;
(7) not less than 3 members from among qualified private individuals in manufacturing and service industries;
(8) not less than 5 members from among qualified private individuals from labor organizations;
(9) not less than 2 members from among qualified individuals in State or local governments;
(10) not less than one member from among the general public;
(11) not less than one member from qualified individuals associated with leading institutions of higher education; and
(12) such other qualified members from the public or private sectors of the economy whom the President may deem appropriate.

All of the Board members shall be appointed by the President, and unless they are the Vice President of the United States or a Federal official whose appointment was subject to Senate confirmation, their appointments shall be made by and with the advice and consent of the Senate.

If a member who is a Secretary of a Federal department or the Director of the Federal Mediation and Conciliation Service is unable to attend a meeting of the Board—or of the executive committee if he is a member of that body—he shall appoint an appropriate alternate from within his department or agency to represent him at the meeting.

The private members of the Board shall serve for terms of 4 years, coterminous with the term of the President. No member shall serve in an acting or temporary capacity for a period in excess of 3 months.

The Chairman of the Board also shall serve a term of 4 years, coterminous with that of the President. The Secretaries and the Director of FMCS shall serve on the Board as long as they are head of the department or agency represented on the Board.

Members of the Board who are not Federal officials will be compensated at the daily rate provided for GS-18 for each day they are engaged in duties as members. All members will be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out their duties as members of the Board.

The Chairman of the Board shall appoint an executive committee of not more than 7 members, including the Executive Director of the Center, which shall meet at least every 90 days.

Executive director

Section 203 provides that the Center shall have an Executive Director, who shall be responsible for the exercise of all powers and the discharge of all duties of the Center. The Executive Director shall be appointed by the President, subject to Senate confirmation, without regard to political affiliation and solely on the basis of fitness to perform the duties and functions of the office. He will be compensated at a rate not to exceed Executive level IV ($38,000 under present law), and shall have no other employment during his tenure in office.

Functions of the center

Section 204 sets the functions of the Center. Among these are:

(1) to develop and establish a national policy for the growth of productivity;

(2) to seek, stimulate, and encourage maximum active participation of all sectors of the economy in efforts to improve the rate of productivity growth;

(3) to seek, stimulate, and encourage selected research and demonstration programs implemented by public agencies and qualified private organizations which will increase the rate of productivity growth, and develop, refine, and apply accurate and reliable measurement techniques to evaluate changes in productivity;

(4) to identify, study, and review existing Federal, State, and local statutes, regulations, and fiscal policies which impede productivity growth or the effective economic performance of the public and private sectors of the United States; incentives to encourage industry and labor initiatives in the development of methods, techniques, and systems for the improved utilization of technological and human resources; existing and new programs, plans, and other methods designed to counteract threats to job security as a result of productivity improvement efforts; the impact of public personnel policies, statutes, and regulations affecting the productivity of public agencies; and the need and feasibility of providing various Center services to potential users in return for payment to the Center;

(5) to recommend to the President, Congress, the appropriate agencies and departments, and State and local governments, any revisions of regulations, policies, practices, and procedures which will result in improved productivity growth;

(6) to encourage cooperation between labor and management in the achievement of continued productivity growth, but not to become involved in activities pertaining to issues which are the proper subjects for bargaining both by tradition and by labor-management agreements without the consent and cooperation of the parties to such agreements;

(7) to encourage Federal agencies to initiate, stimulate, and support efforts inside and outside the Government to improve productivity growth;

(8) to coordinate efforts to eliminate interagency duplication of effort and cost, and to maximize the effectiveness of all Federal programs and activities which affect productivity growth, and to consult with other Federal agencies prior to the obligation and expenditure of funds for activities and projects in both the public and private sectors to improve productivity growth;

(9) to support activities in the various

Federal agencies for measuring productivity within these agencies;

(10) to collect and disseminate relevant information obtained by the Center or by other public agencies, institutions of higher learning, or private organizations pertaining to productivity growth, and to develop and implement a public information program designed to inform the public of the meaning and importance of productivity and the quality of working life;

(11) to maintain liaison with organizations, both domestic and foreign, involved in efforts to increase productivity; and

(12) to determine the Nation's needs for productivity-related management, and analytical skills and to encourage and facilitate the development of training programs in such skills.

Powers of the Center

Section 205 enumerates the powers of the Center in carrying out its functions. It authorizes the Center to enter into contracts or other funding arrangements in order to carry out the provisions of the bill; to organize and conduct conferences, meetings, seminars, workshops, or other forums for the presentation and dissemination of relevant information generated or collected pursuant to the provisions of the bill; to make studies and recommendations to the President and Congress; to implement a program and secure necessary facilities for the collection, collation, analysis, and interpretation of data and information in order to carry out its public information functions; and to undertake other studies, reviews, activities, and make such recommendations and reports as may be required to carry out its functions.

Funding conditions

Section 206 sets forth the conditions for contracts and other funding arrangements. Under these conditions, a participating party must agree that all information relating to any innovation or achievement generated in the course of any Center-funded demonstration programs shall be public information. The purpose of this section is to insure that work funded by the Center will be applicable to a broad range of users and not just to one particular plant or industry. No contract or other funding arrangement shall be entered into unless it is consistent with the policies and purposes of the bill.

Funding criteria

Section 207 sets forth criteria for contracts and other funding arrangements. For the most part, the Center shall prescribe the criteria by regulation, after consultation with appropriate agencies and officials of Federal, State, and local governments.

Annual Report

Section 208 requires that not later than December 31 of each year the Center shall report to the President and to the Congress on its activities. These annual reports shall include such recommendations as the Center deems appropriate. They also shall include an analysis of the extent to which each Federal agency which has significant responsibilities for assisting in the improvement of productivity is carrying out those responsibilities. This analysis shall include an accounting of all funds expended or obligated by such agencies for activities and projects to improve productivity growth, an assessment of the extent to which these expenditures have furthered the policies of the Center, and the Center's recommendations on how these funds can be better coordinated to accomplish the purposes of the bill.

TITLE III—FEDERAL AGENCY ASSISTANCE LIAISON WITH CENTER

Section 301 requires each Federal agency to designate an individual to serve as liaison with the Center and to assist the Center in carrying out its functions pursuant to the Act. They also are requried to keep the Center currently informed about their productivity-related activities and to consult with the Center prior to the obligation or expenditure of funds for activities or projects to improve productivity growth. Each department, agency, and independent establishment also is directed to furnish the Center access to all relevant materials and information it requires to carry out its functions.

INTERNAL REVIEW

Section 302 requires each Federal agency and independent establishment of the Government, in coordination with the Center, to study and review the promulgation and implementation of its statutory authority, policies, and regulations. Each agency shall identify such statutes, policies, and regulations which inhibit or impair productivity growth in the public or private sectors, and shall recommend to the President and to the Congress—or implement where appropriate—alternatives which will contribute to the achievement of the purposes of the bill.

Support of external activities

Section 303 directs each Federal agency, in coordination with the Center, to extend appropriate assistance to activities outside the Government designed to maintain, promote, and enhance sustained growth in productivity.

Internal productivity

Section 304 directs each Federal agency to improve its own internal productivity.

Effect on prior provisions

Section 305 provides that nothing in the Act shall affect any specific statutory obligation of any Federal agency (1) to coordinate or consult with any other Federal or State agency or (2) to act, or to refrain from acting, contingent upon the recommendations or certification of any other Federal or State agency.

TITLE IV—ADMINISTRATIVE PROVISIONS

Section 401 provides certain technical administrative provisions to enable the Center to prescribe such regulations as are deemed necessary to carry out the purposes of the bill, to receive money and other property donated for the use of the Center, and to appoint and fix the compensation of its staff. The Center would also be authorized to establish task forces to assist and advise it in the performance of its functions.

TITLE V—EVALUATION BY THE COMPTROLLER GENERAL

Section 501 requires the Comptroller General to audit, review, and evaluate the implementation of the provisions of the bill by the Center. Not less than 30 months nor more than 36 months after the date of enactment, the Comptroller General shall report to Congress the results of his evaluation, which shall contain an evaluation of the effectiveness of the Center's activities, the effect of the Center's activities on the efficiency and effectiveness of other Federal agencies, and his recommendations for improving the implementation of the objectives of the bill.

TITLE VI—REPEAL AND TRANSFER

Section 601 repeals section 4 of Public Law 92–210, and Public Law 93–311, which established the National Commission on Productivity and Work Quality.

Transfer of functions and staff

Section 602 provides that the functions and staff of the National Commission on Productivity and Work Quality are to be transferred to the National Center for Productivity and Quality of Working Life. All property, records, and contracts as are determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with the National Commission on Productivity and Work Quality are to be transferred to the Center.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

Section 701 provides an authorization of $6.25 million for fiscal year 1976 and the 3-month transition period thereafter (of which $1.25 million is intended for the transition period), and $5 million for each of the fiscal years 1977 and 1978. Funds appropriated for any fiscal year shall remain available for obligation until expended.

Cost estimate

The committee estimates that the total cost of this bill will amount to approximately $16.25 million over the next 3 years, assuming that the full amount authorized is appropriated and expended. The existing National Commission on Productivity and Work Quality is operating on a budget of $2 million. Since these funds will be incorporated into the Center's budget, this bill will result in additional Federal expenditures of not more than $10.25 million over the next 3 years.

Changes in existing law

The original bill reported by the committee does not amend existing law. However, it does repeal section 4 of Public Law 92–210, and Public Law 93–311, relating to the National Commission on Productivity and Work Quality. It is the opinion of the committee that it is necessary to dispense with the requirements of paragraph 4, rule XXIX of the Standing Rules of the Senate in order to expedite the business of the Senate.

The ACTING PRESIDENT pro tempore. The Senator's 5 minutes have expired.

Mr. NUNN. I will take 1 more minute, Mr. President.

One thing I would like to point out is that there has been some concern that this may be a new regulatory agency.

As one of the authors of this legislation, I would like to further comment on and to make it clear that the regulatory power contained in the bill simply relates to the internal operations of the Center, and that there is no intention whatsoever to make a new regulatory agency out of this particular Center. I would say, as one of the authors, that that is my intention. It is not our intention that this Center in any way be able to harass American businessmen or unions or to become another regulatory agency.

I will ask the Senator from Illinois to comment on that.

Mr. PERCY. I believe the Senator from Illinois speaks on behalf of his distinguished colleagues on the committee and, I would believe, every Senator on this side of the aisle. The committee does not intend the Center to become in any way, manner, shape, or form a regulatory agency.

The ACTING PRESIDENT pro tempore. The Senator's additional minute has expired.

Mr. PERCY. I will take 1 minute on my own time.

The Senator from Illinois would be unalterably opposed if this would be the intention for the Center. The committee intends for the Center to remain small, to concentrate its efforts to coordinating the activities of the other agencies, State, local government, private organizations, and individuals.

There is no intention to make the Center a large Federal bureaucracy, and certainly no intention of any kind to have it implied, indirectly or otherwise, that it is another regulatory agency. We can use less, not more, of such agencies.

Mr. NUNN. I concur completely, and I am glad that we see eye to eye on that particular point.

Mr. President, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. PERCY. Mr. President, in view of the fact that Senator Javits has asked for 3 minutes and Senator Brock for 2 minutes, I ask to be notified when 5 minutes are up, and then I will immediately yield to my distinguished colleagues.

Mr. President, Senate action today on S. 2195 to create a National Center for Productivity and Quality of Working Life culminates many months of active work by the Senate Government Operations Committee. The committee has been striving to upgrade the emphasis put on productivity by the Federal Government. This bill should be a large step in that direction.

The bill would replace the existing National Commission on Productivity and Work Quality with a new National Center for Productivity and Quality of Working Life, giving the Center upgraded status in the Federal government.

The Center is to help establish a national policy on productivity, to support research in this regard, to coordinate Federal agency activities in this area, and in general to be the major Federal actor in trying to improve productivity in the private sector and in the Federal Government itself. Other Federal agencies are to keep the Center informed of their efforts in improving productivity—both efforts they fund on the outside and efforts they undertake within their own agencies to improve productivity.

I attach particular importance to this legislation as improving productivity in the United States is of the utmost importance.

Although there has been recent improvement, one of the most disquieting economic trends I have observed is the declining rate of America's productivity growth in recent years.

Having been a part of American industry for a quarter of a century during our most rapid rise in productivity, and being able to see firsthand the effect this has on consumer pricing, the effect it has on employment opportunities in America, I look with great concern on a reversing trend now.

In 1974, U.S. productivity actually decreased by 2.7 percent, the only year on record in which we have actually experienced a drop in productivity. We are reinvesting substantially less of our GNP each year than other industrialized countries. For example, from 1960 to 1972, U.S. industry was reinvesting an average of only 14.9 percent of its output—the lowest of the major industrialized countries.

Currently, inflation continues to sap our economic vitality while rising unemployment works also to greatly diminish the standard of living. We must therefore not fail to make every reasonable effort to boost productivity in order to improve our real living standard.

I feel that we should place equal emphasis on both the technological and human aspects of productivity. It is a delusion to believe that only technology and capital can improve productivity, just as it is a delusion to believe that human motivation alone can result in sustained productivity improvement. The two must go hand in hand. We must have more and more of both, and we must insure that the National Center gives adequate emphasis to both sides of the complex productivity improvement equation.

Mr. President, it has been a great pleasure for me to work with my colleagues on the committee on this legislation. Senator NUNN is particularly to be complimented for his dedicated work and interest in seeing this bill come to fruition, and for his creative position. Senator JAVITS has also been a moving force in finalizing this legislation and has maintained his interest in productivity in which field he has been active for many years. I consider he has been the pioneer in the Senate on this whole concept. Chairman RIBICOFF, Senator ROTH, and Senator BROCK have also contributed importantly to this legislation. This bill represents a thoroughly bipartisan effort on the part of the committee, and I commend it to my colleagues in the Senate.

Mr. President, have I used 4 minutes of my time?

The ACTING PRESIDENT pro tempore. The Senator has 5 minutes remaining.

Mr. PERCY. Five minutes remaining. I yield 3 minutes to the senior Senator from New York.

Mr. JAVITS. Mr. President, I thank my colleague. I compliment Senator PERCY and Senator NUNN for carrying this torch. I think it is a great job. It is a very well articulated bill, agreed upon with labor, with management, and with the national administration, which is very important.

The bill is very modest in amount; therefore, it may mislead us as to its importance.

Mr. President, if we wish to abate inflation, if we wish to have peace and prosperity for our people, if we wish to give a helping hand to the poor nations of the world, it all depends upon how this effort works on American productivity.

The key to inflation is that the cost of producing goods has by far outstripped the wage level which is involved, and this inflation will continue unless we change it, and the key to it, therefore, is American productivity. That is why I worked on it for so many years and that is why I regard this a gifted initiative.

Mr. President, it should be much greater than it is. We should recreate the policy of World War II, because we are in a great war against depression, as well as against the danger of war. I am on the congressional committee that is working up there at the U.N. at this session now and it is the most vivid thing I have ever seen in the world.

Mr. President, if we are to make any progress in this field, we really ought to have a war situation with labor, management, public committees, just like those that are contemplated by this bill, spread throughout the country. We had thousands of them in World War II and they worked very effectively.

The Nation could be aroused to its danger very much better in that way, but we have to live with what we can live with. The framework which is provided by this bill could even accommodate so massive a form of industrial organization as I have described, and may well do it, but this structure which Senator PERCY and Senator NUNN are establishing is absolutely essential to anything any of us could want in the productivity field.

Notwithstanding the small amount involved, it is one of the most gifted initiatives, Mr. President, which has been taken in this or any other Congress, and I hope the Senate gives it an overwhelming rollcall.

Mr. President, I support S. 2195, the bill to establish a new National Center for Productivity and Quality of Working Life.

Historically, this Nation has led the rest of the world in the production of goods and provision of services for its people. Over the period of the last 10 years, however, we have been far outstripped by several European nations in achieving productivity growth. Indeed, according to the Bureau of Labor Statistics, output per man-hour in the United States has declined 1.9 percent since 1966. It is my belief that our continued industrial leadership and prosperity is contingent upon our ability to recognize and deal with problems in the area of productivity and quality of working life.

This legislation will establish a new independent agency within the executive branch whose function will be to coordinate Federal efforts to achieve continued productivity improvement and to stimulate private sector advances.

The new National Center for Productivity and Quality of Working Life replaces the National Commission on Productivity and Work Quality, which was created by Executive order in 1970, and given legislative recognition in 1971. Over the past 5 years that Commission has experienced organizational and funding problems which have hampered its effectiveness. It is our belief that the establishment of this new permanent center will provide the type of attention for productivity problems which I believe is urgently needed.

The center's first goal will be to identify and coordinate productivity improvement efforts already underway in a wide range of other Federal agencies. It will, in addition, be authorized to stimulate, initiate, and support productivity improvement efforts in both the public and private sectors where it finds such support is not currently being provided by other agencies.

This legislation has been worked out in a true spirit of cooperation between all interested parties within the Government and the private sector. The bill reported by the Government Operations Committee is a direct outgrowth of S. 4130, introduced by Senator Nunn and S. 4214, introduced by Senator Percy and myself. I would particularly like to congratulate Senators Percy and Nunn for the monumental effort on their parts which has culminated in the reporting of this consensus legislation to the Senate. These Senators have demonstrated a unique awareness and concern for the problems of productivity improvement. In addition, I would like to thank Senator Ribicoff, the chairman of the Government Operations Committee, for his key efforts in focusing the attention of our committee on this problem and in bringing this legislation to the floor in an expeditious manner.

We must recognize that this bill and the establishment of this center represent but a first step in the effort to reestablish this Nation's leadership in productivity improvement and quality of working life of our people. As this center begins its work, it will undoubtedly identify many areas in which specific Federal, State, or local legislation or programs will be necessary and valuable in furthering productivity improvement efforts. It is my belief that in this center we will have established an effective vehicle for the execution and administration of such further programs as we may find it necessary or desirable to enact.

We must not, however, believe that having established this center and passed this legislation that Congress will have done its full part in the effort to regain our productivity growth. It may well be necessary to consider further legislation to provide specific assistance and stimulus to efforts aimed at increased productivity.

It is my belief, for example, that the Congress must develop additional legislation in the areas of employee stock ownership and profit sharing, greater participation of employees in job-related decisions, and continuing worker education programs in both job related and nonrelated fields.

The funding authorization level contained in this legislation is significantly above that level which we have recently appropriated for the National Commission on Productivity and Work Quality. The committee carefully considered what level of funding would be necessary in order for the new center to adequately perform its tasks. I hope that the Congress will look favorably upon a supplemental appropriation to provide the new center with adequate funding.

Because the life of the National Commission on Productivity and Work quality is scheduled to expire on September 30, 1975, it is necessary that this legislation receive speedy consideration by the Congress. I would urge my colleagues to support this legislation so that the center may begin its crucial task as quickly as possible.

Mr. NUNN. Mr. President, I thank the Senator from New York for his kind remarks about my own efforts. These efforts were built on a launching pad and foundation which the Senator from New York constructed. As a matter of fact, after I got interested in the subject, I happened to be presiding in the Senate when the Senator from New York made a talk on the subject, and that was one of my inspirations.

He is to be congratulated for his continuing effort in this regard.

The ACTING PRESIDENT pro tempore. The Senator's 3 minutes have expired.

Mr. PERCY. Mr. President, I yield 2 minutes to the distinguished Senator from Tennessee.

Mr. BROCK. Mr. President, I do support this legislation. I think it is a remarkable venture.

I do so with perhaps a little bit of caution, because if there is anybody in the whole world that has been contributing to nonproductivity it is the Federal Government itself and to assume that the Federal Government can cure the problem with which it is largely the genesis stretches the credulity of the exercise.

But I think this is a particularly unique effort and I would draw attention of those who are present to the purposes of the bill.

One of the fundamental statements in the original premise is to provide for review of the activities of all Federal agencies, including implementation of all Federal laws, regulations, and policies which impede productive performance and efficiency of the American economy.

I would say in all sincerity that this little commission can more than justify itself by a thousandfold if it deals only with that one area and resolves one-tenth of the problem. It would be worth all the time and effort we could muster to make this thing go.

In the interim, however, the American people are burdened with $120-plus billion a year to pay the cost of excessive Federal regulation. There is no excuse for that, and this particular body could help us, I think, a great deal in reducing that load on the consumers, the working people of this Nation of ours.

I share the thought of the Senator from Georgia. If the new agency does not work in these 3 years, I will join in leading the fight to abolish it.

Mr. President, by coincidence, the consideration of this bill before the Senate, S. 2195, comes about on a day when millions of school age children return to school. Schooling, the right to attend school and the requirement that children stay in school until a certain age and attain minimum working knowledge has been the foundation upon which much of our national productivity growth has been based. We are finding, however, that there is much more we need to know about what sustains and brings about productivity. The fourth annual report of the National Committee on Productivity and Work Quality had the following to say about policies that raise productivity:

> While business recovery probably will restore the rate of productivity growth approximately to its historic trend, long term growth is not preordained. Public and private policies which foster advance must be considered in relation to what is known about the main sources of long term growth and the major obstacles to improvement.

In fact, the Congress and the Executive have at long last paid heed to the cries of millions who for years have pointed out the effects of regulatory constraints, often outdated and at times running at cross purposes. Congress and the President are now willing to take a first crack at regulatory agencies and their policies. I am proud to note that Senator Metcalf, chairman of the Subcommittee on Reports, Accounting and Management has been in the forefront of this effort. Despite all cautions that the subject may be too complex or too difficult to handle, he has insisted that the Government Operations Committee live up to its responsibilities in this area.

The bill we now have before the Senate, moreover, the product of many long hours of work by Senators Nunn, Percy, and Javits is a complementary effort which builds upon our own efforts to make Government more effective. We are herein acknowledging that not only do regulatory bodies give out with regulations which bind and constrict our growth, but all Federal agencies are unknowingly, but nonetheless still inflicted and infected with this disease. Senator Percy has approached the problem in a very astute manner, requiring an inward census by each agency of policies which might inhibit productivity. This effort can and should be an ongoing one and the bill establishes it as such.

Senator Nunn has contributed in equal measure. American unions and industry had, in the past, paid much attention to education, salary, and fringe benefits. Other countries faced with social unrest growing out of industrialization have acted to lessen this unrest by involving workers in some aspects of plant management and product line decisions. In the forefront of this experimental effort here in the United States is Leonard Woodcock, president of the United Automobile Workers as well as Irving Bluestone, head of the General Motors Department of the UAW. Together with the Steelworkers union they have taken steps, which some consider revolutionary. I consider it evolutionary. In my own State of Tennessee we now have underway two unique projects, one in conjunction with the UAW and Harmon International Industries, Inc., a union experiment in west Tennessee and one in conjunction with the Tennessee Valley Authority a white collar experiment. Both of these experiments, I feel, will, with the help of legislation S. 2195 create a new industrial America, where workers create productivity increases as individual expressions of pride in their own effort.

I ask unanimous consent that the New York Times article of April 9, 1975, describing the Bolivar experiment, as well as material descriptive of the Bolivar and Chattanooga experiment be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

PLANT IS EXPERIMENTING WITH CHANGING WORK ON LINE

(By Agis Salpukas)

BOLIVAR, TENN.—In a plant housed in three big leaky quonset huts here, a far-reaching and unusual experiment to change work is evolving.

In most previous experiments like this, management planned and ran the efforts, which usually were limited to new nonunion plants and which had narrow goals of improving productivity and morale and discipline of workers.

But at the plant here in the southwest corner of rural Tennessee, where the employes make automobile mirrors, a work improvement program has been under way in which the United Automobile Workers and the management of Harman International Industries, Inc., have equal roles. And the workers have been given most of the task of coming up with their own changes.

Much of the inspiration comes from the national effort in Norway that seeks to establish democratic rights for workers on the shop floor.

The basic unit for change consists of small groups of workers and their supervisors who, under the guidance of a professional, sit at a large table and talk. On a recent day at the plant three workers from the paint department sat opposite three supervisors and were prodded by Bob Duckles, a graduate student in psychology who is a coordinator in the project, to talk about problems in their work area.

BREAKING THE ICE

There were long periods of silence, but the ice was broken by Dollie M. Poplar, who wipes and packs mirrors as they come out of the paint department.

Sitting under a sign on a wall that said "Man cannot discover new oceans unless he has the courage to lose sight of the shore," she told of periods when the wipers had nothing to do because the painters had run out of paint and the production line had stopped.

But the painters, she said, did not want help in getting the line started again.

"We don't all work together like we should," she said. "What's the problem, I don't know."

After a half hour of discussion, the workers and supervisors decided to see if some of the painters would like help in getting resupplied.

Through such give-and-take sessions, which began about a year ago, small groups of workers have decided to work in teams, rotate jobs, supervise themselves and make other changes in their work areas.

The leaders of the project have had the help of one of the foremost persons in the field, Dr. Einar Thorsrud, a Norwegian social scientist whose methods and ideas have had wide-ranging impact on experiments at the work place and other countries.

The project is not only an effort to improve the quality of life inside the plant; it is also a pilot test for the U.A.W. If it succeeds the union can use it as a model for other plants in the auto industry, which has had some of the most serious problems with workers.

Irving Bluestone, the head of the General Motors Department of the U.A.W., who is one of the key men behind the effort, said in an interview:

"If this experiment is successful, it gives us a lever to present to other companies of what direction to take. 'We are not starting from scratch here as in other experiments with a fresh, clean plant and a new work force.' If these efforts are going to spread, they've got to spread in the old plant."

QUESTION ON OUTPUT

By being a partner in the experiment, U.A.W. leaders are also learning how to handle the challenges that changes in work bring to traditional union rights.

The local U.A.W., for example, is grappling at the Harmon plant with the issue of whether some workers who work in teams and finish their quotas in half a shift should be allowed to go home or should be required to stay at the plant so as not to upset other workers who must work the full shift.

There is also the question of what happens to work standards if changes enable workers to turn out more in less time. So far the union and the company have agreed not to increase quotas as workers get more efficient, but eventually the issue will have to be resolved.

The experiment in Bolivar (population, 7,000) is taking place in a community consisting mostly of farmers. They are generally religious, often suspicious of strangers, and imbued with the value of hard work.

Most of the workers, half of them women and a little more than half of them black, came to work at the plant because they could not make enough money farming.

In a survey of a sample of employes, 86 per cent said their family income of around $6,000 a year was not enough to allow them to live the way they would like.

Most of the workers—there are normally 1,000, but now, during the recession, only 600—have low-skill jobs. The plant has many areas with fumes and noise, parts of which are too cold in the winter and too hot in the summer. The casting department, for example, reaches 120 degrees on some days.

In 1969 the workers voted to be represented by the U.A.W. Before the current experiment the relationship between management and employes can best be indicated by what has become known as the buzzer incident.

One day in 1972 the 10 P.M. buzzer, which signals that workers in the polish and buff department can take their coffee break, failed. But there was a 10:30 buzzer that worked. Management sent word that from then on the coffee break would be at 10:30.

The workers were outraged. They felt management thought they could not be relied on to tell when it was 10 P.M. They took their coffee break at their usual time.

Management suspended a group of the workers for three days without pay for their action.

When Sidney Harman, the president of Harman International, heard of the incident in his executive office at Lake Success, N.Y., he flew to the plant to rebuke his managers.

"I got them to realize that it's not an expression of weakness to say we blew that one," he recalled in an interview. "We were saying to the workers you're less important than the machine of the clock."

EXPERIMENT BEGINS

The experiment began on Oct. 5, 1972, when over half of the workers in the plant agreed to participate in the project.

Up to the spring of 1974, the effort consisted mostly of making a study of the community and the workers and rounding up money and expert assistance from various foundations. Besides support from the U.A.W. and the company, the project has received aid from the Ford Foundation, the National Commission on Productivity, the Sloan Foundation, the Mellon Foundation, the H. E. Upjohn Institute for Employment Research, the Institute for Policy Studies in Washington and the German Marshall Fund.

Dr. Michael Maccoby, a psychologist at the Institute for Policy Studies, who has been head of a major study of work funded by Harvard University in 1970 called the Harvard Project on Technology, Work and Character, was called in to direct the effort.

He was determined that the work changes in the project would be initiated by the workers themselves.

"If management brings the change, then the project isn't working," he said in an interview.

The project set up a joint committee made up of four union and four management representatives, which oversees the effort. Under this committee are the basic units of workers and supervisors that make the changes.

Employes did not jump at the opportunity to join these units, called core groups.

In April, 1974, the main committee asked for volunteers for a group from the polish and buff department, where many workers expressed dissatisfaction. No one volunteered.

A shop steward was sent out to seek volunteers and finally found six workers.

EARLY SUSPICION

The group collapsed quickly, however, because of suspicion that management would use it to boost production despite assurances from union leaders that work standards could not be increased.

Finally, after further efforts to overcome opposition, small groups of three and four workers decided to see if they could work in teams, to determine among themselves such things as who would do what job, to keep their own records, and to cover for each other when one team member was absent.

These teams have found that they can turn out their production in much less time than before.

Oscar Rivers, a 34-year-old worker, used to come in at 6:40 A.M. and finish work at 3:30 P.M. like everyone else on his shift.

Now he and two other workers who polish the shells of mirrors for Cadillacs finish their quota of 1,716 shells a shift by 11:30 A.M. and go home.

Mr. Rivers, who earns $3.57 an hour for a full eight-hour shift, recalled that when the group first joined the experiment most were suspicious that as they produced more parts in less time the work standards would be put up.

But the standards have not changed, for it would violate the agreement signed between the local union and management covering the experiment.

"It's fine to be in a group," Mr. Rivers says. "Everyone cooperates. I get home now to see my kids get back from school."

He plans to use his extra time to take a course in auto mechanics under an educational program being set up at the plant.

The changes have not been made easily, or without problems.

GROUP PROBLEMS

At meetings of core groups, workers sometimes are reluctant to make suggestions and seize the initiative.

And there are many jobs that are machine-paced and thus not susceptible to change resulting from human cooperation.

Just across the aisle from Mr. Rivers sit two other workers, Queenie Jones and Lizzie Giles, who put 1,050 mirror shells an hour onto a moving conveyor belt. Their job is difficult to change, and they must stay the full shift.

James W. Carter, a union shop steward in polish and buff, is a critic of the program and has sought to get workers to sign a petition to end it.

He said that in the program there was "too much daydreaming about things down the road."

He contends that the program has not dealt with obvious bad physical conditions such as providing shields for polishers to keep metal flakes from flying into their faces.

But he conceded that the groups had opened an important channel for workers to voice their problems.

For Arthur McCarver, the plant manager, the program cannot be judged in terms of production standards.

"What we want to do is change the total atmosphere," he said, "so that people trust us and share their everyday problems on the job."

So far, he thinks the effort has just scratched the surface.

By bringing workers together in core groups, he believes, the plant has a mechanism that can eventually bring a big change in the relationship between workers and management.

THE BOLIVAR PROJECT—OCTOBER 1972–APRIL 1975

Since the fall of 1972, the Bolivar Project has been sponsored jointly by Harman International Industries and the United Automobile Workers. The project was initiated to fill a need for a model for improving factory work so as to optimize human development. The program involved a total existing factory (in contrast to one built from scratch), with no special selection of workers. A central element is that management and a union jointly determine change according to principles of security, equity, individuation, and democracy.

The project is now entering a final year in which 1) what has been learned in experiments is being adopted on a plant-wide basis, and 2) a school is being instituted.

The project began with union and management gaining agreement from workers for an initial survey of attitudes toward work. Michael Maccoby, Director of the Harvard Project on Technology, Work and Character was invited by Sidney Harman, President of Harman International Industries and E. T. Michael, Director of Region 8, United Automobile Workers to carry out the project. A survey was made (with the help of the W.E. Upjohn Institute for Employment Research) in the summer of 1973 as a part of a larger study of technical, economic, social, and psychological factors in relation to the work. (See Final Technical Report of the Bolivar Project, February 15, 1974.)

In the fall of 1973, management and the union formed a Working Committee composed of five members selected by each group with the initial purpose of jointly solving problems expressed in the survey. The first issues considered included temperature and air pollution in the factory, parking problems, the institution of a credit union, etc.

The pace of the project slowed during contract negotiations during the winter of 1973–74. At the beginning of March a seminar was held at the plant to initiate experiments within various departments. The three-day seminar was led by Einar Thorsrud, Director of the Norwegian Industrial Democracy Project. Also contributing was Bert Jonsson, Director of Corporate Planning at AB Volvo.

In the spring of 1974, experiments were instituted with volunteers in Polish and and Margaret Duckles, the on-site Project co-ordinators, together with John Lyle, chief plant engineer, acted as resource people for the experiments, which resulted in new ways of organizing work, increased satisfaction and more effective work. By June, when the Advisory Board of the Project[1] met at the plant, it became clear that the experiments were a success. But they raised new problems of what to do with productivity gains and how to relate changes to the collective bargaining structure.

During the summer, experiments were expanded to include about 60 people in the three departments. Under the direction of Sanford Berlin, Vice-President of Harman International Industries, the top management of the plant also developed a new, cooperative mode of work which helped support the project's development.

In early September 1974, a group of workers, managers, and UAW officials visited factories in Sweden and Norway as a means of gaining ideas for the project. It is interesting to note that the participants from Bolivar considered the major benefit of the trip in observing problems that could be avoided. One result was the request by management that the project remain in the plant until all departments are part of the program.

During the fall, pressure grew from workers outside the experiments to be included. In January 1975, it was decided to expand the project gradually to include the whole factory. This was done by means of creating a "core group" in each department to analyze work and develop ideas for improvements.

At the same time, the Working Committee, top management, and UAW officials discussed the issue of what to do with earned idle time. This issue was resolved by a formula which allows workers and foremen in each department to propose a plan for how such time will be used. The plan must be approved by the Working Committee. This formula itself was approved through the collective bargaining procedure, thus reaffirming the union's role in determining rewards.

The guidelines for departments suggest that earned idle time may be used to leave early, to discuss work-related matters, or to be used in courses of instruction.[2]

The newest development in the program has been the establishment of a school at the factory. This grew out of the experimental groups which asked for courses in subjects ranging from industrial engineering to first-aid and typing. These courses were held at the factory during time gained by workers due to experimental improvements in work methods. The courses at the school are those petitioned for by workers. In some cases, workers and managers are the teachers. The school has the cooperation of the Hardeman County vocational education program which pays teachers of approved courses. A new full-time school coordinator, Loren Farmer, has been approved by the Education Committee composed of representatives of management, the union, and the project staff.

It should be noted that the company was hard-hit by the down-turn in the auto industry. A third of the workforce was laid-off during December and January. Yet, the project was not abandoned by either the company or the workers, and in fact it was expanded and developed. A main reason for this was the new spirit of communication and good faith. Management kept the workers fully informed about the economic situation and the workers accepted the facts of economic necessity. The company and union jointly sent a letter to laid-off workers inviting their participation in the school, and some have taken advantage of the offer.

The Next Year

The goals for the project in the coming year July 1, 1975–June 30, 1976, are:

(1) To establish the work improvement programs in every department of the factory.

(2) To develop the school as an on-going institution, including building class-rooms, developing a faculty (with a seminar on teaching), establishing ties with the county and state institutions (such as Memphis State University which has offered to cooperate with the school).

(3) To train managers and workers to take over the program and run it by themselves.

(4) To communicate our methods to representatives from other companies and unions who are now beginning to request information and want to visit Bolivar.

(5) To write the history of the project and publish scientific findings concerning the relationship between work and human development.

NATIONAL QUALITY OF WORK CENTER PROJECT AT THE TENNESSEE VALLEY AUTHORITY, TRANSMISSION PLANNING AND ENGINEERING DIVISION, CHATTANOOGA, TENN.

The establishment at TVA of a Quality of Work Experimental Project was the result of conversations in mid-1973 between Messrs. Arthur H. Allen, Head of the Employee Development staff of the Division of Personnel of the Authority, Robert H. Betts, Director of Personnel for the Authority, and Ted Mills, Director of the Quality of Work Program. In those initial discussions, no specific division was yet identified; the exploration involved the Quality of Work notion as applied to TVA. After several discussions, it was agreed by Messrs. Allen, Betts, and Mills to examine the possibility of a Project in the Power Production Division of the Authority, whose employees were involved in running TVA's power stations.

A meeting was arranged with all the line and staff managers of that Division, who approved the undertaking of an Experimental Project. Since union participation is required in all Quality of Work Experimental Projects, the next meeting was with the Trades & Labor Council and Salary Policy Employee Panel (SPEP), a consortium representing all unions involved in the TVA. For many internal reasons, the Trades & Labor Council, which represents the blue-collar workers in TVA, declined participation in an Experimental Project, which meant the proposed Project in the Power Production Division would not materialize.

At the same meeting, however, representatives of the many white collar unions in TVA expressed strong interest in participation in an Experimental Project. Representatives of the TVAEA and OPEIU suggested designation of the Transmission, Planning and Engineering Division as a potential site for an experimental project. At the instigation of Messrs. Betts and Allen, Mr. Charles Winn, Manager of the Division, Mr. William Ensign, Personnel Manager of the Division, and Mr. James Byerley, a representative of TVAEA, attended a Quality of Work Conference in Chicago on December 9, 1973, where they met Mr. Mills, and discussed the potential of an Experimental Project in their division. It was agreed that Mr. Mills would come to Chattanooga (headquarters of the TP&E Division) to meet with managers and union leaders of the Division, and with the Division's Cooperative Conference itself. On March 11, 1974, Mr. Mills visited Chattanooga, as planned, and met, separately with representatives of the unions, and representatives of the management. In these separate sessions, each party agreed to enter into the Experiment if the other party agreed, and also separately agreed, if the other party agreed, to waive prohibition of Cooperative Conference examination of "negotiable" matters. At a third meeting of the Cooperative Conference, in which both management and union representatives were present, it was agreed (in a Cooperative Conference, agreement is by consensus, not vote) that the Division would enter into a Quality of Work Experimental Project, if funding to furnish the services of a team of consultant experts could be secured. At the same meeting, it was agreed that the Cooperative conference would appoint a "select committee" which would determine whether a "Quality of Work Committee" should be appointed by the Cooperative Conference, or whether a reconstituted Cooperative Conference itself would become the quality of work committee.

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[1] The members of the advisory board are: Irving Bluestone, Vice-president, UAW; Harvey Brooks, Dean, Harvard School of Engineering & Applied Physics; Sidney Harman, President, Harmon International Industries; Berth Jonsson, Volvo Goteborg; John Lyle, chief engineer, Harman Industries, Bolivar; Michael Maccoby, Director, Harvard Project; E. T. Michael, regional director, UAW; Lubie Overton, President, Local 130 UAW; David Riesman, Harvard University; Ben Stephansky, Director, W. E. Upjohn Institute for Employment Research; and Einar Thorsrud, Work Research Institute, Oslo.

[2] It was decided not to allow workers to gain a financial bonus by increasing output above the standard, because, at the present time, this would lead to loss of jobs.

On March 16, 1974, the labor-management Select Committee of the Conference met and by consensus decided that the Quality of Work committee would be separate from the Conference itself, but would report to the Conference its recommendations.

On March 14, 1974, in Knoxville, Mr. Mills met with Howard Coughlin, International President of the OPIEU, and gained his sanction for his union's participation in the experiment. On the same day Mr. Winn, director of the TP&E Division and Mr. Mills met with Lynn Seeber, General Manager of the Tennessee Valley Authority, and similarly received his approval and endorsement of the Project in the TP&E Division.

Both local union and management representatives had agreed to commence the Project; sanction for its commencement from the highest levels of management and the union had been secured. In the meetings in Chattanooga on March 11, both labor and management participants in the conference had supported Mr. Mills' suggestion that the selection of the expert consulting team be assigned to the Project should be made by the Project's Quality of Work Committee, from candidates recommended by NQWC.

From March 15 through July 25, 1974, there were meetings scheduled by the Quality of Work Committee both to establish itself and its operating procedures and to interview the various consultants recommended. On July 25, the Committee decided in favor of the consultant services of Arthur D. Little Company, and transmitted their choice to NQWC for action.

PROJECT HISTORY

The TVA project became an "official" NQWC project—joining NQWC's Rushton and Bolivar projects as #3—on September 10, 1974 in the first meeting of the TP&E Quality of Work Committee with the consultant Committee with the consultant team from ADL.

The first task the Quality of Work Committee (composed of 7 union and 5 management individuals) assigned itself was an intensive examination—or analysis—of work practices in the TP&E Division, which lasted three months through December, 1974. ADL and Committee members amassed a list of 171 critical observations by workers and managers about the Division's ways of performing work. The list included matters of pay, supervision, organization, management, and scores of small technical aspects of work performance which might be improved, changed, revised, or eliminated.

On December 16, 1974, at a 5-day-and-night workshop in a local motel, the Quality of Work Committee and ADL met to examine and prioritize the 171 action possibilities for workplace change. Those which were considered "barriers" to better performance were first identified, and given first priority. By the end of the week, an action study for change implementation had been mapped by the members of the Committee. The following week, the scores of flip-chart work sheets used by the Committee were displayed in a room on TP&E office premises, to acquaint *all members of the Division*—employees and managers—with the nature of the matters discussed and decisions made. The "analysis phase" was essentially ended and the "implementation phase" ready to begin.

One of the principal decisions made at the December workshop was to proliferate the QOW Committee throughout the Division, through formation of labor-management subcommittees, or task forces, each with an assignment, in a given "barrier" area, to report back to the QOW Committee with specific change recommendations.

Not surprisingly, the principal resistance to what was occurring swiftly in the Division came neither from the unions or top management of the Division or TVA itself. It came from many middle managers (branch chiefs) who perceived, with some accuracy, that the changes being explored radically altered their traditional authoritarian power base and former decision-making prerogatives, now subject to worker-participatory examination and change.

Also not surprisingly, a new sense of dynamism and freedom began to permeate the entire division, as task force deliberations in twelve hitherto "closed" areas of operations and procedures began to be experienced by Division employees in assaying specific daily performance criteria.

By April, 1975, several of the task forces had reported back major specific change recommendations to the QOW Committee, including switchyard design, employee performance appraisals, reorganization of field surveyors, redundancy in TP&E and Power Systems Operations, environmental problems, decision ladders and procedures, organization change, and employee utilization. As of April 1, some 74 of the Division's 400 total employees were *directly* involved in some aspect of the quality of work program.

Mr. BROCK. Mr. President, it was Senator Nunn who recognized the importance that this effort would have across America. I join him in that commitment to all working Americans in automobile plants, in dry cleaning establishments, and pumping gas stations. This legislation, I feel, will be a positive contribution to industrial harmony and the rebuilding of productivity through the 50 States. I commend both Senator Percy and Senator Nunn, along with Senator Javits, whose intercession paved the way for union acceptance of this proposal.

The ACTING PRESIDENT pro tempore. The time of the Senator from Illinois has expired.

Mr. NUNN. Mr. President, I shall yield the remainder of my time for a very brief remark by the Senator from Kentucky.

I would like to say to the Senator from Tennessee that he has put his finger on the key to this bill. The greatest thing the Federal Government can do and the greatest thing the Senate can do is look at the Federal Government itself as to how it is impeding productivity in this Nation.

That is the single greatest thing that can be done.

So I join the Senator from Tennessee in emphasizing that point and thank him for his comment.

Mr. President, I yield the remainder of my time to the Senator from Kentucky, and I am informed that the Senator from Arizona would like to make a statement also. So if the Senator from Kentucky can use as little time as possible, I think we probably will accept his well-worded amendment.

Mr. HUDDLESTON. Mr. President, I send an amendment to the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 16, line 9, strike out "and".

On page 16, line 13, strike out the period and insert "; and".

On page 16, after line 13, insert the following:

"(15) study the effects of materials availability upon productivity growth.".

The ACTING PRESIDENT pro tempore. There are 10 minutes to each side on the amendment.

Mr. HUDDLESTON. Ten minutes to each side on the amendment?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. HUDDLESTON. Mr. President, the amendment is very brief. It has been agreed upon by both sides of the aisle, the floor managers.

I would like to commend the Senator from Georgia, the Senator from Illinois, and others who have been instrumental in developing this legislation and bringing it to the floor of the Senate.

Mr. President, of the multitude of problems which face us today, faltering productivity has probably received the least amount of attention. Yet, one of the primary reasons for our rising standard of living over the years has been the growth in the productivity of our work force. By increasing our productivity the average American has been able to acquire a greater share of our national wealth than would have been possible under other circumstances.

The fruits of our expanding productivity have been beneficial to us in more than one way. During a time when inflation is stealing our purchasing power a rising rate of productivity can go a long way toward offsetting the increasing costs. Without adequate productivity growth, wage increases are neutralized by higher prices and wage earners find themselves having to make painful adjustments to lower standards of living.

Productivity growth has varied considerably from year to year, although on the average our economy has experienced a growth in productivity. For example, the rate of increase was 3.5 percent from 1960 to 1965 but fell to 1.9 percent from 1965 to 1970. However, these fluctuations demonstrate that we are capable of achieving and sustaining high levels of productivity growth over long periods of time. This in itself indicates that there is positive action we can take to influence the factors affecting the rate of growth. Until now we have not approached this problem in an organized and consistent manner. Instead, we have left the process to chance and the result has been the wide differences in productivity growth which we now see in the statistics. The bill before us today, S. 2195, offers us the opportunity to approach this problem in a constructive manner which will benefit all Americans now and in the future. By creating the National Center for Productivity and Quality of Working Life we will establish a focal point which will collect the existing information and knowledge we have relating to productivity growth, review and evaluate it and then disseminate its findings to all sectors of the economy both public and private.

An important facet of productivity—and one which is recognized in the statement of the bill's objectives—is the availability of basic industrial raw materials. The machinery left idle for lack of replacement parts, the goods incomplete for want of a small piece, the manufactured item unproduced as a result of materials unavailability, and the reworking of manufacturing machinery and processes necessitated by the use of lower grade or substitute resources do little to enhance productivity. Conversely, the oversupply of materials in a declining economy offers small incentive to pursue the productivity characteristic of a healthy economy and essential for the efficient operation of most businesses.

The availability and pricing of materials, of course, impact upon our economy and society more at certain times than others. In times of economic expansion and growth, resources often are strained, prices exaggerated; in periods of depression and recession, materials are generally readily available at lowered prices. The objective, however, should be to manage these cyclical moves in such a manner that they do not unduly disrupt our manufacturing processes, contribute to dislocations in our economy and lead to lowered productivity.

In 1974, as a member of the Senate Committee on Government Operations that initiated this legislation, I was privileged to conduct hearings on materials availability and pricing. Both the distinguished majority and minority floor managers of this bill participated in those hearings. Perhaps they remember the testimony of the witness who referred to the expensive piece of equipment which could not be finished because of the unavailability of a small piece costing only cents—or of the witness who told of going out in the mornings to check the overnight deliveries in order to determine whether or not the company could use its workers that day.

These are not situations to relish. They are not desirable for our economy or our business community. They are contrary to efforts to increase productivity. I believe, consequently, that it would be most useful for the Center which is to review this important area of productivity to include in their deliberations consideration of the role that the availability and pricing of our basic materials—such as iron and steel, aluminum and a host of other resources—play in productivity. As I mentioned previously, the significance of these resources is acknowledged in the bill's statement of intent. I would hope that we could go a step further and specify that the relationship between the availability or unavailability of raw materials and productivity will be explored by the Center. My amendment would simply direct the Center to undertake as one of its specific functions the study of the effects of materials availability on production by growth. In this way we can assure that this potentially critical area will receive the full and complete scrutiny which my investigations show that it deserves.

Recent statistics reveal that the old problem of inflation is still very much with us and will probably become more pronounced as our economic recovery progresses. Unless we are to stand idly by while we watch the standard of living of the average citizen go down the drain, we must commit ourselves to fight the fires of inflation as aggressively as possible. I believe that this bill, as amended, will give us another effective weapon in this battle, and I urge the adoption of the amendment.

Mr. NUNN. Mr. President, I have read the amendment and I worked with the Senator from Kentucky on this particular measure. Certainly, from my point of view, I am willing to accept the amendment.

Mr. PERCY. Mr. President, from the standpoint of the minority, we fully accept the amendment and fully support it and express deep appreciation to our distinguished colleague.

Mr. NUNN. Mr. President, before we act on the amendment, I have some time on the amendment, I yield on my time on the amendment such time as the Senator from Arizona may need.

Mr. GOLDWATER. I thank the Senator.

Mr. President, I rise in opposition to this bill, recognizing that it has a very good sound to it. I spent a good part of my life in business and I have naturally maintained an interest in business since I have been in politics.

I note that part of the bill wants to study policies which impede the productive performance and efficiency of the American economy, and yet another part would say it is the continuing policy of the Federal Government, in cooperation with State and local governments, to use all practicable means and measures, including financial and technical assistance, to stimulate a rate of productivity growth.

No one can argue, Mr. President, with those ideas or those goals. But let us face it: The American businessman today is literally being put out of business by the Federal Government, and being put out of business by the multiplicity of regulatory agencies which now hold him back.

We have had very little capital growth in this country. That cannot be blamed on the corporations. It cannot be blamed on the small businessman. It can be blamed mostly upon the Government and to some extent, I might say, on the growth of the union power over the Congress.

I read an editorial the other day asking, Is the United States going the way of Great Britain? Great Britain is now practically bankrupt because the labor unions have taken over. We see in our great cities in this country today, with the exception of the city of Chicago, I might say, cities that are in danger of bankruptcy because of their having been forced to adopt policies which are strictly against the wise operation of any business or government.

I have been arguing this case on the floor of the Senate since the early 1950's, that we have not had enough reinvestment; we have not had enough profit in this country to encourage people to take a piece of that profit and put it back into a new building, a new store, improvement by the purchase of machinery, so that more men and women might be employed.

There is no way the Government can create these things. They have been trying it ever since Lord Keynes came over here in the middle 1930's and, in my opinion, did more damage to the American economy than any one person has ever done.

The Federal Government has to get out of the hair of American business. We have to start ending by legislative fiat the agencies that we now have.

I recognize that is one of the purposes of this legislation. I have listened to these purposes for nearly 22 years and I have never yet seen Congress stand up and abolish one regulatory agency. It now requires—I think as of last year—$180 million just to fill out the forms, some 16 million forms that American businessmen are required to fill out and mail to Washington each year.

Mr. PERCY. Will the distinguished Senator yield?

Mr. GOLDWATER. If the Lord will speak above and say, "Goldwater, this will end the agencies," I would vote for it, but I have been around here too long. I think I will be here to hold my good friends from Tennessee and Georgia to their promise to oppose this because they will not see any change.

Mr. PERCY. Will the Senator yield?

Mr. GOLDWATER. I will be happy to yield.

Mr. PERCY. There is one agency we abolished last month, the Federal Mining Review Board. That was a bill I introduced. We are taking them as fast as we can, one by one. We are trying to eliminate as much Government regulation as we possibly can. I assure the Senator on this particular section he has mentioned that Robert Galvin, of one of the largest manufacturers in Arizona, Motorola, sat down with me on a weekend and we worked on this section to see that it is the policy of the Government of the United States that we should increase productivity. He is now working on a matter where it is the policy of this Government that we create capital in the private sector and have laws that will enable us to do so because of the capital shortage that we are facing. But he felt very strongly about this section. It was worked out in intimate detail with him and his advisers. I am very happy to attribute a great deal of credit for this particular section establishing a Federal national policy including the agencies of government, State, local, and Federal, as a matter that we should, as a policy, move toward increasing our productivity. An honest day's pay and an honest day's work is the principle underlying this whole bill.

Mr. GOLDWATER. As I said, that sounds great. It sounds like free beer, wide roads, and mother love. But I have been around this place too long. The Senator has eliminated one agency. I think that is great, one agency in 40 years. We did 85 percent of the Hoover report. If we had just done the 15 percent left we would not have the trouble we are in today.

The Senator mentioned our good friend Bob Galvin. Why did he have to build factories in Korea? Because he cannot make any money in the United States operating as he does with the tremendous competition mostly from Japan and their lower wage scales which some day will balance out. I am not worried about lower wage scales elsewhere. I am worried about the tremendous regulations on a man like Bob Galvin and Motorola. I could recite ad infinitum what he has to put up with in the construction of one radar.

My good friend from Chicago has been one of the most prominent businessmen in this country and can certainly remember the days when every time we turned a crank on a Bell and Howell camera about 16 Government reports fell out of the other end.

I am opposed to this just as a matter of habit. I have yet to see this body or the other body show any indication that we are going to stand up and say to the American union movement "You have gone far enough" or to say to the bureaucrats downtown "You have gone far enough. We are going to start chopping you off."

We will not do that. They will come walking up on this Hill and just tell us, "No."

Mr. NUNN. I yielded to the Senator from Arizona and I hate to interrupt.

Mr. GOLDWATER. I am all through.

Mr. NUNN. I assured the majority leader that we would vote on this at 12:30 and we did have a 20-minute time limitation.

I would like to say in brief response that the Senator from Georgia shares all of the frustrations pointed out by the Senator from Arizona.

A vote of no on this particular bill would indicate that the Senator from Arizona was in favor of continuing the Commission which everyone agrees should be abolished. I would say the Senator should carefully reconsider his no vote. No one thinks the Commission is doing the job. The bill does not create a new agency but restructures one which is not working. I know the Senator from Arizona would not want his constituents to think that he wanted to continue an agency that everyone knows would not be doing a job.

Mr. GOLDWATER. I recognize the distinguished junior Senator from Georgia as being one of the finest Senators who has come to this body in my lifetime but I did not know he was so cute. The people of Arizona know exactly why I am voting against it. If I believed with him, I would join him. But 1 year from now I will ask, "What have you stopped" and the Senator will say, "Nothing."

Mr. NUNN. We may join together at that point in time.

Mr. PERCY. In 30 seconds I can report to the Senator from Arizona an optimistic note. We started with the objective in the Government Operations Committee of trying to reduce the number of Presidential commissions and committees that consume $75 million a year. We devised a method by which they have to get renewed, and in the last year we have eliminated 30 of them at considerable savings to the Government. We share the philosophy and objective that the Senator from Arizona has expressed. We are making a little progress. We have a lot more room to go, but we are along the same road.

Mr. NUNN. Mr. President, I believe the amendment has not yet been adopted. After that, I believe we already have an order for a rollcall vote. Is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. NUNN. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. ROTH. Mr. President, I rise in support of this legislation to establish a National Center for Productivity and Quality of Working Life. The purpose of this legislation, which I have cosponsored, is to establish a national policy to encourage productivity growth in all sectors of the economy and to promote efforts to improve the rate of national productivity growth.

The decline in our productivity over the past decade has significantly contributed to the economic problems we are experiencing today. Our decreasing productivity, combined with spiraling inflation, has greatly affected the standard of living in the United States, and something must be done.

The rate of productivity growth in the United States has declined in 4 of the past 6 years. In recent years the United States has fallen to ninth place among the dozen leading industrialized nations in the rate of productivity increase, weakening our competitive position in world markets.

One of the nations outstripping us is Japan. Under prodding from the United States, Japan's government in the mid-1950's established a national productivity center, and from 1970 to 1974, productivity in Japan increased 43 percent. In comparison, the U.S. productivity rate increased only 8.4 percent during that period, and 1974 showed the first productivity decline in this country in 27 years.

This bill will not set up a new bureaucracy. Instead, it will set up a single Government focal point to coordinate activities in all sectors of the economy to improve productivity growth.

The new productivity center will gather, analyze, and disseminate productivity information and fully utilize the talents and skills available at the State and local level.

One of the key provisions of the bill is designed to break down the Government rules, regulations, and policies which impede the productive performance and efficiency of the American economy.

This legislation specifically directs the productivity center to review and identify all Federal laws and regulations, and recommend to the President and Congress legislation to reform policies which adversely affect our productivity growth. I believe that our free enterprise system has become bogged down by excessive Government regulations, many of them devised by unelected bureaucrats. Government should not control our lives. We should control Government. And this legislation is the first step that is necessary to regain control of the Government. This legislation will encourage labor, business, and Government to work in unison to improve this Nation's productivity and working conditions. Only through increased productivity can this country maintain and increase employment opportunities, stabilize the cost of living, and provide job security for all Americans.

Mr. TAFT. Mr. President, I welcome the increased attention to problems of productivity in Government as well as the private sector, which the creation of the National Center for Productivity and Quality of Working Life will bring about. The previous Commission, while a good first step, was not adequate to meet the challenge we face in the current economic climate. Productivity is of increasing concern in an era of expensive energy and balance of payments difficulties. In dealing with our world economic situation, we need to raise our rate of growth of productivity to match that of our major trading partners and competitors.

Especially welcome is the coordination the National Center is instructed to encourage among Government, labor, and management in effecting the required productivity increases while avoiding shocks to jobs and employment patterns, and the emphasis placed on labor-management cooperating in matters of employee morale. I look forward to the success of the National Center in promoting a new awareness of the benefits to labor, management, and the consuming public, that regulatory reform and increased productivity will bring.

The ACTING PRESIDENT pro tempore. The Senator from Georgia has 3 minutes remaining. Does the Senator care to yield back the remainder of his time?

Mr. NUNN. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The yeas and nays have been ordered. The clerk will call the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Michigan (Mr. PHILIP A. HART), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from Utah (Mr. MOSS), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

I further announce that the Senator from Indiana (Mr. BAYH), the Senator from Indiana (Mr. HARTKE), the Senator from Louisiana (Mr. LONG), and the Senator from Connecticut (Mr. RIBICOFF) are absent on official business.

I also announce that the Senator from Alabama (Mr. ALLEN) is absent because of illness.

I further announce that, if present and voting, the Senator from Minnesota (Mr. HUMPHREY) and the Senator from Washington (Mr. MAGNUSON) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Nebraska (Mr. CURTIS), the Senator from Arizona (Mr. FANNIN), the Senator from Oregon (Mr. HATFIELD), the Senator from Oregon (Mr. PACKWOOD), and the Senator from Alaska (Mr. STEVENS) are necessarily absent.

I also announce that the Senator from New Jersey (Mr. CASE) is absent on official business.

I further announce that, if present and voting, the Senator from New Jersey (Mr. CASE), and the Senator from Oregon (Mr. HATFIELD) would each vote "yea."

The result was announced—yeas 66, nays 15, as follows:

[Rollcall Vote No. 379 Leg.]

YEAS—66

Abourezk
Baker
Bartlett
Beall
Bentsen
Brock
Brooke
Buckley
Burdick
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Cannon
Chiles
Church
Clark
Culver
Dole
Domenici
Eagleton
Eastland
Fong
Ford
Gravel
Griffin
Hansen
Hart, Gary W.
Haskell
Hathaway
Hruska
Huddleston
Inouye
Jackson
Javits
Johnston
Kennedy
Leahy
Mansfield
Mathias
McClure
McGovern
McIntyre
Metcalf
Mondale
Montoya
Muskie
Nelson
Nunn
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Roth
Schweiker
Scott, Hugh
Sparkman
Stafford
Stennis
Stevenson
Symington
Taft
Talmadge
Tunney
Weicker
Young

NAYS—15

Bellmon
Bumpers
Cotton
Cranston
Garn
Glenn
Goldwater
Helms
Laxalt
McClellan
Morgan
Scott,
  William L.
Stone
Thurmond
Tower

NOT VOTING—19

Allen
Bayh
Biden
Case
Curtis
Fannin
Hart, Philip A.
Hartke
Hatfield
Hollings
Humphrey
Long
Magnuson
McGee
Moss
Packwood
Ribicoff
Stevens
Williams

So the bill (S. 2195) was passed, as follows:

S. 2195

An Act to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respect to continued productivity growth and improved utilization of human resources in the United States; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Productivity and Quality of Working Life Act of 1975".

TITLE I—FINDINGS, PURPOSE, AND POLICY; DEFINITIONS

SEC. 101. The Congress finds that—

(1) the rate of productivity growth in the United States has declined during four of the past six years;

(2) the decline in the rate of productivity growth has contributed to inflation, to economic stagnation, and to increasing unemployment;

(3) since 1965, the rate of productivity growth of the United States has been consistently lower than that of many industrial nations in the world, adversely affecting the competitive position of the United States in world markets;

(4) growth in productivity of the economy of the United States is essential to the social and economic welfare of the American people, and to the health of the world economy;

(5) growth in the productivity of the Nation's economy is essential to maintain and increase employment, to stabilize the cost of living and to provide job security;

(6) mounting worldwide materials shortages and their consequent inflationary results make increased efficiency in the utilization of these resources of urgent importance;

(7) sharing the fruits of productivity gains among labor, management, and owners may considerably influence productivity;

(8) the continued development of joint labor-management efforts to provide a healthy environment for collective bargaining can make a significant contribution to improve productivity and foster industrial peace;

(9) factors affecting the growth of productivity in the economy include not only the status of technology and the techniques of management but also the role of the worker in the production process and the conditions of his working life;

(10) there is a national need to identify and encourage appropriate application of capital in sectors of American economic activity in order to improve productivity;

(11) there is a national need to identify and encourage appropriate application of technology in all sectors of American economic activity in order to improve productivity;

(12) there is a national need to identify and encourage the development of social, economic, scientific, business, labor, and governmental contributions to improve productivity growth, and increased economic effectiveness in the public and private sectors of the United States; which objectives can best be accomplished through maximizing private sector and State and local development of such contributions;

(13) there is a national need to identify, study, and revise or eliminate the laws, regulations, policies, and procedures which adversely affect productivity growth and the efficient functioning of the economy;

(14) there is a national need to increase employment security through such activities as manpower planning, skill-training and retraining of workers, internal work force adjustments to avoid worker displacement, assistance to workers facing or experiencing displacement, and all other public and private programs which seek to minimize the human costs of productivity improvement, thereby diminishing resistance to workplace change and improving productivity growth;

(15) there is a national need to develop new technologies for the more effective production of goods and services;

(16) there is a national need to encourage and support efforts by qualified institutions of higher learning to identify and inaugurate programs which will improve productivity;

(17) there is a national need to develop precise, standardized measurements of productivity; and

(18) there is a national need to gather and disseminate information about methods and techniques to improve productivity.

STATEMENT OF PURPOSE

SEC. 102. It is the purpose of this Act—

(1) to establish a national policy which will encourage productivity growth consistent with needs of the economy, the natural environment, and the needs, rights, and best interests of management, the work force, and consumers; and

(2) to establish as an independent establishment of the executive branch a National Center for Productivity and Quality of Working Life to focus, coordinate, and promote efforts to improve the rate of productivity growth.

POLICY

SEC. 103. (a) The Congress, recognizing the profound impact of productivity on the interrelations of all components of the national economy, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, to use all practicable means and measures, including financial and technical assistance, to stimulate a high rate of productivity growth.

(b) It is the continuing responsibility of the Federal Government to use all practicable means to improve and coordinate Federal plans, functions, programs, and resources to carry out the policy set forth in this Act.

(c) The laws, rules, regulations, and policies of the United States shall be so interpreted as to give full force and effect to this policy.

DEFINITIONS

SEC. 104. For the purposes of this Act—

(1) the term "Center" means the National Center for Productivity and Quality of Working Life;

(2) the term "Board" means the Board of Directors of the Center;

(3) the terms "productivity growth" and "improved productivity" shall be interpreted to include, but not be limited to, improvements in technology, management techniques, and the quality of working life; and

(4) the term "quality of working life" shall be interpreted to mean the conditions of work relating to the role of the worker in the production process.

TITLE II—NATIONAL CENTER FOR PRODUCTIVITY AND QUALITY OF WORKING LIFE ESTABLISHED

SEC. 201. There is hereby established as an independent establishment of the executive branch of the Government the National Center for Productivity and Quality of Working Life.

BOARD OF DIRECTORS

SEC. 202. (a) The Center shall have a Board of Directors, to be comprised of not more than twenty-five members, as follows:

(1) a Chairman, appointed by the President, by and with the advice and consent of the Senate;

(2) the Secretary of the Treasury;

(3) the Secretary of Commerce;

(4) the Secretary of Labor;

(5) the Director of the Federal Mediation and Conciliation Service;

(6) the Executive Director of the Center;

(7) not less than three members who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified private individuals in manufacturing and service industries;

(8) not less than five members who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified private individuals from labor organizations;

(9) not less than two members who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified individuals in State or local governments;

(10) not less than one member who shall be appointed by the President, by and with the advice and consent of the Senate, from among the general public;

(11) not less than one member who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified individuals associated with leading institutions of higher education; and

(12) such other qualified members from the public or private sectors whom the President may deem appropriate who shall be appointed by the President, by and with the advice and consent of the Senate.

When unable to attend a meeting of the Board, a member appointed under clauses (2), (3), (4), and (5) shall appoint an appropriate alternate from such members Department or agency to represent such member at that meeting.

(b)(1) The members of the Board appointed under clauses (7), (8), (9), (10), (11), and any private sector members appointed pursuant to clause (12) of subsection (a) shall be appointed for a four-year term coterminous with the term of the President. Members other than members appointed under such clauses, with the exception of the Chairman, shall serve as long as such member is head of the department or agency represented on the Board. No person shall serve as an acting or temporary member in positions requiring Senate confirmation including that of Chairman, for a period in excess of three months.

(2) The President shall appoint a Chairman for a term of four years coterminous with the term of the President. In appointing a Chairman, the President may appoint an individual who is an officer of the United States. If that officer has been appointed to his current position, by and with the advice and consent of the Senate, or if such individual is the Vice President of the United States, such individual may be appointed chairman by the President without the requirement of confirmation by the Senate.

(c) Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term.

(d)(1) Each member of the Board appointed under clauses (7), (8), (9), (10), (11), and any private sector members appointed pursuant to clause (12) of subsection (a) may be compensated at the daily rate provided for GS–18 of the General Schedule under section 5332 of title 5, United States Code, including travel time, for each day such member is engaged in the performance of his duties as a member of the Board and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in carrying out the functions of the Board.

(2) Other members of the Board, with the exception of the Chairman, and the Executive Director of he Center shall serve without additional compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the functions of the Board.

(3) The Chairman shall be compensated as set forth in paragraph (1) of this subsection, except if the Chairman holds some other position in the Federal Government such individual shall be compensated as set forth in paragraph (2) of this subsection.

(e)(1) The Chairman shall appoint an Executive Committee of the Board, not to exceed seven members, including the executive director of the Center.

(2) The Executive Committee of the Board shall meet at the call of the Chairman, but in no case less frequently than once every ninety days.

EXECUTIVE DIRECTOR; DEPUTY DIRECTOR

SEC. 203. (a) The Center shall have an Executive Director, who shall be appointed by the President by and with the advice and consent of the Senate, without regard to political affiliation and solely on the basis of fitness to perform the duties and functions of the office. No person shall serve as acting or temporary Executive Director for a period in excess of three months.

(b) The Executive Director shall appoint a Deputy Director, who shall perform such functions as the Executive Director may prescribe. The Deputy Director shall act for and exercise the powers of the Executive Director during the absence or disability of the Executive Director.

(c) The Executive Director shall be responsible for the exercise of all powers and the discharge of all duties of the Center. The Executive Director shall have authority over and control of all of the staff of the Center and their activities. The Executive Director shall maintain budgets and allocate available funds as appropriate in carrying out the provisions of this Act.

(e) The Executive Director shall be compensated at a rate not to exceed that provided for Executive level IV under section 5315 of title 5 of the United States Code as determined by the President, and shall have no other employment, public or private, during the tenure of his appointment.

FUNCTIONS OF THE CENTER

SEC. 204. The Center shall—

(1) develop and establish, in consultation with the appropriate committees of the Congress and with the appropriate departments and agencies of the executive branch, a national policy for productivity growth in the public and private sectors of the United States consistent with the purposes of this Act:

(2) seek, stimulate, and encourage maximum active participation of—

(A) the private sector of the Nation's economy, including labor organizations, associations and confederations, business enterprises and associations, institutions of higher education, foundations and other philanthropic organizations and research centers and institutes; and

(B) the public sector of the Nation's economy, including Federal, State, and local governments and agencies thereof, including institutions of higher education,

in efforts to improve the rate of productivity growth in all sectors of the Nation's economy;

(3) seek, stimulate, and encourage maximum active participation of the public agencies and private organizations identified in clause (2) of this section through identification and encouragement of selected research and demonstration programs implemented by public agencies and qualified private organizations which will—

(A) increase the rate of productivity growth in the public and private sectors of the National economy through improved and innovative utilization of technological and human resources; and

(B) develop, refine, and apply accurate and reliable measurement techniques to evaluate changes in productivity;

(4) to identify, study, and review—

(A) existing Federal, State, and local statutes, regulations, and fiscal policies which adversely affect productivity growth or the economic performance of the public and private sectors of the United States;

(B) incentives to encourage industry and labor initiatives in the development of methods, techniques, and systems for the improved utilization of technological and human resources in the public and private sectors;

(C) existing and new programs, plans, and other methods, including advanced warning systems, retraining programs, retirement and separation programs, designed to counteract threats to job security which may result from efforts to improve productivity;

(D) jointly, with the Civil Service Commission, the impact of Federal personnel policies, statutes, and regulations affecting the productivity of Federal agencies and the quality of working life of Federal employees; and

(E) the need and feasibility of providing, directly to potential users, public or private, various Center services in return for payment to the Center, and methods by which charges for such services will be established;

(5) recommend to the President, the Congress, the appropriate agencies and departments of the Federal Government, and State and local governments, any legislation, revisions of regulations, policies, practices, and procedures which result from the activities carried out under clause (4) of this section;

(6) encourage, support, and initiate efforts in the public and private sector specifically designed to improve cooperation between labor and management in the achievement of continued productivity growth: ***Provided, however,*** That no activities of the Center involving consideration of issues includes in labor-management agreements shall be undertaken without the consent and cooperation of the parties to that agreement;

(7) encourage departments and agencies of the Federal Government to initiate, stimulate, and support efforts in both the public and private sectors of the United States to improve the rate of productivity growth;

(8) coordinate all activities referred to in subsection (7) of this section in order to eliminate interagency duplication of effort and cost, to insure that Center activities will not unnecessarily conflict or overlap with such other activities, and to maximize the effectiveness of all such Federal programs and activities;

(9) coordinate and consult with the departments and agencies of the Federal Government in the obligation and expenditure of funds for activities and projects in both the public and private sectors to improve productivity growth;

(10) identify, develop, and support activities, programs, systems, and techniques, in the various departments and agencies of the Federal Government for measuring productivity growth within such departments and agencies;

(11) collect and disseminate relevant information obtained by the Center or other public agencies, institutions of higher education, or private organizations engaged in projects under this Act, including information related to new or improved methods, systems, technological developments, equipment, and devices to improve and stimulate productivity growth, and to develop and implement a public information program designed to inform the public of the meaning and importance of productivity, and productivity growth;

(12) encourage and coordinate the efforts of State and local governments, and institutions of higher education, to improve productivity;

(13) maintain liaison with organizations, both domestic and foreign, involved in efforts to improve productivity;

(14) determine the Nation's needs for productivity-related management and analytical skills and to encourage and facilitate the development of training programs in such skills; and

(15) study the effects of materials availability upon productivity growth.

POWERS

SEC. 205. In carrying out its functions, the Center is authorized—

(1) to enter into contracts or other funding arrangements, or modifications thereof, in order to carry out the provisions of this Act;

(2) to organize and conduct, directly by contract or other funding arrangements with other public agencies or private organizations, conferences, meetings, seminars, workshops, or other forums for the presentation and dissemination of relevant information generated or collected pursuant to the provisions of this Act;

(3) to make such studies and recommendations to the President and to Congress as may be necessary to carry out the functions of the Center;

(4) to implement a program and secure necessary facilities for the collection, collation, analysis, and interpretation of data and information as required in order to carry out the public information functions under this Act; and

(5) to undertake such other studies, reviews, activities, and to make such recommendations and reports as may be required to carry out the functions of the Center.

CONTRACTS AND OTHER FUNDING ARRANGEMENTS—CONDITIONS

SEC. 206. (a) No contracts or other funding arrangements may be entered into under this Act unless—

(1) such contracts or other funding arrangements will be consistent with the policies and purposes of this Act and of potential benefit to other users in the public or private sectors;

(2) provisions are made to evaluate the demonstration program and maintain improvement data, such evaluation either to be implemented by the participating parties in accordance with specifications established by the Center, or to be implemented by or on behalf of the Center; and

(3) the participating parties agree that all information relating to any innovation or achievement generated in the course of any Center-funded demonstration program shall be public information.

(b) No contract or other funding arrangement shall be made or entered into pursuant to the provisions of this Act for a period of more than three years.

(c) Any non-Federal share of a project may be in cash or in kind, fairly evaluated, including, but not limited to, plant, equipment, or services.

CONTRACT AND OTHER FUNDING ARRANGEMENTS—CRITERIA

SEC. 207. (a) The Center shall prescribe by regulation, after consultation with appropriate agencies and officials of Federal, State, and local governments, basic criteria for the participating parties under this Act.

(b) If the Center determines, on the basis of information available to it during any fiscal year, that a portion of the funds provided to a participating party for that fiscal year will not be required by the party or will become available by virtue of the application of regulations established by the Center to govern noncompliance for reallocation under this section.

(c) The Center shall by regulation prescribe the basic criteria for determination of noncompliance by participating parties including appropriate provisions for notice and hearing with respect to such determination.

ANNUAL REPORT

SEC. 208. (a) Not later than December 31 of each year, the Center shall report to the President and to the Congress on activities pursuant to the provision of this title during the preceding fiscal year; such reports shall include a detailed statement of all public and private funds received and expended together with such recommendations as the Center deems appropriate. Such report shall include an analysis of the extent to which each agency of the Federal Government which has significant responsibilities for assisting in the improvement of productivity is carrying out such responsibilities consistent with the provisions of this Act, including (A) an accounting of all funds expended or obligated by such agencies for activities and projects to improve productivity growth. (B) an assessment of the extent to which such expenditures or obligations have furthered the policies of the Center, and (C) the Center's recommendations on how these expenditures and obligations can be better coordinated to accomplish the purposes of this Act.

(b) Each report required to be submitted to the Congress by this Act shall be referred to the standing committee or committees having jurisdiction over any part of the subject matter of the report.

TITLE III—FEDERAL AGENCY COORDINATION AND LIAISON WITH CENTER

SEC. 301. (a) Each department, agency, and independent establishment of the Federal Government shall designate a qualified individual to serve as liaison with the Center and to assist the Center in carrying out its functions pursuant to this Act.

(b) Each department, agency, and independent establishment of the Federal Government shall keep the Center currently informed of its program, policies, and initiatives to improve productivity which relate to the responsibilities of the Center, and shall consult with the Center prior to the obligation or expenditure of funds for activities or projects to improve productivity growth.

(c) Each Federal department, agency, and independent establishment of the Federal Government is authorized and directed to furnish or allow access to all relevant materials and information required by the Center to carry out its functions under this Act.

INTERNAL REVIEW

SEC. 302. Each department, agency, and independent establishment of the Federal Government, in coordination with the Center, shall study and review the promulgation and implementation of its statutory authority, policies, and regulations, and shall identify such statutes, policies, and regulations which adversely affect productivity growth in the public or private sectors of the United States, or those which impede the efficient functioning of the Nation's economy, and shall recommend to the President and the Congress, or implement where appropriate, alternative statutes, policies, and regulations which will contribute to the achievement of the purposes of this Act.

SUPPORT OF EXTERNAL ACTIVITIES

SEC. 303. Each department, agency, and independent establishment of the Federal Government, in coordination with the Center, shall, to the extent appropriate, make available to State and local governments, labor organizations, industry, public institutions, and other qualified organizations advice, information, and support, including financial and other assistance, designed to maintain, promote, and enhance sustained productivity growth in the public and private sectors of the United States.

INTERNAL PRODUCTIVITY

SEC. 304. Each department, agency, and independent establishment of the Federal Government shall identify, develop, initiate, and support appropriate programs, systems, procedures, policies, and techniques to improve the productivity of such departments and agencies, including the implementation, where desirable, of specific programs recommended, supported, or implemented by the Center.

EFFECT ON PRIOR PROVISIONS

SEC. 305. Nothing in this title affects any specific statutory obligation of any Federal agency (1) to coordinate or consult with any other Federal or State agency or (2) to act, or to refrain from acting, contingent upon the recommendations or certification of any other Federal or State agency.

TITLE IV—ADMINISTRATIVE PROVISIONS

SEC. 401. The Executive Director is authorized to—

(1) prescribe such regulations as are deemed necessary to carry out the purposes of this Act;

(2) receive money and other property donated, bequeathed, or devised, or remitted in payment for services rendered, without condition or restriction other than that it be for the purposes of the Center;

(3) receive (and use, sell, or otherwise dispose of, in accordance with clause (2)) money or other property donated, bequeathed, or devised to the Center, except for such money and other property which includes a condition that the Center use other funds of the Center for the purpose of the gift, in which case two-thirds of the members of the Board of Center must approve such donations;

(4) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of the Act in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(5) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed the maximum daily rate prescribed for GS-18 under section 5332 of title 5, United States Code;

(6) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem as authorized by section 5703 of title 5, United States Code;

(7) utilize, on a reimbursable or nonreimbursable basis the services, equipment, personnel, and facilities of any other department or agency of the United States;

(8) establish one or more task forces to assist and advise the Center, composed of individuals who, by reason of experience, are qualified for such service. Each member of any such task force who is not an officer or employee of the Federal Government may receive an amount not to exceed the maximum daily rate prescribed for GS-18 under section 5332 of title 5, United States Code, for each day such individual is engaged in the actual performance of duties (including traveltime) as a member of such a task force. Members may be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties; and

(9) make advances, progress, and other payments deemed necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (21 U.S.C. 529).

TITLE V—EVALUATION BY THE COMPTROLLER GENERAL

SEC. 501. (a) The Comptroller General of the United States shall audit, review, and evaluate the implementation of the provisions of this Act by the Center.

(b) Not less than thirty months nor more than thirty-six months after the effective date of this Act, the Comptroller General shall prepare and submit to the Congress a report on his audit conducted pursuant to subsection (a), which shall contain, but not be limited to, the following:

(1) an evaluation of the effectiveness of the Center's activities;

(2) an evaluation of the effect of the activities of the Center on the efficiency, and effectiveness, of affected Federal agencies in carrying out their assigned functions and duties under this Act; and

(3) recommendations concerning any legislation he deems necessary, and the reasons therefor, for improving the implementation of the objectives of this Act as set forth in section 102.

TITLE VI—REPEAL AND TRANSFER

REPEAL OF PUBLIC LAWS 92-210 AND 93-311

SEC. 601. Section 4 of Public Law 92-210, and Public Law 93-311, relating to the National Commission on Productivity and Work Quality are repealed.

TRANSFER OF FUNCTIONS AND STAFF

SEC. 602. (a) The functions and staff of the National Commission on Productivity and Work Quality are hereby transferred to the Center.

(b) All property, records, and contracts as are determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with any function transferred by subsection (a) are transferred to the Center.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

Sec. 701. There are authorized to be appropriated to carry out the purposes of this Act, not to exceed $6,250,000 for the fiscal year ending June 30, 1976, and the subsequent transition period ending September 30, 1976; not to exceed $5,000,000 for the fiscal year ending September 30, 1977; and not to exceed $5,000,000 for the fiscal year ending September 30, 1978. Funds appropriated for any fiscal year shall remain available for obligation until expended.

Mr. PERCY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHILES. Mr. President, I will take a moment to congratulate the sponsors of the bill. Senator Nunn of Georgia, Senator Percy, and Senator Javits are the prime sponsors of the bill.

We spend a considerable amount of time in Congress and we pass many laws. Often these laws cause problems to the people who make this country go in the private sector.

In this bill we see a landmark piece of legislation that really will endeavor to help the private sector in increasing the productivity of this country and better the working conditions of the working people in this country.

This is the kind of spirit in legislation that we need to think more about in this body and try to determine how we can make the system work and work better, rather than how we set something up that harasses people.

The work and dedication of the Senators is commendable. I know, personally, the time that Senator Nunn has devoted to the bill, and I know the cooperation that existed among Senator Nunn, Senator Percy, Senator Javits and other cosponsors of the bill, and the hearings that they held in the Committee on Government Operations.

This bill is just a start. But if we can follow up to ascertain that the council is implemented and given the kind of help and support that it needs, I think it will go a long way toward insuring that we are going to have more than 200 years for an anniversary in this country.

I congratulate them on their efforts on this bill.

Mr. PERCY. Mr. President, will the Senator yield for just a comment?

Mr. CHILES. I yield.

Mr. PERCY. Mr. President, I commend the distinguished Senator from Florida for the work that he has done on this bill. He deserves a great deal of commendation.

I was only sorry he was not in the Chamber during the very eloquent and pertinent comments made by the distinguished Senator from Arizona (Mr. Goldwater).

Senator Goldwater raised certain objections in principle, and the principles I did not disagree with one bit.

The question is can we with this legislation and through this center implement, carry forward, and remove many of the obstacles and objectives that Senator Goldwater very wisely pointed out. I think we can accomplish what we tried to build in.

We can go back to the fact that in World War II labor and management sat down together in teamwork and they created productive labor-management committees to work together. That is why labor and management have worked so closely with us in creating and overwhelmingly support this legislation.

I thank our distinguished colleague for his very thoughtful comments.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 10 minutes each.

CONCLUSION OF MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that morning business be closed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RESUMPTION OF CONSIDERATION OF S. 1281 at 2 P.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the hour of 2 p.m. today the Senate resume consideration of S. 1281, the so-called redline bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS UNTIL 2 P.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

There being no objection, the Senate, at 12:59 p.m., recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. Ford).

HOME MORTGAGE DISCLOSURE ACT OF 1975

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1281, which will be stated by title.

The legislative clerk read as follows:

A bill (S. 1281) to improve public understanding of the role of depository institutions in home financing.

The PRESIDING OFFICER. Time for debate on this bill is limited to 2 hours, to be equally divided between and controlled by the Senator from Wisconsin (Mr. Proxmire) and the Senator from Texas (Mr. Tower), with 1 hour on any amendment and with 20 minutes on any debate, motion, appeal, or point of order.

Part of the time on the bill has been used. The proponents have 35 minutes remaining, and the opponents have 40 minutes remaining.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Virginia without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that Howard Sagermark, of my staff, be accorded the privilege of the floor during the discussion of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, I ask unanimous consent that Rod Solomon, of my staff, have the privilege of the floor during the consideration of this measure

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the following staff members have the privilege of the floor during the consideration of and votes on this measure: Dudley O'Neal, Jerry Buckley, Thomas Brooks, Tony Cluff, Lamar Smith, Patten Abshire, Ron Parker, Rick Wahlstrom, Dan Wall, Ken McLean, and Robert Kuttner.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

AMENDMENT NO. 827

Mr. STONE. Mr. President, I call up my amendment No. 827.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Florida (Mr. Stone) proposes an amendment numbered 827;

On page 9, line 23, strike out "census tract" and insert in lieu thereof "ZIP code".

Mr. STONE. Mr. President, I ask unanimous consent that Mr. Barry Direnfeld, of my staff, may have the privilege of the floor during the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

There is 1 hour on the amendment.

Mr. STONE. Mr. President, I have submitted an amendment which would require thrift institutions to disclose the location of their mortgages by ZIP codes rather than by census tracts. Although the burden on thrift institutions has been reduced by making the reporting requirements in this bill prospective, I believe it is also necessary to limit the mortgage disclosure requirements to ZIP codes.

Mr. PROXMIRE. Mr. President, as a matter of clarification, it is my understanding that this is amendment No. 827. Is that correct?

Mr. STONE. That is correct.

Mr. President, as I stated, although the burden on thrift institutions has been reduced by making the reporting requirements in this bill prospective, I believe it is also necessary to limit the mortgage disclosure requirements to ZIP codes.

Presently, most financial institutions do not have the internal systems necessary to code their mortgage loans to census tracts. Therefore, reference must be made to other data sources which are often inadequate or not readily available. Address coding guides or other book type directories which match street addresses and census tract numbers are unavailable from the Bureau of the Census. Computer tapes containing the address and tract numbers for Standard Metropolitan Statistical Areas—SMSA—are available from the Census Bureau, but they need to be updated. In any event, the tapes are of little use for those smaller financial institutions which do not have access to computers. There are approximately 1,200 savings and loan associations with 263 SMSAs which have less than $25 million in assets and some 1,700 with $50 million or less in assets. A fair proportion of those institutions would be required to manually relate every mortgage to a census tract.

In Dade County, a county with a population of more than a million, the largest census tract map procured is approximately 19 inches by 28 inches. This map has some main streets and avenues indicated by name and number but many lines of demarcation give no indication of street or avenue identification. Since the assignment of each individual loan to its proper census tract would have to be done manually, and in many cases actually requires a field inspection, the amount of time and labor expended to comply with this provision of the bill would amount to an inordinate expense.

I state parenthetically that all such expenses are paid for by the consumer. It is the consumer who pays.

In Hillsborough County there are 141 tracts. Only in the city of Tampa is there available a street index relating addresses to census tracts and this is only approximately 60 percent accurate according to a spokesman for the Tampa Bay Regional Planning Commission.

Mr. President, in addition to the problems regarding the accessibility of census tract data, there is some questions as to the accuracy of census tract data. Neither local directories nor the Bureau of the Census' computer tapes of SMSA addresses and census tracts numbers are completely accurate and up-to-date. The computer tapes and directories compiled for the 1970 census, are approximately 70 percent accurate and are in the process of being corrected for the 1980 census. Many communities have been instructed to submit corrected census tract maps to the Bureau of the Census by 1978. Various changes can occur in an SMSA which are not reflected in the existing tapes and directories. New SMSAs have been added since 1970 which many existing SMSAs have experienced significant adjustment. Mr. Vincent Barabba, Director of the Bureau of the Census, testified on July 15, 1975, before the House Committee on Banking Currency and Housing on the very plan proposed by this bill. In describing the capabilities and limitations of the address reference file, which serves as the geographic base-inventory for census tract, he pointed out that these files would become outdated rapidly if they remained static. Should the Bureau of the Census find it necessary to revise standard metropolitan areas in 1980, the entire data base accumulated by thrift institutions at a major cost would be obsolete. The system proposed by the bill appears to be predicated upon the assumption that present census tracts will remain static. Empirical and statistical evidence indicate that present census tracts will not remain unchanged.

Mr. President, I believe the many technical problems associated with the use of census tract data and the increased burden the use of this data places upon small financial institutions demands that the mortgage reporting requirements of this bill be limited to ZIP codes. I therefore urge that this amendment be adopted.

It would be the borrower who would pay these added burdens. When we are trying to get the cost of borrowing down, so that the savings and loan institutions can finance building expansion which is sorely needed and building labor employment which is sorely needed, this is the time to add paperwork on top of paperwork. Reporting by ZIP codes would provide the analysts with the raw material they really would need, according to the latest software programing that they could apply centrally to get the statistics and the facts they need to make their determination.

Mr. President, I yield to the distinguished Senator from Colorado (Mr. HASKELL) for further remarks in favor of this amendment.

Mr. THURMOND. Mr. President, will the distinguished Senator yield to me to introduce distinguished members of the Swedish Parliament,

Mr. STONE. I yield for that purpose.

A VISIT TO THE SENATE BY MEMBERS OF THE STANDING COMMITTEE ON LAWS, PARLIAMENT OF SWEDEN

Mr. THURMOND. Mr. President, we have the unusual pleasure today to have with us 17 members of the Swedish Parliament. They just had lunch down in the Foreign Relations Committee room. The Ambassador from that great country, Ambassador Wachtmeister accompanies them.

It is a pleasure for me to introduce them at this time. They are:

Ivan Svanström. Chairman of the Committee. Born in 1918. Represents the Center Party. Member of the Swedish Parliament for 16 years. Farmer. Lives in Ruda, the County of Kalmar;

Sven Hammarberg. Vice Chairman. Born in 1912. Represents the Social Democratic Party. Member of the Swedish Parliament for 15 years. Member of the Board of the Nordic Council. District Party Secretary. Lives in the city of Västerås;

Bertil Lidgard. Born in 1916. Represents the Conservative Party. Member of the Swedish Parliament for 11 years. Alternate member of the Consultative Assembly of the Council of Europe. Has Bachelor of Law degree. Lives in the city of Stockholm;

Bernhard Sundelin. Born in 1911. Represents the Social Democratic Party. Member of the Swedish Parliament for 22 years. Owner of trucking company. Lives in Bredbyn, the County of Västernorrland;

Bengt Börjesson. Born in 1920. Represents the Center Party. Member of the Swedish Parliament for 15 years. Bank manager at the Farmers Cooperative Bank. Lives in the city of Falköping;

Sten Sjöholm. Born in 1917. Represents the Liberal Party. Member of the Swedish Parliament for 11 years. Has Bachelor of Law degree. County police commissioner. Lives in the city of Helsingborg;

Rune Torwald. Born in 1924. Represents the Center Party. Member of the Swedish Parliament for 5 years. Personnel manager at the postal service. Lives in Olofstorp, the city of Gothenburg;

Stig Olsson. Born in 1919. Represents the Social Democratic Party. Member of the Swedish Parliament for 7 years. Shop steward (building industry). Lives in Timrå, the county of Västernorrland;

Håkan Winberg. Born in 1931. Represents the Conservative Party. Member of the Swedish Parliament for 5 years. Has Bachelor of Law degree. Judge of the City Court. Lives in the city of Sundsvall;

Mrs. Elvy Nilsson. Born in 1925. Represents the Social Democratic Party. Members of the Swedish Parliament for 5 years. Lives in Sunne, the county of Värmland;

Martin Olsson. Born in 1932. Represents the Center Party. Member of the Swedish Parliament for 5 years. Bank manager at the Farmers Cooperative Bank. Lives in Sundsbruk, the county of Västernorrland;

Per Israelsson. Born in 1917. Represents the Communist Party. Member of the Swedish Parliament for 5 years. Machine operator. Lives in the city of Karlskoga;

Mrs. Sonja Fredgardh. Born in 1912. Represents the Center Party. Member of the Swedish Parliament for 2 years. Journalist. Lives in Höllviksnäs, the County of Malmö;

Mrs. Ulla Johansson. Born in 1928. Represents the Social Democratic Party. Member of the Swedish Parliament for 2 years. Alternate member of the Committee. Preschool teacher. Lives in Hovmanstorp, the County of Kronoberg;

Stig Gustafsson. Born in 1931. Represents the Social Democratic Party. Member of the Swedish Parliament for 2 years. Alternate member of the Committee. Legal adviser to the Salaried Employees Federation, TCO;

Lars Å Beckman. Born in 1931. Staff director. Assistant Justice of the Court of Appeal; and

Staffan Janvid. Born in 1938. Committee Reading Clerk. Assistant Justice of the Court of Appeal.

RECESS FOR 5 MINUTES

Mr. THURMOND. I shall ask the Members of the Swedish Parliament to stand and be received by the Senate. I ask unanimous consent that the Senate take 5 minutes to give the Members an opportunity to speak to them.

There being no objection, the Senate, at 2:11 p.m. recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. FORD).

HOME MORTGAGE DISCLOSURE ACT OF 1975

The Senate continued with the consideration of the bill (S. 1281) to improve public understanding of the role of depository institutions in home financing.

Mr. STONE. Mr. President, I ask unanimous consent that the distinguished Senator from Colorado (Mr. HASKELL) be added as a cosponsor to amendment No. 827.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STONE. I yield to the distinguished Senator from Colorado (Mr. HASKELL).

The PRESIDING OFFICER. The Senator from Colorado (Mr. HASKELL) is recognized.

Mr. HASKELL. Mr. President, I congratulate the distinguished Senator from Florida for arriving at the same conclusion as I did, except he thinks faster than I do so he arrived at it about 4 weeks before me. I am pleased to join him as a cosponsor of this amendment.

I think this is a meritorious change in this vital legislation. I am certain the distinguished floor manager of the bill will listen receptively, as he always does. I would really like to discuss this with him because redlining is a very bad lending practice and, unfortunately, a legal lending practice.

What we are trying to do and what the distinguished floor manager of the bill wants to do is to have information available for the public at the place loans are made. He wants it in such form that an interested person or interested group can, with minimal difficulty, find out whether the banking institution was redlining.

Now, the bill as it is now before us says the financial institution will break down the loans by census tract. Our amendment says that we will break it down by ZIP codes.

I submit, Mr. President, and I submit to the distinguished Senator from Wisconsin that when you redline you do not do it either by census tract or by ZIP code. A certain amount of analysis has got to take place in the way you categorize the information to make it intelligible for public use. The persons involved in the interruption can develop this analysis as easily from ZIP codes as census tracts.

That being the case, I think it is far better to classify it by ZIP code since every lending institution has a ZIP code on almost every borrower. If there is redlining it is not going to take place neatly, whether it be census tract or ZIP code. A certain amount of analysis has got to be made, a certain number of loans will be kicked out because they do not appear to be within the district.

Since this is the case, it seems to me we are accomplishing the basic purpose of the distinguished Senator from Wisconsin if we make available to the public, or to any civil rights group, for example, that would want to make an analysis, the information by ZIP code; if only for the reason that the committee report itself shows the relative costs census tract roughly appears to be twice as expensive for the institution.

In addition to this, we have heard a great deal about the proliferation of paperwork imposed on small businesses. I personally am not particularly worried about the First National Bank of Denver, Colo. They will get along. I am a little concerned about the smaller institutions, putting this burden on them.

In conclusion, my reason for sponsoring this amendment is, No. 1, it gets the job done. It puts the information out.

No. 2, it does it at a minimum disturbance to the financial institution.

I thank the Senator for yielding, and I would be glad to answer any questions at some future time.

The PRESIDING OFFICER. The Senator from Florida.

Mr. STONE. I yield to the distinguished Senator from Utah (Mr. GARN).

The PRESIDING OFFICER. The Senator from Utah.

Mr. GARN. Mr. President, I rise in support of amendment No. 827 offered by the Senator from Florida (Mr. STONE) to the committte bill S. 1281 to require reporting by ZIP code.

The effect of this amendment is to restore the geographic reporting section of S. 1281 to its original text.

As that bill came to us in the committee, it was in the form of ZIP codes and was subsequently changed in the markup reported out of the Banking Committee to census tract. So this amendment would merely restore the original language of S. 1281 in the committee.

When the hearings on this bill were commenced, it was on the assumption that the reporting areas would be by ZIP code. Consequently, the affected parties were not prepared to provide information on the problems which could be encountered in reporting on some other geographic area such as census tract.

After the hearings were completed, and without notice to the parties affected in what was called by its proponents a "technical" amendment, the committee at the markup session was asked to change the reporting designation from ZIP code to census tract. After this change was made, I directed my staff to conduct an investigation into the problem which would be faced in this type of reporting. This investigation, which is reflected in the Additional Views of the Committee Report of the Home Mortgage Disclosure Act, reveals that such reporting would increase the cost of compliance considerably and that the feasibility and accuracy of such reporting is questionable.

As the distinguished Senator from Colorado has pointed out, I am not really concerned about the big savings institutions and big banks in this country, but the effect it would have on many of the smaller institutions would be considerable.

The proponents of S. 1281 say that with perspective reporting, the cost will be minimal. The same has been said in the past when Congress has considered other legislation affecting financial institutions.

Last year when this body enacted the Equal Credit Opportunity Act, no consideration was given to the cost of compliance. Testimony has now been received by the Federal Reserve on its regulations implementing this act which indicate that that compliance will run into millions of dollars.

The same was true with the Real Estate Settlement Procedures Act. No consideration was given to the cost to the lending institutions of disclosure of the settlement costs to the consumer.

When we mention the consumer, we might as well be faced with the fact that any cost imposed on the financial institutions will be passed on to the consumer who will pay the bill. The one who is going to get the loan is going to pay for it.

Now every Member of this body is receiving letters from small financial institutions indicating that the cost of that disclosure could go as high as $50 per mortgage that will simply be added to the closing costs.

Although I feel and certainly hope that these estimates are on the high side, the fact remains that the new law requires new forms and cost the institutions additional sums of money. The consumers ultimately will have to pay for such protection whether they want it or not.

The Stone amendment will restore, in a small way, some sanity to this legislation. It has my full support.

I am thankful the distinguished Senator from Florida offered what I consider a very good amendment.

The PRESIDING OFFICER. Who yields time?

Mr. STONE. Mr. President, I reserve the remainder of my time on this.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I regretfully oppose this amendment. I think we can work something out on it if the Senator from Florida is willing to do so.

We did change the original legislation from ZIP code to census tract for a very definite reason, that the record was overwhelming on the side of having this reported by census tract.

We had a number of neighborhood organizations, which were really the driving force behind this legislation, and without exception they insisted the only way this could be made meaningful and useful to them is if the disclosure is made by census tract. ZIP code is much too large, they said, to be really helpful.

Furthermore, this amendment might have made some sense under the original version of the bill which required lenders to assign census tracts into all their outstanding loans, to go back over their whole portfolio, using a computer program, and since the data is not kept in that form for small banks, this would have required substantial work.

As the bill now stands, this is essentially prospective. We are not asking them to go back in their present or past portfolio, only to apply this to loans made this year or in the future.

There are very important reasons why the committee chose census tract rather than ZIP codes. In densely populated cities where redlining is a particular problem, ZIP codes tend not to conform to neighborhoods, whereas census tracts do. That was documented. That point was made over and over again; that if we have the reports made by census tract so we know no loans are made in a neighborhood, then we know that that neighborhood is being ignored by the particular institution.

If we have it, on the other hand, by ZIP codes, we do not get that.

I was in Chicago over the recess where blue collar and very expensive high rise neighborhoods on Chicago's lakefront are all in the same ZIP code. Of course, the blue collar areas west of the lakefront are the old areas which are suffering discrimination and where loans are not being made.

The institutions are delighted to make loans in the very expensive high rise apartment areas on the lakefront, so that if we had this by ZIP codes this would be no real picture. The ZIP code would show that there were substantial loans being made in an area, but if we had it by census tract we could tell the blue collar neighborhood had been ignored, and that is the whole purpose.

Census tracts are also more useful to show the other kinds of data reflected by it, including the cost of housing and, of course, income.

In the committee's own study of this city, Washington, D.C., we found it enormously useful to look at the economic characteristics by census tracts. We do not get that on ZIP codes.

By using census tracts, we can tell that in a particular neighborhood which has certain characteristics as far as income is concerned, as far as age of the housing is concerned, that in this area there seems to be a policy of denying mortgage credit.

The census tract breakdown, furthermore, shows several neighborhoods with relatively high income were denied mortgage money by savings and loan associations and forced to rely on out-of-town mortgage companies or cash sales.

Only by knowledge of the mortgage data by census tract does this kind of comparison become possible. Similarly, in the city of Baltimore and in the city of Los Angeles, similar conclusions were possible using census tracts.

I do not think there is any question that census tract is more useful. At least the people involved in this for many, many years have said it is the way to get the information.

What remains, however, is the point raised by every one of the proponents of this amendment. Senator STONE, and also Senator HASKELL and Senator GARN, who all argued that the cost would be greater.

Now, we have looked into the cost aspects. I have a letter from the National Savings and Loan League. They are opposed to the legislation and they certainly would not be in a position of underestimating the costs. They say:

> It is estimated that consulting, research and development, programing computer time and clerical and administrative costs involved in converting savings and loan address files to census tracts would be $50,000 and that it will cost about $20,000 annually to maintain, generate and report the data required by the pending legislation. That means it would cost an association almost $2 per mortgage to establish a reasonably accurate system, and about $.70 per mortgage annually to maintain the data. And in the end, consumers will have to pay more for their mortgage credit.

I would not pooh-pooh even something as small as 70 cents, even though the mortgage loans average $20,000, $25,000, $30,000, but I think there is a very clear advantage to giving the neighborhood groups and the depositors an understanding of what is happening to their deposits, where it is going, whether their neighborhood is being ignored.

After all, if one lives in a neighborhood and is not sure whether to make his deposit with S&L "A" or bank "B," and one knows that the bank is not making an investment in one's neighborhood and the savings and loan is, I think that information that is worthwhile.

It would not be worth $50 or $100, but it seems to me it would be worth the 70 cents or $2 opening cost which the Savings and Loan League—which, as I say, has opposed legislation of this kind and are certainly not going to underestimate the cost—estimates the cost would be.

So, Mr. President, I do hope that this amendment, which is offered by my good friend and very fine Senator from Florida, is rejected.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. STONE. Mr. President, I yield briefly to the Senator from Colorado, then to the Senator from Utah and then to the Senator from North Carolina, as time permits.

Mr. HASKELL. First, I would like to congratulate the chairman of the Banking Committee for bringing this legislation before the Senate. He is putting information into the open allowing people to find out whether redlining exists.

I would like to point out again that redlining does not take place neatly by census tract. It does not take place neatly by ZIP code. Someone has to do an analysis. If I went into a city familiar to me in Colorado, I think I would know. There will always have to be people familiar with the city to make the analysis. If I had information by ZIP code or census tract I would soon know whether or not it was worth pursuing further to determine if redlining existed.

According to page 30 of the committee report, the cost of doing it by ZIP code is about 40 percent of the cost of doing it by census tract.

I would hope that this amendment would be adopted.

I thank the Senator.

Mr. STONE. I yield to the Senator from Utah.

Mr. GARN. As the distinguished Senator mentioned, the committee testimony was overwhelmingly in favor of census tracts. That is because the committee hearings were overwhelmingly stacked with people who favored that position. When I get to my own amendment I am going to discuss the committee hearings, the inadequacy of both sides, and some independent observers.

To get to the census tract for a moment, forgetting the cost, the census tract is hardly a cure-all. Neither the computer of the census computer tapes, census tracts numbers, or such local directories as exist are completely accurate or up to date. I agree with what the chairman wants to accomplish, but census tracts will hardly do it. The computer tapes and directories were compiled for the 1970 census. They are now 5 years out of date. They are approximately 70 percent inaccurate. I should correct that and say 70 percent accurate and 30 percent inaccurate. They are in the process of being corrected for the 1980 census. Communities have been instructed to submit corrected census tract maps to the Bureau of the Census by 1978. Are we going to enact a bill on census tracts that are 30 percent in error? We will not have corrected information until 1980. Will we solve this problem? I hardly think so. Besides cost, there are other reasons to oppose census tracts in this legislation.

Mr. STONE. I yield to the Senator from North Carolina.

Mr. MORGAN. Mr. President, I rise to urge adoption of the amendment offered by the distinguished Senator from Florida. I believe that, if we are going to adopt this bill and pass it, the amendment will make it much more palatable to many of the small lending institutions across the Nation.

I think that is a real problem, Mr. President. I just spent 15 days traveling throughout my State of North Carolina, talking with various people. The one thing I was amazed to learn was the mood of my State with regard to increased Federal bureaucracy and increased requirements from the regulatory agencies in acts such as this one. I heard it at every stop.

I was later interested to note that the President had commented on it.

The Real Estate Settlement Procedures Act, which was passed last year, has really thrown many of the small savings and loans into turmoil. Add to that this bill, and especially if you go by census tracts, and I think you will substantially increase the cost to the average borrower. You will certainly increase the redtape and the burdens of the lending institution.

Quite frankly, I hope we will not pass this bill. There are some problems in this country, but they are problems that can best be understood by the local governing authorities. A number of States are already looking into the problems of redlining and there has been some action taken in this area. But simply because there are problems in Chicago, San Francisco, and maybe a half dozen other areas in the Nation does not warrant or justify, in my opinion, imposing these kinds of burdens on the lending institutions of the rest of the Nation.

This amendment will make it easier to administer and, therefore, I urge the adoption of the amendment.

Mr. PROXMIRE. Will the Senator from Florida yield? I think the Senator from North Carolina will be interested in this.

When the time comes, when we both yield back the remainder of our time, I have an amendment that I would like to offer to his amendment. The reason I want to rise now is because the Senator from North Carolina has indicated a very strong point.

This is primarily aimed at the big cities, though not entirely. There is redlining in the smaller towns, too. But I think that for the purposes of designating census tracts I would be perfectly willing to accept the amendment of the Senator from Florida if he would modify it to provide that the ZIP codes would apply to the areas outside of the cities and would also apply to all cities of less than 350,000 in population so that the smaller cities would have ZIP codes. In the Washington area, for example, most of the people live in the suburban areas. We roughly calculated that about half of them live outside the central areas in SMSA's. There I think the census tracts are less accurate and less useful. But I think they are absolutely essential in the city proper. It seems to me that this would be an amendment on which we could agree. It would give us a considerable degree of consensus and would go a long way if not all the way toward meeting the objections of the Senator from Florida.

Mr. STONE. The Senator from Florida reluctantly and respectfully does not accept the amendment. Modification would create, I think, more confusion. The principal city in the standard metropolitan statistical area is not necessarily the only congested area. On the contrary, in my home area the principal city is Miami, but there are a number of other cities with just the same form of congestion, with just the same ghetto problems, neighborhood problems, outside the city of Miami. For example, the city of Hialeah. We have 26 plus. So it really would confuse the situation.

I reluctantly will not accept the modification.

Mr. PROXMIRE. May I say to the Senator this amendment I am suggesting is not one that we just dreamed up on the floor. This is something that is already done in the State of Massachusetts. They provide the ZIP codes outside of their large cities and it seems to work well. It is not confusing. It does simplify the problem for the smaller institutions which by and large are located in the suburban areas. It seems to me it accepts a very large part, at least 90 percent, of the amendment of the Senator from Florida.

Mr. STONE. I do appreciate the responsiveness to the thrust of this amendment of the distinguished floor manager, but reluctantly, I cannot accept his modification.

Before yielding back my time, I yield briefly to the Senator from Colorado for a unanimous-consent request.

PRIVILEGE OF THE FLOOR

Mr. HASKELL. Mr. President, I ask unanimous consent that John Cevette of my staff be accorded the privilege of the floor during the consideration of S. 1281.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STONE. I yield briefly to the Senator from North Carolina.

Mr. MORGAN. Mr. President, I ask unanimous consent that Rick Wahlstrom of my staff be given the privilege of the floor during the consideration of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORGAN. Mr. President, if the Senator from Florida will yield, I wish to ask him a question.

Mr. STONE. I yield.

Mr. MORGAN. I understand that the State of Illinois and the State of California presently require this by census tracts. If that is true, I wonder if it would be desirable to modify the Senator's amendment to give local areas the option to use either census tract or ZIP code as a basis.

Mr. STONE. I would respectfully urge that that be made the subject of a separate amendment, so as not to complicate this one.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second. Who yields time?

Mr. STONE. Then I yield back my time, and ask for a vote on the amendment.

Mr. PROXMIRE. Mr. President, will the Senator yield on my time?

Mr. STONE. I yield.

Mr. PROXMIRE. I think we want the yeas and nays on the Senator's amendment. I suggest that we do several things. If the Senator from Florida will yield back his time, I will yield back my time, and then I can offer my amendment. Then we will put in a quorum call, get sufficient Senators here for a second, and get the yeas and nays on both amendments.

Mr. STONE. That is fine. I yield back the remainder of my time.

Mr. PROXMIRE. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Florida.

Mr. PROXMIRE. Mr. President, I offer an amendment to the amendment of the Senator from Florida, and ask that it be reported.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> The Senator from Wisconsin (Mr. PROXMIRE) proposes an amendment to the amendment of the Senator from Florida (Mr. STONE) as follows:
>
> On page 9, line 23, strike out "census tract" and insert in lieu thereof "ZIP code for areas outside the principal city of a standard metropolitan statistical area; by census tract for areas within such principal city, and by ZIP code for all standard metropolitan statistical areas of less than 350,000 in population.

Mr. PROXMIRE. Mr. President, this amendment, it seems to me, would retain the best part of the Stone amendment—it is a good amendment in all its parts, but I think this is the most important and best part of it. The city is the area where the use of the census tract is required. If we do it there by ZIP code, we simply cannot tell whether or not an institution is making loans on the basis of discriminating against certain neighborhoods and groups. The ZIP codes in the cities are too large. This is not true, or not nearly as true at least, in the suburban areas.

As I have stated, Massachusetts uses this compromise.

Furthermore, California has had monthly census tract reporting—although it was confidential until this year—since 1964, and they have had no serious costs or problems in complying. They have had 10 years' experience with it. The objection to this kind of approach has been that it is costly. That is the only objection, it seems to me, that really remains; and if we did not have this experience with the largest State in the Union, with 10 percent of the Nation's population and an unparalleled variety of experience, the objection might carry more weight. But we have had that experience and on that basis we have found this is not unduly costly.

Therefore, I would hope my amendment to the amendment of the distinguished Senator from Florida would be accepted. It would still be, as I say, overwhelmingly the Stone amendment with just a limited qualification; and my modification, it seems to me, in no way weakens the Stone amendment, in fact I think it could strengthen it.

I hope the Senator from Florida will reconsider—he is such a reasonable man—and apply his sunshine philosophy, which he feels so strongly, to let the sun shine in on the census tract as well as the ZIP code area.

Mr. GARN. Mr. President, will the Senator from Wisconsin answer a question?

Mr. PROXMIRE. Yes, indeed.

Mr. GARN. In reading the Senator's amendment, I am a little confused. It begins:

> On page 9, line 23, strike out "census tract" and insert in lieu thereof "ZIP code" for areas outside the principal city of a standard metropolitan statistical area;

All right, that is by ZIP code. Then:

> and by census tract for areas within such principal city, and by ZIP code for all standard metropolitan statistical areas of less than 350,000 in population.

As I read it, it says you are going to the census tract for areas of less than 350,000. I do not think this is the Senator's intent.

Mr. PROXMIRE. That is correct. I am glad that the Senator from Utah has corrected that. Our intent is to provide for the use of ZIP codes for areas outside the principal city of a standard metropolitan area, and for the cities under 350,000 in population.

We will make that correction.

Mr. GARN. In the Senator's verbal statement I thought that was what he said.

Mr. PROXMIRE. Yes. As happens so often, the Senator from Utah is very helpful, even helping a cause which he opposes.

Mr. GARN. The Senator from Utah is glad to be of help, but I still oppose the amendment to the amendment, and will vote against it.

Mr. STONE. Mr. President, there are several things wrong with the modification. In the first place, there are a number of cities where the accuracy of the census today is insufficient, and I cited several in my opening remarks.

In the second place, there are many small institutions, even within the larger cities, for which census data would be required, that do not have computer facilities.

And finally, there are a number of areas where the census data are not even readily available, even though they would be required.

For all those reasons, plus the confusion that would result by some reporting by census tracts and some, probably most, reporting by ZIP codes, I would respectfully oppose this modifying amendment, urging a nay vote on the pending modifying amendment and then a yea vote on the basic amendment.

Mr. PROXMIRE. Mr. President, before I yield back my time, I would like to make sure we have an understanding of just what this amendment is. As the Senator from Utah has indicated, as the amendment was sent to the desk, it may have been defective. Let me read it slowly, so that we will have it correct, and if necessary I will redraft the amendment:

One page 9, line 23, strike out "census tract" and insert in lieu thereof "ZIP code for areas outside the principal city of a standard metropolitan statistical area; by census tract for areas within such principal city, and by ZIP code for all standard metropolitan statistical areas of less than 350,000 in population".

The PRESIDING OFFICER. Is the Senator putting the "and" back in?

Mr. PROXMIRE. My question is, Is the amendment at the desk in that form?

The PRESIDING OFFICER. Let the clerk state the amendment which is at the desk, and let the Senator from Wisconsin determine its interpretation.

The legislative clerk read as follows:

On page 9, line 23, strike out "census tract" and insert in lieu thereof "ZIP code for areas outside the principle city of a standard metropolitan statistical area; by census tract for areas within such principal city, and by ZIP code for all standard metropolitan statistical areas of less than 350,000 in population".

Mr. PROXMIRE. Mr. President, I modify my amendment to conform with the way it was stated by the clerk.

The PRESIDING OFFICER. That is the amendment that is at the desk.

Mr. PROXMIRE. That is the amendment at the desk?

The PRESIDING OFFICER. That is the amendment at the desk.

Who yields time?

Mr. PROXMIRE. Mr. President, I ask if the Senator from Utah understood the amendment.

Mr. GARN. Yes, I understand the amendment, as modified.

Mr. PROXMIRE. Very good.

Mr. President, I am happy to yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Utah controls the time for the opposition.

Mr. PROXMIRE. I beg pardon.

Mr. GARN. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. All time is yielded back.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I call for the yeas and nays.

The PRESIDING OFFICER. Is this on the amendment of the Senator from Wisconsin?

Mr. PROXMIRE. That is right.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. PROXMIRE. Is it in order to call for the yeas and nays on the Stone amendment?

The PRESIDING OFFICER. Not until after the vote.

Mr. STONE. Mr. President, may we ask if it will be in order?

The PRESIDING OFFICER. The Senator may ask if it will be in order.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that it be in order that we call for the yeas and nays on the Stone amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll on the amendment of the Senator from Wisconsin.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Michigan (Mr. Philip A. Hart), the Senator from South Carolina (Mr. Hollings), the Senator from Minnesota (Mr. Humphrey), the Senator from Washington (Mr. Jackson), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), and the Senator from Utah (Mr. Moss) are necessarily absent.

I further announce that the Senator from Indiana (Mr. Bayh), the Senator from Indiana (Mr. Hartke), the Senator from Louisiana (Mr. Long), and the Senator from Connecticut (Mr. Ribicoff), are absent on official business.

I also announce that the Senator from Alabama (Mr. Allen) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. Jackson), the Senator from Washington (Mr. Magnuson), and the Senator from Minnesota (Mr. Humphrey) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. Hatfield), the Senator from Oregon (Mr. Packwood), and the Senator from Alaska (Mr. Stevens) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. Hatfield) would vote "nay."

The result was announced—yeas 36, nays 49, as follows:

[Rollcall Vote No. 380 Leg.]

YEAS—36

Abourezk
Biden
Brooke
Burdick
Cannon
Case
Clark
Cranston
Culver
Eagleton
Gravel
Hart, Gary W.
Hathaway
Javits
Kennedy
Leahy
Mansfield
Mathias
McGovern
McIntyre
Mondale
Muskie
Nelson
Pastore
Pell
Percy
Proxmire
Randolph
Schweiker
Stafford
Stevenson
Symington
Taft
Tunney
Weicker
Williams

NAYS—49

Baker
Bartlett
Beall
Bellmon
Bentsen
Brock
Buckley
Bumpers
Byrd, Harry F., Jr.
Byrd, Robert C.
Chiles
Church
Cotton
Curtis
Dole
Domenici
Eastland
Fannin
Fong
Ford
Garn
Glenn
Goldwater
Griffin
Hansen
Haskell
Helms
Hruska
Huddleston
Inouye
Johnston
Laxalt
McClellan
McClure
Metcalf
Montoya
Morgan
Nunn
Pearson
Roth
Scott, Hugh
Scott, William L.
Sparkman
Stennis
Stone
Talmadge
Thurmond
Tower
Young

NOT VOTING—15

Allen
Bayh
Hart, Philip A.
Hartke
Hatfield
Hollings
Humphrey
Jackson
Long
Magnuson
McGee
Moss
Packwood
Ribicoff
Stevens

So Mr. Proxmire's amendment was rejected.

Mr. STONE. Mr. President, I ask unanimous consent that the yeas and nays previously ordered on my amendment be vitiated.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment of the Senator from Florida.

The amendment was agreed to.

AMENDMENT NO. 700

Mr. TAFT. Mr. President, I have an amendment at the desk and I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

Mr. TAFT. Mr. President, the amendment I am calling up is a printed amendment, No. 700.

The second assistant legislative clerk proceeded to read the amendment.

Mr. TAFT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 8, line 22, after "1974" insert "and a home improvement loan".

On page 10, line 12, strike "and".

On page 10, line 16, strike the period and insert in lieu thereof the following: "; and

"(3) the number and dollar amount of home improvement loans.".

On page 14, line 18, strike "and home improvement".

Mr. TAFT. This is a very simple amendment. It would include under those loans on which reports and information have to be filed, home improvement loans which financial institutions make, as well as homebuilding loans and home purchase loans.

The importance of these loans to a neighborhood's health and survival is obvious, particularly since many of the neighborhoods in question have a large number of older homes in need of repair.

My amendment is cosponsored by the distinguished Senator from Missouri (Mr. Symington), and I would be happy to yield to the floor manager of the bill for his comments on the amendment.

Mr. PROXMIRE. Mr. President, this is a very helpful amendment. It is generally true that those communities having difficulty in getting mortgage loans are also off limits for home improvement loans. Obviously the home improvement loan is a key factor in neighborhood preservation, which is the key purpose of this legislation.

I think it is a good amendment. I support it and I am happy to accept it.

Mr. GARN. Mr. President, on behalf of the minority of the committee I would accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

The amendment was agreed to.

CLARIFICATION OF THE STATUS OF S. 1281, THE HOME MORTGAGE DISCLOSURE ACT

Mr. GARN. Mr. President, I wish to take this opportunity to clarify the status of that legislation as well as to correct some misunderstandings which may have been generated by the floor action on the bill on Saturday, July 26, 1975. At that time, the distinguished chairman of the Senate Banking, Housing and Urban Affairs Committee (Mr. Proxmire) called up S. 1281 as amended by the committee to be considered as original text. Preliminary statements were made and then Senator Proxmire called up his amendment No. 694 which, after a modification to strike coverage of mortgage bankers, was adopted. No further action was taken on the bill before adjournment for the August recess.

Although the perfecting amendments offered by Senator Proxmire purport to make the bill less costly for the financial institutions to comply with, the legislation remains unacceptable in a number of respects.

First, the proponents of S. 1281 have failed to establish that it will achieve its purpose of reversing neighborhood decline.

The backers of the Home Mortgage Disclosure Act maintain that to prevent older neighborhoods from deteriorating, we need simply to give community action groups and depositors information to enable them to force lending institutions to make home mortgage loans in inner-city neighborhoods.

This is based on the theory that the primary cause of neighborhood decline is the concerted action of financial institutions in disinvesting or refusing to lend in neighborhoods where they are located, a practice often referred to as redlining.

The serious flaw in this theory is that it overlooks the fact recognized by most authorities on the subject that disinvestment generally occurs in the later stages of neighborhood decline. A national survey of housing abandonment in 1971 examined the sequence of neighborhood decline and identified the six stages in this process as follows:

Decline in neighborhood economic status;

Racial or ethnic change;

Property speculation;

Weakened market conditions and emergence of crisis ghetto conditions;

Disinvestment; and finally,

Abandonment.

Thus the disinvestment comes after the serious stages of decline have set in and is in reality more of a symptom than a cause of the decline. Pumping mortgage money into a neighborhood cannot cause an improvement in schools, increase safety, give more efficient public transportation, or upgrade any other city services necessary for a viable neighborhood.

Furthermore, raw statistical data of the type called for under S. 1281 will not enable the consumer or municipal governments to compare lending records of financial institutions because too many essential factors are left out. For example, the procedure does not take into account the fact that lending institutions are bound by statutory and regulatory requirements to apply sound credit standards to determine the creditworthiness of a borrower and economic viability of the piece of property.

Also, differences involved in granting credit in one section of a city as compared to another, may reflect the underwriting procedures of Federal mortgage insurance programs which is not unfair discrimination as some claim, but rather prudent underwriting policy.

It does not take into consideration the fact that only a small percentage of commercial banks' savings deposits is invested in residential mortgages—they provide vast sums for other capital needs of the community—construction, factories, jobs, municipal financing, and so forth.

Finally, the statistics do not reflect the demand factor—an older neighborhood may be populated primarily by savers who own their homes or are apartment dwellers.

Another important factor is that data do not speak for themselves. They need to be interpreted. If data is improperly interpreted to foster narrow parochial, selfish interests, it can damage the solvency of our financial institutions and lead to destructive divisions between cities and suburbs, between different racial and ethnic groups, and between rich and poor. Therein lies the damage in S. 1281.

NO INDICATION DEPOSITORS WOULD OR COULD USE DATA

For disclosure to be an effective instrument in a free market, the recipient of the information must be in a position to use it to make intelligent market decisions. The disclosure scheme in S. 1281 has no mechanism for decisionmaking. The information being disclosed under the bill is totally insufficient to enable one to reach a rational judgment as to why loans are not being made in a geographic area and what effects such lending patterns may have on neighborhood decline.

Another problem is indifference. The persons for whom the disclosure is intended must be concerned over utilizing that information to treat the problem at hand. The theory behind S. 1281 is that once depositors know where their money is being invested, they will make demands upon the savings institutions that that money or a portion of that money be returned to their neighborhood. This flies in the face of the testimony recently given by Garth Marston of the Federal Home Loan Bank Board, during his confirmation hearings, that most surveys show that depositors in savings and loans are simply not concerned where their deposits are invested. What does concern them is the convenience of the depository facility, the safety of their deposit, and the return on their investment. Thus, all indications are that depositors would not make use of the disclosure information to encourage savings institutions to reinvest or invest in declining neighborhoods.

THE BILL IS BASED ON THE UNACCEPTABLE PREMISE THAT LOCAL DEPOSITS SHOULD BE USED ONLY FOR LOCAL CREDIT

The premise of S. 1281 is that local deposits should be used essentially for local credit. Although it is generally recognized that it is in the best interests of financial institutions to accommodate the legitimate credit needs of their local communities, the premise of the bill fails to recognize that one of the main functions of financial intermediaries is to provide greater mobility for the economy's savings and investments. Financial institutions are the principal conduit by which capital flows from areas of capital surplus—which may be temporary—to areas of capital deficiency. This has enabled the development of the West, especially California, and the Southeast, as a result of capital flowing to these areas. It has also enabled millions of Americans to acquire homeownership.

There is no explicit legal obligation to provide financing in their own neighborhoods. The Home Owners' Loan Act of 1933 authorized the Federal Home Loan Bank Board to charter Federal savings and loan associations "in order to provide local mutual thrift institutions in which people may invest their funds and in order to provide for the financing of homes" (12 U.S.C. 1464(a).) The act also directs the Board to give "primary consideration to the best practices of local mutual thrift and home-financing institutions in the United States." Similarly, the National Housing Act authorizes the Federal Savings and Loan Insurance Corporation to refuse to insure savings and loan associations whose financing policies are inconsistent with economical home financing (12 U.S.C. 1726 (c)). The thrust of both acts and the supporting congressional statements is that federally chartered or insured associations are to promote both local thrift practices by encouraging savings, and homeownership through a sound financing mechanism. These statutes impose no explicit duty on savings and loan associations to invest in specific neighborhoods; rather this is left to be determined by institutions themselves in the exercise of sound business judgment.

It should also be noted that when savings and loans were first organized, communities were much more homogeneous than they are today. Now, one may have a savings account in an association many miles from where he lives. In addition, savings and loans have few, if any, offices in declining areas.

There are good reasons why lenders try to make mortgage loans on sound properties in good neighborhoods to borrowers who are expected to be able to make the mortgage payments. Few prospective borrowers who may be expected to be able to make mortgage loan payments, buy homes in deteriorating neighborhoods.

Another problem with S. 1281 is that it lumps together savings and loans and commercial banks. Only a small portion of commercial banks place their investments in mortgage loans while a large portion goes into consumer, commercial and public lending that also supports the viability of neighborhoods. None of this is taken into account in S. 1281.

S. 1281 IS THE FIRST STEP TOWARD CREDIT ALLOCATION

The truth of the matter is S. 1281 is the first step toward credit allocation—the next would be to say that at least x percentage of the deposits must be invested in a certain area. This fear is fostered by statements made by many of the supporters of S. 1281.

For example, William O'Grady of the Bond Hill Task Force, Cincinnati, Ohio, stated that S. 1281 "would be a step in the right direction."

Ronald H. Brown of the National Urban League viewed the disclosure provisions of S. 1281 as inconsequential, "unless coupled with other significant reforms," and went on to outline the next steps. Two of the "reforms" Mr. Brown advocates would utilize the disclosure data to impose tax penalties and denial of branching privileges where savings institutions "have pursued a policy of disinvestment." This type of program would necessitate the use of a quota system to determine what savings and loans are "disinvesting" in the inner city.

In a similar vein, Robert Thrasher of the Organization of North East, Chicago, sees S. 1281 as no panacea, but as a "fine and necessary first step against redlining." He talks in terms of a 5-percent loan-deposit ratio being too low whereas a 65-percent loan-deposit ratio seemed reasonable for a commercial bank in his community. He objected to an urban bank's having $25 million in Farmers Home Administration notes which are used to support rural communities.

Likewise, James H. Harvey of the Metropolitan Washington Planning and Housing Association perceives S. 1281 as a "good beginning." Other steps he recommended included collecting data from S. & L.'s by race of persons applying for mortgages, persons who obtained mortgages and persons who were refused loans. In granting charters and requests for branches, the chartering agencies should give consideration to "equal opportunity and a commitment to service minority and poor neighborhoods." These commitment programs ultimately end up as quota allocating systems.

Also, the Honorable Kenneth Gibson, mayor of Newark, N.J., representing the U.S. Conference of Mayors at the hearings, testified that S. 1281 is "an essential first step." He recommended that other steps include requirements that institutions "lend minimal percentages of their assets in the communities in which they are located."

As one of the opponents put it, it is hard to imagine that if a bill is passed, that the next step would not be pressure to say that there ought to be a formula for at least a certain percentage of deposits in a certain area that must be devoted to specific investments in that area.

S. 1281 COULD JEOPARDIZE THE SAFETY OF DEPOSITS

Chairman Bomar testified before the Senate Banking Committee that reports by community groups prepared on the basis of voluntarily disclosed information, using correct numbers and invalid comparisons, have been used to seek lending agreements from institutions which could result in significant damage to the institutions and in increased risk to the Federal Savings and Loan Insurance Corporation. One community group listed every transfer of property in a ZIP code for the past 3 years to arrive at an average figure for mortgage loan demand in that ZIP code. This group then allocated a portion of this total loan demand to each savings and loan association in the neighborhood, based on its lending activity. Only savings and loan associations, but no other mortgage lenders, were included in the allocation, which meant that S. & L.'s were assigned mortgage lending shares which were inflated by the absence of other mortgage lenders.

Chairman Bomar continued by telling the committee that each savings and loan association was then approached to enter into a "contract" to lend its predetermined share in the designated ZIP code during the next year, without regard to the actual demand for loans or to the future availability of funds to invest. Offers by some institutions to pledge to make the requested amount available, a procedure similar to that of making commitments to developers, were rejected. Such coercive uses of disclosed data may well result in unsafe and unsound lending practices by some institutions, and the Board is very concerned that care be taken to insure that such data is not dangerously misused.

Grover J. Hansen, president of the First Federal Savings & Loan League of Chicago related to the committee that:

> First Federal, and every other conventional lender to our knowledge in large cities, has taken losses on loans because the underlying property has very little or *no* sales value. We have no firm data, but we are certain the cost has been in the millions of dollars in Chicago just in the past four or five years. If making a few more conventional mortgage loans would have protected that investment, someone would have proved the effectiveness of that idea long ago. Contrary to the underlying assumptions in support of this Bill, the reason that such losses mount up is that lenders have in fact continued to make conventional loans as neighborhoods declined. Why should this work now when it wouldn't work then?

The National Commission on Consumer Finance in its 1972 report looked at the related problem of furnishing credit to low income groups in this manner:

> Despite the progress made, the remaining problems of dealing with low and unstable incomes become progressively more formidable. The Commission believes that full access to the legal credit market by the poor will be effectively provided only by improving their incomes. The basic problem of the poor is that they do not have the same ability to repay obligations as other consumers. Restricted access to the legal credit market is only one of many results of an unstable or inadequate income. The solution lies not in glossing over the symptoms but in dealing with the major causes.
>
> The basic problem of providing credit to the poor is not a credit problem but an income and employment problem. The Commission urges treatment of the basic causes—income improvement programs, upgrading of neighborhoods, and education—in addition to efforts to make credit from legal sources more widely available.

Finally, it should not be forgotten that the interest of the depositors is paramount. It is their money that must be protected. There is a serious question whether financial institutions should be encouraged to make real estate loans in certain deteriorating neighborhoods, at least without more stringent credit terms necessary for the protection of the depositors. During the hearings there was testimony that some savings and loans have gone bankrupt in the city of Chicago because they made loans in deteriorating areas. Appraisals of property were based on values that the sellers and buyers were willing to meet, and over a period of time, the loans went bad. No sympathy has been shown for depositors who might lose their savings if financial institutions are forced to make unwise loans.

In addition, the action of irresponsible groups could cause withdrawals or savers' "runs" on the financial institutions if the data disclosed did not happen to measure up to some arbitrary loan volume standard established by that group. This could threaten the very existence of many financial institutions.

FEASIBILITY AND COST OF REPORTING BY CENSUS TRACT

Serious questions arise concerning the requirement to report by census tract. No accurate data was produced during the hearings concerning the cost and feasibility of this reporting. However, subsequent investigation has brought to light the following data.

ACCURACY OF CENSUS TRACT DATA

Neither the Bureau of the Census' computer tapes of SMSA addresses and census tract numbers, nor such local directories as exist are completely accurate and up to date. The computer tapes and directories were compiled for the 1970 census, are approximately 70 percent accurate, and are in the process of being corrected for the 1980 census. Communities have been instructed to submit corrected census tract maps to the Bureau of the Census by 1978.

Various changes can have occurred in an SMSA which are not reflected in the existing tapes and directories. New SMSA's have been added since 1970 and new areas have been added to existing SMSA's. A census tract existing during the 1970 census may have been split into two or merged with another census tract. In either case, the tract number would have changed. A large percentage of tract numbers were changed prior to the 1970 census so that all numbers would be numerical. Some SMSA's were not completely divided into census tracts for the 1970 census, either due to the Bureau of the Census' lack of money or because local volunteers could not be found to walk through certain inner city areas to verify the census tract maps.

Neither rural route addresses nor addresses with post office box numbers can be matched with a census tract number, since no specific location can be identified from those addresses.

AVAILABILITY OF CENSUS TRACT DATA

Many small financial institutions do not have the internal systems needed to code their mortgage loans to census tract, so must rely on some other means. There is no easily and readily available method yet existing, which is both accurate and up to date.

Address coding guides or other book-type directories which match street addresses and census tract numbers are unavailable from the Bureau of the Census. Computer tapes containing the address and tract numbers for SMSA's are available from Census, but they need to be updated from the 1970 census, put into a standard format and corrected. In any event, the tapes are of little use to those smaller financial institutions which do not have access to computers. There are approximately 1,200 savings and loan associations within 263 SMSA's which have less than $25 million in assets, and some 1,700 with $50 million or less in assets. A fair proportion of those institutions would have to rely on something other than computers to match addresses and census tract numbers.

Private vendors could take the Bureau of the Census' computer tapes of SMSA's and print them out. However, communities have until 1978 to correct their local maps, and few vendors have the capability of correcting and updating those maps themselves. Such privately printed maps or guides are not now available.

Some local governmental units have produced hard-copy directories of street addresses indicating census tracts. However, such directories are difficult to get in those SMSA's which produce them. For instance, there is no central place to get the directories of the SMSA of Washington, D.C. It is necessary to call the Executive Office of the District of Columbia government, the Arlington Planning Commission, the Alexandria Planning Commission, the Maryland National Capital Park and Planning Commission—for Montgomery and Prince Georges Counties—the Office of Planning and Research in Fairfax County, the Planning Departments of Falls Church—map only—Prince William County, Loudoun County, Charles County, Manassas, and Manassas Park. The latter six localities have not issued directories for their jurisdictions.

The Bureau of the Census has issued reports which contain census tract maps. Census tract reports, based on the 1970 census, contain maps detailing merely the outlines of the census tracts and not the numbered street addresses. These reports are therefore useless for matching specific addresses and census tract numbers, and, in addition, are available only as reference copies in libraries.

Block statistics reports, compiled for the central cores of SMSA's, contain detailed street maps of census tracts. But block statistics reports for many SMSA's are out of print and available only on microfiche. In addition, the SMSA may be composed of many maps; the SMSA of the District of Columbia is made up of 45 maps.

Thus, there are no readily available, easy-to-use directories of street addresses and census tract numbers.

PROBLEMS HAVE ARISEN IN JURISDICTIONS WHERE REPORTING IS REQUIRED

Although statements have been made by proponents of the bill to the contrary, problems have arisen in jurisdictions where reporting has been required by census tract. The investigation of Dr. Kenneth J. Thygerson, Chief Economist for the U.S. Savings and Loan Association, indicates that there have been many problems associated with the reporting to California Savings and Loan Commissioner's Office on coding new mortgages made by census tract. Dr. Thygerson discussed this with Bill Harrison of the Savings and Loan Commissioner's Office in California and found that when the California program was first developed 11 years ago, the associations had very substantial problems complying with the regulations.

Mr. Harrison mentioned that because census maps were not available, computer service companies were not established, and few lenders understood what a census tract was, nearly all institutions were unable to comply with the regulation. Bill Swaboda of the Commissioner's office indicated that in the early years of the program, as many as 70–80 percent of all loans made within SMSA where census tracts were available could not be successfully classified according to census tract.

Even with 11 years of experience, the Commisioner's office still estimates that over 10 percent of all loans within SMSA's cannot be successfully coded by census tract. In part, this is because Thomas Bros. does not produce tract maps for all counties, but it is also the result of the fact that this job is time-consuming and the maps are hard to read.

Despite the 11 years of experience, there are frequent additional problems with the regulation. Harrison mentioned the fact that when all census tract numbers were changed in 1970 that this created enormous confusion and many problems. Most associations could not obtain the new tract numbering systems or the new census boundaries. Maps were not available. As a result, the Commissioner's office allowed the associations to report using the old and new census numbers. This, in effect, meant that the reports were essentially useless for any purpose.

The proponents of disclosure say that with perspective reporting, the cost will be de minimus. The same has been said in the past when Congress has considered other legislation affecting financial institutions.

Last year when this body enacted the Equal Credit Opportunity Act, no consideration was given to the cost of compliance. Testimony has now been received by the Federal Reserve on its regulations implementing this act which indicate that that compliance will run into millions of dollars.

The same was true with the Real Estate Settlement Procedures Act. No consideration was given to the cost to the lending institutions of disclosure of the settlement costs to the consumer. Now every Member of this body is receiving letters from small financial institutions indicating that the cost of that disclosure could go as high as $50 per mortgage.

The fact remains that each new law requires new forms and costs the institutions additional sums of money. The consumers ultimately will have to pay for such protection whether they want it or not.

S. 1281 UNANIMOUSLY OPPOSED BY AFFECTED INDUSTRIES AND FEDERAL REGULATORY AGENCIES

The affected industry groups, the American Bankers Association, the U.S. Savings and Loan League, the National Savings and Loan League, and the National Association of Mutual Savings Banks all appeared in opposition to S. 1281 when the Committee conducted hearings. So far as I am aware, nothing has been done to date to change the position of the affected industry groups.

Although the Federal Home Loan Bank Board was the only Federal agency called to testify and did testify in opposition to the legislation, the Federal Deposit Insurance Corporation, the Federal Reserve Board, and the Department of Housing and Urban Development filed statements in opposition to S. 1281. The administration feels that it is questionable whether the information derived would be worth the heavy burdens placed upon the financial institutions. It urges that legislative action should await the results of an ongoing pilot study of fair housing lending practices in 18 metropolitan areas by the Comptroller of the Currency, the Federal Reserve, the FDIC, and the Federal Home Loan Bank Board.

There seems to be some confusion as to the exact position of the Secretary of Housing and Urban Development. In this regard, I would like to point out that Secretary Carla Hills has never endorsed any version of the Home Mortgage Disclosure Act. Although she did not appear before the Senate Banking Committee when it was considering S. 1281, she did appear before the committee when it was holding hearings on unrelated legislation. In response to a question by Senator Proxmire, she indicated that she felt disclosure of mortgage lending patterns could be helpful but she strongly objected to a provision of S. 1281 which required disclosure of deposits.

The more precise position of Mrs. Hills is reflected in the May 22, 1975 letter signed by general counsel, Robert R. Elliott for Carla A. Hills. In that letter she noted several specific reservations with S. 1281 as currently drafted. The Secretary found fault with the statement of findings and purposes, the underlying assumptions of the bill, the requirement that lending institutions provide information as to the source and amounts of deposits, the distinction between institutions inside and outside of standard metropolitan statistical areas, and the requirement that lending and deposit information for an institution's entire area of service be retained by each office. The only change made by the committee responsive to the objections raised by the Secretary is the dropping of the requirement of reporting on deposits. The perfecting amendments did require reporting only at branches and offices from which the mortgages originate. These two changes can hardly be said to bring the bill into line with the Secretary's overall recommendations.

NEED FOR FURTHER STUDY

The foregoing should amply demonstrate that there is a need for further study and analysis of the problems and usefulness of disclosure by financial institutions of their mortgage lending portfolios by geographic area before embarking on costly and permanent legislation. To meet this need, Senators Tower, Sparkman, Helms, Morgan, Stone, and I will offer amendment No. 826 in the nature of a substitute which will provide a demonstration study to look at the feasibility and desirability of mortgage lending disclosure on a national basis as well as to provide Congress with sound data to determine whether mortgage lending institutions are serving the housing and community needs in areas in which they are located, and if not, what remedial action should be taken. To accomplish this, amendment No. 826 would modify S. 1281 to:

Limit the bill to a 3-year demonstration study in 20 SMSA's to be selected by the Federal Reserve Board.

Add the Federal Home Loan Bank Board as an agency to participate in the study together with the Department of Housing and Urban Development.

Provide that lenders shall not be required to make loans to unqualified borrowers or on inadequate security.

Require reporting by ZIP code rather than by census tract.

Require reporting only on future mortgages.

Call upon the Board to report to Congress in 3 years on the feasibility and usefulness of requiring all depository institutions to make public disclosure of their lending practices and sources of deposits.

Add a number of technical changes suggested by the staff of the Federal Reserve Board.

This is a fair and rational approach to the problem. It should meet the needs of the proponents of the legislation and the objections of the opponents. When this amendment is called up, I urge the full support of the Members of this body.

The PRESIDING OFFICER. The bill is open to further amendment.

AMENDMENT NO. 826

Mr. GARN. Mr. President, I call up my amendment No. 826 in the nature of a substitute to S. 1281.

The PRESIDING OFFICER The clerk will report.

The second assistant legislative clerk read as follows:

The Senator from Utah (Mr. Garn) proposes an amendment No. 826 in the nature of a substitute

The amendment is as follows:

Amendment No. 826

Strike out all after the enacting clause and insert in lieu thereof the following:

SHORT TITLE

Section 1. This Act may be cited as the "Home Mortgage Disclosure Act of 1975".

FINDING AND PURPOSE

Sec. 2. (a) The Congress finds and declares that depository institutions have sometimes failed to provide adequate home financing on a nondiscriminatory basis for all neighborhoods within the communities and neighborhoods from which those institutions receive deposits.

(b) The purpose of this Act is to provide, on a demonstration basis, sufficient information to enable citizens, public officials, and the Congress of the United States to determine whether mortgage lending institutions are serving the housing and community needs, without discrimination by geographic location, of the communities and neighborhoods in which they are located.

DEFINITIONS

Sec. 3. As used in this Act—

(1) the term "mortgage loan" means a federally related mortgage loan as defined under section 3 of the Real Estate Settlement Procedures Act of 1974;

(2) the term "depository institution" means any commercial bank, mutual savings bank, savings and loan association, and building and loan association;

(3) the term "ZIP code" means a ZIP code as established and defined by the United States Postal Service;

(4) the term "standard metropolitan statistical area" means a standard metropolitan statistical area as established and defined by the Office of Management and Budget; and

(5) the term "Board" means the Board of Governors of the Federal Reserve System.

MAINTENANCE OF REPORTS AND PUBLIC DISCLOSURE

Sec. 4. (a) Each depository institution having a home office in any one of twenty standard metropolitan statistical areas selected by the Board for a three-year study and demonstration shall compile and make available, in accordance with regulations of the Board, to the public for inspection and copying at each office of that institution the following information:

(1) The number and total dollar amount of mortgage loans made during each fiscal year of that institution beginning with the first full year of that institution after the enactment of this Act.

(2) The number and dollar amount of such mortgage loans by ZIP code, as determined by the Board, for borrowers under mortgage loans secured by property located within that standard metropolitan statistical area.

(3) The number and dollar amount of such mortgage loans, by such geographic area as the Board determines to be appropriate, for all such mortgage loans which are secured by property located outside that standard metropolitan statistical area.

(b) Any item of information relating to mortgage loans required to be maintained under subsection (a) shall be further itemized in order to disclose for each such item—

(1) the number and dollar amount of mortgage loans which are insured under title II of the National Housing Act or under title V of the Housing Act of 1949 or which are guaranteed under chapter 37 of title 38, United States Code; and

(2) the number and dollar amount of mortgage loans made to mortgagors who did not, at the time of execution of the mortgage, intend to reside in the property securing the mortgage loan.

ENFORCEMENT

Sec. 5. (a) (1) The Board shall prescribe such regulations as may be necessary to carry out the purposes of this Act. These regulations may contain such classifications, differentiations, or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the Board are necessary or proper to effectuate the purposes of this Act, and prevent circumvention or evasion thereof, or to facilitate compliance therewith. Such regulations shall specify that no mortgage lender shall be required to make any real estate loan unless the borrower is qualified and unless the security for such a loan is deemed by the lender to be adequate based upon an appraisal by a qualified real estate appraiser in the community.

(2) The Board may require the furnishing of such additional information as it deems appropriate relating to housing finance, including patterns of credit flows within and among localities, and the financial practices of institutions which must be responsive to the needs of local savers as well as local borrowers.

(b) Compliance with the requirements imposed under this Act shall be enforced under—

(1) section 8 of the Federal Deposit Insurance Act, in the case of—

(A) national banks, by the Comptroller of the Currency.

(B) member banks of the Federal Reserve System (other than national banks), by the Board.

(C) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System), by the Board of Directors of the Federal Deposit Insurance Corporation.

(2) section 5(d) of the Home Owners' Loan Act of 1933, section 407 of the National Housing Act, and sections 6(i) and 17 of the Federal Home Loan Bank Act, by the Federal Home Loan Bank Board (acting directly or through the Federal Savings and Loan Insurance Corporation), in the case of any institution subject to any of those provisions.

(3) the Federal Credit Union Act, by the Administrator of the National Credit Union Administration with respect to any Federal credit union.

(c) For the purpose of the exercise by any agency referred to in subsection (b) of its powers under any Act referred to in that subsection, a violation of any requirement imposed under this Act shall be deemed to be a violation of requirement imposed under that Act. In addition to its powers under any provision of law specifically referred to in subsection (b), each of the agencies referred to in that subsection may exercise, for the purpose of enforcing compliance with any requirement imposed under this Act, any other authority conferred on it by law.

(d) Except to the extent that enforcement of the requirements imposed under this Act is specifically committed to some other Government agency under subsection (b), the Federal Trade Commission shall enforce such requirements. For the purpose of the exercise by the Federal Trade Commission of its functions and powers under the Federal Trade Commission Act, a violation of any requirements imposed under this Act shall be deemed a violation of a requirement imposed under that Act. All of the functions and powers of the Federal Trade Commission under the Federal Trade Commission Act are available to the Commission to enforce compliance by any person with the requirements imposed under this Act, irrespective of whether that person is engaged in commerce or meets any other jurisdictional tests in the Federal Trade Commission Act.

(e) The authority of the Board to issue regulations under this Act does not impair the authority of any other agency designated in this section to make rules respecting its own procedures in enforcing compliance with requirements imposed under this Act.

RELATION TO STATE LAWS

SEC. 6. (a) This Act does not annul, alter, or affect, or exempt any person subject to the provisions of this Act from complying with the laws of any State or subdivision thereof with respect to public disclosure and recordkeeping by depository institutions, except to the extent that those laws are inconsistent with any provision of this Act, and then only to the extent of the inconsistency. The Board is authorized to determine whether such inconsistencies exist. The Board may not determine that any such law is inconsistent with any provision of this Act if the Board determines that such law requires the maintenance of records with greater geographic or other detail than is required under this Act, or that such law otherwise provides greater disclosure than is required under this Act.

(b) The Board shall by regulation exempt from the requirements of this Act any depository institution within any State or subdivision thereof if it determines that, under the law of such State or subdivision, that institution is subject to requirements substantially similar to those imposed under this Act.

STUDY

SEC. 7. (a) The Board, after consultation with the Secretary of Housing and Urban Development and the Federal Home Loan Bank Board, is authorized and directed to carry out the study described in this section and to transmit to Congress a report on such study no later than three years after the enactment of this Act.

(b) The study and report described in this section shall cover, to the extent feasible and appropriate, the following matters: the feasibility, cost, and usefulness of (1) the disclosure requirements prescribed by section 4; (2) extending the disclosure requirements to other types of home mortgage lenders within standard metropolitan statistical areas and to mortgage lenders outside of standard metropolitan statistical areas; (3) requiring mortgage lending institutions to disclose by geographical location the source of savings deposits; (4) requiring disclosure of the average terms and downpayments ratios of mortgage loans by geographical location; (5) requiring disclosure of other types of lending data, such as small business and home improvement loans; (6) the impact and use of the availability of lending data in selected standard metropolitan statistical areas; and (7) such other matters as the Board may find to be necessary or appropriate to report to the Congress in regard to effectuating the purposes of this Act.

(c) In making the study described in this section, the Board may use such samples within the selected twenty of standard metropolitan statistical areas and other areas of differing characteristics, of depository institutions and lenders or offices of such institutions and lenders, and of loans, as it finds to be necessary or appropriate.

SEC. 8. The study and demonstration provided for under this Act and the recordkeeping required thereunder shall terminate upon the expiration of three years following the date of enactment of this Act.

Mr. GARN. This amendment which I introduced on June 28 for myself and Senators SPARKMAN, TOWER, HELMS, MORGAN, and STONE would modify S. 1281 to:

Limit the bill to a 3-year demonstration study in 20 SMSA's to be selected by the Federal Reserve Board.

Add the Federal Home Loan Bank Board as an agency to participate in the study together with the Department of Housing and Urban Development.

Provide that lenders shall not be required to make loans to unqualified borrowers or on inadequate security.

Require reporting by ZIP code rather than by census tract.

Require reporting only on future mortgages.

Call upon the Board to report to Congress in 3 years on the feasibility and usefulness of requiring all depository institutions to make public disclosure of their lending practices and sources of deposits.

Add a number of technical changes suggested by the staff of the Federal Reserve Board.

Before embarking upon permanent Federal legislation as controversial as S. 1281, there should be further study and analysis of the problems and usefulness of disclosure of the mortgage lending portfolios of the financial institutions. The hearings on the bill conducted by the Senate Banking Committee, totally failed to establish:

That the problem of disinvestment identified in some of our older cities exists in most of the 265 standard metropolitan statistical areas covered by the bill.

That the legislation as presently framed would make a contribution to solving the problem of inner city decay where there is disinvestment.

That the mechanism of reporting mortgage lending by census tract is feasible or economically justifiable.

The bill contains no adequate mechanism for the analysis of data required to be disclosed under its provisions. Although there is certainly a need for better statistics concerning the lending practices of financial institutions, the misuse of raw statistical data can be counterproductive and harmful to savings institutions thus jeopardizing the safety of deposits. Institutions can be forced to infuse money into neighborhoods thus creating a turnover in housing and disruption. Investors' confidence in savings banks can be shaken and runs on those institutions can jeopardize their solvency. The flow of money can be inhibited from surplus areas to areas of scarcity where it is needed.

A principal concern is that S. 1281 would place an expensive reporting burden on the many small banks and thrift institutions located in over 200 SMSA's where there has been no demonstration that the problem of redlining exists. These costs will ultimately be passed on to the consumer in the form of a lower return on their savings or higher costs for credit. The supporters of the bill in the committee report state that in general the data in at least 15 cities showed a consistent pattern in which most lenders seem to be reluctant to make loans in older neighborhoods. Elsewhere in the report, the cities of Chicago, Boston, Milwaukee, Baltimore, Cincinnati, Indianapolis, Los Angeles, Oakland, Providence, St. Louis, Cleveland, and Washington, D.C., are identified as problem communities. And yet, the bill requires reporting by an institution having a branch or a home office in any one of the 265 SMSA's in the country. It should be kept in mind that the SMSA's as defined by the Office of Management and Budget are not made up entirely of urban areas. They include rural, contiguous counties with an area of at least 75 percent of the residential labor force which is nonagricultural and at least 30 percent of the employed workers who live in the county working in the central county area. Thus, there would be literally thousands of small banks and savings and loans located in these rural/suburban counties that have no identification with the redlining problems that the bill addresses.

Coming from a State with a comparatively small population, I know that people in the less densely populated areas of our country do not need nor do they like to be asked to conform to Federal programs designed for the good of those who live in high density population areas. As I stated at the committee hearings, redlining is a problem, but the seriousness of this problem varies. Measures needed to investigate and solve redlining as it exists in Chicago, Ill.; Newark, N.J.; Oakland, Calif.; or any other metropolitan area with populations which are greater than the total number of people living in the States of Utah, Idaho, Wyoming, and Nevada combined are most often far too extreme, costly, and in fact, counterproductive in the smaller city centers of the country. I think a few facts and figures will point out the wide disparity in SMSA populations.

There are 265 standard metropolitan statistical areas in the United States. Of these 265 SMSA's, only 9 have populations over 2,500,000. Twenty-five more contain within the SMSA boundaries a population from 1 million to 2,499,000. This means that there are 231 SMSA's with populations under 1 million.

Looking at the lower side of the population scale—there are 27 SMSA's with populations under 100,000.

Another statistic that is interesting to note is the number of States that are included in these extreme high and low SMSA populations of over 1 million and under 100,000 people. There are only nine States and the District of Columbia that have within their borders or are a part of an SMSA of over 2,500,000. Thirteen more States can be added to this figure when we include SMSA's of over 1 million population. On the lower side of the scale, there are 17 States that have within their borders SMSA's under 100,000.

As far apart as the size of these SMSA's are, there are eight States which have SMSA's of both over 1 million and SMSA's under 100,000.

Mr. TOWER. Will the Senator yield briefly?

Mr. GARN. Yes, I yield to the Senator from Texas.

Mr. TOWER. Mr. President, I ask unanimous consent that during consideration of S. 1281 Caroleen Silver of the staff of Senator Domenici be granted privilege of the floor.

The PRESIDING OFFICER (Mr. Schweiker). Without objection, it is so ordered.

The Senator from Utah.

Mr. GARN. Mr. President, all these figures boil down to two main points: First, we have a great disparity in the size of our standard metropolitan areas—even within the boundaries of States, and; second, the great majority of the SMSA's, 204 of 265 to be exact, lie in the middle population range of 100,000 to 1 million.

The SMSA's that are found in my home State of Utah are found in this middle category. As a mayor of a large city—not a giant like Chicago nor a small town, but an average metropolitan area that includes a population of approximately 500,000, I know that most of the mayors and the city dwellers of the "average size large city" do not want to have to comply with regulations and laws that are aimed at the large, densely populated areas of the country.

Before we enact permanent, hard-to-repeal Federal legislation that is so totally sweeping in its coverage as S. 1281 is, let us take some time to study the situation more thoroughly. Let us determine first of all if disclosure will help solve the problem of redlining—second, let us get some hard facts and figures about cost and feasibility of compliance to this law. And third, let us have some experts study the problem of dealing with the various sizes of metropolitan areas to determine how they should be treated according to their size, or if there is possibly a better geographic area to be used in solving this problem.

My amendment would cure these defects by limiting the coverage of the bill to 20 SMSA's to be selected by the Federal Reserve Board. It is my intention that the Board select those areas which have been identified at the hearings and during these debates as places where potential problems exist. The amendment would, in addition, meet the need for additional statistics which would be analyzed by those agencies having expertise in the area of home mortgage lending and the problems of neighborhood decline and rejuvenation.

In addition, the amendment would address other problems which are not treated in the bill. It would direct the agencies to look at credit flows, the use of statistics, whether the report should be by census tract, ZIP code, or other geographical area, and what statistics are needed. It would also require a cost/benefit analysis.

The amendment recognizes that there is a valid question concerning the role of financial institutions in inner city decline and development and provides a rational approach to the problem through a demonstration study.

Although we have not received formal comments by the agencies called upon to administer this legislation, we have had informal conversations with the staff of the Federal Reserve Board and have attempted to incorporate their technical comments into the legislation to provide for a workable and meaningful demonstration study.

This is a fair and rational approach to the problem. It should meet the needs of the proponents of the legislation and the objections of the opponents.

I respectfully urge my colleagues to vote for this amendment.

To sum up my feelings, having sat through all the hearings, I felt that the testimony was very inadequate to prove either side and that is why I am suggesting we modify this and limit it to 20 SMSA's.

At the end of 3 years, we would have the answers. We would find out whether the distinguished chairman from Wisconsin is right or whether I am right and we would be able to pass legislation that would help correct the problem.

But again, to enact this massive bill at this time, to require all of this reporting of very inadequate data, not knowing whether it would be helpful in solving the problem, would seem to place a great, undue burden on the financial institutions in this country.

This 3-year demonstration study would give us the facts and figures and statistics on which we could then pass permanent legislation on this problem of redlining.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, make no mistake about it, if the Senators accept the Garn amendment, they vote to cut the legislation. That would be the end of this legislation.

This would not provide the information that neighborhood groups—organized labor, consumer groups, civil rights groups—say they must have to determine whether or not their neighborhood is redlined, discriminated against. It would not give them that information except in 20 areas out of 260.

Mr. President, on every piece of legislation, reform legislation, as far as our Banking Committee is concerned, from the Federal Reserve Act to truth in lending, Congress has gotten cries of protest from financial institutions that any reform will bring down their house, yet most of these measures turn out to be mild palliatives that strengthen the system and help support it, once enacted.

The one piece of legislation that turned out to be something of a disaster was, in fact, written by the affected industry. It is the Real Estate Settlement Act, and they are crying and weeping about that one.

We intend to hold hearings later this month to see if we can improve it.

But despite the flurry of half truths and allegations, S. 1281 was very carefully considered, and as our colleague Senator Garn has said time and time again, there is no doubt that redlining exists.

If it exists and if the principal opponent of the bill, the man who is offering this amendment that would reduce it to less than 10 percent of its size, says it exists, let us do something about it. What we are asking to do about it is very, very mild. All we are saying is let us report it. Let it be known, so that a depositor will know when he puts his deposit in a bank whether or not that bank is discriminating against his own neighborhood. That is all these people are asking.

If this is the case, I see no further need for another feasibility study. This is not an untested concept or an unproven malady. The Library of Congress used computerized property transfer records to show that D.C.-based financial institutions, which receive something like 50 percent of their deposits from D.C. residents make only 10 percent of their loans in the city. A more detailed study in Baltimore showed great unmet demand for mortgage credit on sound homes in that city, and an even more disproportionate distribution of mortgage money.

Mr. President, we can understand why people feel very strongly about the injustice of a system when they have good credit, when they have a good job, when they are good, hard-working, honest people and they are denied mortgage credit, although they come in and have everything that they should require to get credit. Why are they denied it? Because they happen to live in a neighborhood which the bank regards as old.

I am not only talking about the inner city neighborhood. Yes, they are redlined. I am talking about many old neighborhoods, such as Oak Park, Ill., and other areas, where you have ethnic groups that have lived in an area for generations.

The bank feels they do not have as big a future, so they do not make loans there.

As I have noted, disclosure in Baltimore produced a 50-percent increase in mortgage lending. Similar patterns have been shown in Chicago and in Los Angeles, as the consequence of disclosure programs in those areas.

I want to respond to Senator Garn's contentions one by one.

First, it is said that many technical problems make it burdensome for institutions to report lending by census tract. This is simply not the case, for it is already being done in several States.

We do not need a study. We have had this done in California, which has 10 percent of our people; which has the greatest variety of cities and situations of any State in the Union, perhaps.

I do not doubt that some lenders would rather not report these statistics, because they oppose the bill, just as many opposed truth in lending, but that is not the same thing as saying that it is technically impossible. We have estimates from the major trade associations that such reporting would cost about $1 per mortgage, and the California authorities estimate the cost of compliance as substantially less than $1 per loan. The argument that many lenders do not have the computer system necessary to comply is also, frankly, a red herring. Banks do not need computers to comply, especially since we have modified this legislation to make the disclosure requirement apply only to future loans and loans made during the one fiscal year preceding enactment.

The minority has repeatedly contended that census tract maps are difficult to obtain or nonexistent. I can tell you that such maps exist for every SMSA in the country, and they are readily available. I have some of those maps right here. I sent for the SMSA maps for Salt Lake City and Dallas, which my distinguished committee colleagues know well. At the time a new loan is entered on a lender's books, it is simply a matter of looking up the census tract on the map. That should take about 30 seconds. And most city planning agencies also have local census tract directories, which should make the process even easier. Once a year, the statistics would be assembled. That is all there is to it.

Another argument is that lending institutions might pull out of city neighborhoods altogether. That is non sequitur. The whole point here is that lending institutions are active in these neighborhoods because there are plenty of deposits to be had, but that they do not make loans. This is often fertile territory. I am certain that if any banks do close up shop, others would eagerly take their place, and in fact in many cities savings and loan associations have tried to keep out new, more community-minded competitors, even though the existing lenders were refusing to serve the community. In the District of Columbia, one minority-owned savings and loan had to fight for 7 years to get its charter. This savings and loan was opposed by the existing savings and loan, despite the fact that he was prepared to lend in the city's black neighborhood and they were not. And in fact this new savings and loan has not had a single foreclosure in the neighborhoods that are redlined by most of the other lenders, although these are areas where most of the low-income people live and, by and large, the minority groups.

The implicit threat that a lender might take his ball and go home is a hollow threat, because these lenders are not providing service anyway.

I find it particularly ironic that critics allege that this bill might interfere with the free flow of capital by inhibiting the flow of money from so-called surplus areas. What is a surplus area? Who defines it? Many lenders seem to consider all deposits gathered in an urban neighborhood as surplus capital, even though that neighborhood is begging for mortgage money. Massachusetts is considered a capital surplus State, but try explaining that to a depositor in the Jamaica Plain section of Boston who cannot get a mortgage.

We do not need a feasibility study because we have demonstrated conclusively that redlining is a problem, and that the cost of disclosure is low. We certainly do not need to limit disclosure to 20 cities because we know that it is a problem in far more than 20 cities. As Senator CLARK has pointed out, disinvestment by financial institutions is even a problem in many rural areas as well. The committee has received expressions of support from public officials and neighborhood associations in large cities and small, from most regions of the country. We agreed to limit the disclosure requirement to standard metropolitan statistical areas, on the premise that redlining is mainly an urban phenomenon, but it makes no sense to limit it further to only 20 cities, especially when the 20 cities would have to be a cross section and you would have to eliminate either New York, Chicago, Philadelphia, Pittsburgh, or Milwaukee, or some of the big cities, if you are going to get 20 and have any kind of a useful cross section.

It also disturbs me that under this amendment the format of the study and the 20 cities would be selected by the Federal Reserve Board.

They have never moved against a lender because of redlining. Think of that. We know there is redlining. They have the right and the authority to move, but never once have they moved against a single lender in the history of this country because of redlining.

So we know that redlining is a problem in more than 20 cities, and that the kind of disclosure required by S. 1281 is both feasible and inexpensive. I urge that this amendment be defeated.

Mr. President, since this legislation was first considered, a number of changes have been made in the legislation to make it easier for the financial institutions to comply with it, to make it more acceptable to them. I read some releases put out by some of the mortgage lenders who have stated that there is very little remaining reason to oppose this legislation from their viewpoint.

For one thing, we make the disclosure prospective. That means they do not have to go back if they have a big loan portfolio and figure out in what ZIP code each loan was and then report that. They can forget all of that. This is mostly prospective. It means at the end of this year they can report what their loans were from the time of their last fiscal year. That makes it much easier for them. It will save them money; it will save them time; it will save almost all the red tape they could object to, it seems to me, that is in the bill.

Furthermore, we exempt the areas of the country, and they are substantial in population, that are outside of the standard metropolitan statistical area. They are exempted. We have now accepted the amendment by the distinguished Senator from Florida (Mr. STONE), which was one of the objections made by the banks and savings and loans, that they could do this much more easily if we would let them report on the ZIP code basis. Well, that is the way they are going to report now, on the ZIP code basis, not on the census tract which we thought was more useful but which would take a little more work on their part.

We have gone this far, Mr. President. I do hope that we will not go so far as to gut the bill by subtracting 93 percent of it and leaving a pitiful little 7 percent, letting this bill limp into the House as just a shadow, and a pretty pale shadow at that, of the way it started out.

We have had enough studying. As the Senator from Utah has said over and over again, redlining does exist. It is time that we act on it.

Mr. President, I reserve the remainder of my time.

Mr. GARN. Mr. President, the distinguished chairman does quote me accurately. Redlining does exist; I said it in committee. I am willing to try to solve the problem here. But there is no need to solve a problem with a 105-millimeter howitzer when a flyswatter will do. There is no need to impose it on the entire country to solve the problem of redlining in the few cities where it may exist.

The Senator quotes me often as a former mayor. It has only been 8 months since I was. There are times when I wish I was still out there, where there is more sanity than manifests itself here on the banks of the Potomac.

I gave the example of my own planning and zoning director in Salt Lake City, who could not get a home improvement loan because of the area in which he lived. But we are making the assumption that investment would solve the problem. This will not solve the problem of the central cities.

There were days that I spent in my office all night long. I lived with the problem for 7 years, 24 hours a day. The mayor never gets away from it. Redlining is a part of the problem, but only a part. Until the cities address themselves to some other problems, it will do no good if we disclose all this information, no good at all, until we get city administrations that will put in curbs and gutters, give people adequate sewer lines and water supplies, get them off septic tanks and outhouses and generally fix up these areas by providing adequate city services. Then maybe we will start to solve the problems. Those things all go toward it and with it.

Too many people think this is a cure-all. As usual, they run to the Federal Government; they do an end run around their mayor, their city council, their Governor, and their State legislature, and come here to Washington pleading for help, and get a sympathetic ear from all the bleeding hearts back here, because they think they are more intelligent, capable, and brighter than all the mayors and city councils.

I recently spent a month in Utah, and it was refreshing; I got out for awhile in the real world. Washington reminds me of a great stage show, with a bunch of actors. We feed upon ourselves, and convince each other that we can solve the problems of the whole country; to heck with the mayors who are responsible for those water lines, sewer lines, and all those things.

When we start passing laws to cut down to size these bureaucrats and agencies in Washington and stop telling those responsible in the local governments how to run their affairs, maybe we will start solving these problems. Redlining does exist, but to impose this on them and tell them it will solve their problems is a bunch of baloney. Any mayor councilman in the country will tell you a different story—that other problems need to be solved.

Mr. President, this is a first step toward credit allocation. That means the rationing of money. All the groups who testified in favor of S. 1281 saw it as the first step. They ultimately want a law to dictate where the money is loaned, to say, "All right, you have not loaned enough in this area, so we are going to tell you to," in every nook and cranny in this country, again from the wonderful wizards of the Potomac. This is the first step, the first step in credit allocation, which means the rationing of money. Do not believe anything else, because, again, this is what will happen.

Why not take care of it? I am talking about a study; I am talking about actually doing it for 3 years in 20 cities. Let us pick the toughest ones, and find out whether we need to expand it, rather than impose it on the entire country.

Another thing that has not been addressed at all—I have not heard anyone talking about it—is the rights of depositors. Any bank in this country has as a primary responsibility the safety of the depositors' money. The Federal Government even insures it up to $40,000, so that we do not go back to another 1932. But no one has talked about the rights of depositors and the responsibilities of those savings and loan and banking institutions to make loans that they expect to get paid back on.

If we pass a law that ultimately leads to dictating where the money will be lent, what happens to the depositors? I think I know what will happen. People will quit putting their money in those institutions, if they are afraid they are going to lose it, if they are not making sound business judgments on where that money should be loaned.

It is interesting that there is a letter here about that, written to Mr. Grover J. Hansen, president of the First Federal Savings and Loan Association in Chicago. It says:

DEAR MR. HANSEN: First Federal's position on "redlining" was of great interest to me, since I have a savings account with your association.

The name of your organization, savings and loan association, implies that the emphasis is on savings, since the word, "savings," comes first.

Without savings you would be unable to make any loans of any kind in any location. I believe that your first responsibility is to actual savers, not to potential borrowers. I believe that your responsibility to savers should be discharged by using any criteria you find necessary in order to make profitable loans.

I do not happen to agree with that last sentence.

I believe that names of organizations should not be misleading. Perhaps you should suggest to those concerned with the "redlining problem" that they set up "loan and saving associations" or "deteriorated housing rehabilitation and savings associations", rather than trying to make savings and loan associations into something they were never intended to be.

Accompanying this letter is a very interesting article entitled "Redlining: Our View of the Matter," published in the quarterly magazine of the First Federal Savings and Loan Association of Chicago, summer of 1975 issue, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in RECORD, as follows:

REDLINING: OUR VIEW OF THE MATTER

The redlining controversy has surfaced many times in the course of the last three years. At the time this article was being prepared, legislation was pending in the Illinois state legislature and before Congress aimed at preventing so-called redlining by home lenders.

First Federal's position on redlining and the proposed disclosure legislation is well-known within the industry, but perhaps not by our customers or the general public. We had hoped that the flurry over redlining would disappear as the false reasoning and bad economics supporting it became apparent. This has not happened. We now want you, our savers and borrowers, to know where we stand and why.

In simplest terms, redlining is the refusal to consider loans on property in a given geographic area and the indication of that area by drawing a red line around it on the map. An area can be redlined for any reason, but the usual one imputed is that the area is deteriorating and is therefore a bad risk.

In the current battle, anti-redlining groups in Chicago say that home lenders have redlined many city neighborhoods and that this is the principal cause or first step in a neighborhood's deterioration. They say lenders lose faith in a neighborhood, refuse to make loans, and the neighborhood heads downhill.

First Federal denies these charges. Redlining is not a widespread practice among lenders here. First Federal, the area's largest residential lender, does not now and never has practiced redlining and, as far as we know, no Chicago area lender engages in the practice. If there are instances of redlining, they are few and isolated. To enact state or nationwide legislation to curb them is overkill.

Urbanologist Pierre De Vise, assistant professor of urban science at the University of Illinois at Chicago Circle, has said much the same thing. He was quoted in *The Austin News*, a community newspaper, when he spoke before a meeting of the West Side Real Estate Board on May 12.

"My guess is that there is probably too much lending in so-called redlined areas . . . I'm suggesting redlining is a problem and needs legislative solutions if indeed it is denying mortgage loans to qualified buyers for property which is economically sound, but I haven't seen any area where this is the case.

"I suggest there is no indication of redlining in that sense," he added.

Certainly no one has proved that refusing to grant loans is the *cause* of neighborhood deterioration. Experts from many disciplines have been attempting to untangle that problem for many years. To say that lack of faith by lenders brings about deterioration is putting the cart before the horse. First, neighborhoods deteriorate; then lenders are more cautious about making loans there.

All the mortgage money in the world will not change an unattractive neighborhood into one in which people want to buy homes. Well-maintained buildings, good schools, good transportation, attractive surroundings and other convenient services are what attract buyers. Mortgage money does not make the market, it follows it.

We oppose the disclosure legislation (similar bills are before the state legislature and Congress) because the data asked for will not show one way or the other whether redlining is being practiced. It is an expensive and time-consuming exercise that will produce data that can be interpreted in any number of ways. In addition, the legislation is based on an unsound economic assumption.

If federal law is passed, almost 20,000 banks and savings and loans all over the country would be required to compile and publish this data, and redlining charges are an issue in only four metropolitan areas!

The proposed bills would require banks and savings and loans to report savings and lending data by zip code and would require them to break down mortgage figures by conventional, FHA and VA (government insured/guaranteed) loans. The implication is that there is an ideal ratio between savings deposits from a given zip code and the amount of money that should be loaned there. No one has said yet what this "ideal" ratio is, but we can assume that the same groups that have pushed so zealously for adoption of this legislation would decide what was fair in their neighborhoods and label anything else redlining.

First Federal thinks the basic assumption behind the disclosure legislation is bad economics. As Grover J. Hansen, First Federal's president, said when testifying before Senator William Proxmire's Committee on Banking, Housing and Urban Affairs, which held hearings on the redlining legislation: "The concept that financial institutions should be forced to invest money where it is saved goes against the underlying economic principle upon which this country and its economy are based and have prospered: movement of capital must be free and unhindered."

Resistance to the disclosure bills has been construed by legislators, the media, and proponent groups as approval of redlining or an attempt to cover it up. Nothing could be further from the truth. We simply say that it is not a widespread practice, and that the data asked for by this legislation will not clarify the matter.

There are those who see redlining everywhere and those who can't find it at all—depending on how you define redlining and what figures you use to prove the point.

The Savings and Loan Commissioners of Illinois and Wisconsin and the Federal Home Loan Bank of Chicago have tried to validate one single case of redlining and have been unable to do so.

On the other hand, the Illinois Legislative Investigating Commission, directed by the state legislature to look into redlining, issued a report on its hearings which gives page after page of testimony on purported instances of redlining. One example was a couple who claimed the property they wanted to buy was in an area redlined by a particular lender because the lender would make them a loan of only $24,000 while another institution would go to $24,800. An $800 difference may seem huge to a prospective borrower, but it is well within the normal range of appraisal differences on a loan of this size and could no way be called "redlining" by anyone who had the least knowledge of how appraisal and lending processes work.

As far as the ambiguity that could result from the data requested by the disclosure legislation is concerned, let's look at several examples of what's already happened.

The Metropolitan Area Housing Alliance (MAHA) recently claimed that 17 zip codes in Chicago were "severely redlined." It presented this study to the Proxmire committee. MAHA said the study was based on 1973–74 figures submitted to the city of Chicago by 41 banks and 127 savings and loans in Cook County.

As an experiment, First Federal compared its own data for those same 17 zip codes. It can be read to show "too little" investment or "too much" as follows:

Savings and lending data aggregated for 17 selected zip codes (12 months ending November 1974):

Total savings balances, $145,122,000.

Mortgages made, $5,254,000.

"Savings dollars returned to the neighborhoods," 3.6%.

Net savings gain, $4,429,000.

Mortgages made, $5,254,000.

Ratio of mortgages made to savings gain, 118.6%.

In the first part of the table, the dollar amount of mortgages made in the 12-month period was compared to the stock of savings built up over many years. In the second part, mortgages were compared to the 12-month flow or net gain in savings at First Federal from the 17 zip codes.

In both cases shown here, "Mortgages Made" gives only the loans made in the 12-month period. It does not show the total loans First Federal has outstanding in the 17 zip codes. Do any of these figures give a clear picture of redlining? We do not think so, but this is the type of data that is being used to "prove" redlining. It is also the type of data that will be generated by disclosure legislation.

But more important is what the figures can't show—the lending dynamics. Was one large loan paid off and a number of small ones made? Is that "appropriate" to the market? Were older homes refinanced? Were mortgages assumed by new buyers?

Nor can this data tell anything about the unsatisfied demand for loans in a given area, which is the heart of the matter. To begin to assess demand, you need to know how many loan applications were received by each lender serving the market, how many were refused and for what reasons.

For example, some neighborhoods may represent substantial deposits, yet have little need for mortgage loans. This is true in older neighborhoods where homes are paid for, few properties are for sale, and people have built up their savings. It is also true in neighborhoods where apartment-dwellers predominate. If only a few loans were made in these neighborhoods because there was little demand, would it mean they were redlined? It would if you based your conclusions on the data requested by the disclosure legislation.

Another instance of misread data occurred last summer. The Citizens Action Program (CAP) released a study showing that 65 percent of Chicago savings and loans' home financing money was pledged to developers of lakefront and suburban property before individual home buyers in older neighborhoods got a crack at it. The study was said to be based on figures submitted by savings and loans to the Federal Home Loan Bank of Chicago.

The release of this report made headlines in the Chicago papers. A letter from Federal Home Loan Bank President H. Robert Bartell, Jr., challenging the use of the data, did not. Addressed to Charles Siragusa, executive director of the Illinois Legislative Investigating Commission to whom the study was submitted, the letter said in part: "I am unable to determine how . . ., CAP president, arrived at the figures on 'forward commitments' since they do not compare with any data published by the Federal Home Loan Bank Board. . . .

Commitments to lend by associations may result in loans actually made in two weeks, two months, two years, or not at all. Also, these commitments may be made to builders, new home buyers, or existing home buyers. Therefore, to compare the total amount of commitments made in any year to the amount of loans made and assert that this shows that individual home buyers are not served by associations until builders' needs are satisfied is clearly wrong. This is especially so when there is unambiguous data available from the Federal Home Loan Bank Board which gets to the question directly.

"The Board collects data on types of loans actually made. These data show that buyers of existing homes receive considerably more funds than buyers of new homes from builders. This is true during periods of tight money, as at present, and times of more readily available mortgage money."

Both these examples go to show that data cannot speak for itself. It must be interpreted in a fair manner by people who understand it. In the current redlining controversy, figures have been misinterpreted or misused many times. Facts have not emerged, they have been clouded. Disclosure legislation simply opens the door for more of the same.

Not only does data demand clarification, but the ground rules on what is and is not redlining have shifted a number of times. First, redlining was the refusal to make home improvement loans in certain areas. Then it became mortgage loans which were denied by neighborhood. More recently the emphasis changed, so that now redlining is the denying of conventional mortgage loans. Governor Walker's Commission on Mortgage Practices gave 11 definitions, and the call for the hearing of Senator Proxmire's bill listed another, saying redlining was "more typically an insistence on higher down-payment and shorter pay-back terms."

Indeed, things have progressed to the point where a lender, picking his way carefully among the 11 or 12 definitions of redlining finds he is hamstrung. He cannot now exercise prudent judgment based on accepted lending standards and fair appraisals without being accused of redlining. If he isn't guilty by one definition, he will be by another.

As E. Stanley Enlund, chairman of First Federal, said, "We are as interested in preserving the city's older neighborhoods as any group, but we must be permitted to exercise our judgment on the soundness of every loan in order to protect our savers."

In this uproar over redlining, the saver seems to be the forgotten man, but savings and loan officials dare not forget him. They are charged with investing his funds prudently for the best return without sacrificing safety. It is an obligation that cannot be waved off even to "save" a neighborhood.

Does this mean that First Federal and other lenders have done nothing about central city deterioration? On the contrary, First Federal has been active in revitalizing neighborhoods for many years. In 1959 we provided the first private urban renewal financing in the Hyde Park-Kenwood area. Currently we are involved with other savings and loans and banks—sharing the work and the risk—in two projects to help re-establish already declining areas.

The first, Rescorp, formed by 55 savings and loans in Chicago, is already underway with its first demonstration project in South Shore. Phase one, the purchase and rehabilitation of six apartment buildings with 170 units, is in progress.

Neighborhood Housing Services Program, a non-profit partnership of major savings and loans and banks, is providing technical and financial assistance to rehabilitate housing and assist in community preservation in city areas containing 6,000 structures. The names of the sites will be announced later this summer.

On an individual basis, over the years, First Federal has done its share by making loans to qualified buyers in every section of the city. We are not afraid of disclosure legislation on this score.

We are concerned, though, about the demand by anti-redlining groups that lenders abandon FHA (Federal Housing Administration) and VA (Veterans Administration) lending programs.

As Grover Hansen reminded the Proxmire committee, these are federal government programs and as such must be available to all qualified individuals. Over the years, by insuring or guaranteeing single-family mortgages, the federal government has helped hundreds of thousands of families into their own homes—people who, while credit-worthy, did not have a sufficient down payment or needed a longer repayment term in order to reduce monthly payments. No doubt some of those now railing against FHA/VA loans were assisted by these loans themselves.

This does not mean that First Federal approves every phase of FHA/VA operations. It does mean that on balance the programs have helped to better house our citizens.

Hansen also told the Proxmire committee that while First Federal kept no statistics on the matter, it was our experience that, in large cities such as Chicago, those obtaining government-insured or guaranteed loans tended to be somewhat poorer than those obtaining conventional financing; they also tended to be members of racial minorities. To abandon these federal programs would tend to deny home ownership to these groups.

Disclosure legislation which would classify loans between conventional and FHA/VA would give ammunition to those wishing to deny others the freedom to use these programs.

The problem of urban deterioration that the redlining question has helped bring to the fore is complex and frustrating. It has been with us for many years. It is human to want to find a "cause" for the problem and easy to choose one group, lenders, as the "bad guys." The only trouble is, it really doesn't solve anything.

The proposed disclosure legislation, which many hope will reveal true lending patterns, don't do any such thing. The right type of data is not being asked for, and data alone cannot begin to tell this complex story. This is why First Federal opposes the legislation and declines to accept the redlining charges.

Mr. GARN. I shall not take the time to read it, but just offer it to show Senators an example of how these data can be misused. Do not think there are not groups who would misuse them to prove anything they want: The old statistical game, where you take the same figures and show in a different way how a total savings balance of $145 million and mortgages made as $45 million would show that savings dollars returned to the neighborhood are only 3.6 percent. You can take the same figures and show that the ratio of mortgages to savings gains are 118.6 percent—you get more out than you put in.

I do think this is overkill. I agree with the chairman that redlining does exist. But let us not put the blame on the financial institutions. Let us put the blame on the mayors. I would not invest a dime in New York City, because of their gross mismanagement. I do not think the Federal Government should bail them out. We are using a negative example. We want to bail out New York City, when most of the cities of this country are competently run by qualified mayors, who are not back here yelling for a handout to bail them out of their problems.

Again, by imposing a national program without looking at the problems of the cities which they must address for themselves, all the pieces of this pie that caused the disinvestment problem, we are simply not going to solve it.

These are additional deficiencies in the legislative proposal that specifically should be taken into account:

The legislative proposal makes no effort to measure the demand for lending services in all neighborhoods in relationship to the outstanding balances or new loan volume of financial institutions.

There is no measure of the extent to which usury and foreclosure statutes in the various States affect the underwriting standards of reporting institutions.

The legislative proposals do not take into account the purchase criteria of investors such as the Federal Home Loan Mortgage Corporation, Federal National Mortgage Association and others who indirectly establish the neighborhood criteria for purchasable loans. This is particularly important in capital poor areas, such as Utah, where mortgage investors originate loans in significant degree for the purpose of immediate resale to these investors.

The definitions of those loans to be reported are essentially one- to four-family units, and such a definition does not consider the residential rental project lending of financial institutions, which is equally critical to any study and determination of housing related lending by financial institutions.

The distinguished chairman has heard these arguments over and over again, so I ask unanimous consent to have printed in the RECORD two responses to statements that the chairman has made.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

RESPONSE

Although there is evidence that tends to establish that location of the property is an important consideration in mortgage lending and undoubtedly "credit-worthy persons are sometimes denied loans on sound homes solely because of the location" it's questionable whether the hearings established that the practice of "redlining" is anything other than a phenomenon in a few urban areas. Most of the so-called evidence presented to the Committee was either antidotal or statistics of untested validity. It failed to examine in any detail the underlying reasons why financial institutions might be reluctant to lend in certain neighborhoods. It totally ignored the right of a mortgage lender in the loan underwriting process to look at the present and potential value of the security if the loan gets into trouble.

One of the problems in determining whether "redlining" exists in an area is that there is no agreement as to what the term means. The unpublished report of the Illinois Governor's Commission on Mortgage Practice lists 11 definitions of redlining. Some see it as an insistence on higher downpayment and shorter pay-back terms. Others call it the refusal to make conventional loans. The Committee Report defines it as the refusal to make mortgages solely because of neighborhood. The sort of data presented to the Committee and required to be produced under S. 1281 may show the flow of funds in and out of areas, but it cannot show why those changes occurred or the variety and extent of transactions which produced the results.

THE FEDERAL HOME LOAN BANK BOARD FINDS NO EVIDENCE OF REDLINING

Chairman Bomar of the Federal Home Loan Bank Board told the Committee that:

"We also believe it is important to point out that evidence of intentional discrimination against particular areas has been elusive at best. Recently, in response to allegations of neighborhood organizations that mortgage lenders were refusing to lend in certain neighborhoods, lenders in the Milwaukee area established a council to receive and resolve complaints of local citizens. The Milwaukee Area Mortgage Opportunity Plan (MAMOP), established in late 1974, has a comprehensive procedure for resolving complaints by rejected loan applicants. To date, they have received no complaints. A similar effort is currently being undertaken in Cincinnati with the assistance of the Federal Home Loan Bank of Cincinnati, but it has not yet become operational.

"After issuing regulations prohibiting redlining, the Wisconsin Savings and Loan Commissioner's office has received no redlining complaints and the Illinois Commissioner of Savings and Loan Associations has received only one complaint, which was proven to be unfounded.

"The Board's Supervisory Agents in Chicago have publicly invited consumer groups to submit complaints of alleged redlining to them for investigation. About 15 complaints have been received, most concerning incidents where telephone calls or word of mouth contacts took place several years ago and where the associations concerned either had no records which could be checked or could find no personnel who remembered the incident. In those incidents where some records could be found, it was determined that underwriting considerations justified the refusal to make the loan. The Board itself has received only a modest number of complaints of discriminatory lending practices by federally regulated savings and loan associations, and in each instance where it has completed its investigation it has found the complaint to be unfounded."

RESPONSE

The investigation of Dr. Kenneth J. Thygerson, Chief Economist for the U.S. Savings and Loan Association, indicates that there have been many problems associated with the reporting to California Savings and Loan Commissioner's office on coding new mortgages made by census tract. Dr. Thygerson discussed this with Bill Harrison of the Savings and Loan Commissioner's office in California and found that when the California program was first developed 11 years ago, the associations had very substantial problems complying with the regulations. Mr. Harrison mentioned that because (a) census maps were not available; (b) computer service companies were not established; and, (c) few lenders understood what a census tract was; nearly all institutions were unable to comply with the regulation. Bill Swaboda of the Commissioner's office indicated that in the early years of the program, as many as 70–80 percent of all loans made within SMSA where census tracts were available could not be successfully classified according to census tract.

Even with eleven years of experience, the Commissioner's office still estimates that over 10 percent of all loans within SMSAs cannot be successfully coded by census tract. In part, this is because Thomas Bros. does not produce tract maps for all counties, but it is also the result of the fact that this job is time consuming and the maps are hard to read.

Despite the eleven years of experience, there are frequent additional problems with the regulation. Harrison mentioned the fact that when all census tract numbers were changed in 1970 that this created enormous confusion and many problems. Most associations could not obtain the new tract numbering systems or the new census boundaries. Maps were not available. As a result, the Commissioner's office allowed the associations to report using the old and new census numbers. This, in effect, meant that the reports were essentially useless for any purpose.

Mr. GARN. I yield 10 minutes to the distinguished Senator from Texas.

Mr. TOWER. Mr. President, I believe that the provisions of the bill if enacted into law not only will fail to make a meaningful contribution to the preservation or revival of our urban neighborhoods but will be counterproductive.

First, the proponents of the bill maintain that to reverse neighborhood decline, we need simply to give community action groups and depositors information to enable them to force lending institutions to make home mortgage loans in inner-city neighborhoods. This is based on the theory that the primary cause of neighborhood decline is the concerted action of financial institutions in disinvesting or refusing to lend in neighborhoods where they are located, a practice, of course, that has been often referred to as "redlining."

The serious flaw in this theory is that it overlooks the fact recognized by most authorities on the subject that disinvestment generally occurs in the later stages of neighborhood decline. A national survey of housing abandonment in 1971 examined the sequence of neighborhood decline and identified the six stages in this process as follows:

Decline in neighborhood's economic status;

Racial or ethnic change;

Property speculation;

Weakened market conditions and emergence of crisis ghetto conditions;

Disinvestment; and finally

Abandonment.

Thus the disinvestment comes after the serious stages of decline have set in and is in reality more of a symptom than a cause of the decline. Pumping mortgage money into a neighborhood cannot cause an improvement in schools, increase safety, give more efficient public transportation, or upgrade any other city services necessary for a viable neighborhood.

Another basic misconception upon which the bill is based is that local deposits should be used essentially for local credit. Although it is generally recognized that it is in the best interests of financial institutions to accommodate the legitimate credit needs of their local communities, the premise of the bill fails to recognize that one of the main functions of financial institutions is to provide greater mobility for the economy's savings and investments.

The savings institutions are the principal intermediaries by which capital flows from areas of capital surplus—which may be temporary—to areas of capital deficiency.

Thus we may have neighborhoods made up primarily of apartment dwellers and savers where there is a surplus of savings over the demand for home mortgage financing. This money quite properly is transported to newer, growing neighborhoods where young couples with families are building new houses. In all likelihood these new family formations are made up of the sons and daughters from the old neighborhood.

In a like manner, certain older areas

of the country, such as the East, have experienced capital surplus whereas the West and the South have had capital shortages. The transportation of capital through the intermediaries has enabled these sections of our country to grow and has made possible homeownership for millions of Americans. It also benefits the saver by providing a better return on his investment. The philosophy behind S. 1281 would reverse this process and do great damage to our economic system as well as deprive many Americans of homeownership.

This is as the distinguished Senator from Utah has so eloquently noted, a first step toward a form of Federal credit rationing. The next step would be to say that at least a certain percentage of deposits must be invested in a certain area. In Chicago where several savings and loans have made public their lending patterns, neighborhood groups have demanded commitments for a fixed amount of mortgage financing in specific areas.

Here the answer lies not in the Mortgage Disclosure Act, but in the creating of more capital in the private sector through incentives to save. This bill goes in the opposite direction.

Even with larger stores of capital, there will be persons of economic levels who will not be served by the private mortgage market. Adequate housing for these Americans should be financed through Government guarantees or support programs. In recent years, Congress has been most generous in this regard:

S. 1281 will not only fail to solve the problem of neighborhood decline, but could be counterproductive by the following:

Causing lending institutions to pull out of declining neighborhoods;

Shaking investors confidence and causing withdrawals from savings accounts;

Forcing lending institutions to infuse money into neighborhoods creating a turnover in housing and disruption; and

Inhibiting the flow of money from surplus areas of the country where it is not needed to areas of scarcity where it is needed.

Another concern that I have is the unnecessary burden this legislation will place upon the small savings institutions which operate in the areas of the country not identified with the redlining problem. The committee hearings identified the disinvestment problems in about 15 to 20 urban areas particularly where the older cities are located. The committee bill, however, would require financial institutions with a home office or branch in any 1 of the 265 standard metropolitan statistical areas to report their lending patterns.

The standard metropolitan statistical areas are often made up of one urban county surrounded by suburban and rural areas with a large commuter population coming into the city. For example, the Washington, D.C., area includes rural Loudoun County, Va. In my State of Texas, we have 23 SMSA's. The larger SMSA's, such as Dallas-Fort Worth or Houston, include rural counties. For example, we find in Dallas-Fort Worth that Hood County has a population of 6,300. Looking at Houston, Liberty County has a population of 33,000 whereas Waller County has 14,000. Near my home of Wichita Falls, Tex., Clay County has a population of only 8,000. These are all rural counties and there are no redlining problems associated with them. Yet, the authors of this legislation would require institutions serving those areas to report their lending patterns.

Although there has been a great hue and cry in pursuit of the redliners, the proponents of S. 1281 have produced little or no hard evidence that it exists. The committee report admits that there is no evidence that lenders actually redline an area. It then goes on to explain that the practice is more subtle. But nowhere is the term defined in objective terms. To some it means making FHA-VA loans in an area. Others see it as lending on less advantageous terms. As the Chairman of the Federal Home Loan Bank Board told the committee:

> Evidence of intentional discrimination against particular areas has been elusive at best.

Much of the so-called documentary evidence presented to the committee is of a questionable nature. Although community groups presented statistics which they claimed established the existence of redlining in Chicago, a survey of the Federal Home Loan Bank Board of Chicago showed that the city's savings and loans were making a significant amount of loans from June 1971 to June 1973 in areas claimed to be redlined.

In a similar vein, the committee was presented with a map of the District of Columbia which the committee staff said showed a large part of the city is redlined. And yet a Washington Post survey showed that most Washington area savings and loans historically have made mortgage loans for homes in neighborhoods throughout the city and its suburbs in rough proportion to savings deposits generated from the same neighborhoods.

My fear is that if this bill goes forward in its present form, it will be costly to the future home buyer without a commensurate benefit. The thrift institutions in this country are in an earnings squeeze and they will have to pass the cost on to the consumer who can ill afford additional inflationary increases.

The preservation of our older neighborhoods and the maximum utilization of the Nation's existing housing stock have been important concerns of the Committee on Banking, Housing and Urban Affairs. In the last session of Congress under the able leadership of the distinguished senior Senator from Alabama (Mr. SPARKMAN), the committee reported out the important Housing and Community Development Act which will give the Government important tools to attack the underlying causes of urban decay. Additional approaches are being developed by the Department of Housing and Urban Development and the Federal Home Loan Bank Board to encourage community groups, the financial institutions, and government agencies to reverse the decline in older neighborhoods. There is more hope in these approaches which emphasize community cooperation rather than confrontation which would be fostered under the provisions S. 1281.

Mr. President, I think that the Senator from Utah has done a wise thing in offering his amendment, which would limit the bill to a 3-year demonstration study in 20 SMSA's. This is the orderly way to approach this problem and to gain some experience through a demonstration program.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PROXMIRE. Mr. President, I yield the Senator additional time.

Mr. TOWER. I fervently hope the amendment of the Senator from Utah will be adopted.

Mr. PROXMIRE. Mr. President, I will not take much more time. I call the attention of the Senate to several points.

The distinguished Senator from Utah was a fine mayor and had great experience in that area, but I think he does not speak for the mayors of this country.

Let me read what I have from John Gunther, executive director, U.S. Conference of Mayors:

> At the annual meeting of the U.S. Conference of Mayors in Boston, July 4–9, the membership overwhelmingly adopted a resolution calling upon Congress to enact legislation requiring the full disclosure of mortgage and home repair loans by census tract as well as for the full disclosure of the sources of a lending institution's deposits. I have attached a copy of this resolution for your attention.
>
> It is my understanding that the Senate has scheduled floor action on S. 1281, "The Home Mortgage Disclosure Act of 1975" for Tuesday, July 22, and that there will be an amendment offered by Senators Garn and Tower.

That is the amendment now before us—

> To seriously weaken the objectives of this legislation. S. 1281 (by requiring only disclosure of mortgage loans by census tract) is not as comprehensive a measure as hoped for by the nation's mayors. However, it does represent an important first step and a partial remedy to the ever-increasing problem of red-lining and disinvestment besetting many of our cities. Any attempt to weaken this legislation in any fashion including the development of a pilot "feasibility study" in some 20 metropolitan areas is unacceptable. The problem is much more extensive and comparable public policy has been a proven success in Chicago and California.
>
> While public disclosure of depositing institutions' investment and loan practices will not assure the prevention of neighborhood decline, it does provide the citizenry and local officials with another tool to assist in this most important undertaking. As Executive Director of the U.S. Conference of Mayors, I urge your support of S. 1281, the "Home Mortgage Disclosure Act of 1975," as reported and ask you to oppose the Garn-Tower amendment and any other efforts to weaken this most important piece of legislation.

Mr. President, I do not know how we can have a clearer record. I have been in the Senate 18 years and I have seen many issues, but I have never seen a group more explicitly in favor of a legislative position than the U.S. Conference of Mayors is on this particular issue. In this case they are against it, but they make no bones about it. They do not just say that they favor the bill and oppose amendments. They say that this particular amendment, offered by the Senator from Utah, is an amendment they oppose, that it is wrong, that it will weaken the bill—a bill which the mayors of this country say overwhelmingly, in a conference, they need.

Mr. GARN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GARN. Mr. President, I wish to clarify something. There is no doubt about that. I have a copy of the letter. John Gunther sent me a personal copy.

I served on the advisory board of the U.S. Conference of Mayors. But there are two organizations of mayors in this country. The U.S. Conference of Mayors is composed of mayors of cities of more than 50,000. Normally, 250 to 300 mayors attend the U.S. Conference of Mayors.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. GARN. I yield.

Mr. PROXMIRE. The Senator makes a very good point, and that is precisely what this measure covers. It does not cover the small cities under 50,000. It covers the SMSA cities of 75,000 or more. Once again, we are talking about legislation that is explicitly and exclusively in their area. I do not know how we can get better advice.

Mr. GARN. My city was a city well above 50,000—a metropolitan area of 500,000.

The Senator will find the policy positions of the U.S. Conference of Mayors in great difference with respect to the National League of Cities. The National League of Cities has taken no position on this legislation. I was president-elect of that organization, and they represent 15,000 cities in this country.

Mr. PROXMIRE. And those cities would not be affected by this legislation. That is why they do not take a position.

Mr. GARN. Not 200 or 300. So when the Senator says "the mayors of this country," I want to clarify that he is primarily talking about the big-city mayors, and that is what I have been talking about.

Mr. PROXMIRE. Bless your heart, Senator.

Mr. GARN. Let us look at the big cities and not use the 105-millimeter howitzer on the whole country.

Mr. PROXMIRE. When I talk about the mayors who are affected by this legislation, I am not talking about the mayor of Warsaw, Poland; I am not talking about a mayor in every little city in Wisconsin. I am talking about every mayor in the country who is affected by this legislation, who is eligible to belong to the U.S. Conference of Mayors. The overwhelming majority of them belong, and they overwhelmingly say that they are opposed to the amendment of the Senator from Utah. They are the ones affected by this.

Mr. GARN. I think the Senator is making my point, because we discussed this in the hall one day, after a committee meeting, and I told him how policy is made.

I cannot prove it, but I feel that if we polled all the members of the U.S. Conference of Mayors as to how they felt about this, a majority would be opposed to it. I do not know how many show up on the floor at one of these conventions, but it is not a large number, and the same happens in the National League of Cities.

The national municipal policy certainly is not always represented. It is representative of those who attended the convention, and that is all it means.

The Senator is looking at a limited number of mayors, primarily the mayor of Milwaukee, who bleeds for everything from the Federal Government. Henry is a good friend of mine.

Mr. PROXMIRE. Henry is a good mayor, a brilliant mayor. But that is irrelevant to this debate. The point is that this is the only opportunity we have to know how these mayors feel. The Senator from Utah says they oppose it; I say they favor the legislation. The only way they can know is if there is a conference and a meeting, and there was. They go on record, and the record is very clear. The Senator can speculate all he wishes that they did not mean what they said. The Senator can say that John Gunther is not speaking the truth, but John Gunther wrote this letter and said that the U.S. Conference of Mayors is unanimously in favor of this legislation. It is a fact; it is true.

Mr. GARN. Do not put words in my mouth. I did not say that John Gunther was lying. All I am clarifying is the fact that that is a correct statement from those who were on the floor at that convention. If the Senator wants to limit it to that and say that it represents the mayors who were there, who said yea or nay on the floor of that convention, I agree. I have been to all those conventions in the last 7 years. That is a true statement.

My disagreement is this: The Senator should not represent that that convention represents every mayor in this country, any more than saying what goes through the Senate, which the Senate passed, can be said to be something favored by the Senators of this country. The mayors who attended that convention and voted were for it. I do not know what the vote was. It was probably a voice vote, like many of our votes. I do not believe it is representative of the mayors of this country.

I would be far more interested in the position of the National League of Cities, which has a more involved process of determining national policy. They hold committee meetings throughout the year and are representative of 15,000 cities, with 5,000 attendees, rather than 200 or 300.

I am just limiting the scope. Everything the Senator says is absolutely correct. I want to make clear the limitations of the scope of that resolution.

Mr. PROXMIRE. I thank the Senator.

Mr. President, I would like to make clear what the proposed legislation would do and would not do, before it is gutted, virtually destroyed, by my good friend, the Senator from Utah.

The Senator from Utah, in his splendid rhetoric, said it would dictate where money would be loaned. It would not do anything of the kind. There is no dictation here. It would not deny the charter to a bank that fails to make a particular loan. It would not require the bank to make any loan at all. It says, "You will disclose where you make the loan," and any depositor has a right to know where that depository institution has made its mortgages.

The Senator spoke very strongly about the rights of depositors and said that nobody has spoken about the rights of depositors.

Mr. GARN. Mr. President, will the Senator yield?

Mr. PROXMIRE. Not at this point. I will yield later.

The rights of depositors are important. They are of the greatest importance. The kind of right we want is the right for the depositor to know where his money goes. The depositor is the one who would be enlightened by this kind of information.

I yield to the Senator.

Mr. GARN. I have a brief clarification. I did not say and certainly do not believe that this bill would do all those things. My statement was—and I am sure the Senator will find this in the RECORD—that I felt, and most of the groups testifying in favor of it believe, that it is a first step. It is the camel's nose under the tent. That is all I want to say.

I do not want it left in the record that I believe this legislation requires money to be spent in different places. I think it is just a first step.

Mr. PROXMIRE. I am happy to have that clarification.

Mr. President, I do not want to take further steps. We are all grown men. We do not feel that because a step has been taken in the direction that some people say has to lead somewhere that we have to go all the way. I believe in disclosure—in truth in lending and in many other areas. But I do not believe in mandating loans. I do not believe in a scheme of comprehensive credit allocation. I will fight that kind of legislation.

I point out that this legislation is supported by the U.S. Conference of Mayors, which is in a strong position to know what the cities need and what happens to the cities and whether or not this kind of disclosure with respect to mortgages will be helpful. They favor it overwhelmingly, as we have been told by the U.S. Conference of Mayors. It is also favored by the AFL–CIO, whose working people constitute a large part of our cities. It is also favored by the NAACP and the Urban League and other civil rights groups, including the Leadership Conference on Civil Rights, who are aware of what redlining has done to minority groups, the cruelty of it, the unfairness of it; and the simplicity and ease with which this could be at least corrected.

As I say, we are not telling the banks they have to make a loan. We are just saying, disclose what you do; just let us know. It is also favored, of course, by neighborhood groups.

Under these circumstances, Mr. President, I hope that we can vote no on the amendment by the distinguished Senator from Utah. If he is ready to yield back his time, I am ready to yield back mine.

Mr. GARN. I have just one brief comment, getting back to the mayors. I think the point that should be made——

The PRESIDING OFFICER. Does the

Senator from Wisconsin yield to the Senator from Utah? The Senator from Utah has used all his time.

Mr. PROXMIRE. Yes.

Mr. GARN. I use my own SMSA as an example. There are nine incorporated communities, each having a mayor, within this area. I would be the only one eligible by size to belong to the U.S. Conference of Mayors. In SMSA's all over the country, we would find the same situation of small town mayors included within the SMSA but having no vote. In the entire State of Utah, there are only three of us, out of some 218 incorporated communities, who are eligible to belong to the U.S. Conference of Mayors. Yet many of those small towns are within the Ogden-Salt Lake City-Provo area and would have no voice in that kind of thing.

I yield back my time, but I have no time left to yield back.

Mr. PROXMIRE. Mr. President, I yield back my time. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. PROXMIRE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TAFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TAFT. Mr. President, I have a number of amendments on the Garn amendment that I wish to discuss at this time.

Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. TAFT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, line 12, after "1974" insert the following: "and a home improvement loan".

On page 4, line 5, strike "and".

On page 4, line 9, strike the period and insert in lieu thereof the following: "; and "(3) the number and dollar amount of home improvement loans.".

On page 8, line 24, strike "and home improvement".

Mr. TAFT. Before discussing this particular amendment, I would like to express my feelings briefly about the entire Garn amendment and what I intend to do in the next few minutes.

Mr. President, before proceeding to that, I consider that redlining is a very serious problem and one that we have every reason, because of our involvement in the entire housing program at the Federal level, to consider and act upon in Congress. I do believe, however, that to some extent, the national debate on urban home lending practices unfortunately has not focused upon the real issues. The use of the emotional term "redlining" has polarized the debate. It has helped to cause some community groups to regard the financial institutions' actions as unrealistically sinister and some financial institutions to respond as if their business practices are virtually above subjection to public examination.

Contrary to the claims of some financial institutions, I believe that there are some serious problems with regard to their performance in providing credit to our older neighborhoods—in which many of them are located. However, unlike some community groups, I do not attribute these problems largely to any sinister intent. There undoubtedly are instances where whole neighborhoods are discriminated against on racial grounds or similar grounds which are illegal under the Civil Rights Act of 1968, and financial institutions should be held accountable for such actions. Admittedly in most cases the credit "discrimination" probably results from a good-faith business judgment concerning the lending risks involved. Rather than blatant intentional discrimination as we usually use the term, the problem with lenders' credit practices in these neighborhoods is that they sometimes are far more conservative than appears to be necessary, based on actual credit experience. The financial institution may feel that it can afford to be extremely conservative because it has plenty of business in the suburbs or wealthier neighborhoods.

By these practices, the financial institution may be contributing to the decline of various neighborhoods, even though its actions are motivated by what it believes to be legitimate business considerations.

Thus, the redlining issue is not generally a simple question of intentional discrimination, but rather a more difficult one concerning the propriety of business judgments and the possibilities for changing them.

Mr. President, I am quite sympathetic with the approach of the amendment of the Senator from Utah. Our staffs have had a number of discussions about the amendment. I do feel it would be desirable to have more information before reaching a conclusion about the desirability or form of nationwide disclosure requirements. For that reason, I am sympathetic to the Garn approach. I do, however, have some doubts about some of the provisions in the Garn amendment's 20-metropolitan-area program.

I have an amendment which I will offer shortly, or attempting to raise that number to 35. I also feel that there should be some areas in which information is gathered on what the use of a census trace rather than ZIP code approach might bring. I think even other standards might be developed and I do intend to offer an amendment which will give the Federal Reserve the authority to use other standards.

I also have a couple of what I think are more or less noncontroversial amendments, the first of which is before the Senate at the present time.

Let me address myself for a moment to that amendment. All that the amendment before us now would do is put into the substitute, the Garn substitute as proposed, home improvement loans in the information to be included in the information which financial institutions will have to disclose. I have mentioned that the importance of these loans to a neighborhood's health and survival is obvious, many of the neighborhoods in question have a large number of older homes in need of repair.

In many cases, profitable home improvement loans of one kind or another would improve the neighborhood. This amendment, as I am sure the Senator will recognize, has already been adopted as to the bill at the present time.

Since the Garn amendment is before us and, if it is adopted, will be substituted for the entire bill, I offer this amendment to the Garn amendment at this time.

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. Mr. President, I yield to the Senator from Utah such time as he may require.

Mr. GARN. I shall simply accept the Taft amendment, to include home improvement loans, to my amendment.

The PRESIDING OFFICER. Does the Senator modify his amendment to accept the Taft amendment?

Mr. GARN. Yes, I would modify my amendment to accept the Taft amendment No. 700.

The PRESIDING OFFICER. The Senator's amendment is so modified.

Mr. GARN. My amendment is 826. This is the Taft amendment to amend the bill to include home improvement loans, No. 700.

Mr. TAFT. Mr. President, as sent to the desk, it had been modified. I apologize for using the original number, but it had been modified to comply with the substitute. Does the Senator accept that?

Mr. GARN. Yes.

The PRESIDING OFFICER. The amendment is so modified.

The Senator from Ohio.

Mr. TAFT. Mr. President, I send an amendment to the desk and ask that it be considered.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. TAFT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 4, between lines 9 and 10, insert the following: "For the purpose of carrying out its study and demonstration, the Board shall, to the maximum extent consistent with the necessity to conduct such study and demonstration in a sound and comprehensive manner, select those standard metropolitan statistical areas in which mortgage lending practices have been alleged to be discriminatory by geographic location."

Mr. TAFT. Mr. President, the amendment that is now before us would require that to the maximum extent consistent with the necessity to have a sound and comprehensive demonstration, the Federal Reserve Board should choose metropolitan areas in which discriminatory neighborhood lending practices of the financial institutions have been alleged to be a problem. I believe that this amendment is extremely important to help insure that the demonstration will include a heavy representation of cities where redlining is a live and difficult issue, as opposed to areas where the disclosure program may not invoke much interest. For example, the extent to which redlining is an issue varies drastically among the 14 metropolitan areas in my own State.

This amendment does not mean that all the SMSA's chosen should be "problem areas," because that might limit the usefulness of the demonstration. However, I do believe that a large number of such areas should be included in that demonstration.

The purpose of this amendment is to insure that that is done and to provide the indication of the manner in which the Federal Reserve should move in that direction.

Mr. President, I shall be glad to yield to the Senator from Utah.

Mr. GARN. The Senator from Utah will have no objection to modifying his amendment to require the Board to select SMSA's in these areas where mortgage lending has been alleged to be discriminatory.

The PRESIDING OFFICER. The amendment is modified by the amendment of the Senator from Ohio.

Mr. TAFT. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 3, line 3, strike out "twenty" and insert in lieu thereof "thirty-five".

On page 9, line 6, strike "twenty" and insert in lieu thereof "thirty-five".

Mr. TAFT. Mr. President, in my opinion, this amendment would strengthen the Garn comprehensive amendment so that it would provide for a fuller demonstration of a loan location disclosure requirement's effects. The amendment would increase the number of standard metropolitan statistical areas involved from 20 to 35. This coincides, incidentally, with the number of SMSA's which have populations greater than 1 million people.

This change would be made so that the demonstration program would involve more different types of SMSA's to, perhaps, test a variation of the disclosure requirements. I think it would make the test that would be brought about by the Garn substitute a more effective test and one from which we could draw sounder conclusions because of the somewhat broader sample than is proposed in the Garn amendment.

Mr. President, I would be glad to yield to the Senator from Utah.

Mr. GARN. The Senator from Utah would not accept going to 35. I think that is an unwarranted expansion. I would be willing to modify my amendment to somewhat larger than 20 if the Senator from Ohio and I could agree on some middle ground between 20 and 35.

Mr. TAFT. Mr. President, if the Senator will yield, I would be glad to split the difference because I think it would be an improvement, and I desire to accommodate the Senator in that regard. I would make it 27, which gives the Senator from Utah the extra city.

Mr. GARN. I would be willing to accept a modification of my amendment to strike out "20" and change it to "27."

The PRESIDING OFFICER. The amendment is so modified.

Mr. TAFT. Mr. President, I send an amendment to the desk and ask the clerk to report the amendment.

The legislative clerk proceeded to read the amendment.

Mr. TAFT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, between lines 18 and 19 insert the following:

"(4) the term 'census tract' means a census tract as established and defined by the Bureau of the Census;".

On page 2, line 19, strike "(4)" and insert in lieu thereof "(5)".

On page 2, line 23, strike "(5)" and insert in lieu thereof "(6)".

On page 3, line 14, strike ", as determined by the Board" and insert in lieu thereof the following:

"or by census tract or other easily definable geographic unit, as determined by the Board, except that the Board shall require itemization by census tract in a significant number of the areas selected".

Mr. TAFT. This amendment, I think, is by far the most important of these amendments to the substitute that I have been discussing.

This amendment would change the provision of the Garn amendment which, as amended on the floor, requires that the demonstration be conducted by ZIP code in every one of the 20 metropolitan areas selected. Instead, it would allow the Federal Reserve Board to choose between census tract, ZIP code or another easily definable geographic unit as the basis for loan disclosure by location. It also would require that in a significant number of the metropolitan areas selected, the demonstration would have to involve the disclosure of data by census tract. Thus, it insures that the demonstration would require disclosure by census tract on at least a widespread enough basis to give that method a full and fair trial.

I already have indicated that I believe we would be better off giving the loan disclosure concept a limited but meaningful application than adopting the committee bill and that is why I am supporting the Garn amendment. I believe we could use further experience before concluding the form any disclosure to be required nationwide should take. For that reason, I was attracted to the Garn amendment and rather than opposing it, I have submitted amendments to try to strengthen it. However, I believe that a limited program should include disclosure by census tract as well as ZIP code.

I understand the reasons why the proponents of this amendment are reluctant to require disclosure by census tract in any metropolitan area. In its preliminary studies, the Federal Home Loan Bank Board has had indications that the error rate for census tract disclosure is extremely high—perhaps in the 50-percent range. Of course, we must balance such problems with the bill's effectiveness in alleviating redlining.

I am also receiving the same kinds of letters as these Senators from constituent financial institutions, alleging that they cannot obtain needed census tract information and that compliance with a census tract requirement would be costly if not impossible. In fact, I may be receiving more of those letters, because I believe my State has so many savings and loan associations.

Nevertheless, we will weaken the demonstration considerably if we refuse even to try census tract disclosure. The major legislative vehicle, the committee bill, proposes disclosure exclusively by census tract. The U.S. League of Cities/Conference of Mayors has passed a resolution supporting disclosure by census tract. Other concerned individuals and organizations, such as Ralph Nader and the Consumer Federation of America, have written all of us urging that disclosure be required by census tract. More importantly, although there certainly is some adverse evidence concerning census tract-based disclosure, the evidence is far from clear that this approach cannot be made workable. Furthermore, we all know that ZIP code leaves something to be desired as an alternative because the area covered by a ZIP code is often very large. The number of people generally is in the neighborhood of something like 60,000.

I believe that Senators who really want to have a full demonstration of the loan disclosure by location concept will vote for my amendment. My amendment would make the program more of a real demonstration. Thus, I urge the adoption of my amendment to make the Garn amendment more of a true alternative to the committee bill, and providing a better test of the concept we are attempting to develop here.

Mr. President, I will be glad to yield to the Senator from Utah.

Mr. GARN. The Senator from Utah cannot accept this particular amendment going to census tract in other areas. I believe the vote on the Proxmire amendment which was easily defeated 49 to 36, and a voice vote approving the Stone amendment which changed the bill from census tract to ZIP code indicate that the Senate has spoken on this issue, and I am not willing to accept the amendment.

Mr. TAFT. I would have to take issue, I believe, with the Senator on his statement that the Senate has spoken on this matter. What the Senate said, in effect, on the Stone amendment and on the Proxmire amendment vote to which the Senator has referred, referred to an overall comprehensive program covering every standard metropolitan area in the country. This proposal relates solely to the 27 demonstration area program we are talking about and which the Senator from Utah and I agree would provide a more realistic and practical approach than the committee bill. The proposal would help us as we try to find out what we should do and what we should not do in this area.

What the amendment attempts to do is to help obtain information as to how a program should work. I do not think we should kid ourselves into saying that we are just going to have this 27-city program, after the 3-year period provided for, on the books for very long. I think Congress will be looking at the application of the program and the principles that are developed for application to areas in other parts of the country where redlining may be found to exist, and I think we will find it exists in more areas than the number that would be covered by this amendment.

But to cut out the alternative method of disclosure seems to me to be contrary to the purposes of a true test.

Mr. GARN. I would disagree, in a very friendly manner, with the distinguished Senator from Ohio. The Proxmire amendment greatly limited it by saying it would not be ZIP code in metropolitan areas under 350,000, that it would be only central cities, and their suburbs would be eliminated, and that was the 49-to-36 vote. It was a combination, a considerable modification of the original census tract bill. So I would disagree.

Mr. TAFT. That is true, but there are some 100 SMSA's, I think, that would have been covered by the Proxmire amendment. I think we are dealing with about that number.

Mr. GARN. I am sure that is true, but I still would not, respectfully, accept the amendment.

Mr. TAFT. Mr. President, I note we do not have a large number of Senators on the floor and I, therefore, suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. TAFT. On my time.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. TAFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TAFT. Mr. President, I am asking to modify the amendment presently at the desk. The effect of the modification language presented there would be to make the use of census tract or another geographic unit other than ZIP code voluntary on the part of the financial institution.

In other words, the ZIP code would be used unless the financial institution agreed on a voluntary basis with the Federal Reserve Board and the Federal Reserve Board approved that the census tract or some other means of determination might be used.

I would ask to modify my amendment to that effect.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

On page 2, between lines 18 and 19 insert the following:

"(4) the term 'census tract' means a census tract as established and defined by the Bureau of the Census;".

On page 2, line 19, strike "(4)" and insert in lieu thereof "(5)".

On page 2, line 23, strike "(5)" and insert in lieu thereof "(6)".

On page 3, line 14, strike ", as determined by the Board" and insert in lieu thereof the following:

"or where the financial institution agrees, by census tract or other easily definable geographic unit, as approved by the Board.

Mr. TAFT. Mr. President, I am glad to yield to the Senator from Utah.

Mr. GARN. Mr. President, I accept the amendment of the Senator from Ohio, as modified.

The PRESIDING OFFICER. The Senator modifies his amendment in accordance with the Senator from Ohio?

Mr. GARN. That is correct.

The PRESIDING OFFICER. The amendment will be so modified.

AMENDMENT NO. 702

Mr. TAFT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Ohio (Mr. TAFT) proposes an amendment at the end of the amendment to add the following title.

The amendment is as follows:

At the end of the amendment add the following new title:

TITLE II—HOUSING PRESERVATION ALTERNATIVES ACT

SEC. 201. This Act may be cited as the "Housing Preservation Alternatives Act of 1975".

FINDINGS AND DECLARATIONS; PURPOSE

SEC. 202. (a) The Congress—

(1) reaffirms its finding that policies designed to contribute to the achievement of the national housing goal have not devoted sufficient attention and resources to the preservation of existing housing and neighborhoods;

(2) reaffirms its declaration that, if the national housing goal is to be achieved, a greater effort must be made to encourage the preservation of existing housing and neighborhoods; and

(3) declares that in view of this situation, promising alternative means of encouraging such preservation should be developed and assessed promptly.

(b) It is the purpose of this Act to authorize the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") to develop and implement alternative means of encouraging the preservation and rehabilitation of existing housing and neighborhoods, on a scale which is at least sufficient for assessment purposes but which does not involve an excessive amount of new Federal outlays, and to report his evaluations and recommendations for future housing and neighborhood preservation policy to the Congress.

LEVERAGING OF LOCAL FUNDS

SEC. 203. Section 2(a) of the National Housing Act is amended by inserting before the period at the end of the first paragraph the following: "(or 100 per centum of such loss if (A) such loan, advance of credit or purchase is accompanied by a subsidy or grant of at least $2,000 to the owner or lessee of such real property in conjunction with any applicable approved community development program under title I of the Housing and Community Development Act of 1974, for the purpose of enabling such owner or lessee to undertake housing repairs, improvements, or rehabilitation, and (B) the State or unit of general local government supplying such subsidy or grant agrees to reimburse the Secretary for an amount equal to 20 per centum of any such loss)".

DEMONSTRATION ASSISTANCE FOR HOME IMPROVEMENT LOANS

SEC. 204. Title I of the National Housing Act is amended by adding at the end thereof the following new section:

"DEMONSTRATION GRANT ASSISTANCE

"SEC. 10. (a) The Secretary is authorized to undertake a program to demonstrate the feasibility of making grants or advances in connection with private financing, in order to enable homeowners to finance housing repairs, improvements, or rehabilitation with private capital to the extent feasible and without paying an excessive percentage of their monthly incomes for housing expenses, as determined by the Secretary. For this purpose, the Secretary is authorized to make grants or advances in connection with property improvement loans covered by insurance under section 2 of this title, or in connection with other private financing of housing repairs, improvements, or rehabilitation (including financing insured pursuant to this Act) upon such terms and conditions as he may prescribe, subject to the limitations of this section.

"(b) The cost of repairs, improvements, rehabilitation facilitated by any grant or advance made under this section shall not exceed the maximum insurable amount for a property improvement loan which is insured to section 2 of this title.

"(c) To the extent practicable, the Secretary shall carry out the provisions of this section through the financial institution which makes the loan in connection with which the grant or advance is made. The Secretary is authorized to utilize local public and private agencies where feasible to assist in the administration of this section.

"(d) Grants or advances under this section may not be made after March 31, 1978. For the purpose of making grants or advances pursuant to this section, there are authorized to be appropriated not to exceed $15,000,000 in any fiscal year.".

PORTFOLIO INSURANCE FOR REHABILITATION LOAN FUNDS

SEC. 205. Title I of the National Housing Act is further amended by adding at the end thereof the following new section:

"REHABILITATION FUND INSURANCE

"SEC. 11. (a) The Secretary is authorized upon such terms and conditions as he may prescribe to enter into contracts to insure revolving rehabilitation loan funds administered by State or local governments, or by public or private nonprofit agencies or organizations approved by the Secretary for purposes of this section, against part of the losses which such funds may sustain as a result of loans or advances of credit from the funds pursuant to loan programs which meet the requirements of this section. To the maximum extent practicable, the Secretary shall provide insurance pursuant to this section only in cases where he is satisfied that such insurance will result in a significantly larger rehabilitation program.

"(b) A loan program which meets the requirements of this section shall—

"(1) involve significant financial participation in the rehabilitation program by a State or local government;

"(2) involve loans to finance rehabilitation of predominantly residential property in a manner consistent with nay approved community development plan under title I of the Housing and Community Development Act of 1974 for the community involved;

"(3) provide loans to persons who cannot obtain or afford private financing; and

"(4) meet such requirements concerning the nature of the loans involved, including requirements concerning the nature of the neighborhoods involved, as the Secretary determines necessary so that any guarantee pursuant to this section will be acceptable as a special risk.

"(c) The Secretary is authorized to establish and collect such insurance premiums or other fees or charges as he determines to be necessary in connection with the administration of this section. Any contract for insurance under this section shall be the obligation of the Special Risk Insurance Fund.

"(d) The aggregate amount of outstanding loans in revolving funds partially insured against losses under this section may not exceed $15,000,000, at the beginning of fiscal year 1977, and may not exceed $35,000,000, at the beginning of fiscal year 1978.".

LIMITATION ON INSURANCE PROGRAM FOR EXISTING MULTIFAMILY PROJECTS

SEC. 206. The first sentence of section 223(f) of the National Housing Act is amended by inserting before the period at the end thereof the following: ", except that a mortgage covering a project, the construction of which commenced after June 30, 1974, may not be insured prior to the expiration of 3 years after the completion of construction".

OTHER MEASURES TO FACILITATE HOUSING PRESERVATION

SEC. 207. The Secretary shall explore the feasibility and undertake demonstrations, where appropriate, of innovative measures by which the Federal Government can encourage the preservation of existing housing and neighborhoods other than the measures authorized by sections 3, 4, and 5 of this Act. Such measures shall include, but are not limited to—

(a) measures to develop a secondary market for home improvement and rehabilitation loans;

(b) the innovative use of mortgage insurance; and

(c) measures to render the refinancing of existing mortgages as a more economical means of housing preseravtion.

REPORT

SEC. 208. (a) Not later than March 31, 1978, the Secretary shall submit to Congress a report of the activities carried out pursuant to this Act. Such report shall include the Secretary's evaluation of such activities and of other demonstrations, programs, and measures designed to encourage the preservation of existing housing and neighborhoods (including tax measures, which the Secretary shall review in cooperation with the Secretary of the Treasury, and section 223(f) of the National Housing Act), and the Secretary's recommendations concerning future Government policy for encouraging such preservation.

(b) Not later than March 31, 1977, the Secretary shall submit to Congress an interim report which contains a description and evaluation, to the extent practicable, of the activities carried out pursuant to this Act.

Mr. TAFT. Mr. President, this amendment would add to the bill a measure pending before the Banking, Housing, and Urban Affairs Committee and introduced by myself under the title of the Housing Preservation Alternatives Act of 1975. Its purpose would be to attack the same type of problem we are attempting to attack in this area; that is, the housing situation in areas that are deteriorating or are threatening to deteriorate. The attack would be on a far broader scale than I think we do merely by the redlining bill. I am aware, of course, that it is unlikely that the Senate will want to consider the many details of this particular legislation at this time, but I do offer it as an amendment because I think it is appropriate to point out to the Senate that there are many other possible actions to address this same problem that I think might well be considered by the Senate and by the committee.

I bring it up for the purpose of asking the distinguished chairman of the committee whether we have reason to be optimistic about the possibility of this measure being considered.

I noted particularly that the distinguished ranking member from Texas (Mr. TOWER) a few minutes ago did refer to the types of approaches that are covered in this measure as being more profitable approaches, possibly, for attacking the same kind of problem as the bill currently before us. I would welcome any comment from the committee chairman as to his intentions or feelings in this regard or from the minority member handling the bill, as they desire.

Mr. PROXMIRE. I think the Senator from Ohio has made a good suggestion. I am happy to assure him I will do all I can to press for hearings on this. This is, as the Senator knows, within the jurisdiction of the subcommittee of the Senator from Alabama (Mr. SPARKMAN). I would urge him to hold hearings. I think it is a very constructive proposal.

Mr. GARN. I commend the Senator from Ohio for sponsoring this legislation. I agree that prompt hearings should be held. As a member of the minority of the committee I would encourage Senator Sparkman to hold hearings as promptly as possible.

Though I commend the Senator for offering this, I would oppose it as an amendment to my amendment. I will do everything I can to facilitate hearings.

Mr. TAFT. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. TAFT. Mr. President, I yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I would like to take a minute or two on the bill to discuss the amendment, as modified.

The Senator from Ohio has made some substantial modifications in the amendment of the Senator from Utah, but I think we should recognize what we now have. We have a proposal to make a study not of 20 but of 27 standard metropolitan statistical areas. That is the major change.

Mr. President, it seems to me that this is a waste of money, a waste of time, and a waste of the time of the Federal Reserve Board. If this amendment is adopted we simply would be repeating what is done anyway. California, Massachusetts, and Illinois together have 25 or 26 or 27 standard metropolitan statistical areas. They require this disclosure as a matter of State law. That is being done at the present time. We will have this information. It will be available. For that reason, it seems to me we will be duplicating something that is being done if we accept this. I think we should either defeat the bill or we should defeat the Garn amendment and pass the bill so that we have this disclosure all over the country where it has been called for by these organizations I have indicated in the past. So, Mr. President, I will vote against the Garn amendment.

Mr. HELMS. Mr. President, I strongly support this amendment in the nature of a substitute to limit the Home Mortgage Disclosure Act to a 3-year demonstration study in 20 standard metropolitan statistical areas.

I am concerned that if S. 1281 goes forward in its present form, it will adversely affect most of the home buyers and savers in this country and will place an unnecessary burden on the many small savings institutions in the many areas of the country where there is no suggestion that a redlining problem exists.

It has not been established that S. 1281 is the proper vehicle to revitalize our older cities. The real need is to encourage savings, and to increase our supply of available mortgage money at a reasonable rate. This bill, which is a step toward credit rationing, goes in the opposite direction.

Another of my concerns is that the legislation will force the small lending institutions, having no computer capacity of their own, to put their confidential lending portfolios into computers outside of their control. There is nothing in S. 1281 which assures the protection of the privacy of these borrowers. This was not even considered at the hearings.

Further, I am concerned with the unnecessary burden this legislation will place on the small savings institutions in sections of the country where there is no problem. I have been informed by the United States League of Savings Associations that more than 1,000 of their members having assets under $25 million will be covered by this legislation.

Looking at my State of North Carolina, I find that in Greensboro, the American Federal Savings and Loan, having assets of about $8 million is covered by the legislation. In High Point, we find that the First Federal Savings and Loan and the Piedmont Savings and Loan with less than $50 million assets are covered. In Durham, the First Federal Savings and Loan with assets of less than $50 million and the Mutual Savings and Loan with assets of less than $15 million are covered. In addition, there are many small commercial banks in North Carolina which will be included. These institutions have been suffering severe earnings strains and obviously will have to pass additional operating costs created by this legislation on to the consumer, probably the home buyer.

It should be remembered that many of these small savings and loans are mutual companies run by the depositors. If the depositors are dissatisfied with the lending policy they can change it by changing the board of directors. This is the democratic approach. They neither need nor want outside groups to come in and tell their management what the lending policies of their association should be. When the activists took their fight for control of Chicago's Republic Federal Savings lending practices to the depositors of the institution, they were resoundingly defeated in their proxy fight by a margin of better than 30 to 1.

It is most unfair to burden these small institutions and their depositors and borrowers with this dubious legislation.

This amendment in the nature of a substitute, of which I am a cosponsor, is a fair and reasonable approach to the problem. It would satisfy the legitimate needs of the proponents of the legislation by providing disclosure in those areas where they claim there is a problem which can be relieved by the Home Mortgage Disclosure Act. It will provide for further study of some of the problems that disturb me and others. The regulatory agencies which will be involved in the demonstration study will make recommendations to Congress on the need for national legislation and the form it should take if it is deemed necessary to have such legislation. This is a good alternative, and I urge its approval.

Mr. MORGAN. Mr. President, I rise in support of the amendment offered by the junior Senator from Utah (Mr. GARN) to convert the Home Mortgage Disclosure Act into a demonstration study on the usefulness and feasibility of disclosure of home mortgage lending practices.

I am concerned that we simply do not know enough about the problem to venture into national legislation.

A properly framed disclosure law can be an avenue for reform in a free market economy. However, it does not follow that disclosure is a solution to all problems everywhere.

For disclosure to be an effective instrument in a free market, the recipient of the information must be in a position to use it to make intelligent market decisions. The disclosure scheme in S. 1281 has no mechanism for decisionmaking. The information being disclosed under the bill is totally insufficient to enable one to reach a rational judgment as to why loans are not being made in a geographic area and what effects such lending patterns may have on neighborhood decline.

Another problem is indifference. The persons for whom the disclosure is intended must be concerned over utilizing that information to treat the problem at hand. The theory behind S. 1281 is that once depositors know where their money is being invested, they will make demands upon the savings institutions that that money or a portion of that money be returned to their neighborhood. This flies in the face of the testimony recently given by Garth Marston of the Federal Home Loan Bank Board, during his confirmation hearings, that most surveys show that depositors in savings and loans are simply not concerned where their deposits are invested. What does concern them is the convenience of the depository facility, the safety of their deposit, and the return on their investment. Thus, all indications are that depositors would not make use of the disclosure information to encourage savings institutions to reinvest or invest in declining neighborhoods.

I have been concerned with the proliferation of legislation which is passed with little or no examination as to its effectiveness. In the disclosure area, one needs only to look at the Truth in Lending Act. Fortunately, there was sufficient controversy surrounding it in Congress that many of the possible problems were anticipated and avoided. However, there are still problems with truth in lending, and one might raise serious questions as to its cost effectiveness.

It was based on the theory that the informed use of credit arises from an awareness of its cost. If lenders were required to tell borrowers exactly what credit cost, the borrowers could shop around and get the lowest rate.

This is a simple proposition and on its face would seem most wise. Yet, in practice, it has not been that simple. Studies have shown that after several years, consumer awareness of costs are still quite low. This is particularly true of low-income groups who need the protection the most. Now probably much of this can be cured through education, but the fact remains that even the best thought-out disclosure legislation will not solve many of the problems that it is intended to address.

For this reason, I do feel that there is a need for considerably more study and analyzation before we move into permanent Federal legislation requiring disclosure of mortgage lending portfolios.

Not only is the legislation of a dubious nature but it covers many institutions and areas of the country not touched by the redlining problem. For example, in North Carolina we have eight standard metropolitan statistics areas which would be included under the bill. All of these have a population of under 1 million people. Our smallest SMSA has as its central city, Burlington in the county of Alamance. In a similar vein, the Wilmington SMSA has Brunswick and Hanover Counties with populations of 24,223 and 82,966 respectively. Certainly, Alamance, Brunswick, and Hanover Counties do not have the same problems as Cook County, Ill. It is most unfair to impose the legislation wanted by those people of Cook County on the citizens of these counties in North Carolina.

I could go on to name many others. One anomaly appears in the Norfolk-Virginia Beach-Portsmouth SMSA which includes Currituck County, N.C. There is simply no reason to include this beach resort with a population of 6,976 in this reporting legislation.

The same pattern is true in the States neighboring North Carolina. Right across the border in the Chattanooga SMSA we find Marion and Sequatchie County in Tennessee and Catoosa, Dade, and Walker Counties, Ga., included under the bill. These are all mountainous sections of Tennessee and Georgia and it is ludicrous to suggest that they have the same problems as Chicago, Boston, Cleveland, and Los Angeles. The same is pretty much true in Virginia to the north and South Carolina to the south. If S. 1281 is enacted in its present form, there will be small banks and savings and loan associations throughout the Southeast that will be compelled to comply with this reporting legislation.

I do recognize that financial institutions play an important role in the vitality of both our new and our older neighborhoods. More analysis and study is needed of the problem of disinvestment. The Garn amendment will give that without imposing an unnecessary burden on the small financial institutions in this country.

Mr. SPARKMAN. Mr. President, I am a cosponsor of amendment No. 826, and I hope the Senate will support the amendment.

Let me say I support the real objectives of S. 1281, the bill to improve public understanding of the role of depository institutions in home financing—the bill which has commonly become known as the "redlining bill." I have always tried to lend my support to legislation that seeks to help make funds more readily available to finance housing. For the last 39 years, in practically every session of Congress, laws have been passed to improve the housing supply for all American families. I have sponsored or led the debate on most of this legislation for the last 25 years or so in this body.

But, Mr. President, I do not believe that S. 1281 as it is presently written is sound or necessarily wise legislation. The bill is motivated by a concern to increase the volume of mortgage lending in older urban neighborhoods. I share this concern. True, there is evidence that redlining is practiced by some financial institutions in central cities, particularly in older urban neighborhoods. But, no evidence has been developed to prove this practice is so widespread that every financial institution in every standard metropolitan statistical area should be subjected to the detailed and costly publication of statistics as would be required by S. 1281 as it presently stands. I also very seriously question whether the publication of these statistics would, in fact, increase the volume of mortgage lending secured by existing homes in older urban neighborhoods.

Frequently, we in the Congress are asked to consider legislative proposals which, if enacted, would impose certain costs upon those private enterprises covered by the proposal. And often, it is unclear just what the costs will be. This is certainly the case with regard to S. 1281 as the costs would apply to financial institutions. The real question is, however, whether these costs will be borne by the financial institution or the consumer.

The amendment being offered to S. 1281 proposes a logical approach to this matter. In general it would direct the Federal Reserve Board, the Federal Home Loan Bank Board, and the Department of Housing and Urban Development to gather and study data on current home mortgage lending practices of financial institutions in 20 SMSA's, to be chosen by the Boards and Department. After a 3-year study by these agencies, recommendations must be made to Congress regarding the need for additional action.

Mr. President, the amendment being offered should satisfy the objections of all concerned, because, if adopted, the legislation should produce evidence needed by the Congress in its continuing desire to enable a decent home in a decent living environment for all people.

Mr. DOLE. Mr. President, I wish to briefly express my support for this substitute amendment offered by the distinguished Senator from Utah (Mr. Garn) and other committee members from both sides. In my opinion, it goes about as far as even the most ardent reformer can justify with respect to the problem of "redlining" among our mortgage lending institutions.

I note from the committee's own report, for example, that its investigation was limited to just 15 major cities where systematic disinvestment in older neighborhoods was felt to be significant. Why, then, seek to devise a broad, comprehensive remedy which overreacts to the ill itself?

I realize that some effort has been made in S. 1281 to scale down the scope of its coverage by providing a so-called exemption for rural areas. Ordinarily that could be welcomed as some consolation—were it not for the fact that "rural" has really been defined to mean "non-SMSA."

As a result, there would be seven major counties affected in my State of Kansas. And within each of those counties—away from the principal urban community—are numerous small, genuinely rural banking or savings and loan facilities which simply do not have the resources or capability to meet the requirements in this bill—even if such standards could by some stretch of the imagination be termed appropriate.

Coming on the heels of the fiscal and administrative difficulties they are experiencing in complying with the Real Estate Settlement Procedures Act, this legislation, if enacted in its current form, could have a devastating impact on those institutions. Accordingly, I have no interest in allowing them to be subjected to its provisions.

As a matter of fact, Mr. President, I can see no reason why any part of Kansas should be targeted for inclusion under a proposal of this type. Moreover, if this amendment is agreed to—and I hope it is—it would be my intention to point out to the people at HUD that "redlining" has simply not prevailed in my State, and that we should not be considered for any of the 27 demonstration areas contemplated.

I am not suggesting that this type of problem does not exist in some areas of the country—only that Kansas is not among them. Neither am I objecting to addressing an abuse where a response is indicated—only to the policy of legislating a nationwide solution to correct situations which are isolated and local in nature.

Clearly, the intent and purpose of the Home Mortgage Disclosure Act would be better served by State and local action—something that is already being initiated in Chicago and the States of Illinois, Massachusetts and California, where instances of redlining have been identified and acknowledged. It seems to me we should further encourage such regional problem-solving trends, without precipitously moving to apply a blanket Federal mandate which may well prove counterproductive.

By that I mean that restraint is called for here if we are to keep our lending institutions from becoming totally frustrated with unnecessary government red tape—unnecessary because in many areas it would impose a remedy for a condition that is not present, a little like unwarranted surgery. The far more enlightened course to follow in my opinion is that of identifying, studying, and analyzing the nature and extent of the ailment, and then determining what, if any, treatment should be prescribed.

That is essentially what this amendment would do, and I support it for just such a reason. We do not need higher interest rates to cover the costs of complying with anti-redlining legislation that will only provide meaningless data and undermine the confidence of the public in financial institutions.

I doubt that very many here would want to endorse a "presumption of guilt" policy for lenders in every metropolitan area in the country. Yet that is precisely what we would be doing by passing this bill as reported and placing on them the burden to prove that redlining is not an habitual practice.

So let us adopt this amendment and give proper consideration to the disinvestment issue before launching out with uncertainty and confusion. Only with adequate, factual data will we be equipped to act reasonably and responsibly if and where States and localities have not.

The PRESIDING OFFICER. The question now occurs on the amendment of the Senator from Utah.

Mr. GARN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

Mr. PROXMIRE. Mr. President, if all time has expired on the amendment, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUDDLESTON (when his name was called). Present.

Mr. ROBERT C. BYRD. I announce that the Senator from Michigan (Mr. Philip A. Hart), the Senator from South Carolina (Mr. Hollings), the Senator from Minnesota (Mr. Humphrey), the Senator from Washington (Mr. Magnuson), the Senator from South Dakota (Mr. Abourezk), the Senator from Massachusetts (Mr. Kennedy), the Senator from North Carolina (Mr. Morgan), and the Senator from Utah (Mr. Moss) are necessarily absent.

I further announce that the Senator from Indiana (Mr. Bayh), the Senator from Indiana (Mr. Hartke), the Senator from Louisiana (Mr. Long), the Senator from Connecticut (Mr. Ribicoff), and the Senator from Ohio (Mr. Glenn) are absent on official business.

I also announce that the Senator from Alabama (Mr. Allen) is absent because of illness.

I further announce that if present and voting, the Senator from Minnesota (Mr. Humphrey) would vote "nay."

On this vote, the Senator from North Carolina (Mr. Morgan) is paired with the Senator from Washington (Mr. Magnuson). If present and voting, the Senator from North Carolina would vote "yea" and the Senator from Washington would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. Hatfield), the Senator from New York (Mr. Javits), the Senator from Oregon (Mr. Packwood), and the Senator from Alaska (Mr. Stevens) are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. Hatfield) would vote "yea."

The result was announced—yeas 40, nays 41, as follows:

[Rollcall Vote No. 381 Leg.]

YEAS—40

Baker
Bartlett
Bellmon
Bentsen
Brock
Buckley
Bumpers
Byrd,
  Harry F., Jr.
Byrd, Robert C.
Chiles
Cotton
Curtis
Dole
Domenici
Eastland
Fannin
Fong
Ford
Garn
Goldwater
Griffin
Hansen
Helms
Hruska
Laxalt
McClellan
McClure
Nunn
Pearson
Randolph
Roth
Scott,
  William L.
Sparkman
Stennis
Stone
Taft
Talmadge
Thurmond
Tower
Young

NAYS—41

Beall
Biden
Brooke
Burdick
Cannon
Case
Church
Clark
Cranston
Culver
Eagleton
Gravel
Hart, Gary W.
Haskell
Hathaway
Inouye
Jackson
Johnston
Leahy
Mansfield
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Muskie
Nelson
Pastore
Pell
Percy
Proxmire
Schweiker
Scott, Hugh
Stafford
Stevenson
Symington
Tunney
Weicker
Williams

ANSWERED "PRESENT"—1

Huddleston

NOT VOTING—18

Abourezk
Allen
Bayh
Glenn
Hart, Philip A.
Hartke
Hatfield
Hollings
Humphrey
Javits
Kennedy
Long
Magnuson
Morgan
Moss
Packwood
Ribicoff
Stevens

So Mr. Garn's amendment (No. 826), as amended, was rejected.

Mr. BROOKE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PROXMIRE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. JOHNSTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON. Mr. President, I have an amendment——

Mr. GARN. May we have order, Mr. President.

The PRESIDING OFFICER. The Senator will suspend until the Senate is in order.

Mr. JOHNSTON. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> The Senator from Louisiana (Mr. JOHNSTON) proposes an amendment to add a new section at the end of the bill.
>
> The amendment is as follows:
>
> Add a new section at the end of the bill, as follows:
>
> "SEC. . The authority granted by this Act shall expire three (3) years after the date of its enactment."

Mr. JOHNSTON. Mr. President, all this amendment does is to require that this matter be reviewed, at the end of 3 years, if it is going to continue in existence.

Any Federal program that costs money, it seems to me, ought to be reviewed to determine its cost-benefit ratio to determine whether it is being effective and whether it is achieving the purposes for which it was designed.

I understand this is agreeable with the author of the bill.

Therefore, I urge its adoption by the Senate.

Mr. PROXMIRE. Mr. President, if the Senator from Louisiana will yield, I discussed this with the Senator from Louisiana. I think it is a good amendment. I am happy to accept it.

Mr. GARN. Mr. President, I accept the amendment on behalf of the minority.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. DOLE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The second assistant legislative clerk read as follows:

> The Senator from Kansas (Mr. DOLE) proposes an amendment.

The amendment is as follows:

> On page 13, line 4, change the section title to read:
>
> "RELATION TO STATE LAWS AND PRACTICES"
>
> On page 13, after line 24, insert the following new subsection:
>
> (c) The Board shall also by regulation exempt from the requirements of this Act any depository institution within any State or subdivision thereof upon receipt of a written declaration from the Governor of that State certifying that depository institutions within such State are, whether by law or practice, in substantial compliance with the requirements imposed under this Act.

Mr. DOLE. Mr. President, the purpose of S. 1281 is to prevent financial institutions from unjustifiably refusing to make loans within a specified geographical area—the so-called "redlining" practice which has been thoroughly discussed in this Chamber already this afternoon. But though redlining may be a problem in some of the larger metropolitan areas a survey of lending institutions in my State of Kansas revealed that redlining has never been a problem there.

To complement that survey, a recent study made by the Controller of Currency and Administrator of National Banks indicate that while there may be some bias against lending to minorities themselves in one Kansas community, the evidence is very substantial that there is no pattern of excluding neighborhoods, in whole or in part, from access to mortgage money since that is simply because they are occupied by the poor or the minorities. The problem this legislation is intended to remedy, then, I see no reason why my State should be required to undergo the costs of proving it does not exist.

I am therefore offering this amendment to allow any Governor to remove his State from the reporting requirements of this by certifying in writing to the Board that the depository institutions in such State are, in fact, by practice in substantial compliance with the intent of the act. The amendment would, I believe, prevent this unnecessary burden and expense, I have described from being placed on mortgage lending facilities in States so exempted by gubernatorial action.

Mr. President, I am without question totally sympathetic with the problems of blighted and declining neighborhoods in our Nation. However, I feel it would be ill-advised to blanket the country with yet another Federal program which is applicable only in a few areas.

I think it would be well to remind my colleagues that there are a number of Federal statutes already on the books which specifically address housing discrimination problems including the Housing and Community Development Act of 1974; the Equal Credit Opportunity Act, effective next month; and title 8 of the Civil Rights Act of 1968. Accordingly, it is quite possible that instead of pursuing this legislation and making it universally applicable, we should be focusing on improving the provisions and enforcement of the existing law.

Our Kansas realtors, banks, and savings and loan institutions are acutely conscious of their responsibility to deal fairly and equitably with minorities and the poor. For that reason, I feel the information to be obtained from additional Federal requirements would, in no meaningful way, improve housing for any disadvantaged segment of society in our State.

I am simply suggesting with this amendment, Mr. President, that in Kansas—and I am confident in many other States as well—the propriety of this bill's application can best be judged by State officials themselves, and not this body or any of its committees. I believe they should have the opportunity to make that determination, and hope Senators from States in similar situations who feel the same will support the amendment's adoption.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. PROXMIRE. I understand the good reasons behind the amendment. The Senator has said that there may be States or areas of the country where this is a matter of compliance. But let me read to the Senator what we now have in the bill. I read from page 13, lines 19 to 24:

> The Board shall by regulation exempt from the requirements of this Act any depository institution within any State or subdivision thereof if it determines that, under the law of such State or subdivision, that institution is subject to requirements substantially similar to those imposed under this Act.

In other words, a State like California, which already has census tract disclosure, would be in compliance.

I do not know how the Governor would know, if there is not a law requiring a bank to report on where it makes its mortgage loans—how the Governor could know whether his banks are in compliance. That is the whole point. That is what the legislation would try to determine.

We know there is redlining. Everybody on the committee who has listened to the testimony and all the bankers agree that there is redlining. But there is very little agreement on where the redlining occurs. Unless we have some disclosure, at least for awhile, we will not have that.

It may be that after a couple of years an amendment such as that offered by the Senator from Kansas will be a good amendment. If he finds, after a couple of years, that there is not redlining in Kansas or in Utah or in some other States, then it seems to me that the amendment of the Senator would be appropriate. But if he were the Governor of a State or I were the Governor of a State, I do not know how in the world we could honestly tell the Federal Government that all our banks were in compliance. It seems to me that I would be vulnerable. I would be in a position where it would be hard to make that assurance.

Mr. DOLE. I understand and appreciate the Senator's point, but here again it seems to me that we are presupposing that the problem exists everywhere—even where there have been no complaints registered and no showings of evidence to that effect. I simply feel very strongly that with all the State resources available to the Governor, if S. 1281 should become law, he could make that determination.

I am aware of the rather limited exemption provided for in the bill with reference to actual State laws. Where statutes themselves have not been enacted by State legislatures because the practices of lending institutions have not made them necessary, however, I just believe that the chief executive of that State should have the discretion to determine that formal, federally initiated reporting requirements are not necessary.

Obviously, if he does not have enough facts or information at hand to make such a finding, he could not in good conscience ask for an exemption. But in Kansas, where there is a State bank commissioner, a State banking board, a savings and loan commissioner, a savings and loan board, a commission on civil rights, a Kansas real estate commission, and, most importantly, very perceptive consumers themselves to provide the Governor with all the data he could possibly desire, that would certainly not be the case.

So all I am suggesting is that we should give the senior elected officials in our States the ability to relieve their financial institutions from the heavy burden of this legislation when it will serve no useful purpose and only operate to cause a substantial expense to be incurred—an expense which will have to be passed on in the form of additional loan costs to consumers. That is what could all be avoided by adopting this amendment.

Mr. PROXMIRE. Will the Senator consider withdrawing his amendment and permitting us to hold hearings on this matter? It may have substantial merit, but we would like to hear from the banking fraternity, from Governors, from banking commissioners, and others, to see if there is a basis on which we can do it. I think it has a great deal of merit, if we could get assurance from the States that they could do this responsibly and do this on the basis of documentation that would be available.

I am sure that the Senator would not want to offer an amendment which would put a Governor in an impossible position, and we do not want to do that.

I also plan hearings on the amendment proposed by the Senator from Iowa, regarding rural credit outflows.

Mr. DOLE. I do want to cooperate with the distinguished Senator from Wisconsin and am pleased that he would offer to hold hearings. However, it seems to the Senator from Kansas that if the amendment has merit, it should be acted upon—even though it may be defeated.

I am willing to do it on a voice vote if the Senator would prefer, but would rather do that than withdraw it. Since I have offered it and believe it would enhance the acceptability of this legislation, I would like to have some response from the Senate.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BUMPERS). All time having been yielded back, the question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on passage of the bill.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is all time yielded back?

Mr. PROXMIRE. Mr. President, I yield to the Senator from Virginia.

Mr. HARRY F. BYRD, JR. Mr. President, the bill before the Senate, S. 1281, would require most mortgage institutions to disclose annually by area within a community the number and total value of mortgages made.

The proponents of this bill reason that disclosure of mortgage records will allow pressure to be put on lenders. Public scrutiny, it is argued, would force lenders to make loans in certain areas, thus keeping the neighborhoods from declining.

The premise is faulty and the proposed solution may cause more harm than good.

Mortgage associations are important institutions in our society. They are publicly chartered organizations which are obliged to operate in a prudent manner. They are trusted with the savings of individuals in order to invest those savings as wisely as possible in mortgages for family homes.

The bill before the Senate conflicts with that purpose.

First, it presumes that mortgage associations arbitrarily designate areas in which they will not finance home purchases—a practice called "redlining."

Not only does the United States League of Savings Association, the largest organization of mortgage associations, strongly condemn this practice but the Federal Home Loan Bank Board rules provide sanctions against associations which follow this practice.

Officials of the Board further point out that the arbitrary denial of a mortgage for any property on grounds other than sound investment practices, would be contrary to the obligations of the trustees of savers' funds.

That, it seems, is the key: sound investment practices.

The bill asks that the judgments of mortgage associations be subject to scrutiny by individuals who would be able to criticize the judgments of the association on social or political grounds.

If groups or individuals are successful in persuading some savings and loan associations to make loans which are not justified by sound judgment or prudent financial practices, then those associations have not fulfilled the obligations to the savers: the investors.

The premise behind this bill is that loans should be made with the influence of individuals whose expertise is in areas other than home loans, savings, and investments. What the bill ultimately gives us is upside-down redlining.

It provides the vehicle for groups or individuals to put pressure on mortgage institutions to make mortgages deemed worthy on noneconomic grounds.

The bill puts Congress in the duplistic position of saying, "Do not redline—do not refuse a mortgage on arbitrary grounds. But we see nothing wrong with the opposite: approving a mortgage on arbitrary grounds."

We should remember, too, that regulation of this kind is not free. It will cost millions of dollars to make these reports; and the only sources of those funds are home buyers who obtain mortgages.

The bill may also result in the outflow of funds from savings and loan associations. If institutions are pressured into making uneconomic mortgages, investor confidence will fall, and other investments will be relatively more attractive.

I support the intent of this legislation, if that intent is to stop urban blight. However, I do not think this bill will help accomplish that goal. In fact, it likely will be counter-productive.

I cannot vote for the proposal before the Senate because it is an unsound proposal.

RURAL AREAS AND THE HOME MORTGAGE DISCLOSURE ACT OF 1975

Mr. CLARK. Mr. President, S. 1281—the Home Mortgage Disclosure Act of 1975—requires mortgage lenders in urban areas to disclose the number and dollar amount of mortgage loans originated by that institution at the end of each fiscal year. The total number and dollar amount of all loans outstanding at the close of each fiscal year also must be made public. The disclosure statement requires urban lending institutions to reveal by ZIP code the breakdown between loans to owner-occupied versus absentee-owned housing and the breakdown between conventional, FHA and VA loans. This would help the public understand the role of depository lending institutions in home financing.

In its present form, the legislation is yet another example of an unfortunate trend. That is the exclusion of small towns and rural areas from legislation considered by the Congress.

As initially introduced, S. 1281 applied to both metropolitan and nonmetropolitan areas. As amended by the Senate Committee on Banking, Housing and Urban Affairs, the legislation would apply only to metropolitan areas.

The decision to exclude rural areas from this bill is particularly unfortunate because there was not an opportunity during the hearings on the bill to receive testimony from rural public interest groups on the need for the legislation in rural areas. Right now, about 30 percent of our population resides in rural areas but 60 percent of the Nation's substandard housing is located there. Moreover, according to the Department of Housing and Urban Development, the proportion of mortgage debt for single unit dwellings outside urban areas is just about 19 percent of the total debt in this category. Overall, the mortgage credit in nonmetropolitan areas for all housing credit obligations is even less—standing at around 17 percent of the total. These disparities could be better understood if rural lending institutions had to make a public disclosure of their lending practices.

I have introduced an amendment that simply would restore rural areas under the provisions of this legislation. The amendment would require disclosure in nonmetropolitan areas by zip code; but the rest of the obligations required by this legislation would apply to rural and urban banks alike.

Right now, there is a serious shortage of mortgage credit in rural areas. Earlier this year, the Subcommittee on Rural Development released a study prepared by the Congressional Research Service on "Rural Housing: Needs, Credit Availability, and Federal Programs." This study concluded that rural borrowers have fewer options, and in general must pay higher interest rates for shorter term mortgages than their urban counterparts. The study also found that rural areas are more dependent on their own internal savings for mortgage credit than are urban areas. Yet, there is little information available either on the lending practices of small-town lenders or on the exent to which capital is exported from rural areas.

The Department of Housing and Urban Development recently requested research proposals for a major study on the existence of housing credit market differentials between rural and other areas and the causes of these differentials. More than a quarter of a million dollars is being spent on this study. But it will only provide information on a sample basis. Full disclosure as required by my amendment would provide such information on a regular and continuing basis.

The point is that credit shortage is not simply an urban problem, different lending institutions and different lending practices prevail throughout rural America—with some banks doing a very good job for their communities. But because of the disparity in lending practices, the burden of proof, before excluding rural areas, should rest on those who would limit the application of this legislation to standard metropolitan statistical areas.

My amendment would require disclosure in rural areas by ZIP code in small towns and rural areas, sufficient information can be provided to consumers by ZIP code. It will help them determine the extent to which lending institutions are active locally and whether capital is being imported or exported.

In 1974, the Office of Economic Research of the Federal Home Loan Bank Board prepared a series of comparisons of mortgage lending by savings and loan institutions during the period from 1968 to 1974 within an outside metropolitan areas. These comparisons lead to some interesting conclusions that lend weight to the need for further compilation and disclosure of information.

For example, between 1968 and 1974, nonmetropolitan savings and loans showed proportionate increases both in their total assets and in mortgage lending, as compared with savings and loans in metropolitan areas. However, nonmetropolitan mortgage lending as a proportion of total assets did not increase as much as metropolitan mortgage lending. In other words, savings and loan institutions made more mortgage credit available per dollar of assets in metropolitan areas than was available in nonmetropolitan America. This trend could be better understood if rural residents had more complete information on lending practices. That is what my amendment would accomplish.

Mr. President, the provisions of S. 1281 recognize a problematic situation, and together they take a sound first step toward solving the so-called redlining problem. The bill requires compilation and disclosure of significant information. That may or may not lead to a solution, but at least it will help us define the problem's scope and dimensions.

Recent population surveys have shown that the trend away from rural areas has dramatically reversed itself in many rural sections of the country. Moreover, projections indicate that this reversal may continue and be a permanent part of a larger trend. No doubt, this change in population growth will have an impact on housing and on mortgage credit.

However, because there was not an opportunity during the hearings on S. 1281 to receive testimony from rural organizations and lending institutions located in rural areas, the distinguished chairman of the Senate Housing and Banking Committee—Mr. PROXMIRE—has consented to hold hearings on the "redlining" problems facing rural areas. At that time, rural groups and rural lending institutions could present their case to the committee, and similar legislation could be adopted.

With the assurance from Senator PROXMIRE to hold hearings on redlining problems in rural areas, I will withdraw my amendment.

Mr. TUNNEY. Mr. President, I would like to take this opportunity to indicate my support of S. 1281, the mortgage disclosure bill, as reported by the Banking and Housing Committee. I know that that committee has worked hundreds of hours to insure that this legislation accomplishes its purposes with minimum administrative inconvenience and maximum effectiveness. I believe that the bill before us accomplishes that goal, and the committee deserves our commendation.

The fundamental purpose of S. 1281 is to provide information about the impact of mortgage lending practices on our Nation's urban areas. At present, we lack sound facts about the presence and prevalence of so-called redlining in many of our cities. We do know that it exists in many places. Yet we continue to sit by and witness the wholesale deterioration of hundreds of cities, powerless to act because we don't know what action is necessary. If we are to take corrective action to deal with the causes and effects of urban decay, our first and most important need will be reliable information on its causes and effects. S. 1281 will provide us that information. Where redlining is a problem, this bill will help us to identify it, and arrive at sound policies to arrest and reverse the resulting urban decline. Where redlining does not exist, such information will enable us to turn our attention to the real underlying causes of deterioration.

As important as what this bill does is what it does not do. It does not force the allocation of credit by our Nation's lending institutions, nor does it represent a first step in such credit allocation. If the bill required that mortgage lenders jeopardize their financial stability, I would oppose it. But it does no such thing; it does represent a reasonable, limited and prudent attempt to deal with an urgent national problem by providing information about that problem. For that reason, I support the bill.

Mr. President, the Congress is not the only institution attempting to grapple with the complexities of urban mortgage lending patterns. In my own state of California, the state Business and Transportation Agency has recently proposed measures to deal with "redlining" in State-regulated lending institutions. Those proposals were the outgrowth of a series of hearings and months of study on the prevalence and consequences of "redlining." I had the opportunity to present testimony at those hearings, which sets out in greater detail my feelings on this issue.

It is clear that our present efforts, both at the State and Federal level, represent a start, but only a start, in dealing with the phenomenon of urban decay as it results from lending practices. However, we must start somewhere, and the efforts to collect and analyze information about "redlining" represent an intelligent and natural starting point. That is why I support S. 1281, which I believe will help us to avoid the further destruction and waste of our urban environments. My reasons for these feelings are amplified in the statement which I recently presented at California hearings, and I ask unanimous consent that the text of those remarks be printed in its entirety at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHN V. TUNNEY

Thank you very much for the opportunity to offer some of my thoughts on "redlining." I want to commend the Business and Transportation Agency for its initiative in holding hearings on this vital issue, which may be a crucial factor in determining some of the directions which our society takes in the next decade.

Most of us are fast becoming familiar with the meaning of the term "redlining"—the figurative process of mortgage lending institutions blocking out particular areas on lending maps for which little or no mortgage money will be made available, regardless of how solvent or respectable the loan applicant or mortgage property may be. Whether that process is accomplished by the literal drawing of a red line around whole neighborhoods, or by a *de facto* decision to deny loan applications from particular areas, we know that the practice exists, and we know of its devastating consequences for the neighborhoods involved.

Redlining exists on a national scale. A 1972 survey by the Federal Home Loan Bank Board revealed that 3 out of every 10 savings and loan institutions surveyed admitted disqualifying some areas for loan eligibility, and an even higher number admitted that loans made to certain areas carried more onerous terms than the routine loan made by the institution.

In recent Congressional hearings, witness after witness has testified to the fact that redlining is a universal phenomenon throughout the United States—in Washington, in Baltimore, in Boston, in Chicago, in most major cities of this country. California is no exception. At those same Washington hearings, Mayor Merle Mergell of Inglewood told of the pervasive impact of such lending practices in that city. Mrs. Fran

Mattarrese, of the East Oakland Housing Committee, detailed the existence of redlining practices in consideration of loan applications from her area. And the Senate heard testimony from the National Task Force on Credit Policy, testimony that outlined the pervasiveness of redlining throughout the Los Angeles area.

Refusals to lend for residential purchases and improvement can trigger the deterioration of a neighborhood, which in turn results in ever more determined refusals to lend in such areas. We should recognize the results for what they are—a devastating downward cycle of deterioration. Once started, the process becomes increasingly difficult to reverse—a self-fulfilling prophecy of decay for the communities involved. The most difficult aspect of that process is that the practice originates in the ostensibly sound business judgments of lending institutions. Savings and loan institutions and banks are normally justified in avoiding loans which they believe may never be repaid in full.

No one expects lenders to throw good money after bad by approving loans to poor risk borrowers. Lending institutions have an obligation to their investors and to the public not to jeopardize their financial health. The entire apparatus of regulatory agencies at the Federal and state level is designed to insure that banks and savings and loan institutions, remain financially secure and stable. And, if redlining were nothing more than the prudent practice of avoiding financial loss, it would probably be beyond the proper purview of governmental intervention or investigation.

But it *is* within government's purview when a lender anticipates the decline of a neighborhood or community, and becomes a catalyst of deterioration, or when a lending institution refuses to approve the loan application of a solvent and credit-worthy individual because he or she is living in a neighborhood which is defined as declining.

In such cases, redlining steps over the limits of sound financial practices, and enters the realm of social policy. When private actions lead to urban blight, contribute to increased crime, diminish property values and dwindling local tax bases, and increase the need for government services, they take on a public character which places them properly in the public realm.

Redlining contradicts the fundamental policy that every American is entitled to decent housing in a decent neighborhood. It certainly contradicts the ideas that every citizen should be able to incur a mortgage obligation based on his own credit rating and not on factors which are remotely related or irrelevant to credit worthiness.

At a time of rapidly dwindling land availability, redlining encourages the artificial and premature deterioration and abandonment of liveable old communities for new neighborhoods and communities. That seriously depletes our available land supply, and puts large burdens on our natural and social resources.

For these reasons, I believe we must move on several fronts to insure that appropriate action is taken to sharpen our focus and redlining, our actions must not threaten the financial prerogatives or stability of our lending institutions, however.

The first step is to provide the public with information about the practice. The hearings conducted in the Congress and these hearings at the state level are important first steps in dealing with the causes and effects of redlining. But if we are to know where redlining is practiced, where it is justified as a sound business judgment and where it has triggered the deterioration of whole areas, we must collect and disseminate reveal that the cost would be minimal—about $200 per institution per year—a pittance when compared to the value of the information generated. Fears of excess cost should not deter the Federal government from undertaking this program of information collection and disclosure.

A second immediate step should be taken by governments at both the State and Federal levels. All agencies involved in the process of lending for real estate purchases, whether they are agencies regulating depository institutions or quasi governmental agencies purchasing mortgages from primary lending institutions in the secondary mortgage market, should be made sensitive to the need to identify redlining in regulated institutions and to amend or remove any administrative practices which may encourage redlining by such institutions.

At the Federal level, several institutions would be involved in such activities. Regulatory agencies such as the Federal Home Loan Bank Board, the FDIC, the Controller of the Currency, and the Federal Reserve System—have become partially aware of the practice as a result of reviewing lending institutions. Unfortunately, that progress has not been fast or extensive enough and the institutions need to be made more sensitive to such problems. You can count on my efforts in this regard.

Moreover, quasi-Federal institutions such as the FNMA, the GNMA and the FHLMC, are insufficiently aware of the impact their mortgage evaluation procedures and their purchasing power may have in encouraging or perpetuating redlining practices. Elimination of such procedures and new awareness of the impact of their activities is one immediate goal which the Federal agencies should pursue. I will also actively support efforts to redirect the perspectives of such secondary mortgage market agencies.

I am pleased to note that the State Business and Transportation agency appears to be sensitive to these issues. Such sensitivity is a primary prerequisite at all levels of government—local, State and Federal—if we are to approach the American dream of decent housing for every family.

In short, I believe the problem of redlining is difficult and complex, but that we have an obligation to take immediate action. We must compile and publicize relevant information on the practice, its effects, and possible remedial measures. And we must ensure that the Government agencies which have jurisdiction in this area are more sensitive to its existence and better able to take affirmative action to cope with its implications. In both respects, California already has taken the lead. I hope that in the future, I will be able to report that the Federal Government has followed that lead and joined with California in that effort.

Mr. BROOKE. Mr. President, S. 1281, the Home Mortgage Disclosure Act of 1975, would require institutions engaged in residential mortgage lending to compile data reflecting the geographic areas in which they make mortgage loans and to reveal such information to the public.

While the mechanics of the bill are relatively easy to understand, its underlying rationale deserves consideration. In the course of hearings on this bill, the Banking Committee received testimony which indicated that many mortgage lending institutions were not making mortgage loans in older neighborhoods, even though such institutions were located in or had branch offices receiving deposits in such neighborhoods. What emerged from the testimony was a pattern of deliberate disinvestment in certain neighborhoods by some mortgage lending institutions. These institutions were "redlining" neighborhoods and refusing to make mortgage loans regardless of the quality of the property offered as security or the ability of the buyer to pay for and maintain his home.

The Banking Committee has wrestled with the problem of "redlining" before, and it has not been an easy one to solve. The decision on whether to make a mortgage loan must be made on a case-by-case basis taking into account a large number of factors including the price and condition of the property, and the credit worthiness of the buyer. No one suggests that mortgage lenders should make bad loans. Nor does any member of our committee urge a system of credit allocation under which mortgage lending institutions are directed to invest a certain percentage of their funds in older neighborhoods.

What the sponsors of S. 1281 do suggest is that so far as the practice of "redlining" is concerned, the public has a right to more information. Many mortgage lending institutions are getting deposits in urban neighborhoods where moderate income homeowners live. These institutions operate under charters issued by financial regulatory agencies which restrict entry into the business on a geographic basis. They are supposed to serve the area in which they are located; not only to obtain deposits, but also to make loans. And under S. 1281, their depositors and the public at large will be given an opportunity to assess the lending policies of these institutions by looking at the areas in which they make mortgage loans.

In some cities, neighborhood groups have organized to persuade their local lending institutions to make more mortgage credit available in their areas. They argue persuasively that they should be able to make an educated judgment about where they will deposit their savings based on the probability of their being able to obtain mortgage loans from the institutions in which they have made deposits.

S. 1281 does not apply to institutions in rural areas, and under the amendment which Senator PROXMIRE and I offered and which was adopted by the Senate on July 26, the disclosure requirements of the bill are only prospective in their application, that is, institutions are not required to report the location of properties securing all the mortgages in their portfolios. The cost of supplying the information required by the bill will be less than $1 per mortgage.

Some who oppose S. 1281 argue that mortgage lending practices are not the only factors which cause older neighborhoods to decline, and they are right. However, "redlining" is one factor, and an important factor, causing neighborhood deterioration, and I do not believe that we should delay taking steps to deal with "redlining" until we can offer legislation which creates a remedy for all the causes of neighborhood decline.

The Home Mortgage Disclosure Act of 1975 is not a cure-all, but I believe it is a good bill and will discourage the practice of "redlining" which has developed in some cities. I urge my colleagues to vote for the bill.

The PRESIDING OFFICER. Is all time yielded back?

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

Mr. GARN. I yield back the remainder of my time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. HUDDLESTON (when his name was called). Present.

Mr. ROBERT C. BYRD. I announce that the Senator from Michigan (Mr. Philip A. Hart), the Senator from South Carolina (Mr. Hollings), the Senator from Minnesota (Mr. Humphrey), the Senator from Massachusetts (Mr. Kennedy), the Senator from Washington (Mr. Magnuson), the Senator from North Carolina (Mr. Morgan), and the Senator from Utah (Mr. Moss), are necessarily absent.

I further announce that the Senator from Indiana (Mr. Bayh), the Senator from Ohio (Mr. Glenn), the Senator from Indiana (Mr. Hartke), the Senator from Louisiana (Mr. Long), and the Senator from Connecticut (Mr. Ribicoff), are absent on official business.

I also announce that the Senator from Alabama (Mr. Allen), is absent because of illness.

On this vote, the Senator from Washington (Mr. Magnuson) is paired with the Senator from North Carolina (Mr. Morgan). If present and voting, the Senator from Washington would vote "yea" and the Senator from North Carolina would vote "nay."

I further announce that, if present and voting, the Senator from Minnesota (Mr. Humphrey), would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Oregon (Mr. Hatfield), the Senator from New York (Mr. Javits), the Senator from Oregon (Mr. Packwood), and the Senator from Alaska (Mr. Stevens), are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon (Mr. Hatfield), would vote "nay."

The result was announced—yeas 45, nays 37, as follows:

[Rollcall Vote No. 382 Leg.]

YEAS—45

Abourezk
Beall
Biden
Brooke
Burdick
Cannon
Case
Church
Clark
Cranston
Culver
Eagleton
Gravel
Hart, Gary W.
Haskell
Hathaway
Inouye
Jackson
Johnston
Leahy
Mansfield
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Schweiker
Scott, Hugh
Sparkman
Stafford
Stevenson
Symington
Taft
Tunney
Weicker
Williams

NAYS—37

Baker
Bartlett
Bellmon
Bentsen
Brock
Buckley
Bumpers
Byrd, Harry F., Jr.
Byrd, Robert C.
Chiles
Cotton
Curtis
Dole
Domenici
Eastland
Fannin
Fong
Ford
Garn
Goldwater
Griffin
Hansen
Helms
Hruska
Laxalt
McClellan
McClure
Nunn
Randolph
Roth
Scott, William L.
Stennis
Stone
Talmadge
Thurmond
Tower
Young

ANSWERED "PRESENT"—1

Huddleston

NOT VOTING—17

Allen
Bayh
Glenn
Hart, Philip A.
Hartke
Hatfield
Hollings
Humphrey
Javits
Kennedy
Long
Magnuson
Morgan
Moss
Packwood
Ribicoff
Stevens

So the bill (S. 1281) was passed, as amended, as follows:

S. 1281

An act to improve public understanding of the role of depository institutions in home financing

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

Section 1. This Act may be cited as the "Home Mortgage Disclosure Act of 1975".

FINDINGS AND PURPOSE

Sec. 2. (a) The Congress finds and declares that depository institutions have sometimes failed to provide adequate home financing on a nondiscriminatory basis for all neighborhoods within the communities and neighborhoods from which those institutions receive deposits.

(b) The purpose of this Act is to provide the citizens and public officials of the United States with sufficient information to enable them to determine which depository institutions are filling their obligations to serve the housing needs of the communities and neighborhoods in which they are located.

DEFINITIONS

Sec. 3. As used in this Act—

(1) the term "mortgage loan" means a federally related mortgage loan other than temporary financing, such as a construction loan as defined under section 3 of the Real Estate Settlement Procedures Act of 1974;

(2) the term "depository institution" means any commercial bank, savings bank, savings and loan association, or credit union, which makes federally related mortgage loans as determined by the Board; and

(3) the term "Board" means the Board of Governors of the Federal Reserve System.

MAINTENANCE OF RECORDS AND PUBLIC DISCLOSURE

Sec. 4. (a) (1) Each depository institution which has a home office or branch office located within a standard metropolitan statistical area, as defined by the Office of Management and Budget shall compile and make available, in accordance with regulations of the Board, to the public for inspection and copying at each office of that institution the number and total dollar amount mortgage loans which were (A) originated, or (B) purchased, by that institution during each fiscal year (beginning with the last full fiscal year of that institution which immediately preceded the effective date of this Act.)

(2) The information required to be maintained and made available under paragraph (1) shall also be itemized in order to clearly and conspicuously disclose the following:

(A) The number and dollar amount for each item referred to in paragraph (1), by zip code, for borrowers under mortgage loans secured by property located within that standard metropolitan statistical area.

(B) The number and dollar amount for each item referred to in paragraph (1), by State, for all such mortgage loans which are secured by property located outside that standard metropolitan statistical area.

For the purpose of this paragraph, a depository institution which maintains offices in more than one standard metropolitan statistical area shall be required to make the information required by this paragraph available at any such office only to the extent that such information relates to mortgage loans which were originated, purchased, or sold by an office of that depository institution located in the standard metropolitan statistical area in which the office making such information available is located.

(b) Any item of information relating to mortgage loans required to be maintained under subsection (a) shall be further itemized in order to disclose for each such item—

(1) the number and dollar amount of mortgage loans which are insured under title II of the National Housing Act or under title V of the Housing Act of 1949 or which are guaranteed under chapter 37 of title 38, United States Code;

(2) the number and dollar amount of mortgage loans made to mortgagors who did not, at the time of execution of the mortgage, intend to reside in the property securing the mortgage loan; and

(3) the number and dollar amount of home improvement loans.

(c) Any information required to be compiled and made available under this section shall be maintained and made available for a period of five years after the close of the first year during which such information is required to be maintained and made available.

ENFORCEMENT

Sec. 5. (a) The Board shall prescribe such regulations as may be necessary to carry out the purposes of this Act. These regulations may contain such classifications, differentiations, or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the Board are necessary or proper to effectuate the purposes of this Act, and prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(b) Compliance with the requirements imposed under this Act shall be enforced under—

(1) section 8 of the Federal Deposit Insurance Act, in the case of—

(A) national banks, by the Comptroller of the Currency;

(B) member banks of the Federal Reserve System (other than national banks), by the Board;

(C) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System), by the Board of Directors of the Federal Deposit Insurance Corporation;

(2) section 5(d) of the Home Owners' Loan Act of 1933, section 407 of the National Housing Act, and sections 6(i) and 17 of the Federal Home Loan Bank Act, by the Federal Home Loan Bank Board (acting directly or through the Federal Savings and Loan Insurance Corporation), in the case of any institution subject to any of those provisions;

(3) the Federal Credit Union Act, by the Administrator of the National Credit Union Administration with respect to any Federal credit union.

(c) For the purpose of the exercise by any agency referred to in subsection (b) of its powers under any Act referred to in that subsection, a violation of any requirement imposed under this Act shall be deemed to be a violation of a requirement imposed under that Act. In addition to its powers under any provision of law specifically referred to in subsection (b), each of the agencies referred to in that subsection may exercise, for the purpose of enforcing compliance with any requirement imposed under this Act, any other authority conferred on it by law.

(d) Except to the extent that enforcement of the requirements imposed under this Act is specifically committed to some other Government agency under subsection (b), the Federal Trade Commission shall enforce such requirements. For the purpose of the exercise by the Federal Trade Commission of its functions and powers under the Federal Trade Commission Act, a violation of any requirements imposed under this Act shall be deemed a violation of a requirement imposed under that Act. All of the functions and power of the Federal Trade Commission under the Federal Trade Commission Act are available to the Commission to enforce compliance by any person with the requirements imposed under this Act, irrespective of whether that person is engaged in commerce or meets any other jurisdictional tests in the Federal Trade Commission Act.

(e) The authority of the Board to issue regulations under this Act does not impair the authority of any other agency designated in this section to make rules respecting its own procedures in enforcing compliance with requirements imposed under this Act.

RELATION TO STATE LAWS

SEC. 6. (a) This Act does not annul, alter, or affect, or exempt any person subject to the provisions of this Act from complying with the laws of any State or subdivision thereof with respect to public disclosure and recordkeeping by depository institutions, except to the extent that those laws are inconsistent with any provision of this Act, and then only to the extent of the inconsistency. The Board is authorized to determine whether such inconsistencies exist. The Board may not determine that any such law is inconsistent with any provision of this Act if the Board determines that such law requires the maintenance of records with greater geographic or other detail than is required under this Act, or that such law otherwise provides greater disclosure than is required under this Act.

(b) The Board may by regulation exempt from the requirements of this Act any depository institution within any State or subdivision thereof if it determines that, under the law of such State or subdivision, that institution is subject to requirements substantially similar to those imposed under this Act, and that such law contains adequate provisions for enforcement.

STUDIES

SEC. 7. (a) The Board, in consultation with the Secretary of Housing and Urban Development, is authorized and directed to carry out a study to determine—

(1) the feasibility and usefulness of requiring depository institutions located outside standard metropolitan statistical areas, as defined by the Office of Management and Budget, to make disclosures comparable to those required by this Act;

(2) the feasibility, cost, and usefulness of requiring all institutions covered by this Act to disclose by geographical location the source of savings deposits;

(3) the practicability of requiring disclosure of the average terms and downpayment ratios of mortgage loans by geographical location; and

(4) the feasibility and usefulness of requiring disclosure of other types of lending data, such as small business loans.

(b) The Board shall also study and analyze, in a sample of standard metropolitan statistical areas of differing characteristics to be selected by the Board, the use to which the data disclosed under this Act is put by local government agencies, community groups, and other interested parties in such areas. The Board shall also analyze the impact of availability of lending data in the selected standard metropolitan statistical areas, including such questions as whether and to what extent mortgage lending in older neighborhoods increased as a result-of disclosure, and whether any lending institutions altered their lending patterns, and any change in default or foreclosure rates.

(c) A report on the studies under this section shall be transmitted to the Congress not later than three years after the date of enactment of this Act.

EFFECTIVE DATE

SEC. 8. The provisions of this Act shall become effective upon the expiration of ninety days following the date of enactment of this Act.

EXPIRATION DATE

SEC. 9. The authority granted by this Act shall expire three years after the date of its enactment.

Mr. PROXMIRE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. GARN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossment of S. 1281.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDING OFFICER. What is the will of the Senate?

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, am I now recognized under the order previously entered?

The PRESIDING OFFICER. The Senator is correct. He is recognized for 1 hour.

REPORT ON TRIP TO THE PEOPLE'S REPUBLIC OF CHINA

Mr. ROBERT C. BYRD. Mr. President, on August 17, a delegation of three Senators (Mr. PEARSON of Kansas, Mr. NUNN of Georgia, and myself) and three Members of the House of Representatives (Mr. ANDERSON and Mr. DERWINSKI of Illinois, and Mr. SLACK of West Virginia) and their wives left the United States for China at the invitation of the Chinese People's Institute of Foreign Affairs—an arm of the People's Republic of China—PRC—Government. The invitation from the PRC was extended to the individual Members and their wives through President Ford. The delegation was transported to and from China by a U.S. Air Force plane. Once in China, all transportation, lodging, food, and other costs were borne by the Chinese Government.

The travel itinerary inside China was arranged solely by the PRC, but we saw a representative sample of rural and urban life and China geography.

Of course, as could be expected, our conversations, in a limited 10-day visit, were confined only to discussions with dedicated followers of Maoist political theory—persons thoroughly committed to, and schooled in, Chairman Mao's ideological teachings.

A 10-day stay in China is far too short a period to afford other than a mere glimpse at the world's most populated country—a country of 800 to 900 million people and slightly larger than the United States, and whose written history dates back to about 1500 B.C. That 10-day visit took us to Peking, Sian, Kunming, Kweilin, and Shanghai. In that brief time, we saw the Temple of Heaven in Peking, where the Emperor, centuries ago, came to pray for bumper harvests; the Forbidden City, in Peking, housing the Imperial Palaces of the Ming and Ching dynasties, with their priceless works of art and jeweled treasures; the 13 Ming tombs, outside Peking—only one of which has been excavated—which house the coffins of the Ming Dynasty, 14th to 17th centuries, emperors and empresses; the Summer Palace, 7 miles northwest of Peking, vacation home of royal families as far back as 1000 A.D.; the 1,300-year-old Great Goose Pagoda—Buddhist—in Sian; some recent archeological finds in Sian not yet shown even to the Chinese public; the museum of history in Sian, housing stone tablets dating from the Han Dynasty (200 B.C–24 A.D.); the site of a 6,000-year-old stone age village discovered in 1952; the Institute for National Minorities in Kunming; the Dragons Gate on top of the Western Hills overlooking Lake Tien Chig (Dragons Gate is a temple carved out of sheer cliffs 1,500 feet above the level of the lake below); the Stone Forest, 3 hours out of Kweilin, estimated to be 270 million years old, and consisting of huge grotesque stone formations; and the Great Wall of China.

The Great Wall of China is the longest defense line ever built—stretching 1,500 to 2,000 miles over extremely difficult mountainous terrain. The wall is 20–22 feet high and tapers from a width of 20 feet at the base to about 15 feet at the top. Towers from 35 to 40 feet high are built into the wall every 300–500 yards. The sides of the wall are made of bricks and blocks of granite, and the wall is filled with earth. The top of the wall is paved with bricks set in lime, and forms a roadway along which people may walk.

The building of the wall started in the late 200's B.C., at the order of one of the rulers of the China Dynasty to keep the northern Tartar tribes from moving south to invade the territory of China proper. The present wall was completed in the A.D. 1300's. It was built entirely by hand, and thousands of workmen are believed to have died under the strain of the work. It has served at different times as a line of defense for different rulers and tribes of China.

But these impressive sights—both natural and man made—were not so interesting to me as a look at everyday life in Communist China.

It must be borne in mind in any critical evaluation of China today, of course, that it is a Communist, totalitarian state—one that completely negates the kind of freedom of the individual that we so cherish in America.

To the Western visitor, China is a different world—a nation of 800 to 900 million—nobody knows—completely dedicated, disciplined, highly regimented, hard-working people. Out of these millions of people and in all of China, there is not one privately owned automobile. A limited number of passenger vehicles is available in each community for official purpose only. Tens of thousands of bicycles fill the streets, and crowded buses are seen everywhere. Old and young, women and men, government bureaucrat and factory worker and peasant—all ride bicycles, and all dress alike in baggy pants or shorts, and shirts without ties. Women usually wear trousers like the men, but do sometimes wear a simple white blouse with skirt so as to cover the knee. Women do not wear cosmetics or jewelry—only wrist watches are worn by women and men.

Not only are there no privately owned cars in all of China; there also are no privately owned businesses. Everything is owned by the state or by the communes. Only a little personal property or a small garden plot of ground, a pig, and a few chickens can be owned by an individual or family. The entire country is divided into communes, and the grain produced in the communes is sold to the state and rationed to the people living in the communes. "From each according to his ability; to each according to his work," is the standard applied to peasant, worker, and government official. After the basic needs of the people are satisfied—that is, adequate food, clothing, and shelter—production is then distributed according to how much the individual offers to society.

The discipline is extraordinary and incomprehensible to the Western observer. Everywhere there is cleanliness and there is order. Prostitution has reportedly been eliminated; unemployment and inflation are nonexistent, although there is underemployment; the streets, by all accounts, are safe, day and night—and there seem to be few if any social problems of drug addiction, alcoholism, or juvenile delinquency. Everybody works—women alongside men—in the factories and in the fields, and receive equal pay for equal work. Women do heavy labor on the highways and streets and railroads—just as do the men. Heavy loads are carried in baskets, or on carts drawn by oxen, water buffalo, burros, or people. Men, women, and children pull carts, carry heavy loads, and work together in the rice paddies.

Wages for city workers, average about $25 to $30 per month, and range from $15 per month to $40 to $50. The work is 6 days per week, 8 hours per day—with no vacations, although there are some holidays. People are assigned to work in factories or in the communes—wherever the need exists—and they may not shift from job to job or from city to city to suit their own desires or convenience. They must work wherever and at whatever task the state requires in order to meet the needs of the people. "Serve the people" and "self reliance" are the standards and goals, mottoes and slogans by which the people are constantly guided.

Rent plus utilities cost the average family of five about $4 to $5 per month. Medical care—such as it is—is free for the workers, and costs the communal dwellers only a few cents per month. There are no income taxes, and education is free.

The land is intensely farmed, with rice on the terraced hillsides and in the level valleys, and corn in the narrow hollows and ravines. Crops of rice, wheat, corn, millet, and sorghum are well planned, rotated, and alternated. Even the strips of land running right up to the airport runways are cultivated.

Eighty percent of Chinese population is on the land; yet, only 10 to 12 percent of the total land area is used for agriculture. However, enough food is produced for 800 million people. China both exports and imports grain, but all observers agree that China has apparently solved the food problem, with grain reserves being stored in all parts of the country.

All persons working in agriculture live in communes that vary in size. To the extent possible, each commune is a self-sustaining and self-contained unit, producing its own fertilizer, providing its own medical clinic or small hospital, manufacturing and repairing its own tools, providing its own markets and schools, and producing its own consumer durables.

China presently has over 50,000 communes, which function as the basic unit of local government. The commune system, born in the optimistic fervor of the so-called Great Leap Forward in 1958, consists of four parts: commune, brigades, production teams, and households.

The commune is charged with the responsibility of producing grain, management of water resources, construction, afforestation, and management of local industries to produce consumer goods for local consumption as well as for state consumption. The commune formulates specific production plans for its subordinate units after adapting policies, received from higher government levels, to local conditions.

Brigades currently number over 700,000 and constitute the final link in the long chain of government and party control systems. The brigade is charged with overseeing the work of its production teams, which, in all of China, number about 5 million. The brigade nominates officials who lead the teams, and it is also responsible for inculcating Marxist theory in team officials and members.

Each production team is a semiautonomous unit, and it makes the final decisions regarding the production of goods and distribution of income. It calculates profits and losses. Most of the grains and foodstuffs grown in teams is consumed by member households, and the remaining portion is sold to the government.

Households number about 170 million. In addition to their work on the communal farms, they cultivate small private plots—which are also farmed collectively—from which come most of China's vegetables, poultry, and hogs. Communes allow party leaders to improve control in rural areas, and to curb capitalist and feudal tendencies among the peasants.

During the "Cultural Revolution," revolutionary committees were established in the communes. The revolutionary committee functions as the management unit in each commune and serves as the local people's government. It interprets policy decisions made by the central government in Peking, adapts such policies to local conditions, and insures that policies and production plans are implemented. Responsible persons hold two jobs—one in the party, and the other in commune management, which includes control over the commune-level militia organization. Militia regiments or battalions are organized at the commune level, and they function to provide public security and as firefighting and rescue forces. The Revolutionary Committee also collects data for the central government, writes official reports, and enhances ideological and political consciousness and the growth of socialism among the members. Communes engage in industrial as well as agricultural production, and own the land. The agricultural production is limited mostly to fishing, forestry, farming, animal husbandry, and cultivation of fruit orchards. Industrial production includes grain processing mills; farm implement construction and repair shops; brick, tile and lime kilns; hydroelectric generation; production of cement; stone quarries and small coal mines; boatbuilding shops; fruit canneries; starch and paper factories; shoe factories; et cetera.

The average commune numbers about 3,000 households—about 15,000 persons—and has about 5,000 acres of arable land. The number of brigades and teams varies widely from one commune to another.

Nearly every commune has a health clinic, and half of China's professional medical workers work in these clinics, where birth control efforts and public health programs are also directed. The treatment may be less than satisfactory, but it constitutes a vast improvement over the previous general lack of medical care.

Primary education is provided at the brigade level, and secondary and special schools at the commune level. In spite of its failings, the commune education system has given an increasing number of Chinese young people a chance to obtain a basic education.

Communes earn their incomes from the sale of products to state institutions and to other communes, and to their own brigades, teams, and members. Commune-owned hydroelectric plants sell electricity to brigades, teams, and households.

The state figures prominently in team income distribution. Teams deliver grain to state tax stations to pay their agricultural taxes; and they deliver prescribed quotas of grain, cotton, and edible oil seeds to state procurement stations. The state bears the burden of rationing grain, cotton cloth, and edible oils to the population. Through planning and the accumulated performance of teams, the government expects each team to annually deliver a set quantity of grain to the state. After the obligations to the State have been fulfilled, the remainder of grain is allocated to team leaders and members. A certain percentage of the team's income goes into a capital accumulation fund and is used to pay off loans or to purchase machinery, or goes into the team's welfare fund to help take care of the old, sick, and indigent members.

We visited the Red Star Agricultural Commune in Peking, a commune which our hosts told us was "just average"—there were "some better, some not as good, some bigger, some smaller." Our guide for the commune visit was a 26-year-old unmarried lady who is vice chairman of the People's Revolutionary Committee in the commune—it is obvious that the leaders in the communes and factories are the thoroughly indoctrinated, committed political activists. Incidentally, young people are discouraged from getting married before their mid-or-late twenties, as they are considered then to be more mature, thus contributing to more stable marriages and smaller families. Divorce is allowed but much frowned upon.

The total population of the Red Star Commune is 82,000, with a work force divided into 129 production teams. The commune produces mostly grain, but it also has over 3,000 milk cows, nearly 70,000 hogs, and 170,000 Peking—forced fed—ducks. In addition, there are 14 farm machinery repair shops; several nurseries and other schools for 20,000 students; a hospital; area clinics; as well as "barefoot doctors"—paramedics trained for at least 3 months to bring health services to the workers and peasants. The average income per peasant worker in the commune is around $150 per year. All grain and other products consumed by the peasants—except for the private livestock and private plot production—are deducted from the income of the peasant. The living quarters are extremely meager by our standards, but, by their own standards, they consider that great progress has been made since the "Liberation" of 1949–50. Private plot production can be consumed or sold to the state; but the state, while permitting, does not support private plot production. Such private plots are always very small and may include room for a pig and a half-dozen, or so, chickens.

We visited one of the commune's 10 dairy farms. Most milking is done by hand, and each cow is milked every 3 hours. There is very little refrigeration in China, so the milk was converted into powdered form at a plant in the commune. Political night schools are conducted at the commune, and 2,600 political study teams have been organized in the commune to bring "political awareness" to the peasants and to lecture on marxist theory. Everywhere one travels in China, he is constantly reminded of the teachings of Chairman Mao and the "progress made since the Great Cultural Revolution."

The Red Star Commune leaders were proud that their 1974 crop production was higher than in 1973, and they expect to do better this year. Each commune is assigned a state production quota annually, fixed for a period of 5 years. Farm products are sold to the State each year at a fixed price for the assigned quota. Any production over the quota may be sold to the State for a bonus price or retained by the commune to build up reserves or to be allotted to members of the commune—"to each according to his work."

Nothing compares to American agriculture but, by all accounts, progress has been made in recent years. There is little modern machinery, but great use is made of animals and there is no scarcity of human effort and manpower. If mechan- human effort and manpower. If mechanization should ever come to Chinese agri- teeming millions of peasants?

The Chinese people in recent years have been taught the simple rudiments of hygiene. They boil their drinking water; flies and mosquitos have been virtually eliminated except in rural areas; rats have been warred upon; dogs and cats are seldom seen; and an intensive effort has been made to eliminate birds because of their destruction of crops. Human waste—night soil—is treated as an asset, but it is now being chemically treated and combined with animal waste and compost, all of which make up 75 percent of the fertilizer used.

The low level of personal hygiene and the widespread use of animal and human wastes as fertilizer, combined to make fecal borne diseases the primary cause of deaths in old rural China. The collection of both rural and urban fecal material, and its spread over most of China's agricultural lands, resulted in a pollution of the fields that made it impossible for people to avoid infection. Through an extensive education program since 1949, however, the people have been taught the danger of contact with raw excrement. Millions of newly covered latrines have been built, and receptacles for night soil constructed. The old "honey buckets" can still be seen, however, just a few blocks from Tien An-men Square in the center of Peking, carrying the waste out of the city. Every spring, much of the labor force is rounded up to move manure accumulated during the winter months, and large numbers of urban workers and government employees are called upon to participate—what better way to shed possible remnants of elitist thoughts? Great precautions are taken to insure that the manure accumulated over the months is properly cured, chemically treated, and environmentally safe.

One might easily assume that in a country where there is no ownership of private automobiles, and only 15 percent of the population lives in urban areas, air pollution would not be a serious problem. It is not, for most people, except for those who live in the large industrial centers, where the air is as bad as is likely to be found anywhere in the world. Eight-five percent of China's energy comes from coal, and the widespread use of coal for both power and heat intensifies the normal pollution caused by industry in the cities.

Air and water pollution are a concern of the authorities, and efforts are being pressed to improve the quality of both air and water. Some progress is being made, although the Chinese admit that they still have a long way to go. Educational campaigns are conducted urging the people to wage war on the "three wastes": waste liquid; waste gas; and waste slag. The emphasis on the first two is on prevention; as to the third, the emphasis in on utilization. Mass cleanup campaigns are conducted, and the solid wastes are recycled, where possible—thus wastes are "turned into treasures": glass fiber products, soap, bricks, tile, cement, rolled steel, steel ingots, et cetera.

Now that China's basic priorities—the food and health problems—are more or less under control, she will continue to concentrate on important refinements, among which are improvements in air and water quality.

China's all-out effort to reduce population growth suggests a conventional view of the cause-and-effect relationships between population size and consequent problems of pollution. Conscious efforts are also made to promote industrial and population dispersal, and urban growth is controlled. In this way, pollution is not only made more manageable, but other social problems are, to some extent, also avoided. Not the least of considerations providing the impetus for industrial and population dispersal, however, is the constant tension between China and the Soviet Union, and China's desire to decrease vulnerability in case of a war with the U.S.S.R. In this regard, I was repeatedly told that tunnels are being built under all Chinese cities as civil defense measures against air and land attacks, and that grain, water, and other necessities are being stored therein.

Other considerations in population and industrial dispersal are the desire to devise ways of economically absorbing the millions of Chinese youths who enter the work force annually, and the encouragement of local self-sufficiency in agriculture. There is much land drainage, irrigation, flood control and land leveling, and, as I have indicated, virtually every foot of available arable land is used.

Population growth is not discouraged in sparsely populated regions, but, where population density is high, both late marriage and birth control are advocated. Contraceptive devices are available and are free, as are sterilization and abortion.

We also visited a workers' village in Shanghai, housing 4,200 working and retired families. At a kindergarten day care center, we were welcomed by 5-year-olds who applauded us warmly upon our arrival—as was the case wherever crowds of youngsters gathered. The 5-year-olds gave us a song and dance performance which, to grandparents like Mrs. Byrd and myself, was heart warming.

There was a village hospital—austere but adequate for treatment of minor ailments—with no air conditioning. Incidentally, air conditioning is scarce in China, and is found in only a few hotels and large hospitals. In fact, of the several cars used by the government to transport our delegation to official functions, not more than one car was air conditioned. There was also a village market, with fruits and vegetables and meats. Here, I saw some flies in the butcher shops where meat was carved in the open and under large electric fans.

We visited the apartment of a retired couple, which, although meager, was better than the home I had visited in the commune. There were two bedrooms, and a common kitchen and common bathroom shared with another family.

The retired couple drew pensions of $30 and $24 per month, and their children earn $53 per month for a total monthly income of $107. The apartment furnishings consisted of a small TV set, $150, an electric fan, $104, two beds, a table, four chairs, a dresser, a clock, a sewing machine, and a picture of Chairman Mao. The retired couple were glad to see us and followed us from their third story apartment to the ground level when we left. The lady and her husband were very friendly and vocal. Before the "liberation," she earned $3 per month; the husband had worked in a restaurant—no pay; only food and tips. They were proud of the progress they had made since the "liberation" and had even saved money to take a week's vacation.

The lady and her husband sang a song for us—a song of praise to Chairman Mao—all songs and performances deliver a political message extolling the Cultural Revolution, Chairman Mao, or promising to "liberate" Taiwan. Two of their three children had died before the "liberation" because they could afford no medical services, no doctors. Now, medical care is free or available for a small registration fee of 2 to 5 cents monthly. So, what we in America consider to be below the poverty level is beyond the means of even the highest paid government worker in China.

While in Shanghai, my wife and I and some others in the delegation visited a large hospital where we witnessed an operation for removal of a brain tumor, benign, and an operation for removal of a thyroid growth. Normal anesthesia was replaced with acupuncture in both operations. The brain tumor patient was a female cook, with a medical history of 4 years of headaches and declining vision. Five needles were inserted—one in front of the ear, one in back of the ear, and three in her feet—all needles being electrically stimulated. The thyroid patient had four needles inserted—two in each hand. Both patients were conscious throughout. The brain tumor patient was also given a light sedative. The brain surgeon was a male; the thyroid surgeon, a female. The brain tumor was about the size of a turkey egg, and the thyroid growth was about the size of a golf ball.

With our American delegation was a State Department physician who explained that the operations themselves were very similar to those in America, but that the monitoring equipment and sanitation were about equal to what our U.S. hospitals would have had 25 or 30 years ago. The postoperative recovery was unbelievable—no nausea, and the thyroid patient looked up at us, where we viewed from a students' windowed observatory, and waved and smiled at us. The brain tumor patient, after having the skull and scalp sewed back into place, looked up at us with a big smile, waved, and lifted her own head off one pillow to another and helped the attendant as she was being transferred from the operating table to a mobile bed. The doctors then participated with the nurses in mopping the floor. It was a very impressive performance.

We were told that acupuncture is used most successfully as an anesthesia for operations from the chest upward.

One final note: The salary of the brain surgeon is 80 yuan—$40—per month. The salary of the top physician/professor in the hospital is $180 per month. The total cost of the brain operation was about $20—paid for by the factory where the patient worked.

Also at the hospital we were shown a patient whose fingers and thumbs had been frozen and amputated. One toe had been removed from each foot and grafted on the hands as thumbs.

Another patient, a female, had had an upper arm removed at the shoulder because of bone cancer. The lower arm had been successfully grafted to the shoulder. The patient showed amazing control and use of the hand and fingers. All in all, our visit to this Shanghai hospital was an unforgettable experience.

Everywhere in China we saw large pictures displayed of Marx, Engels, Lenin, and Stalin. Chairman Mao's massive portraits were omnipresent on government buildings and at airports. Large posters were prevalent, carrying such messages as "Workers unite"; "Long live Chairman Mao"; "Long live the great unity of all the people"; and so forth.

Although no policemen are to be seen in the cities, traffic officers are numerous but do not carry weapons. In actuality, the pedestrians, cyclists, and truck and bus operators appear to pay little attention to the directors of traffic. Although there are no armed policemen, armed members of the Red Army are stationed as guards at hotel entrances, government buildings, and at airports.

China's military potential obviously derives from its huge manpower resources. Equally obvious is the fact that a country, whose annual per capita income is less than 200 U.S. dollars, and which stresses economic, industrial, and agricultural self-sufficiency, must emphasize manpower over modern, sophisticated, costly weaponry. Nonetheless, provision of a creditable military defense posture will continue to be a priority objective to Chinese leaders, while the country struggles to accomplish economic and industrial progress.

Sino-American trade in 1975 will be down from the high point of 1974. This decline, from $934 million to an estimated $400 million, is attributable largely to improved harvests in China. The 1974 trade between the two nations represented a 7-to-1 balance in the U.S. favor—$810 million in U.S. exports and $120 million in imports—with the United States second only to Japan in volume of trade with China. The ratio in 1975 is expected to be about 3 to 1 in favor of the United States. The principal items imported from China are such consumer goods as fabrics, bristles, oils, tin, and works of arts and crafts.

The delegation had a 2-hour meeting with Vice Premier Teng Hsiao-p'ing, the man who runs the government of the People's Republic of China in the absence of Premier Chou-En-lai and Chairman Mao-tse-tung, both of whom are aged and ailing.

Another 2-hour session was held with the Foreign Minister, Ch'iao Kuan-hua.

These discussions, held on different days, were frank and covered numerous subjects, including: the future of Indochina; the revolutionary events in Portugal; United States-Soviet grain deals; the Helsinki summit; Soviet hegemony; United States-China trade; Soviet attempts to covertly establish military and naval bases in Vietnam and elsewhere; Diego Garcia; Salt I and II; NATO; the Middle East; the Shanghai communique; recent developments in India and Bangladesh; the Chinese-Soviet border dispute; the Nuclear Nonproliferation Treaty; North and South Korea; the tremendous increase in Soviet naval and military strength; Soviet attempts to create dissension among Chinese minorities, which make up 5 percent of the Chinese population; the issue of Cyprus, American MIA's in Southeast Asia; the role of the military in the PRC Government; et cetera. All conversations were candid, stimulating, and with no holds barred.

Most of the Chinese with whom we had contact spoke English, some of them fluently and even colloquially. Even those few who professed not to speak English, I suspect, understood it.

From our discussions and others with numerous PRC officials at the provincial, county, and municipal levels, I gained the following distinct impressions:

First. The People's Republic of China is a highly regimented, controlled, collectivist State—determined to be self-reliant, self-contained, and independent of foreign domination, interference, and influence. However much one may disagree with a system that takes away personal freedom, such a system is working—or appears to the visitor to be working—in mainland China a quarter of a century after the upheaval of World War II and its aftermath in that vast Asian land. How long it may continue to work—how long the Chinese people may continue to accept the complete control of their lives—remains to be seen.

Second. The PRC does not seek to become a superpower on the basis of all statements made to us and harbors no intentions of expansionism or takeover of other countries or areas—with the exception of regaining Chinese territories such as Taiwan. Both the PRC and the United States recognize Taiwan as a part of China.

Third. The PRC seeks mainly to build up its own economic and industrial base, improve the living conditions of its own people, further develop the "dictatorship of the Proletariat," and protect its own territorial integrity against outside attack. It claims no designs on other countries in Southeast Asia, and is firmly opposed to attempts by any country to establish bases on foreign territory or to exercise hegemony over other countries. Homeland defense is now the determinant strategic military posture in the minds of the Chinese leadership, despite its rhetoric from time to time.

Fourth. The PRC no longer believes the United States poses any threat to its own territorial integrity or to its existence as a socialist state, but it is thoroughly distrustful of the intentions, words, and actions of the Soviet Union.

The lessons of the recent past have not been forgotten by the Chinese. At a time when China was weak and isolated, the Soviet Union, hoping to gain hegemony over its new Communist neighbor, provided China with the foundations of a basic industry, which not only included production technology but also industrial organization, complete with planning, budgeting, and management systems.

By the late 1950's, it had become clear to the Chinese that the Soviet beneficence was a mixed blessing. They had been made heavily dependent on imports and on Soviet tutelage, and they had been enticed into a blind acceptance of the U.S.S.R. as a prototype for their own independence and self-confidence. The Chinese felt compelled to reject that degree of foreign influence.

The "great leap forward" marked the break with dependence, and was the first step in what soon became a total rejection of Soviet technological guidance. The Soviets precipitously withdrew in 1960, and the Sino-Soviet rupture was to the Chinese an object lesson in the dangers of foreign dependence, they having had to starve themselves in the early 1960's to repay their Soviet credits. Today, the PRC views the Soviet Union as successfully dominating Eastern Europe and as seeking hegemony over the Middle East, the Indian Ocean Southeast Asia, and finally the world.

The PRC sees a Soviet effort to dominate North Vietnam and establish bases south of China's border; to create dissension in Inner Mongolia and among Chinese minorities; to promote Soviet influence in Portugal; and to rapidly increase Soviet naval and nuclear power. The failure of the Soviets to honor agreements is cited by the Chinese, as are the recent Soviet worldwide naval exercises and maneuverings; the Soviet armies of over a million men along the Sino-Soviet Border; and the Helsinki summit. All these are developments of concern to the Chinese and leave no doubt as to the hegemonical designs of the U.S.S.R.

In my judgment, the United States need have no fear of Red China as a viable threat to our own country in the foreseeable future or as long as the Sino-Soviet rupture continues. Nor do I foresee any rapprochement between the PRC and the U.S.S.R. until such time as the U.S.S.R. drastically revises its policies of hegemonism over other people—an event not easily anticipated.

Fifth. Although by U.S. standards, China is a very poor and backward country given the conditions of poverty and penury that existed following World War II in China, the general health and living conditions have been greatly improved under the strict regimentation imposed by the PRC. The growing of opium, except for medical purposes, has been outlawed; crime has been reduced virtually to a zero point; housing and apartments are being increasingly constructed; the economic base is being gradually strengthened; and a self-reliant China is emerging to take its place among the great powers of the world.

China is still a poor country, the considerable gap between the incomes and living conditions of workers and peasants still exists, and the industrial base is weak and lacking in efficiency—all of which is frankly admitted by Chinese officials. But the determination and the confidence are there, the will to sacrifice and to work is everywhere evident, and the manpower to get the job done—whatever it may be—is abundant. The progress made in the last quarter century is impressive, and it appears that this progress will continue.

Sixth. In my opinion, the effort to normalize relations with the PRC, first initiated by President Nixon's visit to China in February 1972, should be continued. This normalization process can only be slow and gradual, but it ought to go forward. I think we ought not be overly eager to speed up the process, nor do I think we should press too hard; but a gradual evolution toward normalization will be in the best interests of the United States and the PRC in the long run—especially given the present obvious efforts and intent of the Soviet Union to expand her sphere of influence and authority and the continuing buildup of Soviet naval and nuclear strength.

Taiwan remains the primary obstacle in the path toward full normalization of relations between the United States and the PRC, but the PRC is not pressing for a rapid solution of this issue, and, in spite of occasional rhetoric, appears content to await the developments of time. The subject of Taiwan was not brought up by Chinese officials during our discussions with them, nor did our delegation broach the matter, we having decided in advance that we knew the PRC's position and that it would be fruitless to pursue the issue at this time. The PRC's position is simply this: First, the United States must terminate diplomatic relations with Taiwan; second, the United States must withdraw U.S. forces and military installations from Taiwan; and third, the U.S. defense treaty with Taiwan must be scrapped.

In the Shanghai Communique, which was issued in 1972 at the conclusion of the meetings between President Nixon and Premier Chou En-lai, the United States acknowledged that "there is but one China and that Taiwan is part of China." The United States also affirmed the ultimate objective of the withdrawal of all U.S. forces and military installations from Taiwan. Subsequently, the reduction of U.S. forces on Taiwan has gone forward, slowly but gradually and significantly.

The Chinese take the position that the PRC is the sole legal government of China; that Taiwan has long been a province of China; and that the "Liberation" of Taiwan is China's internal affair in which no other country has a right to interfere. The United States hopes for a peaceful settlement of the Taiwan question by the Chinese themselves, and this will take time. The Taiwan issue poses many difficult questions, but, in time, hopefully, some resolution of the problem will evolve.

Until then, as I have stated, relations between the United States and the PRC will not be completely normalized, but, in the meantime, they need not retrogress or be stalemated. There is room for progress—not spectacular perhaps, and properly so—but, nevertheless, progress in the evolution of the present thaw in relations between our two countries. Communications between the United States and the PRC—countries that have different ideologies and different systems—can and ought to be improved so as to bring about a mutual understanding of our differences and our problems.

Some of the differences between our two countries obviously may never be bridgeable and some of our problems may not, in the immediate future, be capable of resolution, but at least they can be made manageable. Educational and cultural exchanges can continue to be a major factor in reestablishing the ties between the American and Chinese people and should be encouraged. The Chinese have thus far ruled out visits by high level Chinese officials to the United States, and the establishment of permanent press officials because of the Taiwan issue. But the mutual learning process can and should continue between our two countries—both of which, I again emphasize, are opposed to the growing threat of Soviet hegemony.

Seventh. As for United States-China trade, no direct commerce existed for many years prior to President Nixon's 1972 trip to Peking. Since then, some progressive developments in trade between the two countries have been facilitated, with China running a deficit and with the United States running a significantly favorable balance. Americans should realize, however, that China is not a ready market for 100 million automobiles or refrigerators or air-conditioning units, but it is, rather, a highly selective one, dependent on the dictates of Peking's planning. To the extent that the PRC chooses to emphasize rapid economic growth in the years ahead, the market for some American products, particularly those of a more advanced technological nature, appears good. We must keep in mind that the PRC, for the present, is not a major trading nation, despite its large size, and that it is largely an agrarian economy and also the most self-contained and self-sufficient and insulated economy in the world.

The Chinese have a saying: "Honor the contract." The PRC has a good reputation in fulfilling contractual obligations, and it follows a general policy largely of "pay as you go." Chinese financial obligations involve only short- and medium-term credits, and the PRC, in the main, has been unwilling to finance purchases by long-term arrangements of any kind—unlike the Soviet Union, where reportedly as much as 90 percent is in this category. The Chinese, to my knowledge, have never even hinted that they are interested in loans from the U.S. Export-Import Bank or any other U.S. or foreign bank. It has been pretty much a cash-on-the-barrel-head basis.

Although foreign trade occupies a minor role in overall PRC activity, and the PRC's inflexibility in its external trade transactions and its failure to move closer to standard international finance practices do pose continuing obstacles to the developments of trade, I think good faith efforts should continue to be put forth by both sides toward the eventual removal of trade obstacles. The fact that China has lately become an oil exporting country and that the Chinese Government has given its petroleum industry a high priority in the allocation of its limited investment resources, is a consideration not to be lightly disregarded in the light of the world's energy problems—to say nothing of our own.

In looking ahead to improved future trade relations between the United States and the PRC, attention should be given to the still unresolved issues of blocked Chinese assets and private U.S. claims, and we should also encourage the facilitation of trade missions between the two countries. Many other steps, obviously, are open to suggestion by those who are far more learned than I in the fields of international finance and trade; but, based upon my cursory observations and studies, I am of the opinion that the long-run best interests of the United States lie in the direction of careful, rational, and progressive trade developments between the two countries in the years ahead.

Eighth. China's economic and other relations with the so-called Third World can be of increasing importance to our own future economic, industrial, and—indirectly—national security and well being—especially in view of our increasing dependence upon scarce raw materials. Many countries of the Third World look to the PRC for leadership and guidance—a fact not to be overlooked in the overall context of power relations and Soviet hegemonic tendencies. This is another reason why improved ties between the United States and the PRC can be mutually beneficial.

Ninth. In conclusion, it is obvious from the foregoing that I favor a gradual and rational evolvement toward normalization of relations between the United States and the PRC. It is also clear that this viewpoint represents a change in my own attitude of some years ago toward China. The change is, for the most part, based on the shifting necessities underlying our own national security, which I believe, is being increasingly threatened by growing Soviet power and aggressive inclinations—some subtle and some not so subtle.

I am also persuaded, by my own studies and observations, to believe that the PRC's main interests lie in the direction of its own economic and industrial growth and the betterment of life for its own people, and that its military posture is that of defense of its own boundaries, rather than a posture of expansionism and aggression and Chinese hegemony. I do not now consider the PRC to be a viable nuclear threat to the United States—either in terms of present intentions or by present means. I do not say the same about the Soviet Union.

The PRC, while claiming not to "export" revolution, does "support" revolution elsewhere; but perhaps, in time, this is a situation that can be mitigated or at least stabilized. It should be apparent to anyone that the critical threat today to our own security and to world peace is posed, in far greater potential, by the Soviet Union.

The Chinese people view the Soviets with increasing concern. Repeatedly, we were told by Chinese leaders that the United States should pay more attention to what the Soviet Union is doing; that the Soviets cannot be trusted; that Soviet expansion in the Indian Ocean has far surpassed the United States there; that the Soviets have established disguised bases, and quietly, "whereas the United States must do everything in public;" and that the United States has "lagged behind the U.S.S.R. in the last 10 years." Chinese leaders say that the "tentacles" of the Soviet Union are in the Indian Ocean and elsewhere; that the Soviet Union fervently intends to dominate other countries; that the focus of Soviet strategy, basically, is westward and southward toward Europe, Turkey, and the Middle East, while feinting to the East; and that Portugal is part of that strategy.

With reference to the establishment of a U.S. presence on the island of Diego Garcia, Chinese leaders "do not approve of foreign bases on the soil of any country;" but, at the same time, they "take a realistic view" under the circumstances.

In respect of the Chinese slogans of "self-reliance," as to their claims of progress in the improved health and well-being of their people; as to the validity of their vaunted confidence in the ideological unity of all their people; in all these things, it is difficult, of course, for me to distinguish between what is shadow and what is substance. Assuredly, a 10-day visit cannot equip me with any claim of expertise in such matters, and I am willing to accept my own impressions gained from the trip with some "grains of salt." And it goes without saying that, while our delegation was free to go many places in China, if a deleterious or deteriorating situation existed anywhere, they would not have rushed us by Government limousine to see it.

The Chinese leaders are sophisticated, charming, polite, and supremely dedicated to their way of life. I believe they can also be extremely tough and cold-blooded. Of two things I am sure, however:

First. While any reading of Chinese history would reveal that under their present system, they are better off in many ways and have made progress, it is a system that would never work in the United States, and anything I have said above should not be misinterpreted as approval of the system. Much of what has been accomplished by the Communist regime in China has been, as I have stated, heretofore, at the expense of human liberty, freedom of choice, and, most of all, at the expense of spiritual life. It was spiritual strength that sustained us at Valley Forge, where many Americans died within sight of the lights of Philadelphia and a free meal. In sum, my own appreciation of the superiority of the American political, governmental, economic, agricultural, and industrial systems over those of the People's Republic of China or any other country has been immensely enhanced by my visit to China; and

Second. A recognition of the necessity for reevaluation of our attitude and posture toward the PRC, and for a gradual but continued progress toward normalized relations with the Chinese people, has been made more clear to me.

Mr. HELMS. Mr. President, will the Senator yield?

Mr. ROBERT C. BYRD. Yes.

Mr. HELMS. Mr. President, I commend the distinguished assistant majority leader on the detailed and very graphic report on his journey to Red China.

As he spoke, I thought of the contrast between his observations about Communist China and my own experience in Taiwan.

I wonder if the distinguished assistant majority leader has visited Taiwan recently.

Mr. ROBERT C. BYRD. Twenty years ago.

Mr. HELMS. Twenty years ago.

I was there last year. I say to the Senator that the streets are safe in Taiwan, also.

Mr. ROBERT C. BYRD. I would agree with that. I was very much impressed with the progress that was being made in Taiwan, when I visited there 20 years ago as a member of the then House Committee on Foreign Affairs.

Mr. HELMS. That is right. There is virtually no crime in Taiwan.

Much of what the Senator said about Red China in the positive sense is equally applicable to Nationalist China.

Mr. ROBERT C. BYRD. And possibly even more so.

Mr. HELMS. Except that the people on Taiwan are free. They move with complete freedom day or night.

I remember one morning about 3 a.m., the time lag being what it is in distant travel, I was awake, and I went out on the balcony of the hotel. I saw lady Chinese citizens going to work in the dark, coming to the hotel. I made inquiry about that, and I was told that this goes on because there is virtually no crime, but when the law is violated there is strict and stern punishment.

Mr. ROBERT C. BYRD. If the Senator will allow me, I think the Chinese people are generally recognized as a very industrious people, a hard-working people, and a people who are not inclined to commit crimes of violence against persons and property.

Mr. HELMS. The Senator is absolutely correct.

Mr. ROBERT C. BYRD. They have been much put upon in past history by other countries, one of which, I might cite as being Great Britain in the old days.

Mr. HELMS. Exactly.

Mr. ROBERT C. BYRD. The people on Taiwan are Chinese, and we, the United States, recognize as in the Shanghai communique, that there are not two Chinas, that Taiwan is a part of China, and that the Taiwan issue hopefully will be resolved by peaceful means and by the Chinese themselves.

As I have iterated, the Taiwan issue was not raised by this delegation because we knew what the Chinese position is, we knew what our position is, and we felt that it would be a waste of time and an exercise in futility to bring up the subject; and the Chinese did not bring it up.

Mr. HELMS. I say again that I am immensely impressed by the Senator's report, and I am delighted that I was able to be here when he presented it.

Among other things, the Senator verified reports coming to me about Red China's participation in the affairs of other countries. For example, in Angola, Red China is definitely supporting one faction there. There are three factions, as I understand it, fighting each other. The Soviet Union supports one, the Red Chinese support the other, and it is not clear who is supporting the third.

But in any case, I commend the distinguished Senator for a delightful half-hour, and I am looking forward to reading the entire text of his report.

Mr. ROBERT C. BYRD. I thank the distinguished Senator for his comments.

ORDER FOR RECOGNITION OF SENATOR HUDDLESTON TOMORROW, AND SENATOR PROXMIRE ON MONDAY, SEPTEMBER 8, 1975

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, after the two leaders or their designees have been recognized under the standing order, the Senator from Kentucky (Mr. HUDDLESTON) be recognized for not to exceed 15 minutes; and that on Monday, the Senator from Wisconsin (Mr. PROXMIRE) be recognized for not to exceed 15 minutes, after the two leaders or their designees have been recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF PERIOD FOR ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. I ask unanimous consent that tomorrow, after the recognition of the Senator from Kentucky (Mr. HUDDLESTON) under the order just entered, there be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements therein limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFERENCE REPORT ON H.R. 4222

Mr. ROBERT C. BYRD. Mr. President, tomorrow the Senate will take up the conference report on H.R. 4222, school and child nutrition.

It is my understanding that Mr. MCGOVERN will offer a motion to recommit that conference report, and there will be a rollcall vote on that motion.

ORDER FOR ADJOURNMENT FROM FRIDAY, SEPTEMBER 5, 1975, TO MONDAY, SEPTEMBER 8, 1975, AT 12 NOON

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow it stands in adjournment until the hour of 12 noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR VOTE ON PRESIDENT'S VETO ON S. 1849

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the vote on the attempt to override the President's veto on S. 1849 occur on Wednesday next at the hour of 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 11 a.m. tomorrow morning.

The motion was agreed to; and at 6:15 p.m., the Senate adjourned, until tomorrow, Friday, September 5, 1975, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate September 4, 1975:

NATIONAL TRANSPORTATION SAFETY BOARD

Isabel A. Burgess, of Arizona, to be a member of the National Transportation Safety Board for the term expiring December 31, 1979. (Reappointment.)

DEPARTMENT OF JUSTICE

Earl J. Silbert, of the District of Columbia, to be U.S. attorney for the District of Columbia for the term of 4 years, vice Harold H. Titus, Jr., resigned.

HOUSE OF REPRESENTATIVES—*Thursday, September 4, 1975*

The House met at 12 o'clock noon.

Rev. Robert T. Casey, Culmore United Methodist Church, Falls Church, Va., offered the following prayer:

Our Father, You gave us hearts to feel and to care. Take away any calluses or hardness that they may be sensitive to the cries of the hurt.

You gave us minds to think and to plan. Keep them from pettiness and needless distractions that they may work imaginatively and incisively to bring about the right society.

You gave us wills to act. Free them from the desire to do the expedient or personally advantageous that they may forthrightly pursue the common good.

We come to You, for we know that in and of ourselves we are incapable of achieving the right ends. We believe, though, that Your grace is sufficient. We ask Your help and we thank You for it. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8121. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 8121) entitled "An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. MCCLELLAN, Mr. MANSFIELD, Mr. HOLLINGS, Mr. MAGNUSON, Mr. EAGLETON, Mr. JOHNSTON, Mr. HUDDLESTON, Mr. SPARKMAN, Mr. HRUSKA, Mr. FONG, Mr. BROOKE, Mr. HATFIELD, Mr. STEVENS, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate further insists upon its amendment to the bill (H.R. 6674) entitled "An act to authorize appropriations during the fiscal year 1976, and the period beginning July 1, 1976, and ending September 30, 1976, for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes," disagreed to by the House; agrees to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. JACKSON, Mr. CANNON, Mr. MCINTYRE, Mr. HARRY F.

Byrd, Jr., Mr. Nunn, Mr. Thurmond, Mr. Tower, Mr. Goldwater, Mr. William L. Scott, and Mr. Taft to be the conferees on the part of the Senate.

THE BETHLEHEM BOYS' CLUB

(Mr. ROONEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROONEY. Mr. Speaker, tomorrow evening in Bethlehem, Pa., a community will pay tribute to a man who has devoted his lifetime to the welfare of young boys from all walks of life.

Thomas J. Foley, born in Lawrence, Mass., in 1907, has been a leader in Boys' Club programs for 41 years, 22 of those years as executive director of the Boys' Club of Bethlehem. He will be the honored guest tomorrow evening at a testimonial dinner marking his retirement.

Tom Foley's work with Boys' Club members began in his native State of Massachusetts in 1934 when he became assistant director of the Worcester Boys' Club, a position he held for a decade until he accepted the post of executive director of the Holyoke Boys' Club.

Nine years later, in 1953, he came to Bethlehem, Pa., where he succeeded Edward Van Billiard as executive director of the Boys' Club of Bethlehem. During more than two decades working with the youth of our community, he has left an indelible mark on the lives of thousands of Boys' Clubbers with whom he has worked.

Through his guidance, Boys' Club members have developed those traits of good citizenship, good sportsmanship, and character which have enabled them to become outstanding citizens and leaders in their community and their chosen fields.

Although my own Boys' Club membership predates Tom Foley's tenure in Bethlehem, it has been my privilege to work with him in Boys' Club activities both locally and through my membership on the National Board of Boys Clubs of America, Inc.

I am pleased to call the attention of my colleagues to the career of Tom Foley and to join with the Bethlehem community in paying tribute and expressing warm appreciation for his outstanding contributions to all of his boys.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. DELANEY. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3884, NATIONAL EMERGENCIES

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 524 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 524

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3884) to terminate certain authorities with respect to national emergencies still in effect, and to provide for orderly implementation and termination of future national emergencies. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from New York (Mr. Delaney) is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi (Mr. Lott) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 524 makes in order the consideration of H.R. 3884. It provides for an open rule with 1 hour of general debate. The purpose of H.R. 3884 is to terminate all powers and authorities under any national emergency existing on the date of enactment as of 2 years from that date. As to future emergencies, the bill provides certain procedures, requirements, powers and authorities concerning their declaration and termination.

H.R. 3884 authorizes the President to proclaim a national emergency when, in his opinion, such a declaration is necessary, and requires the proclamation to be transmitted to the Congress and published in the Federal Register. A national emergency may be terminated by a concurrent resolution of the Congress.

Mr. Speaker, passage of this bill will have the positive effect of ending the practice of conducting governmental activity under the authority of laws which derive their meaning from emergencies declared years in the past to meet problems and situations which have long since disappeared or are now drastically changed. I urge the adoption of House Resolution 524 in order that we may discuss and debate H.R. 3884.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New York has explained the provisions of this rule, which allows for the consideration of H.R. 3884, national emergencies; but I would like to comment briefly on the rule and the bill at this time also.

This rule, House Resolution 524, provides for the House to resolve itself into the Committee of the Whole for consideration of H.R. 3884. After general debate, which shall be confined to the bill and shall not exceed 1 hour, the bill shall be read for amendment under the 5-minute rule.

The purpose of this legislation is to terminate certain authorities with respect to national emergencies still in effect and to provide for the orderly implementation and termination of future national emergencies. To accomplish this goal the bill includes the following provisions:

First, terminates all powers and authorities under any national emergency existing on the date of enactment as of 2 years from that date.

Second, authorizes the President to proclaim a national emergency and requires the proclamation to be transmitted to the Congress and published in the Federal Register.

Third, provides for termination of such emergencies either by Congress by concurrent resolution or by Presidential proclamation.

Fourth, provides that upon the declaration of the national emergency the President will be required to specify which emergency statutes are to be utilized.

Fifth, requires that after the declaration of a national emergency or declaration of war, the President shall submit to Congress 90 days after each 6-month period a report of total expenditures which are attributable to powers and authorities exercised under such declarations. A final report is required 90 days after the termination of the emergency of war.

Sixth, repeals a number of obsolete national emergencies now in effect, some of which date back to before World War II.

Since this bill does not provide for any new programs, no costs are contemplated or predicted.

Mr. Speaker, I know of no serious objections to this measure; and I would urge, therefore, the adoption of this rule so that the House may proceed to consider the legislation.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CHARLES H. WILSON of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 382, nays 0, answered "present" 2, not voting 49, as follows:

[Roll No. 493]

YEAS—382

Abzug
Adams
Addabbo
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Archer
Armstrong
Ashbrook
Ashley
Aspin
AuCoin

Badillo
Bafalis
Baldus
Barrett
Baucus
Bauman
Beard, R.I.
Beard, Tenn.
Bedell
Bell
Bennett
Bergland
Bevill
Biaggi
Bingham
Blanchard
Blouin

Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan

Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Carney
Carr
Carter
Casey
Cederberg
Chappell
Clancy
Clausen,
  Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins, Ill.
Collins, Tex.
Conable
Conlan
Conte
Corman
Cornell
Cotter
Coughlin
Crane
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dent
Derrick
Devine
Dickinson
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Tenn.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Esch
Eshleman
Evans, Colo.
Evans, Ind.
Fascell
Fenwick
Findley
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Ford, Mich.
Ford, Tenn.
Fountain
Frenzel
Frey
Fuqua
Gaydos
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Grassley
Green
Gude
Guyer
Hagedorn
Hall
Hammer-schmidt
Hanley
Hannaford
Hansen
Harkin
Harrington
Harris
Harsha
Hastings

Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Heckler, Mass.
Hefner
Heinz
Helstoski
Henderson
Hicks
Hightower
Hillis
Hinshaw
Holland
Holt
Holtzman
Howe
Hubbard
Hughes
Hutchinson
Hyde
Ichord
Jacobs
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Ketchum
Keys
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Landrum
Latta
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Lott
Lujan
McCloskey
McCollister
McDade
McFall
McKinney
Macdonald
Madden
Madigan
Maguire
Mahon
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Michel
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead,
  Calif.
Moorhead, Pa.
Morgan
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal

Nichols
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patterson,
  Calif.
Pattison, N.Y.
Perkins
Pettis
Peyser
Pickle
Pike
Poage
Pressler
Preyer
Price
Quie
Quillen
Railsback
Randall
Regula
Reuss
Rhodes
Richmond
Rinaldo
Risenhoover
Roberts
Robinson
Rodino
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Rousselot
Roybal
Runnels
Ruppe
Russo
Ryan
St Germain
Santini
Sarasin
Sarbanes
Satterfield
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Shuster
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Spellman
Spence
Staggers
Stanton,
  J. William
Stanton,
  James V.
Stark
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Studds
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Udall
Vander Veen
Vanik
Vigorito
Waggonner

Wampler
Waxman
Weaver
Whalen
White
Whitehurst
Whitten
Wiggins

Wilson, Bob
Wilson, C. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Wydler

Wylie
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—0

ANSWERED "PRESENT"—2

Mosher
Vander Jagt

NOT VOTING—49

Abdnor
Andrews, N.C.
Biester
Burke, Fla.
Chisholm
Clay
Conyers
Derwinski
Diggs
Duncan, Oreg.
Evins, Tenn.
Fary
Foley
Forsythe
Fraser
Giaimo
Haley

Hamilton
Hébert
Horton
Howard
Hungate
Jarman
Kindness
Long, Md.
McClory
McCormack
McDonald
McEwen
McHugh
McKay
Mathis
Mills
Nedzi

Patten, N.J.
Pepper
Pritchard
Rangel
Rees
Riegle
Roe
Solarz
Stokes
Stuckey
Teague
Ullman
Van Deerlin
Walsh
Young, Alaska

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Fraser.
Mrs. Chisholm with Mr. Riegle.
Mr. Giaimo with Mr. Long of Maryland.
Mr. Howard with Mr. Foley.
Mr. Patten with Mr. Duncan of Oregon.
Mr. Pepper with Mr. Evins of Tennessee.
Mr. Rangel with Mr. McCormack.
Mr. Teague with Mr. Abdnor.
Mr. Diggs with Mr. Mills.
Mr. Hamilton with Mr. Biester.
Mr. Hungate with Mr. Jarman.
Mr. Clay with Mr. Fary.
Mr. Stuckey with Mr. Burke of Florida.
Mr. Stokes with Mr. Rees.
Mr. Mathis with Mr. Derwinski.
Mr. Conyers with Mr. Andrews of North Carolina.
Mr. Nedzi with Mr. Forsythe.
Mr. Haley with Mr. McKay.
Mr. McHugh with Mr. Horton.
Mr. Solarz with Mr. McDonald of Georgia.
Mr. Van Deerlin with Mr. Kindness.
Mr. Ullman with Mr. McClory.
Mr. Roe with Mr. McEwen.
Mr. Young of Alaska with Mr. Walsh.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO SIT DURING PROCEEDINGS UNDER 5-MINUTE RULE TODAY

Mr. FLYNT. Mr. Speaker, I ask unanimous consent that the Committee on Standards of Official Conduct may sit this afternoon during proceedings under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON MONOPOLIES AND COMMERCIAL LAW TO SIT DURING 5-MINUTE RULE TODAY

Mr. FLOWERS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Monopolies and Commercial Law of the Committee on the Judiciary be allowed to sit during the 5-minute rule this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

NATIONAL EMERGENCIES

Mr. FLOWERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3884), to terminate certain authorities with respect to national emergencies still in effect, and to provide for orderly implementation and termination of future national emergencies.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 3884, with Mr. RONCALIO in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama (Mr. FLOWERS) will be recognized for 30 minutes, and the gentleman from California (Mr. MOORHEAD) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama (Mr. FLOWERS).

Mr. FLOWERS. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the Committee on the Judiciary, the gentleman from New Jersey (Mr. RODINO).

Mr. RODINO. Mr. Chairman, I wish to commend the gentleman from Alabama (Mr. FLOWERS) as well as the ranking member of the subcommittee (Mr. MOORHEAD), for their leadership in the handling of this legislation which is sorely needed to bring about a termination of unnecessary emergency powers.

This is a bill which provides for a statutory resolution and definition concerning the exercise of the powers and authorities in connection with national emergencies which may occur in the future. By providing for a termination of powers and authorities relating to existing emergencies, the bill will make it possible for our Government to function in accordance with regular and normal provisions of law rather than through special exceptions and procedures which were intended to be in effect for limited periods during specific emergency conditions.

Presently, the national emergency, declared in December of 1950 by President Truman in connection with the Korean conflict, is in effect. The even earlier emergency declared by President Roosevelt in March of 1933 to meet the pressing problems of the Depression has not actually been terminated. Two other emergencies are still in effect. There was a national emergency proclaimed on March 23, 1970, because of a Post Office strike, and again on August 15, 1971, a national emergency was declared to deal with balance of payments and other international problems. It can therefore be stated that there has been an emergency in one form or another for the last 43 years. This bill will end the practice of conducting governmental activity under authority of laws which derive force from emergencies declared years in the past to meet problems and situations which have long since disappeared or are now drastically changed. The continued and almost routine utilization of such emergency authorities for years after the original crisis serves to emphasize the fact that there is an urgent need to provide adequate laws to meet our present-day needs.

Legislation intended for use in crisis situations is by its nature not well suited to normal, day-to-day Government operations. It is also conceivable that the existence of emergency authority has actually discouraged legislative action. Statutory authorization may not have been sought by executive agencies or granted by the Congress because of a failure to recognize the need. This bill will provide a basis for a return to a more rational and normal state of law and will eliminate reliance on unnecessary and undesirable emergency powers without upsetting routine and essential portions of our present legislative and administrative structure. In providing procedures to govern future emergencies, the bill will establish a system which will prevent such a continuing reliance on emergency statutes from recurring.

The reports received from the departments on the 93d Congress bill, and testimony before the committee indicate support for the provisions of this bill.

The report of the committee received from the Department of Defense recognized that world conditions and national conditions have changed since the state of national emergency was declared in 1950. It recognized the desirability of terminating existing states of emergency and further stated that it has no objection to their termination. This Department and others have noted that in some areas emergency authorities had over the years come to be relied upon in the day-to-day operations and that these continuing needs would have to be met. The committee considered the effect of the bill on these functions and concluded that the 2-year period fixed in the amended bill would provide the Congress with a reasonable opportunity to consider permanent legislation to replace the authority provided under the specific emergency provisions that provide statutory authority for such day-to-day functions. This period for orderly transition should preclude any undue disruption in Government operations.

The report received from the Department of the Treasury on November 12, 1974, was considered by the committee with particular reference to emergency powers. That report stated the position of that department concerning the authority providing for regulation during emergencies of banking transactions, gold and silver activities, transactions in foreign exchange, and the exercise of rights in property subject to American jurisdiction in which foreign nationals have an interest.

Some of these matters are of current significance, and therefore the bill as reported by the committee contains the exception in section 502(a)(1) concerning section 5(b) of the act of October 6, 1917, the Trading With the Enemy Act.

Title 1 of the bill provides that after 2 years, all powers and authorities possessed by the President or other officer or employee of the Federal Government, based upon any declaration of national emergency in effect on the date of enactment will be terminated. The provisions of title 1 terminating powers and authorities possessed by the Executive as the result of any prior declaration of national emergency are a basic part of the bill. It is recognized that an immediate termination without a period for transition in adjustment could, to a degree, disrupt the functioning parts of our Government. After study and consideration, the Congress may or may not wish to change some of these practices and procedures based upon the emergency statutes. The bill meets this problem in two ways: First, a limited number of powers and authorities which have been identified as necessary on a continuing basis are exempted from termination by section 502 of the amended bill. Second, as I have indicated above, the termination date of all other powers and authorities is set at 2 years from date of enactment. This will also serve to give Government departments and agencies a period in which to identify and bring to the attention of the Congress provisions which in their estimation merit legislative consideration. The definite time limit fixed in the bill will require that the agencies take prompt action to review their legislative authority and make prompt recommendations to the Congress for any needed action. After the 2-year period the Government agency should be freed from a dependence on emergencies authority and Government operation will proceed on the basis of procedures under permanent law and under new enactments drafted to meet current needs and operations.

Any emergency declared after the date of enactment of this legislation would not be terminated by title I, but would instead be governed by the limiting scheme created by title II. By definition, title I would affect those statutes whose conferral of powers is expressly conditioned upon a Presidential declaration of national emergency. This is provided in section 101(b), which defines "any national emergency in effect" to mean only "a general declaration of emergency made by the President." Accordingly, laws like the Defense Production Act of 1950, which do not require a Presidential declaration of emergency for their use, are not affected by this title—even though they may be referred to in a general sense as "emergency" statutes.

Title II of the bill concerns the declaration of future national emergencies. These provisions would require that in the future there shall be an improved definition and classification of the nature and effect of declarations of national emergencies. The provisions of this title of the bill, together with those of titles III and IV of the amended bill, are included to insure that the Congress will exercise continuing and effective oversight in connection with any future emergencies.

Section 201 concerns Presidential proclamations of a national emergency and authorizes such proclamations upon a finding that it is essential to the preservation, protection, and defense of the Constitution or to the common defense, safety or well-being of the territory or people of the United States. This language of section 201(a) is not intended to grant any additional authority to the President. Rather it indicates the general nature of the circumstances in which a declaration might be issued. Subsection (b) limits the effectiveness of provisions of law to be exercised during a national emergency to periods when a President's declaration of national emergency is in effect and then only in accordance with the balance of the provisions of the bill. This latter provision has particular reference to the provisions of section 301 which requires that the President specify the provisions of law he will utilize or under which other officers of the Government will act. Subsection (b) also contains a provision stating that no subsequent enactment will supersede the title unless it does so in specific terms declaring that the new law supersedes the provisions of this title.

Section 202(a) provides for the termination of national emergencies declared by the President in accordance with title II of the bill. They would be terminated by concurrent resolution of the Congress or by a proclamation by the President. The subsection contains an additional requirement that at the end of each year following the declaration of an emergency which is still in effect, the President shall publish in the Federal Register and transmit to the Congress a notice stating that the emergency is still in effect. This title of the bill provides, for the first time, explicit provision for the President to make the declaration of national emergency which certain statutes require. This clarifies an existing problem as to emergency statutes. At present, this power can only be implied with respect to some statutes. When the act takes effect, emergency provisions will only be implemented by the President in accordance with the terms of title II and title III of the amended bill.

In providing for the termination of emergency powers as well as their commencement, the bill makes an important change in the law. The absence of such statutory requirements and procedures in the past has resulted in the failure to terminate emergency powers and this in turn has given rise to the present situation. Under present law, which does not contain explicit termination provisions, proposals for the use of emergency power often generate discussion as to whether existing emergencies have lapsed or grown stale due to passage of time and change of circumstances. Section 202 of the present bill will eliminate all uncertainty on that point, since it sets forth the prescribed means of termination and also requires the continuing existence of a state of emergency to be formally recorded each year.

Subsections (b) and (c) of section 202

provide for procedures which will govern the consideration of the Congress of a concurrent resolution which would terminate a national emergency. These provisions are very similar to those set forth in section 7 of Public Law 93-148, the War Powers Act, of November 7, 1973.

Section 301 of the amended bill contains the provision referred to above providing that powers and authorities made available by statute for use during national emergencies are effective after a declaration of national emergency only after the President specifies the specific provisions of such laws which will be utilized. Under existing law, such a declaration would have the effect of reviving many emergency provisions throughout the United States Code, whether or not they are relevant to the emergency at hand. In many cases, the provisions are not self-executing so that their mere availability does not bring them into force without specific implementing directives. In other cases, however, changes in law automatically take effect during times of national emergency. Section 301 of the amended bill would change this by establishing that no provision of law shall be triggered by a declaration of national emergency unless and until the President specifies that provision as one of those under which he or other officers will act. The specification may be made either in the declaration of national emergency or in subsequent Executive orders. This will enable the Executive to choose specific provisions needed to deal with the emergency at hand; and it will put Congress and the public on notice as to precisely what laws are going to be invoked.

Section 401 of the amended bill details the accountability and reporting requirements applicable to the President in connection with national emergencies. All significant orders of the President shall be filed and an index maintained of that file. Further, each Executive agency is to mandate a file and an index of all rules and regulations issued during an emergency of war. These orders, rules, and regulations are to be transmitted to the Congress. Subsection (c) requires that the President transmit to the Congress within 90 days of the end of each 6-month period after declaration of a national emergency or declaration of war a report of the total expenditures of the Government attributable to the exercise of powers and authorities brought into force by the declaration. A final report of all such expenditures is required within 90 days of the termination of the war or the emergency.

Section 501 provides for the repeal of provisions of seven laws which have been found to be superseded or obsolete, and section 502 for the continuation in effect of other provisions of law which have been determined to be important to governmental operation.

As has been discussed, a basic problem with emergency legislation derives from the fact that by continued and customary use the authority has become the basis for current Government activity. Simply to abolish all emergency powers and dispositions on a specified date would not actually solve this problem but would ignore that in some instances this authority is vital to some governmental functions. For years, this committee has been concerned with the identification of emergency statutes and their utilization.

On January 25, 1962, the committee issued a committee print identifying such laws. More recently, the effort which the executive and legislative branches have devoted to this bill and earlier bills in the past several years has also been directed toward identifying those powers and dispositions which should be preserved while the rest are abandoned. As is provided in section 502(b), it is intended that within a reasonably short time those provisions of law can be converted from the "emergency" portions of the code in which they now appear to standard, nonemergency sections. Until that is achieved, however, the technical conditions which enable them to remain effective must be preserved. This is achieved in section 502 of the amended bill by preserving the effect of previously issued declarations of national emergency only with respect to those eight specified provisions.

As stated in the committee report, the facts developed in the hearings on the bill demonstrate the need for legislative action. The testimony by representatives of departments in connection with this subject, and the reports received from those departments that the time has come for positive and constructive legislative action in the manner provided for in the bill. It is recommended that the amended bill be considered favorably.

Mr. FLOWERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the distinguished chairman for his comments, and I might also thank him for his leadership in insisting that this matter receive early attention. It was not by way of twisting my arm, because we were agreeable to every aspect of this legislation, but in our early planning the gentleman insisted that this matter receive early attention and that is exactly what we have given it.

Mr. Chairman, the purpose of the bill is to terminate all powers and authorities under any national emergency existing on the date of enactment as of 2 years from that date.

As to future emergencies, the bill provides procedures and requirements concerning their declaration and termination and provides for powers and authority to be exercised in the case of future emergencies. It would also require that records be maintained of significant orders of the President and of agency rules and regulations issued during a war or national emergency, and that such orders and rules and regulations be transmitted to the Congress. A report of all expenditures directly attributable to the exercise of powers and authorities under a declaration of national emergency would have to be transmitted to the Congress within 90 days after each 6-month period under the declaration.

The bill provides for the repeal of certain obsolete statutes and for the continuance in effect of emergency powers and authority under listed statutes which are important to present functions of the Government.

The bill provides for statutory resolution and definition concerning the exercise of the powers and authorities in connection with national emergencies which may occur in the future. By providing for a termination of powers and authorities relating to existing emergencies, the bill will make it possible for our Government to function in accordance with regular and normal provisions of law rather than through special exceptions and procedures which were intended to be in effect for limited periods during specific emergency conditions.

Presently, the national emergency declared in December of 1950 by President Truman in connection with the Korean conflict is in effect. The even earlier emergency declared by President Roosevelt in March of 1933 to meet the pressing problems of the depression has not actually been terminated. Two other emergencies are still in effect. There was a national emergency proclaimed on March 23, 1970 because of a Post Office strike, and again on August 15, 1971, a national emergency was declared to deal with balance of payments and other international problems. It can therefore be stated that there has been an emergency in one form or another for the last 43 years. This bill would end the practice of conducting governmental activity under authority of laws which derive force from emergencies declared years in the past to meet problems and situations which have long since disappeared or are now drastically changed. In providing procedures to govern future emergencies, the bill will establish a system which will prevent such a continuing reliance on emergency statutes from recurring.

Prior to the consideration of legislation in the Senate, the Senate Special Committee on the Termination of the National Emergency conducted a 2-year study on the problems, application and scope of emergency statutes. The bill S. 3957, which passed the Senate late in the last Congress, was to a large degree a product of the work of that special committee. The present bill, H.R. 3884, incorporates the basic provisions of the earlier bill, S. 3957, as it was finally passed by the Senate and referred to this committee in the 93d Congress.

It is recognized that an immediate termination without a period for transition and adjustment could undo and confuse many operations which are necessary and functioning parts of our Government. After study and consideration, the Congress may or may not wish to change some of these practices and procedures based upon the emergency statutes. The bill meets this problem in two ways: First, a limited number of powers and authorities which have been identified as necessary on a continuing basis are exempted from termination by section 502 of the amended bill. Second, as discussed above the termination date for all other powers and authorities is set at two years from date of enactment. This will also serve to give Government departments and agencies a period in which to identify and bring to the attention of the Congress provisions which in their estimation merit legislative consideration.

Section 202(a) provides for the termination of national emergencies declared by the President in accordance with title II of the bill. They would be terminated by concurrent resolution of the Congress or by a proclamation by the President.

Subsections (b) and (c) of section 202 provide for procedures which will govern the consideration of the Congress of a concurrent resolution which would terminate a national emergency. These provisions are very similar to those set forth in section 7 of Public Law 93-148, the War Powers Act, of November 7, 1973.

The committee has concluded that the facts developed in the hearings on the bill and as outlined in the committee report demonstrate the need for legislative action. The testimony by representatives of departments in connection with this subject, and the reports received from those departments have shown that there is general agreement that the time has come for positive and constructive legislative action in the manner provided for in this bill. It is recommended that the amended bill be considered favorably.

Mr. MAZZOLI. Mr. Chairman, will the gentleman yield?

Mr. FLOWERS. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. Mr. Chairman, I thank the gentleman for yielding.

The bill before us is a product of 2 years' work by the Senate Special Committee on National Emergencies, extensive Senate debate in the 93d Congress, and thorough hearings this year conducted by the Subcommittee on Administrative Law and Governmental Relations chaired by my distinguished colleague, the gentleman from Alabama (Mr. FLOWERS).

The process of study and debate has produced a bill establishing a sound approach for terminating previously declared—and currently existing—states of national emergency; providing for an orderly transition from emergency status to nonemergency status; and regulating the declaration of future states of national emergency.

If Congress is to take a serious and fundamental role in conducting the affairs of our Government it must act to define and curtail the plenary powers possessed by the executive branch under authority of the existing national emergencies.

Four states of declared national emergency are still in existence today in 1975:

First. President Roosevelt's declared national emergency of 1933 to deal with the Great Depression.

Second. President Truman's declared national emergency of 1950 to deal with the Korean war.

Third. President Nixon's declared national emergency of 1970 to deal with the Post Office strike.

Fourth. President Nixon's declared national emergency of 1971 to deal with the balance of payments crisis.

These emergencies have given the United States a total of 41 years of emergency government, and have nutured an executive branch that draws many of its powers from the 470 emergency statutes uncovered by the Senate Special Committee on National Emergencies during its study.

Despite the fact that these emergency circumstances have ended, the executive branch's day-to-day operations rely, in all too many instances on emergency powers. Important matters, such as the regulation of international trade, and trade, and routine matters such as leases of property by the General Services Administration are based on emergency authority.

To prevent disruptions in the day-to-day executive branch functions, H.R. 3884 would not terminate the existing emergencies until 2 years after enactment.

Further, certain specific emergency powers would be exempted from the bill's effects with appropriate congressional committees mandated to review these laws and report their findings to the Congress within 270 days.

Congress could retain the emergency grants of power to the President, revise them, or abolish them totally as it decided.

H.R. 3884 also would delineate a specific role for Congress in the declaration and conduct of future national emergencies.

This bill would require that the President's declaration of a national emergency must specify the emergency provisions of law under which he and his agents wish to operate.

The President and all executive agencies must report periodically to the Congress on the use of these powers, the orders issued under the authority of the national emergency and the expenditures made in pursuance of these authorities.

At any time in this process, Congress could enact a concurrent resolution terminating the emergency. Every 6 months after declaration of a national emergency this bill requires that the Congress consider such a resolution of termination

The provisions of the bill relating to the termination of future emergencies are worth a comment.

They require that Congress take specific action to enact a concurrent resolution to terminate an emergency. Thus, since a declared national emergency does not expire at the end of a certain time, Congress of necessity must publicly debate and definitely settle the issue of the existence or nonexistence of a national emergency.

Then by adopting H.R. 3884 we are consciously and deliberately forcing ourselves to come to grips periodically—and ultimately—with the vexing problems of national emergencies. The blame as well as the glory will be on the shoulders of the Congress in the years ahead. But that is as it is supposed to be—that is the responsible course to take.

The courts have long recognized the need for congressional oversight of the emergency powers of the Presidency. In the Supreme Court's decision prohibiting President Truman's 1952 takeover of the steel mills Justice Jackson wrote for the majority that—

> The President's power must stem from either an act of Congress or the Constitution itself . . . Emergency powers are consistent with free government only when their control is lodged elsewhere than in the Executive who exercises them . . . In the practical working of our Government we . . . have evolved a technique within the framework of the Constitution by which normal Executive powers may be considerably expanded to meet an emergency. Congress may and has granted extraordinary authorities which lie dormant in normal times but may be called into play by the Executive in war or upon proclamation of a national emergency.

In the granting of those "extraordinary authorities" it is the responsibility of the Congress to see that the powers are properly used and that they do "lie dormant in normal times."

I support this bill and recommend that it be enacted as reported by the distinguished Committee on the Judiciary.

Mr. FLOWERS. Mr. Chairman, I certainly appreciate the comments of the gentleman from Kentucky (Mr. MAZZOLI), and I wish to thank him for his effective work on the subcommittee in this matter as well as with respect to other proposals.

I also wish to thank the other members of the subcommittee, including the minority members headed by the gentleman from California (Mr. MOORHEAD), who have contributed greatly to this legislation.

Mr. MOORHEAD of California. Mr. Chairman, I yield such time as he may consume to the ranking member of the Committee on the Judiciary, the gentleman from Michigan (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, I rise in strong support of this needed, long overdue legislation. The "National Emergencies Act" is an appropriate and prudent response to an important policy question currently facing Congress. That is, how extensive should be the powers granted to the President in a time of national emergency and, further, how should the exercise of these special powers be overseen and controlled?

As my colleagues in the House can ascertain from the content of this debate, we are in the anamalous situation of having been in a continuous state of national emergency since 1933. In fact, there are still in force four different national emergencies, the justification for which has now passed. What this means is the President of the United States has had a legal right to exercise sweeping, extraconstitutional powers for the last 40 years. Included among these broad powers are: the right to seize property and certain commodities; the right to control all modes of transportation; the right to call up the Ready Reserves; and the right to extensively regulate various aspects of private enterprise.

This measure seeks to remedy the fact that no statutory framework now exists to guide the conduct of our Government during a period of national emergency. Importantly, H.R. 3884 would establish standards and guidelines for the future declaration and termination of national emergencies. Two years from the date of its enactment all the power and authority that the President could exercise pursuant to the four existing national emergencies, would be discontinued. Title IV of the bill sets up a reporting system, so that Congress will be regularly informed concerning the conduct of a national emergency. Through section 202 of the bill, Congress can act as a check on the possible arbitrary or unnecessary use of emergency powers, by terminating the national emergency on its own by passing a concurrent resolution.

As a firm believer in a strong Presidency and Executive flexibility, I could not support this bill if it would impair any of the rightful constitutional powers of the President. In no way does H.R. 3884 interfere with valid Presidential powers. It will have no impact on his flexibility to declare a national emergency and to quickly respond if the necessity arises. The bill has no impact on the powers of the President in time of war. Rather, what it seeks to assure is that the rule of law prevails in a national emergency situation and that it cannot be bypassed, merely because we find ourselves in a state of national emergency.

H.R. 3884 is very similar to legislation (S. 3957) which unanimously passed the Senate near the end of the 93d Congress. It represents over 2 years of study and work, first by the Special Committee on the Termination of the National Emergency of the Senate and, more recently, by the Subcommittee on Administrative Law and Governmental Relations of the House Judiciary Committee. Both groups are to be commended for their thorough and thoughtful review of the problem.

The Ford administration is on record as supporting this legislation—both its philosophy and effect. However, the administration has expressed reservations about one provision, that which would permit Congress to unilaterally end the existence of a national emergency by the enactment of a concurrent resolution. Otherwise, H.R. 3884 is acceptable to them. In fact, administration officials were involved in drafting portions of the bill and their thoughts and views were continuously sought out during different stages of the legislative process. For example, the list of exempted statutes in title V were included at the request of the administration, to insure that the bill will not disrupt any essential governmental functions.

In summary, this legislation is an effort at assuring the exercise of emergency powers are confined to actual periods of national emergency and that Congress has a role in overseeing the conduct of national emergencies. I recommend the favorable action of the House on this matter.

Mr. MOORHEAD of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 3884—the "National Emergencies Act." This legislation proposes to do away with the irrational and potentially dangerous practice of "government-by-emergency." In its place would be substituted a regularized machinery for the future declaration and termination of national emergencies.

This measure was prompted by the findings of a 2-year study conducted by tht Special Committee on the Termination of the National Emergency of the U.S. Senate, cochaired by Senator Charles McC. Mathias and Senator Frank Church. What they discovered was that not one, but four, national emergencies are still in effect. These are: first, the "Bank Holiday" emergency declared by President Roosevelt in the midst of the Depression on March 6, 1933; second, the Korean war emergency, declared by President Truman on December 16, 1950; third, the national emergency declared on March 23, 1970, by President Nixon to deal with the postal strike; and fourth, a national emergency to deal with international balance of payments and currency problems, also declared by President Nixon on August 15, 1971.

The continuing existence of these emergencies is not merely a historical anachronism. Rather, the state of being in a national emergency triggers into effect over 470 different statutes, some of which grant the President extra-constitutional powers. These powers were, of course, intended to assist him in dealing with a genuine emergency situation and not the everyday operation of government.

When testifying before the Subcommittee on Administrative Law and Governmental Relations of the House Judiciary Committee, on H.R. 3884, earlier this year, Assistant Attorney General Antonin Scalia stated:

> "Since the purpose of such emergency laws is to confer upon the Government extraordinary authority which in normal times it would not have, one must assume that undue prolongation of states of emergency has the effect of creating or perpetuating powers which neither the Congress nor the President would think desirable.

So, the situation with which we have lived too long is, at best, cumbersome and inefficient. At worst, it could allow for actions wholly inconsistent with our form of government.

It is interesting to note that, during the Second World War when the very existence of Britain was being challenged, and the possibility of invasion was imminent, Parliament took the precaution of extending that wartime emergency—along with the accompanying powers delegated to the Government's Ministers—for only 30 days at a time. Faithfully, every 30 days, Parliament undertook to review and extend the emergency bill for still another 30 days.

The caution of the British Parliament certainly stands in stark contrast to the tendencies of the Congress in recent decades. Congress would do well to learn from our British counterparts for we have gone in the opposite direction, conferring any number of emergency powers on the Executive, in an open-ended fashion, without any supervision or control.

There has been a great deal of talk about "oversight" in this House in the recent weeks and months. The legislation we consider today is an effort at genuine congressional oversight. H.R. 3884 would establish an orderly procedure for the handling of national emergency situations. As I have indicated no such statutory framework now exists. Under H.R. 3884, Congress would assume the major role of reviewing and overseeing the conduct of the executive branch in a national emergency situation. Most important, under its provisions, Congress would have the power to unilaterally terminate a national emergency should the facts warrant it.

Specifically, H.R. 3884 would accomplish the following:

First. Terminate all "powers and authorities" that could be exercised pursuant to the four existing national emergencies 2 years from the date of enactment. The rationale for a 2-year grace period is that it allows those departments and agencies, currently relying on emergency-based authorities to perform everyday functions, to seek alternative authority;

Second. Establish a procedure for the declaration of future national emergencies and provide for their termination by either the Congress or the President;

Third. Require that, after declaring a national emergency, the President specify which emergency powers statutes he intends to utilize to deal with the situation;

Fourth. Impose reporting requirements on the President and the entire executive branch, so that Congress will be advised regarding significant actions taken and funds expended in connection with an emergency; and

Fifth. Repeal outright seven emergency-based statutes that are either obsolete or viewed as unnecessary. Also it would exempt eight statutes from the provisions of H.R. 3884, which are seen as essential to certain on-going functions of the Federal Government. It was felt that any interruption of their authority would cause serious problems. The remaining emergency powers statutes would stay on the books, but be placed in a suspended status. They would be available for use during a future national emergency, if those specific powers are deemed necessary by the President.

It is worth noting that among the exempted statutes are provisions contained in title 10 of the United States Code dealing with mandatory separation and retirement from military service.

The exemption of these provisions prevents a premature and inadvertent separation from the military of those men classified as POW's or MIA's in Southeast Asia. Clearly, a determination regarding the status of these brave young men should not be made indirectly, in the context of legislation dealing with Presidential emergency powers. Rather, that is a decision that ought to be made on its own facts, by the President and the Department of Defense.

Another exempted law of considerable note is the so-called "Trading with the Enemy Act," which dates back to 1917. Originally designed to give the President the power to control commerce with countries with whom the United States was then at war, this authority was later expanded to include controls over certain domestic financial transactions. Since then, for example, this statute has been utilized as the authority for freezing the assets of nationals of enemy or occupied countries; for the imposition of consumer credit controls; and for establishing a foreign direct investment program. The case for its retention was effectively made by witnesses from the Treasury and Department of State, testifying before our subcommittee.

In conclusion, Mr. Chairman, I would stress that the formulation and drafting of this legislation has been a genuinely bipartisan effort. The Ford administration and Republican Members in both the House and Senate have been extensively involved in the work product you see before you. The Ford administration is on record as supporting the establishment of statutory controls declaring and terminating national emergencies. I urge my colleagues to vote favorably on H.R. 3884.

Mr. Chairman, I hope this legislation will be passed by this Congress without any devastating effects from amendments that are not carefully thought out in advance. The committee has carefully gone over this legislation and has tried to work it out to perfection. So I hope that there will be only minor changes made to the legislation, if any are necessary.

Mr. ROUSSELOT. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD of California. Yes, I yield to the distinguished gentleman from California.

Mr. ROUSSELOT. Mr. Chairman, I appreciate my colleague yielding to me.

I wish to compliment the committee and my colleague, the gentleman from California (Mr. MOORHEAD), especially, who I know has been avidly proposing these changes in such wide, broad emergency powers delegated to the President and the executive branch for some time.

I know that my colleague, the gentleman from California (Mr. MOORHEAD), has been, along with many other members of the Committee on the Judiciary, anxious to change this so as to reassert congressional participation in the deliberations relating to national emergencies, and I wish to compliment my colleague, the gentleman from California, for his effort in this direction, along with the chairman of the committee and the other members of the Committee on the Judiciary.

Mr. Chairman, I rise in support of H.R. 3884, legislation which would terminate the powers and authorities of the President and other Federal officials which are presently being derived from emergency declarations. This legislation provides that these declarations of national emergencies currently in effect terminate 2 years after the date of enactment of this bill. However, as originally introduced, H.R. 3884 provided that the termination would take place 1 year after the date of enactment, and I would have preferred that the 1-year termination date be retained.

In my opinion, it is intolerable that Presidential emergency powers derived from a 1933 declaration by President Roosevelt concerning the problems of the depression, a 1950 declaration by President Truman in connection with the Korean conflict, a 1970 declaration because of the post office strike, and a 1971 declaration dealing with the balance-of-payments problem are still essentially in effect. The use of broad emergency powers by the Executive which include the right to seize property, take over transportation, institute martial laws, and indeed assume control of all aspects of private enterprise must be stopped.

This legislation provides a new mechanism to give Congress the ability to oversee the use of these powers, to take action to terminate an emergency proclamation, and to determine if an emergency situation actually exists.

As elected Representatives of the people, I believe that we have the responsibilty to guard against the taking of what essentially could be basic constitutional rights, and to also protect the Nation in times of a legitimate state of emergency. This is an important role which Congress must assume, and H.R. 3884 is a step in the right direction.

Mr. SKUBITZ. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD of California. Yes, I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Chairman, I want to commend the Committee on the Judiciary for bringing this bill before us today. The statute books are cluttered with laws passed to meet a specific problem—only to remain on the books after the problem has long disappeared. Agencies of Government have learned to rely on old statutes to do their bidding—giving these statutes interpretation that were never dreamed of when the bills were enacted into law. Too often, such statutes are interpreted to give an agency authority to act when requested for new authority would be looked upon with a jaundiced eye.

The bill is the first step toward the elimination of emergency powers. I hope the committee will consider the repeal of other type legislation that has been in the books 60, 70 years—100 years ago—never used or amended but a tool that might be called on to meet new problems. The voice of the dead should not direct the steps of the living.

I think that this is a piece of legislation long overdue.

Mr. FLOWERS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. DRINAN).

Mr. DRINAN. Mr. Chairman, and members of the Committee, I commend the subcommittee on clarifying this jungle of law where for 40 years the American people have lived under the shadow of laws that never should have been enacted or at least should have been repealed.

I wish to point out, however, two deficiencies, the subject of which I will propose to cover in amendments at the appropriate time.

Mr. Chairman, it seems to me that the problem of declaring a national emergency is very analogous to what this Congress did in the War Powers Resolution Act of 1973. In that act, as is well known, Congress reviewed the presidential powers and the congressional powers and brought about a relatively happy marriage of those two powers.

The declaration of a national emergency, it seems to me, confers upon the President powers that are awesome and potentially dangerous, similar to the President's exercise of the war powers. Consequently, I do not think that this legislation as presently proposed should allow the President to unilaterally declare a national emergency whenever he decides that it is essential to do so. I think that we should follow the example of the War Powers Act and insist that the President consult, whenever possible, with the Congress before the enactment of the proclamation of emergency, and at every moment thereafter.

Second, I do not think that we should allow the President to proclaim an emergency and then have the burden placed upon the Congress to terminate that emergency. That is precisely what this bill does and, in my judgment, that is a defect.

Once again, that is in sharp contrast with the war powers resolution which provides for automatic termination of the use of American forces unless Congress acts affirmatively to approve an extension.

Mr. Chairman, in an amendment that I shall propose at the appropriate time, I will urge the Congress to adopt an amendment to this very necessary bill that would provide that the emergency proclaimed by the President automatically be terminated within 30 days unless the Congress affirmatively seeks to extend the emergency.

It is very significant to note in the testimony taken by the subcommittee that Senator CHURCH said that was the original intent of the authors of this bill in the Senate. As it came out of the special committee, Senator CHURCH and others felt that the Congress should not have the burden; that this emergency power should terminate automatically within 30 or 60 days unless the Congress affirmatively renews that power.

On page 30 of the hearing conducted by the subcommittee, Senator CHURCH states:

> Why was the change made? The change was made because the Pentagon and the Administration did not want this automatic termination of their powers.

Now in the bill we have this very, very serious deficiency that permits the emergency to go on and on unless by a joint resolution of the Congress it is terminated. I think that is a basic deficiency. I think that it will aggravate the problem. It will continue the problem that is sought to be eliminated by this particular bill. After all, Mr. Chairman, an emergency is by definition a short-term affair. We should not allow the President to declare an emergency and then allow that emergency to go on and on unless someone has the initiative in both Houses of Congress to terminate it.

The President after the 30 days proposed in my amendment may once again proclaim the emergency, or Congress can extend the emergency. But in no wise should we have a very loose power residing in the President by which he can declare an emergency and this state of emergency will continue on and on until both Houses of Congress terminate it.

In conclusion, I commend the subcommittee once again but state that we have been relatively fortunate over the past 40 years not to have had abuses of this vast power that has been given to the President by the Congress. We have been very fortunate. Yet we recognized in the War Powers Act that we must very severely limit the power of the President to declare war, and I suggest that by amendments that I shall propose we will make this present piece of legislation as tight and as important and as protective of the rights of the Congress as it should be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORHEAD of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Chairman, I rise in support of H.R. 3884. This legislation would—with certain specified exceptions—terminate all powers and authorities resulting from previously declared national emergencies. It would also establish procedures for the declaration, exercise of powers, and termination of future national emergencies.

H.R. 3884 is certainly needed. Once declared, national emergencies seem to have a way of staying on the books. The Korean war emergency declared by President Truman, for example, is still in effect. So also is the 1933 declaration of President Roosevelt.

It is time to finally bring these national emergencies to an end. Outdated emergencies should not serve as the legal basis for new governmental actions. The potential for abuse is too great. The Government should operate through normal statutory procedures, not by emergency procedures which were designated for limited periods of time.

H.R. 3884 would halt this practice. No longer could a declaration of national emergency be used to justify Government activity 20 to 40 years after the crisis has passed.

Not only would it repeal past national emergencies, it would establish procedures on the declaration and termination of future emergencies. This would prevent reliance on long-passed emergencies from recurring in the years ahead.

I urge the adoption of H.R. 3884. Government action on the basis of outdated national emergencies should be brought to a halt.

Mr. ANDERSON of Illinois. Mr. Chairman, this Congress has often been chided for tacking the word "emergency" onto the title of nearly every major bill we have considered this year. A visitor to our galleries might be led to conclude that this is the emergency room of a hospital instead of the House Chamber.

Although H.R. 3884 also contains the word "emergencies," being entitled the "National Emergencies Act," I think it is significant to note that for once we are not declaring yet another emergency, but instead are attempting to terminate some past emergencies, one of which dates back some 42 years.

As if we did not have enough contemporary problems, crises and emergencies to worry about, this country is still living under four declared states of national emergency including the Roosevelt depression emergency proclamation of 1933, the Truman Korean emergency proclamation of 1950, and the Nixon postal and economic emergency proclamations of 1970 and 1971 respectively. In addition, we know from the work of the Senate Special Committee on the Termination of National Emergency in the last Congress that there are some 470 existing emergency statutes on the books. According to the Senate committee, these remain "a potential source of virtually unlimited power for a president should he choose to activate them." These potential powers conferred upon the President include the right to seize property, organize and control the means of production, seize commodities, assign military forces abroad, call reserve forces amounting to 2.5 million men to duty, institute martial law, seize and control all means of transportation, regulate all private enterprise, and restrict travel.

The chairman and ranking Republican on the Special Senate Committee, Senators CHURCH and MATHIAS, issued a joint statement in September of 1973 underscoring the inherent dangers in this vast array of standby emergency authority granted to the President. In their words:

> We cannot stress enough the warning contained in this catalog of emergency power statutes. The evident pattern in this accretion of power over a 40-year period is, in our view, symptomatic of what has occurred in law-making in all areas of our government.

They went on to say, and I again quote:

> Unless Congress takes steps to strengthen its capacity to write the laws through the representative political process as the Constitution intended, then the unmistakable drift towards one-man government will continue.

Mr. Chairman, I think it is important to observe that that statement was issued prior to the release of the so-called White House Watergate transcripts and their chilling revelations about the abuse of presidential power.

The 93d Congress, to its credit, made immense strides in the reassertion of congressional prerogatives through the enactment of the budget reform and war powers acts as well as the responsible exercise of its impeachment powers. The torch has now passed to this new Congress to continue the momentum in checking the potential abuse of presidential powers and reestablishing the delicate balance of powers between the great branches of our Government.

Although the Senate last year passed a bill similar to this terminating national emergencies, time ran out before the House could complete action on the measure. I want to commend our Judiciary Committee, which distinguished itself in the last Congress, for making this legislation a priority item in this session.

One of the main complaints of the Church committee was the irresponsible approach the Congress has taken to past emergency legislation. As Senators CHURCH and MATHIAS put it:

> The record of congressional performance is a poor one. These laws—in the main, drafted in the executive branch—were passed hastily, without much consideration. Almost all of the laws made no provision for congressional oversight nor do they provide a means for terminating the "temporary" delegated powers.

H.R. 3884, which is based on the recommendations of the Church committee, is designed to insure that the Congress will play a more active, conscientious and continuing oversight role with respect to future declarations of national emergencies. For not only does it terminate existing states of emergency after 2 years, but it prescribes strict procedures for the declaration and reporting of future emergencies, and for periodic congressional review and action on those declarations.

First, the bill defines under what circumstances the President may declare a national emergency. Second, the bill requires that the proclamation be immediately transmitted to the Congress and published in the Federal Register. Third, the President may not exercise his authority under any emergency statutes under a state of national emergency unless he specifies which provisions he will be invoking in the proclamation or in subsequent Executive orders published in the Federal Register and transmitted to the Congress. Fourth, the Congress may terminate the national emergency at any time by passage of a concurrent resolution. In any event, the Congress must consider whether the emergency should be terminated at periodic intervals of every 6 months. Sixth, the President must indicate to the Congress annually, and through the Federal Register, whether the emergency is still in effect. And seventh, the President may terminate the national emergency at anytime by proclamation.

Mr. Chairman, the bill contains certain other safeguards which I will not enumerate here. Suffice it to say, this legislation does institutionalize a very careful oversight procedure which shall insure that the Congress responsibly exercises its obligations with respect to any national emergency.

It is my understanding that an amendment may be offered to provide for the automatic termination of a national emergency after 1 year unless the President declares to the Congress at the end of that 1-year period that the emergency is still in effect. Since the bill already requires the President to make such annual declarations and forces the Congress to consider a termination semiannually, I question the necessity of such an amendment. Moreover, I think it is far preferable to have the Congress take affirmative action in the event the President fails to comply with the reporting provisions, rather than simply permit the state of emergency to lapse without proper consideration and debate.

In conclusion, Mr. Chairman, I strongly support this legislation as reported by the Judiciary Committee and urge its enactment.

Mr. FOUNTAIN. Mr. Chairman, I rise in support of passage of H.R. 3884, the National Emergencies Act now before the House. The worthwhile purpose of this legislation is to terminate all powers and authorities which were given to the executive branch during the past periods of national emergency and which are no longer needed.

During times of national crisis, like the Korean conflict or the economic difficulties encountered in the Great Depression of the 1930's, the Congress enacted more than 470 significant statutes delegating powers to the President, powers which had been the prerogative of the national legislature since the beginning of the Republic.

Generally speaking, there was good reason for the Congress, in the course of its legislative work, to delegate powers during times of national emergency. Problems have arisen, however, in the granting of various powers to the Chief Executive during previous emergencies because no mechanisms were set up to terminate the exercise of these delegated powers once the crisis had passed.

Ironically, the executive branch still carries on some of its normal activities under authority accumulated during the designated emergencies of 1933, 1950, 1970 and 1971. Clearly the particular emergencies of these years have passed. Yet no defined means of terminating or renouncing those grants of emergency power exist. This is a situation we must change, Mr. Chairman.

The legislation under consideration today would require the Chief Executive to specify the powers and emergency statutes he will utilize in the exercise of emergency powers, and it would require the Chief Executive to maintain a file of orders, rules, and regulations used in the exercise of the emergency authority. Furthermore, the statute would require that such information must be transmitted to the Congress, along with a report of expenditures directly related to the exercise of those emergency powers, at 6-month intervals.

In conclusion, let me say, I support passage of this measure on the simple proposition that H.R. 3884 will enable the Congress to keep an active watch on the growth of Presidential power, without curtailing the President's ability to respond in times of national crisis.

Currently, the President can, if he wishes, assume great control over our personal lives, the public life of our Nation, and over our economic and political affairs, using the many emergency powers which have not been formally terminated. Such vast powers are simply not needed—especially obsolete laws designed for emergencies which have long since passed. Consequently, our task is to assist in maintaining the balance of liberties and freedoms embodied in the Constitution by repealing unneeded, outmoded emergency powers.

Passage of this measure would restore that balance without hindering any future exercise of Presidential power in times of national emergency, however unforeseen or sudden.

In a word, this measure would preserve the Executive's authority to assume great and awesome responsibilities in times of national emergency, while permitting the Congress to discharge its Constitutional responsibility to check the potential exercise of power to the disadvantage of the separation of powers and civil liberties of the American people.

Mr. Chairman, legislation of this kind is long overdue. I therefore urge passage of H.R. 3884.

Mr. CLEVELAND. Mr. Chairman, I rise in support of H.R. 3884 as a long-overdue reform to redress the imbalance of authority between the executive and legislative branches and in the interests of restoring orderly process in government. After some 40 years of subjecting the country to government by executive fiat in the name of one type of emergency or other, it is time to call a halt. The time has come for reexamination and culling out of the nearly 500 provisions of law involved in one way or another with the existence of a declared state of emergency.

The other body, in which this legislation originated, and the Committee on the Judiciary, which brings us an amended bill, are to be commended for their initiative in shaping this reform measure.

It would terminate—with certain justifiable exceptions—emergency powers and authorities—some going back to 1933—within 2 years of enactment and would establish a system for both the declaration and termination of emergencies in the future.

At the same time, it will restore and strengthen congressional responsibility for regulatory-type activities which, because of their origin in emergencies of the past, tend to impinge on individual liberties and economic freedoms—which, incidentally, I happen to regard as inherently related.

While I support this legislation, I also wish to take this occasion to observe that it is somewhat negative in its thrust. The Congress in essence is withdrawing powers which it has delegated implicitly or explicitly to the Executive and allowed to remain there long after the original justification passed into history.

"ACTIVIST" PRESIDENCY

Our failure to act in the past is directly related to an infatuation with the doctrine of the "activist" presidency which flourished not only in academic circles, but in the Congress itself for decades.

I doubt that I am alone in my conviction that this concept of the presidency inflated the office and those who have held it in recent administrations—and I emphasize my use of the plural—and spurred the abuses of power inevitably and ultimately associated with its excessive concentration.

So I suppose that to some of my colleagues this legislation has its penitential aspects. But I also would like to think that this bill goes farther than that and like, for example, war powers legislation and other structural and procedural reforms, it represents another step in congressional efforts to regain control over the direction and growth of government at the Federal level.

In this connection, I would hope that we would pursue the logic of this legislation and be wary of further actions which would move us in precisely the opposite direction. I refer to a continuing tendency to seek salvation from the ills that beset society by the creation of new programs and new agencies to administer them; by passing new pieces of regulatory legislation inevitably followed by massive volumes of administrative regulation.

LARGER ISSUE—BIG GOVERNMENT

We cannot have it both ways. This bill before us today is designed to curb abuses or the potential abuses of power triggered by executive declarations of emergency. Thus the focus is the Presidency and rightly so. But I have become increasingly convinced in recent years that we create the same potential for arbitrary action and plain old bureaucractic red-tape, delays and mismanagement—bad government—when we add on to the agencies downtown additional layers of discretionary authority. My concern, again, is similar with the executive branch.

The results are much the same, a breakdown of responsive government and increasing frustration in our efforts, as Members of the most representative House of the legislative branch, to respond when the anonymous technicians who draft regulations and the more innovative members of the judiciary get their licks in.

This situation, as much as any of the more widely publicized infirmities of the traditional independent regulatory agencies, contributes to the growing public concern over excessive regulation by Government.

Let us by all means pass this bill. But then let us also pursue our legislative responsibilities with a greater awareness of the practical limitations on our ability to reform the world with Federal resources and Federal regulation.

Strengthened legislative oversight backed up by a stronger inclination to move by legislative enactment when the Executive or the courts act to frustrate or distort the intent of Congress—this is the practical alternative available to the Congress. If pursued in the same spirit that motivates our action on this bill, this can do much to improve the functioning of Government and its claim to the confidence of the public.

Mr. MOORHEAD of California. Mr. Chairman, I have no further request for time.

Mr. FLOWERS. Mr. Chairman, I have no further request for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Emergencies Act".

TITLE I—TERMINATING EXISTING DECLARED EMERGENCIES

SEC. 101. (a) All powers and authorities possessed by the President, any other officer or employee of the Federal Government, or any executive agency, as defined in section 105 of title 5, United States Code, as a result of the existence of any declaration of national emergency in effect on the date of enactment of this Act are terminated one year from the date of such enactment. Such termination shall not affect—

(1) any action taken or proceeding pending not finally concluded or determined on such date;

(2) any action or proceeding based on any act committed prior to such date; or

(3) any right or duties that matured or penalties that were incurred prior to such date.

(b) For the purpose of this section, the words "any national emergency in effect" means a general declaration of emergency made by the President pursuant to a statute authorizing him to declare a national emergency.

TITLE II—DECLARATIONS OF FUTURE NATIONAL EMERGENCIES

SEC. 201. (a) In the event the President finds that a proclamation of a national emergency is essential to the preservation, protection and defense of the Constitution or to the common defense, safety, or wellbeing of the territory or people of the United States, the President is authorized to proclaim the existence of a national emergency. Such proclamation shall immediately be transmitted to the Congress and published in the Federal Register.

(b) Any provisions of law conferring powers and authorities to be exercised during a national emergency shall be effective and remain in effect (1) only when the President (in accordance with subsection (a) of this section), specifically declares a national emergency, and (2) only in accordance with this Act. No law enacted after the date of enactment of this Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.

SEC. 202. (a) Any national emergency declared by the President in accordance with this title shall terminate if—

(1) Congress terminates the emergency by concurrent resolution; or

(2) the President issues a proclamation terminating the emergency.

At the end of each year following the declaration of an emergency which is still in effect, the President shall publish in the Federal Register and transmit to the Congress a notice stating that the emergency is still in effect. Any national emergency declared by the President shall be terminated on the date specified in any concurrent resolution refererred to in clause (1) of this subsection, and any powers or authorities exercised by reason of said emergency shall cease to be exercised after such specified date, except that such termination shall not affect—

(A) any action taken or proceeding pending not finally concluded or determined on such date;

(B) any action or proceeding based on any act committed prior to such date; or

(C) any rights or duties that matured or penalties that were incurred prior to such date.

(b) Not later than six months after a national emergency is declared, and not later than the end of each six-month period thereafter that such emergency continues, each House of Congress shall meet to consider a vote on a concurrent resolution to determine whether that emergency shall be terminated.

(c)(1)(A) A concurrent resolution to terminate a national emergency declared by the President shall be referred to the appropriate committee of the House of Representatives or the Senate, as the case may be. One such concurrent resolution shall be reported out by such committee together with its recommendations within fifteen calendar days, unless such House shall otherwise determine by the yeas and nays.

(2) Any concurrent resolution so reported shall become the pending business of the House in question (in the case of the Senate the time for debate shall be equally divided between the proponents and the opponents) and shall be voted on within three calendar days thereafter, unless such House shall otherwise determine by yeas and nays.

(3) Such a concurrent resolution passed by one House shall be referred to the appropriate committee of the other House and shall be reported out by such committee together with its recommendations within fifteen calendar days and shall thereupon become the pending business of such House and shall be voted upon within three calendar days, unless such House shall otherwise determine by yeas and nays.

(4) In the case of any disagreement between the two Houses of Congress with respect to a concurrent resolution passed by both Houses, conferees shall be promptly appointed and the committee of conference shall make and file a report with respect to such concurrent resolution within six calendar days after the legislation is referred to the committee of conference. Notwithstanding any rule in either House concerning the printing of conference reports in the Record or concerning any delay in the consideration of such reports, such report shall be acted on by both Houses not later than six calendar days after the conference report is filed. In the event the conferees are unable to agree within forty-eight hours, they shall report back to their respective Houses in disagreement.

(5) Paragraphs (1)–(4) of this subsection, subsection (b) of this section, and section 602(b) of this Act are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of resolutions described by this subsection; and they supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

TITLE III DECLARATIONS OF WAR BY CONGRESS

SEC. 301. Whenever Congress declares war, any provisions of law conferring powers and authorities to be exercised during time of war shall be effective from the date of such declaration.

TITLE IV—EXERCISE OF EMERGENCY POWERS AND AUTHORITIES

SEC. 401. When the President declares a national emergency no powers or authorities made available by statute for use in the event of an emergency shall be exercised unless and until the President specifies the provisions of law under which he proposes that he, or other officers will act. Such specification may be made either in the declaration of a national emergency, or by one or more contemporaneous or subsequent Executive orders published in the Federal Register and transmitted to the Congress.

TITLE V—ACCOUNTABILITY AND REPORTING REQUIREMENTS OF THE PRESIDENT

SEC. 501. (a) When the President declares a national emergency, or Congress declares war, the President shall be responsible for maintaining a file and index of all significant orders of the President, including Executive orders and proclamations, and each such Executive agency shall maintain a file and index of all rules and regulations, issued during such emergency or war issued pursuant to such declarations.

(b) All such significant orders of the President, including Executive orders, and such rules and regulations shall be transmitted to the Congress promptly under means to assure confidentiality where appropriate.

(c) When the President declares a national emergency or Congress declares war, the President shall transmit to Congress, within thirty days after the end of each three month period after such declaration, a report on the total expenditures incurred by the United States Government during such three-month period which are directly attributable to the exercise of powers and authorities conferred by such declaration. Not later than thirty days after the termination of each such emergency or war, the President shall transmit a final report on all such expenditures.

TITLE VI—REPEAL AND CONTINUATION OF CERTAIN EMERGENCY POWER AND OTHER STATUTES

SEC. 601. (a) Section 349(a) of the Immigration and Nationality Act (8 U.S.C. 1481 (a)) is amended—

(1) at the end of paragraph (9), by striking out "; or" and inserting in lieu thereof a period; and

(2) by striking out paragraph (10).

(b) Section 2667(b) of title 10 of the United States Code is amended—

(1) by inserting "and" at the end of paragraph (3);

(2) by striking out paragraph (4); and

(3) by redesignating paragraph (5) as (4).

(c) The joint resolution entitled "Joint resolution to authorize the temporary continuation of regulation of consumer credit", approved August 8, 1947 (12 U.S.C. 249), is repealed.

(d) Section 5(m) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831d(m)) is repealed.

(e) Section 1382 of title 18, United States Code, is repealed.

(f) Section 6 of the Act entitled "An Act to amend the Public Health Service Act in regard to certain matters of personnel and administration, and for other purposes", approved February 28, 1948, is amended by striking out subsections (b), (c), (d), (e), and (f) 42 (U.S.C. 211b).

(g) Section 9 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1742) is repealed.

(h) This section shall not affect—

(1) any action taken or proceeding pending not finally concluded or determined at the time of repeal;

(2) any action or proceeding based on any act committed prior to repeal; or

(3) any rights or duties that matured or penalties that were incurred prior to repeal.

SEC. 602. (a) The provisions of this Act shall not apply to the following provisions of law, the powers and authorities conferred thereby, and actions taken thereunder:

(1) Section 5(b) of the Act of October 6, 1917, as amended (12 U.S.C. 95(a); 50 U.S.C. App. 5(b));

(2) Section 673 of title 10, United States Code;

(3) Act of April 28, 1942 (40 U.S.C. 278b);

(4) An act of June 30, 1949 (41 U.S.C. 252);

(5) Section 3477 of the Revised Statutes, as amended (31 U.S.C. 203);

(6) Section 3737 of the Revised Statutes, as amended (41 U.S.C. 15).;

(b) Each committee of the House of Representatives and the Senate having jurisdiction with respect to any provision of law referred to in subsection (a)(1)(6) of this section shall make a complete study and investigation concerning that provision of law and make a report, including any recommendations and proposed revisions it may have, to its respective House of Congress within two hundred and seventy days after the date of enactment of this Act.

Mr. FLOWERS (during the reading).

Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

Mr. FLOWERS. Mr. Chairman, I ask unanimous consent that all the committee amendments be considered en bloc and that reading of the committee amendments be dispensed with and that they be printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The committee amendments are as follows:

Page 2, line 2, strike "one year" and insert "two years".

Page 2, lines 13 and 14, strike "pursuant to a statute authorizing him to declare a national emergency".

Page 3, line 21, after "clause (1)", insert "or on the date specified in a proclamation by the President terminating the emergency as provided in clause (2)".

Page 6, strike all of lines 14, 15, 16, 17, 18, and 19.

Page 6, line 20, after "TITLE", strike "IV" and insert "III".

Page 6, line 22, after "SEC.", strike "401" and insert "301".

Page 7, line 6, after "TITLE", strike "V" and insert "IV".

Page 7, line 8, after "Sec.", strike "501" and insert "401".

Page 7, line 12, after "each", strike "such".

Page 7, line 22, after "within" strike "thirty" and insert "ninety", and after "each" strike "three-" and insert "six-".

Page 7, line 25, strike "three-month" and insert "six-month".

Page 8, line 2, strike "thirty" and insert "ninety".

Page 8, line 5, after "TITLE", strike "VI" and insert "V".

Page 8, line 8, after "Sec.", strike "601" and insert "501".

Page 8, line 24, after "Act of 1933" insert "as amended".

Page 9, line 18, after "Sec.", strike "602" and insert "502".

Page 9, line 22, strike "95(a)" and insert "95a".

Page 9, strike all of line 23.

Page 9, line 24, strike "(3)" and insert "(2)".

Page 9, line 25, strike "(4)" and insert "(3)".

Page 10, line 1, strike "(5)" and insert "(4)".

Page 10, line 3, strike "(6)" and insert "(5)".

Page 10, line 4, at the end of the sentence, strike the period and insert a semi-colon.

Page 10, after line 4: Insert:

"(6) Public Law 85-804 (Act of Aug. 28, 1958, 72 Stat. 972; 50 U.S.C. 1431-1435);

"(7) Section 2304(a)(1) of Title 10, United States Code;

"(8) Sections 3313, 6386(c) and 8313 of Title 10, United States Code."

Page 10, line 7, strike "(1)(6)".

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. MATSUNAGA

Mr. MATSUNAGA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Matsunaga: On page 3, line 16, strike the sentence beginning "At the end";

And on page 6, immediately after line 15, insert the following new subsection:

"(d) Any national emergency declared by the President in accordance with this title, and not otherwise previously terminated, shall terminate on the anniversary of the declaration of that emergency if, within the 90-day period prior to each anniversary date, the President does not publish in the Federal Register and transmit to the Congress a notice stating that the emergency is still in effect."

Mr. MATSUNAGA. Mr. Chairman, as the author of Public Law 92-128, which prohibits the internment of any U.S. resident under authority of a national emergency, I stand fully in support of legislation to provide for a rational and deliberate review of declared national emergencies. This is the thrust of H.R. 3884 and I commend the Committee on the Judiciary, Chairman Rodino and especially the chairman of the subcommittee, Mr. Flowers, for bringing this legislation to the floor today. The bill will clear up the muddled situation which exists today relative to the duration of declared national emergencies.

My only concern about H.R. 3884 is with its provision that requires the President to redeclare any national emergency every year by publishing in the Federal Register and transmitting to Congress a notice stating that the emergency is still in effect. By failing to provide for any direct sanction in the event that the President fails to comply with this notice provision, the bill encourages executive neglect, which may well result in frustration when Congress attempts to enforce this requirement. As reported, H.R. 3884 also fails to state the consequences of the President's failure to comply with the requirements of publication and transmittal of notice. The question as to whether or not the declared national emergency continues is left unanswered.

My amendment would provide that if no notice of a continuing national emergency is transmitted to the Congress and printed in the Federal Register in the manner specified in the bill, the emergency would automatically terminate on its next anniversary date. My amendment would provide another method by which declared emergencies could be terminated, in addition to the two methods provided in the committee bill, but only in a technical sense, for the President would retain the power to redeclare the emergency by a simple publication in the Federal Register and transmittal of notice to the Congress.

If my amendment is adopted, Members of Congress, executive agencies, and the public desiring information on the status of any declared national emergency, may look to a single publication, the Federal Register, in the secure knowledge that any declared emergency over a year old has been terminated if not listed in this publication.

Mr. Chairman, my amendment would clearly serve the intended purpose of H.R. 3884, and I urge its adoption.

Mr. FLOWERS. Mr. Chairman, would the gentleman yield for a comment?

Mr. MATSUNAGA. I am happy to yield to the distinguished gentleman from Alabama, chairman of the subcommittee.

Mr. FLOWERS. Mr. Chairman, I appreciate the gentleman's comment. I certainly did not want to cut the gentleman short, particularly in the earlier part of the gentleman's statement here.

I would say from this Member's point of view it is a highly acceptable amendment. I think probably it does add something that needs to be added to the legislation that might not be taken care of quite as cleanly and as properly through the regular 6-month requirement of the concurrent resolution to terminate the emergency. It would be undoubtedly a better process to have, as the gentleman suggests in his amendment.

Mr. Chairman, as far as the Members on this side are concerned, we will accept the amendment.

Mr. MATSUNAGA. Mr. Chairman, I thank the gentleman from Alabama. I believe the gentleman from Alabama has exercised keen insight into the pending matter.

Mr. MOORHEAD of California. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I am happy to yield to the distinguished gentleman from California.

Mr. MOORHEAD of California. Mr. Chairman, we will also accept the amendment.

Mr. MATSUNAGA. I thank the gentleman from California. His cooperation as minority floor manager has been excellent and very much appreciated.

Mr. DANIELSON. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I most gladly yield to the gentleman from California.

Mr. DANIELSON. Mr. Chairman, I want to say I will support the amendment of the gentleman from Hawaii. I think this self-destruct provision of the Matsunaga amendment will add a good deal to the bill in that emergencies will not just go on and on because we are too busy to act upon them. It is a very wholesome amendment. It will improve the other beneficial portions of the bill.

Mr. MATSUNAGA. Mr. Chairman, if the gentleman will yield, I thank the gentleman for his contribution and for his keen insight. With his support, I know now there is no "mission impossible."

Mr. DANIELSON. Mr. Chairman, I think the world should remember this as the Matsunaga "self-destruct amendment."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii (Mr. Matsunaga).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DRINAN

Mr. DRINAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Drinan: Page 3, strike out the period at the end of line 15 and insert in lieu thereof the following: "; or

"(3) thirty calendar days elapse following the declaration of an emergency unless Congress (A) has authorized by concurrent resolution the extension of such an emergency to a date certain, or (B) is physically unable to meet as a result of an armed attack upon the United States."

Mr. DRINAN. Mr. Chairman, we have to decide here today a very crucial question. Are we going to allow this vast emergency power of the President to be continued in the way that it has been done over the last 40 years? This bill is good, but it is imperfect. My amendment simply states that the President can declare an emergency, but an emergency in the nature of things is a short thing. It is something urgent.

Consequently, my amendment states that after 30 days this state of emergency lapses unless the Congress by concurrent resolution extends the emergency to a date certain. That would be simple to do at the request of the President. We are not tying his hands. At the same time, we are in control of this vast reservoir of power that is conferred upon the President.

My amendment also provides that the emergency can continue if the Congress is physically unable to meet as a result of an armed attack on the United States. This once again tracks the war powers resolution where we stated that the President, under the Constitution, under our laws, has only those powers that we, the Congress, specifically confer upon him.

Under my amendment when we confer the power to declare an emergency, we state that this power can be exercised for 1 month, and for 1 month only, and that at the end of that 30 days it terminates unless the Congress, both bodies, by concurrent resolution extend it. This obviously gives us a further way of protecting the country from the misuse and the abuses of the vast, inherent emergency powers of the President.

I think this amendment would improve the bill. I think furthermore that this amendment coincides with the original intent of the Senate special committee. Senator FRANK CHURCH stated in testimony before this subcommittee, that when they brought the bill out, they clearly intended that the emergency power would exist only during a specific period of 30 or 45 or 60 days. It was the administration that caused the Church special committee to change its view and to state that the emergency goes on and on.

With the amendment adopted which was offered by the gentleman from Hawaii (Mr. MATSUNAGA), I think that the dilemma is pointed up even more sharply: that we cannot wait for an entire year. There is no reason why we should legislate that a whole year can go by in which these emergency powers are continued unless the Congress acts, or unless the President takes affirmative action.

The proposal I am making, Mr. Chairman, tidies up this bill. It states exactly what we, as the Congress, should do with this vast emergency power. In all candor, we have abused our powers in this area over the past 40 years. Since 1933 there have been some 480 emergency declarations, all there in the law. If we are going to continue emergency powers in the President—as we must—we must very carefully state that he has that power for 30 days and for 30 days only unless, by concurrent resolution, we seek an extension of that particular state of emergency.

Mr. Chairman, I urge the Members to vote for this amendment. It would improve this Act. It would reaffirm the congressional powers without inhibiting the powers of the President.

Mr. FLOWERS. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Massachusetts. It seems to me, Mr. Chairman, that what we have here in the bill is a perfectly balanced, coordinated approach to a problem. If we adopted the amendment as the gentleman from Massachusetts would have us do by his amendment, we would be tilting substantially in favor of, I think, enlarging the problem of executive action while not really giving the Congress what this amendment seeks to do.

Let us remember what the bill provides in section 202(a), subsection (1), "Congress terminates the emergency by concurrent resolution; or

(2) the President issues a proclamation terminating the emergency."

In addition thereto, there is a written-in proviso in the legislation that at each 6-month period after the declaration of an emergency, the Congress—that is, both the House and the Senate—must vote on the issue whether or not to continue the emergency. That seems to me to be an adequate safeguard here.

The gentleman's amendment, I must say, contemplates that the Congress will not be responsible. I cannot find it in myself to declare that for this or any future Congress. Furthermore, I do not think, Mr. Chairman, there is an essential parallel between this resolution and the War Powers Act.

It is not contemplated under any of the emergency powers that are conferred upon the President through various pieces of legislation that we will be taken into a war and put American men and women overseas fighting a war, as does the War Powers Act.

We are talking about mostly technical matters. The objective of this legislation is to either wipe the slate clean or to allow a process whereby the slate can be wiped clean in the future as to these declared emergencies and the powers activated thereunder.

Therefore, Mr. Chairman, I do oppose the gentleman's amendment and I ask my colleagues to support us in voting down the amendment.

Mr. MAZZOLI. Mr. Chairman, will the gentleman yield?

Mr. FLOWERS. I yield to the gentleman from Kentucky.

Mr. MAZZOLI. I thank the gentleman for yielding. I appreciate what the gentleman said, and I concur in his statement. I oppose the amendment offered by the gentleman from Massachusetts.

Is it not correct, I ask the Chairman, that during our hearings and our discussions it was stated that the gentlemen from the other body, in an effort to get a piece of legislation like this on the books, urged us not to make any changes in order that the arrangements made with the administration could go farward and this bill could be signed?

Mr. FLOWERS. The gentleman is correct. A great deal of work was done in the other body on this legislation. We worked, I think, hard and diligently on it, and in a large part we did accept what the other body did. It was not because we were rubberstamping the other body, but because it was good work. The compromise was a good piece of legislation. For that reason, I think we should leave this particular provision intact.

Mr. MAZZOLI. If the gentleman will yield further, it would seem to me, Mr. Chairman, that unless there is some real, profound need for making these changes, we should leave the legislation the way it is.

Mr. FLOWERS. I thank the gentleman.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not know if I understood, by the previous colloquy with the distinguished chairman of the subcommittee, whether or not we have received Senate instructions not to tamper with this legislation. If that is the effect of the discussion, I suppose it is clearly not relevant to the deliberations of 435 Members. But as I see this amendment—and I would like to raise this question with my colleagues on the subcommittee—the apparent thrust of this amendment is to determine whether an emergency under this legislation is to exist for 1 year or 30 days. I think that is an important enough question with which some of us might have a different view. I, of course, would be one of those who would like to limit the emergency powers of the executive branch to as short a time as is reasonable, and 30 days seems reasonable to me. I suppose that the Congress could, as the chairman of the subcommittee has pointed out, at any time operate within that 1-year period, but I think the burden more properly in this instance should rest upon the executive branch in requesting an emergency situation to exist.

I would say that this is a reasonable issue that has been framed by our colleague from Massachusetts. Would the gentleman not agree to that?

Mr. FLOWERS. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I will yield to the gentleman.

Mr. FLOWERS. No, I would not agree to that. I think the gentleman's amendment contemplates that the Congress must act within 30 days in order to continue the emergency powers. Just as the gentleman said, he is apparently wary that the Congress would not act to terminate emergency powers. There are many impediments to the Congress acting on anything within a 30-day period. For instance we have just had a 30-day recess in the month of August. We have many reasons why I think we should not tie the administration's hands with this sort of provision.

Mr. CONYERS. Would the gentleman not agree with me that if we were in a state of emergency and wished to terminate it and we are on a 30-day recess, we would probably be able to rise to the occasion?

Mr. FLOWERS. Mr. Chairman, I will say to the gentleman, if he will yield further, that I would hope we could rise to the occasion, but I would not want to say for sure we would. I do not think I could say, nor could he.

I think we are really talking about such a minor part of this legislation that the language here takes care of what the gentleman is apparently concerned about. We are not talking about extending this thing ad infinitum; we are talking about only a short period of time.

Mr. CONYERS. Mr. Chairman, if my friend, the gentleman from Alabama (Mr. FLOWERS), is not certain whether the Congress in recess would be able to come back to terminate an emergency, I think that is the best stated case for this amendment and the best reason why either of us who support it would offer it.

Mr. MAZZOLI. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to my friend, the gentleman from Kentucky.

Mr. MAZZOLI. Mr. Chairman, I thank the gentleman for yielding.

I have been very interested in this conversation. I think this really goes back to our discussions concerning the War Powers Act. The House was divided on the question in this case here of whether the provisions of the War Powers Act should be brought in upon the action of Congress or upon its inaction.

Many of us felt that the inaction of Congress was an inappropriate way to show our displeasure at the pursuit of some international adventure involving American Armed Forces; others felt that was the appropriate way, because of the parliamentary problems involved, that inaction was the proper way to display our opposition.

Here in the subcommittee we came to this same philosophical split. We in the subcommittee eventually went along with the view that it should depend upon congressional action rather than inaction, as the gentleman from Massachusetts (Mr. DRINAN) would suggest.

Mr. CONYERS. But, Mr. Chairman, I think this question raised by the amendment turns on whether an emergency should be constituted within 30 days or within 12 months. I think that is a reasonable basis for our position.

Mr. MAZZOLI. Mr. Chairman, if the gentleman will yield further, I think not in any case does it depend on whether the Congress should take action in 30 days or in 12 months under the present bill. There is nothing that prevents us from taking action.

Mr. CONYERS. I realize that, but we are trying to define the time period.

Mr. DRINAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The Chair announces that he will vacate proceedings under the call when a quorum of the committee appears.

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The committee will resume its business.

Mr. MOORHEAD of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I think in the bill that we have before us there are adequate opportunities given to Congress to terminate a national emergency. Congress can terminate a declared national emergency at any point, in 1 day, or in 365 days, or at any time they desire to do so by a vote of both Houses of the Congress to terminate a national emergency.

Congress is required to review a national emergency after 9 months, and it would automatically end after a year if the Congress did not find that it was still necessary to retain it.

We have passed the Matsunaga amendment which puts extra pressure on the President and the executive branch to justify an emergency.

This amendment, however, that is proposed by the gentleman from Massachusetts (Mr. DRINAN) would terminate an emergency 30 days after it was declared if either or both Houses of the Congress had not been able to get together to pass a resolution supporting the emergency.

All of us know that the Senate many times is tied up in filibusters or its tied up on other issues and we in the House also get tied up on major bills that we are considering. Sometimes we go on recess. It is unrealistic to think we can run our Government in such a way that one or both Houses of the Congress could terminate a national emergency with absolutely no action whatsoever.

I think the proposed amendment is a very dangerous amendment. I think it would do an injustice to the purpose we have before us. I would ask that the amendment be defeated.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD of California. I yield to the gentleman from Massachusetts.

Mr. DRINAN. Mr. Chairman, would the gentleman from California spell out why we should have a national emergency at all, where the President unilaterally has exerted a power to do extraordinary things? Should we not state that it is an extraordinary thing when he is exercising unspecified powers? Should we not say that such powers which he assumes, then, should terminate within 30 days unless we, the lawmakers of the Nation, specifically and affirmatively give the President a renewal of that power?

Mr. MOORHEAD of California. In this particular legislation we are telling the President that he must designate those powers that he is going to use under a declaration of a national emergency. Congress has given the President certain authority to act under emergency situations, and the President triggers specifically the laws that this Congress itself has passed on when he declares a national emergency. I know that there are other unspecified powers that a President under the Constitution can trigger, but most of the powers we are involved with here come out of congressional acts.

Unless there is a positive action on the part of the Congress stating that there is no emergency or that they are not terminating the emergency, I do not believe the act of Congress should be—

Mr. DRINAN. If the gentleman will yield again, under the 6-months provision as set forth in the bill, the burden is on us to state that the President should not be exercising these powers. It seems to me that the burden should always be on the President, and my amendment seeks to place it on the President. It states that if he exercises these emergency, extraordinary, most unusual, powers, then the exercise of those powers terminates automatically after 30 days, unless we in the Congress affirmatively extend them. But under the 6-months provision, if the Senate fails, and if the House passes it, then we have no way of terminating that particular emergency. It could go on for years and years.

Mr. MOORHEAD of California. We can terminate any emergency at any time with a vote of both Houses of Congress.

Mr. DRINAN. But in the nature of things, that puts the burden on us, and the burden should not be on us. We gave, and the Congress historically has given, emergency powers for a very short period of time, for something unforeseen and unprecedented, where the President has to act in an unusual emergency situation. We have been lucky over the last 40 years that Presidents have not very often abused those powers, and now is the hour of the first curbing of this emergency power.

The CHAIRMAN. The time of the gentleman has expired.

(At the request of Mr. FLOWERS, and by unanimous consent, Mr. MOORHEAD of California was allowed to proceed for 1 additional minute.)

Mr. FLOWERS. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD of California. I yield to the gentleman from Alabama.

Mr. FLOWERS. I thank the gentleman for yielding.

The basic problem here is that the gentleman from Massachusetts insists on a 30-day period, and the bill has by operation a 6-months period in which the Congress has got to act on it. If we want to stay with the present situation, which most of us seem to agree is not a good situation, while we have in the legislation basically a compromise position which recognizes the legislative branch's and the executive branch's peculiar problems, if we want to give it all up in order to try to have this 30-day period, then that is what we should do. However, I do not think that is what a majority of the Members here want to do. I think we have a good measure here, a good measure that works to everybody's advantage, and so I think we ought to go with it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHN L. BURTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to direct

a question, if I could, to the proposer of the amendment. I believe that there is a great deal of merit in the point of view that he has expressed concerning the entire procedure of how the emergencies would be terminated. I also believe there is a great deal of merit in the concern of the chairman and ranking minority member at least as far as the 30-day period is concerned. I am wondering what the gentleman's response would be, and also the response of the others, to, say, a 90-day period, because we are dealing with a very extraordinary power given to the Chief Executive under states of emergency.

Under laws that are presently around, there are some pretty heavy things that have come down. If we read them, we would think it was 1984. I would not say any Chief Executive would use these powers, but they are certainly there, and I am just wondering if a proposal of 90 days, which would seem to be at least to me a lot more reasonable than 30 days, and a lot more reasonable than the situation presently, might be at least an acceptable substitute for the gentleman's amendment that I know I could support.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. JOHN L. BURTON. I yield to the gentleman from Massachusetts.

Mr. DRINAN. I thank the gentleman for yielding.

I am not wedded to 30, 60, or 90 days, and I would be prepared to accept a substitute for 90 days. I think the basic principle I am fighting for is the burden of proof should be on the President and not on the Congress, and if the President asserts these powers and he wants to continue them after a certain term, 30, 60, or 90 days, the burden should be on him to reconvince the Congress, and the Congress—and the Congress alone—should extend those powers.

I thank the gentleman for those comments, and I would accept 60 or 90 days, because the burden of proof is the essential thing.

As the gentleman suggested, there have been some terrible enactments that have come down, some 400 or 450, over the last 30 years, and we have been very fortunate that no President has exploited them. Congress has been derelict in its duty in not tidying up this legislation.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. JOHN L. BURTON. I yield to the gentleman from Michigan.

Mr. CONYERS. I thank the gentleman for yielding.

I would like to commend the gentleman from California for suggesting that perhaps some compromise period may make good sense. I think that a period of 12 months or 6 months or 30 days has not been cast in granite. I concede that the Senate has acted.

But perhaps the distinguished chairman of this subcommittee would consider some possible form of a 60- or 90-day provision. I think that unless we do this we are extending a definition of emergency to cover a period of time that I think is longer than it should really be under these circumstances and as this bill is written.

Mr. FLOWERS. Mr. Chairman, will the gentleman yield?

Mr. JOHN L. BURTON. I yield to the chairman.

Mr. FLOWERS. Mr. Chairman, I think the gentleman's proposal of a longer period is far more acceptable than the 30-day period but I regret I cannot accept it on the basis of principle as well as on timing. The gentleman from Michigan knows we are not rubberstamping the Senate. I certainly hope he knows that. It is not this Member's intention to do that.

I think we have a good balance in the bill between the recognition of the problems of the legislative branch and those of the executive branch with its peculiar responsibilities.

As the gentleman from Massachusetts says, the reason this is here is because we failed to act over a long period. There has been no real abuse by the executive branch of the emergency powers. Many of the emergency powers that have been utilized have been utilized for the purpose of carrying on the day-to-day business of the Government. Those powers have been utilized for so long they have become ingrained. They are almost like regular law instead of emergency powers, but we want to change this through this legislation. But to change the whole thrust of it so that we would require some affirmative legislative action in order to continue the emergency, I just could not accept that, regretfully.

I ask my colleagues to vote down the amendment.

Ms. HOLTZMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, basically I support the amendment that has been offered by the gentleman from Massachusetts (Mr. DRINAN) which would automatically terminate a national emergency declared by the President in 30 days unless specifically extended by Congress. I am gravely concerned that under this bill in order to abridge vast Presidential emergency powers the Congress is going to be required to act affirmatively.

In the last session of Congress we enacted the war powers legislation. In that legislation we tried to control the war-making power that we had seen abused. We said that if the President starts his own war, it has got to terminate automatically after a 90-day period.

That was an important provision because sometimes it takes a great deal of effort to get Congress to act affirmatively—even to stop abusive executive action. I do not think the Congress ought to be put to the affirmative burden of stopping an abuse of Executive emergency powers. I think instead that after a 30- or 90-day period the emergency powers ought to terminate automatically unless Congress is persuaded that the circumstances warrant an extension.

I cannot believe the Congress of the United States is incapable of acting expeditiously and promptly in a real emergency when called upon by the President.

We do not even know the full extent of the emergency powers the President has. I have not seen a list of all of them. Is he allowed to have people arbitrarily arrested? Can he suspend various civil rights? If I saw a complete list of the powers the President could exercise under this bill, perhaps I would be less concerned.

In addition, there is another problem: the President's emergency powers come into play when the President declares a national emergency. Yet this bill permits the President to declare a national emergency if he finds it "essential to the preservation, protection and defense of the Constitution or to the common defense, safety, or well-being of the territory or people of the United States." These are pretty vague and broad standards for declaring a national emergency and triggering vast Presidential powers. That is why my concern exists.

When we delegate vast powers to a President, we ought to also take into account how to protect the people from an abuse of those powers. Unfortunately this bill fails to do this effectively.

Mr. FLOWERS. Mr. Chairman, if the gentlewoman will yield, the gentlewoman knows that this bill does not confer the powers. Those were conferred by other acts. And the report of the committee and the Senate study and many other books and references including earlier compilations by the House Judiciary Committee are at our disposal now to determine what emergency powers exist under the statutes passed by the Congress over a long period of time.

Ms. HOLTZMAN. Would the gentleman agree we have not as members of this committee or Congress even received a list of all the emergency powers the President has under the statute?

Mr. FLOWERS. No. I disagree with the gentlewoman. We have had this before, the subcommittee had that fully before it, a rather complete volume which identifies the statutes and sets forth the language of the different pieces of legislation conferring these powers.

The thrust of this legislation is to provide a vehicle whereby a determination is made of a national emergency which activates these powers.

Ms. HOLTZMAN. The gentleman would surely agree that in order to terminate a Presidential declaration of emergency—assuming there is no real emergency—the bill requires the Congress to act affirmatively but that in the War Powers bill in order to prevent the possible abuse of Presidential powers those war-making powers terminate automatically without affirmative Congressional action.

Mr. FLOWERS. This bill by its own terms sets up the absolute requirement that the Congress meet on the measure, but on a 6-month basis.

Ms. HOLTZMAN. Would the gentleman answer this? Suppose the Congress in a 6-month period is unable to reach an agreement about what to do; the emergency power persists, is that not true?

Mr. FLOWERS. If Congress does not deny the emergency power, then the emergency exists.

Ms. HOLTZMAN. Suppose the House of Representatives opposes the declaration of emergency and the Senate votes otherwise and an agreement cannot be reached in conference, then what happens—the emergency power persists, is that not correct?

Mr. FLOWERS. That is correct; if Congress fails to act, then Congress has failed to act.

Ms. HOLTZMAN. That is precisely the problem I have. Congress has the burden of stopping a Presidential impropriety instead of giving the President the burden of affirmatively demonstrating that an emergency really exists.

AMENDMENT OFFERED BY MR. CONYERS AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. DRINAN

Mr. CONYERS. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from Massachusetts (Mr. Drinan).

The Clerk read as folows:

Amendment offered by Mr. Conyers as a substitute for the amendment offered by Mr. Drinan: Page 3, strike out the period at the end of line 15 and insert in lieu thereof the following: "; or

(3) 90 calendar days elapse following the declaration of an emergency unless Congress (A) has authorized by concurrent resolution the extension of such an emergency to a date certain, or (B) is physically unable to meet as a result of an armed attack upon the United States."

Mr. CONYERS. Mr. Chairman, it is my hope that our subcommittee chairman, the gentleman from Alabama (Mr. Flowers) will see in his wisdom the validity of the 90-day calendar period that would require Congress to authorize such a resolution if the emergency itself had not been terminated within that period if time.

I think this came out of our previous colloquy with the gentleman from California (Mr. John L. Burton). To me it makes eminently good sense. I think the period of time should not rest upon the executive branch that an emergency could continue by definition and preferentially for a period of 1 year as proposed in the amendment of the gentleman from Hawaii.

It is conceded that the Congress can act at any time that it chooses, but, by definition, I think that to extend an emergency beyond 90 days is stretching the generally understood meaning of that term.

For those reasons, I join with those of my colleagues who think that this would be a more reasonable and more practical resolution of what is generally a discussion around the definition of emergency.

I would hope that my colleagues would consider this substitute amendment and I would yield to the original maker of the amendment, the gentleman from Massachusetts (Mr. Drinan), to seek his support.

Mr. DRINAN. Mr. Chairman, I have no objection to the substitute amendment offered by the distinguished gentleman from Michigan (Mr. Conyers). I think it is a reasonable one, and I would urge my colleagues to support it.

Mr. FLOWERS. Mr. Chairman, I rise in opposition to the substitute amendment. It is eminently more sensible than the original, but it still bears the same basic fault that the original did. It destroys the finely tuned balance that is in the original piece of legislation.

Mr. MOORHEAD of California. Mr. Chairman, will the gentleman yield?

Mr. FLOWERS. I yield to the gentleman from California.

Mr. MOORHEAD of California. Mr. Chairman, I wish to join with the chairman of the subcommittee in his remarks. I think that while it is somewhat better than the original, the same major objections are present in the substitute amendment.

Mr. FLOWERS. Mr. Chairman, I ask for a no vote on the substitute and on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. Conyers) as a substitute for the amendment offered by the gentleman from Massachusetts (Mr. Drinan).

The question is taken; and on a division (demanded by Mr. Drinan) there were—ayes 17; noes 36.

So the substitute amendment for the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. Drinan).

The amendment was rejected.

AMENDMENT OFFERED BY MR. DRINAN

Mr. DRINAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Drinan: Page 2, line 22, insert immediately after the period the following:

"The President shall issue such a proclamation pursuant only to: (1) a declaration of war; (2) an attack upon the United States; its territories or possessions, or its armed forces; or (3) the prior enactment of a joint resolution specifically authorizing the President to issue such proclamation. The President in every possible instance shall seek the advice and counsel of Congress and provide Congress with all pertinent information before proclaiming the existence of a national emergency. After such proclamation has been issued, the President shall consult regularly with Congress until the national emergency has been terminated."

Mr. DRINAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DRINAN. Mr. Chairman, in H.R. 3884 there is no standard really, whatsoever, when and why the President can proclaim a national emergency. Section 201 states simply that the President may do this when he finds that such a proclamation of a national emergency is essential to the "preservation, protection and defense of the Constitution or to the common defense, safety, or well-being of the territory or people of the United States."

It seems to me, Mr. Chairman, very clear that the Congress was given the lawmaking powers under the Constitution, and that whatever right the President has to declare an emergency should be spelled out by the Congress of the United States. Though the last 40 years, the Congress has been very careless and derelict in not doing this. I think that today in this bill we should specify three areas, and three areas alone, in which the President can proclaim an emergency. Obviously, when there is a declaration of war; second, when there is an attack upon the United States or its territories or its armed forces; and third, when the Congress by prior enactment of a joint resolution specifically authorizes the President to issue such proclamation.

In each case, once again tracking the War Powers Resolution Act, the President in every possible instance, according to my amendment, shall seek the advice and counsel of Congress and shall provide Congress with all pertinent information before proclaiming the existence of a national emergency.

After the emergency has been proclaimed, the President shall consult regularly the Congress until the national emergency has been terminated.

The key word in the language of my amendment is "consult." Why should we in the Congress allow the President unilaterally to proclaim an emergency and unilaterally to implement the provisions of said emergency? That is an abdication of the power clearly placed in the Congress by the Constitution. I would urge, therefore, Mr. Chairman, that we adopt as an amendment to this particular bill today this clearly defined, explicitly spelled-out set of reasons why the President in certain limited unusual circumstances may in fact declare an emergency.

Mr. FLOWERS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts.

Mr. Chairman, I must say in this particular instance I am even in much stronger opposition than I was in the previous instance. The gentleman's amendment would attempt, it appears, to derogate the power of the President under the Constitution of the United States. It would attempt to define within a very, very narrow scope the power of the President to declare a national emergency. The gentleman's amendment would require that it be done only pursuant to a declaration of war or an attack upon the United States, which we would have to assume would be a prelude to a declaration of war, or a prior enactment of a joint resolution. In other words, the legislative branch would be required to pass a joint resolution directing the President to so declare a national emergency.

Mr. Chairman, I do not think that is what the principal of separation of powers of the branches of Government under our Constitution envisions. It envisions that the Executive has some very peculiar responsibilities as does the legislative branch. We do not govern by legislative fiat in this country. We are not a parliamentary form of government.

Mr. Chairman, I strongly oppose the gentleman's amendment. I think there would be serious questions as to whether this bill would be enacted into law should this amendment be adopted. It would completely destroy the balance, as I said previously, that exists in this bill.

Mr. Chairman, for these and a multitude of other reasons I strongly oppose the gentleman's amendment.

Mr. MOORHEAD of California. Mr. Chairman, I move to strike the last word, and I rise in opposition to this amendment.

Mr. Chairman, this amendment would completely take away from the President the flexibility of acting in times of crisis on an emergency. I think there was one particular emergency that was declared by a very well known President at an important time, and that was President Roosevelt's declaration of the banking holiday. If that had been triggered by congressional debate and it required 30 days or so of debate before it could be put into effect, all of the good that could have been done would have been wiped out and the whole thing would have gone down the tube before we had ever begun.

Mr. Chairman, it is important that we give our President some flexibility from time to time. This bill gives the Congress the right to wipe out those emergencies on a moment's notice if we decide it is in the best interest to do so. But let us at least leave the President the constitutional authority he has to protect this country in times of need.

Mr. Chairman, I ask for a no vote.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my final participation in this debate revolves around the question: What happens if the President of the United States vetoes the congressional termination of the emergency power? Is that contemplatable within the purview of this legislation?

I direct the question to the Chairman.

Mr. FLOWERS. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Alabama.

Mr. FLOWERS. Mr. Chairman, on the advice of counsel we have researched that thoroughly. A concurrent resolution would not require Presidential signature or acceptance.

It would be an impossibility that it would be vetoed.

Mr. CONYERS. So there would be no way that the President could interfere with the Congress?

Mr. FLOWERS. The gentleman is correct.

Mr. CONYERS. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. DRINAN).

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCFALL) having assumed the chair, Mr. RONCALIO, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee having had under consideration the bill (H.R. 3884) to terminate certain authorities with respect to national emergencies still in effect, and to provide for orderly implementation and termination of future national emergencies, pursuant to House Resolution 524, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FLOWERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 388, nays 5, not voting 40, as follows:

[Roll No. 494]

YEAS—388

Abdnor
Abzug
Adams
Addabbo
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Archer
Armstrong
Ashbrook
Ashley
Aspin
AuCoin
Badillo
Bafalis
Baldus
Barrett
Baucus
Bauman
Beard, R.I.
Beard, Tenn.
Bedell
Bell
Bennett
Bergland
Bevill
Biaggi
Bingham
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Carney
Carr
Carter
Casey
Cederberg
Chappell
Chisholm
Clancy
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins, Ill.
Collins, Tex.
Conable
Conlan
Conte
Corman
Cornell
Cotter
Coughlin
Crane
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dent
Derrick
Devine
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Duncan, Tenn.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Esch
Eshleman
Evans, Colo.
Evans, Ind.
Fascell
Fenwick
Findley
Fish
Fisher
Flood
Florio
Flowers
Flynt
Foley
Ford, Mich.
Ford, Tenn.
Fountain
Frenzel
Frey
Fuqua
Gaydos
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Grassley
Green
Gude
Guyer
Hagedorn
Haley
Hall
Hammerschmidt
Hanley
Hannaford
Hansen
Harkin
Harrington
Harris
Harsha
Hastings
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Heckler, Mass.
Hefner
Heinz
Helstoski
Henderson
Hicks
Hightower
Hillis
Hinshaw
Holland
Holt
Horton
Howe
Hubbard
Hughes
Hutchinson
Hyde
Ichord
Jacobs
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Karth
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Ketchum
Keys
Kindness
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Latta
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Lott
Lujan
McCloskey
McCollister
McDade
McDonald
McFall
McHugh
McKinney
Macdonald
Madden
Madigan
Maguire
Mahon
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Michel
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Mottl
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nichols
Nix
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patterson, Calif.
Pattison, N.Y.
Perkins
Pettis
Pickle
Pike
Poage
Pressler
Preyer
Price
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Rhodes
Richmond
Rinaldo
Roberts
Robinson
Rodino
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Rousselot
Roybal
Runnels
Ruppe
Russo
Ryan
St Germain
Santini
Sarasin
Sarbanes
Satterfield
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Shuster
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Spellman
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Studds
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Taylor, N.C.
Teague
Thone
Thornton
Traxler
Treen
Tsongas
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Vigorito
Waggonner
Wampler
Waxman
Weaver
Whalen
White
Whitehurst
Whitten
Wiggins
Wilson, Bob
Wilson, C. H.
Winn
Wirth
Wolff
Wright
Wydler
Wylie
Yates
Yatron
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—5

Conyers
Dellums
Drinan
Holtzman
Moss

NOT VOTING—40

Biester
Burke, Fla.
Clausen, Don H.
Derwinski
Dickinson
Diggs
Duncan, Oreg.
Evins, Tenn.
Fary
Fithian
Forsythe
Fraser
Hamilton
Hébert
Howard
Hungate
Jarman
Jordan
Landrum
Long, Md.
McClory
McCormack
McEwen
McKay
Mathis
Nedzi
Patten, N.J.
Pepper
Peyser
Pritchard
Riegle
Risenhoover
Roe
Solarz
Stuckey
Thompson
Van Deerlin
Walsh
Wilson, Tex.
Young, Alaska

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Duncan of Oregon.

Mr. Stuckey with Mr. Riegle.

Mr. Hamilton with Mr. Charles Wilson of Texas.

Mr. Thompson with Mr. Fithian.

Mr. Fary with Mr. Biester.

Mr. McCormack with Ms. Jordan.

Mr. Nedzi with Mr. Long of Maryland.

Mr. Pepper with Mr. Don H. Clausen.

Mr. Patten with Mr. Forsythe.

Mr. Roe with Mr. McClory.

Mr. Solarz with Mr. McKay.

Mr. Fraser with Mr. Dickinson.

Mr. Van Deerlin with Mr. Burke of Florida.
Mr. Diggs with Mr. Howard.
Mr. Evins of Tennessee with Mr. Jarman.
Mr. Risenhoover with Mr. McEwen.
Mr. Landrum with Mr. Derwinski.
Mr. Mathis with Mr. Peyser.
Mr. Hungate with Mr. Pritchard.
Mr. Walsh with Mr. Young of Alaska.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FLOWERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama.

There was no objection.

FURTHER LEGISLATIVE PROGRAM

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL. Mr. Speaker, I should like to announce the program for the remainder of the week. There will be a Friday session, and the items that we will have before the House are:

H.R. 8800, electric vehicles, and we will also have H.R. 8674, metric conversion.

Those are the two items that are left for the remainder of the week.

HOUR OF MEETING TOMORROW

Mr. O'NEILL. Mr. Speaker, in view of the fact that it is a light program, I ask unanimous consent that the House, when it adjourns today, adjourn to meet at 10 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, I wonder if the distinguished gentleman from Massachusetts could tell us whether there is any particular reason why we could not continue with other legislation today. It is only a little bit after 2 o'clock.

Mr. O'NEILL. If the gentleman will yield, the Rules Committee is meeting on these two items at the present time and I have been informed by the committee that they would be reporting them out.

Mr. BAUMAN. I imagine they could be called up by unanimous consent if the gentleman would ask it. The gentleman from Maryland would certainly agree.

Mr. O'NEILL. One of the bills under consideration is the metric system bill which has been around for a long time. I have been in favor of it ever since it has been introduced but there is some controversy.

Mr. BAUMAN. Does the gentleman think the electric car bill is also controversial? Is it likely to take all day tomorrow?

Mr. O'NEILL. I think in view of the fact that we announced before we went home that we would meet Friday and in view of the fact that we took off the energy bill this week pending what is going to happen on the question of the veto we will be able to complete our work tomorrow. We want to meet tomorrow early because so many of the Members have made plans. I think in fairness to the House this would get the Members out at a reasonable hour.

Mr. BAUMAN. Further reserving the right to object, Mr. Speaker, has the leadership considered the possibility of canceling the numerous recesses scheduled between now and Thanksgiving in order to accomplish what the gentleman from Massachusetts has just suggested, that is that this Congress do something for a change?

Mr. O'NEILL. We try to meet the will of the Congress. The Speaker of the House came up with a very definite plan, at the insistence of the Members of the House, earlier in the year, and we always respond to the will of the Congress. Any time the majority wants to change that they have the right to change it.

Mr. BAUMAN. I thank the gentleman. I withdraw my reservation of objection.

I look forward to being here with the gentleman tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE ABUSES IN THE TAX CODE

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. KOCH. Mr. Speaker, yesterday before the House Ways and Means Committee, tax experts documented what all of us have known for quite some time: The present Internal Revenue Code is glutted with tax shelters and other intricate loopholes which allow wealthy individuals to escape their fair share of taxes. For instance, through clever manipulation of the tax code, an executive with an income of $448,000, by declaring paper losses incurred within a 3-day period, ended up paying only $1,200 in taxes. That is an effective tax rate of under one quarter of 1 percent. Tax shelters clearly benefit only those in tax rates of 50 percent or above. Our Treasury simply cannot afford this revenue loss. I believe that we have no choice but to end these kinds of tax shelters.

While I am encouraged by this progress in tax reform, I believe that Chairman AL ULLMAN should expand his investigations into the extravagant abuse of the business tax deduction. I have previously criticized the abuses in the allowance of deductions for first class air and rail travel, but there are many more areas we must explore. First, let me explain: I am not opposed to the deduction of normal expenses in the process of conducting business, but we are now saddled with a tax code allowing business deductions that boggle one's mind. Let me illustrate. Corporations may lease private residential luxury apartments for their executives. Why? Because the maintenance—rent, to you and me—is then deductible as a business expense. What an outrage. Even more galling is that landlords of these apartments openly advertise the tax benefits of such an arrangement.

As I read the newspapers each morning, I see these advertisements. I would like to read one of them to you from the New York Times of July 24:

> WHAT MAKES THIS APARTMENT WORTH $2,170 A MONTH?
>
> A small, but growing number of ranking corporate executives have found significant reason to establish private residential accommodations in New York through the convenience of a corporate lease at The Sovereign.
>
> Our tenant list is, of course, our most discretely respected trust. So we will not name names. However, if your company should care to join the well-known international and publicly owned corporations now in residence at The Sovereign, we will gladly discuss the refreshing financial advantages with you. Or perhaps our obvious evidence of prestige alone will suffice as reason.

Ask yourself: Is this an ordinary and necessary business expense? Certainly, there are instances where a corporation must rent an apartment in lieu of hotel accommodations for the temporary use of its personnel. This should be the exception, not the rule. Instead, it is becoming the rule, not the exception. Perhaps one way to reduce this abuse is to require advance approval by the IRS before a lease of this kind is made if it is to be taken as a deduction. In any event, we must end these loopholes. We then may be able to lower tax rates, and thus relieve the middle-income taxpayer from the crushing burden of taxes he and she now pays, and which he and she cannot dodge with tax shelters.

THE FEDERAL POWER COMMISSION HAS CAUSED UNDUE DELAY IN RESEARCH AND DEVELOPMENT OF NATURAL GAS NEEDED TO OVERCOME ACUTE SHORTAGES

The SPEAKER pro tempore (Mr. McFALL). Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 60 minutes.

GENERAL LEAVE

Mr. KEMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to insert their remarks on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEMP. Mr. Speaker, in recent months we have been thoroughly informed about the acute natural gas shortages projected for the Eastern and Midwestern States this coming winter. The shortfall is estimated at 30 percent greater than last winter's shortages. Factories throughout the natural gas service areas have already been notified of curtailments in service which will mean the loss of thousands of jobs and productivity. Consumers for household uses are even being notified in some areas of the possible disruption in service, producing undue hardships for families that have natural gas fueled heating systems, ranges, clothes dryers, and other major appliances.

Almost everyone seems fully aware of these shortages. The President met personally in recent days with Governors of 17 States concerning the shortage. Regulatory reforms are being prepared both in the Congress and in the administration to bring more natural gas into the pipelines, reforms supported both by the businesses which need the gas to function, and by the labor force which needs the gas to assure the continuity of their jobs and additional gas to foster the creation of new jobs. I say "almost everyone" because, apparently, the Federal Power Commission—the agency charged with the statutory responsibility of assuring sufficient energy for our national needs—has not gotten the message. Its Chairman has testified before Congress on the shortage; its members have expressed concern. But these words are not consistent with their actions.

Their actions in recent days show this.

On Tuesday, September 2, just 2 days ago, the FPC issued an order regarding the research and development of natural gas from the Devonian shales underlying much of the eastern mountain areas.

The best current estimate of the quantity of producible, recoverable natural gas within the eastern shales is 285 trillion cubic feet. This gas lies within the Upper Devonian shale formations beneath New York, Pennsylvania, Ohio, West Virginia, Virginia, Kentucky, Tennessee, Illinois, Indiana, Michigan, Alabama, and a small portion of Mississippi. This is a vast reserve area, for the remaining proven gas reserves in the entire United States at the end of 1974 was only 237 trillion cubic feet. We, thus, have before us an opportunity to add a 120-percent increase in the Nation's natural gas reserves.

Bringing the 285 trillion cubic feet of eastern shale natural gas onto line would provide enough gas to supply the industrial needs of the 23 industrial States for 57 years, more than adequate time to develop alternative energy sources on a massive scale. This, in short, gives us the edge we need in assuring industrial growth and in finding enough immediately available energy supplies to carry us through the period when we search for long-range alternative sources.

The reason this natural gas has not been fully developed is because of the need to refine the fracturing techniques to release the gas from the shale. It is a complicated process which will require substantial research and development. The Columbia Gas Transmission Co. has been working both independently and jointly with the Energy Research and Development Administration to test various techniques in recovering this natural gas.

Against this background, the decision of the FPC is all the more puzzling and distressing.

The effect of the September 2 FPC order is unnecessary delay of this entire undertaking. It is a needless delay. It constitutes bureaucratic disruption of both jobs and productivity. It is blatantly anticonsumer in application. And, it constitutes one of the most callous examples of bureaucratic arrogance to which I have been witness during my service in the Congress.

What makes this delay by the FPC of the proposal by the Columbia Gas Transmission—to expend $8.6 million over a 3-year period drilling 50 test wells into the Devonian shales in four States—so frustrating is that there was no opposition to the undertaking. It would appear that only the staff of the FPC desires a hearing procedure in this case, where the only conceivable issue is the almost inconsequential accounting treatment of these expenditures. No price determinations are required.

I might say that the New York Public Service Commission, a frequent and persistent foe of producers in most proceedings on natural gas, supports this proposal and has communicated its support to the FPC.

I might also add that Columbia has given formal assurances to the FPC, communicated on June 30, that it will disseminate its results and information to independent producers, well service companies, and the public.

Despite the shortages and the need, despite Columbia's timely compliance with procedural requirements of the Commission, despite the support of the administration and 17 Governors for such projects, despite the total lack of opposition from outside parties, despite assurances to independents, and despite rapidly growing Hill support—including a 10-fold increase in the ERDA authorization to jointly participate in these endeavors—made by the Senate before the August recess, despite all these things, the Commission can only come up with an inordinate delay.

Let me document that delay by reviewing the history of the proposal.

First, on May 8 Columbia Gas announced and filed with the FPC a petition for advance Commission approval for accounting and rate treatment for the proposed R. & D. project. The plan is to drill 50 test wells in four different geographic locations over a 3-year period to determine the extent of producible natural gas in the Devonian shale formations of the Appalachian Basin, to test new methods of stimulating production by fracturing such formations, and to determine the wellhead price required to make such production commercially feasible.

Second, on the same day, May 8, Columbia also proposed to ERDA a joint Government-industry program, costing $4.2 million, to undertake the drilling of three additional wells in West Virginia to test massive hydraulic fracturing of the shales. This method induces fractures and fissures to the shale by applying very fluid pressure to the face of the formation, forcing the strata apart and releasing the gas.

Third, ERDA, in an expeditious manner and recognizing the potential of the shales as a source of much-needed gas, approved the joint cost-sharing proposal on June 19, within a 6-week period.

Fourth, the FPC, still considering Columbia's accounting proposal, set the matter down for hearing in an order released July 29. The New York Public Service Commission, the only party to initially oppose the accounting treatment, indicated on August 4 that they would now support Columbia's proposal. Thus, since the proposal had no opposition, Columbia filed a motion with the FPC fully consistent with its rules to terminate the proceedings and approve the request.

Last, on September 2, however, instead of disposing of the matter through approval, the FPC set down the proposal for full hearings, legal briefs and an examiner's decision by November 30.

As a result, the Commission cannot take action until yearend—at the earliest.

In sum, while ERDA acted within 6 weeks, the FPC will now require 8 months at the minimum to assess a program essential to the early resolution of the natural gas shortage which affects, seriously, all States in the Middle Atlantic and Appalachian region.

The problem here is delay. The President has taken the lead on noting the natural gas shortage. It is no longer a myth. The Congress recognizes the threat of dependence on foreign energy sources. Why should the FPC act contrary to the desires of both the President and the Congress?

Mr. Speaker, I call upon the Commission to follow the customary procedure—to reverse their decision to cause needless delay—and to approve this project.

Mr. ASHBROOK. Mr. Speaker, I share the concern of my colleagues over the Federal Power Commission's delay in expediting the Eastern shale research and development program. On June 19 I pointed out in the floor debate on the ERDA authorization bill that the eastern part of Ohio had extensive deposits of Devonian shale and inquired whether funds had been allotted for research and development of this natural gas source. I was informed that the ERDA bill had allocated $4 million for this purpose and that private interests were putting in a little over $8 million. As my colleague from New York (Mr. KEMP) has stated, the Senate later approved additional funds to be matched by equal funds from private industry.

The FPC action in the Columbia Gas case has a special relevance to Ohio. In its May 8 hearing entitled "Federal Involvement in the Development of Eastern Oil and Gas Shale" the Conservation, Energy, and Natural Resources Subcommittee of Government Operations received testimony from a Columbia Gas representative. Of the 50 wells planned by Columbia for the Appalachian area, 30 were slated for Ohio.

In reviewing the FPC decision I find that the reasons for their judgment leave room for doubt. Also, the possibility of expediting the case should be considered. Accordingly, I am writing to the Commission for further details.

Mr. GUYER. Mr. Speaker, it is now a well accepted fact that Ohio and many other Midwestern and Eastern States are going to experience a devastating shortage of natural gas during the coming months. Last winter natural gas curtailments to industrial and commercial users in my district reached an intolerable 60 percent.

It now is apparent that we have only seen the tip of the iceberg as far as gas shortages and curtailments are concerned. The impact of the expected shortage will be disastrous. Business and industry will be forced to find other fuel sources or close down. I sincerely fear that many will be forced to close their doors, creating additional unemployment and putting a downward pressure on our economic recovery.

Mr. Speaker, I do not have these fears alone, as many of my constituents have expressed their concern as well. The President recently held an emergency meeting with the Governors of 17 States concerning the shortage and how to overcome it. Business, labor, and people at large are calling for immediate action to alleviate the expected shortage.

The long run answer to this problem will of course have to be alternative fuel sources, as our natural gas supplies will not last forever. While we are working to develop these alternative fuel sources we must utilize our existing supplies wisely, and move swiftly to develop methods of tapping the natural gas reserves from such sources as Devonian shale, which underlies much of the Eastern mountain area. The estimated 285 trillion cubic feet of gas which this shale contains will be costly to produce, but it could very well be the answer to our immediate problems.

On May 8, 1975, Columbia Gas filed a plan with the Federal Power Commission to drill 50 test wells in the Devonian shale formations. Even though there is no opposition to the Columbia Gas proposal, the FPC continues to delay the necessary approval. On September 2, the FPC decided to hold full hearings on the plan, complete with legal briefs and an examiner's decision by November 30, 1975.

Mr. Speaker, this unnecessary delay means that no positive action can be taken before the end of the year. Must we wait for thousands of additional workers to lose their jobs, or for people to suffer from the cold, before we move? I surely hope not. The natural gas shortage is at the point where further delay could be devastating. It is clear—at least to me, Mr. Speaker—that the Federal Power Commission should remove these roadblocks and approve this project so that we can begin to solve our natural gas problems, not compound them.

NATIONAL OBLIGATION TO OUR URBAN CENTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 5 minutes.

Mr. REUSS. Mr. Speaker, it is very likely that in a few days New York City will default on its debt. We do not know what the impact will be. It is impossible, however, that the default of New York will make it impossible for other cities to finance their debts, and a chain of municipal crises may ensue. Since commercial banks hold about half of all outstanding municipal debt, some banks may experience losses and a severe liquidity crunch. Private investors will take sharp losses; they will curtail other activities and the economic recovery may be hurt. The Municpal Assistance Corporation has described the potential impact of a default as "devastating."

In light of this potential crisis, it is important that the Federal Government face its responsibilties squarely. It is the responsibility of the Federal Reserve to maintain liquidity and prevent a chain of bank failures; Chairman Burns has assured us that he will do so. But it is not the responsibility of the Federal Reserve to engineer a massive short-term bailout of New York, thereby postponing a default that will occur just as surely in 2 or 3 months.

Ultimately, we must recognize that the fiscal burdens of our large cities cannot be borne by urban taxpayers alone. Much of the welfare burden of New York, for instance, originated in the poverty of the Deep South and of Puerto Rico. It is a national problem, and the administration should recognize that it must be faced on a national basis.

Cities like New York, as centers of communication, commerce and finance, provide services from which everyone benefits. Certainly, the administration of New York must be reformed. But the Nation as a whole must also begin to share a greater burden of the cost of maintaining our urban centers.

Congress has an important role to play in the forthcoming urban debate, and that role begins with consultation. The administration and the Federal Reserve should bring their plan for salvaging New York and our other beleaguered cities to the Hill. If they have no such plan, they should begin at once to develop one. Time is very, very short.

TURNER'S HARDWARE OBSERVES CENTENNIAL OF PROGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. McFALL) is recognized for 5 minutes.

Mr. McFALL. Mr. Speaker, as a Representative from the 14th District of California, a State that is observing its 125th year, I rise today to offer recognition of a San Joaquin Valley firm which has shared my State's growth and progress during the past century.

Founded in 1875 by Theodore Turner and a partner in Modesto, Calif., Turner's Hardware is older than many of the 11 communities which it now serves—a distinction few firms in my State can claim.

Seven communities in my congressional district—Stockton, Modesto, Lodi, Tracy, Oakdale, Escalon, and my hometown of Manteca—are served by Turner's Hardware stores.

In a world of stiff business competition, there is good reason for Turner's growth. The firm's progress has been steady and reflective of the firms commitment to initiate new growth as it serves each community well. Because of a century of sound customer and community commitment, Turner's Hardware and its thousands of patrons can look forward to a bright future backed by 100 years of fine business tradition.

In further recognition of Turner's Hardware, I am glad to bring to the attention of the Members a letter I have received from Turner's president, Theodore W. Grenfell.

As our Nation observes its Bicentennial, I believe the letter stands as testimony that the American dream is alive, well, and surely will continue.

The letter follows:

TURNER'S,
Stockton, Calif., July 22, 1975.

Hon. JOHN J. McFALL,
Rayburn House Office Building,
Washington, D.C.

DEAR SIR: As we begin our second hundred years serving the people of the great San Joaquin Valley, we look back in retrospect and with pride to the humble beginnings of our founder, Theodore Turner, and the hundred years of sustained growth and continued success of our company. The success of Turner's seems to be a fitting tribute to our American way of life, especially on the eve of our Nation's 200th Anniversary, since it was just 100 years ago that Theodore Turner sold his farm and went into partnership in a Modesto, California, hardware store.

Because of his early background and his great belief in the American way of life, Theodore Turner's hardware store was established on the foundation of honesty, quality merchandise, conscientious service, fair prices and a policy that dictated customer satisfaction. Through these basic policies, his company established prestige in its field that is distinctly outstanding even to this day. Having weathered two world wars, a depression and many other critical times, the foundation of Turner's company policies have always remained solid.

Today, 100 years from its founding, the beliefs, traditions, and policies that Theodore Turner established are still being carried on by the third generation of his family. From the original store this "Old Style" concept has led to a unique group of eleven stores that still retain the best of yesteryear, and the modern concepts of tomorrow's merchandising.

Looking toward the future, Turner's will be striving for even greater success in its second hundred years.

As an American family tradition, and feeling great pride in our humble beginnings and 100 years of successful growth, Turner's would like to share its birthday cake with an even greater birthday, the 200th Anniversary of our Nation!

Sincerely yours,

THEODORE W. GRENFELL,
President.

ADMISSION OF WOMEN TO THE COAST GUARD ACADEMY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, I am today introducting a measure that, I am glad to say, is unneeded.

As some of my colleagues may recall, prior to the August recess I introduced legislation that would have insured that women would be allowed to enter the Coast Guard Academy. On August 11, the commandant of the Academy announced that, beginning with the class entering in 1976, women would be allowed to enter the Academy. I commend the commandant on his decision, though I suspect it may have been influenced by my legislation and the decision by the House and the other body to insure that women would be eligible for admission to the other service academies.

I was pleased by the numerous requests for cosponsorship I received for my legislation, unfortunately, I was unable to include all of my colleagues on the bill I reintroduced immediately prior to the recess. Accordingly, I am reintroducing my legislation today so that all my colleagues who asked to cosponsor the legislation can be placed on the public record as supporting the admission of women to the Academy.

DISAPPROVING HAWKS FOR JORDAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 10 minutes.

Mr. BINGHAM. Mr. Speaker, I am introducing today, with 10 members of the International Relations Committee as cosponsors, a concurrent resolution disapproving the proposed $260 million sale of 14 Hawk missile batteries to Jordan. This is a continuation of an effort begun in July when the administration first notified Congress of its intention to sell a complete air defense system to Jordan. More then 130 Members of Congress cosponsored resolutions to block the sale, whereupon the Department of State sought to negotiate a compromise with King Hussein of Jordan. That effort was unsuccessful, and on July 24, the International Relations Committee favorably reported a resolution disapproving the proposed sale because its excessive size would tilt the balance of power in the Middle East against Israel and virtually guarantee that Jordan would be drawn into any future conflict.

Following that committee action, the Department of State, after consultation with members of the committee, agreed to temporarily suspend the Hawk sale and again seek to negotiate a compromise. Congress was again to have 20 calendar days when it reconvened in September to consider a veto of the proposed Hawk sale.

On September 3 the administration notified Congress of its intention to offer Jordan the same Hawk missile package which Congress objected to in July. Apparently no compromise has been arranged, despite Secretary Kissinger's recent visit to Jordan following the successful conclusion of the negotiations on a new agreement in the Sinai.

Our opposition to the Hawk sale remains as strong as ever. This massive sale of the most sophisticated air defense system in the world is a serious threat to the security of Israel. Hawk missiles would provide Jordan with the extensive and effective air defense system which Kink Hussein has cited as the one missing element in his military forces which kept him from joining his neighboring Arab States in attacking Israel in the 1973 Yom Kippur war. While we believe the United States should continue to furnish arms to Jordan, including a more modest air defense system, this particular sale is not justified.

In recent days King Hussein has written personally to 150 Members of the House and Senate, threatening to turn to the Soviet Union for his air defense needs if the proposed sale is objected to by the Congress. In view of the fact that the disagreement is not over the principle of a sale to Jordan, but over the questions of amount and timing, it is hard to believe that King Hussein is as willing as he protests he is to rupture the longstanding friendly relations between his Nation and ours and bring Russian advisers and military equipment onto Jordanian soil. But even if his threat is genuine, is this kind of blackmail any proper basis for our Nation's foreign arms sale policies? I cannot believe that it is and I hope that the Congress will quickly reject it.

U.S. CANAL ZONE TERRITORY: AMERICAN LEGION SUPPORTS LEGISLATION FOR NONVOTING DELEGATE IN THE CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, in an address to the House of Representatives in the RECORD of June 5, 1975, I announced the introduction of H.R. 7425 to provide that the U.S. Canal Zone shall be represented by a nonvoting delegate in the Congress. Since that time this proposal has received wide support from various parts of the Nation as well as from the Canal Zone.

At present, the Congress has three Delegates in the House of Representatives, one each from the District of Columbia, Guam, and the Virgin Islands. Experience has shown the value of such representation in the Congress for the performance of its constitutional functions. Experience has also shown that the interests of the United States and its citizens in the Canal Zone have not been served as well as they could be by having a Delegate in the House.

As stated in my June 5, 1975, address the Canal Zone government performs many of the functions of State, city, and county governments. Its chief executive is a Presidentially appointed Governor of the Canal Zone; the head of its judicial branch, a U.S. district judge; and its legislature is the Congress, which has no continuously available delegate in it to assist in arriving at wisely reasoned decisions.

At its 57th national convention in Minneapolis, Minn., August 15–21, 1975, the American Legion adopted a resolution urging prompt action by the Congress in providing a duly elected Delegate from the Canal Zone.

The indicated resolution follows:

THE PANAMA CANAL—RESOLUTION NO. 344

Whereas, H.R. No. 7425 authorizing the election of a nonvoting delegate at large from the Canal Zone to the U.S. House of Representatives, has recently been introduced in the U.S. Congress; and

Whereas, Four other U.S. territorial possessions, Puerto Rico, Washington, D.C., Guam and the Virgin Islands, are represented in the U.S. Congress, but the Canal Zone, with a land area of 347 square miles, many times larger than any of the other territories and with a population of 44,198—including 39,200 U.S. Citizens—is not represented; and

Whereas, Since the opening of the Panama Canal the U.S. Congress has served as the legislature for the Canal Zone and has enacted an extensive Canal Zone Code; the Canal Zone government is called upon to perform many functions of State, city and county governments; the executive branch of that government is headed by a Governor of the Canal Zone, appointed by the President, the judicial branch by a U.S. District Judge, but the legislative branch, the U.S. Congess, has no permanent representative in it from the Canal Zone; and

Whereas, The Canal Zone has a strategic importance much greater and more vital than either Alaska or Hawaii, which for many years before statehood had nonvoting delegates in the Congress; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Minneapolis, Minnesota, August 19, 20, 21, 1975 that The American Legion endorse and support H.R. No. 7425 and urge the members of the U.S. Congress to take prompt action in order to enact this bill into law so that the Canal Zone may be provided with a duly elected delegate to assist the Congress in arriving at decisions of the many problems in that region that require legislative supervision; and be it further

Resolved, that the National Adjutant forward a copy of this resolution to each member of the U.S. Congress.

EDITORIAL COMMENT ON GEN. EARL E. ANDERSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS), is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, the essence of the American work ethic is that any boy may advance by merit to the highest office in the land. The poet, Joseph G. Holland, expressed it this way:

Heaven is not reached at a single bound;
But we build the ladder by which we rise
From the lowly earth to the vaulted skies,
And we mount to its summit round by round.

No American ever built his ladder more carefully than Marine Corps Gen. Earl E. Anderson. Beginning with World War II, he was involved in every military adventure fostered by his Government during the past four decades. His was a career of action. Every round of his ladder was carved out in the heat of conflict, fashioned with superior skill and workmanship, attested by military citations, medals, honors.

Within the current year, he was one step from the top. The Commandant of the Marines was about to retire. General Anderson had been chosen for the post by the majority of his fellow officers who were familiar with his record. Ultimate authority, whether civilian or military, refused to reward proven merit. Was there a political debt to be paid? We do not know, but politically motivated appointment to high places has too often tarnished the old work ethic. One result has been the loss of confidence in the Government.

A number of influential newspapers acquainted with the facts in the case have commented with bitter disappointment. I append several and ask that they be printed in the RECORD.

[From the Dominion Post, May 7, 1975]

NOTHING WILL CHANGE THE ANDERSON RECORD

Earl E. Anderson is leaving the Marine Corps under less than happy circumstances, but those circumstances hardly detract from an outstanding career by an outstanding man.

Anderson is a Morgantown native and 1940 West Virginia University graduate who rose through the Corps to become the youngest full general in its history. He gained academic and military honors at the University, was a Marine aviator in World War II and served in Vietnam and as commander of the Atlantic Fleet Marine Force before becoming assistant commandant in 1972.

Anderson was in line to succeed General Robert Cushman as Marine commandant next year and had Cushman's backing for the top job. But as the wire reports from Washington noted, "Jockeying by Marine factions always has been prevalent before a new commandant is named. This year it was marked by special bitterness, in part because of a rivalry between Marine aviators and ground officers." Anderson would have been the first Marine aviator to reach the top.

A week ago President Ford accepted the advice of his secretary of defense and secretary of the navy and chose another man to succeed Cushman. With that rebuff, Cushman asked for early retirement, and Anderson filed a similar request.

Anderson has always known of course, that these are the rules by which the game is played at the top, and he probably accepts the outcome with more grace than many of his friends would. But, as we noted before, none of this detracts from the outstanding record of Earl Anderson or the honor he has brought to his home town, the University and his state.

[From the Martinsburg (W. Va.) Journal, June 5, 1975]

General Anderson Retiring

The highest-ranking general to come from the state of West Virginia, General Earl A. Anderson, of Morgantown, is about to retire from his four-star post as assistant commandant of the United States Marine Corps.

But for intra-military politics, General Anderson would have become commandant of the Marines. He was recommended by the present commandant and reportedly by 50 of the 70 present general officers in the corps but the politicians took over and President Ford is recommending another man.

It should be noted, however, that General Anderson at the age of 52, four years ago, became the youngest four-star general in the history of the Marine Corps and, in fact, only the 13th man in the 200-year history of the corps to attain that rank. He is also the first aviation man to be elevated to four stars.

General Anderson, a native of Morgantown and graduate of West Virginia University where he was a star baseball player, also holds a law degree from George Washington University with Order of the Coif honors.

West Virginians should be justly proud of this native son who served his nation well through three wars and, hopefully, will return to this state to live.

[From the Charleston (W. Va.) Daily Mail, May 9, 1975]

Don't Be a Marine Pilot

A native West Virginian has been deprived of a high honor to which he was most entitled in the U.S. Marine Corps.

Gen. Earl Anderson of Morgantown has submitted his resignation as assistant to the commandant of the corps, as has Gen. Robert E. Cushman, Jr., the commandant.

Anderson was to have succeeded Cushman but President Ford listened to his Secretary of Defense and Secretary of the Navy, and nominated another officer.

Why pass over Earl Anderson?

He is a Marine aviator and would have been the first aviator to be commandant. Ground officers did not like that prospect; named their own man and got him approved. No doubt he will serve with distinction.

But so would Anderson, judged by his background of success in everything he has done in the corps since he joined it as a carrier pilot in World War II. The four stars on his shoulders attest to that.

It is a sad ending to an outstanding career and we are certain Earl Anderson didn't want it to end that way.

It is also a warning to all young men who are sought by the U.S. Marine Corps that they had better not be pilots if they are to aspire to the highest command post in the corps.

THE 75TH ANNIVERSARY OF THE WORKMEN'S CIRCLE

(Mr. KOCH asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I am taking this opportunity to commemorate today, September 4, as the 75th anniversary of the Workmen's Circle. This hard-working society has, since the beginning of this century, strived for the cause of social progress for its goal of eliminating all forms of discrimination and political inequality. The Workmen's Circle is observing its anniversary from now through the November 16 celebration at Lincoln Center. I am happy to introduce a resolution, together with Senator Javits commemorating 1975 as Workmen's Circle Year in honor of their 75 years of service.

H. Con. Res.—

Whereas the Workmen's Circle has since its founding given leadership and inspiration in the striving for the elimination of all forms of discrimination and political inequality, and

Whereas it has vigorously and wholeheartedly participated in all efforts toward an America that will provide needed social welfare services, an economy of full employment, and a comfortable livelihood for all Americans,

Whereas it has inscribed in the minds and hearts of many Americans the need to pursue the cause of social progress and live by the principles of mutual understanding among all peoples, and

Whereas it has set high standards of cultural living and education in Jewish life and in the broader American community, and

Whereas this renowned fraternal society has achieved its 75th anniversary and still continues to perform the commendable tasks which have earned it the esteem of our community, therefore be it

Resolved by the House of Representatives (the Senate concurring) that 1975 is hereby designated as "Workmen's Circle Anniversary Year" and the citizens of our States are urged to share in the meaning and spirit of this occasion and join in greeting The Workmen's Circle on its 75th Jubilee.

THE UNITED STATES AND LATIN AMERICA: CONTINUING REACTION TO THE LINOWITZ REPORT

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, the report of the Commission on United States-Latin American Relations entitled "The Americas and the Changing World" continues to prompt a needed discussion of U.S. policy toward Latin America and the Caribbean. Known popularly as the Linowitz report, named for the Commission's distinguished Chairman, the Honorable Sol M. Linowitz, it has gained critical praise among U.S. citizens concerned with Hemisphere affairs. Recently the magazine Intellect included an article by Martin C. Needler, director of the division of inter-American affairs at the University of New Mexico, which comments on the Linowitz report. The text of the article from the May-June 1975 issue of Intellect follows:

A Hopeful Sign for United States-Latin American Relations:

(By Martin C. Needler)

Confronted with the news that a commission of distinguished citizens has issued a report on U.S. policy toward Latin America, the average person might well respond "So what else is new?" However, that would be a mistake, because the Linowitz Report[1] is worth special note. The 23 distinguished citizens making up the commission seem at first glance to be a sample drawn from the usual population of commission members—*i.e.*, university presidents, presidents of corporations, and ex-cabinet members. A closer glance, however shows that the most enlightened sector of the American establishment is represented—the administrative-intellectual-banking complex, as it were, rather than the military-industrial complex. Commission style, the group included one black, one woman, and one Puerto Rican, although somebody forgot to include a labor leader. Of course, not many of this distinguished group actually participated in the writing of the report itself although the pens of Profs. Samuel Huntington and Harrison Brown are discernible in the sections dealing with their own pet subject.

Conclusions and Recommendations

The conclusions and recommendations of the report are of three types. One is the sort of unexceptionable conclusion that appears in all reports, and could indeed be maintained in stock to staple on to such reports as required—that there should be more cultural exchange, improved education about hemispheric questions, greater sensitivity to Latin American points of view, and so on. However, this set of recommendations is much slimmer than would be its counterpart in a typical commission report, and the rhetoric of Pan Americanism is kept to a minimum.

In the second category are the apparently bold recommendations on major current political questions. This is the sort of thing which is played up in newspaper headlines, but actually represents only a slight anticipation of the political moves that everyone knows are coming and that everyone is ready to accept. Under this rubric, the commission recommends that the cold war with Cuba be called off, and that a new treaty be concluded with Panama eliminating U.S. prerogatives not absolutely necessary for the functioning of the Canal. These come under the heading of what Max Weber refers to as the intellectual's typical function—applauding what is happening anyway.

In the third category of the commission's recommendations, which are also those which will be lost sight of and misunderstood, are those which represent enlightened and subtle formulations for policy on difficult and controverted political questions. The commission's good sense and the sophistication and intelligence of its staff work and its consultants' recommendations are much to be commended here. On the question of arms sales, the commission's recommendation reflects the views only recently being propounded by the most careful students of the problem: that the U.S. should not presume to dictate to Latin American countries what arms they should or should not have, that is, should not restrict arms sales, but should not *promote* arms sales by using high-pressure tactics and by offering easy credit terms and cut prices; and that the U.S. should support arms limitations agreements.

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[1] "The Americas in a Changing World," a report by the Commission on United States-Latin American Relations, obtainable from the Center for Inter-American Relations, 680 Park Ave., New York, N.Y. 10021 ($2.00).

The recommendations on the equally knotty question of the expropriation of U.S. property is likewise sound, although less clearly enunciated—legislation requiring automatic sanctions should be repealed. The U.S. cannot and should not abandon its obligation to act on behalf of U.S. citizens whose property is expropriated. However, to the maximum extent possible, negotiations should be left up to the company involved and the host government, and the U.S. government should abandon the assumption that the interests of an individual company are necessarily those of the U.S. as a whole. I would place the forthright recommendation on intervention in this category—there should be neither overt military intervention nor covert involvement in domestic politics.

THE SHIFTING ROLE OF U.S. FOREIGN POLICY IN LATIN AMERICA

Every now and again, however, the American tradition of blurring the hard edges of intellectual distinctions in the cause of being humanitarian while trying to appear tough and pragmatic surfaces in the commission's report. The promotion of human rights and economic aid to raise standards of living are boldly stated to be in the American national interest. I would have said that their relation to the national interest is quite problematic, but that a country as rich and powerful as the U.S. can afford to do things because they are right without worrying about its interests all the time.

Still, most of the time, the report's frankness and freedom from cant is most refreshing. The 1965 intervention in the Dominican Republic is simply called "unilateral," without even a reference to the fictitious multilateral facade provided subsequently by the OAS and by token contingents from other countries.

If this is really an "establishment" product, and not just the result of some fancy footwork by the commission staff, then the U.S. foreign policy establishment has shifted perceptibly to the left since the ponderous days of Henry Wriston and John J. McCloy. In fact, portions of the report can be read as an indictment of the previous generation of foreign policy leaders:

"The experiences of the United States over the past decade, both at home and abroad, have contributed to the realization in this country that it is neither appropriate nor feasible for the United States to be policeman or tutor everywhere in the world. A lower profile has been adopted, and a new concept of the role and power of the United States in world affairs—one founded on a more realistic assessment of national interests—now characterizes U.S. foreign policy. . . .

"Over the past 25 years, U.S. primacy in Western affairs has been achieved at high cost—contributing to inflation, a war orientation in industrial development, political discord, and extensive secrecy in government."

What are the chances that the commission's recommendations will be implemented? There is some room for hope. The present Assistant Secretary for Inter-American Affairs, William D. Rogers, was a member of the commission, resigning from it to take up his new post, and in the few policy statements he has so far made he has shown a sensitivity to political complexities like that of the commission's recommendations at their best. The Secretary of State himself is, of course, not a man frightened by political complexities or intellectual subtleties, but thus far Henry Kissinger has saved subtlety for the Middle East and the major communist powers, while in Latin America he has fallen back on the crudities of domino theory and cloak-and-dagger bumbling, as in the case of Chile. He is, however, aware of the problem. It has indeed been suggested that Kissinger was behind the formation of the Linowitz Commission, whose provenance is rather obscure, to give him a start on the re-thinking of U.S. relations with Latin America. Kissinger gave substance to this impression in meeting with commission members on Dec. 18, 1974, emerging to make favorable remarks to the press about the commission's report. Of course, as I noted above, some commission recommendations simply ratify current or emergent policy, so that implementation raises no problems. The more significant recommendations, on the other hand—those which take sophisticated positions on complicated questions, such as arms sales, expropriation of business property, and CIA intervention—are likely to come to grief, not because of their complexity, but because they conflict with powerful bureaucratic and private economic interests.

In the long run, however, the recommendations of the Linowitz Commission will retain their relevance as long as the U.S. tries to develop a Latin American policy that reflects not only a mature understanding of its own interests, but also a commitment to reasonableness, compassion, and realism.

THE JOURNAL OF COMMERCE: H.R. 9005 IS "PRECEDENT SETTING" BILL

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker on the day that Congress began its August recess, the House Committee on International Relations reported H.R. 9005, the International Development and Food Act of 1975.

In subsequent weeks, this foreign assistance legislation has received considerable attention in the press, most of it very favorable.

One article which I particularly wish to call to the attention of my colleagues appeared in the Journal of Commerce on Wednesday, August 6.

Written by Richard Lawrence, the article points up the precedent-setting aspects of the legislation with regard to U.S. agriculture-related assistance—both in providing food to the needy abroad and in assisting poor countries to increase their own food production.

Because H.R. 9005 is expected to come to the floor of the House in the near future, this article should be of interest to the Members. For that reason I am including it in the RECORD at this point.

PRECEDENT-SETTING BILL: PROPOSALS TO INCREASE FOOD AID ABROAD VOTED

(By Richard Lawrence)

WASHINGTON.—The House International Relations Committee in a precedent-setting bill, has approved a string of proposals designed to bolster U.S. food aid abroad.

The panel said James Grant, president of the Nonprofit Overseas Development Council, is translating into "action" some of the administration's "rhetoric" toward doing more for the world's poorest nations.

The committee, for example, did not wait for an explicit administration money request for a proposed multilateral agricultural development fund, but instead voted $200 million for it.

It also decided to clamp down on the administration's use of food aid for foreign "political" purposes, by requiring for the first time that at least 70 per cent of the aid be provided to the lowest-income countries, for "humanitarian" reasons.

If such provisions win full congressional approval, they could help persuade poorer countries that the United States really is serious about their food and other problems.

CONSIDERING GRAIN SALE

Mr. Grant, in an interview, said the House committee action, taken last week in an overwhelming voice vote, was especially striking against the background of the large U.S. grain sales to the Soviet Union.

His implication was that the administration, despite last year's major food problems abroad, still seems ready to sell off big amounts of grain, without taking full account of the longer term food needs of the poorest countries.

If there are poor world crops next year, he warned, the world might soon suffer another food crisis. The administration, he said, has been "slow in taking substantive measures" to follow up last fall's world food conference.

Also dissatisfied, the House International Relations Committee recently decided to scrap completely the administration's own foreign aid bill and drafted its own legislation. The administration's bill, committee sources said, was just too "unimaginative."

Since Congress severely revised the aid program two years ago along more "humanitarian" lines, food aid has become the legislation's biggest single focus. Nearly half of the House committee's pending $1.3 billion bill is for food and nutrition programs.

The bill is unusual in other ways. It represents the first time the House panel has voted an economic aid measure, without tying it to military aid. Now, the House will have a chance to vote for economic development assistance entirely on its own merits. The vote on the House floor could mark a key test of the economic program's future.

A major proposal in the committee bill would allocate the aid repayments of foreigners for agricultural programs abroad. It is from the repayments that $200 million would go for the proposed $1.25 billion International Agricultural Development Fund, to which other wealthier nations would contribute.

The aid repayments, it is estimated, will total $350 million this fiscal year, and $400 million next year.

The restriction placed by the committee on food aid for "political" purposes, limiting it to 30 per cent of total shipments, could force the administration to pare back deliveries to Korea and Chile, while boosting them for other poorer nations.

Other planks in the bill would virtually guarantee 1.5 million tons a year in food aid grants, give a greater role to land-grant colleges in helping foreign countries produce more food, and reward nations that use food proceeds for agricultural development.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. STUCKEY (at the request of Mr. O'NEILL), for Wednesday, September 3, and Thursday, September 4, on account of illness in the family.

Mr. Pepper (at the request of Mr. O'Neill), until September 13, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. O'Brien) to revise and extend their remarks and include extraneous material:)

Mr. Kemp, for 1 hour, today.

(The following Members (at the request of Mr. Oberstar) to revise and extend their remarks and include extraneous material:)

Mr. Gonzalez, for 5 minutes, today.
Mr. Reuss, for 5 minutes, today.
Mr. McFall, for 5 minutes, today.
Mr. Wolff, for 5 minutes, today.
Mr. Bingham, for 10 minutes, today.
Mr. Flood, for 5 minutes, today.
Mr. Dodd, for 10 minutes, today.
Mr. Staggers, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Mahon and to include extraneous matter.

(The following Members (at the request of Mr. O'Brien) and to include extraneous matter:)

Mr. Broomfield.
Mr. Bell.
Mrs. Pettis in 10 instances.
Mr. Crane.
Mr. Collins of Texas in two instances.
Mr. Armstrong.
Mr. Derwinski in two instances.
Mr. Ashbrook in five instances.
Mr. Steiger of Arizona.
Mr. Cochran.
Mr. Conlan in five instances.
Mr. Don H. Clausen.

(The following Members (at the request of Mr Oberstar) and to include extraneous matter:)

Mr. Downey of New York in five instances.
Mr. Hefner.
Mr. Aspin in 10 instances.
Mr. Gonzalez in three instances.
Mr. Anderson of California in three instances.
Mr. Russo.
Mr. Carney.
Mr. Harkin.
Mr. Nolan in four instances.
Mr. Gaydos in 10 instances.
Mr. Milford.
Mr. Rose.
Mr. Eilberg in 10 instances.
Mr. Smith of Iowa in four instances.
Mr. Beard of Rhode Island.
Mr. Fisher.
Mr. Ambro.
Mr. Levitas.
Mr. Moffett.
Mr. McDonald of Georgia in four instances.
Mr. Dan Daniel.
Mr. Studds.
Mr. Staggers.
Mr. Neal.
Mr. Wolff.
Mr. Koch in five instances.
Mr. Breckinridge in six instances.
Mr. Patterson of California.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 11. Concurrent resolution to express as a national policy that all citizens have the right to live and work in a barrier-free environment, to the Committee on Education and Labor.

ADJOURNMENT

Mr. OBERSTAR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, September 5, 1975, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1672. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the U.S. Grain Standards Act to improve grain inspection and operations of official inspection agencies, and for other purposes; to the Committee on Agriculture.

1673. A letter from the Deputy Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Consolidated Farm and Rural Development Act to revise interest rates on certain loans; to the Committee on Agriculture.

1674. A letter from the Secretary of Transportation, transmitting a report of a violation of the Anti-Deficiency Act by the U.S. Coast Guard, pursuant to section 3679(1)(2) of the Revised Statutes [31 U.S.C. 665]; to the Committee on Appropriations.

1675. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by the Government of the United Kingdom for permission to transfer certain U.S.-origin military equipment to the Government of Kuwait, pursuant to section 3(a) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1676. A letter from the Secretary, Securities and Exchange Commission, transmitting a report on the Commission's review of rules of national securities exchanges which limit or condition the ability of members to effect transactions in securities otherwise than on such exchanges, pursuant to section 11A (c)(4)(A) of the Securities Exchange Act of 1934, as amended by the Securities Act Amendments of 1975 (89 Stat. 116); to the Committee on Interstate and Foreign Commerce.

1677. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation under the authority of section 244(a)(1) of the Immigration and Nationality Act, as amended, together with a list of the persons involved, pursuant to section 244(c) of the act [8 U.S.C. 1254(c)]; to the Committee on the Judiciary.

1678. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of an order suspending deportation under the authority of section 244(a)(2) of the Immigration and Nationality Act, as amended, pursuant to section 244(c) of the act [8 U.S.C. 1254(c)]; to the Committee on the Judiciary.

1679. A letter from the Acting Executive Director, Blinded Veterans Association, transmitting a report on the financial statements of the association for the year ended June 30, 1975, pursuant to section 3 of Public Law 88-504; to the Committee on the Judiciary.

1680. A letter from the Chairman, Board of Directors, Tennessee Valley Authority, transmitting a draft of proposed legislation to amend section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority; to the Committee on Public Works and Transportation.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MURPHY of Illinois: Committee on Rules. House Resolution 692. Resolution providing for the consideration of H.R. 8650. A bill to assist low-income persons in insulating their homes, to facilitate State and local adoption of energy conservation standards for new buildings, and to direct the Secretary of Housing and Urban Development to undertake research and to develop energy conservation performance standards. (Rept. No. 94-453). Referred to the House Calendar.

Mr. YOUNG of Texas: Committee on Rules House Resolution 693. Resolution providing for the consideration of H.R. 8674. A bill to declare a national policy of converting to the metric system in the United States, and to establish a U.S. Metric Board to coordinate the voluntary conversion to the metric system (Rept. No. 94-454). Referred to the House Calendar.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 694. Resolution providing for the consideration of H.R. 8800. A bill to authorize in the Energy Research and Development Administration a Federal program of research, development, and demonstration designed to promote electric vehicle technologies and to demonstrate the commercial feasibility of electric vehicles (Rept. No. 94-455). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred to as follows:

By Mr. ADDABBO:

H.R. 9357. A bill to authorize appropriations for fiscal year 1976 for carrying out title VI of the Comprehensive Employment and Training Act of 1973; to the Committee on Education and Labor.

By Mr. BIAGGI:

H.R. 9358. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 9359. A bill to amend title 23 of the United States Code relating to the description of the Federal-aid secondary system; to the Committee on Public Works and Transportation.

By Mr. CLEVELAND:

H.R. 9360. A bill to amend the Immigration and Nationality Act to permit adoption of more than two children; to the Committee on the Judiciary.

By Mr. DOWNEY of New York:

H.R. 9361. A bill to establish a fuel stamp program which will provide fuel stamps to certain low-income elderly households to help meet fuel cost incurred by such households; to the Committee on Interstate and Foreign Commerce.

By Mr. DUNCAN of Tennessee:

H.R. 9362. A bill to amend section 218 of the Social Security Act to require that States having agreements entered into thereunder will continue to make social security payments and reports on a calendar-quarter basis; to the Committee on Ways and Means.

By Mr. DU PONT (for himself and Mr. EDGAR):

H.R. 9363. A bill to terminate the authorization of the Tocks Islands Reservoir Project, Pennsylvania, New Jersey and New York; to the Committee on Public Works and Transportation.

By Mr. GRASSLEY (for himself, Mr. BAUMAN, Mr. BLOUIN, Mr. DON H. CLAUSEN, Mr. COLLINS of Texas, Mr. EDGAR, Mr. FISH, Mr. FORD of Tennessee, Mr. GRADISON, Mr. HAGEDORN, Mrs. HOLT, Mr. KELLY, Mr. KEMP, Mr. JEFFORDS, Mr. LAGOMARSINO, Mr. MOTTL, Mr. PRESSLER, Mr. ROBINSON, and Mr. TREEN):

H.R. 9364. A bill to repeal the recently enacted provisions authorizing increases in the salaries of Senators and Representatives; to the Committee on Post Office and Civil Service.

By Mr. LENT:

H.R. 9365. A bill to deny special unemployment assistance in the case of certain employees of educational institutions; to the Committee on Way and Means.

By Mr. LITTON (for himself and Mr. ANNUNZIO):

H.R. 9366. A bill to amend the Internal Revenue Code of 1954 to require the establishment of formal procedures and criteria for the selection of individual income tax returns for audit, to inform individuals of the reasons why their returns were selected for audit, and for other purposes; to the Committee on Ways and Means.

By Mr. LONG of Maryland (for himself, Mr. DOWNEY of New York, Mr. PATTISON of New York, and Mr. HANNAFORD):

H.R. 9367. A bill to prevent the proliferation of nuclear weapons by limiting the transfer of certain nuclear technology and materials; to the Joint Committee on Atomic Energy.

By Mr. MITCHELL of New York:

H.R. 9368. A bill to amend title 38 of the United States Code in order to entitle veterans to 45 months of educational assistance for undergraduate or any other authorized programs of education; to the Committee on Veterans' Affairs.

By Mr. NOLAN (for himself, Mr. MAGUIRE, and Mr. PATTERSON of California):

H.R. 9369. A bill to amend the Internal Revenue Code of 1954 to limit the extent to which farm losses can be used to offset nonfarm income; to the Committee on Ways and Means.

By Mr. O'HARA:

H.R. 9370. A bill to provide that the special $50 payment which was authorized by the Tax Reduction Act of 1975 for recipients of social security, railroad retirement, or SSI benefits shall be made to any individual whose entitlement to the requisite benefit (for March 1975) is established before the end of August 1975, without regard to when the benefit check involved is actually issued; to the Committee on Ways and Means.

By Mr. PRICE (for himself and Mr. BOB WILSON) (by request):

H.R. 9371. A bill to amend section 6(d)(1) of the Military Selective Service Act (50 U.S.C. App. 456(d)(1)) to provide greater training flexibility for Reserve officers ordered to active duty for training for not more than 6 months by deleting the requirement that they be ordered to active duty for not less than 3 months; to the Committee on Armed Services.

H.R. 9372. A bill to approve the sale of certain naval vessels and for other purposes; to the Committee on Armed Services.

By Mr. RUSSO:

H.R. 9373. A bill to establish a conservation corps in the Departments of Agriculture and the Interior, and for other purposes; to the Committee on Education and Labor.

By Mr. SIMON:

H.R. 9374. A bill to amend the Defense Production Act of 1950 to include products produced from coal gasification and coal liquefaction which may be used as fuels under title III in order to encourage the development of coal gasification and coal liquefaction; to the Committee on Banking, Currency and Housing.

By Mrs. SULLIVAN (for himself, Mr. BIAGGI, and Mr. DU PONT):

H.R. 9375. A bill to amend the Federal Boat Safety Act of 1971 to extend the authorization of appropriations for financial assistance for State boating safety programs beyond fiscal year 1976, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WINN (for himself, Ms. ABZUG, and Mr. COUGHLIN):

H.R. 9376. A bill to authorize the establishment of the Tallgrass Prairie National Park in the State of Kansas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYDLER (for himself, Mr. HORTON, Mr. ANDERSON of Illinois, Mr. AUCOIN, Mr. GILMAN, Mr. LATTA, Mr. MACDONALD of Massachusetts, Mr. MCCLOSKEY, Mr. NOLAN, and Mr. PATTERSON of California):

H.R. 9377. A bill to extend and revise the State and Local Fiscal Assistance Act of 1972; to the Committee on Government Operations.

By Mr. BIAGGI:

H.J. Res. 632. Joint resolution proposing an amendment to the Constitution of the United States with respect to the right to life; to the Committee on the Judiciary.

Mr. BINGHAM (for himself, Mr. ROSENTHAL, Mr. SOLARZ, Mr. GILMAN, Mr. BONKER, Mr. HARRINGTON, Mr. NIX, Mr. RIEGLE, Mr. CHARLES WILSON of Texas, Mr. WOLFF, and Ms. COLLINS of Illinois):

H. Con. Res. 382. Concurrent resolution disapproving the proposed sales to Jordan of the Hawk missile system; to the Committee on International Relations.

By Mr. KOCH:

H. Con. Res. 383. Concurrent resolution designating 1975 as Workmen's Circle Anniversary Year; to the Committee on Post Office and Civil Service.

By Mr. HARRIS:

H. Res. 688. Resolution disapproving the Federal pay comparability alternative plan proposed by the President; to the Committee on Post Office and Civil Service.

By Mr. KASTENMEIER:

H. Res. 689. Resolution expressing the sense of the House of Representatives that the U.S. Government should formally record its endorsement of the United Nations Standard Minimum Rules for the Treatment of Prisoners; to the Committee on the Judiciary.

By Mr. ROUSSELOT:

H. Res. 690. Resolution commending the city of Arcadia, Calif., for its participation in the Sister City Program and its twinning with Newcastle, New South Wales, Australia on September 30, 1975; to the Committee on Post Office and Civil Service.

H. Res. 691. Resolution establishing a select committee to study the problem of U.S. servicemen missing in action in Southeast Asia; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. O'HARA introduced a bill (H.R. 9378) for the relief of Helen P. Elarmo, which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 8800

By Mr. DINGELL:

On page 10, after line 25, insert the following new subsection:

"(d) Every contract entered into pursuant to this section shall be subject to the provisions of the Buy American Act (41 U.S.C. 10a through 10d) and contain the provision required by the Act for public works."

On page 17, between lines 4 and 5, insert the following:

"(i) An applicant for a loan guarantee must be a citizen or national of the United States. A corporation, partnership, or association shall not be deemed a citizen of the United States unless the Administrator determines that it satisfactorily meets all the requirements of 46 U.S.C. 802 for determining the United States citizenship of such entities operating a vessel in the coastwise trade."

On page 12, line 19, after "Administrator" insert "and to the Congress".

EXTENSIONS OF REMARKS

LET US NOT ASSASSINATE PUBLIC CONFIDENCE

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. MILFORD. Mr. Speaker, I have noticed an increasing number of books, periodicals, newspaper series, radio and TV "special programs" demanding that Congress reinvestigate the John Kennedy assassination.

Also noted has been an increasing number of politicians seeking higher office—and would-be politicians seeking any office—that have joined the chorus demanding a new investigation.

As one of the Representatives from the city of Dallas, Tex., I can assure you that I have an intense interest in this matter. Dallas bore the brunt of international criticism—much of it vicious and vindictive—in the aftermath of this tragic event. The city was literally torn apart.

If there is one single shred of physical evidence or one creditable eyewitness or one piece of definite, scientific evidence to point to an alternate conclusion, from that produced by the Warren Commission, I would be the first to sponsor a resolution to reopen the investigation.

However, I shall not stand idly by and allow the confidence of our people to be undermined and the city of Dallas to be torn up again in order for a few politicians to grab cheap headlines based on sensational books and press media products that are designed to sell.

In many instances, the new crop of articles are being written or broadcast to coincide with congressional investigations and congressional revelations of past activities of our intelligence and investigative agencies. The slant of the articles infer an assumption that the FBI, the CIA, and even the Warren Commission had "deliberately covered up or ignored important evidence" during the investigation.

The usual patterns are for the authors to come up with theories that can be neither proven nor disproven—a phenomenon that can be observed in any investigation of any case. Another tactic consists of coming up with some sensational "Monday morning quarterback" observation concerning activities that the investigative bodies should have done." Finally, there is the tactic of coming up with some sensational sideline event, involving principals in the assassination itself. All of these make good subjects for books, periodicals, TV shows, and radio programs. None have any significant bearing on the findings of the Warren Commission.

Politicians and would-be politicians can have a field day responding to these press media products. They get their names before the public as they demand investigations or carry out investigations and the authors sell more of their products because of the politician's interest. One promotes the other. The only loser is the public who needlessly loses confidence in their Government and its institution.

Mr. Speaker, I have noted in the Monday edition of the Dallas Times Herald, September 1, 1975, that Senator FRANK CHURCH and the Select Committee on Intelligence was going to investigate an incident—first revealed by the Herald—concerning an alleged threatening note that Lee Harvey Oswald delivered to a Dallas FBI agent several days before the assassination.

The note had absolutely nothing to do with the assassination, but concerned a routine followup that the FBI was conducting on Oswald's Russian immigrant wife. The FBI had apparently treated the matter in the same way as they do in the thousands of similar cases that they handle each year, although an internal investigation is underway to check for sure.

While I do not want to cast aspersions on the gentleman from Idaho or his committee, I find it difficult to understand why they would spend valuable committee time investigating only one of thousands of these threatening notes that are received by the FBI. Chairman CHURCH stated that his committee was not going to get into the assassination itself; therefore, they could only be interested in investigating the threat to an FBI agent.

There is a valid reason to find out why this routine threatening note disappeared from the FBI files in Dallas, and Director Clarence Kelley has stated that the FBI is investigating this facet of the case. I believe that this investigation is being conducted where it belongs, unless at some point it becomes evident that there is laxity in the FBI investigation or handling procedures.

Many of my constituents in Dallas have suggested that this is another case of a politician grabbing headlines, and they point out that the Senator from Idaho is mentioned as a possible Democratic nominee for President.

Mr. Speaker, in order to protect both the city of Dallas and the good name of my colleague from Idaho, I have today notified the FBI that I would like to see all material, memorandums, and information concerning the events surrounding the alleged threatening note written by Lee Harvey Oswald. I have also asked for detailed briefings on their procedures for investigating incidents of this nature.

As a member of the House Select Committee on Intelligence, I shall have full access to all information on the FBI's handling of this and other cases. I fully intend to review this material with studied interest. My key interest will be in checking FBI procedures and work practices for handling all situations of this type—not just a single threat to an FBI agent in Dallas, Tex., wherein the person making the threat later became an assassin.

ENGLAND MOVES TOWARD DISASTER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. ASHBROOK. Mr. Speaker, England is continuing its slide toward national bankruptcy. Inflation, fueled by unreasonable union demands, is running at an annual rate of 26 percent per year.

The economic handwriting is on the wall for England. The Labor Government, however, has failed to take effective measures to check the high rate of inflation. It has bowed to union demands rather than facing up to economic reality. It has kept right on spending rather than making needed cuts in government expenditures.

The failure of the Labor Government to deal with the inflation problem is forcing the value of the pound to record lows. It is also threatening the very existence of the middle class.

Following is an excellent article on the situation by columnist William Safire:

MRS. THATCHER'S SOLILOQUY

(By William Safire)

LONDON.—Envision the farsightedness and courage of the government of New York applied to a whole nation: That's the Government of Great Britain.

Too timorous to cut social services, too poor to pay for them, both governments face the same dilemma: Nobody believes they have the gumption to defy unions and other pressure groups long enough to set their houses in order.

In England, however, doctrinaire Socialists have never been so pleased. They have found an ally—inflation of 26 per cent per year—in their effort to demolish the middle class and bring about the "classless society."

The situation is this: Union demands have kept the working classes ahead of inflation, while people on fixed incomes—and people with property and savings—have been falling far behind. Result: a redistribution of income by inflation's Robin Hood that would not have been possible even in Socialist England through the political process.

What hope is there for Great Britain to clamber back from the precipice of unwitting Marxism? Those of us who respect and admire the British—from whom we inherited the ideals of political freedom and capitalism—look now to Mrs. Margaret Thatcher, head of the Conservative party, for a serious challenge to the dictatorship of the parliamentary proletariat.

Perhaps Mrs. Thatcher thinks of Britain's infidelity to the principles of economic freedom, just as Hamlet mused on the unfaithfulness of his mother:

O, that this frozen Welfare State would melt,
Thaw, and resolve itself to act anew!
Or that the me-too Tories had not joined
In trendy economics. John Maynard Keynes!
How weary, stale, flat and unprofitable
It's been to put a nation on the dole.
Fie on't! For shame! To let unseeded players
Grab center court; things sank when "share-the-wealth"
Obsessed us nearly. That it should come to this!
In three decades—nay, not so much, not three—
Free enterprise replaced; that was, to this,
High tragedy to a satire. So useful to free people
That we inspired great nations overseas
To copy our example. O, Adam Smith!
Can't we remember? Now, inflation rages,
Begun by those who advertised this pitch:
"Something for nothing." Hark, two per cent a month
The cost of living soars—Frailty, thy name is Wilson!—
He huffs and "draws the line"; false posturing
Since union bosses formed his source of strength
And nourished him, for years. Now he talks restraint—
Too late; the far-left clique controls his party
And likes inflation's aid; married to class struggle,
Devaluation's way is no more like our own
Than I to Edward Heath. Observe the plan:
To mollify the middle class with pap
While workers' wages push inflation up;
Bankruptcy—O, most wicked way to strike
With such asperity pure Socialism's hour.
It is not, nor it cannot come to good.
But break, my heart—for Labor's still in power!

GAO REPORT CONFIRMS BROKEN RURAL PROMISES

HON. CHARLES ROSE III

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. ROSE. Mr. Speaker, on August 18 the General Accounting Office issued a report to the Congress entitled "Some **Problems Impeding Economic Improve-**

ment of Small-Farm Operations: What the Department of Agriculture Could Do." And, in effect, the USDA said that it would do nothing.

This study is significant and persuasive as it examines the problems and needs of the small family farmer. In addition, the GAO report and the conclusions of my Subcommittee on Family Farms and Rural Development of the House Agriculture Committee are identical: The USDA has done little to further research and extension service for the small farmer.

The 31-page report concludes that—

> Failure to use available technology and efficient management practices effectively is a primary reason many small farmers have lower volumes of farm sales.

The report further states that the USDA, through research and extension services, could:

First. Identify farmers according to resources, abilities, educational background, and willingness to improve;

Second. Send Congress the results of a study determining costs and benefits of improved training and technical assistance to small farmers;

Third. Study the potential of the small farmers' economic future, and if promising, develop programs to relate; and

Fourth. Do forecasting and evaluation of the impact of research and determine ways to help the small farmer benefit.

Mr. Robert W. Long, Assistant Secretary of the USDA, in a letter to the GAO, states that—

> No further action on the GAO recommendations would be suggested at this time.

To ignore the plight of the small family farmer and to refuse to implement the recommendations of this study demonstrates that the Department of Agriculture has removed itself from the area of responsibility it was designed to aid.

Mr. Speaker, I have strongly urged Mr. Long and his colleagues at USDA to take a second look and I ask my colleagues in the House to join me in this request. If the basic mission of agricultural extension is "to help people identify and solve their farm, home, and community problems through use of research findings and USDA programs," it is clear to me that the mission has failed.

Because the USDA does not see the small farmer as a sound economic risk it refuses to invest in him. There are not enough extension agents to assist him; there are few research programs designed to meet his needs; land-grant college studies of soil and climate conditions never reach his ears. Fertilizer costs skyrocket and loans are hard to find.

The average age of the family farmer today is around 53. The number of farms is declining steadily, while the acreage of existing farms is increasing. If we are not very careful, we will not have any farmers to represent small-farm operations by the Tricentennial.

Small farmers control much of the land in this country, but at a time when we need increased American productivity, we are seeing a decrease in the productivity and the number of small farms Research and extension services, if more available to small farmers, could help them use their land more efficiently. If that happens, the supply of food and fiber will increase in the marketplace, and that means that costs to consumers go down.

The USDA must reexamine its policies rgearding research and extension services to the small farmer. Failure to do so will result in drastic consequences for small farmers and consumers in this country.

THE "TERRIBLE" STATISTICS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. GAYDOS. Mr. Speaker, Voice, the official publication of the Pennsylvania State Education Association, has printed a series of statistics on school crime which constitutes a sharp challenge to every concerned American and certainly to us in Government.

Under the heading, "Facts Speak for Themselves," the teachers' newspaper listed crime figures as reported at a recent National Education Association convention. Between 1970 and 1973:

Homicides went up 18.5 percent.

Rapes went up 40 percent.

Robberies went up almost 37 percent.

Burglaries went up about 12 percent.

Drug and alcohol offenses went up 37.5 percent.

And assaults on teachers increased 77.4 percent.

Voice termed these "school facts as terrible and awesome." I certainly agree. Our schools in too many cases have become places of great danger. Teachers' lives are threatened. Students in some schools are in daily peril. And what is being done about it? The answer is very little.

School disciplinarians seldom have gotten the backing they need to combat the menace. Many times they have found themselves made villians in crime cases on the grounds of having violated something called student rights. Police too often find their hands tied. The law is loose, indeed, in dealing with juvenile criminals.

And still, year after year, we see school crime increasing at a rate even greater than crime generally. I submit that it is time for decisive action in this field. If stronger laws are required, then we had better get busy devising them. If the courts have become too permissive, then this fact must be brought to public attention and a demand generated for changes in judicial attitudes.

We cannot go on ignoring this problem while more and more schools are turned by young hoodlums into the proverbial blackboard jungles. I know that our education system has multiple difficulties these days and that, in some instances, teachers appear to be out of line with public sentiment in their districts, but in this crime matter—assaults on teachers up 77.4 percent in 3 years' time—I am with them 100 percent in their appeal for help. It is a "terrible and awesome" situation, one whose long-range effect, if let go on, can only be imagined.

UNFINISHED BUSINESS OF THE WAR IN SOUTHEAST ASIA

HON. JEROME A. AMBRO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. AMBRO. Mr. Speaker, today I would like to address my remarks to the "unfinished business" of the war in Southeast Asia. Americans heralded the end of United States involvement in Southeast Asia, and rightfully so. But, in the zealous enthusiasm of the administration to lay the experience to rest, a terribly burdened number of American families were relegated to the back burner, so to speak. I have in mind the parents, wives, and friends of the still-unaccounted-for POW's and MIA's. I am satisfied that the United States has acted in good faith in this matter, abiding by the letter of the law, and then some. However, the fact still remains that many POW's and MIA's remain unaccounted for more than 2 years following the Paris Accords.

Given the dichotomy of philosophy between the United States and Southeast Asia in general, it seems to me that there are still two viable alternatives to pursue. One way is to support passage of the Montgomery resolution, House Resolution 335, and the second alternative is the need for an accounting of our men prior to any discussion of diplomatic recognition, trade, or aid with any Southeast Asia state.

The Montgomery resolution would establish a 10-member Select Committee which would investigate and study the POW and MIA situation resulting from operations in North Vietnam, South Vietnam, Laos, and Cambodia. So, at the very least the House would receive a comprehensive report as soon as practicable, but not later than 1 year from adoption of the resolution. I take this view because the most recent data on the subject from DOD utilizes information gathered before November 1974.

The second alternative, namely the need for an accounting prior to any discussion of diplomatic recognition, trade, or aid with any Southeast Asia state offers an opportunity for the United States to exercise some long-sought leverage. Some might label such a pragmatic approach as "arm twisting." However, if one accepts the premise that the United States has acted in good faith and exhausted every means at her disposal to resolves the unaccounted-for POW's and MIA's question, then little else remains. Further, if we accept the idea that we would be remiss in our duty if the efforts to obtain an accounting of POW's and MIA's were not unceasing and untiring, then it behooves the United States to do whatever is necessary to bring about such accounting.

I rise therefore in support of the

Montgomery resolution, organizations such as VIVA, and implore my colleagues and countrymen to give new impetus and direction to efforts to get on with the "unfinished business" of the war in Southeast Asia.

GUN CONTROL

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. STEIGER of Arizona. Mr. Speaker, Bill Beers of Prescott, Ariz., the outdoor columnist for the Prescott Courier, has written an article which points out some facts concerning gun control which are worth reprinting in the RECORD.

I have known Mr. Beers for a good many years, and I value his friendship and judgment. He is well known in Arizona as a dedicated sportsman and conservationist.

The following is his article.

YOUR OUTDOORS

(By Bill Beers)

For some time now a great debate has been going on between the pro and anti-gun folk throughout the nation. Lots of people have been getting into the act who have no real knowledge of guns or their use, either as sporting weapons or by criminals. All kinds of statistics have been bandied about concerning the use of weapons for commission of various crimes. Lots of opinions have been expressed by public officials and others regarding the effect of banning handguns from use by any but law enforcement officers. Most of this opinion has no basis in fact, nor until now had anyone ever taken the trouble to check with any criminals as to their thoughts on the matter . . . at least until very recently.

Finally a state Senator in California, Bill Richardson, did a little checking around and whipped up an article which was published in the July issue of "True Magazine." To prepare the piece, Senator Richardson solicited opinions from some of the toughest cons in Folsom Prison. Results of his questionnaires may well leave anti-gunners in a state of shock . . . unless they simply have their minds made up and don't wish to be confused with facts.

First, the Senator distributed his questionnaires among 13 prisoners whose records included every conceivable crime of violence from five counts of bank robbery to two counts of first degree murder. Primary question was "How gun control laws would effect the criminal." Of the 13 cons, nine felt that handgun registration laws would not stop them from using a gun while committing a felony; ten felt that suspected gun ownership in a residence would stop them from burglarizing that particular house; and nine knew of specific cases where robberies were not performed because the subject was known to be armed!

. . . ten of the thirteen experienced lawbreakers stated that they would definitely take into consideration the presence of weapons in a house or business before becoming committed to action. Seven firmly stated that businesses do develop reputations among outlaws for using handguns in self-defense, and six of these seven were certain that such action and reputation does deter burglaries of that particular business!

When the big question came up: "If guns were totally banned, would you still be able to get one?", ten of the cons answered a firm and unqualified "Yes!" Two merely stated that they had no opinion and the remaining one didn't answer the question.

When the results of all thirteen questionnaires had been tabulated, Senator Richardson took the extra precaution of running a personal check to assure that the opinions expressed were representative of prison inmates. He trotted out to Folsom and interviewed cons singly and in groups out in the prison yard. Every interview agreed with the responses contained in the questionnaires!

One inmate in particular made the flat statement that "Only a fool would try to burglarize a house where the owner was home and known to have a gun!" When Senator Richardson remarked that anti-gun people were telling him the presence of a gun doesn't make any difference to a criminal, another inmate quipped, "Anyone who'd tell you that has never been shot at!"

Last man to be interview by Richardson was a professional armed robber. In his interview he made it abundantly clear that whenever he "cased" a place prior to a robbery, the very first thing that he looked for was a gun. If he saw one, or anything indicated the presence of one, the job was off!

This old con, who had spent many years behind bars and many more perpetrating robberies, summed up the situation with this answer: "I don't appreciate anyone shooting at me! If you take a gun away from a guy, naturally it makes it better for the armed robber because the guy that has the gun has got the power." And that's the way it is, at least in the "professional opinion" of those who should know . . . the hardened and professional criminals at Folsom Prison.

A TRIBUTE TO DR. LILLIE MAY JACKSON

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. LONG of Maryland. Mr. Speaker, Dr. Lillie May Jackson—1889–1975—enjoyed a long and productive life and was one of Maryland's finest and beloved citizens. She was educated in the public schools of Baltimore and was graduated as a teacher from the Colored High and Training School in 1908.

A tireless, fearless and indomitable fighter against racial injustice, Dr. Jackson early united the Afro-American, the churches and the masses of people in a crusade to right ancient wrongs and to make the promises of equality in the U.S. Constitution a reality in the lives of all people. She was largely responsible for keeping the NAACP, of which she was local branch president in Baltimore for 35 years, the largest civil rights organization in Maryland.

Throughout her life she had a deep concern for the poor, the imprisoned and the victims of cruelty. She stood for firm law enforcement, but she also demanded that such enforcement be just and humane. In 1956, she was the proud recipient of an honorary degree of doctor of humanities from Morgan State College.

Always she worked within the provisions of the U.S. Constitution in which she had an abiding faith, all the while urging the immediate extension of the constitutional rights to her people. She abhorred violence but she taught her membership to stand up tall and speak out "loud and clear." Said the Afro-American in 1960, "When Dr. Lillie speaks her piece, Baltimore has learned to listen." One of the former Governors of Maryland said, "I would rather the devil got after me than Dr. Jackson, give her what she wants."

After her retirement from the NAACP in 1970, she reported that people would not let her rest; they continued to come to her seeking aid and advice. The result was her organizing the Freedom House, Inc., a federation of innercity neighborhood leaders to combat crime and juvenile delinquency. Her wisdom and courage will long serve as an inspiration to the Freedom House and to the people of Baltimore.

MILK SCARCITY POSSIBLE

HON. RICHARD NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. NOLAN. Mr. Speaker, figures recently compiled show that milk production in Minnesota and other large dairy producing States has dropped sharply. Caught in the squeeze between high farm costs and low prices, dairy farmers are leaving farming in alarming numbers.

Many of us argued for higher dairy prices during the consideration of the emergency agricultural price support legislation, but we went unheeded. Minnesota's dairy production has now plummeted 18 percent. It is my hope that the Congress will again give serious consideration to a dairy policy which will assure that our farmers continue to produce an abundant supply of dairy products for our Nation's tables.

The following article from the St. Cloud Times provides some revealing figures on milk production losses:

MILK PRODUCTION IN MINNESOTA DROPS

June, the nationally observed Dairy Month, marked another major cut in milk production in Minnesota, the nation's fourth ranked dairy state, the Minnesota Department of Agriculture reported.

Minnesota milk production in June fell to 70 million gallons, the lowest volume for that month in 41 years.

That was nearly 5.8 million gallons less than June 1974 milk production in Minnesota and was the biggest monthly cut on an annual comparison since February 1966.

Minnesota continued to lead all states in the amount of milk production loss, while neighboring South Dakota, sharing the same depressed marketing area, continues to lead all states in percentage of cutback.

During the first six months of 1975, Minnesota's milk production is down 18 million gallons or four per cent. South Dakota's production is down 9 million gallons or 13 per cent, compared to the first half of 1974.

Excessive June rains that caused flooding in northern and southeastern Minnesota, damaged or destroyed most of the hay cutting and pastures, and high feed costs that forced farmers to cut milk cow rations by more than 9 per cent during June were factors in reduced milk production for the month.

But June was merely an extension of ad-

> verse weather and feed prices for dairy farmers for the past year and a half.
>
> Modest increases in prices farmers are receiving for milk helped stabilize the Minnesota inventory of milk cows at 878,000, the all-time low, for the third straight month. Only Wisconsin, with 1,807,000 and New York, with 914,000, have more milk cows than Minnesota.
>
> Minnesota's 434.2 million gallons of milk production for the first half of 1975 represented 8.5 per cent of the national supply, compared with 8.8 per cent of the U.S. milk supply for the same period last year.

BILL INTRODUCED TO CRACK DOWN ON PHARMACY ROBBERIES

HON. W. G. (BILL) HEFNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. HEFNER. Mr. Speaker, in the past 5 years since the enactment of the Controlled Substances Act, large steps forward have been made in the area of drug control and illegal drug trafficking. The stringent controls placed on drugs through the Controlled Substances Act and the increased activity of the Drug Enforcement Administration along with other Federal law enforcement officials have been instrumental in the fight against drug abuse and various drug-related crimes.

However, since the Controlled Substances Act went into effect and the Federal crackdown on drug trafficking was intensified, pharmacists and druggists have become a prime target of drug-related crimes. Continually, since the enactment of the Controlled Substances Act, the number of drug-related crimes against retail pharmacies has risen. From fiscal year 1973 to fiscal year 1974, the number of such crimes rose from 4,333 to 6,320—an increase of 45 percent.

Senate subcommittee hearings on this topic have revealed that 89 percent of all controlled drugs stolen are taken from pharmacies.

The vigor that led Federal law enforcement officials to crack down on the illegal marketing of drugs has not been matched with a similar concern for the new victim—the pharmacists.

The pharmacist is now subjected to greater hazards than any other small businessman. For this reason, my colleague from North Carolina, Congressman RICHARDSON PREYER, and I have introduced a bill, H.R. 9118, that would make the burglary or robbery of a retail pharmacy a Federal offense.

If enacted into law, this legislation will provide a penalty of imprisonment for up to 5 years or a fine of up to $5,000, or both, for the breaking and entering of a retail pharmacy with the intent to steal a narcotic or other controlled substance.

Any person who is convicted of breaking and entering a pharmacy or attempting to obtain any controlled drug by force or violence while armed, by assaulting any person, or by jeopardizing the life of any innocent person through the use of a dangerous weapon or device, will be fined up to $10,000 or imprisoned for a minimum of 2 years and a maximum of 25 years, or both.

In the commission of such a crime, if the criminal should kill or maim any other person, the minimum sentence will be set at not less than 10 years with a maximum of life imprisonment.

The implications of this bill go much further, however, than just setting up Federal penalties for robbing a retail pharmacy. By making the burglary or robbery of a pharmacy a Federal offense, this legislation will give Federal law enforcement officials the jurisdiction to aid and assist State and local authorities in combating these dangerous crimes.

The druggists and pharmacists are a vital link in the chain of dedicated professionals who provide the necessary health care needs and services to all Americans. I think that the Federal Government should take more of the responsibility for protecting these valuable community servants.

Through strengthening our Federal laws we have greatly increased the pressure on druggists and pharmacists which crime entails; it now appears necessary to assist these dedicated small businessmen in order to protect their business interests as well as their lives.

TWENTY-NINE-CENT BREAD IN MOSCOW

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. GAYDOS. Mr. Speaker, I call attention to an especially important paragraph in Time magazine's analysis of Russia's grain problem and that country's huge new grain purchases here.

The paragraph:

> Despite the lower 1975 harvest, the Soviet consumer is unlikely to feel the difference either in his stomach or his wallet. Rather than cut back on livestock and poultry output, Soviet leaders have elected to sell gold worth $636 million to get cash to buy grain abroad. The ironic result is that although American consumers may be forced to pay more for food as a consequence of Soviet grain purchases, Soviet citizens will enjoy bread at artificially low fixed prices. They range in Moscow from 6 cents for a one-pound loaf of tasty black bread to 29 cents for a loaf of the finest white flour, probably milled from U.S. grain.

I have no figures on the number of budget-harried U.S. housewives who read Time magazine and especially down deep into its reports on economic matters. But I hope the number is high. And I hope, too, that the reading housewives will compare, as I am sure they will, their bread costs with those of their Moscow counterparts stocking bread baskets with U.S. grain products. A one-pound loaf of fine white-flour bread here runs at twice the Soviet price in our bakery shops and supermarkets. And since when has a tasty loaf of American black bread been available at anywhere near the 6 cent Russian price?

It takes comparisons such as this to bring home the regrettable fact that, in most of our international dealings, our people get the worst of the bargain. The Soviet grain buying, the inflationary grain market speculations which these purchases touched off, the Ford Administration's refusal to act firmly enough to protect the consumer—these are the reasons Americans are paying twice as much and more than the Russians to eat bread baked from U.S. grown wheat.

I am mindful of the admissions made the other day by Agriculture Secretary Earl Butz and his Department's economists that additional Russian buying will in due time raise consumer food prices here another 1.5 percentage points. I would like to hear them try to justify this to Time-reading housewives.

MERITS OF THE B-1 PROGRAM

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. ASPIN. Mr. Speaker, on April 19 the House Armed Services Committee held a unique hearing on the B-1 bomber. Two representatives of the Air Force and two public witnesses—Arch Wood and Dr. Richard Garwin—debated the merits of the B-1 program.

Unfortunately, the hearings were printed without the inclusion of some supporting documentation of a statement made by Dr. Garwin that there was an agreement between the Department of the Air Force and the Office of the Secretary of Defense not to study a cruise missile launching aircraft. A cruise missile launching aircraft would provide a more cost-effective method of fulfilling the major portion of the B-1 mission.

During the hearing, General Lukeman, who represented the Air Force, stated that—

> I feel an obligation to the DOD to state for the record that I am not aware of and have never heard of any agreement between the Department of the Air Force and the Office of the Secretary of Defense or the Secretary regarding not doing something with the 747 aircraft. I want to say I have never heard of it. I am not aware of it. I think that that is important.

To support his statement, Mr. Garwin provided some information for the RECORD which, unfortunately, was never included in the committee hearings. Mr. Garwin's statement reads:

> In response to a question at the Hearing 4/17/75 I promised to submit for the record documentation for this statement. The following is reproduced from the Senate Armed Services Committee Hearings, 93rd Congress, Second Session, on S. 3000—Part 6 Research and Development March 22, 26, 27, 29, April 1 and 2, 1974 (page 2734). In turn this material was supplied for the record by the Air Force spokesman.
>
> "* * * no requirement could be established for a new aircraft to carry air-launched cruise missiles (ALCM). The ALCM is being designed to complement and support the bomber during penetration of enemy defenses, and this complementarity will be enhanced when the bomber carriers the missile. . . . Although no specific costs were esti-

mated for the cruise missile capability, undoubtedly they would be quite significant. . . . The combination of potentially high costs, degradation of systems effectiveness by proliferating its uses, and the fact that there is no valid justification for a unique force of cruise-missile launchers led to an agreement between Air Force and OSD not to pursue this capability.

Clearly, Mr. Speaker, despite General Lukeman's statement that such an agreement did not exist, the Air Force, before a congressional committe, has explicitly said that the agreement did exist.

In short, Mr. Garwin's statement is correct and, unfortunately, through no fault of his own, it was not included in the final hearing record.

Mr. Speaker, the Air Force is passing up a unique opportunity to build a tri-capable aircraft—one that would serve as a tanker, cruise missile carrier, and advanced cargo aircraft. It is unfortunate that the Air Force has not accepted Dr. Garwin's excellent counsel.

THE UNITED STATES AND ISRAELI-EGYPTIAN AGREEMENT

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. ASHBROOK. Mr. Speaker, peace in the Middle East is an important goal of this country's foreign policy. Proposals and agreements that work toward that end deserve support.

But a number of questions come to the fore over the aspects of the agreement between Israel and Egypt that have been reported on.

One of the first questions is: Has too much been promised for too little? It appears that aid to Israel has been promised on the $2-$3 billion level. This is not to be a one-time request but will be followed up by further large requests for foreign aid in future years. These figures will be reached through a mixture of military and economic aid including approximately $350 million a year to buy oil to replace that from the Sinai oilfields.

Another question more important than the financial one is: Will the providing of American technicians to man installations in the Sinai passes be a stabilizing factor or will it make American civilians hostage and serve as a triggering mechanism for further American involvement in any future conflict? I am concerned about the placement of American civilians in this dangerous area. It is incumbent upon Secretary of State Kissinger to make available to the Congress and to the people all agreements that have been made or understandings or commitments that have been given.

If the Congress is to consider this agreement, it must have the facts and not vague generalities or assurances that this is the road to peace. It is not time for ambiguity when there is the question of stationing American men in the Sinai and the expenditure of billions of dollars.

DISSENT AND THE CITIZEN—REMARKS BY A CAREER MILITARY OFFICER

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. BROWN of California. Mr. Speaker, as the United States approaches its 200th anniversary, we find ourselves inescapably considering events from the past. Among the most memorable historical events have been the wars we have fought. Each and every one of those wars, beginning with our own War for Independence, had dissenter citizens who questioned both the wisdom of the entire military involvement as well as the specific tactics use as part of that involvement.

The traumatic events of the Vietnam war have shown us, once again, that mistakes are possible.

Despite the lessons of history, some leaders in this country still try to stifle debate, and prevent dissent on major policy issues. I do not believe any future effort to stifle dissent will succeed any more than it has in the past, but, unlike days past, failure to allow dissent in the future may have catastrophic consequences.

This point was recently made by Vice Adm. William P. Mack, who retired last month as superintendent of the U.S. Naval Academy. In speaking to a group of midshipmen, Admiral Mack encouraged them to seek out dissenting points of view in the course of making military decisions. He urged the junior officers to do what all of us in a decisionmaking role should do, and that is "* * * to determine to hear all arguments and opinions, no matter how extreme they may seem, and above all to preserve and protect those who voice them."

I would urge my colleagues to read the following excerpts from Vice Admiral Mack's address, which was in the August 16 edition of the Washington Post:

PROTECTING THE DISSENTER

As I complete 42 years of service I would like to leave to the brigade of midshipmen a legacy of one idea which represents the distillation of that experience. I have thought about—and rejected—the most obvious ideas—those of the necessity of remembering the importance of people—that people win wars, not machinery. I have considered also the corollary that knowledge of technology will be the key to naval success in this technical age. There are many other important concepts.

But the one concept which dominates my mind is that of the necessity of listening to and protecting the existence of the dissenter—the person who does not necessarily agree with his commander, or with popularly held opinion, or with you. Unfortunately, history is full of examples—then Commander Mahan, whose novel ideas of sea power fell on barren ground. Then Commander Sims whose revolutionary—but correct—ideas on naval gunnery ran counter to those of his seniors. Then Commander Rickover, who fought a lone battle for nuclear power. All eventually succeeded—but *not* with the help of patient, understanding naval officers. Regretfully, each needed help from outside. . . .

More recently the course of the conflict in Southeast Asia teaches us a further lesson. David Halberstam in his book, "The Best and the Brightest," attempts to trace the political and military decisions which led our country into this war and its aftermath. Mr. Halberstam uses the technique of examining the careers of those who took part in the decision-making processes. Those, he says, were supposed to be "The Best and the Brightest." I will not give them names, but I knew most of these decision-makers either personally or from close and frequent observation in the Pentagon, the State Department, the White House and in Vietnam. They may have been the best; whatever that means; they may have been bright; but most of them were *wrong*. I knew many who were right on these issues—colonels and captains, some more senior, many more junior, but few of them survived. In those years dissenters were not popular; most wound up either far forward in Vietnam or far to the rear in Iceland. While most of the persons written about by Mr. Halberstam were in the political field or in the Army, some were naval officers.

We cannot afford this way of life in the government or in the Navy in the future, for the intervals given us for discussion and decision will be increasingly shorter. If we are wrong again there may not be any 20th century civilization as we know it.

You may ask—what can you as a midshipman or junior officers do about this. My answer is that time will go by for you—as a busy naval officer—very rapidly. Before you realize it and in a decade *you* will be the young commander called upon to give your honest and perhaps dissenting opinion. In another few years you will be the senior officers charged with preserving and using the dissenting opinion of another.

The point is to begin at this early age to cultivate an open state of mind—to determine to hear all arguments and opinions, no matter how extreme they may seem, and above all to preserve and protect those who voice them.

I am not advocating the overthrow of the principle of loyalty to command as we know it. Of course you should support the continuation of the idea of carrying out all lawful orders cheerfully and fully once decisions are made. There is no other way. In the future I hope some of you will be the best and brightest, but by all means, listen to the others— they may be *right*.

PETER J. REMMEL, ORANGE COUNTY LABOR MAN OF THE YEAR, 1975

HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. PATTERSON of California. Mr. Speaker, it is with great pleasure that I take this opportunity to congratulate Peter J. Remmel, who has been selected by organized labor of Orange County, Calif., as Orange County Labor Man of the Year for 1975.

Peter Remmel, an Orange County resident since 1954, has been a full-time union representative for 23 years. He is presently serving as executive secretary-treasurer of the Orange County Labor Council, AFL–CIO, a position he has held since March 1972. His earlier activities with organized labor include terms as president of the Los Angeles Photoengravers Union Local 32 and president of the Los Angeles Allied Printing Trades Council.

Pete Remmel is a man of action, a man who, like the last two recipients of this honor, Lee Kearney and Ray Mendoza, has devoted himself to achieving a better quality of life for the working person. His concern for the trade union movement extends beyond Orange County to all of California, as exemplified by the 12 years that Pete served as chairman of the Trade Advisory Committee of the Department of Corrections for the State of California.

As cochairman of CEEED, Council on Environment, Employment, Economy and Development, Pete works to carry out the CEEED motto, "A healthy environment means a strong economy." This coalition of interest groups who come together on their concern for environmentally sound development reflects Pete Remmel's interest in his entire community.

I ask my distinguished colleagues to join me in wishing Peter J. Remmel continuing success in his long and illustrious career. He has served organized labor well by contributing his endeavors to attain just recognition, equality, and financial security for working people. Pete Remmel has truly earned the title Orange County Man of the Year, 1975.

STUDY IN RED, WHITE, AND BLUE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. WOLFF. Mr. Speaker, we are rapidly approaching our Nation's Bicentennial and, for many parts of the country, this week marks the opening of schools.

I think that this is a most propitious time for us to consider a school "ritual" that has fallen into neglect and, in some cases, is subject to derision. I am referring, of course, to the Pledge of Allegiance. A constituent of mine, Col. William P. Totino, recently brought to my attention an article that appeared in the Long Island newspaper Newsday. It is the story of a substitute teacher's experience in working with her class to bring the students to understand the meaning behind the pledge. I commend her story to my colleagues, as I feel that it is a good example of a worthy Bicentennnial activity that can be undertaken by our Nation's teachers:

VIEWPOINTS—STUDY IN RED, WHITE, AND BLUE

(By Rosalie Minkow)

In the elementary school of a comfortable Long Island community where I was a substitute teacher for the day, the class traditionally began the morning with the salute to the flag. When I announced that the Pledge of Allegiance would begin, a few of the children did not rise. Others rise lethargically and instead of reciting the pledge, indulged in horse-play, their voices rising above those of the others. Even among those who were standing at attention with their hands over their hearts, I noted many merely mouthing the words like kindergartners reciting something by rote, something they did not fully comprehend. But these are sixth-graders I told myself. They should be aware of what they are saying. I told the class to try it again. Again, the same results from the children.

Deep inside me I was disturbed and offended. My grandfather had come to the United States as an immigrant to escape persecution and for a better life for his children. He had sweated and toiled. Though his life was short, his children did live on to realize dreams of freedom and prosperity that would have never been theirs elsewhere. I, his granddaughter, had had an education that he could never have dreamed of in Europe. Deeply integrated into this education was a feeling of loyalty to and pride in my country.

As I stood watching those children, I remembered standing at fervent attention during my early school days whenever the flag was displayed. I remembered during my college years, questioning some of our national values but still feeling the loyalty that stirred within me whenever the flag was unfurled. I recalled doing graduate work in a foreign country and hearing our flag booed and hissed. Tears had come to my eyes.

Though I was offended by the children's behavior, I could not command them to recite the Pledge of Allegiance the way I thought they should. I could not even command them to say it at all. The Supreme Court had decreed that the salute to the flag was not compulsory.

The solution, I decided, was to try to get over the message of the pledge with some creative teaching on my part. It meant no lecturing from me. The answers had to come from the children themselves.

I took a deep breath and began. "Let's define together what the Pledge of Allegiance means."

The children were taken aback. There was no hostility or anger in my voice about their behavior. No scolding. I certainly wasn't acting the role they expected from a substitute teacher.

Their very surprise at my tactic silenced them so that I was able to go on. "First," I said, "what does the word 'pledge' mean to you?"

Silence again. I could guess what was going through their minds. What was this woman up to, they were probably thinking. Their generation was growing up knowing nothing but a turned-off, suspicious cynicism.

I repeated my question:

One hand rose waveringly. It belonged to a blonde girl in a green plaid skirt. "Your word?" she asked tremulously.

"Yes, that is one definition, but what are some other words we could use?"

"You over there," I said pointing to a boy in a blue and yellow striped shirt who was slumped down in his seat. "What does the word 'pledge' mean to you?"

"I think," he replied thoughtfully, "it means a promise."

"Yes, and to you?" I said directing my eyes to a tall young man in the far corner of the room.

"Could it mean like when you take an oath?"

"Yes."

Interest was mounting. This was no ordinary lesson. This was a challenge! Eager hands began to wave in the air. Pledge meant also "your sacred honor, like when you swear on the Bible." It meant "your duty." It meant "your responsibility." Some of the children asked if they could use their dictionaries to help, and they came up with the more sophisticated "homage."

"Now," I said, "we have talked about the title of what we are doing. Let's get on to what we really are saying when we give the Pledge. 'I pledge allegiance . . .' It is I who is pledging allegiance. Who is I? Point to I."

A ridiculously elementary exercise for sixth-graders, you say? The children didn't think so. With the simple act of each pointing to themselves, they realized that the 'I' was themselves making this pledge and all the things it means.

"We have defined what the rest of the phrase 'pledge of allegiance' means," I said, "and then we say, 'to the flag of the United States of America.' What is a flag?

"It is a piece of cloth," said one youngster, shrugging his shoulders. Some of the children snickered. I could understand where that feeling of derision for this "piece of cloth" came from. In certain circles it was being used just like an ordinary piece of material. It was being fashioned into miniskirts, sewn on the backs of leather jackets, hung on windows in lieu of drapes.

How could I get them to realize it was more than that? I was rescued by one chunky lad. "No," he bravely contradicted, "it is more than that. It is a symbol."

A symbol? Quizzical looks from the rest of the class.

"Well, what is a symbol?" I countered. A scramble for dictionaries. "Something that stands for something else," was the unanimous decision. "Like the United States of America," shouted a tall-ruddy-faced boy.

"Well," I continued, "what are the United States of America?" All 50 states together, was the consensus.

"The republic for which it stands . . ." got us into a discussion of various forms of government and led us to the conclusion that ours was a government by all the people, as opposed to other forms of government that advocated government by a select ruling class.

"Hey," shouted one student waving his arms as if to embrace the whole class, "*we* are the government. All of us."

"One nation under God . . ." We talked about the fact that we are a nation of many different religions and approaches to God; that belief in God was a personal feeling. We also discussed the fact that some people did not share this belief and that it was their prerogative to keep silent during that portion of the pledge.

"Indivisible" sent them running to their dictionaries again. They discovered that it meant we could not be divided, that we were together in this pledge. The class had recently studied the Civil War and they talked about how our country had been divided during that conflict.

"With liberty and justice for all . . ." They knew, they protested, "that a lot of people are not completely free, and that we have discrimination and that some people get away with a whole lot while others are punished. Aren't we hypocrites when we say that?"

The children were aware of civil rights demonstrations from TV documentaries, radio and the newspapers. How could I tell them we are not hypocrites when we recite the words "with liberty and justice for all"?

I decided that the answer was to remind them of their definitions of the word "pledge"—"your words," "a promise," "a vow." I told them that this equality is not completely perfect now, just as man is not completely perfect, but that they were giving "their word," "their promise," "their vow" to help make it perfect. "Yes," I said, "there's a lot to be done to bring about a more perfect equality, and you, the younger generation, will, with your pledge, bring us further along that road to perfection." Backs straightened proudly and shoulders squared. There was a feeling of responsibility and "a job to be done."

The test came when I asked the children to rise again for the Pledge of Allegiance. All 25 students rose smartly to attention. Twenty-five hands rested on 25 hearts. Twenty-five voices recited fervently to unison: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation . . . indivisible with liberty and justice for all."

At the end of the day, I filled in my report of the day's' events for the regular sixth-grade teacher. I wrote: "9 to 10 AM—Discussion lesson of Pledge of Allegiance." I hoped she would understand my skimping on math and reading time. As for me, I had a wonderful feeling of accomplishment. The math and reading time could be made up, but what we had achieved that morning, the children and I, was an understanding of something we would try to live with the rest of our lives.

THE AGREEMENT

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. NEAL. Mr. Speaker, I am very much encouraged by the accomplishments of our Secretary of State in negotiating what appears to be a major step toward lasting peace between Israel and Egypt. The United States, as well as the signators of the agreement, could be a major beneficiary of the agreement. Indeed, the whole world might breathe easier, because until there is stability in the Middle East, world peace remains a matter of grave doubt.

Very soon, we will be called upon to ratify the promises Dr. Kissinger has made in behalf of the United States. Before we do, I think we must know both the minute details of the agreement, and their long-range implications vis-a-vis the United States as a guarantor and overseer of the settlement. Before we commit Americans—however small their number—to what well may become another battlefield, we must know precisely what that obligation entails.

An editorial from the Winston-Salem Journal of Wednesday, September 3, 1975, addresses that question and others quite succinctly. I wish at this point to insert it in the RECORD and commend it to the attention of my colleagues:

THE AGREEMENT

Secretary of State Henry Kissinger has wrapped up his latest round of shuttle diplomacy with the successful negotiations of a new Egyptian-Israeli settlement agreement. The terms of the pact are pretty much as predicted: The Israelis will withdraw from the strategic Gidi and Mitla passes, while abandoning the oilfields at Abu Rudeis; the Egyptians will permit non-military Israeli cargo to pass through the Suez Canal, while pledging "not to resort to the threat or use of force or military blockade" against its longtime foe. The United States, mediator of the agreement, will now serve as the agreement's guarantor.

But if the pact's final conditions were to be expected, it is far from certain that they will be—or, indeed, should be—accepted uncritically by the American public. For something very important has happened during this series of Kissinger negotiations, and all the pooh-poohing in the world by the secretary of state and the Ford administration cannot alter its seriousness: The United States, so long a passive negotiator in the Middle East, has become an active participant in the day-to-day maintenance of peace.

On the surface, the proposed American role does not seem particularly significant. Subject to congressional approval, the United States plans to dispatch about 150 American civilians to monitor surveillance equipment in the Sinai Desert. Moreover, the United States is to insure that once the Israelis have left the Abu Rudeis oilfields, Israel will not lack for fuel during the life of the pact, even if the Arabs mount another oil embargo.

Yet of all the guarantees that could have been put forward, the United States has chosen two of the most difficult and potentially most dangerous. President Ford has already tried to downplay the commitment of technicians, but after the Mayaguez incident, he should know better than anyone what can occur when American civilians are in the wrong place at the right time. It is not enough to hope that nothing will happen or to say that Egypt and Israel want the technicians around. They do—now. What they will want later may be another story. One must assume from the beginning that the Americans sent to the Sinai might get in the way someday, and might die to a man in the desert. What then would be the American response—the passivity of the final days in Vietnam, or the violence of the Mayaguez confrontation?

The question needs to be answered up front, as does another question raised by the agreement: How is the United States supposed to guarantee oil to Israel in the event of another oil embargo? The lesson of the last boycott was—or should have been—that the United States cannot guarantee adequate supplies to itself during such a situation, let alone to an ally. Will the United States intervene militarily—say, to help Israel recapture the Abu Rudeis oilfields—should the Arabs start playing games with oil again?

There is little doubt that the new Egyptian-Israeli agreement could not have been negotiated without American guarantees. There is also no question that Kissinger and the President will seek congressional approval of the American role as guarantor of the agreement, just as they have said they would all along. But unlike the discussion that surrounded the Gulf of Tonkin Resolution, for example, the debate in Congress this time must be vigorous and unfettered. The worst should be assumed, so that no eventuality will come as a surprise, and so that the United States will be prepared to meet every contingency. If the price of peace in the Middle East is the possible loss of American lives, the possible escalation of direct involvement and the possible assumption of severe economic burdens, then let that be fully understood from the start. One may be either smart or stupid as a guarantor. The time has clearly arrived when the United States should be smart enough to know what it's getting into, and to decide now what it will do if peace in the Middle East once again turns toward boycott or war.

DELTA AIRLINES AND FREE ENTERPRISE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. McDONALD of Georgia. Mr. Speaker, the Freedoms Foundation at Valley Forge has selected an editorial from the Delta Digest, published by Delta Airlines, as one of the 33 editorials in the Nation to receive the coveted Valley Forge Honor Award. Entitled "An Old Friend Needs Support: The American Free Enterprise System Is Under Attack," it is reprinted in the August 1975 issue of the Delta Digest.

Our system is indeed under attack and I hope everyone concerned with human rights and freedom will follow Delta's advice: To become informed about the nature of our system and to begin a counter offensive in defense of free enterprise.

The article follows:

AN OLD FRIEND NEEDS SUPPORT: THE AMERICAN FREE ENTERPRISE SYSTEM IS UNDER ATTACK

Americans are today living in an era of unprecedented affluence. Yet, the very economic system responsible for this wealth is under attack, and there is frightfully little effort exerted in its defense.

The American free enterprise system has compiled an unbeatable record among the many economic systems of the world. The material benefits of our system are obvious; we are a nation occupying 7 per cent of the world's land and representing 6 per cent of the world's population, but, to list only a few of our many benefits, we have 71 per cent of the world's cars, 56 per cent of the telephones, 83 per cent of the televisions and 90 per cent of the bathtubs. The system itself is harder to measure, yet its most important feature involves its contribution to the dignity of man. Under no other system is there such a favorable climate; a climate giving man the freedom to arrange his life to mesh with his individual destiny.

Our form of government and the American free enterprise system have worked hand-in-hand for almost two centuries. This partnership has given the people of this land an abundance in both material wealth and individual freedom.

Under the American economic system, any individual or group is free to use initiative and produce and sell any commodity or service to the public. In return, the seller reaps the rewards (profit) of any success. Under this system, the nation and its people have prospered.

But today our economic system is under attack, and voices in its defense are not rising to the call. Perhaps we have lived too long under the canopy of this fantastic system and do not appreciate its advantages. We might characterize the situation as being much like the farmer and his well—"You don't miss the water until the well runs dry."

Many of the system's greatest critics display the "Only government can do it syndrome." There seems to be little effort directed toward recognizing what the system has already accomplished and is capable of doing in the future. Constructive criticism is good and desirable, but the type of criticism we are seeing today is destructive. If this continues we will see this fantastic system so shackled with restraints that it will cease to function.

Unquestionably, the system isn't perfect; it has its bad points, but what system doesn't? It has and continues to mature. No other economic system can come close to the achievements already reached under the American system.

In many countries government controls the economic system. Our individual freedoms and affluence readily point to the superiority of the American free enterprise system. Look at the government-controlled economy of Russia, the so-called "worker's paradise." If we wanted to match the Soviet's economy it would be necessary for us to first relinquish many of our rights as individuals; then cut all paychecks by 75 per cent, put 60 million people back on the farm in order to produce needed food, tear down about three-fourths of the houses in America, destroy 60 per cent of our steel-making capacity, rip up fourteen out of fifteen miles of roads and two-thirds of the railroad tracks, junk 85 per cent of all autos, and tear out nine of ten telephones. Even with all this we would still have a way to go to reach their economic level.

It would seem that many who attack our system are misinformed. One big misconception lies in the area of profits; and this is frightful! No system, especially free enterprise can operate without profits (incentive). Will Durant, writing in The Lessons of History, pointed out "Every system must sooner or later rely upon some form of profit (incentive) to stir individuals and groups to produce." Even the Russians now do this.

Imagine, if you will, what the world would be like if people such as Edison, Bell, the Wright Brothers and Ford had not lived under a system promoting individual initiative.

The attitude of many Americans toward our economic system is demonstrated in the findings of a poll conducted by Opinion Research, Princeton, N.J. This poll found that 61 per cent of those polled did not believe in profits (the life's blood of free enterprise), 83 per cent estimated profits to be as high as 50 per cent and 55 per cent advocated government ownership of businesses such as banks and railroad. In another poll, this time of clergymen, the majority consensus was that most company profits exceeded 25 per cent on the sales dollar.

The truth about profits in this country is that 4 to 6 cents profit on the sales dollar is considered good. In retailing 1½ cents is considered good. Thus, the real wealth of free enterprise goes to the workers.

Now is the time to begin a counter offensive in defense of free enterprise. Those who would destroy the system must be challenged, and the best challenge will come from a citizenry well versed on how free enterprise works. During these winter months ahead, why not spend some time reading books on the subject? You'll find material both for and against the system, but draw your own conclusions after hearing both sides.

We can save an old friend, but it can only happen if we make the effort. As the ancient Chinese proverb said, "A journey of a thousand miles begins with the first step."

MASSACHUSETTS UTILITY ADVANCES SOLAR ENERGY

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. STUDDS. Mr. Speaker, the Massachusetts Electric Co., an electric utility company, has announced that it will soon offer 100 of its residential customers an opportunity to have solar hot water heaters installed in their homes. The customers selected will benefit from lower electricity bills, and the company to learn whether it will benefit by shaving peak power loads.

Mr. Speaker, I firmly believe that installation and further development of solar and wind energy equipment must be one of our highest priorities in the energy field. I commend the decision of Massachusetts Electric Co. to conduct this experiment. If other utility companies throughout the country would make similar beginnings toward use of solar energy, its widespread use would quickly become reality. For the information of my colleagues, I submit the following article describing the experiment, which appeared in this morning's Boston Globe:

SOME ELECTRIC CUSTOMERS TO GET SOLAR WATER HEATERS

(By Paul Langner)

Massachusetts Electric Co. will offer 100 of its customers a chance to take part in an energy-saving experiment based on a technology no more complicated than heating the water in a hose.

In about two weeks the company will run advertisements on radio and in newspapers asking for customers who are willing to have solar water heaters installed on their property and are willing to put up $200 for the chance to save that much in electric bills in one year.

William J. Cadigan, president, said yesterday it is, so far as he knows, the first major effort of this kind by a utility company in the United States.

Solar water heaters are in wide use in Israel, Japan and Australia. Before cheap oil and gas became available 30 years ago, they were also common in Florida.

Technically, the installation will be simple. One or several collector panels will be set up in the yard with pipes leading from it into a tank in the house.

Because the sun does not always shine, the tank will have a supplementary electric heater that will operate when needed.

The program is to run one or two years, and the company plans to try out solar heaters made by 11 companies.

To qualify, a customer must have an unshaded place where the collector can be set up facing south, space for the tank in the house, $200 to contribute toward the cost of the installation (which runs $1000 to $1600) and be willing to let technicians come around every week or so to check things.

Cadigan said the program will cost the company $250,000 and that most of the cost will be research and development expense. It hopes to learn if in this manner its peak power loads can be shaved.

Building and maintaining standby plants for those two to four hours each day when the power load climbs sharply is one of the big expenses of any utility.

Dr. Harold Lurie, director of research for the company, said that so far there are no plans to install solar heaters to supply all of a home's electric needs. The economics are still prohibitive, he said, and "we must first learn to crawl before we can walk."

The pilot program is expected to save the participants about 50 percent on their water heating costs—75 to 80 percent in summer and 25–30 percent in winter.

Participating customers will get to keep the equipment when the program ends.

PRESIDENT FORD'S VETO OF S. 1849 WILL HAVE A DEVASTATING EFFECT

HON. ANTHONY TOBY MOFFETT

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. MOFFETT. Mr. Speaker, President Ford's expected veto of S. 1849, a 6-month extension of the Emergency Petroleum Allocation Act, will have a devastating impact on my area of the country. New England's overwhelming dependence on oil as its source of energy places it in a particularly vulnerable situation if oil price controls are permitted to expire. The Governor of Connecticut, the Honorable Ella Grasso, aptly depicts our situation in a letter to the President requesting that he reconsider his position. I insert that letter into the RECORD for the benefit of my colleagues:

AUGUST 20, 1975.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Your recently stated intention to veto legislation that would extend petroleum price controls for six months is disheartening. The impact of such action will weigh heavily on the consumers of the State of Connecticut.

The current economic situation in Connecticut is grave. Unemployment in the State of Connecticut for the month of June stood at 10.7%, the highest rate in more than a quarter of a century. Even with the prospects of continued petroleum price controls, the prognosis for Connecticut's economy is guarded.

I can assure you that we can ill afford the fiscal trauma that would be occasioned by a decontrol of petroleum prices on August 31, 1975. Repeatedly I have pointed out that Connecticut, and indeed all of New England, is heavily dependent on oil for energy. This region, therefore, is extremely susceptible and vulnerable to fluctuations in petroleum prices.

To allow price controls to lapse would add an immediate, direct cost to the Connecticut economy of about $300 million. This would amount to an average of $300 for every household in the state. Quite candidly, this simply could not be tolerated.

The only direct beneficiary of immediate decontrol would be the oil interests.

We believe it is important that the Congress and the President work earnestly in the coming months to achieve a program that will help us conserve energy, reduce over the long-term our dependence on international oil, and insure that the average consumer is protected both in the availability of petroleum and the cost.

In the interim, however, it is imperative that we continue the control of oil prices as the only protection against price escalations that will have a devastating effect on our people, and upon our economy.

With best wishes,

Cordially,

ELLA GRASSO,
Governor.

JUSTICE FOR CHRISTIANS, SOVIET STYLE

HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 3, 1975

Mr. CONLAN. Mr. Speaker, the following report has come to my attention from the Norwegian Mission to Iron Curtain countries, concerning the trial, conviction, and punishment of the Russian Christian Georgy Vins:

News has reached the West that the mother of the Russian church leader Georgy Vins, the 69-year-old Lydia Vins, in a letter to the United Nations Human Rights Commission and Amnesty International, has asked for help to have the case against her son reexamined. She requests a reexamination in the presence of the Supreme Court of the U.S.S.R. and Amnesty International.

In January this year Georgy Vins was sentenced to a 10-year imprisonment for his religious activities. The circumstances in connection with the trial attracted considerable attention, and a great number of protests and appeals were sent to the Soviet authorities, both from individuals, groups, and organizations. The International Commission of Jurists in Geneva asked to send an observer, and representatives of the Norwegian Parliament applied for visas to attend the trial.

All petitions were rejected, however, and Vins was sentenced to 5 years in a labor camp of strict regime [i.e. a 'slave labor camp'], followed by 5 years in exile [in Soviet primitive labor camps, if he survives the firm 5-year regime] and confiscation of all property. Information has been given that he will serve his sentence in Yakutsk in the east of Siberia.

The Centre for Study of Religion and Communism in London reports that the Vins family, on the 5th of March, sent a letter to the Supreme Court of Ukraina, in which they drew attention to the illegality of the trial. Vins himself had already appealed to the Supreme Court against his sentence. His appeal was rejected, but his family were not told of the decision until two weeks later—despite almost daily inquiries. The fact that Vins was in hospital during this time was also hidden from them.

The family have also been refused a copy of the official verdict by the Kiev City Court. The judge, a man named Dyshel, claimed that they only wanted the copy in order to send it to the CIA. He used harsh words against the family. They are now being shadowed and their house watched.

The Norwegian Mission to Iron Curtain countries reports that the Russian lawyer Alexander Friesen—recently emigrated to West Germany—has given the following comments:

"The trial of Vins has not been conducted in accordance with Soviet law. The sentence, therefore, is not only unjust, but illegal, because a number of points in the Soviet rules of procedure have been disregarded. This fact alone is reason good enough to carry the case to a higher court."

Mr. Speaker, American Communists express outrage about the administration of justice in Chile, for example. However, the present Chilean Government permits hostile foreign delegations to attend trials in Chile and to interview prisoners.

And when Angela Davis was in prison in the United States, charged with conspiracy to murder, she was not only allowed visitors, but was provided with a special office and typewriter. And representatives of the press, radio, and television were permitted to interview her. Even foreign observers were welcomed at her trial.

Yet the Communist movement, domestic as well as international, has the unmitigated gall to attack the administration of justice in the United States. What "phonies."

LAUNCHING OF THE U.S.S. "TEXAS"

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. MAHON. Mr. Speaker, on August 9 it was my privilege to join with the Secretary of the Navy, the Honorable J. William Middendorf II, the Governor of Texas, the Honorable Dolph Briscoe, and others in the launching of the nuclear-powered guided-missile cruiser, the U.S.S. *Texas*. The ship was christened by Mrs. Janey Briscoe, the charming wife of the Honorable Dolph Briscoe, Governor of Texas.

I was honored and pleased to have the opportunity of introducing Governor Briscoe at the launching ceremony. The principal address of the occasion was delivered by the Governor and I take pleasure and pride in placing his remarks in the Record:

Address by Governor Briscoe

This is a great day for the Lone Star State! It is with a sense of privilege and great pride that Janey and I are here today for the launching of the Guided Missile Cruiser U.S.S. *Texas*.

Not since 1948—twenty-seven years ago—has there been a ship in the fleet bearing the name of Texas. Janey and I bring with us the pride of the citizens of Texas in having a U.S.S. *Texas* once again protecting our American way of life. Today as she leaves the dock to enter the sea—the U.S.S. *Texas* carries with her a long tradition and the proud heritage written by the men who have sailed, fought and given their lives on ships bearing the name of the Lone Star State. That tradition began in 1865, with the first Texas, an ironclad ram built for the Confederate Navy. The second Texas had the honor of being the first battleship to commission in the United States Navy, and was a prime participant in naval operations in the Spanish American War.

The Battleship *Texas*, known as "Old T," fought in every theater of action in World War II. She demonstrated the fighting spirit of Texas from Casa Blanca to Normandy, from Iwo Jima to Okinawa, receiving five battle stars for her meritorious service. When her distinguished career of 34 years was finally over, patriotic Texans, including thousands of school children who gave their dimes and quarters, contributed toward Texas becoming the first State to save its name-sake ship and to preserve it for future generations.

The Battleship *Texas* and the new nuclear-powered Guided Missile Cruiser *Texas* are both visible tributes to the skill and craftsmanship of the men and women of the Newport News Shipbuilders and Dry Dock Company who built both of them.

I know that Captain Peter B. Fieldler, Jr., U.S.N., will lead his men in keeping with the great heritage left to this ship by her predecessors in the fleet, and the many patriots of the State of Texas who have dedicated their lives to the cause of liberty and independence.

One of these men, the great Sam Rayburn, once said that, "If we are to remain a force in the world or retain our liberty, I do not believe we can wrap two oceans around us and be safe or remain free."

The safekeeping of these oceans—on our borders and around the world is the responsibility of the United States Navy. The Guided Missile Cruiser *Texas* will play an important part in that safekeeping mission. One of its greatest assets is its nuclear power propulsion system. The use of this nuclear power eliminates the dependence on highly vulnerable fuel oil supply lines around the world. Conventionally powered escort ships must refuel every few days but the nuclear reactor cores in the "*Texas*" will provide power for at least ten years of operation. The strategic implication of this endurance capability alone is almost limitless.

I know that Captain Fieldler, his officers, and men of the new U.S.S. *Texas* will have the skills and courage to match these significant capabilities built into their ship and will rise to even greater heights to meet the challenges of the future when called upon to do so.

The United States Navy has met all challenges in the past, and I am confident they will continue to meet them now and in the future.

Fleet Admiral Chester W. Nimitz—a gallant commander and great Texan who so ably represented the Navy's ideals of courage, self-discipline and dedicated service to our Country, stated that "The Navy is constant and so is the meaning of sea power . . . the Navy is always learning to the end that it may always be prepared."

The U.S.S. *Texas* is an integral part of that preparation, with her name, she will carry a proud naval tradition and long and enduring spirit which is Texas—the spirit of the Alamo, of San Jacinto—the spirit of a strong people who fought alone for their freedom as a republic and have since fought to protect the freedom of the United States.

As Governor of Texas I am proud to share the great name of the Lone Star State with a great ship. As she enters her natural element and begins to form the unique personality that will be hers alone, on behalf of all of the people of Texas I wish her Godspeed and good faith that her performance of duty will be one that all Americans may be proud of.

A FALSE EDEN

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. ARMSTRONG. Mr. Speaker, as our Nation continues to drift toward socialism, a few perceptive observers have begun to call attention to the experience of the British, who have given up much of their independence "for a promise of cradle to grave security". In a pre-Independence Day broadcast, George Salem, KWGN–TV's distinguished commentator, pointed out "the fruits of that promise are bitter and degrading."

Mr. Speaker, I commend Mr. Salem's thought-provoking remarks to every Member of the House:

One Man's Opinion

(By George Salem)

There is little doubt our society is slowly but surely heading toward a benign sort of Socialism. Despite a few diehards, myself included, the pressure for more government is mounting. The will to be independent and the strength to do for oneself is on the wane. The watchwords today are, "there ought to be a law" and "why doesn't the government do something". And, when these words are uttered, there are innumerable do-gooders standing by in politics, in pressure groups and as self-seeking office holders who are only too happy to accomodate. It might be noted here that many Congressmen and Senators, point with pride, to the number of bills passed by any given session as though quantity was any criterion of quality. In essence they are patting themselves on the back for being able to impose more restrictions on you and me as individuals and industry. And, these restrictions are not concerned with criminal behaviour, but are simply regulatory in nature.

All this in the name of social improvement and all this, sad to say, on the eve of the 199th anniversary as a Republic. Another Independence Day as independence decreases, as rugged individualism is ridiculed and belittled, as the very terms, freedom, individualism and personal ambition are twisted and misused and made to appear less than desirable. It is almost as though this Fourth of July, Independence Day, should be celebrated in Requiem for the dear departed rather than with fireworks and stirring music. If the trend toward a socialistic state seems far fetched or, if the prospect does not seem all that bad, we are fortunate in having in the world today a preview of what we could become. We have but to look at England. The once proud ruler of the ocean waves, the empire on which the sun never set. The home of the independent Britisher who spread commerce over half the world and had the guts to stand up to Napoleon and Hitler in recent times. Not conquerable by force of arms, England is going under because of a liberal, socialistic assault that undermines, divides and eventually destroys. England today has an inflation rate of 25%. Unemployment is widespread, prices are high, wages are low. Imports far exceed exports putting a terrible strain on the British pound. They have no viable fiscal policy to cope with the problem and they are at the mercy of labor unions whose only thought is higher wages and benefits. The Parliament is split a dozen different ways. Medical benefits are practically free which has put a terrible strain on doctors and medical facilities. In ordinary dental checkups to catch defects before they become major ills, the wait is up to two years. . . . Militarily weak, England has pulled out of almost every strategic area of the world and without the United States they would be completely at the mercy of any nation of any size.

The British gave up their independence for a promise of cradle to grave security but the fruits of that promise are bitter and degrading. We are headed for that same false Eden. This fourth and all of the Bicentennial year of '76 would be better spent striving to rekindle the spirit of Independence that fostered our many blessings instead of celebrating something fast becoming only a memory.

AFRICAN DOUBLE STANDARD

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. ASHBROOK. Mr. Speaker, a good amount of propaganda in this country is aimed at countries in Africa, the Republic of South Africa and Rhodesia. Secretary of State Kissinger supports the reimposition of the U.N.-sponsored embargo on Rhodesia. In August 1963 the U.S. Ambassador to the United Nations announced U.S. support for a ban on the sale of arms to South Africa. Such a position was in accord with a resolution of the United Nations.

Rhodesia is an important supplier of chrome to this country. Chrome is used in the specialty steel industry among other industries.

On a number of occasions South Africa has offered the use of the Simonstown Naval Base for American naval vessels. South Africa's geographical position is one of great strategic importance.

While the United States has diligently followed the U.N.-sponsored sales embargo on arms to South Africa, other countries have not. One of these, France, continues selling weapons and engages in various licensing practices which enable South Africa to manufacture French weapons. Recently France has announced an arms ban on South Africa, but it really is one more of appearances than reality. A recent Washington Post story reported:

> They (black African states) wanted—and got—a formal gesture, to appease their own mounting embarrassment before their nationalist followers and the outside world at maintaining close ties to France when it appeared to be South Africa's chief military backer. . . . Most, including all those who traditionally rely on France for economic aid, have publicly accepted it as a genuine blow to South Africa.

It seems interesting that a large number of black African states are willing to judge France by one standard while reserving another one for the United States. Although the United States has given millions of dollars in aid to black African states, those same countries criticize and condemn any U.S. action toward South Africa which would put this country's foreign policy in that area on a more rational basis.

American foreign policy should not be determined by the double standards of a number of African states. Our policy should be to put our interests first.

At this point I include in the RECORD an article entitled "South Africa Not Hurt by French Arms Ban" from the Washington Post of August 29, 1975:

PARIS AIDS PRETORIA INDUSTRY—SOUTH AFRICA NOT HURT BY FRENCH ARMS BAN

(By Bernard Kaplan)

PARIS.—Until South Africa is able either to build the weapons it needs or to find alternative suppliers, France apparently does not plan to make strict application of its announced ban on arms sales to that nation.

France's decision to bar most arms shipments to white minority-ruled South Africa was coupled with a commitment to give aid for South Africa to make its own weaponry at home.

The chief example of this aid involves the latest version of the Mirage jet fighter, the F-1, France's most advanced military aircraft. South African engineers and designers are working long hours here with their counterparts at Dassault, the company which makes the F-1, on a program for South Africa to manufacture the plane from scratch.

South Africa already assembles its own version, known as the F-1, AZ—"Z" for Zuid Afrika. But many of the parts still must be imported from France.

Under the restrictions announced three weeks ago by President Valery Giscard d'Estaing, it is not clear whether the sale of aircraft parts is prohibited. The embargo specified "arms deliveries," other—than naval armaments. No restrictions were placed on the continued manufacture of French weapons under license by the South Africans.

Sources here say that the French had carefully prepared the Pretoria government for Giscard d'Estaing's announcement—made during an official visit to Zaire. South Africa reacted with almost total phlegm, knowing beforehand that every care would be taken to cushion any practical repercussion on its military capacity.

This aid was the South African government's price for not retaliating by reducing nonmilitary imports from France, currently worth well over $250 million in industrial products and growing, the sources added.

Little attempt was made to disguise any of this from the black African states friendly to France. According to sources, leaders like President Mobutu Sese Seko of Zaire were prepared to close their eyes to the purely nominal effect of the French action.

They wanted—and got—a formal gesture, to appease their own mounting embarrassment before their nationalist followers and the outside world at maintaining close ties to France when it appeared to be South Africa's chief military backer.

A few African governments have condemned the French arms move as a sham. Most, including all those who traditionally rely on France for economic aid, have publicly accepted it as a genuine blow to South Africa.

How little the ban was intended to be a blow can be judged from the fact that it exempted naval arms and warships.

Officially, the exemption rests on the argument that naval weapons could not be used by South Africa for internal repression. According to sources here, the real reason is that even by licensing or assembling foreign-made parts, South Africa lacks capacity for the naval strength it requires and will not possess it for many years. So naval armaments were specifically excluded from the ban.

Meanwhile, South Africa will continue manufacturing French arms under dozens of licensing agreements concluded within the past 12 years. Most still have a number of years to run. The terms of the French ban do not appear to prevent them being renewed when they expire.

One license somewhat different from the others involves the French-designed Crotale ground-to-air missile. Known in South Africa as the Cactus, its design and development has been a joint Franco-South African financial undertaking.

To fill in the few gaps which the French restrictions may create, informants here said that South Africa has started shopping around Europe.

The South Africans have quietly concluded arms deals with Spain—for mortars and rockets—and Italy—for torpedoes. Italy, sources here said, may pick up whatever business is lost to France.

THE CONTINUING TRAGEDY OF THE EXTERMINATION OF THE GREAT WHALES, THE DOLPHINS, AND PORPOISES

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. BELL. Mr. Speaker, a terrible tragedy for mankind and the entire ecosystem is now being played out on the high seas. The great whales and their close cousins, the dolphins and porpoises, are being sytematically driven to extinction by modern fishing fleets.

A great international outcry has risen against the wholesale slaughter of the last of the great whales by Japanese and Soviet whalers. This intense public pressure is beginning to have effect in Japan and the Soviet Union. Those countries may end whaling before their ruthless fleets harpoon the last whale.

But the smaller cetaceans, the dolphins and porpoises, are now being threatened with the same fate. Hundreds of thousands of these intelligent, friendly mammals have been killed in recent years. Several dolphin and porpoise species are now facing extinction.

Tuna fishermen are responsible for the needless killing of most of the dolphin and porpoise. The modern tuna boat uses a huge purse-seine net to catch yellowfin tuna. In the process, hundreds of dolphins and porpoises are usually trapped in the net. Many are unable to escape the closing trap. They drown or are mutilated by the net. The dead and dying animals are thrown to the sharks.

Japanese fishermen kill thousands of dolphins and porpoises each year for food. Japan is the only nation to actively harvest these mammals for human consumption. The Japanese consider the whales, dolphins, and porpoises to be "big fish." Of course, the family of cetaceans are not fish, but highly complex mammals with intelligence second only to man.

Japanese fishermen recently wiped out an entire school of 500 dolphins near the village of Taiji in Wakayama Prefecture. When the dolphins came swimming along the coast, six boatloads of fishermen went out and herded the dolphins into shallow waters. Then the fishermen clubbed the dolphins to death and sold them to fish dealers for $17.20 per head.

The slaughter of the marine mammals must be halted. The inadvertent killing of the dolphins and porpoises by the tuna fishermen was the subject of a story that appeared recently on the editorial page of the Washington Post. I insert the article for the information of the Congress and the public at large. The author, Lewis Regenstein, is executive vice-president of the Fund for Animals. It is adapted from his recently published and hard-hitting book, "The Politics of Extinction."

SAVING THE DOLPHINS

Dolphins and porpoises have traditionally been known for their extraordinary intelligence, their seeming love for one another and their remarkable friendliness toward man. For centuries, stories have circulated of these mammals helping primitive peoples, living along rivers or coastal areas, to catch fish, with dolphins becoming an integral part of these fishing cultures. For instance, Pliny the Elder (A.D. 32–79) has described how ancient French or Gallic fishermen used dolphins to lead them to schools of fish and then shared their catch with these friendly cataceans. According to him, the dolphins even waited in the area until the following day, to be rewarded for their efforts with bread dipped in wine.

The countless tales of dolphins cooperating with fishermen by chasing fish into their nets, once believed to be apocryphal, have now been confirmed by scientific observers. In 1878, J. Anderson described how certain Burmese villages along the Irrawady River each had their own "guardian dolphin" that "the fishermen believe purposely draws fish into their nets." In 1954, "Natural History" carried a similar account, by B. F. Lamb, of the Tapegos River Dolphin of South America. Lamb observed fishermen tapping on the side of their canoes and whistling for "their" dolphins, which appeared immediately after a miner's lamp was lit: "This same porpoise helped the fishermen in all their night fishing, scaring the fish from the deep water back to the shallows." Recently, Jacques Cousteau and his crew observed and filmed a coastal fishing tribe in Mauretania, Africa, that beats the ocean surface with sticks in order to attract dolphins, which in turn help drive schools of mullet into their nets.

U.S. tuna fishermen also use dolphins to catch fish, but they are wiping out these mammals in the process. The U.S. Pacific tuna fleet first began killing dolphins on a large scale in the 1960s, when a new "purse-seine" method of netting yellowfin tuna came into widespread use. Being warm blooded, air-breathing mammals, dolphins are found on the surface of the ocean, and some species often travel with yellowfin tuna. The new fishing method involves the use of speed boats to spread huge nets around the schools of dolphins (or "porpoises" as they are called by the fishermen), which are then drawn in to land the tuna beneath the dolphins. When this happens, sometimes hundreds or even thousands of dolphins either drown or die of shock. Although most of them could jump out of the net and escape, they appear reluctant to abandon a fellow dolphin that is injured or in distress. Mothers in particular refuse to leave their infants, so often entire families remain huddled together in the net "whistling" sonar distress calls. By 1970, in just one area of the eastern tropical Pacific, an estimated 250,000 to 400,000 dolphins were being killed each year in this manner.

In order to put an end to the slaughter, Congress in 1972 passed, and the President signed, the Marine Mammal Protection Act. This law stated that its "immediate goal" was to reduce the incidental killing of dolphins "to insignificant levels approaching a zero mortality and serious injury rate," with a two year time-table for accomplishing this requirement. In addition, the law generally prohibits the issuing of a government permit for the killing of any "depleted" species. Over the protests of conservationists, the Commerce Department's National Marine Fisheries Service (NMFS), headed by Robert W. Schoning, was given jurisdiction over the problem.

It is now obvious that the main dolphin species involved in this killing are so depleted as to be in actual danger of extinction. According to an October, 1974, report compiled by the Federal Marine Mammal Commission (MMC), the killing by 1974 was continuing at a rate of at least 100,000 dophins a year, and some authorities feel that double that figure might be more accurate. (Since NMFS has refused to place observers on most of the tuna boats, these estimates are minimal and are probably much lower than the actual mortality.) The government report concluded that the killing "represents an unacceptably high level of mortality, both in terms of the specific charge of the Marine Mammal Protection Act . . . and in terms of the overall protection and conservation policies and objectives of the Act to maintain the health and stability of the marine ecosystem."

NMFS is well aware of what is happening to the dophins. A 1974 study prepared by NMFS reports that one dolphin species—the so-called spotter porpoise (*Stenella attenuata*)—may be "30% to 80% lower than the pre-exploitation population in the early 1950's." The report indicates that the other dolphins, such as the spinner porpoise (*Stenella longirostris*), are also in grave trouble; and the Marine Mammal Commission concluded in its study that "it is clear that mortality of both [these species] must be reduced significantly in order to ensure, with reasonable probability the safety of the basic porpoise stocks."

Still NMFS Director Robert Schoning refuses to act to eliminate the slaughter. Under intense lobbying pressure, NMFS has issued rules and regulations largely designed to placate the powerful tuna industry, namely Ralston Purina, Star Kist, H. J. Heinz, Bumblebee Seafoods, and the American Tunaboat Association. The industry is represented in Washington, D.C. by the well-connected law firm of Covington & Burling, and by lobbyist George Steele. Besides violating the Marine Mammal Protection Act, NMFS is also in violation of the Endangered Species Act of 1973, which requires the agency to protect not only endangered species, but also any species that is "threatened"—"likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Despite the overwhelming, incontrovertible evidence that these dolphins are moving toward extinction, none of them has been proposed for the threatened or endangered lists.

The yellowfin tuna caught by using dolphins accounts for only 10 per cent to 15 per cent of the tuna sold in the U.S. It is clear that the tuna fishermen will soon have to stop setting nets on dolphins in any event, for they are rapidly running out of these remarkable creatures. In addition, Project Monitor, a coalition of conservation and environmental groups in Washington, D.C., headed by Col. Milton Kaufman, has filed suit, through Environmental Defense Fund lawyer Richard Gutting, to force NMFS to halt substantially the killing and require government observers on the tuna boats to ensure that the law is adhered to.

In the meantime, greedy, short-sighted tuna fishermen are continuing to push these species of dolphins towards extinction, while indifferent government bureaucrats, with the responsibility for protecting them, look the other way.

OCTOBER LEAGUE NATIONAL CONVENTION

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. McDONALD of Georgia. Mr. Speaker, the October League—Marxist-Leninist—a self-proclaimed Communist organization devoted to Mao Tse Tung's variety of communism, held its third national congress in Epes, Alabama, June 28–29, 1975, at the Federation of Southern Coops.

In its "Manual of Open and Secret Work" distributed this May, extensive sections of which I have previously placed in the CONGRESSIONAL RECORD, the October League—OL—states:

> * * * our organization is out to overthrow capitalism. * * * we are democratic centralists. * * * our members are cadre striving to become professional revolutionaries.

The OL's National Preparations Committee for the Congress, headed by Central Committee members Sherman N. Miller and Lynn Wells in Detroit, issued preconvention discussion papers and a call. The October League's Central Committee also issued a report on the conference which was made available to me during the recent recess in my district.

The October League Central Committee's "Call for Third Congress of the OL began:

> It has been more than a year since our last Congress in July of 1973. Since that time, excellent progress has been made towards our objectives of (1) constructing the foundations for a new Communist Party; (2) strengthening and expanding the anti-imperialist united front and (3) developing revolutionary work among the proletariat and the oppressed nationalities.

Later this report states:

> The period since the last Congress has witnessed the rapid growth of our organization. * * * Hundreds of new members have joined our ranks from the working class, the oppressed nationalities, the revolutionary-minded students and intellectuals as well as from the most dedicated sections of the Left. We have more than surpassed the quotas set last July for recruitment and the class make-up of the OL has changed greatly from that time. During this past year, we have waged a

determined struggle against revisionism and ultra-leftism. * * * we have succeeded in thoroughly exposing the neo-Trotskyist Communist League and the social-chauvinist Revolutionary Union. * * * we have succeeded in forging unity with many other groups and organizations and individuals and have won many of them to our ranks. Relations between us and the rest of the communist movement have deepened and the conditions for organizational unity with the majority of honest revolutionaries in the country have never been greater.

At the meeting, "messages of solidarity from fraternal—Maoist—organizations" were reported as being received from revolutionary groups in Sweden, India, Italy, Britain, Germany and Norway; from the Revolutionary Student Movement of Quebec; and from such U.S. groups as the J-Town—Japan-Town—Collective in San Francisco and the August 29 Movement—ATM.

The OL Congress was opened by Chairman Michael Klonsky, who commenced with the announcement that the OL would move forward with its plans to build the new Maoist Communist Party in this country. Klonsky set forth as the main task of the meeting of OL's highest body the consolidation around a general line for building that new pro-Chinese Party.

Klonsky delivered a vitriolic polemic against the "revisionist, social imperialist" Communist Party, U.S.A., the party his father, Robert continues to serve faithfully. In part Klonsky said:

> At this very moment, here are actually two Congresses taking place. The scab Convention of the CPUSA has had a lot of publicity in the capitalist press—while our Congress has been organized secretly with no fanfare. They are celebrating the bourgeoisie's anniversary with a big bi-centennial celebration and will come out with a slate of candidates for the 1976 elections. We will leave this Congress with our revolutionary tasks clear. Their convention represents the decadence of the bourgeoisie and will certainly prepare for an even greater assault on the Marxist-Leninists. We welcome their assault. Though they are still much bigger, Marxism-Leninism is invincible and is becoming a material force among the masses. They can't ignore us!

With such an opening speech, it is not surprising that the principal resolution of the October League Congress had three main theses:

> (1) party building has become a question of immediacy.
>
> (2) the OL should begin to accelerate its efforts towards the organizational formation of the new party, and
>
> (3) the present period calls for a shift in our party building work to emphasize on the organizational forging of the party itself.

The OL Congress received reports from the organization's various "commissions"—Political, Chicano, Puerto Rican, Women's, Afro-American, and Trade Union.

In delivering the report of the OL Trade Union Commission, Charles Costigan said:

> Making every factory a fortress of communism is the goal of our labor work. Our experience has shown that it is not enough to take up the immediate demands of the workers—these must be linked to the final aims. A good example is Fremont [GM's Bay Area facility]. The Brotherhood Caucus gave us a lesson. We didn't build the revolution daily so the workers found it hard to distinguish between us and Early Mays."

Costigan continued, proclaiming that "the national question is the cornerstone of our labor work"; and stressing the importance of making a frontal attack on the Communist Party, U.S.A. in the labor movement, both in theory and in practice.

Other October League "main speakers" at the national meeting included Dan Burstein, recently returned from a visit to Communist China, who not unexpectedly delivered the presentation on the international situation; Jill Gemmill, leader of the Central Committee's National Women's Commission and a member of the National Coordinating Committee of the Coalition of Labor Union Women—CLUW—Yolanda Sharizi, operator of the OL's Unidos Bookstore in East Los Angeles who introduced the Chicano resolution; Odis and Ruth Hyde, old Stalinists formerly active in the CPUSA who find Mao Tse Tung thought more congenial; Nanny Leah Washburn, an Atlanta OL activist now in her seventies who traveled to China with an October League Women's delegation in 1973; Lynn Wells; Eileen Klehr; Sherman Miller and Robert Berschinski yet another OL China traveller.

An analysis of the October League's convention materials indicates the area of most immediate organizing will be the formal creation of the new Communist Party. Other areas of future OL activity documented in the materials include:

> Support for the Puerto Rican independence movement, coupled with an attempt to reduce Cuban (pro-Soviet) influence on the Puerto Rican revolutionary groups;
>
> Militant attacks on the Communist Party, U.S.A. for its pro-Sovietism;
>
> Support for the organizing and boycott activities of the United Farm Workers of America (UFW);
>
> Support for women's liberation issues, coupled with attacks on "bourgeois" feminist movements such as the National Organization for Women (NOW) and an effort to expand OL influence in the Coalition of Labor Union Women (CLUW);
>
> The building of "a network of sympathizers" around every OL unit, where chapter or front;
>
> Total and uncritical support for the positions of the People's Republic of China, with attacks on the United States–U.S.S.R. détente.

As a part of its party building effort, the October League will expand its monthly "official political newspaper," the Call, first to a biweekly, and later to a weekly publication.

The October League Central Committee was expanded to 15 full members and 3 alternates. The executive committee was also expanded and their policies changed from "collective decisions" to a "division of labor." As a part of this variation, Organizational and Political Bureaus were formed and a general secretary's post created.

October League sources indicate that the top leadership, "half women and minorities," presently includes:

Michael Klonsky, chairman; Fred Klonsky (Michael's younger brother); Patricia Klonsky—wife of Fred—Robert W. Berschinski; Charles Costigan, leader of the OL Trade Union Commission; Odis Hyde; Eileen Klehr; Sherman N. Miller; Yolanda Sharizi, Chicano Commission; Ramon Morales, Puerto Rican Commission; Dan Burstein; Jill Gemmill, Women's Commission; and Lynn Wells.

Following the October League national meeting, central committee member Charles Costigan of Atlanta led what Peking's New China News Agency called a "U.S. workers delegation organized by the October League—Marxist-Leninist" to the Communist Chinese capital for what was euphemistically termed "a friendly visit." Costigan's delegation arrived in Peking on August 7 for an extended visit.

Insight into the October League's revolutionary fanaticism may be obtained from examination of some of the lyrics of one of its songs, which were submitted by OL's Boston district. The song, "Let's Move On," is to the tune of "Bandera Rosa" or "Avanti, Populo" and some verses follow:

Social imperialism cannot survive,
As world revolution continues to thrive.
(Repeat.)

REFRAIN

So let's move on and smash bourgeois rule,
With a new communist party as our mighty tool.
United with the masses of every land,
Proletarian internationalism's our firm stand!!

* * * * *

Using armed struggle and building class warfare, we'll smash imperialism and gain our rightful share.
(Repeat.)

* * * * * *

We are members of the October League;
In the communist movement we're taking a lead.
To build a party is our goal;
We'll make a new world and smash the old.

A PRACTICAL APPROACH TO LAND USE PLANNING

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. BROWN of California. Mr. Speaker, the purpose of my remarks today is to bring to the attention of my colleagues and the readers of the CONGRESSIONAL RECORD a remarkable document on land-use planning that can be used as a handbook for effective legislation. The reason I find this document unusual is that it is the consensus, and I stress the word consensus, report of a unique group of conservationists and business persons who served together on the California land-use task force. Their consensus findings were not what one would expect from a divergent group who held a variety of strong beliefs, and represented a broad spectrum of special interests. Instead of being vague and tentative, this report is specific and forceful on the need for new legislation to deal with land-use issues.

The preface to the report, "The California Land: Planning for the People," describes the background of the report as follows:

> This report is the result of twelve months of study and debate by the California Land-Use Task Force.
>
> In it we set forth a plan of action for dealing with the complex problem of land-use planning in California.
>
> It is addressed to Governor Edmund G. Brown, Jr. and his Administration; to the members of the California State Legislature; to elected local officials; and to the people of California.
>
> In preparing this report we have looked closely at how and where decisions which affect the use of land are made.
>
> We have concluded that the lack of comprehensive land-use planning is a major impediment to the kind of future we want for California. It lies at the root of many of California's major problems, environmental, social, and economic. It demands our serious attention, and the work must begin immediately.

The authors go on to say:

> The California Land-Use Task Force came together with the conviction that land use was of common concern to the many divergent interest groups within the state: that it should be possible for representatives of these groups to sit down together to explore problems, clear away misunderstandings and arrive at some fundamental points of agreement on what steps California should take toward comprehensive land-use planning.
>
> Our report is a consensus document resulting from an attempt to accommodate different points of view. There were, of course, many issues on which we disagreed. But the refreshing discovery—which made the entire experience valuable and productive—was that there were more areas of agreement than disagreement.
>
> Therefore, we believe that the conclusions of this report are both solid and encouraging. We believe that the new methods suggested here will work and that they are seriously needed. We urge that they be enacted into law. We recommend them to you.

Mr. Speaker, I am fully aware of the political controversy that surrounds national land-use legislation, and the fact that the Committee on Interior and Insular Affairs has already rejected a bill this year. Some have considered the action of the Interior Committee a final chapter in the debate which has gone on for over 6 years in the Congress. Such a belief would be foolish, given the fact that the problems this legislation was meant to address remain, and as long as the Federal Government continues to influence land uses through the variety of direct and indirect programs it supports, the need for a coordinated approach will remain. It is unfortunate that this simple fact, thus stated, leads some to charge that Federal control of local land-use decisions will result. The problems at the Federal, State, and local levels are similar, but not the same. As the report of the California land-use task force points out, the level of control should be at the level most capable of dealing with the problems in a particular situation. Thus, under Federal legislation, Federal planning decisions are made only on matters of national importance, State planning decisions are made only on matters of statewide importance, areawide planning takes place for regional problems within the framework of State and Federal guidelines, and local planning occurs within the framework of necessary regional, State and Federal guidelines.

This issue has become polarized, but the problems remain, and sooner or later the Congress will have to face up to the need for effective legislation.

The introduction to "The California Land" sums the situation up as follows:

> Of all the great issues before us today, land use may be the least understood. Yet land is the basic resource, and in one way or another all of the problems which the human race must confront in this century—problems of food, housing, energy, resources, population—lead us to the central question of how the land is used.
>
> Land use cannot be labelled as merely an "environmental" issue. It is far broader than that. It is a fundamental human activity which affects every business person, worker, and consumer.
>
> In the past Californians have taken an interest in land-use problems, but they have only looked at some small part of the over-all picture: at the need for open space, the problems of power plant siting, or the preservation of a unique natural resource, for example. And they have responded with single-purpose programs. There is little evidence, so far, of any understanding that these many land-use problems and their resolution tie in with one another and depend on one another—that they are, in fact, different aspects of the same problem.
>
> It is time to take a look at the whole picture, and to begin to create a comprehensive process for deciding how the land of California is to be used. Failure to do so would be a tragedy for present and future generations.
>
> Already there are alarming signs that the land is in danger: that many of the natural qualities that have brought people to California, made it such a rich and productive part of the Earth, are deteriorating.
>
> California's farmland is being converted to urban uses without thought for the future needs of the state.
>
> While suburbs expand across vacant lands, older downtown areas are rapidly declining.
>
> At the same time, the housing shortage—especially for people of low and moderate income—increases.
>
> Air pollution continues to cause severe damage to humans and crops.
>
> Our store of natural resources dwindles rapidly, unable to keep up with ever growing demands.
>
> Meanwhile, the energies of business people, developers, conservationists and elected officials have been absorbed in wasteful disputes over particular land-use issues. Decisions are often years in coming and rarely satisfactory to all concerned.

This summarizes the problem quite well, but much more can be said, and should be said, about each of the smaller, but interrelated subjects of energy, agriculture, resources, transportation, cities, housing, compensation, and taxation. The report by the task force does this, in a short but informative way, and adds much to the understanding of this subject. After hearing about the complex mix of issues considered by the land-use task force one might ask what possible consensus can be reached?

The following guidelines for the drafting of legislation which were adopted by the task force help answer this question:

> First, the state must decide not only what lands are suitable for policies of preservation and conservation but also what lands are suitable for policies of development. There should be explicitly stated goals for needed construction. Merely negative or restrictive land-use policies are not enough.
>
> Controls on land use must be guided by an articulate set of goals and policies that make it clear what patterns of land use are desired and why. These should specify economic, social, physical and environmental objectives for the present and long-term future and should set priorities among these objectives. Land-use plans must address social problems which lie outside the strict definition of "land use."
>
> Planning is an integral part of government at all levels. It must be area-wide as well as state-wide and local.
>
> Land-use plans must be binding, first of all, on the actions of state government. State agencies have done much to shape land use by their spending policies and their decisions on what to build and what not to build. State agencies should be required to operate in accordance with a state land-use plan, and this alone would be an enormous step forward.
>
> State planning must consider all the land. We do not support the "critical area" approach to state planning. All parts of the state are interrelated to some extent and state policy must consider the entire land area. This does not mean that the state itself must directly regulate every acre, but a policy which judges only certain lands to be "critical" and therefore worthy of state attention is inadequate.
>
> When planning procedures and controls are established, the Legislature must appropriate the money to make them work. This may seem obvious, but in the past there have been many dramatic reforms that have failed because of inadequate financial support.
>
> The planning process should be decision-oriented and controls must be clear. Each planning job should be assigned to some level of government with specific accountability and responsibility. There should be procedures for quick and fair decisions when land-use conflicts arise. Explicit standards should be set so that all interested parties can be reasonably sure of where they stand.
>
> The Governor must be involved in the planning process. The plan should reflect current policies and result in appropriate executive actions.
>
> The Legislature must be involved in the planning process; it should create the necessary land-use planning structures and provide appropriate policy guidance on a continuing basis.
>
> Citizens must be involved in the planning process. The plan should reflect the needs and aspirations of people, and there should be suitable channels of communication established to facilitate public participation.
>
> The state should also maintain a statewide bank of data on land-use planning as public information, available and easy to use.

The full report of the California land-use task force recommended several specific legislative actions that the State of California can take. I will not list them here, but I will say that they are more detailed and better structured than are the proposals for Federal law.

This report is, as I said earlier, remarkable because its recommendations are the consensus findings of divergent, often clashing viewpoints, but, in spite of this broad base, the recommendations are specific and urgent.

The Congress, which has dealt unsuccessfully with this problem for years, could learn from the California experience. The Planning and Conservation Foundation, which funded the California land-use task force, has set an example that national associations involved with land use, from the Sierra Club to the chamber of commerce, would do well to follow.

At this time I wish to list the authors of the report, who are the members of the task force, to give them the recognition they deserve for a job well done.

The California Land-Use Task Force

The members of the California Land-Use Task Force are listed here with the organizations with which they are affiliated. Their personal endorsement of the conclusions of this report in no way implies the endorsement of their organization.

Richard A. Wilson, Chairman, the Planning and Conservation Foundation.

Richard A. Reese, Vice-Chairman, the Irvine Co.

John W. Abbott, Richard Grant, California Tomorrow.

Edmund Atkins, City Planner.

David Fogarty, Ralph Crouch, Southern California Edison Co.

James F. Dickason, Thomas L. Sutton, Jr., A.I.A., the Newhall Land and Farming Co.

Marjorie W. Evans, Bank of America.

Stephen D. Gavin, Cynthia Maduro Ryan, Pacific Mutual Life Insurance Co.

Carlyle W. Hall, Jr., Center for Law in the Public Interest.

Ira D. Hall, Mid-Peninsula Coalition Housing Fund.

E. S. Hamilton, Standard Oil Company of California, (Chevron Land and Development Co.).

Huey D. Johnson, Gregory Archbald, the Trust for Public Land.

David Kerrigan, the Irvine Co.

Janet Lyders, League of Women Voters of California.

Gladys Meade, California Lung Association.

Paul Plett, Security Pacific National Bank.

Roy Potter, San Diegans, Inc., Cal-Chapter, American Institute of Planners.

Ronald B. Robie, State Water Rescources Control Board.

Cecile Rosenthal, Sierra Club.

Barton W. Shackelford, Nolan Daines, Shiraz Kaderali, Pacific Gas and Electric Co.

Ludlow Shonnard, Jr., Reine J. Corbeil, Southern California Gas Co.

Rocco C. Siciliano, Peter L. Lacombe, the TI Corporation (of California).

Dwight C. Steele, Attorney-at-Law.

William M. Wilcoxen, the Planning and Conservation League.

WHY EXONERATE ALGER HISS?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. ASHBROOK. Mr. Speaker, I am astonished by the recent efforts to rehabilitate the reputation of Alger Hiss. After a space of more than 25 years, voices are again being raised that Hiss was an innocent man.

This is pure hogwash. There is no reasonable justification for changing our attitude toward the Hiss perjury conviction.

Rather than facts, the argument seems to be that Richard Nixon's downfall in 1974 somehow proves Hiss innocent in 1950. Such connection is illogical to the point of absurdity.

Hiss has never explained the damaging evidence that led a jury to vote for his conviction. For a quarter of a century we have waited in vain for an explanation or rebuttal. Yet, despite this failure, Hiss now urges the American people to believe his innocence.

Alger Hiss does not deserve exoneration. His conviction for perjury was justified in 1950 and it is still right today.

Following are two excellent articles on this subject by columnists James J. Kilpatrick and William F. Buckley:

[From the Washington Star-News, Aug. 7, 1975]

Sanctification of a Consummate Liar—Hiss

(By James J. Kilpatrick)

A movement is gaining momentum for the sanctification of a consummate liar, Alger Hiss by name. Before the movement gets completely out of hand, a few words of caution, remonstrance and reminder are in order.

The judgment of "liar" is a jury's judgment, returned in January, 1950 after two long trials. Now Hiss, at 71, is seeking once more in the court of public opinion to overturn that verdict. A few days ago he obtained access to certain evidence against him. Before long, we will be awash in fresh charges that the FBI rigged, stacked and fabricated the case against Hiss, and such is the gullibility of a disenchanted public that some of these self-serving charges will gain credence.

Because a whole generation has grown up since the Hiss case began, a brief recapitulation may be useful. The case involved two men. One was Alger Hiss, who in 1948 was slim, elegant and urbane, a rising star in the nation's public life. He had every respectable credential. He was John Hopkins, Phi Beta Kappa, Harvard Law, a onetime clerk to Justice Holmes, secretary to the American delegation at Dumbarton Oaks, adviser to Roosevelt at Yalta, Secretary-General of the UN Conference at San Francisco.

The other was Whittaker Chambers, who in 1948 was pudgy, passive and obscure, a senior editor for *Time* magazine. He had nothing going for him. Born in Philadelphia in 1901, Chambers was a student radical, a runaway, a postwar leftist who in 1925 joined the Communist party as a paid functionary. He was a man with a disreputable history of false names, petty theft and atheism. In 1938, after four years of espionage and infiltration in Washington, he broke absolutely with the Communist party.

Twenty-seven years ago this month, Chambers was summoned to testify before the House Committee on Un-American Activities, which was then investigating Communist infiltration of government offices. Chambers identified Hiss as a member of a secret Communist cell. Hiss denied this absolutely.

One of the two men plainly was lying. Under the prodding of a young California congressman, Chambers patiently unfolded his story: As a party functionary, he had known Hiss intimately, had stayed in his home, had transmitted stolen documents. Testing his credibility, the young congressman asked rapid-fire questions of Chambers about Hiss and his wife and family, their hobbies, pets, cars, furnishings, nicknames, places of residence.

Hiss at last admitted having known Chambers, but not as a party functionary. Hiss's story was that he had known a deadbeat freelance writer by the name of "George Crosley," to whom he had briefly sublet his Georgetown house in 1934. He identified Chambers as "Crosley," but later, before a grand jury, he would deny ever having given Chambers government documents. The perjury conviction stemmed from that denial. Hiss served 44 months of a five-year sentence.

An enterprising publishing house, interested in bringing out a work of high drama, might consider a documentary reprise of the House hearings and the New York trials. This was confrontation worthy of any Sophocles or Shakespeare. Chambers, the witness, had but one purpose—to testify to the evil of communism, and to warn complacent Americans that they must come to grips "with a secret, sinister and enormously powerful force whose tireless purpose is their enslavement."

Chambers sensed from the outset that he himself was doomed. He lost his job and his health. In the second trial he heard his sanity questioned. A target of vilification and scorn, he died in obscurity on his Maryland farm in 1961. The renewed effort to establish the innocence of Hiss necessarily must seek anew to prove the guilt of Chambers. And Chambers no longer is around to speak for himself.

Whittaker Chambers was America's Solzhenitsyn—an intellectual who knew communism closely, at first hand, and saw with terrible clarity the absolute evil of Communist ideology. A gentle man, he never sought to destroy Hiss as a person. For months Chambers resisted opportunities to speak of actual espionage. Chambers wanted only to bear witness for freedom, and against slavery. One day his greatness as writer, thinker and human being will be recognized.

On his new road to martyrdom, Hiss will get some mileage from Chambers' association with the California congressman of 1948. The reasoning is that because Richard Nixon lied 1972–74, therefore Whittaker Chambers lied 1948–50. The reasoning is phony, slippery and sly, which, coming from Hiss, is exactly what one would expect.

[From the Washington Star-News, Aug. 8, 1975]

What Some People Won't Believe About Hiss

(By William F. Buckley, Jr.)

I suppose if Jack Ruby had enough free lawyers bobbing about him, plus a phony civil liberties committee, plus half the native egghead population desperate to believe him innocent, they would have us all believing, in due course, that he didn't in fact kill Lee Harvey Oswald that it was his double, or else a plot by the networks, or by Curtis Lemay.

When you think of it, it is hard to get unanimity of opinion on the guilt of anybody. It is an old story nowadays that Oswald didn't kill the first Kennedy, a not-so-old but robust thesis that Sirhan didn't kill the second Kennedy; there is growing suspicion that James Earl Ray didn't kill Martin Luther King, that what's-his-name wasn't the real culprit in the attempted killing of George Wallace, that Bruno Hauptmann didn't really kidnap the Lindbergh baby, that the Rosenbergs weren't really guilty, that the people who were hanged for it weren't really accomplices of John Wilkes Booth—on back through Dreyfuss, to Socrates himself (who was in fact guilty under Athenian law).

All the more useful, under the circumstances, is an article of overwhelming sobriety published in the current issue of Commentary magazine. It is called very simply, "Was Alger Hiss Guilty?", and it could have been written by a computer, so dry and factual is it, so obsessively concerned to drain every last bit of bias out of the recounting of the story.

In fact it is written by a professor of law at Cornell, Mr. Irving Younger, who had served as an attorney in private practice and as an assistant United States attorney and as judge in both the civil and criminal courts in New York City. Mr. Younger has taught Evidence at both Columbia and New York law schools and he says that the question: was Alger Hiss guilty? requires, finally, that you the juror take a position concerning 10 contradictions on which Hiss and Chambers gave conflicting evidence that emerged from the sea of testimony.

Mr. Younger concludes that in respect of the first five the evidence is moot: you cannot find against Mr. Hiss without reasonable doubt. The sixth weighs in favor of Hiss. The seventh, eighth, ninth, and tenth convict Hiss.

Number seven was the famous rug, given by Chambers to Hiss as an expression of gratitude from the Communist party. Independent testimony confirms that the rug was bought, and accepted by Hiss. Hiss's explanation of his possession of it was unreasonable beyond a reasonable doubt.

The eighth was the matter of Hiss's giving Chambers $400 to buy a second-hand car. The records reveal that Hiss withdrew $400 in cash four days before Chambers paid $400 in cash for a car. Coincidence is unreasonably strained, given the surrounding narrative, by insisting that the two transactions were discrete.

The ninth was the earlier transfer of Hiss's old Ford, which he desired philanthropically to donate for the general use of a Communist operative. Hiss said he gave the car to Chambers. The records show that Hiss himself signed a transfer assigning title to the Cherner Motor Company which thereupon reassigned the car to one William Rosen, but left the transaction out of the record books. William Rosen, summoned to the stand, refused to say whether he was a Communist.

We approach *Gotterdammerung*, namely the typewriter. A huge amount of publicity has been given to the typewriter, the insinuated assumption among pro-Hiss people being that either Whittaker Chambers himself forged the typewriter, or else that the FBI did. Every time there is a press conference on the matter, it is suggested that any day now it will be established that the typewriter presented at the trial was a forgery. But any day has a way of never coming.

What is especially tantalizing about it all is that preposterous though it is, it wouldn't actually alter the matter if it happened to be so. Because what nailed Hiss was the indisputable identity between the typewriter used in the mid-Thirties by Priscilla Hiss to write letters to Bryn Mawr on alumnae business, and the typewriter used during the same period to write paraphrases and copies of secret State Department documents turned over to Chambers.

Perhaps the next step is for one of Alger Hiss's lawyers to claim that Whittaker Chambers posed as the secretary of the Bryn Mawr Alumnae Association in 1938 for the purpose of ambushing Hiss in 1948. I have no doubt there are many people around who would believe it.

WELCOME TO REV. ROBERT T. CASEY

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. FISHER. Mr. Speaker, I am very pleased to note that today's invocation was delivered by the Rev. Robert T. Casey, pastor of Culmore United Methodist Church in Falls Church, Va. I wish to thank Mr. Casey for the very inspiring prayer he has offered on our behalf.

The Reverend Casey is a native of Williamsburg, Va., who attended the College of William and Mary, Emory University, and Union Theological Seminary in Richmond. In the last 20 years he has served four Virginia congregations and has been the pastor at Culmore United Methodist since 1972.

Among his many church activities are memberships in the Board of Education of the Virginia Annual Conference, the Committee on Camps and Conferences, the Corporate Board of United Methodist Homes, and the Virginia Conference Credit Union. He is also a past president of the Clergy Association of the Richmond area.

I would like to welcome into this Chamber the Reverend Casey, his gracious wife, the former Marilyn Carter Thompson of Atlanta, and their children, Brian and Helen.

GRAIN SCANDAL SHOWS NEED FOR LEGISLATION—V

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. SMITH of Iowa. Mr. Speaker, prior to the August recess I included in the Record some material on the massive grain scandal in New Orleans and elsewhere, and pointed out the need for corrective legislation.

The House Agriculture Committee is scheduled to open hearings September 18 on bills to amend the U.S. Grain Standards Act. These include my bill, H.R. 8764, the full text of which appears in the Congressional Record for July 18, starting at page 23553.

On August 5, a Federal grand jury indicted 11 persons on charges of Federal income tax evasion in connection with the grain scandal. Two days later, the same grand jury indicted 22 persons and a grain exporting firm on conspiracy and fraud charges.

A new grand jury has been chosen in New Orleans and the investigation is continuing.

For the benefit of my colleagues, I am including in the Record articles by James Risser, a Washington correspondent for the Des Moines Register, that describe the indictments returned in New Orleans in some detail.

The articles follow:

[From the Des Moines (Iowa) Register, Aug. 6, 1975]

Eleven Indicted on Tax Charges in New Orleans Grain Probe

(By James Risser)

New Orleans, La.—Eleven men, accused of profiting secretly from massive thefts of grain by rings of grain company and inspection agency employes, were indicted here Tuesday on federal income tax evasion charges.

A federal grand jury that has been investigating a grain inspection scandal in the New Orleans area for 18 months, charged that the 11 failed to pay a total of $251,581 in taxes on $713,840 of income from the sale of stolen and non-existent grain.

The defendants include present and former elevator officials for three grain elevators, as well as two inspection agency employes, a grain barge dispatcher, and a Mississippi River tugboat captain.

JURY TO RETURN

The elevator employes worked at St. Charles Grain Elevator Co. in Destrehan, La. (owned by Archer-Daniels-Midland Co. and by the Garnac Corp.); at the Mississippi River Grain Elevator Co., Myrtle Grove, La., which is controlled by an Italian firm, and at the Bunge Corp. in Destrehan.

The indictments were returned before U.S. District Judge Herbert W. Christenberry, who instructed the grand jury to return Thursday for what the U.S. attorney's office described as "further deliberations."

Additional indictments are expected then. The grand jury's term expires at the end of next week, and a new jury already has been impaneled to continue the investigation.

To date, 38 persons and companies have been indicted here on charges of conspiracy, bribery, fraud, theft and other crimes in the inspection, shipping and handling of U.S. export grains.

"ONLY THE BEGINNING"

U.S. Atty. Gerald J. Gallinghouse said Tuesday the indictments are "only the beginning" in what is expected to be a lengthy probe of the entire grain business here at the nation's largest grain exporting point.

Gallinghouse urged that federal attorneys elsewhere press investigations of their own into grain handling. He particularly mentioned Houston and Galveston, Tex. Five inspectors were indicted in Houston in March on bribery charges, but none has yet been tried.

As is common in income tax cases, the indictments handed down Tuesday contained only sketchy details of how the defendants obtained the income on which they failed to pay taxes, in various years from 1969 to 1974.

But it was understood that at least some of the defendants had taken part in a complex grain theft ring, described in previous press accounts, in which bargeloads of grain were diverted from their intended destination at large export elevators and were sent instead to a small, local elevator which acted as a "fence" in receiving and selling the stolen grain.

The two Bunge employees charged Tuesday—elevator superintendent Drebing Arlington Negrotto, Jr., and elevator manager Harry Otto Dolsen, Sr.—also had been indicted July 21 on charges of conspiring to commit systematic thefts of millions of dollars worth of grain.

The Bunge firm, which also was indicted at that time, has said that all 13 Bunge employees charged then have either retired, resigned or been suspended.

Tuesday's indictments charged that Negrotto failed to pay taxes of $9,898 on $48,488 which he "received for his participation in the theft of grain."

Dolsen failed to pay $14,839 in taxes on $34,510 of income also derived from grain thefts, the grand jury alleged.

Two assistant superintendents at the St. Charles Grain Elevator Co. were indicted Tuesday—Cologero Cosimo Portrera, Sr., and Joseph John Palmisano, Sr.

Portrera allegedly evaded payment of $50,814 in taxes on income of $150,350, and Palmisano failed to pay $48,451 on income of 149,429, the grand jury said. The money allegedly came from the two defendants' "participation in the fraudulent sale of non-existent grain" in 1973 and 1974, according to the indictments.

Charged along with Portrera and Palmisano was Robert Paul Nicholas, a weighing supervisor for the South Louisiana Port Inspection and Weighing Board, Inc., a private inspection agency which weighs and grades grain at the St. Charles Elevator.

Nicholas failed to pay $46,708 in taxes on income of $149,405 from the fraudulent sales, it was alleged.

A spokesman at the St. Charles firm said Portrera and Palmisano resigned July 30, and that Nicholas left the inspection agency shortly before that.

Employes of the Mississippi River Grain Elevator Co. who were indicted are Edward Henry Fleetwood, Louis Henry Rachal, and Jesse Michael Rosen.

Fleetwood, identified as chief weigher at the elevator, failed to pay $15,414 in taxes on $25,118 received from the sale of stolen grain between 1971 and 1973, the grand jury charged.

Rachal, assistant elevator superintendent, evaded payment of $4,163 in taxes on $15,377 of income, it was alleged.

Rosen, who was superintendent of the elevator, failed to pay $2,822 in taxes on income of $5,709 from a "wrongful grain transaction," it was charged. Rosen went to work last January for Cook Industries, Inc., an international grain firm, as superintendent of Cook's elevator at Portland, Ore.

A spokesman at Cook headquarters in Memphis, Tenn., said "we have no knowledge of these allegations" but added that "Mr. Rosen has been suspended."

Indicted along with the Mississippi river grain officials was Pivon Leon Dupuy, assistant chief grain inspector for Delta Weighing and Inspection Bureau, Inc., which inspects grain at the elevator, He was alleged to have evaded paying $26,831 in taxes on income of $47,500 from stolen grain sales.

The grand jury also charged Herbert Joseph Hotard, a dispatcher for the Sioux City and New Orleans Barge Lines, Inc., for failure to pay $24,626 in taxes on $75,510 which he allegedly got in 1972 and 1973 "for his participation in the theft of grain."

TUGBOAT CAPTAIN

Adam Anthony Dufrene, a tugboat captain, was accused of failing to pay $7,012 in taxes on income of $11,440 which he got for taking part in grain thefts and fraudulent sale of non-existent grain.

The tax evasion cases were developed by the intelligence division of the Internal Revenue Service and by Asst. U.S. Atty. Cornelius R. Heusel. FBI agents and the U.S. Agriculture Department's office of investigation participated in obtaining evidence against those charged.

Criminal tax evasion is punishable by a maximum fine of $10,000 and five years imprisonment.

[From the Des Moines (Iowa) Register, Aug. 8, 1975]

Indict 22 In New Orleans Grain Probe

(By James Risser)

New Orleans, La.—The federal grand jury investigating the New Orleans grain scandal Thursday indicted 22 persons and Adnac, Inc., a large grain exporting firm, on charges of conspiracy and fraud.

The defendants were accused of organizing and carrying out widespread grain-theft schemes involving hundreds of thousands of dollars.

At one point, the grand jury alleged, two assistant elevator superintendents and a grain inspector went to Nassau, Bahamas, where each deposited $100,000 in the Bank of Nova Scotia—money they had obtained from the sale of fictitious bargeloads of soybeans.

Other offenses detailed in the indictments included the "shortweighting of export grain shipments, the secret loading of inferior grain and foreign matter onto ships by means of a concealed control switch, and the selling of stolen grain through a local elevator that acted as a "fence."

SECOND FIRM

Adnac, Inc., which is a wholly owned joint venture of Archer-Daniels-Midland Co. and Garnac Grain Co., Inc., operates the St. Charles Grain Elevator Co. at Destrehan, La., and is the second grain firm to be indicted here.

Thursday's charges, returned before U.S. District Judge Herbert W. Christenberry, raised to 51 the total number of individuals and companies indicted here. In addition, five grain inspectors are under indictment in Houston, Tex.

The brief court session was the last for the grand jury, which has been probing grain inspection activities for 18 months. However, a new grand jury has been impaneled and will continue the investigation under the direction of the Justice Department's chief criminal attorney here, Cornelius R. Heusel.

U.S. Atty. Gerald J. Gallinghouse said: "We are committed to push forward with this investigation until we are fully convinced that the last vestiges of crime and corruption have been eliminated, and complete integrity of the inspection, grading, weighing and handling of grain has been achieved."

MORE INDICTMENTS?

Other sources close to the investigation said the indictment of major figures in some grain firms can be expected from the new grand jury.

The investigation here has led to similar probes at some other grain exporting points, as well as personnel shake-ups in the U.S. Agriculture Department's grain division and demands in Congress for legislation reforming the inspection system. Grain inspection, grading and weighing currently is done by inspectors who are federally-licensed but who work for private inspection agencies, some of them controlled by grain and shipping interests.

Ten of those charged Thursday had been indicted previously on income tax evasion and other charges.

There were four indictments returned Thursday, two involving the Adnac-controlled St. Charles firm, one involving the Mississippi River Grain Elevator Co. at Myrtle Grove, La., and the fourth involving the Bunge Corp. Elevator at Destrehan, La.

SHORT-WEIGHING CHARGED

In addition to the Adnac firm, those indicted from the St. Charles operation were: Plant manager Robert Walter Edgeworth, plan superintendent Leo Eugene Pickell, and six assistant superintendents—John Michael Milano, sr., Freddie Howard German, Manuel Jourdan Freitas, Russell William Emerson, Joseph John Palmisano, and Cologero Cosimo Portera, sr. Also indicted was Robert Paul Nicholas, a weight supervisor for the South Louisiana Port Inspection and Weighing Board, Inc., which inspects and weighs grain at the St. Charles Elevator.

The defendants systematically shortweighted export ships being loaded at the St. Charles Elevator by diverting grain back into the elevator after it had been weighed and supposedly loaded aboard ship, the grand jury found.

Tapes on an automatic weighing machine were altered manually at times, it was alleged.

Also part of the defendants' scheme, which has operated since June, 1971, was the installation of "a concealed remote controlled device" in the elevator control room, by which Edgeworth and his employes were able to secretly turn on "bin number three" and load "low-quality grain and other matter" onto ships, the indictments said.

Grain is inspected at the St. Charles Elevator by means of a mechanical sampler which scoops a sample of grain from the shiploading belt every 29 seconds and then sends the grain by tube to the office of the inspection agency on the elevator premises.

However, by use of lights in the elevator control room, which indicate when a sample is being taken, the defendants were able to put the inferior grain from bin number three on the loading belts in between the time samples were taken. The poor grain thus bypassed the sampling device, the jurors found "thereby avoiding inspection and defeating the lawful functions of official inspectors."

The inferior grain included "undetected quantities of low-grade grain, cracked corn and foreign substance," the grand jury charged.

As the result of an autumn, 1973, meeting in St. Louis, Mo., between Edgeworth, Pickell and unnamed co-conspirators, it was agreed to put "as much cracked corn as possible on ships loaded with corn destined for Japan," said the indictment.

At one point, when inspectors complained about inferior grain being loaded at the St. Charles Elevator, plant manager Edgeworth ordered the secret control switch removed. However, he later directed that it be reinstalled and concealed, the grand jury said.

The second indictment concerning the St. Charles elevator said that between September, 1972, and May, 1974, Palmisano, Portera and inspection agency employe Nicholas operated a fraud scheme by which they obtained money for the sale of at least nine fictitious bargeloads of soybeans and corn.

Using a plan which included false records of weights and grain samples, the three concocted non-existent sales to Archer-Daniels-Midland from Willich and Company, Inc., and Degelos and Associates. The latter two firms are actually one operation, headed by Lyle Degelos, which runs a local elevator here.

The fictitious sales, transmitted to A-D-M offices in Decatur, Ill., by teletype, resulted in A-D-M issuing checks for the grain to the Willich and Degelos firms, the indictment said.

The payments were shared by Palmisano, Portera and Nicholas, who banked $100,000 each in Nassau in April, 1974, and by other unindicted co-conspirators, the grand jury said.

Sources here said those connected with the Willich and Degelos firms have been granted immunity from prosecution in exchange for furnishing information about the fencing operation and the participants, although they, too, reportedly made large sums from the phony sales.

The nine fictitious sales cited in the indictment involved approximately 375,000 bushels of soybeans and 40,000 bushels of corn.

The third indictment charged elevator employes and inspectors at the Mississippi River Grain Elevator Co., and three shipping employes, with obtaining nearly $800,000, from the sale of stolen and fictitious grain.

GRAIN DIVERTED

The stolen grain—three bargeloads of soybeans worth $461,000—was diverted from the Mississippi River Grain Elevator to the Degelos wharf, where it was sold and the profits divided by the conspirators, it was charged.

One of the diverted shipments was a barge carrying 45,905 bushels of soybeans from Davenport, Ia., in August, 1971.

In the fictitious-sale part of the scheme, the Mississippi River group fraudulently obtained $240,600 from the Pillsbury Co., and another $76,500 from Tabor and Co., the grand jurors charged.

Those charged in the indictment included three inspectors from the Delta Weighing and Inspection Bureau, Inc., which handles inspections for the Mississippi River Elevator—Pivon Leon Dupuy, Clark David Smith and James Timonet. Also elevator employes Edward Henry Fleetwood, Lawrence Henry Cochran, Sr., and Louis Henry Rachal, barge dispatcher Herbert Joseph Hotard, tugboat captain Adam Anthony Dufrene and tugboat deckhand George Joseph Rohrbacker, Jr.

The conspirators carried on their activities for more than two years, following a mid-1971 meeting at the Here's Johnny

Restaurant in Gretna, La., the grand jury said.

Dupuy, Fleetwood, Rachal, Hotard and Dufrene all had been charged Tuesday with federal income tax evasion in connection with money they made on the scheme totaling about $175,000.

The final indictment Thursday charged four employes of the Bunge Corp. with stealing grain from the elevator and diverting it to the Degelos Brothers Grain Corp. without the knowledge of Bunge.

The four are bin floor operator Gerald Charles Mire, grain mixer John Herbert Gomor, Sr., weigher George Howard Poprick, and grain mixer Joseph Morales, Jr.

The Bunge firm, said the indictment, had contracted in 1969 and 1970 to sell grain to the Degelos firm. But the defendants agreed to give the Degelos firm better quality grain than it contracted to buy, "thereby unlawfully taking from Bunge Corp. quantities of grain which it had not contracted to sell," it was charged.

In some instances the defendants simply loaded better quality grain from the Bunge Elevator onto barges to be sent to Degelos. In other cases, the contracted-for grain was dumped into the Mississippi River and better grain put on the barges, the grand jury said.

The indictment cited 34 separate barge shipments, and said that on 22 of them for which the total quantity of grain is known the defendants and other unnamed co-conspirators collected $220,600.

The Bunge Corp. itself and 13 of its employes were indicted here last month on separate charges of conspiring to steal grain.

TIMID AND TOOTHLESS

HON. ELLIOTT H. LEVITAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. LEVITAS. Mr. Speaker, on July 31, 1975, this body passed H.R. 8731, the bill which not only extended the life of the Council on Wage and Price Stability, but also gave it subpena powers. I vehemently opposed this bill at that time for a number of reasons.

The Council on Wage and Price Stability is a useless fraud on the American people. It is one more Federal agency now allowed to require information from private concerns, now able to request forms and paperwork from our already overburdened businesses. We are burying ourselves in a mound of redtape and paperwork required by more and more Government agencies, and in the case of the Council on Wage and Price Stability, by an agency which cannot, or indeed will not, take any constructive action against the very thing it was supposed to fight, inflation.

In support of these indictments, I ask that the article from the August 15, 1975, issue of the Wall Street Journal be printed in the RECORD. It bears out the charges of uselessness that many of us who oppose this Council have voiced. The article speaks for itself:

TIMID AND TOOTHLESS—FORD'S WAGE PRICE AGENCY FIDDLES AS PRICES RISE

The Council on Wage and Price Stability botches its effort to do something about aluminum-price increases, doesn't plan any objections to higher car prices. The agency says tough jawboning might be misread as a sign that controls are on the way, leading to more price rises.

The council is headless, too. Its top three officials have quit, and the new director—an assistant secretary of HUD—won't take charge for at least a month. U.S. Steel's chairman had to discuss a planned price increase with the agency's public-relations man; the acting director was on vacation.

Ford economists predict double-digit inflation for another three months but a 6% annual rate by year's end.

U.S. UNWILLINGNESS TO RECOGNIZE THE REALITY OF PEKING'S TYRANNY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. CRANE. Mr. Speaker, unfortunately, Americans seem unwilling to recognize the real nature of Communist China, either with regard to the tyrannical rule under which its own people must live or with regard to its aggressive role in the world.

Individual Americans such as actress Shirley MacLaine have traveled to Peking and returned hailing the Chinese Communist system. The regimentation of the Red Guard, the forced collectivization of agriculture, the elimination of Chinese religion and culture, and the total absence of freedom of speech and even the freedom to leave the country are all ignored in the analyses presented by Miss MacLaine and many others.

Now, we have at hand a report submitted to the Senate Foreign Relations Committee by Senate Majority Leader MANSFIELD. In this report he is eloquent in extolling the Peking regime. He writes:

> There is a discernible community spirit from one end of China to another . . . From Shanghai to Siam, from Peking to Kunming, the evidence of the system's durability is overwhelming.

With regard to Peking's foreign policy, the report declares:

> There are no signs that China is bent on the oppression or domination of other nations.

Reading the Mansfield report one would not think he was reading about the same government in Peking that has been described by more experienced scholars and observers as one of the most barbaric in the world's history. Prof. Richard Walker, for example, estimates that there are at least 10 million Chinese in slave labor camps. Almost all experts agree that the Chinese Communists liquidated from 15 to 30 million opponents of the regime.

In foreign affairs, the Chinese are stirring violence and revolution throughout the underdeveloped world. In January 1965, for example, the Government of Burundi broke off diplomatic relations with Peking and expelled the Chinese Ambassador. The following month President Hamani Diori of Niger stated that the West African Council had proof that the opposition movement in Niger was being financed, organized, and directed by Peking. President Felix Houphouet-Boigny of the Ivory Coast declared that the Chinese Communists were "teaching Africans to kill those whose eyes are open to the Chinese danger in Africa."

The Mansfield report, which was at least partially supported by Senator HUGH SCOTT, who accompanied MANSFIELD on his trip to Communist China, totally ignores the tyranny within China and the aggressive policies pursued by the Chinese Communists abroad.

Allan H. Ryskind, the Capitol Hill editor of Human Events, has provided us with a thoughtful and careful analysis of Senator MANSFIELD's unusual statement. Mr. Ryskind interviewed Li Hsiao-li, the Chinese born wife of Lord Michael Lindsay, who during World War II helped develop a radio communication system for Mao and other Chinese leaders. Once a supporter of the Chinese Communists, Mrs. Lindsay is now shocked at their brutal tyranny. She declares that while the standard of living is low, the worst part of the system is its totalitarian nature. There is no private property, no freedom of religion, no freedom to speak, no freedom to move from one city to another or to leave the country. During the Japanese occupation, she said, there was more individual liberty.

I wish to share with my colleagues the important article, "Red China Through Mansfield's Rose Glasses," by Allan H. Ryskind, as it appeared in Human Events of August 30, 1975, and insert it into the RECORD at this time:

RED CHINA THROUGH MANSFIELD'S ROSE GLASSES

(By Allan H. Ryskind)

Mao Tse-tung, who may have been responsible for only 60 million deaths on his way toward building his empire, has never designated his best friend in the U.S. Senate. But he has one. He is Senate Majority Leader Mike Mansfield (D-Mont.). In a report submitted to the Senate Foreign Relations Committee earlier this year (but not widely reported on), Sen. Mansfield was rhapsodic in his praise of the glorious achievements of Chairman Mao. Sen. Hugh Scott (R.-Pa.), the minority leader, issued the chairman some very high marks in a supplement to the report, but he could not quite reach the lyrical heights attained by the Montana Democrat. Below, for instance, are just a few of the phrases which capture the flavor of Mansfield's reverence for Mao and the miracles he has performed:

"From Shanghai to Siam, from Peking to Kunming, the evidence of the system's durability is overwhelming." "Pride in common accomplishment and faith in a common future are everywhere. China today is more unified than ever before." "Chinese society, today, is based on the Communist theories of Mao Tse-tung, which, to the Western ear, can sound not only like Marxism but also common sense. . . ."

"The basic needs of the Chinese people for food, clothing and shelter are being met. Food and clothing are plentiful and low-priced. The people appear healthy and well fed. . . ." "There is no unemployment or inflation. Officials report that there are no social problems of drug addiction, alcoholism, prostitution or juvenile delinquency. The streets are safe, day and night, notwithstanding the scarcity of visible armed security personnel. Everyone appears to be busy at productive and purposeful work." "There is no unemployment, and hence, the concept of unemployment compensation is unknown."

"There is a discernible community spirit from one end of China to another. This spirit is perhaps a key to China's effective management of many of the social problems that confound the Western world. It is the antithesis of 'dog eat dog'."

Not only is it the best of all possible worlds inside Red China, but Mao & Co. refuse to make things difficult for their neighbors, either. "There are no signs," insists Mansfield,, "that China is bent on the oppression or domination of other nations." (Mansfield, presumably, became convinced of Mao's peaceful intentions when his hosts failed to show him squadrons of pajama-clad Chinese guerrillas swarming into neighboring countries.)

Manfield's sentiments—echoed by so many Americans who travel to Peking—were set down following a three-week officially guided tour of the "People's Republic of China" last December, but were not forwarded to the Foreign Relations Committee until this year. In the same report, Sen. Scott makes a cooler but similar assessment of Mao's domestic accomplishments, contending, also, that China's "record of nonaggression is good."

Mansfield, Scott and such folk as Shirley MacLaine, it seems, appear to agree that Red China is just a shade short of perfection. As they might paraphrase the poet, "A jug of wine, a loaf of bread and Mao/Beside me singing in the wilderness/O wilderness were paradise enow." Yet in the opinion of a number of Old China hands, the Mansfield report bears absolutely no relation to reality.

Take the Mansfield statement about the "discernible community spirit from one end of China to another" and the portrait of millions of Chinese merrily working for Mao. Well, news reports surfaced in early August of this year that Mao had recently sent some 11,000 troops into Hangchow, 90 miles southwest of Shanghai, to put down a rebellion of his contented laborers who were protesting the Maoist decrees eliminating wage increases won at the beginning of the year.

The Peking Maoists reacted by purging the entire Hangchow party apparatus. And when this failed to stop the strikers, troops were sent into the city and martial law imposed. Fighting between striking workers and troops broke out, with battles reported to have taken place inside factories.

"There is no evidence that other cities in China have this year had the severe difficulties that Hangchow has experienced," the New York *Times* man in Hong Kong reported last week. "But the Chinese press and radio have repeatedly referred to 'bourgeois factionalism' in some enterprises, especially in the steel industry and on the railroads."

So much for the "always contented worker" theory. Even the Mansfield report manages to squeeze in the observation, in a chapter oddly titled, "Evidence of Success," that there is "mass underemployment by our concepts . . ." and that women "continue to do, as they have historically, much of the heavy manual labor, such as road repair work."

Mansfield took along on his trip such people as Assistant Secretary of State for Administration John Thomas, who told Human Events the Mansfield report was an accurate account of things. But it is too bad that the senator never benefited from the advice of important China scholars like Prof. Richard Walker, who has made several trenchant comments on China's economy and the condition of its working people.

In *The Human Cost of Communism,* a pamphlet put out by the now threatened Senate Internal Security subcommittee (which Mansfield has failed to lift a finger for in its fight for survival). Prof. Walker hinted how the Communists managed to solve the unemployment problem that so confounds the West. Aside from liquidating 15 million to 30 million opponents of the regime—a very effective way of opening up the job market—and polishing off another million or so through the "land reform" program, Mao also installed an extensive slave labor system.

Slave labor, says Walker, "has been part of the Chinese Communist political system from the outset, though the formal 77 regulations—worked out with the aid of Soviet 'experts' sent by Stalin—were not drawn up until June 27, 1952, and not officially promulgated until Aug. 26, 1954. During the early years, Peking talked quite openly about this system. . . ."

Walker, writing in 1971, said, "No estimates of the number of Chinese in forced labor camps for reform through labor services is less than 10 million." (A. Doak Barnett, another China scholar, has said the figure is "probably in the millions," while Prof. Karl A. Wittfogel, another important China student, has said that one out of every 40 people in that country of 700 million or so may be in the camps.)

HUMAN EVENTS last week interviewed Li Hsiao-li, the Chinese-born wife of Lord Michael Lindsay, who during World War II helped develop a radio communication system for Mao and other Communist Chinese leaders. Mrs. Lindsay lived most of her life in China. She was raised in Shansi Province, went to Peking for her senior year in high school, studied at Yenching University where she met Lord Lindsay, then a professor of economics, and worked for the Chinese Communists during the Japanese invasion.

Though she and her husband left China in 1945, they returned for visits in 1949, 1954 and 1973. Mrs. Lindsay's firm belief is that the people of China are at least as bad off as they were during World War II. Food and clothing are rationed, she pointed out, and sometimes the living conditions appear "worse than during war time." The housing "in the rural part is absolutely terrible, even in the city where I had been in my primary school and junior high, all the drainage just blocked up, beautiful houses, oh, just so shabby."

In 1954, she stressed, the people were better fed, better clothed and better housed. They were "much happier people" and there "was no fear." In her latest visit, she found the people "were just frightened to death."

(Part of this fear she traced to Mao's 1966–67 "Cultural Revolution" when Mao unleashed the "Red Guards" against enemies and innocent alike. The violence employed by these young toughs, directed to a large extent against citizens valuing the old Chinese ways, was brutal. "No one, within China or without," writes the well-known scholar-journalist Robert Elegan, "knows how many men, women and children died or were injured in the terrible autumn and winter of 1966–67. Nor can anyone assess those casualties—or the higher casualties of late 1967—accurately until Peking reveals its estimates. Suicides, assassinations and deaths from wounds probably numbered tens of thousands.")

The worst part of the system, she insisted, is not the standard of living, but its totalitarian nature. There is no private property, no freedom of religion, no freedom to speak, no freedom to move from one city to another or even to leave the country. During the Japanese occupation, she said, there was more individual liberty.

The people enjoy no civil liberties, she added. "Even Hitler and Stalin had a fake judiciary," she said, "but there is no court system in China." You are accused by the party and tried by the party, with no right to counsel. Freedom is so restricted, Mrs. Lindsay said, that you have to have the party's permission to marry. The average Chinese even fears carrying on frank discussions about the regime in the sanctity of his own home, lest such criticism be discovered and punished.

Well, Mansfield may be all wet about China's domestic picture, but what about the contention—and Scott's as well—that Peking is not bent on aggression against other countries? That, too, turns out to be fantasy. (Maybe when Scott claimed that Red China's "record of non-aggression is good," he meant that Mao had a good record of never having engaged in non-aggression.) Whatever, the list of Mao's targets for conquest or the imposition of Maoist regimes are countless: Korea, Tibet, Vietnam, Cambodia, Laos, Thailand, Malaysia, Burma, etc.

"Probably the extent of Chinese Communist activities in Africa," Prof. Walker has written, "has best served to illustrate the seriousness with which the leaders in Peking take their commitment to worldwide revolution. In January 1965, the government of Burundi broke off diplomatic relations with Peking and expelled the Chinese ambassador and his staff. . . . The following month President Hamani Diori of Niger stated that the West African Council had proof that the opposition movement in Niger was being financed, organized and directed by Peking. That month, the Ivory Coast, Dahomey and Upper Volta joined in warning that the Chinese Communists were, as President Felix Houphouet-Boigny of the Ivory Coast put it, teaching Africans to kill those whose eyes are open to the Chinese danger in Africa."

"By the time Chou En-lai arrived in Tanzania in June 1965 and repeated his ill-received assertion that Africa is 'ripe for revolution,' a great number of additional items concerning Communist China's attempts to build the basis for people's wars in that faraway continent had come to light. . . .

"In January 1966, Dahomey and the Central African Republic broke off diplomatic relations with Peking, and in an official letter of protest the latter government reported finding a stock of Chinese arms and claimed the Chinese were organizing a 'people's army' within the Central African Republic. . . . When the regime of Kwame Nkrumah was toppled in Ghana on Feb. 24, 1966 . . ., further revelations of Chinese Communist revolutionary zeal came to light. On February 28, Ghanaian authorities disclosed the discovery of a Chinese Communist-operated 'saboteur's academy' for training Africans to foment rebellion and carry out terrorist operations."

Things haven't changed, of course. In July of this year, columnists Evans and Novak reported how Tun Abdul Razak bin Hussein of Malaysia traveled to Peking "in May 1974 when Chinese leaders promised not to interfere in Malaysia's internal affairs.

"Nothing changed. Clandestine Communist radio broadcasts are still beamed at Malaysia from Yunan Province, China. Chin Peng, fabled Communist guerrilla leader of the 1950s, directs Malaysian insurgents from Peking."

Indeed, in March of this year, Chiang Ching, Mao's wife, in a now famous speech, heralded China's role in promoting revolution. "It is the soul and essence of Marxism-Leninism and Mao Tse-tung's thought to insist on class struggle and to implement the theory of the proletarian dictatorship. The ultimate goal of revolution is to realize Communistic society on a worldwide scope."

In view of all this, how could both Mansfield and Scott give such a distorted and dishonest picture of the Peking regime? No one seems to know. Maybe Scott didn't want to burn his bridges with Mao, since he still wants the Philadelphia Orchestra and the Pittsburgh Symphony to visit Peking. Or maybe the real answer is that Mansfield and Scott saw another Red China, one that's not on the globe.

DO NOT SPOIL THE DESERT WITH POWER LINES!

HON. SHIRLEY N. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mrs. PETTIS. Mr. Speaker, the Nation is now trying to determine what its energy needs are and how they should be met. In doing so, it is important that we consider the entire energy picture, including the problem of getting various types of energy from one place to another.

A good example of the transmission problems which can exist is the proposed coal-fired electric generating station to be constructed in Utah to provide electricity for southern California and Arizona. This Kaiparowits project will require high-voltage long-distance powerlines that are to go into areas where no such transmission lines now exist.

Mr. Speaker, I have no objection to the urban areas having as much energy as they really need, though perhaps it would be well if the leaders of such large communities would make a reevaluation of their actual energy requirements in light of changes in the public's consumption of energy patterns. Still, I do not wish to see the environment of my district, which lies between Utah and Los Angeles, spoiled by having more transmission lines constructed in an uncoordinated manner.

I would like to bring to the House's attention the difficulties which citizens in my district are having in trying to protect their community from having still more power lines constructed where they are not needed. The attached article explains the impact of the Kaiparowits project on the Morongo Basin, San Bernardino County, Calif. My hope in having this matter printed in the Congressional Record is that people in urban areas will realize what we in the rural parts of the country feel about having transmission lines built in our backyards without our having much of an input into the decisions about locating such powerlines.

[From the Hi-Desert Star, Yucca Valley, Calif., Aug. 13, 1975]

Powerplants and Transmission Lines—A Recurring Possibility in the Hi-Desert

(By Claudia Slack)

Local environmentalists are again facing an old adversary, this time on two fronts: The proposed Lucerne (upper Johnson Valley) generating plant and the recurring possibility of high-voltage long-distance power lines marching from southern Utah through the Morongo Basin.

They won a skirmish in 1970 when the Bureau of Land Management recommended that Southern California Edison Company use existing steel tower transmission routes from Kaiparowits and Vidal Junction, south of Joshua Tree National Monument and through the San Gorgonio pass.

But BLM's recomendations have not been implemented into actuality. The Morongo Basin is still listed as an alternative in SCE's Environmental Impact Report on the Kaiparowits installation and the newer Intermountain Power Project has not yet determined which route west its two 500 KV lines would take. This leaves the Basin open to the contingency they could transverse it.

"We're asking concerned Hi-Desert people to write to the BLM and Senator Henry M. Jackson (D-Wash.), chairman of the interior and insular affairs committee, urging that the transmission corridors follow existing routes—those south of the Monument, and north of the Marine Corps Base through Lucerne Valley and Cajon Pass," said Susan Luckie Moore, publicity director of the Morongo Basin Conservation Association.

The problem is complicated by SCE's assertion that the lines should be 2,000 feet apart, making adding new lines to existing corridors difficult. BLM and others dispute the need for this, pointing out that many present lines are much closer together.

The southern Utah power plants are projects of Southern California Edison, Los Angeles Department of Water and Power, San Diego Gas and Electric, and Arizona and Utah utilities companies. Six coal-burning generating stations are now operating or are being planned for this spectacular scenic region, known as Utah's "color country."

The area was chosen by the utilities because Utah's environmental regulations are more lenient than California's and because it is rich in coal needed to fuel the plants.

But it is also the location of the greatest concentration of national parks, monuments and recreation areas in the nation. Zion, Bryce Canyon, Capitol Reef, Arches, and Canyon Lands parks; Cedar Breaks and Natural Bridges monuments; and Glen Canyon and Lake Powell recreation areas are all within the same territory. Hundreds of thousands of Americans visit these natural wonderlands every year.

Air pollution and environmental disturbance are already evident. The superintendents of Bryce Canyon and Capitol Reef have said unequivocally that they feel visibility has been reduced, according to a Los Angeles Times story earlier this year.

The probability of strip mining to feed the plants, increased salinity of the Colorado River, mercury runoffs into Lake Powell, land erosion, and deterioration of the national parks, join with smog in the concerns of environmentalists.

A public hearing on the Kaiparowits facility will be held in Riverside at 7 p.m. Sept. 19 in the University of California Riverside Commons building. Interested persons will be able to express their views there. Other hearings are set for various Utah communities.

On the other front, the MBCA points out that a more deleterious form of pollution than unsightly transmission lines threatens the Morongo Basin. SCE, having earlier deferred the project, is now again pressing for permits to build a generating station in Johnson Valley, about 30 miles from Yucca Valley.

The plant, according to SCE figures, would release 34.9 tons of emissions daily when operating at 100 per cent capacity. This would make it the third largest polluter in San Bernardino County, surpassed only by Kaiser Steel in Fontana and SCE's Etiwanda plant.

"And that would be if they burn distillate fuel with only .1 per cent sulfur content," Moore said. "We know such fuel is getting scarce and the Air Pollution Control District has admitted that we would 'have problems' in the desert with higher sulfur fuel."

Moore cited the recent Inland Counties Comprehensive Health Planning Council report showing that 53 per cent of Morongo Basin residents moved here for health reasons, mainly heart and respiratory ailments, and that many others came to escape smog.

"We need to keep the desert air clean," she said. "Our communities would be likely to become settlement basins for air pollution coming down from the higher elevation of Johnson Valley. Anyone can see the smog that travels now from Cajon Pass, Victorville and Lucerne Valley and blots out the mountains north of us. The desert winds don't disperse it or the smog that comes through San Gorgonio Pass to enshroud Palm Springs."

There is doubt in the minds of many environmentalists that either the Utah complex or the Johnson Valley plant are really necessary as presently projected. SCE is already building or planning to build additions to its Long Beach, San Onofre and Coolwater generating stations. These should be able to handle needs in the Los Angeles area for some time to come, they claim, since demands for electricity are down 5.6 per cent, according to SCE's 1974 annual report. The Johnson Valley plant is scheduled to supply power for that same area.

As for the Kaiparowits and related installations, they point out that plans already exist for a coal gasification unit to be built after the generating plants. Why not, they ask, construct gasification facilities first—a less costly, less resource-draining, cleaner operation—and bring the gas by pipeline (obviating the need for transmission lines) to serve until solar and solid waste recycling methods of energy production are in general use?

The question seems valid. Conventional generators are notably inefficient. Almost two-thirds of the dwindling fossil fuels they burn is wasted and dispersed as excess heat by cooling systems requiring huge amounts of water. Up to 10 per cent of the power long-distance lines carry is lost in transmission and the construction costs of both are enormous.

Moore, noting that solar energy will have to be tomorrow's fuel and that SCE is now engaged in research on it, suggests that Johnson Valley site should be excellent for a solar energy plant.

So the battle lines are drawn once again. The utilities contend that energy needs demand the new plants and that this demand overrides the pollution and environmental disturbances inherent in the fossil fuel burners. Conservationists counter that once the biosphere is ruptured, it is almost impossible to heal it; that energy needs have been lowered, requiring fewer new generating facilities; and that the utilities should already be developing clean new sources of energy.

The public can have its say—if it will take time to speak. If it doesn't make itself heard, it will have to live with the decisions others make.

ILLINOIS' COMBINED FEDERAL SERVICES CAMPAIGN

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. DERWINSKI. Mr. Speaker, in the fall of each year, a combined Federal services campaign is conducted among Federal employees throughout the Nation, to solicit contributions for a variety of health and social service organizations. These contributions are then distributed among the national health agencies, the local United Fund, and the international service agencies.

I am informed that in Illinois' 23 local campaigns, Federal employees contributed a record-breaking $1,825,512. This money will go far in helping these organizations provide educational, research, and patient services on a local State, and national level.

In addition to thanking the many fine people who contributed, a special thanks is in order for those who served as campaign chairmen—organizing, coordinating, and conducting the 6-week long campaign:

CAMPAIGN CHAIRMEN

George Andruskevitch, Decatur Airport, Decatur, Illinois.

Ernest Bickhaus, U.S. Post Office, Quincy, Illinois.

Kenneth Blue, U.S. Post Office, Danville, Illinois.

Hubert Brown, U.S. Post Office, E. St. Louis, Illinois.

Robert Buhrke, U.S. Post Office, Bloomington, Illinois.

Colonel Harry L. Bush, U.S. Army St. Louis Area Support Center, Granite City, Illinois.

Captain O. S. Hallett, Recruit Training Command, Great Lakes, Illinois.

Arlen Dahlman, Savanna Army Depot, Savanna, Illinois.

Boyd Holmes, Social Security Administration, Mt. Vernon, Illinois.

Warren Holtsberg, Air Route Traffic Control Center, Aurora, Illinois.

Major S. G. Jones, Chanute Technical Training Center, Chanute Air Force Base, Illinois.

Robert Juricic, U.S. Post Office, Joliet, Illinois.

Patrick Klein, U.S. Army Weapons Command, Rock Island, Illinois.

Harold Lintz, U.S. Post Office, Peoria, Illinois.

Clark MeKenna, U.S. Post Office, Kankakee, Illinois.

Gerald Marks, U.S. Department of Commerce, Chicago, Illinois.

Al Mera, U.S. Post Office, Rockford, Illinois.

Jack Schwarte, Social Security Administration, Alton, Illinois.

Bill Tipsword, Social Security Administration, Galesburg, Illinois.

B. J. Tolson, U.S. Penitentiary, Marion, Illinois.

Gordon Young, U.S. Department of the Treasury, Springfield, Illinois.

Joseph Zandecki, U.S. Post Office, LaSalle, Illinois.

Major Howard Zimmett, U.S. Air Force. Scott Air Force Base, Illinois.

OUR BICENTENNIAL—A TIME FOR REASSESSMENT AND REAFFIRMATION

HON. THAD COCHRAN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. COCHRAN. Mr. Speaker, on April 21, 1975, I had the honor of delivering an address in Jackson, Miss., on the occasion of that city's designation as a Bicentennial Community. I submit the text of that address for the consideration of my colleagues:

OUR BICENTENNIAL—A TIME FOR REASSESSMENT AND REAFFIRMATION

As the United States prepares to celebrate the 200th anniversary of the revolution that made it a country, it stands on the brink of another revolution that could have effects that are as significant as the first. In the past two or three years a world-wide revolution has been in progress that is now having significant effects on the ways we as Americans live our lives.

Because of these changes, it is imperative that we look at the bicentennial not as just a 200th birthday celebration; we should look at it as a time of reassessment of our priorities as a nation and a reaffirmation of the principles on which this great country was founded.

At a time when many of our policies overseas are coming under heavy attack and are buckling in some places; in a time when recession and inflation are underminig the ability of our own citizens to provide a living for themselves and at a time when our self resolve seems to be weakening daily; at a time like this we as Americans need to stop and think where our present policies are taking us and decide if we want to go there. We need to decide whether or not we want to return to the principles that our forefathers held sacred and which made the United States the greatest country on earth. The bicentennial is the best time to do that.

Two hundred years ago, when the Declaration of Independence was penned, the leaders of our country and its people found themselves at a crossroads. Today, we are faced with a similar turning point.

The people of America are confused and bewildered by the seeming inability of their leaders to define our role in the world, and the role of government at home; they are angered by the encroachments government has made against our personal freedoms and rights and its simultaneous inability to properly care for those who cannot care for themselves. In short, we are in the middle of a national identity crisis. I firmly believe that the only way out of this identity crisis that will lead us on the upward road to progress and further national success is a second American Revolution.

Certainly, I don't mean another violent upheaval fought with guns. What I do mean is a revolution of words and ideas and of participation by every American to lead America back to free enterprise, personal liberty and self-sufficiency and to a more responsible role in world affairs.

Free enterprise and personal initiative have been steadily strangled by the cobwebs of poorly drawn, pitifully administered, and ill-conceived Federal regulations. The regulatory agencies have grown so all-powerful that they have become a law unto themselves with little of the checks and balances that our forefathers knew we needed to avoid despotism at all levels of government. The conditions of regulation at every level of our transportation system—our national blood lines—range from ineptitude and negligence to outright corruption. The same sad situation exists in varying degrees at every level of our obese, blundering regulatory system. As part of the second American revolution, I propose that we examine in minute detail every law, every regulation, every ruling and every significant act whose effect is to either grant a privilege or restrict the growth of American business. I submit that we could have avoided our present recession and all of our economic woes if nine-tenths of the regulations we live with today had never been written. History has shown us that every economic decline we have experienced, including the Great Depression and our current problems, have been caused not by the free enterprise system and Laissez Faire Capitalism, but by governmental meddling with its operation. So as a first step in our revolution, we as citizens must make a vigorous effort to rid ourselves of all unnecessary and stifling federal regulations, which is to say, most of them.

Our forefathers were suspicious of big government. The history of events surrounding the drafting of the Constitution, The Declaration of Independence and the character of our first leaders show that a large federal government was meant to be avoided by them at all costs. Yet we have strayed and have one of the largest and most entrenched bureaucratic organizations in the world. A large bureaucracy that employs more than one in every six people and gorges itself on our personal income is failing to adequately provide its intended services and is steadily eroding our rights to privacy, to determine the course of our own lives and to make many of the basic decisions of life. The governmental system our forefathers created to free us from tyranny, has become itself a tyrannical cancer that is eating away at the freedoms it once won for us.

Of course, the history of our country is filled with instances when the founding principles were ignored by society and when one group or another was not granted an equal opportunity to prove itself. But that was not a fault of the principles, but of men. But I say we should not throw away the principle simply because we have a hard time adhering to it. Rather, we should reaffirm our allegiance to the self-evident truths in the Declaration of Independence that "all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness." This principle was deemed valid in Congress on July 4, 1776, and it is valid today. The Declaration continued to say that governments should derive their power from the consent of the people, that, and I quote from the Declaration: "It is the right of the people to alter or abolish it, and to institute new government laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect safety and happiness."

Our federal government through its bureaucracies and regulatory agencies regularly issues rulings and edicts that run contrary to the wishes of the people; it commonly acts in ways to abridge our rights. I submit that our second American Revolution should be to alter much of the pseudo-government that has been created by the bureaucies and to abolish tyrannical activities they have conducted.

The number of people working for government should be cut to not more than one in every 50 people. Their powers to issue regulations should be curtailed immensely, and all permanent regulations should be subject to Congressional approval. The ability of some agencies to seize property and bank accounts without due process—like the Internal Revenue Service currently does—should be expressly prohibited. In short, this phase of our second American Revolution should be to get back into shape; rid ourselves of the fiscal obesity; slim down our bureaucratic wasteline and otherwise regain the active, vital national physique that is needed to stay strong and free.

Something is also amiss with our positions in other countries. It is hard to say exactly what has gone awry, but undoubtedly, something very wrong has happened in our foreign policy. The roots of our current situation span decades and presidents, but for the first time in our modern history, many countries, formerly our allies, feel they cannot trust us any more. We are watching alliances dissolve and hearing allies tell us that there is no longer any advantage to being associated with us. We have allowed ourselves to be cowed by a group of half-developed and wholly ruthless countries and we find it impossible to know what to do. This crossroad can be a debacle from which we might never recover, or it can be a golden opportunity. It must be the latter. We must look upon it as an opportunity to examine what we have done; admit our mistakes; figure out what sort of role we can and should play in the world and then gather the resolve to carry through.

We cannot run from world affairs. We cannot withdraw from our setbacks and hope to hide within our own shores. We did that after World War I. We isolated ourselves from our allies and world affairs, but our isolation and the unwillingness to get involved nearly allowed a fanatic to take over Europe. Perhaps we have recently gotten too involved with our role in the world and tried to do too much. This I suspect has been the case. What we must now do, is determine what we must do to maintain our own security in the world, which alliances can best provide this security, and then we must put the available resources behind our words and promises to leave no doubt in the minds of our allies and our enemies.

Our second revolution, then, must have three parts: (1) to restore free enterprise, (2) to restore personal freedoms and (3) to restore our security in the world. We actually have an easier job than our forefathers did. They had to create their own direction. We merely have to open our eyes and look at the directions they set for us.

But our second revolution will not be an easy one despite the sign posts left by Jefferson, Washington, Adams, Franklin and other revolutionary patriots. What we seem to be lacking is inspiration. We must develop the resolve, the individual commitment and the energy to become twentieth century patriots who will fight the smothering blankets of apathy, overgrown bureaucracy and lack of regard for our principles. It makes very little difference whether our freedoms are stolen from us by the physical force of an oppressor, or by the pen of an unrestrained bureaucrat backed by an unchecked federal government.

The key to our continued success, and liberty, is in your hands. Whether or not each one of you decides to write a letter, attend a hearing or protest excessive governmental interference will determine the outcome of our Republic. Of course one of the biggest obstacles to this is the incorrect feeling that your one act will make no difference. It will, and when millions of people from coast to coast raise their words in protest against the internal institutions that are robbing us of our legacy, then action will come. And when that happens, you must not rest. We have rested our voices and that has led us into danger. The price of liberty, as Patrick Henry once said, is eternal vigilance. The time has come when we must decide whether our hard won freedoms and the liberty we enjoy are worth protecting from enemies both at home and abroad. Nothing short of a revolution in government today will be able to stop our slide into a morass that will oppress us as fully as any invader.

This is a hard assessment, but when things are going wrong, a hard, honest assessment is all that is worth considering. I personally believe that we will rise to the challenge that faces us. We have faced tough fights before, but we have never faced a crossroads that has made a right decision so crucial. The correct reassessment, the necessary vigor and energy and the reaffirmation of our belief in personal freedom will make the difference between another successful 200 years and possible decline. As Woodrow Wilson said in his first inaugural speech: "Men's hearts wait upon us, men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try?" We dare not fail to try. For us and for the world.

So let this bicentennial be a rebirth. Let us make a commitment to America that will maintain us as a light of freedom to the world and a source of joy and liberty to ourselves and our generations yet to come.

JACK ANDERSON BETRAYS AMERICA'S SECRETS TO OUR ENEMIES

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. McDONALD of Georgia. Mr. Speaker, Jack Anderson defended himself against charges that he had compromised "an intelligence operation, perhaps even jeopardizing the life of an agent, inside the Soviet Union." According to Anderson:

> More than 2 years ago, we were tipped off that the Central Intelligence Agency had managed to eavesdrop on the private conversations of Kremlin leaders. Some of the transcripts, we were told, were quite titillating.
>
> We checked out the story with a CIA source who had access to the transcripts. He confirmed that the CIA was intercepting the telephone traffic between the limousines of Soviet bigwigs.

Anderson claimed that his source in the CIA told him that there was no harm in releasing the story and he published a careful story on September 16, 1971, about the eavesdropping. He wrote:

> For obvious security reasons, we can't give a clue as to how it's done but we can state categorically that for years the CIA has been able to listen to the kingpins of the Kremlin banter, bicker and backbite among themselves.

Anderson claimed that his CIA source asked him not to reveal the method by which they were obtaining the information, that is the bugging of the cars of the Soviet officials.

According to Anderson, on March 17, 1972, Richard Helms, then chief of the CIA, invited him to lunch. Anderson boasted:

> He asked me not to mention the eavesdropping operation in my book "The Anderson Papers." He acknowledged that the Kremlin leaders knew their conversations had been monitored. But he pleaded with me to keep quiet and urged me particularly never to mention how the conversations had been intercepted.
>
> Accordingly, I omitted the references from my book and left it to others to reveal the secret monitoring method. Not until today, after the limousine listening operation had been widely publicized elsewhere have we mentioned how it was done.

Although, of course, the Soviet officials did not conduct major meetings in cars, they did discuss many matters which were of interest to the Central Intelligence Agency. References in conversations among Soviet officials to military, technological, and economic warfare against the West are always of interest to American intelligence. In 1971, Jack Anderson alerted the Soviets to the fact that some of their private conversations were being overheard by the United States. Two years later, he revealed the specific methods of operation that enabled the United States to know the secret plans of the Communist dictators. None of this information printed by Anderson helped the American people in any way. It only served the purposes of the Communist dictators, to tighten up their security and prevent the United States from knowing their secret plans of aggression.

The fact that a Director of the CIA has to take someone like Jack Anderson to lunch to beg him not to reveal important American secrets clearly indicates the amount of power in Anderson's hands—power without safeguard from irresponsible abuse and petulant whim.

Edward Hunter is also a journalist, but he is nothing like Jack Anderson. Hunter has spent a half-century reporting facts to the American people. He is an expert in good journalism but also in psychological warfare. During World War II he took leave from his journalistic pursuits in order to serve the U.S. Government as a psychological warfare expert in the Pacific against our Japanese enemy. So Ed Hunter knows both sides of the coin. He now publishes a monthly magazine of news analyses called Tactics. He describes it as "The only professional 'psywar' journal." In the issue of Tactics for January 20, 1974, Ed Hunter announced an award to Jack Anderson. Tactics gave Anderson the "most despicable story award." He got it not only for the story we have described above when Jack Anderson revealed to the Russian Communists the methods by which the United States was learning of their aggressive plans, but for many of the Jack Anderson stories that have betrayed American secrets to its enemies or were useful to its enemies in attacking policies and institutions of our country. Since Jack Anderson continues his attacks on the United States and its defensive institutions, I think it is time to reproduce Ed Hunter's report of the "most despicable story award" to Jack Anderson. The story from the January 20, 1974, issue of Tactics follows:

> JACK ANDERSON EARNS IT—MOST DESPICABLE STORY AWARD
>
> The Most Despicable Story Award, as determined by TACTICS magazine, for news publications, went to Harrison Salisbury of the New York Times, when the contest began in 1966. The award was announced in the Jan. 20, 1967 issue of TACTICS, for his pro-enemy, propagandist dispatches from Hanoi. Salisbury had demonstrated his caliber in his Moscow coverage in 1953 of Stalin's death, which he represented as causing universal grief among the Soviet people.
>
> The award just had to be revived for 1973, to memorialize Jack Anderson's work.
>
> The most despicable news story award for 1973 is awarded, hands down, by TACTICS magazine, to Jack Anderson. He is granted the award, both on the basis of an individual news story—or news column—and for a consistency in reporting, unmatched for adverse effect upon the United States.
>
> If any doubt existed whether the award was deserved, it was dispelled on Dec. 10, 1973, as the year was approaching its end, by a column that the Washington Post entitled, "How the CIA Snooped Inside Russia."
>
> Practically nobody can deny that Soviet Russia depends upon espionage and psychological warfare in all its forms in its aggressions and in setting up a target nation for conquest. Surely, nobody can deny that it regards the United States, which it refers to by the code word, Imperialism, as its major long-range target.
>
> Certainly, nobody can deny that the greatest help that can be given the Kremlin and its KGB, in setting up the United States for attack, would be disclosure by Americans themselves of "how the CIA" is operating in the USSR.
>
> If we fail to discover what the reds are doing, we constitute a sitting duck for a nuclear Pearl Harbor assault from space. If this is not what the CIA must be depended upon to do—the job for which it was organized—then it might as well be disbanded. Indeed, it would be preferable to disband it in such circumstances, for it would serve only to lull the American people into a suicidal dependence on a service that did not exist.

If American pressure can be used to handicap the Central Intelligence Agency in its operations, an equal service would be provided the enemy. If this is not of treasonable impact, that word, too, will have lost its rationale.

Jack Anderson's column declared, "the CIA was intercepting the telephone traffic between the limousines of Soviet big-wigs."

The columnist wrote that the conversations were inconsequential and personal. Yet any agent of any nation on earth would leap at the chance to bug such conversations. "We published a careful story on Sept. 16, 1971, about the eavesdropping," the column disclosed. For "security reasons," he added, "we can't give a clue as to how it's done. But we can state categorically that for years the CIA has been able to listen to the kingpins of the Kremlin banter, bicker and backbite among themselves."

If Jack Anderson doesn't also get the Lenin Prize for this information, he has been cheated. He went on in this, Dec. 10 column:

"The following December, we quoted from secret White House minutes to show that President Nixon had lied to Congress and the public about the India-Pakistan conflict."

President Nixon thereupon set "the plumbers" into investigating how outsiders could be cut into the most secret deliberations of the government. Nixon had not only the right, but the duty, to ferret out this information, and to use any means possible in doing so. No more deadly security breach can be imagined; nations have been wiped out on less!

This writer cannot understand the failure of the White House to do so, and to let the nation know, and to tell it why, except that Nixon is himself trapped in his "detente" ploy with Moscow and Peking. The price is much too high.

HELPS TO STRANGLE OUR FRIENDS

A column of Dec. 11 was entitled by the Washington Post: "Saigon Gets Critically-Short U.S. Oil."

The least the United States can do, of course, to help the Vietnamese stave off red conquest is to give it the minimum of oil needed to operate. We guaranteed Mao Tse-tung's victory on the Chinese mainland by cutting off the supplies it needed to survive.

The only reason such a column can appear at this time is to immobilize the South Koreans. Indeed, the usual consistency is found in the Jack Anderson column on practically all matters crippling or paralyzing the United States and all its allies, while taking the opposite approach where the interests of our foes are concerned.

Anyone identified with a cause strengthening the United States and blocking enemy advantage against us can be sure that somehow, something will come up in an Anderson column that will serve to discredit him. The dossier system simplifies and safeguards the procedure. Keep a dossier on everyone. Then choose your target, anyone! Consider William P. Clements, deputy defense secretary.

He was in a minority, but without the opposition of the majority, on a Presidential commission set up to study defense matters, to explain how increasingly vulnerable we were becoming vis-a-vis the Soviet Union.

Clements was one of the positive appointments made by President Nixon.

The Anderson column of Dec. 18 had its opportunity in the use of Middle Eastern oil as a weapon against the United States. Clements, as a businessman, has "personal holdings in Sedco, a Texas-based oil drilling firm," Anderson pointed out; it was common knowledge.

Clements, obviously knowledgeable on these critical matters, was stated by Anderson to back "the creation of a Defense Energy Policy Council reporting directly to me for the purpose of approving major policies related to energy matters."

Wasn't this a field in which he could intelligently serve his country in this crisis?

Again, Anderson referred to secret memos. If he is able with such ease to obtain documents of a security nature from the highest sources in the U.S. government, the reds surely are cut into the same sort of channels. If Nixon has not set up an investigatory body, or called existing ones into action, to trace such leaks, he is sorely deficient in his prime duties. Yet, the political squeeze play being imposed upon him makes it almost impossible for him to fulfill such a responsibility.

The Anderson column has helped to create this dangerous situation. Whether one hates or adores the President is utterly irrelevant. Whether he is to be praised or criticized on other matters is just as irrelevant. Common sense should dictate this!

ALWAYS EXCUSE FOR THE ENEMY

His Mar. 22 column was headlined, "Hanoi's Buildup Followed One by U.S." as run in the Washington Post. We "precipitated" the red shipment of supplies "to their own forces in the south," as he interpreted it; failure to move aside and allow the communists to take over all of Viet Nam can be considered, from this point of view, as a hostile act. So it is, in doubletalk.

Hanoi, as is its tactical custom, proven by the record, followed its cease-fire agreement with a major movement of forces and supplies southward, contrary to the pact. This was done, according to the Anderson column, "to match the U.S. buildup."

Anderson can accuse our side of doing what the enemy is doing with the same aplomb as demonstrated by the reds themselves, as in this column. Poor, maligned, peaceful communists. We are always picking on them!

Nixon's bombing of the North obviously brought about whatever conclusion was reached in negotiations. They succeeded, anyway, in getting 500 and more American prisoners-of-war out of red hands. A tremendous pro-red orchestration had sought to prevent such decisive action on our part.

When this propaganda effort failed, the next step on Hanoi's behalf had to be to stop the bombing by a campaign to show it was being ineffective, anyway. So, the May 31 column was headed, "Bombing Said to Bolster Hanoi Effort."

The column could not deny the destruction that we inflicted, so it adopted the twist: ". . . the North Vietnamese economy was already breaking down. Now Hanoi can blame it all on the bombing. . . ."

Similarly as with news treatment of Nixon, no matter what is done, if our side does it, it's bad.

The obvious positive impact of our mining of the Haiphong harbor is now unchallenged. But at the time, in this column, Anderson brushed off even this. The twist he came up with was, it "forced the two Communist rivals, Russia and China, to work together for the first time in 10 years. . . ."

AWARD IS WELL EARNED

Whether the award is being presented on the basis of 1973 alone, any season in it, or any period of years, it is well deserved; it has been well earned.

The Eagleton affair, in which Anderson admittedly falsely accused the Missouri senator, then on the McGovern ticket as Vice Presidential candidate, of a record of arrest for drunken and reckless driving, happened in 1972. But it alone deserved "the most despicable story award." It simply has been delayed.

The Chicago Tribune of July 29, 1972, editorially labelled it, "Damnable Journalism," calling it "one of the blackest marks in American journalism and one which apologies and retractions will never be able to erase." It was "inexcusable," the paper said.

A twist always can be found to defame one side and to whitewash the other. Any action can be made to seem good or bad by a tone given to seemingly innocent words. The headline to the Nov. 3 column, of 1972, read, "U.S. Delivering Two Subs to Taiwan."

This broke our agreement with Peking, Anderson righteously implied. Again, the information was from "a secret order." Peking has no more consistent ally against Taipei than Jack Anderson.

Neither has Hanoi any more consistent supporter against Saigon. A hackneyed "psywar" propaganda slant is that the foe is certain to lose. In his column of Feb. 1, 1973, Anderson declared that the "secret estimate" of the Joint Chiefs is that "the communists will gain control of all Vietnam."

So what's the use of helping our side?

Jack Anderson, while not as suave as his mentor, Drew Pearson, has well earned his award.

NEW LAWS REGULATE—OR EVEN BAN—THE SALE OF HANDGUNS

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. RUSSO. Mr. Speaker, I would like to share with my colleagues today a newspaper article that appeared in the Chicago Sun-Times on June 29. It concerns the efforts of some Chicago suburbs to control the sale of handguns. Ordinances affecting the sale of handguns are on the books in Blue Island in my congressional district as well as in Oak Park, Wheaton, Niles, and Hoffman Estates. I commend these towns for their action and others in the area that are considering such steps.

The issue of reducing violent crime by eliminating trafficking in handguns is not a new one, but it is one that demands immediate attention from the 94th Congress. Unless measures are taken to prevent the easy acquisition of handguns, police officers will continue to fight impossible odds in the battle against crime, and guns will remain the chief instrument of murder.

During my time with the State's attorney's office in Illinois, I had the opportunity to work with many law enforcement officials, including local police chiefs and police officers. The overwhelming opinion among them is that we must have some form of gun control legislation. And I am supporting and sponsoring legislation which will ban the manufacture, sale and trafficking of handguns in the United States.

We might take note of these small communities that are, despite the lack of leadership from us, moving to regulate or even ban the sale of handguns.

The article follows:

NEW LAWS REGULATE—OR EVEN BAN—HANDGUN SALES

(By Jerry DeMuth)

Some suburbs have become the handgun market for Chicago.

"You don't find many shops selling handguns in Chicago because of Chicago's ordinances," explained Stephen Schiller, executive director of the Chicago Crime Commission. "So your gun market is outside of the corporate limits, in places like Oak Park, Lincolnwood, Blue Island, Franklin Park. You can buy your handguns across the counter there."

But now, many suburbs are moving to regulate or even ban the sale of handguns.

Last January, Blue Island adopted a law banning the sale of handguns and other short-barreled guns to the public. The law was challenged by one of two local gun shops and the courts, while upholding the city's authority to regulate firearms, struck down certain aspects of the law.

The law has been rewritten and is expected to be readopted July 8.

"We were having a lot of traffic, people coming in here and buying handguns," said Blue Island Police Chief Marvin F. O'Lena. "We wanted to put a stop to it."

Chief O'Lena referred to the number of crimes and deaths related to handguns, including several deaths the last couple of years in our town.

"These handguns are getting out of hand . . . or into the wrong hands," he said.

The Blue Island ordinance, in addition to banning sale to all but such persons as the military police and security guards, also prohibits the display of handguns and requires dealers to keep a record of all sales.

On June 16, Oak Park adopted an ordinance that restricts the carrying of handguns and requires a police permit for acquisition. Character references are needed before a sale can be completed and all handgun transactions, limited to persons over 21 without a criminal record, must be reported to the police.

"Last fall," explained Oak Park Trustee Sandor Loeby, a sponsor of the ordinance, "I heard a couple of Chicago policemen express dissatisfaction with Chicago law because people could walk across to suburbs like Oak Park and buy handguns."

The ordinance was adopted to prevent such an occurrence. A proposal to place an outright ban on handguns was defeated 5 to 2.

Such a ban has been proposed in Wilmette by resident Charlotte Adelman, who is an attorney.

Mrs. Adelman said she saw the need for such a ban when putting up a birdhouse in her backyard recently. "I suddenly heard gunshots," she said. "A youth from the neighborhood was shooting at birds with his parents' handgun. He was only 13 or so and I could have been shot.

"If other arms, such as sawed-off shotguns and metal knuckles, can be banned under state law," she asked, "why can't handguns be banned?"

Her proposed ordinance is presently being discussed by the village's judicial committee.

Several suburbs, like Oak Park, require a police check of handgun purchasers before sales are consummated. This has been the law in Hoffman Estates ever since the village was incorporated in 1959. Permits are then issued by the clerk. Records of all sales of firearms must be submitted to officials by dealers. The recent opening of two gun stores in the northwest suburb have prompted a review of that law.

Addison has a similar law which requires reports of sales and police checks of purchasers.

"It's one of the strongest measures around," said Lt. Chuck Gruba. "A dealer can't sell a gun to someone without first having it cleared by the police department."

The Blue Island ordinance, in many ways one of the strongest in the suburbs, doesn't provide for a police check of purchasers, although it does limit who can purchase a handgun.

"I'd have to have 10 extra men on the force just to check on the backgrounds of everyone who's been coming here to buy handguns," commented Chief O'Lena.

Wheaton law makes it illegal to furnish weapons to persons under 18. The western suburb also licenses dealers, requiring them to keep an inventory of weapons they have and a record of weapons sold.

Similar controls are placed on dealers in north suburban Niles. Sales reports, furnished to the village, are to include the name, age and address of purchasers, date and purpose of the purchase and the purchase price. Niles also has a voluntary gun registration program for gun owners, as do Chicago Heights and Arlington Heights.

A similar registration program, which is designed to help owners in case of loss or theft, did exist in Oak Lawn.

"It was discontinued because it took too much of our time and wasn't effective," explained Asst. Police Chief George Kummer. "Gun owners would sell their guns and not inform the police department."

Arlington Heights police recommended an ordinance last fall that would have licensed gun dealers, banned gun display in exterior windows and required that guns be stored in a locked place. "We wanted to make sure dealers have their guns under proper control," said Chief L. W. Calderwood.

The ordinance has never been acted upon. Similarly, south suburban Palos Hills has not acted on an ordinance to regulate sale of weapons which was introduced in March.

Larry Frang, of the Illinois Municipal League, which surveyed suburbs on gun control laws for The Sun-Times, said he has found growing interest in suburbs adopting local gun controls.

"A lot of suburbs are now considering such laws," he said.

ESSAY—"WHAT DEMOCRACY MEANS TO ME"

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. DOWNEY of New York. Mr. Speaker, it is with great pleasure that I submit to you and to my colleagues the winning essay entitled, "What Democracy Means to Me," written by Christine Ipolyi. All Brentwood elementary schools, St. Anne's and St. Joseph's school were participants from the Second Congressional District in New York. These were fifth grade students and there was one winner from each school and one overall winner. Ms. Ipolyi was the overall winner and received a trophy and also a savings bond.

Ms. Ipolyi's essay exemplifies the kind of education that the Brentwood public schools attempt to instill in America's future leaders and I am proud to submit it into the RECORD.

I am sure that everyone who reads her essay will enjoy the spirit in which it was written and will find words to remember. Ms. Ipolyi's essay follows:

WHAT DEMOCRACY MEANS TO ME

Democracy is more than a form of government. It is a way of life in the home, in the school, and in your community. The word democracy means, government by the people.

Through the centuries men have tried to come out from the shadow of slavery into the sunlight of freedom. Freedom did not come overnight. It has taken hundreds of years and the work of millions of people to find ways to make a democracy work.

As the centuries rolled by, men discovered that "Government by the people", is the perfect form of government for the benefit of all people. Democracy has a definite purpose. The goal is to see that everyone lives like a decent human being.

Democracy gives the right for men to choose their own occupation and no one could say you do this, you do that work. At times you hear people say, why doesn't the government do something about it? Those people don't stop to think or maybe even know that they are the government, they can improve or do something about it.

You should be glad with your freedoms for some people who live in slums and poverty cannot enjoy these freedoms. They lose faith in the government. But what are your freedoms? You have the freedom of speech, freedom of the press, freedom of religion, freedom to criticize, freedom to vote in secret, the right to petition, freedom to work at any job. And this is what they mean to me.

Freedom of speech: That means I have the power to say what I please to any person, but I can't say anything against someone enough to injure his name. I may use this freedom when I don't agree with the government. But I can't use it to destroy freedom.

Freedom of the press: Means that I can, at anytime in anyplace, set up a printing press and issue a newspaper, or magazine, or a book. I have the freedom to read anything I want.

Freedom of religion: Means I have the right to worship God in any way I want and I could go to the church I wish to.

Freedom to criticize: When you think the government or something is doing poorly you have the right to criticize just like freedom of speech.

Freedom to vote in secret: When I get older I can vote for whom I think is the best leader and when I vote I have the right to vote in private booths.

Right to petition: That means if I don't agree on something I can stick up and request a change on what I don't like.

Freedom to work at any job: When ever I want I can start a business at any job I want and no one can tell me what to work at. I simply take the job that I enjoy.

Because democracy is a living thing, there will be problems to be met and changes to be made all the time. Democracy belongs to everyone, to all the people who recognize that every person should be respected as a human being. I am proud and glad to be living in a democracy.

CONGRESS CONTINUES TO DEBATE ON WHAT COURSE TO TAKE ON ENERGY PROBLEMS

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. CARTER. Mr. Speaker, as we here in the Congress continue to debate which course the United States should follow in dealing with our energy problems, it would do us well to remember the basic reality of the situation: the United States has become dangerously dependent on imported petroleum supplies and we must develop our domestic resources, particularly coal, to supply our energy needs.

The situation is that simple, but sometimes it appears we lose sight of this reality. In light of this, a recent address by Mr. Frank G. Zarb, Administrator of the Federal Energy Administration, is particularly critical because it points out the realities which we must face and with which we must contend. Representing, as I do, a major coal-bearing section of Kentucky, I found his comments about the great and growing importance of coal especially noteworthy.

I am pleased to offer for the careful consideration of my esteemed colleagues, Mr. Zarb's speech before the Kentucky Economic Development Commission's Economic Growth Conference in Louisville August 27:

Hon. FRANK G. ZARB SPEAKS BEFORE THE KENTUCKY ECONOMIC GROWTH CONFERENCE

When I was a kid in Brooklyn, we used to think of the South in terms of two things—the "black gold" in Texas, and all that real gold in Fort Knox, Kentucky.

Somebody explained to me that Kentucky didn't own the gold; that you were just "caretakers" of the nation's wealth. At the time, I thought I'd like to take care of some of it myself.

Well I'm not Secretary of the Treasury so the gold is safe. But the 1970's are changing the definition of "black gold". It's no longer oil, but also coal, and in that sense, our Fort Knox of energy has shifted from Texas to Kentucky.

In practical terms, the coal here in this state—which accounts for almost a quarter of the country's production—will be more valuable to us over the next decade than the gold in Fort Knox. So now you are the caretaker of the nation's financial foundation and a large part of its energy future as well.

And you have shown that that future is in good and responsible hands with some of the most far-reaching and effective energy planning that has been done so far in the United States.

You have shared your resources with the rest of us. You have managed your own local energy crisis with the coal severance tax—refunded in part to the counties; with a State Department of Energy; with an energy Research and Development Center to administer a $50 million dollar trust fund that *you* set up; and with a plan to pool natural gas for industry to meet last winter's curtailments and the shortages of the coming heating season.

That is cooperation. That is support for national needs, and effective concern for local problems. That is federalism in practical and productive terms.

And it is also an example to the rest of the country—an example of realism, of seeing the situation as it is and not as we wish it were, of facing the truth about ourselves, about our economy, about our lifestyles, and about the future.

That is what I would like to speak to you about tonight—reality, not just as we wish to see it, but as it *is*, and truth, not just as we wish it to be, but as it *is*.

And the first truth we had better face is that the United States, in terms of oil is not the country it once was. In 1949, in 1956, and again in 1967, shipments of Mideast crude oil to the United States were curtailed because of political motives. No one even noticed it then because the United States had surplus capacity in its oil fields.

But unfortunately, few people noticed when that surplus began to dwindle and decline, few people, that is, until 1973 when some producers did the same thing that they had done three times before. Then everybody took notice.

From secure supplies, under our own control we had begun to lean on insecure sources for 35 percent of our consumption. We went from independence to dependence in one decade—a dependence that grows each year, in the absence of a national policy—a dependence which now amounts to 38 percent of our consumption.

That is a fact—unpleasant but true.

But that dependence also has other implications. If others produce the oil we consume, the price we pay to satisfy our demand is in their hands.

And in the twenty minutes, or so, that I speak to you, those hands will have pocketed a million American dollars for imported oil. That is almost $3 million every hour, more than 70 million dollars every day.

Compared to $3 billion in 1970, in 1974, those same hands collected 25 billion U.S. dollars for their oil—more than $400 for every American family. In 1977 alone, they will collect $32 billion even if there is no price increase by the cartel.

There is another reality behind those figures—American jobs, American payrolls, and American workers. The money we spent for oil imports in 1974 could have paid the salaries of a million, six hundred thousand American workers or built more than 600,000 brand new homes. But it did not pay any salaries, *at least not here*, and it did not build anything, *at least not for us*.

That is reality—unpleasant but true. And, if we continue to do nothing, reality will become harsher because the Organization of Petroleum Exporting Countries (OPEC) will not disappear.

It's in business—a very profitable business—and they are in it to stay. They have the market—us—cornered and they intend to keep us there.

Like any monopoly, they intend to maximize their profits. Anyone who thinks they won't, anyone who ignores reality and dreams of the day when the cartel will disappear might as well resign himself to remaining cornered—economically and politically.

The only way to take back our own independence—to get out of that corner—is to establish a tough, hard program that will reduce our reliance on their product.

But we will never take even the first step out of the corner if we refuse to see reality, if we keep dreaming that nothing has changed and that somehow oil will again sell for three dollars a barrel and that the price of energy will come down.

That amounts to building castles in the air, and then trying to live in them. And anyone who promises a return to cheap energy is simply trying to help us furnish those impossible dreams.

Even if we try to live in those castles, we won't escape from reality for very long. We can keep our domestic oil relatively cheap, for example, by maintaining price controls on more than half of it.

But in the real world that means less domestic production to satisfy growing consumption. That demand will be filled by insecure, foreign sources of oil. Our consumption of imported oil will grow, and there is no way the Federal Government can control the price of oil produced in another country.

More and more exorbitantly priced oil will flow into this country. So it is not a question of whether the price of oil will go up, but when, and under whose control.

In effect, the oil producing countries of the world will decontrol our prices for us, and you can be sure that they won't offer to return the money to low and middle income Americans as the Administration has proposed.

This is reality. And if we still possess the pragmatic, pioneering courage and guts of those who settled Kentucky and the rest of the country, we will face reality and plan for the future on the facts as they are. We will stop constructing those castles in the air, and build a tough, realistic, effective policy to reduce our consumption, increase our domestic energy production from all sources, and make this country even more invulnerable than it once was.

But the key to effective action is recognizing reality: energy is scarce and that means that energy is valuable. The only successful means our society has yet developed for measuring the value of a commodity is its real price.

Simply stated, if we allow price to reflect the economic facts of energy—that it is a scarce and valuable commodity—then consumers, and I mean both industry and individuals, will begin to react to reality. They will begin to use energy efficiently in the home, in the factory, and on the road.

I have enough faith in the common sense of the American homeowner to know that he can tell a good deal when he sees one. Faced with the real value of energy, he will put up storm windows, add to his insulation, and take all of those other prudent steps required to make home use of energy more effective.

Faced with that same reality, a factory manager will have to decide between a more expensive piece of machinery that uses energy more efficiently and one which may be cheaper initially, but will cost him every month when the utility bill comes in.

That same realism will also begin to convert our automobile industry from the production of fleets of chromium plated gunboats to efficient cars that get us where we are going without emptying the gas tank every 200 miles.

And that is not just theory, but fact.

Over the last 2 years, more efficient compact and subcompact cars have gone from a little more than 41 percent of the market, to 54 percent. Average mileage for new cars has gone from a little more than 14 miles-per-gallon in 1973 to better than 17 for the 1975 model year. The 520,000 barrels of gasoline consumed every day by new cars in 1973 has steadily declined, and is expected to drop to 385,000 barrels by 1977.

The major factor in those gains has been market demand. The consumer in the showroom is aware of the new reality. He is making his awareness known to the people who make cars. And there is no way he, or the factory manager or homeowner can make their feelings known—no way they can even become aware of the real value of energy unless a true price tells them: "Be careful; it's scarce."

That is the only course a free society can take and still remain free. The only alternative is increasing governmental control over some of our most basic decisions.

Instead of attaching a price tag to an article to warn a consumer of what he is about to do, we can create bureaucracies to tell us that energy is scarce; to tell the homeowner that his thermostat is too low this summer; to tell the factory manager that he must buy a particular item, or that he cannot expand his business because his allocation can't be increased.

In short, we can change our economic early warning system from the free market to the bureaucrat's memo, and in so doing, alter the foundations of our free economic system.

But building that kind of federally controlled system is like adding another wing to that castle in the air that I mentioned. It won't meet anybody's expectations because some who are victimized by the control mentality assume that the government can lead us back to the dream land of cheap energy.

The truth is that those who call for controls, whether an allocation system, or continued regulations on the price of oil and natural gas, are proposing a nightmare—an expensive nightmare made even more frightening by the government's tendency to give at least equal weight to political as well as economic profit in making decisions.

The best course for government is to clear a path for consumers so that they can make their own decisions. But we can make that path smoother by reforming the tax codes and returning excess profits to consumers, as the President has proposed, so that low and middle income Americans don't carry the burden.

Now, I have talked about reality, and probably made it sound pretty grim. But the energy realities of America are also encouraging. Unlike most of the world's other countries we do have the resources to replace our oil imports.

We can develop additional energy supplies under our own control: more oil and natural gas from the Outer Continental Shelf, Alaska and the Naval Petroleum Reserves.

But there is some oil which will never be produced if we continue to impose an artificial price. I'm talking about the oil in fields that existed in 1972 and before.

Some of those fields could be abandoned with more than half the oil still in the ground. Getting it out requires sophisticated, expensive technology—techniques that cost more than the oil can be sold for under controls.

Remove those controls and that oil will be produced. So free oil prices are not just a conservation measure; they mean more supply—nearly a half billion barrels of oil produced in this country in 1985.

Besides oil, we have nuclear power which must be transformed from a promise to a reality. We have a trillion dollar economy and the inventive genius to develop and use the advanced energy forms: solar, geothermal, wind and fusion.

Finally, there is coal—half a trillion tons of it. As you know, we intend to see coal production doubled by 1985.

But we cannot ask an industry to produce without a market. To achieve the coal productivity that we'll need by 1985, we are going to have to ensure that there is a dependable growth in demand. Ironically, the chief obstacle in our path is a government policy.

In pursuit of an objective that is perfectly valid in its own right, the Federal Government has imposed restrictions on the burning of coal that may wind up reducing the amount that can even be mined. I am speaking of the Clean Air Act as it presently stands.

The Clean Air Act has made a great contribution to the welfare of this country's citizens by reducing pollution from all major sources. But in some parts of the nation, the environmental restrictions on burning coal are more stringent than is necessary for the protection of public health. As stricter requirements and new deadlines in the Act come into effect, this situation will become more widespread.

This situation also ignores reality. The truth is: the Administration's energy program—whether it's the Clean Air Act Amendments or the postponement of stricter automobile emission standards—is consistent with improving the quality of our environment.

There is no excuse for polarizing energy and the environment by taking extreme and impossible positions. Reason and a willingness to sit down and discuss objectives can result in productive policies for both interests.

For example, the President's proposed amendments to the Act are not made on the recommendation of his energy advisors alone. They were worked out jointly between FEA and the Environmental Protection Agency, in a manner which balances the goals of energy production and air quality, and attains both.

If Congress will pass the proposed amendments to the Clean Air Act, as well as the other elements in the Administration's program, then the future of the coal industry, and of the country will be brighter than ever before. And if industry acts as responsibly with regard to the needs of the country—including its environmental needs—as it does in the pursuit of its own goals, then a climate of confidence will develop both inside and outside the industry—a climate that will hasten the achievement of our energy goals and alleviate the capital constraints of future development.

And that future is promising in many ways for the industry and for the nation. With oil and natural gas dwindling, coal will begin to replace them as the economic feasibility of gasification and liquefaction techniques is demonstrated. Those processes will also produce chemical feedstocks.

Coal gasification and liquefaction will account for eight percent of our consumption by 1985, and will make a major annual contribution by the year 2000.

You can see it beginning to happen here in Kentucky. As you may already know, the tests and studies for a demonstration plant to produce pipeline quality gas from this State's coal is practically complete.

When it comes to the future of coal, when it comes to the future of the country, we have reason to feel confident and hopeful. But both those feelings will be hollow not too many years from now if the truth—the grim side as well as the bright—is hidden from the American people.

I've talked tonight about realism, and that realism boils down to 8 truths.

Truth Number One:

We got into this problem over ten years. It will take time and a solid policy to come out of it.

Truth Number Two:

OPEC is here to stay and our continued inaction can only encourage them to raise prices even more.

Truth Number Three:

As a nation, we became accustomed to cheap energy, abandoned our own resources, such as coal, and relied on unstable, foreign sources. The era of cheap energy is over, and it's time to rely on ourselves again.

Truth Number Four:

We have two choices: do nothing and watch the oil producers decontrol our prices for us, or take our own destiny in our own hands, and adopt a firm clear energy policy that preserves our free society, economy and national security.

Truth Number Five:

That policy should effectively reduce our consumption, and stimulate production from our own resources.

Truth Number Six:

Realize that there is no "free lunch", and that we will have to sacrifice.

Truth Number Seven:

We can have energy and a better environment.

Truth Number Eight:

The American people want the hard truth.

I have enough confidence in the American people to know that if they are presented with the truth, they will respond as they always have to crises in the past. If they are asked to sacrifice equally with their fellow-citizens, they will do so.

Even now they are asking for the truth—hard, plain and unadorned. True leadership means presenting that truth without fear and calling for that sacrifice, not asking people to be content with political vagaries full of promises that cannot be kept.

The Bible says: "The truth shall make you free." That is equally true in this context. Our economy and our national security will remain in our own hands, and we will free ourselves from our dependence on other nations if the people of the United States know the truth.

A PROPOSAL FOR MULTIPLE CORN AND SOYBEAN FUTURES DELIVERY POINTS

HON. TOM HARKIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. HARKIN. Mr. Speaker, I would like to share with my colleagues information to support the establishment of multiple delivery points for corn and soybeans. At the present time, Chicago is the only delivery point for corn and soybeans traded on the futures market. As Dr. Wisner and Dr. Skadberg, associate professors of economics, Iowa State University, illustrate in the following paper, the lack of adequate delivery points distorts the market to the detriment of the farmer and the local grain elevator.

The use of the futures market is a valid tool in forecasting commodity prices if it is a free market. The futures market can only be made free if the potential for delivery exists.

I have called upon the new Commodity Futures Trading Commission to establish a delivery point for corn and soybeans in Council Bluffs, Iowa. Council Bluffs is well endowed with vast storage capacity and an integrated transportation system. In fact, Council Bluffs is the fifth largest railroad terminal in the country and the major terminal between Chicago and the Pacific coast. Council Bluffs is also ideally situated in the primary corn, soybean, and wheat growing region in the Midwest. It is also near the main oats producing region of the upper Great Plains.

A Proposal for Multiple Corn and Soybean Futures Delivery Points

Prepared by Robert N. Wisner and J. Marvin Skadberg, Associate Professors of Economics, Iowa State University; Ames, Iowa August 21, 1973.

To improve the effectiveness of the Chicago corn and soybean futures markets and to make them more useful to hedgers, we propose that additional delivery points for corn and soybean contracts be established in the major corn producing states. Futures markets are vitally important to the grain industry and American farmers, but their usefulness has been limited in recent months by delivery difficulties. Our proposal is to add additional delivery points outside Chicago, possibly as many as 20 or 30 new locations, to greatly improve the feasibility of delivery. It is proposed that the futures price be discounted by the rail freight cost from the delivery point to Chicago if delivery is made outside Chicago. Evidence from other futures markets indicates the multiple delivery point concept is workable and can provide additional flexibility for both long and short hedgers.

I. THE NEED FOR CHANGE

Larger production

In the last ten years, the American grain industry has changed dramatically. Soybean production has doubled, corn production has increased by 50 percent and corn exports have tripled. Soybean exports have increased by 180 percent since 1962 and will expand sharply in 1973–74 after this year's 22 percent increase in acreage is harvested.

Despite these tremendous changes in the volume of grain being produced and marketed, Chicago continues to be the only point permitted for delivery of corn and soybean futures contracts on the Chicago Board of Trade. Capacities of warehouses approved for delivery on futures contracts have not kept pace with the total volumes of these grains being marketed.

Other cash markets growing

While the Chicago cash market continues to grow in volume and dollar value of the grain handled, other cash markets are becoming more important. As a result of this trend, only a small percentage of the crop normally moves through Chicago. The domestic processing industry has expanded substantially in Midwest areas away from Chicago, domestic feeding markets have increased sharply, and export volumes moving through the Gulf of Mexico ports are substantially larger than Chicago shipments. Each of these market segments represents a considerable number of potential hedgers.

Vulnerable to Chicago transportation problems

With all deliveries being routed to Chicago, the futures market is particularly vulnerable to local transportation problems. A transportation or grain handlers strike in Chicago could prevent delivery on futures contracts, thus causing artificial and distorted relationships between cash and futures prices and making the market difficult to use for hedging purposes. The same effect could occur if Chicago elevators are full and congested due to a lack of local grain handling capacity.

Importance of the threat of delivery to a viable hedging market

To be useful for hedging, a futures market must have a stable and relatively predictable basis (spread between cash and futures prices) as contract maturity approaches. If the basis at the time of maturity is not predictable, a hedger has no way of knowing if a given hedge is likely to be profitable. Since the primary purpose of a futures market is to provide price protection for business operations and to reduce risks, a market without a predictable basis loses its usefulness for hedgers.

Delivery, or more importantly the threat of delivery, is the key element making the basis stable and predictable as contract maturity approaches. If unhindered delivery is possible, futures prices well above cash prices would cause the grain trade to sell futures contracts, buy cash grain and deliver on the contract. This process would continue until futures prices were forced down and cash prices were bid up so that the two were approximately equal. In the same way, futures prices substantially below cash prices would encourage long hedgers to buy futures contracts and hold them for delivery until cash and futures prices at the delivery points were approximately equal.

If there are no hinderances to delivery, cash and futures prices at the delivery point at contract maturity would be approximately equal, except for small differences reflecting quality variations and handling costs to load out the delivered grain. However, if serious impediments to delivery exist, wide and unpredictable differences between cash and futures prices can exist at contract maturity.

Recent examples of inability to deliver on grain futures contracts

July 20, 1973 is an excellent example of the effect delivery impediments can have on cash-futures price relationships. The expiring July corn futures price at the Chicago Board of Trade on that day closed at $3.80 per bushel, with an earlier high of $3.90. The closing price was an increase of $1.20½ from the previous day and was $1.13¼ per bushel above the closing Chicago cash price for No. 2 yellow corn on that day. If delivery had been possible, it is clear that a strong incentive would have existed to buy cash corn, sell futures contracts and deliver on the futures contracts. Other less dramatic examples of delivery problems have occurred in the past.

Several Iowa grain elevators verify that it has been difficult if not impossible to deliver corn and soybean futures contracts in recent months. They cite full warehouses in Chicago, need for additional working space to handle heavy Chicago export movement, congestion in the Chicago rail switching district and related factors as making it extremely difficult to deliver grain on futures contracts as presently specified in Board of Trade regulations.

Importance to the industry

The future of the Chicago Board of Trade depends heavily on its ability to be of service to the entire grain industry and to perform a useful business function, namely risk reduction. Thus, ease of delivery is vitally important to the future growth and role of the Board of Trade in grain marketing. It also is vitally important to midwest elevators, and grain and livestock farmers. The futures market in the past has enabled the grain industry to absorb a high proportion of farmers' crops at harvest, hold them with minimum price risk until later in the year, and gradually distribute them into marketing channels as buyers for the physical commodity are found. This year, because of ineffectiveness of the futures market in reducing price risks, the grain industry is requiring substantially wider merchandising margins than in the past. Thus, an ineffective hedging market means that either the farmer receives lower grain prices or grain users pay higher prices than would otherwise be the case.

Multiple delivery points not new

Multiple delivery points have been used successfully for a number of years in Chicago Board of Trade soybean meal and soybean oil contracts, as well as in live cattle and live hog futures contracts and various other commodities. Thus, it is evident that futures contracts do not have to be limited to one delivery point, and that the multiple delivery point concept is workable.

II. THE PROPOSED CHANGE

The change proposed here is to permit delivery of corn and soybeans at approved warehouses in major midwest producing states as well as in Chicago. Approved warehouses outside Chicago would include country and terminal elevators that meet specified minimum requirements of a delivery point in a designated midwest geographical area.

The seller of a future contract would determine his planned delivery point, and would be required to designate this in his notice of intent to deliver. He would be required to pay all costs of delivery including grading costs, elevation charges, freight costs to the delivery point and related expenses. For delivery at locations outside Chicago, futures prices would be discounted by the rail freight cost from the delivery point to Chicago.

Effects on long and short hedgers

The introduction of multiple delivery points for corn and soybeans would extend delivery possibilities to a wider range of short hedgers. The change would enable all sizes of hedgers from a broad geographic area to make delivery if market conditions warrant. By making it possible for a large number of hedgers to make delivery, the burden of responsibility of forcing the cash and futures prices into a reasonable relationship at contract maturity would be shifted to a larger segment of the grain industry.

The expansion of delivery points increases the feasibility of delivery but should also reduce the probability of delivery. Extensive deliveries on contracts are made only when the market is not operating properly. Extension of the market to a wider geographic area should reduce the possibility of a malfunctioning cash-futures market.

It appears that short hedgers operating in a market with multiple delivery points would be better off than in a futures market limited to one delivery point. This modification would permit delivery on a future contract either at grain originating points, or at Chicago or other midwest destination points, rather than solely at Chicago as now provided. Thus, they would be free to search out uncongested delivery locations and those with unused storage space.

While short hedgers would appear to be better off under multiple delivery, longs or long hedgers would not appear to be at any particular disadvantage under this system. It is true that a long could receive delivery at any of various points, depending on the seller's choice, and would face some additional uncertainty as a result. However, if delivery were made outside Chicago, the receiver would not have to pay the full par value of the contract. The futures price would be reduced by the cost of transportation from the alternate delivery point to Chicago.

Thus, if a firm taking delivery on a contract wanted the grain in Chicago but received it elsewhere, it could arrange to ship the grain there at a cost equaling the applied discount from the par delivery point. If the firm needed the grain at a location other than Chicago, it would have the flexibility of transporting the grain to that point, possibly at a lower transportation cost than under the present system.

III. SUGGESTED QUALIFYING CRITERIA FOR DELIVERY POINTS

To insure that grain is delivered into elevators having the facilities to adequately handle it, a carefully selected list of requirements for delivery points would need to be developed. The following items might be included in such a list:

1. Official in and out-bound weights and grades.
2. Minimum out-bound transportation capabilities, such as either a heavy rail line and capability of handling single-car covered hopper shipments, or barge shipment capability.
3. Minimum bushels of upright storage capacity.
4. Minimum receiving capacity in bushels per hour.
5. Minimum load-out capacity in bushels per hour.
6. Minimum annual volume in bushels handled per year.
7. Federal warehouse license.
8. Minimum bonding requirements.
9. Minimum insurance requirements.

This list is not intended to be all inclusive or detailed. The specific requirements for each factor would need to be worked out by the Board of Trade and the grain industry. The general concept behind selection of delivery point standards would be to insure that quality of grain could be maintained if it were stored, to insure that it was financially secure, and to insure that under normal circumstances there would be no unreasonable delay in shipping grain from the facility.

IV. IMPLEMENTATION

To permit an orderly transition from contracts with one delivery point to those with multiple delivery points, adequate prior notification ought to be given all traders. We feel notification of the change should be given at least one month before implementation. Also, the change should not apply to contracts that are only two or three months from maturity at the time the notification is made.

SYMPOSIUM ON THE WORLD FOOD CRISIS—II: GRAIN RESERVE

HON. JOHN BRECKINRIDGE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. BRECKINRIDGE. Mr. Speaker, quirks in weather and international political-economic considerations can cause sharp supply and price fluctuations in food. A part of the debate on this question focuses on grain reserves. Those favoring reserves argue they would stabilize supply and price, benefiting producers and consumers; those opposed argue that Government would use the reserve as a price regulator detrimental to producers.

These issues were illuminated at the April 1 and 2 World Food Crisis Con-

ference at the University of Kentucky moderated by Dr. Robert W. Rudd, chairman of the university's department of agricultural economics:

Dr. RUDD. The focal point is the question of grain reserves, and our first speaker is Dr. Willard Cochrane, a past president and Fellow of the American Agricultural Economics. He was an agricultural advisor to President Kennedy. He is currently Professor of Applied Economics at the University of Minnesota; he is going to discuss the case for the government-operated reserve stocks programs for grains.

Dr. COCHRANE. The world production of grains varies unpredictably through time. Over 1950–73, annual total world grain production varied from trend on the average by 3 percent, with the maximum deviation *above* trend reaching 7 percent in 1958 and the maximum deviation *below* trend reaching nearly 5 percent in 1965. There is a world market for grains of which the U.S. is a part. In fact, the U.S. is the largest supplier of grains to this market.

The world demand for grains is exceedingly inelastic—meaning that a small annual change in world production (of the magnitudes which occurred from 1950 to 1973) can give rise to a very large price change in the opposite direction, if there is not a reserve stock system in operation to even out supplies over time. Further, the argument is gaining currency that world demand for grain becomes increasingly inelastic in periods of shortage, resulting in a wild scramble for scarce stocks and skyrocketing prices such as we experienced in 1973. Thus we must expect world grain prices, and those in the U.S., to fluctuate widely and unpredictably in the future. In nontechnical terms this is the situation confronting producers and consumers of grains, grain products and, after the requisite lag, livestock products too.

Are wide and unpredictable price fluctuations in the grains, hence food products generally, in some sense bad?

Economists have burned up a lot of time and energy trying to prove that the answer is yes, or it is no. People, because of their value systems and economic positions, either like price stability and dislike price instability, or the other way around. If they like price instability, they won't like these comments and they should work to defeat a grain reserve stock program. If they like price stability, they should listen carefully because a reserve stock program for the grains is technically feasible, but far from a political and organizational reality.

In my judgment, more people in the U.S. dislike price instability than like it, but the majority is not well organized. Consumers in most instances want to stabilize farm and food prices. Marketing firms are coming to favor increased price stability. But farmers are scattered all over the lot on the issue.

Foreign nations are taking action where they can, on an individual basis, to increase their food security, and are waiting to see what the big fish, the U.S., is going to do about a reserve stock program.

What do we mean by a reserve stock program for the grains? We are talking about a stock of grain, owned and managed by government (a national government or an international body) over and above the stocks held by farmers, middlemen and consumers in their normal and regular intra-year operations. The purpose of this reserve stock is to even out supplies available to users of grains over time where production fluctuates from year to year in an unpredictable fashion. The program should not be viewed as a device to increase producer income, or to subsidize consumers. Such objectives call for other kinds of programs. To repeat, the purpose of a reserve stock program is to even out supplies over time—to avoid feast or famine.

Economists generally feel, and I certainly do, that this purpose can best be achieved by: (1) Establishing fixed rules to govern the acquisition and disposition of stocks which all concerned persons know and understand and to which each person can respond in a rational consistent manner; (2) the price system provides a convenient means for developing such a set of rules. Let me illustrate one possible set of rules:

Prices of grains would be stabilized within a range of plus or minus 20 percent of the average price of grains for the past two years. Grain would be acquired under this program whenever prices dropped to the lower price boundary. Grain would be released into the market whenever prices reached the upper price boundary.

In this way supplies would be evened out over time to users of grain and as a result prices would be stabilized.

Ideally we should like such a program to be operated by an international agency in a world without trade barriers. We have done some work at the University of Minnesota on the size of stock required to achieve grain price level stability under such a one-world assumption. We come up with some of the following preliminary results: The world grain price level could be stabilized in a range of plus or minus 10 percent with a probability approaching 80 percent, with a grain reserve increasing from zero in 1975 to approximately 50 million tons in 1981, or at approximately 3 percent of world production by 1981.

In a perfect world, such a program would appear feasible. But we don't have one world; thus I would suggest that the U.S. provide the leadership in calling together the leading importing and exporting nations to work out an international program to even out world supplies over time and stabilize world grain prices in which reserves would be held by the individual participating countries. The mechanics of acquisition and disposition could take the same form as that suggested above. Individual countries would have to agree to one set of rules, and then faithfully manage their individual country stocks by the agreed upon set of stock management rules. The total size of the reserve stock would have to be greater to achieve the same degree of price stabilization under this arrangement than under the one-world assumption, because of trade barriers and other frictions.

Such an international reserve program for the grains will not easily be achieved. There is currently much talk about such a program in international circles, but no concrete steps are being taken. And nothing much will be done until one of the big fish—the U.S., or the USSR—takes the leadership to bring such an international program into being.

One final point: I would guess that the USSR is not likely to take the leadership in developing an international reserve stock program for the grains, since it has been so successful in the past in buying grain at a bargain from the surplus producing capitalistic nations. Thus, the leadership ball is clearly in the hands of the U.S.

If the U.S. should take the leadership, but find that the other important importing and exporting nations are not interested or are unable to agree on an international reserves stock program for the grains, what then are the implications for the U.S.?

First the U.S. must decide whether it wants to seek to stabilize grain and food prices to itself (since it is the largest grain exporter, it need not worry about adequate supplies). If it attempts to go it alone with regard to price stability for itself in the grains, the U.S. must either carry a reserve grain stock of sufficient size to stabilize world grain prices, as it in effect did between 1950 and 1972, or it must insulate itself from the world with a battery of import controls, export controls and production controls, as it did between 1950 and 1972 to protect and enhance producer incomes.

If the people of the U.S. value internal farm and food price stability sufficiently highly it can take some combination of the above actions and stabilize its internal farm and food price level. We know how to do it. And it should be no more, possibly less, expensive, in real terms, to do so than to engage in the kinds of storage programs that we had in the 1950's and 1960's.

Why do I say possibly less? I say this because what we have been talking about has no subsidy in it for either producers or consumers. Why not depend on the private trade to carry the necessary grain reserves?

There are several related answers to the above question and they all point in the same direction—the private trade cannot even out supplies between crop years and thus stabilize the level of grain prices over time. Private trading firms are in business to make a profit. They have not in the past carried the large stocks required to even out supplies between crop seasons and thus stabilize prices over time because they were unable to see that operation as profitable.

The risks were and are too great. The business firm cannot know whether the crop to be planted two years hence will be a good crop or a poor one. With present knowledge of future crop conditions the firm could easily go broke carrying a large reserve stock waiting for the bad crop year.

The kind of reserve stock program for the grains under consideration here can be helpful to producers and consumers to even out supplies and stabilize prices to them where they have the capacity to enter into the market to buy and sell grain supplies. But for those living in poverty with nothing to sell and no funds with which to buy, it has little or no meaning.

Thus, in addition to the reserve stock program under consideration here, we need a permanent and continuous World Food Aid Program to help victims of war, victims of natural catastrophes, children, pregnant and nursing mothers and the very old living in poverty, and displaced people living in chronic poverty.

Here we are talking about an international welfare program to aid those living in extreme poverty. And since so many millions are living in extreme poverty around the world, we must expect such programs to be large in size for a long time to come—approaching, say, 5 to 10 million tons of grain per year. This is in addition to an International Reserve Stock Program for Grains; in my judgment such a program should be operated by a U.N. agency to take food relief out of the international power politics arena.

In summary, I cannot say to you that an International Reserve Stock Program for the Grains would be good for each and every one of you. It might, for example, cause the returns to wheat growers in the U.S. to be lower over the next 10 years. But the operation of such a program is technically feasible and not exorbitantly costly.

It is unthinkable for a great world power such as the U.S. to subject itself to the economic vicissitudes of a free-market, bare-shelf policy in the basic foodstuff, grains, such as it has done in the past four years.

The grains are vital to the existence of every country; they are economic power; they are not gumdrops; but policywise we are treating them like gumdops. It is time for us to start treating the grains like the great and vital national resource which they are.

Dr. RUDD. Our next commentator is a native Kentuckian, a Simpson County farmer. **He operates some 1500 acres of land and produces feed grains, tobacco and livestock. He is President of the Kentucky Farm Bureau Federation, the state's largest farm organiza-**

tion and he served prior to that as first Vice President of that organization. He is also a businessman. He is Vice President of the Kentucky-Tennessee Grain Company and serves on the Board of Directors of a local bank. Mr. Bob Wade.

Mr. WADE. Thank you. I will try to disagree without being disagreeable but certainly there is quite a bit of confusion over who is in what position. Even though I spend a good part of every day tending to my job as president of the KFB—with a meeting almost every day and sometimes 7 or 8 a day—I do work on the farm. We have a small family farm corporation and my sons work with me.

My first rebuttal is that from 1950 until 1972 many farmers were forced off the farm, had to sell family farms and were put out of business by controlled reserves. Farmers were under the control of the bureaucratic management specialists, who even today want to manage everything from the air we breathe to the water we drink.

There is a point where we must remember that this great U.S. was put together under the free enterprise system.

We have vast reserves. We have a storehouse full of knowledge that can be used by the people in agriculture and will be used to provide the food that the world wants.

We have a storehouse here that can be shared with other countries to help them raise their own food, to help them feel that they have a respective place in society.

Too long have farmers been subject to these government management specialists who have managed such things as our welfare program.

We look at history and we can see that 95% of the people in this great U.S. would like to have a big food reserve—at someone else's expense. What is the need for the food reserve? It is to control farm prices. Dr. Cochrane has just outlined how they would be controlled. Let's take his 20% under and over variance. What happened to the farmer last year when the price of fertilizer went up from three to five times? Is that 20% going to allow him any profit? No, it is not.

What has caused the big price fluctuation? We can give you our cattle and your meat is going to cost you 52 cents a pound. That's if we give it to you. Do we cause that 52 cents fluctuation? No, the thing that caused the fluctuation was wage and price controls, with more bureaucratic management specialists and their errors.

We need a strategic reserve for the grain supplies in this country like we need another hole in our head. Sooner or later with this type program you are going to break all the farmers in this country and then you are going to have to try it like Russia is running theirs. And I have a feeling then we won't have a reserve, we won't have a supply, and we will have hunger here in the U.S.A., where some think it can't happen. But it will happen if we sit around on our duffs and we are lulled to sleep by the fact that we want cheap food.

It hasn't been too many years ago in this country since the pioneers came through; the main thing they were looking for besides their health and their hides was food. Look how much it has changed. We are having a hullabaloo over the fact that we are now paying 17% of our incomes to feed ourselves. There are lots of countries in the world that would be happy if they were paying 50%—if they had the opportunity to pay 50%.

Back up and spend a little time and read the history of the Commodity Credit Corporation. There were more management errors in that system than any system that has been devised by the government in quite some time. For instance, everyone remembers Billie Sol Estes down in Texas. He managed to take a little gravy out of the system. There were times when the grain in Kansas City was shipped by Commodity Credit to Baltimore supposedly for export. Two years later, this same grain was shipped back to Kansas to the millers to mill it for consumption here in the U.S.

Why not leave the reserves on the farms where they are raised and with country elevators and the terminals that are in the business. I feel that I know a little more about farming than some of the people that have not farmed. And I believe that the elevator people know more about how to handle and keep their grain in condition, and how to sell it and how to ship it than the people in Washington and various places that are working for Commodity Credit.

A year ago people were saying wheat was so high and so scarce, bread was going to be $1 a loaf. That was a total lie and the people who told it knew it was a lie, but the public bought it. Everybody got nervous about a loaf of bread, when the truth was that we had more than enough surplus wheat and we have enough surplus now.

There is more grain on the farms in this country than has been there at any one time in the history of the country. And the farmers are storing it. The farmers want to store this grain and they want a reasonable profit. But how are we ever to get a reasonable profit and stay in the farming business, and provide you with quality food that hasn't been shipped all over hell and back, when we have management specialists who want to take it over and use it as a price regulator for the world market in grain?

Let's be sensible. Let's pool the money. Let's establish an international monetary fund and as countries are able let them pay into the fund and as countries need help, let them withdraw from the fund. You have heard Dr. Cochrane say that the yield worldwide has very little variance. Even with a bad crop here and a bad crop there, there are always places that have good crops. The overall variation is very narrow.

We in America could knock off 10% of what we eat and probably be healthier. Too many of us are carrying too much lard.

The problem is that we are trying to create some more jobs for some management specialists who got displaced when the surplus blew out and we are not using our heads to think. The farmer can store it cheaper, ship it on time and in the end you will find that the consumer will have much better quality and much cheaper food.

The fatal step for American agriculture is to go the strategic reserve route.

HOUSE OF REPRESENTATIVES—*Friday, September 5, 1975*

The House met at 10 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Thou shalt remember all the way which the Lord thy God hath led thee.—Deuteronomy 8:2.

Almighty and Eternal God we come before Thee on the eve of Rosh Hashanah to join with our Hebrew friends in entering their new year. Grant that we may enter together and live through the coming days with humble and grateful hearts. Help us to work more closely with Thee and to labor more faithfully for the good of our people obeying Thy Commandments, living by Thy laws, and following the example of the best of men.

Enlighten with Thy wisdom and sustain with Thy power those whom the people have set in authority, our President, our Speaker, Members of Congress, and all who are entrusted with our safety and our security. May peace and good will live in the hearts of our citizens and may our faith be strong enough to exalt our Nation in righteousness.

In Thy holy name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1245. An act to amend section 218 of title 23, United States Code;

S. 1281. An act to improve public understanding of the role of depository institutions in home financing;

S. 2195. An act to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respect to continued productivity growth and improved utilization of human resources in the United States; and for other purposes; and

S. 2270. An act to authorize an increase in the monetary authorization for certain comprehensive river basin plans previously approved by the Congress, and for other purposes.

PROVIDING FOR CONSIDERATION OF H.R. 8800, ELECTRIC VEHICLE RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT OF 1975

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 694 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 694

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8800) to authorize in the Energy Research and Development Administration a Federal program of research, development, and demonstration designed to promote electric vehicle technologies and to demonstrate the commercial feasibility of electric vehicles, and all points of order against section 13(b) of said bill for failure to comply with the provisions of clause 5, rule XXI, are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas (Mr. YOUNG) is recognized for 1 hour.

PARLIAMENTARY INQUIRY

Mr. YOUNG of Texas. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. YOUNG of Texas. Mr. Speaker, it is this Member's understanding that we will take up both rules, House Resolution 694 and House Resolution 693.

The SPEAKER. The gentleman is correct.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to my distinguished friend and colleague from the Committee on Rules, the gentleman from Mississippi (Mr. LOTT), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 694 provides for an open rule with 1 hour of general debate on H.R. 8800, the Electric Vehicle Research, Development, and Demonstration Act of 1975.

House Resolution 694 provides that all points of order against section 13(b) of the bill for failure to comply with the provisions of clause 5, rule XXI of the rules of the House of Representatives—prohibiting appropriations in a legislative measure—are waived.

H.R. 8800 establishes a program within the Energy Research and Development Administration—ERDA—to demonstrate the commercial feasibility of electric vehicles for private and business travel. This bill mandates a 5-year project of placing more than 7,500 vehicles into use in various applications and geographical regions, along with associated research and development efforts. Its purpose is to get present and future state-of-the-art electric vehicles into every region of the country, and to use and evaluate them under all appropriate driving circumstances.

H.R. 8800 authorizes $10 million for fiscal year 1976 and the transition period, $40 million for fiscal year 1977, $30 million for fiscal year 1978, $60 million for fiscal year 1979, and $20 million for fiscal year 1980.

Mr. Speaker, I urge the adoption of House Resolution 694 in order that we may discuss and pass H.R. 8800.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as has been noted, the rule presently before us would provide for the consideration of H.R. 8800, the Electric Vehicle Research, Development, and Demonstration Act of 1975. Under the terms of the rule, there is to be 1 hour of general debate; and the bill is open to all germane amendments. The rule further allows for a waiver of points of order against language in section 13(b) on page 18 of the bill for failure to comply with clause 5 of rule XXI of the Rules of the House, which relates to appropriation language in a legislative bill.

H.R. 8800 establishes a program within the Energy, Research, and Development Administration to demonstrate the commercial feasibility of electric vehicles for private and business uses, mainly in urban areas. The project would place about 7,500 electric vehicles in use in widely distributed geographic areas. Authorizations of $160 million for a 5-year period are called for under this legislation with loan guarantees for industrial efforts in electric vehicle development to a maximum of $60 million at one time.

Mr. Speaker, I know there are some questions that many of us would like to ask concerning this legislation. It is my understanding also that the Administration has reservations about the timeliness of the bill's passage. Therefore, I would have no objection to the adoption of this rule so that the House may consider and fully debate H.R. 8800.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 8674, METRIC CONVERSION ACT OF 1975

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 693 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 693

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8674) to declare a national policy of converting to the metric system in the United States, and to establish a United States Metric Board to coordinate the voluntary conversion to the metric system, and all points of order against section 12 of said bill for failure to comply with the provisions of clause 5, rule XXI, are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas (Mr. YOUNG) is recognized for 1 hour.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Tennesse (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 693 provides for an open rule with 1 hour of general debate on H.R. 8674, the Metric Conversion Act of 1975.

House Resolution 693 provides that all points of order against section 12 of the bill for failure to comply with the provisions of clause 5, rule 21 of the Rules of the House of Representatives—prohibiting appropriations in a legislative bill—are waived.

H.R. 8674 declares, as a matter of national policy, that the United States will convert to the metric system of weights and measures on a voluntary basis. H.R. 8674 provides for the establishment of a National Metric Conversion Board, composed of 21 persons from the public which will be appointed by the President. The bill provides that the Board shall execute a program of planning and coordination to the conversion to the metric system, conduct research and submit recommendations to the President and to the Congress, and conduct a program of public education in the metric system.

Mr. Speaker, I urge the adoption of House Resolution 693 in order that we may discuss and debate H.R. 8674.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the rule and of the bill, H.R. 8674, the Metric Conversion Act of 1975. This bill's adoption by the House today will, in my judgment, provide for a smooth and orderly transition during the changeover in our national system of weights and measures.

All of the major industrial and trading nations of the world, with the exception of the United States, have either adopted the metric system or are now in the process of doing so. We are long past the point of no return in this matter. Whatever our sentimental attachments may be, there is no question but that America is going to convert from the old and obsolete English system to the metric system.

This legislation provides for a well-planned and voluntary changeover from the old ways to the new. With the passage of this bill, we will be providing a national policy for the conversion that is coming irregardless of what we do. But with a sound national policy, the costs will be less and the benefits greater—and be realized earlier—than under the haphazard and uncoordinated changeover which is now in progress.

To provide a coordinating mechanism for our conversion to the metric system, H.R. 8674 establishes a board composed of a membership broadly representative of all sectors of society which will be especially affected by the changeover. In addition to the representatives of industry, business, labor, education, science, and other areas of national life, the board will include two Members of the House of Representatives and two Members of the other body. The board will devise and execute a program of planning the conversion, conduct research, and submit recommendations to the

President and to Congress, and establish a program of public education.

All these activities are necessary because, I repeat, this country is converting to the metric system. Indeed, the conversion is already underway, particularly in those firms substantially involved in international commerce. The question before us today is not the merits or demerits of metric conversion. The question is rather—Will the Congress provide any assistance and leadership during the period of transition?

The rest of the world uses the metric system because it is the best system of weights and measures devised by mankind. It is based on a natural unit of length and on the decimal. It is logical and universal in the sense that the units are interchangeable as to weight, length, volume, and temperature. In short, the metric system makes sense.

Mr. Speaker, the advantages of metrication for this country are numerous. I would like to speak briefly to just one. Whatever may be said about the metric system, there is absolutely no doubt that its adoption by this country will be of tremendous long-term benefit to our international trade. The industrial and engineering standards used in the United States are incompatible with the standards of the world, and this is clearly and demonstrably to our own disadvantage. Bringing American engineering standards into uniformity with the world's standards will remove an obstacle presently interfering with our efforts to increase our trade with other nations.

With America converted to the metric system, new markets will open, and old ones expand. In addition, an increase in the volume of international trade through metrication will result in lower costs of production because of a reduction in the number of different standards required. This pleasant fact will be especially apparent for companies selling in both the domestic and foreign markets since the standards will be identical in each instance.

Although it is going to require some time and effort to forget the old ways of measurement and to use up stocks of parts designed to current standards, all of the experience of other countries that have made or are making the change reinforces the belief that we will not encounter insurmountable problems in going metric—if we do so in an orderly and coordinated way.

I do not wish to minimize the magnitude of the metrication process that we will undergo. It will mean that we will have to learn a new system, although this will be much easier for the young than for their elders. I have no doubt that many of us, myself included, will have some problems reeducating ourselves. But with a thoughtfully planned and well-organized national program, such as I believe we will have with this bill, we will be able to minimize confusion during the transition period.

Mr. Speaker, there are valid and legitimate concerns about America's conversion to the metric system. I believe this bill provides precisely what we require to meet these anxieties. We know that industry will have to retrain workers. We know that this retraining need, and also the eventual obsolescence of tools and machinery, has given rise to management and labor fears.

The point to be made, however, is that America is already drifting into the metric system and the metric costs, whatever they are, are going to occur. Realistically, there is no alternative of not spending the money by not going metric. The real question is, in fact, how will the change be made?

I believe H.R. 8674 provides a sensible and compelling answer to that question, and I congratulate the members of the Committee on Science and Technology for their fine work. They have produced legislation which recognizes that any change in the traditional measuring system cannot be performed by the Government. It can be accomplished only by the cooperation of citizens engaged in all of the activities that make up our national life. As industry should plan its own metrication programs, so should educators plan for the changes that will come in the schools and universities.

Mr. Speaker, the provisions of H.R. 8674 provide the means for obtaining such widespread cooperation by means of a well-planned, coordinated national metrication program, and I am pleased to recommend its passage to my colleagues.

Mr. Speaker, I urge adoption of the rule on H.R. 8674.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FRENZEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 342, nays 3, not voting 88, as follows:

[Roll No. 495]

YEAS—342

Abdnor
Abzug
Adams
Ambro
Anderson, Calif.
Andrews, N. Dak.
Annunzio
Archer
Armstrong
Ashbrook
Ashley
Aspin
AuCoin
Badillo
Bafalis
Baucus
Bauman
Beard, R.I.
Beard, Tenn.
Bedell
Bell
Bennett
Bergland
Bevill
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Carney
Carr
Carter
Cederberg
Chappell
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins, Ill.
Collins, Tex.
Conlan
Conte
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Derrick
Devine
Dickinson
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Tenn.
du Pont
Early
Eckhardt
Edgar
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Esch
Evans, Colo.
Evans, Ind.
Fascell
Fenwick
Findley
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Frenzel
Frey
Fuqua
Gaydos
Giaimo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Gradison
Grassley
Green
Guyer
Hagedorn
Haley
Hall
Hammerschmidt
Hanley
Hannaford
Hansen
Harkin
Harris
Hastings
Hawkins
Hechler, W. Va.
Hefner
Heinz
Helstoski
Henderson
Hicks
Hightower
Hillis
Hinshaw
Holland
Holt
Holtzman
Howard
Howe
Hubbard
Hughes
Hyde
Ichord
Jacobs
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Kemp
Keys
Krebs
Krueger
LaFalce
Lagomarsino
Landrum
Leggett
Lehman
Lent
Levitas
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Lott
Lujan
McCollister
McCormack
McDade
McDonald
McFall
McHugh
McKinney
Madden
Madigan
Maguire
Mahon
Mann
Martin
Mathis
Matsunaga
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Michel
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patten, N.J.
Pattison, N.Y.
Perkins
Pettis
Pickle
Pike
Poage
Pressler
Preyer
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Richmond
Rinaldo
Roberts
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Rousselot
Ruppe
Russo
St Germain
Santini
Sarasin
Sarbanes
Satterfield
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Sharp
Shriver
Shuster
Sikes
Simon
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Solarz
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Teague
Thone
Thornton
Traxler
Treen
Ullman
Vander Jagt
Vander Veen
Vanik
Vigorito
Waggonner
Wampler
White
Whitehurst
Wilson, Bob
Wilson, C. H.
Winn
Wirth
Wolff
Wright
Wylie
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki

NAYS—3

Hutchinson
Latta
Snyder

NOT VOTING—88

Addabbo
Alexander
Anderson, Ill.
Andrews, N.C.
Baldus
Barrett
Biaggi
Biester
Bingham
Blanchard
Brinkley
Broyhill
Burke, Fla.
Casey
Chisholm
Clancy
Clausen, Don H.
Conable
Conyers
Crane
Dent
Derwinski
Diggs
Duncan, Oreg.
Edwards, Ala.
Eshleman
Evins, Tenn.
Fary
Fraser
Gude
Hamilton
Harrington
Harsha
Hayes, Ind.
Hays, Ohio
Hébert
Heckler, Mass.
Horton
Hungate
Jarman
Jones, Tenn.
Kelly
Ketchum
Kindness
Koch
Litton
Long, Md.

McClory
McCloskey
McEwen
McKay
Macdonald
Metcalfe
Morgan
Murtha
Obey
Patterson, Calif.
Pepper
Peyser
Price
Pritchard
Rhodes
Riegle
Risenhoover
Roybal
Runnels
Ryan
Seiberling
Shipley
Sisk
Spellman
Stokes
Symms
Thompson
Tsongas
Udall
Van Deerlin
Walsh
Waxman
Weaver
Whalen
Whitten
Wiggins
Wilson, Tex.
Wydler
Young, Alaska
Young, Ga.
Zeferetti

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Addabbo with Mr. Anderson of Illinois.
Mr. Hébert with Mr. Clancy.
Mr. Baldus with Mr. Kelly.
Mr. Hays of Ohio with Mr. Broyhill.
Mr. Biaggi with Mr. Harsha.
Mrs. Chisholm with Mr. McClory.
Mr. Dent with Mr. Gude.
Mr. Bingham with Mr. Jarman.
Mr. Price with Mr. Burke of Florida.
Mr. Morgan with Mr. Edwards of Alabama.
Mr. Koch with Mr. Biester.
Mr. Shipley with Mr. Rhodes.
Mr. Sisk with Mrs. Heckler of Massachusetts.
Mr. Thompson with Mr. Peyser.
Mr. Zeferetti with Mr. Eshleman.
Mr. Barrett with Mr. Pritchard.
Mr. Casey with Mr. Horton.
Mr. Diggs with Mr. Fary.
Mr. Murtha with Mr. McCloskey.
Mr. Obey with Mr. Walsh.
Mr. Macdonald of Massachusetts with Mr. Don H. Clausen.
Mr. Jones of Tennessee with Mr. Blanchard.
Mr. Pepper with Mr. Symms.
Mr. Hayes of Indiana with Mr. Brinkley.
Mr. Roybal with Mr. McEwen.
Mrs. Spellman with Mr. Whalen.
Mr. Stokes with Mr. Andrews of North Carolina.
Mr. Udall with Mr. Wydler.
Mr. Van Deerlin with Mr. Conable.
Mr. Whitten with Mr. Wiggins.
Mr. Evins of Tennessee with Mr. Young of Alaska.
Mr. Alexander with Mr. Harrington.
Mr. Riegle with Mr. Derwinski.
Mr. Risenhoover with Mr. Ketchum.
Mr. Young of Georgia with Mr. Kindness.
Mr. Hamilton with Mr. Runnels.
Mr. Conyers with Mr. Duncan of Oregon.
Mr. Fraser with Mr. Crane.
Mr. Litton with Mr. McKay.
Mr. Long of Maryland with Mr. Patterson of California.
Mr. Metcalfe with Mr. Ryan.
Mr. Seiberling with Mr. Tsongas.
Mr. Waxman with Mr. Weaver.
Mr. Charles Wilson of Texas with Mr. Hungate.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR SUSPENSION OF RULES ON TUESDAY, SEPTEMBER 9

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that on Tuesday, September 9, 1975, the Speaker may be authorized to entertain motions to suspend the rules notwithstanding the provisions of clause 1, rule XXVII.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MICHEL. Mr. Speaker, reserving the right to object, might I inquire of the distinguished majority leader why this request is being made? It is being made for consideration of what bill?

Mr. O'NEILL. At the present time we have three pieces of legislation that would be brought up:

H.R. 1073, war risk insurance;

House Joint Resolution 209, National Hunting and Fishing Day; and

House Joint Resolution 597, St. Elizabeth Seton Day.

As the gentleman knows, suspension days are the first and third Mondays and Tuesdays of the month, but because of the Labor Day recess and the Yom Kippur holidays we were unable to get in our suspension days. There would otherwise be no suspension days in September.

There could possibly be other suspensions than those I have mentioned.

Mr. MICHEL. Mr. Speaker, further reserving the right to object, did I understand the majority leader to say there could be other bills?

Mr. O'NEILL. There could be if there were requests by chairmen and the Speaker approved them.

Mr. MICHEL. This being Friday, we would expect that we would have a little bit of advance warning, no later than Monday and preferably this afternoon.

Mr. O'NEILL. Mr. Speaker, we would acquiesce in this request.

Mr. MICHEL. I appreciate the gentleman's announcement.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

PERMISSION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO FILE COMMITTEE REPORTS

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service have until midnight tonight to file committee reports on House Joint Resolution 209, National Hunting and Fishing Day; House Joint Resolution 597, National St. Elizabeth Seton Day; S. 584, National Guard technicians; H.R. 6227, right to counsel; and H.R. 7110, Customs and Immigration Inspectors.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, if the gentleman will yield, many of these reports were not filed and would it not be impossible to bring them up?

Mr. HENDERSON. I am not sure that I am able to answer the gentleman's question. If they are not filed by midnight tonight, of course, they would have to be filed next week.

Mr. ROUSSELOT. Mr. Speaker, further reserving the right to object, there are several similar bills to be brought up on suspension; is that correct?

Mr. HENDERSON. I understand the first, House Joint Resolution 209 and House Joint Resolution 597, according to the announcement the majority leader just made, would be included under suspension.

Mr. ROUSSELOT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PERSONAL EXPLANATION

Mr. DOMINICK V. DANIELS. Mr. Speaker, on Wednesday, September 3, I am not recorded as being present on the first quorum call, that is rollcall 489. I was actually present. I put my card in the electric box, but I am not recorded as being present. I would like the Record to show I was actually present.

APPOINTMENT OF CONFEREES ON H.R. 3474, AUTHORIZING APPROPRIATIONS TO ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3473) to authorize appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, as amended, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. Teague, Hechler of West Virginia, McCormack, Downing of Virginia, Fuqua, Flowers, Symington, Mosher, Bell, Goldwater, Price, Anderson of Illinois, and Roncalio.

ELECTRIC VEHICLE RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT OF 1975

Mr. TEAGUE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8800) to authorize in the Energy Research and Development Administration a Federal program of research, development, and demonstration designed to promote electric vehicle technologies and to demonstrate the commercial feasibility of electric vehicles.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. Teague).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8800 with Mr. Murphy of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. Teague) will be recognized for 30 minutes, and the gentleman from California (Mr. Goldwater) will be recognized for 30 minutes.

The Chair now recognizes the gentleman from Texas (Mr. Teague).

Mr. TEAGUE. Mr. Chairman, for the benefit of the members of the committee, I will say that when our committee began hearings on this bill, ERDA had not been organized. The administration would not make its recommendations except for the fact that it wanted an electric bill. Our subcommittee has very carefully considered this bill. We know of no controversy, and we would hope to expedite the bill.

When we finish the bill, I shall ask that all Members have 5 days to extend their remarks in the RECORD.

Mr. Chairman, H.R. 8800 establishes a 5-year, $160-million Electric Vehicle Research, Development, and Demonstration project in the Energy Research and Development Administration—ERDA. The primary goal of the project will be to demonstrate the commercial feasibility of electric vehicles and to promote the use of electric cars as a practical alternative to gasoline-powered autos for short-range driving. It will include the evaluation and demonstration of about 8,000 vehicles.

The bill was approved unanimously by the full committee on July 28, and it was reported on July 31 with House Report No. 94-439. I wish to particularly commend Congressman MIKE MCCORMACK, chairman of the Subcommittee on Energy Research, Development, and Demonstration, and Congressman BARRY GOLDWATER, the ranking minority member of the subcommittee; and also Congressman BROWN and Congressman OTTINGER for their hard work and effort in bringing this bill to the floor.

Electric vehicles can play a key role in reducing our dependence on imported petroleum for transportation. In addition, they would contribute to reducing urban air and noise pollution.

The two major components of the program established by H.R. 8800 are research and development on the one hand and demonstration on the other. It is critical that the current state-of-the art be significantly improved, especially with regard to batteries and other potential energy storage systems. This can only be accomplished by an aggressive research and development effort, utilizing the expertise of our scientific community, university experts, and the private sector.

Research and development, no doubt, will emphasize energy storage technologies, including not only storage batteries but flywheels, fuel cells, and other technological options. Other research and development efforts will encompass control systems and overall design of electric and hybrid vehicles. The objective of this research will be to maximize energy efficiency, durability, and recyclability of parts. Associated efforts will be carried out on urban design and traffic management in order to optimize transportation use and minimize environmental degradation.

The demonstration will involve three phases. After an initial 1-year period of design and standard-setting based on in-use testing of existing vehicle technologies, ERDA will contract for at least 2,500 vehicles within 15 months. It will insure widespread distribution of these vehicles by enabling individuals or businesses to lease or buy them. Within 42 months, another 5,000 vehicles, incorporating design advances derived from the first phase of the project, will be purchased. Demonstration maintenance programs will also be established.

Planning grants, special contract provisions, and a loan guarantee program will allow small firms with problems in raising capital to bid competitively for the ERDA contracts and establish manufacturing capability.

ERDA will also conduct studies of tax provisions, regulatory law, and other factors related to the transportation system and electric vehicles. These findings, as well as assessment of the long-range environmental and economic impacts, will be reported to the Congress on a regular basis.

Mr. Chairman, H.R. 8800 is a good bill. It received the unanimous endorsement of the members of the Committee on Science and Technology and the strong support of representatives of industry, universities, and the scientific community. I urge the support of each Member of this body.

Mr. Chairman, for the purposes of explaining the details of the bill, I yield such time as he may consume to the chairman of the subcommittee, the gentleman from Washington (Mr. MCCORMACK).

Mr. McCORMACK. Mr. Chairman, I want to thank Chairman TEAGUE and congratulate him for his leadership on this bill and the other important energy bills that have been reported out of this committee.

Mr. Chairman, H.R. 8800, the Electric Vehicle Research, Development, and Demonstration Act of 1975, establishes a 5-year, $160 million program for research, development, and demonstration for electric vehicles under the Energy Research and Development Administration. The primary goal of this project will be to demonstrate the feasibility of electric vehicles, including the evaluation and demonstration of more than 7,500 vehicles over the next 5 years.

Demonstration and maintenance programs would also be established. Planning grants and a loan guarantee program will be provided to allow small firms with problems in raising capital to bid competitively for the ERDA contracts and to establish themselves in the electric vehicle industry.

Mr. Chairman, when considering what is and is not being done, and what can and cannot be done, that will have a significant impact in relieving the problems of the energy crisis. Some programs have a much greater value than others because they will have a significant impact, and have it soon. As we on the Science and Technology Committee have analyzed the energy crisis and tried to provide solutions, we have picked pressure points where a small change in technology that is socially, economically, and environmentally attractive can make a big difference either in increasing our energy resource base or reducing energy consumption.

In addition, we have sought pressure points where demands of critically short materials such as natural gas today or petroleum and gasoline in the near future can be reduced specifically as compared to just reducing energy consumption generally. One of the realities of the energy crisis is that we must reduce our reliance on petroleum and natural gas and increase our reliance on electricity produced from nuclear energy and coal. We can do this deliberately because it is attractive and because we want to and know that such an easy step can have a major, positive impact on both conservation of petroleum and improving our way of life. When this can be done in a short time, then that program has unusual value.

Switching to electric cars is such a program, particularly for second cars for urban commutng, and it has the advantage that Americans replace 10 percent of their cars each year anyway and that 40 percent of our cars are second cars.

Mr. Chairman, it is clear that this Nation needs a concerted effort to develop and employ electric vehicles on a massive scale. This bill, unanimously approved by the Subcommittee on Energy Research, Development and Demonstration and by the Full Committee on Science and Technology is the first step in that direction.

Before going into the details of the bill itself, I should like to address some of the underlying reasons that we need such a research, development, and demonstration program. As most of you in this Chamber are well aware, transportation now accounts for about 50 percent of our petroleum use, and more than one-third of our petroleum is imported. It also seems likely that we will simply run out of petroleum by the end of this century. By using electric vehicles we can replace this imported petroleum with electricity produced from nuclear energy, coal, solar, or geothermal sources. We will at the same time dampen the flow of petrodollars and develop the technology and economic infrastructure for a new personal transportation system in this country.

In addition to conserving liquid fuels, electric vehicles can make a significant impact on air and noise pollution. The extremely complicated job of controlling millions of moving internal combustion engines—present sources of pollution—in a single city can be transferred to the more tractable problem of controlling and monitoring emissions from a few electric generating plants.

I hope everyone here today will understand the initial objective of this legislation is to develop "second" cars for our citizens and specialized delivery vans for businesses and government agencies. This constraint, very frankly, is a technical one. The driving range of existing electric vehicles is about 60 miles. Thus they are amenable for immediate use in the 50 percent of those automobile trips which are less than 5 miles. In fact, a recent—1974—EPA study indicates that nearly 98 percent of daily driving of second cars could be met by an electric vehicle utilizing a single daily battery charge.

That same EPA report entitled "Impact of Future Use of Electric Cars in the Los Angeles Region" also has significant calculations of potential oil savings. It states that short-range electric cars could replace 1 million or 17 percent of the cars in the Los Angeles Basin by 1980.

By the following decade, 1990, nearly half of the area cars could be electric. Replacement of similar fractions of our 100 million gasoline-powered vehicles throughout the Nation would have extremely salutary effects, both on our petroleum supplies and urban pollution. Replacement of 17 percent of the Los Angeles vehicles would affect about 15 percent of the automobile petroleum consumption; on a national scale this would be equivalent to about 1 million barrels of oil per day.

Electric vehicles also have the potention of energy conservation on short trips and in heavy traffic. This is because electric vehicles do not require energy when they are not moving, and are relatively more efficient than internal combustion engines at very low speeds.

In order to make the fuel savings that I have referred to real, we must also take the further step of replacing electric generation by oil and natural gas with powerplants utilizing nuclear energy and coal. This is a reasonable strategy. I would, at the same time, like to emphasize that since electric vehicles are normally charged during the night, this off-peak use of electricity actually increases the efficiency of our electric utility system.

Electric vehicles are not a new idea. For example, in the year 1900 almost 1,600 electric automobiles were manufactured. During that same year less than 1,000 automobiles equipped with internal combustion engines were made.

From 1900 to 1915 there were over 100 manufacturers of electric vehicles in business. However, the technological effort and capital investment that went into the internal combustion engine soon overshadowed that which went into electric vehicle technology. The self-starter, improved performance, and cheap petroleum eventually resulted in the gasoline powered car attaining the ascendancy. Most of us think of electric cars only through nostalgic memories of Aunt Minnie driving one around a small town.

This began to change, however, in the 1960's. This was due to some extent to the concern over exhaust fumes polluting our cities from automobiles.

In 1967 a Department of Commerce study pointed out that the automobile was the largest single contributor by weight to our national air pollution problem. The Clean Air Act, Public Law 88–206, provided for research on motor vehicle pollutants. As a result, a program on advanced automotive power systems was initiated in the EPA. This program was transferred to ERDA by the Energy Reorganization Act of 1974.

Electric vehicle technology has continued to be used for some applications. We are all familiar with golf carts and fork lift trucks. The U.S. Postal Service plans to take delivery of about 350 electric vehicles this year. In London, England, 10 times this many electric vehicles have been in service as milk delivery vans for a number of years.

I mentioned a few minutes ago the fact that EPA had conducted significant studies on potential uses of electric vehicles in the Los Angeles region. There have been a number of other careful analyses of electric vehicle technology and utilization. The legislative report accompanying H.R. 8800 addresses six studies which are relevant to the discussion here on the floor this morning, including the Los Angeles study. At this point I should like to insert in the RECORD summaries of these studies:

REPORT OF THE PANEL ON ELECTRICALLY POWERED VEHICLES [1]

This Task Force, *The Automobile and Air Pollution*, recommended that "the Federal Government should initiate a five-year program, in total amount of approximately 60 million dollars, to support innovative developments useful in the establishment of future emission standards, in the following areas:

a. energy sources for vehicles
b. vehicular propulsion systems;
c. emission control devices;
d. special purpose urban cars; and
e. general purpose vehicles.

It also recommended that "Federal, State and local governments should incorporate low emission performance criteria as factors in the purchase of vehicles for their requirements."

POWER SYSTEMS FOR ELECTRIC VEHICLES [2]

The purpose of this symposium was to provide a coordinated review of current research related to power systems for electric vehicles. Meetings were designed to define the status of knowledge at that time and stimulated research. It was pointed out at that time that the Federal Government must develop early and realistic short- and long-term goals and standards, both for quality of our air and for transportation systems themselves. It was recognized that new types of automotive vehicles must be developed that will operate without generating harmful emissions.

ENERGY TASK FORCE REPORT [3]

The report of the Task Force on Energy of the Committee on Science and Astronautics in December 1972 noted that results of energy research and development may change the outlook for demand or supply in ways not now anticipated. This Task Force was constituted specifically for reviewing energy matters during the 92d Congress.

The Task Force Report pointed out that transportation directly accounts for 25 percent of the total energy consumed in the United States (and perhaps as much as 40 percent if all indirect energy costs are included, such as those associated with the manufacture of automobiles or the construction of highways). The report indicated that one way to conserve motor fuel is to increase the efficiency of engines. However, current air pollution requirements are working at cross purposes, and the difficulties are great for developing an engine that is both efficient and acceptably non-polluting.

The report noted that opportunities for energy research and development during the 1980s could include the demonstration of incentives to encourage the more efficient use of energy, including more efficient carriers for passengers and freight. Also called for was commercial demonstration of more efficient, environmentally acceptable, engines for motor vehicle transport.

AN EVALUATION OF ALTERNATIVE POWER SOURCES FOR LOW-EMISSION AUTOMOBILES [4]

The Panel on Alternative Power Systems of the Committee on Motor Vehicle Emissions of the National Academy of Sciences was charged with considering the possibility of using engines other than spark-ignition gasoline-fueled Otto cycle engines for automobiles. Emission levels and delay before the engine could become available were major considerations.

The report noted that battery-operated vehicles exist now and limited-production battery-operated automobiles could be said to exist, albeit with low performance and small size. Mass production of these limited performance vehicles could be achieved in 4 to 6 years if required.

Advanced battery power plants are estimated to be about 4 years from a suitable prototype assuming optimum funding. If this schedule could be held, mass-produced electric-powered vehicles of high performance could become available in another 7 to 10 years.

IMPACT OF FUTURE USE OF ELECTRIC CARS IN LOS ANGELES REGION [5]

Impacts of the use of electric cars in the Los Angeles region in 1980–2000 were projected for four-passenger subcompact electric cars using lead-acid and advanced batteries, such as nickel-zinc, zinc-chlorine, and lithium-sulfur, with urban driving ranges of about 55 and 140 miles, respectively. Data from Los Angeles Travel Surveys show that such cars could replace 17 to 74 percent of future Los Angeles autos with little sacrifice of urban driving.

Adequate raw materials and night-time recharging power should be available for such use in the Los Angeles region. Air quality improvements due to the electric cars would be minor because conventional automobile emissions are being drastically reduced. It was noted that the electric cars would save little energy overall, as compared to conventional subcompacts, but would save a considerable amount of petroleum if they were recharged from the nuclear power plants that are planned.

The electric subcompacts would be 20–60 percent more expensive overall than conventional subcompacts until battery development significantly reduces battery depreciation costs.

THE ROLE FOR FEDERAL R. & D. ON ALTERNATIVE AUTOMOTIVE POWER SYSTEMS [6]

This report prepared for NSF examined various alternative automotive power systems including the battery-powered electric sys-

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[1] U.S. Department of Commerce, Panel on Electrically Powered Vehicles. The Automobile and Air Pollution. Task Force Reports. Washington, U.S. Govt. Print. Off., 1967. 2 volumes.

[2] U.S. Department of Health, Education, and Welfare, Public Health Service, National Center for Air Pollution Control, Power Systems for Electric Vehicles. A Symposium sponsored by the U.S. Department of Health, Education, and Welfare; Columbia University; and Polytechnic Institute of Brooklyn, Cincinnati, Ohio, 1967, 323 p.

[3] U.S. Congress, House, Committee on Science and Astronautics. Subcommittee on Science, Research and Development. Energy Research and Development, Report of the Task Force on Energy. 92d Congress, 2d session. Washington, U.S. Govt. Print. Off., December 1972, pp. 63, 167, 222.

[4] National Academy of Sciences, Committee on Motor Vehicle Emission. An Evaluation of Alternative Power Sources for Low-Emission Automobiles. Report of the Panel on Alternate Power Sources. Washington, April 1973, 151 p.

[5] U.S. Environmental Protection Agency, Office of Mobile Source Air Pollution Control. Alternative Automobile Power Systems Division. Impact of Future Use of Electric Cars in the Los Angeles Region. Ann Arbor, Michigan, October 1974. 3 volumes EPA-460/3-74-020.

[6] Massachusetts Institute of Technology. The Role for Federal R and D on Alternative Automotive Power Systems, by John B. Heywood, Henry D. Jacoby, and Lawrence H. Linden. Cambridge, November 1974, 98 pages plus appendices. Rept. No. MIT-EL 74-013. Prepared for the National Science Foundation under Contract No. EN-44166. PB-238771.

> tem. The report indicated that electrically driven battery-powered vehicles provide freedom from emissions and from high losses in energy conversion in the vehicle; however, these problems are transferred to the location of the electricity generating plant.
>
> The report pointed out that potential alternatives, including electrical battery-powered vehicles, may offer advantages over the internal combustion engine, but considerable development would be required, and Federal support was proposed.

Mr. Chairman, I should now like to make a few comments on the details of H.R. 8800. The objective of this bill is to develop the technology needed to undergird a viable electric vehicle industry. This means aggressive research and development on all aspects of electrical vehicles capped by a demonstration to help determine their commercial feasibility.

This objective will be met through a balanced program culminating in a three-phase demonstration program. Starting with a relatively small number of current design electric vehicles, the program will push the state of the art, and demonstrate about 5,000 advanced design vehicles in addition to about 3,000 that represent mostly present-day technology.

The administrator of ERDA will undertake cooperative work with other agencies—such as the National Aeronautics and Space Administration, the Department of Transportation, the National Science Foundation, the Environmental Protection Agency, and the Department of Housing and Urban Development—to take advantage of their particular areas of expertise.

The bill declares that it shall be the policy of the United States to demonstrate the commercial feasibility of electric and hybrid, personal- and business-use vehicles in order to conserve liquid fuel and to reduce environmental pollution.

RESEARCH AND DEVELOPMENT

Probably the greatest potential for improvement of the electric vehicle state of the art is through the development of advanced storage batteries, having considerably increased energy density, reliability, and lifetimes. The bill will underwrite research in energy storage technology, including batteries as well as other portable power sources such as flywheels and fuel cells.

Research will also be done in control systems for electric vehicles, motor and drive systems, and other performance-related areas. In addition, research will be conducted on overall vehicle design for improved energy efficiency, minimal maintenance and extended lifetime. Studies undertaken will include those on traffic management alternatives to optimize the conservation of both energy and the environment.

DEMONSTRATION PROGRAM

Mr. Chairman, the heart of the bill is the demonstration program. Its purpose is to get present and future state-of-the-art electric vehicles out into every region of the country, and to use and evaluate them under all appropriate driving circumstances—both business and personal. This demonstration will serve not only to evaluate technical performance and identify problems, but it will also acquaint the public with this mode of propulsion and help ascertain consumer preferences and reservations. Technological and social issues, which may not be appreciated in advance, can be exposed and addressed. Most important, resulting consumer awareness and the creation of an electric vehicle "second car" market may actually push the state of the art, permitting the United States to reduce its petroleum dependency sooner than might otherwise be possible.

The demonstration program will be carried out in three stages. The first involves a few hundred electric vehicles at the present state-of-the-art for in-use demonstration and evaluation. Contracts for this stage are to be let within 1 year of the date of enactment.

Contracting for the second stage is to be completed within 15 months, and will include 2,500 vehicles which meet initial performance standards and criteria.

The third stage, which is to be contracted for in 3½ years from enactment, will involve 5,000 electric vehicles having advanced components and designs. They will meet appropriately advanced revised standards and criteria.

The initial standards are set to be drawn up within 1 year of enactment of the bill, and they must be revised periodically thereafter. Before the third stage demonstration takes place, the Administrator is required to transmit a complete statement of performance standards and criteria, as revised, to the Congress and its appropriate committees.

ERDA will make arrangements to introduce the vehicles into Federal, State, and local government fleets as a part of the demonstration. They will also be made available to individuals and businesses, with the option of purchase or lease, on some equitable basis, to evaluate performance and consumer reaction. ERDA will also undertake demonstration maintenance projects and disseminate safety and operating characteristics and data to appropriate consumer affairs groups.

USE BY FEDERAL AGENCIES

The U.S. Postal Service, the General Services Administration, the Department of Defense, and other Federal agencies will introduce electric and hybrid vehicles into their fleets as soon as possible. If agency heads find electric vehicles practical but not currently economically competitive, the Administrator may pay incremental life-cycle costs associated with use of the electrical vehicles by the agencies.

ASSESSMENTS AND REPORTS

ERDA must report within 1 year to the Congress the results of a study of institutional factors—urban design, regulatory constraints, and so forth—which affect surface transportation systems and may bias them toward particular sorts of vehicles. Research on incentives to promote broader utilization and consumer acceptance of electric vehicles will be undertaken, together with assessments—on a continuing basis—of long-range materials demands and effects of urban traffic electrification on environmental quality. These results will be reported to the Congress.

The Secretary of Transportation must report to the ERDA Administrator within 8 months of enactment of the bill on current and future applicability of safety standards to electric vehicles.

SMALL BUSINESS PARTICIPATION

The bill promotes participation by small business concerns in several ways. Provisions for encouragement and assistance include: First, reservation of a reasonable portion of the funds for small business concerns; second, design of contract terms and schedules to meet the special needs of small businesses, compatible with sound management practices and accomplishment of the objectives of the act; third, making available planning grants to small business concerns which require assistance in contracting.

LOAN GUARANTEES

H.R. 8800 establishes a loan guaranty program designed to protect lenders against loss of principal or interest on loans made to electric vehicle manufacturers. This program will permit small businesses to have access to the capital necessary for their participation in the demonstration. These loans may be used for R. & D., prototype development, construction of facilities and other capital equipment, as well as initial operating expenses associated with electric vehicle production.

Up to 90 percent of the aggregate cost of the activity for which the loan is made may be guaranteed if additional capital is available from other sources.

The maximum guarantee for a single company is $3,000,000. The total of all outstanding Federal guaranties will be not more than $60,000,000 at any time. The maximum repayment period is 15 years. ERDA must initiate guaranties within 5 years after enactment of the act.

The Administrator is given authority to set the terms and conditions for the guaranties, subject to certain conditions related to interest rates and assurance of repayment.

REPORTS

ERDA must report to the Congress semiannually on all activities being taken or carried out pursuant to the bill. A special requirement is that he must include a statement of the extent to which imported components or chassis are being used or are desirable for the first stage of the demonstration program, and the extent to which legal—or regulatory—restrictions on such importation or use may be impeding progress under this act.

APPROPRIATIONS

A total of $160 million, distributed in accordance with procurement cycles of the demonstration vehicles is authorized for the 5-year program. The amounts by year are:

Fiscal year 1976 and transition period: $10 million;

Fiscal year 1977: $40 million;

Fiscal year 1978: $30 million;

Fiscal year 1979: $60 million; and

Fiscal year 1980: $20 million.

Revenues from sales, leases, and so forth, may be retained by ERDA, but the authorization for the corresponding year is reduced by an equivalent amount.

Mr. Chairman, I want to assure the Members of this body that ERDA is in fact the proper agency to administer this research, development, and demonstration program. Electric vehicle development is a part of the broader Federal effort in alternative automotive fuels and power systems. The advanced automotive power systems program transferred to ERDA by Public Law 93–438 has been expanded into an advanced transportation power systems. The House has authorized $27,500 for this program in fiscal year 1976. At this point I should like to insert a summary funding history of electric vehicle research and development, as contained in the legislative report on H.R. 8800:

FUNDING HISTORY OF ELECTRIC VEHICLE RESEARCH AND DEVELOPMENT

Prior to the energy crisis, automotive research and development appeared to have been carried out on a low level. For the period 1969–1974, EPA funding for alternative automotive fuels and power systems R & D programs totaled $35.445 million. (See Table I.) For the same period, funding for battery-powered electric systems totaled $1.166 million. (See Table II.)

Beginning with Fiscal Year 1974, automotive R & D funding appeared in the budgets of several agencies that had not been involved previously in a significant way. For example, NASA (1974 fiscal year funding was $2 million); DOT (fiscal year funding was $1.8 million); NSF (has funded battery research since 1971, 1974 fiscal year funding was $1.7 million). DOT, Army Tank-Automotive Command, has provided technical support to other government agencies for developing ground propulsion engines (fiscal year 1974 funding in projects with military objectives but with a potential spin-off to civilian automotive energy application was $4.2 million).

TABLE I.—ALTERNATIVE AUTOMOTIVE FUELS AND POWER SYSTEMS RESEARCH AND DEVELOPMENT PROGRAMS—FISCAL SUMMARY—FISCAL YEARS 1969–74 [7]

Activity:	*Obligation (in millions)*
Rankine cycle systems	$17.267
Brayton cycle systems	10.169
Diesel cycle systems	.060
Stratified charge combustion process	.798
Heat engine/flywheel systems	.642
Heat engine/electric systems	1.124
Battery powered electric systems	1.166
Improved energy conversion and utilization subsystems	.423
Alternative fuels program	1.229
Federal clean car incentive program	.050
Annual status of technology documentation	.470
Research grants	.848
Engineering support	1.189
Total	35.445

TABLE II.—ALTERNATIVE AUTOMOTIVE FUEL AND POWER SYSTEMS, BATTERY POWERED ELECTRIC SYSTEMS [1]

[In thousands of dollars]

Contract and contractor	Fiscal year— 1969	1970	1971	1972	1973	1974	Total
W–31–109–Eng-38: AEC-Argonne National Laboratories		350	430				780
N00298–72–C–0028:[2] USN-Dow Chemical Co			50				50
68–01–2103: General Research Corp					169	30	199
68–03–2004: General Research Corp						137	137
Total		350	480		169	167	1,166

[1] U.S. Environmental Protection Agency, Office of Air and Waste Management. Mobile Source Air Pollution Control, Alternative Automotive Power Systems Division, Ann Arbor, Mich. Alternative Automotive Fuels and Power Systems Research and Development Programs. Summary of Fiscal Obligations. June 30, 1974. p. E–7.

[2] An interagency fund transfer.

The transport of people and goods uses one fourth of all our energy. Automobiles use over half of all transportation energy. Savings of as much as four million barrels per day by 1985 may be feasible. Also, greater emphasis is given to this sector since it totally depends upon petroleum and, therefore, savings directly reflect an opportunity for lower imports.

The ERDA Advanced Transportation Power Systems program is the successor to and an expansion of the EPA advanced automotive power systems program and NSF R&D activities relating to internal combustion engines. The expanded ERDA program will encompass R&D in a broader range of transportation modes and technical issue areas including aircraft systems, rail systems, water systems, pipeline systems, and intermodal transportation studies, as well as an expanded highway vehicle systems follow on to the predecessor advanced automotive program.[8]

Funds for this program are shown in Table III.[9]

TABLE III—*Advanced transportation power systems*

[In thousands of dollars]

	Costs	Obligations
Fiscal year 1976	19,000	23,500
Transition period	4,800	5,810

One part of the ERDA Advanced Transportation Power Systems program is the Electric and Hybrid Systems Program. The objective of this program is to develop and evaluate the technologies for advanced electric, hybrid, and vehicular energy storage systems in order to demonstrate vehicle systems that will result in significant reduction in highway system petroleum demands in the midterm, and also demonstrate the viability of alternative transportation concepts capable of independence from petroleum based energy sources in the long term. The program will build upon existing electric and hybrid systems technology and experience in focusing R&D effort, to demonstrate the viable application of the technologies to satisfy current and future vehicular requirements. Activities will include the following:

Assess the current status of advanced battery technology and determine alternate approaches that offer the greatest potential for satisfying midterm electric vehicular requirements.

Research and development of advanced battery systems and related controls. Demonstrate these technologies in optimized electric/hybrid vehicles to assess their viability as energy efficient and publicly acceptable alternate transportation systems.

Develop simulation techniques for optimization and evaluation of electric and hybrid vehicular systems. These techniques will provide an accurate and efficient tool to assist in screening the matrix of potential candidates for directing research and development activities along the most optimum path.

Study and evaluation projects to determine the viability of electric vehicles utilizing near term technology. The results of this evaluation will provide guidance for decisions concerning near term impact from limited implementation of electric vehicles.[10]

Committee action on energy conservation R&D programs resulted in increased funding because it was recognized that present R&D programs are new and inadequately funded.

Increased funding approved by the Committee was to permit ERDA to expand the old Advanced Automotive Power System program which it inherited from the Environmental Protection Agency to encompass non-automotive activities as well as other new transportation concepts. High priority is given to these activities since the transport of people and goods use one fourth of all our energy, almost totally from petroleum. Savings in this sector therefore, reflect an excellent opportunity for implementing lower petroleum import demands.

The increased funding will permit assessments of the impacts of fuel shortages and price on various modes of transportation; technology development related to decreased wind drag and rolling resistance; improved technology for more efficient traffic control; improved technology and managerial methods for increased rail efficiency; and accelerated development of bottoming cycles for diesel trucks and, later, automobiles.

The increased budget will also permit acceleration of alternative fuels utilization programs including methanol and methanol/gasoline blends. Increased supporting research and development as well as support for new concepts associated with engine, components, and entire transportation systems will be made possible with the larger budget. Increases for this program are shown in Table IV.[11]

TABLE IV.—*Advanced transportation power systems*

[In thousands of dollars]

Increases:	Fiscal year 1976	Transition period
Costs	10,760	2,740
Changes in selected resources	3,300	760
Obligations	14,060	3,500

Overall funding approved by the Committee for ERDA energy conservation research and development program most closely related to electric vehicles is given in Table V.[12]

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[7] U.S. Environmental Protection Agency, Office of Air and Waste Management. Mobile Source Air Pollution Control. Alternative Automotive Power Systems Division, Ann Arbor, Michigan. Alternative Automotive Fuels and Power Systems Research and Development Programs. Summary of Fiscal Obligations. June 30, 1974. p. A–7.

[8] U.S. Congress. House. Joint Committee on Atomic Energy *and* Committee on Science and Technology. Authorizing Appropriations for the Energy Research and Development Administration for Fiscal Year 1976 and for the Transition Period Ending September 30, 1976. 94th Congress. 1st Session. Washington, U.S. Govt. Print. Off., June 13, 1975. p. 127. House Report No. 94–294.

[9] Ibid

[10] Ibid., p. 130.

[11] Ibid., p. 170.

[12] Ibid., p. 168.

TABLE V.—ENERGY CONSERVATION RESEARCH AND DEVELOPMENT

[In thousands of dollars]

	Fiscal year 1976						Transition period					
	Costs			Obligations			Costs			Obligations		
	Request	Committee change	Total	Request	Committee change	Total	Request	Committee change	Total	Request	Committee change	Total
Operating expenses:												
Energy storage systems	9,100	13,832	22,932	10,100	18,150	28,250	2,000	3,400	5,400	1,800	4,500	6,300
Advanced transportation power systems	8,240	10,760	19,000	9,440	14,060	23,500	2,060	2,740	4,800	2,310	3,500	5,810
Equipment:												
Energy storage systems	591	668	1,259	750	1,850	2,600	250	200	450	300	500	800
Advanced transportation power systems	0	800	800	0	1,500	1,500	0	200	200	0	400	400

Other automotive R&D requests for fiscal 1976 funding are shown in Table VI.

TABLE VI.—*Automotive R. & D. requests for fiscal 1976 funding*

	1976 estimate (in thousands)
DOT (Automotive Energy Efficiency)	**$4,000**
DOT (Transportation Energy Conservation and Impact Analysis)	1,500
NASA (Energy Program)	10,900

The energy role of NSF in 1976 will be "substantially less than in 1975 due to large transfers of responsibility to ERDA."[13]

In 1976, DOD's Army tank-Automotive Command will continue to provide technical support to other governmental agencies for developing ground propulsion engines.

Electric vehicle technology is already an integral part of the ERDA program. Descriptions of its relevant programs on energy storage and electric and hybrid vehicles were given in House Report 94-294 on the fiscal year 1976 and transition period ERDA authorization bill, H.R. 3474. These descriptions are repeated here for clarity and completeness:

Energy storage

[In thousands of dollars]

	Costs	*Obligations*
Fiscal year 1976	22,932	28,250
Transition period	5,400	6,300

Storage is one of the most ubiquitous of energy problems. Electricity demand has daily, weekly, and seasonal peaks and valleys: yet the most efficient thermal power plants are those that produce a constant output. There are two ways to approach this kind of storage. First, energy can be stored at the source (eg. pumped hydro or batteries); second, energy can be stored at the load (eg. stored heat in the home).

The opportunities for practical use of solar (including wind) and tidal energy also depend upon energy storage and generally will use the same storage technologies as those needed for power plants. The electric car needs effective storage technologies. Energy storage is also needed to enable non-mobile energy resources (eg. solar, fusion, fission) to be used to replace transportable fuels such as gasoline. This can be achieved through stored heat, mechanical energy, batteries, or synthetic gas or liquids.

The development of new techniques for energy storage has recently become recognized by both the public and private sectors as an important component of an expanded national energy R&D effort which would broaden the energy technology base. Implementation of new energy storage technologies will provide the Nation with a greater degree of self-sufficiency in energy supplies, provide for more efficient generation, distribution, and use of energy, and indicate measures which can be taken for conservation of energy resources.

Energy storage has significant potential in electric utility and transportation systems and can also be applied to residential, commercial, and industrial use. Application of new energy storage technologies will: (1) permit more efficient use of central station power plants, (2) provide for improved operating economy of utility systems, (3) reduce the need for scarce petroleum fuels by shifting to more plentiful fuels such as coal, (4) reduce the demand for electrical transmission and distribution facilities, and (5) provide certain environmental benefits. Additionally, energy storage is necessary for the full implementation of new energy resources such as solar and wind which are intermittent. Thus, storage is required to match the time of availability of the resource to the timing of its demand or consumption.

In the mid 1980's, as much as 6 percent of the delivered electricity in the United States could come from energy storage facilities. Estimates indicate that the oil savings from the successful development and implementation of energy storage devices for utility, automotive, industrial, residential, and commercial applications could be about 40 million barrels of oil per year in 1985, 150 million barrels of oil in 1990, and 560 million barrels of oil in 2000. Implementation of solar energy coupled to energy storage could result in an additional savings in oil of 200 million barrels per year in the year 2000. In addition, an initial estimate shows that thermal energy storage coupled to space heating units could result in annual savings of significant quantities of natural gas by 1985.

The ERDA program includes activities in several areas of energy storage technology, including batteries, chemical, superconducting magnetic energy storage, thermal, mechanical and systems analysis. Although based on similar predecessor programs, the FY 76 program represents a several times expansion of activity in storage R&D.

Batteries

The goal in this program is to develop high-performance cost-effective batteries for use by electric utilities, by the automobile industry, and with intermittent energy sources, such as the sun and wind.

Electric storage batteries for utilities have high potential for use before 1985. Secondary batteries, particularly the high-temperature systems which are expected to have a high specific energy of about 150 Wh/kg, have several potential advantages over present methods of meeting peak power requirements. Such batteries would be modular in construction, quiet, emit no pollutants, and require no on-site fuel storage. These features will permit batteries to be distributed throughout a utility network, including locations near the point of end use. Typically, batteries would be charged during the 4- to 8-hour daily off-peak period and discharged into the network as the demand increased.

The primary problems to be solved for electric utility application are cost and life. For automotive applications energy density and power density in terms of both mass and volume require substantial improvement.

It is estimated that, as the cost approaches $250/kw, energy storage with batteries will have a substantial impact on the energy economy. For utility applications these batteries will have to have a lifetime of thousands of cycles over a period of several years. For automotive applications these batteries, in addition to economy and long life, will have to have energy densities approaching about 200 Wh/kg.

Excellent progress has been made on the development of high temperature lithium sulfur (Li/S) batteries. For the first time, full scale sealed cells were operated for over 3,000 hours and achieved specific energies of 150 watt-hours per kilogram, which is six times greater than conventional lead-acid batteries. Lithium-sulfur batteries would be less expensive per unit of stored energy than lead-acid batteries and can be used for stationary and mobile applications.

During fiscal year 1976 several battery concepts will be developed. Specifically, effort will proceed on the Li/S battery and other secondary batteries such as NA/S, ZN/a, advanced lead-acid and the redox system. The R&D activities include the following activities: development of converter equipment, cell chemistry, material development, cell development and testing, battery design, development and testing.

During fiscal year 1975 joint Government/industry efforts to design and construct a national battery energy storage test (BEST) facility were initiated.

In fiscal year 1976 a site, design contractor, and host utility for the BEST facility will be selected. This facility is to be built at a utility site and will be funded jointly by ERDA, EPRI, and the host utility.

Mechanical energy storage

Three forms of mechanical energy storage will be included in the ERDA fiscal year 1976 program, flywheels, compressed air storage and underground pumped hydro storage. Each form represents a different mechanical mechanism for the storage and later retrieval of energy.

Flywheel.—The flywheel work being developed in fiscal year 1976 is directed toward Transportation use and to Electric Energy Systems.

At present, there is an Economic and Technical Feasibility Study being conducted. The study will identify R&D effort needed for development of systems for utility, standby and transportation uses.

The materials problem is the most difficult to solve and considerable work will be concentrated in this area. Several flywheel concepts and designs must be developed and analyzed. The overall system must be defined for transportation, utility and standby.

The technical problems of bearings, noise, vibration, power transmittal, braking will be defined. Cost analysis will be refined for all system approaches.

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[13] U.S. Congress. House. Committee on Appropriations, Department of Housing and Urban Development—Independent Agencies, Appropriation Bill, 1976. 94th Congress, 1st Session, Washington, U.S. Govt. Print. Off., June 19, 1975. p. 36. House Report No. 94-313.

A program will be defined for total systems development of selected approaches.

As the program develops, consideration will be given to selection of an overall contractor for total systems development. This could be a single contractor or separate contractors for utility and transportation pilot demonstration systems.

Industry will be solicited for their views on potential applications, economics, implementation modes and for cooperative funding.

Advanced transportation power systems

[In thousands of dollars]

	Costs	Obligations
Fiscal year 1976	19,000	23,500
Transition period	4,800	5,810

The transport of people and goods uses one fourth of all our energy Automobiles use over half of all transportation energy. Savings of as much as four million BPD by 1985 may be feasible. Also, greater emphasis is given to this sector since it totally depends upon petroleum, and therefore savings directly reflect an opportunity for lower imports.

The ERDA advanced transportation power systems program is the successor to and an expansion of the NSF advanced automotive power systems program and EPA R&D activities relating to internal combustion engines. The expanded ERDA program will encompass R&D in a broader range of transportation modes and technical issue areas including aircraft systems, rail systems, water systems, pipeline systems, and intermodal transportation studies, as well as an expanded highway vehicle systems follow on to the predecessor advanced automotive program.

Highway vehicle systems

The advanced automotive program historically evolved from the technical impact of environmental concern with exhaust emissions. It was recognized in 1969 that achievement of ambient air quality goals in the U.S. would require a major reduction, of emissions of air pollutants from automobiles. Since the internal combustion engine operates at a low overall energy conversion efficiency and gasoline is in increasing short supply, there was a need for advanced research to provide the basis for improving overall automotive power plant performance through understanding of the physics and chemistry of the principal phases of combustion. Although extensive engine development work is underway in manufacturing firms and other Federal agencies, too little attention had been given to providing the underlying research base for improvements in operating efficiency and reduction of noxious emissions.

NSF initiated such a program in the latter half of FY 1974, with the objective of acquiring an understanding of basic fuel combustion and energy conversion processes as they relate to the design of engines with greater efficiencies (while maintaining low air-polluting emissions), thus lowering demand for gasoline. A successful effort could raise heat engine energy conversion efficiency—which now ranges from 20 percent (10 percent—15 percent installed) to 30 percent—to a level as high as 45 percent by 1980, with a proportionate potential increase in vehicle fuel economy. Basic knowledge is also needed in the areas of alternative fuel properties and materials to achieve fuel economies in practical engines while retaining desirable characteristics such as low emissions, starting, and drivability.

The program was implemented primarily in the university community. It provided an opportunity to utilize to the fullest extent the body of scientific expertise (thermo-chemistry, combustion and detonation, materials research, etc.) that has been developed over the years in support of the Nation's aerospace efforts and focuses this capability on advanced automotive combustion and propulsion research. This effort was closely coordinated with research supported by other government agencies (U.S. Environmental Protection Agency and Department of Transportation) and industry.

The NSF program complemented a more environmentally motivated R&D program at EPA which has also been shifted to ERDA. Together, the NSF and EPA programs in fiscal year 1975 form the basis for the expended ERDA fiscal year 1976 program in Highway Vehicle Systems. The basic intent of the ERDA program is to provide a basis for Government decisions regarding the technological feasibility of power systems of increased efficiency which also meet the low emission levels required by environmental standards. The shorter range elements of the program are directed toward more efficient, low emission heat engines that use fossil fuels. The longer range plans include use of alternate fuels and development of vehicle systems that use stored energy such as batteries, heat storage, and inertia systems. In fiscal year 1976 the program will develop prototype hardware appropriate for the demonstration of a practical and efficient engine system which would be capable of meeting the original 1976 Federal emission standards. If the technology advances as anticipated, the systems demonstrated are expected to serve to stimulate industry to adopt these advances and develop their own improved systems.

Because of the advanced nature of this R&D effort and the potential for significant conservation progress, this program constitutes the bulk of the advanced transportation power system effort. The specific program objectives are to develop and demonstrate the technologies required to: 1. achieve a 25 to 50 percent reduction in fuel consumption (50 to 100 percent increase in fuel economy) in automobiles; 2. achieve a 15 to 25 percent reduction in fuel consumption for trucks and buses; 3. permit the use of alternative fuels other than petroleum; and 4. use alternative transportation concepts that utilize energy derived from an electrical economy base supported by coal, nuclear, solar and geothermal.

Powertrain and vehicular systems

The principle objective of this research and development is to find ways to improve the overall energy efficiency of highways vehicles rather than just the power plant (whose special problems are being addressed in subprograms). The specific goal is a 15 to 25 percent reduction in fuel consumption in non-power plant areas. Propulsion systems improvements activities are important to the overall conservation effort in a least two respects: (1) This work is focused on technology development improvements which could be assumed by industry relatively early compared with introduction of new engines; and (2) Successful technology development efforts would be applicable to many types of powerplants such as the alternative systems under development in the Power Systems Evaluations subprogram as well as in the conventional internal combustion engine.

Ongoing efforts in fiscal year 1975 which are planned to progress to the hardware phase in fiscal year 1976 include: development of continuously variable transmissions that permit the engine to operate at engine speed conditions which are close to optimum considering both power demands and fuel consumption; development of more efficient means for running engine accessories; development of subsystems which operate on waste heat such as organic Rankine cycle systems that operate utilizing diesel truck exhaust; and a new project to develop practical means to recover energy which is currently wasted in brakes during vehicle deceleration.

Electric and hybrid systems

The objective of this program is to develop and evaluate the technologies for advanced electric, hybrid, and vehicular energy storage systems in order to demonstrate vehicle systems that will result in significant reduction in highway system petroleum demands in the mid term, and also demonstrate the viability of alternative transportation concepts capable of independence from petroleum based energy sources in the long term. The program will build upon existing electric and hybrid systems technology and experience in focusing R&D effort to demonstrate the viable application of the technologies to satisfy current and future vehicle requirements. Activities will include the following:

Assess the current status of advanced battery technology and determine alternate approaches that offer the greatest potential for satisfying midterm electric vehicular requirements.

Research and development of advanced battery systems and related controls. Demonstrate these technologies in optimized electric/hybrid vehicles to assess their viability as energy efficient and publicly acceptable alternate transportation systems.

Develop simulation techniques for optimization and evaluation of electric and hybrid vehicular systems. These techniques will provide an accurate and efficient tool to assist in screening the matrix of potential candidates for directing research and development activities along the most optimum path.

Study and evaluation projects to determine the viability of electric vehicles utilizing near term technology. The results of this evaluation will provide guidance for decisions concerning near term impact from limited implementation of electric vehicles.

The electric vehicle industry is now a valuable component of our transportation economy. It produces mainly specialty vehicles, but is now branching out on its own to produce electric automobiles. The industry's trade association, the Electric Vehicle Council, strongly supported this legislation in testimony before the Subcommittee on Energy Research, Development and Demonstration. The Electric Vehicle News has given the bill wide publicity through a number of articles. I would like to pay tribute to the electric vehicle pioneers, and to insert at this point a list of those companies active in electric vehicle technology:

ELECTRIC VEHICLE MANUFACTURERS IN THE UNITED STATES

Limited to passenger cars, trucks, vans, and buses. Poential manufacturers that are known to have developed prototype vehicles.

Name, address, and vehicle type and status

Copper Development Association, Detroit, Mich.; two passenger, specialty construction.

Die-Mesh Corporation, Pelham, N.Y.; two passenger, prototype.

Electric Vehicle Engineering, Bedford, Mass.; Van, prototype.

Ford Motor Co., Dearborn, Mich.; two and four passenger prototypes.

General Electric Corp., Schenectady, N.Y.; van and four passenger prototypes.

General Motors Corp.; Warren, Mich.; van and two and four passenger prototypes.

Linear Alpha Corporation, Skokie, Ill.; two passenger conversion, special order.

Pargo, Inc., Charlotte, N.C.; van, production planned.

Waterman, C.H., Industries, Athol, Mass.; four passenger conversion, prototype.

Westinghouse Electric Corp., Pittsburgh, Pa.; van and two and four passenger prototypes.

Stuart Elektrowagon, Ionia, Mich.; two passenger prototype.

Chrysler Corp., Detroit, Mich.; four passenger, prototype.

Electric Vehicle Manufacturers in the United States[1]

Limited to passenger cars, trucks, vans, and buses. Manufacturers producing electric vehicles.

Name, address, and vehicle type and status

A.M. General Corporation, South Bend, Ind.; postal van, in production.

Battronic Truck Corporation, Boyertown, Pa.; vans and buses, limited production.

Elcar Corporation, Elkhart, Ind.; two-passenger, in production.

Electric Fuel Propulsion Corporation, Troy, Mich.; four passenger conversion, limited production.

Electric Vehicle Associates, Incorporated, Brook Park, Ohio; four passenger conversion, limited production.

Jet Industries, Austin, Tex.; van, limited production.

Sebring Vanguard, Incorporated, Sebring, Fla.; two passenger, in production.

B&Z Electric Car, Long Beach, Calif.; two passenger, limited production.

Otis Elevator Company, Special Vehicle Division, Stockton, Calif.; van, two passenger prototype, limited production.

Otis Elevator Company, Diversified Operations, Cleveland, Ohio; buses, limited production.

Manufacturers of Traction Motors for Electric Vehicles[2]

Currently associated with the electric vehicle industry.

ASEA International, Vasteras, Sweden.

Allis-Chalmers Corporation, Milwaukee, Wis.

Ambac Industries, Incorporated, Columbus, Miss.

Applied Motors, Incorporated, Rockford, Ill.

Bosoh, Robert, Corporation, Broadview, Ill.

CAV Limited, Acton, England.

Electric Vehicle Associates, Incorporated, Brook Park, Ohio.

Electro Dynamic Construction Company, Limited, Kent, England.

Fidelity Electric Company, Incorporated, Lancaster, Pa.

General Electric Company, Schenectady, N.Y.

Gould, Incorporated, Rolling Meadows, Ill.

Kollmorgen Corporation, Radford, Va.

Lansing Bagnell, Limited, Bramalea, Ont.

Lawnel Corporation, Bluefield, Va.

Magnetics International, Maple Heights, Ohio.

Otis Elevator Company, Cleveland, Ohio.

Porter, H. K., Company, Incorporated, Warren, Ohio.

Prestolite Company, Toledo, Ohio.

Rantronics, Incorporated, Palo Alto, Calif.

Rogers Electric Company, Troy, Mich.

Westinghouse Electric Company, Pittsburgh, Pa.

Mr. Chairman, I urge my colleagues to support H.R. 8800. I believe it is destined to join the Solar Heating and Cooling Demonstration Act, the Omnibus Solar Energy Research and Development Act, the Geothermal Energy Research and Development Act, all of which originated in the Science and Technology Committee under the leadership of the gentleman from Texas (Mr. TEAGUE). These, together with our nuclear fusion and nuclear breeder programs form a major building block in what is really the most important part of our national energy policy, the long range part, all of which has originated here in the House of Representatives.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I will yield to the gentleman from New York.

Mr. OTTINGER. I thank the gentleman for yielding, and I want to thank the gentleman for his leadership in this legislation.

Mr. Chairman, I would like to express my strong support for this bill, H.R. 8800, of which I am a cosponsor, and urge its passage as a vital piece of legislation in our overall effort to reduce our dependence on imported Arab oil.

Automobiles and other internal combustion vehicles presently consume more than one-third of the petroleum used in the United Sates. This legislation would encourage research on and development of electric, hybrid, and other alternative propulsion systems for all vehicles and help demonstrate their commercial feasibility. Freedom from the need to use oil products for vehicle propulsion would be a dramatic step forward toward energy independence for the United States.

Other advantages possessed by electric, hybrid and other alternative systems of automotive propulsion include a dramatic reduction in air pollution emissions and the more efficient use of energy.

The technology and the vehicles are here and available today. In 1967, I demonstrated a silver-zinc battery car which could get 200 miles to a charge and go 60 miles per hour. I introduced a bill at that time to start electric car research, which was later adopted as an amendment to the Air Pollution Control Act.

Since then, a number of small electric car manufacturers have sprung up all over the country, including one in my own district, the Die Mesh Corp. of Pelham, N.Y.

I introduced my own legislation for the development of alternative automotive propulsion systems on June 2 of this year and I am happy to support H.R. 8800 before us today. It incorporates most of the provisions of my own bill which I felt were important.

Chief among these are the elements of section 10 which recognize the pioneering work of many small businesses in the electric car field by facilitating their participation in this program. Planning grants and loan guarantees will help them qualify under the act and a portion of the contract funds will be set aside for small businesses. The loan guarantees program will prevent the exclusion of small businesses due to problems in raising capital and will help them continue their work.

I am also pleased at the clear inclusion of research, development, and demonstration of hybrid vehicles which covers a wider range of systems including a combination of electric motor and internal combustion engine or other alternative engines.

The assistance provided in this legislation should afford the small manufacturers, who have pioneered in the development of electric and hybrid vehicles, the opportunity to get into production of significant quantities. Provision is made for Government agencies to purchase the vehicles and for initial price differentials to be paid with the funds authorized in this legislation, thus creating a market for significant production. Government research should assist in perfecting the vehicles and bringing down their cost, too.

Electric and hybrid vehicles could make a significant dent in our oil imports and fulfill a large market for limited use second cars immediately. As the autos and batteries are perfected, there is a clear potential for their use as general purpose vehicles.

I urge support for this legislation, for it will surely hasten the introduction of these energy-saving, nonpolluting vehicles into the mass market.

Mr. McCORMACK. I thank the gentleman from New York for his remarks.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I will yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the bill. I congratulate the gentlemen in the well and the chairman of the full committee for bringing this measure to the floor. I think this legislation heads the country in the right direction.

The electric car will provide quick, fast, and clean transportation. Because more than 60 percent of our air pollution is caused by gasoline driven motor vehicles, by replacing them with electric cars we would not only be helping to conserve fuel, but also be contributing toward cleaning up our polluted air.

I have every confidence that if we make a concerted effort, we will be able to replace half of our gasoline driven passenger vehicles with electric cars within the next 5 years. My confidence stems from a demonstration I witnessed of the electric car manufactured in Colorado. It has the capability of a speed of 75 miles an hour and a cruise range of 250 miles before recharge. It is of the size of a compact car and handsomely designed. What is even more amazing is that its operational cost would be only 1½ cents a mile. The electric car must be made to replace the gas car at the earliest possible moment. The pending legislation will help to do this.

Mr. McCORMACK. I thank the gentleman from Hawaii.

Mr. MILFORD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. MILFORD. Mr. Chairman, I thank the gentleman for yielding, and I would like to commend the gentleman in the well not only for his work on this bill but for his very outstanding work in the field of energy. I rise in support of the bill.

Mr. Chairman, H.R. 8800, for which I

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[1] This compilation includes all manufacturers known to the staff of the Division of Transportation at the time of this hearing, June 3, 1975.

[2] This information is from the directory of the electric vehicle industry published in February 1975, Electric Vehicle News. A comprehensive listing of electric motor manufacturers which includes those manufacturers not currently associated with the electric vehicle industry can be found beginning on page 5485, "Volume 4, Products and Services" of the "Thomas Register of American Manufacturers and Thomas Register Catalog File, 1975", Tohmas Publishing Company, One Penn Plaza, New York, N.Y.

am a cosponsor, is a bill which offers a truly forward-looking approach to personal transportation in our country. If we believe the estimates regarding our domestic and even foreign oil reserves, we must find an alternative to vehicles using the gasoline-powered internal combustion engine within the next 30 to 40 years. In fact, we must have some of those petroleum reserves for petrochemical feedstocks for future generations.

If one reads the national energy plan prepared by ERDA, it is clear that we are headed toward an economy which is more heavily dependent on electrical energy generated from such sources as coal, nuclear fission, nuclear fusion, and solar. The Electric Vehicle Research, Development, and Demonstration Act of 1975 is entirely consistent with that trend toward an electric economy. Widespread usage of electric vehicles would aid electric utilities in energy conservation because the electrical energy demands would be more uniform due to a predominance of recharging of batteries during late night and early morning hours. This would permit new more efficient powerplants to replace inefficient old powerplants presently operated to meet peak power requirements in the late afternoon and early evening.

The electric vehicle itself offers some prospect for energy conservation in heavily urban traffic, because no energy is used while the vhicle is stopped and because the energy lost in braking in the form of heat would be largely recoverable in an electric vehicle equipped with a regenerative braking system to store the recovered energy in the batteries, or perhaps in a flywheel.

We must move forward with all the programs in energy which can provide an option for the future course of our Nation's energy policy. I feel this electric vehicle bill is an important element in our total energy program. I support this bill in its entirety as the other members of the committee do. I ask that each of you give your support to this bill so that the important lead time that we still have is not dissipated by a course of inaction.

Mr. McCORMACK. I thank the gentleman from Texas not only for his remarks but for his continuing support and active participation in our energy-producing programs.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I will yield to the gentleman.

Mr. GILMAN. Mr. Chairman, I rise in support of this worthy energy-saving measure and request permission to revise and extend my remarks.

We are now living in a time of rapidly rising fuel costs. The average family is being forced to spend more and more on gasoline and motor oil. There is no end in sight to this ever-increasing burden on their budgets.

One possible solution to this major problem is the increased use of vehicles powered by electricity. First developed in the early 1900's, they were extremely popular until the 1930's when they were replaced by gasoline-powered vehicles. At that time gas was cheap and easily obtainable. Such is not the case now. In the mid 1960's fuel shortages and concern over air and noise pollution prompted calls for increased research on alternative power systems.

The legislation before us, the Electric Vehicle Research Development and Demonstration Act of 1975—H.R. 8800—will help provide such research. It authorizes the Energy Research and Development Administration to administer a 5-year program to promote the development of electric and hybrid vehicles and to demonstrate their commercial feasibility. Electrically operated vehicles may very well prove to be a viable answer to our Nation's quest for energy independence. Further research in this direction is certainly laudable.

I urge my colleagues to join in supporting this worthwhile endeavor.

Mr. McCORMACK. I thank the gentleman.

Mr. Chairman, if we assume that the average second car in America uses only 2 gallons of gas a day, for about 20 miles of city driving, and assume that we would convert 10 million of our 44 million second cars to electric propulsion, this would save 20 million gallons or one-half million barrels per day of gasoline. If we can do this by the 1985 to 1990 period, it would save between 2½ and 3 percent of our petroleum consumption.

This will be a voluntary program, reducing pollution and noise, increasing safety, saving dollars, reducing maintenance costs, and providing competition for Detroit's gas guzzling internal combustion engines. Any objective analysis of the potential savings of electric vehicles indicates that it will be at least as great as or greater than the combined contribution of our solar and geothermal energy programs.

If electric cars are so great, what is holding us back? The answer lies in the way we think about electric vehicles. We do not think of them as replacing ordinary internal combustion automobiles because electric vehicles cannot compete in power or in speed with internal combustion engines. For these reasons, they have not been widely used and there is no significant manufacturing industry in operation today for them.

What we must learn to do is think of electric vehicles in terms of what they can do, and that is to provide an attractive, clean, quite, inexpensive mode of in-city transportation.

This is the purpose of H.R. 8800—to demonstrate to the American public that electric vehicles are attractive and utilitarian and to stimulate industrial production and competition.

When this bill becomes law, I am confident that we will see in the near future attractive electric vehicles with modern streamlined design, highly efficient electric controls, and more efficient batteries than are available today. By any measure, this will make a significant contribution to reducing the problems of the energy crisis and enhance our standard of living.

Mr. Chairman, I urge the support of this bill.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I will yield to the gentleman from Indiana.

Mr. MYERS of Indiana. I thank the gentleman for yielding.

Mr. Chairman, I certainly support the concept of electric vehicles but I fail to understand why we should have an appropriation of $160 million when the concept or idea of electric vehicles is nothing new. I remember 40 years ago riding in an electric vehicle. I saw one the other day. I would not exactly say it needs the streamlined lines the gentleman is suggesting in his discussion here today.

But it certainly is a vehicle that is cheap to purchase, and according to what they tell me, the people who own it say it is cheap to operate.

So why do we need to appropriate $160 million at this time to bring on something that we already have?

Mr. McCORMACK. Mr. Chairman, I thank the gentleman for his question.

I should point out that we are not appropriating $160 million; we are authorizing $160 million over a 10-year-period, and the request is for only $10 million for this fiscal year and the transition period.

The purpose of this program is to demonstrate to the American public the utilitarian value of electric vehicles and to stimulate the industry to manufacture electric cars. This is a new industry; as a matter of fact, it consists of a number of small, new industries.

The fact is that the American people still think in terms of the internal combustion engine, and they do not think of electric cars as they need to be thinking about them in terms of what they will do. We need to demonstrate that electric cars are not those old, square, black boxes we remember from our childhood days, but that they can be modern cars, attractive, efficient, streamlined vehicles. Then if they see them in their neighborhoods and see them on the streets and have an opportunity to meet with and talk with people who use them, they will learn that the average electric car driver, even using it as a second car, will save about $500 a year, just in fuel costs. These are things we can do.

We may ask the question: Why does private industry not do this for itself? For exactly the same reason why private industry has not gone into solar energy for heating and cooling. We have a situation in America today where industry is waiting for a market and the consumer is waiting for an industry.

If this were a business-as-usual industry in existence today, we could say, "Oh, well, nature will take its course." But that is not the case. We are in an energy crisis, and we must do something about it.

The amount of money we would spend for this bill over 5 years will be more than paid for in a few days in terms of the petroleum we would save. Assuming we are using a half a million barrels of petroleum a day, that is $6 million a day. We could pay for this entire program in 1 month in petroleum savings. This entire 5-year program can be paid for in 1 month when we take into consideration the savings we will have in petroleum. That is the reason we must go ahead with this program.

Mr. MYERS of Indiana. Mr. Chairman, if the gentleman will yield further, I certainly do not take exception with the idea and the suggestion that we need to bring on the electric vehicle. However, is it not true that private enterprise has the electric vehicle already developed and is manufacturing it and selling it?

We have the electric vehicle today. Private industry has it and is manufacturing it.

Mr. McCORMACK. Mr. Chairman, all the testimony we heard from about a dozen manufacturers of electric vehicles indicated these were new, embryonic industries that are trying to get into the business of manufacturing electric vehicles. We were told that the industry needs this sort of stimulation. Every representative of the electric-vehicle industry came in and testified about the difficulties they are having getting started because of the very problems we have cited.

This is the reason for this bill. When we authorize the amount contained in the bill, it is going to be a signal to the electric-vehicle industry that they can go ahead. It will be a signal to them that they can go ahead and borrow the money to get started, get the assembly lines going, and get the electric car developed and distributed to the public, because there is going to be a market there. This is the real importance of the bill.

Mr. MILFORD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. MILFORD. Mr. Chairman, I can give a specific example of what the gentleman is talking about from my own district. In my district there is an embryonic electric car manufacturer, you might say, that is doing exactly what the gentleman is talking about, and that manufacturer is having the very same difficulties the gentleman is talking about.

This is a very substantial car. This is a manufacturer that normally any bank would talk to, except they understand the concept itself is the electric vehicle. That is the very thing that is in doubt, the concept of the electric vehicle, and this bill would provide the answer that this manufacturer and many others across the country are looking for.

I support the gentleman's stand very strongly.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentlewoman from New York.

Ms. ABZUG. Mr. Chairman, this bill is designed to meet a national crisis which is facing the country—the energy shortage. The bill has therefore included in section 11 a provision which establishes a loan guarantee program to help in meeting this emergency. As one who has long called for the development of new alternatives to transportation and to an overall effort to find ways to use the energy available to us more effectively, I support the development of such a program.

Previously this session, this House has passed an amendment to the Emergency Livestock Credit Act which increased to 90 percent the portion of loans in this program which the Federal Government was prepared to guarantee. This was also done in response to a perceived special need to meet an emergency situation.

This very week, during which we are considering the electric vehicle development loan guarantee program, New York City has renewed its request of the Federal Government for a program which will allow for a Federal guarantee of its loans. There is hardly any serious economist who would argue that the continued solvency of the Nation's largest city and financial center is not also a matter of national concern. The emergency affects New York directly, but it also will affect the ability of all States and localities to issue bonds successfully. Contrary to the response of Secretary Simon and Chairman Burns, the financial situation in New York City is most definitely a matter of national concern—the emergency that exists there must be overcome with immediate Federal action also.

I will vote today to support the extension of a loan guarantee program in H.R. 8800, because it is needed to maintain the economic strength of this country. At the same time, I will renew my call to both the executive and legislative branches to cooperate with New York City in creating a mechanism for guaranteeing its loans, because such a program is also needed to maintain the economic strength of the country.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Chairman, I rise in support of the legislation. I wish to congratulate the committee for its work and for coming out with this bill. I think this is one thing we must do.

As one Member who owns and operates an electric motorcycle, I understand the need for this. I think there could be some improvements in the engine, but I do believe it is the way we should go, and I congratulate the committee for its efforts.

Mr. McCORMACK. Mr. Chairman, I thank the gentleman for his contribution.

Mr. AMBRO. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. AMBRO. Mr. Chairman, it has been reported by the Office of Science and Technology that there is little hope of achieving more than 28 percent efficiency from the Otto cycle internal combustion engine. If we expect to have low fuel oil prices for home heating, not to mention reasonable prices on such items as synthetic clothing, a good deal of which is oil-based, we must come to grips with fuel consumption in transportation. Advances must be made before electric vehicles become commonplace, but electric vehicles have a good future as a second car and offer a way to conserve energy.

This legislation directs the Energy Research and Development Administration to actively promote and demonstrate electric cars, buses, and delivery vehicles. A hybrid variety using electric motors to accelerate, and gasoline for cruising, will also be explored. Government participation is needed to stimulate technological advances in battery design and general reliability of the devices. Without that participation, industry will not give electric vehicle development the attention it deserves.

Electric vehicles are good second cars for the two-car family. Inasmuch as the major criticism of these vehicles is their slow top speed and need for frequent recharging of batteries, they are perfect for in-town driving which does not require high speeds and are generally less than 25 miles in distance. Thus, an electric car that would go 50 miles per hour, recharging after 50 miles, would serve most second car needs. Eventually, research will undoubtedly produce a vehicle with better speed and mileage. With Government funding available, these developments are almost assured.

To me, the image of American homes fully exploiting solar and other alternative energy sources for their heating and cooling, with central power generation providing "fuel" for transportation, is one of the most attractive energy futures we could pursue. In approving this bill, we would be making a major step in the direction of that future

Mr. EMERY. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Maine.

Mr. EMERY. Mr. Chairman, in light of the comments made a few minutes ago, relative to the necessity of the Congress becoming involved in the development of the electric automobile, let me point out some facts:

It is important to note that there has not been a significant incentive for the automobile industry in this country to get away from the use of petroleum and internal combustion engines. I do not think that the American automobile industry, as it is presently constituted, will be willing to move into another field of propulsion, such as electricity, unless we can demonstrate to the country that, one, electric vehicles are practical; and two, that they are available.

I think we have to demonstrate to the general public that these vehicles are desirable and practical and do not have the many drawbacks that some people fear.

The only way we can do that is to provide demonstration vehicles so that the automobile manufacturers and the electric companies in this country will be inclined to go into the manufacture of these vehicles on a commercial basis after public acceptance is generated. This is one important method by which the Congress can lead in the movement to acclimate the consuming public to using an energy-saving, pollution-free, low-cost vehicle, and to convince the automobile manufacturers to follow suit.

Mr. YOUNG of Florida. Mr. Chairman, will the genleman yield?

Mr. McCORMACK. Yes, I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding.

I support this bill. I think it is a great concept.

I have a question that has been asked of me and that is in my mind, and that is as to the consumption of electricity in the driving of the electric vehicle. Do we have any facts or information as to that, I ask the gentleman from Washington?

Mr. McCORMACK. Yes, we do have those facts. We could easily handle 10 million electrical vehicles, charging them overnight and without having any significant impact on our electric utility demands during the day.

The fact is that electric utilities, of course, must provide for peak periods during the early morning and early evening.

For instance, in driving a car during the day and charging the batteries at night, utilities could easily handle 10 million cars no matter how they are distributed in the country. As a matter of fact, we have a surplus capacity at night in our electric generating system so as to be able to charge between 100 million and 200 million cars around the United States; and if they were distributed equally, we could charge every one without requiring a single new electric plant in the whole country.

Mr. HILLIS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes, I yield to the gentleman from Indiana.

Mr. HILLIS. Mr. Chairman, I thank the gentleman for yielding.

Back during the Memorial Day recess, I spent a good portion of 1 day touring a research facility of one of the major automobile companies in which they have electric vehicles as one of their research projects.

In inquiring into the future with respect to this particular form of transportation, they seem to point out that the weak point of the electric vehicle is the storage battery system that we have today and that there has been very little technological progress in the development of electric batteries in the last 25 to 40 years.

Under this legislation, will this problem be attacked? Are there provisions here to try to come up with a better electric storage battery system?

Mr. McCORMACK. If the gentleman will yield, the answer is yes, very definitely. The bill does provide for a program specifically to try to improve batteries as against what they are today, and we think this will come about. We have every confidence that we will be able, through this effort, to bring about new and improved batteries in from 2 to 3 to 5 years.

Mr. HILLIS. The point is that the batteries are heavy. They are relatively short-lived. They are quite expensive to replace.

Mr. McCORMACK. In fact, to put that in context with today's batteries, the top-quality batteries one would buy today, if one were to put 10 or a dozen of them in an electric car, then he can run the car from 40 to 100 miles, depending on the car and how he drives it.

By charging it up once at night, it would cost about 40 cents in electricity or about 4 cents a kilowatt-hour. In other words, it takes 10 to 12 kilowatt-hours to charge up these batteries. These will run the car up modest slopes. They will drive up to 60 miles an hour and will run the car from 30 to 100 miles, depending on how it is used.

We can go ahead with the system we have today and still provide for better research and development in providing for better batteries tomorrow, not wait for better batteries, but do both things at once.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes, I yield to the gentleman from Texas.

Mr. WHITE. Mr. Chairman, I know it is very difficult to project this, but has there been any study as to whether or not the use of electric cars will cost less per mile than gasoline motors, and if so, has there been any percentage estimate with respect to electric vehicles?

Mr. McCORMACK. Mr. Chairman, in reply to the inquiry of the gentleman from Texas, let me state that an electric vehicle would be much cheaper to operate than an ordinary internal combustion engine. As a matter of fact, if we think of an ordinary car today getting 15 miles to a gallon and the driver paying 60 cents a gallon for gas that means it is costing 4 cents a mile for gas whereas an electric car will operate for a penny a mile.

Mr. WHITE. I am also talking in terms of the generating costs.

Mr. McCORMACK. With reference to the generation of electricity, let me state that in the first place, of course, most of the electricity is expected to be generated by nuclear energy and coal since we will be phasing out the use of petroleum and natural gas. But, in addition to that, it will be possible to charge these cars without any increased demand for electricity, and that we can continue to do this without any new electrical generating capacity being necessary in the utility systems as far as we can see into the future, and certainly way beyond 1990 before all of the electrical cars in the United States would require any additional generating capacity. As I said earlier today, it is estimated that we could handle as many as 100 million cars, more cars than we have in the United States today on the existing utility system if they were equally distributed. In other words, we have that much surplus generating capacity in the utility systems today.

Mr. WHITE. I thank the gentleman from Washington.

Mr. GOLDWATER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this Electric Vehicle Research, Development and Demonstration Act of 1975, H.R. 8800. I wish to begin by commending the distinguished chairman of the full committee, the gentleman from Texas (Mr. Teague) and the chairman of the subcommittee, the gentleman from Washington (Mr. McCormack) and all of the members of the committee and our staff for their efforts and for the cooperative spirit which prevailed in the committee that allowed for full input by all members of the committee.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I am happy to yield to the distinguished gentleman from Washington.

Mr. McCORMACK. Mr. Chairman, may I take this time to congratulate the gentleman from California (Mr. Goldwater) upon his leadership and his cooperation, and for the diligent work that he has performed on the Committee on Science and Technology, and on the subcommittee on which the gentleman from California is the ranking minority member. The gentleman from California has been an outstanding member of this committee, and, as a result, this has helped bring about this bill being brought to the floor through a unanimous vote both in the subcommittee and in the full committee. I repeat that I cannot express adequate praise for the gentleman from California (Mr. Goldwater) for the work he has done and the leadership he has performed. His has been an excellent effort.

Mr. GOLDWATER. Mr. Chairman, I thank the gentleman from Washington for his flattering comments. I would only paraphrase my earlier remarks by saying that I believe that this piece of legislation does represent a bipartisan and cooperative effort in providing a flexible instrument which I am pleased to be associated with.

Mr. Chairman, as an original cosponsor of the bill and the ranking minority member on the Energy Research, Development, and Demonstration Subcommittee which considered and reported the bill, I am intimately familiar with this legislation. I strongly believe that H.R. 8800 is a significant step in the increasingly critical area of petroleum-based fuel consumption in the transportation sector. The problem, as we all know, is that the United States now and for the foreseeable future will consume much more petroleum than can be domestically produced, with a resulting supply dependence on and cartel pricing by the oil producing nations, OPEC. The transportation sector consumes about 40 percent of all the petroleum consumed in the United States, which incidentally approximates our current level of oil imports, and it is a prime candidate for the substitution of alternate energy sources. H.R. 8800 will mandate a substantial Federal effort in the area of one of the primary alternate sources, electric propulsion.

The bill establishes a program in the Energy Research and Development Administration—ERDA—to demonstrate the commercial feasibility of electric vehicles for private and business travel under urban conditions. The program includes a 5-year project for demonstrating 7,500 vehicles and for associated R. & D., with authorized funding of $160 million. The bill also provides loan guarantees for industrial efforts in electric vehicle development to a maximum of

$60 million. I believe it is particularly important to note that both the demonstration activity and the R. & D. in this program will make maximum use of existing private sector activity in electric vehicle development. Additionally, the loan guarantees and other sections of the bill will insure that the many small businesses which constitute a major segment of the industry can participate and will not be driven out by the ERDA program. The dual objectives of the bill are to accelerate the development of electric vehicle technology and to facilitate commercialization of that technology in the private sector. I believe the program in H.R. 8800 effectively does both, while adequately protecting the various interests involved, and I urge your support of the bill.

Let me briefly explain the opportunity which we have with the electric vehicle to make a start on shifting away from petroleum.

In my own district, the Los Angeles area, electric vehicles can make a significant difference, perhaps as early as 1980. A recent study by the Environmental Protection Agency concluded that, at a minimum, electric vehicles with existing technology could replace a million second cars in Los Angeles in 1980, 17 percent of all area cars "with little sacrifice in typical daily driving patterns." Electric vehicles with advanced technology could constitute from 45 to 75 percent of all cars in Los Angeles in the 1990–2000 time frame, depending on supporting facilities. The obvious environmental benefits, as well as the resulting petroleum savings, clearly support our consideration of a timely demonstration of this electric vehicle potential.

Finally, Mr. Chairman, let me briefly summarize exactly what this bill would do to accomplish our objective of accelerating the development of electric vehicle technology and its commercialization in the existing industry. The bill establishes a 5-year, $160 million electric vehicle research, development, and demonstration project in the Energy Research and Development Administration—ERDA. The primary goal of the project will be to demonstrate the commercial feasibility of electric vehicles, including the evaluation and demonstration of about 8,000 vehicles.

Electric vehicles which would be ideally suitable for urban private and commercial travel, can play a key role in reducing our dependence on imported petroleum for transportation. In addition, they would contribute to reducing urban air and noise pollution.

The demonstration would involve three phases. After an initial 1-year period of design and standard-setting based on in-use testing of existing vehicle technologies, ERDA would contract for at least 2,500 vehicles within 15 months, and insure widespread distribution by enabling individuals or businesses to lease or buy them. Within 42 months, another 5,000 vehicles incorporating design advances derived from the first phases of the project would be similarly purchased. Demonstration maintenance programs would also be established. Of particular importance, planning grants, special contract provisions, and a $60 million loan guarantee program would be provided to allow small firms with problems in raising capital to bid competitively for the ERDA contracts and to establish themselves in the electric vehicle industry.

Research and development would include work in energy storage and hybrid vehicles as well as control systems and overall design of electric vehicles, with the aim of reaching maximum energy efficiency, durability, ease of repair, and recyclability of parts. Associated research would focus on urban design and traffic management for optimum transportation energy use, and minimum environmental degradation.

The Administrator of ERDA would also conduct studies of tax provisions, regulatory law, and other factors which might tend to bias the transportation system toward particular vehicles. These findings, as well as assessments of the long-range environmental and economic impacts, would be first reported to Congress within 6 months, and subsequent reports on the overall progress of the project would be required every 6 months following for the 3-year lifetime of the project.

Mr. Chairman, I strongly support this bill. I cosponsored it. I offered a number of amendments to perfect it in subcommittee which are incorporated in the bill. I believe it is the best balance of all the relevant interests—private interests, Government interests, and the national interests. I urge the support of my colleagues for H.R. 8800.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to my friend, the gentleman from Ohio.

Mr. LATTA. I thank the gentleman for yielding.

Let me say that I support the concept of an electric vehicle, and I know that the gentleman in the well is a champion of our free enterprise system, so will he please explain to me why we are asking in this legislation that the taxpayers pick up the tab for the purchase of 7,500 of these vehicles and 1,300 additional vehicles for the Postal Service, which is supposed to be an independent agency, at a cost of $160 million?

Mr. GOLDWATER. I think there are two points that perhaps can be made in addressing myself to the gentleman's question. One, this is basically research and development with a very modest demonstration thrown in. The reason for this is that I think there is no argument in this chamber that one of the solutions to our energy dilemma is to accelerate conservation, and this particular program is basically designed to do that. Obviously, we could wait for the market forces to dictate this research and development, but I believe the Congress does have a role to provide this kind of leadership to accelerate.

I would fight alongside of the gentleman if in fact the Congress were to get into and provide moneys for actual manufacturing of these vehicles, but for the research and development and a modest demonstration I think this is the kind of leadership we need.

Mr. LATTA. I just want to raise this question. Using the gentleman's argument that we do want to conserve petroleum, and I heartily endorse it, could we use the same argument on the further development of a rotary-type engine that is supposed to save gasoline, or perhaps a regular-type engine that would maybe give us 50 miles per gallon? How can we say that in one instance we ought to take the taxpayers' money to the tune of $160 million to develop this particular product and not another product? That is the thing that bothers me about this legislation.

I quite agree with the gentleman that we need to be headed in this direction and in all directions where we conserve energy, but to say that we mandate the purchase of 7,500 of these vehicles after they have been manufactured, and 1,300 for an independent agency—and I put that in quotes—the postal system, kind of baffles me, and I cannot quite see an answer to the question.

Mr. GOLDWATER. I can appreciate the gentleman's concern because I, too, share this vital concern where we begin to see an infringement upon the rights of the private sector to develop, to research, and perhaps even to demonstrate. But again I reiterate that I do believe that in the area of technology our Government does have a part to play to provide those moneys which may not necessarily come to be put into a solution or to be put into research that would result in quicker solutions to the problems and dilemmas we face.

But I would say that this same argument that I have made has been made and is being made in other areas such as the Solar Research and Demonstration Act. We are using this same argument in essence to support all kinds of research in the energy area other than for electric vehicles.

Mr. MOSHER. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the ranking minority member of the Committee on Science and Technology, the gentleman from Ohio (Mr. MOSHER).

Mr. MOSHER. Mr. Chairman, as a fellow member of the Committee on Science and Technology, I too congratulate the gentleman in the well for his leadership in developing this legislation. He has done a superb job. That applies also to the chairman of the subcommittee and the chairman of the full committee.

Mr. Chairman, H.R. 8800 is a bill which deserves our support. The successful development of efficient, economical electric vehicles can make a very important contribution to the reduction of our petroleum consumption. Over half of our petroleum consumption is for transportation. Electric could halt the spiraling demand for petroleum to fuel automobiles.

The electric vehicle is not some new or novel concept. At the beginning of the century electrics were emerging along with steam and gasoline-powered cars. At that time there were hundreds of manufacturers in the electric car business and thousands of electric cars were on the road. The rapid advances which occurred in the technology for the internal combustion engine eventually displaced electric and steam cars. The latter could not then match the superior performance which gasoline offered.

However, some electric "vehicles," that is, trolley cars, have lasted until today in some locations. Thus, the electric vehicle legislation here today is merely designed to pick up on an approach which has been largely overlooked for half a century.

Until a few years ago, small numbers of electric vehicles had been built by persons almost on a hobby basis. Now the energy crisis has prompted many persons to take a fresh look at the electric vehicle as a viable source of transportation.

The electric vehicle fell into disuse over 50 years ago because the batteries then available could not compete with gasoline engines.

However American technology has advanced dramatically in that time period. Many enterprising individuals have been working diligently to apply space age technology to a concept that dates to the horse and buggy days.

I am confident that the natural forces of consumer demand and free competition would eventually lead to a resurgence of the electric vehicle. Unfortunately we cannot afford to wait for the natural forces of the marketplace. And that is the reason for H.R. 8800; namely, to accelerate the development of an electric vehicle compatible with today's standards.

It is significant to note that most automobile trips take place within 5 miles of home. The electric vehicles built with currently available batteries have a range of up to 50 miles, and a top speed between 40 and 45 miles per hour. Thus electric cars already are attractive for use as the "second" car which many families have. One objective of H.R. 8800 is to develop improved battery technology which will permit greater range and speed. A second objective is to demonstrate the viability of electric vehicles by putting large numbers of them on the road. This will acquaint the public with them and dispel any misconceptions that electric cars are just a "toy".

The bill sets out a three-phase program. The first phase directs the administration of ERDA to purchase a "reasonable number" of electric vehicles which contain the current state-of-the art. This initial phase will permit ERDA personnel to acquaint themselves with the current level of electric vehicles. It will help in establishing a baseline from which future advances may be measured. The second phase calls for the purchase of 2,500 electric vehicles which meet intermediate performance criteria. The third phase consists of the purchase of 5,000 electric vehicles which meet advanced performance criteria.

The vehicles so purchased by ERDA will be leased to the public for their everyday use. We anticipate an arrangement whereby the user keeps a record of the vehicle's performance and reports back to ERDA. A program as ambitious and extensive as developing an alternative transportation vehicle probably will have a few "bugs" and the system of monitoring is designed to identify and eliminate them as soon as possible.

Another positive feature of H.R. 8800 is its recognition of the valuable role which small business has played in developing the electric vehicle. It has been the perseverance of small business through many lean years which has now culminated in a strong nucleus for a new line of commerce. H.R. 8800 contains explicit directions to ERDA to take special measures to assure the full participation of small business.

After "carrying the ball" during the tough times, we should not let small business be cut out of the electric market by the large corporations. Fostering the development of electric vehicles by small business will have the beneficial side effect of increasing competition and reversing the strong trend toward concentration which has characterized the automobile industry.

Mr. Chairman, I believe that H.R. 8800 is a strong congressional initiative aimed at meeting the energy crisis headon. The electric vehicle is an established concept which can be brought into widespread use with a reasonable amount of work. I am looking forward to the day when these economical, nonpolluting vehicles will achieve the success which eluded them 75 years ago.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Chairman, I hesitate to shatter the smiling camaraderie we have seen displayed on both sides of the aisle here, but if this legislation is so good, why are we informed that the administration opposes the bill and that it will be vetoed by the President, and that both the Environmental Protection Agency and ERDA testified against the bill in the hearings? It does not seem to me that the executive branch, from what I have learned about the bill, supports this at all. Yet we hear almost no voice being raised to explain these objections.

Mr. GOLDWATER. I think the gentleman raises a legitimate question because of the fact that ERDA and the administration do oppose the bill. They do not oppose the concept. In fact they do have an ongoing program. I think this is a case where the Congress is providing perhaps more dynamic leadership. The difference in the question is that we want to do it now and they want to continue study.

Obviously ERDA is a new agency. They are still in the throes of organization and getting their programs together. It was in that kind of atmosphere that this committee received testimony. There really were no guidelines and, therefore, we had to provide them.

I have most vigorously looked into the objections of ERDA and I believe they can do a better job. I believe we contemplate the electric vehicle research and development and demonstration being done in a quicker mode or a quicker time frame than they are dictating. So I think the difference is basically in how soon we want to do it.

Mr. BAUMAN. Can the gentleman tell us, since we have already appropriated large amounts of money for ERDA in the past, why this cannot be accomplished on some scale within the existing appropriations without having to mandate an additional authorization of $160 million?

Mr. GOLDWATER. In the past there were only modest amounts of money authorized and appropriated for this type of effort. This particular bill demonstrates a very ambitious program and recognizes subsequent to our energy dilemmas in the past year the need for acceleration of conservation programs. Although in the past we have provided modest amounts of money for various systems studies and development, it has not been until this particular bill that we have tried to focus our attention upon the electric car as a viable alternative to the second car and tried to bring this into our society at a faster rate than perhaps what the market forces would dictate or would be provided under the old funding levels.

Mr. BAUMAN. If the gentleman will yield further, the gentleman knows there are before this body and the other body a number of legislative proposals for the Federal Government to take over all or most of the research, development, and even production in the energy field, including a massive Federal corporation which would in fact replace the private economic sector's energy activities. It seems to me that the principle the gentleman advances in this particular bill is the same principle involved in a much larger scale in the legislation I have just noted. It is pretty hard to argue in favor of one and against the other it seems to me.

Mr. GOLDWATER. I obviously would reject that type of effort if in fact it is ever made. I would only say to my friend, the gentleman from Maryland, that this particular piece of legislation, as I interpret its purpose and the format under which it will operate, provides moneys that would be utilized by private industry under the leadership of ERDA. ERDA is to develop the program, to administer the program, but under contracting arrangements and with guaranteed loans for small businessmen to provide the seed money, and industry itself will provide the research and development, working along with ERDA.

Mr. FREY. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the gentleman from Florida.

Mr. FREY. Mr. Chairman, I would just like to add to the comments of the gentleman from California. I certainly agree, the money for ERDA is not sufficient that has been authorized or appropriated.

There is one area we need more emphasis, that is this total energy area we are working on.

Second, I certainly do not want to see this thing federalized, but there are obviously certain areas the Federal Government must get involved in and provide the seed money; not only this area, but in others, as in ocean thermal power, we have to get it started and then take it up and go with it.

Third, when we look at the different

pieces of legislation we have, we are really not sure, we are not completely sure this is all going to work. We cannot be 100 percent sure, but if we are going to spend money and try, it looks to me that we have a chance for a greater return in this area, this electric car area, than anywhere else, because 60 percent of our energy goes for gasoline for automobiles, which gives us a pollution problem.

I think for the investment we have and the place we are putting our money, it makes a lot more sense to put it into this thing than $2 million for someone going around and picking up papers.

Mr. Chairman, I support the Electric Vehicle Research, Development, and Demonstration Act of 1975. There are many important challenges that face our Nation today. I would like to point out that a remarkable number of these major problems are directly or indirectly related to the automobile and the internal combustion engine.

To a large extent the recent energy crisis is the result of the tremendous daily consumption of gasoline by automobiles. If we could permanently and significantly reduce gasoline consumption there would be no energy crisis. Furthermore, I am sure that all my colleagues are aware of the implications of continued reliance on Arab oil to power our automobiles. Dependence on foreign nations for petroleum jeopardizes our economic health and political independence. The continuous flow of dollars to petroleum exporters endangers the standing of the dollar and the viability of the international monetary system. Dependence on foreign petroleum also means that control of the level of domestic economic activity is no longer wholly in our hands. America can be thrown into chaos if a foreigner whimsically decides to turn off the flow of oil.

Additionally, environmental hazards are being created by automobile use. Each time a car is operated, hydrocarbons and other pollutants are admitted into the atmosphere. These contaminants effect the health of wildlife, natural vegetation, crops, and human beings. Now we are discovering that pollution may be permanently altering climate conditions, and imperiling life on Earth. The accumulation of automobile emissions is particularly severe above our urban areas. Noise and air pollution caused by the automobile is partially responsible for the decay of our cities.

The automobile has contributed greatly to the high quality of life that Americans now enjoy. Unfortunately, it is also a source of many problems for our Nation. The legislation under consideration today is a step toward developing a vehicle that will not burn oil nor pollute the environment with fumes and noise. Mr. Chairman, I am referring to the electric car.

There is nothing new about the electric automobile. In fact, shortly after Henry Ford's historic invention development of the electric-powered vehicles proceeded more rapidly than work on cars propelled with the internal combustion engine. In 1900 there were more electric vehicles than internal combustion cars. By 1915, one hundred different firms were producing electric automobiles. But the power of the combustion engine spurred massive research and development efforts far outweighing the resources devoted to electric car technology. By 1930, the internal combustion engine had completely replaced electric propulsion motors as the dominant transportation mechanism.

Now, pollution from the automobile is a major American problem, and petroleum required to fuel combustion engines is becoming scarce and increasingly expensive. The time to reinitiate electric vehicle research is now. H.R. 8800 establishes a program to be administered by ERDA for the research and development of electric vehicle technology. The goals of the project are: First to evaluate and demonstrate the commercial feasibility of the electric vehicle, second, to promote the advancement of electric vehicle design and engineering, and third, to encourage the substitution of electric and electric-type vehicles for many gasoline powered cars.

The bill requires that three stages of development and demonstration be undertaken. First, several hundred vehicles of current design will be evaluated. Second, 2,500 with modified design and technology will be produced, and subsequently tested. Third, and finally, 5,000 vehicles with improved and advanced engineering components will be manufactured, tested, and widely demonstrated. This final generation of electric car will represent the culmination of over 4 years of research and development. The bill anticipates that this advanced vehicle will be suitable for application in the U.S. Postal Service, the General Services Administration, the Department of Defense, and in other Federal agencies.

The bill authorizes a total of $160 million for a 5-year period. Ten million dollars is appropriated for fiscal year 1976, $40 million for fiscal year 1977, $30 million for fiscal year 1978, $60 million for fiscal year 1979, and $20 million for fiscal year 1980. I submit that $160 million is indeed a small sum when the benefits from the electric car program are potentially so great.

Mr. Chairman, I am convinced that H.R. 8800 is a sound and important measure. I enthusiastically support this legislation and I join my colleagues on the Committee on Science and Technology in urging its prompt passage.

Mr. GOLDWATER. Mr. Chairman, I thank the gentleman for his contribution.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding. I want to commend the gentleman on his presentation and his description of this bill and his defense of it.

I would like to just comment with regard to the attitude the administration has taken and the impact on business, that we have no indication that there is any strong objection from ERDA or EPA. ERDA's feeling was they need a little more flexibility. When they originally testified on the bill, we did extend the program from a 3-year to a 5-year program to give them this flexibility.

With regard to industry and their participation, I have never seen representatives of any industry testify with such united support for this legislation. We had representatives of all phases of the industry that is involved in the construction of electric vehicles, which are basically small business people, battery suppliers and other component suppliers, and even the big four in the auto industry, we found no objection and, in fact, strong support for this legislation, because it does pose the opportunity to get a struggling embryonic industry on its feet so it can make a major contribution to the free enterprise system.

The contribution of the gentleman in the well in framing this legislation to aid this concept, I think, has been very well done and I wish to compliment the gentleman.

Mr. GOLDWATER. Mr. Chairman, I thank the gentleman for his contribution to this colloquy.

I would only say that I have admired the knowledge that my colleague, the gentleman from California (Mr. BROWN) has on this particular subject. The gentleman has obviously been in the forefront of leadership in providing and recognizing the need for the electric vehicle. I think the leadership that is provided here is very helpful.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I also would like to compliment the gentleman in the well for his leadership and his very constructive contribution to this legislation.

I would like to point out to the gentleman from Maryland (Mr. BAUMAN) that almost all the work in the development of electric vehicles has been done by entrepreneurial pioneers, small undercapitalized companies, people who saw a possibility and put a great deal of their own money behind it. They are not in the position to go to the next phase and take the particular development they have from a one-vehicle demonstration situation to the point where they can put it on the market. They say unanimously if we could give them a little help in their research, then they could be in a position to go in the market with their product.

I think this is a private enterprise program, not a Government program, if we will assist the small businessman to go ahead and do an important job.

Mr. GOLDWATER. I thank the gentleman from New York, and I think he makes a very good point that of some 20 vehicles that were parked around the mall, a good majority of them were all built in someone's backyard or garage or by small business. So, I think this money will provide the additional incentive for these types of people to continue the development.

Mr. ROUSSELOT. Mr. Chairman, as

one who has supported the development of alternative energy sources, and the development of energy conservation technology, I rise in support of H.R. 8800, the Electric Vehicle Research, Development, and Demonstration Act of 1975.

The purpose of this legislation is, "to demonstrate the commercial feasibility of electric and hybrid vehicles for urban individual and business use, and to encourage research and development in new technologies for electric and hybrid vehicles with wider application, in order to promote long-range conservation of liquid fuel and reduce environment pollution." In my judgment, the development of electric vehicles is essential to satisfying future transportation needs without increasing use of liquid fuel.

As a Member who represents a Los Angeles vicinity Congressional District—the 26th—I was interested in the information on page 19 of the House report regarding EPA's report on the "Impact of Future Use of Electric Cars in the Los Angeles Region." Reference is made to the fact that improvements in air quality because of the use of electric cars would be minimal since automobile emissions in the Los nAgeles region have been drastically reduced. I believe that the credit for this improvement should certainly go to the fine work which has been done by the California Air Resources Board which for several years was headed by Dr. A. Haagen-Smit.

I do have reservations about the total authorization of $160 million for the 5-year period as reported by the committee. I feel that the number of the demonstration vehicles being purchased—which includes a 5,000 vehicle third purchase—is excessive. In addition, I feel that Congress should keep a close watch on the loan guarantee programs in legislation, and in my opinion, we should be very careful with the loan guarantee approach in any legislation. However, in general, I support the goals of H.R. 8800 and I urge its passage.

Mr. WINN. Mr. Chairman, will the gentleman yield?

Mr. GOLDWATER. I yield to the gentleman from Kansas.

Mr. WINN. Mr. Chairman, I appreciate the gentleman's yielding to me.

Mr. Chairman, I rise in support of the electric vehicle bill. This legislation comes after intensive hearings by the Committee on Science and Technology on the subject of electric car technology, research, and development. Testimony from over 50 witnesses was reviewed and considered prior to the introduction of H.R. 8800. The thorough work of the committee has resulted in a fine legislative proposal that is worthy of prompt passage.

The bill is intended to give new impetus to the evaluation, development, and utilization of electric vehicles. As section 2 of the legislation emphasizes, the reasons for promoting the advancement of electric car technology are many. First, short and predictable urban travel patterns are suited to electric car capabilities. In congested traffic, electric vehicles, which use no energy when stationary, conserve fuel currently wasted by conventional automobiles. Second, the Department of Commerce has found that "in terms of total national air pollution, the automobile is the greatest single contributor, by weight." Internal combustion engine vehicles are also a major source of noise pollution. In contrast to the conventional automobile, electric vehicles are quiet and do not emit any significant pollutants. Third, the recharging schedule of electric cars promotes efficient use of utilities by loading plants in off-peak hours. Furthermore, electric cars do not burn precious petroleum, and as we are all aware, the scarcity and costliness of oil is straining our economic structure. In sum, it is clear to me that the development of the electric car is in the best short- and long-term interests of our Nation.

The bill provides that research development efforts be conducted on energy storage technology. Currently battery limitations are the most significant factor impeding widespread electric vehicle employment. If a long-range battery or fuel cell could be developed, then the electric vehicle would have nearly all the capabilities of the conventional automobile, and it would operate without the disagreeable byproducts of the internal combustion engine. The bill also requires that research and development on vehicle design be undertaken. Specifically, research and evaluation of energy conservation processes, vehicle control systems, and overall design for maximum efficiency, ease of repairs, and replaceability of parts will be conducted.

Perhaps the most important aspect of this legislation is the ERDA demonstration program that is established by section 7. The project guidelines direct that 5,000 electric vehicles of advanced design be produced within 5 years. These urban passenger commercial vehicles will come after previous electric car models have been produced, tested, and evaluated. Performance standards and criteria will be established in order to guide the research and development effort toward practical ends. Additionally, the standards will be useful in the future as electric vehicles become more widely used. The project requires that the cars be demonstrated in all areas of the country in order to test the vehicles under many different conditions, and to increase public awareness and understanding of the electric automobile.

During consideration of this legislation, the Committee on Science and Technology became aware that without special assistance small business might be excluded from participation in the ERDA demonstration program. Large capital requirements and formidable startup problems may impede small business from competing for ERDA contracts. In order to promote the participation of small business, the bill provides that a portion of funds be reserved for distribution to small firms involved in electric vehicle research and development. The bill also instructs ERDA to write contracts for research and development that provide for the special needs of small business. Finally, the bill provides that funds be available so individual firms will be able to contribute to the project regardless of their capital resources. Additionally, planning grants will be supplied to firms requiring assistance in contract submissions.

Mr. Chairman, many previous Congresses have deliberated over legislation dealing with electric vehicle research, development, and demonstration. For one reason or another, these earlier legislative initiatives have been found lacking. The measure before us is timely and well considered. For the good of our Nation I believe that the time to begin developing the electric car is now. Therefore, I enthusiastically support H.R. 8800, and I welcome the opportunity to contribute to its passage.

Mr. TEAGUE. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. GOLDWATER. Mr. Chairman, I yield 3 minutes to the gentleman from Maine (Mr. EMERY).

Mr. EMERY. Mr. Chairman, I join my colleagues on the Committee on Science and Technology in supporting the electric car bill. This legislation articulates the firm commitment of the Congress to develop an alternative transportation device. H.R. 8800 establishes a demonstration program for electric vehicles, and authorizes $160 million for support of the project.

In the 1950's and 1960's, the national love affair with the automobile blossomed, and the car became an integral part of American life. But by the mid-1960's the man on the street began to realize he was being smothered by the gases and wastes emitted from his beloved automobile. In 1966, the Commerce Department found that the automobile was responsible for 60 percent of all manmade, gaseous air polutants plus 86 million tons of particulate emissions per year. New awareness of the deleterious effects of automobile use initiated the search for an alternative vehicle.

More recently, we have confronted a new, critical problem that has provided strong impetus for developing a substitute for the conventional automobile. With the advent of the energy crisis, the production and employment of a nonpolluting, nonoil burning vehicle has become crucial to maintaining the American way of life. Growing dependence on foreign petroleum, the cost of petrofuel and the global scarcity of oil are issues of far-reaching significance that affect our economic prosperity and national security. If we can develop a new type of vehicle that burns little or no oil, we can end our dependence on foreign sources of energy, insure the continued growth of our economy and maintain the quality of life we now enjoy.

I am convinced that electric propulsion vehicles can serve as an alternative to the coventional automobile. I enthusiastically welcome this opportunity to support H.R. 8800 whose purpose is: First, to encourage research and development of electric car technology, and second, to demonstrate the commercial feasibility of the electric vehicle for business, public and individual use. The bill provides for a $160 million, 5-year program.

Three major demonstrations are planned; they will correspond with improvements in energy storage, vehicle design and mechanical components. First, a few hundred vehicles using improved lead-acid batteries and an optimized drive train will be produced. Contracts for this stage are to be written within 1 year of the date of enactment. Second, approximately 2,500 vehicles using improved transmission and drive train components plus a nickel-zinc or nickel-iron battery will be generated. These vehicles are to have a driving range of 100 miles, and the contracts are to be completed within 15 months after enactment of H.R. 8800. Third, and finally, 5,000 vehicles with a driving range of about 200 miles that utilize advance design, components, and engineering will be demonstrated. Contracts for this stage are to be completed 42 months after enactment.

At each development phase, performance standards and criteria will be drawn up by ERDA. In the future, these standards will provide the guidelines for commercial manufacture of electric vehicles. The vehicles of all three stages are to be publically demonstrated and tested in different areas of the country. This will serve not only to evaluate technical performance and identify problems, but it will also acquaint the public with electric car technology. The consumer awareness produced by the demonstration program will highlight important social and technological issues, plus help define existing consumer preferences and reservations.

The bill provides that small business will be able to participate in the research and demonstration effort. Within the constraints of sound management practices, ERDA is instructed to design contract terms and schedules that accommodate the special needs of small business. The bill also requires that a reasonable portion of program funds be allocated to small business concerns currently involved in developing advanced electric vehicle components and design.

The Administrator of ERDA is authorized to guarantee loans made to electric vehicle manufacturers. This loan program will permit small business to have access to the capital needed for participation in the demonstration program. Finally, ERDA is instructed to make planning grants available to small firms that require assistance in developing, submitting and entering into program contracts.

There is probably no piece of legislation that has come before the Committee on Science and Technology that might have beneficial, long range effects quite as much as this piece of legislation. Consider the fact that some 42 percent of the petroleum that we consume annually in this country is burned in automobile engines. If we are going to cut back on our consumption of petroleum and become self-sufficient, it is absolutely basic to our philosophy that we cut back on the consumption of gasoline on the highways.

The electric car bill will move us in that direction. Even though we will be consuming electrical energy converted from other energy sources, we will be cutting back on petroleum consumption.

With increasing petroleum prices, with an uncertain supply, with the problems of the balance of trade and balance of payments, with the uncertain political stability in the Middle East and other areas from which we must obtain our petroleum, it is absolutely essential that we turn away from consumption of petroleum, and this bill provides for that.

The average American-manufactured automobile may get 10 to 15 miles per gallon, but the energy efficiency comparison if we compare energy consumed in electric vehicles with that consumed by cars powered by conventional internal combustion engines, is equivalent to some 50 to 60 miles per gallon. It could be considerably more with improvements in electrical storage capacity. But this present comparison is very significant.

Another byproduct of this legislation is that electric cars are, for all purposes, pollution free. When we consider the quality of the atmosphere in American cities, such as in this city and when we consider the traffic problems associated with long, heavy automobiles that are not designed very efficiently, it is easy to see that the manufacture, development, sale, and use of small electric vehicles is very practical.

I feel that it is very important that we make this initial expenditure, and although $160 million is significant, it is a very, very small investment when we consider the $4½ to $5 billion deficit that we may incur due to imports of petroleum, or the effects of a 23 cent per gallon gasoline tax, or a $2 per barrel tariff on imported petroleum.

The benefits, compared with this relatively minor expense, of this electric vehicle bill far outweigh the disadvantages. I would urge the House to pass this legislation and show the American people and our constituents that this Congress is willing to do something to conserve energy by turning away from unnecessary consumption of petroleum on the highways.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. EMERY. I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this legislation. I think it represents a very important step in the electric car industry.

Mr. Chairman, as a cosponsor of legislation to provide $40 million for research and development of electric vehicles, I laid my conviction on the line that this method of transportation has a vital role to play in our future economic progress.

I urge my colleagues to follow suit in this vote of confidence and conviction for a job-producing industry that is struggling to help the Nation meet the requirements of energy independence.

Great strides, Mr. Chairman, have been made recently in the use of electric vehicles. The Post Office Department, for one, has a highly successful program underway, and has found operating costs have been less than $400 a year for its postal vehicles, which are nonpolluting, quiet and dependable.

Comparatively, what we are asking for today is a drop in the bucket to what we will be spending in the years ahead if we are going to do for this Nation what needs to be done for energy progress.

The economies in equipping the Federal Government alone with sufficient electric vehicles will, I am convinced, far out distance in savings what we are asking for today, Mr. Chairman.

Mr. GOLDWATER. Mr. Chairman, I yield 3 minutes to my colleague, the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Chairman, I take this time in order to inquire of the gentleman from Washington (Mr. McCORMACK) and also the gentleman from California (Mr. GOLDWATER) about the type of hearings they held in the Science and Technology Committee, concerning the priorities for research spending. My concern is whether we are going to use this money where I feel it should be used, and that is on the battery or storage technology. I think that most of the people on the Committee on Science and Technology would be aware that today we do have DC motors that have been developed over the years, a series, a shunt and a compound type motor, where we do away with the commutators, because of solid state switching. We do not need to spend great amounts of dollars on that type of research. We do need research on the storage facility, such as the electric battery.

We are still using the lead acid battery that Thomas Edison developed. We have not gone very far. My question is: Is there any proof that the funds in this bill will be used for storage technology?

Mr. McCORMACK. If the gentleman will yield, I am sure this is where the major emphasis is going to be in research and development. There are vehicles on the highway today, for instance, the Honda vehicle made in Japan. They are using all sorts of computerized systems for not only the ignition system but also for controls, for feedback systems, and they have an electric car, the combined computerized feedback system, that will operate efficiently.

The gentleman from Ohio knows there is a design built from the ground up and is ready to go in mass production. We are moving forward, in other words, very, very rapidly in these areas of research and development that the gentleman mentioned, and I think the gentleman will find, when ERDA sets out the criteria they are taking into consideration the technologies that the gentleman mentioned that already exist, and this means the heavy portion of the emphasis is going to be on developing more efficient batteries.

I think the gentleman is completely correct, and I think this is where the emphasis is going to fall.

Mr. MILLER of Ohio. But there is no guarantee we would be using the research dollars for the storage technology?

Mr. McCORMACK. If the gentleman will yield further, I think there is both in the general authorization bill and in this bill a specific requirement for research and development on battery technology.

Mr. MILLER of Ohio. I thank the gentleman.

Mr. GOLDWATER. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. KINDNESS).

Mr. KINDNESS. Mr. Chairman, I thank the gentleman from California for yielding.

I would like to urge a note of caution. The peaceful way with which this bill has been developed and discussed is most impressive, and I would seek to continue in that vein but with some rather strong feelings to be expressed about it.

Certainly there is industry support for this bill. Why should there not be?

It is a subsidy. It is a very selective subsidy to an industry that already exists. This is not a new industry; the technology is there. Our Nation knows and has known for a good long time how to produce electric vehicles within a limited range of capability.

The battery research effort is certainly something that may need Federal support, and that properly belongs within the scope and the function of ERDA. But the marketing and sales promotion effort that is the large part of this bill in its thrust is not an ERDA function at all. If it belongs anyplace in the Federal Government at all, maybe it belongs in HEW. That agency promotes programs such as welfare and Federal aid to education, and so on, that have their effect on the development of those fields in ways that we can judge for ourselves.

But this is a sales pomotion bill; it is not a research and development bill at all, considering the scope of it. It is just the battery research we are talking about.

Mr. Chairman, this is a bill that would be just great for Great Britain. With their short distances and flat land and with their socialistic state, it would be just great for Great Britain, but it does not belong here.

We see so many good things start out, things that are good in principle and sound great. We see these things start out on a small scale and start out simply, and then they are added to by this body, and by the other body, and they in time become large and complex. I would suggest that this is one of those programs of that nature. This is one of those things we will see grow.

Mr. GOLDWATER. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. LENT).

Mr. LENT. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in support of this legislation, and I commend the committee that handled it.

Mr. Chairman, as a cosponsor of an identical bill, H.R. 9181, I rise in wholehearted support of H.R. 8800. This Congress must begin to take the lead in efforts to cut reliance on imported petroleum, and this legislation represents a significant step in that direction.

Today, fully 30 percent of the petroleum we use in this country goes to run our automobiles. And despite the continued increase in the price of gasoline, it does not appear that we are cutting down on the use of the automobile. Therefore, we must not underestimate the importance of replacing gasoline as a power source as quickly as possible.

In the promotion of electrical energy to fuel our vehicles, where the electricity is produced from coal or nuclear energy, we cut the flow of petrodollars and provide for the future existence of personal transportation.

In addition to the obvious savings in petroleum—the eventual savings of 1 million barrels per day is not farfetched—we can reduce urban noise and air pollution by using a few localized electrical generating points to monitor emissions.

What is most significant is that the use of electric-powered vehicles is no dream. There is an existing electric vehicle industry in this country, capable of producing usable cars, and further technical improvements, which can be hastened by Federal support, are highly probable.

Mr. Chairman, there are no quick and simple solutions to our energy problems. However, the use of electric vehicles is one of the most practical alternatives to a petroleum-powered economy, and we should waste no time in promoting them.

Mr. GOLDWATER. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. KEMP).

Mr. KEMP. Mr. Chairman, I appreciate the gentleman's yielding this time to me.

I take the floor, Mr. Chairman, so as to associate myself with the fine remarks of the gentleman from Ohio (Mr. KINDNESS), who I think has put this matter in better perspective. It is an outright subsidy to an enterprise already in operation.

I do not object very much to the debate that has gone on, other than to one important aspect of it. This is not private or free enterprise at work, it is central planning. The bill no doubt is going to pass, but as the gentleman from Ohio (Mr. KINDNESS) has pointed out, we ought to look at more than the immediate aspects of this bill but to the long-run implications of this subsidy and to what is happening in our country and in Great Britain as government controls more and more of the economy.

I understand and appreciate the great efforts that have been made by my distinguished friend, the gentleman from California (Mr. GOLDWATER), and the gentleman from Washington (Mr. McCORMACK). However, what I object to is having this bill pass under the rhetoric of private enterprise. This has nothing to do with free enterprise and we ought not mislead people.

Coincidentaly, this is the 200th anniversary of the invention of the steam engine by James Watt, which was financed by the savings and investment capital of a man by the name of Matthew Boulton. I think the progress that has been made under that system of competitive free enterprise; that is, "capitalism"—has done more for more people than all the Government subsidies ever devised by all the politicians either here or in England.

Let us do what we can to recapture the "incentive system" free enterprise, if we really want to solve the "energy crisis."

The only real crisis is political and governmental interference with this remarkable free market economy.

Mr. FUQUA. Mr. Chairman, the Electric Vehicle Research, Development, and Demonstration Act of 1975, for which I am a cosponsor, is an important part of our program to move our energy economy from one based on petroleum to one founded on coal, nuclear, and solar energy—all of which can be used to generate electricity.

Currently, only about 25 percent of our energy consumption is used in the transportation sector, but over 40 percent of our petroleum consumption is in internal combustion engines. We must begin in earnest to explore the alternatives to the gasoline-powered vehicle, and this bill is intended to begin programs which will both develop an alternative and make the American people aware of it.

Mr. Chairman, the Subcommittee on Energy Research, Development, and Demonstration did an exhaustive inquiry into the status of the electric vehicle technology. It used the testimony of expert witnesses in an attempt to write a bill incorporating that evidence. The bill reported by the full committee sets forth an aggressive but sensible program.

One of the most important conclusions produced by the hearings held by the committee in considering this bill was that the current state of the electric vehicle art is adequate for meeting the needs for second and third cars in this country. This is borne out by the fact that 50 percent of the trips in the United States are less than 5 miles, and the driving range of existing electric vehicles varies from 30 to 70 miles with speeds up to about 50 miles per hour.

It was also pointed out that for certain applications, such as multistop, urban and rural delivery vehicles and farm vehicles, a considerable energy and cost saving may come about through the use of electric vehicles.

A number of witnesses felt that battery research was needed including research on exotic batteries. It was also pointed out that the Federal Government should focus on battery research, and carefully follow and analyze research on batteries under way in other countries. The committee recognized the importance of battery R. & D. and provided sufficient funds for that purpose.

The issue of hybrid vehicles was discussed by a number of hearing witnesses. It was felt that the hybrid vehicle has advantages that should be studied. For example, its use in larger vehicles such as buses in which, in city applications, it could operate as a trolley bus—a dual mode vehicle. We have included hybrid as well as electric vehicles in the scope of the bill.

On the issue of demonstration, there was general agreement among a number of the witnesses that the demonstration period was too short. The committee lengthened the time span for the procurement and evaluation programs to a total of 5 years based on this testimony.

The issue of the number of vehicles to be produced brought a range of numbers from about 350 to 20,000 or more vehicles. The need for flexibility in the size of the demonstration fleet was also discussed from the point of view of its effect on small business. It was pointed out that staggering the delivery dates of a large number of vehicles into smaller quantities would be helpful to small business as far as reducing the amount of necessary tooling. The demonstration program was carefully drafted with the problems of small business concerns in mind.

The need for supporting small business was discussed by a number of witnesses. Suggestions for assisting small business concerns included giving preferential treatment to small businesses that have been doing research and development work using their own funds to defray expenses. Other suggestions included a provision for a loan guarantee program, some type of subsidy, reserving some portion of the funds for other than major automobile companies, and so forth.

The provision for a loan guarantee program was discussed by several witnesses who felt that such guaranteed loans would assist small companies. One witness suggested a loan guarantee program similar to that in the Geothermal Energy Research, Development and Demonstration Act of 1974. Another witness pointed out loan guarantees similar to FHA or other Government loan programs would make it attractive for lending institutions to put up the money. The loan guarantee provision is a direct consequence of this important testimony.

In summary, I feel the committee did a conscientious job in preparing the bill, and I urge my colleagues to vote in favor of this measure.

Mr. PICKLE. Mr. Chairman, I am proud to join my colleagues in support of the effort envisioned in this legislation, and I hope we will soon see a strong breakthrough here into our established transportation modes. I cosponsored this bill when it was first introduced. I support it now. And I intend to continue to support it by urging its speedy implementation.

While so many of the answers to our energy problems seem so elusive or so far down the line, this is a gas and energy saving idea truly for the near-term. If we have 8,000 electric vehicles on our streets within 5 years under this legislation, I think the program stands a good chance of carrying on from there on its own.

This is a good chance for Government to get in, give a boost where it is needed, and then get out.

As we have heard so often in relation to this bill, very, very many of our auto or commercial vehicle trips last only 5 miles or less. That is where the conventional auto is most inefficient. This is where the electric car could step in and increase our energy efficiency.

And it is seldom a good thing comes with so many bonuses, for, while saving energy, the electric vehicle simultaneously will reduce noise and air pollution. Electric buses and small electric cars will be a boon for the errand-running Texan and for commuter clogged cities as well. Experts agree that travel in a mode controlled by individual choice and schedule will remain the major form of transportation in this country for some time. The problem is matching our energy resources to such travel. Electric cars are a good answer, and I urge again speedy enactment of this legislation.

Mr. HALL. Mr. Chairman, as a cosponsor of H.R. 8800, I am pleased to express my strong support for this bill. The Electric Vehicle Research, Development and Demonstration Act of 1975 is intended to accelerate the state-of-the-art in electric vehicle technology and to make the American people aware of the capabilities of electric vehicles in meeting their needs for personal transportation in urban areas.

If economic, social, and technical factors had remainded unchanged, the gasoline engine would probably have remained unchallenged far into the future. However, the mounting pressures to conserve petroleum and to reduce pollution from vehicle emissions are forcing a trend toward smaller vehicles for short urban commutes. Alternate automotive propulsion systems must now be completely reevaluated, and of all the alternatives, electric vehicles look very promising.

As has been already discussed, this bill provides for research and development programs to improve the existing electric vehicles technology. Batteries are a primary area in which the experts agree that major progress can be made in a short period of time. Dr. Edward David of Gould, Inc., testified that a new lighter weight nickel-zinc battery could be developed at economically competitive prices within 2 years if a vigorous development program was initiated today. Other experts also feel that commercially feasible, highly superior replacements for the lead-acid battery can be developed within the time period of the 5-year program established by this bill.

However, we are faced with a sort of "chicken-and-the-egg" proposition. Before substantial private funding is invested to achieve major progress in batteries or other technical areas, there must be a sufficient market for the product. This is a primary justification for the Federal participation in electric vehicle research, development, and demonstration. Through the R. & D. programs we promote the solution of the remaining technical problems which are currently preventing wider acceptance of electric vehicles.

With the demonstration program we help remove the social and economic barriers by stimulating the interest of the American people in electric vehicles. Both provisions of the bill will undoubtedly also encourage the investment of private capital for further R. & D. on electric vehicle technology and for the production of electric vehicles as well.

It should be emphasized that there will be considerable prospect for technology transfer from the electric vehicles program to other aspects of our lives. For instance, better batteries in terms of energy storage capacity will be directly applicable to storing electricity generated from solar energy sources such as wind generators and solar cells.

I find the prospects for success in this 5-year program very stimulating. I urge my colleagues to join with the members of the committee in supporting this legislation. We have an opportunity here today to take an important stride toward a better lifestyle for the American people.

Mr. BROWN of California. Mr. Chairman, I want to join my committee colleagues in urging passage of the Electric Vehicle Research, Development, and Demonstration Act of 1975, as well as emphasizing one or two special points at this time.

One of the less obvious needs this legislation deals with is the difficulty our society seems to have in translating our vast technological potential into measures which improve our lives. Once we have set up a pattern of doing things, there seems often to be overwhelming barriers against improvement, even though opportunities are obvious. As in the Solar Heating and Cooling Act of 1974, we are trying here to break through these barriers by providing incentives and Federal leadership aimed at getting a ready technology into production and use.

In the case of ground propulsion, the barriers against innovation are more than just the forces of habit, however. Any new product in the field must compete against one of the most highly capitalized, and most well-organized industrial marketing systems in the world—that composed of the large internal combustion engine auto manufacturers. The American auto industry is an institution of itself, partly built by previous Federal action in the form of road design, oil price patterns, and hosts of other policies with demographic side effects. To bring a new technology into use at a reasonable pace in ground propulsion requires, I feel, a Federal incentive program designed to help the new industry over some of the built-up institutional barriers against change. The kind of Federal action we propose today is relatively small compared to all the actions we have taken historically to build the internal combustion engine into our life patterns.

There are many opportunities for developments in transportation beyond electric vehicles, of course, and I hope that the action of the Science and Technology Committee in mandating a large research and development program in this area in the ERDA budget authorization process will help us pursue a wide range of these opportunities. Similarly, the legislation studied last year by this committee, and which I reintroduced this session—H.R. 5557, the Ground Propulsion Systems Research, Development and Demonstration Act—in which NASA would be given an explicit authorization for work in ground transportation, is another step to a broad transportation program. But the legislation before us today can provide a cutting-edge to progress in all the areas of transportation technology, by providing a demonstration that a particular development, with proper goals and incentives, can be implemented now to the benefit of individuals and the country as a whole. The measures in the Electric Vehicle Research, Development, and Demonstration Act will get us started on reducing the air pollution which plagues our cities, and in reducing our dependence on liquid fuel, which is crippling our economy.

I want also to emphasize the planning and urban design studies which we have written into this legislation. Just as electric vehicles are a small part of transportation, technology, transportation itself is just one aspect of urban design technology. It is time we take a step back from our blind random sprawl in living patterns, and begin to think about better ways to organize our living and commerce, so that all our citizens can have pleasant surroundings and reasonable access to their places of work and recreation. We have required in this bill that the Administrator of the Energy Research and Development Administration study the energy consumption and pollution implications of current urban and transportation design patterns, and that he recommend ways of removing institutional barriers against more rational planning. His findings would be reported to the Congress, and we would hope then to have a framework for further legislation in this area if it is needed. I think that the mandated attention to the energy and pollution consequences of urban design and planning may be as important an aspect of this legislation as the actual incentives for the electric vehicle.

Mr. DODD. Mr. Chairman, I rise in support of H.R. 8800, to provide a program for research, development, and demonstration of electric vehicles.

The subcommittee heard the testimony of over 20 witnesses, in developing a method to promote electric vehicle technologies and to demonstrate their commercial feasibility. A number of Federal agencies including DOT, NASA, National Science Foundation, DOD, HUD, et cetera, will be authorized to partake in the projects set forth in this bill.

Basically, this legislation will help familiarize the American public with electric vehicles and explore the uses of electric vehicles as a secondary form of transportation. Currently technology has developed electric cars that will run at speeds up to 60 miles per hour for 40 to 50 miles without charging. The subcommittee heard testimony of the feasibility of these vehicles for short run inner city use. Since more than half of trips taken in the United States are less than 5 miles in stop and go traffic, the electric vehicle provides a viable alternative to gasoline powered cars.

On the basis of such information, H.R. 8800 will provide a 5-year program within ERDA that will put over 2,500 electric vehicles on the road for public and private usage. Under current technology, 2,500 vehicles will be purchased and then put through a year of testing. Following the test years, these vehicles will be leased for private ownership. Forty-two months after enactment of the bill an additional 5,000 electric or hybrid vehicles will be leased out.

By exposing the public to electric vehicles, we familiarize Americans with an alternative source of transportation that does not run on oil. As we continue to delete our dwindling supply of oil, and gasoline prices continue to spiral, the advantages of a car that may simply be recharged from conventional electrical sources becomes more and more attractive.

I feel, Mr. Chairman, that H.R. 8800 will be a positive step toward the practical application of an alternative energy source for the future.

Mr. MOORE. Mr. Chairman, the Electric Vehicle Research, Development, and Demonstration Act of 1975, H.R. 8800, is a bill with a laudable purpose, but fails to face the realities of present state-of-the-art technology for electric vehicles.

The Office of Management and Budget has stated that this bill may be vetoed. The legislation would require the purchase by the Federal Government of at least 7,500 electric vehicles—in addition to the 1,300 vehicles the U.S. Postal Service plans to purchase—at a cost of up to $160 million and provide a Federal subsidy to manufacturers of such vehicles. However, there must be substantial improvements in the economics of electric vehicles before we try to apply that technology by multimillion-dollar procurement of vehicles and demonstration projects. At present, electric vehicles consume one-third more energy than comparable sized combustion vehicles. Successful completion of battery research projects already underway in the Federal and private sectors should be the first step before any additional funding is given. We should await a report on cost-efficiency before large-scale purchases of Government vehicles is made.

In addition, the Energy Research and Development Administration's fiscal year 1976 appropriation, which is now pending conference, allocates $38 million for research in energy storage systems and $31.2 million for advanced transportation power systems. The Environmental Protection Agency and the Energy Research and Development Administration feel that this is enough money to carry on research already in progress, and that the additional money appropriated in this bill would simply be another example of congressional overkill, that is, throwing money at a problem when it is not really needed.

For these reasons I opposed H.R. 8800 and voted against it. I totally support the concept of a pollution-free, energy-saving electric vehicle. However, I do not feel that H.R. 8800 rationally addresses the problem nor do I think it will substantially contribute to the development of such a vehicle.

Mr. GOLDWATER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Electric Vehicle Research, Development, and Demonstration Act of 1975".

FINDINGS

SEC. 2. The Congress hereby finds that—

(1) travel patterns of commercial and private vehicles in urban areas are weighted heavily toward short and predictable trips well within the capability of electric vehicles;

(2) our balance of payments and our economic stability are threatened by the need to import oil for the production of liquid fuel for gasoline-powered vehicles;

(3) the shortage of fuel for gasoline-powered vehicles will continue indefinitely;

(4) the increased price of petroleum is a major factor in recent inflationary trends;

(5) the strain on individuals' budgets inflicted by liquid fuel prices mandates the development of an alternative source of propulsion wherever possible;

(6) environmental pollution control is becoming more and more difficult and expensive with the use of gasoline-powered vehicles, and the steadily increasing numbers of such vehicles threaten the quality of the air even when strict controls are applied to individual vehicles;

(7) stationary sources of pollutants are potentially easier to control than moving vehicles, making it environmentally desirable for transportation systems to be powered from central sources;

(8) liquid-fuel-powered vehicles are a major source of urban noise pollution;

(9) electric-powered vehicles do not emit any significant pollutants and are far less noisy than conventional automobiles and trucks;

(10) new technologies of propulsion and control have made electric and hybrid vehicles more practicable than in the past, and developments in battery technology indicate that further progress is likely in the next decade;

(11) because electric and hybrid vehicles use little or no energy when stopped in urban traffic, they permit the conservation of energy currently wasted by conventional automobiles and trucks;

(12) the power demands of electric and hybrid vehicles would promote energy conservation by loading utilities in off-peak late night hours, permitting more efficient use of plant capacity;

(13) the depressed state of the current automobile industry would be alleviated by the introduction of new technologies more closely matching consumer needs; and

(14) because of the large capital needs of new transportation technology, and the built-in features of current highway and maintenance systems which tend to bias consumers toward conventional vehicles, a Federal role is required in promoting the development of the socially desirable electric and hybrid vehicle industry.

POLICY AND GOALS

SEC. 3. (a) It is declared to be the policy of the United States and the purpose of this Act to demonstrate the commercial feasibility of electric and hybrid vehicles for urban individual and business use, and to encourage research and development in new technologies for electric and hybrid vehicles with wider applications, in order to promote long-range conservation of liquid fuel and reduce environmental pollution.

(b) In carrying out the purpose of this Act it is the goal of the Federal Government—

(1) to promote the substitution of electric and hybrid vehicles for many gasoline- and diesel-powered vehicles currently used in routine short-haul, low-load applications;

(2) to implement this policy by removing institutional barriers to such substitution where otherwise practicable;

(3) to provide incentives for consumers and industry to adopt and utilize electric and hybrid vehicles whenever the use of such vehicles would be beneficial; and

(4) to provide a research and development background for further applications as rapidly as possible to meet the further tightening of liquid fuel availability.

DEFINITIONS

SEC. 4. For the purposes of this Act—

(1) The term "electric vehicle" means a vehicle which is powered by an electric motor drawing current from rechargeable storage batteries, fuel cells, or other portable sources of electrical current, and which may include also a nonelectrical source of power designated to charge batteries.

(2) The term "hybrid vehicle" means a vehicle propelled by a combination of an electric motor and an internal combustion engine or other alternative engine.

(3) The term "project" means the Electric Vehicle Research, Development, and Demonstration Project established within the Energy Research and Development Administration as provided in section 5.

(4) The term "Administrator" means the Administrator of the Energy Research and Development Administration.

MANAGEMENT

SEC. 5. (a) The Administrator shall promptly establish, as an organizational entity within the Energy Research and Development Administration, the Electric Vehicle Research, Development, and Demonstration Project.

(b) The overall management of the project shall be the responsibility of the Administrator, but he may enter into such arrangements and agreements with the National Aeronautics and Space Administration, the Secretary of Transportation, the National Science Foundation, the Environmental Protection Agency, the Secretary of Housing and Urban Development, and other Federal offices and agencies as he may deem necessary or appropriate for the conduct by them of parts or aspects of the project which are within their particular competence.

(c) In providing for the effective management of the project the Administrator shall have specific responsibility for—

(1) promoting basic and applied research on electric and hybrid vehicle batteries, controls, and motors;

(2) determining optimum overall electric and hybrid vehicle design;

(3) conducting demonstrations of the feasibility of commercial electric and hybrid vehicles by contracting for the practical manufacture of electric and hybrid vehicles and by developing arrangements with other agencies and nongovernmental entities for the operation of such vehicles;

(4) ascertaining consumer needs and desires so as to match the design of electric and hybrid vehicles to their potential market; and

(5) ascertaining the long-term changes in road design, urban planning, traffic management, maintenance facilities, utility rate structures, and tax policies which are needed to facilitate the manufacture and use of electric and hybrid vehicles.

RESEARCH AND DEVELOPMENT

SEC. 6. The Administrator, acting through appropriate agencies and contractors, shall initiate and provide for the conduct of research and development in areas related to electric and hybrid vehicles, including—

(1) energy storage technology, including batteries and their potential for convenient recharging;

(2) vehicle control systems and overall design for energy conservation, including the use of regenerative braking;

(3) urban design and traffic management for optimum transportation-related energy use and minimum transportation-related degradation of the environment; and

(4) vehicle design for maximum practical lifetime, ease of repair, and interchangeability and replaceability of parts.

DEMONSTRATION

SEC. 7. (a) The Administrator (subject to section 13(c)) shall enter into such contracts as may be necessary and appropriate—

(1) within one year after the date of the enactment of this Act, for the production of a reasonable number of urban passenger and commercial electric vehicles for the purpose of evaluation tests and initial in-use demonstration of current state-of-the-art;

(2) within fifteen months after such date, for the production of at least twenty-five hundred select urban passenger and commercial electric vehicles (meeting the initial standards and criteria developed under subsection (b)) with available components and designs; and

(3) within forty-two months after such date, for the production of at least five thousand urban passenger and commercial electric or hybrid vehicles (meeting the appropriate standards and criteria developed under subsection (b)) which have advanced components and designs.

(b)(1) Within one year after the date of the enactment of this Act, the Administrator shall develop or arrange for the development of initial performance standards and criteria which are suitable for the needs of urban private passenger vehicles and urban commercial vehicles (and which shall be applicable to the vehicles produced under subsection (a)(2)). The standards and criteria so developed shall not be designed simply to reflect the characteristics of current internal combustion engine automobiles and trucks, but shall also take into account the factors of energy conservation, urban traffic characteristics, patterns of use for "second" vehicles, consumer preferences, maintenance needs, battery recharging characteristics, materials demand and recyclability, vehicle safety and insurability, and other relevant considerations, as such factors and considerations particularly apply to or affect vehicles with electric or hybrid propulsion systems. Such standards and criteria are to be developed and determined utilizing the best current state-of-the-art and utilizing the state-of-the-art that would be projected to result from the research and development program described in section 6. These performance standards and criteria shall be revised periodically as the state-of-the-art improves. In developing such standards and criteria, the Administrator shall consult with appropriate authorities concerning design needs for electric and hybrid vehicles compatible with long-range urban planning, traffic management, and vehicle safety.

(2) Before entering into contracts for the production of vehicles under subsection (a)(3), the Administrator shall transmit to the Speaker of the House of Representatives and the President of the Senate and to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce of the Senate a full and complete statement of the standards and criteria developed under paragraph (1) as revised and currently in effect.

(c) The Administrator shall make such arrangements as may be necessary or appropriate—

(1) for the introduction of the electric and hybrid vehicles produced under subsection (a) into the vehicle fleets of State and local governments and Federal agencies;

(2) for the introduction of such vehicles into individual and business use, with the individuals and businesses involved being chosen by an equitable process (such as a lottery in each region or category) and being given the option of purchasing or leasing such vehicles under terms and conditions which will insure their widespread use;

(3) for the evaluation of electric and hybrid vehicle performance and of consumer reaction to electric and hybrid vehicles in use;

(4) for demonstration maintenance projects (including maintenance organization and equipment needs), and model training projects on maintenance procedures; and

(5) for the dissemination of data on electric and hybrid vehicle safety and operating characteristics (including nontechnical descriptive data made available through the Government Printing Office) to State and municipal consumer affairs agencies and groups.

USE OF ELECTRIC AND HYBRID VEHICLES BY FEDERAL AGENCIES

SEC. 8. The United States Postal Service, the General Services Administration, the Secretary of Defense, and the heads of other Federal agencies shall arrange for the introduction of electric and hybrid vehicles into their fleets as soon as possible. For competitive procurement purposes in purchasing such vehicles, life cycle costing and the beneficial emission characteristics of electric and hybrid vehicles shall be fully taken into account. In any case where (as determined by the head of the agency involved) electric or hybrid vehicles are practical but are not economically competitive with conventional vehicles, the Administrator may pay the incremental costs of the electric or hybrid vehicles (as part of the demonstration program under section 7) to insure that the maximum number of electric and hybrid vehicles are placed in use by Federal agencies.

INCENTIVES AND ASSESSMENTS

SEC. 9. (a) The Administrator shall conduct a study to determine the existence of any tax, regulatory, traffic, urban design, and other institutional factors which tend or may tend to bias surface transportation systems toward vehicles of particular characteristics, and shall report the results of such study to the Congress within one year after the date of the enactment of this Act.

(b) The Administrator shall conduct a continuing assessment of the long-range materials demand and pollution effects which may result from or in connection with the electrification of urban traffic, and shall include a statement of his current findings in each report submitted under section 12. Any environmental impact statement which may be filed under a Federal law with respect to research, development, or demonstration activities under this Act shall include reference to the matters which are subject to assessment under this subsection.

(c) In carrying out his functions under this Act, the Administrator shall perform or cause to be performed studies and research on incentives to promote broader utilization and consumer acceptance of electric and hybrid vehicle technologies.

(d) The Secretary of Transportation shall conduct a study on the current and future applicability of safety standards and regulations to electric and hybrid vehicles and shall report the results of such study to the Administrator within two hundred forty days after the date of the enactment of this Act.

ENCOURAGEMENT AND PROTECTION OF SMALL BUSINESS

SEC. 10. (a) In carrying out his functions under this Act, the Administrator shall take steps to assure that small business concerns and qualified individuals will have realistic and adequate opportunities to participate in the program under this Act to the maximum extent possible.

(b) To assist in accomplishing the objective of subsection (a), the Administrator shall reserve for contracts with small business concerns a reasonable portion of the funds made available pursuant to this Act for purposes of section 7(a).

(c) In addition, the Administrator—

(1) shall include in all contracts under section 7(a) such terms, conditions, and payment schedules as may assist in meeting the special needs of small business concerns, and shall take steps to avoid the inclusion in such contracts of any terms, conditions, or penalties which would tend to prevent such concerns from participating in the program under this Act; and

(2) shall make planning grants available to qualified small business concerns which require assistance in developing, submitting, and entering into such contracts.

LOAN GUARANTIES

SEC. 11. (a) It is the policy of the Congress to encourage and assist in the commercial development of electric and hybrid vehicles, and to ensure that small businesses are not excluded from participation in such development due to lack of adequate capital. Accordingly, it is the policy of the Congress to provide guaranties of loans made for such purposes.

(b) In order to encourage the commercial production of electric and hybrid vehicles, the Administrator is authorized to guarantee, and to enter into commitments to guarantee, lenders against loss of principal or interest on loans made by such lenders to qualified borrowers, primarily small business concerns, for the purposes of—

(1) research and development related to electric and hybrid vehicle technology;

(2) prototype development for such vehicles and parts thereof;

(3) construction of capital equipment related to research on and development and production of electric and hybrid vehicles and components; or

(4) initial operating expenses associated with the development and production of electric and hybrid vehicles and components.

(c) Any guaranty under this section shall apply only to so much of the principal amount of the loan involved as does not exceed 90 per centum of the aggregate cost of the activity with respect to which the loan is made.

(d) Loan guaranties under this section shall be on such terms and conditions as the Administrator determines, except that a guaranty shall be made under this section only if—

(1) the loan bears interest at a rate not to exceed such annual per centum on the principal obligation outstanding as the Administrator determines to be reasonable, taking into account the range of interest rates prevailing in the private sector for similar loans and risks by the United States;

(2) the terms of such loan require full repayment over a period not to exceed fifteen years;

(3) in the judgment of the Administrator, the amount of the loan (when combined with amounts available to the qualified borrower from other sources) will be sufficient to carry out the activity with respect to which the loan is made; and

(4) in the judgment of the Administrator, there is reasonable assurance of repayment of the loan by the qualified borrower.

(e) The aomunt of the guaranty of any loan for any single qualified borrower shall not exceed $3,000,000; and the aggregate amount of guaranties outstanding under this section at any one time shall not exceed $60,000,000.

(f) As used in this section, the term "qualified borrower" means any partnership, corporation, or other legal entity which (as determined by the Administrator) has presented satisfactory evidence of an interest in electric or hybrid vehicle technology and is capable of performing research or completing the development and production of electric or hybrid vehicles in an acceptable manner.

(g) (1) With respect to any loan guaranteed pursuant to this section, the Administrator (subject to section 13(c)) is authorized to enter into a contract to pay, and to pay, the lender for and on behalf of the borrower the interest charges which become due and payable on the unpaid balance of any such loan if the Administrator finds—

(A) that the borrower is unable to meet interest charges, that it is in the public interest to permit the borrower to continue to pursue the purposes of his project, and that the probable net cost to the Federal Government in paying such interest will be less than that which would result in the event of a default; and

(B) the amount of such interest charges which the Administrator is authorized to pay shall be no greater than the amount of interest which the borrower is obligated to pay under the loan agreement.

(2) In the event of any default by a qualified borrower on a guaranteed loan, the Administrator is authorized to make payment in accordance with the guaranty, and the Attorney General shall take such action as may be appropriate to recover the amounts of such payments (including any payment of interest under paragraph (1)) from such assets of the defaulting borrower as are associated with the activity with respect to which the loan was made or from any other surety included in the terms of the guaranty.

(h) No loan guaranties shall be made, or interest assistance contracts entered into, pursuant to this section, after the expiration of the 5-calendar-year period following the date of the enactment of this Act.

REPORTS TO CONGRESS

SEC. 12. The Administrator shall submit to the Congress semiannually a report on all activities being undertaken or carried out pursuant to the provisions of this Act, including (1) such projections and estimates as may be necessary to evaluate the progress of the program under this Act and to indicate the extent to which and pace at which the objectives of this Act are being achieved, and (2) a statement of the extent to which imported automobile chassis or components are being used, or are desirable, for the production of vehicles under section 7a), and of the extent to which restrictions imposed by law or regulation upon the importation or use of such chassis or components are impeding the achievement of the purpose of this Act. Each such report shall also include any recommendations which the Administrator may deem appropriate for legislation or related action which might further the purposes of this Act .

APPROPRIATIONS AND APPROPRIATION ACTS

SEC. 13. (a) There are authorized to be appropriated to the Administrator to carry out this Act (including the payment of loan guaranties and interest under section 11) not to exceed $10,000,000 for the fiscal year 1976, and the three-month transition period immediately following, not to exceed $40,000,000 for the fiscal year 1977, not to exceed $30,000,000 for the fiscal year 1978, not to exceed $60,000,000 for the fiscal year 1979, and not to exced $20,000,000 for the fiscal year 1980. Any amount appropriated pursuant to this section shall remain available until expended, and any amount authorized for any fiscal year (or period) prior to the fiscal year 1980 but not appropriated may be appropriated for any succeeding fiscal year through the fiscal year 1980.

(b) Any moneys received by the Administrator from vehicle sales or leases (or other activities) under this Act may be retained and used by him in carrying out this Act, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), and may remain available until expended; but the amount authorized to be appropriated for any fiscal year (or period) under subsection (a) shall be reduced by the amount of the moneys to be so received in that year (or period).

(c) The authority of the Administrator to enter into contracts under section 7(a) or section 11(g) (1) shall be effective for any fiscal year (or period) only to such extent as is provided in appropriation Acts.

Mr. TEAGUE (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 15, line 25, after "vehicles" insert "or any components thereof".

Mr. McCORMACK. Mr. Chairman, I simply wish to point out that the committee amendment provides clarifying language to establish that when we are speaking of vehicles, we are also speaking of component parts.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. WAMPLER

Mr. WAMPLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WAMPLER: Page 2, after line 6, insert the following new paragraph:

"(2) travel patterns of motor vehicles used on farms for agricultural production and rural travel, including automobiles, tractors and trucks, in many applications are within the capability of electric vehicles;"

And renumber the succeeding paragraphs accordingly.

Mr. TEAGUE. Mr. Chairman, will the gentleman yield?

Mr. WAMPLER. Yes; I yield to the gentleman from Texas.

Mr. TEAGUE. Mr. Chairman, we think the gentleman's amendment is an improvement to the bill and a very necessary amendment.

This side of the aisle would accept the gentleman's amendment.

Mr. WAMPLER. I thank the gentleman.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WAMPLER. Yes, I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Chairman, I want to concur in the remarks of our chairman and say that I have no objection to the amendment. I think that it does make a contribution to the bill.

I would like to ask this: Would the gentleman request that the Chair consider all of his amendments en bloc? I suggest that that be done.

However, I do want to make one comment. What we are talking about here is extending the scope of this bill into the agricultural community, and I think we should have in the RECORD a recognition that there are areas of agricultural work which are suitable for electric propulsion and those that are not, and that we are not suggesting that ERDA get into the business of trying to develop electric vehicles or devices that require great power or great torque, but, rather, we are talking about vehicles that can operate at about the same power levels as the vehicles we have been talking about for in-city use.

Is this consistent with the gentleman's recommendations?

Mr. WAMPLER. The gentleman from Washington is eminently correct. That is certainly my understanding of the intent of the bill.

Mr. McCORMACK. Mr. Chairman, I thank the gentleman. I have no objection to the amendment.

Mr. GOLDWATER. Mr. Chairman, will the gentleman yield?

Mr. WAMPLER. Yes, I yield to the gentleman from California.

Mr. GOLDWATER. Mr. Chairman, the minority has already discussed this addition to the language of the bill by the gentleman from Virginia (Mr. WAMPLER) and has no objection.

It appears to me to have been an oversight on our part that a significant portion of our fossil fuel consumption is devoted to agricultural use and that, obviously, this was an oversight on our part.

This amendment, as I understand, expands the scope of the demonstration and research to include farm application. Therefore, Mr. Chairman, this side of the aisle has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. WAMPLER).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. WAMPLER

Mr. WAMPLER. Mr. Chairman, I offer six additional amendments, and I ask unanimous consent that the amendments be considered en bloc since they all relate to the one basic item in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The Clerk will report the remaining amendments.

The Clerk read as follows:

Amendments offered by Mr. WAMPLER: Page 2; after line 17, insert the following new paragraph:

"(7) the potential negative impact of continued motor vehicle fuel price increases on farm production mandates the development of alternate sources of farm vehicle propulsion whenever possible;"

and renumber the succeeding paragraphs accordingly.

Page 4, line 8, strike the comma and insert in lieu thereof: "and farm applications,".

Page 5, after line 19, insert the following new paragraph:

"(5) The term 'commercial electric vehicles' in section 7 includes motor vehicles used for business purposes on farms, such as tractors and trucks, for agricultural production and rural travel, in addition to vehicles used for commercial purposes in urban areas."

Page 6, line 6, after the comma, insert: "the Secretary of Agriculture,".

Page 9, line 4, after the comma, insert: "agricultural requirements,".

Page 10, line 8, after the comma, insert: "including farms,".

Page 10, line 25, strike the period and insert in lieu thereof: ", and Federal, State, and local farm and rural agencies and groups."

Page 11, line 21, after the comma, insert: "rural electrical".

Mr. MATSUNAGA (during the reading). Mr. Chairman, we understand the amendments. I ask unanimous consent that the remaining amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. WAMPLER. Mr. Chairman, before I discuss these amendments, I would like to take this opportunity to welcome our colleague, the distinguished chairman of the Science and Technology Committee back to this Chamber. I know how important these bills today are to him and I certainly join my colleagues in commending him for them. I also am extremely pleased to see him here this morning and to see him looking so well.

Mr. Chairman, I have been following the progress of H.R. 8800, the Electric Vehicle Research, Development and Demonstration Act of 1975, with great interest. I believe the bill is a significant step in shifting away from our current dependence on imported oil, and our colleague from Texas and the Energy Research, Development and Demonstration Subcommittee are to be commended for reporting it. I do note that the bill as reported appears to focus primarily on urban applications. As a result, I am concerned that the bill would effectively exclude agricultural applications or at least dissuade ERDA from considering them fully in its implementation of the R. & D. and demonstration program. My amendments would remedy this situation.

To effect the remedy within H.R. 8800's legislative scheme, I am offering this series of amendments to the bill. Their effect would be threefold. First, they would clearly establish in the congressional findings and policy that the Federal electric vehicle program should include agricultural applications. Second, they would insure that the fine research and extension capabilities of the Department of Agriculture are included in the program, and inputs are obtained from the Department and fully considered in the R. & D. and demonstration program. Finally, they would expressly include for such applications in the demonstration program and provide for participation by farmers.

Briefly, let me discuss the justification for including agricultural applications for your background information. Staff research in the past month indicates that there are many agricultural applications which are compatible with electric vehicle capabilities today and in the future.

A Department of Agriculture, Economic Research Service study so concluded and provided substantial statistical data to support that conclusion. Let me quote briefly from that Economic Research Service Report:

> There appear to be several areas where such (electric vehicle) applications are feasible, in both farm and farm related activities. Electrical vehicles may feasibly replace power units used on the farm for light chores or short trips. Many farmers retain older, smaller tractors for light utility and miscellaneous farm work which would underutilize a larger tractor. Some of the units are used for materials handling (feed and fertilizer, for example), for powering portable elevators and feed mixers, and for other tasks which do not generally require high torque output from the power units. Similarly, many farmers employ pickup trucks and automobiles for light work on the farm. It appears that electrical vehicles would have the greatest applicability in these and the other light tasks mentioned above.

Now, I recognize that valid technical considerations probably will preclude use of electric propulsion for some uses on the farm. Again quoting briefly from the Economic Research Service report, I think it is important that we all appreciate that electric propulsion is not a panacea for all of the farmers' problems:

> The economic feasibility of replacing gasoline and diesel fueled farm power units is greatest in those uses which place the least load on the power units. Many types of farming operations, for example, deep plowing, require high torque and low speed operation from the units providing the power for those operations. Large tractors with powerful hydraulic systems are the most efficient for these types of applications, for although electric motors can develop considerable torque, they do so at high speeds, not feasible for some types of farm operations.

But, it is important to remember that the report concluded that there are many applications on the farm which fall within the electric vehicle technological capability.

Also, the National Rural Electric Cooperative Association presented written testimony to your committee during the H.R. 8800 hearings and urged that the bill be expanded to include such applications. As you know, the NRECA represents 950 consumer-owned cooperatives which provide electric service to about 25 million people in the rural and sparsely populated agricultural areas of 46 States, and in 2,600 of the Nation's 3,100 counties. In fact, NRECA member rural electric systems at their annual meeting in January of this year—attended by 10,529 delegates and officials—adopted the following resolution:

> Electric Vehicle Research—A viable electric vehicle would significantly reduce the consumption of nonrenewable resources and help to eliminate the major source of air pollution. Research toward developing such a vehicle is now underway, and the successful completion of such efforts could significantly affect the load patterns and requirements of rural electric systems. We support electric vehicle research efforts now underway and urge further involvement and effort by others, including the Federal government, to expedite this important development. We also urge that in conjunction with this research, studies be undertaken to determine the changes in electric system loads that may result from such a development.

In the testimony submitted to the Science and Technology Committee, NRECA stated the following:

> Rural electric systems have long been interested in electric vehicle development for several reasons:
>
> 1. Rural electric cooperatives serve well over half of the farms in the nation and these farms produce over 65% of total agricultural products (78% of the wheat). Farms present an unusual, and excellent opportunity to test and use electric vehicles, particularly in the initial stages of development. Farmers have the expertise and the mechanical ability to evaluate and properly maintain such equipment.
>
> 2. Farms offer a good potential market for a wide variety of electric vehicles with medium to slow speeds and short range characteristics.
>
> 3. Rural electric systems serve a large number of rural people who work in nearby communities but have no access to mass transportation and therefore must commute in private autos.
>
> 4. Rural electric systems serve predominantly farm and rural residences with few industries and commercial establishments and therefore because of lack of load diversity, generally have lower load factors than other metropolitan based utilities. Electric vehicles, with batteries charged at off-peak hours could add substantially to their overall efficiency of power distribution.
>
> We believe, because of the need and opportunity for on-the-farm use of electric vehicles, a special effort should be made to develop a vehicle or vehicles for this market. Most farmers have need for a small service vehicle, perhaps a small pick-up truck, designed for hauling small loads (fuel, feed, produce, etc.) or just running errands around the farmstead. A 50 mile range would be adequate for most tasks and speeds of 40 to 50 mph would rarely be exceeded. Tractors or full sized pick-up trucks usually used for these duties are not only inconvenient but are costly to maintain.
>
> Specialized farming (dairying, poultry, swine, truck farming) offers many possibilities for electric vehicles designed specifically to help automate farming operations. Batteries and electronic controls developed for use in electric passenger and commercial vehicles could substantially enhance the development and use of specialized electric work vehicles on the farm.
>
> We note that the language of H.R. 5470 frequently refers to "*urban* private passenger vehicles and *urban* commercial vehicles." Because of the potential for extensive farm and rural use of electric vehicles, we respectfully request that the. . . .
>
> We also urge that a statement be included in response to the NRECA membership resolution requiring that "studies be undertaken to determine the changes in electric system loads that may result from such development."
>
> Finally we urge ERDA to give special attention to the need for a good public information program, and that "data on electric vehicle safety and operating characteristics" be disseminated as widely as possible via public information media and also to electric utilities.

Discussions with the Agricultural Research Service, the Rural Electrification Administration, and the Rural Development Service also confirmed the potential for agricultural applications of electric vehicles and acquired the support of each of those agencies for the concept of including the applications in the ERDA program. I think it is particularly important to note that an increasing number of farmers nationwide are reporting that fuel prices are now becoming a limiting factor in agricultural production.

In fact, only a few weeks ago CBS television news interviewed farmers on the impact of deregulation of domestic oil and the statements all indicated that fuel prices were going to actually limit the number of acres farmed unless something were done to reverse the current trend. I suggest that my amendments will do just that.

Let me give you a few facts on farm vehicle costs, fuel usage, and operations to clearly place this problem in perspective.

In 1973 farm machinery figures: tractors, 4,387,000; trucks, 2,915,000; and autos, 2,688,000.

In 1973, farm fuel usage for vehicles:

Tractors: 1.9 billion gallons of gasoline and 2.3 billion gallons of diesel fuel.

Farm trucks: 1.3 billion gallons of gasoline, and some diesel.

Farm autos: 1.45 billion gallons of gasoline, of which 25 percent or 362 million gallons approximately are for business.

Total: 7 billion gallons or approximately 175 million barrels or approximately a half a million barrels per day or 3 percent of the Nation's total oil consumption.

Projected 1980 fuel consumption: Tractors, 3.035 billion gallons; autos and trucks, 2.797 billion gallons, 1.4 to 1.6 of this will be for export production.

Fuel costs, 1973: $1.87 billion—other vehicle operating expenses equal $1.6 billion.

Fuel costs, 1974: $2.67 billion—other vehicle operating expenses equal $1.8 billion.

Capital expenditures for motor vehicles, 1974: Tractors, $1.93 billion; trucks, $0.76 billion;* autos, $0.35 billion;* total, $3.04 billion.

As you can see, this is not a small problem. We, the Congress, must act and we must act now.

I believe it is imperative that the Federal Government begin an effort to develop alternative propulsion sources for agricultural vehicles, and H.R. 8800 can and should be the vehicle for that effort. In fact, the Agricultural Research Service is currently participating in a similar way in ERDA programs in the solar, wind, and bioconversion areas by focusing for ERDA on the farm and rural application aspects of the development of these new technologies. Additionally, the Agricultural Extension Service provides a natural vehicle for public education regarding electric vehicle applications in the farm and rural areas. Many of the individuals approached on the concept in ARS and the Extension Service also pointed out that the demonstration vehicles would be a decided bonus for the program.

I recognize that the primary focus of the demonstration program should be on the urban automobile application, consistent with petroleum fuel consumption patterns. Accordingly, I have not included any specific number of requirements for agricultural demonstration units. In light of relative fuel consumption percentages between urban and agricultural applications—a ratio of approximately 12 to 1—a reasonable agricultural portion of the demonstration might be 10 percent or 250 units in the "second buy" phase and 500 units in the "third buy" phase. I would certainly appreciate the comments of the distinguished committee chairman and subcommittee chairman on this matter and I think it is important that we discuss it here to give a clear legislative history for the administration's implementation of the act.

Let me conclude by commenting specifically on the amendments I am offering so there is no mistake as to our action here this morning. The amendments to section 2 merely state that we have in fact recognized that electric vehicles have potential applications on the farm and that full consideration of that potential is merited in light of the problems which farmers are facing and will face for the foreseeable future. The amendment to section 3 broadens our policy statement to include the farming application in the program.

The additional definition added to section 4, "commercial electric vehicles" in section 7, is the key amendment in this package. It would have the effect of requiring ERDA to include farm applications in the 7,500 vehicle, three-phase demonstration program. The amendment to section 5 will expressly add the Department of Agriculture into the program's management structure, which I think is important in light of the fine capability of the Agricultural Research Service and Agriculture Extension Service to implement much of the agricultural portions of the program. The amendments to section 7 add the agricultural applications concept to the demonstration project's planning and implementation. The first one—page 9, line 4—will insure that agriculture requirements are considered and included in the criteria for the demonstration procurements. The second—page 10, line 8—will add farmers to the list of participants who actually will operate the demonstration vehicles. The third—page 10, line 25—will add rural and agricultural agencies and organizations to the groups which will be disseminating the information on electric vehicles to the farm community.

Let me pause for a moment on this amendment. I think it is important that we recognize how quickly and efficiently information can flow to the farmer on electric vehicles. He is now just plain naturally interested in new equipments as a part of his being and, with ever-increasing fuel prices, he is economically motivated to give full consideration to this concept, perhaps more so than his urban brothers and sisters. And, I do note from an earlier statement in this Chamber by our distinguished colleague from California and the ranking minority member on the Energy Subcommittee here this morning, that preliminary data from the Postal Service's use of electric mail trucks in his great State indicates that savings in maintenance and spare parts costs, as well as fuel, may well make those vehicles' cost competitive on a life cycle basis with today's technology.

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*Assumes business purposes=74% truck and 25% auto.

Also, the Extension Service provides an excellent capability for effectively and quickly getting the message to the farmer. In short, it is a unique opportunity to accelerate the demonstration and ultimate commercialization of the resulting technology in the farm sector.

The final amendment would direct ERDA to give full consideration to the impact of farm vehicle electrification on the rural electrical situation and to focus generally on the institutional factors associated with rural, as opposed to urban, electrification.

Mr. Chairman, these amendments together will effectively implement the agricultural application concept. The amendments have been drafted with the kind assistance of the Science Committee staff, for which I thank the chairmen of the committee and subcommittee and the ranking minority members. These amendments will positively affect the remedy not only to a major energy problem, but also to a rapidly developing agricultural problem, which, of course, is of great personal concern to me and the Committee on Agriculture.

Again, I commend the committee for its outstanding work on this bill and offer my sincere regards to its great chairman. I urge your support of these amendments, and would be happy to answer any questions you may have.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Virginia (Mr. WAMPLER).

The amendments were agreed to.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 10, after line 25, insert the following new subsection:

"(d) Every contract entered into pursuant to this section shall be subject to the provisions of the Buy American Act (41 U.S.C. 10a through 10d) and contain the provision required by the Act for public works."

Mr. TEAGUE. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am delighted to yield to my friend the gentleman from Texas (Mr. TEAGUE).

Mr. TEAGUE. Mr. Chairman, the committee has been informed by the general counsel of ERDA that they are covered now under the law by the Buy American Act and therefore, I do not think it requires the adoption of the amendment the gentleman from Michigan is offering.

Mr. DINGELL. Mr. Chairman, I want to thank my friend, the chairman of the full committee the gentleman from Texas (Mr. TEAGUE). I have offered this amendment with the full expectation of engaging in a colloquy precisely of this kind with my good friend. I think his statement is most helpful when the gentleman says that the purpose of the amendment is already covered, and that they will continue to apply the purposes of this amendment under the Buy American Act to contracts of the kind that are alluded to in this particular section of the bill relating to the procurement of electric automobiles. Therefore, since, as my good friend the chairman of the committee has talked to me and told me that he has been advised that he and his committee have been informed by the general counsel of ERDA that this is indeed covered, and that this kind of a contract very specifically would be covered by the bill under the Buy American Act without the necessity for the amendment, therefore I see no need for the adoption of the amendment after having created this kind of legislative history.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I would just like to make it clear to the gentleman from Michigan that, as I am sure the gentleman knows, there is already a very advanced state of the art presently in the production of electric vehicles at the present time, and, as a result, I am sure we will want to purchase some of those Japanese automobiles in order to be able to evaluate them and perhaps introduce some of the technology developed over there in our own development of electric vehicles in this country. I want to make sure that this amendment is not intended to interfere with that.

Mr. DINGELL. It does not interfere with such procurement unless that would be the case under the Buy American Act, and in their procurement they are subject to the provisions of the Buy American Act which does permit the acquisition of vehicles of this kind in our countries where they are not available from within the United States.

Mr. Chairman, having created that legislative history in the record, I would ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENTS OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer two other amendments, and, in view of the fact that the bill is open to amendment at any point, and in view of the fact that the time is short, and since I do not believe the amendments are controversial, I would ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. DINGELL: On page 17, between lines 4 and 5 insert the following:

"(i) An applicant for a loan guarantee must be a citizen or national of the United States. A corporation, partnership, or association shall not be deemed a citizen of the United States unless the Administrator determines that it satisfactorily meets all the requirements of 46 U.S.C. 802 for determining the United States citizenship of such entities operating a vessel in the coastwide trade."

On page 12, line 19, after "Administrator" insert "and to the Congress".

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TEAGUE. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Texas.

Mr. TEAGUE. Mr. Chairman, as far as I know there is no objction to the amendments from this side of the aisle and we will be glad to accept the amendments.

Mr. GOLDWATER. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from California.

Mr. GOLDWATER. Mr. Chairman, I wonder if the gentleman from Michigan would state the purpose of these two amendments?

Mr. DINGELL. Mr. Chairman, I would be most pleased to do so.

The second amendment which I have offered, which appears at page 17, between lines 4 and 5, sets out the general criteria for receiving loan guarantees under the bill that would be required to be met for persons who engage in the operations of vessels in coastwise trade.

Those requirements, briefly, are that the corporation or the individual must be American. The corporation would be required under the Intercoastal Shipping Act to have, I believe the figure is, 75 percent of its stock held by American citizens and effective control by American citizens of the board of directors. This amendment would impose the same requirement on a person or corporation getting a guarantee under the provisions of this bill so that we would not be engaging in guarantees to foreigners or to foreign corporations to derive the benefits of American loan guarantees and at the same time achieve the benefits of the research, development, and technology for benefit of foreign nations.

Mr. GOLDWATER. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from California.

Mr. GOLDWATER. I thank the gentleman for yielding.

Mr. Chairman, there is no objection to these amendments on this side. However, I think it would be important to point out the ERDA has registered some objections to this Amendment No. 2, I believe on the basis that they are looking for meaningful contributions to accelerate research, development, and demonstration of the electric vehicle, and the provisions of this amendment would, therefore, prohibit I believe certain subsidiaries of foreign corporations that are now involved in this country in the electric vehicle from making those meaningful contributions. To what extent this may cripple or hinder our efforts in this area I am not able to evaluate, but I think it is important to make that clear, that ERDA does object to this, and it may prevent ERDA from pursuing more aggressively the receipt of any input that foreign subsidiaries may have.

Mr. DINGELL. I am pleased to hear the comments that the gentleman has made that there is no objection on that side of the aisle.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. I thank the gentleman for yielding.

For further classification, does this prevent a U.S. national from obtaining a loan guarantee and using those funds at a foreign facility?

Mr. DINGELL. I did not hear the gentleman's question.

Mr. MYERS of Pennsylvania. Under the amendment that the gentleman has, does that prevent a situation developing whereby an American national can obtain a loan guarantee and use that loan guarantee at a foreign facility?

Mr. DINGELL. No. The language of the amendment simply says:

> An applicant for a loan guarantee must be a citizen or national of the United States.

Then it goes on to say:

> A corporation, partnership, or association shall not be deemed a citizen of the United States unless the Administrator determines that it satisfactorily meets all the requirements of 46 U.S.C. 302 for determining the United States citizenship of such entities operating a vessel in the coastwise trade.

The amendment is silent as to the question of where the work would be done, but I assume that, given the normal prudence, that the Administrator would look with great disfavor on having this provision for loan guarantees being used to stimulate research abroad.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent (Mr. DINGELL) was allowed to proceed for 1 additional minute.)

Mr. DINGELL. The second amendment to which the gentleman alluded is the requirement that reports as set forth by the bill be made available not only to the Administrator but also to the Congress so that the Committee on Science and Technology and the House of Representatives and the Senate will have full appreciation of what is going on.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan (Mr. DINGELL).

The amendments were agreed to.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MURPHY of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8800) to authorize in the Energy Research and Development Administration a Federal program of research, development, and demonstration designed to promote electric vehicle technologies and to demonstrate the commercial feasibility of electric vehicles, pursuant to House Resolution 694, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 308, nays 60, not voting 65, as follows:

[Roll No. 496]

YEAS—308

Abdnor
Abzug
Adams
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
AuCoin
Badillo
Bafalis
Baucus
Beard, R.I.
Bedell
Bell
Bennett
Bergland
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Bowen
Brademas
Breckinridge
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Ohio
Burgener
Burke, Calif.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Byron
Carney
Carr
Carter
Cederberg
Chappell
Clausen, Don H.
Clay
Cleveland
Cochran
Cohen
Collins, Ill.
Collins, Tex.
Conlan
Conte
Conyers
Cornell
Cotter
Coughlin
D'Amours
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Derrick
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Tenn.
du Pont
Early
Eckhardt
Edgar
Edwards, Calif.
Eilberg
Emery
English
Esch
Evans, Colo.
Evins, Tenn.
Fascell
Fenwick
Fish
Fisher
Fithian
Flood
Florio
Flowers
Flynt
Foley
Ford, Mich.
Forsythe
Fountain
Frenzel
Frey
Fuqua
Gaydos
Giaimo
Gilman
Ginn
Goldwater
Gonzalez
Goodling
Grassley
Green
Gude
Guyer
Hagedorn
Haley
Hall
Hammerschmidt
Hanley
Hannaford
Harkin
Harris
Hastings
Hawkins
Hayes, Ind.
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Hicks
Hightower
Hillis
Hinshaw
Holland
Holtzman
Howard
Howe
Hughes
Hyde
Ichord
Jacobs
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kasten
Kastenmeier
Kazen
Keys
Krebs
Krueger
LaFalce
Lagomarsino
Landrum
Leggett
Lehman
Lent
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Lujan
McCormack
McDade
McFall
McHugh
McKinney
Madden
Madigan
Maguire
Mahon
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Moorhead, Calif.
Moorhead, Pa.
Mosher
Moss
Mottl
Murphy, Ill.
Murphy, N.Y.
Myers, Pa.
Natcher
Neal
Nedzi
Nix
Nolan
Nowak
Oberstar
O'Hara
O'Neill
Ottinger
Patman, Tex.
Patten, N.J.
Pattison, N.Y.
Perkins
Pettis
Pickle
Pike
Poage
Pressler
Preyer
Price
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Richmond
Rinaldo
Risenhoover
Roberts
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Roybal
Runnels
Russo
Ryan
St Germain
Santini
Sarasin
Sarbanes
Scheuer
Schroeder
Schulze
Seiberling
Sharp
Simon
Slack
Smith, Iowa
Solarz
Spellman
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steelman
Steiger, Wis.
Stephens
Stokes
Stratton
Stuckey
Studds
Sullivan
Symington
Talcott
Taylor, N.C.
Teague
Thompson
Thone
Thornton
Traxler
Ullman
Vander Jagt
Vander Veen
Vanik
Vigorito
Wampler
Waxman
Weaver
White
Whitehurst
Whitten
Wilson, Bob
Wilson, C. H.
Winn
Wirth
Wright
Yates
Yatron
Young, Fla.
Young, Tex.
Zablocki

NAYS—60

Archer
Armstrong
Ashbrook
Bauman
Beard, Tenn.
Bevill
Breaux
Brown, Mich.
Buchanan
Burleson, Tex.
Butler
Casey
Clawson, Del
Crane
Daniel, Dan
Devine
Dickinson
Erlenborn
Evans, Ind.
Findley
Ford, Tenn.
Gibbons
Gradison
Hansen
Hefner
Henderson
Holt
Hubbard
Hutchinson
Kemp
Kindness
Latta
Levitas
Lott
McCollister
McDonald
Mathis
Michel
Montgomery
Moore
Myers, Ind.
Nichols
O'Brien
Passman
Ruppe
Satterfield
Schneebeli
Sebelius
Shriver
Shuster
Sikes
Skubitz
Smith, Nebr.
Snyder
Steiger, Ariz.
Taylor, Mo.
Treen
Waggonner
Wolff
Wylie

NOT VOTING—65

Addabbo
Baldus
Barrett
Biaggi
Biester
Bingham
Brinkley
Broyhill
Burke, Fla.
Chisholm
Clancy
Conable
Corman
Dent
Derwinski
Diggs
Duncan, Oreg.
Edwards, Ala.
Eshleman
Fary
Fraser
Hamilton
Harrington
Harsha
Hays, Ohio
Hébert
Horton
Hungate
Jarman
Jeffords
Jones, Tenn.
Kelly
Ketchum
Koch
Long, Md.
McClory
McCloskey
McEwen
McKay
Macdonald
Metcalfe
Morgan
Murtha
Obey
Patterson, Calif.
Pepper
Peyser
Pritchard
Rhodes
Riegle
Rousselot
Shipley
Sisk
Symms
Tsongas
Udall
Van Deerlin
Walsh
Whalen
Wiggins
Wilson, Tex.
Wydler
Young, Alaska
Young, Ga.
Zeferetti

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Broyhill.
Mr. Addabbo with Mr. Derwinski.
Mr. Zeferetti with Mr. Clancy.
Mr. Hays of Ohio with Mr. Edwards of Alabama.
Mr. Riegle with Mr. Diggs.
Mr. Morgan with Mr. Harsha.
Mrs. Chisholm with Mr. Fary.
Mr. Koch with Mr. Biester.
Mr. Barrett with Mr. Duncan of Oregon.
Mr. Biaggi with Mr. Eshleman.
Mr. Bingham with Mr. Horton.
Mr. Dent with Mr. Burke of Florida.
Mr. Corman with Mr. McClory.
Mr. Hamilton with Mr. Jarman.
Mr. Shipley with Mr. Conable.

Mr. Sisk with Mr. McKay.
Mr. Udall with Mr. Ketchum.
Mr. Baldus with Mr. Kelly.
Mr. Van Deerlin with Mr. Jeffords.
Mr. Murtha with Mr. Pritchard.
Mr. Metcalfe with Mr. McCloskey.
Mr. Brinkley with Mr. Patterson of California.
Mr. Long of Maryland with Mr. Symms.
Mr. Pepper with Mr. McEwen.
Mr. Fraser with Mr. Rousselot.
Mr. Harrington with Mr. Peyser.
Mr. Hungate with Mr. Tsongas.
Mr. Jones of Tennessee with Mr. Walsh.
Mr. Macdonald of Massachusetts with Mr. Young of Alaska.
Mr. Obey with Mr. Whalen.
Mr. Charles Wilson of Texas with Mr. Wydler.
Mr. Young of Georgia with Mr. Wiggins.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 8674, the Metric Conversion Act of 1975.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

METRIC CONVERSION ACT OF 1975

Mr. TEAGUE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8674) to declare a national policy of converting to the metric system in the United States, and to establish a U.S. Metric Board to coordinate the voluntary conversion to the metric system.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8674, with Mr. JONES of Oklahoma in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. TEAGUE) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. MOSHER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. TEAGUE).

Mr. TEAGUE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 8674, the Metric Conversion Act. I wish to commend the Chairman of the Subcommittee on Science, Research and Technology, Congressman SYMINGTON and the ranking minority member, Congressman MOSHER, as well as Congressman FUQUA, and Congressman LLOYD for their hard work in bringing this bill to the floor.

This bill was reported out unanimously by the Committee on Science and Technology. It has the support of the administration.

The United States is a world leader in almost all aspects of technology. However, we have been slow to adopt the measurement system of the rest of the world. In fact, with the exception of four small nations, Yemen, Burma, Brunei, and Liberia, none of which are important industrial powers, the United States is the only major, nonmetric country in the world which has not formed an official mechanism for coordinating the change to the metric system.

Twenty-five years ago, many of our important trading powers, including Canada and England, were still using the customary measures. Today, each are changing to the metric system, and only America has not officially established a governmental body to coordinate the change.

The United States is now well into the early stages of converting to the metric system. Many industries have already announced that they are changing the sizes of their products and the standards to which they are manufactured to the metric system. Major American automotive concerns have decided that all automobiles manufactured by them, including the parts and components made by their subcontractors and other suppliers, will be made on the basis of the metric system within the next few years. All 50 States are now committed to changing to the metric system in their educational departments. The school systems of a number of States have announced that textbooks will be entirely changed to the metric system by the year 1976. The pharmaceutical industry is largely using the metric system—as does the medical profession.

American industry has thus begun to adopt the metric system in growing numbers, and those companies which are going metric are doing so because it makes economic sense. Even though the change involves costs, they are going ahead because, in the long run, they believe the change will pay for itself.

In the United States, the process of changing to the metric system is proceeding in an uncoordinated manner, with the result that the total cost of going metric is greater than it need be. The Metric Information Office of the National Bureau of Standards and the American National Metric Council, which is a private industry-sponsored organization, are attempting to keep abreast of the conversion activities and serve as a source of information. This bill provides the mechanism to bring about the important coordinating function as the conversion process proceeds.

The choice before the Congress is not whether we should move to the metric system. That conversion is underway. The choice is between continuing the conversion process in an entirely uncoordinated fashion, as is the case now, or going forward with the conversion process on a coordinated basis. The testimony heard by the committee indicated that there is wide agreement on the desirability of going forward on a coordinated basis.

The bill provides a response to the problems created by the increasing use of the metric system. It would establish an independent U.S. Metric Board, broadly representative of society, to devise and carry out a broad program of planning and coordination of the increasing use of the metric system and to conduct public education consistent with other national interests.

The Metric Board shall be composed of 21 persons from the public who will be appointed by the President. The members shall serve at the pleasure of the President and they shall serve such terms as he specifies. They shall be broadly representative of those groups in American society which will be affected by the change to the metric system, and they shall include representatives of industry, labor, business, including small business, agriculture, commerce, the consumer, education, State and local government, science and engineering, the construction industry and other affected groups. The membership shall include, in addition, two Members of the House of Representatives and two Members from the Senate of the United States. The President shall designate one of the noncongressional members to serve as chairman and another to serve as vice chairman of the Board.

The bill further provides that unless otherwise provided by the Congress, the Board shall have no compulsory powers. The Board shall cease to exist when the Congress determines that its mission is accomplished.

The bill provides that the Board shall perform the following three major functions: First, develop a broad program of planning and coordination on the increasing use of the metric system; second, conduct research and submit recommendations to the President and to the Congress; and third, conduct a program of public education in the metric system at all levels from elementary to adult education in order that the American people may become familiar with the meaning and use of metric terms and measures in their daily lives.

The Board shall consult with and take into account the interests and views of industry, labor, business, including small business, commerce, science and engineering, education, government agencies at the Federal, State and local levels, and the consumer and other groups which would be affected by the changeover to the metric system. The intent of this consultation process is that each sector or industry in the country shall be asked, on a voluntary basis, to develop, if it elects to participate, its own plan for the conversion to the metric system in such a time period as that group feels to be in its own best interest insofar as efficiency and minimum costs are concerned. The Board is further directed to consult with existing organizations in the field of standards development and coordination.

The Board shall develop procedures whereby industry groups can come together on a voluntary basis under the auspices of the Board to discuss and agree on the best dimensions and configurations in the metric system, or other measurements for general use which are consistent with the needs and capabilities of the manufacturers, suppliers, consumers, and other interested and affected groups and the time schedule for the conversion process for each group.

The Board shall encourage the development of new or revised engineering standards based on metric measurements in those specific fields or areas where such standards will result in improved design or increases in economy consistent with the efficient use of energy and the conservation of natural resources.

The Board shall encourage the retention, in new metric language, of those U.S. engineering standards, practices, and conventions that are internationally accepted or which embody superior technology.

The Board shall cooperate with foreign governments and international organizations which have become concerned with the encouragement and coordination of the metric system with the objective of gaining international recognition for metric standards proposed by the United States.

The Board shall consult with foreign governments and organizations and groups in other countries, including international standards organizations, to the extent it determines appropriate. Such contacts by the Board shall be accomplished through consultation with the Department of State.

The Board shall carry out programs of public education and information aimed at making every citizen of the United States familiar with the metric system. These programs shall include public information activities conducted by the Board itself through the use of newspapers, magazines, radio, television and other media; consultation by the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Administrator of the Small Business Administration, and the Director of the National Science Foundation with education associations and other education groups to insure that the metric system is made a part of the curriculum in all of the Nation's educational institutions and that teachers are trained to teach the metric system; consultation by the Secretary of Commerce with the National Conference of Weights and Measures to assure that weights and measures officials in each State and local jurisdiction are fully involved of the metric changeover activities in the country and are assisted in their efforts to bring about timely amendments to weights and measures laws; and such other public information activities by any Federal agency which could relate to the mission of the agency.

The Board shall also collect, analyze, and publicize information about the extent to which the metric system is being used. It shall evaluate the benefits and costs of such metric usage, and shall make efforts to minimize any adverse effects resulting from the increasing metric usage.

The Board shall conduct research on any unresolved problems associated with the conversion to and use of the metric system and shall publicize the results of this research. An important function of the Board shall be to recommend to the President and to the Congress specific legislative actions to deal with unresolved problems associated with metric usage.

The bill provides that the Board shall submit annual reports of its activities and progress under the act to the President and to the Congress. The report shall include a status report on the conversion process as well as projections for the conversion process, and may include recommendations covering any legislative or executive actions needed to implement programs of conversions accepted by the Board.

The Board is authorized to conduct hearings at such times and in such places as it deems appropriate in the furtherance of the policies of the act.

I want to stress that H.R. 8674 would preserve the right of each individual and each business firm to decide whether to go metric. The bill provides that the adoption of the metric system shall be entirely voluntary.

I am convinced that this bill is good for the country. Perhaps I will never learn the total metric system myself, but there is no doubt that today's school children will learn it sooner or later, and before long the housewife who goes shopping will understand it.

Mr. Chairman, H.R. 8674 is a step in the right direction for America. I urge its adoption by the House today.

Mr. Chairman, I yield 10 minutes to the chairman of the subcommittee, the gentleman from Missouri (Mr. SYMINGTON), who has done an excellent job on this bill.

Mr. SYMINGTON. Mr. Chairman, I rise in support of H.R. 8674, the Metric Conversion Act of 1975.

Earlier this year the Science, Research, and Technology Subcommittee, which it is my privilege to chair, held 2 weeks of comprehensive hearings on various bills which had been introduced in the House in the 94th Congress. A wide cross-section of the national community was represented including industry, small business, labor, industrial and professional organizations, State government, State educational officials, agriculture, and others. The viewpoints and suggestions provided were of valuable assistance to the committee in its deliberations, and in the development of the provisions of H.R. 8674.

I wish to emphasize at the outset that under this bill the change to the metric system would be entirely voluntary in nature. The bill has no compulsory powers which would force a business, an industry, or an individual to adopt and use the metric system. It provides specifically that the Metric Board would have no compulsory powers.

The national metric policy which would be established by this bill covers four specific points. The policy under these four points would be:

First, to plan to coordinate the increasing use of the metric system;

Second, to encourage voluntary participation of affected sectors or groups;

Third, to encourage efficiency and minimize costs to society; and

Fourth, to assist in developing a broad educational program which will assist all Americans in becoming familiar with the metric system.

Mr. Chairman, I would note at this point that the bill before the Committee today has gone through a number of changes. The policy statement I just described has evolved through several changes, but it is not clearly reflected in the long title of the bill, and we have concluded that a more accurate title for this bill would be the following:

> (A bill) "to declare a national policy of coordinating the increasing use of the metric system in the United States, and to establish a United States Metric Board to coordinate the voluntary conversion to the metric system"

I want to advise the Members that, in the event this bill is adopted by the House, the committee intends to offer an amendment to incorporate this new long title for the bill. If adopted, this change would obviously also apply to the sections of the committee report where the purpose and policy of the bill is set forth.

The metric conversion bill would establish a U.S. Metric Board consisting of four Members of Congress and 21 Presidentially appointed members broadly representative of American society. The Board would be charged with carrying out a broad program of planning, coordination, and public education consistent with the policies of the act.

Although the duties of the Board are numerous, I would like to discuss some of the more important ones.

The Board will consult with various affected groups and sectors of the national economy and develop a procedure through which these groups and sectors may formulate and recommend metric programs to the Board. Participation in such group and sector activities will, of course, be voluntary. The Board will publicize the proposed programs and will be receptive to comments from groups or individuals.

The Board will assist the public—through broad-based information and education programs—to become familiar with the metric system and its use in our daily lives. These programs shall be based on consultation with appropriate individuals and groups, and the collection and analysis of published information.

An important function of the Board be the conduct of research on the impact which the adoption of the metric system is having. This research will cover all aspects of the national economy including the impact on consumers and individual workers as well as industries and commerce and education. If, as a result of these studies, the Board concludes that further action is called for, the Board is specifically authorized to recommend to the President and the Congress specific Executive or legislative action

The Board will report on its activities annually to the Congress and to the President. This status report may also include recommendations covering legislation or executive action needed to implement the metric activities of the Board.

Before yielding the floor, I would like

to respond to some questions which have been raised about this bill.

Does the policy of H.R. 8674 mandate a change to the metric system?

The answer is that rather than mandating a change to the metric system, the policy of H.R. 8674 responds to the problems associated with the increasing use of the metric system. The bill would do this by establishing a mechanism to coordinate the metric conversion activities, by studying the associated problems, and by educating the public on the usage of the metric system.

In fact, one of the reasons for changing the title of the bill is to place the chief emphasis on the voluntary nature of the adoption of the metric system. By eliminating any reference in the title to a policy of adopting the metric system, and emphasizing the coordination function of the Government's role, we expect to make it clear that the bill does not mandate the change, but only aims at providing coordination based on voluntary participation.

When the words "change" or "conversion" to the metric system appear in the bill or the report, does this mean a total changeover to the metric system?

The committee views the words "change" or "conversion" as describing the ongoing nature of the increasing usage of the metric system. The committee recognizes that some sectors of the national community may move rapidly to metric while others will move more slowly and yet others may elect not to make the change. The committee feels strongly that in any sector, the marketplace—not the Congress or the Metric Board—should provide the impetus in deciding whether, when and how metric conversion activities should proceed.

How do the provisions of H.R. 8674 reflect the results of the Department of Commerce study "A Metric America"?

The study served to focus the committee's and the Congress' attention on the fact that the metric system would be used more widely in the United States. It is certainly a fact that today we are seeing more metric measurements in our everyday lives than we were in 1971. However, the country has changed drastically in other ways in the last 5 years—and those changes are primarily economic. The committee feels that the projections of 1971 would not be the projections of today. With this in mind the committee felt that it was unwise to mandate a conversion to the metric system within a specified time frame and to make it a goal for the conversion that the country become predominantly metric within that time period. Therefore, these recommendations of the Metric Study were not adopted. Although the bill refers to these and other recommendations in the section on findings, they have not been included in the policy section or in the section setting forth the duties of the Metric Board.

Mr. Chairman, this bill goes a long way toward making the ongoing change to the metric system a little easier for every citizen. It will help reduce the overall cost to our society of making the change. I am glad to join Chairman TEAGUE in urging its favorable consideration and adoption by the House.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Chairman, I wish first to commend the gentleman in the well for having worked so assiduously on this bill and for his efforts in bringing it onto the floor.

As the gentleman knows, last year I objected strenuously to the bill because it lacked two provisions and because I had hoped to offer amendments. One of those provisions was to protect small businessmen in the conversion process.

It is my understanding that the concern of the small businessman has been taken care of in this bill. Am I correct in my understanding?

Mr. SYMINGTON. Absolutely correct; the gentleman is correct.

We have been in touch with the small business representatives, including John Motley of the National Federation of Independent Businessmen, and very recently we were assured by them that this bill meets the problems that they thought the prior bill presented.

Mr. MATSUNAGA. In what way will the small businessman be taken care of?

Mr. SYMINGTON. There were two principal moves that we made. One was to assure small business that there would be proper representation of their interest on the Metric Board, whose job it will be to determine what kind of impact metrication would have on small business or any other sector of society. The Board can make recommendations to the Congress, to the President, to the Government concerning appropriate assistance to any detrimentally affected sector of society, of which small business could well be one, although we think the way we have written the bill, it is unlikely that they will suffer, because we have taken the time frame out. We have also made it the number one mandate of the Metric Board to lubricate everybody's adjustment to the metric system, including small business.

Mr. MATSUNAGA. My second concern, as the gentleman knows, was with reference to labor, particularly labor involved in the use of tools, individual tools. Has this been properly provided for in the bill?

Mr. SYMINGTON. This has also been provided for in this way, with the concurrence of labor representatives. I may say in that respect that I am placing in the RECORD a series of rather lengthy comments which I do not think need be made here, in the interest of time, but which clarify very specifically the intent of the committee and therefore of the Congress in the passage of this bill with respect to a whole range of things that labor was interested in. These ideas were worked out in consultation with them. However, specifically in response to the gentleman's question, again, the Metric Board has an obligation under this bill to study the harmful effects that any metric move made in this country could have on any element of society, and of course, none more importantly than the working people who own their own tools.

Some industries are more fortunate in this regard, and the worker is provided for. For example, in General Motors they provide a "tool crib," and the worker can borrow for any length of time the tool he needs.

We are talking and the gentleman from Hawaii is talking about independent workers. Here again, it is something that we anticipate could occur. Therefore, we have mandated the Metric Board to study to see if it does occur, and if it does, to recommend the kind of assistance which I think the gentleman would find appropriate.

Mr. MATSUNAGA. Mr. Chairman, the gentleman from Missouri has answered my questions to my full satisfaction and I am very pleased to express my support for H.R. 8674, the proposed Metric Conversion Act of 1975.

The gentleman from Missouri (Mr. SYMINGTON), the gentleman from Texas (Mr. TEAGUE) and the other members of the Committee on Science and Technology deserve a great deal of credit for their perseverance and thoughtful efforts in bringing this legislation to the floor.

The bill under consideration is the fruition of many years of hard work on the part of many persons, both in and out of Congress. For many years, our former colleague, the Honorable George Miller of California, was the driving force in Congress in the attempt to have the Federal Government come to grips with the problems associated with metric conversion.

Now, I believe, there is general consensus on a few basic facts:

That the United States is the only major industrial country in the world where metric is not the predominant system of measurement.

That our country's eventual conversion to the metric system is inevitable.

That conversion without some coordination at the national level would be costlier and less efficient than with some rational plan as a guide.

That the process of converting to metric measurement should be a voluntary one, with persons and companies taking such steps as are in their own economic interests.

In my judgment, Mr. Chairman, H.R. 8674 embodies all of these principles. Additionally, the bill wisely leaves open-ended the conversion period, which will vary widely among the various segments of our complex economy.

For several Congresses, Mr. Chairman, I have sponsored legislation along the lines of the bill reported by the Committee, and I am pleased that the House is in a position today to pass this important legislation.

I am pleased, also, that the U.S. Metric Board, the coordinating unit established under the legislation, will be charged with investigating conversion problems, and with recommending to Congress and the President appropriate legislation whenever necessary. Specifically mentioned in the bill as areas for the Board to study are the possible impact on workers, such as costs of tools and training, and effects on small business. These matters are those I was so concerned about last year during consideration of parallel legislation. I believe the Committee has responded to both the language and the spirit of my concerns in those areas.

Metric conversion will be no easy task, Mr. Chairman. But it is an inescapable task. We may find, as several other countries have, that the burden will not be as great as now envisioned, but we must be in a position to minimize whatever confusion and extra costs are generated in this process.

Passage of H.R. 8674 is a giant step forward in the right direction. I urge the House to approve it overwhelmingly.

Mr. MOSHER. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. Yes; I will be happy to yield to the distinguished gentleman from Ohio (Mr. MOSHER), my good friend and a great helper on this bill.

Mr. MOSHER. Mr. Chairman, I thank the gentleman for yielding.

I think the colloquy between the gentleman from Hawaii (Mr. MATSUNAGA) and the gentleman from Missouri (Mr. SYMINGTON) is very useful.

As all of us know, the gentleman from Hawaii last year expressed some very genuine concerns about this legislation when it was then before us. This colloquy, for the RECORD, certainly clarifies the fact, as we understand it on our side, that the objections from last year are now reconciled, and the interests of labor and small business people in general are being protected, and they are in support of this legislation.

Mr. Chairman, speaking for myself, I want to make the comment that this legislation is really needed and is deeply rooted in good, old-fashioned, American commonsense. It has a lot of practicality to it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TEAGUE. I yield 5 additional minutes to the gentleman from Missouri.

Mr. SYMINGTON. I yield further to the gentleman from Ohio.

Mr. MOSHER. Mr. Chairman, as I was saying, I believe this legislation makes good commonsense. The movement toward conversion to the metric system already has a tremendous momentum in this country and it is so imperative and necessary. Yet we must avoid a chaotic movement. We must have an orderly process.

What we are trying to do here today has practicality in that it encourages efficiency and I am convinced it is going to lower the cost of conversion. It is on that basis that I commend the gentleman in the well from Missouri (Mr. SYMINGTON) upon the excellent job the gentleman has done in our committee in providing the leadership needed for this important move.

Mr. MOSHER. Mr. Chairman, I strongly support this legislation. H.R. 8674 is meant to coordinate and harmonize the voluntary conversion of the United States to the metric system of weights and measures.

Metrication will bring the simplicity of using a single basic unit—the meter—for measuring both large and small distances in multiples of 10. In similar fashion a single unit of mass—the gram—will be used to measure both large and small amounts in multiples of 10.

Thus conversion to the metric system will introduce the same straightforwardness into our measure of weight and length that we currently enjoy with our monetary units. The metric conversion program is a superb example of old fashioned American commonsense and practicality. It is a move for greater accuracy, efficiency, economy, and rationality.

So, I enthusiastically join with the Science Committee and Subcommittee chairmen, Messrs. TEAGUE and SYMINGTON, and all the members of our committee in endorsing this bill. H.R. 8674 is the outgrowth and synthesis of years of study.

Several added weeks of hearings were held on this year's bill, to be certain that it accommodates the concerns of all interested parties. The bill seeks to expedite metric conversion without sacrificing isolated groups which might be put to some slight, temporary disadvantage because of the conversion.

The focal point of our proposed program will be the U.S. Metric Board, which will have three major duties. First, to formulate a comprehensive program for conversion to the metric system. Second, to conduct research directed toward that goal, and submit recommendations to the executive and legislative branches. Third, to undertake a broad public education program ranging from elementary to adult education.

The Board will be composed of 21 members chosen from the public in such a way that it reflects the broadest spectrum of interested parties. We expect the Board to include representatives from industry, labor, small business, State and local government, and other affected groups. In addition, two Members of the House of Representatives and two Members of the Senate will serve on the Board.

In the last 20 years the metric system has become the dominant language of measurement in the world. The United States stands almost alone in its failure to go metric. It is anomalous that the most advanced nation in the world is still clinging to an impractical and outmoded system of measurement.

But even within our country, the metric system is slowly but steadily increasing in use. There is increasing momentum for conversion. And therein lies the problem. The growing use of the metric system is proceeding in a relatively haphazard and unplanned way. Individual companies, industries, and local governments are making the changeover whenever and however it appears advantageous to do so.

Therefore the conversion to date has often been accompanied by confusion and misdirection. H.R. 8674 seeks to provide the necessary direction to produce orderly coordination in our country's continuing conversion to make it as efficient and inexpensive and productive as possible.

Our primary motivation for the legislation is not only to bring order to an otherwise chaotic conversion already in progress, but to enable our citizens to reap the rewards of being in step with the worldwide system of measurement.

There is a significant potential for increased exports of our manufactured products made to metric specifications. And such increased export trade is crucially important to our Nation today and for the future. It is in fact imperative.

The people and industries in countries that are chiefly metric prefer to purchase metric designed products. Our Committee heard evidence of American businessmen who were at a serious disadvantage in bidding on foreign projects because they had to undergo the extra expense to converting their blueprints to metric. This extra cost is translated into either lower profits or lost business.

There is the potential for savings when a common design can be used for products both here and internationally. Global uniformity in manufacturing procedures will allow us to conserve our resources. It affords the opportunity of greatly reducing the excessive varieties and sizes of products. Not only can money be saved because of reduced inventories and greater production, but materials can be saved.

The objective of this legislation is not complete conversion regardless of costs. It is instead metric conversion, on a voluntary basis, to the extent practical and reasonable and at a minimum cost.

The point is that the conversion will proceed in some sectors at a relatively rapid pace while in others at a slower pace.

The Board will submit annual reports to the Congress on the progress of its work. There will be ample opportunity for us to modify any of the Board's programs or activities which the Congress believes not in the best national interest.

Mr. Chairman, the longer the United States waits to convert to the metric system, the longer this country will have to pay the extra costs associated with maintaining and operating a dual measurement system.

Clearly, it is time to get on with the business of conversion. The time has come for a national decision on a positive course of action and I sincerely welcome the opportunity to lend my support to this initiative.

Mr. FUQUA. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Florida.

Mr. FUQUA. Mr. Chairman, I thank the gentleman for yielding me this time and I rise in support of H.R. 8674.

First of all, Mr. Chairman, I would like to commend the gentleman from Missouri (Mr. SYMINGTON) upon the fine leadership he has exerted as chairman of the subcommittee and upon the many hours of work that he has put in and the dedication that he has shown in trying to bring this bill to the point where we now have it before the Members today. I am sure that without the leadership of the gentleman from Missouri, this measure would not be here today. Again I say that the gentleman from Missouri deserves a great deal of credit.

Mr. Chairman, the question of potential costs related to the increasing use of the metric system is one that commands considerable interest and legitimate concern. In the context of our debate today, we need to look at three aspects of this question: First, the costs for the Nation at large of using metric measurements; second, the direct costs of this bill; and third, any indirect costs of the bill.

Consider first the costs versus benefits of increased metric usage for the Nation at large. Since the United States is already experiencing this change, we can stop speculating about costs and start looking at real information. Our automobile industry is in the process of going metric, as is much of our computer industry. Our steel industry is now prepared to provide some of its products in metric sizes, and some of our fastener manufacturers now offer bolts and nuts in metric sizes. Incidentally, these bolts and nuts are being made to a new metric standard—a modernized series of sizes that cuts approximately in half the number of sizes needed. For manufacturers of mechanical products, who generally need to stock all of the available sizes, the use of these new metric fasteners will bring a large dollar savings in the cost of carrying inventory—once they have switched over to working in metric.

Since we have as yet no national policy related to metric conversion, these firms have obviously decided to go metric strictly as a result of their own considerations. Further, since it is well known that such companies give primary consideration to the effect of their decisions on profits, we must infer that each of them calculated that the benefits to be reaped by going metric would exceed any costs entailed. As another example, when was the last time you saw an auto repair shop that stated, "We do not service foreign autos?" Now that an estimated 30 percent of the automobiles already on our highways have some metric parts, most shops have decided not to pass up that much potential business. They have bought a set of metric wrenches—in order to make money.

We now have even more specific information about costs of going metric in manufacturing. The design and manufacture of automobiles is a highly measurement-sensitive activity. One of our Big Three auto companies that has now been designing all new parts in metric for 2½ years, and is currently manufacturing many parts to metric specifications, has stated that the costs of change have turned out to be far lower than anticipated. Where they had expected to have to replace at least half of the lead screws on their lathes and milling machines, they have yet to replace any. This has been the reported experience of most manufacturing companies in the other countries that have been going through a metric changeover in England, Australia, South Africa, and New Zealand. Invariably costs have proven to be far less than expected.

Thus, metric conversion in the United States is now proceeding on a money-making—not money-spending basis. However, this uncoordinated change is beginning to engender hidden costs. The steel industry must add metric sized products to its inch sizes that it must continue to manufacture and store until their use is phased out entirely. This will cause some temporary added cost to the industry, and thus to users of steel and to our economy at large. The same is true of the fastener industry—and will happen in other industries as they adapt to meet growing demand for metric sized standard materials and parts.

We must keep in mind that these costs to our economy are being caused by the changes that have already occurred. The only way to minimize them is to minimize the time during which we are using both measurement languages in manufacturing and in other commercial activities—and that is precisely the purpose of coordinating the increasing use of metric measurement units for our customary ones. H.R. 8674 will serve to minimize in the most efficient way the extent and costs of dual measurement usage.

At the same time, while providing coordination and guidance, the conversion activities that will be facilitated by H.R. 8674 will be entirely voluntary. The bill does not contain, and does not give to the U.S. Metric Board any power to force anyone to go metric. Thus, in no way can it be said to impose costs on anyone. Consensus target dates will be established by sectors of industry and commerce—and, wherever a company or organization can benefit by planning its own metric moves around such target dates, presumably the company or organization will make use of the guideline plan and its customers or participants will accordingly benefit. Thus, this bill can only bring benefits and not costs, to the Nation at large.

The only costs attendant to the enactment of H.R. 8674 will be the direct operating costs of the mechanism for coordination, public education and public information—for the administration of the U.S. Metric Board, its staff, the various sector coordinating committees, and for developing and promulgating the information materials needed to acquaint all Americans with the 10 or so new measurement terms involved in using the metric system for everyday activities. Such costs are expected to be approximately $3 million a year for the first few years—surely a small price to pay for the substantial and permanently recurring economic benefits we will thereafter reap from increased exports; lowered costs of production; use of a simpler, easier to understand measurement language; and reduced dual inventories of standard materials and parts.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I am glad to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I would point out that I note in a report to the Congress called the metric amendment that 5 years ago the countries of Barbados, Burma, Gambia, Ghana, Jamaica, Liberia, Muscat and Oman, Nauru, Sierra Leone, Southern Yemen, Tonga, Trinidad, and the United States of America were the only countries without the metric system. I note today that the number has been narrowed so that only now Yemen, Burma, Brunei, Liberia, and the United States are not on the metric system.

We are making progress and I commend the gentleman from Missouri (Mr. SYMINGTON) for his leadership, as well as the leadership of the chairman of the full committee, the gentleman from Texas (Mr. TEAGUE) and the ranking minority member, the gentleman from Ohio (Mr. MOSHER) and others.

I trust also that passage of this legislation will add many centimeters to the political stature of the gentleman in the well.

Mr. SYMINGTON. I thank the gentleman from West Virginia. I would like to say that we would hope that the United States, in the interest of competing in world trade would not be the last nation in the world to adopt the metric system.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from California.

Mr. BELL. Mr. Chairman, I would like to commend the gentleman from Missouri (Mr. SYMINGTON) for the outstanding leadership that gentleman has shown in this work, as well as all members of the committee. I believe the way the gentleman from Missouri has handled this bill has been outstanding. In that connection I would also like to commend our minority member on the subcommittee, the gentleman from Ohio (Mr. MOSHER) for his fine efforts.

Mr. Chairman, I rise in support of this legislation. I would like to urge my colleagues to unanimously support H.R. 8674, the Metric Conversion Act of 1975.

As a long time supporter of metric conversion for this country, I can assure my colleagues that this legislation is both necessary and beneficial.

This bill would provide for the orderly conversion of our Nation's economy from the present system to the system used most exclusively around the world—the metric system.

Because of the external pressure from our trading partners throughout the world, the United States is already gradually changing to metric.

However, this bill will provide for an orderly and coordinated changeover.

Obviously many headaches and much economic loss will be avoided by the Congress adopting a national policy to smooth the path of conversion.

As a primary feature, this bill establishes a U.S. Metric Board which will be composed of 21 persons from the public and four Members of Congress.

These public members appointed by the President, will come from all walks of life and will represent all interests in this conversion to metric.

This broad base of representation will be important because the Board will be charged with drawing up a plan to coordinate the Nation's conversion to metric, conduct any necessary research, and to educate the public in general to the new metric system.

I am happy to note that the cost to our Nation's economy is expected to be minimal.

The activities of the Board in coordinating our conversion will have an appreciable impact and should reduce the overall costs substantially.

The report accompanying this bill

notes that other countries such as Australia and Canada have been particularly successful in their conversion and their costs have been substantially less than even their most modest estimates.

Also, many companies are absorbing costs as part of normal operating budgets, without special allocations.

In conclusion, I wish to urge my colleagues to support this Metric Conversion Act of 1975.

Let us establish a clear national policy which will expedite and coordinate our inevitable switch to metric.

Mr. WINN. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Kansas.

Mr. WINN. Mr. Chairman, I rise in support of H.R. 8674 because there is no doubt in my mind after sitting through several hours of hearings that the adoption of the metric system will help modernize America. As is well known in our schools today many children are being taught the metric system and it will soon be just like learning their ABC's to them.

I commend the gentleman from Missouri (Mr. Symington), and the gentleman from Ohio (Mr. Mosher), upon the work that they have done on this bill.

Mr. Chairman, I wish to give the metric conversion legislation my fullest support. The adoption of the metric system will help modernize America. In past decades, the United States has displayed world leadership in many fields—in outer space exploration, in the arts, in science, in the promotion of peace and international cooperation, and in the achievement of a better quality of life for Americans and for different peoples around the globe. But Mr. Chairman, when it comes to our system of weights and measurements we have fallen behind the rest of the world. We are still back in the horse-and-buggy days.

The United States is the only remaining major industrial nation that does not use the metric system. In addition to the United States, there are only eight other nations—all relatively small and underdeveloped—that have not yet begun metrication. My point is that the legislation before us represents a long overdue step toward metrication. It is a step that will entail costs, but it is also a leap into the 20th century that will bring benefits far outweighing the temporary expense and short-term inconveniences. The benefits to which I refer are not merely the increases in our balance-of-payments that will result from expanding foreign trade. They are also the long-term advantages of being more in tune with other nations in a world that is now becoming increasingly interdependent.

The bill adopts a policy of completely voluntary conversion. Though costs are to lie where they fall, no industry, no corporation, no partnership, nor proprietorship will be forced to convert to metric. Metrication will occur only in those sectors of our economy when it is advantageous to do so. The voluntary policy means that the dislocation resulting from conversion will be minimized.

The bill also provides for the establishment of the National Metric Conversion Board. In some sectors, metrication has proceeded rapidly. In others, conversion has not yet begun. If continued, this uncoordinated process will prolong and aggravate the costs of adopting the metric system. The Board will help organize metrication by planning, consultation and by promoting cooperation among firms, industries, and groups. The Board will provide a broad program designed to render assistance to the public, the educational system, labor, and business. The efforts by the Board will supply a much needed framework to guide the Nation through the difficulties of metrication.

If this legislation does not pass and if the Board is not established, I fear that conversion will be a long and painful process for the American people. Mr. Chairman, I wish to stress to my colleagues that the United States will eventually adopt the metric system whether or not this legislation is passed. I suggest that we make plans now. It is the responsibility of the Congress to act in the best interests of the American people. The Congress should make provisions for the change that is coming so that the United States is not subjected to the vicissitudes of unplanned, uncoordinated conversion.

The legislation before us puts the burden of metrication on no single sector of the economy, but, because of the policy of voluntary conversion, envisions the even distribution of costs and inconvenience. I am confident that no group or industry will be unduly harmed or disadvantaged. In the long run, adopting the metric system will help maintain a high standard of living for all Americans, and it will help assure the continued prominence of the United States in international affairs. I say, let us modernize America and vote for the metric conversion legislation.

Mr. SYMINGTON. Mr. Chairman, I appreciate the remarks of the gentleman from Kansas (Mr. Winn) and thank him for his interest, his hard work and his support for this legislation.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from Florida.

Mr. ROGERS. I thank the gentleman for yielding.

I, too, rise in support of the legislation. I commend the gentleman from Missouri and the gentleman from Ohio for the work they have done on the subcommittee and full committee, and the distinguished chairman.

I particularly want to say about the gentleman from Missouri now in the well that his leadership in this area certainly has brought this legislation to the point that the House is able to vote on it and make progress, and I commend him for his leadership not only in this field but in many other fields. I am personally aware of the work that he has done on the Public Health and Environment Subcommittee. His outstanding contributions in those areas certainly contribute to the leadership that he has asserted in so many areas in the Congress. I commend him, and I urge passage of this bill.

Mr. SYMINGTON. I thank the gentleman for his comments which are deeply appreciated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TEAGUE. Mr. Chairman, I yield 2 additional minutes to the gentleman from Missouri (Mr. Symington).

Mr. HOLLAND. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I yield to the gentleman from South Carolina.

(By unanimous consent, Mr. Holland was allowed to speak out of order.)

NATIONAL BICENTENNIAL COMMISSION DESIGNATES TODAY SOUTH CAROLINA DAY

Mr. HOLLAND. Mr. Chairman, the National Bicentennial Commission has designated this day as South Carolina Day in celebration of our Nation's 200th birthday. In conjunction with that celebration by Mayor Washington and this House, many dignitaries from the Government and the State of South Carolina, the Camden, S.C., Band from my hometown, and many other groups are visiting Washington. On behalf of all of these visitors, I would express my appreciation to this House, to the Bicentennial Commission, and to all others interested in this celebration.

Mr. SYMINGTON. Mr. Chairman, I yield back the remainder of my time.

Mr. MOSHER. Mr. Chairman, I yield myself such time as I may consume. I wish to particularly mention, because he is not presently on the floor, the contribution of the gentleman from Illinois (Mr. McClory). Although he is not on our committee, over the years he has been a tremendously energetic, useful, intelligent exponent of metric conversion, and I want the record to recognize that fact in his absence today.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. MOSHER. I yield to the gentleman from Texas.

Mr. PICKLE. I thank the gentleman for yielding.

I am glad the gentleman mentioned our colleague, the gentleman from Illinois (Mr. McClory) because he has shown a very strong interest in this measure.

I would also like to recall to our membership here the very strong work done by another colleague, the gentleman from Georgia (Mr. Davis) who has given leadership in this field for many years, and who was truly one of the outstanding Members of this body. So it is good we recall the gentlemen who led the fight for these measures in the earlier years.

Mr. MOSHER. The gentleman from Texas is absolutely right. It is extremely important that the gentleman from Georgia (Mr. Davis) be recognized, as well as the gentleman from Illinois (Mr. McClory). I suggest also the gentleman from California (Mr. Miller) who was chairman of our committee for such a long time and set a precedent which the gentleman from Texas (Mr. Teague) is following.

The gentleman from California (Mr.

MILLER) was a great exponent of metrication for many years, and it is important that he be recognized.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. GOLDWATER).

Mr. GOLDWATER. Mr. Chairman, I also rise in support of the metrication bill, and join my colleagues on the committee in enthusiastically advocating metric conversion.

I am convinced that the benefits are here, the need has been demonstrated, and I think there is a certain sense of urgency.

Mr. Chairman, although I do support this legislation I have expressed concern that the legislation does not go as far as I would perhaps like to see it go. I would like to ask the chairman of the subcommittee, the gentleman from Missouri (Mr. SYMINGTON), why in the drafting of this legislation by his subcommittee it was determined it would not be necessary to adopt certain time limitations both on the board itself as well as a time certain that we will become a metric country.

Mr. SYMINGTON. I will be happy to respond to the gentleman. I will preface my response by thanking the gentleman for his arduous work on this bill in the committee.

I think this is a good opportunity to explain this very point, because this was at the nub of the work we did this year. There are really two reasons why I think the time frame was either not needed or perhaps even detrimental. The gentleman is familiar with Parkinson's law whereby work expands to fill the time allotted. It was felt by a great many of us that the momentum of metrication is already at such a level that a 10-year time frame might actually be too long to achieve metrication in certain industries and sectors of the economy. We would not want the leaders of those sectors of our society to get the impression that they could slow down the efforts they are already making for one reason or another. So in one sense we felt the 10-year time frame might be a little on the long side.

On the other hand we are a dynamic society with many changes coming in laterally and fusing our efforts in various activities. Every industry has its own peculiar and unique problems, especially in a nation of some 212 million people with many geographic differences and with transportation problems in getting our products to market. So it was felt no single time frame would really fit the whole spectrum and that indeed there might even be certain areas of society which would have difficulty in conforming to a 10-year time frame.

So, Mr. Chairman, for those reasons we felt it might be best to create a Metric Board whose job it is to lubricate the entire economic spectrum in America to the end that the metrication that is already occurring will achieve its objectives in the shortest possible time with a minimum of adverse impact.

It was because of these considerations that we decided not to place a limit on the life of the Board itself which has to make these judgments from year to year. If we put a limit on the Board, that would almost negate the absence of the limit on the metrication itself. It is our feeling, and certainly it is my personal view, that once a Metric Board is established we are going to see a new wave of interest, a rush of activity at the outset as people realize that, for the first time since Thomas Jefferson made the first effort some time back to begin this change, the Federal Government is going to help in the area where most of the world is pressing on us to do this thing.

In that fashion I hope I have responded to the gentleman's question.

Mr. GOLDWATER. I am hopeful that the chairman's optimism is realized and that there will be an increased move to metrication when Congress creates the Board.

Mr. SYMINGTON. If I may respond further out, very briefly, it is our impression from the testimony of foreign experts including the Canadians, the Australians, and the South Africans, I believe, and especially with regard to Australia, it was clear that they seem to be moving at a much more rapid pace in some areas than they had any hope of doing when they were projecting their thinking, and they are somewhere near three-quarters along in their efforts instead of 50 percent which they had expected to achieve at this time.

The Canadian representative, Mr. Terrell, told us that the cost of the metric system in Canada proved a little less, and sometimes a good deal less, than the lowest anticipated cost; so again, the gentleman is correct.

I think we should entrust the movement to the commonsense and sensibility of our economic system and its sensitivity to world reality, insofar as I would like to see progress made quickly.

Mr. GOLDWATER. Mr. Chairman, I am hopeful again that the gentleman's optimism is found to be true. I am under the unusual habit, I guess, that when I decide that I am going to do something, I set a goal for myself. I think most Americans tend to be this way; however, going metric in the Nation appears to be a more difficult proposition than an individual trying to achieve a certain goal, because in going metric we are involving diverse industries and interests. Unless there is a certain amount of coordination and, hopefully, through the Board's activity there will be coordination, and unless there is a time set definition, there will be no impetus, no reason for some segment of the industry to go metric. In order to create this orderly transition period, it would be a little more helpful if everybody could say yes, by this time we have to gear up and make this transition and convert to the metric system.

It is important to note that many industries through their activities are cooperating with one another. What one industry does has a ricochet, a domino kind of effect, and unless there is some kind of coordination, unless there is time certain set, perhaps we may see frustration that will produce a needlessly prolonged metric conversion period.

Now, Mr. Chairman, I only raise the point because it appears to me that this piece of legislation would be greatly improved if, in fact, we had established some time frame within which the board would be in existence, as well as a time frame in which this country would go metric.

I do support the legislation, but I think it has been weakened because the committee has not found fit to include this kind of incentive, at least a point in time when all Americans can strive to become a metric country. Nevertheless, Mr. Chairman, in spite of my reservation about this bill, because of the lack of these provisions, I join my colleague and commend the gentleman from Missouri (Mr. SYMINGTON) for his leadership and support of this legislation.

Mr. MOSHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to comment favorably on what the gentleman from California has just said. I personally understand and share the urgency that the gentleman from California (Mr. GOLDWATER) was just emphasizing. I, too, would have welcomed a more definite time schedule.

I think commonsense is going to prevail here and the American people are going to become increasingly aware of the urgency of this conversion effort.

Mr. LLOYD of California. Mr. Chairman, I rise in support of H.R. 8674, the Metric Conversion Act of 1975. I would first like to express my appreciation to Chairman TEAGUE and Congressman SYMINGTON for their leadership in this matter. Because of their patience and foresight, I believe that we have a metric bill which a majority of my colleagues and the American public can support.

It is important to recognize that this bill does not make metrication mandatory, but voluntary, and does recognize that there will be some initial conversion costs and is written in such manner as to allow for an incremental approach to metrication.

In other words, although a 25-member National Metric Board is established to help coordinate voluntary conversion to metrics, the Board will have no compulsory powers and will cease to exist when Congress determines its mission accomplished. This bill remains flexible and does not predetermine that congressional policy will make metric units the predominant language of measurement. Let legislative history show that this bill is in effect saying that it is the policy of Congress to study metrication and then decide the correct course of action.

Failure to metricate will, in the long run, cost the United States untold amounts of dollars in world trade and place us at a competitive disadvantage with other industrialized nations which are writing trade agreements based on metric measures. The cost of conversion should be considered an investment which will be profitable. Our export potential will be enhanced by eliminating the need to produce a separate line of products for export: it will simplify computations; and improve communication between scientists and engineers.

Further, adoption of metrics would benefit the consumer and buyer, since price comparisons of packages would be simplified. The same is true in commerce where estimating and pricing of commodities would be expedited.

During the first day of hearings on this subject, I stated, and I remain of this position, that I would vigorously oppose any bill which would allow metric conversion costs to "lie where they fall." This would certainly burden the American worker and consumer. In response to this objection, the committee stated that minimum costs would be incurred if conversion were accomplished, in general, without Federal subsidies.

This action should not be interpreted as an endorsement of "letting costs lie where they fall." This "in general" clause was meant to imply that Congress, upon review of the board's yearly report, would be the body that would determine if Federal subsidies would be in order for any sector of the economy. The committee did not want to set into motion a subsidy program which would prove fiscally irresponsible and unfair to the already overburdened American taxpayer. On the other hand, the committee wanted to give Congress a free hand to consider the effect of initial conversion costs upon the many sectors of the economy.

No doubt there will be significant conversion costs in some sectors of the economy, but I am confident that this bill will trigger tax incentives or other programs to make the eventual transition smooth, efficient and economical. In the final analysis, Mr. Speaker, I support this bill because it represents a moderate position reflective of this Congress and the American public, and because it represents the realization that we trade in a world community that demands our full participation. To place ourselves at a competitive disadvantage with other nations would be irresponsible and would prove disastrous to the economy of the United States.

Mr. MYERS of Pennsylvania. Mr. Chairman, it is my conviction that Congress must act to facilitate the voluntary switch to metric measurements for interested American industries.

This conviction is based on a number of factors, Mr. Chairman, including my evaluation of testimony before the Science and Technology Committee of the House, on which I serve, and the frustration that I have felt as a graduate engineer wrestling with the problems of using the two international measuring systems. The problems are both mind-boggling and needless.

We are also losing business, Mr. Chairman, in being out of step with the rest of the world, and our small manufacturers certainly will suffer if the common market in 1977 adopts its plan of doing future business only with those firms using metric measurements.

Losing business means losing jobs, Mr. Chairman, and we can ill afford any more of that in America today.

Mr. McCLORY. Mr. Chairman, I rise in enthusiastic support of this legislation, a companion measure of which I have joined in cosponsoring with the distinguished chairman of the committee.

Mr. Chairman, in presenting brief remarks today, I will refrain from the type of statement which I have made during the past two sessions of the Congress in support of metric conversion legislation. The time for reviewing the history of our system of weights and measurements and the experiences we have had in our efforts to convert to metric standards or some comparable system does not need repeating here today. The rest of the industrialized world has already adopted the metric system or is in the process of adopting it and applying metric standards in its industry, education and other institutions of its society. The 1968 report of the National Bureau of Standards—which culminated in the 3-year study which the Congress authorized, deserves implementation by positive and prompt action of the Congress.

I have long since lost interest in developing the precise form of legislation which this Congress should enact. Let me say simply that H.R. 8674 provides a reasonable, simple mechanism that we must adopt today if we are to avert the continuing confusion, the uncertainty and, yes, the expenses which our delays entail. Mr. Chairman, this measure charts a practical and responsible way in which the Congress of the United States can support the people of the Nation in accomplishing a largely voluntary and comprehensive conversion to the metric system over a fixed period of time. Also, this legislation provides the essential leadership and the vital coordination which national conversion to metric measurement require. I am only sorry that this bill fails to set a reasonable time limit for conversion—such as the 10-year period contained in legislation which I had introduced earlier this session.

We are aware that without the benefit of such a measure, large segments of American industry are adopting the metric system in their operations—General Motors, Ford, Caterpillar Tractor, International Harvester, and IBM, to mention just a few.

Mr. Chairman, inevitable confusion is bound to occur if other portions of the industrial community are omitted from a program of conversion and they end up a few years hence with their entire operations employing our traditional system while the rest of the industrial community is operating in accordance with metric standards. Certainly, it is even redundant to observe that businesses which conduct any foreign trade are bound to convert to the metric system or to make plans to discontinue operations in the foreign markets. In this respect, I think it most appropriate that the committee has called for development of procedures which would exempt businesses from antitrust liability for the limited purpose of formulating industrywide conversion plans.

Mr. Chairman, of equal concern, it seems to me, is the need for providing a mechanism to coordinate the educational systems of our Nation to an orderly and coordinated conversion to the metric system. A number of States have already established their own timetables with target dates for a complete changeover in the teaching process so that the schools of the entire State will be operated uniformly insofar as our system of weights and measures is concerned. Certainly, when the State of Illinois sets a target date of July 1, 1975, and the State of California sets a different target date for converting their entire educational program to the metric system, the need for coordination would seem obvious. The State legislatures are endeavoring to handle these problems to the best of their ability, and I have before me information furnished by the National Bureau of Standards indicating what the legislatures or boards of education of the 50 States are doing. Suffice it to say that there is no uniformity or correlation in the actions being taken throughout the 50 States. This in itself would seem to make it imperative that we establish the kind of coordinating mechanism which this metric conversion legislation can provide.

Mr. Chairman, it is inevitable that arguments will again be made to this House that the costs of conversion are prohibitive—that additional delays should be entertained or that programs of subsidy for business and labor must be established if the Congress is to act in this area. Let me state first of all that in the experience of every country which has come to my attention where a metric conversion program has been established, the costs of conversion were far lower than even the most modest estimates. In addition, in every case, cost savings were effected in the process of working out a metric conversion.

Mr. Chairman, I am reassured that this measure authorizes the expenditure of funds solely for the purpose of administering the metric conversion program. Let us recall that up to the present time, the entire conversion which already has taken place here has been voluntary. All but the most unusual cases of hardship ought to be dealt with by allowing the costs of conversion to lie where they fall. That, indeed, is the recommendation of the Study Commission, and it is my belief that this is the proper course to follow. What we need is not Federal appropriations in the form of subsidies but Federal direction and leadership—and the establishment of a U.S. Metric Board which can guide and coordinate an orderly and early conversion to the metric system throughout our Nation.

Finally, Mr. Chairman, I want to compliment the distinguished chairman of the Committee on Science and Technology, Mr. TEAGUE, for his enlightened leadership in bringing this measure to the floor for consideration by the full House. I encourage all my colleagues to act promptly and favorably on this most necessary legislation.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in strong support of H.R. 8674, the Metric Conversion Act of 1975. I am pleased that we are this year bringing this bill to the House under an open rule. You will recall that in the last Congress the Rules Committee granted a rule on a similar bill, but, because that rule made in order an otherwise nongermane amendment, the chairman of the Science Committee attempted to bring the bill up under suspension—which permits no amendments—and the bill failed to receive the requisite two-thirds vote for passage.

The title of this bill—Metric Conversion—is somewhat misleading in that it may give the impression that this legislation is necessary to initiate this country's converson to the metric system. The fact is, the Congress authorized the use of the metric system well over 100 years ago, way back in 1866. And, in recent years, the conversion process has been going forward at a very rapid rate, without further congressional action. As the committee report points out, the major automotive firms have decided to go metric; all 50 States have initiated metric programs in their education systems. Most U.S. firms which export their products are using the metric system. And yet, the sad fact is that the United States is the only major industrial country in the world which has not adopted a national policy of converting to the metric system. While conversion is going forward in many sectors of our society, it is being done in a very uncoordinated fashion. The purpose of the legislation before us today is to declare that it is the policy of the United States to go metric in a coordinated manner.

To facilitate this process, the bill would establish a 21-member U.S. Metric Board to be appointed by the President from representatives of every sector in our society. Essentially, the duties of the Board would be three-fold: To execute a broad program of planning and coordinating the conversion to the metric system; to conduct research and submit recommendations to the President and the Congress; and to conduct a program of public education in the metric system at all levels from elementary to adult education. It is important to emphasize here that the Board will have no compulsory powers and that the entire conversion process shall be carried out by means of the voluntary participation of each affected sector and group in the Nation.

Mr. Chairman, the Congress has often been criticized for only taking action when a crisis is upon us—of not having sufficient foresight or fortitude to engage in long-range planning and decision-making. Today we have an opportunity to prove to the contrary that we are capable of taking necessary action in advance of a crisis to move our country in the right direction. The alternative to taking the necessary action today is to wait until we are faced with a real metric crisis in the future. I am proud to claim as a constituent one of this country's foremost experts on metrication, Mr. Kenyon Taylor of Beloit Tool Corp., who has written two books and numerous articles on this subject. In his testimony before the House Science Committee in the last Congress, he summed it all up this way:

> Conversion to the metric system is inevitable. As the world becomes smaller, as competition for trade increases, the United States—to date the only major power not utilizing the metric system—will find itself involved in an expensive crash program which no doubt will result in too little, too late, unless we begin planning now.

Mr. Chairman, there will be some who will argue today that metric conversion is too costly and confusing a process and that we should therefore defeat this bill. But I would submit, as the committee report correctly points out, that the alternative we confront today is not whether or not we should go metric, but whether we should do so in a coordinated fashion or with no framework to guide the Nation. And if we opt today to reject the type of coordinated approach provided in this legislation, this Nation will be faced with greater costs and confusion in the future. I therefore strongly urge my colleagues to vote for this vital legislation which will help to bring this country—the world's greatest industrial power—into the 20th century and the international community.

Mr. PICKLE. Mr. Chairman, in the tide and crunch of legislative duties and crisis situations, it is easy to forget the more subtle—yet still crucial—changes going on.

One of these is the change to the metric system.

Contrary to popular belief, this is not something we will decide whether to do or not. The change is already taking place—in industry, in Government, and even creeping into our private lives.

Our decision is not whether or not to change to the metric system. Our decision is whether to let this change go on in a haphazard and costly way—and perhaps have it, too, on the crisis list down the road—or whether to make up our minds and go ahead and orchestrate the change over a reasonable period and at minimal cost.

I think the latter approach would be the best approach for our Nation, and I, therefore, urge passage of this metric conversion bill.

This is an issue which has been before this body for years. Some of you who have been here a while know that I have taken to the floor and called in committee for over 5 years for action in this field. And I was not the first on the scene.

The bill before us today will not embody everything that each of us individually would want to have. It is a little different from the approach I have argued for over the years. But, having served on the House Science Committee before, I know that they have done their best to find the most acceptable approach that would get the job done. I say it is time for all of us to pull together and get the job done for the country.

Let us have no more debates. Let us have metrics.

Mr. FREY. Mr. Chairman, I rise in support of the metric legislation. The thorough work of the Committee on Science and Technology has convinced me that the most effective means of converting to the metric system is through a national commitment to be coordinated, but voluntary, changeover. It is clear to me that our Nation should begin to adopt the metric system so as to facilitate U.S. participation in developing the expanding body of international engineering standards that serve to regulate world trade in scientific and technological products.

Congress has considered urging the adoption of the metric system many times. Since 1959, bills designed to prompt metrication have been introduced in every Congress. To a large extent, these earlier initiatives failed because metric was not then in use by our major trading partners. Also, critics of metric conversion saw little reason to change. They wondered why we should have to adopt Celsius and centimeters when it was far more sensible to have foreigners start using feet and Fahrenheit. But, things have changed since the early 1960's. Now, every major nation in the world either uses metric, or is committed to metrication. The United States is one of the nine remaining countries not using the metric system.

The logic that has compelled foreign nations to begin conversion applies here in America. The Commerce Department estimates that we will increase our exports by $60 million per year if we switch to metric. To the average American, that $60 million per year means more jobs, more wealth, and a stronger dollar. Metric is a more rational language of weights and measures than our inch-pound system. Because metric is more sensible, it is easier to teach, simpler to learn, and therefore more practical to use.

Ultimately, the United States will have to convert to metric. It is important to shorten the period when we operate under a dual system of measurement. Presently, some sectors of the economy, like the pharmaceutical industry, are wholly metrified. Other sectors have not begun conversion. I am convinced we need to carefully plan the transition to metric so as to help the different sectors of our economy adjust and guide our relationships abroad. This legislation provides such a plan, and gives new impetus to metrication in the United States.

Included in H.R. 8674 is a statement of policy that calls for increasing, but voluntary adoption of the metric system. This statement reflects the so-called rule of reason that conversion will be accomplished in a manner that encourages efficiency and minimizes the costs to society. This policy statement represents a clear declaration that the Congress wishes metrication to proceed rapidly. The statement provides the leadership and guidance our Nation needs to spur conversion, so we will begin to enjoy the benefits of metrication sooner. Without this signal to the American people, I am afraid the metric effort will languish.

The bill also establishes a Metric Board that is authorized to coordinate and facilitate the conversion process. The Board is to consist of 21 members drawn from many different sectors of American society. These members will be appointed by the President.

As specified in the bill, the Board will have authority to initiate a broad program of consultation, planning, coordination, and public education. Extensive review of the interests, views, and prospective conversion costs of business, labor, and educational sector and many others will be undertaken. Public information programs will be conducted, and assistance will be provided to educational associations, labor education committees, and other groups involved in education. The Board is also directed to provide procedures for firms within each industry to meet and discuss conversion plans. If meetings are conducted under the auspices of the Board, these firms will not be subject to antitrust action, and conversion will proceed sensibly and rapidly.

The Board is also authorized to conduct research on problems associated with metric conversion. Finally, it is directed to consult with foreign governments in order to gain international recognition for metric standards proposed by the United States.

Mr. Chairman, the Committee on Science and Technology has spent many years studying metrication. The conclusion reinforced by virtually everyone with whom we have worked is that the United States should begin adopting the metric system. Further we have determined it is in the best interests of our Nation that conversion be accomplished in a deliberate and careful fashion through a coordinated national effort. H.R. 8674 reflects the firm commitment of the Congress to a much needed positive program. This important legislation deserves our support, and I urge its passage.

Mr. FRENZEL. Mr. Chairman, I rise in enthusiastic support of H.R. 8674. I have been a strong supporter of the principle of metric conversion, and have authored similar bills each session.

The country is already in a conversion process. No matter what Congress does, or does not do, the process will continue. In fact, it will accelerate. The passage of this bill merely provides a forum and a means of collecting and disseminating information on metric conversion.

The bill establishes a national policy, but it is voluntary, rather than coercive. It will provide guidance to those least able to get it on their own. Overall, it will merely provide an orderly development for a process already underway. I urge that it be promptly passed.

Mr. GUDE. Mr. Chairman, I rise in support of the Metric Conversion Act of 1975. The United States is the only major nation in the world not committed to the metric system. If American industry is to continue to be competitive, in the international arena we must put our system of measurement into a competitive framework.

The conversion can proceed in one of two ways: Either casually and without guidance or formally in a systematic manner. I prefer the latter because less confusion would result, less expense would be entailed, and there could be broader public understanding and appreciation of the conversion through education programs for both business and consumers.

The U.S. Metric Board, as established in this act, will be available to assist the American public in better understanding the nature of metric conversion. Such a Board will, as I see it, maximize public awareness and minimize expense. This Board will be well worth the relatively small cost involved in its operation.

Let us get the United States away from foot-dragging posture and into the forefront of the metric world.

Mr. EMERY. Mr. Chairman, I support the legislation being considered today. The Committee on Science and Technology has been studying approaches to metric conversion for several years. Our conclusion is that the United States should change to the metric system in a careful and planned manner. This conclusion is substantiated by the examples of Canada, New Zealand, Australia, South Africa and Great Britain. With planning and coordination, metrication in these countries has proceeded smoothly and quickly. Additionally, our decision favoring deliberate conversion is supported by volumes of testimony from representatives of nearly every component of society.

An ambulatory method of conversion will lengthen the period when we need to maintain dual inventories, dual production facilities, dual systems of education and dual ways of thinking. In contrast to this prospect, the legislation before us provides for a coordinated program to be established by the proposed National Metric Conversion Board. The Board will supply the needed impetus and framework for an efficient conversion.

I have two reservations about the bill. First, the legislation contains no limit on the life of the Metric Board. Since 1935 the Federal bureaucracy has grown at an astounding and, in more recent times, alarming rate. In order to finance these agencies and councils, the taxpayer has had his taxes raised again and again. Mr. Chairman, I think the Congress should stem the growth of the mammoth Federal bureaucracy and guard against the establishment of an even larger bureaucratic jungle. My point is that without a specific termination date, the Metric Board may exist for many years after its job has been finished.

It will become part of the Federal bureaucratic complex that seems to provide remarkably little for the billions of dollars spent. I believe that the metric bill should have a provision that will provide a termination for the Board.

My second reservation concerning this legislation pertains to the lack of a suggested date when Congress expects predominant, though not exclusive, metrication in the United States. It seems that it always takes as long to accomplish a task as there is time allotted for it. I believe that if the Congress clearly states that metrication should be the predominate language of weights and measures by 1985, and if it provides means and incentive for a rapid conversion process, then metrication will be achieved in 10 years or less. Without this date or guidepost, I am afraid that metrication will fall victim to those who are unwilling to change.

Despite these two important reservations, I support the metric conversion legislation. The United States has already begun metrication, but it is proceeding in a random and uneconomical fashion. I believe it is time for a national program for change. This legislation anticipates the need to provide for broad consultation among industry, labor, and business so that the Nation will be prepared for the increasing use of the metric system. The bill provides means for needed international cooperation and consultation so that conversion will be orderly. It calls for an extensive program of public education that will utilize national media and tap the resources of Federal, State, and local organizations. Finally, the legislation requires that the Board conduct ongoing studies and research in order that metrication be as rational and efficient as possible.

Mr. Chairman, I will vote for H.R. 8674. It is a strong and practical measure that advances the best interest of Americans everywhere. I welcome the opportunity to support this initiative.

Mr. DODD. Mr. Chairman, I rise in support of H.R. 8674, the metric conversion bill. As a cosponsor of this legislation and as a member of the Science and Technology Committee, I have worked closely on the development of this legislation.

I feel H.R. 8674 provides a workable voluntary method of converting our present system of weights and measurements to the metric system. Throughout testimony on this bill, the same argument was reiterated by all the witnesses, the need for this country to have a system of measurement that is in line with the rest of the world.

In the last 10 years, we have seen the remaining "English system" industrial nations convert to metric. India, Japan, New Zealand, Australia, and even our closest friends, the United Kingdom and Canada have joined the ranks of nations that use the metric system. Also, in each of these countries, the conversion has progressed smoothly and without disruption.

In H.R. 8674, a policy is set forth which will provide for the voluntary conversion to the metric system. The implementation of this program will be overseen by a U.S. Metric Board. This board shall include representatives from labor, small business, construction, commerce, education, consumer, engineering, and other affected groups. There shall also be two Members of the House and two Members of the Senate on the Board.

Each representative from an affected sector shall coordinate his area's conversion. By allowing such areas as construction, small business, and labor to have representatives on the board, we insure that the special problems these sectors may have in conversion will be considered.

In addition, Mr. Chairman, no sector of our economy will be forced into conversion nor will any time limit be set on an industry's conversion to metric.

In creating a U.S. Metric Board, we provide a vehicle to coordinate both public and private efforts toward conversion. Also, the Metric Board shall work closely with every sector of the economy, allowing each industry and group to proceed with conversion at a voluntary pace.

Mr. Chairman, H.R. 8674 will set in motion a national policy of voluntary conversion to the metric system. It will not require any industry to complete conversion within a set period of time.

Therefore, I urge my colleagues to support H.R. 8674 so that we not only bring the United States into line with the rest of the industrial world, but we also provide Americans with a simpler, more convenient method of measurement.

Mr. MOSHER. Mr. Chairman, I have no further requests for time. I reserve the balance of my time.

Mr. TEAGUE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Metric Conversion Act of 1975".

FINDINGS

SEC. 2. The Congress finds that—

(1) the use of the metric system of weights and measures in the United States has been legal but not mandatory as a result of the Act of July 28, 1866 (14 Stat. 339); and

(2) the United States was one of the original signatories to the Convention of the Meter (20 Stat. 709), which established the General Conference of Weights and Measures, the International Committee of Weights and Measures, and the International Bureau of Weights and Measures; and

(3) the metric measurement standards recognized and developed by the International Bureau of Weights and Measures have been adopted as the fundamental measurement standards of the United States and the customary units of weights and measures used in the United States have been since 1893 based upon such metric measurement standards; and

(4) the Governments of Australia, Canada, United Kingdom, India, Japan, New Zealand, and the Republic of South Africa have determined to convert, are converting, or have converted to the use of the metric system in their respective jurisdictions; and

(5) the United States is the only industrially developed nation which has not established a national policy committing itself to and facilitating conversion to the metric system; and

(6) as a result of the study to determine the advantages and disadvantages of increased use of the metric system in the United States authorized by Public Law 90–472 (82 Stat. 693), the Secretary of Commerce has found that increased use of the metric system in the United States is inevitable; that maximum efficiency will result and minimum costs to effect the conversion will be incurred if the conversion is accomplished through a coordinated national program carried out, in general, without Federal subsidies; that the goal for the conversion should be a Nation predominantly, although not exclusively, metric; that a central planning and coordinating body be established and assigned to plan and coordinate metric conversion activities in cooperation with all sectors of our society; and that immediate attention be given to education of the public and to effective United States participation in measurement-related international standards activities.

STATEMENT OF POLICY

SEC. 3. It is therefore declared that the policy of the United States shall be—

(1) to plan to coordinate the increasing use of the metric system of measurement in the United States, and to plan and coordinate the voluntary substitution of metric measurement units for customary measurement units in education, trade, commerce, and all the other sectors of the economy of the United States;

(2) to encourage voluntary participation of the members of each affected sector and group in the Nation in the activities of the Metric Board;

(3) to encourage efficiency and minimize overall costs to society; and

(4) to assist in the development of a broad educational program to be carried out in the Nation's elementary and secondary schools and institutions of higher learning, as well as with the public at large, designed to enable all Americans to become familiar with the meaning and applicability of metric terms and measurements in daily life, in a manner consistent with, but not limited to, the provisions of section 403 of Public Law 93–380, "The Education Amendments of 1974" (88 Stat. 546; 20 U.S.C. 1862), relating to metric education.

DEFINITIONS

SEC. 4. For the purposes of this Act—

(a) The term "metric system of measurement" means the International System of Units as established by the General Conference of Weights and Measures in 1960 and interpreted or modified for the United States by the Secretary of Commerce.

(b) The term "engineering standard" means a standard which prescribes a concise set of conditions and requirements to be satisfied by a material product, process, procedure, convention, or test method, and the physical, functional, performance and/or conformance characteristics thereof.

(c) The term "international standard or recommendation" means an engineering standard or recommendation formulated and promulgated by an international organization and recommended for adoption by individual nations as a national standard.

ESTABLISHMENT OF UNITED STATES METRIC BOARD

SEC. 5. There is hereby established a United States Metric Board, hereinafter referred to as the "Board," to implement the policy set out in this Act.

SEC. 6. The composition of the Board shall be as follows:

(a) Twenty-one persons appointed by the President, who shall serve at his pleasure and for such terms as he shall specify, who shall be broadly representative of American society, including industry, labor, business, including small business, agriculture, commerce, the consumer, education, State and local government, science and engineering, the construction industry, and other affected groups. The President shall designate one of the members appointed by him to serve as Chairman and another to serve as Vice Chairman of the Board.

(b) Two Members of the House of Representatives who shall not be members of the same political party, and who shall be appointed by the Speaker of the House of Representatives.

(c) Two members of the Senate who shall not be members of the same political party, and who shall be appointed by the President of the Senate.

SEC. 7. No vacancy on the Board shall impair the right of the remaining members to exercise all the powers of the Board. A simple majority of the Board membership shall constitute a quorum for transaction of business.

SEC. 8. Unless otherwise provided by the Congress, the Board shall have no compulsory powers.

SEC. 9. The Board shall cease to exist when the Congress, by laws, determines that its mission has been accomplished.

DUTIES OF THE BOARD

SEC. 10. It shall be the function of the Board to devise and carry out a broad program of planning, coordination, and public education, consistent with other national policy and interests, with the aim of implementing the policy set forth in this Act. In carrying out this program the Board shall—

(a) consult with and take into account the interests, views, and conversion costs of United States commerce and industry, including small business, science, engineering, labor, education, consumers, government agencies at the Federal, State, and local level, nationally recognized standards developing and coordinating organizations, metric conversion planning and coordinating groups, and such other individuals or groups as are considered appropriate by the Board to the carrying out of the purposes of this Act. The Board will take into account activities underway in the private sector so as not to duplicate unnecessarily such activities;

(b) provide for appropriate procedures whereby various groups, under the auspices of the Board, may formulate and recommend to the Board specific programs for coordinating conversion in each industry and segment thereof and for suggesting specific dimensions and configurations in the Metric System and other measurements for general use, consistent with the needs, interests, and capabilities of manufacturers large and small, suppliers, labor, consumers, educators, and other interested groups, and further consistent with the national interest;

(c) publicize, in an appropriate manner, proposed programs and provide an opportunity for interested groups or individuals to submit comments on such programs. At the request of interested parties, the Board, in its discretion, may hold hearings with regard to such programs. Comments provided by public review and hearings will be considered by the Board;

(d) encourage activities of standardization organizations to develop or revise as rapidly as practicable engineering standards to a metric measurement basis and to take advantage of opportunities to promote rationalization or simplification of relationships, improvements of design, reductions of size variations, increases in economy, and any opportunities to promote the efficient use of energy and the conservation of natural resources;

(e) encourage the retention, in new metric language standards, of those United States engineering designs, practices, and conventions that are internationally acceptable or embody superior technology;

(f) consult and cooperate with foreign governments, and intergovernmental organizations, in collaboration with the Department of State, and, through appropriate member bodies, with private international organizations which are or become concerned with the encouragement and coordination of increased use of metric measurement units or engineering standards based on such units, or both. Such consultation shall include efforts, where appropriate, to gain international recognition for metric standards proposed by the United States, and, during the United States conversion, to encourage retention of equivalent customary units, usually by way of dual dimensions, in international standards or recommendations;

(g) assist the public through information and education programs, to become familiar with the meaning and applicability of metric terms and measures in daily life. Programs hereunder shall include—

(1) public information programs conducted by the Board through the use of newspapers, magazines, radio, television, and other media, and through talks before appropriate citizens' groups and public organizations;

(2) counseling and consultation by the Secretary of Health, Education, and Welfare, the Secretary of Labor, the Administrator of the Small Business Administration, and the Director of the National Science Foundation, with educational associations, labor education committees, apprentice training committees, and other interested groups, so as

to assure that the metric system of measurement is made a part of the curriculums of the Nation's educational institutions and that teachers and other appropriate personnel are properly trained to teach the metric system of measurement;

(3) consultation by the Secretary of Commerce with the National Conference of Weights and Measures so as to assure that State and local weights and measures officials are appropriately involved in metric conversion activities and are thus assisted in their efforts to bring about timely amendments to weights and measures laws; and

(4) such other public information programs by any Federal agency in support of this Act as relate to the mission of the agency;

(h) collect, analyze, and publish information about the extent of usage of metric measurements; evaluate the costs and benefits of metric usage; and make efforts to minimize any adverse effects resulting from increasing metric usage;

(i) conduct research including appropriate surveys, publish the results of this research, and recommend to the President and to the Congress whatever action may be appropriate to deal with any unresolved problems associated with metric usage, including but not limited to the impact on workers, such as costs of tools and training, and on different occupations and industries, possible increased costs to consumers, the impact on society and the economy, effects on small business, the impact on the United States international trade position, the appropriateness of using Federal procurement to effect conversion to the metric system, the proper conversion or transition period in particular sectors, and effects on national defense; and

(j) submit annually to the President and to both Houses of Congress a report on its activities, which shall include a status report on the conversion process as well as projections for the conversion process. Such report may include recommendations covering any legislation or executive action needed to implement the programs of conversion accepted by the Board.

AUTHORITY OF THE BOARD

SEC. 11. In carrying out its duties the Board is authorized to—

(a) establish an Executive Committee, and such other committees as it deems desirable;

(b) establish such committees and advisory panels as it deems necessary to work with the various sectors of the American economy and governmental agencies in the development and implementation of detailed conversion plans for those sectors; and reimburse as may be authorized by law the members of such committees;

(c) conduct hearings at such times and places as it deems appropriate;

(d) enter into contracts in accordance with the Federal Property and Administrative Services Act of 1949, as amended, with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties;

(e) delegate to the Executive Director such authority as it deems advisable; and

(f) perform such other acts as may be necessary to carry out the duties prescribed by this Act.

SEC. 12. (a) The Board is hereby authorized to accept, hold, administer, and utilize gifts, donations, and bequests of property, both real and personal, and personal services, for the purpose of aiding or facilitating the work of the Board. Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury in a separate fund and shall be disbursed upon order of the Board.

(b) For purpose of Federal income, estate, and gift taxes, property accepted under subsection (a) of this section shall be considered as a gift or bequest to or for the use of the United States.

(c) Upon the request of the Board, the Secretary of the Treasury may invest and reinvest in securities of the United States any moneys contained in the fund herein authorized. Income accruing from such securities, and from any other property accepted to the credit of the fund authorized herein, shall be disbursed upon the order of the Board.

(d) Funds not expended by the Board at the time of its expiration shall revert to the Treasury of the United States.

COMPENSATION OF THE BOARD

SEC. 13. Members of the Board who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Board or otherwise engaged in the business of the Board, be entitled to receive compensation at a rate not to exceed the daily rate currently being paid grade 18 of the General Schedule under section 5332 of title 5, United States Code, including traveltime. While so serving on the business of the Board away from their homes or regular places of business, members of the Board may be allowed travel expenses including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service. Payments under this section shall not render members of the Board employees or officials of the United States for any purpose. Members of the Board who are in the employ of the United States shall be entitled to travel expenses when traveling on the business of the Board.

STAFF SERVICES

SEC. 14. (a) An Executive Director of the Board shall be appointed by the President. The Executive Director shall be responsible to the Board for carrying out the metric conversion program according to the provisions of this Act and the policies established by the Board.

(b) The Executive Director of the Board shall serve full time and be subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code. The annual salary of the Executive Director shall not exceed level III of the Executive Schedule under section 5314 of such title.

SEC. 15. (a) The Board is authorized to appoint and fix the compensation of such staff personnel as may be necessary to carry out the provisions of this Act in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code.

(b) The Board is authorized to employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United States Code, compensate individuals so employed at rates not in excess of the rate currently being paid grade 18 of the General Schedule under section 5332 of such title, including traveltime, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of said title 5 for persons in the Government service employed: *Provided, however,* That contracts for such temporary employment may be renewed annually.

SEC. 16. Financial and administrative services, including those related to budgeting, accounting, financial reporting, personnel, and procurement, and such other staff services as may be needed by the Board, may be obtained by the Board from the Department of Commerce or other appropriate sources in the Federal Government for which payment shall be made in advance, or by reimbursement, from funds of the Board in such amounts as may be agreed upon by the Chairman of the Board and the source of the services being rendered.

FUNDS FOR THE BOARD

SEC. 17. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Appropriations to carry out the provisions of this Act may remain available for obligation and expenditure for such period or periods as may be specified in the Acts making such appropriations.

Mr. TEAGUE (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Are there any amendments? There being no amendments, under the rule, the committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JONES of Oklahoma, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8674) to declare a national policy of converting to the metric system in the United States, and to establish a U.S. Metric Board to coordinate the voluntary conversion to the metric system, pursuant to House Resolution 693, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 300, nays 63, not voting 70, as follows:

[Roll No. 497]

YEAS—300

Abzug
Adams
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N.C.
Annunzio
Archer
Ashley
Aspin
AuCoin
Badillo
Bafalis
Baucus
Beard, R.I.
Beard, Tenn.
Bedell
Bell
Bennett
Bergland
Blanchard
Blouin
Boggs
Boland
Bolling
Bonker
Brademas
Breaux
Breckinridge
Brodhead
Brooks
Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Carney
Carr
Carter
Casey
Cederberg
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collins, Ill.
Conte

Conyers
Corman
Cornell
Coughlin
D'Amours
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dellums
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
du Pont
Early
Eckhardt
Edgar
Edwards, Calif.
Eilberg
Emery
Erlenborn
Esch
Evans, Colo.
Evans, Ind.
Fascell
Fenwick
Findley
Fish
Fisher
Fithian
Flood
Flowers
Foley
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Frenzel
Frey
Fuqua
Giaimo
Gibbons
Goldwater
Gonzalez
Gradison
Grassley
Green
Gude
Guyer
Hagedorn
Hall
Hanley
Hannaford
Hansen
Harkin
Harris
Hastings
Hawkins
Hayes, Ind.
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Hicks
Hillis
Hinshaw
Holland
Holt
Holtzman
Howard
Howe
Hughes
Hyde
Ichord
Jacobs
Jeffords
Johnson, Calif.
Johnson, Colo.

Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jordan
Karth
Kasten
Kastenmeier
Kemp
Keys
Krebs
Krueger
LaFalce
Lagomarsino
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
McCormack
McDade
McFall
McHugh
McKinney
Madigan
Maguire
Mann
Martin
Matsunaga
Mazzoli
Meeds
Melcher
Meyner
Mezvinsky
Michel
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moakley
Moffett
Mollohan
Montgomery
Moore
Moorhead, Pa.
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nix
Nolan
Nowak
Oberstar
O'Brien
O'Hara
O'Neill
Ottinger
Patman, Tex.
Patten, N.J.
Pattison, N.Y.
Perkins
Pettis
Pickle
Pike
Poage
Pressler
Preyer
Price

Quillen
Railsback
Rangel
Regula
Reuss
Richmond
Rinaldo
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rosenthal
Rostenkowski
Roush
Roybal
Ruppe
Russo
Ryan
St Germain
Santini
Sarasin
Sarbanes
Scheuer
Schneebeli
Schroeder
Schulze
Seiberling
Sharp
Shriver
Shuster
Simon
Slack
Smith, Iowa
Solarz
Spellman
Staggers
Stanton,
J. William
Stanton,
James V.
Stark
Steelman
Steiger, Wis.
Stephens
Stokes
Stratton
Studds
Sullivan
Symington
Talcott
Taylor, N.C.
Teague
Thompson
Thone
Treen
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Vigorito
Waggonner
Wampler
Waxman
Weaver
White
Whitehurst
Wilson, Bob
Wilson, C. H.
Winn
Wirth
Wolff
Wright
Wylie
Yates
Yatron
Young, Tex.
Zablocki

NAYS—63

Abdnor
Andrews,
N. Dak.
Armstrong
Ashbrook
Bauman
Bevill
Bowen
Burleson, Tex.
Chappell
Collins, Tex.
Conlan
Crane
Daniel, Dan
Derrick
Devine
Dickinson
Duncan, Tenn.
English
Evins, Tenn.
Florio
Flynt

Gaydos
Gilman
Ginn
Goodling
Haley
Hammer-
schmidt
Hefner
Henderson
Hightower
Hubbard
Hutchinson
Jenrette
Kazen
Kindness
Landrum
Latta
Lott
Lujan
McCollister
McDonald
Mahon

Moorhead,
Calif.
Mottl
Passman
Randall
Risenhoover
Roberts
Rose
Runnels
Satterfield
Sebelius
Sikes
Skubitz
Smith, Nebr.
Snyder
Spence
Steed
Steiger, Ariz.
Stuckey
Taylor, Mo.
Whitten
Young, Fla.

NOT VOTING—70

Addabbo
Baldus
Barrett
Biaggi
Biester
Bingham
Brinkley
Broyhill
Burke, Fla.
Chisholm
Clancy
Conable
Cotter
Dent
Derwinski
Diggs
Duncan, Oreg.
Edwards, Ala.
Eshleman
Fary
Fraser
Hamilton
Harrington
Harsha

Hays, Ohio
Hébert
Horton
Hungate
Jarman
Jones, Tenn.
Kelly
Ketchum
Koch
Long, Md.
McClory
McCloskey
McEwen
McKay
Macdonald
Madden
Mathis
Metcalfe
Mills
Morgan
Murtha
Obey
Patterson,
Calif.

Pepper
Peyser
Pritchard
Quie
Rees
Rhodes
Riegle
Rousselot
Shipley
Sisk
Symms
Thornton
Traxler
Tsongas
Van Deerlin
Walsh
Whalen
Wiggins
Wilson, Tex.
Wydler
Young, Alaska
Young, Ga.
Zeferetti

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Hays of Ohio against.

Mr. Shipley for, with Mr. Zeferetti against.

Mr. McClory for, with Mr. Biaggi against.

Mr. Koch for, with Mr. Jones of Tennessee against.

Mr. Bingham for, with Mr. Rousselot against.

Mr. Baldus for, with Mr. Eshleman against.

Mr. McEwen for, with Mr. Symms against.

Mr. Quie for, with Mr. Clancy against.

Until further notice:

Mr. Dent with Mr. Charles Wilson of Texas.

Mr. Cotter with Mr. Hungate.

Mr. Hébert with Mr. Riegle.

Mr. Sisk with Mr. Hamilton.

Mr. Morgan with Mr. Brinkley.

Mr. Obey with Mrs. Chisholm.

Mr. Pepper with Mr. Biester.

Mr. Barrett with Mr. Broyhill.

Mr. Macdonald of Massachusetts with Mr. Derwinski.

Mr. Van Deerlin with Mr. Burke of Florida.

Mr. Conable with Mr. Fary.

Mr. Diggs with Mr. Duncan of Oregon.

Mr. Fraser with Mr. Edwards of Alabama.

Mr. Harrington with Mr. Jarman.

Mr. Harsha with Mr. Kelly.

Mr. Horton with Mr. Madden.

Mr. Long of Maryland with Mr. Mathis.

Mr. McCloskey with Mr. McKay.

Mr. Patterson of California with Mr. Murtha.

Mr. Metcalfe with Mr. Mills.

Mr. Peyser with Mr. Rees.

Mr. Pritchard with Mr. Thornton.

Mr. Traxler with Mr. Tsongas.

Mr. Whalen with Mr. Walsh.

Mr. Young of Georgia with Mr. Wiggins.

Mr. Wydler with Mr. Young of Alaska.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TITLE AMENDMENT OFFERED BY MR. TEAGUE

Mr. TEAGUE. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Title amendment offered by Mr. TEAGUE: Amend the title so as to read: "To declare a national policy of coordinating the increasing use of the metric system in the United States, and to establish a United States Metric Board to coordinate the voluntary conversion to the metric system."

The title amendment was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I have taken this time for the purpose of inquiring of the distinguished majority leader, the gentleman from Massachusetts (Mr. O'NEILL) the program for the balance of this week, if any and for next week.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am delighted to yield to the distinguished majority leader.

Mr. O'NEILL. Mr. Speaker, I thank the distinguished acting minority leader, the gentleman from Illinois (Mr. MICHEL) for yielding to me. In response to the inquiry of the gentleman from Illinois, let me say that we have completed the legislative program for this week except for one item which will be coming up shortly, and that the schedule for the week of September 8, 1975, is as follows:

Monday is District day and there are no bills.

We will have H.R. 8650, energy conservation in buildings under an open rule with 1 hour of debate, followed by H.R. 6673, American Folklife Center, also under an open rule with 1 hour of debate.

On Tuesday we will consider H.R. 5901, the Education Division appropriations for fiscal year 1976, and this, of course, is the vote on the veto override. I might add that we are delighted at the support that we know that we are going to get from the other side of the aisle.

This will be followed by suspensions, and votes on the suspensions will be postponed until the end of the consideration of all suspensions. The suspensions that we will take up are as follows:

H.R. 1073, war risk insurance;

House Joint Resolution 209, National Hunting and Fishing Day;

House Joint Resolution 597, St. Elizabeth Seton Day; and

S. 331, commemorating Veterans Day on November 11.

For Wednesday and the balance of the week:

H.R. 9005, international development and food assistance, subject to a rule being granted.

I am sure the gentleman from Illinois is aware that that is what we used to call the foreign aid bill.

We will then consider S. 1849, emergency petroleum allocation extension. That is the vote for the veto override if the Senate overrides the veto.

House Resolution 335, Select Committee for Missing in Action Servicemen in Southeast Asia.

H.R. 7590, audit of the Federal Reserve System, subject to a rule being granted, and H.R. 8150, Drug Abuse Office and Treatment, also subject to a rule being granted.

Of course, conference reports may be brought up at any time and any further program will be announced later.

May I say that we do anticipate a Friday session. I am sure the gentleman from Illinois is aware of the Jewish holidays on Monday and Tuesday of the week following and there is no anticipated business for either of those days, by agreement of the leadership on both sides.

Mr. MICHEL. Could the distinguished gentleman from Massachusetts elaborate on what the gentleman might think would be the situation for Friday on this particular program, would it possibly be the same next week as this week, coming in at 10 in the morning as we did today in order to complete the business earlier?

Mr. O'NEILL. I would say that would have to be up to the will of the Congress. If the legislation were to be completed prior to Friday then of course I would anticipate there would be no Friday session. But as I say, we are scheduling a Friday session. I am saying that now so that the Members may make their plans accordingly, and so that they cannot say that they have made other plans for the Friday since I say that I believe there will be a Friday session. So if they make arrangements otherwise, then they do so at their own peril.

Mr. MICHEL. I thank the distinguished majority leader.

ADJOURNMENT TO MONDAY, SEPTEMBER 8, 1975

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday Rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TO PROVIDE FOR APPOINTMENT OF JOINT COMMITTEE ON ARRANGEMENTS FOR COMMEMORATION OF BICENTENNIAL OF UNITED STATES OF AMERICA

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Concurrent Resolution 44 with a Senate amendment to the House amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the Concurrent Resolution.

The Clerk read the Senate amendment to the House amendment, as follows:

In lieu of the matter proposed to be inserted by the House engrossed amendment, insert:

That the Congress should play a significant and substantive role in honoring the Nation's two hundredth anniversary and in assisting the American Revolution Bicentennial Administration.

Sec. 2. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on Arrangements for the Commemoration of the Bicentennial of the United States of America (hereinafter referred to as the "joint committee").

(b) The joint committee shall be composed of twelve members as follows:

(i) the majority and minority leaders of the House of Representatives and of the Senate;

(ii) the Members of Congress who are members of the American Revolution Bicentennial Board;

(iii) two Members of the House of Representatives appointed by the Speaker of the House of Representatives. Members appointed under this paragraph shall not be of the same political party; and

(iv) two Members of the Senate appointed by the President of the Senate. Members appointed under this paragraph shall not be of the same political party.

(c) The joint committee shall select a chairman from among its members. Five members of the joint committee shall constitute a quorum. Any vacancy in the membership of the joint committee shall not affect its authority and shall be filled in the same manner in which the original appointment was made.

(d) For purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member of the joint committee, or as chairman of the joint committee, shall not be taken into account.

Sec. 3. The joint committee shall—

(1) coordinate the planning and implementation of Bicentennial activities and events of the Congress with the activities and events of other governmental and nongovernmental groups;

(2) consult with the Speaker of the House of Representatives and the President of the Senate to provide for representation of the Congress at appropriate Bicentennial ceremonies and events; and

(3) develop and implement programs to inform and emphasize to the Nation the role of the Congress, as the representative of the people, from its historic beginnings in prerevolution days through two hundred years of growth, challenge, and change.

Sec. 4. The joint committee may—

(1) appoint such staff as may be necessary;

(2) adopt rules respecting its organization and procedures;

(3) sit and act at such times or places as it shall deem appropriate;

(4) procure the temporary or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under subsection (i) of section 202 of the Legislative Reorganization Act of 1946;

(5) hold hearings;

(6) procure printing and binding; and

(7) with the prior consent of the agency concerned, use on a reimbursable basis the services of personnel, information, and facilities of any such agency.

Sec. 5. The expenses of the joint committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendment to the House amendment was concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the provisions of section 2(b), Senate Concurrent Resolution 44, 94th Congress, the Chair appoints as members of the joint committee on arrangements for the commemoration of the Bicentennial of the United States of America to serve with the majority and the minority leaders of the House and the House Members of the American Revolution Bicentennial Board the following Members on the part of the House. The gentleman from Texas, Mr. Pickle and the gentleman from Michigan, Mr. Esch.

STATEMENT OF HON. JOHN P. HAMMERSCHMIDT IN COSPONSORING A 3-YEAR EXTENSION OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965, AS AMENDED

(Mr. HAMMERSCHMIDT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAMMERSCHMIDT. Mr. Speaker, I am pleased today to cosponsor a 3-year extension of the Public Works and Economic Development Act of 1965, as amended. This extension represents a new era for EDA for the administration has requested this action. This is a departure from previous attempts by the previous administration to severely modify or eliminate EDA.

Since 1971, the committee has fought successfully for the life of this highly successful and proven program and on three separate occasions has prevailed with both the Congress and the administration for its continuation. We have compromised on three occasions to accommodate the objections to EDA, and we have added provisions in the act that gave new direction to economic development. The title III State functions are new, giving responsibility to States for planning and supplemental grant authority. Title IX provides grants to eligible recipients for economic adjustment to give preventative or anticipatory economic assistance where it is needed. Both of these provisions, as well as others, were included in the 1974 amendments. I am anxious to review the results of these provisions to see if the new direction will be as fruitful as those time tested programs that have proven track records.

Since the inception of the act the agency has not been afforded full funding of authorized levels. Historically the agency has been provided only about 30 percent of the authorized levels. Last year we provided reduced authorizations in order to give the agency a more realistic outlook toward what might be expected in actual outlays. I am pleased to note that the Senate Appropriations Committee has recommended vastly increased funding for the titles under EDA, and specifically those traditional public works grants, loans and business development loans that have been the mainstays of the EDA. When the conferees meet on this appropriations bill, I will urge adoption of the increased funding levels and will work toward that end.

EDA is a worthwhile investment program providing money for jobs and incentive for people to better their economic conditions. It is a true Federal-local partnership in action; it allows decisions to be made at the local level.

In the months to follow I will urge the subcommittee to proceed with hearings on this extension. Undoubtedly there will be some changes in the current law that committee members and Members of Congress will suggest. We will afford an opportunity to everyone interested in this legislation to put forward their suggestions. As ranking minority member on the Subcommittee on Economic Development, I have an open mind to the changes that may be needed in the current legislation and I will entertain any suggestions and give them full consideration.

INVESTIGATION PROVES GEORGE HANSEN HONESTY

The SPEAKER pro tempore (Mr. McFall). Under the previous order of the House, the gentleman from Illinois (Mr. Crane) is recognized for 5 minutes.

Mr. CRANE. Mr. Speaker, in any controversy, especially where partisan politics are involved, speculation often obscures the truth. To set the record straight publicly regarding my colleague George Hansen's 1974 primary election campaign finance problems in the Second Congressional District of Idaho, I submit the following pertinent extracts from the official transcript of his final appearance in the U.S. District Court for the District of Columbia of Friday, April 25, 1975. Presiding was the Honorable George L. Hart, chief judge, and appearing for George Hansen was his Washington, D.C., attorney, Robert S. Bennett.

After some legal discussion and reexamination of information, the court in dialog with Mr. Bennett stated:

I can't conceive that the Government would have brought this case if that's all that was involved in it.

Mr. Bennett. Well, Your Honor, let me respond to that in a couple of ways.

Your Honor, I think it is important for you to know that Congressman Hansen kept very careful receipts, and very careful records, all of which were made available to the Government.

At this point in time there is no question that monies have been accounted for, and there has been no finding of siphoning off, no finding of improper use, no finding that these monies were improperly used in any manner or fashion.

Now, Your Honor, Congressman Hansen made a mistake.

He should have said he received the funds at least to the first count, Your Honor, but those funds were reported by the committee.

He didn't report twice. He should have reported as to the first court that he received them, but he considered himself and the committee in a sense, to be one and the same.

Now I ask you this, Judge: If a man is going to try to commit illegal activity, which this statute tries to prevent, he's going to set up dummy committees, he's going to have committees that are not readily identifiable.

George Hansen reported all monies involved through the committee for Hansen, a readily identifiable committee. I mean it is inconceivable that any wrongdoing was attempted to be concealed by using your very name to report these funds, funds which were reported, Judge, prior to the election, prior to the primary, prior to any investigation.

After further statement of fact, Mr. Bennett concluded by saying:

Congressman Hansen was spending his own money to finance this election. Congressman Hansen did not have the luxury, if Your Honor please, of having a large staff with an accountant working full time on these things. He was running as a non-incumbent with his wife and with his children, and he made mistakes, but we're saying they are not the kinds of mistakes that he should go to jail for.

After some additional dialog, the Court then stated:

I must say that when this case came along, it seemed to me a proper case to try by deterrents to stop some of the things that had been going on. Now, if I have used the improper technique to do this, then I will reconsider the matter.

I can't conceive that if all that was done in this case was simply to make a mistake between reporting properly personally and reporting properly by committee, and that it was properly reported in all, that the Government would have brought the case. I just can't conceive it.

Mr. Bennett. May I make one observation in that regard, Your Honor, and it is this: The Department of Justice, now the Department of Justice—and Your Honor knows this better than any of us—must react and act when something is reported to them.

Again we have no fault with the Department of Justice. I think one reason, Your Honor, in response to your question, why many persons are not before you, is because many alleged violations are not reported to the Justice Department. For example, Your Honor, the other four candidates in Idaho had no complaint made against them.

The Court. According to the Justice Department, they have been in all the newspapers, they can read.

Mr. Bennett. Your Honor, I would like to point out one simple fact, Your Honor. You hate to get into the motivations of people, but Justice has to act when something is brought to their attention. And the man that Congressman Hansen defeated in the primary, a Mr. Orville Hansen, who was no relation to him, is on the very committee, Your Honor, that reported this matter to the Justice Department.

That is a fact which I think is more than coincidental.

Also, Your Honor, I would point out a letter from the acting Attorney General, Mr. Keeney, who told Mr. Hayes, Congressman Hayes, in reference to your letters of—citing a number of dates—we have thoroughly—I am paraphrasing, Your Honor, and I want that understood, but you have the letter. I have attached it as an exhibit—that after an exhaustive investigation that there were no felonies found, and that there was only one or more possible misdemeanors violations; and the Government has stuck with their position.

That was not the result of plea bargaining, that was not the result of what we have seen in some recent cases where someone comes in and the Justice Department says, well, we can get you on 20 counts, so you cop out to one or two misdemeanors.

What's before Your Honor right now is what is the end product of a very exhaustive investigation.

Now, Your Honor, I appreciate the importance of deterrents, Your Honor. And I can assure you, Your Honor, from my involvement in this case, I bet you the day after you rendered your sentence every Congressman and every Senator pulled out his own reports and pulled out his own forms; and I think there is a deterrence.

Following further discussion between the Court, Mr. Bennett, and the attorney representing the Department of Justice, the Court asked:

Mr. Hansen, is there anything you wish to say?

Mr. Hansen. Your Honor, I appreciate this opportunity to reappear before your.

I would state this, that I guess in this country I've always felt that this was a place where little people could work, they could operate.

Maybe we were too freewheeling. We should have sought counsel. We should have sought professional advice. I can see these things now.

It is very difficult for a man to be the candidate and the professional bookkeeper, and the newsman and all of the number of things that happen in a major candidacy, and I regret very much that I didn't take proper steps and that I perhaps was not careful.

I do feel that I, in many cases, performed these tasks and did these things with proper intent, not with the intent to deceive. But I can see where, as we have gone through this, that certainly it could create much anticipation and problem, and I'm very humble, very concerned about this, and I apologize very much to everyone concerned, that anything that I may have done may have become a problem of major proportion, because this was certainly not intended to be the case, Your Honor. And I apologize.

I am very humble about this matter, and I put myself at your mercy.

The Court. All right.

It now appears to the Court insofar as it is possible for the Court to ascertain, that while Mr. Hansen handled his funds negligently, he didn't handle them in a fashion that could be deemed to be evil or felonious.

Insofar as the Court can ascertain, although the wrong named committee made the report of the receipts and expenditures, that a correct reporting of the receipts and expenditures was made. And there seems to be no indication that any of the money for campaign contributions went into Mr. Hansen's pocket.

For that reason, the Court will set aside its previous sentence in this case, and it will fine Mr. Hansen $1,000 on each count.

Mr. Speaker, three things come through loud and clear from the court's final deliberations:

(1) It seemed to me (the Court) a proper case to try by deterrents to stop some of the things that have been going on (in federal elections). Now, if I have used the improper technique to do this, then I will reconsider the matter.

(2) I can't conceive that if all that was done in this case was simply to make a mistake between reporting properly personally and reporting properly by committee, and that it was properly reported in all, that the government would have brought the case.

(3) Insofar as the Court can ascertain, although the wrong named committee made the report of receipts and expenditures, that a correct reporting of receipts and expenditures was made.

Simply stated, the court admitted its amazement that the case was even considered, and acknowledged that a correct reporting of receipts and expenditures was made. The integrity of George Hansen is intact.

LEGISLATION TO INCLUDE SECRETARY OF LABOR AS FULL MEMBER OF ENERGY RESOURCES COUNCIL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Bell) is recognized for 10 minutes.

Mr. BELL. Mr. Speaker, the Federal Government is currently working from many different angles to try and meet the Nation's growing energy needs and to cope with the problems which a lack of useable energy resources has created. In October of 1974, the Congress recognized the need for communication and coordination between the diverse Federal agencies dealing with energy and energy-related matters by creating the Energy Resources Council within the Executive Office of the President.

Implicit in the legislative mandate creating the ERC was the realization that, in order for the Council to be effective, its members must include representatives of all Federal agencies working with the problems of energy. The President, in view of such congressional intent, expanded the Council's membership from its original 5 to 24.

However, one Federal agency which represents a very significant part of the American population has been neglected by both the Congress and the President: The Department of Labor. I am today introducing legislation which will correct this oversight by making the Secretary of Labor a full member of the Energy Resources Council.

The need for the Secretary's membership is clear when one recognizes that the energy situation in this country has an important effect upon the employment situation. Two interdependent linkages may be cited: A production linkage and a consumption linkage.

The production linkage stems from energy's role as a raw material in the production of all goods and services. The energy scarcity itself, as well as the scarcity induced rise in energy prices, make it very difficult for business and industry to operate at full capacity. As production declines, the economy as a whole slows down and jobs are lost.

Producers will naturally pass some of their increasing operating costs on to the consumer in the form of higher prices for goods and services. The consumption linkage now becomes significant because as prices rise consumers buy less. Higher prices mean fewer sales, fewer sales mean lower production, and lower production means fewer jobs.

Furthermore, the rising costs of production and the declining number of goods and services consumed will stimulate a reduction in profits. Lower profits will decrease producers' ability to increase wages. Since real wages fall in the face of rising prices, consumption will decline further and the vicious circle begins again.

The Bureau of Labor Statistics reported in January 1975 that—

> There was a loss of between 150,000 to 225,000 jobs from November 1973 to March 1974 (the period of the Arab oil embargo) as a direct result of shortages of fuel and petroleum available to employers . . . Employment fell an additional 275,000 in industries indirectly affected by the energy crisis . . .

These 400,000 jobs have not yet been recovered.

Beyond the attributable effects of the oil embargo are the hidden repercussive contributions of the energy crisis in causing the recession which has sent unemployment up almost 4 percentage points in the past 2 years. One can only speculate as to its magnitude, but surely it is significant.

Looking toward the future, all is not bleak. The development and implementation of new energy sources will involve a massive effort by both Government and industry. It will entail the creation of more jobs in both the development and implementation stages as more abundant energy resources ease the current pressure on the economy.

The then Atomic Energy Commission estimated in January 1974 that—

> The energy R&D program would employ 40,000 scientists, engineers, and technicians.

Note that this is only on the Federal level and that it does not include the employment effects of the energy programs once they are implemented.

The Secretary of Labor is the one individual in Government who has the responsibility for dealing with the manpower and employment aspects of the energy crisis. Presently, his vital input into the Energy Resources Council is lacking. The resultant suboptimal sensitivity to the labor viewpoint could cause the Nation problems in the future.

The Secretary of Labor's inclusion on the Energy Resources Council is a simple but effective way of insuring that the employment and manpower effects of energy policies are considered by the members of the ERC as they supervise the development and implementation of national energy policies.

The text of my legislation follows:

JOINT RESOLUTION TO INCLUDE THE SECRETARY OF LABOR IN THE MEMBERSHIP OF THE ENERGY RESOURCES COUNCIL

Whereas the Energy Resources Council was established by the Energy Reorganization Act of 1974 (Public Law 93–438) "to insure communication and coordination among the agencies of the Federal Government which have responsibilities for the development and implementation of energy policy or for the management of energy resources"; and

Whereas it is desirable to include as members of the Energy Resources Council representatives of Federal agencies serving constituencies which are affected by the development or implementation of energy policies; and

Whereas the Department of Labor is such an agency by virtue of its representation of a substantial number of men and women in America; and

Whereas an understanding of the manpower and employment implications of energy policies is crucial to the effective development and implementation of such policies: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 108(a) of the Energy Reorganization Act of 1974 (Public Law 93–438) is amended by inserting "the Secretary of Labor," immediately after "the Director, Office of Management and Budget,".

METRIC CONVERSION ACT OF 1975

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 5 minutes.

Mr. RAILSBACK. Mr. Speaker, as one who has cosponsored similar legislation, I would like to add my full support to the bill, H.R. 8674, the Metric Conversion Act of 1975.

As we are all aware, as far back as 1866, the U.S. Congress legalized the metric system, and a few years later the United States was a party to "the Treaty of the Meter." By signing this treaty, our country, along with every other major country in the world, endorsed the metric system as "the internationally preferred system of weights and measures." However, our Government then made no concerted effort to authorize a program to actually provide for the conversion to such a system.

I am convinced we must proceed for a number of reasons.

First, the metric system is already used by the Government of our country for several purposes, including tariff matters and weighing foreign mail.

Second, many private industries use metric measures. Deere & Co. which has offices in my congressional district, began its own conversion nearly 10 years ago—using dual dimensions in many of their technical drawings.

Third, most of the States, if not all of them, now have some type of metric activity underway, and let me point out that there is also growing support for this changeover at the Federal level. I personally participated in a joint State-Federal transportation agencies meeting on the importance of the metric system this June.

And, finally, we are the only industrial developed nation which has not yet established a national policy committing itself to the metric system. At a time of integrated commerce which has been of such benefit to American businessmen and farmers—and thus in turn to the American consumer—it is only prudent for the United States to adjust its systems to those internationally accepted. By 1978, nonmetric products are not even expected to be allowed to enter the European Economic Community; so the metric system seems clearly in our own best interests.

The bill before us will insure careful planning on an action that will affect every American citizen, and I urge its immediate enactment.

HUSSEIN LETTER ON HAWK MISSILES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 10 minutes.

Mr. FINDLEY. Mr. Speaker, the situation in the Middle East has finally reached a turning point on the road to peace. Enormous progress has been made, largely at the initiative of our Government. As a result, U.S. influence in Saudi Arabia has been dramatically enhanced to the great discomfort of the Soviet Union. The significance of this cannot be overstated.

Now, with the blush of success still fresh, Congress may deeply impair our relations with one of our oldest and most reliable friends in the Middle East and Israel's most reasonable neighbor—Jordan. The disapproval by Congress of the sale of Hawk missiles to that country would be a tragic mistake which might well undo much of the good that has been done by our Government in recent weeks.

Of all the Middle Eastern countries, Jordan has long posed the fewest problems for Israel. Jordan's participation in the 1967 and 1973 wars was minimal or nonexistent. More than any other country, it has controlled the unconscionable acts of terrorism against Israel engaged in by fanatical elements of the Palestinians. Jordan seems very willing to live peaceably with Israel and carry on normal trade and diplomatic relations.

If Congress were to deny Jordan the Hawk missiles requested, while at the same time supplying Israel with the military hardware promised in the latest agreement, the incongruity and unfairness of our position would be untenable. In fact, in a personal letter to me, King Hussein has promised that if the United States does not sell Jordan the missiles, he will be forced, reluctantly, to buy them from the Soviet Union.

If the Congress forces Jordan to that position, we will have done irreparable harm to Israel. We will have forced Jordan into a stronger alliance with Syria and the Soviet Union and minimized our own influence upon our oldest Arab friend. A greater disservice to Israel is difficult to imagine.

Following is the text of the King's letter to me. I urge all of my colleagues to read it and ponder the implications of what he says:

September 2, 1974.

Dear Congressman: It is my privilege to enclose herewith a personal letter addressed to you by His Majesty King Hussein I, concerning the proposed sale of an air defense system to Jordan.

After consulting with His Majesty in Amman and upon hearing my report on the deliberations last July on this subject by your colleagues in the Senate Foreign Relations Committee and the House Committee on International Relations, His Majesty commanded me to communicate to you this letter which in language and contents reflects the true and sincere desire of the people of Jordan to preserve and strenghten the ties of friendship between our two countries.

His Majesty, as a friend of this country, is appealing to you to judge this proposed sale within this context. It is hoped that you will view this very moderate and legitimate request with positive consideration.

Yours sincerely,

Abdullah Salah,
Ambassador.

The Royal Palace,
Amman, Jordan, August 25, 1975.

Hon. Congressman Paul Findley,
The Capitol, Washington, D.C.

Dear Congressman: I write to you in your capacity as a representative of the great American people. In all of my years at the helm of Jordan I have been a long time believer in the fundamental principles and ideals which your forefathers adopted to create the greatest and strongest nation of all times. As true friends of America, my country and my people were, for two decades, the only supporters the United States had in the Arab World. We have always been openly proud of our friendship and voiced it with courage. We felt that we shared with you the belief in the basic right of peoples to freedom, Justice, dignity and a better life.

My country has continuously adopted a moderate non-aggressive policy which we hope we will be enabled to continue to pursue. We have contributed greatly to maintaining stability and moderation in our area, and served the cause of peace in the Middle East in every possible way. We depended on your friendship and support in our various endeavours to prevent the polarization of the Middle East conflict between the super-powers. We cooperated very closely with your government, at considerable cost to my country and its people, in our common search for a just and lasting peace in the Middle East.

Yet now, my country, its government, people and armed forces, find ourselves on the horns of a dilemma. Can we preserve the friendship which existed betwen the United States and ourselves and which we cherished so much, or are we going to be left with no other alternative than to seek another course?

What brought matters to this sad crossroad is the opposition in some Congressional quarters, which we sincerely believe to be unwarranted, to the sale of fourteen batteries of Advanced Hawk missiles to Jordan. I hope you will bear with me as we review some of the facts.

Jordan is the only state in the area without an air-defence system of any kind. The fourteen Hawk batteries are the minimum requirement for our legitimate self-defence, as was established by the American Military Delegations which visited Jordan for the purpose of studying our air-defence requirements. The system we agreed with your government on is a very modest one compared to what our neighbours have, and, we feel, will in no way affect the balance of power in the Middle East, which is overwhelmingly in Israel's favour. The Hawks will be used to defend the area of our capital and a few of our major fixed installations.

We in Jordan have always looked to the United States for military equipment, and relied on you as our friends who generously helped us whenever possible, and within the limits of our ability, to purchase arms for our legitimate self-defence. We have had to be strong to survive, since weakness invites aggression. We do feel threatened, and the record of Israel's expansion since its creation in 1948 justifies those fears.

Perhaps not everyone knows that our capital city of Amman is within range of the American built Israeli heavy artillery, and that all our vital points are at the mercy of American built Israeli aircraft, which are free to violate, as they continuously do, our airspace as they please.

This situation, and the recent opposition by some congressional quarters to the sale of the Hawks to Jordan has distressed, dismayed and worried me to the point that I felt it necessary to write to you and infringe on your valuable time.

The matter is in your hands now. If your decision to provide Jordan with the urgently needed fourteen batteries of Advanced Hawk missiles is a positive one, then no one will be more pleased or satisfied than I, your old and traditional friend.

But if your decision is a negative one, I regret to inform you that I have no other choice but to seek the best comparable system, which is available only in the Soviet Union. It would be a tragic decision on your part if you chose to push your friend and ally to adopt such a course—one which I am duty-bound to follow with the greatest of sorrow. As a friend, allow me to say that such a development will not only affect your interests in the Middle East, but will also incur irreparable damage to the United States credibility and reliability, not only in the Arab World, but perhaps throughout the world. It would indeed be tragic to have anything occur which would cast doubt upon your role as a peace-maker in the area.

Finally, it is common knowledge that the United States has granted Israel billions of dollars worth of arms over the years, especially since the 1973 war, and is now about to consider an additional Israeli request for more billions of your tax payers money. We understand this is to be spent on some of the most sophisticated and offensive weapons in the U.S. Arsenal, such as the F. 15 Eagle class of aircraft, and the Lance ground to ground missile. As a result the United States might well be accused of adopting a policy of double-standards, and not the even-handed constructive policy which is needed if you are to play an effective role in establishing peace in the Middle East.

Please forgive my candor, but I write as a true friend who is doing his utmost to preserve our traditional ties and close association.

I hope you will kindly accept my warm regards and personal best wishes.

Yours sincerely,

King Hussein.

THE UNITED STATES, ISRAEL, AND THE UNITED NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. Kasten) is recognized for 5 minutes.

Mr. KASTEN. Mr. Speaker, I am a cosponsor of House Resolution 687, which states that the U.S. House of Representatives disapproves of all efforts to suspend or expel Israel from the General Assembly of the United Nations or any other U.N. agencies.

As one of the founders of the United Nations in 1945, the United States has an obligation to promote respect for the Charter and mission of the United Nations which today are as valid and compelling as they were 30 years ago. It is to this end, that we must uphold the concept of universality as stated in article 4 of the Charter. All sovereign states have the right to membership in the United Nations, including Israel. Our concern as to the right of membership in the United Nations has nothing to do with the practices or policies of the particular governments. Our position is that the action contemplated would be illegal.

Presently efforts are being made to expel or suspend Israel's participation in the United Nations or in the U.N. General Assembly, with blatant disregard for articles 5 and 6 of the Charter. If the United Nations begins to depart from the Charter, where suspension and expulsion are clearly specified prerogatives of the Security Council, in the first instance, before consideration by the General Assembly, the position of Israel and of the United States, as well as the integrity and survival of the United Nations itself, are all in danger.

The question of peace in the Middle East has been on the U.N. agenda since 1947. From May 14, 1948, when the state of Israel was proclaimed, to the present day the United Nations has been involved in working toward a peaceful settlement of the Arab-Israeli conflict. Although the problem has been resolved, the United Nations has been responsible for many important gains in this area. The attempts to expel or suspend Israel from U.N. participation have placed these gains in jeopardy. Israel's Foreign Minister Yigal Allon has stated that Israel would break off all relations with the United Nations if it were suspended. This would cutoff Israel from the rest of the world and lead to a breakdown of proposed interim agreements.

Encouraging, however, is the moderate resolution that the Organization of African Unity Assembly approved on August 1, 1975, requesting all member states to take adequate measures to reinforce the pressure exerted on Israel at the United Nations and its agencies, including the possibility of eventually depriving it of membership. The decision to accept this weaker, more conciliatory resolution over two more strongly worded proposals calling for suspension or expulsion will hopefully initiate a trend within the third world toward more responsible actions and away from the detrimental bloc voting that has been so prevalent in recent U.N. General Assembly sessions. If, however, the signs of moderation do not prevail, and action is taken against Israel, the United States must, as House Resolution 687 states, be prepared to "reassess its relationship with and commitments to the United Nations General Assembly, looking to its possible withdrawal from that body."

Mr. Speaker, I would like to take this opportunity to express my appreciation for the fine work being done by Representative YATES in organizing the support for this resolution. To date, over 250 Members of the House of Representatives have cosponsored this legislation. I would also like to share with colleagues a letter to Representative YATES from the U.S. Representative to the United Nations, the Honorable Daniel P. Moynihan.

Mr. Speaker, I would like the text of this letter printed in the RECORD at this point:

AUGUST 14, 1975.

Hon. SIDNEY R. YATES,
Rayburn House Office Building, House of Representatives, Washington, D.C.

DEAR SID: Thanks for sending me a copy of House Resolution 673. This and similar resolutions help make it publicly clear in advance to those nations who would target Israel for explusion or suspension from the United Nations General Assembly that the American public will not turn a blind eye to their actions. I hope that our fellow members of the United Nations will take this fact seriously. But if the issue does arise, I fully intend to meet it in fighting form.

Best regards.

Sincerely yours,
DANIEL P. MOYNIHAN.

LEGISLATION TO PROHIBIT RETROACTIVE APPLICATION OF REVENUE RULING 73-395

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, I have today introduced a bill which would prohibit the retroactive application of Revenue Ruling 73-395 which would deny to publishers the option to deduct prepublication expenditures incurred for the writing and editing of textbooks and the design and art work of visual teaching aids. That ruling held that such costs would no longer constitute research or experimental expenditures which are deductible under section 174 of the Internal Revenue Code. The bill would also amend section 174 to make clear for the future that product development and improvement costs of publishers are deductible as research or experimental expenditures.

For many years, it has been the consistent tax practice of most publishers to deduct currently their prepublication costs and, until recently, this practice was generally accepted on audit by the Internal Revenue Service.

Section 174, as enacted by Congress in 1954, grants business taxpayers the option to currently deduct research or experimental expenditures for the development or improvement of their products. The accompanying reports of the Ways and Means Committee and the Committee on Finance in 1954 explained that the purpose of section 174 was to "eliminate uncertainty and to encourage taxpayers to carry on research and experimentation."

There is no suggestion in these reports that section 174 would not apply to the costs of research and experimentation necessary to develop products of book publishers, such as textbooks, visual aids, and other teaching aids merely because the taxpayers' business is publishing or because the teaching aid or other product of a publisher is in the form of a printed book rather than in the form of a mechanical device. Rather, the purpose of enacting section 174 in 1954 was to reaffirm the Service's prior administrative practice of permitting the current deduction of research or experimental expenditures.

Most publishers, for many years both before and after the enactment of section 174, have consistently deducted most of their prepublication costs for developing and improving their products and this practice was generally accepted by the IRS on audit. The bill will merely reaffirm this consistent tax audit experience.

It should also be pointed out that for nontax financial statement purposes, publishing companies generally charge their prepublication expenditures against current income and do not capitalize or otherwise defer such charges. Such an accounting practice, consistently applied over a period of time, clearly reflects income. In revenue ruling 73-395, therefore, the IRS imposes tax accounting concepts on the publishing industry that are at variance with sound financial accounting concepts. Indeed, to require a change in such practice at this time would result in a distortion of income.

A sentence in the Treasury regulations under section 174 provides that the term "research or experimental expenditures" does not include expenditures "for research in connection with literary, historical, or similar projects." This regulatory exclusion should be confined to its proper scope, for example, to preclude the amateur novelist from deducting his essentially personal expenses in the guise of business research expenses. This interpretation conforms with the legislative history of section 174 and the longstanding tax accounting practice of publishers both before and after the enactment of section 174.

The expenditures covered by the bill include the costs of writing, editing, compiling, illustrating, designing, and other costs of developing and improving books, teaching aids, and similar products, such as texts published in microfilm. These costs include the costs of the specifically named activities and other activities properly characterized as development or improvement, but do not include the taxpayer's cost of printing or manufacturing books, teaching aids, or similar products.

The bill, unlike Revenue Ruling 73-395, is not retroactive. For taxable years ending before the date of the enactment, the bill merely applies a "do not disturb rule." Under this rule the Internal Revenue Service is prohibited from compelling a change in the method of accounting for any expenditure covered by the bill which was treated consistently from year to year under the taxpayer's method of accounting for Federal income tax purposes. This "do not disturb rule" applies to prohibit any such change in an "open" year whether or not the taxpayer has been audited. On the other hand, if claim for credit or refund is barred for the year of the change by any law or rule of law, the bill does not override the bar to provide relief.

U.S. SUPPORT FOR BALTIC STATES SHOULD NOT BE AFFECTED BY HELSINKI AGREEMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, on August 1, 1975, President Ford, on behalf of the United States, signed the "Final Act of the Conference on Security and Cooperation in Europe" at the close of the European security conference in Helsinki. Many people have interpreted the President's action as extending de facto, if not de jure, recognition to Soviet claims to a number of territories in Eastern Europe, among them the formerly independent Baltic States of Lithuania, Latvia, and Estonia.

I have introduced today two House concurrent resolutions that make it absolutely clear that the United States continues to refuse to recognize the illegitimate claims of the Soviet Union to the Baltic States. This has been our policy ever since the Red Army illegally imposed Communist rule in these countries in 1940. Since that time the free peoples of Lithuania, Latvia, and Estonia have been deprived of their liberty by their Russian rulers and the once fiercely independent Baltic States have become "the captive nations."

Through a policy of deportation and "Russification" the Soviets have attempted to snuff out all nationalistic and resistance movements within the Baltic States. Millions have been deported from their native lands to Siberia. At the same time the Soviets have introduced large numbers of Russians into the Baltic States in order "to Russify" them further.

The United States has long supported the hopes of the peoples of the Baltic States to be rid of the shackles of communism and regain once more the fruits of freedom and liberty. The long-suffering citizens of the captive nations have always turned to this country for inspiration and all freedom-loving people hope that they will eventually be able to throw off the Russian yoke and take their rightful place among the independent nations of the world.

The first resolution I have introduced today calls for the President and the Secretary of State to take all steps necessary to bring the Baltic question before the United Nations and to urge that the United Nations request the Soviet Union: To withdraw all Russian and nonnative troops, agents, colonists, and controls from the Baltic States; to permit the return of all Baltic exiles from Siberia and from prisons and labor camps in the Soviet Union; and to insure the right of self-determination to the peoples of the Baltic States through free elections conducted under the auspices of the United Nations after Soviet withdrawal from the Baltic States.

This last provision is especially important. The Baltic States lost their freedom 35 years ago through rigged elections held in an atmosphere of fear and coercion created by the Soviet Red Army. The right of self-determination—freely arrived at—should be the right of all citizens. The United Nations should be faithful to its principles and see that this right is extended to the peoples of the Baltic States.

Alexandr Solzhenitsyn, the Nobel Prize-winning Soviet author, recently termed the Helsinki document "the betrayal of Eastern Europe." President Ford and Secretary of State Kissinger assure us that the agreements are no such thing. Assurances are one thing, reality is another. Let us examine the reality of the situation. What do the documents, signed by President Ford in Helsinki last month, really mean?

By this agreement America and the free nations of Western Europe solemnly concede that the boundaries established during and after World War II with the help of the Red Army are "inviolable." From the Russian point of view "inviolability of frontiers" is the key phrase in the hundred page plus document. To the Russians this phrase indicates official endorsement of the absorption of the three Baltic States, the Finnish Province of Karelia, the eastern parts of East Prussia and Poland, Ruthenia—formerly part of Czechoslovakia, Bessarabia—formerly part of Rumania, as well as several lesser border changes.

At the end of World War II this country rightfully refused to recognize these ill-gotten gains and, hence, a comprehensive peace treaty delineating the new postwar boundaries was never signed. Formal recognition of these militarily imposed boundaries has been a constant aim of Russian diplomacy ever since. By signing the Helsinki agreements we have helped the Soviets to realize that goal.

And what have we gotten in return? Sadly, very little. Due to Soviet intransigence and a blind desire to preserve détente at all costs, several preconditions to American acceptance of the Helsinki agreement were waived. The original understanding that the Helsinki negotiations were to be linked with the Vienna talks on arms reduction was abandoned at Soviet insistence.

Moreover, the Soviets considerably watered down their original promise to include in the document strong guarantees for wider dissemination of information and freer movement of peoples. The Soviet response to attempts of Russian Jews to migrate and to efforts at liberalization of the press in Czechoslovakia and other countries is ample evidence of the emptiness of such promises.

Furthermore, the atmosphere of cordiality and conviviality of the Conference helped accomplish another primary aim of the Soviet Union—reinforcing the fantasies of many Europeans that the Soviets have become so peaceloving that the West can relax its guard. While to the West the term détente connotes a lessening of tensions and a reduction of the chances of armed conflict between East and West, it appears to have an entirely different meaning to the Soviets.

In a speech recently reported by the Russians themselves in Pravda, Mikhail A. Suslov—a leading Soviet ideologist and senior Politburo member—hailed détente as a useful condition for "the further development and deepening of the world revolutionary process." Suslov further declared that détente serves the cause of progress toward socialism in the whole world.

For evidence of what the Soviets really mean by détente one need merely turn to the most recent news dispatches from Portugal which indicate that the Soviet Union has decided to give all out support to the attempts of the Communist Party of Portugal to inflict a minority-supported, totalitarian regime on the unwilling people of that country.

Détente is a worthy aim. I support reasonable measures to try to achieve it. But in trying to bring about détente we should be very careful not to lower our guard too much nor to abandon the long-held aspirations for freedom of many in Eastern Europe. Our too willing posture toward détente brings home too well the wisdom of the observation of Charles Bohlen, our former Ambassador to the Soviet Union and a leading Kremlinologist, that Moscow's attitude toward diplomacy has continually been "what's ours is ours, and what's yours is negotiable". The second resolution I have introduced today declares unequivocally that these Helsinki agreements do not in any way indicate a change in the traditional American position of nonrecognition of the absorption of the Baltic States by the Soviet Union.

The President and Secretary of State tell us that the Helsinki agreements only "recognized reality." What kind of reality are we recognizing? The reality of the Gulag Archipelago of which Solzhenitsyn has so chillingly written? The reality of the armed repression of fighters for freedom in Hungary, Czechoslovakia, and Poland? I hope not.

At the least we should hold out hope to the enslaved millions in the capitive nations and not blithely acquiesce to the permanent Soviet absorption of these independent nations. The resolutions I have introduced today will demonstrate to the long-suffering citizens of the captive nations that the United States still stands firm in its commitment to their aspirations for freedom and self-determination.

I urge my fellow Members to support these resolutions to make it clear that the Congress of the United States declares that the Helsinki agreements do not affect the continuing commitment of the United States not to recognize the annexation of the Baltic States by the Soviet Union; that the United Nations should be urged to request the Soviet Union to permit the return of all Baltic exiles presently in the Soviet Union; and that the right of self-determination should be returned to the peoples of the Baltic States. By passing these resolutions we will provide a source of continuing inspiration to the peoples of Lithuania, Latvia, and Estonia that one day they will once again be able to join the ranks of free men.

The text of my two resolutions which I am introducing today follows:

H. CON. RES. 388

Whereas the United States of America extended full diplomatic recognition to the three Baltic nations of Estonia, Latvia, and Lithuania in 1922; and

Whereas the Union of Soviet Socialist Republics illegally occupied the three Baltic nations in 1940; and

Whereas the concept of liberty and freedom of choice is still alive in the United States as it has been constantly since the Declaration of Independence; and

Whereas the Soviet Union has engaged in "Russification" efforts since 1940 resulting in the suppression of the religion, the language, and the culture of the people of the Baltic nations; and

Whereas the Estonian, Latvian, and Lithuanian people have, at a very great cost to themselves, resisted and continue to resist the Soviet effort to destroy them nationally; and

Whereas the people of this Nation have consistently shown great sympathy for the peoples of these three Republics, especially as a result of their enslavement and as a result of the inhuman exile and deportation of great numbers of law-abiding persons from their native lands to imprisonment in slave labor camps in the Soviet Union; and

Whereas the Final Act of the Conference on Security and Cooperation in Europe, signed on behalf of the United States by President Gerald R. Ford on August 1, 1975, implies the recognition by the United States of the annexation of Estonia, Latvia, Lithuania by the Soviet Union: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that it remains the policy of the United States not to recognize in any way the annexation of the Baltic nations by the Soviet Union, the President's signature on the Final Act of the Conference on Security and Cooperation in Europe nothwithstanding.

H. CON. RES. 389

Whereas the United States, since its inception, has been committed to the principle of self-determination;

Whereas this essential moral principle is also affirmed in the Charter of the United Nations;

Whereas the Union of Soviet Socialist Republics is, according to its constitution, a voluntary federation of autonomous republics;

Whereas the three Baltic Republics (the Republic of Lithuania, the Republic of Latvia, and the Republic of Estonia) did not become member republics of the Union of Soviet Socialist Republics voluntarily, but rather were occupied militarily by Russian Armed Forces in the early days of World War II and subsequently incorporated by force into the Union of Soviet Socialist Republics and have since been governed by governments approved by, and subservient to, the government of the Union of Soviet Socialist Republics;

Whereas the ethnic makeup of the Baltic peoples (the Lithuanians, Latvians, and Estonians) is distinctly foreign in language, culture, common traditions, and religion from that of the Russian people;

Whereas, by deportation and dispersion of the native populations of the Baltic States to Siberia and by a massive colonization effort in which Russian colonists replace the displaced native peoples, the Soviet Union threatens complete elimination of the Baltic peoples as a culturally, geographically, and politically distinct and ethnically homogenous population;

Whereas, despite such treatment, the spirit of the citizens of the Baltic States is not broken and the desire of the citizens of the Baltic States for national independence remains unabated;

Whereas the United States has consistently refused to recognize the unlawful Soviet occupation of the Baltic States and has continued to maintain diplomatic relations with representatives of the independent Republics of Lithuania, Latvia, and Estonia; and

Whereas the United Nations and the United States delegation to the United Nations have consistently upheld the right of self-determination of the people of those countries in Asia and Africa that are, or have been, under foreign imperialist rule: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) the President and the Secretary of State should take all necessary steps to bring the Baltic States question before the United Nations and to urge that the United Nations request the Soviet Union—

(A) to withdraw all Russian and other non-native troops, agents, colonists, and controls from the Republics of Lithuania, Latvia, and Estonia, and

(B) to permit the return of all Baltic exiles from Siberia and from prisons and labor camps in the Soviet Union;

(2) until the Baltic States become independent, the Secretary of State should, through such channels as the United States Information Agency and other information agencies of the United States Government, do his utmost to bring the matter of the Baltic States to the attenion of all nations by means of special radio programs and publications;

(3) the right of self-determination should be returned to the peoples of Lithuania, Latvia and Estonia through free elections conducted under the auspices of the United Nations after Soviet withdrawal from the Baltic States; and

(4) the right of self-determination should be made a prime political objective of the United Nations and should be accorded through free elections under the auspices of the United Nations to all peoples now involuntarily subjugated to Soviet communism.

PANAMA CANAL: AMERICAN LEGION SUPPORTS UNDILUTED U.S. SOVEREIGNTY OVER CANAL ZONE AND MAJOR MODERNIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 5 minutes.

Mr. FLOOD. Mr. Speaker, the problem of increased Trans-Isthmian transit facilities has been before the Congress since 1939 when it authorized the construction of a third set of larger locks. Work on that project started in 1940, but was suspended in May 1942 because of more urgent war needs. The total expended on it was $76,357,405, mostly on huge lock site excavations at Gatun and Miraflores, a rail-vehicular bridge across the Miraflores Locks and a roadbed near Gatun for relocating the Panama Railroad.

A postwar program was the enlargement of Gaillard Cut from 300 feet to 500 feet minimum width, completed in 1970 at a cost of $95,000,000. When this sum is added to that expended on the third locks project the total invested toward the major modernization of the existing canal is over $171,000,000.

After the suspension of construction on the third locks project during World War II, there were comprehensive studies in the Panama Canal organization of the problems of marine operations as based upon experience in war as well as peace. Out of those studies was developed the Terminal Lake-third locks plan for the future canal, which won the approval of President Franklin D. Roosevelt as a postwar project and is now the most strongly supported canal proposal before the Congress. It has the great additional advantages of being entirely within the Canal Zone, does not involve any discussions for increased territory or authority, and does not require the negotiation of a new canal treaty. These are paramount considerations and should be controlling.

Over a period of years, the American Legion has made sustained studies of Isthmian Canal policy questions. At its 57th national convention in Minneapolis, Minn., August 15–21, 1975, it recognized the two crucial canal needs: First, continued U.S. sovereign control over the Canal Zone; and, second, the major modernization of the existing Panama Canal. With active support from widely separated States, the American Legion adopted a notable canal resolution that I quote as part of my remarks:

The Panama Canal—Resolution No. 173

Whereas, Under the 1903 Treaty with Panama, the United States obtained the grant in perpetuity of the use, occupation and control of the Canal Zone territory with all sovereign rights, power, and authority to the entire exclusion of the exercise by Panama of any such sovereign rights, power, or authority as well as the ownership of all privately held land and property in the Zone by purchase from individual owners; and

Whereas, The United States has an overriding national security interest in maintaining undiluted control over the Canal Zone and its treaties with Great Britain and Colombia for the efficient operation of the Canal; and

Whereas, The United States Executive Branch is currently engaged in negotiations with the Government of Panama without authorization of the Congress, which would diminish, if not absolutely abrogate, the present United States treaty-based sovereignty and ownership of the Zone; and

Whereas, The American people have consistently opposed further concessions to any Panamanian Government that would further weaken United States control over either the Canal Zone or Canal; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Minneapolis, Minnesota, August 19, 20, 21, 1975 that the United States must be vigilant against all efforts to surrender any of the U.S. sovereignty or jurisdiction in the Panama Canal Zone or over the Panama Canal obtained under the 1903 Treaty with the Republic of Panama, as amended and revised in 1936 and 1955; and be it further

Resolved, that The American Legion reaffirm its opposition to new treaties or executive agreements with Panama that would in any way reduce our indispensable control over the U.S.-owned Canal or Canal Zone, and be it finally

Resolved, that The American Legion urge the immediate resumption of the modernization of the present Panama Canal as provided under the current legislative measures for the Terminal Lake-Third Lock proposal.

THE ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana (Mr. Baucus) is recognized for 5 minutes.

Mr. BAUCUS. Mr Speaker, energy issues have dominated the efforts of the 94th Congress as evidenced by past action on surface mining, energy related tax measures, and currently on oil pricing and energy conservation. We badly need an energy policy that increases domestic energy production without damaging our national economy.

Very shortly, conferees will be appointed to reconcile the House and Senate versions of the Energy Research and Development Administration—ERDA—authorization. The ultimate disposition of the ERDA conference agreement will determine whether Congress emerges with a substantive energy policy in the critical areas of alternative energy technologies.

A major concern of the ERDA authorization conference will be the authorization for magnetohydrodynamics—MHD—research, development, and demonstration. A method of burning coal to generate electricity, MHD is far more efficient and far less polluting than conventional methods. The House's version of the authorization earmarks $13.7 million for MHD, the amount originally requested by the administration, while the Senate's version contains $50 million for this purpose.

While we grapple with other aspects of the energy issue, we must not lose sight of the importance of setting a sane policy with respect to coal and its importance as a means of generating electricity. If we are to continue to burn coal to generate electricity, we should do so with maximum efficiency and minimum damage to the environment MHD offers the potential of increasing electrical output through coal oxidation by 50 percent. The Boston Edison Co. concluded from a recent study that if 5 percent of the Nation's electric operating capacity were converted to MHD generation by 1985, the Nation would save the equivalent of 8.82 million tons of coal that year alone. In monetary terms, this savings represents more than $400 million. As the demand for coal intensifies, conservation of coal becomes ever more critical. Vanishing oil and natural gas reserves will generate increase demand for coal as a replacement commodity through gasification and liquefaction. While the United States possesses coal in abundance, coal is nonetheless a finite resource. The day will dawn when accessible coal reserves are exhausted. Environmental constraints may eventually prohibit large-scale combusion of fossil fuels and the Nation may be forced to convert rapidly to such alternative energy sources as geothermal, solar, wind, and nuclear power. Coal must be utilized in a way that allows the most gradual and orderly conversion with a minimum of economic displacement.

In addition to increased efficiency, MHD power generation promises dramatic reductions in sulfur and nitrogen dioxides emissions. The process would reduce the need for water in cooling electrical generators, thus averting the issue of thermal pollution of rivers, lakes and streams. Exhaustive tests have shown that MHD generation admirably surpasses all Environmental Protection Agency standards for emissions.

There is no longer a question of whether MHD is worth pursuing. The question is whether Congress can rise to the urgent task of taking full advantage of MHD in meeting the Nation's energy needs. The scientific knowledge and laboratory data attendant to MHD technology are in place, ready to be used. The final hurdle before actual use of MHD is the engineering of commercially viable test facilities and a demonstration plant.

At this point, I want to present a brief background on Federal involvement in the development of MHD.

The first successful operation of an MHD generator occurred in 1959 in Everett, Mass., through research and development efforts by Avco Everett Research Laboratory. During the following decade, private industry and utilities with the support of the U.S. Air Force invested $10 million in MHD research and development. By the late 1960's, these efforts paid off in the construction and successful operational testing of four MHD generators and the world's first super-conducting magnet, a major allied component of MHD generation.

Laboratory data derived through MHD development together with the apparent potential offered by the new technology, prompted the Department of Interior to join the MHD effort through its Office of Coal Research—OCR. Significant progress followed in long-duration testing of a large MHD generator in Everett, successful operation of a direct coal-fired MHD generator at the University of Tennessee, solutions to nitric oxide emissions problems, the ability to recover sulfur dioxide emissions, and advancement of MHD generator efficiency. During this time, the Federal Government opened an MHD technology channel to the U.S.S.R. which supported the Russians in developing and testing a major MHD experimental plant.

This overall effort, significant as it was, did not represent a scale of activity commensurate either with the energy-producing potential of MHD or the wishes of Congress. From 1969 through 1972, Congress annually appropriated money for the MHD effort through the OCR.

Congressional leaders called for aggressive and accelerated MHD development in view of the emerging energy crisis. Late in 1973, Congress appropriated $2 million in support of speedy MHD development at the University of Tennessee. OCR, however, delayed allocation of the funds to the university for a full year.

Since that time, OCR has been integrated into ERDA. The change, however, did little to prevent additional delays. For fiscal year 1975, for example, Congress appropriated $10 million to be divided between efforts toward the immediate design of an MHD engineering test facility and additional MHD technology development at various units of the Montana University system. ERDA, however, waited until April of 1975 before allocating $1.6 million of the appropriated money toward the research effort. At that juncture, no action had yet been taken on the mandated engineering test facility. The delay occurred in spite of the fact that Congress had specified in Public Law 93–404—passed on August 31, 1974, as part of the energy appropriation—that immediate design and planning of an MHD engineering test facility be undertaken to develop the engineering basis for construction of a commercial-size MHD demonstration plant capable of generating 500 megawatts by the mid-1980's. The delay indicates that responsible ERDA officials did not share Congress sense of urgency in MHD development.

In the meantime, the Soviets proved the efficacy of an aggressive research and engineering effort in MHD. Last May, the Russians tested their large U–25 pilot plant and for half an hour generated electricity sufficient to the needs of 100,000 Moscow residents. So pleased were the Russians that they have now embarked on a program for constructing a large MHD generator for integration into the Moscow power grid by 1981. Soviet accomplishments ironically stem from data and techniques supplied initially by the United States. Yet, it will be a long time before the United States conducts a comparable test of an MHD generator.

The Japanese, too, have embarked on an MHD program. Dr. Arthur Kantrowitz, director of Avco Everett Research Laboratory and widely acclaimed pioneer in MHD, told the Ways and Means Committee on March 20 of the Japanese recent success in testing the world's first MHD generator using a superconducting magnet. "The Japanese also are operating MHD facilities comparable to or exceeding in size and sophistication those of the United States," he said.

In an effort to achieve a vigorous program aimed at accelerating progress in MHD, I introduced on March 18 the MHD Research, Development, and Demonstration Act, a companion bill to a measure introduced in the Senate. The bill, H.R. 5833, includes an authorization not to exceed $50 million for the current fiscal year and authorizations not to exceed $100 million for each fiscal year thereafter through 1980, toward achieving a commercial-size demonstration plant by the mid-1980's. The bill also directs formation of a division of MHD Electric Power Generation within ERDA and contains provisions for coordinated activity in MHD development through Federal and State governments with maximum participation by the private sector.

It is widely held among scientists, industry, utilities, and engineering professionals, that this level of Federal support must be provided if the requirements of Public Law 93–404—that is, commercially viable MHD electric power generation by the mid-1980's—are to be met. There is also widespread conviction that ERDA's original budget request for MHD—$13.7 million—is inadequate even to maintain the current MHD effort in view of inflation.

Since the beginning of this session of Congress, there has been much dialog between ERDA policymakers, representatives of industry engaged in various phases of MHD development, the scientific community, and Members of both Houses of Congress. This dialog has been productive. The delays mentioned earlier have been rectified and accounted for to a large degree. Expected very soon is the establishment of an MHD division within ERDA charged with the mission of accelerating progress and meeting the provisions of Public Law 93–404. Most striking is ERDA's revised budget request submitted to Congress on June 30, 1975. In it was an allocation of $28.8 million for MHD research, development, and demonstration, more than double the original $13.7 million requested by ERDA and approved by the House. ERDA has clearly recognized the inadequacy of its prior budget proposal in meeting the challenge in MHD development.

The House Appropriations Interior Subcommittee has yet to act on the revised budget request since the ERDA authorization conference has not yet been convened, and since the Senate will likely approve an appropriation for MHD based on the results of that conference and subsequent approval of an ERDA authorization. The issue faced in the House is whether to acknowledge the inadequacy of $13.7 million for MHD and thereby agree to an authorization that not only covers the new ERDA request, but enables Congress to provide through future appropriations whatever additional impetus it deems necessary to take maximum advantage of MHD.

Those colleagues cosponsoring my MHD bill recognize the need for a national commitment to development and use of MHD. I know they are as heartened as I that ERDA has revised its MHD budget request and has announced its intention to start construction of an MHD component test facility in 1976. I am confident that they will join me in urging the House conferees considering the ERDA authorization to approve an amount that covers ERDA's $28.8 million request and allows Congress the leeway it needs to insure an active national

MHD program. It would indeed be a tragedy if Congress failed to take the initiative in developing this aspect of an overall national energy policy.

SPEECH BY U.S. AMBASSADOR JOSEPH JOHN JOVA TO THE ROTARY CLUB OF MEXICO ON THE PARTICIPATION OF SPAIN IN OUR WAR OF INDEPENDENCE

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, it is not generally known, but Spain was an important participant on the side of the American colonies during our war of Independence. A family pact between the King of Spain and the King of France signed in Aranjuez on April 12, 1779, pledged those two Crowns "not to lay down their arms until the independence—of the 13 Colonies—has been recognized by the English Crown."

The distinguished U.S. Ambassador to Mexico, Joseph John Jova, on July 15 addressed the members of the Rotary Club of Mexico on the subject of American independence and the Bicentennial celebration. His speech provides an exciting account of the collaboration of Spain in that war and, in particular, of the Spanish military participation which reflected the efforts of a young leader, Don Bernardo de Gálvez. I submit his interesting speech for reprinting in the RECORD, with my congratulations to Ambassador Jova for his detailed knowledge of military activities which involved Florida and my congressional district.

The speech follows:

SPEECH AT THE ROTARY CLUB BY AMBASSADOR JOSEPH JOHN JOVA

President Galas Lavin, Distinguished members of the Rotary Club of Mexico.

What a pleasure it is for me to again be among my Rotary friends in this, one of the most important Rotary Clubs in the world. Thank you for having invited me at this time, when we celebrate our Independence and have begun the celebrations of our Bicentennial.

What is more important than to recognize here on Mexican soil that our Independence was won not only by our own efforts, and our sacrifices which were many, but also thanks to the aid of allies and friendly countries. My wish today is to be able to acknowledge Hispanic assistance which included that of Mexico—a fact unfortunately not well known. France's help, and in particular that of the young Marquis de Lafayette, was very important and well known, not only by historians but by the non-American public as well. It is in no way my wish to minimize the important role played by France, yet, not only as one of Spanish descent but also as Ambassador to Mexico, I cannot but resent the silence which cloaks the collaboration of Spain, of which Mexico was a part, at the time of our own War of Independence.

Let us remember that the Family Pact between the King of Spain and the King of France signed in Aranjuez on April 12, 1779, pledged those two Crowns "not to lay down their arms until the Independence (of the 13 Colonies) has been recognized by the English Crown." I believe the above-mentioned text proves that Spain's intentions were not only to recuperate lost territories, as alleged by those who wish to detract from Spanish participation, but were directed toward the specific objective of the Independence of North America. On this occasion I will not speak of details of financial aid or of the large shipments of war materials sent to the Colonies, where they were so badly needed at that time, but rather of the Spanish military participation that took place mainly through the efforts of Don Bernardo de Gálvez.

This young, gallant and elegant soldier was born in Spain, but lived most of his life on Mexican soil. He belonged to a family of renown. His father, Don Matias de Gálvez, was the forty-eighth Viceroy of New Spain. His uncle. Don José de Gálvez, was the famous President of the Council of the Indies, and Minister of the Navy under Charles III; and was favored with the very Mexican title of Marquis of Sonora. As a young soldier, Don Bernardo accompanied his uncle on his famous trip as Royal Visitor through Mexico, Nueva Vizcaya and Sonora.

Later, as Captain of the Army, he was second in command in the Mexican campaign against the Apache Indians at the Neuva Vizcaya border. Later still, he became Commander of the Vizcaya-Sonora front and led an expedition from Chihuahua to Rio Pecos in Texas in pursuit of hostile Indians.

At the age of 28, young Gálvez was named War Commander and later Governor of Spanish Louisiana. In New Orleans, he married a "North American," the beautiful Felicitas de St. Maxent, daughter of one of that city's most important French families. During his tenure as Governor, our War of Independence began, and Gálvez, acting with energy and discretion, did everything possible to help the efforts of the American patriots in the Western sector even before Spain became involved in the war. Once war was declared, Bernardo Gálvez, under the slogan "the best defense is to attack," began a series of vigorous operations against the English positions along the Mississippi River, capturing Fort Manchac, the town of Baton Rouge, the town of Natchez, and other important positions. For these operations his scant, locally recruited forces were reinforced by a group of 100 Spanish soldiers sent from Mexico. Next, he launched a naval campaign against the City of Mobile—successful thanks in part to the arrival of some four hundred soldiers sent from Mexico.

These operations kept open navigation on the Mississippi, making possible the delivery of supplies to the Americans in the Southwest, and protecting the thirteen Colonies' rear guard in what was at that point a fight to the death.

Later on, Don Bernardo undertook the most difficult and important of his campaigns in the siege, the assault and the eventual capture of the fortified city of Pensacola, whose Gibraltar-like control of navigation and commerce in the Gulf of Mexico made it of the highest strategic importance, not only to the thirteen Colonies but also to the Viceroyship of Mexico. For this campaign, Don Bernardo's Creole group was reinforced by a Spanish fleet, and by several thousand soldiers, sent not only directly from Spain but also from Havana, Puerto Rico and Mexico.

The historian Guillermo de Zéndegui, presently editor of the OAS magazine "Americas," has been engaged in very interesting research on Cuban participation in this and other campaigns of our War of Independence. Among his findings is that of the formation of a "battalion of Free Blacks" recruited in Havana, which apparently suffered heavy losses in military actions on North American soil.

Where Mexico is concerned, historian Dr. Buchanan Parker Thomson—author of the work "Spanish Aid in the War of American Independence" has revealed in her research into the Archives of the Indies and the Simancas Military Archives that some two thousand troops came "from Mexico and Campeche" to take part in the Pensacola campaign.

The fall of Pensacola and the other cities previously mentioned inspired great enthusiasm among Washington's armies and the Continental Congress, because the victories protected their southwest and western borders and interior communication lines maintained via the Mississippi River and its tributaries. Also, the constant threat by Indians serving the English cause and controlled by the British authorities at Pensacola, was eliminated. It may be said that Spanish-Mexican efforts along the Gulf Coast and in Western Florida were significant and perhaps decisive in effecting the defeat of Cornwallis and saving the Carolinas and Georgia. Also interesting to note, is the presence in the Battle of Pensacola, of Francisco de Miranda, then serving Spain, who fell in love with the American revolutionary ideal of liberty, and who would later take the cause of independence to his native country, Venezuela, as a forerunner and collaborator of Simón Bolivar.

The contribution of Don Bernardo de Gálvez to our independence is little known in the United States, but his name endures for another reason. In 1777, when he was Governor of Louisiana, the troops under his command founded a town in what today is Texas, and named it "Galvestown," now the very important city and commercial port of Galveston.

It is interesting to recall that his flagship in the Pensacola campaign was named "Galvestown," and when the King conferred upon him the title of Count of Gálvez, he gave him the right to add to his coat of arms the silhouette of this ship and the motto "Yo solo"—"I alone,"—for having dared to face the British guns singlehanded.

Later, Don Bernardo was named Captain General of Cuba and when his father, the Viceroy Matías de Gálvez died, he himself was named forty-ninth Viceroy of Mexico. He was a person of great personal charm, became very popular in Mexico, and was known for his courage and charity. He built the Calzada Vallejo and the road to Acapulco, and re-built Chapultepec Castle. My respected friend, Dr. Jorge Rubio Mañé, Director of the National Archives, indicated to me that it is possible that the expenses incurred in remodeling Chapultepec to please his beautiful Franco-American wife brought him a stern reprimand from the Court of Madrid. My esteemed friends dona Beatrice Redo de Iturbe and doña Maritia Martínez del Río de Redo, also historians, tell me that his separatist and independent ambitions were what brought him the King's reprobation. In any event, he was— according to *Diccionario Geográfico, Histórico y Biográfico* of A. García Cubas—"one of the most distinguished governors of the colony," . . . "suddenly and without known cause, this famous young man, joyful, ambitious and agreeable, consumed by an inner grief, died one year and five months after taking office . . . He left a warm memory among the people he governed." My friend Don Luis Carral reminds me that not all Viceroys were mourned at their deaths by those they governed. He died in the Archiepiscopal Palace of Tacubaya and was buried in Mexico, I believe in the Church of San Fernando; although I have been unable to find his grave.

The contagious effect of the American Revolution and the ideals of independence and freedom that were defended in the incipient revolutionary movements in all the Americas are pages of history that have remained dark and have not been fully discussed or publicized.

When the people of Latin America devoted themselves to the cause of their Independence, they chose the American Revolution as their guiding star. In addition to their own heroes and individual symbols that emerged from the emancipation of Hispanic America, those of British America were also used. They took pride in the military genius and political shrewdness of George Washington, the scientific prowess and practicality of Benjamin Franklin and the political insights of Thomas Paine and Thomas Jefferson, just to mention the best known figures in the Spanish and Portuguese-speaking world.

All the famous documents of the American revolutionary period were translated and commented upon by the publicists in the New World; and the Spanish Americans borrowed liberally from them in the formulation of their own governmental systems. It would be unfair to forget the English heritage involved; for the English system, with its attachment to human rights and its respect for law and for the liberties of the individual were the inspiration of the Philadelphia legislators who wrote our Constitution.

The success of republicanism in the United States particularly impressed the Latin Americans because it reinforced their own historical inclinations.

Fray Servando Teresa de Mier, for example, one of the Mexican patriots most devoted to the republican system of government and a firm opponent of Emperor Iturbide, wrote in Philadelphia in 1821 that the republican system was "The only way in which we can prosper in peace as rapidly as have the United States because the republican system is the only one in which active private interests are the general interests of the Government and of the State." He also wrote, "the example of the United States is before us to lead us to the gates of bliss." Many years before, when living in exile in London, he gave great publicity to the cause of independence for Spanish America with the publication of his works "Letters from an American to a Spaniard," and the "Anahuac Revolution."

The United States and Mexico will celebrate next month another event that is part of our common heritage: the bicentennial of the expedition of Juan Bautista de Anza, who founded the city of San Francisco, California. The Charros of Mexico will join with American cowboys to follow the original route of the great Mexican explorer from Mexico City to San Francisco. This reenactment has been approved as part of the official program of the Bicentennial of the United States.

The Bicentennial, in conclusion, is a time of serious mediation and of celebration. I hope that my words on the life of Gálvez will serve to remind us of this chapter almost forgotten by our historians. I, for one, find an emotional significance in the knowledge—until now so well-concealed, even from the speaker—of the participation of Mexican soldiers, in some cases with their very life's blood, in our struggle for independence. At this time, when so much is made of the things that divide us, I find it extraordinarily healthy to dwell on those matters which remind us of how much unites us.

SPEECH BY THE PRIME MINISTER OF THAILAND ON FOREIGN INVESTMENT

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, it was my privilege during August to spend a short time in Thailand and while there, I talked with the distinguished Prime Minister, Kukrit Pramoj. Thailand continues to be an area of great importance to the United States and to the free world. It is one of the principal food-producing countries of the world and it has a long record of stability in an area which has been plagued by much turmoil.

There has been concern about the future of Thailand because of the collapse of the free governments of Indochina. Many assume that Thailand will be one of the next goals for a Communist takeover in Southeast Asia. The fact that the Thai government asked that U.S. forces be removed added to that concern. However, there are encouraging indications that the Thais expect to follow a policy of neutrality and that they can maintain a viable and effective independent government.

Although the present Thai government is precariously balanced between factions, it is gaining in strength and the Prime Minister is showing increasing skill in dealing with his problems. His government has the support of both the King and the army, and this is very important to its success.

While in Thailand, I was privileged to hear the Prime Minister address the five foreign Chambers of Commerce. These are made up of foreign nationals who have business and industrial interests in Thailand.

The Prime Minister's audience numbered about 400 persons. His speech was reassuring to the audience and it should lend encouragement throughout the free world on Thailand's future policies.

I am pleased to submit His Excellency's speech for printing in the RECORD:

THE CLIMATE FOR FOREIGN INVESTMENT IN THAILAND

(Speech given by His Excellency M. R. Kukrit Pramoj, Prime Minister of Thailand)

Mr. Chairman, Distinguished Guests: The climate for foreign investment in Thailand during the past year has not been very good. Who has been responsible for this?

I asked myself this question for several days before coming to speak before you, because I know what I am about to say will have further bearings on the investment climate. I hope that the home work which I have done will prove beneficial to all of you here today, and also to my country.

To put the full blame on the political events of Thailand of the past year and a half would be a very superficial answer towards explaining the decline in interests in Thailand as a place for foreign investment.

Actually, what I think has been more of a contributing factor towards the lessening of foreign investments in Thailand during the past year and a half has been due to a general fall of foreign investments world-wide. 1974 was a disastrous year for most world economies, and coupled with the oil crisis and the ensuing inflation, most corporate investors of the advanced countries were concerned least of all with investments—but they were concerned more with the question of corporate survival. It is perhaps this first reason, more than *any* other factor, that the drop in foreign investments occurred in Thailand.

A second reason why there has been a drop in foreign investments in Thailand has been due to the fall of South Vietnam and its proximity to us. For those who believe in the Domino Theory, the fall of Vietnam would automatically lead to the fall of Thailand. Because of this reason, Thailand no longer exists and I am *not* talking to anyone this afternoon!

I must admit, nevertheless, that the political atmosphere in Thailand during the past year and a half has not been conducive for foreign investments as well. The labour problems, the barrage of demonstrations, and the TEMCO case are all disquieting factors for potential investors. My task, this afternoon, is to tell all of you why you should not take a wait-and-see attitude towards Thailand anymore, but to begin to think of this country as a very positive place for your investments.

Before I do so, however, I think it is in order that I should say a few words about those factors which you, as foreign businessmen and investors, have found to be disquieting.

Firstly, there was the question of political uncertainty. Many of you had taken a "wait-and-see" attitude because you had considered previous Governments and my own Government as "unstable." As all of you know, the students recently had my picture drawn in caricature as a Hitler, and I was called a dictator. Since most foreign investors consider "stable" governments as only those governments which have dictators, I think I now can qualify myself as having a stable government as I have been called a dictator; and you, on your part, can now have faith in a stable government!

Seriously though, I think you as foreign businessmen in Thailand would agree that Thailand today is a better place for doing business than ever before. Under previous military governments, you were really subjected to the whims and those in power, without having much recourse to whatever impositions were made upon you. In contrast, in Thailand today, I feel that because of our democratic system of Government, there is no longer corruption at the top, and, therefore, your opportunities for doing business here are only as good as your own performance. Nobody pulls strings any more for anyone. In this sense, the business climate in Thailand today should be more favoured by you businessmen. If all of you were to continue to support this type of democratic government, it is only in *your* own interests in the long run that you are able to do business in an open and honourable way, resulting in the most competitive firms coming out the winners.

The second problem which has been troubling you has been the so-called labour problem. While I admit that the many strikes so far have been disrupting and quite unruly, in many instances, I believe that these strikes could have been avoided if there were a better appreciation of the "new Thailand" by the employers. There is no question that many employees have been exploited in the past. Even the minimum wage rates have not been fulfilled. I now strongly advise any employer, whether he be local or foreign, who is not giving his employees good working conditions or a fair wage, should now seriously consider doing so. I believe that any fair employer who takes the initiative to negotiate with his labour force first by recognizing his labour force as a union, and secondly by having an equitable "Work Agreement", should not have any labour problems.

The government is now also revising the Labour Law Act as well as having the Labour Department play a more active role in preventing irresponsible strikes. For this reason, I believe that because the Thai worker is not an unreasonable worker, and because he responds to the goodwill of his employer, any employer who treats Thai labour well should not be afriad of labour problems.

A third factor which has been of concern to foreign investors has to do with the TEMCO case. Now, I think all of you know that the TEMCO case is a very special case, and should not in any way reflect upon the policy of my Government in nationalizing foreign investments. The case is a good example of what not to do in Thailand when you wish to come and invest here. As I said before, under military governments, it would look as if it is possible to utilize influence to obtain any kind of concessions necessary to further your investment ends. The withdrawal of the mining leases of TEMCO is not in any way directed at the foreign company, but it was more of a reprisal demanded by a certain segment of our population to take revenue not only on the ousted military government of the past, but also upon those people who were their business partners, directly or indirectly. It was for this reason, and this reason alone, that the TEMCO case arose. My Government, nevertheless, is still working on an equitable solution with the parties concerned over this case.

This case also had very special political overtones, and should not be construed as a typical day-to-day occurrence in the Thai Government's relationship with foreign firms. I think most of you in this room can appreciate the uniqueness of this case.

As many of you here have worked and lived in Thailand, many of you can appreciate the inherent attitude which this country has for foreigners. This country has never been colonized, and I don't think we have an inferiority or a superiority complex towards foreigners. Our initial reaction towards foreigners is that we presume that they are our friends. Even if they were to do something that we might consider insulting to our traditional way of life, we feel quite condescending towards foreigners. We sort of forgive them as, after all, they are "farangs". This, I believe, is the typical attitude of Thais towards foreigners.

In my view, I do not think foreigners have really taken advantage of the Thais. We have long welcomed foreigners into our land. And because we welcomed them, they expanded their businesses and investments here. In a way, it was mutually beneficial. In the past, while we Thais were more concerned with government and the tilling of the land, the aliens took over the commercial aspects of our country. As I am sure all of you here realize, the commerce of Thailand today is very much dominated by the foreign communities.

It is only natural that no country can allow its economic life to be controlled by foreigners. For this reason, Thailand began some 3 years ago to impose certain restrictions on foreign companies, and introduced work permits for foreigners. These restrictions, I can assure you, are in fact much less restrictive than what the governments of the various nationalities represented here have imposed upon our nationals working in their countries. In many cases, so restrictive is it abroad that Thai nationals are not even allowed to trade or work there. So, if there has been some feelings by the foreign community in Thailand that business has become more restrictive than in the past, I would seriously deny that allegation.

There is a big difference between imposing some restrictions to protect your own nationals, and what is known as an "anti-foreign" sentiment. There is also a fine line of demarcation between chauvinism and mild nationalism. In our case, I believe that the "new Thailand" of today is passing through the phase of mild nationalism. But certainly, I do not believe that the Thai nation is heading towards any kind of chauvinism. In Thailand, there are few unnecessary or unreasonable restrictions on foreigners or foreign companies.

For the long term good of all, foreign firms which have a policy of phasing in Thai nationals as much as they can, and also turning over foreign equity as much as they can to Thai nationals after they have had reasonable profits for a number of years, are those firms which are most welcomed in Thailand.

I am realistic enough to understand that it is unreasonable to ask foreign companies to invest large amounts of money here, and to expect them to give management control to Thai nationals. That is a ridiculous request. I know that if Thai firms were to invest in big projects abroad, Thai nationals would also insist that our investments are managed by our own nationals. It is for this reason that Thailand had no intention of asking foreign investors with large investments to turn over their management, or the majority of their equity structure, to Thai nationals. What we ask is that foreign nationals and foreign companies should work here as partners, so that your investments here can be meaningful in terms of financial gains and at the same time they should also benefit my country. I believe if both sides were to accept a principle of partnership, then there never need be problems over ownerships of foreign businesses in Thailand.

It came as quite a surprise to me when I was informed recently that the foreign business community had taken a wait-and-see attitude and are waiting for a direction from my Government.

Prior to the elections of January this year, my Party has stated very clearly in our Policy Statement that the economic system of Thailand would be one of free enterprise. Our prime economic objective would be full employment, and we would achieve this through a policy of Export Promotion whereby both local and foreign investments would be welcomed. This policy was in turn adopted by the United Parties of the present Coalition Government. This means that the present Government fully subscribes to the system of free enterprise, as well as encourage foreign businesses and foreign investments.

There should be no reason whatsoever why there should be any doubt in the minds of anyone as to why the Government does not intend to follow through with its stated policy.

My Government has already shown that whatever platforms which we have promised to the people prior to the formation of this Government are things which we have faithfully carried out. And so, I pledge that we intend to follow through with our promise of encouraging foreign businesses and foreign investments in Thailand.

The history of foreign investments in Thailand has been long. This nation realizes that we cannot do without foreign businesses. You all have contributed much to the development of our country, and you too have been amply rewarded by the profits gained from your investments in those things which we the rural areas, and those projects which are so set up for the most equitable exploitation projects which are capital intensive, those projects which would result in a transfer of technology and management know-how, those projects which would be located in the rural areas, and those projects which are so set up for the most equitable exploitation of our natural resources.

I give you my pledge that any project presented to the Government along the above guide-lines would receive not only favourable consideration, but would also receive a quick response from my Government.

The new democratic Thailand welcomes both foreign business and investments. No one should ever have doubted this policy in the first place.

As the proof of the sincerity of my intentions, I now wish to invite the heads of the foreign Chambers of Commerce in Thailand to join with certain members of the Thai private sector whom my government will soon nominate to act as a "Foreign Investment Advisory Council" which would have the function of being a sounding Board to the Board of Investment so that together we can work out policies which are equitable to both foreign business and Thailand. I hope the idea of this "Foreign Investment Advisory Council" will meet with your approval.

CONFUCIUS, GEORGE MEANY AND THE FARMER

(**Mr. BAUMAN** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BAUMAN. Mr. Speaker, the Oriental sage of the Ages, Confucius, once remarked that the true and deserving leader is characterized by how free he is of four uniquely human vices. They are that he have no foregone conclusions, no arbitrary predeterminations, no obstinacy, and no egoism.

Far be it from me or for any responsible citizen to publicly judge the total worth of another's leadership ability. Privately, however, we can remind ourselves of the complex problems demanding our urgent attention and evaluate how well our leaders behave in attempting to solve them for the public interest.

George Meany, who has headed the organized labor movement for the last thousand years or so, deserves such an evaluation. While other public figures are constantly before the scrutiny of the professional critics, Mr. Meany is too often able to act in the most outrageous way and say the most inappropriate things with impunity. One man who has never been afraid to take on any luminary attempting to become larger-than-life is Hurtt Deringer, the editor of the Kent County News, servicing Chestertown, and Kent County, Md., since 1793.

In his August 29 edition, he includes an editorial which illustrates his habit of journalistic independence. I suggest that we keep the wisdom of Confucius in mind as we reflect on the subject of Mr. Deringer's article, "Will It Be George Meany or the American Farmer?"

The article follows:

WILL IT BE GEORGE MEANY OR THE AMERICAN FARMER

Drop the y and you have the man; mean, tough and determined.

AFL–CIO President George Meany implied last week that he is more important than the Secretary of State. We are surprised he stopped short of the Presidency. His flair for pomposity is nothing new. Long he has been a demagogue.

Today he is thumbing his nose at American foreign policy by decreeing that the International Longshoremen's Association and the maritime unions refuse to load 9.8 million tons of grain recently sold the Soviet Union unless the federal government guarantee that the grain sales will not effect consumer prices.

What Meany is really after is a larger share of the shipping market for U.S. ships and their AFL–CIO crews. Meany is only interested in unionism and the fostering of that principal. Not everyone in a democracy, however, agrees with Mr. Meany.

The farmer in 1973 was urged by the U.S. Department of Agriculture to go all out on food production. The Department was acting under public pressure. A record harvest is producing approximately 2,140 million bushels of wheat and 5,850 million bushels of corn. The figures for Maryland are 5,328,000 bushels of wheat and 44,940,000 bushels of corn. The normal consumption in the U.S. is about 800 million bushels of wheat and 3.7 billion bushels of corn. This means that we will have over 1 billion bushels of wheat and over 2 billion bushels of corn to sell.

The Chicago Daily News points out, "Urban consumers should not forget either, that unless the farmers prosper, the city dwellers will suffer too in the long run. Farm surpluses that drive down prices may look good temporarily, but they lead either to less planting and future shortages or to government subsidies that eat away the taxpayer's dollar. A proper balance of supply and demand can best be achieved through a free market, including the world market."

American farmers are depending on the world market for part of their income. Approximately one out of every four acres normally goes for export. If exports are curtailed Maryland grain farmers will suffer along with farmers in other states.

Maryland Farm Bureau has gone on record in support of more U.S. flag ships, provided they are always competitive in their rates. MFB, however, does not support labor's strong-arm tactics to gain this end. Once again we are back to George Meany.

The Baltimore Evening Sun summed up Meany and the grain sale mess the best in an editorial August 19.

"In the ultimate touch of arrogance, when asked whether the unions weren't trying to make foreign policy, Mr. Meany replied: 'Foreign policy to too damn important to be left to the Secretary of State.' It is certainly too important to be turned over to an irascible, emotional labor leader making his own arbitrary decisions." Amen.

SECTION-BY-SECTION SUMMARY OF H.R. 9318

(Mr. DOMINICK V. DANIELS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DOMINICK V. DANIELS. Mr. Speaker, on Wednesday, September 3, 1975, I introduced H.R. 9318, the Federal Metal and Nonmetallic Mine Safety Amendments of 1975. At that time, I stated that supplemental information concerning the bill would be entered into the RECORD. Following is a section-by-section summary of H.R. 9318:

SECTION-BY-SECTION SUMMARY OF H.R. 9318

Sec. 1 Short Title. This Act may be cited as the "Federal Metal and Nonmetallic Mine Safety Act."

Sec. 2 Congressional Findings and Purposes. The findings and purposes emphasize the need to improve safety and health conditions in the Nation's metal and nonmetallic mines, especially through new efforts to discover and take action against health hazards in the mines.

Sec. 3 Definitions and Coverage. "Mine" is here defined to exclude from coverage under this Act coal, lignite, sand and gravel mines.

Sec. 4 Duties. This section contains the "general duty" clause under which operators may be cited for hazards likely to cause death or injury other than those for which standards have been promulgated.

Sec. 5 Health and Safety Standards. Mandatory standards currently in effect under the Federal Metal and Nonmetallic Mine Safety Act shall be deemed promulgated under this Act. Within six months after enactment the Assistant Secretary for Metal and Nonmetallic Mine Safety shall promulgate the non-mandatory standards (or modified versions thereof) in effect under the existing law and appropriate standards under the Occupational Safety and Health Act except for those which "do not contribute to the health and safety of miners". The Assistant Secretary may then promulgate, modify, or revoke any additional standards. This section also outlines the time frame for steps taken in the promulgation process.

With regards to toxic materials, the Assistant Secretary shall choose the standard which most adequately assures on the basis of the best available evidence that no miner will suffer material impairment of health or functional capacity, even if the employee has regular exposure to the hazard for the period of his working life. This section further provides for emergency temporary standards to be promulgated without regard to provisions of the Administrative Precedure Act, to be followed by permanent standards within nine months.

Sec. 6 Variances. An affected operator may obtain a variance from a standard promulgated under Sec. 5, when he has demonstrated by a preponderance of evidence that with such noncompliance he can provide employment as safe and healthful as if he had complied with the standard. Variances may be granted to permit operators to participate in experiments if adequate protection is afforded the health and safety of miners.

Sec. 7 Inspections. Underground mines shall be inspected at least four times a year, and surface mines at least two times a year. Advance notice of any inspection shall not be given. The operator and a representative of the miners shall be given "walk-around" rights—the opportunity to accompany the inspector in his rounds—without the miners' representative suffering loss of pay if he is employed by the operator. A miner or miners' representative may request a special inspection if he believes that there exists a standard violataion which may cause injury, or an imminent danger exists. This request or notification may be oral. Prior to or during an inspection of a mine, a miner or miners' representative may notify the inspector of a believed violation. This notice must, however, be in writing.

Sec. 8 Requirements in Cases of Accidents; Records and Reports. Define accident. The operator shall promptly notify the Assistant Secretary of the occurrence of any accident which caused or could reasonably be expected to have caused death or serious injury. In case of an accident, the Assistant Secretary may supervise or direct rescue and recovery activity. The operator shall investigate and record all accidents. He shall keep note of similar potentially hazardous conditions existing elsewhere in the mine, and his actions to prevent the recurrence of similar accidents. During inspections of mine accidents, the Assistant Secretary shall review these records to determine whether failure to take preventive action violated any health and safety standard promulgated. Operator self-inspection of a mine is also authorized under this section. This section further requires records to be kept on work-related deaths and injuries, and miner exposure to potentially toxic materials or harmful physical agents. Operators are required to keep their miners informed of their protections and obligations under this Act.

Sec. 9 Minimum Burden on Small Business. Information shall be obtained under this Act with a minimum burden on small businesses. Each operator of a mine subject to this Act shall be provided with an accurate and complete copy of health and safety standards promulgated, including emergency temporary standards, at least once each year. Inspectors shall bring with them updated copies of standards and regulations changed since the previous inspection of the mine.

Sec. 10 Miner Education and Access to Information. Miners shall be permitted to observe the monitoring and measuring of miner exposures to toxic materials, and shall have access to records of the results. Each miner shall also have access to records of his own exposure to the toxic materials, and shall be informed by his operator if he has been or is being exposed to such agents in amounts exceeding those prescribed by the applicable health or safety standard. Any miner exposed to excessive levels of these agents shall be entitled to transfer with no reduction in pay until corrective action has been taken. The Assistant Secretary in cooperation with the Director of the National Institute for Occupational Safety and Health (NIOSH) shall advise miners on risk of injury indicated by the records, and shall carry out a program of education and training including visits by health experts to improve the health and safety of mines and help miners evaluate their exposures to toxic substances. Miners shall also receive annually updated manuals explaining all health and safety standards. Copies of standards furnished to operators shall also be available to miners at an area where they check in and out on a daily basis.

Sec. 11 Citations. Written citations shall be issued for violation of the general duty clause (Sec. 4), or for violation of any standard, rule, or order promulgated, and shall fix a reasonable time for abatement. Notices may be issued instead of citations for "de minimus" violations, meaning those which have no substantial direct or immediate relationship to safety or health. Citations shall be prominently posted at each place of violation and where the miners check in and out on a daily basis. No citation may be issued after the expiration of six months following the occurrence of a volation.

Sec. 12 Procedures to Counteract Imminent Dangers. If an inspector finds that an imminent danger exists, he may close down the dangerous portion of the mine for 48 hours, during which an injunction or temporary restraining order may be obtained in the appropriate U.S. district court. While the mine is closed, only persons whose presence is determined necessary by the joint decision of the operator and an authorized representative of the Assistant Secretary, public officials whose duties require them to enter the area, and legal and technical consultants or any person including a miners' representative who is accompanied by such a qualified examiner may enter the closed portion. If the Assistant Secretary arbitrarily or capriciously fails to seek relief, any miner injured by such failure may bring an action against the Assistant Secretary in the appropriate U.S. district court.

Sec. 13 Procedure for Enforcement. This section sets the time frame for various portions of the enforcement procedure. If the Secretary issues a citation he shall within a reasonable time notify the operator by certified mail of the penalty, if any, to be assessed. The operator has 15 working days to contest the citation of proposed assessment of penalty. If the Assistant Secretary has reason to believe that the operator has failed to correct a violation for which a citation has been issued within the period allowed, the Assistant Secretary shall notify the operator by certified mail of the failure and penalty proposed, and that the operator has 15 working days to contest the proposed penalty. In either case, if he receives a notice of contestation, the Assistant Secretary shall advise the Federal Metal and Nonmetallic Mine Safety Commission of such notification, and the Commission shall afford a hearing and issue an order. When an operator demonstrates a good faith effort to comply with the abatement requirements of a citation, and the abatement has not been completed because of factors beyond his reasonable control, the Assistant Secretary, after a hearing, shall issue an order affirming or modifying the abatement requirements in the citation.

Sec. 14 Judicial Review. Any person adversely affected by an order of the Commission under Sec. 13 may obtain a review of that order in the appropriate U.S. Circuit Court of Appeals. This section also relates to miner discrimination, and provides that no miner shall be discriminated against because he has filed a complaint or otherwise taken advantage of his rights under this Act. A miner who believes he has been discriminated against may apply to the Assistant Secretary who shall make a determination on the case within 90 days, and bring an action in an appropriate U.S. district court, in accordance with his determination.

Sec. 15 Representation in Civil Litigation. The Solicitor of Labor may appear for and represent the Assistant Secretary in any civil litigation, subject to the direction and control of the Attorney General.

Sec. 16 Penalties. Operators may be assessed a civil penalty of not more than $10,000 for each violation of a standard or recordkeeping requirement or procedure to be followed in case of an accident. Mandatory penalties of *up to* the specified amounts shall be assessed as follows: $1,000 for each day during which failure to correct a violation continues; $25,000 or one year imprisonment or both for willfully violating a health or safety standard; and $50,000 or five years' imprisonment or both for convictions after the first conviction; $1,000 or six months imprisonment or both for giving advance notice of an inspection; $1,000 or six months imprisonment or both for falsifying a document required; $1,000 for violating a posting requirement; $250 for any minor violating a smoking standard; $25,000 or one year imprisonment or both for misrepresenting equipment for sale, etc., as complying with standards. In assessing these penalties, the Commission shall consider the seriousness of the violation, the good faith of the person charged, the history of previous violations, and the appropriateness of the penalty with respect to the size of the business. Civil penalties shall be deposited into the United States Treasury.

Sec. 17 Entitlement of Miners. Miners working in the shift idled by a closure order shall receive full compensation for the remainder of that shift. Miners in the next shift idled shall receive full compensation for the first four hours of that shift. Miners working in an area closed as a result of an imminent danger (under provisions of Sec. 12) shall be compensated for time lost up to one week. When an operator fails or refuses to comply with a closure order issued under Sec. 12, miners idled shall be entitled to full compensation at regular rates of pay in addition to pay received for work performed after the order was issued, for the period beginning when the order was issued and ending when the order was complied with, vacated, or terminated.

Sec. 18 Federal Metal and Nonmetallic Mine Safety Commission. This section establishes a three-member commission appointed by the President with the advice and consent of the Senate. Terms of the members shall be six years. Compensation shall be in accordance with provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code relating to classification and general pay rates. Hearings examiners shall hear cases.

Sec. 19 Assistant Secretary for Metal and Nonmetallic Mine Safety. This section establishes in the Department of Labor an office of the Assistant Secretary for Metal and Nonmetallic Mine Safety, which shall be filled by appointment by the President by and with advice and consent of the Senate.

Sec. 20 Advisory Committee. This section establishes a twelve-member National Advisory Committee on Metal and Nonmetallic Mine Health and Safety, with members selected for their experience and expertise in accordance with provisions set forth in this section.

Sec. 21 Publication, Annual Report, and Regulation. The Assistant Secretary shall transmit to Congress no later than February 1 of each year a report on the administration of this Act.

Sec. 22 Transfer Matters. This section provides for the transfer of personnel, appropriations, property, records, etc. involved in administration of the Federal Metal and Nonmetallic Mine Safety Act, from the Department of the Interior to the Department of Labor, and for other matters relating to transfer of administration.

Sec. 23 Research and Related Activities. This section authorizes the Secretary of Health, Education and Welfare, after consultation with the Assistant Secretary and with other appropriate Federal departments or agencies, to conduct research experiments and studies including research relating to lung and respiratory diseases and carcinogenic substances. It also authorizes, after a written request from an operator or miners' representative, a testing of substances normally found in the mine for toxic effects. It authorizes the Secretary of Health, Education and Welfare to conduct and publish annually, industry-wide studies on the effects of chronic low-level exposure to substances within mines and stresses connected with mining, on the potential for illness.

It authorizes the Secretary of Health, Education and Welfare to make medical examinations available to miners exposed to hazards in mines. Results of these medical examinations shall be made available to miners and their authorized representatives.

Sec. 24 Report of Commencement of Operation of a Mine. Each operator of a metal or nonmetallic mine who employs three or more miners shall report any commencement of operations to the Assistant Secretary.

Sec. 25 Economic Assistance to Small Mine Operators. This section amends the Small Business Act to authorize loans to mine operators to make additions or alterations necessary to comply with health and safety standards promulgated, if such mining concern is likely to suffer substantial economic injury without the financial assistance.

Sec. 26 Authorization of Appropriations. This section authorizes for any fiscal year, such sums as may be necessary, to be appropriated to the Assistant Secretary, the Commission, and the Secretary of Health, Education and Welfare.

ADDITIONAL AUTHORITY AND FUNDING FOR TITLE V REGIONAL ECONOMIC DEVELOPMENT COMMISSIONS

(Mr. RONCALIO asked and was given permission to extend his remarks at this point in the RECORD and to include a letter).

Mr. RONCALIO. Mr. Speaker, one of the issues which the House will be asked to consider in the near future is the matter of additional authority and funding for the title V regional economic development commissions.

Most of my colleagues who follow economic development matters closely will already be apprised of the action of the Senate shortly before our August recess in which they moved to reorganize all economic development commissions under the same legislation and simultaneously to expand the authority for the title V commissions.

This is a most important measure, Mr. Speaker. Interest in regional governmental cooperation is growing. We in Wyoming and our sister energy-bearing States are finding it imperative as we attempt to cope with the sweeping socioeconomic changes which energy development is bringing to our doorstep.

An example of the efficacy of regional economic development as promoted and implemented by the title V commissions is contained in a letter I have received and a resolution adopted by the Buffalo-Johnson County planning office at Buffalo, Wyo.

The letter is addressed to Warren C. Wood, Federal cochairman of the Old West Regional Commission which late last fiscal year provided a considerable amount of money to substate planning units for administrative purposes.

The amount which was allocated to the Buffalo-Johnson County office was only $30,000 for 2 years, but as my colleagues will note from the response and resolution, it was money very well spent.

When the House convenes to consider the matter of adding more authority and funding to the regional economic development commissions it is my hope my colleagues will keep this isolated example in mind and consider how many times it is repeated in areas which are in need of economic assistance. If they do so, I believe they will agree with me that strengthening the programs of the title V commissions is one of the greatest contributions we can make to economic progress in the country at this time.

Mr. Speaker, I place in the RECORD at this point, the resolution adopted by the Buffalo-Johnson County planning commissions and its letter of transmittal to Warren Wood, Federal cochairman of the Old West Commission:

BUFFALO-JOHNSON COUNTY
PLANNING OFFICE,
Buffalo, Wyo., July 28, 1975.

Mr. WARREN C. WOOD,
Old West Regional Commission,
Washington, D.C.

DEAR MR. WOOD: As you are aware the City of Buffalo and Johnson County, Wyoming are recipients of a planning assistance grant from Old West Regional Commission for calendar years 1975 and 1976 in the amount of $30,000 for this two year period. This grant assistance has been utilized in Johnson County for hiring a planning assistant under the joint City-County Planning Program.

The purpose of this letter and enclosed resolution is to inform you of the value of this funding assistance to planning on the local level. Johnson County was identified by the State of Wyoming as one of five potential impact counties in the state. The planning-management assistance provided by this Old West Regional Grant has been very effective in improving the management-planning capability of the City of Buffalo and Johnson County. Documentary evidence of the work efforts accomplished in the first six month period of 1975 has been submitted to the State of Wyoming Department of Economic Planning and Development and Old West Regional Commission for its review. Most notable of the work completed to date under this program has been the completion of requirements for grant offering by the EPA of a "208" Water Quality Planning Grant in the counties of Johnson, Campbell and Sheridan, all of which are located in the mineral rich Powder River Basin of Wyoming.

Since Johnson County was the first county to put these Old West Planning Assistance Grant Funds into operation, this program has been able to submit the most completed work completion report to date. However, as similar planning assistance programs are established in Sheridan, Campbell, Converse, and Platte Counties the overall effectiveness of the Old West Planning Grant Assistance Program will be amplified. We therefore urge you to continue your support of planning assistance to the local level programs where the needs are most urgent. Furthermore, we feel that this type of assistance is far more effective in meeting local level problems than large scale regional surveys, opinion polls, and other similar analyses which are designed to assist local level planning and management problems.

Sincerely yours,
RICHARD W. DOUGLASS,
Planning Director.

BUFFALO-JOHNSON COUNTY
PLANNING OFFICE,
Buffalo, Wyo., July 24, 1975.

The Planning Commissions of the City of Buffalo and County of Johnson wish to express their appreciation to the Old West Regional Commission for its support of the Wyoming Technical Assistance Program. This program has already been of considerable aid to this area and we anticipate that a number of future benefits to our planning program will arise from the grant funds you have provided.

This planning program has not appreciably benefited from the numerous regional socio-economic studies which have been or are being conducted in the coal resource areas of Wyoming. However, the program initiated by the Old West Commission to provide direct planning assistance by increasing the planning and management capability of local programs in impact areas, has proven and will continue to prove to be, extremely effective at the local level.

In the upcoming months the Old West Regional Commission will be monitoring and evaluating the effectiveness of its various programs and determining future program allocations. The Buffalo-Johnson County Planning Program, as a recipient and participant in the Wyoming Technical Assistance Program, strongly encourages the Commission to consider extending the present program at the end of the two year period. The validity of such a request will surely be shown by the results from the program and its direct benefits to the cities and counties involved.

MELVIN R. ADAMS,
Chairman, City Planning Commission.
LEE E. KEITH,
Chairman, County Planning Commission.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. BALDUS (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. JONES of Tennessee (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. OBEY (at the request of Mr. O'NEILL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. O'BRIEN) to revise and extend their remarks and include extraneous matter:)

Mr. CRANE, for 5 minutes, today.

Mr. BELL, for 10 minutes, today.

Mr. RAILSBACK, for 5 minutes, today.

Mr. FINDLEY, for 10 minutes, today.

Mr. KASTEN, for 5 minutes, today.

(The following Members (at the request of Mr. NOLAN) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BRECKINRIDGE, for 60 minutes, today.

Mr. STOKES, for 15 minutes, today.

Mr. FLOOD, for 5 minutes, today.

Mr. BAUCUS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MADDEN, and to include a newspaper article.

Mr. RONCALIO, and to include a letter.

Mr. SYMINGTON, to revise and extend and include extraneous matter.

Mr. ROUSSELOT to revise and extend his remarks immediately following the remarks of Mr. GOLDWATER during general debate in the Committee of the Whole today on H.R. 8800.

Mr. LLOYD of California, to revise and extend following the remarks of Mr. MOSHER.

(The following Members (at the request of Mr. O'BRIEN) and to include extraneous matter:)

Mr. QUIE.

Mr. ARCHER.

Mr. WINN

Mr. PRESSLER.

Mr. ABDNOR.

Mr. LAGOMARSINO in three instances.

Mr. SNYDER.

Mr. DU PONT.

Mr. JOHNSON of Pennsylvania.

Mr. STEIGER of Arizona.

Mr. FRENZEL in three instances.

Mr. CRANE.

Mrs. HOLT.

Mr. ANDERSON of Illinois in two instances.

(The following Members (at the request of Mr. NOLAN) and to include extraneous matter:)

Mr. GONZALEZ in three instances.

Mr. ANDERSON of California in three instances.

Mr. VANIK in two instances.

Mr. KARTH.

Ms. ABZUG in two instances.

Mr. SARBANES in five instances.

Mrs. LLOYD of Tennessee.

Mr. NIX.

Mr. HARRINGTON.

Mr. RANGEL in two instances.

Mr. SMITH of Iowa.

Mr. RUSSO in 10 instances.

Mr. STOKES.

Mr. HELSTOSKI in 10 instances.

Mr. PATTEN.

Mr. ROGERS in five instances.

Mr. BURKE of Massachusetts.

Mr. HOWE.

Mr. CONYERS.

Mr. LEGGETT.

Mr. MCDONALD of Georgia in four instances.

Mr. ZABLOCKI in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1245. An act to amend section 218 of title 23, United States Code; to the Committee of Public Works and Transportation.

S. 1281. An act to improve public understanding of the role of depository institutions in home financing; to the Committee on Banking, Currency and Housing.

S. 2195. An act to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respect to continued productivity growth and improved utilization of human resources in the United States; and for other purposes; to the Committee on Banking, Currency and Housing.

ADJOURNMENT

Mr. NOLAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Monday, September 8, 1975, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1681. A letter from the Chairman, the Renegotiation Board, transmitting a draft of proposed legislation to extend and amend the Renegotiation Act of 1951, and for other purposes; to the Committee on Banking, Currency and Housing.

1682. A letter from the Executive Secretary to the Department of Health, Education, and Welfare, transmitting proposed amendments to the Office of Education's general provisions regulations dealing with the fee schedule for the availability of public records under the Freedom of Information Act, pursuant to section 431(d)(1) of the General Education Provisions Act, as amended; to the Committee on Education and Labor.

1683. A letter from the Administrator of General Services, transmitting the 1974 Annual Report of the General Services Administration; to the Committee on Government Operations.

1684. A letter from the Administrator, American Revolution Bicentennial Administration, transmitting the first report of the American Revolution Bicentennial Board, pursuant to section 10(i) of Public Law 93-179; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SCHROEDER: Committee on Post Office and Civil Service. H.R. 1753. A bill to amend section 141 of title 13, United States Code, to provide for the transmittal to each of the several States of the tabulation of population of that State obtained in each decennial census and desired for the apportionment or districting of the legislative body or bodies of that State, in accordance with, and subject to the approval of the Secretary of Commerce, a plan and form suggested by that officer or public body having responsibility for legislative apportionment or districting of the State being tabulated, and for other purposes; with amendment (Rept. No. 94–456). Referred to the Committee of the Whole House on the State of the Union.

Ms. SCHROEDER: Committee on Post Office and Civil Service. House Joint Resolution 209. Joint resolution asking the President of the United States to declare the fourth Saturday of each September National Hunting and Fishing Day; with amendment (Rept. No. 94–457). Referred to the House Calendar.

Ms. SCHROEDER: Committee on Post Office and Civil Service. House Joint Resolution 597. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as National Saint Elizabeth Seton Day (Rept. No. 94–458). Referred to the House Calendar.

Mr. WHITE: Committee on Post Office and Civil Service. H.R. 6227. A bill to amend title 5, United States Code, to provide Federal employees under investigation for misconduct the right to representation during questioning regarding such misconduct (Rept. No. 94–459). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITE: Committee on Post Office and Civil Service. H.R. 7110. A bill to amend title 5, United States Code, with respect to the retirement of customs and immigration inspectors, and for other purposes; with amendment (Rept. No. 94–460). Referred to the Committee on the Whole House on the State of the Union.

Mr. WHITE: Committee on Post Office and Civil Service. S. 584. An act to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; with amendment (Rept. No. 94–461). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPIN (for himself and Mr. Baldus):

H.R. 9379. A bill to require the U.S. Postal Service to provide postal lock boxes for certain persons who reside in rural areas; to the Committee on Post Office and Civil Service.

By Mr. AuCOIN (for himself, Mr. Ullman, Mr. Hicks, Mr. Hawkins, Mr. Rees, Mr. Hechler of West Virginia, Mr. Edgar, Mr. Gaydos, Mr. Rooney, Mr. Anderson of California, Mr. Gradison, Mr. Harris, and Mr. Mollohan):

H.R. 9380. A bill to amend the National Flood Insurance Act of 1968 to extend coverage under the flood insurance program to include losses from landslides as well as losses from mudslides; to the Committee on Banking, Currency and Housing.

By Mr. BAFALIS:

H.R. 9381. A bill to authorize the Secretary of the Interior to convey certain phosphate interests of the United States to the owner or owners of record of certain lands in the State of Florida; to the Committee on Interior and Insular Affairs.

By Mr. BROOMFIELD:

H.R. 9382. A bill to amend the Internal Revenue Code of 1954 to provide a refundable credit against tax for postsecondary education expenses for tuition and fees paid by the taxpayer attributable to the attendance of a student at an institution of postsecondary education, and for other purposes; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 9383. A bill to terminate the coverage of police officers of the Massachusetts Bay Transportation Authority under the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. BURLISON of Missouri:

H.R. 9384. A bill to provide for payments to compensate county governments for the tax immunity of Federal lands within their boundaries; to the Committee on Government Operations.

By Mr. DINGELL (for himself and Mr. Simon):

H.R. 9385. A bill to revise the laws relating to the establishment, administration, and management of the National Wildlife Refuge System, to establish a Bureau of National Wildlife Refuges, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DUNCAN of Tennessee:

H.R. 9386. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the income tax for any amounts received under a State or local retirement system; to the Committee on Ways and Means.

By Mr. FRENZEL:

H.R. 9387. A bill to provide for the issuance of $2 bills bearing the portrait of Susan B. Anthony; to the Committee on Banking, Currency and Housing.

By Mr. GRASSLEY (for himself, Mr. Ambro, Mr. Archer, Mr. Beard of Tennessee, Mr. Bedell, Mr. Carr, Mr. Cleveland, Mr. Crane, Mr. Gude, Mr. Hillis, Mr. Miller of Ohio, Mr. Santini, Mr. Spence, Mr. Thone, Mr. Whitehurst, and Mr. Winn):

H.R. 9388. A bill to repeal the recently enacted provisions authorizing increases in the salaries of Senators and Representatives; to the Committee on Post Office and Civil Service.

By Mr. HAMMERSCHMIDT:

H.R. 9389. A bill to repeal the Real Estate Settlement Procedures Act of 1974; to the Committee on Banking, Currency and Housing.

H.R. 9390. A bill to establish a method whereby the Congress (acting in accordance with specified procedures) may prevent the adoption by the executive branch of rules or regulations which are contrary to law or inconsistent with congressional intent or which go beyond the mandate of the legislation which they are designed to implement; jointly to the Committees on the Judiciary, and Rules.

By Mr. HARRIS (for himself and Mrs. Spellman):

H.R. 9391. A bill to amend the act of April 17, 1954, which preserved within Manassas National Battlefield Park, Va., important historic properties relating to the battles of Manassas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS (for himself and Mr. Dodd):

H.R. 9392. A bill to regulate commerce and to protect petroleum product dealers from unfair practices, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HEINZ (for himself, Mr. Devine, Mr. Staggers, Mr. Hagedorn, Mr. McCloskey, Mr. Coughlin, Mrs. Collins of Illinois, Mr. Udall, Mr. Brown of Ohio, Mr. Jones of Oklahoma, Mr. Yatron, Mr. Preyer, Mr. Thompson, Mr. Sikes, Mr. Blouin, Mr. Moorhead of Pennsylvania, Mr. Schneebeli, Mr. Edgar, Mr. Andrews of North Dakota, Mr. Nedzi, Mr. Rosenthal, Mr. Fisher, Mr. McHugh, Mr. Brown of Michigan, and Mr. Peyser):

H.R. 9393. A bill to establish a National Commission on Regulatory Reform; to the Committee on Interstate and Foreign Commerce.

By Mr. HEINZ (for himself, Mr. Kemp, Mr. Badillo, Mr. Bennett, Mr. Jacobs, Mr. Rees, Mr. Quie, Mr. McEwen, Mr. Fraser, Mr. Solarz, Mr. Dodd, Mr. Sharp, Mr. Ketchum, Mr. Flood, Mr. Blanchard, Mr. Jenrette, Mr. Levitas, Mr. Roe, Mr. Weaver, Mr. Nowak, Mr. Obey, Mr. Baucus, Mr. Nix, Mr. Eilberg, and Mr. Lujan):

H.R. 9394. A bill to establish a National Commission on Regulatory Reform; to the Committee on Interstate and Foreign Commerce.

By Mr. HEINZ (for himself, Mr. Russo, Mr. Montgomery, Mr. Brinkley, Mr. Downey of New York, Mr. Hughes, Mr. Duncan of Oregon, and Mr. Whalen):

H.R. 9395. A bill to establish a National Commission on Regulatory Reform; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 9396. A bill to amend section 218 of the Social Security Act to require that States having agreements entered into thereunder will continue to make social security payments and reports on a calendar-quarter basis; to the Committee on Ways and Means.

H.R. 9397. A bill to amend title II of the Social Security Act to permit a State, under its section 218 agreement, to terminate social security coverage for State or local policemen or firemen without affecting the coverage of other public employees who may be members of the same coverage group (and to permit the reinstatement of coverage for such other employees in certain cases where the group's coverage has previously been terminated); to the Committee on Ways and Means.

By Mr. JONES of Alabama (for himself, Mr. Harsha, Mr. Roe, Mr. Hammerschmidt, and Don H. Clausen) (by request):

H.R. 9398. A bill to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 3-year period; to the Committee on Public Works and Transportation.

By Mr. KEMP:

H.R. 9399. A bill to repeal the recently enacted provisions authorizing increases in the salaries of Senators and Representatives; to the Committee on Post Office and Civil Service.

H.R. 9400. A bill to amend the tariff schedules of the United States with respect to the entry of horses; to the Committee on Ways and Means.

H.R. 9401. A bill to continue to suspend for a temporary period the import duty on certain horses; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 9402. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. NIX (for himself and Mr. Biaggi):

H.R. 9403. A bill to provide for improved labor-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OBERSTAR (for himself, Mr. Evans of Colorado, Mr. Pattison of New York, and Mr. Cornell):

H.R. 9404. A bill to provide for payments to compensate county governments for the tax immunity of Federal lands within their boundaries; to the Committee on Government Operations.

By Mr. RAILSBACK (for himself, Mr. Kastenmeier, Mr. Maguire, and Mr. Morgan):

H.R. 9405. A bill to regulate lobbying and related activities; jointly to the Committees on the Judiciary, and Standards of Official Conduct.

By Mr. ROSTENKOWSKI:

H.R. 9406. A bill to amend section 174 of the Internal Revenue Code of 1954 to make clear that product development and improvement costs of publishers are research or experimental expenditures, and to prohibit the retroactive application of Revenue Ruling No. 73-395; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 9407. A bill to amend the Federal Water Pollution Control Act to repeal the requirement of user charges; to the Committee on Public Works and Transportation.

By Mr. STAGGERS (for himself and Mr. Devine) (by request):

H.R. 9408. A bill to amend the Federal Power Act and the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

H.R. 9409. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

H.R. 9410. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS:

H.R. 9411. A bill to provide for adjustments in the lands or interests therein acquired for the Clark Hill Reservoir, Ga., by the reconveyance of certain lands or interests therein to former owners thereof; to the Committee on Public Works and Transportation.

By Mr. WHITE:

H.R. 9412. A bill to amend title 5, United States Code, to permit the U.S. Civil Service Commission to contract with certain qualified health maintenance organizations; to the Committee on Post Office and Civil Service.

By Mr. BELL:

H.J. Res. 633. Joint resolution to include the Secretary of Labor in the membership of the Energy Resources Council; to the Committee on Government Operations.

By Mr. BELL (for himself, Mr. Wolff, Mr. Martin, Mr. Blanchard, Mr. Cleveland, Mr. Coughlin, and Mr. Duncan of Oregon):

H.J. Res. 634. Joint resolution to save the great whales from extinction by amending the Fishermen's Protective Act of 1967 to impose an embargo on the products of all foreign enterprises engaged in commercial whaling; jointly to the Committees on Merchant Marine and Fisheries, and Ways and Means.

By Mr. O'NEILL (for himself, Mr. McFall, Mr. Rhodes, Mr. Anderson of Illinois, and Mr. Pickle):

H.J. Res. 635. Joint resolution to authorize procedure for acceptance or appropriation of funds for establishment of a sound and light performance on the east front of the U.S. Capitol; to the Committee on Public Works and Transportation.

By Mr. ABDNOR (for himself, Ms. Abzug, Mr. Addabbo, Mr. Anderson of California, Mr. Andrews of North Dakota, Mr. AuCoin, Mr. Badillo, Mr. Beard of Rhode Island, Mr. Bedell, Mr. Benitez, Mr. Blouin, Mr. Bonker, Mr. Brodhead, Mr. Brown of Michigan, Mr. Burgener, Mrs. Chisholm, Mr. Cohen, Mrs. Collins of Illinois, Mr. Corman, Mr. Davis, Mr. Dodd, Mr. Downey of New York, Mr. Duncan of Oregon, Mr. Edgar, and Mr. Edwards of California):

H. Con. Res. 384. Concurrent resolution to promote and encourage the removal of architectural barriers to the access of handicapped persons to public facilities and buildings; to the Committee on Public Works and Transportation.

By Mr. ABDNOR (for himself, Mr. Eilberg, Mr. Flood, Mr. Frenzel, Mr. Frey, Mr. Gilman, Mr. Gude, Mr. Hannaford, Mr. Harrington, Mr. Hawkins, Mr. Hechler of West Virginia, Mrs. Holt, Mr. Jenrette, Mr. Kemp, Mr. Ketchum, Mr. Lagomarsino, Mr. Lehman, Mr. Litton, Mr. Lloyd of California, Mr. Long of Maryland, Mr. Maguire, Mr. Mazzoli, Mr. Melcher, Mr. Miller of California, and Mr. Mitchell of New York):

H. Con. Res. 385. Concurrent resolution to promote and encourage the removal of architectural barriers to the access of handicapped persons to public facilities and buildings; to the Committee on Public Works and Transportation.

By Mr. ABDNOR (for himself, Mr. Mitchell of Maryland, Mr. Moakley, Mr. Moorhead of California, Mr. Moss, Mr. Mottl, Mr. Ottinger, Mr. Pepper, Mr. Pressler, Mr. Quie, Mr. Rodino, Mrs. Schroeder, Mr. Sharp, Mr. Solarz, Mr. Stark, Mr. Steelman, Mr. Steiger of Wisconsin, Mr. Thone, Mr. Walsh, Mr. Waxman, Mr. Whitehurst, Mr. Bob Wilson, Mr. Charles Wilson of Texas, and Mr. Winn):

H. Con. Res. 386. Concurrent resolution to promote and encourage the removal of architectural barriers to the access of handicapped persons to public facilities and buildings; to the Committee on Public Works and Transportation.

By Mr. ABDNOR (for himself, Mr. Wolff, and Mr. Zeferetti):

H. Con. Res. 387. Concurrent resolution to promote and encourage the removal of architectural barriers to the access of handicapped persons to public facilities and buildings; to the Committee on Public Works and Transportation.

By Mr. ANNUNZIO:

H. Con. Res. 388. Concurrent resolution expressing the sense of Congress with respect to the Baltic States; to the Committee on International Relations.

H. Con. Res. 389. Concurrent resolution expressing the sense of Congress that it remains the policy of the United States not to recognize in any way the annexation of the Baltic nations by the Soviet Union, the President's signature on the Final Act of the Conference on Security and Cooperation in Europe notwithstanding; to the Committee on International Relations.

By Mrs. FENWICK:

H. Res. 695. Resolution to establish a Select Committee on Security and Cooperation in Europe; to the Committee on Rules.

By Mrs. FENWICK (for herself, Mr. Pattison of New York, Mr. Brademas, and Mr. Boland):

H. Res. 696. Resolution concerning the safety and freedom of Valentyn Moroz, Ukrainian historian; to the Committee on International Relations.

By Mr. HOWE (for himself, Mr. Steiger of Arizona, Mr. Hansen, Mr. Baucus, Mr. McKay, Mr. Melcher, Mr. Conlan, Mr. Johnson of California, and Mrs. Mink):

H. Res. 697. Resolution calling upon the National Park Service to take all appropriate steps to carry out the provisions of Public Law 89-249 to assure the availability of lodging and other services in the National Park System, to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAFALIS:

H.R. 9413. A bill for the relief of Miguel Guillermo Correa; to the Committee on the Judiciary.

By Mr. FLOWERS:

H.R. 9414. A bill for the relief of TV Facts, Rochester, N.Y.; to the Committee on the Judiciary.

By Mr. GRADISON:

H.R. 9415. A bill for the relief of Dr. Gustavo Scioville; to the Committee on the Judiciary.

By Ms. HOLTZMAN:

H.R. 9416. A bill for the relief of Keith Allan McLean; to the Committee on the Judiciary.

By Mr. ROGERS (by request):

H.R. 9417. A bill for the relief of Miguel Guillermo Correa; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 9418. A bill for the relief of Joseph C. Hutchinson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

214. The SPEAKER presented a petition of the National Water Supply Improvement Association, Fountain Valley, Calif., relative to research and development in the desalinization of water, which was referred to the Committee on Interior and Insular Affairs.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 8650

By Mr. ROUSSELOT:

On page 7, line 10, insert the following new section, and renumber the succeeding section accordingly—

"Sec. 108. (a) The Comptroller General shall provide for the examination and audit of programs under this Act.

"(b) The Comptroller General shall include in each examination and audit conducted under subsection (a) of this section an evaluation which describes and measures—

"(1) the manner in which policies and programs under this Act are being carried out;

"(2) the impact of such policies and programs; and

"(3) the effectiveness of such policies and programs in achieving stated goals.

"(c) The Comptroller General shall develop standards and criteria for the examination and audit of policies and programs under this Act.

"(d) The Comptroller General shall transmit his report to the Congress no later than July 1, 1977. Such report shall contain a detailed statement and review with respect to the findings and conclusions of each examination and audit conducted under subsection (a) of this section, together with recommendations of the Comptroller General for such legislative or other action as he considers necessary or appropriate.

"(e) No later than 90 days after the enactment of this Act, the Administrator of the Federal Energy Administration shall submit to the Committee on Banking, Currency and Housing of the House of Representatives, and to the Committee on Banking, Housing and Urban Affairs of the Senate, a plan for evaluating the effectiveness of the weatherization program."

SENATE—*Friday, September 5, 1975*

The Senate met at 11 a.m. and was called to order by Hon. JAMES ABOUREZK, a Senator from the State of South Dakota.

PRAYER

Chief Frank Fools Crow, holy man of the Oglala Sioux, Kyle, S. Dak., offered the following prayer, which was interpreted in the English language by Birgil Kills Straight:

In the presence of this house, Grandfather, the Great Spirit,
And from the direction of where the Sun sets
And from the direction of cleansing power
And from the direction of the rising Sun
And from the direction of the middle of the day:
Grandmother, the Earth who hears
Grandfather, the Great Spirit reason You are kind.
I come to You on this day to tell You to cause You are the Woman, for this everything; Grandmother, belove the red men and watch over them and give these young men, the Senators, the understanding because, Grandmother, from You come the good things.
Good things that are beyond our eyes to see have been blessed with us.
For this reason I make my supplications made known to You again.
On this day, on this Great Island, that Great Spirit, Grandfather,
Upon which I stand, I make this prayer to You.
For those of us who are in this house, give us a blessing so that our words and actions be one in unity,
And that we be able to listen to each other,
And that we understand each other.
In so doing, we shall with good heart walk hand in hand to face the future.
This is what I want for all of us.
For this reason, Grandfather, the Great Spirit Father, the Great Spirit, and Grandmother, I make this thanksgiving prayer.
You give me this sacred pipe with which I pray to say thank You.
So be it.
In the presence of the outside, we are thankful with many blessings. I make my prayer for all people—
The children, the women, and the men. I pray that no harm will come to them,
And on this Great Island that there be no war, that there be no ill feelings amongst one another.
From this day on, may we walk hand in hand. So it be.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 5, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JAMES ABOUREZK, a Senator from the State of South Dakota, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. ABOUREZK thereupon took the chair as Acting President pro tempore.

THE PRAYER

Mr. MANSFIELD. Mr. President, before I make my formal requests, I just want to say that the Senate has indeed been honored by the presence of Frank Fools Crow, the holy man for the Oglala Sioux.

It is heartening to have an original American—or at least a descendant of an original American—appear in this Chamber and offer the prayer. I was very much impressed with what the holy man had to say.

We are indebted to the Presiding Officer, the distinguished Senator from South Dakota (Mr. ABOUREZK), for making it possible for the holy man of the Oglala Sioux to offer the opening prayer in this Chamber today.

Mr. HUGH SCOTT. Mr. President, I also wish to note that the opening prayer this morning was a very impressive event, conducted with somber dignity and great reverence. It represents for us a recognition of the original Americans and of their culture and of their faith.

We are all the better for having had another form of prayer which, in the last analysis, is the same prayer which ascends from every chaplain—namely, a prayer for salvation, a prayer for health, a prayer for guidance, and a prayer for wisdom.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, September 4, 1975, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. HUGH SCOTT. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATURAL GAS SCRAMBLE

Mr. HUGH SCOTT. Mr. President, our natural gas shortage is fast becoming a national nightmare. Action must be taken quickly to offset what could become a disaster.

I ask unanimous consent that an editorial in the Philadelphia Bulletin and one in the Harrisburg Patriot on this subject be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Bulletin, Aug. 31, 1975]

TRISTATE AREA HARDHIT—NATURAL GAS SCRAMBLE

Even before President confirmed the grim outlook, the governors of Pennsylvania, New Jersey and Delaware knew that natural gas shortages in the tristate area would be worse this Winter than last.

Thousands of jobs could be lost in factory shutdowns if the Winter is unusually severe and residential and commercial gas customers have to be given extra supplies.

South Jersey, which is dependent on a single pipeline company, will be getting from 44 to 52 percent less natural gas than the area actually needs. Delaware's cutback will be between 36 and 65 percent. The Philadelphia Electric Co. has notified 113 industries in Philadelphia's suburban counties to expect natural gas curtailments of up to 50 percent.

The natural gas shortage, which has been building nationally since 1968, is touching off a scramble among industrial users in Eastern states to find alternative supplies of fuel. Oil, propane and synthetic natural gas are all in heavy demand—and at prices several times higher than the federally regulated wellhead price for natural gas sold in interstate markets.

Supply is the problem, as it has been since U.S. natural gas reserves peaked in 1967. And behind the supply gap is the self-defeating regulation of interstate natural gas sales at unrealistic prices by the Federal Power Commission.

President Ford, who has been urging deregulation of natural gas prices, is looking for ways to help Eastern states get more supplies as Winter sets in. It's too late to do much to promote any big increase this year, however.

Rather than crediting Mr. Ford with a realistic view of the natural gas situation, Pennsylvania's Governor Shapp was the lone dissenter among a dozen governors who met with the President last week on the worsening shortage.

Except for Mr. Shapp, the governors endorsed a five-year suspension of federal regulation of new natural gas wells. Governor Shapp, perhaps hoping to advance his emerging presidential candidacy, complained loudly that the shortage may only have been contrived by natural gas producers. Higher prices, he asserted, would amount to a "rip-off" of consumers, just as though there was some hidden, well-stocked pipeline waiting to be turned on when and if prices rise.

But most of the governors recognized that recriminations and political bluster won't produce more natural gas supplies. They understood what Governor Shapp missed—that there are no longer any really cheap fuels or easily tapped U.S. reserves.

When it comes to a choice between losing production and jobs or buying natural gas at prices closer to what oil, coal and synthetic fuels are costing, resistance to deregulating natural gas will have to give way, as is now happening.

To get through the Winter, South Jersey's natural gas supplier has arranged with two synthetic natural gas plants in North Jersey to divert natural gas to South Jersey and replace it with synthetic gas at nearly 10 times the artifically low price of federally-controlled natural gas.

Natural gas in unregulated markets within the states lucky enough to produce it is selling at around $2 per thousand cubic feet, four times the government-regulated interstate price and roughly equivalent to the price of new domestic crude oil.

Wasteful uses of natural gas should be curbed. As is true with offshore oil, the Federal Government ought to be more involved in verifying the extent of natural gas reserves.

Nonetheless, with the demand for natural gas outpacing supply by so wide a margin, increased exploration and production stimulated by higher natural gas prices are required.

Congress has had more than ample warning that jobs and the industrial vitality of states like Pennsylvania, New Jersey and Delaware are on the line under shortage-inducing regulatory policies. It's time to start expanding natural gas supplies by removing the price controls . . . at least on a trial basis.

[From the Harrisburg (Pa.) Patriot]

FEA Report Cites Average 8 Percent Cutback in 1975–76—State Faces Severe Natural Gas Shortages

(By Robert Steyer)

WASHINGTON.—The Federal Energy Administration (FEA) yesterday reported that Pennsylvania and 12 other states, primarily along the East Coast, face severe natural gas shortages this winter.

The FEA report said the six major gas pipelines serving the state will sustain an average of 8 percent curtailments in supplies during 1975–76 in comparison to 1974–75. The report said the Columbia Gas Transmission Co. pipeline, which serves a number of midstate clients, faces the largest cutback, 18 percent.

The cutbacks will have the most impact on industries in the various states; but the FEA figures differ with estimates by Gov. Milton J. Shapp and the state Public Utility Commission.

Shapp yesterday said the state faces a 23 per cent natural gas curtailment this winter, while the PUC reported in June that an 18 per cent average cutback is expected for state industries. The PUC report added that some gas companies are projecting shortages ranging from 40 per cent to 66 per cent through 1977.

Although the average industrial deficiency will be 18 per cent this year, the PUC reported that figure will increase to 26 per cent next year.

"Assuming a normal winter, virtually all residential and commercial needs will be met (in Pennsylvania)," the FEA report said.

"Nearly the entire impact of reductions in (interstate) deliveries will fall on the industrial and electric utility sectors—a reduction of an additional 15 to 20 per cent from their estimated requirements," the report said.

The FEA document said the hardest-hit areas in the state will be the south, extending from Pittsburgh to Philadelphia, and the "east-central" and "north-eastern" sections which are served by the Columbia Gas Transmission Co., Transcontinental Gas Co. and Texas Eastern Transmission Co. pipelines.

The FEA predicts the primary metals, stone, glass and clay industries will be the most severely affected by the cutbacks. Other industries affected include food processing, agriculture and chemicals (where natural gas is used as a feed stock), the report said.

"Most industrial users of natural gas in Pennsylvania will substitute alternate fuels for boiler fuel and space heating needs," the report said. "There is, however, a distinct possibility that there will not be sufficient gas to satisfy the essential process requirements of the industrial sector. Should the economy recover more quickly than expected, the natural gas shortage could become a critical constraint."

If substitute fuels are needed, the most likely choice will be propane—even though it is much more expensive. Some state industries and gas distributors were forced to purchase propane during last year's gas shortage.

The FEA report said the total shortfall for interstate pipelines will fall 1.3 trillion cubic feet short of the 9 trillion cubic feet needed for the winter heating season—a curtailment of 30 percent over last winter. The report predicts a 2.9 trillion cubic feet curtailment of the 20 trillion cubic feet needed for next year—a cutback of 45 percent from last year.

Although residential consumers have the highest priority in receiving natural gas, the FEA report said consumers will be affected by the shortages through higher prices for goods and services when more expensive petroleum fuels are used in place of natural gas.

The FEA says 40 million homes, 3.4 million businesses and 200,000 industries in the nation use natural gas. Industries use 46 percent of the gas while homes use 25 percent.

The FEA reported that natural gas production dropped last year for the first time in history—about 6 percent—and it blamed Federal Power Commission (FPC) controls as a primary cause for short supplies.

"These price controls have eroded the competitive position of certain major interstate pipelines by keeping the price producers can charge the (interstate) pipelines far below what they can charge for gas sold to customers within the producing state," a FEA press release said.

The FEA report reiterated the Ford Administration's position that FPC controls be lifted on newly produced gas supplies which travel through interstate pipelines "to relieve supply shortages in nonproducing states."

FEA Administrator Frank Zarb said yesterday that Ford will soon make his policy recommendations for easing natural gas shortages and that the federal government will soon provide detailed data on availability of natural gas and alternate fuel supplies.

He added that the government also would publish information on how municipalities and industries might deal with natural gas shortages.

ORDER OF BUSINESS

Mr. HUGH SCOTT. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Kentucky (Mr. HUDDLESTON) is recognized for not to exceed 15 minutes.

THE BUSING ISSUE IN KENTUCKY

Mr. HUDDLESTON. Mr. President, right now the city of Louisville and Jefferson County, Ky., are undergoing the implementation of a massive court-ordered busing plan which involves the busing of some 26,000 students for the purpose of achieving a predetermined racial balance in each school.

I have just returned from Kentucky where I spent a good deal of time talking with parents and residents of Louisville and Jefferson County. In my years of public office I have never seen an issue or a matter of public policy which has so aroused, embittered, and frustrated the people I serve.

To their great credit, the people of Louisville and Jefferson County have expressed their opposition to this court order peacefully and—with a few minor exceptions—totally within the legal remedies provided by the Constitution. The matter was pursued in the courts all the way to the U.S. Supreme Court, and every possible legal tool was employed.

The new school year began yesterday, and once again strong, but for the most part peaceful, protest was expressed by thousands of persons. The residents of Louisville and Jefferson County are overwhelmingly opposed to forced busing, but they are also determined that we will not have violence that would endanger the lives of school children or the future of the public school system.

But more than anything, Mr. President, this experience has left the residents of Jefferson County and those of us who represent them extremely frustrated.

We are frustrated because a policy which is clearly opposed by 80 to 90 percent of the people is being imposed upon us and we seem helpless to do anything about it. I know it frustrates me greatly when my constituents come to me, as their U.S. Senator, and ask: "Why don't you do something about it?"

It does not ease their frustration, or mine, when I explain that Congress has, on numerous occasions, passed legislation designed to limit the ability of the courts or the Government to impose forced busing to achieve a racial balance, only to have those restrictions ruled unconstitutional or disregarded completely.

It does not ease their frustration when I point to the recent Detroit decision as a hopeful sign that the courts may have reached a turning point in their attitude toward forced busing.

It does not ease their frustration when I express my personal belief that the courts will eventually recognize that forced busing is not the best way to achieve quality education and that it increases, rather than diminishes racial tensions.

And finally, their frustration is greatest when I tell them that one possible legislative remedy—a constitutional amendment—is almost impossible because those proposals are bogged down in a Senate subcommittee that is not disposed to act on them.

They ask—and understandably so—why will not the subcommittee act when it is clear that the overwhelming majority of the American people are opposed to forced busing to achieve a racial balance?

And to that question, I have no answer.

I want to take this opportunity to urge as strongly as I can that the Constitutional Amendments Subcommittee of the Judiciary Committee immediately schedule hearings on the three proposed constitutional amendments now pending before it, with the objective of examining them in detail and making a decision on their merits.

Mr. President, the very essence of the American system is that it is democratic and the people have an opportunity through their representatives to make their views and their will known. But as long as the subcommittee refuses to act on this matter, the Senate and the American people cannot exercise that democratic prerogative.

I know that two sets of hearings on this matter were conducted in the 93d Congress, one in 1973 and one in early 1974. But there have been no hearings on this subject in 18 months, and that is a travesty when we consider the number of cities and States and people who are currently faced with this controversial and disturbing policy.

So far as I am able to determine, there has never been a vote either within the subcommittee or full committee on the merits of these proposed constitutional amendments. It is a classic case of legislative pigeonholing.

It may very well be that the full Senate would reject such a proposal which requires two-thirds approval, if not on the merits, then on the ground that use of a constitutional amendment is not the proper way to deal with this issue. But we will never know the answer to that question until the matter has been fully examined in hearings and subjected to a vote within Committee and on the floor.

It is my belief, however, that a vote of the Senate would reflect the sentiment of the country as expressed in poll after poll: the American people are strongly opposed to forced busing to achieve a racial balance.

As great as my concern is over the effects of busing, I am just as concerned over the inability of the people to have their views heard and considered within the Legislative Halls of their Congress.

Congress and each of its committees and subcommittees has an obligation to give serious consideration to all matters which strongly affect the lives and the peace and harmony, not to mention the good will, of our communities. Certainly busing is such an issue.

I know, Mr. President, that some oppose going into this matter for fear that it will represent a step backward in this Nation's commitment to a fully integrated society, with equal opportunity for all, a goal which I have always shared. I can understand those fears, but I do not believe they are justified.

I remain a firm believer in integration, equal opportunity, and equal protection of the laws, but I simply do not believe forced busing will either achieve or advance those objectives. Instead, I think it will erect additional barriers to real integration.

Unwise public policy in the pursuit of worthy objectives is still unwise policy. And I believe forced busing is unwise public policy. It is an effort to correct one evil with another evil.

Therefore, I once again urge the Constitutional Amendments Subcommittee of the Committee on the Judiciary to schedule immediate consideration of proposed constitutional amendments on busing that are before the committee.

Thank you, Mr. President. I yield back the remainder of my time.

Mr. GRIFFIN. Will the Senator yield to me for a brief comment?

Mr. HUDDLESTON. The Senator will yield.

Mr. GRIFFIN. I wish to commend the distinguished Senator from Kentucky and associate myself with his remarks. He has made an excellent statement.

It is interesting and should be noteworthy that many who formerly supported the concept of busing have changed their mind on this issue. I have noticed that a number of the editorial writers for major newspapers now appear to take a different line on this subject.

Even Professor Coleman, who authorized the famous Coleman report, upon which the Supreme Court leaned so heavily, has written some interesting commentary, calling attention to the fact that he never advocated busing as a remedy and registering his view that the Supreme Court has made a mistake in requiring it as a remedy.

Because the Supreme Court's decisions in this area are based on the Constitution, it is difficult, to say the least, to fashion any effective legislation that will undo the Court's mistake. The distinguished former Senator from North Carolina, Mr. Ervin, oftentimes pointed to that provision of the Constitution which gives Congress the authority to delineate the jurisdiction of the courts, including the Supreme Court. Perhaps, as I have advocated, that provision could be used to develop an effective statutory modification in the unrealistic requirements laid down by the Court. But even that approach is fraught with doubts, because the Supreme Court, of course, would have final say on the constitutionality of such an enactment.

The junior Senator from Michigan is, and has been, the sponsor of a proposed constitutional amendment. Without a doubt, that would be the surest way and the most direct way to achieve a change in this situation.

By considering and adopting such a constitutional amendment, Congress could do something about this unfortunate state of affairs.

So, I commend the Senator from Kentucky, and I join him in the call for hearings and action by the Committee on the Judiciary.

Mr. HUDDLESTON. The Senator from Michigan is certainly correct. Many who believed that forced busing was the way to assure that all students would receive quality education have decided on the basis of subsequent studies that it has not, in fact, achieved the desired objective.

Beyond that, it is virtually impossible to devise a forced busing plan which involves the movement of massive numbers of students that is fair and equitable to all the students.

In Jefferson County, a great deal of effort has been put forth to devise a fair plan. Judge Gordon has done a commendable job in trying to carry out the mandate that was forced upon him by the Sixth Circuit Court of Appeals.

However, in order to achieve the desired racial balance in Jefferson County schools, large numbers of black students are required to be bused for a total of 9 years of their school life, while the maximum period of busing for white students is 2 years.

If busing a student across town can be considered a hardship—which I think any reasonable person will accept that it is—then that cannot be a fair situation.

Therefore, in order to achieve a racial balance which has been deemed to be desirable, you have to employ a method which is unfair to a large number of students.

I think we have conflicting rights that simply cannot be resolved through any kind of forced busing program moving massive numbers of students.

Mr. GRIFFIN. The Senator from Kentucky has appropriately pointed out some of the irony and the tragedy of the present state of affairs. Some would find it useful, I suggest, to go back and reread the Supreme Court decision in the Brown case. It might become even more apparent how far afield we have strayed from the basic principle actually involved in that decision.

If I recall the facts accurately, in the Brown case, a black girl was denied the right to attend the school in her own neighborhood. Local school officials required that she ride a bus past her neighborhood school and attend a distant school, solely because of the color of her skin. The Brown case was actually brought to put an end to busing based on race.

It seems strange and ironic that we must now argue against busing based on race that is ordered by the courts.

Mr. HUDDLESTON. The significant thing the Senator from Michigan has indicated is that we have made almost a complete circle in our thinking.

The constitutional amendments being proposed simply say that no school district shall assign a student to any school on the basis of his race, creed, color, or national origin, which is what most of us thought the Constitution and the Brown case required in the first place. Students were to go to the schools that other students who lived in the same area could go to——

Mr. GRIFFIN. Without regard to the color of their skin.

Mr. HUDDLESTON (continuing). Without regard to race, creed, or color.

We have gotten away from that now in trying to correct an imbalanced situation where some schools, because of the housing patterns, became predominantly black or predominantly white.

I am not saying that society is perfect or that housing patterns are such that any citizen in this country can live anywhere he wants to live, although we have moved a long, long way in that direction.

The PRESIDING OFFICER (Mr. GARY W. HART). The Senator's 15 minutes have expired.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is there morning business?

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 10 minutes.

Mr. MANSFIELD. Mr. President, I seek recognition, and I yield 5 minutes to the Senator from Kentucky.

THE BUSING ISSUE IN KENTUCKY

Mr. HUDDLESTON. While housing patterns are not perfect, and we certainly have not solved completely all the problems of our society, it is not proper to impose on the school system the burdens of correcting inequities that may exist through conditions over which they have absolutely no control.

The Senator from Michigan has pointed out correctly that probably the best way to correct this would be through a constitutional amendment which would specifically require that students are not to be assigned on the basis of their race, creed, or color.

If the courts are correct, if the educators and the sociologists are correct, in order for a student to attain equality of education he has to be in a system that is balanced racially and simply delivering the proper ratio to the school door at 8 o'clock in the morning is not satisfying that requirement. The learning process goes on throughout the day, and it would require, in my judgment—and I think this would be the logical evolution of this concept if it is to be carried to its full conclusions—that every class throughout the day be properly balanced; that every activity, the lunch period, extracurricular activity, the football teams, and the basketball teams, likewise be similar in ratio. This is, of course, not reasonable. It will not work.

I think for this reason, the Federal judiciary will change its position, as the courts do from time to time. We can remember it has not been many years ago when the Federal judiciary accepted the idea of equal but separate.

Now that has been changed, and we recognize it as being wrong. You cannot have an equal system if it is separated by race. We accept that and we recognize that.

It is important that the American people have a chance to express their feelings and their opposition, and that the legislative processes go forward in correcting this problem which is causing so much difficulty, so much bitterness, and so much frustration throughout the land.

I yield back the remainder of my time.

The PRESIDING OFFICER. Is there further morning business?

Mr. GRIFFIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRIFFIN. Is the period during morning business for speeches limited to 5 minutes?

The PRESIDING OFFICER. Ten minutes.

THE SINAI AGREEMENT: A MAJOR DIPLOMATIC ACHIEVEMENT

Mr. GRIFFIN. Mr. President, the agreement signed in Geneva on Thursday is a big and a welcome step toward lasting peace in the Middle East.

President Ford and Secretary Kissinger deserve the commendation and gratitude not only of the people of that area, but of the whole world.

This Sinai agreement has been characterized as a personal victory for Secretary Kissinger. But, more importantly, it is a victory for the forces of moderation in the Middle East. As James Markham recently observed in the New York Times:

> Arab militants . . . charge that Mr. Sadat has totally re-oriented Egypt's economic and political posture, rebuffing the Soviet Union and wooing capitalist investors. The deeper these new interests become entrenched, the radicals argue, the less likely it is that Egypt would ever again go to war. There is perhaps some truth in this analysis, which predicts that Egypt will now begin to focus upon its own long-neglected economic well-being.

It is encouraging that the dramatic move of Egypt from a policy of confrontation to a policy of negotiation and compromise has the apparent support of other moderate nations in the area, including the economically powerful states of Saudi Arabia, Kuwait, and Iran. Thus, it is not surprising that the Soviet news agency, Tass, recently lamented:

> It is becoming increasingly clear that this agreement jeopardizes first of all solidarity, and the principles which were formulated at the Arab summit conference in Rabat.

It is understandable that many in our country are reluctant to see the United States become involved in any way, even by sending the small number of U.S. civilians requested by both sides to monitor the agreement. Refusing to assume any of the burdens or risks of world leadership may look like an appealing course but the comforts of isolation are illusory. The folly of such a course was recognized by a great statesman from my State, the late Senator Arthur H. Vandenberg, when on July 6, 1949, he said:

> Much as we might crave the easier way of lesser responsibility, we are denied this privilege. We cannot sail by the old and easier charts. That has been determined for us by the march of events. We have no choice as to whether we shall play a great part in the world. We have to play it in sheer defense of our own self-interest. All that we can decide is whether we shall play it well or ill.

Both Egypt and Israel made clear that an American role in monitoring the Sinai agreement is a key part of the pact. Without such limited participation on our part, the agreement would collapse and war in the area would again be inevitable. As the Wall Street Journal warned recently:

> There should be no illusions that the U.S. can take a less active role in the Mideast and still hope to protect its own interests.

No one could argue that American participation in monitoring the Sinai truce agreement would be without risk. There will be hazards, and these must be considered and weighed. But the dangers should not be overstated; and they should be balanced against the dangers and risks inherent in a refusal by Congress to support the agreement.

With the memory of Vietnam so fresh in our minds, it is not surprising, at this juncture, that some are concerned that this could be the beginning of a slide into another "Vietnam." However, the Middle East bears no real resemblance to our role in Vietnam. As the Wall Street Journal recently noted:

> The sending of 150 technicians to the Sinai need not be the beginning of a "slippery slope." Even if that metaphor is correctly applied to Vietnam, there is almost no resemblance between the Egyptian-Israeli dispute and the North and South Vietnam conflict, in either political or military terms. Anyone who draws false analogies from experience is not really learning from history—from that experience.

As the Detroit Free Press editorialized on September 3:

> The analogy being drawn to the origins of our Vietnam involvement is a false one. The Americans in the Sinai will be civilian neutrals, and Mr. Schlesinger is quite correct in pointing out that both sides will have powerful incentives to protect them.

The Free Press went on to say, quite correctly:

> Congressional failure to approve commitment would be a disaster. . . .

Even though the presence of 200 American civilians in the Sinai need not lead to another Vietnam, still there is concern that American lives would be put in jeopardy. There is some risk. But again, the risk should not be overstated. United Nations personnel have been stationed in the area for a number of years. It can be said that they have performed their function with a minimum of casualties, even during periods of warfare in 1967 and 1973.

But even more important I suggest in this instance is the protection accorded by article 8 of the proposal for the early-warning system which allows the President of the United States to withdraw immediately all U.S. personnel if and when he "concludes that their safety is jeopardized."

The Sinai agreement reached between Israel and Egypt is not a final solution to all of the problems of the Middle East. Much remains to be done, and the road ahead is not likely to be a smooth one. But I think we can take great pride in the progress achieved, and in the role our Government has played thus far in the negotiations. Terming the agreement a "major diplomatic achievement," the New York Times on September 3 editorialized as follows:

> Those who challenge its basic provisions will be under heavy compulsion to indicate what preferable alternative they have for insuring eventual Mideast stability and peace.

Perhaps the Detroit News, in a September 3 editorial, best summed up the challenge and responsibility which now faces the Congress:

> Should the Israeli-Egyptian agreement be brought down by Congress, there would be a collapse of peacemaking in the Middle East. War would be a certainty and all nations would then be stripped of all options except for that of the final conquest.
>
> This is a course that must be avoided and Congress is in a position to prevent it.

I ask unanimous consent, Mr. President, that the several copies of editorials to which I have referred be printed in full at the close of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE NEW MIDEAST PACT—A TRIUMPH FOR UNITED STATES

The initialing of the Sinai second stage disengagement agreement between Israel and Egypt is a triumph for American diplomacy and a resounding defeat for the Soviet Union.

But will Congress permit the triumph to go its full course?

Congress now has the power to knock the agreement on the head by rebelling against the Ford administration and refusing to approve the deployment in the Sinai of 200 American civilian technicians, whose presence has been so carefully and delicately circumscribed in the agreement.

The technicians are essential to the operation of an independent early warning network, particularly in the Mitla and Gidi passes. Both Israel and Egypt have approved their presence and have said as much. The Soviet Union disapproves this clause in the contract for one good reason—the American technical presence is not subject to veto in the United Nations and is therefore beyond the reach of the USSR.

Congressmen can also destroy the agreement by withholding the aid promises extended to both nations, although this aspect was not put on paper.

Congress must do neither. It must approve the use of the technicians, who will be civilians and armed only with pistols to defend themselves. The aid also must be forthcoming, if the pact is to work and serve its purpose—which is to be one step forward on the road to permanent peace

Israel expects $2.5 billion in help this year, plus $350 million a year to offset the cost of buying abroad the oil she gives up by returning the captured Abu Rudeis oil field to the Egyptians.

President Anwar Sadat of Egypt wishes to get on with the repair of a wobbly economy. His defection from Soviet influence to the orbit of the United States implies his desire for economic assistance and it too must be given.

The agreement is interim and not by any means the permanent peace settlement that is essential to the security of the free world. It could easily be destroyed by either of the signatories or by a nonsignatory. However, if it is made to work, the Middle East will have traveled a long way through the unmapped diplomatic mountain pass that leads to peace.

If the agreement does in fact succeed, there are already encouraging signs for further steps. While the radicalized Arab nations howl their displeasure, Syria watches and waits, having already indicated she may be willing to negotiate her own second-stage truce agreement concerning the Golan Heights.

No less interested in the outcome is Jordan, which lost the West Bank and Jerusalem in the seemingly endless armed conflicts there.

The most difficult and troublesome issue of all is not yet on the bargaining table—the Palestinian problem.

Should the Israeli-Egyptian agreement be brought down by Congress, there would be a collapse of peacemaking in the Middle East. War would be a certainty and all nations would then be stripped of all options except for that of the final conquest.

This is a course that must be avoided and Congress is in a position to prevent it.

AS WE SEE IT—MIDEAST PACT ONLY A STEP IN SEARCH FOR REAL PEACE

The agreement concluded this week between Israel and Egypt is in no way a definitive solution to the thorny problems plaguing the Middle East. But the agreement will ease tensions in the short run, and may prove to be a prelude to negotiations on the more basic issues dividing Israelis and Arabs.

The atmosphere of euphoria surrounding the agreement is perhaps understandable, given all the obstacles the negotiators had to overcome, but hardly realistic. The pact is a pragmatic arrangement that staves off the threat of a new outbreak of war, but makes no attempt to resolve the really fundamental problems of the region. Among these are:

The continued Israeli occupation of vast amounts of formerly Arab territory in the Sinai, Gaza, the Golan Heights and the West Bank; and the related question of Israel: military security in a region full of hostile and well-armed rivals.

The fate of Jerusalem, the holy city that is sacred to Moslems as well as Jews and Christians, but is wholly controlled by Israel.

And the toughest question of all, the more than three million Palestinian refugees and their insistent demands for a national homeland.

None of these questions is even addressed, let alone resolved, by the Israeli-Egyptian agreement.

But a candid recognition of the pact's limitations should not detract from an understanding of its positive achievements. More than anything else, the agreement has bought everyone concerned a little more time. The only real alternative to the pact was an almost certain resumption of hostilities in the near future. The success of Secretary of State Kissinger's shuttle diplomacy has at least defused this threat for the time being.

More broadly, the agreement may provide some much-needed momentum in the direction of peaceful settlements between Israel and her Arab rivals. Whatever its limitations, it is the first Arab-Israeli agreement ever to be signed that did not result from a war. As such, it may help to pave the way for the subsequent agreements that must follow, if the Middle East is ever to know any lasting peace and stability.

The next logical step in this protracted process of negotiations would seem to be talks between Israel and Syria concerning the Golan Heights. Progress here will be tough to achieve; the distrust between the two nations is greater, and there is less room for compromise in the small but strategically important Golan region. But the general Israeli strategy of trading land for political concessions must be pursued again if these negotiations are to bear fruit.

There is one remaining loose end still to be tied up before the Israeli-Egyptian interim agreement can be finalized. That is congressional approval of American participation in the agreement; specifically, the stationing of some 200 American civilians to man some of the "early warning" stations in the Sinai buffer zone between the Egyptian and Israeli forces.

It is true, as Defense Secretary James Schlesinger admitted, that there are risks involved in this commitment of U.S. personnel. The American technicians would be stationed in a potential war zone between two old antagonists who have fought four wars in the past 25 years. The possibility of involuntary U.S. involvement in some future outbreak should not be ignored.

On balance, however, it is a risk well worth taking. The analogy being drawn to the origins of our Vietnam involvement is a false one; the Americans in the Sinai will be civilian neutrals, and Mr. Schlesinger is quite correct in pointing out that both sides will have powerful incentives to protect them.

Moreover, American participation is an essential part of the agreement; the Israelis reportedly refused to sign the pact without this pledge of U.S. commitment. Congressional failure to approve this commitment would be a disaster; the whole agreement would likely fall apart, leaving the Middle East on the brink of a new war. We hope Congress will act promptly to confirm American participation in this modest, yet hopeful step in the direction of a permanent Middle East settlement.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. MORGAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORGAN. Is there still time remaining under morning business?

The PRESIDING OFFICER. There is time until 11:53.

FORCED BUSING

Mr. MORGAN. Mr. President, I was present in the Senate this morning during the remarks of the distinguished Senator from Kentucky and the colloquy between the Senator from Kentucky and the Senator from Michigan.

I am very interested in their comments concerning forced busing for the purpose of achieving racial balance.

Inasmuch as I was necessarily absent from the Senate on Wednesday when a vote was taken on the amendment which would have prohibited the use of funds appropriated to the Justice Department for the use of intervening in such actions, or bringing actions for that purpose, I would like to comment briefly for the RECORD.

Had I been present on Wednesday I would have voted against that amendment not because I condone such busing but because I think, first of all, that is the wrong way to go about changing the law. It would have had the effect of preventing the Justice Department from moving against the segregated school system in other parts of the Nation as it has already done in the South. In other words, now that most schools in the South are integrated it would have declared a moratorium for the rest of the country.

I think the colloquy here this morning with regard to constitutional amendments has probably indicated the most appropriate way to change the law.

I listened to the remarks of the distinguished Senator from Michigan with regard to the facts in the Brown case and the very able argument that he made with regard to that case. I would say to the distinguished Senator from Michigan that when I appeared in the first busing case before the U.S. Supreme Court for the State of North Carolina I made exactly those same arguments, but they were rejected consequently, today we are busing 44,000 students in the city of Charlotte alone and we are busing all across North Carolina, thankfully we are getting along very well with it.

I commend the people of my State for accepting the decisions of the various inferior courts and the decision of the U.S. Supreme Court, even though we disagreed with the conclusions reached in those decisions.

I personally believe in the neighborhood school system and I think perhaps the quickest way to return to that system is to try to make sure that every school, regardless of the neighborhood in which it is located, offers quality education—education of the same quality that might be found in any other school in any other district or any other area of the city. And we still must work to achieve that goal.

But, Mr. President, I would say that when I was making those arguments before the Supreme Court of the United States in 1969 there was painful silence in the Senate Chamber. Some of those who are speaking out today were not speaking out then. To me it is interesting to note that only after we began to expand the theory of busing schoolchildren across cities in areas outside of the South that we began to get the concern we have heard expressed here in the Chamber today.

I share the concerns and the apprehensions of the distinguished Senator from Kentucky for the safety and welfare of the children in Kentucky. I think it is probably the wrong way to achieve what the courts are seeking to achieve. But I do say this, Mr. President: We have complied with these decisions in North Carolina. We have complied in all good faith. Now we expect the people of Boston, Detroit, San Francisco, Los Angeles, and all other areas of the country to live by the same standards that have been prescribed for those of us in North Carolina.

LEAVE OF ABSENCE

Mr. SPARKMAN. Mr. President, my colleague, the distinguished junior Senator from Alabama (Mr. ALLEN), was on his way back to Washington for the reopening of Congress when he became ill. Actually, it is a leg injury or a foot trouble, whatever it may be. It turned out to be that he was diabetic and it became more serious than it was first thought to be.

He was hospitalized and then he was returned to Birmingham and put into a hospital there. I do not know just how long he will be kept away. We have been checking with him from day to day.

I ask that he be granted an indefinite leave of absence until he is physically able to return to the Senate.

Mr. ROBERT C. BYRD. Mr. President, I share the concern that has been expressed by the senior Senator from Alabama (Mr. SPARKMAN), with respect to the illness, which we hope will be very brief. We hope for a speedy recovery of his junior colleague (Mr. ALLEN). I share that concern. I would hope in his request the Senator will make it inclusive under rule V of the Standing Rules of the Senate for Wednesday and Thursday.

Mr. SPARKMAN. I appreciate the leader calling my attention to that.

Mr. President, I amend that request to make it effective as of the opening of the Senate and extending until the junior Senator from Alabama is able physically to return.

The PRESIDING OFFICER. Is there objections? Without objection, it is so ordered.

REMARKS OF SENATOR MANSFIELD BEFORE THE SENATE DEMOCRATIC CONFERENCE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement I made before the Senate Democratic conference on Thursday, September 4, 1975, and a resolution adopted by the Democratic conference be printed in the RECORD.

There being no objection, the statement and resolution were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR MIKE MANSFIELD BEFORE THE SENATE DEMOCRATIC CONFERENCE, THURSDAY, SEPTEMBER 4, 1975, THE CAPITOL, ROOM S-207, 12 NOON

Last Friday, the Speaker and I met with President Ford. The meeting was at my request. My purpose was to urge the President not to veto S. 1849, the 6-month extension of the Emergency Petroleum Allocation Act, because of the disastrous effects that abrupt termination of all price restraints on energy would have on the country. As I saw it, if the President vetoed and nothing further was done, prices of all petroleum products—gas and heating oil—would go sky-high. Independent refiners and service station operators would be driven to the wall; the solvency of the airlines would be threatened; inflation would get another long ride on the merry-go-round; the recession would deepen into depression and unemployment would spread.

With these thoughts in mind, the Speaker and I met with the President and his advisers, Messrs. Zarb, Morton, Friedersdorf, Marsh, and Greenspan. We explored the possibility of providing time for further consideration of more gradual and less disruptive plans to meet the energy problem. Personally, I had proposed a period of 4 to 6 years for decontrol on July 22 and as long as 2 years ago had suggested rationing as the only really equitable way of dealing with the petroleum problem. Neither suggestion got anywhere. At this point, they are both water under the bridge. What seemed most immediately necessary was time—more time, for negotiation between the President and the Congress, I approached the President, therefore, out of a deep personal concern over the peril which would threaten the Nation in the event of an abrupt termination of price controls by Presidential veto. What I did and the reasons therefore are contained in my letter to the President with accompanying materials, copies of which were furnished each of you along with all Republican Senators and Members of the joint House leadership last Friday.

As has been reported, the effort to persuade the President not to veto was not successful. The President was appreciative but adamant. He stated again, as he has on past occasions, that he would veto the allocation extension in the form it was presented. Beyond that, there is little else to report on the meeting. There was no agreement, no compromise, no specifics, save those to which I will allude in a moment.

In short, the administration stands committeed to the veto. In my judgment, it is a commitment which as I have indicated, if it results in an abrupt end to energy price restraints, will wreak havoc in the economy. Yet, that is what confronts us. The leadership has to deal with the reality of that possibility.

Unless this conference recommends otherwise, therefore, the leadership proposes to schedule a vote to override next Wednesday. If the Emergency Petroleum Allocation Act veto is overridden, here and then in the House, it will mean that controls will remain for an additional 6 months. It will mean that the allocation of gasoline, of propane and of the other vital materials refined out of the crude oil barrel will be possible throughout this winter. Those months, although I hope it would only take a month or two, at the most, can also be used to try to work out further compromises with the President and to give the House an opportunity to pass the many significant energy measures—most of them from Senator JACKSON's committee—which the Senate has already cleared.

If that scenario on energy emerges, then the immediate crisis will have been surmounted. But who can be sure that the situation will develop in that fashion? The leadership cannot count on it. We cannot be sure that an override of the veto will carry. A two-thirds vote requires Republican votes as well as Democrats. It is a vote which is never easy to achieve in the Senate or the House since the President pits his strength and leadership against the Congress by a veto. It is the responsibility of the leadership and of this majority, therefore, to consider alternatives, to prepare fall-backs in the event the veto is sustained. Somewhere, in this Government, in some branch of this Government, initiatives must be taken on behalf of the general public to block off a gathering economic disaster.

In the course of my meeting with the President, therefore, I indicated my intention to convene this conference today for the purpose of reporting on my discussions. The President responded by outlining what he would consider at this time as a solution to the oil-pricing issue, short of immediate and total decontrol. It included phased decontrol of old oil over a 39-month period, an $11.50 price on "new" oil increasing at the rate of 5 cents per month, a windfall profits tax with forgiveness of up to 25 percent for plow-back into production and a removal of the 60-cent fee on imported distillates and residual oil applicable mainly to the Northeast.

To be sure, the specifics of the plan he outlined were the same as those submitted under the Allocation Act last July with the appropriate taxing and import fee supplements and, I must point out, it was a plan that the House rejected by a margin of 39 votes. The only change, so far as I was aware, was his readiness to sign a 45-day extension of the Allocation Act—in lieu of the 6 months already passed by the Congress—if the decontrol plan which he outlined could be agreed upon or if its approval by both Houses looked favorable.

I have had an opportunity now to consider this proposal fully. It was offered in good faith by the President. It has been presented in good faith to this conference, and I would expect it will be considered here in the same vein.

For the present, however, we are up against a Presidential decision to veto the 6-month extension. If the Congress is successful in the override, then the oil-pricing issue can be addressed prudently, calmly, and outside the atmosphere produced by the spectre of abrupt and total decontrol. The alternative which is offered is the 45-day extension within which to accept the President's proposals or some modification thereof to which he might be agreeable. I hasten to add that the President himself gave no indication of a readiness to compromise further. This morning, however, the deputy majority leader, Mr. BYRD, did raise the suggestion of a 60-month extension, which was declined, then a 48-month extension, which likewise was not accepted. I then asked the President if he would be flexible on an extended time period and, which he gave me no direct answer—and I did not press him—it is my feeling that he might consider something in excess of 39 months.

I ask this conference to consider this situation most carefully. Unless this problem, this conflict between the administration and the Congress can be resolved, it will be the people of the Nation who will pay the price in depression and unemployment, in skyrocketing prices of all petroleum products, and in serious breakdowns in the structure of the American economy.

In conclusion, at the meeting at the White House this morning, I discussed with the President briefly last Friday's meeting and stated that there were no commitments made by me, that there was a proposal made by him, but that we both retained our respective positions pending the outcome of this conference. He agreed.

The meeting is now open for discussion.

RESOLUTION ADOPTED BY THE SENATE DEMOCRATIC CONFERENCE

Whereas, the Congress is continuing to seek a responsible consensus of the question of energy prices;

Whereas, enactment of S. 1849 would prevent the immediate decontrol of energy prices with such decontrol's implicit threat of halting economic recovery and stimulating inflation;

Whereas, enactment of S. 1849 would preserve the competitive protections of the Emergency Petroleum Allocation Act;

Whereas, a brief extension of the existing energy price control authority is the step best designed at this time to provide the time needed by Congress and the administration to reach an acceptable agreement on energy prices;

Therefore, the Senate Democratic Conference urges the President to sign into law S. 1849; and, in the event of a veto, the Senate Democratic Conference urges that the veto be overridden.

Regardless of the outcome of the override vote in Congress the Senate Democratic Conference also urges the majority leader in cooperation with the Speaker of the House to immediately consult with the President to resolve our differences and develop an acceptable agreement on energy prices.

MESSAGES FROM THE HOUSE

At 11:08 a.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the bill (H.R. 3884) to terminate certain authorities with respect to national emergencies still in effect, and to provide for orderly implementation and termination of future national emergencies, in which it requests the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 3884) to terminate certain authorities with respect to national emergencies still in effect, and to provide for orderly implementation and termination of future national emergencies, was read twice by its title and referred to the Committee on Government Operations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. CRANSTON:

S. 2296. A bill to amend title 5, United States Code, to provide that annual leave lost by a Federal employee because of an unjustified or unwarranted personnel action shall be restored to the employee, and for other purposes. Referred to the Committee on Post Office and Civil Service.

By Mr. DOLE:

S. 2297. A bill to amend the U.S. Grain Standards Act to improve grain inspection and operations of official inspection agencies, and for other purposes. Referred to the Committee on Agriculture and Forestry.

By Mr. PROXMIRE:

S. 2298. A bill to establish a Federal Bank Commission to administer all Federal laws relating to the conduct of the banking business both foreign and domestic including all such laws relating to the chartering of banking institutions and their branching activities, bank holding companies, and their activities, Edge Act corporations and their activities, and the examination, supervision, and regulation of all banking institutions under Federal law. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. ROTH (for himself, Mr. FANNIN, Mr. DOMENICI, Mr. DOLE, Mr. McCLURE, Mr. GRIFFIN, Mr. HANSEN, and Mr. BEALL):

S. 2299. A bill entitled "The Emergency Petroleum Allocation Extension Act of 1975." Read the first time, and, by unanimous consent, ordered held at the desk.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CRANSTON:

S. 2296. A bill to amend title 5, United States Code, to provide that annual leave lost by a Federal employee because of an unjustified or unwarranted personnel action shall be restored to the employee, and for other purposes. Referred to the Committee on Post Office and Civil Service.

Mr. CRANSTON. Mr. President, the bill I am introducing today will correct a small but important oversight in the Back Pay Act of 1966, as amended by the Restoration of Pay Act in 1973.

As the law now stands, a Federal employee who is reinstated in his or her job after an unjustified or unwarranted personnel action is supposed to recover losses in pay and benefits. Unfortunately, he or she cannot recover more than 30 days of leave time. Since many cases of wrongful dismissal from the Federal Government take years to adjudicate, the 30-day limitation deprives the reinstated employee of an important benefit which he wrongfully lost in the first place.

The 1973 Restoration of Leave Act permits employees to accrue and to keep more than 30 days of leave if the excess days were accumulated as a result of administrative error, illness, or the exigencies of the service. Unfortunately, unjustified or unwarranted personnel actions have been interpreted as not falling into any of these catgeories.

The bill I introduce today will correct this problem by requiring that unjustified or unwarranted personnel actions be treated in the same way as administrative errors.

This legislation has the support of Federal employee organizations and of the Civil Service Commission. It is a companion bill to H.R. 7976, which was introduced in the other body by Congressman WILLIAM M. KETCHUM of California. I urge that the Senate take prompt action on this bill.

By Mr. DOLE:

S. 2297. A bill to amend the U.S. Grain Standards Act to improve grain inspection and operations of official inspection agencies, and for other purposes. Referred to the Committee on Agriculture and Forestry.

Mr. DOLE. Mr. President, we are very familiar with the many indictments of grain inspectors, grain export firm employees and others at our ports for violations of the Grain Standards Act. The chairman of the Committee on Agriculture and Forestry (Mr. TALMADGE) and the Senator from Minnesota (Mr. HUMPHREY) joined me on June 4 in introducing Senate Joint Resolution 88 which provides the Secretary of Agriculture with temporary additional authorities to improve the grain inspection system. Subsequent to the introduction of this bill, the committee has had several hearings on the operation of the inspection system and has a comprehensive investigation underway.

At the hearings on this subject, the Department of Agriculture testified that it would submit legislative recommendations with a short period of time which would permanently improve the inspection system. They have just provided us with their proposed legislation this week. Their recommendations basically parallel the provisions of Senate Joint Resolution 88, strengthening the existing system by providing stricter penalties for violations and increasing the authorities of the Secretary of Agriculture to conduct inspection. Today I am introducing the USDA legislative recommendations on request. This legislation responds to obvious deficiencies in the current system as does the temporary authority provided by Senate Joint Resolution 88. It does little else. Mr. President, this bill is deserving of our consideration, and it is for that purpose that I introduce it today. Our committee investigation thus far indicates there are further changes definitely needed in other provisions of the Grain Standards Act and possibly in other laws.

The Agriculture Committee will fully examine the provisions af the Grain Standards Act and other pertinent laws and will take the necessary action for an improved system which will assure the integrity of our grain trade.

By Mr. PROXMIRE:

S. 2298. A bill to establish a Federal Bank Commission to administer all Federal laws relating to the conduct of the banking business both foreign and domestic including all such laws relating to the chartering of banking institutions and their branching activities, bank holding companies, and their activities, Edge Act corporations and their activities, and the examination, supervision, and regulation of all banking institutions under Federal law. Referred to the Committee on Banking, Housing and Urban Affairs.

CONSOLIDATION OF BANK REGULATORY AGENCIES

Mr. PROXMIRE. Mr. President, I am today introducing for reference to the Committee on Banking, Housing and Urban Affairs a bill to establish a Federal Bank Commission to administer all Federal laws relating to the conduct of banking business, both foreign and domestic, including all such laws relating to the chartering and insuring and merging of banks, their branching activities, bank holding companies and their activities, Edge Act corporations and their activities, and the examination, supervision, and regulation of all banking institutions under Federal law.

It has become necessary to restructure the Federal bank regulatory apparatus because the existing structure consisting of the Federal Reserve System having jurisdiction primarily over State banks which are members of the Federal Reserve System, the Comptroller of the Currency having jurisdiction over all national banks, and the Federal Deposit Insurance Corporation having primary jurisdiction over nonmember State insured banks has proven incapable of dealing with banking practices which have arisen in the past 30 years in a manner which will insure a safe and sound banking system.

A safe and soundly maintained and operated banking system is basic to the economic well being of the Nation. Banking institutions occupy a unique and vital place in the economy. They are the principal suppliers and allocators of credit to the various sectors of commerce and industry. They are the principal institutions in our society by which decisions at the governmental level to increase or decrease the money supply are effectuated and translated into reality in the marketplace. They are the principal institutions in which the deposits and savings of individuals, partnerships, and corporations are held. They are, therefore, institutions which are imbued with an exceptionally high degree of public interest and must be subject to a high degree of effective public scrutiny.

Every banking institution must so conduct its affairs that it retains the ability to function without special Government subsidy in times of monetary restraint as well as in times of monetary growth. The structure of bank supervision should be such that banks are given no encouragement to conduct their affairs in a speculative manner in times of economic growth. Governor Robertson, the former distinguished Vice Chairman of the Federal Reserve Board has stated:

> There should never be a possibility of utilizing the supervisory function to enforce a given monetary policy today and an opposite one tomorrow, to look at bank loan portfolios through rose-colored glasses today and black ones tomorrow.

It is undeniable that particular banking institutions have engaged in speculative finance in many areas of the economy. These speculations have served to misallocate credit resources to earn high rates of return. The existing structure of bank regulation consisting of three Federal regulators, often at odds with one another over whether particular banking practices should be permitted, has prevented them from requiring the cessation of unsafe or unsound banking practices which would have prevented the speculations from taking place. Institutions which are engaged in speculative finance often suffer dire consequences themselves and have been responsible for a loss of confidence in the banking system itself. The Government regulators have lacked the will to utilize their supervisory authority to abate these practices and to keep banks operating in a safe and sound manner requiring them to fulfill their public purposes.

The structure of supervision and regulation at the Federal level has been the major reason why unsafe or unsound conditions in our banking system have been allowed to proliferate. To some extent, of course, each of the three Federal bank regulatory agencies bears individual responsibility for the state of affairs.

In the wake of the largest bank failures in this Nation's history last October Chairman Burns of the Federal Reserve said to the American Bankers Association:

> I must say to you, however, that I am inclined to think that the most serious obstacle to improving the regulation and supervision of banking is the structure of the regulatory apparatus. That structure is exceedingly complex. * * * At the Federal level, every bank whose deposits are insured is subject to supervision and regulation, but authority is fragmented. The Comptroller of the Currency charters and supervises national banks. The Federal Reserve System supervises State chartered member banks, regulates activities of Edge Act corporations, regulates all bank holding companies, and controls the reserves and other operating features of all member banks. The Federal Deposit Insurance Corporation insures nearly all banks, but supervises only State-chartered banks that are non-members of the Federal Reserve. The FDIC also has certain regulatory powers that apply to insured non-member banks.
>
> Those of you who have been intimately concerned with regulatory matters will realize that I have oversimplified, that our system of parallel and sometimes overlapping regulatory powers is indeed a jurisdictional tangle that boggles the mind.
>
> There is, however, a still more serious problem. The present regulatory system fosters what has sometimes been called "competition in laxity." Even viewed in the most favorable light, the present system is conducive to subtle competition among regulatory authorities, sometimes to relax constraints, sometimes to delay corrective measures. I need not explain to bankers the well-understood fact that regulatory agencies are sometimes played off against one another. Practically speaking, this sort of competition may have served a useful purpose for a time in loosening overly cautious banking restrictions imposed in the wake of the Great Depression. But at this point, the danger of continuing as we have in the past should be apparent to all objective observers.
>
> I recognize that there is apprehension among bankers and students of regulation concerning over-centralized authority. Providing for some system of checks and balances is the traditional way of guarding against arbitrary or capricious exercise of authority. But this principle need not mean that banks should continue to be free to choose their regulators. And it certainly does not mean that we should fail to face up to the difficulties created by the diffusion of authority and accountability that characterizes the present regulatory system. * * * Some will doubtless conclude that the proper approach lies in improved coordination among the multiple bank regulatory agencies, together with harmonization of divergent banking laws. My own present thinking, however, is that building upon the existing machinery may not be sufficient, and that substantial reorganization will be required to overcome the problems inherent in the existing structural arrangement.

I am in agreement with these statements of Chairman Burns. My own study of this problem has led me to conclude that the best restructuring at this time would be the unification of the three existing bank regulatory agencies into a single agency without a substantial change in the Federal law governing the business of banking. Before adopting more stringent regulatory laws to cure unsound practices which have arisen in banking in recent years, I believe we should give effective regulation under existing law the opportunity to work. With the removal of incentives to regulate all institutions at the lowest common denominator level, the Federal Bank Commission will be in a position to abate unsafe or unsound practices at particular institutions while maintaining a posture of encouragement of innovation in the public interest at other institutions possessing requisite management and operational capability. The existing structure does not allow for this degree of sophistication over the supervision and regulation of the business of banking.

There has been an expansion in the size of banks and bank holding companies in recent years that has outpaced the capability of supervisory authorities. Governor Robertson has stated that:

> Banks have grown so large that it is no longer feasible for examiners to analyze adequately bank management, assets and liabilities, and their trust and foreign exchange activities within the limitations of available man hours. It would not be feasible if the supervisory forces were quadrupled.

A portion of this expansion has been based upon management focus on profits which have encouraged speculations, and to which the regulatory authorities have aided by their "competition in laxity." Numerous examples are available of this unhealthy competition between regulators. I need cite only one example.

For years the regulatory authorities deemed the acquisition of excess reserves by banks from other institutions borrowings which were subjected to limitations under Federal law as to amount. In the mid-1960's one bank regulatory agency ruled that such transactions were purchases and sales and not borrowings and therefore not subject to the statutory limitation as to amount. This gave the banks that regulator supervised a sizable competitive advantage over other banks by broadening their ability to expand their loan portfolio.

To eliminate this competitive advantage, another regulatory agency, which had objected to the change in ruling, felt itself obliged to adopt the same position for the banks it supervises. The result has been a tremendous increase in Federal funds transactions. Institutions have relied on these overnight borrowings to an inordinate and in particular instances to an unsafe degree in funding forward loan commitments and to expand long-term loans on this basis of short-term borrowings. Liability management has added a new dimension of risk to the banking system.

The past several years have seen the largest bank failures in the history of our Nation. Liability management practiced by the use of volatile sources of funds to support illiquid and high-risk asset portfolios as I have described have been a major causative factor. In addition, insider self-dealing loans to bank directors and bank management have been significant causative factors in other situations.

Still other disturbing trends in banking institutions have been the use of brokered deposits, the increased use by banks of loan commitments, bullet loans, and standby letters of credit as a source of earnings for banking institutions. The latter forms of banking, together with the practice of liability management serve to exacerbate severely the tendency of banking institutions to increase the size of their asset portfolios at the expense of any significant regard for the stability of the sources of funds upon which these loans must be based. Supervision of these activities by bank regulators has been inadequate.

One of the reforms in bank supervision urgently needed is a drastic change in bank examinations procedures in order that the regulatory authorities may comprehend and respond to the material changes which are occurring with rapidity in banking institutions. The time frame within which bank supervisors have to require corrections of practices which have a potential to develop into unsafe or unsound conditions and crisis situations has been greatly shortened by the pace of change in the banking system. Only a restructuring of the bank supervisory agencies into a single bank regulatory agency gives any hope of being able to cope with the problem.

There must be established an ongoing supervisory computerized network capable of obtaining information on the composition of bank assets and liabilities on a frequent basis. Such a system would enable a supervisor to determine at a glance the status of a bank—its capital, liquidity, asset, and liability position—and compare that present status with the standards of the regulatory agency. If a bank fails to meet those standards, examiners can be dispatched immediately to ascertain the causes and institute necessary changes long before a crisis occurs. Wherever potential unsafe or unsound conditions surface prompt and effective injunctive action by the supervisory authority must be undertaken under the Financial Institutions Supervisory Act of 1966.

Expert opinion shows that this kind of updated supervision cannot be achieved as soon as required—if it ever can be achieved in present circumstances—so long as Federal bank supervision remains fragmented among several agencies, each jealous of its prerogatives, each determined to maintain its own carefully constructed empire. Expert opinion reveals that it would take years—literally years—of negotiation before an agreement could be reached within the existing regulatory framework concerning the kind of information needed to provide an accurate picture of each bank, let alone devise appropriate standards by which banks should be judged, and without which it would be impossible to achieve anything like conformity of supervision and competitive equality.

This kind of an examination and supervisory capability, possible only within a single regulatory agency, will insure the swift abatement of unsound practices while allowing maximum flexibility to managements in the operation of their institutions. Bank examinations under the single regulatory agency concept can provide banking institutions with a significant management tool in the form of a sophisticated outside overview of their operations—particularly respecting unsafe practices or unsoundness in operation.

Unsafe and unsound conditions have proliferated in our banking system because bankers have been able to play the fragmented structure, shifting back and forth among supervisory authorities who they have thought would best accommodate their views. We have the example of one banking institution in a State switching to the jurisdiction of a particular supervisor for the purpose of having a particular merger transaction approved. After the merger was approved and consummated, the banking institution switched back again to its original supervisor where it believed the merged operation could be conducted on a more economical basis for the bank.

In another instance a bank holding company was denied permission by one regulatory agency to acquire a particular bank on competitive grounds. Another regulatory agency shortly thereafter approved the acquisition of the bank by the holding company by allowing the merger of that bank into another banking subsidiary of the holding company. We have still another instance of a bank holding company being denied to engage in a certain activity by one agency and a different regulatory agency allowing a banking subsidiary of the holding company to undertake the same activity. These lax regulatory practices have led to a number of banking institutions leaving the regulatory jurisdiction of one agency and switching to the jurisdiction of another agency. This has been responsible for regulation at the level of the lowest common denominator.

The fragmented process is exemplified by cases such as those I have recited and by the differing standards applied by the banking regulatory agencies respecting merger applications filed under the Bank Merger Act. One regulatory agency has been more permissive in approving applications for mergers of banks than have the other regulatory agencies. The provisions in the Bank Merger Act for the filing of competitive factors reports by the bank regulatory agencies not having approval authority over a particular merger with the jurisdictional bank regulatory agency were designed to assure uniformity of treatment among the banking agencies respecting bank merger matters. These provisions of law have not achieved their intended purpose. Differing standards have been applied by the regulatory agencies while at the same time a large amount of time has been dissipated by the regulatory agencies in compiling competitive factors reports which have been largely ignored as evidenced by the continued application of differing standards by the regulatory agencies. There is, in short, no coherent policy at the Federal level among the bank regulatory agencies to control the concentration of banking resources in the Nation.

In May of this year the Committee on Banking, Housing and Urban Affairs published a committee print titled "Compendium of Major Issues in Bank Regulation." At that time I stated my intention to introduce legislation unifying the bank regulatory agencies. Since that time there has been considerable testimony relating to a single regulatory agency and the advantages and disadvantages of establishing a single agency. In my view the concrete advantages are overwhelming and compelling. The most perceptive fear is that a single agency would be all-powerful. But it is this very consolidation of authority which is necessary to cure the ills to which I have referred and which necessitates a single bank regulatory agency.

Furthermore, the single agency would not have the incentive to relax its rules so that its power base could be expanded by banking institutions switching their regulatory jurisdictions. The incentives, if any, would rather be on the side of looking to State regulatory authorities to accept increasing responsibility to insure the safe and sound operation of State institutions and to thereby strengthen this Nation's dual banking system.

The benefits of a single regulatory agency are enormous. Chairman Wille of the Federal Deposit Insurance Corporation recently listed eight as follows:

1. *Simplification of Administration; Improved Internal and External Communication.*—A single agency would provide a single focal point for Congressional and Administration contact on matters of bank regulation and supervision. Additionally, all public inquiries on matters of banking and bank regulation could be addressed to the single agency. All agency actions and decisions would originate * * * from a * * * single * * * (Commission). Instead of 14 FDIC regions, 14 National bank regions and 12 Federal Reserve Districts (few of which are today identical) a much simpler regional setup could be achieved.

2. *Elimination of Conflicting Goals.*—The fact that the scope of responsibilities differs among the three Federal banking agencies results in a number of internal conflicts with respect to the handling of supervisory problems. This is thought by many to be a particular problem for the Federal Reserve System whose principal function is the formulation and implementation of monetary policy. These observers believe that where the implementation of monetary policy goals is combined with regular bank examination and supervision, the former will always be viewed as more important than the latter and will prevent a consistent, evenhanded approach to matters of bank supervision. This potential problem would be reduced by setting up a single bank regulatory agency divorced from monetary policy responsibilities.

3. *Economy and Efficiency of Operation.* Considerable economy could be achieved by combining the legal, research, training and other Washington Office functions of the three existing bank regulatory agencies. There would be a reduction in senior agency staff time spent communicating with and keeping current with the activities of other agencies.

More efficient use could be made of examiner time, training and specialized capabilities. A single agency would eliminate differences in the form and substance of reports of examination and would be able to issue uniform instructions to all examiners. Travel time of examiners could be reduced, and in many instances where it has not heretofore been feasible, all banks within a particular community could be examined simultaneously. A single agency could make more efficient use of specialized expertise to handle complicated credits and to concentrate on such areas as trust activities, international departments and foreign offices of insured banks, certain data processing and other areas of automated activity, and compliance with Federal and State statutes in the consumer protection area. Economy could be achieved through a single training program which would not only reduce existing duplication, but facilitate the development of more advanced and specialized training.

A single agency would eliminate differences in reports filed by insured banks, thereby eliminating some duplication or redundant effort in administering and processing such reports, in computer costs and in publication costs.

4. *Elimination of Actual or Potential Policy Conflicts.* A single agency would bring uniform treatment to all insured banks in such matters as rules, regulations, standards and procedures. For example, a single, rather than three separate guidelines on a subject, such as insider transactions, could be effected. Also, uniform application of statutory powers, such as cease and desist powers, would result. Banks would also be subject to greater uniformity with respect to loan classifications, policies on capital adequacy and other areas related to bank examinations.

Consolidation would result in a single policy on chartering, branching and mergers.

5. *Facilitating the Handling of Failing Banks.* * * * The involvement of three Federal banking agencies in the handling of failing banks prolongs and overly complicates an appropriate resolution of the problem. A single agency probably could reduce the time involved. Under present arrangements, it is difficult to consider all alternatives more or less simultaneously, because the three agencies have somewhat different powers related to solving these problems (e.g., the Comptroller has somewhat more flexibility in arranging a National bank merger which does not require special Government financial assistance or guaranties, while the Federal Reserve can provide liquidity assistance and the FDIC can provide other types of financial assistance to insured banks regardless of charter).

6. *Improved Regulation of Bank Holding Companies, Their Affiliates, and Certain Other Bank Relationships.* A single Federal bank agency would have responsibility for examining banks and their holding company affiliates, thereby facilitating a more complete picture of the entire operation and the assessment of the overall risk exposure of the bank(s) and the holding company. Under present arrangements the Federal Reserve has certain regulatory authority over the activities of holding companies whose principal assets may be banks subject to the regulation of the other two Federal banking agencies.

When Congress addressed the bank holding company issue in 1970 and concentrated regulatory authority within the Federal Reserve, Congress was primarily concerned with the range of permissible nonbank but bank-related activities to be made available to such holding companies. In more recent years issues related to financial arrangements of holding companies and their impact on bank risk have become more important than permissible activities, and the present regulatory arrangement does not seem to be well suited to deal with these issues. Even apart from the holding company framework, there exist in today's banking system many complicated financial arrangements associated with joint ventures and shared credits where the present Federal regulatory structure makes it difficult to get a complete picture of a bank's risk exposure in a particular transaction. A single agency could ameliorate this situation.

7. *Gains to Banks and Bank Customers from a Single Federal Agency.* Differences in regulations, in examination standards and reporting requirements among the Federal banking agencies may result in different treatment of similar situations and, as a result, in some inequities. In addition, there are costs imposed on the banks and the public in having to work with and understand these differences.

8. *Adjusting to a Rapidly Changing Environment.* Rapid changes have been occurring in banking in recent years—for example, in such developments as the growth of bank-related activities across State lines through holding companies, innovations in the payment system and the growing importance of international operations in the activities of large banks—and there is no reason to assume that this process will decelerate. A single Federal banking agency may be in better position to command the technical and specialized resources and to exercise the administrative flexibility necessary to cope with this changing environment.

Governor Holland of the Federal Reserve Board similarly listed four as follows:

(a) Such an agency would bring about uniformity in Federal regulation, supervision and examination of banks. In addition it would result in uniformity on decisions concerning merger and branching applications.

(b) * * * such a consolidation would eliminate some duplication of efforts and lead to a more efficient use of supervisory and examination personnel. It would also remove any problems arising out of consultations between the agencies and resulting delays in decision-making.

(c) We also believe there could be advantages from the development of consistent data which would permit fuller analysis of the banking industry as a whole and permit more prompt identification of developments which might affect the stability of the banking system.

(d) Finally, the consolidation of three Federal agencies into one would preclude the possibility of banks changing their organizational status in order to obtain more favorable treatment from a different Federal supervisor.

Ths bill will serve to bring bank supervision and regulation into the last quarter of the 20th century and prepare us for tomorrow by recasting a Federal structure which has grown up in helter-skelter fashion over the last 100 years and whose operation has often visited upon the public unfortunate effects.

The bill would transfer all of the supervisory and regulatory powers of the Federal Reserve System to the Federal Bank Commission, enabling the Federal Reserve to concentrate its efforts upon the conduct of the monetary policy of the Nation. The conduct of monetary policy is an extremely important task because of its effect upon the life of our economy. The complexity is of the magnitude that the agency having that responsibility should not at the same time be burdened with the task of bank supervisory and regulatory functions.

Yet, bank supervision and regulation which should be so conducted as to insure a safe and soundly operated banking system is in many respects a task of equal importance to the conduct of monetary policy. The functions of monetary policy and effective supervision and regulation cannot be performed by one agency without seriously compromising the effectiveness of each function.

Governor Robertson stated on December 23, 1974, in recommending the unification of the three bank regulatory agencies into a single agency that:

> Finally, and in light of recent suggestions by others, I should make clear that in my opinion, based on forty years experience in the field of federal bank supervision, including twenty-one years as a Governor and seven years as Vice Chairman of the Federal Reserve Board, the merged supervisory functon should not be vested in the Federal Reserve System. The function of formulating and implementing monetary policy and the equally important and coordinate function of supervising banks and bank holding companies cannot be performed by one agency without seriously compromising the effectiveness of each functon.

Governor Bucher of the Federal Reserve said on March 11, 1975:

> Developing and implementing appropriate monetary policy at a given time require considerations and evaluation of the significance of an enormous volume of available data and their inter-relationships. The responsibilities are of such magnitude that the Board should not also be burdened with the performance of bank supervisory functions. Supervision is too important a function in itself to be the Federal Reserve's part time job.

The bill would abolish the Office of the Comptroller of the Currency and transfer all of its functions to the Commission. The Federal Deposit Insurance Corporation would continue as an insurance and financial entity under the control of the Commission and its functions would be transferred to the Commission.

Thus, the primary thrust of this legislation is to recast the Federal regulatory structure over bank supervision and is not intended to change the substantive laws governing bank regulation at the Federal level. There are three exceptions to the primary thrust of the bill. The three exceptions are as follows:

First. Federal Reserve System advances to distress banks to ameliorate unsafe or unsound conditions could not be made under the provisions of this bill unless the Commission first certifies that such advance is in the public interest. In any case where such a certification is made the Federal Reserve is further required to find affirmatively that the advance may alleviate a significantly adverse effect upon the economy of the Nation or any section of the country.

This provision is necessary if we are to bring a minimum amount of accountability to the Federal Reserve System in making advances to banks in distress. Federal Reserve advances in the recent past in the case of the Franklin National Bank amounted to more than $1½ billion and tens of millions of dollars in other distress situations. The record of recent bank failures and near failures reveals that the Federal Reserve System acting in the capacity of a lender of last resort is often put under great pressure to rescue a bank from the consequences of its own mismanagement. The public interest is not served by a continuation of the practice of the Federal Reserve to underwrite the liquidity and solvency of banks in the circumstances characterized by recent large bank failures.

This provision will serve to insure that the Commission will use its authority to effectively regulate and to abate potential or actual unsafe or unsound practices before these attain crisis proportions. This provision will serve to alleviate the present situation where the Federal Reserve has made bail-out type loans to insolvent banks, complicating monetary policy, misallocating the distribution of bank reserves, and jeopardizing taxpayers' funds.

Second. The Commission will be required to make expenditures for office space, employees' salaries and expenses, and travel and other administrative expenses within yearly appropriations ceilings set by Congress. This provision of the bill is intended to bring the Commission within the Congressional appropriations review process. The Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation are now exempt from the congressional review process over expenditures for their purposes. The exemption is retained, however, for payments and expenditures made by the Commission to insured depositors of banks which have failed and expenditures made in connection with the liquidation of banks.

Third. This bill makes it clear that all of the Commission's activities are subject to full auditing by the Government Accounting Office. The GAO is required by these provisions to submit an audit of the Commission's activities each year to the Congress. Full GAO audit will serve to facilitate congressional oversight over the exercise of the Commission's functions in the public interest both in respect to its expenditures but also respecting the efficiency of the exercise of its management of supervisory and regulatory functions under Federal law to insure a safe and sound banking system.

Mr. President, I ask unanimous consent that a section-by-section analysis of the bill together with the text of the bill be printed in the RECORD at the end of my remarks.

There being no objection, the analysis and bill were ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

Section 2. This section provides the basic findings and policy declarations relating why this legislation is necessary. Congress finds that the existing structure of regulation of banking institutions under Federal law is incapable of insuring the safe and sound operation of the commercial banking system. Congress finds that a safe and sound banking system is necessary to support the industrial needs of the Nation. Congress finds that the Federal Reserve System has been impeded from fulfilling its primary responsibility to conduct the monetary policy of the Nation by its supervisory and regulatory responsibilities. The Congressional policy enunciated is to preserve and strengthen the dual banking system; to enable the Federal Reserve System to concentrate its efforts on monetary policy; and to provide for uniform, fair, impartial and efficient administration of Federal banking law.

Section 3. Establishes a Federal Bank Commission consisting of a Chairperson and four other members appointed by the President, by and with the advice and consent of the Senate.

Section 4. Provides that the members of the Commission shall be appointed without reference to political affiliation and with due regard to the financial, economic, and legal matters on which the Commission must exercise its statutory responsibilities. Terms of office for members of the Commission are five years.

Section 5. All functions of the Comptroller of the Currency (except those dealing with currency issue and redemption which are transferred to the Secretary of the Treasury) are transferred to the Commission. All functions of the Board of Directors of the Federal Deposit Insurance Corporation are transferred to the Commission. All bank examining and other supervisory functions of the Federal Reserve System along with the Federal Reserve's responsibilities under the Bank Holding Company Act, the Consumer Credit Protection Act, Clayton Act, and Securities Acts (except those dealing with margin requirements) are transferred to the Commission.

Section 6. This section prohibits any Commissioner from holding stock in or being an officer, director, or employee of any institution subject to the jurisdiction of the Commission. These prohibitions apply to any Commissioner for two years after termination of his or her term if that person did not serve the full term of his or her appointment.

Section 7. This section vests in the full Commission all administrative powers including the appointment and supervision of Commission employees. The Commission is empowered to delegate one or more of its functions and provision for review is made for any action taken at the delegated level. The Commission may not delegate its policy making functions.

Section 8. This section provides for effective dates for various provisions of the Act. The Commission is established immediately and a period of one year is provided for the Commission to prepare and plan for the actual transfer of authority from the three existing bank regulatory agencies 365 days after enactment of the Act.

Section 9. This section requires the Commission to make an annual report to the Congress.

Section 10. This section provides funds for the Commission to operate during the preparation and planning period referred to in Section 9 and for yearly Congressional appropriations ceilings for administrative expenses.

Section 11. This section requires the Federal Reserve System to designate the rules relating to its functions which it will retain after the effective date of the transfer of its functions to the Commission. All Federal Reserve Rules relating to transferred functions remain in effect until withdrawn or superseded by rules of the Commission.

Section 12. This section provides for the carrying forward of the rules of the Comptroller of the Currency until withdrawn or superseded by rules of the Commission.

Section 13. This section provides for the carrying forward of the rules of the Federal Deposit Insurance Corporation until withdrawn or superseded by the rules of the Commission.

Section 14. This section provides that rules of the Federal Reserve System, Comptroller of the Currency and Federal Deposit Insurance Corporation which remain in effect after the transfer of functions to the Commission shall be deemed rules of the Commission.

Section 15. This section provides that the Comptroller of the Currency shall transmit to the Board of Governors of the Federal Reserve System the organization certificate of the Federal Reserve banks.

Section 16. This section provides that the Federal Reserve System shall transfer records to the Commission relating to functions transferred to the Commission.

Section 17. This section transfers from the Comptroller of the Currency to the Secretary of the Treasury all property, records, and funds held for currency issuance or redemption functions. All other records are transferred to the Commission and all other property and funds held by the Comptroller are transferred to the Federal Deposit Insurance Corporation which continues as an entity under the control of the Commission.

Section 18. All records, officers and employees of the Federal Deposit Insurance Corporation are transferred to the Commission.

Section 19. This section provides for the transfer of employees from the Federal Reserve System to the Commission.

Sections 20, 21 and 22. These sections provide terms upon which Federal Reserve employees shall be employed by the Commission.

Conforming Amendments Sections 101–503. These sections amend the sections of statutory law which are necessary to effectuate the transfer of authority from the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation to the Federal Bank Commission.

The Office of the Comptroller is abolished and all of its powers are transferred to the Commission. The Federal Deposit Insurance Corporation continues as a financial entity for insurance purposes under the control of the Commission; and, all of its powers are transferred to the Commission. The Federal Reserve System continues as an entity to conduct the monetary policy of the Nation, and all of its supervisory and regulatory powers are transferred to the Commission. The Conforming Amendments with three exceptions are not designed or intended to change the substantive law which currently applies to national banks, member State Banks of the Federal Reserve System or non-member State insured banks under the jurisdiction of the FDIC. These provisions are designed solely to effectuate the transfer of statutory responsibility now exercised by the three bank regulatory agencies to the Commission under the findings and policies set forth in Section 2 of the bill.

The three areas in which significant changes have been made in the law are as follows:

1. Section 199 amends the law respecting advances made by the Federal Reserve System to banks in distress through its discount window by adding a requirement that the Federal Reserve System may make any such advance to a bank to ameliorate an unsafe or unsound condition it must first obtain a certification from the Commission that the advance is necessary in the public interest. Section 199 places an additional burden on the Federal Reserve system in any case where such a certification is made that the Fedral Reserve Board must find affirmatively that the advance may alleviate a significantly adverse impact upon the economy of the Nation or any section of the country. These provisions will serve to bring a minimum amount of accountability to the Federal Reserve System in making advances to banks in distress. Such advances recently in the case of the failure of the Franklin National Bank amounted to more than 1½ billion dollars and tens of millions in other distress situations.

2. Section 10(b) requires the Commission to make expenditures for office space, employees' salaries and expenses, and travel and other administrative expenses within yearly appropriations ceilings set by the Congress. This section is designed to bring the Commission within the Congressional appropriations review process. The Federal Reserve System, the Comptroller of the Currency and the Federal Deposit Insurance Corporation are now exempt from that process. The exemption is retained for expenditures by the Commission for payments to insured depositors and payment made in connection with liquidating or failing banks.

3. Section 258 contains amendments which would make clear that all of the Commission's activities are subject to full auditing by the Government Accounting Office. The GAO is required by these provisions to submit an audit of the Commission's activities each year to the Congress.

S. 2298

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Bank Commission Act".

FINDINGS AND PURPOSES

SEC. 2. Congress finds that

(1) the existing structure of regulation of banking institutions under Federal law, consisting primarily of the Federal Reserve System with respect to member State banks, bank holding companies, and Edge Act corporations, the Comptroller of the Currency with respect to the domestic and foreign activities of national banks, and the Federal Deposit Insurance Corporation respecting insured State banks which are not members of the Federal Reserve System, is incapable of insuring the safe and sound operation of the commercial banking system of the Nation; and

(2) a safe and soundly operated banking system is basic and necessary to support the commercial and industrial needs of the Nation and that the line between banking and commerce and industry should be preserved; and

(3) the Federal Reserve System has been impeded from fulfilling its primary responsibility to conduct the monetary policy of the Nation by virtue of the necessity placed upon it to supervise and regulate banks, bank holding companies and Edge Act corporations.

It is therefore hereby declared to be the policy of the Congress:

(1) to provide for the uniform, fair, impartial, and efficient administration of Federal banking laws by eliminating present overlapping jurisdictional authority and fragmentation of responsibility which has led to conflicts of policy resulting in inadequate supervision and regulation of banking institutions in foreign and domestic activities and in uneven application of laws dealing with mergers and acquisitions under Federal law;

(2) to preserve and strengthen in principle the dual banking system by charging a single impartial Federal authority with the administration of all Federal banking laws in consonance with that principle; and

(3) to enable the Federal Reserve System to concentrate its efforts solely upon its primary responsibility in the field of monetary policy by relieving it of the additional burdens of functioning as an administrative tribunal and supervisory agency.

ESTABLISHMENT OF THE COMMISSION; QUORUM

SEC. 3. There is established a Federal Bank Commission (hereafter in this Act sometimes referred to as the "Commission") which shall consist of five members, appointed by the President, by and with the advice and consent of the Senate. One of the members shall be designated at the time of appointment to chair the Commission. Three members of the Commission shall constitute a quorum for the conduct of business.

QUALIFICATIONS OF MEMBERS; TERMS OF OFFICE

SEC. 4. (a) The members of the Commission shall be appointed without reference to political affiliation. In selecting members of the Commission the President shall consider solely the fitness of any individual to perform the office with due regard to the financial, economic, and legal matters on which the Commission must exercise its statutory responsibilities.

(b) The Commissioners shall be initially appointed for terms expiring on June 30 of the second, third, fourth, fifth, and sixth years beginning after the date of enactment of this Act, as designated by the President at the time of nomination. Any Commissioner appointed after the initial appointments have been made shall be appointed for a term expiring five years after the expiration of the term for which his predecessor was appointed, except that the term of a Commissioner appointed to fill a vacancy (other than a vacancy in the Chairpersonship) shall expire at the end of the term for which his or her predecessor was appointed. A vacancy in the Chairperson may be filled either as other vacancies or by appointing a member of the Commission to serve as Chairperson, by and with the advice and consent of the Senate, for the remainder of the term for which he was appointed as a Commissioner, and by appointing a new Commissioner for the unexpired portion of the term of the former Chairperson. A Commissioner shall not continue to serve after the expiration of his or her term except that any Commissioner appointed to fill a vacancy or appointment of not more than two years' duration shall be eligible to serve a full term.

FUNCTIONS TRANSFERRED TO THE COMMISSION

SEC. 5. (a) All bank examining and other banking supervisory functions (except the functions dealing with the examination and supervision of any Federal Reserve bank) of the Board of Governors of the Federal Reserve System and the several Federal Reserve banks are hereby transferred to the Commission;

(b) All functions of the Federal Reserve System under the Bank Holding Company Act, the Consumer Credit Protection Act, the Edge Act, the Clayton Act, the Banking Act of 1933, and Securities Acts (except those dealing with margin requirements) are hereby transferred to the Commission;

(c) All functions of the Comptroller of the Currency are transferred to the Commission except those functions dealing with currency issue and redemption which are hereby transferred to the Secretary of the Treasury; and

(d) All functions of the Board of Directors of the Federal Deposit Insurance Corporation are hereby transferred to the Commission.

CERTAIN INTERESTS AND EMPLOYMENT PROHIBITED

SEC. 6. (a) No Commissioner may hold stock in or be an officer, director, or employee of any bank, trust company, bank holding company, or any other company or institution subject to the jurisdiction of the Commission. Each Commissioner, before entering upon his duties as such, shall certify in writing under oath that he is in compliance with this requirement and such certification shall be filed with the Commission.

(b) The prohibition contained in subsection (a) shall also apply to any former Commissioner for two years after termination of his or her term if that person did not serve the full term of his or her appointment.

EXECUTIVE FUNCTIONS VESTED IN THE COMMISSION; DELEGATION OF FUNCTIONS BY THE COMMISSION; REVIEW BY THE COMMISSION

SEC. 7. (a) The Commission is vested with all administrative powers including the appointment and supervision of employees and the distribution of business among Commissioners, employees, and administrative units.

(b) Subject to the provisions of chapter

5 of title 5, United States Code, and to the remaining subsections of this section, the Commission may, in its discretion, by published order or rule, delegate any function to one or more Commissioners, employees, or administrative law judges.

(c) The Commission shall review any action taken at a delegated level—

(1) upon the application of any institution whose status as a national bank, as a member of the Federal Reserve System, or as an institution whose deposits are insured by the Federal Deposit Insurance Corporation is terminated by such action;

(2) upon the application of any person removed from office as a director or officer of any bank by such action;

(3) upon the application of any institution against which a cease and desist order has been issued;

(4) upon the affirmative vote of any Commissioner upon an application for review by any person adversely affected by such action; or

(5) upon the affirmative vote of any Commissioner that the Commission review such action on its own motion.

The Commission shall by regulation prescribe reasonable time limits and procedural rules respecting such review.

(d) The Commission shall not delegate its rulemaking functions or any function of making regulations of general applicability, but the Commission may delegate the function of making statements or orders of particular applicability or interpretation or implementation of policies expressed in statute law or in the published rules or regulations of the Commission.

(e) Action taken at the delegated level shall be deemed as action of the Commission for all purposes, including appeal and review, if the Commission declines to review such action, or if no review by the Commission is sought pursuant to the Commission's rules for seeking review.

EFFECTIVE DATES

SEC. 8. (a) Sections 1, 2, 3, 4, 5, 6, 7, 9–16, and 19–22 shall take effect on the date of enactment of this Act.

(b) Sections 5, 17, 18, and 101–401 shall take effect 365 days after the date of enactment of this Act.

REPORTS TO CONGRESS

SEC. 9. The Commission shall make a report to the Congress of its activities and recommendations as soon as practicable after the close of each calendar year.

AUTHORIZATION

SEC. 10. (a) There is authorized to be appropriated out of the funds of the Federal Deposit Insurance Corporation as operating costs and expenses the sum of $5,000,000 for the purpose of defraying all of the costs and expenses of the Commission until the effective date of section 5 of the Act. Any funds remaining unexpended at that time shall revert to the Federal Deposit Insurance Corporation.

(b) The Federal Bank Commission shall make expenditures for office space, employees' salaries and expenses, travel and other administrative expenses within the yearly appropriations ceiling made therefore under the laws applicable to agencies of the Government.

SEC. 11. (a) The Board of Governors of the Federal Reserve System, by published order or rule, shall designate the rules and regulations for which it will retain jurisdiction and authority after the transfer of functions pursuant to section 5 of this Act.

(b) Any rules and regulations of the Board of Governors of the Federal Reserve System which are not designated by the Board pursuant to subsection (a) and which are in effect immediately prior to the effective date of section 5 of this Act shall thereafter remain in effect until withdrawn by the Federal Bank Commission or superseded by such rules and regulations as it may prescribe.

SEC. 12. All rules and regulations of the Comptroller of the Currency which are in effect immediately prior to the effective date of section 5 of this Act shall thereafter remain in effect until withdrawn by the Federal Bank Commission or the Secretary in the case of rules and regulations concerning currency issue or redemption or superseded by such rules and regulations as the Commission or the Secretary may prescribe.

SEC. 13. All rules and regulations of the Federal Deposit Insurance Corporation or the Board of Directors thereof which are in effect immediately prior to the effective date of section 5 of this Act shall thereafter remain in effect until withdrawn by the Federal Bank Commission or superseded by such rules and regulations as it may prescribe.

SEC. 14. Any reference to the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, or the Comptroller of the Currency in any rule or regulation remaining in effect pursuant to section 11(b), 12, or 13 after the effective date of section 5 of this Act shall where appropriate be deemed after such date to be a reference to the Secretary of the Treasury or the Federal Bank Commission.

SEC. 15. The Comptroller of the Currency shall transmit to the Board of Governors of the Federal Reserve System the original organization certificates of the Federal Reserve banks.

SEC. 16. The Board of Governors of the Federal Reserve System and the several Federal Reserve banks shall transfer to the Federal Bank Commission all records kept by them in connection with functions transferred to the Commission by this Act, except that the Board or the banks may transfer copies of any such records for which they anticipate a continuing need in connection with other functions.

SEC. 17. (a) The Secretary of the Treasury, on the basis of prior consultation with the Comptroller of the Currency, shall designate and assume control of the personnel, property, records, and funds which were employed held, or used for currency issuance or redemption functions of the Office of the Comptroller of the Currency immediately prior to the effective date of this section.

(b) All funds and property held by the Comptroller of the Currency immediately prior to the effective date of this section which are not designated pursuant to subsection (a) of this section are transferred to the Federal Deposit Insurance Corporation. All records of the Comptroller of the Currency and all personnel employed under him immediately prior to such date, unless designated pursuant to subsection (a) of this section, are transferred to the Federal Bank Commission.

SEC. 18. All records and all officers and employees (other than the Board of Directors) of the Federal Deposit Insurance Corporation are transferred to the Federal Bank Commission.

SEC. 19. The Board of Governors of the Federal Reserve System, after consultation with the Federal Bank Commission and with the appropriate officials of the several Federal Reserve banks, shall designate by name the employees of the Board of Governors and the employees of each bank who are engaged in the performance of functions transferred to the Federal Bank Commission by or as a result of this Act and who will be transferred to other duties with the Board or the bank. Such designations shall be made, as far as practicable, before the effective date of section 5 of this Act, and all authority to make such designations shall expire six months after that date. The Board of Governors shall certify to the Federal Bank Commission the name of each employee designated pursuant to this section, together with such other information as may be necessary to enable the Commission to comply with section 20(a), and shall so notify in writing each such employee.

SEC. 20. (a) The Federal Bank Commission shall make, to each employee designated pursuant to section 19, a written offer of full-time employment not limited as to tenure

(1) commencing in the same locality as such employee's employment with the bank or the Board, as the case may be;

(2) commencing immediately upon the termination of his employment with the bank or the Board;

(3) at a rate of pay which, for the first year of his employment with the Commission, shall not be less than the rate at which he is being paid at the termination of his employment with the bank or the Board; and

(4) with retirement rights to be determined in accordance with his election under subsection (b) of this section.

(b) Any acceptance of an offer of employment made pursuant to subsection (a) of this section shall be in writing in such form as the Board of Governors may prescribe, and shall include, at the election of the employee, either—

(1) an expression of such employee's intention to retain whatever rights he may have acquired under the retirement plan for employees of the Federal Reserve System, and to have none of his service giving rise to such rights counted as creditable service for the purposes of Chapter 83 of title 5, United States Code, or

(2) effective upon the commencement of such employment, his application for withdrawal from membership in the retirement plan for employees of the Federal Reserve System and his assent to the payment to the Secretary of the Treasury of any funds (other than a refund of additional contributions with interest thereon) which would otherwise be due him from the said retirement plan upon such withdrawal.

(c) The Board of Governors and the several Federal Reserve banks shall act as agents of the Federal Bank Commission to transmit offers and receive acceptances under this section.

(d) Any employee to whom an offer is made pursuant to subsection (a) may accept such offer at any time within the sixty-one-day period which begins on the date on which he receives such offer. Any employee who, because of illness or other cause which in the judgment of his employer (the Federal Reserve bank concerned or the Board of Governors, as the case may be) is reasonable, fails to accept such offer within such sixty-one-day period may thereafter accept such offer with such reasonable time as his employer may allow, but in no event later than one year after his receipt of such offer.

(e) Wherever applicable the Federal Bank Commission shall treat employees from the Comptroller of the Currency and the Federal Deposit Insurance Corporation on the same basis as employees from the Federal Reserve Board in applying these provisions.

SEC. 21. (a) With respect to each person who accepts an offer of employment made pursuant to section 20(a) and elects the option described in clause (2) of section 20 (b), the Board of Governors of the Federal Reserve System shall pay to the Secretary of the Treasury, as an agency contribution for the credit of the civil service retirement and disability fund, an amount determined by the Civil Service Commission as equal to 6½ per centum of the total salary of such person for any service after June 30, 1957 to December 31, 1969 plus 7 per centum of the total salary of such person for any service after December 31, 1969 which is made creditable service by chapter 83 of title 5, United States Code. Any person with respect to whose service payment is required to be made by this section shall be deemed, for the purposes of chapter 83 of title 5, United States Code, to have performed such service while subject to that Act.

(b) The Board of Governors of the Federal Reserve System, on behalf of itself and the Federal Reserve banks, shall certify to the Civil Service Commission such information respecting service and pay of employees who accept offers of employment with the Federal Bank Commission pursuant to section 20 as may be required by the Civil Service Commission to enable it to determine the rights and benefits of such employees under chapter 83 of title 5, United States Code, and to determine the amount of the payments to be made by the Board of Governors pursuant to subsection (a) of this section.

(c) So much of the payments required to be made by subsection (a) of this section as is attributable to service performed in the employ of the Board of Governors of the Federal Reserve System shall be made from funds derived from assessments pursuant to the third paragraph of section 10 of the Federal Reserve Act, and so much of such payments as is attributable to service performed in the employ of the Federal Reserve banks shall be made from funds derived from a special assessment which is hereby authorized to be made upon each such bank in the amount of the payments due with respect to service performed in the employ of that bank.

SEC. 22. The Secretary of the Treasury is authorized to receive for the credit of the civil service retirement and disability fund any payment made to him by the Federal Reserve banks.

Any payment received by the Secretary of the Treasury under authority of this section shall be deemed, for the purposes of chapter 83 of title 5, United States Code, to be a sum deposited by the assenting employee.

CONFORMING AMENDMENTS

AMENDMENTS TO CERTAIN PROVISIONS OF LAW CODIFIED IN TITLE 12 OF THE UNITED STATES CODE

SEC. 101. Section 1 of title 12, United States Code, relating to the issuance of national currency and Federal Reserve notes is amended by striking the words "shall be called the Comptroller of the Currency, and".

SEC. 102. Section 325 of the Revised Statutes (12 U.S.C. 2 relating to the appointment and term of office of the Comptroller of the Currency) is repealed.

SEC. 103. Section 326 of the Revised Statutes (12 U.S.C. 3 relating to the oath and bond of the Comptroller) is repealed.

SEC. 104. Section 327 of the Revised Statutes (12 U.S.C. 4 relating to Deputy Comptrollers) is repealed.

SEC. 105. So much of the provisions of the Treasury Department Appropriation Acts of February 17, 1922 (42 Stat. 375) and January 3, 1923 (42 Stat. 1096) relating to the Office of the Comptroller of the Currency as reads "The Comptroller of the Currency may designate a national bank examiner to act as chief of the examinations division in his office." (12 U.S.C. 7) is repealed.

SEC. 106. Section 328 of the Revised Statutes (12 U.S.C. 8 dealing with the appointment of clerks by the Comptroller) is repealed.

SEC. 107. Subsection (b) of section 209 of the Act of March 4, 1923, entitled "An Act to provide additional credit facilities for the agricultural and line-stock industries of the United States; to amend the Federal Farm Loan Act; to amend the Federal Reserve Act; and for other purposes" (12 U.S.C. 9 and 10) is repealed.

SEC. 108. Section 329 of the Revised Statutes (12 U.S.C. 11 prohibiting the Comptroller from having any interest in a national bank) is repealed.

SEC. 109. Section 330 of the Revised Statutes (12 U.S.C. 12 dealing with the Seal of the Comptroller) is repealed.

SEC. 110. Section 331 of the Revised Statutes (12 U.S.C. 13 relating to the assignment of rooms to the Comptroller) is repealed.

SEC. 111. Section 333 of the Revised Statutes (12 U.S.C. 14 dealing with annual reports by the Comptroller) is repealed.

SEC. 112. Section 21, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission" and striking out "his" and inserting "its".

SEC. 113. Section 21a, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission" and striking out "his" and inserting "its".

SEC. 114. Section 22, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

SEC. 115. Section 23, title 12, United States Code, is amended by striking out "Comptroller of the Currency", "who", and "his" and inserting "Federal Bank Commission", "which", and "its".

SEC. 116. Section 24 Seventh, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and inserting in their place the words "Federal Bank Commission".

SEC. 117. Section 25a(e), title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

SEC. 118. Section 26, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" or "Comptroller" and inserting "Federal Bank Commission".

SEC. 119. Section 27, title 12, United States Code, is amended by striking out "special commission" and inserting "special master" and by striking out all references to the "comptroller" and inserting "Federal Bank Commission" and by striking out "him", "his hand and", "his", and "he" and inserting "it", "its", "its", and "it".

SEC. 120. Section 30, title 12, United States Code, is amended by striking out the terms "Comptroller of the Currency", "Comptroller", and "his" and inserting "Federal Bank Commission", "Commission", and "its".

SEC. 121. Section 35, title 12, United States Code, is amended by striking out the terms "Comptroller of the Currency", "Comptroller", "he" and "his" and inserting the terms "Federal Bank Commission", "Commission", "it" and "its" in their place.

SEC. 122. Section 36, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and inserting "Federal Bank Commission" in each place.

SEC. 123. Section 51, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and inserting "Federal Bank Commission" in each place.

SEC. 124. Section 51a, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" or "Comptroller" and inserting "Federal Bank Commission" in each place and by striking out "his" and inserting "its".

SEC. 125. Section 51b(a), title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

SEC. 126. Section 51b-1, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and inserting "Federal Bank Commission".

SEC. 127. Section 55, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and "comptroller" and by inserting "Federal Bank Commission" in their place and by striking out "him' and by inserting "it".

SEC. 128. Section 57, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and "comptroller" and by inserting "Federal Bank Commission" in their place and by striking out each reference to "his" and inserting "its".

SEC. 129. Section 59, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and by inserting "Federal Bank Commission" in each place.

SEC. 130. Section 60(b), title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Federal Bank Commission".

SEC. 131. Section 62, title 12, United States Code, is amended by striking out the terms "Comptroller of the Currency" and "him" and inserting "Federal Bank Commission" and "it" in their place.

SEC. 132. Section 64a, title 12, United States Code, is amended by striking out each reference to "Comptroller of the Currency" and by inserting "Federal Bank Commission" in their place.

SEC. 133. Section 67, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Federal Bank Commission".

SEC. 134. Section 71, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Federal Bank Commission".

SEC. 135. Section 71a, title 12, United States Code, is amended by striking out "Comptroller of the Currency", "Comptroller", and "Board of Governors of the Federal Reserve System" and inserting "Federal Bank Commission" in each place.

SEC. 136. Section 73, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and "his" and by inserting "Federal Bank Commission" and "its" in their place.

SEC. 137. Section 78, title 12, United States Code, is amended by striking out "Board of Governors of the Federal Reserve System" and "Board" and by inserting "Federal Bank Commission" and "Commission" in their place.

SEC. 138. Section 82 Ninth, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and inserting "Federal Bank Commission".

SEC. 139. Section 84, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and inserting "Federal Bank Commission" in their place and by striking out "he" in paragraph (10) and by inserting "it".

SEC. 140. Section 92 and subsections 92a (a), (c), (d), (i), (j), and the Savings Provision to section 92a, title 12, United States Code, are amended by striking out "Comptroller of the Currency" in each place and inserting "Federal Bank Commission". Subsection (i) is further amended by striking out "him" and inserting "it"; and subsection (j) is further amended by striking out "himself", "his", and "he" and inserting the terms "itself", "its", and "it" in their place.

SEC. 141. Section 93, title 12, United States Code, is amended by striking out "Comptroller of the Currency in his own name" and inserting "Federal Bank Commission".

SEC. 142. Section 101, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and by inserting "Secretary of the Treasury" in their place.

SEC. 143. Section 103, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 144. Section 104, title 12, United States Code, is amended by striking out "the Comptroller of the Currency shall, under the direction of", and by striking out the comma immediately after "Secretary of the Treasury" the first time it appears and by inserting "shall." Section 105, title 12, United States

Code is amended by striking "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 145. Section 107, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 146. Section 108, title 12, United States Code, is amended by striking out "Comptroller of the Currency" in the first sentence and inserting "Secretary of the Treasury"; and by striking out "by the Comptroller of the Currency and approved" in the second sentence.

SEC. 147. Section 121, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Secretary of the Treasury".

SEC. 148. Section 121a, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 149. Section 122, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 150. Section 124, title 12, United States Code, is amended by striking out each reference to the "Comptroller" or "Comptroller of the Currency" and by inserting "Secretary of the Treasury" in their place; and by striking out "four" and inserting "three" in the second sentence and striking out "one by the Comptroller of the Currency,".

SEC. 151. Section 131, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Secretary of the Treasury".

SEC. 152. Section 132, title 12, United States Code, is amended by striking out "the Comptroller of the Currency with the concurrence of" and the comma after "Secretary of the Treasury"; and by striking out the references to the "Comptroller" and inserting "Secretary" in their place.

SEC. 153. Section 133, title 12, United States Code, is amended by striking out "Comptroller" and inserting "Secretary of the Treasury".

SEC. 154. Section 134, title 12, United States Code, is amended by striking out each reference to the "Comptroller" and by inserting "Secretary of the Treasury" in their place; and by striking out the words ", in such manner as the Secretary of the Treasury".

SEC. 155. Section 137, title 12, United States Code, is amended by striking out "Comptroller" and by inserting "Secretary of the Treasury".

SEC. 156. Section 138, title 12, United States Code, is amended by striking out "Comptroller" and by inserting "Secretary of the Treasury".

SEC. 157. Section 143, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and "Comptroller" and by inserting in each instance the term "Federal Bank Commission".

SEC. 158. Section 144, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Federal Bank Commission".

SEC. 159. Section 151, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Secretary of the Treasury".

SEC. 160. Section 161, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and "Comptroller" and by inserting "Federal Bank Commission" in their place; and by striking out each reference to "he", "his", "him", and "himself" and by inserting "it", "its", "it", and "itself" in their place.

SEC. 161. Section 164, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and by inserting "Federal Bank Commission" in their place.

SEC. 162. Section 168, title 12, United States Code, is amended by striking out "Comptroller" and by inserting "Secretary of the Treasury".

SEC. 163. Section 170, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and by inserting "Secretary of the Treasury".

SEC. 164. Section 171, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 165. Section 172, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 166. Section 173, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Secretary of the Treasury and Federal Bank Commission"; and by striking out each reference to the "Comptroller" and inserting "Secretary" in their place.

SEC. 167. Section 174, title 12, United States Code, is amended by striking out the terms "Comptroller of the Currency" and "Comptroller" and by inserting "Secretary of the Treasury" in their place.

SEC. 168. Section 175, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and "Comptroller" and by inserting "Secretary of the Treasury" in their place.

SEC. 169. Section 178, title 12, United States Code, is amended by striking out "the consent of the Comptroller of the Currency and".

SEC. 170. Section 181, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and by inserting "Federal Bank Commission" in their place.

SEC. 171. Section 182, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and by inserting "Federal Bank Commission".

SEC. 172. Section 183, title 12, United States Code, is amended by striking out "other to the Comptroller of the Currency" and by inserting "others to the Secretary of the Treasury and the Federal Bank Commission"; and by striking out "duplicate" and inserting "triplicate".

SEC. 173. Section 185, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Secretary of the Treasury".

SEC. 174. Section 191, title 12, United States Code, is amended by striking out the terms "comptroller" and "he" and inserting "Federal Bank Commission" in their place.

SEC. 175. Section 192, title, 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and the "Comptroller" and by inserting "Federal Bank Commission" in their place; and by striking out each reference to "he" and inserting "it" in their place.

SEC. 176. Section 193, title 12, United States Code, is amended by striking out "Comptroller" and "he" and inserting in their place the terms "Federal Bank Commission" and "it".

SEC. 177. Section 194, title 12, United States Code, is amended by striking out "comptroller" and "him" and inserting "Federal Bank Commission" and "it" in their place; and by striking out "his satisfaction" and inserting "the satisfaction of the Commission".

SEC. 178. Section 195, title 12, United States Code, is amended by striking out "Comptroller of the Currency", "comptroller", and "his direction" and inserting "Federal Bank Commission","Commission", and "the direction of the Commission" in their place.

SEC. 179. Section 197, title 12, United States Code, is amended by striking out "Comptroller of the Currency or the Federal Deposit Insurance Corporation, where that Corporation has been appointed receiver of the bank," and inserting "Federal Bank Commission". And by striking out "Comptroller and the receiver, or the Federal Deposit Insurance Corporation, where that Corporation has been appointed receiver of the bank," and inserting "Federal Bank Commission"; and by striking out "Comptroller and such receiver, or either of them, or the Federal Deposit Insurance Corporation" and by inserting "Federal Bank Commission", and by striking out "Comptroller and such receiver or the Federal Deposit Insurance Corporation, as the case may be, are severally," and inserting "Federal Bank Commission"; and by striking out "Comptroller and such receiver or the Federal Deposit Insurance Corporation" and inserting "Federal Bank Commission"; and by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission"; and by striking out "Comptroller of the Currency or the Federal Deposit Insurance Corporation if continued as a receiver of the bank under subsection (a) of this section," and inserting "Federal Bank Commission".

SEC. 180. Section 197a, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and "Comptroller" and by inserting "Federal Bank Commission" in their place; and by striking out "his" and inserting "its".

SEC. 181. Section 198, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and inserting "Federal Bank Commission" in their place.

SEC. 182. Section 199, title 12, United States Code, is amended by striking out both references to the "Comptroller of the Currency" and by inserting "Federal Bank Commission" and by striking "his" and inserting "its".

SEC. 183. Section 200, title 12, United States Code, is amended by striking out both references to the "Comptroller of the Currency" and inserting "Federal Bank Commission"; and by striking out "he" and inserting "its".

SEC. 184. Section 202, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

SEC. 185. Section 203, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and "Comptroller" and inserting "Federal Bank Commission" in their place and substituting "it" for "he" wherever that terms appears.

SEC. 186. Section 204, title 12, United States Code, is amended by striking out both references to the "Comptroller of the Currency" and "him" and by inserting "Federal Bank Commission" and "it" in their place.

SEC. 187. Section 205, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and "he" both times and by inserting "Federal Bank Commission" in their place; and by striking "his" and inserting "its".

SEC. 188. Section 206, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission"; and by striking out "Comptroller" each time it appears and inserting "Commission"; and by striking out "his" and inserting "its".

SEC. 189. Section 207, title 12, United States Code, is amended by striking out "Comptroller of the Currency" both times it appears, and inserting "Federal Bank Commission" the first time and "Commission" the second time; and by striking out "he" and inserting "the Commission".

SEC. 190. Section 208, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission"; and by striking out "Comptroller" and inserting "Commission".

SEC. 191. Section 209, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

Sec. 192. Section 210, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

Sec. 193. Section 211, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission"; by striking out ", with the approval of the Secretary of the Treasury,"; and by striking out "he" and inserting "the Commission".

Sec. 194. Section 214a, title 12, United States Code, is amended by striking out each reference to the "Comptroller of the Currency" and to the "Comptroller" and inserting "Federal Bank Commission" in their place; and by striking out "Comptroller of the Currency, who" and inserting "Federal Bank Commission which".

Sec. 195. Sections 215 (a) through (g), title 12, United States Code is amended by striking each reference to the "Comptroller" and inserting "Federal Bank Commission" in their place.

Sec. 196. Section 215a, title 12, United States Code, is amended by striking out "Comptroller" each place it appears, and inserting "Commission"; and by striking out "who" in section 215a(c) and inserting "which". Section 215b, title 12, United States Code, is amended to read as follows: ", Commission' means the Federal Bank Commission; and".

Sec. 197. Section 248, title 12, United States Code, is amended by striking out "and of each member bank" in subsection (a); and by striking out "Comptroller of the Currency" and "comptroller" in subsection (d) and inserting "Secretary of the Treasury" and "Secretary" in their place. Section 250, title 12 United States Code is amended by striking out "the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation" and by inserting "the Federal Bank Commission".

Sec. 198. Section 288, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

Sec. 199. Section 301, title 12, United States Code, is amended by adding "In no event shall any discount, advance, or accommodation be extended to any member bank for the purpose of ameliorating the consequence of any unsafe or unsound condition unless the Federal Bank Commission certifies to the Board that such advance, discount, or accommodation is necessary in the public interest and the Board shall find affirmatively that such advance, discount, or accommodation may alleviate a significantly adverse impact upon the economy of the Nation or any section of the country.".

Sec. 200. Section 321, title 12, United States Code, is amended by striking out in the third paragraph relating to branches of State member banks "except that the approval of the Board of Governors of the Federal Reserves System, instead of the Comptroller of the Currency," and inserting "with the approval of the Federal Bank Commission", and by striking out, in the last sentence, "Board" and inserting "Commission", and by striking out "(except within the District of Columbia)".

Sec. 201. Section 324, title 12, United States Code, is amended by striking out "; except that any reference in any such provision to the Comptroller of the Currency shall be deemed for the purposes of this sentence to be a reference to the Board of Governors of the Federal Reserve System"; and by striking out "Reserve bank of which they become a member" and inserting "Federal Bank Commission" in the second sentence; and by striking out "Reserve bank" and inserting "Federal Bank Commission" and striking out "the Board of Governors of the Federal Reserve System" and inserting "it" in the third sentence; and by striking out "Federal Reserve bank" in the fourth sentence and inserting "Federal Bank Commission"; and by striking out "Board of Governors of the Federal Reserve System" and "Board" in the fifth sentence and inserting "Federal Bank Commission" and "Commission."

Sec. 202. Section 325, title 12, United States Code, is amended by striking out "Board of Governors of the Federal Reserve System or of the Federal reserve bank" and inserting "Federal Bank Commission"; and by striking out "Board of Governors of the Federal Reserve System" and inserting "Commission."

Sec. 203. Section 326, title 12, United States Code, is amended to read as follows:

"During any period in which examinations made by or for a State banking supervisory agency are, in the judgment of the Commission, adequate to serve the purposes for which examinations are authorized by the preceding paragraph, the Commission may, in its discretion, suspend the making of Federal examinations of State member banks in such State and in lieu thereof accept reports of the examinations made by or on behalf of the State agency. No such suspension shall affect the right of the Commission to make special examinations of individual banks in such State at any time. Copies of any report of an examination made or accepted by the Federal Bank Commission may, in the discretion of the Commission, be furnished to the State authorities having supervision of the bank examined, to officers, directors, or the receiver of such bank, and to any other proper persons.".

Sec. 204. Section 327, title 12, United States Code, is amended by striking in the first sentence "to the Board of Governors of the Federal Reserve System" and "of the Board of Governors of the Federal Reserve System" and "board" and by inserting in place of the word "board" the "Federal Bank Commission".

Sec. 205. Section 329, title 12, United States Code, is amended to read as follows:

"No bank shall be admitted to membership unless it is approved for deposit insurance under the Federal Deposit Insurance Act by the Federal Bank Commission. The capital stock of a State member bank shall not be reduced except with the prior consent of the Commission.".

Sec. 206. Section 330, title 12, United States Code, is amended by striking "of the board" after "regulations" in the second sentence.

Sec. 207. Section 331, title 12, United States Code, is amended by striking out "upon hearing by the Board of Governors of the Federal Reserve System".

Sec. 208. Section 333, title 12, United States Code, is amended by inserting "of the Federal Bank Commission" before "with the conditions of membership" in the last sentence.

Sec. 209. Section 334, title 12, United States Code, is amended in the first paragraph by striking "Federal Reserve bank of its district and to the Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission" and by striking each reference to "Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission"; in the second paragraph by striking "its Federal Reserve bank or the Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission"; and by striking "Federal Reserve bank and the Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission"; and by striking Board of Governors of the Federal Reserve System and inserting "Federal Bank Commission"; and in the third paragraph by striking ", by direction of the Board of Governors of the Federal Reserve System; and by striking "Federal Reserve Bank of the district in which such member bank is located" and by inserting "Federal Bank Commission".

Sec. 210. Section 338, title 12, United States Code, is amended by striking out each reference to the "Board of Governors of the Federal Reserve System" and inserting "Federal Bank Commission" in their place.

Sec. 211. Section 339, title 12, United States Code, is amended by striking out "Board of Governors of the Federal Reserve System" and inserting "Federal Bank Commission".

Sec. 212. Section 341, title 12, United States Code, is amended by striking out "Comptroller of the Currency" in the first sentence and by inserting "Board of Governors of the Federal Reserve System"; and by striking out "Comptroller of the Currency" in paragraph 8 and by inserting "Secretary".

Sec. 213. Section 371, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission".

Sec. 214. Section 371d, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and "Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission" in their place.

Sec. 215. Section 375, title 12, United States Code, is amended by striking out each reference to the "Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission" in their place.

Sec. 216. Section 375a, title 12, United States Code, is amended by striking out "Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission".

Sec. 217. Section 377, title 12, United States Code, is amended by striking out each reference to the "Board of Governors of the Federal Reserve System" and inserting "Federal Bank Commission"; and by striking out "Federal reserve bank" and inserting "Commission".

Sec. 218. Section 418, title 12, United States Code, is amended by striking out "the Comptroller of the Currency shall, under the direction of" and by inserting the word "shall" after the words "Secretary of the Treasury" where they first appear.

Sec. 219. Section 419, title 12, United States Code, is amended by striking out the "Comptroller of the Currency" and by inserting "Secretary of the Treasury".

Sec. 220. Section 420, title 12, United States Code, is amended by striking "Comptroller of the Currency" and inserting "Secretary of the Treasury".

Sec. 221. Section 481, title 12, United States Code, is amended by striking out every reference to the "Comptroller of the Currency" and to the "Comptroller" and by inserting "Federal Bank Commission" in their place; and by striking out in the first paragraph, next to last sentence, the words "he" and "his" and inserting "it" and "its" in their place; and by striking out "with the approval of the Secretary of the Treasury" both times it appears; inserting "as are not insured by the Federal Deposit Insurance Corporation" after "expense of examination of such affiliates" in the second paragraph; and by striking "whose compensation is and shall be paid from assessments on banks or affiliates thereof shall be without regard to the provisions of other laws" and inserting "shall be under the provsiion of all other laws"; and by striking out the first sentence of the second paragraph; and by adding at the end thereof: "Any funds derived from such penalties shall be deposited in the Federal Deposit Insurance Corporation."

Sec. 222. Section 482, title 12, United States Code, is amended by striking out "Comptroller of the Currency" in the first sentence of the first paragraph and by inserting "Federal Bank Commission"; and by striking the second, third, and fourth sentences of the first paragraph; and by striking "In addition to the expense of examination to be assessed by the Comptroller of the Currency as heretofore provided," from the first sentence of the second paragraph and inserting at the end thereof "and any funds derived from such assessment shall be deposited in the Federal Deposit Insurance Corporation."

SEC. 223. Section 5204 of the Revised Statutes (12 U.S.C. 483) is repealed.

SEC. 224. Section 486, title 12, United States Code, is amended by striking out "Board of Governors of the Federal Reserve System" or "Comptroller of the Currency" and by striking out "said Board or Comptroller, respectively," and by inserting "Federal Bank Commission" in their place.

SEC. 225. Section 501, title 12, United States Code, is amended by striking out "Comptroller of the Currency" and inserting "Federal Bank Commission"; and by striking out "Board of Governors of the Federal Reserve System" the second time it appears and inserting "Federal Bank Commission".

SEC. 226. Section 501a, title 12, United States Code, is amended by striking out "under the direction of the Board of Governors of the Federal Reserve System; and by striking out "Comptroller of the Currency in his own name" and inserting "Federal Bank Commission".

SEC. 227. Section 601, title 12, United States Code, is amended by striking out every reference to the "Board of Governors of the Federal Reserve System" and inserting "Federal Bank Commission" in their place.

SEC. 228. Section 602, title 12, United States Code, is amended by striking of each reference to the "Comptroller of the Currency" and "Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission" in their place.

SEC. 229. Section 603, title 12, United States Code, is amended by striking out each reference to the "Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission" in their place; and by adding at the end thereof the following: "The Board of Governors of the Federal Reserve System shall assign to the Federal Bank Commission all of its rights under any such agreement executed prior to the effective date of the Federal Bank Commission Act.".

SEC. 230. Section 604a, title 12, United States Code, is amended by striking out "Board of Governors of the Federal Reserve System" and by inserting "Federal Bank Commission" in their place.

SEC. 231. Sections 611–631, title 12, United States Code, is amended by striking out each reference to the "Board of Governors of the Federal Reserve System" and "Comptroller of the Currency of the United States" and by inserting "Federal Bank Commission" in their place; and by adding at the end of section 625 the following: "All payments received by the Federal Bank Commission shall be paid into the Federal Deposit Insurance Corporation.

SEC. 232. Section 1812, title 12, United States Code, is amended to read as follows: "The management of the Federal Deposit Insurance Corporation shall be vested in the Federal Bank Commission".

SEC. 233. Section 1813, title 12, United States Code, is amended by striking references to the "Corporation" from subsections (g) and (i) and inserting Federal Bank Commission in their place; and amending subsection (k) to read as follows: "The term 'Commission' means the Federal Bank Commission."; and by striking out ", after consultation with the Comptroller of the Currency and the Board of Governors of the Federal Reserve System," from subsection (1) (5) and by inserting Federal Bank Commission; and by amending subsection (q) to read as follows: "The term 'appropriate Federal banking agency' shall mean the Federal Bank Commission".

SEC. 234. Section 1814, title 12, United States Code, is amended by striking out all but the last two sentences of subsection (b).

SEC. 235. Section 1815, title 12, United States Code, is amended to read as follows: "any national or State bank may apply to the Federal Bank Commission to become an insured bank. Before approving any such application the Federal Bank Commission shall give consideration to the factors enumerated in section 1816 of this title, and shall determine, upon the basis of a thorough examination of such bank, that its assets in excess of its capital requirements are adequate to enable it to meet all of its liabilities to depositors and other creditors as shown on the books of the bank.". Section 1816, title 12, United States Code is amended by striking out "Board of Directors" and inserting "Federal Bank Commission".

SEC. 236. Section 1817, title 12, United States Code, is amended by striking out "State nonmember" and "(except a District bank)" from subsection (a) (1); and by striking out each reference in subsection (a) (1) to the "Corporation" and "Board of Directors" and by inserting "Federal Bank Commission" in their place; and by amending subsection (a) (2) to read as follows: "The Federal Bank Commission may accept any report made by or to any State banking supervisory agency, and may furnish, to the Board of Governors of the Federal Reserve System or any Federal Reserve bank, reports of examinations and reports of condition made or accepted by the Federal Bank Commission. The Federal Bank Commission may furnish to any State banking supervisory agency reports of examination and reports of condition made or accepted by the Commission with respect to any bank under the jurisdiction of such State agency"; and by striking out the first sentence in subsection (a) (3) and inserting "Each insured bank shall make to the Federal Bank Commission four reports of condition annually upon dates selected by the Federal Bank Commission"; and by striking out "the Corporation" and "any of the foregoing agencies" and inserting "the Federal Bank Commission" in their place; and by striking out in subsection (a) (6) "Board of Directors, after consultation with the Comptroller of the Currency and the Board of Governors of the Federal Reserve System" and inserting "Federal Bank Commission"; and by striking out "Board of Directors" in subsection (b) (5) (B) and (b) (6) (A) and inserting "Federal Bank Commission"; and by striking out "Corporation" from the last sentence of subsection (b) (6) and inserting "Federal Bank Commission"; and by striking out "Board of Directors" in subsection (c) each time it appears and inserting "Federal Bank Commission"; and by striking out paragraph (5) of subsection (j).

SEC. 237. Section 1818(a), title 12, United States Code, is amended by striking out each reference to the "Corporation" and "Board of Directors" and by inserting "Federal Bank Commission" in their place; and by striking out in the second sentence "Comptroller of the Currency in the case of a national bank or a district bank", "and to the Board of Governors of the Federal Reserve System in the case of a State member bank", and by striking out in the third sentence "the Comptroller of the Currency in the case of a national bank, or the Board of Governors of the Federal Reserve System in the case of a State member bank as the case may be".

SEC. 238. Section 1818 is amended by striking out in subsection (b) (3) "(other than a bank)" and "in the same manner as they apply to a State member insured bank"; and by striking out in subsection (e) (1) "State" and "(other than a District bank)"; and by repealing subsection (e) (2); and by striking out in subsection (e) (3) "State" and "(other than a District bank)" each time they appear; and by repealing subsection (e) (4); and by striking out in subsection (e) (5) "State" and "(other than a District bank)", and by repealing subsection (e) (6); and by repealing subsection (e) (7); and by striking out in subsection (f) "or (e) (7)" each time it appears, and by inserting "or" after "(e) (1)"; and by striking out in subsection (g) (1) "(2),"; and by inserting "or"; and by striking out "(4), or (7)"; and by striking out in subsection (g) (2) "Comptroller of the Currency" and by inserting "Federal Bank Commission"; and by striking out in subsection (h) "or Board of Governors of the Federal Reserve System"; and by striking out in subsection (j) "(e) (7)".

SEC. 239. Section 1818(o), title 12, United States Code, is amended by striking the first sentence thereof and inserting the following: "Whenever the insured status of an insured bank shall be terminated by action of the Federal Bank Commission its membership in the Federal Reserve System shall terminate and in the case of a national bank a receiver for the bank shall be appointed by the Federal Bank Commission.".

SEC. 240. Section 1818(p) and sections 1818 (q), title 12, United States Code, are amended by striking out each reference to "Corporation" and "Board of Directors" and by inserting "Federal Bank Commission" in their place.

SEC. 241. Section 1819, title 12, United States Code, is amended by striking out the first sentence of paragraph Fourth and inserting "To sue and be sued, complain and defend, through the Federal Bank Commission, in any court of law, or equity, State or Federal"; and by striking out "Board of Directors" in the fourth sentence of paragraph Fourth and inserting "Federal Bank Commission"; and by striking out in paragraph Fifth "appoint by its Board of Directors such" and "in this chapter" and inserting "act through such personnel as the Federal Bank Commission may designate. The Federal Bank Commission shall have power to appoint such" and "by law" in their places and inserting after "compensation" in the first sentence "in accordance with chapter 51 and subchapter III of chapter 53 of title 5, United States Code"; and by striking out in paragraph Sixth ", by its Board of Directors," and inserting "upon approval of the Federal Bank Commission"; and by striking out in paragraph Seventh "by its Board of Directors," and inserting "under authority of the Federal Bank Commission," and by striking out from paragraph Eighth "To" and inserting "The Federal Bank Commission may"; and by adding at the end of paragraph Ninth "under the authority of the Federal Bank Commission"; and by amending paragraph Tenth to read as follows: "The Federal Bank Commission may prescribe such rules and regulations as it may deem appropriate in the performance of its functions.".

SEC. 242. Section 1820 title 12, United States Code, is amended by striking out each reference to the "Board of Directors" and "Board of Directors of the Corporation" and "Corporation" and by inserting "Federal Bank Commission" in their places; and by amending the first sentence of subsection (b) to read as follows: "The Federal Bank Commission shall appoint examiners who shall have power, on behalf of the Commission, to examine any insured bank or any bank making an application to become an insured bank, whenever in the judgment of the Federal Bank Commission an examination is necessary,"; and by repealing the second sentence to subsection (b). Section 182(a), title 12, United States Code, is amended in subparagraph 2(b) by striking out "Corporation" and inserting "Federal Bank Commission".

SEC. 243. Section 1821(c), title 12, United States Code, is amended to read as follows: "Notwithstanding any other provision of law, the Federal Bank Commission shall not appoint a receiver other than itself of any insured bank except for the appointment of a conservator pursuant to the Bank Conservation Act.".

Sec. 244. Section 1821(d), title 12, United States Code, is amended by striking out from the first sentence "Corporation" and inserting "Federal Bank Commission" in its place; and by striking out from the second sentence "Corporation" and "itself for its own account" and inserting "Federal Bank Commission" and "the Corporation" in their places; and by striking out from the third sentence "Corporation" and "Corporation itself or" and inserting "Federal Bank Commission" and "Federal Bank Commission or Corporation" in their places; and by striking out each reference to the "Corporation" in the last sentence and by inserting "Federal Bank Commission" in their places and by striking out "or the Comptroller of the Currency".

Sec. 245. Section 1821(e), title 12, United States Code, is amended by striking out each reference to the "Corporation" and inserting "Federal Bank Commission" in their place.

Sec. 246. Section 1821(f), title 12, United States Code, is amended by striking out ": *Provided*, That the Corporation" and inserting ". The Federal Bank Commission"; by striking out "where the Corporation" and by inserting "where the Federal Bank Commission".

Sec. 247. Section 1821(h), title 12, United States Code, is amended by striking out "Corporation" and inserting "Federal Bank Commission".

Sec. 248. Section 1821(i), title 12, United States Code, is amended by striking out each reference to the "Corporation", "Board of Directors of the Corporation" and "Comptroller of the Currency" and inserting in their place the "Federal Bank Commission".

Sec. 249. Section 1821(k), title 12, United States Code, is amended by striking out each reference to the "Board of Directors" and "Corporation" and "Comptroller of the Currency" and by inserting "Federal Bank Commission" in their places; and by striking out ", without certification to or approval by the Corporation".

Sec. 250. Section 1821(l), title 12, United States Code, is amended by striking out "Board of Directors" wherever it appears and "Comptroller of the Currency" and by inserting "Federal Bank Commission" in their place.

Sec. 251. Section 1822(a), title 12, United States Code, is amended by striking out each reference to the "Corporation" and by inserting "Federal Bank Commission" in their place.

Sec. 252. Section 1822(c), title 12, United States Code, is amended by striking out "Board of Directors" and inserting "Federal Bank Commission".

Sec. 253. Section 1823(c), title 12, United States Code, is amended by striking out "Corporation" the first time it appears and "Board of Directors" each time it appears and by inserting "Federal Bank Commission" in their place.

Sec. 254. Section 1823(d), title 12, United States Code, is amended by striking out "in its discretion" in the last sentence and by inserting "in the discretion of the Federal Bank Commission" and by striking out "Corporation" the last time it appears and by inserting "Federal Bank Commission".

Sec. 255. Section 1823(e), title 12, United States Code, is amended by striking out "Board of Directors" and by inserting "Federal Bank Commission".

Sec. 256. Section 1824, title 12, United States Code, is amended by striking out "Board of Directors of the Corporation" and by inserting "Federal Bank Commission".

Sec. 257. Section 1827(a), title 12, United States Code, is amended by striking out "Corporation" and by inserting "Federal Bank Commission" and by adding at the end thereof "which report shall include a report on the operations of the Corporation".

Sec. 258. Section 1827(b), title 12, United States Code, is amended to read as follows: The Comptroller General of the United States shall, under such rules and regulations as he shall prescribe, audit the Federal Bank Commission. In making the audit, representatives of the General Accounting Office shall have access to books, accounts, records, reports, files and all other papers, things, and property belonging to or in use by the Commission, including reports of bank examinations and related papers, from whatever source. Such representatives shall also be afforded full facilities for verifying transactions and activities with balances or securities held by depositaries, fiscal agents, and custodians.

Sec. 259. Section 1827(c), title 12, United States Code, is amended to read as follows: The Comptroller General shall report to the Congress on the results of his audit work relating to the Federal Bank Commission. A copy of each report made under this subsection shall be sent to the President of the United States, and to the Commission. In addition to any other matters the report shall include such comments and recommendations as the Comptroller General may deem advisable including recommendations for attaining a more economical and efficient administration of the Commission, and the report shall specifically show any program, financial transaction, or undertaking observed in the course of the audit which in the opinion of the Comptroller General has been carried out without authority of law.

Sec. 260. Section 1828(a) is amended by striking out "Board of Directors" each time it appears and by inserting "Federal Bank Commission"; and by striking out "Corporation may recover for its use" and by inserting "Federal Bank Commission may recover for the Corporation".

Sec. 261. Section 1828(c) is amended by providing that "In every case the responsible agency shall be the Federal Bank Commission"; and by striking out "Corporation" and by inserting "Federal Bank Commission" in subparagraph (1) and in subparagraph (2) by striking out "be—" and all of section (A), (B), and (C) and by inserting "in every case be the Federal Bank Commission"; and in subsections (4) and (6) by striking out "and the other two banking agencies referred to in this subsection" and "and the other two banking agencies" each time they appear; and in subsection (a) by striking out "Each of the responsible agencies" and by inserting "the Federal Bank Commission" and striking out "responsible agency" and inserting "Commission".

Sec. 262. Sections 1828 (d), (e), (f), and (h) are amended by striking out "Corporation" each time it appears and by inserting "Federal Bank Commission".

Sec. 263. Section 1828(g), title 12, United States Code, is amended by striking out each reference to the "Board of Directors" and "Corporation" and by inserting "Federal Bank Commission" in their place.

Sec. 264. Section 1828(i), title 12, United States Code, is amended in subparagraph (2) by striking out "of—" and all of subsections (A), (B), and (C) and by inserting "by the responsible agency which in each case shall be the Federal Bank Commission"; and by striking out each reference to the "Corporation" and inserting "Federal Bank Commission".

Sec. 265. Sections 1829 and 1829a(e), title 12, United States Code, are amended by striking out "Corporation" and "Board of Directors" and inserting "Federal Bank Commission" in their places.

Sec. 266. Sections 1841–1850, title 12, United States Code, are amended by striking out each reference to the "Board" or the "Federal Reserve Board" and by inserting "Commission" in their place.

Sec. 267. Section 1841(f), title 12, United States Code, is amended to read as follows: "'Commission' means the Federal Bank Commission".

Sec. 268. Section 1842(b), title 12, United States Code, is amended by striking out "to the Comptroller of the Currency" if the applicant company or any bank the voting shares or assets of which are sought to be acquired is a national banking association or a District bank, or"; and by striking out "the Comptroller of the Currency or" each time it appears therein.

Sec. 269. Section 1844(c), title 12, United States Code, is amended by striking out "the Comptroller of the Currency, the Federal Deposit Insurance Corporation, or".

Sec. 270. Section 1861(a), title 12, United States Code, is amended to read as follows: "The term 'Federal supervisory agency' means the Federal Bank Commission".

Sec. 271. Section 1865(b), title 12, United States Code, is amended to read as follows: "The assurances required by subsection (a) of this section shall be given to the Federal Bank Commission."

Sec. 272. Section 1881, title 12, United States Code, subparagraph (1) is amended to read as follows: "Federal Bank Commission with respect to any insured bank"; and by striking out subparagraphs (2) and (3) and redesignating subparagraph "(4)" as "(2)".

Sec. 273. Section 1971–1978, title 12, United States Code, is amended by striking out each reference to the "Board" and inserting "Federal Bank Commission" in their place.

AMENDMENTS TO CERTAIN PROVISIONS OF LAW CODIFIED IN TITLE 15 OF THE UNITED STATES CODE

Sec. 301. Sec. 1607(a)(1), title 15, United States Code, is amended to read as follows: "(1) section 1818 of title 12, in the case of any insured bank by the Federal Bank Commission".

Sec. 302. Section 1681s(b)(1), title 15, United States Code, is amended to read as follows: "(1) section 1818 of title 12, in the case of any insured bank by the Federal Bank Commission.".

S53. 303 [This section is reserved for various conforming amendments which would transfer all authority respecting the Consumer Credit Protection Act, the Securities Act, and the Clayton Act from the Federal Reserve Board to the Federal Bank Commission.]

MISCELLANEOUS AMENDMENTS TO VARIOUS PROVISIONS OF LAW CODIFIED IN THE UNITED STATES CODE

Sec. 401. [This section is reserved for various conforming amendments to the criminal and other codes.]

Sec. 501. Section 5314(19), title 5, of United States Code, is amended by striking out "Chairman, the Board of Directors, the Federal Deposit Insurance Corporation" and inserting "Chairman of the Federal Bank Commission"; and by repealing clause (30) referring to the Comptroller of the Currency.

Sec. 502. Section 5315(58), title 5, United States Code, is amended by striking out "Board of Directors of the Federal Deposit Insurance Corporation" and inserting "Federal Bank Commission".

Sec. 503. Section 5363(2), title 5, United States Code, is amended by striking out the references to sections 481 and 1819, title 12, United States Code.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 410

At the request of Mr. Goldwater, the Senator from Indiana (Mr. Hartke) was added as a cosponsor of S. 410, a bill to repeal the earnings limitation of the Social Security Act for all workers age 65 and over.

S. 1783

At the request of Mr. BROCK, the Senator from Minnesota (Mr. MONDALE) was added as a cosponsor of S. 1783, a bill to amend title XVIII of the Social Security Act to provide for comprehensive and quality health care for persons with communicative disorders under the health insurance program (medicare) including preventive, diagnostic, treatment, and rehabilitative functions.

S. 1784

At the request of Mr. BROCK, the Senator from Minnesota (Mr. MONDALE) was added as a cosponsor of S. 1784, a bill to amend title XVIII of the Social Security Act to provide for coverage of comprehensive hearing health care services, including provision for hearing amplification devices financed in part by the Federal Government.

S. 1875

At the request of Mr. BEALL, the Senator from Tennessee (Mr. BROCK), the Senator from New York (Mr. BUCKLEY), the Senator from California (Mr. CRANSTON), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nevada (Mr. LAXALT), the Senator from Maryland (Mr. MATHIAS), the Senator from Utah (Mr. MOSS), the Senator from Pennsylvania (Mr. HUGH SCOTT), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. 1875, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to add a requirement that the comprehensive State plan include provisions for the prevention of crimes against the elderly.

S. 1985

At the request of Mr. TOWER, the Senator from Michigan (Mr. GRIFFIN) was added as a cosponsor of S. 1985, a bill entitled "the Farmers Market Act of 1975."

SENATE RESOLUTION 104

At the request of Mr. HATHAWAY, the Senator from Indiana (Mr. BAYH), the Senator from Missouri (Mr. EAGLETON), the Senator from Indiana (Mr. HARTKE), the Senator from Maryland (Mr. MATHIAS), the Senator from Rhode Island (Mr. PELL), the Senator from Illinois (Mr. PERCY), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from Delaware (Mr. ROTH) were added as cosponsors of the resolution (S. Res. 104) relative to the Select Committee on Small Business (to provide limited legislative authority to the Select Committee).

SENATE RESOLUTION 216

At the request of Mr. HUDDLESTON, the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of Senate Resolution 216 requesting the Secretary of Agriculture to submit a 5-year plan for the eradication of brucellosis.

SENATE RESOLUTION 230

At the request of Mr. BROCK, the Senator from Nebraska (Mr. CURTIS) was added as a cosponsor of Senate Resolution 230, a resolution concerning relations with Cuba.

SENATE JOINT RESOLUTION 99

At the request of Mr. HUGH SCOTT, the Senator from New York (Mr. BUCKLEY) was added as a cosponsor of Senate Joint Resolution 99, a joint resolution requesting the President to issue a proclamation designating January 4, 1976, as "Haym Salomon Day."

NOTICE OF HEARING

Mr. FORD. Mr. President, I wish to announce for the information of the Senate and the public the scheduling of a public hearing before the Senate Committee on Aeronautical and Space Sciences.

The hearing is scheduled for September 10 at 9:30 a.m. in room 235 of the Russell Senate Office Building. Testimony will be heard on NASA's proposed aircraft fuel conservation technology program from representatives of NASA, the air transport industry, the Air Force, and an advisory board which examined the plan.

ANNOUNCEMENT OF GOVERNMENT OPERATIONS MEETING TO CONSIDER A RESOLUTION OF DISAPPROVAL

Mr. WEICKER. Mr. President, I wish to announce that the Committee on Government Operations will hold a meeting to consider a resolution disapproving certain proposed regulations submitted by GSA implementing the Presidential Recordings and Materials Preservation Act, at 10 a.m. on Wednesday, September 10, in room 3302 of the Dirksen Senate Office Building.

ADDITIONAL STATEMENTS

GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, when a man kills another human being in cold blood and with malice, he is subject to the scrutiny of the law and the wrath of all rational people. It is only appropriate that the United States has created a justice system that will do its utmost to insure the security of its inhabitants. What bothers me though, is that as a nation we fail to condemn the heinous crime of genocide. We feel it is necessary to act on the brutal murder of one American, but we also feel it is necessary to sit idly by at a "systematic planned annihilation of any national ethnical, racial, or religious group." I feel that we should voice our approval and ratify the human rights document which would outlaw the frightful act of genocide through international law.

We live in a world of action and reaction. Action was taken in 1915 when 1,200,000 Armenians were executed by the Turks. Action was again taken when the German dictator Adolf Hitler exterminated 6 million Jews, 3 million Slavs, and almost the entire Gypsy community of Europe. Despite the outrage at the hostilities committed to the peoples of the world, the United States today still has not dedicated itself to the proposition that genocide violates international law and should be outlawed. The United States should resolve to act decently, morally, and sincerely to prevent any future reoccurrences of the debacles that have swept through nations time and time again.

Words alone are not enough. As a compassionate people we cannot sit aside and observe others being slaughtered. I have spoken on this issue every day for years and I cannot stress strongly enough the importance of this treaty. It does not take a great humanitarian to recognize that genocide is morally repugnant. It does take the will and cooperation of this Congress to do something about genocide. There is an old saying that if you are not part of the solution, you are part of the problem. The next time a government acts to destroy a segment of its population, I do not want people to say that the United States was part of the problem. I do not want them to say that the United States sat idly by. I want them to say that the United States was part of the solution, that the United States helped to prevent mass murder. Ratification of the genocide convention is a must now—before it is too late.

THE FUTURE FARMERS OF AMERICA

Mr. TOWER. Mr. President, the Future Farmers of America, or FFA as the organization is more popularly known, has long provided an organizational framework for development of youth in agriculture.

In my own State of Texas, FFA provides an outlet for the energy, initiative, and expertise of some 57,000 future farmers, the largest number of FFA members in any State in the Nation. There are 919 FFA chapters in Texas, each of which conducts an active program of agricultural activity. Truly, here is an organization that is critical to maintaining America's food factory in the future.

A question of paramount importance facing these future farmowners, managers, and technicians concerns the nature of the agricultural sector which they seek to join. What kind of food factory will America have in the next 10 years?

One possible answer to that question appears in the current issue of National Future Farmer, the magazine for FFA members and their families. Forest L. Goetsch, president of Doane Agricultural Service, comments in that issue on "the 1984 world of farming," and I think what he has to say is worth our attention, not only because his comment is informed, but because his mesage will be read by the hundreds of thousands of future farmers throughout the United States. Mr. President, I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TOWER. Mr. President, implicit in Mr. Goetsch's article is the challenge facing not only the farmers and future farmers of America, but to Congress as well. We are caught up in a radical change from the farming practices of the past, and confronted with new problems which call not just for more hard work, or more technology, but a different lifestyle for those on the farm. Mr. Goetsch believes that—

> Family farm corporations and partnerships will be the most dominant types of farm business organizations in the 1980's, and that there will be an absolute necessity to pool resources of different members of farming families in most instances.

The need, as Mr. Goetsch illustrates, is for greater efficiency through larger sized farms—on the average of 640 acres minimum, compared with the 322-acre, "ideal size" farm of the early 1960's. Additionally, farmers must open up the size of individual fields to allow more efficient cultivation by big farm machinery.

The problem facing tomorrow's farmers, however, is not simply the need for larger farms, but more efficient farming all around.

Since 1967, prices paid by farmers for production items, taxes, interest, and wages have risen by 85 percent. Prices paid by farmers for feed, fertilizer, and seed have more than doubled. Projecting only modest inflation for the next 10 years, these costs will again double.

With such upward movement in the cost of inputs, those farmers who are only marginally efficient will be wiped out. Tomorrow's farmer is going to have to be a businessperson as well, because the margin for error will be quite thin.

Forty years ago, a farmer could lose an entire crop and without too much difficulty make it to the next year, or perhaps could even make it through 2 bad years. Not any more. As Mr. Goetsch points out, capital investment in farming will probably run to more than a million dollars per average size farm in the 1980's, with much of it financed by young farmers. All it takes is a string of bad agribusiness decisions to force a farmer off his farm.

As I said, Mr. President, there is a challenge for tomorrow's farmers, a challenge to make shrewd business decisions: What crops to plant in what quantity? How to finance the capital investment in needed land and equipment? How to market commodities to protect against violent price swings?

But as I also said, Mr. President, there is a challenge for us in Congress. According to Dr. Leonard R. Kyle, of Michigan State University, four problems seriously threaten American farmers today: Downturn in the economic sector, high inflation, critical shortages in energy, and world food shortages. Does this sound familiar to us, Mr. President? It ought to, because these are precisely the concerns of every American, of every member of the world community. And what we do here will determine to what extent these problems are solved, or to what extent they continue to plague our country.

I know that there are no easy solutions, but I will say this to my colleagues: There are 57,000 future farmers down in Texas, and hundreds of thousands like them throughout the United States, that may never get the chance to work the farms they love, unless we work out solutions to these problems. Mr. President, if we think our country is hurt by the present crisis in unemployment, let us just dally around until our farmers have joined the unemployment lines.

Then this country will not only be crippled, but it also will be starving to death.

EXHIBIT 1

1984 WORLD OF FARMING

(By Forest L. Goetsch)

By 1984 the current industrialization of agriculture will be mostly completed, and the bulk of our food and fiber production will be coming from well-run farm business firms. These farm businesses will be operating in a political and economic climate vastly different from that of the 1950's and 60's. We have already seen the transition to a market-oriented agriculture, as the U.S. government moved out of the vast food storage business in which it was involved under old agricultural farm programs. Undoubtedly, there will be some new policies on reserves, but we doubt they will involve massive government ownership and storage of non-perishables.

The 1984 farmer will have no more political influence than any other industrial group. He will be operating in a market which is subject to considerable fluctuation as world conditions change. His markets will not have the stability that once was true when he was producing under price supports.

Today the majority of the farmers still do not understand the hedging process in grain or livestock futures markets. Because of this instability in markets, by 1984 the bulk of them will have been forced to take steps to protect themselves from market gyrations, and hedging will be one of those steps. There will also be more forward contracting of crops on the cash market.

The farmer of the future will have to be more flexible and less traditional. He will be producing those items in which he has comparative economic advantage in the world market. Currently, those include feed grains, soybeans and wheat. The climate which we have, and our large acreage of fertile soil gives us natural advantages in producing these crops. With these, we have the highly sophisticated power farming systems which have been developed and a variety of effective crop chemicals.

Assuming that we do have relatively free world trade, there are some products in which U.S. farmers' disadvantage will be even more firmly established by 1984. Last year I visited Europe as a board member of a firm manufacturing bulk milk tanks for use on dairy farms. Dairymen there are about in the stage of mechanization where U.S. farms were some 15 years ago. It becomes apparent that before long they will be an even more competitive force, so far as manufactured dairy products are concerned, especially if the Common Market subsidizes its producers.

We are already seeing certain labor-intensive crops shifting from the U.S. In the case of tomatoes and strawberries, some production moved to Mexico. We now see pineapples being grown in other Pacific Islands besides Hawaii, where they have traditionally been produced. High labor and land costs are causing a move.

The farmer of 1984 certainly will be handling relatively large volumes of money in order to show the desired return on his labor and investment. Currently, we see that a commercial farmer may average 70 cents of cash outlay for every dollar of farm income.

Agricultural commodity prices have undoubtedly moved to a new higher plateau, reflecting the two devaluations of the U.S. dollar and the demand from nations which are upgrading their diet and changing their consumption patterns. At the same time, we have seen U.S. farm production costs go up at an alarming rate. The period of easy windfall profits has passed for livestock farmers and it will soon be over for crop producers. Then good, tight business procedures will again be necessary in farming operations.

The 1984 farmer will be thoroughly familiar with computerized accounting, cash flow projections from the computer and the various uses of linear programming in farm planning. These are techniques which we at Doane are already using with some of today's top operators. Because of the flexibility which will be necessary in farming operations and the need for capable management of cash, these newer techniques will be an absolute necessity.

What type of business organization will be most common to farming and ranching in the 1980's? Well, we have seen publicly-owned corporations take their fling at agricultural production. Most of them have backed away from it and taken their losses. The most recent ones to do so are some which have been involved in commercial cattle feeding operation.

I think that family farm corporations and partnerships will be the most dominant types of farm business organizations in the 1980's. With rising land prices and the high cash input needs, certainly there will be an absolute necessity to pool resources of different members of farming families in most instances. I feel that we will likely see an increase in the procedure of having one corporation own the farmland, with another operating corporation doing the actual farming. There may be several members of the same family involved, but with a slightly different combination in the operating company from that in the land holding company.

I also feel that there will be large amounts of high-quality farming land owned by outside investors and operated by other farmers under leasing arrangements.

After the 21 percent jump in U.S. land prices in 1974, we are seeing Illinois and Iowa farmland commonly selling at more than $1,600 per acre. We at Doane feel good that 640 acres is at desirable-sized unit for an operator and a second man, assuming both crop and livestock production. We feel that this will be a good-sized unit for several more years. With the land cost at its current level, you can see an investment of about a million dollars in land alone. Adding machinery and inventory, you can quickly add up another $100,000 of capital for non-real estate investment, without livestock.

Looking down the road ten years, it is not unrealistic to project that land prices might be doubled—a slower rate of increase than occurred in the past 20 years. This would put your 640-acre Midwest farm at an investment of $2 million by 1984.

Looking backward, we know that expansion of farm businesses was traditionally financed by capital generated internally; often by sacrifice on the part of the farm family who eked it out of their living expenses. Looking forward to 1984, and the type of investment required for a viable farm business, it is quite obvious that there will have to be some outside capital introduced into agriculture, along with the equities which have been built up by families long in the farming business.

I can see frequent arrangements with farm operators owning a small tract where they have their headquarters, and service their machinery with cash and share leases on any available tracts of farmland within a radius of several miles in any direction. This situation already exists to quite an extent in the cash-grain areas of Illinois and Iowa.

Undoubtedly, there will be shifts in the regional production of livestock as the theory of comparative advantage comes into play within the U.S., just as I mentioned in the world situation. We expect that swine production will continue to be intensified in the Corn Belt, with some additional new units developed in the Great Plains area. Of course, by 1984, hogs will be produced primarily in confinement units. Land will be too expensive to be using much of it for pasture. Also, high costs of labor will force more mechanization.

The feeding of beef cattle has already made a big shift to the area from Nebraska to Texas. There are definite climatic advantages there, compared to the high humidity areas where muddy feedlots become a severe problem.

It takes millions of dollars to finance the nation's beef cattle feeding operations. In recent years, the sale of limited partnerships has brought in amounts of money, which have been estimated as high as one and a half billion dollars, from outside investors attracted to the cattle feeding situation. Many of them have lost all of their profits for the past five years and their original equity as well. With losses running up to $200 per head, the cattle feeding industry literally went through the wringer. These individual investors will probably not be back.

Agricultural finance corporations and new banking methods will come into the picture to replace the tax shelter cattle feeders as commercial lots are gradually refilled.

By 1984 we certainly can expect to see some changes in land use. With the sudden realization that there is a limit to the nation's capacity to produce food, it can be expected that legislation will be passed within the next few years which will safeguard most of America's prime agricultural land from other uses which have been gobbling it up at a rather fast rate.

The growing population is searching for recreational outlets and it appears that perhaps the scenic Western areas will lose much of their grazing use to recreation. We see great possibilities for upgrading the use of land in some other areas to something more than just growing cutover timber, brush and weeds. We at Doane feel that there are thousands of acres of land across southern Indiana, Illinois, Iowa and northern Missouri which could be bought at a relatively low price, developed and turned into units for producing beef cattle. The cost, generally, would be less than buying a going ranch in the traditional Western areas. With the big jump in land prices, it now becomes feasible to clear brush and timber, fill ditches, apply lime and phosphate to develop pastures, and to drain certain areas in the South which might not have been practical with lower land values.

Certainly you are aware of the constant increasing size of farms in the U.S. The 1974 estimate was 384 acres, average for the U.S., contrasted to 322 acres only 11 years earlier. Another change, in addition to total size, will be the larger fields that will be developed for use of the big farm machinery now available.

Within the next ten years you will see the traditional hedgerows pretty well ripped out in the Midwest, and fences removed from small pastures and fields so that units can be farmed more efficiently. More and more farmsteads are being abandoned, or if the farm house is in fairly good shape they are rented out to workers who prefer to live in the country. There are social implications as tradition is pushed aside by bulldozers. However, economic realities will bring about more and more of this type of change.

We've seen a drastic reduction in the total farm labor force. Available crop acres have been fairly constant, and yet total output has risen drastically. The secret has been purchased inputs in the form of fertilizer, herbicides, crop insecticides, sophisticated machinery, improved seed varieties, petroleum products, animal health products, fortified feeds and a variety of other items.

The agribusiness industry has made sizable investments in product development which has made possible a significant increase in output per farm worker. We see an immediate impact when one of these products is lost to farm use, for cattle feeding or various pesticides used by crop farmers. Tighter government requirements have caused the costs of developing a new chemical to sky-rocket.

At the same time, regulations to protect the environment are causing some real financial problems for livestock feeders and dairymen. The food factory is now facing some of the same environmental obstacles that urban factories have been forced to deal with. We have hope that the very real need for food will bring some moderation in the demands of the environmentalists.

Hopefully, by 1984, we will also have our priorities ordered in a way that sufficient petrochemicals will be available to provide the necessary pesticides and the nitrogen fertilizer to meet our food needs.

The American farmer loves to produce. Give him the price incentive, and the raw material to work with, and he will do an amazing job.

TRADE NEGOTIATIONS

Mr. TALMADGE. Mr. President, I have had an opportunity to read an excellent comment on U.S. trade posture, which was written by D. W. Brooks and published in the July Gold Kist News.

Mr. Brooks is founder of Gold Kist, the largest agribusiness cooperative in the world, and he is certainly one of the foremost and most authoritative spokesman on agriculture and related business in this country. Mr. Brooks served on the advisory board for the "Kennedy Round" trade negotiations.

Discussing new trade negotiations being launched by President Ford, Mr. Brooks sounds a warning that both American industry and American agriculture, especially the former, must be prepared for tough competition from our trading partners, and he cites the increased industrial productivity of nations like Germany and Japan. However, Mr. Brooks points out that such competition can hopefully be good for the American economy by promoting harder work and more efficient and less costly production.

At the same time, Mr. Brooks warns against the erection of restrictive tariff barriers that stifle free trade, and that the United States must particularly guard against a lockout of our agricultural products. He strongly urges that U.S. agriculture not be excluded from the new trade negotiations, and that we be fair but firm in striking trade agreements.

I bring this article to the attention of the Senate, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRADE NEGOTIATIONS

(By D. W. Brooks)

It is my understanding that we are now going back into another trade negotiation with many of the countries of the world. The history of trade negotiations has been a long one and at times a very disastrous one. For example, many economists now believe that one of the primary reasons for the great depression of the early thirties, both in this country and throughout the world, was the Smoot-Hawley tariff bill which we passed in this country in 1929. This bill in effect raised tariffs so high on most industrial products that it just stopped products coming into this country. That immediately began to affect the countries overseas that had been exporting to us, and they began to move into a depression. In a short time they stopped buying from us and we started moving into a depression. So it is generally felt that one of the best ways to start a good depression is to just erect enough tariff barriers over the world to stop trading, and we can have a good one.

Fortunately or unfortunately, the world is becoming smaller all the time and the countries of the world are far more dependent on each other now than they were even in the early thirties. Consequently, there should always be an effort to try to increase world trade.

When we have a sudden economic crisis, such as the one brought on by the tremendous increase in the price of oil, there is always a tendency for every country to try to protect itself by stopping imports of everything except that which is absolutely necessary for survival. Consequently, there was a great tendency for all the countries of the world to start throwing up tariff barriers again when the oil crisis developed.

Since we are the largest country economically in the world, it is terribly important that we not get caught in some of these economic struggles which will not only seriously affect us, but affect the entire world. Consequently, after the depression of the thirties we have been doing everything possible to free up trade in the world.

President Roosevelt started off and began to do everything possible to improve world trade. That has largely been the pattern of every president since that time. When President Kennedy went into office, he felt it was urgent that we improve world trade. He started the program of negotiations with the other people of the world, which were labeled the Kennedy Round. After his death these negotiations were continued under President Johnson. I was asked to serve on the advisory board on these negotiations, and I will have to admit that we had a real difficult struggle.

The fact that after World War II, when all of Europe was about to collapse, we started the Marshall Plan to help not only Europe but the world, somehow left the impression in the world that we ought to always have a Marshall Plan for the rest of the world. By the time we reached the Kennedy Round, the United States was about in as bad shape financially as any of the countries with which we were negotiating. Consequently, we tried to take a very firm position that if we opened the doors for one dollar of trade in this country, we had to have one dollar of trade with the other country.

Unfortunately, President deGaulle of France, apparently thought that, due to the fact that negotiations had started under President Kennedy and the trade negotiations were being known as the Kennedy Round, because of the emotions involved we would capitulate and give him what he wanted regardless of what he gave us. This actually lasted till the last week, and unfortunately we did not make the good trade that we should have made for this country, and to some extent the world has suffered because of this.

Recently President Ford has been pushing for new trade negotiations and they are now getting under way. They will be under the supervision of Mr. Frederick B. Dent, who is a very able industrialist from South Carolina.

In these trade negotiations, as far as agriculture is concerned, we have both opportunity and danger. For example, as a whole we have become such efficient producers of farm commodities that we can generally compete effectively with our farm products in practically any market of the world. Unfortunately, our industrial establishments have not kept pace with world competition as well as our farmers. Consequently, there are a number of countries of the world that

have out-paced us in increasing their productivity per worker. To illustrate the difference between the two segments of our economy, in agriculture we have generally been able to increase our productivity per woker at an average rate of 8% per year, whereas in industry they have only been able to increase their productivity an average of 2½% to 3% per year.

Since industrial workers in some of the other countries, such as Germany and Japan, have been able to increase their productivity at a rate as high as 10 and 12% a year, in the case of a number of products they have become more competitive than we have. For example, at one time we controlled about all the automobile market of the world, but today if you walk across the street in a city you have a good chance of being run over by either a Volkswagen or a Datsun. So the problem now is to negotiate agreements to open up markets of the world, because generally speaking you will have a much higher scale of living if you let each area of the world produce that which it can produce the most efficiently and the most economically.

Sometimes it is tough competition, but it also makes people become more ingenious and hopefully work harder to do a more efficient and economic job. Even our automobile manufacturers are now making small cars fully competitive with imports. You can only have a high scale of living by having high productivity. It just doesn't come automatically. Somebody has to produce lots of products if we are going to have a high scale of living on this earth.

Since some of the industrial countries of the world feel they have an advantage in certain industrial products, they try to limit the negotiations just to industrial products where they have an advantage. They try to refuse to let agricultural products be negotiated because very often they are the weakest in agricultural products. So the only way we can possibly win in this country, and certainly win in agriculture, is to be certain that all negotiations are tied together. If we are negotiating with an industrial country and they want to only talk about industrial products, we must insist that they also talk about agricultural products. If we open the tariff doors in this country for an industrial product, they must open the doors in their country for an agricultural product.

Of course, we in agriculture must also be ready to take on competition where they might think they have an advantage even in agriculture. This means that when they come in and want some concessions in agriculture because they think they can outrun us, then of course we must insist on some doors opened for our industrial products.

It is only through this kind of give and take negotiations that we can actually open the trading doors of the world and in time improve the economic well-being of all the peoples of the world. It is a very complex, difficult and delicate type of trading, but it is one that we have to do if we expect the economic well-being of the peoples of the world to continue to rise.

One of the principal reasons this country has done so well is because it is such a large country and we have refused to let states set up economic barriers between each other. You can just imagine what would have happened to us economically if we had permitted each state to raise tariff barriers against other states. And yet that is what, has happened in some parts of the world because some of these nations are no larger than our states. The fact that we have not let states set up economic barriers between each other has been one of the primary reasons why we have had such a high scale of living. If we can extend this kind of economic condition over most of the world, and do it in a practical way, then the economic well-being of the peoples of the world should be greatly improved.

"SPIRIT OF ST. LOUIS"

Mr. TALMADGE. Mr. President, last August 26 marked the first anniversary of the death of Charles A. Lindbergh, and there has been brought to my attention a moving poem by Mattie Richards Tyler, a well-known Washington poet and editor.

Miss Tyler commemorates in verse Lindbergh's illustrious and historic 1927 *"Spirit of St. Louis"* solo transatlantic flight. Miss Tyler was awarded the Freedoms Foundation George Washington Honor Medal for her poem "George Washington at Prayer."

In noting Lindbergh's last flight home last August 26, Miss Tyler writes:

> While history endures and planes still fly, Charles Lindbergh's name and deeds will never die.

The Senate was not in session on August 26, and I bring Miss Tyler's inspiring poem to the attention of the Senate at this time to honor the memory of this great aviator.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

CHARLES AUGUSTUS LINDBERGH, 1902–74

SPIRIT OF ST. LOUIS—ROOSEVELT FIELD, L.I.

(May 20, 1927)

Charles Lindbergh viewed Long Island's foggy shroud,
  Where visibility was blurred by rain
A race was scheduled. He would be so proud
  To win that Paris flight with much to gain.
His two competitors let caution rule,
  But Lindbergh felt that he must not delay;
So he began his flight resolved and cool—
  Aware that this could be a fatal day.
The Spirit of St. Louis rising, falling,
  Responded to her pilot's urgent calling.

FIRST SOLO TRANSATLANTIC FLIGHT—"WE ARE HERE"—LE BOURGET FIELD, FRANCE

(May 21, 1927)

The coast of Normandy and France at last,
  The flaming flares of Le Bourget Airfield,
The lights of lovely Paris rushing past,
  And victory to him who would not yield!
While thousands shouted welcome, Lindbergh stepped
  From plane to earth; his voice was strong and clear,
His words were few and simple, yet they swept
  The world: "I am Charles Lindbergh. *WE are here!"
That solo flight he blazed across the sky,
  Still wears a crown of stars as years pass by.

LAST FLIGHT HOME—"THE LONE EAGLE OF THE SKY"

(Died August 26, 1974)

By his request, they flew him gently home
  To Maui . . . and there he died, and is interred.
No martial music, and no Capitol Dome
  To lay in state beneath! Lindbergh preferred
A coffin from the wood of his own trees,
  His only mourners family, neighbors, friends,
His requiem Pacific Ocean breeze.
  But death is not where Lindbergh's greatness ends!
While history endures and planes still fly
  Charles Lindbergh's name and deeds will never die— Mattie Richards Tyler.

SUPPORTING OFFICE FUND

Mr. BROCK. Mr. President, when a supporting office fund was established for my office under rule 42, paragraph three of the rules of the Senate, I stated that a summary of all expenditures and contributions would be made public. In addition to making this information available at any time to any person, I pledged to have it published in the CONGRESSIONAL RECORD on a quarterly basis.

Because of the August recess, it was impossible to have this information published at the exact end of the quarter. Therefore, at this time I ask unanimous consent that the quarterly report of my supporting office fund be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

BILL BROCK SUPPORTING OFFICE FUND

Statement of income and expense for the 3 months ending July 31, 1975

Income:	
Contributions (93 contributors, average contribution $100.59)	$9,355.00
Expense:	
Accounting	1,000.00
Airline travel (to, from, and within Tennessee)	2,681.17
Auto rental and mileage	1,066.61
Bank charges	21.99
Constituent mailing list update	1,535.20
Constituent relations	36.62
Educational expense	50.00
Meals and lodging	1,591.72
Office supplies	130.25
Postage	174.65
Press clipping service	90.00
Staff meetings	207.36
Stationery	182.70
Subscriptions	376.44
	9,144.71
Excess income over expense	210.29

FRANK NEWBURG, PRESIDENT, NATIONAL ASSOCIATION OF TRUCK STOP OPERATORS

Mr. PROXMIRE. Mr. President, recently Mr. Frank Newburg of Oak Creek, Wis. was elected as president of the National Association of Truck Stop Operators—NATSO.

He delivered a very interesting inaugural address in San Francisco in July which I believe should be shared with the press and the public who read the CONGRESSIONAL RECORD.

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*Lindbergh is quoted as having often referred to himself and his beloved plane as WE. The Spirit of St. Louis has its own honored hangar in the Smithsonian Institution, Washington, D.C. Yearly, thousands of tourists stand gazing at the valiant little plane that carried its young pilot to greatness. Many of the spectators are eager children, with dreams of their own. MRT

I ask unanimous consent that the text of Mr. Newburg's address be printed in full in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF FRANK NEWBURG

Ladies and gentlemen, my fellow truck stop operators, reverend clergy . . . I thank you from the bottom of my heart for this responsibility of leadership which you have given to me. There is no greater tribute than to be honored by your peers. I shall wear the mantel of President to the best of my ability and shall in all endeavors represent the National Association of Truck Stop Operators to further its growth and to improve upon the professionalism of the truck stop operator which has been so keenly accomplished over the past several administrations by my predecessors.

Indeed it is not going to be easy to be your President. I have big shoes to fill. Jerry Moody, who is now your Board Chairman, my fellow Wisconsinite, and my friendly competitor, has been a magnificent President. He has worked hard in the vineyards to inculcate NATSO in the minds of all truck stop operators, whether or not they be members of NATSO. He has upgraded our image, he has increased our membership, his successes have been outstanding and they are a great tribute to his talent and ability as an astute business man.

I want you to know also that I shall be able to fulfill the task of meeting the challenges as your President, because I have at my side, as I have through several years of matrimony, a lady, without whom, I would have been unable to achieve the small successes with which I have been blessed. I thank her for her understanding, her compassion, and her love, and I want her to know publicly that I appreciate her more than words can express. And now, may I introduce your new First Lady, and my wife, Rita.

Ladies and gentlemen, I am indeed proud to be your President, but I cannot do the job alone. The Truck Stop Industry faces its most critical period in history. During the year of 1976 this Nation will be celebrating its bicentennial. Two hundred years have built the greatest country in the history of the world. The great Americans, who established the Declaration of Independence, and then further penned the Constitution of the United States, were all men of great vision. But further, they were all small businessmen. The plantation owners, the merchants, printers, farmers, and the real, true Americans were all members of the business community. These great Americans established a system which would allow free enterprise to thrive, and created a system of individual initiative.

During these two hundred years, there have been many changes in the original concept of the Constitution. The amendments to the Constitution, in general, have been great assets, but there are things that have been developing in our country which must cause us some concern. Several weeks ago I sat in the office of a Congressman of this United States and listened to a description of the method that was going to be used and the exact timing that was necessary in order to jockey into position so that any blame could be placed upon the Administration rather than on the Congress. The blood virtually drained from my body when I sat and listened to this kind of thing which puts policies first and Americanism second.

We, as businessmen today, have been apathetic and complacent. We must now take these yokes from around our neck and place them where they rightfully belong—in the woodshed with all the other outmoded ideas that have made the businessmen become the pawns of the political leadership of this country. For nearly two hundred years now we have been electing men and women to the Congress to represent us. We elect them, yes, but then rather than representing us, we have become subservient to them. Why? Because they seem to be too busy perpetuating themselves in the office to which they have been elected. It seems more important to be re-elected than to serve the needs and solve the problems. Granted, they work long hours and hard hours, but so do we.

It is necessary very soon to have these men understand that they must conform to the original concept of our Constitution. It is not possible for our representatives to continue on a program that has changed and will keep on changing the free enterprise system. If we look at any civilization, or any country, you will find that it begins to deteriorate when we take away the individual incentive and start to protect the individual from the cradle to the grave.

These men must understand the workings of business. They must understand that nothing has ever been for free. That government cannot produce, it can only redistribute. There must be sacrifices if we are to accomplish the goals of our Nation, which, in turn, will accomplish the goals of the individual. We should ask ourselves, have these men ever filled a rig with diesel fuel on a hot humid day; have they ever changed a tire; have they had to think about a balanced menu; have they ever met a payroll; have they ever been harassed by Internal Revenue Service auditors; have they ever had to fill out the myriad of government forms which are necessary to run a business today? No, they have not, yet they sit in this august body of the United States Congress as though they have the patience of Job and the wisdom of Solomon.

The Constitution of the United States calls for three branches of government: Executive, Legislative, and Judicial. There is not one sentence in the Constitution which calls for a Regulatory Branch of Government. So, I urge you to vote for Congressmen and Senators who will support the eradication of bureaus and agencies in the government to which the Legislative Branch of Government has abdicated its Constitutional authority and responsibility.

I challenge not only the Truck Stop Operator to take off his gloves and fight back; but I also challenge every businessman in this country to get his act together, and tell the Congress and the general public to stop molesting the American businessman and the free enterprise system. If Congress cannot write the laws, then it is time to let the self-styled anarchists in this country have their way; but I, for one, am not ready for them to have their way. What I am ready for is to see that all American businessmen get off their soft-cushioned, executive chairs, in which they have become mellow, and tell Congress, like Harry Truman would have done, to go to hell and get on with running the government as servants of the people.

If you think that the American way of life, as most of us want it, isn't in trouble, then take a look at the recent Gallup Poll Survey, which indicates that our colleges and universities, with a few conspicuous exceptions, are now little brooder houses hatching students who are ignorant of industrial life and generally hostile to the incentive system. There are some of these same students who will get elected to Congress and to other public offices. The typical college student, the survey discovered, moves sharply to the left during his four years in higher education. Other series of questions in this survey sought the rating of well known individuals. Guess who swept the field? None other than Ralph Nader, the apostle for the consumer, who has sent the American businessmen running for cover in their possible plush offices and hideaways.

In this survey, 58 percent of the freshmen and 65 percent of the seniors thought that the businessmen ought to be under stricter controls. Fifty-eight percent of the freshmen and 55 percent of the seniors thought Labor Unions should be under stricter controls, and the students came down 56 percent to 38 percent believing that business should have more government intervention. Heaven help us!

Roughly, by the same margins, the students believed we should return to wage and price controls and that large companies should be broken up into smaller ones. Eighty percent agreed that business is too much concerned with profits and not enough with public responsibility.

It is most unfortunate that these same conditions and thoughts are prevalent throughout a great segment of our population. On Tuesday, July 8, 1975, an article appeared in the Milwaukee Sentinel. The headlines of this article read: (quote) *"Oil Pact Seen as Conducive To Collusion."* This article stated that William J. Lemont, who retired from the Justice Department in 1972, told the Senate Banking Committee that the oil industry has organized itself into this kind of collusive self-government since World War II.

It is this type of article that causes our society to lose faith in our system.

With all of these things existing, our industry is faced in 1976, and in the years to come, with a great upheaval in the method by which we are able to market our products. As an example of this, there are no less than seven separate bills presently existing in the House of Representatives which deal with "Dealer's Day in Court" legislation. Added to this are more which deal with the splitting up of the oil companies. All of these are what will present our challenges in years to come.

It is most important that we, as independent small businessmen, seek the help of the giants of this country to help maintain the small businessman in his present form. Is it the belief that big business can run a free enterprise system? Whenever we allow the entire industrial system to be concentrated into a few areas we set into motion a counterforce which causes in effect the split-up of these larger companies in an effort to maintain the viability of the free enterprise system.

Whenever the individual dream of being the next Horatio Alger is taken away, our people tend to turn to the means of socialistic or communistic forms which, in theory, make everyone equal, but are actually a monopolistic means to put power in the hands of only a few.

Our industry seems to be the only industry left available to the very small person who can go into business with limited capital and expect to find the culmination of his dreams to be self-employed and self-supporting. Whenever this dream is destroyed, these people turn anti-business and to pro-government control. If these are the challenges that we face in 1976, and in the years to come, then I feel that the National Association of Truck Stop Operators along with the truck stop operators themselves will be the ideal organization to bring forth the solutions to these problems.

Let us first challenge the educational system, not with criticism, but with facts, so that the educators of this country will be able to properly present the facts to their students. Let us persuade the students and the teachers that the profit rates are closer to 5 percent than 45 percent and that the tax rates are closer to 45 percent than to 10 percent. I, for one, have never given up on the young people of this Nation. I feel that they need the facts in order to view our great country and its system in its proper perspective.

Let us secondly evaluate the business community and determine what can be done to influence, not only small businessmen, but also the giants of the industrial world. If some of the things that they are being accused of, such as collusion, monopolies, and all the other things that create the image of big business, are actually true, then let us explore the means to change these things.

We presently grapple with some real problems within our own industry. We have always declared that what is good for our industry is also good for us; yet, as you know, several energy companies have publicly declared that they were going to take over the total marketing of petroleum products. Some have written leases and supply contracts which cancel themselves at the end of mandatory allocation. Yet on the opposite end, we have some companies who have taken the other approach and have built excellent relationships with their dealer organizations. Other companies have sought our help in petitioning the Regulatory agents, the Legislature and other Branches of Government to exert our efforts towards the elimination of controls. We have been active in the elimination of the controls on old crude oil and feel, in principle, that all controls should be eliminated from the marketplace.

The problem is: What stand do we take that will give protection and help to those who are dealing with irresponsible companies without jeopardizing the good relationship and the sound business principles of the others? Is it possible to convince the industry as a whole, including ourselves, that we must pay the consequences of irresponsible actions?

Ovid is the authority for the proposition that to be loved one must first make one's self lovely. To be admired and respected, the business world must first make itself admirable and earn respect. By this means we must restore the old images of craftsmanship, reliability, integrity, and fair dealing. Without good products and responsible service, external efforts will be discounted as merely the work of the Madison Avenue advertising man. By this method we, the business community, will have earned the right to ask our Government to return to the free enterprise system.

Let the consumer understand that the free enterprise system will give him the best opportunity to maintain the standard of living which has been the envy of all the World. Let the consumer go to work for us and get the controls lifted. Let us be able to show that the free, competitive marketplace works. The law of supply and demand has always worked. Government intervention has always stagnated progress. Are we becoming stagnant in our complacency and apathy to let the Congress and the Regulatory Agencies run our business?

As the next step, we should persuade our Government bodies: The Legislative, Executive and Judicial arms of our Government, that they should meet their responsibilities and not pass them off by making laws that will set up additional agencies which have the means to put personal interpretations into the form of law.

It is not necessary for us to physically march on Washington, but we do need to be active in our schools, churches, Rotary Clubs, Kiwanis, Lions, and the other service organizations in our community, to promote the causes of liberty. I am proud of the fact that there are a number of people in this room who have served on Boards of Education, who have met their responsibilities to try to change, or at least upgrade, our educational process. It is necessary for us to redouble our efforts in order to be able to accomplish these goals. We, as Americans, have a lot to be proud of. Let us stand up and declare these prides, re-establish the pride in, and of, our country.

During the year of 1976, it is my hope that I will be able to lead our organization so that we will be able to exist in a changing Industry, for changes are bound to come. Are you ready to go to work? If so, let me remind you of a recent notation which came to my attention about the anatomy of a trade association, such as our NATSO. "There are four kinds of bones in any association. There are the wish bones, who want someone else to do the work. There are jaw bones, who talk a lot, but do little else. There are knuckle bones, who knock everything others try to do, and there are back bones, who get behind the wheel and do the work."

I think Heaven that NATSO members are mainly the back bones who dig in and accomplish the job. I just wish that all businessmen were the back bones.

During 1976 we will try to present a program to you which will help maintain your viability in a changing industry. With your help I am sure that we will be successful.

LT. GEN. FRED KORNET, JR.

Mr. TOWER. Mr. President, on July 29, 1975, several Executive nominations were confirmed by the Senate. Among these was the nomination of Lt. Gen. Fred Kornet, Jr., [redacted], to be placed on the retired list of the Army under the provisions of title 10, United States Code, section 3962. Through an oversight General Kornet's permanent rank was listed as lieutenant colonel when, in fact, he had been promoted to full colonel effective May 16, 1975. I would like to correct the RECORD as it appears on page S14239 and I ask unanimous consent that a copy of the orders promoting General Kornet to a permanent rank of colonel be printed in the RECORD.

There being no objection, the orders were ordered to be printed in the RECORD, as follows:

HEADQUARTERS,
DEPARTMENT OF THE ARMY,
Washington, D.C., April 14, 1975.

Special orders: No. 72—Extract

17. TC 492. By direction of the President, following individuals promoted and commissioned in the Regular Army. Commanders will notify individuals. If individuals are on other than the Army promotion list, promotion is in branch indicated in the standard name line. Promotion is not valid if officer is not in promotable status on indicated effective date.

Kornet, Fred, Jr., [redacted] GO Authority 10 USC 3303 and 3305. Grade (from, to) LTC to Col. Effective date 16 May 1975. Date of rank 16 May 1975.

By order of the Secretary of the Army:

FRED C. WEYAND,
General, U.S. Army, Chief of Staff.

Official:

VERNE L. BOWERS,
Major General, U.S. Army, The Adjutant General.

A true copy:

LAMAR L. SHELDON,
Colonel, GS.

THE TRIBE THAT REPEALED THE LAW OF SUPPLY AND DEMAND

Mr. TOWER. Mr. President, commonsense is a commodity which becomes ever more scarce on Capitol Hill as an election year approaches.

We in Congress are badly in need of utilizing commonsense, as we grope for solutions to the problems of inflation, unemployment, and energy—problems that we in the Congress have done much to bring about or to make more severe.

I have found an especially valuable piece of commonsense in my home State of Texas, in the form of a speech Mr. J. Fred Bucy, executive vice president of Texas Instruments, Inc., delivered to the National Association of Purchasing Management during their convention in Dallas last May. Mr. Bucy's remarks apply with even more force to us than to the audience for whom they were written, because, clearly, we are the biggest spenders of all.

In his parable of the trials and tribulations of a mythical Indian tribe. "The Tribe That Repealed the Law of Supply and Demand," Mr. Bucy diverts us from our preoccupation with the "big picture" to give us a real picture of what we in Government have been doing to ourselves and to our countrymen.

I have gained valuable insights from Mr. Bucy's remarks, Mr. President. In the hopes that my colleagues shall also be edified by the story he tells, I ask unanimous consent that Mr. Bucy's tale of "The Tribe That Repealed the Law of Supply and Demand" be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE TRIBE THAT REPEALED THE LAW OF SUPPLY AND DEMAND

(By J. Fred Bucy, executive vice president, Texas Instruments, Inc.)

INTRODUCTION TO SPEECH TO NATIONAL ASSOCIATION OF PURCHASING MANAGEMENT

There's an old German saying that "a wife can throw away more money with a spoon than a husband can bring home with a shovel."

My adaptation of this to industry is that "Purchasing Agents can throw away more profit with purchase orders than salesmen can bring in with sales orders."

I would guess that the companies represented in this room today provide at least 80% of the industrial purchasing power of the United States. That power, coupled with your real world knowledge of economics, makes you a group who can take effective action to help this country out of the mess we're in.

It is important that you as an individual and as a group think every problem through, take a stand, let your voice be heard, and vote for responsible leaders; get out and work for good government! When was the last time you expressed your personal opinion on the state of our nation to your congressmen and senators in Washington or to your government representatives at the state and local level? In the words of the Greek Philosopher, Plato: "The punishment suffered by the wise who refuse to take part in government is to live under the government of bad men."

You have four powers to get the republic back on the track again: First, you can exercise your individual vote to get responsible and capable candidates back into government. Second, you can participate in the political party of your choice at the precinct level. Third, through the National Association of Purchasing Management, you can influence legislation and policy back toward fiscal responsibility and restraint. And fourth, as respected thought leaders, you can influence millions of citizens to think about the fundamental issues underlying our problems; when they render their decisions at the polls, they should at least be aware that they are shaping this country's destiny for the next century.

You may not agree with anything I have to say in the next half hour—that won't trouble me. But if you walk out of this room with the feeling that you're powerless to halt this country's decline . . . that will trouble me profoundly.

My purpose is to turn your attention to some of the fundamental problems that face our nation. My personal opinions are not important. What you think of my opinions is not important. What is important is that you realize this country's destiny is at stake today.

THE PARABLE

There is a common feeling abroad in the land today that the laws of moral responsibility that have always applied to families and tribes and communities do not apply to nations and governments. There is also a common feeling that the laws of *economics* that have always applied to families and tribes and communities are somehow suspended when tribes become a nation.

This is false doctrine. The basic laws of morality and economics must be obeyed if we are to realize the two-hundred-year-old dream of this democratic republic—the dream of freedom and justice for all.

The economic issues faced by a nation or a family of nations are vastly more complex than those faced by a tribe. Obviously. But the fact that they are so much more complex does not make them fundamentally different. Our learned economists and not-so learned politicians have delivered so many million sophisticated words about the complexities of modern economics, that I'm going to offer you a counterbalance today.

I'm going to offer you a simple tale. It's a parable. I call it "The Tribe that Repealed the Law of Supply and Demand." I'll recount the recent economic and political history of the tribe. I'll interrupt the parable frequently to see what parallels we can find in the problems we face today. I will use the flashback technique so popular in today's movies and TV. It has been my experience that the parables of the Bible are very effective in reducing apparently complex issues to very clear lessons of do's and don'ts. It is my sincere hope and desire that my simple parable *will not offend you by its simplicity*.

Once upon a time, on an island just offshore in the Gulf of Mexico, there lived a happy and prosperous Indian tribe who called themselves the Usas. They lived by farming and fishing, and by gathering fuel and fiber from the land. They governed themselves by traditions and laws that had evolved over hundreds of years. An unusual tribe in many ways, they had a strong urge to improve their happy condition even further for future generations. But, through the centures they had protected themselves with a prime directive. It went like this: "If we are to secure full measure for ourselves and future generations, it will sometimes be needful to add new traditions to our old ones. But the moment a new tradition shows signs of failure, we must stamp it out and return immediately to where we were before it.

Early in the 1800's, a party of palefaces discovered the Usas and decided to help them. The Usas who survived this help resolved never again to have contact with the paleface. Through a miracle of camouflage, they avoided further contact until 1965, when a party from Washington arrived to confer the benefits of civilization upon them.

This time, the help was moderate. Through the Bureau of Indian Affairs, the son of the Chief was sent to Washington for four years to study how the paleface government solved all the paleface problems.

While the Chief's son was away, life in the tribe went on as it had for hundreds of years, and the Usas prospered. Their ancient Law of Supply and Demand was allowed to operate freely, adjusting barter prices continually—up a little now, down a little then—keeping the economy nicely in balance. Their economy was well-governed—by the Law of Supply and Demand.

Finally, the boy came home and there was much rejoicing and jubilation. At the council fire that night, he listened with nostalgic interest as routine and familiar tribal matters were reported.

The representative of those who gathered Snake Oil was the first to speak: "Our usual pools of Snake Oil were dry last week, and we had to travel an extra day's journey to get the oil. Therefore, we must raise the usual barter price this week from one bushel of corn per jar of oil *to* one bushel of corn plus three hands full of corn."

The announcement caused no comment, because the farmers at the council knew that the supply of corn from the last harvest was also diminishing.

This meant that the barter price of oil would soon be restored to one level bushel of corn.

But the Chief's son had learned much in Washington, and he felt a profound obligation to apply all this knowledge at once. He leaped to his feet. "This is an outrage!" he said. "If the Snake Oil gatherers demand three extra hands full of corn this week, they'll demand six extra hands full next week, and 12 the next, and soon they'll own all the corn on the island. We must control the barter price of Snake Oil!"

Now, the Chief spoke: "My son, should we not discuss how this affects *other barter prices*, and how it affects *the future* of oil gathering?"

"Father," said the son, "if there's one thing I learned in Washington, it's that a government must take action quickly. Solve each problem as it occurs, and *later* we can solve the problems caused by today's solution."

Since most of the council braves were farmers with little urge to learn the oil business, they quickly voted to fix the price of oil.

The Chief's son spoke again. "Based on my long experience, I want to explain another thing you're doing wrong."

He told them that there were about 535 lawmakers in Washington, and that they did not grow corn. He told them that those lawmakers had 15,500 assistants on their staffs to help them make laws, who also did not grow corn—an average of 29 people for each lawmaker. And he told them how just this *tiny* part of the paleface government cost $328 million dollars in 1974.[1]

"Father," he ended, "the least *we* can do is get modern, and free ourselves to spend full time making laws. Five of us should be free for this great work: you, as Chief; I, as vice-Chief; a medicine man to explain economics; an assistant; and an administrator."

His father asked: "But what will the administrator do?"

The new vice-Chief answered patiently, "Why, he must administer the new Snake Oil Price Control law, of course."

But his father was not convinced. He said: "Through long tradition, *every* able-bodied adult in our tribe has worked to produce something of value. We have exactly one hundred workers. They produce just enough food, shelter and clothing for themselves, their children, and the few older folks who are too feeble to work. Who will support us in the government if we do not produce goods? Who will do the work of the five who do not make goods anymore? We will have only 95 workers left."

"Father, you don't understand the law of percentages. Each worker will simply produce a little over 5% more goods to support us. The moccassin maker, for example, need only make 21 pairs of moccassins in the time he used to make 20 pairs. Is that too much to ask as the price for good government?"

The Chief said, "But what if our people cannot make this 5% more goods? I have heard you call this 'increased productivity'. But if increased productivity does not happen, will not the barter prices rise higher? And will not our people buy goods from the people across the water?"

"Father, a little inflation is a healthy thing. Keeps everybody spending money, because they know that if they save it, it will just lose in value."

But the Chief said, "Son, in your letters from Washington, you kept speaking of 'Big Government'. How can we be sure our tribal government will not grow larger?"

The son began to see that his father lacked the sophistication necessary for leadership, but he answered patiently, "Obviously, father, we will set up a *commission* to control the size of government."

The son of the Chief had learned that if he made all of his reform proposals at one time, the tribe might rise up against him. So, he introduced his new ideas one at a time, and no one really noticed what they were getting into.

At the second council fire after his return, he had said, "We must consider the plight of our roof thatchers. They have no work since we discovered that cedar bark makes a roof that will last for years. It is the duty of our tribal government to support them."

Since the support has to come from "the government" and not their own pockets, the council agreed.

At the third council, he said, "We must support our old people and widows to make them socially secure." There were only a few old folks at the time, and a lot of workers to support them, so the council agreed.

These and many other hard duties did the tribe's government accept without fear. Had not the Chief's son told them that they had nothing to fear but fear itself?

Let's leave our parable for a moment and talk about our "social overhead" in this country today. Liberals and bleeding hearts have used defense spending as a whipping boy for a long time, blaming the DOD budget as the sole cause of all our troubles. Well, let's go to the U.S. Office of Management and Budget to see how we spend the lion's share of our tax dollars. These numbers are for the fiscal year ending June 30, 1976: The National Defense budget—including pay for an all-volunteer force and military retirement—is estimated at $94 billion. But *$163* billion is the estimated budget for Social Welfare programs (including $15.6 billion in aid to veterans).[2]

To put it another way, of our total tax dollars spent in this coming fiscal year, 27% will be spent on defense and 46% will be spent on Social Welfare.

To put it still another way, the $163 billion we will spend on Social Welfare in the coming year exceeds our *total* National Budget for 1967.

Or, still another way to put it and bring this into focus today, all the oil shipped by the Organization of Petroleum Exporting countries (OPEC) will be valued at $96 billion in 1975. This is 59% of what we will spend on social programs in the USA (keep this in mind when you read about the Arabs ruining the World's economy by raising the price of oil!) To repeat: all the OPEC oil to be shipped to the rest of the world in 1975 could only pay for 59% of the USA's welfare programs.[3]

Footnotes at end of article.

Defense and social welfare combined represent almost three-fourths of our national budget. If social welfare budgets were merely holding at a constant percentage of our Gross National Product over the years, we would have budget problems enough. But, in just nine years, the defense budget will have dropped from 8.4% of GNP in 1967 to 5.6% in 1975. In contrast, our social-welfare budget will climb from 6.5% of GNP in 1967 to 10.1% in 1975.[2]

Let's look at just the biggest of our Social Welfare programs—Social Security. It will cost us about $64 billion in 1974. "But", you may say, "that's like money paid into a trust fund, and we'll get it all back someday." Well, if you think that's how Social Security works, you're living forty years in the past. By the federal government's own standard for the regulation of insurance companies, a fund of more than *$600* billion would be needed to guarantee just the present Social Security promises. Yet, the total Social Security trust fund stands today at about $36.5 billion—more than half a trillion dollars short.[4] To say it again—more than 500 billion dollars short. This is approximately equal to two and one-half times all the foreign aid the USA has given in 200 years.

The *nub* of the problem is the government goofed on its assumptions. In 1935 it thought there'd always be 30 workers for each retiree. That had shrunk to 6 by 1955, but the government still wasn't worried. Now, it's 3 to 1; some experts say it will be one to one by the end of the 1990's.[5]

The Social Security Administration, the nation's biggest insurer, is using today's premiums to pay today's benefits. If any private insurance company did that, it would promptly be indicted for insurance fraud. It's the old "Robbing Peter to pay Paul" scheme.

Until now, the cost of Social Security to taxpayers and their employers has at least been visible. Every wage earner knows how much his paycheck is gouged to pay his Social Security tax. The newest wrinkle is a move to make up huge Social Security deficits out of the *General* Tax Fund. I suppose the rationale is to keep the shortages of this ill-maintained program buried in the tax swamps.

Don't let them bury it!

If we keep the rising cost of Social Security highly visible on millions of paychecks, maybe we can make enough voters mad enough to clean up this mess. How to clean it up is not clear. We certainly cannot afford $500 billion to fund Social Security, so I don't recommend funding it. However, we must take care of the deserving, our old folks, our orphans, our sick, our indigent. However, we must find a better way than the present system.

Social Security made a lot of people happy in *its early* years. Old folks got the money, the politicians got their votes. The first generation to get benefits got much *more out* of Social Security than they *put in*. But, as a result, this generation will *get much less* out *than we put in*. And our children will put in a *great deal for a pitifully small return*. In the name of charity, we have mortgaged our children's future. Economist Peter Somers calls Social Security "The biggest single *roadblock* to the security of the American wage earner".

Yet you and I continue to let politicians buy our votes with our children's money, in the name of sweet charity.

It was misguided charity that got us into the absurdity of the Food Stamp Program. The program was foisted on the public as a way to keep innocent people from starving. Like so many social welfare programs, though, freeloaders soon learned how to rip off the system. Today, 6% of the people in the U.S. are on food stamps.[6]

And Sylvia Porter, the syndicated columnist, is pointing out that the 13.2 million now getting food stamps are less than a third of the 43 million who are eligible.[6] Can any government afford to buy food for one-fifth of its population?

Do you know that the NEA (National Education Association) is encouraging the teachers in our public school system to apply for food stamps?

Also, are you aware that workers on strike are eligible for food stamps?

And it all adds fuel to inflation. The cry has become, "Let Big Brother Government feed us, pay our doctors, buy our houses, and make jobs for us!"

Here's another bit of irony: ask anybody receiving any kind of welfare where their money comes from. Ninety-nine out of a hundred will quickly answer, "It comes from The Government." How many, do you suppose, would say, "My money comes from taxpayers"?

No. Big Brother Government is the source of all blessings.

Few people realize how big Big Government is today. Well, here are some numbers that are as easy to obtain as they are hard to believe:

Federal, state and local governments are presently taking one-third of our Gross National Product.

One in every six civilian employees in the U.S. works for an agency of government—a total of 14.5 million workers[7] who could be "making mocassins and raising corn" are shuffling paper and administering rules of government agencies.

Government created almost one in every four new jobs in the last decade.

And of the new jobs created in government during the last decade, 95 out of 100 were created at the state and local levels.

With government growing at this rate, how much longer can even our present semi-Free Enterprise system survive?

How many years are left to us before this country of ours suffers a totally controlled economy?

Let's get back to the Usas tribe and see how they're faring.

Through all the new programs, the old Chief had been silent. He dreaded being thought of as old fashioned or inhumane, or a mossback. But one night in the lodge, he could remain silent no longer.

"My son," he said, "I do not understand. Of our 100 workers, 17 are now in our government, neither growing corn nor building lodges. And of our treasure, one part in three is now spent by our government. How long can this go on?"

"Pop, that's the beauty of it," said his son. "Those are exactly the same percentages as the palefaces have. Seventeen percent of their workers are in government, and 32% of their Gross National Product is spent by government at all levels.[8] And the size of their government is growing each and every year! And look how great they're doing."

The old Chief was still puzzled. "But you showed me our tribal account book, and our council pays out more than it takes in. How can this be?"

The young man answered with a gleam in his eye, "I knew this was coming, Pop, so I planned for it when we set up the Tribal Treasury. Remember all those Wampum Certificates we had that paleface printer from Washington print for us? How we agreed that we would give one Wampum Certificate for each bushel of corn put into the Treasury? And how it was illegal for any of our people to own and store their own corn? So, *we* now have all the corn except what people need to eat each week."

"Well, to pay for our government, all we have to do now is go off the Corn Standard—and get more Wampum Certificates printed! Then we just declare that each bushel of corn we hold is now worth two Wampums instead of one Wampum. So, we'll have twice as much money to do good works with."

"Everybody wins. The government gets money to pay its debts, everybody on the government payroll gets paid, and everybody the government supports gets their money. I tell you, Pop, the paleface has gotten a lot smarter since General Custer."

After this long speech, the old Chief said, "Son, my eyes are old and tired, but not blind. My eyes see who loses. It is our best braves who lose, because they tried to provide for the future by putting aside a small part of their wages or corn each year, some of their wealth. They sold us corn, and we gave them Wampum Certificates. Now, their Wampums will buy only half as much as before."

"No plan is perfect, Pop. The palefaces call that 'inflation'. Some of them call it 'soak the workers'. But how many workers do we have left at the council fire? We, in government, can outtalk them and outvote them any time. Also, we can create new councils to ensure we keep control of our government."

The boy at least understood today's politics.

Now, back to today's headlines in the USA: I suppose these headlines are meant to make us love *Big* Brother even more. By the end of 1975, the inflation rate will be down to 6%! How grand! You thought the dollar you saved today would only be worth 35 cents ten years from now at 10% inflation. However, it will actually be worth *54* cents at a steady 6% rate of inflation. And that is the good news!

The *most* we can say is that the inflation rate is headed in the right direction. Yet we cannot credit even this small improvement to Congress or the President. They have done absolutely nothing so far to stop inflation. On the contrary, every step they are taking—massive tax rebates, government make-work programs, and all the other programs that decrease government income and increase the outgo—can only fan the flames *of the roaring fire* of inflation that will consume our incomes in the future. The reason inflation is down is because unemployment is up and the nation's *business* is down because of inflation. Double-digit inflation will return before 1980. That is the bad news!

The old Chief was still studying his son's words concerning inflation. He searched his memory, and finally he spoke: "I have heard of this 'inflation' thing before. There is a legend about a tribe across the Big Water, called 'German'. After the first great war, they had so little corn and so much paper wampum trying to buy it, that it finally cost a bushel of paper wampum to buy a bushel of corn. This caused terrible hardship in the land. Then there rose up a false Chief named 'Adolph'. He promised to cure this inflation thing so his tribe made him Chief. He caused great evil, as I recall the tale."

The old Chief was wise to sense the danger. He was wise to learn from history. We are living in a new world, but it is still subject to ancient laws.

For example:

The Mariner spacecraft, for all its sophisticated technology, is as subject to the Law of Gravity as the first rock thrown by the first cave dweller.

Similarly, our modern economy, for all its sophistication and complexity, is as subject to the Law of Supply and Demand as the most primitive economy.

Congress certainly has the Constitutional right to repeal the Law of Gravity. But such legislation will not change the *fact* that the Law of Gravity still exists.

Footnotes **at end of article.**

Congresses and Administrations have tried for half a century to repleal the Law of Supply and Demand in the United States, but the working of that natural economic law has not been affected in the least.

All that government has been able to do is to confuse and obscure the workings of that law. Let me give you just one of a thousand possible examples: Twenty years ago, Congress decided it was absolutely essential to regulate the price of natural gas in *inter*state commerce. The ICC held the price of natural gas unnaturally low, year after year. Meanwhile, at that point in time, the price of crude oil was left alone to seek its own level.

Now, both oil and gas are used to turn water into superheated steam to power electric generating plants. It's a matter of indifference to the water whether it's heated by burning gas, burning oil, or burning trash. Give it a certain number of BTU's from any fuel and it becomes steam at the required pressure to generate electrical power.

The price of oil rose, and the price of gas was held artificially low by government intervention. Soon, the cost of a BTU from *oil* cost *three times* as much as a BTU from *gas*.

Since the price of gas was fixed, obviously the market demand went to gas. Most new generating plants were designed for gas. But exploration and development of new gas reserves—an activity that should have speeded up to meet the accelerated demand—slowed down. The profit incentive was gone. It's been gone for twenty years.

At a later point in time, government regulation and control of crude oil prices have had a similar impact on the U.S. domestic oil producing industry. In the period from 1956 to 1972, just prior to Arab oil price embargo and price escalation, U.S. price of crude oil increased only 22%, from $2.79 per barrel to $3.39. This increase does not offset price inflation over this span of years. The net effect of this price control on crude oil was the shift of oil exploration from continental U.S. to lowest cost oil producing countries. In 1956 the U.S. produced 43% of the world's crude oil; and by 1972, U.S. crude oil production had fallen to 19%. During the same period, U.S. proven reserves of crude oil increased only 20%, while other regions of the world increased their reserves by 2.5 to 4.0 times or more. As a result, the U.S. now finds itself at a disadvantage to oil-rich nations, both in terms of political leverage as well as balance of trade.

Government regulations, from an environmental viewpoint, has also severely limited U.S. oil refining capacity. In 1956, the U.S. had 56% of the world's refinery capacity; and by 1972, it had fallen to 23%.

Not only did exploration for *gas* decrease—so did exploration for *any* alternative fuels. If the *cost* to find new fuel rises year after year, but the *price* remains unnaturally low, how can any company afford to explore for fuel?

Do you still wonder why we have a fuel shortage today?

Do you think the government has learned anything from the results of this typical interference?

Apparently not. Now, a Senate subcommittee headed by Adlai Stevenson III has drawn up a bill that would let the Federal Power Commission control the in*tra*state price of gas, too.

So, rather than reverse the original absurdity of twenty years ago, still another absurdity is being heaped on the pile of federal bureaucratic dictatorship.

How would *you* argue with somebody who wants to repeal the Law of Gravity? In the words of Michel T. Halbouty, "We *don't* have a fuel crisis, we have a *Stupidity Crises.*" [9]

Back to our parable, one last time. By now, the Usas tribe was beseiged with problems. The tribal government's controls had caused shortages and unemployment. The unemployed could get more Wampum for staying unemployed than by going to work, so they stayed unemployed. More of the workers were performing services than producing goods, so with more Wampum chasing less corn, their inflation got worse.

There began a movement among the Usas to find a leader—a brave in shining armor to lead them out of chaos. They were Revolutionary France looking for Napoleon. They were Italy looking for Mussolini. They were Germany looking for Hitler. I will not continue, but let you guess the ending to my parable.

In summary, my arguments are:

First, government intervention, and inflation caused by government overspending, are wrecking the economy. And history shows us that wrecked economies are the primary breeding ground of dictators. The dictators may masquerade as a political group dedicated to restoring law and order and prosperity through Socialism—but they will be tyrants nevertheless.

Second, if we will leave a few of the basic natural laws of economics free to operate, they will do more to solve our problems than a thousand laws from Congress.

Third, we are paying a larger and larger portion of our National Wealth to the government each year. We cannot afford to let this continue. We simply cannot afford to support millions of nonproducers *in* government, plus millions of nonproducers *dependent* on government doles. The price we will pay is headlong inflation—and the catastrophies it will bring.

Fourth, and finally, if we are to preserve government by the people, we cannot sit back and wait for that government to tell us what to do. If we do not control the bureaucracies of government, they will control us. Responsible leaders outside of government must voice the will of the people. *They* must tell government what it must and must *not* do.

I hope that some of you will accept that role of leadership.

If you fail to make your voices heard in the houses of government, you will only confirm the cynical comment of the philosopher George Hegel, when he said, "What experience and history teach is this—that people and governments never have learned anything from history, or acted on principles deducted from it." [10]

I'll leave you now to do your work of getting this country back on the track. I'll leave you with the chilling warning issued by George Santayana when he said, "Those who do not remember the past are condemned to relive it." [11]

FOOTNOTES

[1] *Congressional Staff Directory, 1974,* and Office of Management and Budget.

[2] (See attached page)

[3] *New York Times, Highlights of the Week,* Sunday, March 30, 1975

[4] Warren Shore, Staff writer for *Chicago Today,* in *Human Events,* July 6, 1974, p. 12 ff

[5] Research Institute Report, Friday, March 7, 1975, p. 2

[6] Sylvia Porter, syndicated columnist for *Field Enterprises,* quoted in *Dallas Morning News,* October 10, 1974, p. 16 E

[7] *U.S. News & World Report,* "Washington's Bureaucrats: 'Real Rulers of America' ", November 4, 1974, p. 38

[8] William E. Simon, Secretary of the Treasury, quoted in *Nation's Business,* February vember 4, 1974, p. 38 ff

[9] Michael T. Halbouty, Consulting geologist and petroleum engineer, (C.C. Bulletin 26(3) 7), recipient of Anthony F. Lucas Gold Medal Award from American Institute of Mining, Metallurgical and Petroleum Engineers, and the Human Needs Award from the American Association of Petroleum Geologists in 1975

[10] Georg Hegel, from Introduction to "Philosophy of History"

[11] George Santayana, from "Life of Reason," Vol. I

REFERENCE 2.

FEDERAL BUDGET AND GNP

[In billions]

		National defense		Social welfare	
	GNP [1]	Dollars [2]	Percent of GNP	Dollars [3]	Percent of GNP
1974	1,397	78.6	5.62	121.2	8.68
1975	1,498	85.3	5.69	151.0	10.08
1976	1,686	94.0	5.58	163.1	9.67

[1] Source: "Budget of U.S. Government, fiscal year 1976" p. 41, "Assumptions on which budget is based."

[2] Source: U.S. Office of Management and Budget, as quoted in U.S. News & World Report, Feb. 10, 1975, p. 18.

[3] Sum of following (all figures from U.S. Office of Management and Budget) (in billions):

	1974	1975	1976
Education, manpower, social services	$11.6	$14.7	$14.6
Medicare, health programs	22.1	26.5	28.1
Social security benefits	55.9	64.9	71.1
Aid to veterans	13.4	15.5	15.6
Public assistance, food aid	12.1	15.1	15.5
Unemployment pay	6.1	14.7	18.2
Total	121.1	151.1	163.1

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR—H.R. 4222

Mr. TALMADGE. Mr. President, I ask unanimous consent that Mr. Jim Thornton, Mr. Mike McLeod, and Mr. Danny Tate, of the Committee on Agriculture and Forestry and my personal legislative assistant, be granted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that Mr. John McEvoy and John Storey, of the Budget Committee staff, be granted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, I make the same request for Mr. Kim Wells and Alan Stone, of my staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SCHOOL LUNCH ACT—CONFERENCE REPORT

Mr. TALMADGE. Mr. President, I submit a report of the committee of conference on H.R. 4222, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. Gary W. Hart). The report will be stated by title.

The second assistant legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4222) to amend the National School Lunch Act and the Child Nutrition Act of 1966 in order to extend and revise the special food service program for children and the school breakfast program, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

(The conference report is printed in the House proceedings of the Congressional Record of July 30, 1975, at p. 25882.)

Mr. TALMADGE. Mr. President, the legal authorities contained in the National School Lunch Act and the Child Nutrition Act of 1966 for the school breakfast program, the special year-round and summer food programs for children, and the special supplemental food program for women, infants, and children—WIC—all expire this year. The authority to purchase nonsurplus commodities to maintain donations for food assistance programs also expires this year. All of these programs were originally scheduled to expire on June 30, 1975. However, the President has approved emergency bills extending the special food service programs for children and the WIC program through September 30, 1975. The school breakfast program has also been extended.

H.R. 4222, as adopted by the conference committee, is designed to extend the programs which would otherwise expire and make changes to strengthen and improve all the child nutrition programs.

In summary, Mr. President, the bill as adopted by the conference committee:

First. Makes permanent the school breakfast program.

Second. Extends through September 30, 1977, the Secretary's authority to purchase agricultural commodities for donation to the child nutrition programs when acquisitions under other agricultural authorities are not available. States which phased out their commodity distribution facilities prior to July 1, 1974, could elect to receive cash in lieu of donated foods.

Third. Revises the special food service program for children to extend the summer food program through September 30, 1977.

Fourth. Revises the year-round phase of the special food service program for children to establish a child care food program to be effective through September 30, 1978.

Fifth. Extends through September 30, 1978, the special supplemental food program for women, infants, and children—WIC.

Sixth. Expands the definition of "school" under the school lunch program and the school breakfast program to include any public or licensed nonprofit private residential child care institution, including, but not limited to, orphanages and homes for the mentally retarded.

Seventh. Deletes the State's option to serve reduced price lunches. State educational agencies are to establish income guidelines for reduced price lunches at levels which are 95 percent above those in the income poverty guidelines prescribed by the Secretary of Agriculture. Any child who is eligible for reduced price lunches under the State's income guidelines is to be served a reduced price lunch.

Eighth. Provides that any child whose parent or guardian—providing the child's principal support—is unemployed shall be served a free or reduced price lunch if the existing family income eligibility guidelines for free or reduced price lunches are met.

Ninth. For fiscal year 1976 only, provides a new 3-cent reimbursement payment for lunches served to students who do not qualify for free or reduced price lunches.

Mr. President, there were 53 differences between H.R. 4222, as passed by the House, and the Senate amendment thereto. In the conference on the bill, 43 of those differences were resolved in favor of the Senate and 10 in favor of the House. However, among the 10 issues resolved in favor of the House were issues of major importance, especially from a cost impact standpoint.

As originally passed by the House, H.R. 4222 would have added about $435 million in authorizations over the President's revised budget estimate for fiscal year 1976. As passed by the Senate, this bill would have added only $205 million. As agreed to by the conference committee, H.R. 4222 would have added approximately $336 million to the President's revised budget estimate based upon our July estimate. However, this figure, based upon our current or September estimate, has now been lowered to $276 million due to the delay that already has occurred—and that is further expected to occur—with respect to the final enactment and implementation of H.R. 4222.

The Senate conferees on H.R. 4222 did everything possible to hold down the total cost impact of this bill in conference. While I had hoped that we could have kept the cost of this legislation closer to the Senate version, we were able to reduce the cost of the bill nearly $100 million from the level originally authorized and passed by the House.

Mr. President, I am happy to yield at this time to the Senator from South Dakota (Mr. McGovern), a distinguished member of the Committee on Agriculture and Forestry and one of the Senate conferees on H.R. 4222.

Mr. McGOVERN. Mr. President, I thank the chairman of the Committee on Agriculture and Forestry, the Senator from Georgia (Mr. Talmadge).

I ask unanimous consent that Mr. Alan Stone and Mr. Greg Ballard of my staff be permitted to remain on the floor during the consideration of this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, I intend to move to recommit to conference H.R. 4222, the School Lunch and Child Nutrition Act Amendments of 1975, to which the Senator from Georgia has referred. I do so on behalf of myself and Senator Dole, the ranking minority member of the committee. I make this motion because the costs of the conference bill are clearly in excess of the budget ceiling recommended by the Senate Budget Committee, chaired by the distinguished Senator from Maine (Mr. Muskie), and adopted by the Senate.

While spending priorities ought to reflect our most urgent needs, we must also apply fiscal restraint consistently, if we are to preserve what we have set our hands to here in the Senate, and that is an orderly budget process. We cannot exempt programs which are close to our own interests or ideology. Whether we are conservative or liberal, moderate, or whatever the case may be, we all have a common obligation to exercise prudence in the expenditure of public funds and in preserving the integrity of the budgetary process.

Last month, shortly before we recessed, we voted to send the military procurement bill back to conference for budgetary reasons, in an effort led by Senator Muskie. Prior to that vote, I was fully prepared to fight for the whole sum of this school lunch bill as reported from conference because it had been my observation that budgetary considerations have all too often been invoked against social programs, but not military spending. That, unfortunately, has been the history of congressional decisions and misplaced priorities since the end of World War II. We have experienced a generation of almost unlimited expenditures for weapons and too many limits on efforts to raise the standard and quality of life, including the quality of the lives of our children.

The military procurement vote, however, was an essential break with that pattern, I personally think it was an historic day here on the Senate floor when that excessive military authorization was rejected. Now I believe it is much more in order for us to apply a more vigorous budgetary test to the nutrition programs. It is in that spirit that I ask for recommital of the school lunch and child nutrition conference report. I do so with the understanding that the Senate conferees will seek to eliminate the provision for a 3-cent additional reimbursement to the States for each meal served to children from families with incomes over $10,000 per year, and to lower the reduced price lunch eligibility limit from 195 percent of the income poverty guideline to 190 percent. While these provisions are supportable and desirable on their own merits, they are beyond the current budgetary context that we had agreed on. There is the further consideration that the bill in its present form could well provoke a Presidential veto.

Let me say parenthetically, Mr. President, that I personally deplore the excessive use of the veto, but it is a fact of life that we have to confront.

The amendments which I have outlined can hold the cost of this bill to an acceptable level without hindering its effectiveness. At appropriate cost, we can still have the best school lunch and child nutrition program which has ever passed the Congress of the United States. We can meet the nutrition necessities of those children in greatest need and provide meaningful assistance to all our children, while being prudent and responsible about the budget.

I ask that we recommit this bill now so that we may approve a revised bill as promptly as possible.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Feeding Children," published in the New York Times of Thursday, September 4, 1975.

I also ask unanimous consent to have printed in the RECORD an article entitled "School Lunch Measure Stalled Over Aid Boost," written by Austin Scott, and published in the Washington Post of Thursday, September 4, 1975.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 4, 1975]

FEEDING CHILDREN

The conference report on the Child Nutrition Bill of 1975 has not yet been approved by Congress, but the Office of Management and Budget has already indicated that a veto is likely because the Administration considers the bill too expensive. A confrontation between White House and Congress on this issue would be unfortunate in the light of the significant improvement the bill would effect in Federal food programs for the children of the poor, near-poor and working poor. With a little Congressional foresight, such a showdown can probably be avoided.

Under the bill, school breakfast and lunch programs are made more substantial, a feeding program is initiated for such institutions as orphanages and homes for the retarded, day care and Head Start nutritional assistance is expanded and so is the program for mothers and infants.

Unfortunately, the Senate and House conferees decided to incorporate a subsidy for upper- and middle-income students in the school lunch program. This provision tacked a debatable $75 million on to the bill, making it objectionable to budget-conscious legislators on both sides of the aisles in both houses and increasing the possibility of a veto.

The Senate will have an opportunity to overcome that problem this week when Senator George McGovern moves to recommit the bill to conference so that the $75-million lollipop can be dropped from legislation which in all other respects deserves strong support.

[From the Washington Post, Sept. 4, 1975]

SCHOOL LUNCH MEASURE STALLED OVER AID BOOST

(By Austin Scott)

A bill to expand child nutrition programs appears stalled in Congress over a novel $75 million provision intended to hold down the cost of school lunches for children too well off to qualify for free or reduced-price lunches.

Largely because of that provision, authored by Rep. Carl D. Perkins (D-Ky.), the Senate, which passed the $5.5 billion measure 81 to 8 in mid-July, may not even muster enough votes to approve the compromise version worked out with the House, let alone enough to override a probable veto.

The bill would extend and liberalize school breakfast and lunch programs, and special feeding programs for children, infants and pregnant women, and revise the Agriculture Department's income poverty guidelines used in those and other child nutrition programs. Anti-hunger organizations say it is the best child nutrition legislation ever to come out of Congress.

Local school districts now get 23.25 cents from the federal government for every school lunch served, with an additional 44.5 cents for each reduced-price lunch, and another 10 cents on top of that for each free lunch.

Perkins' provision would give districts another 3 cents, but only for lunches where students paid the full price, which usually ranges from 40 to 65 cents. The bill would set $9,769 for a family of four as the income above which students would not qualify for free or reduced-price lunches. This is $1,000 above the previous ceiling.

Perkins has indicated he will stick behind his provision. Marian Wyman, the staff member who has been handling the issue for him, said he feels support for the subsidy will grow.

"The school lunch program is supposed to be for all children and the statistics that we see are that many of the paying children have dropped out," she said.

Department of Agriculture statistics show the number of students paying for their lunches dropped from 14.95 million to 14.6 million between May, 1974, and May, 1975, while the number getting free or reduced-price lunches rose from 9.26 million to 10 million.

Although program supporters commonly argue there is a relation between rising lunch prices and the drop in paying students, an Agriculture Department survey of the state school lunch directors earlier this year found opinion divided on whether there was a relation.

Perkins' insistence on retaining the 3-cent subsidy is a main reason why support for the compromise version of the bill has fallen off drastically.

Despite the Senate's 81-to-8 vote approving its own version, not a single Senate Republican supports the compromise, and a number of liberal Democrats also turned against it in the wake of opposition by Sen. Edmund S. Muskie (D-Maine), chairman of the Senate Budget Committee, which set spending ceilings early in the year.

Muskie had voted for the Senate's version, which was $211 million over the Budget Committee's ceiling, but said he could not support the compromise version, which is another $130 million higher.

Sen. George McGovern (D-S.D.), a strong advocate of bigger child nutrition programs, said he will move to send the bill back to conference, perhaps as early as today, to have the 3-cent subsidy taken out.

"This is not an easy thing for me to do," McGovern said. But he said after the Senate's decision in July to send the military procurement bill back to conference on the grounds of cost," . . . progressive members of the Senate have a duty to be just as consistent as we ask our more conservative colleagues to be."

Some 65 national labor, religious, medical, political and childrens' organizations have signed a letter to Perkins and Muskie asking them to drop the 3-cent subsidy ". . . in the best interests."

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. McGOVERN. I yield to the distinguished ranking minority member of the committee, the Senator from Kansas (Mr. DOLE).

Mr. DOLE. Mr. President, I join the Senator from South Dakota in moving to recommit to conference H.R. 4222, the School Lunch and Child Nutrition Act Amendments of 1975.

My objections to the conference report in its present form are not so great in scope or magnitude to be irreconcilable.

On the contrary, I believe this is essentially an excellent bill, as has just been pointed out by the distinguished Senator from South Dakota, and will help insure the nutritional well-being of millions of young American children. I have for many years supported child nutrition programs and the concept upon which they are based. In addition, I voted many weeks ago for the Senate version of this particular bill because it contained dozens of improvements over existing law.

In short, as a member of both the Committee on Agriculture and Forestry and the conference committee, I have come to respect the general thrust and content of this bill. Moreover, I believe that most of the differences that originally existed between the Senate and the House versions have been settled satisfactorily during the many hours of conference and staff meetings.

However, there are one or two specific provisions remaining in H.R. 4222 to which I object, both as a matter of principle and a matter of the budget. And that is why I have not signed the conference report, and why I feel this bill should go back to conference.

This bill, as reported out of conference, exceeds the Senate version by $60 to $80 million for fiscal year 1976. I believe this is a mistake. Senators MUSKIE and BELLMON, chairman and ranking minority member of the Senate Budget Committee, also believe this is a mistake, and I believe they will explain their views in very short order. They continue to strongly oppose H.R. 4222 as currently reported. Without their support and that of other members of the Budget Committee, this bill will not and should not receive any substantial support in the Senate.

I welcome this phenomena. We must all take the budget process seriously. Lip service will no longer suffice.

The Senator from South Dakota referred earlier to the military arms procurement bill. I think, despite some of the pain and agony of some, we did the proper thing. If we are going to be consistent, we have to look at spending in all fields. I do not suggest that the Committee on the Budget ought to become a dictator and tell the Committee on Appropriations, the authorizing committee, what it may or may not do within very certain narrowly prescribed limits, but we do have a responsibility, in the early days of the process and buildup of the Committee on the Budget, if we are to be of any value to Congress and to the country, at least to alert our colleagues.

I certainly commend our distinguished

chairman (Mr. Muskie) and the distinguished ranking Republican (Mr. Bellmon) for their efforts in this regard. The $70 billion deficit will not allow it.

I think we have an obligation as members of the Committee on the Budget to scrutinize all new legislation, no matter how popular. We have to look for the priorities, and we have to cut back those increases which help those persons least in need, or represent the least long-range benefit to the country.

With this in mind, I believe the conferees—and this again has been stated by Senator McGovern—should drop the 3-cent additional subsidy for the luncheons of nonneedy children.

In principle, I do not believe this is the year to increase the subsidy for children from families that are not low income or even near low income.

I realize we are losing paying children from the lunch program, and as a longtime supporter of this program, this concerns me. Perhaps in the near future we can address this specific problem. But this is not the year. As responsible legislators, concerned about the budget and the problems raised by the hard choices that must be made within its reality, I believe we must reject this additional subsidy for the nonpoor.

Elimination of this 3-cent reimbursement will bring the cost of H.R. 4222 back down to the approximate level which originally passed the Senate overwhelmingly.

I think we are going to have to take another long, hard look at the level which reduced price school lunches are mandated. Earlier the Senate rejected by a large margin an increase in the mandated reduced price school lunch program. However, the House is on record in favor of a large increase in the level of support for reduced price lunches.

This effort has been led by the distinguished Congresswoman from New York (Mrs. Chisholm). While I favor increasing the level of support for reduced price lunches, I hope that the conferees perhaps next week at the earliest can work out some figure that will again reduce the cost of the overall program.

With these changes, I firmly believe the Budget Committee members would lend their support to H.R. 4222 and that the bill would pass the Senate overwhelmingly. And H.R. 4222 would certainly be a bill I could support, both as a member of the conference committee and as a member of the Committee on the Budget.

So, finally if we can come to grips in these two areas as I believe the conferees can—I believe that, under the restraints of the budget we can modify this version—then it will be acceptable to the Committee on the Budget and to the Members of this body.

With these remarks serving as my recommendation to the Senate on conferees, I again indicate that I join with the Senator from South Dakota in moving to recommit H.R. 4222 to conference.

Mr. MUSKIE. Mr. President, before the August recess, Senator Bellmon, ranking Republican member of the Budget Committee, and I sent each of our colleagues a letter concerning the budgetary impact of two pending conference reports. We announced our intention to oppose both reports because they would have added substantially to the Federal deficit.

One of those bills, the military procurement authorization bill, was disapproved by the Senate on August 1. This was a most significant vote, Mr. President, because it signaled anew the commitment of the Senate to live within its budget and to make our new budget process work. It was a bipartisan vote which made clear that the Congress has its own budget priorities and will work to abide by them, making tough decisions when they are necessary.

Today we have the opportunity to show the breadth of our commitment to fiscal discipline. On August 1 we voted to keep military spending close to the congressional budget. Today we can apply that same sense of constraint to spending on domestic programs by voting to recommit the child nutrition bill to conference.

The programs included in the bill, such as free school lunches for needy children, are valuable contributions to the well-being of American families. These are programs that I and many of my colleagues have long supported and will continue to support.

So in voting today to recommit the school lunch bill to conference, we are not rejecting the child nutrition program. We are supporting it and others like it. We are insisting that the new programs which the conference added to the Senate version of the bill be reduced or eliminated to keep the cost of the whole bill more consistent with the congressional budget. We are insisting on holding the line on new spending programs so that we can adequately fund existing important domestic priorities, including the school lunch program.

What we are doing is to insist that the fiscal discipline which led to the disapproval of the military procurement bill be applied equally to other programs, so that each of our essential national priorities, including national defense and child nutrition, can be funded at a level which is consistent with sound national fiscal policy. This bill, as it passed the Senate, substantially reduced the cost of the bill the House sent over. Even so, the Senate version exceeded the budget resolution, and we defeated a floor amendment which would have raised the cost by another $200 million. But the conference version before us today added $130 million to the cost of the bill the Senate passed.

I do not propose to instruct the conferees as to where the specific reductions should be made in this legislation to make it more consistent with the Senate-passed bill. We believe the least that should be accomplished in a new conference is to reduce the cost for the balance of this fiscal year to a level consistent with that originally passed by the Senate. However, two provisions of the conference version account for the increase in the cost of this bill compared to the Senate-passed bill. One is a 3-cent subsidy for school lunches directed exclusively to children from middle class and affluent families. The second is a provision similar to one rejected overwhelmingly by the Senate when it defeated an amendment to the same effect to greatly increase eligibility for reduced price school lunches. The 3-cent provision has been criticized, both in Congress and by groups interested in the success of the child nutrition program, as misdirected and costly.

The Senate is aware from our recent debate on the military procurement conference report that the targets contained in the first congressional budget resolution which this bill violates are not legally binding as ceilings on such legislation. But the position the Senate took then, and I believe Congress must take now, is the simple recognition that the spending and deficit figures approved by Congress 3 months ago in the budget resolution are based on the spending priority targets which the statement of managers on the budget resolution clearly spelled out. These targets, in turn, were based on assumptions in each House as to the programs and the program levels which could be accommodated within those targets. There is no way to stay within the overall spending target Congress adopted in the congressional budget resolution without adhering to these individual priority spending targets.

I have received a copy of a letter from two members of the House Budget Committee, who also are conferees on the child nutrition legislation, addressed to Senator Talmadge as chairman of the Agriculture Committee. In that letter, those two members assert that we should ignore the spending targets contained in the first budget resolution in this case because the budget resolution does not contain any explicit target for the school lunch bill. What the argument overlooks, however, is that the building block for the income security category included in the budget resolution will almost certainly be exceeded by congressional spending decisions this year, and that the addition made to the Senate version of the school lunch bill is further in excess of the likely overrun in the congressional budget.

The income security function of the budget, which includes child nutrition programs, has a ceiling on 1976 outlays of $125.3 billion. The latest CBO scorekeeping report shows that we are running in excess of that level by $600 million at the present time. Any savings we can manage in a return to conference on H.R. 4222 will help to pare down this potential overrun of $600 million. Mr. President, I request that the record show the table on page 45 of the Senate scorekeeping report of September 2, 1975, prepared by the CBO.

I also wish to note that, in a scorekeeping report prepared by the House budget committee and circulated to all Members of the House on August 29, that committee estimates that this bill exceeds the amount assumed in the budget resolution by $330 million in budget authority and $317 million in outlays.

Members may correctly say that Congress is free to exceed a particular spending target in the congressional budget. But Members should be frank to say that, in the present state of affairs, such a vote is really a vote to increase the deficit, since there is no reasonable expectation that cuts are going to be made in other functions of the budget this year. Members who advocate spending which is in excess of the individual budget targets in the statement of managers on the resolution must assume responsibility for exceeding the $68.8 billion deficit we agreed upon in that resolution. The functional targets are the guideposts that keep us on the road toward fiscal responsibility.

Let us also be absolutely clear that the Child Nutrition Act is a spending bill. It will result in the direct expenditure of Federal money. It will be virtually impossible to control this cost once the bill is enacted.

Congress can change its mind about budget targets after they are adopted. But I have not recently heard anyone suggest that we should spend more than the $367 billion targeted in our congressional budget as the total Federal spending. And I have not recently heard anyone advocate that we should exceed the $68.8 billion deficit ceiling it contains. So let us avoid exceeding any budget target unless we simultaneously decide where Congress will make appropriate reductions in other spending targets.

Mr. President, before we vote on a recommittal motion, I thank the ranking Republican on the Budget Committee, Senator BELLMON, for his efforts in keeping both the child nutrition and the military procurements bills within our budget targets. I also thank my colleagues on the Committee on Agriculture and Forestry, especially Senators TALMADGE and McGOVERN, and Senator DOLE, who is also on the Budget Committee, for their cooperation in seeking a return to conference. On behalf of the Budget Committee, I express our great appreciation to his committee for his help in our efforts to stay within the budget ceiling, and for the creative, constructive work to accommodate the legislative needs of our society and the demands of fiscal responsibility.

Mr. President, I ask unanimous consent that table, 1, fiscal year 1976 budget estimates for child nutrition programs, and table 2, increased fiscal year 1976 cost of child nutrition legislation over current services, by program component, be printed in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I—FISCAL YEAR 1976 BUDGET ESTIMATES FOR CHILD NUTRITION PROGRAMS

[In millions]

	BA	Outlays	Increase over budget resolution		Increase over current services	
			BA	Outlays	BA	Outlays
President's February budget	$1,798	$1,720	XXX	XXX	XXX	XXX
H. Con. Res. 218 (based on Agriculture Committee's March 15 letter to Budget Committee)	2,441	2,378			XXX	XXX
May 1975 estimate of current services made by Department of Agriculture	2,542	2,464	[1] +$101	[1] +$86		
H.R. 4222 (Senate version)	2,747	2,669	+306	+291	+$205	+$205
H.R. 4222 (Conference version; July estimate)	2,878	2,800	+437	+422	+336	+336
H.R. 4222 (conference version; September estimate)	2,833	2,740	+392	+362	+291	+276

[1] H. Con. Res. 218 assumed a continuation of current services. However, the Department's May estimate of current services exceeds the estimate used to develop the budget resolution.

TABLE 2.—INCREASED FISCAL YEAR 1976 COST OF CHILD NUTRITION LEGISLATION OVER CURRENT SERVICES, BY PROGRAM COMPONENT

[In millions]

Program component	Increased 1976 cost of H.R. 4222 over current services	
	BA	Outlays
WIC	+$50	+$50
3-cent subsidy on full-price lunches	+75	+75
Expansion of reduced-price lunches	+80	+80
Extension to nonresidential day care	+25	+25
Extension of reduced-price lunches to children of unemployed parents	+4	+4
Residential institutions	+35	+35
Summer feeding	+20	+5
State administrative expenses	+2	+2
Total	+291	+276

Mr. MUSKIE. Mr. President, I think that from the discussion that has taken place already, the issue must be very clear.

This conference report was before the Senate before the recess and at the same time as the military procurement conference report.

Senator McGOVERN, in his remarks, has described that situation, and I express my appreciation for the clarity of the presentation of the issue.

What we are involved with here is a reordering of priorities, at the same time that we undertake to impose budgetary restraint.

I think the Senator's position, and that of the distinguished Senator from Georgia, the floor manager of the bill (Mr. TALMADGE), is on all fours with what appears to be the emergent sentiment in the Senate.

The tables, which I have asked to be included in the RECORD, Mr. President, would show the comparison between the President's February budget, the first concurrent budget resolution of Congress, and H.R. 4222.

I wish to make one point about this table and draw the Senate's attention to it.

The first concurrent resolution, which was adopted by Congress in May, provided budget authority of $2,441,000,000 for this program, reflecting outlays of $2,378,000,000. But in May, following the adoption of that resolution, we had a new estimate of the cost of current services under this program made by the Department of Agriculture, showing outlays of $2,464,000,000.

So, current services as of the May figure were higher than the budget resolution number of May.

This matter of Presidential reestimates of the cost of uncontrollable programs, especially in the income security field, are up to now an invisible part of our budgetary problem.

As the latest scorekeeping report of the Senate will show, these reestimates now total for all programs $2,900,000,000. Unless the estimates are offset in some fashion by cuts in the first concurrent resolution spending level, we already see that the deficit may be higher than that projected in the first congressional resolution.

That ought to be on the mind of every Senator as we approve appropriation bills.

The distinguished Senator from Georgia has appropriately pointed out that H.R. 4222 represents $276 million of additional program costs above current services.

With respect to the budget resolution, H.R. 4222 reflects an increase of $362 million in outlays over the concurrent budget resolution because of the reestimating problem, which is going to plague this program and others.

I express my personal appreciation to Senator TALMADGE, Senator McGOVERN, Senator BELLMON, and Senator DOLE for the hard work that they put in on this conference report and the efforts they have made to reconcile the conference report with our budgetary objectives in the Senate.

Mr. BELLMON. Mr. President, I ask unanimous consent that Mr. Robert Boyd, the minority staff director of the Budget Committee, and Mr. Doug Jackson, of my staff, have the privilege of the floor during the consideration of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BELLMON. Mr. President, I support the motion to recommit the school lunch and child nutrition amendments to H.R. 4222.

My opposition to the conference report is not ar opposition to the content or goals of the bill. Rather my concern relates to the same budgetary considerations which underlay my position to the military procurement conference report. Despite the effort of the Senate conferees to reduce the cost of the child nutrition bill, which was substantially higher in the House version, the conference bill is still substantially above the level which the Senate specifically refused to exceed when we first debated the bill on the floor.

The nutrition of our children is essential. But that is not the issue. The issue is whether or not we can continue to spend beyond the approved ceiling of our budget and the capacity of our economy. The commitment to control a growing deficit which we collectively have made requires many difficult decisions. The passage of time since our original vote on child nutrition has made the decision none the easier. The cost of the original Senate version is as far as we can afford to go. The Senate as a whole strongly endorsed this school lunch bill at that spending level by passing it 80 to 8. Now, however, the cost is higher and I, for one, cannot justify the increase.

Fiscal responsibility must not be forgotten even in our desire to provide nutrition to America's children. Nor need it be. Fortunately, both priorities can be served by changes which will reduce costs without endangering essential services. Specifically, I refer to the elimination of the 3 cents additional reimbursement for children from families earning over $10,000 a year and a reduction of eligibility for reduced price lunches from 195 percent to a lower level.

These provisions in their current form reflect a worthy ambition to assist children from families who are not poor, but nevertheless feel the pressure of food inflation. But the Federal Government is presently too short financially to offer the full assistance which may in fact be justified. This year we must be content to aid those most in need, and to do as much as we can but no more. In short, we must set priorities.

At an acceptable cost, H.R. 4222 will represent a sound effort to continue progress toward adequate nutrition for America's children, the most precious of our national resources.

Mr. TALMADGE. Mr. President, I share the concerns of many of my Senate colleagues about the costs of the school lunch and child nutrition programs and other Federal programs. In the conference on H.R. 4222, we cautioned the House conferees on the concerns of the Senate regarding such costs, but they refused to agree to delete or trim certain provisions in the House version of H.R. 4222 that would have put the cost of the legislation closer to that adopted by the Senate.

While I believe that H.R. 4222—as agreed to by the conference committee—is an excellent bill overall, I also recognize that the bill in its present form is almost certain to draw a Presidential veto, with the likelihood of overriding such a veto being very uncertain.

I shall, therefore, vote to recommit the bill to conference.

Mr. President, I know of no other Senator who desires to make a statement.

Mr. GOLDWATER. Mr. President, will the Senator yield, for a short statement?

Mr. TALMADGE. I yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, I think that the way the Budget Committee has started is very, very commendable.

I was not able to be here when the vote was taken on the military authorization bill, but explanations of why the vote went as it did are understood by me. All I ask is that this body be consistent. If we are going to send the military authorization bill back because it is over the budget, I think we should send back to the committee every item that comes to this body that is over the budget.

I commend the Senators who have spoken to this point, and I hope we will continue in this vein in this session.

Mr. THURMOND. Mr. President, I rise in support of the motion to return the legislation before us, the National School Lunch and Child Nutrition Acts Amendments of 1975, to the conference committee for reductions in the excessively high spending levels in this bill.

When this legislation was considered by the Senate on July 10, 1975, I reluctantly voted against it. I firmly believe in the school feeding programs as a means of insuring that every schoolchild receives wholesome, nutritious meals during the schoolday. Good nutrition is certainly an integral part of effective education. However, I am also a firm believer in fiscal responsibility and economy in government. Unfortunately, Congress has failed to exercise good judgment in recent years and has allowed gross inefficiencies and excesses to become built into the school lunch and myriad of other nutrition programs. The Senate version of this bill and, even more so, the conference recommendations now before us, perpetuate these problems and greatly add to the exorbitant cost of these nutrition programs.

H.R. 4222, as passed by the Senate, exceeded both the President's revised budget request and the congressional budget resolution by over $200 million. Because the House version was even more costly, the compromise reached in conference is even further beyond the levels of what this Nation can reasonably afford at this particular time.

With the greatest budget deficit looming before us, it is outrageous at this time to expand the school feeding programs to include nonneedy children. The income guidelines governing eligibility for reduced price lunches are boosted in this legislation to 195 percent of the poverty levels, which is unjustifiably high. The requirement for serving reduced price lunches would be forced on every school district, regardless of need. Thus, the ability of local school districts to match programs to local needs would be further eroded.

Also, the proposal before us grants a 3 cents cash subsidy for every school lunch served, regardless of family income, in addition to donated food commodities. There is no justifiable need for this extra subsidy, which alone adds $75 million to the cost of this bill. It is totally illogical to think that the cost of school lunches will be reduced by spending ourselves into another inflationary spiral.

Similarly, the various child nutrition programs outside of the schools have become too bureaucratically complex and costly, and this legislation only adds to the problems. Hence, my conclusion is that this bill is far more costly than necessary to have effective nutrition programs in and out of our schools. It is particularly inappropriate to authorize such exorbitant and unnecessary spending at a time when the glaring national objective should be fiscal responsibility. Thus, I urge the Senate to recommit this bill to conference and instruct the Senate conferees to reduce the cost of these programs to more reasonable and manageable levels.

The PRESIDING OFFICER. The question is on agreeing to the motion to recommit. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Michigan (Mr. Philip A. Hart), the Senator from South Carolina (Mr. Hollings), the Senator from Minnesota (Mr. Humphrey), the Senator from Massachusetts (Mr. Kennedy), the Senator from Washington (Mr. Magnuson), the Senator from Wyoming (Mr. McGee), the Senator from Utah (Mr. Moss), and the Senator from California (Mr. Tunney) are necessarily absent.

I further announce that the Senator from Indiana (Mr. Bayh), the Senator from Ohio (Mr. Glenn), the Senator from Alaska (Mr. Gravel), the Senator from Indiana (Mr. Hartke), the Senator from Louisiana (Mr. Long), and the Senator from Connecticut (Mr. Ribicoff) are absent on official business.

I also announce that the Senator from Alabama (Mr. Allen) is absent because of illness.

I further announce that, if present and voting, the Senator from California (Mr. Tunney), the Senator from Washington (Mr. Magnuson), and the Senator from Minnesota (Mr. Humphrey) would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. Brooke), the Senator from New York (Mr. Buckley), the Senator from New Jersey (Mr. Case), the Senator from New York (Mr. Javits), the Senator from Oregon (Mr. Packwood), the Senator from Kansas (Mr. Pearson), the Senator from Illinois (Mr. Percy), and the Senator from Ohio (Mr. Taft) are necessarily absent.

I also announce that the Senator from Oregon (Mr. Hatfield) is absent on official business.

I further announce that, if present and voting, the Senator from New Jersey (Mr. Case), the Senator from Oregon (Mr. Hatfield), the Senator from Ohio (Mr. Taft), and the Senator from Illinois (Mr. Percy) would each vote "yea."

The result was announced—yeas 76, nays 0, as follows:

[Rollcall Vote No. 383 Leg.]

YEAS—76

Abourezk
Baker
Bartlett
Beall
Bellmon
Bentsen
Biden
Brock
Bumpers
Burdick
Byrd, Harry F., Jr.
Byrd, Robert C.
Cannon
Chiles
Church
Clark
Cotton
Cranston
Culver
Curtis
Dole
Domenici
Eagleton
Eastland
Fannin
Fong
Ford
Garn
Goldwater
Griffin
Hansen
Hart, Gary W.
Haskell
Hathaway
Helms
Hruska
Huddleston
Inouye
Jackson
Johnston
Laxalt
Leahy
Mansfield
Mathias
McClellan
McClure
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morgan
Muskie

Nelson
Nunn
Pastore
Pell
Proxmire
Randolph
Roth
Schweiker
Scott, Hugh
Scott, William L.
Sparkman
Stafford
Stennis
Stevens
Stevenson
Stone
Symington
Talmadge
Thurmond
Tower
Weicker
Williams
Young

NAYS—0

NOT VOTING—24

Allen
Bayh
Brooke
Buckley
Case
Glenn
Gravel
Hart, Philip A.
Hartke
Hatfield
Hollings
Humphrey
Javits
Kennedy
Long
Magnuson
McGee
Moss
Packwood
Pearson
Percy
Ribicoff
Taft
Tunney

So the motion to recommit the conference report on H.R. 4222 was agreed to.

RESUMPTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a resumption of the period for the transaction of routine morning business for not to exceed 15 minutes, with statements limited therein to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair recognizes the Senator from Wisconsin. Will the Senator withhold for just 1 minute? The Senate will be in order. Will the Senators who wish to converse kindly withdraw to the cloakrooms.

MIDDLE EAST SETTLEMENT—HOW HIGH A PRICE?

Mr. PROXMIRE. Mr. President, even though there is scant information available as to the specifics of the proposed accord between Israel and Egypt, it is clear to me that we are trying to buy peace with excessive spending. It is the same old story over again. American dollars are the answer to every problem.

Judging by the figures confirmed by the Department of State, the aid will be one of the largest commitments ever made by the United States.

In view of this massive aid program designed to build up the economies and military machines in almost every nation in the Middle East, I propose a proportional cut of at least $1 billion in the proposed U.S. aid package for this year.

It makes no sense to build a peace based on increased military spending. It makes no sense to sweeten the pot with American tax dollars in place of concrete diplomatic agreements.

I can understand the need for aid to Israel to maintain a balance of forces in the Middle East should the proposed accord break down. I can even understand how the United States might, and I emphasize might, contribute modest sums to Egypt for economic purposes. But a wholesale giveaway of billions of dollars to not only these two countries but Jordan and Syria as well is completely unreasonable and worse just plain wasteful.

Now it should be recognized that the proposed accord has a number of positive features. It establishes a buffer zone protecting Israel's boundaries. It contains political and economic concessions from the Egyptians. It should stabilize conditions in that war-torn region.

Nonetheless, the heart of the proposed accord rests on massive U.S. economic and military aid—especially military aid—to both sides. The central issue is: Did we buy this agreement and what did it cost?

This is a classic example of dollar diplomacy. Once again we will try to solve a complex problem by throwing money at it. The proposed agreement looks like little more than a sophisticated bribe to both sides.

According to the State Department, final costs for the U.S. commitment in the Middle East have not been decided but they will fall in the range of $2.1 to $2.3 billion for Israel and $600 to $650 million for Egypt this fiscal year alone.

This aid program likely will continue for several years and could approach $8 or $9 billion, according to a number of diplomatic correspondents.

On top of this enormous military and economic aid program to Egypt and Israel, there will be additional costs as yet unidentified by the President. For example, the costs of supporting the 200 American technicians; equipment costs; promises of economic and military aid to Jordan and Syria. The total could be astronomical.

What happened to the traditional diplomacy where compromise meant that each party in conflict gave up something in order to reach an agreement? The Kissinger Midas touch rests on Uncle Sam sweetening the pot for everyone.

When the total bill becomes public, it will be apparent that this was the best agreement American dollars could buy.

Until the full financial commitments are made known, commitments only Congress can approve, I am reserving judgment as whether or not to support this agreement and I will vote to reduce this massive multibillion-dollar aid package to every possible nation.

Mr. President, I yield the floor.

ORDER FOR THE RECOGNITION OF SENATOR HARRY F. BYRD, JR., ON MONDAY, SEPTEMBER 8, 1975

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent on Monday next, after the two leaders or their designees have been recognized under the standing order, that Mr. Harry F. Byrd, Jr., be recognized for not to exceed 15 minutes and prior to the recognition of Mr. Proxmire under the order already entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR CONSIDERATION OF S. 963

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of routine morning business today the Chair lay before the Senate S. 963, the diethylstilbestrol bill, with the understanding that no action be taken thereon today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday after the orders for recognition of Senators have been consummated, the Senate resume consideration of the then unfinished business, S. 963.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE RECOGNITION OF SENATORS WILLIAM L. SCOTT, GRIFFIN, AND ROBERT C. BYRD ON TUESDAY, SEPTEMBER 9, 1975

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent on Tuesday next, after the two leaders or their designees have been recognized under the standing order, that Mr. William L. Scott, Mr. Griffin, and Mr. Robert C. Byrd be recognized each for not to exceed 15 minutes, and in that order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR NO ROLLCALL VOTES PRIOR TO 3:30 P.M. ON MONDAY, SEPTEMBER 8, 1975

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that no votes occur on Monday next prior to the hour of 3:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY PETROLEUM ALLOCATION EXTENSION ACT OF 1975

Mr. FANNIN. Mr. President, I send to the desk a bill on behalf of Senator Domenici, Senator Dole, Senator McClure, Senator Griffin, Senator Hansen, and myself, and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Well, Mr. President, I will not object until I hear the clerk state the title.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 2299) entitled the Emergency Petroleum Allocation Extension Act of 1975.

Mr. ROBERT C. BYRD. Mr. President, will the clerk please read the bill? I do not know whether to object to it or not.

The legislative clerk read as follows:

Sec. 101. This title may be cited as the "Emergency Petroleum Allocation Extension Act of 1975".

EXTENSION OF MANDATORY ALLOCATION PROGRAM

Sec. 102. Section 4(g) (1) of the Emergency Petroleum Allocation Act of 1973 is amended by striking out "August 31, 1975," wherever it appears and inserting in lieu thereof "October 15, 1975".

Mr. ROBERT C. BYRD. Mr. President, on behalf of certain of my colleagues I am constrained to object to the immediate consideration of the bill.

The PRESIDING OFFICER. Objection is heard.

Mr. FANNIN. I thank the distinguished acting majority leader and I understand.

The PRESIDING OFFICER. Does the Senator ask that the bill be introduced?

Mr. FANNIN. I do ask it be introduced, yes.

Mr. ROBERT C. BYRD. Mr. President, I have no objection to the introduction of the bill, just to its immediate consideration.

The PRESIDING OFFICER. The bill will be received and the bill will be——

Mr. FANNIN. Mr. President, I ask unanimous consent that Senator BEALL be added as a cosponsor to the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, will the Senator from Arizona yield?

The PRESIDING OFFICER. The bill will be received and appropriately referred.

Mr. DOLE. Mr. President, I ask unanimous consent that I may file a statement, notwithstanding the adjournment of the Senate, sometime today with reference to the bill introduced by the Senator from Arizona.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. FANNIN. Mr. President, there are other cosponsors who would likewise desire to file statements. I ask unanimous consent that they be permitted to do so.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROBERT C. BYRD. What is the request?

Mr. FANNIN. That other Senators be permitted to file statements.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I may have misunderstood the Senator from Arizona. Did the Senator ask for immediate consideration of the bill?

Mr. FANNIN. The Senator did ask for the immediate consideration of the bill.

Mr. GRIFFIN. In that regard, if there were objection, would not the bill go over under the rule?

The PRESIDING OFFICER. It is a bill and the bill would go over under the rule—excuse me—the bill will be appropriately referred to committee.

Mr. HELMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRIFFIN. With the concurrence of the Senator from Arizona, I ask that the order of the Chair, referring the bill which the Senator introduced, be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, I have discussed this matter with the distinguished Republican whip. I will not object, under the circumstances.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that the bill be considered as having had its first reading and be held at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object, and I will not object, the bill has had its first reading.

The PRESIDING OFFICER. That is correct. The clerk read the bill by title and in its entirety.

Mr. ROBERT C. BYRD. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, if the distinguished acting majority leader will not object, I ask unanimous consent that this bill be shown as being introduced by Senator ROTH.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by the Senator from Wyoming (Mr. HANSEN) and me in support of S. 2299.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. FANNIN AND MR. HANSEN IN SUPPORT OF S. 2299

We are pleased to cosponsor Senator Roth's bill which extends the Emergency Petroleum Allocation Act of 1973 to October 15, 1975. This bill is in accordance with the desire of the Democratic leadership of the Senate to buy time in which to arrive at a phased withdrawal of controls on oil instead of being faced with the sudden total decontrol which will be the result of the President's veto of S. 1849.

It is vital to the Nation's welfare that the administration and the Congress adopt a decontrol program which both branches of the Government can support. Considering that we have wrestled with this problem for nine months, the Senate should be able to arrive at such a compromise before mid-October of this year. President Ford has promised to sign a 45-day extension of controls if such a bill is laid before him. We urge prompt action by the Senate in passing it.

Mr. ROTH. Mr. President, I am today introducing on behalf of myself and Senators BEALL, DOLE, DOMENICI, FANNIN, GRIFFIN, HANSEN, and MCCLURE, legislation to extend the current oil price controls for 45 days to provide a "cooling off" period and to allow Congress and the President to reach a compromise agreement on the energy issue. To my mind, the ultimate losers of the energy confrontation between the President and Congress are the American people. Before the August recess, I believe that we were very close to agreeing to the framework of the energy compromise so badly needed to reduce our reliance on high-priced foreign oil and conserve our Nation's energy resources.

I am hopeful that during this short extension of controls we can agree to a program to gradually phase out controls on old oil, with needed legislation to tax any excess on windfall profits gained by the oil industry as the controls are phased out. These windfall profits can be returned to the American taxpayer in tax reductions to offset any increases in energy costs occurring as crude oil prices end.

This legislation is not a solution to our energy problems. It is a proposal to reflect an agreement between the President and the Congress that we must move together right now to develop the comprehensive energy plan so critical to our Nation's future.

I am hopeful that a short, 45-day extension of the controls will enable Congress and the President to settle their differences and reach an agreement on the energy compromise necessary to reduce our reliance on the OPEC cartel.

FORTY-FIVE-DAY EXTENSION

Mr. DOLE. Mr. President, I join as a primary sponsor of this bill to extend for 45 days the existing controls over oil. It is the purpose of this legislation to give Congress yet another—and last chance opportunity to deal on a comprehensive basis with energy legislation and policy.

I feel that it is time that Congress deal in a substantive manner with the energy issue. For 2 years now we have been confronted with a serious energy problem. For more than 5 years, we have been aware of the approaching problem. During this time gasoline prices have more than doubled and our supplies have been periodically threatened. Yet Congress has not attempted to address the problem during this time frame in a comprehensive manner.

Five years—and we are now saying just another 6 months—then another 6 months. When are we going to face the issue? I believe we should face it now. I believe we should set aside the next 45 days as a period dedicated, as much as is possible to full-time focus on the energy question. We should encourage joint committee sessions to iron out various opinions which exist within the committees that have jurisdiction over various segments of the energy question and will be developing legislation which becomes a part of comprehensive national energy policy.

We should cut the rhetoric—the politics—and emphasize the compromise with the goal of developing a comprehensive legislative package within the next 45 days.

Hours and hours of hearings have been conducted. Literally thousands of pages of testimony have been printed. Facts and figures have been accumulated and various programs have been espoused. The ground work is complete. What we need now is a decision—a commitment from Congress that this is where we stand on energy and this is the policy this Nation should follow. I have little doubt that this decision can be made in a careful and scientific manner within the next 45 days.

Many colleagues have indicated that we need another 6 months. I would only say that I heard the same requests 2 years ago. I heard the same requests this January when a comprehensive program was promised by the first of May. I heard requests in May for an additional 3 months. Now that time has elapsed and we still have not adopted anything that approaches a comprehensive national energy policy.

Now the Halls of Congress echo with pleas for another 6 months. If we take that way out, it will amount to nothing more than another in a series of congressional decisions not to decide. This will mean that we will be faced with the same dilemma on March 1, 1976. I need not remind my colleagues that we will then be only 8 months away from a national election and it will be even harder to reach a consensus.

But aside from protection from the cries of the demogogs who will ring their hands and bemoan rising energy costs until March 1, and then again put off making a decision on the issue, there are much stronger reasons why we should make a decision now. Basically, if we do not do something, the costs of energy will continue to soar, our supplies will become unreliable, and the economic recovery which appears to be on the horizon will be threatened.

I have about the "high cost of the President's program." I have heard about the "high cost of foreign oil," the "high cost" of certain other proposals which have been offered.

But I have not heard much yet—nor have the American people—about probably the most expensive proposition of them all—the cost of pursuing the course the Congress has followed for the past 2 years, the cost of doing nothing.

Every day that goes by without passage of a meaningful bill to increase domestic oil production, the consumer pays.

This year, the United States will pay approximately $25 billion for the oil it is forced to import. In less than a decade, unless we act responsibly and promptly, that annual cost could rise to $60 billion and that could mean a loss of jobs to American workers.

Our failure to act in the past has meant higher prices at the gasoline pump in the present. And our failure to act in the present, will inevitably mean still higher prices at the pump in the future. It will also mean a steadily deteriorating balance-of-payments problem, retarded economic growth, diminished job opportunity for many American workers and more problems for all American consumers and the loss of valuable time which can never be recouped in the struggle for energy independence.

COST OF HALF MEASURES

The House energy tax bill would require that we simply limit—to my mind arbitrarily—the amount of oil which can be imported into this country through imposition of quotas. According to Finance Committee staff estimates, the quota could reduce our consumption by 2 million barrels per day by 1985. This would save us an estimated $7.4 billion a year on our annual bill for foreign oil. But it could cost this country something between $30 and $60 billion a year in lost gross national product. That translates into an estimated possible loss of 250,000 jobs, a substantial loss in Federal tax revenues, resultant higher Federal deficits, probable higher interest rates, all of which most economists would agree would set us off on another round of higher inflation. And there would be a recessionary impact as well since there would be inadequate fuel to meet industry needs. We do need to reduce foreign oil imports. That is what energy independence is all about.

But that by itself could be disastrous. We must develop and expand our own domestic supply capabilities at the same time to replace the diminished imported oil quantities if we are to have any successful energy program.

The high cost of doing nothing to expand domestic production should be obvious. The estimates I have just cited, however, are based on the relatively conservative circumstance in which OPEC prices remain stable, and OPEC shipments remain constant.

POSSIBILITY OF WORSE

What if the OPEC countries raise their price, as they have said they will, or even worse, what if they impose a second embargo?

Then, it is apparent, the cost of doing nothing goes even higher.

Currently, we import 35 to 40 percent of our daily consumption from foreign sources, a significant portion of that from OPEC countries. A substantial increase in their price to us could certainly cost the American consumer much more than any of the legislative plans that have been proposed.

The cost of a second embargo would be harder to calculate but certainly much more expensive to this country, especially in terms of its impact on employment and production.

To remove this liability to the American consumer, Congress has to act and act fast to establish a program to encourage increased domestic production. Any such program is likely to carry with it increased costs. They cannot be denied. But the cost of such a program, over time, will look like a bargain compared to the cost of doing nothing.

COST OF UNCERTAINTY

Mr. President, I do not claim that I have all the answers. But I do feel that Congress has the capability of finding the answer and working with the administration can develop a comprehensive energy policy. In fact, I believe the American public justifiably expects no less. It is time for Congress finally to address the issue head on and positively. I suggest that if after all the time and study we have already given to energy, we cannot agree on a responsible proposal, thus, we should not any longer wonder why the polls show Congress to be held in such low popular esteem.

I have developed legislation calling for a gradual decontrol of oil prices, an excess profits tax with a plowback to encourage capital investment on domestic energy supplies, a tax on oil sold at prices that exceed $11.50 a barrel, and a rebate program for the lower income consumers. Although most definitely an incomplete proposal, it certainly would be a starting point.

I am aware of other concerns expressed by independent marketers and consumers and feel these problems also need to be addressed.

But we will not make any progress until we force ourselves to make a decision, to face the realities of the problem, to make a commitment. This we can do with the 45-day extension we are now introducing, and I call upon my colleagues to join the commitment.

Mr. DOMENICI. Mr. President, I was extremely pleased that on the occasion of reconvening after the summer recess, it appeared that the Congress would have yet another opportunity to address the difficult question of domestic oil prices. I was particularly pleased and encouraged by the reports of negotiations underway between the congressional majority leadership and the President to reach a compromise on a plan for a phaseout of controls on domestic oil prices. We now know that our hopes and expectations for such a compromise were shattered by the resolution of the Senate Democratic conference issued yesterday.

From my own deliberations on this complex situation, I have concluded that any program designed to deal successfully with our current energy dilemma must contain at least three major elements. First, it must be designed to increase the production of domestic petroleum. Second, it must reduce domestic demand, or, at the very least, it must decrease the rate of growth of domestic consumption. Finally, any such program, must, over time, diminish the proportion of imported petroleum that we consume as a nation.

I have long felt that phased decontrol was by far the best of the available alternatives for the domestic oil policy part of any national energy program to help cut domestic consumption of energy, particularly petroleum products, and reduce our reliance on foreign sources.

To continue the previous system of price controls on a high percentage of our domestic oil production, was, and is, in my opinion, sheer folly. While it has the great attraction of being a relatively painless solution compared to any form of decontrol, it suffers from the classic defect characteristic of most painless or easy solutions—in the long run it is no solution at all because it would only aggrevate our precarious energy situation for all the many reasons stated by most experts and analysts.

It takes no specualtion, however, to conclude that the price control mechanism will not work. Recent history demonstrates that fact very vividly. Our price control system has done nothing to reduce domestic demand or increase domestic production while it has actually insured that we will use more and more foreign oil, regardless of the price of that oil. In short, domestic price control has not worked and it will not work.

On the other hand, immediate decontrol is fraught with dangers, and, while it would eventually produce the three factors required of a realistic national energy policy, the dangers are of such magnitude that I feel it prudent to go slow.

My concerns in this regard are very similar to those expressed by the distinguished majority leader, Senator MIKE MANSFIELD, in his meeting last week with the President. Basically, I am apprehensive that our weakened economy could be severely strained by the inflationary impact of immediate, total decontrol. Perhaps it could stand that strain, as some advocate and declare, but the risk to me is simply too great when we have a more acceptable alternative.

That alternative is a phaseout of domestic crude oil price controls over a period of time sufficient to insulate the economy from any sudden debilitating jolt. This was the approach to be obtained by the negotiations between the President and the majority leadership.

One of the reasons I was so pleased with the expected compromise was that it would be a very important improvement over the present system and give it an element of certainty. The energy industry and all the activities generated by, supported by, and dependent on the energy industry, must have this certainty if domestic energy development and production is to proceed to its full potential. The tremendous investment and prior planning required to achieve full production demand that investors and business leaders be able to count on a definite Government policy. A phaseout plan with a specific formula for allowing oil prices to increase over time would help provide that certainty. Energy development and production is complex and risky enough without superimposing on it an indefinite government program constantly subject to change.

So, Mr. President, all things considered particularly the national circumstance providing the background for this decision, I find myself in agreement with an editorial of the September 2 edition of the Washington Post, which in discussing the compromise pending at that time, stated in part:

> This compromise offers better protection to the consumer than any other legislation now in sight. It offers the oil industry a clear and reliable commitment regarding prices for the next several years. It constitutes a national and skillful price policy for a period in which the American economy will be going through a fragile and apparently rather weak recovery from the recession. This compromise deserves wide support on its own merits.

For these reasons, I am committed to supporting and working for phaseout of controls. I am also committed, albeit reluctantly, to support the termination of controls if such a plan is not produced.

Now that the negotiations for which we had such high hopes are to be delayed pending a showdown on the President's veto of S. 1849, we need another option for those who are serious about developing a solution for this problem. That is the purpose of the bill we introduce today. It provides 45 days for the legislative process to produce the appropriate legislation required for a phaseout of controls and, as such, is very similar to part of the compromise the majority and the President had originally tentatively agreed to. In short, it provides a reasonable time to work out a phaseout plan.

I urge my colleagues to consider this proposal very carefully in a nonpartisan attitude with the best interests of this Nation as the uttermost consideration. We cannot continue to delude our people that maintenance of the status quo for even 6 months is any answer to the genuine energy problem facing the Nation.

At this point, Mr. President, I request unanimous consent that the editorial from the Washington Post which I previously mentioned, be printed in its entirety in the RECORD. In addition, I request unanimous consent that a number of editorials from newspapers in my home State supporting my position be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 2, 1975]

THE COMPROMISE ON OIL PRICES

So the controls are off the price of oil and gasoline—or are they? Curiously, we shall find out only in retrospect sometime later this month. The precisely and technically correct statement of the situation is that, yes, controls legally expired Sunday night but, no, they will probably be reimposed again retroactively. It could happen several ways. The most promising possibility—the one that would serve the country by far the best—is the compromise that was taking shape between Mr. Ford and the Democratic leadership last Friday.

This compromise offers better protection to the consumer than any other legislation now in sight. It offers the oil industry a clear and reliable commitment regarding prices for the next several years. It constitutes a rational and skillful policy for a period in which the American economy will be going through a fragile and apparently rather weak recovery from the recession. This compromise deserves wide support on its own merits.

As Sen. Mike Mansfield and Speaker Carl Albert left it with Mr. Ford, they will meet with the other congressional Democrats as soon as they reconvene this week. If it appears that there are the votes for the compromise, the President will announce a little further delay in his promised veto of the bill to extend the old controls for six months. That delay would give the Democratic leadership time to whip through a much shorter extension—presumably 45 days—to give Congress time to take up the compromise.

This compromise is essentially the plan that a majority of the House unwisely rejected on July 30, just before leaving on its August vacation. It has three parts, and each of them deserves careful consideration. Keep in mind that only part of the nation's oil supply was under price controls even before the law expired. The two-fifths of the nation's oil supply in production before 1973 was controlled at $5.25 a barrel. One-fifth is domestic production from new wells or very small ones, and was always exempt from controls. It rose to meet world prices, and now costs almost $13 a barrel. The remaining two-fifths is foreign oil, brought in at prices set by the Organization of Petroleum Exporting Countries, which is preparing to raise prices again later this month.

For the oil controlled at $5.25 a barrel, the compromise would peel off the controls very gradually over the next 39 months. The effect would be to insulate the rest of the economy from the sudden jolt of abrupt decontrol, under which all of this oil would suddenly rush up to world level. But the compromise does not work solely in favor of higher prices.

It would place a new control of $11.50 a barrel on the domestic oil that previously has been exempt. That is just about the price for which uncontrolled oil would sell today if the President dropped his tariff of $2 a barrel. But this new ceiling would mean that domestic prices could not follow the OPEC price farther and farther upward. For the immediate future—the coming winter—the American consumer has much more to fear from the impact of an OPEC price increase on uncontrolled American oil, than from a slow phase-out of the controls. It's all very well to argue that OPEC will eventually destroy itself if it keeps raising prices, but it could inflict havoc on the American economy in the meantime. The $11.50 ceiling would rise a nickel a month to compensate for inflation and, at the end of three years, vanish altogether. If OPEC prices are still at their present level in three years, Americans will have to assume that they are not temporary aberrations but a permanent fact of economic life.

Another element in this compromise—and, to be frank, the least satisfactory—is a windfall profits tax. The administration's draft is badly conceived, and there is no consensus in Congress on a better one. The basic trouble is that a windfall is extremely difficult to define. But however dubious the concept is, a windfall profits tax is evidently a necessary expedient to reassure the public that the domestic oil industry is not going to rake in once again the kind of profits that the winter of 1973–74 brought to it. If a windfall tax is in place before Congress votes again on decontrol, it might go quite differently than it did on July 30.

The case for decontrol gets steadily stronger. It is silly and dangerous to hope that this country can maintain itself indefinitely as an island of cheap energy in a world where the cost is steadily rising. Even if OPEC were to weaken, it is very much open to question whether oil would suddenly cost substantially less. The basic truth of the matter is that one major industrial nation after another converted from coal to oil in the 1960s, and all of them grew tremendously. World demand for oil is now at a level that puts any seller in a very strong position. That is why OPEC has already proved far more cohesive than most American government officials expected as recently as a year ago.

As for domestic consumption it is uncomfortable but accurate to say that, if oil costs more, we as a nation will use less of it. Most congressmen, of course, look askance at the price effect, regarding it more or less the way your grandmother regarded sex: Everybody knows how the process works, but they regard it unmannerly and even immoral to discuss it in public. But, as your grandmother knew, the process does indeed work and very effectively. If you doubt that Americans take fuel prices seriously, look at the traffic passing on the highway. The trend to smaller cars is striking.

The question, for the President and for Congress, is how to move away from controls to higher fuel costs over several years. The best available mechanism is the compromise that Mr. Mansfield, Mr. Albert and Mr. Ford have not put before Congress and the country.

[From the Grants (N. Mex.) Beacon, Aug. 5, 1975]

SELF-SUFFICIENCY IN ENERGY SOURCES NEEDED

We were awakened to a reality that we are facing a serious problem with regard to energy and power resources.

The awakening came during a tour of local uranium producing facilities by U.S. Senator

Pete Domenici. The senator was questioning local mining and milling personnel on just how long it takes to extract and process uranium ore.

The senator was informed that from the beginning of the exploration stages to actual production, it will take nine years for a new facility to get underway.

This means that although all of us have been somewhat concerned about the energy situation, we are not as concerned as we need to be.

This is not meant to be a look into the valley of gloom, but we have to be realistic and face the facts.

We have been deluged with the facts that according to our finest engineering reports and studies, we have quite a large and sufficient quantity of known resources.

That is where the catch comes in. These resources are "known". We know they exist. They are located in various parts of the country and at varying depths.

These "known" resources can and will be used for future power requirements, but it will be a period of years before the actual fuel source will be available for use.

If our area is a typical example of the time it takes to reach an ore body of sizable quantity. We are looking at a minimum of about nine or ten years before the first of our "known" reserves will be put to use.

In the meantime we are simply going to have to tighten our belts in the energy departments. We are going to have to do this on an individual basis to make our present resources last.

It is easy to feel that everything is all right, and our worries are over. Such is not the case. We all face a very serious and very real problem in the energy field. We all have to do our share to conserve the energy we are now using, and what we have left to use.

If this is not done, it is a very real probability that during the next ten years we would use up all of the resources we now have available. We, as the most powerful country in the world, have gradually put ourselves in the position of becoming 40 percent dependent on foreign countries for oil. We should strive to become more self-sufficient instead of completely dependent.

[From the Roswell (N. Mex.) Daily Record. Aug. 12, 1975]

NON-SOLUTIONS

There's truth a plenty in what U.S. Sen. Pete Domenici, D-N.M., told a group Monday in Eunice.

Sen. Domenici described a sluggish Congress as the "prime villain in failure to develop a cohesive national energy policy" and his words certainly place the target in focus.

Since January, he said, more than 1,000 energy-related bills have been introduced in the House and Senate.

"We have spent more than two months in markup and hearing sessions on 65 of these bills," Domenici said during public luncheon in the oilfield community. "We have issued reports . . . taken testimony . . . made analysis . . . spent a great deal of time and money . . .

"We even established special groups to study the problem," Domenici said, "yet—we have failed to come up with a plan."

The senator said this failure on the part of the Congress to come up with a national energy policy is major cause of the American energy crisis . . . and we suspect he is correct.

"Congress is playing a risky game of politics," Domenici warned, "with an issue that demands the highest level of nonpartisan skill."

He also called for deregulation of natural gas "so that housewives and workers of this nation don't wake up some morning without gas to cook with, and without jobs."

Which is what natural gas producers in southeastern New Mexico have been trying to tell us for years—that the suppliers of natural gas long have borne the brunt of unfair federal controls, but nobody appeared to listen until the danger of short supply began to reach close to home.

Spinning their wheels off the main highway in these two ditches—removing unreasonable controls on natural gas production, and working out a workable energy policy—seems only to have dragged the chief lawmakers into a deeper quagmire, rather than conquering the issues.

Too many energy bills—1,000 since January—and too much non-gainful time spent on these, with too little progress on the basic need—an effective, longrange plan to assure adequate supply for as long as possible, as economically as possible—wastes time and effort and delays solutions, when we have neither time nor effort to squander.

The game Congress is playing to the tunes of party hymns is, as Domenici put it, "risky . . ."

And on an "issue that demands the highest level of nonpartisan skill," yet.

We hope this message was pipelined from Eunice direct to D.C. and is there waiting on the desks when congressmen return following the current recess—

So they can jump on their horses and attempt to corral the proliferating energy bills into a single chute, which shortly may be adopted and trucked out for "sale" to the public at the most modest but realistic price possible . . .

Realism meaning without partisan favoritism, and with an eye to the generations of the future.—Lois Purvis.

[From the Hobbs (N. Mex.) News-Sun, Aug. 13, 1975]

THAT CERTAIN SOMETHING

Certainty is needed.

That's the ingredient missing as the Congress and the Ford administration ponder the nation's energy crisis and how to solve it, making the United States independent of foreign sources within the next decade.

It was U.S. Sen. Pete Domenici, who this week in Hobbs, identified the missing ingredient in all the national effort, and to some degree became this Congress's own worst critic.

The Republican senator told the press that the lawmakers have received upward of 1,000 bills having to do with the energy crisis, filtered them into 14 committees and only six have received any action, with two already vetoed.

That's a pretty miserable track record in anybody's books for something as critical and immense as the lifeblood it takes to run a country.

Out of this picture, Domenici suggested, has come uncertainty on the part of private individuals and business. It is reflected in their attitude toward the crisis, with as many as nearly half of New Mexico's people not believing that a crisis exists.

"There needs to be a sense of certainty," the senator said in order that a climate may be created in which solutions can be found and the majority of people can work together to produce new sources of energy while conserving those we have.

Domenici called for the expenditure of $300 billion dollars by industry and government in the next ten years to develop all possible sources—new coal mines, coal gasification, more oil and gas exploration and pioneering into all the avenues available to the nation.

Doemnici, reminded that the burden of producing "certainty" in our efforts rests with the people in Washington, said that he is hopeful that eventually all of the energy legislation can be channeled into one "super" committee in the Senate.

Of course, he might have added that the country also needs some super leadership in both the White House and the Congress to help produce that certainty.

We cannot achieve this goal as long as we remain fragmented and divided in our efforts and aims.

[From the Albuquerque Tribune, Aug. 20, 1975]

FORD'S OIL PLANS

President Ford has made Congress an offer we hope it can't refuse.

His offer is to lift price controls from the oil industry and find out if a free market can lead to more domestic oil production and conservation—and less dependence on the foreign oil cartel.

The President, his advisers and free-enterprise economists are convinced the test will work out well. We think Ford's plan is worth a try, especially since Congress couldn't come up with an oil policy in months of flailing about.

Ford's first step will be to veto the six-month extension of controls past Aug. 31, which Congress passed hurriedly before going on vacation.

Then, if Congress upholds the veto, Ford will remove his $2 a barrel tariff on imported oil. That move, according to administration energy experts, should limit the rise in gasoline prices caused by decontrol to three cents a gallon over the next few months.

We would have preferred to gradual ending of controls over a 39-month period to sudden decontrol. But that Ford proposal was a bullet Congress proved incapable of biting, and now there is no good alternative to trying the free market.

The President made a convincing argument for his policy in Vail, Colo., saying:

"Painful as they are, higher prices do promote conservation, and higher prices do produce increased efficiency in the use of petroleum products.

"Cheap energy encourages waste and preserves inefficient energy technology. When the price of energy reflects its value to society, as determined by the market price, there will be an incentive to stop squandering it and develop advanced technologies, such as solar energy."

When Congress resumes work next month, it would do well not to try too energetically to override Ford's veto. If successful, an override merely would leave the country for another six months without an energy policy, while it slides deeper into the pocket of the Mideastern oil sheiks.

Instead, Congress should move fast on a windwall profits law. With decontrol, oil from wells drilled before 1973 will rise in price to $13.50 a barrel from today's artificial $5.25. That extra money should be directed toward more domestic exploration and production.

Certainly Congress shouldn't waste the country's time with demagogic statements that you can have cheap oil and plentiful oil and not grow increasingly dependent on foreigners. Only people who believe in perpetual motion machines and free lunch will believe that.

[From the Albuquerque Tribune, Sept. 2, 1975]

PLENTY OF WORK TO DO

The 94th Congress will have little to crow about this year if its performance in the last four months of 1975 is not better than it was in the first seven.

Aside from a much-needed tax cut and a seven-year extension of the Voting Rights Act, this has been a pretty lean year for a Congress that was supposed to be both vigorous and veto-proof and has proved to be neither.

This inability to convert rhetoric into accomplishment will continue unless congressional Democrats stop trying to sabotage President Ford's energy problems when they return from their August recess this week.

To begin with, Congress should accept the decontrol of domestic oil prices instead of clinging to artificial restraints that simply hold down production and make us more and more dependent on foreign suppliers.

Ideally, oil price controls should be phased out over a period of years, a compromise that Ford and Congress appear to be groping toward. But even an abrupt expiration of controls is preferable to the various extensions and rollbacks Congress has been promoting.

What Congress also can—and should—do is finish work on a bill opening up the Navy's oil reserves at Elk Hills, Calif., to domestic production and pumping some of this oil into federal storage tanks as a buffer against possible future Arab embargoes.

Turning to other matters, Congress should extend the 1975 tax cuts into 1976 to cushion the impact of higher food and fuel prices and prevent the economy from drifting back into recession.

High tax rates probably do more to inhibit business recovery than any amount of salesmanship and happy talk can do to inspire it.

There are other high-priority bills that Congress should enact.

One would require no-fault auto, insurance in all states. Another would regulate coal-stripping on federal lands. A third would repeal an outrageous 1974 law permitting 40-ton trucks on interstate highways.

None is likely to see the light of day, however, unless Congress displays more leadership, tenacity and courage than it has up to now.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Does any Senator seek recognition?

Mr. President, if there be no further business to come before the Senate, I move——

The PRESIDING OFFICER. Will the Senator suspend for 1 minute?

DIETHYLSTILBESTROL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 963, which the clerk will state by title.

The legislative clerk read as follows:

A bill (S. 963) to amend the Federal Food, Drug, and Cosmetic Act to prohibit the administration of the drug diethylstilbestrol (DES) to any animal intended for use as food, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with an amendment to strike out all after the enacting clause and insert the following:

TITLE I—CANCER PREVENTION

Sec. 101. Section 301 of the Food, Drug, and Cosmetic Act is amended by adding at the end thereof the following new subsection:

"(q) The introduction or delivery for introduction into interstate commerce of the drug diethylstilbestrol (DES) for purposes of administering the drug to any animal intended for use as food or to any animal the product of which is intended for use as food.".

Sec. 102. Section 502 of the Food, Drug, and Cosmetic Act is amended by adding at the end thereof the following new subsection:

"(q)(1) If it is, or purports to be, or is represented as a drug composed wholly or partly of diethylstilbestrol (DES), unless—

"(A) its label bears the following statements:

"(1) WARNING—THIS DRUG MAY CAUSE CANCER;

"(2) THIS DRUG MAY NOT BE USED AS A CONTRACEPTIVE AFTER SEXUAL INTERCOURSE EXCEPT IN CASES OF RAPE OR INCEST OR A COMPARABLE MEDICAL EMERGENCY;

"(3) THIS DRUG MAY NOT BE TAKEN UNLESS A PATIENT OR PATIENT'S LEGAL GUARDIAN HAS GIVEN HIS WRITTEN CONSENT AFTER FULL VERBAL DISCLOSURE BY THE ATTENDING PHYSICIAN OF THE RISKS, BENEFITS, AND ALTERNATIVE METHODS OF TREATMENT; and

"(B) each and every capsule or tablet is prepackaged, by the drug producer, in units which contain the appropriate number of capsules or tablets for the desired course of treatment and the statements required by subsection (q)(1)(A) of this section are conspicuously placed on the label next to the capsules or tablets so as to permit the patient an opportunity to read the statements during the entire prescription period. The letters contained in the statements required by subsection (q)(1)(A) of this section are twice as large in size as any other words and statements required by this Act; and

"(C) there is a multi-copy 'informed consent form' which is deemed part of the label for the purpose of this Act; and

"(D) a copy of each and every executed informed consent form and a written record of each and every attending physician's prescription for such drug is submitted by the attending physician to the Secretary at such times and in such form as the Secretary may require but not less than four times a year. Each and every executed informed consent form and prescription record submitted to the Secretary shall contain both the attending physician's license number and the name of the State which issued such license number; and

"(E) a copy of each and every prescription for such drug which has been presented to a pharmacist is submitted by the pharmacist to the Secretary at such time and in such form as the Secretary may require and not less than four times a year. Each and every prescription submitted to the Secretary shall contain both the attending physician's license number and the name of the State which issued such license number.

"(2)(A) For the purpose of this subsection an 'informed consent form' means a form issued by the Secretary and approved by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research (hereinafter in this subsection referred to as the 'Commission') and is fully explained by the attending physician to the patient and is thereafter executed by the attending physician and patient or the patient's legal guardian. If the Commission fails to take action within sixty days after the Secretary submits the proposed informed consent form, it shall be deemed approved.

"(B) Drug producers shall not be held liable for misbranding under subsection (g)(1)(D) and (E) of this section.

"(C) No patient names or other identifying information shall appear on any informed consent form, prescription, or report submitted to the Secretary. No patient name or other identifying information shall be submitted to or collected by the Secretary.

TITLE II—FOOD AND DRUG ADMINISTRATION

SHORT TITLE

Sec. 200. This title may be cited as the "Food and Drug Administration Act".

ESTABLISHMENT OF FOOD AND DRUG ADMINISTRATION

Sec. 201. The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by adding at the end thereof the following new sections:

"FOOD AND DRUG ADMINISTRATION

"Sec. 903. (a) There is hereby established within the Department of Health, Education, and Welfare an agency to be known as the Food and Drug Administration (hereinafter referred to as the 'Administration').

"(b) The Administration shall be headed by a Commissioner of Food and Drugs (hereinafter referred to as the 'Commissioner') who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of five years. A Commissioner is eligible for reappointment only once. The Commissioner shall be responsible for the effective administration of the laws subject to his jurisdiction.

"(c) The President shall appoint by and with the advice and consent of the Senate a Deputy Commissioner and General Counsel for the Administration for terms of five years each.

"POWERS OF THE COMMISSIONER

"Sec. 904. (a) In order to fulfill his duties under the laws subject to his jurisdiction, the Commissioner is empowered to—

"(1) direct and supervise all personnel of the Administration,

"(2) employ experts and consultants in accordance with section 3109 of title 5. United States Code, and compensate individuals so employed for each day (including traveltime) at rates not in excess of the maximum rate of pay for grade GS–18 as provided in section 5332 of title 5, United States Code, and, while such experts and consultants are so serving away from their homes or regular place of business, to pay such employees travel expenses and per diem in lieu of subsistence at rates authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently;

"(3) appoint advisory committees composed of such private citizens and officials of the Federal, State, and local governments as he deems desirable to advise him with respect to his functions under the law subject to his jurisdiction, and to pay such members (other than those regularly employed by the Federal Government) while attending meetings of such committees, or otherwise serving at the request of the Commissioner, compensation and travel expenses at the rate provided for in paragraph (2) of this subsection with respect to experts and consultants;

"(4) promulgate such regulations as may be necessary or appropriate to carry out the functions vested in him and for the efficient enforcement of the laws subject to his jurisdiction;

"(5) utilize, with their consent, the services, personnel, and facilities of other Federal agencies and of State and private agencies and instrumentalities with or with out reimbursement therefor;

"(6) enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary or appropriate in the conduct of the work of the Administration and on such terms as the Commissioner may deem appropriate, with any agency or instrumentality of the United States, or with any State, territory, or possession, or any political subdivision thereof, or with any public or private person, firm, association, corporation, independent testing laboratory, or institution;

"(7) accept gifts and voluntary and uncompensated services, notwithstanding the provisions of section 665(b) of title 31, United States Code;

"(8) designate representatives to serve or assist on such committees as the Commissioner may determine to be necessary or appropriate to maintain effective liaison with Federal agencies and with State and local agencies and independent standard-setting bodies carrying out programs and activities related to the protection of consumers against injury resulting from the use of products subject to his jurisdiction;

"(9) construct such research or test facilities as may be necessary to carry out the purposes of the laws subject to his jurisdiction, (A) after fully utilizing the personnel, facilities, and other technical support available in other Federal agencies, (B) when authorized by the Congress to plan, design, and construct such facilities, and (C) subject to the appropriation of funds for this purpose by the Congress;

"(10) conduct public hearings anywhere in the United States to further the purposes of the laws subject to his jurisdiction;

"(11) prescribe personnel policies for the Administration, including selecting, appointing, fixing compensation of, hiring, firing, promoting, and transferring of employees, subject to the civil service and classification laws;

"(12) undertake such other activities as are incidental to enforcement of the laws subject to his jurisdiction; and

"(13) except as provided in section 905(a) (2) delegate any of his functions and duties under the laws subject to his jurisdiction to other officers or employees of the Administration.

"(b) Nothing in this section shall be construed to prevent the Commissioner from undertaking any activities previously performed by the Secretary through the Food and Drug Administration.

"FUNCTIONS OF THE COMMISSIONER

"SEC. 905. (a)(1) All functions of the Secretary of Health, Education, and Welfare administered through the Food and Drug Administration are transferred to the Commissioner of Food and Drugs.

"(2) Functions of the Secretary to suspend the approval of an application because of an immanent hazard to health, pursuant to sections 505(e), 512(e), and 512(m) are transferred to the Commissioner of Food and Drugs and shall not be delegated.

"(b) The Secretary of Health, Education, and Welfare may by regulation delegate such additional functions to the Commissioner as he from time to time deems appropriate.

"(c)(1) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds, which are used primarily with respect to any office, agency, bureau, or function transferred under the provisions of this section are transferred to the Commissioner of Food and Drugs. The transfer of personnel pursuant to this subsection shall be without reduction in classification or compensation for one year after such transfer, and this provision shall not be construed to impair the authority of the Commissioner to assign personnel during this period to carry out the functions of the Administration most effectively.

"(2) Any commissioned officer of the Public Health Service who, upon the day before the effective date of the Food and Drug Administration Act, is serving as such officer primarily in the performance of functions transferred by that Act to the Commissioner may, if such officer so elects, acquire competitive status and be transferred to a competitive position in the Administration subject to paragraph (1) of this subsection, under the terms prescribed in section 15(b) (3)–(8)(A) of the Clean Air Amendments of 1970 (84 Stat. 1676; 42 U.S.C. 215).

"(d) The Civil Service Commission shall establish criteria in consultation with the Commissioner when preparing competitive examinations for positions in the Administration.

"(e) All laws relating to any office, agency, bureau, or function transferred under the Food and Drug Administration Act shall, insofar as such laws are applicable, remain in full force and effect. And orders, rules, regulations, permits, or other privileges made, issued, or granted by any office, agency, or bureau or in connection with any function transferred by that Act, and in effect at the time of the transfer, shall continue in effect to the same extent as if such transfer had not occurred until modified, superseded, or repealed. No suit, action, or other proceeding lawfully commenced by or against any office, agency, or bureau of any officer of the United States acting in his official capacity shall abate by reason of any transfer made pursuant to that Act."

COMPENSATION: ADDITIONAL POSITIONS

SEC. 202. (a)(1) Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(60) Commission of Food and Drugs.".

(2) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new paragraphs:

"(98) Deputy Commission, Food and Drug Administration.

"(99) General Counsel, Food and Drug Administration.".

(b) Section 5108(c) of title 5, United States Code, is amended by—

(1) striking out the word "and" at the end of paragraph (10):

(2) striking out the period at the end of paragraph (11) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding immediately at the end of such subsection the following new paragraph:

"(12) The Commissioner of Food and Drugs, without regard to this chapter (except section 5114), may place twenty-five positions in the Food and Drug Administration in GS–16, GS–17, and GS–18."

EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

SEC. 203. (a) This Act shall take effect ninety days after the Commissioner first takes office, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register, but in no event later than one hundred and eighty days after enactment of this Act.

(b) Any officers provided for in this Act may (notwithstanding subsection (a)) be appointed in the manner provided for in this Act at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transfererd to the Commission pursuant to this Act.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, on Monday, the Senate will convene at the hour of 12 noon. After the two leaders or their designees have been recognized under the order, Mr. HARRY F. BYRD, JR., will be recognized for not to exceed 15 minutes, Mr. PROXMIRE will be recognized for not to exceed 15 minutes, and there will then be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements limited therein to 5 minutes each, for which I now ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. The Senate will then proceed to the consideration of S. 963, a bill to amend the Federal Food, Drug, and Cosmetics Act to prohibit the administration of the drug diethylstilbestrol to any animal intended for use as food, and for other purposes. Rollcall votes are expected to occur on amendments thereto and on final passage.

Also early next week the Senate will be taking up S. 1517, a bill to authorize appropriations for the administration of foreign affairs; international organizations, conferences, and commissions; and for other purposes.

Another bill that will be taken up early next week, we think, will be S. 848, a bill to amend section 2 of the National Housing Act to increase the maximum loan amounts for the purchase of mobile homes.

At 3 o'clock p.m. on Wednesday, the Senate will proceed to vote on the override of the President's veto on S. 1849—if the President vetoes the bill, as is expected. That will be a rollcall vote.

Also, next week the Senate will likely take up the bill S. 692, a bill to regulate commerce to assure increased supplies of natural gas at reasonable prices for the consumer and for other purposes.

The foregoing list of measures is not all-inclusive nor do I intend to imply that the measures will be taken up in the order stated necessarily.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 8, 1975

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 12 noon on Monday next.

The motion was agreed to; and at 12:52 p.m., the Senate adjourned until Monday, September 8, 1975, at 12 noon.

EXTENSIONS OF REMARKS

THE NEW AMERICAN MOVEMENT

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 4, 1975

Mr. McDONALD of Georgia. Mr. Speaker, in early August—7th to 10th—Oberlin College, Ohio, was the location of a gathering of Marxists whose stated goals include establishment of "working class control of the enormous productive capacity of American industry," a rewording of the more traditional Marxist "dictatorship of the proletariat."

The Oberlin College gathering was the fourth annual convention of the New American Movement—NAM—an offshoot of the old Students for a Democratic Society. The convention was attended by some 359 people, of whom 105 were observers and most of the rest delegates.

The New American Movement, whose national offices are located at 1643 North Milwaukee Avenue, Chicago, Ill.

60647, 312—252-7151, can be characterized as a national preparty organization which seeks the establishment of Marxist socialism in the United States while at the same time supporting Communist "anti-imperialist" organizations both abroad and in this country.

NAM's present national membership of 586 fully paid-up members plus about another 150 supporters behind in their dues located in 45 chapters across the United States are largely drawn from the fields of education, health, social service, office work, and students.

In a masthead box in its monthly newspaper, New American Movement, now to be published from 14 Union Square, Somerville, Mass. 02143, the New American Movement describes itself in the following terms:

> The New American Movement (NAM) exists to help organize a movement for democratic socialism in the United States. Our aim is to establish working-class control of the enormous productive capacity of American industry, to create a society that will provide material comfort and security for all people, and in which the full and free development of every individual will be the basic goal. Such a society will strive for decentralization of decision making, an end to bureaucratic rule, and participation of all people in shaping their own lives and the direction of society. We believe the elimination of sexist and racist institutions and the dismantling of American economic and social control abroad are central to the struggle for socialism.

However, in its 1974–75 prospectus for the East Bay Socialist School at 6025 Shattuck Avenue, Oakland, Calif. 94609, the New American Movement stated its revolutionary goals more forcefully:

> Classes in the School will be offered by NAM members and others who share NAM's socialist perspective. The basic points of this perspective are:
>
> That the disintegration and oppressiveness of American society are rooted in the capitalist economic system;
>
> That a socialist revolution will be necessary to solve the problems of the U.S.;
>
> That such a revolution will require a mass socialist movement which includes people from all sections of the working class;
>
> That the socialist movement must be based on democratic principles;
>
> That the strategy and analysis of the revolutionary movement must be rooted in the conditions of the United States;
>
> That the socialist movement must oppose racism, sexism, and imperialism;
>
> That the socialist movement must work to overcome oppressive personal relations.

The concept of the New American Movement originated soon after the disintegration of Students for a Democratic Society in Chicago in 1969, when John Rossen, a one-time district organizer for the Communist Party, U.S.A., and then the landlord of the SDS offices, distributed a number of pamphlets calling for a new revolutionary force based on a combination of Marxism and American nationalism, and organized the Johnny Appleseed Movement for Peace and Human Rights.

Rossen's efforts gave birth to two groups. Chicagoan Jeremy Rifkin took over Rossen's pamphlets and graphics to form the People's Bicentennial Commission, in which Rossen is still active, while another group developed other aspects of Rossen's organizing ideas. Rossen's influence with the early New American Movement remained at least through the end of 1971, contributing an article to the first issue of NAM's newspaper, New American Movement, dated September-October 1971.

In January 1971, Rossen's ideas were adapted by three former SDS activists—Theirrie Evelyn Cook, one of the negotiators of the treasonable People's Peace Treaty with the Vietcong; Michael P. Lerner and Charles "Chip" Marshall, then enjoying a brief notoriety as leaders of the Seattle Liberation Front on trial for inciting a riot in response to the contempt citations in the Chicago 8 Conspiracy Trail. The three Seattle organizers circulated papers calling for the creation of a new revolutionary party, which they then termed the New American Community Party.

In the late winter of 1970 and into the spring of 1971, this group worked closely with Rennie Davis in developing plans for the Washington, D.C., Mayday disruptions in support of the Vietnamese Communists, with Lerner and Marshall becoming active leaders of the National Mayday Collective. The Mayday organization provided the New American Community Party with the opportunity to reach a large segment of the radical community and to receive input from New Left theoreticians such as Douglas Dowd and Staughton Lynd. Members were gained and the name, New American Movement began to be used.

In June 1971, a pamphlet and other materials calling for a NAM national organizing meeting began to be circulated, sponsored by Cook, Lerner, and Marshall plus Douglas Dowd; Karen Hamilton; Charles Fulwood; Joy Marcus; Roger Hamilton; Dan Siegel, more recently active in Maoist factions of the National Lawyers Guild; Nina Marina; David Danning; Judy Oringer; Louis Feldhammer and Kathy Johnson, currently on the staff of the People's Bicentennial Commission.

In this early period of organizing, other NAM contacts included Lynne Shatzkin and Jerry Coffin, New York; Mike Lerner, then working from the Cambridge Policy Studies Institute, a branch from the Institute for Policy Studies; Andy Starr, Philadelphia; Alice and Staughton Lynd, Chicago; Frank Blumer, Seattle; and Jim Williams, Washington, D.C., now coeditor of the Communist Party's trade union publication, Labor Today.

A preliminary national meeting of the New American Movement was held in Chicago, October 9–11, 1971. Some 75 delegates and observers from 25 cities attended to make plans for a national conference in November around a "call" containing six principles. As summarized in the publication Socialist Revolution, whose editorial board appears dominated by NAM members, these were:

> 1. We recognize the existence of a ruling class which runs America for its own benefit;
>
> 2. NAM is committed to democratic socialism, which was defined as a society characterized by economic, racial, and sexual equality; by collective ownership and democratic control of the means of production; by the right to organize independent political parties and independent trade unions, and by the freedom to strike; by freedom of speech, freedom to demonstrate, and freedom of press;
>
> 3. We distinguish a socialist society, defined in this way, from both welfare capitalism in England and Scandinavia, and from existing socialist societies;
>
> 4. The transition to socialism will require struggle;
>
> 5. Working people will be central to that struggle;
>
> 6. The liberation of women and non-white groups must be incorporated into every programatic area.

The New American Movement's formal inception took place at a national conference in Davenport, Iowa, at Thanksgiving, 1971. The militance of the organizers was made quite clear in NAM's preconference papers which stated the objective was to develop a movement "sufficiently broad to include people who are not positive they would be willing to pick up the gun for a revolution."

Other sections of thees papers stated that NAM:

> . . . should not conceive of itself as the * * * should not conceive of itself as the final vehicle for taking state power, but as an interim institution, built for the next several years, that can move to consolidate and provide leadership for the marked trend to the left of recent years.

The Davenport conference endorsed the six principles and NAM program. Local organizing was commenced throughout the United States leading to a founding convention in Minneapolis, June 21–25, 1975. It was reported that by that time NAM had grown to an organization of more than 600 dues-paying members with chapters in some 40 cities.

It was evident at that time that NAM's leadership did not want rapid growth into a mass organization: rather, the leadership intended for a gradual development based on the formation of many small cells. NAM's national interim committee then included Frank Ackerman, Cambridge, Mass.; Sally Avery, Durham, N.C.; Edward Bolden, Iowa City; Harry Boyte, Chapel Hills, N.C.; Sandy Kricker and Jim Weinstein, San Francisco; Roberta Lynch and Judy Maclean, Pittsburgh; Torie Osborn, Middlebury, Vt.; Jeff Johnson, Fred Ojile, and Shirley Wyatt, Minneapolis; Julia Reichert, Yellow Springs, Ohio; Peggy Somers, Berkeley; Melissa Upton, Philadelphia; and Loren Weinberg, Washington, D.C., who with William Higgs filed one of the first New Left lawsuits against the funding of the CIA in 1972.

From the beginning, NAM made it plain that it saw electoral political activity merely as a means of gaining "visibility," but emphasized that NAM rejected politics as a means of making social and political change, stating:

> At the same time we will continually make it clear that we believe the system cannot be changed through the electoral process * * *. At no time will confrontations, strikes, or other actions be subordinated to the logic of the electoral arena.

New American Movement members work closely with the Washington-based Institute for Policy Studies which funded the NAM-staffed Calumet Environmental and Occupational Health Committee in 1972. NAM members are also active in the National Lawyers Guild, the Medical

Committee for Human Rights, the National Welfare Rights Organization and the People's Bicentennial Commission. NAM has been the most vocal group in North Carolina, leading so-called "consumer" and "environmentalist" attacks on the Duke Power Co.

Since 1972, evidences of Communist Party, U.S.A., interest in NAM has lessened, but there has been a corresponding increase of activity from various Maoist groups in the organization. Groups such as the Revolutionary Union, the October League, and the Puerto Rican Socialist Party have sent observers to NAM's last two conventions, and Marxist-Leninist—Maoist—cadres have been formed within NAM.

In addition, early in 1974, expelled former CPUSA California District leader Dorothy Healey formed a group of some 70 "socialists in search of a party" and took them into NAM as one of its largest and strongest chapters. Despite her expulsion from CPUSA, Healey hotly repudiates the Maoist faction's charges of "revisionism" and she is the leader of a strong contingent arguing for strong leadership and organizational knowhow in NAM.

NAM's Oberlin convention last month was largely concerned with developing strategies for the coming year, emphasizing NAM's need to "build bases in workplaces." The emphasis on this priority resulted in a program workshop on the labor movement and several informal caucuses based on organizing in specific industries and unions.

Other topics discussed at length by NAM included program development, political education, outreach materials, administration and analysis/research.

A major feature of NAM's political education program at the Oberlin meeting was based on heated discussions around the topic, "Should NAM Become a Cadre Organization." A NAM source reported:

> The issues of "mass vs. cadre" and "democracy and discipline" have been a source of continuing controversy in Nam over the past year.

The issues were not resolved in the debate, and NAM appears to have split into two principal factions—the Marxist-Leninists—Maoists—and the traditional Marxists led by Dorothy Healey.

A major disruptive influence in the conference was the New American Movement's large homosexual membership who made a shrill attempt to eject members of the October League—OL—present at a literature table and as observers.

Guardian executive editor Irwin Silber, a Maoist who himself has been feuding with the October League, reported on the NAM homosexuals' "anticommunism:"

> Members of NAM's Gay Caucus urged the arrangements committee to rescind its agreement permitting the OL to set up a literature table (paid for, as were tables by the Trotskyist Socialist Workers Party and others) because of what they charged was OL's support of "genocide" against homosexuals.
>
> The arrangements committee acceded to the request and notified OL that it would have to leave the convention. When news of the action spread throughout the meeting, however, a huge controversy broke out. Finally, members of the Austin (Tex.) NAM chapter introduced a resolution on the floor of the convention to overturn the decision to expel the OL. After a passionate debate, the resolution was passed by a fairly narrow vote (228–175) and the OL set up its literature table once again.
>
> Despite the reversal of the expulsion, no one at the convention challenged the accusations leveled by the Gay Caucus that socialist countries such as China and Cuba have "established concentration camps" for homosexuals and practiced "genocide" against them.
>
> * * * In the incident around the OL literature table * * * it was argued that OL's view of homosexuality ("a product of bourgeois decadence" and homosexuals will have to be "reeducated" under socialism) went beyond the framework of legitimate political differences and was of a piece with racism against blacks.

The New American Movement leaders have endorsed the proarmed struggle position taken in the pamphlet, Open Letter, by Arthur Kinoy's National Interim Committee for a Mass Party of the People. NAM is also on good terms with the violence-prone Puerto Rican Socialist Party, and contains a strong, militant Maoist Communist faction led by the Durham, N.C., Organizing Collective, formerly the Margaret Sanger NAM chapter, which has been actively involved for the past 2 years in a labor organizing drive at Duke Hospital. These facts and the stated aims of the organization make the New American Movement a appropriate group for law enforcement monitoring to determine the extent of its threat to internal security.

ILLEGAL COAST GUARD ADVISORY COMMITTEE INFLUENCES TANKER POLLUTION REGULATIONS

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, September 5, 1975

Mr. METCALF. Mr. President, under the Federal Advisory Committee Act, any committee, board, commission, council, conference, panel, task force or other similar group, or any subcommittee of such a group, which is established or utilized by one or more Federal agencies in the interest of obtaining advice or recommendations and is not composed wholly of fulltime officers or employees of the Federal Government, is an advisory committee.

The Federal Advisory Committtee Act does not apply to the Central Intelligence Agency or the Federal Reserve System, but it applies to all other Federal agencies, including the Coast Guard.

Earlier this year the Coast Guard initiated a study by an industry-Government group that looked, acted and sounded like an advisory committee, but was not operated in accordance with the Federal Advisory Committee Act. Failure to declare the study group as an advisory committee puts the Coast Guard in the same boat as an international passenger who leaves things out of his customs declaration.

When the study group finished, it issued a draft report which acknowledged the deep involvement of two industry associations—in fact, giving them equal billing. The study group then issued a final report from which references to the two industry associations had been expunged and which had been tailored to suggest it was the product of individual specialists on a mission for the Coast Guard.

The context for this is the Coast Guard's controversial decision not to require double bottoms on the tankers which will transport Alaskan oil from Valdez to west coast ports—a decision it confirmed on August 15 by publishing a final environmental impact statement on its regulations for tank vessels engaged in the carriage of oil in domestic trade.

Appendix C to the final impact statement is the report of a study group on the location of segregated ballast, headed "Segregated Ballast Tanker Study—Ship Configuration." It deserves close attention.

According to the report, the study group at the request of the Coast Guard reviewed the issue of how best to utilize segregated ballast capacity as specified in the 1973 Intergovernmental Maritime Consulative Organization Pollution Prevention Convention for new-building tankers larger than 70,000 deadweight tons. The report continues:

> Specifically, the study group wished to determine if there were preferable positions for placement of segregated ballast tanks which might serve as a defensive mechanism to mitigate or prevent accidental pollution and provide some measure of protection from other types of ship accidents.

The 11-member study group—3 Government employees and 8 representatives from industry—met in 6 full-day sessions between February 12 and April 28. In addition, "Many days of individual participant and subcommittee work were devoted to this study in between the full-day committee sessions."

Furthermore, the study group was heeded. It has helped to write the Coast Guard regulations. Page 76 of the final impact statement, which addresses "Problems of Double Bottoms," explains:

> A special group was convened to review the problem and examine possible regulatory approaches capable of improved protection in accident circumstances, but without specific constraints which would inhibit future development of promising design concepts not yet identified. The results and recommendations of this group are contained in Appendix C and have been incorporated in regulations setting criteria for distribution of segregated ballast.

Mr. President, the flaw in this success story is that the study group was clearly an undeclared advisory committee. It fully satisfied the advisory committee definition set forth in the Federal Advisory Committee Act and thus was subject to its requirements, meaning that the Coast Guard should have chartered the study group or formalized it as a subgroup of a chartered Coast Guard advisory committee, should have scheduled public meetings of the study group and published notices of them in the Federal Register at least 15 days ahead of time, and so on. It seems reasonable to suggest that by failing to do these things the Coast Guard has placed the report of the study group in a sort of legal quarantine.

There were two versions of the study group report, a draft report and the one which appears as appendix C to the final environmental impact statement—curiously, both of them dated April 28. The differences between them are worth noting:

First. The draft says on its cover that it is a study group report by the American Institute of Merchant Shipping, the American Petroleum Institute, U.S. Coast Guard, and U.S. Maritime Administration. Later, under "Participants," the draft proclaims, "The leadership for this group was provided by four Government and industry groups under the overall direction of the U.S. Coast Guard," and the four groups are named again.

However, the cover of the version which appears as appendix C says simply, "Study Group Report," making no mention of the American Petroleum Institute or any other organization. Inside, under "Participants," the sentence quoted above and the names of the four groups have been deleted.

Second. The draft, under "Background and Objective," claims that, "The study group included both Government and industry experts."

However, in the version which appears as appendix C that claim has been inflated to read:

> The study group included both government and industry operating and technical professionals who by training and experience were considered uniquely qualified to perform the study.

To put it mildly, eliminating mention of the American Institute of Merchant Shipping and the American Petroleum Institute from the cover and text of the report tends to deemphasize the involvement of the two associations in the design and activities of the study group. At the same time, exaggerating the personal qualifications of the members of the study group would have us believe that they were giants in their fields whose individual services on behalf of the Coast Guard simply could not be refused.

Mr. President, three of the study group participants were also members in 1974 of the State Department's Shipping Coordinating Committee, an advisory committee of 107 members that was established in August 1958 and is closely linked to the Coast Guard. The three were:

The study group chairman, William O. Gray, Exxon Corp.; Roderick Y. Edwards, a retired rear admiral, American Institute of Merchant Shipping; and Robert I. Price, rear admiral, Chief Office of Marine Environment and Systems, Coast Guard.

Interestingly, the State Department's Shipping Coordinating Committee has a subcommittee, the U.S. National Committee for the Prevention of Marine Pollution, which is chaired by the Coast Guard. While notices of meetings of this subcommittee sometimes appear in the Federal Register under auspices of the State Department, as happened on August 8, and sometimes under auspices of the Coast Guard, as happened on February 14, it is clear the Coast Guard would have had no authority to set up the study group as a subgroup of this subcommittee.

In addition to the three study group participants named above, one other from the Coast Guard and one from the Maritime Administration, there were members representing the Chevron Shipping Co., Mobil Shipping and Transportation Co., Gulf Oil Trading Co., the Standard Oil Co., Hydronautics, Inc., and Texaco, Inc. In short, it was an industry-government endeavor, not fairly balanced as required by the Federal Advisory Committee Act nor even acknowledged to be an advisory committee, whose recommendations seem intended to substantiate the Coast Guard's conclusion that tankers hauling Alaskan oil do not need double bottoms to protect against accidental pollution.

Mr. President, as an environmental footnote, I find it disconcerting that Coast Guard research points to the conclusion that tankships more than 15 years old are more vulnerable to the structural failures which result in major polluting outflows of oil, at the same time that the Maritime Administration is projecting that we need to use tankers 30 years old in order to have enough tonnage to transport the oil which Alaska is expected to produce. Here is a portion of a paper, "Tankship Accidents and Resulting Oil Outflows, 1969–73," which the study group relied on:

> Vessel age is another factor we might suspect bears some relationship to the occurrence of failure events, and structural failures in particular. During the five-year period, 515 structural failures occurred. Of those, 94 resulted in an estimated 339,181 long tons of oil outflow. Fifteen total losses due to structural failure accounted for 322,519 long tons of outflow (95% of total outflow due to structural failures and 34% of all outflows). Figure 16 shows the distribution of these structural failures with vessel age, and figure 17 shows their distribution by size. Structural failures can result from poor structural design, loads exceeding the design loads due to unusual environmental conditions or improper loading, or deterioration due to corrosion or erosion. Corrosion and erosion depend on time as well as inspection and maintenance, protective coatings, cargo, and environmental conditions. Time may also be required for design defects to make themselves apparent. The sharp increase in structural failures between 15 and 20 years indicates ships in this age group are more subject to loss from this cause. Quaille [7] reports an increase of tanker loss ratio (ratio of tonnage lost to tonnage in the group) for tankers in the 15–19 year and 20–24 year age groups but does not indicate how the vessel losses occurred. At the very best though, age can only be a gross indicator of probability of failure. We must look further into these structural failures to identify factors more directly linked with them.

Now read this excerpt from "Tanker Supply and Demand for the Alaskan Oil Trade," by Maritime Administration economist Joseph A. Gribbin, which appears as appendix D to the final environmental impact statement:

> The reassignment of these last eight vessels (561,600 DWT) are the only instances where supply shortages might be created. As much as 140,000 DWT of the potential shortage will be offset by the increased flow of oil from Alaska which should reduce the present need for intra-area shipments on the West Coast. Ample tonnage will be available to fill these potential deficits, however. This conclusion is based on an evaluation of the supply and demand balance of tanker tonnage for the entire Jones Act Trade. If a 30 year life is assumed, the tonnage available for Jones Act Trades in 1981 totals 9,335,300 DWT (excludes two Seatrain VLCCs). The use of the 30 year life assumption is based on Maritime Administration data which show that since 1973, the average age of scrapped vessels eligible for the domestic trade has been about 29.3 years. Moreover, as of February 1975, there were 41 tankers totalling 875,100 DWT (20% of the domestic tanker fleet) eligible for domestic service which were over 30 years of age. While this number includes 30 vessels which have been converted, these 30 tankers average 12.4 years past their conversion dates and 31.7 years since their original construction. The use of an assumed economic life of 30 years is therefore, probably realistic.

Mr. President, I ask unanimous consent that the roster of the study group, the cover and first 4 pages of its draft report, and the report which appears as appendix C—minus diagrams and charts—be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SCHEDULE I: SEGREGATED BALLAST TANKER STUDY—SHIP CONFIGURATION

PARTICIPANTS

Name, affiliation, and location:

W. O. Gray, Chairman, Exxon Corporation, New York, NY.

J. Christopher, Chevron Shipping Company, San Francisco, CA.

P. C. Dahan, Mobil Shipping & Transportation Company, New York, NY.

S. J. Dwyer, Gulf Oil Trading Company, Philadelphia, PA.

R. Y. Edwards, American Institute of Merchant Shipping, Washington, DC.

J. T. Jacobson, The Standard Oil Company, Cleveland, OH.

R. K. Kiss, United States Maritime Administration, Washington, DC.

T. Lamb, Hydronautics, Inc., Laurel, MD.

R. L. May, Texaco, Inc., New York, NY.

R. I. Price, United States Coast Guard, Washington, DC.

R. A. Sutherland, United States Coast Guard, Washington, DC.

SEGREGATED BALLAST TANKER STUDY—SHIP CONFIGURATION

ABSTRACT

At the request of the United States Coast Guard a joint industry and government study group has reviewed the issue of how best to utilize segregated ballast capacity as specified in the 1973 IMCO Pollution Prevention Convention for newbuilding tankers larger than 70,000 dwt. Specifically, the study group wished to determine if there were preferable positions for placement of segregated ballast tanks which might serve as a defensive mechanism to mitigate or prevent accidental pollution and provide some measure of protection from other types of ship accidents.

To answer these questions the group investigated twelve possible concepts for the location of segregated ballast particularly in relation to ships of the 120 to 250,000 dwt size with a lesser degree of attention to larger tankers. An evaluation of the merits of these twelve designs in comparison to a typical non-segregated ballast conventional tanker was conducted giving consideration to six types of accident circumstances of concern from the viewpoints of oil outflow, and safety of life and ship.

The principal results of this study showed that:

As a result of the extra cubic capacity which segregated ballast provides, it should be possible with proper positioning of segregated ballast tanks to achieve a significant measure of additional protection compared to conventional tankers over a range of accident circumstances.

No unique or best way for positioning segregated ballast was identified and the evaluations showed at least six conceptually different designs offering substantial and approximately equal potential for mitigating the consequences of a variety of tanker accidents.

The evaluation showed that design concepts attempting to concentrate segregated ballast capacity as a defensive mechanism in one area of the ship only will not provide as well rounded protection against the range of accidents to which tankers are exposed as a more balanced distribution of segregated ballast capacity.

The group recognized and supported previous studies indicating substantial benefits operationally for the segregated ballast approach on larger crude carriers.

Based on these findings and at the Coast Guard's request the group investigated a number of possible regulatory approaches designed to encourage segregated ballast tanker designs capable of some measure of protection in accident circumstances but without specific constraints which would inhibit positive future development of promising design concepts not yet identified. Finally, the group noted that in its collective opinion the most effective measures for preventing accidental pollution and other types of major tanker accidents are those concerned with training and performance of ship's crews, and traffic and navigational improvements for ships of all types rather than further tanker design measures.

I. BACKGROUND AND OBJECTIVE

This study was initiated at the request of the United States Coast Guard to study the issue of how best to utilize segregated ballast capacity as a defensive mechanism against accidental pollution. The study group included both government and industry experts.

The 1973 IMCO Pollution Convention addresses the issue of operational pollution from tankers; the largest single source of pollution from tankers. This Convention also establishes maximum allowable outflow from accidents. It is hoped that implementation of the convention should ultimately eliminate a very high percentage of current pollutant levels generated by tankers.

The June 28, 1974 Proposed Rulemaking by the United States Coast Guard provided for an early implementation of the 1973 IMCO Pollution Convention with respect to U.S. Flag tankers. The advanced notice of Proposed Rulemaking by the United States Coast Guard (also June 28, 1974) addressed the issue of accidental pollution through proposed regulations which would improve the level of operational standards in U.S. waters. Neither the 1973 IMCO Convention nor the June 28, 1974 Proposed Rulemaking specifically addresses the issue of defensive placement of ballast capacity as a mechanism for reducing accidental pollution. This latter issue was the subject of this study and is a logical extension of industry and government efforts to reduce pollution resulting from tanker operations.

The study group's objective was to determine if it was possible to find tanker design concepts with the prospect of useful defensive placement of the segregated ballast capacity implicit in the 1973 IMCO Convention. The group also established that it would attempt to provide recommendations for appropriate regulations.

II. PARTICIPANTS

The leadership for this group was provided by four government and industry groups under the overall direction of the United States Coast Guard. The four groups are: American Institute of Merchant Shipping, American Petroleum Institute, United States Coast Guard, United States Maritime Administration.

A contingent of operating and technical professionals from one independent tanker operator and six oil companies assisted the study group in evaluating operational and technical issues. The complete makeup of the study group is outlined on attached Schedule I.

SEGREGATED BALLAST TANKER STUDY—SHIP CONFIGURATION—STUDY REPORT, APRIL 28, 1975

Appendix A. "Damage Distribution" A U.S. Coast Guard analysis on 1) Damage Position vs. Position on Ship Length—All Ships (IMCO); 2) Damage Position vs. Position on Ship Length—All Ships (IMCO); and 3) Plot of Incidents and Penetrations—Tankers only.

Appendix B. "Tankership Accidents and Resulting Oil Outflows, 1969–1973," LCDR James C. Card, Paul V. Ponce, and LCDR Warren D. Snider, Office of Merchant Marine Safety, U.S. Coast Guard, Washington, D.C., presented at 1975 Conference on Prevention and Control of Oil Pollution, March 23–25, 1975, San Francisco, California, sponsored by the American Petroleum Institute, the Environmental Protection Agency, and the United States Coast Guard.

Appendix C. Draft 157.09(e) Segregated ballast spaces must be distributed between the cargo tanks and the outer hull or between cargo wing tanks so as to satisfy the criteria of the Appendix C to the regulations in Part 157.

SEGREGATED BALLAST TANKER STUDY—SHIP CONFIGURATION

Abstract

At the request of the United States Coast Guard a study group of knowledgeable operating and technical professionals has reviewed the issue of how best to utilize segregated ballast capacity as specified in the 1973 IMCO Pollution Prevention Convention for new building tankers larger than 70,000 dwt. Specifically, the study group wished to determine if there were preferable positions for placement of segregated ballast tanks which might serve as a defensive mechanism to mitigate or prevent accidental pollution and provide some measure of protection from other types of ship accidents.

To answer these questions the group investigated twelve possible concepts for the location of segregated ballast particularly in relation to ships of the 120 to 250,000 dwt size with a lesser degree of attention to tankers larger than 250,000 dwt. An evaluation of the merits of these twelve designs in comparison to a typical nonsegregated ballast conventional tanker was conducted giving consideration to six types of accident circumstances of concern from the viewpoints of oil outflow, and safety of life and ship.

The principal results of this study showed that:

As a result of the extra cubic capacity which segregated ballast provides, it should be possible with proper positioning of segregated ballast tanks to achieve a significant measure of additional protection compared to conventional tankers over a range of accident circumstances.

No unique or best way for positioning segregated ballast was identified and the evaluations showed at least six conceptually different designs offering substantial and approximately equal potential for mitigating the consequences of a variety of tanker accidents.

The evaluation showed that design concepts attempting to concentrate segregated ballast capacity as a defensive mechanism in one area of the ship only will not provide as well rounded protection against the range of accidents to which tankers are exposed as a more balanced distribution of segregated ballast capacity.

The group recognized and supported previous studies indicating substantial benefits operationally for the segregated ballast approach on larger carriers.

Based on these findings and at the Coast Guard's request the group investigated a number of possible regulatory approaches designed to encourage segregated ballast tanker designs capable of some measure of protection in accident circumstances but without specific constraints which would inhibit positive future development of promising design concepts not yet identified. Finally, the group noted that in its collective opinion the most effective measures for preventing accidental pollution and other types of major tanker accidents are those concerned with training and performance of ship's crews, and traffic and navigational improvements for ships of all types rather than further tanker design measures.

I. Background and Objective

This study was initiated at the request of the United States Coast Guard to study the issue of how best to utilize segregated ballast capacity as a defensive mechanism against accidental pollution. This study group included both government and industry operating and technical professionals who by training and experience were considered uniquely qualified to perform the study. The 1973 IMCO Pollution Convention addresses the issue of operational pollution from tankers; the largest single source of pollution from tankers. This Convention also establishes maximum allowable outflow from accidents. It is hoped that implementation of the Convention should ultimately eliminate a very high percentage of current pollutant levels generated by tankers.

The June 28, 1974 Proposed Rulemaking by the United States Coast Guard provided for an early implementation of the 1973 IMCO Pollution Convention with respect to U.S. Flag tankers in domestic trade. An advance notice of Proposed Rulemaking by the United States Coast Guard (also June 28, 1974) addressed the issue of accidental pollution through proposed regulations which would improve the level of operational standards in U.S. waters. Neither the 1973 IMCO Convention nor the June 28, 1974 Proposed Rulemaking specifically addresses the issue of defensive placement of ballast capacity as a mechanism for reducing accidental pollution. This latter issue was the subject of this study and is a logical extension of efforts to reduce pollution resulting from tanker operations.

The study group's objective was to determine if it was possible to find tanker design concepts with the prospect of useful defensive placement of the segregated ballast capacity implicit in the 1973 IMCO Convention. The group also established that it would attempt to provide recommendations for appropriate regulations.

II. Participants

A contingent of operating and technical professionals from one independent tanker operator and six oil companies assisted the Maritime Administration and Coast Guard in evaluating operational and technical issues. The complete makeup of the study group is outlined on attached Schedule I.

III. Methodology

The study group met in six full day sessions between the period of February 12 and April 28. Many days of individual participant and subcommittee work were devoted to this study in between the full day committee sessions. The first group project was to obtain, review and analyze all available data on accidents involving both tankers and other cargo ships. The purpose of this analysis was twofold:

1. To determine where ships most frequently get struck (on strike) in collisions, groundings, or rammings (data from tanker and other cargo ships).

2. To determine the frequency of different types of accidents and the resulting pollution outflow from each type of accident (data from tankers only).

The study group then set out to obtain all of the presently available design concepts for the placement of segregated ballast capacity within tankers. This search uncovered concepts which had not generally been discussed in the technical literature.

Each design concept was then analyzed and evaluated with primary emphasis placed on determining its potential for reducing pollution outflow in various types of accidents. The analysis and evaluation also encompassed factors related to safety, stability and salvage after grounding. The analysis of design characteristics was largely a group effort with input from many sources. The final evaluation of relative design benefits was based largely on individual participant assesssents.

The unanimity of opinion which resulted from the individual participant's evaluations made it possible for the study group to progress into the area of recommendations on possible USCG regulations for the placement of segregated ballast capacity. These recommendations were directed toward implementing the study groups findings while encouraging the development of new design concepts which would be effective in reducing the levels of accidental pollution.

IV. Informational Sources

The U.S. Coast Guard has made several studies to determine the nature and results of both tanker and general ship accidents. The data from all ship accidents is valid in determining where ships are struck (or strike) in various types of accidents (groundings, rammings, and collisions) based on historical experience.

Appendix A shows the results of a Coast Guard study to correlate damage location with position on the ship length in collision and ramming accidents which resulted in penetration. The data source was a previous IMCO study. Appendix A also shows the results of a similar Coast Guard study to relate damage location on groundings to position on the ship length. Also included in Appendix A are the results of a Coast Guard study of U.S. Salvage Association reports on damage to tankers and cargo ships of 35,000 dwt and larger. Figure 4 plots incidents and penetrations showing both distribution across the bottom (wings versus center) and length along the ship.

Appendix B is a recent report by the U.S. Coast Guard covering a review of worldwide tanker accidents over a five-year period. Appendix B was the prime document used by the study group in determining the expected frequency by type of accident and the relative proportion of accidental pollution to be expected from each type. Appendix B also provides relevant data on deaths and injuries resulting from tanker accidents.

The analysis of each design concept required extensive calculations on stability and hypothetical oil outflow under various severities of collision and grounding. A portion of this data was obtained from previous IMCO studies and the files of individual participants. The Maritime Administration provided invaluable assistance in both checking the accuracy of existing data and providing data not otherwise available.

V. Alternative Designs

The study group considered twelve design alternatives for segregated ballast tankers built in accordance with the standards of the 1973 IMCO Pollution Convention. These twelve designs were all analyzed and evaluated in comparison with each other and a conventional nonsegregated ballast tanker. Attached Schedule II provides a schematic outline for each of the thirteen design concepts. A brief description of each design is outlined below. With the exception of *Case 1—Conventional,* all other designs comply with the 1973 IMCO convention requirements for segregated ballast capacity.

Case 1—Conventional.—Segregated ballast capacity, if any, carried in small wing tanks.

Case 2—Staggered Wing Tanks.—This design configuration with all ballast capacity in alternate wing tanks should provide maximum protection if groundings or collisions occur at a point involving the ballast wing tanks.

Case 3—Double Sides.—This design provides a continuous but thinner ballast protection area along the entire side of the cargo length.

Case 4—"J" Wing Tanks.—This design concept provides continuous but narrow protection for the entire side walls of the cargo area plus shallow bottom protection throughout the wing tanks.

Case 5—"L" Wing Tanks.—This design, like the "J" design, provides full bottom protection throughout the wing tanks but with deeper protection of that area and partial side shell protection.

Case 6—Center Line Double Bottom.—This design would provide maximum protection against grounding damage in the center tank portion of the bottom.

Case 7—Full Double Bottom.—This design should provide protection against grounding across the entire bottom but with protection to a lesser depth than Case 6.

Case 8—B/15 Double Bottom Plus Wing Tanks.—This double bottom is of lesser depth than in Case 7, but some protective capacity is obtained for a portion of the side shell.

Case 9—Forward Double Botom and Wing Tanks.—This design concentrates protection afforded by segregated ballast capacity in the forward half of the tanker with a measure of protection of the side shell.

Case 10—Double Bottom Wing Tanks.—This design should provide maximum protection against groundings throughout the wing tanks only.

Case 11—B/15 Double Bottom Plus Center Line Tank.—This design should provide protection against groundings only.

Case 12—Double Hull.—This design should provide protection across the entire bottom and along the entire side wall of the cargo area. However, the resulting ballast tanks are relatively narrow and do not afford protection against deep penetrations at side shell or bottom.

Case 13—Center Tanks Only.—This design appears to offer minimum protection due to the interior positioning of segregated ballast tanks.

VI. Method of Analysis and Evaluation

The U.S. Coast Guard studies on damage location (Appendix A) were analyzed to determine if strategic placement of segregated ballast capacity could substantially improve the degree of protection afforded against accidental pollution. The U.S. Coast Guard five year analysis on tanker accidents (Appendix B) was reviewed to ascertain the frequency and resultant pollution outflow of the various types of accidents. The study group then made a technical assessment of each of the thirteen tanker designs to determine:

1. Initial Stability.
2. Damage Stability.
3. Hypothetical Oil Outflow:
Collision—Two Degrees of Severity.
Grounding—Two Degrees of Severity.
4. Salvage Considerations After Grounding. (Ability to Recover Ship and Cargo).
5. Susceptibility Fire and Explosion Considerations.
6. Impact on Personnel Safety.

These analyses drew upon data from several sources and were agreed upon by the group as a whole. The analysis of items 1–2 were based on International Conventions or the appropriate IMCO formulas. The analysis of item 3 included both the accident assumptions specified in IMCO's hypothetical oil outflow regulation and lesser degrees of damage. The analysis of items 4–6 were necessarily of a more subjective nature but were reached as a group conclusion.

The study group concluded that initial stability and damage stability considerations, as well as strength and capacity problems, could be resolved on each design with varying economic and operational penalties. These items (1 and 2) were dropped from further evaluation as they do not have a direct bearing on accident resistance despite the very real operational and design considerations involved.

Eight of the study group participants then proceeded to complete an individual evaluation of each of the twelve designs. Each individual participant was asked to rank each of the twelve designs on a 1 to 10 basis (poorest to best) in each of the five following categories:

1. Impact on reducing pollution outflow due to collision—major and minor.
2. Impact on reducing pollution outflow due to grounding.
3. Impact on salvage considerations after grounding.
4. Fires and explosion considerations.
5. Impact on personnel safety.

These rankings were based on the technical analysis done by the group.

Each participant was then directed to assign his own weighting (relative importance) factor to each of the five categories on which each design had been ranked. Each participant then established an overall ranking or evaluation of each design. All of the ranking and evaluation work was done independently by each participant. These evaluations were compiled by the U.S. Coast Guard personnel and the results were reviewed and evaluated by the study group. Based on the overall evaluation, the recommendations for appropriate regulations on defensive placement of segregated ballast capacity were prepared.

VII. *Results of analysis and evaluation*

Analysis of the available data on all groundings, collisions, and rammings (see Appendix A) led the study group to the following conclusions:

1. No area of the ship is immune from damage. However, the forward half of the ship appears to be slightly more vulnerable to an accident.

2. The midship half of the bottom appears to be slightly more prone to penetration and grounding that either the forward or aft areas.

3. Wing tanks of conventional width sustain approximately two-thirds of the total bottom damage due to groundings. Penetration from grounding in the wing tank occurs at a ratio of three to one as compared to penetration in center tanks.

4. Bottom damages are generally long but penetrations are generally short.

5. Side damages and penetrations are generally short but it must be recognized that the majority of data supporting this conclusion stems from rammings.

Examination of the data from the five year

Coast Guard study on tanker accidents led the study group to the following conclusions:

1. Seventy-nine (79%) percent of all tanker accidents result in zero or negligible pollution outflow.
2. Eighty-one (81%) percent of all oil outflow from accidents results from a small number of incidents (2.4% of the total).
3. The largest single cause of pollution outflow from accidents is structural failure.
4. Pollution outflow from minor grounding incidents is about twice that of the pollution outflow from minor collision and ramming incidents. However, when both major and minor incidents are included, the pollution outflow from grounding is about equal to that from collisions.
5. The number of side and bottom damage incidents are about equal.
6. About 80% of deaths and injuries resulted from fire and/or explosions, many of which followed collisions. There were no deaths following rammings or groundings during this period.

Evaluation of the twelve tanker designs showed that all versions of the segregated ballast tankers should have advantages over the nonsegregated ballast design in reducing pollution outflow. These advantages stem from:

1. Excess cubic capacity and the resultant ability to transfer cargo in an emergency situation.
2. Reduction of human error in handling cargo and ballast.
3. Some degree of protection to the hull in an accident situation.
4. Fewer cargo tank cleaning operations.

The independent evaluations of the eight study group members resulted in a ranking for the twelve designs within three categories which all participants could generally agree upon. The three categories are outlined below:

1. Better Accident Protection: Case 2—Staggered Wing Tanks, Case 3—Double Sides, Case 4—"J" Wing Tanks, Case 5—"L" Wing Tanks, Case 12—Double Hull.
2. Some Improvement in Accident Protection: Case 7—Full Double Bottom, Case 8—B/15 Double Bottom and Wing Tanks, Case 10—Double Bottom Wing Tanks, Case 11—B/15 Double Bottom and Center Line Tank.
3. Minimal Improvement in Accident Protection: Case 6—Center Line Double Bottom, Case 9—Forward Double Bottom and Wing Tanks, Case 13—Center Tanks Only.

The Study group was unable to establish meaningful differences between the value of the design concepts within the top category.

VIII. Sensitivity of Analysis

The ranking of each design on several categories was largely quantitative with such rankings based on calculations carried out under International Conventions or IMCO formulas. These rankings were largely a group effort. The weighting factor (relative importance) placed by each participant on the five categories is highly subjective. The task of weighting the relative value of protecting the environment from grounding accidents as compared to collision accidents is difficult enough. Weighting environmental values against considerations of personnel safety is even more difficult. As might be expected, there was a wide range of values assigned to the weighting factors by the various participants. A summary of the weighting factors used is shown on attached Schedule III. Schedule III shows the lowest, highest and average weighting factor (percentage importance) used by the participants. The sum of each participant's factors totals 100%.

A review of Schedule III shows that one participant placed a value on the importance of protecting against grounding of 54.5%; almost twice the group average. That same participant placed a much lower value on categories 3–5 which relate to salvage, fire and explosion, and safety. A review of that participant's overall evaluations provides a good insight into the sensitivity of this analysis. The participant who placed the high value on protection against groundings came up with six preferred (best) designs. These were: Case 2—Staggered Wing Tanks, Case 4—"J" Wing Tanks, Case 5—"L" Wing Tanks, Case 7—Full Double Bottom, Case 8—B/15 Double Bottom and Wing Tanks, Case 12—Double Hull.

Four of these six designs (Cases 2, 4, 5, and 12) match the overall group evaluation. The remaining two (Cases 7 and 8) fell in the middle category. Several of the participants requested various members of their organization to assign relative importance factors. They found a wide divergency of opinion on an internal basis as to the relative importance of various categories but determined that they always came up with the same general group of best designs no matter what scale of relative importance they used. In summary, it appears that the evaluation system established by the study group is very valid in that it yields consistent results over a wide range of input values.

IX. Conclusions and Recommendations

The study group concluded that some general guidelines on the placement of segregated ballast for defensive purposes in preventing accidental oil outflow would be appropriate. The study group found several designs superior to others in this regard but could not make any overwhelming choice between those superior designs. The study group concluded that there is no design basis which would prevent the catastrophic accident except as it minimizes the possibility of explosion and fire after a collision. The study group also concluded that several locations of ballast placement may reduce hypothetical outflow from collision. Some such designs increase the probability of some outflow as compared to the double hull concept (Case 12) but can sustain more damage while yielding lower outflow. Inspection of the available accident data together with the results of the design analysis suggests that segregated ballast capacity should be placed adjacent to the shell and that at the bottom it should preferably be outboard.

The study group expected to find some preference for forward placement as compared to aft placement but this preference does not seem to be supported by experience or analysis. The study group concluded that it could accept a regulatory proposal encompassing only the fundamental guideline above which would encourage designs meeting its intent and exclude designs which would not. The group further recommended that because of the several design approaches which appear to offer significant benefit in accident circumstances, it could not recommend a regulatory approach which would specify one type of design concept only and thoroughly rule out positive further development of promising new concepts. At the request of USCG the group attempted to develop a more precise approach to possible regulations which would specify the general guidelines. This resulted in the formula appearing in Appendix C.

X. Testing of Recommendations and Formula

Using the designs available the formula was tested to determine if it produced results consistent with the study findings for location of segregated ballast. It was found that the formula:

provides incentive to place ballast at the shell generally, and outboard at the bottom, i.e., the area of greatest vulnerability.

provide some incentives to reduce calculated hypothetical oil outflow.

tends to include the design concepts found advantageous and exclude those found less advantageous.

allows flexibility for further design development.

The group recognized that it was not possible to test all possible design concepts, and especially unusual designs, and therefore, recommended that a formula approach must be subject to an equivalency determination to allow for unusual concepts not explored.

XI. Limitations of the Study

This study was necessarily carried out within a limited time frame. Every effort was made to include all of the creative thinking and analysis work that various industry and government groups had already developed on this subject. The study group expressed a good deal of its own creative ability but the possibility remains that there are other design concepts which might exist and be found advantageous. The time limitation also forced the study group to do most of its evaluation on designs in the 120–250,000 dwt size range with lesser attention to ships up to 500,000 dwt. Different design alternatives might be more or less advantageous on ships which fall outside the 120–250,000 dwt size range. The study group also necessarily focused its attention on designs with conventional ratios of length to beam to depth. The same problems may apply with designs which are not conventional in this regard. The study group also recognizes that a correction factor to the formula may be necessary for ship sizes larger than those primarily studied. Time limitations again precluded particular consideration of this item. There is almost no quantitative data available which relates resulting internal structural integrity to the depth of accidental penetration. The study group used the same approach as in the IMCO hypothetical outflow regulation in regard to the point of penetration. While this is a simplified assumption, it should provide a relative measure of differing designs in accident circumstances.

XII. Appendices

A. Damage Distribution

In preparation for this study the Coast Guard assembled information on the location and extent of damage to vessels as a result of collision, ramming and grounding type accidents. The information provided by the Coast Guard and considered by the working group is presented in this appendix.

Two primary information sources were used: IMCO damage cards and a selected sample of U.S. Salvage Association damage survey reports.

Figure I shows the distribution of collision damage centers along ship's length developed as a result of IMCO work to update passenger vessel subdivision requirements. This work, described in reference (1), resulted in definition of a subdivision index, based on probabilistic treatment of ship survival in case of collision. An investigation of longitudinal location of damage was one phase of this work. From 811 reports of damage forwarded to IMCO, 296 cases of ships struck by another ship were selected and used as a basis for longitudinal damage distribution.

The IMCO report concluded that: "Inspection of histogram (Fig. 4.18) of the nondimensional damage location shows that damages in the forward half of the ship are more frequent than in the after part. No explanation can be offered for the peaks of the histogram at about $X/L=0.45$ and $X/L=0.95$ except that they are random because of the limited sample.

Figures 2 and 3 are based on information from IMCO damage cards contained in references (2) and (3).

Reference (4) provides background on IMCO damage cards and a discussion of some of the uncertainties involved in using them as an information source.

Figure 4 shows the results of another effort to determine damage distributions. Approximately 600 reports of damage to tankships, bulk carriers, and combination ships (ore/

oil, bulk/oil) over 35,000 DWT occurring during 1969–1973 were reviewed.

This included 220 reports of damage resulting from stranding, collision, striking an underwater object, or ramming a pier, lock wall, dolphin, etc. Damage due to heavy weather was not included. Reports may be grouped as follows:

Damage in cargo area:		
Hull penetrated:		
Side	19	132
Bottom	15	
Hull not penetrated:		
Side	70	
Bottom	28	
Damage outside cargo area	88	
Total	220	

Based on information in reports, estimates of location and longtitudinal extent of hull damage were plotted on profile and plan view of a tankship (profile stretched vertically, plan view stretched athwartships to accommodate information) in an attempt to discover patterns of damage locations. The twin lines indicate the longitudinal location and extent of damage; heavy lines indicate actual penetration of the hull. Only incidents involving damage to the hull within cargo tank length are plotted. Bottom damage is shown within port of starboard wing tanks or center tank; beyond that athwartships locations of lines have no significance. Damage for both port and starboard sides has been shown on starboard profile. Vertical location of lines has no significance, except, where report clearly indicated damage to sheer strake or near turn of bilge, an attempt was made to show damage in that area. Damage locations and extents are approximate and were plotted on basis of ratio of damage length to ship's length.

Areas of uncertainty inherent in this review include:

1. Sample validity (none of ships were total losses, is group of ships surveyed representative?)

2. Approximations and estimates of damage extent made on basis of information in reports (Damage often reported in terms of plate numbers or frame numbers, no plans available, reports not specific, etc.).

REFERENCES

1. IMCO Marine Safety Council Circular 153, "Regulations on Subdivision and Damage Stability of Passenger Ships as Equivalent to Part B of Chapter II of the International Convention for the Safety of Life at Sea, 1960 (Resolution A.265 (VIII)); Explanatory Notes to the Regulations," 28 November 1973, in Commandant's International Technical Series—Volume IV, Regulations on Subdivision and Stability of Passenger Ships as equivalent to Part B of Chapter II of the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1960, Report No. USCG CITS–74–1–1, available from NTIS.

2. "Statistics on Grounding and Stranding Damage," IMCO document DE/27, 6 May 1970.

3. "Grounding Casualty Statistics," IMCO document DE V/3, 8 May 1970.

4. James C. Card, "Effectiveness of Double Bottoms in Preventing Oil Outflow from Tanker Bottom Damage Incidents," *Marine Technology*, Vol. 12, No. 1, January 1975.

ALVIN KAHLE DAY

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. JOHNSON of Pennsylvania. Mr. Speaker, the Venango County Republican Committee will hold its annual fish fry on Saturday, September 6, 1975. The Venango Republicans have chosen to honor former Pennsylvania Representative Alvin Kahle by proclaiming Saturday "Alvin Kahle Day." Mr. Kahle served the County of Venango in the Pennsylvania General Assembly from 1964 until the creation of the 54th district, which is composed of portions of Venango and Butler Counties. Mr. Kahle was reelected to serve the new district through 1974 when he decided not to seek reelection.

Born in 1909 in Clarion County, Mr. Kahle attended Ebenburg High School and completed a course in advanced accounting. The automotive business was his career for 26 years, and he was an automobile dealer for 16 years. Married to the former Margaret L. Segui, he is the father of two children. Kahle is a past president of the Colonel Drake Council of the Boy Scouts of America.

Mr. Kahle's public service career began in 1955 when he was elected to the Emlenton, Pa., borough council, a position he held for 4 years. He became a Venango County commissioner in 1960, a position he held until 1963. His election to the Pennsylvania General Assembly was accomplished in 1964, and he served his district wisely and well for 10 years. I was disheartened to learn of his decision to retire from the general assembly at the close of the last term. The Pennsylvania General Assembly then lost one of its most distinguished members.

The Venango County Republican Committee has chosen to honor Alvin Kahle at their annual fish fry. Some 1,500 people will be present to honor Alvin Kahle for his lifetime service to his community and his State. I wish for Alvin Kahle a long and happy retirement.

FORCED BUSING—A NATIONAL FAILURE

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. SNYDER. Mr. Speaker, the real effect of forced busing upon the school districts which it has been imposed is well revealed in a recent editorial appearing in the St. Louis Globe-Democrat.

I commend this article to my colleagues:

END IN SIGHT FOR FORCED BUSING

Forced school busing admittedly is a national failure, but many federal judges still are ordering new compulsory busing plans into operation, including a grandiose scheme in the proposed merger of the Florissant-Berkeley-Kinloch school districts.

In the face of evidence that forced busing actually has played a major role in resegregating many urban school districts, why doesn't President Ford call for an end to all such mandatory plans?

There would be a huge national sigh of relief if he would. For while Americans are divided on many issues, they are solidly united in their opposition to forced busing. Studies show that only 9 per cent of blacks and 4 per cent of whites still favor compulsory busing to achieve integration.

Black parents are just as disturbed at having their children bused long distances into strange neighborhoods as white parents are. They have the same interest in preserving neighborhood schools systems that white parents have. And so why shouldn't they be as violently opposed to a program that undermines the neighborhood school system as white parents are?

In city after city, court-ordered desegregation and mandatory busing plans have wreaked havoc. They are given the major share for the blame for turning school districts that once were more than 60 per cent white into districts that now are more than 70 per cent black.

In Jackson, Miss., the school system was 60 per cent white before an all-out busing plan was ordered four years ago. Now it is 70 per cent black. Inglewood, Calif., white students made up more than 60 per cent of the student body five years ago. Then came forced busing. Today it is more than 80 per cent black.

Even the threat of forced busing appears to cause massive white flight. The case of Atlanta illustrates this point. Atlanta schools were 70 per cent white in 1961 when a federal judge ordered integration of that city's schools. Court-ordered busing didn't go into effect until 1973 but white parents apparently knew it was coming. They moved out of the city in droves.

By April of 1973, as the first major busing plan was adopted, the Atlanta school population had become more than 75 per cent black. Today it is 81 per cent black, and the total enrollment has shrunk from 115,000 when desegregation began to less than 90,000 children.

It's no wonder that Prof. James S. Coleman, whose 1966 study called the Coleman Report was used by integrationists to justify forced busing, has called for cessation of mandatory busing. Coleman bluntly said that "in an area such as school desegregation . . . in which individuals retain control of some actions that can defeat the policy, the courts are probably the worst instrument of social policy. . . .

"In large cities, induced integration brought about as a result of court action seems to be self-defeating. . . . We are seeing a general resegregation and increasing isolation in the public schools."

It is obvious that only a corporal's guard of rabid ideologues is still pushing forced busing. But many plans drafted by the Health, Education and Welfare Department and implemented by federal judges are still in place and causing damage to the nation's educational system.

What is needed now is recognition by the nation's leaders of the extensive mischief caused by mandatory busing, so that this totalitarian plan can be finally lead to rest.

OUTSTANDING SAFETY RECORD

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. LLOYD of Tennessee. Mr. Speaker, during the August recess it was my pleasure to join with the management and employees of one of Chattanooga's newest and finest enterprises to celebrate their outstanding safety record. American Electrical Industries has now completed 333,000 man-hours of production without a lost time accident. Any company would be proud of an achievement like this one and I certainly appreciated the opportunity to join with President Henry E. Blain, Treasurer P.S. Thomas, Vice Presidents D. C. Block, and C. C. Smitherman, Jr., and all the employees of American Electrical Industries to celebrate their record.

Mr. Speaker, I insert the following material on this company for the information of my colleagues:

OUTSTANDING SAFETY RECORD

COMPANY ORIGINS

American Electrical Industries began in 1946 as Southern Electrical, one of the country's first aluminum wire and cable manufacturers. It became part of the Aluminum Division of the Olin Corporation in 1957. As the business expanded, the Chattanooga plant was enlarged and a sister plant was built in Sedalia, Missouri.

In January 1974 the Olin Corporation conveyed all of its aluminum holdings to Conalco. Within the year, American Electrical Industries was established as an independent autonomous company by Alusuisse, the majority owner of Conalco.

American Electrical Industries maintains its company offices in Chattanooga, Tennessee.

CURRENT STATUS

Today American Electrical Industries is the major supplier of aluminum building wire products in the United States. It is also a major manufacturer of conductor for the utilities market. Total sales volume for the year ending June 30, 1974 was approximately 60 million dollars.

Under normal conditions, the Company's two plants employ about 600 people and have payrolls of approximately 4 million dollars in Chattanooga and 2 million dollars in Sedalia. Tax withholdings from American Electrical employees are about $1,200,000 annually.

We are extremely proud of our safety record, which is far better than the national or industry average. The Chattanooga plant has reached ⅓ of a million man-hours and has come close to one year without a lost-time accident. The Sedalia plant has reached the two-year mark without having had a lost-time accident.

American Electrical Industries' products are marketed throughout the United States. Most recently a considerable effort has been made to develop markets in other free-world nations. Our Marketing Department, Sales Managers, Technical Advisors, and Manufacturing Representative firms work with over 2700 domestic distributors and 150 utilities to provide high quality products, excellent delivery and expert technical assistance. Thirty warehouses located strategically across the country serve the domestic market.

In addition to supplying the building trade and utilities with aluminum wire and cable, American Electrical Industries manufactures aluminum rod and wire for industrial use.

A new aluminum alloy, Stabiloy, has been developed and trademarked by American Electrical Industries. It has tremendous potential as a competitive substitute for copper. Its future applications are limitless. To date, Stabiloy has begun to win acceptance in the electrical, telecommunications, automotive/aircraft wiring and the magnet wire markets.

Excluding corporate income taxes, in 1974 American Electrical Industries paid federal, state and local taxes in excess of $350,000.

Total cost for supplies, materials, and services, not including metal purchases, made locally in Tennessee during 1974 was about $2,500,000.

Most projects to comply with the Occupational Safety & Health Act were started and/or completed prior to our OSHA Inspection. To date, American Electrical Industries has spent over $100,000 to insure compliance with OSHA and other environmental programs.

FUTURE DIRECTIONS

Through and with the assistance of our new association with Alusuisse, one of the world's largest aluminum producers, we are able to grow as a free, independent American manufacturer. We intend to become a major force in the electrical market by increasing our sales of wire and cable domestically and internationally and by broadening our product lines.

ECONOMIC CONCERNS

A substantial reduction in energy consumption has resulted from American Electrical's continuing conservation efforts. Despite a significant reduction in electricity usage, the company's total cost for electrical power has risen by nearly 50% since the end of 1974.

Our ability to expand production and increase employment, both in Chattanooga or in new locations, depends greatly upon the availability of guaranteed sources of energy—particularly natural gas.

Future growth also depends in large measure upon the availability of well-educated and trained manufacturing, office and managerial personnel.

In recent months, utilities have experienced much difficulty in obtaining rate increases required for investment in new plants and facilities such as the construction of new transmission lines. Residential and commercial construction is also at a very low level. This decreased business activity coupled with an abundance of aluminum has resulted in a deterioration in sales and in the price levels of our product. Improvement in industrial, residential, and utility construction is vital to our business and future growth potential.

Publicity given to the Consumer Product Safety Commission's ruling that residential aluminum wiring is a safety hazard, while not directly affecting American Electrical Industries' products, has had a substantial impact upon the acceptance of aluminum wire and cable products generally.

American Electrical Industries operates its own fleet of tractors and trailers, and employs about twenty full-time drivers. The cost for fuel has nearly doubled in the last 18 months and significantly affects the ability of the company to compete.

Sales to foreign nations, particularly developing nations, offer a strong potential for increased business. However, in the export market, American Electrical Industries must compete with foreign manufacturers—many of whom are heavily subsidized by their governments.

Mr. Speaker, American Electrical Industries has a bright future in the Chattanooga area. I am sure they will continue to provide a safe and productive work habitat for their employees. Again I extend my congratulations and very best wishes to them.

ISRAEL AND THE UNITED NATIONS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. NIX. Mr. Speaker, the coming regular session of the United Nations General Assembly may well decide the future of the United Nations as an organization.

Many of us have viewed with great concern recent trends in the world organization. We have seen specialized agencies, in particular UNESCO and the International Labor Organization, diverted from their nonpolitical tasks by ideological majorities. And we have seen disturbing signs that this majority intends to use its votes in the General Assembly to enforce its ideological outlook on the entire machinery of the United Nations.

There is now underway a movement by several member states to expel Israel from the General Assembly. The United States has already expressed its strong opposition to this move. I believe that if such a radical step is taken, the United States must be prepared to withdraw its participation and its financial support from the General Assembly.

I believe it is clear that if a majority votes to expel Israel, it will mark a conscious decision by that majority to destroy the United Nations as we know it, in order to advance its own brand of ideological purity.

Mr. Speaker, there are two features of this situation that are particularly saddening. The first is the choice of Israel as the current target for the wrath of this new majority. Israel has faced and overcome many of the problems of development that now face the poorest nations of the world. More than that, Israel has shown, particularly in Africa, that it is more than willing to share its technical and economic know-how with the countries that desperately need it.

The second troubling feature of the current situation is the willingness of many poor nations to sacrifice the United Nations in order to gain an ideological and rhetorical victory. The disintegration of the United Nations would prove far more costly to the poor nations than to the United States and the industrialized world. The United Nations offers a forum in which all member nations, regardless of size or strength, can participate. It also has a vast array of specialized services that provide incalculable assistance to the developing nations.

Mr. Speaker, I am hopeful that the deterioration and disintegration of the United Nations will not come to pass. There are signs that many nations realize the disastrous consequences of expelling Israel. Nevertheless, we should make it clear in advance that the United States will not continue to participate in or support any agency of the United Nations that succumbs to this ideological majority.

The Congress has already shown that it is prepared to withhold funds and to take other necessary steps to withhold its support from agencies of the United Nations that stray away from the purposes of the Charter. I hope that all members of the United Nations clearly understand the serious consequences of any reckless move at the coming regular session of the General Assembly.

PROFESSION OF LAW ENFORCEMENT

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. STEIGER of Arizona. Mr. Speaker, law enforcement has benefited tremendously in recent years through use of computers, better communications equipment, and other sophisticated, scientific tools employed in both crime detection and crime prevention.

But the backbone of good law enforcement always has been, and I think always will be, the individual policeman who is dedicated to his profession and who has developed knowledge and skills and who employs those assets in long, hard hours on the job.

The city of Phoenix, Ariz., has a police department of which it can be proud. One of its outstanding officers is Detective Eloy Ysasi, who has built an enviable reputation as a homicide investigator.

In a recent issue of "The Arizona Republic," veteran crime reporter Jack West wrote an outstanding feature article about Mr. Ysasi. The article is both a tribute to the professionalism of Mr. Ysasi and a tribute to the profession of law enforcement.

I insert the article in the RECORD:

HOMICIDE DETECTIVE IS CREDITED WITH TOTAL KNOW-HOW

(By Jack West)

A homicide detective needs an excellent memory, sharp intuition, great tenacity, a strong desire to unearth the truth, the abilities to work in the presence of death and to get along with people, and the know-how to find the specialists he needs.

He must also have an understanding wife. Eloy Ysasi has all of the above.

Ysasi, Phoenix' best-known homicide investigator, was in court on Friday, testifying at the preliminary hearing of Mr. and Mrs. W. G. "Buster" Holsinger. The Holsingers are charged in connection with an alleged kill-for-hire plot involving a $300,000 inheritance.

Detective Sgt. George Tayrien said the case was broken through the investigation of Ysasi and detective Harry Jennings. "These guys," said Tayrien, "did a fantastic job."

Jennings, a veteran officer recently assigned to the homicide detail, is being broken in on his new duties by Ysasi, who will retire in December.

Since he himself joined the homicide detail in 1967, Ysasi has been assigned to many of the city's most publicized homicides.

He investigated cases that led to the conviction of the first man to be sentenced to two death penalties in Arizona (Robert Dean Endreson, who killed Linda Hodge and Sylvia Presly in 1968) and the only man to be convicted of murder here on the basis of the lines and ridges of the bloody print of a bare foot (Mike Pieck, who killed Manuel and Mary Ellen Salado in 1973).

His investigation helped convict John Freeman, who killed Mrs. Novella Bentley, her five children and her son-in-law, Frank Martin, in 1971. He still is investigating the murder in February of Edward Lazar, former accountant and business partner of ex-convict land promoter Ned Warren.

Last year a large area of west Phoenix was terrorized by a series of burglaries in which children were sexually assaulted in their beds. Two of the children were killed. Ysasi, working for more than a month without a day off, did a large share of the investigation that led to the arrest and conviction for murder of Jonathan Treadway, Jr.

Asked what the most valuable mental tools for a job such as his, Ysasi said, "Intuition, what they call around here a gut feeling. And memory, the ability to retain something somebody tells or teaches you. The ability to analyze problems, going from point A to point D without getting stuck on the in-between steps. And observing, seeing what's there when you look."

And, a homicide detective must be prepared to be in the presence of death. He'll sometimes spend hours in a house with people who have been dead for days.

Ysasi's memory is etched with sharp pictures of victims of sudden death he has seen over the years; a man killed in a bomb blast, a man who had been under water for three months. He also remembers the first big case he worked by himself as a homicide detective, the slaying of George Blecick. Blecick was hacked to death with a handsaw by his step-son, Roger S. Elliott in 1967. Elliott was convicted by Ysasi's testimony.

"I guess we're all afraid of death, one way or another," Ysasi said. "It's not nice, not pleasant. It's something that has to be done, and we have to do it. But then, not everyone could be a doctor and operate on people."

Ysasi's qualities are recognized by other professional policemen.

"I have always been impressed by Eloy Ysasi's investigative ability," said detective Lt. Rick Twitchell. "Probably his strongest attributes are his exceptional memory and his tenacity."

"I have known Eloy for more than half of my police career," said Police Chief Lawrence Wetzel. "He's always been a strong man who took his police responsibilities seriously. On many occasions I have had some serious background checking that had to be done discreetly and Eloy did the job for me in an exemplary way.

"I specifically recall," the chief continued, "a homicide on the west side last year that motivated a great deal of community interest and fear (the Treadway case). I personally did a great deal of moving around the area, sometimes late at night or early in the evening and on occasion in the early morning.

"Every time I did, Eloy Ysasi found me, which indicated to me his strong desire to apprehend the killer as demonstrated by the long hours he worked and his personal involvement in the investigation."

But his own abilities would not be enough in many cases, Ysasi said. He had high praise for detective Dan Dryden.

"Dan and I have been friends and partners for 14 years," said Ysasi. "We worked together on most of these cases."

Maricopa County Medical Examiner Dr. Heinz Karnitschnig and his chief assistant, Dr. Thomas Jarvis, probably have had as much influence on him as anyone, Ysasi said, for all that they've taught him. He has also learned much from judges, prosecutors and defense attorneys.

"Certainly, these people have extended my own experience, by my being exposed to their experience and training and education," Ysasi said.

"And people like Lou Haag (police criminalist) and Sgt. Costello (firearms instructor) and our identification section have all been of the greatest help to me. I've relied on them heavily for years. For example, it's not necessary for me to be an expert in firearms, when we have someone like Sgt. (Bill) Costello around."

Ysasi said he never uses "informants," people who regularly supply information to police.

"I get a lot of information from people, but the reason they give it is because they're citizens who are concerned. I don't have to trade anything. If an 'informant' is any good it's because he's bad, he's dirty. It's a matter of letting him get away with something in exchange. In some things, like narcotics, I know it's a necessary evil, but I don't use them.

"The only time I was ever involved in a shooting it was because of someone else's informant."

In that case, Ysasi and other officers traded shots with a man who was trying to hold up a restaurant. The man was wounded and captured. "I'm not proud of being involved in a shooting, but it happened," Ysasi said.

The fact that this episode is the only one in which Ysasi has had to fire a shot at anyone in nearly 20 years with the department points out one of the differences between real police officers and the make-believe officers on television.

"In television they write the script first, then act it out," said Ysasi. "In real life people act things out and then we have to try to write the script." But he does watch some of the police television shows.

"My favorite is Adam 12, probably because I know Kent McCord, who plays Officer Reed," said Ysasi. "And, technically, the show's very good, although of course those guys can get involved in three bank robbery investigations in a half-hour program and never have to stop to do their paperwork."

Ysasi, who can recall names, dates, addresses and other details of cases he has worked for years, finds his memory useful in many ways.

Detectives who solve cases must go to court when the defendant is prosecuted. Detectives such as Ysasi, who solve serious crimes, must spend a lot of time in court.

"You just can't measure the value of memory when you go to court," the detective said. "When I'm asked a question while an attorney is going through my report I can tell just about where he is in the report and can just about visualize the paragraph, line for line. Sometimes I can anticipate questions this way."

But trial and murder investigations can't be scheduled to match a detective's working hours, and that means disrupted vacation plans, missed days off and calls in the middle of the night.

"One thing you must have is an understanding wife," Ysasi said, "and I'm lucky to have the best. It seems like most killings are discovered in the middle of the night, and you can't just get up and go at two or three o'clock in the morning and say goodbye and keep peace in the family if your wife doesn't understand.

The job makes it impossible for his wife Pat to depend on meal schedules or even days off.

"We used to go to the Rim or to Rocky Point sometimes," said Ysasi, "but we haven't been able to do that for some time."

In addition to investigating homicides, Ysasi has worked for the department as a diver, slipping on his fins and wet-suit to dive for bodies and, once, to dive into the Papago Park lagoon to recover loot from a major jewel theft.

He's played softball in the annual charity game between the police and firemen. He lectures, whenever and wherever possible, to law enforcement agencies and others on the Sudden Infant Death Syndrome, the mysterious circumstance that sometimes kills babies and which has sometimes left their parents under needless clouds of suspicion.

Ysasi says he'll retire from the department in December after completing 20 years. Most police officers who consider the welfare of their families retire at the earliest possible time, take their retirement pay and add to it whatever income they can earn in a new career.

Under state law there is no way in which a retiring police officer can be hired back by his department, even as a civilian, without losing his retirement pay, and so his experience is lost to the department.

POTENTIAL FOR $170 MILLION PER YEAR SAVINGS IN MEDICARE ADMINISTRATIVE COSTS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. VANIK. Mr. Speaker, recently, the Social Security Administration released a report on the efficiency of various health insurance companies who help administer part A and B of the medicare program. The range of efficiencies is staggering and indicates a clear potential for savings in the medicare program.

Because of the importance of this issue, I would like to include in the RECORD at this point a letter which I sent to the Director of the Bureau of Health Insurance on August 28:

COMMITTEE ON WAYS AND MEANS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., August 28, 1975.

Mr. THOMAS M. TIERNEY,
Director, Bureau of Health Insurance, Social Security Administration, Baltimore, Md.

DEAR MR. TIERNEY: Enclosed is a copy of a detailed letter which I have received from the Social Security Administration's Assistant Commissioner for Research and Statistics which describes the present status of Medicare research projects.

While I believe that there are a number of problems in the Medicare research program, I am particularly concerned by the report that no action has yet been taken to develop and test incentive contracts for Medicare intermediaries and carriers. As the letter states:

"The Bureau of Health Insurance (BHI) has the responsibility for experimentation in this area. BHI has engaged in dialogue with the contractor community, held meetings with other interested parties, and plans to issue a letter of solicitation shortly for the conduct of pilot projects involving cost plus incentive fees and fixed price contracts."

As you know, when Congress enacted the Social Security Amendments of 1972, specific emphasis was given to research projects to improve intermediary and carrier performance. As the Senate Report on P.L. 92-603 stated:

"Authority is also provided to experiment with the use of fixed price or performance incentive contracts to determine whether they would have the effect of inducing more effective, efficient, and economical performance by carriers and intermediaries."

I understand that the Advisory Committee on Medicare Administration, Contracting and Subcontracting (the Perkins Committee) released a report in the fall of 1974. Among their recommendations, the Committee suggested that Section 222 be "utilized extensively" to enter into intermediary and carrier incentive contracts. Nevertheless, apparently action still has not been taken.

I am very disappointed in Medicare's failure to make progress on incentive contracts for intermediaries and carriers, particularly since the Bureau of Health Insurance has documented evidence of the wide range of efficiencies—or inefficiencies—among the nation's health insurance providers.

For example, in June of this year, BHI issued an "Analysis of Intermediaries' and Carriers' Administrative Costs, July–March FY 1975." On page 18 of this report, you provide a ranking of Part A or Hospital Insurance Intermediaries based on adjusted unit cost and productivity, July–March FY 1975. According to this report, the Lima, Ohio Blue Cross intermediary had an adjusted unit cost (the cost of processing a Medicare bill) of $2.69. The Los Angeles, California Blue Cross intermediary, on the other hand, had unit costs which were 227 percent higher, or $6.13 per claim. Mutual of Omaha is listed at $6.35 per claim, Aetna at $6.41, Travelers at $7.18, and Blue Cross for Jacksonville and Puerto Rico at an incredible $8.99. The report also lists adjusted production or processing of claims per 100 man-hours. It shows, for example, that Philadelphia Blue Cross is at 316 while Travelers is at 126, and Jacksonville and Puerto Rico are at 98. In other words, by this measurement, the most productive intermediary is three times as efficient as the most inefficient Medicare claims processor.

The same enormous variances in cost and efficiency occur in the Part B (or Physician Reimbursement) Carrier statistics. For example, on page 40 of the report, the adjusted unit cost per claim in Providence, Rhode Island is $1.91, but over 100 percent higher in San Juan where the unit cost is $4.34. The adjusted claims productivity per 100 man-hours shows an even wider variance. For example, in Providence it is 498 while in Jacksonville, Florida it is 168, or one-third as efficient.

I realize that BHI has found it difficult to establish criteria for health insurance provider efficiency. However, at the current time intermediary and carrier administrative costs are nearly $400 million per year. While I doubt if it could ever be achieved, if all claims were processed at the same level of efficiency as the present, most efficient intermediary and carrier administrative costs would be reduced by approximately $170 million per year.

In view of the tremendous potential for savings in this area and in light of the need to stabilize health care costs, I urge you to make a more vigorous effort to establish efficiency standards, provide guidelines for contract terminations, and conduct research on new forms of intermediary and carrier efficiency incentives.

Sincerely yours,

CHARLES A. VANIK,
Chairman.

NOVEL PLANS FOR OUR CITIES

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. LAGOMARSINO. Mr. Speaker, my constituent, Mr. Leon Sager of Santa Barbara, Calif., has asked that I bring his article "Novel Plans for Our Cities" to the attention of my colleagues.

The article follows:

NOVEL PLANS FOR OUR CITIES

(By Leon B. Sager)

Americans are unhappy about what is happening to their communities and the areas surrounding them. Whether close to home or in travels about the country they observe the same conditions of deterioration and sprawl, pollution of air and water, racial and economic segregation. What has been widely overlooked is land use.

How we use our land affects most aspects of our lives—our homes, our jobs, our recreation and our transportation. Belatedly we have awakened to the fact that land is finite. As Will Rogers, one of America's most famous humorists, put it, "Get hold of a piece of land; they ain't making no more."

Granting that even the best use of land or other environmental legislation does not solve personal and social problems, substantial benefits are achievable. The environment in which we live, the amount of energy, time and cost of transportation, our very health—all are predetermined by land use.

At the federal level detailed environmental assessments of federal action are being made and a new federal land use law has been enacted. Several states have assumed responsibility for land use decisions.

Previously polluted rivers have been made usable for boating and swimming, unprecedented technological improvements in automobile design to prevent pollution are in process, compositing blocks instead of dumping are but a few of the changes that are occurring.

State legislation in California is protecting the entire coastline for 1,000 feet inland from further environmental harm. For this achievement it was necessary to by-pass the opposing legislature and use "the Initiative," a legal measure enabling voters to make the decision. In San Francisco aroused citizens stopped a freeway in midair to prevent obstructing the ocean view; new laws there also stopped high-rise buildings at 50 stories. Determined citizens of Portland, Oregon banded together and influenced the legislature to save the beautiful Willamette River.

By building filtration plants for the city's own refuse and stopping industries from dumping, they brought the river into wholesome use again.

In Hawaii, America's fiftieth state, commercialization of the largest underdeveloped valley was scuttled and reconstruction of high-rise buildings on the shores of its largest lake was stopped. States across the nation are beginning to act in a manner similar to the cases cited. Significant land use changes in three areas may be singled out—existing cities, metropolitan areas and new cities.

DOWNTOWN IS STAGING A COMEBACK

An organization of business executives in 94 cities is bringing about unprecedented changes. Atlanta, Philadelphia, San Diego, San Francisco, among larger cities, Allentown, Dayton, Fort Lauderdale and Eugene, to name a few leaders among smaller cities, are all engaged in comprehensive rebuilding and revitalization of their downtown areas.

The city of Minneapolis, Minnesota is also an example. A revitalized city core that included a mammoth shopping mall, elevated waterproof pedestrian walkways, and spectacular new buildings is pioneering standards that could change urban life across America.

It all began 10 years ago with a main street, Nicollet Avenue, which was barely tolerable to pedestrians during the daytime, and bleakly dormant at night. A portion of the avenue was transformed by the Minneapolis Downtown Council into a glamorous mall. As the Council had hoped, economic upturn followed the completion of the mall. People began spending more time and money downtown.

Just as the Nicollet Mall has given new life to a street, a developing "skyway" system is doing the same for old and new buildings. A network of enclosed, second-story pedestrian bridges, the skyways, are, in effect, extensions of the streets. Ten bridges are already completed and 50 more are projected. Perhaps even more vital to the downtown renaissance is a block-square Crystal Court, surrounded by handsome new hotels and office structures.

Downtown revitalization reflects a major economic change—the ascendency of services over the production of goods. Boston, Massachusetts illustrates.

Between 1963 and 1972, Boston gained 80,000 service jobs while losing 23,000 jobs in manufacturing for a solid net gain in employment. These service jobs, which are an increasing share of total employment on a nationwide scale, include work in such fields as finance, insurance, medical services, higher education, recreation, tourist business, and public service.

Another example is Louisville, Kentucky. Prior to the 1960s, it seemed to many in Louisville that the city was little more than the unexciting center of an urban sprawl. A few believed otherwise. They kept insisting that Louisville could and should support a downtown, that the downtown should be turned around and pointed toward the river, and that the riverfront itself, which had been allowed to deteriorate, demanded revitalization. All were achieved. Unification was accomplished by the development of a three-block mall connecting downtown with the river. Named River City Mall, the plaza is architecturally pleasing, comfortable, and an all-round delightful place.

The revitalization of downtown is a major urban accomplishment. Downtown is the heart of the city and the entire surrounding area. Instead of allowing further deterioration and only daytime use, rebuilding is making many downtowns beautiful and usable around the clock. Highly important is the inclusion of apartment structures in many city centers. A significant change in land use has been achieved.

JOINING TOGETHER CITY GOVERNMENTS

A change of far-reaching importance, metropolitan government—combining some of the functions of cities and suburbs—is setting the stage for what may become national. A two-tier form of government has evolved in regions surrounding big cities. Wider problems involving the entire area—pollution, location of an airport, transportation and the like—are controlled by the combined government; local problems such as schools, design of architecture, and roads, by city governments. Among the many achievements, one is reduction of the number of governing bodies.

Greater New York has 1,000 separate taxing bodies, Chicago 575, the nation 80,000. It has reached the point of absurdity. Minneapolis, Jacksonville and Seattle, after observing the highly successful 20-year experience of Toronto, Canada, have found ways of reducing the number of governments by half or more. Other cities are following the example.

Overcoming sprawl is considered by many the most important objective of metropolitan government. In the U.S., technological "progress" has brought about the misuse of one and a half million acres of good cropland each year for massive urban developments. Metropolitan governments are reducing sprawl. Among many new techniques adopted perhaps none is more important than providing mass transportation or stopping the development of more freeways.

Waterways, too—rivers, lakes and the ocean—require changes, and metropolitan government is bringing them about. Seattle, Washington illustrates. Beautiful Lake Washington in the center of the city, was infested by phosphorous-rich treated sewage discharged into it. In the late summer an unpleasant odor filled the air and swimming was impossible. The problem was too large for one city to solve. Led by determined citizen groups of Seattle and the surrounding suburbs, a municipal corporation, (METRO) was created. Today Lake Washington is the showplace of Seattle, enjoyed the year-round by its citizens and visitors. Enhancing the quality of life calls for the best use of waterfronts as well as land.

NEW CITIES

All over the world nations are building new cities. In the United States new city construction is proceeding at a pace never before approached. Estimates of the number of projects that can be described as "New Communities," vary from 50 to 150. The projected communities are in 18 states and range in size from as small as 4,000 to as large as 400,000. [See "Experimental New Towns Around the World"—Leon B. Sager, PHP, Feb. 1974.] Though the development of new cities in the United States is at an early stage, it is increasing at an accelerated rate.

Advantages of new cities include an attractive environment for living "close to nature," saving time and energy by bringing work, housing and recreation closer together (particularly important in our energy crisis), and minimal pollution of air and water. In most new cities, people participate in the social and political activities of the community; they are part of the action. Many feel a sense of personal achievement—what they think and say counts. Streets, too, have been transformed by reduction, and in many cases elimination of private automobiles. Streets have been given back to the people.

By downtown rehabilitation, development of metropolitan government, and creation of wholly new cities, a new quality of life—to the extent that an improved environment can accomplish it—is being achieved in America today.

EDUCATION BILL VITAL TO LONG BEACH SCHOOLS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. ANDERSON of California. Mr. Speaker, on Tuesday, September 9, the House is scheduled to vote on overriding the President's veto of H.R. 5901, education appropriations for fiscal year 1976. This veto has compounded the problems of local school districts who have faced inflation of over 10 percent during the past year. H.R. 5901, appropriating $7.9 billion, gives only about a 4 percent funding increase over last year. However, the President supports a $6.4 billion package, one which not only does not keep pace with inflation, but actually represents an absolute cut in education funding.

It is unclear just why the President vetoed this bill, for education is not particularly a partisan issue, unless of course the President is seeking to make it divisive. It is not inflationary, as the rate of increased funding is less than one-half the rate of inflation. And, it stays well within the ceilings established by the new congressional budgetary process established during the last session.

What is clear is that the veto, if not overwhelmingly overriden, will seriously impair the activities of local schools whose budgets have already been set for this year. I would like to include in the Record a copy of a letter I received from Francis Laufenberg, associate superintendent of the Long Beach Unified School District:

Long Beach Unified School District,
Long Beach, Calif., August 19, 1975.
Congressman Glenn M. Anderson,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Anderson: In accordance with your request we have developed the following analysis of the possible effects on Long Beach schools of a failure to override the President's veto of H.R. 5901.

1. Total Federal Aid to Long Beach schools has increased only 6% since 1970–71. During that same period the Consumer Price Index for this area increased 36%.

1970–71: $3,942,017.
1975–76 Estimate: $4,182,447.

We have suffered a real loss in Federal income over a five-year period. The $4.2 million budgeted for 1975–76 has a real value in 1970 dollars of only $3.1 million, a 21% decrease as compared to 1970–71 values.

PRICE INDEX*

July 1970: 114.9.
June 1975: 156.7.
114.9/156.7 x $4.2 million=$3.1 million.

2. If the H.R. 5901 veto override is not successful and the President's plans are implemented, Long Beach will lose $1,062,120 of the Federal Aid estimated for 1975–76. This amounts to a 25% cut in a year in which inflation has been 10%.

3. A $1,062,120 cut is equal to:

a. An eight cent increase in property tax rates

b. 65 teachers being cut

c. 502 teacher aides (working 20 hours per week) being cut.

Sincerely,

Francis Laufenberg,
Associate Superintendent
Business Services.

In addition, I would like to insert in the Record further data I received from Mr. Odie Wright, superintendent of the school district, and his associate superintendent, Mr. Laufenberg. These facts and figures point out the desperate need of the Long Beach schools for at least the level of Federal funds set forth in H.R. 5901:

Enclosure 2

Long Beach Unified School District,
August 11, 1975.

H.R. 5901: Education Appropriation Bill

SUMMARY

1. Long Beach Unified School District received $4.8 million in Federal Income during 1974-75. The amounts in past years are as follows:

1973-74 $4.3 Million.
1972–73 $4.5 Million.
1971–72 $4.8 Million.
1970–71 $3.9 Million.
1969-70 $4.4 Million.

2. Federal Aid currently accounts for approximately 6% of the district's annual income.

3. Income budgeted for 1975-76 is as follows:

PL874, Impact Aid, $1.10 Million.
EOA, Head Start, .02 Million.
ESEA, Disadvantaged Children Aid, 2.61 Million.
CETA, Employment Act, .14 Million.
NDEA, Math and Science Aid, .02 Million.
VEA, Vocational Education, .25 Million.
Miscellaneous, .07.

4. The bill is $1,362 million above the 1976 budget, but the budget represented a cut of $798 million as compared to last year's total appropriation. The actual increase in the bill is $564 million above last year. This is an 8.4% increase, which is less than the rate of inflation over the period.

5. The bill is $700 million below the budget ceiling established by Congress under the new budget act, P.L. 93–44.

Savings in elementary and secondary education expenditures at the Federal level most often mean that the money will have to come from local and state taxpayers since school budgets have already been set for the new school year which begins in about two weeks.

6. Should the appropriation bill become law, the President still may impound funding for specific programs which he feels are excessive under the authority of the Impoundment Control Act of 1974.

7. The Long Beach Unified District budget for 1975–76 has increased 8.9% over that expended in 1974-75, even though programs were cut and salary increases for certificated employees were held to six percent. Inflation, of course, has increased 10.8% from June, 1974, to June, 1975.

8. The $4.2 million in Federal Aid budgeted by the district is equal to the income raised by a 32¢ local tax rate.

PERSONAL EXPLANATION

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. PATTEN. Mr. Speaker, yesterday, September 4, 1975, I was absent from the legislative session. I accompanied the Secretary of the Army and colleagues from the New Jersey delegation on an inspection of the facilities at Forts Monmouth and Dix in my State of New Jersey, on a matter of concern to my committee work. Had I been present I would have voted for the National Emergencies legislation.

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*Los Angeles—Long Beach Area Consumer Price Index.

GOODYEAR EXECUTIVE HELD INCOMMUNICADO AS CRITIC OF PANAMA

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. McDONALD of Georgia. Mr. Speaker, it has been pointed out on previous occasions, but we need to be reminded that the present Government of Panama is not only illegal from a constitutional point of view, but it suppresses individual liberty and is in reality a left-wing dictatorship. Further evidence of this recently was brought to my attention in the form of an article that appeared in the Miami Herald of June 26, 1975. The article follows:

> GOODYEAR EXECUTIVE HELD INCOMMUNICADO AS CRITIC OF PANAMA
>
> PANAMA.—A Panamanian executive of Goodyear, Florencio Enrique Delgado, has been held incommunicado by the Panama National Guard since June 14, apparently for his written criticism of certain government policies.
>
> An appeal by his wife, Miriam Chang de Delgado, to President Demetrio B. Lakas, has gone unanswered.
>
> Efforts by the Panamanian Association of Business Executives (APEDE) to obtain a writ of habeas corpus have been frustrated by legal technicalities.
>
> Such detention incommunicado is one of the principal points on which American residents in the Canal Zone oppose return of its jurisdiction to Panama.
>
> Since no charges have been made public, Delgado's presumed crime has been circulation of a four-page written denunciation of government policies signed by him.
>
> The document charges certain laws, particularly the labor code, are frustrating the development of private business in what is supposed to be "The Year of Production."
>
> Entitled "Alerta Panamenos," the document also criticizes the development of a personality cult, citing President Lakas' statement, "There is only one leader" (chief of government Brig. Gen. Omar Torrijos).
>
> Additionally, it charged that the government has elements which "sometimes have ideologies totally and diametrically opposed to ours."
>
> In this respect, Delgado's charges may be justified. Two attempts in the past year to publish a rightwing newspaper have been frustrated by the government.
>
> However, in May, the Communist People's Party, the only political party permitted to operate here, published the 16th edition of Unidad, an eight-page tabloid printed in red and blue inks.
>
> Prominent on the front page was the text of a congratulatory telegram to the Provisional Revolutionary Government in Ho Chi Minh City (Saigon).
>
> Elsewhere a headline called for freeing Puerto Rican "political prisoners. We fight for the independence of Puerto Rico."
>
> In his document Delgado claimed that settlement of the canal issue will be useless if "we do not enjoy the inherent liberties of free peoples."
>
> Concluding, Delgado mocked Torrijos' statement about negotiating with the United States—"Standing or dead, but never on our knees"—by saying, "Panamanians, I don't want nor think to live upon my knees."

THE FOOD STAMP FIASCO

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. CRANE. Mr. Speaker, more and more Americans are making a way of life of living on the earnings of others. In New York City alone more than 1 million people are on welfare.

The concept of our welfare system was that it was meant to aid those who were unable to work, not that it was to become a way of life for millions of citizens who simply found it convenient. In his state of the Union message in 1935, President Franklin D. Roosevelt declared that—

> The lessons of history . . . show conclusively . . . that continued dependence upon relief induces a spiritual and moral disintegration fundamentally destructive to the national fibre. To dole out relief is to administer a narcotic, a subtle destroyer of the human spirit. . . The federal government must and shall quit this business of relief.

Unfortunately, welfare has grown and grown, and a variety of new programs have been introduced. One of the fastest growing and most abused of these programs is that of food stamps.

In the last 10 years the number of people receiving food stamps has multiplied nearly fiftyfold, from an average of 420,000 in 1965 to nearly 19 million this year.

The Chicago Tribune points out that—

> The cost in federal money alone has soared even faster, from about $5 million to $4.9 billion, and this year's cost is expected to be about $6.6 billion. The states pay another $250 to $300 million in administrative costs . . . Food stamps have become a way of life at most of our colleges, even among students from wealthy families, and taxpayers are forced to support strikes by paying for food stamps for strikers.

It is high time that the entire food stamp program was carefully reconsidered. If such a program is necessary at all, it should only be for those who are unable to support themselves. It should not become a dole for millions of Americans who simply prefer to live on the earnings and hard work of others.

Another purpose of food stamps was to improve nutrition. A recent study by the American Enterprise Institute concludes that, "if problems of malnutrition are to be reduced, an alternative solution appears to be necessary." The fact is that food stamps are used in large measure, as the Chicago Tribune notes, "to buy status or convenience foods which often provide less nutrition than the cheaper staples that would have been used without the food stamp program."

It is high time for the Congress to review the food stamp program. I wish to share with my colleagues the important editorial, "The Food Stamp Fiasco," as it appeared in the Chicago Tribune of September 2, 1975, and insert it into the RECORD at this time:

> THE FOOD STAMP FIASCO
>
> QUOTE
>
> There is nothing inherent in the food stamp program that requires, or even encourages, the purchase of nutritious foods. . . . Recipients may use the stamps to purchase expensive foods that are no more nutritious than the cheaper foods they would have bought with a lower food budget. Steak is no more nourishing than pot roast. Canned vegetables are no more nutritious than fresh. Prepared TV dinners of frozen, breaded, precooked chicken may be less healthful than a vegetable-chicken stew. And the substitution of soft drinks and snack foods for milk and vegetables . . . is a positive disservice to children.—Yale Brozen, professor of economics at the University of Chicago, in his foreword to "Food Stamps and Nutrition," published by the American Enterprise Institute.
>
> President Ford had his ears pinned back last winter when he sought to raise the price recipients are required to pay for food stamps, and perhaps his critics were right. Raising the price to everybody, including the genuinely needy, was a clumsy way of calling attention to a disgrace that demands immediate attention.
>
> With nearly one out of every 11 Americans getting food stamps paid for at least in part by the taxpayer [in Puerto Rico, the figure is one out of every two], the extent of the fiasco is apparent to almost everybody. Many of us have seen the program abused at first hand: neighbors who seem to have money to spend freely standing ahead of us at the checkout counter to buy steaks with food stamps; or people loading up on snacks with food stamps and explaining blandly that they're for a beach party.
>
> Food stamps have become a way of life at most of our colleges, even among students from wealthy families, and taxpayers are being forced to support strikes by paying for food stamps for strikers [tho steps are being taken to correct both of these abuses]. Last week's U.S. News & World Report tells of outright fraud in the use of food stamps and of a thriving black market where $1 in food stamps will bring about 80 cents in cash, which can then be used for liquor, drugs, or anything else. Secretary of the Treasury Simon recently called the food stamp program "a well-known haven for chiselers and ripoff artists."
>
> Food stamps were conceived back in the 1930s and revived in 1964 as a double-barreled program to provide a market for farm products and "to provide for improved levels of nutrition among economically needy households." Food stamps are provided on the basis of a family's size and income. A family of four is entitled to a monthly allotment of food stamps worth $154, The amount it pays for them rises from zero if its income is $30 a month or less to $138 if its income approaches $540 a month; beyond that, it is ineligible.
>
> The program has long outlived its first purpose; the problem has become one of a food shortage and rising prices [and while critics wail about relatively small sales of grain to the Soviet Union, almost nothing is said about the vastly greater effect on prices caused by the food stamp program].
>
> Whatever food stamps have done to achieve improved nutrition has been dwarfed by the cost of abuses and waste. In the last 10 years, the number of people receiving food stamps has multiplied nearly 50-fold from an average of 424,000 in 1965 to nearly 19 million this year. The cost in federal money alone has soared even faster, from about $85 million to $4.9 billion, and this year's cost is expected to be about $6.6 billion. The states

pay another $250 or $300 million in administrative costs. What's more, this has happened during a decade in which other welfare costs have grown almost as fast. And as if this weren't enough, Sen. George McGovern says that most of those eligible for food stamps under present rules are not even getting them; if they applied, the cost would rise by another $12 billion or so.

These appalling figures and conspicuous abuses tend to obscure what may be the most wasteful aspect of all: Instead of providing "improved levels of nutrition," food stamps are used in large measure to buy status or convenience foods which often provide less nutrition than the cheaper staples that would have been used without food stamps.

This tendecy is documented in a study recently made for the American Enterprise Institute by Kenneth Clarkson of the University of Virginia. The study concludes that "if problems of malnutrition are to be reduced, an alternative solution appears to be necessary." It suggests food labeling as to nutritive value, educational programs, and a distribution program handled by local communities.

Whatever the best solution, the present program must be tamed before it gets any more out of hand. Tighter restrictions have already been proposed by New York Sen. James Buckley and Congressmen Philip Crane and Robert Michel of Illinois. When the taxpayers provide money to improve nutrition, they have every right to expect that every dollar they spend will provide a dollar's worth of nutrition and not squandered thoughtlessly. And if the people who need the nutrition can't use the money wisely, then some other way of improving nutrition must be sought.

J. CLAY SMITH, JR., COMMENTS ON BLACK COMMUNICATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. RANGEL. Mr. Speaker, communication is one of the most important elements of human mankind and our history tells a story of its progressive development. Historically, black communication has been one of verbal exchanges while suffering the benefits of the written word which is endemic to providing the rest of the world with accurate details of our own development. Gross distortions about black man and his historical significance has been a result of this vacuum since blacks were denied the necessary tools to preserve their thoughts and others were left to comprehend and communicate to the world their impressions of this race of people.

The contemporary black communications media is beginning to alter this injustice and is providing a meaningful conduit for the black perspective. Many are to be honored for this significant feat for they have struggled long and hard to correct this omission. One who comes to my immediate attention is Mr. J. Clay Smith, Jr., Deputy Chief of the Cable Bureau. I commend this civil servant who serves the public and its interests well. He is the highest ranking black person ever appointed to the FCC staff in a policymaking position.

Herewith, I submit his thoughts concerning an important segment of black mass media communications which was presented before a mass media conference sponsored by the Howard University on July 28, 1975:

FOR A STRONG HOWARD UNIVERSITY PRESS

(By J. Clay Smith, Jr., Deputy Chief, Cable Television Bureau, Federal Communications Commission, Washington, D.C.*)

No idea is guaranteed a permanent place in the annals of mankind unless it is reduced to writing. It is the written word that has permitted each idea to leapfrog another idea forming a new idea—so forth and so on. Hence, organized civilization is able to ascertain and comprehend its collective being through a thought process that has been reduced to the written word and passed on via instruments of mass media communications.

When we speak of the reduction of an idea to the written word we are talking about the possibility of communication. But, once that idea has been communicated and received by a reader, it forms the basis of new thought and the preservation of old thought.

In the early days of the Republic and during the period that blacks were slaves, it is recorded that little or nothing was written or published about or by black people in major journals or other publications. This, of course, is not surprising since there were only a very few educated black Americans who could read or write and since there were few white Americans who were interested in anything that a black person had to say.

The politics of slavery made it virtually impossible for a man of colour to unlet his ideas so that they could be communicated to future generations. What would America be today if she housed the thoughts of these people? See, Brown, Position Statement, National Communications for Freedom Week, Howard University 1974, at p. 2. It is predictable that a mighty song, a sermon, a law brief, or court opinion, a novel, a scientific treatise or a poem would have survived. None of these things have survived because they never had a possibility to be. However, what did survive were the most negative thoughts of early Americans about black Americans—for these were the thoughts that were reduced to writing and placed in the lyrics of songs, the phrases of sermons, paragraphs of law briefs and court opinions, on the pages of novels, in the notes of scientific treatises and the lines of poetry. See, e.g., Murphy, Nigger Gin (1924). These thoughts are therefore lodged in the annals of time and as such they are a part of the Nation's history.

Serious students and scholars in communications and mass media, and especially minority students and scholars, should approach such study with a seriousness of purpose which includes some reflections on the historical perspectives of communications. When your study is completed, certain facts will result: (1) that the medium of communications has been the purveyor of the image of black Americans; (2) that the images portrayed either in print, aural or television media to a large degree has casted the black image in a negative way which has had a deleterious effect upon his acceptance in every aspect of his public and private life; (3) that the inception of the Negro press is and has been an important historical event which greatly expanded the only means of organized commercial mass communication in black communities existing in the early days in America; (4) that the concept of ownership of mass media has and continues to be as important as public interest advocacy—indeed, we need only look at the history of the Negro press to see how it has attempted to be both a profitable venture and a public interest spokesman for the needs of black Americans; (5) that both the print and electronic means of communications remain to be the most important frontier in order to correct the damage done to the minds of both black and white Americans in regard to race and economics. Young, The Social Responsibility of Broadcasters, 8 Television Quarterly 7 (1969); Jordan, "Minorities, Television Relations May Get Worse Yet," The Washington Afro-American, December 10, 1974.

Since the publication of Freedom's Journal by John B. Russwurm in 1827, there has been a keen awareness on the part of this Nation that the black press would always serve to balance the truth about events that affected the lives of a special community.

And, from time to time there have been various comments on the black press and its contributions to the nation.*

My terminology of the "Black Press" is not limited to newspapers and magazines, but is intended to cover the publication of books. It is in the area of ownership and control of the functional press that produces books wherein the new frontiers of communications for minorities in America may lie.

Howard University has been blessed with having and being able to attract some of the most distinguished scholars in the world. It is and must continue to be the center of busy thought. I was personally pleased a couple of years ago to read about the Howard University Press and all of the Editorial Board's hopes and dreams to achieve a top-rated House. I wonder how many more books the distinguished Dean and Professor Kelly Miller could have produced if this University had had a Howard Press in 1900. See *Kelly Miller: The Negro Leader as a Marginal Man*, 45 *J. Negro Hist.* 182 (1960). How many Kelly Miller's have sat on this faculty without an outlet for their ideas?

I view the *Howard University Press* and the *Howard Law Journal* as two of the most significant communication instruments for the liberation of the minds of those who continue to harbor negative thoughts about black people. Both the *Press* and the *Journal* are magnetic forces which should draw the very best minds to Howard University for the products of their thoughts and the uplifting of mankind.

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*Before a Mass Media Conference sponsored by the Howard University (Dunbarton Campus) on July 28, 1975.

*See Reedy, *The Negro Magazine: A Critical Study of its Educational Significance*, 3 *J. of Negro Ed.* 598 (1934). Reedy reports, "The publication of the first two Negro newspapers (The *Christian Recorder* and another whose name is unknown) in 1863 marked the beginning of a *constant flow* of journals attempting to present the items that are important in the lives of those of their own group." *Ibid.* (footnote omitted) (emphasis added). Briscoe, *Black Press Information Handbook* 11 (N.N.P.A. 1974). See also, La Brie, *The Future of the Black Press—A Silent Crusade*, 36 *Negro Hist. Bull.* 166 (1973); R. Logan, *The Betrayal of the Negro*, 320 (1969). Today, the New York *Amsterdam* is said by some to be the largest Black owned weekly newspaper with a circulation of 100,000. Trescott, "A Video-Vision of Tomorrow's Black Newspaper," *Washington Post*, col. 1, B–4, 3–15–75. It is reported that there are 220 Black owned newspapers in the United States. *Ibid.* Some would dispute Trescott. It is believed that *Muhammed Speaks* has a weekly circulation which exceeds 100,000. See also, Higgins, *A Musing on the Black Press* . . . comments before the *Fourth Annual Communications Conference*, Howard University School of Communications, March 10-16 (1975). Mr. Higgins, whose comments appear in the program, states that "Today, there are more than 300 black newspapers and magazines in this country" at p. 62. See also, Meier, *Booker T. Washington and the Negro Press*, 38 *J. Negro Hist.* 67 (1953).

I am aware of the acquisition of WHUR Radio Station and the importance of the electronic media to our community; and, likewise, I know about the application for a television station on file at the Federal Communications Commission which will be operated under the direction of this University. Each of these areas of mass media communications are vital.

Each of these instruments of mass media will further lift the esteem of the University in the eyes of this community and of the Nation. However, today, I concentrate on the print media because historically it is through that media that the scholar has relieved the bowel of his intellectual frustration giving to the world the thoughts that are produced and reproduced by the electronic media.

Nearly forty years ago Dr. Charles Hamilton Houston, a former Vice Dean of Howard University School of Law urged the black community to develop the print media. Houston, *Don't Shout Too Soon,* 43 *Crisis* 79 (1936). Houston wanted truth and the free flow ideas of black people of America to be read and shared by all. Houston, a man of extraordinary vision and Solomonistic wisdom recognized in the 1930's that the "old channels" of communication were insufficient. Criticizing the existing mass media outlets, he said,

> Negro aspirations and Negro progress are not news. The radio is practically closed to all speeches for racial equality . . . *Negroes must increase their budget for publicity in the future. Ibid.* (emphasis added)

The "publicity" that Dr. Houston was referring to was the dissemination of ideas in mass media communication especially the written word. Houston would have encouraged and would have been an advocate for a strong Howard University Press.

He would have urged that its budget be appropriately increased in order to carry out its special mission of disseminating special knowledge to the broadest possible audience.

The Howard University Press must be made to survive as one of the strong, viable and self-sustaining arms of the Howard community. The Howard University Press must be made a priority line item of the University and should receive the top priority of funding institutions that seek to preserve truth and are concerned about the proliferation of ideas which have been in bondage for too long. The alumni have a responsibility, also. Indeed, it is we, the alumni of this University, who must strongly support the survival of the Howard University Press. If we do not, then the criticism of man that Professor Swenson gave in one of his famous Kierkegaardian lectures will apply to each of us—we will be people that live forward, but think and act backwards. Swenson, The Faith of a Scholar 13 (Westminster Press 1949).

PRIVACY PROTECTION STUDY COMMISSION

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. KOCH. Mr. Speaker, the Privacy Protection Study Commission will hold a meeting open to the public on September 8, 1975, at room 2168, Rayburn House Office Building, Washington, D.C. between 10 a.m. and 5 p.m. with a break for lunch and on September 9, 1975 at room 2358, Rayburn House Office Building, Washington, D.C. between 9 a.m. and 5 p.m. with a break for lunch.

The matters to be discussed include organizational matters and a discussion of the activities to be undertaken by the Commission. Presentations presently planned to be made in addition to those of the Commission's staff will be made by Mitre Corporation; Dr. Alan Westin; Office of Management and Budget; Stanford Research Institute; and Purdue University Graduate School of Industrial Administration.

HOW FARES OUR NATIONAL SECURITY?

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring to the attention of my colleagues an excellent article, "How Fares Our National Security," written by my constituent, Mr. Henry Huglin of Santa Barbara, Calif.:

How Fares Our National Security?

(By Henry Huglin)

Between the dirge of Vietnam failure and the siren song of Helsinki detente, is our national security in tune with the times?

Well, for the present we are relatively secure. And our military services are coping with their tight money and manpower situations with dedication, innovation, and remarkable effectiveness.

But, considering the great, unjustifiable Soviet military buildup, the resources we are putting into our military strength are inadequate and could result in our nation being in grave danger in a few years.

This vital, complex situation is not well nor widely understood.

We have readjusted our priorities just too much. Twenty years ago defense took 59% of the federal budget and social service programs took 30%. By last year, this was reversed; defense 29%; social services, 58%.

We have seemed to forget that, as Sir John Slessor wisely wrote: "the most important social service that a government can do for its people is to keep them alive and free."

As a share of our gross national product, we are now spending 6% on defense, as compared with 7.7% 10 years ago and 9.3% 20 years ago. The military now use only 3% of the goods and services of our economy, half that used 10 years ago. Only 5.3% of our labor force is in defense business, down from 8% 10 years ago. Military research and development costs are only 25% of our total effort, down from 50% 20 years ago.

The critics' litany of ever-increasing defense budgets is simply a delusion.

This shrinkage of resources going into our military could be cause for joy, rather than deep concern—if the Soviets' military resources were also shrinking.

Yet, as we have reduced our defense budget since 1968 by 42% in real terms, the Soviets have been increasing theirs. Their military budget is now over 20% greater than ours, even though their gross national product is only half ours. Consequently, they are outdistancing us in almost every military category—except for pay of troops, which takes 53% of our defense funds and 22% of the Soviets', who have 50% or more troops.

The potential implications of the growing disparity, between the Soviets and us in resources devoted to military purposes, have been starkly set forth by 34 former government officials and scholars of the "Coalition for a Democratic Majority." This group recently called for a boost of $8 to $10 billion in the Administration's requested $92.8 billion defense budget (which Congress is cutting), because "the nation is in great danger." Eugene V. Rostow, the group's chairman, has explained why:

"There has been no improvement in our relations with the Soviet Union, save in the realm of public relations and wishful thinking. Soviet policy is exactly what it has been since 1944 or 1945, except that its pressures are greater and more diverse than ever, and more difficult to deal with, because they are backed by more force.

"The Soviet Union continues to pursue policies of expansion...based on a military array which is growing at the rate of 5% a year, in real terms. The Soviet armament effort has no parallel in modern history. Meanwhile, our own expenditure for defense is declining in real terms...The Soviet Union has 50% and perhaps 100% more men under arms than the U.S....four times as many tanks...and 40% in tactical aircraft...Their air defenses are far greater... new blue-water navy is expanding at an astonishing pace. They have almost as many surface ships as we do, and over 3 times as many submarines . . . we are falling farther and farther behind."

Thus, the Soviets' growing threat is the creation of their military-industrial complex and not conjured up by our so-called complex, as critics often claim.

Secretary of Defense Schlesinger has said: "The U.S.-Soviet detente...rests on an equilibrium of force...If we destroy that equilibrium, we cannot expect detente to continue...Further reductions cannot be taken in the defense budget without a drastic effect on the worldwide role of the U.S.... simply create the kind of weakness that invited miscalculations, probes, tests, and risk of disaster...unilateral disarmament would be a mistake we would never have a chance to repeat."

Secretary of State Kissinger has said: "America's military might is the foundation of our diplomatic strength...We have made progress toward peace...because we have been flexible, but also because we have been resolute. Let us never forget that conciliation is a virtue only in those who are thought to have a choice. A strong defense is the essential deterrent to aggression."

Now, if the Soviets attain the military superiority they are obviously seeking, our then-second-class military status would give us second-class security, the rest of the world would come under Soviet domination, and our way of life would be in increasing jeopardy. Our freedom is not only not free, it is not cutrate.

STATEMENTS IN OPPOSITION TO MOVE TO OUST ISRAEL FROM THE UNITED NATIONS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Ms. ABZUG. Mr. Speaker, omitted from the September 3, 1975, Congressional Record were the names of the following 10 members of the Congressional Black Caucus who issued the statement opposing the move to oust Israel from the United Nations: Yvonne Burke, William Clay, Shirley Chisholm, Cardiss Collins, Walter Fauntroy, Harold Ford, Barbara Jordan, Ralph Metcalfe, Charles Rangel, and Andrew Young.

HIGH HOLIDAYS, 5736

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. ANNUNZIO. Mr. Speaker, September 6 and 7, 1975, mark the festival of the New Year in the Jewish religious calendar, Rosh Hashanah, the opening of the year 5736, and the commencement of the 10-day period called the high holidays. This period concludes with Yom Kippur, the Day of Atonement, which this year falls on September 15.

This is, for the Jewish people, a time for solemnity, joy, and hope. It is a time for spiritual renewal, of repentance, of affirmation, and renewal of hope and joy in the future.

Rosh Hashanah and Yom Kippur evoke in the Jewish people a sense af awe, high seriousness, and especially obedience to God's law. The meaningful practice of the Jewish faith, I believe, has influenced Jewish moral law far beyond the confines of practicing Judaism.

The historic concepts of social justice and individual human dignity have done much to guide the course of Western democracy and, in particular, to shape the philosophical system of government created by the American Founding Fathers. It is perhaps not too much to hope that in time the conduct of international affairs will be influenced, in spirit, by the principles of common concern which have molded the destiny of world Judaism.

I should like, on this occasion, to extend my greetings and best wishes for the holiday season to my many friends of the Jewish faith and to express my appreciation for the great contributions the Jewish people have made to the advancement of Western civilization.

In the coming year, may the Jewish people know freedom from persecution, from which they have particularly suffered, and may they experience peace and well-being, and prosperity and spiritual enlightenment.

At this point in the RECORD, I would like to include a listing of the 16 Jewish holidays, the days on which they fall in the new year 5736, and their significance.

The list follows:

HIGH HOLIDAYS, 5736

ROSH HASHANAH 5736

September 6 and 7, 1975: This is the Jewish New Year, Jews assemble in the synagogue to reaffirm their faith, examine their past conduct and pray for forgiveness. The Shofar (ram's horn) is blown to reawaken their responsibility to the Lord and call them to repentance.

TZOM G'DALYAH

September 7, 1975: On this fast day, Jews mourn for G'dalyah, a Jew whom the conquering Babylonians unexpectedly appointed Governor of Palestine. The Jews saw in this a sign that their nation would rise again, but G'dalyah was ruthlessly assassinated.

YOM KIPPUR

September 15, 1975: On this Day of Atonement, the holiest day of the year, the Lord judges each individual. Jews fast all day, confess and repent, and ask pardon from the Lord and from their fellow men. In turn, they freely forgive their neighbors. At night, with a cleansed heart, they look forward to a good new life.

SUKKOT

September 20 through 26, 1975: The Feast of Tabernacles celebrates the ancient fruit harvest in the Holy Land. Jews everywhere build Sukkot (temporary booths) hung with fruits and flowers, remembering that the Israelites lived in flimsy booths during their desert wanderings—yet felt secure in the Lord's protection.

SH'MINI ATZERET

September 27, 1975: This day is designated in the Bible as a day of Holy Assembly. Jews gather in the synagogue to celebrate this last festival of the harvest season, and to offer a fervent prayer for rain to bring full crops in the coming year.

SIMCHAT TORAH

September 28, 1975: The Torah (Five Books of Moses) is read in its entirety each year. On this happy day, the reading is completed and begun anew. The sacred scrolls are carried around the synagogue in procession. The children participate and receive gifts of sweets.

CHANUKAH

November 28 through December 6, 1975: On Chanukah the Maccabees freed the Temple from the Syrian conquerors. At its rededication only enough pure oil was found to light the Holy Lamp for one day. Miraculously it burned eight days. Thus, on the first day of Chanukah, Jews light one candle on the Nenorah, adding another each day.

ASARAH B'TEVET

December 14, 1975: This is the anniversary of the day the Babylonians began their siege of Jerusalem. Soon after, the city was taken, the Temple destroyed, and the first Hebrew Commonwealth was no more. Thus, Asarah B'tevet is a day of fasting and mourning.

CHAMISHA ASAR BISH'VAT

January 17, 1976: On this Arbor Day Jews observe the Bible's commandment: "When ye shall come into the land ye shall plant all manner of trees." In Israel, children spend the day joyfully planting young trees. And because this is the 15th day of the Jewish month Sh'vat, Jews everywhere eat fifteen kinds of fruit.

TAANIT ESTHER

March 15, 1976: The Megillah (Book of Esther) tells how the scheming Haman persuaded King Ahasuerus to destroy the Jews, and how Jewish Queen Esther and her people fasted three days before she dared to plead with the King to save them. This fast day, known as the Fast of Esther, commemorates her heroism.

PURIM

March 16, 1976: This gayest of all Jewish holidays celebrates King Ahasuerus' decision to save the Jews and destroy their enemy Haman, instead. During the synagogue service the Book of Esther is read, and children twirl their gragers (noisemakers) every time Haman is mentioned, to drown out his name.

PESACH

April 15 through 22, 1976: Pesach (Passover) recalls the deliverance of the Jews from Egyptian slavery. At the traditional Seder meal, Jewish families read the Haggadah (a book containing the story of the liberation) and eat Matzoh (unleavened bread) and other symbolic foods—thereby reliving their ancestors' experiences.

LAG B'OMER

May 18, 1976: A plague among Rabbi Akiba's students ended on the 33rd day of "Counting the Omer," i.e., bringing an omer (measure) of new grain to the Temple. Jews happily recall this event, and honor the efforts of Rabbis Akiba and Bar Yochai and the brave Bar Kochba to re-establish the Jewish nation.

SHAVUOT

June 4 and 5, 1976: This holiday commemorates the sacred moment at Mount Sinai when Moses received from the Lord the Torah with its Ten Commandments. Shavuot also celebrates the early wheat harvest in Palestine. Jews throughout the world decorate their homes and synagogues with greens and flowers.

SHIV'AH ASAR B'TAMMUZ

July 15, 1976: On this day the Babylonian army made the first breach in the wall of Jerusalem. This led to the tragic end of the Jewish homeland and to exile for its people. Shiv'ah Asar B'tammuz is a fast day, followed by three weeks of mourning.

TISH'AH B'AV

August 5, 1976: On this fast day, Jews grieve for the destruction of the first and second Temples. They mourn at the Wailing Wall in Jerusalem and in synagogues all over the world. Tish'ah B'av climaxes a nine-day period in which no meat may be eaten.

IN SUPPORT OF THE MATSUNAGA AMENDMENT

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. LEGGETT. Mr. Speaker, the United States is in a state of emergency. In fact, it is in four. Presently, we are in the national banking emergency, which President Roosevelt declared in 1933; the Korean emergency, which President Truman declared in 1950; the postal emergency, which President Nixon declared in 1970, and the balance-of-payments emergency which he declared in 1971. As Alice said in Wonderland, "Things are getting curiouser and curiouser."

It takes no great logician to understand that such a situation makes no sense. The essence of an emergency is that it is crisis requiring immediate temporary attention. Forty years, 20 years, or even 4 or 5 years are hardly within the time range of immediate temporary relief. What we have is an illogical unorganized, and potentially dangerous situation.

There is no argument that at times, there are great national emergencies for which swift unimpeded action is required. Likewise there is no argument that it is the executive branch which alone can take such action. This legislation will not hinder the legitimate action of the executive branch. Rather, it provides for an orderly process by which emergency action can be quickly initiated and terminated. In addition, this will bring the Congress into the process. No longer will the executive branch have a completely free hand; it will have to seek and gain the approval of Congress, which, if it so desires, may terminate the state of emergency. Such nonsensical behavior as a 43-year-old state of emergency will not longer exist, hopefully.

We in Congress have a tendency to speak trite phrases such as a government of laws and not of men and checks and balances.

Unfortunately, some times our talk is inconsistent with our actions. Our present quadruple emergency situation is a case in point. Enactment of this legislation would rectify the situation and backup our words with action. The Matsunaga amendment I fully support and should help implement the effectiveness of the act.

FOOD: DIPLOMACY BY OTHER MEANS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. McDONALD of Georgia. Mr. Speaker, some years ago various 'experts were predicting a world food shortage. It was obvious then, and it is all too painfully apparent now, that this time has come. The United States and the other few food-exporting nations left in the world cannot do it all. So, the matter of who the United States sells its food to has not been just a question of our balance of payments or whether we need to sell wheat to keep the domestic price up, it is a question of foreign policy on the highest level. And, it seems that foreign policy considerations are not being adequately considered by the present Ford administration.

Recently, Mr. Paul Johnson made these points very well in an article in the London Daily Telegraph of August 16, 1975. Among other things he wonders why we have to insist on feeding our enemies? The article follows for the edification of my colleagues:

FOOD: DIPLOMACY BY OTHER MEANS

(By Paul Johnson)

The news that the American Government is "temporarily" to suspend grain exports to the Soviet Union conceals a sad story of muddled thinking and geo-political miscalculation on the part of Western Governments. It is also a reminder, of course, of the continuing and colossal failure of Soviet agriculture. Whatever else the Soviet regime may have achieved in its 58 years existence—and it has undoubtedly created an armaments industry and military machine of unparalleled ferocity and power—it has proved a single failure in providing the economic benefits of life to its subject.

The Soviet economy has never been able to produce even the most basic and unsophisticated consumer goods in sufficient quantity to satisfy real (as opposed to advertisement-created) demand. It has the worst housing shortage of any industrial country. But perhaps most striking of all, despite its huge and fertile grain-producing areas, it cannot give its people enough bread. It is still a common sight in Russia to see long queues for bread and other staple foods. The position varies from year to year; but it is usually that critical area hovering just on the safe side of famine.

The failure of Soviet agriculture over many decades—a failure which the regime now seems to have accepted as permanent and irredeemable—is perhaps the biggest single indictment of the Russian Communist system. It reflects not so much on the theory as on the style and practice of Russian leadership, since it is not primarily ideological: it is bureaucratic and administrative, and it springs from the totalitarian and terrorist nature of Soviet government.

There is no intrinsic reason why socialist agriculture should not be highly successful. Socialist agriculture has been practised in various parts of the world over the past three millennia, sometimes with remarkable success. The State-socialist system of pre-Colomban Peru successfully fed a nation of 30 million: present-day capitalist Peruvian agriculture cannot feed a nation of half this size. In our own age, there have been some notable socialist experiments, especially in Israel, where the *kibbutzim* provide some of the world's most productive and technologically enterprising farms. No one who visits, say, the experimental desert research station at Beersheba can have any doubt that socialist agriculture is a going concern.

Nevertheless, the Soviet crop failures are so enormous, so frequent and so clearly linked to the crazy system which the leadership has imposed on the farms as to make any free enterprise system seem, by comparison, a miracle of efficiency and common sense. Of course, there is no "pure" capitalism in Western agriculture. Support systems of various kinds are in use everywhere, and they often produce gross and wicked anomalies, as we have seen with the Common Agricultural Policy of the EEC. But these Western support systems almost invariably have the effect, when they get out of gear, of erring on the side of plenty.

They create surpluses, leading to the piling-up of "mountains," and to the still more scandalous practice of destroying or "dehumanising" food. But at least nobody starves. The fault of the Soviet system is quite otherwise. Its inherent tendency for complicated bureaucratic reasons, is to produce deficits, sometimes enormous ones; and then the Kremlin turns to the West for rescue.

This year, for instance, Russia set herself a harvest target of 215 million tonnes, barely sufficient to meet calculated domestic needs. Two months ago, the actual harvest return was predicted as likely to be 195 million tonnes; it has since twice been revised downwards, and the final figure may fall short by as much as 40 million tonnes.

Russia can make good this deficit only by purchase from the West, chiefly from the United States and Australia. Western farmers, who have powerful lobbies working on their behalf, are only too anxious for their Governments to authorize such sales. But Soviet intrusions into Western grain markets can be very damaging. They are invariably secretive, unpredictable and lacking in consistency. Russia has always flatly refused to discuss long-term purchase plans with the West, maintaining the fiction that Soviet agriculture is basically self-supporting.

In 1972, huge Soviet grain purchases, which revolutionised Western food prices, were one of the prime causes of the inflation now sweeping the West, which has inflicted incalculable damage on the self-confidence and institutions of the free countries.

Now the Russians are at it again. This year they have already bought 10 million tonnes of grain in the U.S. and some 4 million in Canada and Australia. Now they are clamouring for more—possibly as much as a further 15 million tonnes, with their East European satellites asking for 5 million on their own account.

The U.S. Government embargo on sales thus comes only just in time. For purchases by the East in this quantity are absolutely certain to give a new impetus to Western inflation, just at the very moment when it is being brought under control. A policy of free support for Soviet agriculture is highly destructive of the long-term economic interests of the West.

Moreover, one is bound to ask: why should the West repeatedly come to the relief of its most active and committed enemies, who are by all the evidence, and on their own admission, seeking to destroy our free institutions? I am not one of those who believe that the Soviet regime is inherently weak, and will one day be overthrown to internal movement. The Russian people are docile, obedient and inured to tyranny, never having experienced anything else. But the Soviet dictatorship, like any other, remains vulnerable to one catastrophe: famine.

It seems to me remarkable that the use of the food weapon has never been collectively considered by Western Governments in planning their strategies. Yet it may well be the only weapon we possess which can defuse the Soviet threat without the use of force.

ALTERNATIVES TO THE MONOPOLISTIC STRUCTURE OF THE PETROLEUM INDUSTRY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. CONYERS. Mr. Speaker, the New York Times reported on August 21 the Ford administration is considering a proposal to create a $100 billion "quasi-public" corporation to make the United States self-sufficient in energy. The Corporation would sell bonds backed by the full faith and credit of the Government to private investors to raise capital to develop internal energy resources. This proposed corporation is "public" only to the extent that it would operate under aegis of the Treasury Department, the President would make appointments to its Board of Directors and taxpayers would underwrite its private energy investment. On the other hand, the Corporation would be exempt from congressional oversight or regulation, the public through its representatives would have no discretion about what types of investments should be made and no stock would be sold to the general public.

In effect, this so-called quasi-public corporation is a super-private corporation, an adjunct to the petroleum industry, and the latest in a long line of governmental corporations that have promoted private corporate profit at the expense of consumer interests and broader public interests. A 1973 Federal Trade Commission staff report on the petroleum industry stated:

> The industry operates much like a cartel with 15 to 20 integrated firms being the beneficiaries of much federal and state policy.

The public would be called upon to absorb all the risk while private industry and investors are likely to benefit the most. The existing concentration of ownership and control in the hands of the major energy conglomerates would advance without any reasonable assurance that greater concentration would bring an increased energy supply, a lower cost of energy or more rapid development of alternative and cheaper energy resources. Independents would be further undercut and independent, innovative research in alternative, inexpensive energy sources would be stymied by concentrating research and development funds in the hands of the very corporations with the least interest in alternative energy development at a cheap price.

For these reasons the administration's

proposed energy corporation would perpetuate the problem rather than remedy it. It fails to deal with the major condition of the energy crisis—the monopolistic structure of the energy industry. Is it really inappropriate to raise the question whether American consumers would benefit merely from independence from foreign energy suppliers without also gaining independence from the American petroleum industry itself? Is it not timely to consider a truly public energy corporation?

Enough evidence exists already that the structure of the oil industry is a major cause of periodic shortages in energy supply, inequitable allocations of energy resources, rising costs of energy, and lagging development of alternative energy sources. In a study prepared for the Joint Economic Committee of the Congress in December 1973, Dr. W. N. Peach of the University of Oklahoma and himself a leading energy expert observed:

> The international majors and international minors control most of the domestic and foreign petroleum industry from exploration through production, refining, transportation, and marketing. In addition to having control over petroleum and natural gas, which accounts for 75% of our total energy supply, these same companies control a significant part of the coal, uranium, geothermal, offshore wells, and oil shale in the United States. By no stretch of the imagination does the petroleum industry fit the economist's traditional model of a purely competitive industry. . . . Joint ventures are prevalent in the petroleum industry. Because of these, the petroleum industry does not fit the usual oligopolistic model of the economists either.

Concentration of ownership and control in the petroleum industry over energy development results from the following types of arrangements: vertical integration, or control by oil companies acting alone or in partnership of all phases of the petroleum business; corporate mergers within the petroleum industry; joint ventures in pipeline, refinery, and transport ownership; joint ventures in international oil production; joint ventures in the leasing of Federal lands for energy production; interlocking directorates linking leading financial institutions as well as corporations manufacturing energy equipment or which are major energy consumers with the leading oil companies; and horizontal integration, or control by oil companies acting alone or in partnership of alternative energy resources. In this way the major oil corporations dominate or eliminate independent venture capitalists, producers, and refiners; harmonize corporate policies in the areas of production, pricing, refining, and marketing; control the research on and development of new forms of energy by hoarding investment capital; regulate the supply and demand of energy and its allocation; and determine the future direction of energy development and consumption.

Partisans of the petroleum industry often argue that this concentration is advantageous to the public. Giant companies with their great liquidity will have the resources and the incentive through higher prices to plow back their earnings into further development and supply. This will ultimately benefit the consumer through normal supply and demand mechanisms. So it is reasonable to inquire of these companies what they have done with their profits and assets obtained through higher prices and increased concentration? What evidence is there that such developments have promoted greater energy development and supply?

From 1949 to 1970 the eight leading oil companies—Exxon, Texaco, Mobil, Standard of California, Gulf, Standard of Indiana, Shell, and Arco—through acquisition of other oil companies increased their assets by $3,163 billion—and this does not include the unreported assets that Mobil acquired through control of Northern Natural Gas or that Shell acquired through control of El Paso Gas. There is little evidence that these corporate mergers have positively affected the development and supply of energy. American oil companies have invested $100 billion worldwide and more than half of the investment is found outside the United States. During this expansionary period, while oil prices have skyrocketed, domestic crude oil production has been declining by over 50 percent in the past 15 years and refinery construction has also declined considerably—only one major new refinery has been built in the United States from the late 1960's to 1973—even though energy demand has risen sharply.

The lagging development of alternative energy resources, the overreliance on petroleum and its inflationary and recessionary consequences, and the drying up of competition and innovation as a result of concentrated ownership and control require that the Federal Government assume greater responsibility for the future direction of energy development and supply. Further handouts to private industry will make little difference in remedying the energy problem. Continuing the past and current practice of alienating public lands to oil companies through leasing means more squandering of the public's resources for the sake of private profit. Thirty-five percent of known oil and gas resources, 50 percent of coal deposits, 85 percent of oil shale deposits, 50 percent of uranium reserves, and 60 percent of geothermal energy sources are contained on Federal lands. Much of these lands and their resources are leased to oil companies at $1 or $2 per acre and at these prices the companies have little incentive to develop their resources rather than to merely hold their leases for a future time when alternative energy development would be more lucrative. For fiscal year 1975 the Federal Government has invested a mere $376 million for research in and development of geothermal, solar, gas liquefaction, and fusion power energies, though energy experts concur that tens of billions of dollars of investment is necessary.

The American people must become aware of the fact that energy is a public good, something which affects all of us at once. If it is misused by one group, all others suffer. Energy is also the most general good, its price affecting the price of all other goods and services. It is central to the health of the whole economy, its prosperity and productivity. As such, decisions over energy development, production and pricing, allocation and marketing must be made by the agency that is most inclusive of all the people and most capable of distributing benefits and costs equitably throughout the society. That agency is the Federal Government.

Some of my colleagues have introduced legislation, which I have cosponsored, to deconcentrate ownership and control of energy resources. I shall be introducing an amendment to the Energy Conservation and Oil Policy Act that would bar the 20 largest petroleum companies from controlling all phases of the oil business and from gaining control over alternative energy resources. This legislation is a first step toward accelerated energy development, less expensive production, and more equitable allocation.

What is required as a second step is public control of energy resources contained on public lands by a government body accountable to the American people. A publicly owned and operated energy corporation should fulfill the following objectives: first, to gather and disseminate information about all known and potential energy resources and technologies; second, to accelerate energy research and promote innovative energy projects; third, to engage in long-range energy planning, with particular emphasis on the development of alternative forms of energy, in the context of economic priorities; fourth, to produce all types of energy available on Federal lands and to allocate it at the cheapest cost possible and equitably to public institutions—including community corporations created to supply local energy needs—essential public service sectors and to areas of the country hardest hit by shortages; fifth, to maintain reserves for emergency situations; and sixth, to market energy to refineries and retailers in a way that stimulates competition in the private sector and to build refineries in event of deficient refinery capacity.

The need to consider a public remedy for the energy crisis is highlighted by the following report of Jack Anderson which appeared recently in the Washington Post. It details the cost to the American people of existing private energy policy and of the existing monopolistic structure of the petroleum industry:

[From the Washington Post, Aug. 24, 1975]

OILMEN: THE MODERN BUCCANEERS

(By Jack Anderson)

The oil crisis, so painful for most Americans, has produced a green cloud burst of dollars upon the oil industry.

This has brought joy to the board rooms of such petroleum colossuses as Exxon, Mobil, Texaco and Gulf, whose chairmen now collect record annual salaries of $667,000, $596,000, $579,000 and $544,000, respectively.

The higher salaries of the oil executives, however, come out of the higher prices that their customers must pay for petroleum products. The salaries indirectly also come out of the taxes, which other Americans must pay to subsidize oil operations.

The story of oil greed has been summarized in a confidential, 78-page study by the Center for Science in the Public Interest. The report, which will be made public in September, describes how the oil companies are squeezing record profits out of the public.

Government controls are so lax, the report alleges, that the industry is virtually free to manipulate prices. The 18 major oil companies control not only oil fields but transmission lines, tankers, refineries and more than 90 per cent of the service stations.

Thus, the oil giants rake off profits at every stage of production from the oil wells to the gasoline pumps. This gives them plenty of economic slack to manipulate prices.

They sometimes lower prices temporarily, for example, to squeeze out competition. According to the study, the majors sometimes "sell gasoline to their dealers at 2 to 5 cents lower than normal" but continue to charge the independents the regular prices. This makes it impossible for the independents to compete, and they are driven out of business. Thereafter, alleges the study, "the majors raise their prices."

This insidious process has reduced competition and increased oil bigness. For example, Atlantic and Richfield joined in corporate matrimony and then took over Sinclair. Standard of California reached across the country and acquired Standard of Kentucky. Standard of Indiana gobbled up Midwest; Continental took over Douglas; Amerada merged with Hess; and Union combined with Pure.

The Big 18 showed "an increasing trend toward anti-competitive cooperation and collusion," charges the report. This is denied by oil spokesmen. But the way it is done, according to the report, is through interlocking directorships. Wherever tycoons gather to discuss common interests, oil directors usually can be found.

Declares the study: "The major oil companies are linked 131 times with U.S. banks. At least one oil company director sits on the boards of each of the eleven largest U.S. banks . . .

"A total of nine directors . . . of seven oil giants are involved with Chemical Bank of New York. Five are directors and four are members of advisory commitees. . . .

"It takes little imagination to see who gets favorable lines of credit and long-term financing." The oil directors can be expected, according to the study, "not to finance the strengthening of a potential competitor, particularly since the banks themselves own large percentages of the oil companies."

The influence of oil, with a potential for sky-is-the-limit pricing, is found everywhere. In the transportation industry, for example, "there are nine giant oil interlocks with major transportation companies, most railroads and airlines," states the study.

The oil companies also help to dictate the decisions affecting other forms of energy. Exxon, Gulf, Continental and Standard of Ohio have substantial coal holdings. Geothermal energy is dominated by Union, with Gulf, Shell, Sun and Standard of California moving into the field. Exxon, Getty and Gulf are powers in nuclear energy, and even solar energy is coming under the control of Exxon, Gulf, Mobil, Shell and Texaco.

Many big oil empires, like the British empire, stretch beyond the world sunsets. And like their holdings, their loyalties also extend beyond any national boundaries.

Oilmen have become the modern buccaneers, well tailored and turned out, whose quarry is the world. They have no real interest in the welfare of any one nation. They are concerned only with making huge profits, however they can, wherever they can.

Governments may rise and fall; wars may shake the world. But the dividends keep pouring in, remarkably unaffected by international boundaries and politics. For years, Exxon, Mobil, Texaco and Standard of California, for example, controlled the world's largest oil reserve in Saudi Arabia. When their profits were on the line, they didn't hesitate to ignore the direction of the U.S. government and follow the dictates instead of the Arab oil governments.

The oil combines, although their worldwide corporate interests are seldom identical with national interests, seem to be able to work their way with governments. In the U.S., the top oil men have always had close ties to the top policymakers.

The chief lawyer for Standard of New Jersey, for example, was John Foster Dulles' law partner. And Exxon's chairman J. K. Jamieson had personal access to Richard Nixon on oil matters.

Among other prominent politicians now serving on oil boards, the study also turned up former Defense Secretary Clark Clifford with Phillips Petroleum, ex-Transportation Secretary Claude Brinegar with Union Oil, former Secretary of State William Rogers with Sohio, and former North Carolina Gov. Terry Sanford with Cities Services.

Every year, the oil companies spend millions to publicize the imaginary distress of the oil industry and to subsidize its lobbying effort. This has produced oil loopholes, which have saved the oil men billions in taxes.

Despite the new restrictions on the depletion allowance, according to the study, the 18 oil firms were still able to squeeze $800 million through other tax loopholes in fiscal 1975.

The 1974 tax rates show Texaco paying only 1.6 per cent, Gulf 2.9 per cent, Mobil 3.6 per cent and Exxon 6.4 per cent. Other corporations paid an average corporate tax of 49 per cent. This sort of tax avoidance, of course, is merely another form of government subsidy.

Meanwhile, the oil crisis has left the 18 major oil firms, economically and politically, stronger than ever.

GETTING TOGETHER ON OIL CONTROLS

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. LAGOMARSINO. Mr. Speaker, I would like to bring to the attention of my colleagues the following Los Angeles Times editorial: "Getting Together on Oil Controls." This makes a lot of sense:

GETTING TOGETHER ON OIL CONTROLS

Democratic congressional leaders, after communing with their constituents during the August recess, returned to Washington in a mood to work with the Administration for a gradual phaseout of oil price controls. Such a compromise is clearly in the public interest; we urge all members of Congress to support it.

Under terms of the understanding reached at a meeting last Friday between President Ford and the Democratic leaders of the House and Senate, the President will veto a bill which would resurrect for six months the price control program which abruptly expired Sunday. But if Congress will enact a substitute bill extending the previous controls for only 30 to 60 days, he will sign it—if there are reliable indications that Congress will use that time to produce a compromise program of gradual decontrol.

This is a sensible approach. Unfortunately, it is far from clear that House Speaker Carl Albert or Senate Majority Leader Mike Mansfield will be able to sell it to those Democrats who previously rejected a presidential proposal for phasing out controls over 39 months, and are now hell-bent on overriding his veto and thus reimposing the old controls program.

Those who take this approach like to paint themselves as guardians of the American consumer. Actually, if the attempt to reimpose the old controls is successful, the real beneficiaries will be not U.S. consumers but members of the world oil cartel, whose ability to extract higher and higher prices will thereby continue all the longer.

By coincidence, even as the House and Senate are cranking up for an attempt to override the presidential veto, members of the Organization of Petroleum Exporting Countries are preparing to meet in Vienna to decide by how much they will increase the price of oil shipped to the United States and other consuming countries.

Optimists among the cartel-watchers expect no more than a $1-per-barrel price boost; pessimists say the increase could be as much as $4 a barrel—almost 10 cents a gallon.

Either way, the American consumer will have no choice but to utter a small profanity and pay the higher price at the gas pump. No choice, that is, except to ask his congressman what he is doing to reduce U.S. dependence on foreign oil producers who already supply almost 40% of the petroleum consumed in this country, and are supplying more with every passing day.

Opinions differ as to what will happen if the veto sticks, the Democratic majority continues to reject a compromise and the abrupt end of controls is allowed to stand.

Rep. John D. Dingell (D-Mich.), chairman of a House energy subcommittee, talks absurdly of gasoline reaching 90 cents a gallon by New Year's Day. Some oilmen profess to believe that competition will hold the increase to negligible proportions. But among experts the prevailing view is that if abrupt decontrol is accompanied by the removal of the $2-a-barrel duty on imported oil, it will produce a price boost of 3 or 4 cents a gallon.

However, this projection does not include the effects of the price boost planned by OPEC. Considering that each additional penny per gallon costs consumers about $1 billion, and taking into account the ripple effect on the rest of the economy, it is obvious that decontrol should be gradual so as to soften the impact.

If they truly want to serve the people who elected them, members of Congress will uphold the President's veto, then join the Administration to work out a compromise program that will move the country toward greater self-sufficiency in oil without undue hardship on the American people.

Phased decontrol along the lines already proposed by Ford should be one element of such a package. Provision for an excess-profits tax on oil companies that do not plow the extra profits into the quest for new energy supplies must be another—along with tax relief to offset at least part of the impact of higher fuel prices on consumer pocketbooks.

While the Administration and congressional leaders make this last attempt at consensus on a sensible program, the oil companies can do themselves and the country a favor by not moving too swiftly to take advantage of their new but hopefully temporary freedom from all price controls.

FRANK MEEKINS

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. RUSSO. Mr. Speaker, I would like to bring to the attention of my colleagues an outstanding achievement of a young man from my State who has recently culminated a distinguished golf career by becoming the club champion of Flossmoor Country Club, Flossmoor, Ill.

Mr. Frank Meekins, an attorney and

member of the law firm of McGrane, Perozzi, Stelter, Meekins and Gerardi, on September 1, 1975, defeated Tad Harvey 4 and 3 to become in only his second year of competition the youngest club champion in recent memory.

Mr. Meekins is a graduate of Mendel High School, 1961; St. Marys College, 1965, and DePaul Law School, 1967. At all the above institutions, Frank was an outstanding member of the golf team and exemplified the true spirit of sportsmanship that amateur athletics is intended to foster.

To Frank Meekins, his wife Margie and his son David John, I extend a well-deserved congratulations and a shared pride in this accomplishment.

MAYOR BEAME CALLS FOR GUN CONTROL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. RANGEL. Mr. Speaker, on Friday, July 25, Mayor Abraham Beame of New York City testified before the Subcommittee on Crime of the House Committee on the Judiciary. The purpose of Mayor Beame's testimony was to alert Congress to the growing handgun menace in our society and to urge the expeditious passage of Federal gun control legislation. As a congressional advocate of stringent gun control laws, Mr. Speaker, I would like to take this opportunity to place the complete text of Mayor Beame's testimony in the CONGRESSIONAL RECORD and commend it to the attention of my colleagues.

TESTIMONY BY MAYOR ABRAHAM D. BEAME

Thank you for this opportunity to express New York City's concern over the rapid spread of handguns in our City and other cities of the country.

I would like to commend the Subcommittee on Crime for holding so many hearings in different parts of the nation on the illegal use of firearms.

Certainly this is a nationwide problem and we welcome Federal assumption of responsibility in solving this serious social challenge.

I am sure that the statistics are well known to this Committee, and you have already heard Commissioner Codd and Deputy Inspector Maloney testify to the dimensions of the problem here in New York City.

But I would like to put our homicide and other crime statistics, which you may have seen and heard, into their proper perspective.

New York City's overall crime rate ranks 19th among the 25 largest cities of the country. It is our size and the fact that we have eight million residents which make those statistics so appalling. But, percentagewise, we compare favorably with other large cities.

With new Federal gun-control legislation, our control of crime in New York City will certainly improve and I believe such legislation would help law enforcement officials in every community in this country do a better job.

Every innocent death by gun is a special tragedy for the victim's family and friends, largely because it might have been avoided under appropriate gun-control laws.

But, when a police officer dies by gun, it's a special tragedy for the entire community. For if a gunman kills a policeman, he will not hesitate to pull the trigger at unarmed civilians.

Earlier this year, five New York City police officers were brutally shot and killed in the short space of five weeks while attempting to enforce the law. That was at the rate of one police officer a week.

I will never forget the shock and sadness which I felt and shared with the other citizens of this great city, as week after week we endured the shooting death of another police officer.

When this happens to a city, the time has come to act not only against the criminals who killed those police officers, but against the whole notion of an indiscriminate and increasing use of firearms.

There is no accurate count on how many handguns there are in New York City. But many experts estimate that there are more than one million handguns in the homes and businesses of the citizens of our City. Yet fewer than 29,000 individuals are licensed to hold such guns.

We are faced with an estimated one million illegal handguns in this City—a terrible reality which puts illegal possession of guns on the frequency level of traffic violations.

Now The State of New York and The City of New York have gun laws and regulations which are among the toughest and most strictly enforced in the nation.

Since taking office in January 1974, I have further tightened local controls as far as my authority allowed.

I directed the Police Department to require more detailed substantiation for new applications for handgun permits filed by the general public. I also issued an Executive Memorandum setting forth new regulations and standards for City employees who carry handguns.

For two years I have also submitted proposed legislation to the State Legislature to increase criminal penalties for firearms violations, to make jail sentences mandatory for persons convicted of first-degree armed robbery and armed assault, to eliminate plea bargaining by persons indicted for such armed robbery and armed assault and to require firearms permits for possession of blank cartridge pistols which are usually used as starter's guns in sporting events. As you know, starter's guns are frequently converted into lethal weapons.

Unfortunately, none of these measures was passed by the State Legislature.

Despite our existing State laws, and despite the further tightening of local controls, we are experiencing an increase in the number of crimes committed with firearms.

If one-half of all homicides here and one-third of all reported robberies and one-fifth of all reported assaults are committed by persons carrying handguns, then something is clearly wrong.

Frankly, even the enactment of all the gun-control measures I proposed to the State Legislature might not be enough to reverse the spread of illegal handguns or the increase in crimes committed with guns.

I have said this many times before, and I believe the experts share this view, namely, only by the passage of uniform Federal gun-control laws will the spread of handguns and the increase in gun-related crimes be curtailed.

For example, it does us New Yorkers little good to have tough, strictly enforced gun-control laws when most of our 50 states do not have similar laws and a black market in guns can thrive here through the easy shipment of guns from other states.

As Commissioner Codd has told you, we traced the origins of 1,800 guns seized after they were used in the commission of crimes. And, of those 1,800 guns, only one was traced to an illegal sale in New York State, while more than 1,300 were traced to illegal sales in other states.

I am convinced that, if our tough State laws and regulations were duplicated in other states, we would see a marked decrease in crimes committed with guns.

That is why Federal legislation is necessary. We need some uniform Federal laws applicable throughout the 50 states and one strong deterrent to the criminal use of handguns would be a Federal law requiring all handguns in the country to be registered.

Here in New York City, the largest urban complex in the nation, the people have supported the State's gun-control laws and regulations for decades. I have every reason to believe they will support a Federal law which will provide for meaningful registration requirements in each state. Opinion polls tend to bear this out.

A very strong deterrent to the illegal use of handguns would be a Federal law which restricts sales of handguns to licensed individuals. New York State has a licensing law and it does not interfere with the people's right to own handguns for legitimate purposes.

Similarly, Federal law which would require individuals in all 50 states to be licensed to carry or possess handguns would not interfere with anyone's right to own such guns for legitimate purposes.

I believe we also need some kind of Federal oversight on the number of handguns that are available to the people in our country and this could be accomplished through a measure that would restrict the number of handguns which the same individual can purchase and own.

Another problem which the Federal government can help resolve is the problem of the so-called "Saturday Night Special," the cheap, easily available handgun, which has figured so prominently in so many crimes, especially among our young people.

We have tried to get State legislation against not only these Saturday Night Specials, but against all small, readily concealable handguns. However, even if we did, we would face the same problem of a black market here, unless there were some Federal legislation which outlawed the manufacture or sale of such guns in all 50 states.

Finally, there is the growing problem of shipping handgun parts across state lines for assembly at their destinations.

While there is a Federal proscription against the shipment of assembled handguns between people who are not licensed gun dealers, there is no such proscription against the interstate shipment of certain handgun parts.

It just doesn't make sense for the Federal government to require licensing for the shipment of assembled handguns and not require such licensing for the shipment of all handgun parts which can be easily assembled anywhere.

So, on the basis of New York City's experience, I recommend that any new Federal gun-control legislation should include at least the following measures.

(1) A Federal law requiring registration of all handguns in the country.

(2) A restriction on sales of handguns only to licensed individuals.

(3) A limit on the number of handguns which the same individual can purchase in a year.

(4) The outlawing of the manufacture or sale of Saturday Night Specials.

(5) A prohibition on the interstate shipment and the importation of all firearm parts, unless such shipment or importation is to a licensed dealer.

In closing, I want to emphasize the great concern which law enforcement and other public officials here have about the continuing spread of illegal handguns throughout The City of New York.

Pistols brought into this City illegally and sold illegally now have a ready market in all our neighborhoods, and we fear this situation in which handguns have become as common in many households as any kitchen appliance.

The handgun we fear is small enough to be concealed in a pocket, purse or a person's hand, but it casts a growing shadow across every American city.

If Congress does not check present trends, that shadow could darken the life of every American.

REMOVAL OF ARCHITECTURAL BARRIERS TO HANDICAPPED

HON. JAMES ABDNOR

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. ABDNOR. Mr. Speaker, I am pleased to reintroduce today a concurrent resolution making it the sense of Congress that all units of government expeditiously remove the many architectural barriers to the handicapped existing in our public places. Seventy-four of my colleagues join with me in this effort.

For years this country has had a valuable asset that we have ignored—our handicapped fellow citizens. These are courageous individuals who could indeed give us a lesson in living. I am asking this Congress to commit itself to make changes long overdue and in anticipation of the Bicentennial.

The approaching Bicentennial anniversary will be celebrated by all of our citizens. Many will visit historical and institutional centers whch personify this Nation's underlying principles and development. The handicapped may not have access in many instances. We cannot allow this to happen. We should not allow this to happen especially when one considers the fact that our Constitution stipulates that the purpose of our Government includes the promotion of the general welfare, protection of individual rights, and the fostering of opportunities for all.

This Nation has the resources to remove existing barriers and to do so before our celebration starts. Many places here in Washington have made provisions for the physically impaired. There are generous quantities of information which will assist the handicapped in making their visit to Washington enjoyable and convenient. But in a different sense, we still have present day impairments such as the case when an individual in a wheelchair can visit the Washington Monument, but cannot see out the windows once there. Once inside the National Archives, the U.S. Constitution and other meaningful documents are unable to be seen from a wheelchair. Ford's Theatre and the House Where Lincoln Died are candidly termed "inaccessable to those in wheelchairs" by the Park Service. I am pleased to note, however, that the Park Service has plans to renovate the Lincoln and Jefferson Memorials—which are currently viewed from street level by the handicapped—as well as installing curb cuts in the White House area and the Mall.

My legislation would:

First. Promote awareness of existing architectural barriers.

Second. Encourage the expenditure of discretionary and existing appropriate funds toward expeditiously removing architectural barriers.

Third. Encourage government agencies at all levels to make the necessary changes for our fellow handicapped citizens.

I am pleased to note the cooperation I have received from the National Easter Seal Society for Crippled Children and Adults, the American Institute of Architects, Paralyzed Veterans of America, Inc., and Goodwill Industries, Inc.

Architectural barrier removal should not mean the installation of an aesthetic eyesore and hazard. Accessibility should mean independence for our handicapped citzens as we celebrate our anniversary and statement that "All Men are Created Equal."

The following are those that have joined in this effort to move toward removing existing barriers to the handicapped:

Cosponsors of Handicapped Bill

Bella S. Abzug, Joseph P. Addabbo, Glenn M. Anderson, Mark Andrews, Les AuCoin, Herman Badillo, Edward P. Beard, Berkley Bedell.

Jaime Benitez, Michael T. Blouin, Don Bonker, William M. Brodhead, Garry Brown, Clair W. Burgener, Shirley Chisholm, William S. Cohen.

Cardiss Collins, James C. Corman, Mendel J. Davis, Christopher J. Dodd, Thomas J. Downey, Robert Duncan, Robert W. Edgar, Don Edwards.

Joshua Eilberg, Daniel J. Flood, Bill Frenzel, Louis Frey, Jr., Benjamin Gilman, Gilbert Gude, Mark W. Hannaford, Michael Harrington.

Augustus F. Hawkins, Ken Hechler, Marjorie S. Holt, John W. Jenrette, Jr., Jack F. Kemp, William M. Ketchum, Robert J. Lagomarsino, William Lehman.

Jerry Litton, Jim Lloyd, Clarence D. Long, Andrew Maguire, Romano L. Mazzoli, John Melcher, George Miller, Donald J. Mitchell.

Parren J. Mitchell, Joe Moakley, Carlos J. Moorhead of California, John E. Moss, Ronald M. Mottl, Richard L. Ottinger, Claude Pepper, Larry Pressler, Albert H. Quie.

Peter W. Rodino, Jr., Teno Roncalio, Patricia Schroeder, Philip R. Sharp, Stephen J. Solarz, Fortney H. Stark, Alan Steelman, William A. Steiger of Wisconsin.

Charles Thone, William F. Walsh, Henry A. Waxman, G. William Whitehurst, Bob Wilson of California, Charles Wilson of Texas, Larry Winn, Lester L. Wolff, Leo C. Zeferetti.

Concurrent Resolution

To promote and encourage the removal of architectural barriers to the access of handicapped persons to public facilities and buildings.

Whereas the approach of the bicentennial anniversary of the founding of this country calls all of us to reaffirm the principles attendant that foundation and guiding our growth as a Nation; and

Whereas the Constitution stipulates that the purposes of our government include the promotion of the general welfare; and

Whereas Members of this Congress have sworn to uphold and defend this most basic document and statement of priciples; and

Whereas our handicapped fellow citizens have rights, not because of their disabilities, but rights which belong to all citizens; and

Whereas many existing public buildings and facilities have architectural barriers to access and enjoyment by our handicapped fellow citizens, and

Whereas this country, as in no other time in its history, has the resources to provide for the well-being of all its citizens: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress—

(1) that the Constitutional Officers of the United States of America, administrators of institutions supported with public monies, and administrative officers of this Congress, should immediately survey facilities under their direction for all architectural barriers to the handicapped;

(2) that said officers and administrators should make available monies from their discretionary funds for the removal of architectural barirers to the handicapped; and

(3) that all other governmental units should be encouraged to make similar provisions for the handicapped citizens who reside under their jurisdiction.

JOSEPH KRAFT HAS A HORSE LAUGH ON ENERGY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. ANDERSON of California. Mr. Speaker, I would like to insert in the RECORD, a recent column by Joseph Kraft which brings out two of the major problems we face in assessing oil decontrol—windfall profits and protection of competition in the oil industry.

With immediate decontrol of old oil prices, the focus of attention is usually simply the fact that there is a golden opportunity for the major oil companies to line their pockets with the hard-earned money of the American consumer. However, Mr. Kraft brings out a concern which I believe deserves equal consideration—with immediate decontrol, the only competition to the majors, the independent refiners, will most likely be squeezed out of the market while the majors gloat over how they are serving the public interest by holding down their retail prices.

The vast vertical integration of the majors will permit them to reap profits at the wellhead while taking losses at the gas pumps. The independents cannot follow suit, and will be forced to raise their retail prices, thereby making them noncompetitive. In an industry that not only controls oil, but also coal, natural gas, and alternate energy sources, the breath of competition added by the independents must not be driven out. It is the American people who are going to suffer from our failure to compromise on this issue.

I believe that Mr. Kraft says it better than I can, so I would like to insert his article in the RECORD at this point:

[From the New York Post, Aug. 16, 1975]

The Horse Laugh

(By Joseph Kraft)

WASHINGTON.—Maybe what President Ford likes to call his energy program isn't just a cozy arrangement for lining the pockets of the big oil companies. But events are giving the horse laugh to any other interpretation.

By the end of this month the big companies will be getting higher revenues without paying increased taxes. They will also be receiving public credit for actions which in fact work to hurt their chief competitors—the independent refiners.

The point of departure for what is emerging is the present law fixing prices on oil products from wells discovered before 1972. Such so-called "old oil" constitutes about 60 per cent of the amount produced in this country. Its price is now controlled at $5.25 a barrel.

The law controlling oil prices expires on Aug. 31. Just before recessing, Congress passed a six-month extension. But Ford has said he will veto the extension when it reaches his desk at the end of this month.

If so, producers of old oil could raise their prices to the going rate for all other oil—about $13 a barrel. The increased revenues would go chiefly to the major oil producers, for these big companies own most of the old oil.

Virtually everybody, including both the Administration and the congressional Democrats, professes to believe higher oil revenues should be subject to increased taxation.

But the Congress has not yet passed an excess profits tax on oil, because the Democrats figured such a move would have made it easier for the President to decontrol oil. So the higher revenues coming to the companies when the controls come off would not be subject to higher taxes.

Moreover, to soften the blow to the consumers, the President and various political allies have been asking the oil companies to hold the price of gasoline steady at the filling station even after controls expire.

Particularly instructive in that view is a letter sent out by four Senators known for their connections with the oil lobby and the White House. The Senators are John McClellan (D-Ark.) and three Republicans—Paul Fannin of Arizona, Carl Curtis of Nebraska and Clifford Hansen of Wyoming.

In their letters, the Senators urge the oil companies to "exercise every possible pricing restraint during the very critical days that will come after Aug. 31." They indicate such restraint would be "in the highest public interest." They intimate it would not, even if arrived at by collusion, be subject to anti-trust prosecution.

Various signs, including full-page ads calling for price restraint by the Union Oil Co., suggest that the big oil combines are going to harken to the Senators. It is easy to see why.

If prices are raised at the wellhead but held at the pump, the squeeze will be on the refiners. The biggest companies will not be hurt so badly because they will rake in the extra money coming from decontrol of old oil.

But their only serious competitors, the independent refiners who buy at the wellhead, will be clobbered. So even as they are praised for serving "the highest public interest," the big companies will be chewing up their competitors.

This giveaway, to make matters worse, does not even achieve the stipulated goal of the President's energy program—reduction of dependence on foreign sources.

Nothing is now being done to cut back consumption. Imports are not going down. The less so given the recent court decision ruling illegal the $2-a-barrel excise fee which the President applied as pressure on Congress to accept his energy program. For Ford is now likely simply to remove the fee.

All of this is not going to be lost on foreign producers of oil. The message they are bound to get is that the U.S. is not cutting consumption and that there is at least a $2 a barrel margin available for price increase.

What this suggests to me is that the energy program has become an energy mess. The country needs a fresh start.

That means accepting the proposition that what may be good for the companies may be bad for America. It means a serious program which identifies large national goals and sets out the means, public and private, for reaching those objectives.

THE PANAMA CANAL AND THE ZONE

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. HARRINGTON. Mr. Speaker, during the next few months Congress will be expected to focus its attention once again on an issue of critical importance to hemispheric relations—the renegotiation of the 1903 Panama Canal Treaty. Recent events indicate that the near-stalemated negotiations of early summer may finally have a chance for success.

This week, for example, State and Defense Department officials apparently set aside the differences that had contributed significantly to the near impasse to engage in a joint inspection tour of the canal. Deputy Secretary of Defense William P. Clements, Jr., Chairman of the Joint Chiefs of Staff, Gen. George S. Brown, and Assistant Secretary of State for Latin American Affairs William D. Rogers jointly traveled to the Canal Zone to tour the area that could pose problems of crisis proportions to U.S. policymakers if the 11 year attempt at renegotiation should fail. The trip indicates that the protracted dispute between the two Departments over the land and water rights to be guaranteed by a new treaty may be on its way to resolution. In a related vein it appears that a compromise has been reached within the executive branch which effectively overrules Defense Department arguments favoring 50 more years of exclusive U.S. control of the canal.

Even more encouraging are signs that a possible executive-legislative confrontation over the issue has at least been postponed. Until a meeting with the U.S. negotiating team due to return on September 15, Senator HARRY BYRD has judiciously agreed to delay the introduction of his amendment prohibiting the appropriation of funds to continue the negotiations. Passage of the Byrd amendment would only bring further confusion to the already complex questions and prevailing misconceptions that surround the issue at present. Not only would passage bring a halt to the negotiations thereby alienating the Panamanians, but it would also provoke a confrontation with the executive branch due to questions raised regarding the amendment's constitutional validity.

With the resumption of the negotiations and the apparent willingness of the Senate to refrain temporarily from prejudging the issue before a draft treaty is even presented to the Congress, it would be valuable to review the background of the current negotiations and the possible consequences of failure. I, therefore, recommend to my colleagues an article appearing in the Washington Post by Representative CHARLES WHALEN entitled "Colonialism and the Canal":

COLONIALISM AND THE CANAL

(By CHARLES W. WHALEN, Jr.)

It is ironic that as it approaches the two hundredth anniversary of its independence, the United States is one of the world's remaining colonial powers. Since 1945, approximately 68 provinces have been ceded sovereignty by their colonial masters. Yet our country continues to cling to a 553-square-mile enclave in the heart of Panama in a manner befitting the nineteenth century British raj.

In the fashion of its infamous East India precursor, the Panama Canal Zone is administered by a quasi-governmental company headed by a presidentially-appointed governor. Ordinances prescribing the conduct of zone residents and employees are promulgated by the governor and enforced by American-paid police. Alleged violations are prosecuted by a United States District Attorney and adjudicated by a Federal District Court. Virtually all commercial enterprises and deep-water port facilities within the territory are operated by Americans. For the use of its land we pay the government of Panama a miniscule $2.3 million annually. Perhaps the most imperious manifestation of our presence is the election every four years of delegates to one of our country's major political conventions.

The future of the Panama Canal may be one of the most explosive issues to confront the Western Hemisphere during this century. Panamanians are deeply concerned that an alien power operates a de facto colony cutting a 10-mile swath through the center of their nation. Considerable friction in United States-Panama relations already has resulted from the continuation of policies based upon the 1903 Hay-Bunau-Varilla Treaty. The 1964 "flag incident," for instance, caused 24 deaths. During the 1973 meeting of the United Nations Security Council in Panama the United States cast the third veto in its history to defeat a resolution supporting the Canal posture of the Torrijos government.

Recognizing the volatility of the situation, the Nixon administration in 1973 committed itself to renegotiate the 1903 document. On February 7, 1974, Secretary of State Henry A. Kissinger and Panamanian Foreign Minister Juan A. Tack signed an agreement embracing the principles upon which future treaty discussions would be predicated. These include: (1) a fixed termination date for the new treaty; (2) a return to Panama of full jurisdiction over the territory in which the Canal is located in exchange for assurances that the United States would retain the rights, facilities, and land necessary for its operation and defense for the duration of the treaty; (3) Panamanian participation in the administration and security of the Canal; (4) a more equitable distribution to Panama of the economic benefits derived from the Canal.

Conclusion of a new treaty is expected within the next few months. Yet the negotiating principles already have come under sharp congressional attack. In the mistaken notion that the Hay-Bunau-Varilla Treaty accords sovereignty to the United States in the Canal Zone (as early as 1904 our government recognized that Panama remained the titular sovereign there), legislative critics argue that the proposed treaty represents a "give-away."

On March 4, 1975, Senator Strom Thurmond (R-S.C.), joined by 37 colleagues, introduced S.R. 97 which expresses the sense of the Senate that the United States not surrender its "sovereign rights and jurisdiction" over the Canal. The Thurmond proposal exceeds by three the 34 votes necessary to block treaty ratification. A companion measure (H.R. 23), initiated by Representative Daniel J. Flood (D-Pa.), has 126 House co-sponsors. On June 26, the House, by a 246–164 vote, adopted Representative Gene Snyder's (R-Ky.) amendment to the State Department Appropriations Bill which denies funds "to negotiate surrender or relinquishment of any U.S. rights in the Panama Canal Zone."

If the Senate refuses to consent to a new treaty with Panama, what might occur?

First, our relations with Panama and other Latin American states (and, indeed, the entire Third World) will be severely strained.

Second, by rejecting Panama's bid for self-rule (a mood we failed to detect in Indochina), we could become involved in a protracted, unwinnable guerrilla war.

Third, lives of countless United States citizens, residing in Panama, could be needlessly endangered. A distinguished American foreign policy scholar recently told me of his conversation with General Omar Torrijos. "What would you do with your National Guard," he asked the head of state, "if 5,000 Panamanians stormed the Canal Zone?" General Torrijos smiled and responded: "I would have a difficult decision, wouldn't I? I would have to choose between shooting Americans or my own countrymen."

Fourth, the Canal Zone could be rendered inoperable. It is vulnerable to sabotage. Further, ship owners may be reluctant to route their vessels through the Canal where they would be "sitting ducks" for territorist activities.

The forthcoming treaty debate, therefore, presents the Congress (the House may have to take certain implementing actions) with two important challenges.

The first is a test of congressional willingness to embark upon its own "new dialogue" with Latin America. Panama is an ideal country with which we could invoke a hemispheric policy based, in the words of Chief Treaty Negotiator Ellsworth Bunker on "new ideas, rather than old memories." Redefining our relationship with Panama will demonstrate United States' support of the principle of self-determination. It also will signal our intention to deal with our other Latin American neighbors on a truly equal basis.

The second will be a measure of congressional competence and responsibility in the foreign policy-making process. Will Congress' reaction to the new treaty be parochial, insensitive, and uninformed? Or will the Senate and House of Representatives accept the opportunity to avert a crisis before it occurs by enabling an ally of long-standing to achieve a just and reasonable goal?

In Panama, the issues are well defined and the consequences of our failure to adopt a new treaty are predictable. If Congress rejects the treaty, the only question will be the price the United States must pay to defend the status quo.

MEDICARE MUST IMPROVE ADMINISTRATION OF DURABLE MEDICAL EQUIPMENT PROGRAM

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. VANIK. Mr. Speaker, during the past several months, the Ways and Means Oversight Subcommittee has been holding hearings on medicare's administration of the kidney disease benefits program established by the Social Security Amendments of 1972.

As one of the aspects of this study, we have found that there are serious questions in the administration of the durable medical equipment—DME—purchase and rental program. I have calculated that improvements in the purchase of equipment used in kidney dialysis could result in savings of approximately $108 million every 5 years. Mr. Speaker, this is a savings in just one area of disease and treatment. Savings throughout all of medicare's programs must be significantly higher.

Because of the amount of savings possible through a more intelligent use of purchases versus rentals, I would like to enter in the Record at this point a letter on the subject which I sent to the Director of the Bureau of Health Insurance on August 29, 1975:

August 29, 1975.

Mr. Thomas M. Tierney,
Director, Bureau of Health Insurance, Social Security Administration, Baltimore, Md.

Dear Mr. Tierney: On March 21, I wrote to Commissioner Cardwell regarding the Social Security Administration's response to a number of General Accounting Office reports issued in recent years. One of these GAO reports involved durable medical equipment (DME) and cost savings which could result from improved purchase versus rental procedures. As you know, in an effort to help ensure cost savings in the use of DME, Congress provided in the Social Security Amendments of 1972 (P.L. 92–603) that HEW could—

"Conduct reimbursement experiments designed to eliminate unreasonable expenses resulting from prolonged rentals of durable medical equipment . . ."

In Commissioner Cardwell's response to me dated June 3, 1975, he reported that despite the fact that the Social Security amendments were passed in late 1972, action still has not been taken to begin rental/purchase experiments. The letter describes the present situation as follows:

"In December 1973, SSA released a Request for Proposal (RFP) to develop and test new reimbursement methods for DME. As a result of this competitive procurement, three protocols were developed: (1) a prepaid capitation system; (2) a system to automatically transfer title for the equipment to the beneficiary when rental payments exceed the sum of the purchase price plus an additional rental payment; and (3) a system which includes lump-sum payment for new and used equipment, and a rental-purchase conversion arrangement.

"We are presently preparing for negotiations with Exotech Systems, Inc., of Gaithersburg, Maryland, to implement their experimental design (i.e., the third listed above—lump-sum payment for new and used equipment and a rental-purchase conversion arrangement). It is expected that a contract for this experiment will be signed early in fiscal year 1976."

As a result, the present law still stands and provides for reimbursement under Part B for expenses incurred for the rental or purchase of DME. It is up to the patient whether to rent or purchase. Lump-sum payments may be made for inexpensive equipment, generally of $50 or less. In the case of major purchases, however, medicare reimbursement is generally made in monthly installments equivalent to the payment which would have been made had the equipment been rented.

In recent months, the Oversight Subcommittee has been studying the end-stage renal disease program which was also established by P.L. 92–603. As a result of our studies, we have become aware of the enormous cost to the Trust Funds of the ESRD program. It is estimated that within several years, the program will be costing $1 billion annually to maintain between 50,000 and 60,000 patients. Because of the enormous costs of this catastrophic coverage program, it is important that every action possible be taken to hold down unnecessary costs.

Statements presented to the Subcommittee definitely indicate that significant cost savings can be achieved by providing for the purchase of dialysis machines for patients receiving treatment at home.

A patient who is stabilized on dialysis may be maintained on dialysis indefinitely and, depending on the age of the patient, perhaps for decades. Machine purchase is obviously appropriate for many of these patients.

Because of the present law, however, patients are financially unable to purchase dialysis equipment since machines cost between $3,000 and $6,000. As a result, many are discouraged from trying home dialysis—a course of treatment which may be $300 or $400 a week cheaper for Medicare than is treatment in a dialysis center. Others proceed to rent equipment for home use—yet they end up paying years of rent and several times the outright purchase price of the equipment.

According to a letter to me of June 23, 1975, from Dr. Theodore Cooper, Assistant Secretary for Health,

"HEW is unable to identify the specific number of equipment rentals or to determine the total Medicare costs for rental of home dialysis equipment. However, a sample of claims from facilities which are renting such equipment to beneficiaries and which submit bills to intermediaries indicates a median rental charge of $150 monthly. The range of charges on the sampled bills was $67.50 to $200."

From these figures, it would appear that in many cases two or two and a half years of rental payments would equal the purchase price of a machine.

In the Oversight Subcommittee hearing on July 30, 1975, Dr. Fred L. Shapiro of the Hennepin County General Hospital, Minneapolis, Minnesota replied to a question by Rep. Donald Clancy as follows:

"When the company who manufacturers the (dialysis) equipment leases it, they are generally going to calculate on getting their money back in two years. Anything over that is excess with them."

Mr. Clancy. What is the average life then (of the equipment)?

Dr. Shapiro. In most medical equipment it should be approximately five years.

Because the kidney programs did not have capital to buy and lease back, many of them had no alternative but to lease from the company because we could not purchase outright the way the Medicare law is currently interpreted.

So that change, if it were to be made, would be an effective cost savings for the government.

Dr. John Sadler (President, Renal Physicians Association, Head of the Division of Nephrology, University of Maryland Hospital, Baltimore, Maryland):

Direct purchase and resale at a reduced rate as it is turned over would be the greatest economy in terms of the hardware that would be available. . . .

Mr. Clancy. But I think if these changes were brought about it would result in less cost to the government?

Dr. Sadler. I believe so.

Dr. Christopher Blagg (Director, Northwest Kidney Center, Seattle, Washington): Yes.

If one assumes that we will soon have a population of 40,000 patients on dialysis and if one assumes that 50 percent of these can be treated at home, there is a potential for 20,000 home dialysis machines. Almost no patients currently own a machine. If one also assumes that a $3,600 machine is good for five years (a very conservative estimate) and that rental payments are $150 a month, then every five years, $9,000 in rent will be paid. If the machine is purchased outright, then there is a savings to the program of $5,400 every five years times 20,000 patients or a total potential savings of $108 million every five years. While these figures are not precise, I believe they are conservative estimates that convey the type of savings which can accrue to the Social Security trust funds if we begin now to improve the DME purchase program.

In view of this expert testimony, there may be legislative changes in the Durable Medical Equipment rental/purchase system. In the meantime, to help ensure that an improved purchase program is possible, I urge you to undertake immediately several experiments and demonstratons on the purchase of home dialysis equipment for patient use. It is very disappointing that the DME experiments authorized by the Congress have not been developed. A vigorous effort to improve the effectiveness of the purchase program for kidney disease patients will result in cost savings within two years and will provide guidance in the purchase of DME required for the treatment of other types of diseases.

Sincerely yours,

CHARLES A. VANIK,
Chairman.

NATIONAL PARK CONCESSIONS

HON. ALLAN T. HOWE

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. HOWE. Mr. Speaker, I think it is paramount in our system of government that departments and agencies administer their responsibilities in accordance with the law and not to serve their own whims or caprice. To do otherwise is repugnant to the public interest.

One such example is the phasing out of overnight lodging facilities in Bryce and Zion National Parks, both in the Second Congressional District of Utah.

In the statement issued by the Park Service, their justification was that facilities now exist outside the parks, and private enterprise could develop other facilities needed following the closure of in-park facilities. They have also stated their argument is further substantiated by Public Law 89–249 which was enacted by the 89th Congress to encourage such outside development as was deemed desirable and necessary by the Secretary of the Interior.

However, I protest this reasoning because it is not in keeping with the spirit of the law nor the intent of Congress.

When Public Law 89–249 was enacted, the then Secretary of the Interior, Stewart Udall, requested congressional action to encourage private investment in the national park system but he also cautioned against any adverse decision which would affect the preservation and conservation of the surrounding area.

To interpret this law as a sanction to remove these concessions without taking proper steps to guard against harmful effects to the socioeconomic factors of surrounding communities and facilities is clearly a violation of Park Service responsibilities.

It is also relevant to note that removing these concessions from park jurisdiction would reduce the workload on park personnel and effectively reduce their responsibility to the American public.

When the National Park System was first established, it was the intent of Congress that these parks be maintained for the enjoyment of all people. This enjoyment is directly linked to a person's opinion to either have a total park experience or to stay outside the park at the place of their choice.

On closer examination, I think it is more a matter of bureaucratic convenience than any compliance with Federal law or a move in the best interest of the public.

What the Park Service has obviously forgotten is that the people are the park's purpose. Parks were not designed to meet the needs of the Government but rather to adequately meet the needs of the people they serve. Unfortunately, the National Park Service has failed to take into consideration environmental impact statements which specifically indicate increased tourist activity could not be adequately handled in some areas. The result, therefore, would be no overnight lodging in the parks themselves and no available or adequate facilities elsewhere. The effect on the residents in the area has also been ignored and many surrounding communities would be unable to meet the needs of visitors not only in the area of lodging but water and sewage treatment and adequate road access as well.

This is all notwithstanding that the Park Service has decided to take this action without any consultation from the Congress. Since Congress is responsible for the disposition and use of all public lands, it seems clear that this situation bears congressional debate and comment. To go ahead with these plans would, in my mind, be an attempt to abolish the authority of Congress.

As a member of the Interior and Insular Affairs Committee, I have decided to take action along with several colleagues and have introduced a resolution strongly urging against any action to phase out these park facilities. It is my hope that this matter will be seriously considered by the National Park Service and a decision will be made not to take such adverse action at this time or at any time in the future.

MINIQUESTIONNAIRE RESULTS

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. WINN. Mr. Speaker, the practice of polling constituents is a common one. I personally try to conduct at least two surveys of my district each year.

In the past, I have used rather extensive formats, but this summer I tried something a little different. In my summer newsletter, which was mailed to 170,000 postal patrons in my district in early July, I included what I refer to as a miniquestionnaire.

Nearly 20,000 of my constituents responded to that questionnaire, and this week I have released the results. At this time I would like to share the results of that poll with my colleagues. I think we can all learn from the results:

SUMMER QUESTIONNAIRE RESULTS

1. Would you favor the establishment of a Consumer Protection Agency at the Federal level?

Yes: 38 percent; no: 62 percent.

2. Would you be willing to sacrifice some of the benefits you enjoy as a result of Government services in exchange for a decrease in Federal spending?

Yes: 84 percent; no: 16 percent.

3. By now you should have received your tax rebate check. Did you:

(a) Save it? 33 percent.

(b) Spend it? 67 percent.

4. Would you favor the diplomatic recognition of Cuba by the United States?

Yes: 61 percent; no: 39 percent.

H.R. 5901 PROVIDES FUNDS VITAL TO LOS ANGELES SCHOOLS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. ANDERSON of California. Mr. Speaker, on Tuesday we will again face the task of overriding a Presidential veto, this time the veto of H.R. 5901, education appropriations for fiscal year 1976.

It is, indeed, unfortunate that the President has deemed this legislation "too much to ask the American people—and our economy—to bear." Between June 1975 and July 1976, the inflation rate faced by schools in my district was over 10 percent. The bill the President vetoed gives a 4-percent funding increase, or less than half the inflation rate.

I believe that this bill represents, if anything a conservative appropriation. It is $700 million below the spending ceiling set by the new congressional budgetary process established last session. If we were to accept the President's proposal, State and local taxpayers would have to come up with an additional $1.5 billion, for school budgets have already been set for the upcoming year. I can see no reasoning behind the President's veto, and strongly urge my colleagues to express their support for education by voting "yea" on Tuesday.

At this point, I would like to insert in the RECORD a copy of a letter I received from Mr. William L. Lucas, assistant superintendent of the Los Angeles Unified School District, typifying the plight local schools face should the veto be sustained:

LOS ANGELES CITY
UNIFIED SCHOOL DISTRICT,
Los Angeles, Calif., August 12, 1975.

Hon. GLENN ANDERSON,
Congressman, 32nd District,
San Pedro, Calif.

DEAR GLENN: The President's veto of H.R. 5901, the education appropriations bill for FY 76, has tended to compound the Los Angeles Unified School District's fiscal problems. The Los Angeles Board of Education has been forced to reduce educational programs by $41 million in order to meet an anticipated deficit for the 1975–76 school year.

The inadequate recognition of the effect of inflation in California's state schools finance formula is the major reason for the shortfall of funds. I have enclosed an analysis of the program reductions and the effect inflation is having on the cost of some select items that are easily recognizable as necessities for a school district. Momentarily, we are anticipating the Governor signing a state school finance bill (SB 220) which will allow only minimum restorations of the cuts listed on pages 2 and 3 of the enclosed analysis.

Your support in the efforts to override the veto is urgently needed. As you know, President Ford is concerned about the inflationary effect of H.R. 5901. Actually, when those funds required for forward funding of programs in effect beyond FY 76 are deducted from the amounts appropriated in H.R. 5901, the remaining increase is only 3.6 percent over last year's spending levels. If you compare this 3.6 percent increase with the inflationary effect of cost of goods in the analysis, the magnitude of our district's fiscal problems becomes evident.

The Los Angeles Unified School District is providing numerous educational programs that are federally funded. The following is an example of these indicating the district's involvement:

Program	*Positions*	*Funding*
Education for the handicapped	22	$339, 234
Vocational Education	77	2, 926, 074
Bilingual Education	114	1, 458, 500

If you have any particular questions about H.R. 5901, I will be happy to come to your home office and discuss them with you. I can be reached in Los Angeles at 625-6451. Again, your support is most necessary. It is planned to attempt to override the veto of H.R. 5901 on September 9.

Thank you again for your consideration of this most important matter.

Sincerely,

WILLIAM L. LUCAS.

ARAB-ISRAEL AGREEMENT

HON. LARRY PRESSLER

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. PRESSLER. Mr. Speaker, I rise to question certain aspects of the current Arab-Israeli agreement. First of all, I am concerned about the stationing of U.S. technicians. Why can these technicians not be United Nations technicians or technicians supplied by a consortium of nations? The entire world, including the Soviet Union, the European States, Japan, China, Latin America, all of Africa—indeed, all nations—have an interest in peace in the Middle East. I do not want to downgrade our fine Secretary of State and President's sincere efforts on the Middle Eastern situation, but I do feel that we should raise some questions about the nature of the role of the U.S. technicians.

What happens if the U.S. technicians come under grave danger in future hostilities? Under the Mayaguez doctrine would we send U.S. Marines in to protect them? If the U.S. Marines established battle contact, under what circumstances would they break battle contact to withdraw? For how long a period are U.S. technicians to be stationed there? The situation sounds like the beginning of another Vietnam-type involvement with U.S. personnel. I am not prepared to condemn the agreement yet, but I am very concerned and will need some specific answers before I can vote to establish the presence of the U.S. technicians.

Another aspect is the cost of the program. The current summary that I have from the White House does not include projected cost figures. From the New York Times and the Washington Post I summarize that the short range cost will be about $3 billion worth of economic and military aid to Israel and approximately $2.8 billion worth of aid to the Arab States. That totals approximately $6 billion—and I am sure there will be continuing and additional expenses. To put that amount into perspective, let's remember that the President has recently vetoed the education bill of 1975.

Although comparisons are a bit dangerous, I should point out that the total figure on the conference report that the President vetoed was $7.9 billion. That figure represents total Federal dollars spent on education in the United States during 1 fiscal year. It appears to me that this figure is approximately equal to the amount the Middle Eastern agreement will cost us in the first year or two. My staff has been unable to get firm figures from either the State Department or the White House as yet—I could be wrong. But, based on these preliminary figures, it seems safe to assume that we are spending as much on this Middle Eastern agreement as we are on the total Federal expenditure for all levels of education in our own country for 1 fiscal year and, indeed, even this amount for education has been vetoed on the grounds that it is inflationary to our economy.

Therefore, I urge that we carefully look at two aspects of this agreement. One, the stationing of U.S. technicians rather than United Nations or a consortium of personnel and, two, the cost involved.

Let me conclude by again applauding our Secretary of State and President for their outstanding efforts in trying to bring peace to this troubled area of the world, but let us also remember that similar efforts were made by equally dedicated Americans at the beginning of the Vietnam involvement. As an Army veteran of that conflict, I am of the persuasion that we should hesitate and analyze carefully the possible outcome of committing U.S. personnel and money in such situations.

BUSING—THE ARROGANCE OF POWER

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. SNYDER. Mr. Speaker, the totalitarian hand of the Federal judiciary has fallen upon my people. In the name of the Constitution the court is taking our children from us. In the name of the Constitution they are polarizing the races in their attitudes toward each other.

For years now, I have fought for legislation here to correct this injustice realizing that the trauma affecting others could some day affect us as it now does.

A very revealing article from the Wall Street Journal of July 25, 1975, points out very vividly the error of this practice by the courts. Forced busing is—a lost cause to achieve a better education for any child—it is, in many important ways the Vietnam of the 1970's. Our country is again being torn apart by an effort that cannot succeed because it thwarts the will of our people.

The Wall Street Journal article follows:

BUSING—THE ARROGANCE OF POWER

(By Michael Novak)

Busing is, in important ways, the Vietnam of the 1970s. It is a quagmire; a lost cause; taxation without representation; a policy of massive social engineering with little clear prospect of benefit; a mistake; a tragedy; a breeder of endless demonstrations, riots, and dissent.

At last count, only 4% of whites and 9% of blacks favored busing. Only "the best and the brightest," it seems, as in Boston, favor it. They designed it, they impose it, and they will never suffer their children to experience it.

On its face, busing has racist presuppositions. A century ago, hardly literate, immigrant, Catholic young women established a massive parochial school system which soon rivalled the well-financed public schools in the quality of discipline, instruction, and social mobility they imparted. But the assumption behind busing is that blacks, unlike Catholic immigrants, cannot learn in largely separate environments. They need an infusion of "white magic." They can learn only among whites. This is a preposterous assumption. Excellent black schools like Dunbar in Washington give it the lie.

Busing arose as an issue in the South. There the court orders at first had the effect of *halting* busing—of allowing blacks to attend neighborhood schools rather than of being bused away from home to all-black schools.

JUDICIAL ASSUMPTIONS

Next, busing advanced in the South from being an issue in *de fure* segregation to being an issue in *de facto* segregation. In cities like Charlotte, historic patterns of residential segregation were diagnosed by the courts as having an unconstitutional effect on equal opportunity in schooling. Here the courts made fresh assumptions: that education in more or less homogeneous neighborhood schools are inequitable; and that historic residential patterns have the force of unjust coercion. (The courts *might* have commanded *residential* integration rather than *school* integration.)

The structure of the courts' reasoning becomes weaker and more dubious still when Northern cities like Boston, Buffalo, Pittsburgh, Detroit and others come into view. Consider the following propositions:

(1.) The traditional residential patterns of Northern cities over the last 100 years have always involved *de facto* ethnic segregation, not only for blacks, but for virtually every ethnic group.

(2.) In some cases, as in Boston and Detroit, more financial resources, federal programs, and educational experimentation have been lavished on predominantly black schools than on predominantly white ethnic schools of the working class. Rates of entrance into college, drop-out rates, and other indices of the status of such schools are often comparable.

(3.) Before 1900, 90% of all blacks lived in the South; and 90% of the white ethnics who now live in the Northern cities had not yet arrived. These two great migrations were not linked by slavery, were culturally almost totally unprepared for their future meeting, and came to their rendezvous with some different social skills, family traditions, disciplines, needs, and aspirations.

(4.) The average child of black migrants to the North was academically three or four years behind his average white counterpart, even though blacks had English as a mother tongue. Even today, the average black child is academically at least a year behind the average white.

(5.) The patterns of parental discipline in the typical white ethnic home, particularly as between fathers and sons, is quite different from the patterns of discipline in the home, not of middle class blacks, but of the most poor, despairing and suffering blacks.

(6.) The "street culture" of poor black students is of a different moral and emotional "life style" from that of both middle-class black and white ethnic students. In particular, incidences of pre-marital sexual expression, illegitimate birth, hustling, intimidation, and disruptive behavior are significantly different.

(7.) The role of the family or family-substitute in bringing about differential attitudes, behaviors, and success in school is undoubtedly the greatest single factor influencing the classroom. The family is a more basic social unit than the school.

(8.) Class factors influence dramatically the attitudes, behaviors, aspirations and educational success of students in school.

(9.) Families choose their place of residence—or judge its merit—by their perference for its neighborhood school as much as, or more than, by any other factor.

If these propositions are true, then it must surely be predictable that 96% of the whites and 91% of the blacks would find busing a poor instrument for what a great majority, both black and white, also desire; a genuinely, peacefuly integrated society.

What seems to have been forgotten is that busing is merely an *instrument*, a *tool*, a *method* not an end. The most appropriate question with respect to busing, as for any instrument, is "Does it work?" However moral the instrument may sound, "What are its effects?" is the central moral question.

In my view, busing of the Boston and Detroit sort is an immoral policy. It goes against the basic social principles of American life; against family, neighborhood, class, ethnic, and even educational realities which are so basic they are seldom even voiced. Working-class whites who are bused have too much to lose; they face posisble downward mobility. Working-class blacks or poor blacks have too little to gain; indeed, the ensuing experience of cultural segregation within the purportedly integrated schools can be embittering.

It would be lovely if greater contacts between persons from different cultures always led to greater understanding and good will. In fact, contact often reinforces the worst stereotypes. This is particularly likely where the contact is unequal—when those of a more suffering lower class, educationally behind their peers, become tangible proof to other children of realities they had heretofore held to be mere bigotry.

Human beings are not parts of a machine, to be anonymously fitted into slots. They approach each other from complicated past histories and diverse personal experiences. They do not perceive each other accurately, or easily find it possible to share honest transactions. Even highly educated blacks and whites often find honesty anguishingly difficult. What, then, about the less articulate? To ride rough-shod over such histories is to exhibit gross human arrogance. It is to invite great human disaster. It is to destroy integration in the name of saving it.

EMBITTERING A GENERATION

Forced busing will set back the advances of civil rights made during the past generation by 20 years; a whole generation, and maybe another, will be embittered, just as South Boston and Roxbury are likely to be for decades to come. Family folklore will recount the ugly history for years.

Busing is to black equality what Prohibition was to the moral crisis of the Depression. It is a flaming moral issue of dubious social judgment. Now, as then, the fundamental problem is economic.

Blacks do not need buses; they need jobs. Having acquired solid jobs, the black family will have an economic base. Then school will be meaningful, and its lessons liberating and inspring. The key to integration in the United States is a plan to allow every available black worker to work; and to rebuild and to beautify black homes and neighborhoods. For families increase their net worth not so much through wages as through real estate.

Most black neighborhoods were, hardly a generation ago, among the most solidly built and desirable in the Northern cities; restored, they would be far more valuable—as investments—than the flimsy modern housing of working-class suburbs. Under improved economic conditions, a black middle class and working class will integrate with whites as economic, social, cultural, and educational equals.

Economics first, education second. A cardinal principle both of Marx and of capitalism cannot be all wrong.

A 200-MILE FISHERIES LIMIT

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. HELSTOSKI. Mr. Speaker, it is anticipated that the House will have an opportunity in the near future to consider H.R. 200, as amended, to extend the United States exclusive fisheries zone from 12 to 200 nautical miles effective July 1, 1976. This bill, the Marine Fisheries Conservation Act of 1975, was ordered reported to the House by an overwhelming vote on July 31 by the Merchant Marine and Fisheries Committee.

I cosponsored this legislation when it was introduced in January of this year, as I had in the 93d Congress in addition to having introduced other marine conservation measures in prior Congresses.

Whereas we are confronted with the imminent extinction of some of our valuable fishery resources, it is of critical importance that we act now to protect our limited coastal and anadromous stocks from the foreign fishing fleets which are ignoring essential conservation principles as they harvest one species of fish after another beyond its capability of self-renewal. At least 12 species are currently recognized as being depleted due to the massive over-exploitation having taken place in recent years exceeding their maximum sustainable yield.

With each passing day, the urgency of enacting a management and conservation bill increases. The vastly augmented and indiscriminate fishing activity of foreign vessels has threatened some coastal stocks with decimation in a relatively short period of time.

Although the consumption of fishery products in this country has substantially increased over recent years, our catch has remained largely constant—forcing the United States to steadily import more fish and fishery products. It is imperative that we take steps forthwith to protect our hard hit domestic fishing industry.

The intense onslaught of foreign fishing fleets is not only significantly reducing our stocks and harming our ocean fishing industry, but our future source of high-protein food is further jeopardized by even more advanced, efficient, and destructive fishing techniques.

H.R. 200 is an interim measure until a final, effective Law of the Sea treaty enters into full force. A multilateral agreement appears too far off in the future to wait any longer to implement positive conservation principles. It should be noted that over 35 countries have declared exclusive fisheries zones beyond 12 miles since 1945.

I sincerely hope that H.R. 200 will be scheduled for House consideration without undue delay. The stakes involved with our finite resources of the seas are too serious and pressing to minimize.

CLEAN MEAT PROGRAM THREATENED

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. SMITH of Iowa. Mr. Speaker, I have learned that top level officials in the U.S. Department of Agriculture have under active consideration administrative changes that would reduce the protection provided by the Federal meat inspection program and reduce consumer confidence in meat products at a time when meat consumption is already going down.

Yesterday, I wrote a letter to Secretary of Agriculture Butz urging that the proposed change be rejected because it would be illegal, would circumvent the will of Congress, and would lower existing clean meat standards.

Congress in 1967 passed the Wholesome Meat Act, of which I was a sponsor, to assure Americans that all meat slaughtered for human consumption and shipped in interstate commerce will be clean and uncontaminated. The action now under consideration would put that objective in serious jeopardy.

I consider this to be an extremely important matter and, for that reason, am including in the RECORD a copy of my letter to Secretary Butz. It explains the danger to the program in detail.

I am also including a copy of a letter dated October 2, 1974, signed by Assistant Secretary of Agriculture Feltner and a copy of Public Law 87-718, both of which are referred to in my letter to Secretary Butz.

The material follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 4, 1975.

HON. EARL L. BUTZ,
Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C.

DEAR MR. SECRETARY: This is to object to plans I understand are now being developed in the Department of Agriculture which, if carried out, would be contrary to the provisions of the Federal Meat Inspection Program and the "Talmadge-Aiken" law, both of which were sponsored in the House by me.

It has come to my attention that the Department is contemplating a change in the terms of the Federal-State agreements concluded under authority allegedly contained in Public Law 87-718, popularly known as the Talmadge-Aiken Act. As you know, the Department now has so-called Talmadge-Aiken agreements with 26 states under which the Department pays 50 percent of the salary of state inspectors working under Federal supervision at certain meat plants. These plants are considered as being federally inspected and are permitted to ship meat in interstate commerce. I understand the Department has under active consideration plans to increase the Federal payment under these agreements to 80 percent.

At the present time, only 287 meat plants are operating under Talmadge-Aiken agreements, as compared to 6,292 plants entirely under Federal inspection and 5,835 under state inspection. If the Federal share under the Talmadge-Aiken agreements is increased to 80 percent, this would in effect bribe the states to shift to the so-called Talmadge-Aiken approach. That act was never intended as a vehicle to replace uniform federal meat inspection or to be used in this manner.

The Wholesome Meat Act of 1967, which I sponsored, was passed in large part because states were not enforcing effective meat inspection programs for plants not engaged in interstate commerce and, therefore, not covered by Federal inspection. To correct this problem, the 1967 law, in Title III provides the Department of Agriculture with authority to pay up to 50 percent of the cost for state meat inspection programs with requirements at least equal to Federal standards. If a state fails to establish such a program or does not wish to participate, all meat plants within that state are brought under Federal inspection. Only federally inspected plants can ship meat in interstate commerce.

As you know, more and more states have been turning their meat inspection programs over to the Federal inspection service and individual plants have requested Federal inspection in all states. Thirteen states, plus Puerto Rico, have done so already. On October 1, plants in Connecticut and Tennessee are scheduled to come under Federal inspection. In most instances, states have turned their meat inspection programs over to the Federal Government despite the desires of state secretaries of agriculture who, understandably, are reluctant to give up some of their bureaucratic empire; however, the state legislatures have not agreed with them.

In 1972, efforts were made to pass legislation increasing to 80 percent the Federal contribution under Title III of the Wholesome Meat Act. The National Association of State Department of Agriculture was very active in promoting that bill. It was, however, rejected by Congress. If legislation would have been required, it would also be required today.

In 1974, the Department announced that it was considering the "consolidation" of Federal and state meat inspection programs using, as in this case, authority it claimed existed in the Talmadge-Aiken Act. This plan, for which the Department had no legal authority whatever, was dropped only after the General Accounting Office, acting on my complaint, secured a letter from Assistant Secretary Feltner admitting that the "consolidation" proposal could not be implemented under existing law.

Now, in proposing to raise the Federal share under the Talmadge-Aiken agreements, the Department is attempting to achieve, in a somewhat different manner, the same objectives which failed in 1972 and 1974.

If the Federal contribution under the Talmadge-Aiken agreements were raised to 80 percent, it is obvious what would happen. Those state secretaries of agriculture concerned about retaining their role in meat inspection would shift from the Title III assistance, which is only 50 percent, to the higher rate under a Talmadge-Aiken agreement. They would thus be able to retain their State meat inspection force and, since those inspectors would be under Federal supervision," all plants in the state would be considered federally inspected and could ship in interstate commerce. The end result would be a collection, state-by-state, of "consolidated" programs of the type which the Department attempted to establish on a nationwide basis in 1974.

The main objections to the pending proposal come down to the following:

First, the Department has no legal authority to increase the Federal contribution under the Talmadge-Aiken agreements to 80 percent. Indeed, it is questionable whether the Department has been within the law in making any payments to states under the Talmadge-Aiken Act. That Act merely provides that, under certain circumstances, state agencies "may assist" the Department of Agriculture in connection with training personnel and work on Federal programs. It does not authorize the appropriation of any money by Congress, nor does it authorize the expenditure of any funds by the Department.

Second, the proposal would undoubtedly lower the inspection standards for federally inspected meat. In 1970, the General Accounting Office made a survey of 32 regular federally inspected plants and 8 so-called Talmadge-Aiken plants, where inspection was done by state employees under Federal supervision. In 7 out of 8 categories, the sanitation standards at the Talmadge-Aiken plants were below those at the regular federally inspected plants.

Third, the proposal directly contravenes the expressed will of Congress. As noted earlier, Congress in 1972 rejected legislation to increase Federal assistance under the Wholesome Meat Act to 80 percent. This proposal would achieve the same purpose.

Fourth, the appropriations by Congress have not been made on a basis of 80% participation and even though this item may not be specifically prohibited under somewhat abbreviated appropriation language, such a shift would be contrary to the intent of the Congress and the understanding that the Executive Department will not spend money contrary to the justifications presented to the committee.

Finally, again as noted earlier, the proposal would ultimately harm the Federal Meat Inspection Program and reduce consumer confidence in our meat inspection service. At a time when people are eating less meat and showing resistance to consumption of meat products, the Department should not take an action which would reduce consumer confidence in meat products. The current national system would be replaced by a hodge-podge of programs, with standards varying from one state to the next, and with no uniformity and that meat would be shipped interstate as "federally inspected" meat.

When Congress, in 1967, included in the Wholesome Meat Act a provision for financial assistance for state meat inspection programs, it did not do so to protect the patronage of state secretaries of agriculture. Instead, Congress intended to help assure that meat sold interstate would have better inspection but not sold in other states which would have no control over the quality of inspection to a different state.

I would appreciate a reply to this letter at your earliest convenience.

Sincerely,

NEAL SMITH,
Member of Congress.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., October 2, 1974.

Mr. JAMES E. MASTERSON,
Assistant General Counsel, U.S. General Accounting Office, Washington, D.C.

DEAR MR. MASTERSON: This is in further reply to your letter of September 4, 1974, concerning the proposal for a consolidated national meat and poultry inspection program. My letter to you of September 4, 1974, stated that the legal sufficiency of the proposal was under study in the Department's Office of the General Counsel.

The General Counsel has now completed his study of the matter and has concluded that the Meat and Poultry Acts call for separate Federal and State inspection programs, and that the two systems cannot be consolidated, and the personnel integrated, in the absence of new legislation. Accordingly, the Department has determined that the proposal cannot be implemented under existing legislation.

Sincerely,

RICHARD L. FELTNER,
Assistant Secretary.

PUBLIC LAW 87-718

An act to provide further for cooperation with States in administration and enforcement of certain Federal laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to avoid duplication of functions, facilities, and personnel, and to attain closer coordination and greater effectiveness and economy in administration of Federal and State laws and regulations relating to the marketing of agricultural products and to the control or eradication of plant and animal diseases and pests, the Secretary of Agriculture is hereby authorized, in the administration, and enforcement of such Federal laws within his area of responsibility, whenever he deems is feasible and in the public interest, to enter into cooperative arrangements with State departments of agriculture and other State agencies charged with the administration and enforcement of such State laws and regulations and to provide that any such State agency which has adequate facilities personnel, and procedures, as determined by the Secretary, may assist the Secretary in the administration and enforcement of such Federal laws and regulations to the extent and in the manner he deems appropriate in the public interest.

Further, the Secretary is authorized to coordinate the administration of such Federal laws and regulations with such State laws and regulations wherever feasible. However, nothing herein shall affect the jurisdiction of the Secretary of Agriculture under any Federal law, or any authority to cooperate with State agencies or other agencies or persons under existing provisions of law, or affect any restrictions of law upon such cooperation.

Approved September 28, 1962.

H.R. 8737

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to take this opportunity to bring to the attention of my colleagues the following statement by the Northern Textile Association relative to legislation I have introduced dealing with the tax treatment of operating losses:

NORTHERN TEXTILE ASSOCIATION: H.R. 8737

To provide for rearranging the period for averaging business profits and losses, to prohibit the trafficking in net operating loss carryforwards, and for other purposes

The Northern Textile Association appreciates this opportunity to comment on proposed reform of the tax treatment of net operating losses now being considered by the House Committee on Ways and Means.

We are pleased to learn that Congressman James A. Burke has introduced H.R. 8737 which would extend the existing loss carryback period for corporations on an elective basis by permitting a qualifying firm to give up its right to carry forward losses over a certain number of years in return for an extension of the same number of years to the carryback period.

H.R. 8737 will benefit firms which have sustained significant business losses in recent years. It would generate needed funds for businesses which have suffered as a result of circumstances beyond their control such as the recession, unprecedented increases in fuel costs and imports of competing goods from abroad.

The Northern Textile Association is a textile association composed of textile manufacturers which produce a wide variety of textile products in the Northeast, primarily in New England.

The textile mills in New England are generally small to medium sized firms, many of them independently owned and operated. The mills are significant contributors to the economic health of their communities where they frequently constitute a high proportion of local employment. More than 72,000 were employed by the textile industry in New England in 1974.

The heavy burden of recession has fallen particularly hard upon the textile industry in New England. A number of firms have gone out of business while these that remain are struggling to survive in a period characterized by a decline in consumer demend, reduced production and lower employment levels.

WE NEED A NEW CAPITAL RECOVERY SYSTEM

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. ARCHER. Mr. Speaker, on June 3, my distinguished colleague on the Committee on Ways and Means, Representative JOE WAGGONNER of Louisiana, and I introduced H.R. 7543, the Capital Recovery Act of 1975. The capital recovery concept is one approach to the two principal problems inherent in the existing system of depreciation within our tax law; namely, the savage effects of inflation on invested capital which is recovered over long periods and the intricate complexities of accounting and administration involved in keeping adequate records for use with the asset depreciation range—ADR. The capital recovery concept should be given very serious attention in connection with general tax reform this year.

A number of studies in recent months have addressed the problems of capital formation. One of the major studies—by the New York Stock Exchange—suggests that our economy may experience a shortfall of over $600 billion in needed capital over the next 10 years. Studies more limited in scope bring the potential problems a little closer to home. A recent report prepared for the Iron and Steel Institute indicates that, over a 10-year period, the steel industry alone will need to make annual capital investments at a rate of more than three times the annual average for 1968–73, for a total of over $50 billion. Some 26 percent of this amount through 1983 will be made to meet Government-mandated pollution-control requirements.

The ailing auto industry plans to spend some $6 billion just to retool for small car production, a project of the same magnitude as its conversion to military production during World War II. The paper industry estimates that it should spend $70 billion for modernization and expansion over the next 10 years, including $16 billion for pollution control. This list probably could go on for several pages.

While severe capital shortages may not be a popular concern in the midst of high unemployment and low industrial capacity utilization, there is no better time to begin working to avoid or mitigate such circumstances in the future. To a substantial degree, it was high inflation, induced by severe productive capacity shortages, which brought on this recession. Shortages of metal products, of timber and paper products, of various minerals and of other items may be only vague memories now, but we run a very grave risk if we assume they cannot recur.

The economic recovery which now appears to be underway could be forced into the same bottlenecks once again, because the basic causes of supply shortages have not been corrected. Now is the time to look several months and years down the road and to begin to correct the basic problems.

The primary objective toward which our economy should work is the formation of adequate capital to meet the needs for modernization and expansion of American industry. It is capital which purchases new machinery, builds new factories, develops new technologies, and performs the many other functions which encourage the creation of new jobs and the general improvement of the living standards of our citizens.

Although the term "capital formation" suggests that it is the creation of new capital which is crucial, this is actually only one-half of the necessary process. In our economy, the recovery of previously invested capital is at least as important as the creation of additional funds. In fact, one might argue that there is little to be gained by seeking to create additional capital until we take great strides to reduce or eliminate the various ways in which previously invested capital is allowed to dissipate.

The existing depreciation system in our tax law is, in theory, designed to recover the capital costs of business and income-producing assets. It is based on the useful life concept which determines the period of years over which the asset is expected to produce income. Portions of the historical cost of the asset may be deducted from the taxpayer's gross income over this period.

Over the years, depreciation has been modified by the class life system, the asset depreciation range—ADR—concept and accelerated methods of calculating the deductions. But useful life remains its underlying principle.

While the theory of full recovery depreciation is attractive, it does not work well in the real world of inflation, changing technology, and intensified foreign competition. Inflation at any level reduces the actual value of recovered historical dollars, but recent double-digit inflation has been particularly devastating. The longer the depreciation period applied to an asset, the less the real capital which can be recovered.

Even under ADR, the depreciable lives for manufacturing assets are generally greater than 9 years. That is a long time for invested capital to subject to the erosive influence of inflation.

Even with the 10-percent investment tax credit, the United States does not rank above many of the other industrialized nations when comparing capital recovery rates. The liberal government in Canada has recently decided to make permanent a 2-year writeoff period for machinery and equipment, using the basic capital recovery concept. Most other industrialized nations have also moved toward rapid cost recovery systems.

A second problem with depreciation, and ADR in particular, is the immense complexity of required accounting and recordkeeping. There are over 130 separate and distinct classes of assets. While no single company is likely to have assets in every class, even the smallest manufacturer with only one operation may have to keep up with seven or eight classes just to cover his building, his machinery, his special tools and equipment, his trucks, his cars, his land improvements, his office furnishings, and his information system.

Companies which have any diversity at all could easily be required to keep up with two or three times as many classes. Of course, the problems are only compounded by the necessity to begin separate accounts in every year during which a new asset comes into use, so-called "vintage accounts."

The Treasury regulations on depreciation fill approximately 100 pages. The definitions of the asset classes themselves and the guideline lives—depreciation periods—for each class are constantly subject to review and change, because they are determined administratively, not by law. Thus, while there is a certain degree of stability, there is nothing ironclad about cost recovery periods in this system.

Given the complexities of the system and its vulnerability to change, it is little wonder that the Class Life and ADR systems are not in universal use. Many large companies prefer the so-called facts and circumstance approach to depreciation rather than the recordkeeping and the confrontations with audit agents which can accompany ADR. The same is probably true for most small businesses which do not have the time, talent, or resources to expand in order to realize a faster rate of cost recovery.

The concept of a simplified capital recovery allowance system is one approach to the problems of inflation and complexities which plague existing cost recovery schemes. The system would establish two capital recovery asset classes—one for all productive machinery, equipment, and pollution-control facilities and one for all industrial buildings. The former would be subject to a 5-year writeoff period, and the latter would be subject to a 10-year writeoff period. Both would be subject to accelerated methods of calculating the deductions. The taxpayer could utilize up to the maximum allowed deduction in any year and carry forward indefinitely any excess deductions. The system would be available as soon as acquisition costs are incurred.

An analysis of the economic impact of this system indicates that it would be self-sustaining within a short time—that is, the direct revenue impact would be more than offset by the revenue generated from increased economic activity. The employment in the capital goods and construction industries alone would be approximately 180,000 additional jobs in the first year, rising to 290,000 new jobs in the third year.

The capital recovery allowance concept would not be a quick fix to short-term economic problems. Rather, it would be a significant step toward a more stable economy in the future. It would improve business cash flow and allow a more rapid recovery and investment of invested capital. It would offer an alternative to the "useful life" concept. It would simplify cost recovery for the hundreds of thousands of businesses which could better spend their funds on accountants and bookkeepers. It would make our cost recovery system more competitive relative to industries in other industrialized nations.

My colleagues and I will continue to urge the Committee on Ways and Means to consider this new capital recovery system as a major feature of a tax reform bill being prepared for House action later this year.

WORKS OF TWO KENTUCKIANS MAY AID HOSPITAL

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. CARTER. Mr. Speaker, John Shelley of Columbia, Ky., worked for many years with the Farmers Home Administration. He was extremely helpful in assisting young farmers in their land purchases and also in setting up proper plans for farming. John was also interested in water districts and in every phase of community life.

I considered him a close personal friend. It is interesting to know that citizens, Mr. and Mrs. James Woody of Columbia, are trying to raise money for cardiac equipment for the Adair Memorial Hospital in memory of John Shelley who died January 4, 1973, of a heart attack. I strongly commend Mr. and Mrs. Woody for their efforts and wish to include an article by Billy Reed of the Louisville Courier Journal on this subject:

WORKS OF TWO KENTUCKIANS MAY AID HOSPITAL

(By Billy Reed)

COLUMBIA, KY.—From the window of his second-story office overlooking the town square, John Shelley had an excellent view of the idlers who gathered daily to loaf and whittle at the Jamestown Street entrance of the towering old Adair County courthouse.

Sometimes, when he wasn't writing Farmers Home Administration loans to farmers, Shelley would watch the whittlers for minutes at a time. Finally, since he also dabbed some in poetry, Shelley was moved to dash off a few verses about the whittlers, beginning like this:

> The seats are hard in our courtyard
> Because they're made of metal.
> But here is where they sit and spit,
> And here is where they whittle.

Nothing to rival the works of that other poet named Shelley, of course, but the folks around Columbia all thought it was a fine tribute to the courthouse and the whittlers.

Then, on Jan. 4, 1973, John Shelley climbed the steps of his office, lined up some straight-back chairs and lay down on them. He was having a heart attack. By the time he was discovered and taken to the Adair Memorial Hospital, it was too late.

"The fellow who drove the ambulance said there might have been enough time to save John, but that the hospital just didn't have the equipment," said James Woody of Columbia.

Woody and his wife, Emma, had known Shelley since their days together at Berea College in the early 1930s. To them, Shelley's death—at 56—was not only a personal loss, but also a great loss to the community.

"He was Columbia's unofficial spokesman," said James Woody. "He was a leader. Whenever there was a speech to be made, or anything, John was glad to do it."

After Shelley's death, Mr. and Mrs. Woody started thinking of ways they could improve the cardiac unit at Adair Memorial Hospital. Finally they came up with an idea: Sell 1,000 prints of the courthouse, along with Shelley's poem, for $25 each. All money would be donated to the hospital for new cardiac equipment.

Shelley's widow signed a release, giving them permission to use the poem, and Billy Davis of The Courier-Journal and Louisville Times photo department helped the Woodys obtain permission to use a color photo of the courthouse that ran on the cover of the newspapers' Sunday magazine on Aug. 23, 1970. The H. Harold Davis photo accompanied a story on Kentucky's courthouses written by Joe Creason, the late Courier-Journal columnist who also died of a heart attack.

"We just wanted to do something," explained Mrs. Woody. "I had three brothers who all died of heart attacks at a relatively young age, and I've had some heart trouble myself. We thought the prints would be a nice tribute to John Shelley and Joe Creason, as well as a way of raising money for the hospital."

Although the Davis photo has special meaning to Adair Countians, it can be enjoyed by anyone who loves small towns and their courthouses. Against a backdrop of blue skies and white clouds, the rust-red courthouse (circa 1880) majestically rises over some whittlers seated on the benches beneath the old maple trees.

Each of the limited-issue prints is numbered. By the time all are sold, discounting production costs, the Woodys will have raised nearly $25,000 for the heart fund. So far, they have netted around $4,000 from the sale of 170 prints.

The prints are available at the First National Bank of Columbia, the Bank of Columbia and the Cumberland Protection Credit Bureau (where Woody works). Sometimes, people have been willing to pay more than $25 for a print. Houchens Market paid $230 for copy No. 200. Not to be outdone, Brad Graham of Food Check Market paid $200 for print No. 500 during an auction at the Adair County Fair.

Nobody is more excited about the project than Aaron Davis, administrator of Adair Memorial Hospital.

"We need equipment badly," said Davis. "We're just a small, rural hospital with 36 beds, and we have more than 100 per cent occupancy. We are very limited, especially in our cardiac-care unit. We need a new defibrilator badly, for example. Our heart problem here is serious, just as it is everywhere."

To nostalgic Adair Countians, the photo has some special sentimental value, because the courthouse as it was then is no more. A room is being added at each corner of the courthouse as part of a renovation project. To some Adair Countians, this is sad, because it not only detracts somewhat from the courthouse's architectural charm, but also leaves less room for Shelley's beloved whittlers.

YOU CANNOT GO HOME AGAIN—AT LEAST NOT FROM MINNESOTA

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. KARTH. Mr. Speaker, one of the country's best known and most prestigious labor publications, the prize-winning Union Advocate, of St. Paul, Minn., recently published an editorial of thought-provoking fact and insight.

Written by its noted editor, Gordon Spielman, the editorial deals with a "return of the native," a visit by Editor Spielman to his hometown, New York City, which he forsook in his wisdom for Minnesota 28 years ago.

Here is more than a contrasting evaluation of two communities, Metropolitan New York and Minnesota—New York with its deepening, seemingly insolvable economic crisis, and Minnesota with its economic health and vigor and with one of the country's lowest unemployment rates and percentage of low-income persons.

This trenchant editorial is also a warning to all of us in Congress, and in State and local governments. It is a warning to us to look realistically at what the nationwide recession has done to our cities and then to devise swift and sound economic solutions before we have slithered from a major recession into a major depression.

The description of New York's plight speaks for itself. I, therefore, commend to the special attention of my colleagues the summarizing thoughts of this editorial.

Editor Spielman points out:

We in Minnesota, are indeed fortunate that we have a State that works, and which has not been sold lock, stock and barrel to the special interests. There has often been diversity of opinion in Minnesota on specific issues, but there has been enough unity of purpose to keep our state and its cities livable, and our problems solvable.

And almost as a prayer, Editor Spielman concludes:

May we keep it that way, and never allow Minnesota or its cities to be "sold" to the corporate oligarchy.

To which prayer we can all say "Amen."

Mr. Speaker, the full text of the Union Advocate editorial follows:

[From the St. Paul (Minn.) Union Advocate, Aug. 18, 1975]

TWO WEEKS IN NEW YORK

Two weeks vacation in his home town of New York confirmed your editor's opinion that he made a wise move some 28 years ago when he came to Minnesota.

New York has all of the problems of all of the cities of America compounded many times over. But, the nation's largest city hovers on the brink of bankruptcy, not because of the supposed "greed" of the poor, the working people who cannot escape to the suburbs, the senior citizens with their special needs, or the racial groups who have become the majority, all of whom ask for decent municipal services.

Bluntly, New York's predicament is due to a combination of forces that are bleeding that city dry. There are the giant corporations which refuse to pay their fair share of the taxes needed to make the city work and be livable.

They are supported in Washington by the Ford administration which flatly refuses to give any city the aid it needs to survive and which has vetoed measures ranging from that of federal support for housing and education, to a decent job program.

In fact, President Ford seems to delight in running down our country's largest city. Witness his statement in Yugoslavia (of all places) where Mr. Ford gratuitously told the mayor of Communist Belgrade that "They don't know how to handle money (in New York), they only know how to spend it."

It might be said that Mr. Ford opened his presidential campaign in Belgrade (but reported in all the U.S. papers and on TV), running against New York City.

Then, Arthur Burns and the Federal Reserve have been no help either. The Fed not only rejected direct help for that city, but has been discouraging institutional investors from buying New York's bonds.

Burns and the Fed came to the rescue of private real estate investment trusts (Reits) because "of the dire consequences to the real estate industry, as well as to bank assets" if the Reits went broke. One financial writer suggested that New York City ought to turn itself into a real estate invesment trust and then it could get help from the Federal Reserve.

On top of this, for a great many years the state administration of Nelson Rockefeller bled the city of taxes, while refusing to return adequate funding in the form of state assistance.

The real ruler of New York, who created the city as a convenience for the rich who have forsaken it, was Robert Moses who headed a dozen independent agencies ranging from the Port Authority which controls the bridges, tunnels, and port facilities, to the Throughway Authority, Parkway Authority, and other bodies that planned the city piecemeal to the detriment of its inhabitants.

New ruling body is not the mayor or city council, but the Municipal Assistance Corporation or Big Mac which fronts for a consortium of bankers including David Rockefeller's Chase Manhattan Bank. Big Mac and the New York banks resorted to plain blackmail by refusing to market the city's bonds unless they got exhorbitant interest.

At the same time Big Mac insisted on and won higher subway fares (from 35 cents to 50 cents) at a time when other cities are lowering fares. Bridge and throughway tolls are being increased, that there is even talk of charging tolls on the Brooklyn, Manhattan, and Queensborough Bridges that were paid for nearly 100 years ago.

Wage increases won by city employees were rolled back as a condition of the banks letting loose with the credit the city needs to stay afloat for a few more weeks. The municipal unions did succeed in getting most of the permanent employees reinstated who had been laid off earlier by the mayor, but, thousands of new city workers and provisional employees have lost their jobs adding both to unemployment and a cutback in necessary city services, particularly those to the poor and jobless.

We in Minnesota are indeed fortunate that we have a state that works, and which has not been sold lock, stock and barrel to the special interests. There has often been diversity of opinion in Minnesota on specific issues, but there has been enough unity of purpose to keep our state and its cities livable, and our problems solvable.

May we keep it that way, and never allow Minnesota or its cities to be "sold" to the corporate oligarchy.

A NEW APPROACH TO FOREIGN AID

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. ZABLOCKI. Mr. Speaker, on August 1 the Committee on International Relations reported out a new development assistance proposal.

It is H.R. 9005, the International Development and Food Assistance Act of 1975.

This bill, which is expected to come to the floor of the House in the near future, has been acclaimed by various interested groups and individuals, and in the press, as a welcome, new approach to foreign aid.

Among editorials praising the bill was one which appeared in the Christian Science Monitor of August 8, 1975. It said of H.R. 9005:

At a time when foreign aid has lost its early postwar glamor and yet remains increasingly important in a needy and hungry world, it is to Congress great credit that it is looking at the whole problem afresh and coming up with sensible, imaginative new approaches.

Because of the pertinence of this editorial to the forthcoming House consideration of H.R. 9005, I am including it in its entirety in the RECORD at this point, and urge the attention of my colleagues to it:

A NEW APPROACH TO FOREIGN AID

There is a most welcome move in Congress to reform America's whole approach to foreign aid. For the first time since the Marshall Plan was launched an effort will be made to separate economic aid from military assistance.

The House Committee on International Relations has approved a bill that authorizes $1.5 billion just for economic aid in the coming fiscal year, and the Senate Foreign Relations Committee is expected to follow suit. If passed by the Congress as a whole, the action will introduce a needed element of integrity in foreign aid giving, for it will make the latter responsive primarily to humanitarian needs rather than United States security goals.

As James Grant of the Overseas Development Council puts it, this is the first time Congress is considering "a really clean" foreign aid bill. Now legislators can vote development aid for poor countries on its own merits without backing funds for, say, police programs that help prop up authoritarian governments.

In its reform mood, the House is also pushing other innovations. It would put food aid under Public Law 480 in the same foreign aid bill, so that such assistance can harmonize with and support development aid programs.

In the past there has been concern that the huge concessional food sales to poor nations such as India have kept them from making the rural reforms necessary to boost their own production. Under the House bill, countries that spend funds to boost their own food production would be charged less money for the PL 480 food purchased from the U.S.

Private American relief organizations like CARE will also be benefited. The new legislation stipulates that such agencies must receive at least 1.5 million tons of gift food a year. This means they will be able to plan ahead with assurance.

Finally, the House committee also delved into how the U.S. is following up on the World Food Conference. Its bill urges that the U.S. make a significant contribution to the 10 million tons of annual food aid recommended in Rome. It also provides funds for American universities to research ways of increasing food production in the "third-world" countries.

To quote Mr. Grant again, the committee has done "a masterful job of translating into action the administration's rhetoric about doing more on the food front."

At a time when foreign aid has lost its early postwar glamour and yet remains increasingly important in a needy and hungry world, it is to Congress's great credit that it is looking at the whole problem afresh and coming up with sensible, imaginative new approaches.

KISSINGER ABANDONS POW'S-MIA'S; TIME TO EVALUATE HIS PERFORMANCE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. McDONALD of Georgia. Mr. Speaker, while our Secretary of State shuttles back and forth in the Middle East and his new peace agreement between Israel and Egypt, the families of our POW's and MIA's in Southeast Asia are still awaiting answers as to their loved ones. The fate of these people is but a larger part of the tragedy of U.S. policy there. We should not lose sight of this continuing problem. Therefore, I commend this recent article from "The Voice of POW's and MIA's" for May-July 1975 to the attention of my colleagues. The article follows:

KISSINGER ABANDONS POW'S-MIA'S; TIME TO EVALUATE HIS PERFORMANCE

Some two years ago, Henry Kissinger was hailed as the architect of the Paris Agreement to End the War in Vietnam and Americans breathed a collective sigh of relief as at last our involvement in Southeast Asia was at an end. In the weeks and months and years that followed we became increasingly and painfully aware the Agreement was collapsing.

Although some 600 prisoners of war were returned and American combat troops withdrawn, over 1,300 men were abandoned and left to rot by our flamboyant Secretary of State. These men were prisoners of war and missing-in-action, whom the North Vietnamese chose not to return or Account for, although Dr. Kissinger has assured the families the accounting should take place within the same time frame as the troop withdrawal. Naturally, the logical move would have been to demand a list of prisoners and information on the missing prior to signing the agreement, but Henry Kissinger irresponsibly neglected to do so. Instead, he left their fate to the good will of the enemy.

As it became abundantly clear the enemy was devoid of good will, instead of inquiring, pressuring, and demanding, our Secretary of State chose to ignore the prisoners and missing and swept the problem under the carpet. Even photographic evidence of men in captivity, a letter from a man in prison camp and other positive proof of live POW's had failed to impress upon the Secretary that he must address himself to this problem and take action to secure the release and accounting of these men.

In the past two years the families of these men and thousands of other Americans have both publicly and privately called upon Secretary Kissinger to speak out on the POW-MIA issue and seek a solution.

Recently, the North Vietnamese have publicly admitted that indeed they do not have information on a number of the missing. In keeping with his policy for the past two years, the response from Mr. Kissinger has been total silence. When families of these men attempted to see the Secretary to discuss the problem, he took to hiding in his office and his palace guard of secretaries and aides, refusing to meet with them.

It has become apparent the blame for the abandonment of the 1,300 prisoners and missing can only be placed squarely on the shoulders of the man responsible, the man who copped the Nobel Peace Prize, Henry Kissinger. It was he alone who negotiated the Paris Agreement—he alone who took credit for the document, when even Le Duc Tho refused to accept a prize, for an accomplishment that was at best a farce.

MELVIN R. LAIRD, FORMER SECRETARY OF DEFENSE EXPLODES IMPORTANCE OF TURKISH BASES

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. MADDEN. Mr. Speaker, on the evening before our August recess adjournment the powerful Washington Turkish lobby tried to interfere with parliamentary procedure by bypassing the House International Affairs Committee on a last minute crisis maneuver to lift the so-called Turkish embargo and authorize a $200 million bonanza grant to the Turkish nation.

This so-called Turkish embargo was authorized by our Government last February, but through powerful lobbying, the lifting of the embargo came before the House of Representatives and was defeated by a substantial margin during early July.

The prime reason for creating the embargo that cut off our military aid to Turkey was its ruthless and outrageous invasion of its neighbor nation, the peaceful island of Cyprus.

The Turkish military leaders through the present armed forces of Turkey took over 40 percent of Cyprus in an area where only about 18 percent of its population is of Turkish origin. Over 5,000 Greek Cypriots were massacred, along with 15,000 casualties and 200,000 peaceful citizens were left homeless.

Turkey had also broken its contractual arrangement with the United States after a U.S. payment of $35 million not to grow opium poppies in order to curtail or terminate the amount of heroin and other drugs which kills off youngsters, including many of our own American young folks.

The Turkey lobby previous to our recess used the most unreasonable blackmail tactics in order to pressure the Congress into accepting a compromise measure for their unlawful use of our armaments and also financial assistance.

I am submittting with my remarks a statement of former Secretary of Defense, Melvin R. Laird, which appeared in the Chicago Daily News on Wednesday, August 20, 1975 announcing the true facts regarding the vastly overrated importance of the American bases located within the Turkish borders.

The statement follows:

[From the Chicago Daily News, Aug. 20, 1975]

EX-DEFENSE CHIEF SPLITS WITH FORD: LAIRD CHILLS "TURK BASES" VALUE

(By Peter Lisagor)

WASHINGTON.—Former Defense Sec. Melvin R. Laird has flatly described as "ridiculous" any claim that U.S. bases in Turkey are essential to monitor violations of any accord further limiting strategic nuclear weapons.

President Ford and Sec. of State Henry A. Kissinger have repeatedly decried the congressional embargo on arms shipments to Turkey, which led that country to close American bases used to monitor Soviet military moves.

With table-pounding emphasis, Laird told newsmen here Tuesday that American national interests cannot be protected if this nation has to depend upon third countries in order to verify Soviet adherence to an arms agreement.

"We have adequate national means" to determine violations, Laird said, adding that he had made that plain when he testified before congressional committees on the problems involved in arms negotiations with the Russians.

Even after Laird's session with reporters Tuesday, Ford reiterated his concern about the bases in Turkey in a speech before the American Legion convention in Minneapolis.

He strongly implied that the "ultimate security" of the United States was involved in the dispute with Turkey over the congressional embargo and the base closings, and he asked: "How do you justify to the American people the loss of strategic intelligence data with its attendant effect upon our national security that this action has caused?"

Under questioning, Laird said that U.S. bases in Turkey were "vital," but chose to put them in the context of Turkey's membership in NATO. He skirted a question as to why "national means" of detection and verification, which include spy satellites, can register violations of SALT agreements and not Soviet military movements not covered by SALT.

However, he repeated his contention that it was "ridiculous" to claim that the Turkish bases were necessary to monitor possible SALT violations. He was equally emphatic in arguing that the United States could not rely upon third countries to safeguard its national interests.

Laird, an international consultant to Reader's Digest magazine and a member of an informal group of old friends and associates that sometimes advise Ford, recently charged in an article that the Russians had "violated" SALT I prohibitions against radar tests. The President denied the charge.

TRADE, THE DOLLAR, AND JOE DOAKES

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. FRENZEL. Mr. Speaker, on July 31, a date otherwise famous as the natal day of my mother-in-law, Charls E. Walker gave an address in Houston on the occasion of the "Salute to John Connally" dinner. His message was so accurate and timely that it is sure to be totally ignored by the press.

Walker, an ex-Deputy Secretary of the Treasury and now a prominent Washington lobbyist, put the issue of international trade in simple, direct terms. Although I might not endorse every single golden phrase, I do believe it to be the best statement I have seen. I commend it to all, especially to those neoisolationists and protectionists who are trying to protect us into the condition of another Great Britain.

The Walker speech follows:

TRADE, THE DOLLAR, AND JOE DOAKES

(By Charls E. Walker)

Given the nature of my marching orders, I feel a little like the Wall Street type in a *New Yorker* cartoon a few years back. Over evening cocktails, his wife looked up from her newspaper and said: "Honey, will you please explain gold to me?"

But here goes—and hold onto your hats, 'cause we're gonna go fast.

"Special Drawing Rights," "floating exchange rates," "arbitrage," the "terms of trade," "most-favored-nation-treatment"—and so on, this is only a Whitman's Sampler of the high-falutin' lingo of international trade and finance. So, it's little wonder that with phrases like these moving from the financial page to the front page—and sometimes even uttered on the evening news by Chancellor, Cronkite, Reasoner or Smith—Joe Doakes finds it difficult to slash through the vernacular to the heart of the problem.

But the fact is that the subject is not all that complicated: Specialists in every field develop their own shorthand as a means of communication. And frequently this prevents the layman from understanding the problem. This is unfortunate, for the world of international trade and finance bears heavily and inexorably on the two fundamental concerns of the American people: Peace and the Pocketbook.

Why Peace? Simple because even ideological differences tend to have their roots in economics—Marx's *Das Kapital* was an economic tract. He drew his basic theory (although incorrectly) from the so-called classical economists. Therefore, wars other than those clearly arising from religious differences usually are based on economic motives.

And as to the Pocketbook, the old bromide that the world is getting smaller and smaller goes double in spades for economic relations. Relative self-sufficiency is a thing of the past even for a nation with the vast natural resources of the United States.

So you can say that my subject tonight is very much concerned with Joe Doakes' pocketbook. And if Joe wants to keep the moths out of his wallet, it's high time he came to understand what the international experts are talking about. I assure you that I am not overstating the case when I say that his job and standard of living are at stake.

In the time allotted, the best I can do is try to explode a few myths.

Myth No. 1: *That international trade is of little concern to the American people.*

This myth has its roots in at least two factors: Today our exports of goods and services are only a little more than 10 percent of total economic activity (GNP) and many Americans still believe that we are a nation of economic self-sufficiency.

That the myth is just that, a *myth*, is quite clear when it is understood that the 10-percent figure comes to a whopping $150 billion each year and something in the order of 8 to 8½ million jobs are export-related. In addition, domestically we are far from self-sufficient with respect to many basic materials, energy being only one.

So the reality: Although admittedly less important to the U.S. than to the "export-or-die" nations of Western Europe and elsewhere, international trade is of vast importance to Joe Doakes and the country. It's growing more important every day.

Myth No. 2: *That the combination of heavy imports of goods and services, plus the mushrooming of operations abroad by our multinational corporations, hurts the American worker because it "exports jobs."*

To be sure, a surge in imports can temporarily put people out of work here. Public law provides for help for those workers, as they seek other jobs, when liberalization of tariffs causes the unemployment. But the important point to understand is that if we don't import goods, foreigners won't have the dollars to buy the $150 billion in exports I referred to a moment ago.

The result? Many jobs in export industries would be wiped out. In other words, it takes two to tango. Looking at only one side of the issue leads to faulty conclusions.

As to our multinational corporations, I think they're one of the greatest things since sliced bread. Their subsidiaries abroad absorb a big hunk of our exports (and that creates jobs here). They serve our vital economic interests by developing and bringing here raw materials that we can't do without. And despite what you might read, they have contributed incalculably to rising living standards in the poorer nations of the world.

But the real proof of the pudding is this simple statistic: In recent years, the rate of increase in domestic employment—*let me repeat that, the rate of increase in domestic employment, here in the United States*—has been much faster for our multinational corporations than for those operating solely in this country.

Therefore, another myth exploded—but unfortunately, a myth that organized labor, in support of anti-multinational legislation, pounds Congress with on a daily if not hourly basis.

Myth No. 3: *That, according to George Meany yesterday, such things as the sale of wheat to Russia should be avoided because it raises the price of bread here.*

To be sure, sale of our wheat to any foreigner, friend *or* foe, reduces the available supply here and affects its price. If prices were tending to drop, they would drop less. If tending to rise, they would rise more. And there would be some impact, but very little, on the price of bread—not to mention doughnuts, petits fours, and ladyfingers.

But, again, that's only half the story. The sale of that wheat earns foreign exhange—money that we sorely need to buy the expensive foreign oil which helps heat the homes of Mr. Meany's constituents and fuel the factories where they work.

If Mr. Meany wants to trade off thousands of jobs to avoid a small increase in the price of bread—well, that's his business. But he should know better.

Reality: To buy abroad, which we must, we must also sell abroad.

Myth No. 4: *That the ramifications of the "exchange rate" for the dollar is a mystery far beyond the understanding of the typical American.*

Double, triple, quadruple nonsense! Almost every American understands the price of potatoes and knows that it is determined by supply and demand. And the price of the dollar in terms of marks, pounds, yen, or what-have-you is exactly the same. Some of the basic forces may be more complex than with potatoes, but to paraphrase Gertrude Stein, ". . . a price is a price is a price is a price. . . ."

Myth No. 5: *That "tinkering" with exchange rates will solve international economic problems.*

Money is a medium of exchange, a unit of account, and a store of value. It's a far from neutral factor, and it is a veil which often obscures the real forces at work.

But the important point is that what really matters is fundamental economic strength. Tinker with the dollar—or the mark, pound or yen—all you like. After things settle down, relative economic strengths of nations will be the determining factors in their economic health—and also the strength of their currencies.

Pedants, politicians or propagandists who insist on talking the arcane language of international finance and laying all ills and solutions at the door of the exchange rate are performing a bad service for themselves and their fellow men.

Myth No. 6: *That perpetually low interest rates are good for the country.*

Down here in the land of LBJ, Wright Patman—and I used to sight a streak of populism occasionally in the Governor here—to explode this myth may risk a midnight lynching for yours truly. But if we haven't yet realized that strong attempts to keep interest rates perpetually low will for domestic reasons carry us to hell in a hand basket, then international experience should once and for all nail down the argument.

Internally, interest rates may be kept low temporarily by getting the Federal Reserve System to run the printing presses overtime—after all, more money means lower interest rates, up to a point. But too much money also means more inflation, and more inflation sooner or later means higher interest rates, as borrowers rush in to get funds to beat tomorrow's price increases, and lenders finally wise up and insist on a higher return as a hedge against inflation. Again, supply and demand.

That's the domestic side. Internationally, and assuming Uncle Sam doesn't fall out of his tree and return to the economic isolationism of the 1930's—a policy which was dumb, cruel, and totally discredited—assuming that doesn't happen, then interest rates here that are lower than those abroad will have an easily foreseeable impact: Money will leave the U.S. and go somewhere else.

Investors aren't dumb. And if they can earn 7 to 10 percent in the Eurodollar market but only 5 to 7 percent here, where are they going to put their money?

I don't have to answer that question for you.

Finally, Myth No. 7: *That the strongest nation in the Free World, the United States, is out there on the four corners of the earth carrying out a foreign economic policy of the first order.*

Don't you believe it. The U.S. hasn't had a comprehensive, cohesive, integrated foreign economic policy since the Second World War, if ever. I do not have time to recount the reasons; suffice it to say that the eternal infighting on this issue between the State and Treasury Departments is symptomatic of the problem. And, in the Oval Office, where the problem ultimately has to be dealt with—these matters have to be settled between heads of governments, not foreign or finance ministers—in the Oval Office, the approach too often has been summed up by that old piece of doggerel:

"As I was going up the stair
I met a man who wasn't there.
He wasn't there again today.
I wish, I wish he'd stay away."

As the Governor has urged for a long time, we *must* get on top of this problem. Our compartmentalized system of bargaining with foreign countries—foreign minister vis-à-vis foreign minister, defense minister vis-à-vis defense minister; and the same for finance, trade, agriculture, and what have you—that's for the birds. It has reduced the Free World's most powerful nation to inferior status at the bargaining table. I'm convinced that President Ford is working on this problem and progress is being made.

Fine, you say. Walker has come in with all these Poor Richard homilies, but what does he suggest—what's the answer?

Two things: Help destroy the myths. It's your duty as well as mine. In a democracy, an informed public is the best defense against bad policy or lack of policy.

Second, and more specific, I repeat a proposal I have made earlier—that President Ford create an international economic "sextiad," if I can invent a word. It would consist of the Secretaries of State, Treasury, and Defense, and the Chairmen of the Federal Reserve Board and the President's Council of Economic Advisers. It would be formally chaired by the President but the formal vice-chairman—and de facto chairman—would be the Secretary of Treasury.

A parochial view, you say, coming as it does from a former Deputy Secretary of the Treasury. Let me leave you and Joe Doakes—to whom all this is so vitally important—with a significant point and an anecdote.

The point: To my knowledge, almost every major nation in the world runs foreign economic policy through its finance ministry, not its foreign ministry. Why? That leads to my concluding anecdote.

I worked for some very wise men during my Treasury tours in 1959–61 and 1969–72. One of my superiors said to me once, after an exasperating phone conversation with a personage in Foggy Bottom: "Charly, you're a financial man and know as well as I that if any business ever puts the sales and credit departments under one man it'll go bankrupt. The sales effort will kill you with bad credit policies. Well, believe me, young man, in this here man's government, State is in charge of sales and Treasury is the credit department."

Thank you, Governor, for the privilege of being here. Thank you, ladies and gentlemen for hearing me out.

A DAIRY FARM REVOLUTION

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. QUIE. Mr. Speaker, there is a quiet revolution taking place in this country and it has nothing to do with the Bicentennial. This revolution concerns the future supply of dairy products in this country.

Writing in the August 25 issue of Hoard's Dairymen, William H. Alexander, agriculture professor at Louisiana State University, reports that a growing number of dairymen are quitting the business, squeezed out by a less than fair return on their huge investments.

Like petroleum, a shortage of dairy products will lead to greater dependence on foreign sources, meaning higher prices for milk, butter, cheese, and all other products of which milk is an ingredient. It means the loss of a vital link in our economy which has contributed to healthy individuals and a high standard of living.

As a direct result of rising costs—primarily feed, fuel, and fertilizer—dairy farmers are barely breaking even, if at all.

A most disturbing aspect in my district is that well-established dairymen, who have successfully operated their business over several years, are suddenly finding their equity eaten away by high costs and low returns.

Federal price supports need to be updated more frequently to help dairymen keep up with inflation. A farm bill passed by Congress this year contained a quarterly adjustment feature in parity price, which would have helped. Unfortunately, the President vetoed the bill, for reasons having little to do with this section. Although Congress was unable to override the veto, separate action should be taken immediately to restore a quarterly adjustment requirement on parity prices.

Dairymen and consumers have a common interest in maintaining an abundant supply of food at reasonable prices, as Mr. Alexander points out in the following article:

THERE'S A QUIET REVOLUTION TAKING PLACE ON DAIRY FARMS

(By William H. Alexander)

A quiet revolution is under way on farms in rural America. It can have devastating effects upon our economy and our food supply. This quiet revolution, which has gone unnoticed by consumers for years, is not an open warfare. Not a shot has been fired. Yet, this revolution is eliminating potential food producers no less permanently than if they had been destroyed by bullets. This revolution can best be described as the disappearance of family-type farms which we depend on for much of our food supply. This quiet revolution is, in part, a rebellion by farmers against government and consumers for the lack of appreciation for their efforts in providing an adequate supply of high-quality food at low prices. This silent rebellion is fueled by consistent pressures from government and consumers for lower food prices. This revolution can only be stopped if we, like Paul Revere, alert the people of this country so that they might take action.

One area in which the quiet revolution has had devastating effects is the dairy industry. When we consumers drive down the highway looking at dairy farms through a barbed wire fence and see the green pastures and contented cows, we get the impression that all is well with the dairy farmer. But, we cannot see the turmoil in his mind or his confusion about the future.

Let us try to visualize what a day is like in the life of a dairy farmer.

He gets up in the morning and reads in his newspaper that consumers are still complaining about high food prices. He hears on his radio the threats of boycotts and price freezes. He looks at his bankbook and finds out that practically all of his funds are depleted and that his debts are at record levels.

He has breakfast with his family. Two of his children are of college age and expect to attend in the fall.

He goes out to his barn and equipment shed. He finds that his feed supplies are low and that much of his equipment needs to be replaced. In his pocket are several overdue feed bills.

Then he walks out to look over his dairy herd. At least one-fourth of the cows need to be hauled away to the beef market because of low milk production, but he realizes that the price of beef cattle is so low that he would lose money if he sells them on today's market.

Then he begins to think about his monthly milk check and its relation to his costs and needs for replacements. It is then that he realizes he will not be able to buy that new tractor or the additional equipment he needs to increase his output. He also realizes the bitter disappointment his children will face when they learn that they may not be able to go to college.

Amid this troubled and confused state of mind he recalls that he must buy fertilizer which today costs more than three times as much as last year. His distress deepens as he thinks about other essential items needed for production but which he cannot afford.

CONTINUE OR QUIT?

The struggle in this dairyman's mind as he looks over his life's work and possessions is whether or not he should continue to produce milk as he has in the past, or give up and quit production altogether.

His answer to this question is one that concerns every consumer in this nation. Because if he makes the decision to "quit," he will join an army of other dairy farmers who have already let their pastures grow up in weeds and closed the barn doors. If this man's mind finally says "quit," we will have taken another brief but accumulative step toward empty dairy counters at grocery stores and scarce, expensive milk and dairy products for home refrigerators.

Today, many farmers have lost their will to maintain or expand food production. They know that the public is in no mood for higher food prices, and they know that they are not making a living on the farm. They are extremely reluctant to face the potential of sustaining another loss this year because they are no longer optimistic about next year.

As a result of this situation, many farmers are either cutting back production or abandoning production altogether. Once these farmers have quit, they do not have the enthusiasm or the capital to return to farming.

No segment of our economy better illustrates the effects of the quiet revolution than our dairy industry. Twenty years ago, 4,962 dairy farmers produced milk for consumers in Louisiana. This number has dwindled to less than 1,600 today. This trend toward fewer but larger farms has occurred nationwide and in all farm enterprises.

A parallel trend in terms of number and size of operation also can be noted in the milk processing industry. Twenty years ago there were 86 milk processing plants in Louisiana. Today there are less than 30.

Insistence by consumers for lower milk prices has forced dairy farmers and milk processors to increase the size of their operations or go out of business. Yet the prices they receive for their products today are not sufficient to pay them an adequate return for their higher capital investment, and their labor, and management.

It is not difficult to understand that when rational people abandon a business which they enjoy, and which has been built up through lifetime savings, it is because the business is not profitable. In other words, people do not abandon highly profitable business operations.

FOOD HAS BEEN PLENTIFUL

During the last 40 years, consumers in the United States have lived in a world of abundant food supplies. The largest percentage of our population was born during this period of our development, so they grew accustomed to grocery shelves bulging with food items.

Not only has there been an abundance of food, but through technology the quality has been improved and prices have been kept low. American consumers spend a smaller percentage of their income for food than do consumers in any other country in the world. And, the percentage of consumer income spent for food in the United States declined each year between 1960 and 1973.

Even with the food price increases in 1973, the average American consumer still spends a smaller percentage of his income for food than he did in any year prior to 1970. Last year (1974), consumers spent only 16.80 out of every $100 of income for food.

As late as mid-1972, we still were concerned about the surplus foods in storage and we were making production adjustments to prevent further excess supplies. Then, almost without warning, and from a series of unpredictable events, we plummeted from overabundance to scarcity of many food items in a short 2½ years. During this period, the food supply did not increase as fast as the demand for food. As a result, food prices soared to unbelievable heights.

This sudden change in the price level of food placed consumers in a state of inflation-shock. Since food is both a family necessity and one that frequently is purchased, consumers noticed inflationary prices here more than elsewhere. Prices of milk and dairy products came in for their share of criticism despite the fact that costs of these items did not increase as much as the average prices of all foods.

Frightened and confused, consumers cut back spending and began to look for culprits on whom to blame their dilemma. In their efforts to find a solution to the problems of high food prices, they sought the help of Congress and state legislatures. As a result, Congress imposed a nationwide wage and price freeze in April 1973. Although this action was well-intended, it discouraged farmers and reduced their production of food.

The more consumers engaged in boycotts and pressed for price freezes, the more farmers cut back on their production plans. Farmers were not slaughtering calves or drowning chickens to hurt consumers, but only to reduce their losses in the fact of sustained boycotts and price freezes. They were baffled by the unwillingness of consumers to pay the price necessary to bring those livestock and their products to the market.

DAIRYMEN ARE DISCOURAGED

Presently, much dialogue in both the Congress and state legislatures is centered around the level of prices of milk and dairy products. There are allegations that prices are "too high" and that the dairy industry is "ripping off" consumers. The dairy farmer hears the same news reports that you and I hear.

But, he knows that his bank account is low and that his farm is mortgaged heavily. He knows that the public has no appetite for higher milk prices. He also knows that he is not making a decent living. Therefore, he becomes discouraged and loses his enthusiasm for dairy farming altogether.

During the past three years, dairy farmers have opened their bankbooks to the public on several occasions to convince consumers that dairy farming is not a profitable enterprise. A recent study of the cost-price relationships for milk plant operators shows that profits in the milk processing industry also are low.

It generally is accepted that the responsibility of the government in administering programs for maintaining stability in the food production industry is to provide long-term incentives for producing an adequate supply of high-quality food. During recent years when dairy farmers were expanding their output of milk and dairy products, the government authorized the importation of large volumes of dairy products from foreign countries. These imports served to lower the price of dairy products in this country and contributed to declines in the number of milk producers and the volume of milk produced.

Not only has the number of dairy farms declined, but the number of milk cows on farms in the United States has declined each year since 1944. In fact, the total number of milk cows on farms is less in 1975 (11.1 million), than it was in 1880, almost 100 years ago, when there were 11.7 million milk cows on dairy farms.

During the last two years, the supply-consumption balance of milk and dairy products has been tight. Less than two weeks' supply of such products was available from government stocks at any one time period. Therefore, further declines in the number of milk cows on farms pose a serious threat to adequate supplies in the future.

HIGH-COST FOREIGN MARKETS

One would expect that America learned a lesson from its experience with the high cost of obtaining commodities from foreign markets when domestic supplies are short. However, when we hear the critical dialogue among lawmakers and observe their failure to provide incentives for long-range food production, we wonder if we have to go through this painful—and expensive—process again.

With these facts in mind, is it any wonder that a silent revolution is taking place on the farms of this country? Quietly and individually farmers are continuing a boycott of their own, one that will be permanent. They are selling their dairy herds and abandoning food production. For under today's conditions, once a farmer quits production, the cost of reentry at a level large enough to assure economic survival is prohibitive as a family-type enterprise. Thus, the family-type farm as we know it today is vanishing rapidly.

When this happens, the cost of food will claim a larger part of our income than it does today. And when Americans have to pay a greater percentage of their salary for food, they will have less money for luxuries such as cars, television sets, and dishwashers. If that dairyman I mentioned earlier who was looking over his herd decided to quit, we will have lost another link in the chain of producers who contribute to this country's high standard of living.

Finally, let us consider the role we might play as consumers in helping to promote an adequate supply of high-quality food. Consumers are frustrated. We see prices continue to go up. We are conscious of the increase in dairy prices because we buy milk more often than most other things. Consumers want food prices to go down. But can they? Yes, they can go down. They can go down when congressmen legislating milk prices again make $12,000 per year. Yes, they can go down when tractor fuel goes down to 25 cents per gallon. They can go down when feed drops to $70 a ton. Until these things happen, consumers and farmers have a common interest in maintaining an abundant supply of food at reasonable prices.

MRS. THATCHER WARNING ON HELSINKI PITFALLS

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mrs. HOLT. Mr. Speaker, I have seen a report of a foreign policy speech by Mrs. Margaret Thatcher, the leader of the Conservative Party of Great Britain, which I believe will be of interest to our colleagues.

As many of us have done on the floor of this House in recent days, Mrs. Thatcher points out that détente, to be successful, must be a two-way street. She went on to say:

> That is why we so strongly support all those European and American spokesmen who have insisted that no serious advance toward a stable peace can be made unless some progress at least is seen in the free movement of people and of ideas.

I should like to insert Mrs. Thatcher's remarks, from the London Daily Telegraph of July 28, 1975, in the RECORD at this time:

THATCHER WARNING ON HELSINKI PITFALLS

Mrs. Thatcher, Leader of the Opposition, gave a warning yesterday that Europe must be assured of a real *détente* by the Soviet Union at next week's Helsinki Summit.

Moscow, she said, in a speech to Chelsea Conservatives, must prove that *détente* is a reality supported by actions as well as words.

The world's most formidable navy, Russia's, was relentlessly extending its power from the Mediterranean to the Indian Ocean.

Yet this was the moment when the Labour Government had chosen to start pulling the Royal Navy out of the Mediterranean and to ditch the Simonstown Agreement, under which the Navy shared the Simonstown base with South Africa.

MORE NUCLEAR SUBS

In purely economic terms a united Western Europe was as powerful as the Soviet Union. But in military terms it was much weaker.

The Soviet Union spent 20 per cent more each year than the United States on military research and development, 25 per cent more on weapons and equipment, 60 per cent more on strategic nuclear forces.

The Soviet Navy had more nuclear submarines than the rest of the world's navies put together. It had more surface ships than could possibly be needed to protect the Soviet Union's own coast and merchant shipping.

The safety of Europe could be secured only within the Western Alliance. America remained by far the most powerful element in that alliance.

There was a feeling in Europe, as in Asia, that the parties and people of the United States might be falling into a mood of isolationism.

"This has not happened, but the less willing and able we Europeans became to carry our share of the common burden, the less willing the Americans will be to man the defences with us." An isolationist Britain would encourage an isolationist America.

"We must work for a real relaxation of tension, but in our negotiations with the Eastern bloc we must not accept words or gestures as a substitute for genuine *détente*.

No flood of words, emanating from a Summit conference will mean anything unless it is accompanied by some positive action by which the Soviet leaders show that their ingrained attitudes are really beginning to change.

That is why we so strongly support all those European and American spokesmen who have insisted that no serious advance towards a stable peace can be made unless some progress at least is seen in the free movement of people and of ideas.

"We must be firm in our desire for real *détente*—provided it is real. We must work hard for disarmament provided it is genuine and balanced.

"But let us accept no proposals which would tip the balance of power still further against the West. The power of N.A.T.O. is already at its lowest safe limit.

WE WILL BE ALERT

"We will be alert not to miss the moment when the Soviets turn to genuine *détente*, but until that is achieved we must quietly determine to maintain Western military strength at a level adequate to deter any aggression.

"It is worth drawing the attention of some of our more gullible disarmers to the fact that if we reduce our conventional forces further, then should hostilities break out there would be no effective middle course between surrender or the early use of nuclear weapons.

"We should be prepared to give and take but not to give something for nothing.

"Serious and solid negotiations is the only way to real *détente* and lasting peace. In this dangerous world we must never allow the momentum of reconciliation to slacken."

GERMANY 1923—WHEN INFLATION PROGRESSED TO ITS LOGICAL END

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 5, 1975

Mr. McDONALD of Georgia. Mr. Speaker, we are all concerned over inflation, but in my view, the Congress has failed to meet the problem head on by continuing to add to our national deficit, even beyond the planned deficit spending set forth by the President. We just cannot continue deficit spending. Human Events, in its July 19, 1975, issue, reprinted a lecture Thomas Mann gave in 1942 relative to the rampant inflation that hit Germany following World War I and what happened. In my view, this article could not be more timely for the edification of my colleagues who continue to feel that we should just keep the money presses rolling downtown.

GERMANY, 1923: WHEN INFLATION PROGRESSED TO ITS LOGICAL END

(By Thomas Mann)

(NOTE.—Thomas Mann's memoir of the German inflation years of 1913–1923 was the text of a lecture which he gave in the USA in 1942. It was published in Encounter for the first time, for whatever unfortunate topical value it now has, in a translation by Ralph

Manheim. The following article is copyrighted, 1975, by Encounter and is reprinted with permission.)

The German inflation had its roots in the First World War which was ruinously costly, not only in terms of human lives, but of labor and raw materials as well.

Day after day, year in, year out, fortunes were spent. At the same time numerous commodities that Germany had imported before the war vanished from the market. More currency was in circulation because more men—and women—than usual were working. The Germans became poorer in tangible goods and richer in banknotes. . . .

What was the popular reaction to this state of affairs? Since no one knew what the future would bring, since most people had no one to save for because their sons, husbands, and brothers were at the Front and might never return, and since the rising cost of living made saving next to impossible in any case, they bought whatever they could lay hands on regardless of the price.

A pound of rancid butter brought 20 marks on the black market, which began to play a critical role in almost every German household. It came to be regarded as normal and even honorable to break the law by exceeding one's rations and spending unconscionable sums on illegal purchases.

In my own home we were relatively law-abiding. I say relatively, because it was becoming almost impossible to live on what the law allowed, for one thing because unscrupulous and insatiable black marketeers diverted so much goods from the already understocked legal market.

The black marketeers—sinister, repellent figures—would come in the evening and talk in whispers to my wife in the vestibule. "For heaven's sake, Herr Hirsch," my wife would say, "40 pfennings for an egg! Why, last week it was only 30. What are we coming to?"

The black marketeer, a shady young man of 19 or 20, too sickly no doubt to serve at the front, but vigorous enough to intimidate my wife who in a way was dependent on him, laughed. "Don't be a fool," he said, "I could ask 50 pfennings if I wanted, or 60 or 70. You need the stuff. You have four children. They have to eat, don't they?"

And so my wife bought four of his expensive eggs. She should have taken eight, for at his next visit, a week later, Herr Hirsch had raised his prices considerably. As a matter of fact he had stopped calling himself Hirsch; now he was Herr Rabenstein—actually von Rabenstein, if I remember right.

Hirsch von Rabenstein and company on the one hand, and their customers, the German people, on the other helped to bring German inflation into the world, though it also had other midwives who are well known to us.

During the war, to be sure, we didn't call it "inflation." We merely complained of the "rising prices" on the legal and illegal markets. We didn't know yet that the disproportion between demand and supply, between the amount of currency in circulation and the amount of commodities available would increase according to a malignant inherent law.

The blockade ended with the war. Rationing and other wartime restrictions were lifted. But Germany had lost its immense foreign holdings, its industry was at a standstill, and the demands of the victor powers made deep inroads on the country's remaining wealth; Germany had lost the confidence of the world and its self-confidence as well. These conditions gave rise to what was then known as the "rush for material goods."

The buying spree that had begun during the war surpassed all bounds afterwards. For fear of currency devaluation, people bought everything in sight—it never occurred to them that in so doing they were helping to devalue the already devalued currency still further. All Germany became one enormous black market. . . .

Once the mechanism of inflation has been set in motion it is hard to stop. Any attempt on the part of individuals to oppose it is like trying to stop Niagara Falls with an umbrella. The war against inflation, if it is to succeed, must be a preventive war. On the other hand, economic factors alone would not have sufficed to reduce the German mark, not to a tenth or a hundredth but to a billionth of its former value; political and psychological factors were also at work.

The German penchant for immoderation, for catastrophic irrationality, which since then has brought such unspeakable suffering on the world, was evident even then. Equally evident was the willingness of the German people to put up with whatever their ruling class saw fit. For at least a section of this ruling class, the big industrialists, the inflation was profitable; they were in no hurry to stop it. Duing those years the Krupps, Stinneses, Thyssens, etc., got rid of their indebtedness, which ran into real millions, by paying their creditors in inflation millions, and thanks to these same inflation millions they acquired real millions-worth of property.

Though Germany was very poor at that time, it possessed great wealth in mineral resources and industrial plant. During the inflation a radical change occurred; this wealth became concentrated in fewer and fewer hands. The small and medium property-owners lost their holdings, and the biggest snapped them up. They acquired property and paid with paper. Years later one could hear it said that such and such a factory or mine was unproductive and would not be profitable if it had not been acquired for next-to-nothing during the inflation. . . .

Never have those who wanted to make money without working found such favorable conditions as in Germany from 1922 to 1924. All that was needed was a certain degree of ingenuity and unscrupulousness. Honest work, however skilled, brought nothing. Consequently, even ordinarily honest people were infected with the fever of speculation.

Peasants filled their houses with sewing machines, pianos, and Persian rugs, and refused to part with their eggs and milk except in exchange for articles of permanent value. Medical students became stock-jobbers. Teachers discussed such topics with their classes as how to convert a little money into a lot of money. The answer: by buying foreign currency, holding it for a while and then reselling it. In that way a million could be turned into five millions and ultimately into a billion.

But hadn't prices risen correspondingly in the meantime? For the most part, yes, but not necessarily; not if you took your money as fast as your legs would carry you to some innocent grocer or wine dealer or artist. If you were lucky, he had the mark of quotation for 9 a.m., but not for 12 noon; the difference—to his disadvantage—could be enormous. On the other hand, if he was a little less innocent he might ring up his bank, sigh, wipe the perspiration from his forehead, and rectify his prices. Yes, the purchaser could also be the loser.

For instance, you might drop in at the tobacconist's for a cigar. Alarmed at the price, you'd rush to a competitor, find that his price was still higher, and race back to the first shop, which may have doubled or tripled its price in the meantime. There was no help for it, you had to dig into your pocketbook and take out a huge bundle of millions, or even billions, depending on the date. . . .

On Friday evenings you could see workers coming out of the factories with baskets, sacks, and suitcases full of money. It didn't do them much good, for the frightened and greedy shopkeepers often raised their prices faster than the value of the currency fell. It became necessary to pay wages daily, and in the end the firm of Krupp among others began to print its own bank-notes. The cities, even the smallest of them, also took to printing money; it was up to some high official to decide how much. It goes without saying that for the time being forgery ceased to exist as a trade.

Large profits could be made by borrowing money. Anyone who had borrowed money in 1920 and bought something substantial—a house, a farm, or a factory—was well off in 1923. The lender was not so fortunate. Shrewd and farsighted individuals leapt at the opportunity to victimize old-fashioned people who failed to understand the spirit of the times. Of these there were only too many. How could a man who in his youth had reckoned in thalers, gulden, kurant marks, and later on in Bismarck's gilt-edged reichsmarks, be expected to think in terms of billions and trillions in his old age?

I can still remember the look of pride on our old governess' face when she told us one day that she was planning to retire soon and live on her savings. At the time the few thousand marks she had in the bank were worth less than a penny. People who had once been wealthy and were still living in their dilapidated old mansions sold their art treasures and furniture to sharpers. A Rembrandt might bring them enough to live on for a few weeks. In the end they were turned out into the streets with their pockets full of worthless multicoloured paper.

In those days you had to keep abreast of the times to survive. Sometimes you were cheated without malice aforethought. During the war I had invested 10,000 marks in a friend's country house, where I was a frequent guest. In a sense I was part-owner of the house. For practical purposes, my loan of 10,000 marks was guaranteed by a lien on the house.

In the spring of 1923 my friend informed me that circumstances had obliged him to sell his house, so he was returning my money. As a matter of fact, he added with a smile, it was the same 10,000, the same banknotes, I had given him in 1917; they had been lying untouched in his safe all the while. There I stood, incredulous, baffled and embarrassed, holding the clean, almost new, handsomely engraved museum pieces.

Those who joined in the "rush for material goods" didn't necessarily fare any better. I can think of no one in my circle of acquaintances who succeeded in weathering the inflation with all his possessions intact. And most of the new fortunes amassed by adventurers vanished as quickly as they had come into being.

That is the main reason why I have always regarded the German inflation as a kind of mirage, a witches' sabbath, that vanished, leaving nothing behind it but headaches and regrets. In the summer of 1923 the inflation, like the legendary witches dance, became wilder and wilder, the figures rose faster and faster. Then suddenly the cock crowed, the night was over, and the witch, exhausted and disillusioned, found herself back in her old kitchen. The cock in this case was Dr. Hjalmar Schacht, president of the Reichsbank, who with his enormous stand-up collar did indeed rather resemble a rooster.

Literature is an international undertaking, and I personally had little to complain of during the inflation. My family of eight was able to live tolerably well on the $25 I received each month from the American literary magazine *The Dial* for a letter from Germany. One of my sons was at a boarding school in the country. Every term I gave him $5 for his fees, which the headmaster received with satisfaction and gratitude. Other pupils brought silver plates, editions of the classics, live geese, or nothing at all. It was best to have one's children in the country at that time, for life in the cities was mad.

My youngest daughter sat on her rocking-horse and called out: "The dollar is up!" when the horse's head rose. The same words were sung to the first notes of Beethoven's Fifth Symphony, which have now become a symbol of victory. People spoke of nothing but marks, dollars, and pounds, and the streets of the big cities resembled nothing so much as a stock exchange gone wild. The bars and night clubs were full to bursting with profiteers spending their ill-gotten gains by the handful.

A severe inflation is the worst kind of revolution. The stern measures—currency restrictions, curtailed production, draconic taxes—that a government can and sometimes must take systematically are nothing by comparison. For there is neither system nor justice in the expropriation and redistribution of property resulting from inflation.

A cynical "each man for himself" becomes the rule of life. But only the most powerful, the most resourceful and unscrupulous, the hyenas of economic life, can come through unscathed. The great mass of those who put their trust in the traditional order, the innocent and unworldly, all those who do productive and useful work, but don't know how to manipulate money, the elderly who hoped to live on what they earned in the past—all these are doomed to suffer. An experience of this kind poisons the morale of a nation.

A straight line runs from the madness of the German inflation to the madness of the Third Reich. Just as the Germans saw their marks inflated into millions and billions and in the end bursting, so they were later to see their state inflated into "the Reich of all the Germans," "the German Living Space," "the New Europe," and "the New World Order," and so too they will see it burst. In those days the market woman who without batting an eyelash demanded a hundred million for an egg, lost the capacity for surprise. And nothing that has happened since has been insane or cruel enough to surprise her.

It was during the inflation that the Germans forgot how to rely on themselves as individuals and learned to expect everything from "politics," from the "state," from "destiny." They learned to look on life as a wild adventure, the outcome of which depended not on their own effort but on sinister, mysterious forces. The millions who were then robbed of their wages and savings became the "masses" with whom Dr. Goebbels was to operate.

Inflation is a tragedy that makes a whole people cynical, hardhearted and indifferent. Having been robbed, the Germans became a nation of robbers.

SENATE—*Monday, September 8, 1975*

The Senate met at 12 noon and was called to order by Hon. ROBERT MORGAN, a Senator from the State of North Carolina.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, show us how to seek first the kingdom of God and His righteousness, lest our priorities be reversed and what ought to be subordinate usurps first claim upon us. Grant us a commitment to the eternal which transcends devotion to the temporal. Help us to read and heed the lessons of history. Keep our spirits sensitive and our minds keen. Give us ears to hear Thy voice and eyes to see Thy guidance. In all our ways, may we acknowledge Thee, in the confidence Thou wilt direct our paths.

We pray in His name, whose love is everlasting. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 8, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. ROBERT MORGAN, a Senator from the State of North Carolina, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. MORGAN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 5, 1975, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the Legislative Calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MUSEUM SUPPORT FACILITIES

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 907.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 907) to authorize the Smithsonian Institution to plan museum support facilities, as follows:

Strike out all after the enacting clause, and insert: The Regents of the Smithsonian Institution are authorized to prepare plans for museum support facilities to be used for (1) the care, curation, conservation, deposit, preparation, and study of the national collections of scientific, historic, and artistic objects, specimens, and artifacts; (2) the related documentation of such collections of the Smithsonian Institution; and (3) the training of museum conservators.

SEC. 2. The museum support facilities referred to in section 1 shall be located on federally owned land within the metropolitan area of Washington, District of Columbia. Any Federal agency is authorized to transfer land under its jurisdiction to the Smithsonian Institution for such purposes without reimbursement.

SEC. 3. There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary to accomplish the purposes of this Act.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

THE PRESIDENT'S NARROW ESCAPE

Mr. HUGH SCOTT. Mr. President, the Nation rejoices in the safe deliverance of our President from the hands of a would-be assassin. We as a country have grown all too familiar with political assassinations and assassination attempts. We know that our principal public figures must recognize this as a part of the risks and dangers of their high office. I suppose there will be calls for additional legislation, though we have Federal legislation directly to that point. I am sure there will be calls for greater care and enhanced protection of the President and the Vice President; and they should be heeded.

The anticipation of the plans of fanatics is almost impossible, and yet some of the worst individual and group fanatics are known to the law protection agencies, and I hope that there will be even closer scrutiny of their whereabouts and their possible plans during the continuance of the itineraries of our various Presidential candidates.

I wish I could stand here and offer a solution or a further legislative proposal; but I think all we can do is send up our prayers of thanksgiving for the safe deliverance of the President, urge greater and more intensive care in the protection of our public officials, and hope that this madness will pass from us.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUGH SCOTT. I am glad to yield.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished Republican leader in expressing my relief and thankfulness that the President of the United States came to no harm on Friday afternoon last in California.

The President has indicated that he is very much impressed with the protection furnished by the Secret Service, and he had nothing but words of praise for the way they performed their duties, obligations, and responsibilities.

The country is grateful that the attempt misfired, if one can use that word in this particular instance. Even though the gun was not cocked and the firing chamber was empty, the next one was not empty.

I hope we will be able to achieve in this Nation a degree of civility and responsibility on the part of all our people so that incidents of this kind will not happen in the future. Presidents have to take chances. President Ford rolled with this one quite nicely, and I was impressed with the statement made by his wife, Betty Ford, to the effect that that is a part of the job which he holds. But it should not be a part of the job which he holds, because there should be nothing but the utmost respect toward the President of the United States; and I hope that this incident will bring about a feeling of renewed responsibility and renewed civility toward whoever happens to hold that office.

Mr. HUGH SCOTT. I thank the distinguished majority leader. The Secret Service was brave and effective.

I do not suppose it will come as any great surprise that other public officials have received death threats from time to time. I do not think we want to dramatize them, but there are certain Members of the Senate who have, on various occasions, received threats, most of which turn out to be no more than that and to have no basis. But one never knows when there will occur a serious intention to destroy a public figure; so we do have to increase our vigilance, and I hope that will be done.

I ask unanimous consent that the remarks of the President to the California State Legislature on the subject of crime, occurring immediately after this attempt on Friday, be printed in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT TO THE CALIFORNIA STATE LEGISLATURE, CALIFORNIA STATE CAPITOL

Governor Brown, Mr. Speaker, Mr. President, members of the State Legislature, distinguished guests, ladies and gentlemen:

It is indeed an honor to come before the California Legislature. You represent more Americans than any other legislative body, except the Congress of the United States, with which I have had some acquaintance over a good many years.

Almost half of California's delegation in the current Congress are alumni of this legislature. I cannot take time to salute all of them by name, but from veterans like the able Majority Whip, John McFall, to respected newcomers like Bob Lagomarsino, they are really an outstanding group.

In 25 years that I served in the Congress, I made many friendships with former State Senators and assemblymen from Sacramento whose constituents have consistently sent them back to Washington.

Although they represent a wide spectrum of political persuasions and interests, they were almost without exception able, hard working legislators who quickly reached positions of great importance and great influence in the House of Representatives, where they could make California's voice heard and, believe me, they did.

As a delegation that is now the largest in the Congress, Californians were often able to temporarily put partisanship aside on matters of great concern to your State as well as to our Nation.

This, after all, is the way our two-party system works at its best. I, long ago, came to admire California legislators from afar, and I thank you very, very sincerely for this opportunity to meet in this historic chamber.

Since California is almost a model of the whole United States, in its diversity of industry and agriculture, its urban and rural interests, its internal and international trade and commerce, its steady growth and the attendant challenges in transportation, education, employment and human needs, almost any national problem would be an appropriate one to discuss in California context.

Any subject that is of major importance to Californians is also of deep concern to all Americans.

In the 13 months I served as President of all of the people, my priority goals have been set by the circumstances which confronted our Nation, and still do: To work steadily and prudently toward peace and the reduction of conflicts which threaten peace globally or regionally without weakening either our defense or our resolve; to reverse the current recession and to revive our free economic system without reigniting, the inflationary forces, and through such Federal stimulants and incentives as will create productivity and permanent private jobs and genuine economic growth; to develop a comprehensive short- and long-term program to end our growing dependence on foreign sources of energy and provide the abundant and sure energy supply that is essential both for jobs and to competitive production for the future; and finally, but certainly not least, to encourage among all Americans a greater spirit of conciliation, cooperation and confidence in the future of this great country and the institutions of self-government which for 200 years have served to create a more perfect union.

Today, I could devote my time to any one of these goals because all are of concern in Sacramento, as well as in Washington. California has a very vital stake in peace and the important breakthrough we have just made in diffusing the time bomb that has been ticking away ominously in the Middle East.

California is blessed above many, many States when it comes to energy resources. But by the same token, Californians are exceptionally aware of the importance of power to make things move, to make things grow.

I have decided, however, to discuss with you today another subject on my agenda, one that affects every American and every Californian, one in which the role and the responsibility of State officials is even greater than that of the Federal establishment; that is, the truly alarming increase in violent crime throughout this country.

Crime is a threat so dangerous and so stubborn that I am convinced it can be brought under control only by the best concerted efforts of all levels of Government, Federal, State and local, by the closest cooperation among Executive, Legislative and Judicial Branches, and by the abandonment of partisanship on a scale comparable to closing the ranks in wartime against an external enemy.

I come to California not only to plead for this kind of Federal, State and local citizen coalition against crime, but to praise the progress you have already begun in California.

California has long been a leader in both law enforcement and criminal justice. The rate of increase in violent crimes here remains less than the national average. For the first quarter of this year, serious crime rose 18 percent for the Nation as a whole. It rose only 13 percent in California, but both figures, I am sure we agree, are far, far too high.

The rate for forcible rape was down, but murder was up 22 percent in California and robbery up 23 percent. What is more distressing, my good friend, Evelle Younger, tells me that nearly four out of every ten persons convicted of using firearms to kill someone, or to rob someone, were given probation. Approximately 2300 persons convicted of violent crimes involving firearms are returned to the streets of California each year without serving a prison sentence.

Clearly, the billions of dollars spent at all levels of Government since 1960 have not done the job of stemming the rise in crime. The reported crime rate has doubled, and unreported crimes have probably multiplied even more.

As a former lawmaker among active lawmakers, let me put before you three simple propositions about crime. First, a primary duty of Government is to protect the law-abiding citizens in his peaceful pursuits of life, liberty and happiness.

The Preamble to our Constitution at the Federal level puts the obligation to insure domestic tranquility in the same category as providing for the common defense against foreign foes.

The American Revolution was unique in its devotion to the rule of law. We overthrew our rulers but cherished their rules. The founding fathers were dedicated to John Locke's dictum that "Where there is no law, there is no freedom." One of them, James Madison, added his own corollary, "If men were angels, no government would be necessary."

While it is true that not all men nor all women are angels, it is also true that the vast majority of Americans are law-abiding. In one study of ten thousand males born in 1945, it was shown that only 6 percent of them perpetrated two-thirds of all crimes committed by the entire sample.

As for serious crimes, most are committed by repeaters. Another study in a major metropolitan area showed that within a single year, more than two hundred burglaries, 60 rapes and 14 murders were the work of only ten individual criminals.

This brings me to my second proposition. If a primary duty of Government is to insure the domestic tranquility of the law-abiding majority, should we not put as much emphasis on the rights of the innocent victim as we do on the rights of the accused violators?

I am not suggesting that due process should be ignored or the legal rights of defendants be reduced. I am not urging a vindictive attitude toward convicted offenders. I am saying that, as a matter of public policy, the time has come to give equal weight on the scale of justice to the rights of the innocent victims of crimes of terror and violence.

Victims are my primary concern and I am sure that is your primary concern. They should be the concern of all of us who have a role in making or executing or enforcing or interpreting the criminal law, Federal, State or local. The vast majority of victims of violent crime in this country are the poor, the old, the very young, the disadvantaged minorities, the people who crowd our urban centers, the most defenseless of our fellow citizens.

Government should deal equally with all citizens but if it must tilt a little to protect any element more than any other, surely it should be those who cannot afford to be robbed of a day's food money, those who lack the strength to resist, those who even fear the consequences of complaining.

My third proposition is this: If most serious crimes are committed by repeaters, most violent crimes by criminals carrying guns, if the tiny majority of habitual lawbreakers can be identified by modern datakeeping methods, then is it not mandatory that such offenders, duly tried and convicted, be removed from society for a definite period of time rather than returning to the streets to continue to prey on the innocent and the law-abiding majority.

Although only a very limited number of violent crimes fall under Federal jurisdiction, I have urged the Congress to set an example by providing for mandatory prison terms for convicted offenders in such extraordinarily serious crimes as aircraft hijacking, kidnapping and trafficking in hard drugs. I also advocate mandatory sentences for persons found guilty of crimes involving use of dangerous weapons, and for repeat offenders, with or without a weapon, whose crimes show a potential or actual cause of physical injury. There will, of course, be sensible exceptions but they must be minimal.

I hope all 50 States will follow suit. Far too many violent and repetitive criminals never spend a day in prison after conviction. Mandatory sentences need not be severe. It is the certainty of confinement that is presently lacking. We will never deter crime, nor reduce its growth if potential lawmakers feel they have favorable odds of escaping punishment.

The more experienced in crime they get, the better their odds of not suffering the consequences. That is wrong and it must be reversed, and the quicker, the better.

The temptation to politicians—and I trust we are all politicians here, and proud of it—I am—is to call for a massive crackdown on crime and to advocate throwing every convicted felon in jail and throwing the key away.

We have heard such cries for years and crime continues to gain on us. The problem is infinitely more complex than any updated vigilante mentality can cope with. We have to confess, you and I, that we do not know all of the answers. But as with other stubborn national problems, my philosophy is that we must take one sure step at a time.

It is simply intolerable to stand still or slip backwards. It is simply impossible to devise a swift cure-all or a quick fix.

In a talk to my alma mater and to yours, Mr. Governor, the Yale Law School, last April, and again in a detailed message to the Congress in June, I outined the first steps which I believe must be taken to get a handle on the rising crime rates. I will not rehash these points today, except to thank the California Legislature for moving somewhat faster than Congress has on some of my recommendations, such as mandatory prison sentences for crimes involving firearms and hard drug pushing.

I told the Congress, not as a cop-out, but as a Constitutional fact of life, that the Federal effort in the fight against crime really depends on the massive support from the States—which quite properly have sole jurisdiction in the exercise of most police powers.

I said the Federal Government could, however, set an example to reform of the Federal Criminal Code, which is progressing, and through the Law Enforcement Assistance Administration and other programs including general revenue sharing.

I want to give it to you straight about these programs. They were pushed by the minority in the Congress during the Johnson Administration and I am somewhat proud of my association with the innovative Federal measures and the proof that if an idea is good enough, it can prevail even if the minority espouses it.

I have asked the Congress to extend general revenue sharing, which expires at the end of next year. Under it, California has received about ten percent of the total Federal funds turned back to the States and to subdivisions.

California's share now adds up to more than $2 billion and will be closer to $3 billion by the expiration date.

This is money that you in California are relatively free to use where you think California needs it most.

Frankly, the Congress isn't too happy about such liberty on your part and would rather tell you how they want it spent. I leave it to your good judgment to help us continue this program for another five years. I have recommended that it be extended for a five-year period, and with added money on an annual basis.

I should say, and, in fact, warn you, there are many enemies in the Congress who don't want it extended and the consequence is there is an unfortunate delay. And I detect that there is a feeling of complacency on the part of Governors, State Legislators, Mayors and county officials. I warn you, all of those who have received these funds and used them effectively—and I think you have—get moving, because the enemies are working and I don't detect the proponents are pushing.

Don't get caught napping when that expiration date comes up much more quickly than you suspect it might.

As for LEAA, I must say candidly that it hasn't done as much to help curb the rising crime statistics as we had hoped. But it has encouraged experimentation and pilot projects in law enforcement and criminal justice which, if they work, can be adopted by other States. Some of the outstanding ones have been funded for California's own Department of Justice dealing with organized crime and criminal intelligence and to Sacramento and San Diego counties for programs on juvenile delinquency, white collar crime, fraud, drugs and career criminals.

The drug problem in America could make several speeches by itself. Here, again, we have a small number of deliberate criminals who destroy the domestic tranquility of millions and millions of decent citizens. What is particularly outrageous is the tragedy they bring to young people who should be learning to face life, not run from it.

Here in California, according to the latest figures I have seen, less than one out of every five convicted hard drug pusher ever served time in prison. One way to keep a convicted murderer from killing anybody else, one to keep a hard drug pusher from ruining any more lives, is to lock them up for a reasonable but certain term of imprisonment.

Loss of liberty is both a deterrent to crime and a prevention of repeated crime, at least while the defendant is behind bars. Prisoners should be treated humanely, and we cannot expect judges, Mr. Chief Justice, and juries, to convict and sentence persons to places of confinement that are cruel and degrading.

But I consider it essential that we reduce delay in bringing arrested persons to trial, sharply limit the prevailing practice of plea bargaining caused by congested prosecutor and court calendars, and significantly an increasing proportion of those convicted of violent crimes and repeated crimes who actually serve time in prison.

I commend the State of California for its ongoing efforts in these areas, as well as for your program, or programs, to prevent juvenile crime and to rehabilitate youthful first-time offenders.

One of the worst aspects in the current rise in crime rates has been that almost half of all arrests are persons under 18 years of age. While imprisonment is clearly the way to put hardened criminals out of business for a period of time, it is obviously not the best way to deal with the very young.

Simply sending them home has not proved a satisfactory solution, either. We do not have all the answers, but we must spare no efforts to find them quickly.

The Federal Department of Justice has embarked on an urgent pilot program to divert first offenders and, in appropriate cases, prevent them acquiring the lifelong stigma of a criminal record.

Another aspect of the crime program that I have submitted, I asked the Congress to write into the revised Federal criminal code the stronger provisions to allow Federal action against organized crime, wherever it rears its ugly head.

The leaders of organized crime do not recognize State or, for that matter, national boundaries. It will take all of our law enforcement resources to fight this giant conspiracy against domestic transquillity and prevent its spread.

Like other vexing problems facing California and the Nation, we will not conquer crime with a single roll call or a stroke of the Governor's or President's pen. But, we must do what we can and we must work together here and now for the sake of our children and our grandchildren.

It was really for this reason that I wanted to discuss crime today and the common front that we must create againt it. Peace in our neighborhoods and places of business is almost as important as peace in the world.

Keeping the peace is as heroic and essential on the part of those policemen and policewomen who work the night shift as it is on the part of our military personnel and civilian technicians standing watch around the world.

The courage and devotion of some for the safety and survival of all have brought us through 200 years as a Nation, and it will carry us forward to an even brighter future.

Nowhere is the community of interest and the necessity of close collaboration between the Federal Government and the States of the Union more obvious than in the field of crime control.

There is no more universal longing among our people than to be free of fear and safe in their homes and in their livelihoods.

There is no issue even, in a spirited campaign year already beginning, in which we would seek to serve the people, can work harder without partisanship or without demagoguery, to bring about visible progress.

I have not brought along any patent medicine that cures all human ills to peddle here in California. I have come simply to pledge to you my unrelenting efforts to reduce crime in cooperation and consultation with you and with all who have America at heart.

In moving against crime, with compassion for the victims and evenhanded justice for the violator, California can be the pace setter for the Nation, as you have been in so many other challenges.

The genius of California has enriched all America beyond the wildest expectation of our goalseeking ancestors. But, I am not here to sing, "I love you California," either. I will save that for future visits, and I hope there will be many, because I love your people.

For today, it is enough to ask your help on this complex but fundamental problem that confronts us all. If we fail to insure domestic tranquility, any other successes we may have as public officials will be forgotten.

Peace on 10th Street in Sacramento is as important to the people who walk and work there as peace in the Sinai Desert.

One man or woman, or child, becomes just as dead from a switchblade slash as from a nuclear missile blast. We must prevent both.

Thank you very much.

SUPREME COURT ACTION ON FEDERAL CAMPAIGN FINANCING

Mr. HUGH SCOTT. Mr. President, it is now up to the Supreme Court to act on the new Federal campaign financing law, and it should do so quickly. I ask unanimous consent that an editorial from the Philadelphia Inquirer on this timely subject be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SUPREME COURT SHOULD RULE ON CAMPAIGN FINANCING LAW

The 1974 federal campaign financing law was one good thing, at least, that came out of Watergate.

It was designed to prevent the repetition of some of the notorious abuses of big money donated secretly, by putting limits on the amounts that individuals could donate to, and that federal candidates could spend for, political campaigns.

It has brought together some strange bedfellows. Joining in a suit to strike it down as unconstitutional are former Minnesota Sen. Eugene McCarthy, a maverick liberal Democrat who is running for President, and Sen. James L. Buckley, a rightwing Conservative-Republican from New York, along with the New York Civil Liberties Union and Human Events, a political journal well over to the right. And joining in a friend-of-the-court brief to uphold the law are Republican Sen. Hugh Scott of Pennsylvania and Democratic Sen. Edward Kennedy of Massachusetts.

The proponents have now won a significant victory. An eight-member U.S. appellate court for the District of Columbia has upheld the major provisions of the law.

The court firmly rejected the centerpiece of the plaintiffs' case—the contention that limits on contributions and expenditures amount to a "massive intrusion" into freedom of speech.

Citing "the corrosive influence of money (which) blights our democratic processes" and noting that since 1910 "lesser measures" have failed to cleanse those processes, the court declared that certainly these later efforts "should not be rejected because they might have some incidental, not clearly defined, effect on First Amendment freedoms."

Indeed, the plaintiffs' argument cuts the opposite way. In practice, the "massive intrusion" of big money donated secretly can have the effect of drowning out the voices of those who do not have it. The First Amendment says that Congress shall make "no law" impinging on free speech, but as Paul A. Freund of the Harvard Law School has argued, that does not mean that decibels or dollars cannot be limited.

The Court of Appeals decision, however, is not the last word. That can come only from the Supreme Court, which should act with all deliberate speed. The new law is on the books, and candidates are trying to live up to it. If there are defects in it, Congress should have ample time to rectify them before the 1976 campaign gets too far along.

Mr. HUGH SCOTT. I yield back the remainder of my time.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Virginia (Mr. HARRY F. BYRD, JR.) is recognized for not to exceed 15 minutes.

Mr. ROBERT C. BYRD. Mr. President, will the distinguished Senator yield to me very briefly?

Mr. HARRY F. BYRD, JR. I am delighted to yield to the distinguished Senator from West Virginia.

ADVERSE IMPACT OF STRIKE IN WEST VIRGINIA COAL FIELDS

Mr. ROBERT C. BYRD. Mr. President, on Saturday, September 6, I issued a statement with respect to the present walkout that is occurring in the State of West Virginia in the mine fields.

The statement was as follows:

> As a Senator from a leading coal-producing state, I am distressed at the adverse impact the present coal strike is having on West Virginia's economy, and on meeting the critical energy needs of the nation.
>
> As one who has long advocated increased coal research, I am also concerned about the strike's possible effect on West Virginia's chances of getting the COALCON coal research project, as well as future industrial location and expansion in our State.
>
> I have no authority to intervene, in any way, in the walkout, but it is hurting West Virginia and the nation, the public is suffering, and it is hurting the miners and their families.
>
> As one who experienced life in the coalfields when there was no mine union, I am also afraid that the present unrest and divisiveness, if continued, can weaken and eventually destroy the union. I, therefore, hope that all members of the UMWA will heed the advice and urgings of their union leaders and return to work immediately so that normal coal production can be resumed and the nation's energy needs met.

Mr. President, I ask unanimous consent that the time consumed by my reading of this statement, which I issued on Saturday last, not be charged against the distinguished Senator from Virginia.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VIRGINIA AND HEW'S LATEST DEMANDS ON HIGHER EDUCATION

Mr. HARRY F. BYRD, JR. Mr. President, a little over a year ago I addressed the Senate on the excesses to which Federal bureaucrats in the Department of Health, Education, and Welfare had gone to harass Virginia's leaders concerning the imposition of racial quotas in her institutions of higher education.

At that time, Virginia had just presented her "Plan for Equal Opportunity in Virginia Institutions of Higher Education: A Shared Responsibility"—a 900-page document detailing the latest plans of the State for continued affirmative action to maintain equality of opportunity in higher education.

That plan was accepted by HEW's Office of Civil Rights on June 21, 1974. Virginia has made a commendable record under it and has spent over $1 million in its implementation.

The Office of Civil Rights, in making its new demands, has not cited a single instance of violation of law or of discrimination.

It is said that those who refuse to learn from the past are doomed to relive it.

It would appear that HEW is suffering from just such a learning disability.

For in the face of Virginia's detailed plan and unqualified commitment to it—and in the face of HEW's unqualified acceptance of it—the Office of Civil Rights has again threatened Virginia with "enforcement action" unless the State meets a series of outrageous new demands which go beyond the law.

On August 5, 1975, the Office of Civil Rights sent to Gov. Mills E. Godwin, Jr., a 48-page letter, demanding that the Governor ignore the laws of Virginia and yield to the will of the quota-oriented bureaucrats of HEW.

HEW has again demanded that the State's Council of Higher Education exercise regulatory powers over Virginia's colleges and universities—powers it does not now have under Virginia law. Further, HEW has demanded a "mechanism" be established under State law to facilitate imposition of quotas in higher education admissions and employment.

It was my understanding—and the understanding of Virginia's officials—that HEW had abandoned such irresponsible tactics when it finally accepted the Virginia plan last year.

To his credit, Governor Godwin has vigorously protested the latest indignity from the Federal bureaucracy in his answer, dated September 3, 1975:

> Here we find the regional director of a Federal bureau summarily forwarding to a sovereign state a series of assignments, complete with deadlines, as though this Commonwealth were some recalcitrant school boy, and threatening legal action for failure to comply without any indication that Virginia has violated the law.

And he concludes:

> In the light of both the tone and content of your August 5 letter, I cannot help but suggest a change in OCR's apparent premise that it must operate from a presumption of guilt on Virginia's part and that the only avenue of approach is a continued encroachment on Virginia's rights to operate her own system of higher education.

But the critical factor in this latest harrassment remains:

> To date, OCR has never cited a single instance in which a Virginia institution of higher learning was in violation of Title VI of the Civil Rghts Act.

No person in Virginia is excluded from participating in, denied benefits of, or subjected to discrimination under any higher education program.

Yet, HEW persists in its unfounded assumption that Virginia is guilty of unspecified, nonexistent crimes, and is subject to summary punishment.

HEW would demand by bureaucratic fiat the rewriting of the valid, constitutional laws of a sovereign State.

HEW would attempt to extort such changes by the imposition of insulting and arbitrary deadlines to be met on pain of legal action.

HEW would have the Commonwealth of Virginia impose a system upon its higher educational institutions which deals only in quotas and which ignores the individual merits and choices of her citizens.

Quotas, are inherently discriminatory. It is saddening that Federal officials promote them; it is shocking that a Federal agency demands them of a sovereign State.

I reject quotas as totally repugnant to our constitutional liberties and foreign to our notions of a free society.

I support Governor Godwin in his resistance to such demands.

I comment him for his forthright defense of Virginia's system of higher education.

And I join him in his reasoned request that HEW and its Office of Civil Rights abandon the preconceived, but erroneous, notions they hold concerning Virginia's school system and accept the reality of Virginia's good faith, to the enhancement of the "joint and legitimate objectives" which both Virginia and the Federal Government share.

I ask unanimous consent that the letter of the Honorable Mills E. Godwin, Jr., Governor of Virginia, dated September 3, 1975, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF VIRGINIA,
Richmond, Va., September 3, 1975.

Mr. DEWEY E. DODDS,
Director, Office for Civil Rights, Region III, Department of Health, Education, and Welfare, Philadelphia, Pa.

DEAR MR. DODDS: I have reviewed in detail the progress Virginia has made under "The Plan for Equal Opportunity in Virginia Institutions of Higher Education: A Shared Responsibility" in the light of your letter of August 5, 1975.

I can find no reasonable basis on which the Office for Civil Rights could justify a set of deadlines, new "required actions" not included in The Plan, and further attempts to encroach upon the educational prerogatives which are Virginia's.

I can only conclude that OCR questions Virginia's good faith in carrying out the commitments of The Plan and is therefore demanding "actions" which on their face are punitive rather than constructive.

Virginia undertook the commitments under the plan voluntarily and in complete good faith as a collective effort to renew and strengthen the affirmative action efforts already underway in all our institutions of higher learning. It was accepted by OCR in June of 1974.

Since that time, Virginia has spent an estimated one million dollars on implementation. Commendable advances have been made, and will continue. I find no reason to conclude that Virginia will not make the substantial progress contemplated in The Plan's first two years.

I hope Virginia's good faith is not in question, although your letter causes me some concern in this regard.

You dismiss our detailed analysis demonstrating that predominantly black institutions of higher education are being funded on an equal basis with predominantly white institutions with the incredible statement that after 18 months, OCR has not had time to evaluate the data.

You continue to ignore the unmistakable language of Virginia statutes, which establishes the State Council of Higher Education as a coordinating, and not a regulatory, body and our state-supported colleges and universities as corporate entities responsible to their own governing boards.

And, finally, you suggest that Virginia establish some sort of "mechanism" to override both the letter and the spirit of Virginia law for the sole purpose of carrying out OCR directives.

I am deeply disturbed that a Federal agency would advocate the rewriting of Virginia law to accomplish its own narrow objectives, with no regard for the welfare of higher education in this state.

Here we find the regional director of a Federal bureau summarily forwarding to a sovereign state a series of assignments, complete with deadlines, as though this Commonwealth were some recalcitrant school boy, and threatening legal action for failure to comply without any indication that Virginia has violated the law.

To date, OCR has never cited a single instance in which a Virginia institution of higher learning was in violation of Title VI of the Civil Rights Act.

This supports our contention from the beginning that Virginia has been in compliance with Title VI, and that she is now in compliance. Virginia, as always, will abide by the law and by her own commitments.

This does not mean that we will accept in every instance the interpretation by OCR of some of those commitments, nor the time limits imposed, unless failure to do so would be in violation of title VI. Specifically do we reject as arbitrary and unreasonable the 30-day deadlines your letter set forth.

We further reject the unilateral additions to The Plan contained in your letter.

We must also reject on the same legal basis the "required actions" which have the effect of delegating to the Office For Civil Rights the authority vested by the laws of this Commonwealth in our college and university governing boards and in the Governor of Virginia.

We have no intention of forwarding to OCR assessments showing the impact on racial patterns in higher education in Virginia of new academic programs before these programs are finally approved or funded. The scarcely veiled intent of this "requirement" can only be to give OCR the veto power over any changes in curricula at Virginia colleges and universities.

We have no intention of differentiating for OCR between so-called "core" and "specialized" academic programs, the assignment of which OCR would obviously then want to supervise.

Most emphatically do we reject the reparations concept proposed by OCR, to the effect that new academic offerings at predominantly white institutions be matched by similar new offerings at predominantly black institutions. This makes no academic or economic sense.

Today the racial makeup of these institutions of higher learning is a matter of free and informed choice on the part of students and faculty, and not of any policy of action by the Commonwealth.

In accordance with The Plan, Virginia will initiate a study of the mission of Richard Bland College, although we cannot be bound by the deadlines imposed in the letter. Any such study must be made with due regard for the fact that the General Assembly of Virginia is the final arbiter of such a mission.

Virginia cannot meet the 30-day deadlines for implementing the minority faculty program. This concept included educational leaves and subsidy payments for graduate work by minority faculty members. It thus requires extensive financing, which simply is not available this academic year, when the Commonwealth is facing a possible deficit of $60 million and the Virginia General Assembly cannot address this problem before January of 1976.

We will proceed with our interpretation of our commitments under the plan as addressed in your letter of August 5. A more detailed response covering these will be provided at a later date.

In the light of both the tone and content of your August 5 letter, I cannot help but suggest a change in OCR's apparent premise that it must operate from a presumption of guilt on Virginia's part and that the only avenue of approach is a continued encroachment on Virginia's right to operate her own system of higher education.

Our joint and legitimate objectives will be greatly enhanced if the Office for Civil Rights and the Department of Health, Education and Welfare would accept the obvious facts that Virginia is wholly committed to equal opportunity in higher education in law and in fact; that minority members have at the very least equal access to higher education in Virginia; that there are no barriers to students or faculty members save their own preference and abilities; that in the last analysis, these must govern the racial patterns of higher education; and finally, that any attempts at intrusion upon the right of Virginia to operate her own higher education system will inevitably result in deep resentments and retardation of our common goals.

Because of the fundamental issues at stake and their importance to the progress of higher education in Virginia, I am forwarding copies of this letter to the President of the United States, to the Secretary of Health, Education and Welfare, and to each member of Virginia's Congressional Delegation.

Sincerely yours,

MILLS E. GODWIN, Jr.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Wisconsin (Mr. PROXMIRE) is recognized for not to exceed 15 minutes.

THE LA FARGE, WIS. PROJECT

Mr. PROXMIRE. Mr. President, within the next couple of weeks the Senate will act on a public works appropriation bill that will pay for projects throughout the country. The cost of those projects will be in the billions of dollars. What do we get for spending those billions of dollars? We are told we will get flood control, recreation, fish and wildlife protection, irrigation and soil improvement benefits, and others.

Will the benefits be worth the cost? In some cases the anwers is "Yes"; in many others "No." Hundreds of millions of dollars of this spending will represent a bad investment for the taxpayer for a simple arithmetic reason.

The Government—or the taxpayer—now pays more than 7 percent for his money. But the return on some of the millions we will, in effect, invest when we approve the public works appropriation will barely exceed 5⅞ percent—the return now required to justify a public works project. In other cases—representing literally hundreds of millions of dollars—the return may be as low as 3⅛ percent.

Furthermore, even this thin return will be, in many cases, exaggerated. The Corps of Engineers which has the responsibility for computing the costs and benefits of these projects has a long record of exaggerating benefits and underestimating costs. One of the projects involved will be in my State of Wisconsin.

Mr. President, over the past weekend I had one of the best lessons I have ever had in my life on the human elements involved in these projects and why it is so very, very hard for us to blow the whistle. I went out to Wisconsin to tell the people who live in the town where the project was to be built that I would oppose it and ask the Senate and the Appropriations Committee to vote against it because I thought it was a bad investment for the taxpayer.

Mr. President, in the 18 years I have been in the Senate, this was one of the most painful actions I have ever had to take. Saturday morning, I spoke in a firehouse in La Farge, Wis., with a hundred or so of the people present who were directly affected by this project. This is a dam to provide flood protection and recreation benefits to La Farge and other towns in the vicinity.

After I spoke for about 20 minutes explaining why I thought the LaFarge Dam would cost more than it was worth, there was more than an hour and a half of statements and questions.

At least 40 or 50 opinions were voiced. Not a single statement supported my position. Every person who spoke out wanted the dam built. They all wanted the 1,800-acre lake the project would make possible. They spoke of the 40-year drive for this project, of the floods they had suffered, of the economic plight of this section of Wisconsin, the hard, long struggle to earn a modest income, and the hope that the lake could mean a better economic future. One woman wept as she predicted that without the project, she and her neighbors simply could not survive economically. A little girl broke down in tears as she sobbed and told how fewer children at her school would mean the end of the school.

A number of men argued that the costs had increased because of years of delay by the Federal Government and the onrushing inflation, over which they obviously had no control. Others said the benefits were understated $1.25 a day. One woman pointed out that a few hours of the money spent in Vietnam would pay for the entire project even if it increased in cost. A man asked how I could justify the amount the Government is asking to spend in foreign military aid to both sides in the Middle East, when a small fraction of that sum would solve their problem.

Repeatedly the argument was made that the Government has already spent $14 million, that the dam is physically 80 percent completed, and that it should continue.

Among others Palmer Munson, Robert Vosen, Mr. and Mrs. Arlen Johnson, Harvey Schroeder, Dale Sandmire, Ward Rose, Olive Nelson, Bernard Smith, Helen Stolsan, and many others spoke up. All—without a single exception—favored the dam and the lake. Not a single one spoke against, it though I made my pitch against it and appealed to them for support.

Mr. President, I tell this story because it is at the heart of our problem with runaway Government spending. This project initially was to cost $15.6 million in 1962. By 1971, when the baseline was set, the cost had gone to $24.53 million. Earlier this year, the cost was estimated at $38.48 million. And now we are told the cost will be $51.55 million, a mammoth, 112-percent overrun over the 1971 baseline.

Mr. President, based on everything I have seen and heard in 18 years here, I know that cost will grow and grow before the project is finished. I would not be a bit surprised if it cost $100 million before we are through.

To justify the project in the light of this immense cost increase, the corps has increased their estimate for recreation benefits this year by more than 100 percent.

This gives the project a hairline benefit-cost justification. Costs barely exceed benefits. But they exceed benefits because the law permits the corps to apply to this project an outdated 3⅛-percent discount factor.

Mr. President, I oppose this project because it is clear that the costs exceed the benefits by a very large amount, indeed. This will be the case if any of the following eventualities develop, and I think all of them will:

First. The benefits are exaggerated, and I think they will prove to be exaggerated.

Second. The discount factor is too low, and I think it is obviously far too low. The cost of money to the Federal Government is not 3⅛ or 5⅞ but more than 7 percent, and at that rate the project could not be justified even if all the sunk costs—the $14 million already expended—were written off.

Third. The cost of the dam will continue to grow, and as it does, the taxpayer will take a continuously worse drubbing.

For all these reasons, Mr. President, in spite of the overwhelming support of the people who have lived with this project and dreamed of this project for years and count on this project as their salvation, I must oppose the project and ask the Senate to delete it from the public works bill.

DEFENSE CONTRACTORS AND THE FEDERAL SECURITIES LAWS

Mr. PROXMIRE. Mr. President, in May I asked the SEC to examine the documents filed with the Commission during the past 5 years by the 25 largest defense contractors. The purpose of the request was to determine whether there have been any irregular, improper or unusual payments by those companies in the United States or in foreign countries. I also wanted to know whether any of the largest defense contractors had established slush funds in order to make such payments.

SOME CONTRACTORS NOT IN COMPLIANCE WITH DISCLOSURE REQUIREMENTS

The SEC has now completed its examination and reports that a detailed review of the documents filed by the corporations revealed no indications of irregular or improper activities. This finding is in direct conflict with the recent disclosures concerning three of the largest defense contractors.

AT LEAST THREE OF LARGEST CONTRACTORS GUILTY OF MAKING IMPROPER PAYOFFS

The disclosures show that Lockheed, Northrup, and Exxon—Nos. 2, 13, and 19 on the list of largest defense contractors for 1974—have been guilty of making payoffs to Government officials and political organizations in foreign countries. Yet the financial statements made to SEC by the companies contain no information concerning these large disbursements of corporate funds.

Obviously, as SEC Chairman Ray Garrett, Jr., points out—

> There is a likelihood that activities of this kind would be deliberately concealed and, therefore, would not be revealed in documents filed with the Commission.

But the fact remains that companies which fail to report such activities are violating the law requiring full financial disclosure, and at least three of the largest defense contractors fall into this category.

HOW MANY OTHER CONTRACTORS MAY BE VIOLATING THE LAW?

The question that now must be asked is, how many other defense contractors may be making political payoffs and failing to comply with the financial disclosure requirements?

I have asked the SEC to dig deeply into this matter and am encouraged by its efforts so far and the commitment to investigate further. But it must be recognized that the disclosure requirements have been flagrantly violated and have not served to protect the public from abuses by corporate management.

It is now clear that tens and perhaps hundreds of millions of dollars in corporate funds have been used by some of the largest defense firms for illegal and improper purposes and that this practice has been going on undetected for years.

NEED TO OVERHAUL SECURITIES LAWS

Congress must now take a close look at the securities laws with a view toward completely overhauling them and improving their enforcement. At the very least the penalties for violating the laws should be tightened up. At present they often amount to a tap on the wrist.

A sure way of deterring these practices is through exposure. The full details should be made public—the names of the corporate officials involved in the payoffs and bribes, the names of the recipients, the specific transactions, and the countries involved.

I ask unanimous consent to have printed in the RECORD my letter to SEC Chairman Ray Garrett, Jr., dated May 13, 1975, and Mr. Garett's letter of August 22, 1975.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 13, 1975.

Mr. RAY GARNETT, JR.,
Chairman, Securities and Exchange Commission, Washington, D.C.

DEAR RAY: You are undoubtedly aware of the great controversy that has been caused by the disclosures that the Northrop Corporation and other firms with defense contracts have been involved in irregular and improper payments both in the United States and abroad. This letter is to request that your office make a detailed review of the documents and materials filed by each of the largest twenty-five defense contractors in order to determine whether there have been any unusual payments here or in foreign countries such as in the Northrop, Gulf and other cases or whether any slush funds for such purposes appear to have been created during the past 5 years.

A list of the largest twenty-five defense contractors is attached.

Because of the urgency of this matter, I would hope that you can assign sufficient people to complete this task at the earliest possible time, and I would appreciate some estimates of how long it will take.

Any additional questions about this matter may be taken up with Richard Kaufman, Joint Economic Committee.

Sincerely,

WILLIAM PROXMIRE.

SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C., August 22, 1975.
Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: This is in further response to your letter, dated May 13, 1975, in which you request that the Commission "... make a detailed review of the documents and materials filed [with the Commission] by each of the 25 largest defense contractors in order to determine whether there have been any unusual payments here or in foreign countries . . . or whether any slush funds for such purposes appear to have been created during the past five years." Your request was prompted by concerns over the then recent disclosures that Northrop Corporation, and other firms with defense contracts, had been ". . . involved in irregular and improper payments both in the United States and abroad."

On May 27, 1975, I advised you that we had assigned this matter to our Division of Corporation Finance, which is generally responsible for reviewing corporate filings, and asked them to take sufficient steps to assure a prompt and substantive response to your inquiry.

I have been advised that the Division of Corporation Finance has completed a detailed review of materials and documents filed with the Commission by the corporations identified in your May 13 letter. The staff, however, did not reexamine materials relating to Northrop Corporation, in light of the fact that a similar inquiry was conducted in connection with our recent enforcement action with respect to that company, or materials relating to Hughes Aircraft Company, since that company is not publicly-owned and thus does not file reports with the Commission.

I understand that our staff did not find any indications in the materials reviewed that the subject companies may have engaged in the irregular or improper activities suggested in your May 13 letter. But, as I am sure you know, there is a likelihood that activities of this kind would be deliberately concealed and, therefore, would not be revealed in documents filed with the Commission. Our staff, however, has obtained information from other sources which raises questions concerning compliance by certain defense contractors with the disclosure requirements of the federal securities laws, and the Commission actively is investigating these matters.

Please let me know if you have any further questions in regard to this matter.

Sincerely,

RAY GARRETT, Jr.,
Chairman.

QUORUM CALL

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BELLMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR—S. 963

Mr. BELLMON. Mr. President, I ask unanimous consent that Mr. Doug Jackson of my staff be granted privilege of the floor during consideration of this bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

APPOINTMENT BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, appoints the Senator from Rhode Island (Mr. PASTORE) and the Senator from Tennessee (Mr. BAKER) to the General Conference of International Atomic Energy Agency, to be held in Vienna, Austria, September 22–26, 1975.

QUORUM CALL

Mr. BELLMON. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. GLENN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ROUTINE MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business not to exceed 30 minutes, with statements therein limited to 5 minutes each.

BRADY BLACK RETIRES

Mr. GLENN. Mr. President, on September 1, one of Ohio's foremost journalists retired, a man whose contributions to his field and public life were truly national in scope.

Brady Black's retirement as vice president and editor of the Enquirer in Cincinnati follows a career spanning 48 years as a journalist including 35 with the Enquirer. He rose through the ranks from copy editor, to political writer, to assistant city editor, bureau chief, managing editor editorial page editor, vice president, and editor—all the time following his own admonition "to try to do the best you can each day and hope, if opportunities for advancement come, to be judged on performance and be found wanting."

Obviously Brady Black was not found wanting by his readers and employers and the best news to come from his retirement is that he will remain professionally active.

Beginning almost immediately he goes to Ohio State University to assume the Kiplinger chair for graduate-level studies in public affairs reporting. Mr. Black will be the second person to ever hold this chair, and the wealth of experience and insight he will surely impart to the Ohio State students will, I am sure, be a great asset to future generations of reporters.

Mr. President, the Enquirer paid tribute to Brady Black in an editorial following his retirement on the first of September and I ask unanimous consent that it be printed in the RECORD in its entirety.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Cincinnati (Ohio) Enquirer, Sept. 1, 1975]

BRADY BLACK RETIRES

Today, for the first time in the memory of many Cincinnatians, The Enquirer's masthead does not carry the name of Brady Black.

For yesterday was Mr. Black's last day as this newspaper's editor and vice president. It was similarly the last day in a relationship that spanned nearly half a century.

Yesterday's issue of The Enquirer Magazine detailed the scope of Mr. Black's years with The Enquirer. It seems appropriate today to add a word about the quality of those years and about the mission Mr. Black discharged during his years as The Enquirer's editor.

In the last century, the editor was typically the big man on every newspaper. Reason tells us that even Horace Greeley had his business managers, his production foremen, his advertising and circulation salesmen, his accountants. History, however, has forgotten their names and remembered his. For although many men are indispensable to a newspaper's success, it is the editor who casts a shadow over the community he seeks to serve.

Brady Black was an editor in that 19th-century tradition because to many thousands of Cincinnatians he has been The Enquirer, not through any calculation or design, but by the sheer weight of his professional competence and, more important, his professional integrity.

His reputation, moreover, extended far beyond the Queen City. Wherever, indeed, government officials, businessmen, other journalists have heard of Cincinnati, they have also heard of Brady Black, and they have grown to respect his character, his judgment, his unfailing perception of our troubled times.

It is a matter of intense satisfaction to those who have been associated with Mr. Black that his retirement as editor and vice president of The Enquirer coincides with his appointment to the Kiplinger chair of journalism at Ohio State University. There he will serve for the year ahead as a mentor and counselor to young journalists whose purpose, like his, will be interpreting public affairs to their readers.

In that capacity, he will be passing on a legacy that he brought to The Enquirer and instilling the same high principles that shaped his service for this newspaper.

In that undertaking, and in all others, he will carry with him the warm and affectionate wishes of the entire Enquirer family.

CONCERNS ON DEVELOPMENT OF ATOMIC WEAPONRY

Mr. GLENN. Mr. President, there has been developing an increased awareness and concern regarding the spread of nuclear facilities to more and more nations around the world with attendant concerns regarding the potential diversion of plutonium or weapons grade uranium for development of atomic weaponry. This is an extremely complex problem and one we must deal with on a continuing basis as nuclear know-how becomes more commonplace around the world.

Control by monopoly or control by superior technical expertise has obviously developed a limited life, with yet-to-be-developed international systems not in place to assure the proper use of nuclear energy and its byproducts.

Two New York Times articles published during the August nonlegislative period dealt with this subject and are worthy of note. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sunday,
August 17, 1975]

SURGE IN NUCLEAR EXPORTS SPURS DRIVE FOR CONTROLS

(By Ann Crittenden)

For most industries growth has been a prime goal—and for those in the multibillion-dollar business of exporting nuclear materials, the dynamics are the same.

Today the nuclear industry is growing worldwide, with more suppliers moving into more countries, selling a broader spectrum of technology.

It is not surprising then that such exports have become the focus of a worldwide controversy that has spread to high levels of international diplomacy—for a nuclear power plant is not just another export such as shoes or toothpaste.

Such plants produce a byproduct—plutonium—which after relatively simple chemical reprocessing can become the raw material for a nuclear bomb.

ENTIRE CYCLES SOUGHT

Moreover, a growing number of nations are in the market not only for power plants, but also for entire fuel cycles, including uranium enrichment, fuel fabrication and facilities to separate weapons-grade plutonium from spent fuel rods.

Reprocessed plutonium could eventually be used as power reactor fuel, but its possessor would also have the ability to join the nuclear weapons club.

Dr. Fred Ikle, director of the Arms Control and Disarmament Agency, asserted recently that the export of even peaceful nuclear technology "provides not only the means but also the cover for the spread of nuclear weapons."

But members of the industry and many government officials of the various supplier countries argue that dispersion of this technology is inevitable—that knowledge of plutonium reprocessing, as one United States official put it, "is there, is in the books—it's like Canute to try to stop it."

In this view, the only possibility is to surround every nuclear sale with the maximum possible safeguards. To achieve this, the supplier nations are reported to be engaged in secret negotiations in an attempt to reach agreement on rules governing the controls to be placed on sales.

But a growing number of scientists, and some members of Congress, question whether safeguards, however tight, will ever be adequate in unstable or belligerent nations. They believe some attempt should be made to halt all nuclear sales to such countries, although no one seems to know how to accomplish this in a world hungry for both energy and arms.

One of the many consequences of the 1973–74 Arab oil embargo was a tremendous surge in international demand for nuclear power. As nations sought to lessen their dependence on imported oil, estimates of nuclear capacity by 1985 jumped 77 per cent over levels planned before the embargo.

PROJECTIONS CUT BACK

Many of these projections have already been cut back, as some of the more ambitious national plans have run into the same delays, financing problems and environmental objections that have slowed nuclear development in the United States.

Even so, industry experts are convinced that the international market is still the growth area of the nuclear business, with 77 nuclear plants operating, under construction, or on order abroad, compared with 55 plants operating in this country, and some 180 various stages of planning.

The Organization for Economic Cooperation and Development is projecting a capacity of 217,000 megawatts outside the United States by 1980, and 538,000 megawatts by 1985—in contrast to only 80,000 megawatts today. The profit potential in this growth is enormous.

A 1,000 megawatt plant costs approximately $1-billion to build and equip. In export sales, 30 to 40 per cent of that usually goes to the foreign supplier for the nuclear steam-supply system and fuel and whatever turbine generators, other equipment and design, engineering and management services are ordered.

$40-BILLION MARKET

Thus, if the O.E.C.D. projections are correct, the international suppliers of nuclear equipment will gross $40-billion to $50-billion during the next five years.

As a rule, sales to developing countries involve a "turnkey" package, with a fully operational plant turned over to the customer upon completion of the job.

Such sales are more profitable than most sales in Western Europe or Japan, where more sophisticated customers handle their own contracting and buy equipment from several different suppliers.

Although their rivals are proliferating, American companies are expected to capture a healthy share of this business in part because of generous financing by the Export-Import Bank. Until recently, the United States had a virtual monopoly in the non-Communist world for nuclear fuel and reactors.

The United States Government itself still provides 80 per cent of the enriched uranium used abroad. The Westinghouse Electric Corporation and the General Electric Company are suppliers of 70 per cent of the reactors operating, under construction, or on order outside this country.

This year American suppliers are expected to earn export revenues of more than $1-billion. According to the Energy Research and Development Administration, revenues from existing orders for plants will amount to $3.5-billion over the next few years, and the most recent orders will probably raise the total to $5-billion.

By 1980 the energy administration estimates fuel sales will be generating exports of more than $500-million a year and power-plant equipment $1.77-billion in annual exports.

Most of that income will continue to go to General Electric and Westinghouse, although Combustion Engineering, Inc., and the Babcock & Wilcox Company also have minor shares of the market.

Foreign nuclear sales provided an estimated 2 per cent of General Electric's total 1974 revenues of $13.4-billion but "only a negligible percentage of earnings," according to an industry analyst.

DEVELOPED MARKETS DOMINANT

Such sales provided about 12 per cent of Westinghouse's total revenues of $5.7-billion in 1974, and are far more important to the smaller company. Analysts estimate that Westinghouse earned $25-million to $40-million in pretax income from foreign nuclear sales last year—a badly needed injection for a company that showed a net income of only $28.1-million.

Most of the new nuclear sales will continue to be made to developed countries, but an increasing number of sales are being made to less developed nations that are trying to lay the groundwork for their own economic growth.

What is troubling many observers is that many of the countries beginning to enter the marketplace, such as South Korea, South Africa, Iran, Taiwan, Pakistan, Brazil and Argentina, are the very ones that United States officials fear may be attempting to develop nuclear weapons.

Still disturbing to many is the nuclear device exploded by India in May, 1974, using materials obtained from a simple nuclear reactor purchased from Canada. In that sale, made in the mid-nineteen-fifties before the existence of the International Atomic Energy Agency, India was under no obligation to put her entire fuel cycle under safeguards. The need for such controls was barely envisioned at the time.

INTERNATIONAL RULES SOUGHT

The thrust of the Ford Administration's policy is to attempt to work out, with all supplier nations, a uniform set of safeguards, establishing a common international policy on all nuclear exports, including technology for uranium enrichment and plutonium reprocessing.

The implication is that once common guidelines are established, the supplier nation, which includes the Soviet Union, Canada, France, West Germany, Britain and Sweden, in addition to the United States, will not compete for reactor sales by offering enrichment or reprocessing technology as "sweeteners."

West Germany was accused of doing this last June when the Kraftwerk Union sold such a complete fuel cycle in a multibillion-dollar deal to Brazil. Westinghouse bid unsuccessfully for that reactor sale. American companies are currently not permitted to export either enrichment or reprocessing technology.

INDUSTRY SUPPORTS SAFEGUARDS

The nuclear equipment manufacturers in this country wholeheartedly asset support for these international efforts to tighten controls and to apply safeguards to the entire fuel cycle.

Gordon C. Hurlburt, the president of Westinghouse, wrote a letter to The New York Times recently, "We specifically endorse the efforts to remove the problem of safeguards from the marketplace in the export of nuclear materials and equipment."

The industry has been concerned that without common controls, with American restrictions on nuclear exports more stringent than those of other nations, "we [might] deal ourselves out" of the market, as Dixy Lee Ray, former chairman of the Atomic Energy Commission, recently warned.

Until common export rules are adopted, the industry essentially takes a "if we don't do it, someone else will" position.

An industry official said," "If we are concerned about proliferation and safeguards, we have the strongest assurance that they are being observed when United States technology is being utilized."

The irony is that the two strongest competitors of American companies today, Framatome of France and Kraftwerk Union of West Gremany, are American licensees, selling American technology.

Framatone is 45 percent owned by Westinghouse and market the latter's pressurized water reactor, while Kraftwerk, a joint venture between Siemens and A.E.G. Telefunken, sells both pressurized water reactors obtained from an old Westinghouse license with Siemens and boiling water reactors through a still current General Electric license.

Westinghouse also has licensing agreements with Mitsubishi Heavy Industries in Japan, while General Electric's nuclear licensees include Hitachi and Toshiba in Japan, A.M.N. Ansaldo in Italy and Compagnie Generale d'Electricite in France.

FRENCH MARKET SLOWING

Both Framatome and Kraftwerk dominate their home markets, and in line with an announced reduction in its nuclear power program, the French Government has moved to make Framatome its sole supplier. The Government has proposed that it acquire most of Westinghouse's share in the company and that it convert the licensing arrangement into some form of partnership.

To make matters worse for American manufacturers, the slowdown in the French market—a result of uncertainty as to future demand for energy and of environmental protests—would enable Framatome to strengthen its export potential.

Framatome and Kraftwerk have already beaten their American competitors in a race to win contracts for Iran's first four nuclear power plants, where each company has agreed to supply two reactors, and both are competing with Westinghouse in South Africa as well. In addition, there is the Kraftwerk agreement to sell a reactor to Brazil.

Apparently that deal did not involve the licensing of any American technology, although the Framatome sale to Iran did. According to an industry analyst, Westinghouse, as Framatome's licensor, could earn as much as $4-million from the sale of two reactors to Iran.

This sale highlights what Senator Adlai E. Stevenson 3d, Illinois Democrat, has called "a loophole big enough to drive a nuclear reactor through"—the possibility that if any American company wanted to evade the relatively strict American safeguards on nuclear exports, it could simply sell the materials through a subsidiary or a licensee.

According to another critic, Senator Abraham A. Ribicoff, Democrat of Connecticut, for years the United States exported technology, enriched uranium, and actual reactors, without requiring that the foreign purchasers "impose strict safeguards on their own exports." "The result," he says, "is that we now find ourselves in an increasingly nuclear-powered world that is governed by old-fashioned nationalism and crass commercialization."

American officials have also expressed concern about the Canadian CANDU reactor, developed and marketed by Atomic Energy of Canada, Ltd., an agency of the Canadian Government and the third major competitor to G.E. and Westinghouse. The Soviet Union, Britain and Sweden are not particularly active in the international export market.

The CANDU produces more plutonium as a by-product than do the American reactors. This is an attractive feature, if a country is interested, as India was, in constructing a bomb.

Canada has sold reactors to Pakistan and Argentina and is helping South Korea finance a power plant, under guarantees that the materials will not be used to manufacture explosives.

According to Dr. John Boright of the Arms Control and Disarmament Agency, in testimony before the Senate last summer, "There are a number of countries of great interest to us from the point of view of proliferation that have expressed interest in Canadian reactors."

He added that it was precisely that consideration "that led the Administration to the decision to go ahead here and explore whether we can reach an agreement with Israel and Egypt to purchase our reactors."

Neither Egypt nor Israel has yet concluded a reactor deal, although industry sources assert that the sales will go to American manufacturers, partly because of assured Export-Import Bank financing.

EXIMBANK AID GENEROUS

The generous Eximbank support for nuclear exports is considered to be one of the competitive advantages that the American manufacturers have over their foreign counterparts. The Eximbank has helped finance some 80 per cent of all foreign purchases of nuclear-power plants, usually for 15-year terms at 8 per cent interest and covering some 45 per cent of the value of the American procurement with a guarantee of an additional 40 per cent financed by private banks.

In the next five years William J. Casey, president and chairman of the bank, estimates a demand of $750-million a year for Eximbank funds for nuclear exports, of an authorized annual total of $3.4-billion.

Nuclear-power financing, Mr. Casey declared recently, "rates a very high priority."

[From the New York Times, Aug. 20, 1975]

STUDY ASKS FOR CAUTION IN SALE OF ATOM REACTORS

(By David Burnham)

WASHINGTON, August 19.—The widespread use of nuclear reactors in the world's less developed countries would lead to the production of enough plutonium for these countries to make a total of 3,000 small atomic bombs each year, according to a study done for the Energy Research and Development Administration.

Because of the great potential dangers of plutonium, and because of a second finding that existing international controls are inadequate and unlikely to grow stronger, the study recommended that the Federal Government not encourage the sale of American reactors to the less developed countries.

The study also concluded that it would not be in the economic self-interest of many of the less developed nations to buy the presently available reactors from venders in the United States because of the reactors' unreliability, inappropriate size and other reasons.

The question of what steps the United States should take in attempting to impose safeguards on the nuclear equipment exported to other countries has become a subject of debate in Congress and the Ford Administration. On the basis of the reactors now operating or on order, four United States companies now have 70 per cent of the world market with Westinghouse and General Electric heavily dominant.

But American industry and its supporters are worried that if the United States adopts too tough a stance on what steps have to be taken to make sure reactor plutonium is not turned into bombs, companies in Europe, Japan and Canada will start winning a larger share of the market.

The $96,000 study on the commercial, economic and security implications of selling reactors to approximately 100 less developed nations in South America, Africa, the Middle East and Asia, was made by Richard J. Barber Associates, Inc., a Washington consulting firm.

The 350-page study was completed six months ago but was not made public at that time by the Energy Research and Development Administration. In response to a request, however, the agency made a report available to The New York Times.

The study's conclusion in February that international controls were weak differed sharply from that offered by the research administration's officials during hearings held by the Senate Government Operations Committee in April.

Dr. Abraham Friedman, the agency's director of international participation, testified that the International Atomic Energy Agency had "a large well trained staff and we have no reason to feel they are not doing an effective job on safeguarding from the point of view of identifying possibilities for national diversion."

Later testimony showed that the international agency had a staff of 69 inspectors responsible for reactors in 30 countries.

Senator John Glenn, the committee's acting chairman, expressed skepticism about Dr. Friedman's assurances at the time of the hearing. In an interview last week the Ohio Democrat said he felt the problem of nuclear proliferation "absolutely needs more attention. We are going to see a spread of nuclear technology. I hope we can strengthen international controls but we have to get on it right now."

The study done for E.R.D.A. said that based on the output from just half the reactors that the International Atomic Energy Agency had projected would be sold to the less developed nations in the next 15 years, "the annual production of plutonium in terms of minimum bomb equivalents is truly staggering."

"The 46 countries covered would annually produce some 15,010 kilograms (33,022 pounds) of plutonium by 1990—enough to produce 3,002 small nuclear explosives," it said.

The report noted that difficult though not insurmountable technical steps were required to transform the heavy grey metal into bombs. But it balanced these difficulties against what it called the "serious weaknesses and problem areas" found in the international safeguards system established by the nuclear nonproliferation treaty and the International Atomic Energy Agency.

The report said nuclear reactors had not proved to be as reliable as initially expected.

"While some facilities in the United States have operated rather well, others have been plagued with constant troubles," the report said, noting that nuclear plants have been operating at only about 55 percent of capacity.

On the basis of the potential problem of the widespread production of plutonium and the questions about the economic soundness of nuclear reactors, the study concluded that the United States should seek to develop nuclear markets in the lesser developed nations "in a most conservative manner."

QUORUM CALL

Mr. GLENN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GLENN). Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Heiting, one of his secretaries.

ANNUAL REPORT OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore (Mr. MORGAN) laid before the Senate a message from the President of the United States transmitting the annual report of the St. Lawrence Seaway Development Corporation for the calendar year ending December 31, 1974, which, together with the accompanying report, was referred to the Committee on Public Works. The message is as follows:

To the Congress of the United States:

Enclosed is the Annual Report of the St. Lawrence Seaway Development Corporation for the calendar year ending December 31. 1974. This is transmitted in accordance with the provisions of section 10 of the St. Lawrence Seaway Act (act of May 13, 1954).

It is interesting to note that, although traffic levels declined during the 1974 season, the Seaway Corporation nevertheless was able to continue its program and retire a portion of its outstanding debt.

GERALD R. FORD.

THE WHITE HOUSE, *September 8, 1975.*

MESSAGES FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bills in which it requests the concurrence of the Senate:

H.R. 8800. An act to authorize in the Energy Research and Development Administration a Federal program of research, development, and demonstration designed to promote electric vehicle technologies and to demonstrate the commercial feasibility of electric vehicles; and

H.R. 8674. An act to declare a national policy of coordinating the increasing use of the metric system in the United States, and to establish a United States Metric Board to coordinate the voluntary conversion to the metric system.

The message also announced that the House agrees to the amendment of the Senate to the amendment of the House to the resolution (S. Con. Res. 44) to provide for the appointment of a Joint Committee on Arrangements for the Commemoration of the Bicentennial of the United States of America.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 3474) to authorize appropriations to the Energy Research and Development Administration in accordance with section 261 of the Atomic Energy Act of 1954, as amended, section 305 of the Energy Reorganization Act of 1974, and section 16 of the Federal Nonnuclear Energy Research and Development Act of 1974, and for other purposes; requests a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. TEAGUE, Mr. HECHLER of West Virginia, Mr. MCCORMACK, Mr. DOWNING, Mr. FUQUA, Mr. FLOWERS, Mr. SYMINGTON, Mr. MOSHER, Mr. BELL, Mr. GOLDWATER, Mr. PRICE, Mr. ANDERSON of Illinois, and Mr. RONCALIO were appointed managers of the conference on the part of the House.

The message also announced that, pursuant to the provisions of section 2(b), Senate concurrent resolution 44, 94th Congress, the Speaker has appointed Mr. PICKLE and Mr. ESCH as members on the part of the House of the Joint Committee on Arrangements for the Commemoration of the Bicentennial of the United States of America, to serve with the majority and the minority leaders of the House and the House members of the American Revolution Bicentennial Board.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The ACTING PRESIDENT pro tempore (Mr. MORGAN) laid before the Senate the following letters, which were referred as indicated:

ORDERS OF THE IMMIGRATION AND NATURALIZATION SERVICE

Three letters from the Commissioner of the Immigration and Naturalization Service transmitting, pursuant to law, copies of orders entered in the cases of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. MORGAN):

House Resolution No. 29 adopted by the General Asesmbly of the Commonwealth of Kentucky; to the Committee on the Judiciary: a concurrent resolution applying to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

"Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

"SECTION 1. That the Congress of the United States be, and it hereby is, requested to call a convention for the proposing of the following amendment to the Constitution of the United States:

"No student shall be assigned or compelled to attend any particular public school on account of race, religion, color or national origin.

"SEC. 2. That this application by the General Assembly of the Commonwealth of Kentucky constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar application.

"SEC. 3. That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives, each member of the Congress from this state and to each house of each state legislature in the United States.

A resolution adopted by the National Association of Secretaries of State relating to the registration of voters; to the Committee on Post Office and Civil Service.

Two petitions seeking a redress of grievances from a citizen of Ohio and three citizens of Florida; to the Committee on Government Operations.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following executive reports of committees were submitted:

By Mr. PROXMIRE; from the Committee on Banking, Housing and Urban Affairs:

Michael H. Moskow, of New Jersey, to be Director of the Council on Wage and Price Stability.

John B. Rhinelander, of Virginia, to be Under Secretary of Housing and Urban Development.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

NOMINATION OF MICHAEL H. MOSKOW

Mr. PROXMIRE. Mr. President, the Committee on Banking, Housing and Urban Affairs to which was referred the nomination of Michael H. Moskow to be Director of the Council on Wage and Price Stability recommends with no votes opposed that the nomination be confirmed.

Confirmation of the Council's Director was a feature of the amendments which Congress passed this year to the Council on the Wage and Price Stability Act in recognition of the important role the Council can and must play in the battle against inflation.

Between last summer and this past spring, inflation tapered off. But it is far from subdued. Especially unsettling is the reacceleration of the inflation rate to double-digit heights beginning this summer. Though a substantial part of this acceleration can be traced to special and hopefully nonrecurring factors affecting food and fuel, the rate of rise in nonfuel industrial prices also has jumped again. Many believe that this reflects use and abuse of administrative pricing powers which, in turn, reflect anticompetitive concentrations of market power in our economy's industrial sector. The Wage and Price Stability Council is the only agency we have to hold such power in check. It has only a minimum of tools to do the job. It is crucial, therefore, that the Council's Director be qualified to direct the Council.

Mr. Moskow has excellent credentials. He received his Ph. D. in economics in 1965. He served on the faculties at Temple University, Drexel Institute of Technology and Lafayette College. Since August 1969, he has been in Government. He first served on the Council of Economic Advisers and then in the Department of Labor where he was appointed Assistant Secretary for Policy Evaluation and Research in March 1972. In March 1973, he was appointed Assisttant Secretary of Housing and Urban Development for Policy Development and Research. He resigned that position this summer and currently is serving as an advisor member of the Council on Wage and Price Stability. He is very well prepared to do the job for which he has been nominated.

While I may disagree with some of his

ideas, I am confident that Dr. Moskow is well qualified to serve as Director of the Council and equally confident that he will use the Council's limited powers judiciously and without fear of stepping on toes that need to be stepped on. I am happy to support Dr. Moskow's nomination.

NOMINATION OF JOHN RHINELANDER

Mr. PROXMIRE. Mr. President, the Senate has before it the nomination of Mr. John B. Rhinelander to be the Under Secretary of the Department of Housing and Urban Development. I do not intend to ask for a rollcall vote on this nomination. I do, however, want to register my concern over Mr. Rhinelander's lack of experience in the field of housing and urban development.

The hearing record of the Senate Committee on Banking, Housing and Urban Affairs indicates there are many things in Mr. Rhinelander's favor—

He received an excellent education; he is an able attorney; he is a good administrator; he has served in a variety of governmental positions; and he has character and ability.

Notwithstanding these favorable qualities, the fact remains that Mr. Rhinelander has no experience in the difficult and complex issues facing the Department of Housing and Urban Development. He has no experience in housing or housing finance. He has no experience in urban development. He has no experience in the problems of local government.

He never served on a city or county council.

He never held office in a citizens association.

He was never active in organizations concerned with urban affairs such as the League of Cities or the Council of Mayors or the Urban League or the NAACP.

In short, he has no background or experience in any of the major issues confronting the Department in which he will be the second in command.

Mr. Rhinelander is obviously a man of considerable intelligence, and I am sure that after serving a year or two he will manage to get on top of these critical issues. Until that time, he will of necessity be forced to accept the judgment of the HUD bureaucrats whose track record has been quite dismal.

At other times and under other circumstances perhaps we could afford to have a man of Mr. Rhinelander's general talents in the No. 2 job at HUD. But at the present time and under the present circumstances the Nation can ill afford to have an amateur in this critical post. Here is why.

First, the key figures influencing the administration's housing policy also have no background in housing or urban affairs. The Secretary of HUD, Mrs. Hills, has a background almost identical to Mr. Rhinelander. She is also an excellent lawyer and a good administrator, but she, too, has no experience in housing or urban development.

The former Secretary of HUD and now the Director of OMB, Mr. James Lynn, continues to have an enormous influence over the Department. Mr. Lynn is also an excellent lawyer and capable administrator with no previous experience in housing. Under these circumstances, who will command the respect and attention within the administration and Congress to speak out for housing? Who will lead the fight to insure that our housing needs are not forgotten? Who will have the credibility to keep the problems of our cities on the front burner? I cannot envision Mr. Rhinelander performing this leadership role, however talented he may be in other respects.

Second, Mr. Rhinelander will assume office at a time when the economy is suffering its worst recession since the Great Depression of the 1930's. The homebuilding industry is flat on its back. Housing starts are only one-half of what they should be. We cannot get our economy moving again unless we can revive home construction. We need top officials at HUD who are thoroughly familiar with the intricacies of home construction and housing finance in order to start building new homes now—not a year from now and not 6 months from now, but now. Unfortunately, there is nothing in Mr. Rhinelander's background to indicate he will be successful in overcoming the bureaucratic inertia which has thus far been the prevailing characteristic of HUD's housing policy.

Third, our housing assistance program for low- and moderate-income families are at their most critical point in years. The administration has suspended the programs previously enacted by the Congress. This suspension has stretched out for almost 3 years. In the meantime, the administration has put all of its efforts behind a new, and as yet untested, program for providing housing to the poor. Perhaps this new program will eventually work. If it does not we will have to come up with other answers. In either event, we need capable and experienced leadership at the top levels of HUD to make sure that the housing does get built —one way or the other. The Nation cannot afford an endless series of studies and reports while the top officials at HUD ponder which way to move. We need decisive action and we need it now. I doubt that Mr. Rhinelander is the man to get these programs moving.

Mr. President, I hope I am proved wrong in my assessment. Perhaps Mr. Rhinelander can shake up the Department and get things moving. If he does, I will be the first to congratulate him. But given his complete lack of experience in the field, I cannot believe he will be effective, at least during his first year in office. For these reasons, I must reluctantly express my opposition to the nomination.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 8674. An act to declare a national policy of coordinating the increasing use of the metric system in the United States, and to establish a U.S. Metric Board to coordinate the voluntary conversion to the metric system; to the Committee on Commerce.

H.R. 8800. An act to authorize in the Energy Research and Development Administration a Federal program of research, development, and demonstration designed to promote electric vehicle technologies and to demonstrate the commercial feasibility of electric vehicles; to the Committee on Commerce.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. BELLMON (for himself, Mr. BARTLETT, and Mr. TOWER):

S. 2300. A bill to direct the Secretary of the Army to issue permanent easements for certain docks constructed on property under his jurisdiction. Referred to the Committee on Public Works.

By Mr. HATFIELD:

S. 2301. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Tualatin second phase reclamation project, Oreg., and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. BUMPERS:

S. 2302. A bill to authorize the Secretary of the Army to convey certain lands to the city of Charleston, Ark. Referred to the Committee on Armed Services.

By Mr. BUCKLEY (for himself, Mr. HUGH SCOTT, Mr. JAVITS, Mr. PERCY, Mr. HUMPHREY, Mr. TOWER, and Mr. PROXMIRE):

S.J. Res. 124. A joint resolution to declare "German-American Day." Referred to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. MATHIAS, Mr. BEALL, and Mr. MANSFIELD):

S.J. Res. 125. A joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day." Considered and passed.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BELLMON (for himself, Mr. BARTLETT, and Mr. TOWER):

S. 2300. A bill to direct the Secretary of the Army to issue permanent easements for certain docks constructed on property under his jurisdiction. Referred to the Committee on Public Works.

Mr. BELLMON. Mr. President, today, along with Senator BARTLETT and Senator TOWER, I introduce legislation to direct the Secretary of the Army to issue permanent easements for certain docks constructed on property under his jurisdiction and further, that such easements shall be transferable. This legislation is designed to nullify one of the rules and regulations set forth by the Corps of Engineers in their lakeshore management policy which was issued approximately 1 year ago. This policy pertains to every lake and stream under the jurisdiction of the Secretary of the Army.

The specific provision of these rules and regulations on lakeshore management which prompts me to introduce this bill is the policy of the corps to deny individuals the right to transfer a boat dock or easement upon sale or other transfer of their permitted facility. Further, in the event of the owner's death, his permit for such an easement would be null and void and accordingly, the facility would not be transferable.

This bill is similar in nature to a measure introduced by Senator Bartlett on May 22, 1975, but whereas my colleague's bill refers only to the corps jurisdiction in the State of Oklahoma, my bill encompasses every State of the Union which has Corps of Engineers projects that are subject to these lakeshore management rules and regulations. In total, there are some 41 States in the Union affected by this recent dictum of the Corps of Engineers.

It may well be appropriate at this point to review the basis of the corps decision to disallow the transfer of a boat dock or easement as a result of the sale of the lake property or the death of the owner of such property. The basic concept behind the corps proposal is that the shorelines of many lakes under its jurisdiction are becoming heavily populated with private boat docks, and the corps views this development as aesthetically undesirable. Though this position of the corps is highly commendable with respect to environmental preservation, the fact remains that at one time, the corps encouraged the construction of private boat docks as a means of promoting lakeside property sales adjacent to the various lakes as well as to increase lake activity. This was true in my State of Oklahoma, and I understand the same situation existed in Arkansas and Texas and no doubt, in other States across the country. In short, the corps has changed its tune, and now proposes to have docks or easements removed upon the transfer of ownership of these properties.

It is inconceivable to me that the corps would deny an individual the right to include his boat dock in the sale of his property in the event he wishes to sell such property. In most cases, an owner's dock is easily accessible to his lakeshore house. When one considers the investment an individual has made with regard to a boat dock, which most assuredly enhances his property's value, it is incredible to deny this individual the authority to sell this easement along with the remainder of his property.

Though the Corps of Engineers is given the authority to exercise jurisdiction over lakes and streams under its direction, this authority must not violate or run contrary to the rights of private citizens. For as my colleague from Oklahoma has noted previously, "it is the people who own our lakes, not the Corps of Engineers." Consequently, in order to protect the property rights of individuals throughout the Nation, I urge the Senate to approve this legislation in a most expedient manner.

I ask unanimous consent that the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2300

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to the condition on section 2 of this Act in any case where the Secretary of the Army has permitted, prior to the date of enactment of this Act, a person, corporation or other association to construct a boat dock or similar structure on property under the jurisdiction of the Secretary shall issue to such owner or owners a permanent easement for such dock or structure. Such easement shall be transferable.

Sec. 2. Any easement for a dock or similar structure issued pursuant to the first section shall be subject to such rules and regulations as the Secretary of the Army may promulgate concerning maintenance and upkeep of the facility, and such rules and regulations may provide for the revocation of the easement in the event of noncompliance with necessary standards of maintenance and upkeep.

Sec. 3. It is the sense of the Congress that the Corps of Engineers make every reasonable effort to allow the public to construct boat docks at convenient locations and wherever possible in the case of adjacent landowners they be permitted boat docks in as close a proximity to their land as possible.

By Mr. BUCKLEY (for himself, Mr. Hugh Scott, Mr. Javits, Mr. Percy, Mr. Humphrey, Mr. Tower, and Mr. Proxmire):

Senate Joint Resolution 124. A joint resolution to declare "German-American Day." Referred to the Committee on the Judiciary.

Mr. BUCKLEY. Mr. President, when a member of Congress introduces a resolution calling upon the President to declare a national observance in honor of one or another of the ethnic groups which comprise our great American patchwork quilt of nationalities, it is customary to deliver a speech reciting the tremendous accomplishments of the members of that ethnic minority.

Today I propose the observance of German-American Day on September 20, 1975, when, in my own State, New Yorkers will honor Baron Friedrich Von Steuben for his heroic contributions to the winning of American independence. Contrary to custom, however, I will not accompany my proposal with a list of German-American inventors, statesmen, athletes, authors, scientists, and artists. It is unnecessary to do so. For even before there was a United States, German-Americans were thoroughly a part of every worthy enterprise in this land. Their accomplishments were universal. To list them would be to record every facet of America's progress over the last 200 years.

German Americans were in the villages of colonial America, bringing skilled craftsmanship to the towns and introducing agricultural improvements in the countryside. They were in the battles of the Revolution, glorying in the fame of their countryman, Von Steuben, who cast his lot with the rebels of 1776. They were in the burgeoning cities of the 19th century: in New York, which prospered from their industry and acumen; in Baltimore, which is still graced with their culture; in St. Louis, which they claimed as their own. They established thriving farming communities in areas as diverse as Texas and Minnesota, New York and North Carolina. And wherever they settled, they brought with them a devotion to education, a spirit of disciplined achievement, and a love of their adopted country.

Let their country now return their affection by observing on September 20 of this year one day in their honor, celebrating not only the many great German Americans of past and present but also our many friends and neighbors who still exemplify the German-American heritage that has enriched and ennobled our country.

Mr. President, I ask unanimous consent that the resolution be printed in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

S.J. Res. 124

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating September 20, 1975, as "German-American Day", and calling upon the people of the United States and interested groups and organizations to observe such day with appropriate ceremonies and activities.

Mr. HUGH SCOTT. Mr. President, today I take pleasure in cosponsoring a joint resolution by Senator Buckley that designates September 20 as German-American Day. This legislation is noteworthy as this Nation approaches its Bicentennial year. We should all be cognizant of the invaluable contribution German immigrants made to the settling, founding and molding of our country.

The first German immigrants sailed on the *Concord* and arrived October 6, 1683, in Philadelphia. The German leader Franz Daniel Pastorius bought from William Penn a tract of land bordering Philadelphia which today is known as Germantown, Pa. Germantown, the first permanent German settlement in America was founded only 2 years after the founding of Philadelphia in 1681.

Hearing about the American Revolution in 1776, a young German professional soldier sailed to America and helped organize and drill a young army at Valley Forge. This commander, Baron Von Steuben, emphasized discipline and tempered the young patriot army for military action against the veteran British forces. Independent America owes an eternal debt of gratitude to this great German-American.

The Germans in the United States have never been afraid to pioneer either the American frontier or new areas of American thought. In 1788 the German Quakers of Germantown were the initial group to protest slavery. This was the first time in American history a group had publicly spoken against the bondage of the black man. The Germans helped open America to settlement and open the American consciousness to handle injustice.

The contributions of German-Americans to the American way of life are many. Hopefully this day will help to remind the American people through ceremonies and activities of the great assistance this Nation has received from Americans of German descent. I urge my colleagues in the Senate to act expeditiously in passing this resolution in thanks to the German heritage which is an essential element of the American tradition.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 1196

At the request of Mr. Humphrey, the Senator from Alaska (Mr. Gravel) was added as a cosponsor of S. 1196, a bill to amend the Higher Education Act of 1965 to establish a student internship program to offer students practical involvement with elected officials on local and State levels of government and with Members of Congress.

S. 1862

At the request of Mr. Bentsen, the Senator from Minnesota (Mr. Humphrey) was added as a cosponsor of S. 1862, the Emergency Municipal Assistance Act.

S. 1969

At the request of Mr. Hartke, the Senator from Florida (Mr. Chiles) was added as a cosponsor of S. 1969, a bill to authorize recomputation at age 60 of the retired pay of members and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes.

S. 2022

At the request of Mr. Hartke, the Senator from Vermont (Mr. Leahy) was added as a cosponsor of S. 2022, a bill to provide for the compensation of persons injured by criminal acts.

S. 2119

At the request of Mr. Fannin, the Senator from Idaho (Mr. McClure) was added as a cosponsor of S. 2119, a bill to amend the Communications Act to provide that licenses for the operation of a broadcasting station shall be issued for a term of 5 years, and for other purposes.

S. 2131

At the request of Mr. Thurmond, the Senator from Arizona (Mr. Fannin) was added as a cosponsor of S. 2131, a bill to amend title 18, United States Code, relating to the production of false documents or papers of the United States, involving an element of identification.

S. 2135

At the request of Mr. Thurmond, the Senator from Maine (Mr. Hathaway), the Senator from New Mexico (Mr. Domenici), the Senator from Pennsylvania (Mr. Hugh Scott), and the Senator from Illinois (Mr. Stevenson) were added as cosponsors of S. 2135, a bill to authorize the National Committee of American Airmen Rescued by Gen. Drazha Mihailovich to erect a monument in Washington, D.C.

S. 2203

At the request of Mr. Hartke, the Senator from California (Mr. Tunney) was added as a cosponsor of S. 2203, a bill to provide for paper money of the United States to be embossed to indicate the denomination thereof.

S. 2299

At the request of Mr. Roth, the Senator from New Jersey (Mr. Case), the Senator from Ohio (Mr. Taft), the Senator from Pennsylvania (Mr. Schweiker), the Senator from Nebraska (Mr. Curtis), the Senator from Tennessee (Mr. Brock), the Senator from Georgia (Mr. Nunn), the Senator from Wyoming (Mr. McGee), the Senator from Senator from Utah (Mr. Garn), the Senator from Texas (Mr. Tower), the Senator from Tennessee (Mr. Baker), the Senator from Nebraska (Mr. Hruska), the Senators from Oregon (Mr. Hatfield and Mr. Packwood), and the Senator from Maryland (Mr. Mathias) were added as cosponsors of S. 2299, a bill which extends the Emergency Petroleum Allocation Act of 1973 to October 15, 1975.

SENATE RESOLUTION 157

At the request of Mr. Nelson, the Senator from Colorado (Mr. Gary W. Hart), the Senator from South Dakota (Mr. Abourezk), the Senator from Arkansas (Mr. Bumpers), and the Senator from Alaska (Mr. Gravel), were added as cosponsors of Senate Resolution 157, a resolution amending the Standing Rules of the Senate with respect to service of Senators as chairmen of committees of the Senate.

SENATE RESOLUTION 231

Mr. NELSON. Mr. President, on July 21, I submitted Senate Resolution 231, to establish a timetable for Senate consideration of, and action on, legislative proposals relating to continuing congressional oversight of Government intelligence and other surveillance activities. At that time, the cosponsors were not listed in the Congressional Record.

I ask unanimous consent to have printed in the permanent Record the complete list of cosponsors of Senate Resolution 231.

The PRESIDING OFFICER. Without objection, it is so ordered.

Cosponsors of S. Res. 231

Mr. Jackson, Mr. Muskie, Mr. Church, Mr. Baker, Mr. Weicker, Mr. Ribicoff, Mr. Percy, Mr Javits, Mr. Cranston, Mr. Humphrey, Mr. Hathaway, Mr. Stevenson, Mr. Burdick, and Mr. Hartke.

SENATE CONCURRENT RESOLUTION 53

At the request of Mr. Hartke, the Senator from Minnesota (Mr. Humphrey) was added as a cosponsor of Senate Concurrent Resolution 53, relating to awarding the Purple Heart to members interred in the Tomb of the Unknowns.

SENATE RESOLUTION 242—SUBMISSION OF A RESOLUTION RELATING TO THE COMMEMORATION OF CITIZENSHIP DAY AND CONSTITUTION WEEK

(Referred to the Committee on the Judiciary.)

Mr. SPARKMAN submitted the following resolution:

Resolved, That (a) at an appropriate time after convening on September 17, 1975, Citizenship Day, the first day of Constitution Week, 1975, a Senator, designated by the President of the Senate, will read the Preamble and Article I of the Constitution of the United States.

(b) The National Conference on Citizenship, chartered by Act of Congress, is invited to provide a replica scroll of the Constitution at an appropriate time and place on September 17, 1975, for the purpose of permitting the Members of Congress to sign the replica and thereby symbolically rededicate themselves to the principles of the Constitution.

SENATE RESOLUTION 243—SUBMISSION OF A RESOLUTION RELATING TO AN INVESTIGATION OF THE DEATH OF FORMER PRESIDENT KENNEDY

(Referred to the Committee on Government Operations.)

Mr. SCHWEIKER submitted the following resolution:

S. Res. 243

Resolved, That (a) from funds available for investigation of intelligence activities by the Senate Select Committee to Study Governmental Operations with respect to Intelligence Activities (hereinafter referred to as the "Select Committee"), the Select Committee shall fully investigate matters relating to the death of former President John F. Kennedy, including the extent, if any, to which Lee Harvey Oswald or Jack Ruby was involved in, or the subject of, activities of United States intelligence agencies, and the extent to which United States intelligence agencies effectively gathered, analyzed, and disclosed to the President's Commission on the Assassination of President Kennedy all information requested by, or relevant to, such Commission and the duties with which it was charged.

(b)(1) In conducting such investigation the Select Committee is authorized to have access to any information in the National Archives or elsewhere which relates to the death of former President John F. Kennedy.

(2) In carrying out the investigation required under this resolution, the Select Committee is authorized to exercise all powers granted to it under Senate Resolution 21, Ninety Fourth Congress, agreed to January 27, 1975, as amended.

Sec. 2. The Select Committee shall make a final report to the Senate, stating the results of its investigation and findings under this resolution at the earliest practicable date.

Mr. SCHWEIKER. Mr. President, I send to the desk a resolution to modify the authority of the Senate Select Committee on Intelligence Activities, to permit full investigation into the effectiveness with which the intelligence community discharged its responsibilities to the Warren Commission.

Recent disclosures have devastated the credibility of the Warren Commission Report. We now have evidence the Commission's primary investigative arm—the Federal Bureau of Investigation—destroyed and suppressed evidence.

Previously classified documents, such as the transcripts I send to the desk, dramatically demonstrate the frustration and resignation of Commission members who felt they could not get the truth from the FBI.

In one transcript Commission member Allen Dulles acknowledged that FBI Director Hoover might lie to the Warren Commission about FBI links with Lee Harvey Oswald, even if asked by the President to answer truthfully. In another transcript, three Commission members agreed the FBI was reluctant to investigate evidence of a conspiracy because of its own preconceived conclusion that Oswald acted alone.

No wonder 60 percent of the American people doubt the Warren Commission's findings. The Commission members themselves doubted they were getting the whole story, and the FBI participated in what can only be called a coverup.

FBI Director Clarence Kelley has now confirmed that Oswald visited the Dallas FBI office in November and agents there later destroyed a letter in which Oswald threatened the FBI. The letter was received several days before the Kennedy shooting and destroyed sometime after it. This was never revealed to the Warren Commission.

This new admission proves false Hoover's sworn statement to the Warren Commission, which I send to the desk with this statement, which limited to three specific dates the number of FBI contacts with Oswald prior to the assassination.

Moreover, the following factors also underscore the inadequacy of the original investigation:

The fact that only two Texas FBI agents and no CIA agents testified before the Warren Commission—this despite persistent rumors at the time of intelligence community connections with Oswald and his killer, Jack Ruby. There were an estimated 50 FBI agents stationed in Dallas alone at the time of the assassination.

The failure of the Warren Commission to follow up on former Dallas Police Chief Jesse Curry's report that he suppressed evidence for 5 months following the assassination at the direct request of the FBI. Curry now says the high FBI official making the suppression request was acting on personal orders from Hoover. The evidence in question indicated that the FBI had prior knowledge that Oswald could be a threat to Kennedy.

The failure of former CIA Director Dulles to inform the Commission of U.S. attempts on the life of Cuban Premier Fidel Castro, and Castro's subsequent threats to retaliate against "U.S. leaders."

Mr. President, I find it intriguing that of the 152 Warren Commission documents which remain classified, 130 relate to U.S. intelligence agencies—107 FBI, 23 CIA. If Oswald was indeed a madman acting alone, what justification is there for keeping these documents classified 15 years after the assassination? The most probable explanation is that they link Oswald, or Ruby, or both, to U.S. intelligence agencies.

The Senate Intelligence Committee is the only existing institution with the staff and expertise to investigate this matter effectively and responsibly. Moreover, this committee is presently charged with examining both the effectiveness and propriety of intelligence agency activities and precisely these points are now at issue with regard to the role of the agencies in investigating President Kennedy's death. Without my amendment, the select committee does not have authority to examine all documents now in the Archives which may be relevant to the questions of intelligence community effectivenses and propriety.

I ask unanimous consent that the accompanying material in connection with the resolution be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. DULLES. I would tell the President of the United States anything, yes, I am under his control. He is my boss. I wouldn't necessarily tell anybody else, unless the President authorized me to do it. We had that come up at times.

Mr. MCCLOY. You wouldn't tell the Secretary of Defense?

Mr. DULLES. Well, it depends a little bit on the circumstancse. If it was within the jurisdiction of the Secretary of Defense, but otherwise I would go to the President, and I do on some cases.

Mr. RANKIN. If that is all that is necessary, I think we could get the President to direct anybody working for the government to answer this question. If we have to we would get that direction.

Mr. DULLES. What I was getting at, I think under any circumstances, I think Mr. Hoover would say certainly he didn't have anything to do with this fellow.

Mr. MCCLOY. Mr. Hoover didn't have anything to do with him but his agent. Did you directly or indirectly employ him?

Mr. DULLES. But if he says no, I didn't have anything to do with it. You can't prove what the facts are. There are no external evidences. I would believe Mr. Hoover. Some people might not. I don't think there is any external evidence other than the person's word that he did or did not employ a particular man as a secret agent. No matter what.

Now the difficulty with trying to get the man in charge and asking him these questions is how much do you know about what he is giving. If we got him here before the Commission, I think you could ask him a good many things but he would probably say two-thirds or more of the time, "I told you this and I told you this and my reports", and so forth.

So I don't think we have equipped you as Commissioners so that you could do that.

He would soon find you didn't know anythink like what he did about the matter.

As far as we are concerned, the men are getting advised of the areas as rapidly as possible, and they are coming back with these further inquiries, but there are vast areas that are unanswered at the present time.

We have some differences between the Secret Service and the FBI, we have location of their cars and where the shots were and things where they differed as much as 17 feet, and we are trying to find out how they could have that much difference between them, and there is an explanation. It isn't as bad as that, because some of it is part of calculations.

Mr. MCCLOY. Calculating their speed, I suppose.

Mr. RANKIN. That is right. And whether or not the first shot occurred behind the sign or just as he came out from behind the sign and matters of that kind.

Mr. MCCLOY. I can see the difficulty with that. But on the other hand, I have a feeling we are so dependent upon them for our facts that it might be a useful thing to have him before us, or maybe just you talk to him, to give us the scope of his investigation, and as of that date, some of the things that are still troubling us, and we will be able to ask him, for example, to follow up on Hosty.

Mr. RANKIN. Part of our difficulty in regard to it is that they have no problem. They have decided that it is Oswald who committed the assassination, they have decided that no one else was involved, they have decided—

Senator RUSSELL. They have tried the case and reached a verdict on every aspect.

Representative BOGGS. You have put your finger on it.

Mr. MCCLOY. They are a little less certain in the supplementals than they were in the first.

Mr. RANKIN. Yes, but they are still there. They have decided the case, and we are going to have maybe a thousand further inquiries that we say the Commission has to know all these things before it can pass on this.

And I think their reaction probably would be, "Why do you want all that. It is clear."

Senator RUSSELL. "You have our statement, what else do you need?"

[Commission Exhibit No. 835]

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
February 6, 1964.

Hon. J. LEO RANKIN,
General Counsel, The President's Commission, Washington, D.C.

DEAR MR. RANKIN: Reference is made to our conversation of January 23, 1964, concerning testimony furnished the Commission by Mr. Henry M. Wade, the District Attorney of Dallas County, Texas. You advised that Mr. Wade testified he had heard that Lee Harvey Oswald had been an informant of the FBI, had been assigned symbol number "179" and had been paid $200 monthly in this capacity. You further advised that Mr. Wade also indicated that FBI headquarters was not in a position to know in all instances whether an individual was an informant of this Bureau.

At the time, I advised you that Lee Harvey Oswald had never been an informant of the FBI and that this Bureau's procedure in regard to handling informants is such as to insure that FBI headquarters would have all necessary facts concerning the development and control of any and every informant.

Enclosed for your information and use in this regard is an affidavit in which I have categorically stated that Lee Harvey Oswald was never an informant of the FBI and have outlined our administrative procedures for the handling and the payment of confidential informants.

Sincerely yours,

J. EDGAR HOOVER.

AFFIDAVIT

CITY OF WASHINGTON,
District of Columbia, ss:

J. Edgar Hoover, Director, Federal Bureau of Investigation, Department of Justice, being first duly sworn, deposes and says:

That he has caused a search to be made of the records of the Federal Bureau of Investigation, United States Department of Justice, by employees of the said Federal Bureau of Investigation acting under his direction, and that said search discloses that Lee Harvey Oswald was never an informant of the FBI, was never assigned a symbol number in that capacity, and was never paid any amount of money by the FBI in any regard.

Such a statement can be made authoritatively and without equivocation because of the close supervision FBI headquarters affords its security informant program and because of the safeguards established to insure against any abuse or misuse of the program.

FBI field offices cannot proceed to develop anyone as a security informant without authorization from FBI headquarters. An informant is assigned a permanent symbol number and code name to afford him security. The informant never knows the symbol number assigned to him. It is a number permanently assigned to him, and the same number cannot be used again by the field office under any circumstances for any other individual. The individual also is given a fictitious or cover name by the field office which he, of course, is made aware of, and he affixes it to his communications with the office. Every symbol number and code name is indexed at FBI headquarters.

If the services of an informant warrant payment on a regular basis, the field offices must also obtain authorization from FBI headquarters to make such payments.

Special Agents in Charge (SACs) of FBI field offices are authorized to make payments to individuals not utilized on a regular basis as informants, but here too FBI headquarters controls this by limiting the amount an SAC can pay to any one individual in this category. FBI headquarters maintains control of such payments since they must be accounted for by the field offices at the end of each month through the submission of a detailed accounting to headquarters.

Had any of the FBI field offices made payments to Lee Harvey Oswald under the SAC's authority, those would have been shown in the receipts and vouchers submitted by each office. These records have been checked and no such payment was ever made. Had Oswald been assigned a symbol number, this would be a matter of record not only by number but also by name. As a matter of fact, the FBI can identify every symbol number used, past or present. Oswald could not have been assigned such a symbol number without approval by FBI headquarters. There is no record of any such request by any field office and no record of any such approval.

The only contacts FBI Agents had with Oswald prior to the assassination of President Kennedy involved three interviews FBI Agents had with him. The first was on June 26, 1962, at Fort Worth, Texas, shortly after his return home from the Soviet Union. The purpose was to assess the possibility of his having been given intelligence assignments by the Soviets. The second, on August 16, 1962, was in the same connection. The third was at his specific request on August 10, 1963, following his arrest in New Orleans the preceding day on a charge of disturbing the peace and creating a scene. At that time, he described some of his activities in connection with the Fair Play for Cuba Committee, the pro-Castro organization.

Oswald was again interviewed by FBI Agents at the Dallas Police Department following his arrest after the assassination of the President. This interview was aimed at eliciting any admissions he might make in connection with the assassination, as well as to obtain any information he might have been able to furnish of a security nature.

FBI headquarters has obtained affidavits from every Special Agent who was in contact with Oswald, as well as affidavits from their respective SACs. These affidavits show that none of these FBI Agents developed Oswald as an informant.

Mr. Henry M. Wade, a former Special Agent of the FBI and currently the District Attorney of Dallas County, Texas, reportedly testified previously to the Commission that he had heard that Lee Harvey Oswald was an FBI informant with the symbol number "179" and was being paid $200 monthly. As the facts clearly show, this is not true.

Furthermore, the facts refute Mr. Wade's reported statement to the Commission that there is no record maintained in the FBI of informant funds expended or the purposes for which used by the FBI people to whom they were furnished.

Mr. Wade reportedly stated that he had worked in the FBI's Special Intelligence Service (SIS) and that he was supplied from time to time with various sums of money for which he did not have to account and for which he did not have to obtain any receipts from the persons to whom he disbursed the money.

The emergency conditions that prevailed during World War II when the FBI conducted its SIS program did not permit the tight supervision that prevails currently in the FBI's informant operations. But this is true only in regard to the fact that SIS men necessarily were given the latitude to develop and pay informants on the spot without prior approval from FBI headquarters. Nevertheless, SIS men operated under a control system and adhered to it by advising FBI headquarters of payments made and the identity of the individuals paid. Such payments were supported by receipts in nearly every instance.

Mr. Wade, for example, entered on duty with the FBI on December 4, 1939. On July 6, 1942, he was advanced the sum of $1,075 in connection with an SIS assignment. This was for subsistence and travel in connection with his assignment in Ecuador as well as to provide him with some money with which to establish himself. His passage from New Orleans to Guayaquil, Ecuador, cost over $500 alone. In addition, he was required to make full restitution of the total amount which had been advanced him and subsequently did so. All of his expenditures of the total amount furnished him were substantiated by vouchers he submitted.

Mr. Wade arrived in Ecuador on August 16, 1942. He operated in an undercover capacity with a symbol number, specifically Number 345, and used the code name "James" in signing communications. Within Ecuador, he was referred to as Confidential Informant Number 6.

Although in an undercover capacity, Mr. Wade was required to submit vouchers twice monthly through the Legal Attache's Office in Quito, Ecuador. They were reviewed there and forwarded to FBI headquarters where they were checked prior to approval and the transmittal of funds to Mr. Wade's account.

[From the Houston (Tex.) Chronicle, Sept. 1, 1975]

Following is a reproduction of then Dallas police chief Jesse Curry's letter to Chief Justice Earl Warren explaining Curry's role in the coverup of Lt. Jack Revill's statement that FBI agent James Hosty told him the FBI had information that Lee Harvey Oswald was capable of assassinating President John F. Kennedy.

MAY 28, 1964.

Hon. EARL WARREN,
Chairman, President's Commission on the Assassination of President Kennedy, Washington, D.C.

DEAR SIR: In a letter to me dated May 21, 1964, Mr. J. Lee Rankin, General Counsel of the President's Commission on the Assassination of President Kennedy, raised several points concerning Lieutenant Jack Revill's report of November 22, 1963, on his conversation with FBI Agent James Hosty on that date.

The first question posed by Mr. Rankin was why Lieutenant Revill's report was not made known to the Commission prior to my appearance before that group. When I received the report on November 22, 1963, I immediately realized the gravity and seriousness of the information it contained. On that date, before newsmen, I stated that I had received information that the FBI knew of Oswald's presence in Dallas and that the Dallas Police Department had no information on Oswald in its files. This statement was based on the report of Lieutenant Revill.

Within a few minutes of my statement to the press, I received a telephone call from Mr. Gordon Shanklin, Special Agent in charge of the Dallas Office of the FBI, in which Mr. Shanklin stated that the Bureau was extremely desirous that I retract my statement to the press. I then appeared before the press again, and retracted my statement to this extent: I stated that "of my own personal knowledge" I did not know that the FBI knew of Oswald's presence in Dallas, and that if they did they were under no obligation to the Dallas Police Department to pass on the information.

After the appointment of the Warren Commission, I was reasonably sure I would appear before that body, so I decided to present the report, personally, at the time of my appearance. I felt that the Commission would probably like for the statement to be notarized, so I had this done on April 7, 1964.

Mr. Rankin's next question concerned the date that the report was placed in the Intelligence Unit's files. I instructed Lieutenant Revill to keep this report confidential. He said that after his copy was returned to him, he kept it locked in his desk drawer until after I returned from Washington where I delivered the report to the Commission. He then placed his report in the files.

Mr. Rankin further asked if I knew of any additional information in the possession of the Dallas Police Department that had not been made available to the Commission. I know of no such information.

Very truly yours,

J. E. CURRY,
Chief of Police.

[From the Times-Picayune, Sept. 9, 1963]

CASTRO BLASTS RAIDS ON CUBA

EDITOR'S NOTE.—Prime Minister Fidel Castro turned up at a reception in the Brazilian Embassy in Havana Saturday night and submitted to an impromptu interview by Associated Press correspondent Daniel Harker. Harker's account of the interview reached New York Sunday afternoon.

(By Daniel Harker)

HAVANA.—Prime Minister Fidel Castro said Saturday night "United States leaders" would be in danger if they helped in any attempt to do away with leaders of Cuba.

Bitterly denouncing what he called recent U.S.-prompted raids on Cuban territory, Castro said: "We are prepared to fight them and answer in kind. United States leaders should think that if they are aiding terrorist plans to eliminate Cuban leaders, they themselves will not be safe."

Speaking with this correspondent at a Brazilian National Day reception in the Brazilian Embassy, Castro also disclosed that Cuba has not made up its mind about signing the limited nuclear test-ban treaty drawn up last month in Moscow.

RUSSIANS PUZZLED

(A recent dispatch from Moscow indicated the Russians themselves have been puzzled by Cuba's silence in connection with the treaty. Speculation there was that Castro was holding out for more Soviet economic aid and threatening to cast his lot with the Red Chinese.)

Castro said Cuba is studying the treaty "with extreme care."

"This is an important decision . . . and we are not ready yet to make up our minds," he added.

The prime minister did not explain which points in the treaty were given most consideration. But he said: "We are taking into account the current world situation, which of course involves the Caribbean situation which has been deteriorating in the last few days due to piratical attacks by the United States against the Cuban people."

TREND CHANGED

World affairs, he said, "seemed to be entering a more peaceful climate a few days ago, but now this trend has changed with attacks."

He accused the United States of carrying out "double-crossing and shifting policies."

He added: "The United States is always ready to negotiate and make promises which later it will not honor. This has happened in promises made during the October crisis. They have been broken, as can be seen with new attacks. But I warn this is leading to a very dangerous situation that could lead to a worse crisis than October's."

Castro then launched into a discussion of the U.S. political scene, saying he expects no change in Washington's foreign policy even if there is a change in administration's after the 1964 presidential election.

BOTH "CHEAP, CROOKED"

"I am sure it will be a fight between (President) Kennedy and (Sen. Barry) Goldwater (R-Ariz.). Both are cheap and crooked politicians," Castro said.

"We have heard Goldwater is tough. Well, if he ever is elected, let him try his tough policies on * * *.

Agency Source of Remaining Withheld Documents

Federal Bureau of Investigation	107
Central Intelligence Agency	23
State Department	13
Internal Revenue Service	4
HEW	1
Social Security Administration	2
James H. Martin	1
Earl Ruby	1
Total	152

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. ROBERT C. BYRD. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary

E. Edward Johnson, of Kansas, to be U.S. attorney for the district of Kansas for the term of 4 years, vice Robert J. Roth, resigned.

Julio Morales-Sanchez, of Puerto Rico, to be U.S. attorney for the district of Puerto Rico for the term of 4 years (reappointment).

James B. Young, of Indiana, to be U.S. attorney for the southern district of Indiana for the term of 4 years, vice Stanley B. Milller, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday, September 15, 1975, any representations or objections they wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ANNOUNCEMENT OF HEARINGS ON THE ECONOMIC PROBLEMS OF SMALL BUSINESSES, FARMS, AND FISHERIES IN THE STATE OF MAINE

Mr. NELSON. Mr. President, I wish to announce that the Select Committee on Small Business will hold a public hearing on the current economic problems of small businesses, farms, and fisheries on September 13, 1975, in Presque Isle, Maine. The location of the hearing will be in the Weiden Auditorium, University of Maine, 181 Main Street, and will begin at 10 a.m.

Cochairing the hearing will be the Senator from Maine (Mr. Hathaway) and the Senator from Oregon (Mr. Packwood).

Further information on the hearing can be obtained from the offices of the committee, 424 Russell Office Building, telephone 224–5175.

NOTICE OF HEARING

Mr. PELL. Mr. President, the Subcommittee on Education of the Senate Committee on Labor and Public Welfare has scheduled hearings on September 16 and 18 in room 4232 DSOB on S. 2106, introduced by Senators Tower, Bartlett, Hruska, and Laxalt, which would amend title IX of the Education Amendments of 1972 to exempt certain revenue-producing intercollegiate athletic activities.

Those wishing to submit statements to the subcommittee for the hearing record should contact Stephen J. Wexler, counsel to the subcommittee, at 224–7666.

ANNOUNCEMENT OF HEARING BEFORE THE ENVIRONMENT AND LAND RESOURCES SUBCOMMITTEE, INTERIOR AND INSULAR AFFAIRS COMMITTEE

Mr. HASKELL. Mr. President, I wish to announce, for the information of the Senate and the public, the scheduling of a public hearing before the Environment and Land Resources Subcommittee of the Senate Interior and Insular Affairs Committee, on S. 1506, a bill to designate a 175-mile segment of the Missouri River as a component of the National Wild and Scenic Rivers System.

Mr. President, a public hearing was held on this bill on August 25, 1975, on S. 1506. At that time the subcommittee heard from many concerned public witnesses. Therefore, the purpose of the hearing in Washington will be to receive testimony only from administration witnesses.

The hearing is scheduled for 10 a.m., September 19, 1975, in room 3110 of the Dirksen Senate Office Building.

ADDITIONAL STATEMENTS

OTHER NATIONS OUTSTRIPPING AMTRAK GOALS

Mr. ABOUREZK. Mr. President, the time is nearing when we must decide whether we will continue to pump Federal money into the present Amtrak system or provide this Nation with a totally new program to improve and rejuvenate our railroads.

The following article points out some current problems confronting Amtrak. It notes that despite Amtrak's efforts and suggested programs, the Northeast Corridor run will not soon be comparable or competitive with the European or Japanese rail systems. This is distressing and disappointing. I believe we deserve much more from a program that demands so much—and ever more—of our money.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 1, 1975]

Other Nations Outstripping Amtrak Goals

(By Edward C. Burks)

Amtrak's new priority plan to upgrade the Northeast Corridor over the next two to three years will not reduce the big margin in speed that high-tailing European and Japanese flyers hold over American trains.

The explanation is simple: The Europeans and Japanese have more ambitious high-speed projects and are pouring more money into them.

Paul H. Reistrup, Amtrak's new president, recently outlined the following "basic targets" in a first-stage speed-improvement program for the four-year-old national railroad passenger system:

In "two working seasons"—1976 and 1977—to increase top speeds on the New York-to-Washington Metroliner run from 105 to 125 miles an hour and to cut the running time (including four or five stops) from three hours to 2 hours 45 minutes, meaning a gain in average speed from 75 to 82 miles an hour.

In the same period, to reduce the running time on the twisting New York-to-Boston line from nearly four hours to approximately 3 hours 15 minutes, an increase in average speed from 60 to 72 miles an hour.

The improvement in speed to be accompanied by much greater riding comfort because of track upgrading and new equipment.

JOLTING RIDES CITED

Mr. Reistrup and a legion of Metroliner passengers have complained that the bad tracks produce a jolting ride. Some call the Metroliner and the new Amfleet coaches with their airliner-like interiors tomorrow's trains on yesterday's tracks. Others say the Metroliner cars need seat belts.

As Amtrack moves toward 82-mile-an-hour average speeds in the New York-to-Washington corridor by 1978, the Japanese continue to expand a high-speed network engineered for top speeds ranging from 125 to 155 miles an hour.

France, which operates the fastest train in Europe, already has a 90-mile-an-hour average speed on the 360-mile run between Paris and Bordeaux. This is being improved to reach a 100-mile-an-hour average.

The French Government also authorized this year the construction of a new, electrified passenger railroad in its busiest corridor—from Paris to Lyon. The project, scheduled for completion in 1982, calls for 160-mile-an-hour top speeds and for 130-mile-an-hour average speeds to connect the cities in two hours.

West Germany has two new high-speed lines under construction and two more will follow in the next few years.

ITALY MOVES AHEAD

Italy, despite chronic financial problems, is completing Europe's first high-speed line, the "direttissima" (very direct line), to connect Rome and Florence with average speeds above 100-mile-an-hour average.

French expresses cover more than 25,000 miles daily at speeds exceeding 75 miles an hour. In this country, outside the Northeast Corridor, the great majority of Amtrak's nationwide total of 247 daily trains average speeds of 50 miles an hour, far below those of the fifties, because of bad tracks and a passenger car fleet averaging 24 years in age.

Amtrak is aware of the progress in Europe and has benefited from it. It bought six handsome turbine-powered French trains capable of 125-miles-an-hour speeds and found them to be reliable in Midwest corridors. It has ordered the construction of seven more, based on the French design, to be built in California, and most of these are scheduled for service on the New York-Albany-Buffalo "empire" route.

But Amtrak, a quasi-Federal corporation, is not a policymaking agency of the Federal Government, and expensive high-speed projects involve Federal policy decisions. Amtrak urges, recommends and cajoles, and Mr. Reistrup an experienced railroader who came to Amtrak from the Illinois Central Gulf calls for a reasonable approach geared to the realities of the American rail situation.

DEPENDENT ON CONGRESS

In 1971, Amtrak inherited a faltering rail passenger system from private railroads eager to get out of the money-losing business. It is dependent on Congress for subsidies that have averaged $200-million a year. It is told what new routes it must operate no matter how costly, and it has frequently had to battle high administrative officials to preserve the concept of a nationwide system.

Mr. Reistrup concedes that average speeds outside the Northeast Corridor are "too slow to appeal to a public accustomed to automobile travel speeds." But improvements can only be made with the cooperation of the railroads that own the track and with massive Federal aid.

Still somewhat skeptical of super-speed projects abroad, he recently outlined what he would like to see in this country in 10 to 15 years. He "would be content," he said, to see good Amtrak trains operating in corridors (in the Northeast, Midwest and California) at average speeds approaching 115 miles an hour and "out on the long-haul system" at maximums of about 80.

Amtrak officials believe that the system has been unjustly criticized by the press and public at a time when it has struggled to reverse a generation-long downward trend in rail passenger travel.

The Northeast rail reogranization plan, tentatively approved by Congress and subject to final review in the next two months, provides for Amtrak to take over the Northeast Corridor from the Penn Central, probably by next March.

Under the plan, the corridor would be reserved primarily for passenger traffic. With expected appropriations from Congress and with the Department of Transportation favorable to a major upgrade of the corridor, Amtrak is expecting a big improvement in its busiest route. Then it will concentrate on improving such other intercity corridors as Chicago-Detroit, Chicago-Milwaukee, Chicago-St. Louis and Los Angeles-San Diego.

HOW THE TRAINS RUN IN JAPAN, EUROPE AND THE UNITED STATES

Route	Mileage	Daily trains each way	Best time (hours and minutes)	Best average speed (miles per hour)
Japan				
Tokyo-Osaka	320	50	3:10	101.0
Tokyo-Hiroshima	509	12	5:08	99.0
Europe:				
Paris-Bordeaux	360	16	4:00	90.0
Rome-Naples	130	33	1:30	86.4
Paris-Lyon	317	21	3:44	85.0
Paris-Brussels	192	12	2:20	82.0
Paris-Marseille	535	14	6:34	82.0
Hanover-Dortmund	129	24	1:34	82.0
London-Glasgow	401	13	5:00	80.0
Moscow-Leningrad	403	(1)	4:59	81.0
London-Birmingham	113	30	1:31	74.0
Cologne-Hamburg	287	20	4:00	72.0
London-Edinburgh	390	10	5:30	71.0
Frankfurt-Hamburg	334	18	4:48	70.0
Rome-Milan	392	18	5:45	68.0
Cologne-Munich	393	27	6:07	64.0
United States:				
New York-Washington	224	25	2:59	75.0
New York-Boston	232	10	3:57	60.0
Chicago-Kansas City	450	2	7:30	60.0
Chicago-St. Louis	282	3	4:59	58.0
Chicago-Milwaukee	85	6	1:29	57.0
Jacksonville-Miami	408	3	7:25	55.0
Los Angeles-San Diego	128	3	2:35	50.0
New York-Albany	141	6	2:50	50.0
Seattle-Portland	186	3	3:45	50.0
Chicago-Detroit	279	3	5:35	50.0
Oakland-Los Angeles	467	1	10:05	46.0
Houston-New Orleans	363	[2] 1	8:30	43.0

[1] Not available.

[2] Tri-weekly.

Note: Also 20 West German "Intercity" trains with average speeds of 68 to 74 miles per hour on routes ranging from 162 to 536 miles in length.

Source: International Railway Gazette; European Railroads; Amtrak.

With assurance of Federal guarantees for loans of up to $900-million, it has undertaken a massive re-equipping that will take several years to complete.

It has ordered 492 Metroliner-like "Amfleet" coaches to be pulled by locomotives, and will have 134 of them by the end of the year. For its long-haul lines, mainly in the West, it has ordered 235 bilevel coaches with seats spaced at least as far apart as in first-class air liner compartments. These will arrive in 1977.

Amtrak now has 150 new diesel locomotives, with 55 more on order. For the Northeast Corridor, it has ordered 26 new electric locomotives from General Electric, the first such re-equipment since World War II.

DERAILMENT OCCURS

But problems persist. The first new electric locomotive was scheduled for delivery more than a year ago. But during a test on corridor tracks in Maryland, there was a derailment. The Penn Central has insisted that the locomotive be limited to 80-mile-an-hour speeds. Amtrak does not want to accept any of the new locomotives until all are certified for the specified top speed of 125.

Regarding another problem, Amtrak is ordering the first new sleeping cars in a generation, but strict new Government regulations on sewage disposal will apparently rule out individual toilets for each "roomette" or compartment. Now the plan is for communal toilets at the end of the cars as in the pre-World War II days before roomettes.

The big emphasis on rail travel and rail upgrading in Europe, while Americans face ever-higher prices for gasoline and automobiles, indicates that rail ridership totals can be substantial with fast, efficient service. It also indicates that the United States has a long way to go to rebuild a national rail passenger service that was once the envy of the world.

THERE ARE 45,000 RIDERS A DAY

Because of Europe's dense population centers and corridors and because gasoline always was far more expensive than in the United States, the Europeans never abandoned their trains.

In Western Europe, 11 million ride thousands of intercity or suburban trains every day. The daily ridership increased in 1974 by 200,000 over the 1973 average.

During the first half of 1975, Amtrak averaged fewer than 45,000 riders a day, and the country's largest commuter line—the Long Island Railroad—has about 215,000 riders on a typical workday. The Penn Central's Harlem, Hudson and New Haven Lines carry 144,000 daily.

Nightly in Europe, there are 10,000 travelers in "wagonslits" or other more economical sleeping ("couchette") cars. The comparable figure for Amtrak on its 26,000-mile nationwide system is about 1,400.

Each night more than 1,300 automobile are on board European auto-passenger trains, accompanying their owners. France has 57 such trains. The United States has two autotrain services.

Fast and frequent schedules, new equipment, extended electrification and installation of smooth-riding welded rail have helped increase traffic in recent years in Europe.

Examples of increasing European rail traffic (both inter-city "long haul" and suburban) are as follows:

[In millions of passengers]

	1970	1974	Post World War II high
West Germany	989	1,022	1,022
France	593	628	628
Italy	343	389	[1] 406

[1] 1956.

FIGURES DIP

During last year's gasoline shortage, Amtrak registered an 18 per cent gain over its 1973 figures as total ridership reached 17.2 million.

However, with the recession and the easing gasoline situation—despite higher costs a gallon—Amtrak's figures for the first six months of 1975 are 14 per cent below the same period in 1974, down from 9.1 million to 7.85 million.

The New York-Washington run was down by 11 per cent, from four million in the first half of 1974 to 3.56 million in the same period this year.

Mr. Reistrup puts some of the blame for lost patronage on what he called bad publicity generated by Interstate Commerce Commission hearings on Amtrak's service.

Currently, $40-million is being spent on track upgrading projects in the Washington-New York-Boston corridor but this is generally regarded by Amtrak as only the beginning of what will be needed. For example, the $25-million allocated to the New York-Washington sector is mainly for long-deferred maintenance to avoid further reduction in speed limits.

Amtrak is counting on a far greater sum—to be announced in the next few weeks by the Federal Railroad Administration—for upgrading in "two working seasons" recommended by Mr. Reistrup. That would permit a nonstop New York-Washington run in two and a half hours. The eventual goals are two-hour New York-Washington service and 150-minute New York-Boston runs, but achievement may be in the far future.

GREATER UNDERSTANDING NEEDED REGARDING PROBLEMS OF BUSINESS

Mr. HELMS. Mr. President, it has been said that a businessman is judged by the company he keeps solvent. Judged by this standard, it would seem that we are running out of good businessmen. Corporation profits are at a dangerously low point, and may go lower.

Kevin Phillips, in a recent column, suggests that the downward spiral of corporation profits might be reversed if big business would take as great an interest in advertising its financial problems as it does in publicizing its products.

Mr. President, because Congress can also make an important contribution toward the restoration of a healthy economy, I would like to share with my colleagues Mr. Phillips' thoughtful observations on the plight of the American corporation, and I ask unanimous consent that his column on "A Profit Is Without Honor" be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Profit Is Without Honor

(By Kevin Phillips)

Washington.—Big business in this country must be run by fools. They spend $25 billion a year advertising their products, yet the average American is allowed to nuture a false—and politically crippling—idea of corporate profits and capital.

Talk of a corporation tax cut seems implausible until this mistaken image is corrected. Until then, business will lack the necessary money for modernization, expansion and keeping up with foreign competitors. But the person in the street doesn't know this, and business can't state its case with lengthy magazine advertisements about free enterprise or with "public service" grants to orchestras and urban coalitions.

The problem doesn't lie with people who read newspaper editorial pages. By and large, the men and women who must be reached are those who watch Archie Bunker, read only the sports pages in newspapers, or buy women's magazines for macaroni casserole recipes and Jackie Kennedy stories. And here's the message that ought to be put out:

THE AVERAGE GUESS

"Hey, chump. Yes, you. Are you one of the people who answered a recent nationwide poll by guessing that U.S. manufacturing corporation profits averaged 33 per cent a year? If so, you're not alone—that was the average guess. It's also ridiculous—the average U.S. corporation earns just a 5 per cent profit after taxes. You get this number certified in hundreds of places—by libraries, by government offices, by Congressmen or Senators.

"Let's face it. Five per cent isn't a lot. Joe Citizen gets more putting money in a bank. But with only 5 per cent a year, our industries don't have much left after they pay shareholders a halfway reasonable return. They don't have enough to modernize, to keep up with new technology, and also meet growing Federal environmental requirements.

"You're probably saying 'my heart bleeds for poor, impoverished big business.' Maybe you're like some politicians who run around Washington waving figures showing that business now pays only 17 per cent of all Federal taxes. Whereas back in 1960, it paid 23 per cent. Maybe you think that means business is getting a cushier deal now, and that corporate complaints are hot air.

"Well, let me tell you the reason why business pays a smaller part of the tax load—it's because business profits are a shrinking share of the U.S. national income In 1965, business profits constituted 6.8 per cent of national income; by 1969, they were just 3.8 per cent and fell to 3.3 per cent in 1973.

"No sir, the money you believe goes to business is really being sucked up by the public sector—by expanding government programs and bureaucracy. Federal, state and local government outlays now take about 35 per cent of the Gross National Product.

THE LOAF OF BREAD

"And how do they get all that money? By taxes, of course. For example, economists have estimated that over 100 different taxes affect the price of a loaf of bread! That money winds up with bureaucrats, not businessmen. In fact, even though business profits constitute just 3 per cent of the national income, taxes on business raise 17 per cent of Federal revenues! In part, that's because the U.S. government taxes business and capital at a much higher rate than in most other countries. Even Sweden, with its socialist economy and welfare state, taxes business at lower rates to allow capital accumulation for up-to-date technology and equipment.

"You probably don't believe all this. Maybe you think it's just more slick propaganda. So go to the library. Talk to your friends. Write to your Congressman to check these figures (but be specific). Think about what we've said, and we'll have another message for you shortly." End of hypothetical advertisement.

Unfortunately, the boardroom bureaucrats who run American big business don't have the moxie to confront this issue head-on. Too many of them are content to live on past glory and past profits, using up the accumulated economic muscle of bygone decades. But by 1980 or 1985, if U.S. industry is not revitalized, the economy will be in sad shape—and the people who will suffer are exactly those poor chumps who now regretfully interrupt their baseball games or afternoon soap operas to give pollsters ignorant estimates that U.S. corporations are gorging at the trough of 33 per cent annual profits.

AMBASSADOR W. BEVERLY CARTER

Mr. SPARKMAN. Mr. President, when our Ambassadors and their staff members are far away from Washington in countries all over the world, we may wonder just what their activities are.

I have received from Mr. Robert W. Smuts, 4011 Thornoaks Road, Ann Arbor, Mich., a letter with which he enclosed a copy of the letter that he has written to the Honorable Henry Kissinger, Secretary of State. It relates the very distressing experience had by his daughter and three others who were kidnaped in Tanzania on May 19. I think it is a letter of appreciation that should be read with gratitude for the outstanding work of Ambassador Carter.

I ask unanimous consent that it may be printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Ann Arbor, Mich.,
August 5, 1975.

Hon. John Sparkman,
U.S. Senate,
Washington, D.C.

Dear Senator Sparkman: U.S. Ambassador to Tanzania, W. Beverely Carter, deserves major credit for the safe return of four young people, including my daughter, Barbara, who were abducted from Tanzania into Zaire on May 19.

As Chairman of the Committee on Foreign Relations you may be interested in knowing more about Ambassador Carter's outstanding efforts. I am therefore attaching copies of letters my wife and I have sent to Secretary Kissinger, expressing our gratitude for Ambassador Carter's efforts and our hope that his abilities and dedication will receive the recognition and reward they richly deserve.

Sincerely yours,

Robert W. Smuts.

Ann Arbor, Mich.,
August 1, 1975.

Hon. Henry Kissinger,
Secretary of State,
Washington, D.C.

Dear Mr. Secretary: I know that my husband and several others who were intimately involved in efforts to secure the release of the four researchers abducted into Zaire from the Gombe Stream Research Centre in Tanzania are writing to tell you about the superb performance of U.S. Ambassador to Tanzania, W. Beverly Carter. I concur wholeheartedly in their appraisal of Ambassador Carter's crucial role in saving the lives of the hostages. My intention in writing, however, is to tell you some things about the Ambassador that are not revealed by comments on his official role.

Upon my arrival in Dar Es Salaam on the morning of May 27, I was told a moving and dramatic story by my daughter, Barbara Smuts, and Professor Peter Steiner of the University of Michigan Law School, then on leave at the University of Nairobi, who had flown to Dar at our request and was present at the press conference held the preceding day by President Nyerere, Ambassador Carter and Barbara.

A private meeting was scheduled, just before the press conference, between the President, the Ambassador and Barbara. A few hours earlier Ambassador Carter ate a piece of cookie which contained peanut oil. He has an allergic reaction to peanuts, in any form, which will cause death within hours if an injection of adrenalin is not administered. This time, the first injection was not enough and the Ambassador was forced to take three-and-a-half times the precribed dosage (which my own allergist tells me was also life-threatening) in order to carry on. At the scene of the meeting, shortly before he and Barbara were to join President Nyerere, he went into adrenalin shock. My daughter said that she thought he was about to die before her eyes. While others helped the Ambassador, Barbara was summoned to the interview with President Nyerere.

Through what must have ben a heroic act of will, Ambassador Carter participated in the press conference immediately after the interview. Although I was not present, I have listened to a tape recording of the press conference. In spite of his physical distress, Ambassador Carter handled in situation magnificently.

President Nyerere, as you know, firmly and angrily rejected all the kidnappers' demands. Ambassador Carter supported the President and added that the U.S. government never, in any circumstances, could or would pay ransom for the release of its citizens. Nevertheless, he also managed to express clearly, more than once, his optimism that a way would be found to secure the release of the hostages. This was the only hint that the abductors had, for a long time, that their demands were not completely and finally rejected. The parents of the hostages and the others involved believe that Ambassador Carter's responses at that otherwise utterly negative press conference may well have prevented precipitous action by the abductors.

I should like to comment also on the Ambassador's personal kindness to my daughter and me. Barbara, a guest at the Ambassador's home, became violently ill in the middle of the night after the press conference. Mr. and Mrs. Carter secured medical aid and took personal care of her until I arrived the next morning. That day and night, because the telephone lines were down, they made four automobile trips to fetch a doctor and nurse. In spite of the fact that their son and daughter-in-law had just arrived for their first holiday in Africa, Ambassador and Mrs. Carter insisted that both Barbara and I remain as their guests until they were certain that Barbara was well enough for hotel living. Almost two weeks later, when Barbara was still unwell and still undiagnosed, Ambassador Carter arranged for her medical evacuation to London and personally saw us off at the airport. I might add that his wit, charm and good spirits helped all of us to get through those dismal days after Barbara was released and the fate of her friends was still uncertain.

Today, when the press is so full of stories about the failings and misdeeds of some public servants, it gives me special pleasure to be able to relate to you a few incidents which demonstrate the outstanding qualities of this member of your staff. If my letter and those of others about Ambassador Carter persuade you to place him in a position where he will have the opportunity to serve many more people as well as he served us, I shall consider it one of the few constructive results to come out of this whole unhappy episode.

Very sincerely yours,

ALICE SMUTS.

HE SPENDS HIS WEEKS IN WHITE HOUSE AND WEEKENDS HOME ON THE RANGE

Mr. CURTIS. Mr. President, the Washington Star has been featuring a series of articles on individuals adapting to life in Washington.

Last Friday, the Star focused on a Nebraskan we in the Cornhusker State are all proud of. It is the story of Dr. Clayton Yeutter who, according to the headline, "Spends His Weeks in White House and Weekends Home on the Range."

And the story is accurate. Dr. Yeutter is an outstanding representative of this country in our trade negotiations abroad, yet he is always warm and personable and very much at home in the clean air and good earth of Nebraska.

The best of both worlds, indeed.

Mr. President, I ask unanimous consent to have printed in the RECORD the story of Dr. Yeutter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star, Sept. 5, 1975]

HE SPENDS HIS WEEKS IN WHITE HOUSE AND WEEKENDS HOME ON THE RANGE

(By Timothy Hutchens)

On the wall is a stylistically undertailed world map. On the tables around the office are almost abstract carvings of cattle. All are clean, swift reminders of where Clayton Yeutter is now and where he has been.

He is Doctor Yeutter, with a Ph. D. in agricultural economics. He is Ambassador Yeutter, deputy special trade representative in the Executive Office of the President.

Every other weekend, he is rancher Yeutter for a day at his spread in central Nebraska. Almost every weekend, he is family man Yeutter in Lincoln.

The obligations that achievement brings have surrounded him like competing appointment secretaries, for it is busy at the top. So far, there has been little time for good neighbor Yeutter here.

"My work hours are horrendous," he said. I come in at 7 a.m., which is of course before my apartment house neighbors are up, and generally work until about 11 p.m. That's a long day."

After five years in Washington, he is moving the family here from Lincoln, at least his wife Martha and their two younger children. They stayed in Nebraska until the two older children, sons who have been successful high school athletes, graduated.

The move from Nebraska means that Yeutter in turn will move from his Arlington apartment to a house on Lake Braddock and perhaps will have more time to spend with neighbors, as he likes to do in Nebraska. But even there, life has been hectic for him these last few years.

"My life is timed almost to the minute," he said, "all day long."

He can recall working hard all of his life. Born in 1930, he was a child of the depression and remembers learning to read by kerosene lamp.

"I will always remember the hard, physical work at an early age," he said. "I was working in the fields when I was six years old. I was driving tractors when I was 10 years old."

In the meantime, he has become a lawyer, an economist and now a diplomat who helps map strategy for the multilateral trade negotiations in Geneva.

He served as executive assistant to Nebraska Gov. Norbert T. Tiemann, led a University of Nebraska agricultural mission to Colombia, ran the U.S. Department of Agriculture's consumer and marketing service and took a year's leave to serve as Midwest regional director of a committee for Richard Nixon's election as President.

Until June, he was assistant agriculture secretary for international affairs and commodity programs. Two months ago, President Ford appointed him to his job at the undersecretary level.

"I feel comfortable with anyone in almost any kind of experience and environment," he said. "At the same time, I have probably a special fondness for those who've had upbringings similar to mine."

He speaks as a Jeffersonian.

"All the traditional rural values which place a premium on hard work, a premium on being open and friendly and responsive to one's fellow man, are found among the vast majority of people in the Midwest. They're basically conservative by nature. They're fiscal conservatives by and large, although not entirely."

At any rate, he indicated, they live closer to life.

"It's very much a natural kind of setting, or at least natural in terms of the basic values this country has held during its lifetime," he said, "whereas as one moves into an area like Washington, D.C., the society becomes more artificial in so many ways.

"Instead of being on farms or wide city streets with homes and large lawns and gardens," he said, "in Washington, where land is at such a premium, living becomes oriented toward town houses, or condominiums, apartment buildings."

People at the head of the government, he said, must shake loose from Washington every now and then in order to realize what they are doing.

OIL PRICING MYTHS

Mr. ABOUREZK. Mr. President, in 2 days we are scheduled to vote on the President's anticipated veto of an extension of the Mandatory Petroleum Allocation Act. In the 2 years which have elapsed since the act was passed, the President and the oil companies, abetted by the news media, have waged a continuous propaganda campaign to persuade the American people that certain policies which hurt on a day-to-day basis are in the public interest. These policies only hurt the citizens; they help the oil companies. They increase the revenues of most oil companies without increasing production; and increase the power and influence that the major companies exercise over the entire U.S. economy.

The propaganda depends on the oil industry's enormous advertising budget, and on the fact that statements by oil companies, like statements by the U.S. President, get constant front-page coverage. No investigative reporter, despite the hopeful example of Watergate, has delved into the real arrangements by which oil companies control supply and prices. No one has seriously attempted to discover whether oil companies harrass their dealers to stay open longer hours and lower their profit margins in order to force them out of business, as the dealers have alleged. I am sure that each of my colleagues could cite several stories which would enlarge and clarify the energy issue, but which will never be written.

Even stories which involve no investigative efforts, but which deal with the efforts of Congress and others to bring forth all the facts, not just the arguments over price and supply, do not get written.

The stories that do get written, over and over, are the President's assertions and the oil companies' accusations—against Congress and against the people. After a certain point, these stories begin to seem like fact, and finally they are taken as fact. But they are in reality just sanctioned by the prestige of the President, the power of the oil industry, and the failure of the press to present the other side.

Public Citizen, a public interest lobbying group, put together a list of the most prominent myths that have come to be taken as fact in the debate over energy policy. They released their work to the press; not surprisingly, it got no coverage. The document is useful and clear. In hopes that it will get the wider audience that it deserves, I ask unanimous consent that "Oil Pricing Myths" by Congress Watch, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OIL PRICING MYTHS INVENTED BY THE OIL INDUSTRY AND THE WHITE HOUSE

1. Myth: Decontrol is desirable in principle because it means getting the government out of the way and letting the free market set oil prices.

Reality: There is no free market for oil today. It is a cartelized market and if the U.S. government does not set the price of domestic oil, it will rise to the OPEC cartel's escalating monopoly price. Hence, the policy choice is either (1) having the American government set the price of American oil, or (2) letting that price be set by a cartel of foreign governments. The $11.50 escalating "cap price" for oil recently proposed by the Ford Administration is still OPEC pricing of American oil because that is today's cartel price.

The windfall profits tax proposed by the Senate Finance Committee in July, and tacitly endorsed by the Ford Administration, does not cure the problem of monopoly pricing because it would recover little of the excessive oil company profits from decontrol. The tax would not apply at all to much cartel-priced American oil and would rapidly phase out on the oil that would be taxed. Hence, the Ford Administration's policy always boils down to the oil industry policy of cartel pricing of American oil, either immediately or eventually (see #12 below for discussion of windfall profits tax proposal).

2. Myth: Consumer, labor, and business groups opposing cartel pricing of American oil (and hence, natural gas and coal) are trying to return to a lost era of cheap energy.

Reality: Opponents of the Ford plan for OPEC pricing of American energy are not asking for an artificially low price for energy. They recognize that energy costs are going to increase over what they were in the 1960s. They are willing to pay more when and where it is proven to be necessary and economically efficient. The argument is over where to draw the line. Consumers do not believe that simply paying the OPEC price for the 80% of our energy which we derive from domestic oil, gas, and coal is a good answer. The OPEC price is a monopoly price which will distort the allocation of resources in our economy, as do all monopoly prices.

Opponents of OPEC pricing of American energy want the U.S. govrenment to set energy prices so long as the alternative is permitting a cartel of foreign governments to set such prices. They believe that the U.S. government can set prices for U.S. energy which allocate resources in the U.S. economy more efficiently than the price set by the OPEC cartel. When the choice is between competitive free market pricing of energy and government price controls, these groups will favor the free market. But today that option doesn't exist. Today's choice is American pricing of American energy versus OPEC pricing of American energy.

3. Myth: The failure of Congress to accept the Ford energy plan tends to strengthen the OPEC cartel by delaying development of a national policy to reduce our need for imported oil.

Reality: Is it the Ford plan for OPEC pricing of our domestic reserves of oil, gas, and coal that will strengthen the OPEC cartel. If we permit domestic energy prices to be pegged to the OPEC oil price, the value of domestic energy reserves held by the giant multinational oil companies will be hundreds of billions of dollars greater than they would be if the cartel collapsed and was replaced by competitive market pricing of energy. Hence, under the Ford plan for OPEC pricing of American oil, gas, and coal, the oil companies will have a vested interest in holding the OPEC cartel together in spite of the inherently unstable nature of cartels.

Already, the Big Oil companies are acknowledged to be the glue that holds the OPEC cartel together. As *Fortune* magazine reported in its May, 1975 issue, the cartel lacks a formal mechanism for prorationing the production cutbacks needed to sustain the cartel price; therefore, it depends upon the multinational oil companies which refine and market its oil to ensure that production cutbacks are shared equitably among cartel members. OPEC pricing of American energy will guarantee a continuation of the mutually beneficial relationship between the oil companies and the cartel. The oil companies will hold the cartel members together and the cartel will maintain a monopoly price for oil on the world market.

4. Myth: President Ford has tried to work out a "compromise" with Congress by extending the period for decontrol of old oil from immediate decontrol to 24, 30, and 39-month decontrol.

Reality: Since all of the Ford plans for phased decontrol aim toward eventually allowing the price of domestic oil to be set by the OPEC cartel, they do *not* represent a compromise. The Ford plan has not been changed. It is still a plan to let American oil producers charge American consumers a monopoly price for American oil, if not this year, then the next or the one after that. The fact that the monopoly price will be set by a cartel of foreign governments does not make it less objectionable than if it were set in the boardrooms of domestic oil companies subject to our antitrust laws.

The debate with Congress is over alternative non-competitive pricing policies. The Ford Administration wants to allow domestic oil producers to charge American consumers the escalating OPEC cartel price for American oil, while the Congress believes that lower oil prices set by our government will provide more equitable and economically efficient incentives to domestic oil producers and fairness to consumers. Since the various Ford plans for phased decontrol and a deceptive windfall profits tax are still formulas for eventual OPEC pricing of all American oil, these variations are not compromises.

It is ironic that the Ford Administration decries the Democratic Congress for attempting to solve social problems by "throwing money" at them while simultaneously proposing to solve our oil production problem by throwing money at oil producers through endorsing monopoly pricing of oil.

The alternative congressional energy policy of reasonable incentive prices for oil and non-price approaches to energy conservation is embodied in H.R. 7014, which is progressing toward early passage by the House of Representatives in September in spite of delaying tactics by the Ford Administration and its Congressional spokesmen.

5. Myth: Immediate decontrol of old oil due to expiration of Allocation Act was made inevitable by Congressional refusal to accept President Ford's "compromise" of decontrol over a 39-month period.

Reality: President Ford could sign the congressional extension of the Allocation Act (S. 1849) and then begin his final "decontrol" plan by administrative action without any congressional review. In fact, he never had to submit his final proposal (39-month plan) to congressional review in the first place since the Allocation Act provides for congressional approval only if domestic oil is completely exempted from price controls. Since the 39-month "decontrol" plan submitted in July included an $11.50 cap price, old oil was not being exempted from price controls and congressional review was not required in July and would not be required in September under the extension of the Act.

The reason that President Ford refuses to implement the 39-month decontrol plan by administrative action is that he fears having the $11.50 price for old oil tested in the courts. A legal challenge to the $11.50 price might succeed on the ground that it cannot be justified under either the Allocation Act's requirement for "equitable pricing" or the President's own executive order requiring inflationary impact statements to justify agency actions that raise prices.

It is this unwillingness to have the $11.50 price for old oil tested legally that has led the President to arrange events so that either Congress became an accomplice to monopoly pricing of old oil by approving the $11.50 price in his so-called decontrol plan or refused to approve the plan, as it did, setting the stage for a presidential veto of the extension of the Allocation Act the consequent decontrol that cannot be challenged in the courts.

6. Myth: Congress has rejected President Ford's energy policy proposals without developing its own alternative energy policies.

Reality: It is true that Congress has resisted enactment of the Ford energy policy package, because it is basically the energy industry policy of monopoly pricing of American oil, natural gas and coal (much of which is from public lands).

It is not true that Congress has failed to develop alternative energy policies. The fact is that several bills embodying energy policies supported by congressional majorities have been passed since the 1973 embargo. It has been vetoed by Presidents Nixon and Ford that have prevented these congressional majority policies from becoming law.

President Nixon, for example, vetoed legislated price controls on domestic oil in early 1974. President Ford has vetoed controls on strip mining that have been passed by successive Congresses and has vetoed an extension of the Petroleum Allocation Act which would have added price controls for new oil. He is also expected to veto the recently passed simple extension of the Allocation Act (S. 1849). Nearly completed legislation controlling development of energy reserves on the outer continental shelf will probably be vetoed because it offends energy industry preferences. A comprehensive bill (H.R. 7014) mandating improved energy efficiencies in industrial processes, buildings, autos, and appliances and limiting oil prices to non-monopoly levels is certain to be vetoed when it reaches the President precisely because it represents congressional majority energy policy which he claims does not exist.

In short, the stalemate in development of national energy policy is based on the refusal of Presidents Nixon and Ford and the energy industry to consent to majority rule rather than on any failure of Congress to act responsibly.

7. Myth: The impact of decontrol of old oil will not be very great; after all, it will only increase the price of gasoline by 7¢ per gallon.

Reality: The Ford Administration's focus on the price of only gasoline as an index of the cost of decontrol is intentionally deceptive. This focus on gasoline ignores the fact that the prices of home heating oil, diesel fuel for trucks and tractors, and fuel oil for electric power plants and factories will also rise as the price of crude oil rises. It also omits price increases for coal and unregulated natural gas (intrastate sales) which accompany increases in the average price of oil. Finally, it omits a likely 50% "ripple effect" as each $1 increase in fuel prices is multiplied into a $1.50 increase in the prices of goods and services.

Taking all of these factors into account, the Joint Economic Committee has estimated that the $2 Ford tariff and immediate decontrol of old oil combined would increase fuel prices by $32 billion per year. When a 50% ripple effect is added (the JEC suggests a 75% ripple), the total annual impact on consumer prices reaches $48 billion, or $225 per person. For a four person family, then, the total impact of the Ford plan is $900 per year. Even if the absurd Ford tariff is discontinued, decontrol of old oil would still cost over $150 person or $600 per four person family per year. (See enclosed explanatory chart.)

8. Myth: Decontrol of old oil will not even cause the originally expected 7¢ per gallon increase in the price of gasoline because President Ford will drop his oil tariff and because "market conditions" will prevent the full pass through of the crude oil price increases.

Reality: Ending the $2 Ford tariff as decontrol begins does not avoid the full cost of decontrol; it merely replaces one presidentially mandated inflationary oil price increase with a more inflationary sequel. The maximum inflationary impact of the Ford tariff on oil prices is $6.1 billion per year, while the maximum impact of decontrol on oil prices is over $16 billion pear year, at today's OPEC price.

The Ford tariff should never have been created in the first place. It made imported oil $2 more expensive than the already artificially high OPEC price and it raised the price of uncontrolled domestic oil (40% of U.S. production) to the OPEC price plus $2, the highest wellhead price for oil in the world. The inflationary Ford tariff should simply be ended, not replaced with a worse option.

As for the claim that "market conditions" will prevent the pass through of the full increase in the price of crude oil due to decontrol, this result will persist only so long as price cutting competition in the refining and marketing segments of the oil industry persists. The problem here is that price competition in the oil industry provided by independent refiners and marketers, not by the major integrated companies, and the end of the Allocation Act is a formula for an end to the competitive potential of the independent refiners and marketers.

Expiration of the government regulation provided by the Allocation Act will eventually be followed by a repeat of the 1972 and 1973 experiences which led the Senate to pass the original Allocation Act months prior to the 1973 oil embargo. These experiences included suppression of price competition by the major integrated oil companies which the price cutting independent refiners and marketers depend upon for their supplies of crude oil and refined products. There is no evidence that this pre-embargo pattern of behavior will not be repeated in the absence of the regulatory protection provided by the Allocation Act. Indeed, with the loss of profit making opportunities overseas, the major oil companies will be more intent than ever on increasing profits in the U.S. where they have traditionally increased their profits through suppressing price competition rather than encouraging it.

9. Myth: Decontrol of old oil is justified by the expected increase in production from old oil reservoirs.

Reality: This is true only if you believe that a *real* cost of $100 to $200 per barrel of additional oil gained by decontrol is a good bargain. The *real* cost of oil gained by decontrol could be much higher than the apparent cost represented by paying the selling price of $13.50 for decontrolled old oil.

Decontrol is a bad way to finance increased oil production because of the law of diminishing returns. This economic law applies because decontrol will raise the price of all old oil to the uncontrolled, artifically high cartel price in order to increase production only slightly.

Old oil is now price controlled at $5.25, a 54% increase in three years for oil where production costs are not much effected by inflation because they were primarily pre-inflation investments. If the price is raised to $12, an FEA supported study by the Interstate Oil Compact Commission estimated additional production of only 670 million barrels of old oil through the end of 1980. Since these 670 million barrels would cost over $70 billion due to paying the assumed $12 for all old oil rather than $5.25 through 1980, the real cost per barrel of oil gained by decontrol would be at least $100/bbl. rather than $12/bbl.

Cost of decontrol, $70 billion and oil gained from decontrol. 670 mil. bbl. equals $100/bbl.

The $100/bbl. is still not the total real cost of oil gained by decontrol. The cost of decontrol numerator in the fraction above must be increased beyond $70 billion to reflect increased prices for unregulated natural gas (intrastate sales) and coal as they follow the average price of oil upward over the years ahead. This additional cost of decontrol would add at least another $25 billion to the $70 billion numerator for a total of $95 billion. In addition, the cost of decontrol numerator should be expanded by 50% to take into account the ripple effect which increased fuel costs will have on the prices of all goods and services in the economy, for a final total of $140 billion.

When the $140 billion total cost of decontrol through 1980 is divided by the 670 million barrels of oil gained by decontrol over the same years, the real cost of the additional oil is $200/bbl. rather than its apparent price of $12 per barrel:

Cost of decontrol, $140 billion and oil gained from decontrol 670 mil. bbl. equals $200/bbl.

This real cost of $200 per barrel of oil gained by decontrol illustrates the elementary economic concept of the law of diminishing returns applied to old oil pricing. It also illustrates the misallocation of resources caused by monopoly pricing of old oil.

Knowing that decontrol of old oil cannot be justified by price-production relationships, the Ford Administration resorts to the nebulous rationale of the need for a higher price to help the oil companies generate capital. This is a flexible concept that can be expanded to apply to whatever price the OPEC cartel sets. It should be seen for what it is, an argument that the oil industry should be permitted to charge a monopoly price for its product in order to generate capital, a practice entirely antithetical to the antitrust laws and to the operation of a competitive free enterprise economy. Perhaps the Ford Administration plans to expand this concept to other major industries. Big Business would certainly be grateful for permission to charge monopoly prices, on whatever pretext.

10. Myth: Even if the price of old oil remains controlled, the price of new oil must be allowed to follow the escalating price of OPEC oil in order to maximize exploration and development of new oil sources.

Reality: During a period when the world oil price is set by a cartel, competitive pricing of oil is not an available option. Hence, the U.S. government must choose between two policies for non-competitive pricing of domestic oil. Either the government sets its own non-competitive price for American oil or the OPEC cartel sets a non-competitive price for American oil, since deciding not to set the price ourselves means choosing the OPEC price. The latter course is a responsible government policy only if it leads to an economically efficient and equitable allocation of resources in the U.S. economy (as would a competitive market price).

Demonstration of the economic efficiency and fairness of OPEC pricing of American oil would require more evidence regarding the relationship of various alternative oil prices and their respective production consequences than either the oil industry or the Ford Administration has been able to provide. Price/production relationships are not even discussed in the oil industry sponsored "Nathan Study", which purported to justify a price of $12.74 for new oil in 1974. While the Ford Administration has attempted some computer modeling of price/production relationships, it avoided requiring the oil industry to provide a better data base for such computations when it deleted from its recent oil reserve survey (at the suggestion of the oil industry) a question which would have required oil producers to indicate the effect of alternative oil prices on their proved reserves of oil.

In spite of the lack of justification, the Ford Administration has plunged blindly toward OPEC pricing of American oil. Indeed, in a grand stroke of oneupmanship, President Ford's oil tariff raised the price of imported oil and domestic new oil (which follows the price of imported oil) $2 beyond the OPEC price. Consequently, our new oil has the highest wellhead price in the world today.

A more rational pricing policy for new oil would be to set a reasonable incentive price somewhat lower than the OPEC monopoly price and then focus on the non-price factors that have hindered domestic oil production. These non-price barriers have contributed to the decline in domestic oil production in recent years and would create a time lag in reversing that trend even if we priced new oil at twice the OPEC oil price. They include, for example, tax policies that encouraged the export of energy production capital for over 20 years, shortages of specially skilled manpower, and lack of an offshore leasing policy that would protect environmental values and satisfy legitimate concerns and prerogatives of onshore state and local governments.

In sum, a responsible pricing policy for new oil would be one that chooses a price that can be defended as economically efficient in terms of its price/production relationship and also recognizes and focuses on lowering non-price barriers to new oil development, even if the latter course steps on the toes of the oil industry.

11. Myth: OPEC pricing of American oil is justified because the higher price will signal consumers to use less oil.

Reality: Since the marginal oil production increases expected from decontrol cannot justify its cost, the Ford Administration has turned to the energy saving impact of higher oil prices as an important rationale for decontrol. The problem with this claim is that we can't afford more energy conservation by recession, which is what further energy price increases will bring.

Again, the law of diminishing returns operates. The oil price increases of the past two years have created more price rationing of energy than is good for consumers and the economy; the result has been extreme inflation and recession. The average price of oil has risen from $3.90 in 1973 to over $7 in 1974 to over $10 in 1975. Consumers paid $21 billion for oil in 1973 and $48 billion in 1974 and will pay close to $60 billion in 1975, without decontrol. Much of this additional cost has been due to allowing the price of 40% of domestic oil to keep pace with the OPEC cartel price increases. Uncontrolled domestic oil now sells for $13.50, which is equal to the cartel price plus the $2 Ford tariff, making it the highest price oil in the world today.

The oil price increases of the past two years have already created more than sufficient price signals to consumers to conserve energy. We can't afford the multi-billion dollar burden of further price rationing of oil. We need to turn to other means of guiding consumers to reduced energy use. The technologies and patterns of development that have locked consumers into inefficient uses of energy will have to be changed. We can require more energy efficient industrial processes and buildings and the manufacture of more efficient autos and appliances, for example, instead of pursuing energy conservation through another inflationary burst of oil price increases. Indeed, the non-price alternative of the regulatory route to improved energy efficiency not only avoids the inflationary impact of price rationing; it also reduces inflation because cutting energy waste improves economic efficiency.

As for the consumer cost of requiring improved efficiency of energy use, we should remember that a barrel of oil saved is as good as, or better than, a barrel produced. Thus, if the real cost of oil gained by decontrol would be an inflationary $200/bbl., we should consider the many opportunities for saving a barrel of oil at a much lower cost through efficiency standards that divert otherwise wasted consumer dollars to pay for improved energy efficiency.

12. Myth: The economic inequities, inefficiencies, and disruptions from OPEC pricing of American oil can be offset by taxing the windfall profits of oil producers and recycling the tax revenues to the economy.

Reality: A workable windfall profits recovery system has neither been described nor proposed by the Ford Administration. Even if a tax which actually captures windfall profits is feasible, it won't be proposed by this Administration because the energy industry wouldn't give its prior approval.

The Russell Long proposal for a windfall profits tax on oil, which the Administration has tacitly approved, is a fraud. It would capture only a tiny fraction of the windfall profits which OPEC pricing of American oil would create. It begins by not taxing many of the windfalls which occur from OPEC pricing of American oil. These include windfall profits from (1) tripper oil (exempt from the tax), (2) the first $11.50 received for new and released oil (the tax begins after an $11.50 base price, and the exemption escalate 6% per year above $11.50), (3) severance taxes to producing states (severance taxes are specifically given priority over the federal tax; they are deducted from the producer's selling price before the federal tax is computed), and (4) selling unregulated natural gas and coal at the OPEC oil price (their prices will follow the average price of oil upward to the OPEC price).

As for the tax that is applied, the revenue from the tax will shrink from both ends as the base prices used to calculate the tax escalate and as the oil production subject to the tax is reduced by 16.8% per year over the life of the tax. Hence, long before the tax ends its prescribed life of 5 years and 7 months, revenues available for recycling to the economy will dwindle to virtually nothing, while windfall profits and their economic consequences balloon. A corollary to this trend is that the rapidly declining tax base over the life of the so-called windfall profits tax means that an increasing volume of old, released, and new oil will join stripper oil in not bing taxed at all, no matter how high their cartel price rises. Of course when the tax ends in 1981, no American oil would be subject to a windfall profits tax despite the assumed continuation of OPEC pricing of American oil.

The inadequacy of the proposed windfall profits tax is shown vividly by contrasting the Senate Finance Committee's estimate that revenues from the tax would permit a rebate of $85 per adult in 1976 with an estimate (derived from a Joint Economic Committee study) that decontrol will cost each adult $300 in 1976 due to increased prices for energy and energy inflation of the prices of all goods and services.

13. Myth: An increase in domestic crude oil prices is needed to offset the decline in oil company profits during the first two quarters of 1975.

Reality: This sounds like the often mentioned child who murdered his parents and then asked the court for mercy because he was an orphan. Oil company profits are down due to a recession caused in large part by increased prices for domestic oil, gas, and coal charged by these companies. Now they want help to avoid the impact of the recession.

The first question to ask is just how much are oil companies being hurt by the recession. Careful analysis (see Crittenden, "By Comparison, Oil Profits Still Gain" New York Times, August 2, 1975, p. 27) discloses that oil company profits are surviving the recession in good shape in spite of the decline of first and second quarter 1975 profits from early 1974. If profits on only domestic oil and natural gas are examined, major companies such as EXXON and Texaco have actually improved their profits since early 1974. As for the $500 million increase in federal taxes paid by the oil industry in the first half of 1975 due to loss of the depletion allowance, this must be seen in the context of the $10 billion increase in income from domestic oil in 1974, from $13 billion in 1973 to $23 billion in 1974 (for less oil).

Measured by return on equity, oil companies continued to perform better than other industries during the second quarter of 1975, in spite of weakened international profits due to the 10% recessionary decline in oil consumption outside of the U.S.

The truth is that to the extent that oil company profits are suffering, it is not because domestic crude oil prices are too low, but because reduced demand due to the recession has caused costly inefficiencies in the transportation, refining, and marketing segments of the industry here and abroad. If the price of old oil is allowed to rise to offset the recessionary burdens which other industries have to bear, the oil industry will be able to have its cake and eat it too. The higher oil price will spur further inflation and recession but the oil companies will not suffer because they will be the beneficiaries of a great transfer of wealth under the Ford plan for encouraging monopoly pricing of oil.

14. Myth: Any expense for additional oil production and reduced oil use is a necessary burden due to the need to reduce our dependence on imported oil.

Reality: This is the final fall back position used by the Ford Administration when the weakness of their claims that increased production and decreased demand justify cartel pricing of American oil is exposed.

The most obvious response is that we could afford to protect ourselves from future embargoes by buying and stockpiling dozens of barrels of $12 and $13 imported oil for every $200 barrel of U.S. oil production gained by decontrol (see No. 9 above).

A second answer is that the Ford Administration is exaggerating both our vulnerability to an embargo and the likelihood of a future embargo as successful as the last one (see Arad, "If Arab Oil Is Embargoed Again," Wall Street Journal, July 14, 1975, p. 8). We are less vulnerable today because we currently import a smaller percentage of our oil from the embargoing nations than we did in 1973, because our stockpiles are improved, and because we are better prepared to cope with the allocations required by embargo (the shortages during the last embargo were due to misallocation and excessive stockpiling rather than depletion of stockpiles).

The likelihood of another successful embargo is decreased because the embargoing nations are already restricting production below their lowest embargo levels in order to keep the cartel price high. Any further reduction will cut into the cash flow needed to finance the planned economics of the embargoing nations and might harm the productive capacity of oil reservoirs. Also, unlike 1973, today a number of the non-embargoing producer nations have excess production capacity available to replace some of the production cutbacks which embargoing nations might impose. Finally, oil from non-embargoing nations will become increasingly available in the next few years.

THE FEDERAL RATHOLE

Mr. FANNIN. Mr. President, many people in and out of Government are talking about what is commonly known as regulatory reform. Certainly there is a need for the Congress to take a good hard look at what our complicated scheme of Federal agencies and big brother bureaucrats are doing. It has long been my belief that Government overregulation of business is anticonsumer because it leads to higher prices for the goods and services the public needs. As Government power and control has expanded, the cost of Government has risen dramatically, resulting in continuous red-ink Federal budgets, inflationary deficits and higher taxes on the already overburdened taxpayers. Citizens' personal liberties and property rights are being threatened by overzealous regulators. In the view of many, the inflated Federal bureaucracy, not elected and not responsible to public approval, is out of control. No wonder President Ford's urgent call for regulatory reform has met with widespread public approval.

Yet for all the rhetoric about regulatory reform filling the halls of Congress these days, nothing substantive has been done so far. It is as if the Members did not know what to do or where to begin. If we in the Senate and House are really serious about reforming the Government's regulatory system, we should consider seriously the provocative suggestions of Donald Lambro in his book "The Federal Rathole," published by Arlington House.

Mr. Lambro, UPI political correspondent in Washington, is an astute and experienced observer of the Federal scene. He is a good reporter who minces no words. In an article published in the August issue of the Washingtonian magazine, Mr. Lambro summarizes the problems of excessive Government regulation and spending discussed in his excellent book. With devastating precision, Mr. Lambro describes "the Federal rathole" and offers his own remedy "to plug it." He names scores of Government agencies, boards, bureaus, councils, commissions, and committees which he considers fat and frivolous. Frankly, I have never heard of many of them and I am sure they are unknown to most Americans. He points to "wasteful, unneeded, outmoded, misdirected, and downright extravagant programs." Even the names given to them sound absurd. And he proposes that they be targeted for early extinction.

The point made by Mr. Lambro in this article, as in his book, is that there is ample convincing evidence of waste and extravagance in Government and if the Congress is really sincere in its efforts to do something to control spending and inflation, it must take immediate and decisive steps to eliminate all such costly and unnecessary Federal programs and agencies.

As Mr. Lambro emphasizes, the regulatory situation is neither hopeless nor insoluble. That there is a problem is self-evident. The solution is easy enough. The challenge, however, will require a good deal of political courage. Are the Members willing to bite the bullet and abolish their own and their colleagues' pet projects? Are they able to withstand the pressures from special interests and make tough rather than expedient decisions to vote no to new Federal spending?

As he states:

> If the cost of government is to be trimmed significantly and the savings passed on to the taxpayers, government itself must be reduced. That means whole agencies and programs must go. Offices that do nothing for the public welfare except spend the public's money have to be abolished . . . there is a plethora of waste and fat to be trimmed from the Federal government. It must be done gradually and sensibliy, but thoroughly.

That is our task. The responsibility rests primarly with the Congress which created these Federal agencies and programs and established the regulatory system that over the years has grown up around us.

Don Lambro presents a convincing, intelligent case. His recommendations merit the consideration of sincere regulatory reformers. I commend his article and his book to my colleagues. They make for good, if disturbing reading.

Mr. President, I ask unanimous consent that Mr. Lambro's Washingtonian article, "The Federal Rathole: 50 Easy Ways To Plug It," be printed in the RECORD.

There being no objection, the article

was ordered to be printed in the RECORD, as follows:

THE FEDERAL RATHOLE: 50 EASY WAYS TO PLUG IT

(By Donald Lambro)

While President Ford has drawn the line on the budget deficit he will tolerate and Congress struggles to put a cap on spending, an oblivious and bloated federal bureaucracy is lumbering toward its own Great Deficit in the Sky.

Spending and deficit statistics are floating around Washington like summer smog. The Administration has its set of figures. Congress—depending on whom you talk to—has competing totals. But in the end, the bureaucracy, which stubbornly operates independently of everyone, will ring up a final and impregnable total all its own.

The President has proposed a fiscal 1976 budget of $359 billion, including a $59 billion deficit. (Ford conservatively projects his next budget will be around $400 billion.) Congress, however, has targeted a $367 billion budget, $68.8 billion in the red, or $8.8 billion more than Ford said he would accept.

Gloomier voices say these figures will not come near the true deficits evolving in this and the next fiscal year. Treasury Secretary William Simon is traveling the country predicting that this year alone the government will borrow a minimum of $80 billion to pay its mounting bills. And Texas Congressman George Mahon, the lean and powerful chairman of the House Appropriations Committee, has put actual total borrowing over an 18-month period at between $150 and $170 billion. Compare these estimates to total government deficits of $68 billion for the entire four-year period between 1970 and 1974.

The gross federal debt hit $504 billion at the end of last year and is expected to go over $617 billion by the end of fiscal 1976. Taxpayers are paying more than $29 billion annually in interest on the debt and that payment is estimated to shoot to $36 billion a year by the end of this fiscal period.

Meanwhile, economists say the average taxpayer must work four full months just to pay his federal, state, and local taxes, and each year that period is becoming depressingly longer. Taxes continue to shoot up. A Labor Department survey found that the personal income tax bite—federal, state, and local—for the lower income family jumped 25.7 percent from last fall. In another survey, Congress' Joint Economic Committee was surprised to find that federal taxes outstripped all other cost increases in the average American budget over the past year—raising twice as fact as the cost of food, housing, and transportation.

Can anything be done to slow the phenomenal growth of the federal government?

After eight years of watching Washington as a political reporter, I'm convinced that much of the federal budget is filled with wasteful, unneeded, outmoded, misdirected, and downright extravagant programs. And I'm not talking about isolated grants and research projects that occasionally rise to the surface. We have given the Bedouins $17,000 for a dry-cleaning plant to clean their djellabas. We studied the smell of perspiration from Australian aborigines for a mere $70,000. We've spent $15,000 to study Yugoslavian lizards, $71,000 to compile a history of comic books, $5,000 to analyze violin varnish, $19,300 to determine why children fall off tricycles, and $375,000 for the Pentagon to study Frisbees. The government is spending $13.9 million a year to maintain 300 military golf courses in the United States and 19 more in foreign countries. Millions more provide face lifts, breast enlargement operations, and other cosmetic surgery for wives of military personnel without charge. The list is seemingly endless.

But if the cost of government is to be trimmed significantly and the savings passed on to the taxpayers, government itself must be reduced. That means whole agencies and programs must go. Offices that do nothing for the public welfare except spend the public's money have to be abolished. After years of covering appropriations bills in Congress and reading volumes of testimony and debate, there is no doubt in my mind that there is a plethora of waste and fat to be trimmed from the federal government. It must be done gradually and sensibly, but thoroughly.

Here, then, are my candidates for the first Washington wastemakers to get the ax.

1,250 Federal Advisory Boards, Committees, Commissions, and Councils: The federal government is overpopulated with advisory committees—1,250 of them exist in every nook and cranny of the bureaucracy. An estimated 24,000 private and public citizens sit on these panels, fueled and run by more than 4,000 federal employees.

Do we need this many committees? Why in heaven's name do we need a Plant Variety Protection Board, a National Board for the Promotion of Rifle Practice, a Waterfowl Advisory Committee, at least two committees on contraceptives, one on deodorants, another for the recovery of archaeological remains, and an advisory committee for every national forest in America?

The list includes a Social Problems Research Review Committee, a Women's Advisory Committee on Aviation, a Panel on Sunburn Treatment, an Advisory Panel for Anthropology, the National Peanut Advisory Committee, a review committee on laxatives, a Dance Advisory Panel, a Personality Research Review Committee, and, of course, the infamous Board of Tea Tasters. President Nixon suggested abolishing the tea sippers in 1970 but they continue to this day.

The committees are heavily populated by industry and university representatives who benefit from their advisory opinions in grants and other programs. Senator Lee Metcalf of Montana, has called the panels "a headless monster," and Congressional investigators say privately that 90 percent of them could be abolished tomorrow without causing so much as a ripple in the waters of government. Congress characteristically set up a committee in 1970 to try to bring the other committees, councils, boards, and commissions under control, but little headway has been made. By the beginning of 1974, 216 new committees had been created, 24 of them by acts of Congress. Cost $75 million a year.

Federal Movie Making: There is no area in the government as rife with waste and duplication as this one, as hundreds of millions of dollars are spent to produce thousands of films and recordings. Since World War I the government has produced an estimated 100,000 films on everything from toothbrushes to soybeans—an average of 2,000 films a year.

No one in the government knows exactly how many films are being produced each year and at what cost. A little-noticed government study said that at least $375 million was spent in 1972 by employees working out of 653 federal facilities to produce and distribute films, photographs, and audio programs.

The government has produced 585 dental films, including at least 12 films on how to brush your teeth. Another 14 films will tell you everything you have ever wanted to know about venereal disease. The Air Force, Army, HEW, NASA, and the Transportation Department have turned out 16 films on driving safety, 11 of them by the Air Force alone. A $64,000 film series by the Navy entitled *How to Succeed with Brunettes* teaches officers proper etiquette, while NASA and the Bureau of Public Roads teamed up to produce *Automobile Tire Hydroplaning—What Happens*. There are 3,309 film titles listed in the Air Force catalog, 65 percent of them produced by the Air Force.

A government study that tried to gauge the extent to which federal agencies were duplicating one another's film work confessed the job "turned out to be an all but impossible task." One Congressional study found 45 major agencies were making films and identified at least 1,461 key employees who supervised movie-making activities. The Defense Department alone has more than $289.8 million worth of film equipment spread out over 2,000 military installations. Six of the seven major agencies within HEW have their own film-making facilities and equipment.

National Science Foundation Social Science Research: For all the worthwhile research and study NSF has funded, the fact remains that it has wasted millions on projects that in no way serve the national welfare but still pay researchers up to $45,000 a year.

Some of the most wasteful research spending is in the social sciences. The NSF studies include a $135,000 project to find out whether chimpanzees can be taught to talk; a $55,000 study on two communities in Nepal; a $34,500 study to explore public opinion trends between 1944 and the early 1960s; a $65,200 study of the prehistory of Taiwan; a $66,000 study on the social attitudes and modes of adaptation of the Korean minority in Japan. The principal finding of one study entitled "Trends in Tolerance of Nonconformity," which cost $350,000, was that 48 percent of all Americans believed in the devil. Cost: $49.5 million.

Small Business Administration: Even those who favor some program to aid America's small businesses must concede the SBA's record is one of the grossest examples of bureaucratic corrruption and political favoritism. Last year, after a lengthy series of hearings had uncovered "self-dealing, favored treatment, and shaky if not fraudulent loan practices" in a number of SBA offices, House Banking Committee Chairman Wright Patman questioned whether "the SBA itself should be abolished." Said Patman, "Certainly its continued existence without extensive reform cannot be condoned." But Congress extended its authority to continue lending up to $7.3 billion, despite testimony that relatives of SBA officials and political supporters of the Nixon Administration received preferential loans. House investigators also found that loans often went not to the truly small businesman but to wealthy entrepreneurs.

The SBA loans—with the exception of disaster assistance loans, which should be retained and transferred to another agency—do relatively little to help the nation's small business community. Despite its enormous budget and high overhead costs, far less than one percent of America's little businesses are helped. Some form of tax credits would be far more effective and equitable. Cost: $444 million.

Civil Defense Preparedness Agency: Over the past decade the government has spent more than $1 billion on civil defense. Yet I doubt it has made America better protected from nuclear attack.

In a simpler period when conventional bombs, even nuclear bombs, were dropped from airplanes, this program made sense. No longer. In an age of MIRV missiles there is no place to hide from a major attack. This agency is the classic government effort at "make work," supporting some 6,200 full-time and part-time civil defense employees, with an additional 700 federal employees based in Washington. Only about 5,000 cities and towns participate in its program anyway, and in many of these communities the civil defense watch is the local police or sheriff's office. Cost: $82 million.

Interstate Commerce Commission: An

antiquated ICC rate structure and a tangle of regulations that prohibits competition is costing consumers between $5 billion and $10 billion a year in higher prices for almost everything they buy.

Under ICC rules, trucks are required to make uneconomical semi-filled hauls and empty backhauls, often on roundabout routes that could be significantly shortened to cut costs. The agency's rulemaking forces both railroads and intercity trucking to function like a manufacturer operating at 50 percent of capacity.

Only the major truckers benefit from this kind of government cartelization because in a totally competitive system they would have to vie with rate-cutting railroads and an influx of independent truckers who would offer cheap transportation. Of particular note: When Congress established Amtrak, the government-operated rail passenger service, it virtually ignored the cumbersome ICC. It has long outlived its usefulness. Cost: $43.1 million.

Civil Aeronautics Board: By prohibiting price competition, the CAB has forced the airlines to over-compete in the number of flights and routes they can offer and to add other costly gimmicks such as elaborate meal choices and movies. The result too often has been unfilled flights and wasted capital. The consumer has been denied the fruits of true competition—efficient service at the lowest possible fare.

Federal Trade Commission Chairman Lewis A. Engman called the CAB's practices "government-sanctioned price fixing" and proposed that it be stopped. Only recently has it dawned on some members of Congress to inquire why unregulated intrastate airline fares—such as those charged by Pacific Southwest Airways in California—are less than half those charged by CAB-regulated interstate carriers.

Also note that the CAB has not approved a new trunk carrier since its creation in 1938. Last year, for example, it turned down an application by a British airline to fly New York to London for $125 each way—a little more than one-third the "economy" fare charged by Pan Am, TWA, and other airlines.

As for the CAB's subsidies to smaller airlines to provide service to rural areas of the country, a Joint Economic Committee report concluded that the case for ending the subsidy "appears to be a strong one. No convincing evidence has been discovered that any substantial benefits accrue to the nation at large from the continued expenditure of federal funds to support local air service." Cost: $84.8 million.

Women's Bureau: When this agency was created in 1920 there was no doubt women needed special help in obtaining better jobs and better pay. But with the advance being made today by women in the nation's work force, this agency has become a bureaucratic anachronism. Besides lobbying strongly for the Equal Rights Amendment—about which the nation is deeply divided—this agency does little to substantively help women. By its own admission, the agency has become an information and referral service. A lot of its time is spent helping to organize and promote conferences for women's groups through its ten regional offices. Cost: $1.9 million.

National Highway Traffic Safety Administration: Despite hundreds of millions of this agency from its inception in 1967 through 1973, annual highway traffic deaths continued to rise from 52,924 to 55,800 during this period. Then in 1974 Congress ordered a national speed limit of 55 miles per hour, not to save lives but to conserve energy. The National Safety Council says that highway deaths plummeted by 9,600 that year.

We could spend billions on this agency to produce the safest car in the world and traffic fatalities would continue to occur. Drivers, not automobiles, cause accidents. And safer drivers and traffic procedures are by and large not going to be developed in Washington. They are going to be developed by strict enforcement of the driving laws and by daring, innovative safety programs carried out by states and localities. Congress can help, without spending a nickel, by simply legislating that new cars be produced with lower speed capabilities. The Highway Trust Fund could also be used to reward states with highway safety grants in proportion to each state's reduced fatality figures.

Despite its large budget, Congress has not been enthralled with NHTA's work. Last year Congress repealed one of its flagship projects the mandatory seatbelt-ignition interlock systems, calling it "Big Brotherism" at its worst. And the House voted against the agency's mandatory air bag restraint device proposed for 1977 model cars. The success of the 55-mile-per-hour speed limit shows there are far less costly ways to curb the death toll on our highways. Cost: $170.9 million.

National Foundation on the Arts and Humanities: This agency sounds noble, but in a time of severe debt can we afford it? And should taxpayers' money be spent on theatrical productions which few Americans would pay to see, such as Robert Wilson's *The Life and Death of Joseph Stalin*, a "silent opera" that runs wordlessly in slow motion for half a day; or Tom Eyen's *The Dirtiest Show on Earth*, described as a play of devil-may-care nudity that frolics to a sexual orgy for its dramatic climax?

The Foundation also has awarded $750 for a poem, the entire text of which consists of seven letters—"lighght." Erica Jong received $5,000 to write her sexually explicit novel *Fear of Flying*. Other grants include $7,857 for a study of how "children at play utilize the urban environment as a theatrical and mythical arena." The Moravian Music Foundation was given $79,675 to catalog its collection of manuscripts and music. Two researchers at the State University of New York were given $31,912 to microfilm the principal archives of the island of Malta. And a humanities grant of $8,470 was awarded to study nineteenth-century political cartoons.

The agency is just another example of government subsidies, this time for the arts and entertainment industries, which already receive hundreds of millions of dollars a year from businesses, foundations, philanthropies, and other supporters. Cost: $159 million.

Economic Development Administration: Last year Congress received a 57-page report that said EDA was an ineffective, poorly funded, mismanaged attempt to combat unemployment. Congress ignored the study, which it had ordered, and kept the agency alive for another two years. The six-month review by the Commerce Department and Office of Management and Budget concluded that EDA—which has spent hundreds of millions of tax dollars since its beginning in 1966—was "inadequate in pursuing" its objectives. In 1966 EDA targeted 424 areas for public works grants and loan assistance to alleviate chronic unemployment. As of last year two-thirds of them still had serious unemployment. One agency official compared its efforts to "trying to put out the Towering Inferno with a garden hose." Over the years EDA has distributed funds in relatively small portions to more than 1,300 separate areas. Thus, the report concluded, "With but a few exceptions, the amount of assistance to any one area has not been great enough to overcome the economic causes of distress."

Another mid-level EDA official complained, "Too often we've put money into a town when it would be better if the town went away. They're small communities with dwindling populations, one-industry towns with little basis for future economic development." There are many avenues government can take to help business obtain needed working capital to provide jobs. EDA is not one of them. Cost: $258.5 million.

Coast Guard Selected Reserve Program: There are 11,700 men being paid to serve in the Coast Guard's Reserves. The entire program could be terminated without really affecting the Coast Guard's work in any substantive way.

The reserves are rarely used. As of the end of 1974, the last call-up involved 134 men in the spring of 1973 during the Mississippi floods. President Nixon proposed abolishing the reserve program in 1970, arguing it "would not significantly reduce the overall effectiveness of the Coast Guard." The Coast Guard also keeps 10,402 men in their Ready Reserves on a volunteer, non-paid, standby basis. Surely the Selected Reservists could be transferred into the volunteer Ready Reserves where they would remain available for emergencies. Cost: $27.9 million.

Military Servants: Pentagon regulations, through loophole-ridden language, allow generals and admirals to use enlisted servicemen as their servants. Many servicemen have worked as valets, social secretaries, cooks, waiters, errand boys, cabin boys, grocery shoppers, babysitters, housemaids, chauffeurs, lawn keepers, bartenders, and butlers for parties—all paid for by the taxpayer.

The servants are jealously parcelled out to 450 of America's highest-ranking generals and admirals. The Army chief of staff, the chairman of the Joint Chiefs of Staff, the chief of naval operations, the commandant of the Marine Corps, and the Air Force chief of staff are provided five servants each. Thirteen other Army generals, eight admirals, one Marine Corps general, and 14 Air Force generals receive three servants each. The remaining top brass have to struggle along with one or two servants each, with the exception of the superintendent of the U.S. Naval Academy, who is given four. The GI servant system represents the height of aristocratic pomposity, and it is degrading and humiliating to our servicemen. Cost: $5.4 million.

Overseas Private Investment Corporation: Congress in 1969 established OPIC to take over and expand the insurance and loan-guarantee programs for U.S. investors abroad previously run by the Agency for International Development. Since then OPIC has written billions of dollars of policies insuring major American corporations investing in developing countries against the risks of war, expropriation of property, and currency inconvertibility.

Thus, the U.S. has been subsidizing some of America's biggest corporations to send their capital abroad at a time when unemployment and a money-starved U.S. capital market require just the opposite. In fact, 79 percent of all OPIC-issued insurance was provided to firms on *Fortune* magazine's list of the 500 largest corporations and 50 largest banks. OPIC also has made hundreds of millions of dollars in loans and loan guarantees to private investment enterprises abroad, such as a $415,000 direct loan to Haiti's Habitation Leclerc, a pleasure dome resort for the wealthy.

The federal government should not be in the insurance-writing business. Experts, in fact, say that more than three-fourths of investments by U.S. firms in lesser-developed countries are uninsured because the companies feel they don't need such protection. It is an unnecessary and costly government program that could end up costing taxpayers billions.

President's Commission on Productivity and Work Quality: This commission has been around for four years, although it's difficult to find anyone in Congress who can tell you anything of value it has done to justify expenditures of $5.5 million since 1970. Its purpose ostensibly is to "promote the productivity of the American economy and to improve worker morale and the quality of work."

Democratic Congressman Henry Gonzalez of New Mexico called it "just another government employment service." He noted the Commission once studied the water content of tomatoes, made a study of transportation, and examined the productivity of hospitals. Even the House Banking Committee, which oversees its activities, questioned the "usefulness of some of the commission's proposed projects . . . dealing with such concerns as banking, restaurants, and education." Nothing the agency has done thus far, however, has improved anyone's productivity. Cost: $2 million.

Alaska Railroad: Years ago the U.S. began running the Alaska railroad to help stimulate settlement and industrial and agricultural development of the region. With the discovery of tremendous oil resources in Alaska and the area's potential for economic development, the need for maintaining federal ownership of the railroad has vanished. It obviously has become an attractive investment and should be sold either to the state or to private enterprise. Cost: $6.2 million.

Revenue Sharing: It is said that when Congress passed revenue sharing it truly took leave of its senses. In 1972 Americans were paying well in excess of $20 billion annually in interest on the federal debt. That was the year Congress decided to give away $30.2 billion over five years to states and localities. The government had no money to share. It was in debt and it was sinking deeper into debt.

"Where in the hell do we get the money to pay for it?" asked liberal Senator Gaylord Nelson, calling the plan "fiscally irresponsible. Those who spend the money ought to have the responsibility to raising the taxes."

Senate Democratic leader Mike Mansfield says he still opposes revenue sharing and now that he has seen it work he's particularly disturbed "about some of the uses the money is being put to, building bridle paths, and the like—a lot of things like that which I think are questionable." Even Senator Edmund S. Muskie, the plan's original promoter, now acknowledges revenue sharing's chief weakness is that it gives money "to more than 38,000 jurisdictions, some of which have neither demonstrated a need nor provided a use for it."

Revenue sharing destroys the concept of accountability that is fundamental to our system of government. The federal government raises the money through taxes or borrowing in order to give it away to local governments but has no say as to how the money is spent. Those on the local level who spend the funds do so by avoiding responsibility for raising needed revenue. Should Congress decide to repeal the program, there is still almost $9.7 billion to be distributed in this and the next fiscal year.

Legal Services: The corps of Legal Services attorneys to aid the poor has been in the vanguard of "social activist" battles. The poverty lawyers have lobbied on behalf of legislation and worked to overturn state and national laws—all at the taxpayers' expense. Mickey Kantor, a former Legal Services official, once said this about the purposes of the agency: "With all its benefits, litigation remains expensive, time-consuming, often frustrating. . . . Legislative advocacy has always been encouraged by OEO [Office of Economic Opportunity, which housed Legal Services before it was established as an independent corporation]. There has never been a ruling that Legal Services must be invited to appear before a legislative committee as a precondition to participation."

The program has been rife with abuse and has become a tax-paid program to fund legislative advocacy. Its budget doesn't begin to provide legal aid to the millions of Americans the federal government has categorized as poor. Meanwhile, the millions more who do not fall within that category and who find it similarly difficulty to afford legal assistance are provided with nothing from this program—except the cost. It has become a vehicle for political and legislative crusaders while the taxpayers—including the poor—have footed the bill. Cost: $190 million.

Export-Import Bank: This agency removes billions of dollars from the economy and turns it over to foreign governments and investors at tax-subsidized, bargain-basement interest rates. Thus, the American businessman must compete with foreign businesses that purchase their machines and goods from the US with cut-rate seven-percent Ex-Im loans while he must finance his equipment at almost twice that rate in the private money market. Under these ground rules, it's hard to stay in the game.

The idea behind the Ex-Im Bank is to encourage the purchase of US products. For example, nearly a third of all its direct loans go to finance the purchase of American aircraft by foreign airlines (at $7 million to $20 million per aircraft below the prices paid by US carriers such as Pan American or TWA). Yet it is ludicrous to argue for its existence based on the profitability of our aircraft industry since almost all commercial airplanes bought by foreign competitors come from the United States anyway. So the bank's existence is worthless on this score. But it spurs other US exports, its defenders say. One devatating fact destroys even this argument: 96 percent of all US exports are made without Ex-Im Bank direct loan assistance.

By making loans at interest rates far below what American businesses can obtain, the United States is in effect exporting American capital, thus making money more scarce and driving up interest rates for everyone. Congress last year extended the agency for four years and raised its lending authority to $25 billion. Fiscal experts estimated that Ex-Im loan subsidies would cost $518 million in this fiscal year alone.

International Development Association: How would you like to borrow millions of dollars from the United States and have 50 years in which to pay it back interest-free—with a ten-year grace period to boot? Incredible as it may sound, those are the terms under which the World Bank's International Development Association (IDA) has distributed billions of dollars to its 66 member countries. The fund from which IDA doles out its largess is raised by 25 nations, and, of course, the biggest contributor by far is Uncle Sam—up until 1974 providing almost 40 percent of the fund's billions.

The money is loaned to underdeveloped countries. But the issue here is not whether the funds are spent for humanitarian needs—some of it is, a lot of it isn't—but whether we can afford it. I maintain we can't.

Moreover, it is no secret that many recipient countries take the funds and lend them out again to other countries at prevailing interest rates. India, which consumes 35 percent of IDA's budget annually, was obviously placed in a better financial position to develop its nuclear bomb. IDA gave $20 million to Bangladesh only to have the money spent on telecommunications. Americans want to help the world's impoverished but they want their money to be spent effectively. Cost over four years: $1.5 billion.

National Institute of Education: The work of this agency was considered so worthless that the Senate Appropriations Committee last year voted to deny it further funds. The Institute, which is part of HEW, has spent millions on wasteful study projects such as "How Children Form Peer Groups," "Identifying Individual Learning Differences in Infants and Toddlers," and "The Goals Laymen Expect of Secondary Education." The committee found the studies "extrinsic to the real needs of our nation's education system." The House however, insisted in conference on funding the agency for another year. Cost: $70 million.

Council on Legal Educational Opportunity: This council provides scholarships to the needy to produce more lawyers at a time when the Labor Department says we have almost twice as many law school graduates as we need. Our rural areas need more doctors. There's a crying need for nurses. But our law schools are overflowing. A record number of law school graduates passed the bar in 1974—30,075—while only 16,500 legal jobs were available. Cost: $750,000.

The U.S. Botanic Garden's Congressional Florist Service: On any given day at the Capitol a man pushes a cart down one of the House or Senate office building corridors, delivering lush ferns, pots of ivy, or fresh cut flowers to each office. They are regularly supplied to Senators and Congressmen. As the plants die or wilt, the Botanic Garden gladly replaces them and the taxpayer picks up the bill. Cost: $64,000.

Federal Impact Aid to Education (B Category): Over the years this program has been grossly distorted and is no longer limited to providing additional aid to schools burdened by children of parents who live on tax-exempt federal property, as originally conceived. Instead, it funnels increasingly large amounts of federal aid to school districts irrespective of any actual burden imposed by a federal presence, benefiting some of America's wealthiest school systems.

Some 4,700 school districts have qualified for impact aid, with enrollments of 2.2 million children of federal employees. Of this total, only 367,000 were children whose parents lived and worked on federal installations and thus did not support school costs through their property taxes. But more than 1.8 million children fell within the program's "B category," children whose parents live in private homes and pay for their schools through local property taxes. A good example of the revenue that is wasted under this latter category is the $6.2 million in added aid that went to Montgomery County, one of the country's wealthiest counties, simply because its residents work on federal property in nearby Washington. It should be terminated. Cost: $354.6 million.

Government Travel Costs: The government is spending almost $2 billion a year on travel by federal employees. Although we hear a great deal about Congressional junkets, the executive branch accounts for nearly 99 percent of government travel. Much of it is wasteful.

The Department of Health, Education and Welfare will spend a total of $77.9 million this fiscal year on travel, $5 million more than the Transportation Department. The Social Security Administration has budgeted $21.6 million for trips, while the Agriculture Department weighs in with $112 million. The National Science Foundation will spend more than $1.9 million.

Federal agencies could do more communicating by phone and mail and less by jet. A simple 25-percent across-the-board reduction in government travel would save more than $481.6 million, not to mention a fortune in energy costs.

The Agriculture Department's Economic Research Service: In July 1974 the ERS issued a $113,417 study entitled "Mother's Attitudes Toward Cotton and Other Fibers in Children's Lightweight Clothing." The 113-page report concluded—brace yourself—that mothers prefer children's clothing that needs no ironing. ERS' Consumer Interest Program also has turned out other vital studies such as "Men's Attitudes Toward Cotton" and "Consumers' Preference for Fresh Tomatoes."

ERS is the Agriculture Department's research and analysis arm and employs 502 economists in a staff of 1,000 persons. Some of its reports, particularly its 22 "situation-outlook" reports on farm products and its market forecasts, are important. But a review of its hundreds of other annual studies and reports reveals some of the government's most wasteful spending.

Many of the studies paid for by the taxpayers are prepared expressly, free of charge, for various commodity and trade associations. Thus wool growers are provided with a study on wool exports. The Potato Chip Institute gets a study on vegetable oils. Milk producers are handed a report on the dairy industry.

"If the Economic Research Service were disbanded tomorrow, what would happen to American agriculture?" I asked an ERS administrator. "Probably nothing," he conceded, adding that the nation's agricultural industries would move in to provide most of the data research and marketing analysis necessary to compete in the world's food and fiber markets. The agency's most vital work should be turned over to the Department's Statistical Reporting Service. Whatever is left should be dismantled. Cost: $21.7 million.

The Pentagon's "Top Brass" Dining Rooms: There are restaurants in Washington where you can lunch on an appetizer, broiled red snapper, three vegetables, salad, and baked Alaska, all for $1.75. Or would you prefer the "deluxe" luncheon with filet mignon or lobster for $2.50? How can they do it? Simple. The cost of running these restaurants is picked up by the taxpayers at about $1 million a year. But forget about trying to make reservations. The restaurants are actually five private dining rooms at the Pentagon in which some 400 admirals, generals, and top-ranking civilian Defense Department officials elegantly lunch each day. There are 18 other private "Top Brass Only" dining hideaways in Washington and elsewhere. The House Appropriations Committee called their costs "excessive" and said the subsidies to provide sirloins and rock lobster tail at cafeteria prices to our military leaders should be curbed. Complained one lowly Pentagon worker, "I thought food stamps were for the poor." Our generals and admirals either should pay the full cost of their fancy menus or eat with the lower-ranking military personnel in the regular mess facilities. Cost: $1.9 million.

Foreign Aid: There is an almost endless string of reasons why we should end America's foreign aid program as it presently exists. But of all the reasons I've either heard or read, none is more compelling than that the United States cannot afford to develop, feed, house, and arm the entire world. Foreign aid has become an annual spending binge to which the United States has become permanently addicted, shoveling millions into countries both large and small, rich and poor, friendly and unfriendly.

Perusing the list of countries to which we provide military aid is an exercise in outrage. Why must we give these nations, year after year, billions of dollars in weaponry? Our arms aid has become, as the Senate Foreign Relations Committee stated, "a near-addictive habit," fed in part by an overseas network of U.S. military missions established to promote and administer America's weaponry treasure.

The list of more than 100 countries to which we provide economic aid is equally depressing, not necessarily because of the individual sums but because of the wasteful way the US tries to spread its wealth across the face of the earth, touching the tiniest of islands and biggest nations as if we could buy away all the problems of the world. We can't.

No one really knows the total the US spends in foreign assistance each year, though the best figures place all expenditures at about $11 billion. We currently spend $3.6 billion annually on mainline aid programs, but billions more are scattered throughout the budget in other programs and agencies.

America's worldwide aid program should be scrapped. In its place should be a select list of countries receiving aid, but only those in dire need of military or economic help.

Smithsonian Institution's Scientific and Cultural Research Program: This is the agency that spent $6,000 on an "Anatomical and Ecological Study of the Indian Whistling Duck," $70,000 to study wild boars in Pakistan, $2,000 on lizards in Yugoslavia, and $11,540 to study a bisexual frog in Poland.

The funds are excess currencies received by the US in payment for surplus agricultural commodities and materials sold to other countries. The money is spent, with Congressional approval, by a number of federal agencies on research and study projects which virtually defy comprehension. In Yugoslavia, the Agriculture Department spent $36,078 on "an investigation of the effect of fermentation processes on the quality, taste, and aroma of Oriental tobacco, to obtain information for use in improving the quality of American cigarettes" (while the US Surgeon General warns Americans that cigarette smoking is dangerous to their health). In Poland, we spent $69,111 on a five-year study on "the long-term storage of acorns."

The Smithsonian Institution's research program, though, is by far the most wasteful. It has studied skulls in Egypt, the Red Sea Grouper off the coast of Israel, Pacific land snails, and the semen of the Ceylon elephant. One $85,000 study examined the impact of rural road construction in Poland. Cost: $2 million.

WHAT IS A CONTROVERSIAL ISSUE OF PUBLIC IMPORTANCE?

Mr. PROXMIRE. Mr. President, who should judge what is a controversial issue on radio or television and who should not? The Federal Communications Act says that the Federal Communications Commission should be the judge. I have questioned that decision and will continue to question it. Good examples of why I ask my questions can be found in today's newspapers.

Friday night CBS televised a documentary on hunting, "The Guns of Autumn." I have not seen it. But television critics have. Friday morning both the Washington Post and the New York Times carried markedly differing reviews of the program. The headlines show the difference in opinions of the two critics:

"Ready, Aim, and Misfire" the Post headline read.

"TV: 'Guns of Autumn' Draws a Bead on Hunting" says the Times.

Mr. President, I ask unanimous consent that both reviews be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 5, 1975]

Ready, Aim, and Misfire

(By Henry Mitchell)

Sweet sleep, which tidies up so many loose ends of human life, will take care of normal viewers who rashly tune in to see "The Guns of Autumn" at 9:30 tonight on Channel 9.

In case anyone imagines "The Guns of Autumn" is the memoirs of Bob Haldeman, or some other ambitious project, it should be said this 90-minute exercise in mass anesthesia has as its alleged topic the hunting of game animals in our nation:

"This is purely and simply a broadcast about hunting," says Bill Leonard, a CBS president. "It is about how deeply the urge to hunt reaches into the American psyche—about the incredible efforts men and women make to fulfill that urge to chase, to hunt and to kill."

It is no such thing.

To the question of why men hunt, or even what hunting consists of, there are no answers at all. The "incredible efforts" people make to hunt appear in this documentary to consist chiefly of shooting tame bears at garbage dumps, or shooting a recently uncaged boar (for $400, satisfaction with the quarry guaranteed in advance) at a game farm where animals are bred for the purpose of being shot by any hunter with the price.

The show is neither antihunting nor prohunting, and as far as that goes, it is not really about anything. In this, it resembles certain other interminable public-service documentaries that sound dandy in a preliminary conference, but which prove vapid beyond any conceivable endurance by the time they get to the screen.

Admittedly, one may "learn" that a great many squirrels are shot by hunters, though nobody can vouch for any figures, of course. And one may be sure, in a dim way, that there is doubtless something about hunting that attracts people, though the inarticulate garble of the show cannot say what that may be.

If the viewer has ever hunted, or ever known anybody who did, or ever thought about it one way or another, he probably already is far ahead of this documentary and already knows, darkly, that there are differences between hunting and slaughtering (though the animal dies in each case) and that there are both connections and differences between hunting and blood lust, sex, hunger, the will to dominate and so forth.

These matters, since they touch on reality and touch on those deep forces that result in hunting behavior, are naturally not touched on in documentaries of a prim and sentimental sort.

The show does not consider the argument that life is sacred, and that not even a gnat should be killed. A quite interesting show could be made, from that premise, even though one did not agree with the premise itself.

Equally, a fascinating show could be made on the premise that man is a hunting animal by nature, and denies his hunting heritage only at the cost of damage to himself.

One would not have to agree with that premise, either, to find such a show enlightening or stimulating.

A sentimental and fairly revolting aspect of the show is a scene of the death of a white fallow deer. The identical film footage, in a documentary of a more sensitive and intelligent handling, might have some meaning. Here it has none, beyond the sentimental wallowing in thoughts and scenes of death.

Far more arresting, however, is the question of why CBS should have gone to such lengths to avoid touching its subject, to avoid reflection on its subject.

We have always known there are people who would shoot a tame bear who has long been encouraged to feed at a garbage dump, and we have always known that any animal fatally shot is likely to twitch or bleed or both, and we have always known that if you walk up to a man and ask him point-blank what makes him tick, he is probably not going to give much of an answer.

The whole point of a documentary, I should think, is to take us a bit farther than the totally obvious, and to lead us to consider what may lie beneath a surface. This is especially necessary when the surface itself is trite and obvious (you shoot a bear and it dies, that is obvious, but why the bear is shot may be worth exploring).

The failure of a documentary is nothing. The failure of brains, of art, of perception—that is more serious.

[From the New York Times, Sept. 5, 1975]

TV: "GUNS OF AUTUMN" DRAWS A BEAD ON HUNTING

(By John J. O'Connor)

Commenting on "The Guns of Autumn," Bill Leonard, CBS News vice president, said, "this is purely and simply a broadcast about hunting. . . . It is not for the faint-hearted, but neither is hunting." Irv Drasnin, the writer, producer and director, noted: "Millions of people regard hunting as recreation. . . . Yet most people don't realize what is really taking place, or why, or even what the rules are. We've tried to find out."

CBS News does find out, and the 90-minute documentary, which will be shown tonight at 9:30, carries the advisory that "this program contains scenes of the death of animals that may be disturbing to some viewers." Unsparingly graphic, "The Guns of Autumn" has already triggered objections from hunting interests that haven't even seen the program and, if an unusual but not unprecedented move, CBS News will deal with reactions to the documentary on "Echoes of the Guns of Autumn," to be broadcast Sept. 28.

The narration, read by Dan Rather, is kept to a lean minimum of setting scenes and providing statistics and facts. More than 20 million Americans are hunters. About 700,000 use bows and arrows. There are more hunters in Pennsylvania than anywhere else in America. And, of course, hunting—laden dress—is big business.

For the most part, the documentary attempts to pursue its subject through the comments of hunters themselves. Cameras and tape recorders follow the runs bears use in Michigan, waterfowl in a Pennsylvania game management area, buffalo in an Arizona reservation and, in the most bizarre and repulsive scenes of all, a variety of animals in a shooting preserve outside Detroit.

In many instances, the kills are recorded in horrifying close-ups. Several of the animals are then skinned and cut up for purposes of convenience in transportation or trophy preparation. The result is extremely powerful television, making use of the medium in ways impossible to duplicate in any other medium. The combined impact of script, pictures and sounds is extraordinary.

But to say that "this is purely and simply a broadcast about hunting" borders, however unintentionally, on ingenuousness. In fact, although the documentary may have been conceived on the most objective of premises, "The Guns of Autumn" is extremely antihunting, or at least against certain aspects of the activity as it is practiced today.

Hunters are indeed given an opportunity to explain why they participate in the sport, but perhaps inevitably, their reasons are vague and generally vulnerable. The pictures of all those dead animals are far more convincing for the other side. As one hunting spokesman recently complained to Mr. Drasnin, "Simply being 'objective' will kill us."

The questions raised by "The Guns of Autumn" are incredibly complex. Born and reared in the city, I have never hunted, and probably never will. Yet the documentary's gory close-ups reminded me of the first time, on a visit to the "country," I saw a chicken being killed for dinner. I couldn't look at chicken again for months. If a TV documentary graphically recorded the operations of a Chicago slaughterhouse, would we become a nation of vegetarians? I doubt it. I eventually did get back to eating, and enjoying, chicken.

The documentary does refer to the role of the hunt, and its concomitant rituals, in the history of man. Man, in most societies, no longer has to hunt, but perhaps the bloody residue of the past cannot be washed from his psyche. Perhaps it shouldn't, serving instead as some sort of release valve. Certainly, the hunters included in this documentary appear to be, in every other respect, normal upstanding citizens.

On the other side, though, the documentary scores several impressive points, particularly in stressing how, with technology, the rules of the game and the odds of the contest have been radically changed—invariably in favor of the hunter. The final scenes on the shooting preserve, which stocks animals for personal "selection" by the so-called hunter, are especially shocking. In an incredibly botched kill, a white fallow deer has to be shot, at close range, at least seven times before the customer gets to have his picture taken with his trophy. Left to the ways of nature, the program stresses, the best of the animals would survive. Confronted with the hunter, the best are destroyed.

Striking out in a new direction, allowing Mr. Drasnin an unusual degree of "point of view," "The Guns of Autumn" is exceptional television journalism. The production, with Greg Cooke and William Wagner as cameramen, James Camery and Richard Wiggins as soundmen and Maurice Murad as editor, is technically superb. The result will undoubtedly generate impassioned argument, but that is what TV can be all about.

Mr. PROXMIRE. Mr. President, my objective in raising this topic is not to argue the merits or demerits of hunting. I am not a hunter, but I believe it is a good pastime and can serve good ecological purposes. But because I represent Wisconsin, a great outdoors State, I know that hunting is a controversial subject. CBS must know that, too, for as John J. O'Connor points out in the Times review that the network already has scheduled time for reaction to tonight's show.

It is a good bet that "Echoes of the Guns of Autumn" on September 28 has been scheduled to fulfill the requirements of the FCC's fairness doctrine. That, of course, is the governmental control over their programing that requires broadcasters to air coverage of public issues and then to afford time for discussion of conflicting views on those topics of public importance.

I have introduced S. 2 that would, among other specifics, repeal the statutory authority for the fairness doctrine. The bill would, in fact, get the Government completely out of the business of controlling the content of broadcasting, because that violates the first amendment's ban on abridgment of the right of a free press. Yet, I am not opposed to fairness.

Anyone who reads the reviews of "Guns" in the Post and in the Times can see an obvious disagreement in opinion about that documentary.

Henry Mitchell writes in the Post:

> The show is neither antihunting nor prohunting, and, as far as that goes, it is not really about anything.

John J. O'Connor writes in the Times:

> Although the documentary may have been conceived on the most objective of premises, "The Guns of Autumn" is extremely antihunting, or at least against certain aspects of the activity as it is practiced today.

Who is correct?

Because viewers across the country, after having seen the documentary, will hold both those views and many, many more, it is conceivable that circumstances might arise that could force an answer to that question. And the FCC could decide who is right.

Now I admit that because CBS has scheduled a second program to deal with reactions, the chances of a successful fairness complaint being filed are diminished. Still, that remains a possibility.

But is it right for a governmental agency to decide such matters? With the existence of the first amendment's guarantee of a free press, should the Government be involved in making judgments of that kind?

No. That is my answer. No.

Just a brief bit of recent history. NBC got in trouble with the fairness doctrine over a documentary dealing with private pension plans. When challenged, NBC claimed that it had no legal requirement to schedule more programing on that subject, because pensions were not a controversial issue of public importance. The matter got to court. NBC won; the FCC lost. The decision was appealed. But before another decision could be made, the FCC asked that the matter be dropped, because the issue was moot, moot because the Congress had passed and the President had signed legislation correcting the very abuses cited in the documentary. Now the complainant is trying to get the Supreme Court to decide.

Another bit of recent history. Mr. O'Connor of the Times reported that another documentary from NBC about gun control was rewritten into a bland form before it was even broadcast, because of complaints received when news of the intent to do such a show got out. The rewriting was done, one can surmise, because of the existence of the fairness doctrine.

That is not robust journalism.

We need solid investigative reporting on radio and television. We need fair broadcast journalism. We need it to inform us as citizens. We need it to protect us as citizens against a government that might wish to hide necessary information from us.

But as long as we have a government that can influence, directly or indirectly, the content of broadcast journalism we have a violation of the first amendment.

We need diversity of opinion in our journalism. We need fairness. There is but one group to decide whether those and other attributes of good journalism exist. That group is we, we the people of this country. We—that is, our forebears—decided that with the ratification of the Constitution and the Bill of Rights. We decided to withhold certain powers from our Government, and the right to dictate to the press was one of the rights we withheld.

One reason for that decision is that we are capable of holding differing opinions, many different opinions.

Today's reviews in the Post and Times demonstrate that clearly. Who was right, Mr. Mitchell or Mr. O'Connor?

I do not know.

A governmental agency certainly does not know and is incapable of deciding.

The people who watch it will know—each in his own way. And if it becomes necessary to make a decision, that decision will be made in the voting booth. If people do not like the decisions made by their elected representatives on controversial issues of public importance, such as hunting, they can vote them out of office.

That is the way the system should work. And it can work only if the people get all kinds of facts and opinions on all sorts of issues from printed publications and radio and television programs—the press—free from governmental interference.

WHAT FUTURE FOR THE PANAMA CANAL

Mr. McGEE. Mr. President, last week U.S. Ambassador Ellsworth Bunker returned to the negotiating table in Panama. This is a very significant development because, as the press has reported, it is solid evidence that the impasse over the U.S. negotiating position has been broken, thanks to the political courage shown by President Ford.

The President is to be commended for his determination to get on with the canal negotiations. Much of the credit due him on this issue stems from the fact that there are so many misconceptions about the Panama Canal and our relationship to it that any political leader who advocates a new treaty relationship with Panama is, in the eyes of many Americans, automatically guilty of "treason, bribery, or other high crimes and misdemeanors." Endorsing a new treaty relationship with Panama is akin to a public statement denouncing motherhood, apple pie, and "when Johnny comes marching home again"—all rolled into one.

Mr. President, no one has done more to dispell this kind of thinking about the Panama Canal issue than Sol Linowitz, our former Ambassador to the Organization of American States and Chairman of the U.S. Latin American Commission. Ambassador Linowitz has done yeoman's service in helping Americans to overcome the "Panama Canal syndrome," and erase the many misconceptions about the canal and our real interests in it.

In this regard, I want to draw my colleagues' attention to an article by Ambassador Linowitz, which appeared in Friday's—September 5—Washington Post. This article entitled, "What Future for the Panama Canal?" is addressed specifically to Congress because of the recent efforts on Capitol Hill to impede the treaty negotiations, if not postpone them indefinitely.

Mr. President, the Linowitz article goes directly to the gut issues:

SOVEREIGNTY OVER THE CANAL

The simple answer is that the United States never had sovereignty. The 1903 treaty specifically gave the United States authority which it would have "if it were sovereign." Obviously, these words would not have been necessary if the United States were, in fact, sovereign.

NATIONAL SECURITY

"The fact of the matter is that the greatest danger to the security of the United States would be the continuance of the present status of the canal."

POLITICAL INSTABILITY AND VIOLENCE

"If any course is designed to expose the canal to political instability and violence, it would be an anachronistic effort to maintain in effect a treaty negotiated in 1903 which is no longer respected, which is looked upon by Panamanians of all political persuasions as an affront to Panama's national dignity and as a colonial enclave, and which is viewed throughout Latin America as the last vestige of 'big stick' diplomacy."

U.S. COMMERCIAL INTERESTS

"Admittedly, the canal is important to us commercially, but obviously its economic significance has diminished considerably as world commerce patterns and technologies of shipping have changed."

These observations are as timely as they are accurate. They deserve the most careful consideration by each Member of this forum.

I ask unanimous consent that the Linowitz article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT FUTURE FOR THE PANAMA CANAL?

(By Sol M. Linowitz)

OAS Secretary General Orfila recently called the Panama Canal "the most explosive issue in Latin America." A lot of other concerned Latin American and U.S. leaders have for some time been warning us about the canal issue and what it may mean to the whole future of the hemisphere.

But most Americans have not been listening—especially Congress.

As though to prove how hard it has not been listening, just before the August recess the House of Representatives passed 246–164 the Snyder Amendment to the State Department appropriation bill, which would have kept the State Department from even negotiating about a new Panama Canal treaty. Only vigorous efforts in the Senate kept that body from adopting the Byrd Amendment to the same effect.

These developments came some weeks after 38 senators and 126 representatives co-sponsored a resolution that sharply opposed the basic objectives of a new treaty.

Obviously there must be some reason otherwise thoughtful members of Congress are lining up as they are with respect to such a potentially dangerous issue. The answer is clear enough: Neither the administration nor those members of the Congress supporting a new treaty have directly responded to the arguments and concerns of those who are opposing the treaty. Rather, they have been content to let the opposition build in the apparent expectation that once a treaty is negotiated they will be able to make their case effectively.

But time is running out and opposition is building. Meanwhile, Ambassador Ellsworth Bunker and Panamanian Foreign Minister Juan Tack make progress toward a new treaty which may face rejection in the Senate. If that happens, we may find that the Panama Canal has become a tinderbox.

It is long past time to take a hard look at the arguments being advanced against the new treaty and to deal with them forthrightly. Good questions are being asked and they deserve responsive answers.

Will the new treaty mean a surrender of United States sovereignty over the Canal?

The simple answer is that the United States never had sovereignty. The 1903 treaty specifically gave the United States authority which it would have "if it were sovereign." Obviously, these words would not have been necessary if the United States were, in fact, sovereign. A new treaty which recognizes that fact and goes on from there to work out a mutually agreeable arrangement for control of the territory can hardly be called a surrender of United States sovereignty.

Will a new Panama Canal treaty prejudice our national security?

The fact of the matter is that the greatest danger to the security of the United States would be the continuance of the present status of the canal. If there is not a new treaty, we will be running the grave risk that the canal—which is, of course, exceedingly vulnerable under any circumstances—may be damaged or destroyed by irate Panamanians. By the same token we may find ourselves in the position of having to defend the canal by force against a hostile population and in the face of widespread, if not universal, condemnation. Since the new treaty will specifically include provisions for a continued U.S. defense role with respect to the canal, it is hard to see how a new treaty could be adverse to our national security.

Will a new treaty weaken the United States position by exposing the canal to political instability and violence?

If any course is designed to expose the canal to political instability and violence, it would be an anachronistic effort to maintain in effect a treaty negotiated in 1903 which is no longer respected, which is looked upon by Panamanians of all political persuasions as an affront to Panama's political dignity and as a colonial enclave, and which is viewed throughout Latin America as the last vestige of "big stick" diplomacy. Under the new treaty the United States would be able to protect its position while allowing Panama a greater responsibility in the canal's operation.

Will a new treaty adversely affect U.S. commercial interests?

Admittedly, the canal is important to us commercially, but obviously its economic significance has diminished considerably as world commerce patterns and technologies of shipping have changed. Today large vessels cannot use the canal and a major expansion of the present capacity may be necessary—possibly a sea level canal. If the situation remains as it is, it is hardly likely that Panama would accede to the modernization required. In order to accomplish that, there must be assurance of Panamanian cooperation precisely as called for in the proposed treaty.

In the light of these facts, it certainly requires no extended argument to recognize that efforts on our part to adhere to the 1903 treaty would be both damaging to our national interests and in derogation of our hemispheric objectives. By the same token the new treaty would demonstrably offer the prospect of increased security for the canal and the furtherance of our common goals for the Americas.

ZERO TO $5 MILLION IN JUST 9 YEARS

Mr. NUNN. Mr. President, earlier this year, I was privileged to participate in a ceremony honoring the Georgia Small Businessman of the Year for 1975. This young man, Joe Kelly McCutchen, Jr., of Dalton is an ardent believer in the free enterprise system.

In a recent issue of Georgia Progress magazine there appeared an article describing how Joe Kelly has put his beliefs into practice, enabling his small family firm to grow to international status with annual sales of over $5 million.

I commend this article to the attention of my colleagues and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ZERO TO $5 MILLION IN JUST 9 YEARS

Georgia's 1975 Small Businessman of the Year is a young, energetic individual who attributes much of his stunning success as a textile manufacturer to a deep sense of belief in the workings of the American System of Free Enterprise.

As a matter of fact, the subject of the Free Enterprise System is so special to Joseph Kelly McCutchen, Jr., that the 35 year old President of Universal Carpets in Ellijay has volunteered to find some spare time in his crowded daily schedule next fall to serve as a speaker in a Georgia Chamber of Commerce project to take the American Free Enterprise story to various college campuses over the State.

"I feel there is an urgent need to convince the young people of America that the Free Enterprise System is the reason they enjoy the high standard of living today. With the anti-business climate so prevalent in the United States today, it is vitally important that we tell our youth the great things that business has done," says the former Georgia Tech Student Body President, who, after only 13 years away from the college classroom, still vividly remembers his first encounters with the world of business.

Just prior to Joe Kelly Jr.'s graduation from Tech in 1962, the family business J & C Carpets—which had been founded by his textile pioneer grandparents and had grown from spreads to rugs to carpets—had suffered the ravages of a devastating fire and his parents had strongly considered closing the plant and liquidating the property. But, armed with his newly acquired Industrial Management Degree and an unusually large dose of ambition, enthusiasm and conviction, Joe was able to convince his parents of the company's vitality.

It was at this crucial point, many observers now believe, that the groundwork was laid for the later expansion that was to eventually become Universal Carpets of today—a 190,000 square foot plant with 25 lines of carpet which are sold in all 50 states and several foreign countries with annual sales volume being about five million dollars.

The actual beginning of the Universal carpet lines goes back to 1966 when Joe Kelly, as his employees call him, pioneered in the manufacture of 5/64 gauge cut pile carpet—the most dense tufted carpet pile on the market. Two years later, in 1968, Universal Carpets again made history—this time with the production of velvet textured carpet that was tufted on 10th gauge cut pile machines. The advantages of this new carpet were its velvet look and its resistance to matting because of tightly packed face yarns. Universal was also the first carpet mill to install its own vinyl oven for applying vinyl backing to broadloom carpet.

Since Joe Jr. took the reins, the company has instituted a policy which greatly broadened the base of its business from selling most of the output to one customer to selling to many customers, no one of which takes five percent of the total output. The young, third generation textile giant also became the author of a highly successful and profitable employee profit sharing plan which grows about 20 percent each year and had, at last count, reached a level of $200,000.

Although the company's policies have been marked by its young president's zeal for fresh ideas and new approaches, the wheels of change have been tempered with an almost reverent respect for tradition and the value of the mature and experienced mind. Less than 20 percent of the 80 employees at work at Universal and its subsidiary—J & C Carpets have been there less than five years and 28 employees have been with the company for more than 20 years. The present plant superintendent started with the company's predecessor operation in 1938 as a bedspread inspector—a new sales trainee who joined the company in 1970 is now national sales manager and a female employee who was sewing bedspreads in 1940 is now running credit checks, invoicing orders and writing payroll checks.

These are just a few examples of the way Universal treats its employees—and one of the many outstanding attributes which lead to the selection of its President—Joseph Kelly McCutchen, Jr., as Georgia's 1975 Small Businessman of the Year.

NOMINATION OF SECRETARY OF THE INTERIOR

Mr. BIDEN. Mr. President, for the second time in recent months, the Senate will consider the President's nominee to be Secretary of the Department of the Interior. I do not believe any of my colleagues need to be convinced of the importance of this position.

Natural resources policy in this Nation has reached a critical turning point. We are all painfully aware that our resource base is finite. As shortages of energy supplies and other minerals and materials threaten our economic and social well-being, we are also faced with destruction and degradation of air and water quality and the loss of valuable wildlife, esthetic and recreational resources.

Decisions to develop natural resources may not always conflict with environmental quality goals, but in a growing number of instances, they will.

The natural resource decisionmaking process should be an open one with active participation by all affected and interested parties. Only through such a process can difficult tradeoffs be made and the delicate balance among environmental, social welfare, and economic goals be achieved.

Even with effective public participation, however, it is the Secretary of the Interior who will have the final say.

It is vital, therefore, that this person be responsive to the needs and desires of persons and groups representing a broad base of interests.

My position has always been that every appointee to public office should receive thorough and thoughtful consideration by all Members of the Senate. I have stated before that we in Congress have often abdicated our responsibility to "advise and consent" to Presidential appointments.

I have attempted to ask the hard questions that must be asked to determine whether a person is truly qualified to hold the position to which he or she is appointed, and I will continue in this regard no matter what nomination is before us.

The position of Secretary of the Department of the Interior has taken on particular importance for those of us who represent Atlantic Coastal States. Decisions are now being made about where and when to issue leases on the Atlantic Outer Continental Shelf for the exploration and development of oil and gas resources. The choices made will dramatically affect the character of the entire east coast. The wrong choices could lead to environmental degradation and economic disruption for many coastal communities.

The person with direct responsibility for these decisions is the Secretary of the Department of the Interior.

State and local government efforts to participate in the decisionmaking process regarding OCS leasing have been frustrating in many respects. The absence of a Secretary of the Interior and the consequent lack of firm policy directives have contributed substantially to these frustrations.

Mr. President, it is not my intent to delay approval of a nominee to fill the post of Secretary of the Interior, nor to take a position with respect to anyone who is considered a potential nominee. I believe, in fact, that the sooner we have a Secretary of the Department of the Interior, the better we will be able to develop, implement, and oversee policies for the management of our natural resources.

But we must not be a "rubber stamp." Therefore, I want to go on record and establish my intention to scrutinize this nomination with utmost care in order to determine that the new Secretary of the Interior is a qualified person who will fulfill the duties of that position competently and make a sincere effort to assure that the best interests of all the people are considered and well served.

THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, the continued failure of the Senate to ratify the Genocide Convention threatens to jeopardize U.S. influence in two important ways.

First and foremost, it undermines our country's leadership in the human rights area.

As the New York Times stated after the treaty failed a cloture vote in 1974:

> This American delinquency is a national disgrace. It impedes the development of international law to which the United States has long been committed, and raises disturbing questions at home and abroad about American devotion to human justice.

Second, as former United Nations Ambassador Charles Yost has pointed out in hearings before the Senate Foreign Relations Committee, the Senate's foot-dragging on this issue has proven to be an acute embarrassment to our Nation's representatives. Time and again, he found it extremely difficult to explain our lengthy delay to puzzled allies and, as he noted, it continually delighted those that wish us ill. When pressed by United States representatives on any human rights issue, the ultimate recourse was to point out America's failure to act in this area, leaving our representatives virtually speechless.

Mr. President, over 80 nations, including most of our major NATO and SEATO allies, have ratified this treaty. The petty arguments raised in opposition have not withstood the test of time, as last year's

Senate Foreign Relations Committee report noted.

Now is the time for action. I urge my colleagues to join me in seeking prompt action in the next few months.

MEMORIAL RESOLUTION FOR CLIFFORD DURR

Mr. SPARKMAN. Mr. President, at its recent convention in Mobile, the young lawyer's section of the Alabama State bar unanimously adopted a resolution memorializing the late Clifford J. Durr, of Montgomery and Wetumpka, for his contributions to Alabama and the Nation. Mr. President, I ask unanimous consent that the tribute be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Memorial Resolution for Clifford Durr

Whereas, Clifford Judkins Durr, a resident of Alabama and member of the Alabama State Bar, died May 12, 1975, and

Whereas, Clifford Durr brought great honor to the United States, to the State of Alabama, to his family, and to himself by his long and distinguished career in Washington, D.C from 1933 to 1952, first as assistant general counsel of the Reconstruction Finance Corporation, during which time he helped to recapitalize banks that had failed during the Depression; secondly, as general counsel and Director of the Defense Plant Corporation, an agency charged with putting American industry on a wartime footing, and finally, as a Commissioner of the Federal Communications Commission where, among many other notable accomplishments, he fought to establish the principle of reserving broadcasting frequencies for noncommercial educational use, and

Whereas, Clifford Durr gave up the opportunity for a lucrative private law practice in Washington, D.C. to return to his native Montgomery in 1952 and for many years thereafter until his retirement participated in the representation of many poor, unpopular, and controversial clients, who were often unable to obtain representation elsewhere, and

Whereas, Clifford Durr's aforesaid legal career in the 1950's and early 1960's consistently involved great financial sacrifice and occasionally involved risk to his own personal safety and to that of his family, and

Whereas, Clifford Durr's legal career often exemplified an unshakeable faith in the United States' Constitution and its guarantees of freedom of thought, expression and association, and

Whereas, Clifford Durr was widely respected, admired, and loved by many for his decency, integrity, courage, and moral leadership, and

Whereas, Clifford Durr has been an example and inspiration to a whole new generation of Southerners and to the members of the Young Lawyer's Section of the Alabama State Bar, now, therefore, be it

Resolved That the Young Lawyer's Section of the Alabama State Bar expresses its deepest sympathy to the widow, Mrs. Virginia Durr, and to the family of Clifford Durr, and be it further

Resolved, That the Young Lawyer's Section expresses its appreciation for the many contributions Clifford Durr made to the people of Alabama and to the legal profession in Alabama, and be it further

Resolved That a copy of this Resolution be forwarded to the Board of Commissioners of the Alabama State Bar Association and be spread upon the minutes of the Alabama State Bar Association.

"KILLER BEES" LARGELY A MYTH

Mr. McGEE. Mr. President, in recent months, the media have carried several stories to the effect that large swarms of killer bees are gathering in South America and allegedly working their way inexorably up the continental mass to this country, where the destruction and terror can only be imagined. Mr. President, that threat can only be imagined, because it is only imaginary.

Dr. Bill Wilson is an expert on bees. He is conducting research on bees at the University of Wyoming at Laramie, Wyo. He is there with the U.S. Department of Agriculture's Agricultural Research Service and is held in great esteem in Wyoming.

Indeed, Bill Wilson's reputation as a bee expert is international in scope. Recently, he was invited to Europe to view and discuss bee research with the leading experts there. We are very proud to have him work in our State.

And, Mr. President, we tend to listen to him when he says something about bees. These bees, according to Dr. Wilson, are from Africa originally and are a little more aggressive than some other types of bee. However, this trait produces some increased pollination activity, which is the main function of the bee, and thus benefits mankind through increased agriculture.

Additionally, this aggressiveness can be breeded out, if that is desired, through the introduction of another, more gentle queen bee in that colony. And tools exist to deal with these bees, if that extreme remedy should ever be needed.

Mr. President, the point is that these bees are not going to attack people in the United States, or carry men off from their fields. In fact, the rather hysterical reporting that this issue has generated rather reminds me of the tales we hear in the West of eagles carrying off sheep or small babies. None of those stories have any factual basis.

So it is, Mr. President, with these stories of "killer bees" from South America.

Mr. President, I ask unanimous consent that several selections from the American Bee Journal be printed in the Record.

I extend my appreciation to Dr. Wilson for bringing this to my attention. Perhaps this may tone some of the extreme voices down to a more rational approach to the situation.

There being no objection, the material was ordered to be printed in the Record, as follows:

Early Introductions of African Bees Into Europe and the New World

(By Roger A. Morse, D. Michael Burgett, John T. Ambrose, William E. Conner, and Richard D. Fell)

The early development of the modern beekeeping industry was rapid, almost violent. Langstroth's discovery of bee space which started the movement in 1851 was followed by the invention of comb foundation in 1857, the extractor in 1865 and the smoker in 1875. During the same period the agricultural revolution in the United States led to larger areas of crops such as buckwheat which enabled beekeepers there to produce greater crops of honey. By the 1880s beekeeping operations with several thousand colonies were not uncommon.

A search for the best race of honey bees for honey production was also underway during these years. In North America the industry was founded on the use of German or black bees, but these were soon replaced. Italian bees became popular, because they were good honey makers as well as somewhat resistant to European foul brood, and also relatively gentle to handle.

In the attempt to find the best race, bees were shipped from many parts of the world to Europe and to the Americas. The U.S. Government financed the importation of queens as early as 1860 (Pellett, 1938); the excursions of Benton in the late 1800s and early 1900s, both privately and under government sponsorship, were attempts to bring to the United States from Asia the giant bee *Apis dorsata* (Morse, 1970). A number of persons shipped queen honeybees from many parts of Africa to those areas where the industry was developing.

Dr. F. G. Smith, who lived and worked with bees in Africa for several years, wrote in 1961 about the races of honeybees on that continent. He stated that five distinct races are present: *Apis mellifera fasciata* (Egyptian) in north-east Africa; *A.m. intermissa* (Punic or Tunisian) in north-west Africa; *A.m. capensis,* the Cape bee, found only on the tip of the continent in South Africa; *A.m. unicolor,* the bee of Madagascar and other islands in the Indian Ocean; *A.m. adansonii,* the bee of central Africa. This last is the most widespread of the African races and is separated from the bees of northern Africa by the Sahara desert. According to Smith it shows great variation in color, temperament and other characters.

To trace man's earlier efforts to move honeybees from one area to another, we searched the indexes of some of the older bee journals. These included *Gleanings in Bee Culture, American Bee Journal,* and the *British Bee Journal.* We also checked the early issues of *Bee World,* and found two references from a French journal. Our search was not exhaustive; we checked a few textbooks, and some of the defunct American journals, but none of the other foreign journals available to us. From this effort we have concluded that queens from many parts of Africa have been shipped to Europe, and to a lesser extent to North America. Determining the success of these ventures is not so simple as recording the introductions themselves.

The movement of bees out of North Africa (Egyptians and Punics) is well known; it was mentioned for instance by Mackensen in 1943. O. W. Park wrote in 1946 that "various African and Asiatic races, including both Punics and Syrians, were introduced into the United States with more or less success many years ago, and without doubt they mixed with the common bees of this country."

Baldensperger (1921) made several trips to Israel and both east and west North Africa; he reported keeping North African bees near his home in Nice, France. Rotter (1931) says Baldensperger also kept *Apis mellifera unicolor adansonii* in France; in Rotter's paper this is the bee of central Africa, but we could not confirm this fact in Baldensperger's writings. In 1924 Baldensperger stated that the Algerian (i.e. Tunisian or Punic) bees have their origins in central Africa, probably the area around Mount Kilimanjaro. It was reported by the Editor of *American Bee Journal* in 1919 that one English beekeeper kept an apiary of Punic bees in England for a number of years. In the September 1914 issue of *American Bee Journal,* Tunisian queens were offered for sale at $1.00 apiece, safe delivery from Tunisia being guaranteed; this is not an isolated example.

The attitude of beekeepers towards the intercontinental shipment of honeybees during the late 1800s is typified by an 1886 editorial in *British Bee Journal*, which also throws interesting sidelights on the beekeeping philosophy of the times.

"*The Various Races of Bees.*—After some years of experience with all the races, pure and crossed, we prefer the hybrids from the Cyprian and Italian cross, and those from the Syrian and Carniolan cross. Both these hybrids are splendid workers, very prolific, winter well, and are most gentle, and easily handled, keeping well to their combs when under inspection, and showing but little excitement. The Syro-Carniolans are the largest, and, of course, the darkest bees. With numerous colonies of black bees surrounding our apiary within a radius of three miles, our forty hives of the yellow races and their crosses hold their own; and it is a difficult matter to 'spot' a purely black bee amongst the whole. The purchasers of our sections, too, will, we think, testify to their quality and appearance being equal to any produced by the black race.

"We consider that Mr. Benton has conferred the greatest boon possible on beekeepers in general by his introduction of the Eastern and Carniolan races into this country and America, and deeply do we regret his serious illness. To one who has sacrificed health—and it may be even life itself—for the benefit of our fraternity, we consider a deep debt of gratitude to be due, and should be rejoiced to see a subscription list opened on his behalf. What better opportunity could be offered than the present during the visit of our Colonial friends to the old country?

"We have been greatly interested by the attempt of Dr. Stroud to introduce the South African bee to English apiaries, and also by that of Mr. F. C. Andrew to give us his 'Minorca Bee.' Surely in these days of advanced apiculture and apiarist experts there ought to be no difficulty in introducing a foreign queen to an English colony! One almost blushes to hear of failures where *queen introduction* ought to be, and certainly may be, rendered a matter of certainty.

"Are our certificated experts practised in the different methods of queen introduction, and put through the various manipulations necessary thereto, before their certificates are granted? If not, why not? *Floreat Apicultura.* Why has not our Association a motto? and why has not the *British Journal* one also?"

In a discussion on races of bees, Dadant (1892) mentioned attempts by Benton to import various races into the United States. Due to the initial expenditure of both money and time, Dadant wrote: "It behooves our government to take such matters in hand for the public good." Pratt, writing in North America in 1891, discusses the virtues of the Punic bees; the general tone of his article echoes that of Dadant and of the *British Bee Journal* editorial.

J. W. Stroud, a physician living in South Africa (Port Elizabeth), was a strong proponent of African bees. In 1885 he offered to exchange queens with beekeepers abroad; he said that in his area there are two distinct varieties, one black and one yellow. Stroud expounded on the African race again (1886*a*), stating that he was leaving "no stone unturned to facilitate its exportation and ensure its safe introduction" into apiaries in Europe and America. In *Gleanings in Bee Culture* (1886*b*), Stroud offered to sell queens to A. I. Root and reported that queens were then being offered for sale through the *British Bee Journal* in England. He again stated that the Africans were superior bees. Geo. Walker reported the successful introduction of a nucleus colony from Dr. Stroud into England, in the spring of 1886.

Regd. Tyrrell wrote about beekeeping in East Griqualand (west of Durban, South Africa) in 1889. Tyrell says the African bees are "not the sweetest-tempered of bees . . . ," but " . . . with good management repay their owner." He also states, "I sent some home once . . . " Edmonds, writing from Durban in 1889, offered to send an African queen to anyone who would send him a queen presumably from England or elsewhere.

Mathis, writing in *Gazette Apicole* in 1949, records the successful introduction of *A.m. adansonii* into France from French Guinea "for the first time" in that year. His article prompted a retort by Couallier in the same journal, 88 pages later, that a swarm from equatorial Africa (Guinea) had been successfully introduced into France in 1923; according to Couallier the colony died the first winter, but drones were produced prior to its demise.

In 1961 Stephen Taber, III, of the U.S. Department of Agriculture Bee Laboratory in Louisiana, studied techniques for the transport and storage of semen. He received shipments of honeybee semen from many parts of the world, which was used to inseminate queens in the U.S.A. Five of the samples came from Brazil; only three of the queens inseminated with semen from Brazil produced offspring, but in conversation, Taber has informed us that one of these fertile queens was inseminated with sperm from descendants of the African bees introduced to Brazil.

The honey bees indigenous to Africa, including North Africa, are generally regarded as being more aggressive than European races especially the Italian bee. This is attested by Smith (1960), Gough (1919), Abushady (1919), and many others.

In reviewing the literature, three facts are apparent: (1) in many places other than Africa there have been, and there are, "vicious" bees; (2) some people prefer aggressive bees; (3) colonies with aggressive bees can be requeened so that the temperament of the bees is soon changed.

Major F. Padmore, in England, wrote as recently as 1972 that his wife received some 40 stings on each leg "through trousers," while he and she were trying to requeen a colony; Padmore termed the colony "vicious." Still, Lumley said in 1928 that native beekeepers in Tanganyika Territory (East Africa) had no special problems as regards "ferocious" bees. Scholl, writing in North America in 1915, said he knew one beekeeper who was seeking "vicious bees" in order to keep meddlers away. Brice, in 1896, wrote of Cyprian and Syrian bees (both of which have been brought to Europe and North America many times); ". . . of these two races I have no good word to say . . . once they start stinging, at least one-third of the colony takes the business in hand and will persistently follow the unfortunate object of their fury for quite long distances from their hive." Capehart entitled his article in 1886 "The worst bees I ever saw."

Today, a number of people in North America who are heavily stung by bees, and who are familiar with the African bee story, never seem to be stung by bees from their own Italian, Caucasian or Carniolan colonies, but always by those that are tainted with some of the bad African stock brought into this country decades ago.

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THE AFRICAN BEE—EARLY INTRODUCTIONS TO EUROPE AND AMERICA

In Bee World Vol. 54 No. 2 of 1973, Roger Morse, Michael Burgett, John Ambrose, William Connor and Richard Fell of the Department of Entomology, Cornell University, Ithaca, New York, report on early introductions of African bees into Europe and the New World.

"We have concluded that queens from many parts of Africa have been shipped to Europe, and to a lesser extent, to North America."

"J. W. Stroud, a physician living in South Africa (Port Elizabeth) offered to sell queens to A. I. Root and reported that queens were being offered for sale through the British Bee Journal in England. George Walker reported the successful introduction of a nucleus colony from Dr. Stroud into England in the spring of 1886.

Mathis, writing in Gazette Apicole in 1949, records the successful introduction of *A.m. adansonii* into France from French Guinea "for the first time" in that year, 1923.—Taken from the South African Bee Journal.

SOUTH AMERICAN BEES

In case you think the hysterical, irresponsible news releases on the bees of South America have about run their course, you should know that even now leaders of the industry are being questioned on the same subject, with an article in *Reader's Digest* as the next major offensive. It seems unlikely that this august magazine will do more than follow suit on the science fiction approach, so brace yourselves for another round of front page idiocy from all forms of news media.

Even the normally conservative approach of Paul Harvey, noted radio celebrity, joined in with a further distortion of fact, ludicrous to anyone with even elementary knowledge of honey bees, but he made it all sound most authentic in his urbane way. So now we have been subjected to ridiculous distortions of the truth by newspapers, magazines, radio and TV.

Regrettably, much of the fault is of our own making. Satirically speaking, few, if any, within our own industry genuinely are concerned that South American bees will conquer the western hemisphere. Most of those who do concede that the behavior of the species is somewhat more aggressive than our own, also privately admit that tools are already available within this country to contain any inroads that ever will be made. The industry leaders who have been interviewed later defend their remarks as being "far out of context," and deny responsibility. Most of them are veterans of news reporting, and should have recognized in the beginning the peril they were helping to create.

Perhaps someone within the industry can restore reason. Perhaps someone within the industry knows how to present a reasoned approach to the story. If they do, now is the time to come forward. Right now, before commercial men face severe pressure on locations, before the farmer is further alienated toward bees, and before the hobbyist begins to believe all he hears. Mercy, just think of it, honey bees that thrive in any climate, any geographical locale, and on top of that can sting up to 60 times each. Asburd! Equally absurd that our industry has helped create this fiction.

PROPOSED ARMS SALES

Mr. SPARKMAN. Mr. President, section 36(b) of the Foreign Military Sales Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $25 million. Upon such notification, the Congress has 20 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulates that, in the Senate, the notification of proposed sale shall be sent to the Chairman of the Foreign Relations Committee.

In keeping with my intention to see that such information is immediately available to the full Senate, I ask unanimous consent to have printed in the Record three notifications I have just received. A portion of one notification, which is classified information, has been deleted for this public publication.

There being no objection, the notifications were ordered to be printed in the Record, as follows:

Office of the Director, Defense
Security Assistance Agency
and Deputy Assistant Secretary (Security Assistance),
OASD/ISA,
Washington, D.C. September 5, 1975.

In reply refer to: I–7003/75.

Hon. John J. Sparkman,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Pursuant to the requirements of Section 36(b) of the Foreign Military Sales Act, as amended, we are forwarding under separate cover Transmittal No. 75–36, concerning the Department of the Navy's proposed Letter of Offer to Iran for the FR–14 and Phoenix Weapon System estimated to be in excess of $25 million.

Sincerely,

H. M. Fish,
Lieutenant General, USAF, Director, Defense Security Assistance Agency and Deputy Assistant Secretary (ISA), Security Assistance.

[Transmittal No. 75–36]

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Foreign Military Sales Act, as Amended

a. Prospective Purchaser: Iran.

b. Total Estimated Value: (Deleted).

c. Description of Articles or Services Offered: Contractor technical support service required in Iran for the F–14 aircraft and the Phoenix Missile Weapon System.

d. Military Department: Navy.

e. Date Report Delivered to Congress: 5 September 1975.

Office of the Director, Defense
Security Assistance Agency
and Deputy Assistant Secretary (Security Assistance),
OASD/ISA,
Washington, D.C., September 5, 1975.

In reply refer to I–7932/75.

Hon. John J. Sparkman,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Pursuant to the reporting requirements of Section 36(b) of the Foreign Military Sales Act, as amended, we are forwarding herewith Transmittal No. 75–38, concerning the Department of the Air Force's proposed Letter of Offer to the Republic of Korea for an estimated cost of $46.5 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

H. M. Fish,
Lieutenant General, USAF, Director, Defense Security Assistance Agency, and Deputy Assistant Secretary (ISA), Security Assistance.

[Transmittal No. 75–38]

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Foreign Military Sales Act, as Amended

a. Prospective Purchaser: Republic of Korea.

b. Total Estimated Value: $46.5 million.

c. Description of Articles or Services Offered: 18 F4D aircraft which have been bailed to the Republic of Korea Air Force since Nov. 1972 and which the Koreans now wish to buy.

d. Military Department: Air Force.

e. Date Report Delivered to Congress: 5 September 1975.

Office of the Director, Defense
Security Assistance Agency
and Deputy Assistant Secretary (Security Assistance)
OASD/ISA,
Washington, D.C., September 5, 1975.

In reply refer to I–8436/75.

Hon. John J. Sparkman,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Pursuant to the reporting requirements of Section 36(b) of the Foreign Military Sales Act, as amended, we are forwarding herewith Transmittal No. 76–5, concerning the Department of the Army's proposed Letter of Offer to Saudi Arabia for headquarters buildings, support facilities, desalting plant and related support facilities estimated to cost $150.0 million. Shortly after this is delivered to your office, we plan to notify the news media.

Sincerely,

H. M. Fish,
Lieutenant General, USAF, Director, Defense Security Assistance Agency and Deputy Assistant Secretary (ISA), Security Assistance.

[Transmittal No. 76–5]

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Foreign Military Sales Act, as amended

a. Prospective Purchaser: Saudi Arabia.

b. Total Estimated Value: $150.0 million.

c. Description of Articles or Services Offered: This is Amendment No. 8 for the Saudi Naval Expansion Program and provides for the construction of headquarters buildings and support facilities at Riyadh, a desalting plant at Jidda, a quarry operation at Jubail and additional landfill at Jidda.

d. Military Department: Army.

e. Date Report Delivered to Congress: September 5, 1975.

THE COMPETITIVE AND ECONOMIC IMPACTS OF OIL PRICE DECONTROL

Mr. JACKSON. Mr. President, last Thursday and Friday the Senate's fuels and energy policy study, Committee on Interior and Insular Affairs, heard testimony on the competitive and economic impacts of the immediate decontrol of oil prices. The committee heard from members of the petroleum industry, the administration, and consumer, farm, and business groups.

Because Members of the Senate will face a crucial decision Wednesday, whether to override or sustain the President's expected veto of S. 1849, the bill extending price control and allocation authority for 6 months, I am including excerpts of the testimony from last week's hearings. I ask unanimous consent that these excerpts be printed in the Record at the conclusion of my remarks.

A veto of S. 1849, Mr. President, will put an end not only to equitable price controls on petroleum, but to allocation authority as well. And just as termination of price controls threatens economic recovery, so the termination of allocation authority—which has received far less public attention—threatens to undermine the competitive structure of the petroleum industry and cause grave dislocations in some sectors of the economy, such as agriculture. These points were forcefully made by last week's witnesses.

The committee heard testimony from branded independent dealers, nonbranded independent dealers and independent refiners, from the largest in the Nation to some of the smallest, who were unanimous in concluding that an abrupt end to the Allocation Act would put an abrupt end to their businesses. As the General Counsel of the Independent Refiners Association of America told the committee:

> With the monumental profits which the integrated majors will realize upon the decontrol of old crude oil, the prospects for massive subsidy to gain market position are very real and very frightening.

Mr. President, decontrol will indeed result in "monumental profits" for the Nation's integrated oil companies: about

$8 billion each year for the seven largest companies, and $12 billion annually for the top 20. By increasing concentration in the petroleum industry, decontrol will mean even greater economic power for a relatively small number of companies who are already far too powerful. Despite the prospect of reduced competition, bankruptcies for thousands of small businessmen, and higher consumer prices, the administration has directed little attention to this specific issue. In a letter of September 3, Attorney General Levi informed the committee that—

> Neither the Federal Energy Administration nor representatives of the President have requested formal comments from the Department on the competitive implications of immediate decontrol.

The administration seems intent on pursuing higher prices as a panacea for our energy problems regardless of the consequences.

Representatives of agriculture also testified last week. These witnesses made it unmistakably clear, Mr. President, that decontrol will both reduce farm income and lead to even higher food prices—by as much as $3.6 billion annually—than those which already confront American consumers. Rising energy and food prices, which together devastated the economy last year, would again assure us of continuing double-digit inflation.

A study prepared for Senator HUMPHREY and myself by the Congressional Research Service of the Library of Congress further documents the harsh impact of decontrol on American farmers. Over the next 5 years decontrol will raise farm and food processing costs—and supermarket bills—by a staggering $10 billion.

The termination of allocation authority also directly impinges upon American agriculture, which consumes 4 to 5 billion gallons of propane each year. Since it is almost impossible to substitute other fuels for major agricultural uses, our Nation's farms may be hit by disruptive shortages in the coming year when allocations lapse and scarce propane supplies are bid away by nonhistorical users.

Abrupt decontrol poses an enormous obstacle to the maintenance of a competitive petroleum industry, to the operation of vital sectors of our economy, and finally, to the restoration of economic growth, full employment and stable prices. Last Friday Dr. Otto Eckstein of Data Resources, Inc. outlined an alarming economic situation even if the impact of immediate decontrol were cushioned by removal of the tariff, and enactment of a windfall profits tax which rebated money to consumers. The Consumer Price Index would jump by about 2.5 percent in 1977 and the rate of unemployment by 1.2 percent, which means an additional 1 million American workers would lose their jobs. And if the administration maintains the $2 tariff on imported oil, a half million more people would join the ranks of the unemployed in the next year alone. These unacceptable economic results will stem directly from the unacceptable and dangerous energy proposals developed by this administration.

Mr. President, Congress must move resolutely on Wednesday to override the veto of Mr. Ford, to prevent the demise of competition in the petroleum industry, to protect American consumers, businesses and agriculture, and to build the foundations for a fair and effective energy program without which economic recovery will continue to elude us.

Finally, Mr. President, I ask unanimous consent to have printed in the RECORD the letter and the White Paper discussing the impact of decontrol which the distinguished majority leader, Senator MANSFIELD, has sent to all Members.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Excerpts from testimony before Senate Fuels and Energy Policy Study Committee on Interior and Insular Affairs, Sept. 4 and 5, 1975]

THE COMPETITIVE AND ECONOMIC IMPACTS OF OIL PRICE DECONTROL

When instant decontrol is combined with other shocks, persistent double-digit inflation becomes a significant threat. We learned what double-digit inflation does to the American economy last year. Why should public policy run any unnecessary risks that might let the economy relapse into that state?

Otto Eckstein, Data Resources, Inc.

Mr. Chairman, if S.B. 1849 is vetoed and no further action is taken, either by the executive branch or the legislative branch, the end result will, in our opinion, be a major catastrophe, not only to the rural areas, but to the urban areas alike.

The farmer has less net income and the consumer has less buying power.

L. C. Carpenter and Raymond A. Young, Midcontinent Farmers Association.

Almost all the rapid price increases in petroleum prices seen by the consumer today originate in crude oil production. These increases are politically motivated, bearing no real relationships to the cost of finding and developing those crude resources. So long as such prospects for manipulation within the producing sector continue to exist, then some method must be devised, and devised quickly, to prevent transfer of profits from this highly volatile area to subsidize downstream operations, or there will soon be no semblance of competition in any area of this industry. Needless to say, independent refiners and marketers with none of their own crude supply cannot long endure under the circumstances such as I have outlined here today.

Robert E. Yancey, Ashland Oil, Inc.

Removal of controls on oil prices could send the economy into an even deeper recession, because industry would be forced to use money set aside for expansion to pay higher fuel bills or would be forced to cut production, thus increasing already intolerable unemployment.

An increase in oil prices would increase the cost of everything from food to medicine. It would work an especial hardship on workers who must use their cars to commute to work. The aviation industry, truckers, consumers who heat with oil—all would be adversely affected by uncontrolled increases in oil prices.

Farmers would be hard hit because the prices of fuel for their tractors and other mechanical implements as well as for fertilizer for their fields would increase. Electricity rates would jump in those areas where oil is used to generate electricity.

The independent oil companies would face corporate extinction.

The only beneficiaries of an end to oil price controls would be the giant multi-national companies whose profits are already a national scandal and who seek a total monopoly of the energy industry.

The AFL-CIO strongly urges every member of the Senate and the House to vote to override this outrageous veto.

George Meany, President, AFL-CIO.

But it is also the consumer, the small businessman, the farmer, state, local and federal governments, and virtually every segment of our national economy with the exception of the multinational integrated oil companies that stand to lose. But the economic impact, as frightening as it is, is only one of the obvious repercussions of immediate removal of the Emergency Petroleum Allocation Act.

If decontrol is allowed to take place immediately, then this country will have its energy costs set not on the basis of an economic return on investment or on free-market forces but on a foreign cartel operation that sets price arbitrarily and based on what the market will bear. In such a situation crude oil pricing is completely devoid of competitive pressures.

T. J. Oden, The Independent Gasoline Marketers Council.

I fail to understand why the President and his supporters can't see that lifting controls on the oil companies, and in so doing, encouraging higher prices to the consumer, is not the answer to America's energy conservation problems.

In my humble opinion, the unquestionable logic of the present Administration seems to be: "The rich must help the rich to get richer," or "Down with the poor and middle class."

Glenn S. Hall, service station dealer.

The propane problem is compounded by the large numbers of non-historical users who will be entering the market for the first time purchasing propane for use as a standby fuel when projected natural gas shortages in the interstate market begin to develop. While not all curtailed natural gas customers are expected to substitute propane, the volume could be significant.

Obviously, such purchases by non-historical users will not only make propane supplies scarce but expensive as well. Utilities and other non-historical industrial users can generally outbid home heating and agricultural users for propane supplies. Since the Emergency Petroleum Allocation Act has expired, these non-historical users cannot be prevented from purchasing these critically short supplies.

Bill Brier, National Council of Farmer Cooperatives.

If this country is to continue to have a viable petroleum industry, private competitive enterprise must survive. If the allocation and price controls are not reinstated until a long term plan can be formulated to protect all segments of the petroleum industry, and especially guaranteed supply to unbranded independents, there will be no free enterprise system in existence in this industry.

Mary Hudson, Hudson Oil Co.

Immediate decontrol, as I have shown, would have a devastating effect on the airlines, would force further layoffs, would lead to cancellations or postponement of some $6 billion in aircraft and related equipment purchases now planned for the last half of this decade, and could well cause bankruptcies in the airline industry.

In view of this and because we believe that immediate decontrol would have serious consequences for the economy as a whole, we hope that this drastic course of action can be avoided.

Paul R. Ignatius, President of the Air Transport Association.

On the aspect of the veto dealing with the impact on individuals, it is abundantly clear that the economy does not absorb a burden of $30–$60 billion annually without imposing nearly unbearable additional pressures on family budgets. The ripple effect may seem somewhat academic and remote, and yet our own personal experience tells each one of us that it is not only the price at the pump that we are going to have to absorb, but the price of food, of clothing, of building materials, and virtually every other commodity we purchase and every service we buy.

Either one of two things is going to happen if the prices of petroleum products are permitted to seek that OPEC level: every direct cost will be passed on or some businesses who find themselves in positions where the consuming public cannot afford to pay those prices will face bankruptcy.

One need not be an economist or a clairvoyant to predict accurately where the major brunt of these overall broad increases are going to fall most heavily. It is no secret that people at the lower levels of our income scale are required to spend a larger percentage of their income for items essential to life and sustenance. Particularly vulnerable are the elderly living on fixed incomes who have little or no prospect for increasing their budgets.

Lee C. White, Energy Policy Task Force of the Consumer Federation of America.

Service station dealers, not unlike other independent businessmen, deplore control of their business. Why then do we support a continuation of controls? Simply, we had to decide whether it was in our best interest to be regulated by our Government or by our suppliers.

The National Congress of Petroleum Retailers.

No one could legitimately complain about the elimination of the independent refiners, terminal operators and marketers if they were inefficient operators, and the economy would better be served by their exit. However, the reverse is the situation, for these downstream independents have been extremely efficient competitors and a major source of competition to the integrated oil companies. Frankly, the scrapping independents have been a thorn in the sides of the integrated petroleum companies. With the independents' efficiencies, they have denied the integrated oil companies the opportunity of increasing their prices and profits. For many years the independents have been whittling away at the share of the market controlled by the major brands of gasoline.

Fred C. Allvine, Professor of Marketing.

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., September 8, 1975.
Hon. HENRY M. JACKSON,
U.S. Senate,
Washington, D.C.

DEAR SCOOP: At 3:00 p.m. on Wednesday, September 10, 1975 the Senate will vote on the President's veto of S. 1849, a bill to extend the price control and allocation authority of the Petroleum Allocation Act for six months. This authority expired at midnight on August 31, 1975.

In view of the disastrous impact immediate price decontrol would have on the economy and on the structure of competition in the oil industry the Speaker of the House and I met with President Ford on Friday, August 29, in an effort to persuade him to sign S. 1849. Our efforts were not successful. The joint House-Senate leadership met with the President again this morning at his request. If the President's veto stands, the nation runs the risk of economic disaster. On the other hand, if Congress votes to override the President's veto, it would provide both Branches a realistic opportunity to develop a mutually acceptable compromise.

I am enclosing for your use and information a compilation of the major reasons why I believe it is essential that the Petroleum Allocation Act must be extended. I urge every Democratic Member to vote on Wednesday to override the veto on S. 1849.

Sincerely yours,

MIKE MANSFIELD,
Majority Leader.

RESOLUTION TO THE SENATE DEMOCRATIC CONFERENCE

Whereas, the Congress is continuing to seek a responsible consensus on the question of energy prices;

Whereas, enactment of S. 1849 would prevent the immediate decontrol of energy prices with such decontrol's implicit threat of halting economic recovery and stimulating inflation;

Whereas, enactment of S. 1849 would preserve the competitive protections of the Emergency Petroleum Allocation Act;

Whereas, a brief extension of the existing energy price control authority is the step best designed at this time to provide the time needed by Congress and the Administration to reach an acceptable agreement on energy prices;

Therefore, the Senate Democratic Conference urges the President to sign into law S. 1849; and, in the event of a veto, the Senate Democratic Conference urges that the veto be overridden.

B. Regardless of the outcome of the override vote in Congress the Senate Democratic Conference also urges the Majority Leader in cooperation with the Speaker of the House to immediately consult with the President to resolve our differences and develop an acceptable agreement on energy prices.

IMPACT OF VETO OF PRICE CONTROL AND ALLOCATION AUTHORITY

LEGISLATION SITUATION

The Congress sent S. 1849 to the President on August 28, 1975. This legislation, which extends the petroleum price control and allocation authority embodied in the Emergency Petroleum Allocation Act of 1973, passed the Senate by a vote of 62–29 and the House by 303–117. The price control and allocation authority of the Allocation Act expired on August 31, 1975. The President has repeatedly announced his intention to veto any extension of the Allocation Act unless the Congress accepts an oil policy which involves elimination or drastic reduction in Federal regulation of the oil industry and an end to price controls over some definite time period.

If he wishes to do so, the President must transmit to the Congress his veto of S. 1849 on or before midnight, Tuesday, September 9. A vote in the Senate to override the veto of the President is expected to be the first order of business following receipt of such a veto message.

The Administration is still hopeful that an agreement can be obtained with the Congress on oil decontrol. However, independent of the form of the agreement which finally emerges, compelling arguments exist for the continuation, at least temporarily, of the fundamental price control and allocation authority embodied in the Allocation Act. It is now clear that the only way that this authority can be retained is by overriding the President's veto of S. 1849.

OIL PRICE IMPACT

If Mr. Ford's veto of the Emergency Petroleum Allocation Act is sustained, its direct effect will be to increase the average price of gasoline, fuel oil and other petroleum products about 7 cents per gallon.

Temporary market conditions and "jawboning" in the Administration—together with, perhaps, collusion by the major oil companies to reduce the political impact of decontrol—may postpone its full price impact on consumers for a period of time. Notwithstanding any such "restraint", however, the higher prices of crude oil will inexorably be translated into higher retail prices. If crude oil cost increases are tilted more heavily towards gasoline prices—as has been the case in the past—gasoline price increases of from 10 to 12 cents per gallon are very likely.

With the expiration of price controls, domestic oil will cost U.S. consumers at least $16 billion more annually than if controls are retained—an increase equivalent to the rise in the cost of all domestic fuels during 1974.

A secondary effect of sharply rising domestic oil prices will be to pull up the prices of coal and that natural gas which are not subject to price controls, because oil is the only practical alternative for industrial consumers of these fuels, which are in short supply. These higher prices for fossil fuels will be passed through to consumers in their electric rates and in the prices of every product or service that depends upon fuels for energy or industrial raw materials.

A major price increase will worsen unemployment and undermine financial stability in industries that are already disproportionately distressed, like automobiles and the airlines, resulting in lost production, lost income for workers and higher costs for the support of the unemployed.

ANALYSES OF ECONOMIC IMPACT

The Bankers Trust Company of New York has estimated that "coupled with a moderate rise in the foreign price of oil, the sudden decontrol of old oil prices would next year transfer about $35 billion per annum away from consumers to energy producers, the Federal government and OPEC nations".

A study prepared by the Library of Congress found that energy price increases could trigger a $40 billion inflationary contribution to the domestic economy next year, triggering an increase of 2.7 percentage points in the general price level and adding 1.5 percentage points to the rate of unemployment. This would mean a job loss of over one million.

Using macroeconomic models developed by Chase Econometrics, the staff of the Subcommittee on Energy and Power of the House Commerce Committee has estimated that sudden decontrol coupled with an OPEC price increase implemented this fall—an increase which nearly all analysts expect to materialize—will, by the end of 1976:

Reduce real GNP by $28 billion ($51 billion in current dollars);

Add 640,000 to the ranks of the unemployed;

Increase the Consumer Price Index by 2.7 points; and

Reduce housing starts by 280,000 units and automobile sales by 950,000 units.

The House Commerce Committee study further delineates substantial shifts in profitability among industries. Profitability in the mining sector—which includes crude oil production—is drastically increased at the expense of nearly all other segments of the economy. Some of the largest losses in profitability are projected for the—

Primary metals;
Manufacturing;
Textiles;
Paper;
Transportation; and
Commercial sectors of the economy.

The net result of these impacts will be an increase in inflation—perhaps to double digits—rising unemployment—to over nine percent—a larger Federal deficit, and effective cancellation of the stimulus provided by the Tax Reduction Act of 1975.

COMPETITIVE IMPACT

By putting independent refiners and distributors at a disadvantage amounting to several dollars per barrel relative to the integrated major oil companies for the crude oil upon which their products are based, decontrol will cause a permanent structural change in the industry—in the direction of increased market concentration. Rising crude oil costs and consumer resistance to higher product prices will tighten the squeeze on refining and marketing margins. The major integrated companies, unlike the independents, will be able, however, to offset any reduced margins in "downstream" operations with higher profits on crude oil production. The end result would be a serious blow to the competitive position of the independent sector.

The squeeze between crude oil prices and the market will also lead the majors to pressure their independent branded dealers. To this end station rents wil be increased, other contract terms wil be revised to the disadvantage of the dealers, and thousands of distributors who cannot move more product at a lower marketing cost per gallon will be put out of business.

MANAGING POTENTIAL SHORTAGES AND PRICE IMPACTS

The only existing authority to prevent or mitigate the adverse impacts of rising oil prices and to allocate scarce supplies has been the Emergency Petroleum Allocation Act. Overriding the veto is the only immediate, practical way to restore this authority.

The severe shortages of natural gas which are projected for this winter will place enormous pressure on the supply and price of substitutes for natural gas; fuel oil and propane. Substantial increases in propane prices accompanied by shortages are almost certain to occur, and, without the Allocation Act, no Federal authority will exist to prevent, for example, rural residential consumers of propane and farmers from suffering severe hardship.

Meanwhile enormous profits will accrue to the major integrated oil companies. No mechanism is in place for taxing and returning these enormous windfall profits to consumers. Once controls have definitely been ended by Congress' failure to override a veto of the Allocation Act, the enthusiasm of pro-industry members of Congress and of a pro-industry Administration for such a tax will greatly diminish or disappear altogether. The prognosis for enactment of an effective windfall profits tax will therefore become very uncertain.

Regardless of any "understanding" between the Administration and the Congressional leadership for subsequent reimposition of controls (which would then be phased out), failure to override the veto would (a) weaken or remove the support of industry and pro-industry Members for any compromise, and (b) severely undermine Congress' bargaining stance in writing such a compromise.

ADMINISTRATION OPTIONS

The Allocation Act currently grants the President ample authority to raise the price of old oil, or to formulate regulations phasing out the old oil price category entirely, without any requirement of Congressional assent. But the Administration's own guidelines for preparation of inflation impact statements require an analysis justifying any such moves. Administration representatives have admitted that such an analysis cannot be made. Because of this, the Administration is presently insisting upon all or nothing—Congressional collaboration or gradual decontrol, or total immediate decontrol. It is clear that the Administration cannot utilize the Allocation Act to raise old oil prices and provide a justification that satisfies its own guidelines. Because of this the Congress is being asked to let the Act expire and, at the same time, to acquiesce to total imposition of an oil policy which benefits only the largest integrated oil firms.

Existing regulations under the Allocation Act already provide for an automatic increase in crude oil prices, as domestic supplies of "old" oil at $5.25 per barrel are depleted and replaced by higher price new oil and imported oil. Under these regulations, the average price of crude oil to U.S. refiners would move up toward the new oil price at a rate of about 6 percent per year—even if there were no OPEC price increase and no scheduled decontrol, and even if the illegal import fee is removed. Over the last 2½ years crude oil prices have increased by more than 2½ times. A further 6 percent annual increase in the average price of crude oil is the most our economy can safely absorb. Total, immediate decontrol will mean an average price increase of well over 25 percent—four times as high—over one, two or three months, and prices will thereafter rise in perfect synchronization with any OPEC price increase.

Instead of seeking collaboration with the Congress to establish a reasonable pricing policy within the framework of the legislative process, the Administration has chosen to present a series of decontrol plans which must be accepted or rejected without amendment. These plans have been rightly rejected, because they are inadequate and unwise. Because of the Administration's tactics, the consumers of the country are now faced with the worst of all possible options—immediate decontrol. Only the prevention by the Congress of the implementation of this option will preserve an opportunity for an orderly development of policy in which both the Executive branch and the Congress contribute on equal footing.

SUMMARY

The Administration is proposing that the Congress ratify a situation in which—

a rising rate of inflation is rekindled;

economic recovery is severely threatened;

a substantial concentration of economic and financial power in the largest integrated oil companies is virtually certain;

U.S. energy prices will be set not by a free market but by a cartel of foreign governments;

domestic production will not be substantially increased, domestic oil consumption will be only marginally curtailed (other than as a result of the economic slump) and, therefore, no progress toward greater energy independence will result at all commensurate with the damage that will be done; and

any realistic opportunity for the Congress to collaborate with the Administration in the enactment of a rational and equitable oil pricing policy will be lost through Congressional default.

THE NATIONAL ENDOWMENT FOR THE ARTS

Mr. PELL. Mr. President, the National Endowment for the Arts has been the recipient of Federal funds for approximately 10 years, since it was first established in 1964. While many of us are aware of the fine programs which the endowment fosters through the support of the performing and visual arts—in other words, programs which create an artistic event for others to enjoy. There are other programs which the endowment underwrites which are not as visible but which have an equally salutary effect on artistic endeavors in this country.

The production on the stage, the performance of a symphony orchestra, the mounting of an exhibition of pictures, is not just an artistic event; it is a business and administrative one as well. Just as an army needs the support of administrators to be successful, artistic companies require superb managers. Indeed, with the cost of artistic events soaring while the available income, that is, ticket sales, is somewhat limited, the more creative and able the management, the more viable the artistic endeavor.

Therefore, it was with much delight that I learned that the Rhode Island State Council on the Arts and United Arts Rhode Island are sponsoring a 2-day conference covering the art of managing an arts organization. This conference, which will have managers—known professionals—as consultants, will discuss the nuts and bolts necessary to support artistic programs.

It has long been my view that this type of activity is most necessary. The whole question of management of eleemosynary institutions, whether they be colleges, hospitals, or foundations, is one which is only now receiving attention. To my mind, this is a subject which should be taught in our colleges and universities, since the management of this type of organization is so very different from the management of business corporations.

Therefore, I warmly commend both the Rhode Island State Council on the Arts and United Arts Rhode Island on their conference and ask unanimous consent that an article about it, appearing in the Providence Journal, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Providence (R.I.) Journal, Sept. 3, 1975]

LOCAL ARTS LEADERS TO LOOK AT FUTURE

People involved in all levels of management of Rhode Island performing arts and arts organizations—administrators, volunteers, artists—or interested individuals may take part in "Managing the Arts Through the Seventies," a two-day conference planned for September 12 and 13 at Brown University's List Art Center.

The conference—the first of its kind in the state—will cover all the fine points of arts management—producing, booking, budgeting, grant proposals, fund raising, accounting, promotion and federal, state and private resources. Co-sponsors are the Rhode Island State Council on the Arts, a state agency, and United Arts Rhode Island, a private, non-profit federation of arts organizations.

"Adequate planning for any arts organization—large or small—is crucial to its survival," said Ann Vermel, executive director of the state arts agency.

In a study conducted by United Arts Rhode Island under a grant from the Council in 1974, it was demonstrated that over a million people attend arts events in the state annually with annual expenditures of arts organizations here over 19 million dollars and 1200 people employed full-time.

Top professionals from national arts organizations will join local arts administrators as panel guests. Charles Reinhart, Director of the American Dance Festival will lead a session on producing. Ted Striggles—a professional director who is also a graduate of Harvard Law School and consultant to the

National Endowment for the Arts on the economic survival of arts organizations—will conduct a session on accounting for small companies with Providence accountant Martin Dittelman. Craig Palmer, director of the New York Dance Alliance and a public relations expert, will cover promotion and publicity design concepts. Representing federal resources will be Rudolph Nashan, Regional Coordinator for the National Endowment for the Arts.

Local panel participants include David Black, administrator for Trinity Square Repertory Company; Marsha Senack, manager, Rites and Reasons; John Marshall, director, Rhode Island Foundation; Mimi Wolk, coordinator for the arts, Brown University; Frank Cook, president, Fund Consultants, Inc.; Muriel Stevens, manager, Rhode Island Philharmonic Orchestra; Cathleen McGuigan, public relations consultant, State Council on the Arts; and Ann Vermel and Henry Young.

For information and registration, call United Arts Rhode Island, 351-2540.

BUBONIC PLAGUE AND THE INDIAN HEALTH SERVICE

Mr. FANNIN. Mr. President, during the August recess, the press reported the death of a 2-year-old Navajo child from bubonic plague. The initial reports indicated that the Indian Health Service had been unable to help the child, with the result that she was taken to a general hospital in Gallup, where, unfortunately, she died. Because of the implication that the Indian Health Service failed in its responsibility to provide quality care to an Indian citizen I asked the Indian Health Service to provide me with a complete report concerning the circumstances surrounding this tragedy and in particular why this Indian child was taken to another hospital.

In response to my request Dr. Emery Johnson, Director of the Indian Health Service, wrote to me on August 25 to explain this situation. In view of the potential for misrepresenting the actions of the Indian Health Service in connection with this incident, this letter should be made available to a wider audience for review.

This tragedy, I should point out, only confirms my conviction that the conditions which resulted in the death of this child must be eliminated and in this connection the Indian Health Care Improvement Act, which the House is considering, will, if enacted, assist in achieving that goal.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of Dr. Johnson's letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Rockville, Md., August 25, 1975.

Hon. PAUL FANNIN,
U.S. Senate, Washington, D.C.

DEAR SENATOR FANNIN: This is in response to your inquiry of August 15 concerning the death of a 2½ year old Navajo child from bubonic plague. The following is a complete resume of events from August 2 through August 4, 1975.

At 10:00 AM on August 2, 1975 a 2½ year old Navajo female from Rehoboth, New Mexico, was seen at the Gallup Indian Medical Center. The mother told the nurse on duty that the child had diarrhea. At that time, the child had a fever and appeared ill. A complete physical examination did not reveal any abnormalities suggestive of a specific disease. The child was started on intravenous fluids in the outpatient department and given medication to control her fever.

Over the next five hours, she was seen by several physicians including the Chief of Pediatrics at the Center. Multiple examinations and laboratory tests were performed including a chest x-ray. All examinations and tests were negative. At no time was the diagnosis of plague considered.

At 3:00 PM on August 2, the patient was considered improved. She was alert, playing and less febrile. The physicians involved felt she was well enough to return home. The family was instructed to bring the child back if her condition worsened in any way. She was given medication for fever control.

On August 4, at 8:25 AM the child was brought back to the Gallup Indian Medical Center. She was taken to an examination room at 8:39 AM. The nurse went to get the chart. The mother left, leaving the child with the grandmother. The physician was called. At no time did the family mention that the child had become significantly worse or mention any specific problem the child was having. The child's temperature was recorded as 100 degrees F. rectally. At 8:50 AM the grandmother picked up the child and began to leave the hospital. One of the Navajo employees, who knows the family, tried to stop the grandmother and convince her to return to the clinic, however, the employee was not successful.

The grandmother then went across the street with the child to a general hospital. The child died shortly thereafter. Resuscitation was attempted but to no avail. A blood culture drawn on Saturday, August 2, became positive for plague organisms on August 4.

The diagnosis of plague is not an easy one to make. The most obvious physical finding is a painful enlarged lymph node at any location on the body. Such was not noted on this child at any time. The initial complaint—diarrhea—is not a symptom of bubonic plague. In addition, the child did improve significantly in the emergency room with only intravenous therapy on August 2. This improvement would also not be expected in cases of bubonic plague. As you probably know, plague is contracted from fleas that have lived on plague-infected rodents.

The entire Gallup hospital staff feels extremely saddened over this death; however, they do not feel there was anything more that they could have done to alter the ultimate outcome of this case.

The IHS program is carrying out intensive field control efforts in an attempt to decrease the flea population in the areas around Gallup, thus providing the maximum protection possible to the Navajo people living in these areas. In addition, health education programs are being provided to the people of the area through direct contact and radio.

Your interest and concern for the health of the Indians is appreciated.

Sincerely yours,
EMERY A. JOHNSON, M.D.,
Assistant Surgeon General, Director Indian Health Service.

EARTHQUAKE IN TURKEY: A NEED FOR DISASTER RELIEF

Mr. KENNEDY. Mr. President, this weekend a devastating earthquake ravaged the people of eastern Turkey—leaving behind a path of human tragedy and massive destruction. Reports indicate so far that over 1,800 people have perished in the ruins, and that landslides and uncounted numbers of wounded are present throughout the area. As the magnitude of the disaster becomes more fully known, we can only learn of even greater human suffering and a higher loss of life.

While the full extent of the tragedy is still unclear—emergency relief needs are clearly urgent. Early reports from the region speak of widespread destruction of whole towns and villages. Landslides have completely severed roads—greatly impairing communications and preventing the much-needed arrival of emergency relief assistance. As in other natural disasters, we must assume that drinking water and food are scarce, and that the lives of thousands of earthquake survivors are threatened by disease and untreated injury.

As chairman of the Subcommittee on Refugees, I rise to express my deep personal sympathy to the Government and people of Turkey, and my concern over the refugees and victims of this natural disaster. I also want to urge that the United Nations Disaster Relief Office—UNDRO—in Geneva, in cooperation with other governments, spare no effort in responding to the humanitarian needs of Turkey's earthquake victims, if such assistance is requested by the Turkish Government. In this connection, AID officials have informed me that our Ambassador in Ankara has given $25,000 to the Turkish Government for the procurement of necessary medical supplies. Hopefully, our Government stands ready to provide additional relief assistance and logistical support, if called upon to do so. While the Turkish Government has so far indicated that international assistance is not needed, I am confident that the American contribution to any potential international relief efforts will fully reflect our tradition of concern for people in need, as they are in eastern Turkey today.

Mr. President, I ask unanimous consent that a report in today's New York Times, describing the critical situation in Turkey, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 8, 1975]

DEATH TOLL IN TURKISH QUAKE NOW AT 1,700

LICE, TURKEY, September 7.—The death toll in the earthquake that devastated part of eastern Turkey rose today at least 1,700 as dazed survivors began staggering away from this wrecked town.

Some residents of Lice remained and picked their way through the earthquake rubble in search of belongings.

Officials pressed on with relief efforts but there were fears that the death toll from yesterday's quake, which measured 6.8 on the Richter scale, would rise even higher. A Richter rating of 6 indicates a severe quake.

In Ice, a town of 8,000 on a scrubby hillside in a mainly Kurdish area, buildings lay in piles of rubble. Hundreds of houses were left with only bare walls standing and roofs tilted at crazy angles.

HOSPITALS OVERFLOWING

A small town of tents sprang up overnight as a temporary refuge for survivors fearing new quakes. Relief squads ferried out injured people to overflowing hospitals in the disaster area.

At a nearby airport, a 12-year-old girl, her face frozen in a mask of terror, lay with seven other seriously injured survivors awaiting airlift to a treatment center. Other survivors left behind a few relatives to guard piles of salvaged possessions.

Despite the scene of catastrophe, devout Moslems knelt on the ground in prayer on the first day of their month of fasting—Ramadan. They persevered in prayer despite the destruction of Mosques in the quake.

Premier Suleyman Demirel and opposition leader Bulent Ecevit both arrived to survey the disaster area and express their sympathy to the survivors.

FAST IS BROKEN

Some 1,000 people died near here in an earthquake only four years ago.

The area, 560 miles east of Ankara, is swarming with soldiers digging through the rubble. Engineers have already restored telephone contact between Lice and the outside world.

Homeless victims were persuaded to break their daytime Ramadan fast and to eat food from the mobile kitchens set up by the relief forces.

Makeshift nurseries were established to care for children and special water tanks were airlifted from Ankara, along with mobile sanitation units.

The quake was centered on Lice, where at least 500 people died. The town is in the area of the Anatolian Fault, a geological danger area in which earthquakes have killed 35,000 since 1939.

The landslides set off by the quake were feared to have flattened three villages north of the main disaster one.

An emergency hospital was set up here in the garden of a military installation, one of the few buildings still standing in Lice.

One report said those killed included 50 people who were at noon prayers yesterday when a mosque collapsed.

Reports in Ankara said that the quake was felt in a wide area of eastern Turkey stretching from the Black Sea in the north to the Iraqi border in the south.

CBO REPORT: OIL PRICE DECONTROL WILL MEAN FEWER JOBS, MORE INFLATION

Mr. MUSKIE. Mr. President, within the next few days Senators will be asked to decide what could well be the most critical issue we face in the current session: decontrol of oil prices. It is now a virtual certainty that President Ford will veto the measure extending controls over some 60 percent of the Nation's fuel supplies.

What would be the economic impact of immediate decontrol; What would the President's action do to jobs, to prices?

What effect would it have on our Nation's attempt to recover from the worst recession and worst inflation in decades?

People are asking these questions in Maine. We have an effective jobless rate of over 10 percent. Increased prices for heating fuel and gasoline meanwhile continue to shrink the purchasing power of every Maine family. With winter approaching, we can only expect the situation to become more severe. I am sure that our State is not alone.

Foreseeing this critical vote on oil decontrol, I asked the nonpartisan Congressional Budget Office to provide me with the best available analysis of the economic impact of decontrol.

Over the weekend, I received a preliminary report from the CBO which puts the potential cost of oil price decontrol on both employment and inflation in stark terms.

CBO's analysis says that immediate decontrol would result in a "significant setback both for the nascent economic recovery and for the continuing battle against inflation."

The CBO projects the following economic costs of the President's decontrol plan by the end of 1977: a loss of 600,000 jobs; a 4 percent increase in prices; and a 20 percent reduction in GNP growth.

These figures would be gloomy enough were they not based upon two extremely optimistic assumptions about the future price of oil: The removal of the $2 per barrel tariff on imported oil and a limitation on OPEC price increases of $1.50 per barrel over the next 2 years. If the tariff were retained or the OPEC price were to rise by a greater amount, the price impact of decontrol would be far more serious.

Moreover, the CBO report does not consider the question of natural gas price decontrol which could have an impact as large as oil decontrol.

In order that I might share this critical analysis with my colleagues, I ask unanimous consent that the CBO's preliminary figures be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE IMPACT OF DECONTROL OF OIL PRICES

In the course of preparing its next report on the economy (to be published September 15), the Congressional Budget Office (CBO) has been studying the impact of immediate decontrol of domestic oil prices on the nation's output, employment and price levels. While the analysis is not yet complete, and is thus subject to revision, the CBO is using this preliminary report to assist Congress in its debate over the extension of controls.

SUMMARY

CBO's analysis indicates that immediate decontrol of oil prices would be a significant setback both for the nascent economic recovery and for the continuing battle against inflation. Table 1 presents the estimated effects of immediate decontrol on some principal economic variables at the end of 1975, 1976, and 1977 (fourth quarter of each year).

Decontrol would, according to CBO's estimates, increase wholesale prices by nearly 1 percent by the end of 1975 and nearly 4 percent by the end of 1977. Consumer prices would not rise as much as wholesale prices because oil is more important in the Wholesale Price Index (WPI) than in the Consumer Price Index (CPI), and because the cost of crude is a larger fraction of the wholesale price of petroleum products than of the retail price. By the end of 1977, consumer prices would be nearly 2 percent higher on account of decontrol. In terms of annual rates of increase of consumer prices, decontrol would add just under 1 percent (at annual rates) to the 1975 inflation rate, just over 1 percent to the 1976 inflation rate, and about one-quarter of 1 percent to the 1977 inflation rate.

Gross National Product measured in 1958 dollars ("real GNP") would be reduced significantly. The estimated reduction of $17 billion amounts to roughly 20 percent of the total growth in real GNP between 1975:4 and 1977:4 in CBO's projections. The effects on output would build throughout the period, and would probably be somewhat larger in 1978. Unemployment must rise as output falls. The rolls of the unemployed would swell 0.6 percent or about 600,000 people by the end of 1977, making the unemployment rate about the same in late 1977 as in late 1976.

Gross National Product in current dollars would not change much. The higher prices just slightly outweigh the reduced levels of production for most of the period.

Decontrol would improve the federal budget picture in Fiscal Year 1976 largely because of increased corporate profits tax payments from oil companies. However, by late 1977 the weakness of the economy would reduce other tax revenues (including profits taxes paid by other corporations) by just about enough to compensate for this.

ASSUMPTIONS

The figures in Table 1 are estimates of what would happen if oil prices were completely decontrolled as of September 1, compared to what would happen if the present controls over "old" oil prices were extended through 1977. Three statistical models of the economy were used in preparing the estimates.[1]

Decontrol allows the price of "old" oil—now fixed at $5.25 per barrel at the wellhead—to float up to the world price. Thus future developments in the world oil market dictate the economic impact of decontrol.

CBO has assumed that the special $2 per barrel tariff on crude (and $.60 per barrel on refined products) is removed beginning September 1, 1975, and that OPEC will increase the price of imported crude oil by $1.50 per barrel, effective October 1, 1975. Both of these events are assumed to occur whether controls end or not, so the analysis compares two scenarios which differ only in the continuation of oil price controls. If the tariff remains on the books, or if OPEC raises prices by more than $1.50 per barrel, the estimated economic effects would be greater than those presented in the accompanying tables because the world price would be higher. Conversely, if OPEC's increase is smaller than $1.50, the estimated effects of decontrol would be smaller than those presented here.

It is important to note that CBO's analysis assumes that OPEC holds prices fixed from October 1, 1975, through the end of 1977. If there are subsequent OPEC price hikes in 1976 or 1977, the economic impact of decontrol would be magnified.

Another principal set of assumptions concerns the so-called "sympathetic" movements in other energy prices. In this analysis, the price of coal is not assumed to be much higher under decontrol than it would be under a continuation of controls. Given the present excess capacity in the coal industry, this seems a likely scenario for 1976, and perhaps for 1977 as well.

Given the low price of natural gas relative to oil, and the existence of a free market in intrastate gas, CBO has assumed some limited response of natural gas prices to decontrol. As old contracts expire, the average price of natural gas will be rising over the next several years in any case.

Specifically, CBO has assumed that the average price of natural gas will rise by about 22 percent between now and the end of 1977 if controls on oil are maintained, and by about 51 percnt if oil is decontrolled. Thus decontrol raises the price of natural gas roughly 23 percent over a period of two and one-quarter years.[2] The CBO has assumed continuation of the current system of regulating natural gas prices. If higher oil prices lead to a softening or removal of some controls over natural gas prices, the impact of decontrol would be correspondingly larger.

The timing of the increase in petroleum prices has a significant effect on the estimated effects, especially for 1975:4, but also for later periods. The CBO has assumed that, even in the absence of legal sanctions, the oil companies will exercise restraint in raising the prices of gasoline. Specifically, the higher crude oil prices—if passed through dollar-for-dollar, translate to a $.07 per gallon increase in refined petroleum product prices. CBO has assumed prices would increase by only about $0.3 per gallon during the fourth quarter of this year, and not register the full $0.7 per gallon until the second quarter of 1976.

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[1] The models are those of Chase Econometrics Data Resources, Inc., and Wharton Economic Forecasting Associates.

[2] Increases of 22 percent and 23 percent amount to 51 percent owing to compounding.

As indicated, the higher costs of crude are assumed to be eventually passed through to the retail price of gasoline and other petroleum products on a dollar-for-dollar basis. While FEA regulations are in effect, refiners, wholesalers and retailers are limited to dollar-for-dollar pass-throughs of costs. But without controls it is an open question whether the free market would naturally enforce dollar-for-dollar cost pass-throughs.

Decontrol transfers money from consumers to producers of "old" oil, and OPEC price hikes transfers money from consumers to both foreign governments and domestic producers of uncontrolled oil. The CBO analysis has assumed that OPEC oil is decontrolled. Also ignored is the possibility that American companies—be they oil producers investing in exploration or oil users investing in energy-saving equipment—might invest more in a world of decontrol than they would otherwise.

Finally, it should be noted that the CBO analysis does not factor in any so-called "windfall profits tax." Many such plans have been advanced during the past few months, so it is hard to predict the form of a windfall profits tax that might accompany decontrol. If there is a windfall profits tax—with the proceeds returned partly to consumers and partly to oil companies—the effects on real output and employment would probably be smaller than those given in Table 1 because consumers and companies would have more income to spend. But the effects on prices would be slightly larger for the same reason.

COSTS AND BENEFITS OF DECONTROL

This brief report is primarily concerned with quantifying the rather substantial costs of immediate decontrol. It should be at least mentioned that there are benefits as well. For one thing, ending controls would mean the dismantling of a cumbersome system of government regulations which may distort decisions of drillers, refiners and consumers alike. For another, the higher price of oil would induce greater conservation. Given the role of imported oil in the U.S.—that of filling the gap between domestic production and domestic consumption—the entire reduction in consumption would come out of imports. CBO estimates that imports would be reduced by nearly 700,000 barrels per day by the end of 1977.

TABLE 1.—ECONOMIC EFFECTS OF IMMEDIATE DECONTROL

Economic variable	End of 1975	End of 1976	End of 1977
Wholesale Price Index (percent)	+0.9	+3.4	+3.8
Consumer Price Index (percent)	+0.4	+1.6	+1.8
Gross national product in constant dollars (1958 dollars, billions)	−2.5	−12.0	−17.0
Unemployment rate (percent)	+0.1	+0.5	+0.6
Gross national product in current dollars (billions)	+2.0	+2.0	−3.0
Federal budget deficit (billions of dollars)	−3	−7	0
Imports of crude oil and refined petroleum products (thousands of barrels per day)	−12	−380	−690
Wage rates (percent)	0	+0.4	+0.5

Note: This is a preliminary report, and subject to revision before final release on Sept. 15.

THE EFFECTS OF THE MEDICAL MALPRACTICE INSURANCE CRISIS

Mr. FANNIN. Mr. President, recently one of my constituents, John Anusewicz, a physician's assistant trainee, wrote to me concerning the effects of the medical malpractice insurance crisis on physicians and their ability to practice. His concern that this crisis may drive many physicians out of medical practice and into other health care endeavors or to early retirement is one which I share as well. Because Mr. Anusewicz's letter deserves wider circulation as an example of the effects of the crisis in malpractice insurance, I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GILA VALLEY CLINIC,
Safford, Ariz., August 9, 1975.

Senator PAUL FANNIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FANNIN: I am writing to you concerning a problem that I consider to be of the greatest importance to the people of Arizona and the country as a whole. I am referring to the medical malpractice insurance crisis.

I am presently a Medex (Physicians Assistant) student completing my training with a group of three family practitioners in Safford. There are a total of eight physicians in Safford, and they are the only physicians in Graham County with a population of 20,000.

Last week my doctors, who are fine people and dedicated physicians, lost a malpractice suit involving a child with brain damage from meningitis. I will not go into the details of the case except to say that after the trial was over one of the jurors told us that nobody on the jury thought the doctors guilty of malpractice or any error in judgment. They awarded $250,000 to the family simply on the basis that the child needed it and the money was coming from an insurance company.

It is very painful for me to see how hurt these doctors are who have done so much for this community. One of them has definitely decided to move to another state and involve himself with academic medicine. The other two doctors are as yet undecided, but are contemplating similar moves.

As for me, if this is the kind of professional security that I can look forward to throughout my medical career, with my very home, property, and reputation in constant jeopardy, then I too will have no recourse other than to leave clinical medicine for a research position.

I do believe that malpractice does occur, and that people should have the right to redress their grievances under the law. But I also believe the physicians should have the right to practice medicine without living under the constant shadow of a lawsuit whenever the results of treatment fall short of God-like infallibility.

I urge you to sponsor or support any sensible legislation that will protect the rights of patients *and* physicians alike. I fear that if some radical changes are not made soon, the people of Arizona will find access to medical care more and more difficult, especially in the rural areas.

Sincerely yours,
JOHN ANUSEWICZ, *Medex.*

NEGOTIATIONS TO BE RESUMED ON CYPRUS CRISIS

Mr. PELL. Mr. President, negotiations will resume in New York this week on the crisis in Cyprus. It is, I believe, critically important that these negotiations produce substantial progress toward a reasonable and lasting resolution of the Cyprus problem.

During the recent August recess of the Congress, I had the privilege of visiting Cyprus and Greece. During that visit I discussed the Cyprus problem with leaders of both the Greek and Turkish Cypriotes, and with officials of the Greek Government in Athens. On Cyprus, I visited both the Greek and Turkish Cypriote zones.

In the near future, I will be submitting to the Foreign Relations Committee a full report on my visit. Because of the importance of the negotiations this week, however, I take this opportunity to emphasize what I believe are essential points regarding the Cyprus situation and relations between Greece and Turkey more generally.

In regard to Cyprus, the general terms of a possible settlement have begun to emerge from previous negotiations and statements. In general, I believe such a settlement would involve a reasonable agreement on the land areas to be returned by the Turkish invaders and an acceptable provision for resettlement of a portion of the Greek Cypriote refugees, with probably, and personally I would regret it, a divided or two-zone Cyprus with a central government at whose higher reaches Greek Cypriotes and Turkish Cypriotes would be on an equal basis.

These first two questions—land areas and refugee resettlement—are inextricably intertwined and particularly difficult to resolve. It seems clear, however, that a Cyprus agreement will require that the Turks, who now control 40 percent of the land area, must yield a significant portion of that area for inclusion in a Greek Cypriote zone. How much is yielded, and what specific areas are yielded, have a direct bearing on how many of the Greek Cypriote refugees can be resettled. I fully understand the concern of the Turkish Cypriotes, as a minority on the island, over their future security, but I believe the Turks, because of their military superiority, are in a position where they could and should make statesmanlike concessions that will make an agreement possible.

I would particularly emphasize one point in regard to the negotiations. No piecemeal settlement is possible. Agreement on the land areas and refugee resettlement must be an integral part of any overall settlement. It should be obvious that the Greek Cypriots cannot, and indeed should not, agree to a bizonal arrangement, or to the nature of and powers of a proposed central government, unless there is at the same time agreement on land areas in each zone, and on refugee resettlement.

I hope very much that the Turkish representatives at the negotiations will come forward with proposals on land areas and refugee resettlement that will make an overall agreement possible.

I would like also to mention briefly another aspect of relations between Greece and Turkey, and this involves the questions of seabed jurisdiction in the Aegean Sea. In regard to this issue, it has been noted previously that the Greek islands in the eastern Aegean are geographically located in the continental shelf adjacent to Turkey. There has, however, been a tendency to draw unwarranted legal and jurisdictional inferences from this geographic fact. I believe it should be emphasized that, under international law, the geographical location of the islands on the continental shelf has no significance whatsoever with regard to seabed and shelf jurisdiction. For example, although Ireland stands on the European continental shelf, that geographic fact in no way prejudices Ireland's jurisdictional rights to a continental shelf. Indeed, the precedents in international law are that overlapping or conflicting seabed or shelf claims are resolved through negotiations, and usually on the basis of a medium line drawn between the land jurisdictions in question. In short, the question of seabed and shelf jurisdiction is essentially a legal one, not a geographic question.

In conclusion, I want to express my strong hope that Greece and Turkey, both valued friends of the United States, are able to resolve on an amicable basis, the issues and conflicts that have arisen between them, including the Cyprus situation.

ADULT EDUCATION FOR INDOCHINA REFUGEES

Mr. JAVITS. Mr. President, tomorrow, the Education Subcommittee of the Committee on Labor and Public Welfare will hold a hearing on S. 2145, the Indochina Refugee Children Assistance Act of 1975. I request that my name be added as a cosponsor to this measure. I wish to commend Senator CRANSTON and Senator TUNNEY, the principal sponsors of this bill, which would provide much needed aid to those school districts which will receive these children. As local school budgets are prepared in advance, and are currently severely strained by rising costs and limited resources, these districts have no way to support the additional costs of these unexpected new students. S. 2145 is a limited bill, which will reimburse these additional costs only for a 2-year period. I hope that the Senate will act quickly so that school administrators can properly plan for the special projects to meet the needs of these refugee children.

Mr. President, S. 2145 would authorize payments based on the attendance of these children aged 5 to 17. Therefore, it will not support needed educational services for the 54 percent of the refugee population—estimated at 64,000 of the 117,000 persons—who are 18 years of age and older. Many of these persons currently remain in the refugee camps awaiting resettlement. The Interagency Task Force on Refugees estimates that on August 1 over 60,000 refugees were still in relocation centers in the United States and Guam. In order that these refugees might become productive members of society, they must first be provided an opportunity to learn basic coping skills.

In addition to refugees in relocation centers, approximately 64,000 refugees have already been resettled in the United States. These persons are now dealing with a wide variety of problems associated with beginning a new life in a new land. They have located in every State of the Union, although they are not evenly distributed. I ask unanimous consent that a table showing the distribution by States of refugees be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

REFUGEE RESETTLEMENT DATA

As of August 1, 1975, 64,081 Vietnamese and Cambodian refugees have been resettled in the United States. Some 60,000 more refugees are still in relocation centers in the United States and Guam. The Interagency Task Force has released the following information on the distribution of refugees by state:

Alabama	771
Alaska	54
Arizona	617
Arkansas	802
California	14, 517
Colorado	678
Connecticut	552
Delaware	77
District of Columbia	966
Florida	3, 608
Georgia	808
Hawaii	1, 666
Idaho	196
Illinois	1, 616
Indiana	653
Iowa	576
Kansas	804
Kentucky	358
Louisiana	1, 287
Maine	243
Maryland	1, 416
Massachusetts	564
Michigan	656
Minnesota	1, 899
Mississippi	207
Missouri	1, 208
Montana	50
Nebraska	401
Nevada	249
New Hampshire	48
New Jersey	650
New Mexico	209
New York	1, 895
North Carolina	683
North Dakota	134
Ohio	1, 295
Oklahoma	1, 747
Oregon	1, 054
Pennsylvania	1, 852
Rhode Island	134
South Carolina	344
South Dakota	129
Tennessee	376
Texas	4, 334
Utah	288
Vermont	55
Virginia	2, 261
Washington	2, 209
West Virginia	74
Wisconsin	735
Wyoming	41
Total	58, 046
Resettlement location unknown	6, 035
	64, 081

Source.—National Indochinese Clearinghouse Center for Applied Linguistics.

Mr. JAVITS. Mr. President, in order to meet the needs of these refugees for special adult education I intend to introduce an amendment to S. 2145. I am pleased that Senator MONDALE will join me in cosponsoring this amendment. This amendment would add a new section to the Adult Education Act, which will provide special purpose grants to State and local education agenices to support adult education projects for these refugees. The bill would not require any additional authorization of appropriation, because the Adult Education Act is currently funded at less than half of its full authorization. The bill provides for a program for only 2 fiscal years, so that the sudden impact of the refugees can be supported, while regular Federal and nonfederally supported adult education programs will meet the longer range needs.

Mr. President, this amendment has been carefully drawn to include safeguards that these grants would not duplicate other programs, that assurances are provided that projects are located near adult refugees who need these services, and that the only refugees served are those as defined in the general purpose Indochinese Refugee Act passed by the Senate last May on the report of the Committee on Foregin Relations and approved by the President on May 23 as Public Law 94–23. Thus this is a limited bill to meet a specific need for a fixed period of time. I should note that under the authority of Public Law 94–23, HEW is currently planning to distribute $5 million to support special refugee education projects for adults. I am pleased that this start has been made. But I am concerned that this amount of $5 million will not meet adequately the needs which I have just outlined. The National Advisory Council on Adult Education estimated that approximately $21.4 million over 2 years will be necessary to meet these needs. Thus, this proposed amendment will create specific authority for education aid for adult refugees as a companion to aid for refugee children authorized in S. 2145. The Senate has already acted on May 8 to welcome the Indochina refugees to our Nation by Senate Resolution 148. I am hopeful that my colleagues will support S. 2145 and the adult education amendment so that these refugees will receive the education services necessary in the resettlement process to integrate them into the fabric of American society.

I ask unanimous consent that the text of this amendment be published in the RECORD.

There being no objection, the text of the amendment was ordered to be printed in the RECORD, as follows:

S. 2145

At the end of the bill add the following:

SEC. 11. The Adult Education Act (Public Law 91–230 as amended) be further amended by adding a new section:

"Emergency Adult Education Program for Indochina Refugees.

Section 315(a) From the appropriations authorized for fiscal years 1976 and 1977 but not appropriated for other programs under this title, the Commissioner shall carry out a program of making grants to State and local education agencies for such years for the purpose of operating special adult education programs for Indochina Refugees, as defined in Section 3 of the Indochina Migration and Refugee Assistance Act of 1975. Such grants may be used for—

(1) programs of instruction of adult refugees in basic reading, mathematics, the development and enhancement of necessary skills, and to promote literacy among refugee adults, for the purpose of enabling them to become productive members of American society;

(2) administrative costs of planning and operating such programs of instruction;

(3) support services which meet the educational needs of adult refugees, including but not limited to guidance and counseling with regard to educational, career, and employment opportunities; and

(4) specially designed educational projects which meet the purposes of this section.

(b) The Commissioner shall not approve an application for a grant under this section unless: (1) in case of application by a local education agency, it has been reviewed by the respective State education agency which shall provide assurance to the Commissioner that, if approved by the Commissioner, the grant will not duplicate existing and available programs of adult education which meet the special needs of Indochina Refugees; and (2) the application includes a plan acceptable to the Commissioner which provides reasonable assurances that adult refugees who are in need of a program are located in an area near that State or local education agency, and would participate in the program if available.

(c) Applications for a grant under this section shall be submitted at such time, in such manner, and contain such information, and shall be consistent with such criteria, as may be established as requirements in regulations promulgated by the Commissioner.

(d) Notwithstanding the provisions of Sections 305 and 307(a), the Commissioner shall pay all the costs of applications approved by him under this section."

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DIETHYLSTILBESTROL

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the unfinished business, S. 963, which the clerk will state.

The assistant legislative clerk read as follows:

> A bill (S. 963) to amend the Federal Food, Drug, and Cosmetic Act to prohibit the administration of the drug diethylstilbestrol (DES) to any animal intended for use as food, and for other purposes.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The time for debate on this bill is limited to 2 hours, to be equally divided and controlled by the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Pennsylvania (Mr. SCHWEIKER), with 1 hour on any amendment in the first degree, except an amendment by Senator CURTIS, on which there are 2 hours, and 20 minutes on any amendment in the second degree, debatable motion, appeal, or point of order.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum. I ask unanimous consent that the time be charged to neither side.

The PRESIDING OFFICER. Is there objection? If not, the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. KENNEDY. I yield myself such time as I may require.

Mr. CURTIS. Mr. President, will the distinguished Senator yield for a question?

Mr. KENNEDY. I yield.

Mr. CURTIS. The question is addressed to the Chair. Are we operating under controlled time?

The PRESIDING OFFICER. We are operating under controlled time, as just announced. The time for debate on the bill is limited to 2 hours, to be equally divided between and controlled by the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Pennsylvania (Mr. SCHWEIKER), with 1 hour on any amendment in the first degree except an amendment by the Senator from Nebraska (Mr. CURTIS), on which there is a limitation of 2 hours; and with 20 minutes on any amendment in the second degree, appeal, debatable motion, or point of order.

Mr. CURTIS. With reference to the time on the bill, how much time is allocated to those opposed to the bill?

The PRESIDING OFFICER. One hour to the Senator from Pennsylvania (Mr. SCHWEIKER) and 1 hour to the Senator from Massachusetts (Mr. KENNEDY).

Mr. CURTIS. It is my understanding that the Senator from Pennsylvania and the Senator from Massachusetts are both on the same side, representing the proponents of the bill. My question is, how much time is allocated under the bill to those opposed to the legislation?

The PRESIDING OFFICER. The time on the bill was not allocated on that basis.

Mr. KENNEDY. If the Senator will yield, it is certainly my intention, and I am sure I speak for the Senator from Pennsylvania, that we have 1 hour on each side on the bill, and I would certainly be more than glad to assure the Senator from Nebraska that he will receive up to the full hour.

Mr. CURTIS. I thank the Senator very much.

Mr. KENNEDY. I would rather not speak for the Senator from Pennsylvania without consulting him. Speaking for myself, I am willing to divide whatever time I have available with the Senator from Nebraska.

Mr. CURTIS. If the Senator will yield further, I ask unanimous consent that Mr. Forest Reece, of the staff of the Committee on Agriculture and Forestry, have the privilege of remaining on the floor during the consideration of this measure.

Mr. HRUSKA. I make the same request in behalf of Bob Sindt of my staff.

Mr. McCLURE. I make the same request for Jim Fields, of my staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask unanimous consent that Larry Horowitz, Allan Fox, Jay Cutler, Calvin Johnson, Renee Bergmann and Nik Edes, of the staff of the Committee on Labor and Public Welfare, have the privilege of the floor during consideration of this measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I rise to urge the enactment of S. 963, a bill designed to bring a known cancer-causing agent under control. This agent, DES, has already taken a terrible toll on the women of America. Two hundred twenty—220—of them have developed vaginal or cervical cancer. Many of these women have died. Thousands of other potential victims do not even know that they are at risk.

All experts agree that DES is a potent animal and human cancer-causing agent. Yet even today the American people are inadequately shielded from the potential harm of this cancer-causing drug. Traces of it continue to appear in the American meat supply, particularly in beef livers. It is used in a variety of medical situations as a prescription drug, and has been only recently approved as a morning-after contraceptive agent. Although the FDA has urged all physicians to stop using it for the now-discredited purpose of preventing miscarriages, the Senate Health Subcommittee heard testimony that it is still used for this purpose.

Each of these uses of DES presents a different kind of risk to the American people. Different forms of regulatory action are appropriate to minimize the different risks. S. 963 is designed to provide maximum protection for the American people.

The first part of S. 963 would ban the use of DES in cattle feed. It is said that the Senate finds itself reconsidering this measure again today. It passed the Senate in the fall of 1973. It was urgently needed then and is even more urgently needed now, because the American people have been exposed to this carcinogen for a longer period of time now.

I am aware that the levels of DES being found in meat are a great deal smaller than those which have been proven to cause human cancer. I also know, however, that there is no known safe level for exposure to a human carcinogen. We in the Congress are not scientists. We are not experts in cancer research.

So we have placed our faith in several eminent scientists to advise us and guide us in the conduct of the war on cancer. Last year we authorized $898 million for this war and we entrusted all that money to the wisdom and judgment of the National Cancer Institute, headed by Dr. Frank Rauscher. Speaking as the director of this Nation's efforts to conquer cancer, Dr. Rauscher has urged, for the past 3 years, that DES be banned from cattle feed.

Dr. Peter Greenwald, the director of the Cancer Control Bureau of New York State, has also urged for 3 years that such a ban be put into effect. So has Dr. Arthur Herbst, the Massachusetts General Hospital gynecologist who discovered that DES caused human cancer. I believe we in the Congress must be guided by the judgment of the men we have chosen to lead the fight against cancer.

It is alarming to me, and I believe it is alarming to the American people, that the director of the National Cancer Institute has stated that it is his opinion that pregnant women should not eat beef livers, and contrary to popular mythology, it is not only beef livers which are contaminated. I shall place in the RECORD four separate documents which attest to the fact that DES residues do appear in muscle tissue.

Mr. President, the health subcommittee has been conducting hearings into the drug industry for over a year now. No one has to tell me that no prescription drug is entirely safe. They are used when the possibility of health benefit outweighs health risk. Each year hundreds of Americans will die from an allergy to penicillin. But thousands would die without it. There is no counterbalancing health benefit from DES in cattle feed. That is the judgment of the leaders of the war on cancer; that was the Senate's judgment in 1972; that was the judgment of 33 countries which have already banned DES; that was the judgment of the three countries that ban the importation of DES-fed meat; that must be our judgment today.

No American wants the price of meat to rise. But I believe the American people would rather pay more for meat than expose their families to cancer-causing agents. This is not a political issue. It is not even an economic issue. It is primarily a health issue.

This is why I believe we must follow the advice of the men we have selected to lead this Nation's war on cancer. At the same time, I believe every alternative to DES use in cattlefeed should be explored. We should seek to achieve economic savings. One such project is already underway at New Mexico State University. Professor Wray has developed the more-lean techniques, which uses no drugs. I do not know if this project has the potential to provide the economic savings that DES has, but I think we should find out and we should encourage other projects along similar lines.

What we are really talking about is giving the benefit of the doubt to the American people. Our system of new drug regulation is the safest in the world. We have had no thalidomides. This is because we require that drugs be proven to be safe and effective before they are allowed on the market. The requirement that drugs be proven safe in advance of exposing the American people to them is what is at issue here. Up until now, with DES, the Food and Drug Administration has always given the benefit of the doubt to the industry. The regulatory presumption has always been that no residues would appear and, therefore, use has historically been allowed, the burden of proof has been on the wrong party—on those who claim the drug is dangerous. In 1947, DES was approved for chickenfeed. In 1954, it was approved for cattlefeed. In 1957, the first reliable assay showed that there was no residue in beef, but DES residues in chicken. Therefore, in 1959 the Secretary of HEW stopped the use of DES in chicken. In 1965, HEW developed a more sensitive assay, and residues were found in beef. From that time to the present, each new assay which has been developed has shown persistent DES residues. HEW has allowed farmers to withdraw DES from cattlefeed earlier and earlier before slaughtering the animal. First, it was 48 hours, then 4 days, then 7 days, then 70 days. Now it is 14 days, and yet the residues persist.

The Senate took decisive action once before. It must take such action again. The benefit of the doubt must go the American people.

The second part of the first title of this bill applies strict controls to the use of DES as a prescription drug.

In the 1950's DES was widely used in order to prevent miscarriages. That was an appropriate use of the drug at that time. We have subsequently learned the tragic truth about DES—that it has caused 220 cases of cancer in the daughters of mothers who took DES for that purpose. This information first came to light in 1968. In 1971 the Food and Drug Administration urged all physicians not to use DES for this now-discredited purpose.

Today, DES is used to treat a variety of medical conditions. Most recently, it has been approved as a morning-after contraceptive agent. Because DES has been on the market as a prescription drug for so many years, it had been widely, and inappropriately, used as a morning-after pill long before the FDA announced its very limited approval of the drug for this purpose.

This part of the legislation is an attempt to bring what all experts acknowledge is a widely overused and misused drug, back under control. The legislation is necessary because of the ineffective regulatory action of the Food and Drug Administration. In 1973 the Food and Drug Administration sent a bulletin to every practicing physician in the United States stating that DES was approved as a morning-after pill, but only for emergency conditions such as rape or incest. This bulletin turned out to be a serious bureaucratic error. The drug had never been officially approved. Unbelievably, the error was never corrected, and from 1973 to the present, the drug has been treated as an approved drug by all physicians of America. The facts are that even though the mistaken FDA drug bulletin called for only emergency use of DES, the widespread misuse of the drug increased after the bulletin was sent out.

The Director of the National Cancer Institute and the Commissioner of the Food and Drug Administration both expressed grave concern at Health Subcommittee hearings about the misuse of the drug. The director of the Cancer Control Bureau of New York State pointed out that the total dosage required in the morning-after pill exceeded that which is known to have caused cancer in human beings.

The only additional control the Food and Drug Administration proposes for DES as a morning-after pill is to require a patient package insert accompany the dispensing of the drug. Yet the director of the National Cancer Institute testified that a patient package insert alone would not do the job. I agree, he testified that if the drug cannot be controlled for emergency use only, it must be banned entirely. I agree.

The measure before the Senate is an attempt to provide effective controls over the use of DES. For the first time in the history of drug regulation in this country, it establishes close monitoring of the use of a prescription drug all across the Nation. It requires that the written informed consent of the patient be obtained before the drug can be prescribed. It requires that the label of the drug warn all potential users of the known hazards of the drug.

Most importantly, it monitors the actual prescribing and dispensing of the drug. Under this system, we will know how and under what conditions a dangerous drug which has limited, but legitimate, uses is prescribed.

Issues of safety are central to this legislation. It should be noted that Eli Lilly, one of the Nation's largest and most prestigious pharmaceutical companies has, on its own, refused to manufacture DES as a morning-after pill. They testified before the Health Subcommittee that DES did not meet Eli Lilly's standards of safety. This is the first time that a pharmaceutical company has evidenced higher standards of safety than that of the Food and Drug Administration.

Mr. President, I hope we can keep DES on the market for the small but legitimate uses to which it can be put. But that will be possible only if this regulatory system contained in S. 963 is effective.

Mr. President, I know that the Senate, the President, and the American people remain fully committed to the effort to conquer cancer. That battle must be fought on many fronts: By the training of bright young researchers; by support for basic biomedical research; by support of health treatment programs; and by the elimination of carcinogens from the environment. Title I of S. 963 removes an unnecessary cancer-causing substance from the Nation's food supply and protects the American people from the increasingly dangerous misuse of DES as a prescription drug. I urge our colleagues to cast their votes on behalf of the health of the American people.

The second title of S. 963 makes certain changes in the status of the Food and Drug Administration. FDA is the most important health regulatory agency in the United States today. Its function is to protect the American people from dangerous and ineffective drugs, from dangerous medical devices, from unsafe cosmetics, and from a contaminated food supply. This legislation recognizes the central role that the leadership of the Food and Drug Administration plays in safeguarding the health of the American people. It requires that the President appoint and the Senate consent to the nomination of the leadership of the Food and Drug Administration. It also establishes FDA as an entity within the law. In short, title II of S. 963 takes important steps to strengthen the independence and stature of this most important regulatory agency. I urge our colleagues to give it their full support.

Mr. President, I reserve the remainder of my time.

Mr. CURTIS. Mr. President, will the Senator yield 10 minutes?

Mr. KENNEDY. I yield 10 minutes.

Mr. CURTIS. Mr. President, let it be understood that this is not an issue of one side of the argument, that those who argue on one side are opposed to cancer and that those on the other side just say "Let's take a chance." This legislation is far more important than that.

In the first place, I say that in a few moments I shall offer an amendment that in substance says that Congress should not make the decision about diethylstilbestrol, but that we should direct not the Department of Agriculture, but the Department of Health, Education, and Welfare to assemble all the data, analyze it, and make a recommendation to Congress.

Mr. President, I challenge anyone to produce a single witness among the medical profession who will state that he has discovered a case of cancer arising from individuals—human beings—eating beef that had the supplement of diethylstilbestrol. I challenge any proponent of this legislation or anyone else to cite a single case in which cancer has occurred and any medical authority who has said that it had its origin in beef that had been fed the supplement diethylstilbestrol. It just is not so.

As a matter of fact, it is said that if a pregnant woman ate liver—it is conceded that if there is any residue from the use of diethylstilbestrol, it will be found in the liver—that if a pregnant woman ate liver, 8 ounces a day, for her entire pregnancy of 270 days, at the DES level in the liver tissue of two parts per billion, the total gross of diethylstilbestrol would be 25 1,000ths of one gram of active DES in the one-tenth milligram of total diethylstilbestrol. That is one-tenth of one milligram.

The Department of Health, Education, and Welfare, under the Food and Drug Division, already is approving the use of diethylstilbestrol to be taken directly by women. If they took diethylstilbestrol for 4 days as a morning-after pill, containing 50 milligrams per day, it would create 200 milligrams.

In other words, we have a situation in which the Food and Drug Administration says it is OK for a prescription for a woman to have 200 milligrams in 4 days. If it is given to the human being because he had eaten beef that had been fed diethylstilbestrol, it would be one-tenth of one milligram.

Is it any wonder that there is no authority who can cite a single case of cancer arising from the eating of beef cattle which had been fed diethylstilbestrol?

Mr. President, let the record be clear: there are three parts to the proposed legislation. One has to do with confirmation of FDA officials. We are not concerned about this at the moment. The other is to ban the use of diethylstilbestrol as an ingredient for medicine for women. I am not concerned about that at this moment.

The part of the bill that I resist is that in which Congress would undertake to outlaw the use of diethylstilbestrol as a supplemental for cattle feed, when the fact is that no authority can state that it does cause cancer. There has never been a case of cancer in which the medical authorities have said that it was caused by eating beef. There never has been a case of cancer in which the medical authorities have said that it was likely that it was caused by eating beef.

Should Congress undertake the job of deciding what substances are harmful and what are not? I do not think so. I do not think we are competent medical men. I do not think we are competent chemists. I do not think we are competent in these technical fields to make such a decision.

We have created the Food and Drug Administration. The amendment I will offer will provide that the Department of Health, Education, and Welfare, through the Food and Drug Administration, shall gather all the information, analyze it, and make a recommendation to Congress.

Mr. President, if we are to have the American people in a mood in which they have confidence in the Government of the United States, it is important that we do not act out of rumor or suspicion or fear. The cancer situation is bad enough. Congress should not make it worse by having the notion across the land that the Government of the United States really does not know what it is doing, that it is proceeding on proven scientific data, but that we are making political speeches and frightening people and causing a certain course of action to be taken. This goes to the integrity of the Government of the United States, to the integrity of Congress.

We are not here proposing that cattle feeders be allowed to go on with a known dangerous promoter of cancer. Not at all. All we are saying is that before we do it, let us ask the Department of HEW to analyze all the data and bring in a recommendation.

Mr. President, have I used my 10 minutes?

The PRESIDING OFFICER. The Senator has approximately 1 minute remaining.

Mr. KENNEDY. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. CURTIS. I yield.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the time which was allotted to the ranking minority member of the committee, Mr. SCHWEIKER, be allocated to the Senator from Nebraska and that the time which has been used up to now conform to that request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CURTIS. I thank the Senator.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, I yield myself 3 minutes.

I hope that at the start of this discussion and debate, we can agree on certain facts and figures. I have heard about and seen various material which has been circulated by some Members of the Senate indicating what has been proved and what has not been proved.

Some state that DES has only appeared in the kidney and liver and does not exist in muscle tissue. This is completely and categorically wrong.

I have introduced seven different studies, starting with the study at the University of Pennsylvania conducted by Dr. Ridder. I will refer to these studies in greater detail as the debate continues. These studies include an FDA memorandum of February 22, 1972, page 85 and a DES report, with analysis, on February 8, 1972. This is an FDA memorandum, and the references are on page 89. There is a document from the files of the Consumer and Marketing Service, May 27, 1970, page 374 of Representative FOUNTAIN'S hearing, which shows that DES is showing up in tissue.

There is material submitted by Senator PROXMIRE, page 201 of the hearing record, and a Department of Agriculture study that was quoted in the Journal of Animal Medicine in 1974. Here is another study conducted in 1975 included in a Department of Agriculture memorandum.

Mr. President, I shall ask unanimous consent that they all be included at an appropriate place in the RECORD. I am going to quote the pertinent parts of the various memoranda. I mention it while we are talking about what has been proved and what is scientific and who the real authorities are. I mention it to show that the Department of Agriculture, in the various studies, shows that there has been the discovery of residue in animal muscle and other tissue. I will let that stand by itself.

In listening to the Senator from Nebraska, I agree wholeheartedly with one part, and that is that neither he nor I have the scientific background and experience to make these scientific judgments.

But Frank Rauscher, who is the head of the Cancer Institute, is qualified to make it. Dr. Herbst, who is one of the leading, outstanding researchers in DES, has made a recommendation. Dr. Peter Greenwald, who has probably done as much research on this issue as any other clinical researcher, has made a judgment on it. They have all followed and recommended the procedures which we have outlined in this legislation.

Mr. HRUSKA. Will the Senator yield briefly for a question?

Mr. KENNEDY. Yes, I yield.

Mr. HRUSKA. I will take time on the bill on this side for purposes of the question, not necessarily for too lengthy an answer.

I listened with interest to the Senator from Massachusetts talk about the authorities and reports that he has cited that DES has been found in residue in tissue. I would be very interested in that, but at a later time, I shall discuss it some more. I should like the Senator's explanation of this testimony, found at page 2863 of the Senate hearings on the agricultural and related agencies appropriation this year. Senator BAYH asked Dr. Schmidt:

> What relationship has there been between the detection of DES in livers, and the presence of DES in other parts of the animal?

The answer by Dr. Schmidt:

> As DES has been used recently, it has been found only in liver tissue. I do not know of its having been found in the red meat.

Mr. Hutt then supplanted that by the following statement:

> Not in red meat. I believe on one occasion it was found in kidney, but not in red meat.

Is there some explanation for that?

Mr. KENNEDY. There is a very simple explanation. Dr. Schmidt was unaware of the studies that I had put in the RECORD at the time he gave that testimony.

Mr. HRUSKA. But they are old studies.

Mr. KENNEDY. They are studies that he was unaware of and he has so stated.

Mr. HRUSKA. Was he so unaware of——

Mr. KENNEDY. He was unaware of it. That is the answer.

Mr. HRUSKA. Was he so unaware that the citation of the Senator from Massachusetts should be——

Mr. KENNEDY. I have answered the question of the Senator from Nebraska. On these particular issues, he did not know of the studies which had been conducted in the Department of Agriculture. That is the answer.

He did not know, quite frankly, until we brought them to his attention.

Mr. HRUSKA. What about Mr. Hutt? Was he similarly unaware?

Mr. KENNEDY. He was also unaware of it.

Mr. HRUSKA. Oh.

Mr. KENNEDY. That is the fact.

The PRESIDING OFFICER. Who yields time?

Mr. McCLURE. Will the Senator from Nebraska yield 5 minutes?

Mr. CURTIS. I yield 5 minutes to the Senator from Idaho.

Mr. McCLURE. Mr. President, I hope that in the debate we do not confuse decibels with logic, that somehow raising our voice necessarily increases the weight of the argument because, if that is the case, there will be Members of the Senate come in here with bull horns to make certain that their argument is heard with greater weight.

The facts remain that there have been no tests—and I repeat that, no tests—which prove the presence of DES in red meat. They have some tests, and I suspect these are the only ones that the Senator from Massachusetts makes reference to, that have sought to attach a radioactive agent to DES so that the radioactivity can then be traced in meat, and there have been tests that indicate that there is some radioactivity present in meat. But those tests are not—and I repeat, are not—held by scientists to prove the presence of DES. The testing methods themselves have been called into question by members of the scientific community. They say that that simply indicates the radioactive agent went into the red meat. It does not prove that the DES did.

The Senator from Nebraska is exactly correct when he says that no tests indicate the presence of DES in red meat.

Let us go, for one moment, further. The bill of the Senator from Massachusetts would permit the use of DES in a morning-after pill. That morning-after pill would, in most instances, be 25 milligrams per day for 10 days. The most DES that has been found in cattle liver is at a level of two parts per billion. As the Senator from Nebraska ably stated in his opening remarks, it would require a woman to eat a very great deal of cattle liver to equal the amount of estrogen which is approved by this bill.

This bill would permit therapeutic doses up to 50 milligrams. That 50 milligrams would be equal to thousands of pounds of beef liver.

Mr. STONE. Will the Senator yield for a question?

Mr. McCLURE. I am happy to yield to the Senator from Florida for a question.

Mr. STONE. Does the Senator know of any medical expert who testifies and asserts that the amount of DES now being found, or that has been found, in meat would cause cancer?

Mr. McCLURE. Absolutely not, in answer to the Senator from Florida. There is absolutely no such testimony.

Mr. STONE. Do any of these experts cited by the Senator from Massachusetts in his most recent remarks as being in favor of his proposition testify that the way DES is now being used, under the restrictions now imposed, would probably result in cases of cancer in human beings by their eating the meat?

Mr. McCLURE. As a matter of fact, quite to the contrary is their testimony. I quote from the hearing record in regard to the testimony of the head of the National Cancer Institute. If we are not going to pose as experts today and will listen to experts, perhaps the head of the National Cancer Institute might be such an expert. He made this statement on the record:

> Physicians who have the responsibility for treating emergency pregnancies should not be deprived of what appears to be a useful medical tool—

I put emphasize on the balance of his statement—

> particularly so, since there is a considerable accumulation of evidence which indicates the risks to humans are so small as to be undetectable.

That is in the therapeutic use of this chemical in the treatment of pregnancies not in the infinitesimal quantities which are found in the residues in the organs of some beef animals.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. McCLURE. Will the Senator yield 5 additional minutes?

Mr. CURTIS. Yes, I yield 5 additional minutes.

Mr. McCLURE. I thank the Senator.

I think another statement was made earlier which should be clarified. The Senator from Massachusetts indicated that the Eli Lilly Co. has voluntarily decided not to market this. Let me state what the facts are on what the Eli Lilly Co. has decided.

Eli Lilly declined to market a 25-milligram dosage for postcoital contraception. It sent out a letter to physicians in March of 1974 stating that Eli Lilly had not conducted or supported a clinical investigation to establish the efficacy and safety for this indication.

Mr. KENNEDY. Will the Senator yield that point on my time?

Mr. McCLURE. I shall be happy to as soon as I complete their statement. They said, and I quote from that letter:

> We continue to endorse DES for indications included in our current literature.

Now, I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY. Is it not correct that they withdrew it as a morning-after pill?

Mr. McCLURE. In the 25-milligram dosage, that is correct.

Mr. KENNEDY. Does the Senator know of any other dosage than the 25-milligram?

Mr. McCLURE. Yes, there are 50-milligram therapeutic dosages, which would be included——

Mr. KENNEDY. For a morning-after pill?

Mr. McCLURE. No, it would not be for a morning-after pill.

Mr. KENNEDY. So they withdrew it, as I understand it; they indicated that because their tests were not complete, they withdrew it.

Mr. McCLURE. They withdrew it in that dosage for that purpose, but not other dosages for other purposes.

Mr. KENNEDY. What are the other purposes?

Mr. McCLURE. Cancer treatment, for one.

Mr. KENNEDY. All right. Is there some risk/benefit ratio in treatment of a person who has cancer?

Mr. McCLURE. I would think so.

Mr. KENNEDY. I would think so.

Mr. McCLURE. Mr. President, will the Senator, perhaps, tell me how many pounds of beef liver it would take to equal one 50-milligram therapeutic dose?

Mr. KENNEDY. I do not know what the relevancy would be. I would say, in responding to that, and also in response to the Senator from Florida, that when you ask is there any scientific authority able to say that if you can eat so much meat you can get cancer, can the Senator from Florida or the Senator from Idaho quote any scientist who can say you can eat so much and cannot get cancer?

Who is about to take the risk, the burden, on this particular issue and on the particular issue of comparing this to some kind of other prescription drug? I find it extraordinary that we enter an economic issue into what is basically a health issue.

We know, as I pointed out in my opening statement, that people prescribe penicillin. Some people are going to die from taking penicillin because they are going to be allergic to it, but some people are going to live. More people are going to live and, therefore, we are going to prescribe what might be considered a dangerous drug because of the risk/benefit ratio. But what is the possible benefit from a health point of view of taking this kind of a product, DES, out of the meat that is going onto the dinner table? There is only one reason, and that is the economic consideration, not health.

I would certainly hope when we are talking about this particular issue that we would be willing to separate what is in the interest economically of those cattlemen who are using this as a feed versus the question of health for the American people. I think that is clearly a discernible issue, and I think it ought to be in our discussion and debate and ought to be addressed.

Mr. McCLURE. Mr. President, I ask unanimous consent that the time consumed by the Senator be charged to the proponents of the bill.

Mr. KENNEDY. I would ask that the time be charged without consent.

Mr. McCLURE. I thank the Senator. I did not want to in any way interrupt the answer.

Mr. STONE. Mr. President, will the Senator from Idaho yield for a question?

Mr. McCLURE. I yield to the Senator from Florida for a question.

Mr. STONE. Does the Senator from Idaho know of any efforts to ban the pesticides and fungicides used in the growing of row crops on the theory that if those fungicides or pesticides were to be ingested they might be poisonous and might produce cancer or is it the case that those pesticides and fungicides now being used to raise commercially affordable food crops from row crops are not attacked because they are not taken into the human body in sufficient amount to be dangerous to health. Is that not the issue here?

Mr. McCLURE. I would say to the Senator from Florida that is precisely the case.

The Senator from Massachusetts tries to put it on the basis of health versus the economic sphere. I think the Senator from Florida has ably indicated there are a great many things in our society which could be cast in the same role if, indeed, we intended to do so or attempted to do so.

But I want to underscore the fact that the head of the National Cancer Institute, referring to the massive doses taken in the kind of medications which the present legislation would permit, said:

> There is a considerable accumulation of evidence which indicates the risks to human beings are so small as to be undetectable.

That is the evidence that he gave in testimony before the committee in the development of this legislation.

The authors of legislation have chosen to disregard that and accept instead an absolute test, that if any kind of a health risk can be indicated, regardless of how slight that risk might be, that the chemical in question should be disregarded totally only in the economic sense of cattle, but also very carefully limited, but not totally limited, in the very massive dosages which are permitted under this bill in the event of the morning-after pill.

I will be happy to yield to the Senator from Florida.

Mr. STONE. Does not some livestock have to go through tick baths and other types of chemical treatments to their exterior that would, if those chemicals were ingested and if there was a sufficient residue in the product of the meat afterward, have to be banned? But is it not the fact that since there is not such a residue in sufficient quantity, the fact that they are deadly poisons is irrelevant?

The PRESIDING OFFICER. The 5 minutes of the Senator from Idaho have expired.

Mr. McCLURE. Mr. President, will the Senator yield me 2 additional minutes?

Mr. CURTIS. I yield the Senator 2 additional minutes.

Mr. McCLURE. Of course, the Senator from Florida is correct. There are balances drawn in every instance. What we have here is, we focus on one kind of risk, in this instance growing out of one use or dangerous use of a drug, and extrapolate it to cover something as to which there is absolutely no risk. There is no scientist who has ever said there was one case of cancer caused or suspected to have been caused by the use of DES in fattening cattle or poultry, not one.

Mr. STONE. Mr. President, will the Senator yield further?

Mr. McCLURE. I yield.

Mr. STONE. Would not the sensible approach be to conduct a careful and systematic scientific analysis of the amounts and quantities that would become critical so that we could then pass legislation or adopt regulations well within the limits of tolerance if those limits of tolerance are more strict than they already are? Whereas, on the other hand, the evidence does not seem to show that the limits already imposed have produced any risk. But if there is a fear involved here, would not the careful, scientific study be a better way to go about it rather than a blanket prohibition approach?

Mr. McCLURE. Certainly it appeals to me that knowledge can serve—that scientific study would expand our knowledge, I agree with the Senator from Florida.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Who yields time?

Mr. KENNEDY. Mr. President, just on this point there are a couple of factors which ought to be pointed out in response to the Senator from Florida's and the Senator from Idaho's exchange, and that is who is going to accept the burden of proof as to how much of a cancer-causing agent are we going to permit on the American dinner table every single day.

If the Senator from Florida wants to take the responsibility, and he is not satisfied that on a given particular item such as DES he has seen sufficient kinds of scientific material to justify his vote in banning it, that is going to be a judgment that he is going to have to make.

But I want to point out very clearly those people who know the most about the question of cancer have recommended banning it if there is the discovery of residues in any of the material.

I mention here the various exchanges that have taken place between Dr. Rauscher, the head of the National Cancer Institute, and myself, when we were talking about the residues. At that time it was with regard to the beef liver residues, and I said—this is on page 39—

> Senator KENNEDY. Residues are now appearing.
>
> Dr. RAUSCHER. That is correct.
>
> Senator KENNEDY. You want to end that?
>
> Dr. RAUSCHER. Indeed.
>
> Senator KENNEDY. You want DES out of beef?
>
> Dr. RAUSCHER. That is our recommendation.
>
> Senator KENNEDY. All right.

Now, maybe the Senator can run through all kinds of other convoluted reasoning or rationale, but that is what the person who has the prime responsibility in the war on cancer has said. The Senator can make his own judgment that he is not going to pay any attention to it, but that is going to be the responsibility which the Senator and the others who support that position will take.

Next, Mr. President, in regard to the Surgeon General's report on the whole question of carcinogens, it is stated:

> The ad hoc committee on the evaluation of low levels of environment chemical carcinogens endorse the principle that no level of exposure to a chemical carcinogen should be considered toxicologically insignificant for man.

I just want to point out to my colleagues here that probably the greatest kind of danger that our society and the world is facing in the issue of cancer is going to be environmental carcinogens. This is the area in which you are going to find, as long as we are in these Chambers the principal danger—make no mistake about it.

I am not alone in this prediction. Here is the report to the Surgeon General which says that they are going to endorse the principle that "no level of exposure to a chemical carcinogen should be considered toxicologically insignificant for man."

Further down on the page, the Surgeon General's ad hoc committee recommended:

> No substance developed primarily for uses involving exposure to man should be allowed for widespread human intake without having been properly tested for carcinogenicity and found negative.

Mr. McCLURE. Mr. President, will the Senator yield?

Mr. KENNEDY. Wait a minute.

The Surgeon General, the Surgeon General's report, the head of the National Cancer Institute, the two leading researchers in this country on DES, who have spent a lifetime on this issue make those statements. Then the Senator says, "Well, you quote to me a scientist who says they have to eat how much beef liver in order to get cancer."

We ought to be asking ourselves where the burden is, and I say the burden ought to be on those individuals who are trying to insure that we are going to continue to use DES. That is where the burden ought to be.

Mr. McCLURE. Will the Senator yield?

Mr. KENNEDY. Not yet, I will not yield.

Finally, I ask what are we really talking about? A few more cents, when it comes down to it. We are not arguing the risk and benefits of a health issue.

The Senator from Florida and the Senator from Idaho think they are going to benefit the health of the American people by placing this in, and the Senator from Massachusetts and the Senator from Pennsylvania disagree with that.

Let the chips fall where they may, there is only one issue, that is the economic issue. We are talking about dollars and cents here, basically and fundamentally, and that is what the significance is going to be.

We pass this legislation, we ban it, the American people are going to pay a few more cents for the cost of meat. But they are going to be sure, at least, there is one area where the Congress of the United States understands that there is a proven cancer-causing agent which has the possibility, remote or certain of causing cancer through our food supply. The Senator from Florida and the Senator from Idaho do not have any idea, and we may not know until finally maybe in 3 or 5 years from now. It is not going to be somebody up in Boston or in Miami, but the whole population affected by this.

It is interesting that 33 other countries around the world have banned it, but not the United States. I will not say we can substitute their judgment, we can make our own. But, Mr. President, we must accept the support of the Surgeon General and the Cancer Institute. It is essential.

Mr. McCLURE. Will the Senator yield?

Mr. KENNEDY. I would like to yield to the Senator from Pennsylvania who is the ranking minority member.

Mr. McCLURE. Will the Senator yield for a question before yielding to the Senator?

Mr. SCHWEIKER. I would like to answer another question first.

Mr. KENNEDY. The Senator wishes to answer another question and then I would have hoped we might have been able to move to the amendment because we are using all our time on this. I want to yield to the Senator from Pennsylvania and then I will be glad to get back.

Mr. SCHWEIKER. First, I commend the Senator from Massachusetts for his leadership in this area. As ranking minority member, I strongly support this bill.

I support the efforts of this committee and I agree completely with them.

Mr. President, S. 963, the Food, Drug, and Cosmetic Act Amendments of 1975, is a vital piece of legislation, and I most strongly recommend its passage to my colleagues. Its purpose is to protect our citizens from unnecessary use of the drug diethyl-stilbestrol—DES—which has been found to cause cancer in certain cases. I consider this measure an extension of our commitment to the national attack on cancer, as established by the National Cancer Act of 1971 and the Cancer Act Amendments of 1974, which recognized the importance of eliminating carcinogenic agents wherever possible.

Title I of the bill contains two amendments to the Federal Food, Drug, and Cosmetic Act to assist in cancer prevention. First, it prohibits the introduction into interstate commerce of DES for purposes of administering the drug to any animal intended to be used as food, and stipulates that DES may not be administered to any animal whose product is intended for use as food.

The Senate already expressed its support of this provision by passage of a similar measure during the 93d Congress. I am deeply concerned for the health of all Americans, inasmuch as DES residues are now appearing in beef livers, at levels equal to or higher than those which prompted our action in 1972. This provision is also supported by the Commissioner of the Food and Drug Administration and the Director of the National Cancer Institute, who has warned all American women not to eat beef livers during the first trimester of their pregnancies. Second, the bill adds a new subsection to section 502 of the Food, Drug, and Cosmetic Act, regarding misbranded drugs or devices, which would consider a drug to be misbranded if it were wholly or partially composed of DES, unless its labeling or packaging would adhere to a series of guidelines including a warning that the drug may cause cancer and that it may not be used as a contraceptive after sexual intercourse except in cases of rape or incest or a comparable medical emergency, and only after the patient or patient's legal guardian has given written consent after full verbal disclosure by the attending physician of the risks, benefits, and alternative methods of treatment.

In addition, the bill requires that a copy of each completed informed consent form, along with a written record of the attending physician's prescription, be submitted by the physician to the Secretary of HEW, and that a copy of each prescription for this drug which has been presented to a pharmacist be submitted by the pharmacist to the Secretary. Mr. President, in 1973 FDA approved the postcoital contraceptive containing DES for use in emergency situations, but left the definition of "emergency" up to the individual physicians. Testimony before the Senate Health Subcommittee has pointed out that this drug is currently being inappropriately and widely used. Much of this misuse is occurring on our college campuses. The Commissioner of the FDA has defined "emergency" as rape, incest, or a comparable medical emergency. S. 963 would tighten the controls on this drug, to prevent its further misuse.

Title II, the Food and Drug Administration Act, provides the basis for a statutory charter for the Food and Drug Adminstration within the Department of Health, Education, and Welfare. It provides for Presidential appointment with the advice and consent of the Senate, of the Commissioner of Food and Drugs, the Deputy Commissioner, and the General Counsel for the Administration. The Commissioner would be directly responsible for all functions of the Secretary of HEW administered through the FDA. As a regulatory agency, FDA must have a clear statutory base to be able to vigorously prosecute violations of the law. Providing the agency with a charter will insure that it may not be administratively reshuffled elsewhere in the HEW structure, submerged under layers of bureaucracy, or renamed. As an agency which makes important decisions which affect our daily lives since they involve foods, drugs, and other common consumer products, FDA must be given the proper authority to carry out its functions directly.

Mr. President, I feel it is pointless, in light of the billions of dollars we have poured into the vital area of cancer research, to allow the continued widespread availability of a known carcinogen, when we have before us the opportunity to, in some measure, prevent these tragic consequences.

There is one very valid point to make. I understand the point has been raised that we have not seen evidence beyond the fact that the DES level in beef liver has increased. There is no danger or cause for alarm, so why change our procedures and habits, since the essence of the other argument is that we have not been able to pin down that somebody gets cancer from eating the liver?

I think a strong answer cries out in this direction: It took us 20 long years to find out this same drug produced cancer not in the person using it, but in her first generation female offspring.

It took 20 years. That ought to be a clear warning of the danger. The danger is that we did not know for 20 years that the cancer was going to appear. This is the clearest signal about the trouble with this drug. Twenty years.

I wish the Members making such an eloquent plea on the other side would have sat before the mothers whose daughters died of this poisoning from cancer to hear their arguments, I wish the Members of this body could have heard the young, teenage girl who said, "I may die of vaginal cancer because my mother had DES." I think this is very relevant.

And they say we really do not know enough or the feeling of this drug. Yet, how many times must we get beat in the head, since it took 20 years——

Mr. CURTIS. Will the Senator yield?

Mr. SCHWEIKER. Not yet.

Twenty years to start to find out we were feeling bad drugs to our own people as medicine. We have learned the hard way and they want to learn all over again.

I say those people are every bit responsible for being warned and for knowing this could occur.

It did occur, it is occurring, and young ladies have died because of it and more will die, and they say we really do not know.

It is a clear signal to say away from this drug, to use it only for emergency, and not to feed our population DES on a widespread basis.

The pediatricians already say they recognize the danger; they tell every pregnant mother not to eat beef liver.

I think we are making a horrendous mistake, condemning a number of young ladies in this country to death, to make the same mistake again, and to say that it will cost a few more cents.

All I can say is that if their respective daughters were dying of DES-induced cancer, they would have reason to question this, too.

Mr. CURTIS. Will the Senator yield?

Mr. SCHWEIKER. I am glad to yield to the Senator?

Mr. CURTIS. I would like to ask the Senator for the name and address of any human being that has gotten cancer by eating beef where the cattle have been fed diethylstilbestrol. I will make it easier. Can the Senator cite a single case of cancer where the medical authorities have stated that it is likely to have been caused from eating beef where the cattle have been fed diethylstilbestrol?

Mr. SCHWEIKER. The point I have just made—was, basically, that 20 years ago that same question was asked and 20 years ago we got the same answer. We found out we were wrong, 20 years too late, and thousands of people have died too soon.

We asked that question 20 years ago and we got no proof. Now, all of a sudden, we find out, 20 years late, that the female offspring of the women who used it are now dead.

So we could have asked the Senator's question 20 years ago and come up with the same answer and the Senator would have been wrong.

Mr. CURTIS. No, no. Here is the difference. The Senator is citing cases where babies have had cancer because the mother was prescribed diethylstilbestrol as a medicine in rather large doses.

We should give our attention to that, no argument about that.

What we are arguing now is diethylstilbestrol as a livestock food supplement, and my question is this, can the Senator find a single case where cancer has resulted or where some doctor says it is likely it is caused?

Now, I want to point out that if the Senator wants to carry this crusade against cancer, there are plenty of known fields where we can act.

I think we could assemble a long list of people who have cancer from the use of smoking cigarettes. That is a known fact, but it is not in this bill.

Here, we are acting on something where there is not a single authority that has pointed to one case of cancer resulting from eating beef where the cattle have been fed diethylstilbestrol.

Mr. KENNEDY. Will the Senator let me answer that question by asking a question?

Can the Senator from Nebraska give the Senate an answer to the question of what is the health benefit to the American people by feeding them diethylstilbestrol?

Mr. CURTIS. I cannot give an answer to that anymore than I could give an answer to what is the health benefit of eating bananas or peanuts.

Mr. McCLURE. Will the Senator yield?

Mr. KENNEDY. I can answer that, if the Senator wants to ask me.

Mr. McCLURE. Will the Senator yield?

Mr. KENNEDY. The question was asked, what is the health benefit, and the health benefit, and the Senator is not going to be able to find any, because we cannot.

Mr. McCLURE. Will the Senator yield? I will tell him one. The fact is that DES-fed cattle develop red meat with less fat, and there is a health effect in the ingestion of fat meat. That health effect is far less tenuous than the health liability.

Will the Senator yield for another question?

Mr. KENNEDY. Yes, I would be glad to. But before we leave this point, I want to just include in the Record the letter from Dr. Herbst, who is the leading researcher on this question and who has been working on it for the last 20 years. I will put in the whole short paragraph, but there is one point I want to mention here:

> No one knows the smallest dose or shortest duration of exposure to DES that might endanger a human female fetus. At the same time, we do not know what dosage, if any, may be safe, and in light of our current knowledge I feel it is medically unwise for DES to be part of the food supply available to the American public.

I am saying that the Senators from Idaho, Nebraska, or Florida cannot say with any degree of precision what is safe, and the Senator from Massachusetts cannot say what is dangerous. What we do know on this whole issue is that DES is a cancer-causing agent and those who have been most concerned in the whole area of research in this particular field feel that the burden should not be upon those trying to remove it. Rather, if there is going to be research, then ban it and have research come in and show that it is going to be safe. After that material is available, I am sure the Senator from Pennsylvania as well as Massachusetts would be glad to take whatever legislative steps would be required to see that it is properly handled.

Mr. McCLURE. Will the Senator yield for a question?

Mr. KENNEDY. How are we on time, Mr. President? We have some other speakers. The Senator from Maine has not spoken yet.

The PRESIDING OFFICER. The Senator from Massachusetts has 23 minutes remaining.

Mr. KENNEDY. I wonder if we can have the Senator from Maine speak.

Mr. McCLURE. The Senator from Massachusetts indicated that he would yield for a question after yielding to the Senator from Pennsylvania.

Mr. KENNEDY. Yes.

Mr. McCLURE. I wanted to call attention to the remarks he made earlier, as well as the Senator from Pennsylvania, which would indicate to me, if I understood them correctly, that if there was any risk it had to be removed, or if the people using the agent cannot prove that there is no risk, the carcinogen must be removed from the human environment.

Am I correct in that understanding, that that is the position of the Senator from Massachusetts?

Mr. KENNEDY. That is correct. I followed the Surgeon General's recommendation that says the principle for zero tolerance for carcinogenic exposure should be retained in all proposals of legislation and should be extended to cover other exposures as well as no substance developed for usage should be allowed.

Mr. McCLURE. Will the Senator from Nebraska yield 2 minutes for a response?

Mr. KENNEDY. Let me say the only condition I would put on that, of course, is a health risk benefit. That is the only condition.

Mr. McCLURE. If there is a health risk involved in which there is a health hazard and no corresponding or offsetting health benefit, then the Senator would ban the substance?

Mr. KENNEDY. That would be my position. I think we find, as we well understand, that there are a number of extremely dangerous drugs which are prescribed, many of them in the treatment of cancer, that in and of themselves pose very serious health risks. But given the situation in terms of the dangers of cancer, it is considered to be in that balance of health risk ratio that it is worthwhile in terms of trying to save the patient to undertake certain risks. The thrust of my argument, of course, is in this particular issue we are not talking about that. We are talking not about health but economics. It is interesting to note that we have not really heard very much about it. I daresay I believe that is the underlying motivation for knocking out this particular provision. I may be wrong, though I do not think I am.

Mr. STONE. Will the Senator from Massachusetts yield for two very brief questions?

Mr. KENNEDY. Yes.

Mr. STONE. Does the Senator know of any residues in beef liver that have been found when the feeding of DES to cattle is ceased 2 weeks in advance of the slaughtering or even more than 1 week?

Mr. KENNEDY. I have, it is for 10 days. It is interesting that we do have, which has been made part of the Record. It will show it for 10 days. The point beyond this is, when talking about 10 days, of course, by tolerating it we do not know how many situations there are where people will withdraw them for 5 or 6 days. This is even in terms of compliance with 10 days.

But, the answer specifically is yes, for 10 days.

Mr. STONE. Does the Senator have any for 2 weeks?

Mr. KENNEDY. There is a study by the Department of Agriculture which reports residues even after 14 days.

Mr. STONE. Is that in the testimony before the Senator's committee and in the report?

Mr. KENNEDY. It is in the Department of Agriculture report. I will get it and go over it with the Senator.

Mr. STONE. The Senator from Florida would appreciate it very much. The Senator from Florida had not heard of any such findings.

Mr. McCLURE. Will the Senator from Nebraska yield 2 minutes?

Mr. CURTIS. Mr. President, I first yield myself 1 minute.

Mr. President, I ask unanimous consent that there be added as cosponsors to amendment 692 Senators McGee, Clark, Fannin, Johnston, Laxalt, Goldwater, Hansen, and Hruska.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLURE. Will the Senator yield?

Mr. CURTIS. I yield 2 minutes to the Senator from Idaho.

Mr. McCLURE. I thank the Senator for yielding.

It seems to me that if we understand anything from this discussion so far it is that the proponents on the one side say if there is any risk from any known carcinogenic agent it must be removed from contact with human beings until it can be proven that there is no danger, while those on the other side would demand that there be some kind of evidence that the levels of exposure be such that there might be some possibility, some likelihood, of that kind of danger from that kind of exposure.

The Senator from Pennsylvania says if there is any risk, if we know it, we ought to take it off the market. And yet the bill that is before us permits the use of DES in the one instance where it is known to be dangerous and bans it in the areas where it is not known to be dangerous.

If that makes any kind of good sense, I fail to perceive what it may be. There is no evidence that the inclusion in the feed causes any danger to human beings and there is substantial evidence, direct evidence, that the mothers of the 220 women who have died as a result of cancer because their mothers took this drug while they were pregnant before the delivery of a female child are still going to be permitted to be exposed to that danger in the future.

That does not make any sense to me at all.

Let us look for a moment at the levels which we are talking about. Let us look at what happens in the normal human body, in the normal man or woman in the production of this natural hormone.

The amounts of DES residue that might be ingested from eating beef—and I am talking now about the 5 percent of beef livers that are found to have some residue, 2 parts per million—the amounts that might be ingested from eating that kind of beef are less than one ten-thousandth——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. McCLURE. Will the Senator yield an additional 30 seconds?

Mr. CURTIS. I yield.

Mr. McCLURE. The amounts to be ingested from eating beef are less than one ten-thousandth of the normal daily estrogen production in a man, and about one hundred-thousandth of that normally produced by a woman of childbearing age. We are going to ban it when there is that degree of danger, but we are going to permit it in the one instance alone where cancer has been proven.

Mr. HRUSKA. Mr. President, will the Senator yield to me, perhaps from the time on the bill?

Mr. CURTIS. I yield my colleague 5 minutes.

Mr. KENNEDY. If the Senator will permit a response to this, I think, extremely important argument——

Mr. HRUSKA. I shall be happy to yield.

Mr. KENNEDY. Mr. President, the fact of the matter is, as we mentioned and developed during the course of the debate, I said that at least as far as I personally am concerned, we will oppose any carcinogen that it is possible to ban, from any food additive, environmental factor, or hopefully from all other kinds of causes that can pose a health hazard.

But then I mentioned, in my response to the Senator from Idaho, that, as we do provide in the legislation, where there is a health risk benefit, we use a different criterion, under a very limited and controlled system. That is under conditions where a woman has been raped, or in the case of incest. The best figures, according to the FBI, are that there are about 50,000 rapes a year.

The woman will file written consent, so she will know what she is getting in fact. She will be warned by the physician about the potential danger, and sign a consent form.

That is not like Mr. and Mrs. Jones, who are buying meat and putting it on the dinner table at night, and have absolutely no idea of the danger. She will sign a consent form that the risks, benefits, and alternative courses of treatment have been explained to her and that she wishes to proceed with the treatment. It will be limited to conditions of rape or incest.

We have spelled out a rather elaborate procedure in terms of notification to the Food and Drug Administration by the physician who has to follow the various requirements. Then we would hope, certainly, that we would have the necessary kind of followup if there would be circumstances where the woman would still become pregnant—and the statistics are, of course, quite overwhelming that under these circumstances they would not be. If they do become pregnant, then everyone is on notice in terms of following medically, that particular child.

There will be notifications to the mother, there will be warning, and we will be able to follow that particular measure.

I consider that that is a completely different set of circumstances than the earlier provisions of the bill.

Finally, Mr. President, on this issue, as the Senator from Idaho knows, or should know, there is an entirely different question about the synthetic carcinogens and natural carcinogens. The body responds completely differently. To use the argumet that the body manufactures different estrogens that may be considered carcinogens, and now we are introducing slightly different amounts, has no standing before any medical association, and should have none here. The body metabolizes at different rates estrogens produced naturally in the body from those produced synthetically.

Mr. McCLURE. Mr. President, will the Senator from Nebraska yield me 2 minutes to respond?

Mr. CURTIS. I have already yielded my colleague 5 minutes.

Mr. HRUSKA. Mr. President, I think I can make my point in 3 minutes, and yield the Senator from Idaho the remaining 2.

Mr. President, it was with interest that I listened to the argument of the Senator from Massachusetts for getting into a field where an oral contraceptive pill is taken with a great dosage of DES components as compared to the situation that we are debating here. Namely, dosage.

It was a fact that it took 20 years to find out the bad effects of the contraceptive pill, and now we are going to have to go through all of that again, in order to get a resolution of this question.

The fact is, Mr. President, that it has been demonstrated—and later I shall get into greater detail on this—that in order for a person to consume, in the case of cattle livers which contain two parts per billion of DES, a person would have to consume 5 million pounds of liver a year for 50 years in order to equal the intake of DES from a single treatment of an FDA approved "day after" oral contraceptive. That is what we get into in the matter of saying, "Well, there is a danger."

There may be a danger. The opposition has not proved to the contrary. We cannot prove that there is no danger. It is up to the people who are proposing this opposition to assume the burden of proof, and that was the basis of the circuit court of appeals decision. They have a proposition which they made; they should prove it.

Five million pounds of liver each year for 50 years, to equal the intake of DES in one single contraceptive pill.

A scientist knows something about the relationship of dosages of DES administered to pregnant women against the incidence of vaginal cancer in their daughters. They are measuring this percentage against the residue level found in some cattle livers, Mr. President, and it has been calculated that the banning of DES might prevent one case of vaginal cancer in the entire U.S. population in 5,000 years.

Let us get this problem into proper perspective, so that we will not go off the deep end.

Something has been said about natural estrogens. DES, after all, is an estrogenic hormone substance. It does not produce estrogens in food as the only source of estrogenic activity. The estrogens occur naturally in certain foods and certain feeds, including soybeans, alfalfa, grain, and sesame seeds; all in wide daily use.

Scientists also point out that men synthesize about 900,000 times as much estrogen in their bodies per year as they might consume in DES from liver. Women would synthesize 4,750,000 times as much estrogen per year than they might consume from the type of beef liver to which we refer.

So, Mr. President, it seems to me we ought to put this problem into focus. We ought to put it into proper perspective. What happens in the case of oral contraceptive pills and their dangers has no relationship whatever to the problem we are discussing here.

Mr. McCLURE. Mr. President, will the Senator yield?

Mr. HRUSKA. Whatever time I have left, I yield.

Mr. McCLURE. Will the junior Senator from Nebraska yield me 2 minutes to respond.

Mr. CURTIS. I yield the Senator from Idaho 2 minutes.

Mr. McCLURE. I want to keep the dialog flowing, and inject immediately after those remarks, remarks pertinent to the remarks just made.

Two things occurred to me in response to the remarks of the Senator from Massachusetts. He says natural estrogens metabolize in a different way than synthetic estrogens. In a context dealing with the incidence of cancer, that statement is wholly unsupported.

The burden is on the proponents here today. I would suggest that the Senator from Massachusetts must not just make a statement, but he support it, because there is no such scientific correlation.

I was also a little bit struck, and I say this only half tongue in cheek, but perhaps half tongue in cheek in the remarks of the Senator from Massachusetts, about a woman who, taking a morning-after pill, then becomes pregnant. I am not certain whether he is talking about the natural course of events from the first intercourse, or whether he is talking about the fact that that woman may be raped or have incest again during the period of time when she is taking the morning-after pill that is permitted under this legislation. It would seem to me it would have to be the latter and not the former.

Are we legislating for that very narrow group of people, who would have been exposed to pregnancy twice during 2 weeks under the conditions of rape or incest? Our doing so would inhibit the entire mass of the population from the benefits of the use of a chemical, a synthetic hormone.

It seems to me that that is the thrust and the burden of the remarks of the Senator from Massachusetts.

Mr. CURTIS. Mr. President, I yield myself 2 minutes.

Mr. President, we have the unusual situation here where the use of diethylstilbestrol for cattle feed is barred from interstate commerce, period.

Again, I challenge the proponents of this legislation to give me the name and address of one person who has cancer where any medical authorities have said that it was caused by eating beef or was likely to have been caused by eating beef. There are not any. There are not any period.

Then, on the other hand, evidence has been submitted here of a great deal of cancer arising from women taking diethylstilbestrol as a morning-after pill. Is this banned from interstate commerce? No. Is it regulated or limited to rape or incest? No. Read the bill, "or any comparable medical emergency."

Is that not rather ridiculous, that the one use of diethylstilbestrol that we know caused cancer, its shipment in interstate commerce is not prohibited? In the situation where diethylstilbestrol is used for cattle feed, it would be.

Again I challenge the proponents to find one cancer victim where the medical authorities have said that it was caused or likely to have been caused by eating beef.

Mr. President, in a little while I shall offer an amendment. I hope that the proponents of this legislation will carefully consider this amendment. It does not do violence to what they are trying to do here.

It says, in substance, that the Department of Health, Education, and Welfare shall gather and analyze all the data and studies that they hold on this subject of diethylstilbestrol as cattle feed and tell us in a year what we ought to do.

This legislation leaves a great many questions to be asked. We have great numbers of cases reported that cancer is caused by cigarette smoking. However, that is not touched in this legislation.

The proponents of this bill recite a lot of cases of cancer resulting from the use of diethylstilbestrol as a medicine directly in the human body.

The PRESIDING OFFICER. The time of the Senator from Nebraska has expired.

Mr. CURTIS. Mr. President, I yield myself 1 more minute.

And that is not prohibited; that is regulated. Maybe that is right. I do not know. We are not dealing with those parts of the bill.

But here is a situation where they have not been able to come up with one case of cancer where medical authorities have said it is likely to have been caused by eating beef that has been fed diethylstilbestrol. And they are totally banning it from interstate commerce.

Can anyone defend such a legislative policy? Are we blind to all the causes of cancer that are known and we do nothing about?

Yet we pick out one where there has not been a single case of cancer attributed to it and ban that from interstate commerce.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY and Mr. HATHAWAY addressed the Chair.

Mr. HATHAWAY. Mr. President, will the Senator from Massachusetts yield a few minutes?

Mr. KENNEDY. Yes.

Mr. HATHAWAY. Mr. President, I rise in support of S. 963, a bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the administration of the drug DES to any animal intended for use as food, to limit the use of DES as a morning-after contraceptive, and to provide a statutory charter for the Food and Drug Administration within HEW. I understand that are really no objections to the latter two aspects of this proposed legislation but there are only objections to the first, so I will focus my remarks on that.

I urge the enactment of this bill because I believe it will provide us with another weapon to be utilized in our national war against cancer.

Section 101 of the bill reported from the Labor and Public Welfare Committee is intended to eliminate the use of DES as a feed additive for animals.

Despite the fact that DES has been a known carcinogen for nearly two decades, and despite attempts both by Congress—the Delaney amendment, 1958—and by the Food and Drug Administration—ban announced, 1972—to assure that such a cancer-causing substance would be eliminated from our food supplies, DES residues are showing up on the American dinner table with alarming frequency.

Mr. President, DES is a substance known to cause cancer in animals; it is known to cause cancer in humans, under certain circumstances. It seems incredible to me—almost suicidal—that we are allowing the continued use and continued ingestion of this cancer-causing substance.

Other meat-producing nations, including two of the largest—Argentina and Australia—currently prohibit the use of DES in food-producing animals. Over 20 countries have banned the importation of U.S. meat raised with DES. Those statistics, it seems to me, speak loudly on the need for a ban to protect our own population.

I am aware, Mr. President, of the economic arguments that have been raised—arguments that a ban on DES as a food additive would cost the American consumer an additional $4 or $5 a year. We cannot scoff at this figure or the economic impact of a ban on both the producer and the consumer. But neither can we ignore the growing incidence of cancer in this country, or the cost of cancer in terms of both dollars and human tragedy. The total national cost of a ban is undoubtedly far less than we spend for cancer research and cancer prevention every year.

I also urge my colleagues to support section 102 of S. 963, which will limit the use of DES as a morning-after contraceptive, specifying the situations when DES may be used for this purpose, providing for an informed consent procedure for the patient, and reporting requirements to help guard against misuse and misprescription, as well as to facilitate followup on patients.

The Health Subcommittee heard a great deal of testimony indicating the widespread misuse of DES as a morning-after contraceptive. Given the known correlation between DES and the development of vaginal cancer in the female offspring of women treated with DES in the late 1940's and 1950's, the subcommittee felt strongly that steps should be taken to minimize the possibility of misuse. The labeling, packaging informed consent, and reporting requirements stipulated in section 102 are designed to allow for the limited use of DES as a morning-after contraceptive in emergency situations such as rape or incest, provided the patient is made fully aware of the risks, benefits, and alternative methods of therapy. These provisions, along with the reporting requirements, will allow the drug to be available in those situations where it is truly medically justified, while minimizing the grave cancer hazards presented by the casual use and/or misuse of the drug as a morning-after contraceptive.

Finally, I am fully supportive of title II of S. 963, which would upgrade the status of the Food and Drug Administration by giving it a statutory mandate.

The title further provides for Presidential appointment and Senate confirmation of top FDA officials. Under the proposal the FDA will not be removed from the Department of Health, Education, and Welfare, so that it will have access to the research capabilities there; but the amendment does recognize the FDA's unique status as a regulatory agency within HEW, and the provisions of the amendment will help assure that the FDA has enough independence from political pressures at HEW to vigorously pursue its law enforcement activities.

For all of these reasons, I urge my colleagues to vote in favor of S. 963.

I conclude my remarks, Mr. President, by stating that I have listened to most of the arguments that have been made here all afternoon, and I have yet to hear the opponents of this part of the bill say that they know that only a certain amount of DES will cause cancer, and that is really the issue here. We know that a certain amount of DES will cause cancer and in fact cause death from cancer. What we do not know is how little of DES is safe and, if the opponents of this bill could tell us how little would be safe, then that would end the argument.

But our arugument is simply this: that those who want to use DES as cattle feed or feed to animals should have the burden of proving to the American public that the amount that is used in the beef will not cause cancer. It should not be left up to the American public to sustain that burden of proof.

Mr. President, I ask unanimous consent that Mr. Peter Harris have the privilege of the floor during the debate and vote on this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, who controls the time?

The PRESIDING OFFICER. The Senator from Massachusetts and the Senator from Nebraska.

Mr. KENNEDY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Massachusetts has 12 minutes remaining.

Mr. KENNEDY. I will be glad to yield to the Senator from New York and then to the Senator from Wisconsin.

Mr. NELSON. Mr. President, this is a time limitation on the amendment of the Senator from Nebraska?

Mr. KENNEDY. No, this is on the bill.

The PRESIDING OFFICER. No amendment is pending.

Mr. KENNEDY. We are debating the bill.

Mr. JAVITS. Mr. President, will the Senator yield me 3 minutes?

Mr. KENNEDY. I yield.

Mr. JAVITS. Mr. President, I urge my colleagues to support S. 963.

This bill would:

First, ban the use of DES in the feed of animals for human consumption and the use of DES implants in livestock;

Second, place certain restrictions on the use of DES as a postcoital contraceptive; and

Third, statutorily establish the Food and Drug Administration—FDA—within the Department of Health, Education, and Welfare—HEW—and make the Commissioner and other key FDA officials Presidential appointments subject to Senate confirmation.

Mr. President, it is a matter of great scientific importance and serious social implication as to whether we should ban the use of diethylstilbestrol—commonly known as DES—a synthetic drug. DES promotes rapid weight gain in beef cattle with its cost savings and better quality meat for the consumer—however, it has been determined to be a carcinogen capable of causing cancer in experimental animals and is also reportedly linked to human cancer.

Our Nation has launched an all-out effort to conquer cancer, and in 1976, $898.5 million is authorized to be appropriated to achieve this highly desirable goal.

Dr. Frank J. Rauscher, Jr., the Director of the National Cancer Institute, which has as its mission the conquest of cancer, has consistently indicated in hearings on this issue that he believes the prudent course is to prohibit use of DES in livestock feed.

Dr. Rauscher has publicly defined his mission as Director of the National Cancer Institute as being "to protect the people from cancer." I believe our commitment as legislators is to help him fulfill that goal. If legislatively reasonably possible, we should eliminate from the environment anything that increases man's carcinogenic burden.

We all know the law prescribes that substances like DES which have been shown to be carcinogenic can be used as feed additives providing no residues appear in any of the edible portion of the animal at the time of slaughter. The issue is: are residues appearing? Dr. Rauscher, on February 27, 1975, unequivically assured us of that fact in the affirmative, and he specifically recommended that the National Cancer Institute—NCI—wanted DES out of beef.

I refer my colleagues to page 39 of the joint hearing before the Subcommittee on Health of the Committee on Labor and Public Welfare and the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, U.S. Senate, 94th Congress, first session, on S. 963.

In addition, the FDA banned the use of DES in animal feeds on January 1, 1973. Further, they banned the use of implants of DES in livestock on April 27, 1973. While the U.S. Court of Appeals for the District of Columbia overturned the FDA ban, the reason for the court's decision was procedural, and not on whether or not DES residues existed.

With respect to the issue of the level of carcinogenic residue, and whether we should be concerned, I respectfully point out to my colleagues who would delay action and await further study, a quote from Dr. Rauscher's 1972 statement on DES before the committee:

> It has taken 14 to 20 years to determine that cancers were induced in young women whose mothers had received this drug (referring to DES) during pregnancy.

DES AS A POSTCOITAL CONTRACEPTIVE

While the bill as introduced would have established a 1-year moratorium on the use of DES as a postcoital contraceptive, the reported bill strengthens the FDA's control system with respect to the drug DES—and that control system indicates its—FDA's—concern shared with the committee that the drug DES is being widely misused as a morning-after contraceptive agent.

The warning label requirement, and other requirements of the bill to alert consumers to the dangers of DES, is not inconsistent with the FDA position. It merely strengthens patient protection respecting the use of the drug DES—the same goal the FDA's more limited response is designed to achieve.

I suspect, after careful consideration of FDA views on the reported bill's provisions respecting safe and effective use of the drug DES for postcoital contraception, that we will discover that we are dealing with semantics. The FDA goals and objectives, and the provisions of the reported bill, which I helped fashion, are one and the same.

STATUTORILY ESTABLISHING FDA

It is eminently reasonable for the Congress to provide a statutory charter for the FDA within HEW and set in law its creation, Moreover, in view of the importance of the role of the FDA and the impact of this agency's legal views on a host of jurisdictional matters intimately affecting the public interest, it is reasonable to have the FDA Commissioner, and other key FDA officials, subject to Presidential appointment with Senate "advice and consent."

I am pleased to note there is no objection to establishing FDA in law, and statutorily mandating a Presidential appointment with Senate confirmation of the FDA Commissioner. While there may be opposition to other of the provisions respecting FDA organization, they do not appear to be critical questions. Rather, they are a difference of opinion between the executive and legislative branches of Government on how to fashion the most effective FDA as a guardian of the public interest with respect to its jurisdiction over foods, drugs, cosmetics, et cetera.

Mr. President, we have gone into this matter very thoroughly in the Committee on Labor and Public Welfare, and the memorandum in opposition to the Curtis amendment spells out the summation of our views, dated September 8. A copy is on the desk of each Senator.

I joined in it and signed my name to it for this reason: This is an economic argument. The question is the matter of fattening or adding to the weight of cattle; thereby, the argument is made that we bring down the cost of meat to the consumer. The argument, as I understand it, is that it would be approximately $35 per family member a year. The question, then, is that as against the danger we have described.

It seems to me that this is a matter of profound judgment on the part of every individual. What is a life worth? What is the discounting of a danger such as this worth? Those of us who are for the bill came to the conclusion that it was worth spending, if this was the added cost, based upon the evidence, in order to avoid the danger.

Just as a bill can be passed and a law can be passed, it can be undone; and the proponents of the bill have been very frank about the fact that we have by no means arrived at final conclusions. However, the danger is so great, so far as we are concerned, that we do not wish to risk it or do not believe that the country should risk it.

The real point, then, about Senator Curtis' amendment, which is at the nubbin of this controversy, is not whether or not we should take the time to study. We do not think there would be any objection to that on the part of the proponents of the bill. It is the fact that its application shall be deferred during that interim of 1 year; and that, we do not feel, as a matter of conscience, is justified under the circumstances of proof which we have.

I say, too—because I have listened with respect to the argument of Senator Curtis—that if we could prove that there were cases of cancer directly attributable to eating meat, it would be mighty late in the game, when we lay side by side with the necessity for any such finding the fact that we are trying to spend $900 million a year, which is what our budget has today, in order to find cures for and means to avoid cancer.

So that balancing what we know to be the deep interests of the livestock industry against the danger that we recognize in the scientific aspect of this matter, we have chosen, as a matter of conscience, to incur the cost rather than to risk the danger.

As I say, there is certainly no objection on my part—I do not think there would be generally—to a study requiring a report within 1 year, in infinite particularity, with respect to this danger. But to block what we consider to be a real and present danger in the interim is the thing which I would feel constrained to vote against and which I hope the Senate rejects in dealing with this matter.

Mr. CURTIS. I yield myself 2 minutes.

Mr. President, I hope that if the distinguished Senator from New York knows of a single case of cancer in a human being, in which medical authorities are willing to say that it was likely caused by eating beef, he will provide it.

I am bewildered by the arguments of the proponents. They cite case after case of cancer resulting from using diethylstilbestrol as a medicine taken directly by human beings, and they do not outlaw it; they regulate it. We have cases galore in which medical authorities say that smoking cigarettes causes cancer. We do not outlaw that. Here we have a situation in which, for 20 long years, diethylstilbestrol has been used as a supplement to cattle feeding; and I challenge anyone to bring in one case of cancer in 20 long years.

It is not unreasonable, Mr. President, that before we take any such step, we ask the Department of Health, Education, and Welfare to analyze all the studies that have been made and advise us what to do. That is the essence of my amendment.

Mr. HATHAWAY. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield 2 minutes to the Senator.

Mr. CURTIS. I yield.

Mr. HATHAWAY. We did not know about the carcinogenic effects on female offspring of mothers who had taken DES for many years. It does not show up in the female until at least beyond puberty. So I do not accept the argument that it has been fed to cattle for 20 years and that therefore it has no carcinogenic effects on human beings. We may not have been able to discover it. There are many other carcinogenic agents in the air and in the water that have not shown up and may not show up for many years. I do not think that is an argument.

Mr. CURTIS. Why does the Senator not ban all food, then, on the basis that something might show up?

As a matter of fact, it has been a very few years that they have been using the morning-after pill, and already there are countless cases of it. That pill is not banned; it is regulated—not alone with rape and incest but also in any comparable medical emergency.

Yet, here is something about which there is no evidence whatever that it causes cancer in human beings. It is even banned from being shipped in interstate commerce.

Mr. HATHAWAY. In the cigarette situation, we let people know that they can get cancer from smoking cigarettes. We let the girls who are going to take the morning-after pill know that they can get cancer, that there is a possibility of getting cancer from taking it; and if they want to take it, it is at their risk.

It is not the same as putting meat products in the marketplace without any warning to people that they may be ingesting DES in sufficient quantities to give them cancer, without any warning whatsoever.

Mr. CURTIS. Now the Senator is getting into the economic issue in a big way. In that case, we will put something on the label.

I yield to the Senator from Wyoming.

Mr. HANSEN. I thank my distinguished colleague from Nebraska for yielding to me.

Mr. President, I am a cosponsor of this amendment, an amendment which I think makes very good sense. There is no need of trying to reiterate the arguments which I believe should be persuasive in convincing the Members of this body that it is ill-advised to impose by legislation a complete prohibition upon the use of a feed additive that has contributed as significantly as has DES in human nutrition.

We can talk about various things: one, the physiological effects or non-effects of DES. Dr. Charles Edwards, when he was head of the Food and Drug Administration, told me personally that he felt there was a greater danger to his health by being in a hearing room where cigarettes were being smoked and he was forced to inhale a certain amount of that cigarette smoke than would result to his health if he were to eat beef liver every day of his life, with any amount of DES in it.

As he further pointed out, the technology of the scientists in this country has grown to the point where one part in one billion of DES can be identified. There never has been any DES identified in the normal tissues of a beef animal. It is only in liver that any DES residue might remain when the procedures that are called for by the Department of Agriculture are followed.

So, really, we are taking a very unusual action; we are reflecting a strong emotional argument in saying that DES should be banned. As has been pointed out, DES has been used successfully for several years as a postcoital contraceptive. It has been used and is presently administered and there is no thought of outlawing it, only regulating it, for that continuing purpose.

On the other hand, we are turning around and saying, if this bill is passed as has been proposed that if this amendment is not accepted, if there is any trace of DES in any of the tissues in an animal slaughtered for human consumption, that animal cannot be used.

That is absolutely ridiculous. It is ridiculous from the scientific point of view in trying to arrive at some reasonable, rational balance between accepted physician practices in this country to administer DES as a contraceptive and to prescribe it for that purpose, and, on the other hand, to turn around and say, if we find even as little as 1 part in 1 billion, that animal cannot be used.

Let us look, then, at the economic side of the picture. The fact is that DES saves feed, on the average of one pound of feed for each 100 pounds of gain in beef steers. It has been estimated that on an annual basis, the saving is 7.7 billion pounds of feed.

There has been a lot of concern about some of the exports of grain from this country. I happen to be one who favors those exports, but there are those who say that any time we export any feed from this country, we are running the risk of increasing the price of food and thereby raising the bite that the cost of living places on people in this country. Therefore, they say we should export no grain at all. I do not subscribe to that position. I think the importance of a healthy American agriculture justifies the exports.

Furthermore, I think it ought not to go unnoticed that one of the most significant factors in achieving the favorable balance of trade that we have had in the first two quarters of this year has been accounted for in large measure by the exports of grain from the United States to other countries around the world. But, looking at the economic side, if we will stop for a moment to do that, let us not fail to notice that DES has made it possible for many Americans——

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. CURTIS. I yield to the distinguished Senator 2 more minutes.

Mr. HANSEN. Many Americans have been able to upgrade their diet because of the progress that has been made in the feeding of livestock. And DES has helped achieve those important savings that make it possible for the average American to have meat in a degree unthought of or undreamed of by people almost any place else in the world, simply because of the technology and the scientific advances that we have had in the United States.

I think this is a reasonable amendment. I think it ought to be adopted. It has not been proved that DES is dangerous when properly used. The amendment will mean that a whole lot of Americans are going to have a better diet, a diet more abundant in meat and in protein than could possibly be true otherwise.

I hope very much that the distinguished manager of the bill (Mr. KENNEDY) will be willing to take this amendment to conference, to listen to the experts, and then to withhold making a final decision upon banning legislatively the use of DES as a feed additive until the study has been completed and we know what we are talking about. To do otherwise at this time would seem to me very much not in the public interest.

I thank my colleague from Nebraska.

The PRESIDING OFFICER. Who yields time?

Mr. McCLURE. Will the Senator from Nebraska yield to me?

Mr. CURTIS. Yes, I yield 5 minutes to the distinguished Senator from Idaho.

Mr. McCLURE. If I understand the thrust of the arguments made by the proponents of the bill, it generally has been that we should not attempt to balance economic considerations, no matter how valid they may be, against a health hazard, no matter how slight it might be. I assume from that that if that logic prevails, we could apply it in a similar vein to a number of other matters.

For instance, penicillin is a known carcinogenic substance. I assume that the proponents of this legislation will say that the benefits of penicillin outweigh the dangers of penicillin in a health sense, so, balancing health against health, we will permit penicillin.

Mr. STONE. Will the Senator yield for one question?

Mr. McCLURE. I shall in just a moment.

But in the event penicillin is used to keep a feed animal alive, then we would have to ban the penicillin used in the feed, because it is only used to keep a feed animal alive, and, therefore, is only economic, and we cannot use to keep that animal alive the very same substance that we would permit to be used in human beings because it is health against health in human beings and only economic against health when that same substance is used in animals.

I yield to the Senator from Florida.

Mr. STONE. Is it not the case that there are chemical preservatives not under any attack by any environmentalist or health clinician or anyone else which, if taken in massive quantities, would be harmful to people's health?

Mr. McCLURE. The Senator is exactly correct. I point out also that it is not just pesticides or insecticides or preservatives. There is a whole area of things—food colors, for example—which, if taken in massive quantities, becomes carcinogenic. But they are not carcinogenic at all in the levels in which they are used.

I think the scientific community is beginning to develop the techniques by which they measure substances in such very, very small quantities that they are now recognizing the need to set threshold levels, levels below which they are known to be safe, levels above which they are not known to be safe, and, therefore, would be differentiated on that basis. Such a test applied to DES would very clearly not support its being taken off the market.

Mr. STONE. If the Senator will further yield, would not this amendment of the Senator from Nebraska give us a comprehensive, clear, carefully considered guideline as to what those quantities might be when DES is used in animal feed?

Mr. McCLURE. That is the purpose of the amendment of the Senator from Nebraska and one of the reasons I am a cosponsor of that amendment. I think that knowledge is far better than legislating from ignorance.

Mr. STONE. If this amendment passes, the Senator from Florida intends to live by the suggested guidelines that would be reported back to us by the Department of Health, Education, and Welfare, even if it meant the banning of DES in animal feed. Whatever that type of comprehensive study would come up with, the Senator from Florida could rely on that and would rely on that.

Does anyone assert that one further year added to the 20 of the use of DES in animal feed is going to cause the chance of one case of cancer in the next year?

Mr. McCLURE. I do not think anyone can make that assertion. I think, on the contrary, that the evidence would indicate that no such assertion can be made.

I want to go one step further with respect to the ability of the scientific community today using the very sophisticated methods which have been developed to detect minute quantities and how it applies to this instant bill.

I want to go back into the record for a moment in the colloquy between the Senator from Massachusetts (Mr. KENNEDY) and Dr. Schmidt, of the FDA. Senator KENNEDY asked this question:

> Will you support emergency legislation now until you get that through? Would you support legislation now? Banning—

Mr. Schmidt interjected:

> On what basis?
>
> Senator KENNEDY. Banning it in animal feed.
>
> Dr. SCHMIDT. On what basis?
>
> Senator KENNEDY. As a health hazard.
>
> Dr. SCHMIDT. No.

I do not know how more plainly the record could reveal the attitude of people who are very real experts in this field.

I thank the Senator from Nebraska for yielding.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Of course, I point out to the Senator from Idaho that FDA attempted to go ahead with the ban of this and because they failed on administrative procedural grounds. They were struck down in the courts.

It was rather interesting that while the ban was on the USDA residue reports were virtually nonexistent in terms of the amount of residues. I will put this chart in the Record that quotes the amount of residues from 1973, 1974 and 1975.

In the January to March period with 560 samples it was 0 positive residues. This is when the ban was in before it was actually struck down in the courts.

I will put this report in the RECORD—one shows approximately 500 samples each tested, and it gives the number of positive residues and the percent of the residues which was in excess of 14 days. That was the report on this particular measure to which I was referring.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FATE OF RADIOCARBON IN BEEF STEERS IMPLANTED WITH ^{14}C-DIETHYLSTILBESTROL

(By T. S. Rumsey.[1] R. R. Oltjen,[1] A. S. Kozak,[1] F. L. Daniels[1] and P. W. Aschbacher[2, 3])

SUMMARY

Eight beef steers averaging 302 kg body weight and consuming a 70% concentrate diet *ad libitum* were implanted with diethylstilbestrol (DES) ear implants containing monoethyl-1-^{14}C-DES. Two implanted steers and an untreated control steer each were slaughtered at 30, 60, 90 and 120 days after implantation. Feces, urine and blood sampled during the implant periods, tissue, bile and gastrointestinal tracts obtained from slaughtered steers, and the residual implants retrieved from the ears at slaughter were analyzed for radiocarbon content. The concentration of radioactivity in blood plasma and the excretion of radioactivity indicated an initial rapid but variable absorption of DES from the ear implants followed by a slow continual absorption of DES from 14 days after implanting to the end of the 120-day study. All implants were retrieved at slaughter; the residual implants retrieved at 120 days accounted for 16 to 19% of the administered radioactivity.

Radioactivity was not distinguishable from background in muscle tissue but was greater than background in spleen, adrenal, lung, kidney and liver tissues and in the contents of the small and large intestines for all steers. The concentration of total radioactivity in liver tissue of the steers, calculated as ppb DES equivalents, either approximated or was below the detectability limits (.5 ppb) of the routine gas chromatographic method for DES analysis; however, thin-layer-chromatography and isotope dilution techniques presumptively identified a part of the total radioactivity in liver tissue as being associated with DES or conjugates. The remainder of the radioactivity was not identified. The percentage of total radioactivity in the liver presumptively associated with DES and conjugates did not vary relative to length of implant period. Gas chromatography-mass spectrometer analysis of hydrolyzed liver extracts resulted in measurable quantities of *vis* and *trans* DES for the two livers that contained the highest concentrations of total radioactivity. The study suggested that as a result of the recommended use of DES ear implants, DES and its conjugates in animal tissue generally would not be detectable by current routine residue methods but may be detected by more sophisticated laboratory techniques.

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[3] The authors gratefully acknowledge the advice and assistance of Mr. R. M. Simpson and Drs. J. F. Spaulding and A. J. Malanoski of U.S.D.A. Animal and Plant Health Inspection Service in setting up the GLC procedure for tissue analysis of DLS and for duplicate analysis of tissues, the assistance of Dr. G. Samuelson for implanting the cattle and the assistance of Mr. E. E. Williams and Mr. D. F. Hucht for sample preparation and radiocarbon analysis.

INTRODUCTION

In rseidue studies with diethylstilbestrol (DES) implants in cattle, the mouse uterine assay has been used as an analytical tool with a sensitivity of approximately two parts per billion (ppb). These studies showed an increase in the excretion of estrogenic substances associated with the use of DES implants but did not detect the presence of tissue residues after implant administration (Stob, 1956, 1966). The recent development of gas chromatography (GLC) techniques lowered the detectability level of DES in tissue to .5 ppb, which subsequently resulted in a re-evaluation of residue problems associated with the use of DES as a growth stimulant. Although tissue residues do not appear to be detectable in implanted cattle under practical feedlot conditions when the GLC method is used (Rumsey *et al.*, 1974), the fate of DES in the animal has not been determined by using radiocarbon-labeled DES implants.

The present study was conducted to determine the excretion patterns of radioactivity from ^{14}C-labeled DES implanted in the ear of beef steers and to determine if tissues of these steers, particularly liver and muscle, contain radioactivity that may be associated with the DES molecule.

EXPERIMENTAL PROCEDURE

Animal phase

Eight beef steers averaging 302 kg body weight were fed *ad libitum* a conventional finishing diet composed of 50% corn, grain, cracked, mx 4% foreign material, IRN+ 02-861; 15% ground alfalfa hay, S-C, gr 1 U.S., IRN 1–00–079; 15% timothy hay, S-C gr 1 U.S., IRN 1–04–896; 10% soybean, seeds, solv-extd grnd, mx 7% fiber, IRN 5–04–604; 9% sugarcane, molasses, mn 48% invert sugar, mn 79.5 brixs, IRN 4–04–696 (cane molasses), 1% trace mineral salt; and 1.6 g of vitamin A premix (250,000 IU/g) per 100 kg of diet. Each steer was accustomed to the diet for at least 30 days before being accustomed to a collection crate for the total collection of urine and feces. Water was available at all times. A 24-hr control collection of urine and feces was obtained and jugular blood was sampled. Each steer was then implanted with ^{14}C-DES[2,5,6] ear implants by using the Hess and Clark pellet implanter. The implants were pulpated *in situ* to assure their placement in the ear. The labeled implants differed from the commercial implants in that the labeled implants were tan in color; whereas, commercial implants are white.

After implantation, two steers each were slaughtered after implant periods of 30, 60, 90 and 120 days. One steer assigned to each time period received two ^{14}C–DES implants in the right ear. The second steer for each time period received one ^{14}C–DES implant in each ear except for steer 477 (120 days) which was smaller and received only one implant in the right ear. All implants were administered by the same veterinarian to minimize variation associated with implant procedures. Steers 312, 445 and 477 received implants with a stated specific activity of 59 mCi/mMole of DES, and the other five steers received implants formulated at a later date with a stated specific activity of 49 mCi/mMole DES.

After implantation, all steers were maintained in collection crates for 21 days, removed from the crates and placed in individual pens, and then returned to the crates on days 22 to 28 of each subsequent 28-day period. This pattern was not changed except to make certain that for each steer a 7-day collection period immediately preceded its respective slaughter date. While the steers were in the crates, feces and urine were collected and sampled on a 24-hr basis. While the steers were out of the crates, feces and urine were not sampled, but the individual pens were cleaned twice daily for the purpose of maintaining sanitation and minimized coprophagy. Excretion of daily radioactivity during each 21-day period in the individual pens was estimated as the average for the 7-day collection periods before and after each 21-day period. Blood samples were collected daily for the first 7 days after implantation and then weekly for the duration of the study. All steers were slaughtered at the end of their respective implant periods along with nonimplanted control steers that served as a source of samples for determining background levels of radioactivity. The control steers were maintained in individual pens on the 70% concentrate diet.

At slaughter, the ears of each implanted steer were removed from the carcass, and the residual ^{14}C–DES implants retrieved. The gastrointestinal (GI) tracts with contents were separated anatomically into the rumen, omasum, abomasum, small intestine and large intestine. Care was taken to minimize cross contamination between GI tract sections. The tissue and contents for each GI tract section were separated and weighed. A representative aliquot of contents from each GI tract section was oven dried and ground for analysis. The total tissue for each GI tract section was oven dried and ground before sampling for analysis.

The gall bladder was separated from each liver, and the bile was measured, frozen and lyophilized. The liver, adrenals, lungs, spleen, heart and ears from each steer were weighed. The organs, shaved ears, and 4.5 kg of rib eye muscle were ground, and aliquots were frozen and lyophilized. The remaining fresh material from each liver was frozen in plastic bags.

Analysis of samples

Radiocarbon Analysis. All urine and blood samples were analyzed for total radioactivity according to procedures used by Rumsey and Schreiber (1969). All dry samples were analyzed for total radioactivity by combustion (Thomas-Ogg Combustion flask, Cat. No. 6514–F20. A. 11. Thomas Co., Philadelphia, Pa. 19105). The $^{14}CO_2$ that resulted from combustion was trapped in 9 ml of a mixture of ethanolamine and ethylene glycol monomethyl ether (1:7 v/v), and 8 ml of the trapping solution was mixed with 10 ml of 2. 5-diphenyloxazole in toluene (8.25 g/1) for liquid scintillation counting. Duplicates of all samples were analyzed. The background radioactivity across all types of control samples ranged from 39 to 44 counts per minute (cpm). Radiocarbon analysis was quantiated by adding known amounts of ^{14}C-DES to control samples obtained from nonimplanted steers and comparing the cpm minus background in these samples to the known disintegrations per minute (dpm) that were added. The overall efficiency of the blood and urine analyses approximated 70%, and the efficiency of the combustion procedure approximated 75%. The implanted steers in this study were slaughtered in pairs, and the radioactivity in tissues from each pair were statistically compared with control tissues obtained at the same time from a nonimplanted steer.

All residual implants were cleaned under a magnifying glass. Usually, the cleaning consisted of removing, with the aid of forceps, a thin tissue film that had encapsulated the implants *in situ*. The residual implants were dissolved in 50 ml of benzene, diluted 1 to 100 with additional benzene, and analyzed for radioactivity by mixing 0.1 ml of the diluted DES-benzene mixture in 8 ml of the enthanolamine-ether solution and 10 ml of the toluene counting solution. Total radioactivity in the liver tissue extracts prepared for GLC analysis was determined in the same manner as that in the dissolved implants.

GLC and Mass Spectroscopy Analysis. All liver and kidney tissue samples were analyzed for DES by using the GLC method described by Donoho *et al.* (1973) and modified by APHIS[7] (R. M. Simpson, J. E. Spaulding and A. J. Malanoski, *personal communication*). Duplicates of the liver and kidney tissue samples were independently analyzed with the same analytical technique by the Washington, D.C., APHIS Laboratory and the authors' laboratory. The lower limit of quantitation was .5 ppb for the GLC tissue method. Analytical recovery approximated 65% when DES-monoglucuronide was used as a standard and recovery of free DES standard approximated 90%. Standard curves were obtained routinely by adding varying levels of free-DES to tissue samples from control animals. All residual implants were analyzed by GLC.

In addition to the routine GLC analysis, a set of liver extracts prepared in the same manner as for the routine GLC analysis was analyzed by using an LKB-9000 GLC-Mass Spectrometer.[8] The extracts were concentrated 10-fold before injection. The GLC column was packed with 3% OV–210 on 90–100 Anakrom ABS, and the spectrometer was tuned to monitor m/e 462. The lower quantitation limit for standards approximated .1 ppb.

Thin-layer Chromatography. Two one-dimensioned thin-layer chromatography (TLC) systems were used to determine the proportion of total radioactivity in liver extracts that had TLC characteristics similar to those of DES. In both systems, plates coated with 250 microns of silica gel G (Analalabs, New Haven, Connecticut) were used. In one system, hexane, diethylether and dichloromethane (4:3:2) were used as the solvent, and in the second system, 5% ethanol in redistilled chloroform was used. The plates were counted with a Beta Camera (Model 6000, Baird Atomic, 33 University Road, Cambridge, Massachusetts 02138).[9] Samples of all livers were extracted and prepared as for GLC analysis up to the point of derivatization. Each prepared extract was concentrated fivefold, and 109 μl were spotted for each TLC determination.

Each benezene-implant solution was analyzed by two two-dimensional TLC systems and some of the residual implants were analyzed on a third two-dimensional system. In all systems, TLC precoated with 250 μ of sahca gel G were used. In the first system,

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[4] Monoethyl-1-^{14}C-diethyl-stilbestrol was obtained in crystalline form in two separate batches from Amersham-Searle Corp., Arlington Heights, Illinois. Radiochemical purity of both batches exceeded 98% as determined by paper chromatography in benzene: petrol (80 to 100 C:methanol:water (5:5:7:3 by volume) and by thin-layer chromatography on silica gel in chloroform:acetone (3:2 by volume).

[5] Crystalline ^{14}C-DES was formulated into implants (88.24" DES. 10.29% hydrogenated peanut oil and 1.47% calcium stearate) by the Chemical Research Laboratory of Hess and Clark; the specified weight and thickness tolerances established for Hess and Clark's commercial DiESBTRrol-C implants (17 mg ± 10% and .267 to .29 cm) were used. A radiochemical purity check by the Hess and Clark Laboratory indicated 97 to 98% purity.

[6] Mention of a tradename, proprietary product or specific equipment does not constitute a guarantee or warranty by the U.S. Department of Agriculture and does not imply its approval to the exclusion of other products that may be suitable.

[7] Animal and Plant Health Inspection Laboratory of U.S.D.A., Washington, D.C. 20250.

[8] Analysis conducted at the Dow Chemical Analytical Interpretive Laboratory, Midland, Michigan 48640.

[9] Analysis conducted at the Hazleton Laboratory, Fairfax, Virginia.

benezene and ether (19:1) were used as the first solvent and dichloromethane and ethanol (19:1) as the second. In the second system, hexane, diethylether and dichloromethane (4:3:2) were used as the first solvent and redistilled chloroform and ethanol (19:1) as the second solvent. In the third system ethyl acetate, hexane saturated with water and ethanol (16:3:1) were used as the first solvent and hexane, diethylether and dichloromethane (4:3:2) as the second. A part of each benezene-implant solution was diluted to contain approximately 8 x 10^4 dpm/μl, and 2 μl were spotted on a TLC plate. The developed plates were exposed to X-ray film. Each zone containing radioactivity was scraped and counted in 15 ml of the diphenyloxazole counting solution.

Isotope Dilution. Radioactivity presumptively associated with free or conjugated DES was determined in liver tissue from all steers as described by J. E. Patrick and K. I. H. Williams (*personal communication*).[10] About 200 to 250 g of homogenized liver tissue were used for each determination. In general, the procedure involved the addition of ^{3}H-DES glucuronide as an internal standard (230,000 dpm. specific activity of 59 mCi/mMole) and 50 mg of unlabeled carrier DES to each sample, followed by extraction with aqueous methanol (1 g liver:1 g methanol). The extraction was repeated twice. The extracts were combined, evaporated, diluted with water (pH 3.5) and extracted three times with 200 ml of ethyl acetate. The combined ethyl acetate extracts were evaporated and partitioned between sodium acetate buffer (pH 5.2), which contained the conjugated DES fraction, and chloroform, which contained the free DES fraction. The conjugated fraction was hydrolyzed with Glusolase, (a mixture of B-glucuronidase and arylsulfatase), the free DES was extracted with ethyl acetate, and 50 mg of carrier DES was added to the extract. The DES resulting from hydrolysis of the conjugated fraction and the DES in the free fraction were chromtographed separately by thick-layer techniques (1 mm silica gel plates in 40% ethyl acetate/cyclohexane), eluted with acetone and recrystallized in benzene to a constant specific activity. The crystals were counted for both ^{3}H and ^{14}C content. For further conformation, the crystals were converted to their diacetate derivative with acetic anhydride/pyridine. The derivative was chromatographed by thick layer (1 mm silica gel in 25% ethyl acetate/cyclohexane), eluted with acetone and recrystallized in 95% ethanol to a constant specific activity.

RESULTS

Animal performance and implant retrieval data are shown in table 1. Daily gain ranged from zero to 1.1 kg per day and averaged .6 kilograms. Initial implant weight ranged from 15.5 to 17.2 mg/implant except for the 15.0 mg implant which the smallest of the steers received. Average implant weight was 16.0 milligrams. GLC analysis of a control unlabeled implant, a small amount of powder remaining from the manufacture of the 59 mCi/mMole implants and a chip from one of the 49 mCi/mMole implants indicated that the implants contained the prescribed level of DES. However, analysis for total radioactivity of the powder and chip indicated the presence of only 76 and 80%, respectively, of the prescribed level of radioactivity.

On the basis of total implant weight, the residual implants retrieved at the end of 30, 60, 90, and 120 days represented 58, 55, 50, and 23% of the original implant weight, respectively (retrieved implant weight÷initial implant weight×100). On the basis of GLC analysis, the residual implants contained 36, 30, 27 and 14% of the original DES dose for the respective times. The DES content of the individually retrieved implants measured by GLC ranged from 44.8 to 81.1% and averaged 65.3%. The average DES content of the residual implants based on analysis of radioactivity was 68.2%.

The estimated recovery of administered radioactivity as a percentage of total radioactivity based on manufacturer specifications of specific activity is shown in table 2. Although radioactivity was measurable above background in blood, kidney, liver and bile, it represented <.1% of the administered dose and therefore was not included in the table. The estimated total radioactivity excreted for 30, 60, 90, and 120 days was 32, 35, 41, and 57%, respectively. Estimated recovery of the specified dose averaged 81% for all steers in the study. However, if a correction is made based on the analyses of the powder and chip, total radioactivity excreted would be 41, 45, 52, and 73% for 30, 60, 90, and 120 day implant periods, respectively, and average recovery would be 103%.

TABLE 1.—BODY WEIGHT, PERFORMANCE, IMPLANT WEIGHT AND COMPOSITION OF RESIDUAL IMPLANTS FOR STEERS IMPLANTED WITH ^{14}C-DES

Days after implantation and steer No.[b]	Initial weight, (kilograms)	Daily gain, (kilograms)	Total weight of implants (milligrams)[a]		GLC analysis of retrieved implants, Percent DES
			Initial	Retrieved	
30:					
312	362	0.4	[c, d] 34.2	15.2	53.0
591	336	0	[c] 27.6	20.9	70.7
60:					
445	268	.6	[c] 33.4	18.3	62.2
595	286	.5	32.6	18.1	76.9
90:					
565	295	.7	32.9	19.6	75.6
559	328	.5	32.1	13.1	69.6
120:					
477	231	.7	[e] 15.0	3.4	57.6
536	311	1.1	32.2	7.2	53.8
Average	303	.6			65.3

[a] The implant formulation contained 88.2 percent DES.

[b] Steers No. 312, 445 and 565 received 1 implant in each ear; steers No. 591, 595, 559 and 536 received 2 implants in right ear; and steer No. 477 received 1 implant in right ear.

[c] Steers received implants with stated specific activity of 59 μCi/m Mule of DES. The specific activity was 49 for the other steers.

[d] 1 implant was slightly crumbled when implanted: however, all pieces appeared to be recovered at slaughter.

[e] A chip broke oft the implant before administration, and only the large piece (11 mg) was implanted.

TABLE 2.—RECOVERY OF ^{14}C IN RESIDUAL EAR IMPLANTS, EXCRETA AND GASTROINTESTINAL TRACT OF STEERS IMPLANTED WITH ^{14}C-DES

Days after implantation and steer No.	Percent of implanted radioactivity				
	Feces	Urine	Ear[a]	GI tract[b]	Total
30:					
312	21.3	22.8	33.6	0.2	77.9
591	9.5	10.5	65.2	.1	85.3
60:					
445	25.8	11.3	47.9	.1	85.1
595	17.6	14.3	52.4	.1	84.4
90:					
565	15.8	21.0	48.3	.1	85.2
559	28.0	17.4	33.5	.1	79.0
120:					
477	35.6	22.9	19.2	.1	77.8
536	28.9	26.4	16.5	.1	71.8
Average recovery					80.8

[a] Includes the analyses of residual implant and ear tissue.

[b] Includes the analyses of GI tract tissue and contents.

TLC analyses of residual implants that were in the solid form for 65 days compared with those in the solid form for up to 160 days indicated <1.0% difference in radio-impurities. These results suggested little if any autodegradation of ^{14}C-DES in the solid implants. However, in all implants, material distinct from standard DES appeared to make up from 3 to 5% of the radioactivity.

Figure 1 shows the concentration of radioactivity in blood plasma with time after implantation and the excretion of radioactivity in feces and urine. Radioactivity in blood declined during the first 3 weeks to a plateau that continued for the duration of the study. Similar patterns were noted for urine and feces except that the marked decline in radioactivity ended in approximately 7 days, and a gradual decline occurred from approximately 176 μg DES equivalents per day at 14 days to 60 μg at 120 days. Approximately 1.3 times more radioactivity was excreted in the feces than in the urine. At about 1 week after implantation, a temporary increase in radioactivity was noted in the blood, urine and feces.

Radioactivity was consistently measured above background in the small and large intestines but not in the rumen, omasum and abomasum, which is consistent with biliary secretion of DES.

The concentration of radioactivity in various muscle tissues and organs is shown in table 3. In general, radioactivity was not distinguishable from background in the muscle tissues and heart. Low concentrations of radioactivity were measured in the tongue, spleen and adrenals; and in most steers, lung tissue contained a radioactivity content of the same magnitude as that of liver and kidney tissues (table 4).

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[10] The isotope dilution analysis was conducted by J. E. Patrick and K. I. H. Williams at the Worcester Foundation for experimental Biology, 222 Maple Avenue, Shrewsbury, Massachusetts 01545. A detailed outline of their work was contained in a final report which was presented to the authors of this paper as a personal communication.

Liver and kidney tissues contained similarfor DES. The ppb equivalents were deter- concentrations of radioactivity; and whenmined from the dpm per gram for each steer calculated as ppb DES equivalents, the con-using the manufacturer specific activity of centrations either approximated or were be-the DES given to that steer. Because of the low the detectability level of the CLC methodlow calculated levels of DES equivalents, negative results for GLC analyses of liver and kidney tissues were not a surprise. The concentration of radioactivity per gram of dry matter in bile was approximately 130 times greater than that in liver and kidney tissues.

TABLE 3.—RADIOACTIVITY IN TISSUES OF STEERS IMPLANTED WITH ^{14}C–DES

Days after implantation and Steer No.	Radioactivity, dpm/g dry matter											
	Muscle tissue						Organ tissue					Amount needed to be significant above background at P<.05
	Right shoulder	Left shoulder	Right cheek	Left cheek	Brisket	Rib	Heart	Tongue	Spleen	Adrenal	Lung	
30:												
312	([a])		96	102			119	96	202	273	453	59
591									107	153	500	65
60:												
445				86				102	89	159	186	59
595			89				99	83	139	235	4,636	62
90:												
565								127	103	347	1,068	65
559								138	116	317	297	66
120:												
477			72						76	131	335	62
536								136	124	216	1,175	66
Average								85	120	229	1,081	63

[a] Not distinguishable from background.

IMPLANTING BEEF STEERS WITH ^{14}C-DES

TABLE 4.—ANALYSIS OF BILL, LIVER AND KIDNEY OBTAINED AT SLAUGHTER FROM STEERS IMPLANTED WITH ^{14}C-DES

Days after implantation and steer No.	Radioactivity above control, dpm/g dry matter			DES analysis by GLC, ppb [1]	
	Bile	Liver [2]	Kidney [2]	Liver	Kidney
30:					
312	82,717	(0.51)884	(0.55)1,228	<0.5	<0.5
591	147,270	(.49)539	(.49)715	<.5	<.5
60:					
445	67,298	(.42)727	(.53)918	<.5	<.5
595	130,335	(.57)766	(.45)805	<.5	<.5
90:					
565	193,908	(.69)865	(.55)898	<.5	<.5
559	53,612	(.52)663	(.37)736	<.5	<.5
120:					
477	17,420	(.24)391	(.17)381	<.5	<.5
536	67,177	(.32)402	(.33)621	<.5	<.5
Average	94,967	(.47)655	(.43)788		

[1] Lower limit of quantitation was 0.5 ppb.

[2] Values in parentheses represent total radioactivity calculated as ppb DES equivalants in wet tissue.

The presumptive identification of part of the radioactivity found in liver tissue is shown in table 5. Quantitative differences between techniques are not completely understood at this time. On the basis of two TLC systems, from 2.3 to 12.8% of the radioactivity in liver after extraction and hydrolysis migrated similarly to standard DES, and the calculated DES equivalents were quite low (.01 to .09 pph). A plot of the TLC scanning data for each system is shown in figure 2 as an average of all steers. In both systems, a noticeable amount of radioactivity in liver tissue moved ahead of *cis* and *trans* DES. When isotope dilution techniques were used, from 11.5 to 52.5% of the radioactivity in liver tissue was presumptively associated with the DES molecule; this gave a concentration of DES equivalents of from .03 to .36 pph. More than 99% of the presumptively identified radioactivity was associated with the conjugated form. The proportion of total radioactivity in liver characterized as DES and its conjugates by isotope dilution was similar to the proportion of total ^{14}C extracted from livers by the routine GLC method. Of the seven hydrolyzed liver samples that were analyzed by GLC-mass spectroscopy, two samples contained identifiable *cis* and *trans* DES (>.1 ppb) and one sample appeared to contain a trace but was not quantifiable.

TABLE 5.—IDENTIFICATION OF ^{14}C IN LIVER OF STEERS IMPLANTED WITH ^{14}C-DES

Days after implantation and steer No.	^{14}C with TLC characteristics similar to DES		^{14}C harvested with DES during isotope dilution and recrystallization studies		^{14}C extracted for GLC-mass spectroscopy analysis		
	Percent of total ^{14}C	DES equivalent in wet tissue, ppb	Percent of total ^{14}C[a]	DES equivalent in wet tissue, ppb	Percent of total ^{14}C	DES equivalent in wet tissue, ppb	DES determined by mass spectroscopy ppb wet tissue [b]
30:							
312	2.4	0.01	24.3	0.15	11.0	0.07	0.12
591	10.9	.05	37.8	.19	29.1	.14	[c]T
60:							
445	4.1	.02	27.8	.14	14.0	.07	—[d]
595	5.5	.03	36.3	.21	26.4	.15	<.10
90:							
565	12.8	.09	52.5	.36	52.3	.36	.36
559	4.2	.02	21.4	.11	19.3	.10	<.10
120:							
477	2.3	.01	11.5	.03	9.2	.03	<.10
536	10.2	.03	23.1	.07	28.6	.09	<.10
Average	6.6	.03	29.3	.16	23.7	.13	

[a] More than 99 percent of the harvested ^{14}C was associated with the conjugated fraction.

[b] Lower limit of quantitation was 0.1 ppb.

[c] Trace amount but not quantifiable.

[d] Sample not analyzed by mass spectroscopy.

Discussion

The continual absorption and effectiveness of DES ear implants in feedlot cattle over a 150-day period has been demonstrated by Hale *et al.* (1959). In their study, absorption was based on the weight and DES analyses of residual ear implants retrieved from the ears. A similar absorption pattern for a different commercial source of DES ear implants was shown over the usually recommended 120-day feeding period (Rumsey *et al.,* 1974). Stob (1956) showed an increased excretion of estrogenic materials by cattle after the administration of DES ear implants. Thus, the literature suggests that a small amount of DES continuously enters the animal body as long as residual implants are present: approximately 150 to 175 days. Negative residue data, however, indicate that the concentration of any DES in tissue resulting from the continual absorption from implants is below the detectability limit (.5 ppb) of the current GLC residue method (Rusmey *et al.,* 1974).

The absorption of the laboratory-prepared ^{14}C–DES ear implants in the present study appeared to be similar to that of the commercial ear implants. There was no apparent difference between animals administered two implants in one ear or one implant in both ears. On the basis of circulating levels of radioactivity and excreted radioactivity, a slow, continual absorption of ear implants occurred from about 14 days after implantation to the end of the 120-day study. Part of the ^{14}C–DES was unabsorbed at the end of 120-days and was retrieved as residual implants. Absorption was greater and more variable before 14 days, probably as a result of absorption being influenced by tissue rejection of the implant, the exact location of the implants *in situ* relative to blood vessels, and the variation in hardness of the implants. The initial rapid and variable absorption after implanting would explain why DES was measured in some hydrolyzed extracts (Ramsey *et al.,* 1974) obtained from livers during the first 28 days after implantation under feedlot conditions.

The apparent low recoveries of administered radioactivity were unexpected and difficult to explain. The low recoveries are explainable on the basis of GI.C radiocarbon analyses of a small amount of powder left after the implants were formed and a small chip from one implant. However, the low recoveries did not prevent determining the execretion patterns or describing the distribution among various tissues in this study. Of the tissues sampled, spleen, adrenal, lung and liver tissues consistently contained measurable concentrations of radioactivity. Tongue tissue contained barely measurable concentrations of radioactivity. Spleen and adrenal tissues contained one-half to one-third the concentration that was found in liver and kidney tissues, and lung tissue contained two times the concentration of radioactivity found in liver and kidney tissues.

Radioactivity in spleen, adrenal and lung tissues was higher in steers implanted with ^{14}C-DES than in orally ^{14}C-DES treated animals (Rumsey *et al.,* 1975) that had concentrations of radioactivity in liver tissue similar to those in the present study. The spleen, adrenal and lung tissues were not found to be a cite of radiocarbon accumulation after oral administration of ^{14}C-DES; however, the excretion curve for radioactivity after oral administration contained both a rapid and low phase and the proportion of radioactivity in the liver presumptively identified as being associated with DES decreased with time after oral administration. Possibly the slower continual rate of DES administration by ear implants compared with the rate by oral administration of ^{14}C-DES allowed a greater part of the radioactivity to become associated with the slower phase of depletion; and thus, radioactivity was retained at a relatively higher level in the spleen, adrenals and lungs of implanted cattle. Also, the distribution of radioactivity in ^{14}C-DES-implanted cattle represented a more complete equilibrium among tissues than in orally treated cattle, regardless of chemical form.

In the present study, liver tissue was selected for residue identification. The radioactivity data for bile and fecal material of implanted cattle, like that of orally treated cattle, indicated that the liver was involved in the excretion of the largest part of DES. The concentration of total radioactivity in liver tissue, calculated as ppb DES equivalents, approximated or was below the sensitivity limits of the GI.C residue method. This low level explains why residue results were negative both in this study and in the feedlot study reported by Rumsey *et al.* (1974). However, presumptive identification of radioactivity in liver tissue suggested that at least a part of the total radioactivity in liver tissue was associated with the DES molecule, primarily in the conjugated form.

The actual quantities of radioactivity identified as being associated with DES should that be considered as absolute but should be interpreted qualitatively because of the inherent analytical difficulties in quantitating such small amounts. That is to say, the results of two chromatography techniques indicated that part of the radioactivity in liver tissue behaved like DES or its conjugate, and two liver samples that contained the highest levels of radioactivity gave a positive mass spectrometry identification of *cis* and *Iruns* DES after hydrolysis of the tissue extract.

The presumptively identified part of total radioactivity did not vary relative to length of the implant period but appeared to vary randomly. The random metabolic variation as noted by the identified part of radiocarbon would add to the variation caused by differences in absorption rate. On the basis of this study and implant absorption data collected under feedlot conditions (Rumsey *et al.,* 1974), it appears that the variation in absorption rate of implants is apparently a major problem in the use of implants.

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Mr. KENNEDY. How much time do we have remaining?

The PRESIDING OFFICER (Mr. BELLMON). The Senator from Massachusetts has 5 minutes remaining.

Mr. KENNEDY. I yield to the Senator from Wisconsin (Mr. NELSON).

The PRESIDING OFFICER. The Senator from Nebraska has 6 minutes.

Mr. NELSON. Mr. President, is there time on the bill?

Mr. KENNEDY. On the bill.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. I yield 4 minutes to the Senator from Wisconsin.

Mr. NELSON. Mr. President, I would like to address myself to the issue that has been raised by the proponents of the amendment advocated by the distinguished Senator from Nebraska, in which the argument runs: Name one person who has ever contracted cancer as a consequence of eating any meat in which diethylstilbestrol has been used in the 20 years it has been on the market?

The second aspect of the argument is: Whatever residue there is, it is in such tiny, minuscule amounts that it could not have any provable harmful effect.

I think there is a lot of confusion about the argument on this issue. The real argument of the advocates of the amendment by the Senator from Nebraska are, in substance, whether we should modify or repeal the Delaney amendment. The Delaney amendment does not leave any room for argument that you have to wait until you have a provable case of human cancer as a consequence of ingesting some additive in the food.

What the Delaney amendment says, in effect, is: If the additive is carcinogenic in laboratory tests or in human beings, then no residue may be present, no residue may be permitted to be present. in that product. That is the issue.

If you are going to allow carcinogenic agents as food additives or as chemicals to be introduced into the environment, and the argument is that you have to wait until there are provable cases of cancer in order to remove it from the marketplace, then you are presenting a tremendous hazard to be presented to the people of this country who are getting medicated against their will.

This is the whole argument right now on that big case dealing with asbestos residues being dumped into Lake Superior. The argument by reserve mining is that the introduction of taconite tailings into that great clear body of water, which tailings have asbestos in them, is not a threat to health because we cannot find anybody yet of the 200,000 people who drink that water who have gotten cancer from the ingestion of the water.

The PRESIDING OFFICER. The Senator's 4 minutes have expired.

The Senator is given 1 more minute.

Mr. NELSON. So the argument of the proponents of this is, let the public run the risk of the introduction of a carcinogenic agent until we find out whether or not it has created a health hazard of disastrous proportions 5, 10, or 15 years later.

If they want to do that, amend the Delaney amendment; let it out in the open and debate it on that basis, but do not argue here that you ought to circumvent the Delaney amendment because you have not got any proof yet that anybody died from ingesting meat from an animal that was treated with diethylstilbestrol.

How much time do I have left?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CURTIS. I will yield——

The PRESIDING OFFICER. The Senator from Nebraska has 6 minutes remaining.

Mr. CURTIS. I will yield 1 minute to the distinguished Senator.

Mr. NELSON. I wanted to make just one more point.

Mr. CURTIS. I yield 1 more minute.

Mr. NELSON. I thank the Senator from Nebraska.

This point is on the argument respecting the usage of diethylstilbestrol as a drug. I think the record should be clear that whatever one may think of the law, the Delaney amendment applies to food additives. The uilization of diethylstilbestrol as a drug is regulated under the drug sections of the Food, Drug and Cosmetic Act. The law, respecting the risk-benefit ratio as to a drug, is quite a different matter from the Delaney amendment and the introduction of carcinogens into the food. They are two distinct and separate items, statutorily.

Mr. CURTIS. Mr. President, I call up amendment No. 692 in behalf——

Mr. McCLURE. Mr. President, will the Senator defer calling up his amendment so that I can ask the Senator from Minnesota one question?

Mr. NELSON. I come from close by. [Laughter.]

Mr. McCLURE. Excuse me.

The thrust of the argument is that the Delaney amendment, which refers to food additives, must not be circumvented, although we are seeking to circumvent the Administrative Procedure Act in this bill.

Mr. NELSON. I did not hear. The Administrative what?

Mr. McCLURE. Administrative Procedure Act. We are circumventing the Administrative Procedure Act. The question is——

Mr. NELSON. Just one remark. I am opposed to that, too. It should be left to the FDA.

Mr. McCLURE. I am glad to note the Senator is opposed. I assume he will vote against the bill then.

Mr. NELSON. The Senator is correct.

Mr. McCLURE. The question I would have with respect to the Delaney amendment is this, are we prepared, really, under the measurement devices we have now, to ban every substance which may be carcinogenic?

Mr. NELSON. We should be prepared, and it is the directive of our legislation to the Food and Drug Administration, that when any additive is introduced or proposed to be introduced, or has been introduced into the food chain as a food additive that is found to be carcinogenic when ingested by man or animal, under the terms of the Delaney amendment, it must be removed from the marketplace, and I endorse wholeheartedly that concept.

Mr. McCLURE. But the Senator does not endorse that as the amendment applies to drugs or medicine, is that correct?

Mr. NELSON. I hope the distinguished Senator is not getting confused as to another law. The question there is the benefit-to-risk ratio.

For example, take the drug—let me give the Senator an example, so the Senator will see the distinction—chloramphenicol. That is a very potent, serious antibiotic only to be used in those cases where the patient is seriously ill and there is no other drug that will help the patient. Therefore, under those definitions, the risks of this dangerous drug is causing anemia and dyscrasia, weighed against the benefits in the treatment of certain disorders, comes out but on the benefit side. Although the patient may very well, in a certain number of cases, die from aplastic anemia, he is more likely to die from the organism he has if he does not get the drug.

There is no way to equate the usage of a drug, which is potent and has potential serious side effects as well as benefits, but is administered in a controlled and limited way, with the use of an additive in the food chain. They are two absolutely different situations.

Mr. McCLURE. I assume the Senator from Wisconsin then would join in any efforts made to ban the ingestion of tobacco in any form, would ban the ingestion of alcohol in any form, would ban the ingestion of lactose acid, which is milk sugar, in any form, because lactose is a carcinogenic, or suspected carcinogenic agent.

Mr. NELSON. The Senator made a presumption about what position I might undertake that is incorrect.

There is quite a difference between the involuntary medication of the people of this country against their will or without their knowledge by the introduction of serious agents that are life-threatening, and somebody volunteering to risk a hazard to his own health based on his own decision. Those are also two different issues.

Mr. McCLURE. I understand.

Mr. NELSON. I would advise people not to use them.

But this is a case of where we are requiring people to have diethylstilbestrol introduced into their bodies, whether they want it or not, despite the Delaney amendment.

I oppose that.

Mr. McCLURE. I understand the Senator is saying it has to do with whether or not people are aware or not. I assume when it has to do with food, there is an assumption on his part that the people are aware of it and advised of drugs, that is a distinction which I find almost incomprehensible.

The PRESIDING OFFICER. The time of the Senator has run out.

Mr. NELSON. I did not make that distinction, so I can see why the Senator——

AMENDMENT NO. 692

Mr. CURTIS. Mr. President, on behalf of myself, Mr. BELLMON, Mr. TOWER, Mr. THURMOND, Mr. EASTLAND, Mr. HUDDLESTON, Mr. MCGEE, Mr. CLARK, Mr. FANNIN, Mr. JOHNSTON, Mr. LAXALT, Mr. GOLDWATER, Mr. HRUSKA, and Mr. HANSEN, who are cosponsors, I call up my amendment No. 692.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> The Senator from Nebraska (Mr. CURTIS), for himself and others, proposes an amendment No. 692.

Mr. CURTIS. Mr. President, I would like to have it read.

The assistant legislative clerk read as follows:

> On page 2, strike lines 8 through 12 and insert in lieu thereof the following new subsection:
>
> (q) The Secretary of Health, Education, and Welfare is directed to accumulate and analyze all data related to the public health aspects of the use of diethylstilbestrol (DES) as a growth promotant in animals intended for use as food, and to report to the Congress the results of such accumulation and analysis, together with his recommendations as to the appropriate course of action to be taken with regard to such use of DES. Such report shall include the results of the DES portion of the Estrogen project of the National Center for Toxicological Research and shall include the results of all studies on DES completed as of June 1, 1976. The report provided for herein shall be submitted not later than one year after enactment of this section.

Mr. CURTIS. Mr. President, amendment 692 directs the Secretary of Health, Education, and Welfare to accumulate and analyze data relating to the public health aspects of the use of diethylstilbestrol—DES—as a growth promotant in animals intended for use as food and report the results of such accumulation and analysis to Congress with his recommendations as to the appropriate course of action to be taken with regard to such use of DES. This amendment recognizes the importance of the data to be generated by current and proposed Government and industry sponsored studies by directing the Secretary to include the results of these studies in his report.

The language of this amendment differs from S. 963 in that S. 963 would, in part, prohibit the introduction into interstate commerce of DES for the purposes of administering the drug to any animal intended for use as food. S. 963 is contrary to the long established intent of Congress that matters relating to public health and welfare be decided by the Secretary of Health, Education, and Welfare in accordance with the established procedures embodied in the Federal Food, Drug and Cosmetic Act.

The administration of DES to animals used for food does not present a hazard to public health according to the Commissioner of the Food and Drug Administration.

The FDA has proposed that the mouse uterine test, the currently approved test method to determine the absence of DES residues, be revoked. The mouse uterine test, which can detect residues at levels of 2 parts per billion, has come under review since the U.S. Department of Agriculture—USDA—published the results of a radioactive tagged DES study which found radioactivity at levels of 0.24 parts per billion to 0.70 parts per billion in beef liver. The USDA could not, however, identify the radioactivity found as being associated with free DES.

Other tests have been conducted utilizing the gas liquid chromotography—GLC—method which can detect residues at levels at 0.5 parts per billion. No residues of DES were found in the liver or muscle tissue analyzed.

Commissioner Schmidt of the FDA announced on February 27, 1975, that the FDA intended to publish the revised version of the Mantel-Bryan procedure in the near future. The Mantel-Bryan procedure will enable the FDA to establish the requisite analytical sensitivity required of the analytical procedures. As Commissioner Schmidt stated, the promulgation of the procedure is "unquestionably one of the most important, as well as one of the most complex proposals ever issued by the—FDA—agency." Commissioner Schmidt concluded that "it is absolutely essential that a final order be published with respect to this—Mantel-Bryan—proposal before any hearing on DES is announced."

In order to assist FDA in its review, industry has sponsored five major studies. The first study will identify all metabolites of DES in beef-producing animals. The second will isolate and identify all conjugated and unconjugated metabolic residues of DES. The third study will develop a radioimmunoassay system to detect residues of DES and DES–G—the major metabolite of DES—at levels of 14 parts per trillion. The fourth, will repeat the carcinogenicity studies of DES and DES–G in mice which the FDA cited as a major reason for revoking the mouse uterine test. The final study will determine the fate of DES–G as it passes through the human stomach. The National Center for Toxicological Research—NCTR—division of the Food and Drug Administration, has also undertaken a comprehensive review of DES as part of its "Estrogen Project."

The results of the foregoing industry-sponsored tests will be available during the next 6 to 24 months. Since there is no hazard to public health, DES should be permitted to be used until such time as the FDA has had an opportunity to review the data. The American public will reap tremendous benefits. For example, it has been estimated that the use of DES was equivalent to adding 3 to 5 million acres to the 1974 corn crop production with a resulting decrease in consumer prices of beef between 5 and 10 percent.

The FDA has recognized that DES is a useful and effective product stating that a beef animal will reach market weight of 1,000 pounds 35 days sooner using 500 pounds less feed than a comparable animal not fed DES. FDA also noted that DES increases the ratio of protein to fat, resulting in more nutritious meat. In these times of high beef and grain prices, the economic and health benefits attributable to DES cannot be ignored.

I might point out, Mr. President, that only one study conducted 11 years ago and since partially refuted by the scientist who conducted it, indicates that DES may be a carcinogen. The FDA is currently conducting a comprehensive study of DES and should have at least preliminary findings available within the 1-year period provided in this amendment.

In addition to the economic benefits to producers and consumers of beef, I believe it is important that decisions on safety of foods, drugs, and cosmetics should be left to the Food and Drug Administration which was created by Congress to make such determinations. We ask only that Congress not ban DES precipitately, but let matters proceed to a proper scientific conclusion.

Mr. President, the amendment that I have offered is a very reasonable one. It takes cognizance of the fact that the Senate of the United States does not sit as a body competent to make medical decisions, scientific decisions. Somebody else should do that.

Here is a controversy. This amendment that I propose. Instead of Congress taking direct action, and I might say without any evidence that is needed, letting the Department of Health, Education, and Welfare—wherein the Food and Drug Administration is located—analyze all of the data and the studies and tell us what to do. Do it in a year.

This is not a proposal that they initiate new studies, that they go on and spend years at this. It is a very reasonable, modest position.

I say it is reasonable for this reason. For 20 long years they have been using diethylstilbestrol as a food additive for cattle and no one has come forward with one case of cancer resulting therefrom.

Now, this is 5 percent of 20 years, that is all. Take 5 percent more time to find the right answer.

I realize that there is something in all of us that wants to destroy cancer. Well, there are plenty of ways we can do it.

The use of diethylstilbestrol as a direct medicine ingested by human beings results in cancer and they have only been using it a few years, very few years, and already cases have sprung up.

This very bill that totally bans from interstate commerce diethylstilbestrol for a food additive for cattle does not ban it for human beings to take it in their own mouth. It merely regulates it.

How does it regulate it? Not alone with respect to rape and incest, but it says, "Any comparable medical emergency."

Then if anyone cares to read what we are voting on, he will find that the certificates and the application and the consent in that connection cannot be inspected or disturbed by anyone.

On page 5, it says that every drug producer shall not be held liable for misbranding.

On line 8:

"(C) No patient names or other identifying information shall appear on any informed consent form, prescription, or report submitted to the Secretary.

This is not confining the use of diethylstilbestrol to rape and incest—any comparable case.

And then it says that there shall be no reference, no identification, in reference to it.

Mr. President, I doubt if there is any spoon placed on the table of any American family that is inspected any more thoroughly than the meat they eat.

What sort of inspection program does the Federal Government provide for other foods? None. Yet every carcass is inspected. By whom? Trained veterinarians. They may have some helpers who are nonveterinarians.

Mr. President, the day following the close of the 4–H Club fair in my home country, I went to the local packing plant. There were all the 4–H Club boys and girls, there to see their prize animals after they were slaughtered, to see what they could learn about the grading and the feeding, and so on, by watching the calf grow and then following it clear through. I daresay I have never seen such a spotless place. I have never seen such a thorough inspection.

Do we have any law to inspect retail stores? No. Does this Government have any law to inspect cafeterias and restaurants? Not on the Federal level. The only assurance so far as the Federal Government is concerned about the wholesomeness of food is in reference to meat—poultry, fish, and meat.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. CURTIS. I will in just a moment.

In the course of my visit to the meatpacking plant I was impressed with the thoroughness of the inspection, and I asked, "In how many cases do you find a trace of diethylstilbestrol in the livers of these animals?"

The answer was, "Practically none. It is one in many thousand."

The point is, after you find it there, the best evidence is that you would have to eat pounds and pounds of beef liver for years and years, and then your chance of cancer would be one case in 2,500 years.

Once more, I ask the proponents of this proposal to produce the name and address of one cancer victim where medical authorities have said, "This cancer was caused or is likely to have been caused by eating beef."

We have been using diethylstilbestrol for 20 years. Before this action is taken, we ask, let us have HEW collect all the information and tell us what to do.

The distinguished Senator from Wisconsin is correct when he says this matter goes back to the Delaney amendment. The reason that diethylstilbestrol ever got into the newspapers was not that it ever caused cancer. It was not due to the fact that traces were found in the liver that were harmful to human beings. It became noticed, because the Delaney amendment says that if there are no traces of such a product, it shall be banned. Not harmful traces; just traces.

I hold in my hand a copy of a court decision where the DES ban was overturned. I want to read one paragraph.

Mr. NELSON. Will the Senator give me the citation and date of that opinion?

Mr. CURTIS. Yes. It is Chemetron Corp. against U.S. Department of Health, Education, and Welfare.

Mr. NELSON. What date?

Mr. CURTIS. It is January 24, 1974.

Mr. NELSON. That is a case that was overturned on procedural grounds, is it not?

Mr. CURTIS. I will read what it says:

> At oral argument, government counsel referred numerous times to DES as a known carcinogen, but he admitted, on being pressed, that the FDA could not invoke the

> Delaney Clause. That is also our view. The "DES" exception to the Delaney Clause, discussed above, continues effective unless the agency detects residues in a slaughtered animal while using an approved test method. And the residues detected by the Department of Agriculture were not found by an "approved method."

Mr. President, in the remarks that I extended in the RECORD, I have discussed some of these methods of detection. I want to do the right thing. I do not want to promote cancer. All I am asking is, let HEW look over all the studies they have, analyze them, and advise us what to do. They can do it tomorrow. They can do it in 60 days.

They say, "Do not take longer for hearings." Mr. President, on the basis of what we have got here, the Congress of the United States should not ban the shipment in interstate commerce of diethylstilbestrol intended for a supplement for cattle feed, because no evidence has been submitted indicating that one single case of cancer has resulted from such use.

It has even been suggested that we should prove that beef has a positive effect on health. Are we going to apply the same test to every other food? Is Congress going to say to the dill pickle industry, "The burden is on you to prove that it does something nutritious, or you are going to be outlawed"?

Now, of course, the most nutritious food you can eat is meat. It makes for stronger bodies. In the whole history of the world, whenever a meat-eating race has gone to war against a nonmeat-eating race, the meat eaters won. It produces superior people. We have the books of history.

Mr. President, we are not asking Congress to take a risk. Not at all. This substance has been used for 20 years, and not a single case of cancer in human beings showed up. On the other hand, it has been just a few years since they started using the morning-after pill, and cancer has resulted. But we do not ban that from being used, under the most flimsy language that can be constructed using the English language.

We have known for a long time that cigarette smoking produces cancer. Is that in this bill? No.

The distinction has been made that diethylstilbestrol for animals is under one section of the law, and diethylstilbestrol as a medicine for human beings is under another.

To the person who gets cancer, what difference does it make on what page the law is written? What difference does it make?

By our own evidence here, diethylstilbestrol used as a medicine directly in human beings causes cancer, and we do not ban it. We regulate it.

Look at the regulated language, and it regulates concerning not only alone rape and incest but any comparable medical emergency. Then we read what it says about the prescription and relieving people from improper label, and so on.

Mr. President, what is the sound and prudent course?

I said in my opening, we must maintain confidence in the integrity of the Government. We must maintain confidence in the dependability of our laws and policies for being sound and accurate.

If we start in legislating on the basis of supposition, fear, and emotion, where there is no evidence, and then close our eyes toward banning those things that we know cause cancer, what is going to be the verdict of the people of America? They are not going to pay any attention to it.

Oh, we do not need to ask the cattle feeders. Ask the rank and file of good citizens everywhere: What should we do? They would say, "Do the right thing, not the frightened thing; do the right thing."

The best way I know to do that is to ask the Department of Health, Education, and Welfare to analyze everything that has been done, assemble it, and make a recommendation here.

Mr. President, this amendment may or may not prevail. If it does not prevail, we will have embarked on a course of legislation that cannot be defended before reasonable men and women anywhere.

I reserve the remainder of my time.

Mr. JOHNSTON. Mr. President, I rise in support of the amendment of the distinguished Senator from Nebraska (Mr. CURTIS) to postpone for 1 year any ban on the use of DES as a growth promotant in livestock. Indeed, I am privileged to join him as a cosponsor.

If there is one lesson we can learn from recent experiences in bureaucratic regulation of supposed environmental "hazards" it is that the cure is sometimes worse than the disease. Why just a few weeks ago, the very scientists whose study on cyclamates formed the basis for the FDA ban, announced that not only was their evidence insufficient to support FDA's actions, but that subsequent studies they have conducted warrant the ban's removal. The list goes on and on, Mr. President. Catalytic converters are spewing sulfuric acid and in my State of Louisiana, insecticides used as alternatives to DDT have almost succeeded in eliminating the brown pelican from our coastal areas.

Mr. President, it is high time that the Congress and our regulatory agencies in considering proposals such as this, ask just what benefits do we expect to receive, and what price are we going to exact from the American consumer for these alleged benefits. While I have the utmost respect for my colleagues on the Labor and Public Welfare Committee, I challenge anyone to show me just where in the report on S. 963 is there any indication of the cost of a ban on the use of DES in livestock feed to the American consumer. I submit that in these days of ever-increasing food prices, the American people deserve to know just how much more they will be forced to pay for beef as a result of a ban on DES. The beleaguered American farmer is entitled to know how much this ban will cost him. Mr. President, these questions were not even asked much less answered.

Even sadder still is the fact that the supporters of this legislation are unable to point to any evidence which indicates with anything even approaching certainty that a ban on DES as a livestock growth promotant will bestow any benefit whatsoever. The FDA has no reason to believe that the use of DES in livestock feed represents a public health hazard. In fact, no human harm has ever been demonstrated in 20 years of use. It has been estimated that a person would have to eat 5 tons of beef just to accumulate the amount of DES in one birth control pill. Dr. Thomas Jukes, of the University of California, assesses the risk of cancer at no greater than one case every 2,500 years in the U.S. population. Yet some have estimated that beef prices will rise nearly 10 percent if this ban is imposed.

Now, Mr. President, the scientific evidence is a long way from being conclusive. At the very best it is contradictory. All we ask in this amendment is, "Tell us what this ban will cost, and tell us what, if anything, we will gain before you ask this Congress to place yet another burden on the farmers and consumers of this country." I, for one, want an answer.

Mr. HUDDLESTON. Mr. President, I am a cosponsor of Senator CURTIS' amendment to the bill now under consideration, S. 963. This amendment would allow the jury to remain out regarding the use of DES as a growth promotant in animals intended for use as food rather that delivering a verdict at this time.

The DES topic is an emotional one. There is no question that this estrogen has been proven to be carcinogenic in test animals. DES also has been strongly associated with the development of a rare cancer in the daughters of women who were treated with the drug as an antiabortive during pregnancy.

More recently DES has been used as a morning-after contraceptive. In this application there have been repeated allegations of widespread misuse. The drug was never intended for use as a routine postcoital drug. The intent of the FDA was to confine the use to victims of rape, incest, or illnesses that could be life-threatening following pregnancy. Since DES has been used as a morning-after pill only during the past few years there is little evidence regarding long term results of this use. But there is no question that from results of the drug being used to prevent miscarriages DES must be very closely regulated in human use.

But let us examine the facts regarding the use of DES as an animal growth stimulant.

DES feeding saves, on the average, 81 pounds of feed for each 100 pounds of gain in beef steers.

DES feeding could release over 1.5 million acres of corn land for the production of other grains and foodstuffs. In steers, the dressed yield is the same whether DES is fed or not.

More lean meat is produced from DES-fed steers than from non-DES-fed steers by an average of 33½ pounds per 1,000 pounds.

Less carcass fat is produced on DES-fed steers than on non-DES-fed steers.

DES has never been found in the red meat supply in the United States. DES has been found in the liver of DES-fed beef up to 7 days after withdrawal. But never in any animal tissue or organ after 10 days withdrawal.

Never has a single report appeared in

the literature that recounts any harmful effects from eating meat from DES treated cattle. This is despite 20 continuous years of DES being used as a feed additive.

It is my understanding that all feedlot cattle receiving DES are withdrawn the prescribed period of 14 days before slaughter and that certification is required as to the withdrawal period. In my judgment virtually no residue threat exists.

Mr. President, I urge adoption of this amendment in order to allow the accumulation and analyzation of all data regarding the use of DES as a growth stimulant in food animals. Then after the studies are completed a proper scientific conclusion can be made.

Mr. HRUSKA. Mr. President, I am pleased to rise again in support of the amendment to S. 963 offered by my colleague from Nebraksa.

My remarks on July 16, 1975, pointed out the need for concrete scientific evidence showing diethylstibestrol to be an imminent health hazard before a decision is made that could cause great harm to consumers and the cattle industry. My views have not changed. I should like to make some additional points which I hope will be carefully considered before a decision is made on this bill.

Mr. President, this controversy has previously been before the Senate. The opponents of DES have claimed that its use presents an imminent health hazard. This claim was never documented in the past. It cannot be documented now. There is no scientific evidence to show that DES residues in meat have caused a single case of cancer in humans.

In 1973 the Food and Drug Administration prohibited the use of DES in raising cattle. This action was overturned by the Court of Appeals. Why? Because the FDA could not meet its burden of showing that DES was in fact an imminent hazard to health. The FDA still cannot meet this burden.

The FDA has indicated that it currently lacks sufficient evidence to meet the imminent hazard test as provided by law. In fact, FDA has actions currently pending to declare its existing test methods invalid and to establish new test methods.

No residue of DES, contrary to opinion in some circles, has ever been found in the red meat tissues of DES-fed cattle. It is true that some residues of DES have been found in small percentage of beef livers, and that under certain conditions the feeding of synthetic DES to laboratory animals has proved to be carcinogenic. What has not been proved, however, is a link between the intermediate—metabolic—form of DES found in beef livers and carcinogenicity. The sponsors of S. 963 would have the Members of this body substitute their judgment for that of the scientific community by assuming that the metabolic and synthetic forms of DES are both carcinogenic. The Delaney clause of the Food Additives Amendment of 1958 would also have us make that assumption. But, the scientific community is not ready to make that assumption. I would like to call the attention of the Senate to an article entitled "Can Animal Agriculture Survive" which appeared in a recent edition of Animal Health and Nutrition. The author is a distinguished Nebraska scientist, Dr. Lewis E. Harris, chairman of the board of Smith Kline Corp. Dr. Lewis states:

> Speaking of residue studies leads me inevitably to the Delaney Clause of the Food Additives Amendment of 1958. This piece of legislation illustrates better than anything else the strange logic pervading the regulatory landscape of the animal health industry.
>
> The Delaney Clause was adopted with the best of intentions in an attempt to ensure that food consumed by humans would not be contaminated by carcinogens. But with the passage of time, the number of suspected carcinogens and the technologies by which they may be detected in animal tissues have greatly increased.
>
> At the same time, legislators have failed to take account of the benefit-to-risk ratio. On the contrary, in animal health, the government is moving towards a goal of zero residues.
>
> In other words, the animal health industry operates under what must be the strangest logic in the world. This logic holds that it is quite all right for humans in the United States to consume unlimited amounts of many food products containing naturally occurring potential carcinogens. But it prevents the marketing of any useful animal health product that may result in traces of a drug compound in edible animal tissues—if such a compound (under any circumstance or in extremely exaggerated dosage) causes even a suspicion of cancer in a rat or other experimental animal.
>
> To my mind, this logic is irrational. Yet it lies at the heart of the entire animal health regulatory philosophy. I am leaning very heavily on this point, because there is little use in fuming about the effects of animal health regulations unless we clearly understand the kind of thinking that must be defeated if they are ever to be made reasonable.

Dr. Harris's major point as it applies to this bill is clear: How can we assume that the metabolized form of DES that is found in a few cattle livers will have the same effect as DES that is synthesized in the laboratory? I, for one, am not ready to make such a blanket assumption that is totally lacking in scientific foundation.

U.S. Department of Agriculture regulations now require that the use of DES be withdrawn at least 14 days before the animal is slaughtered. Scientific evidence has shown that no residues of DES exist in animals where DES has been withdrawn at least 10 days before slaughter. There is, admittedly, a potential problem of assuring that a feeder complies with the withdrawal regulation. Department of Agriculture inspections have disclosed six residue violations in the second quarter of 1975. The significant factor in these violations was that the amounts of the residues found were much lower than corresponding amounts found in violations reported during the first quarter. This is evidence that the withdrawal period is working to eliminate the possibility that any beef slaughtered will have traces of DES.

Mr. President, the advantages of using DES in beef production are well known. I have stated before that 81 pounds less feed is required to produce 100 pounds of gain on cattle when DES is used. If DES were banned today, it would require an additional 7.7 billion pounds of feed annually to produce the amount of beef we currently produce. That would be 7.7 billion pounds of grain that this country could export to feed the hungry peoples of the world. In these times of world food shortages and crop failures, we need to pay particular heed when our decisions can have such far-reaching effects.

Dr. Harris in his article also addresses himself to the effect regulations as we are considering here can have on the world's hungry. He stated:

> And I submit that unless regulations are made reasonable, the survival of animal agriculture in the United States is in certain jeopardy.
>
> Even assuming that our production efforts were not hamstrung by burdensome regulation, the sheer logistics of animal agriculture as compared to human population growth would give one reason for pessimism.
>
> If our most strenuous efforts have been sufficient to feed only 3.8 billion persons—and not all of those at maximal levels—how will man be capable of coping with the nutritional needs of the more than six billion who will inhabit planet Earth by the end of this century?
>
> My answer to that question is that we will be unable to feed the world population by the 21st century unless we deal with human nutrition realistically. And part of being realistic is to accept a benefit-to-risk ratio relative to animal health products. Total safety is an illusion, often pursued by bureaucrats, but impossible of achievement.

Many Members of this body frequently remind us of the vast starvation that exists in the world today. Dr. Harris' comments should be seriously considered when it comes time to vote.

Not only would banning the use of DES take food out of the mouths of the world's hungry but it also would result in added costs to the already inflation devastated consumers of this country. If 81 pounds of grain are required to produce each 100 pounds of gain per head of cattle, the farmer's cost of production obviously is going to increase. We will not and should not expect him to absorb this added cost. It will get passed on to the consumer in the form of higher prices for meat. Is such a result what the sponsors of S. 963, many of whom are the most eloquent supporters of the consumer cause, want? I should think not.

The farmer and consumer are not the only ones that would feel the brunt of this legislation if passed. The pharmaceutical industry also has had its activities disrupted by government regulation and policies that have drastically forced up their costs. Dr. Harris also points out in his article when he states:

> In the human pharmaceutical industry, we have pretty good information about the effects of government regulation on the discovery and marketing of new medicines. We know, for example, that before 1962 a drug could be tested and marketed in this country in about two years at a cost of $1–2 million, while today the time required averages 6 years and the cost may be nearly $12 million.
>
> We also know that President Ford, in his recent report on the country's economic status, declared that since the 1962 amendments to the Food, Drug, and Cosmetic Act of 1938 "the rate of introduction of new drugs has fallen more than 50 percent and the average testing period has more than doubled. . . .
>
> The President's report says, in short, what those of us in the human and animal

> health industries have been saying all along—that our industries are over-regulated and that this over-regulation is not only costly but does not, and probably cannot, guarantee the degree of efficacy that is often unrealistically expected. . . .
>
> During the past three years, we estimate that government regulation alone (excluding inflation) has caused a 25 percent increase in the cost of our feed additives operation and the large-animal segment of our veterinary medicine operation. And in addition to cost, regulations have greatly slowed down the introduction of useful new products.

The Congress must answer for its decisions that are costly and disruptive to farmers, consumers, and industry. Clearly we should not act where the facts are not decided and our actions can have such severe consequencies.

Mr. President, it is clear that the facts do not support the allegations made by the sponsors of S. 963. Actually, the scientific community is not sure what the facts are in relation to the use of DES in the cattle industry. The only facts that are clear are those we already know: that banning the use of DES would result in more feed being required to produce a pound of beef, that fewer agricultural commodities would be avaliable for export, that the cost of producing beef would inrcease and that future meat prices for the consumer would be higher.

In view of the actual facts of the DES controversy, the only rational solution is that proposed by the Curtis amendment. The scientific community needs time to make a definitive analysis of the actual effects of the use of DES. The Curtis amendment provides for this by allowing completion of the ongoing research, analysis of data, and recommendations to the Congress based on that research and data, before a final decision is made. This is the only logical way to proceed in a matter that could have such far-reaching effects on our economy.

I again express my support for the Curtis amendment and urge my colleagues to support it.

Mr. President, because Dr. Harris' article so eloquently addresses itself to the major issues concerning this legislation, I ask unanimous consent that it be printed in full at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CAN ANIMAL AGRICULTURE SURVIVE?

(By Lewis E. Harris)

When the Editor of *Animal Nutrition & Health* kindly asked me to do a guest editorial for this MIDSUMMER REFERENCE Issue, I readily agreed. I saw it as an opportunity to give vent to what has become my favorite gripe—the impossible burden imposed on the animal health industry by excessive government regulation.

In the human pharmaceutical industry, we have pretty good information about the effects of government regulation on the discovery and marketing of new medicines. We know, for example, that before 1962 a drug could be tested and marketed in this country in about two years at a cost of $1-2 million, while today the time required averages 6 years and the cost may be nearly $12 million.

We also know that President Ford, in his recent report on the country's economic status, declared that since the 1962 amendments to the Food, Drug, and Cosmetic Act of 1938 "the rate of introduction of new drugs has fallen more than 50 percent and the average testing period has more than doubled."

This report also said: "Moreover, it is not clear that the average efficacy of drugs introduced after 1962 is any higher than that of drugs previously introduced."

The President's report says, in short, what those of the human and animal health industries have been saying all along—that our industries are over-regulated and that this over-regulation is not only costly but does not, and probably cannot, guarantee the degree of efficacy that is often unrealistically expected.

But what do we know about the impact of government regulation on animal agriculture? In preparation, I searched for statistics comparable to those I have cited for human pharmaceuticals. But I found that no really up-to-date-facts are available.

So I decided to ask the animal health groups of Smith Kline Corporation—feed additives and veterinary medicines—for ballpark estimates of increased costs due to regulations.

During the past three years, we estimate that government regulation alone (excluding inflation) has caused a 25 percent increase in the cost of our feed additives operation and the large-animal segment of our veterinary medicines operation. And in addition to cost, regulations have greatly slowed down the introduction of useful new products.

Most of the cost increase is associated with research and development and relates to safety requirements and residue studies.

Speaking of residue studies leads me inevitably to the Delaney Clause of the Food Additives Amendment of 1958. This piece of legislation illustrates better than anything else the strange logic pervading the regulatory landscape of the animal health industry.

The Delaney Clause was adopted with the best of intentions in an attempt to ensure that food consumed by humans would not be contaminated by carcinogens. But with the passage of time, the number of suspected carcinogens and the technologies by which they may be detected in animal tissues have greatly increased.

At the same time, legislators have failed to take account of the benefit-to-risk ratio. On the contrary, in animal health, the government is moving towards a goal of zero residues.

In other words, the animal health industry operates under what must be the strangest logic in the world. This logic holds that it is quite all right for humans in the United States to consume unlimited amounts of many food products containing naturally occurring potential carcinogens. But it prevents the marketing of any useful animal health product that may result in traces of a drug compound in edible animal tissues—if such a compound (under any circumstance or in extremely exaggerated dosage) causes even a suspicion of cancer in a rat or other experimental animal.

To my mind, this logic is irrational. Yet it lies at the heart of the entire animal health regulatory philosophy. I am leaning very heavily on this point, because there is little use in fuming about the effects of animal health regulations unless we clearly understand the kind of thinking that must be defeated if they are ever to be made reasonable.

And I submit that unless regulations are made reasonable, the survival of animal agriculture in the United States is in certain jeopardy.

Even assuming that our production efforts were not hamstrung by burdensome regulation, the sheer logistics of animal agriculture as compared to human population growth would give one reason for pessimism.

If our most strenuous efforts have been sufficient to feed only 3.8 billion persons—and not all of those at maximal levels—how will man be capable of coping with the nutritional needs of the more than six billion who will inhabit planet Earth by the end of this century?

My answer to that question is that we will be unable to feed the world population by the 21st century unless we deal with human nutrition realistically. And part of being realistic is to accept a benefit-to-risk ratio relative to animal health products. Total safety is an illusion, often pursued by bureaucrats, but impossible of achievement.

I hope that most of you reading this statement are sufficiently concerned to want to take action—because action is what we need.

I have asked the publishers of Animal Nutrition & Health Magazine if they will be good enough to make reprints of this editorial available to you on request so that you can send them—along with a personal letter—to your Senators and Representatives. They have agreed to do so.

There is no way we can succeed in changing these animal health product regulations—some of which are scientifically unrealistic—unless we secure the support of the members of the U.S. Congress.

I believe that a much-needed change in the regulation of the animal health industry is entirely in the public interest. I ask you: What could be more in the public interest than providing as much food as we possibly can, now and in the future, for the people of the United States and of the world?

Mr. NELSON. Mr. President, will the Senator yield for a couple questions?

Mr. CURTIS. I am happy to yield.

Mr. NELSON. For clarification, do I understand the Senator's amendment to provide that within a year, or any time shorter of that period, the Commissioner of the Food and Drug Administration is to evaluate all known scientific studies and reach some conclusion? What is he supposed to do?

I do not have the amendment before me.

Mr. CURTIS. The authority is vested in the Secretary, instead of the Commissioner. It does state that all the studies be completed by June 1, 1976, in order that he cannot go ahead and prolong it with a lot of new studies. There are studies going on right now. The report shall be submitted not later than 1 year.

Mr. NELSON. I have it here. The Secretary shall submit a report to whom?

Mr. CURTIS. To Congress.

Mr. NELSON. Does the amendment deprive him of existing authority under current procedures to act on the matter regulatorily?

Mr. CURTIS. No, it does not deal with that at all. It merely is a request for information as to what action we might take here.

Mr. NELSON. But it stays his hand under the current statute until after at least——

Mr. CURTIS. No, it does not.

This merely is to save Congress from its own folly, as well as attempt to find the right answer to what ought to be done.

Mr. NELSON. Now, the Secretary will evaluate——

Mr. CURTIS. Of course, any power that the Secretary would have would be through the Food and Drug Administration. It does not add or detract from his authority to take whatever action he can now under the law in the interim.

Mr. NELSON. So that, if in the event this amendment were adopted, we would have a clear legislative intent, let me ask the distinguished Senator from Nebraska this question: the FDA Commissioner has issued a regulation. The Commissioner issued a regulation that went to court in the 1974 decision that the Senator has just read. The basis on which the regulation was found invalid was a technical, procedural one, having to do with holding appropriate hearings.

The Secretary now has issued a regulation on the question of new standards, methodologies for sensitivity studies. As the Senator knows, there may be some problems about that, because laboratory tests with certain sophisticated equipment applying a methodology over *x* period of time may make finite detections that are impractical to apply. There might be a much higher degree of sensitivity than could be detected under practical methods of identifying how many parts per million or trillion of a substance there is in some item.

The Commissioner has proposed a regulation for updating sensitivity detection methodology. There will be hearings on the subject in the near future. Then, the regulations will be implement if, in fact, the hearings that are being conducted reveal the regulations are adequately supported by the evidence.

Is the Senator saying that this amendment would in no way compromise, modify, overrule, or interfere with the procedure that is now ongoing in the Food and Drug Administration?

Mr. CURTIS. Yes. It is a short amendment.

Mr. NELSON. It would interfere?

Mr. CURTIS. I will let anyone search it. There is nothing in there that takes away any of the powers, duties, and responsibilities that the Secretary or the Commissioner now has.

Mr. NELSON. And the report should be by June 1, 1976?

Mr. CURTIS. Not later than. No. One year from its enactment.

Mr. NELSON. So all the proponents of this amendment are saying is that we want a study to be done of all the current literature and evaluations of whatever current ongoing studies there are, and a report back to Congress by the Commissioner, but that in no way does this amendment, if adopted, interfere with the current administration of the law, the current proceedings that are ongoing in the FDA and that later may go to court; that in no way will they be compromised, interfered with, modified, or stayed by the adoption of this amendment?

Mr. CURTIS. That is correct.

Mr. President, I reserve the remainder of my time.

Mr. NELSON. I might say, if that is the case, I do not see the point in adopting it.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, we have been over a good many of the arguments that have been raised by this amendment here this afternoon.

I think frankly it does what the Senator from Nebraska wants to achieve, for technical reasons. I will return to that later.

But I do want to mention what I consider to be the essential aspects of this discussion.

During the course of the comments or statements of the Senator from Nebraska, he drew an analogy between DES and pickles. I think that was the word he used, pickles, or perhaps even other kinds of food.

The analogy escapes me completely. We are talking about a drug, DES, that has resulted in the death of a number of Americans and a number of children of women who took this particular drug.

We heard from Mrs. Green and we heard from Mrs. Malloy, who took this drug in the mid-1950s and found later that their daughters had contracted cancer because of DES, and later died. That is the fact of the matter.

We heard the position of the distinguished researcher, Dr. Arthur Herbst, who did the pioneering work on DES. With all due respect to those marvelous, wonderful, warm human beings who attend the 4-H meeting in Nebraska, Dr. Herbst is more knowledgeable on this matter. He has now found more than 220 cases of death from cancer.

This is what we are talking about. We are not talking about pickles, we are not talking about marshmallows, we are not talking about cereals, and we are not talking about these other factors, although some would like to divert our attention on that particular issue. We are talking about something which is a cancer-causing agent, which has produced cancer and produced death to a number of Americans.

Mr. CURTIS. Mr. President, will the Senator yield on that point?

Mr. KENNEDY. I will not yield for a while.

We have seen that this particular carcinogen has shown up not only in beef livers, which fact is generally accepted even by those who oppose this, but also has shown up in muscle tissue in meat. It is showing up at the present time, according to the most recent Food and Drug statistics.

I will put that in the RECORD, if I have not done so already. This is true even in the figures and the number of samples from 1971, 1972, 1973, 1974, and 1975. As I mentioned earlier, from January through March of 1974, when this was banned by the Food and Drug Administration, there were no residues, not even one residue in the 560 samples. Then there was a failure to follow certain administrative procedures in terms of whether the test was the latest test for the latest period of withdrawal. The court made a determination that there were later tests that may be more sensitive and that the Food and Drug Administration should have been prepared to move ahead on this matter.

There was the question of notification. There is no question that the Food and Drug Administration attempted to ban it; and when it was banned, there were no positive residues.

Now we are seeing in 1975, January through March, April through June, July through August, approximately 1 percent in the early periods; then 1.2 percent, and 1.2 percent during those three measurable periods. Those are the facts.

Earlier we had an exchange with the Senator from Idaho about the question of the various tests and whether his group of scientists was willing to state that, with respect to the radioisotopes, this was really the DES drug. There is ample evidence of scientific opinion that believes it is, and there are other facts and statistics and tests which we have put in the RECORD which would sustain that.

I have read the statements and comments of one of our colleagues who comes from a cattle-producing State, the Senator from Wisconsin (Mr. PROXMIRE), who testified before the committee in 1972:

> Senator PROXMIRE. May I add, Mr. Chairman, there are, I think, three issues which might arise on the part of those who oppose this amendment, and I would like to leave the answers to some of the questions with you.
>
> One claim is that DES residues are only apparent in livers. Since what we eat is mostly muscle tissue, why worry? Why not just ban the livers?
>
> I have some very interesting information indicating that DES residues are present in other parts of the animal.

As I have stated, I have these other facts and other tests—the test that was put in the Fountain hearing record of May 27, 1970. Actually, the sample was taken on April 23, 1970, and it was found that there were 90 parts per billion in liver and 10 parts per billion in muscle.

I will not go through the various other tests which have been taken and referred to during the course of the discussion.

I want to make a point regarding the request from the Senator from Nebraska, that the studies be made within a year. I have a telegram from the Director of the National Center for Toxicological Research, in Jefferson, Ark., which is going to conduct this study, and I will make the entire telegram part of the RECORD. He points out in his telegram that it will be more than 2 years before the final reports on the studies will be available. He is talking about DES studies in various experiments on some 15,000 animals. He believes it will be 2 years before this study will be completed. Therefore, I do not believe that we could get the kind of information that would be required in the period of 1 year, in any event. Certainly, that is not the impression of one who is going to conduct the study.

It seems to me, under any set of circumstances, that we should move ahead and ban this particular product.

Those are some of the reasons why I hope this amendment will be defeated.

Mr. President, I reserve the remainder of my time.

Mr. McCLURE. Mr. President, will the Senator from Nebraska yield me 5 minutes?

Mr. CURTIS. I yield 5 minutes to the distinguished Senator.

Mr. McCLURE. I thank the Senator for yielding.

Mr. President, we have indeed gone over most of the arguments already in the debate on the bill, but some curious repetitions are seeping into the RECORD, as though a repetition somehow strengthens the lack of facts.

First of all, with respect to the radioisotope test, based upon the record made before the congressional committee that held hearings, there is absolutely no basis in fact that any estrogen was found in red tissue meat. No kind of repetition will indicate that that is a fact, when the hearing record, itself, will indicate that no such evidence was produced before the hearing.

It is a matter of some coincidence, perhaps, that the menu of the Senate restaurant today, under the low-calorie specials, included broiled baby beef liver, 3 ounces.

I have done a little quick mathematics. I am not a mathematician, so perhaps somebody will correct me if I am in error. If one were to go downstairs and eat the low-calorie special which is on sale today, eating that portion of the beef carcass, which is some instances—5 percent—has as much as 2 parts per billion of estrogen, one would have to consume 73,000 low calorie specials every day for 50 years in order to equal the amount of estrogen which this bill permits to be prescribed by a physician.

Where is any kind of logic in the presentation of the committee that ends up in that kind of situation? Seventy-three thousand lunches a day for 50 years! That is a risk which we cannot take, they say. Yet, we can take the risk if it is to produce an abortion in a woman who has been subject to rape or incest or other medical emergency, whatever the latter statement might encompass.

It seems to me that the amendment offered by the Senator from Nebraska, asking only for a study, asking that we know what the facts are before we act, is a reasonable amendment, in the face of undisputed facts. The undisputed facts—and I have not heard anybody question them yet—relate to the amount of ingestion of beef liver, which is the high incidence—two parts per billion—as compared to that which is permitted by the bill.

A number of Senators on the committee made the point that this is a health question; that we must allow this bill to be used to protect the health. There is a health offset. If you want to induce an abortion, there are methods by which abortion can be performed without risk to the mother. Nobody yet has mentioned on the floor of the Senate the fact—as it is a fact—that there is only one known linkage in which there is any kind of cancer produced by the use of the estrogen which is ingested.

That is if the massive dose which is prescribed—under this bill is prescribed—and taken by a woman who would otherwise deliver a child and it is unsuccessful in producing the abortion. If it is unsuccessful in producing the abortion and that child is born in spite of the ingestion of this hormone, and if that child happens to be female instead of male, then there might be an increased incidence of cancer in that female child born where the abortion failed. In no other case, in absolutely no other case, is there any evidence that a cancer has been produced by the ingestion of this hormone.

It seems to me that if, indeed, the proponents of this bill are concerned about those 220 people who died of vaginal or uterine cancer, they would move to abolish the thing that causes the risk, and that is the morning-after pill. But, no, they did not do that. The health effects, the benefits of producing the abortion, are more important than the dangerous side effects of a possible cancer in a female child if the abortion does not work.

The only thing that it seeks to ban outright is the use of this substance in a manner which has been proven by no one to have caused any single adverse health effect. It seems to me that there is a curiously inverted logic surrounding this entire debate today.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, with all due respect to my colleague and friend from Idaho, I fail to see how the quoting of various statistics about 50 parts per billion or the amount that would be used in a morning-after pill has very much relevance here, in the course of our debate and discussion. We know that 6 parts per billion is enough to kill a rat from cancer. We know that anyone who is involved in the war on cancer—Dr. Rauscher or Dr. Greenwald, who have done research on it, or Dr. Herbst, who has done research on it—are unprepared. The Senator from Idaho or the Senator from Nebraska will not quote what they think is an acceptable level of DES to be ingested which will be safe for the American people. So with all due respect and interest, it is nice to listen to how many meals of liver one has to eat in order to reach to the amount of a morning-after pill, or how many pieces of liver one has to eat on how many days for how many years and how many pounds. That has nothing to do with the fact that neither the Senator from Idaho nor the Senator from Nebraska can indicate here, on the floor of the United States Senate, what is going to be an acceptable, safe level for ingesting DES. Yet what they are asking by their amendment is to go ahead and permit it to be used on the American dinner table, day after day. The head of the Cancer Institute, whom we authorized to spend $868 million this year, says that he does not know what the effect of ingesting 5 parts per billion every day for the period of a lifetime will be on any individual, and he is not prepared to suggest that we ought to do so.

Evidently, the Senator from Idaho is quite prepared, by talking about various statistics or figures, to suggest by implication that there is not the kind of health hazard that those who are trained, skilled, professional cancer researchers and administrators, believe that there is.

I think that this, again, gets back to what the issue is. We have the opportunity here, at a very modest increase in the cost of beef for the American family, to take a great step. Here, on the floor of the U.S. Senate, we are prepared to take a step that we know can, at least to the extent that it is in our power, eliminate from the dinner table of the American family a carcinogen which we know is and has been proven to be a cancer-causing agent in human beings.

I have been listening to the debate and the discussion from the Senators from Florida, Nebraska, and Idaho, saying "name one case." "Name one case." It took about 17 years before we could name Mrs. Malloy or Mrs. Green, and all the time, mothers were taking that particular drug and their daughters died, and there will be other daughters who will die because of the fact that these mothers took the drug during the period when it was being recommended or suggested as helpful to prevent miscarriages. That, quite frankly, is a burden which I am unprepared, either as the supporter of this legislation or its manager, to undertake.

Mr. CURTIS. Will the Senator yield for a moment?

Mr. KENNEDY. I yield.

Mr. CURTIS. The Senator referred to the Malloy case or the Green case.

Mr. KENNEDY. Mrs. Green and Mrs. Malloy, yes.

Mr. CURTIS. How did they get the diethylstilbestrol in their systems?

Mr. KENNEDY. They took a prescription drug to prevent miscarriage. I believe one was in 1954, the other 1956.

Mr. CURTIS. I think it is important that we make that distinction. Here, the morning-after pill is relatively new and already, cases are springing up. That merits attention. But for 20 long years, we have been using diethylstilbestrol in cattle feed and we have had no such results. We have not had any Malloy cases or Green cases or any other kind of cases.

Mr. NELSON. Will the Senator yield?

Mr. CURTIS. I do not have the floor.

Mr. KENNEDY. I yield.

Mr. NELSON. I am not familiar, by any means, with all the literature. In what cases does the Senator say diethylstilbestrol was recently being used, in the last 10 or so years, as a morning-after pill, so to speak, in which cases are popping up? I have not seen any from the FDA or anyplace. Does the Senator have some information?

Mr. CURTIS. My authority, perhaps, is the distinguished Senator from Massachusetts or the distinguished Senator from Pennsylvania. They have been reciting them.

Mr. NELSON. Cases of carcinogenesis——

Mr. CURTIS. Of cancer resulting from the use of diethylstilbestrol.

Mr. NELSON. When used as a morning-after pill?

Mr. CURTIS. Yes.

Mr. NELSON. I was not familiar with that. Is there some literature?

Mr. KENNEDY. With regard to Mrs. Green and Mrs. Malloy, their children did not die as a result of the morning-after pill; they died as a result of taking it in the mid-fifties to prevent miscarriages.

Mr. CURTIS. But it was taking of diethylstilbestrol by the human being, not transmitted through livestock.

Mr. NELSON. I thought the Senator was saying that by its being used as a birth control drug, this happened. In the case that the Senator from Massachusetts spoke of, that was not the situation.

Mr. CURTIS. The Senator is correct.

Mr. NELSON. They were cases in which

a very sensitive fetus, at a later period of time, had adverse effects as a result of the drug.

Mr. CURTIS. I think the Senator is correct, and I thank him for setting the record straight. Prior to the use of diethylstilbestrol as a morning-after pill, it was used in direct doses for the human being and it proved disastrous in many cases.

Mr. NELSON. To the fetus.

Mr. CURTIS. Yes.

Mr. NELSON. There is no evidence that it was disastrous to the mother.

Mr. CURTIS. Mr. President, I yield myself 2 additional minutes under the amendment.

The PRESIDING OFFICER. The Senator is recognized.

Mr. CURTIS. It has been stated here that what the proponents of this amendment want is to go on and on using diethylstilbestrol. There was no such thing in the amendment. All this amendment does is ask for the advice of the Secretary of Health, Education, and Welfare. He has got to give it to us soon, not more than a year, and he cannot come in near the end of the year and say, "Here we have got some new studies going." The cut-off date for studies for him to take into account is June 1 of next year.

Mr. President, the Senator from Nebraska is prepared to vote on the amendment if we can have a vote right now, and I will yield back the remainder of my time.

Mr. HATHAWAY. Mr. President, will the Senator yield to me so that I might ask a question? I would like to ask the Senator a question.

Mr. CURTIS. I will yield 2 minutes.

Mr. HATHAWAY. How did the Senator arrive at the time of 1 year? Is there some evidence which indicates one way or the other just what amount of DES causes cancer?

Mr. CURTIS. My information is that the study is underway now and that will give ample time for the Secretary to render his opinion to Congress.

Mr. HATHAWAY. Will we be able to get a definitive opinion as to whether it should be banned as a feed?

Mr. CURTIS. What his advice is I do not know, but he has got to give us some advice and, in the meantime, we do not tie his hands or take away any powers he has away under existing law.

Mr. HATHAWAY. I would suggest, if the Senator will yield further, to get a definite answer on this in a year or less that we simply ban it for that period of time and we will then be able to tell and not incur any more risk than we may be already incurring.

Mr. CURTIS. There is nothing in this amendment that takes away or lessens the power of the Secretary or the Commissioner to do whatever present law permits him to do.

Mr. HATHAWAY. No, what I am suggesting to the Senator is that during the period the study is underway we allow the principal parts of the bill to take effect, which would ban DES as a cattle feed. As the Senator suggested, it will not be for more than a year, and we would not be running the possible risk during that period for a year.

Mr. CURTIS. I think that would be a very bad form of legislating.

Mr. HATHAWAY. Certainly the economic effect would not be that great in the period of 1 year.

Mr. CURTIS. I think it is incumbent upon Congress to be as accurate and also be as definite and as certain in dealing with any aspects of the American economy on the American people as possible. An off-again and on-again procedure I do not think would do any good to anybody.

Mr. KENNEDY. I would like to have the attention of the Senator from Nebraska. As I understand his amendment, it is an amendment to section 301 of the Food, Drug, and Cosmetic Act, is that correct?

Mr. CURTIS. It would strike lines 8 through 12 on page 2 and insert the language of my amendment.

Mr. KENNEDY. Well, the effect of that is to add another section to a series of sections there, and after (p) add (q). That is what I understand that is to do; am I correct in my understanding? The Senator starts off in line 1 saying "(q)," which is consistent since the last paragraph is (p).

Mr. CURTIS. Yes.

Mr. KENNEDY. So the Senator is adding another section; am I correct?

Mr. CURTIS. Yes, in lieu of what the drafters of the bill have labeled.

Mr. KENNEDY. Well, the thing that troubles me, which I mentioned earlier, is that this section 301 is a prohibitive section. So my understanding would be that the Senator would actually be prohibiting the Secretary from going ahead and accumulating and analyzing the data in all aspects because what he is listing here is a prohibition of those acts, and he is adding (q), so he is adding one more act which will be prohibited and, in effect, I do not think the amendment amounts to anything.

Mr. CURTIS. The Senator's point may be well-taken and, if that is the case, I shall modify the amendment and add a new section in the bill. But I would still like to strike out lines 8 through 12 on page 2.

Mr. KENNEDY. Well, the way it is constructed now, as a matter of fact, we could almost accept the amendment, and then all the Senator would do is to have a prohibition of the Secretary from doing the kind of things the Senator mentioned there. So I would think the Senator would want to adjust that or correct it.

Mr. CURTIS. Will the Senator state again what he is asking me to do.

Mr. KENNEDY. Well, it is my understanding the way the amendment is constructed now the Senator is adding clause (q) to the prohibited acts. So, in effect, what he is doing is, since those items are included in that clause and are prohibited, is actually adding a paragraph that is going to be prohibitive of the Secretary from doing it. So I believe the amendment is flawed, and I am drawing that to the attention of the Senator. I would appreciate any clarification or comment or if I am wrong in that interpretation I think it is important that we understand what we are dealing with here.

Mr. CURTIS. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. May the Senator modify his amendment without unanimous consent?

The PRESIDING OFFICER. The Chair is advised it would take unanimous consent to modify the amendment.

Mr. KENNEDY. May I give assurance to the Senator from Nebraska that I am not interested in attempting to use—although I do think the amendment is seriously flawed—that technique or device to deny the Senator his requirements.

I think if he wants to take some time on a quorum call and perfect it and then offer it, I will consult with my colleague. I am not prepared to offer objection, but I do think the matter ought to be remedied. I believe the amendment is flawed at the present time.

Mr. CURTIS. I thank the distinguished Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. CURTIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. STAFFORD). Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I ask unanimous consent to amend amendment No. 692, and I send to the desk——

Mr. KENNEDY. Mr. President, reserving the right to object, as I indicated to my colleague, I do believe that the amendment as discussed, spelled out earlier, is flawed.

There are obviously some parliamentary considerations, in terms of rights of others that were interested, in amending the amendment of the Senator from Nebraska. Although, as I indicated earlier, I have no intention of objecting to the opportunity of the Senator to perfect his amendment, I would like to have a chance to examine the way that this has been developed and to consult with the Parliamentarian to assure that we are going to preserve the rights of a number of our colleagues, but I am not going to object to the Senator perfecting it to carry forward what I believe to be his stated intention.

I want to insure that the Senators' rights are protected on it, until we have a chance to see what the consent agreement request is, and I reserve the right to object, hold a quorum, and ascertain it.

Mr. McCLURE. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. Who yields time so that the Senator——

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. Mr. President, is it appropriate for me at this time to withdraw my request for unanimous consent to amend my amendment and make a unanimous consent to modify my amendment?

The PRESIDING OFFICER. The Chair is advised that it is.

Mr. CURTIS. Is it not true, if the amendment is modified, it preserves the rights of all the parties?

The PRESIDING OFFICER. The Chair is advised it is still amendable in one more degree at the appropriate time.

Mr. CURTIS. Then I ask unanimous consent, Mr. President, to modify my amendment.

Mr. KENNEDY. Reserving the right to object, and I will not, I would like to see what the modification of the amendment would actually be, and I suggest the absence of a quorum to be charged equally.

Mr. CURTIS. Very well, I thank the Senator.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I renew my unanimous-consent request to modify my amendment.

The PRESIDING OFFICER. Is there objection to the modification by the Senator from Nebraska?

Mr. KENNEDY. As I understand it, it is the way he explained it earlier.

Mr. CURTIS. Yes.

The PRESIDING OFFICER. The Chair hears none, and it is so ordered.

Mr. CURTIS. Mr. President, I send the modified amendment to the desk, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the modified amendment was ordered to be printed in the RECORD, as follows:

On page 2, strike lines 5 through 12 and insert in lieu thereof the following new section:

SEC. 101. The Federal Food, Drug, and Cosmetic Act is amended by adding the following new section:

SEC. —. The Secretary of Health, Education, and Welfare is directed to accumulate and analyze all data related to the public health aspects of the use of diethylstilbestrol (DES) as a growth promotant in animals intended for use as food, and to report to the Congress the results of such accumulation and analysis, together with his recommendations as to the appropriate course of action to be taken with regard to such use of DES. Such report shall include the results of the DES portion of the Estrogen project of the National Center for Toxicological Research and shall include the results of all studies on DES completed as of June 1, 1976. The report provided for herein shall be submitted not later than one year after enactment of this section.

Mr. KENNEDY. Mr. President, I would like the attention of the Senator from Nebraska, the Senator from Idaho, the Senator from Pennsylvania, and the Senator from Colorado.

We have the Curtis amendment, and I understand that the Senator from Colorado has an amendment and the Senator from Oklahoma has an amendment. In terms of trying to work out some degree of comity with the other Members, I wonder whether we can agree to proceed with the debate and discussion of these matters this evening and exhaust the debate and discussion and then put over the votes on those amendments until the unfinished business is brought up tomorrow.

If there were no objection to proceeding in that way, I would offer a unanimous consent request to do so.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CURTIS. So far as the Senator from Nebraska is concerned, I am agreeable to such a procedure.

Mr. McCLURE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. McCLURE. My understanding is that under the unanimous-consent request proposed by the Senator from Massachusetts, we would complete the debate on the Curtis amendment; the Senator from Colorado (Mr. HART) would offer his amendment, and debate would be completed upon that. The Senator from Oklahoma (Mr. BELLMON) would offer his amendment, and debate would be completed upon that. Then, tomorrow, as the first action on this bill, those amendments would be voted on—first, the amendment of the Senator from Colorado; then the Curtis amendment; then the Bellmon amendment. Is that correct?

Mr. KENNEDY. That would be my intention, if it were agreeable.

Mr. NELSON. Is the Senator asking unanimous consent, so that we will have it settled?

Mr. KENNEDY. I ask unanimous consent, Mr. President.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. Will the Chair have the clerk read the unanimous-consent agreement, which I thoroughly approve of, just to get it straight?

The PRESIDING OFFICER. The Chair asks the Senator from Massachusetts to restate the unanimous-consent request.

Mr. KENNEDY. I ask unanimous consent that the Senate proceed to the consideration of the amendment of the Senator from Nebraska; that discussion and debate thereon be concluded; that at the time the discussion and debate thereon are concluded, the amendment of the Senator from Colorado, which would be in order, be offered; that debate and discussion on that amendment be concluded; that then the Senator from Oklahoma be permitted to offer his amendment. It would not be an amendment to the other two, but so that we could consider the amendment and conduct the discussion and debate, and that those matters be concluded in terms of the time agreements this evening; that disposition by the Senate of those measures be put over until tomorrow, until the conclusion of morning business. I believe there will be rollcall votes on those amendments.

At this time, I ask unanimous consent that it be in order to ask for the yeas and nays on the amendments.

The PRESIDING OFFICER. Is there objection to the request for the yeas and nays being in order on the two amendments not before the Senate? The Chair hears none, and it is so ordered.

Mr. KENNEDY. And that the first vote be on the amendment of the Senator from Colorado.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the amendments.

Mr. KENNEDY. I ask unanimous consent that this apply to the votes on all three amendments.

The PRESIDING OFFICER. Without objection, the showing of hands will apply to all three amendments.

Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I believe that the disposition of those amendments will result in concluding action on the bill, but I want to make clear that other amendments may be offered. We do not know. I understand that the results on these amendments may indicate that others will offer amendments. We are not trying to preclude that. I feel that this will result in the early disposition of the bill. There is a short time agreement on any other amendments, in any event.

Mr. President, as I understand now, the amendment of the Senator from Nebraska is before us as perfected. We have talked about this measure. I think we are getting close to a vote.

Mr. CURTIS. I am prepared to yield back my time.

Mr. HATHAWAY. I should like to have a couple of minutes to have some questions answered.

Mr. KENNEDY. I yield back my time.

I yield what time the Senator from Maine may need.

Mr. HATHAWAY. I wish to ask a few questions of the Senator from Nebraska with regard to his amendment.

Can he explain how the modified amendment differs from the amendment that was here originally? We have not had it read.

Mr. CURTIS. It was to take care of a matter with reference to drafting as to the particular section where his concern was.

Mr. HATHAWAY. That amendment still refers to the project of the National Center for Toxicological Research?

Mr. CURTIS. That is correct.

Mr. HATHAWAY. Will the Senator explain to us what that project is?

Mr. CURTIS. That is a project in the Food and Drug Administration now underway.

Mr. HATHAWAY. Did that study cover DES, the food additive?

Mr. CURTIS. It does, but we direct the Secretary to take into account all data and studies in making his analysis and recommendation.

Mr. HATHAWAY. I have here a telegram from the director of the study indicating that it will be 2 years before the final report on these studies will be available.

Mr. CURTIS. I am aware of that. That is something else.

In my amendment, they must make the report within a year after the adoption and they are to limit the consideration to studies that are completed by next July.

Mr. HATHAWAY. In other words, if there are no results from that study by June 1, 1976, he just notes that there are no results.

Mr. CURTIS. Whether or not he can evaluate something, I do not know. The point is that we are not trying to extend the time of this report beyond 1 year.

Mr. HATHAWAY. There is another thing that I do not understand. I understand that the Secretary of HEW, in 1973, thought it was warranted to ban DES in cattle feed and, because of procedural reasons, was not able to carry out this ban. What makes the proponent of this amendment, the Senator from Nebraska, think that the Secretary is going to change his mind a year from now?

Mr. CURTIS. I cannot speak to that, because I do not know what he is going to recommend. We do not add or detract from his power to take administrative action. We are offering this amendment because we believe he can get vital information before the Senate will act on the far-reaching proposal that is in the measure.

Mr. HATHAWAY. Does the Senator know why other beef-raising nations, such as Argentina and Australia, have banned DES?

Mr. CURTIS. Some of them did it, I am sure, upon a belief such as the proponents have here today. I think some of them did it as a matter of protecting their own industry—some of them. But I am sure others were motivated by the same factors and arguments that motivate the proponents of the measure on the Senate floor.

Mr. HATHAWAY. Does the Senator feel that the United States should be at least as cautious as these nations? We are, certainly, in other drug matters.

Mr. CURTIS. I think the U.S. research and findings on these are far superior to the action these foreign countries might have taken with regard to our imports.

Mr. HATHAWAY. Mr. President, I conclude my remarks by saying that it seems to me if the Secretary of HEW, back in 1973, thought the ban was warranted, certainly an additional year or more of study is not going to change his opinion in that regard. It may just reinforce the opinion he had at that time. It seems to me that, if many other countries who are raising beef have banned DES, this amendment should be defeated, but at least, the ban ought to be imposed, if this amendment of the Senator from Nebraska is adopted, the ban on DES for cattle feed ought to be in effect during the course of the study, whether it takes a year or however long it may take.

Mr. CURTIS. There is nothing in my amendment that will prevent the Secretary or the Commissioner from doing anything that the law now empowers them to do.

Mr. HATHAWAY. I understand that.

Mr. CURTIS. In reference to the action of the foreign countries, the value that should be placed upon the actions of foreign countries should depend upon the quality of their research and reasons for arriving at the position that they did and not merely the numbers that have done so. There are, no doubt, many factors that entered into the reasons for these foreign countries taking this action.

Mr. HATHAWAY. I doubt very much that any of these countries, certainly not the majority of them, have anything like the quality of research we have in this country. If they put in a ban on the evidence they received, it seems to me that, a fortiori, we ought to do the same thing in this country.

Mr. CURTIS. I think we should take it into account, but take it into account by evaluating their research.

Mr. HATHAWAY. Mr. President, I have nothing more to say in regard to the amendment.

Mr. THURMOND. Mr. President, I am pleased to cosponsor the amendment of the distinguished junior Senator from Nebraska (Mr. Curtis) to S. 963. This amendment simply says that we should not act hastily to ban the use of diethylstilbestrol—DES—a growth stimulant of great economic value in beef production, prior to the evaluation by the Food and Drug Administration of scientific studies now underway on this subject.

The use of DES in the finishing of beef animals saves some 81 pounds of feed for each 100 pounds of weight gain. This allows beef steers and heifers to reach market weight at an earlier age, using less feed, and at substantially less cost to the farmer and/or feedlot operator. It also frees tons of grain that would ordinarily be consumed each year in the fattening of cattle for other domestic livestock needs and for export.

A total ban on DES feeding to beef cattle would have a severe economic impact on an industry already in deep trouble. The past 2 years have been disastrous for the beef producer. In August of 1973, the average U.S. price for beef steers and heifers at slaughter was $55.10 per hundredweight. Thereafter, prices of fed cattle dropped to a low of $29.60 per hundredweight in February 1975, and only recently rose back to a decent level of $42.60 per hundredweight in June of this year. This allowed feedlot operators to begin to recover some of their earlier losses, but price declines for steers and heifers in July and August signal more hard times ahead.

However, the cow-calf beef farmers, which are by far the predominant type of beef enterprise in South Carolina and the Southeast, are still on the brink of economic disaster. Indeed, many have been unable to meet their debt obligations and have been forced to liquidate their cattle operations at a loss. In August of 1973, these livestock farmers received an average of $68.20 per hundredweight for their calves. In January of this year, calves averaged only $23.90 per hundredweight, and last month, the average price of calves was still far below production costs at $25.70 per hundredweight. Clearly, the last thing the beef cattle farmer needs at this time is legislation that would further reduce his productivity and add to his costs.

By its very nature, S. 963 indicates that the possible human health hazards from the use of DES as an animal growth stimulant are minimal. The bill does not absolutely prohibit the intake of DES as a drug or oral contraceptive, in which form the user is subject to thousands of times the dosage that this drug might ever be present in beef. Regulations now require DES to be removed from the diet of beef cattle 2 weeks prior to slaughter, and DES residues have been found in the liver tissue of only a small percentage of animals previously on DES.

My point here is that the evidence of DES being a human health hazard, particularly through its use as an animal growth stimulant, is not at all conclusive. The Curtis amendment gives us a chance to evaluate the relevant scientific findings that are still coming in. It is a fair and wise approach to a problem that is properly decided on the basis of carefully considered facts, rather than on emotion. I urge the adoption of this amendment.

Mr. CURTIS. Mr. President, I am still willing to yield back my time if the Senator from Massachusetts yields back his time.

Mr. KENNEDY. Mr. President, I am prepared to yield back my time.

The PRESIDING OFFICER. All time is yielded back on the Curtis amendment.

The Senator from Colorado is recognized.

AMENDMENT NO. 872

Mr. GARY W. HART. Mr. President, in lieu of the language proposed by the Senator from Nebraska, I propose a substitute amendment for myself, Mr. Kennedy, Mr. Haskell, Mr. Williams, Mr. Schweiker, and Mr. Javits.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. GARY W. HART. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in full in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 1 strike lines 1 through 7, and on page 2, strike lines 1 through 7 and insert in lieu thereof the following:

"(q) The administering of the drug diethylstilbestrol (DES) to any animal intended for use as food or any animal the product of which is intended for use as food until the Secretary makes a determination, based on scientific evidence and acting through the National Cancer Institute of the National Institutes of Health, that the drug DES is safe and presents no scientific health hazard and does not contribute unreasonably to man's carcinogenic burden.

(1) For purposes of this subsection, the Secretary of Health, Education, and Welfare is directed to accumulate and analyze all data related to the public health aspects of the use of diethylstilbestrol (DES) as a growth promotant in animals intended for use as food, and to report to the Congress the results of such accumulation and analysis, together with his recommendations as to the appropriate course of action to be taken with regard to such use of DES. Such

data shall be made available to the Secretary of Agriculture, who shall make an independent and concurrent report to the Congress with the Secretary of Health, Education, and Welfare as to the appropriate course of action to be taken with regard to such use of DES. Such report shall be submitted within four months after the final report on the DES portion of the Estrogen Project of the National Cancer Center for Toxicological Research (NCTR) Division of the Food and Drug Administration, and shall include the results of all studies on DES completed as of the date of completion of the NCTR studies."

The PRESIDING OFFICER. The Chair reminds the Senators that on this amendment, there are 10 minutes available on each side.

Who yields time?

Mr. GARY W. HART. I yield myself such time as I may need.

Mr. President, I ask unanimous consent that Mr. McCabe of my staff be permitted the privilege of the floor during deliberation on this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARY W. HART. Mr. President, the amendment I am offering to the amendment of my distinguished colleague from Nebraska in my estimation strikes a reasonable balance between the language in the committee bill to impose a statutory ban on the use of diethylstilbestrol—DES—as an animal growth promotant and the intent of Senator CURTIS to leave the drug on the market until the controversy over this known carcinogen is finally resolved.

I do not need to elaborate on the substance of the confusion which surrounds the administration of DES to animals, for this is an issue which has plagued Congress for many years, but I feel that an approach needs to be taken which is met neither by a statutory prohibition of the drug nor by leaving it on the market until the dangers to the public health, if any, are determined.

My amendment incorporates the merits of the approach by my colleague from Nebraska to base a permanent action regarding the use of this drug on the most comprehensive evidence available and the approach taken by the committee to see that the public health is not put into jeopardy. The path I propose would effect a suspension of the use of DES while calling on the Secretary of Health, Education, and Welfare, who has jurisdiction over the Food and Drug Administration, to complete the administrative proceedings and scientific studies now being undertaken by the FDA and make a conclusive determination of the dangers, if any, to the public health from the use of DES as a growth promotant in animals. My amendment combines the wisdom of both the committee and Senator CURTIS' approach while requiring HEW to complete its obligation in determining the safety and effectiveness of drugs and food additives.

In my review of the substantial body of material which surrounds the debate on the use of DES, I have yet to come across a study or statement which unequivocally states the danger to humans from the consumption of animals treated with DES. There are, however, warnings from many prominent scientists as to the possible, yet untested, health hazards that could result from ingestion of DES, even in the small dosages found in residue form in cattle liver. A study which appeared in the 1964 Journal of the National Cancer Institute, by Gass, found that 6.25 parts per billion—ppb—DES resulted in increased tumor incidence in female mice and apparently induced tumors at 12.5 to 50.0 ppb in two strains of male mice.

I am not enough of a scientist to determine whether the findings of some studies or the basis of the statements advocating a ban of DES in animal feed by such authorities as the Director of the National Cancer Institute and the director of the New York State Cancer Control Bureau, present enough evidence to remove the drug from the market permanently, that determination was supposed to have been the responsibility of the FDA, but I do know that DES is a proven carcinogen albeit when administered differently and at higher dosages. The basis of my concern about the potential health hazards involved in the use of DES as a growth promotant in animals is founded primarily in the confusion that seems to engulf the scientific community which is supposed to draw judgment on the safety of the drug.

I am disturbed that the resolution of this controversy should come before Congress when the Food and Drug Administration has the statutory authority and responsibility to make determinations of the effectiveness and safety of any drug that goes on the market. I agree with the statement issued by the committee in its report that the general problems of misprescribing and overprescribing drugs cannot be properly corrected on an individual drug basis as is being attempted in this legislation. But the FDA has been remiss in its duty to expeditiously complete its administrative review of the long and heated controversy that has surrounded this known carcinogen.

The Department of Health, Education, and Welfare and the FDA cannot be ignored in any permanent action on this drug and my amendment forces them to make the scientific determination with which Congress is faced now. My amendment would essentially suspend the use of DES until the FDA through the Secretary of HEW has completed and analyzed all of the studies it deems appropriate to resolve the proper use of health factors involved in such use of the drug. While my amendment would remove the drug from use in animals intended for use as food, it would require that HEW assume its responsibility in proving the benefit-risk value of this drug in agricultural use.

I have constantly stated that we must look to the most efficient and economical means of agricultural production if we are to meet the growing demands on our food supply.

The administration of DES as a growth promotant has been proven effective and has resulted in significant economic benefits for beef producers. These benefits are realized in not only monetary savings, but also in terms of savings of acreage for production of other than animal feed grains. If the drug should be proved safe in an adequately monitored and controlled method of administration, then it should be readmitted to the market, but this determination should come from the FDA through the Secretary of HEW in his report and not from the Congress.

I believe that my amendment achieves that objective and I urge my colleagues to support this measure.

Mr. President, I understand the yeas and nays have been ordered on this amendment.

The PRESIDING OFFICER (Mr. HATHAWAY). The Senator is correct.

Mr. GARY W. HART. I reserve the remainder of my time.

Mr. CURTIS. Mr. President, I rise in opposition to the substitute amendment. Let us think a moment what it proposes. It, like the language of the bill of the committee, would have Congress make the decision with regard to a substance—in this case diethylstilbestrol. This is a scientific and medical decision. It should be made by an appropriate agency designated with that power.

The substitute amendment has all of the objections to the committee bill. It would have Congress sit as experts in medicine, in chemistry, and related matters.

Second, I call attention to the fact that the agency has authority to ban diethylstilbestrol for use of animal feed tomorrow, and I also call attention to the fact that the passage of the Curtis amendment does not take that power away from the Food and Drug Administration. They have that authority to do it.

What then is the purpose of the Curtis amendment? Here is the purpose of it: That before Congress takes any such action of deciding these medical and related questions, we get the recommendation of the Secretary of Health, Education, and Welfare.

The substitute amendment of the distinguished Senator from Colorado would still cause the Senate to make a decision that we are not competent to make. Furthermore, there is no need for it.

I have been waiting all day for someone to come in and point out a case of a human being having cancer where medical authorities said it was caused by eating beef or was likely to have been so caused.

The practice of using diethylstilbestrol as a food additive has been going on for 20 years, and not a case reported of a human being having cancer from that source. Why then should we rise in our incompetence to make such medical decisions, and ban it?

Whatever is the right course to take we can better arrive at it after we have had the study and report from the Secretary of Health, Education, and Welfare.

Mr. President, I call attention of the committee as well as the proponents of the substitute amendment that we have been most reasonable here. We have not asked—and maybe we should—in our amendment that the Department of Agriculture determine this matter. We know that immediately there would arise in the minds of some that they are agents of the cattle feeders. All we have asked is before you take action for which there is no ground whatsoever to take that you get the recommendation of the Secretary of Health, Education, and Welfare.

Mr. President, I hope the Senate will keep in mind that even with the passage of the Curtis amendment the Food and Drug Administration can ban DES, and also the substitute calls upon the Senate to make the same medical decisions which we should not be undertaking, the same medical decisions as would be required for us to make if we were to adopt the committee amendment.

Mr. President, I reserve the remainder of my time.

Mr. GARY W. HART. Mr. President, if I may respond to the distinguished Senator from Nebraska in two regards: One, the substitute amendment offered by the Senator from Colorado does, in fact, accomplish what the Senator from Nebraska proposes, and that is to leave the decision in the hands of the experts who are mandated under my amendment to come up with a definitive set of facts upon which Congress can act.

That is precisely the purpose of my amendment, as it is the amendment of the Senator from Nebraska.

The real question is, who bears the burden of risk, in the meantime, and I for one do not want it on this Senator's conscience when that one case of cancer does show up as a proven result of the use of DES.

Mr. President, I reserve the remainder of my time.

Mr. CURTIS. Mr. President, I yield myself 30 seconds.

The language of the distinguished Senator's substitute, in the first part of it, enacts permanent law. It is not an interim prohibition as I read the matter. I do not think an interim prohibition would be the proper way, but certainly as it is written there, it is not an interim prohibition for using diethylstilbestrol as a supplement in cattle.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, will the Senator be kind enough to yield 5 minutes?

Mr. GARY W. HART. I yield the remainder of my time to the Senator from Massachusetts.

Mr. KENNEDY. I thank the Senator.

The PRESIDING OFFICER (Mr. HATHAWAY). The Senator has 4 minutes remaining.

Mr. KENNEDY. Mr. President, I am going to support the amendment that has been introduced by the Senator from Colorado. I feel, Mr. President, that this is an entirely appropriate amendment to this legislation.

What in effect it is doing, as the Senator from Colorado stated, is effectively eliminate the administering of DES to animals until the Secretary of HEW has the opportunity to examine the existing materials, studies which have been made, and also have the benefit of the toxicological study being currently done, which in many instances will be the most extensive and exhaustive examination of this issue. Then it will, first of all, notify the Congress, and I think that is important. We have great interest in the Congress, and it is quite appropriate that we have the benefits of those studies, those reports, those results and those recommendations. Then if for some reason we are not satisfied with those recommendations we can take whatever action we want to from a legislative point of view.

It is entirely appropriate that interested Members of this body have notice and have awareness as to the results of these studies.

But we must consider, Mr. President, that over the period since the passage of the 1962 Kefauver amendments, what the Food and Drug Administration tried to do is say that there is a responsibility on any pharmaceutical company to make sure drugs will be safe and efficacious, that they do not put them on the market and say, "I shall do it, they have been unsafe and dangerous to the individual."

That is a condition we had for too many years in that society, but we changed that, we said that they had to show they would be safe and efficacious and they had to do what they said would be done.

This drug was put on the market, it took 20 years before the first case Dr. Herbst was able to find, the first case of cancer.

The Senator from Nebraska says, "Quote me one case that could have been made." Nineteen years on the floor of the Senate, but someone could come up and say, "Yes, Senator CURTIS, I could quote Mrs. Malloy."

As far as I am concerned, about 12 or 14 months later her child was dead. Since that time, there have been over 210 individuals who have developed cancer.

The Senator from Colorado is saying, "Let us go out and do the kind of exhaustive and extensive work that the greatest research center in the world, the NIH, is capable of doing, and the people that have the competency and understanding of the National Cancer Institute who are spending their lives committed to this are trying to do something about this scourge, let them work and get the best of information."

From a health point of view, this amendment makes sense.

I want to give assurances both to the Senator from Colorado and the Senator from Nebraska, and other Senators, that I will certainly help support, either on this bill or on other measures we are going to have, the Secretary of Agriculture in carrying forward other experiments to provide food supplements that may be worthwhile in terms of production of meat. Many things can be done.

But it seems to me that this is a sensible, responsible amendment. I think it is desirable. It really achieves and accomplishes what those of us who support this legislation intended to achieve and it gives what is the most important item, it gives the benefit of the doubt to the American people.

That is what we are doing with the amendment of the Senator from Colorado, giving the benefit of doubt to the American people on this particular issue, and there is a question as to the whole impact of such an item, DES, what it can be in terms of producing cancer.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, I hold the remainder of my time.

Mr. CURTIS. Mr. President, I yield myself 1 minute.

Mr. President, once more the Malloy case has been cited in reference to the debate about diethylstilbestrol for cattle feeding.

The Malloy case has no connection here. The cancer in that case did not result from someone eating meat from livestock that had been fed diethylstilbestrol.

Now, why is it that we continually have to refute the argument that because diethylstilbestrol is dangerous when taken directly by a human being that it is dangerous when taken by livestock?

It is entirely different, yet so often when we state that there has been no evidence of cancer produced by the use of diethylstilbestrol for cattle feeding, our record is confused with citations and references to other situations.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Who yields time?

The opponents have 2 minutes.

Mr. CURTIS. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 2 minutes.

Mr. CURTIS. Mr. President, I yield the remainder of my time to the Senator from Oklahoma.

Mr. BELLMON. Mr. President, I would like to be recognized on my own time to call up an amendment.

Mr. KENNEDY. Mr. President, on behalf of the Senator from Colorado, I am prepared to yield back the time, if the other time is yielded back.

Mr. CURTIS. I am willing to yield back.

The PRESIDING OFFICER. All time has expired and has been yielded back.

The Senator from Oklahoma is recognized.

AMENDMENT NO. 873

Mr. BELLMON. Mr. President, I have an amendment at the desk which I ask be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. BELLMON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

> On page 2, between lines 12 and 13, insert the following:
>
> SEC. 102. Section 409(c)(3)(A) of the Federal Food, Drug, and Cosmetic Act is amended by inserting the word "harmful" before "residue" in subclause (ii) of such section.
>
> On page 2, line 13, strike out "Sec. 102" and insert in lieu thereof "Sec. 103".

The PRESIDING OFFICER. Time on the amendment is 1 hour and 30 minutes.

Mr. BELLMON. Mr. President, in September of 1958 the Congress enacted the food additive amendment which included the Delaney provision. This provision states:

> No additive shall be deemed to be safe if it is found to induce cancer when ingested by man or animal, or if it is found after tests which are appropriate for evaluation of the

> safety of food additives to induce cancer in man or animal.

In 1962 the Congress amended the Delaney provision to provide for animal feed additives. The 1962 amendment states:

> Except that this proviso shall not apply with respect to the use of a substance as an ingredient to feed for animals which are raised for food. If the Secretary of HEW finds that under the conditions of the use in feeding specified in proposed labeling and reasonably certain to be followed in practice such additive shall not adversely affect the animals for which such feed is intended, and (2) that no residue of the additive will be found by methods of examination prescribed or approved by the Secretary by regulations in any edible portion of such animal after slaughter or in any food yielded by or delivered from the living animal.

That language appears, Mr. President, on page 2 of the committee report, near the bottom of the page.

This amendment, Mr. President, would simply modify the feed additive exception to the Delaney amendment so that the Secretary of HEW would have to determine that residues of the carcinogen were in sufficient quantities to be harmful to the human body before the feed additive would be banned.

Under existing law if edible tissue is found to contain one part per trillion of a residue of an estrogenic additive, then it is automatically banned. The best scientific minds in the country believe that carcinogens, like other toxins, have a "no-effect level;" that is, a level below which they do not act as carcinogens.

The Food and Drug Administration has recognized this and has begun to envision the zero required by the Delaney clause to be a biological zero and not a chemical zero. FDA has proposed modifications of existing research procedures to take this new concept into account. The new procedures would enable the FDA to establish the biological zero. My amendment, which simply adds the word "harmful," simply requires that the Secretary of HEW determine that a feed aditive would have to be harmful to humans before it is automatically determined to be banned under the Delaney amendment.

Mr. President, I hope the author of the bill will accept this amendment. In my opinion, it does no damage to existing law but, rather, carries out the intent of Congress, that we do not want animals being fed aditives that later on will cause harmful effects to human beings. The amendment would still give the Secretary of HEW the authority to ban additives which are harmful, but would put an end to the banning of those additives simply because small traces are found under the highly sophisticated analytical procedures which have been developed since the Delaney amendment was passed.

Mr. President, I reserve the remainder of my time.

Mr. KENNEDY. Mr. President, I want to give assurances to my colleague and friend from Oklahoma that I appreciate the sincerity in his offering this amendment. He is troubled by the aspects, as I understand, of the Delaney amendment which may reflect such a small incidence of a carcinogen as to pose no immediate threat to an individual. Under the existing Delaney language that would be prohibited. The Senator wants to add the word "harmful" in front of the word "residue."

Mr. President, the Delaney amendment, passed a number of years ago, was the result of a very extensive hearing held in both the House and the Senate, with the recognition, Mr. President, that it was the sense and feeling of the Members of the House and Senate that any kind of residue or additive that was a carcinogen, a cancer-causing agent, poses such a sufficient threat that we ought to eliminate them from the food tables of the American public.

The Delaney amendment was accepted and passed.

The problem is, Mr. President, that there is not anyone, any scientist, any researcher, who can tell us what an acceptable ingestation of a carcinogen could be and over what period of time. That information just does not exist. Scientifically, it just does not exist. We can say, "Well, if it is one part of a trillion, we cannot conceive of this being harmful and, therefore, we ought to be prepared to vote for it." But, Mr. President, the basis of the scientific medical information to date is that we cannot say with any degree of certainty how much of a cancer-causing agent we can take in, that we can ingest, that we can bring into our bodies and still remain free from cancer.

It may very well be different for different individuals. It may be different in different parts of the country. There is a wide variety of variables in this whole area. Even though we have made some important progress in the whole attack on cancer, I think there is no researcher or scientist who is not humbled every morning when they wake up and recognize that we do not know all of the answers. We do not know what should be considered harmful, what should be considered dangerous, and what should be considered safe.

So, Mr. President, this is a very vast and sweeping amendment to alter and change the Delaney amendment. We received this amendment earlier this morning. It is important. It is extensive. But I would not be able to accept that amendment to this particular legislation.

We tried to recognize that there has been some disagreement as to the extent of the studies that have been done so far, the interpretation of various studies, the meaningfulness of various kinds of studies. With the amendment of the Senator from Colorado which said that we give the Secretary of HEW all of the material, all of the studies, and permit him to examine the most extensive study which will be done at the taxicological center and to come back to the Congress and make a recommendation, it does seem to me that is a reasonable kind of an adjustment.

Quite frankly, I personally would have preferred to ban it, but it does seem that the amendment that was put forward by the Senator from Colorado will carry us to the point where the kind of meaningful examination on the basis of scientific information, on the basis of the National Cancer Institute and the research, will give it the kind of attention that this should receive.

The implications of the Bellmon amendment are vast. I do not know what would be the position of the Secretary of HEW at the present time, whether he would welcome such authority. That is an awesome responsibility, Mr. President, for any HEW Secretary to be able to say, "This is a carcinogen and we are making a determination that you can have so much in any food product." That is an awesome, awesome responsibility. We do not have the position of the Secretary of HEW. The implications in a wide variety of areas are vast and significant.

I will say at some time, when a great deal more information is understood and known about this disease, that this amendment may be something which should be looked into and perhaps even considered favorably. But at this time, on this measure, with this issue, it seems to me that it should be opposed.

I give assurances to my friend and colleague that I do feel that the Delaney amendment is something worth reviewing. I would hope that he may feel that this amendment is something where we should receive the views of the Secretary of HEW and some of the other researchers and scientists without prejudice as to what their views on this measure would be before we would have a final resolution, irrespective of how the amendment comes out on a vote. If the Senator desires to go to a yea and nay vote, I will be glad to work with him to solicit those views, irrespective, in any event, in the future.

Mr. BELLMON. Mr. President, I appreciate the comments of the distinguished author of the bill, the Senator from Massachusetts, and would certainly urge that the committee look into the possibility of reevaluating the Delaney amendment in light of developments since the amendment was adopted back in the 1950's.

At this time I will reserve decision as to whether or not we check with the Secretary as to whether he would like this new authority. I am of the opinion he might like it. The amendment, in my opinion, simply gives to the Secretary of HEW and the vast resources at his disposal the authority and responsibility for making a decision as to whether or not these very minute quantities of carcinogenic materials are in fact harmful. I am of the opinion that there will come a time in any event for doing that, because of the apparent decision of working out what we are calling a biological zero rather than a chemical zero, under the terms of the Delaney amendment as it now exists.

As the situation stands at this time, I feel that this amendment would help the health of the American people rather than harm it because it does say that rather than just the fact that some very minute quantity exists it would be necessary for the Secretary to determine that this quantity was sufficient to cause problems to the health of those who use the food product in which the material was found to be present.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, I reserve the remainder of my time as well. Or, I am prepared to yield it back, whatever the opposition wishes.

Mr. HRUSKA. Mr. President, may I ask the Senator from Massachusetts if he will give me 5 minutes on the bill?

Mr. KENNEDY. I do not have 5 minutes on the bill. I am glad to give the Senator 5 minutes on this amendment.

Mr. HRUSKA. Very well. Let me direct a question to the Senator which has to do with title II of the bill.

In title II, there is an effort to portray the text of that title as being one which would improve the administration of the Food and Drug Act and related legislation. I have been looking through the hearings; were there any witnesses who appeared on title II to testify to its necessity or its wisdom? I have not been able to find any in the hearings. I thought perhaps the Senator could help me.

Mr. KENNEDY. No, the Senator is quite correct. There were no hearings on that particular provision.

Mr. HRUSKA. There were no hearings?

Mr. KENNEDY. No. Not this year. I was just checking to see whether or not hearings were held another year. This year there were no hearings.

Mr. HRUSKA. And therefore no views of any of the departments or agencies involved were received; is that correct?

Mr. KENNEDY. The Senator is correct. To tell the truth, I was just trying to find out about the other hearings. Will the Senator be kind enough to repeat his question?

Mr. HRUSKA. Therefore, the views of the departments and the agencies involved—and there are many—were neither solicited nor were any received by the committee in regard to this particular provision?

Mr. KENNEDY. The Senator is quite correct. We have no views from the department on this particular provision.

Mr. HRUSKA. I thank the Senator.

On another issue, Mr. President, having to do with some of the exchange of views earlier today. It was asserted that there were never any examples or cases of tests of carcasses of beef which disclosed DES or DES-type substances in any other part of the animal except the beef liver; and I cited this proposition, reading from page 2863 of the 1975 hearings on the agriculture appropriation bill:

> Senator BAYH. What relationship has there been between the detection of DES in livers, and the presence of DES in other parts of the animal?
>
> Dr. SCHMIDT. As DES has been used recently, it has found only in liver tissue. I do not know of its having been found in the red meat.

Then Mr. Hutt, who is chief counsel for the FDA, said:

> Not in red meat. I believe on one occasion it was found in kidney, but not in red meat.

The Senator from Massachusetts cited three studies and reports in which it was said there were residues found in the red meat, in the tissues, in the muscle, and he cited an article in the Journal of Animal Science, in volume 40, No. 3, 1975, page 546, written by Mr. Rumsey and his associates; another article in volume 39, No. 6, page 1185, by Messrs. Aschbacher and Thacker; and another one in the Department of Agriculture study at the University of Pennsylvania.

Mr. President, these were not tests, in any of these instances, to determine the presence of DES in the carcasses of any animal in the usual and routine way following the consumption by that animal of feed which had a DES additive. They were not conducted in the regular course of business, that is, to test whether or not the action of DES additives in feed, as it is practiced, resulted in DES or DES-like residues. They were not by the previously used tests and methods.

What these reports had as their subject is this: They were a series of experiments using radioactive tracers for the purpose of determining the presence of residues, I am informed. The results of the tests were these: They did identify some radioactive substance as a residue in the liver and some of the tissues and so forth, as listed in tabular form in the reports. There were very small traces, Mr. President: 0.04 parts per billion, or something of that nature.

However, the identity of this radioactive substance was not established. It might have been a metabolite. It might have been something else. It is most likely that the substance, however, consisted of the radioactive carbons used as tracers.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HRUSKA. I ask my colleague for 2 additional minutes on the bill, if he has any time left.

Mr. CURTIS. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes on the bill.

Mr. CURTIS. I yield the Senator 2 minutes.

Mr. HRUSKA. Obviously, this is out of the regular testing for the purpose of determining residual substances after a 14-day period of abstinence from any DES additive in stock feeds. That is the question we were determining here; and the testimony of Dr. Schmidt and Mr. Hutt, under those circumstances, still stands, I submit.

Dr. Schmidt said:

> As DES has been used recently, it has been found only in liver tissue. I do not know of its having been found in the red meat.

And Mr. Hutt confirmed that:

> Not in red meat. I believe on one occasion it was found in kidney, but not in red meat.

I resubmit that text and that explanation so that the RECORD will reflect what the facts seem to be.

Mr. KENNEDY. Mr. President, I think I have some time remaining on the Bellmon amendment.

The PRESIDING OFFICER. The Senator has 17 minutes.

Mr. KENNEDY. Mr. President, we are in a very interesting position here, those of us who have some very serious concerns about the use of DES.

First of all, we banned it in the Senate of the United States, and finally we were able to get the Food and Drug Administration to move ahead and ban it. Then that action was struck down because of administrative procedures. One of the reasons was because of notification, and second, because the test that was being used could be modernized and altered, because of the nature of the progress of the testing procedures.

So now what happens? The Department of Agriculture goes out and uses a new test, the radioactive test, in which, as a result, they do find that there are traces of DES in the liver and the kidney, 0.08 parts per billion in the liver, 0.09 parts per billion in the kidney, and 0.04 parts per billion in the muscle. That is after 240 hours, or 10 days.

Now they complain, and say, "Well, now, they are using a new test, and you cannot do that because you are not using the old one."

They want it both ways. When they used the old test, they say, "This is not modern or new enough in nature, and the technology has moved us beyond that."

Then when they use the new test, the new devices, and are showing there are these remnants left in the beef, in the muscle, the kidney, and the other areas of the beef, then they say, "Well, you cannot do that, because this is some new kind of a procedure," even though it is the same old sample in terms of the beef; nothing new was done about trying to get a new kind of cow or steer, they are just using the same animals, Nos. 38 and 39; those were the steers that were tested after the 240 hours.

I say it is difficult for me to be convinced by those arguments. It seems to me they really want it both ways; on the one hand, they say the tests are not modern enough, and do not reflect it. Then when you get a good test and show it is there, then they say, "That is a new test, and it has not been proven."

Not only are the tests that the Senator refers to in terms of the radioactive way a means of testing reflected the remnants as well. We have made that a part of the record during the early part of the debate, and I will include reference to that at this present time.

Mr. HRUSKA. Mr. President, the Senator from Massachusetts reads the test differently than I do.

The information I received is that there is doubt as to where the particles came from that are discovered in the proportions that he has reported, and the greatest likelihood is that it is from the carbons of the radioactive materials which they use as tracers, so that would not be as a result of the ingestion by the feeding of food that has had additives added to it.

Mr. KENNEDY. Mr. President, I will let the tests speak for themselves. But one will see in any fair examination that not only in terms of these particular tests that have shown the residues showing up in the muscle tissue but the other studies and reports support that conclusion. We have the radioactive studies, and we have the other studies as well.

If the Senator feels that that strengthens the position that he has taken, then I will let the record stand and speak for itself.

Mr. President, I will correct the record on the part of title II that to which the

Senator from Nebraska referred in that we did have a letter, as I have found now, that indicates the opposition of the administration. I think my earlier response had indicated we had not heard something.

Mr. HRUSKA. The letter is not in the hearing. The Senator's answer in that regard was correct and accurate.

Mr. KENNEDY. I want to be correct, and I will make that a part of the RECORD if the Senator so desires.

Mr. HRUSKA. Is that the letter from Health, Education, and Welfare addressed to Senator HUGH SCOTT of Pennsylvania on July 11, 1975?

Mr. KENNEDY. Yes.

Mr. HRUSKA. It would be helpful, Mr. President, if that letter were incorporated in the RECORD.

Mr. KENNEDY. Mr. President, I ask unanimous consent that letter dated July 11, 1975, addressed to Mr. HUGH SCOTT, from the Secretary of Health, Education, and Welfare, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF
HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., July 11, 1975.

Hon. HUGH SCOTT,
Minority Leader,
U.S. Senate,
Washington, D.C.

DEAR HUGH: There is before the Senate, S. 963, as reported by the Committee on Labor and Public Welfare, a bill "To amend the Federal Food, Drug, and Cosmetic Act to prohibit the administration of the drug diethylstilbestrol (DES) to any animal intended for use as food, and for other purposes".

This Department has generally opposed the enactment of piecemeal legislation taking action on specific substances when broad statutory authority for administrative action already exists. However, in a letter to the Committee date April 22, 1975, we did not object to those provisions of S. 963, as introduced, which prohibited the administration of DES to animals. The Committee bill revised the amendment to the Act which deals with the use of DES in animals. The original provision would have banned the administration of DES, i.e., provided a remedy against the farmer or feed-lot owner who administered DES to this livestock. As revised, the bill merely prohibits the introduction or delivery for introduction into interstate commerce of DES for purposes of administering the drug to animals. While this would merely provide a remedy against sellers of livestock products, the bill would not allow action to be taken against those administering DES to animals.

However, the Department strongly objected to the one-year moratorium on the use of DES as a postcoital contraceptive, proposed in S. 963 as introduced. We noted that this is a matter still under review within the Food and Drug Administration and invilves a drug which currently satisfies the criteria for drug safety and efficacy for this use, prescribed in the Federal Food, and Drug, and Cosmetic Act. The original bill would have thwarted WDA's efforts to put into effect a comprehensive set of requirements to enable the safe and effective use of DES for postcoital contraception. As we noted in our April 22 letter, even if the bill were enacted, DES would remain available on the market for use as replacement therapy in estrogen-deficient states and for treatment of certain cancers, and thus it is important that FDA continue to be able to require special packaging and labeling (including a patient leaflet containing sufficient warnings) to better assure proper use of DES in postcoital contraception.

Section 2 of the reported bill on the other hand, amends section 502 of the Federal Food, Drug, and Cosmetic Act to deem misbranded any drug containing DES unless its label bears a prescribed warning statement and unless certain other specified requirements are met. These labeling requirements would apply to all uses of DES. The proposed label warning requires a statement ("Warning this drug may cause cancer") which is scientifically misleading and may unduly alarm patients since it does not require a brief statement of what is known of attendant risks of developing cancer. The additional requirements that the label state that "This drug may not be used as a contraceptive after sexual intercourse . . ." would have to appear on all DES, whether or not the drug was intended for the use in postcoital contraception. As noted in our letter, DES can be used for several other purposes such as estrogen deficiency and for treatment of certain cancers.

In prescribing a specific labeling warning, the bill can be read as superseding the FDA's proposed patient leaflet for use of DES as a postcoital contraceptive, which would provide patients with much more detailed information, including some information not provided by label warnings prescribed in the bill. For example, the patient package insert provides the patient with information explaining that DES should not be taken if the patient is already pregnant, as such usage exposes the fetus to an unnecessary hazard.

This label warning suggests to patients that it is unlawful to use DES for postcoital contraception in cases other than rape or incest or comparable medical emergencies because of its wording "This drug may not be taken . . .". The bill does not provide penalties for patients who use, nor physicians who prescribe it or pharmacists who dispense it, for ordinary cases of sexual intercourse not involving rape, incest or comparable medical emergency. Unless Congress intends to subject these individuals to possible criminal prosecution, there is nothing in S. 963 which would achieve the purpose of prohibiting the use of DES in such routine cases.

The bill would require patients or their legal guardians to sign a written consent to use DES (for postcoital contraception or any other use). Such informed consent would have to be sent to FDA at least four times a year along with prescription scripts. The purpose of this reporting system is unclear. It is possible that this reporting system is designed more to discourage use of DES by applying an onerous paperwork burden on physicians than to increase the likelihood that the required informed consent forms are, in fact executed. Another possible intent is to enable the Agency to have access to signed copies of the consent forms and to obtain statistics on the incidence of the use of DES for postcoital contraception. If this is the case, these forms should include information on the circumstances under which the drug was prescribed. It should be noted that there is a potential for stigmatizing patients by categorizing the sexual incident which preceded the use of DES. Also, the implementation of a system making use of the statistics collected would require FDA to allocate limited resources from other programs.

We believe that the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research is an inappropriate body for addressing the substance of informed consent forms for therapeutic uses of DES.

The Department therefore strongly opposes enactment of section 2 of S. 963 which provides labeling requirements for DES.

Title II of S. 963 would statutorily establish the Food and Drug Administration (FDA); create the positions of FDA Commissioner, Deputy Commissioner, and General Counsel as Presidential appointees with the advice and consent of the Senate with five-year fixed terms, and vest specific statutory authority for carrying out the Federal Food, Drug, and Cosmetic Act in the FDA Commissioner rather than in the Secretary of HEW, who now delegates such authority to the Commissioner.

We view the practice of vesting authority at subordinate levels as inconsistent with the basic accountability of the Secretary of Health, Education, and Welfare for the effective administration and coordination of all programs within this Department. Although we believe that no useful purpose is served by establishing FDA in law, and by statutorily mandating a Presidential appointment with Senate confirmation of the FDA Commissioner, we would nevertheless not object to such provisions. However, we do oppose specifying the term of the appointment to be five years. The concept of a fixed term could create potential problems of the accountability of the FDA Commissioner to the Assistant Secretary for Health and the Secretary of HEW.

Similarly we oppose the establishment of the FDA Deputy Commissioner and General Counsel as Presidential appointments with Senate confirmation and five-year terms. The Presidential appointment of lesser officials, with resulting grade inflation, is unnecessary and undesirable. As we have already mentioned, such fixed terms would result in diminished internal accountability and responsibility among key agency officials. We also oppose the provision which would permit the establishment of twenty-five supergrade positions in the FDA as being inconsistent with the Department's responsibilities to manage the utilization of such positions in all of our programs.

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report and that enactment of certain provisions in S. 963 as stated above would not be consistent with the Administration's objectives.

Sincerely,

CASPAR W. WEINBERGER,
Secretary.

HEW POSITION ON S. 963 AS REPORTED

Title I of S. 963 would ban the use of DES as an animal growth promotant and place some restrictions on its use as a postcoital contraceptive. Title II of S. 963 would establish the Food and Drug Administration (FDA) as an independent agency within the Department of Health, Education, and Welfare (HEW) and make the Commissioner, Deputy Commissioner, and the General Counsel Presidential appointments subject to Senate confirmation.

TITLE I

Concern about DES is understandable. It is a potent drug and its use should be carefully controlled.

DES in animal feed

The FDA has attempted to administratively ban the use of DES as a growth promotant in animals. The ban was overturned by the courts but only on procedural grounds. The FDA currently has sufficient authority to ban this use of DES, and it intends to pursue this action. We recognize, however, the intense interest of Congress in this matter and if the Congress decides that it should legislate this matter, DHEW would have no objections to prohibiting the administration of DES to animals. The reported bill, however, amended this provision to merely prohibit introduction of DES into interstate commerce and does not provide a remedy against farmers or feedlot owners.

DES as a postcoital contraceptive

The FDA, after careful consideration, has concluded that the use of DES as a postcoital contraceptive in emergencies is safe and effective. The FDA has established a rigorous control system including informed consent to assure that DES for this indication cannot be misused. There is no evidence to date which indicates any detectable risk of cancer to individuals taking the drug for this use. The FDA has sufficient authority to control the proper use of this drug, and we therefore oppose setting into legislation the mechanisms described in S. 963. We believe it is inappropriate for Congress to enact narrow legislation on a specific product. Such action can inhibit the present or future beneficial use of a drug and thus is not in the best interest of the public.

TITLE II

S. 963 would statutorily establish the Food and Drug Administration and make the Commissioner of FDA a Presidential appointee subject to Senate confirmation. Although we believe no useful purpose would be served by either provision, we do not object to these provisions.

However, the Department opposes those provisions of Title II which would establish the Deputy Commissioner and General Counsel of FDA as Presidential appointees. Such appointments of lesser administrative agency officials is unwise and could result in diminished internal accountability and responsibility among key FDA officials.

The Department opposes the provision that would statutorily provide 25 supergrade positions in FDA and the provision to set a fixed term for the Commissioner.

Title II would vest authority for carrying out the Federal Food, Drug and Cosmetic Act in the FDA Commissioner rather than the Secretary of HEW. We oppose this provision as inconsistent with the basic accountability of the Secretary to administer the programs of the Department.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of my time. I believe time of the other side has exhausted itself.

The PRESIDING OFFICER. The Senator from Oklahoma has not yielded back his time. He has 25 minutes remaining.

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of my time on this.

Mr. HRUSKA. Mr. President, is that on the bill?

Mr. KENNEDY. No.

I think our time on the bill has actually expired, but I am prepared to yield back the remainder of my time on the Bellmon amendment.

The PRESIDING OFFICER. There are 2 minutes remaining on the bill. The Senator from Oklahoma has 25 minutes remaining on his amendment.

Mr. KENNEDY. Does the Senator from Nebraska wish to have 5 minutes on the bill?

Mr. CURTIS. I would think it would be well for both sides to have additional time.

Mr. KENNEDY. Mr. President, I ask unanimous consent that just prior to the vote that each amendment have 5 minutes.

I do not want to delay.

Mr. CURTIS. No. That is just 5 minutes on all the amendments as far as that goes. That will suit me. That is on the Hart and Curtis amendment because one is a substitute for the other.

Mr. KENNEDY. We have 10 minutes on this to be divided among the Senators from Nebraska, Oklahoma, Colorado, and myself.

Mr. CURTIS. I cannot speak for the Senator from Oklahoma.

Mr. KENNEDY. That is if he so desires.

Mr. CURTIS. But I would be happy if we could have 5 minutes prior to the vote on the Hart amendment.

ORDER FOR ADDITIONAL TIME

Mr. KENNEDY. Mr. President, could we have 10 minutes evenly divided?

Mr. CURTIS. Yes, prior to the Hart amendment.

Mr. KENNEDY. I ask unanimous consent for that, Mr. President.

The PRESIDING OFFICER. Ten minutes evenly divided on the Hart amendment tomorrow.

Mr. KENNEDY. Yes, between the Senator from Nebraska and the Senator from Colorado.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, that concludes my presentation. I had one other item if I could——

Mr. ROBERT C. BYRD. Mr. President, is that on another subject?

Mr. KENNEDY. Yes, it is on another subject.

Mr. ROBERT C. BYRD. Mr. President, will the distinguished Senator yield for a question?

Mr. KENNEDY. Yes.

Mr. ROBERT C. BYRD. Would it be agreeable, may I ask, if we have, say, not to exceed 15 minutes for routine morning business tomorrow following the orders for recognition of Senators? There are three orders that have been entered previously, and if we come in at 11 a.m. that would take us up to about 11:45; if we had 15 minutes of morning business, this would mean that we go back on the bill at around noon and then with the 5 minutes to the Senator from Massachusetts, the 5 minutes to Mr. CURTIS on the Hart amendment, this would mean the first rollcall would occur 10 or 15 minutes after 12 noon.

Mr. KENNEDY. If the Senator would like the first rollcall I hope would be the complete time. After that, if no objection, we could have a shorter rollcall on second or third votes if they were to come. I leave that up to the leadership. That would be fine.

Mr. ROBERT C. BYRD. Very well.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW AND FOR CONSIDERATION OF S. 963

Mr. ROBERT C. BYRD. Mr. President, if the Senator will continue to yield, I ask unanimous consent that after the orders for special recognition of Senators are completed on tomorrow there be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements limited therein to 5 minutes each, and that at the conclusion of routine morning business the Senate resume consideration of the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR VOTES ON CURTIS AND BELLMON AMENDMENTS

Mr. ROBERT C. BYRD. I ask unanimous consent, Mr. President, that the following debate on the Hart amendment that we vote immediately on the Curtis amendment as amended, if amended.

Is that agreeable?

Mr. CURTIS. That is correct, yes.

Mr. ROBERT C. BYRD. That upon the disposition of the amendment by Mr. CURTIS—what about the vote on the Bellmon amendment?

Mr. CURTIS. Yes, it follows.

Mr. ROBERT C. BYRD. Vote immediately without any further debate?

Mr. CURTIS. Yes.

Mr. ROBERT C. BYRD. That upon the disposition of the Curtis amendment a vote then occur on the amendment by Mr. BELLMON, amendment No. 873.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR TIME LIMITATION ON VOTES

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that where there are consecutive votes, as there will be on the amendments aforementioned, there be 10 minutes limitation on each rollcall, with the exception of the first rollcall, with the warning bells to sound after the first 2½ minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL ST. ELIZABETH SETON DAY

Mr. KENNEDY. Mr. President, I send to the desk a joint resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 125) authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day."

Mr. KENNEDY. Mr. President, this resolution, which I introduce for myself, the distinguished majority leader (Mr. MANSFIELD), the Senators from Maryland (Mr. MATHIAS and Mr. BEALL), and others, authorizes the President to proclaim Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day."

It is identical to Joint Resolution 585 introduced by some 25 Members of the House of Representatives.

The canonization of Elizabeth Seton by Pope Paul VI at Saint Peter's Basilica in Rome will mark the first native-born American ever to receive such recognition.

Elizabeth Seton ranks as one of the most outstanding women in American history for her educational and religious accomplishments and her inspiration to generations of Americans.

Born in Staten Island, N.Y., in 1774, Elizabeth Seton settled in Emmitsburg, Md., after being married and widowed at a young age. There she founded the Sisters of Charity in St. Joseph. And from that start, she founded over 20 community-based Sisters of Charity orders in America, including the Sisters of Charity of St. Vincent de Paul in New York.

Now more than 7,500 American Sisters of Charity are spread throughout the hemisphere and beyond.

Under the leadership of Elizabeth Seton, the Sisters of Charity established the first parochial school in the United States and they have maintained that active leadership in educational and charitable endeavors ever since.

Elizabeth Seton's accomplishments in building the religious and moral strength of the Nation have long received national acclaim. Now on the momentous occasion of her canonization, I urge the adoption of this Senate joint resolution establishing Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day."

I ask unanimous consent that several articles describing the accomplishments of this unique individual be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 27, 1974]

ST. ELIZABETH OF EMMITSBURG

The trouble with the saints, the argument goes, is that they led lives of such perfection that mortals of average weakness see them as far beyond imitation. Halos never fit heads crammed with the thoughts and temptations of this world. Little of this applies, though, to the most recent addition to the calendar of saints—Elizabeth Ann Bayley Seton. Far from being remote from daily life, she was intensely involved in it. In the acts that led to her becoming America's first nativeborn saint—as announced recently at a special consistory at the Vatican—Mother Seton threw herself into works of mercy that required the full energies of her body, mind and spirit.

St. Elizabeth came to Maryland and the village of Emmitsburg in the early 1800s. She was a widow with five children, from a prominent upper-class New York family and was a recent convert to Catholicism. Wanting to practice her faith as well as believe in it, she began operating a free parish school—the first of what was to become the Catholic Church's nationwide parochial school system—an orphanage, a leper asylum and a hospital. Caring for the sick and poor led her to found the Sisters of Charity in the United States. This was to be Mother Seton's most enduring contribution to society. Today the Sisters of Charity are a renowned and heroic religious order, with some nine institutions in the Washington area being run by its members.

Aside from honoring Mother Seton, the canonization calls attention to the selfless work not only of the women of her own order but also to the sisters and nuns of the Church's other orders. The contributions they make to an improved social order cannot be measured, from caring for orphaned children to easing the last days of the abandoned elderly. Much of this work is hidden from view and often it is carried on with little help from public institutions. In fact, fewer and fewer women are joining the religious orders today. The current Commonweal notes that enrollment in Catholic sisterhoods is down 81 per cent since 1965. If the attention now being given Mother Seton helps reverse this trend, then her canonization will have had a practical as well as a spiritual effect. It would be fitting, because few saints have involved themselves more deeply in practical affairs than St. Elizabeth of Emmitsburg.

[From the Washington Star-News, Dec. 12, 1974]

BELLS TOLL FOR NEW SAINT

(By John Sherwood)

EMMITSBURG, MD.—Just after daybreak, as the sun swept the winter chill off the back of St. Marys Mountain, carillon chimes and bells began ringing and playing hymns continuously in the valley of St. Joseph today.

Black-robed nuns, barely able to conceal the joy of a lifetime, formed a silent procession over highly polished marble floors to attend an early high mass in the chapel that houses the bones of Mother Seton, who today is to be proclaimed the first American-born Catholic saint.

Thousands devoted to the canonization cause of Elizabeth Ann Bayley Seton, who died here in 1821 at the age of 47, have been praying for this to happen since the 1880s. Many thought it a hopeless cause.

Pope Paul VI announced today that Mother Seton will be canonized during holy year celebrations on Sept. 14, 1975.

Mother Seton was a member of a prominent Protestant New York family when she was disowned after converting to Catholicism in 1805. It seems ironic that she rode into sainthood on the wings of a Protestant, one Carl Kolin, subject of the third and clinching "miraculous" cure attributed to her intercession.

Born in New York City in 1774, Mother Seton's father was a famous Colonial physician, and her mother the daughter of a prominent Episcopalian minister. At 19, she married the 25-year-old son of a wealthy importer and they had five children.

In 1808, as a widow with five children and no means of support, Mother Seton founded the American Community of the Sisters of Charity of St. Joseph in Baltimore. She also founded the first parochial school in the United States.

Settling her little community of nuns in Emmitsburg in 1809, she went on to establish St. Joseph's Academy here. The girl's college closed in 1973.

Mary V. Columbus, a D.C. social worker, is only one of thousands who have been praying and making novenas for Mother Seton for decades. "I don't remember ever not knowing about her," she says. "She has been a major part of my life."

Miss Columbus has traveled to Rome three times on behalf of the "Cause," the last time in 1963 when Mother Seton was "beatified," a step to sainthood. She presented a bound volume to Pope Paul VI then containing thousands of signatures urging the canonization. The return to Rome, for the solemn formal canonization at St. Peter's, "will be the highlight of my life," she says.

The second of three miracles attributed to Mother Seton came about in 1951 after Mrs. Felixena A. O'Neill of Catonsville, Md., brought her 4-year-old daughter, Ann, to Baltimore's St. Agnes Hospital.

"She was suffering from acute lymphatic leukemia," she recalled last night. "Her blood count was 43. The doctor said it was hopeless, that she was dying fast."

She said a nun suggested she pray to Mother Seton. "Everyone thought it was ridiculous," she said. "I prayed anyway, but Ann got worse and worse. I took her up to Mother Seton's grave in Emmitsburg and we helped her stand over the tomb while a sister touched her with a relic (a piece of bone).

Mrs. O'Neill then brought her back to the hospital, she says, and the blood count was normal. She said, "The doctors couldn't explain it. Ann was in perfect health!"

Ann—now Mrs. Robert Hooe of Severn, Md.—recovered completely. She has four children of her own today.

The first accepted Mother Seton "miracle" involved a nun who was supposedly cured of pancreatic cancer in New Orleans in 1934.

"The church is extremely skeptical about miracles," says the Rev. Sylvester A. Taggart, C.M., the vice postulator of Mother Seton's canonization cause for the last 10 years. "We get 15 or 20 calls a week about miracles on behalf of Mother Seton, but 99 percent fizzle out. The only one I had personal contact with was Kolin's case."

Kolin was moribund in 1963 with a rare brain disease that had been fatal in all five cases on medical record. An attending physician announced that he would not last the night; that death was certain.

According to Taggart, now stationed at the St. Joseph's Provincial House here, the Sisters of Charity at St. Joseph's Hospital in Yonkers, N.Y., and Mrs. Kolin prayed for Mother Seton's intercession. The novena continued and Kolin grew more terminal.

A first-class relic was applied to Kolin's head and chest. The violent convulsions stopped. The high temperature dropped to normal, and on Oct. 16, 1963, he awakened, completely alert, as if nothing had happened. He was discharged Nov. 2, fully recovered. Doctors were dumbfounded.

ELIZABETH SETON, AMERICAN SAINT

The Catholic Church that grew so impressively in the United States during the past 150 years has been described as an immigrant church, because it expanded under the impact of 19th-century European migrations. So it was appropriate that Frances Xavier Cabrini (1850–1917), herself an immigrant, should have been in 1946 the first American citizen canonized. But even on the Atlantic seaboard, the American Catholic Church was colonial long before it was immigrant, in that 19th-century sense of the word. Now it is about to receive, as its second officially proclaimed saint, a representative of impeccably old American stock. On December 12, Pope Paul VI announced that Elizabeth Ann Bayley Seton, born in New York City in 1774, will be canonized next year.

With her lineage, Mother Seton was certainly entitled to be called, as John XXIII noted at her 1963 beatification, "an authentic daughter" of this nation. She is really remarkable, however, because she was the child of a particular age, as we all necessarily are, but because she transcended her age as only saints do. But that was not accomplished without the degree of travail that saints usually experience.

Elizabeth Bayley was married to William Seton at 19. Widowed, with five children, before she was 30, she died when she was 46. Her conversion to Catholicism in 1805 alienated her relatives and friends, but in the 16 years of life that remained to her, she got so much done that seven congregations of Sisters of Charity honor her as founder, and "she is rightly considered," to quote John XXIII again, "one of the precursors of the parochial school system" in this country. But perhaps her most precious legacy is the reminder that holiness does not require some marvelous invulnerability to suffering that allows one lightly to overstep pain. In the final months of her life, when Mother Seton was dying of several ailments, including what seems to have been breast cancer, she was still deeply worried by the troubled lives of her two sons. In the last letter she wrote to her closest childhood friend, she remarked: "All is bleak with me but the blue sky." But Elizabeth Seton could be patient with bleakness too, because she knew, as St. Thomas More once said, that we can hardly hope to go to heaven on a feather bed, seeing that Christ went there on a cross.

[From the Wall Street Journal, June 25, 1975]

THE GOOD FIGHT: AMERICAN SAINT'S CAUSE TOOK CENTURY OF WORK, MILLIONS IN DONATIONS

(By Liz Romain Gallese)

In the town of Emmitsburg, Md., in suburban Baltimore, Valli Ryan has one of the public relations profession's more spiritually uplifting jobs. For the past two years she has been publicizing a saint.

She has organized nationwide press contacts, and she has produced an information kit that includes color slides and a tape cassette. Last August, on the 200th anniversary of the saint's birth, she organized a party for 3,000 people, and in January she arranged a dinner for 1,000.

Now she's concentrating her efforts on Sept. 14 when, in a rich and tradition-filled ceremony in St. Peter's Basilica in Rome, Mother Elizabeth Seton will formally be declared the first U.S.-born saint. For the thousands of pilgrims that are expected to stream into Emmitsburg, sainthood is no anachronism, as some believe, but a link with the ancient origins of the Catholic faith.

Mother Seton, a socialite-turned-nun who died in 1821, will be the first native American to survive the long road to canonization, thanks to a decades-long effort by thousands of volunteers, including 12,000 nuns who have raised money, stuffed envelopes and licked stamps. The route has been more arduous than any political campaign and certainly just as expensive as most. Rev. Francis X. Murphy, an authority on sainthood who teaches at Pontifical Lateran University in Rome, believes that millions of dollars were spent on Mother Seton's cause.

"TRULY IN HEAVEN"

No one will say just how much. That fact, like much of the effort surrounding the process and indeed much of the ceremony bound up in the selection of new saints, is a well-kept secret. "It's like trying to find out how a missile is put together and fired off," Mr. Murphy says.

The key to Mother Seton's success may be as basic as the ability to keep an organization together for generations. Those who have survived the course in the past have been mostly European priests and nuns whose orders have a tradition, fostered over centuries, of working for and promoting their candidates for sainthood, which is the Catholic Church's official declaration that one is "truly in heaven."

Mother Seton's rise to the exalted ranks of sainthood (Catholic prayer books give the number of saints variously between 3,500 and 7,000) comes as the U.S. church continues to be in ferment over celibacy and the role of the church in such matters as birth control and abortion. Joel Wells, editor of The Critic, a liberal, Chicago-based Catholic quarterly, believes that the Vatican choice of Mother Seton is intended "to lift sagging morale in the U.S. church." But, he adds, it "probably won't."

It wouldn't be the first time that the Vatican has combined saintly virtue with diplomacy. In 1920, for example, Joan of Arc, who had died a heretic five centuries earlier, finally was sainted. It's now known that one reason the Vatican had chosen Joan was to boost morale in depressed post-war Catholic France.

A PRACTICAL APPROACH

Rev. Francis Litz of St. Peter's Rectory in Philadelphia, who is working for two other American candidates for sainthood, says that it's necessary to take a very practical approach to sainthood today. Even if Rome accepts all of the final documentation leading to sainthood, a candidacy can fall if it "doesn't fit into the world political situation," he says. (In fact, very few of the 1,400 candidates for sainthood from around the world will ever be chosen. The church has named only 250 saints since 1625.)

Some U.S. Catholics have been urging the Vatican to choose the U.S. bicentennial to canonize several Americans, including Mr. Litz's two candidates, John Neumann, a 19th Century bishop of Philadelphia, and Katharine Drexel, who founded an order of missionary nuns with her Philadelphia family's banking fortune.

But other American Catholics couldn't care less. The independent weekly National Catholic Reporter, for instance, hasn't carried a single editorial on Mother Seton's canonization because it feels it lacks importance. And Joel Wells of The Critic says that canonization "belongs to the past, and there's a lot more the church could do with the money spent on it."

When Mother Seton's cause began in the last century, however, the roster of saints was still an essential thread in the fabric of the Catholic faith. It was a tradition dating back to the early Christian martyrs, who had no organized procedure but designated some of their number as saints. The first record of canonization by a Pope was in 973 and over the following six centuries a strict process evolved.

At first glance Mother Seton was perhaps an unlikely candidate for sainthood. Born in 1774, she was for the first 30 years of her life a wealthy and prominent New Yorker. After the death of her husband in 1805 she converted to Catholicism and moved to Emmitsburg. There she founded schools and orphanages and also an order of nuns, the Sisters of Charity of St. Joseph.

CLOSELY GUARDED RITUAL

It was in 1882, more than 60 years after Mother Seton's death, that James Cardinal Gibbons of Baltimore decided to launch her candidacy for sainthood. The cardinal later said he had been "inspired" while saying mass in the sisters' chapel.

The mechanics of the candidacy's early evolution aren't known. This and much else involved in the ritual are closely guarded by the church; the Catholic Encyclopedia, a storehouse of Catholic doctrine, provides only the sketchiest details. One reason may be that a candidate has to be proved pure of thought and deed, which requires investigating the most intimate details of a candidate's life, through her letters, diaries and even poems.

Mr. Murphy, the expert on the subject, says the process "deals with a person's inner life." After 17 years of exhaustive searching, the inquiring theologians were unable to find a single stain on Mother Seton's character.

The documentation of the search and the original documents themselves were then sent to Rome for a similar painstaking search that lasted on and off until 1936, when the Vatican declared she could be considered for sainthood.

During all these years the Sisters of Charity in Emmitsburg had to support the costs of both the U.S. and Italian examinations, which included the translation of voluminous amounts of material into Italian. But this was only the start; ahead lay a struggle for recognition that would run into the millions of dollars.

THEOLOGICAL DETECTIVES

Over the years other fund-raisers came to their help. In 1939 an Emmitsburg priest funded the Mother Seton Guild, which ever since has been soliciting donations and putting out a quarterly bulletin to keep her memory alive among the faithful. Another promotional group was formed in 1947 by the Emmitsburg nuns and those of five other orders that had broken away from Mother Seton's original order.

The backing of this federation of orders seems to have been the turning point in bringing Mother Seton's name to prominence in the Vatican. Sister Hildegarde Marie Mahoney, chairman of the federation, says that if the six orders hadn't supported her "she wouldn't have been named."

Success was also due to what might be described as theological detective work. The halfway stage along the road to sainthood is the "beatification" of the candidate (in which she is declared "blessed" in an elaborate ceremony in Rome.) Before this can happen, a candidate must be shown to have been responsible for two miracles, specifically medical miracles.

Rome requires evidence of a person's recovery from a "hopeless" illness after prayers have been offered to the candidate. If doctors are unable to explain the recovery, then the church considers it due to the celestial intervention of the candidate.

Mother Seton's miracles were discovered by the man chosen by officials in Rome and by the candidate's local supporters to be the chief "investigator," or vice-postulator. This job is held today by Rev. Sylvester Taggart (his five predecessors are now dead).

Searching for miracles, he says, is laborious business. He received thousands of letters claiming miracles, many from readers of the Mother Seton Guild bulletin, but says he could tell right away that 75% didn't qualify. If one looked promising he wrote to the doctors involved to ask for an explanation of the cure.

If no medical explanation seemed feasible, he gave the cause to a panel of local doctors. Often they would decide that much factors as a new drug could have been responsible for the cure. If they were baffled, the case was sent to Rome.

In Rome a doctor rechecked the proposed miracle, and if he, too, was mystified it went to five other doctors. If three of the five approved, it went before nine others. If six of these doctors approved, Rome considered the case miraculous.

About 30 theologies then debated whether the miracle could be attributed solely to the candidate (multiple claims would "set off a war in heavens," says one theologian). Finally, the Congregation for the Causes of Saints, the Pope's advisory council on sainthood, met three times to hear a church lawyer argue the miracle's merits and a "devil's advocate" dispute them.

In this way two miracles were claimed for Mother Seton: the recovery of a nun from "incurable" cancer and the recovery of a four-year-old girl from leukemia. In 1963 Mother Seton was beatified.

Shortly before the ceremony, Mother Seton's body was disinterred in Emmitsburg for positive identification of her remains, which Rome requires whenever possible. In a traditional ceremony, redolent of the medieval origins of sainthood, one bone was removed and presented to the Pope. Others were divided into fragments, each of which was boxed and given to those who had worked hardest for the cause.

RENTING ST. PETER'S

After beatification two more miracles had to be proved to make the candidate acceptable for sainthood. Mr. Taggart tracked down the recovery of a construction worker from meningitis. Then, in an action that many in the church saw as politically motivated, the Vatican waived the fourth miracle requirement and accepted Mother Seton for sainthood.

Miracles cost money to prove, and Mother Seton's supporters have faced crippling deficits over the years. They won't discuss them in detail, but Mr. Litz, the supporter of Bishop Neumann, says that when his candidate was beatified it cost the Redemptorist order of priests $10,000 to rent St. Peter's and $15,000 to publish the needed literature. (He defends the cost with the comment, "It cost $6 million to inaugurate Richard Nixon, and who's more important?")

At one time, says Mr. Taggart, the cost of hiring Italian lawyers and doctors became so expensive that the Mother Seton Guild's $32,000 annual budget couldn't cover the costs and an emergency appeal had to be made.

Now Mother Seton's supporters must pay for the enormously expensive pageantry of the canonization ceremony in Rome. Possibly the U.S. celebration will be equally as expensive. Two years ago the Emmitsburg sisters set aside $100,000 in the expectation that Mother Seton was close to sainthood. They hired Mrs. Ryan, the public relations officer, and began planning for the day when they would see the conclusion to nearly a century of work.

On Sept. 14 Mrs. Ryan expects perhaps as many as 50,000 pilgrims to visit Emmitsburg. Six masses will be said in the chapel of St. Joseph's provincial house. There will be organized tours of Mother Seton shrines and a gift shop for pilgrims. About 30 of the sisters will be in Rome for the ceremony.

People in Emmitsburg that day will be making a link with Cardinal Gibbon's moment of "inspiration" in 1882, which started the whole thing. How has the interest been maintained? A Boston woman, who as a child spent nine years at a parochial school staffed by nuns from one of Mother Seton's orders, explains: "We prayed every day before lessons, and we always prayed for the canonization of Mother Seton. It was a way of passing along the cause from one generation to the next."

[From Newsweek, Dec. 23, 1974]

AN AMERICAN SAINT

The United States has the fourth largest Roman Catholic population in the world, but because it is a young country, there has never been a native-born American on the crowded calendar of saints.* Last week, Pope Paul VI remedied that situation. He announced that, after decades of research and debate, Mother Elizabeth Seton, a nineteenth-century nun and a converted Episcopalian, had been approved for canonization and will become Saint Elizabeth Seton in Vatican rites next year.

Elizabeth Ann Bayley Seton's path to sainthood began in a pious Huguenot household securely ensconced in the Protestant upper crust of New York City. In the years just after the American Revolution, Betty Bayley attended finishing school, where she developed a taste for theater and dancing and grew so fond of French that she prayed in that language for the rest of her life. From among a horde of suitors, she selected a wealthy merchant, William Seton, and their marriage in 1794 was the event of the season. "My own home at 20," she marveled to a friend. "Quite impossible! All this and heaven, too."

Faith: Heaven lasted nine years. In 1803, Betty Seton's genteel life collapsed when her newly bankrupt husband died of tuberculosis in Italy, leaving her penniless with five children to raise. The widow remained for a time in Italy, where she was drawn to Catholicism, and then returned to New York to be baptized in her new faith, to the consternation of her Episcopal family and friends. "Every day," she wryly noted, "some one of the kind women sheds tears for the poor, deluded Mrs. Seton." Finally, Mrs. Seton packed up her brood and moved to Baltimore, where a local priest had invited her to establish a Catholic free school, the first in America. A year later, in 1809, she took vows in order to found the first American order of the Sisters of Charity.

From Baltimore, the intrepid Mother Seton journeyed on foot to remote Emmitsburg, Md., to found a hospital, a leper asylum and an orphanage. By the time of her death from tuberculosis in 1821, Mother Seton also had established a hospital and a founding home in New York. A nephew, James Roosevelt Bayley, also converted to Catholicism, rose to bishop and founded Seton Hall University in New Jersey in his aunt's name.

The canonization process began in 1911 with an investigation into Mother Seton's voluminous correspondence: 3,700 documents in her own handwriting were scrutinized, and it wasn't until 1959 that she was declared "Venerable." Beatification took four more years and required the verification of two miracles. Finally the Vatican was satisfied that in 1935 and 1952 Mother Seton had answered prayers and healed what were thought to be incurable cancers. One of the patients, a 4-year-old Baltimore girl, had a complete remission of leukemia soon after her mother and others prayed to Mother Seton and touched her with a shred of cloth once handled by Mother Seton. Two more miracles usually are required for canonization, but Pope Paul decided to settle for one, the recovery from meninigitis of a New York man in 1963.

Mother Seton was one of six new saints proclaimed last week, and the requirement for a fourth miracle was waived in some of the other cases, too. A Vatican spokesman explained that the Pope wanted to canonize several saints in 1975, which will be the church's first Holy Year since 1950. The theme of the Holy Year is piety, penance, and charity as a sign of spiritual renewal, and the gentle convert from America stood well for those qualities.

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*Mother Frances Cabrini, an Italian-born American citizen, was canonized in 1948.

[From Time magazine, Dec. 23, 1974]

NEW SAINTS

"She was not a mystical person in an unattainable niche. She battled against odds in the trials of life with American stamina and cheerfulness; she worked and succeeded with American efficiency." So the late Francis Cardinal Spellman characterized Elizabeth Bayley Seton, a 19th century Roman Catholic convert who founded the first American religious order, the Sisters of Charity of St. Joseph. The cardinal was leading a pilgrimage to Rome, where Mother Seton was beatified by Pope John XXIII on St. Patrick's Day in 1963. Last week after 32 cardinals assembled in the Vatican to cast their ballots in a secret consistory, Pope Paul VI issued a decree of canonization on her behalf. Thus, on Sept. 14 in St. Peter's Church, Mother Seton will become America's first native-born saint. (Mother Frances Xavier Cabrini, a naturalized American, was canonized in 1946, but like some 2,000 other Roman Catholic saints, she was born in Italy.)

Mother Seton was indeed very American. Born in New York City two years before the Declaration of Independence, she came from a patrician colonial family, kin of the Roosevelts and the Van Cortlandts. A pretty, vivacious girl, at 19 she married William Seton, 25, son of a wealthy importer. On a trip to Italy in 1803, young Seton died of tuberculosis, leaving his wife nearly penniless and with five children to support. Friends in Italy talked to her about Catholicism, and in 1805, upon her return to the U.S. she shocked her Episcopal family and friends by becoming a Roman Catholic.

Ostracized in New York, she moved to Baltimore where the Catholic community welcomed her. A few years later, Elizabeth Seton took religious vows and founded the American Sisters of Charity in Emmitsburg, Md. Before she died of tuberculosis in 1821, she had set up a free parish school in Emmitsburg from which the American Catholic parochial school system evolved, established the first American Catholic hospital and watched her tiny order expand to ten houses.

ONE MIRACLE

Mother Seton's followers first advanced her claim to sainthood in the 1880s. Eventually two miracles attributed to Mother Seton's intercession were confirmed by the Vatican's Sacred Congregation of Rites. Confirmation of two additional miracles is usually required for canonization; in Mother Seton's case, however, Pope Paul decided that one would suffice. It occurred in 1963 when Carl Kalin, a construction worker, was stricken with a complicated viral affliction of the brain. He was attended at what seemed to be his deathbed by nuns who prayed to Mother Seton for his recovery and occasionally touched his feverish body with one of her relics. A few weeks later, Kalin was completely cured.

Five new saints besides Mother Seton were also named by the Pope: three Spaniards, an Italian and one Irishman, Archbishop Oliver Plunket, primate of Ireland from 1669 to 1681. Beginning in 1673, Irish priests were forced into hiding or exile, and Plunket had to carry on his pastoral work in secrecy and disguise. Arrested in 1679, he was hanged by the English two years later on trumped-up treason charges. Given the bloody religious war now raging in Ulster, the choice of Plunket for canonization in the Holy Year of 1975 seemed to many politically inept.

MASS STARTS FESTIVITIES HONORING MOTHER SETON

(By William Willoughby)

EMMITSBURG, MD.—"Even non-Catholics are excited about Mother Elizabeth Ann Seton," said Msgr. Hugh J. Phillips, president emeritus of Mount St. Mary's College.

"They see in this great woman those great virtues which we all but lost in this country.

Phillips' comments yesterday in this little village of 1,800 persons two miles south of the Pennsylvania border in Frederick County set the tone for festivities leading up to Sept. 14—the date when the town's favorite daughter is to be canonized a saint in Rome.

She will be the first person born in America to be canonized.

Yesterday's celebration here commemorated Mother Seton's 201st birthday anniversary, complete with a birthday cake served to about 300 women, most of them from the neighboring Diocese of Harrisburg, but many of them her devotees from the Baltimore, Washington and Philadelphia dioceses.

Phillips concelebrated mass at the Grotto of Lourdes, established on Mount St. Mary in 1805 as the first grotto in the United States. At the base of the grotto, four years later, Mother Seton taught Christian doctrine to children of the mountain parish that centered on Emmitsburg. The following year, 1810, she established the first Catholic parochial school.

After recounting the accomplishments of the saint and the efforts of the five Sisters of Charity orders she founded to have her canonized, Phillips said, "Our work has just begun. We need to spread the news of this good woman, for she serves as an exemplar of Christian virtues for so many."

"Mother Seton is not a saint in the niche of our cathedrals," Phillips said. "She saw the seamy side of life . . ." He said this is one of the things that brings her close to the experiences of a broad cross section of Americans, whether they are Catholic or Protestant.

Mother Seton was born in 1774 into a socialite New York family and into the Episcopal faith. She married William Magee Seton when she was 19. Ten years later her husband died, leaving her with five children. She converted to Catholicism on March 14, 1805, two years after his death.

In Baltimore, on March 25, 1809, before Archbishop John Carroll, she pronounced the vows of poverty, chastity and obedience and launched into a brilliant career. She died at 47 on Jan. 4, 1821, of tuberculosis.

Veneration for Mother Seton was obviously very deep among the worshipers yesterday.

"That made chills go through me when you began describing all the things that led to her canonization, Father," one woman told Phillips, a Seton scholar. Phillips' voice reflects deep admiration for her.

When talking of her founding the Catholic parochial school system, he exhorted the women to be diligent in keeping the waning system in America from growing weaker.

"Don't let that institution go down the drain; let's make it permanent," he said.

Phillips described Mother Seton as "the model for all Americans" and said, "Now I feel we (Americans) have our own very special friend in Heaven."

Town officials, Phillips and nuns at the St. Joseph Provincial House on the edge of Emmitsburg are expecting up to 50,000 visitors on Sept. 14, and feel confident they will be able to handle the crowd. Phillips said solemn masses are scheduled every two hours, with bishops from different dioceses concelebrating at each mass.

"The town's excited about it," said Patrick Ott, owner of the Ott House Pub and Restaurant at Main and Seton Streets in the heart of town. He has been helping the town fathers and others coordinate the efforts.

"It's something we're proud about. There are several persons from this town who are going to Rome for the ceremony, including my parents. There're even several Protestants going over from here. Everyone's proud of her."

[From the Washington Post, Aug. 18, 1975]

TOWN PREPARES FOR SETON SAINTHOOD

(By Marjorie Hyer)

EMMITSBURG, MD.—For more than a century the pious nuns of the Sisters of Charity have worked and prayed for the day when their founder would be proclaimed worldwide as St. Elizabeth Seton.

Now with that blessed day—Sept. 14—less than a month away, present-day sisters at the order's sprawling, red-brick Provincial House here find their prayers increasingly interrupted by more earthly considerations; namely, how to assure adequate food, parking and toilet facilities for the estimated 50,000 pilgrims who may journey here on canonization day.

Equally concerned is the town of Emmitsburg (population 1,532) in Frederick County near Gettysburg, Pa. Merchants and town fathers here are pondering how to cope with an invasion on the magnitude of a sellout crowd at Kennedy Stadium in this community that has one traffic light, one full-fledged restaurant, and two policemen.

In the ornate, 1,000-seat chapel at Provincial House, the Canonization Day will be marked at six masses, beginning at 9 a.m., and scheduled at two-hour intervals.

Bishops from the dioceses where the six communities of the Sisters of Charity are located will celebrate the masses.

The Sisters have issued an open invitation to any priests interested to participate in the celebration of the masses on the festal day.

In addition to the masses, it is anticipated that pilgrims will visit the shrines that mark the significant events in Mother Seton's life. They have attracted pilgrims for years; the primitive Stone House where she lived her first year in Emmitsburg in 1809; the White House, where she moved a year later and where she died in 1821; the cemetery where two of her five children lie buried. (Mother Seton's own remains are now enshrined in a memorial altar at the side of the Provincial House chapel), the museum with its mementos of her life both before and after her conversion to Catholicism after her husband's death in 1805.

Everywhere, both in the Provincial House compound and at the St. Joseph College campus next door, where the Shrine Center is located, workmen are busy widening and black-topping roads, installing sidewalks and ramps for use by wheel-chair users, putting in lavatories, painting, cleaning, refurbishing.

The work goes on around the several dozen tourists who drop in daily to visit the shrines.

The blue-garbed sisters—the Emmitsburg community is one of the few in the country that still retains the traditional habit—alternately bustle about on a thousand errands in preparation for Sept. 14, or sit serenely in prayer or reading under a tree in the flower-filled garden of their compound.

Mother Seton was born in 1774 and, in the early part of her life, was a prominent and wealthy New York socialite. After her husband's death and her conversion to Catholicism, she moved to Emmitsburg in 1809 and founded the order of the Sisters of Charity.

The effort to make her a candidate for sainthood was begun in 1882 by James Cardinal Gibbons of Baltimore, but it wasn't until 1963 that she achieved beatification, a major step toward sainthood. With her canonization in St. Peter's Basilica in Rome next month, she will be the first native North American to achieve sainthood.

Most of the physical arrangements for the Sept. 14 celebration are presided over at the moment by Sister Margaret Hickey, a round-faced, twinkling-eyed woman who can simultaneously brief an unscheduled visitor, dicker over the phone with a printer, calm and direct a harried colleague and instruct a lagging workman—all the while radiating an air of confidence and serenity.

There is nothing other-worldly, however, about Sister Margaret's approach to the practical problems before her.

"I've told the workmen they have to be finished—out—by Sept. 1," she said. "Of course that's blue sky . . ." she admitted with a wink.

"Parking . . ." she said, running down the list of problems to be dealt with, "there's a field out back that's flat as this floor and we'll use that.

"We're going to pray that there's not a lot of rain"—another wink and she continues, matter-of-factly: "We're certain we're going to have a certain amount of damage."

There are "only a couple of policemen in town" she said "but the county and State Police are very cooperative" in arranging to handle the traffic.

The order has mobilized an army of volunteers to help direct traffic and look after security on the campus itself. They are also beefing up their paid security staff.

While they don't have any fears about major crime, the sisters are all too painfully aware of the souvenir-seeking problems religious pilgrims can create.

A stark and denuded trunk is all that is left of a once massive oak that marked the original burial site of Mother Seton's body in the cemetery.

Sister Margaret tried to stem the devastation by putting up a sign which said: "Please Don't Touch This Tree."

"It only gave them (visitors) ideas to pick the rest of the bark off for souvenirs," she recalled with a wry smile.

The order is concerned with providing what they deem tasteful souvenirs at the Shrine Center for pilgrims to buy.

There will be books, postcards, pictures of the new saint, and Sister Margaret has commissioned the art teachers at the local high school to design some note paper.

"We're not going commercial," she said. "We're not putting Mother Seton's picture on a teacup."

At the center, though, you can buy a linen towel imprinted with her picture and scenes from her life.

You can also get at the Shrine Center, for a "suggested donation" of $5, a "first class relic" of Mother Seton—purportedly an actual fragment of her bone or flesh—in a gold-colored reliquary the size of a nickel.

Some believe that the application of the relic of a saint to an afflicted part of the body will promote healing.

"The $5," Sister Mary Margaret at the souvenir stand explains, "is to pay for the material that contains the relic. It's not to pay for the relic itself. That wouldn't be . . . well, you just can't do that."

Third class relics—a dot of cloth that has touched the bone or flesh of a saint—can be had at the center in the form of a religious medal for as little as 10 cents.

Emmitsburg itself is just beginning to wrestle with the problems which its most famous foremother is likely to bring it on Sept. 14. Like the sisters at the Provincial House, the town is determined to treat the occasion with appropriate dignity.

"We want to prevent a carnival atmosphere," said the president of the Town Council, Gene Myers. "We've voted not to allow any peddlers or hawkers. If they come, they'll be escorted out of town."

The Council has also voted to ban parking on both Main and Seton Streets, the two main roads in the town. That will permit two lanes of traffic in each direction on the freshly black-topped Main Street.

Seton Street is so narrow where it leads off the square on its way past the college and the Provincial House that only one lane in each direction can be accommodated.

"I really don't know what's going to happen," said Walter Crouse, the proprietor of Crouse's variety store on the town square.

"The street here is jammed every Sunday; they (tourists) take a short-cut through here on the way down to Washington from Pennsylvania. Or folks just like to drive up through the mountains."

Both Councilmen Myers and Crouse say the relations between the town, with its five Protestant churches on Main Street, and the Catholic establishments are cordial. Sister Margaret estimates that the town population is equally divided between Protestants and Catholics.

The Town Council, which normally meets once a month, has scheduled a special meeting Monday night to make plans for the town's part in hosting the crowds on Sept. 14.

Besides traffic and parking problems, the big problem will be food, Crouse thinks.

The Knights of Columbus, just off the square, have gotten permission from the state liquor authority to open up their hall at 7 a.m. on that Sunday—but they'll serve nothing stronger than doughnuts and coffee at that hour.

According to Myers, any organization that wants to sell food on the 14th has to make an application to the Town Council. "It doesn't cost them anything, but we want to be sure that they don't create problems," he said.

So far the volunteer fire company, the Ladies of the Knights of Columbus and the Senior League, the older teen baseball league, have been given permission to sell food. The town's only full-fledged restaurant, The Palms, can serve about 60 people at a time.

Crouse, who normally serves sandwiches, ice cream and drinks from his soda fountain, said he plans to limit his sales on the 14th to prepackaged cookies, cakes, and other snacks.

The Provincial House is also arranging for a catering service to set up a stand in the parking lot to sell sandwiches—"like they do at the race track," said Sister Margaret.

Like most of the other citizens of Emmitsburg, Crouse has mixed feelings about the canonization of Mother Seton. On the one hand, he sees the problems the event will bring. On the other, he noted, "I've been here 30 years, hoping something would put this town on the map." The woman who died 154 years ago may do the trick.

[From the Washington Post, Dec. 14, 1974]

Canonization: "Making Hall of Fame"

(By Donald P. Baker)

Emmitsburg, Md., December 13.—The 100 black-robed Sisters of the Daughters of Charity interrupted their morning meditation with applause when Sister Mary Clare Hughes told them, "At 6 o'clock this morning—noon Rome time—our Holy Father announced that Blessed Elizabeth Ann Seton will be formally canonized."

The Rev. Sylvester A. Taggart, who has worked full-time since 1968 in the cause of making Mother Seton the first American-born saint of the Catholic church, explained the action of Pope Paul in baseball terms: "It's like making the Hall of Fame," he said in a Brooklyn accent.

Sister Inocencia Ortiz, 84, kneeling beside the alcove in the chapel of St. Joseph's provincial house here, where Mother Seton's remains are kept in a small, bronze casket, explained her elation in more conventional terms:

"We have been praying for this for more than 11 years," she said. "Every day. And more than once a day."

Father Taggart, who for six years has been globetrotting between this tiny valley town in the shadow of the Catoctin Mountains and the Vatican in Rome as vice postulator for the cause of Mother Seton—"it means I was her American advocate"—nonetheless said he was awed at the Pope's announcement.

"I guess Mother Seton will be St. Elizabeth Ann, the widow Seton," he said. "Do you think the pope would buy St. Elizabeth Ann of Emmitsburg?" suggested Valli Ryan, a layperson who has been handling press relations since the news came from Rome yesterday.

Sister Mary Clare, the provincial superior here, said she was "overjoyed at the thought that canonization will occur in 1975, the Year of Woman (as proclaimed by the United Nations). As friend, wife, mother of five, widow, and religious, Elizabeth Seton exemplified so well the finest qualities of womanhood."

Yes, agreed Sister Mary Clare, Elizabeth Seton was "certainly a liberated woman, far ahead of her time."

Born Elizabeth Ann Bayley on Aug. 28, 1774, in New York City to an Episcopalian physician and his wife, she converted to the Roman Catholic faith after the death of her husband, William Magee Seton, a wealthy shipping magnate. She moved to this village near the Maryland-Pennsylvania border in 1809 and established the Sisters of Charity in the U.S. as a branch of a Parisian order of the same name.

Her upcoming canonization is a recognition that she was "a woman who in every respect, in the exercise of Christian virtue, practiced her faith to a heroic or extraordinary degree," said Father Taggart.

This principal criterion for sainthood—seeking to practice one's faith to an extraordinary degree—puts everyone within reach of sainthood, Father Taggart noted.

Fr. Taggart said that in Rome he would argue for Mother Seton's canonization while a "defender of the faith," commonly called the Devil's advocate, would raise objections.

"For example, he might say that he found an example of spite in one of her letters and it would be our job to prove that that was not the case," Fr. Taggart said.

A secondary ingredient of canonization, much misunderstood by non-Catholics, he said, involves miracles attributed to candidates for sainthood.

"When the person's heroism has been established by those of us here on earth, to make sure we are on the right track, the church asks God to put his sign of approval on the cause by performing miracles," Father Taggart said.

One of the three certified miracles attributed to Mother Seton was set in motion by Sister Mary Alice Fowler, who coincidentally was transferred to Emmitsburg two months ago.

Sister Mary Alice was working as a superviser of pediatrics at St. Agnes Hospital in Baltimore in 1952 when she met Felixena Ann O'Neill, a mother who was distraught over the news that her daughter Ann, 4, was suffering from acute lymphatic leukemia.

"We need miracles for the beatification of Mother Seton (a preliminary step to sainthood)," Sister Mary Alice said, "and I thought Ann's illness would be a wonderful case."

Mrs. O'Neill said today that she "hadn't heard of Mother Seton, but when Sister asked me if I had the faith, I said 'I have the faith.' She taught me the prayer and we began praying. And Ann didn't die. In a few days she began getting better."

Ann is now Mrs. Robert Hooe, 27, a healthy mother of three boys and a girl, who is named Mary Alice, in honor of Sister Mary Alice.

"There never was really any big deal" about being a living miracle "until I went to Seton High School" in Baltimore, Mrs. Hooe said.

When she enrolled at the school, founded by Mother Seton, word of her miraculous recovery became a subject of talk among her classmates. Young Ann O'Neill still wasn't impressed. "I had wanted to go to public high school, where my friends were, but mother was old fashioned," she said during an interview today at her home in Severn, Md., near Baltimore.

Her mother, seated on the couch next to her, fingered a religious medal, smiled and said, "Yes, Ann, but it was a miracle."

Mrs. O'Neill said she has never "had to defend the miracle. You either believe or you don't."

She recalled that Ann, the oldest of her five daughters, had been "a beautiful, healthy baby" until one night in February, 1952, when "she became terribly irritable. She hadn't been eating well."

Mrs. O'Neill, who was expecting her second child momentarily, took Ann to their family physician, Dr. E. W. Johnson, who ordered a blood test taken "but didn't tell me about it until after the "second baby was born," on Feb. 29.

By then, "Ann was so sick that my husband (William) and I were taking turns sponging her to cool down her fever," she said. Mrs. O'Neill left Ann's bedside at University Hospital in Baltimore only long enough to go to St. Agnes Hospital to give birth to her next daughter, Jeanne.

"After the birth, Dr. Johnson came to my room and told me about Ann's blood count—it was 43 but I don't know what that means—and that she was dying of leukemia," Mrs. O'Neill continued. He said there was no hope in the world—I'll never forget that phrase—that there never had been a known cure in medical history."

The child was so sick that hospital officials permitted the O'Neills to take her home "to die," Mrs. O'Neill said, "but she was gasping for breath and broke out in sores. She didn't even look like our Ann, so we took her back to St. Agnes, where they put her in an oxygen tent."

It was then that Mrs. O'Neill met Sister Mary Alice.

As soon as Ann's recovery began, the O'Neills took her out of the hospital and made a pilgrimage to the provincial house here in Emmitsburg.

"We didn't have any insurance and couldn't afford to run up any more of a hospital bill," said Mrs. O'Neill, whose husband is a die-maker. "We put a crib mattress in the back seat of the car and drove to Emmitsburg," where they were met by Sister Mary Alice

"We carried Ann to the chapel where Mother Seton was buried," Mrs. O'Neill said. "Sister held Ann over the big slab of marble (that covered the tomb) long enough for us to say our prayers of thanksgiving.

"I didn't understand about beatification at that time," Mrs. O'Neill said. "All I understood was that we had seen a miracle. I guess that's all right to say now."

Sister Mary Alice today recalled that event. "I had all the children in the hospital, all the nurses and all their friends praying to Mother Seton," she said.

After Ann's recovery, "the doctors were amazed, but at first they said it was just a remission. But she continued to improve, and we knew it was a miracle," said Sister Mary Alice, who is a registered nurse.

Shortly after that, Sister Mary Alice wrote to church authorities about the miracle.

The first step toward Mother Seton's cannonization took place on Aug. 22, 1882, when James Cardinal Gibbons, the archbishop of Baltimore, expressed a desire to initiate the process.

An ecclestiastical court session was convened in Baltimore in 1907 concerning her sanctity. By 1940, the tedious examination of her life's work had advanced so that Pope Pius XII signed a decree "introducing the cause" of sainthood.

The first of two miracles required for beatification was proclaimed in 1945, when a New Orleans tribunal certified the case of Sister Gertrude Korzendorfer's cure of pancreas cancer.

The cure of Ann O'Neill was recognized in 1961 as the second miracle.

Mother Seton was beatified by Pope John XXIII on March 17, 1963, and her relics were exhumed and transferred to a shrine in the new chapel of the provincial house here in 1968.

The formal canonization ceremony of Mother Seton will be held in St. Peter's Basilica in Rome next Sept. 14.

The real legacies of Mother Seton, according to members of the order she founded, are the school and hospitals operated by the 8,000 members of the Daughters (or Sisters) of Charity of St. Vincent de Paul.

Among them are nine Washington-area institutions: Providence Hospital and the hospital at the U.S. Soldiers & Airmen's Home; St. Ann's Infant Home in Hyattsville; Seton House of Studies (for sisters enrolled at Catholic University); St. Vincent's House (of Catholic Charities); and four schools, Immaculate Conception Academy and Queen of Peace School in the District, St. Catherine Laboure School in Wheaton and Elizabeth Seton High School in Bladensburg.

[From Presidential Documents, Dec. 13, 1974]

Elizabeth Bayley Seton

(Statement by the President on the Canonization of Mother Seton as the First American-Born Saint.)

The announcement by Pope Paul VI that Elizabeth Bayley Seton will be canonized in 1975 as the first American-born saint of the Roman Catholic Church is a milestone in our Nation's diverse spiritual history. The fact that a woman is the first native-born American named to sainthood by the Holy See is all the more historic since women have never made a greater contribution to America's national life than today.

It is fitting that we recall at this time another woman—Mother Cabrini who was born in Italy—who was named a saint by the Holy See after devoting much of her life to religious work in the United States.

Mother Seton's singular honor is a tribute to all American women who have entered the religious life to serve in schools, hospitals, and charitable work. She died in 1821, but today there are thousands of Sisters of Charity—the religious order she founded—carrying on the important service which Mother Seton began. I congratulate them on this most joyous occasion and wish them well in their future endeavors.

[From the Dictionary of American Biography]

ELIZABETH ANN BAYLEY SETON

(Edited by Dumas Malone)

Seton, Elizabeth Ann Bayley (Aug. 28, 1774–Jan. 4, 1821), foundress of the American Sisters of Charity, was born in New York City. Her father, Dr. Richard Bayley [*q.v.*], was the first professor of anatomy at King's College and staff surgeon to General Sir Guy Carleton; her mother was Catharine Charlton, daughter of Rev. Richard Charlton, rector of St. Andrew's Episcopal Church, Richmond, Staten Island. She died when her daughter was only three years old, and the entire education of Elizabeth devolved upon the father. Realizing that his child possessed rare moral and intellectual qualities, Dr. Bayley employed unusual methods, which taught her to be unselfish and to think clearly and independently. These traits were further developed by her personal experiences during the days of the American Revolution. Those stirring times schooled the child to alertness and endurance, and fostered that patriotism which all her life was the faithful companion of her religious inspiration.

When not quite twenty, Jan. 25, 1794, she married a wealthy young merchant, William Magee Seton, whose ancestors had figured prominently in Scottish literature and history, and whose father, William, had settled in New York in 1763. To this union were born two sons and three daughters. Domestic cares, however, did not prevent her from being so devoted to the poor that she came to be called "The Protestant Sister of Charity." In 1797, with Isabella Marshall Graham [*q.v.*] and other leading women, she founded the first charitable organization in New York, and probably the first in the United States, the Society for the Relief of Poor Widows with Small Children.

In 1803 she accompanied her husband to Italy in the hope that his health, which had been shattered by worry over the loss of his fortune, would be restored. This hope proved vain, however, for he died at Pisa in December of that year. In Italy she made her first contact with Catholicism, and when she returned to New York she joined the Church of Rome, making her profession of faith in old St. Peter's Barclay Street, on Mar. 14, 1805. This step estranged her family and friends at a time when she most needed their assistance. After several vain attempts to support herself in New York, in June 1808 she accepted an invitation to open a school for girls in Baltimore. Guided by the Sulpician Fathers at St. Mary's Seminary, she conducted classes in a house on Paca Street, and there, in the spring of 1809, with four companions, formed the community which adopted the name "Sisters of St. Joseph.' In the summer they moved to Emmitsburg. They adopted, with some modifications, the rules of the Daughters of Charity of St. Vincent de Paul, and after 1812 were known as the Sisters of Charity of St. Joseph.

This first native religious community was destined to number more than ten thousand women and to conduct a nation-wide system of charitable and educational institutions, among them the country's first Catholic orphanage, its first Catholic hospital, and its first maternity hospital. Because Mother Seton had her sisters open in Philadelphia the earliest American parish school, and sent them virtually everywhere to help the bishops in their work of education, she is considered the patroness of the parochial school system in America. Her community may be said to be the index of her character. It ministers to practically every type of educational and social need of the American people, for the glory of God and the good of the country.

As the first superior of the community, Mother Seton braved the hardships of its early days. In spite of the poverty that continually threatened its existence, she somehow formed her sisters into effective teachers and model religious. She herself taught French and music many hours daily, mothered the children of the school and the poor of the neighborhood, wrote thousands of letters, translated French biographies, prepared original meditations, composed exquisite hymns, among them a version of "Jerusalem, My Happy Home," for which she also wrote the music; yet all the while she led a life of recollection. Many of her writings were edited by her grandson, Robert Seton [*q.v.*] and published under the title, *Memoirs, Letters, and Journal of Elizabeth Seton* (2 vols., 1869).

Her extraordinary spiritual discernment made her a power for good when the Church in America was still in its infancy. With the spread of her influence after her death, her reputation for sanctity increased and about 1907 her Cause for canonization was introduced by James Cardinal Gibbons, successor in the see of Baltimore of her nephew, James Roosevelt Bayley [*q.v.*].

[Archives of St. Joseph Mother House, Emmitsburg, Md.; archives of the Cathedral, Baltimore, Md.; *Memoirs, Letters, and Journal* mentioned above; C. I. White, *Life of Mrs. Eliza A. Seton* (3rd ed., 1879); Hélène Bailly de Barberey, *Elizabeth Seton* (1927), translated and adapted by J. B. Code; J. B. Code, *Great Am. Foundresses* (1929) and *Mother Seton and Her Sisters of Charity* (1930); Robert Seton, *An Old Family, or the Setons of Scotland and America* (1899).] J.B.C.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the joint resolution (S.J. Res. 125) was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

Whereas Elizabeth Seton, who was born in New York City on August 28, 1774, and who died in Emmitsburg, Maryland, on January 8, 1821, who was the founder of the first religious order for women in the United States and who also established the first Catholic parish school in the United States, will be canonized and proclaimed to be a saint on September 14, 1975, at official ceremonies in St. Peter's Basilica in Rome, thus becoming the first person born in what is now the United States to be so recognized; and

Whereas Elizabeth Seton, who will then be known as Saint Elizabeth Seton, through her own life and work and through the work of thousands of women who traced the origins of their religious foundations to her founding of the Sisters of Charity of St. Joseph of Emmitsburg, Maryland, on July 31, 1809, made an extraordinary contribution to the religious and moral life of our country as well as to the education, health, and welfare of vast numbers of our citizens: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day" and calling upon the people of the United States and interested groups and organizations to observe that day with appropriate ceremonies and activities.

APPORTIONMENT OF FUNDS FOR THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 354, Senate Concurrent Resolution 62.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 62) making apportionment of funds for the National System of Interstate and Defense Highways.

The Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, if the Senator will allow me, I will now yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, Senate Concurrent Resolution 62 is intended to prevent a virtual halt in interstate highway construction in many States. Without the provisions of this measure such roadbuilding in as many as 40 States could stop by the end of this year. Some States have already exhausted their allotments of Federal interstate funds.

The current situation of a shortage of interstate highway funds comes about because the year 1975 has been an unusual one for the Federal-aid highway program. The release of more than $11 billion of previously impounded highway funds in the first 4 months of this year enabled many States to substantially reduce their backlogs of projects. By Presidential and congressional action all of the accumulated highway funds under impoundment were made available to the States.

The administration originally planned a highway program level of only $4.6 billion for fiscal year 1975. The additional money made available during the year enabled the States to accelerate the awarding of contracts, and a total of $7.8 billion was obligated during the 1975 fiscal year.

This high level of roadbuilding activity witnessed work on highway projects of all types that had been delayed because of the impoundment of Federal-aid funds. It also provided a boost for the highway construction industry at a time of high unemployment.

Among the funds released from impoundment were those authorized and apportioned for fiscal year 1976. During the flurry of activity of the past few months many States used substantial portions of their 1976 funds. As a result, by the end of the fiscal year on July 30, 19 States had already obligated more than 80 percent of their 1976 apportionments for interstate construction. An additional nine States made commitments for between 50 and 80 percent of their interstate funds for 1976. Consequently, without the availability of additional funds for interstate construction there will be a significant decline in the amount of work going forward.

Senate Concurrent Resolution 62 directs the Secretary to apportion funds previously authorized for interstate construction in fiscal year 1977. This is an action that normally would be taken in conjunction with the passage of a general highway bill. Such legislation, the Federal-Aid Highway Act of 1975, is now being developed by the Committee on Public Works. Final passage of this measure, however, may not come for several months. In the meantime, a growing number of States are faced with the prospect of closing down their interstate programs. I emphasize that this resolution simply permits the Secretary to make available the $3.25 billion authorized by the Federal-Aid Highway Act of 1973.

Mr. President, I stress that this is not additional money. It is the authorization already on the books for the fiscal year beginning October 1, 1976. The action contemplatd by this resolution is consistent with the requirements of law and with past practices. In 1973, while the Congress was working on a new highway act, we passed a concurrent resolution releasing interstate construction funds.

The high level of obligation in recent months indicates that a number of States are prepared to move ahead in constructing the Interstate System. Completion of the total National System should be a matter of highest priority. The members of the Committee on Public Works, in developing the new highway act, are considering methods by which interstate construction could be accelerated. Attention to this question is also given in the bill submitted by the administration. Senate Concurrent Resolution 62, therefore, should be viewed as an interim measure, permitting continuation of the program while we seek ways to fill the missing links in the Interstate System.

The apportionment of funds to the States under this resolution would take place under the provisions of existing law. At present, the Secretary of Transportation is required periodically to submit to Congress a report estimating the cost of completing the Interstate Highway System. A formula is then devised based on the amount needed to complete the system in each State compared with the amount requird to complete the full National System. On the basis of this formula the States receive their interstate apportionments.

Mr. President, I ask unanimous consent that the table showing the estimated cost of completing the system and the apportionment factors for each State be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 5.—ESTIMATED FEDERAL-AID AND STATF MATCHING FUNDS TO COMPLETE THE SYSTEM, AND APPORTIONMENT FACTORS FOR DISTRIBUTION OF 1977 AND 1978 FISCAL YEAR AUTHORIZATIONS.

State	Estimated Federal-aid and State matching funds required to complete system (thousands)	Estimated Federal share of funds required to complete system (thousands)	Apportionment factors (percent)
Alabama	552, 089	496, 880	2. 422
Alaska			
Arizona	605, 321	570, 576	2. 781
Arkansas	153, 147	137, 832	. 672
California	1, 165, 922	1, 066, 702	5. 200
Colorado	526, 367	479, 362	2. 337
Connecticut	792, 411	713, 170	3. 477
Delaware			
Florida	773, 957	636, 561	3. 395
Georgia	618, 815	556, 934	2. 715
Hawaii	297, 644	267, 880	1. 306
Idaho	100, 008	92, 317	. 450
Illinois	973, 777	880, 899	4. 294
Indiana	213, 974	192, 577	. 939
Iowa	254, 345	228, 911	1. 116
Kansas	321, 818	292, 336	1. 425
Kentucky	462, 600	416, 340	2. 030
Louisiana	880, 576	792, 518	3. 863
Maine	64, 033	57, 630	. 281
Maryland	991, 467	892, 320	4. 350
Massachusetts	10, 693	9, 624	. 047
Michigan	640, 956	576, 860	2. 812
Minnesota	579, 389	521, 460	2. 542
Mississippi	171, 549	154, 394	. 753
Missouri	409, 370	368, 433	1. 796
Montana	218, 433	199, 189	. 971
Nebraska	10, 587	9, 528	. 046
Nevada	114, 638	108, 986	. 531
New Hampshire	100, 149	144, 134	. 703
New Jersey	642, 596	578, 336	2. 819
New Mexico	209, 349	193, 522	. 943
New York	843, 622	759, 260	3. 701
North Carolina	487, 924	439, 042	2. 140
North Dakota	2, 973	2, 676	. 013
Ohio	653, 816	588, 434	2. 869
Oklahoma	38, 004	83, 213	. 430
Oregon	627, 741	579, 279	2. 824
Pennsylvania	935, 824	842, 242	4. 106
Rhode Island	136, 333	122, 700	. 598
South Carolina	158, 818	142, 936	. 697
South Dakota	48, 216	42, 891	. 214
Tennessee	547, 826	493, 043	2. 403
Texas	1, 005, 854	905, 269	4. 413
Utah	261, 522	246, 481	1. 202
Vermont	86, 264	77, 639	. 378
Virginia	1, 169, 999	1, 044, 899	5. 094
Washington	741, 663	672, 243	3. 277
West Virginia	528, 439	475, 640	2. 319
Wisconsin	211, 542	190, 388	. 928
Wyoming	92, 459	85, 580	. 417
District of Columbia	1, 130, 593	1, 017, 534	4. 960
Total	22, 684, 382	20, 513, 512	100. 000

Mr. RANDOLPH. Mr. President, many States are urgently in need of these funds that have been authorized for interstate construction. We can expedite the flow of money to the States by completing action on this measure in both Houses of the Congress.

Mr. STAFFORD. Mr. President, I agree with my colleagues, the most able chairman of the Public Works Committee and the distinguished ranking minority member, that passage of Senate Concurrent Resolution 62 is needed.

They have laid out the reasons for acting on this measure now, and I will not repeat their explanations. I do want to clarify one point which may otherwise cause some concern in States like my own, which, under previous legislation, have been assured of receiving one-half of 1 percent of total interstate apportionments.

The concurrent resolution before us today cannot provide the minimum one-half of 1 percent to any State. Such a measure must be provided for in legislation which authorizes additional funds for such a purpose. Senate Concurrent Resolution 62 is not legislation and merely approves an apportionment formula for previously authorized funds.

Both the administration's highway bill, S. 2078, and my own bill, S. 752, provide for the minimum one-half of 1 percent apportionment. I wish to say to my colleagues from States which are relying on such a provision that I have been assured that the Transportation Subcommittee and the full Public Works Committee intend to include authorizations and language to effect it in comprehensive highway legislation this year.

Senate Concurrent Resolution 62 will make it possible for the Secretary of Transportation immediately to apportion interstate funds to all States. The later comprehensive legislation will increase funds available to those States receiving less than one-half of 1 percent of the total apportionment.

Mr. President, I support passage of Senate Concurrent Resolution 62 knowing that it will allow the members of the Transportation Subcommittee and the full Public Works Committee to fashion a responsible highway bill without jeopardizing interstate construction in the States.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Con. Res. 62) was agreed to as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of Transportation shall apportion the sums authorized to be apportioned for the fiscal year 1977 for immediate expenditure on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5, House committee print numbered 94–14.

ORDER FOR ADJOURNMENT UNTIL 11:30 A.M. TOMORROW AND RECOGNITION OF MR. FONG

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 11:30 a.m. tomorrow and that immediately after the two leaders are recognized, under the standing order, Mr. FONG be recognized prior to the recognition of Mr. WILLIAM L. SCOTT.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESUMPTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate now resume the transaction of routine morning business, with statements limited therein to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMIC SITUATION AT MIDYEAR

Mr. HUMPHREY. Mr. President, on another item, the Joint Economic Committee has been reviewing the economic situation at midyear. We have had a number of witnesses, and recently testimony from Dr. Alan Greenspan, Chairman of the Council of Economic Advisers, Paul McAvoy, distinguished economist, and Burton Malkiel, members of the Council of Economic Advisers.

This testimony, together with that of Mr. Rees and Secretary Dunlop and the testimony of Professors Samuelson and Gordon and the testimony of Arthur Burns gives us, I believe, an excellent view of the economic situation as it currently stands in our national economy.

I point out that Business Week, a thoroughly respectable business publication, feels that the recent Federal Reserve Board policy of more restrictive credit and higher interest has been seriously in error, and it is imperative that we take the policy steps necessary to get a strong recovery under way and keep it going.

JOINT ECONOMIC COMMITTEE REVIEWS ECONOMIC SITUATION AT MIDYEAR

Mr. HUMPHREY. Mr. President, on Wednesday, July 23, the Joint Economic Committee began its midyear review of the economy with testimony from Alan Greenspan, Chairman, Council of Economic Advisers, and Paul McAvoy, and Burton Malkiel, members, Council of Economic Advisers.

GREENSPAN TESTIMONY

Chairman Greenspan felt positively about the prospects for recovery:

> We believe that the developments of the year have set the stage for recovery, and, taken together, they indicate a somewhat stronger pickup in production and employment in the second half of this year than we had generally been anticipating.

Dr. Greenspan's view of the strength of the recovery was considerably more optimistic than that of many of the non-administration witnesses who have testified on the economic outlook. Among private witnesses there was a widely shared fear that without stronger fiscal and monetary stimulus we will have a weak recovery and not be able to lower our unemployment rate significantly by next year.

Dr. Greenspan's assessment of the impact decontrol of old domestic oil would have on the economy was considerably different from the estimates the Congressional Budget Office and the Congressional Research Service have made. These differences were largely due to differences in assumptions. Chairman Greenspan assumed that domestic production will be lower, and imports will increase if we do not have decontrol, causing average prices to rise even if controls are maintained.

Dr. Greenspan feels inflation is still a serious problem that has to be carefully watched, and said that his feeling is that inflation this year would probably run between 6 and 8 percent.

REES AND DUNLOP DISCUSS PRICE-WAGE OUTLOOK

On July 24, the JEC heard testimony from Albert Rees, Director of the Council on Wage and Price Stability, and Mr. John Dunlop, Secretary of Labor, on the employment situation.

Secretary Dunlop said that unemployment is slowly declining and that we can expect it to continue declining. Mr. Dunlop said that a response in employment usually lags behind rises in productivity so we can expect employment to begin showing more signs of improvement as activity picks up.

Secretary Dunlop also considered the issue of job creation and capital formation:

> Instead of treating the problem of capital formation and job creation as somehow in opposition to each other, one being inconsistent with the other, my own view very much is that they are very highly intercorporated, in fact, and that our obligation is to try to develop these good jobs.

Dr. Rees expressed concern that rising industrial prices could impede economic recovery:

> What concerns me deeply is if these price increases (of industrial products) become widespread, this recovery will be less vigorous than it should be. The Congress has passed, and the President has signed into law, a substantial tax cut designed to stimulate the economy. This will help to produce a rise in GNP, measured in current dollars, but if that stimulus is dissipated by price increases, the rise in real output and in employment could be disappointingly small.

SAMUELSON AND GORDON EVALUATE POLICY GOALS

On July 28, Paul Samuelson, Professor, MIT, and Aaron Gordon, professor, University of California at Berkeley testified.

Both Dr. Samuelson and Dr. Gordon agreed that stronger fiscal and monetary policies than those proposed by the administration will be needed to build a strong sustained recovery. Both agreed that the 1975 tax cut should be extended, and that the money supply needs to be increased by more than the amount recommended by the Federal Reserve. Dr. Samuelson testified:

> I would like to suggest in this testimony that the likelihood is that prudent policy taking into account inflation risk, would be at the 7 to 10 percent increase in the money supply, not at the 5 to 7½ percent.

Dr. Gordon said it was not inconceivable that the unemployment rate could be pushed down in about 2 years:

> I think the job can be done through a combination of a program of wage and price constraint, a monetary and fiscal policy more expansive than is now being tried, and a much expanded and improved set of programs directed toward public service employment.

Dr. Gordon also warned of a possible acceleration of inflation due to the increased duty on imported oil, a possible price increase of oil by the OPEC countries, and wage increases as labor tries to catch up with past increases in the cost of living.

BURNS TESTIMONY

On July 29, Dr. Arthur Burns, Chairman of the Board of Governors, the Federal Reserve System, testified as the Joint Economic Committee continued its midyear review of the economic outlook.

Dr. Burns testified that he felt an increase in the money supply in the 5- to 7½-percent range would be effective in bringing down unemployment. Chairman Burns stated that inflation is still a serious problem, and increases in M_1 of 8 to 10 percent would exacerbate inflationary pressures.

Most of the other witnesses who have testified in our midyear hearings feel that an 8- to 10-percent growth of the money supply is necessary to expand real output at a rate that will bring unemployment down significantly by next year and move us forward toward a strong, sustained recovery.

Several witnesses testified that because of our high unemployment and unused industrial capacity, an 8- to 10-percent growth rate of M_1 would not be inflationary. Mr. Karchere, of IBM, even went so far as to say that without strong fiscal and monetary stimulus we will face the danger of a new recession in 1977.

Dr. Burns' prognosis for the recovery was very positive. He feels that it will be a broadly based, strong recovery. Regarding the FED's role in the recovery, Dr. Burns stated:

> As far as the Federal Reserve is concerned, the only responsible policy is to pursue a moderate course of monetary and credit expansion.

ECONOMIC OUTLOOK AND FINANCIAL SITUATION

On July 30 the Joint Economic Committee continued its review of the economic situation by hearing from a panel of respected economic forecasters. Our witnesses were Lawrence Klein, professor of economics at the University of Pennsylvania, Al Karchere, director of economic research for IBM, and Thomas Synnott, vice president and head of the Economic Analysis Department of U.S. Trust.

The major conclusion of Dr. Klein, presenting the Wharton econometric forecast, was that the rate of expansion should, by the end of the year, be well above the long-term normal growth rate of our economy. However, Dr. Klein noted that—

> It will not be vigorous enough to bring down the unemployment rate to acceptable levels or to correct the strong deficit position of the federal government for some years to come.

One extremely important finding in Dr. Klein's presentation was his estimate regarding the forces of inflation. He pointed out to the members of the committee that given the level of utilization of industrial capacity in our economy and the rate of inflation accompanying it, it does not appear likely that inflation will accelerate greatly until economic recovery begins to exert pressure on the limits of industrial capacity. Dr. Klein told us that—

> According to my calculations, this should not occur until late 1977 or 1978. There is comfortable room for expansion.

Mr. President, I do not need to remind this body of the important implications of this expert testimony for the decisions that face this Congress.

Based on his analysis of the economy, Mr. Synnott of the United States Trust Company of New York, concluded that for a number of reasons, including low business and consumer confidence, financial constraints and genuine uncertainties about the future price of energy, our economic recovery will be slow particularly in its early stages. On the more promising note, however, Mr. Synnott told the members of the committee:

> While it is difficult to be precise about timing, we anticipate an acceleration in the recovery in early 1976.

With regard to the problem of inflation, Mr. Synnott made a special point of noting that very high rates of inflation and levels of interest rates could develop in late 1977 or early 1978 unless economic and financial bottlenecks are eliminated in the meantime.

On July 31 the Joint Economic Committee heard testimony on the monetary and financial situation from three very expert and distinguished witnesses: Robert Bethke, president of the Discount Corp. of New York, Sherman Maisel, former Member of the Board of Governors of the Federal Reserve and now a professor at the University of California at Berkeley, and Robert Eisner, chairman of the Department of Economics at Northwestern University. I asked each of these witnesses to give me their view on the recent tightening of monetary policy and on the adequacy of the Federal Reserve's announced targets for monetary growth.

Mr. Bethke, who has extensive practical experience in the money markets and follows them closely on a daily—even an hourly—basis, testified that he felt the Fed deserved "high marks" for its recent conduct of policy. He described the recent move toward tighter monetary policy as a "slight firming" which represented "a skillful adjustment to emerging signs of economic recovery."

Both Mr. Maisel and Mr. Eisner disagreed with Mr. Bethke on this point, however. Mr. Maisel stated that:

> We can be certain . . . that a satisfactory expansion will not occur unless we improve our monetary and fiscal policies.

He indicated that he thought a growth in the money supply of about 10 percent would be required over the next year if real output is to expand at the rapid rate needed to begin bringing down unemployment. He also stressed that it is not enough just to look at the money supply. The failure of long term interest rates to decline and the failure of total bank reserves to grow over the past year are both causes for serious concern.

Dr. Eisner referred to the Federal Reserve's 5- to 7½-percent target for monetary growth as "appallingly inadequate". He stressed that the U.S. Government is in violation of the Employment Act of 1946. Recent policies have not been designed to promote the "maximum employment, production, and purchasing power" called for by that law.

I wish to point out that Business Week, that thoroughly respectable business publication, also feels that recent Federal Reserve policy has been seriously in error. Business Week says:

> The first faint signs of economic recovery seem to have thrown the Federal Reserve into another fit of anxiety about future inflation. It is not even certain yet that an uptrend has begun, but the money managers are swinging back toward tight credit as though we were dealing with a roaring boom . . . The erratic course the Fed has been following could easily abort the upturn and give the country a "double-dip" recession.

It goes without saying that we cannot afford a "double-dip" recession. We cannot afford anything less than a strong and sustained recovery. Yet witnesses before the Joint Economic Committee have brought home the stark fact that present policies do not have us on course for a really strong recovery and that a new dip into recession late next year or in 1977 is all too real a danger.

It is imperative that we take the policy steps necessary to get a strong recovery underway and keep it going. Those steps certainly include a supportive monetary policy, one which does not make a fetish of sticking within prescribed limits for the money supply, or for any other single variable; a policy which does what needs to be done to be sure ample credit is available at reasonable rates of interest.

PLANNING MEANS RATIONALITY IN ECONOMIC POLICIES

Mr. HUMPHREY. Mr. President, a national debate about whether the country should embrace the concept of long-range planning has been going on for the past several months. I strongly support this concept, and it is embodied in the Balanced Growth and Economic Planning Act of 1975 which Senator JAVITS and I are cosponsoring.

Vigorous debate about major decisions is healthy, and I am happy that our bill has evoked such give and take. An article in the July 14 issue of Iron Age presents perhaps the most eloquent and lucid arguments both pro and con on the merits of economic planning.

Much of the opposition to the proposal, I believe, can be traced to unfortunate but understandable misconceptions of what planning entails. A close reading of this article should help allay such apprehensions.

As the proponents cited in the article, including myself, point out, the Government is in the business of encouraging certain socially good results from our free enterprise system, and discouraging costs which would otherwise be borne by society. No one should seriously doubt that such decisions are within the legitimate realm of elected Government. But everyone should seriously question whether such decisions contribute as well as they might to our market economy when they are made without access to the best possible information.

Our bill would help rectify this situation by coordinating the research and projection responsibility of Government decisionmaking. And as an added bonus. advance announcements of the information available to Government would benefit businesses in their never-ending effort of second-guessing the intentions of the Federal Government. Less uncertainty means more efficiency in the true sense of the word: achieving what we desire with the least outlay of resources.

What some opponents overlook is the fact that a carefully analyzed plan may suggest less Government involvement in some areas of the economy. Planning is not a move away from laissez-faire so much as it is a move toward rationality, the essence of optimal decisions.

I agree with Mr. W. Michael Blumenthal, chairman of Bendix Corp., who said in the article:

> Currently, Washington is not set up to develop economic policies in a coherent and intelligent fashion. For one thing, it lacks tools that allow it to consider economic policy on anything more than a piecemeal basis. A tax cut here, a little stimulus here, some farm supports there—this is not rational policymaking. . . . In order to make intelligent choices, you must have some system that allows you to consider the whole cloth.

Mr. President, I hope all Members of Congress are familiar with both sides of the planning discussion, and evaluate the arguments for what they are worth. To assist this, I ask unanimous consent that the article from Iron Age be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS CENTRAL PLANNING NEEDED OR WANTED?

(By George A. Weimer)

Perhaps the most intriguing aspect of the current debate in the United States on central planning is the fact that not all businessmen are revolted by the idea.

Such major corporate figures as Henry Ford II, J. Irwin Miller, chairman, Cummins Engine, Columbus, Ind., and W. Michael Blumenthal, chairman, Bendix Corp., Detroit, all agree that some form of central government planning is not only advisable but needed by industry.

"We are a mixed economy. We have a large free-market component. We have also areas newly subject to laws. And for a generation we have had a growing amount of government regulation. We are not happy with the way it all works. While we may well opt for less regulation in some areas or more in others, no one seriously thinks we will (or want to) cease to be a mixed economy," says Mr. Miller.

"We need a comprehensive up-to-date national data base that is reliable. All aspects of government need it. Private citizens need it. Business needs it desperately. Since this must be national and total, no one can do this save the Federal government.

"It will not be done overnight. It will have to begin simply by correlating what we now have. And it will only gradually gain in usefulness.

"Long range, it not only should serve very much better, but also should cost less than such efforts do today because it will eliminate the need for hundreds of presently competing and separate information agencies throughout government."

But, he adds, "Information, even reliable information, does not take over decision-making. Decisions are made by human beings and there is an element of the unknown in every decision. The lesser that element can be made to become, the better chance of success for the decision.

"So the information needs study, to see what it may say. Hence the need for analysis, forecasting, selection of desired goals—and plans to achieve them.

"Yet each of these activities is no more than a tool, and any tool can be good or bad according to how it is used.

"We have fears about the phrase 'national planning,' however. The Russians plan. The Chinese plan Planners turn out to be autocrats, destroy freedom, and quite often have been responsible for monstrous failures.

"There is a lot of truth in such statements, and we are surely well advised to observe and not repeat the errors of others. But," Mr. Miller observes, "corporate business has not been frightened away from corporate planning by observation of Soviet and Chinese failures in Communist planning—nor have the French and Japanese, each of whom have incorporated planning techniques in uniquely different ways.

"Americans do not permit planners to be executives. The chief corporate planner of General Motors is never at the same time chief executive officer of that corporation.

"Plans and planners exist to help those who properly bear the responsibility for decision-making, and to help them make their decisions based on better information and on as accurate a look ahead as humans can devise," Mr. Miller explains.

Most top managers in metal-working and other industries remain skeptical or downright repelled by the term central planning. Part of this may indeed be a matter of definitions.

"The word planning is unfortunate," agrees Mr. Blumenthal.

"What I mean by planning is goal-setting. My endorsement of the Initiative Committee for National Economic Planning (ICCCNEP) is a recognition of the facts of economic life regarding government," he tells Iron Age.

The Initiative Committee for National Economic Planning is a group of many well-known academicians, several distinguished economists and a few very prominent politicians and business leaders who have come up with a draft on national central planning which serves as the basis of a bill now in Congress co-authored by Senators Hubert Humphrey (D., Minn.) and Jacob Javits (R., N.Y.).

"Currently, Washington is not set up to develop economic policies in a coherent and intelligent fashion," contends Mr. Blumenthal. "For one thing, it lacks tools that allow it to consider economic policy on anything more than a piecemeal basis. A tax cut here, a little stimulus here, some farm supports there—this is not rational policy-making.

"Decisions on economic policy are interdependent; each one creates reactions in the economy that affect all the others.

"In order to make intelligent choices, you must have some system that allows you to consider the whole cloth.

"Secondly, the Federal government is not structured to consider problems from a long-range point of view.

"Increasingly, economic decisions must be addressed from this perspective, and every major American corporation that does long-range planning recognizes that fact.

"The auto industry makes the case for long-range government economic decision-making quite well when it complains about the never-ending shifts in regulators policy regarding the auto industry that make it impossible to plan model years as far in advance as is necessary," Mr. Blumenthal notes.

"The market system remains an excellent mechanism for the allocation of resources. Let the government set overall economic policy—as a whole, not on a piecemeal basis—on such issues as energy self-sufficiency in 1980, for example. And then let Washington structure its tax, tariff and related mechanisms so that incentives are created for private enterprise to accomplish those goals. The market will take care of the rest," believes Mr. Blumenthal.

"About the word planning: This word evokes a vision of a totalitarian economy to some. I do not believe that anyone who supports ICNEP is an advocate of that. But interaction between business and government is inevitable and has been with us for a long time. I think we would all be better off if it were systematic and rational, and I think the kind of approach I have described would be a step in that direction," he concludes.

For those not familiar with the ICNEP, some excerpts from its draft resolution:

"We recommend that an Office of National Economic Planning, described below, be established with:

"Plenary power to accumulate, collate, and analyze detailed economic information from all sources;

"A mandate to examine major economic trends and work out realistic alternative long-term economic programs for periods of fifteen to twenty-five years, to be submitted to the President and Congress;

"A mandate to work out alternative plans of intermediate length;

"Responsibility to specify the labor, resources, financing and other economic measures needed to realize these programs.

"It should be clear that the planning office would not set specific goals for General Motors, General Electric, General Foods or any other individual firm. But it would indicate the number of cars, the number of generators and the quantity of frozen foods we are likely to require in, say, five years, and it would try to induce the relevant industries to act accordingly.

"One of the best persuaders available to the planning office is information. The flow of goods, services and money from one industry to another can be grasped in great detail through the use of input-output and other programming techniques."

The draft reads much like the Humphrey-Javits Bill—the Balanced Growth and Economic Planning Act of 1975.

Of the bill, Sen. Humphrey tells Iron Age: "There has been growing concern throughout the nation regarding national economic planning and it's time for some serious debate on this vital issue.

"The Federal government has become the last bastion of unplanned activity in the modern world. All other industrial nations plan. Businesses, universities, foundations and families have learned that they have to plan in order to achieve their goals with the available resources," Sen. Humphrey said.

The bill proceeds on two basic assumptions: First, that the economy will perform better with planning procedures and, secondly, that economic choices will be more explicit and widely debated so that Congress and the public can participate fully in the making of economic policy.

"The balanced economic growth plan that results from the new procedures will establish long-term economic objectives paying particular attention to the attainment of the goals of full employment, price stability, balanced economic growth, and equitable distribution of income, efficient utilization of private and public resources, balanced regional and urban development, stable international relations, and meeting essential national needs in various sectors of the economy," the bill suggests.

Hearings on the bill are continuing in Congress.

While it may be surprising to find any support in management for central planning, it's no surprise at all to find many business leaders very vocal in their criticism of the idea.

As D. M. Alstadt, chairman, Lord Corp., Eri, Pa., says: "The Federal government simply cannot plan; it does not have the kinds of people, either in the legislative or administrative branches of the government, that have any concept of what planning is all about.

"If I wanted to remove any conceptual ability to plan on the part of a person, the first thing I would do would be send him to law school. Legal training produces people who are essentially reactive, not oriented; adversary oriented, not concept oriented.

"Effective planning within the structure of personnel that we currently have within our government organizations is impossible," Mr. Alstadt relates to Iron Age.

"Even if the above were not the case, I don't believe that planning per se by the Federal government, as most people envision it, at least in the economic areas, would make much sense.

"The basic concepts inherent in economic phenomena are just not appreciated for a sufficient number of people to produce anything except chaos.

"You may be aware of the fact that under the Czar, Russia had a GNP which, if continued in a straight line growth pattern until today, would be two and one half times the current GNP of the Soviet Union," he adds.

"Central planning has done nothing for Russia and I suspect that they do not have the added limiting impossibility of being overstaffed with legal minds to whom planning is a foreign activity."

But, the bill exists.

Can it pass?

Doubtful, the White House tells Iron Age. If it did, President Ford would surely veto such legislation.

"One area where government already plans," Edgar R. Fiedler, Assistant Secretary of the Treasury for Economic Policy, explains to Iron Age "is in the Office of Management and Budget. And in the Bureau of Labor Statistics with five-year projections.

"We do need more and better statistical compilations," Mr. Fiedler says. But, he adds, "The present Administration is against legislation like this because . . . who does the planning? Economists, bureaucrats, technicians, computer people . . . well meaning but . . . are these representative of the American people?"

Also, Mr. Fiedler continues, speaking for the present Administration, "What are we planning here? Government planning of private activity? There's already too much."

Still, as Mr. Fiedler says, "Nobody's going back to Adam Smith."

But what may seem laughable to the most reasonable can come carried into the world on the shoulders of the voting nonbelievers.

As anyone who reads newspapers knows, the concept of central planning seems more acceptable to more people than ever.

Why?

Mr. Alstadt suggests this: "Pollsters really tell us that Americans have lost confidence in the majority of their institutions. In my opinion, the pollsters are subtly telling us that Americans have, in a relatively short period of time, lost much of their confidence, real or superficial, in themselves."

Perhaps then, for those who remain adamantly against central planning, whether any particular new laws are passed is somewhat beside the point.

Comments Sen. Barry Goldwater:

"I believe the correct definition of appropriate central Federal control (and possibly planning) is to be found in the Interstate Commerce clause of the Constitution. It merely states that the Federal government will regulate the commerce between the states.

"This was never envisioned by the founding fathers to include such things as control over the type, price, size and even quality of merchandise sold.

"It was never intended for the government to get into wage and price controls or to favor the union over management or vice versa.

"What we are headed for under the misinterpretation of this clause which started back in Supreme Court decisions in the 1930s is the complete control or, let's put it bluntly, the nationalization of American industry—which in any language but ours means socialism," Sen. Goldwater states emphatically to Iron Age.

The initiative and motivation that makes the American businessman go is profit. And when you have central planning and central control you cease to have profits or, at the very best, a minimum control profit with no possible chance for the best to bubble to the top. So the initiative of America dies and so will its business," he warns.

"Because of their [businessmens'] total indifference and inattention to what is going on in their country, because of their willingness to support anti-business and even anti-American candidates for Congress because that person's election might mean something personally to them, they have allowed this country to creep up to the very verge of nationalization.

"And there are times when I think it is too late to do anything about it. But if these businessmen, and mind you, I was one myself, will forget personal gain and think only of the gain of our country, there is time."

And while business knows it, some managers seem to be engaging in denial when it comes to the fact that what the business community considers its own best interests have been resoundingly ignored before.

Suggests Mr. Alstadt and many others: Businessmen should speak out—at least to clarify the issues.

Thus, Walter B. Wriston, chairman, Citicorp, New York: "The great principles of our government laid down by our founding fathers embody a vast distrust of centralized governmental power," in a now very well publicized talk before the Society of American Business Writers in Washington, D.C.

Continues Mr. Wriston on organizations and individuals who advocate a planned economy: "Such a program, if adopted, could bring about the step-by-step destruction of the free market system and, as a consequence, all personal liberty.

"There is no case of government planning not implemented in the end by coercion.

"Ludwig von Mises summed it up when he wrote: 'All this talk [that] the state should do this or that ultimately means the police should force consumers to behave otherwise than they would behave spontaneously. In such proposals as: Let use raise farm prices, let us raise wage rates, let us lower profits . . . the us ultimately refers to the police.' Yet, the authors of these projects protest that they are planning for freedom and industrial democracy," Mr. Wriston insists.

Years ago, that may have shelved the issue neatly enough.

Have times changed so very much?

Recently, Henry Ford II declared himself "a strong believer in the need for effective planning."

"Many businessmen are suspicious of any kind of economic planning," Mr. Ford noted. "I am not one of them, although I understand their fears and the risk that such planning can go too far."

However, another top manager in the same industry offers this in the continuing debate: Recession conditions "draw heightened criticism of the free market, dissatisfaction with its unpredictability, and new demands that the government do something to improve it. Critics of free-market economics gain increasing attention for charges that our economic system . . . is no longer adequate for our times," says Thomas A. Murphy, chairman, General Motors Corp.

"The alternative they suggest, national economic planning, strikes directly at the very foundation of free enterprise, at individual freedom, at the authority of the American public to direct, to determine, and to decide for itself," Mr. Murphy declares.

"No person or body of people is wise enough or foresighted enough to take into account even a sizeable fraction of the billions of factors needed to plan the economy of this country," Mr. Murphy believes.

Even in organized labor, there's no knee-jerk reaction pro or con, although most probably agree with Leonard Woodcock, president of the United Auto Workers:

"The lack of such planning is a fundamental shortcoming of our system," says Mr. Woodcock. "We do not have mechanisms adequate to deal with the interdependence and long lead times that stem from developments such as instant communication, specialized production and investment in complex technology.

"The 'knee-jerk' reaction to proposals for national planning is that our lives will be more controlled than [they are] now. That is certainly not the kind of planning which I have in mind," continues the UAW leader.

"The specification of national goals and policies would provide individuals and businesses with additional information on which to base their own decisions."

But, "It would be foolish for someone to undertake an activity which will be likely to be unsuccessful because it conflicts with known national goals. Similarly, in extending credit, lenders are more likely to approve investments which are consistent with national goals and policies and hence less likely to go into default."

Thus, what the Initiative Committee for National Economic Planning refers to as "inducements" for business.

The debate seems to center on how "mixed" our economic system should be. How much, or more specifically, *what* do we want government to do? As Mr. Fiedler said, "Nobody wants to go back to Adam Smith." But how far away from laissez faire should we be?

There does seem to be a kind of reluctant consensus developing around the kind of central statistical planning alluded to by Mr. Fiedler.

Says Robert S. Morrison, chairman of the board, Molded Fiber Glass Companies, Inc., "If national planning were restricted entirely to the development of statistics about markets, needs, shortages, and long-range trends, it might have some value.

"However, I suspect that its record on predictions would be even worse than the automobile industry's," he quips.

"It is one thing to be so suspicious of government 'interference in private sector affairs' that one hesitates to give any particular Congress any new authority to muck things up. It is quite another to reject the idea of rational planning altogether because of this fear," William F. May, chairman, American Can Co., Greenwich, Conn., tells Iron Age.

"The Congress and the Presidency, for better or for worse, are a composite image of what the political traffic will bear. Neither government nor business leadership is reveling in voter confidence these days, and I can be quite specific about some of the problem areas in which business and government, operating separately or in tandem, are not producing the quality of life that people quite articulately want," Mr. May comments.

"A system of wage and salary payments in which the worker gets all the benefits of economic productivity, but which shares none of the penalties of decreased productivity, cries out for cooperative business, labor and government planning," he adds.

"Certainly the central problem of risk capital formation isn't being solved by our highly pluralistic and divided society. To call for a better approach to this vital goal through planning is a light-year away from accepting a centrally planned society," he explains.

"Finally, in this truncated list of national inadequacies—which breed justified citizen unrest—I see no way without very high levels of cooperative planning to get industries, universities, labor and government to work together on an incentive basis to accelerate the development and timely application of technology for pressing social ends.

"I've given a qualified endorsement to the Humphrey-Javits bill, with two caveats:

"That Congress limit the experiment to two years and then take another look.

"That the proposed planning apparatus limit itself to energy policy, food policy, and perhaps transportation policy during the trial run. In these three areas there is a sad lack of any concerted national goal, and it should afford the new approach some real problems to chew on," Mr. May explains to Iron Age.

Perhaps most distressing of all is the fact that so many managers care to say nothing on such an important topic.

"National planning," says J. Irwin Miller, "is not an ideological issue. It is our glory that we are a practical people, with a healthy distrust of ideologies. We have always been willing to do what seems sensible and what works, without regard to the label others place on it.

"If government servants need reliable information, trustworthy forecasts, and forward plans, the people need them even more, and that includes business.

"Our American democratic tradition is so strong and so deeply rooted that the great decisions in this country will continue to reflect popular consensus, the people's choice. Politicians and businessmen go against the people's wisdom at their peril," warns Mr. Miller.

Central planning is being debated by major figures in all sectors of the American economy. Suffice it to say, if business remains reticent, whatever comes of the argument may reflect very little of what business really wants and needs.

THE IMPACT OF DECONTROL ON AGRICULTURE

Mr. HUMPHREY. Mr. President, Senator JACKSON and I are particularly alarmed with the impact that oil decontrol will have on American agriculture and consumer food prices.

A study prepared for us by Dr. Leo Mayer of the Congressional Research Service has evaluated this impact—and the results show that decontrol will have a devastating impact on farmers and food processors and ultimately the consumers of food products.

Oil decontrol will: Raise farmers' oil and fertilizer costs and slash farm profits by $500 million in 1976; raise food processor energy costs by $1.5 billion in 1976; raise farm and food processor costs—and consumer food bills—by $10 billion over the next 5 years.

In short, the study reveals that decontrol will cut farm profits and raise food costs by transferring $2 billion annually from farmers, food processors and consumers to oil companies.

Another CRS study was recently prepared at my request by Mr. John Jimison, evaluating the impact of decontrol on the propane market.

As Senators know very well, Mr. President, propane is the major, and frequently the only fuel used in most rural homes and on farms. Decontrol could double the price of propane, which today is at scandalously high prices.

Most important, the study indicates that the predicted natural gas shortage this winter will also create a propane shortage. Without controls on the price and allocation of propane, refineries and pipeline companies will purchase most of the available domestic and imported propane—with a disastrous effect on rural and farm America; propane for rural homes and farms will not be available at any price.

Let me emphasize that oil decontrol can only be prevented by a congressional override of President Ford's veto of S. 1849. If we fail to overturn this veto, decontrol becomes a fact, a reality, in the minutes thereafter—and we will be powerless to reverse the severely debilitating economic impact on agriculture and on our entire economy which will surely follow.

Mr. President, I have traveled throughout the entire State of Minnesota, visiting farmers and farm groups, farm families, with people in the small business area of our economy; and, almost without exception, they feel that decontrol will literally stop any recovery that we hope to have in this area in the coming year.

I urge my colleagues to study this report. This is not prepared by some partisan committee. This report has been prepared by the Library of Congress, the Congressional Research Service. The title is "The Impact of Oil Price Decontrol on Food and Agriculture."

There has been a great deal of talk about what is happening to food prices. Decontrol will be like a sledgehammer blow to the American consumer of food products. It will rob the farmer of income that he desperately needs, it will transfer that income to the oil companies, it will increase the rate of inflation, and it will be of irreparable damage to the American economy.

I ask unanimous consent that the report of the Library of Congress, Congressional Research Service, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Library of Congress Congressional Research Service]

THE IMPACT OF OIL PRICE DECONTROL ON FOOD AND AGRICULTURE

(By Leo V. Mayer, Senior Specialist, Agriculture)

(A revised report prepared at the request of the Honorable Hubert H. Humphrey and the Honorable Henry M. Jackson.)

THE FARM-FOOD SITUATION

Rural areas of the United States have also been affected by the steep rise in fuel costs of the past two years. Costs for rural family travel have gone up commensurately with the rise in auto and fuel costs. These costs are more certain in rural areas since modes of transportation other than the private automobile are generally not available. Further, the largest portion of products produced in rural areas comes from the farm, and there fuel and energy are essential inputs. Higher costs for these items must be borne by the farmer since his ability to substitute other inputs is very limited.

Despite rising costs of production, however, farm families have, on the average, done well economically in the past two years. Gross farm income has gone up dramatically, as indicated below (measured in billions of dollars), and net income has reached a new plateau. While some farmers have suffered significantly from low prices for livestock, unfavorable weather for crop production, and shortages of critical inputs, the general income picture for agriculture has been one of sharp improvement. One overall reflection of this improvement is in land values which farmers have bid up 75 percent since 1971.

Calendar year	Gross income	Production expenses			Net income
		Total	Fuel	Fertilizer	
1971	$60.6	$47.8	$1.7	$2.6	$12.8
1972	70.1	52.8	1.7	2.7	17.3
1973	95.3	65.8	1.9	3.0	29.5
1974	101.1	73.4	2.7	5.6	27.7

While net farm income has increased, the rise in fuel prices since 1971 has added $1.0 billion to the cost of fuel for farming. In addition, higher energy prices and expanded world demand have raised fertilizer prices so that the cost of this item has jumped upward some $3.0 billion, over a 100 percent increase. These increases have placed an especially heavy pressure on farms that were in drought stricken areas or that held large numbers of animal livestock as market prices fell and feed costs escalated.

Even in farming areas unaffected by drought, higher fuel costs have not affected all farms alike. Some types of farms use more fuel than others. A recent study from the Economic Research Service of the Department of Agriculture showed that in 1971 fuel costs for four types of Illinois farms, including costs for farm electricity and hired transportation, varied from $1,899 for hog farms to $2,746 for beef farms. Since 1971, the cost of fuel has gone up as farmers have paid rising prices for the fuel delivered to their farms. Looking at December figures, for each year, the price of gasoline per gallon in bulk delivery has increased sharply. The increase has been 49.4 percent for gasoline, 28.9 percent for all-weather motor oil, and 40.6 percent for machine grease. The increase has averaged about 48 percent for all motor supplies and an estimated 45 percent for all energy, including electricity. For the farms shown above the increase has been about $1,000 per farm:

Year (Dec.):	*Price (cents/gal)*
1971	31
1972	31
1973	37
1974	46

	Dairy	Beef	Hog	Grain
Fuel costs	$2,400	$2,746	$1,899	$2,616
Cash sales	50,277	143,029	74,642	68,006
Percent of sales	4.8	1.9	2.5	3.8
1971	$2,400	$2,746	$1,899	$2,616
1974 (estimate)	3,480	3,982	2,754	3,793
Increase	1,080	1,236	855	1,177

While these Illinois farms are obviously larger than average farms, the majority of commercial farms would have averaged cost increases for fuel of about the same size between 1971 and 1974.

THE COSTS OF DECONTROL

The President's proposal to decontrol oil prices would allow the price per barrel of old oil, oil produced from wells in operation before 1972, to rise from $5.25/barrel to an estimated $12/barrel, assuming the $2 tariff on imported crude oil is removed. The higher prices would apply to the following amounts of old oil and add costs of the following amounts:

Year	Volume (millions of barrels per day)	Annual cost (billions)
1976	5.4	$13.3
1977	5.1	12.6
1978	4.8	11.8
1979	4.5	11.1
1980	4.2	10.3

Partially offsetting the increased cost of old oil would be the removal of the $2 tariff on imported oil and some reduction in prices of domestically produced "new" oil. These reduction in cost would add up as follows:

Year	Volume (millions of barrels per day)	Cost reduction (billions)
1976	9.8	$6.4
1977	10.2	6.7
1978	10.7	7.0
1979	11.1	7.3
1980	11.5	7.6

This reduced cost assumes that there is no further increase in the price of oil from the OPEC cartel. If OPEC does not raise oil prices, it is estimated that the price of crude oil would stabilize around $12/barrel as opposed to the $13.50/barrel currently paid.

On the other hand, it is more likely that the OPEC cartel may take advantage of the tariff removal by raising the price of oil exported to the United States. An increase of at least $1.50 per barrel would not be unexpected. If this occurred, the net additional cost of the several actions might be about as follows:

	Cost of decontrol only [1]	Cost of decontrol with tariff removal [2]	Savings from tariff removal	Cost of OPEC $1.50 per barrel price rise	Net cost of all actions
1976	$16.3	$13.3	$6.4	$8.3	$15.2
1977	15.4	12.6	6.7	8.4	14.3
1978	14.5	11.8	7.0	8.5	13.3
1979	13.6	11.1	7.3	8.5	12.3
1980	12.6	10.3	7.6	8.6	11.3

[1] Assumes crude oil prices rise to $13.50 per barrel.

[2] Assumes crude oil prices rise to $12 per barrel.

Depending on which actions one assumes will occur in the next few weeks, the increase in oil costs in 1976 may be $16.3 billion with only decontrol, $6.9 billion with decontrol and removal tariffs or $15.2 billion with decontrol, tariff removal and an OPEC price increase of $1.50 per barrel of crude oil.

THE IMPACT ON AGRICULTURE

It is estimated by USDA and FEA that 3.0 percent of any added cost for fuel would fall directly on farmers. Another 7.0 percent would fall on businessmen who process, transport, market and retail farm food products. And finally, another 3.0 percent would be borne in indirect costs for home preservation and cooking of food. Compared to 1975, the added cost for 1976 is (in millions of dollars):

Source of added cost	Decontrol only	Decontrol and tariff removal	OPEC price increase	Net cost all actions
Farm	$489	$207	$249	$456
Middleman	1,141	483	581	1,064
Homemaker	489	207	249	456
Total	2,119	897	1,079	1,976

Costs rise sharply, for all segments of the food chain, with only decontrol. In 1976 farmers would pay nearly $500 million more for fuel than they did in 1975. Depending on the size of the farm, the cost could rise to as much as $500 per farm for the larger farms in the Nation. This would be for only the farm portion of fuel costs, not the portion spent for normal family driving. Farm families would be hit doubly hard by higher fuel cost due to their expenditures for both the business and family living expenses.

If there is decontrol and removal of tariffs on imported oil without an OPEC price increase, farm costs would rise more modestly, about $200 million. With the more likely outcome of higher prices for imported oil and its consequent effect of higher domestic crude oil prices, farm costs would rise nearly a half billion dollars in 1976.

Higher costs for fuel could have some impact on reducing fuel use in agriculture. Farmers might match up their power sources more carefully to the type of job that was being done, using smaller tractors where possible and running their equipment at most efficient rates of operation. The potential for improvement in these areas is limited, however.

Farm equipment does not have the same potential for reduced fuel consumption as do automobiles, through slower speed limits or a shift to compact cars. Tractors, for example, must develop a certain level of horsepower to draw plows and other equipment. This horsepower is most efficiently developed at a certain RPM for their motors, and tractors have long been set to operate at this speed. There is no way these motors can be slowed down to save fuel. The loss in horsepower offsets the savings in fuel. Furthermore, a shift to smaller tractors is infeasible because larger tractors are more efficient in terms of the amount of fuel required per acre of land tilled. Generally the potential for this type of fuel savings in agriculture is small.

There is the possibility for returning to the use of horses and mules for power but few persons would seriously recommend this alternative. Less drastic and more realistic is the idea of minimum tillage of crops in farming. This idea is spreading and will logically save some fuel in the future. However, estimates of savings from this source are really negligible.

Since farmers generally cannot avoid the higher costs for fuel, most of these costs will eventually end up as higher food prices. There may be some time lag, before the increase in farm prices occurs, but once that happens, and it must eventually happen or all farmers will constantly suffer lower incomes and even bankruptcy, food wholesalers and retailers will pass those costs along. This has been occurring, with food prices up about 14 percent in each of the last two years. A large part of this in the early part of this period was due to higher farm prices.

More recently, marketing price spreads for food have climbed, averaging 11 percent higher in the first half of 1975 than a year earlier. Since the marketing component makes up 60 percent of total food costs, and the farm component 40 percent, this means that food prices would go up at an annual rate of 6.6 percent (.60 × .11 = 6.6 percent) in 1975 if farm prices were constant. Instead, farm prices have been rising.

The outcome of rising farm prices on food costs is not fully clear and will not be until late in the year. Decontrol of fuel prices, however, cannot but add to the pressures toward higher food prices.

[From the Library of Congress, Congressional Research Service, Washington, D.C., Sept. 5, 1975]

To: Honorable Hubert H. Humphrey.

From: John W. Jimison, Analyst, Environmental Policy Division.

Subject: The Effect of Decontrol of Propane.

This memorandum responds to your request for information about the probable effect on the market and consumers of propane of the end to the mandatory allocation and price control program. Because controls went off as of September 1, information about actual impacts is limited to preliminary reports from those most closely in touch with the propane market. Several weeks will be required before reliable and specific market data are available.

Nonetheless, both the early indicators that are available and a study of the forces impacting upon the propane market point to an emerging dilemma for the propane market and its traditional customers of crisis proportions. It appears that so much propane will be preempted from the traditional customers in the absence of a mandatory allocation program that supplies will be insufficient to fill crucial needs, particularly for rural home heating and crop drying. No alternative fuel can be used by most of these consumers.

The scant supplies of propane which will remain available to small traditional users may sell at prices which are multiples of prices experienced in the past, too high for most of the formerly protected rural residential and agricultural users to afford. The price impact on American farmers alone will exceed two hundred million dollars, if propane which sold under controls at an average of 18¢ per gallon reaches a price of 35¢ per gallon, as it is quite likely to do. Gas utilities attempting to make up for curtailments of natural gas have indicated a willingness to pay as much as an equivalent of 45¢ per gallon for other substitutes such as synthetic gas.

The natural gas shortage is predicted to be about 15% during the coming year. To make up a shortage of one percent in the natural gas market would require the diversion of 20% of domestic propane production. In the absence of mandatory allocation and price controls for propane, it is likely that enough propane will be preempted by curtailed natural gas utilities and industrial customers that traditional and formerly protected propane customers will experience absolute shortages.

SUPPLY

Propane is produced in two manners: about 70% is extracted from the mix of natural gases and liquids produced from gas wells by gas processors; about 30% is produced at refineries by cracking and distilling crude oil. Propane is the largest constituent of what is known as natural gas liquids or condensates; butane, ethane and natural gasoline are others.

Of the liquid petroleum gases, propane is the most widely used for fuel. Ethane is used for feedstock and natural gasoline is used in blending of refinery gasolines.

The supply of natural gas liquids from natural gas wells has fallen as production of natural gas has fallen, by 2.9% from 1973 to 1974, according to Bureau of Mines figures. It is certain that gas liquids production will continue to decline, more rapidly each year than the last, tracking closely the production decline of natural gas.

The supply of liquid petroleum gas from refineries has fallen even faster, declining by almost 10% from 1973 to 1974. Total production has fallen about 4%, to 2.2 million barrels per day. Reserves of natural gas liquids in gas wells as of December 31, 1974, according to the American Gas Association, were 6.35 billion barrels, down 1.6% from 1973 levels. Refinery production of propane and other liquid petroleum gases is related to crude oil throughput. Total 1974 production of propane was 200 million barrels.

Imports of propane may be turned to to make up supply deficiencies, but will come from OPEC countries and be subject to supply insecurity.

The outlook for production of natural gas liquids in general, and propane in particular, is therefore discouraging: most observers forecast a gradual but inexorable production decline through at least 1980.

DEMAND

The traditional market for propane consists of chemical industry consumption of about 18%, residential and commercial consumption of about 54%, and other uses such as agricultural and industrial uses of about 28%.

The natural gas liquids from wells are sold unprocessed or processed to major propane suppliers, often also major oil companies, such as Gulf, Skelly, and Phillips, who then resell to terminal operators and propane wholesalers such as Petrolane or Northern Propane. These companies in turn sell to consumers or smaller distribution outlets. Propane supply arrangements between dealers and consumers tend to be permanent because the dealers install and control the propane tanks connected to consumers' facilities, but the prices fluctuate and there is no public utility supply obligation in the absence of contract or a Federal allocation program.

Producer sales relationships are not permanent, however, as much propane is sold on spot markets to the highest bidders. It is at this point in the market that new purchasers will enter and divert propane from traditional sales patterns.

A large proportion of the propane produced is available (absent allocation requirements) to free market pricing and preemption by non-traditional buyers.

THE CURRENT SITUATION

The growing shortage of natural gas has prompted many utilities and consumers to look at propane as a possible substitute. Gas utilities can supplement curtailed natural gas supplies with propane-air mixtures. Electric utilities and curtailed industrial customers can continue operations with very minor adjustments to existing plant, rather than wholesale replacement. Both are able to pay high prices for propane: the utilities enjoy fuel adjustment clauses which permit automatic passthroughs of propane prices to users, and have the ability to "roll-in" the higher price per Btu of propane with the substantial quantities of natural gas still being received to achieve an average price much lower than the incremental cost of the propane by itself. Industrial customers can pass through higher fuel prices via higher product prices.

An example which can indicate the ability of these customers to absorb higher prices is the willingness of utilities to purchase synthetic and liquefied natural gas at prices approaching $5.00 per million Btus. This equates to propane prices of about 45¢ per gallon or oil at $29 per barrel. There is no reason to suppose that such users would not be willing to pay for propane prices equivalent to those paid for other natural gas substitutes.

As opposed to these new users of propane, many traditional users have little ability to absorb higher prices. They must pay costs of local distribution avoided by such large scale purchasers as utilities and industries. Residential users and agricultural users cannot as a general rule pass the fuel price increases along to anyone, but must absorb them in budgets already severely squeezed by inflation and stagnant prices for farm products. Unfortunately, these users have no alternative to propane in many cases because there is no natural gas service and new natural gas connections are no longer being made. Conversion of home heating or crop drying to other fuels or electricity would require entirely new equipment, much time, and would cost even more.

Many traditional users may therefore be unable to pay uncontrolled prices for propane, but will have no alternative fuel.

The pressure on propane supplies from demand displaced by natural gas curtailments may well mean that even at such prices there would be a shortage of propane available to traditional consumers. Natural gas supplies a far greater proportion of domestic energy needs than does propane. To make up a one percent shortage of natural gas supply would require the diversion of twenty percent of domestic propane supplies. The natural gas shortage nationwide is predicted to be approximately fifteen percent during the coming winter, and will exceed fifty percent in certain areas.

An attempt by utilities and industrial customers to substitute propane for even a small portion of their natural gas shortages will drastically reduce the supplies available to traditional propane customers. By the time the extent of propane requirements for autumn crop drying and home heating use is known, too much propane may already have been taken off the market to substitute for curtailed natural gas to allow those needs to be met.

In the absence of Federal price controls, it is thus likely that the market clearing price for propane will be the price of other substitutes for natural gas, particularly synthetic natural gas produced from petroleum liquids and imported liquefied natural gas. It is further likely that the relatively easy access to propane by curtailed natural gas users will make that the first substitute chosen. Traditional propane customers will likely be unable to use alternate fuels or to meet the competition for propane.

REIMPOSITION OF CONTROLS

The allocation of propane and price controls on propane sales expired with the Mandatory Petroleum Allocation Act on August 31. Reports of purchases of propane by utilities and industrial customers have begun to be heard, but it is too early to tell how much of the available supplies are being committed in this manner. Reports of processors raising their prices from controlled levels are also widespread, but information is not available to guage the price levels.

If deliveries of propane are made to new large-quantity purchasers which would otherwise have been delivered to traditional priority customers such as agricultural and residential users, it will present an extraordinarily difficult administrative problem to track down and order reallocated those supplies of propane to prevent emergency shortages of the fuel for those without an alternative. An immediate continuation of the allocation program could perhaps prevent further propane supplies, and could allow the sales pattern which prevailed under the allocation program. Already, however, enough propane may have been committed to other than traditional customers that some of those who were priority customers under the allocation program may go without propane this autumn and winter.

CONCLUSION

In conclusion, it appears that the potential exists for severe problems of propane supplies to certain traditional customers such as agricultural users and rural residential customers. These problems will result from the end of mandatory allocation and price controls, which allows access to propane by curtailed users of natural gas and utilities which either sell or consume natural gas. These large utility and industrial customers have the ability to pay higher prices than the small traditional users, and are likely to preempt much of the available propane in advance. The small customers have no alternative fuel available.

VITIATION OF THE ORDERS FOR THE RECOGNITION OF SENATORS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the orders for the recognition of Senators WILLIAM L. SCOTT, GRIFFIN, and ROBERT C. BYRD on tomorrow be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR WILLIAM L. SCOTT TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of legislative business on tomorrow, the distinguished junior Senator from Virginia (Mr. WILLIAM L. SCOTT) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the Senate will convene at 11:30 a.m. tomorrow.

After the two leaders or their designees have been recognized under the standing order, Mr. FONG will be recognized for not to exceed 15 minutes, after which there will be a period for the transaction of routine morning business, of not to exceed 15 minutes, with statements therein limited to 5 minutes each, at the conclusion of which the Senate will resume consideration of the unfinished business, S. 963, a bill to amend the Federal Food, Drug and Cosmetic Act to prohibit the administration of the drug diethylstilbestrol to any animal intended for use as food.

When the Senate resumes consideration of S. 963, there will be a resumption of debate on the amendment of the Senator from Colorado (Mr. GARY W. HART) to the Curtis amendment. That debate will be limited to 10 minutes, to be divided between Mr. GARY W. HART and Mr. CURTIS. A rollcall vote has been ordered on that amendment, and the rollcall vote will then occur, which will be around 12:10 or 12:15 p.m.

Immediately upon the disposition of the amendment of the Senator from Colorado (Mr. GARY W. HART), the vote will occur on the Curtis amendment, amendment No. 692; and that vote will be followed immediately by a vote on the Curtis amendment as amended, if amended.

Immediately following that vote, a vote will occur on the Bellmon amendment, No. 873. The second and third rollcall votes will be limited to 10 minutes each.

Other rollcall votes are expected to occur during the afternoon, inasmuch as the bill will be open to further amendment. A rollcall vote will occur on final passage.

On the disposition of the bill, it is not yet clear as to what measure the Senate will take up; but I would say that very likely candidates are S. 1517, a bill to authorize appropriations for the administration of foreign affairs, and S. 848, a bill to amend section 2 of the National Housing Act—not necessarily in that order and not necessarily limited to those measures.

ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. tomorrow.

The motion was agreed to; and at 5:59 p.m. the Senate adjourned until tomorrow, Tuesday, September 9, 1975, at 11:30 a.m.

HOUSE OF REPRESENTATIVES—*Monday, September 8, 1975*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let us have grace, whereby we may serve God acceptably with reverence and godly fear.—Hebrews 12: 28.

O God and Father of us all, Who dost reveal Thyself in ways without number, make in our hearts a quiet place and come and dwell therein. With Thy coming may we receive wisdom, strength, and love sufficient for all our needs.

Help us to walk in the light of truth, to live the life of goodness, and to share our love of the beautiful that we may play our full part and do our high duty in this hour of our national life.

In our loyalty to Thee and with our devotion to our country may we the Representatives of our people keep our lives committed to goals great enough and good enough for free men and women.

In Thy holy name we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Heiting, one of his secretaries.

PROVIDING ADDITIONAL COMPENSATION FOR SERVICES PERFORMED BY CERTAIN EMPLOYEES IN THE HOUSE PUBLICATIONS DISTRIBUTION SERVICE

Mr. HAYS of Ohio. Mr. Speaker, I offer a resolution (H. Res. 698) and ask unanimous consent for its immediate consideration.

Mr. Speaker, I will explain the resolution.

The Clerk read the resolution, as follows:

H. RES. 698

Resolved, That, notwithstanding any other provisions of law, there is authorized to be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay compensation to each employee of the Publications Distribution Service of the House of Representatives for all services performed by such employee in excess of the normal workday where such services are authorized by the Committee on House Administration. Such compensation shall be paid on an hourly basis at a rate equal to the rate of compensation otherwise paid to such employees.

This resolution shall be effective as of August 1, 1975, and payments made under this resolution shall be terminated as the Committee on House Administration determines necessary.

Mr. HAYS of Ohio (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with and that the resolution be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. BAUMAN. Mr. Speaker, reserving the right to object, I wonder if the gentleman from Ohio will explain the resolution?

Mr. HAYS of Ohio. Yes, if the gentleman will yield, I have the intention of doing that.

What occasions this resolution is there was a great deal of mail piled up for processing in the Distribution Service and there was a question of either letting it lie around or using the existing staff on overtime. So they went ahead and got out the Member's mail.

It has been customary for us to have an overtime resolution in every Congress. I did not anticipate this and these people are faced with either our passing this resolution so they can be paid or letting the employees off on compensatory overtime and letting the mail pile up all over again.

This is a usual thing. We have had such a resolution in every Congress. We have a resolution from each of the two prior Congresses.

I might tell the gentleman I authorize overtime only when the mail just piles up to the point where Members are going to be terribly inconvenienced if the mail is not gotten out.

Mr. BAUMAN. Could the gentleman from Ohio tell us how much money is involved in the resolution?

Mr. HAYS of Ohio. I do not have the exact figure but it is in the neighborhood of $10,000 or $12,000 each calendar quarter. I do not want to be held to that exact figure because it is off the top of my head. I know it is a very minimal amount.

The SPEAKER. Is there objection to the request of the gentleman from Ohio to dispense with further reading of the resolution?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio for immediate consideration of the resolution?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LET US GET ON WITH OUR WORK

(Mr. BAUMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BAUMAN. Mr. Speaker, we meet here at a time when all across America, those people who can bring it upon themselves to talk about Congress at all, describe it as a body of men and women which seems only capable of producing for itself pay raises and multiple vacations.

Once again this week the energy bill has been postponed. We meet here on Monday, the 8th of September, at a time when we have stalled and amended any solution to our energy problem nearly out of existence; when we are plagued by a crisis of growing inflation demanding our immediate attention; and when, for example, New York City is becoming one great going-out-of-business sale.

We all, each of us, come from different backgrounds and were elected to represent different regions of our country. We may not all agree on a solution to a particular problem, but as responsible legislators we can see the problems and feel the crying urgency for an energetic effort toward their solution. There can be no worse time for us to allow ourselves any more of these continuing vacations we dignify by calling recesses.

When we left for our August vacation, we left behind far too much unfinished business. Now, we are returning to a series of vacations over the next several months interrupted by brief periods of attention to the people's business.

It is because the people deserve our full attention to the calender of legislative business that I call on the majority leadership to cancel the several planned recesses between now and Thanksgiving so that the House can remain in session, at least for the next 60 to 90 days, in order to address ourselves to the pressing problems facing the Nation. The people of this great country deserve no less from us.

I include the following:

H. RES. 699

Whereas, eight months of the 94th Congress have produced no significant progress on energy legislation;

Whereas the Nation is visited by the twin evils of high unemployment and double-digit inflation;

Whereas a legislative body serious about its purpose and the integrity of its processes cannot be constantly interrupted by continual recesses; therefore, be it

Resolved, That it is the sense of the House of Representatives that the current recess schedule be cancelled, not to be resumed until the completion of major pending business or a period of sixty legislative days, whichever comes first.

NO FUEL BILL VETO?

(Mr. STAGGERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STAGGERS. Mr. Speaker, there will be no veto of the fuel bills, predicts the radio news this morning. If true, it will be the most welcome news coming out of the White House in many days. I congratulate the President on his wise decision. I take it to mean that he is listening to the voice that has been coming to him from all over the country. Lifting fuel controls would be notice to all selfish interests to fan the flames of inflation in every quarter. As fuel costs go up, so would the cost of food, of housing, of transportation, of every commodity essential to the worker, the householder, the average citizen in every walk of life.

Unfortunately the no veto decision is not final. The news indicated that the President would sign an extension for 45 days. It is not long enough. The President's advisers who favor a veto will not be inclined to go along with that decision. They are determined to force their ill-conceived views on the public and on the President alike. They have no concern for Mr. and Mrs. America. Double-digit inflation is no problem to them. Double-digit unemployment does not affect them. In my opinion, the President would be wise to dispense with their services. They do not accurately measure public opinion. They stick to theories and ignore facts.

The country is in a crisis, and not in a simple depression. A veto of fuel bills might well be the straw which breaks the camel's back.

ANNUAL REPORT OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94-242)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and Transportation and ordered to be printed with illustrations:

To the Congress of the United States:

Enclosed is the Annual Report of the St. Lawrence Seaway Development Corporation for the calendar year ending December 31, 1974. This is transmitted in accordance with the provisions of section 10 of the St. Lawrence Seaway Act (act of May 13, 1954).

It is interesting to note that, although traffic levels declined during the 1974 season, the Seaway Corporation nevertheless was able to continue its program and retire a portion of its outstanding debt.

GERALD R. FORD.

THE WHITE HOUSE, *September 8, 1975.*

PROVIDING FOR CONSIDERATION OF THE BILL H.R. 8650, ENERGY CONSERVATION IN BUILDINGS ACT OF 1975

Mr. MURPHY of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 692 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 692

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8650) to assist low-income persons in insulating their homes, to facilitate State and local adoption of energy conservation standards for new buildings, and to direct the Secretary of Housing and Urban Develop-

ment to undertake research and to develop energy conservation performance standards. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Currency and Housing, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Illinois (Mr. MURPHY) is recognized for 1 hour.

Mr. MURPHY of Illinois. Mr. Speaker, I yield the usual 30 minutes to the minority to the distinguished gentleman from California (Mr. DEL CLAWSON), pending which I yield myself such time as I may consume.

Mr. MURPHY of Illinois. Mr. Speaker, House Resolution 692 provides for an open rule with 1 hour of general debate on H.R. 8650, providing that the bill be read for amendment by titles instead of by sections.

The Energy Conservation in Building Act of 1975 provides assistance to low-income persons in insulating their homes, facilitates State and local adoption of energy conservation standards for new buildings, and directs the Secretary of Housing and Urban Development to develop energy conservation performance standards.

Title I of the bill authorizes the Federal Energy Administration to make grants of up to $55 million a year for 3 years to States to finance the purchase of weatherization materials for insulating the homes of low-income persons. Outlays will occur over a 3-year period: $45 million for fiscal year 1976, $65 million for fiscal year 1977, and $55 million for fiscal year 1978.

Title II authorizes the Secretary of HUD to provide technical aid and grants totaling up to $10 million to States and local governments working to include energy conservation standards in their building codes. Outlays for title II will occur over a 3-year period: $2 million for fiscal year 1976, $5 million for fiscal year 1977, and $3 million for fiscal year 1978.

The savings in energy resulting from the weatherization program was estimated by FEA as 35,000 barrels of petroleum a day—a $200 million a year savings in fuel bills to low-income households. The title II program according to FEA could save 333,000 barrels of petroleum a day resulting in a savings in fuel bills of $1.9 billion a year. Energy conservation is a goal we as a nation are striving to attain.

Mr. Speaker, I urge the adoption of H.R. 692 in order that H.R. 8650 may be considered.

Mr. Speaker, I yield to the gentleman from California (Mr. DEL CLAWSON).

Mr. DEL CLAWSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this open rule provides for 1 hour of general debate on H.R. 8650, the Energy Conservation in Building Act of 1975. The bill will be open for germane amendments. Under the rule the bill will be read for amendment by titles instead of by sections. There are no waivers of points of order.

Title I provides for the purchase of insulating materials to be utilized for the "weatherization" of low-income homes. Committee experts estimate the retrofitting costs per dwelling to be $100 to $125. A figure far too low in my opinion. The States will devise and implement the program.

Title II, Building Energy Conservation Standards, encourages States and local governments to incorporate energy conservation standards in their building codes. The Secretary of HUD is to provide technical assistance and $10 million in grants. Also the Secretary of HUD is to develop model "performance" energy conservation standards.

The total cost of H.R. 8650 is $175 million. It is difficult to conceive how this sum will "weatherize" the 18 million homes that need to be insulated.

Mr. Speaker, I propose we adopt this rule and debate the merits and demerits of this bill during the allotted time.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. MURPHY of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 6673, PROVIDING FOR THE ESTABLISHMENT OF AN AMERICAN FOLKLIFE CENTER IN THE LIBRARY OF CONGRESS

Mr. YOUNG of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 603 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 603

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6673) to provide for the establishment of an American Folklife Center in the Library of Congress, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Georgia (Mr. YOUNG) is recognized for 1 hour.

Mr. YOUNG of Georgia. Mr. Speaker, I yield the usual 30 minutes for the minority to the distinguished gentleman from California (Mr. DEL CLAWSON), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 603 provides for an open rule with 1 hour of debate on H.R. 6673, a bill which will establish an American Folklife Center in the Library of Congress to develop, promote, and implement a program of support for American folklife. This Center will have the responsibility of collecting and acquiring handicrafts, paintings, sculptures, musical instruments, and other forms of creative expression to be placed in a national archive. Additionally, the Center would be authorized to enter into contracts, make grants and loans, and award scholarships to individuals and groups for activities which would further development in this field. H.R. 6673 would authorize $200,000 in fiscal year 1976, $700,000 for fiscal year 1977, and $1.7 million during fiscal year 1978.

Mr. Speaker, I would just like to add that I am proud to have been one of the 230 Members who cosponsored this legislation and I think that the time is well overdue for the Congress to recognize the cultural diversity that continues to thrive in this country and has contributed inherently to the development of this country and its belief in democracy.

Mr. Speaker, I urge the adoption of House Resolution 603 in order that we may discuss, debate, and pass H.R. 6673.

Mr. DEL CLAWSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as has been noted, this rule provides 1 hour of general debate for the consideration of H.R. 6673 which establishes an American Folklife Center in the Library of Congress. There are no waivers of points of order in the rule. Under the rule, the bill will be open to all germane amendments.

The center would be authorized to make grants and loans, and award scholarships for activities including research, training, exhibits, performances, and workshops and the support of additional projects. Additionally, the center would establish and maintain a national archive center for American folklife.

The bill authorizes $167,750 for the fiscal year ending September 30, 1976, $710,000 for the fiscal year ending September 30, 1977, and $1,716,000 for the fiscal year ending September 30, 1978.

Mr. Speaker, I have no objection to the rule and urge its adoption.

Mr. YOUNG of Georgia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. WYDLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 361, nays 6, answered "present" 2, not voting 64, as follows:

[Roll No. 498]

YEAS—361

Abdnor
Abzug
Adams
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Ashbrook
Ashley
Aspin
Badillo
Bafalis
Baldus
Barrett
Baucus
Beard, R.I.
Beard, Tenn.
Bell
Bennett
Bergland
Bevill
Bingham
Blanchard
Blouin
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, John
Burton, Phillip
Butler
Byron
Carney
Carr
Carter
Casey
Cederberg
Chisholm
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cochran
Cohen
Collins, Ill.
Collins, Tex.
Conable
Conlan
Conte
Conyers
Cornell
Cotter
Coughlin
Crane
D'Amours
Daniel, Dan
Daniel, R. W.
Daniels, N.J.
Danielson
Davis
de la Garza
Delaney
Dent
Derrick
Devine
Dickinson
Dingell
Dodd
Downey, N.Y.
Downing, Va.
Drinan
Duncan, Oreg.
Duncan, Tenn.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
English
Erlenborn
Evans, Colo.
Evans, Ind.
Evins, Tenn.
Fascell
Fenwick
Fisher
Flood
Florio
Flowers
Ford, Mich.
Ford, Tenn.
Forsythe
Fountain
Frenzel
Frey
Fuqua
Gaydos
Gibbons
Gilman
Ginn
Goodling
Gradison
Grassley
Green
Gude
Guyer
Hagedorn
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hannaford
Hansen
Harris
Harsha
Hastings
Hawkins
Hayes, Ind.
Hays, Ohio
Hébert
Hechler, W. Va.
Hefner
Heinz
Helstoski
Hightower
Hinshaw
Holland
Holt
Holtzman
Horton
Howard
Howe
Hughes
Hutchinson
Hyde
Ichord
Jacobs
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Karth
Kasten
Kastenmeier
Kazen
Kelly
Kemp
Ketchum
Keys
Kindness
Koch
Krebs
Krueger
LaFalce
Lagomarsino
Latta
Leggett
Lehman
Lent
Levitas
Litton
Lloyd, Calif.
Lloyd, Tenn.
Long, La.
Lott
Lujan
McCloskey
McCollister
McCormack
McDade
McEwen
McHugh
McKay
McKinney
Madden
Madigan
Maguire
Mahon
Mann
Martin
Mathis
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Michel
Mikva
Milford
Miller, Calif.
Miller, Ohio
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moffett
Mollohan
Montgomery
Moore
Moorhead, Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Neal
Nedzi
Nichols
Nolan
Nowak
Oberstar
O'Brien
O'Hara
O'Neill
Ottinger
Passman
Patman, Tex.
Patterson, Calif.
Pattison, N.Y.
Perkins
Pettis
Peyser
Pickle
Pike
Pressler
Preyer
Price
Quie
Quillen
Railsback
Randall
Rangel
Rees
Regula
Reuss
Richmond
Riegle
Rinaldo
Roberts
Robinson
Rodino
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Roybal
Runnels
Ruppe
Russo
Ryan
St Germain
Santini
Sarasin
Sarbanes
Satterfield
Scheuer
Schneebeli
Schroeder
Schulze
Sebelius
Seiberling
Sharp
Shipley
Shriver
Shuster
Sikes
Simon
Sisk
Skubitz
Slack
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steed
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Studds
Sullivan
Symington
Talcott
Taylor, Mo.
Taylor, N.C.
Thompson
Thone
Thornton
Traxler
Treen
Tsongas
Udall
Ullman
Vander Jagt
Vander Veen
Vanik
Vigorito
Waggonner
Walsh
Wampler
Waxman
Whalen
White
Whitehurst
Whitten
Wilson, C. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Wydler
Wylie
Yates
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—6

Archer
Bauman
Long, Md.
McDonald
Rousselot
Symms

ANSWERED "PRESENT"—2

Findley
Hicks

NOT VOTING—64

Addabbo
Andrews, N.C.
Armstrong
AuCoin
Bedell
Biaggi
Biester
Boggs
Broomfield
Brown, Calif.
Burgener
Burke, Calif.
Burke, Fla.
Chappell
Clay
Corman
Dellums
Derwinski
Diggs
Esch
Eshleman
Fary
Fish
Fithian
Flynt
Foley
Fraser
Giaimo
Goldwater
Gonzalez
Harkin
Harrington
Heckler, Mass.
Henderson
Hillis
Hubbard
Hungate
Jarman
Johnson, Pa.
Jordan
Landrum
McClory
McFall
Macdonald
Mills
Moakley
Mottl
Nix
Obey
Patten, N.J.
Pepper
Poage
Pritchard
Rhodes
Risenhoover
Smith, Iowa
Stuckey
Teague
Van Deerlin
Weaver
Wiggins
Wilson, Bob
Yatron
Young, Alaska

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Addabbo with Mr. Biester.

Mrs. Boggs with Mr. Broomfield.

Mr. Nix with Mr. Andrews of North Carolina.

Mr. Biaggi with Mr. Derwinski.

Ms. Jordan with Mr. Fish.

Mr. Patten with Mr. Goldwater.

Mr. Giaimo with Mr. Armstrong.

Mr. Hungate with Mrs. Heckler of Massachusetts.

Mr. Mottl with Mr. Jarman.

Mr. Henderson with Mr. Fraser.

Mr. Obey with Mr. Bedell.

Mr. Pepper with Mr. Esch.

Mr. Risenhoover with Mr. Burgener.

Mr. Teague with Mr. Harkin.

Mr. Yatron with Mr. McClory.

Mr. Smith of Iowa with Mr. Burke of Florida.

Mr. AuCoin with Mr. Macdonald of Massachusetts.

Mr. Chappell with Mr. Eshleman.

Mr. Diggs with Mr. Fary.

Mr. Flynt with Mr. Johnson of Pennsylvania.

Mr. Foley with Mr. Hillis.

Mr. Dellums with Mr. Mills.

Mr. Corman with Mr. Moakley.

Mr. Gonzalez with Mr. McFall.

Mr. Stuckey with Mr. Hubbard.

Mr. Van Deerlin with Mr. Pritchard.

Mr. Clay with Mr. Harrington.

Mr. Brown of California with Mr. Weaver.

Mrs. Burke of California with Mr. Young of Alaska.

Mr. Fithian with Mr. Bob Wilson.

Mr. Landrum with Mr. Wiggins.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ENERGY CONSERVATION IN BUILDINGS ACT OF 1975

Mr. REUSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8650) to assist low-income persons in insulating their homes, to facilitate State and local adoption of energy conservation standards for new buildings, and to direct the Secretary of Housing and Urban Development to undertake research and to develop energy conservation performance standards.

The SPEAKER. The question is on the motion offered by the gentleman from Wisconsin.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8650, with Mr. MURTHA in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Wisconsin (Mr. REUSS) will be recognized for 30 minutes and the gentleman from Michigan (Mr. BROWN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, about 33 percent of energy consumption in this country is accounted for by residential and commercial buildings, primarily in space heating, cooling, and providing hot water. A significant portion of this energy usage is due to poorly designed and insulated buildings. It is estimated that 18 million of the 47 million existing homes are significantly underinsulated and each day new structures are added to the supply of buildings with inadequate regard for energy conservation.

H.R. 8650 addresses itself to this problem of unnecessary energy wastage in two ways.

First, in order to redress past mistakes with respect to existing buildings, H.R. 8650 supplements the program of tax credits for the insulation of homes contained in the energy tax bill which previously passed the House by authorizing a program of grants to assist poverty level families in weatherizing their homes.

There are approximately 8 million households with incomes below the poverty line. Many of these households pay little or no Federal income tax so that a tax credit will be of no use to them. H.R. 8650, therefore, provides for a grant program, operated through the States, to insure that a significant number of dwelling units occupied by low-income households are retrofitted. The Federal Energy Administration estimates that at the completion of 3 years the program would save the equivalent of 35,000 barrels of petroleum a day and result in a saving in fuel bills to low-income households of $200 million a year at today's prices.

The second approach taken in H.R. 8650 relates to new buildings. The goal here is to encourage the introduction of construction standards that will reduce significantly the levels of energy consumption occuring in these buildings.

H.R. 8650 provides inducements to State and local governments to adopt model building energy conservation standards quickly. The States, acting through the National Conference of States on Building Codes and Standards, have pioneered the development of a model energy conservation standard—commonly referred to as Ashrae-90—which has a broad consensus of support from Government and industry and is currently ready for adoption.

Many State officials have indicated an intention to move for the adoption of this model standard. The committee bill will give these and other State officials an added inducement to move quickly by authorizing grants and technical assistance to assist the States—and local governments—in the training and other implementation costs involved in the adoption of such a standard.

In addition, the bill also directs the Secretary of HUD to develop model "performance" energy conservation standards over a longer term, which would then be available to State and local governments for their voluntary adoption.

The estimate for the second part of the bill is an energy savings, by 1985, equivalent to 330,000 barrels of petroleum a day and a savings in fuel bills of $1.9 billion a year, savings, Mr. Chairman, well worth the modest Federal costs involved in H.R. 8650.

Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania, the chairman of the subcommittee (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, this legislation, H.R. 8650, is a relatively noncontroversial bill which can contribute significantly to the conservation of energy. Many homes were built in the past with inadequate or with no insulation whatsoever, and many homes are being built today with insufficient attention to energy consumption.

With respect to existing homes, title I of the bill would help low-income families to insulate their homes. These are families who are too poor to be helped by the tax credits embodied in the energy tax bill which recently passed the House. Title I would establish a program of grants to the States for the purchase and distribution of insulation materials to these low-income households. The program would be administered by the Federal Energy Administration at a cost level of $55 million a year for 3 years.

With respect to buildings to be constructed in the future, title II of H.R. 8650 would do two things to improve energy conservation in them. First, it would encourage State and local governments to adopt uniform model energy conservation building codes through grants and technical assistance to facilitate the adoption and implementation of these codes. Such a model code has recently been developed by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, and its quick adoption by the States would be highly beneficial. Second, the bill would further direct the Federal Government to develop more advanced energy conservation standards for use in the future which could result in additional energy savings.

Title I of H.R. 8650 authorizes the administration to make grants to States to finance the purchase of insulation materials to be distributed by the States to low-income households. Where they exist, States would be encouraged to use community action agencies to help them implement these weatherization programs on the local level because of the experience many of these agencies have had in helping low-income people to insulate their homes in the past. As I said, the program would be funded at a level of $55 million a year for 3 years. Under the provisions of this bill, the FEA estimates that at an average cost of $100 per unit in materials, about 1.5 million units can be weatherized over the 3-year period, with a savings in petroleum of about 33,000 barrels a day and a savings in fuel bills to low-income households of $50 million a year.

Title II of H.R. 8650 encourages States and local governments to adopt model energy conservation standards for new buildings. The States, acting through the National Conference of States on Building Codes and Standards, have stimulated the development of a model energy conservation standard which has a consensus of support from government and industry and is currently ready for adoption.

Many State officials have indicated their intention to move for the adoption of this standard. H.R. 8650 will give these and other State officials an added inducement to move quickly by authorizing $10 million in grants and technical assistance to assist the States in training and other implementation costs. Also, the Secretary of HUD would be directed to monitor the progress of the States in adopting effective energy conservation standards and would report periodically to the Congress her recommendations for any further actions she deems necessary to achieve the energy conservation objectives of the bill.

Title II also directs the Secretary of HUD to undertake research and to develop energy conservation standards which are beyond the current state-of-the art. These so-called performance standards will take 2 to 4 years to develop, but have the potential for even greater energy savings while maintaining flexibility in housing design. After these performance standards are developed, I believe that the Congress will want to look at them and determine whether they are reasonable before taking further action to encourage their adoption.

The FEA estimates that effective energy conservation building standards could by 1985 save 335,000 barrels of petroleum per day which translates into a savings in fuel bills of approximately $1.9 billion a year.

Mr. Chairman, the energy and dollar savings which could result from H.R. 8650 makes well worthwhile the modest Federal costs involved, and I strongly urge its enactment.

Mr. BROWN of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will not take much time in debate on this bill. Chairmen REUSS and BARRETT have outlined the bill in sufficient detail; but, I would like to touch on several points.

First, title I of the bill does not duplicate CSA efforts in the field of weatherization. In fact, there are express provisos to prevent such overlapping. Also, since CSA and CAPS are not active throughout each and every State, it makes sense to fund the top executive officer in a State and allow him to determine the appropriate administrative technique and disbursing procedures.

Another point related to title I deals with the expenditure level on individual dwelling units. The committee report would be in the neighborhood of $100 to $125 per dwelling unit. While this figure may be low for an extensive retrofitting, I would like to point out that this is an average, and would be balanced off by a number of lower cost projects. And, since this represents material costs only, it is an understatement of the value received in terms of project benefit. Also, this figure is fairly representative of material expenditures for energy conservation retrofitting according to FEA officials.

With respect to title II, I would just like to allay some fears I have heard voiced that this is a national building code. It is not. HUD is merely directed to develop a performance standard for energy consumption in new buildings which States and local governments could adopt, alter, or utilize as they see fit. HUD, in conjunction with other Federal agencies, is designated to undertake this project because the testimony before our committee was unanimous that no individual company, association, or outside group—including State governments—could sucessfully undertake such a massive effort on its own.

Where possible, however, we have left code development in non-Federal hands.

Private groups have come up with component performance standards which have received consensus approval. The committee expects States to begin adopting something like the Ashrae 90–75 standard during the period while HUD is attempting to develop a total performance standard. HUD, in the meantime, is directed to monitor the progress of States and units of local government in adopting energy conservation codes. HUD would then report to Congress on the progress of this voluntary system of code adoption and any problems States or units of local government may be experiencing.

Mr. Chairman, this is a good bill which will achieve a substantial degree of energy conservation. I urge my colleagues to vote in favor of H.R. 8650.

Mr. LEVITAS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Georgia.

Mr. LEVITAS. Mr. Chairman, with respect to the last point about the adoption of these proposed performance standards and the mandating of the Department of Housing and Urban Development to discuss the matter and the problems with other appropriate Federal agencies, was consideration given, or does the gentleman think consideration should be given also to mandating HUD to consult with the various States or regional bodies in developing these performance standards to take into account the divergence of the needs in various States, say from Florida to Michigan, so that it will not just be Federal input going into the formulation of these standards, but the various State and regional concerns can be taken into account prior to the promulgating of a standard in the Federal Register? Would the gentleman think this would be appropriate?

Mr. BROWN of Michigan. It is appropriate, and in our hearings before the committee all the witnesses, from labor to the housing industry, local government officials and all, felt that the format of the program as set forth in title II was the best.

On the Senate side, they have imposed in their legislation and provide for imposition of sanctions for governments that do not conform. We do not do that. We take a voluntary system and say, "You have got to look at all aspects of the problem."

We hope it will come out as a voluntary effort and be voluntarily adopted. We also provide that if a State does not do anything in this area, the funds concerned in development of such standards can go directly to substate units of government where a municipality may feel that it should do something but the State does not, so we permit that to happen.

We have attempted to avoid absolute uniformity and a mandatory approach to this whole idea of performance standards in energy conservation.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, I should like to associate myself with everything the gentleman from Michigan has said, and particularly with the response the gentleman from Michigan just made to the question propounded by the gentleman from Georgia.

I would call the attention of the gentleman from Georgia to certain language in the bill. If the gentleman will refer to section 204 on page 14 of the bill, section 204(3)(b), he will find the following language:

> (b) All standards promulgated pursuant to this section shall take account of, and make such allowance as the Secretary determines appropriate, for climatic variations among the different regions of the country. In addition, the Secretary shall consider the probable effect of any standard promulgated pursuant to this section, on the cost of new residential or commercial buildings and the benefit to be derived therefrom.

Mr. Chairman, I also call the gentleman's attention to section 207, on page 16:

> SEC. 207. In developing and in promulgating performance standards and carrying out his other functions under this title, the Secretary shall consult with appropriate representatives of the building community, including labor, the construction industry, engineers and architects, and with appropriate public officials of both State and local governments. . . .

Mr. BROWN of Michigan. Mr. Chairman, I thank the gentleman for his contribution.

Mr. Chairman, I wish to point out that some have said that title II is weak because it does not have any real clout. I think title II does have clout from the standpoint that we provide that the Secretary must come forth with a report as to how well the system is working on a voluntary basis in developing and helping units of Government to develop energy conservation performance standards. If we are not getting the kind of success we think we should, at that point in time the Congress can impose sanctions, so that we will get an effective program.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I will yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. I thank the gentleman for yielding for just a brief question.

I recall that during the committee hearings there was some discussion about the quality of the weatherization material to be used in the program, the quality of the material to be used in insulating a house. Am I correct in my understanding that the assessment of the quality of the material will be pretty much left to local political subdivisions? Is that correct?

Mr. BROWN of Michigan. Yes, but we will have overview at the Federal level in approving all of this.

Mr. MITCHELL of Maryland. If the gentleman will yield further, it is primarily with the local political subdivision?

Mr. BROWN of Michigan. Or the State, yes.

Mr. DUNCAN of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I will yield to the gentleman.

Mr. DUNCAN of Tennessee. I thank the gentleman for yielding.

The gentleman mentioned the political subdivision overview. Could they determine aluminum siding or metal siding could be classed within this definition of weatherization?

Mr. BROWN of Michigan. Technically, within the total parameters of the legislation, the answer is yes. As a practical matter, the answer is no, because we do not have the kind of money to put aluminum siding on.

Mr. DUNCAN of Tennessee. Most poor people use for weatherization such things as aluminum siding, and so forth. It could be.

Mr. BROWN of Michigan. I am saying it clearly would fall within the general language of energy conservation materials. I just do not believe, though, that in trying to spread the money around to make it go as far as it will, with some 8 million poor families needing insulation—we are only appropriating $55 million—that we are going to be able to spread that very far if one proceeds to totally retrofit a house with aluminum siding.

Mr. DUNCAN of Tennessee. I thank the gentleman.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I will yield to the gentleman.

Mr. McCORMACK. I thank the gentleman for yielding.

Mr. Chairman, the gentleman will recall that in the Solar Energy Heating and Cooling Demonstration Act, which was enacted last year by this Congress, a program for performance criteria was established under the Administrator of the Energy Research and Development Administration working through the National Bureau of Standards. This was in conjunction with the Solar Energy Heating and Cooling Demonstration Act. But it called upon the National Bureau of Standards to set criteria for insulation and performance criteria for thermal insulation, and so on.

I would like to ask the gentleman if the bill provides for adequate reconciliation of this activity that is already underway with the program that is called forth in this bill? And, if not, if he believes it is necessary to amend the bill in any way to prevent that unnecessary overlap in this area?

Mr. BROWN of Michigan. I do not think it is necessary to do that. If the gentleman will recall the bill, and the report, provide that the Secretary of HUD must consult with all of those agencies which have input into this area.

Of course, the performance standards we are talking about go beyond what the gentleman was talking about. This bill relates to actual construction practices. So I do not think there is an overlap.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield further, to the extent that both bills speak to the same area of activity, that is, the establishment of performance and criteria, particularly for insulation of houses and thermal quality of houses, would the gentleman then assume that the instructions in this bill under section 204 would be directing the Secretary and the Administrator and the Secretary of Commerce and the other officials of Government to cooperate in the same way and to the same degree, and that they will be instructed to cooperate in the Solar Energy Heating and Cooling Demonstration Act without creating any conflicts?

Mr. BROWN of Michigan. I certainly would.

Mr. McCORMACK. Mr. Chairman, I thank the gentlemen for his answer.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. Yes, I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. Mr. Chairman, in regard to the terminology as it relates to "dwelling," is there any relationship between a dwelling of a low-income person and ownership of a dwelling by a low-income person in this bill, or are they both the same?

Mr. BROWN of Michigan. Mr. Chairman, does the gentleman have reference to the weatherization program under title I?

Mr. MYERS of Pennsylvania. As it relates to the dwellings, yes.

Mr. BROWN of Michigan. Mr. Chairman, we cover both owner occupied and rental dwellings. That is why the bill requires that any program adopted under this legislation shall insure that there is not an unusual or excessive enhancement of the value of property. This provision is specifically directed to property owned by other than the low-income tenant who would be eligible under the program.

Mr. MYERS of Pennsylvania. Mr. Chairman, it seems to me that out of the 8 million of the total in the great universe of dwellings that are occupied by low-income or elderly people, there would be sufficient numbers of those owned by that class of people and they should receive the first priority. It would appear that we stand a great chance that a large portion of this money would be put into the pockets of rather well-to-do landlords who do not need this Government subsidy to grapple with the increase in the prices of fuel and energy.

Mr. BROWN of Michigan. Mr. Chairman, in response to the gentleman's statement, I will say that the bill specifically provides that preference will be given to the low-income, the elderly, and the handicapped. I think the gentleman is qute right. Any plan that is proposed under title I, would be approved at the Federal level.

I cannot see anyone administering a plan or proposing a plan that would take care of all rental properties and not home ownership properties.

However, the problem of energy conservation exists, both with respect to owner-occupied dwellings as well as rental properties. Oftentimes the renter is in the deepest trouble because he is obligated to pay the utility bills. If there is no obligation to pay utility bills and such cost is not reflected in the rental, title I assistance should not be provided. I believe that any State that included such properties in its plan would find its plan rejected.

Mr. LaFALCE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. Yes, I yield to the gentleman from New York.

Mr. LaFALCE. Mr. Chairman, I think that this is the worst flaw in the bill, and I wonder if we could discuss it at some greater length.

It seems to me we are giving a relatively small amount of money when we consider the large task that must be accomplished. The amount is only $55 million.

It is not true that there are perhaps 10 times as many low-income homeowners who would be eligible under this program, and that there still would not be enough money to deal with them? Is that true?

Mr. BROWN of Michigan. Mr. Chairman, I will accept the gentleman's speculation as fact for the purpose of our discussion.

Mr. LaFALCE. Mr. Chairman, is it not true that the bill by its term says that primary consideration should be given to the low-income and the elderly and handicapped tenants?

Mr. BROWN of Michigan. No, I do not think so.

Mr. LaFALCE. It does say that provisions shall be promulgated for low-income tenants.

I am wondering how we can possibly devise a program whereby we would be able to give financial assistance to tenants for the improvement of real property that they do not own and insure that the improvement of property will not be to properties of rich homeowners and will not unduly enhance the properties of rich homeowners.

Mr. BROWN of Michigan. The gentleman knows that I share the concern he has expressed and that we have discussed it in committee.

I think we have made this concern abundantly clear to the administration with respect to any program promulgated under this legislation.

Mr. LaFALCE. Is it true that the administration insisted upon this provision?

Mr. BROWN of Michigan. No, I do not think the administration insisted upon this provision, but there were many on the committee, as the gentleman knows, who were for it.

Mr. LaFALCE. Is it true that the administration did not want us to limit it exclusively to low-income homeowners?

Mr. BROWN of Michigan. To answer the gentleman, I do not recall that the administration spoke unequivocally to that question. I know that members of the committee, however, felt that it would be quite inequitable to provide for a program of this nature for the low-income homeowner, but not for the low-income tenant who is suffering as much or more as the low-income homeowner.

Mr. LaFALCE. Even though we are enhancing real property and even though there is a very, very limited amount of money?

Mr. BROWN of Michigan. The gentleman knows that if one is doing something by way of insulation totaling $125 to $150, he is not enhancing the property to any great extent.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. Yes, I yield to the gentleman from New York.

Mr. SCHEUER. Is there anything in this bill that encourages stationary energy users to shift from gas and oil consumption for heating and air-conditioning purposes to coal as their source of energy for heating and cooling?

Mr. BROWN of Michigan. As the gentleman knows, title I is just a program for insulation, for weatherization. Title II deals with the building standards, energy conservation, construction standards. It does not really direct itself to the question of types of energy being utilized.

Mr. SCHEUER. I applaud the purpose of the bill to support weatherization and insulation as important steps to an energy conservation program, but I regret that there is not a specific tool to encourage and support the conversion of stationary energy users from oil and gas, which are in desperately short supply, to coal, of which we have many, many hundreds of years' supply, in order to lessen our dependence on foreign oil sources.

Mr. Chairman, I thank my colleague, the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Chairman, I thank the gentleman for his remarks. I know that he has expertise in this area. I would suggest to him that he do everything he can with respect to bettering the performance standards around the country. Very conceivably, he can have some influence in the very area he is talking about.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. Yes, I yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. Mr. Chairman, I simply wanted to speak to the matter of the number of rental units in the bill. I think the gentleman in the well has explained it very well.

However, if he will recall, during these deliberations on the bill, I introduced some data which showed that the majority of those at the poverty level are not homeowners but are renters, therefore, it would be unkind to exclude them from the bill.

In addition, on the question of the enhancement of real property value, I think we are coming up with an average expenditure of about $150 for the weatherization program. That would not really mean a substantial enhancement of property values.

Mr. Chairman, I thank the gentleman for yielding to me again.

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. Yes, I yield to the gentleman from Idaho.

Mr. HANSEN. Mr. Chairman, I would just like to follow up the colloquy of a moment ago on the question of how many homes there are that are eligible for this type of program if funds are available. Would the gentleman restate the amount, please?

Mr. BROWN of Michigan. As I recall the figure, it is something like 8 million low-income families that would qualify under the program.

Mr. HANSEN. Under the amount of money that would be available, as we foresee it now, about how many of those or what percentage would actually be reached by this program? So it is considerably lower than what the potential is.

Mr. BROWN of Michigan. Quite definitely, but let me say in defense of it that if we came to the Members with a program that would take care of all of them in one fell swoop, then I think we would have some problems gaining adequate funding. Many would be saying, "Let us get the program moving and see if it can work."

Besides that, remember the present community services is doing some weatherization under another program. I cannot tell the gentleman how many families would be assisted under all of the Federal programs. I can only discuss the families that could be assisted under this program.

Mr. HANSEN. The only reason I ask the gentleman is that is exactly what I would be concerned about; that is, if we tried to put them all under at once. But I am more concerned about opening the door so that at some time they are all going to come in. I think we are just getting the nose of the camel under the tent. It worries me because I do not see any real way to turn it off. It is said there is nothing so permanent as a temporary Government program.

Mr. BROWN of Michigan. I quite concur with the gentleman, but I would like to have the gentleman explain to me what equity there is in providing tax credits for insulation materials and insulation efforts by those who pay taxes, but not provide any kind of program for those who do not pay taxes, the low-income people. As you know, the House has recently approved a bill to provide tax credits for insulation costs.

Mr. HANSEN. I do not even attempt to try to explain that because I do not believe in that either.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. I thank the gentleman for yielding.

Is is correct that the waiver for installing these facilities is going to be Government service jobs supervised by local people, local craftsmen, so to speak?

Mr. BROWN of Michigan. Under title I, the weatherization program to which I think the gentleman has reference, it provides that the grants are only for materials. The labor shall be performed voluntarily by the individual himself or others. It can include programs, such as is presently true under CSA where we have supervisors and those who assist in performing the installation. I cannot give the gentleman a direct answer because basically that would depend upon what the State plan provides as to how the State intends to utilize the grant money, who will administer, and who will perform the work. The program will have to be approved by the Administrator.

Mr. MYERS of Pennsylvania. If the gentleman will yield further, what was the $125 to $150 supposed to provide?

Mr. BROWN of Michigan. That is the estimated average cost for materials for the insulation program, for the weatherization program.

Mr. MYERS of Pennsylvania. If the gentleman will yield further, what does the gentleman think we would get on an average house?

Mr. BROWN of Michigan. Weatherstripping of doors and windows and insulation.

Mr. MYERS of Pennsylvania. If the gentleman will yield further, storm windows?

Mr. BROWN of Michigan. Conceivably storm windows.

Mr. MYERS of Pennsylvania. If the gentleman will yield further, for $150 one can do all that for a house?

Mr. BROWN of Michigan. As I indicated in my original remarks, some may run higher; some may not be that much. We have estimated that the cost per home in this regard will be somewhere between $100 and $125 for materials alone.

Mr. MYERS of Pennsylvania. I thank the gentleman.

Mr. BROWN of Michigan. Is the gentleman from Washington (Mr. McCORMACK), still on the floor? I did not totally respond to the gentleman's question before. I now would like to.

As the gentleman will see on page 6 of the report, we specifically refer to the demonstration programs provided under Public Law 93-409, the so-called Solar Heating and Cooling Demonstration Act of 1974.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield further?

Mr. BROWN of Michigan. Surely.

Mr. McCORMACK. I thank the gentleman for yielding.

I also thank the gentleman for raising this point. I would like to point out, however, that there are additional areas of duplication which I think must be a cause of some concern and attention. H.R. 3474, the ERDA authorization bill for this year, established a program for conservation for in-use for buildings, for appliances, and for lighting. This was already passed by the House of Representatives, and a similar program was passed in the Senate bill S. 598. This is an area which appears to be a matter of clear duplication, and I believe that it is incumbent upon the gentleman and the members of this committee to be extremely careful that this bill is worded in such a way—I presume it will go to conference—that these areas of duplication will, indeed, be avoided.

I think this is a very important thing to do. Otherwise we will be, in our good intentions, creating a great deal of extra work which can result in a great deal of confusion and delay in the program.

Mr. BROWN of Michigan. I appreciate the gentleman's comments. I assure the gentleman that in conference we will be making sure the fears he has expressed are taken into consideration.

Mr. McCORMACK. I thank the gentleman.

In section 208 under "Research" I think the same admonition applies where it says:

> SEC. 208. The Secretary, in cooperation with the Administrator, the Administrator of the Energy Research and Development Administration, the Director of the National Bureau of Standards, and the National Institute of Building Sciences shall carry out such research and demonstration activities as he determines may be necessary to assist in the development of performance standards under this title and to facilitate the implementation of such standards by State and local governments.

I think it is important to understand these are now being carried out by the National Energy Research and Development Administration. What we need to do is provide that the research which is being carried out by the Energy Research and Development Administration will be done in cooperation with the National Bureau of Standards so that the information which is needed for implementation of this will be made available without duplication.

Mr. BROWN of Michigan. I thank the gentleman. I will once again say that when we are talking about the whole construction picture for residential and commercial buildings it goes beyond and goes into methodology of construction and all that rather than the limited areas covered in the specific legislation to which the gentleman refers.

Mr. McCORMACK. I thank the gentleman. If we eliminate the duplication, then I say OK. Again, I thank the gentleman.

Mr. REUSS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, the gentleman from Wisconsin (Mr. REUSS) is well aware that good insulation can make a lot of difference in energy use in those cold Wisconsin winters. I hope the gentleman would also agree that good insulation can also make a lot of difference in energy use in the hot, hot summers in the South. I ask that question mindful that few people realize how hot it does get down there. An article in a recent Texas monthly pointed out that the "heat equivalency"—which is sort of a reverse "chill factor"—in some areas of Texas is hotter than Death Valley or most of the world's major deserts. Certainly it is sometimes the hottest inhabited place on the North American continent. Down there, during certain months of the year, air-conditioning is not a luxury for the rich, it is a necessity of life for all. If these criteria were expanded to include hot areas, the Federal Government would be saving energy by making the best use of the air-conditioning that is so much a part of everyday life in these hot areas. Most air conditioning units are electric, and the midday peak loads which southern utiities face is the most significant factor in their capital cost needs. Reducing this peak load through good insulation not only saves energy at the user level, it helps alleviate a major problem all back up the line. I hope that now or in the near future the committee and agencies involved will recognize this legitimate chance to save energy and define degree days not only as those which fall below 65 degrees but also as those which fall above 85 degrees.

I would like to make a second point as well. This bill calls for the establishment of energy conservation standards in all States. That would include these hotter areas of the country. Standards in hotter areas inevitably must be oriented toward conservation of cool air. Yet, as this legislation is presently written assistance in helping low-income housing meet these standards would be definitely slanted toward areas where heat conservation is of primary importance. I would hope that the committee and agencies involved would act soon to correct this injustice or inequity.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, yes, we on the committee agree entirely with the statement made by the gentleman from Texas. Indeed the legislation itself is absolutely neutral as between keeping cold in and keeping heat in. The word used is "weatherization" and we are concerned not only with a heating loss but with a cooling loss. Insulation is equally good for both purposes. So the gentleman is directly on the right track.

I would say only one thing further.

I would like to say just one thing, that this is a very frugal bill. It allocates over a 3-year period $55 million a year; that is a total of $165 million for all of the homes lived in by poverty-level people in this country, many, many millions of homes.

By way of comparison, this body passed within recent months the Tax Reform Act of 1975, which is now pending over in the other body and in that bill a tax credit was allowed just for insulation, just for heat loss; in other words, not including the air-conditioning loss that the gentleman is alluding to. That bill, the tax bill, would result in a revenue loss; that is, an expenditure by the U.S. Government of $710 million, compared to the $165 million that we are talking about here. So that I would have to say, and I know the gentleman would agree, that this bill will not take care by any means of the total need for relief from loss of heat and loss of cooling; but it is neutral as between the two.

Mr. PICKLE. Mr. Chairman, I realize it could not take care of all those needs, but I wanted to make clear, and the chairman has given me that assurance, that there was no intent to legislate against the Southern States and let it apply only to the cooler regions, because the language in the report refers to the degree days below 65°. It should work both ways. That is the main point. Otherwise, when the criteria are established, the emphasis would be toward the northern or colder areas and I wanted to make it apply to all the States.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I am happy to yield.

Mr. REUSS. Mr. Chairman, the language in the bill does not use the expression 65° at all. That is used in the report only for illustrative purposes.

Mr. PICKLE. The gentleman is correct.

Mr. REUSS. It might well be above 85°, if we look at it from the cooling standpoint.

Mr. PICKLE. The gentleman is correct. It was not in the bill, but it was in the report. I wanted to make that plain.

Mr. REUSS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. Ryan).

Mr. RYAN. Mr. Chairman, I thank the gentleman for yielding.

I would like to bring out two points about this particular legislation which may be useful to the committee in its deliberations. The bill itself as far as it goes is satisfactory. I would refer to the additional comment on page 13 of the committee report where members of the committee have additional comments regarding other policy matters which might have been put into the bill. In that regard I would like to make some additional comments myself.

First of all, in the hearings which we had in the Government Operations Subcommittee on Conservation, we had the Director of the General Services Administration before us. I asked him if there were any plans for the construction of Government buildings in the next few years which will allow for experimenting with more energy-conscious or more energy-efficient buildings. His answer was "No."

Is there anything in the future in the commitee's work with this kind of legislation that would indicate, that the Congress itself can direct or order the executive to take the lead in its own construction programs?

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I am glad to yield.

Mr. REUSS. Mr. Chairman, the answer is "No." There is nothing in this bill which sets up a governmental demonstration program of how to conserve on heat loss and cooling loss and similar wastes of energy; but I would say that there is at least a beginning of it in the bill; that is, say section 208 does require the Secretary of HUD, in cooperation with FDA, ERDA, and the National Bureau of Standards and the National Institute of Building Sciences to carry out such research and demonstration activities necessary to develop the particular standards required by this act.

Mr. RYAN. Mr. Chairman, I noticed that language, and I was curious as to why the Government Services Administration is not required, or ordered, or urged to find out what is current in developing more useful and more energy conscious public buildings.

Mr. REUSS. I would say, let the GSA consider itself urged right now by the colloquy on the floor. I gather the gentleman from California renews his urging of a year or two ago.

Mr. RYAN. I do.

Mr. REUSS. I would join with him. Their lack of much creative imagination on this makes it doubly important that they attach themselves to the team setup of ERDA, NBS, and NIBS.

I would say to the gentleman from California that item 1 of the research and demonstration program would be a GSA building. Who better than they know that they need a little input from some of these other agencies.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, the gentleman from Maryland (Mr. Gude) and I, along with several other Members, have introduced legislation to require that solar heating and energy conservation assessment be considered in connection with construction of all future Federal buildings. We have been told by the chairman of the appropriate subcommittee of the Public Works Committee, the gentleman from Wyoming (Mr. Roncalio), that we will have hearings on that legislation in the month of October. We certainly would welcome the gentleman's support in that respect.

Mr. RYAN. I thank the gentleman for his information. There is one other area I think ought to be covered which is not covered in this legislation, but for the benefit of the members of the committee and some of the work I have been getting into myself, I would like to refer this area to them.

First of all, it occurs to me that there is a great lack of consideration of the use of buildings for more than one function.

In areas of high density and heavy use and heavy construction, such as in downtown city areas, we have buildings in heavy use for 40 hours a week out of 168 hours in the entire week. If we had, in contrast, in some of the downtown areas a program in which we give tax credit to, and give encouragement to builders to build their buildings with the intent of allowing residential living conditions in some of those buildings, we might begin to use the buildings for more than 40 hours a week.

It seems to me that one of the great losses of energy in both heating and cooling during the year is the daily heating of a building, such as this Capitol building and all our Federal office buildings. We then turn them off after each day's use. I think that is a very inefficient use of the buildings themselves. Constant use of a building around the clock saves heat, saves building construction needs, and saves on the necessity of providing for millions of commuters.

The last point I want to make is that I have noticed that this bill confines itself mostly to the matter of heating and cooling of residences, and to some extent heating and cooling of commercial buildings. There is very little in this bill addressing itself to the fact that the real cost of construction of building materials themselves is a significant source of energy loss in this country. It takes energy to make lumber. It takes energy to make lathe and plaster. It takes energy to make steel and to make all those items that are part of the makeup of a building in the end.

I think this Congress needs to address itself to that problem, in such legislation as this. We have not done enough in this field. I say that although I intend to support the bill, and urge others to do the same.

Mr. REUSS. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. Wylie).

Mr. WYLIE. Mr. Chairman, I rise in support of H.R. 8650, the Energy Conservation in Buildings Act of 1975.

Around 30 percent of domestic energy consumption is used to heat and cool commercial and residential buildings. Many of these structures are inadequately insulated, and proper insulation would result in significant energy savings. This would translate into fuel saved and a step toward energy independence.

The committee considered several related concepts before developing the bill before the House today. Although the approach of the bill may not be ideal in every aspect, I cosponsored the legislation because I think there is a pressing need to start the ball rolling in the direction of adoption of an energy efficiency program in line with the purposes explained in this legislation. The bill will primarily help the 8 million households below the poverty line who would not benefit from tax credits to induce improved insulation. After considerable committee debate, an approach was adopted that stresses energy saving insulation performance factors as opposed to getting the Federal Government bogged down in attempting to decree the use of certain building materials and construction techniques. There appears to be a reasonable degree of administrative oversight so that the Congress can ascertain how the program is progressing and cost wise, the committee bill would have the least inflationary impact of all the options considered.

I feel the legislation is deserving of support, and I urge its passage.

Mr. REUSS. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. WIRTH).

Mr. WIRTH. Mr. Chairman, I would like to congratulate the members of the committee for a very, very important piece of legislation. I think all of us in the Congress, and most people in this country, are very concerned about energy conservation. I was intrigued with the statement on top of page 6 of the report that the committee had received unanimous testimony that total energy performance standards for entire buildings were the most effective and least constraining approach to the construction of energy efficient buildings.

I would like to follow that up with a couple of questions, if I might, Mr. Chairman. In the legislation, reference is made to the fact that HUD has up to but no longer than 18 months to promulgate standards for commercial buildings and up to but no more than 36 months for rental buildings.

I was wondering why it was taking us this long to assure that these standards would be developed.

Mr. REUSS. If the gentleman will yield, there was considerable testimony on the length of time that should be required. The testimony was universal and unchallenged that those two periods, 18 months and 36 months, respectively, were the proper minimum times. Nobody offered testimony that they could be shortened. We do, however, have a statutory exhortation to the agency to move with great speed, and we would anticipate that they would be able to beat those deadlines. But the reason—and the answer to the question of the gentleman from Colorado—why they are not shorter was the universal testimony that, given the state of the art, it would not be easy to develop anything in a lesser period of time.

Mr. WIRTH. Mr. Chairman, on that issue I have a letter from the Energy Policy Committee of the Insulation Industry. I should point out that this is from the industry that would probably profit from this particular development of standards. But they point out—and this is Johns-Manville, which is headquartered in the Second District of Colorado, which district I represent—that "HUD-FHA presently has an appropriate energy-conserving standard, very similar to the Oregon Uniform Building Code, which can be adopted immediately." It has been used by many builders across the United States, even though financing is by private, conventional mortgage lenders. It is not a stranger to the building industry. Specifically, it is revision No. 1 to minimum property standards for one- and two-family dwellings, 4900.1, effective November 22, 1974. Its predecessor, interim revision 51a, dates back to June 1971. What the industry is suggesting is that we already have standards that can be used and have been used by the building industry.

I was wondering if maybe this group had testified before the committee, or if we could at least exhort HUD to take a look at this and adopt that.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I yield to the gentleman.

Mr. REUSS. I think this is another area for exhortation. There has been placed into the legislative record, through the deligence of the gentleman from Colorado, a statement by at least a segment of the industry, saying that there are at least interim standards which could be placed into effect very shortly. I would hope that the Secretary of HUD would take a look at the interim standards, which indeed are standards bearing HUD's own name, and see whether they could not be promulgated on an ad interim basis, and then as the solar studies proceed, if it needs to be improved upon, that can be done.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. REUSS. Mr. Chariman, I yield 1 additional minute to the gentleman from Colorado.

Mr. WIRTH. I thank the gentleman.

Mr. Chairman, I might also add, as I am sure the committee knows, that the American Institute of Architects has put in a great deal of work and has made this their No. 1 project. Mr. John McGinty, of Houston, Tex., is the incoming president of the AIA. He has spent a great deal of time in Washington working on the development of standards. I was hoping that these might also be brought to the attention of the Secretary so that we might exhort the Secretary and the AIA and their experts to get together.

Mr. REUSS. If the gentleman will yield, that is another good point the gentleman makes. The AIA was extremely helpful, both to me personally and the entire committee, in the evolution of this bill.

We will see to it on the day this bill is signed that their thinking is channeled over to HUD.

Mr. WIRTH. Mr. Chairman, I thank the gentleman very much.

Mr. REUSS. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. GRASSLEY).

Mr. GRASSLEY. Mr. Chairman, before being elected to office, I had the great opportunity to teach government at a community college in Iowa. Sometime in the future, with the experience of serving as a U.S. Congressman behind me, I hope to teach there again, so that I might show this Nation's future leaders how not to write a bill.

When I taught my students about how to differentiate between good and bad legislation, I noted that bad legislation includes the following pitfalls: First, vague and undefined terms; second, the duplication of an already existing program; third, the creation of unclear lines of authority between agencies charged with administering and coordinating a program, and fourth, giving broad authority to a Federal agency—in this case, HUD—without maintaining any mechanism in the Congress to control arbitrary action by such an agency. The House Banking Committee must be congratulated for providing such a fine case example.

H.R. 8650 calls for the duplication of a program already established in another Federal agency: It seeks to prevent the "undue and excessive" enhancement of property values, without defining such terms or providing a mechanism for enforcement: It simply offers slum landlords a means to increase their profit margin without passing the savings from less energy use on to their tenants; and it gives HUD the virtual authority to establish a national building code without giving the Congress any mechanism to prevent the agency from taking unpopular or arbitrary action.

H.R. 8650 is a bad bill and must not be passed in its present form.

MATERIALS FOR RENTAL PROPERTY

Additionally, and specifically, as this bill relates to supplying insulation materials for rental property I want to say that most low income rental property is rented on the basis of the building owner paying the utilities. If we pay for the insulation of these structures, the effect will be to lower the utility bills for the owner. When the utility bills are lowered for the owner, his profit margin will go up. No one here is so naive as to think that the property owner will pass this along to the occupant in the form of lower rent.

Therefore, what we will do is pay for insulation for buildings for which the owner is perfectly capable of paying for it himself. After we perform this service for him he will be able to exact higher profits from his structures—higher profits for slumlords, thanks to the taxpayers.

Mr. REUSS. Mr. Chairman, I yield 1 minute to the gentlewoman from New Jersey (Mrs. FENWICK).

Mrs. FENWICK. Mr. Chairman, I thank the chairman of the committee for yielding this time to me.

I would like to associate myself with the remarks of the gentleman from Colorado (Mr. WIRTH). In the hope of expediting the standards that will be established by HUD, I urge that HUD consult with responsible and knowledgeable authorities to set the standards as quickly as possible.

I am particularly happy to be a cosponsor of this bill. It is a bill which concerns itself with housing for low-income families, those who are most in need of this kind of help in insulating their homes and least able to pay the new and rising costs of heating.

Mr. REUSS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. KINDNESS).

Mr. KINDNESS. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise to express a note of caution. In a study of H.R. 8650 it becomes quite clear that the bill does not deal with just insulation, which happens to be the way the bill is most readily described, but goes well beyond that and deals with materials for storm doors and windows. I suppose, since it is not drapes and other window coverings and floor coverings and, for that matter, roofs in cases where the roof happened to be missing or in need of repair in order to have a house weatherized. A house is really a form of weatherization for people.

I believe there is a great concern that arises, upon reading that definition of "weatherized materials," as to just how far we are going. This is sort of like food stamps. That was a program that started out small, and now look at the size of it. We could name any Federal handout program we want to name and I believe I can show the Members one that started out small and grew larger.

This bill is supposed to be a quick or a fast remedy to correct a part of our Nation's energy programs, but it only deals with the materials and not with providing that the work be done. That is half of the job, or less than half of the job.

Therefore, we cannot say that this is a fast remedy for a part of our Nation's energy problems. At best, it is a half fast remedy for a portion of the energy needs that this Nation faces.

We are dealing only with the fringes. We should be dealing with the central core of the problem.

Mr. Chairman, if this legislation does become law, I believe we will see this program grow, and I think we will find no place where we can really draw an equitable stopping place. Then we will find the Congress coughing up more and more appropriations to deal with this kind of a program.

I, therefore, suggest that we approach this type of legislation very cautiously and with the view in mind of what history teaches us about the nature of such programs and how they tend to grow.

Mr. REUSS. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Chairman, I thank the gentleman for yielding this time to me.

I would just like to respond to the preceding speaker's remarks.

As we know, Mr. Chairman, we have already approved a program for tax credits for insulation. The Senate is considering it now. I am sure the Internal Revenue Service will come up with guidelines as to what qualifies for a tax credit.

I would also point out that we presently have a weatherization program and an insulation program under the Communities Services Administration that is presently implemented by the Community Action Agencies. This program has not grown and grown like Topsy. There are guidelines there, I am sure.

There will be guidelines adopted in this legislation to protect against the fears and concerns which the gentleman has expressed.

Mr. FRENZEL. Mr. Chairman, I shall vote against H.R. 8650, because I believe it to be another hurry-up, jury-rigged, "emergency" bill, which will pass only because it has an energy-saving label on it.

The national standards for building are voluntary. They will not have any effect unless the States want them. In any case, the States are perfectly capable of passing their own standards.

The principal objection is cost. Here we have another unbudgeted expense, this time about $170 million. The main benefit of this expense will go, of course, to the owners of subsidized housing, not to the tenants.

This bill needs work before it can be acceptable. It is overpriced in these times of enormous deficits. It should be defeated.

Mr. GOLDWATER. Mr. Chairman, I rise in opposition to this legislation. Not only is this bill an example of a good, well intentioned idea gone bad, but also it cannot help but add to the fragmentation and confusion within the Congress and the Nation regarding the development of a coherent national energy policy.

There is no doubt that the improvement of insulation quality in the private homes of Americans can and will save precious energy. There is no doubt that the National Government has a responsibility and a role to play in encouraging Americans to develop an energy conservation ethic. And there is no doubt that the Federal Government, in cooperation with the free enterprise system, can and should assist in the research and development of energy efficient technologies and practices. But, and this is an important but, it is a gross misapplication of those responsibilities and roles to establish a direct subsidy program for making some homes more thermally efficient, and to establish a research and developing authority within HUD that is clearly duplicative of ERDA activities.

Regarding the use of subsidies, I find it particularly distressing that this legislation as reported to the House contains no ongoing oversight capability for the Congress and contains no safeguards or certification procedures to insure legitimate expenditure of the subsidy funds. Given the unfortunate chaos that surrounds the development of a national energy policy, how can we assume that each individual citizen knows enough about insulation technology and product quality to do the job on his own. Many citizens do know such things and can do the job correctly. They already are—on their own. It would be a misuse of tax revenues to make such subsidies available without there being sufficient oversight and quality controls.

The other side of the coin is even more distasteful. To have reasonable quality control the Congress would have to create thousands more jobs within the already enormous Federal bureaucracy. The costs would easily eat up one-third of the funds provided for the program in this bill. Further, we would be inviting "Big Brother" into one more aspect of the daily lives of our citizens, citizens who are already dependent on Federal moneys just to keep their heads above the financial waters.

In short, this bill in a time of enormous Federal deficits and federally sponsored inflation will add to our budget deficit. It will do so through a direct Federal subsidy. It will offer subsidies without any provision for responsible congressional oversight. And, it fails to contain any reasonable mechanism for insuring that the subsidies are properly spent for quality materials.

Unfortunately, these problems are not the only ones plaguing this bill. Specifically, section 208, the research and development portion of the bill, is an outright duplication of already existing functions and responsibilities of ERDA. The Solar Heating and Cooling Act specifically directs ERDA to conduct thermal efficiency R. & D. The ERDA authorization bill, on which the House and Senate will shortly go to conference, specifically funds such activities. Consequently, to include this section in this bill will duplicate both the administrative activities of ERDA and duplicate the funding for such activities.

The funding levels contained in the ERDA authorization are considered more than sufficient by all parties. To add more will only encourage waste and mismanagement. Further, the Congress specifically created ERDA as a focal point for energy R. & D. This bill would work against that centralization and administrative efficiency by giving HUD the prime responsibility for this R. & D. activity.

Everyone in the Nation knows that we are overdue in establishing an energy conservation ethic. There is no doubt that a tremendous energy savings can be had by improving the insulation quality of American homes. However, I do not believe that it is a reasonable approach to do it by subsidies that will add to the Federal deficits and by administrative approaches that divide and fragment our Federal effort.

Mr. RANDALL. Mr. Chairman, in support of H.R. 8650, the Energy Conservation in Buildings Act of 1975, as chairman of the House permanent Select Committee on Aging, I appreciate the effort to provide grants to low-income senior citizens to weatherproof their residences.

While our elderly constitute about 10 percent of the total population, they make up about 15 percent of those citizens below the poverty level, and an even higher percentage of the households below that level. Certainly these individuals should and, no doubt, will be accorded priority under this new program.

There should be no doubts that the homes of our low-income older Americans would not be weatherized were it not for a grant program of this kind. Our aged homeowners have to juggle constantly their inadequate food, clothing, or medical budget to pay higher utility bills. This kind of a situation enables them to barely maintain their residences at subcomfort zone temperatures. While this program will not lift these individuals above the poverty level, it will be a step toward helping them better meet the daily demands of surviving on very limited incomes, especially in future winters. At the same time, it will conserve valuable energy resources.

The bill authorizes $55 million a year for 3 years. I would prefer to see this amount increased. In any event, I hope the authorization will be fully funded. Even if it is, the estimates are that only 1.5 million out of about 8 million possible residences—18.5 percent—will be weatherized under this program. In addition, there are large numbers of low-income elderly above the poverty level, yet below the level of taxation, who cannot afford to weatherize their homes but who would not benefit from a tax credit program. Hopefully, this program may be extended in the future to include this large number of our older population who because they are just above the poverty line are properly classified as "near poor," and will never be able without some grant program to weatherproof their homes.

H.R. 8650 is a step in the right direction. My only regret is we should have done more for our senior citizens.

Mr. AMBRO. Mr. Speaker, it is with some reservation that I rise to endorse this bill. In our haste to provide assistance to a segment of our population ill-prepared to finance home insulation projects, we have written a bill which is—at its best—not cost-effective. At its worst, it is an underfunded stab at appeasing our constituents' desire for some kind of energy legislation.

Since it was never brought out in the committee report, let us take the time to look at what title 1 is going to do. When retrofitting is assumed to cost $100 to $125 in materials, I assume the Federal Energy Administration report done by the National Home Builders is being cited. This brief study done in Pennsylvania overlooked that State's winterization program, which has accumulated much fine experience. In that program, material costs have averaged out to $400 per home, labor not included. Total costs have been around $500. Of course, they were attempting to actually improve housing quality through sound application of design principles.

An alternative to the FEA study is available. The National Bureau of Standards has an economic study, "Retrofitting Existing Housing for Energy Conservation: An Economic Analysis," which works to optimize home insulation for the utility costs and climate of a given area. Using this study, which goes beyond putting insulation in the attic when wind is blowing through cracks in windows and doors, it is discovered that levels of funding vary by a factor of 50 across the country if you are try to get the best performance for each dollar invested. This program would be difficult to administer. It treats different areas of the country as though they had different needs. And it would be expensive. But over 20 years, there would be sizable paybacks in terms of energy conserved.

It is my hope, then, that this bill will provide a starting point for effective energy conservation programs directed at homeowners. Those programs, as far in the future as they may be, will depend on well-designed projects that experiment with alternative approaches to home design and then educate builders and home buyers in the long-range advantage of effective building and retrofit. We have seen the need. Perhaps we will eventually get around to dealing with it.

Mr. REUSS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the bill by title.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Energy Conservation in Buildings Act of 1975".

TITLE I—WEATHERIZATION ASSISTANCE FOR LOW-INCOME PERSONS

SHORT TITLE

SEC. 101. This title may be cited as the "Weatherization Assistance Act of 1975".

FINDINGS

SEC. 102. The Congress finds that—

(a) dwelling owned or occupied by low-income persons frequently are inadequately insulated, and low-income persons can least afford to make the necessary modifications which would reduce their residential energy use;

(b) weatherization of dwellings of low-income persons would save thousands of barrels per day of needed petroleum and would lower utility bills for low-income persons and particularly the low-income elderly and the handicapped;

(c) the States should also be encouraged through Federal assistance to formulate and implement weatherization programs designed to conserve energy as well as to ameliorate the adverse effects of high energy costs of low-income persons particularly the low-income elderly and the handicapped; and

(d) the States are uniquely qualified to determine the appropriate implementation mechanisms for weatherization programs, and the States should be encouraged to make use of existing Community Action Agency efforts where they are effective.

PURPOSE

SEC. 103. The purpose of this title to develop and implement weatherization programs to insulate the dwellings of low-income persons, particularly the low-income elderly and the handicapped, in order to conserve needed energy and aid those persons least able to afford higher energy costs.

DEFINITIONS

SEC. 104. As used in this title the term—

(a) "Administrator" means the Administrator of the Federal Energy Administration;

(b) "Commissioner" means the Commissioner of the Bureau of Indian Affairs;

(c) "elderly" means persons who are sixty-five years of age or older;

(d) "low-income" means income at or below the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget;

(e) "weatherization materials" means items primarily designed to improve the thermal efficiency of a dwelling including, but not limited to, ceiling insulation, storm windows, and caulking and weatherstripping, but not including mechanical equipment;

(f) "State" means the fifty States and the District of Columbia; and

(g) "handicapped" means a person who is under a disability as defined in section 223 of the Social Security Act or in section 102 (5) of the Developmental Disabilities Services and Facilities Act of 1970.

WEATHERIZATION PROGRAM

SEC. 105. (a) The Administrator is authorized, in accordance with section 106 and the regulations issued pursuant to this title to provide grants to the Governors of the various States and the Mayor of the District of Columbia and to transfer funds to the Commissioner to assist in carrying out programs designed to provide for weatherization of dwellings of low-income persons, particularly dwellings of the low-income elderly and the handicapped.

(b) The Administrator, after consultation with the Secretaries of Housing and Urban Development; Health, Education, and Welfare; Labor; and other appropriate Federal agencies shall develop and publish within ninety days of enactment criteria to evaluate applications for funds as provided for in section 106. These criteria may include but are not limited to the following:

(1) the amount of fuel to be conserved by the weatherization program;

(2) the number of dwellings to be weatherized;

(3) the climatic conditions of the State, which may include consideration of annual degree days;

(4) areas to be served within the State, considering climate, and other factors;

(5) the type of weatherization work to be done;

(6) provision for the use of skilled local work supervisors and foremen to supervise weatherization work;

(7) mechanisms for obtaining services of volunteers;

(8) the priorities established among weatherization recipients, including the extent to which priority will be given to weatherization of dwellings of low-income elderly and the handicapped, and the extent to which priority is given to single-family or other high-energy consumptive dwellings; and

(9) in the case of State applications, the amount of non-Federal resources to be applied to the program.

(c) Regulations adopted by the Administrator shall insure that the benefits of weatherization in leased dwelling units accrue to low-income tenants; that rents not be raised because of the increased value of dwelling units due solely to weatherization assisted under this title; and that no undue or excessive enhancement occur to the property's value.

(d) Regulations prescribed by the Administrator for the purpose of carrying out this Act shall provide that weatherization programs carried out by the Governors or other direct or indirect recipients under this title shall not duplicate any already existing effective weatherization programs being carried on by the Community Services Administration through community action agencies or programs located in the same geographic area.

PROGRAM FUNDING

SEC. 106. (a) A grant or transfer of funds under this section may be made only upon annual application therefor containing such information as may be prescribed by the Administrator.

(b) Funds provided to any person for the purpose of carrying out this title may be utilized only for the purchase of weatherization materials to carry out the program authorized in this section, except that the Governor of a State or of an agency receiving funds, directly or indirectly, from the Administrator may utilize no more than 10 percentum of the grant to administer a weatherization program.

(c) The Administrator may not finally disapprove any weatherization program application without first affording reasonable notice and an opportunity for a hearing.

TECHNICAL ASSISTANCE AND OVERSIGHT

SEC. 107. The Administrator shall monitor the operation of weatherization programs through reports as provided in section 108 or through onsight inspections, or otherwise, in order to assure effective weatherization of low-income dwellings and may provide technical assistance to any program receiving Federal assistance under this title.

ADMINISTRATIVE PROVISIONS

SEC. 108. (a) The Administrator, by general or special orders, may require any person responsible for the administration of a program receiving Federal assistance under this title to file with the Administrator, in such form as he may prescribe, reports or answers in writing to such specific questions, surveys, or questionnaires as may be necessary to enable the Administrator to carry out his functions under this title.

(b) Each person responsible for the administration of a weatherization program which receives financial assistance under this title shall keep such records as the Administrator may prescribe in order to assure an effective audit of the disposition of the funds provided under this title.

(c) The Administrator and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and record of any weatherization program which receives financial assistance under this title that are pertinent to the financial assistance received under this title.

(d) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(e) The Administrator is authorized to develop and publish rules, regulations, and orders necessary or apporpriate to carry out the purposes of this title.

FAILURE TO COMPLY

SEC. 109. If the Administrator finds, after notice to any person responsible for the administration of a program receiving Federal assistance under this title, that such program is failing to comply substantially with the provisions of its approved application for any fiscal year, then thereafter during such year and until there is no longer any such failure to comply, no additional Federal funds may be granted.

JUDICIAL REVIEW

SEC. 110. (a) Any applicant for funds dissatisfied with the Administrator's final action under section 106(c) or 109 of this title may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which the applicant resides a petition for review of the Administrator's action. A copy of the petition shall be immediately transmitted by the clerk of the court to the Administrator. Thereupon, the Administrator shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Administrator, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Administrator to take further evidence, and the Administrator may thereupon make new or modified findings to fact, and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Administrator or to set it aside in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification, as provided in section 1254 of title 28, United States Code.

NONDISCRIMINATION

SEC. 111. (a) No person in the United States shall on the ground of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

(b) Whenever the Administrator determines that a grantee has failed to comply with subsection (a) or an applicable regulation, he shall notify the grantee to secure compliance. If within a reasonable period of time the grantee fails to secure compliance, the Administrator is authorized (1) to refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted; (2) to exercise the power and functions provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000D); or (3) to take such action as may be provided by law.

REPORT TO CONGRESS

SEC. 112. The Administrator shall submit, on or before March 31, 1976, and annually through 1979 thereafter, a report to the President and the Congress presenting the results of weatherization programs receiving Federal assistance under this title.

AUTHORIZATION OF APPROPRIATIONS

SEC. 113. There are authorized to be appropriated not to exceed $55,000,000 per year for each of fiscal years 1976, 1977, and 1978, to remain available until expended.

Mr. REUSS (during the reading). Mr. Chairman, I ask unanimous consent that title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDMENT OFFERED BY MR. ROUSSELOT

Mr. ROUSSELOT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROUSSELOT: On page 7, line 10, insert the following new section, and renumber the succeeding section accordingly—

SEC. 108. (a) The Comptroller General shall provide for the examination and audit of programs under this title.

"(b) The Comptroller General shall include in each examination and audit conducted under subsection (a) of this section an evaluation which describes and measures—

"(1) the number in which policies and programs under this Act are being carried out;

"(2) the impact of such policies and programs; and

"(3) the effectiveness of such policies and programs in achieving stated goals.

"(c) The Comptroller General shall develop standards and criteria for the examination and audit of policies and programs under this Act.

"(d) The Comptroller General shall transmit his report to the Congress no later than July 1, 1977. Such report shall contain a detailed statement and review with respect to the findings and conclusions of each examination and audit conducted under subsection (a) of this section, together with recommendations of the Comptroller General for such legislative or other action as he considers necessary or appropriate.

"(e) No later than 90 days after the enactment of this Act, the Administrator of the Federal Energy Administration shall submit to the Committee on Banking, Currency, and Housing of the House of Representatives, and to the Committee on Banking, Housing, and Urban Affairs of the Senate, a plan for evaluating the effectiveness of the weatherization program."

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. Yes, I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Chairman, without indicating my support or lack thereof of the gentleman's amendment, I do think he should ask unanimous consent to amend his amendment so as to insert the word "title" everywhere that the word "act" occurs in his amendment. His amendment only relates to title I, not to title I and II, and I would not object.

Mr. ROUSSELOT. Mr. Chairman, the gentleman is correct, and I hope the unanimous-consent request recommended by the gentleman from Michigan will be accepted.

Therefore, Mr. Chairman, I ask unanimous consent that the amendment be modified as the gentleman suggested.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROUSSELOT. Mr. Chairman, I thank my colleague, the gentleman from Michigan (Mr. BROWN).

My amendment is a simple one that was supported by many members of the committee, but because of a tie vote, did not carry in committee.

Regardless of whether some Members support this legislation or not, I believe that we, as a Congress, should.

Mr. Chairman, my amendment is a simple one which can be supported by Members whether or not they support the bill itself. Regardless of whether or not we believe this program can work, we all have an obligation to make a reasonable effort to find out the results so that if an effort is made to extend this program after it expires in 3 years, we will have a basis to take appropriate action.

Under the weatherization program, $55 million would be authorized for each of fiscal years 1976–78 for grants to States for the purpose of insulation materials, and for the distribution of these materials to low-income persons through community action agencies and other agencies. My amendment provides for the General Accounting Office to conduct an evaluation of the program to describe and measure—

First, the manner in which policies and programs under this act are carried out;

Second, the impact of such policies and programs; and

Third, the effectiveness of such policies and programs in achieving stated goals.

The Controller General would be directed to submit his evaluation, along with his findings, conclusions, and recommendations, to the Congress no later than July 1, 1977.

My purpose in establishing this procedure is to facilitate congressional oversight of this program and to provide assurance in advance that when the time comes to reconsider this measure, Congress can act on the basis of full knowledge of the program's track record.

I strongly urge my colleagues to vote for this amendment.

Mr. LAFALCE. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I will be glad to yield to the gentleman from New York.

Mr. LAFALCE. At the time of the vote, I was on the negative side, but it has become apparent that it would have passed were the vote to be reconsidered.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman's comment and his new perception in understanding why we need this amendment.

Mr. MINISH. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I will be glad to yield to the gentleman from New Jersey.

Mr. MINISH. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from California (Mr. ROUSSELOT) providing for an audit by the General Accounting Office of the weatherization program.

First let me make it clear that I support the legislation which was reported from the Committee on Banking, Currency and Housing on July 22 by a vote of 22 to 2. This measure is one important ingredient in the overall national effort to achieve energy independence.

The pending amendment directs the GAO to conduct an evaluation of the program before any consideration is given to extending it beyond the original 3-year life. The GAO report would describe and measure the following: First, the manner in which policies and programs under this act are carried out; second, the impact of such policies and programs; and, third, the effectiveness of such policies and programs in achieving stated goals.

Mr. Chairman, this is a new—and untested—program. Too often in the past the Congress has authorized new and untested programs with no provision for oversight and evaluation. These programs, once written into law, achieve a sort of immortality regardless of their merit and effectiveness.

In order to protect the taxpayers' investment and in order to protect the rights of low-income persons whom this program is aimed at assisting, I urge approval of the Rousselot amendment by the House.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I will be glad to yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, in view of the euphoric mood which prevails here and the great manifestation of support, let me say that I have consulted with the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. BARRETT), as well as with my own conscience, and I think the amendment is a good one.

We would support it on this side. It simply asks for a GAO audit. Normally I would not favor adding a GAO audit to every bill, because the GAO has full jurisdiction to make these audits wherever its duties point it, but this is a rather novel piece of legislation. I think it is not a mistake to specifically mention the GAO, and I think the gentleman has drafted his amendment carefully.

Mr. Chairman, we would have no objection to it on this side.

Mr. ROUSSELOT. I thank my Chairman.

I think it is apparent because this is new legislation, that we are plowing new ground. It does become apparent that we need a General Accounting Office audit prior to the time that this legislation will expire in 3 years to see what it has achieved.

I appreciate the support of my colleague from New Jersey, and I am glad to hear that the chairman of the subcommittee also supports the amendment.

Mr. ASHBROOK. Mr. Chairman, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Ohio.

Mr. ASHBROOK. I thank the gentleman for yielding.

I have been trying to figure out the thrust of the gentleman's amendment. Is it basically just to study the mess after it is all over? It does not do anything in the interim; does it?

Mr. ROUSSELOT. The primary purpose is to make sure that we understand what this legislation accomplishes, if it does pass, and that we have some accountability as to how it has accomplished the purposes of the act as listed in the legislation.

Mr. ASHBROOK. If the gentleman will yield further, I did not understand. Did the gentleman just say what it accomplishes, if anything, or what it accomplishes, period?

Mr. ROUSSELOT. My belief is that if the legislation is passed, we should have an accountability by an arm of Congress, the General Accounting Office, to determine what it has accomplished in the field of weatherization.

Mr. ASHBROOK. I thank my colleague.

Mr. BROWN of Michigan. Mr. Chairman, I move to strike the requisite number of words.

I do not intend to oppose the gentleman's amendment, although conceptually I disagree with some of that which has been said here on the floor about a General Accounting Office audit. I think I am about ready to introduce legislation to establish a Superior Accounting Office so we will have a General Accounting Office and then we will have a Superior Accounting Office. Then we will have someone to audit the auditors.

We all know, I believe, that the General Accounting Office can do an audit of a program such as this upon the request of the chairman of the committee—at the request of any of us probably; so I guess that the amendment does no harm. I just question whether it does a lot of good. But in any case I do not intend to oppose the gentleman's amendment, because he has so succinctly, cogently, and convincingly explained it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ROUSSELOT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER:

Page 10, after line 24, insert the following new title (and redesignate the succeeding title and sections accordingly):

TITLE II—SOLAR HEATING AND COOLING RESIDENTIAL LOANS

SHORT TITLE

SEC. 201. This title may be cited as the "Solar Heating and Cooling Residential Loan Act of 1975".

FINDINGS AND PURPOSE

SEC. 202. (a) The Congress finds that the heating and cooling of private homes accounts for a significant portion of our national energy consumption, and that the expected substantial increases in the cost of oil, gas, and electricity will significantly and adversely affect millions of American homes. The Congress further finds that technologies for solar heating having developed to the point of commercial application and improved solar heating units becoming increasingly available, and with technologies for solar cooling expected to reach the point of commercial application within a relatively few years, a program of Federal assistance in purchasing and installing solar heating equipment of combination solar heating and cooling equipment can provide a new opportunity for the efficient heating and cooling of homes despite the energy shortage.

(b) It is the purpose of this title to provide a source of financial assistance for homeowners and builders so as to enable them to purchase and install solar heating equipment or combined solar heating and cooling equipment with substantially reducing energy use.

AUTHORIZIATION OF LOANS

SEC. 203 (a) In order to carry out the purpose of this title, the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make loans as provided in this section to individuals and families owning and occupying one- to four-family-residential structures, and to persons engaged in building residential structures of any kind, to assist them in purchasing and installing qualified solar heating or solar heating and cooling equipment (as defined in section 204) in such structures.

(b) A loan made under this section with respect to any residential structure shall—

(1) be in such amount, not exceeding 75 per centum of the cost of purchasing and installing the equipment involved, and not exceeding—

(A) $6,000 in the case of a one- to four-family structure,

(B) $5,700 per dwelling unit in the case of a multifamily structure containing five or more but less than twenty-five such units,

(C) $5,400 per dwelling unit in the case of a multifamily structure containing twenty-five or more but less than one hundred such units,

(D) $4,800 per dwelling unit in the case of a multifamily structure containing one hundred or more but less than two hundred such units, or

(E) $4,500 per dwelling unit in the case of a multifamily structure containing two hundred or more such units,

as may be necessary to enable the owner or builder of such structure to purchase and install qualified solar heating or solar heating and cooling equipment which is suitable and appropiate for such structure, including the cost of any necessary modifications in the structure itself, taking into account the climatic, meteorological, and related conditions prevailing in the region where the structure is located, as established by the Secretary in regulations prescribed by him and in effect at the time of the loan;

(2) bear interest at a rate equal to the average market yield (computed as of the end of the calendar month preceding the month in which the loan is made) on all marketable interest-bearing obligations of the United States then forming a part of the public debt (with such average yield, if not a multiple of one-eighth of 1 percentum, being adjusted to the nearest such multiple), plus one-half of 1 per centum for administrative costs;

(3) have a maturity not exceeding—

(A) eight years in the case of a one- to four-family structure, or

(B) fifteen years in the case of a multifamily structure,

except that if the loan is made to the builder of a structure which is sold to another person for occupancy, rental, resale, or any other purpose, the maturity of the loan shall not extend beyond the date of the sale to such other person; and

(4) be subject to such additional terms, conditions, and provisions as the Secretary may impose in order to assure that the purpose of this title is effectively carried out.

(c) Each application for a loan under this section shall be accompanied by detailed plans for the purchase and installation of the proposed equipment and an estimate of the costs involved. No such application shall be approved unless the Secretary finds that the proposed equipment is suitable and appropriate and will be effective, that the costs will not be excessive, and that the purchase and installation of the equipment will not involve elaborate or extravagant design or materials.

(d) In making loans under this section, the Secretary shall impose such standards and take such actions as may be necessary or appropriate to assure that both one- to four-family structures and multifamily structures share equitably in the funds provided for such loans under section 208.

QUALIFIED SOLAR HEATING OF SOLAR HEATING AND COOLING EQUIPMENT

SEC. 204. (a) For purposes of this title—

(1) the term "qualified solar heating equipment" means equipment which utilizes solar energy to provide heating for a residential structure (including all necessary fittings and related installations) and which is certified by the Secretary—

(A) as being designed to meet more than 40 per centum of the total heating needs (including domestic hot water) of the type of structure for which it is intended, or substantially all of the needs of such a structure for domestic hot water (where its remaining heating needs are met by other methods), and

(B) as meeting minimum standards (as developed under the Solar Heating and Cooling Demonstration Act of 1974 (Public Law 93–409)) with respect to durability of parts, efficiency, ease of repair availability of spare parts, acceptability of cost, technical feasibility of design or proven workability, and such other matters as the Secretary may consider relevant or appropriate; and

(2) the term "qualified solar heating and cooling equipment" means equipment which utilizes solar energy to provide both heating and cooling for a residential structure (including all necessary fittings and related installations) and which is certified by the Secretary—

(A) as being desinged to meet both the heating needs of the type of structure for which it is intended, to the extent required by paragraph (1)(A) of this subsection, and substantially all of the cooling needs of such a structure, and

(B) as meeting minimum standards (as developed under the Solar Heating and Cooling Demonstration Act of 1974 (Public Law 93–409)) with respect to the matters specified in or under paragraph (1)(B) of this subsection.

(b) In carrying out its functions under the Solar Heating and Cooling Development Act of 1974 and in support of the objectives of this title, the Energy Research and Development Administration shall—

(1) establish a mechanism or procedure (or both) for the inspection and evaluation of each type or model of solar heating and solar heating and cooling equipment, making provision for dealing with applications received from manufacturers and for the consideration of comments received from homeowners already using such equipment,

(2) review each new solar heating or solar heating and cooling unit, system, or component entering the market,

(3) periodically (no less often than once every three years) review all outstanding certifications granted with respect to solar heating or solar heating and cooling equipment, and recommend the prospective rescission of such certifications (or appropriate modifications in the equipment involved) whenever it finds that such equipment no longer meets applicable standards or criteria,

(4) periodically transmit its findings and recommendations under this subsection to the Secretary for use in the performance of his functions under subsection (a) of this section, and

(5) take such other actions, and impose such other conditions and requirements, as will promote the objectives of this title.

DISSEMINATION OF INFORMATION

SEC. 205. The Secretary shall provide to any person upon his or its request (without regard to whether or not such person is making or proposes to make application for a loan under section 203) full, complete, and current information concerning recommended standards and types of qualified solar heating or solar heating and cooling equipment appropriate for use in residential structures of varying sizes and types and in various regions of the country.

ADMINISTRATIVE PROVISIONS

SEC. 206. In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Secretary shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402 (except subsections (a) and (c)(2)) of the Housing Act of 1950.

PENALTIES

SEC. 207. Any person who makes any false statement or misrepresents any material fact for the purpose of obtaining a loan under this title, or who violates any provision of this title or of a loan contract entered into under this title, shall be fined not more than $1,000 or imprisoned not more than one year or both.

APPROPRIATIONS; REVOLVING FUND

SEC. 208. There is authorized to be appropriated the sum of $100,000,000 to provide an initial amount for the program under this title, and such additional sums thereafter as may be necessary to carry out such program. Amounts appropriated pursuant to this section shall be placed in and constitute a revolving fund which shall be available to the Secretary for use in carrying out this title.

EFFECTIVE DATE

SEC. 209. The authority of the Secretary to make loans under this title shall become effective six months after the date of the enactment of this title, and shall expire ten years after such date.

Mr. OTTINGER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD, and then I will be glad to explain it.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. BAUMAN. Reserving the right to object, Mr. Chairman. I reserve the right to object on the ground that the gentleman should first explain to the House why this amendment is even germane to the bill. I certainly intend to make a point of order that it is not. I will yield to the gentleman for that purpose.

Mr. OTTINGER. We have inquired of the Parliamentarian, and he tells us it would be germane as a new title. I would hope that the gentleman would reserve a point of order, since I do not intend to press the amendment. We have an agreement by the committee that they will hold hearings on this legislation.

Mr. BAUMAN. Mr. Chairman, I reserve a point of order against the amendment, and I withdraw my reservation of objection on the reading of the amendment.

Mr. McCORMACK. Mr. Chairman, I, too, reserve a point of order against the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I thank the gentleman for yielding.

If the gentleman from New York has no desire to press for his amendment, what is it his desire to do, in the essence of time?

Mr. OTTINGER. Just let me, if I may, tell briefly what the amendment does, and then I will be glad to yield to the gentleman further to elucidate on the agreement that we have reached.

This amendment is the embodiment of legislation introduced by the gentleman from Maryland (Mr. GUDE) and me and some 50 cosponsors—H.R. 3849 and various related bills. It provides for a $100-million revolving fund for the purpose of granting loans to both individuals and builders for installation of solar equipment. It provides for 75 percent loans at the rate of interest which is then prevailing for Government securities.

The purpose of the amendment is to promote the installation of solar energy equipment which at the present time is available and which is not installed primarily because of builders' resistance to the high initial cost of installing solar equipment, even though it will pay for itself out of energy savings achieved over a period of 5 to 8 years. It would, of course, result in a tremendous savings to the country in the use of fossil fuels which are so critically expensive at the present time.

We are very anxious to see such legislation pass. We think it is needed as a supplement to the tax credit legislation which was passed earlier by this House. A tax credit unfortunately comes late; after a person has already installed solar equipment, he gets a tax credit. But there is a pressing need to get the money up front or in advance. I hope we will be able, I will say to the chairman, to have hearings on this legislation at the nearest possible date in the future.

Mr. BARRETT. Very frankly I will say even if there were not two points of order pending against the amendment I do not think the committee could accept this because we have not had hearings. I can assure the gentlemen if he withdraws his amendment we will give the gentleman an opportunity to come before the committee as soon as possible in order to have hearings.

Mr. OTTINGER. I thank the chairman. I think this is very important legislation. I think we can do a great deal in this matter of encouraging use of solar energy equipment, both to provide hot water and heating and cooling of homes and buildings. I very much appreciate the interest the subcommittee chairman and the full committee chairman have expressed and their commitment to hold early hearings, and I will be glad to proceed as the gentleman advises.

First, I would like, however, to yield to the gentleman from Maryland.

Mr. GUDE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise to express my strong support for this amendment, which is identical to legislation I have proposed in the past. As my colleague, the gentleman from New York (Mr. OTTINGER) pointed out, the seriousness of the energy situation today is such that we have to move beyond research and demonstration projects in alternative sources of energy, and we have to move beyond programs of the circumscribed nature of H.R. 8650. Insulation and conservation standard programs in and of themselves are fine; in fact, I have, along with most of us, made such proposals in the past. They are a standard part of everyone's litany of what to do about the energy crisis.

Our continued dependence on oil imports, however, plus our increasing awareness of the finate limits on fossil fuel resources—natural gas is the most immediate and obvious example—makes a concerted effort to develop market incentives for alternative energy technologies mandatory. Obviously the process of conversion of heating units is a slow one on a large scale, as is the incremental addition of new units utilizing new energy sources. No matter what we do, it is going to be many years before a significant part of the residential sector is heated and cooled by solar energy. The point I want to make today, is that we must begin this market expansion process now, not in 3 or 4 years.

What makes the logic for this amendment even more compelling, beyond the obvious need for it, is the fact that the technology for solar heating units is already available. The "Survey of Solar Energy Products and Services—May 1975," prepared by the Library of Congress for the Committee on Science and Technology, lists in its 545 pages more than 120 firms involved in some aspect of solar heating and cooling from research and development to construction and installation of components. Listed are 30 manufacturers of available collectors—as opposed to strictly experimental collectors—8 manufacturers of total heating systems, 11 manufacturers of hot water heaters, and 11 manufacturers of components and control systems for heating and cooling equipment. In the Washington area alone I have visited six solar installations of various kinds and have a number still to go on my schedule. Most other parts of the country can offer the same variety. This is not a regionally limited market. As an article I placed in the RECORD September 3 said:

> The sensitivity of the amortization rates and the cost of competing energy sources indicates that these variables outweigh the influence of potentially favorable climatic conditions. Thus, for example, the solar climate control systems in the Northeast, where energy costs are high, are more competitive than . . . systems installed in areas where there is copious sunshine but where electricity is produced by very low-cost hydroelectric power plants, so regional variations in the availability of solar energy have less cost impact than regional variations in energy costs.

Nor is this a technology which will have only a small effect on fuel conservation, as my colleague pointed out. The Mitre Corp. study figures of 2.4 million single family residences, 80,000 retail stores, 66,500 low-rise office buildings, and 22,000 multifamily residential units using solar equipment are encouraging evidence of the potential solar energy offers.

Everyone connected with solar energy development has emphasized the need for Federal Government incentives to rapidly expand the market for solar products. The operative word here is rapidly. Given the current energy situation, it is a certainty that solar energy is going to expand broadly and become one of our major energy sources in the home heating sector as well as in other areas. That same energy crisis, however, should convince us of the need to move forward now with a market incentive program.

The amendment being offered today would move in this direction by providing a short run boost to the development of solar power in the form of low-interest Government loans. The interest rates on these loans will be pegged to the rate of which the Federal Treasury can borrow money. Thus, the long-term effects on the U.S. economy and the national debt will be minimal. Such loans will be available to both individual homeowners and to persons engaged in building residential structures. Consequently, the loan program will have a broad impact on the home improvement, residential, and apartment construction industries.

The amendment imposes limits both on the amount of a loan and on the kind of equipment which can be purchased with loan funds. The loans shall not exceed 75 percent of the cost of purchasing and installing solar equipment, and shall not exceed $6,000 for a one- to four-family structure. For builders and developers of multifamily structures there is a sliding scale down from $6,000 per unit to account for economies of scale.

Using criteria it is already in the process of developing, ERDA will establish a mechanism for evaluating the different solar systems on the market and will then forward its conclusions to the Department of Housing and Urban Development, the agency which will administer the loan program. HUD will use ERDA data to certify solar equipment, and all loans made will be only for the purchase of such certified equipment. A further check is provided by a section requiring loan applications to be accompanied by detailed plans for HUD review, and requiring that no loans be approved except those for plans of reasonable cost and size, with design appropriate for the climate and terrain where the equipment is to be installed. The loans will mature after 8 years in the case of one- to four-family dwellings, and 15 years in the case of a multifamily structure, unless the builder of such a structure sells it, in which case the loan would come due immediately.

This approach provides a meaningful incentive for the installation of solar equipment because it provides advance funding when it is most needed. Rather than giving a tax break after the fact, a loan program gives the homeowner or the builder with the funds he needs at the time the actual construction is going on.

In sum I believe this is a carefully drafted proposal, designed to encourage rapid market expansion of solar energy technology in an orderly and controlled way, insuring that that equipment which is purchased is competently designed and adequate for its purposes.

I would like to add to my statement at this point a section by section analysis of the amendment, copies of which I am happy to make available to my colleagues.

Mr. OTTINGER. I congratulate the gentleman from Maryland for his leadership in drafting this legislation. I think it will make a very important difference in speedng up introduction of solar energy technology.

I am grateful to the chairman for the assurance we have from the chairman of the subcommittee that we will have prompt hearings on this.

Mr. WIRTH. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from Colorado.

Mr. WIRTH. Mr. Chairman, I congratulate the gentleman from New York for his efforts in this area. There are great numbers of people in the State of Colorado, where we have a great deal of sunshine, who are immensely concerned about this. They have pointed out over and over again that the solar energy is more a marketing than a technical problem. We would like to work with the gentleman concerning this and use all that expertise which is available.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. OTTINGER was allowed to proceed for 2 additional minutes.)

Mr. OTTINGER. Mr. Chairman, I would like to contratulate the gentleman for his work in this field. The gentleman has been very helpful in the overall field of solar energy, of course, in his activities on the whole energy situation, serving with me on the Energy and Power Subcommittee of the Commerce Committee. I would be glad to have the help of the gentleman in furthering this legislation.

Mr. Chairman, this bill represents part of a continuing effort on the part of the Congress to develop an aggressive energy conservation policy. H.R. 6860, the energy tax bill passed by the House in June, contains tax incentives for the installation of insulation and thermal doors and windows. The insulation grant program included in title I of H.R. 8650 is a logical next step in the process of insuring maximum energy conservation in the residential sector.

Installation of thermal doors and windows and insulation, however, inevitably produces a one-time improvement in each structure in terms of energy savings. While this is certainly a desirable step forward, as is the incentive for building energy conservation standards contained in title II, I regret the committee did not see fit to include encouragement of solar energy and other alternative energy sources to replace conventional fuels, especially oil and natural gas, and thereby create an ongoing energy savings—and a reduction of fuel bills—of a greater magnitude.

Such development is particularly important in view of the reports recently issued by the administration indicating severe natural gas shortages will occur this winter in a number of States. If this shortage does not affect residences this winter, it surely will next winter, and it will be cold comfort to homeowners to know that their extra insulation will enable them to run out of gas in January rather than December. Clearly we must be prepared to embark on a residential energy conservation program of greater magnitude, one which will not only conserve fuel but replace existing heating systems with new systems utilizing other sources of energy.

Fortunately alternative heating systems exist and are currently being marketed. What is unfortunate is that too few people, including too few Members of Congress, realize this fact.

In previous floor statements I have discussed at some length the ready availability of solar home heating equipment and the need to provide meaningful incentives for the rapid expansion of the solar heating market. I intend to make the same point again today. Because solar heat requires a significant expenditure in the beginning it is not considered a realistic alternative by many Americans who simply do not have sufficient available funds in the short run. The tax credit legislation I referred to earlier is a step in the right direction, but too small a step. Estimated revenue effects of that change are under $5 million per year, which cannot have a significant impact on the home heating industry. Personal income tax credits are useful to those building their own homes or seeking to convert their existing homes, but both of these categories exclude almost all new construction—surely an area where solar heat can easily play a major role. Further, a tax incentive approach is deficient because it compensates the homeowner after the conversion, when, in fact, it is advance funding that is needed.

As we learn more about home heating and incentives, it is becoming increasingly clear that a loan program, or at minimum a loan guarantee program, is necessary for real progress. What is needed is a loan program for solar heating, and legislation which Congressman GUDE and I introduced is currently pending in the same committee that reported this bill.

One obstacle to the adoption of further solar incentives seems to be the disposition on the part of many Members to believe that the technology is still in the research and development stage and marketability is a question for some point in the distant future. Since the Solar Heating and Cooling Demonstration Act was passed only last year, critics say, it will take time to develop a marketable technology for solar energy. While this may be true of both solar cooling and photovoltaic systems, it is by no means the case for solar heating. A report recently compiled by the Library of Congress for the Science and Technology Committee, "Survey of Solar Energy Products and Services—May 1975," lists in its 545 pages more than 120 firms involved in some aspect of solar heating and cooling from research and development to construction and installation of components.

In addition, a study done by the Mitre Corp. for the Sheet Metal Workers International Association predicted as many as 2.4 million single family residences using solar heating and cooling by 1990 or 2000. The study also forecast solar systems in 80,000 retail stores, 66,500 low-rise office buildings, and 22,000 multifamily residential units. Significantly, the SMWIA general president concluded from the study that:

> The Federal Government must take strong measures to stimulate energy conservation and solar projects, including tax subsidies for homeowners and building operators, low-interest loans and government-funded demonstration projects.

It is because of this potential and because of this availability that I am disappointed at the limited nature of this bill. I am pleased at the commitment just received from my distinguished colleague from Pennsylvania (Mr. BARRETT), the subcommittee chairman, that his subcommittee will begin prompt consideration of substantive solar heating incentives for the residential sector, which will insure the conversion of existing homes to solar energy and the large scale use of solar heating systems in new construction.

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I strongly oppose passage of H.R. 8650, the Energy Conservation in Buildings Act of 1975.

I would especially like to direct my remarks to title I of the bill. Title I—Weatherization Assistance for Low-Income Persons—has an authorization level of $55 million per year for fiscal years 1976, 1977, and 1978. And what sort of program will we get for this money? Frankly, it is impossible to tell.

The Committee on Banking, Currency and Housing has established the program in little more than name only. It has failed to lay down guidelines as to how the program should be carried out. The provisions are so vague as to be almost meaningless. About the only thing that is clear is that the Federal Energy Administration and not the Congress will be developing the major components of this program.

Entrusted to the FEA are such key decisions as the number of dwellings to be weatherized, the type of weatherization work to be done, provision for skilled persons to supervise the weatherization work and mechanisms for obtaining services of volunteers. The list goes on and on. Certainly many of these decisions should be made by the Congress; or perhaps the real problem is that these decisions are too hard to make.

I am unwilling to delegate such broad authority to the FEA. This is irresponsible. We would be turning over our duty of legislating to Federal bureaucrats. I urge the Congress to act responsibly and defeat this legislation. Rather than meeting head on the enormous problems of energy in our country—natural gas supply, petroleum independence, atomic generation, development of solar and alternate energy sources, to name a few broad areas—this liberal-dominated Congress seems to prefer to dabble in trivial measures of this type.

Mr. ROUSSELOT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to H.R. 8650, the Energy Conservation in Buildings Act of 1975. This legislation represents a combination of two well-meant but ill-conceived programs into one objectionable bill—

TITLE I—"WEATHERIZATION ASSISTANCE ACT OF 1975"

Under the "weatherization" title, $55 million would be authorized for each of fiscal years 1976–78 for grants to States for the purchase of insulation materials, and for the distribution of these materials to low-income persons through community action agencies and other agencies. Unfortunately, Congress cannot possibly know what it will be buying if it establishes this program. Assuming that administrative costs will not consume an undue portion of program funds, that the right materials will be purchased, and that the materials will in fact, be distributed to eligible persons, there are many difficult decisions to be made, most of which are conveniently listed in section 105(b) of the bill.

The amount of fuel to be conserved by the weatherization program;

The number of dwellings to be weatherized;

The climatic conditions of the State, which may include consideration of annual degree days;

Areas to be served within the State, considering climate, and other factors;

The type of weatherization work to be done;

Provision for the use of skilled local work supervisors and foremen to supervise weatherization work;

Mechanics for obtaining services of volunteers;

The priorities established among weatherization recipients, including the extent to which priority will be given to weatherization of dwellings of low-income elderly and the handicapped, and the extent to which priority is given to single-family or other high-energy consumptive dwellings; and

In the case of State applications, the

amount of non-Federal resources to be applied to the program.

This bill contains so many loose ends that it is almost certain to become another example of the validity of the time-honored adage. "If something can go wrong, it will." If the amendment which I will offer to provide for a GAO audit of this program passes, we should get some information approximately 2 years hence as to just what went wrong, but it seems foolish to me to even begin a program where the odds for success are so unbelievably long.

Moreover, my colleagues should note that the committee report states, "There are approximately 8 million households with incomes below the poverty line." If we were to accept the committee's figure of $100 to $125 as the average cost of retrofitting a home and, frankly, I would be extremely surprised if this does not turn out to be extremely wide of the mark, then it would cost between $800 million and $1 billion to provide insulation materials to all the poor, not including the cost of installation. It is obvious, therefore, that either this is just the start of something very big, or this bill is grossly unfair to the vast majority of poor, who will receive no weatherization assistance at all.

TITLE II—"BUILDING ENERGY CONSERVATION STANDARDS ACT OF 1975

Here, again, Congress does not know what it is buying, since the committee proposes to delegate to the HUD the power to coordinate the promulgation within 18 months of performance standards for commercial buildings within 3 years of performance standards for residential buildings.

However, we do know what HUD and FEA were selling when it first presented its proposal to Congress—a national building code with prescriptive component standards and tough sanctions, including denial of mortgage credit through federally insured financial institutions, imposed for noncompliance.

In light of the progress which is being made by both Government-sponsored and private organizations toward the development of energy conservation standards for buildings, such draconian measures seem entirely unjustified, and the committee has recognized this by substantially reducing the scope of the measure. If there could be ironclad assurance that this title could not provide the basis for Federal control of building standards and practices, there would be little harm done by enacting it. There is no such assurance, however, and therefore the best way to promote the orderly development of State and local building energy conservation standards with a minimum of Federal interference is to defeat this legislation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—ENERGY CONSERVATION BUILDING STANDARDS

SHORT TITLE

SEC. 201. This title may be cited as the "Building Energy Conservation Standards Act of 1975".

FINDINGS AND PURPOSE

SEC. 202. (a) The Congress finds that—

(1) large amounts of fuels and energy are consumed unnecessarily each year in heating, cooling, and ventilating residential and commercial buildings because such buildings lack adequate energy conservation features; and

(2) State and local building codes or similar controls can provide an existing means by which to assure, in coordination with other building requirements and with a minimum of Federal interference in State and local transactions, that newly constructed buildings contain adequate energy conservation features.

(b) It is the purpose of this title to—

(1) assist in the development and implementation as soon as feasible of energy conservation standards for new residential and commercial buildings to achieve the maximum practicable economies in fuels and energy consumption within reasonable cost levels; and

(2) encourage States and local governments to adopt and enforce such standards through their existing building codes and other construction control mechanisms.

DEFINITIONS

SEC. 203. As used in this title, the term—

(1) "Secretary" means the Secretary of Housing and Urban Development;

(2) "Administrator" means the Administrator of the Federal Energy Administration;

(3) "building" means any structure which includes provision for a heating or cooling system;

(4) "residential building" means any building developed for residential occupancy for one or more persons or families;

(5) "commercial building" means any building developed for use other than residential occupancy, including buildings developed for industrial or public use;

(6) "State" includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States territories and possessions;

(7) "perfomance standard" means a maximum energy consumption goal for a building to be met in connection with heating, cooling, ventilating, lighting, and providing domestic hot water for the building, without the specification of the methods, materials, and processes to be employed in achieving that goal;

(8) "building code" means a legal instrument which is in effect in a State or unit of general local government, the provisions of which must be adhered to if a building is to be considered to be in conformance with law and suitable for occupancy and use.

PROMULGATION OF PERFORMANCE STANDARDS

SEC. 204. (a) (1) As soon as practicable, but in no event later than eighteen months after enactment of this title, the Secretary, only after consultation with the Administrator, the Secretary of Commerce utilizing the services of the Director of the National Bureau of Standards, and the Administrator of the General Services Administration, shall develop and publish in the Federal Register for public comment proposed performance standards for new commercial buildings. Performance standards shall be developed and promulgated within six months after publication of the proposed standards.

(2) As soon as practicable, but in no event later than three years after enactment of this title, the Secretary, only after consultation with the Administrator and the Secretary of Commerce utilizing the services of the Director of the National Bureau of Standards, shall develop and publish in the Federal Register for public comment proposed performance standards for new residential buildings. Performance standards for such buildings shall be promulgated within six months after publication of the proposed standards.

(3) In the development of performance standards, the Secretary shall utilize the services of the National Institute of Building Sciences, under appropriate contractual arrangements, as soon as practicable after the activation of such Institute.

(b) All standards promulgated pursuant to this section shall take account of, and make such allowance as the Secretary determines appropriate, for climatic variations among the different regions of the country. In addition, the Secretary shall consider the probable effect of any standard promulgated pursuant to this section, on the cost of new residential or commercial buildings and the benefit to be derived therefrom.

(c) The Secretary, in consultation with the Administrator, the Secretary of Commerce, the Administrator of the General Services Administration, the National Institute of Building Sciences, and other Federal officials, as appropriate, shall periodically review and provide for the updating of standards promulgated pursuant to this section.

(d) The Secretary, if he finds that the dates otherwise specified in this section for publication of proposed or promulgation of final performance standards under subsection (a)(1) or (a)(2) cannot practically be met, many extend the time for such publication or promulgation, but no such extension shall result in a delay of more than six months in promulgation.

MONITORING OF STATE AND LOCAL ADOPTION OF ENERGY CONSERVATION STANDARDS

SEC. 205. The Secretary of Housing and Urban Development, with the advice and assistance of the National Institute of Building Sciences, shall—

(1) monitor the progress made by the States and their political subdivisions in adopting and enforcing model energy conservation standards;

(2) identify any procedural obstacles or technical constraints inhibiting implementation of such standards;

(3) evaluate the effectiveness of prevailing energy conservation standards; and

(4) within twelve months of enactment and semiannually thereafter—

(A) report to the Congress the progress of States and units of local government in adopting and implementing model energy conservation standards for new buildings and the effectiveness of such standards,

(B) recommend to the Congress additional initiatives to assist remaining jurisdictions in enforcing such standards for new buildings; and

(C) recommend any other actions the Congress should take to encourage the application of such standards to new buildings.

GRANTS TO STATES

SEC. 206. (a) The Secretary is authorized to provide technical assistance and to make grants to States and to units of general local government to assist them in implementing through State and local building codes, model energy conservation standards approved by the Secretary.

(b) There is hereby authorized to be appropriated for the purpose of this section not to exceed a total of $10,000,000 to remain available until expended.

CONSULTATION WITH INTERESTED AND AFFECTED GROUPS

SEC. 207. In developing and in promulgating performance standards and carrying out his other functions under this title, the Secretary shall consult with appropriate representatives of the building community, including labor, the construction industry, engineers and architects, and with appropriate public officials of both State and local governments, and organizations of public officials, and representatives of consumer groups. For purposes of such consultation, the Secretary shall, to the extent feasible, make use of the National Institute of Building Sciences. The Secretary may also establish one or more advisory committees as may be appropriate. Any advisory committee or committees established pursuant to this section shall be subject to the provisions of the Federal Advisory Committee Act.

RESEARCH

SEC. 208. The Secretary, in cooperation with the Administrator, the Administrator of the Energy Research and Development Administration, the Director of the National Bureau of Standards, and the National Institute of Building Sciences shall carry out such research and demonstration activities as he determines may be necessary to assist in the development of performance standards under this title and to facilitate the implementation of such standards by State and local governments. Such activities shall be designed to assure that standards are adequately analyzed in terms of energy use, institutional resources, habitability, economic cost and benefit, and impact upon affected groups.

Mr. BROWN of Michigan (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there amendments to title II? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MURTHA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8650) to assist low-income persons in insulating their homes, to facilitate State and local adoption of energy conservation standards for new buildings, and to direct the Secretary of Housing and Urban Development to undertake research and to develop energy conservation performance standards, pursuant to House Resolution 692, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ROUSSELOT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 258, nays 130, not voting 45, as follows:

[Roll No. 499]

YEAS—258

Abzug
Adams
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Ashley
Aspin
Badillo
Baldus
Barrett
Baucus
Beard, R.I.
Bergland
Biaggi
Bingham
Blanchard
Blouin
Boland
Bolling
Bonker
Brademas
Breckinridge
Brodhead
Brooks
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill
Buchanan
Burke, Calif.
Burke, Mass.
Burton, John
Burton, Phillip
Carney
Carr
Carter
Chisholm
Clausen, Don H.
Clay
Cleveland
Cohen
Collins, Ill.
Conte
Conyers
Corman
Cornell
Cotter
Coughlin
D'Amours
Daniels, N.J.
Danielson
Davis
de la Garza
Dellums
Dent
Derrick
Dingell
Dodd
Downey, N.Y.
Drinan
Duncan, Oreg.
du Pont
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Emery
Evans, Colo.
Evins, Tenn.
Fascell
Fenwick
Fish
Fisher
Flood
Ford, Mich.
Ford, Tenn.
Forsythe
Fuqua
Gaydos
Gilman
Gonzalez
Green
Gude
Guyer
Haley
Hall
Hamilton
Hanley
Hannaford
Harkin
Harris
Hawkins
Hayes, Ind.
Hays, Ohio
Hechler, W. Va.
Heinz
Helstoski
Hicks
Hillis
Holland
Holtzman
Horton
Howard
Hughes
Jeffords
Jenrette
Johnson, Calif.
Jones, Ala.
Jones, Okla.
Karth
Kasten
Kastenmeier
Kazen
Kelly
Keys
Koch
LaFalce
Leggett
Lehman
Lent
Levitas
Litton
Long, La.
Long, Md.
Lujan
McCloskey
McCormack
McDade
McFall
McHugh
McKinney
Madden
Madigan
Maguire
Matsunaga
Mazzoli
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Miller, Calif.
Miller, Ohio
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moffett
Mollohan
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murtha
Neal
Nedzi
Nolan
Nowak
Oberstar
Obey
O'Brien
O'Hara
O'Neill
Ottinger
Patman, Tex.
Patterson, Calif.
Pattison, N.Y.
Perkins
Pettis
Peyser
Pickle
Pike
Preyer
Price
Randall
Rangel
Rees
Regula
Reuss
Richmond
Riegle
Rinaldo
Risenhoover
Rodino
Roe
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roush
Roybal
Runnels
Ruppe
Ryan
St Germain
Santini
Sarasin
Sarbanes
Scheuer
Schroeder
Schulze
Seiberling
Sharp
Shipley
Shriver
Simon
Skubitz
Slack
Smith, Iowa
Solarz
Spellman
Staggers
Stanton, J. William
Stanton, James V.
Stark
Steelman
Steiger, Wis.
Stephens
Stokes
Stratton
Studds
Symington
Talcott
Teague
Thompson
Thornton
Traxler
Tsongas
Ullman
Vander Veen
Vanik
Vigorito
Walsh
Wampler
Waxman
Whalen
White
Wilson, C. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Wydler
Wylie
Yates
Young, Ga.
Zablocki

NAYS—130

Abdnor
Archer
Ashbrook
Bafalis
Bauman
Beard, Tenn.
Bell
Bennett
Bevill
Bowen
Breaux
Brinkley
Burleson, Tex.
Burlison, Mo.
Butler
Byron
Casey
Cederberg
Clancy
Clawson, Del
Cochran
Collins, Tex.
Conable
Conlan
Crane
Daniel, Dan
Daniel, R. W.
Delaney
Devine
Dickinson
Downing, Va.
Duncan, Tenn.
English
Erlenborn
Evans, Ind.
Findley
Fithian
Florio
Flowers
Fountain
Frenzel
Frey
Gibbons
Ginn
Goldwater
Goodling
Gradison
Grassley
Hagedorn
Hammerschmidt
Hansen
Harsha
Hastings
Hébert
Hefner
Hightower
Hinshaw
Holt
Hubbard
Hutchinson
Hyde
Ichord
Jacobs
Johnson, Colo.
Johnson, Pa.
Jones, N.C.
Jones, Tenn.
Kemp
Ketchum
Kindness
Krebs
Krueger
Lagomarsino
Latta
Lloyd, Calif.
Lloyd, Tenn.
Lott
McCollister
McDonald
McEwen
McKay
Mahon
Mann
Martin
Mathis
Michel
Milford
Montgomery
Moore
Moorhead, Calif.
Myers, Ind.
Myers, Pa.
Natcher
Nichols
Passman
Poage
Pressler
Quie
Quillen
Railsback
Rhodes
Roberts
Robinson
Rogers
Rousselot
Russo
Satterfield
Schneebeli
Sebelius
Shuster
Sikes
Sisk
Smith, Nebr.
Snyder
Spence
Steed
Steiger, Ariz.
Sullivan
Symms
Taylor, Mo.
Taylor, N.C.
Thone
Treen
Vander Jagt
Waggonner
Whitehurst
Whitten
Young, Fla.
Young, Tex.
Zeferetti

NOT VOTING—45

Addabbo
Andrews, N.C.
Armstrong
AuCoin
Bedell
Biester
Boggs
Brown, Calif.
Burgener
Burke, Fla.
Chappell
Derwinski
Diggs
Esch
Eshleman
Fary
Flynt
Foley
Fraser
Giaimo
Harrington
Heckler, Mass.
Henderson
Howe
Hungate
Jarman
Jordan
Landrum
McClory
Macdonald
Meeds
Moakley
Mottl
Nix
Patten, N.J.
Pepper
Pritchard
Stuckey
Udall
Van Deerlin
Weaver
Wiggins
Wilson, Bob
Yatron
Young, Alaska

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mrs. Boggs for, with Mr. Landrum against.
Mr. Addabbo for, with Mr. Chappell against.
Mr. Nix for, with Mr. Flynt against.

Until further notice:

Mr. Mottl with Mr. Andrews of North Carolina.
Mr. Henderson with Mr. Fary.
Mr. AuCoin with Mr. Stuckey.
Mr. Giaimo with Mr. Macdonald of Massachusetts.
Mr. Van Deerlin with Mr. Esch.
Ms. Jordan with Mr. Derwinski.
Mr. Bedell with Mr. Biester.
Mr. Brown of California with Mr. Burke of Florida.
Mr. Diggs with Mr. Udall.
Mr. Foley with Mr. Burgener.
Mr. Hungate with Mr. Eshleman.
Mr. Fraser with Mrs. Heckler of Massachusetts.
Mr. Harrington with Mr. Howe.
Mr. McClory with Mr. Jarman.
Mr. Meeds with Mr. Moakley.
Mr. Patten with Mr. Weaver.
Mr. Pepper with Mr. Yatron.
Mr. Pritchard with Mr. Bob Wilson.
Mr. Young of Alaska with Mr. Wiggins.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. REUSS. Mr. Speaker, I ask unanimous consent that all Members may have

5 legislative days in which to revise and extend their remarks and include extraneous matter on the legislation just passed.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PROVIDING FOR THE ESTABLISHMENT OF AN AMERICAN FOLKLIFE CENTER IN THE LIBRARY OF CONGRESS, AND FOR OTHER PURPOSES

Mr. NEDZI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6673) to provide for the establishment of an American Folklife Center in the Library of Congress, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. NEDZI).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6673, with Mr. MURTHA in the Chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Michigan (Mr. NEDZI) will be recognized for 30 minutes, and the gentleman from Louisiana (Mr. MOORE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. NEDZI).

Mr. NEDZI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the United States of America is history's most dramatic example of a progressive society which was begun and has been developed by people from a wide diversity of ethnic and racial origins.

Americans are certainly widely assimilated in the sense of "feeling American," and of having equal rights and opportunities. At the same time there is nothing wrong with being sensitive to one's roots and traditions.

Properly perceived and recognized, diversity is not divisive. It is a national asset, not a liability.

In recent years we have seen a strong upsurge of public interest in folklife and ethnic heritage. This interest is evident in the Congress, as indicated by the fact that over 230 Members of the House and 70 Senators have sponsored bills identical or similar to the bill recommended by the Committee on House Administration.

H.R. 6673 would establish in the Library of Congress an American Folklife Center, under the direction of a Board of Trustees. The Board would be composed of four members appointed by the President from among officials of Federal agencies concerned with some aspect of folklife; four members appointed by the Speaker of the House and four members appointed by the President pro tempore of the Senate from among individuals in private life who are recognized for their scholarship, experience, creativity, or interest in folklife: the Librarian of Congress; the Secretary of the Smithsonian Institution; the Chairman of the National Endowment for the Arts; the Chairman of the National Endowment for the Humanities; and the Director of the Center. In making their respective appointments, the Speaker of the House and the President pro tempore of the Senate would be required to strive for regional and political balance.

For purposes of the bill, "American Folklife" is defined to mean the traditional customs, beliefs, tales, art, crafts, and other expressions of the spirit common to a group of people within any area of the United States, and includes music, language, handicraft, sculpture, architecture, and other skills related to the preservation, presentation, performance and exhibition of the cultural heritage of any family, ethnic, religions, occupational, racial, regional or other groupings of American people.

The Center would be authorized to enter into contracts, make grants and loans, and award scholarships to individuals and groups for activities including research, training, exhibits, and workshops; and the production, and support of educational projects. Additionally, the Center would be directed to establish and maintain a national archive and center for American folklife. Materials for this achive could be purchased or otherwise received and could be loaned or exhibited in accordance with Library of Congress procedures. In view of the relatively embryonic nature of folk and ethnic cultural preservation programs, the bill also authorizes the Center to itself produce and develop activities for which a capability does not now exist in the private sector.

Grants made pursuant to this bill would be limited to 2 years' duration, except that with the recommendation of the Board the grant could be extended to not more than 5 years. No grants, loans, or other assistance could be used for land, building, or equipment acquisition. Federal employees would be prohibited from receiving grants or other assistance until at least 2 years after leaving Federal service.

The Librarian would appoint a Director and a Deputy Director of the Center who would be responsible for directing and supervising the day-to-day functions of the Center. The Director and Deputy Director would be compensated with salaries not to exceed, respectively, GS-18 and GS-16 of the General Schedule.

In order to implement the functioning of the Center, the Librarian would be authorized to promulgate regulations, appoint necessary personnel, and accept donations of money and property. The Librarian would be directed to include in his annual report to the Congress a detailed accounting of all public and private funds received and expended, and all other relevant information on the Center's operations.

The bill would authorize to be appropriated to the Center: $167,750 for the fiscal year ending on September 30, 1976; $710,000 for fiscal 1977; $1,716,000 for fiscal 1978. The amount and duration of these authorizations were expressly limited to provide the oversight committees the opportunity to carefully evaluate the Centers' performance and to recommend organizational changes if these are indicated. These amounts include provision for grants and were recommended by the Library as a minimum funding level.

The Library of Congress is an ideal place for the Center. The Library has been building its Archive of American Folksong since 1928. It has now one of the most extensive collections of American folk music in this country. In addition, large collections of other relevant folklife materials are housed in the Library in the form of manuscripts, photographs, motion pictures, and other materials. The Library also has an extensive collection of published works relating to folklife. For these reasons, the American Library Association has fully endorsed both the Center and its location in the Library of Congress.

Mr. Chairman, this legislation does not compete with other programs or activities. It is meant to be conservatively financed. It seeks to preserve and encourage folk art but not "high art." It is not geared to dry academic analysis but to the grassroots of America.

The bill recognizes our folk and ethnic traditions as priceless assets which developed naturally in their own regional and historical climates. They should not be allowed to fade away, victims of the pressures to conformity brought on by urbanization and 20th century technology.

I urge my colleagues to join the Committee on House Administration in supporting this legislation.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Chairman, I heard the gentleman remark that the Library of Congress has been gathering materials on folk art of this nature since 1928 including, I suppose, songs like "Brother, Can You Spare A Dime?" which I am sure were representative of the state of the Nation at various points in our history. We could perhaps now write a new song saying, "Brother Can You Spare $2.6 Million for 2 Years" to finance what some of us who are a bit testy about Government spending regard as an area which can be left to sometime in the future when there is no deficit. Can the gentleman offer an opinion as to whether the state of folk art would be set back if we wait until we have a balanced budget or would that perhaps prevent the center from ever coming into existence?

Mr. NEDZI. Mr. Chairman, from the testimony received in the House subcommittee and the Committee on House Administration there was concern that many of the folk art items extant in the country today are rapidly disappearing.

Mr. BAUMAN. I would say to the gentleman, when this collection is compiled, and it would be certainly against my better judgment, I hope his speech is entered as an exhibit of the type of folk art we have in this Congress.

Mr. NEDZI. I thank the gentleman for his suggestion.

Mr. MOORE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I find it necessary on behalf of the minority of the House Administration Committee to rise in opposition to this bill and ask the Members to vote against it.

There are three basic reasons I would like to point out for the opposition to this bill. First is the cost of the bill. Second is the weakness in the organization of the institution set up in the bill. Third, the need is questionable.

Let us look at the costs. This bill is going to cost or going to provide for an expenditure of $167,750 this year, for $710,000 next year, and for $1,716,000 the third year or a total of $2.6 million. Notice the growth pattern.

This is money we do not have. As the Members well know, our till is empty and this bill will further add to Alpine-high deficit spending. Who knows exactly how much this bill is going to cost us in the future once we create this Center?

There is one item of interest I would like to read to the Members from section 5 of the bill which reads:

> The center and its Director are authorized to
>
> (1) enter into, without regard to—

Mr. Chairman, I emphasize the words "without regard to"—

> Federal procurement statutes and regulations, contracts with, make grants and loans to, and award scholarships to individuals and groups for programs for the—

And then it goes on to talk about the programs. I suspect it is the awarding of these grants which is really the heart of this matter. It is the ability of the Federal Government to engage in spending money we do not have in a new way which is going to benefit certain individuals and certain groups of people who have no way of getting that money now. It may relate to a laudable purpose, but that purpose will undoubtedly increase in cost. Once the Director starts making these grants, and I suspect there will be more grants than loans, we are going to see a never ending and continuous stream of requests for this new project. Members can see already the growth rate over the next 3 years and it could become a significant factor in our budget in the future.

Since there is no funding source provided in the bill, we have only to assume that will come from general revenues, which are already some $70 billion in deficit. Any addition to the deficit, as we all know, will result in inflation next year.

Rule XI of the rules of the House requires an inflationary impact statement to be secured. The supplemental committee report on this bill says this statement has not to date been received from the Congressional Budget Office. Yet that report emphatically states in a one-sentence conclusion that the bill "will not have a significant inflationary impact." I submit that this statement is totally incorrect and totally inaccurate.

While $2.6 million may not sound like much money to some people, some poor taxpyaer has got to pay that $2.6 million. It has got to come from somewhere. It has to be taken from someone, from the taxpayers or from some other project, and if we do not do that, we will have to borrow it.

We are already projecting, according to the Secretary of the Treasury, that some 73 percent of all private capital in the country next year is going to be borrowed for such Government programs as this. I would remind each of any colleagues that only 60 percent was borrowed in 1974 when we had high unemployment, inflation, high interest rates, with the beginnings of recession. I ask, What will happen when we have to borrow 73 percent?

We ought to be looking into reductions in the borrowing needs of the Government, not increasing them.

I am much more interested in preserving the folklife, indeed, the actual existence of the taxpayers and the working people of this country who have to pay for such projects as this. If we keep spending this kind of money, we are putting them out of business. They are the people who need to be protected, to be preserved. I ask that you join me in do ing just that by voting down this bill.

The measure also contains institutional weaknesses; that is, it says the Library of Congress shall establish this new program. Why not assign these duties to the Smithsonian Institution? They are in this business already. The present language of the bill could seriously dilute the Library of Congress ability to support us in our research needs, which is their main role and mission. The Library of Congress is not a vehicle to set up exhibits, give out grants, establish loan projects, as this bill directs.

In addition, section 3 of this bill fails to specify exactly what we are going to preserve by way of folklore. It defines in part 1 the term "American Folklife" in a long-winded manner as:

> An exhibition of the cultural heritage of any family, ethnic, religious, occupational, racial, regional, or other grouping of American people.

But let us go back to the words "of any family." Does that mean we are going to preserve the folklife of one family that seems to be interesting or does it mean we are going to preserve the family life of every family in America? I submit the word "family" is used in an extremely loose manner here.

Finally, I question the need for the program at all. There was no evidence presented in the committee hearings that there is an absence of folklife preservation. To the contrary, many local institutions are doing rather well without the long arm of the Federal Government interfering in their work.

I submit the evidence in the hearings does not prove that the Federal Government need enter into this area at this time.

So I conclude, Mr. Chairman, by saying the idea has merit. Certainly we want to preserve the folklore of America. Surely, it has merit, but it ought to be done sometime in the future when we thoroughly investigate this matter to see who should be doing it, where it could be done and how it could be done, which was not sufficiently researched in this case.

It ought to be done at a time when our deficits are not the largest in history, which they are now; when our taxpayers are not overburdened, as they are now; when our economy is not weak, which it is now; and when inflation is not perilous, as it is now.

In short, we should reconsider the idea when we can afford it as a luxury; which, in fact, it is.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I have a couple questions. Does the gentleman know if the Ford Foundation is in a deficit situation this year?

Mr. MOORE. No. I do not know the answer to that question.

Mr. HYDE. Well, my understanding is the Ford Foundation, which is a great supporter of cultural diversity, is very much in the black.

I wonder if the gentleman has any objection to the Ford Foundation or any of the myriad or plethora of foundations dedicated to this sort of project undertake this worthwhile task and relieve the taxpayer of the $80 billion revenue deficit burden in the foreseeable future; is there any objection to that?

Mr. MOORE. I see no objection. I commend the gentleman for making that suggestion.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I appreciate the gentleman from Louisiana calling to our attention the language on page 7, "without regard to Federal procurement statutes and regulations," which is pretty broad. On page 12, I wonder if the gentleman could answer two questions. In paragraph 7 there is also this in the bill:

> (7) enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of the Act, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds.

I just wonder what we are excluding there. In the next paragraph, section 8, we are excluding the provisions of section 3648, revised statutes as amended. This has to do with making advances, progress payments and others which the board believes necessary. I wonder, in addition to what the gentleman has already pointed out, what else are we exempting from this act?

Mr. MOORE. I do not know the answer to that question. I think the gentleman from Florida has made an excellent point.

Mr. NEDZI. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey (Mr. THOMPSON).

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Chairman, I would like to speak in support of this bill, and I hope the gentleman in the well will do so.

Mr. THOMPSON. Mr. Chairman, the argument set forth by the gentleman from Louisiana, who immediately preceded me, presents nothing new. I rather regret that it takes the same tone as arguments which have existed over the years against the legislation proposed by those of us who do not equate American society to a household budget or to a defense budget.

I have not taken the time to research the gentleman's voting record, but I would warrant that he has not voted against any military appropriation or the acquisition of one single aircraft which would cost more than this legislation would cost in the next 20 years. I do not mean to be impolite to the gentleman.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. Yes, I will be delighted to yield.

Mr. MOORE. Mr. Chairman, I am not sure which gentleman referred to, the one from Louisiana State or the one from Florida.

I should like to point out that I did vote against appropriations for military aircraft. I do not know whether the gentelman from Florida has or not.

Mr. THOMPSON. I was referring to the gentleman from Louisiana.

Mr. MOORE. I want the record to show that I did vote against military appropriations and will continue to do so on military appropriations.

Mr. THOMPSON. That is splendid.

Mr. Chairman, this legislation, which has a relatively long history, would establish an American Folklife Center in the Libaray of Congress to preserve and support folklife traditions and arts. It is conceded and it is necessary that the Center would have broad authority to implement a national policy for support of American folklife by encouraging all art forms which express the customs, the beliefs, and the crafts common to unique groups of Americans.

I might point out that this legislation has 236 cosponsors in this body. Its genesis is a long and interesting one. It was first introduced by myself and former Senator Yarborough of Texas in the 91st Congress, and has had a great number of sponsors and cosponsors.

At this point, I would like to pay particular tribute to the gentleman from Michigan, the distinguished chairman of the subcommittee (Mr. NEDZI) for his understanding, his persistence, and his support. The rest of the sponsors are so numerous that it would be impossible to name them. Many worked very long and hard. There is a person who is not a Member of this body who is currently a visiting professor of English at the University of Texas in Austin. He has worked for a number of years on this legislation and his name is Dr. Archie Green.

His background is interesting, I think. He was born in 1917 of Ukrainian-Jewish parents and immigrated to California as a child. A graduate of the University of California at Berkeley with a degree in philosophy, Archie worked as a shipwright for 20 years, including service in the Navy in World War II. He attended the University of Illinois for graduate work after military service, where he worked in the library and taught English. In 1969 he received a Ph. D. in folklore from the University of Pennsylvania.

Professor Green calls himself a folklorist and a cultural preservationist. He and his colleagues, who have worked so long and so hard on this legislation, deserve a great deal of credit. Credit is also due former Senator Harris from Oklahoma and many other persons too numerous to name individually.

I do not think that for a period through fiscal year 1978 anyone should be terrified about a budget deficit if indeed the preservation of the most beautiful tapestry in the history of the civilized world can be preserved and saved for $2,593,750. That does not frighten me very much. I think, rather, the dissipation of the folklorists and folk rites would be a tremendous tragedy. I think as a country which is just 200 years old, and terribly proud of it, we are totally unique, in that there is not a single one of us saving in this body who is not a descendant of immigrants and who does not take great pride in his national, ethnic, or religious background.

Mr. Chairman, we have just celebrated, for instance, Rosh Hashanah, the New Year of the Jewish people. Our Jewish population has contributed to and enriched our whole society, as have all of the other religions and racial groups.

This is indeed a very modest proposal. It runs all the way from the preservation of the great jazz of America, which emanated principally from the State of Louisiana, the Indian cultures of our newest State in the Union. These contributions culturally and ethnically are extremely valuable to us.

I repeat that this is indeed a modest, albeit a very necessary, proposal. We are a country made up of immigrants, descended from immigrants. We ought to take great pride in those things and to weave into the tapestry of our national life the contributions made by those from whom we came and to preserve those things.

Mr. Chairman, I respectfully submit that the time has come for the passage of this legislation, and I most enthusiastically support it, with my deep gratitude to the chairman of the committee.

Mr. SYMMS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. I will yield to the gentleman.

Mr. SYMMS. Mr. Chairman, I thank the gentleman for yielding.

I would just like to ask the gentleman if, in this tapestry of folklore that we are going to weave, we are going to weave into it what happened to the continental currency 200 years ago.

Mr. THOMPSON. Mr. Chairman, that might be a valuable thing to consider. I rather doubt, though, that we would. I do not think that currency is necessarily a relevant subject at the moment.

Mr. SYMMS. Mr. Chairman, the point I am getting at is that the old saying, "It is not worth a continental damn," came from the continental currency when they just tried to print more money.

I think what we are doing here is destroying the integrity of the American dollar. That used to be a part of our American folklore, too.

Mr. THOMPSON. Mr. Chairman, is the gentleman trying to convince me or his colleagues that the expenditure over the next 3 fiscal years of $2,593,000 is going to destroy our currency any more than it has been destroyed by recent economic manipulations? Is that what the gentleman is trying to say to me?

Mr. SYMMS. Mr. Chairman, will the gentleman yield further?

Mr. THOMPSON. I yield for an answer to that question.

Mr. SYMMS. Mr. Chairman, I thank the gentleman for yielding.

What I am trying to say to the gentleman is that this is part of the process of the destruction of the American dollar. The total amount of $2,900,000 goes a long way with American middle-class families who are paying for this.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. THOMPSON) has expired.

Mr. NEDZI. Mr. Chairman, I yield 1 additional minute to the gentleman from New Jersey (Mr. THOMPSON).

Mr. THOMPSON. Mr. Chairman, my confidence in our economic system is such that I am absolutely sure that an expenditure of $2,500,000 for this laudable purpose is not going to shake it.

If the gentleman from Idaho is not that confident, then may I suggest to him that there are a great number of opportunities to cut back in the future.

Mr. SYMMS. Mr. Chairman, I thank the gentleman.

Mr. GONZALEZ. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. I yield to the gentleman from Texas.

Mr. GONZALEZ. Mr. Chairman, I rise to support the gentleman and compliment him for his very solid support of this legislation.

Mrs. FENWICK. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. I yield to the gentlewoman from New Jersey.

Mrs. FENWICK. Mr. Chairman, I thank the gentleman for yielding.

I am sorry that the debate has taken this turn. I agree that $2½ million is a great deal of money, and although I am sure that this is not an appropriation bill, as I understand it, I believe it may well be that in subsequent years we may cut this back to a modest sum of $500,000 a year.

Mr. THOMPSON. Mr. Chairman, I understand my colleague's interest in fiscal affairs. I thank the gentlewoman very much. I would not agree that the moneys should be cut back to $500,000 per year, however.

Mrs. FENWICK. Mr. Chairman, I would like to say further, if I may, that I heartily endorse this bill. I think it is essential, and that is shown by the very way it has grown.

We are going to find in certain parts of our Mountain States, in parts of the South, in Maine, and, I hope, in New Jersey those who remember old songs and old stories, old personalities, and old events. We cannot do contracts in the usual way.

Mr. Chairman, I think the bill is well drawn and well designed.

Mr. THOMPSON. Mr. Chairman, I thank the gentlewoman.

Mr. MOORE. Mr. Chairman, I yield 1 minute to the gentleman from Idaho (Mr. Symms).

Mr. SYMMS. Mr. Chairman, I would just say that we have reached a point in the United States of America where 45 cents of every dollar earned is going to support some kind of a governmental function and to pay some kind of taxes, either local, State, or Federal. Forty-five cents of every dollar goes for that purpose, in an ever-increasing consuming government.

I believe that pieces of legislation like this that calls for the expenditure of $2.7 million are no more than a boondoggle. American folklore is not going to disappear in the next year or two if this legislation is not passed, but maybe the strength and sovereignty of the United States will disappear if we do not stop this kind of nonsense.

Mr. Chairman, I believe that if we would take this issue to any middle-class family or any family living in a ghetto or any family anyplace in American where people are working to earn their livelihoods, we would find that maybe they think $2.7 million is a lot of money. I think it is outrageous.

Mr. Chairman, it is no wonder that Congress is held in such low esteem by the American people. I think legislation of this type only begets the lowering of that esteem even more, and I would say it is no wonder——

Mr. MOORE. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. Frenzel).

Mr. FRENZEL. Mr. Chairman, I am a former supporter of this legislation. I voted for it last December when it was considered in this House and when it failed because it could not achieve a two-thirds majority. I am an author of this bill.

However, between then and now things have changed very greatly in this country. We were not then looking back on a recession and trying to nourish a fragile recovery. We were not at that time prepared for a $70 to $100 billion deficit. We did not really understand what the Budget Control Act meant. And, of course, this amount is not in our budget resolution.

That sort of analysis led me to look further into this bill, and then to decide that this is not the time nor the place nor the bill for the United States of America now.

The organization of the bill, I think, is deficient. When the committee heard testimony, it had to decide whether to give this particular jurisdiction to the National Endowment for the Arts, the Smithsonian Institution, or the Library of Congress.

I suppose we threw darts at a board or application blanks down the stairs or something, and we came up with the Library of Congress, but why include endowments or grants? Now we are going to turn the Library of Congress into a grant-giving institution. The Smithsonian probably had the most experience, simply because of running their annual fair each year. The National Endowment for the Arts has the expertise in grant giving. So we picked the least likely organization.

To be sure, these institutions will cooperate. We will need their cooperation. Nevertheless, why did we pick the institution least likely to succeed in this particular venture?

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. Frenzel) has expired.

Mr. MOORE. Mr. Chairman, I yield the gentleman from Minnesota (Mr. Frenzel) 2 additional minutes.

Mr. THOMPSON. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. Yes; I yield to the gentleman from New Jersey.

Mr. THOMPSON. Mr. Chairman, I thank my colleague, the gentleman from Minnesota (Mr. Frenzel) for yielding.

I might point out that in the hearings the Smithsonian Institution, although fully supporting this legislation, did not want, because of its tremendous workload in other areas, including the annual folklife fair, to take on this duty. The foundation resident in that institution had agreed with the authors of the legislation that it should be in the Library of Congress.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman from New Jersey (Mr. Thompson) for his contribution.

I believe my statement did note that most of the other organizations did speak in favor of putting it in the Library of Congress. However, in addition to that mistake of jurisdiction, we have created a 17-person board that includes 8 political appointments, 4 by the Speaker of the House and 4 by the President of the Senate, allowing them 6 members of their own party if they desire. To be sure, there is a call for qualifications, but actually the vagueness of definition will allow naming almost anyone whom one chooses. Nearly anyone can be a folklorist in this bill and then collect per diem, expenses, and travel mileage.

Mr. Chairman, it is a lousy way to pick a board. I should think that once we had passed the Watergate crisis, we could get over this nonsense of the Houses of Congress appointing people to handle administrative and executive chores. If it is not unconstitutional, it is silly.

Going on to personnel, we are going to create a GS–18 and a GS–16. How do all our conservative folks like that?

If the White House asked for a GS–18 and a GS–16, we would erupt in righteous indignation, but we are going to pop a few more into the Library of Congress and call it progress.

Finally, as to the definition of "folklore," I defy any Member of this body to find any activity carried on in this country that is not covered by that definition of folklore. That, of course, is going to create an endless demand for the future. That is why the Smithsonian and the National Endowment for the Arts were happy to support the Library of Congress in this respect. It is a new place to go for money.

Those who do not qualify as artists under the National Endowment for the Arts will certainly qualify as folklorists and thus get a chance to get their fingers into a new grant system.

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. Frenzel) has expired.

Mr. MOORE. Mr. Chairman, I yield the gentleman from Minnesota (Mr. Frenzel) 1 additional minute.

Mr. FRENZEL. I thank the gentleman for yielding. I am sorry to impose on the gentleman from Louisiana.

In addition, we are perverting the function of the Library of Congress. We have had a very fine staff operation being carried on by the Library of Congress. It serves us basically, but it also serves the scholars of the world. Now, we are going to give it an executive function, a grant-giving function, and an administrative function. This, in my judgment, is counter to its main charge and is likely to cause it some disruption in carrying out its principal function. Even if it does not do that, the Library certainly is not geared to accept this new function for which it is ill suited, in my judgment.

Finally, Mr. Chairman, there is the price, $2.6 million may sound like a very tiny amount to the gentleman from New Jersey. In my district $2.6 million sounds like an awful lot of money. My constituents are concerned about the way we are spending money. There may be a time in the history of this country when we will want to devote $2.6 million to folklore, whatever that may be. With a $70 billion deficit—and maybe $100 billion facing us—this is surely not that time.

Mr. Chairman, I urge that the bill be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE. Mr. Chairman, I yield 6 minutes to the gentleman from Maryland (Mr. Bauman).

Mr. BAUMAN. Mr. Chairman, I take this opportunity to remind my colleagues that this bill is a near carbon copy, with a few changes, of the bill that was defeated by the House of Representatives last December under suspension. I believe we acted wisely at that time in doing so in light of its provisions and extravagance and the cost of the legislation.

For those Members who like to keep track of the way tactics are used, this bill first floated into the Chamber at $5 million. It now has a bargain-basement figure of $2.6 million, with a reduced time authorization.

I happen to believe that a number of my colleagues have already well stated the case which, summarized, is that at a time when the twin cancers of inflation and unemployment have spread throughout the body politic, I think most of us find it even less appropriate to paw the taxpayers' pockets so that we can attempt to erect some ersatz ministry of culture. It seems to me that even the idea that bureaucrats can decide what is to be our culture and our folklife violates the spirit of our traditions. That some Federal center should make these decisions for us really does not appeal to me at all.

Folklife itself comes from people, and I can assure the Members that $2.6 million in taxes this will cost will also come from the people.

In England many, many years ago they had an institution which served as a governing body for the shire, the town, or the district known as the folkmoot. This was a body of the people where they could come and express their ideas and speak on the problems that faced them. Out of this came many of these traditions we have had handed down today. It is particularly well that we remember that representative tradition because this particular bill is different from many that we consider.

The Library of Congress is the creature of the Congress, the present day folkmoot. We cannot blame the executive branch for trying to create this agency. It is totally under our control and our prerogative, and, therefore, we have to accept responsibilty for this agency.

What is it that we are doing? We are duplicating, first of all. We have heard of the Smithsonian Folklife Week and activities. We know that the National Endowment for the Humanities has hundreds of millions of dollars at its disposal for grants of this nature. We know that the Bicentennial Commission, again, has millions and millions of dollars at its disposal and they, too, are making grants. We seem to have learned nothing from the National Science Administration with its grants and handouts to people without any checks or balances. There are even more checks and balances in NSA's operation than in this bill. The gentleman from Florida (Mr. YOUNG) has already pointed out this bill waives all sorts of standards concerning the granting of contracts, the making of grants, and bonding and other performance requirements.

I suppose that Will Rogers was right when he said, talking about archaeology which had some sort of vogue in the twenties, of people opening up the tombs of Egypt, that many times we find the true nature of civilization in the small things that are uncovered. Some day when the archaeologists, if there are still any left, come back and dust off the 60 feet of earth over this building, and get to the House document room and find this particular legislation, they will say to themselves that this kind of activity was far more symptomatic, as the gentleman from Idaho (Mr. SYMMS) suggests, of the malaise that pervades this floor and the minds of those Members, as so amply demonstrated by the argument of the gentleman from New Jersey. They tell us that it is entirely possible for us to have everything we want at any cost, without anyone ever having to pay for it, everyone being happy, and in the next election all of us being returned to office, one presumes.

I submit to the Members that it does not work that way. What is suggested here is not a proper, but an improper role for the Federal Government. I suggest to the Members that our Founding Fathers never thought that we ought to have the Library of Congress, or any other agency, serve as a university extension service on the Federal level to study matters such as this.

Already we have an identity crisis from so many Federal agencies duplicating and vying with each other for jurisdiction over our citizens. I do not think at this point we ought to add to that headache, or that we ought to add to the enormous deficit. What we should do is follow the folklife and wisdom shown last December by the House of Representatives, and once again defeat this attack on the American people.

Mr. MOORE. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I was interested in the remarks of the distinguished gentleman from New Jersey, who, I gather, has a feeling that literacy and respect for cultural diversity embodies a lack of sympathy for a strong defense budget. As I recall, his exact words were something like, "Do not equate American society with the defense budget."

I would say we should not equate cultural diversity and social pluralism with the dead hand of Government. There are ways that elements of society can exist without the Federal Government funding them and providing another board and another commission to supply guidelines and to make judgments as to which folklore is worth a grant and which folklore is beneath a grant.

There is a principle involved here. We are spending $2.7 million to fund this program, and when we are talking about a $350 billion budget that may not sound like very much, and it may sound a little like lint picking, but the principle is we are spending money we do not have. We are going to have to borrow this money to fund this worthy cultural exercise that really is not essential for the survival of our cultural diversity.

It seems to me there is a strange elitism in those who feel that if we support a defense budget we are somehow cultural barbarians and that in this, as in so many other aspects of life, Government can do it better. But the Government cannot do it better. I would invite the gentleman from New Jersey to come to my district and see the wonderful parade put on by the Czech community without any Federal funding or come and watch the St. Patrick's Day parade as the Irish storm down State Street in Chicago or watch the St. Joseph's Day celebration in my district, or the Chinese celebration. There are so many wonderful culturally diverse exercises that do not involve the dead hand of Government.

I would also suggest there are all kinds of foundations abroad in the land with dollar upon dollar whose directors are looking for such things to fund and this would be a worthy pursuit.

Really, I have a halfway house in my district for alcoholics, which is one of the most useful agencies I have ever seen. They are going to have to close their doors because they do not have $30,000 to make it for another year. I have hit the bureaucracy on the head and I have telegraphed and searched, and I have found there is no way I can get that money for this most useful purpose, but here we are going to spend $2.7 million to preserve the study of some ethnic groups which may be worthy and worthwhile to preserve, but if they are worthwhile to preserve they will last on their own merits I will say, without the need to spend taxpayers money wo don't have.

I will say this is the wrong bill for the wrong purpose at the wrong time, at this time of terrible budget deficit.

Mr. THOMPSON. If the gentleman will yield, he is not associating the St. Patrick's Day parade with the halfway house for alcoholics, I hope?

Mr. HYDE. No; the gentleman is confusing the Christian Temperance Society with the St. Patrick's day parade.

Mr. THOMPSON. I just wanted to clarify that.

Mr. HYDE. Most of them march in a pretty straight line.

Mr. MOORE. Mr. Chairman, I would like to conclude by saying we should not mistake these remarks in opposition to the bill for being against the preservation of folklore. We appreciate the cultural and folklore aspects of this country. Quite the contrary. We are trying to preserve that by preserving our economy. We feel at a time when we can ill afford further spending by the Federal Government the spending of money for this purpose is not necessary. But this bill also has its inherent weaknesses as has been pointed out, such as in the way the trustees will be selected coupled with how the grants will be granted and so on. All of these aspects cause me great concern as I realize that the people's money is not being properly protected.

I say it is the wrong agency set up at the wrong time and for the wrong amount of money. I do not think we can afford it now. I suggest we come back and look at it when we have the country in better shape.

Mr. SYMMS. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I am glad to yield to the gentleman from Idaho.

Mr. SYMMS. Mr. Chairman, I thank the gentleman for his very succinct remarks. I could not agree with the gentleman more.

I would just like to say, to fund this bill it is not the $2.6 million as much as it is the symbol of congressional irresponsibility in the 94th Congress that this bill represents.

I hope the Members will think about that as they vote for it.

Mr. MOORE. Mr. Chairman, I heartily agree. As we look at part 1, we are giving grants in the future without regard to Federal procurement statutes and regulations. I think we are getting into a far greater danger than just the $2.6 million that we do not have, which is too much, anyhow. I agree with the gentleman from Idaho completely.

Mr. REUSS. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. GONZALES).

Mr. GONZALEZ. Mr. Chairman, the

reason I take the opportunity to address this committee at this time is to answer some of the remarks that have been made concerning this bill (H.R. 6673). I first should congratulate the gentleman from Michigan (Mr. Nedzi) for authorizing and sponsoring this legislation and with some degree of envy mark his success in getting that approval. For about 10 years I have introduced what I call the Language Preservation Act in an attempt to try to salvage the language resources of this country which are vast and great and being lost, like many other things.

I notice on page 3, section 3, in the definition of the term "American Folklife," with a great deal of satisfaction and happiness, that the committee has included the word "language."

I think that the attack that has been made on this measure and this program contemplated in this measure is a spurious one. It is the same rationale that can be leveled at any kind of program that we consider now or in the future, whether it is the preservation of American folkways and folklife or language or music, or whether it is the protection of health in the enlargement of the Federal Drug Act or any other activity that entails the agency of the Government; but in this case we see that which many of us have hoped to see for many, many years, and that is that Congress is recognizing it is a responsibility that it is discharging in my opinion in a very wise and prudent manner.

The question about the cost—well, we have got to have faith that the men sitting on the Committee on Appropriations will be able to gage exactly what the needs will be. This legislation, authorization legislation, merely sets the limits that the committee feels will be proper for the type of program that the committee envisions; but we know and everybody that belongs to the House or has belonged for 1 week knows that the Committee on Appropriations seldom ever gives 100 percent funding on the authorization bill. We just simply have got to have the faith that they will have the wisdom and the wit to know how to fund it.

The real issue is, shall we recognize a tremendous asset that is inherent in our society, its diversity, its diversity in language, custom, music, food, all of these things are fine from a regional standpoint and whatever efforts are made regionally.

In my home town we have the Institute of Texan Culture which is sponsored by the State of Texas. It is an outstanding thing. The State of Texas has appropriated millions of dollars for its construction and perpetuation, but it is still fragmentary. This measure is needed because it will give us a coherent national whole.

To the gentlemen who are very, very concerned about money, the integrity of the dollar and the like, I must agree with the gentleman from New Jersey (Mr. Thompson) that this hardly will endanger that. All I can say is that this is the usual litany I hear from those gentlemen who seem to abound on that side of the aisle, and it is very much like the old ditty that goes:

> "Higgledy, piggledy, my little white hen
> She lays eggs only for gentlemen.
> I cannot persuade her with pistol or lariat
> To come across for the proletariat."

Mr. NEDZI. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. Downey).

Mr. DOWNEY of New York. Mr. Chairman, I rise in support of H.R. 6673. A member of my staff—Bruce Collins—is a poet, and he has written a ballad hailing the soon-to-be-passed Folklife Preservation Act. I have been asked by a number of my colleagues not to sing it, but I will read the first stanza and I ask permission to revise and extend my remarks so that those Members who are waiting, no doubt with baited breath, for tomorrow's Record, can read the other stanzas.

The first stanza goes like this:

THE BALLAD OF THE FOLKLIFE PRESERVATION ACT

(Words by Bruce Collins, tune: traditional—"Peter Wemberley".)

1.

Come all you good Americans, good news there is to tell
It's about an Act of Congress that's finally done us well
It helps to save our history and helps to save our songs
Against the march of progress and a world that's all gone wrong

It is sung to the traditional tune of "Peter Wemberley."

The additional stanzas are as follows:

2.

The American Folklife Preservation Act was passed this day
A majority of Congressmen, they did to us all say:
"Every now and then we must look back to see from where we've come
So we passed this law to make sure when we look it isn't gone."

3.

Now all of you who love this land will have no thought or fear
That in this Twentieth Century we'll lose our customs dear
Folk dancing, singing, telling tales, and handicrafts and such
From the great north woods to the delta towns will live on despite us

4.

Our American civilization signed up all kinds for its ranks
There's Cajuns, Indians, Chinamen, and Connecticut's wily Yanks
We put so much variety into that melting pot
It'd be a shame to boil it down to nothing and forgot

5.

Of all the men and women who worked to pass this bill
One, more than most is smiling—his work has been fulfilled
He stalked the halls of Congress to convince the Congressmen
His name: Professor Archie Green, a scholar and gentleman

Mr. NEDZI. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. Simon).

Mr. SIMON. Mr. Chairman and members of the committee, I came on the floor and heard my distinguished colleague from Illinois (Mr. Hyde) take out after this bill. It so happens that in his county, Cook County, 1 mile of expressway costs about $50 million to construct.

We are talking about a bill that will take roughly one-tenth of that amount for 3 years. I am one who is a fiscal conservative; my staff has calculated that I have voted to cut $14.8 billion so far this session, and I spoke the other day in support of the amendment offered by the gentleman from California (Mr. Rousselot)—but I think we have to recognize that we as a civilization ought to be remembered for something other than the ribbons of concrete with which we mar the landscape.

We have to preserve our heritage, and I think this helps to do it. I think it is an important bill, and I am going to vote for this particular measure.

Mr. MOORE. Mr. Chairman, I would like to yield 1 minute to the gentleman from Ohio (Mr. Whalen).

Mr. WHALEN. Mr. Chairman, I rise in support of H.R. 6673. As a sponsor of similar legislation, H.R. 4259, I am pleased that the House Administration Committee has recommended a bill to establish an American Folklife Center in the Library of Congress.

With the advent of our Bicentennial celebration it is appropriate for the Federal Government to sponsor a program to study and preserve our folklife traditions and arts. The values of folklore and folklife have long been recognized in European countries, where they are treasured as a prime national resource and generously subsidized at national and local levels of government. Indeed, folklore studies have become a special field of science in Europe, especially in Finland, Sweden, Ireland, France, and Germany.

Thus, it is fitting that the rich and diverse folk heritage of the United States be given similar attention by our Government. The Library of Congress is a logical site for the American Folklife Center. It is uniquely suited to carry out the vital archival function of the Center. Large collections of folklife materials already are housed by various divisions of the Library in the form of manuscripts, photographs, motion pictures, and other materials. It also should be noted that for over 40 years the Archive of Folk Song of the Library of Congress has maintained recorded folk and ethnic music on cylinders, disks, magnetic tape, and wires, as well as numerous related manuscripts.

If one were to attempt to describe the American culture, such a description would have to make reference to the great variety of elements which have joined together to create the unique American heritage. The American folk and cultural experience truly has exemplified the motto "E Pluribus Unum"—"Out of Many, One." The rich components of that experience—from the folk heritage of Appalachia to the vital arts of the inner city—should be enshrined for the study and appreciation of future generations. I urge my colleagues to vote in support of H.R. 6673.

Mr. MOORE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. Bell).

Mr. BELL. Mr. Chairman, I rise in support of this bill, H.R. 6673, which would establish an American Folklife Center in the Library of Congress.

I have been involved in this effort as a sponsor of the legislation during the last Congress.

This measure would promote an awareness of the diverse folk cultures which have contributed to our American folk heritage.

Just as it would encourage the preservation of our folk traditions and arts, it would also stimulate research in current American folklife trends.

The resources of the Center would be made available to a broad spectrum of the American public through the Center's public performances, workshops, seminars, broadcasts, and loans of materials.

The films, the music, the exhibitions, and the other art objects collected by the Center would be used to integrate the idea of our American folklife into the goals we have established for American education.

What better time than now for the Congress to take this initiative, as we approach the Bicentennial year?

We have here a rare opportunity to contribute to a better understanding of our uniquely American culture.

In view of our Nation's economic deficit condition I am deeply concerned about any unnecessary expenditure of money. At this particular time, however, I believe that at this time more than any other, the development of our American folklore is of importance. For the expenditure of a relatively small Federal cost we will continue our cultural traditions.

I urge my colleagues to seize this opportunity and join me in support of H.R. 6673.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of H.R. 6673 which would establish an American Folklife Center in the Library of Congress. As one of the original sponsors of this legislation in both the last Congress and this, I heartily endorse this effort to preserve America's cultural heritage and diversity. It seems to me this is a very worthwhile and timely endeavor as our Nation prepares to celebrate its Bicentennial. While America has often been referred to as a great "melting pot," the fact remains that many of the groups which make up this great country have managed to retain the rich and diverse customs, folkways, and traditions of their ancestors, and for this we can be grateful. The resurgence of ethnic pride in America is a sign that we have matured as a Nation to the point we can honestly celebrate the unity in diversity which has made this country so great.

Mr. Chairman, under the provisions of the bill before us, an American Folklife Center would be established in the Library of Congress to promote activities to preserve and perpetuate American folklife. Operating under a Board of Trustees created by this bill, the Center would be authorized to enter into contracts, make grants and loans, and award scholarships to individuals and groups for research, scholarship, training, exhibits, performances, and workshops, as well as the purchase, production and support of educational projects for classroom and general usage.

In conclusion, Mr. Chairman, I think the enactment of this legislation will make a major contribution to the Bicentennial by reawakening and reeducating Americans to our rich cultural heritage, and by insuring that it is preserved for future generations.

Mr. BADILLO. Mr. Chairman, I rise in support of the objectives of H.R. 6673. I am particularly interested in the manner in which the bill focuses on the diverse ethnic cultural traditions and folklife of our country. This will produce a deeper understanding among the wealth of ethnic groups in the United States. The rich and varied heritage of all our peoples deserves to be recognized, as these inherent and fundamental differences have brought individuality and character to our Nation.

This program does not duplicate the National Endowment of the Arts, since the Endowment focused mostly on established cultural institutions, but has not sufficiently encouraged or assisted ethnic cultural endeavors to the extent I believe it should have. The National Endowment had a $68 million budget for 1974, and of that sum only $1.8 million went to Hispanic arts groups. H.R. 6673 will provide vital encouragement to these groups, which are desperately in need of Federal assistance in order to survive and develop their art forms. It seems fitting that on the threshold of our Bicentennial, we acknowledge these ethnic groups which have shared their traditions and cultures with every segment of our citizenry.

Mr. ALEXANDER. Mr. Chairman, as one of the original sponsors of this bill I rise in strong support of H.R. 6673, legislation which will establish an American Folklife Center within the Library of Congress.

The establishment of such a center to preserve and disseminate American folk culture is long overdue. We in Arkansas have long been interested in preservation of folklife and through hard work at the local level have seen a dream come true in the form of the Ozark Folk Center in Stone County, Ark.

Stone County, Ark., is a remote, mountainous preserve of early folk culture; a land of small farms, heavily forested, and shot through with rippling streams and limestone cliffs. There are no railroads, bus lines or airports serving the county. And it has not been that long that the roads leading in have been paved.

For this reason, the county's way of life has gone largely unchallenged and the people of Stone County still prefer their own brand of home entertainment: making music on dulcimers, guitars, mandolins, fiddles, and autoharps. Square dancing, jigging, quilting, basket weaving, soap making, cornshuck dolls and canning are as prevalent today as they were a century ago.

In celebration of this unique mountain culture, an unusual State-operated facility opened its doors for the first time in 1973: the $3.4 million Ozark Folk Center. Located 1 mile north of the county seat, Mountain View, the folk center grew out of a cherished Stone County tradition—a weekly musical held on the court square.

Here, members of the Rackensack Folklore Society—led by noted Arkansas Folklorist Jimmy Driftwood—performed for their enjoyment. Word spread and soon others from around the State came to listen.

Most of the instruments used by the Rackensack Society were handmade. No electronic instruments are allowed, and the emphasis has always been on authenticity of the music performed.

Highpoint of the year was the Arkansas Folk Festival and Crafts Show, held on the third weekend in April, to which upward of 100,000 came to celebrate spring and the survival of the traditional ways.

The idea for the folk center grew humbly, but over the years it grew until—through a grant from the economic development administration—the construction of the center was made possible. The center is owned by the town of Mountain View and leased to the Arkansas Department of Parks and Tourism for operation and maintenance.

The Ozark Folk Center is a handsome complex of structures, most of which are octagonal in shape. The center occupies a 915-acre tract of land, much of which has been left in its natural state. Eighty acres comprise the folk center itself.

Seventeen craftsmen demonstrate their ancient crafts operations in the workshops of the forum. Music is, of course an integral part of the story the folk center tells. You will hear it from the minute you enter the grounds, and at night music takes center stage as the 1,043-seat music auditorium rings with the sounds of mountain musicians.

The folk center includes a conference center complete with auditorium, meeting rooms, restaurant, and lodge. The Arkansas Folk Festival and Crafts Show continues, and this year was extended to 3 weeks in April. The summer folklore workshops are other special events which highlight the year-round activity at the center.

What has been wrought in Stone County, Ark., is not a memorial to the past, but rather a monument to the ability of humanity to retain the good from past experience and to the creativity and intelligence of the human race which has made it possible for us to grasp today and shape the future for an even greater tomorrow.

Mr. Chairman, we in Arkansas have recognized the need for and desirability of preservation of our American folklore. I urge my colleagues to support this bill in order that we may establish additional folklife centers, as well as to insure that folklife centers such as the one in Mountain View, Ark., get the Federal support they need to continue their operations.

Mr. FISHER. Mr. Chairman, today we are voting on a bill to establish an American Folklife Center in the Library of Congress. I am pleased to be a cosponsor of this bill, which will authorize the Library of Congress to collect and preserve a wide range of materials reflecting the cultural heritage of the many groups that make up the American people.

The diversity of cultures represented in America, including those brought here from abroad and those developed here, is well worth studying and preserving. The history of a country is understood not only through an examination of its official documents and public events, but also through a study of the life of its people. The life of the American people reflects many different ethnic, religious, racial, and regional backgrounds. In order to facilitate study of this rich and varied folklife, the necessary materials should be systematically collected and preserved in one place.

The Library of Congress is an excellent facility in which to locate the Folklife Center. It already has materials which can form the nucleus of the Center. For instance, the Library has an Archive of Folk Song, which has been collecting folk music for many years. I have had a great deal of pleasure over the years from my own visits to Folk Song Archive, where I have listened to many of the excellent and unique recordings.

I encourage my colleagues to support this bill and establishment of a Folklife Center.

Mr. PICKLE. Mr. Chairman, this bill providing for the establishment of an American Folklife Center in the Library of Congress aims at establishing a central place where the ethnic heritage of our country can be preserved that will be accessible to everyone. Our Nation was rooted in the cultures that our ancestors brought with them from other countries. In my own district in Texas there are communities that to this day bear the mark of the Swedish, German, Spanish, English, French, Czech, Polish, black, and other cultures that originally settled there. While we have an excellent Institute of Texas Culture that was established in San Antonio when Hemisphere was built, we need to have this material available to scholars and others who are working from a central location, in Washington too.

Next year, when we celebrate our Bicentennial, seems to me to be an appropriate time to have established the American Folklife Center. We are already seeing an increased interest in our American folklife, and steps should be taken now so that these materials are preserved for posterity. This should be done by providing a suitable home in the Library of Congress. We should also authorize grants and loans and scholarships to insure that this will be accomplished.

We are authorizing a modest amount of money to be spent on this American Folklife Center, but the dividends to our children in an appreciation of their heritage would be enormous.

Mr. OBERSTAR. Mr. Chairman, the wonder of America is that it has been built by people from every corner of the globe—truly a nation of immigrants. Finns, Yugoslavs, Italians, Germans, Chinese, Swedes, Jews, Irish, Africans, Norwegians, Japanese, British, Dutch, more recently the Vietnamese, and scores of other peoples have come to this country to start a new life in a society which emphasizes the primacy of human rights, equal opportunity, and the dignity of mankind.

When they settled throughout America, our immigrant forebears submerged the past and developed a fierce loyalty to and pride in their new country. Yet at the same time they proudly maintained the cultural traditions which they brought with them from their native lands. It is the genius of America's heritage that the many ethnic groups, while maintaining their individual identities, have blended into a unique and rich cultural mosaic which we refer to as American folklife.

Today the House is considering the establishment of an American Folklife Center in the Library of Congress which would have as its central function the preservation and study of American's multifaceted folklife heritage. The Center will be authorized to establish and maintain a national archive of American folklife, composed of examples of all forms of artistic expression, including painting, sculpture, lore, drama, dance, handicrafts, and architecture. It would also be authorized to further the study of folklife by making grants and loans, entering into contracts, and awarding scholarships for research, training, exhibits, performances, workshops, and support of general educational programs relating to American folklife.

The American Folklife Preservation Act has received broad bipartisan support in both Houses of Congress, and that support is truly well deserved. Experts including the Librarian of Congress, representatives of the National Endowment for the Arts, the Smithsonian Institution, scholars, and representatives of folk and ethnic groups have testified before congressional committees. They all agree that it is the special responsibility of the Federal Government to protect and encourage the study of America's folk culture. To date, Federal involvement in this area has been marginal and inadequate. Hopefully, passage of the American Folklife Preservation Act will rectify the Government's past negligence in this field.

Mr. Speaker, our cultural heritage is truly a vital national asset, an important part of America's wealth. It is a blend of our many ethnic traditions, with their linguistic, artistic, and culinary diversities, into a uniquely beautiful expression of a new national identity. It is particularly appropriate, during the celebration of the U.S. Bicentennial, that the Congress is taking this long overdue step to preserve and enhance our rich folklife heritage.

Mr. NEDZI. Mr. Chairman, in conclusion I would like to pay tribute to the gentleman from New Jersey, who, as he indicated, sponsored this legislation for the first time in the 91st Congress. At the present time there are a total of 237 Members of the House who think this is good legislation, 70 Members of the other body who think this is good legislation, and it certainly is the opinion of the Committee on House Administration, after holding extensive hearings on the matter, that the matters referred to in the legislation are not being properly handled in other agencies of Government and appropriately belong in the Library of Congress.

Hopefully, this legislation will carry by an overwhelming majority.

Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 6673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "American Folklife Preservation Act".

DECLARATION OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares—

(1) that the diversity inherent in American folklife has contributed greatly to the cultural richness of the Nation and has fostered a sense of individuality and identity among the American people;

(2) that the history of the United States effectively demonstrates that building a strong nation does not require the sacrifice of cultural differences;

(3) that American folklife has a fundamental influence on the desires, beliefs, values, and character of the American people;

(4) that it is appropriate and necessary for the Federal Government to support research and scholarship in American folklife in order to contribute to an understanding of the complex problems of the basic desires, beliefs, and values of the American people in both rural and urban areas;

(5) that the encouragement and support of American folklife, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government; and

(6) that it is in the interest of the general welfare of the Nation to preserve, support, revitalize, and disseminate American folklife traditions and arts.

(b) It is therefore the purpose of this Act to establish in the Library of Congress an American Folklife Center to develop, promote, and implement a program of support for American folklife.

DEFINITIONS

SEC. 3. As used in this Act—

(1) the term "American folklife" means the traditional customs, beliefs, dances, songs, tales, sayings, art, crafts, and other expressions of the spirit common to a group of people within any area of the United States, and includes music (vocal and instrumental), dance, drama, lore, beliefs, language, humor, handicraft, painting, sculpture, architecture, other forms of creative and artistic expression, and skills related to the preservation, presentation, performance, and exhibition of the cultural heritage of any family, ethnic, religious, occupational, racial, regional, or other grouping of American people;

(2) the term "Board" means the Board of Trustees of the Center;

(3) the term "Center" means the American Folklife Center established under this Act;

(4) the term "group" includes any State or public agency or institution and any nonprofit society, institution, organization, association, or establishment in the United States;

(5) the term "Librarian" means the Librarian of Congress;

(6) the term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands; and

(7) the term "workshop" means an activity the primary purpose of which is to encourage the development of skills, appreciation, or enjoyment of American folklife among amateur, student, or nonprofessional participants, or to promote scholarship or teaching among the participants.

ESTABLISHMENT OF CENTER

SEC. 4. (a) There is hereby established in the Library of Congress an American Folklife Center.

(b) The Center shall be under the direction of a Board of Trustees. The Board shall be composed as follows—

(1) four members appointed by the President from among individuals who are officials of Federal departments and agencies concerned with some aspect of American folklife traditions and arts;

(2) eight members appointed by the Librarian of Congress from among individuals from private life who are widely recognized by virtue of their scholarship, experience, creativity, or interest in American folklife traditions and arts;

(3) the Librarian of Congress;

(4) the Secretary of the Smithsonian Institution;

(5) the Chairman of the National Endowment for the Arts;

(6) the Chairman of the National Endowment for the Humanities; and

(7) the Director of the Center.

In making appointments from private life under clause 2, the Librarian shall give due consideration to the appointment of individuals who collectively will provide appropriate regional balance on the Board.

(c) The term of office of each appointed member of the Board shall be six years; except that (1) (A) the members first appointed under clause (1) of subsection (b) shall serve as designated by the President, one for a term of two years, two for a term of four years, and one for a term of six years, and (B) the members first appointed under clause (2) of subsection (b) shall serve as jointly designated by the Librarian two for terms of two years, four for terms of four years, and two for terms of six years; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term to which his predecessor was appointed shall be appointed for the remainder of such term.

(d) Members of the Board who are not regular full-time employees of the United States shall be entitled, while serving on business of the Center, to receive compensation at rates fixed by the Librarian, but not exceeding $100 per diem, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) (1) The Librarian shall call the first meeting of the Board, at which time the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve for a term of one year. Thereafter each Chairman and Vice Chairman shall be elected for a term of two years. The Vice Chairman shall perform the duties of the Chairman in his absence. In case of a vacancy occurring in the chairmanship or vice-chairmanship, the Board shall elect a member to fill the vacancy for the remainder of the unexpired term.

(2) A majority of the members of the Board shall constitute a quorum.

(f) After consultation with the Board, the Librarian shall appoint the Director of the Center. The basic pay of the Director shall be at a per year rate not to exceed GS-18 of the General Schedule under section 5332 of title 5, United States Code. The Librarian upon the recommendation of the Director shall appoint a Deputy Director of the Center. The basic pay of the Deputy Director shall be fixed at a rate not to exceed GS-16 of the General Schedule under section 5332 of such title.

(g) (1) The Director shall be the chief executive officer of the Center. He shall carry out the programs of the Center subject to the supervision and direction of the Board, and shall carry out such functions as the Board may delegate to him consistent with the provisions of this Act.

(2) The Deputy Director shall perform such functions as the Director, with the approval of the Librarian, may prescribe, and shall serve as Acting Director during the absence or disability of the Director or in the event of a vacancy in the office of the Director.

FUNCTIONS OF THE CENTER

SEC. 5. The Center and its Director are authorized to—

(1) enter into, without regard to Federal procurement statutes and regulations, contracts with, make grants and loans to, and award scholarships to individuals and groups for programs for the—

(A) initiation, encouragement, support, organization, and promotion of research, scholarship, and training in American folklife;

(B) initiation, promotion, support, organization, and production of live performances, festivals, exhibits, and workshops related to American folklife;

(C) purchase, receipt, production, arrangement for, and support of the production of exhibitions, displays, and presentations (including presentations by still and motion picture films, and audio and visual magnetic tape recordings) which represent or illustrate some aspect of American folklife; and

(D) purchase, production, arrangement for, and support of the production of exhibitions, projects, presentations, and materials specially designed for classroom use representing or illustrating some aspect of American folklife;

(2) establish and maintain in conjunction with any Federal department, agency, or institution a national archive and center for American folklife;

(3) procure, receive, purchase, and collect for preservation or retention in an appropriate archive creative works, exhibitions, presentations, objects, materials, artifacts, and audio and visual records (including still and motion picture film records, audio and visual magnetic tape recordings, written records, and manuscripts) which represent or illustrate some aspect of American folklife;

(4) loan, or otherwise make available, through Library of Congress procedures, any item in the archive established under this Act to any individual or group;

(5) present, display, exhibit, disseminate, communicate, and broadcast to local, regional, State, or National audiences any exhibition, display, or presentation referred to in clause (3) of this section or any item in the archive established pursuant to clause (2) of this section, by making appropriate arrangements, including contracts, loans, and grants with public, nonprofit, and private radio and television broadcasters, museums, educational institutions, and such other individuals and organizations, including corporations, as the Board deems appropriate;

(6) loan, lease, or otherwise make available to public, private, and nonprofit educational institutions such exhibitions, programs, presentations, and material developed pursuant to clause (1) (D) of this subsection as the Board deems appropriate; and

(7) develop and implement other appropriate programs to preserve, support, revitalize, and disseminate American folklife.

LIMITATIONS ON GRANTS

SEC. 6. (a) No payment shall be made pursuant to this Act to carry out any research or training over a period in excess of two years, except that with the concurrence of at least two-thirds of the members of the Board of the Center such research or training may be carried out over a period of not to exceed five years.

(b) Assistance pursuant to this Act shall not cover the cost of land acquisition, construction, building acquisitions, or acquisition of major equipment.

(c) No individual formerly in the employment of the Federal Government shall be eligible to receive any grant or other assistance pursuant to this Act, or to serve as a trustee of the Center in the two-year period following the termination of such employment.

ADMINISTRATIVE PROVISIONS

SEC. 7. (a) In addition to any authority vested in it by other provisions of this Act, the Librarian of Congress, in carrying out the Center's functions, is authorized to—

(1) prescribe such regulations as he deems necessary;

(2) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be for the purposes of the Center and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions, without reference to Federal property disposal statutes;

(3) in the discretion of the Board of Trustees, receive (and use, sell, or otherwise dispose of, in accordance with clause (2)) money and other property donated, bequeathed, or devised to the Center with a condition or restriction, including a condition that the Center use other funds of the Center for the purpose of the gift;

(4) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of the Act in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the Librarian of Congress may appoint and fix the compensation of a reasonable number of personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates, but no individual so appointed shall receive compensation in excess of the rate received by the Deputy Director of the Center;

(5) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem;

(6) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 o. title 5, United States Code;

(7) enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of the Act, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5); and

(8) make advances, progress, and other payments which the Board deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529).

(b) The Center and its Director shall submit to the Librarian for inclusion in the annual report of the Library of Congress to the Congress an annual report of its operations under this Act, which shall include a detailed statement of all private and public funds received and expended by it, and such recommendations as the Center deems appropriate.

AUTHORIZATION

SEC. 8. There are authorized to be appropriated to the Center to carry out the provisions of this Act $167,750 for the fiscal year ending September 30, 1976; $710,000 for the fiscal year ending September 30, 1977; and $1,716,000 for the fiscal year ending September 30, 1978.

Mr. NEDZI (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the Committee amendments.

The Clerk read as follows:

Committee amendments: On page 4, line 18, strike the word "eight" and insert in lieu thereof the word "four" and strike the word "Librarian".

On page 4, line 19, strike the words "of Congress" and insert in lieu thereof the words "President pro tempore of the Senate".

On page 4, line 23, strike the word "arts" and insert in lieu thereof "arts, and four members appointed by the Speaker of the House of Representatives from among such individuals;"

On page 5, line 8, strike the word "Librarian" and insert in lieu thereof "President pro tempore of the Senate and the Speaker of the House of Representatives".

On page 5, line 11, following the word "Board.", add the following: "Not more than three of the members appointed by the President pro tempore of the Senate or by the Speaker of the House of Representatives may be affiliated with the same political party."

On page 5, line 22, following the word "as", insert the word "jointly".

On page 5, lines 22 and 23, strike the word "Librarian," and add the following: "President pro tempore of the Senate and the Speaker of the House of Representatives.".

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Florida: Page 7, lines 24 and 25, after "(1) Enter into," strike out "without regard to Federal procurement statutes and regulations," and insert "in conformity with Federal procurement statutes and regulations,".

Mr. YOUNG of Florida. Mr. Chairman, unlike some of my friends and colleagues on this side of the aisle, I support the creation of an American Folklife Center at the Library of Congress and, as a matter of fact, I am prepared to vote for an appropriation for that purpose.

Mr. Chairman, I believe this bill does need some refinement. The title says it is "A bill to provide for the establishment of an American Folklife Center in the Library of Congress, and for other purposes."

Mr. Chairman, the first part of that title is good. The "and for other purposes" is what I am worried about, and my amendment speaks to one of those concerns I have.

The Congress of the United States over the years for good reason has required certain rules and regulations to be put into effect when granting Government money, when making purchases with taxpayers' money. These are bid requirements. These are requirements to have an idea of what we are going to be paying in advance, "the fly before you buy" concept, and in this bill I am not sure, and some of the sponsors of the bill themselves are not sure, why this exempting language is in the bill before us.

The bill exempts this Folklife Center from the provisions, current statutes, and regulations with regard to the handling of some of these taxpayer funds.

In the particular section that I am trying to amend at this point, the language is as follows:

"The Center and its Director are authorized to * * * enter into, without regard to Federal procurement statutes and regulations, contracts" dealing with the following:

The organization of exhibitions, purchases of materials and support materials, payment for live performances, purchase of motion picture films, and purchase of magnetic tapes.

It includes also purchase, production, arrangement for and support of exhibition projects and books and materials specially designed for classroom use.

Mr. Chairman, it just seems to me that if we are going to do this, if we are going to spend this money, we ought not exempt this Center and its Director from the Federal procurement statutes and regulations.

I believe the amendment is simple enough. I am not going to take any more time of the committee to discuss it further. I think the decision is for the Members to make, and I hope their decision will be favorable and that we will not grant this exemption.

Mr. NEDZI. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Michigan.

Mr. NEDZI. Mr. Chairman, as we discussed the matter previously, I think I can say I am quite certain that we are in agreement as to the intent here.

One of the problems, of course, is that when we are talking about making grants and loans in an area of this sort, we are dealing with a unique situation, so it is difficult to equate it with general law.

It certainly was not the intent of the committee to exempt the Center from procurement law except as it would inhibit them from making sensible grants and loans. Obviously one cannot bid on these kinds of projects.

Mr. Chairman, I wonder if the gentleman would be satisfied with just this colloquy and the statement that it is certainly the intent of the committee that the Center abide by all reasonable regulations and procurement rules? We do have a recognition that in these instances where we are dealing with unique areas of folklife it is going to be difficult to apply a procurement statute strictly in terms of advertising, bidding, and so forth.

Mr. YOUNG of Florida. Mr. Chairman, I appreciate the gentleman's comments. I certainly would like to accommodate my very good friend, the gentleman from Michigan.

However, in this case I believe this Center should be bound by the same rules for procurement in the handling of taxpayers' funds as any other Federal agency. I will say to the gentleman that I have, for example—and I am sure he has also—had films made and had magnetic tape recordings made, and I can assure the Members there are many different price ranges for the same type of production, for whatever the reasons may be.

I am suggesting that by leaving this exemption in the bill I am afraid we are just opening this Center and its staff to many, many possibilities of abuse, criticism, and possible scandal on down the path.

Mr. Chairman, for that reason I urgently press my amendment.

Mr. MOORE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I simply would like to add in the strongest terms possible my support for this amendment, and I point out to the Members that this section is one of the gravest weaknesses in the bill.

I think the author of the amendment has adequately explained his amendment. I think it is necessary to see to it that our funds are protected.

I can see any number of people taking advantage of this, as pointed out in the general debate on the bill. As a result, I fear anything can be labeled as folklore and anything can be capable of being worthy of preservation.

It would seem only adequate that we put some protection in here for the preservation of the people's money. Otherwise, the door of abuse is going to be wide open.

Therefore, Mr. Chairman, I urge support for this amendment.

Mr. NEDZI. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the reason for my opposition is not because I object to the principle the gentleman from Florida (Mr. YOUNG) has enunciated, but I am concerned that in the making of grants and loans, in the funding of scholarships and in the encouragement of certain of these projects, since we are dealing with unique situations, the Center will be encumbered if it is compelled to conform to the bidding and advertising regulations that appear in the Federal statutes.

Additionally, I might point out to the membership that there is a requirement in the legislation that the Center report to the Congress indicating all expenditures and all income, together with other pertinent data, which, it seems to me, should give the Congress the necessary information in order to exert adequate oversight.

Mr. Chairman, I oppose the amendment.

Mr. J. WILLIAM STANTON. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. Yes, I yield to the gentleman from Ohio.

Mr. J. WILLIAM STANTON. Mr. Chairman, I was listening to the colloquy.

Could the subcommittee chairman tell us, the Members of the House, why this language is in there: "without regard to Federal procurement statutes"? The amendment would require conformity with Federal procurement statutes.

Mr. NEDZI. As I tried to indicate in my initial remarks, the reason the language was put in there is because we are dealing with a unique program. We are dealing with a specific form of folk art such as that found in the State of Florida or the State of New York. It is probably one of a kind so that it does not lend itself to the normal bidding and advertising process which Federal procurement regulations require.

If it came to entering into a contract for housing, which, incidentally, this legislation specifically forbids—the Center cannot procure land or equipment—then I would be in agreement with the Federal procurement regulations. Obviously they should apply under those circumstances, but I think it would unduly encumber the Center's operation by having this language in the bill.

Mr. THOMPSON. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. Yes, I yield to the gentleman from New Jersey.

Mr. THOMPSON. Mr. Chairman, I might point out that although there might be an inclination to support the amendment, the fact is that folklife performances and such can hardly be put out to the lowest bidder.

There are persons, individual persons, with absolutely totally unique talents who can do things which other persons might imitate or emulate, but not so well. Therefore, if we would want a performance of Appalachian folk songs or other folk songs, the best person or persons to do those are those who have done them all their lives rather than to put them out to bid for imitators to come in.

I do recognize—and I say to the gentleman from Florida—that this is a well-intentioned amendment, but I think that it might well be destructive of the quality which we seek.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. Yes, I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I appreciate very much the attitude of the chairman and of the gentleman from New Jersey, but it is my understanding that the procurement statutes and regulations already provide for situations where there is only a single source or a unique situation as to availability of talent, et cetera.

That being the case, I do not see how this amendment creates any problem at all with the bill.

Mr. NEDZI. To answer the gentleman from Florida, I am not certain that is the case, but it is certainly the committee's intent or the chairman's intent that if, in fact, there are procurement matters other than with respect to these unique situations, the law should be applied to them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. Young).

The question was taken; and on a division (demanded by Mr. Nedzi) there were—ayes, 35, noes 15.

So the amendment was agreed to.

The CHAIRMAN. Are there any further amendments?

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Young of Florida: Page 12, line 16, after "other bonds and" strike out "without regard to" and insert "in conformity with".

Mr. YOUNG of Florida. Mr. Chairman, this amendment is offered for basically the same reason as my first amendment. There is an exemption also under section 5 of this bill exempting the members of the Board from advertising for bids. Basically the bill is exempting this Board from section 3709 of the Revised Statutes, as amended (41 U.S.C. 5). I feel the same arguments would apply to this as to my first amendment. I just do not think we ought to exempt this Board from those provisions requiring advertising for bids and so on for the purchase of property, supplies, materials, or services. This amendment does away with that exemption.

Mr. NEDZI. Mr. Chairman, I oppose the amendment for the same reasons as the first amendment.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. Young).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Young of Florida: Page 12, line 19, After "Under this Act" strike out "without regard to" and insert "in conformity with".

Mr. YOUNG of Florida. Mr. Chairman, this is in the same vein as the first two amendments and it is in the next paragraph of the same section. What the bill will be doing here is exempting the Board from the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529).

This provides there shall be no advances of funds to persons performing contracts or providing materials or supplies until some performance has been made or such supplies or materials provided. The bill would exempt the Board from that provision and allow funds to be advanced whether any performances were ever achieved or materials or supplies ever provided. As in the first two amendments, this, my third amendment will correct that situation and not exempt the Board from provisions of existing law.

The CHAIRMAN. Does the gentleman from Michigan desire to be recognized?

Mr. NEDZI. No, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. Young).

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McFall) having assumed the chair, Mr. Murtha, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 6673) to provide for the establishment of an American Folklife Center in the Library of Congress, and for other purposes, pursuant to House Resolution 603, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BAUMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 272, nays 117, not voting 44, as follows:

[Roll No. 500]

YEAS—272

Abzug
Adams
Alexander
Ambro
Anderson, Calif.
Anderson, Ill.
Andrews, N. Dak.
Annunzio
Ashbrook
Badillo
Baldus
Barrett
Baucus
Beard, R.I.
Bell
Bergland
Bevill
Biaggi
Bingham
Blanchard
Blouin
Boland
Bolling
Bonker
Bowen
Brademas
Breaux
Breckinridge
Brinkley
Brodhead
Brooks
Broomfield
Broyhill
Buchanan
Burke, Calif.
Burke, Mass.
Burton, John
Burton, Phillip
Butler
Carney
Carr
Carter
Casey
Cederberg
Chisholm
Clausen, Don H.
Clay
Cleveland
Cochran
Collins, Ill.
Conte
Corman
Cornell
Cotter
D'Amours
Daniels, N.J.
Danielson
Davis
Dellums
Dent
Derrick
Dickinson
Dingell
Dodd
Downey, N.Y.
Drinan
Duncan, Tenn.
Early
Eckhardt
Edgar
Edwards, Ala.
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fascell
Fenwick
Findley
Fish
Fisher
Fithian
Flood
Florio
Flowers
Ford, Mich.
Ford, Tenn.
Forsythe
Fuqua
Gaydos
Gilman

Ginn
Gonzalez
Green
Gude
Guyer
Haley
Hall
Hammerschmidt
Hanley
Hannaford
Harkin
Harris
Harsha
Hawkins
Hayes, Ind.
Hays, Ohio
Hefner
Heinz
Helstoski
Hightower
Holland
Holtzman
Horton
Howard
Howe
Hubbard
Hughes
Jeffords
Jenrette
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kelly
Kemp
Keys
Koch
Krebs
Krueger
LaFalce
Leggett
Lehman
Levitas
Litton
Lloyd, Calif.
Long, La.
Lott
McCloskey
McCormack
McDade
McFall
McHugh
McKinney
Macdonald
Madigan
Maguire
Mahon
Mann
Martin
Mathis
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Meyner
Mezvinsky
Mikva
Miller, Calif.
Mills
Mineta
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Moffett
Mollohan
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Neal
Nedzi
Nolan
Nowak
Oberstar
Obey
O'Hara
O'Neill
Ottinger
Patman, Tex.
Patterson, Calif.
Pattison, N.Y.
Perkins
Peyser
Pickle
Poage
Pressler
Preyer
Price
Quie
Railsback
Rees
Reuss
Rhodes
Richmond
Riegle
Rinaldo
Risenhoover
Rodino
Roe
Rogers
Roncalio
Rooney
Rose
Rosenthal
Rostenkowski
Roybal
Russo
St Germain
Sarasin
Sarbanes
Scheuer
Schroeder
Schulze
Seiberling
Sharp
Shipley
Sikes
Simon
Sisk
Slack
Smith, Iowa
Solarz
Spellman
Spence
Staggers
Stanton, J. William
Stanton, James V.
Stephens
Stokes
Studds
Sullivan
Symington
Taylor, N.C.
Teague
Thompson
Thone
Thornton
Traxler
Tsongas
Ullman
Vander Jagt
Vander Veen
Vanik
Vigorito
Walsh
Wampler
Waxman
Whalen
White
Whitten
Wiggins
Wilson, C. H.
Wilson, Tex.
Winn
Wirth
Wolff
Wright
Yates
Young, Fla.
Young, Ga.
Young, Tex.
Zablocki
Zeferetti

NAYS—117

Abdnor
Archer
Ashley
Aspin
Bafalis
Bauman
Beard, Tenn.
Bennett
Brown, Mich.
Brown, Ohio
Burleson, Tex.
Burlison, Mo.
Byron
Chappell
Clancy
Clawson, Del
Cohen
Collins, Tex.
Conable
Conlan
Coughlin
Crane
Daniel, Dan
Daniel, R. W.
de la Garza
Delaney
Devine
Downing, Va.
Duncan, Oreg.
du Pont
Emery
English
Erlenborn
Evans, Ind.
Frenzel
Frey
Gibbons
Goldwater
Goodling
Gradison
Grassley
Hagedorn
Hamilton
Hansen
Hastings
Hébert
Hechler, W. Va.
Henderson
Hicks
Hillis
Hinshaw
Holt
Hutchinson
Hyde
Ichord
Jacobs
Jones, Okla.
Kasten
Ketchum
Kindness
Lagomarsino
Latta
Lent
Lloyd, Tenn.
Long, Md.
Lujan
McCollister
McDonald
McEwen
McKay
Michel
Milford
Miller, Ohio
Montgomery
Moore
Moorhead, Calif.
Murtha
Myers, Ind.
Myers, Pa.
Natcher
Nichols
O'Brien
Passman
Pettis
Pike
Quillen
Randall
Rangel
Regula
Roberts
Robinson
Roush
Rousselot
Runnels
Ruppe
Ryan
Santini
Satterfield
Schneebeli
Sebelius
Shriver
Shuster
Skubitz
Smith, Nebr.
Snyder
Steelman
Steiger, Ariz.
Steiger, Wis.
Stratton
Symms
Talcott
Taylor, Mo.
Treen
Waggonner
Whitehurst
Wydler
Wylie

NOT VOTING—44

Addabbo
Andrews, N.C.
Armstrong
AuCoin
Bedell
Biester
Boggs
Brown, Calif.
Burgener
Burke, Fla.
Conyers
Derwinski
Diggs
Esch
Eshleman
Fary
Flynt
Foley
Fountain
Fraser
Giaimo
Harrington
Heckler, Mass.
Hungate
Jarman
Jordan
Landrum
McClory
Madden
Moakley
Mottl
Nix
Patten, N.J.
Pepper
Pritchard
Stark
Steed
Stuckey
Udall
Van Deerlin
Weaver
Wilson, Bob
Yatron
Young, Alaska

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. Flynt against.

Mr. Biester for, with Mr. Landrum against.

Mrs. Boggs for, with Mr. Burke of Florida against.

Mrs. Heckler of Massachusetts for, with Mr. Jarman against.

Mr. Derwinski for, with Mr. Burgener against.

Mrs. Jordan for, with Mr. Mottl against.

Mr. McClory for, with Mr. Eshleman against.

Until further notice:

Mr. Nix with Mr. Andrews of North Carolina.

Mr. Patten with Mr. Conyers.

Mr. Stark with Mr. Fary.

Mr. AuCoin with Mr. Foley.

Mr. Bedell with Mr. Harrington.

Mr. Brown of California with Mr. Diggs.

Mr. Fountain with Mr. Madden.

Mr. Fraser with Mr. Pritchard.

Mr. Giaimo with Mr. Esch.

Mr. Hungate with Mr. Steed.

Mr. Moakley with Mr. Yatron.

Mr. Pepper with Mr. Bob Wilson.

Mr. Stuckey with Mr. Udall.

Mr. Van Deerlin with Mr. Weaver.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table:

GENERAL LEAVE

Mr. NEDZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMERICA IS GRATEFUL THAT OUR PRESIDENT WAS SPARED

(Mr. SIKES asked and was given permission to address the House for 1 minute to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, I am certain that America is deeply grateful that our President was spared when the attempt was made on his life in California last week. It seems providential that the circumstances were such that the effort to assassinate him failed. More familiarity by the assailant about the way her weapon functioned could have been disastrous for the President.

The President's guidance and leadership are appreciated more and more by the American people. His calm reasoning and his unfaltering efforts to bring stability at home and peace abroad have added almost daily to his stature nationally.

The American people have had enough tragedy in the lives of public officials. The attempt on the President's life emphasizes again the need for more vigorous efforts for crime prevention and for the speedy apprehension and prosecution of those guilty of crimes of violence. There is no substitute for effective enforcement of the law. This has been made extremely difficult by Supreme Court rulings in recent years which favor the criminal rather than the victim. It is time for America to take a new and determined look at the shortcomings in law enforcement and, if necessary, to close the loopholes which are now available to law violators. America's record on law enforcement is one of the worst among advanced nations. This is not something to be proud of.

CONSTRUCTION INDUSTRY STABILIZATION ACT OF 1975

(Mr. THOMPSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. THOMPSON. Mr. Speaker, it is my privilege to introduce today the Construction Industry Stabilization Act of 1975. I am honored to have Mr. QUIE, the ranking minority member of the Education and Labor Committee, join me as cosponsor of this bill.

This bill is the companion to H.R. 5900, Equal Treatment of Craft and Industrial Employees. It is the second half of the much-discussed "package" mentioned during the debate on H.R. 5900.

This bipartisan bill has been formulated in close cooperation between myself, Secretary of Labor John Dunlop, and representatives of labor and management. It has the approval and support of President Ford; George Meany, president of the AFL–CIO; Robert Georgine, president of the building trades department of the AFL–CIO; and management groups.

I regret that the need for expeditious action has prevented me from circulating this bill more widely for cosponsorship, especially to those who had the courage of their convictions and cosponsored H.R. 5900. I would invite my colleagues to cosponsor by introducing identical bills.

I believe that this legislation is a long-needed step toward bringing greater stability and rationality to labor-management relations in the fragmented and frequently troubled construction industry. It perserves the structure of free collective bargaining that is the sine qua non of labor-management relations in this country. It does not constitute wage and price control, nor is it a form of compulsory arbitration. The proposed legislation seeks to improve dispute settlement, with a minimum of Government interference in the collective bargaining process.

The bill will create a new mechanism in the construction industry that provides an enhanced role in negotiations for national labor organizations and national contractor organizations working as a group, while at the same time preserving the flexibility and variations that appropriately exist among localities, crafts, and branches of the industry. It applies solely to standard labor organizations and to contractors and their associations engaged in collective bargaining.

The new framework for stable labor-management relations in the construction industry, provided for by this bill, will, I believe, give an important shot in the arm to this depressed industry and will be a landmark in American labor policy.

A summary of the bill prepared by the Department of Labor follows:

The major provisions of the proposed legislation are as follows:

1. The Construction Industry Collective Bargaining Committee is comprised of 10 management representatives, 10 labor representatives, and up to 3 neutral members, all appointed by the President. One of the neutral members shall be appointed Chairman. The Director of the Federal Mediation and Conciliation Service and the Secretary of Labor shall be ex officio members. The role of the parties is enhanced by providing that the management, labor, and neutral members shall be appointed after consultation with the national organizations.

2. Local labor organizations affiliated with the standard labor organizations in the industry are required to give 60 days' notice to their national unions before the expiration or reopening of agreements, and contractors or associations engaged in collective bargaining with them are similarly required to notify either the national organizations with which they are affiliated, or the Committee directly if there is no national affiliation. The standard national labor organizations and the national contractor associations engaged in collective bargaining are required to forward such notices to the Committee.

3. The Committee may elect to take jurisdiction of the matter, in which case any strike or lockout is deferred for up to 30 days past the expiration or reopening date.

4. The Committee may decide to refer a matter to a national craft board or to the national machinery established by a branch of the industry, on which national unions and national contractor associations are represented, in an effort to assist the parties to reach agreement. The Committee may elect to meet with the parties itself.

5. The Committee may also request the standard labor organizations and the national contractor associations whose members are directly involved to participate in the negotiations. In that event, any new or revised collective bargaining agreement shall be approved by the standard national construction labor organization with which the local labor organization, or other subordinate body, is affiliated in order for the agreement to be of any force or effect. In the event the standard national labor organization or national contractor association participates in such negotiation, it shall not suffer any criminal or civil liability arising out of such participation; nor shall the standard national labor organization be subject to any civil or criminal liability arising out of its approval, or failure to approve, a collective bargaining agreement.

6. The statute specifies the standards which the Committee shall take into account in taking jurisdiction of a matter and requesting the participation of the standard national labor organizations and the national contractor associations. These standards broadly specify improvements in collective bargaining procedures and practices.

7. The Committee is authorized to make broad studies of collective bargaining in the industry and to make general recommendations with regard to negotiating structures, improvement of productivity, stability of employment, differentials among branches of the industry, dispute settlement procedures, and other related matters.

8. The proposed legislation runs for a term of 5 years. The Committee shall submit annual reports to the Congress and, 6 months in advance of the 5-year limit, the Committee shall make recommendations with regard to the extension of the legislation.

THE WORLD CHAMPION PITTS SPECIAL MANUFACTURED IN WYOMING

(Mr. RONCALIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RONCALIO. Mr. Speaker, during the recent recess I was delighted to pay a visit to Afton, Wyo., where for many years an aircraft industry established by Call Air is continuing as one of the basic industries in this lovely valley in the western rim of the State.

The plant is now a part of Pitts Aviation Enterprises, Inc. whose headquarters are in Homestead, Fla. The Wyoming plant is assigned the special role of manufacturing the Pitts Special, a world champion maximum performance airplane capable of outperforming in maneuvers any known airplane flying today.

Aerobatic airplanes are difficult to build. The first Pitts Special took to the air in about 1945. It had a standard 55-horsepower Lycoming up front with no inverted system. Although this combination performed well by light aircraft standards of the day, the Lycoming was replaced with a 90-horsepower Franklin and stepped up toward the larger powered models prevalent today. Many modifications have taken place in this exceptional airplane, and beginning in 1964, a completely new design for symmetrical wings was tried. After a few minor changes they proved to be excellent, so good in fact, that a patent was promptly applied for and granted.

The 1966 Pitts found itself with 180 horsepower up front, a heftier fuselage to handle the added power, and a larger cockpit. Bob Herendeen used this model to win the nationals in 1966. Mary Gaffaney took the woman's nationals in 1967 using a similar machine. She later went on to win the woman's nationals in 1968, 1969, 1970, and 1971—all with Pitts Specials. Bob Herendeen topped his 1966 performance in 1968 by winning a very respectable third place in the world competition in East Germany. Mary Gaffaney took an equally credible fifth place in her class at the same event.

But 1972 was the year for Pitts airplanes. The U.S. Aerobatic Team, led by Charlie Hillard, Jr. and Mary Gaffaney, made a clean sweep of the international competitions held at Salon De Provence, France. The U.S. team and their snarling Pitts biplanes gave the world a first-class demonstration of aerobatic airmanship. And make no mistake, the competition was tough.

The latest chapter for the Special was written early in 1973. For the first time, the choice of champions would be offered ready built and fully certified. For the homebuilders, all plan sheets were completely redrawn and expanded, making the plan packet the most complete ever offered.

Plans for the Pitts Special were available to homebuilders in 1962. Its popularity since has bordered on the sensational, with well over 200 aircraft being completed to date.

The Afton, Wyo., facility not only manufactures the airplane, but puts up kit models to be mailed out to those who can assemble their own models of these delightful airplanes fully certified by FAA with no aerobatic restrictions.

Mr. Speaker, I wish to commend Mr. Doyle Child and Mr. Elmo Newswander, both of the Pitts operation, Aerotek, in Afton, and particularly the new general manager, Mr. Robert Merritt, and wish them well in this excellent facility. It is further proof that Wyoming need not rely upon mineral resources extraction alone for expanding its present population. Its cities do, indeed, provide ideal locations for small industries such as the airplane manufacturing of the world famous Pitts Special.

PETER KALDES

The SPEAKER pro tempore (Mr. McFALL). Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDADE) is recognized for 5 minutes.

Mr. McDADE. Mr. Speaker, I have been greatly saddened by the death of one of northeastern Pennsylvania's foremost citizens and one of my closest personal friends. Mr. Peter Kaldes, an outstanding civic leader in the city of Scranton, passed away over the Labor Day weekend. His death is a tremendous loss for the entire community.

Peter Kaldes came to America from his native Greece in 1920. Three years later he opened his own restaurant, known as the Castle, a warm, friendly place that has grown into a landmark in northeastern Pennsylvania. His was a classic example of hard work and God-given talent, making the American dream come true.

As his business grew and prospered, he gave unselfishly of his talents to the betterment of the entire Scranton business community. He was a past president of the Northeastern Pennsylvania Restaurant Association, chairman of the board of the North Scranton Business and Professional Men's Association, director of the North Scranton Bank, and a member of the North Scranton zoning and improvement committee.

These untiring efforts gained him the respect of all who knew him and resulted in numerous awards from the local business community. In 1972 he received the Achievement Award, the highest accolade presented by the Junior Achievement of Scranton. Previously the chamber of commerce held a testimonial dinner saluting his efforts at community betterment. His reputation grew nationally with the receipt of an award by the National Restaurant Association for community leadership and its Distinguished Citizen Award.

But Peter Kaldes will best be remembered for his many contributions to civic and charitable activities. Whenever an organization needed help, Peter was there and his presence on any board or commission guaranteed its success. He gave his time, his talent and his resources to the University of Scranton, to the Crippled Children's drive, to Keystone Junior College, to the blood donor program, to the West Scranton Hospital, the Red Cross, the United Fund, and countless other endeavors. The awards and honors he received from all of these agencies are too numerous to mention.

He was a civic activist in the Masons, the Consistory and the Hellenic Orthodox Church. But he was most proud of his work in the Order of AHEPA. On three occasions he served on its board of governors. He loved and took pride in his Greek heritage with as great a fervor as he loved America. Through AHEPA he channeled all of the volunteer and charitable good works he could muster into the improvement of life for Greek families less fortunate than his.

Peter Kaldes will be missed for all he has done for others, but his strength of character, his unselfishness, his willingness to give to others will be missed most of all. He was a tremendous human being who gave back one hundred fold the blessings that he had received from this country.

To his brothers and sisters, and especially his widow, I extend my deepest sympathy and deepest appreciation for having known him. I know the Congress will join me in echoing this expression of sorrow at his untimely death.

CREATION OF SELECT COMMITTEE OF HOUSE TO STUDY NEW EVIDENCE CONCERNING THE DEATH OF PRESIDENT JOHN F. KENNEDY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Talcott) is recognized for 5 minutes.

Mr. TALCOTT. Mr. Speaker, I have had the good fortune to read the remarks of our distinguished colleague, the gentleman from Virginia, Mr. Thomas N. Downing, delivered to the Virginia Commonwealth's Attorneys Association during our August recess on the subject of the creation of a select committee of Members of the House to study the new evidence concerning the circumstances surrounding the death of President John F. Kennedy.

The speech is very persuasive. Mr. Downing is a very respected Member of the House. Some of us did not know of his keen interest in reopening this case.

Because of the respect we have for the ability, judgment and commonsense of Mr. Downing, I urge every Member to read his speech. I also believe it would be edifying for every citizen to read this speech.

For that reason, Mr. Speaker, I include the speech at this point in the Record:

Remarks of the Honorable Thomas N. Downing to Virginia Commonwealth's Attorneys Association, August 9, 1975

The legislation that I have introduced over the past 16½ years is usually limited to certain areas. Generally, they are matters in which the First Congressional District has a high degree of interest: Merchant Marine, port activities, shipbuilding, fisheries, space research, and national defense matters. In addition to these, there have always been certain areas of national priority in which I have tried to reflect the interests of the district.

I suppose that is why nobody seems to be able to understand why I introduced a resolution in April calling for the creation of a select committee of Members of the House to study the circumstances surrounding the death of John F. Kennedy. It doesn't seem to fit my image. But if you will bear with me for a little while, I will try to explain it.

None of us will forget what happened in Dallas almost 12 years ago. I was as stunned as any American. Congress had adjourned and I had gone home for the weekend.

When I had the first news that the President had been shot, I prayed that it would not be fatal. And then I found myself in somewhat of a trauma for the next few days as word came of his death, the swearing-in of LBJ, the plane ride back to Washington, the lying-in-state and the sorrowful funeral procession ending at the grave with the eternal flame.

In the midst of all of it came the capture of Lee Harvey Oswald and his subsequent murder—live on television—by Jack Ruby in the basement of police headquarters in Dallas.

It was all so unbelievable, yet all so true.

Then came the appointment of the President's Commission, chaired by Chief Justice Earl Warren. They investigated and reported, concluding that there was no evidence of conspiracy and that Lee Harvey Oswald, alone and unassisted, was responsible for the death of President Kennedy and the wounding of Governor John B. Connally of Texas. And there the matter was supposed to rest for all time.

I did not believe it.

I did not believe that one man could have fired three shots in six seconds from a cheap, foreign made, single shot bolt action rifle with the deadly accuracy credited by the FBI and the Warren Commission. No way.

The great majority of Americans, it seems, never believed it. Yet except for a comparative few people no one attempted to do anything about it. The Warren Commission was sacrosanct. Its members included, in addition to the Chief Justice of the United States, Senators Richard B. Russell of Georgia and John Sherman Cooper of Kentucky, Representatives Hale Boggs of Louisiana and Gerald R. Ford of Michigan, the former Director of the Central Intelligence Agency Allen Dulles and the noted attorney and former high commissioner of Germany, John J. McCloy. Their position of eminence was bolstered by that of the Chief Investigative Agency of the United States, the Federal Bureau of Investigation under its Director, J. Edgar Hoover.

During the intervening years a sizable group of experts about the assassination and the resulting investigation has developed. They include attorneys, physicians, college professors, former government investigators and specialists in a number of fields. Many of them have extremely high degrees of expertise.

Among them is a young man named Robert Groden who is particularly adept and imaginative in the field of optics. Groden obtained a copy of the eight millimeter color movie of the assassination taken by the late Abraham Zapruder, a Dallas dress manufacturer who was in Dealey Plaza that day.

Enlarging each of the movie frames that showed the fatal shot to President Kennedy's head, Groden put them back in sequence at slow motion so that it is possible to view the event from a greater enhanced perspective than you would get in watching a home movie at normal speed. He has taken his film to a number of college campuses and appeared with it before thousands of students. He also had it on late night television twice earlier this year.

In April students from the University of Virginia who had seen the presentation asked members of the Virginia delegation in the House to take a look at it. They brought Groden and the film to Washington and I was one of five Members who saw the presentation.

It is difficult to explain in complete detail what the film shows but you can see Kennedy grab his throat and start to lean forward after being shot high in the back. A second or two later you see Connally's face distort and he starts to crumple into his wife's lap. Then with the President bending forward with his head thrust slightly down, he suddenly bolts upright and backward as his head literally explodes. His body slams back against the back of the seat and then bounces to the left toward his wife.

I have seen this film shown a number of times since then and there are always people in the group who gasp at the impact. My immediate conclusion was that he was hit from the right front more than likely by someone who was firing from the so-called grassy knoll. I concluded that in all probability the Commission was wrong. There had to be more than one assasin.

I waited several days and considered all the aspects, then I introduced my resolution.

It went in originally with the co-sponsorship of Bill Whitehurst and Herb Harris. I have reintroduced it on three other occasions and now there are thirty sponsors in all with the promise of still additional support.

Nobody pressured me to introduce this resolution. Nobody even tried to persuade me. I did it because I believe that the American people have lived for almost twelve years following that terrible day in Dallas without knowing the truth, certainly without knowing the whole truth; and that in a time when we have had a great many other myths exploded and brought to light, it is time for the truth, the whole truth, to be known about what really happened to John F. Kennedy.

I am in no way trying to criticize the members of the Warren Commission. The American people, however, have faced terrible truths in the last few years, truths which few of us ever expected to have to face, and our nation has survived. I believe it is time that we bring this one out into the open.

As everyone in this country knows so well, Lee Harvey Oswald was never brought to trial. As literally millions of Americans watched on television, he was gunned down by Jack Ruby in the basement of the Dallas police station, less than 48 hours after the murder of John Kennedy. As a result, no prosecutor was faced with the problem of prosecuting Lee Harvey Oswald for the first degree murder of President Kennedy. However, it is a most interesting exercise for prosecutors to look at the theoretical situation with which a district attorney would be faced if Oswald had not been himself murdered and if he had been brought to trial.

As a prosecutor, what would you have going for you? In a warehouse building along the parade route, near the scene of the crime, the police found a Mannlicher-Carcano rifle which had been purchased through the mail by Oswald. Three cartridges which had been fired by that gun were found on the sixth floor of this warehouse, the Texas school book depository. A nearly perfect bullet which might have been fired from the Mannlicher-Carcano was found on a stretcher in the hospital to which President Kennedy and Governor Connally were taken for emergency treatment. That in essence is all of the positive evidence linking the suspect to the crime.

But even this evidence has its weak spots. For example, there is no clear record, despite the fact that Oswald worked in the Texas school book depository, of how or when the gun was taken into the building. There is also considerable evidence that a second rifle, a 7.65 Mauser, was also taken from the building by the police. There is no way of knowing when the cartridges had been fired in the Mannlicher-Carcano; they could easily have been fired at an earlier time and placed in the building. Although the pristine bullet found in the hospital appears to have been fired from the gun, there is no clear evidence whatever as to how it got onto a stretcher in Parkland hospital.

And now let's look at what a defense attorney would have going for him in this same case.

1. Despite a multitude of people in Dealey Plaza, no creditable witness could be found that saw anyone firing a rifle. It should be noticed in passing that, despite this total lack of eye witnesses, a rather good physical description of the alleged murdered went out over the Dallas police radio 14 minutes after the last shot rang out. The description matched Lee Harvey Oswald, but no one has explained how the police at that time had any idea for whom they were looking.

2. The great majority of spectators believed that the shots came from in front of the President's car, from a place generally called the grassy knoll. The police officers riding along side the presidential car dropped their motorcycles and rushed to this area.

3. Approximately 90 seconds after the last shot was fired, Lee Harvey Oswald was found on the *second* floor of the school book depository, drinking a coca cola. If, in fact, he was the assassin, in that 90 seconds he would have had to conceal his gun, cross the whole width of the large warehouse, descend five flights of stairs, find a dime, get his coca cola, open it, and calmly begin to drink it. This sounds more like a decathlon champion than Lee Harvey Oswald.

4. The Mannlicher-Carcano is a very cheap ($19.95) surplus World War II Italian carbine. It is a bolt action, single shot, fourth-rate gun, hardly the type that any serious assassin would even consider.

5. There is no trace of the source of the ammunition used in the murder. The Italians quit manufacturing ammunition for the Mannlicher-Carcano during the closing years of World War II. Any of this old ammunition would be highly unreliable. The only known source of new ammunition for the gun was the United States Government. It has never been determined from which source the assassin actually obtained the ammunition.

6. For the Mannlicher-Carcano to be fired three times in six seconds, the use of a clip is almost imperative. Yet, no clip was ever found.

7. The telescopic sight on the rifle was defective. At the range it was being fired in Dealey Plaza, it was off approximately eleven inches . . . an almost fatal flaw in itself under the circumstances.

8. The FBI's ballistic tests on the bullet fragments taken from President Kennedy, from Governor Connally, from the automobile, etc., were inconclusive. In effect, there was no positive ballistics evidence connecting the bullets with the alleged assassin's gun.

9. A paraffin test was made on Oswald's right cheek and it turned out negative, indicating that he had probably not fired a rifle that day.

10. Oswald himself denied the killing.

On top of this rather hopeless evidential situation, you would also be faced with a number of most serious constitutional defects.

First and foremost, Oswald was questioned for a total of 13 hours during his 45 hour detention. Despite his requests for legal assistance, he was never furnished with a lawyer. Lawyers from the Civil Liberties Union who volunteered were turned away. Yet, the questioning went on. On top of that, the Dallas police force has given sworn testimony that there is not one scrap of evidence as to what Oswald said during the 13 hours of interrogation. According to the police, the Dallas police force did not own a tape recorder. Further, they did not even bother to have a stenographic record of the interrogation. More incredibly, they say no notes were taken. It is difficult to believe that any judge or jury . . . with the exception of the Warren Commission . . . would accept such statements as true.

There was massive tapering with evidence. Despite a Dallas ordnance that an autopsy must be performed by the coroner in cases of violent death, no autopsy was performed in Dallas. Despite the protests of local authorities, the body of President Kennedy was forcibly removed to Bethesda, Maryland, where a grossly inadequate autopsy was performed by three military pathologists with little, if any, forensic experience. On top of this, the contemporaneous notes of the chief surgeon were later burned by him in the fireplace of his recreation room . . . he later swore that he did not think they were important. Many of the X-rays and photographs which would normally be taken during a competent autopsy were found not to exist.

The car in which the President was riding at the time of his death, was completely dismantled by the secret service and all evidence relating to it was destroyed.

Oswald's wife, who apparently had nothing to do with any crime, was held in "protective custody" for a number of months. For all practical purposes, she was held incommunicado.

I could go on and on with this list but I think I have made by point that any prosecution of Lee Harvey Oswald would have been undermined by the most serious constitutional abuses.

Until now, I have been discussing the problem of a prosecution of Oswald, not necessarily as the sole assassin of President Kennedy, but merely someone who may have played a roll in the assassination. As we know, the Warren Commission insisted most strongly that Oswald was unassisted in his commission of the crime.

What new problems would be raised if it were necessary to prosecute Oswald as the lone-nut killer? Is there any way in which a prosecutor could convince a jury that he and he alone had committed the act?

Let us go back for a moment to the Zapruder film of which I spoke earlier. Knowing that the film in Mr. Zapruder's camera ran at 18.3 frames per second, it is possible to determine very accurately the time frame in which all the shooting took place. It is known . . . and the Warren Commission concurs . . . that 5.6 seconds elapsed between the first shot and the final shot which hit John Kennedy in the head. For practical purposes, let's round this off to six seconds. Now remember that this is a single shot, bolt action rifle. After each shot a cartridge had to be ejected by the bolt, a new bullet put into place and the gun re-aimed. Some of the world's finest riflemen have practiced with the Mannlicher-Carcano but none have been able to re-load, re-aim and fire accurately in less than three seconds. This means that in the time frame for the firing, a maximum of three shots could have been fired from the Mannlicher-Carcano, the initial shot plus two re-loads.

Realizing these limitations, and insisting that only a single gunman was involved, the Warren Commission insisted that all of the damage done during the fusillade was done by three shots. The Warren Commission admits that one shot missed the target completely, striking the street curb. One shot hit President Kennedy in the head and disintegrated. That left only one shot which, for convenience sake, has often been labeled the "magic bullet."

According to the Commission, this shot entered President Kennedy's back, exited his adam's apple, went through Governor Connally's chest, broke a rib, went through Connally's wrist shattering it, and wound up in his thigh. This is the bullet which allegedly was found undamaged on a stretcher in Parkland Hospital.

If the "magic bullet" is central to the whole contention that Oswald was a lone-nut killer, let's examine its feasibility.

If the shots fired by the murderer came from the sixth floor window of the School Book Depository, their course would have been downward and to the left. If a bullet had entered the President's back and exited his adam's apple, it should have either hit Mrs. Connally who was sitting in front of the President and to the left, or harmlessly struck the side or floor of the car. To have hit Governor Connally on his right side, when he was sitting directly in front of the President, the bullet would have to have made two 90 degree turns in mid air. From this evidence alone it can be deduced that Governor Connally was not gravely injured by any of the bullets which struck President Kennedy, something which Governor Connally insists to this day. Furthermore, the "magic bullet" that was taken from the stretcher was pristine. The only lead missing from it was that removed by the FBI for tests. Yet, a great deal of lead was left in Governor Connally's chest and wrist when the bullet that struck him struck bone.

From this mass of evidence, all serious critics including a number of eminent pathologists, criminologists, and lawyers have all concluded that there must have been at least four shots at Dealey Plaza.

As no one has been able to fire the Mannlicher-Carcano four times in six seconds, we know that there was at least a second rifleman if the Carcano was used in the killing. This means a conspiracy. This means that the Warren Commission was wrong on its central thesis.

There are a number of other very disturbing aspects to this matter which are of particular interest to prosecutors. A huge amount of vital evidence was withheld from the Warren Commission . . . presumably, it would have been withheld from a prosecutor. The FBI was deeply involved with this withholding of evidence. As an example, the Dallas police turned over to the FBI an address book which belonged to Oswald. In it was one page which gave the name, address, telephone number and license plate number of an FBI agent in Dallas. The FBI removed this page from the book before turning it over to the Warren Commission. Eventually, the Warren

Commission got the page but did not seem upset that it had been willfully withheld. The FBI also withheld most of the evidence which linked Jack Ruby to organized crime, to Cuban gamblers, to the narcotics trade, and last but not least, to the FBI itself. It has only recently been discovered that Jack Ruby was formerly enrolled as an FBI informant for quite a period of time.

Time does not permit me to go into this matter as deeply as I would wish tonight, but I would like to give you just one more example of this type of withholding and of what smacks of a serious cover-up. When Lee Harvey Oswald went to Mexico in September of 1963, he had to obtain a Mexican entry card from the Mexican consulate in New Orleans. These cards are numbered serially. After the murder, the FBI obtained from the Mexican consulate a list of all of the persons who obtained entry permits in New Orleans on the same day that Oswald obtained his. The FBI did a massive investigation with respect to these people and published the results in detail in the volumes of evidence accompanying the Warren report. There was only one small exception. The identity of the person who received his permit immediately ahead of Oswald was never made public.

In 1972 following a periodic review, a list of commission documents which had formerly been withheld was released. Among them was the missing information about the man who obtained the permit. He was William George Gaudet, who was based in New Orleans and traveled widely in Latin America in 1963. A previously withheld FBI report, dated coincidentally the day after Jack Ruby murdered Lee Harvey Oswald, says that William George Gaudet gave them details as to certain of Jack Ruby's activities, not in Dallas, but in New Orleans.

William George Gaudet has been interviewed. He admits that he did receive his entry permit immediately ahead of Oswald. He denies that he accompanied Oswald to Mexico. He also admits being a CIA operative from 1947 until 1969.

He says that he was guaranteed that his identity would never be made public and was quite irritated at the FBI for having revealed his name, even at this late date. He says emphatically that the FBI is lying when it says that he volunteered information about Jack Ruby in November of 1963.

From the interviews with Gaudet it has been learned that Lee Harvey Oswald was known to agents in charge of the CIA operation in New Orleans in 1963. Their identities and whereabouts are known.

Lee Harvey Oswald certainly was no hero and I am not trying to make him one, but I do not believe that he was the lone-nut assassin that the Warren Commission says he was. I do not know who was involved in the assassination of President Kennedy but I think it is time that all of us learned the truth. Our system of Government cannot remain strong if our leaders can be murdered and the Government itself consents to covering up the crime.

THE DISENGAGEMENT ACCORD IN SINAI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 5 minutes.

Mr. RAILSBACK. Mr. Speaker, the signing of the new disengagement agreement between Israel and Egypt on September 4 was, in large part, a result of the tireless and effective diplomatic efforts of Secretary of State Kissinger. These efforts, undertaken with the full support of President Ford, deserve a special thanks from all of us. The constant "shuttling" between Israel and Egypt, together with the added visits to Saudi Arabia, Jordan, and Syria, carried Secretary Kissinger many miles in his endeavor to achieve one more degree of stability to the precarious truce in the Middle East. The Secretary said:

> I think it gives peace a chance in this area.

Indeed, his painstaking efforts may provide the impetus and momentum toward further negotiations between Israel and the Arab States of Syria and Jordan.

We must also note the commendable willingness of both Israel and Egypt, in signing this disengagement agreement, to accept some risks for the sake of further movement away from instability and stalemate along the lengthy road toward a comprehensive final settlement. For the United States, the price of the agreement may appear to some of us as high: the stationing of U.S. civilian technicians in the buffer zone, the economic aid to Israel and Egypt, the political commitments. But at the same time we must reflect upon the fact that had the administration through its Secretary of State failed to achieve a new disengagement agreement, the price most likely would be considerably higher—not to Israel, Egypt, and the United States, but to the world at large. When we measure this price against the possible alternatives, we cannot but acknowledge the worthy achievement of both the President and Secretary Kissinger in giving peace a chance to flourish in the Middle East.

BILL TO EXTEND EMERGENCY PETROLEUM ALLOCATION ACT THROUGH OCTOBER 20, 1975

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I am today introducing a bill to extend the Emergency Petroleum Allocation Act through October 20 of this year, a period of slightly more than a month.

We are faced this week with a choice between two alternatives—to override the President's veto and thereby extend the Emergency Petroleum Allocation Act for another 6 months without any effective resolution of the oil pricing and allocation controversy, or to sustain his veto and achieve immediate decontrol of oil.

My bill would present Congress and the President a third alternative by extending price controls for a brief period of time to give the Congress one more chance to accept a compromise decontrol plan to be submitted by the President.

Congress must cease its confrontation tactics and work to end the cumbersome system of price controls that reduces competition and strengthens the OPEC cartel by holding down domestic production, all at the expense of the American consumer. The President has accepted the concept of gradual decontrol and before the August recess submitted to Congress two versions of a plan to accomplish this. Congress should reconsider the unfortunate rejection of gradual decontrol that took place in July. My bill would provide the vehicle for reconsideration and for, finally, some positive congressional action on energy.

I urge expeditious consideration of this bill.

HEARING OF SUBCOMMITTEE ON MONOPOLIES AND COMMERCIAL LAW OF THE COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, ON SEPTEMBER 11, 1975

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, the Subcommittee on Monopolies and Commercial Law of the Committee on the Judiciary, of which I am chairman, announces that it will hold a hearing on the necessity for coal production and research by major oil companies, on Thursday, September 11, 1975, at 9:30 a.m. in committee room 2141 of the Rayburn Building.

"THE LITTLE CHURCH IN THE WILDWOOD"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, there is something strangely elevating and purifying about a church in the hill country. When our pioneer ancestors first came to America they tended to drift back into the Appalachian highlands, and there they remained generation after generation. To symbolize the constancy of their purpose, they set up little churches before they had schools or courthouses. Numbers of country churches in West Virginia count their ages by centuries.

My own church at home is one of these—Centenary Methodist Church, at Reese's Mill, Mineral County, W. Va. My own ancestors back through the years have supported it and loved it, as I do. The words of Gray's elegy come inevitably to mind. In the rustic cemetery my forefathers sleep, "each in his narrow cell forever laid." Living, they did not worship in the church with the thought that they would "grandeur hear with a disdainful smile." Under other circumstances, their hands, now at rest, "the rod of empire might have swayed, or waked to ecstasy the living lyre." Among them may lie "some village Hampden, that with dauntless breast, the little tyrant of the fields withstood, some mute inglorious Milton here may rest, some Cromwell guiltless of his country's blood."

Along the cool sequester'd vale of life
They kept the noiseless tenor of their way.

In such a setting I feel myself in the presence of eternity. I go away refreshed and ready for another weeks' conflicts with today's problems.

On July 20, 1975, the speaker of our church offered the following words of guidance. I think that in the midst of our fruitless controversies and unconvincing chatter, his words are well worth space in the RECORD. I commend them to every Member. Following is the sermon of Howard L. Hill, of Fort Ashby, W. Va.:

SERMON BY HOWARD L. HILL

I would like to examine what is wrong with the world today by using Proverbs. I have broken it down like this:

1. Lack of wisdom
2. The need for love
3. Immorality—Lying, cheating, stealing, unfaithfulness.
4. Evilness,—Greed, murder, rape, kidnapping

What I would like to do is explore each heading.

LACK OF WISDOM

What do you think wisdom is? You would probably say intelligence or ability to think and do things properly. Webster says it is the quality of being wise; the ability to judge soundly and with facts, especially as they relate to life and conduct. Wisdom is knowing and doing right and possessing common sense. We should not let it slip away, for it fills us with living energy. Wisdom keeps us safe from defeat and disaster and from stumbling off the trail. With wisdom on guard we can sleep without fear; we need not be afraid of disaster or the plots of wicked men for the Lord is with us; He protects us.

To learn wisdom we must desire knowledge and be willing to be taught. To reject reproof is stupid says the Bible. Where do we learn of this wisdom? From the Holy Bible. Wisdom is enshrined in the hearts of men of common sense, but it must shout loudly before fools will hear it. Wisdom is much better than money or earthly treasures. It is richer than anything we could acquire or ever hope to achieve. Wisdom is a fountain of life to those who possess it.

How does a man become wise? The first step is to trust and revere the Lord. Only fools refuse to be taught. Listen and read what the good book has to say to us. What we learn from it will stand us in good stead; it will gain for us glory in God's sight. Wisdom shouts in the streets for hearing. She calls out to the crowds along main street and to the judges in their courts, and to everyone in all the land. You simpletons, she cries, how long will you go on being fools? How long will you scoff at wisdom and fight the facts? Come here and listen to me. I'll pour out the spirit of wisdom upon you and make you wise. I have called you so often but still you won't come. I have pleaded, but all in vain for you have spurned my counsel and reproof. Some day you'll be in trouble, and I'll laugh. Mock me, will you? I'll mock you when you are engulfed by anguish and distress, then I will not answer your cry for help. It will be too late though you search for me ever so anxiously.

WE NEED LOVE

What would the world be like without love? Where would the babies be? Our children? Our parents? Christ is the only true example of love. We have parental love and marital love, but to exist we must have the love of Christ. We must be kind. Our own soul is nourished when we are kind, it is destroyed when we are cruel. A soft answer turns away wrath, but harsh words cause quarrels. Gentle words cause life and happiness. Kind words are like honey—enjoyable and healthful. We need to love our mate, our children, our parents, and our fellow man, whether he be black, yellow, or red. God is not color blind and we must not be also. Love your neighbor as yourself.

IMMORALITY

Lying is something that is infecting our minds and our very way of existence. We can rejoice when our children and those about us are truthful and fair. A good man is known by his truthfulness and a false man by deceit and lies. Truth stands the test of time. Lies are soon exposed. God loves those who are truthful and hates those who lie. If we are good we will hate lies for the wicked lie constantly and think nothing of it. We must be truthful in all that we say and do. God expects it. God rejoices when his people are truthful. We shall not lie or bare false witness against anyone.

Cheating—Do we cheat at games? Do our children? How about the cheating that is going on in our colleges. Where did it all start? If we are taught not to cheat at home, would we do it in school? Are we looking for something for nothing? I wonder how many doctors have cheated in school, people who hold the very life of someone in their hands. I think the permissive attitude can be blamed for much of the cheating that goes on today. Cheating, like lying can grow until it is completely out of control. We tell a little lie and then we have to tell a larger one to cover the first. If we cheat a little, we cheat more and more until we have lost any sense of cheating. The Lord hates cheating and delights in honesty. We are guided by our honesty; the evil are destroyed by their dishonesty.

Stealing seems to be a breakdown of attitude. We think nothing of stealing small insignificant items. We may steal erasers or pencils from our place of employ. We must stop and think about this. We are sinning. Is it worth sinning for such small things? Then there is always the possibilty of stealng bigger things. We could even become a cleptomaniac. Stealing simply is not worth it. Thou shall not steal. The Bible does not say thou shall not steal little things, but thou shall not steal. Our stores have to put everything under lock and key. Records, tapes, and radios have to be locked and employees hired for no other reason but to keep watch for stolen items. Are we to say it is just a fad we are experiencing? A fad, my foot! It is a breakdown of the home, school, and the church. We are just not getting the fact across that it is wrong to steal no matter what the circumstances or how small the item.

Unfaithfulness—One out of every three marriages go on the rocks today. A family that prays together stays together. If we were to take life in its right perspective—that is to serve God as we should, we would not have our courts filled with divorces. We would have satisfaction and happiness in our married life. There are certain precautions that must be taken if we are to have a fulfilling marriage. The Bible says spurn the careless kiss of an unclean woman. Stay far from her. Look straight ahead, don't even turn your head to look. Watch your step, stick to the path and be safe. Don't side-track, pull back your foot from danger. Men and women listen to the Bible and never forget what you are about to hear. Run from the unclean woman or man. Don't go near their house lest you fall to their temptation and lose your honor, and give the remainder of your life to the cruel and merciless. Afterwards you will groan in anguish and in shame when disease consumes your body and you will say if only I had listened, if only I had not demanded my own way. Oh why wouldn't I take advice, why was I so stupid? For now I must face public disgrace. Drink from your own well, be faithful and true to your wife or husband. Let your manhood be a blessing, rejoice in the wife or husband of your youth. Let her or his love fill you with delight. God is closely watching us. He weighs carefully everything we do.

The next and last thing I feel that needs correction in the world today is evilness. Under evilness comes greed, murder, rape, kidnapping and a multitude of other things. Greed will not permit us to give to God what is rightfully his. Honor the Lord by giving him the first part of all your income and he will fill your barns with wheat and barley and overflow your wine vats with the finest wine. Our riches won't help us on judgment day, only righteousness counts then. The evil man gets rich for the moment, but the good man's reward lasts forever. Trust in your money and down you go. Trust in God and flourish as a tree.

If we serve God as we should and teach our children and others how to serve Him, then murder, kidnapping and all the other evils will be sent back to Satan where they belong. If we search for good, we will find God's favor. If we search for evil, we will find his curse. We should be a growing tree that bears lifegiving fruit. A good Christian's mind is filled with honest thoughts. An evil man's mind is crammed with lies. The wicked shall perish. The Godly shall stand.

FUNDING FOR EDUCATION PROGRAMS IN FISCAL YEAR 1976

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. ADAMS) is recognized for 15 minutes.

Mr. ADAMS. Mr. Speaker, with words proclaiming his strong commitment to education in our country, President Ford has vetoed the education appropriations bill for fiscal year 1976, H.R. 5901.

This is a bill which finances the Federal commitment to educational programs in elementary and secondary education, emergency school aid, education for the handicapped, occupational, vocational and adult education, and numerous other programs. The rationale for this veto is that we cannot afford to support education to the extent approved by the Congress, that approval of this bill will aggravate the projected budget deficit for fiscal year 1976, and that the amount approved by the Congress " * * * part of the trend over the past several years—a little more for every program."

As chairman of the House Budget Committee, I have been asked by a number of Members whether this bill is above the budget resolution targets and the relationship of this bill to the President's budget request.

This appropriation bill is approximately $400 million below the estimates made in the First Budget Resolution for fiscal year 1976—see the attached chart on funding for education programs.

COMPARISON OF BUDGET AUTHORITY ESTIMATES FOR EDUCATION DIVISION PROGRAMS FOR FISCAL YEAR 1976 WITH 1974 AND 1975 ACTUAL APPROPRIATIONS

[In millions of dollars]

	1974 actual appropriations	1975 actual appropriations	1976		
			President's budget	Conference agreement	HBC recommendation
Elementary and secondary	2,039.0	2,187.0	2,340.0 (2,210.2 [2] +130.5)	2,401.0 (2,210.2 [2] +191)	2,557.0 (2,210.2 [2] +347)
Library resources	210.0	208.0	10.0	70.7	97.0
Impact aid	593.0	656.0	266.0	680.0	728.2
Emergency school assistance	258.2	241.7	101.7	241.0	292.1
Education for the handicapped	147.0	199.8	225.0 (100 [2] +125)	226.3 (100 [2] +126.3)	277.5 (100 [2] +177.5)
Occup., voc., and adult educ	685.4	672.6	636.0 (67.5 [2] +569)	665.0 (67.5 [2] +598.1)	751.0 (67.5 [2] +684)
Higher education	1,905.9	2,325.4	2,005.5	2,439.3	2,370.7
All other education programs	177.9	322.3	480.3	451.0	480.3
Special institutions	172.9	118.9	118.9	118.8	118.8
Total	6,188.9	7,028.0	6,184.0	7,295.0	7,674
Compared with HBC 1976 (7,674)			−1,490.0	−379.0	
Compared with Pres. estimate 1976 (6,184)	+5.0	+844.0		+1,111.0	+1,490.0
Compared with 1975 appropriations (7,028)			−844.0	+267.0	+646.0
Compared with 1974 appropriations (6,189)		+839.0	−5.0	+1,101.0	+1,485.0

[1] Includes supplementals, and amounts not accepted for rescission.

[2] Advance appropriation for 1976, appropriated in the Supplemental Appropriation Act of 1975 (Public Law 93–554).

Note: Appropriations shown for each year include only budget authority for that fiscal year; advance funding for subsequent years and transition quarter are excluded. Advance funding is shown under the year for which it was appropriated.

The second major issue to which I want to address myself is the unfortunate impression fostered by administration spokesmen that the Congress has massively increased education spending in this apropriations bill and that we are not exercising the fiscal restraint endorsed by the passage of the Congressional Budget and Impoundment Control Act of 1974. This is simply not true. As stated in my letter to House Members of August 29, 1975, the House is below the concurrent budget resolution targets for appropriations by nearly $3 billion—see tables A, B, and C at the end of my statement.

The Congressional Budget and Impoundment Act of 1974 grew out of an overwhelming belief that the Congress must be responsible for Federal spending and for the setting of priorities in Federal programs. The Congress accepted that responsibility and appropriated $7.295 billion. President Ford has stated that education is so important to the life and vitality of our country that it is "one of its foundation stones." This is not shown by the administration's budget request of $6.184 billion which is $5 million less in actual spending during fiscal year 1976 than was spent by the Federal Government in fiscal year 1974, and $844 million less than was actually spent in fiscal year 1975. The Congress considered recommendation and rejected it.

This is the most recent determination of budget priorities, and this final action is below the target we set last spring under the Congressional Budget and Impoundment Control Act to set national priorities which allocated $7.295 million for education during fiscal year 1976.

As the chart shows, this amount is only $646 million over actual spending levels for fiscal year 1975.

It should also be noted here that when the President in his budget requested a substantial increase in fiscal year 1976 budget authority and outlays for national defense, the Congress used its power to set congressional targets below the Presidential request. We are carefully watching each target, and I recently reminded members that spending for such areas as military procurement and school nutrition programs could easily exceed our targets.

This is what the congressional budget process is all about. We have come a long way towards effectively implementing that process. We have shown that we are willing to act in a fiscally responsible manner. For the first time we have debated and agreed upon a single congressional budget target setting our budget priorities; and to date we have acted successfully to remain within the spending targets agreed upon in that budget. This bill is within and below the target in the resolution and we should not go lower in this spending category.

The tables referred to follow:

TABLE A.—CURRENT HOUSE STATUS OF 1ST BUDGET RESOLUTION FOR FISCAL YEAR 1976 AS OF SEPT. 2, 1975

[In billions of dollars]

	1st budget resolution assumptions about current House status		Current House status		Difference over (+) under (−) resolution	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlay
Permanent appropriations, prior year balances, and off-setting receipts	137.1	200.1	136.5	201.8	−0.6	1.7
House action (bills enacted into law and bills which have passed the House)	140.3	91.9	136.8	87.9	−3.5	−4.0
Total	277.4	292.0	273.3	289.7	−4.1	−2.3

TABLE B.—*Analysis of House action on outlays compared to resolution target*

[Outlays in billions of dollars]

Fiscal year 1976 Congressional budget spending targets $367.0

What House has done so far: Permanent, $201.8; House action, $289.7.

What resolution assumed would be done by now: Permanent, $200.1; House action, $292.0.

Current House action to date has resulted in a net $2.3 billion *below* the estimates and assumptions made in the First Budget Resolution. This is divided into the following two major categories:

I. Permanent Appropriations (appropriations from which funds are made available without current action of Congress) are running $1.7 billion over assumptions made in the First Budget Resolution.

A reestimate of the rate of FHA foreclosures has increased outlays +.4

Medicare estimates have increased due to higher patient delivery care costs +.7

Current outlay estimates for the milk price support program are over assumptions made in the Budget Resolution +.2

In the National Defense function the Budget Resolution assumed no funding for the Southeast Asia FY 1975 supplemental. Current House estimates do not reflect this outlay reduction +.4

Miscellaneous net changes on Permanent Appropriations *

+1.7

II. Current status of bills passed by House is $4 billion under assumptions made in the First Budget Resolution.

The Agriculture appropriation bill passed by the House is $2.2 billion under the First Budget Resolution. Findings, however, for the Food Stamp program is provided in this bill only through January 31, 1976 −2.8

The Budget Resolution assumes higher outlays for unemployment benefits

*Less than $50 million.

to the jobless than current estimates -1.0

The Education Division appropriation bill (veto override schedule) is below the First Budget Resolution target -.5

Miscellaneous net changes as a result of House action to date +.3

-4.0

Although current House action is $2.3 billion *below* the outlay assumptions made in the First Budget Resolution, current spending estimates and pending appropriation legislation must be monitored closely if Congress is to keep within its outlay target of $367.0 billion -2.3

Food Stamp funding may be understated by as much as $2.1 billion for the remainder of the fiscal year.

An increase of $.4 billion may be necessary to meet AFDC payments.

Unemployment costs to meet the needs of the 65 week benefit program may be understated by $1.0 billion.

Congress will have to keep within its First Budget Resolution targets for the four remaining appropriation bills: Defense, Military Construction, Foreign Aid and District of Columbia.

In addition, the current volatility of the economy with respect to unemployment and a reoccurrence of inflation caused by a rise in oil prices may adversely affect the projected deficit of $68.8 billion.

TABLE C.—HOUSE ACTION SO FAR ON FISCAL YEAR 1976 APPROPRIATION AND OTHER SPENDING LEGISLATION AS OF SEPT. 2, 1975

[In billions of dollars]

	1st budget resolution assumptions about current House status [1]		Current House status		Difference over (+) under (−) resolution	
	Budget authority	Outlays	Budget authority	Outlays	Budget authority	Outlays
I. Appropriation bills:						
Education division (H.R. 5901)	5.3	2.2	[2]4.9	[2]1.7	−0.4	−0.5
Legislative (Public Law 94–59)	.8	.7	[2].8	[3].7	0.	0
Labor, HEW (H.R. 8069)	36.7	29.2	36.0	28.5	−0.7	−.7
HUD, independent agencies (H.R. 8070)	51.8	18.8	51.4	18.5	−.4	−.3
State, Justice, Commerce and Judiciary (H.R. 8121)	6.1	4.2	5.7	4.0	−.4	− 2
Public Works (H.R. 8122)	8.1	4.7	7.2	3.9	−.9	−.8
Transportation (H.R. 8365)	3.9	3.1	3.7	2.9	−.2	−.2
Agriculture (H.R. 8561)	[4]14.2	[4]10.5	10.8	7.7	[4]−3.4	[4]−2.8
Interior (H.R. 8773)	4.3	3.0	4.1	2.8	−.2	−.2
Treasury-Postal Service (Public Law 94–91)	6.5	6.1	[3]6.3	[3]6.0	−.2	−.1
Continuing resolution (Public Law 94–41)	0	2.1	[3]2.4	[3]2.3	2.4	.2
Subtotal	137.7	84.6	133.3	79.1	−4.4	−5.6
Defense, (pending House action)	(89.5)	(62.2)				
Military construction (pending House action)	(3.8)	(.8)				
District of Columbia (pending House action)	(.5)	(.4)				
Foreign aid (pending House action)	(3.3)	(1.5)				
Subtotal	(97.1)	(64.9)				
Total, Appropriation bills	(234.8)	(149.5)				
II. Other spending legislation:						
School lunch and child nutrition (H.R. 4222)	[4]0	[4]0	1.0	1.0	[4]1.0	[4]1.0
Veterans' disability (Public Law 94–71)	.4	.4	[3].5	[3].5	.1	.1
Energy conservation (H.R. 6860)	0	0	1.8	0	1.8	0
Executive pay raise (Public Law 94–82)	0	0	[3].1	[3].1	.1	.1
Railroad unemployment (Public Law 94–92)	0	0	([3] [5])	[3].1	0	.1
VA physicians pay (H.R. 8240)	([5])	([5])	([5])	([5])	0	0
Federal share highways (Public Law 94–30)	0	.2	[3]0	[3]6	0	.4
Unemployment benefits (Public Law 94–45)	2.2	2.2	[3]0	[3]1.2	−2.2	−1.0
Total, other spending legislation	2.6	2.8	3.4	3.4	.8	.7
III. Net of supplementals, rescissions, deferrals, and other miscellaneous action	([5])	4.5	.1	5.4	.1	.9
Grand total, House action	140.3	91.9	136.8	87.9	−3.5	−4.0

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[1] As the House and Senate add or eliminate items to individual bills the assumptions in the 1st budget resolution may vary with respect to specific bill totals; however, total budget authority and outlays assumed in the resolution do not change.

[2] Vetoed July 25, 1975.

[3] Reflects final Public Law enactment.

[4] Funding for the child nutrition program was assumed in the budget resolution through the Agriculture appropriation bill (H.R. 8561) at the following level: budget authority, $1,392,000,000; and outlays, $1,918,000,000. Therefore the combined effect of action taken to date in H.R. 8561 and H.R. 4222 results in the child nutrition program being over the amounts assumed in the budget resolution by $330,000,000 in budget authority and $317,000,000 in outlays.

[5] Less than $50,000,000.

Note: Detail may not add to totals due to rounding.

DISTINGUISHED SWEDISH LEGISLATORS VISIT HOUSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIELSON) is recognized for 10 minutes.

Mr. DANIELSON. Mr. Speaker, it is a great pleasure to inform my colleagues of a recent visit to the House of Representatives by a distinguished group of legislators from Sweden.

The Committee on Laws of the Swedish Riksdag gave us the pleasure of a day's visit on Friday, September 5. This visit permitted the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the House Judiciary Committee to return a portion of the wonderful hospitality which we received on our visit to Sweden in May of this year. The subcommittee discussed with our visitors the operation of the House of the Judiciary Committee, we joined them for luncheon in the Speakers dining room and I was able to show our guests around the House Chamber. I particularly want to thank you, Mr. Speaker, for making a generous use of your time by chatting with the Riksdag members. The delegation, led by Committee Chairman Ivan Svanstrom, particularly appreciated the opportunity to meet with you. The other guests whom we were visited by are Sven Hammarberg, Bertil Lidgard, Bernhard Sundelin, Bengst Borjesson, Sten Sjoholm, Rune Torwald, Stig Olsson, Hakan Winberg, Elvy Nilsson, Martin Olsson, Per Israelsson, Sonja Fredgardh, Ulla, Johansson, Stig Gustafsson, Lars A. Beckman, Staffan Janvid.

As one of many Members of Congress of Swedish decent it has been a particular pleasure for me to welcome our Swedish visitors and trust that we will continue our friendly and cooperative relationship.

"IRISH FREEDOM MUST BE HEARD"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, if there is anything we as Americans can do to stop the bloody tragedy of Northern Ireland from continuing, if there is anything we as a Congress can do to help restore human rights to the home of so many ancestors, friends and loved ones of millions of American citizens, we must do it.

In the past few months, I have been

preparing hearings on Northern Ireland to be held by my Subcommittee on Future Foreign Policy of the House Committee on International Relations. I am dedicated, as was Congressman Rosenthal before me, and as are the many colleagues who have this year endorsed my efforts, to the proposition that human rights are indivisible. As we must bring the light of American and world attention to the denial of civil rights. In the Soviet Union, South Africa, Rhodesia, Korea—and, indeed, in our own country—we must not shrink from examining in harrowing detail the reality of life in Northern Ireland.

But if the cleansing light of American interest is to be truly beneficial, we must at the same time insure that our scrutiny is carried out in the name of fairness and human decency, and we must insure that our hearings are carried out with a proper respect for the agonies of all involved in Northern Ireland.

For 400 years Englishman and Northern Irishman alike has been trapped in a bloody and brutal dilemma. It is truly a tragic situation, for these giants of cultural and intellectual history, these twin lands which have given so much to the world.

This is the legacy of blood in which each side is trapped today, and this is the legacy of distrust, fear, and hatred which we, as Americans, must try to help dispel as best we can. We cannot do this by encouraging in any way the shipment of arms or money for arms—to either side. Killing begets more killing, and there has been enough in Ireland to last for all time. And, as with most killing, it has been to no avail. Today the Catholic minority in Northern Ireland is no closer to their cherished goal of human rights than they were 400 years ago.

What we as Americans, and what we as Members of Congress, can and must do, is to hear the voice of the Irish people. We must provide them with a free and neutral forum, and we must be prepared to lend our moral support for a just solution in Northern Ireland.

But, Mr. Speaker, I am sorry to say that the fear and distrust which has so poisoned our ancient allies across the sea seems to have reached into our own Government. I am sorry to say that there seems to be a failure of communication between this Congress and the State Department on a matter of such tender concern to so many millions of Americans.

At the very time when the State Department, and the Secretary, deserve the full thanks of the American people and, indeed, the world, for stepping so solidly on the road to eventual peace in the Middle East—an area of the world no less dear to millions of Americans than is Ireland—I hope that the objections of the State Department can be swiftly disposed of. I trust that we can bring to bear on Ireland our mutual desire to help effectuate a restoration of the elementary human right to a peaceful life in a nation of justice—rights which we Americans demand for ourselves.

I must add that my own chairman, the distinguished gentleman from Pennsylvania (Mr. MORGAN) has already publicly pledged his agreement that hearings on Northern Ireland should be held by my subcommittee, and has agreed that late this month or early next month should see the hearings begin. But now, I learn from my chairman that we are all being placed in a very embarrassing position, indeed, a position which I feel can only stem from a misunderstanding. Fortunately, misunderstandings can be cleared up where there is goodwill, and I can assure this House that there is ample goodwill in the present instance. The best interests of the people of Northern Ireland can only be served by the goodwill of the American people, and of Congress.

Accordingly, I have written the Secretary of State the following letter, delivered by hand Friday afternoon, in an effort to swiftly remove any roadblocks to peace which may have unwittingly cropped up on this side of the Atlantic.

America's strongest force in the world is goodwill, and it is imperative that we in Congress help manifest our goodwill to the people of Ireland at the earliest opportunity.

WASHINGTON, D.C.,
September 5, 1975.

Hon. HENRY A. KISSINGER,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: First, let me congratulate you on your magnificent achievement in securing the Sinai accords between Egypt and Israel. I do not believe that any other man in government at this time could have accomplished what you have accomplished under the most difficult of circumstances, and I am confident that a sound basis for working out a final and definite peace in the Middle East has been firmly laid. Again, my heart-felt thanks and congratulations.

While not of the magnitude of the Mid East situation, the troubled area and peoples of Ireland are also badly in need of a little negotiation and moderation. As you know, I have been involved in trying to persuade the various facitions involved in Northern Ireland that until the basic issues of human and civil rights are settled in a just fashion, peace can never come, and the children of the children now throwing rocks will be condemned to the same, pointless perpetuation of hatred and fear.

Accordingly, I have for some months now been preparing for hearings on the situation in Northern Ireland by my Subcommittee on Future Foreign Policy, Research and Development. Following my firm declaration that I am dedicated to calling witnesses from all sides of the dispute, witnesses who will truly speak for the people of Ireland, and not just one or another of the terrorist extremes, I was pleased to receive the cooperation of the Embassy of the Republic of Ireland. Representatives of the Republic have repeatedly met with my staff, and have been very helpful in outlining not only the Republic's position on the Northern strife, and what the Republic would like to see as a political outcome, but also have provided very frank appraisals of the factions and personalities involved at all levels.

As you know, I have twice visited Ireland, and have established personal contacts with leaders in and out of government, as well as civic and religious leaders of all sides, on both sides of the border. These men and women are ready and willing—even anxious—to testify before the Congress so that the American people, and the unquestioned good will of our nation, can be brought to bear in hopes of serving as a moral witness to the struggle, and as an impetus to peace.

The commitment for my hearings was inherited from Congressman Rosenthal's old European Affairs Subcommittee, which itself held hearings on Ireland some time ago. However, despite the precedent of past hearings, and despite my total commitment to fair, balanced and helpful hearings this year, it has proven difficult for me to secure a definite date to proceed. This week, I was informed by my chairman, Congressman Morgan, that objections to my hearings have been raised by the State Department, and as a consequence no date can be set.

I must ask at this time just what objections have been raised. I am confident that any problems which might exist can be speedily resolved.

Let me conclude with this thought: the fitful peace in Ireland is deteriorating daily. Even the most optimistic observers can see little chance for anything but renewed mass violence. It is my hope, and it is my intention, that Congressional hearings serve as a neutral forum which will serve the purposes of peace by giving the participants and victims of the struggle a chance to air their hopes nad fears free of an environment of violence. But if the United States is to play a peace-making role in an area where so many millions of our citizens have the closest of blood and emotional ties—just as is the case with Israel—we must move quickly. We must have these hearings within the next month or so, and toward this end I again request that any reservations which might exist be fully aired so that a prompt resolution can be effectuated.

Thank you for your attention, and, again, thank you for your magnificent achievements of the past several weeks.

Sincerely,

LESTER L. WOLFF,
Chairman, Subcommittee on Future Foreign Policy, Research and Development, House Committee on International Relations.

REPORT ON HUMAN EXPERIMENTATION CONDUCTED OR FUNDED BY THE U.S. ARMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. DOWNEY) is recognized for 30 minutes.

Mr. DOWNEY of New York. Mr. Speaker, I submit the following report on human experimentation of the U.S. Army:

REPORT ON HUMAN EXPERIMENTATION CONDUCTED OR FUNDED BY THE U.S. ARMY

(By Congressman THOMAS J. DOWNEY)

INTRODUCTION

Experimentation with hallucinogenic drugs by our Armed Services is by now a well known fact. In July of this year news reports revealed the existence of programs for drug testing at Edgewood Arsenal. I was disturbed at these disclosures and undertook to learn more about experimentation being conducted by the Army, Air Force, and the Navy.

For many weeks, as I uncovered more and more information about the testing programs, my concern deepened. I learned of Army testing procedures that appeared to be inadequate, of disturbing effects of the drug tests on a number of individuals, and that at least one volunteer had died as a result of the drug experimentation.

I am grateful that the House Armed Services Committee has undertaken an investigation of the matter, an investigation that I first asked for on July 17. The following report that I have prepared reviews the results of my own investigation for use by Committee members as the Committee today opens its hearings. The Report deals with several areas:

Research conducted at the Edgewood Arsenal.

Research conducted under contract with private research facilities.

The death of Harold Blauer.

Nerve gas experiments.

Biological experimentation.

Medical records and volunteer consent.

In each area I make a number of recommendations. Some of these are fairly procedural changes that can be effected immediately by the Defense Department or the individual services. Others will involve legislative action. I have developed a number of legislative proposals which I will transmit to Committee members for their consideration shortly.

I undertook this investigation for two primary reasons. First and foremost, I wanted the assurance that the individuals who have been or might in the future be involved in such experimentation be fully protected. Beyond that, we need to know whether these programs have been cost effective. We have spent millions of dollars on these programs which have had undetermined ill effects on the people who volunteered to participate in them. Ultimately the question we must answer is: Did these costly programs contribute significantly to our Nation's defense and to the security of the American people?

SUMMARY OF RECOMMENDATIONS

1. The Army should undertake an extensive follow-up program of physical and mental examinations for all past and future volunteers in drug experiments.

2. The Army should be required to maintain on-site inspectors at each human experimentation program that is funded by the Army to assure the soundness of experimentation practices and to protect the volunteers.

3. Certain specific changes in Army regulations should be made to ban or at least restrict the use of prisoners and psychiatric patients in Army sponsored research.

4. Army regulations should be amended to require that volunteers *must* be made to appreciate the high risks of such experiments if they are conducted in the future.

5. The Armed Services Committee should evaluate the ability of other agencies to accomplish the work being done at Fort Dietrick and carefully evaluate the need to continue the Army's biological experimentation on humans.

6. Each military volunteer who participates in an experimental program should have placed in his medical file the date of his participation and the drug or chemical administered to him.

7. The Army should be required to portray more accurately in its recruitment program the nature of its drug experimentation program.

8. The Army's standard of informed consent should be amended to require that each volunteer be fully informed as to the nature of the substance to be tested on him, the risks involved, and that he be provided such information with sufficient notice to allow time for a reasoned judgment as to whether or not to participate.

9. Army Regulation 70–25, entitled "Use of Volunteers on Subject of Research" should be changed to remove the provision allowing the Army to withhold information from the volunteer if the Army believes that otherwise the experiment will be "compromised."

10. The Investigations Subcommittee of the House Armed Services Committee should investigate what appears to be the deliberate cover-up of the death of Mr. Harold Blauer.

11. Finally, the Armed Services Committee should undertake, with the assistance of the General Accounting Office, an evaluation of the value of drug experimentation work performed by outside contractors to determine the accuracy of Dr. Van Sim's statement that much of this research was "useless."

I. RESEARCH CONDUCTED AT EDGEWOOD ARSENAL

Over the past twenty years, the Army has conducted drug experiments on nearly 7,000 servicemen at the Army Chemical Center at Edgewood Arsenal, Maryland. These experiments were performed on human volunteers in an effort to develop both antidotes to chemical agents possessed by our adversaries and new drugs and chemicals to add to our own arsenal of offensive weapons. In the course of these tests volunteers were administered everything from alcohol to deadly nerve gas in an effort to bolster this country's chemical warfare program.

The volunteers were told that they were being given a "chemical compound which might influence their behavior," but they were not told before *or after* the test the specific name of the drug used (such as LSD) or the effects (such as hallucinations) that the drug might cause. Neither did the Army advise these men of possible prolonged after-effects of drugs like LSD, even though scientific literature appearing early in the 1950's called attention to the appearance of serious after-effects such as the "flashback phenomenon" and the susceptibility of many volunteers to drug-induced paranoid schizophrenia.

As a result, many volunteers experienced adverse physical and mental effects from the drugs without knowing the cause. One retired Air Force sergeant with whom I spoke said that he did not realize that the periods of deep depression which he suffered after participating in an experiment were probably a side-effect of the drug LSD. He told me that he first learned of the reasons for his behavior during an interview with Army officials set up by my office in July—nearly 20 years after the initial experiments.

Another man who contacted my office reported that his father went into deep depression after participating in an Army-sponsored test. He said that his father eventually committed suicide. The son said that he never knew the reasons for his father's depression or suicide.

A former Army colonel who took part in such tests stated that in the months following, he experienced a series of epileptic seizures and other "flashback" effects from what he now believes to be exposure to the drug LSD. The colonel said he was never told LSD would produce after-effects. He also said no one bothered to conduct follow-up examinations on him.

In fact, until 1973 the Army followed up on only two of the 1,500 military and civilian volunteers who participated in LSD experiments.

It is simply inexcusable that after the experiments the Army did not tell its subjects what drug they had received. As it was, the volunteers had no understanding of what was happening to them when after-effects appeared.

RECOMMENDATION

I will therefore recommend that this committee give serious consideration to legislation which I will introduce that would require the Army to (a) fully inform volunteers of the nature of the substance which they are taking and its possible after-effects, and (b) undertake an extensive follow-up program of physical and mental examinations for all past and future volunteers.

II. RESEARCH CONDUCTED UNDER CONTRACT

Almost two-thirds of all LSD experiments funded by the Army were not conducted by Army doctors but by civilian researchers under contract to the Army. Private research organizations tested a variety of chemical agents on thousands of civilians through Army funding. The Army signed approximately 225 contracts with private researchers over the last 20 years. Much of this research involved human experimentation. Furthermore, these contracts were very costly. The Army's expenditures on the 17 contracts which I have had an opportunity to review amount to almost $2 million.

The Army's supervision of the work of these outside contractors has been totally inadequate. Although the Army's Human Use Review Board did meet monthly to review and approve the protocols—the documents setting out the procedural guidelines to be followed—and contracts for each experiment, the Board made no real effort to monitor the day-to-day operations of the experiments to insure that the protocols were indeed being followed. The Board essentially relied on the contractors' promises to follow the procedures outlined in the contract and protocols.

Moreover, Dr. McClure acknowledged that under this practice the Army might never find out about a death or serious injury resulting from a contractor's experiment unless the contractor were to come forward voluntarily to report it. He conceded that there may well have been deaths or serious injuries as these outside experimentation sites about which the Army has yet to hear.

Recommendation

As a corrective action I will recommend to this committee that the Army be required to maintain on-site inspectors at each human experimentation program that is funded by the Army. Dr. McClure has told me that four or five inspectors could handle all of the Army's contracts at any one time. On-site inspection is an accepted principle in construction and assembly of weapons systems by contractors and it should be adopted here to assure the soundness of experimentation practices, as well as to protect the volunteers.

There is also a very real question as to the value, over the years, of the work conducted by outside contractors. Dr. Van Sim told a member of my staff that most of the research reports forwarded to the Army were "useless" and "not worth reading." He indicated that the entire program of contracting out these experiments related more closely to the continued financial support of research groups than to the substantive needs of the military. This raises the possibility that millions of dollars were wasted and thousands of lives endangered needlessly in a massive promotion of chemical and biological welfare. This is a most serious possibility. Accordingly, I have asked the General Accounting Office to review Dr. Sim's assertion.

Much of the research conducted under contract used prison inmates and psychiatric patients as subjects. There is significant question as to whether informed, voluntary consent was obtained from these subjects in each case. Dr. McClure and his associates have conceded that they do not know by what means voluntary, informed consent was obtained from prison inmates and psychiatric patients. Indeed, there is a legal question as to whether such persons are capable of informed consent at all, given the circumstances of their confinement.

I have requested that all consent forms obtained from these individuals be made available by the Army. I will also ask for copies of any materials used to inform prisoners or psychiatric patients of the experimental program.

Recommendation

After conferring with members of the Judiciary subcommittee on Courts, Civil Liberties and the Administration of Justice—which is presently reviewing legislation in this area—I will recommend to this Investigations Subcommittee specific changes in Army regulations that would ban or at least limit the use of prisoners and psychiatric patients in Army-sponsored research.

III. THE DEATH OF HAROLD BLAUER

There appears to have been a deliberate effort to conceal the death of a patient in an Army-sponsored experiment in 1953. The records of the death of Harold Blauer were reviewed and initialed at least twice—in 1959 and 1967. In addition, the records were enclosed in an envelope marked: "Not to be opened without the authority of Dr. Van

Sim"—the former chief civilian researcher at Edgewood Arsenal. Furthermore, on numerous occasions since mid-July the Army has strongly denied any reports of deaths resulting from any of its programs.

The Army *first* disclosed the death on August 11—22 years after it had occurred and five days after my visit to Edgewood when I was specifically told that no deaths had occurred in any Army sponsored experiments.

Additionally, the Army contends that the annual reports and protocols which were submitted to the Army by the researchers who conducted the fatal experiment on Mr. Blauer are now missing. Moreover, the contract which the Army signed with those researchers was apparently destroyed, under questionable circumstances and for unknown reasons.

Even if the experiment was classified, there was no reason to keep the death a secret. If, for example, a pilot was to die while engaged in a classified test flight of a new fighter, his death and the fact that it occurred during tests of an aircraft would certainly be reported, even if the details of the accident were kept secret.

Recommendation

For over 20 years the Army has systematically kept secret its connection with the Blauer death. It is the responsibility of this Committee to determine why this information was concealed. I will ask this committee to carefully investigate what appears to be a deliberate coverup of the death of Mr. Blauer.

IV. NERVE GAS EXPERIMENTS

A drop of nerve gas on the skin can kill a human in 10 to 15 minutes. Compared with nerve gas, hallucinogenic drugs are relatively safe substances with which to experiment. The hallucinogenic dosage of a typical psychochemical like LSD is about one-thousandth of the lethal dose. In other words, with hallucinogenic drugs there is ample room for error.

On the other hand, an hallucinogenic dosage of nerve gas is roughly one-half the lethal dosage. The slightest error could result in death.

The Army experimented on humans with at least five different types of nerve gases, known to pharmacologists as anticholinesterese compounds. The Army tested this deadly nerve gas on at least 1,011 volunteers without fully explaining to them the grave risks which such experiments may have entailed. Dr. Van Sim and Dr. Frederick R. Sidell have told my staff that volunteers were often told only that the drug might produce "a runny nose" and "slight tightness of the chest."

Recommendation

This practice should not be condoned. I will recommend to this Committee that Army regulations be amended to require that volunteers *must* be made to appreciate the high risks of such experiments.

For the Committee's review I have attached to this Report a list of all of the chemical agents and drugs which the Army has tested on humans since the inception of the program (Appendix A). Among the items on that list, at least "GA," "GB," "GD," "GF" and "VX" are nerve gas compounds.

V. BIOLOGICAL EXPERIMENTS

The Army conducts extensive tests of dozens of biological agents on humans. These agents fall into three general categories:

(1) Various strains of malaria, encephalitis and other exotic diseases.

(2) Agents causing diarrheal diseases such as typhoid fever, cholera, plague, yellow fever, tularemia, and

(3) those that cause less-harmful flu-like illnesses.

The Army has tested these agents on three groups of volunteers. The first group consists of almost 2,000 Seventh Day Adventists (SDA's) drafted into the Army between 1958 and 1973 and assigned 1-A-O (noncombatant conscientious objector) status. These men were recruited during their basic and Advanced Individual Training at the U.S. Army Medical Training Center, Fort Sam Houston, Texas as a part of Project Whitecoat. All soldiers who had indicated a preference for the Seventh Day Adventist Church received a two-hour briefing session given by the Director of the U.S. Army Medical Research Institute of Infectious Diseases (USA-MRIID), Fort Dietrick, Maryland and the Director of the Church's National Service Organization. Mr. Clark Smith, the present Director, told my staff that about 95% of the Seventh Day Adventists who were briefed on the program volunteered for duty at Ft. Dietrick.

Persons who declined to volunteer for the biological program became medics. During the late 1960's and 1970's, many of these men went to Vietnam as medics.

This program all but ended in 1973 when the draft was discontinued. Although there is now a special arrangement with the Department of Defense whereby SDA's can enlist as CO's to be assigned to Ft. Dietrick, very few have chosen to do so.

The second group of volunteers consists of prisoners at the Maryland House of Correction at Jessup, Maryland. Over the last ten years, more than 3500 prisoners have been used as subjects of experiments conducted by doctors associated with the University of Maryland. These prisoners are paid $2 per day for their participation. In addition, at the prisoner's request, the researchers will send a letter to the prisoner's parole board certifying that he has participated in the program. The total cost to the taxpayers of this program at Jessup has been about $2 million. Further, there has been no indication from any source that any follow-up study has been done on any after effects these 3500 prisoners may have experienced as a result of the experiments. For the safety of the prisoners and for at least some assessment of the effectiveness of the program, it seems the Army would have followed up its experiments. This program is continuing at the present time under the supervision of Dr. Richard Hornick.

The third group of volunteers consisted of professionals—members of the research team at Fort Dietrick who used themselves for experimentation. Since the end of the draft in 1973, nearly all of the biological experiments have been performed on these persons. In addition, according to Joseph F. Metzger, the Commanding Officer of Fort Dietrick's biological program, all experiments conducted in connection with the offensive biological warfare program were conducted on in-house professionals.

The Army has advised me that at least two volunteers died in the course of these experiments and that the details surrounding their deaths would be forthcoming. Obviously, these mishaps should be subject to close scrutiny by this Committee, and I hope the Inspector General of the Army will include this matter in his Report.

In addition, I would point out that practically all of the biological research done—and indeed much of the research conducted over the last 15 years—has been routine medical research into infectious diseases. Indeed, it is not clear to me why this research must continue to be conducted by the Army under the guise of a biological warfare program. This is particularly puzzling in light of our national policy renouncing use of offensive biological weapons. Such research would be more appropriately done and is most probably duplicated by the Bureau of Biologics of the Food and Drug Administration or one of the National Institutes.

RECOMMENDATION

I will recommend that this Committee carefully evaluate the need to continue the Army's biological experimentation on humans after evaluating the ability of other agencies to accomplish the work now being done at Fort Dietrick. In addition, I will ask the General Accounting Office to aid the Committee in answering these questions.

VI. MEDICAL RECORDS

The Army conducted drug and chemical experiments on 6,940 servicemen over the last 20 years. Each one of those 6,940 was given a Letter of Commendation, a Certificate of Appreciation and a kind of graduation photograph when he completed the program. Yet the Army *never* inserted anything in the *medical records* of any of those men which would have indicated that the man had been in an experimental program.

If after leaving Edgewood, and being restationed elsewhere a soldier were to become ill as a result of the experiment, the Army medical officer examining him might never know about his patient's previous exposure to dangerous drugs because there would be nothing in the soldier's medical record to indicate that he had been in a drug or chemical program.

RECOMMENDATION

This practice is inexcusable. Corrective legislation which I will recommend to this Committee will require that the date of participation in an experimental program and the drug or chemical used be recorded in the medical file of each military volunteer.

VII. THE ARMY'S DRUG PROGRAM RECRUITING EFFORT

Beginning in 1957, the Army determined that it needed *at least* 30 volunteers from military units *each month* in order to conduct its experimental program in offensive and defensive chemical warfare. It began a recruiting program which eventually involved roving recruiting teams, recruiting posters, and recruiting films.

This recruiting program portrayed the Army's drug program as a luxurious junket for enlisted men. The program was presented to the soldiers as an assignment that would involve no drills, no inspections, extensive leave time, automatic three-day passes every week, liberal travel allowances, and duty pay (an extra $45 per month. Prospective volunteers were shown pictures of women swimming on sunny beaches and were told of the close proximity of Edgewood to the cities of Baltimore, Washington, and Philadelphia.

Volunteers were also told that upon successful completion of the program a certificate would be awarded to them and a letter of commendation would be inserted in their personal files.

For the information of the Committee I have attached to this Report a copy of a recruiting poster which the Army uses today (Appendix B). I also request that the Army make available to the members of this Committee the recruiting film which I viewed when I toured Edgewood Arsenal.

Each military volunteer was furnished a document entitled "Medical Research Volunteer Program" and was asked to sign an Army consent form. This form was clearly meant to establish that the volunteer's informed consent had been freely given and to absolve the Army of legal liability in the case of accidental injury or death. I have attached to this Report a copy of the briefing document and consent form which was in use until two months ago (Appendix C).

The three-paragraph consent form reads in part—

"I recognize that in the pursuit of certain experiments transitory discomfiture may occur and when such reactions seem especially likely to occur I will be so advised."

Some have pointed out that the only indication a volunteer has that he might experience more than transitory discomfiture is the request for the name, address, and telephone number of the volunteer's next-of-kin.

I present to this Committee this question: Do these documents adequately advise soldiers of the nature of the program for which they were volunteering? It would appear that if the men who volunteered were given any meaningful appraisal of the nature of the experiment, it came only shortly before the experiment when peer pressure and self-consciousness made the prospect of "backing out" of the experiment a totally humiliating and unacceptable experience for any soldier who had second thoughts.

Recommendation

I will recommend to this Committee that the Army be required to portray more accurately in its recruitment program, the nature of its drug experimentation program.

VIII. STANDARDS OF INFORMED CONSENT

Army Regulation 70–25 (eff. 15 Sept. 1974), entitled "Use of Volunteers as Subjects of Research" presently permits the Army to withhold drug and chemical information from the volunteer if the Army believes that the experiment will be "compromised". Dr. Claude McClure, Director of the Biomedical Laboratory at Edgewood Arsenal, has told me that this exemption could be eliminated without adversely affecting the Army's chemical warfare program. There does not seem to be any reason to permit the Army to test dangerous drugs on individuals without advising them of what they are taking. HEW guidelines, for example, do not permit this exemption.

RECOMMENDATION

The Army guidelines should be changed, and I intend to submit legislation which will accomplish this for the consideration of this Committee. I will recommend to this Committee that the Army's standard of informed consent be amended to require that each volunteer be fully informed as to the nature of the substance to be tested on him, the risks involved, and that he be provided such information with sufficient notice to allow time for a reasoned judgment as to whether or not to participate.

The concept of "informed consent" generates many difficult questions. "Fine lines" abound, and I, for one, do not for a minute believe that these hearings can reach definitive solutions to this dilemma. But we can certainly agree, from the evidence on the record, that minimal standards acceptable to most of the scientific and medical communities have not been met by the military experimenters. These standards must be revised, and not by a military team working in isolation.

The effects of BZ and nerve gas are not minor inconveniences anyone is likely to undergo voluntarily in the interest of science or even the national defense. It is not customary for humans in large numbers to subject themselves, their bodies, and their minds to that kind of treatment.

If experimentation on human guinea pigs is vital to the national defense, then let us require that responsible physicians follow the very highest and most rigorous standards of informed consent.

Appendix A: Drugs

1955–1959: EA 1778, EA 1476, 792, DM, CS, CN, Chloropicrin, GB, Nasal Toxic Inhala, 5HTP, Atropine, Mustard, Skin Lipids, Stypen Coagula Time, Malathion Powder, Dibenz.

1960 to March 1962: VX, GB, Thorazine, LSD, SNA, PAM–PS, CS, BSP, Atropine, Urecholine, TMB$_4$, GF, GA.

Neostigmine, Amphetamine like cpds, BZ, ThA, D-tubocurarine, DMHP, Creosol/ethylmorpholine, Detran (JB329), Dexedrine, Carare, Disodiumfluorescinetethyleneglycol, Seco Barbitol, Dibulaline.

March 1962 to present:

EA 2233, EA 3148, Win 19362, 18437, CS 27349, EA 3443, EA 3528, EA 3580, EA 3580/VX/PAM.

CAR 302,034, 302,089, 302,368, 301,060, 302,282, 302,668, 302,582, 302,537, 302,196, 220,548, 226,086.

EA 2277 (BZ), EA 3834, McN–JR–4929, EA 3167, BSP, BZ, CS, DFP, GB, GB c PAM.

Vasoxyl, Valium, GD, 1CG, PABA, PAH, PAH c PAM, PAM, PAM/ATRO, P$_2$S, THA, VX.

VX/SCOP, VX/PAM, Atropine, Homatropine, Methyl Atropine, Amyl Nitrate, Antipyrine, BAT, Benactyzine Benac/Atropine, Benac/TMB$_4$.

Caffeine, Compazine, Dexadrine, Ditran, Dilantin, Ethanol, Ethanol c Ritalin, Ethanol c Thorazine, Ethanol c Scopolomine, Ethanol c Valium.

Heparin, Inderol, Isuprel, Lanoxin, Lidocaine, Pamine, Phenobarbital, Physostigmine, Prolixin, Ritalin.

Sodium Amytal, Sodium Nitrate, Sodium Pentobarbital Sod Pento c Scopolomine, Scopolomine, Scop and Physo., Scop and Thorazine, Scop and Prolixin, Secobarbital, Thiamine, Thorazine, Toxogonin, Trilafon.

Appendix B

Can You Qualify for Medical Research Volunteer Program

ENJOY ITS BENEFITS WHILE YOU SUPPORT THE DEFENSE OF YOUR NATION

Inquire at your Orderly Room for Details.

Appendix C: U.S. Army Chemical Warfare Laboratories Medical Research Volunteer Program, Army Chemical Center, Md.

1. Military volunteers are needed each month by the Department of the Army to participate in medical research investigations.

2. For several years the Army Chemical Corps has been developing and perfecting methods of defense against chemical warfare agents. The methods ultimately prescribed for use by the soldiers, sailors, and airmen are the outgrowth of continuous investigation. But before a method, procedure or technique may be standardized for military adoption, numerous tests must be conducted with individual subjects. Both military and civilian members of our laboratory staff are participating in these tests, but the increased scope of the activity now requires additional volunteers to support this important work.

3. Participation of military personnel in these medical research investigations will materially assist the program designed to strengthen the defenses of the United States against chemical warfare attack, and is considered to be in keeping with the highest traditions of the military service. It will be given official recognition through letters of commendation and certificates of participation. These documents will become a part of the volunteer's permanent Army file.

4. Volunteers will be placed on thirty (30) days temporary duty at Army Chemical Center, Maryland. At the expiration of the thirty day period, or sooner if he should request it, the individual will return to his parent unit. The volunteer group is attached to a troop detachment for administration and supply. The group is not subject to fatigue or special duty details and will at all times be entitled to the customary pass and recreational facilities privileges. During normal duty hours (0800–1630) the volunteer appropriately identified by his volunteer arm brassard will be on duty at the Chemical Warfare Laboratories. Since the majority of the tests require more observation time than actual performance, a combination day room and clinical facility has been established approximately 300 yards from Chemical Warfare Laboratories in the Dispensary Area, where adequate medical facilities are available at all times. Here the volunteer will be provided with the best recreational facilities available and visits from friends and relatives will be encouraged.

5. The investigations are conducted at the Chemical Warfare Laboratories at Army Chemical Center, Maryland. Some examples of the tests are:

a. Evaluation of chemical warfare equipment

Various designs of gas masks and protective hoods are worn for short periods to test the relative merits of each model. If the item leaks the wearer experiences a slight eye irritation which is not even sufficient to produce tears. If this occurs, the volunteer leaves the test chamber immediately. The eye effects disappear within several minutes from the time of leaving the chamber.

b. Adaptation of defensive items to natural human capacities

Certain items of protective clothing are worn under controlled conditions to determine their value to the soldier under varying conditions which might be encountered in the field. There will be little or no discomfort or fatigue.

c. Effects of toxic agents

The effects of certain agents are determined by inhalation of very small amounts. The volunteer test subject will be thoroughly informed about all procedures and what can be expected prior to each test. Every precaution will be taken to protect the volunteer against danger or serious discomfort as a result of participating. In attendance at all times will be physicians and scientists, most of whom have also participated in the same tests. Applicants must meet the following prerequisites for selection:

(1) Aptitude Area I—Score; 80 or higher

(2) Completed basic training

(3) Physical profile—PUHLES—1 or 2

(4) Age group 17—35 years

(5) At least three (3) months remaining service

(6) Security Clearance—no adverse information in organization or Army files.

6. Military personnel who are interested in volunteering for these medical research investigations being conducted at Army Chemical Center, Maryland should contact the orderly room for additional information.

Application forms are available at your orderly room.

U.S. Army Chemical Warfare Laboratories. Army Chemical Center, Md.

VOLUNTEER PARTICIPATION AGREEMENT

Name.
Age.
Race.
Grade.
Serial No.
Organization.
Name of Nearest Relative.
Address of Nearest Relative.
Telephone Number of Nearest Relative.

I, , certify that I have received, read and understand a document entitled, "Medical Research Volunteer Program", copy of which is annexed hereto, and that the general nature of the experiments I have volunteered to participate in have been explained from the standpoint of possible hazards to my health. It is my understanding that the experiments are so designed, based on the results of animal and previous human experimentation, that the anticipated results will justify the performance of the experiment. I understand further that experiments will be so conducted as to avoid all unnecessary physical and mental suffering and injury, and that I will be at liberty to request that the experiments be terminated at any time if, in my opinion I have reached the physical or mental state where continuation of the experiments becomes undesirable.

I recognize that in the pursuit of certain experiments transitory discomfiture may occur and when such reactions seem especially likely to occur I will be so advised. I recognize, also, that under these circumstances, I must rely upon the skill and wisdom of the physician supervising the experiment to institute whatever medical or surgical measures are indicated to protect me.

I certify that there has been no coercion, element of fraud or deceit, undue moral suasion or other adverse pressure brought to bear in my volunteering for this duty. I have done so of my own free will, completely aware of all hazards, rewards and recognition involved.

Date.
Witness.
Signed.
Witness.

URGING THE OVERRIDE OF THE PRESIDENT'S VETO ON THE EDUCATION APPROPRIATIONS BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. DODD) is recognized for 15 minutes.

Mr. DODD. Mr. Speaker, I rise to urge my colleagues to vote tomorrow to override the President's veto of H.R. 5901, the Education Division and Related Agencies Appropriation Act of 1976.

A successful vote to override the President's veto is vital if we are to insure all Americans the opportunity to receive the education that is rightfully theirs.

The education appropriations bill we will again be considering in this Chamber tomorrow is one that deals with all levels of the educational spectrum.

A vote to override is necessary to merely continue what has already been achieved in education, ranging from instruction for the handicapped, to student aid, and work-study programs.

Congress has acted reasonably to keep education a top priority, and it has worked within a framework suitable for these times of economic uncertainty.

Inflation reached double digits this past year. Yet Congress is seeking a modest 3.6-percent increase in education appropriations. This increase would give limited relief to hard-pressed school systems.

The President, however, would cut last year's appropriations by about $800 million, a proposal I reject as intolerable.

Here is another example of this administration's completely wrong attitude toward education. Last year, about $200 million was spent to educate the handicapped. This year Congress would provide $236 million for this long neglected, but crucial program. The administration has requested a cut of $175 million.

In deliberating whether to override this veto, Mr. Speaker, it would be wise to harken back at the wisdom of our forefathers as we look ahead to the celebration of our Nation's 200th anniversary.

In retirement, Thomas Jefferson reflected in 1814:

> When sobered by experience, I hope our successors will turn their attention to the advantages of education. I mean of education on the broad scale . . .

The education of our citizens has always been regarded as a top national priority, Mr. Speaker, and it must continue to be placed in this position.

The veto of this comprehensive education appropriations bill is a symbol of this administration's misordered priorities.

Congress, united and emphatic in its position, must now reaffirm education as a national priority by voting to override this Presidential veto.

We must reorder this Government's priorities despite those in the administration.

Mr. Speaker, the educators of my congressional district are emphatic in their urging that this Congress override this veto, and I have received many letters from them toward this goal.

I shall include these letters in the RECORD at the appropriate point to support my call to override this veto.

The school superintendents of eastern Connecticut have provided the painful facts of what will happen to their school systems if this Congress is unable to override the veto. I do not think it inconceivable that public education systems throughout the country would find themselves in similar straits if we fail.

In the town of Ledyard, where 4,200 students attend the public schools, the local property tax would have to be increased substantially to offset the loss in Federal and State revenue.

The town of Bozrah last year received $16,000 from the Federal Government to help educate its 417 students. Much of this money was used to educate those classified as educationally deprived students.

Yet if this veto is not overriden, Bozrah would lose some its Federal funds, with very unfortunate results. A plea from Bozrah Superintendent Joseph J. Reardon states the dilemma most graphically:

> Any reduction in federal funds received by this town will result in a direct reduction of service to a deprived child. It would seem that these children should be the last people we would want to give less to.

Mr. Speaker, it is the responsibility of those of us in this House to see that this does not happen—to insure that those children in the Bozrah, Connecticuts throughout this country receive the education that they deserve.

We must override this veto.

I will include the letters from the educators of eastern Connecticut at this point in the RECORD:

WATERFORD PUBLIC SCHOOLS,
Waterford, Conn., September 4, 1975.
Hon. CHRISTOPHER J. DODD,
Member of the Congress of the United States, Cannon House Office Building, Washington, D.C.

DEAR CONGRESSMAN DODD: Thank you for your letter dated September 1, 1975, at which time you indicated President Ford has requested an appropriation for education which is 800 million dollars less than last year's appropriation. If such a reduction comes to fruition, the Town of Waterford will lose approximately $112,600 in Federal Aid, P.L. 874. The reduction in this and other federal aid programs will have a deleterious effect on the Waterford Public School system. Many of the federal aid programs which are now in effect would either be reduced or eliminated from our present curriculum.

It would be impossible to present conclusive rationale which would convince the citizens of Waterford that these programs should take precedence over the need for basic teaching supplies and supportive materials. The escalating costs for materials and supplies have had their impact in the reduction of the purchasing power of the tax dollar. At a time when parents are becoming more vociferous in their demands, the implementation of new and innovative educational programs has become increasingly difficult due to the lack of available funds. Further curtailment of federal funds will compound our present problems. In addition, we must somehow make a concerted effort to improve upon the relevancy of our educational programs during this period of traumatic technological change in our society.

Your continued interest in and support of public education in Connecticut is greatly appreciated.

Sincerely yours,
CHARLES J. CUPELLO,
Superintendent of Schools.

LEDYARD BOARD OF EDUCATION,
Ledyard, Conn., September 6, 1975.
Congressman CHRISTOPHER DODD,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DODD: As Superintendent of Schools for the town of Ledyard, I am urging you to vote to override the President's veto of the Education Appropriation Bill for fiscal year 1976, H.R. 5901.

Impact aid to our community is an essential part of our income for the support of local education. As you know, our local tax burden is already excessive, as we are a "bedroom" community with little industry to help support our educational and other town services. Any loss of federal or state funds would create a critical financial burden which would result in a substantial decrease in the quality of education being provided our students.

Criticism that impact aid funds go primarily to school districts which have access to a comparatively high level of wealth, and needy communities are not helped is not a fact as it relates to Ledyard and other communities in Southeastern Connecticut. (See attachment I.)

During this year's budget deliberations, legislative action by the town cut the education budget by $120,000. Inflation and lack of revenue were the major factors in the budget reduction. Further loss of impact aid funds would make it necessary to either increase the tax rate or borrow money to complete the present fiscal year operation, since I have included income in the amount of $136,000 as our first payment under impact aid for fiscal year 1976.

To further emphasize the effort by the townspeople to support education, even though our cost per pupil ranks low throughout the State of Connecticut, I am enclosing a document prepared by the University of Connecticut which supports the need for continued federal funding for the Town of Ledyard. (See attachment II, page 4).

As a result of federal installations and defense industries in Southeastern Connecticut, our federally connected student count has increased from 1082 (17 "A" students and 1065 "B" students) in 1972 to 1429 (20 "A" students and 1409 "B" students) in 1975. This 1429 count represents 34% of our total student enrollment. As far as Ledyard is concerned, the impact placed on the community by these installations continues to increase.

If Congress is not successful in overriding the President's veto, it will mean a future tax increase of approximately 3 mills to offset the loss of income.

Although it is difficult to specifically delineate other problems the loss of funds will create, in all likelihood it may become necessary to defer needs for vocational and career education programs, increase class sizes, reduce teaching staff, and decrease programs in art, music, etc., which are already very limited.

The necessity of overriding the President's veto is imperative, since the veto will mean practically total elimination of federal aid received by Ledyard under impact aid legislation.

Sincerely,

Anthony J. Strazzo,
Superintendent of Schools.

Board of Education,
Town of Bozrah,
Fitchville, Conn., September 4, 1975.
Congressman Christopher J. Dodd,
Post Office Building,
Norwich, Conn.

Dear Congressman Dodd: The Bozrah School District consists of one elementary school containing 417 students. During the last school year we received approximately $16,000 in federal aid for that single school.

Some of the money was used to purchase library materials but the greatest portion went into the employment of five part-time teachers to tutor children classified as educationally deprived by the federal guidelines. The program has provided assistance that these children would not receive if we had to rely on local funds. The children receiving help through this project have experienced increased success in school and hope for continued growth rests heavily on their receiving the individualized tutoring.

Any reduction in federal funds received by this town will result in a direct reduction of service to a deprived child. It would seem that these children should be the last people we would want to give less to. I strongly urge you to vote to override the President's veto.

Sincerely,

Joseph J. Reardon,
Superintendent.

Groton Public Schools,
Groton, Conn., September 4, 1975.
Hon. Christopher J. Dodd,
Congress of the United States, House of Representatives, Washington, D.C.

Dear Mr. Dodd: As you are aware, the funding received as Impact Aid in Groton is paid into the general treasury of the Town.

It is impossible to assess accurately the educational impact of any loss or reduction in this funding.

It is important to understand, however, that this funding represents several mills on the town's tax rate and the cost of replacement of the Impact Aid to the taxpayer, individually and collectively, would be exceedingly excessive.

In addition, our Board of Education budget was cut locally by $465,000.00 this year, and we feel certain that, should there be any impact fund reductions, it would be reflected in still more budget cuts next year, with a concomitant reduction in our programs and services to our children.

Sincerely yours,

Richard F. Chapman,
Superintendent of Schools.

Old Bacon Academy,
Colchester, Conn., September 4, 1975.
Congressman Christopher J. Dodd,
Cannon House Office Building,
Washington, D.C.

Dear Mr. Dodd: For the past year, we have encountered tremendous economic pressures which have seriously reduced our ability to maintain basic educational programs. Any reduction in monies from the federal government would further diminish our program effectiveness. As you know, nearly all federal aid to our community is used to up-grade the educational achievement of disadvantaged youth. These youngsters come from homes that have felt the full impact of the economic crisis.

In definitive terms, any reduction in state or federal aid will result in additional problems in the future. The federal government must reorder its priorities in terms of funding or eventually our most precious resource—our children—will be lost.

It is gratifying to know that you share our concerns and that you will attempt to fight to save programs that directly benefit our children.

Sincerely,

Edward J. McKenney,
Superintendent of Schools.

Coventry Public Schools,
Coventry, Conn., September 5, 1975.
Christopher J. Dodd,
Congress of the United States, House of Representatives, Washington, D.C.

Dear Congressman Dodd: Thank you for your letter of September 1, 1975 which, unfortunately, we did not receive until yesterday.

Professionally, I am opposed to the President's veto of the legislation concerning the 7.4 billion dollar appropriation level for 1976. As I do not have available full details on where cuts would be made from the appropriation requested by Congress, it is difficult to state specifically how our district would be affected. Certainly, if cuts are made in Titles I and II, major educational benefits to our local district would have to be cut back.

As a private citizen and taxpayer, I can appreciate the President's attempts to hold back on the Federal Budget, but as a parent and educator, I feel cuts in education may have long-range effects on both the probable future earnings (= tax base) of today's students and on the general quality of education youngsters will receive which, I believe, may have long-range effects on the future character of American citizens.

The citizenry of the Nation and State of Connecticut has regularly shown the high priority in which it holds public education. Towns in Eastern Connecticut have demonstrated education's high priority in many ways, one of which has been the acceptance of heavy local tax burdens to support public schools.

Sincerely,

Arnold E. Elman,
Superintendent of Schools.

Pawcatuck, Conn.,
September 8, 1975.
Hon. Christopher J. Dodd,
Congress of the United States, Cannon House Office Building, Capitol 1, D.C.

Dear Mr. Dodd: Your letter of 9–1–75 arrived 9–5–75: Thus night letter response. President's veto will cause Connecticut to lose approximately 1.4 million in title one funds, 150,000 dollars in education for handicapped and 50,000 dollars in adult education. In addition State will lose 2.4 million in impact aid. Clearly result will be to significantly increase the burden on every town in Connecticut as special education. Education for handicapped and adult education are mandated programs and cannot be eliminated. Reduction of Federal support in these programs, at a time when costs of individual school districts are rising beyond our ability to support them, is catastrophic and unconscionable.

Sincerely,

Dr. Richard L. Varriale,
Superintendent of Schools,
Stonington Public Schools.

Montville Public Schools,
Montville, Conn., September 5, 1975.
Hon. Christopher J. Dodd,
House of Representatives,
Washington, D.C.

Dear Sir: Thank you for your letter of September 1, 1975, and your deep concern for education.

It is imperative that funding of education on the national level not diminish. Montville, like many other communities, is in a financial crunch. Our budget was cut $300,000.00 and is still subject to a referendum next week. The effect of local cutbacks coupled with the diminishing funds on the state and national levels can be catastrophic to local communities.

We have alerted our staff that they can expect shortages and cutbacks in many areas this year. A reduction in PL874, Vocational, Education, Library Resources, etc., on the federal level will have a detrimental effect on our overall program and will definitely lower the quality of education available to our students.

I urge you to vote to override the President's veto of the Education Appropriations bill for fiscal year 1976, H.R. 5901. Federal funds are necessary now more than ever.

Sincerely,

Leonard J. Tyl,
Superintendent of Schools.

Canterbury Public School System,
Canterbury, Conn., September 4, 1975.
Representative Christopher J. Dodd,
Cannon House Office Building,
Washington, D.C.

Dear Representative Dodd: If the House of Representatives does not override the President's veto of the Education Appropriations bill for the fiscal year 1976, the Town of Canterbury would stand to lose between $15,000 and $20,000 (fifteen and twenty thousand dollars) on the Impact Aid Program alone. This is a substantial amount in the educational budget of a small town, and would have its effect upon the overall educational program.

Any reduction in funds hurts, with the economy as it is today in Eastern Connecticut.

May we encourage you to cast your vote to override the President's veto of HR 5901.

Sincerely yours,

Myrtle D. Morse,
Superintendent of Schools.

NADER SUPPORT FOR STRONG AUDIT BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. Patman) is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, the need for a full-scale audit of the Federal Reserve System is becoming more and more obvious and I am hopeful that the House will soon have an opportunity to work its will on this legislation.

Some of the key reasons for an audit are spelled out by Ralph Nader, consumer advocate, in his nationally syndicated column which appeared this past weekend.

Let me quote from Mr. Nader's column:

> Since other departments of government, including the departments of Defense and Treasury and other agencies that regulate banks, have long been subject to the audit of the General Accounting Office (GAO)—the investigative arm of Congress—why has the Federal Reserve been excluded?
>
> The answer is found in the secretive mixture of big power and big money of the banking goliaths and their Federal Reserve servants that for decades has kept such matters away from both public and Congress, in order to retain their unperturbed control.

Mr. Speaker, we are very hopeful that the Rules Committee will grant a rule in the next few days on H.R. 7590, the audit bill, and we are hopeful that we will have early floor action.

Mr. Speaker, I place in the RECORD a copy of the Nader column as it appeared in the Washington Star on Saturday, September 6:

[From the Washington Star, Sept. 6, 1975]

LOOK OUT, ARTHUR BURNS!

(By Ralph Nader)

Question: What is it that would cost the public less than a million dollars a year but is driving multibillion-dollar banks and corporations frantic?

Answer: HR7590, a bill to provide for annual congressional audit of the giant Federal Reserve System.

With the vote by the House of Representatives on this legislation expected within the month, Federal Reserve officials, the powerful American Bankers Association, the National Chamber of Commerce and such corporations as Boeing and Crown Zellerbach are developing a coordinated effort to lobby the legislators.

Since other departments of government, including the departments of Defense and Treasury and other agencies that regulate banks, have long been subject to the audit of the General Accounting Office (GAO)—the investigative arms of Congress—why has the Federal Reserve been excluded?

The answer is found in the secretive mixture of big power and big money of the banking goliaths and their Federal Reserve servants that for decades has kept such matters away from both public and Congress, in order to retain their unperturbed control.

As some but not enough college students know, the Federal Reserve System is composed of a central bank in Washington with branches in major cities around the country. Three of its most important functions are maintaining substantial control over the money supply, shaping interest rates and regulating over 6,000 member banks and bank-holding companies.

However abstract and abstruse these functions have been made to appear by the bankers, they all affect the level of inflation, unemployment, home buying, consumer credit and other prices consumers and workers must bear. It also adds up to how few or how many financial corporations will dominate the economy.

The Federal Reserve System is almost indistinguishable from the bankers and their big-business clients. These executives make up key advisory committees to the "Fed," as it is called, and are directors or chairmen of the regional Federal Reserve banks. For example, Malcolm T. Stamper, the president of the Boeing Co., also is chairman of the Seattle Federal Reserve Board.

When I took the course on "money and banking" at the university my genial professor also was an official of the Federal Reserve Bank of Philadelphia.

The paperback we studied in class on the "Fed" was written and distributed by: Guess who? The Federal Reserve. About the only groups critical of the Federal Reserve Board in those years were scattered right-wing organizations.

Throughout the years the "Fed" has built a network of approving academics, consultants, and advisers who work on narrow premises and myopic conclusions. Most of them avoid asking basic questions about the consumer consequences of the "Fed's" operations.

They also believe the public is too ignorant to need to know about what is going on and who is deciding what. They think that talk about accountability to the Congress disrupts the independence and necessary confidentiality of the banking system.

A growing number of congressmen and Senators disagree. At House Banking Committee hearings this past spring not only consumer and labor groups testified for an annual congressional audit of the Federal Reserve. Robert M. Bartell put the support of the Liberty Lobby strongly: "Even as the Congress itself faces its inevitable day of accountability on election day, so should the Federal Reserve System on accounting day."

Indeed, there are many savings and loans institutions, credit unions and some small bankers who want this bill to pass, but they are not willing to confront foursquare the big banks and the Federal Reserve bureaucracy headed by Arthur Burns.

However, the people can! If they would focus their attention on the "Fed" and their legislators in the next month they could help substantially to reduce interest rates in the coming years.

PRATT & WHITNEY: 50 YEARS OF CONTRIBUTIONS TO U.S. AVIATION SUPREMACY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 5 minutes.

Mr. COTTER. Mr. Speaker, in August of 1925, Frederick B. Rentschler quit the presidency of Wright Aeronautical Corp., to form his own company. Building on years of experience, Mr. Rentschler gathered 22 men into a storage loft in Hartford, Conn. These 22 men were the beginning of Pratt & Whitney Aircraft.

Within a few months they produced a 9-cylinder air-cooled 400-horsepower airplane engine that was an industry standard for almost 35 years. This engine, the R–1340 WASP, is now enshrined in the National Air and Space Museum of the Smithsonian Institution in Washington, D.C. Over 34,000 of these engines were built.

Over the next 50 years more than 20 Pratt & Whitney engines were produced on a large scale, but in these early years of production it was readily apparent that a larger plant capacity was going to be necessary. The company purchased tobacco land in East Hartford, Conn., and in 1930 moved its facilities to a new 400,000-square-foot building.

As World War II approached, Pratt & Whitney, as did other industries, responded by adding more needed capacity. Over 700,000 square feet were added to the East Hartford production facility. But even this increase was unequal to the War needs of the Allied Powers. Pratt & Whitney therefore licensed its airplane engines to several other large companies while constructing new plants in Willimantic and Southington, Conn., and in East Long Meadow, Mass. By the end of the war, over 362,000 engines had been supplied to the Allied Powers. Further, Pratt & Whitney engines provided more than 50 percent of all the horsepower used by U.S. air forces.

The war effort delayed production of the untested jet engine, but the gas turbine engine came to fruition in 1948 when Pratt & Whitney built the J–42 engine. Even during the war, Pratt & Whitney engineers realized that jet engines would be the wave of the future and after the initial J–42 they built the J–48 engine. But, it was not until Pratt & Whitney Aircraft constructed the J–47 in 1949, which encompassed the axial-flow dual compressor engine concept, that the capability of the jet engine was finally assured. It was the J–57 engine that established the world speed record in 1953 and was the first engine to power an aircraft faster than the speed of sound in level flight. The J–57 engine is also now enshrined in the Smithsonian Institution.

This engine was tested at the Andrew Willgoos Turbine Laboratory on the east bank of the Connecticut River. This installation was created to test engines at high altitude conditions and high speed capacity. This lab was expanded over the years and is now the largest privately owned turbine testing facility in the world.

The early jet engines did not have the capacity for high mach and altitude conditions. It was the J–57 that changed this. Later, this engine—whose commercial number was JT–3—powered the B–52 and the KC–135 Tanker which was in turn the forerunner of the commercial Boeing 707.

By 1958 jet transportation was becoming widely accepted. During this year the first transatlantic flight using the JT–3 engine was inaugurated. It was little wonder that by 1964 the JT–3's production run was over 21,000.

In 1960, Pratt & Whitney produced the J–75 turbo jet which later powered Boeing 707's and DC–8's. This same gas turbine engine, with some modifications, is being used to generate electricity, transmit natural gas, and even move ships.

From its past experience in aviation, Pratt & Whitney was almost inexorably drawn into space exploration. In 1956, Pratt & Whitney Aircraft established its Florida research and development center on a 6,750-acre tract of land in Palm Beach County. At this site, Pratt & Whitney Aircraft workers developed the Nation's first operational liquid hydrogen rocket engine, the RL–10. These engines powered over 100 flights of Centaur and Saturn IV vehicles without a single failure. The Florida center also produced the J–58 engine which powered the SR–71 Blackbird that has speeds of over 2,000 miles per hour.

This desire to utilize and expand man's technological capabilities motivated Pratt & Whitney Aircraft engineers' work to move into the area of fuel cells in 1959, more than a decade before the energy crisis was discovered. The basis of the fuel cell is to unite hydrogen and oxygen electrochemically to produce electricity. By 1962 this technology won the competition to provide needed electricity on all the Apollo missions.

Even with these other contributions the basis of Pratt & Whitney's success was its jet engines. The JT–3 was further refined into the JT–3D, a more effective turbo fan engine which became the powerplant for versions of the 707's and DC–8's. The JT–3D has logged over 120,000,000 hours of commercial service.

In its turn, the JT–3D was supplanted by the JT–8D in 1963. This engine is now being used by 139 of the world's airlines and powers the 727, 737, and the DC–9.

The new wide-bodied jets required even larger engines and Pratt & Whitney responded with the JT–9D which now powers the 747's and several versions of the DC–10 .

In the past 25 years Pratt & Whitney Aircraft personnel have established a worldwide reputation for excellence. I am proud that over 35,000 of the company's workers live in Connecticut and that this major industry continues to contribute to our Nation's supremacy in aviation. Many men and women in my district and throughout Connecticut have worked at Pratt & Whitney and it is fitting that we pause for a moment to honor this great company which is a part of the United Technology Corp.

EFFECT OF THE PRESIDENT'S OIL TAX PROPOSALS ON NEW YORK STATE UTILITY FUEL COSTS

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OTTINGER. Mr. Speaker, New York State's Public Service Commission prepared during June a report on the effect on utility costs within New York State of the President's proposal for decontrolling oil prices. The most striking estimate is for two utilities in the State, Central Hudson and Long Island Lighting Co., whose fuel costs are estimated to be likely to rise by 12.4 percent. In my own area, serviced by the Consolidated Edison Co., the estimate is for a 6.8-percent increase, or $142.9 million in increased revenue requirements.

I believe the analysis prepared by William Casper and David Stricos for the Office of Research of the New York Public Service Commission is perhaps the most concise explanation I have yet seen of the direct effect of decontrol on consumers. I commend the report to my colleagues:

EFFECT OF THE PRESIDENT'S OIL TAX PROPOSALS ON NEW YORK STATE UTILITY FUEL COSTS

(By William C. Kasper and David P. Stricos)

This report has been prepared for the information of the members of the Public Service Commission. Its issuance by the Department of Public Service does not necessarily imply acceptance by the Commission or the Department. The Office of Research is solely responsible for the contents of this report.

SUMMARY

The report examines the impact on New York State's electric utilities of the two programs recently enunciated by the President for the purpose of reducing oil imports: (1) an interim program of oil import fees of up to $3.00/bbl; and (2) a longer term program involving a $2.00/bbl tax on imported oil products, imported crude, and domestic crude and involving also the deregulation of domestic crude oil prices.

We find that the President's interim program would increase New York State's electric utilities' revenue requirements by $129 million, which corresponds to an average Statewide increase in electric costs of about 3.3%.

The President's longer term program would increase the State's electric utilities' revenue requirements by $253 million, an average increase in electric costs of about 6.5%.

The increase in electric costs under each program would vary widely from one utility to another. New York State Electric and Gas and Rochester Gas and Electric, which use very little fuel oil, would experience negligible increases; the percentage increase for Consolidated Edison would most nearly approximate the Statewide average increases noted above; while the percentage increases for Central Hudson, which is heavily dependent on fuel oil, would be almost twice the Statewide average.

INTRODUCTION

The fact that this country is now dependent on foreign sources to meet nearly 40% of its oil needs and the fact that our oil import bill has risen from $3 billion in 1970 to $26 billion in 1974 have prompted several recent Federal initiatives and proposals aimed at reducing oil imports. The President, as an interim measure, has instituted an energy program including the imposition of oil import fees. For the longer term, the President has proposed that Congress consider a program involving both import fees and excise taxes on domestic crude oil. Congress, for its part, may come up with yet another alternative energy program.

The development of an effective program is complicated by uncertainties regarding the impact of any energy program on the nation's other major problems—inflation and the recession. Much of the debate on alternate energy proposals has, in fact, centered on the effect of each proposal on the nation's economy. The nation's electric utility industry, one segment of the economy already hard hit by large increases in fuel costs, must now, it appears, brace itself for further cost increases which would result from a Federal program based on oil import fees or excise taxes.

The purpose of this report is to examine the impact on New York State's electric utilities of the two energy programs enunciated by the President, (1) the President's interim program of oil import fees and (2) the President's proposals to replace the interim program. It is our hope that the methodology developed here will also prove useful in the evaluation of other Federal energy programs as they are presented.

IMPACT OF THE PRESIDENT'S INTERIM PROGRAM

President Ford, under existing authority, directed that import fees on crude oil and petroleum products be increased by $1/bbl on February 1, 1975; an additional $1/bbl increase went into effect on June 1, while the final $1/bbl increase scheduled for July 1, 1975 would increase the fee to a total of $3.00/bbl. In addition, the entitlements program,[1] designed to cushion import price increases by distributing higher costs among all domestic refiners, was revised as of February 1, 1975 so that *product* imports no longer earn oil entitlements. In their place, importers of oil *products* received a fee rebate of $1/bbl in February; this rebate was increased to $1.40/bbl when the import fee reached $2/bbl and will be increased to $1.80/bbl when the import fee reaches $3.00/bbl. The entitlements program will continue to apply to crude oil imports.

As a result of these actions, the costs of imported oil products will increase by $1.20/bbl ($3.00/bbl fee—$1.80/bbl rebate). The cost of crude oil, both domestic and imported, is expected to rise by $1.92/bbl. This comes about because the $3.00/bbl import fee and the accompanying increase in uncontrolled domestic crude oil prices will affect 64% of the crude oil runs. Under the entitlements program, those cost increases are shared by all refiners.

To determine the impact of these increases on electric utility costs for residual and distillate oils, we must consider the relative amounts of imported products and crude oil from which the utility fuels are derived. We shall assume that New York State fuel sources are typified by those of PAD District 1. This is the smallest region which includes New York State as a constituent part and for which data are available. We believe the PAD District 1 data accurately reflect this State's fuel sources. Data for 1974 show that PAD District 1 residual and distillate fuel oil came from the following sources:

TABLE I.—PAD DISTRICT 1 FUEL OIL SOURCES

	Residual fuel oil (thousands of barrels per day)	per-cent	Distillate fuel oil (thousands of barrels per day)	Per-cent
Direct product imports	1,459	85.2	257	18.9
From PAD District 1	154	9.0	373	27.4
From PAD District 3	99	5.8	731	53.7
Total	1,712	100.0	1,361	100.0

Table I shows that 85.2% of the residual fuel oil used in PAD District 1 (and we assume also in New York State) is based on product imports while 14.8% is produced in this country from either domestic or imported crude. The corresponding percentages for distillate fuel oils used in New York State are 18.9% and 81.1%.

We can now calculate fuel oil price increases for New York State's utilities;

Residual oil

Price increase due to:

(a) The increase in imported product costs (0.852) ($1.20) = $1.02.

(b) The increase in crude costs (0.148) ($1.92) = $0.28.

Total, $1.30.

Distillate oil

Price increases due to:

(a) The increase in imported product costs (0.189) ($1.20) = $0.23.

(b) The increase in crude costs (0.811) ($1.92) = $1.56.

Total, $1.79.

These higher fuel costs will, in turn, increase the revenue requirements for each utility depending on the quantities of residual and distillate fuel oils used by each. The quantities of these fuel oils used by the State's utilities in 1974 are summarized in Table II:

TABLE II.—RESIDUAL AND DISTILLATE OIL USAGE BY NEW YORK STATE UTILITIES, 1974[1]

[In thousands of barrels]

Company	Residual	Distillate
Central Hudson	5,017	23
Con Edison	42,543	5,060
LILCO	19,438	1,312
Niagara Mohawk	6,987	194
Orange & Rockland	4,895	65
Rochester Gas & Electric	224	19
NYS Electric & Gas	0	123
Total	79,104	6,796

[1] Report of the member electric corporations of the New York Power Pool and the Empire State Electric Energy Research Corp., pursuant to art. VIII, sec. 149–b of the Public Service Law, April 1975, vol. 2, app. G.

The increased fuel cost for each utility can be calculated by multiplying residual fuel oil usage by the $1.30/bbl estimated cost increase and distillate usage by the $1.79/bbl increase in the cost of this fuel. An estimate of the increased revenue requirements must also include cost increases due to revenue taxes (5 percent) and sales taxes (7 percent). The increase in revenue requirements will, therefore be 12 percent greater than that calculated from the rise in fuel oil prices alone. The taxes will actually differ to some extent from one utility to another, but this will not significantly affect our calculations. The resultant increases in revenue requirements are summarized in Table III. We have also listed in Table III the increased revenue requirements as a percentage of revenues from the sales of electricity. These figures approximate the percent increase in electric costs as a result of the President's interim program.

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[1] The entitlements program recognizes that "new" oil, whether imported or unregulated domestic, is currently selling for significantly more than "old" price regulated oil. Under the program, a refinery which uses more "old" crude than the average is forced to purchase entitlements from a refinery which uses less than the average. This involves cash payments but does not involve a physical exchange of the product.

TABLE III.—INCREASED REVENUE REQUIREMENTS OF NEW YORK STATE UTILITIES AS A RESULT OF THE PRESIDENT'S INTERIM PROGRAM

Company	Increased revenue requirement (millions)	Percent of revenues from sales of electricity
Central Hudson	$7.4	6.5
Con Edison	72.1	3.4
LILCO	30.9	6.4
Niagara Mohawk	10.6	1.6
Orange & Rockland	7.3	5.1
Rochester Gas & Electric	.4	.3
NYS Electric & Gas	.2	.1
Statewide total	128.9	3.3

The percentage increases in electric costs for the individual utilities might differ somewhat from the figures given in Table III depending on each utility's sources of fuel oil and on the extent of intra-State energy sales among the utilities. However, the figures for the individual utilities make it clear that the impact of the President's interim program will vary widely from one utility to another.

We conclude, on the basis of calendar 1974 fuel consumption figures, that the President's interim program would result in an annual increase in New York State electric utility revenue requirements of $129 million. This corresponds to an average Statewide increase in electric costs of about 3.3%. The increase for Consolidated Edison, whose revenues from sales of electricity comprise about half of the Statewide total, would be 3.4%. New York State Electric and Gas and Rochester Gas and Electric, which use very little fuel oil, would experience negligible increases; Central Hudson, which is heavily dependent on fuel oil, would experience an increase equal to about twice the Statewide average.

IMPACT OF THE PRESIDENT'S PROPOSALS TO REPLACE THE INTERIM PROGRAM

To replace the interim program, the President has proposed the imposition of a $2.00/bbl tax on all imported crude and products as well as a $2.00/bbl tax on domestic crude. He also proposed the deregulation of domestic crude prices.

The $2.00/bbl tax together with the deregulation of domestic crude could result in an average increase of $5.12/bbl for crude oil. Using the January, 1975 average U.S. refinery cost for imported crude of $12.77/bbl, the $2.00/bbl tax would increase the price of imported crude to $14.77/bbl. The deregulation of domestic crude prices would tend to raise the U.S. refinery cost of crude, which includes domestic and imported crude, from the present average cost of $9.65/bbl to the $14.77/bbl cost of imported crude resulting in an overall crude cost increase of $5.12/bbl.

The effect of this $2.00/bbl increase in imported product costs and the $5.12/bbl increase in crude costs on the cost of utility fuel in New York State is calculated by assuming, once again, that this State's sources of residual and distillate fuel are the same a those of PAD District 1.

Residual

Price increase due to:

(a) The increase in imported product costs (0.852) ($2.00) = $1.70.

(b) The increase in crude costs (0.148) ($5.12) = $0.76.

Total, $2.46.

Distillate

Price increase due to:

(a) The inrease in imported product costs (0.189) ($2.00) = $0.38.

(b) The increase in crude costs (0.811) ($5.12) = $4.15.

Total, $4.53.

Increased utility revenue requirements under the President's proposed program were calculated from each utility's residual and distillate oil usage, shown in Table II, using the estimated residual fuel oil cost increase of $2.46/bbl, and $4.53/bbl increase in the cost of distillate fuel oil, and the additional 12% cost increase due to revenue taxes and sales taxes.

The increased revenue requirements are given in Table IV in terms of total dollars and as a percentage of revenues from the sales of electricity:

TABLE IV.—INCREASED REVENUE REQUIREMENTS OF NEW YORK STATE UTILITIES AS A RESULT OF THE PRESIDENT'S PROPOSALS TO REPLACE THE INTERIM PROGRAM

Company	Increased revenue requirement (millions)	Percent of revenues from sales of electricity
Central Hudson	$13.9	12.4
Con Edison	142.9	6.8
LILCO	60.2	12.4
Niagara Mohawk	20.5	3.2
Orange & Rockland	13.8	9.7
Rochester Gas & Electric	.7	.5
NYS Electric & Gas	.6	.3
Statewide total	252.6	6.5

As before, the percentage increases in costs for the individual utilities might differ somewhat from the figures developed in this report depending on each utility's sources of fuel oil and on the extent of intra-State energy sales among the utilities. The data show, however, that the President's oil tax proposals will have a widely differing impact on the various utilities.

The resultant increase in New York State electric utility revenue requirements, as seen from Table IV, is $253 million annually, which represents an average Statewide increase in electric costs of 6.5%. New York State Electric and Gas would again experience the smallest increase, in this case 0.3%, the increase for Consolidated Edison would be 6.8%; Central Hudson and Long Island Lighting would experience the greatest increase, 12.4%, according to the estimates developed here.

STATEMENT BY DOMINICK V. DANIELS NATIONAL WORKERS' COMPENSATION ACT OF 1975

(Mr. DOMINICK V. DANIELS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DOMINICK V. DANIELS. Mr. Speaker, I am today introducing the National Workers' Compensation Act of 1975 to strengthen State workers' compensation programs and insure adequate, prompt, and equitable protection to workers and the families of workers injured or killed on the job.

It is deplorable that in this Nation, which boasts the world's largest production capacity and highest living standards, millions of workers maimed on the job are doomed to eke out their lives at a subsistence level; and the families of workers killed through job-related accidents or illnesses must likewise endure untold grief and deprivation engendered by loss of earning capabilities.

Clearly, it is the duty of Congress to reform and modernize a totally inadequate and thoroughly unacceptable system of State workers' compensation laws. The loss of life and of limb, the reduction of earning power, the suffering of workers and their families cannot, and must not, continue as the tragic byproduct of our production process.

Work-related disabling injuries and deaths strike not only the affected worker and his family, they reduce the effectiveness of human resouces in the United States; and the concomitant loss of income, production, and diminished consumer expenditures imposes a substantial burden on interstate commerce.

In 1970, congressional concern over an archaic and inequitable system of varying State workers' compensation programs led to establishment of the National Commission on State Workmen's Compensation Laws in the Occupational Safety and Health Act. This Commission—composed of representatives of business, insurance carriers, labor, and State workmen's compensation boards—concluded in its 1972 report:

> Our intensive evaluation of the evidence compels us to conclude that State workmen's compensation laws are in general neither adequate nor equitable.

While there have been some changes and improvements in State workers' compensation laws following the Commission's report and issuance of recommendations, not a single State meets all the 19 recommendations cited as essential components of an effective judicious workers' compensation system. This grim testimony to the deficiencies of State programs literally cries out for a prompt congressional response.

Every day of delay places those States which do make a concerted effort to legislate decent minimum standards of workers' compensation at a competitive disadvantage with other jurisdictions. Continued Federal inaction to mandate basic standards in effect serves to penalize those industries located in States that have chosen to move toward an equitable compensation program for their workers.

It is imperative that our system of workers' compensation laws function efficiently and fairly as an insurance program to replace a substantial portion of a worker's lost earnings. We are not legislating a welfare program; nor a minimum guaranteed income plan; nor a social security insurance system. The philosophy guiding establishment of State workers' compensation laws in the first quarter of this century was that workers have a right to sufficient income replacement if they suffer a job-related injury or disease; and their families are justifiably entitled to remuneration in the event of a work-related death. Remedies previously available to the worker through extensive and frequently expensive litigation procedures were deemed anachronistic and wasteful.

The current system of disparate State programs, few which meet basic minimum standards of a decent workers' compensation system appropriate to the American economic scene in the last quarter of this century, dictates a long-overdue need for congressional action. The primary purpose of my legislation, therefore, is to mandate a requisite bill of fundamental workers' compensation rights.

In introducing this measure, I fully realize that no amount of income replacement can truly compensate a family for the loss of a father or mother through an on-the-job fatality. I know, too, that no sum is sufficient to ease the anguish of the worker who sustains a crippling accident or contracts a chronic, insidious work-induced disease.

I have stated many times in this chamber that our national goal must be a safe and healthy work environment. But, I am realistic. I know the tragic fact that American workers daily place their lives in jeopardy in order to earn a living. And, so long as our workers experience job-related accidents, so long as workers are exposed to highly sophisticated substances of potential toxicity, they must be guaranteed the basic right to an adequate, prompt, and equitable system of workers' compensation.

The present system is clearly intolerable. The plethora of State compensation laws, none of which together compose an equitable and comprehensive coverage system, is an abomination—an effrontery to the American worker. The insufficiencies of the so-called workers' compensation system that prevails in this Nation must surely shock the sensibilities of every Member of Congress.

My bill guarantees certain basic entitlements of workers' compensation to every American working man and woman. The right of every worker to compensation, medical benefits and rehabilitation services for work-related injuries or disease is the cornerstone of an equitable workers' compensation law. Yet today, workers in lower-paid occupations are frequently excluded from protection by State workers' compensation. Ironically, it is these same low-income workers who are least able to purchase private insurance to protect themselves and their families. The lamentable statistics are that farm workers are covered by workers' compensation laws in only 10 States; domestic workers in only two. This situation in effect penalizes and discriminates against the very workers who are least able to sustain their families in the event of an unexpected job-related reduction of earning capacity. This inequity is clearly intolerable.

A second fundamental right secured to the American worker in section 4 of my proposed legislation is to unlimited compensation payments both in terms of duration and in dollar amounts in instances of death benefits to survivors or total disability cases. It is unconscionable that 14 States presently place either a time or dollar limitation on these benefits. Surely justice demands that a worker totally disabled by a job-related injury or illness be compensated for the period of disability, regardless of its duration.

Similarly, workers are assured of unlimited medical care or rehabilitation services in cases of total disability under section 4(c) of my legislation. A major objective of workers' compensation must be the provision of adequate treatment as well as assistance to reinstate the worker and facilitate his return to productive employment. A sustained and sizable program of assistance is a foundation of a humane compensation plan for the disabled worker. Unfortunately, seven States currently limit these essential compensatory entitlements to the totally disabled worker.

To realize the objective of a sound workers' compensation system, workers must be provided with substantial protection against interruption of income. The maximum benefits authorized under many State laws are still shockingly low. In most States, according to the Commission, maximum weekly benefits for a nonfarm family of four are below the poverty level. Existing State programs callously doom workers who are mangled and maimed in the course of the employment to a life of meager subsistence.

Only 14 States now meet the Commission's recommended essential requirement for payments of permanent total disability. Further, only 11 States meet the recommendation for death benefits to survivors.

The Commission's report speaks forthrightly regarding these fundamental entitlements of every worker and his family.

> Limitations on permanent total benefits are inexcusable in a modern workmen's compensation program. The worker with a permanent total disability presents a compelling need for long-term support from workmen's compensation.

These primary rights are mandated in section 4(d) of my proposal for both workers with total disability and survivors of a deceased employee. My bill places a floor on such benefits provided by State workers' compensation laws of not less than 66⅔ percent of the worker's average weekly wage. This percentage has been the traditional portion of lost wages which compensation laws aim to replace. The record reveals, however, that even this goal is going unfilled in the vast majority of our States. This is a time when economic circumstances dictate an increase in State efforts at income replacement rather than a diminution.

Accordingly, my bill calls for the maximum weekly benefit under State compensation laws to be not less than 100 percent of the statewide average weekly wage within 2 years following enactment. These benefits shall increase over a prescribed time period to a level of 200 percent of the statewide average weekly wage.

Because work-related injuries and occupational diseases often strike down workers in the midst of their most productive years, an equitable workers' compensation system must insure that inflation does not eat away at the benefits received by the disabled worker or his survivors. Those who must depend on compensation must not find their income being steadily eroded as inflation takes its toll in reduction of consumer purchasing power.

Section 4(h) of my legislation therefore guarantees that those entitled to compensation under State statutes will receive a periodic adjustment of compensation benefits at least annually to reflect increases in the statewide average weekly wage or maximum limits on benefits.

An additional basic entitlement of workers is secured through section 4(j): namely, the right of an injured worker to initially select the physician of his own preference either from among all licensed State physicians or from a panel of doctors approved by the various States' workers' compensation agencies.

Section 7 of my bill establishes administrative requirements for State workers' compensation agencies to streamline and modernize their activities as well as insure appropriate monitoring and functioning of compensation programs.

Mr. Speaker, the legislation I am introducing has been drafted after extensive review of the hearings held on S. 2008 in the 93d Congress. These comprehensive hearings, held under the table direction of the chairman of the Senate Labor and Public Welfare Committee, Mr. WILLIAMS, are a significant exploration of the woeful inadequacies of the existing worker's compensation system and of the numerous problems involved in reforming the current situation.

Based on the record presented to his committee, Senator WILLIAMS has proposed S. 2018 in this session of Congress. My esteemed colleague from New Jersey and I are in no disagreement over the basic and inalienable rights of the American worker under an equitable compensation system.

The basic worker entitlements under both bills are enforceable by an action in the Federal district court. However, actions under my bill will relate only to the amount and duration of benefits, while actions under S. 2018 will also relate to whether or not the injury is employment related.

My legislation leaves intact the State provisions determining whether or not an injury, death, or disease is compensable. S. 2018, on the other hand, would redefine the connection between employment and compensable injury or disease and make the new standard enforceable in Federal district court. It would be difficult at this juncture to predict the volume of litigation that could arise under these provisions in S. 2018, not only in the case of workers claiming benefits but also in employers resisting awards. Experience has shown that determination of the causal connection between work and an injury or disease is one of the most controversial aspects of workers' compensation and a major source of litigation.

I believe that the enforcement mechanism of an effective workers' compensation bill is appropriate only if it does not need to be invoked too frequently. The volume of litigation that might arise would have a serious impact on congestion in the Federal district courts. As a result, workers may find their rights being unenforced because of a backlog of cases in the court system.

Mr. Speaker, I fully recognize that the current situation regarding compensation for occupational disease is deplorable. The practical problems of proving that a disease is work-derived are so complex that many occupational disease cases do not result in compensation awards. The effects of long-term exposure to certain substances and agents are as yet unknown. Experience under the Occupational Safety and Health Act reveals that in the area of occupational disease, we are only at the threshold of discovering the depth and prevalence of work-related illnesses.

We face a very serious problem on how to allocate the cost of job-derived diseases among the different employers for which a worker may have worked during the lengthy time period over which his disease incubated. Early employers, for example, will not have any insurance for these liabilities and the questions of who should bear the cost and the burden of proof become extremely complex.

However, the complexity of this problem should not be used as an excuse by opponents of any meaningful legislation to delay enactment of my proposed bill.

Accordingly, under section 9, I have authorized the Secretary of Health, Education, and Welfare to study diseases related to employment and to make recommendations for appropriate standards as a consequence of such investigation. When this study is completed, I will be prepared to implement their recommendations.

My subcommittee will conduct extensive hearings on the National Workers' Compensation Act. I intend to call upon experts in all fields including occupational disease. Should the evidence indicate that job-related diseases can be compensated satisfactorily through legislation in a manner other than proposed in my bill, I will not hesitate to advocate the necessary revisions.

Mr. Speaker, I stand firmly committed to the fundamental workers' entitlements specified in my proposed legislation. I urge no less than a prompt congressional mandate of these rights that have for too long been due America's 85 million working men and women. This society can no longer endure a system of workers' compensation that effectively dooms many of its disabled workers and their families to a life of deprivation and of hardship, subsisting on the meager handouts of inadequate compensation laws.

A summary outline of the National Workers' Compensation Act of 1975 follows:

Summary Outline of Dominick V. Daniels' "National Workers' Compensation Act of 1975"

Section 1. Short title is: "National Workers' Compensation Act of 1975".

Section 2. Findings and declaration of purpose.

Section 3. Coverage—The bill applies to all employers and employees in any state.

Section 4. Entitlement—This section is the heart of the bill. It contains the minimum benefits which all employees are due under workers' compensation laws.

(1) Compensation, medical benefits and rehabilitation services shall be provided by each employer to each of his employees.

(2) No time or dollar limits on the amount of compensation payable in death or total disability cases.

(3) No time or dollar limit on medical care or rehabilitation services in total disability.

(4) Compensation benefits in total disability and death cases shall be at least $\frac{2}{3}$ of the employee's wages, subject to the following maximums:

(a) 100% of the state-wide average weekly wage beginning 2 years after enactment.

(b) 150% of the state-wide average weekly wage beginning 3 years after enactment.

(c) 200% of the state-wide average wage beginning 4 years after enactment.

(5) Minimum benefits for total disability of 50% of the state average weekly wage or employee's actual wage, whichever is less. Minimum death benefits of 50% of the state-wide average weekly wage.

(6) Death benefits payable to the widow or widower for life or until re-marriage with 2 years benefits payable upon re-marriage and to surviving children until age 18 or age 25 if a full time student.

(7) A waiting period of not more than 3 days with retroactive benefits after 14 days.

(8) Annual adjustments of benefits to reflect increases in the state average weekly wage and the maximum limit on benefits.

(9) Reasonable attorney's fees added to an award where benefits are obtained or increased through adjudicatory proceedings.

(10) Free choice of physician.

(11) Compensation shall be payable to employees whose religious beliefs prevent acceptance of ordinary medical care.

(12) An employee undergoing rehabilitation shall not have his compensation benefits recoduced.

(13) Where employment requires travel, benefits may be obtained under the law of the state

(a) where the employer's principal business is located

(b) where the employee was hired, or

(c) where injury occurred

(14) A 3 year statute of limitation except that in the case of latent disability, the statute shall not start to run until

(a) the employee has a disability and

(b) the employee is aware of the relationship of the disability to his employment.

Section 5. Enforcement—The entitlements in Section 4 take effect 2 years after enactment and shall be enforced by state workers' compensation agencies as though they were provisions of the state law.

Employees aggrieved by a decision of the state workers' compensation agency may bring suit in the U.S. District Court to enforce any entitlement in Section 4 after they have exhausted state administrative remedies.

The Secretary of Labor may bring suit in the U.S. District Court wherever he has reason to believe that any employer or state workers' compensation agency has failed to provide the benefits described in Section 4.

Section 6. Effect of periodic adjustments on other laws—No amount paid as a periodic adjustment of workers' compensation benefits shall be considered in determining eligibility for, or amount of, any other benefit authorized by Federal or State law.

Section 7. State workers' compensation agency requirements—This section sets out the requirements that state workers' compensation agencies are expected to meet.

(1) A single state agency is responsible for administering the law.

(2) There shall be a division in the agency to supervise medical care and rehabilitation services and to make reports in cases where there is a medical controversy.

(3) The agency shall provide information and assistance to employees.

(4) There shall be fair and expedient procedures for resolving contesting cases.

(5) Claimant's attorney's fees shall be subject to regulation by state agency.

(6) Lump sum payments shall be permitted only on approval of the state agency.

(7) Protection for employees' benefits in case of insolvency of insurance carriers or employers.

(8) Adequate funding of the state workers' compensation agency.

(9) Second injury fund should be established.

(10) Encouragement of employers to hire handicapped job applicants.

(11) Appropriate reports shall be filed with the agencies by employers, insurance companies, employees, attorneys, and physicians.

(12) State workers' compensation agencies shall make reports to the Secretary of Labor.

(13) Appointment of employees under the merit system.

These requirements will take effect 2 years after the date of enactment.

Section 8. Compliance with state agency requirements—If the Secretary determines after consultation with the Advisory Commission (see Section 14) that a state workers' compensation agency is not in compliance, he shall seek compliance through conference and conciliation. If he is unsuccessful, he may take such action, after notice to the agency that is necessary to assure employee and employers other rights which are denied them, including hiring of additional personnel.

Section 9. Employment related diseases—The Secretary of HEW is to undertake a study of occupational diseases and make recommendations for appropriate standards for determining whether disease arose out of employment or whether disability was due to the disease. The results shall be distributed to the states to assist them in developing improved standards for amending occupational disease cases.

Section 10. Grants to States—An open-ended authorization is provided for fiscal years '76 through '78 to make grants to states to fund 90% of the costs of programs to improve the administration of their workers' compensation programs and to collect data on workers' compensation. (Grants are not available to pay benefits).

Section 11.—Statistics—The Secretary of Labor in consultation with the Secretary of HEW shall develop an effective program of workers' compensation statistics which may include grants to states for 50% of the costs of their statistical programs.

Section 12. Audits—Grantees under the Act are subject to audit by the Secretary and the Comptroller General.

Section 13. Annual report—The Secretary is to prepare an annual report.

Section 14. Advisory commission—A nine member Workers' Compensation Advisory Commission is established with three representatives from labor, three from business or insurance and three from the public.

The Commission shall monitor the progress of the state programs and advise the Secretary of its conclusions and the compliance of the state with the Act, engage in research and evaluation, make recommendations, including compensation payable for permanent or partial disability.

Section 15. Definitions—The following terms are defined:

(1) Secretary.
(2) Advisory Commission.
(3) Employer.
(4) Person.
(5) Employee.
(6) State.
(7) Injury.
(8) Physician.

(9) Rehabilitation services.

(10) Disability.

(11) Compensation.

(12) Medical Benefits.

(13) Wages.

(14) Statewide average weekly wage.

(15) Workers' compensation law.

(16) State workers' compensation agency.

Section 16. Separability.

Section 17. Appropriations—There is a permanent open-ended authorization available for the Secretary of Labor to administer the act for the Secretary of HEW to study diseases.

Note: Funds are not available to pay benefits.

OCTOBER 1 SHOULD BE STARTING DAY OF PAY ADJUSTMENT FOR ALL FEDERAL EMPLOYEES

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, October 1 will be the first day this year a pay raise will become possible for all Federal employees in the general schedule under the pay comparability law's cost-of-living formula.

Some employees will receive higher rates of compensation starting on October 1. But others—in fact, the majority of those due for raises under the statutory formula—will not start receiving the higher rate until October 5 or even October 12.

It is unfair to require most of our civilian employees to wait up to 2 weeks to receive their raises while others receive it on October 1. This is especially true since the varying starting days for the higher pay schedules are due to arbitrary policies followed by the various Federal agencies.

Under the pay comparability law, any increase becomes effective "as of the beginning of the first applicable pay period commencing on or after October 1 of the applicable year." Since each Federal agency sets its own "pay period," the day any employee starts receiving higher compensation depends on the arbitrary policy of his particular agency.

Most agencies will start paying the higher rates this year on October 5 or 12. Last year, for example, civilian employees of the Army received their pay increase on October 6 and those of the Navy on October 13. Meanwhile, military service members receive higher pay on October 1 because they have a monthly pay period beginning on that date.

In order to correct this unequal treatment and provide pay adjustments for all Federal employees on the same day, I have introduced H.R. 8958 to amend the comparability law. Today, I am reintroducing this legislation with additional cosponsors.

The bill would revise the effective date provisions for pay comparability adjustments under title 5 of the United States Code so that such adjustments apply to all executive branch employees on the same date. It will not affect Members of Congress and their staff members since they have monthly pay periods and already receive any increases on October 1.

If promptly enacted, this new procedure would be effective for the 1975 pay adjustment. It would affect some 1,500,000 Federal civilian employees.

Although this change would require additional work on the part of civilian payroll offices to implement the higher schedules at an earlier date, I believe this is justified by the need for equal treatment of all our employees. It is inequitable to pay some employees more than others for the time periods involved, when they have the same pay classifications.

This unequal treatment has existed since the pay comparability law was enacted in 1970. Unless revised by Congress, employees will continue to suffer unequal treatment this year, next year, and into the future just as they did in 1974 and other years.

It is time for Congress to act to correct this situation, and I hope we will do so by the adoption of this legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ADDABBO (at the request of Mr. O'NEILL), for today, on account of official business (committee hearings in New York).

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HYDE) to revise and extend their remarks and include extraneous material:)

Mr. McDADE, for 5 minutes, today.

Mr. TALCOTT, for 5 minutes today.

Mr. RAILSBACK, for 5 minutes, today.

Mr. KEMP, for 30 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. DODD) to revise and extend their remarks and include extraneous material:)

Mr. RODINO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. O'NEILL, for 5 minutes, today.

Mr. STAGGERS, for 5 minutes, today.

Mr. ADAMS, for 15 minutes, today.

Mr. DANIELSON, for 10 minutes, today.

Mr. WOLFF, for 5 minutes, today.

Mr. DOWNEY of New York, for 30 minutes, today.

Mr. VANIK, for 10 minutes, today.

Mr. DODD, for 15 minutes, today.

Mr. PATMAN, for 10 minutes, today.

Mr. COTTER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. JONES of Alabama, and to include extraneous material.

Mr. RANDALL, remarks on the bill, H.R. 8650.

(The following Members (at the request of Mr. HYDE) and to include extraneous matter:)

Mr. WHALEN.

Mr. YOUNG of Florida in five instances.

Mr. HORTON in two instances.

Mr. ANDERSON of Illinois.

Mr. ASHBROOK in three instances.

Mr. FRENZEL in two instances.

Mr. BROWN of Ohio.

Mr. COLLINS of Texas in three instances.

Mr. SYMMS in two instances.

Mr. SEBELIUS.

Mr. KASTEN.

(The following Members (at the request of Mr. DODD) and to include extraneous matter:)

Mr. ANNUNZIO in six instances.

Mr. ANDERSON of California in three instances.

Mr. JAMES V. STANTON.

Mr. DOWNEY of New York in three instances.

Mr. RICHMOND.

Mr. DENT in two instances.

Mr. FISHER in two instances.

Mr. EVINS of Tennessee in three instances.

Mr. CONYERS in 10 instances.

Mr. CORMAN in five instances.

Mr. DAN DANIEL.

Mr. REUSS.

Mr. RANGEL in 11 instances.

Mr. DE LUGO.

Mr. FRASER.

Mr. BIAGGI in 10 instances.

Mr. ADAMS.

Mr. MATSUNAGA.

Mr. ROSE.

Mr. LEGGETT.

Mr. CARNEY.

Mr. KOCH.

Mr. BONKER.

Mr. WOLFF.

Mr. HAYES of Indiana.

Mrs. CHISHOLM.

Mr. TEAGUE.

Mr. AMBRO.

Mr. SIMON.

Mr. MOORHEAED of Pennsylvania in five instances.

Mrs. MEYNER.

Mr. HEFNER.

Mr. NEDZI.

Mr. ZEFERETTI.

Mr. OBERSTAR in 10 instances.

Mr. McDONALD of Georgia in three instances.

Mrs. SULLIVAN.

Mr. THOMPSON in five instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1972. An act to amend the Airport and Airway Development Act of 1970, as amended, so as to extend the Airport and Airway Development program authority; to Committee of Public Works and Transportation.

ADJOURNMENT

Mr. DODD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 9, 1975, at 12 o'clock noon.

COMMITTEE EMPLOYEES

COMMITTEE ON AGRICULTURE

July 21, 1975.

To the Clerk of the House:

The Committee on Agriculture pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period........ $990, 078. 21
3. Amount expended during this period.......... 321, 619. 73

THOMAS S. FOLEY, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Alison B. Cerri	Staff assistant	$9, 943. 07
John V. Rainbolt	Counsel (through Apr. 14, 1975).	10, 150. 00
Julia W. Kogut	Staff assistant	9, 833. 33
Hyde H. Murray	Counsel	17, 997. 62
Fowler C. West	Staff director	17, 916. 67
Louis T. Easley	Press assistant	15, 090. 60
Peggy L. Pecore	Staff assistant	10, 500. 00
Steven S. Allen	do	10, 133. 85
Mary L. Ross	Printing editor	10, 500. 00
Thomas E. Adams, Jr	Staff consultant (effective Feb. 1, 1975).	9, 166. 65
Kay J. Williams	Staff assistant (effective Feb. 1, 1975).	6, 666. 65
John E. Hogan	Associate counsel (effective Feb. 1, 1975).	14, 791. 65
Margo Shildkret	Staff assistant (effective Feb. 24 1975)	4, 056. 93
Wanda Marie Worsham	do	6, 341. 24
Susan Bell	do	6, 666. 65
Mary Claiborne Jarratt	Staff assistant (effective Feb. 16, 1975).	5, 775. 00
Robert Ray Palmer	Staff consultant (Mar. 1-31, 1975).	2, 250. 00
James E. Springfield	Food programs specialist and budget officer (effective Apr. 14, 1975).	7, 700. 00
Robert M. Bor	Counsel (effective Apr. 6, 1975).	8, 500. 00
Mary P. Shaw	Staff assistant (effective May 1, 1975).	2, 791. 67
Glenda Louise Temple	do	3, 250. 00
James N. Ashmore	do	3, 125. 00
Anita R. Brown	do	2, 958. 34
Stephen J. Pringle	do	2, 458. 33
Margaret L. Bauer	do	833. 33
Diane M Keyser	do	923. 30
Audrey L. Rollins	do	958. 33
Eugene Moos	Staff analyst (effective June 23, 1975).	800. 00
Total		202, 078. 21

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Margaret L. Bauer	Staff assistant (from Jan. 1 1975 to May 31, 1975).	$4, 080. 75
Lydia Vacin	Staff assistant	1, 219. 80
Mildred P. Baxley	Staff assistant (through June 30, 1975).	9, 947. 64
Doris Lucile Farmarco	Staff assistant	8, 090. 40
Mary P. Shaw	Staff assistant (through Apr. 30, 1975).	5, 500. 00
Diane M. Keyser	Staff assistant (through May 31, 1975).	4, 616. 50
Glenda Louise Temple	Staff assistant (through Apr. 30, 1975)	6, 500. 00
James N. Ashmore	do	5, 619. 46
Anita R. Brown	do	5, 666. 68
Stephen J. Pringle	do	4, 833. 32
Carol Wilner	Receptionist (from Jan. 1 1975 to May 31, 1975).	4, 375. 00
Audrey L. Rollins	Staff assistant (from Mar. 17 to May 31, 1975).	2, 363. 88
John R. Kramer	Special counsel (effective Mar. 15, 1975).	5, 300. 00
John Baize	Subcommittee staff consultant (effective Mar. 10, 1975).	5, 241. 68
Norman F. Gay	Subcommittee staff consultant (effective Apr. 1, 1975).	6, 000. 00
Gerald R. Jorgensen	do	6, 750. 00
Roxana D. Burris	Subcommittee staff consultant (effective Apr. 10, 1975).	4, 050. 00
Robert R. Palmer	Subcommittee staff consultant (effective Apr. 1, 1975).	6, 750. 00
Weldon V. Barton	do	6, 525. 00
Theresa Colie	Staff assistant (effective Apr. 7, 1975).	1, 641. 68
Carol A. Dubard	Staff assistant (effective Apr. 21, 1975).	2, 333. 33
Teresa D. McLaughlin	Receptionist (effective Apr. 28, 1975).	1, 925. 01
Robert John Gray	Subcommittee staff consultant (effective May 3, 1975).	3, 544. 44
James A. Culver	Subcommittee staff consultant (effective May 1, 1975).	4, 000. 00
Sharon A. Armann	Staff assistant (effective June 2, 1975).	1, 160. 00
Jacqueline Lane	Staff assistant (effective June 30, 1975).	40. 28
Michael R. Beschloss	Staff assistant (effective June 23, 1975).	366. 67
Vernese Feldman	Staff assistant (effective June 16, 1975).	250. 00
William Heylman	Staff assistant (effective June 9, 1975).	366. 67
Dilys Tosteson	Staff assistant (effective June 2, 1975).	483. 33
Total		119, 541. 52

COMMITTEE ON APPROPRIATIONS (STANDING COMMITTEE)

July 16, 1975.

To the Clerk of the House:

The Committee on Appropriations (Standing Committee) pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedule A).
2. Total funds available during this period........ $966, 281. 95
3. Amount expended during this period.......... 966, 281. 95

GEORGE MAHON, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Keith F. Mainland	Clerk and staff director	$18, 000. 00
G. Homer Skarin	Staff assistant	18, 000. 00
Samuel R. Preston	do	18, 000. 00
Hunter L. Spillan	do	18, 000. 00
Henry A. Neil	do	18, 000. 00
Aubrey A. Gunnels	do	18, 000. 00
George E. Evans	Reemployed annuitant	4, 332. 00
Earl C. Silsby	Staff assistant	18, 000. 00
Peter J. Murphy	do	18, 000. 00
Frederick G. Mohrman	do	18, 000. 00
Edward E. Lombard	do	18, 000. 00
Nicholas Cavarocchi	do	18, 000. 00
Frederick F. Pfluger	do	18, 000. 00
John M. Garrity	do	17, 064. 42
Robert B. Foster	do	16, 889. 58
Thomas J. Kingfield	do	15, 753. 48
Donald E. Richbourg	do	16, 003. 50
Robert C. Nicholas	do	14, 723. 64
George A. Urian	do	13, 170. 00
Dempsey B. Mizelle	do	15, 885. 00
Charles W. Snodgrass	do	14, 735. 64
John G. Plashal	do	10, 470. 66
Byron S. Nielson	do	11, 434. 44
J. David Willson	do	14, 919. 60
Americo S. Miconi	do	13, 613. 94
Derek J. Vanderschaaf	do	17, 351. 28
Robert L. Knisely	do	9, 776. 46
Richard N. Malow	do	14, 890. 80
John G. Osthaus	do	12, 782. 94
Paul E. Thomson	do	10, 496. 70
Charles E. Hardin	do	9, 937. 20
Edwin F. Powers	do	13, 888. 44
Gordon E. Casey	do	14, 086. 92
C. William Smith	do	13, 453. 80
Michael Weinberger	Staff assistant (from Mar. 16).	7, 875. 00
William A. Marinelli	Staff assistant (from May 18).	3, 583. 33
Donald P. Smith	Staff assistant (from June 15).	1, 155. 56
Lawrence C. Miller	Editor	16, 610. 52
Paul V. Farmer	Assistant editor	12, 449. 88
Gerard J. Chouinard	Administrative assistant.	11, 113. 14
Austin G. Smith	Clerical assistant	9, 812. 64
Dale M. Shulaw	do	8, 631. 66
Gemma M. Weiblinger	Administrative assistant to Labor—HEW Subcommittee.	7, 000. 02
Marcia L. Matts	Clerical assistant	6, 879. 96
Sandra A. Gilbert	do	7, 988. 76
Patricia A. Kemp	do	6, 753. 30
Betty Lou Taylor	Administrative assistant to Transportation Subcommittee.	6, 858. 78
Christine Stockman	Clerical assistant	6, 403. 62
Dianne Frum	Clerical assistant (from Feb. 2).	5, 173. 63
Toni Williams	Clerical assistant (from Mar. 16).	3, 500. 00
Michael Slevin	Clerical assistant (from Feb. 17).	4, 618. 07
Anna Manning	Clerical assistant (from Mar. 24).	3, 502. 77
Jane Meredith	Clerical assistant (to Jan. 15).	489. 54
Eva K. Harris	Clerical assistant (to Jan. 31).	897. 26
Randolph Thomas	Office assistant	7, 374. 84
F. Michael Hugo	Minority clerk	17, 500. 02
B. Enid Morrison	Minority staff assistant.	15, 000. 00
Beverly B. Thierwechter	do	7, 999. 98
Henry Moore	do	9, 825. 00
Donna J. Brother	do	5, 468. 07
Susan A. Weaver	Minority clerical assistant.	3, 966. 67
Valerie Lake	Minority clerical assistant (from June 23).	211. 11
Annemarie Parsnick	Minority clerical assistant (to May 31).	3, 750. 00
Mary H. Smallwood	Majority associate staff member.	8, 584. 02
Samuel A. Mabry	do	12, 680. 67
George F. Allen	do	8, 903. 35
Michael J. O'Neil	do	12, 160. 86
Diane Rihely	do	5, 500. 02
Maxey H. Irwin	do	9, 583. 35
Fisher Muldrow	do	9, 412. 84
Lawrence E. Siegel	do	9, 506. 90
Grace E. Warren	do	10, 332. 80
Catherine M. Voytko	Majority associate staff member (to Apr. 30).	5, 492. 32
Naomi A. Rich	Majority associate staff member (to Jan. 30).	1, 425. 88
Douglas E. Bobbitt	Majority associate staff member (from Mar. 3).	4, 834. 73
Susan L. Shaw	Majority associate staff member (to Jan. 2).	91. 54
Nancy Sohl	Majority associate staff member (to May 15).	8, 249. 99
Sarah J. Bova	Majority associate staff member (to Jan. 2).	70. 35
Daniel Beard	Majority associate staff member (from Feb. 1).	11, 250. 00
Richard Altman	Majority associate staff member (from May 1).	4, 500. 00
Daniel J. Foley	Majority associate staff member (from May 8).	3, 088. 89
Grant W. Anderson, Jr	Majority associate staff member (from May 15).	2, 300. 00
Edward N. Stout	Majority associate staff member (from May 7).	4, 050. 00
Scott Lilly	do	3, 386. 12

SCHEDULE A—STANDING COMMITTEE PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Charles H. Donlan, Jr	Majority associate staff member (from June 1).	1,233.33
Gary R. Bachula	do	2,250.00
Kathleen Smiley	do	1,916.67
David Kehl	Minority associate staff member.	12,500.00
Charles M. Seeger	do	12,437.22
Charles H. Murphy	do	10,266.65
Karen S. Vagley	do	11,250.00
Laurie A. Needham	do	8,750.00
Robert F. Dugan	do	11,871.00
David D. Clement	do	11,479.44
Jimmy R. Fairchild	do	11,749.98
William J. Dennis	do	7,277.79
Matthew Scocozza	do	4,666.68
John D. Harrant	Minority association staff member (to Apr. 6).	4,700.00
Charlotte Casey	Minority associate staff member (from May 1).	1,916.66
Harold R. Walker	Minority associate staff member (from June 1).	1,850.00
Jack Ford	Minority associate staff member (from June 16).	708.33

COMMITTEE ON APPROPRIATIONS (INVESTIGATIONS STAFF)

July 16, 1975.

To the Clerk of the House:

The Committee on Appropriations (Investigations Staff) pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1 to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (See attached schedule B).
2. Total funds available during this period (July 1, 1974–June 30, 1975) $2,128,000.00
3. Amount expended during this period (Jan. 1–June 30, 1975) 1,150,134.47

GEORGE MAHON, Chairman.

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Cornelius R. Anderson	Chief	$18,000.00
David A. Schmidt	Director	18,000.00
Dennis F. Creedon, Jr	1st Assistant director	16,200.00
Marion S. Ramey	2d Assistant director	18,000.00
Genevieve A. Mealy	Administrative assistant	7,621.02
Frances May	Secretary	8,103.96
Ann M. Stull	do	5,355.00
Barbara L. Chambers	do	5,700.00
Department of Agriculture:		
John F. Robison	Investigator	28,396.06
U.S. Army Audit Agency:		
Ray Hard	do	9,873.15
Civil Service Commission:		
Jack A. DeSipio	do	49,184.19
U.S. Coast Guard:		
Walter O. Henry	do	10,966.22
Department of Commerce:		
Arthur R. Cooke	do	27,956.38
Defense Supply Agency:		
Paul W. Leonard	do	12,823.30
Defense Department:		
Jimmie E. Buckles	do	26,407.00
Federal Aviation Administration:		
Roland N. Bell	do	17,583.81
General Services Administration:		
Henry H. Jones	do	51,289.73
Geological Survey:		
William Davies	do	12,317.80
Health, Education, and Welfare:		
James J. O'Kane	do	15,161.00
Martin Wall	Clerical assistant	2,961.60
Ronald G. Hansen	Investigator	12,150.00
Department of Interior:		
Fred Brownworth	do	15,336.49
National Aeronautics and Space Administration:		
Darren Gridley	do	16,335.10
Bernard F. Carey	do	21,082.72
National Security Agency:		
Joseph S. Gorman, Jr	do	12,946.16
Naval Audit Service:		
Kenneth Honchak	do	6,323.20
Treasury Department:		
Jimmie Osburn	Investigator	10,873.20
Contract Employees:		
Carl L. Bennett	do	14,375.00
Charles Bolz	do	5,000.00
W. Dana Carson	do	14,375.00
Robert M. Franklin	do	12,500.00
Charles G. Haynes	do	625.00
Maurice A. Herron	do	12,500.00
Richard F. McEliece	do	14,375.00
Ross P. Pope	do	2,900.00
Mary Alice Sauer	Secretary	5,175.00
Andrew J. Shannon	Investigator	5,000.00
William B. Soyars, Jr	do	12,500.00
Leonard M. Walters	do	14,375.00
Eugene B. Wilhelm	do	2,900.00
H. Branch Wood	do	14,375.00
Joseph E. Michalski	do	14,375.00
Federal Bureau of Investigation:		
Stuart W. Angevine	do	15,108.48
George C. Baird	do	10,206.48
William M. Baker	do	300.96
Carl L. Bennett	do	367.92
Willis Bennett, Jr	do	15,108.48
Ronald B. Carpenter, Jr.	do	15,459.36
W. Dana Carson	do	858.48
Gerard C. Carroll	do	4,793.60
W. Lee Colwell	do	4,485.36
Bernard E. Currigan	do	11,826.72
John F. Connaughton	do	5,372.96
James B. Denny	do	13,210.08
Lewis E. Eisenwine	do	13,663.68
Donald J. Fitzgerald	do	13,038.96
John G. Goedtel	do	15,459.36
Eugene C. Gies	do	15,108.48
William P. Haynes, Jr	do	317.76
David W. Johnson	do	11,217.84
Russell N. Kamin	do	11,610.96
John C. Layton	do	10,080.48
Joseph Malyniak, Jr	do	14,747.28
James P. Mansfield	do	15,459.36
Joseph E. Michalski	do	359.52
Earl J. Morris	do	15,100.08
John J. Radican	do	15,108.48
Thomas C. Renaghan	do	12,941.28
Warren L. Rowlands	do	12,828.96
James O. Stassinos	do	13,663.68
Charles E. Szoka	do	15,108.48
Raymond E. Talley	do	14,386.08
William H. Welch, Jr	do	10,179.12
Pamela Munro	Secretary	4,351.92
Rebecca F. Singleton	do	4,355.04
Edna Mae Jones	do	4,481.84
Health Benefits (FBI)		5,607.32
Life Insurance (FBI)		1,577.38
Retirement (FBI)		24,824.44
FICA (FBI)		424.46
Travel expenses		165,258.48
Miscellaneous expenses		7,270.26

COMMITTEE ON ARMED SERVICES

July 8, 1975.

To the Clerk of the House:

The Committee on Armed Services pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $1,143,376.08
3. Amount expended during this period 354,750.50

MELVIN PRICE, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Frank M. Slatinshek	Chief counsel	$4,590.00
John J. Ford	Professional staff member.	17,974.98
Ralph Marshall	do	17,781.18
George Norris	Counsel	17,076.06
James F. Shumate, Jr	do	17,781.18
John F. Lally	do	17,781.18
William H. Hogan, Jr	do	14,700.76
Anthony R. Battista	Professional staff member.	16,609.32
G. Kim Wincup	Counsel	10,341.46
William D. Price	Professional staff member.	12,499.98
Richard T. Lunger	Professional staff member (from Jan. 15, 1975).	8,761.09
John L. Boos	Counsel (from Feb. 1 to May 13, 1975).	7,725.00
Paul L. Tsompanas	Professional staff member (from Feb. 1, 1975).	14,820.85
Herbert Roback	Professional staff member (from Feb. 5, 1975).	2,681.53
Adam J. Klein	Counsel (from Feb. 5, 1975).	9,848.53
Louis Kriser	Professional staff member (from Mar. 13, 1975).	7,200.00
Thomas S. Hahn	Professional staff member (from Mar. 17, 1975).	6,933.33
Michael A. West	Executive secretary	8,304.68
Berniece Kalinowski	Secretary	11,189.88
L. Louise Ellis	do	11,189.88
Innis E. McDonald	do	8,400.06
Ann R. Willett	do	6,989.82
Emma M. Brown	do	7,284.59
Nancy S. Jones	do	6,989.82
Rita D. Argenta	do	6,331.20
Ilene B. Katz	do	5,791.65
Diane W. Bowman	Secretary (from Jan. 15, 1975).	5,533.33
William B. Short	Clerical staff assistant.	9,197.16
James A. Deakins	do	8,461.38
Issiah Hardy	do	6,331.20
Total		307,101.08

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Additional employees compensated under special funding resolution, H. Res. 132, 94th Cong., 1st sess.:		
Gary A. Holcomb	Professional staff member (from Feb. 21, 1975).	$7,222.24
Rose C. Beck	Secretary	8,400.06
Joyce C. Bova	do	6,384.48
Karen L. Snead	do	4,999.98
S. Janice Coil	Secretary (from Apr. 21, 1975).	2,333.33
Marion H. Wills	Secretary (from May 1, 1975).	1,833.34
Marcia A. Lawrence	do	1,833.34
Alice M. Sledge	Secretary (from May 5, 1975).	1,866.67
Brian Murphy	Clerical staff assistant (from June 16, 1975).	250.00
Total		35,123.44

COMMITTEE ON BANKING, CURRENCY AND HOUSING

July 15, 1975.

To the Clerk of the House:

The Committee on Banking, Currency and Housing pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period (H. Res. 236, 94th Cong.) $1,999,004.33
3. Amount expended during this period 719,205.49

HENRY S. REUSS, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Paul Nelson	Clerk and staff director	$18,000.00
Orman S. Fink	Minority staff director	2,512.00
Curtis A. Prins	Subcommittee staff director.	18,000.00
Charles A. Holstein	Professional staff member.	708.00
Benet D. Gellman	Subcommittee staff director.	9,000.00

SCHEDULE A—STANDING COMMITTEE PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Joseph C. Lewis	Professional staff member.	6,000.00
Graham T. Northup	Minority deputy staff director.	18,000.00
Mary W. Layton	Secretary to minority	13,284.33
Donald G. Vaughn	Administrative assistant.	11,651.82
Michael Flaherty	Counsel	12,500.00
Donald L. Robinson	Executive assistant to chairman.	6,883.30
William L. Dixon	General counsel	14,168.66
Joseph J. Jasinski	Professional staff member.	5,987.20
Jane D'Arista	do	8,867.30
Helen Hitz	Administrative assistant.	11,086.30
Mordecai Lee	Staff assistant	2,344.16
Margaret Rayhawk	Research assistant	1,969.64
Ruth Wallick	Staff assistant	7,083.30
David Wright Secrest	Director of public affairs.	12,000.00
William Nachbaur	Counsel	5,624.99
Theodore Doremus, Jr	Minority counsel	7,500.00
Mary Ann Graves	Staff economist	6,000.00
Monroe W. Karman	Staff assistant, urban affairs.	2,833.33
Total		202,004.33

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Joann Azarkhish	Secretary	$7,028.09
Richard C. Barnes	Professional staff member.	2,520.70
Martha Ellen Braddock	Assistant clerk	1,700.04
James P. Caldwell, Jr	Professional staff member.	13,119.01
L. Marie Chaillet	Minority secretary	8,849.81
Davis O'Connell Couch	Investigative counsel	13,411.05
Ben W. Crain	Staff economist	10,223.40
Jane D'Arista	Professional staff member.	1,773.46
Michael P. Flaherty	Counsel	1,808.11
Mary Ann Freer	Secretary	4,981.72
Helen Hitz	Administrative assistant.	2,069.44
Lorraine G. Inman	Secretary	6,991.31
Joseph J. Jasinski	Professional staff member.	11,774.83
Richard M. Kay	Assistant clerk	4,482.28
Marvin H. Kahn	Professional staff member.	1,559.35
Mary E. Kirk	Assistant clerk	6,203.08
Ellen Marie Larkin	Research assistant	8,083.33
Gladys F. G. LeBreton	Secretary	1,825.00
Robert Edward Loftus	Professional staff member.	12,572.38
Linda Lea Lord	Secretary	7,118.37
Kelsay Ray Meek	Professional Staff member.	17,739.07
Miriam Wolman Rakow	Subcommittee clerk	9,288.70
Michael A. Rattigan	Research assistant	1,632.04
Margaret L. Rayhawk	do	1,838.33
Kathy Lee Rohrig	Secretary	7,344.90
Yan Michael Ross	Minority counsel	8,800.00
James Charles Sivon	Minority research assistant.	5,734.05
Richard L. Still	Professional staff member.	17,765.29
Robert E. Weintraub	Staff economist	2,000.00
David Irving Weil	Economic research assistant.	8,206.73
Christopher Chamberlain	Research assistant	3.525.00
Lois Hart	Secretary	5,974.60
Sue Kapuza	do	3,715.29
Mary McCarthy	do	5,000.00
Deborah Alt	do	3,755.54
Frances C. Clements	Assistant clerk	3.379.04
Lawrence I. Feldman	Minority staff assistant	5,083.32
Robert S. Feinberg	do	6,666.68
James Allen Kucher	Subcommittee counsel	4,916.68
James B. McMahon	Minority staff assistant	6,066.67
Janet Maus	do	8,000.00
Beverly J. Shay	Minority secretary	1.535.72
John P. Wynn	Minority staff assistant	2,625.00
Eliza M. Paul	Research assistant	4.500.00
Kathleen O'Malley	Secretary	1,818.05
William F. McQuillen	Professional staff member.	3,911.10
Benet D. Gellman	Subcommittee staff director.	8,100.00
Louis C. Gaspar	Minority staff assistant	6,300.00
Jay B. Dorsey III	Research assistant	1,000.00
Susan H. Pollitt	Assistant clerk	762.49
Phyllis Stone	Secretary	1,692.00
Robert L. Wills	Research assistant	750.00
Sallie Anne Bobo	Secretary	277.78
Angus Jefferson Dodds	Research assistant	508.33
Joseph C. Lewis	Subcommittee staff director.	1,500.00
Margaret E. McCloskey	Secretary	23.06
Carl A. Mintz, Jr	Research statistician	1,833.33
Nora Olave-Shabusawa	Secretary	1,083.33
Mary Anne Reilly	Minority secretary	833.33
Barbara D. Salmanson	Professional staff member.	1,466.66
Elaine C. Shephard	Assistant clerk	833.33
Ethan Hilton Seigel	Research assistant	833.33
Lorna Watson	Professional staff member.	266.67
John R. Youngken	Research assistant	1,250.00
Brent B. Barriere	Assistant clerk	369.44
John M. Dempsey	do	876.67
Marilyn Donahue	Minority secretary	6,867.88
David Glick	Counsel	17,800.00
Emily Hightower	Executive secretary	10,564.65
Mercer L. Jackson, Jr	Minority staff member	17,800.00
Raymond K. James	Counsel	17,800.00
Sylvan J. Kamm	Professional staff member.	4,644.44
Bonnie V. Lockett	Secretary	5,999.97
Diane D. Lohman	Assistant clerk	716.67
Benjamin B. McKeever	Counsel	17,800.00
Gerald R. McMurray	Staff director	17,800.00
Wanda Jean Raupach	Secretary	9,130.39
Dorothy J. Rayburn	Assistant clerk	2,662.84
Ann L. Roll	Secretary	2,200.01
Catherine M. Smith	Minority secretary	6,867.88
Mary Elizabeth Sullivan	Assistant clerk	5,999.97
Regina Ann Sullivan	do	625.00
Anthony Valanzano	Minority counsel	17,800.00
Total		472,586.01

COMMITTEE ON THE BUDGET

July 15, 1975.

To the Clerk of the House:

The Committee on the Budget pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $716,267.01
3. Amount expended during this period 654,375.39

BROCK ADAMS, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Walter Kravitz	Executive director	$18,000.00
Carl H. Schwartz, Jr	Special assistant	3,774.00
Kathleen H. Reiter	Research assistant	7,740.48
Vergie Lee Colby	Secretary	7,058.76
George Gross	General counsel	18,000.00
Linda Heller Kamm	Associate counsel	18,000.00
Shirley L. Ruhe	Research assistant	8,723,74
Susan G. Walter	Secretary	7,097.73
Ellen Marie Yunger	do	3,179.58
M. Bruce Meredith	Assistant director for budget priorities.	18,000.00
Dennis M. Kedzior	Special assistant	10,908.00
John F. Cove	Senior analyst	17,900.00
Alair Townsend Harris	do	18,000.00
Benson J. Simon	do	18,000.00
Raphael R. Thelwell	do	18,000.00
Charles W. Wiecking	do	18,000.00
William J. Cleary	Analyst	11,100.00
Russell D. Hale	do	9,223.67
Peter M. Storm	do	11,622.31
E. C. Crumpton-Bawden	do	2,484.83
Judith A. Kammins	do	7,272.00
Joseph Manes	do	11,800.00
James A. Rotherham	do	11,596.00
Mortimer L. Downey	do	9,373.43
David F. Garrison	do	8,676.50
Allen C. Grommet	do	9,846.48
Michael L. Telson	do	13,089.00
Charles H. Thomas, Jr	do	7,537.32
Robert James Leonard	Systems analyst	3,711.24
Nancy Stiner	Secretary	7,020.60
Grace Aldridge	do	6,785.79
Laura Elder	do	4,036.29
Martha Grundmann	do	7,058.52
Margaret S. Kerwan	do	6,714.56
Deborah Sheehan	do	6,634.50
Bertha Datcher	do	2,345.24
Sylvia S. DeBaun	do	2,672.88
Camille A. Pecorak	do	368.40
Leta Swartz	do	2,291.68
James M. Lyday	Economist	18,000.00
Harry J. Boissevain	do	16,202.52
Nancy C. Wilson	do	6,261.10
Joanne Brasco	do	6,790.02
Beatrice C. Wood	Secretary	6,801.55
Mary S. Bly	do	4,800.33
David A. Jewell	Public information officer.	2,933.34
William D. Robertson, Jr	Writer and editor	15,349.50
Paulette Charney	Secretary	4,850.00
John J. King	Administrator	12,790.50
Jane I. Parker	Officer manager	7,492.49
Lois J. Ross	Secretary	3,078.12
Dorothy R. Tinajero	do	5,980.57
Paul N. Nelson	Clerk/messenger	1,870.34
Brent B. Barriere	Intern	950.00
Randy J. Erickson	do	422.22
David W. Allen	Majority professional consultant.	156.33
Timothy W. Glidden	do	7,035.00
Nicholas A. Masters	do	14,070.00
Linda Lorraine Smith	do	13,289.91
Edward Starr	do	4,652.77
Maria Sylvia Parra	Research assistant	2,693.10
Josephine McAllister	Research secretary	3,811.01
Eleanor M. Senf	do	1,848.39
Louise DeHart	do	6,553.69
Kris Kononen	do	6,645.47
Melvin M. Miller	Minority professional staff director.	18,000.00
Philip Lyons	Minority professional consultant.	2,666.67
Elizabeth E. Botts	Secretary	4,097.23
Linda M. Johnson	Research secretary	75.44
Virginia Keyser	Secretary	4,444.87
Total		578,267.01

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Nancy H. Teeters	Assistant director, economic analysis on loan from Congressional Research Service, Library of Congress.	$18,000.00

COMMITTEE ON THE DISTRICT OF COLUMBIA

July 22, 1975.

To the Clerk of the House:

The Committee on the District of Columbia pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $640,250.00
3. Amount expended during this period 339,484.65

CHARLES C. DIGGS, Jr., Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Robert B. Washington, Jr.	Chief counsel	$18,000.00
Edward C. Sylvester, Jr	Staff director (appointed May 1, 1975).	6,000.00
James T. Clark	Legislative counsel	17,619.09
Ruby G. Martin	General counsel	16,015.83
Dale MacIver	Staff assistant	14,855.25
Daniel Martin Freeman	do	13,201.08
Jacqueline E. Wells	do	12,649.98
Maria L. Otero	Office administrator	10,257.00
Dorothy Anderson	Staff assistant	6,879.20
Wilbur G. Hughes	do	8,699.51
Yvonne Chappelle	Research assistant	7,416.67
Joseph P. Clair	Subcommittee counsel (terminated May 31, 1975).	10,262.34
Bob Brauer	Subcommittee staff assistant (from June 1, 1975).	2,250.00
Dietra Gerald	Staff assistant (from May 19, 1975).	2,800.00

SCHEDULE A—STANDING COMMITTEE PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Edward Cleveland	Staff assistant (from Feb. 3, 1975).	9,455.57
Nelson Rimensnyder	do	9,455.57
Stephen C. Swaim	Subcommittee consultant (terminated Feb. 15, 1975).	2,226.36
Dolores C. Floyd	Clerk (from Feb. 15, 1975).	3,879.17
Lorraine McDaniels	Staff assistant (terminated Feb. 28, 1975).	2,630.32
La Vonne Manley	Staff assistant	7,651.27
Joan Middleton	Staff assistant (terminated May 23, 1975).	5,744.90
Grace DeMaio	Clerk	6,327.85
Marguerite Gras	do	5,740.67
Louise Winston	do	5,615.68
Theodore Richardson	do	5,464.96
Marcia M. Mills	Clerk (from Feb. 3, 1975).	4,316.67
Jennie Cavanaugh	Clerk (terminated June 16, 1975).	3,295.84
John E. Hogan	Minority counsel (terminated Jan. 31, 1975).	3,000.00
Carol B. Thompson	Minority staff assistant (from Apr. 1, 1975).	3,750.00
J. Dent Farr, III	do	3,999.99
Leonard O. Hilder	Minority research assistant (terminated Feb. 28, 1975).	4,182.08
Mark Mathis	Minority counsel (from Feb. 10, 1975).	11,750.00
James M. Christian	Minority deputy counsel (from Feb. 18, 1975).	8,866.67
Janice Lookner	Minority staff assistant.	7,291.65
Sheila Richardson	Minority secretary (from Feb. 24, 1975 to Feb. 28, 1975).	204.17
Susan McCormack	Minority secretary (from Mar. 10, 1975).	3,083.32
Total		264,838.66

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Wilbur G. Hughes	Staff assistant (from Jan. 1, 1975 to Jan. 2, 1975).	$92.86
Yvonne Chappelle	do	83.33
La Vonne Manley	do	85.97
Joan V. Middleton	do	81.49
Grace DeMaio	Clerk (from Jan. 1, 1975 to Jan. 2, 1975).	67.55
Marguerite Gras	do	58.33
Louise Winston	do	58.34
Theodore Richardson	do	58.34
Wanda Worsham	Minority staff assistant (from Jan. 1, 1975 to Jan. 31, 1975).	1,222.32
Ralph Ulmer	Minority prof. staffer	6,126.00
Polly Rich	Intern (from Mar. 1, 1975 to Mar. 31, 1975).	500.00
Charles Horwitz	do	500.00
Margi Mosbaek	Research assistant	4,305.76
Jack C. Barthwell	Research assistant (from May 27, 1975).	1,133.33
Joan T. Willoughby	Legislative assistant (from May 1, 1975).	2,833.34
Beverly Nickens	Clerk (from June 5, 1975).	758.33
Peter A. Leidel	Clerk (from June 9, 1975).	366.67
Carolyn A. Emigh	Subcommittee consultant (terminated Mar. 31, 1975).	5,527.50
Margaret Hoffman	Subcommittee research assistant (terminated Jan. 2, 1975).	22.68
Charles Rosencrans	Subcommittee research assistant (terminated Mar. 31, 1975).	997.95
Martha Marble	Subcommittee staff consultant (from Apr. 1, 1975).	6,750.00
Michael J. Duberstein	Subcommittee research assistant (terminated Mar. 31, 1975).	785.79
Ira B. Lewis	Subcommittee consultant (from Jan. 1, 1975 to Jan. 31, 1975).	1,000.00
Harley J. Daniels	Subcommittee counsel (from Apr. 1, 1975 to June 30, 1975).	6,750.00
Patricia A. Levins	Minority staff assistant (from Apr. 16, 1975 to June 30, 1975).	4,166.68
Howard Lee	Subcommittee consultant (from Jan. 1, 1975 to Mar. 31, 1975).	3,529.38
H. Christopher Nolde	Subcommittee counsel (from May 1, 1975).	4,500.00
Michael Beard	Subcommittee research assistant (from Jan. 1, 1975 to Mar. 31, 1975).	3,018.75
Stuart K. Jones	Minority staff counsel (from Apr. 21, 1975)	3,208.33
Michael Nevens	Subcommittee counsultant (from May 1, 1975).	3,666.66
Barbara N. Chaves	Minority staff assistant (from Apr. 1, 1975).	4,875.00
Wallace Green	Subcommittee consultant (from Apr. 10, 1975).	4,500.01
David M. Foster	Minority staff assistant (from June 10, 1975).	612.50
Total		72,243.19

COMMITTEE ON EDUCATION AND LABOR (STANDING COMMITTEE)

July 15, 1975.

To the Clerk of the House:

The Committee on Education and Labor (full committee-standing committee—majority and minority) pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period (Jan. 1, to June 30, 1975)	$321,076.48
3. Amount expended during this period (Jan. 1, to June 30, 1975)	321,076.48

CARL D. PERKINS, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Majority:		
Donald M. Baker	Chief clerk and associate counsel (Jan. 1 to June 30, 1975).	$18,000.00
Donald F. Berens	Administrative assistant (Jan. 1 to June 30, 1975).	15,588.00
Patricia R. Bowley	Administrative assistant (Feb. 1 to June 30, 1975).	7,386.40
William H. Cable	Counsel (Feb. 1 to June 30, 1975).	15,000.00
Katherine Kennedy Clark.	Research assistant (Feb. 1 to June 30, 1975).	8,950.15
Elizabeth A. Cornett	Administrative assistant (Feb. 1 to June 30, 1975).	8,947.80
Lelia T. Cornwell	do	8,367.75
Louise Maxienne Dargans.	Research director (Jan. 1 to June 30, 1975)	18,000.00
William F. Gaul	Associate general Counsel (Jan. 1 to June 30, 1975).	18,000.00
Shirley R. Mills	Secretary (Feb. 1 to Feb. 28, 1975).	1,673.55
Hamish L. Murray	Budget specialist (Feb. 1 to June 30, 1975).	11,375.00
Daniel H. Pollitt	Special counsel (May 1 to June 30, 1975).	6,000.00
Hartwell D. Reed, Jr	General counsel (Jan. 1 to June 30, 1975).	18,000.00
Benjamin F. Reeves	Assistant to chairman and assistant chief clerk (Jan. 1 to June 30, 1975).	18,000.00
Mary L. Shuler	Secretary (Feb. 1 to June 30, 1975).	7,264.75
Austin P. Sullivan, Jr	Legislative director (Jan. 1 to June 30, 1975).	18,000.00
Jeanne E. Thomson	Legislative assistant (Feb. 1 to June 30, 1975).	9,756.65
Louise M. Wright	Administrative assistant (Jan. 1 to June 30, 1975).	16,386.36
Marian R. Wyman	Special assistant to chairman (Jan. 1 to June 30, 1975).	18,000.00
Minority:		
Kim Allinger	Secretary (Mar. 14 to June 30, 1975).	3,818.07
Robert C. Andringa	Minority staff director (Jan. 1 to June 30, 1975).	18,000.00
Edith Carter Baum	Minority counsel for labor (Mar. 10 to June 30, 1975).	11,100.00
Christopher T. Cross	Minority legislative associate (Mar. 14 to June 30, 1975).	10,700.00
Charles W. Radcliffe	Minority counsel (Jan. 1 to June 30, 1975).	18,000.00
Silvia J. Rodriguez	Secretary (Mar. 14 to June 30, 1975).	3,995.41
Dorothy L. Strunk	Minority legislative clerk (Jan. 1 to June 30, 1975).	8,668.74
Patricia Ann Sullivan	Secretary (Mar. 14 to June 30, 1975).	4,097.85
Total		321,076.48

COMMITTEE ON EDUCATION AND LABOR (FULL COMMITTEE)

July 15, 1975.

To the Clerk of the House:

The Committee on Education and Labor (full committee investigating staff—majority and minority) pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period (Jan. 3, to June 30, 1975	$640,000.00
3. Amount expended during this period (Jan. 3, to June 30, 1975) (salaries and expenses)	207,107.04

CARL D. PERKINS, Chairman.

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL (FULL COMMITTEE)

Name of employee	Profession	Total gross salary during 6-month period
Majority:		
Carole J. Ansheles	Secretary (Jan. 3 to June 30, 1975).	$6,068.75
Patricia R. Bowley	Administrative assistant (Jan. 3 to Jan. 31, 1975).	1,378.80
Portia Battle	Assistant clerk (temporary)(summer) (May 1 to June 30, 1975).	1,130.00
Mary Fran Breathitt	Research assistant (Apr. 1 to June 30, 1975).	2,375.01
Wliam H. Cable	Counsel (Jan. 3 to Jan. 31, 1975).	2,800.00
Katherine Kennedy Clark.	Research assistant (Jan. 3 to Jan. 31, 1975).	1,670.70
Elizabeth A Cornett	Administrative assistant (Jan. 3 to Jan. 31, 1975).	1,670.26
Lelia T. Cornwell	do	1,561.98
Douglas R. Dean	Assistant clerk (temporary) (summer) (June 10 to June 30, 1975).	385.00
Mark N. Griffith	Assistant clerk (temporary) (summer) (June 9 to June 30, 1975).	403.33
Marilyn S. Hall	Research assistant (June 15 to June 30, 1975).	346.67

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL (FULL COMMITTEE)—Continued

Name of employee	Profession	Total gross salary during 6-month period
Kyle L. Jones	Assistant clerk (temporary) (summer) (June 9 to June 30, 1975).	403.33
Douglas P. Katcher	Research assistant (Jan. 3 to May 16, 1975).	4,241.91
Shirley R. Mills	Secretary (Jan. 3 to Jan. 31, 1975).	1,561.98
Barbara E. Morrison	Secretary (Jan. 3 to June 30, 1975).	6,477.51
Michael Lee Moye	Assistant clerk (Jan. 3 to June 30, 1975).	2,203.33
Hamish L. Murray	Budget specialist (Jan. 3 to Jan. 31, 1975).	1,983.33
Kathleen A. O'Hara	Secretary (May 1 to June 30, 1975).	2,666.66
Thomas Marklin Pappas.	Special assistant (temporary) (Jan. 3 to Jan. 31, 1975).	1,684.50
David S. Putnam	Staff assistant (Jan. 3 to June 30, 1975).	5,889.90
Timothy T. Reese	do	5,634.77
Kevin A. Ryan	Assistant clerk (temporary) (summer) (June 12 to June 30, 1975).	348.33
Peter Schott	Assistant clerk (Jan. 3 to June 30, 1975).	5,634.77
Dean V. Shahinian	Assistant clerk (temporary) (summer) (June 1 to June 16, 1975).	275.00
Mary L. Shuler	Secretary (Jan. 3 to Jan. 31, 1975).	1,356.09
Jeanne E. Thomson	Legislative assistant (Jan. 3 to Jan. 31, 1975).	1,821.24
John E. Warren	Research assistant (Jan. 3 to June 30, 1975).	6,559.78
Mildred L. Watson	Assistant to budget specialist (Apr. 13 to June 30, 1975).	2,860.00
Tyrell R. Woodard	Assistant clerk (temporary) (summer) (May 22 to June 30, 1975).	715.00
Total, majority		72,107.93
Minority:		
Kim Allinger	Secretary (Jan. 3 to Mar. 13, 1975).	2,372.59
Edith Carter Baum	Minority counsel for labor (Jan. 3 to Mar. 9, 1975).	6,700.00
Christopher T. Cross	Minority legislative associate (Jan. 3 to Mar. 13, 1975).	7,100.00
Susan C. DeMarr	Secretary (Jan. 3 to June 30, 1975).	5,821.24
William M. Diefenderfer.	Research associate (Mar. 17 to June 30, 1975).	6,355.54
Vicki Fleming	Minority research assistant (Jan. 3 to Apr. 30, 1975).	2,940.17
Rebecca J. Kite	Secretary (Apr. 24 to June 30, 1975).	1,823.90
Martin L. LaVor	Minority legislative associate (Jan. 3 to June 30, 1975).	16,583.67
Maureen A. Moroch	Secretary (Jan. 3 to May 10, 1975).	4,689.79
Richard H. Mosse	Assistant minority counsel (Jan. 3 to June 30, 1975).	14,910.83
Jo Ann Pierson	Secretary (Jan. 3 to Jan. 15, 1975).	476.31
Silvia J. Rodriguez	Secretary (Jan. 3 to Mar. 13, 1975).	2,573.75
Nathaniel M. Semple	Minority legislative associate (Mar. 11 to June 30, 1975).	8,250.00
John C. Sheerin	Minority counsel for labor (Jan. 3 to June 30, 1975).	17,800.00
Yvonne Franklin Smith.	Minority legislative associate (Jan. 3 to June 30, 1975).	10,937.09
Patricia Ann Sullivan	Secretary (Jan. 3 to Mar 13, 1975).	2,601.37
Suzanne G. Treacy	Secretary (Jan. 29 to June 30, 1975).	5,066.67
Jennifer D. Wysong	Research assistant (May 27 to June 30, 1975)	850.00
Total, minority		117,852.92

SUBCOMMITTEES OF THE COMMITTEE ON EDUCATION AND LABOR

July 15, 1975.

To the Clerk of the House:

The Committee on Education and Labor (8 standing subcommittees plusTask Force on Welfare and Pension Plan) pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1.	Name, profession, and total salary of each person employed (see attached schedules A and B).	
2.	Total funds available during this period (Jan. 3, to June 30, 1975)	$1,258,000.00
3.	Amount expended during this period (Jan. 3, to June 30, 1975) (salaries and expenses)	405,561.49

CARL D. PERKINS, Chairman.

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

(Representative Carl D. Perkins, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
John F. Jennings	Counsel from (Jan. 3 to June 30, 1975).	$17,800.00
Shirley R. Mills	Secretary (Mar. 1 to June 30, 1975).	6,694.20
Patrick J. Murphy	Assistant clerk from (May 19 to June 30, 1975).	840.00
Tonie E. Painter	Secretary from (Jan. 3 to June 30, 1975).	7,695.51
Ivan Swift	Legislative assistant from (Jan. 3 to June 30, 1975).	6,183.66
Joseph V. Vicidomino	Assistant clerk from (June 2 to June 30, 1975).	580.00
Total		39,793.37

SUBCOMMITTEE ON LABOR-MANAGEMENT RELATIONS

(Representative Frank Thompson, Jr., Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Jeunesse M. Beaumont	Clerk from (Jan. 3 to June 30, 1975).	$10,136.09
John W. Davis	Research specialist from (Mar. 1 to Apr. 27, 1975).	385.47
Thomas D. Evans	Assistant clerk from (June 1 to June 30, 1975).	750.00
Rebecca C. Gernhardt	do	750.00
Donald J. Kaniewski	Research assistant (Jan. 3 to June 30, 1975).	5,321.36
Gerard Meara	Assistant clerk from (June 1 to June 30, 1975).	300.00
S. Jefferson McFarland	Research assistant (Mar. 1 to June 30, 1975).	2,666.68
Richard A. Millner	Assistant clerk from (Jan. 3 to Apr. 30, 1975).	393.33
Robert Moss	Counsel from (Jan. 3 to Mar. 31, 1975).	8,146.34
Daniel H. Pollitt	Special counsel from (Jan. 3 to Apr. 30, 1975).	4,420.14
David N. Powers	Assistant clerk (June 1 to June 30, 1975).	400.00
Thomas Wolanin	Staff director from (May 1 to June 30, 1975).	4,333.34
Total		38,002.75

SUBCOMMITTEE ON LABOR STANDARDS

(Representative John H. Dent, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Jane K. Anderson	Assistant clerk (June 1 to 30, 1975).	$500.00
Alan R. Barwiolek	do	500.00
Julie Dominick	Research assistant (Jan. 3–June 30, 1975).	8,158.33
Suzanne Duffy	Assistant clerk (June 1 to June 30, 1975).	500.00
Adrienne Fields	Clerk (Jan. 3 to June 30, 1975).	10,877.76
Cynthia L. Fox	Secretary (Jan. 3 to June 30, 1975).	4,697.24
Bernice C. Melton	Assistant clerk (June 23 to June 30, 1975).	133.33
Robert E. Vagley	Director (Jan. 3 to June 30, 1975).	17,800.00
Total		43,166.66

SUBCOMMITTEE ON MANPOWER, COMPENSATION AND HEALTH AND SAFETY

(Representative Dominick V. Daniels, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Alexandra J. Kisla	Research staff assistant (Jan. 3 to 31, 1975).	$1,117.82
Daniel H. Krivit	Counsel (Jan. 3 to June 30, 1975).	17,164.01
Denniese L. Medlin	Clerk (Jan. 3 to June 30, 1975).	5,755.97
Marcia Sue Nelson	Legislative associate (Apr. 1 to June 30, 1975).	5,010.00
Saralee Schwartz	Research assistant (Apr. 1 to June 30, 1975).	2,286.68
Total		31,334.48

SUBCOMMITTEE ON SELECT EDUCATION

(Representative John Brademas, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Robert W. Agee	Research assistant (Jan. 3 to June 30, 1975).	$6,125.00
Moya D. Benoit	Secretary (May 27 to June 13, 1975).	340.00
Jack G. Duncan	Counsel (Jan. 3 to June 30, 1975).	17,800.00
Eleanor M. Finver	Staff assistant (Jan. 3 to June 30, 1975).	4,863.36
Annie Goekjian	Research assistant (Apr. 1 to June 30, 1975).	4,808.84
James J. Harvey	Deputy assistant (Jan. 3 to Apr. 18, 1975).	5,005.56
Christine M. Orth	Staff assistant (Jan. 3 to Apr. 30, 1975).	2,162.34
Gladys M. Walker	Secretary (Jan. 3 to Jan. 31, 1975).	328.28
Patricia A. Watts	Administrative assistant (Feb. 1 to June 30, 1975).	5,083.35
Total		46,516.73

SUBCOMMITTEE ON POSTSECONDARY EDUCATION

(Representative James G. O'Hara, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Webster Buell	Counsel (Jan. 3 to June 30, 1975).	$11,478.21
James B. Harrison	Staff director (Jan. 3 to June 30, 1975).	16,149.64
Karen Lee Prince	Assistant clerk (Mar. 5 to June 30, 1975).	2,416.67
Katherine M. Roche	Assistant clerk (June 3 to June 30, 1975).	466.67

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Andree E. Reeves	Assistant clerk (June 17 to June 30, 1975).	233.33
Bonnie L. Stricklin	Assistant clerk (Jan. 3 to Mar. 4, 1975).	1,463.88
Elnora H. Teets	Clerk (Jan. 3 to June 30, 1975).	7,241.52
Total		39,449.92

SUBCOMMITTEE ON EQUAL OPPORTUNITIES

(Representative Augustus F. Hawkins, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Susan Durkee Grayson	Special assistant (Jan. 3 to 31, 1975) and staff director (Feb. 1 to June 30, 1975).	$11,685.63
Bertram M. Gross	Staff assistant (Jan. 3 to June 30, 1975).	1,986.67
William L. Higgs	Special assistant (Jan. 3 to June 30, 1975).	9,575.60
Lloyd (Al) Johnson	Staff director (Jan. 3 to 31, 1975).	2,461.67
David C. Ruffin III	Legislative assistant (Apr. 14 to June 30, 1975).	3,636.12
Carole M. Schanzer	Clerk (Jan. 3 to June 30, 1975).	7,713.39
John W. Smith	Staff assistant (Jan. 3 to 31, 1975).	107.88
Mary L. Whitsett	Assistant clerk (Jan. 3 to June 30, 1975).	5,655.05
Total		42,822.01

SUBCOMMITTEE ON AGRICULTURAL LABOR

(Representative William D. Ford, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Robert C. Aronoff	Research aide (Mar. 24 to May 23, 1975).	$1,600.00
Michael S. Burg	Research aide (Jan. 3 to Mar. 7, 1975).	1,733.34
Toni Jean Grant	Research assistant (June 23 to June 30, 1975).	222.22
Robert F. Hurley	Legislative assistant (Jan. 3 to Feb. 28).	2,379.61
Thomas R. Jolly	Counsel (Jan. 3 to June 30, 1975).	17,800.00
Charles James Kalil	Research assistant (Jan. 3 to Apr. 18, 1975).	1,615.62
William S. Margetich	Research assistant (June 4 to June 30, 1975).	585.00
Patricia R. Morse	Clerk (Jan. 3 to June 30, 1975).	8,641.28
John Oldenburg	Research aide (May 23 to June 30, 1975).	1,055.55
Kathleen A. O'Neil	Secretary (Jan. 3 to 31, 1975).	708.40
Mary R. Paul	Secretary (Feb. 1 to June 30, 1975).	3,916.67
Daniel H. Pollitt	Special counsel (Mar. 12 to Apr. 30, 1975).	1,000.00
Heidi Schmidt	Assistant clerk (June 9 to 30, 1975).	586.67
Total		41,844.36

SUBCOMMITTEE ON LABOR STANDARDS (TASK FORCE ON WELFARE AND PENSION PLANS)

(Representative John H. Dent, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Vance J. Anderson	Counsel (Jan. 3 to June 30, 1975).	$16,695.62
Kathleen Berish	Stenographer (Jan. 3 to June 30, 1975)	4,262.12
Sandra A. Besaha	Assistant clerk (Jan. 3 to June 30, 1975).	133.33
Matthew S. Gamser	Assistant clerk (June 1 to June 30, 1975).	500.00
Suzanne Hays	Staff assistant (Jan. 3 to June 30, 1975).	5,821.86
Ralph W. Kittle	Assistant clerk (June 1 June 30, 1975).	500.00
S. Howard Kline	Assistant clerk (Jan. 3 to June 30, 1975).	2,682.26
Robin Reid	Secretary (Jan. 3 to June 30, 1975).	5,679.95
William M. Sikov	Assistant clerk (June 1 to June 30, 1975).	500.00
Minority:		
Russell J. Mueller	Actuary and minority legislative associate (Jan. 3 to June 30, 1975).	15,539.80
Total		52,314.95

COMMITTEE ON GOVERNMENT OPERATIONS

July 16, 1975.

To the Clerk of the House:

The Committee on Government Operations pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 2, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $1,771,889.96
3. Amount expended during this period 692,243.56

JACK BROOKS, Chairman.

STANDING COMMITTEE

(Hon. Jack Brooks, Chairman)

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
William M. Jones	General counsel (from Jan. 21).	$16,000.00
John E. Moore	Staff Administrator (from Jan. 21, 1975).	16,000.00
Elmer W. Henderson	Counsel	18,000.00
William H. Copenhaver	Associate counsel (from Jan. 21, 1975).	15,111.09
Douglas G. Dahlin	Associate counsel	15,201.06
Miles Q. Romney	do	18,000.00
John W. Beckler	Professional staff member (from Jan. 13, 1975).	11,200.00
C. Don Stephens	Professional staff member (from Jan. 21, 1975).	12,000.00
Lynne Higginbotham	Staff member (from Jan. 21, 1975).	8,444.43
Catherine S. Cash	Staff member	9,608.22
Marilyn F. Jarvis	do	9,231.06
Catherine L. Koeberlein	do	10,288.20
Dorothy A. McGee	Staff member (from Jan. 6, 1975).	4,618.08
Lilian M. Phillips	Staff member	8,485.80
Herbert Roback	Staff director (through Feb. 4).	624.47
John Philip Carlson	Minority counsel	18,000.00
Warren B. Buhler	Minority professional staff member.	14,419.14
Stephen M. Daniels	Minority professional staff member (from Apr. 1, 1975).	6,405.12
Richard L. Thompson	do	6,405.12
Lawrence T. Graham	Minority professional staff member (from May 1, 1975).	4,020.08
Clara Katherine Armstrong.	Minority research assistant	9,828.09
Total		231,889.96

STANDING COMMITTEE

(Hon. Jack Brooks, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Expenses		$4,021.08

SPECIAL INVESTIGATIVE STAFF

(Hon. Jack Brooks, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Thomas J. Payne	Professional staff member (from Mar. 1, 1975).	$7,020.00
Emory H. Smith	do	7,000.00
Joy S. Chambers	Professional staff member (from Mar. 17, 1975).	5,777.79
Susan E. Early	Staff member	5,739.13
Taundra D. Rush	Staff member (from May 5, 1975).	1,244.45
Jill C. Kirwin	Staff member (from June 9, 1975).	550.00
Ralph T. Doty	Clerical staff	5,739.13
Judge N. Williams	Clerical staff (from May 12, 1975).	1,129.73
Michael A. Vorhaus	Clerical staff (from Feb. 1 through June 20).	2,938.57
Eileen W. Theim	Staff member (through April 30).	4,762.44
Paul N. Nelson	Clerical staff (through Apr. 30).	3,393.84
James L. McInerney	Minority professional staff member.	11,010.88
Thomas K. Sullivan	Minority professional staff member (from Apr. 1, 1975).	6,000.00
Richard M. Tempero	Minority professional staff member (from Apr. 10, 1975).	6,075.00
Jordan Clark	Minority professional staff member (from Apr. 14, 1975).	4,491.67
Sheila G. Nathanson	Minority secretary	5,591.87
Karen L. Tauber	do	5,467.00
Lawrence T. Graham	Minority professional staff member (through Apr. 30, 1975).	7,172.82
Stephen M. Daniels	Minority professional staff member (through Mar. 31, 1975).	5,162.78
Richard L. Thompson	do	5,162.78
Total		101,429.88

LEGISLATION AND NATIONAL SECURITY SUBCOMMITTEE

(Hon. Jack Brooks, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Richard C. Barnes	Professional staff member (from Feb. 10, 1975).	$9,791.65
Harold F. Whittington	Professional staff member (from Apr. 1 to June 30, 1975).	7,469.91
David E. Holt	Professional staff member (from Apr. 14, 1975).	5,133.33

SBHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Guadalupe R. Flores	Professional staff member (from June 16, 1975).	520.83
Wanda C. Johnson	Clerk-stenographer (through May 31, 1975).	4,772.21
Michael T. McGinn	Defense analyst (through Mar. 31, 1975).	5,416.69
Charles Goodwin	Subcommittee counsel (through Feb. 28, 1975).	1,935.27
Adam J. Klein	Professional staff member (through Feb. 4, 1975).	2,888.89
Mary Etta Haga	Clerk-stenographer (through Feb. 28, 1975).	2,125.06
Michael A. Vorhaus	Clerical staff (through Jan. 31, 1975).	645.41
Expenses		907.44
Total		41,606.69

INTERGOVERNMENTAL RELATIONS AND HUMAN RESOURCES SUBCOMMITTEE

(Hon. L. H. Fountain, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
James R. Naughton	Counsel	$17,555.56
Delphis C. Goldberg	Professional staff member.	17,555.56
Gilbert S. Goldhammer	Consultant	10,739.33
William S. McLeod	Professional staff member (from May 26, 1975).	1,555.55
Pamela H. Welch	Clerk-steongrapher	6,063.33
Margaret M. Goldhammer.	Secretary	5,089.32
Expenses		656.29
Total		59,214.94

CONSERVATION, ENERGY, AND NATURAL RESOURCES SUBCOMMITTEE

(Hon. William S. Moorhead, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Norman G. Cornish	Subcommittee staff director (from Mar. 1, 1975).	$11,666.68
David A. Schuenke	Counsel (from May 5, 1975).	5,288.88
Edwin W. Webber	Assistant for energy (from Apr. 1, 1975).	8,000.01
Robert K. Lane	Assistant for environment (from Apr. 1, 1975).	6,500.01
Ronald J. Tipton	Assistant counsel (from Apr. 1, 1975).	4,500.00
Martha M. Doty	Clerk (from Mar. 1, 1975).	4,237.88
Eileen W. Theim	Secretary (from May 1, 1975).	2,421.58
Phineas Indritz	Counsel (through Mar. 31, 1975).	1,677.87
David B. Finnegan	Associate counsel (through Mar. 31, 1975)	7,954.26
Robert J. Hellman	Staff analyst (through Mar. 31, 1975).	3,611.14
Josephine Scheiber	Research analyst (through Mar. 31, 1975).	4,897.84
JoAnnalynn Borja Fullerton.	Stenographer (through Mar. 29, 1975).	2,422.58
Frances C. Clements	Stenographer (through Mar. 7, 1975).	1,943.69
Ruth M. Wallick	Stenographer (through Jan. 31, 1975).	1,251.10
Expenses		2,199.37
Total		68,572.89

GOVERNMENT ACTIVITIES AND TRANSPORTATION SUBCOMMITTEE

(Hon. Wm. J. Randall, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
William G. Lawrence	Acting subcommittee staff director (from Mar. 1, 1975).	$8,092.55
William M. Jones	Subcommittee staff director (through Jan. 20, 1975).	1,627.30
William H. Copenhaver	Counsel (through Jan. 20, 1975).	1,547.75
C. Don Stephens	Research analyst (through Jan. 20, 1975).	1,275.05
Thomas J. Payne	Investigator (through Feb. 28, 1975).	3,393.00
Lynne Higginbotham	Clerk-stenographer (through Jan. 20, 1975).	852.91
Expenses		2,755.72
Total		19,544.28

COMMERCE, CONSUMER, AND MONETARY AFFAIRS SUBCOMMITTEE

(Hon. Benjamin S. Rosenthal, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Peter S. Barash	Subcommittee staff director (from Mar. 1, 1975).	$11,708.33
Herschel F Clesner	Counsel (from Apr. 8, 1975).	8,300.00
Robert H. Dugger	Professional staff member (from June 23, 1975).	533.33
Wanda J. Reif	Professional staff member.	10,932.52
Doris Faye Taylor	Clerk	6,286.19
Eleanor M. Vanyo	Secretary	5,947.81
William G. Lawrence	Associate counsel (through Feb. 28, 1975).	3,562.28
Expenses		1,198.92
Total		48,469.38

MANPOWER AND HOUSING SUBCOMMITTEE

(Hon. Floyd V. Hicks, Chairman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Joseph C. Luman	Subcommittee staff director	$16,316.78
James L. Gyory	Investigator	9,839.25
Peter H. Hanley	Professional staff member.	5,217.36
Geraldine A. Fitzgerald	Clerk	5,287.76
Louise Chubb	do	6,104.33
Jacob N. Wasserman	Counsel (through Mar. 30, 1975)	8,555.56
Dean S. Kalivas	Professional staff member (through Jan. 31, 1975).	1,719.72
Expenses		6,861.49
Total		59,902.25

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS SUBCOMMITTEE

(Hon. Bella S. Abzug, Chairwoman)

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Timothy H. Ingram	Subcommittee staff director (from Apr. 28, 1975).	$6,125.01
L. James Kronfeld	Counsel	15,006.02
Robert S. Fink	Professional staff member (from Apr. 28, 1975).	4,374.99
Nancy E. Wenzel	Clerk	5,522.21
Margaret E. Cooper	Secretary (from Apr. 21, 1975).	1,847.23
William G. Phillips	Subcommittee staff director (through Mar. 31, 1975).	8,555.56
Harold F. Whittington	Professional staff member (through Mar. 31, 1975).	7,303.91
Norman G. Cornish	Deputy subcommittee staff director (through Feb. 28, 1975).	5,638.89
Martha M. Doty	Clerk (through Feb. 28, 1975).	2,048.31
Expenses		1,170.08
Total		57,592.21

COMMITTEE ON HOUSE ADMINISTRATION

July 15, 1975.

To the Clerk of the House:

The Committee on House Administration pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January to June 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $849,657.55
3. Amount expended during this period 424,288.79

WAYNE L. HAYS, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Robert Anton	Assistant legal counsel (off Jan. 31, 1975).	$1,381.92
John G. Blair	Assistant to staff director (off May 31, 1975).	13,284.80
Johanna Lucas	Assistant clerk	9,499.98
John McGarry	Staff attorney	18,000.00
Ralph Murphy	Minority assistant clerk (off Mar. 1, 1975).	4,923.88
Linda Nave	Minority assistant clerk.	9,232.98
Frank Ryan	Director, information systems.	18,000.00
Ralph Smith	Minority clerk (off Feb. 28, 1975).	6,000.00
Mary Stolle	Assistant clerk (steno duties, (general clerical).	9,232.98
Evelyn Wilson	Office manager	9,833.32
Brenda McPherson	Assistant clerk (on Jan. 1, 1975).	8,041.65
E. Douglas Frost	Staff director (on Jan. 1, 1975).	15,000.00
Noreen Aden	Minority assistant clerk (on Jan. 16, 1975).	5,270.81
Paula Peak	Deputy staff director (transfer from investigative staff payroll Feb. 1, 1975).	10,416.65
Paul Wohl	Chief counsel and auditor (on Feb. 1, 1975).	15,000.00
Louis Ingram	Minority counsel (on Feb. 1, 1975).	12,500.00
Patricia Phillips	Assistant clerk (on Feb. 24, 1975) (off June 30, 1975).	4,056.93
Ray Murdock	Clerk (paper conservation subcommittee) (on Feb. 1, 1975).	10,416.65

SCHEDULE A—STANDING COMMITTEE PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Sebastian Tom	Clerk (E. & M. subcommittee) (transfer from investigative staff payroll on Mar. 1, 1975).	8,388.33
William Baranowski	Assistant clerk (transfer from investigative staff payroll on Mar. 1, 1975).	3,665.86
Cynthia Cortese	do	4,276.80
Martha Ford	do	4,254.33
Don Gosney	do	3,333.32
Gurney Jaynes	do	6,666.68
Sharon Kite	do	4,506.64
Joseph Ventura	Clerk (personnel and police subcommittee) (transfer from investigative staff payroll Mar 1, 1975).	7,667.52
Paul Dwyer	Counsel (Contract Subcommittee (on Mar. 1 1975).	8,333.32
Chellis O. Gregory, Jr	Clerk (Ad Hoc Computer Subcommittee) (on Mar. 1, 1975).	10,000.00
Carol Clawson	Press secretary (on Apr. 28, 1975).	4,374.99
William Murphy	Assistant clerk (personnel and police subcommittee) (on June 1, 1975).	2,083.33
Robert McGuire	Assistant auditor (on June 2, 1975).	2,013.88
Total		249,657.55

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Sebastian Tom	Clerk, E. & M. Subcommittee (transferred to Standing Committee payroll off Feb. 28, 1975).	$4,387.78
Judith Simmons	Assistant clerk, Accounts Subcommittee.	4,993.68
Gurney Jaynes	Assistant clerk (transferred to Standing Committee payroll off Feb. 28, 1975).	3,333.34
Joseph Ventura	Clerk, P. & P. Subcommittee (transferred to Standing Committee payroll off Feb. 28, 1975).	3,500.86
John L. Boos	Clerk, Library and Memorials Subcommittee (off Jan. 31, 1975).	2,200.52
Cynthia Cortese	Assistant clerk (transferred to Standing Committee payroll off Feb. 28, 1975).	2,101.20
Mary-Ellen Candage	Assistant clerk	1,798.22
Alice Jackson	Assistant clerk, Printing Subcommittee (off Jan. 17, 1975 on Feb. 5, 1975).	4,975.77
Barbara Giaimo	Assistant clerk, Elections Subcommittee.	6,750.00
William Sudow	Clerk, Printing Subcommittee (off May 19, 1975).	10,631.97
Elizabeth Ray	Assistant clerk (off Feb. 28, 1975).	1,934.54
Ollievia Frasier	Assistant clerk	4,478.33
John P. Ford	Assistant clerk, Elections Subcommittee.	3,333.35
William Baranowski	Assistant clerk (transferred to Standing Committee staff off Feb. 28, 1975).	1,749.46
Richard Oleszewski	Clerk, Elections Subcommittee.	5,500.02
Martha Ford	Assistant clerk (transferred to Standing Committee staff off Feb. 28, 1975).	1,758.66
Grace Cohilas	Assistant clerk, Police and Personnel Subcommittee.	4,748.40
Candis Whitley	Assistant clerk	4,193.22
Sharon Kite	Assistant clerk (transferred to Standing Committee staff off Feb. 28, 1975).	2,013.26
Nancy Brown	Assistant clerk, E. & M. Subcommittee.	5,064.96
Barbara Dumont	Assistant clerk	5,517.32
Susan F. Miller	do	4,875.02
John Souder	Assistant clerk (off Jan. 31, 1975).	500.00
Charles Howell	Counsel, Accounts Subcommittee.	9,833.33
Don Gosney	Assistant clerk (transferred to Standing Committee staff off Feb. 28, 1975).	1,666.66
Paula Peak	Deputy staff director (transferred to Standing Committee staff off Jan. 31, 1975).	2,083.33
William Canfield	Clerk, L. & M. Subcommittee (on Feb. 1, 1975).	6,958.33
George Yatron	Assistant clerk (on Feb. 1, 1975).	2,500.00
Elizabeth Mahoney	Assistant clerk (P. & P. Subcommittee) (on Feb. 18, 1975 off Apr. 4, 1975).	979.16
Bernard Mandella	Assistant clerk, Contracts Subcommittee (on Mar. 12, 1975).	2,899.11
Vivienne Hannum	Clerk, Parking Subcommittee (on Mar. 12, 1975).	4,207.11
Barbara Pogue	Assistant clerk (Contracts Subcommittee) (on Mar. 12, 1975).	2,672.77
Anne Cheatham	Assistant clerk (Ad Hoc Computer Subcommittee) (on Mar. 12, 1975 off Apr. 30, 1975).	1,887.97
Margaret Steele	Assistant clerk (Paper Conservation Subcommittee) (on Mar. 12, 1975).	3,209.77
James Abernathy	Assistant clerk (Parking Subcommittee) (on Mar. 12, 1975).	4,012.23
John Boyles	Assistant clerk (on Mar. 12, 1975 off Apr. 19, 1975).	3,000.10
Dixie Spencer	Assistant clerk (Ad Hoc Restaurant Subcommittee) (on Apr. 1, 1975).	3,500.01
Leighton Lang	do	4,625.01
Phyllis Jones	Assistant clerk (Contracts Subcommittee) (on May 1, 1975).	1,000.00
Kylene Koch	Assistant clerk (Elections Subcommittee) (on May 21, 1975).	666.67
Carol Forbes	Assistant clerk (Ad Hoc Computer Subcommittee) (on May 1, 1975).	5,000.00
Jeffrey Friedman	Assistant clerk (Accounts Subcommittee) (on May 1, 1975 off May 31, 1975).	600.00
Harvey Yampolsky	Clerk (Printing Subcommittee) (on May 24, 1975).	2,666.67
Mark Maloney	Assistant clerk (on June 1, 1975).	655.33
Patrice Connerton	do	600.00
James Gwin	do	636.00
Richard Villa	do	691.67
Betsy Colombo	do	600.00
Mary Ann Denning	do	600.00
Janie De Simone	do	600.00
Charles Kiselyak	do	780.00
Allison Weaver	Assistant clerk (on June 5, 1975).	521.08
Kelly Burke	Assistant clerk (on June 16, 1975).	300.00
Roy B. Herron	Assistant clerk (Parking Subcommittee) (on June 1, 1975 off June 30, 1975).	533.33
John Cecil	Assistant clerk (on June 16, 1975).	300.00
James Hart	do	333.33
George Kozel	Assistant clerk (on June 23, 1975).	160.33
Robert Zeller	do	160.00
John Shuster	do	160.33
Total		161,939.51

COMMITTEE ON HOUSE ADMINISTRATION (HOUSE INFORMATION SYSTEMS)

July 15, 1975.

To the Clerk of the House:

The Committee on House Administration—House Information Systems pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January to June 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $3,700,000.00
3. Amount expended during this period 1,334,464.42

WAYNE L. HAYS, Chairman.

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Richard Bates	Communications term. operator.	$4,654.17
Noah St. Clair	Senior systems programer.	11,271.48
David L. Brazeal	Computer systems analyst.	9,846.48
William R. Hill	Senior computer systems analyst.	11,636.22
Benjamin R. Candler	Programer analyst	8,772.42
Antoinette Gauthier	Communications control coordinator.	5,493.54
Robert J. Mumma	Senior computer operator.	6,901.98
Curtis L. Merrick	Section manager	13,219.02
Vernon J. Walters	Programer analyst	9,231.48
Jasper T. Wagliardo	Section manager	12,361.98
Edmond S. Mesko	Information systems specialist.	11,460.10
Gerald L. Barnes	Junior programer	5,834.36
William Freeman, Jr	Senior computer systems analyst.	11,757.18
Barbara Burda	Senior production control specialist.	5,240.52
Anne W. Wightman	Programer analyst	7,740.42
Norman Young	Senior section manager (Off June 10, 1975)	12,508.11
Thomas J. Hawk	Communications control coordinator.	6,035.35
John T. Reed	Senior computer systems analyst.	11,998.50
Berthine Washington	Data preparation specialist.	4,132.58
Howard Ulep	Group manager	13,219.02
K. Michael Frazier	Programer	7,528.88
Sheldon Grosberg	Management assistant	13,643.52
Stephen Stofko, Jr	Group manager	14,923.02
Patricia A. Costlow	Senior communications control coordinator.	5,818.92
Marsha A. Madden	Junior system factors specialist.	6,525.87
Frank W. Byrd	Senior computer operations coordinator.	6,633.54
Deloris Gilliam	Junior computer operator.	4,249.98
Robert W. Garrett	Section manager	12,726.78
Margaret M. Hyland	Junior secretary	5,179.68
Steven B. Newman	Communications control coordinator.	5,259.66
Elmer M. Whiting	Computer operator	6,097.02
Dianne L. Oshetski	Secretary	5,260.02
Frances J. Pratt	do	5,343.34
Francine Cromwell	Executive secretary	6,349.66
Katherine Diamond	Senior data preparation specialist.	4,533.00
Ed Fairleigh	Junior computer operator.	4,736.52
Samuel M. Rogers	Senior computer operator.	6,320.98
Donald C. Morris	Group manager	13,360.52
Louis E. Johannes	Administrative clerk	4,823.77
Mary Ann McKibben	Senior communications control coordinator (Off May 23, 1975).	5,086.03
Barbara E. Swart	Junior programer	5,259.66
Susan V. Miller	Senior system factors analyst.	10,596.73
David P. Underwood	Section manager	12,361.98
Marie Williams	Senior information systems specialist.	10,909.20
Kendall R. Free	Computer systems analyst.	10,405.48
Gerald M. Murphy	Section manager	11,999.76
Katherine Bye	Technical research assistant.	5,818.92
Hettie Prater	Technical aide	7,764.72
Ruth A Wauters	Junior systems programer.	9,539.04
Thomas Brown, Jr	Section manager	10, 154.2
Richard G. Maynard	Senior operations research analyst.	12,705.36
H. Gerald McGuire	Group manager	14,071.62
Gerald C. Morrone	Computer systems analyst.	10,153.98
Luis J. Amigo	Programer analyst	8,170.44

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Sandra R. Burke	Technical writer	6, 634. 50
Lolita D. Werhan	Junior secretary	4, 736. 52
James C. Daley	Programer analyst	9, 231. 42
Mark L. Shriver	Computer operator	5, 601. 48
Walter Haggerty	Section manager	13, 453. 80
C. Wesley Jenkins	Computer systems analyst.	11, 271. 48
Susan Rudd	Programer	7, 740. 42
Cletis Harper	Section manager	10, 909. 20
Dorothy Ellis	Data preparation specialist.	4, 244. 72
Amos Hilton, Jr	Production control coordinator.	4, 082. 58
Cheryl Trovato	Junior system factors specialist.	7, 058. 52
Candace E. Butler	Junior communications control coordinator.	4, 910. 86
James P. Howell	Junior communications terminal operator.	4, 533. 00
Thomas Leonardo	Computer systems specialist.	10, 461. 48
Karen Burzinski	Clerk-typist	3, 519. 92
Neil R. Armann	Information systems specialist.	12, 363. 24
Patricia L. Bell	Typist (Off Mar. 31, 1975).	1, 962. 15
Carl F. Schmidt	Systems programer	9, 641. 52
Henry Collins, Jr	Computer systems specialist.	12, 505. 53
Brian M. Connolly	Junior systems programer.	9, 538. 98
Terry Mahn	Programer	7, 058. 76
Lea Fowlie	Communications terminal operator.	4, 249. 80
Robert J. Reardon	Senior systems programer.	11, 756. 98
Michele Eastridge	Secretary (Off Apr. 28, 1975, On June 2, 1975).	3, 152. 06
Kathleen Mohajer	Junior system factors specialist.	7, 058. 52
Susan Groseclose	Junior secretary (Off Mar. 25, 1975).	2, 207. 17
Richard H. Fields	Manager	12, 934. 14
Karen Blake	Communications terminal operator (Off Feb. 4, 1975).	802. 74
Mary Yarrington	Senior production control specialist.	4, 823. 77
Shirley Samuels	Senior clerk	3, 948. 42
Sharon E. Davis	Junior communications terminal operator.	4, 249. 98
Patricia R. Dowling	Junior programer analyst.	8, 256. 48
Martin F. Collins	Computer systems specialist (Off Apr. 30, 1975).	6, 154. 28
Michael A. Jones	Senior clerk	3, 380. 88
Janet L. Conrad	Junior communications terminal operator.	4, 249. 98
Sylestene Walker	do	4, 249. 98
Katherine Gidlund	Junior secretary	3, 797. 64
James Haga	Information systems specialist.	9, 767. 20
Aaron Greenberg	System factors analyst.	10, 461. 78
Denise Asparagus	Junior data preparation specialist.	3, 670. 58
Elizabeth Scattergood	Junior communications terminal operator.	4, 032. 86
Marilyn Epstein	Programer	6, 847. 74
Kenneth L. Johnson	Senior computer operator (Off Mar. 11, 1975).	2, 489. 19
Michael S. Dougherty	Senior information systems specialist.	11, 272. 68
Marilyn J. Knox	Junior typist	3, 595. 16
Amanda P. Leech	Junior typist (Off Feb. 24, 1975).	1, 177. 29
Gloria Washington	Junior data preparation specialist.	3, 783. 76
Mary Bonanni	Senior clerk (Off Apr. 29, 1975).	803. 65
Linda Russell	Junior data preparation specialist.	3, 783. 76
Anthony D. Johnson	Section manager (Off May 30, 1975).	10, 605. 65
Yara Romani	Junior communications control coordinator.	4, 955. 02
John F. Kurpiel	Junior communications terminal operator.	4, 296. 04
Paul E. Markins	Senior programer (Off Apr. 11, 1975).	4, 356. 87
Christopher McMurray	Junior communications terminal operator (Off Jan. 14, 1975).	305. 24
Linda Molloy	Production control specialist.	4, 165. 27
Mary T. Coman	Secretary (Off May 16, 1975).	3, 936. 84
Elizabette Robinette	Senior data preparation specialist.	4, 297. 16
Steven M. Smith	System factors specialist.	7, 058. 52
Meridel E. Turch	Senior clerk-typist	3, 798. 00
James B. Short	Program analyst	7, 998. 48
Harlan H. Vinnedge	Computer systems analyst.	9, 846. 48
Janet Key	Junior data preparation specialist.	3, 520. 68
Helen Blankenship	Typist	3, 798. 00
Alexander J. Ben	Junior production control coordinator.	4, 569. 00
Bruce K. Kapff	Junior programer (Off Feb. 25, 1975).	1, 607. 23
Joel A. DiBona	Systems factors specialist.	7, 172. 18
Richard Tischauser	Senior systems factors specialist.	7, 740. 48
Carole E. Roberts	Junior information systems specialist.	8, 772. 48
James T. Sheffer	Computer systems analyst.	9, 846. 48
Charles Bunce, Jr	Information systems specialist (Off Feb. 28, 1975).	3, 384. 66
Merritt S. Phillips	Courier and data handler.	3, 607. 02
Debora McDonald	Senior clerk	3, 382. 02
Jackie J. Gilliland	Junior programer	4, 736. 52
Joan Frazier	Systems factors specialist (On Jan. 6, 1975).	11, 665. 21
Francis A. Gray	Computer systems specialist (On Jan. 6, 1975).	12, 018. 59
Thomas Pickenpaugh	Junior communications terminal operator (On Jan. 6, 1975).	3, 692. 50
Lewis Lee Leathersich	Communications terminal operator (On Mar. 12, 1975).	2, 299. 90
Flora A. Posey	Junior data preparation specialist (On Mar. 12, 1975).	2, 048. 00
Jane G. Dallager	Junior communications terminal operator (On Mar. 25, 1975).	2, 290. 27
Bonnie L. Hunt	Senior typist (On Mar. 26, 1975; Off June 30, 1975).	2, 243. 05
Emma Smith	Senior computer operator (On Apr. 1, 1975).	3, 204. 75
Alfred Quenneville	Junior computer systems analyst (On Apr. 1, 1975).	3, 870. 24
Robert Kidwell	Section manager (On Apr. 21, 1975).	4, 948. 81
Hillel Sukenik	Computer systems analyst (On Apr. 28, 1975).	3, 338. 64
Julette Hicks	Typist (On Apr. 29, 1975).	1, 395. 35
Diane Zangerle	Secretary (On May 1, 1975).	1, 736. 84
Sharon B. Lee	Junior data preparation specialist (On May 12, 1975).	989. 67
Debra Joiner	Clerk (On May 12, 1975).	190. 56
Kathy Hockenberry	Typist (On May 19, 1975).	974. 75
George DelCastillo	Senior systems programmer (On May 22, 1975).	2, 520. 92
Susan E. Willett	Administrative clerk (On May 27, 1975).	856. 23
Joan G. Roberts	Junior system factors specialist (On May 22, 1975).	1, 391. 10
Beverly Briggs	Junior communications terminal operator (On June 4, 1975).	569. 70
Elliot C. Chabot	Technical aide (On June 2, 1975).	544. 88
Catherine M. Gvozd	Typist (On June 2, 1975).	632. 28
Richard W. Guenot	Junior programer (On June 2, 1975).	847. 45
Earl Burdette	Section manager (On June 4, 1975).	1, 799. 77
Norman E. Wilson	Senior computer systems analyst (On June 4, 1975).	1, 636. 20
Janice K. Robertson	Computer systems analyst (On June 16, 1975).	820. 54
Gary Grasmick	Production control specialist (On June 16, 1975).	316. 50
Jean E. Keppler	Junior communications terminal operator (On June 16, 1975).	316. 50
Richard Kern, Jr	Technical aide (On June 16, 1975; Off June 30, 1975).	281. 84
Robert B. Ogden	Senior programer (On June 16, 1975).	588. 21
Kenneth M. Marx	Information systems specialist (On June 16, 1975).	794. 91
Sandra L. Sisson	Clerical aide (On June 2, 1975).	483. 02
Frederick Goldberg	Technical aide (On June 24, 1975).	131. 52
Susan Earley	do	131. 52
James Harrington	do	131. 52
Leslie Bainbridge	Data analyst (On June 24, 1975).	116. 59
Janet Schultz	Technical aide (On June 25, 1975).	131. 52
Stephen Daniels	Technical aide (On June 24, 1975).	131. 52
Total		975, 882. 97

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

July 22, 1975.

To the Clerk of the House:

The Committee on Interior and Insular Affairs pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $1, 214, 906. 56
3. Amount expended during this period 539, 040. 26

JAMES A. HALEY, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Charles Conklin	Staff director	$18, 000. 00
Lee McElvain	General counsel	18, 000. 00
William Shafer	Consultant on mines, mining, and public lands.	18, 000. 00
Adrian Winkel	Consultant on territorial and insular affairs (from Invest. Feb. 1).	15, 000. 00
Donald Crane	Special consultant on surface mining legislation, as of Mar. 1.	11, 000. 00
Brian O'Leary	Special consultant on nuclear energy matters, as of Mar. 22.	7, 699. 99
Roy Jones, Jr	Assistant counsel on oversight matters, as of Feb. 1.	10, 000. 00
William Anderson III	Budget anlayst, as of Mar. 1.	8, 000. 00
Patricia Murray	Full committee clerk	13, 189. 98
Miriam Waddell	Secretary	9, 127. 50
Sandra Metcalf	do	8, 810. 94
James Henson, Jr	Finance clerk	6, 331. 20
Martson Becker	Printing clerk (from Invest. May 1).	3, 869. 06
Patricia Donohue	Secretary-minority, terminated Apr. 4.	3, 995. 09
Michael Marden	Minority counsel, as of Feb. 1.	13, 333. 35
Janet Niebel	Administrative assistant—minority, as of Mar. 8.	4, 237. 50
Sonya Cockrell	Secretary to minority counsel, as of Feb. 1.	5, 625. 00
Christine Allwine	Secretary to minority consultants, (from Invest. Feb. 1; to Invest. Mar. 1).	747. 43
Gail Whitestone	Secretary to minority consultants, (from Invest. Feb. 1; to Invest. Mar. 10).	1, 114. 55
Thomas Dunmire	Minority consultant on territorial and insular affairs (from Invest. Feb. 1).	8, 807. 94
Clay Peters	Minority cousultant on national parks and recreation (from Invest. Feb. 1).	9, 892. 50
Jack Daum	Minority consultant on water and power resources.	12, 662. 40
James Rock	Minority consultant on public lands (from Invest. Feb. 1).	9, 892. 50

SCHEDULE A—STANDING COMMITTEE PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Michael Jackson	Minority consultant on Indian affairs (from Invest. Feb. 1).	$6,873.66
Michael Metz	Minority consultant on energy and the environment, as of Mar. 1.	7,000.00
Dale Nicholls	Minority consultant on mines and mining, as of May 19.	2,566.66
Cleveland Pinnix	Consultant, Subcommittee on National Parks and Recreation (from Invest. Mar. 1).	9,166.68
Betty Nevitt	Clerk, Subcommittee on National Parks and Recreation (from Invest. Feb. 1).	6,458.35
Evelyn Bertorello	Clerk, Subcommittee on National Parks and Recreation (from Invest. Mar. 1).	4,833.32
Maurice Shean	Consultant, Subcommittee on Territorial and Insular Affairs (from Invest. Mar. 1).	11,854.12
Patricia Krause	Administrative assistant, Subcommittee on Territorial and Insular Affairs from March 1 to April 30.	4,666.66
Norman Williams	Consultant, Subcommittee on Mines and Mining (from Invest. February 1).	11,666.65
Franklin Ducheneaux	Consultant, Subcommittee on Indian Affairs (from Invest. February 1).	12,370.85
Betty Jo Hunt	Staff assistant, Subcommittee on Indian Affairs (from Invest. March 1).	6,127.68
Total		300,921.56

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Bertha Drotos	Calendar clerk	$8,810.94
Kathy Loeffler	Receptionist	6,331.20
Marston Becker	Printing clerk (to Stand. May 1).	7,738.12
Edward Gaddis	Staff assistant	6,647.76
John Peterson	Staff assistant, as of Jan. 16.	3,640.00
Michael Jackson	Minority consultant on Indian affairs (to Stand. Feb. 1).	1,319.00
Clay Peters	Minority consultant on national parks and recreation (to Stand. Feb. 1).	1,978.50
Thomas Dunmire	Minority consultant on territorial and insular affairs (to Stand. Feb. 1).	1,020.38
James Rock	Minority consultant on public lands (to Stand. Feb. 1).	1,978.50
Bruce Driver	Minority consultant on energy and the environment, terminated Mar. 9.	4,247.18
Gail Whitestone	Secretary to minority consultants (to Stand. Feb. 1; from Stand. Mar. 10).	4,029.54
Christine Allwine	Secretary to minority consultants (to Stand. Feb. 1; from Stand. Mar. 1).	4,080.75
Frances Diehl	Secretary to minority consultants, as of Apr. 1.	3,098.60
Mike Benjamin	Minority staff assistant, (Intern) as of June 2.	483.33
Steve Steinbach	Minority staff assistant, (Intern) as of June 16.	250.00
Cleveland Pinnix	Consultant, Subcommittee on National Parks and Recreation (to Stand. Mar. 1).	4,044.94
Betty Nevitt	Clerk, Subcommittee on National Parks and Recreation (to Stand. Feb. 1).	$1,197.66
Evelyn Bertorello	Clerk, Subcommittee on National Parks and Recreation (to Stand. Mar. 1).	2,166.66
Jim Casey	Consultant, Subcommittee on Water and Power Resources.	18,000.00
Mary Lee Gennari	Clerk, Subcommittee on Water and Power Resources.	7,386.42
Stanley Scoville	Staff counsel, Subcommittee on Energy and the Environment.	12,553.59
Dale Pontius	Staff counsel, Subcommittee on Energy and the Environment.	11,854.59
David Nix	Staff assistant, Subcommittee on Energy and the Environment.	8,124.99
Pamela Warfield	Clerk, Subcommittee on Energy and the Environment.	6,797.52
Janet Sue Fore	Secretary, Subcommittee on Energy and the Environment, as of Jan. 13.	3,983.34
Ann Mattheis	Secretary, Subcommittee on Energy and the Environment, as of Apr. 14.	1,711.12
Mara Flaherty	Secretary, Subcommittee on Energy and the Environment, terminated Jan. 10.	222.22
Adrian Winkel	Consultant, Subcommittee on Territorial and Insular Affairs (to Stand. Feb. 1).	2,963.53
Maurice Shean	Consultant, Subcommittee on Territorial and Insular Affairs (to Stand. Mar. 1).	5,927.06
Nancy Larson (Hansen)	Clerk, Subcommittee on Territorial and Insular Affairs, terminated June 15.	9,672.68
Nancy Drake	Clerk, Subcommittee on Territories, as of May 26 terminated from Public Lands Subcommittee Jan. 3.	2,068.82
Norman Williams	Consultant, Subcommittee on Mines and Mining (to Stand. February 1).	2,333.33
Thomas Laughlin	Staff assistant, Subcommittee on Mines and Mining.	7,500.00
Karen Lau	Clerk, Subcommittee on Mines and Mining, as of January 28.	3,825.00
Thomas Chow	Staff assistant (Intern), Subcommittee on Mines and Mining, as of June 1.	500.00
Franklin Ducheneaux	Consultant, Subcommittee on Indian Affairs (to Stand. February 1).	2,374.20
Betty Jo Hunt	Staff assistant, Subcommittee on Indian Affairs (to Stand. March 1).	2,763.84
Rebecca Shapiro	Clerk, Subcommittee on Indian Affairs.	6,331.20
Joyce Palmer	Staff assistant, Subcommittee on Indian Affairs, as of April 1.	3,750.00
Gunilla Foster	Staff assistant, Subcommittee on Indian Affairs, as of March 25.	630.00
Andrew Ball	Staff assistant (Intern), Subcommittee on Indian Affairs, as of May 19.	700.00
David Brown	Consultant, Subcommittee on Public Lands, terminated January 15.	750.00
Sharon CocKayne	Clerk, Subcommittee on Public Lands.	7,462.50
Lucille Hennige	Secretary, Subcommittee on Public Lands, from January 2 to May 31.	5,711.67
John Holden	Secretary, Subcommittee on Public Lands, as of June 3.	$894.44
Irving Senzel	Consultant under contract.	6,000.00
Lawrence MacDonnell	Consultant under contract.	2,000.00
Frank von Hippel	Consultant under contract.	2,823.00
Total		210,678.12

COMMITTEE ON INTERNATIONAL RELATIONS

July 22, 1975.

To the Clerk of the House:

The Committee on International Relations pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period (yearly).	*$1,192,635.76
3. Amount expended during this period	475,214.90

THOMAS E. MORGAN, Chairman.

*This figure represents the $965,000 appropriated to the Committee for calendar year 1975 and the Standing Committee payroll of $227,635.76.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Marian A. Czarnecki	Chief of staff	$18,000.00
Everett E. Bierman	Minority staff director (appointed Apr. 1, 1975).	8,680.47
John J. Brady, Jr	Senior staff consultant	16,719.33
John H. Sullivan	do	16,719.33
John Chapman Chester	Staff consultant	16,191.75
Robert K. Boyer	do	14,069.16
Peter Anthony Abbruzzese.	do	14,965.44
Lewis Gulick	do	15,702.30
Charles Paolillo	Staff consultant (appointed Apr. 1, 1975).	8,652.63
George M. Ingram	do	6,554.04
James T. Schollaert	do	6,845.01
Helen C. Mattas	Staff consultant (terminated Mar. 31, 1975).	4,125.00
Ray Sparks	Editor	12,219.72
Stephen E. Ward	Minority staff consultant (appointed Apr. 16, 1975).	3,500.00
Thomas R. Smeeton	Minority subcommittee staff consultant (appointed Mar. 17, 1975).	6,644.46
James E. Fox	Minority subcommittee staff consultant (appointed May 19, 1975).	1,750.00
Jon D. Holstine	do	2,800.00
Thomas E. Popovich	Minority subcommittee staff consultant (appointed May 27, 1975).	1,605.56
Alison L. Brenner	Minority subcommittee staff consultant (appointed Apr. 14, 1975).	3,208.33
Donald R. Fortier	Minority subcommittee staff consultant (appointed Apr. 17, 1975).	4,522.21
Louise O'Brien	Staff assistant	13,058.91
Thelma H. Shirkey	do	7,538.34
Jeanne M. Salvia	Staff assistant (appointed Apr. 1, 1975).	3,376.89
Donna Gail Wynn	do	3,165.45
Arlene M. Atwater	do	3,668.04
Diane Lyn Stoner	do	2,612.13
Noel Daoust	do	2,949.21
Martha H. Crouse	do	3,142.05
Susan Gustafson	Staff assistant (terminated Mar. 31, 1975).	1,275.00
Lillian L. Smith	Minority staff assistant (appointed Apr. 1, 1975).	3,375.00
Total		227,635.76

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Everett E. Bierman	Minority staff director (terminated Mar. 31, 1975).	$8, 680. 47
Charles Paolillo	Staff consultant (terminated Mar. 31, 1975).	8, 652. 63
George M. Ingram IV	do	5, 804. 04
James T. Schollaert	do	6, 594. 99
Helen C. Mattas	Staff consultant (appointed Apr. 1, 1975).	4, 125. 00
John P. Salzberg	Special consultant	11, 302. 02
George R. Berdes	Subcommittee staff consultant.	15, 328. 62
Robert B. Boettcher	do	15, 328. 62
Robert Michael Finley	do	14, 569. 14
Michael H. Van Dusen	do	15, 328. 62
Thomas R. Kennedy	do	15, 050. 31
Leslie Ann Yates	do	10, 999. 98
Robert W. Johnson	do	11, 329. 59
Ralph Roger Majak	Subcommittee staff consultant (appointed Apr. 14, 1975).	5, 775. 00
Gerald Emile Pitchford	Subcommittee staff consultant (appointed May 12, 1975).	3, 266. 67
Andrew Donald Duskie	Subcommittee staff consultant (appointed June 2, 1975).	1, 812. 50
Clifford P. Hackett	Subcommittee staff consultant.	15, 328. 62
Donna Gail Wynn	Staff assistant (terminated Mar. 31, 1975).	2, 977. 95
Arlene M. Atwater	do	3, 480. 54
Jeanne M. Salvia	do	3, 189. 39
Josephine Weber	Staff assistant (1 mo. leave).	5, 057. 70
Diane Lyn Stoner	Staff assistant (terminated Mar. 31, 1975).	2, 424. 63
Joan C. Sullivan	Staff assistant	6, 442. 41
Noel Daoust	Staff assistant (terminated Mar. 31, 1975).	2, 574. 21
Nancy M. Carman	Staff assistant	4, 859. 58
Martha H. Crouse	Staff assistant (terminated Mar. 31, 1975).	2, 954. 55
Shelly Ann Shelton	Staff assistant	5, 305. 20
Lillian L. Smith	Minority staff assistant.	3, 069. 44
Joyce Raupe	Staff assistant (appointed Feb. 1, 1975).	4, 166. 65
Susan Gustafson	Staff assistant (appointed Apr. 1, 1975).	2, 250. 00
Mary H. Clifton	Staff assistant (appointed Apr. 9, 1975).	1, 594. 43
Melinda Ann Murphy	Staff assistant (appointed Apr. 14, 1975).	2, 352. 79
Karen J. Brennan	Staff assistant (terminated Jan. 31, 1975).	1, 041. 62
Sarah Yakubec	do	659. 50
Theana Y. Kastens	Staff assistant (appointed May 27, 1975).	802. 77
Robert A. Stoner	Publications assistant	5, 701. 89
Andrew B. Vanyo	Clerical assistant	5, 886. 18
Mark G. Hanna	do	3, 165. 60
Fred A. Frameli	Research assistant (appointed May 19, 1975).	933. 34
Andrew G. Bury, Jr	Assistant publications clerk (appointed May 21, 1975).	777. 77
Total		240, 944. 96

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

July 22, 1975.

To the Clerk of the House:

The Committee on Interstate and Foreign Commerce pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $3,121,664.27
3. Amount expended during this period 891,066.52

HARLEY O. STAGGERS, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
W. E. Williamson	Chief clerk	$18, 000. 00
Kenneth J. Painter	First assistant clerk	18, 000. 00
Marcella F. Johnson	Assistant clerk (through Apr. 30, 1975).	8, 020. 28
Frank W. Mahon	Printing editor	12, 384. 60
Eleanor A. Dinkins	Assistant clerk	10, 148. 79
Laura F. Elder	Clerical assistant (through Feb. 15, 1975).	1, 884. 86
Mary Ryan	Clerical assistant	9, 898. 80
Edwin Earl Thomas	Staff assistant	8, 810. 73
Jean McLean	Clerical assistant (from Mar. 10, 1975).	4, 162. 50
Robert F. Guthrie	Professional staff member.	18, 000. 00
Charles B. Curtis	do	18, 000. 00
Lee Sanford Hyde	do	18, 000. 00
John L. Gamble	Professional staff member (through June 30, 1975).	17, 813. 37
Elizabeth Harrison	Professional staff member.	17, 638. 00
Jeffrey H. Schwartz	do	17, 638. 00
James M. Menger, Jr	Professional staff member (from Mar. 1, 1975).	3, 912. 00
William P. Adams	do	12, 000. 00
Robert R. Nordhaus	do	12, 000. 00
Brian R. Moir	Professional staff member (from June 2, 1975).	2, 013. 88
Karen Nelson	Professional staff member (from June 16, 1975).	1, 375. 00
William G. Phillips	Professional staff member (from June 1, 1975).	3, 000. 00
Lewis Berry	Minority counsel	18, 000. 00
Henry T. Greene	Professional staff member (Minority) (from Mar. 1, 1975).	10, 761. 76
Jan Benes Vlcek	do	10, 123. 94
Thomas C. Sawyer	Professional staff member (Minority) (from Mar. 1, 1975, to June 30, 1975).	9, 581. 20
Barbara Bullard	Administrative assistant (Minority) (from Mar. 1, 1975).	6, 190. 52
Darlene McMullen	Legislative assistant (Minority) (from Mar. 1, 1975).	5, 040. 86
Mollie Brown	Clerical assistant (Minority) (from Mar. 10, 1975).	3, 866. 66
Johnnie L. Gallemore, Jr	Associate minority counsel (from May 1, 1975).	5, 000. 00
J. Paul Molloy	Associate minority counsel (from May 8, 1975).	4, 416. 67
Joseph Kelley	Clerical assistant (Minority) (from Mar. 11, 1975).	1, 222. 21
William T. Druhan	Staff assistant (from Mar. 1, 1975, to Apr. 30, 1975).	5, 759. 64
Total		312, 664. 27

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Joanne E. Bell	Clerical assistant	$6, 581. 85
Violet M. McCarthy	do	8, 386. 98
Anne P. Jordan	do	6, 362. 55
Barboura C. Flues	do	7, 486. 77
Henry T. Greene	Staff assistant (Minority) (to Mar. 1, 1975).	5, 261. 76
Barbara Bullard	Clerical assistant (Minority) (to Mar. 1, 1975).	3, 095. 26
Darlene McMullen	do	2, 374. 20
Jan Benes Vlcek	Staff assistant (Minority) (to Mar. 1, 1975).	4, 790. 60
Thomas C. Sawyer	do	4, 790. 60
Walter J. Graham, Jr	Staff assistant (through Jan. 31, 1975).	2, 630. 90
John L. Duncan	Staff assistant (through Mar. 20, 1975).	3, 685. 12
Susan Tomasky	Clerical assistant	$4, 435. 41
Douglas Stoddart	do	4, 435. 41
James R. Connor	Staff assistant	16, 021. 80
James M. Menger, Jr	Professional staff member (to Mar. 1, 1975).	2, 094. 00
William P. Adams	do	6, 000. 00
Robert R. Nordhaus	do	6, 000. 00
Mary Jane Dox	Clerical assistant (from Apr. 2, 1975).	2, 966. 67
Mark E. Anderson	Clerical assistant (from June 11, 1975).	433. 33
Subcommittee on Communications:		
Harry M. Shooshan, III.	Staff director/counsel	14, 874. 99
Karen Anne Allen	Office manager/secretary.	5, 649. 99
Teresa L. Enfield	Secretary (from Apr. 14, 1975).	2, 138. 88
Leena S. Johnson	Legislative assistant (from Apr. 21, 1975).	2, 916. 67
George H. Harder, III	Associate Minority counsel (from May 1, 1975).	3, 400. 00
Andrew J. Margeson	Economist (from May 19, 1975).	2, 158. 34
Alan Pearce	Economist (from Apr, 28, 1975).	5, 600. 01
Sherrye P. Henry	Clerical assistant (from June 16, 1975).	250. 00
Subcommittee on Oversight and Investigations:		
Michael R. Lemov	Chief counsel	17, 015. 73
Daniel J. Manelli	Special consultant (through Apr. 11, 1975).	10, 100. 00
Benjamin J. Smethurst.	Special assistant	17, 278. 92
Mark J. Raabe	Senior counsel	16, 554. 90
Michael F. Barrett	do	16, 554. 90
Michael Parker	Staff attorney (through May 2, 1975).	9, 292. 52
Albert J. McGrath	Special assistant	9, 308. 58
Raymond C. Cole Jr	Special assistant (through Mar. 31, 1975).	5, 811. 78
William T. Druhan	Staff assistant (through Feb. 28, 1975).	5, 759. 64
Elizabeth G. Paola	Clerical assistant (through Apr. 30, 1975).	6, 431. 72
Elizabeth A. Eastman	Office manager	8, 131. 38
Diane Kirchenbauer	Staff assistant	7, 051. 14
Dennis Mosher	Documents clerk	6, 422. 32
James Thomas Greene	Counsel to the subcommittee chairman (from Mar. 1, 1975).	9, 000. 00
Richard W. C. Falknor	Special assistant (from Mar. 24, 1975).	8, 083. 33
Bernard J. Wunder, Jr.	Minority counsel (from Mar. 26, 1975).	7, 125. 00
Lisa C. Wiles	Secretary to chief counsel.	6, 091. 98
Kirk C. Smith	Special assistant	5, 071. 44
Shirley A. Fulp	Staff assistant (from Apr. 22, 1975).	2, 300. 00
Elliot A. Segal	Special assistant (from Apr. 10, 1975).	7, 200. 01
Bradley D. Stam	Counsel (from Apr. 7, 1975).	4, 900. 00
John Galloway	Special assistant (from Apr. 2, 1975).	7, 416. 67
Carolyn Ann Emigh	Special assistant (from Apr. 1, 1975).	6, 000. 00
Eather H. Higginbotham.	Staff assistant (from Apr. 14, 1975).	2, 673. 62
Lester Brown	Research assistant (from Apr. 1, 1975).	2, 250. 00
Richard W. Klabzuba	Special assistant (from Apr. 1, 1975).	2, 499. 99
Carol Forti	Special assistant (from Apr. 30, 1975).	3, 727. 77
Kathleen M. Bennett	Secretary (Minority) (from May 1, 1975).	1, 500. 00
Mark L. Rosenberg	Counsel (from May 12, 1975).	2, 109. 73
Patrick M. McLain	Counsel (from May 27, 1975).	1, 133. 33
Amy C. Pertschuk	Clerical assistant (from June 16, 1975).	250. 00
Ivy Baer	Clerical assistant (from June 30, 1975).	8. 33
Subcommittee on Energy and Power:		
Frank Potter	Counsel (from Mar. 21, 1975).	10, 000. 00
Robert M. Howard	Research assistant (from Mar. 21, 1975).	7, 500. 00

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Valerie P. Duval	Staff assistant (from Mar. 29, 1975).	$4, 088. 88
Barbara H. Witmeyer	Secretary-clerk (from Mar. 25, 1975).	2, 133. 34
Carolyn C. Hanks	Clerk (from Apr. 7, 1975).	2, 683. 32
Danielle M. Beauchamp.	do	2, 450. 00
Patricia C. Leahy	do	2, 874. 99
Peter D. H. Stockton	Research analyst (from Apr. 1, 1975).	5, 250, 00
Peter S. Hunt	Research analyst (from Apr. 7, 1975).	7, 000. 00
Richard T. Fenton	Assistant counsel (from Apr. 8, 1975).	2, 766. 67
Bruce R. Henke	Minority staff assistant (from May 15 1975).	2, 044. 44
Walter W. Schroeder, III.	Research analyst (from May 19, 1975).	2, 450. 00
Marc Linowitz	Clerical assistant (from June 16, 1975).	250. 00
Subcommittee on Health and the Environment:		
Stephan E. Lawton	Counsel	17, 015. 73
Jo Anne Glisson	Research assistant	8, 199. 89
Patricia T. Gomer	Office manager (from Mar. 24, 1975).	3, 368. 07
Sherryl D. Wilson	Secretary (from Apr. 1, 1975).	2, 499. 99
Wendy E. Kravitz	Secretary (from Apr. 1, 1975, to May 31, 1975).	1, 666. 66
Donald W. Dalrymple	Assistant counsel (from May 19, 1975).	2, 333. 34
Stephen J. Connolly	Staff assistant (from May 1, 1975).	4, 166. 66
Sydney S. Coale	Clerical assistant (from May 19, 1975).	630. 00
Subcommittee on Consumer Protection and Finance:		
Harvey A. Rowen	Counsel	16, 892. 64
Siegmund W. Smith	Staff administrator (from Apr. 1, 1975).	9, 000. 00
Janie A. Kinney	Counsel (from Apr. 1, 1975).	7, 500. 00
Peter Kinzler	do	7, 500. 00
Nancy Ann Nord	Counsel (Minority) (from Apr. 1, 1975).	6, 249. 99
Judith A. Quinn	Secretary (from Apr. 1, 1975).	3, 249. 99
Dale C. Bechtel	do	3, 000. 00
Marion S. Ryan	Clerical assistant	6, 224. 34
Subcommittee on Transportation and Commerce:		
William Kovacs	Counsel (from Mar. 21, 1975).	10, 000. 00
LeRoy Charles Corcoran.	do	10, 000. 00
James Van Deerlin	Legislative assistant (from Mar. 21, 1975).	3, 833. 33
Lisa M. Spang	Office manager (from Apr. 14, 1975).	2, 031. 95
Wendy J. Gell	Executive assistant (from Apr. 28, 1975).	2, 710. 51
William T. Druhan	Staff assistant (from May 1, 1975).	3, 000. 00
Cheryl E. Sparks	Secretary (from May 12, 1975).	1, 156. 94
Ronald K. Olson	Assistant counsel (from June 2, 1975).	1, 812. 50
Mary E. Prendergast	Clerical assistant (from June 2, 1975).	483. 33
Jeffrey B. Bloom	Clerical assistant (from June 9, 1975).	366. 67
Total		536, 260. 99

COMMITTEE ON THE JUDICIARY

July 18, 1975.

To the Clerk of the House:

The Committee on the Judiciary pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $2, 073, 738. 62
3. Amount expended during this period 645, 610. 55

PETER W. RODINO, Jr., Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Earl C. Dudley, Jr	General counsel (from Feb. 18, 1975).	$13, 300. 00
Jerome M. Zeifman	General counsel (from Jan. 1, 1975 to Jan. 31, 1975).	3, 000. 00
Garner J. Cline	Staff director	18, 000. 00
Herbert Fuchs	Counsel	18, 000. 00
William P. Shattuck	do	18, 000. 00
H. Christopher Nolde	Counsel (from Jan. 1, 1975 to Apr. 30, 1975).	12, 000. 00
Franklin G. Polk	Associate counsel	18, 000. 00
Alan A. Parker	Counsel	17, 705. 40
Thomas E. Mooney	Associate counsel	15, 753. 18
Michael W. Blommer	Associate counsel (from Apr. 1, 1975).	7, 914. 00
James F. Falco	Counsel (from Apr. 1, 1975).	7, 500. 00
Alexander B. Cook	Associate counsel	14, 671. 50
Arthur P. Endres, Jr	Counsel (from Apr. 1, 1975).	7, 125. 00
Frances Christy	Legislative analyst	13, 106. 82
Alan Coffey, Jr	Associate counsel (from Apr. 1, 1975).	6, 249. 99
Constantine J. Gekas	do	6, 249. 99
Mary G. Sourwine	Clerical	11, 752. 59
Gertrude C. Burak	Clerical (from Jan. 1, 1975 to May 31, 1975).	7, 868. 30
Pearl L. Chellman	Clerical	8, 392. 20
Alma B. Haardt	do	8, 365. 83
Michael Kelemonick	Clerical (from Apr. 1, 1975).	4, 250. 01
Florence T. McGrady	do	4, 250. 01
Alice Smith	Clerical	7, 528. 32
Sharon B. Hughes	Clerical (from Feb. 20, 1975).	4, 548. 63
Carolyn S. Thompson	Clerical (from Feb. 25, 1975).	3, 675. 00
Annelie Weber	Clerical (from Mar. 3, 1975).	3, 441. 48
Total		260, 648. 25

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Lynn Alcock	Clerical	$7, 900. 08
Veronica Amick	do	5, 388. 00
Maurice A. Barboza	do	12, 883. 89
Rita L. Bartlett	Clerical (from May 19, 1975).	1, 458. 34
Robert S. Bates	Messenger (from June 19, 1975).	280. 00
Cynthia L. Battle	Clerical (from June 16, 1975).	312. 50
Martin H. Belsky	Counsel (from Apr. 21, 1975).	5, 444. 44
Michael W. Blommer	Associate counsel (from Jan. 1 to Mar. 31, 1975).	7, 914. 00
Timothy A. Boggs	Legislative assistant (from Mar. 1, 1975).	4, 666. 68
Martha K. Brown	Clerical	5, 388. 00
Robert L. Brown	Assistant counsel	8, 720. 79
Anne B. Butler	Clerical	5, 750. 01
Steven J. Chmieleski	Messenger (from Jan. 29 to May 5, 1975).	2, 020. 84
Ann R. Clinton	Clerical (from Feb. 19 to May 30, 1975).	3, 400. 00
Alan Coffey, Jr	Associate counsel (Jan. 1 to Mar. 31, 1975).	5, 539. 80
Daniel L. Cohen	Counsel	12, 430. 26
Donald R. Coppock	Information officer (Jan. 1 to Apr. 22, 1975).	2, 542. 40
Lizzie M. Daniels	Clerical	5, 358. 84
Eva J. Denev	do	8, 660. 58
William P. Dixon	Counsel (from Jan. 1 to Jan. 31, 1975).	2, 340. 87
Maureen A. Doherty	Clerical (from May 27, 1975).	1, 227. 77
Arthur P. Endres, Jr	Counsel (from Jan. 1 to Mar. 31, 1975).	6, 450. 96
James F. Falco	do	6, 897. 06
James B. Farr	Messenger-clerk	6, 095. 07
Theresa M. Gallo	Clerical (from Jan. 1 to May 14, 1975).	5, 201. 61
Constantine J. Gekas	Associate counsel (from Jan. 1 to Mar. 31, 1975).	5, 539. 8o
Timothy J. Hart	Assistant counsel	$8, 075. 10
Gail P. Higgins	Counsel (from June 16, 1975).	1, 000. 00
James D. Hoard	Staff analyst (Jan. 1 to Feb. 14, 1975).	1, 612. 12
Sharon B. Hughes	Clerical (from Jan. 1 to Feb. 19, 1975).	1, 469. 28
Thomas W. Hutchinson	Counsel	12, 949. 29
Susan Kapuza	Clerical (from Jan. 1, 1975 to Feb. 23, 1975).	1, 553. 48
Jeffrey Kayden	Clerical (from Jan. 1, 1975 to Apr. 30, 1975).	1, 125. 56
Michael Kelemonick	Clerical (from Jan. 1, 1975 to Mar. 31, 1975).	4, 115. 82
Kenneth Klee	Associate counsel	9, 998. 40
Patricia A. Knight	Clerical (from Jan. 30, 1975 to Feb. 7, 1975)	244. 45
Bruce Lehman	Counsel	11, 276. 01
Richard B. Levin	Assistant counsel (from June 2, 1975).	1, 288. 88
Stephen P. Lynch	Research assistant (from Jan. 1, 1975 to Apr. 30, 1975).	3, 545. 46
Florence T. McGrady	Clerical (from Jan. 1, 1975 to Mar. 31, 1975).	4, 115. 82
Janet McNair	Assistant counsel	10, 999. 98
Bernadette Maguire	Clerical	5, 875. 02
Mary E. Manners	do	4, 228. 50
Audrey Marcus	Clerical (from Apr. 14, 1975).	2, 352. 79
Benjamin Marshall, Sr	Security officer (from Jan. 1, 1975 to Feb. 23, 1975).	2, 208. 33
Michael J. Murphy	Clerk (from Jan. 1, 1975 to Jan. 8, 1975).	211. 04
Michael P. Murphy	Messenger (from Jan. 1 to Feb. 14, and from May 8, 1975).	2, 458. 24
Nancy L. Parke	Clerical (from Jan. 1, 1975 to Jan. 7, 1975).	226. 89
Alan A. Ransom	Counsel (from June 23, 1975).	577. 78
Cheri Robinson	Clerical	4, 228. 50
Dennis S. Rutkus	Staff Analyst (from Jan. 1, 1975 to Feb. 14, 1975).	1, 891. 69
Dawn M. Ruuspakka	Clerical	5, 297. 25
Arden Schell	Assistant counsel	10, 001. 82
Sara Shafer	Clerical (from Jan. 1, 1975 to Feb. 28, 1975).	2, 022. 46
Leonard Shambon	Counsel (from Apr. 7, 1975).	5, 250. 00
Judith M. Shellenberger	Clerical	6, 056. 82
Carl H. Simms	Security officer	1, 125. 00
Sandra Sincavitz	Clerical	5, 166. 68
Jared B. Stamell	Assistant counsel (from Jan. 1, 1975 to Feb. 15, 1975).	2, 895. 74
Kenneth G. Starling	Associate counsel (from June 9, 1975).	1, 333. 20
Joyce M. Straube	Clerical	5, 769. 90
Gail Sullivan	do	6, 276. 81
Robert J. Trainor	Counsel	12, 680. 25
Louis S. Vance	Messenger	6, 053. 70
Patricia Villareal	Staff analyst (from Feb. 5, 1975).	7, 097. 21
Dorothy C. Wadley	Clerical	6, 863. 13
Gary Weaver	do	3, 971. 58
Marice C. Werth	do	4, 610. 40
Janice A. Zarro	Assistant counsel	8, 970. 78
Eugene W. Gleason	Research assista (from June 9, 1975).	1, 466. 67
George C. Armstrong	Investigator	9, 835. 27
Margie D. Biggerstaff	Clerical (from Jan. 1, 1975 to Apr. 12, 1975).	3, 438. 20
Daniel Butler	Clerical	6, 346. 59
S. Janice Coil	Clerical (from Jan. 1, 1975 to Apr. 20, 1975).	4, 533. 91
Robert A. Crandall	Counsel	16, 695. 63
Anniel Cunningham	Clerical	9, 950. 20
Florence B. Doyle	do	5, 806. 48
Donna E. Francisco	Research assistant (from Jan. 1 to May 31).	3, 904. 24
James L. Gallagher	Research analyst	13, 713. 89
Helen M. Gittings	Editor	10, 811. 31
William H. Hecht	Staff assistant (Jan. 1, 1975 to June 15, 1975).	15, 633. 70
Janie E. Horner	Clerical (from Jan. 1, 1975 to Feb. 28, 1975).	1, 190. 03
Robert M. Horner	Staff assistant	3, 382. 00
Doris R. Jaeck	Clerical	6, 393. 58
Mildred V. James	do	

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
V. Bernice King	Clerical (from Jan. 1, 1975 to Feb. 28, 1975).	$3,688.22
John F. Lewis	Staff assistant (Jan. 1, 1975 to May 16, 1975).	12,007.88
Anita Sarah Maggio	Clerical	3,941.16
Virginia Masino	do	5,673.39
Terry M. Morgan	Clerical (from Jan. 1, 1975 to Feb. 28, 1975).	1,190.03
Alfred M. Nittle	Counsel	17,800.00
Richard R. Norusis	Investigator	10,180.71
Alma T. Pfaff	Research analyst	7,826.07
William T. Poole	do	9,129.56
Stuart Pott	Investigator	8,925.81
Audrey L. Rollins	Clerical (from Jan. 1, 1975 to Mar. 15, 1975).	2,503.57
Herbert Romerstein	Investigator	16,783.03
William G. Shaw	Research director	11,219.93
Mary Ellen Showalter	Clerical (from Jan. 1, 1975 to Feb. 28, 1975).	1,156.04
Albert H. Solomon, Jr	Investigator	9,505.20
Linda E. Spirt	Clerical	$8,535.93
William H. Stapleton	Staff director	6,336.80
John N. Stratton	Investigator	9,644.34
Sara Jane Strawser	Clerical (from Feb. 1, 1975 to Apr. 30, 1975).	2,901.81
Barbara C. Sweeny	Editor	6,260.70
Susan K. Tonkinson	Clerical	5,349.14
Mary Myers Valente	do	11,076.70
DeWitt White	Counsel	17,552.76

COMMITTEE ON MERCHANT MARINE AND FISHERIES

July 22, 1975.

To the Clerk of the House:

The Committee on Merchant Marine and Fisheries pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $663,728.02
3. Amount expended during this period 286,253.18

LEONOR K. SULLIVAN, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Majority:		
Ernest J. Corrado	Chief counsel	$18,000.00
Ned P. Everett	Counsel	18,000.00
Leonard L. Sutter	do	16,386.51
Francis D. Heyward	do	13,153.14
Francis P. Still	Chief clerk	5,516.81
W. Bernard Winfield	Clerk	14,044.56
Vera A. Barker	Secretary	11,343.87
Peter D. H. Stockton	Investigator (Jan. 1–Jan. 31, 1975).	1,666.67
Transferred from investigative staff, Apr. 1, 1975:		
Mary C. McDonnell	Counsel	6,750.00
Carl L. Perian	Professional staff member.	7,845.90
Terrence W. Modglin	do	4,374.99
Donald A. Watt	Editor	6,037.60
Ruth I. Hoffman	Assistant clerk	4,068.24
Jacquelyn M. Westcott.	Research assistant	4,374.99
Eleanor P. Mohler	Secretary	3,750.00
Mabel Duran	do	3,644.82
Marvadell C. Zeeb	do	3,375.00
Minority:		
Richard N. Sharood	Chief minority counsel	17,467.68
Charles A. Bedell	Deputy minority counsel.	11,607.18
Virginia L. Noah	Minority clerk	11,042.40
Transferred from investigative staff, Apr. 1, 1975:		
Gwendolyn H. Lockhart.	Assistant n inority clerk.	3,777.66
Total		186,228.02

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Majority:		
Frank M. Potter, Jr	Counsel (terminated Mar. 20, 1975).	$5,400.53
James W. Spensley	Counsel (appointed Apr. 22, 1975).	4,791.66
Julia P. Perian	Professional staff member (appointed Apr. 1, 1975).	5,000.01
Michael S. Sawyer	Clerk (appointed Mar. 31, 1975).	2,275.00
Carolyn W. Robinson	Stenographer (appointed Apr. 21, 1975).	2,138.90
Minority:		
George J. Mannina, Jr.	Minority staff assistant (appointed Apr. 1, 1975).	5,750.01
Austin P. Olney	Minority staff assistant (appointed Mar. 24, 1975).	6,466.67
Jack E. Sands	do	6,197.23
Grant Wayne Smith	do	6,466.67
Transferred to Standing Committee payroll, Mar. 31, 1975:		
Majority:		
Mary C. McDonnell	Counsel	6,102.39
Carl L. Perian	Professional staff member.	7,845.90
Terrence W. Modglin	Clerk	3,630.60
Donald A. Watt	Editor	5,954.28
Ruth I. Hoffman	Assistant clerk	4,068.24
Jacquelyn M. Westcott	Stenographer-clerk	3,866.22
Eleanor P. Mohler	Secretary	3,662.07
Mabel Duran	do	3,644.82
Marvadell Z. Zeeb	do	3,230.94
Minority:		
Gwendolyn H. Lockhart.	Assistant minority clerk.	3,777.66
Total		90,269.80

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

July 16, 1975.

To the Clerk of the House:

The Post Office and Civil Service Committee pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975 inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $978,943.41
3. Amount expended during this period 438,065.10

DAVID N. HENDERSON, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Majority:		
John H. Martiny	Chief counsel	$3,222.00
Victor C. Smiroldo	Staff director and counsel.	18,000.00
Robert Lockhart	Counsel	17,316.67
J. Pierce Myers	Assistant counsel (as of Mar. 6, 1975).	8,145.83
Roy C. Mesker	Senior staff assistant	6,498.00
George Gould	Subcommittee staff director (as of Feb. 1, 1975).	12,708.35
Richard Barton	do	12,708.35
Lloyd A. Johnson	do	12,708.35
Donald F. Terry	Assistant counsel—Census Subcommittee (as of Feb. 1, 1975).	11,250.00
Edward Hugler	Investigator (as of Feb. 1, 1975).	13,125.00
Alton Howard	Printing editor (as of Feb. 1, 1975).	10,291.65
Gail Weiss	Staff assistant (Jan. 1 to Jan. 31, 1975).	1,477.78
Maria Pendleton	Administrative clerk	10,017.48
Dorothy Peters	Executive secretary	9,365.00
Margaret Napier	Document clerk	7,465.82
Minority:		
Theodore J. Kazy	Associate staff director.	18,000.00
Joseph A. Fisher	Senior staff assistant (as of Jan. 20, 1975).	14,597.33
Minority—Continued		
Anthony Fisher	Staff assistant (as of Feb. 1, 1975).	$11,687.50
William Manoogian	Assistant counsel (as of Feb. 8, 1975).	6,650.00
J. Warren Geurin	Investigator (as of Mar. 1, 1975).	6,166.68
Florence Slovek	Staff assistant (Feb. 1 to Feb. 28, 1975).	1,166.67
Ray Coultrap	Staff assistant (as of Feb. 1, 1975).	7,291.65
Jean Gilligan	Staff assistant (as of Mar. 1, 1975).	6,000.00
Kathryn Reynolds	Secretary (as of Feb. 1, 1975).	6,041.65
Margaret R. Barry	do	6,041.65
Total		237,943.41

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Full Committee Investigative Staff		
Majority:		
Molly Lyons	Assistant document clerk.	$4,944.43
John Gabusi	Staff assistant	9,641.67
Alton Howard	Printing editor (Jan. 1 to Jan. 30, 1975).	1,765.56
JoAnn Ciaravella	Staff assistant	6,538.90
Edward Hugler	Investigator (Jan. 1 to Jan. 30, 1975).	2,275.00
Kandy Kovaleski	Secretary	5,265.83
Diane Bakall	Clerk-typist	1,286.67
Patricia Marines	Staff assistant (as of Feb. 1, 1975).	5,416.65
Patricia Perdue	Secretary	5,079.99
Edward M. Sibble	Research assistant	2,036.67
Marian Goodman	Secretary	4,697.24
Nancy Blyth	Secretary (as of May 20, 1975).	1,195.83
Monique Alexander	Secretary (Apr. 14 to June 15, 1975).	723.33
Francis Fortune	Coordinator (through Mar. 10, 1975).	5,732.79
Minority:		
E. Jane Dodds	Staff assistant (as of Feb. 1, 1975).	7,474.35
Robert Branand	Staff assistant (as of Mar. 1, 1975).	6,000.00
Vena Meador	Clerk (as of June 9, 1975).	366.67
Megan Smith	Clerk (as of June 16, 1975).	250.00
Margaret Barry	Secretary (Jan. 3 to Mar. 30, 1975).	894.44
Kathryn Reynolds	Secretary (Jan. 3 to Jan. 30, 1975).	1,077.22
Anthony Reynolds	Staff assistant (Jan. 3 to Jan. 30, 1975).	2,006.67
Ray Coultrap	do	1,228.89
Manpower and Civil Service Subcommittee		
Paul Newton	Staff assistant	12,533.35
Patricia Pankonin	Secretary	6,183.33
Evelena Carroll	Clerk-typist	4,154.43
Deborah Willey	Clerk (as of June 2, 1975).	500.00
Kevin Johnson	Clerk (as of June 16, 1975).	250.00
Postal Service Subcommittee		
Rosemary Storey	Staff assistant	6,933.33
Lydia Fox	Secretary	5,311.11
Richard Barton	Subcommittee staff director (Jan. 3 to Jan. 31, 1975).	2,177.78
Arthur Leonard	Clerk (as of June 1, 1975).	500.00
Carolyn Northrup	do	500.00
Postal Facilities, Mail, and Labor Management Subcommittee		
Michael Cavanagh	Staff assistant	6,933.33
George Gould	Subcommittee staff director (Jan. 3 to Jan. 31, 1975).	2,255.56
Paula Hemphill	Secretary	6,019.45
Stacy Rae Jones	Clerk-typist (as of Feb. 10, 1975).	987.00
Lawrence Epstein	Clerk (as of June 16, 1975).	250.00

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Retirement and Employee Benefits Subcommittee		
Richard Bullock	Staff assistant (through Feb. 11, 1975).	$3,033.33
Ronald McCluskey	Assistant counsel (as of Feb. 1, 1975).	7,175.01
Bettie LaMotte	Secretary	6,347.21
Bruce O'Malley	Clerk (as of May 15, 1975).	766.67
Leslie Friedman	Clerk (May 12 to June 13, 1975).	533.34
Linda Reynolds	Clerk (as of June 16, 1975).	250.00
Employee Political Rights and Intergovernmental Programs Subcommittee		
Gail Weiss	Staff assistant (as of Feb. 1, 1975).	7,916.65
Iris Hunt	Secretary (as of Feb. 1, 1975).	3,958.35
Edward Blake	Clerk (as of June 23, 1975).	133.33
Census and Population Subcommittee		
Richard Greenberg	Assistant counsel (through Feb. 11, 1975).	1,570.83
Susan Perrine	Secretary (Feb. 10 to Mar. 10, 1975).	1,033.33
Carol Lumb	Staff assistant (as of Mar. 1, 1975).	4,466.66
Daniel Buck	Staff assistant (Mar. 1–Apr. 30, 1975).	3,333.34
Bertha Ramlow	Secretary (as of May 5, 1975).	1,555.55
Matthew Joseph	Clerk (as of May 12, 1975).	816.67
Catherine Clifford	Clerk (as of June 16, 1975).	250.00
Donald Terry	Assistant counsel (Jan. 3–Jan. 30, 1975).	1,866.67
Total		176,394.41

COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION

July 15, 1975.

To the Clerk of the House:

The Committee on Public Works and Transportation pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $2,441,936.43
3. Amount expended during this period 859,276.56

ROBERT E. JONES, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Richard J. Sullivan	Chief counsel	$18,000.00
Lloyd A. Rivard	Chief engineer	18,000.00
Lester Edelman	Counsel	18,000.00
Clifton W. Enfield	Minority counsel	7,614.00
Dorothy A. Beam	Executive staff assistant	13,928.64
Meriam R. Buckley	Calendar clerk	11,275.08
Sterlyn B. Carroll	Staff assistant	10,710.30
Ruth S. Costello	do	11,210.28
Erla S. Youmans	Minority executive staff assistant.	12,134.82
Larry Reida	Associate minority counsel.	18,000.00
Robert K. Dawson	Administrator (effective Jan. 3, 1975).	16,695.63
Robert F. Loftus	Staff assistant (effective Feb. 3, 1975).	12,677.86
Douglas M. Copley	Minority staff professional staff (effective Mar. 1, 1975).	11,783.32
Martha L. Spenger	Minority staff assistant (effective Mar. 1, 1975; terminated May 23, 1975).	4,150.00
Herbert C. Madison	Professional staff assistant aviation (effective Mar. 1, 1975; transfer Apr. 1, 1975).	2,250.00
David A. Heymsfeld	Assistant counsel aviation (effective Mar. 12, 1975).	$10,748.60
David L. Mahan	Assistant counsel aviation (effective Mar. 16, 1975).	10,120.85
Errol L. Tyler	Associate counsel (effective Apr. 1, 1975).	8,291.49
John F. Fryer	Assistant counsel, surface transportation (effective May 10, 1975).	4,604.16
Marie M. Lynch	Clerk, Subcommittee on water resources, (transfer from Investigating Committee May 1, 1975).	2,916.66
Joseph A. Italiano	Editorial assistant (transfer from Investigating Committee May 1, 1975).	4,308.74
Cylde E. Woodle	Transportation engineer (transfer from Investigating Committee June 1, 1975).	1,925.33
Marvin R. Evans	Staff assistant (transfer from Investigating Committee June 1, 1975).	1,666.67
Elizabeth F. Loughlin	Minority librarian (effective June 1, 1975).	1,500.00
Total		232,512.43

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Catherine A. Evans	Staff assistant	$6,038.43
Robert F. Spence	do	10,464.50
Joseph A. Italiano	Editorial assistant, (transferred to Standing Committee, effective May 1, 1975).	8,473.85
Nancy Vitali	Subcommittee clerk, public buildings and grounds.	9,172.16
Patricia A. Hill	Staff assistant	7,901.07
Richard A. Barnett	Minority staff assistant.	9,558.48
Gordon E. Wood	Assistant minority counsel.	17,492.00
Toby J. Stein	Staff assistant	5,455.76
Marie M. Lynch	Clerk, Subcommittee on Water Resources, (transferred to Standing Committee, May 1, 1975).	5,736.10
Machele J. Miller	Staff assistant	5 882.63
Henry G. Edler	Consultant (terminated Mar. 31, 1975).	8,800.00
Phyllis B. Stone	Staff assistant (terminated May 13, 1975).	4,300.51
Clyde E. Woodle	Transportation engineer, (transferred to Standing Committee June 1, 1975).	9,498.30
Errol L. Tyler	Associate, counsel, (transferred to Standing Committee, Apr. 1, 1975).	8,107.24
Olga Wynnyk	Staff assistant	4,891.08
Carl Lorenz	Counsel, Subcommittee on Economic Development.	17,800.00
Salvatore J. Damico	Counsel	17,800.00
Joanne M. Frantzich	Minority staff assistant (terminated June 16, 1975).	5,528.06
Roger B. Furey	Clerk	3,274.31
Stephanie C. Negley	Staff assistant	6,559.48
Carol D. Granville	do	8,745.97
Cheryl Ann Meyers	Minority staff assistant.	5,843.44
Anne Howard	Staff assistant, Subcommittee on Economic Development.	6,652.16
Robert M. Paul	Consultant, Subcommittee on Economic Development.	17,800.00
Anne D. Clineburg	Staff assistant, Subcommittee on Economic Development.	6,559.48
Sheldon Gilbert	Assistant minority counsel.	17,241.61
Joan Marie Kovalic	Staff assistant	9,652.17
John Jeffrey Carter	Staff assistant, Subcommittee on Economic Development.	$5,217.36
Charilyn W. Cowan	Staff assistant (terminated Mar. 31, 1975).	2,200.00
Nancy Denholm	Staff assistant, Subcommittee on Economic Development.	4,434.75
Harry Lee Stout	Staff assistant, (terminated Jan. 31, 1975).	1,149.00
Florence B. Edelen	Minority staff assistant.	5,999.97
Kevin J. Jennier	Staff assistant, (terminated Mar. 23, 1975).	2,849.04
Elisabeth Forshay	Staff assistant	6,072.07
Mary Kathryn Trich	Staff assistant, Subcommittee on Economic Development.	4,434.75
Sallie Anne Bobo	Staff assistant, (terminated Feb. 2, 1975).	800.19
Jeffrey S. O'Neill	Minority staff assistant.	14,086.74
Patricia Stone	do	9,963.07
Thomas J. Campbell	Staff assistant, (effective Jan. 3, 1975).	12,361.09
Jane Lymph	Staff assistant, (effective Feb. 20, 1975).	3,275.00
Cyrus T. Anderson	Staff assistant, (effective Mar. 8, 1975).	4,622.95
Linda K. Thompson	Minority staff assistant, (terminated Mar. 31, 1975; effective Mar. 8, 1975).	1,011.23
Patricia Bethune	Staff assistant (effective Mar. 13, 1975).	4,500.00
Barbara Bannister	Minority staff assistant, (effective Mar. 17, 1975).	4,044.46
Ann Elizabeth Cole	Minority staff assistant, (effective Apr. 1, 1975).	3,000.00
Herbert C. Madison	Staff assistant, (effective Apr. 1, 1975).	6,750.00
Janet Lee Hoobler	Staff assistant, (effective Mar. 24, 1975).	2,155.57
Ann Braniff	Staff assistant, (effective Mar. 25, 1975).	2,483.33
Ronald K. Ence	Minority prof. staff member, Subcommittee on Surface Transportation (effective Apr. 1, 1975).	5,000.01
Henry S. Pflanz	Minority prof. staff member, Subcommittee on Aviation, (effective Apr. 1, 1975).	6,249.99
Marvin R. Evans	Staff assistant, (effective Apr. 1, 1975, transferred to Standing Committee June 1, 1975).	3,333.34
Ira N. Forman	Staff assistant, (effective Apr. 10, 1975).	3,262.49
Wayne Rowan	Minority staff assistant (effective Apr. 1, 1975).	4,541.67
Sharon Curtin	Staff assistant, Subcommittee on Public Buildings and Grounds (effective Apr. 23, 1975).	2,266.67
Elizabeth A. Larson	Staff assistant, (effective May 1, 1975).	1,791.66
Mary T. Coman	Staff assistant, (effective May 17, 1975).	1,313.88
Patricia A. Donovan	Staff assistant, (effective May 12, 1975).	980.00
Roscoe O. Roberts	Staff assistant, (effective May 16, 1975).	900.00
Christina A. Bacus	Staff assistant, (effective June 16, 1975).	300.00
Randolph W. Deitz	Staff assistant, (effective June 21, 1975).	200.00
Total		376,779.07

SUBCOMMITTEE ON INVESTIGATIONS AND REVIEW

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
William O. Nolen	Investigator	$14,086.92
Betty Hay Wright	Administrative assistant.	10,919.71
Martha E. Downie	Minority clerk	9,258.23
Agnes M. Ganun	Staff assistant	7,850.51
Kathryn M. Keeney	Chief clerk	11,494.41
Shirley K. Novotny	Staff assistant	7,579.12
George M. Kopecky	Chief investigator	7,911.09
Robert G. Lawrence	Associate counsel	5,441.93
Walter R. May	Chief counsel	5,859.17
John P. O'Hara	Associate counsel	17,800.00
Paul R. S. Yates	Minority staff director	17,800.00
George P. Karseboom	Professional staff member.	16,370.96
Charles A. Krouse	do	16,370.96
Virginia Middledorf	Staff assistant	7,826.07
B. Craig Raupe	Professional staff member.	16,344.08
Charles W. Prisk	Staff engineer	4,082.13
Walter L. Mazan	Professional staff member.	16,370.54
Curtis Edward Whalen	Minority counsel	8,007.07
Jeffrey Simms	Staff assistant (terminated Apr. 21, 1975).	1,150.17
Joel Collins	Staff assistant (effective Apr. 22, 1975, terminated May 2, 1975).	116.07
John A. Knapp	Staff assistant (effective May 8, 1975).	559.26
Total		203,198.40

COMMITTEE ON RULES

July 31, 1975.

To the Clerk of the House:

The Committee on Rules pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period	$147,883.91
3. Amount expended during this period	119,271.12

RAY J. MADDEN, Chairman

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Laurie C. Battle	Counsel and staff director.	$18,000.00
Donald Gregory Nicosia	Majority counsel	14,069.32
Winifred L. Watts	Administrative assistant.	12,307.38
Margaret Anne Bundick	Staff assistant	9,528.47
Dorothy Ballenger	Secretary	8,861.02
Claudia G. Moore	Staff assistant	2,875.00
William D. Crosby, Jr	Minority counsel	15,828.00
Jonna Lynne Cullen	Assistant minority counsel.	11,132.28
Linda L. Weaver	Minority staff assistant.	6,941.60
John J. Dooling	Staff assistant	3,333.34
Ray Kamikawa	Research assistant	2,376.67
Amelia T. Lasser	do	2,376.67
Berlon Michael Mauldin	Minority staff assistant.	2,555.56
Donna Marie Siss	Research assistant	2,427.77
Trevia A. Dean	do	1,833.33
Michael H. Hynes	Minority staff assistant.	1,500.00
Patricia S. Fleming	Research assistant	937.50
Margaret E. Broadaway	do	1,000.00
Total		117,883.91

COMMITTEE ON SCIENCE AND TECHNOLOGY

July 25, 1975.

To the Clerk of the House:

The Committe on Science and Technology pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period	$792,171.64
3. Amount expended during this period	408,296.50

OLIN E. TEAGUE, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Philip B. Yeager	Counsel	$18,000.00
Frank R. Hammill, Jr	do	18,000.00
Carol F. Rodgers	Secretary	8,521.92
June C. Stafford	do	8,514.48
James E. Wilson, Jr	Technical consultant	18,000.00
Patricia J. Schwartz	Secretary	6,612.36
Carl Swartz	Minority staff	15,034.31
Leon F. Drozd, Jr	Chief clerk	9,945.00
John L. Swigert, Jr	Executive director	18,000.00
Rebecca S. Wheeler	Administrative specialist.	6,640.38
Michael A. Superata	Minority staff	11,551.50
Geraldine L. Fisher	Secretary (from Mar. 5 to Mar. 30).	563.33
Donna Lee Sokolowski	Secretary (from Mar. 1 to Mar. 30).	764.45
Robert C. Ketcham	Technical consultant (from Apr. 1).	9,000.00
William G. Wells, Jr	do	9,000.00
Helen Lee Fletcher	Secretary (from Apr. 1)	4,105.50
George W. Fisher	Clerk (from Apr. 1)	9,000.00
Harold A. Gould	Technology consultant (from Apr. 1).	9,000.00
J. Thomas Ratchford	Science consultant (from Apr. 1).	9,000.00
John D. Holmfeld	Science policy consultant (from Apr. 1).	7,617.48
L. Kirk Hall	Technical consultant (from Apr. 1).	4,708.35
Thomas N. Tate	Technical consultant and counsel (from Apr. 1).	7,687.65
William Garrett Carter	Publications clerk (from Apr. 1).	3,060.00
Suzanne M. Stamper	Secretary (from Apr. 1)	2,550.00
Thomas H. Tackaberry	Clerk (from Apr. 1)	2,008.14
Lynn Lorraine Graham	Secretary (from Apr. 1)	2,347.66
Mary-Margaret Harvey	Secretary (Apr. 1 to Apr. 30).	833.33
Ralph N. Read	Technical consultant (from Apr. 1).	9,000.00
Carroll Revak	Clerk (from May 27 to June 27).	620.00
Mary S. Bly	Secretary (from June 25).	241.67
Linda Marsha Huey	Secretary	5,100.00
Regina A. Davis	Clerk (from June 9)	916.67
Total		235,944.18

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Robert C. Ketcham	Technical consultant (to Mar. 30).	$9,000.00
William G. Wells, Jr	do	9,000.00
Helen Lee Fletcher	Secretary (to Mar. 30)	4,105.50
George W. Fisher	Clerk (to Mar. 30)	9,000.00
Harold A. Gould	Technology consultant (to Mar. 30).	9,000.00
J. Thomas Ratchford	Science consultant (to Mar. 30).	9,000.00
John D. Holmfeld	Science policy consultant (to Mar 30).	7,617.48
L. Kirk Hall	Technical consultant (to Mar. 30).	4,375.05
Thomas N. Tate	Technical consultant and counsel (to Mar. 30).	7,687.65
William Garrett Carter	Publications clerk (to Mar. 30).	3,060.00
Suzanne M. Stamper	Secretary (to Mar. 30)	2,550.00
Barbara A. Sutton	Secretary	4,500.00
Ellen M. Barney	Clerk	4,200.00
Thomas H. Tackaberry	Clerk (to Mar. 30)	2,008.14
Lynn Lorraine Graham	Secretary (to Mar. 30	2,193.00
Mary-Margaret Harvey	do	2,499.99
William S. Widnall	Technical specialist	2,500.02
Paula D. Cottrell	Secretary (to June 8)	3,538.67
Ralph N. Read	Technical consultant (to Mar. 30).	9,000.00
H. Gerald Staub	Technical specialist (from Mar. 21).	4,305.57
David B. Finnegan	Technical consultant and counsel (from Apr. 1).	8,750.01
Geraldine L. Fisher	Secretary (from Apr. 1)	1,950.00
Donna Lee Sokolowski	do	2,150.01
Charles A. Trabandt	Minority staff (from Apr. 7).	5,533.34
Darrell R. Branscome	Technical specialist (from Apr. 14).	4,705.55
Arch Lee Wallace III	Minority counsel (from Apr. 23).	3,588.88
Mary Beverly Howard	Secretary (from May 19).	1,166.66
Josephine F. Cox	Secretary (from May 20).	426.40
Radford Byerly, Jr	Science consultant (from May 1).	5,466.66
Thomas R. Kramer	Science consultant (from June 16).	$958.34
Jeremy D. Frey	Clerk, research (from June 23).	160.00
Darcia D. Bracken	Science consultant (from June 9).	1,130.56
Kathryn A. Carter	Clerical assistant (from June 1).	566.67
Carole Austen Hackes	Clerk, research (from June 2).	580.00
Gail M. Pesyna	Science consultant (from June 16).	666.66
Total		146,940.81

COMMITTEE ON SMALL BUSINESS

July 15, 1975.

To the Clerk of the House:

The Committee on Small Business pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period	[a] $634,166.59
3. Amount expended during this period	[b] 249,359.22

	H. Res. 201	Statutory	Total
(a)	$541,500.00	$92,666.59	$634,166.59
(b)	156,692.63	92,666.59	249,359.22
Balance	384,807.37	0	384,807.37

JOE L. EVINS, M.C., Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Myrtle Ruth Foutch	Clerk (from Mar. 1, to June 30, 1975).	$10,000.00
Justinus Gould	Deputy general counsel (from Mar. 1, to June 30, 1975).	12,000.00
Henry A. Robinson	General counsel (from Mar. 1 to June 30, 1975).	12,000.00
Donna M. Watson	Secretary (from Mar. 1 to June 30, 1975).	4,333.32
Judy Staples	do	3,333.32
Gabriele Hamill	Secretary (from Mar. 17 to May 13, 1975).	1,583.33
Kenneth H. Davidson	Staff assistant (from Mar. 1 to June 30, 1975).	3,583.32
Michael James Ward	Assistant counsel (from Mar. 1 to June 30, 1975).	5,550.00
Irene Lois Liberty	Printing editor (from Mar. 1 to June 30, 1975).	6,500.00
Bernard Layne	Financial analyst (from Mar. 1 to June 30, 1975).	8,333.32
Willa C. Rawls	Minority secretary (from Mar. 1 to 31 and from June 1 to 30, 1975).	2,166.66
Carol Ann Ward	Minority secretary (from Mar. 1 to June 30, 1975).	3,833.32
James R. Phalen	Minority counsel (from Mar. 1 to June 30, 1975).	10,666.68
Paul E. Kritzer	Assistant minority counsel (from Mar. 1 to June 30, 1975).	8,833.32
Total		92,666.59

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Emilia E. Parrish	Secretary (from Jan 1 to June 30, 1975).	$6,916.68
Myrtle Ruth Foutch	Clerk (from Jan. 1 to Feb. 28, 1975).	4,583.34

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Justinus Gould	Deputy general counsel (from Jan. 1 to Feb. 28, 1975).	$6,000.00
Henry A. Robinson	General counsel (from Jan. 1 to Feb. 28, 1975).	6,000.00
Patricia A. Anderson	Secretary (from Mar. 16 to 31, 1975).	508.96
Donna M. Watson	Secretary (from Jan. 1 to Feb. 28, 1975).	2,000.00
Lucille C. Hicks	Secretary (from Jan. 1 to June 30, 1975).	7,166.66
Anthony J. DiStefano	Subcommittee staff member (from Mar. 1, to June 30, 1975).	8,333.32
Thomas A. Trimboli	Subcommittee counsel from Mar. 1 to June 30, 1975).	8,333.32
Mary Eileen Hohman	Clerk-typist (from Jan. 1 to June 30, 1975).	4,722.21
Thomas G. Powers	Counsel (from Jan. 1 to June 30, 1975).	12,500.00
George E. Moll	Subcommittee staff member (from Mar. 1 to June 30, 1975).	9,000.00
Kenneth H. Davidson	Staff assistant (from Jan. 1 to Feb. 28, 1975).	1,750.00
Stephen P. Lynch	Professional staff member (from Apr. 1 to June 30, 1975).	3,999.99
Michael James Ward	Assistant counsel (from Jan. 1 to Feb. 28, 1975).	2,500.00
Irene Lois Liberty	Printing editor (from Jan. 1 to Feb. 28, 1975).	3,083.34
William F. Demarest, Jr.	Counsel (from Jan. 1 to June 30, 1975).	11,499.98
Douglas Charles Nesbitt	Staff assistant (from June 1 to 30, 1975).	500.00
Douglas L. Francisco	Minority staff member (from Mar. 1 to June 30, 1975).	8,333.32
Willa C. Rawls	Minority secretary (from Jan. 1 to Feb. 28, 1975).	2,083.34
Carol Ann Ward	do	1,833.34
James R. Phalen	Minority counsel (from Jan. 1 to Feb. 28, 1975).	4,916.66
Marvin W. Topping	Minority staff member (from Mar. 1 to June 30, 1975).	6,333.32
Elmira R. Stewart	Minority secretary (from Jan. 1 to June. 30, 1975).	5,166.66
Paul E. Kritzer	Assistant minority counsel (from Jan. 1 to Feb. 28, 1975).	4,216.66
Raymond S. Wittig	Minority subcommittee counsel (from Apr. 1 to June 30, 1975).	5,499.99
Total		137,781.09

COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

July 16, 1975.

To the Clerk of the House:

The Committee on Standards of Official Conduct pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period	$87,948.52
3. Amount expended during this period	53,852.26

JOHN J. FLYNT, Jr., Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
John M. Swanner	Staff director	$18,000.00
William F. Arbogast	Assistant staff director.	15,828.00
Mariann R. Mackenzie	Secretary	13,266.39
Pamela R. Gray	Assistant clerk	4,220.80
Diane C. Munchak	Assistant clerk (from Apr. 21, 1975).	1,633.33
Total		52,948.52

COMMITTEE ON VETERANS' AFFAIRS

June 17, 1975.

To the Clerk of the House:

The Committee on Veterans' Affairs pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 3, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).	
2. Total funds available during this period	$646,191.70
3. Amount expended during this period	227,392.10

RAY ROBERTS, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Oliver E. Meadows	Staff director	$18,000.00
Mack G. Fleming	Counsel	18,000.00
Billy E. Kirby	Professional aide	18,000.00
Philip E. Howard	do	15,000.00
John R. Holden	Minority professional staff member.	18,000.00
Arthur M. Gottschalk	Minority professional aide.	14,292.00
Robert Siegrist	do	10,000.00
Michael F. Venuto	do	3,541.66
Louis A. Townsend	Professional aide	1,083.00
Francis W. Stover	Assistant counsel	1,500.00
Helen A. Biondi	Chief clerk	17,100.00
Morvie Ann Colby	Clerk-stenographer	5,945.24
Marjorie J. Kidd	do	8,529.06
Arlene Burnett	do	6,721.38
Candis L. Graves	do	6,188.46
Margaret Hulehan	do	5,083.35
Jill T. Cochran	do	5,083.35
Gloria Royce	do	4,895.85
Barbara Daniel	Minority clerk-stenographer.	6,595.02
Ronda Kay Miles	Clerk-stenographer	1,925.00
Deborah A. Robey	Minority clerk-stenographer.	708.33
Total		186,191.70

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Alice V. Matthews	Clerk-stenographer	$3,869.34
Vance L. Gilliam	Records clerk	5,314.68
Jill T. Cochran	Clerk-stenographer	1,016.67
Philip E. Howard	Investigator	3,000.00
Margaret Hulehan	Clerk-stenographer	1,013.41
Michael McGinn	Investigator	6,750.00
Michael W. Vehle	do	3,333.34
James A. Arnold	(Minority) investigator	2,666.66
Wm. Steve Hurst	Administrative aide	800.00
Total		27,764.10

COMMITTEE ON WAYS AND MEANS

July 15, 1975.

To the Clerk of the House:

The Committee on Ways and Means pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (See attached schedules A and B).	
2. Total funds available during this period	$1,837,712.15
3. Amount expended during this period	537,749.16

AL ULLMAN, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
John M. Martin, Jr	Chief counsel	$18,000.00
John K. Meagher	Minority counsel	18,000.00
John Patrick Baker	Assistant chief counsel	17,749.98
Mabel Baker	Professional assistant, from Mar.1.	5,500.00
William C. Byrd	Professional assistant, to Feb. 15.	2,070.82
Loren C. Cox	Professional assistant, from Mar. 19.	9,066.68
William Fullerton	Professional assistant	$17,749.98
Charles Hawkins	Professional assistant, to Apr. 30.	11,833.32
Robert Hill	Professional assistant	16,355.58
James W. Kelley	do	17,749.98
June A. Kendall	Professional assistant, to Mar. 15.	6,485.08
Harold Lamar	Professional assistant	17,749.98
Walter Leassig	Professional assistant, from Feb. 3.	14,594.43
Robert Leonard	Professional assistant, from Apr. 1.	6,217.76
Frances Paris	Professional assistant, Feb. 24 to May 24.	3,775.53
Doris Parker	Professional assistant, to Feb. 17.	1,680.70
Marsha Powell	Professional assistant	6,067.35
Lou Ann Rowe	Professional assistant, from Feb. 1.	5,208.37
Margo Shildkret	Professional assistant, to Feb. 23.	1,693.30
Arthur Singleton, Jr	Professional assistant	17,749.98
Janet Stanzione	Professional assistant, from Mar. 1.	3,500.00
Carole Vazis	Professional assistant. to Mar. 31.	4,510.99
Florence Burkett	Staff assistant	10,815.78
Virginia Butler	do	12,662.40
Cynthia Carpenter	Staff assistant, from June 9.	702.68
Louise Chrissos	Staff assistant, Feb. 1 to Mar. 31.	2,666.66
Marie C. Crane	Staff assistant, to Mar. 31.	1,758.67
Connie Faulkner	do	2,835.84
Barbara Fry	Staff assistant	5,143.52
Hughlon Greene	do	12,662.40
Grace G. Kagan	do	13,189.98
Elizabeth Lieblich	Staff assistant, to Jan. 31.	1,099.17
Walter B. Little	Staff assistant	12,662.40
Danna Palmer	Staff assistant, to June 16.	5,887.31
Jean Ratliff	Staff assistant	7,914.00
Karen Schwarz	do	7,755.72
Gloria Shaver	do	12,134.82
Carole Vazis	Staff assistant, from Apr. 1.	4,510.99
Total		337,712.15

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Jeanne Archibald	Staff assistant, from June 9.	$488.89
Ann Baxter	Staff assistant, from May 27.	1,227.77
Mark Bloomfield	Staff assistant, from May 20.	888.33
Suzanne Blouin	Professional assistant, from Mar. 24.	4,580.57
Gloria Bloyer	Staff assistant	5,500.02
M. Kenneth Bowler	Professional assistant, from April 1.	7,500.00
Madeline Bryan	Staff assistant, from from April 1.	3,375.00
Louise Chrissos	do	3,999.99
Paula Cottrell	Staff assistant, from June 9.	611.11
Connie Faulkner	Staff assistant, from April 1.	2,835.84
Virginia Fletcher	do	6,500.01
Linda Freeman	Staff assistant from March 24.	4,311.10
Susan Friedman	Staff assistant	6,250.02
Carole Goddard	Staff assistant, from May 5.	1,866.67
Julie Hamos	Staff assistant, from June 1.	833.33
Charles Hawkins	Professional assistant, from May 1.	3,406.66
Thomas Hendershot	do	4,500.00
Stephen Hill	Staff assistant, from June 23.	133.33
Erwin Hytner	Professional assistant, from March 24.	9,565.27
Allen Jensen	Professional assistant, from May 23.	3,272.22
Thomas Langston	Staff assistant, from June 9.	366.67
Mary Nell Lehnhard	Professional assistant	8,664.00
Robert Leonard	Professional assistant, to March 31.	6,217.76
Eugene Malone	Professional assistant, from April 7.	7,233.32
Norah Moseley	Staff assistant, from April 7.	2,216.68
Robert Reese	Staff assistant, from May 20.	1,332.50

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL—Con.

Name of employee	Profession	Total gross salary during 6-month period
Paul Rettig	Professional assistant	$17,749.98
Judith Rochlin	Professional assistant, from April 3.	4,888.90
David Rohr	Professional assistant	17,401.80
Lawrence Ross	Professional assistant, from June 23.	788.89
John Salmon	Professional assistant from Mar. 18.	6,874.99
John Sherman	Professional assistant from Mar. 24.	9,161.10
Thomas Stokes	Staff assistant, from June 17.	280.58
Anne Sullivan	Professional assistant, from May 19.	1,808.34
William Vaughan, Jr	Professional assistant, from Apr. 1.	6,750.00
Robert Vonick, Jr	Staff assistant, from May 5.	1,166.67
Mary Jane Wignot	Professional assistant	15,300.42
B. H. Wilkins	Professional assistant, from Apr. 1.	7,500.00
Total		187,348.73

SELECT COMMITTEE ON AGING

July 10, 1975.

To the Clerk of the House:

The Select Committee on Aging pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from February 20, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $600,000.00
3. Amount expended during this period 50,330.02

WM. J. RANDALL, Chairman.

SCHEDULE A—SELECT COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Full Committee:		
Lyle McClain	Counsel	$6,333.33
Michael Murray	Professional staff assistant.	1,666.67
V. Bernice King	Financial secretary	7,630.80
Nancy Pless	Secretary	520.83
Yung Ping Chen	Research analyst	53.33
Subcommittee (Retirement Income and Employment):		
John F. Tischler	Staff director	5,416.67
Susan Lee Aheron	Minority staff assistant	2,450.00
Subcommittee (Health and Long Term Care):		
James A. Brennan, Jr	Staff director	6,750.00
Martha Jane Maloney	Secretary	2,955.56
Subcommittee (Housing and Consumer Interests):		
Jose Garza	Staff director	1,894.44
Subcommittee (Federal, State, and Community Services):		
Edward F. Howard	Staff counsel	6,750.00
Fumiko NMN Kuwayama.	Secretary	2,333.34
Roberta Ann Bretsch	Minority staff director	3,825.00

SELECT COMMITTEE ON INTELLIGENCE

July 31, 1975.

To the Clerk of the House:

The Select Committee on Intelligence pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from February 19, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $750,000.00
3. Amount expended during this period 54,787.04

OTIS G. PIKE, Chairman.

SCHEDULE A—SELECT COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Carolyn M. Andrade	Office manager, from May 27.	$2,455.56
John L. Boos	Counsel, from May 14	3,916.67
James B. F. Oliphant	do	3,655.55
Carl H. Sims	Security officer, from April 21.	3,500.00
A. Searle Field	Staff director, from May 14.	4,700.00
Michal Ann Schafer	Secretary, from June 1	1,000.00
Emily Sheketoff	Research investigator, from May 19.	1,400.00
Jonathan A. Flint	Research director, from June 11.	777.78
Fred K. Kirschstein	Investigator, from June 12.	1,161.11
Edward Roeder	Investigator, from June 9.	1,588.89
Gregory G. Rushford	Investigator, from June 16.	750.00
Edwin M. Mixon, Jr	Investigator, from June 16 to 23.	555.55
Richard S. Vermeire	Counsel, from June 25	450.00
Jeffrey R. Whieldon	Counsel, from June 23	644.45
Cheryl Yamamoto	Research, from June 16	500.00
Sandra A. Zeune	Secretary, from June 16.	500.00
Total		27,555.56

AD HOC SELECT COMMITTEE ON THE OUTER CONTINENTAL SHELF

July 31, 1975.

To the Clerk of the House:

The Ad Hoc Select Committee on the Outer Continental Shelf pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from May 22, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $150,000.00
3. Amount expended during this period 4,515.95

JOHN M. MURPHY, Chairman.

SCHEDULE A—SELECT COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Carl Lewis Perian	Staff director (from June 1).	$349.28
Clementine Anthony	Secretary (from June 1).	1,000.00
Vivian B. Wiesner	Clerk (from June 1)	833.33
Robert S. Harrison	Chief clerk (from June 1).	1,000.00
Gladys F. G. Lebreton	Research assistant (from June 1).	916.67
Julia P. Perian	Administrative assistant (from June 1).	416.67

JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

July 15, 1975.

To the Clerk of the House:

The Joint Committee on Congressional Operations pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $395,970.37
3. Amount expended during this period 257,603.17
4. Amount committed during this period, not yet billed 25,827.62

JACK BROOKS, Chairman.

SCHEDULE A—JOINT COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Eugene F. Peters	Executive director	$18,000.00
Francis J. Keenan	Director of projects	17,780.10
Cynthia K. Watkins	Staff administrator	9,480.54
George Meader	Staff counsel	$5,661.00
Raymond L. Gooch	do	2,809.90
Donald G. Tacheron	Research director	8,874.99
George Roger King	Staff counsel	2,931.12
Lynne D. Finney	Staff assistant	1,295.24
John Clarke Ahlers	do	666.67
Total		67,499.56

OFFICE OF PLACEMENT AND OFFICE MANAGEMENT

SCHEDULE B—INVESTIGATIVE STAFF PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Wilson R. Abney	Staff counsel	$5,644.43
Mark A. Eller	Staff assistant	10,630.57
Robert J. Kelley	do	12,290.32
James F. McAllister	Administrative officer	15,400.34
Grace Seckler	Placement officer	4,750.02
Gerald P. McCartin	do	1,823.60
Peter B. Crouch	Temporary clerk	600.00
Russell S. Gill	do	684.72
John W. Malloy	Placement officer	5,153.14
Earl Francis Rieger	Staff counsel	11,869.06
Samuel V. Merrick	Staff assistant	7,500.00
Gayle D. Fralen	Placement officer	5,541.68
Linda Jo Shelton	Secretary/stenographer	5,541.68
David Robert Solomon	Placement officer	4,666.68
James Joseph Abrams	Staff assistant	5,093.52
Nancy Louise Emery	Receptionist/typist	4,025.00
David W. Savercool	Temporary clerk	1,121.59
Karen Anne Glenn	Placement officer	5,170.74
Janet E. Moore	do	4,152.32
David Wesley Jones	do	4,333.32
Mary W. Kopenski	Clerk	2,065.00
Thomas M. Quinn	Staff assistant	9,375.00
Ellel L. Jones	do	6,666.67
Sandra H. Padilla	Administrative officer	5,644.43
Michael A. Norris	Placement officer	3,351.40
Donald H. Radler	Staff assistant	7,500.00
H. Preston Pitts, Jr	do	4,900.00
Fred A. Caccavale	Temporary clerk	1,088.89
Deborah H. Galt	do	676.00
Mary C. Dwyer	do	502.67
Kathleen M. Durkin	Receptionist/typist	604.17
Lee A. Kidder	Staff assistant	437.50
Gerard C. Snow	Administrative officer	2,934.03
Heather S. Entrekin	Secretary	4,369.18
William B. Blacklow	Staff assistant	88.89
Patricia Neal Gray	do	1,582.80
Victor D. Petaccio	do	1,900.00
William Callaway	Clerk	429.00
P. Campbell Gardett	Temporary clerk	1,619.48
Nancy Leonard	do	1,112.37
William Raines III	do	144.45
Rana Shames	Receptionist/typist	111.11

JOINT COMMITTEE ON DEFENSE PRODUCTION

July 30, 1975.

To the Clerk of the House:

The Joint Committee on Defense Production pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period $89,782.52
3. Amount expended during this period 87,325.04

WRIGHT PATMAN, Chairman.

SCHEDULE A—STANDING COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
William H. Kincade	Staff director	$8,027.80
Cary Copeland	Assistant director	4,376.82
Robert S. Riggs	Professional staff	9,480.54
J. Michael Hemphill	do	12,964.56
Edward Sokol	do	10,552.02
Margaret Rayhawk	Research associate	7,666.68
Martha Braddock	Secretary	3,833.32
Mary McElroy	Staff assistant	894.44
Georgia Crump	do	500.00
Joseph Lewis	Staff director (Mar. 5 to June 15).	10,100.00
Robert B. Geddie, Jr	Professional staff (to Apr. 30).	6,331.20
Ruth Baskerville	Secretary (to Jan. 31)	803.55
Harold Warren	Contractor (to Mar. 31)	3,499.98
Total		79,030.91

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

September 5, 1975.

To the Clerk of the House:

The Joint Committee on Internal Revenue Taxation pursuant to section 6(j) of Rule XI, Rules of the House of Representatives, submits the following report for the 6-month period from January 1, to June 30, 1975, inclusive:

1. Name, profession, and total salary of each person employed (see attached schedules A and B).
2. Total funds available during this period........ $681, 589. 27
3. Amount expended during this period.......... 589, 583. 69

AL ULLMAN, Chairman.

SCHEDULE A—JOINT COMMITTEE PAYROLL

Name of employee	Profession	Total gross salary during 6-month period
Laurence N. Woodworth	Chief of staff	$19, 999. 98
Lincoln Arnold	Deputy chief of staff	9, 504. 00
Herbert L. Chabot	Assistant chief of staff	18, 000. 00
Bernard M. Shapiro	do	18, 000. 00
Arthur S. Fefferman	Chief economist	18, 000. 00
Harrison B. McCawley	Refund counsel	18, 000. 00
James H. Symons	Statistical analyst	18, 000. 00
John Germanis	do	17, 948. 75
Mark L. McConaghy	Legislation counsel	17, 041. 65
Robert A. Blum	do	16, 849. 60
Michael D. Bird	Economist	18, 000. 00
Albert Buckberg	do	18, 000. 00
Leon W. Klud	do	13, 578. 98
James W. Wetzler	do	11, 270. 40
Allan S. Rosenbaum	Accountant	15, 375. 02
Howard J. Silverstone	International tax counsel.	17, 948. 75
Robert A. Warden	Assistant legislation counsel.	17, 948. 75
Richard L. Bacon	Legislation attorney	16, 944. 60
James L. Billinger	do	14, 762. 93
Don L. Ricketts	do	15, 166. 67
Paul W. Oosterhuis	do	9, 527. 48
Joseph P. Spellman	Refund attorney	13, 781. 65
Carl E. Bates	do	13, 632. 93
Joseph E. Fink	Statistical clerk	8, 376. 00
Cynthia F. Wallace	do	8, 011. 67
Peter J. Davis	Econometrician	7, 750. 00
Marcia B. Rowzie	Administrative assistant.	8, 150. 00
Joanne B. McDermott	Executive assistant	11, 193. 77
Linda R. Savage	Secretary	8, 746. 27
Blance F. Nagro	do	8, 137. 92
Jamie L. Daley	do	7, 970. 00
Jacqueline S. Pfeiffer	do	7, 752. 48
June M. Matthews	do	7, 091. 65
Amelia Del Carmen	do	6, 960. 00
Alexa B. Gage	do	6, 965. 85
Maria L. Winter	do	6, 731. 67
Norma E. Kershner	do	6, 533. 33
Elizabeth A. Dale	do	6, 433. 35
Frances Abelitis	do	6, 383. 32
Sharon F. Malcom	Secretary (to Feb. 21, 1975).	1, 569. 66
Michael Cook	Clerk	5, 919. 98
John Wendell	do	4, 221. 00
Tom Hart	Econometrician	6, 916. 67
Thomas R. White III	Legislation attorney (as of May 19, 1975).	3, 850. 00
Dewitt Fooks Truitt	Refund attorney (as of Jan. 13, 1975).	11, 666. 65
Mary Gongee	Secretary (as of Jan. 27, 1975).	5, 166. 66
Guy Richard Eigenbrode	Clerk (as of June 16, 1975).	375. 00
Michael Oberst	Legislation attorney (as of Feb. 1, 1975).	14, 166. 65
Michele Scott	Legislation attorney (as of Mar. 17, 1975).	6, 355. 54
Janice Campbell	Secretary (as of Mar. 4, 1975).	3, 120. 00
Robert Strauss	Economist (as of May 1, 1975).	5, 333. 34
William Gerber	Statistician (as of May 17, 1975).	1, 772. 22

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1685. A letter from the President of the United States, transmitting proposed supplemental appropriations for the Executive Office of the President for fiscal year 1976 and for the transition period July 1 through September 30, 1976 (H. Doc. 94–243); to the Committee on Appropriations and ordered to be printed.

1686. A letter from the President of the United States, transmitting proposed appropriations for the Privacy Protection Study Commission for fiscal year 1976 and for the transition period July 1 through September 30, 1976 (H. Doc. No. 94–244); to the Committee on Appropriations and ordered to be printed.

1687. A letter from the President of the United States, transmitting proposed supplemental appropriations for the Federal Communications Commission for fiscal year 1976 and for the transition period July 1 through September 30, 1976 (H. Doc. 94–245); to the Committee on Appropriations and ordered to be printed.

1688. A letter from the Deputy Chief of Naval Material (Procurement and Production), transmitting a report on Navy research and development procurement actions of $50,000 and over, covering the 6 months ended June 30, 1975, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1689. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–29. "To amend the provisions of the Standards of Assistance of the District of Columbia relating to special living arrangements," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1690. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–40, "To expand the District of Columbia Law Revision Commission," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1691. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–43, "To amend the District of Columbia Income and Franchise Tax Act of 1947 as it effects unincorporated businesses," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1692. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–45, "To amend the District of Columbia Minimum Wage Act to extend minimum wage and overtime compensation protection to private household workers"; to the Committee on the District of Columbia.

1693. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–46, "To stabilize rents in the District of Columbia and to establish a Rent Stabilization Commission, and for other purposes," pursuant to section 602 (c) of Public Law 93–198; to the Committee on the District of Columbia.

1694. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–42, "To amend the District of Columbia Revenue Act of 1975 (Bill No. 1–47)," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1695. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–48, "To eliminate discrimination, against persons who are or who have recently been pregnant, in the administration of unemployment insurance benefits," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1696. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–49, "To amend Act 1–29, entitled, "To amend the provisions of the Standards of Assistance of the District of Columbia relating to special living arrangements.'," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1697. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of Council act No. 1–50, "To amend the District of Columbia Public Postsecondary Education Reorganization Act," pursuant to section 602(c) of Public Law 93–198; to the Committee on the District of Columbia.

1698. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to establish a national framework for collective bargaining in the construction industry and for other related purposes; to the Committee on Education and Labor.

1699. A letter from the Acting Secretary of the Interior, transmitting a proposed plan for the use and distribution of Western Apache judgment funds awarded in Docket No. 22–D before the Indian Claims Commission, pursuant to 87 Stat. 466; to the Committee on Interior and Insular Affairs.

1700. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Navy to offer to sell certain defense services to Iran, pursuant to section 36(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1701. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Air Force to offer to sell certain defense articles to the Republic of Korea, pursuant to section 3(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1702. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the intention of the Department of the Army to offer to sell certain defense services to Saudi Arabia, pursuant to section 36(b) of the Foreign Military Sales Act, as amended; to the Committee on International Relations.

1703. A letter from the Administrator, Federal Energy Administration, transmitting a report on changes in market shares for petroleum products during the months of April and May, 1975, pursuant to section 4(c)(2)(A) of the Emergency Petroleum Allocation Act of 1973; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHARLES H. WILSON of California: Committee on Post Office and Civil Service. H.R. 5665. A bill to establish an arbitration board to settle disputes between supervisory organizations and the U.S. Postal Service. (Rept. No. 94–462). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. ABZUG:

H.R. 9419. A bill to amend titles IV, XI, and XIX of the Social Security Act to increase the Federal matching rate for purposes of reimbursement to States under the programs of aid to needy families with children and medical assistance; jointly to the Committees on Ways and Means, and Interstate and Foreign Commerce.

By Mr. ANDERSON of Illinois:

H.R. 9420. A bill to extend the Emergency Petroleum Allocation Act of 1973 to October 15, 1975; to the Committee on Interstate and Foreign Commerce.

By Mr. BIAGGI:

H.R. 9421. A bill to authorize emergency guarantees of the bonds issued by the Municipal Assistance Corporation of the State of New York; to the Committee on Banking, Currency and Housing.

H.R. 9422. A bill to amend the Elementary and Secondary Education Act of 1965 to assist school districts to carry out school security plans to reduce crime against children, employees, and facilities of their schools, to provide for the reporting of crimes committed in schools, and for other purposes; to the Committee on Education and Labor.

By Mr. BROWN of Ohio:

H.R. 9423. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

H.R. 9424. A bill to amend the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

H.R. 9425. A bill to extend the Emergency Petroleum Allocation Act; to the Committee on Interstate and Foreign Commerce.

By Mr. CORNELL (for himself, Mr. Aspin, Mr. Badillo, Mr. Bedell, Mr. Blouin, Mr. Downey of New York, Mr. Edgar, Mr. Flood, Mr. Gude, Mr. Hall, Mr. Harrington, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Hughes, Mr. Lent, Mr. Mann, Mr. McHugh, Mr. Mikva, Mr. Milford, Mr. Miller of California, Mr. Mitchell of New York, Mr. Moakley, Mr. Murphy of New York, Mr. Nedzi, and Mr. Patterson of California):

H.R. 9426. A bill to amend the Internal Revenue Code of 1954 to allow persons covered by certain other retirement plans to establish personal savings for retirement; to the Committee on Ways and Means.

By Mr. CORNELL (for himself, Mr. Riegle, Mr. Roybal, Mr. Sharp, Mr. Simon, and Mr. Winn):

H.R. 9427. A bill to amend the Internal Revenue Code of 1954 to allow persons covered by certain other retirement plans to establish personal savings for retirement; to the Committee on Ways and Means.

By Mr. D'AMOURS:

H.R. 9428. A bill to amend title 38 of the United States Code in order to extend the delimiting period for completing programs of education for veterans pursuing such programs at the close of such period; to the Committee on Veterans' Affairs.

H.R. 9429. A bill to amend title 38, United States Code, to eliminate the time period in which a veteran has to use his educational benefits and to extend the months of eligibility from 36 to 45 months; to the Committee on Veterans' Affairs.

By Mr. DOMINICK V. DANIELS (for himself, Mr. Esch, Mr. Hayes of Indiana, and Mr. McFall):

H.R. 9430. A bill to amend the Occupational Safety and Health Act of 1970 to provide additional consultation and education to employers, and for other purposes; to the Committee on Education and Labor.

By Mr. DOMINICK V. DANIELS (for himself, and Mr. Perkins):

H.R. 9431. A bill to strengthen State workers' compensation programs, and for other purposes; to the Committee on Education and Labor.

By Mr. de LUGO (for himself and Mr. Phillip Burton):

H.R. 9432. A bill to amend the Internal Revenue Code of 1954 in order to provide for quarterly payment, rather than annual payment, to the Government of the Virgin Islands of amounts equal to internal revenue collections made with respect to articles produced in the Virgin Islands and transported to the United States; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 9433. A bill to amend the Securities Exchange Act of 1934 to restrict persons who are not citizens of the United States from acquiring more than 35 percent of the nonvoting securities or more than 5 percent of the voting securities of any issuer whose securities are registered under such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DODD:

H.R. 9434. A bill to amend section 111 of title 23, United States Code, to permit the sale of coffee at rest and recreation areas on Interstate System rights-of-way; to the Committee on Public Works and Transportation.

H.R. 9435. A bill to amend section 111 of title 23, United States Code, to permit the sale of coffee at rest and recreation areas on Interstate System rights-of-way; to the Committee on Public Works and Transportation.

By Mr. DRINAN (for himself and Mr. Fithian):

H.R. 9436. A bill to prescribe certain rules for Federal, State, and local agencies regulating electric rates; to the Committee on Interstate and Foreign Commerce.

By Mr. DRINAN (for himself, Mr. Moorhead of Pennsylvania, Mr. Pattison of New York and Mrs. Spellman):

H.R. 9437. A bill to direct the Administrator of Energy Research and Development to establish a system of research and development of energy-conserving industrial technologies with due regard for the need to operate such a system in a manner which will stimulate depressed sectors of the American economy; to the Committee on Science and Technology.

By Mr. DRINAN (for himself, Mr. Bingham, Mr. Brademas, Mr. Phillip Burton, Mr. Conte, Mr. Eckhardt, Mr. Edwards of California, Mr. Fraser, Mr. Gude, Mr. Hayes of Indiana, Mr. Kastenmeier, Ms. Keys, Mr. McFall, Mr. Metcalfe, Mr. Mikva, Mr. Moss, Mr. Ottinger, Mr. Sarbanes, Mr. Seiberling, Mr. Simon, and Mr. Symington):

H.R. 9438. A bill to amend the Solid Waste Disposal Act to encourage research, development, and implementation of energy and resource recovery from solid waste, and for other purposes; jointly to the Committees on Interstate and Foreign Commerce, and Science and Technology.

By Mr. DUNCAN of Tennessee:

H.R. 9439. A bill to create a special tariff provision for imported glycine and related products; to the Committee on Ways and Means.

By Mr. FASCELL (for himself, Mr. Rodino, Mr. Nix, Mr. Pepper, Mr. Moss, Mr. Metcalfe, Mr. Stark, Mr. Fisher, Mrs. Collins of Illinois, Mr. Harris, Mr. Ottinger, Mr. Meeds, Mr. Lehman, Mr. Gude, and Mrs. Spellman):

H.R. 9440. A bill to revise the effective date provisions for pay comparability adjustments under title 5, United States Code, so that such adjustments apply to all executive branch employees on the same date; to the Committee on Post Office and Civil Service.

By Mr. FREY (for himself, Mr. Byron, Mr. Bonker, Mr. Breckinridge, Mr. Coughlin, Mr. Hubbard, Mr. McCollister, Mr. Pickle, Mr. Spence, and Mr. Vigorito):

H.R. 9441. A bill to amend the Communications Act of 1934 with respect to the renewal of licenses for the operation of broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. LITTON (for himself, Mr. Fisher, and Mr. Nolan):

H.R. 9442. A bill to amend the Internal Revenue Code of 1954 to restrict the authority for inspection of tax returns and the disclosure of information contained therein, and for other purposes; to the Committee on Ways and Means.

By Mrs. HECKLER of Massachusetts:

H.R. 9443. A bill to amend the Internal Revenue Code of 1954 to provide income tax incentives to improve the economics of recycling waste paper; to the Committee on Ways and Means.

By Mr. McCOLLISTER:

H.R. 9444. A bill to name the Federal Building in Omaha, Nebraska, the "Glenn Cunningham Federal Building" in commemoration of the many contributions of former Congressman Glenn Cunningham; to the Committee on Public Works and Transportation.

By Mr. METCALFE (for himself, Mr. Ford of Tennessee, and Mr. Stokes):

H.R. 9445. A bill to amend section 1979 of the Revised Statutes (42 U.S.C. 1983) to permit suits against bodies politic and the District of Columbia with respect to certain violation of civil rights; to the Committee on the Judiciary.

By Mr. MOSHER (for himself, Mr. Regula, Mr. Mottl, Mr. Devine, Mr. Miller of Ohio, Mr. Latta, Mr. Guyer, Mr. J. William Stanton, Mr. Brown of Ohio, Mr. Kindness, and Mrs. Fenwick):

H.R. 9446. A bill to deny Members of Congress any increase in pay under any law passed, or plan or recommendation received, during a Congress unless such increase is to take effect not earlier than the first day of the next Congress; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 9447. A bill to amend title II of the Social Security Act to provide that benefits determined under the special minimum primary insurance amount formula shall be increased, when other benefits payable under such title are increased, to take account of rises in the cost of living; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 9448. A bill to create a special tariff provision for imported glycine and related products; to the Committee on Ways and Means.

By Mr. REES:

H.R. 9449. A bill to amend the Export Trade Act, and for other purposes; to the Committee on the Judiciary.

By Mr. RINALDO:

H.R. 9450. A bill to amend title IV of the Higher Education Act of 1965 to provide for a National Student Financial Assistance Data Bank; to the Committee on Education and Labor.

By Mrs. SPELLMAN (for herself, Ms. Abzug, Mr. Badillo, Mr. Brodhead, Ms. Burke of California, Mrs. Chisholm, Mr. Cleveland, Mrs. Collins of Illinois, Mr. Dellums, Mr. Diggs, Mr. Dingell, Mr. Downey of New York, Mr. Drinan, Mr. Eilberg, Mr. Fisher, Mr. Harrington, Mr. Harris, Mr. Helstoski, Mr. Hughes, Mr. Hyde, Mr. Jenrette, Mr. Kemp, Mr. LaFalce, Mr. Long of Maryland, Ms. Meyner, and Mr. Mikva):

H.R. 9451. A bill to amend the Civil Rights Act of 1968 and title 5 of the National Housing Act to prevent discrimination based on marital status; jointly to the Committees on the Judiciary, and Banking, Currency and Housing.

By Mrs. SPELLMAN (for herself, Mrs. Mink, Mr. Mitchell of Maryland, Mr. Mitchell of New York, Mr. Mosher, Mr. Moss, Mr. Mottl, Mr. Murphy of New York, Mr. Ottinger, Mr. Patterson of California, Mrs. Pettis, Mr. Peyser, Mr. Regula, Mr. Roe, Mr. Roybal, Mr. Ryan, Mr. Scheuer, Mr. Solarz, Mr. Stokes, Mr. Thompson, Mr. Waxman, Mr. Charles H. Wilson of California, and Mr. Charles Wilson of Texas):

H.R. 9452. A bill to amend the Civil Rights Act of 1968 and title 5 of the National Housing Act to prevent discrimination based on marital status; jointly to the Committees on the Judiciary, and Banking, Currency, and Housing.

By Mr. TRAXLER:

H.R. 9453. A bill to amend the Communications Act of 1934 with respect to the renewal of licenses for the operation of broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES WILSON of Texas:

H.R. 9454. A bill to extend the Emergency Petroleum Allocation Act of 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. WIRTH:

H.R. 9455. A bill to amend the Public Health Service Act to revise and extend the program under the National Heart and Lung Institute, to revise and extend the program of National Research Service Awards, and to establish a national program with respect to genetic diseases; and to require a study and report on the release of research information; to the Committee on Interstate and Foreign Commerce.

H.R. 9456. A bill to amend title XIII of the Public Health Service Act to revise and extend the program for the establishment and expansion of health maintenance organizations; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRON (for himself, Mr. Flowers, Mr. Edwards of Alabama, Mr. Rhodes, Mr. Alexander, Mr. Phillip Burton, Mr. Moorhead of California, Mr. Rees, Mr. Johnson of California, Mr. Sisk, Mr. Charles H. Wilson of California, Mr. Brown of California, Mr. Leggett, Mr. Dellums, Mr. McFall, Mr. Talcott, Mr. Hannaford, Mr. Dodd, Mr. Cotter, Mr. McKinney, Mr. Sarasin, Mr. Moffett, Mr. Frey, Mr. Gibbons, and Mr. Mathis):

H.J. Res. 636. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. BYRON (for himself, Mr. Winn, Mr. Mazzoli, Mr. Hubbard, Mr. Breaux, Mr. Waggonner, Mr. Long of Louisiana, Mr. Emery, Mrs. Holt, Mr. Bauman, Mr. Boland, Mrs. Heckler of Massachusetts, Mr. Early, Mr. Burke of Massachusetts, Mr. Blanchard, Mr. Brodhead, Mr. O'Hara, Mr. Traxler, Mr. Cederberg, Mr. Riegle, Mr. Esch, Mr. Brown of Michigan, Mr. Vander Veen, Mr. Carr, and Mr. Dingell):

H.J. Res. 637. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. BYRON (for himself, Mrs. Mink, Mr. Matsunaga, Mrs. Collins of Illinois, Mr. Metcalfe, Mr. Murphy of Illinois, Mr. Price, Mr. Rostenkowski, Mr. Russo, Mr. Shipley, Mr. Yates, Mr. Madigan, Mr. Mikva, Mr. Hall, Mr. O'Brien, Mr. Findley, Mr. Madden, Mr. Hillis, Mr. Hayes of Indiana, Mr. Sharp, Mr. Harkin, Mr. Mezvinsky, Mr. Smith of Iowa, Mr. Bedell, and Mr. Shriver):

H.J. Res. 638. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1973, as "National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. BYRON (for himself, Mr. Ford of Michigan, Mr. Ruppe, Mr. Karth, Mr. Oberstar, Mr. Lott, Mr. Hungate, Mr. Burlison of Missouri, Mr. Melcher, Mr. McCollister, Mr. Santini, and Mr. Cleveland):

H.J. Res. 639. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York (for himself, Mr. Ashley, Mr. Biaggi, Mr. Brademas, Mr. John L. Burton, Mr. Conte, Mr. Delaney, Mr. Fascell, Mr. Giaimo, Mr. Green, Mr. La Falce, Mr. Macdonald of Massachusetts, Mr. McCloskey, Mr. Maguire, Mrs. Meyner, Mr. Miller of California, Mr. Moakley, Mr. Montgomery, Mr. Nedzi, Mr. Pattison of New York, Mr. Rogers, Mr. Ryan, Mr. Studds, Mr. Symington, and Mr. Charles Wilson of Texas):

H.J. Res. 640. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York (for himself, Mr. Archer, Mr. Casey, Mr. Clancy, Mr. Coughlin, Mr. Davis, Mr. Devine, Mr. Duncan of Oregon, Mr. Hays of Ohio, Ms. Jordan, Mr. Kazen, Mr. Kreuger, Mr. McDade, Mr. Mann, Mr. Miller of Ohio, Mr. Morgan, Mr. Mosher, Mr. Mottl, Mr. Murtha, Mr. Patman, Mr. Poage, Mr. Rooney, Mr. St Germain, Mr. Schulze, and Mr. Vigorito):

H.J. Res. 641. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York (for himself, Ms. Abzug, Mr. Andrews of North Dakota, Mr. Downey of New York, Mrs. Fenwick, Mr. Florio, Mr. Forsythe, Mr. Guyer, Mr. Hastings, Mr. Horton, Mr. Hughes, Mr. Nowak, Mr. Patten, Mr. Peyser, Mr. Pike, Mr. Rangel, Mr. Richmond, Mr. Runnels, Mr. Solarz, Mr. James V. Stanton, Mr. Stratton, Mr. Thompson, Mr. Vanik, Mr. Wolff, and Mr. Zeferetti):

H.J. Res. 642. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York (for himself, Mr. Benitez, Mr. Cornell, Mr. Hicks, Mr. McCormack, Mr. Mollohan, Mr. Roncalio, Mr. Satterfield, Mr. Steiger of Wisconsin, and Mr. Won Pat):

H.J. Res. 643. Joint resolution authorizing and requesting the President to issue a proclamation designating Sunday, September 14, 1975, as "National Saint Elizabeth Seton Day"; to the Committee on Post Office and Civil Service.

By Mr. BAUMAN (for himself and Mr. Hyde):

H. Res. 699. Resolution expressing the sense of the House against further recesses; to the Committee on Rules.

By Mr. MONTGOMERY (for himself, Mr. Ambro, and Mr. Riegle):

H. Res. 700. Resolution establishing a select committee to study the problem of U.S. servicemen missing in action in Southeast Asia; to the Committee on Rules.

By Mr. J. WILLIAM STANTON:

H. Res. 701. Resolution to provide for the commemoration on September 17, 1975, of Citizenship Day and Constitution Week by the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

256. The SPEAKER presented a memorial of the Legislature of the State of California, relative to postal rates; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISHER:

H.R. 9457. A bill for the relief of Ruth E. Quinlan; to the Committee on the Judiciary.

By Mr. SARASIN:

H.R. 9458. A bill for the relief of James W. Brundage; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII,

215. The SPEAKER presented a petition of Suffolk County Legislature, New York, relative to employment of senior citizens; to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

MURDER OF SGT. DAVID FREED POINTS OUT DANGERS WHICH FACE AUXILIARY POLICE IN NEW YORK

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. BIAGGI. Mr. Speaker, yesterday, I joined with hundreds of mourners at the funeral of 20-year-old Sgt. David Freed, a member of the New York City Auxiliary Police who was brutally murdered in New York's Central Park. This tragic event focused the attention of all New Yorkers, many for the first time, on the real dangers which the brave men and women of the auxiliary police of New York face in the daily performance of their duties.

The auxiliary police in New York City was established in 1951 and now consists of more than 5,000 men and women who, serving as virtual volunteers, provide valuable supplemental assistance to the New York City Police Department. Their roles have grown more critical in recent years due to a sharp increase in the crime rate in New York City, and most recently to the layoffs of several thousand New York City policemen. Yet, as their duties increase so have their hazards and the murder of Sergeant Freed pointed this factor out with shocking clarity.

This tragedy points to the urgent need

to provide better training for all auxiliary police. Sergeant Freed died from a beating administered by his own night stick, the only weapon he and all other auxiliary police are equipped with.

In the very least, procedures must be implemented immediately to provide better protection for auxiliary police and train them fully in the use of these weapons to prevent a reoccurrence of the tragedy which befell Sergeant Freed. As a former 23-year member of the New York City Police Department, I am fully aware of the hazards involved in police work and the need for all law enforcement personnel to be adequately trained.

The death of any law enforcement personnel is tragedy for the Nation. We have suffered a dramatic increase in the numbers of police killed in the line of duty. Yet despite these increases Congress has failed to act in legislation to better protect police and provide compensation for their survivors. I have introduced legislation to impose the death penalty on a mandatory basis for anyone convicted of killing a law enforcement official.

In addition legislation has been introduced to provide a $50,000 death benefit payments to the widows and survivors of any law enforcement personnel killed in action. In each case I intend to insure that auxiliary police are included in the definition of law enforcement official and will also work for the enactment of these bills by the Congress. We must address ourselves to the urgent needs of our police and we can best do so with the enactment of these bills.

The death of Sergeant Freed was a profound human tragedy as well. This was a man 20 years old, a member of the auxiliary police for 1½ years, cut down in the prime of life. The tragedy was further compounded by the fact that his fiance who was also a member of the auxiliary force was on patrol with Sergeant Freed that day and was forced to watch him be mortally bludgeoned and endure a beating by the same criminal.

Mr. Speaker, I extend deepest condolences to the family of David Freed and while this loss cannot be measured, they should take solace in the fact that David's life was exemplary in terms of his commitment to assisting his fellow man. At this point in the RECORD I insert an article on Sergeant Freed's funeral from the New York Daily News entitled "No Harvest for Brave David:"

NO HARVEST FOR BRAVE DAVID—SERVICES HELD FOR SLAIN AUXILIARY COP

"He began many labors he will not know the end of," the rabbi intoned, fixing his sorrowful gaze on the casket before him. "He sowed many seeds he will not reap."

The fruitless labors, the seeds never to be reaped were—like his elusive dream—buried with David Freed yesterday, give days shy of his 21st birthday. The young auxiliary cop died in Lenox Hill Hospital Sunday morning, having been beaten to death with his own nightstick in Central Park last Wednesday by a madman running about naked.

"When people will be able to walk the streets of New York City 24 hours a day without fear, without apprehension," continued Rabbi Alvin Kass, a Police Department chaplain, "it will be because of the David Freeds of this country."

Their eyes riveted to the basket, which bore the green and white colors of the Police Department, the slain youth's parents harkened to the rabbi's words. Along with his grandmother and other relatives, Esther and Harold Freed suffered their grief in silence, dwelling, perhaps on the irony of the naming of their only child.

David was the second king of the Israelites and of him, the Bible notes: Everyone who was in distress, and everyone who was discontented, gathered to him; and he became captain over them."

For two and a half years, David Freed served as an auxiliary cop; winning chestful of commendations for helping the distressed and assuaging the discontented. He was a supervising sergeant in the park, as was Beth Brimbrink, his 24-year-old financee.

SHE IS IN WHEELCHAIR

Just returned to duty following an injury-induced hiatus brought about from a spill from a horse, Beth—a slight, winsome woman—was also assaulted by the nude marauder. Despite cuts about the head, she sought to overtake the fleeting suspect, but was unable to start the patrol car she shared with David.

Yesterday, Beth came to The Riverside, a funeral chapel at 76th St. and Amsterdam Ave. She was virtually carried to a pew near the door of the chapel. At the conclusion of the rite, as Rabbi Ronald Sobol of Temple Emanu-El and Police Department chaplains representing other faiths preceded the casket from the chapel, she followed Freed's immediate family in a wheelchair, clinging to the comforting hands of fellow auxiliaries.

As the casket was borne from the chapel, hundreds of white-gloved policemen snapped to a precise salute. In front of their ranks stood Police Commissioner Michel Codd, City Council President Paul O'Dwyer, Borough President Percy Sutton, Rep. Mario Biaggi and Controller Harrison Goldin.

As a bugle filled the air with the mournful sounds of "Taps," eight pallbearers in uniform carried Freed's casket to a hearse which took him to Mount Lebanon Cemetery in Glendale, Queens.

David, whose aspirations to become a cop were frustrated by the job freeze, was the first auxiliary ever to die in the line of duty. He was honored with the equivalent of an inspector's funeral.

It was the cops' way of saying thanks. Thanks for helping them do their job, protecting the lives of other people.

H.R. 9005: "A MARSHALL PLAN FOR TODAY'S WORLD"

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. WHALEN. Mr. Speaker, during the congressional recess, there appeared in the press a number of very favorable editorials and articles on H.R. 9005, the International Development and Food Act of 1975. That bill was reported from the International Relations Committee on August 1.

One editorial—which appeared in Newsday, on August 26, called the bill, "A Marshall Plan for Today's World," comparing the legislation with the effort to rebuild Europe at the end of World War II.

As the editorial points out, H.R. 9005 "requires that most economic assistance go directly to the neediest people in the neediest countries."

Because H.R. 9005 is expected to come to the House for deliberation and a vote in the near future, the Newsday editorial should be of interest and use to the Members.

I am, therefore, inserting it at this point in the RECORD:

A MARSHALL PLAN FOR TODAY'S WORLD

The Marshall Plan, which financed the reconstruction of western Europe after World War II, proved that an enlightened foreign aid program can benefit the giver almost as much as the receiver. It not only restored badly needed markets for American goods; it nurtured democracy at a crucial moment when it might easily have perished under the weight of hunger and poverty, the natural breeding grounds of socialism and communism.

The recollection is timely. One of Congress' first tasks when it returns from vacation next week will be to salvage the current American foreign aid program, from the shambles it fell into in Southeast Asia, the major recipient of American aid for the last decade. Congress would be wise, in pondering the future of foreign aid, to return to the principle that served America so successfully a quarter-century ago.

Foreign aid, the late Secretary of State George Marshall said then, should not be "directed against any country or doctrine but against hunger, poverty, desperation and chaos. Its purpose should be a revival of a working economy in a world so as to permit emergence of political and social conditions in which free institutions can exist."

The passage of time has eroded that principle. American aid now is used almost routinely against countries and doctrines—in Southeast Asia, in the Middle East, in Chile and elsewhere. Congress has even come to lump military aid and food and economic assistance in the same legislative package. The member who wanted to vote to alleviate starvation in Africa also has had to vote to send arms, and usually a disproportionate share of economic aid as well, to Vietnam or South Korea or whatever government happened to be in favor with the State Department at the moment.

On the day Congress recessed, the House International Relations Committee reported out legislation that would allow Congress to consider economic assistance separately from military aid. That in itself is enough to recommend the bill, but it also requires that most economic aid go directly to the neediest peoples in the neediest countries, thereby making difficult for this or any other administration to resume using foreign aid as a political weapon. The bill also increases the amount to be sent overseas under the Food for Peace program, provides funds for increasing agricultural production in backward countries, and authorizes at least $200 million as the initial U.S. contribution to the United Nations Food and Agricultural Development Fund, which is also being funded by the OPEC nations.

Representative Lester Wolff (D-Kensington) is a member of the committee that produced the new foreign aid proposal. We hope he can convince his Long Island colleagues and others in Congress that it deserves their support.

SELECT COMMITTEE ON AGING—A NEW OPPORTUNITY FOR SERVICE

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. MATSUNAGA. Mr. Speaker, the House of Representatives has been praised and lauded for creating for the first time in this, the 94th Congress, a new Select Committee on Aging to investigate all matters affecting the 21 million older Americans in the Nation.

I am pleased and honored to serve on the Select Committee on Aging, and as Chairman of its Subcommittee on Federal, State, and community services. Substantial challenges lie ahead, and I look forward to meeting them head-on with my colleague from Missouri (Mr. Randall), and my colleague from California (Mr. Bob Wilson), who serve as chairman and ranking minority member, respectively, of the full committee.

In a recent issue of its magazine, "Retirement Life," the American Association of Retired Persons carried a short article describing our new committee and its potential for improving the lot of all older Americans. In the hope that my colleagues will fully appreciate what is expected of them, I include that article at this point:

Aging's New Congressional Voice

(By Cyril F. Brickfield)

A new Select Committee on Aging—similar to the Special Committee on Aging in the Senate—is now in operation in the House of Representatives. The new committee was established at the end of the last Congress as an "oversight" committee. It does not have authority to draft legislation. But it is responsible for various important new functions:

(1) reviewing the problems of older Americans, including income maintenance, housing, health, research, employment, education and recreation;

(2) studying alternative means of encouraging public and private programs and policies to assist older Americans;

(3) developing policies to encourage the coordination of government and private programs dealing with problems of aging, and

(4) reviewing recommendations made by the President and the White House Conference on Aging on programs of policies affecting older Americans.

Four subcommittees have been established to handle the investigative and oversight work of the committee—Retirement Income and Employment, Health and Long Term Care, Housing and Consumer Interests, and Federal, State and Community Services. Each subcommittee will conduct hearings, collect information and carry out studies on the issues that come under its jurisdiction.

Twenty committees of the House have jurisdiction over legislation affecting older persons and seven committees have jurisdiction over legislation with a major impact on the elderly. But the new select committee will provide a single focal point for efforts to examine the effectiveness of existing legislation and the need for additional legislation to meet the needs of older citizens.

AARP hopes the new select committee will take an active role in determining the need for new legislation and in monitoring the effectiveness of Federal, state and local governments in implementing programs for older persons. We hope also the committee will work to achieve passage of legislation benefiting older persons. Ideally, the committee will serve as a watchdog for the interests of persons over age 65. Its objective: to insure that their special needs are considered when legislation is enacted on any issue which might affect them.

We feel these are areas in which the new Select Committee on Aging can have a significant impact on legislation affecting older persons. They include comprehensive medical care, tax reform, nursing home care, home health services, mental health services, nutrition, transportation, housing, consumer protection and aging research.

In addition, the new committee can play an important role in developing new approaches to the problem of providing adequate income for retirees. That can be done through improvements in the Social Security system, Supplemental Security Income program, private pension plans, etc. It can also be done by eliminating age discrimination and mandatory retirement policies which prevent older persons from working as long as they are willing and able to do so.

The new Select Committee on Aging was established in the House of Representatives by an amendment to a committee reform bill which passed the House in October 1974. The amendment was accepted by a vote of 323 to 84. It was sponsored by Rep. C. W. Bill Young (R-Fla.) and Rep. H. John Heinz III (R-Pa.) and was strongly endorsed by Rep. William J. Ranrall (D-Mo.) and Rep. Robert Steele (R-Conn.).

Rep. Randall has since been named chairman of the new committee. A congressman who is serving his ninth term in Congress, he chaired a series of hearings on the problems of older persons during 1972 and 1973. Twenty-seven other congressmen, including Young and Heinz, have been chosen to serve on the new committee.

THE HONORABLE JOHN TAYLOR, FORMER OHIO STATE SENATOR, PROMOTES EXCEPTIONAL EXERCISE IN PATRIOTISM

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. CARNEY. Mr. Speaker, recently I received a letter from a friend and former Ohio Senate colleague of mine, the Honorable John Taylor, who is now retired and living in Fort Lauderdale, Fla.

Senator Taylor advises me that he has been promoting an idea for the Bicentennial celebration in conjunction with the Salem, Ohio Historical Society. His idea is an exceptional exercise in patriotism whereby Americans are encouraged to "sign their names like John Hancock did," to a facsimile of the Declaration of Independence.

Former Senator Taylor drafted a resolution encouraging the Congress and the legislatures of the 50 States to acquaint local communities with this exercise in patriotism. Mr. Speaker, I commend former Ohio State Senator John Taylor and his ingenuity. The resolution as written by former State Senator Taylor and passed by the Ohio General Assembly is inserted at this time for the information and consideration of my colleagues in the U.S. Congress.

The resolution follows:

Resolution

Memorializing the President of the United States, the Congress and the Fifty State Legislatures to acquaint local communities in the United States with an exceptional exercise in patriotism, first originated by the Salem Ohio Historical Society and currently being shared by them with communities everywhere—a patriotic exercise that appears to be one of the best and most time ideas so far suggested for the coming Bicentennial Celebration

Whereas, The members of the House of Representatives of the 111th General Assembly of Ohio being aware that faith in the basic principles upon which this Nation was founded is being attacked by forces wishing the total destruction of the American experiment in government, and particularly the principles of the SUPREMACY OF THE INDIVIDUAL; and

Whereas, The Salem Ohio Historical Society has originated and embarked upon a project to encourage Americans everywhere to SIGN THEIR NAME, as did JOHN HANCOCK, to a facsimile of the Declaration of Independence or in a reaffirmation book to be placed in local libraries at the end of the Bicentennial Celebration; and

Whereas, The Salem Historical Society wishes to share this project with communities everywhere in America; and

Whereas, Field testing in other communities has proved that the idea has special merit and that Americans everywhere would welcome an opportunity to reaffirm their faith in the Declaration of Independence by signing their name, as did JOHN HANCOCK, when he said, "The King can read that without his spectacles."; and

Whereas, The Salem Historical Society does not have the funds to publicize or acquaint the thousands of local communities, service clubs, patriotic organizations, local governments, churches and Bicentennial groups with their project; therefore be it

Resolved, That we, the members of the House of Representatives of the 111th General Assembly of the State of Ohio, in adopting this Resolution, compliment the Salem Historical Society for its timely, creative and unselfish project and fervently urge our federal government, sister states and communities throughout the Nation to emulate this patriotic program; and be it further

Resolved, That copies of this Resolution, properly authenticated, be transmitted by the Legislative Clerk to the President of the United States; to the Vice President; to the Speaker of the United States House of Representatives; to the Chief Justice of the United States Supreme Court; to all Members of Congress from Ohio; to the Speakers, Senate Presidents, Governors and Chief Justices of the Supreme Courts of all fifty states; to the American Revolution Bicentennial Administration; to the Salem News; to the Columbus Citizen-Journal; and to the Columbus Dispatch.

TRANSITION TO DECONTROL

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. TEAGUE. Mr. Speaker, during the August congressional recess the chairman and chief executive of Exxon, Mr. M. A. Wright, made a public statement regarding their actions to facilitate a smooth transition to the decontrol of oil and its products. The current interest in the effects of decontrol on the economy call me to bring light to his statement last month.

Mr. Wright's statement follows:

Exxon USA Acts To Smooth Transition to Decontrol

Houston, Aug. 11.—If the Emergency Petroleum Allocation Act expires August 31, Exxon USA will voluntarily take a number of actions to facilitate a smooth transition to free market conditions, M. A. Wright, chairman and chief executive, said today.

"Removal of federal controls can be accomplished with moderate impact on the economy and the public," Wright said. Exxon will voluntarily do everything it reasonably can to ensure ample product supplies are available to U.S. consumers and to assure that our customers—including independent refiners, resellers and dealers—are adequately supplied and fairly treated."

Wright said Exxon will take several specific steps to ease the transition to decontrol.

"We are advising all independent refiners who are currently purchasing crude oil from

Exxon USA that following decontrol, we are prepared to continue supplies to them under normal business contractual arrangements for comparable volumes of domestic and foreign crude oils suitable for their refineries. We are also prepared to assist independent refiners through exchanges of domestic for foreign crude.

"Refiners to whom Exxon traditionally sold crude oil before the Federal Energy Administration's allocation program and who are continuing to buy crude under sales arrangements frozen by the FEA will be offered fixed term commercial contracts. Refiners currently buying crude from Exxon under the FEA mandatory allocation program will be offered commercial supply agreements for the volumes they are presently purchasing in order to give them adequate time to make ongoing arrangements with Exxon or other potential crude oil suppliers," said Wright.

"We will continue to supply product to all customers—dealers, resellers and consumers—we are now serving, including those that were assigned to us by FEA. Exxon will offer its traditional reseller customers continued supplies for current volumes and is willing to enter into contracts with them of up to three years' duration. Refined product resellers who are receiving supplies from Exxon under FEA allocation programs will be offered one-year supply agreements for the volumes they are currently purchasing from Exxon," he said.

"Despite the fact that years of federal price controls have caused major distortions in rental charges for service stations," said Wright, "Exxon will not abruptly restore service station rents to market levels when federal controls end. Where rent increases are called for, they will be phased in to reduce any potential adjustment problems."

"Propane supplies to Exxon's traditional customers, including residential, agricultural and small users, will be protected from unusual spot demands for propane that could possibly arise during the winter months due to curtailment of natural gas supplies to utility and industrial users," said Wright.

Wright also observed that supplies of petroleum products are adequate to meet consumer needs. "Exxon continues to operate its refineries at capacity. Our inventories of gasoline, heating oil and fuel oil are at comfortable levels, and we are continuing to meet our customers' requirements," he said.

U.S. DELEGATES TO COMMUNIST CONFERENCE ON PUERTO RICO

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. McDONALD of Georgia. Mr. Speaker, this past weekend, September 5 to 7, 1975, delegates from the United States attended a meeting in Havana, Cuba, designed to consolidate worldwide Communist support for terrorist revolutionary movements seeking to make Puerto Rico an "independent" Marxist-Leninist state.

The U.S. Support Committee to the International Conference in Solidarity with Puerto Rico is a joint operation of the Communist Party, U.S.A.—CPUSA), the Cuban dominated Puerto Rican Socialist Party—PSP—and the New Left activitists of the National Interim Committee for a Mass Party of the People—NIS—which also supports "armed struggle" guerrilla and terrorist tactics. The combined efforts of these three organizations with the Cuban Communists have been the subject of extensive reports in the CONGRESSIONAL RECORD during June and July.

The U.S. delegates to Havana include:

Vernon Bellecourt, field director, international affairs, American Indian Movement (AIM).

Margaret Burroughs, executive director, DuSable Afro-American Museum and active in such CPUSA operations as the National Anti-Imperialist Movement in Solidarity with African Liberation (NAIMSAL), the National Council of American-Soviet Friendship, and the U.S. Committee for Friendship with the GDR.

Hon. John Carro, N.Y. Criminal Court and former law partner of Mark Lane as well as one time social worker for the juvenile Lee Harvey Oswald.

Anthony Monteiro, CPUSA member and executive secretary of NAIMSAL.

Grace Mora, executive secretary of the U.S. Support Committee to the Havana conference and chairperson of CPUSA's Puerto Rican Commission.

William "Bill" Scott, United Auto Workers Local 664 (Tarrytown) and strenuously active on behalf of the Daily World, NAIMSAL and other CPUSA causes.

Piri Thomas, author and supporter of previous Puerto Rican Socialist Party (PSP) rallies.

Doron Weinberg, president, National Lawyers Guild.

Helen Winter, CPUSA International Affairs Secretary.

Florencio Merced-Rosa, PSP Political Commission.

Alfredo Lopez, PSP Political Commission and executive secty, of the Puerto Rican Solidarity Committee (PRSC).

Frances Beal, Third World Women's Alliance, National Interim Committee for a Mass Party of the People (NIC) and (PRSC).

Arthur Kinoy, founder of the NIC.

Carlos Feliciano, Puerto Rican Nationalist Party, on parole after his admission to charges of possession of illegal explosive materials.

Rosemary Mealy, coordinator, Third World Coalition of the American Friends Service Committee (AFSC) and Venceremos Brigade (VB).

Julie Nichamin, N.Y. coordinator, PRSC; Venceremos Brigade.

Rosemary "Ro" Reilly, executive director, U.S. Support Committee to the Havana conference; NIC and PRSC.

Antonio Rodriguez, general secretary, Center for Autonomous Social Action; member of the executive committee of CPUSA's National Alliance Against Racist and Political Repression (NAARPR).

Irwin Silber, executive editor of The Guardian.

Wilbur Haddock, United Black Workers; NIC.

Mr. Speaker, building actions for the Havana conference were staged around the celebrations of the 26th of July Cuban Communist holiday.

On July 24 and 25, 1975, several thousand people were at the Manhattan Center in New York to celebrate the 22d anniversary of Fidel Castro's attack on the Moncada Garrison. The two evening's events, similar, but with a varying emphasis on Latin American communism, were entitled "A Night in Solidarity with Puerto Rico" and "A People's Salute to Cuba."

The events were sponsored by an ad hoc committee created by the Venceremos Brigade, the Committee for the 26th of July, in which the Communist Party, U.S.A.—CPUSA, the Puerto Rican Socialist Party—PSP, Partido Socialista Puertorriquena, and the Center for Cuban Studies (CCS) also took leading roles.

It is of importance to note that U.S. Maoist groups have been, and are being, edged out of support activities for Cuba and the PSP. In recent months, the Cuban Communist Party and government, together with other Latin American and Caribbean communist parties, have taken an increasingly militant anti-Maoist stance.

A June 9 to 13, conference of 24 regional communist parties in Havana issued a declaration that included a condemnation of the Chinese Communist Party and endorsed a Soviet proposal for a World Conference of Communist Parties that will reaffirm ideological unity under the U.S.S.R. and officially read out the People's Republic of China from the "socialist camp."

On Thursday evening, the main speaker was Noel Colon Martinez, president of the Puerto Rican Peace Council, a section of the Soviet-dominated World Peace Council—WPC. Colon Martinez urged the backing of the U.S. people "to guarantee that there will always be peace in our hemisphere," and for "our just struggle for liberation."

In a polemic against U.S. "imperialistic" policies in Latin America and the Caribbean, Colon Martinez stressed the urgency for support of the WPC-sponsored International Conference in Solidarity with the Independence of Puerto Rico to be held in September in Havana.

Claridad, the official PSP newspaper published in San Juan, P.R., and also distributed in the mainland United States, carried advertisements by a travel agency, Excursiones Girasol—Sunflower Tours, P.O. Box 760, Cooper Station, New York, N.Y. 10003, for a 2-week visit to Cuba for the International Conference at an inclusive cost of $800: This despite continued—but noninforced—State Department prohibitions on travel to Cuba by U.S. citizens.

A second speaker on July 24, 1975 was Florencio Merced Rosa, a member of the National Political Commission of the Puerto Rican Socialist Party. In part, Merced Rosa, a recent visitor to North Korea, said:

> Armed struggle is always the highest form of struggle. This is not to say that armed struggle is always the main form of struggle. The key to the success of the Cuban Revolution is found in the harmonious interrelationship of political mass struggle with the armed struggle of the vanguard and the armed struggle of the people of Cuba.

Merced continued:

> How many of those who today praise and celebrate the Cuban Revolution once thought that the process unleashed by the attack on the Moncada Garrison was merely an adventure carried out by a small group of youths who represented no one and had no massive base of support? How many of those who will tomorrow celebrate and applaud the Puerto Rican Revolution have those same thoughts about the revolutionary process underway in Puerto Rico today?
>
> Cuba and Puerto Rico are sister nations. In our joint struggle we think of San Juan as the former tyrannical Saigon of the Carribbean and of Havana as our Hanoi. That portion of our homeland that begins in Havana is free and socialist. That portion which begins in San Juan will also be free and socialist.

At the Manhattan Center event on July 25, the U.S. Government was once again denounced, this time for not granting a visa to Cuban Communist leader Melba Hernandez, who was a participant in the 1953 Moncada attack. Dr. Hernandez' speech, read for her to the rally, was, for such a gathering, mild in its content.

Other speakers participating in the July 24/25 events included Vernon Bellecourt, American Indian Movement; Angela Davis, CPUSA; Ella J. Baker, Puerto Rican Solidarity Committee; David Dellinger; Cleveland Robinson, Distributive Workers of America; Antonio Rodriguez, of the Mexican-American organization, CASA; Gabriel Guzman and Roy Brown.

Since the July events, members of the PSP, in cooperation with the CPUSA, have been concentrating a propaganda campaign on the "Victoria Three"—PSP members Raul Garcia, Johnny Sampson, and Angel Gandia, a member of the PSP Central Committee, recently sentenced to 30 years imprisonment in La Victoria prison in the Dominican Republic for offenses against that country's national security.

Victoria Three rallies have been held in Berkeley, Newark, Hartford, Chicago, and New York City. Said Merced:

> We join with our secretary Juan Mari Bras in stating that every member of the Balaguer regime, from the president on down, might have to answer with their lives for the freedom of our three comrades.

STATE DEPARTMENT ARROGANCE ON PANAMA

HON. DAN DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. DAN DANIEL. Mr. Speaker, the growing controversy over this country's position with respect to the Panama Canal is arousing the concern of many Americans.

I would like to call to the attention of Members of the House an article which appeared in the Globe Religion News of Thursday, July 17, 1975, entitled "State Department Arrogance on Panama."

The article follows:

STATE DEPARTMENT ARROGANCE ON PANAMA

More than one third of the members of the U.S. Senate—which has the Constitutional right to stop the ratification of treaties—resolved this winter in favor of "undiluted U.S. sovereignty over the Canal Zone."

The reaction from the State Department was typical of this vast, expensive and generally arrogant corps of professional know-it-alls, who persist as gratuitous Big Brothers in assuring the public "we know what is best for you."

Instead of accepting this decision of the Senate, the State Department Ambassador at Large, Ellsworth Bunker, of Vietnam fame, travelled to Washington (state, that is, in Seattle) where he addressed the Ranier Club.

Mr. Bunker said the Panamanians are so "frustrated" with U.S. rights in the Canal Zone that unless we relinquish many of these rights:

"We would likely find ourselves engaged in hostilities with an otherwise friendly country—a conflict that, in my view, the American people would not long accept."

Bunker also noted that 1964 Panamanian riots, when, he said "21 Panamanians and three Americans were killed." (Only 4 months earlier, a State Department news release on the Panama negotiation reported: "In 1964, the death of 20 Panamanians and 4 Americans. . . .")

Exactly 32 days after Ambassador Bunker announced what he thought the American people would not accept, the strongly liberal House of Representatives provided an infinitely more authoritative illustration of what the American people think of the State Department's plan to give the Canal to Panama's left wing dictator, Gen. Omar Torrijos.

The House voted 246–164 for Rep. Gene Snyder (R–Ky.) amendment prohibiting the use of any State Department funds "for the purpose of negotiation the surrender or relinquishment of any U.S. rights in the Panama Canal Zone."

Congressmen from both parties noted overwhelming opposition in their districts to any Panama giveaway—a reaction similar to that determined nationally by Princeton's Opinion Research Co.

Snyder termed the plan "a clear waste of the taxpayers' money for a treaty certain to be disapproved in the Senate." He also noted that Panama has had 59 changes of government since 1904 and has absolutely zero "military ability to protect the Canal—which 52 maritime nations have pleaded that the U.S. continue operating."

Other Congressmen noted that U.S. operation of the Canal has provided Panamanians the highest standards of living in Central America. And Georgia's Congressman Lawrence McDonald ingeniously observed: "If there is a country that has been wronged it is Colombia. If we are going to have to give it back give it to Colombia."

Several House members cited wither "State Department abuse of Congress" or the "need to send a message to the State Department."

But the State Department showed its utter contempt of the House of Representatives by continuing the negotiations.

The man who appointed Henry Kissinger Secretary of State was also disdainful of the House—until Mr. Rodino's Committee began preparing the impeachment charges.

PRODUCE OR PERISH

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. SYMMS. Mr. Speaker. After a full month's respite from our legislative decisionmaking, We Members of Congress have returned to this Chamber, hopefully refreshed and with renewed determination to serve the interests of our constituents with whom we have visited during the recess. The Idahoans I represent are part of mainstream America, and their attitudes toward our national policies and priorities are echoed by their concerned and often frustrated countrymen all across the United States.

Naturally, some citizens have taken it upon themselves to keep better informed on the crucial issues of our day than have others, and some are better able to put events in their proper perspective and communicate their knowledge on issues affecting our country. Mr. John Brandt, an insurance and real estate agent in Nampa, Idaho, is both a talented writer and has a thorough knowledge of national and world affairs and how they affect our everyday lives. In a recent guest editorial for his local newspaper, Mr. Brandt offered an open letter to Idaho's Congressional Delegation which merits the attention of all Members of Congress.

I respectfully ask that my colleagues consider his message and when called upon to vote on legislation affecting the incentive to produce on the part of American workers, and determining the standard of living and achievement our people will attain in the future, act in the interests of sincere and patriotic Americans whose message is carried by John Brandt. Vote to free them from the power and expense of government which saps daily their strength and will to produce, before the dream that was America is destroyed. The article follows:

[From The Idaho Free Press & The News-Tribune, July 10, 1975]

PRODUCE OR PERISH

(By John H. Brandt)

Open letter to Idaho's senators and representatives:

On this Fourth of July of our 200th year as a nation, I find many good things about our country, but also a number which are disturbing, which carry the potential of destroying this country in which the common man has advanced further toward the "good life" than in any other society recorded by history. The reason is that our founders created a society in which a person had an incentive to put forth his best efforts because he and his family would reap the benefit of this extra effort. As a result, we produced—and production is the basis of all economic well-being. If we produce, we have; if we don't produce, we don't have. It's as simple as that.

Never in the history of mankind has a person been able to have food, clothing, and shelter for so small a percentage of his income as in the United States today.

But there are several agencies enforcing legal requirements, which inherently and actually are destroying the incentive to accomplish, to produce to our highest capacity. Insidiously and with cause and effect sometimes quite a while apart, they are destroying our society. Most of the laws creating such requirements were passed with good intentions, to look after the welfare of our citizens. Tragically the eventual outcome will be to destroy the "good life" by destroying the incentive to produce.

The progressive income tax administered by I.R.S. at first thought seems logical. Let the more able pay a bigger share of government costs; they get more benefits. But, when this tax causes a company to decide against building another factory or a common laborer to refuse to work overtime, it is stifling production. It puts a penalty of ability and ambition. And contrary to what we have set up as an American ideal—with I.R.S. a citizen is guilty until he proves himself innocent.

The E.P.A. has a laudable purpose to protect our environment and preserve our heritage for succeeding generations. But it has been carried to the extreme, even to absurdity. For example, a few parts per million of smoke in the air is prohibited and manufacturers must spend millions to "clean up" (eventually paid by the consumers), and at the same time people can and do inhale tobacco smoke into their lungs in a concentrated form—and tobacco is one of the "agricultural" crops encouraged by our government.

O.S.H.A. is another agency created to protect workers which has hurt the worker by destroying his job. After about so much harassment and unreasonable requirements and penalties for first offenses a manufacturer is apt to say "what's the use?" and close his factory. This happened in Nampa. The net result is less production, and without production, we can't have.

The Interstate Commerce Commission with

its unreasonable regulations and its labor union orientation has been a major contributing cause of the bankruptcy of our railroads, and it is just as ridiculous with trucks, killing the competition of small lines and forbidding certain backhaul with the savings this would effect.

Land use planning on the face of it sounds sensible, but in reality it is a first step toward take-over by the government. When a person is not damaging his neighbor, he should be free to use his land to the benefit of his own family. Economic necessity will force proper use in the long run. To preserve our good agricultural lands for agriculture sounds logical, but may place an economic burden on the land owner unless he is compensated by higher income for his farm products or lower taxes

Gun control would be a farce. As the popular bumper sticker proclaims, the criminal will get guns anyway; and now many petty thieves, even rapists, are no doubt deterred by the thought that their victim may have a gun to protect his person and property. How can we even think of it when the right to bear arms is specifically provided for in our Constitution?

Speaking of the Constitution—we are guaranteed the right of freedom of speech and freedom of religion. Is freedom to make a living for one's family less important? But with the closed shop a man must pay tribute to a labor union in order to get a job—a wholly un-American concept which labor unions are allowed by law to continue.

None of us would want those who are physically or mentally incapacitated to go in want of food and care. And most of us recognize that as our society has become more urbanized, there are times that the able-bodied may need temporary support. However, our welfare system goes far beyond this. We are fast going down the socialistic road which is destroying Great Britain. Or the welfare system which destroyed ancient Rome, where the people were not content to be fed but eventually demanded to be entertained in their coliseums with gory gladiator fights and burning of Christians. There comes a time when the producer cannot keep up with the demands for welfare. As the old fable puts it, we are "Killing the goose that lays the golden eggs."

And our courts—perhaps they are the worst of all. Why should a law enforcement officer risk his life to protect us, only to have the criminal protected by the courts? True we want to protect the innocent and to protect all citizens from a police state, but there must be certainty of punishment of sufficient severity to be a deterrent.

Probably inflation is the No. 1 destroyer of nations, but this may not be a primary cause. Excessive government spending for all purposes, including welfare, creates inflation. Lack of pride in self and nation with a breakdown in morals and runaway crime makes a bid for dictatorship. People are not able to control themselves and protect themselves, so a dictator fills the void.

The most restrictive and destructive agency yet conceived will come under the consumer protection acts. A first example is RESPA placing such restrictions on lending institutions that they have temporarily withdrawn from the market. The net result will be higher costs to the consumers and such restrictions that the 90 per cent who can protect themselves will be greatly burdened.

All of these have worthy purposes but when government becomes all pervasive and invasive, it is doomed. Perhaps old time patriotism with a lot of hurrahs whether we're right or wrong, has no place in our society today. A better patriotism is to recognize our faults and try to remedy them. Our lawmakers must rise above not only partisan politics, but also above the desire to perpetuate themselves in office. They must be fearless of labor unions or welfare recipients or cartels of big business. The problem is to get people elected who can see the eventual outcome, and the only real remedy is to get more good people elected; people who have more vision than most of us. Idaho is fortunate indeed in this respect, but we citizens need to support them and direct them by expressing our views.

I call on each of our senators and representatives to carefully study the thoughts herein presented.

TEMPERED HOPE FOR SINAI PEACE

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. BONKER. Mr. Speaker, the initialing of the Sinai Pack represents a small ray of hope—a tantalizing possibility of stability and peace in the Mideast. But it also casts some shadows. We must seriously study the possibility that we may be sowing the seeds of a greater future conflict in accepting this very tentative step toward accord.

At the present time—until we in Congress have a chance to examine the details of the pact and U.S. commitments—I support the intent and principles of the agreement which have been made public. I take this stand in the belief that the agreement works toward two key U.S. interests in the Mideast: the survival and security of Israel and a stable peace. My final support will depend upon answers to some tough questions about the precise status of U.S. civilian monitors and about the commitments of military aid by this Government to both Israel and Egypt.

At the outset, I think it important to recognize that even this small step represents progress in moderating Arab pressures on Israel. As recently as April and May of this year, President Sadat was saying negotiations could not begin prior to Israeli withdrawal to its 1967 borders, that no step-by-step negotiations could succeed, and that only an overall settlement in the framework of the Geneva negotiations was acceptable.

Moreover, the pact meets overall Israeli demands that territorial concessions be made only for specific political gains and at no cost in Israel military strength. Israel does not give up its military position. That is clear. That is essential.

Nor is this an imposed solution. It is the result of negotiations between the principals, mediated by the United States. Congress has clearly recognized that such agreement between principals is the only hope for a lasting peace.

Yet, this pact, which appears to satisfy both United States and Israeli positions, will be challenged both for what it does and what it does not do.

We begin with the specifics of what is gained.

Israel gives up essentially the western approaches to the Mitla and Gidi Passes, and the Abu Rudeis oil field. Egypt does not yield up a formal declaration of nonbilligerency, but it does allow some of the key elements of a state of nonbelligerency. It renounces the use of force, a significant public step—a signal to other Arab States. It agrees to a bilateral agreement with Israel on shipment through Suez of nonstrategic Israeli golds. It agrees to the presence of the United States as a good-faith monitor of the pact.

At the same time, let us realize the limits of this pact. It does not touch the question of the status of the Palestinians. It does not address the divisive territorial questions surrounding the West Bank, Jerusalem, and the Golan Heights. It leaves untouched terrorist activities. It is vague about the Arab boycott. And it does nothing about the long-range problem of arms escalation in the Mideast; in fact, it may create further problems.

In short, this is truly a Sinai Pact, not a Mideast settlement, perhaps not even a step toward a broader settlement. The uncertainties are great, but the United States should not be an obstacle to even a tentative reduction in tensions. If Egypt and Israel feel the risks are acceptable, let us not shrink from a role as a potential peacemaker.

Which leads to the question of what sort of peace we may be buying with this pact. When Congress receives specifics of the pact and details of the administration proposal later this week, we must demand specific assurances of the U.S. role. Vague or secret U.S. commitments, even to Israel, are unacceptable. Support for Israel is as nearly unquestioned as anything Congress faces—even more unquestioned these days than when we should celebrate our national holidays—but we simply will not blunder into future wars on the basis of secret deals and piecemeal escalating commitments—through a reverse domino principle in which the smallest U.S. commitment leads inexorably to an irreversible confrontation.

We need to know the status of the U.S. civilian monitors. It is the details which count. In principle, I support the presence of these monitors as long as they are accepted by both parties as monitors of a peace. This is not a commitment of U.S. military advisors under a bilateral defense agreement, as in Vietnam. Any comparison with Vietnam is just too simplistic. A posture of such robot-like isolation ignores the fact that history will go on whether the United States participates or not, and it is nice to be on the side of peace for once.

Still, we must have confidence that in no way are we likely to send the Marines for the purpose of defending or rescuing American technicians. These men are to be put there for keeping peace, not to provide a Gulf of Tonkin pretext for U.S. military presence. It is just that simple.

Frankly, the presence of the U.S. technicians under the terms I have so far seen is not so troublesome to me as are the long-range consequences of U.S. economic and military assistance commitments to both Israel and Egypt. It is first of all essential that we in Congress know the deails of those commitments. There is more than a little concern over the tendency of Secretary Kissinger to play poker with commitments of U.S. aid, both military and economic. This pact should not hinge upon buying agreement with arms beyond Israel's specific defensive needs. There is no question but what Congress will supply arms adequate to maintain Israel's military position, but I for one am firmly resolved not to let our foreign policy become the hostage of secret arms deals.

Recent news accounts have suggested possible military assistance to Egypt, a matter apparently to be discussed when President Sadat visits the United States later this year. While I recognize and support the need to give economic aid to Egypt, I will adamantly oppose military aid or sales to Egypt.

In sum, I am prepared to support the agreement in hand, as soon as we actually get it in hand and insure that it is as advertised. I am willing to support it even if the hope of it leading directly to settlement of other issues is but a glimmer. I am prepared to oppose the U.S. commitments only if it is a backhanded peace, a tangle of hidden commitments which start the United States down on an all-too-familiar road of escalating direct involvement.

A SALUTE TO THE AMERICAN-ITALIAN BICENTENNIAL ADMINISTRATION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. BIAGGI. Mr. Speaker, our Nation is rapidly closing in on the celebration of our Bicentennial. During this year a number of organizations have been established to help promote a better understanding of the roles which various ethnic groups in this Nation have played in our 200-year history. One such organization is the American-Italian Bicentennial Administration of Washington, D.C.

This organization is comprised of a number of prominent local Italian-American business and civic leaders. They have drawn up an ambitious agenda with the purpose of focusing attention on the many contributions which the Italian-American community has made to our Nation. Among their goals are the issuance of a commemorative stamp to honor Italian-Americans who have played a substantive role in this Nation, and a dedication of a portion of the new FBI building in honor of Charles Bonaparte, the founder of the FBI.

The Commission is to be commended for their interest in presenting the contributions of Italian-Americans for our Bicentennial. I intend to introduce legislation calling on the President to designate a day in 1976 to honor all ethnic patriots. We are a nation of diverse ethnic and racial backgrounds unified as Americans, but with a distinct and proud ethnic heritage.

The Bicentennial will be a fitting time for our Nation to honor the accomplishments of all Americans to our rich past, and rededicate ourselves to preserving the fundamental doctrines of freedom which have made this Nation strong.

Mr. Speaker, I am pleased to advise my colleagues of the work of the American-Italian Bicentennial Commission. I wish them well in the coming months—to them and all other groups established to make our Bicentennial more responsive to all Americans. I assure them that their efforts are important and will help make 1976 a great year for all Americans.

HOOPER NOMINATION TO TVA BOARD SHOULD BE WITHDRAWN BECAUSE OF LACK OF QUALIFICATION IN TECHNOLOGY OF POWER GENERATION, ECONOMICS OF POWER, INDUSTRY, AND ENVIRONMENTAL ISSUES WHICH CONFRONT TVA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. EVINS of Tennessee. Mr. Speaker, an editorial published last week in the Washington Post criticizes the nomination of Mr. James F. Hooper III, to the Board of Directors of the Tennessee Valley Authority.

The editorial points out that Mr. Hooper has no previous experience in the electric power industry and no background to qualify him for this appointment. Indeed, Mr. Hooper lacks background in the technology of electric generation, the economics of the industry and the environmental issues with which TVA is confronted.

At this critical time, TVA and the people of the Tennessee Valley need a man with broad vision to lead TVA through these difficult and crucial years.

Because of the interest of my colleagues and the American people in this matter, I place the editorial in the RECORD herewith.

The editorial follows:

[From the Washington Post]

THE PRESIDENT AND THE TVA

President Ford justly takes pride in the quality of most of his appointments over the past year. But he has made a serious mistake in his choice to fill the crucial third seat on the divided board of the Tennessee Valley Authority. Rather than barreling stubbornly ahead, he would be wiser to withdraw the nomination before Senate hearings become necessary.

His nominee, James F. Hooper III, is a businessman with no previous experience in the power industry. He has no background in the technology of electric generation, or the economics of energy, or any of the urgent issues of environmental policy that the TVA must soon begin to answer. Mr. Hooper's chief asset in seeking this highly influential position is evidently his wife, the Republican National Committeewoman from Mississippi.

The TVA is coming into a very difficult time, in which weak leadership would prove intolerably expensive to the region it serves. As the authority has grown in size and self-confidence over the years, it has become—like many another federal agency—increasingly set in its ways. It clings tenaciously to the principle of maximum production of power at the minimum price to the buyer. But slowly, throughout the middle South, there has come a realization that this single-minded concentration on low rates is exacting an intolerable cost in pollution of many kinds. The authority's encouragement of stripmining is the most spectacular example, but hardly the only one. The dimensions of this cost were explored at some length last spring by the Senate Public Works Committee, in a series of oversight hearings on the TVA's practices and their effects on the surrounding countryside. Those hearings developed the standards by which that committee will inevitably judge the qualifications of the next TVA director.

The TVA is currently run mainly by the strong-willed and highly experienced chairman of its board, Aubrey J. Wagner. The present policies of the authority are largely Mr. Wagner's. Recently the second member of the board, William L. Jenkins, has begun to challenge him on a broad range of questions. This division means that the third director will hold the swing vote. The TVA's example will have an impact on energy choices nationwide, as the whole country struggles to reconcile the new imperatives of conservation with the old demand for cheap power. The rising congressional opposition to Mr. Hooper is not merely partisan or regional. Sen. William E. Brock, a conservative Republican from Tennessee, has announced that he will oppose confirmation on grounds that Mr. Hooper is plainly unqualified.

Unfortunately, there is more to the matter than a simple lack of administrative experience on the nominee's part. Reports published earlier this summer—chiefly in the Nashville Tennessean—raised broad questions about Mr. Hooper's judgment and sense of propriety in a series of private business ventures. As a result of these reports, the Public Works Committee postponed the confirmation hearings, originally scheduled for July, and began an investigation that will run for several more weeks.

Mr. Hooper is apparently insisting on going through with the hearings, on grounds that he is entitled to an opportunity to clear his name. But if that is his purpose, his friends owe him a warning that he has chosen the wrong forum. The prudence and the legality of his business operations will not be the main issue before the committee. It will be interested in his past record only as an indication of those qualities of character and mind that would enable the nominee to represent the American people on the board of the nation's largest power company. It is possible for a man to be completely honest and yet emerge from a hearing of this nature without enhancing his reputation for competent management.

If Mr. Hooper is well advised, he will now ask the President to withdraw his name. If he does not, the President would serve everyone's interest best by revoking it himself. The TVA has had a great history, and there are a good many people in the Senate who are determined not to let it degenerate into mediocrity and political back-scratching.

EAMON DE VALERA

HON. LEO C. ZEFERETTI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. ZEFERETTI. Mr. Speaker, with the death of Eamon De Valera, the Irish Republic has lost the one person of whom it can be said that he was the greatest single force in the founding of that nation. De Valera was first and foremost an Irish patriot who was, in the greatest tradition of that long line of heroes, willing to give his all for the sake of a free Ireland. Like Wolfe, Tone, Parnell, and others, he understood that Ireland had to be both united and free of British rule. Like them, he was willing to give his life for this principle.

He was the last of those who rebelled on Easter Sunday in 1916 to lay down his arms. Only by a miracle was his life spared. And, by not executing him as they did so many of his brave colleagues, Great Britain guaranteed that the Irish Republic would be born.

De Valera then devoted the next several decades to bringing about the final creation of the Irish Republic. Without his effort, the nation we know and respect today, would not have its present form.

One of the great keys to this success was not merely his doctrine of resistance to foreign rule. De Valera embodied Irish nationalism, stressing the uniqueness of Ireland's religious faith and her cultural heritage. He was truly the father of modern Gaelic, the language that binds Ireland together. He was able to take Ireland's very uniqueness and forge it into a weapon against oppression. And, this weapon, the combination of Irish faith, language and other parts of their heritage, was responsible for making further British rule impossible.

When Ireland was at last created as a free nation again, it was only De Valera who could lead her in the modern world. It is the measure of the man that under his leadership, minorities in Ireland did not suffer as the Irish themselves had suffered under Britain. For centuries, Britain had made Irish Catholics second-class citizens. Yet, the overwhelmingly Roman Catholic Irish Republic has not only not persecuted minorities, but has elevated both Protestants and Jews to high rank again and again.

Throughout all this, De Valera presided over a struggling nation whose society was reforming after centuries of foreign domination. His friendship for the United States was enduring and consistent. But, above all, De Valera personified all that is fine in the Irish character. This redoubtable man was, in his own way, a giant who has left a permanent and positive imprint on the land of his birth and the soul of his people. He was able to do so not only because of his natural gifts, but because of his devotion to human liberty and individual expression.

The Irish people have always been an extraordinary blend of talents and emotions. Without them, America would be the poorer. Without Eamon de Valera, the entire civilized society of the Western World is the poorer. He shall be grievously missed, and I express my sincere condolences to the people of Ireland on their great loss.

THE FEDERAL POWER COMMISSION NEEDLESSLY DELAYS EFFORTS TO DEAL WITH THE NATURAL GAS SHORTAGE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, on July 25 of this year the Conservation, Energy, and Natural Resources Subcommittee of the Committee on Government Operations issued a report entitled "Federal Preparedness To Deal With the Natural Gas Shortage Emergency This Coming Winter." That report identified with clarity and precision the full extent of the prospect of a severe shortage of natural gas during the winter of 1975–76, which may result in economic dislocations of emergency proportions.

That report called on cognizant agencies to take all necessary steps within the purview of their authority to prevent or alleviate the impact of the impending natural gas shortage.

Since that report has been released, we have heard from a number of Federal agencies, including the Federal Energy Administration, the Energy Resources Council, the General Services Administration, and the Federal Power Commission.

These agencies have indicated to us that they agree with the conclusions of the report concerning the scope and extent of this coming winter's natural gas emergency. They have also assured us that they are taking steps to prepare to deal with the emergency. Last week the President met personally with the Governors of 17 States which will be most critically affected by the shortage. Keeping pace with these activities, the extent and frequency of news reports dealing with the natural gas emergency accelerate from day to day. It seemed to me that there was hardly a citizen anywhere in the Nation who had not been alerted to the emergency.

Unfortunately, it now seems that the Federal agency with perhaps the most immediate and central responsibilities in this area—the Federal Power Commission—is not fully conscious of the national emergency. It is, in fact, obstructing steps toward a solution of the problem by insisting upon needless bureaucratic delays and redtape.

The case in point is the recent order of the Federal Power Commission concerning the application of Columbia Gas Transmission Co., for an expedited Commission approval for an accounting and rate treatment for a research and development project.

The research and development project is one with which the Congress is well acquainted. It was explained in detail at a public hearing on May 8 before the Conservation, Energy, and Natural Resources Subcommittee. It is a proposal to perfect techniques to tap the natural gas present in the vast quantities of Devonian shale found throughout much of the East and Midwest. It is a project which has been closely examined by the Energy Research and Development Administration, which has approved a $4.2 million cost-sharing undertaking by Columbia Gas.

There was no question about the desirability and significance of the project. It has the endorsement of the legislative and executive branches of Government. The expedited procedure, which was requested of the FPC, would have permitted the quick commencement of the project, and is fully within the authority of the FPC. The application of Columbia Gas was unopposed. It was, in fact, supported by the New York Public Service Commission.

It would seem a simple matter upon which the FPC could proceed in an expeditious manner. Yet, for reasons it has not bothered to explain, it has arbitrarily determined to plod along with a mechanical application of its usual time-consuming procedures. Those procedures mean 8 months of needless delay in this case.

When the agencies of Government respond as the FPC has in this case, it may be understandable why we face an emergency because of the shortage of natural gas, and why the public is increasingly frustrated by, and distrustful of, the agencies of government.

Mr. Speaker, the Commission should reverse this decision.

CELEBRATION OF AMERICA'S HERITAGE

HON. CHARLES ROSE III

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. ROSE. Mr. Speaker, during the recess, I went home to my district in eastern North Carolina, and on August 8 I attended a groundbreaking ceremony for the new Hoke County Library in Raeford, N.C.

The mayor of Raeford, J. K. McNeill, Jr., gave the following address which I want to insert in the Record today. It shows an example of community spirit and pride which is typical of my district and which is the backbone of this country of ours.

I think it is specially fitting to see a group of citizens spend their money and time to build a library in honor of our Nation's Bicentennial, and by doing so, pay homage to the foundations of democracy as expressed in our written language.

I salute my friends in Hoke County, N.C. for their efforts, and I hope that my colleagues in the House will be inspired by the words of Mr. McNeill.

The address follows:

Welcome Address: Raeford-Hoke Community Bicentennial Day

(By J. K. McNeill, Jr., Mayor of Raeford, N.C.)

Fellow Citizens: Welcome to Hoke—Raeford Community—on the eve of a 200 year experiment that started when some of God's human beings settled this land and said we can manage ourselves without a king—and has moved to this day and time in Hoke County when a small group took advantage of the system by which we are governed—by having input into the decision-making process—and now rather than erecting a statue to the mayor, or the chairman of county commissioners, they are going to do something great—something that will give a real and lasting meaning to the Hoke County Bicentennial effort. We're going to break ground out here among the sacred pines of Mr. J. W. McLauchlin for a new Hoke County Library.

The young girl appeared with a brained racked expression on her face before her teacher—and said "I have to write a theme for English and the English teacher said I had to have two sources, and I have been to the library here at school and the only other source is the library downtown—I need an excuse to go down there please."

You see, my friends, we are going to have this Bicentennial Celebration because of our quest for the other source. Always this quest is present—it matters not whether you are looking for "Peace of Mind", "a new Library," or "jar lids." The quest is present—not a King, but a Constitution.

The first library built with public funds was back in 1833 a small town in Peterborough, N.H., however, some 200 years before that, John Harvard donated his 400 volumes to the school that bears his name and over the years many libraries were the results of political and financial giants making the funds possible—

You see, this is not going to be a: Carnegie Library, Mellon Library, Benjamin-Duke Library, John Jacob Astor Library, Kennedy Library, Truman Library, Hoover Library, Ike Library, Roosevelt Library, Johnson Library.

This is going to be the new Hoke County Library—a Bicentennial Library—a product of our citizens and system.

The National Congress had a hand in it when they decided to return tax dollars from Washington back to local governments—Revenue Sharing—The N.C. General Assembly had a hand in it when they said tax monies could be used for libraries.

But the largest hand was the group that said let's do it and set about meeting the challenge of the Hoke County Commissioners—you see the Constitution allows this.

These citizens wanted to convert whispered ambitions into brick and mortar that would contain the space for books that would be a source of continuing education—

For—theme writers.

For—Readers.

For—Dreamers.

For—Thinkers.

For—Movers and the shakers.

For—those who are going to need a very special knowledge to handle the problems that face our society now.

For—Those who are going to maintain our "quality of life" for the next 200 years.

With these thoughts—it is my great honor and privilege to welcome you, our friends, to this happy occasion in the history of our community—may you enjoy your stay here. If we can assist you or answer your questions, please ask.

Thank you.

CIA—ESSENTIAL TO U.S.A.

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. COLLINS of Texas. Mr. Speaker, last week I had a close friend of mine from South America who visited me here in Washington. He is a prominent businessman and also keenly interested in government.

His major concern is the way the U.S. Congress is damaging the CIA. He said that all of our criticisms of the CIA have been magnified in the foreign press. The CIA is now being blamed for anything that happens in a foreign country.

If there is a crop failure, the CIA supposedly caused it by chemicals. If someone is shot, the immediate cry is that it must be the CIA. If the powerplant has a power failure, someone shouts it is the CIA. If there is a fire, the first suspect in the press is the CIA.

My friend was most disturbed because he said this is giving the United States of America a bad image abroad. The radicals quote American criticism of the CIA, and conclude that the CIA is the cause of all disasters.

He also pointed out that friends of the United States of America will be reluctant to express their views to the CIA in the future. If discussions given in confidence are violated, the friends who have shared views with the CIA, will not come forward in the future.

For the good of the United States, let's apply commonsense to any further review of the CIA. America needs the CIA and we need for it to be a viable, effective assimilation factor for us to arrive at well-founded conclusions on foreign affairs.

POSTAL SERVICE ELECTRIC VEHICLE TESTING

HON. PHILIP H. HAYES

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. HAYES of Indiana. Mr. Speaker, I would like to call to the attention of my colleagues a most laudable experiment by the U.S. Postal Service in the field of energy conservation and pollution control. During the recent recess, the Postal Service announced the first group of nonpolluting, energy-conserving, electric-powered vehicles has been placed in the Eighth District in Evansville, Ind.

Ten of the conventional jeep delivery trucks with the red, white, and blue Postal Service stripes will be operated in Evansville on "park and loop" routes where a mailman drives to an area, parks, and delivers mail on foot.

Evansville thus becomes the first community to be served by the new electric vehicles, which were manufactured by AM General Corp. Three hundred of them will operate in the Los Angeles-San Bernardino area. The remainder of the trucks will be placed in operation in the coming months in Washington, D.C., Charleston, S.C., Cherry Hill, N.J., and Hartford and New Haven, Conn.

Postmaster General Benjamin Franklin Bailar said the Postal Service anticipated "reduced maintenance costs compared to internal combustion engine vehicles, and that indications are that mile for mile the electric trucks will be cheaper to operate than gas driven trucks." Mr. Bailar further pointed out that the Environmental Protection Agency has said that electric vehicles such as these are essentially nonpolluting.

Each vehicle has a cruising speed of 33 to 40 miles per hour. Counting 300 delivery stops per route, these vehicles can run 29 miles on an 8-hour battery charge. Essentially noiseless, the trucks have a cargo space of 50 cubic feet. Each weighs 4,300 pounds.

The Postal Service will be gathering cost data on the new trucks to be able to make calculations on the "life cycle costs" of the vehicles as compared to gas-operated delivery vehicles.

When such information becomes available, the Postal Service will be able to evaluate tentative plans to expand the fleet of electric trucks in fiscal 1976 and fiscal 1977.

Putting the vehicles into operation marks an important step in the Postal Service's many years of testing various types of electric vehicles. They are to be commended both for their willingness to experiment with this method of saving energy and reducing pollution as well as their wisdom in selecting Evansville as an initial testing ground for this program.

NEW CITIZENS AT HICKEY-FREEMAN CO.

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. HORTON. Mr. Speaker, for the third year in a row, a large group of Hickey-Freeman Co. employees has been sworn in as U.S. citizens in a single special court session. On August 15, 1975, in the Rochester Hall of Justice, 80 future citizens stood before Justices Alphonse Cassetti and James Boomer to recite the U.S. oath of allegiance. This single special court session was made possible with the cooperation of Immigration and Naturalization Service Buffalo District Director Glenn A. Bertness.

The citizenship training for Hickey-Freeman aliens was operated under the auspices of the New York State continuing education for adults program and under the direction of David Alexander. Classes were held on Mondays and Wednesdays from 4:30 to 6:30 p.m. in the Hickey-Freeman cafeteria. By holding the classes in the plant, candidates were able to complete their full day's work and were spared the necessity of extra travel to an evening school.

Teachers for this year's training program at Hickey-Freeman were Mrs. Marion Strickland, Mrs. Laura Radcliff, Mr. Edward Witaszek, and Mrs. Louis Schrodt. Their primary objective was to provide the new citizens with a good knowledge of the English language and an understanding of the democratic process of the Government of the United States, to meet the Immigration and Naturalization Service requirements for citizenship.

The countries represented in the August 15 swearing-in ceremony were Greece, Italy, Honduras, Lebanon, Poland, Yugoslavia, and Turkey.

I would like at this point to insert the names of those persons who were sworn in at this special ceremony:

LIST OF PERSONS SWORN IN AS CITIZENS

Soghomon Krikorian, Miriam Krikorian, Emilia Rosaria Tambe, Klawdia Roth, Edward Roth, Leonid Roth, Carmelo Vella, Giovanna Vella, Michele Morreale, Luciano Conti, Giuseppina Morreale, Angela Cottone Lo Savio, Teresa Mantisi, Domenica Mantisi, Joseph Paolo Cottone, Elias Philip Abou Harb, Karabet Dertlioglu, Paola Zinna, Pompeu dos Santos, Maria Constantina Gallelli, Georgios Stamatios Mantas, Liliana Gucci.

Antonina Maria Vigneri, Giacomina Faiazza, Ewa Spiak, Carmela Mongiovi, Vasiliki Daskas, Konstantinos Hatzigiannidis, Hristos Nikolaos Daskas, Bruno Fallone, Roas Zollo, Margherita Padula, Henry Nasri Mahshi, Mary Scardino, Biagio Mazzucco, Luigi Tabacco, Serafina Pizzillo, Carmelo Sciabbarra, Rose Dinolfo, Pasquale Dinolfo, Laure Paul Ghali, Gabriel Fares Ghali.

Caterina Alessio, Concetta Alessio, Giuseppe Costa, Maria Racalbuto, Josephine Gottardis, Luigi Gottardis, Elsa Tilde Musciano, Luigina Capponi, Felice Cardamone, Maria Cardamone, Giovanni Cardamone, Carmelina Marie Heidt, Carla Cannava, Silvio Cannava.

Rose Cannava, Carmela Giuliano, Agata Larizza, Carmelo Larizza, Margherita Palmeri, Antonietta Zingaro, Lucia Zingaro, Cesare Monaco, Vanda Maria Monaco, Lorrettina DiRienzo, Rosa DiNatale, Salvatore DiNatale.

Antonina Modica Amore, Grazia Petrolito, Manuk Hacinliyan, Fransovi Hacinliyan, Dino Fioravanti, Janina Jutrowski, Teofil Jutrowski, Vincenzo Sieva, Mehmet Yalcin, Silvio Guiliano, Antonio Morreale, Laura Alberti.

Mr. Speaker, Americans must never forget that our land grew to greatness by being the land of hope and opportunity for peoples from around the globe. It is heartening to me that the melting pot process continues today in my home community of Rochester. I am certain that my colleagues will join me in congratulating these fine new citizens on their achievement, and in welcoming them to full participation in our American system of free and democratic government.

NATURAL GAS CRISIS NEEDS ACTION NOW

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. BROWN of Ohio. Mr. Speaker, our natural gas shortage is already severe, and it is getting worse. On a percentage basis, there was a shortfall of 13.6 percent in the supply of gas available for firm requirements during the period of April 1974 to March 1975. The Federal Power Commission's most recent estimate for the same period of 1975–76 comes to 19.4 percent. This represents an increase of approximately 42 percent in the projected shortfall.

The shortages are predicted to continue, and demand is still on the rise. Demand is on the rise due partly to the need for an environmentally acceptable form of energy, but the primary reason for the high demand for natural gas is its unrealistically low price. The price of natural gas at the wellhead has lagged far behind price changes for other fuels, and its present price relationship to alternate fuels on a Btu basis presents a clear economic distinction.

The result of this decreasing supply and increasing demand is the severe curtailments of natural gas now being suffered by many areas of the Nation. My home State of Ohio has been particularly hard hit. One of the things I learned during the recent recess was that my constituents are rapidly becoming convinced that a low price for natural gas means nothing if an insufficient supply is forthcoming at that low price.

Mr. Speaker, my 10 years' service in the Congress have convinced me that most Government attempts to regulate private enterprise are costly, ineffective, and frequently counterproductive. One need only look at the railroads and the airlines to see the impact of past bureaucratic interference on private enterprise. The present natural gas situation is the current best, and potentially most damaging, example of that interference. I say potentially most damaging because of the harsh impact existing and proposed curtailments of natural gas will have on production schedules, and most importantly, Mr. Speaker, on employment levels in those areas affected by the curtailments.

It is my opinion that the best long-term solution to this problem is the deregulation of natural gas prices. I, of course, realize that deregulation may be a controversial issue, and even if such legislation were enacted by this Congress, it will not have come soon enough to provide any relief from the increased shortages expected with the advent of this heating season.

It is for this reason that I am today introducing two bills which will, if enacted quickly, provide a temporary emergency solution to a serious national crisis and avert massive job layoffs. These bills amend the Natural Gas Act to provide for certain exemptions from the Federal Power Commission's regulatory authority under that act. The first bill provides a 180-day exemption for gas transactions by pipelines which cannot meet their contractual obligations to supply natural gas to consumers. It would allow natural gas consumers who are being undersupplied to purchase natural gas directly from producers, distributors, or other pipelines.

The second measure would provide a similar exemption without time limit for high-priority industrial customers, who would be designated by the FPC to enable them to make gas purchases directly from independent producers or through their distributors when they are in a curtailment situation.

These bills would allow companies like International Harvester and Robbins & Myers, which have plants in my district facing a 60 percent curtailment this year and a total cutoff next winter, to go directly to gas producers and purchase the gas they need at the best prices they can negotiate. Only drastic action of this type can prevent thousands of lost jobs this winter at plants like International Harvester and Robbins & Myers in Springfield, Ohio.

These measures provide the only mechanism that can realistically be expected to provide relief fast enough to get sharply curtailed industries through the upcoming winter without severe economic dislocations. For that reason, Mr. Speaker, it is my fervent hope that the Congress will consider and enact these bills as expeditiously as possible.

EAST ISLIP SCHOOL DISTRICT WINS SAFETY AWARD

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. DOWNEY of New York. Mr. Speaker, I would like to congratulate an organization from my home area—the East Islip School District—for being awarded the Pupil Transportation Safety Citation by the State of New York. East Islip was one of the few districts on Long Island to receive the award.

The citation is given in recognition of the development of a pupil transportation safety program which was organized and developed during the 1974–75 school year with the result that no transported pupils were injured.

The safety program provides instructional guidance in the elementary schools of the district concerning proper and safe conduct while boarding and riding school buses, as well as exercising and observing safety regulations while walking to and from school.

Safety is a community responsibility, and a spokesman for the district has urged all parents to review with their children the seven rules of conduct that can help insure a safe transportation system:

First, observe same conduct as in the classroom;

Second, cooperate with the driver;

Third, do not smoke;

Fourth, do not be destructive;

Fifth, stay in your seat;

Sixth, keep your head, hands, and feet inside bus; and

Seventh, remain off the roads while waiting.

A TRIBUTE TO ALBERT E. DANIEL

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. DE LUGO. Mr. Speaker, it is my honor today to recognize one of the most distinguished citizens of the Virgin Islands, a man whose perception of life is not communicated with words or speeches, but rather with the beauty and mystery of colors and forms. In a world of expediency and depersonalization it is refreshing to bring to your attention a man consumed with the sensitivities of life and humanity.

Albert E. Daniel, a native and lifelong resident of St. Thomas, is our island's artist laureate. He has been described as a "poet in painting, a Walt Whitman of art." His art reflects Longfellow's passage, "I see the long procession going to and fro, the young hearts hot and restless, and the old subdued and low."

A painter of originality and a sculptor of impressionistic form, Daniel was born 78 years ago in St. Thomas. Forced to leave school at the age of 14 because of his family's economic situation, he received no formal training in the field which he so successfully mastered in later years. His obsession with depicting life in painting was the most important ingredient in this self-taught artist's education. Characteristic of truly great artistic commentators on life, Daniel's style left no room for neutrality; he elicits either the observer's praise or criticism. His subjects are those whom he knew the best and loved the most, the peasants, stevedores, and charcoal burners of the Virgin Islands. He paints people the way they are; his characters tell the story of life without uttering a word. Because Albert Daniel "paints from the inside out," he depicts situations that arouse moods and stir hearts. His sculpture also is true to his perceptions of life, intimate and pure form.

Daniel is considered the Virgin Islands' foremost native artist. He has exhibited his works in the San Francisco Exposition, the Walker Art Gallery, the Haitian Centenary Exhibition, the World's

Fair, and Atti Henle's Studio in Christiansted. To be able to share the facts of this artist's talents and the esteem in which he is held in my district is indeed my pleasure and privilege. Time taken to appreciate such a renowned master as Albert Daniel is a welcome respite from our hectic activity and a source of strength and hope.

In June 1975, legislation was passed by the 11th Legislature of the Virgin Islands to honor Albert Daniel for his considerable accomplishments as an artist, painter, and sculptor. With your permission I will make this tribute part of the RECORD.

The legislation follows:

BILL NO. 6799

To honor Albert E. Daniel for his considerable accomplishments as an artist, painter, and sculptor

Whereas Albert E. Daniel was born on the Island of St. Thomas on May 16, 1897, and has lived on St. Thomas all of his life, having resided in the same home in which Camille Pissaro was born; and

Whereas Albert E. Daniel developed at an early age a strong desire to become an accomplished painter, and began copying the works of several of the great Masters; and

Whereas Albert Daniel was forced to drop from school at the age of 14 due to a difficult economic situation, but utilized every available hour away from his employment in his artistic pursuits; and

Whereas Albert Daniel, although receiving no formal art training, became an accomplished self-taught and self-motivated painter and sculptor, achieving first local and then national and international recognition for his fine works; and

Whereas the paintings of Albert Daniel have been exhibited in such places as the San Francisco Exposition, the Minnesota State Fair, the Walker Art Galleries, the Federal Art Building, the Haitian Centenary Exhibition and the Atlanta University Exhibition; and

Whereas the Curator of the St. Croix museum, Mr. Cyril Marshall, has said of Mr. Daniel that "He is a poet in painting as Walt Whitman was with words and in the same manner—vigorous, inventive, truly dedicated,"; and

Whereas Albert E. Daniel has also developed as an accomplished sculptor, having exhibited many of his impressionistic wood carvings throughout the Virgin Islands; Now, Therefore,

Be it resolved by the Legislature of the Virgin Islands:

SECTION 1. That Albert E. Daniel is hereby commended and congratulated for his many and significant accomplishments and contributions as an artist in the fields of painting and sculpture, which contributions and accomplishments will always serve as an example and inspiration to artistic, young Virgin Islands aspiring to the pursuit of careers in the arts.

SEC. 2. That a perma plaque copy of this Resolution be prepared and presented to Albert E. Daniel by the President of the Legislature or his designee at an appropriate ceremony to be held for that purpose.

PEOPLE'S REPUBLIC OF CHINA WARS OVER STAMPS

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. McDONALD of Georgia. Mr. Speaker, recently an item was brought to my attention which shows just how picayune the People's Republic of China is in the conduct of her Communist ideology. She has refused to supply stamps to an American stamp dealer, because he also carries Republic of China stamps. The editorial from Linn's Stamp News of Monday, July 21, 1975, follows:

NOW WE KNOW WHY

In recent months Linn's has not received news of new stamp issues from the People's Republic of China, and now we know why.

In response to an inquiry, the China Stamp Export Co., Peking, China, replied: "We have stopped to supply you with the news of our new issues as you advertise the stamps of the Chiang Kai-shek clique. In case you cease doing so, we can reconsider your request."

Linn's has no intention of eliminating the stamps of the Republic of China (Taiwan) and if the Peking clique wants to resume sending stamp news to Linn's it may do so, provided it recognizes the fact that it will not dictate in any manner to the editorial and advertising policies of Linn's Stamp News. (E.O.N.)

179TH TACTICAL FIGHTER GROUP COMMENDED

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. ASHBROOK. Mr. Speaker, I wish to commend the members of the 179th Tactical Fighter Group of the Ohio Air National Guard, stationed at Mansfield Lahm Airport, for their outstanding safety record.

During the past 8 years the 179th has logged over 30,000 flying hours without accident. This gives it the longest safety record of any Air National Guard unit in fighter type aircraft.

The members of the 179th Tactical Fighter Group deserve the highest praise. Following is a congratulatory resolution adopted by the Ohio Senate on August 7, 1975:

RESOLUTION

A Resolution congratulating the 179th Tactical Fighter Group of the Ohio Air National Guard for their exemplary safety record

Whereas, The members of the Senate of the 111th General Assembly of Ohio are proud to note that the 179th Tactical Fighter Group of the Ohio Air National Guard, stationed at Mansfield Lahm Airport, has established an exemplary safety record and wish to salute the members of this conscientious unit for their outstanding efforts; and

Whereas, By compiling more than thirty thousand flying hours over a period of eight years without a single accident, the 179th not only boasts the longest safety record of any Air National Guard or Reserve unit but also the longest record of any tactical fighter group in our nation, including the regular units of the United States Air Force. The members of this distinguished group have set an exemplary model for others to emulate, and their conscientious efforts in emphasizing safety in all phases of their operation have earned them the Frank P. Lahm Air Safety Award more often than any other military unit; and

Whereas, The members of the 179 Tactical Fighter Group also deserve special commendation for their brilliant handling of modern fighter aircraft, a responsibility which is the most demanding and dangerous of all national defense activities requiring the utmost of careful preparation, mature judgment, and piloting expertise. Their ability to maneuver jet aircraft with great skill, coupled with their determination to maintain the equipment in peak condition have earned these men the respect and admiration of the entire complement of the National Guard; and

Whereas, Under the able guidance of their commander, Colonel Emerson E. Lewis, the men of the 179th Tactical Fighter group have heeded the warning of a famous scholar that the "condition upon which God hath given liberty to a man is eternal vigilance" and have diligently trained in the unpredictable and often adverse Ohio weather to maintain the highest possible state of preparedness; therefore be it

Resolved, That we, the members of the Senate of the 111th General Assembly of Ohio, in adopting this Resolution, recognize the 179th Tactical Fighter Group of the Ohio Air National Guard and salute the many dedicated men of that unit for their outstanding record of safety; and be it further

Resolved, That the Clerk of the Senate transmit duly authenticated copies of this Resolution to Colonel Emerson E. Lewis, Commander of the 179th Tactical Fighter Group; to the Mansfield News Journal; and to the Times Reporter.

CALS: PAST, PRESENT, AND FUTURE

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. KOCH. Mr. Speaker, I am placing in the RECORD a very able presentation on Community Action for Legal Services—CALS—what it does and why it should be continued. Mr. Ryan is a member of the board and secretary of CALS, Inc.

The statement follows:

CIVIL LEGAL ASSISTANCE—THE CURRENT DILEMMA

[A statement broadcast on "Point of View," a public service program of WQXR, the radio station of the New York Times, Aug. 13, 1975]

(By Leonard Eames Ryan)

Community Action for Legal Services—known as CALS—is the major provider of civil legal assistance to the poor in New York. Organized eight years ago as part of the War on Poverty, CALS is the nation's largest federally funded legal services program. CALS lawyers provide legal representation for the poor through 22 neighborhood law offices reaching into 26 designated poverty areas in the five boroughs of New York. CALS lawyers help with the legal problems of housing, of family life, of public assistance, of unemployment; they provide neighborhood services, and they work to achieve community development and law reform.

CALS lawyers have established the right of brain-injured children to adequate and equal educational opportunities. They have enforced the provisions of the Truth in Lending Act. They have sought to end prolonged delays in the scheduling of hearings for Social Security disability benefits. They have obtained emergency housing and relocation services for families whose homes were destroyed by fire.

They have assisted tenants in the development of some of the first low-income apartment cooperatives in the city. They have conducted welfare advocacy training, in English and in Spanish. They have helped to obtain a law library for the use of those being held at the Brooklyn House of Detention. They have assisted in the development and organization of day care centers. And they have helped to obtain public funds for the rehabilitation of sound but deteriorating housing. In short, poverty lawyers under CALS have been both personal and corporate counsel for the poor of New York.

Community Action for Legal Services is unique, effective, and—in trouble. Today it faces the future with little prospect of obtaining the funds it needs to meet current and forthcoming deficits, much less of extending its assistance to thousands of people who qualify for it but must now be turned away. Today most neighborhood law offices under CALS are able to take emergency cases only. Today there are fewer lawyers providing civil legal assistance to the poor in New York than at any time in five years.

Because CALS has been granted substantially no increase in its basic public funding in four years, CALS has had to take severe steps to deal with its financial crisis, including a freeze on all hiring. As a publicly funded program, CALS has felt it should not contribute to unemployment through layoffs. Attrition, however, has reduced the professional staff to only a few more than 100 lawyers, fewer than work in a number of large New York City law firms, only one of which contributes to the support of CALS. In 1974, with a larger staff, CALS managed to serve 40,000 new clients, substantially under 10 per cent of the eligible poor in New York, a city that has a welfare roll, alone, of a million people.

It is hoped that the new national Legal Services Corporation will take the poverty law program out of politics, its major purpose. Whether in time it will also become the instrument for a much greater commitment to legal services for the poor is uncertain. It is now scheduled to provide funding at the same level as its predecessor agencies. President Ford has given no indication that he will urge or support a greater effort.

Here in New York, the fact needs to be faced that the basic responsibility for providing legal services for those unable to pay is not being met. That responsibility, under the lawyer's Code of Professional Responsibility, rests upon the individual lawyer. Without the support of the legal profession and of the public generally, no more than a continued token effort can be expected in the future.

The War on Poverty has become the war that was left behind. For Community Action for Legal Services, the challenge remains—and that is nothing less than the administration of justice.

EXTENSION OF EMERGENCY PETROLEUM ALLOCATION ACT

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. ANDERSON of Illinois. Mr. Speaker, today I am introducing legislation to extend the provisions of the Emergency Petroleum Allocation Act of 1973 for 45 days, from August 31 to October 15. I intend to vote to sustain the President's veto of S. 1849 which would extend the EPAA for 6 months, and I am confident that the Congress will sustain that veto.

I, therefore, think it important that the Congress be prepared to move jointly on a short-term extension of the act while taking final action on a compromise decontrol program. We have already been debating energy legislation for better than 8 months without coming up with any congressional alternative to the President's proposals. And in the process, the President has offered up numerous compromise approaches to immediate decontrol, the most recent being a phased decontrol of old oil prices over a 39-month period, along with an immediate $11.50 per barrel ceiling on new oil prices.

If the Congress should opt to override the President's veto, I fear we will never achieve a solution to this problem in the Congress, since all pressure will be off this year to do so. The 6-month decision will delay any final reckoning on this until the end of February of next year, and, as we all know, 1976 is an election year. I can hardly foresee this Congress making any tough decisions on energy in 1976. It is, therefore, important for us to face up to our responsibilities now and take appropriate action. I urge my colleagues to join with me in supporting this 45-day extension and move forward now on hammering out a final decontrol compromise.

THE TRANSIT MARKETING PROCESS

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. FRENZEL. Mr. Speaker, the major transit performance indicators continue to show a steady decline in transit ridership and a corresponding rise in transit operating deficits despite the infusion of over $4 billion in Federal transit aid over the last decade. Unfortunately we allowed ourselves to become victims of misplaced optimism as a result of last year's 6-percent gain in ridership. This year ridership has again resumed its downward slide and there is no relief in sight.

We have clearly failed to provide the types of transit services that most people want and need, yet we continue to fund these obsolete systems on the faulty assumption that a little tinkering with the technology will make things right again. The falloff in ridership began 30 years ago and we still look in vain for some light at the end of the tunnel.

Fortunately a few people are beginning to see the handwriting on the wall and have begun to espouse a market oriented approach to transit development. An unusually cogent argument for the market approach appeared recently in Passenger Transport, the house organ of the American Public Transit Association. Its author is Doug Kelm, chairman of the Twin Cities Metropolitan Transit Commission. He does a good job of debunking the notion that we can somehow persuade or force the consumer to patronize transit services which are substantially inferior to the competition. Kelm argues instead that transit operators must conduct market research, find out what the public wants and then begin to tailor their product to satisfy these consumer preferences.

Until we adopt this switch in strategies, the consumer will continue to take his business elsewhere and the taxpayer will be asked to shoulder the soaring deficit burden.

The article by Doug Kelm follows:

THE TRANSIT MARKETING PROCESS

(By Doug Kelm, chairman, Twin Cities Metropolitan Transit Commission)

Marketing in the Twin Cities means three things—consumer research, understanding the needs and the wants of the consumer; product development, manufacturing or developing a product or service to satisfy those needs; and marketing communications, communicating to that consumer that your product or service fills his needs.

CONSUMER RESEARCH

To begin, the process of marketing transit is the same process used in marketing any product—from fixtures to fixed guideways. The first step in the process, consumer research, is to really understand the needs and the wants of the consumer. How can any manufacturer design a product to be bought by the consumer, or create a service to be used by the consumer, without initially understanding the consumer's needs for that product or service? This is where consumer research comes into play—the manufacturer's conversation with the consumer, to determine his attitude about the product.

Certainly, the first questions as far as products are concerned are . . . What do you want? What should my product give you? What are the benefits of my product that you find attractive?

For transit people, too, it's . . . What do you want? What kind of transportation do you want? Where do you want to go? When do you want to go? What are the benefits of my service that you find attractive?

The answers to these questions lead into step two of the marketing process, product development.

PRODUCT DEVELOPMENT

To transit people, it means using the consumer attitudes to determine the range of transit services to be offered. This includes the proper routing, as well as the specific equipment to be used. And it means responsive scheduling, and perhaps special driver training. Consumer research should tell transit management what services are needed to meet the consumer's transportation needs.

In addition to determining overall consumer needs, research will also allow transit management to separate the different groups of riders that exist—the elderly, managerial and professional, clerical, inner city, and suburbanites. Each of these groups have special transportation needs, so it is essential that the transit manager understand these needs so as to design the most accommodating system.

Once the service product has been determined, we're ready for step three in the marketing process—marketing communications.

MARKETING COMMUNICATIONS

This is simply communicating to the consumer that we have the service or the product that will meet his needs. Once research has told transit management what our system should be comprised of, it is then the role of marketing communications to bring all of those elements together and package the product for the consumer.

Marketing communications consists of many elements. Advertising is the most familiar. The use of television, radio, newspaper, direct mail, billboards, are among just a few ways to let the consumer know that our service exists, and that it meets his needs over and above the competition. In transit our competition, of course, is the private automobile. So, we have to tell the consumer that we can meet his needs in terms of travel time, dependability, cost savings, and accessibility. In this way, the consumer can come to realize that the service was designed to meet his needs, as a viable transportation alternative.

To repeat, there are three stages within the marketing process—consumer research, product development, and marketing communications. Marketing is not merely advertising, as most have believed throughout the years. Marketing involves the entire business process—determining what the consumer wants, and then providing it for him.

In the Twin Cities we have just begun to understand the impact marketing can ultimately have upon the success of the transit system.

We face awesome marketing challenges in the days ahead. For example, we find ourselves in a precarious situation in that our "factory" is nearly empty during much of the day while we continue to pay our employees and other overhead expenses. Our challenge is to use consumer research to seek solutions to this off-peak problem. Consumer research will determine whether or not there is a need for transit during these periods of the day.

Perhaps we will find that our present transit system is not designed to accommodate the consumers' midday destinations. Perhaps, for example, routes established for peak-hour service do not accommodate off-peak travel patterns.

We will then have to adjust our service accordingly. Once we have made service adjustments to meet the consumers' needs, we must communicate the benefits of the changes in order to motivate expanded use of the service.

Perhaps, on the other hand, our research will tell us that even if we pay people to use current transit service during the midday, they will not do so. Should this be the case, any energies and dollars spent to communicate off-peak service would be wasteful, and instead we should redirect our research to find out what consumer attitudes or behavior is controlling the choice of alternate transportation modes.

Perhaps research will show that there is a greater potential in spreading out the peak period rush hours in order to narrow the off-peak period, and to lessen the traffic congestion, making for a more pleasant ride for the consumer. If this is what the research indicates, then it will be marketing communications that will acquaint the consumers with the benefits of staggered commuter trips, and will convince employers of the value of such coordinated programs.

The problems of off-peak ridership and staggered commuter trips are only two marketing challenges that we face looking into 1976.

Our knowledge of the marketing process will allow us to better understand the consumer through consumer research. It will allow us to develop services that the consumer needs, through product development, and finally to effectively communicate the benefits of the services to the consumer through marketing communication.

THE IMPLICATIONS

What can this threefold process mean for you?

It's very simple. If our role is to ultimately sustain and increase the numbers of transit users, we must compete effectively with the private automobile. To compete effectively with the automobile, the transit manager needs to develop a marketing sophistication that does not exist today. He must identify existing and potential transit users and the benefits they seek.

This information must be used in developing an overall marketing plan to provide those benefits. Without this knowledge, marketing transportation, like marketing any product, will remain a guessing game.

Two things are necessary in order to carry out the marketing process that I previously discussed; organization and financial commitment.

Today, transit management sees the marketing philosophy integrated into all aspects of transit management; in many cases internal reorganization has led to the formalizing of the marketing function. Marketing managers reporting directly to the general manager (with broadened responsibilities which in some cases include the routing and scheduling function) have become key members of the transit management team. It is contended that this type of reorganization and the formalization of the marketing function leads to a much more consumer oriented service.

The point is, however, that if a transit system is going to market, it simply must organize itself to market, thus allowing marketing concepts to play a vital role in consumer oriented decisions.

The MTC has struggled with the question, "How much should a transit system spend on marketing?" This obviously is a very difficult question to answer for it depends on local circumstances on the one hand and the size of the transit system on the other hand.

However, what I can say is that specific funds for marketing ought to be budgeted for consumer research, product development and marketing communications.

In the Twin Cities, during this current fiscal year, against farebox revenues of $16 million, the Metropolitan Transit Commission budgeted approximately $500,000 for consumer research and communications alone.

I'm convinced that this is not enough, but what is significant here is not the amount that was budgeted but rather the commitment to marketing that was made in the budgeting process.

With this in mind, one thing is certain, if there is to be an effective marketing program, transit managers and governing boards simply must understand that the marketing process begins with the budgetary process, and they must be willing to face critics who are not accustomed to the expenditure of marketing dollars by a public or semi-public body.

Consumer research, product development, marketing communication, supported by appropriate organization and financial commitment . . . these are the elements of a successful marketing program.

RAILROAD UNEMPLOYMENT INSURANCE ACT OF 1975

HON. W. G. (BILL) HEFNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. HEFNER. Mr. Speaker, I am pleased that legislation I cosponsored and supported, H.R. 8714, to amend the Railroad Unemployment Insurance Act to increase unemployment and sickness benefits has become law.

This act, Public Law 94-92, is of enormous importance to the railroad employees throughout the United States. Unemployment in the railroad industry affects almost every State in the United States. Nationwide it has reached approximately 40,000 railroad employees who have been furloughed and their families who are experiencing real hardship, because of the previous substandard and outdated level of benefits.

Under the provisions of this law the maximum daily benefit for both unemployment and sickness compensation is raised to $24 per day for the period from July 1, 1975, to June 30, 1976. Thereafter, the maximum benefit will be $25 per day.

These increases are designed to compensate unemployed railroad workers for the rampant inflation which they, like all other workers in this Nation, have suffered in the 7 years since the Railroad Unemployment Insurance Act was last amended. The unemployment and sickness benefit level remain at 60 percent of the daily rate of compensation for the railroad employees' last employment but not less than $12.70.

This law also provides for the first time a program of extended unemployment compensation benefits for railroad workers with less than 10 years of seniority. It provides an extended benefit period of 13 weeks for employees with less than 10 years of service in the railroad industry.

These extended benefits are available only during periods of high unemployment, with trigger provisions adapted from the Federal-State unemployment compensation program. This provision of extended benefits for the least senior employees of the railroad industry is most particularly important during period of economic crisis, such as we are currently experiencing, because these workers, who are low on the seniority list, are likely to be among the first workers laid off when business declines.

Sickness benefits under the previous law were payable only after the claimant had had 7 or more days of sickness during a given registration period in a benefit year. Under the new law, the waiting period is reduced from 7 to 4 days. Sick benefits are to be payable for each day of sickness in a "period of continuing sickness" after the first 4 consecutive days of sickness in the registration period. Sickness benefits are provided at the same rate, and for the same maximum duration as unemployment benefits under this program.

Changes in the benefits rates will become effective retroactively beginning with July 1, 1975.

Mr. Speaker, one of the most important congressional responses to the current recession has been to recognize the needs of unemployed workers during the current economic crisis. Last December, we passed the Emergency Unemployment Compensation Act and the Emergency Jobs and Unemployment Compensation Act. Many unemployed workers who had never previously been eligible for unemployment compensation were granted entitlements under these laws. Every American worker who becomes unemployed has unemployment benefits under these acts, and now with the enactment of H.R. 8714, railroad employees will receive such needed assistance also.

These additional benefits for railroad employees are long overdue and constitute the important additional component of the legislation passed to increase the protections which have been afforded to other workers in our Nation.

I was pleased to play a part in the passage and enactment of H.R. 8714. This measure was cleared by both the House and Senate within a matter of days and was signed into law by the President on August 9, 1975.

There is no doubt in my mind that these changes in the Railroad Unemployment Insurance Act were necessary, and I am proud to have been involved in seeing these changes made, because I know it will benefit not only the railroad workers throughout the Nation but also those railroad employees who I represent in the Eighth District of North Carolina.

REPENTANCE FOR THE CITIES PROFLIGACIES

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. RICHMOND. Mr. Speaker, in light of recent reports and feelings that New York City should begin to tighten its loose spending belt, I feel it is most important to offer a few unalterable facts and reasons for its present financial position. Some of us often forget the role which New York City has played in our Nation's history. It has provided a point of origin for millions of American citizens who came to this country uneducated, homeless, and looking for self-improvement. This improvement, however, only becomes a reality after many months, years and even generations of caring and expenditure.

Mr. Andrew Hacker, a teacher of Political Science at Queens College in New York, recently wrote an article entitled "Repentance for the Cities Profligacies." This article appeared in the New York Times and I would like to submit it for the RECORD since it is a worthwhile evaluation of a truly great city:

REPENTANCE FOR THE CITIES PROFLIGACIES

(By Andrew Hacker)

By all means let us have some serious belt-tightening if that is Kankakee's condition for buying our bonds. But there is another, implicit, proviso. What is also wanted is some kind of *mea culpa:* repentance for past profligacies and ill-considered programs.

That New York has lived beyond its means no one can question. But apologies are quite another matter. Many outlays—like sabbaticals for public-school teachers—were frivolous or worse. Yet in the final reckoning, the city need feel no shame over how it spent its money. (Even if it was money it did not have.)

Perhaps we overpaid our sanitationmen. Yet with decent wages they bought homes in Bensonhurst and sent their children to Fordham law school.

Of course the municipal payroll mushroomed. But private enterprise ceased creating new jobs over a decade ago. An expanded civil service has provided self-respecting jobs for thousands of able-bodied people.

With less than 4 per cent of the country's population, New York has 13 per cent of its public-housing units. Most cities praised for fiscal prudence have sidestepped this responsibility. High-rises may tend towards the impersonal. Even so, they beat tenements with rats in the walls.

True, the city paid out more in welfare benefits than other municipalities. But only because it seemed somewhat shameful to make a mother with two children live on less than $75 a week.

Tucked away in its bureaucracy are unsung departments making major contributions. For example, the Bureau of Laboratories, which carries on basic medical research. Its scientists have developed tests for gonorrhea and lead poisoning that are now standard procedures. The veneral culture is even named after the city: *Neisseria (NYC medium)*.

The city has always found some funds to help out Lincoln Center, the Metropolitan Museum and the Public Theater. One reason Chicago can balance its budget is that it doesn't put Shakespeare and Stravinsky in its parks.

Several myths need scotching:

Rather than having "lost" its middle class, the city now has a larger middle-income statum than at any time in its history. A quarter of a century ago, only 4 per cent of the population had incomes in what might be called the Bloomingdale's bracket. Measured in real purchasing power, that class now embraces 20 per cent of the city. As a result, New Yorkers support more good restaurants, art gallaries and dance companies than in any previous period.

Official figures also undercut much of the so-called "flight" to the suburbs. The most recent census returns show that for every 100 college graduates who quit the city, 137 out-of-towners arrived to replace them. Similarly, as 100 people with professional jobs headed for the suburbs, the city was attracting 141 newcomers with equivalent credentials. As a matter of fact, the typical leaver was more apt to hold a high school diploma and a blue-collar job.

The over-all decline in jobs began well before the recession and stems mainly from shifts in industrial location. (Before World War II, factories provided much of New York's employment.) Even so, at last count a higher *proportion* of the city's working-age residents were employed compared with two decades earlier. This rise reflects the increased female quotient in the labor force.

While the city lost 304,158 gainfully employed men between 1950 and 1970, the number of working women rose by 218,904. New York may have fewer jobs in absolute terms; but it also has fewer housewives.

The city has maintained its tradition of welcoming all manner of immigrants. Newcomers from varied places have brought not only entrepreneurial ambitions but a willingness to do jobs no one else will take. Much of the hope for restoring the city's commercial fortunes rests with this most recent wave of arrivals. They have much in common with their turn-of-the-century counterparts, including standing over a pushcart.

Austerity, of course. But guilt would be gratuitious. Generosity of spirit is a rare commodity in municipal governance. Better to give outland investors a few more percentage points than repudiate a humane and civilized past.

ASSEMBLYMAN ED Z'BERG OF SACRAMENTO TAKES HIS LEAVE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. LEGGETT. Mr. Speaker, last week the State of California and the Nation lost one of our most creative legislators.

Many of the greats of all time performed on this earth less than 2 score plus 10 years and so it was with Ed Z'Berg. What can a young lawyer do in a 17-year career in the California Legislature? In the case of my fallen friend, Ed Z'Berg the answer is much.

Fifteen years ago I met Ed as my senior seat mate across the aisle in the lower California House. He had a ready smile and bright wit, but it was his exuberance and skill in debate that made you glad he was on your side.

The side of Z'Berg was not that of money, big business or the despoilers of the environment—his causes were people, health and natural development.

John Sheehan of the Woodland Daily Democrat, writes the Z'Berg story well in an article "Z'Berg Leaves a Rich Heritage" as follows:

Z'BERG LEAVES A RICH HERITAGE

(By John Sheehan)

The death Tuesday of Assemblyman Ed Z'berg leaves vacant the chairmanship of the Assembly Committee on Resources and Land Use, regarded by environmentalists, industrialists and social planners as the harbinger of resource management in America.

Z'berg himself was considered a pioneer in environmental legislation, but he was also the author during his 16-year career of more than 700 bills on anti-trust regulation, the judicial process, civil service and the labeling of hazardous substances.

It was in the field of environment, however, that Z'berg will be most remembered. The chief consultant to the Resource and Land Use committee recalled some of that panel's work Tuesday.

"We had the policy responsibility for every aspect of the environment throughout the state except for energy," Jim Pardau recalled. "And in that field, Mr. Z'berg had a very close relationship with Charlie Warren, chairman of the Committee on Energy and Diminishing Materials.

"We had the whole thing, and Mr. Z'berg went after it with a vengeance," he said fondly.

"One of his real joys and rewards would have come next Friday when the California Tahoe Regional Planning commission adopts a good, tough land use plan for that area on the California side.

"As with all our resources, he wanted Lake Tahoe saved for future generations."

VOICE OF PUBLIC

Some of Z'berg's legislation created the Lake Tahoe Regional Agency, regulated forest practices and watershed management, controlled billboards, established state solid waste management and resource recovery policy and consolidated and broadened state pollution control and land use planning.

"His whole approach to government was giving the public a voice here in the capitol," Pardau said. "He believed that lobbies and special interests couldn't and shouldn't run the programs."

In addition to the Tahoe planning policy, Pardau said Z'berg was also responsible for many other environmental fields, including the adequate funding and development on a contract basis of recreation facilities.

Z'berg fought hard for recreation money and was the author of Proposition 1 on the June, 1974, ballot. The bill—The State Beach, Park, Recreational and Historical Facilities Bond Act of 1974—was overwhelmingly approved by the voters and allocates more than $4 million to Solano, Sacramento and Yolo counties for local park acquisition and development.

LOCAL RECREATION

Another Z'berg bill now in the state senate would provide $25 million each year for a local recreation fund. The money would come from the disputed and controversial tidelands revenues.

"Z'berg's solution was simple," Pardau said. "He figured one resource like tidelands oil money should pay for another resource, like recreation."

Another bond act, AB 1722, would provide $450 million for acquisition of parks space throughout the state. Of that $125 million would be spent for land along the coastline. The bond act will appear on the 1976 ballot.

Z'berg was regarded as something of a Solomon in the area of forest management. California has six million acres of private timberland and in 1973, after eight years of struggle with one interest after another, the legislature passed the Z'berg-Nejedly Forest Practice Act.

The legislation provides explicit standards to ensure proper reforestation after logging erosion and is designed to protect forest lands fram practices which deplete the soil and ruin streams.

"Essentially, it gives us much more productive forest," Pardau explained.

ALTER TAXATION

Another forest-related bill still in the legislature would alter the taxing philosophy from basing rates on property values to basing them on timber yield. The bill is supported both by environmentalists and the timber industry.

In the area of land use planning and environmental quality, Z'berg has introduced the major bill each year 1971 to establish comprehensive state land use planning and pollution control.

"He believed that if you first plan your land wisely, then you can establish effective pollution control standards," Pardau said. "These days, it's the other way around.

It seems that the pollution standards are established first, thus dictating land use. There is general agreement among environmentalists, businessmen, industrialists and social planners that his first approach is what's needed."

In the field of coastline management, a Z'berg committee began taking a harsh look at the prospect for marine resources 10 years ago. That panel's report and hearing were credited with being a prime factor for Proposition 20 in 1972 and creation of the coastal zone commissions.

Z'berg also led the way in the field of how to deal with garbage and litter.

His committee began hearings in 1968 that led in 1972 to passage of the Solid Waste Management and Resource Recovery Act. The legislation created a state solid waste management board and requires state government to get involved in the field.

A bill now in the Z'berg committee deals with solid waste abatement and effectively places a tax on litter.

BROAD SUPPORT

Pardau said cities and counties throughout California have given "fantastic support" to the measure that would raise $44 million to clean up litter. It would also create 7,000 new jobs and generate capital for building solid waste disposal and recycling plants.

A major Z'berg bill passed several weeks ago and which is now on Brown's desk awaiting signature would eliminate the pull-top can in California.

It gives the can industry three years to find another way to package their liquids and, unknown to most people, is supported by the can industry.

"Why, do you realize that 331 MILLION of those ring tops are discarded every year in California?" Pardau asked. "We determined in hearings that just this amounts to 11 per cent of all the litter in the state!"

Other environmental bills authored by Z'berg came down hard on visual pollution.

JUNKYARD SCREENING

One requires that all junkyards along interstate and primary highways be screened from view. Another severely controls the construction of new billboards along interstate highway and provides for the removal of old billboards as money is appropriated.

Z'berg's testimony before the Congress in 1966 and 1967 was considered crucial to establishment of the Redwoods National Park in northern California.

In the field of law, Z'berg first prepared himself by graduating summa cum laude from the University of San Francisco school of law with the highest scholastic record in his graduating class.

During his tenure at the capitol, he wrote the Uniform Child Custody Jurisdiction Act which prevents custody battles between parents in different states and such thing as child stealing.

He also helped establish the county children's domestic relations conciliation court to alleviate the psychic trauma on children in divorce.

His varied constituency was evidently grateful and approving of Z'berg's record.

In 1969, he earned the Man of the Year award from the Mother Lode chapter of the Sierra club. The California Landscape Contractor's association in 1970 honored him with its Daisy Award and in 1971 he earned the Audubon Conservation award and the Order of the Eagles civic service award. The California Trial Lawyer's association in 1972 gave him its Man of the Year award and in the same year the California Park and Recreation society presented him a special award for outstanding work in environmental legislation.

He also earned awards and citations from the Veterans of Foreign Wars, the California Conservation Council, the Conservation Hall of Fame, the California Air Guard and the Sacramento county board of supervisors.

Mr. Speaker, the conservative Sacramento Union editorialized as follows:

EDWIN L. Z'BERG: ABLE LAWMAKER

Sacramentans lost a dedicated and hard-working public servant Tuesday morning with the death of Assemblyman Edwin L. Z'berg. A member of the Assembly for the last 17 years, representing the district that includes the State Capitol, Z'berg was a fixture in the Sacramento political scene as well as in the Capitol's corridors.

In many ways Z'berg came close to setting the example for an ideal legislator. He was a hard-working representative, accessible to his constituents and others with problems, spending long hours on the many duties given him in the Capitol, yet finding time for regular meetings with those he represented. Z'berg maintained an enthusiasm for his assignment throughout the 17 years he served in the Assembly that is rarely found in veterans of any job. Each new session and new piece of legislation found Z'berg moving to the challenge with the enthusiasm often found only in newcomers.

Outside Sacramento Z'berg was best known as Mr. Conservation in the Legislature. Chairman of the key Assembly environmental committee for 10 of the last 12 years, Z'berg led battles for conservation issues when they were often lonely causes. He sponsored legislation creating the bi-state regional planning agency for Lake Tahoe, the forest practices act, and legislation banning flip-top beverage cans among the more than 700 bills he introduced during his career.

Z'berg was a forceful and effective spokesman for the environmental viewpoint during most of his career, translating very real concerns of many persons about the quality of the environment into legislation that generally proved to be functional and useful. Virtually every conservation organization of significance at one time or another feted Z'berg as its outstanding legislator.

But the Sacramento native's legislative record was not limited to the environmental field. With thousands of state employes living and working in his district Z'berg carried and fought for a large number of bills improving the job conditions of state workers. Typical of his efforts in this field is the legislation he authored to provide time and one-half pay for state employees who work overtime. He also was involved in the battle over collective bargaining for public employes, carrying the measure that would set up that procedure for state workers.

An attorney who still maintained his practice while serving in the Legislature, Z'berg authored legislation refining the judicial process and assisting local government during his long tenure.

Local Democrats could usually count on Z'berg to work with them for the best interests of the party and its candidates in the political arena. He was considered a valuable and hard-working member of the Democratic campaign structure despite the strong base he had built for himself during his eight campaigns for the Assembly.

The Sacramento Union sometimes disagreed with Z'berg on specific issues during his career, but never faulted him for his sincerity or the enthusiasm he brought to his job.

The people of Sacramento have lost a representative who did an exemplary job of representing them. It will be a major challenge for Z'berg's successor to measure up to those standards he set for himself. We join with the rest of his fellow legislators and the Sacramento community in expressing our sincere condolences to the family of Edwin L. Z'berg.

Mr. Speaker, The Vallejo Times Herald concluded in part, as follows:

Mr. Z'berg, whose parents were from Switzerland, followed family precedent in seeking and holding public office. Two cousins with the same name have records of service in the Swiss national legislature.

In 1960 Mr. Z'berg received the Man of the Year Award from the Mother Lode Chapter of the Sierra Club. The California Landscape Contractors honored him in 1970 with its Daisy Award. And in 1971 he won the Audubon Conservation Award and the Order of the Eagles Civic Service Award.

In 1973 he received the Distinguished Service Citation of the California Conservation Hall of Fame, San Bernardino; and in 1974 received the Golden Bear Award of the California Resources Agency.

The California Trial Lawyers Association gave him its Man of the Year Award in 1972 and in the same year the California Park and Recreation Society presented him a special award for outstanding work in the environmental field.

Mr. Speaker, and finally, the Sacramento Bee wrote a brief Z'berg epitaph as follows:

Not only his district but California as a whole has lost an outstanding legislator in the death of Assemblyman Edwin L. Z'berg, D-Sacramento, at age 49.

First elected in 1958, Z'berg won high respect from all sides for his persistent efforts in behalf of the environment. He was particularly active in working to preserve Lake Tahoe, and not without tangible results.

At the same time, he never forgot his commitment to his own local constituency. He was highly visible whether it was Ryer Island ferry service, funds for the railroad museum in Old Sacramento or conflicts over uses of the American River.

Z'berg represented thousands of state employes and devoted himself to improving their salary and working conditions. One of his last accomplishments was to win passage of a bill recreating a commission to adopt a master plan to promote proper development of state buildings in the Capitol area.

He brought the same dedication to the broader problems of land use planning, forest practices and watershed management, control of billboards, solid wastes and pollution of water and air.

His role as chairman of the Assembly Committee on Resources and Land Use allowed him to exercise considerable influence over legislation affecting California's natural resources. Deservedly, he was named the year's leading environmentalist in 1974 by the State Parks and Recreation Commission.

The Sacramento attorney was the author of hundreds of bills in such diverse other areas as grand jury reforms, improving the court system, protecting the consumer and striving to meet the human needs of the less fortunate.

Few lawmakers reach as high in their aspirations and devote themselves so completely to what they believe in. Ed Z'berg was a good legislator who has left an enduring imprint on California.

Mr. Speaker, Ed was my friend as is his wife, Merle, and children.

Z'berg's eternal memorial is etched in his work for the people of our State in the debates and working papers of the

Sacramento Legislature and also in the creative works resulting from that action.

A TRIBUTE TO THE ALLIANCE OF POLES OF AMERICA FOR 80 YEARS OF COMMUNITY INVOLVEMENT

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. JAMES V. STANTON. Mr. Speaker, as we look toward our Bicentennial year, it is important that we recognize a vital part of our growth, our strength and our humanity as a nation. In every State and in every community, organized groups of men and women working for the betterment of their community have been a forceful part of our heritage. One such organization, to which I pay tribute today, is the Alliance of Poles of America, which will shortly be celebrating its 80th anniversary.

In September of 1895, at St. Stanislaus Parish in Cleveland, Ohio, a group of men joined together, pooling their resources to found what has become the largest Polish fraternal group in Ohio with substantial memberships in Michigan and Pennsylvania. In the 80 years since, the Alliance has become a driving force for loyalty, brotherhood and the betterment of Polonia.

Community involvement has been the key to the success of the alliance. Twice monthly, the organization publishes a dynamic bilingual newspaper, Zwazkowiec (Alliances). The group's national headquarters at 6966 Broadway in Cleveland serves as a base for its highly successful life insurance program as well as its credit union. From low-cost home loans to college scholarships, activities of the alliance make it a highly respected part of the Polish community and of Cleveland in general.

Eighty years of "strength through progress," Mr. Speaker, can mean only one thing—the alliance has an active membership and a concerned and vital leadership: Bernard Michalski, prezes (president); Boleslaw Tanski, wiceprezes (vice president); Genowefa Sandej, wiceprezeska (vice president); Stanley Samek, sekretarka generalna (general secretary); Stella Reklinski, skarnik (treasurer).

The dyrekcja (directors) of the alliance include: Jerzy Jankowski, H. Banaszak, John Wetula, Bronislaw Wyzynski, Ray Kacprzak, Frank Fronczak, Dr. Antoni Kar, S. Badaczewski, Josephine Pienoski, Stanislawa Czarnecka, Walter J. Rutkowski, C. Bentley, Dr. Jan F. Haas, Walter Matia, and Charles C. Jarvis.

Mr. Speaker, with the joy of this 80th anniversary of the alliance comes a note of sadness. Just this week, Ks. Franciszek J. Szczepanski, the organization's chaplain, passed away. His passing is a loss, not only to the alliance, but to the people of Cleveland and his many friends throughout Ohio and the Nation.

In conclusion, I would like to make mention of two gentlemen who have been very active in promoting the upcoming anniversary celebration, Casimir Bielen and Roman Trepczyk, editor of the Alliancer. It has given me great pleasure, Mr. Speaker, to pay tribute to an organization of goodwill and community involvement for 80 years—the Alliance of Poles of America.

DIALOG ON CHOICES: ARMAMENT AND DISARMAMENT

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. SIMON. Mr. Speaker, today, I continue our colloquy on crucial issues facing this Nation. On June 3, I initiated a Bicentennial dialog on choices in the RECORD. As we approach our 200th birthday, we need a thoughtful examination of where we are and where we must go. One of the keys to the survival of civilization and humanity is world armament and disarmament. A single, accidental misuse of only a fraction of the world's awesome arsenal of nuclear power could wipe out mankind. Nothing resembling this direst of consequences must ever occur.

I hope that some of my colleagues and citizens throughout the Nation will share their views on armament and disarmament with us. Citizen responses should be sent directly to me, and I may have them inserted in the RECORD of September 17, and probably one later date.

As I stated in the June 17 RECORD, we must be concerned about the overkill capabilities of the world's storehouse of nuclear warheads. The bomb that fell on Hiroshima killed 100,000 people and had 13.8 kilotons of power. United States nuclear warheads now total 615,385 times that amount of power. Multiply those 100,000 lives that were lost at Hiroshima by our current nuclear power, and you realize that we are capable of killing 61 billion people, or every person on Earth 15 times.

Add the total nuclear destruction capabilities of all the countries of the world, and you find that, theoretically, 110 billion people could be destroyed, virtually instantaneously.

The world community must insure that no madman, with access to nuclear firepower, takes the reigns of any government. Insofar as possible, we must also preclude the remotest possibility that nuclear war is accidentally triggered. For example, what if someone misreads a radar screen and believes that Soviet bombs are heading toward the United States when, in fact, they are not? There must be no chance that we would detonate our bombs under such a circumstance.

What I said on June 17 bears repeating: The only safe answer has to be the gradual destruction of these bombs by mutual consent among the nations which have them.

The outbreak of an all-out nuclear confrontation between the United States of America and the U.S.S.R. due to miscalculation is not the only concern. What about "small wars" which at any time could easily evolve into major ones? The danger that the "small war," which will probably always plague us, could lead to a major confrontation—and use of nuclear weapons—is compounded by the fact that more and more nations are becoming capable of using nuclear weapons.

I trust this Nation will never be the first to use nuclear weapons, and I deplore the talk which even mentions that possibility. The talk of limited use of nuclear weapons under a new targeting doctrine enhances the possibility of our use of nuclear weapons and puts us in a weaker position to restrain others by example and admonition. Senator STUART SYMINGTON, a longtime observer of America's nuclear capabilities, had this reaction to the new policy:

> The new targeting program lowers the nuclear threshold and increases the possibility of the beginning of a nuclear weapons use in war. . . . The more you lower the kilotonnage of these weapons, the more you disperse them around the world, the more you make them common practice for utilization of our services and those of our allies, the greater the chance of their going off and the world blowing up.

I share Senator SYMINGTON's fears.

Another military policy which needs reexamination is the growth of sales of conventional weapons to other nations. The greater the world's arms supply, the greater the intensity and destruction which will go with limited wars—and the greater the likelihood of drawing other nations into a war. There is also some increases in the likelihood of wars starting in the first place. No one believes that either Japan or Costa Rica, as two examples, will start a war, because both nations have adopted policies calling for extremely limited armaments. In both cases this is possible because of their confidence that in an emergency the United States would provide an arms shield. The stability and prospects for peace are strengthened slightly because these two nations have not concentrated on building armed might.

In the past 5 years, fiscal year 1970 to fiscal year 1974, our military sales abroad have mushroomed more than 900 percent, from less than $1 billion to more than $8 billion. Sixty-nine nations have bought our guns and tanks and planes. During this same period, our direct military assistance, in terms of military gifts, have stayed fairly constant, just under $3 billion to nearly 51 nations.

What is wrong with these increased sales?

First, the world's greatest needs are for food, clothing, and housing. If we think that we are helping to build a world of peace and stability by shipping weapons all over, we are fooling ourselves and jeopardizing our future.

Second, while such shipments offer temporary help in our balance-of-payment problems and offer employment opportunities, the domestic and foreign impact of military sales is limited. It does little to help us immediately and in the long run it is not helpful because it does nothing to raise the standard of living of the recipient nations. If their standard of living was raised, they could buy from the United States, and we could build a healthy, long-range trade partnership.

Third, we end up selling to people who

will fight one another. Are we so eager to make a few dollars that we want to become the key to killing large numbers of people?

Fourth, it hampers U.S. foreign policy. We say that we sympathize with Israel and then sell Saudi Arabia millions of dollars in weapons and help train Saudi troops. What sense does that make? Right now India is angry with us because we are providing military aid to her rival, Pakistan. Would we not be better off refraining from furnishing weapons to either side, and provide food and technical know-how to lift their standard of living instead?

Finally, there is always the danger that weapons sold or given will be used against us. We have had enough experience with this that we should not want to burn our fingers again, but we seem to learn slowly.

Fortunately, recent legislation has allowed the Congress to have a direct voice in the sale of military arms abroad. This new law requires that the administration submit to the Congress any proposed arms sales in excess of $25 million. We then have 20 days to accept or reject the sale. We must not abdicate our duty to scrutinize such arms requests and to veto them if we decide that they are not in the interest of the Nation or the world.

I am not opposed to all military sales. The Netherlands, for example, is not a threat to anyone, and our $17 million sales to her last year should not bother us. But most sales are not that innocent.

If we do not sell arms to those 69 countries, will not France or the Soviet Union or some other country? Perhaps, but we should lead the way in trying to reach an agreement with all weapons-exporting countries to limit sales abroad. Our leadership should be toward agreement, not weapons sales.

We have economic problems in the United States, but they are not so bad that we should adopt irrational military sales policies that bleed the world.

Not only should we refrain from some of our military sales, but our foreign economic assistance should be restructured so that poorer nations which refrain from excessive expenditures on armaments and use their economic resources to lift the lot of their people are rewarded. I continue to believe that we need some type of foreign aid formula which recognizes among other things: need, the distribution factor, the level of corruption, efforts toward population control, and other factors. One of these other factors should be restrictions on the growth of armaments.

Obviously, a country surrounded by hostile neighbors has little alternative. But if we had had a policy for the past decade along these lines, would India perhaps not have developed a nuclear bomb? Other illustrations could be added. Within the United States we have found that the old carrot has lured many States and communities to do what they needed some encouragement to do. There is no reason to believe that the same principle is not applicable abroad. Foreign economic assistance by whim and buried in secrecy must become less of a factor in our foreign policy. One of the healthy results of a change toward a foreign aid formula might well be a slight slowing of the world's armament race.

In discussing the world's armament situation, another indirect factor must be discussed: The sale of conventional nuclear materials abroad. I believe greater attention must be paid to the potential military impact of such sales.

I will propose legislation which will provide that no nuclear sales agreement between the United States and any foreign country may be entered into, and no license for the sale or other transfer to any foreign country of any significant amount of nuclear material may be issued, unless the Director of the Arms Control and Disarmament Agency—ACDA—has submitted a report analyzing the impact of such a sale on world armaments. This analysis would be sent to the National Security Council, the Administrator of the Energy Research and Development Administration, the Nuclear Regulator Commission, and the Congress.

By enacting this type of legislation, the United States would be giving a signal to the rest of the world—particularly to other nuclear exporting countries—that, as the largest exporter of nuclear material, we are willing to put our house in order and set an example of concern.

As I draw to the conclusion of a brief discussion on armaments and disarmament, I have not mentioned the Strategic Arms Limitation Talks. The joint agreements which have been achieved, I hope point the way to greater achievements in the future.

Like many of my fellow citizens, the confusion I have on these agreements perhaps grows more out of my own limited studies rather than imperfections in the agreements and in our policing of them.

What is clear is that while progress has been achieved, we have a long road ahead before the peoples of the Earth can breathe with much ease.

Earlier this year, Paul Nitze, formerly the Defense Department's highest ranking representative at the SALT talks, observed that the Vladivostok accord "addresses appearances rather than fundamentals" on nuclear arms control. Nitze, in testimony before the Senate Foreign Relations Subcommittee on Arms Control, concluded that it is more important to limit the size of each country's missiles than to put a ceiling on the number of weapons in nuclear arsenals.

I favor limitations on both size and numbers. And I favor strengthening of procedures for assuring that both sides are living up to the letter and spirit of the agreements.

The house we live in called Earth must be stamped: Fragile—Handle With Care. Let no one because of greed, or lust for power, or because of accident or indifference end civilization as we know it. To avoid that calamity we must take constructive action against poverty and hunger and injustice. But we must also look to our defense, to our safety, and that logically leads to whatever steps can be taken to build a world with less capability for self-destruction.

THE CAPITAL RECOVERY ACT OF 1975

HON. ROBERT W. KASTEN, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. KASTEN. Mr. Speaker, in recent months, various economists and business leaders have contended that our Nation's capital supply for the next decade will be insufficient to meet our needs. The New York Stock Exchange has estimated this gap at $650 billion. Reginald H. Jones of General Electric projects a short fall of approximately $50 billion annually between 1977 and 1980.

Those experts who foresee no such shortage often base their optimism on unrealistic assumptions concerning monetary and fiscal policy. For example, three economists associated with the Brookings Institution, in their study "Capital Needs in the Seventies," concluded that adequate capital resources will be available for the remainder of the decade if inflation averages no more than 4.5 per annum. The inflation rate for 1974 was roughly 10.5 percent. This means that in order for the Brookings' conclusions to hold, average annual inflation from 1975 through 1980 would have to be 3.5 percent. Achieving such a low rate is at best highly unlikely.

If a capital shortage were to develop, our ability to achieve some of our most important policy objectives would be seriously impaired. Energy independence, pollution abatement, adequate housing, development of public transportation, and alleviation of insufficiencies in raw materials processing all require a lot of equipment. If we cannot provide it, we will be forced to compromise our investment plans for enhancing the welfare of our citizenry.

Failure to augment our capital supply could also reduce the personal income of the average American worker. The worker enhances his personal income by increasing his productivity, but productivity cannot be increased without adequate capital. With a growing labor force, increases in capital are necessary to preserve the high ratio of capital to labor which is the source of the high per capita income levels our citizens enjoy.

If the capital shortage were to become sufficiently severe, it could exacerbate unemployment. Business can provide jobs only if it has sufficient resources at its disposal to maintain its operations. When they do not, they shut down plants; when they shut down plants, they lay off workers.

We must start now to avert the development of this dangerous insufficiency. Liberalizing the capital consumption allowance, the tax deduction we allow business to enable it to recover its capital costs, would be an effective and appropriate first step. In 1974, depreciation provided 39 percent of new funds in the U.S. nonfinancial corporate sector; retained earnings—when adjusted for phantom inventory profits—supplied 5 percent; new equities 2 percent; and debt 54 percent. Further reliance on debt financing would only increase business' exposure to the vicissitudes of the financial market at a time when the availability of sufficient capital must be certain. Depreciation, the other major source of new funds, is the source to which we should turn.

How should we reform depreciation? To see how our depreciation system should be, let us look first at its current provisions. Its three principal features concern: First, the amount of tax deduction granted for capital cost recovery; second, the time period over which this deduction must be spread; and third, the rapidity with which the deduction may be taken within that time period.

With respect to the first variable, the law stipulates that the depreciation base shall equal original cost. With respect to the second variable, the time span corresponds to the "useful service life" of the asset. The Internal Revenue Service has set "guideline" lives for approximately 80 broadly defined types of assets. Under the "asset depreciation range"—ADR—system, currently in effect, the taxpayer has the option of raising or lowering these service lives by 20 percent.

With respect to the pace at which depreciation proceeds within these time spans, one of three options is usually elected. According to the straight-line option, the taxpayer may divide the original cost of the asset by the useful life and deduct the quotient each year. According to the double-declining-balance method, the taxpayer may deduct twice the straight-line percentage in the first year and then apply this percentage to the as yet undepreciated amount in each successive year. According to the sum-of-years-digit method, the taxpayer may deduct each year a fraction of the original cost equal to the number of remaining years divided by the sum of the years over the asset's useful life.

For example, consider a taxpayer with an asset worth $100,000 with a useful life of 10 years. The sum of the years—that is 10 plus 9 plus 8, and so on—would equal 55 years. His depreciation allowance would be 10/55 of $100,000 in the first year, 9/55 of $100,000 in the second year, and so forth.

The law also allows any other consistent method if the deduction at the end of each year during the first two-thirds of the useful life does not exceed the amount allowable under the double-declining-balance method.

A principal weakness of these depreciation provisions, particularly given the high rate of inflation, is the requirement that original cost must be used as the basis of recovery. Prices of producers' equipment, just as the prices of consumer goods and services, have gone up. Under such conditions, an allowance for the original cost of the asset is insufficient to enable the taxpayer to replace it. The tax system, consequently, taxes not only the net income of business but some of its capital outlay as well; in so doing, it erodes the capital base of this Nation.

True, liberalized depreciation methods, such as the sum-of-years-digit and double-declining-balance methods, do offset this erosion to some extent. However, compared to other developed nations, America lags far behind in granting such tax relief to business. A comparative study done by Rinfret Boston Associates, Inc. clearly demonstrates the relatively unfavorable treatment of U.S. capital recovery policy. In the study, recoveries were computed for hypothetical $10 million investments made in different industrial countries. In the first year the investor in the United Kingdom would recover $9.4 million; in West Germany $8.8 million; in Japan $5.9 million; and in Canada $5.1 million. In the United States, however, he would recover only $1.9 million of his investment.

The Capital Recovery Act of 1975 attempts to reduce the impact of inflation on the recovery costs of the investor in America and enhance his recovery potential relative to that of investors in other developed nations. I would do so by offering the taxpayer the option of electing a simplified alternative to the existing system of depreciation. The option it proposes would accomplish these objectives in the following ways:

First. By reducing the time period over which depreciation is charged and by allowing the taxpayer to take more of his recovery allowance in the early years of this period. The system would grant the taxpayer the options of a 5-year recovery span for all productive machinery and equipment and for pollution control facilities and a 10-year period for real estate. It also contains a specified rate structure which grants the taxpayer double-declining-balance rates in early years and then switches over to sum-of-years digit rates when they result in a greater tax savings than the former.

Second. By allowing the taxpayer to utilize his allowance when acquisition costs are incurred rather than when the assets are placed in service, as under the current system.

Third. By permitting the taxpayer to accumulate his deductions and use them in the year in which he would enjoy the greatest tax benefits from them. No such carryover procedures are provided for under current law.

I will urge the Committee on Ways and Means to consider this capital recovery alternative this fall.

SISTER HAMILL CELEBRATES 100TH BIRTHDAY

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. DOWNEY of New York. Mr. Speaker, this coming Sunday one of the most distinguished citizens of my district celebrates her 100th birthday. She is Sister M. Natalie Hamill, a Sister of Saint Joseph in Brentwood, N.Y. She was born in Brooklyn on September 7, 1875.

Sister Hamill's life has been one of dedication to her church and to the people of Brentwood since she moved there with the St. Joseph's Academy in 1903. In the ensuing 72 years she taught elementary grades at the academy, and worked among the people of the community when St. Joseph's was the largest institution in the Brentwood area. She has witnessed all stages of the phenomenal growth of Suffolk County, and must surely be a wealthy resource of history to all Long Islanders.

Not only has Sister Hamill herself had much to do with her local area's history, but her ancestors have their own claims to fame as well, particularly with regard to our Nation's fight for independence. She is fond of relating, for example, of how the different members of her family have over the years displayed framed prints depicting their relative, Gen. Joseph Warren, dying in the arms of his companions in the defense of Bunker Hill.

I salute Sister Hamill on the occasion of her centennial, and take this opportunity to remind her fellow citizens that we have much to learn from our older neighbors. Even long after she has earned the right to lay down her burden, Sister Hamill continues to be a part of her community, contributing to its daily life. Apparently her friends and neighbors agree, for they have sponsored a luncheon and reception in her honor where they can all greet her and express their appreciation for her hundred years of service to them.

GALBRAITH ON THE ECONOMY

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. REUSS. Mr. Speaker, here is a letter worth reading which appeared in the New York Times of Sunday, September 7:

AUGUST 30, 1975.

THE NEW YORK TIMES,
Times Square,
New York, N.Y.

To the EDITOR OF THE NEW YORK TIMES: The news of a resurgence of inflation is alarming—more alarming, I venture to suggest, than you think. For if it continues Administration economists will again urge a cut in public expenditures with unique emphasis on outlays for social and civilian purposes. That will end any hope for assistance to so dubious a polity (as the White House regards it) as the city of New York. And equally alarming will be the response of my friends of the liberal establishment. Called on to prescribe against inflation they will, I promise, recommend another cut in taxes to deal with unemployment. This they will urge is the real problem. That will further reduce the public revenues available at any level of output, also help insure that federal help for the cities is unavailable and it will make inflation worse.

Though my professional economic colleagues with some exceptions will be content, it will perhaps occur to the percipient layman that the traditional economic ideas, liberal or conservative, are not working very well. And it may occur to some, including I trust the New York Times which has certain responsibilities in these matters, that it would be better to assist employment (including that of city employees who would otherwise be sacked) by spending more for urgent urban needs than by cutting taxes.

Also, one hopes, it will be evident to some that it is logically difficult to cure unemployment while relying on unemployment to cure inflation. That is the economic strategy presently employed.

Finally, one hopes, it will again be noticed that, as in the past, before employment is adequate the upward spiral in wages, living costs and prices becomes intolerable and that the only hope for combining high employment with reasonably stable prices is some form of direct restraint on wages, other incomes and industrial prices together with steps to regulate critical exports and otherwise to expand bottlenecks. However, all who reach this last conclusion should be warned: their views will be thought inconvenient by many and be subject to criticism. Their only satisfaction will be in asking: What else?

Yours faithfully,

JOHN KENNETH GALBRAITH.

CATHOLIC LEADER HAILS AMERICA-ISRAEL TIES

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. WOLFF. Mr. Speaker, we are once again caught up in debate and consideration of America's policy regarding the Middle East. I recently read a speech that was published in the Bnai Zion Traveler that lucidly explains some of the history behind U.S. support and compassion for Israel. This speech was delivered by a Jesuit priest who is well known to my colleagues. At this point in the RECORD, I would like to insert the remarks of Congressman ROBERT F. DRINAN. I commend them to you:

CATHOLIC LEADER HAILS AMERICA-ISRAEL TIES

I am very happy to be here this evening and I want to talk seriously to you for a few moments. When I look out at all you beautiful people, you look like prophets to me because forty years before Israel was established, two whole generations, Bnai Zion was created and has been here ever since 1908 and as the kids say, "it blows my mind how you could have known so much so early." My only regret is that I have not met a delegate from Massachusetts here this evening. I hope you are not banned in Boston, or anything. If you are, we will lift the ban.

It still amazes me that long before people even dreamed of the Balfour Declaration, you were old as an organization and thriving at that time. I want to talk to you about a couple of things tonight. I want to talk about the roots of the Congressional sentiment in favor of Israel and how profound that is. Secondly, about the United Nations and the real plight of Israel at this time.

I recall way back in 1963, when I was in Israel at the tomb of Theodor Herzl and I learned quite a bit from the guide there and I have learned thousands of things since then and frankly, I am ashamed to say that I went through all types of Seminaries and I learned very little about Judaism and not very much about Zionism. I hope that we have rectified that a little bit today. But all I can say is that Zionism is deep in American life and that this profound tradition is alive and well in the Congress of the United States. I stumbled upon a statement of John Adams from Massachusetts way back in 1818. He was then the former President, but even so, he wished and hoped that the Jews of the world would once again have an independent nation in Judea. You are familiar that in 1891 a group of prominent Americans sent a letter to President Harrison and that letter was signed by Cardinal Gibbons, by Chief Justice Melville Miller of the U.S. Supreme Court, and by any number of distinguished people and so when the Congress made a commitment to Israel in 1948, it was not as if something new had been done. Very few people, for example, recognize that Congress in 1922 adopted a resolution approving the Balfour Declaration which, of course, was enacted in 1917. But Congress, from the very beginning, in 1948 and 1949, in all types of statutes, stated that we will make certain that Israel has defensible borders and therein establish without any treaty whatsoever an alliance of friendship with Israel, which is totally unique in all the 200 years of American history. We knew, and Israel knew that Israel wanted to go it alone and that from 1946 to 1973, the United States granted 55 billion dollars in military assistance around the world and Israel was never the beneficiary. I think we should recall that in those years, and I repeat again, from 1946 to 1973, Israel received no gift of arms from the United States, Israel paid its own way. And then, in 1973 and 1974, the Congress recognized that Israel was extraordinarily racked by the Yom Kippur War and I think that it is an extraordinary testament of the silent, hidden, unwritten friendship between the United States and Israel that almost without controversy $2.2 billion was appropriated for Israel in 1974. That terrible war in 1973 cost Israel at least 7 billion dollars and at that time and since, Israel spends at least 26 percent of its gross national product on the military. Israel still has the largest external debt of any nation on the earth. The beginning of arms to Israel was necessitated by facts all too familiar to us—the infiltration of Russia in the Middle East and France's cutoff of arms to Israel in 1967—it was then that Congress recognized that if Israel needs arms, as much as necessary would be made available.

I don't know what reassessment means. All I can say from talking to my colleagues there, knowing their sentiment, is that there is no alteration in Congressional policy towards the safety and the security of Israel.

I think it is very important to point out that we made a moral and a spiritual commitment to Israel. This commitment was in 1948, before our policy of the containment of Communism was developed and it is easy to say that Israel can be a bulwark of democracy and that it is part of our containment of Communism, but our commitment and promise to Israel was made before that was our policy and we recognize that the United Nations, by International Domain, said that the claim of the Zionist, the claim that your organization 66 years ago established for the first time on American soil, was valid. There is no analogy for any other nation in the history of American experience, and I hope only that the members of Congress and the Christians in this country can share that experience and know that we have not recognized Israel entirely or even principally, for reasons of self-interest. We have recognized Israel because morally and spiritually we felt that it was the proper thing to do.

When last I was in Israel two years ago, I deepened my knowledge of what Jerusalem means theologically, religiously and morally and I recall that a Rabbi told me "after all this is the land of the prophets and this is where the Messiah will return and that is why the Jewish people should be here."

Can all this spirituality, this theology, if you will, can this be a part of the United States' foreign policy? No one, it seems to me, can understand our commitment to Israel unless first you say that it is in our National interest to preserve the religious and ethnic and moral identity of the Jewish people and indeed of every ethnic and National group across the universe. But, in the United States, we speak all the time of what the United States gives to Israel and, I think that we should turn the coin over and say what Israel has given to America and to the world. Israel gives us an example and a vision, an Ideal, and I think that while the Ford Administration allegedly is thinking out their commitments or reassessments, I think we should recognize and have certainty that the Congress will give the $2.5 billion that has been requested by Israel.

It is basically unjust to say that Israel was adamant during the recent negotiations. Israel offered the oil fields from which she gets one-third of her energy. Israel offered to retreat to the middle of the Mitla and Gidi Passes. What did Egypt offer? Exactly 0. Consequently, in America we need persuasion and pressure on the Administration, on Congress and on public opinion. I have confidence and certainty that public opinion is overwhelmingly in favor of Israel and I am certain that you read the recent poll which indicates that non-Jews in this country are convinced of the necessity and the urgency and the moral imperative in assisting Israel. Something in our basic National life, of which we should be very proud, is the fact that six Presidents in 15 Congresses have recognized that Israel is a democracy and our ally in an area threatened by Soviet penetration and by expansionist Arab nations.

Let me come to my second point, which is not, I would think, as optimistic. When I lectured at the Hebrew University two years ago, I was not prepared for the attitude of the students towards the United Nations. I should have known how deeply Israelis feel that the United Nations has disappointed them. Of the 15 nations on the Security Council, at least 8 do not have diplomatic relations with Israel and in the General Assembly, the Arab nations can dominate the third world, so that regularly, on almost every vote, 90 of the 138 nations voted against Israel.

We are familiar with the politicalization of UNESCO. UNESCO was formed precisely to radiate all cultures across the universe, so that by knowing the cultures of other people we can come together as one family of all humanity. Hopefully, the suspension of Israel can be undone. But now we have had the World Health Organization rebuke Israel for allegedly not helping the Palestinian refugees with regard to health. The fact of the matter is that Israel has given as much as it can and that the United States has given, over the past 22 years, 560 million dollars out of 800 million spent, for the refugees and that Russia has given not a single ruble. And, why is it that the United Nations General Assembly, the whole third world goaded and intimidated by the Arab nations, can rebuke Israel for allegedly neglecting the health of the Palestine refugees?

And, so we come to a crisis, I am afraid, that in October or November of this year, the General Assembly of the United Nations may suspend Israel. The third world nations will meet in Lima in August to decide what they will do. I and other members of Congress spent a whole day with Ambassador Scali recently at the United Nations and I was very happy to hear the Ambassador state very categorically that if Israel is suspended or expelled from the General Assembly, the United States would withdraw from the General Assembly. The new Ambassador, Mr. Moynihan, has said the same thing. Obviously, this whole thing is fraught with danger. No one likes to think that the future of the United Nations could be jeopardized. But I suppose that at this moment in time and crisis it could be. It goes back to the basic square one that the dependence on Arab oil all across the universe has distorted the United Nations, has demonstrated that this horrendous power that the Arab nations have of possessing that without which no economy can thrive, that that is the essence of the enormous and horrendous power which Arab nations now possess.

I have said to Christian groups and I will say again—that the possible expulsion of Israel from the General Assembly is a clear early warning to Christians, and how many warnings do they need? They allege that they did not have warnings of the holocaust and they did not know. But here is a warning of the tides and the torrents that are coming and I only hope that they can act.

So, I come to some final conclusions about what the future is in the relationship with this love affair between the United States and Israel. This friendship needs very careful cultivation at this hour. People are weary of wars and after the Vietnam experience I am afraid that some over generalize and say that we never should have another involvement. But there is notihng in modern history like this American-Israel relationship. Why is is that we have this love affair? A priori, you would say that there is no reason that these two nations have anything in common. They have enormous disparity in size and power and influence. But the harmony between America nad Israel, in democratic values, in historic roots, and memories, in moral interests, they are identical and synonymous. We see in Israel a nation of refugees and pioneers grown from old roots and yet having new branches. A nation that is consecrated to innovation while at the same time being reverent of ancient legacies. In Israel we see a nation that has its face to tomorrow. A nation that is committed to a destiny of sacrifice and a nation whose main business is freedom. And all of us as Americans identify with Israel because Israel reminds us of the past in ourselves. She reminds us of all the lost horizons, all our shattered dreams, all the things we never did and what does Israel think of America tonight? They see in us their one friend in the entire universe. They see that virtually all of the nations of Europe sold them out at a moment of crisis and that America kept its promise. They remember that America has stood by Israel in peril and in solitude for 28 years. And Israel is particularly grateful that America stood by it during the last eight years and most especially, during the last 18 months. So, while there are difficulties, it seems to me that we should have peace and joy and certainty in our hearts. We have been through great tragedies, together with Israel. We have cried together with the Israelis over the athletes from Israel killed at Munich. We have wept together for the slain children at Maalot. We wept together for the bloodshed at the Savoy Hotel and we were all humiliated at the tirade of Arafat last November in the United Nations. But those tragedies have helped bring about what I think is the golden age in the relationship of Israel and America.

Let me say simply that I know that the United States is deepening its friendship for Israel. More and more voices in the Congress and in the country are protesting the insane and massive sales by the United States of arms to countries in the Persian Gulf. There are many people in the Congress, including myself, that have a bill in that says that the Congress shall approve every sale of arms. Right now the law says Congress may approve it if it amounts to $25 million. I think that we should, in an open debate, approve every sale of every bit of hardware of a military nature that goes to any country, particularly in the Middle East. I think and I hope that more and more Christians and particularly Catholics, will become involved in the moral dimensions of this. I know that Catholics are more involved now than ever before. I can't promise you that the Vatican is going to extend diplomatic recognition to Israel in the immediate future, but I know that it is much more of a live option than it ever was before. Let us hope, therefore, that peace will come. Jerusalem is the City of Peace and it was there that Isaiah prophesied that swords would be turned into plowshares. And this is the land of Israel that God gave to the people of the covenant. Let me close by quoting Reinhold Niebuhr, the famous Protestant theologian, in the hope that Christians in America and across the world will recognize the profundity of what he said. Niebuhr said, once speaking to Christians, that "no one can be a good Christian until first he is a good Jew."

TESTIMONY OF REPRESENTATIVE JOSEPH L. FISHER ON REVENUE ACT OF 1975

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. FISHER. Mr. Speaker, at the end of October, the Congress will vote on the District of Columbia's Revenue Act of 1975. Senate and House Committees are holding hearings on the act this month. I would like to take this opportunity to share my views and open a dialogue with my colleagues on this important matter. Therefore, I am entering in the RECORD my testimony on the Revenue Act of 1975 before the Senate Committee on the District of Columbia:

TESTIMONY OF REPRESENTATIVE JOSEPH L. FISHER

Shortly before Congress left for its August recess, the District of Columbia submitted to the Congress for its review the Revenue Act of 1975. Under the Home Rule charter, Congress retains ultimate control of the D.C. budget. Should Congress choose to disapprove a budgetary measure enacted by the D.C. Government, it may pass a resolution of disapproval within 30 legislative days following official submittal of the measure. Such a resolution has been introduced in the House of Representatives. Senate hearings on the Act began today. House hearings are scheduled for September 17 and 19. The deadline for Congressional action will come late in October.

This is the first major piece of legislation to come before the Congress since the District was granted Home Rule and began enacting legislation through its own popularly elected City Council. It thus gives us all our first opportunity to determine what the role of Congress ought to be under Home Rule.

My record as a member of the Arlington County Board and as a member and chairman of the Metropolitan Council of Governments is one of strong support for Home Rule. I have consistently urged self-government for the District of Columbia. That position will not change. Consistent with that, Congress continues to have a role in the formulation of legislation for the District of Columbia.

As a member of the Congress representing neighboring jurisdictions of half a million people whose economic center is the Federal city, I must be concerned with the Federal city as it affects them. I am the only voice these taxpayers have on matters affecting the District of Columbia.

This role has yet another dimension. As a Member of Congress, I am required by the Home Rule charter to consider the strong Federal interest in the city. A significant portion of Federal money is involved in the D.C. budget. As the city suffers, so does the Federal Government. I must, therefore, oppose actions and policies not in the long term interest of the Federal city.

It is in this context that I approach the 1975 Revenue Act, which originated March 10 when the Mayor submitted his proposed tax package to the City Council. The Committee on Finance and Revenue developed a substitute package which the Council adopted on first reading June 10.

The major element of the Council-passed version was an increase in the business income tax from eight to twelve percent for the current year—that is, retroactive to January 1, 1975. A corollary to this was the removal of the traditional exemption from business income taxes for income earned from personal service businesses, most notably lawyers, doctors, etc., but also including professional nurses, small contractors and repair shops. The exemption had stood for anyone whose income was 80 percent or more derived from personal service as opposed to capital investment such as inventory or plant and equipment. The distinctive treatment afforded the two kinds of businesses has long been recognized in federal and local tax law. These changes, and others were in substitution for an across the board tax on gross receipts which had been proposed by the Mayor. Although hearings were held on the Mayor's proposal, no hearings were held on the Council substitute.

With the exception of the one year increase in the corporate income tax, the removal of the exemption for personal service businesses was projected to produce the largest block of income of any of the 19 items in the Revenue Act—an estimated $8 million. The original proposal allowed up to twenty percent of the income from a business to be exempted from the tax. This was later raised to exempt fifty-five percent.

In order to assess the new tax proposal, we will invent three fictitious taxpayers. The first is the D.C. Corporation, which, under the proposal, would have its income taxed at 12 percent. But as a corporation, it is allowed to deduct salaries to its officers before it determines taxable income (subject only to the standard that those salaries be reasonable). Thus, the personal income of the President of the D.C. Corporation is not subject to the tax. Instead, that income is taxed by the jurisdiction of residence of the president—be that the District, Virginia, or Maryland. The profits of the corporation are taxed at the new 12 percent rate.

Taxpayer Two is a partner in a law firm located in the District and is a resident of the District. Under the new proposal, 12 percent tax would be levied on the income of the partnership. In a partnership, income is computed before the partners are compensated. Therefore, the tax falls directly on personal income of the partners. The Act would permit Taxpayer Two, D.C. lawyer, D.C. resident, to exempt fifty-five percent of his income, with the twelve percent rate applying to the remaining forty-five percent of his income. As a District resident, he pays a personal income tax as well—but only on that portion of his income exempt from the business income tax. Thus, his entire income is subject to tax only once.

Taxpayer Number Three is a partner in the same law firm but lives in Virginia. Forty-five percent of his income is subject to the D.C. business tax, just as is his partner's. But because he cannot take advantage of the loophole given D.C. residents, his entire income is subject to tax by Virginia. He gets taxed twice on nearly half his income, while his D.C. partner escapes such double taxation. In short, the District has devised a tax that taxes everyone but their own constituents. It taxes people who have no recourse against the taxing authority.

With this as background, let's take a look at the tax proposal. It is unacceptable on several counts:

1. It is simply too high. The tax is way out of line in terms of similar taxes, not only in the neighboring jurisdictions but also in other areas throughout the country. Arlington and Fairfax Counties each tax the privilege of doing business within their borders. This tax is on gross receipts: 1 percent in Arlington and .31% in Fairfax County. The D.C. tax is 12 percent on the unexempted portion, or 45% of income. Thus, the effective tax rate is 5.4% on net. Translating this into gross receipts terms to equate it with the suburban jurisdictions, it is a tax of 2.7% on gross. (For a typical law firm, net is approximately 50% of gross. This may or may not be true for other professions). Thus it is a tax roughly nine-fold that found in Fairfax. No city in the nation imposes similarly severe taxes on non-residents. New York comes the closest but even its tax rate for non-residents is much lower. In addition to

the inequity of this excessively high tax, there is a further difficulty: I fear its long-range effect will prove harmful to the District.

Going back to my earlier hypothetical example: Taxpayer Three, the lawyer in the District who lives in Virginia, will pay his tax this year. He has no choice. Next year he will not pay the tax. He will have moved his business to Virginia. As welcome as he would be in the counties that make up my Congressional District, I fear that such moves would undermine the long-range stability of the Federal city. And that is something that must concern Congress.

2. The tax is discriminatory, falling almost entirely on non-residents who have no representation and no recourse against the taxing authority. It is easy for the City government to tax those who cannot vote for or against them. The tax, in effect, imposes no additional burden on a D.C. resident other than the extent to which the business privilege rate is higher than that placed on ordinary income. But it does impose a double tax on a significant portion of the income of all those hit by this tax who live in Virginia or Maryland.

3. This is, in effect, a commuter tax. Regardless of what the District chooses to call it, this tax falls on personal income. The District recognizes that fact when it exempts all income taxed under the new proposal from its regular income tax. Such a tax on income may well run afoul of Section 602(a)(5) of the Home Rule Act which specifically forbids such a tax. The District government seems to have gone to some lengths to label and dress this tax in a way to avoid its being upset. But Congress clearly places commuter taxes off limits and any invasion of that, however slight, makes the matter one for Congress to consider.

It is my hope that the Congressional hearings can lead to an acceptable compromise that will provide revenue the District of Columbia needs and at the same time will be non-discriminatory and set at a level comparable to similar taxes imposed in neighboring jurisdictions and elsewhere throughout the nation. Failing that, Congress should disapprove the Revenue Act of 1975.

My colleague from Maryland, Congressman Gilbert Gude, today introduced legislation that appears to be a reasonable compromise. It would replace the tax in the Council's tax act with a smaller, across-the-board fee on professionals and other unincorporated businesses, regardless of whether the individuals live in the District of Columbia or not. The Gude bill would tax all professionals, regardless of residence, but exempt 80% of net income. That would bring the effective tax rate to 2.4%, still somewhat high, but more in line with similar taxes in surrounding jurisdictions. The bill would also remove from D.C. law the business tax exemption on personal income tax, which would also be in line with Virginia and Maryland.

Perhaps other alternatives will emerge in the next few weeks. It is most important that in this first major test of legislation developed under Home Rule we work together in a constructive and cooperative spirit. Such a spirit can provide a firm basis for solving the problems to come.

NATIONAL PARKS ARE BESET BY POLICY PROBLEMS

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. SEBELIUS. Mr. Speaker, I would like to call the attention of my colleagues to a most informative piece of literature released last month by the Conservation Foundation—the July-August 1975 issue of their monthly Letter entitled, "National Parks Are Beset by Policy Problems." This incisive piece of work authored by Mr. Bill Duddleson of the Foundation staff would be of much interest to anyone concerned about the welfare and future of our National Park System. Numerous issues are raised related to the Congress. It is unfortunate that the material is a bit too lengthy for reproduction here, but copies may be obtained directly from the Conservation Foundation, 1717 Massachusetts Avenue NW., Washington, D.C. 20036.

DEVELOPMENT AID FOR A HUNGRY WORLD

HON. HELEN S. MEYNER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mrs. MEYNER. Mr. Speaker, the House is expected to begin consideration of H.R. 9005, the International Development and Food Assistance Act of 1975, tomorrow. This bill, which for the first time separates economic and humanitarian assistance from military aid and security supporting assistance in the U.S. foreign aid program, has been rightly heralded by commentators as a "far-reaching" and "impressive" new direction in developmental assistance to less-developed nations. Significant changes include focusing aid on the rural poor and making fuller use of multilateral channels and voluntary agencies.

An analysis in the Christian Century for September 3–10, 1975, terms H.R. 9005 "a bill which breaks new ground in U.S. support of the development aspirations of a hungry world." Because this article is a cogent and thoughtful analysis of H.R. 9005, what it does and what it means, I include it in the RECORD at this point in its entirety and I commend it to the attention of my colleagues:

[From the Christian Century Sept. 3–10, 1975]

DEVELOPMENT AID FOR A HUNGRY WORLD

Among the many items to which Congress will turn its attention as it reconvenes after Labor Day is the U.S. foreign aid program for the next two years. What will it say on our behalf to a hungry and populous world, a world rent by widening global imbalances between the few who are rich and the poor majority, a world with a ravenous appetite for grain and oil, a world bridling at injustices among and within nations? The Congress will enact, in one form or another, the International Development and Food Assistance Act of 1975, and then will appropriate, at one level or another, funds for its implementation.

The thought of another round in the perennial aid debate is a temptation to indulge once more in the tired litany of complaints about foreign aid. The phrases are familiar. U.S. foreign aid is too little, say some; too much, say others. It includes too many strings or too many freebies; too much triage or too little realism. It fosters dependence or foments liberation, solidifies inequities or forces alien social change. It is too self-serving, or not red-white-and-blue enough; too wrapped up in a military-security blanket or too oblivious of the realities of world power. The views are deeply ingrained, with little fresh dialogue between them.

But the world is too hungry and the time too short for our usual salivations at the ringing of the foreign aid bell, much less for the luxury of two more years of foreign-aid-as-usual. Rather astonishingly, the House International Relations Committee agrees! It has quietly and carefully changed the terms of the debate, reporting unanimously to the full House of Representatives on the day before the August recess a bill which breaks new ground in U.S. support of the development aspirations of a hungry world.

H.R. 9005 is, according to the committee, "legislation of consolidation and progress." It consolidates the gains made by the Congress in 1973 in its comprehensive foreign aid reform, and moves forward by some additional changes and more adequate funding for our bilateral and multilateral programs. H.R. 9005 implements pledges made by the U.S. at the World Food and Population Conferences, separates development from military aid, increases substantially the scale of U.S. assistance, makes fuller use of multilateral channels and voluntary agencies, and focuses aid more thoroughly on the rural poor in poor countries throughout the world's southern hemisphere. Any one of these measures, taken singly, would be significant. All together, they form an impressive package.

The new creation is still embryonic. Before it lies an intimidating obstacle course, both legislative and executive, both procedural and political. One committee does not speak for the entire House, and the Senate has yet to be heard from. Should all legislative systems be "Go," the President can still undo the most imaginative congressional handiwork. Yet the first step has been taken toward a more adequate and appropriate U.S. response to a hungry world. H.R. 9005's provisions deserve to become more widely known. Committee members have pleaded for an outpouring of popular support in the next two or three weeks to stiffen congressional resolve. The time for action by those concerned that the U.S. help stem the global food crisis is now.

WORLD FOOD CONFERENCE FOLLOWUP

H.R. 9005, if adopted, could energize lagging U.S. action to follow up last November's World Food Conference. The U.S. has yet to match brave words in Rome with bold deeds in Washington. Secretary of State Henry Kissinger pledged more aid for food production in developing countries, the key to alleviation of world hunger. Yet when Congress, abetted by administration inattention, finally—four months later—got around to appropriating funds, they totaled only $300 million, as compared with $284 million the year before.

Equally damaging was U.S. misfeasance (some say malfeasance) on food aid. While other major grain-exporting nations (and even some which import grain) announced specific new—and in some cases multiyear—food aid pledges at the conference, the U.S. could do no better than vague promises. Two months of temporizing ensued before the Ford administration announced a food aid level of 5.5 million tons, up substantially from 3.3 million the previous year. Last month, however, in reviewing its fiscal year 1975 efforts, the administration quietly conceded that its deferred decision, combined with shipping and other complications, had denied a hungry world 800,000 tons of our pledge.

What of the sale this summer of 9.8 million tons of U.S. grain to Russia? This transaction may in effect preempt food supplies otherwise available for food aid and for rebuilding depleted grain reserves here and abroad. It recalls the agony of the last Russian wheat sale, which drew down world food reserves and caused U.S. food aid pledges to the Sahel to be deferred for a time in deference to Russian livestock. The new wheat sale rankles further still because of the callousness of the State Department's explanation: "The alternative to selling to the Russians is to take land out of agricultural production in this country." It may also drive downward the tonnage of grain (earlier projected at 6 million tons) that this year's $1.3 billion can buy. Small wonder, then, that the world, reviewing recent U.S. food policy actions, questions whether the U.S. is really serious about world hunger.

Nor has the world food crisis itself eased as substantially as we in the grain-glutted U.S. assume. The first meeting of the U.N.'s new World Food Council last June, updating developments since the conference, concluded that while world food production is up this year, the grains tend to be in developed countries, with others doing less well and the size of the all-important autumn Asian rice crop still uncertain. Although food aid pledges for the most seriously affected (MSA) countries already exceed those of last year, estimates of need run as high as 20 million tons, compared with 16 to 17 million in 1974. Poorer countries, having dipped into scarce foreign reserves last year when sufficient food aid was not forthcoming, are less able now to purchase the necessary food, fuel, fertilizer and pesticides. The Pakistani delegate observed, and the council concurred, that despite good crops in some areas, "there is no room for complacency, much less optimism." The food situation in 1975 for the MSAs "may be worse" than in 1974.

EXPANDED PROVISIONS

H.R. 9005 is designed as a response to the world food crisis in its various dimensions. It more than doubles funds for food production and nutrition needs in developing countries, primary in support of labor-intensive, small-farm agriculture. Included is a contribution of at least $200 million to the new $1.25-billion International Fund for Agricultural Development, set up by the World Food Conference. Prior OPEC, Russian and other pledges await a substantial U.S. contribution. Family planning, health and education services make up a well-rounded package for integrated rural development at the village level.

Food aid is more effectively integrated into a unified program of international development and food assistance than it was in its political past. It is tied more closely to agricultural development through an arrangement whereby the funds from concessional food aid sales in poor countries may be used on self-help projects to increase agricultural production and reduce birth rates. The President is "authorized and encouraged to seek an international agreement for a system of national food reserves" such as was agreed to in Rome.

Unfortunately, H.R. 9005 does not go far enough in some respects. While acknowledging the 10-million-ton minimum annual world food aid target set by the conference, it legislates no fixed annual U.S. commitment toward that total. And though the bill mobilizes U.S. land-grant institutions to help fulfill the conference pledge to triple our agricultural research on food production in developing countries, the bill has inadequate safeguards to assure that the bulk of the research will be done overseas, wherever possible by the people themselves, and will be tailored to suit labor-intensive, small-farm needs. Despite these shortcomings, the bill will go a long way toward helping the U.S. to keep pace with other nations in implementing World Food Conference pledges.

DEVELOPMENT AID ON ITS MERITS

H.R. 9005 would allow economic aid to developing countries to be considered in its own right. The House committee has reversed its time-honored practice of authorizing economic and military aid funds in the same bill. In the past, irrigation systems for the Philippines and family planning for Indonesia have shared a single vote with helicopters for Ethiopia and military training for Bolivia. Of the $163.7 billion in U.S. aid between 1945 and 1973, fully 40 per cent went for military purposes. Some votes were lost, others won as a result of the package approach. While the Senate occasionally took up the two categories separately, the House never did.

This may be the year, said Chairman Thomas E. Morgan (D., Pa.), who for three decades has wrapped the package, when development aid can stand on its own. Clement J. Zablocki (D., Wis.), the committee's ranking majority member, backs a similar change of approach but is concerned lest military aid unravel in the unwrapping. This change has come about because the committee believes that public opinion, reflected in the freshman legislative class of 1974, has shifted. Perhaps of more importance, recent events in Indochina and the Middle East have conspired against the administration's best-laid plans to wrap the military wolf in the customary humanitarian sheepskin. With the proposals for military assistance grants, foreign military credit sales, and some economic assistance programs for southeast Asia and the Middle East back on the drawing boards, the committee simply proceeded with the requests it had in hand.

The impact of its decision to report a development aid bill first, a military one later, may be far-reaching. Exclaimed a jubilant Agency for International Development (USAID) official: "Now there is no reason why a representative will have to vote against development assistance on grounds of conscience." While that may be a bit of an overstatement, the Indochina policy, which got U.S. economic aid seriously off the track, may by its collapse become the vehicle for reinvigorating aid along more humanitarian lines. With separate authorization bills now virtually assured, the Senate is showing signs of extending the separation even to the appropriations bills which will fund the economic aid programs themselves. With sufficient support for this approach, the Senate and House could usher in a new legislative day almost certain to be salutary to the future of development aid.

MORE SUBSTANTIAL AID LEVELS

The U.S. has traditionally been the world's largest aid donor, of food as well as of financial and technical assistance. Yet recent years have witnessed a fading of U.S. preeminence, both in absolute terms and in relation to what other nations are doing. Net U.S. official development aid in 1973, deflated to 1963 prices, was about $1.6 billion; 1963 aid itself was $3.6 billion. In 1974 we ranked 14th of 17 Western industrialized nations in the per capita percentage of official development aid contributions, moving *away from* rather than *toward* the U.N. target of .7 per cent of gross national product. Those 17 countries as a whole are themselves being somewhat eclipsed by the oil-producing and exporting nations. Developed countries in 1974 gave $13 in official development assistance out of an average income of $4,600; the OPEC countries gave $29 of an average income of $525.

H.R. 9005, if sustained by House and Senate and funded by each body at the full amount, would for the period 1975–77 stay the slippage. For the first time, the House committee has voted more development funds than the administration has requested. Bilateral and multilateral programs would be able to expand by about half, from $1.1 billion last year to $1.8 billion in fiscal year 1976.

The increase would come primarily through the reinvestment for development purposes of loan repayments from developing countries themselves—funds which would otherwise revert to the U.S. treasury. This is a step in the right direction, although it does not deal with the problem whereby total economic aid to developing countries (about $11 billion in 1973) is more than offset by their debt-servicing costs ($15 billion in 1973), with the U.S. as the major creditor. If the committee's approach survives attempts to reduce new aid funds by the amount of the loan reflows ($353 million this year), U.S. aid will be on a more ample, if still inadequate, scale.

INTERNATIONAL COOPERATION

Finally, H.R. 9005 recognizes the popular revulsion against the past politicization of aid. During the 25 years from 1946 to 1970, nations with 95 per cent of the population in all developing countries received only 60 per cent of the U.S.'s total development aid. Countries of presumed strategic importance to the U.S., like South Korea and South Vietnam, received 40 per cent, although they have only 5 per cent of all the people in developing countries. In 1974, a year of excruciating world hunger, Cambodia received between seven and eight times as much U.S. food aid as Bangladesh; almost half of all U.S. food aid went to Indochina. Unchastened by the popular uproar over such abuses, the administration had proposed South Korea, as the chief recipient of food aid this year, followed by Bangladesh, with Chile to receive 83 per cent of all Latin America's concessional food aid.

The House committee disagreed: "Americans want to know that U.S. assistance is genuinely benefiting poor people." H.R. 9005 seeks to depoliticize the aid program by targeting on the poorest countries and the poorest people within each country. Seventy-two per cent of bilateral program funds (up from less than 50 per cent last year) would go to countries with annual per capita incomes of under $275, and 89 per cent to countries of under $500. Learning that the administration was already allocating about 35 per cent of new food aid on political grounds, the committee extended and tightened the requirement that at least 70 per cent of concessional food aid go to MSA countries.

H.R. 9005 also increases the level of food aid grants under Title II which, administered by U.S. voluntary agencies and the U.N.'s World Food Program, are less political and more humanitarian and developmental than concessional food aid sales. Recognizing the broad popular support for the humanitarian work of the voluntary agencies, the bill provides additional funds to cover the costs of shipping their relief and development supplies. It also increases U.S. contributions to multilateral agencies such as the U.N. Development Program and UNICEF. While serious questions have been raised about the alleged politicization of some of the U.N.'s specialized agencies, their allocations of development funds continue to be based, more effectively than our own, on need rather than political factors.

The committee recognized the necessity for cooperation rather than confrontation in our dealings with developing countries. H.R. 9005 does not, to be sure, address the basic structural adjustments needed in the world economic system to bring about a just international economic order. These issues are now being discussed at the seventh special session of the U.N. on development and international economic cooperation and will have to be addressed in subsequent legislation. H.R. 9005 affirms, however, that the U.S. is prepared to put a cooperative foot forward in the limited but important area of development aid.

"This bill," noted one of the architects, freshman Congressman Stephen J. Solarz (D., N.Y.), "represents a large step forward toward the institutionalization of international idealism. Its emphasis is on aid not for political purposes but for humanitarian objectives. And, in a world where millions of people suffer from starvation, high infant mortality, low life expectancy, and limited educational opportunities, this is as it should be."

WHERE FROM HERE?

Let it be said, to keep H.R. 9005 in perspective, that U.S. development assistance, while clearly less political, will still be a part of the nation's overall foreign policy. Its bilateral portions will still be administered by USAID, which reports to the secretary of state. And its imaginative provisions will be no better than their implementation. USAID has, one gathers, made some progress in carrying out the 1973 reforms, despite the charges that it has simply poured new foreign aid into old wineskins. Certainly its recent statements and publications are more modest, sensitive and self-critical than earlier ones. One guesses, however, that there is still a rather long way to go, particularly at the field level—not to mention the continuing scandal that well over half of U.S. development aid funds are spent in the United States itself.

What is the future of H.R. 9005 and of an affirmative response to the world food crisis with a focused and expanded program of less political and more developmental aid? Predictions are risky as the running of the legislative obstacle course gets under way. Certainly the International Development and Food Assistance Act of 1975 is in keeping with the committee's change of name this year: from the Foreign Affairs Committee to the International Relations Committee. The act's future depends to a great extent on whether the House and Senate follow the committee's lead in setting aside threadbare discussion of foreign-aid-as-usual, and instead help to break new legislative ground at both authorization and appropriation stages. They will probably not do so without public support. With constituent backing, the Congress may enact and fund development aid which speaks with new responsiveness to the needs of a hungry world.

COMPACT OF PERMANENT UNION BETWEEN PUERTO RICO AND THE UNITED STATES

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. DENT. Mr. Speaker, I recently received four important documents which I feel should be brought to the attention of the Congress in anticipation of whatever action we may be called upon to take regarding the Commonwealth of Puerto Rico, the first is the "Compact of Permanent Union Between Puerto Rico and the United States," the preamble of which reads:

> The people of Puerto Rico constitute an autonomous body politic organized by their own, free and sovereign will and in common agreement with the United States under the judicial structure and official name of the Free Associated State of Puerto Rico.
>
> The people of Puerto Rico, a cultural community of hispanic language and tradition, citizens of the United States as well as citizens of Puerto Rico, have repeatedly decided and have expressed—in their Constitutional Convention, in referendums and in a plebiscite specifically held to that effect—their purpose to live in permanent union with the United States upon mutually satisfactory and just basis.
>
> In fulfillment of the terms of that plebiscite and subject to the approval of the Congress of the United States and the ratification in referendum by the people of Puerto Rico, it is hereby agreed to reaffirm, to consolidate and to improve the relationship already established, by means of this "Compact of Permanent Union Between Puerto Rico and the United States."

In reading the compact, I discovered many interesting views with which I agreed. However, I did have some problems with the labor section, from which I now quote:

> a. The public policy of the United States and of the Free Associated State is declared to be that the minimum wage in Puerto Rico be equivalent to the minimum wage in the United States as soon as economic conditions in Puerto Rico so permit.
>
> The Free Associated State of Puerto Rico shall have exclusive jurisdiction over all matters pertaining to minimum wages and working hours, except for the shipping and aviation industries which shall be covered by the appropriate federal laws which shall be determined by the Congress of the United States.
>
> b. The Free Associated State of Puerto Rico shall have exclusive jurisdiction over all matters pertaining to labor-management relations, except for the shipping and aviation industries, which shall be covered by the appropriate federal laws, as may be determined by the Congress of the United States.
>
> c. The Free Associated State of Puerto Rico shall have exclusive jurisdiction over all matters pertaining to laws and regulations on occupational health and safety, except for the shipping and aviation industries, which shall be covered by the appropriate federal laws, as may be determined by the Congress of the United Staes.

The compact was approved by the Ad Hoc Advisory Group on Puerto Rico and is to be recommended to the President and to the Governor of Puerto Rico. The other three documents I referred to were resolutions advanced in response to the compact by the Seafarers International Union of Puerto and Latin America.

Resolution 38 would record the SIU of North America as urging the Government of Puerto Rico to take steps to prevent the runaway of industries from the Commonwealth, particularly those that were awarded incentives for originally locating in Puerto Rico. The products of such runaway employers would be boycotted on a national basis.

Resolution 39 opposes the labor sections of the compact, essentially the abdication of the role of Federal labor law as applied to Puerto Rico.

Resolution 40 also deals somewhat with the runaway industry problem, addressing the role of the AFL–CIO in taking such action as may be necessary to prevent the phenomenon of severe economic dislocations caused by employers escaping labor conditions in the United States and Puerto Rico by relocating in foreign areas.

Mr. Speaker, I include the full facts of these resolutions at the close of my remarks in order that the Congress may be fully alerted to the implications of parts of the proposed compact and the economic realities of these times. I look forward to personally discussing these matters with the distinguished Resident Commissioner, Don Jaime Benitez, to get the benefit of his reaction as to what the attitude of the Puerto Rican government will be. My initial reaction is that such a program will cover serious disruptions in the trade and free and equal citizenship status between the 50 States and the Commonwealth. I would urge all Members to secure for themselves and to review carefully the proposed compact; a recommendation likely to provoke studied attention and debate.

The material follows:

RESOLUTION 38: RUN AWAY INDUSTRY

The Commonwealth of Puerto Rico under its Industrial Development policy is giving U.S. and foreign industries a series of incentives including tax exemption for many years.

Whereas: Some of these industries after receiving substantial profits are moving to areas such as Haiti, Dominican Republic and Jamaica where salaries and working conditions are very low.

And Whereas: This running away of industries has resulted in the highest rate of unemployment ever registered in the history of Puerto Rico.

And Whereas: The Government of the Commonwealth of Puerto Rico has the moral obligation of taking the proper steps to avoid this disastrous situation.

Whereas: The closing of factories has resulted in a reduction of thousands of members in the SIU de Puerto Rico, Caribe and Latin America and therefore has also directly affected the SIU of NA.

Therefore, be it

Resolved, That This Convention of the Seafarers International Union of North America go on record requesting the Governor of Puerto Rico and the Legislature of Puerto Rico to take legislative and administrative steps to prevent the running away of industries especially those that have received the benefits of Fomento incentives, including tax exemption, low factory rentals and special industrial training programs.

Be it finally *resolved* that SIU of NA treat Puerto Rican Runaway Industry the same as any anti-union employer who has, in fact, permanently engaged a "lock out" of those union members involved.

The products of such employers should be placed by SIU of NA on its "unfair" lists and on those of AFL–CIO and proper notice made to the U.S. Consumer and especially all Union members to boycott these unfair products on a national pasis.

Fraternally submitted

SIU DE PUERTO RICO
CARIBE AND LATIN AMERICA.

RESOLUTION 39: UNITED STATES-PUERTO RICO AD HOC COMMITTEE

Pursuant to the appointment by the President of the U.S., an Ad Hoc Committee was convened to reexamine the status and relationship of the Commonwealth of Puerto Rico with the United States of America.

After many months of deliberation certain recommendations have recently issued from that Ad Hoc Committee.

Of particular concern to all organized labor in Puerto Rico and particularly to AFL–CIO organizations, there is an Ad Hoc recommendation to eliminate certain aspects of Federal jurisdiction over labor matters in Puerto Rico.

Under Art. 17 sections A–B–C of the joint US–PR AD HOC Committee recommendation, it is proposed that:

1. The U.S. Department of Labor cede to the Puerto Rican Department of Labor its jurisdiction and responsibility for the establishment of minimum wages for Puerto Rican workers.
2. U.S. Department of Labor similarly cede its responsibility and jurisdiction regarding OSHA to the Puerto Rico Department of Labor.
3. The National Labor Relations Board to be replaced by the Puerto Rican Department of Labor for all purposes now under the jurisdiction of the NLRB in Puerto Rico, including representation and other elections, unfair labor charge enforcement.

At present, both Federal and Commonwealth Government agencies are acting in specific areas of labor matters and statistics show that Commonwealth agencies are much less effective and capable of protecting individual and collective rights of workers and of labor organizations.

Regardless of the fact that Federal labor laws and the agencies enforcing same should be improved, it is a fact that the proposed change, as stated bove, will result in serious problems for the Puerto Rican working class.

Inasmuch as the Central Labor Council of San Juan AFL–CIO has already resolved that such action would prove to be seriously detrimental to the interests of Puerto Rican workers as a whole; and has urged further that AFL–CIO Headquarters vigorously oppose any adoption of these Ad Hoc Committee recommendations by the Legislature of the United States;

Be it therefore *resolved* that

This convention of SIU of NA go on record as being in opposition to any change from Federal to the Commonwealth of PR of those concerned with the specific areas of jurisdiction as outlined herein.

Be it further resolved that SIU of NA lend all possible aid and assistance to AFL–CIO efforts legislatively and otherwise, to oppose and defeat the aforesaid Art. 17 sections A–B–C of the Ad Hoc Committee's report and recommendations. We urge unanimous support and concurrence with this resolution by all delegates to this convention.

Fraternally submitted

SIU of Puerto Rico,
the Caribbean, and Latin America.

Resolution 40: Runaway Industry

Whereas, both in the Continental U.S. and on the Island of Puerto Rico, employers in almost every industrial sector have consistently sought to escape conditions and wages as enjoyed by U.S. unionized workers on the whole.

And whereas this has resulted in widespread closings throughout the entire spectrum of U.S. and Puerto Rican industry with the attendant loss of tens of thousands of jobs.

And whereas these industries have reestablished operations in foreign areas which have in common advantage for the employer of low wages, long hours, few working conditions and fewer unions to protect those workers.

And whereas the successful and tremendously profitable operations of those companies so involved has resulted in epidemic closing and run-away tactics in Puerto Rico of labor intensive industry.

Be it *resolved* that this 17th Biennial Convention of SIU of NA direct its officers and staff of SIU of NA to examine all aspects of this problem and seek to sponsor and/or support appropriate legislation by the Congress of the United States intended to curb such practices.

Be it *resolved:*

That every possible implementation of administrative relief through tariffs, customs duties, quotas, be examined and full pressure be applied in order that all existing requirements be fully applied to foreign imports which affect jobs of U.S. workers.

Be it finally *resolved* that:

This problem be presented to the conventions of the Maritime Trades and the AFL–CIO in order that positive and forceful action may be effected by these powerful national organizations.

We believe such action is perhaps the only salvation for relief of this rapidly mounting problem which ultimately will affect every American worker in one respect or another.

We realize that substantial action already has been proposed regarding the multi-national company.

We urge adoption of this resolution in order that similar forceful steps be taken against the "run-away" company.

NORTHERN IRELAND VIOLENCE ERUPTS AGAIN

HON. MARIO BIAGGI

of new york

in the house of representatives

Monday, September 8, 1975

Mr. BIAGGI. Mr. Speaker, in the past month there has been a serious deterioration of the situation in Northern Ireland. Since February 10 when a ceasefire between the British Army and the Provisional IRA went into effect there was relative tranquillity in this nation. Now, the threat of all out war again hangs heavy over the minds of the people of Northern Ireland.

Again as in the past, the catalyst for this latest round of violence has been frustration and anger against the British and Irish Governments for their continued blatant violations of the basic rights of the Irish Republican leaders. Without question the arrest and imprisonment of David O'Connell one of the major Irish Republican leaders and architects of the truce set off the biggest negative reaction which shortly thereafter turned into violence. The all too familiar procedure occurred in O'Connell's case, arrest without charge and conviction without a scintilla of evidence and without even the basic protection of due process. David O'Connell is now in the Portlaoise prison for 12 months, convicted on a nebulous charge of being a member of the IRA, a charge which was never proven. Sources close to the trial described it as a judicial mockery.

Subsequent to his imprisonment, rioting and bombings increased and so did the resolve of the British forces to tighten their grips on the people of Northern Ireland. In one of the more despicable acts, Deidre O'Connell wife of David was beaten senseless without provocation.

During a recent trip to Dublin I had requested the Irish Government to allow me to visit the Portlaoise prison to inquire about conditions. My request was denied further intensifying my fears about conditions. Dr. Fred Burns O'Brien, information director of the Irish National Caucus recently returned from Dublin and in addition to being subjected to extreme harassment by British and Irish officials, he was able to visit the Portlaoise facility and described the conditions as abhorrent with many prisoners showing signs of being beaten.

It appears that a fundamental condition for peace will be a return to a system of justice for all people in Northern Ireland; as well as a respect for their basic human and civil rights.

The U.S. Congress must begin to address itself to the Irish question. Our first attention must be directed at determining what role our Government is playing in the arbitrary revocation of the visas of leading Irish figures seeking to visit the United States. In my visit to Dublin I met with leading American officials to discuss the matter and came away with no new information to disprove the claim that our Government was involved in a form of censorship.

The Immigration Subcommittee of the House Judiciary Committee held a preliminary hearing on the subject and in the interim they and myself have sought specific information from the State Department on the revocation issue. We have met with little success and it is more imperative than ever that the subcommittee reconvene these hearings, call officials from the State Department as well as allowing for waivers to be granted to all those Irish figures whose visas were revoked. I met with virtually all of them and have information which can aid the committee in their work.

Further, Chairman Thomas Morgan of the House International Affairs Committee has promised that the Subcommittee on Future Foreign Policy will hold hearings on the Irish question. As of yet no date has been set despite the urgency of the situation. I also urge Chairman Morgan to set a date for these hearings and get the U.S. Congress involved in finding lasting solutions to the problems in Northern Ireland.

At this point in the Record, I would like to insert two articles written by Dr. O'Brien. The first article deals with previous expressions of concern from Congress which have unfortunately led to no constructive actions. His second article discusses some of the more repressive laws imposed by the British Government to control the people of Northern Ireland. I urge my colleagues give this matter their close attention for it is a critically important issue and will be a factor in our future foreign policy.

The articles follow:

First Article by Dr. O'Brien

U.S. CONGRESSIONAL CONCERN

People of the divided sections live in fear of encarceration. When implication through innuendo becomes the basis of primary evidence, justice is obliterated. This is now the case in Ireland, North and South. Internment is a well-known fact about the North of Ireland. However, scarcely any public knowledge exists about the Free State other than in Irish circles. It was first manifest to a convened body by Ruairi O'Bradaigh, President of Sinn Fein, in his testimony to the U.S. House of Representatives Foreign Affairs Committee, Subcommittee on International Organizations and Movements, the Honorable Donald Fraser, Chairman, in October, 1973.

Mr. Fraser admitted he was aware of British indiscretions and legal abrogations in regard to the North, but his interest was particularly taken by the reference to judicial depredations in the "Republic of Ireland." The colloquy was such:

Mr. **Fraser**. I understand what you are saying, Mr. O'Bradaigh. In the protection of human rights, the Republic of Ireland falls short of internationally accepted standards. Does this situation relate to the conflict in Northern Ireland?

Mr. **O'Bradaigh**. Yes, it does.

Mr. **Fraser**. In other words, the government of Dublin in attempting to respond is short circuiting or abrogating certain fundamental rights?

Mr. **O'Bradaigh**. The trouble is that this has been part of it. It isn't just emerging in the last few years, it dates back to 1922 and the adherence to the European Convention of Human Rights is limited by the fact that it is not incorporated into domestic life.

Mr. **Fraser**. I am interested in that because of the role Sena McBride has played.

Mr. **O'Bradaigh**. Yes, of course.

Mr. **Fraser**. . . . we have a statement the

Republic of Ireland is not offering much more protection than Westminster is offering.

The role of the Irish government in the denial of basic human rights is now on the record of the United States Congress and its members were disturbed. Ironically, on the fourth anniversary of internment in the North, the Dublin government is about to embark on the same disastrous pursuit. The intent is denial of due process and equity, negating necessary functions of police power.

LAW FOR GOVERNMENT'S PROTECTION

Legislation that preordains an abridgement of individual freedom is law not fit for the consumption of an allegedly Democratic nation. The Irish government, evidently in fear of its own citizens' political opinions, took legislative initiative in preventing political dissidents from exerting themselves, but so-called subversives were so loosely defined as to be able to negate rational dissent.

A state has the power to punish anyone for a crime committed within its limits with certain diplomatic exceptions, but what of the non-crime of politics or the presumed act not committed only conjured by the state? In this realm of never-never land comes the response in kind by a terrified government, resulting in the Offenses Against the State Act, 1939. The Act itself is offensive in whole, and rampantly so in pertinent parts.

Within the provisions of the Act is confined almost the entire spectrum of normal activity in ambiguous terms to be intentionally treated in arbitrary fashion. Selectively applied, the word "offense" includes treason, felonies, misdemeanors, statutory and other offenses. This categorization does not permit any conduct to go without being included.

On June 14, 1939, "The act" was placed in effect; it is defined in an introductory paragraph: "an act to make provision in relating to actions and conduct calculated to undermine public order and the authority of the State, and for that purpose to provide for the punishment of persons guilty of offenses against the State, to regulate and control in the public interest the formation of associations; to establish special criminal courts in accordance with article 38 of the Constitution and provide for the Constitution, powers, jurisdiction, and procedure of such courts, to repeal certain enactments and to make provision generally in relation to matters connected with the matters aforesaid."

A secondary society ordained for persecution has been established by this Act for any political offenses or other offenses that are deemed offensive to the sitting government. The offenses are not defined, not limited, but extended to cover any and all activity the government considers subversive to its own political ends.

USURPATION OF GOVERNMENT

A gross offense against the state is the usurpation of functions of government. What are the functions of government? Are they the routine governance of daily activity? Would it extend to a larger entity that embraces a future concept—the reunified nation? This allusion to power does not interfere with or usurp the daily functions, but it is a goal to be obtained without interference with function of practicality. Within the given state, the future suggested governmental entity is political activity that is protected by the International Convention on Civil and Political Rights. Under Part II, Article 2, No. 1, it is guaranteed that each State Party undertakes to respect and to ensure all individuals' rights without distinction to politics and political opinions or other opinions.

Not only would definitive acts be unlawful, but a conspiracy to attempt or to encourage such is forbidden. This deletes and waters down the original specific offense, but allows for a greater number of arrests. What this section seeks to curtail is the perpetuation of the legitimacy of the Republic of Ireland based on the 1916 Proclamation, the 1918 plebicite and Dail Eireann established in 1919. The realization of this most sacred part of Irish history confronts the very legitimacy of the present Dublin Administration, as it is considered by many to be the illegitimate child of 1916. The present Sinn Fein Party would be the legitimate heir if legitimacy is traced from 1916.

OBSTRUCTION OF GOVERNMENT

Any government regardless of legitimate authority will not tolerate armed resistance to its supremacy. As an act of defense it will protect itself from all defiance of its sovereignty by force of arms and intimidation of the government function. The political resistence of Sinn Fein should not be construed as the violent overthrow of the government, as this is contrary to its stated policy of relegation to the support of military activity in Northern Ireland. A conspiracy to plan the violent overthrow of the government can expect resistence, but the punishment factor should not extend to the resistance to a foreign government occuping a portion of one's country.

Obstruction in the function of the President of the Irish Free State is within the same protection as the rest of the government, as it is easier in a political state to demonstrate discontent in the ceremonial functions performed by the President, but in an alleged democracy one should be able to confront the executive with political protest. This should not be interpreted as an obstruction of the office. A conspiracy needs a greater depth in evidence than a concrete act of obstructing, but again planning political confrontation is not an obstruction per se and cannot be alluded to as such.

Second Article by Dr. O'Brien

MOMENTS OF INTEGRITY

Each individual and every nation is under obligatory mandate to root out abuses to the basic human rights of their fellow citizens, be they of their own nation or transcending international borders. It is with this international moral purpose that the criticism of repressive legislation becomes a necessity, and we are duty bound to do so.

THE POWER TO QUESTION

According to the 1972 Amendment to the Offences Against the State Act a member of the Garda Siochana need only have reasonable grounds for believing that an offense under the scheduled offenses was committed. Reasonable grounds undefined would designate guilt and contrived circumstance might imply grounds. This evidence allots the Garda the right to make a judicial determination, that is, a definition of an offense. Merely believing an offense has been committed is to allow for vague connotations that a Garda might contrive as late as "the trial" of a known political Republican.

It states under Article 12 of the Universal Declaration of Human Rights that "any one shall be subjected to arbitrary interference with his privacy." Supposedly, the law is engaged to protect this right, not perpetrate its derogation. There mere belief that an individual has committed an offense for known political views without concrete evidence is totally unacceptable. The procedure allotted to the Garda officer permits the arbitrary arrest and hence detention of suspects in flagrant abuse of Article 9 of the International Covenant on Civil and Political Rights.

CHILLING ACTIVITY

It is not only the immediate suspect who is confronted by the Garda scrutiny, but any person that the officer believes knows or knew of the offense at the time of its commission or soon afterward and he finds such person at or near the place of alleged commission. This language places the legislation in the realm of the incredible in equitable judicial interpretation of what might be deemed criminal. Criminality is the arbitary discretion given a judge and policeman not qualified to make such judicial determination should not be permitted to delve in this realm of law.

A suspicion is in itself not a crime as the circumstance continues. A Garda has the authority to create a crime by suspicion and finger suspects based on belief not on fact. Any person in the vicinity of an alleged offense is suspect by a mere presence and presence itself becomes the offense. How is it defined that one officer in question knew that one near the scene of the questioned incident had knowledge of its commission. This is grabbing for the bounds of unreality that terminate in meaningless manifestation. To know becomes synonymous with a guess or a wish so that a suspect is contrived to have had knowledge when in fact this was a fiction.

An accusation of knowledge becomes a form of harrassment and it is not a crime per se and cannot be made one under circumstance predicated upon the theory of a policy officer. Article (2) of the Universal Declaration of Human Rights and Article 15 of the International Covenant on Civil and Political Rights both state that "on one shall be held guilty of any criminal offense on account of any act or omission which did not constitute a criminal offense, under national or international law, at the time when it was committed." The knowledge even under the Amendment can only become a crime after the fact and violates the Article most definitely.

Where is the presumption of innocence that is the basis of a democratic legal system when any individual might arbitrarily be detained near the area of an alleged offense? At this point, any allusion of a justifiable law system becomes as far-fetched as legality becomes spread thin in pursuit of the contrived.

Liberty of movement is guaranteed under Article 12 of the Covenant on Civil Rights, yet its dereliction is flaunted by the permissive practices of the Irish government that permits such arbitrary versions on the part of the police. It may be conceded to a Garda that one might request a person's name and address, but in the realm of questioning of activities and movements the Garda oversteps fundamental practices. For failure to give an account of movements, an individual is guilty of an offense and is guilty as well for offering misleading information. How then is "a misleading statement" to be determined? It is solely in the discretion of the Garda, which can be construed to be premeditated circumstances.

A spot decision cannot give any consideration to the necessary investigation determining if information sought is false or misleading. This needs an evaluation of facts and therefore the determination relies on the whim of a policeman. Further, this line of coercive questioning is compelling an individual to give possible incriminating evdence that be assured will be used to encarcerate. *Article 14(a)* protects this right, as does the basic precept of constitutional law that the Amendment affronts.

MEMBERSHIPS IN ORGANIZATIONS

This section of the Amendment Act is the catch-all section that relies solely upon the utilization of innuendo as a basis of evidence for suggesting an individual is a member of an illegal organization. The section is so all encompassing and vague that it is here quoted. "Any statement made orally, in writing or otherwise, or any conduct, by an accused person implying or leading to a reasonable inference that he was at a time a member of an unlawful organization shall, in proceedings under section 21 of the Act of 1939, be evidence that he was then such a member." What this language clearly puts forth is that any form of implication is or may be the basis of conviction. With such implication so overbearing, it makes a defense of any sort impossible. Innuendo cannot be the input for a valid prosecution of any sort; no quilt can be established per se. By this portion of the statute inclusive, the Irish government denies the right to freedom of association, a basic right of Article 20(1) U.D.H.R.

The conduct as such, stated in the quoted language includes "omission by the accused person to deny published reports that he was a member of an unlawful organization." For one to deny implication assuredly will lead the prosecution to revised insinuation, complementing inferred charges nullifying any possibility for a valid denial that would receive equitable consideration. A published report herein stated might be an inference in a newspaper story, that is coarse speculation.

The conviction of "the selected victim;" and this word is substituted for "the accused" for obvious reasons, is based on a Chief Superintendent of the Garda Siochana stating that at the given time stipulated by the prosecutor, the victim was a member of an unlawful organization. This quasi-judicial charade is a mockery of law and belittles the active Irish judicial process.

A RESPONSE TO THE SENATE MINORITY LEADER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. RANGEL. Mr. Speaker, on Thursday last, the Senate Minority Leader, Hugh Scott made a brief statement on the Senate floor regarding the decision by the Democratic Convention Site Committee to hold the Nominating Convention in New York City. In that brief statement, the Minority Leader maligned my party and my city, thus I feel compelled to respond to that comment.

The problems that my city has been experiencing are due in no small measure to the parochial attitudes which the Senator from Pennsylvania articulated. To make light of the very grave financial issues facing New York, as Senator Scott and others are doing is quite distressing. What New York and other great urban centers around the Nation need is immediate congressional action that would provide emergency assistance in order to prevent these bastions of culture, education, finance, and recreation from causing nationwide reverberations should their plight worsen.

The easy and irresponsible position is to make jokes. A much more responsible approach would be to help in devising solutions that would attempt to solve the financial woes of these cities. Bob Strauss and his selection committee realize that while holding their convention in New York, they will be able to avail themselves of all the activities of our great city, while at the same time provide a much needed injection of revenues. He is to be applauded for that decision. Senator Scott has taken the easy way out. For a man in his position to do this is indeed disheartening and it makes one restive to know that his views are not unique.

ALUMINUM AND ENERGY

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. JONES of Alabama. Mr. Speaker, because energy conservation in homes, business, and industry is a major concern, the remarks of Mr. David P. Reynolds to the sixth International Conference on Light Metal in Vienna, Austria, have particular significance.

Mr. Reynolds, chairman of the Aluminum Association, U.S.A., and vice chairman of the board for Reynolds Metals Co., examined the energy efficiency of aluminum to list the importance of this lightweight metal to achieving significant energy conservation goals in our society.

In view of the relevance of his thoughtful comments to the Nation's energy situation, I am including his address as a part of my remarks:

Aluminum and Energy

(Address by David P. Reynolds)

In recent years countless conferences and congresses on the energy situation around the world have pointed out the fact that the energy supply situation is and will be one of threatened shortage and rising costs.

In focusing on energy, we cannot lose sight of the importance of the world's raw materials supply situation. Our planet's limited endowment of some basic materials in the years ahead may become as critical a factor as energy is today. I believe aluminum has an advantage in this respect for two reasons:

It is the most abundant metal in the earth's crust.

It can replace most other major basic materials in many applications because of its versatility.

My comments consider the impact of the energy supply situation on the availability and cost of aluminum relative to major competing materials, and, the impact of energy on the markets and applications for aluminum relative to competing materials.

One word of caution. In discussing energy and materials, let us be careful about comparing BTU's. They are not necessarily interchangeable. Refraining from burning logs in my fireplace tonight will not put more gasoline in my car tomorrow. In short, those who have the responsibility for selecting materials should not fall into the trap of putting the burden of choice on BTU's alone.

Many factors must be weighed, including the environmental and economic costs, as well as the energy efficiency and durability of the final product. Two given products may require the same amount of energy to manufacture. But if one has three times the life span of the other, its energy content is reduced by two-thirds relative to the other material. In the final analysis, the true cost and impact of energy will be reflected in the marketplace.

In the energy supply situation as seen today, aluminum should continue to be competitive in availability and cost with other basic materials and may even accrue advantages in both respects.

Aluminum fares very well if we look at energy costs as a function of selling prices. Energy costs currently make up about 10 to 12 per cent of the average revenues of the United States aluminum industry. A comparison with the ratio of energy costs to sales revenues of other major materials shows that aluminum is clearly competitive, and may even have a slight edge.

This may come as a surprise to those preoccupied with looking at the energy required to produce a pound of ingot. Taking such a narrow view obscures the true picture.

The fact that aluminum's energy cost, as a per cent of revenues, is no greater than that of other major materials, including steel, also has ramifications for the future. If one material, on a percentage basis, has similar or less energy costs to begin with, assuming no change in other factors, then it should maintain or improve its competitive position as energy costs increase. We now see that this is the case with aluminum. Viewed in this light, aluminum is, and will remain, competitive from the standpoint of energy costs.

But aluminum has other factors going for it that could well give it a significant edge—its technological momentum and its recyclability.

Take technology. The aluminum industry has a notable record for increasing productivity in both primary production and fabrication and for steadily reducing energy requirements. The industry has reduced the amount of electricity necessary to produce a pound of metal from about 12 kilowatt hours in 1940 to as low as six-and-a-half kilowatt hours today.

The U.S. producers, through the Aluminum Association, are on record with a commitment to the Government to reduce energy consumption per pound of aluminum by 10 percent by 1980. We view this as a minimum goal. At least one major producer has announced plans to demonstrate a new process which could further cut the energy required by 30 percent or more. And all of the major producers have ongoing research and development programs aimed at achieving improved energy efficiency.

Here again, let's not make the error of constricting our view of aluminum to primary aluminum. As far as the user and designer are concerned, energy savings in the end product are of equal or greater importance. And it is in the end product, in many cases, where aluminum brilliantly shows its ability to compete with other materials.

The aluminum can is a classic example. This product has been able to compete with other materials with dramatic success because of the swift technical advances in three important areas of fabricating—the innovation of the two-piece drawn and ironed can and the equipment to manufacture it at extremely high speed; the development of high-speed processes for rolling quality aluminum sheet, and the design ingenuity in the structure of the can body which reduced by 30 percent the amount of metal needed to produce the can. Reduction in the weight of the can has resulted in an additional energy bonus—substantial savings in the energy costs of shipping. Twice as much beverage per gallon of gasoline can be shipped in aluminum cans as in refillable glass bottles.

Coupled with technology, we have recyclability, which will give aluminum additional advantages in terms of availability and costs. To the extent that the industry can recycle, it achieves savings in energy, raw materials and capital investment of a magnitude which cannot be approached by other major materials.

Aluminum is eminently recyclable for a number of reasons—principally its high scrap value, substantially higher than most competitive materials.

The United States industry set a four-year goal of increasing annual metal supply by one billion pounds through recycling by 1977. Some three billion pounds of scrap aluminum are lost in the solid waste stream each year.

One billion pounds of aluminum recycled would save mining and importing about two-and-a-half million tons of bauxite, save at least 6.5 billion kilowatt hours of electrical energy, and save a capital investment of at least one billion dollars.

Every pound of aluminum recycled to ingot conserves 95 per cent of the energy needed to produce primary aluminum. Since aluminum can be recycled over and over again, as consumption of aluminum grows, availability grows. And the opportunities for economical re-use at minimal energy costs keep expanding.

This is particularly true in the case of products which have a rapid distribution cycle, like the aluminum can. Conceivably, the metal in a single can could be recycled and reused three or four times in a given year. In 1974 in the U.S., the equivalent of 2.3 billion aluminum cans, or about 17 per cent of those used during the year, were recycled. This was another significant increase over the previous year. Automotive scrap, of course, has a much longer recovery cycle, but the amount of aluminum in cars as well as the number of cars becoming obsolete, is increasing. As the trend to put more aluminum in cars intensifies, substantial additional sources of scrap become economically available.

To recap then, aluminum's present competitive position with regard to energy costs, combined with the industry's technological thrust and the growth of recycling (not to speak of the abundance of aluminum ores) places our metal in a highly competitive posture compared with other major materials on the basis of availability and costs. My personal belief is that these factors will give aluminum an increasing advantage as the years unfold.

Now, I would like to turn to the second part of our discussion—the impact of the energy situation on markets and applications for aluminum relative to other materials.

Because of its light weight, its strength, durability, electrical conductivity, ability to reflect or conduct heat, and its recyclability, aluminum is the energy efficient material.

As the world is redesigned and reshaped to meet the new ethic of energy and resource conservation, applications and demand for aluminum should rise relative to other materials.

In a recent speech, Dr. Glenn T. Seaborg, Nobel Prize winner and former chairman of the U.S. Atomic Energy Commission, said that we will have to create within a few decades, "a recyclable society, a society in which virtually all materials are reused indefinitely."

Although he was speaking of the United States, his admonition is no less important to the entire world.

"In such a society," he said, "the present materials' situation is literally reversed; all waste and scrap—what are now called 'secondary materials'—become our major resources, and our natural, untapped resources become our back-up supplies."

He went on to say that such a society would require a shift in design and production of consumer goods that are not obsolescent . . . products will be built to be more durable . . . in addition to low maintenance qualities they will be multifunctional, modular, designed for easy assembly and breakdown, can be readily moved and set up in a different location when necessary . . . and when the consumer wishes to replace an item he can turn the old one in for a standard trade-in price.

Can such a society be anything other than an aluminum society?

Looking to the future, aluminum's greatest opportunities lie in four great areas of basic human need—transportation, shelter, energy transmission, and food packaging and distribution.

In transportation, aluminum's light weight, strength, corrosion resistance and formability command an important role in everything that is designed to move, particularly the automobile. The proper use of aluminum can greatly reduce the weight of a car and thereby increase mileage per gallon of gasoline. Typically, a single pound of aluminum used in an auto part produces an immediate and direct weight saving of one and one-half pounds when substituted for traditional materials.

This, in turn, saves another three quarters of a pound by allowing lighter structural supports.

In 1974, with an average of about 80 pounds of aluminum per car in the United States, somewhere between 1.6 to 2.5 billion gallons of gas were saved from this application.

If we increased aluminum substitution to 420 pounds per car, we could reduce car weight 30 per cent below the 1974 figures, with consequent fuel savings. Combined with the trend to smaller cars, this would increase gas mileage from 13 miles per gallon to 20 miles per gallon, a figure often quoted as a national goal.

Elliott M. Estes, the president of General Motors Corporation, recently told the Society of Automotive Engineers that General Motors is aiming for a 45 per cent gain in fuel economy by 1978. He said that about 20 per cent of the economy gain will be achieved by weight reduction through the use of lighter weight materials. GM is not alone. Auto makers around the world are accelerating the basic redesign of cars to reduce weight and conserve fuel. Aluminum will be a key ingredient of the formula for fuel economy. And this will be true as well for trucks, farm and industrial vehicles of all types as well as railroad, marine and mass transit applications.

In building and construction, the energy situation will provide a greater stimulus to the use of aluminum in making buildings of all kinds more durable and more energy efficient. The ability of the proper combination of aluminum building products to reduce heating, air conditioning and maintenance costs has been documented. Additional energy is saved in the shipping and handling of lightweight aluminum building components. In the United States, new legislation provides tax incentives for consumers who improve the insulation and weather tightness of their homes in order to conserve fuel.

The heating and cooling of homes and other buildings by solar energy points to a vast new market for our metal. At a news conference sponsored by the Aluminum Association last April, leading experts in the field of solar energy predicted its widespread use in the next ten years. A 500 square-foot solar collector panel, the size required for the average home, contains about 750 pounds of aluminum. Doctor Charles Alexander of Youngstown Ohio State University forecasts that a billion pounds of aluminum a year may be required for the manufacture of these solar panels by 1985. The United States Congress has authorized $1.25 billion in Federal funds over the next four years to encourage this type of solar energy use. According to U.S. government figures, if only one per cent of America's buildings were heated by solar energy, five million barrels of oil would be saved annually. Here indeed is a tremendous opportunity for aluminum to contribute to fuel conservation.

In the field of energy transmission aluminum already is the basic workhorse. The world will be increasing, one way or another, its energy sources. Additional aluminum transmission and transportation equipment will be required. More than 90 per cent of the overhead transmission lines in the United States are aluminum. The reasons are basic. Aluminum is the most economical conductor of electricity. It has been estimated that electrical generating capacity in the United States will have to be expanded four times over by the year 2000. This prefigures a tremendous, continuing and growing market for aluminum conductor of all types. Obviously, as this growth occurs, aluminum's competitive advantage over other materials in this field will tend to widen.

In packaging—particularly the packaging and distribution of food—aluminum can be of particular service to society. As the food needs of the world's growing populations become more critical, aluminum will be called upon in many forms—from storage silos to large shipping containers from beverage cans to meat and vegetable packages—to help protect and distribute the very sustenance of life and human energy. The growth of the aluminum beverage can in the United States is well known.

The can is now beginning to win similar popularity in Europe, Japan, Australia, and other parts of the world. I believe that this trend will increase worldwide as more and more people come to understand the unique energy and environmental advantages of its recyclability.

An application of perhaps even greater potential is the retortable aluminum pouch, which replaces the traditional tin can for the packaging of perishable foods. Here Japan and Europe are ahead of the United States, where this new package is currently being tested. We believe that it is the food package of the future. It has been estimated by the United Nations Food and Agriculture Organization that at least one-fourth of the world's food disappears between the field and the table, a prey to rats, insects, fungus and mildew. Much of this waste is due to inadequate packaging. This is intolerable in a world where millions are going hungry. The use of aluminum not only can help eliminate this waste, but also save significant energy in the shipping and distribution of food.

Considering just these four areas—transportation, shelter, energy transmission and packaging—it is apparent that even if there is some slowing of the general rate of growth in the world, there will be a continuing rise in demand for aluminum. This demand will stem in great part from the need to replace other materials where light weight and durability are essential to conserve energy, or where one or more of aluminum's other properties provide net energy efficiency and economy, or stretch the world's supply of scarcer materials.

To sum up, aluminum will continue to be competitive with other major materials in cost and availability in light of the energy situation. The energy situation will escalate the need for aluminum.

As the world's approach to energy and resource conservation becomes more sophisticated, men will look beyond the energy content of materials, to their net impact on society in terms of overall economics, energy efficiency, and conservation. In this context, aluminum becomes more and more attractive because in so many uses of basic importance to mankind it conserves many times the energy that goes into its making, and then can be recycled and reused with insignificant additional energy input.

In closing, I would like to make two points of a more general nature.

Regardless of what steps are taken to conserve energy, conservation alone is not enough. The real issue facing the world is the development of new sources of energy. We need to accelerate the development and use of still untapped fossil fuels. At the same time, we must employ our present nuclear fission technology to the fullest extent possible to take up the slack. However, both of these must be considered only as interim steps over the long haul. If civilization, as we know it, is to endure, new and virtually limitless energy sources, such as nuclear fusion and solar energy, must be brought to practical reality within the next few generations. We in the aluminum industry must do all in our power to encourage these developments.

The last point I would like to make is that since man's beginnings, he has been attempting to substitute other forms of energy for human labor. All of the freedom and possibilities of the twentieth century world—from the housewife's liberation from drudgery to the ability of all of us to jet to this conference from many parts of the earth—are the result of man's success in putting energy to work. One of the great human breakthroughs in the twentieth century is our new vision of how all things on earth are interrelated and interdependent. Among other things, we now see how not only the quality of life, but civilization itself is tied to the proper utilization and distribution of energy. Seen in this perspective, aluminum—earth's most abundant metal, the energy efficient metal—takes on a new and awesome importance.

LETTER FROM PRAGUE: A WRITER'S APPEAL FOR HELP

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. NEDZI. Mr. Speaker, the Russian invasion of Czechslovakia in August 1968 was one of the greatest tragedies of the post-World War II period. In the years which followed "the Prague Spring" and the brutal suppression of the human spirit which ended it, the Western World has tended to forget Czechoslovakia.

Now comes a moving and dramatic letter from Czechoslovakian playwright Pavel Kohout, which calls out to free men and reminds us of the terrible blight of totalitarianism.

Under leave to extend my remarks, the letter which appeared in the New York Times, August 29, 1975, is set forth below:

[From the New York Times, Aug. 29, 1975]

LETTER FROM PRAGUE: A WRITER'S APPEAL FOR HELP

(By Pavel Kohout)

Following are excerpts from an open letter from Pargue that the Czech playwright and novelist Pavel Kohout sent to the German writer Heinrich Böll and the playwright Arthur Miller. It was written in connection with the recent Conference on Security and Cooperation in Europe, in Helsinki. The letter, translated from the German by Inge Morath Miller, was given to The New York Times by Mr. Miller.

I am addressing myself to you—as my personal friends who know who I am and what I think and who as important authors have done their share to prevent today's world from being in worse shape than it is—in order to address myself through your mediation to all my colleagues in the so-called West and the so-called East.

I do not intend to write a political manifesto or a complaint; all I could say in this respect has already been said by me or others of my fellow citizens. I do not want to pour more oil on the fire of the discussions but to find a way out of a situation which is not exclusively Czech, having sprung from a social movement and a power conflict of the kind history has always produced, produces now, and is going to produce.

Dozens of Czech and Slovak writers have lived and worked in the past seven years under conditions which are a consequence of the year 1968. Regardless of whether our participation in those events will be judged positively or negatively, one thing is known to all: Our actions neither violated laws nor the ethical standards of writers. We have engaged ourselves in the defense of ideas which temporarily are being suppressed by the people in power, and that is all.

It is not to be regarded as a special favor that the current reprisals are limited to short arrests, surveillances, wire tapping, interrogations and house searches. It is rather that even the power of the state knows how difficult it would be to prove before the world and the nation that we committed punishable actions. Although we were accused of having committed the most absurd sins there was nothing we could do but stay home and continue working.

One would expect that the Government would consider such action as a sign of goodwill when, even in our state of disgrace, we try to participate in the development of the national culture, especially since this Government announces daily the united support of the entire population, and even more so when those in difficulties include the majority of the well-known intellectuals and artists, who are clearly not enemies of the aims but of the methods used.

After seven years we and the Government have come full circle. We suffer the fate of those who have been silenced. The Government suffers the shame of the silencer if it offers as the only way out (and this only to a few) the offer of a passport. This offer not only suspends the Damocles sword of the loss of citizenship (which can be decided without one's own participation) but also represents a violent uprooting from one's homeland, and is really only another way of silencing.

In this encounter there are neither victors nor losers, only the defeated, those who cannot stand it physically and those who cannot stand it spiritually. Their humble self-criticisms, even if dictated by the most humanly understandable desire to be able to publish again, or to make it possible for the children to study, are the saddest of all.

A grown-up man who denies in one single declaration to the press everything he has stood for in his life and work loses in one single moment the esteem of his friends, his readers, and, above all, of those in power because they know best what caused this "insight" and what its proper weight is. The final consequence is the person's loss of self-esteem or his turning to cynicism. But which would be preferable?

Some writers, among them myself, have the good luck to be able, because of various circumstances, to go on legally publishing their works outside Czechoslovakia—lucky circumstances, insofar as these writers are still stimulated by a live confrontation with the world and also by their having fewer material worries, in spite of hard discriminatory measures.

But considering the original meaning of literature which is the product of a certain place and community, our fate is not different from those who are only writing for the desk drawer.

If there are too many desk drawers and the things are forced to be kept in them too long without hope of any change, then the consequence is a serious disturbance in the structure not only of literature but the entire national culture.

This is the more dangerous if it is reinforced by a continuing development of technology and a proliferation of consumer society.

Both of you are well acquainted with our situation; you were eyewitnesses to its birth and development. You therefore are well aware that we did stay true to our convictions but that we limited ourselves exclusively to a defense against the more outrageous injustices.

I have concentrated everything toward one goal: to continue writing and to create a legal possibility for at least the most elementary discussion among writers and the circle of readers closest to me.

In this age of rotary presses and the most modern communication techniques, dozens of grown-up and well-known writers are forced to behave as though in their student years: We exchange typewritten copies of manuscripts or leave them with interested readers at cost. This is not an illegal activity since each copy has been signed by the author, but it is also no student's prank.

These free editions amount today to about fifty titles by about thirty authors. In order to be able to share reflections about current affairs—a possibility which was once offered to us by newspapers—we started to regularly write feuilletons and to send them to each other; about spring, about Easter, about the global diminution of raw materials and food, about the beginnings of human culture. These texts, which were not anonymous, have rapidly gained a wide circulation, thus contradicting the insinuation that all these authors were rejected by the nation.

The era of innocence for this manuscript literature ended in April of this year when teams of state security men started, in the course of house searches of a number of my colleagues and other citizens, to be most concerned with the impounding of all typed manuscripts. The culmination was the removal of unfinished works, among them a thousand pages of philosophical notes by Karel Kosik. This event shook me profoundly.

I had expected that my colleagues would at least receive an answer when they requested the return of unfinished manuscripts from the authorities. Since this still has not happened I have to feel myself as much in danger as those who are already victims. Does this not create a kind of precedent permitting the police from now on to enter everywhere and take everything? Shall I from now on write each of my plays with a copy to be hidden in the evening in different hiding places?

Thus the following devilish circle is completed: According to the Government only the person who writes and publishes is a professional writer. Formerly, in order to prevent anybody who incurred the displeasure of those in power from becoming such a writer his work was simply forbidden publication, but now manuscripts are impounded in order to make writing itself impossible.

I therefore send this letter and ask the following questions:

1. Is it possible that one who merits the description of writer will not think and write about the conflict in his society even if his opinions are different from those who are in power at a given moment? In doing this does he commit a crime againt the state?

2. Has any government that signed the Declaration of Human Rights the rights to force an artist to be silent as an artist when he is not guilty in the eyes of the law, but solely of unofficial thinking? Is one allowed to deprive him of the possibility of publishing, even in the most primitive form, the typewritten copy of his own works?

3. Has such a government the right to impound the manuscript on which the author is still working and that has not even been circulated in the typed version? What's the difference between such a manuscript and the thought alone?

4. Is it possible in this modern world, where each inflicted measure of punishment is more or less in relation to the crime and where even criminals after serving their sentences are reincorporated into common life, to ban an author or a great part of literature for an unlimited time?

5. Is this apartheid or not?

6. Can cultural orginizations of the world, including UNESCO, simply ignore such a state of affairs?

7. Is it possible for European cooperation in the cultural sector to gain any perspective of reality without overcoming similar situations and without creating guarantees to prevent their repetition?

8. Is culture the possession of the nation and the state, as are the territory and the

army, or is it the property of mankind, as are the laws of physics and the atmosphere?

We live in the time in which not only artists and scientists but also statesmen are inclined to think that disputes should not be solved by force but by negotiation. We also witness the fact that statesmen more and more engage themselves in solving conflicts which do not directly concern only their countries out of the belief that peace is indivisible and belongs to all.

I am of the opinion that culture, too, is indivisible and belongs to all.

I not only grew up with [the writer Jaroslav] Hasek and [the dramatist Karel] Capek but also with Stendhal and Mayakovsky and as dramatic authors with Dürrenmatt and Shaw. The Czech Jan Neruda lent his name to the great Chilean poet. Kafka from Prague influenced world literature as few others have. Why, therefore, should writers who at this moment are not yet plagued by the problems of their colleagues not engage themselves to work for their solution?

The situation of the Czech and Slovak literature cries out for such a mission. Could you, dear Mr. Böll and Mr. Miller, together with other colleagues from different countries whose governments are at the European security conference, come to Prague and Bratislava to listen to the most divergent points of views and to try to work out a *modus vivendi* also for all future similar situations?

A government that is honestly working for the peaceful solution of bloody disputes between governments of different social orders cannot possibly adhere to the opposite principles if it concerns an unbloody dispute between groups and citizens with different points of view.

And if such an attempt failed, would it not be possible to organize through the initiatives of the writers and the organizations a European or a world conference dealing with the mission of culture in an epoch which stresses the consumer society and technology and to try to find an efficient solution of the conflict between culture and power constantly arising in different parts of the world? If we couldn't be present personally we would at least participate with our written contributions to the discussions, even from afar.

Our precedessors, the Czech and Slovak writers between the two World Wars, Communists like [Egon Erwin] Kisch and democrats like Capek, did everything in their power to help the Nazi-menaced German culture.

My generation also helped for long years, with expressions of sympathy as well as concrete acts, all colleagues who tried in difficult times to maintain the continuity of their national culture, be it at home, as victims of McCarthyism, or in the Czech emigration; I met Pablo Neruda and I was a friend of [the Turkish Communist poet and playwright] Nazim Hikmet.

Don't we now too deserve friendly advice and help—socialists in a socialist country, even if we do not fight for our lives (thanks to a historic shift) but only for the right to be the writers that we are?

PERSONAL STATEMENT

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mrs. CHISHOLM. Mr. Speaker, I was not in attendance on the House floor, Friday, September 5, 1975, because I was chairing a speakout of the National Committee on Household Employment which was held throughout the day in Rayburn. Had I been present, I would have voted in favor of both H.R. 8800, the Electrical Vehicles Research Act, and H.R. 8674, the Metric Conversion Act.

THE CRISIS AND RESPONSIBILITY OF CONGRESS TO TELL THE TRUTH

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 8, 1975

Mr. CONYERS. Mr. Speaker, last July 15 friends of Mr. MICHAEL HARRINGTON, the distinguished Congressman from Massachusetts, held a dinner to honor his efforts to apprise the American people of official and institutional crimes. In an address at the dinner, Marcus Raskin, codirector of the Institute for Policy Studies, raised the question of the responsibility of the Congress to the people, in particular the obligation of representatives to provide their constituents the information they require to render informed judgments of their Government. Mr. HARRINGTON was rebuked by some of his colleagues for discharging this elemental duty of fostering an enlightened citizenry, even at the risk of embarrassing officials and of attacking the inborn institutional tendency toward self-protection and secrecy.

Should we not ask ourselves, do we honor our purpose as representatives when we place institutional interests above citizen needs, the safeguarding of reputations above keeping faith with the American people and their capacity to govern themselves, if given the opportunity to do so?

Mr. Raskin raised the question of responsibility in the context of the larger issue of the contemporary decay of representative government, of the withdrawal of trust and hope on the part of many Americans. A July, 1975 Harris poll reported that only 22 percent of a representative sample of adult Americans gave the Congress a positive job rating, the lowest since 1963. Only 15 percent gave Congress high marks for its ability to maintain a healthy economy. A National Opinion Research Center poll of June, 1975 indicated only 13 percent of its sample expressed overall confidence in the congressional leadership.

One cause of the decay of our representative institutions is the unwillingness of officials to share with the people what they know about the operation of Government and of the consequences of its actions for their lives. To some extent the Committee on the Judiciary last year honored the fundamental compact of truth and trust between itself and the citizenry in reporting out articles of impeachment. After a slow start Congress is investigating a range of questionable activities of the CIA and of other executive agencies.

There are times, to be sure, when a majority of the people prefer to nurse illusions rather than face the truth. At such times people have to be coaxed and persuaded to confront the facts until such a time when they gain assurance that this course of action will liberate rather than alarm them.

Yet in at least one area of our public life the Congress still resists its responsibility to speak sense to the American people. I refer to the conditions and consequences of our economic crisis that daily impoverishes millions of working-class Americans and that consigns millions of others to prolonged unemployment and despair. The Congress has not dealt squarely with this crisis. We have failed to take bold action to put a stop to the stranglehold of mega-corporations on our economic life. We have not offered a coherent program on energy development nor have we instructed the public on the dangers of the oil industry's monopolistic structure. We have failed to write legislation to rescue our great cities from economic, political and moral rot and to inform urban and non-urban Americans about the dire effects of urban collapse. We have ignored up to now legislation that renders decent and gainful employment a right of all adult Americans, not merely a privilege given and taken back by private industry according to the vagaries of narrow profit-maximization.

While the President remains wedded to the horse-and-buggy economics of a bygone era, the Congress has done little to move this Nation along an economic path that conforms to the facts of contemporary life and to the principles of democratic life. The low regard with which the Congress is currently held is explainable in part because of its failure to move from the house-cleaning of institutional and procedural reform, certainly laudable and necessary functions in themselves, to affirmative political and economic action. The 94th Congress after an impressive beginning has faltered in its substantive legislative role.

Nor has the Congress owned up to its constitutional responsibility to "declare war—to make rules for the Government and regulation of the land and naval forces"—namely, to oversee the military establishmnt—article I, section 8. The Congress has been derelict in continuing to tolerate the expenditure of public funds by the CIA without an accounting to Congress or to the American people—article I, section 9. Nor has the Congress through its impeachment powers—article II, section 4—aggressively ferreted out and punished officials in executive agencies who have violated the law. Congress' reluctance to assume its constitutional duties has also eroded the respect of the citizenry.

For these and other reasons the Congress has not fully honored its compact with the citizenry to tell the truth and to act responsibly and compassionately to advance their interests. This failure was well summed up by our esteemed chairman of the House Judiciary Committee, Mr. PETER RODINO, in a recent interview with columnist Mary McGrory:

> We haven't learned the lesson of impeachment. Instead of thinking of what's best for the country, we're just thinking of the next election. We haven't learned that if we are fair, and if we are decent and then resolve to do what is right and make the people privy to it, the people will understand and approve and accept.

I recommend to the attention of my colleagues the address of Marcus Raskin. His analysis of the pitfalls of congressional politics, the institutional factors that can seduce them away from their responsibilities, is highly illuminating. It contributes to what must be a continuous dialog among legislators and between their constituents about their mutual obligations:

THE CRISIS AND RESPONSIBILITY OF CONGRESS TO TELL THE TRUTH

(By Marcus Raskin)

Why is representative government in a state of decay? One reason is that it has lost the means by which citizens can join together to deliberate and carry out the results of their deliberations, as in town meetings. Another is that the major political parties are merely adept at winning elections but not at presenting coherent programs which the citizenry can be for and implement in their own communities. A third reason is that there seems to be little ability to control oligopolistic corporate power which shapes the economy. The final reason is that members of Congress are coopted by bureaucratic rules which bind them to the state apparatus and alienate them from the citizenry.

I want to take a few minutes to talk about this latter problem because the activities of Michael Harrington and that of other Congressmen underscore the present dilemma of representative government and the pernicious attempt to fold the Congress into the national security apparatus.

To comprehend the problem of congressional representatives it is necessary to ask what we as citizens expect of them and what we expect of ourselves. Hannah Arendt has pointed out that Americans operate according to two political principles. One of them is consent. But within that consent is implied dissent. It is the spirit of American law that our implied consent rests with implied dissent. Practically speaking this means that the citizen does not assent to every proclamation, every law, every secret rule of a secret police agency, whether it operates within the United States or abroad, nor does the citizen affirm every executive order which appears to operate under the color of law

We may discern an historical reason as to the citizen's limited assent, a quality which must continuously be won from its citizenry by a government. There is an ancient reason why this allegiance must be constantly courted by governments. It is not unknown that men in government use the fig leaf of legalese to cover up naked criminality. Citizens, therefore, look to their power to withhold consent and to an architectonic of laws for their protection. For example, we believe that the Constitution is our primary document, our secular Ten Commandments that are meant to hold the society together. We view the people's rights as stemming from that document. But even reverence for the Constitution is only supreme when it takes into account the spirit of the laws. In our time this means the rights of all our people. The nineteen sixties was a time in which the civil rights movement deepened the meaning of the Constitution. Black people said that their right to consent rested on their right to dissent and resistance to being slaves, chattels or second class citizens. The spirit of consent rested on a deepened meaning of Constitutional rights.

During the sixties the Constitution was again put to the test by a lawless state which made war in Indo-China and those who used civil disobedience against the lawless state. This sorry state of affairs went on for over a decade in which civil disobedience, really disobedience to the state, became a principal way to exercise citizenship. Many people questioned and resisted State operations. The dissenting actions of the anti-war movement, the objecters and resisters, were meant to confront the illegal state orders which the society was to dumbly follow. We were to passively accept high level foolishness without question. However, the various movements of the last 15 years have been doubters. Over and over they said that they could not accept the principles of state power parading as legitimate or lawful. They were given a moral and political warning to which all of us should subscribe. After all, the history of the twentieth century is replete with para-legal ersatz orders for bombings, concentration camps, genocide, break-ins, assassinations and what have you. All of these orders have had about them the ring, the color of legality without any base in public law or public discussion. These bureaucratic and elite crimes are exactly what must be exposed, analyzed and understood. Any call by Congress, the President or former government officials for a citizen consensus can begin to exist only when the government abjures and forswears its own criminality and its own criminals. And, I would add, that neither consent nor dissent will have any meaning until citizens participate and learn about the affairs of their government.

The question for the citizen and for the representative, therefore, is what should both know, who should the Congressperson tell, what are his rights and responsibilities and our rights and responsibilities? It is these questions which define the citizen's moral obligations to consent to what he knows about and dissent to that which he objects through personal actions or voluntary associations.

What then is the role of the Congressman? We all know the story of people who come to Congress and are soon coopted into the national security state apparatus. They soon find themselves being made complicit to secrets, to crimes and the pornography and sadism of State power. They are told that the world is an evil place and other homilies. They are told that they must accept guilt and yield their innocence by embracing devilish principles and Faustian pacts of genocide and crime. They are then expected to legitimate such crimes. If a person is a Congressman he may be expected to swear allegiance to secrecy so that colleagues and the citizenry at large are kept ignorant and uninformed. The Congress is to be kept in the dark as high crime is renamed "national security", genocide is renamed "nuclear strategy" and murder, kidnapping, forging money and overthrowing governments are called "covert intelligence operations". It is no wonder that the national security apparatus has chosen to keep these operations secret. It is because they are repugnant to the American conception of citizenship and government, and to people's *natural* good sense. It is not likely that if government made these events public, or if people were asked to vote on them, that the citizenry at large would support these actions. I might remind the assembled group that it was not the Mississippi tenant farmer, the auto worker, or the Rotarian salesman who brought us the Phoenix program, the Indo-China war or present grave pratings of first-strike capability.

Where then does th representative fit into the present situation of developing an active citizenry and isolating a government which allowed itself to embrace every foolish, immoral and illegal action as if they were sacred writ?

The role of Congress is to allow people to judge and enable the citizens to govern themselves. These objectives can only be accomplished when Congress shares what it learns with the people and the public shares what it knows with Congress. A member is not expected to avoid the public eye or to confirm the national security bureaucracy's alienation from the people by hiding the actions of that bureaucracy. He is not expected to cover up the actions of a generation which have caused large-scale disobedience and protest among a significant proportion of the citizenry. A member of Congress must now comprehend the plight of the citizen who sees the Congress taken in and made fools of. The citizenry generally are at a loss to see how there can be corrective action against police agents, national security apparatus, and paramilitary groups and sees Congress as frightened and unwilling to dismantle the national security apparatus.

Nevertheless, corrective actions can be taken. And herein is the genius of the American system when it is allowed to operate. The corrective action has resulted in two important stages. One was the resignation and removel from office of a President and a Vice President, the indictment and imprisonment of dozens of government officials for crimes and illegalities. The second stage which we are now in leaves Congress and people with an even greater task because it is concerned with institutional and bureaucratic crimes. It is these crimes which have been crucial in denigrating American citizenship and which have caused such misery abroad and within the United States. As some members are now saying, it is in the hands of Congress to say "No more." But it cannot do so if it refuses to find out the facts, to debate them publicly and to share them with the citizenry at large.

It is only in a pact with the citizenry that Congress will be able to act against official and institutional crime. And it is only within the context of making such information public that the citizenry can participate and therefore be expected to see themselves as feeling that the government is *their* government rather than one controlled by secret boards, hidden advisory groups and floating juntas which operate against the people.

One final word. Some of us have argued that the para-military activities which were sanctioned by U.S. foreign and national security policy abroad have come home to haunt our own government and people. These crimes are one piece, if not in law, then in policy. It is the task of Congress to see these interconnections and put a stop to them. Operation Chaos and Operation Phoenix were joint efforts aimed at continuing a cruel and horrible war, just as break-ins of the Chilean Embassy here and the "destabilization" and murder of General Schneider were carried out in the name of some high policy just as those in state power who gave LSD to the unsuspecting here and abroad was one important cause of America's drug problem. These actions can no longer be sanctioned or condoned. They can only be continued if Congress continues to hide them and allows secrecy to protect the political pathological. Congressman Harrington an many Congressmen here have made a stan against the political pathology and crimes o this past generation. Their way is a principal and principled way of returning health to the body politic.